

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

Application Number: ZBA 20-10

Fee \$ 240.00

Requested Action (please check appropriate box):

Variance

Appeal Decision of
Zoning Official

Location of Property: 558 Hopmeadow St.
(number and street name)

Simsbury Assessor's Map Number _____ Block Number 612132 Lot Number 31261600
035

Deed Volume Number 730 Page Number 482 (property owner must supply copy of the deed)

Applicant - Please Print the Following:

Name: Arnon Strindberg

Address: 507 Hopmeadow St
Simsbury, CT 06070

Email: Astrindberg@CGNCare.com Telephone: 860/408/4882

Signature of Applicant: [Signature] Date: 7/16/20

Applicant's Interest in Property: Manager/owner

Record Owner of Property: Jay Mac LLC
(print name & address of owner)
[Signature] (signature of owner) Date: 7/16/20

Property is in Zone B-1 of (applicable section(s) Zoning Regulations _____)

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

Describe the specific hardship:
See Attached

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.

EXHIBIT 1

JayMac LLC
558 Hopmeadow St.
Simsbury, Ct 06070

We are requesting a Use Variance to Section 4.5 of Simsbury Zoning Regulations for 558 Hopmeadow St. from 40% maximum B-1 residential to 100% B-1 residential.

The previous owner (Christine Gasparino) did reside at 558 Hopmeadow St. she did not run a business from the premises nor did all other previous owners.

Currently 558 Hopmeadow St. is zoned for Land Use as Single Family.

We have been trying to lease or sell 558 Hopmeadow St since 12/18 for use as a business and have not receive any offers in the past 2 ½ years, the primary concern has been the lack of parking.

Currently 558 Hopmeadow St. does not have space to increase parking.

We contacted Dyno Nobel the owners of the property adjoining our southern border to lease the property in order to possibly place a parking lot on their land, they offered us a lease for 25 years and \$541.66 per month. In addition, we would have to build the parking lot (estimated 8 spots at \$6,000) and maintain the lot.

We do not feel that Dyno Nobel offer of \$541.66 per month would make economic sense for the purposes of lease or sale of 558 Hopmeadow St. and therefore should be considered a hardship.

Our Realtor does feel that there is a market for the 558 Hopmeadow St. property for either lease or sale as a single-family residence.

List of abutting property owners:

To the North:

Owner
BMG PROPERTIES LLC
Location
560 HOPMEADOW STREET
MAILING ADDRESS
857 NEW BRITAIN AVENUE
FARMINGTON CT 06032

To the West:

EXHIBIT 2

Owner
NIGRO THOMAS A AND LAURA

Location
553 HOPMEADOW STREET
MAILING ADDRESS
4 KILBOURN FARMS LANE
SIMSBURY CT 06070

To the Northeast:

Owner
BMS HOLDINGS LLC

Location
563 HOPMEADOW STREET
MAILING ADDRESS
563 HOPMEADOW STREET
SIMSBURY CT 06070

To the South and East:

Dyno Nobel
660 Hopmeadow St
Simsbury, Ct 06070

Doc ID: 000553750002 Type: LAN
BK **758** PG **889-890**

STATUTORY WARRANTY DEED

I, **Daniel J. Gasparino**, of the Town of Suffield, County of Hartford and State of Connecticut, ("Grantor") for the consideration of **Two Hundred Seventy Thousand and 00/100 (\$270,000.00) Dollars** received to my full satisfaction of **JAYMAC, LLC**, a Connecticut liability company with an office at 10 Fielding Woods Road, West Granby, Connecticut ("Grantee") do hereby give, grant, bargain, sell and confirm unto the said Grantee, with **WARRANTY COVENANTS**, a certain piece or parcel of land, with the building and improvements thereon, situated in the Town of Simsbury, County of Hartford and State of Connecticut, located on the easterly side of Hopmeadow Street, being known as No. 558 Hopmeadow Street, and being more particularly bounded and described as shown on Schedule A.

Being the same premises conveyed to the Grantor herein by Certificate of Devise from the Estate of Christine M. Gasparino dated January 31, 2007 and recorded February 9, 2007 in Book 730 at Page 482 of the Simsbury Land Records.

