

ZONING BOARD OF APPEALS APPLICATION  
TOWN OF SIMSBURY, 933 HOPMEADOW STREET, SIMSBURY, CT 06070

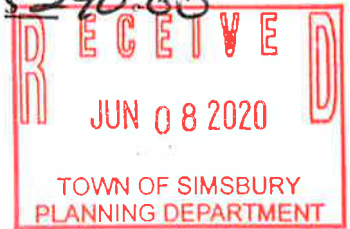
Application Number: 20-05

Fee \$ 240.00

Requested Action (please check appropriate box):

Variance

Appeal Decision of Zoning Official



Location of Property: 46 West Street  
(number and street name)

Simsbury Assessor's Map Number \_\_\_\_\_ Block Number \_\_\_\_\_ Lot Number \_\_\_\_\_

Deed Volume Number 843 Page Number 390 (property owner must supply copy of the deed)

**Applicant - Please Print the Following:**

Name: Richard Candelario

Address: 46 West Street

Simsbury, CT 06070

Telephone: 860-674-3989

Email: richson58606143789@gmail.com

Signature of Applicant: Richard Candelario Date: 06.03.2020

Applicant's Interest in Property: Installing an above ground pool

Record Owner of Property: Richard Candelario 46 West street Simsbury, CT 06070  
(print name & address of owner)

Richard Candelario Date: 06.03.2020  
(signature of owner)

Property is in Zone R-15 of (applicable section(s) Zoning Regulations \_\_\_\_\_)

**Describe the nature of your application, including the amount of variance requested:**

Request to install an above ground pool. The pool area will sit to the right of the garage and towards the front plane of the garage

**Describe the specific hardship:**

The way the property sits on the corner of West and First town. The back plane of the house falls in First town and the garage is set back facing First town.

This application must be accompanied by required fee, site plan and any other information required by the Zoning Regulations, Building Code, or Rules of the Board. **EACH APPLICATION SHALL INCLUDE A LIST OF NAMES AND ADDRESSES OF ALL ABUTTING PROPERTY OWNERS AND ALL PROPERTY OWNERS WITHIN 100 FEET OF THE SUBJECT SITE.** Six complete sets of folded plans and eleven copies of the completed and signed application, and any correspondence, must be submitted with the application. Pictures of the property and letters from the neighbors are very helpful. Applicant and/or Authorized Agent must attend meeting.

**NOTE: PICKUP YOUR PUBLIC HEARING SIGN WHEN APPLICATION IS SUBMITTED.**

INCOMPLETE APPLICATIONS WILL NOT BE CONS

**EXHIBIT 1**

**NOTICE TO APPLICANTS**

THIS AFFIDAVIT IS REQUIRED FOR ALL APPLICATIONS REQUIRING A PUBLIC HEARING BY THE ZONING COMMISSION OR THE ZONING BOARD OF APPEALS.

**NOTE: PUBLIC HEARING SIGNS MUST BE POSTED ON THE SUBJECT PROPERTY 15 DAYS PRIOR TO THE PUBLIC HEARING DATE.**

**THIS FORM (SIGNED AND NOTARIZED) MUST BE PRESENTED AT THE PUBLIC HEARING.**

**AFFIDAVIT**

STATE OF CONNECTICUT)

Ss:

COUNTY OF HARTFORD)

I, Richard Candelario of Simsbury, Connecticut  
(Applicant) (City, State)

Being duly sworn, make oath and say that I have maintained sign(s) as required by the Simsbury Zoning Regulations, stating that either a Zoning application or a Zoning Board of Appeals application is pending for the following property:

46 West Street  
(Location of Property)

DATE: 06-03-2020 Richard Candelario  
(Signature of Applicant)


Richard Candelario  
(Type or Print Name of Applicant)

Subscribed and sworn to before me this 3 day of June, 2020

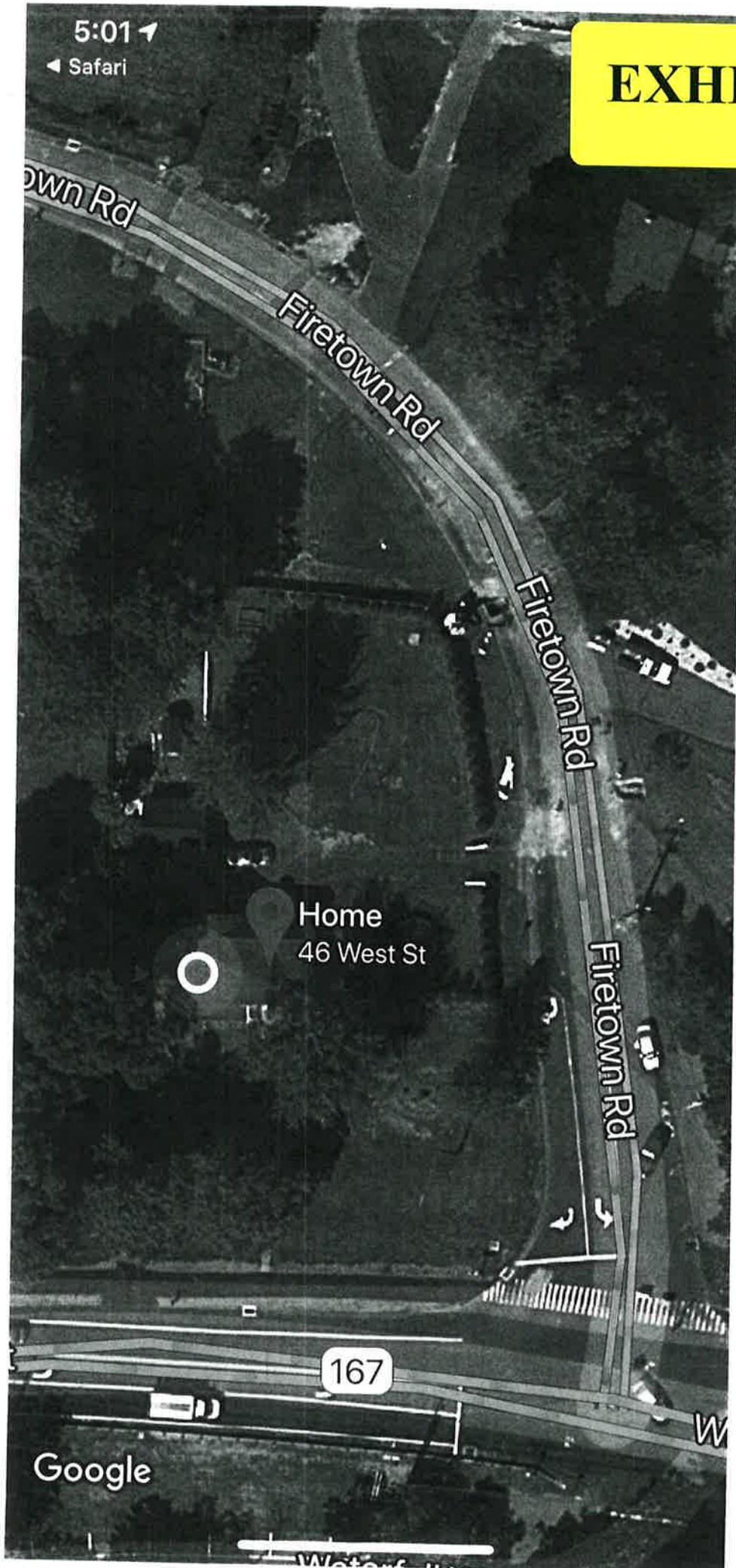
Robert T. Evans II  
(Notary Public)

