



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

AGENDA

PLANNING COMMISSION – REGULAR MEETING TUESDAY, MARCH 9, 2021

MEETING TO BE HELD VIA ZOOM – 7:00 p.m.

I. CALL TO ORDER

1. Pledge of Allegiance

II. ROLL CALL

1. Appointment of Alternates

III. APPROVAL OF MINUTES of the February 23, 2021 regular meeting

IV. PUBLIC HEARINGS

1. **Application #21-01** of James & Nancy Brown, Owners/Applicant; for a 2-lot re-subdivision on the property located at 34 East Weatogue Street (Assessor's Map H14, Block 109, Lot 018). Zone R-40.

V. GENERAL COMMISSION BUSINESS

1. POCD Update Workshop

VI. CORRESPONDENCE

VII. ADJOURNMENT

Please notify Michael Glidden, 860-658-3292, or MGlidden@simsbury-ct.gov if you are unable to attend this meeting.

Watch meetings LIVE and rebroadcast on Comcast Channels 96, 1090, Frontier Channel 6071 and LIVE streamed or on-demand at www.simsburytv.org

How to Join us on Zoom for the Public Meeting:

1. Join us on the web: <https://zoom.us/j/2574297243>
2. Join us by phone: +1 646 558 8656
3. Written communications may be emailed to lbarkowski@simsbury-ct.gov by 12:00 p.m. on March 8, 2021 to have comments read into the record at the hearing

How to view application materials:

Visit <https://www.simsbury-ct.gov/planning-commission>

Telephone (860) 658-3245

Facsimile (860) 658-3205

www.simsbury-ct.gov

An Equal Opportunity Employer

8:30 – 7:00 Monday

8:30 – 4:30 Tuesday through Friday



Town of Simsbury

Office of Community Planning and Development - Planning Commission Application

DATE: _____ FEE: \$ _____ CK #: _____ APP #: _____
PROPERTY ADDRESS: 34 EAST WEATOGUE STREET
NAME OF OWNER: JAMES E. & NANCY W. BROWN
MAILING ADDRESS: 34 EAST WEATOGUE ST. SIMSBURY, CT. 06070
EMAIL ADDRESS: TED@PETERLBROWN.COM TELEPHONE # 860-978-3999
NAME OF APPLICANT: SAME

MAILING ADDRESS: _____
EMAIL ADDRESS: _____ TELEPHONE # 860-408-91
NAME OF AGENT*: DENNO LAND SURVEYING & CONSULTING, LLC
MAILING ADDRESS: 2 TUNXIS RD. STE. 214 TARIFFVILLE, CT. 06081
EMAIL ADDRESS: BRIAN.DENNO@GMAIL.COM TELEPHONE # 860-408-9167
*Agent is the Architect, Attorney, Engineer, Landscape Architect, Surveyor, or other individual who will be the responsible contact person with the Town and Commission.

ZONING DISTRICT: R-40 LOT AREA: 7.626 SQ FT/ACRES

Does this site have wetlands? ☐ YES ☒ NO Have you applied for a wetlands permit? ☐ YES ☐ NO

Requested Action: (please check appropriate box)

☐ Subdivision ☒ Re-Subdivision ☐ Rear Lot Re-Subdivision ☐ Subdivision Modification ☐ Other

Explain: CREATE A NEW 4 ACRE RESIDENTIAL BUILDING
LOT WITH THE EXISTING HOUSE ON THE
REMAINING 3.026 ACRES.

The proposed total number of lots is 2.

NOTE: Each application requiring action by the Commission must be prepared in accordance with subdivision regulations Section VIII (procedures) and Section IX (plan requirements). Each application shall include a list of names and addresses of abutting property owners and all property owners within 100 feet of the subject site.

Check** in the amount of \$ _____, payable to the Town of Simsbury, must accompany this signed and dated application. Six complete sets of plans must be submitted with the application, as well as PDFs, if available.

[Signature] 2/16/21 [Signature] 2/16/21
Signature of Owner Date Signature of Applicant Date

**Per Subdivision Regulations

Owner/Applicant/Agent should attend the Planning Commission Meeting(s) pertaining to this application.