Said Premises are conveyed subject to building, building line and zoning requirements of the Town of Simsbury, to municipal liens, restrictions, covenants, easements, and agreements, if any, as may be recorded and for taxes on the List of October 1, 2007 and thereafter which the Grantee herein assumes and agrees to pay as part consideration for this deed.

Said premise is further subject to:

1. Sewer Agreement by and between Cazimir Malysko and The Ensign-Bickford Company dated September 5, 1930 and recorded in said Simsbury Land Records in Volume 73 at Page 316.
2. Driveway Easement and Boundary Line Agreement by and between Grantor and Angelwolf, LLC dated June 25, 2008 and recorded contemporaneously herein.

In Witness Whereof, we have set our hands and seal this 25th day of June, 2008.

Signed, Sealed and Delivered in presence of

William C Stokesbury
Sherrille Jones
 Daniel J. Gasparino

State of Connecticut)
) ss: Farmington June 25, 2008
 County of Hartford)

Personally appeared Daniel J. Gasparino, Signer and Sealer of the foregoing Instrument and acknowledged the same to be his free act and deed before me

William C Stokesbury
 William C. Stokesbury
 Commissioner of the Superior Court

\$ CONVEYANCE TAX RECEIVED
 CT \$ 1,350.00 OR 675.00
[Signature]
 TOWN CLERK OF SIMSBURY CT

EXHIBIT 3

SCHEDULE A

NORTHERLY: by land now or formerly of Alan Wolfson, 184.76 feet;
EASTERLY: by land now or formerly of The Ensign-Bickford Company, 75 feet,
more or less;
SOUTHERLY: by land now or formerly of The Ensign-Bickford Company, 150 feet,
more or less; and
WESTERLY: by Hopmeadow Street, 75 feet, more or less.

Received for Record at Simsbury, CT
On 08/28/2008 At 12:28:50 pm


Carolyn D. Kelly, Town Clerk



Property Information

Property Location	558 HOPMEADOW STREET
Mailing Address	542 HOPMEADOW STREET SIMSBURY CT 06070
Land Use	Residential
Zoning Code	B-1
Neighborhood	20

Owner	JAYMAC LLC
Co-Owner	
Book / Page	0758/0889
Land Class	Residential
Census Tract	4661010
Acreage	0.29

Valuation Summary

(Assessed value = 70% of Appraised Value)

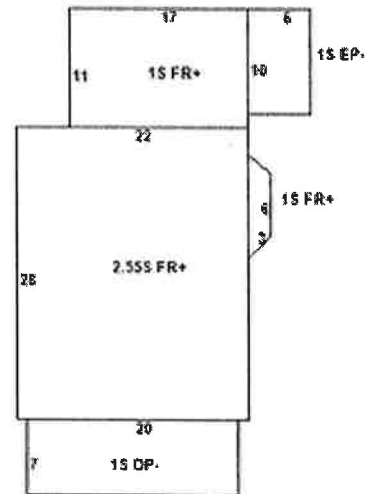
Item	Appraised	Assessed
Buildings	108301	75810
Outbuildings	0	0
Land	89250	62480
Total	197551	138290

Utility Information

Electric	No
Gas	No
Sewer	Yes
Public Water	Yes
Well	No



G12-132-035 03/17/2012



Primary Construction Details

Year Built	1916
Building Desc.	Residential
Building Style	Colonial
Stories	2.55
Exterior Walls	Vinyl
Exterior Walls 2	
Interior Walls	Dry Wall
Interior Walls 2	
Interior Floors 1	Carpet
Interior Floors 2	

Heating Fuel	Oil
Heating Type	Forced Hot
AC Type	
Bedrooms	3
Full Bathrooms	1
Half Bathrooms	0
Extra Fixtures	0
Total Rooms	7
Bath Style	NA
Kitchen Style	
Occupancy	1

Livable Area (ft)	1774
Building Use	Single Family
Building Condition	Avg/GD
Frame Type	Wood Frame
Building Grade	10
Fireplaces	0
Wood Stoves	0
Attic Access	
Roof Style	Gabl
Roof Cover	Asph