My Commission Expires on 10/31/2021

**EXHIBIT 2**

 **ROBERT T. EVANS II**  
NOTARY PUBLIC, STATE OF CONNECTICUT  
My Commission Expires 10/31/2021

**EXHIBIT 3**





**Properties that are abutting to the subject site of the requested variance of 46 West St.:**

**EAY Properties LLC  
52 West st.  
Simsbury CT. 06070**

**Ashley Schwitter  
13 Firetown rd.  
Simsbury CT. 06070**

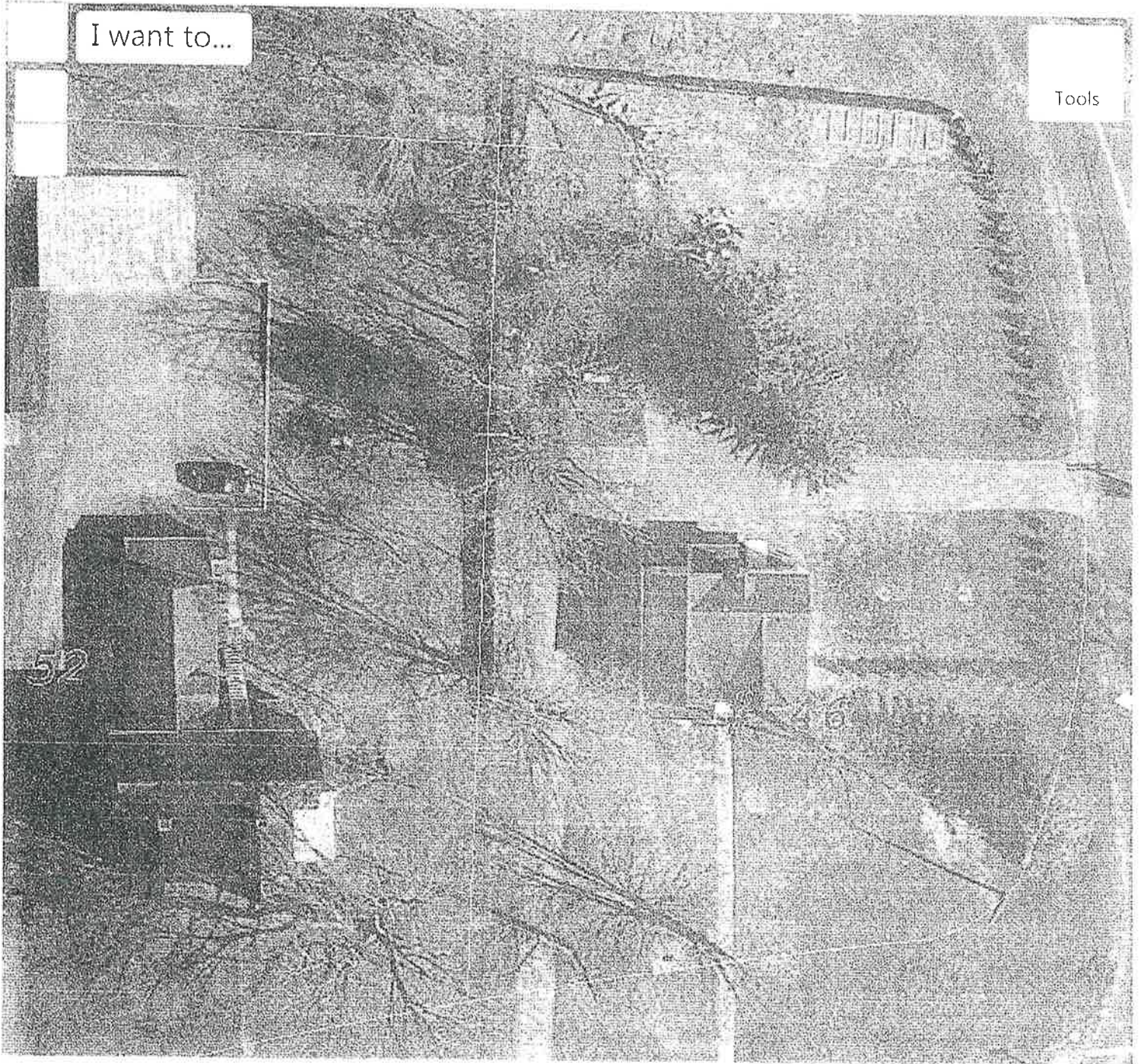
**Mr. & Mrs. Grella  
10 Firetown Rd  
Simsbury CT. 06070**

**Mr. & Mrs. Grella  
7 Firetown Rd  
Simsbury CT.06070**

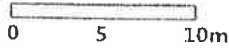
**Matthew Kneeland  
8 Firetown Rd.  
Simsbury CT. 06070**