T:\Forms\Applications\Planning Commission Application 05092016.doc

Telephone (860) 658-3245

Facsimile (860) 658-3206

www.simsbury-ct.gov

933 Hopmeadow Street
Simsbury, CT 06070

34 East Weatogue Street - 100' Abutters List

Parcel ID	Site Address	Owner Name	Mailing Address	Mailing City
H14 109 018	34 EAST WEATOGUE STREET	BROWN JAMES E AND NANCY W	34 EAST WEATOGUE STREET	SIMSBURY, CT 06070
H14 109 020-B	55 HIGHWOOD	SAVIN STACEY L	55 HIGHWOOD	SIMSBURY, CT 06070
H14 109 020	42 EAST WEATOGUE STREET	HYPPA JOHANNA C TRUSTEE ET AL	668 WHALLEY ROAD	CHARLOTTE, VT 06445
H14 108 003	25 EAST WEATOGUE STREET	BOURKE SANDRA AND EPSTEIN MARSHALL (TC)	25 EAST WEATOGUE STREET	SIMSBURY, CT 06070
H14 108 007A	41 EAST WEATOGUE STREET	EPSTEIN MARSHALL B AND LYNN C	41 EAST WEATOGUE STREET	SIMSBURY, CT 06070
H14 109 18B	EAST WEATOGUE STREET	FOLEY BRIAN J	76 HARTFORD ROAD	SIMSBURY, CT 06070
H14 109 017A	30 EAST WEATOGUE STREET	LANZA SUSANNE H AND JOSEPH P	PO BOX 64	SIMSBURY, CT 06070
H14 108 008	45 EAST WEATOGUE STREET	MCCUSKER ROBERT J AND MEAGEN M	45 EAST WEATOGUE STREET	SIMSBURY, CT 06070
H14 108 006	39 EAST WEATOGUE STREET	SIMSBURY MERRIFIELD REAL ESTATE LLC	314 MAIN STREET	FARMINGTON, CT 06032

Town of Simsbury

Geographic Information System (GIS)



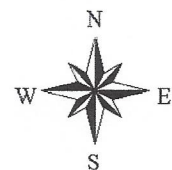
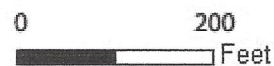
Date Printed: 2/16/2021



MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 200 feet



SOILS TESTS:

TEST TUBE MIN. UNIFORM GRAIN SIZE (MIN./NO.)

1	1.3 @ 36"	0-13 TOPSOIL BROWN FINE SANDY LOAM 14-36 ORANGE BROWN FINE SANDY LOAM 37-86 SAND
		NO MOTILES NO WATER NO WAX NO LEADS NO ROOTS
2	1.3 @ 36"	0-15 TOPSOIL 12-35 ORANGE BROWN FINE SANDY LOAM 35-86 SAND
		NO MOTILES NO WAX NO MARIAN NO LEADS NO ROOTS
3	1.3 @ 36"	0-11 TOPSOIL 11-32 ORANGE BROWN FINE SANDY LOAM 32-86 SAND
		NO MOTILES NO WATER NO WAX NO LEADS NO ROOTS

DESIGN RECOMMENDATIONS
NUMBER OF BEDROOMS: 4
GARAGE DISPOSAL: N
MIN. UNIFORM PERC. RATE (MIN./IN.): 1.3
DESIGN PERC. RATE (MIN./IN.): LESS THAN 10.1
REQUIRED LEACHING AREA (SF.): 571.5
SEPTIC TANK CAPACITY (GAL.): 1,200
MISC. CALCULATION
NOT REQUIRED

USE 104 FEET OF 12" CONCRETE GALLERIES.
PROPOSED EFFECTIVE LEACHING AREA = 104' L² X 5.9 SF/L² = 613.6 SF.