Bsmt Area	819
Fin Bsmt Area	0
Fin Bsmt Quality	
Bsmt Access	Walkout
Bsmt Gar	0
Bsmt Sump Pump	No

EXHIBIT 4



Detached Outbuildings

Type	Description	Area (sq ft)	Condition	Year Built
Shed	Frame	48	Average	2000

Attached Extra Features

Type	Description	Area (sq ft)	Condition	Year Built
Porch	Enclosed	60	Average	1916
Porch	Open	140	Average	2000

Sales History

Owner of Record	Book/ Page	Sale Date	Sale Price
JAYMAC LLC	0758_0889	6/26/2008	270000
GASPARINO DANIEL J	0730_0482	2/9/2007	0
GASPARINO CHRISTINE	0665_0828	6/30/2004	162000
LANDER DELOS W JR AND LINDA P	0451_0837	1/22/1996	0



Town of Simsbury Parcel Map

Parcel: G12 132 035
Address 558 HOPMEADOW STREET

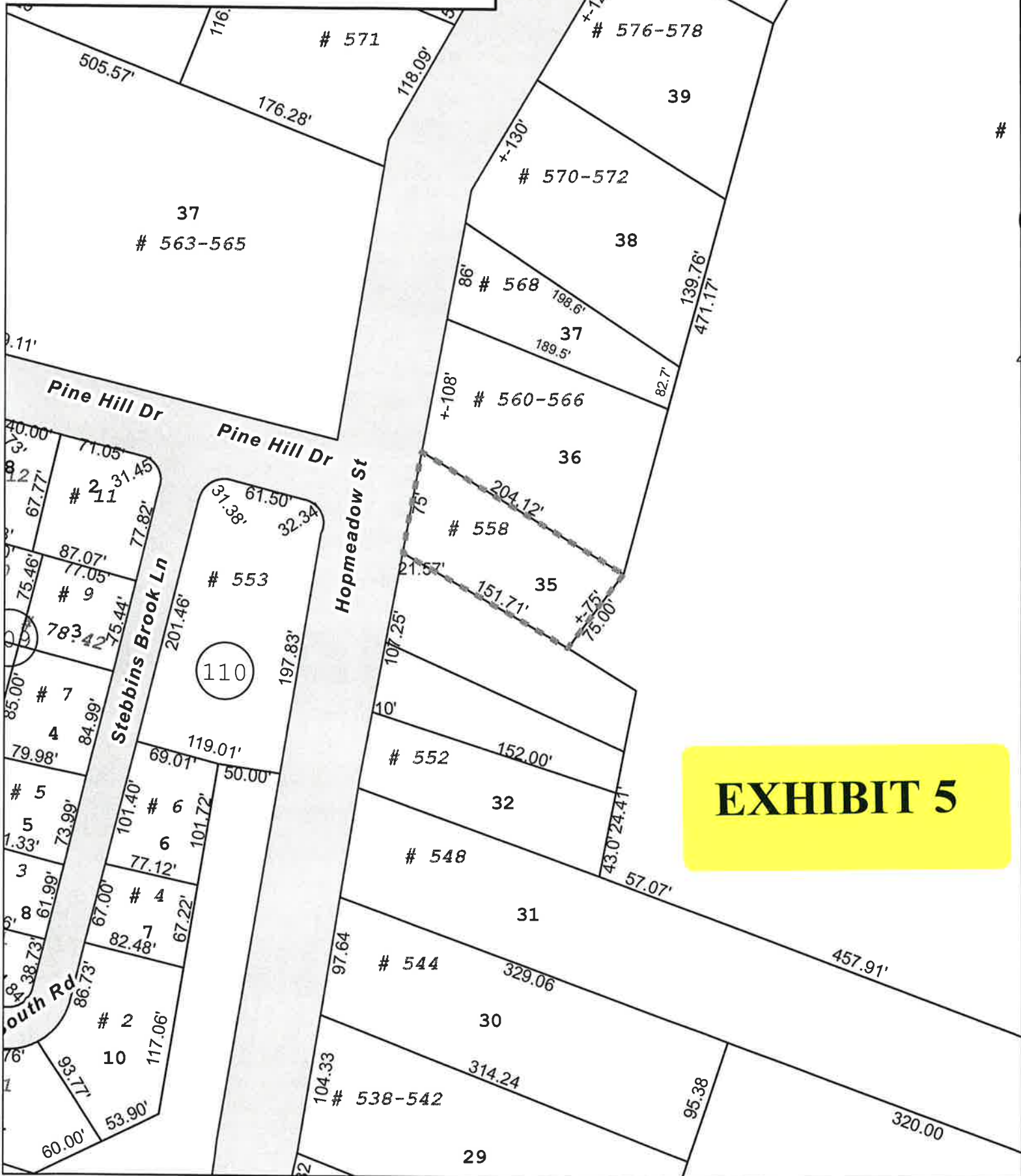
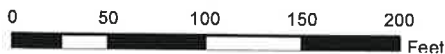