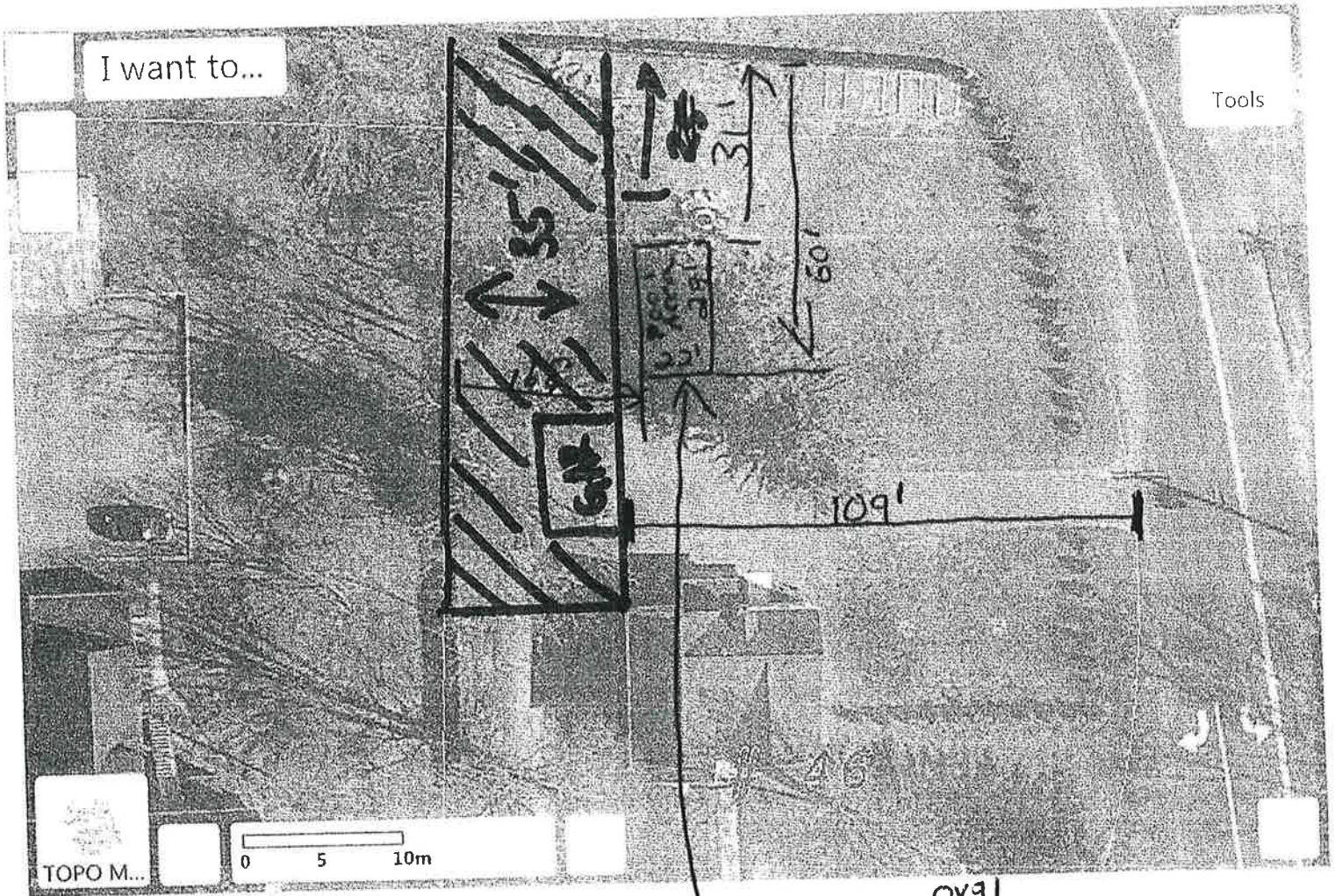
**Vaughn & Jean Marecki  
6 Firetown Rd  
Simsbury CT. 06070**

**Janet Geary  
4 Firetown Rd  
Simsbury CT. 06070**

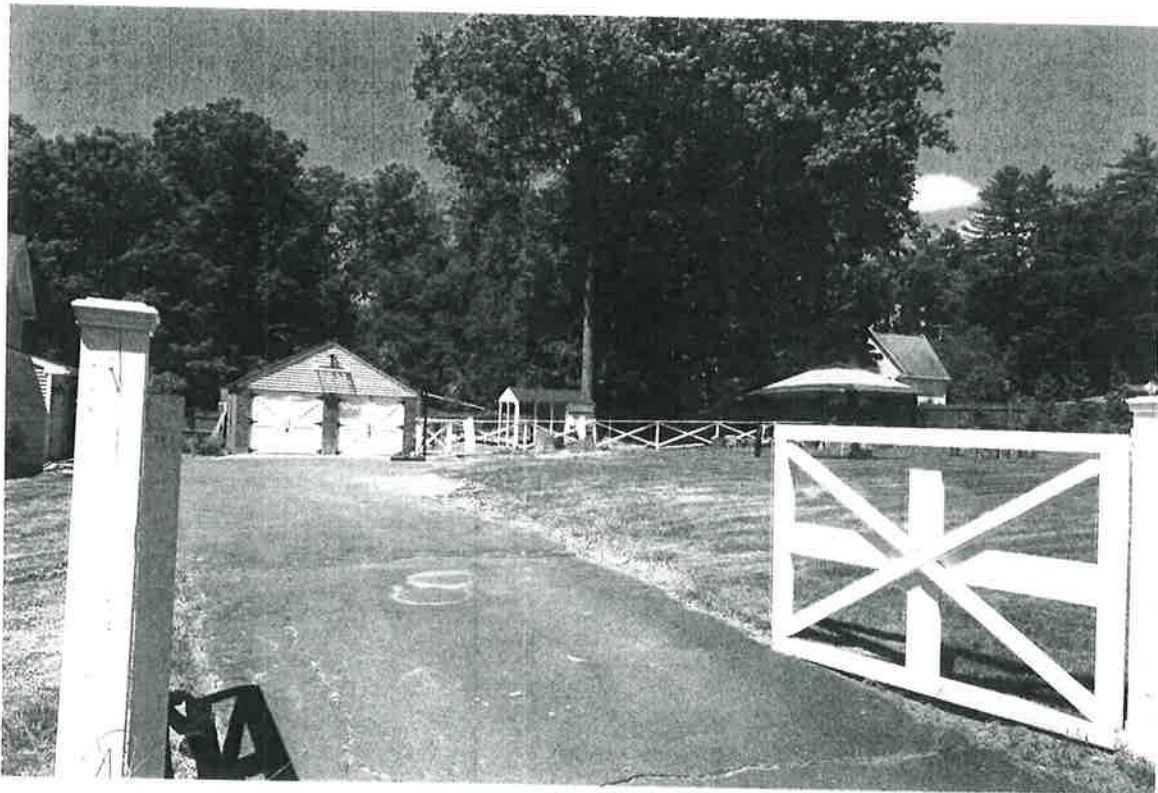


**EXHIBIT 5**





oval  
 Actual Pool Size 15'x26'x54"  
 → Pool Area to be leveled out  
 22'x29'



