



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

*Office of Community Planning and Development*

**To:** Simsbury Zoning Commission

**From:** George K. McGregor, AICP, Planning Director

**Date:** December 5, 2022

**RE:** Application ZC #22-39 of Wolf Restaurant LLC, Helmar Wolf, Applicant/Agent, for a Special Exception pursuant to Section 6 of the Zoning Regulations for site improvements in the Floodplain Zone at property located at 4 Hartford Rd. (Assessor's Map G15 Block 145 Lot 001). Zone B-1.

## Summary of Request

A Special Exception is required under Section 6 of the Zoning Regulations for buildings and structures in the floodplain. The Applicant proposes to locate accessory structures at Abigail's Restaurant: 1) a new 8'x22' walk-in freezer/refrigerator and 2) the relocation of an existing generator and HVAC unit replacement. The Zoning Regulations and building code define these items as structures and both are located within the mapped floodplain (Zone AE).

The Applicant has submitted a narrative summarizing the details of the two accessory structures with a corresponding site plan.



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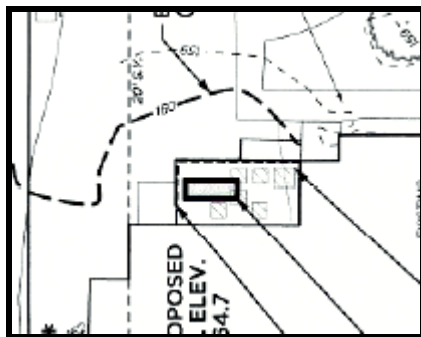
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8:30 - 7:00 Monday  
8:30 - 4:30 Tuesday through Thursday  
8:30 - 1:00 Friday

The walk-in freezer/refrigerator is planned to be placed as a stand-alone unit in the current location of the existing generator as viewed from street. The plans state that the vinyl fence will be removed.



The generator, with a new concrete pad will be moved to the west side of the restaurant to an area currently utilized for HVAC units. Applicant indicates that a wood or white vinyl fence be installed. Staff recommends that a vinyl fence screen both the walk-in freezer and the generator and be of like materials.



### Staff Analysis

The Town Zoning Regulations closely scrutinize structures in the floodplain. Mapped floodplain (or, as the regulations call “Special Flood Hazard Area,” extend almost all the way to Hopmeadow St., making the majority of the Abigail’s site located in the floodplain. Improvements are permissible such that they are constructed to minimize future flood damage through best practice, placement, and materials. Minimizing impact to the floodplain can be accomplished by placing improvements at least 2 feet above Base Flood Elevation (BFE).

The Applicant has submitted “No-Impact Certification” from the engineering firm of Barton & Loguidice, dated 11-17-22, confirming location and placement above the BFE. The generator and HVAC units will be installed 2 feet above BFE. The walk-in freezer will be 5 feet above BFE.



Special Flood Hazard Area Zone AE (yellow-hatched area)

Town Engineering Staff has reviewed the plans and proposal and find no outstanding issues.

Staff is satisfied that the project minimizes any negative future impact on the floodplain zone and reduces hazards to the property and adjacent land.

Staff finds that the specific considerations for special exceptions, as found in Section 12 and Section 6 of the Town of Simsbury Zoning Regulations, have been substantially met or satisfied. Those considerations include:

**Orderly Development**—The minor improvements facilitate orderly development as they are designed to meet the floodplain zone requirements and minimize flood hazards.

**Property Values**—Improvements meeting Town floodplain zone requirements should enhance property values.

**Public Safety**— The minor improvements ensure public safety as they are designed to meet the floodplain zone requirements and minimize flood hazards.

**Traffic Considerations**—Standard is not applicable to the request.

**Landscaping and Buffers**—The Applicant proposes fencing around the accessory improvements

**Relationship to Utility Systems, Drainage Systems, and Impact on Community Facilities**—Standard not applicable.

### **Draft Motion**

A draft motion in the affirmative has been prepared for the commission for discussion purposes. Please refer to attachment “A” for the draft language.

**Attachment “A”  
Monday, December 5, 2022  
Simsbury Zoning Commission**

MOVED, The Zoning Commission Approves **Application ZC #22-39** of Wolf Restaurant LLC, Helmar Wolf, Applicant/Agent, for a Special Exception pursuant to Section 6 of the Zoning Regulations for site improvements in the Floodplain Zone at property located at 4 Hartford Rd. (Assessor’s Map G15 Block 145 Lot 001). Zone B-1.

The Commission finds that the application for a Special Exception has met the standards set in Section 12 (Special Exception Requirements) and the Floodplain Zone requirements in Section 6 of the Simsbury Zoning regulations, subject to the following conditions:

1. The property shall be developed in substantial conformance with the Site Plan titled “Site Plan for Walk-in Cooler” dated 11-17-22, prepared by Barton & Loguidice.
2. An administrative zoning permit is required for construction.
3. Prior to the issuance of a zoning permit, the Applicant shall submit 2 sets of Mylars for signature and recordation.
4. Prior to the issuance of a certificate of completion, the Applicant shall submit as “As-built” for the improvements.
5. Six-foot tall white vinyl fencing shall be used to screen the walk-in freezer area and the generator/HVAC area.