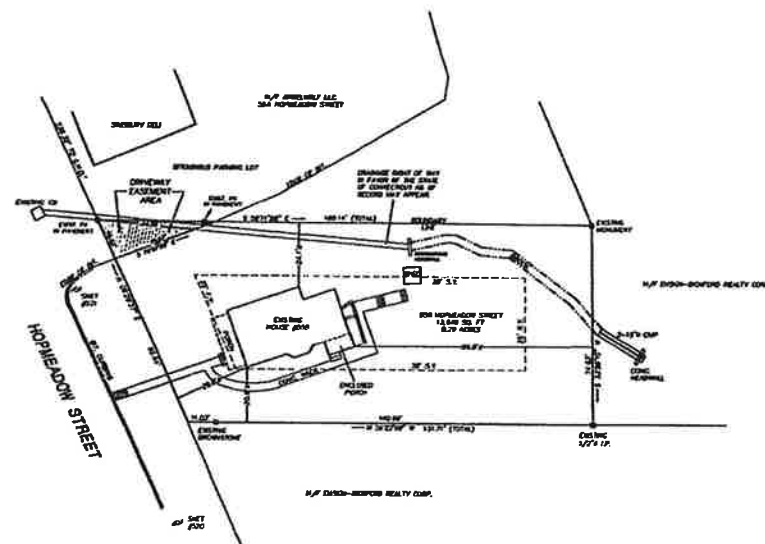
EXHIBIT 5

1 inch = 100 feet



Disclaimer: This map is for informational purposes only 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.

Map Produced: March 2019



LEGEND

- PROPERTY LINE
- EXIST. FENCE
- EASEMENT/CONVEYOR LINE
- ESTATE'S PROPERTY
- ESTATE'S/CONVEYOR'S CURB
- DRIVEWAY OR YARD DRIVE
- EXIST. DRIVE
- EXIST. CURB
- EXIST. SIDEWALK
- EXIST. FENCE
- EXIST. FENCE
- EXIST. FENCE
- EXIST. FENCE
- EXIST. FENCE
- EXIST. FENCE
- EXIST. LIGHT
- EXIST. LIGHT (PUSH-IN)

EXHIBIT 6

ORIGINAL INK
ON NYLAR
DRAWING

Rec'd 6/25/08
Town of Simsbury
Engineering Dept
3/20/08



EMPTY STATEMENT

UNDERGROUND UTILITY STRUCTURE AND FACILITY LOCATIONS BONDED AND MAILED HEREON HAVE BEEN LOCATED BY FIELD OPERATIONS EMPLOYED BY THE RESPECTIVE UTILITY COMPANIES OR UNIVERSITIES, AGENCIES, TRADE ASSOCIATIONS AND FROM OTHER SOURCES. THESE LOCATIONS MAY BE CHANGING AND ARE SUBJECT TO CHANGE. ADDITIONALLY, OTHER DEPT. OF PUBLIC UTILITIES AND CURRENT OR FUTURE OWNERS OF THIS LAND MAY HAVE LOCATED AND CHANGED OF ALL SUCH FACILITIES MUST BE FIELD LOCATED AND BONDED BY THE OPERATOR'S ADVISORY FROM TO CONSTRUCTION. CALL BEFORE YOU DIG 1-888-822-4444.