Garage Facing Firetown Rd

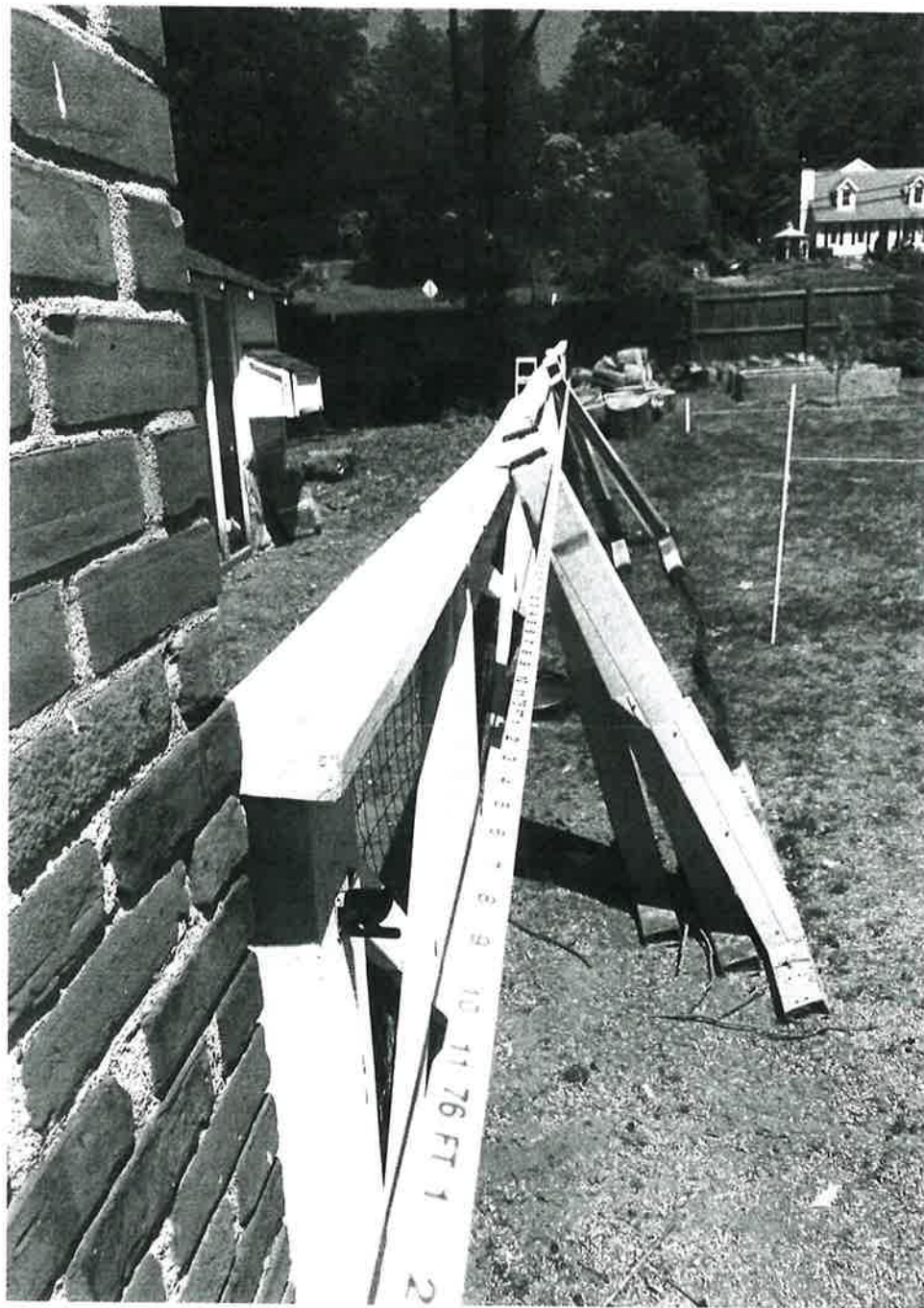
From the front of the Garage to gate is 98'