1. TOPOGRAPHY TAKEN FROM FIELD SURVEY BY DENNO LAND SURVEYING
2. PRIOR TO THE START OF ANY CONSTRUCTION, THE DEVELOPER'S CONTRACTOR SHALL SCHEDULE A PRECONSTRUCTION MEETING WITH THE TOWN STAFF.
3. CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS AND UTILITY LOCATIONS.
4. ALL NEW CONSTRUCTION TO BE DONE IN ACCORDANCE WITH THE TOWN OF SIMSBURY STANDARDS AND CONNECTICUT DOT FORM 816.
5. ALL NEW UTILITIES SHALL BE UNDERGROUND.

6. ANY ADDITIONAL SEDIMENT/EROSION CONTROL MEASURES DEEMED NECESSARY BY THE TOWN ENGINEER SHALL BE THE RESPONSIBILITY OF THE DEVELOPER. ANY EROSION CONTROL MEASURES IMPLEMENTED DURING THE CONSTRUCTION OF ANY SITE IMPROVEMENTS SHALL BE IMPLEMENTED BY THE DEVELOPER. IN ADDITION, THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE/REPAIR OF ANY EROSION CONTROL MEASURES IMPLEMENTED BY THE DEVELOPER. ANY AREAS HAVE BEEN STABILIZED TO THE SATISFACTION OF THE TOWN ENGINEER AND THE CONSERVATION COMMISSION, OR ITS DESIGNATED REPRESENTATIVE.

7. LOAM AND SEED ALL DISTURBED AREAS WHICH ARE NOT PAVED, MULCHED, OR PLANTED PER THE SEDIMENTATION AND EROSION CONTROL DETAILS PLAN.

8. THE DEVELOPER AND HOME BUILDERS SHALL PRACTICE EFFECTIVE DUST CONTROL DURING DRIVE AND HOUSE CONSTRUCTION TO KEEP DUST AND BLOWN DEBRIS FROM AFFECTING ADJACENT PROPERTIES.

9. THE DEVELOPER SHALL CLEAN ANY REMAINING DEBRIS, TRASH, RUBBISH AND DISCARDED MATERIALS FROM THE SITE AND DISPOSE OF SAME IN AN AREA AND BY METHODS APPROVED BY THE TOWN OF SIMSBURY AND THE STATE DEEP.

10. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE CLEANING OF NEARBY STREETS AS ORDERED BY THE TOWN OR STATE, OF ANY DEBRIS FROM HIS CONSTRUCTION ACTIVITIES.

11. THE PROPER APPLICATION OF MODERN ARCHITECTURAL PRACTICES WILL PROVIDE FOR MANY POSSIBLE METHODS OF UTILIZING ACTIVE OR PASSIVE SOLAR DESIGN ELEMENTS IN THE PROPOSED HOUSES.

12. THE USE, STORAGE OR DISPOSAL OF ANY MATERIAL NOT IN ACCORDANCE WITH THAT SHOWN ON THE APPROVED PLANS, OR REQUIRED BY ANY REGULATORY AGENCY, MAY RESULT IN THE IMMEDIATE REVOCATION OF ANY PERMIT OR APPROVAL GRANTED BY THE COMMISSION.

13. THERE SHALL BE NO STOCKPILING OR DISPOSAL OF SURPLUS MATERIAL WITHIN OR IMMEDIATELY ADJACENT TO REGULATED AREAS, TEMPORARILY OR PERMANENTLY, BEYOND THE BOUNDARIES OF THE REGULATED AREAS. ANY SUCH STOCKPILING OR DISPOSAL OF MATERIALS SHALL BE DEPOSITED IN AN OFF-SITE NON-REGULATED AREA AND THE APPLICANT SHALL PROVIDE CERTIFICATION OF ITS DEPOSITION AND QUANTITY. THE APPLICANT SHALL OBTAIN ALL NECESSARY PERMITS FOR THE DEPOSITION OF THIS MATERIAL.

14. ANY PERMIT REQUIRED BY CONNECTICUT DEEP UNDER SECTION 22A-109B (STORM WATER MANAGEMENT) SHALL BE OBTAINED BY THE DEVELOPER PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES.

15. AN UNRESTRICTED RIGHT TO DRAIN IS HEREBY ESTABLISHED ON ALL DOWN GRADIENT LOTS IN FAVOR OF THE UP GRADIENT LOT FOR THE DISCHARGE OF STORM WATER RUNOFF.