MAP REFERENCES

- 1. "TOP OF LAND DIVIDED BY BELLE W. JR. & LINDA L. LINDER 558 HOPMEADOW STREET SIMSBURY CONNECTICUT SCALE 1" = 20' NAT. TRM 880-78 INGLETON & JAMES SIMSBURY P.C. 290 WEST MAIN STREET SIMSBURY.
- 2. "CONVEYOR TITLE HIGHWAY DEPARTMENT DEEDS OF HYS MAP REELS OF SIMSBURY TOWN-SIMSBURY FROM FROM SECTION 9 WOODLAND STREET SIMSBURY ABOUT 2000 FEET NORTH AS THE SCALE 1" = 40' DATED BY DEEDS 1 & 9 OF 1."
- 3. "TOP OF PROPERTY CORNER BETWEEN WIFE R. CLAYTON & FREDERICA L. BARNETT SOUTH MAIN STREET SIMSBURY CONN. SCALE 1 IN. = 20 FT. FERRIS, THIS SURVEY BY HARVEY R. SANDERSON, C.E. & L.S. BURLINGAME, CT. 6/13/07."
- 4. "SUBDIVISION - WESTED LOT 558 HOPMEADOW STREET SIMSBURY CONN SCALE 1" = 40' 12-25-77 CLAYTON & BARNETT, JR. L.S. SANDERSON & BURLINGAME SIMSBURY CONN."
- 5. "SUBDIVISION - SOUTH LOT 558-173 HOPMEADOW ST SIMSBURY CONN SCALE 1" = 40' 12-25-77 REISED 12-27-77 CLAYTON & BARNETT, JR. L.S. SANDERSON & BURLINGAME."

SURVEY NOTES

THIS MAP HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECUT STATE AGENCIES SECTIONS 28-326a-1 SIMSBURY-28-326a-20 AND 28-326a-21 "TECHNIQUES FOR SURVEYS AND MAPS BY THE STATE OF CONNECUT" AS PROVIDED AND ADOPTED BY THE CONNECUT ACADEMY OF LAND SURVEYORS INC. ON SEPTEMBER 24, 1988.

THE TYPE OF SURVEY CONDUCTED IS AN EASEMENT SURVEY AND IS PROVIDED TO SHOW THE LOCATION OF THE DRIVEWAY EASEMENT AND THE PROPOSED DRIVEWAY EASEMENT AREA.

ACCORDING TO DETERMINATION ON DRIVEWAY-ACCURACY BASED ON A SPOKESMAN REPORT.

THIS PLAN CONFORMS TO ANOTHER ACCURACY CLASS A-2.

REVISIONS:



THE REGULAR LICENSE OF DANIEL J. GASPARIANO, No. 6884, EXPIRES ON 12/31/10. DANIEL J. GASPARIANO, DANIEL J. GASPARIANO & ASSOCIATES, P.C., 210 TOWN HALL, CT 06081.

DRIVEWAY EASEMENT PLAN
PREPARED FOR
DANIEL J. GASPARIANO
658 HOPMEADOW STREET
SIMSBURY, CONNECTICUT

SCALE 1"=20'	DATE 6/11/08	SHEET NO. 1 OF 1
------------------------	------------------------	----------------------------

3840

Town of Simsbury, CT GIS Legend



Planimetric Symbols

- Parcel Lines
- Historic Parcel Lines
- Easements
- Water Bodies
- Rivers & Streams

Zoning and Historic Districts

Zoning

- AZ Apartment Zone
- HS-FBC Hartford-Simsbury Form-Based Code
- B1 Restricted Business
- B2 General Business
- B3 Designed Business Development
- CZ Single Family Cluster Zone
- HOD Housing Opportunity Development
- I1 Restricted Industrial - 10 Acres
- I2 General Industrial
- I3 Earth Excavation
- PAD Planning Area Development
- PO Professional Office
- R15 Single Family Residence - 15,000 sq. ft.