**EXHIBIT 6**

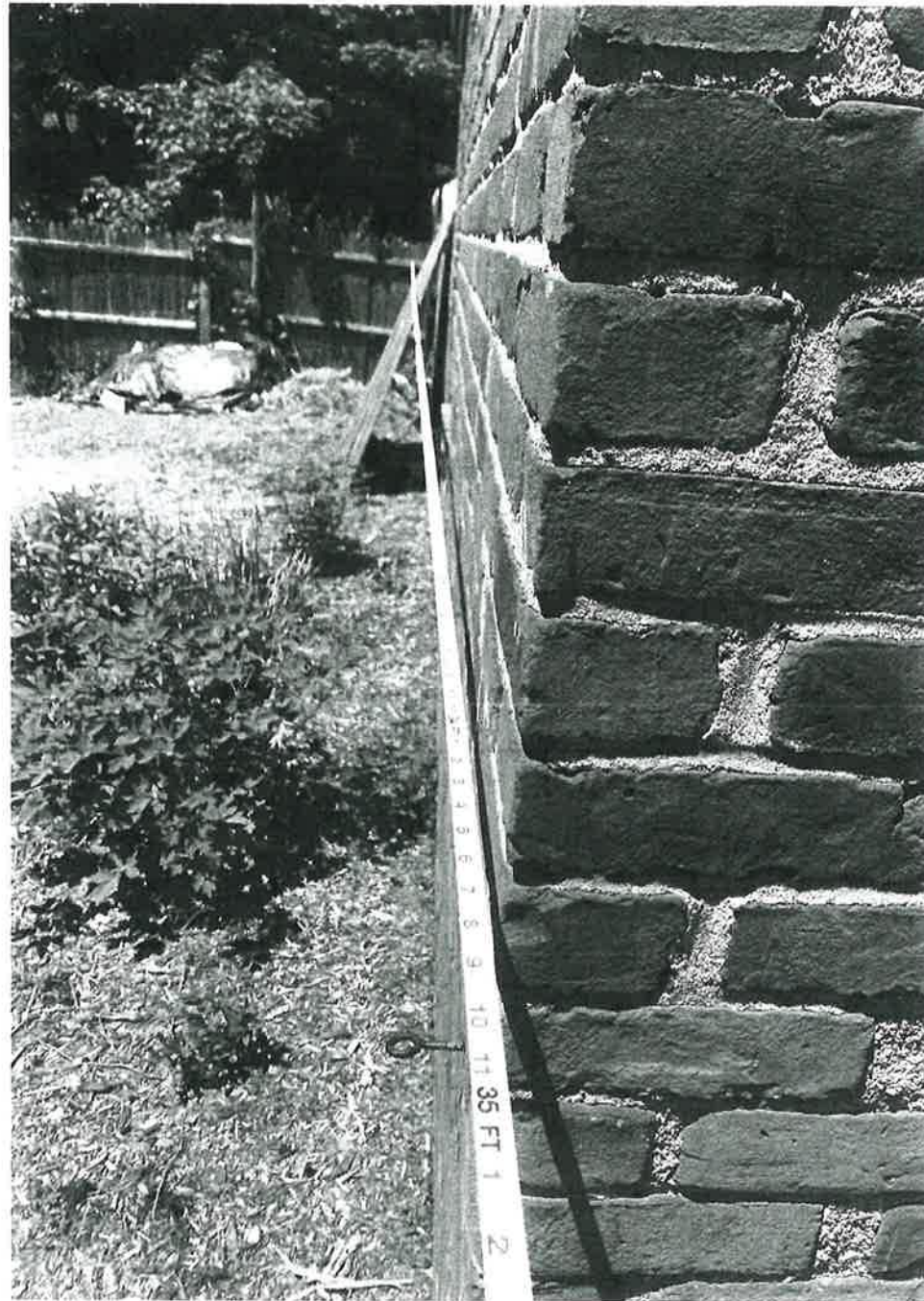




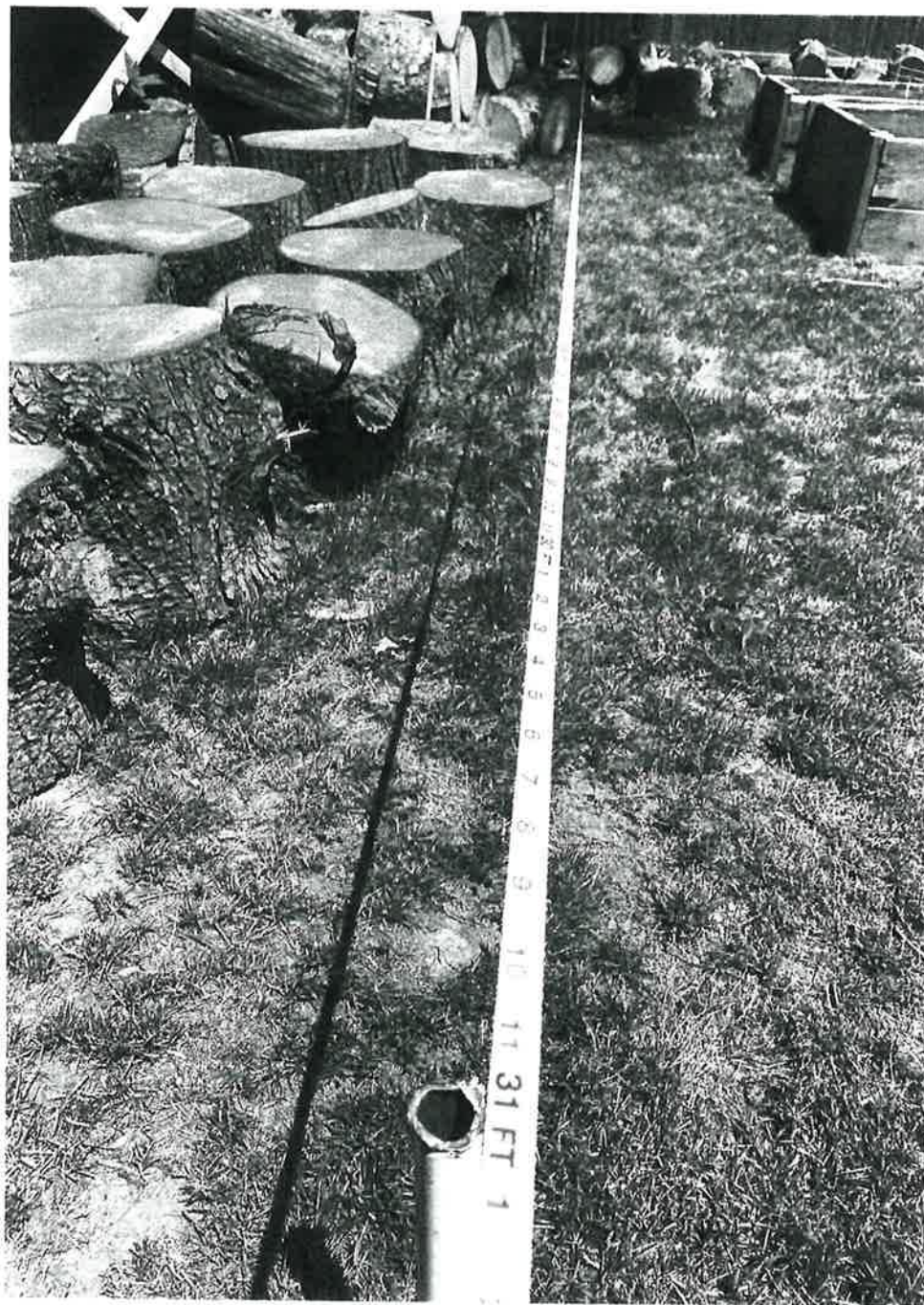
Pool Area Marked by white stakes and String  
Pool Area 27' x 29'



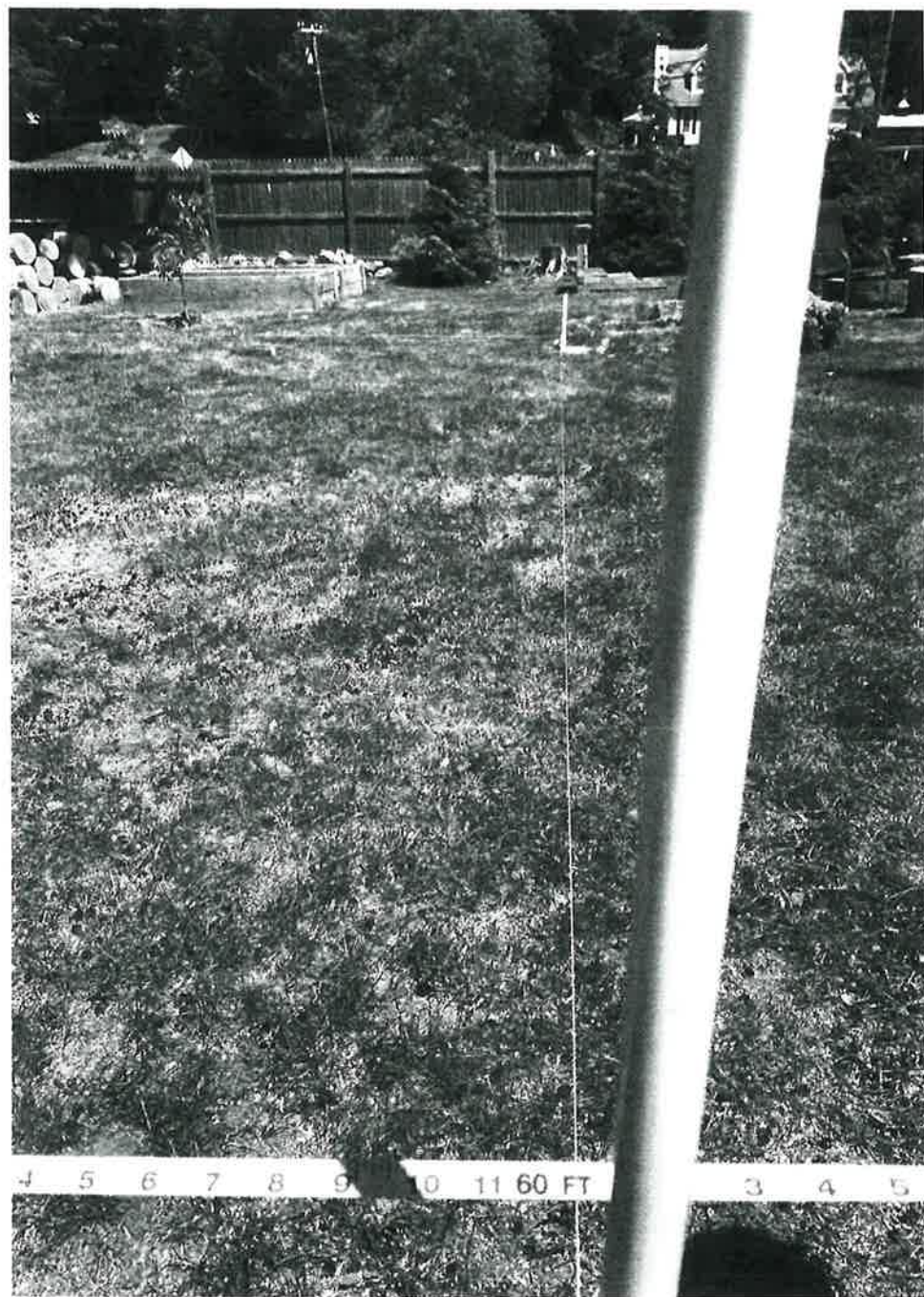
From the fence to the garage 76'