16. BOTH LOTS TO BE SERVED BY PUBLIC WATER AND ON SITE SEPTIC SYSTEMS, ALL SEPTIC SYSTEMS TO BE DESIGNED BY A REGISTERED PROFESSIONAL ENGINEER AS REQUIRED BY THE FHD AND THE STATE OF CONNECTICUT HEALTH CODE.

17. EACH DRIVE WAY TO MEET THE TOWN OF SIMSBURY STANDARDS, NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNLESS THE DRIVEWAY APRON IS PAVED.

18. HOUSES, DRIVE WAYS, SEPTIC SYSTEMS AND CLEARING LIMITS ARE FOR CONCEPTUAL APPROVAL ONLY. A 20 SCALE SITE PLAN OF EACH LOT SHOWING THE LOCATION AND DESIGN OF THE ACTUAL PROPOSED CONSTRUCTION SHALL BE SUBMITTED AND APPROVED BY BOTH THE FHD AND TOWN BEFORE BEGINNING ACTUAL CONSTRUCTION.

19. SUBDIVISION IS NOT LOCATED WITHIN ANY DESIGNATED DRINKING WATER SUPPLY WATERSHED.

20. PROPOSED SUBDIVISION IS NOT LOCATED WITHIN 500 FEET OF ANY TOWN LINE.

21. PRIOR TO THE FILING OF THE FINAL MAPS THE APPLICANT SHALL EITHER SUBMIT THE FEE IN LIEU OF OPEN SPACE TO THE TOWN OR FILE A DOCUMENT, SUITABLE TO THE COMMISSION THAT REQUIRES THE PAYMENT OF THE FEE IN LIEU OF OPEN SPACE AT SUCH TIME AS THE LOT (PARCEL A) IS SOLD. THE FEE IN LIEU OF OPEN SPACE IS \$3,000.

22. PROPERTY IS LOCATED IN A HISTORIC DISTRICT. A CERTIFICATE OF APPROPRIATENESS MUST BE OBTAINED BEFORE ANY BUILDING PERMIT IS ISSUED.

ZONING TABLE

ZONE: R-40	REQUIRED	34 E. WEATOGUE	PARCEL A
AREA	40,000 S.F.	157,943 S.F.	174,235 S.F.
FRONTAGE	200'	287.00'	272.83'
FRONT YARD	50'	187.3'	50'
REAR YARD	50'	220.4'	50'
MAX. HEIGHT	35'	35'	35'

DEVELOPMENT PLAN

RESUBDIVISION
PREPARED FOR

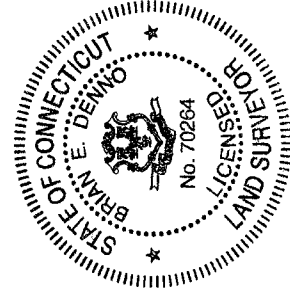
JAMES E & NANCY W BROWN
34 EAST WEATOGUE STREET
SIMSBURY, CONNECTICUT

SCALE 1"=40'
DATE 2/16/21
SHEET NO. 2 OF 3

REVISIONS:

TO MY KNOWLEDGE AND BELIEF THIS MAP IS
SUBSTANTIALLY CORRECT AS NOTED HEREON.

DENNO LAND SURVEYING & CONSULTING, LLC
2 TUNNIS RD STE. 214 TARIFFVILLE, CT 06081



GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

UTILITY STATEMENT
UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED AND NOTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO THIS SURVEYOR. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND CALL BEFORE YOU DIG 1-800-922-4435.