- R25 Single Family Residence - 25,000 sq. ft.
- R30 Single Family Residence - 30,000 sq. ft.
- R40 Single Family Residence - 40,000 sq. ft.
- R40 OS Residential Open Space Subdivision
- R80 Single Family Residence - 2 acres
- R80OS Residential Open Space Subdivision
- R160 Rural Residence - 4 acres
- RD Designed Multiple Residence
- SCZ-1 Simsbury Center Zone
- SCZ-2 Simsbury Center Zone
- SCZ-3 Simsbury Center Zone
- SCZ-4 Simsbury Center Zone

Land Use

- Vacant
- Single Family
- Multi Family
- Condominiums & Apts.
- Light Commercial
- General Business
- Intensive Business
- Offices
- Light-Heavy Industrial
- Earth Excavation
- School
- Quasi Public
- Local Government, Public Facilities
- Transportation & Utilities
- (1) State Open Space
- (2) Managed Open Space
- (3) Town Open Space
- (4) Private Open Space
- (5) Non-Profit & Non-Active Open Space
- (6) Acquired Dev. Rights - Town
- Acquired Dev. Rights - Land Trust
- Historic Documents

- Farmington River Trail
- Farmington Valley Greenway
- Bike Route
- Bus Route
- Canoe Trail
- Walks & Paths
- Terry's Plain NRHP District
- Tariffville NRHP District
- Historic Inventory
- East Weatogue NRHD Point
- East Weatogue NRHP District
- East Weatogue Center Historic District

Natural Features

- DEEP Contours 5 ft.
- 50 ft
- 20 ft
- 10 ft
- 5 ft
- CAD Contours
- Town Aquifer
 - Primary
 - Recharge
 - Natural Diversity Area
 - Soil Map Unit
 - Prime Farmland Soils
- Excessively drained
- Somewhat excessively drained
- Well drained
- Moderately well drained
- Somewhat poorly drained
- Poorly drained
- Very poorly drained
- Not rated

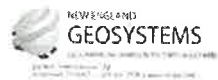
Storm & Sanitary

- | Infiltrator | Pipe End | Catch Basin | Settling Basin |
|-------------|-------------|---------------|------------------|
| Drywell | Undefined | C | Baffle |
| Gallery | Headwall | CL | Pool |
| Swirl | Endwall | YD | Flared End |
| | Flow Arrows | Storm Manhole | Sanitary Manhole |

Avon Water

- Hydrants
- Water Mains
- Exclusive Service Area
- Pipe
- Stream Crossing
- Culvert
- Pipe

- ### 2013 FEMA Flood Zones
- A - 1% Annual, 26% 30yr Mortgage (High Risk Area)
 - AE - Base Floodplain (High Risk Area)
 - AE - Floodway
 - X - Minimal Flood Hazard (Low Risk Area)
 - Base Flood Elevation
- 100 Year Flood Zone
- 500 Year Flood Zone