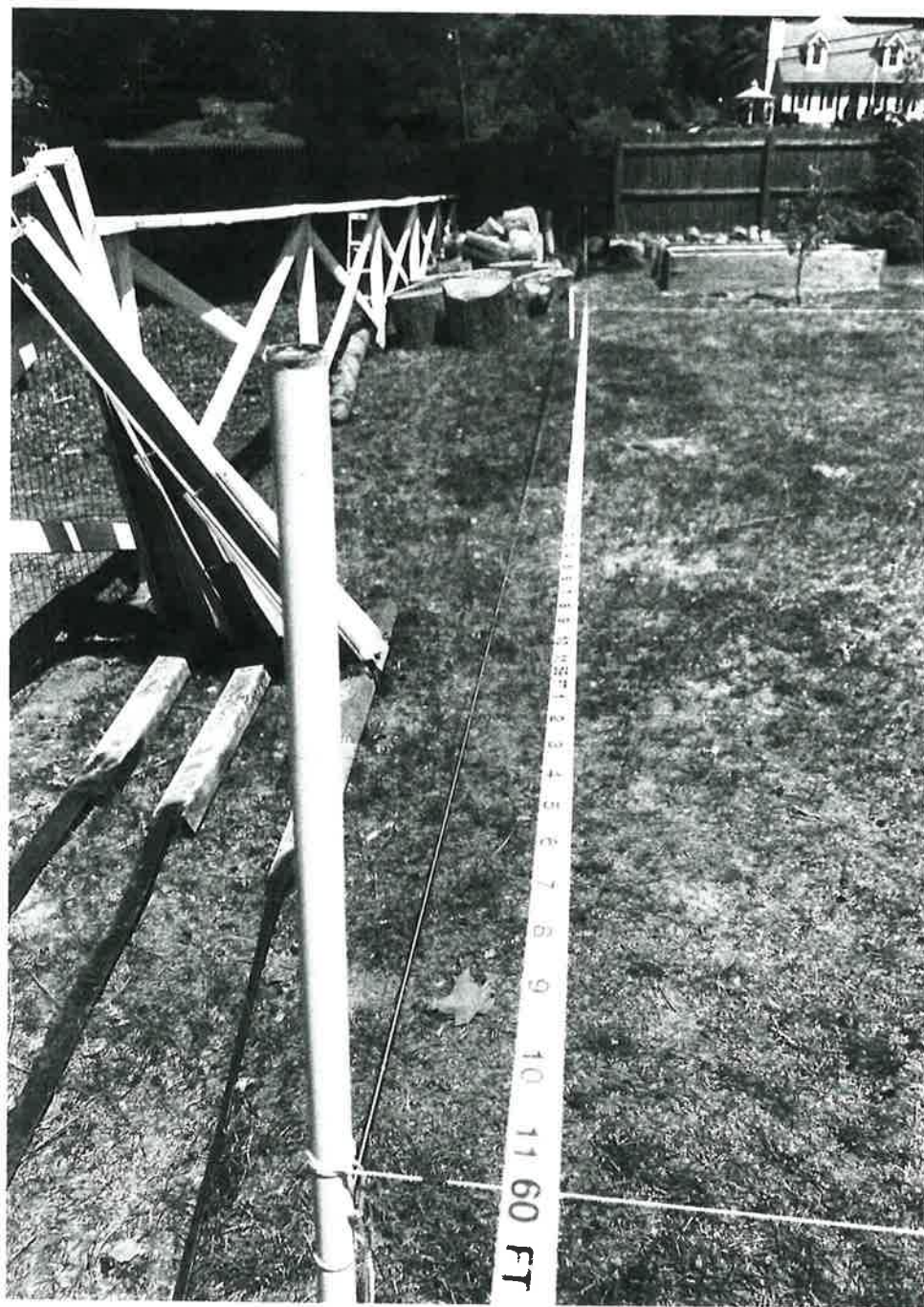
From the fence to the garage 35'



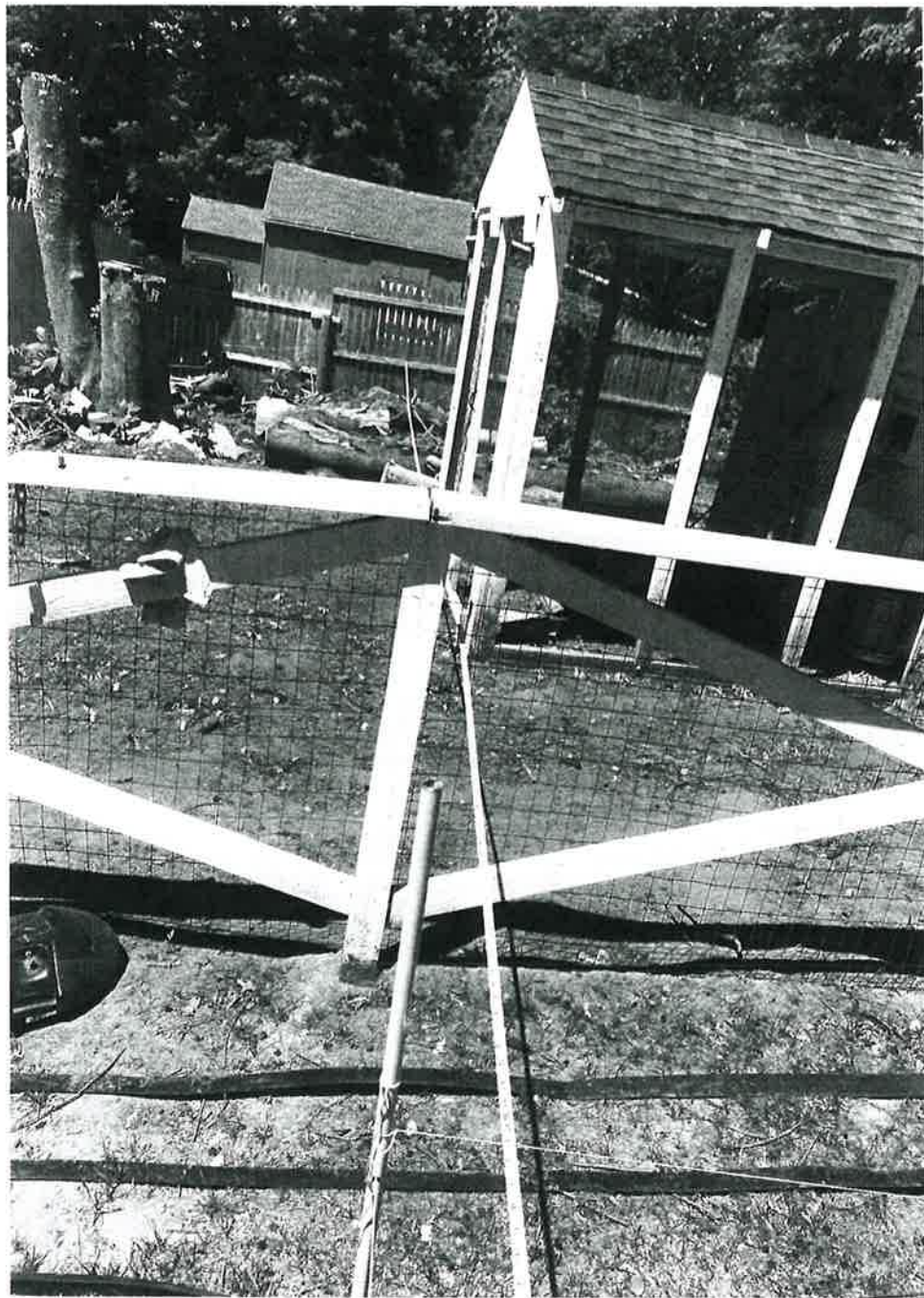
From the fence to the first stake is 31'