EAST WEATOGUE STREET

30 EAST WEATOGUE STREET
N/F SUSANNE H &
JOESPH P LANZA

34 EAST WEATOGUE STREET
PARCEL AREA
157943 SQ. FT.
3.626 ACRES

PARCEL 'A' AREA
174235 SQ. FT.
4.000 ACRES

LEGEND

- EXISTING CONTOUR
- EXISTING SPOT GRADE
- PROPOSED CONTOUR
- PROPOSED SPOT GRADE
- TOP OF FRAME ELEVATION
- EXISTING CATCH BASIN
- LIMIT OF EXISTING VEGETATION
- LIMIT OF EXISTING VEGETATION TO REMAIN
- OUTLET PROTECTION SCOUR HOLE (PLUNGE POOL)
- SILT FENCE
- HOUSE NUMBER
- EXISTING UTILITY POLE
- TREE PROTECTION
- INLET PROTECTION (RIP RAP)
- TELEPHONE, ELECTRIC & CABLE
- CONSTRUCTION ENTRANCE PAD
- CATCH BASIN SILT SACK
- IRON PIN PROPERTY CORNER TO BE SET BY DEVELOPER
- WIRE FENCE

**TOWN OF SIMSBURY
NOTIFICATION OF PUBLIC HEARING – REGULAR MEETING
PLANNING COMMISSION**

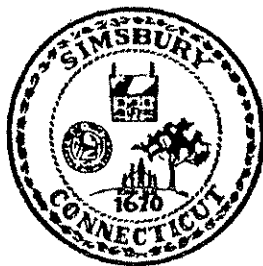
Your property abuts **34 East Weatogue Street** and you are entitled to notification of the following: The Simsbury Planning Commission is holding a **Public Hearing** at a regular meeting regarding a request for a 2-lot re-subdivision of the above property.

The Public Hearing will be held on Tuesday, March 9, 2021.

Meeting Information

Time: **7:00 p.m.**
Location: **Simsbury Town Offices – Virtual Meeting**
via Zoom: **<https://zoom.us/j/2574297243>**

At this hearing, interested persons may appear via Zoom and be heard on the issues and written communications may be emailed to lbarkowski@simsbury-ct.gov by 12:00 p.m. on March 8, 2021 to have their comments read into the record at the hearing.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

**LEGAL NOTICE
TOWN OF SIMSBURY
PLANNING COMMISSION – REGULAR MEETING**

The Planning Commission of the Town of Simsbury will hold a virtual Public Hearing at a Regular Meeting on Tuesday, March 9, 2021, at 7:00 p.m. via Zoom: <https://zoom.us/j/2574297243> on the following:

1. Application #21-01 of James & Nancy Brown, Owners/Applicant & Denno Land Surveying & Consulting, LLC, Agent for a 2-lot re-subdivision on the property located at 34 East Weatogue Street (Assessor's Map H14, Block 109, Lot 018). Zone R-40.

At this hearing, interested persons may appear via Zoom and be heard on the issues and written communications may be emailed to lbarkowski@simsbury-ct.gov by 12:00 p.m. on March 8, 2021 to have their comments read into the record at the hearing. A copy of the above is on file in the Office of the Simsbury Planning Department, 933 Hopmeadow Street, Simsbury Connecticut, for public inspection.

Dated this 17th day of February, 2021,
at Simsbury, Connecticut

William Rice, Chairman
Simsbury Planning Commission

HARTFORD COURANT:

PLEASE PUBLISH THIS ON BOTH Wednesday, February 24, 2021, and Wednesday, March 3, 2021 ZONE ONLY FOR THE FARMINGTON VALLEY EDITION.

INVOICE: SIMSBURY PLANNING COMMISSION acct #CU00254287



Certificate Of Mail

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mail. This form may be used for domestic and international mail.

From: TEO + Nancy Brown
34 E. WEATOGUE ST
Simsbury, CT. 06070

To: JAMES E. AND Nancy H Brown
34 E. WEATOGUE ST
Simsbury, CT. 06070

PS Form 3817, April 2007 PSN 7530-02-000-9065

U.S. POSTAGE PAID
GRANBY, CT
06036
FEB 24, 21
AMOUNT
\$1.55
R2304N118290-04



Certificate Of Mail

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From: TEO BROWN
34 E. WEATOGUE ST
Simsbury, CT. 06070

To: STACEY L SAVIN
55 HIGHWOOD
Simsbury, CT. 06070

PS Form 3817, April 2007 PSN 7530-02-000-9065

U.S. POSTAGE PAID
GRANBY, CT
06036
FEB 24, 21
AMOUNT
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R2304N118290-04



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From: TEO BROWN
34 E. WEATOGUE ST
Simsbury, CT 06070

To: SIMSBURY MERRIFIELD PERLES
314 MAIN ST
FARMINGTON, CT 06032

PS Form 3817, April 2007 PSN 7530-02-000-9065

U.S. POSTAGE PAID
GRANBY, CT
06036
FEB 24, 21
AMOUNT
\$1.55
R2304N118290-04



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This form may be used for domestic and international mail.