Legend Produced December 2014

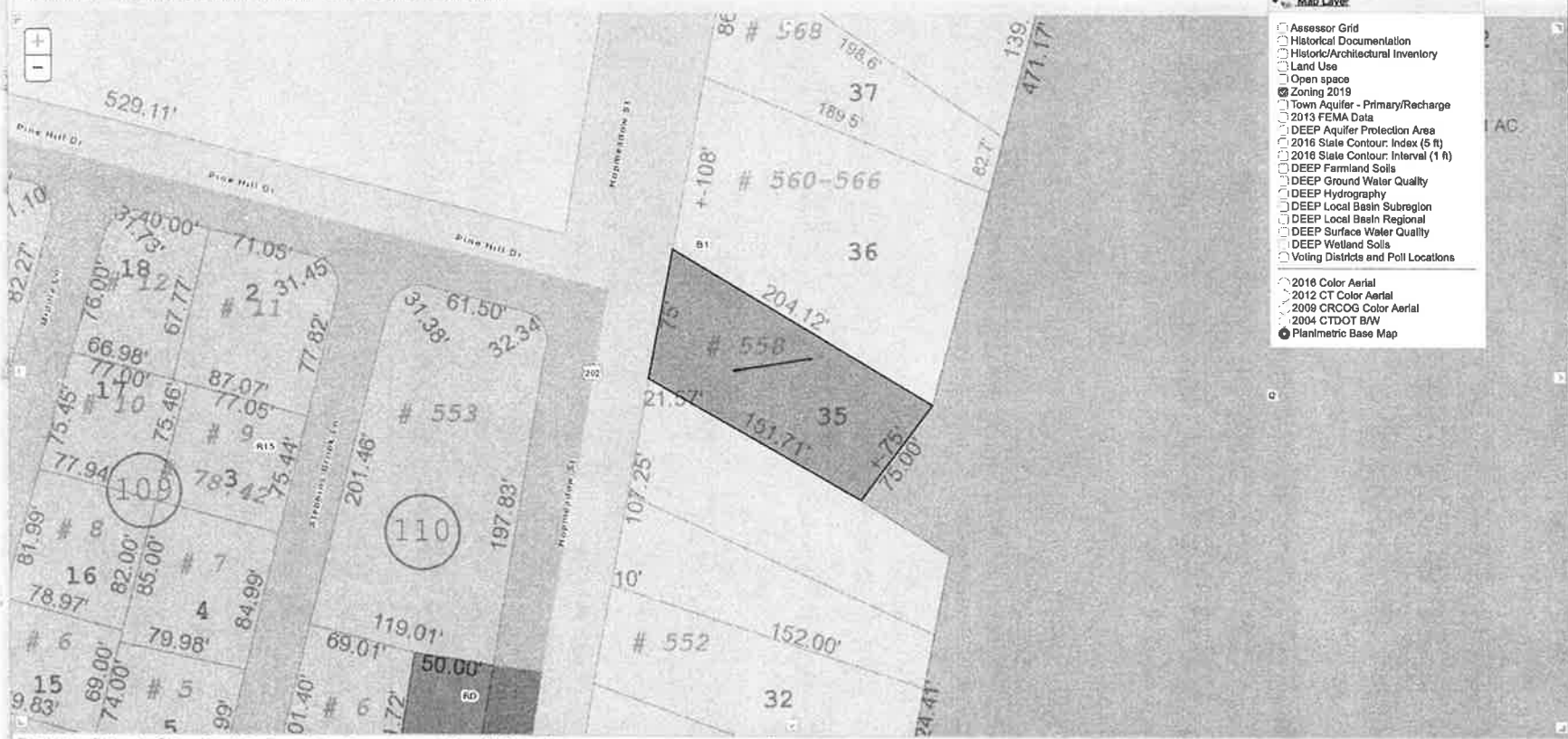
EXHIBIT 7

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[Return to Main Page](#)



Full Town View **Reset Map** Search Print Map Help Select View Legend



- Map Layer**
- Assessor Grid
 - Historical Documentation
 - Historic/Architectural Inventory
 - Land Use
 - Open space
 - Zoning 2019
 - Town Aquifer - Primary/Recharge
 - 2013 FEMA Data
 - DEEP Aquifer Protection Area
 - 2016 State Contour: Index (5 ft)
 - 2016 State Contour: Interval (1 ft)
 - DEEP Farmland Soils
 - DEEP Ground Water Quality
 - DEEP Hydrography
 - DEEP Local Basin Subregion
 - DEEP Local Basin Regional
 - DEEP Surface Water Quality
 - DEEP Wetland Soils
 - Voting Districts and Poll Locations
 - 2016 Color Aerial
 - 2012 CT Color Aerial
 - 2009 CRCOG Color Aerial
 - 2004 CTDOT B/W
 - Planimetric Base Map







- 10 Parcel Lot
- 17 Address
- 24Ac Access
- 15 Block
- Historic Parcel
- Easements
- Parcels
- Severalty Areas



F12	G12	H12
F13	G13	H13

MAP: G12
 KENNEDY &
GEOSYSTEMS
 1000 Main Street
 Westborough, MA 01581
 508-865-1100

1" = 100 Feet
 0 100 200 300 400 Feet
 DISCLAIMER:
 SOURCE IS REMAINING UNCHANGED FROM TOWN ACAD
 NOT BE USED FOR DESIGN DESCRIPTION OR REFERENCE.