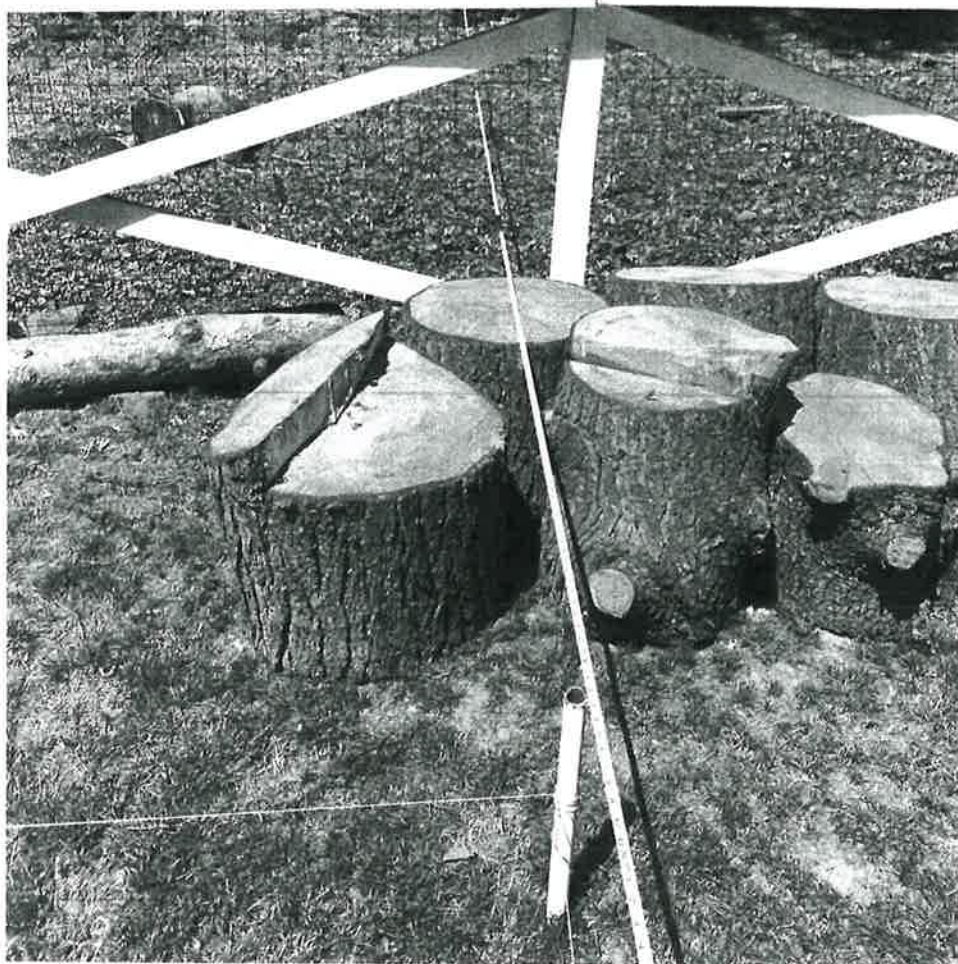
From the fence to the second white stake 60'



From the fence to the second white stake 60'



From the fence to the white stake just about 39'

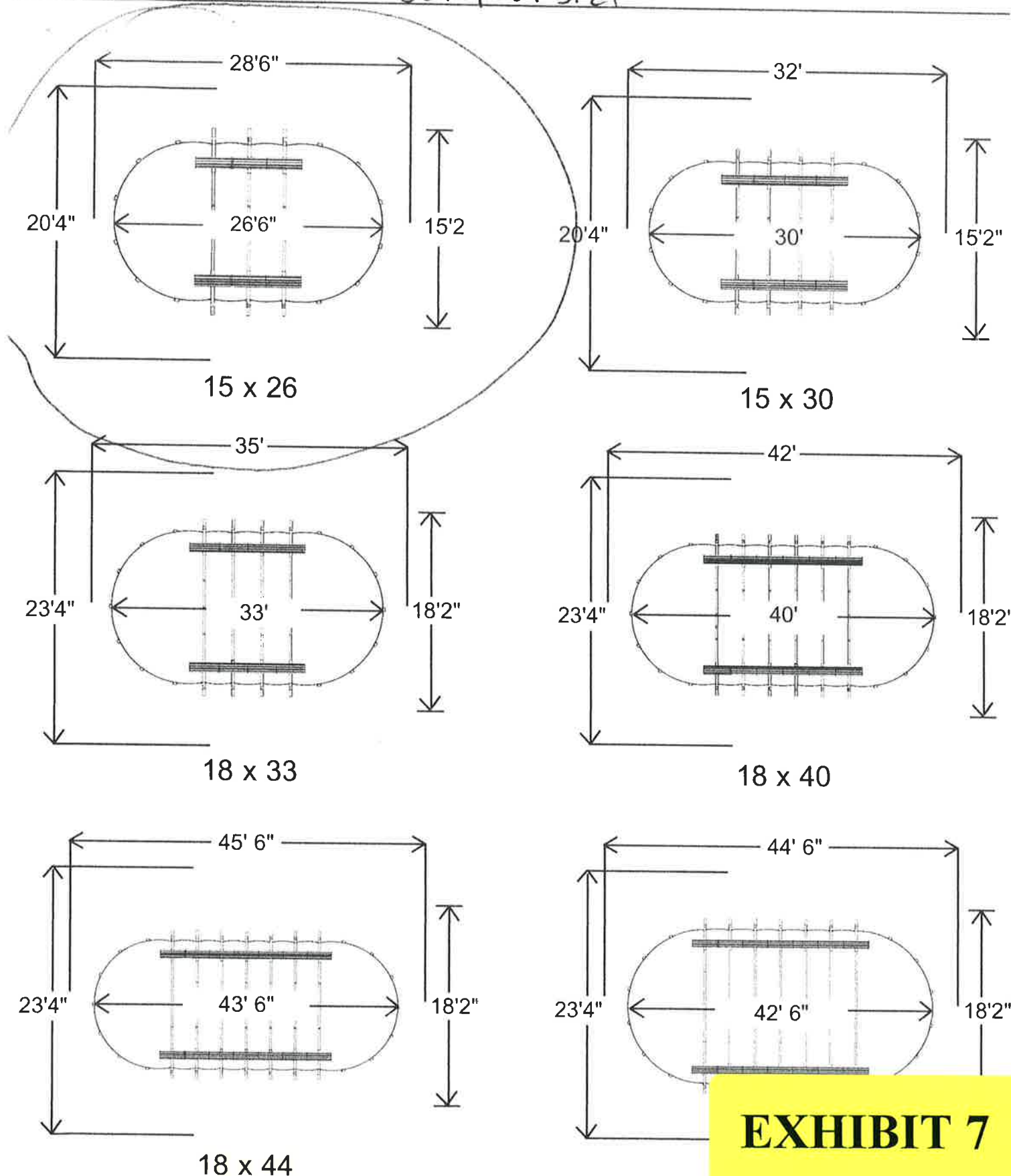


From the fence to the first white stake just about 39'