From: TED BROWN
34 E. WEATOGUE ST
SIMSBURY, CT 06070

To: JOHANNA C HYYPPIA TRUSTEE
668 W HALLEY RD
CHARLOTTE, VT 06445

PS Form 3817, April 2007 PSN 7530-02-000-9065

100
U.S. POSTAGE PAID
GRANBY, CT
06035
FEB 24 21
AMOUNT
\$1.55
R2304N118290-04



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From: TED BROWN
34 E. WEATOGUE ST
SIMSBURY, CT 06070

To: SANDRA BOURKE AND MARSHALL EPSTE
25 EAST WEATOGUE ST
SIMSBURY, CT 06070

PS Form 3817, April 2007 PSN 7530-02-000-9065

100
U.S. POSTAGE PAID
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From: TED BROWN
34 E. WEATOGUE ST
SIMSBURY, CT 06070

To: MARSHALL B AND LYNN C EPSTEIN
41 EAST WEATOGUE ST
SIMSBURY, CT 06070

PS Form 3817, April 2007 PSN 7530-02-000-9065

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U.S. POSTAGE PAID
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This form may be used for domestic and international mail.

From: TED BROWN
34 E. WEATOGUE ST
SIMSBURY, CT. 06070

To: ROBERT J AND MEAGHAN MCUSKE
45 EAST WEATOGUE ST
SIMSBURY, CT. 06070

PS Form 3817, April 2007 PSN 7530-02-000-9065

U.S. POSTAGE PAID
GRANBY, CT
06035
FEB 24 21
AMOUNT
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From: TED BROWN
34 E. WEATOGUE ST
SIMSBURY, CT 06070

To: SUSANNE H AND JOSEPH P LAZ
PO Box 64
SIMSBURY, CT. 06076

PS Form 3817, April 2007 PSN 7530-02-000-9065

U.S. POSTAGE PAID
GRANBY, CT
06035
FEB 24 21
AMOUNT
\$1.55
R2304N118290-04



Certificate Of Mailing

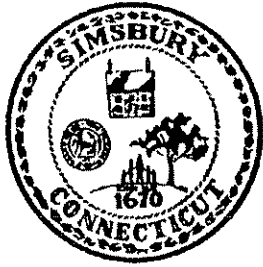
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From: TED BROWN
34 E. WEATOGUE ST
SIMSBURY, CT. 06070

To: BRIAN J. FOLEY
76 HARTFORD RD
SIMSBURY, CT. 06076

PS Form 3817, April 2007 PSN 7530-02-000-9065

U.S. POSTAGE PAID
GRANBY, CT
06035
FEB 24 21
AMOUNT
\$1.55
R2304N118290-04



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

March 4, 2021

Re: 34 East Weatogue Street Re Subdivision

Planning Commission:

At the regularly scheduled Conservation Commission meeting a request for a referral was made about the re-subdivision of 34 East Weatogue Street Simsbury CT. The commission reviewed the application materials and is making a positive referral to the proposed re subdivision.