TOWN OF SIMSBURY, CONNECTICUT
 TOWN ACAD WETLAND MAP 2014

- Town ACAD Hydro Edge
- Town ACAD Wetland Edge
- Town ACAD Wetland Buffer Edge
- Town ACAD Wetland Pond Edge
- Town ACAD Wetland Buffer Area
- Town ACAD Wetland Buffer Area
- Town ACAD Wetland Buffer Area
- Town ACAD Hydro Area

MAP: G12

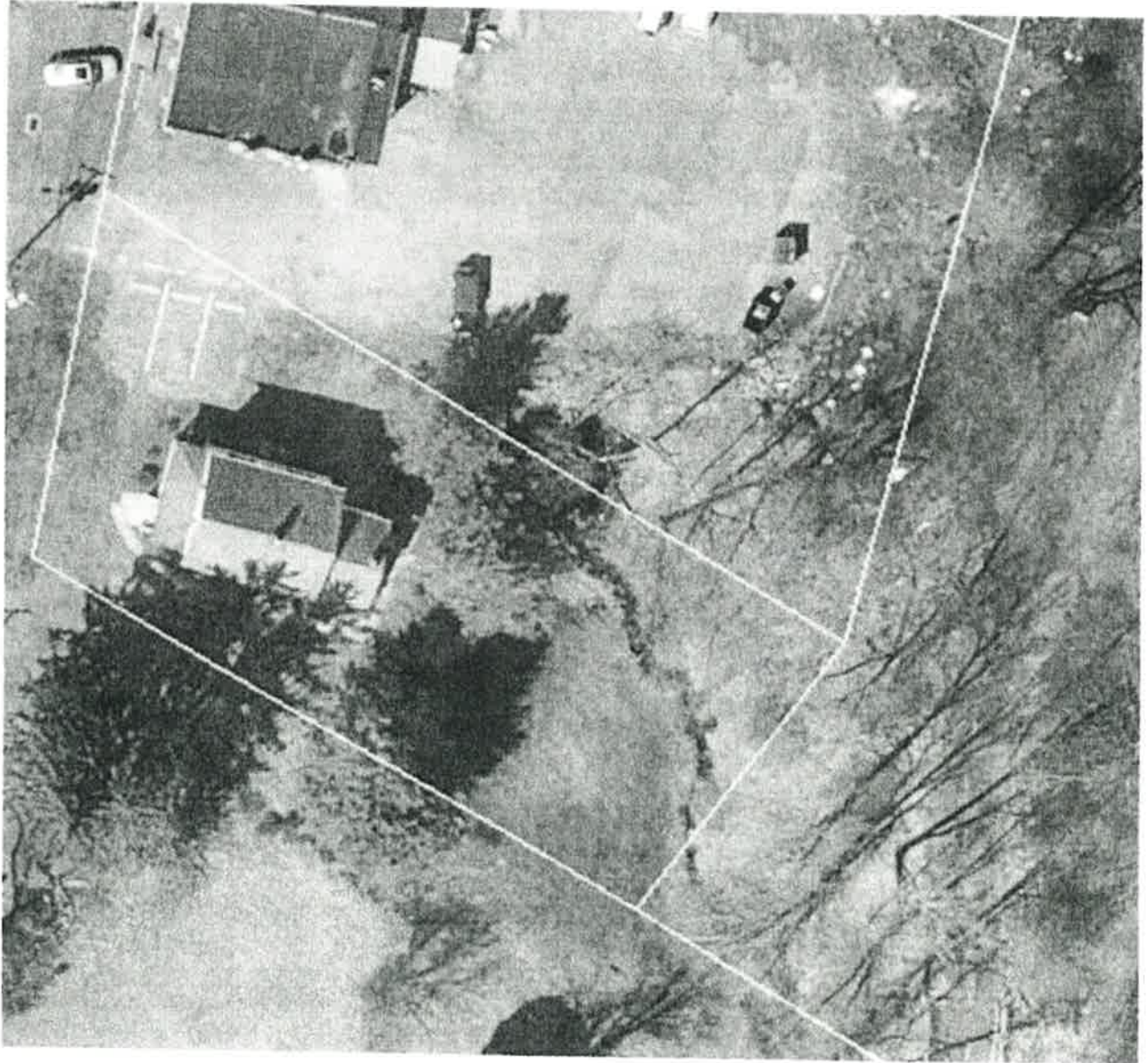


EXHIBIT 8