**BUTTRESS-FREE POOL SIZES**

*our pool size*



**EXHIBIT 7**

Note: All above diagrams are for Buttress-Free oval pools. If you have a traditional Buttress oval pool, you will need to add 3 feet to the width of the space needed for installation. The length measurement will not change.

- Actual size of pool.
- - - - Space needed for installation.

## INTRODUCTION:

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Congratulations on becoming the owner of a new above ground swimming pool. This is the instruction packet for installing your swimming pool. The following are some helpful hints that you should take into consideration before installing your pool.

- 1) Read through the entire instruction booklet before you begin. This will enable you to find out exactly what is involved with installing your swimming pool before you begin. While you are going through the instructions, please be aware that all of the diagrams are representative of a 15' x 30'/18' x 33' pool. If you have a different size pool you will find that your pool has a different number of uprights than the ones in the diagrams.
- 2) DO NOT ATTEMPT INSTALLATION IN WINDY OR GUSTY WEATHER. This will not only make installation more difficult, it may result in damage to your pool before it is completely installed.
- 3) Although we have broken down the installation into many simple steps, you will probably find that steps one and two will be the most labor intensive and time consuming steps. Once you have completed those two steps you should find that the rest of the installation moves along much more quickly.
- 4) Please be sure to review all safety material and local codes before beginning your installation. There is a yellow safety envelope packed with your pool. This envelope contains safety material and warning stickers to be placed on your pool. If you are missing any of these items please contact your dealer or the factory to obtain it. The warranty is void if all safety precautions are not followed.
- 5) In the event that you need to make a warranty claim, it is important to know the size and model of your swimming pool in order to expedite the handling of your claim. Please fill in the information below and keep for your records. All of this information can be found on the labels attached to the cartons your pool is packed in.

NAME OF POOL: Wilbar Oceanic  
SIZE OF POOL: 15' x 26' x 54"  
DATE OF PURCHASE: \_\_\_\_\_  
NAME OF POOL WALL: \_\_\_\_\_  
NAME OF LINER: \_\_\_\_\_

- 6) Make sure you have the necessary tools and materials before beginning your installation. Below is a list of the tools and materials needed.

-Shovel	-Carpenters level and/or transit (Optional)
-Tape measure	-Patio Blocks (2" x 8" x 16")
-Phillips head screwdriver	-Box cutter (Razor blade)
-Duct tape	-Tamp
-Sand	-5/16" wrench
-Filter	-1/4" wrench
-Skimmer/Return fitting	

After recording return to Grantee:  
46 West Street  
Simsbury, CT 06070

# EXHIBIT 8

## WARRANTY DEED INDIVIDUAL

*THIS IS A LEGAL DOCUMENT AND SHOULD BE EXECUTED UNDER THE SUPERVISION OF AN ATTORNEY*

To All People To Whom These Presents Shall Come, Greeting:

Know ye that I, **JOHN T. GRAIKOSKI, III**, of the Town of Simsbury, County of Hartford and State of Connecticut, acting herein for and on behalf of **JOHN GRAIKOSKI a/k/a JOHN T. GRAIKOSKI, JR.**, of the Town of Simsbury, County of Hartford and State of Connecticut, and so acting by virtue of a certain Power of Attorney to me, dated October 15, 2014 and recorded in the Simsbury Land Records simultaneously herewith, for consideration paid, do give, grant, bargain, sell and confirm unto **RICHARD CANDELARIO**, of the Town of Simsbury, County of Hartford and State of Connecticut, All that certain piece or parcel of land known as 46 West Street, with all the buildings standing thereon, situated in the Town of Simsbury, County of Hartford and State of Connecticut, containing one half (1/2) acre more or less, bounded and described as follows:

NORTH: By land now or formerly of the State of Connecticut;

WEST: By land now or formerly of William T. Taylor; and

SOUTH and EAST: by the highway, West Street.

Said premises are subject to:

1. Any and all provisions of any ordinance, municipal regulation or public or private law.
2. Easements appearing of record and any state of facts and accurate survey or personal inspection of the property might reveal provided that none of the above interferes with the present location of any building now located on the property, prevent the use of the property as a residence, or render title to the property unmarketable.
3. Taxes due to the Town of Simsbury on the grand list of October 2013, first half of which is paid, and thereafter.


Reference is hereby made to Volume 843, Page 390 of the Simsbury Land Records.

**To have and to hold** the above granted and bargained premises, with the appurtenances thereof, unto him the said Grantee, and his heirs, successors and assigns forever, to his and their proper use and behoof.

And also, we the said Grantors do for ourselves, our heirs, executors and administrators, and successors covenant with the said Grantee, his heirs, successors and assigns, that at and until the ensembling of these presents, we are well seized of the premises, as a good indefeasible estate in FEE SIMPLE: and we have good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances whatsoever, except as above stated.

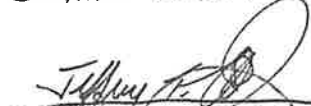
**And Furthermore**, the said Grantors do by these presents, bind ourselves and our heirs forever to WARRANT AND DEFEND the above granted and bargained premises to him, the said Grantee, his heirs, successors, and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

In Witness Whereof, I have hereunto set my hand and seal this 12<sup>th</sup> day of January 2015.

  
\_\_\_\_\_  
Glenn F. Kuersten, Jr.

JOHN GRAIKOSKI

  
\_\_\_\_\_  
By: John T. Graikoski, III, His Attorney In Fact

  
\_\_\_\_\_  
Jeffrey T. Walsh, Witness

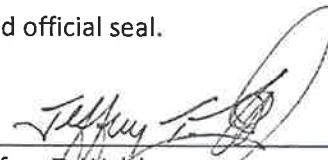
State of CONNECTICUT,

January 12, 2015

County of Hartford    ss: Avon

On this 12<sup>th</sup> day of January 2015, before me, the undersigned officer, personally appeared John T. Graikoski, III, acting herein for and on behalf of John Graikoski, as aforesaid, signer and sealer of the foregoing instrument, and acknowledged the same to be his free act and deed before me.

In Witness Whereof, I have set my hand and official seal.

  
\_\_\_\_\_  
Jeffrey T. Walsh  
Commissioner of the Superior Court