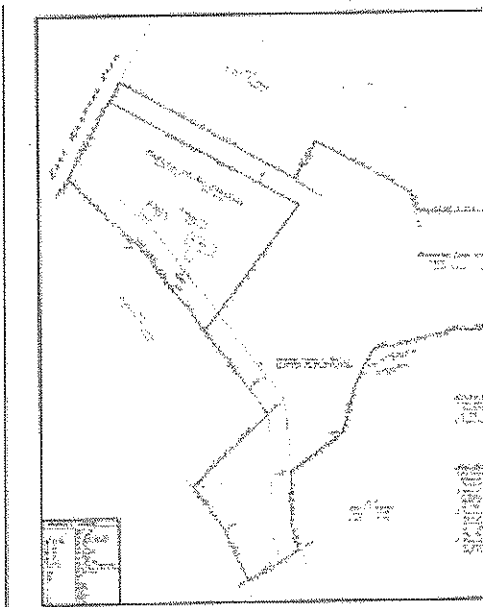
Thomas Hazel
Assistant Town Planner
Simsbury, CT

Barkowski Laura

EXHIBIT 6

From: Michael Lanza <michael.lanza@mac.com>
Sent: Thursday, March 4, 2021 12:30 PM
To: Barkowski Laura
Subject: Original Foley/Brown Subdivision Plan -- Email 1

Laura, thanks very much for your time. In this email and a second to be sent momentarily, you will have the information about the original subdivision plan by Brian Foley showing the right away along the southern boundary of 34 East Weatogue Street that benefits my parent's property (with volume and page reference). I'd be happy to answer any questions the planner has. 860-550-3376, Thanks, Mike Lanza.





Town of Simsbury

305 HOPMEADOW STREET PO BOX 495 SIMSBURY CONNECTICUT 06070

March 9, 1994

To Whom It May Concern:

The map entitled "Land n/f Brian J. Foley showing parcel to be conveyed East Westogue Rd. Simsbury, CT" (vol 427 P 390) warrantee deed, may represent a division of land that is in violation of the Town of Simsbury Zoning and Subdivision regulations.

LT:cnb

DOC3:LEHNT

Grantor: Brian J. Foley

Grantees: James E. Brown and Nancy W. Brown

Property Location: Easterly side of East Westogue Street, identified as Parcel to be Conveyed on a map entitled "Land n/f Brian J. Foley" Showing Parcel to be Conveyed East Westogue Road Simsbury, Conn. dated February 21, 1994.



This Land Record instrument will be attached to the said map in the Town Clerk's Office after recording.

5' 11 67° 44' 43" E 279.66' 5/16 (0.33 2/3)

rt J. Foley 132

Tn. (20) 65-1751

AN EQUAL OPPORTUNITY EMPLOYER

8:30-4:30 Mon. thru Fri.

5 05° 08' 11" W 103.51' 279.66' 11 20° 18' 06" W 300.36' 11 78° 33' 56" W 345.02' 11 11 18° 10' 09" W 323.78' 11 11 18° 10' 09" W 323.78' 11 11 18° 10' 09" W 323.78' 11 11 18° 10' 09" W 323.78'

Albert J/F V265 P123 V301 P792

ected hereon are subject to the the Historic District Ordinance "Simsbury 4.337 P 747. used upon Map Reference #1.



FIXED LINE PHOTOGRAPHIC (KUMAR) ATLAS COMMERCIAL PHOTO SERVICE CHESHIRE, CT

ES: 1/1 prepared for Constantine East Westogue Road Simsbury 1960 by R.H. Hesketh Assoc. Inc. owned by Edgar S. Beaumont & Jane be Conveyed to Kenneth R. Downes & East Westogue St. Simsbury, Conn April 1986 Map # 749 S.L.R. the Highway Dept. Right of Way Map y East Westogue Street from bin Rd. Northeastly to Riverside Rd. Oct. 16, 1989 Revised Sept 25, 1989 Sh. 1 of 2. wa H. Case - #38 and #42 East Westogue Conn. St. 1-100' dated July 22, 1992. S.L.R.

<p>Land n/f Brian J. Foley Showing Parcel to be Conveyed East Westogue Road Simsbury, Connecticut</p>		<p>Scale 1"=60' Date 8/21/94 Drawn TK Checked J.S.V. Proj. No. 98-36 Doc. No. 94-1003 Sheet 1 of 1</p>
<p>DATE 7/21/94 REGISTR. NO. 12055</p>	<p>I HEREBY CERTIFY TO AND ONLY TO BRIAN J. FOLEY THAT THIS MAP AND SURVEY WERE PREPARED IN ACCORDANCE WITH THE STANDARDS OF A CLASS A-S SURVEY AS DEFINED IN THE CODE OF PRACTICE FOR STANDARDS OF ACCURACY OF SURVEYS AND MAPS, ADOPTED SEPT. 14, 1984 AS AMENDED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC.</p>	
<p>NOT VALID UNLESS EMBOSSED SEAL AFFIXED HEREON</p>	<p>Komarnsky Surveying 285 Celebrook River Road P.O. Box 28 Riverton, Connecticut 06065 phone 378-0870</p>	
<p>Before Excavating Call Toll Free 1-800-922-4455 for Underground Utility Information.</p>		

3129 3129

J. PAUL LANZA and SUSANNE H. LANZA

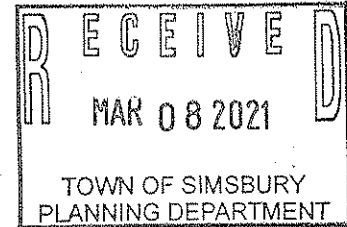
(30 East Weatogue Street)

P.O. Box 64

Simsbury, CT 06070

March 8, 2021

Planning Commission
Simsbury Town Offices
933 Hopmeadow Street
Simsbury, CT 06070



RE: Application No. 21-01
Brown Resubdivision, 34 East Weatogue Street

Ladies and Gentlemen:

We have been the southern abutter to 34 East Weatogue Street for 34 years. We do not object to the Brown's resubdivision of their property to the north of the existing historic home and the 50' right of way established through the 1994 subdivision by Brian Foley, the Browns' brother-in-law.

The resubdivision plan, however, does not depict the historic nearly 50' right of way along the southern boundary of the original Brown lot and the northern boundary of our property. This right of way benefits our property and was depicted on the 1994 Foley subdivision plan. Last week, we provided copies of that plan to Ms. Batkowski. Mr. Foley currently uses the historic right of way, trucking materials from his property to the east as recently as last week.

The right of way is the ancient road to the original Ensign-Bickford factory established in East Weatogue as Bacon, Bickford, Eales & Co. in 1836. The original factory burned in 1839 and was rebuilt. The rebuilt factory burned again 1851, and the factory was moved across the Farmington River. A historical monument to the 1851 fire was erected on the site, now on Mr. Foley's property just beyond the eastern boundary of our property. Information about the factory and the monument can be found at the following links:

- <https://connecticuthistory.org/the-steady-evolution-of-a-connecticut-family-business/>
- <https://npgallery.nps.gov/GetAsset/93dac28a-44c8-4996-b1bb-82caec3b0483>

We believe the Planning Commission should be aware of (i) the historic right of way, (ii) the historical monument, and (iii) the two rights of way that run across the northern and southern boundaries of the Brown property at 34 East Weatogue Street (new 3.6 acre lot) benefitting Mr. Foley's property to the east of the subject property and our property.

Sincerely,
J. Paul Lanza
Susanne H. Lanza

Copy: Laura Barkowski, lbarkowski@simsbury-ct.gov
Ted Brown, ted@peterlbrown.com
Brian Denno, brian.denno@gmail.com



Farmington Valley Health District

95 River Road, Suite C ▪ Canton, CT 06019 ▪ Phone (860) 352-2333 ▪ Fax (860) 352-2542

Avon ▪ Barkhamsted ▪ Canton ▪ Colebrook ▪ East Granby ▪ Farmington ▪ Granby ▪ Hartland ▪ New Hartford ▪ Simsbury

February 22, 2021

To: Simsbury Planning and Zoning Commission

From: Kristin M. Kula, Registered Sanitarian *KMK*

Re: 34 East Weatogue Street, Plan Date: February 16, 2021

This office as received plans from Denno Land Surveying & Consulting, LLC for the above referenced property. Based on those plans, it appears that the proposed lot is capable of supporting a code complying septic system. The property will be served by public water.

If there are any changes to the proposed septic area, additional testing may be required.

Please call with any questions.

Cc: Brian Denno

James E. Brown