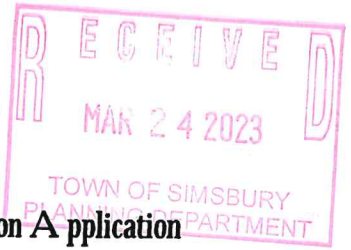




Town of Simsbury

Office of Community Planning and Development - Zoning Commission Application



DATE: _____ FEE: \$ 290.00 CK #: 2871 APP #: 23-11

PROPERTY ADDRESS: 2 Tunxis Road, Simsbury (Text Amendment)

NAME OF OWNER: Steven Stang, GSHP, LLC

MAILING ADDRESS: 2 Tunxis Road, Simsbury, CT 06070

EMAIL ADDRESS: stevenstang@att.net TELEPHONE # _____

NAME OF AGENT: T.J. Donohue, Jr., Esq., Killian & Donohue, LLC

MAILING ADDRESS: 363 Main Street, Hartford, CT 06106

EMAIL ADDRESS: tj@kdjlaw.com TELEPHONE # (860) 560-1977

ZONING DISTRICT: NA LOT AREA: NA SQ FT/ACRES

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

REQUESTED ACTION (PLEASE CHECK APPROPRIATE BOX):

- ZONE CHANGE:** The applicant hereby requests that said premises be changed from zone _____ to zone _____.
- TEXT AMENDMENT:** Please attach proposed changes, including Sections and purposes.
- SPECIAL EXCEPTION:** The applicant hereby requests a public hearing pursuant to Section _____.
- SITE PLAN APPROVAL:** The applicant hereby requests
 - PRELIMINARY
 - FINAL
 - SITE PLAN AMENDMENT pursuant to Section 11
- SIGN PERMIT**
- OTHER (PLEASE EXPLAIN):** _____

NOTE: Each application must fully comply with the requirements of the Zoning Regulations prior to receipt by the Commission. Each application for zone change and/or special exception shall include a list of names and addresses of abutting property owners and all property owners within 100 feet of the subject site. NA

A check payable to the Town of Simsbury must accompany this **original signed and dated** application. **Five (5) complete (folded) sets of plans, one (1) paper copy, and a digital copy of the completed application and correspondence** must also be included. If you have a PDF of your plans, we would appreciate a copy of that sent to jhollis@simsbury-ct.gov, as well.

Steven Stang
Signature of Owner
GSHP, LLC
Date

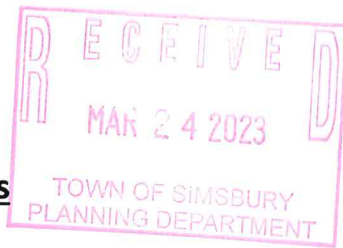
T. J. Donohue, Jr., Esq.
Signature of Agent
Killian & Donohue, LLC
Date

Telephone (860) 658-3245
Facsimile (860) 658-3206

www.simsbury-ct.gov

933 Hopmeadow Street
Simsbury, CT 06070

03-24-2023 0254 CHECK 290.00



Text Amendment to Allow Special Events in I1 Zone under conditions

Special Outdoor Sponsored Events - Definition: A Special Outdoor Sponsored Event is an accessory, event-based use on private property that extends beyond the normal uses and standards allowed within the zone that typically is outdoors in a temporary tent or structure that occurs within a period of one day but may reoccur daily for a period not longer than two weeks for each sponsored event; (2) are intended to or likely to attract crowds; and (3) are unlike the primary activities generally associated with the property where the special event is to be located. Gatherings may have activities both inside the structure and on the property such as, but not limited to entertainment, catering of food, mobile food/beverage vendors.

5.5 Permitted and Special Permit Uses

SP- Site Plan, SE Special Exception, NO- Not Allowed

Industrial Permitted Uses	I1	I2
Special Outdoor Sponsored Events	SP	NO

5.7 - Special Outdoor Sponsored Events

A. Purpose:

The purpose of this section is to provide flexibility to allow for special events as an accessory use on suitable parcels. No approval shall be granted that would be detrimental to public safety, create or increase traffic hazards, or does not comply with the standards set forth in this section.

B. General Requirements for Special Events:

1. **Parking:** The applicant shall demonstrate parking spaces are of sufficient number to accommodate the proposed use. No on street parking.

2. Noise: Amplified music is allowed Sunday through Thursday 9:00 am to 10:00 pm and Friday and Saturday 9:00 am to 11:00 pm. Noise shall not exceed 75 decibels at the property line.
3. Lighting: Lighting shall be contained to the property and shall not emit outside the property boundaries onto abutting properties.
4. Hours of Operation: the hours of operation for all activities shall not begin before 9:00 am nor finish after 10:00 pm Sunday through Thursday. Friday and Saturday hours of operation shall be 9:00 am to 11:00 pm. These times do not include event set up or clean up.
5. Temporary Structures: Temporary accessory structures, such as tents shall secure necessary permits, as to size, electrical capabilities and location and shall not remain assembled for more than a total of 6 months per calendar year.
6. Overnight Lodging: No overnight lodging is allowed.

C. Approval Process: A Locational site plan of the property shall be presented which complies with planning department standards and contains specific tent location sites or a general envelope within which a tent may be erected is required. All other applicable zoning, building, fire and State codes must be satisfied.



McGregor George

From: brian denno <brian.denno@gmail.com>
Sent: Wednesday, February 8, 2023 1:26 PM
To: McGregor George
Cc: Barkowski Laura; Miga Henry
Subject: Re: 2 Tunxis

Ok, thanks.

Brian

Brian Denno, LS
Denno Land Surveying & Consulting, LLC
2 Tunxis Rd., Suite #214
Tariffville, CT 06081
Office: (860) 408-9167
Cell: 860-916-2899
brian.denno@gmail.com
www.dennosurveying.com

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On Wed, Feb 8, 2023 at 9:26 AM McGregor George <gmcgregor@simsbury-ct.gov> wrote:

Brian

I was answering the question related to the question of how to remove the property from the floodplain.

Re: the tent, we conclude that it requires a special exception under the regulations IF the building code requires a building permit. That is worth a discussion with the building official.

Essentially if it is a certain size, requires electrical connections etc... and is up continuously (even just May through September for instance), it will need a building permit and is a structure.

George K. McGregor, AICP

Planning & Community Development Director

Town of Simsbury

933 Hopmeadow Street

Simsbury, CT 06070

P(860) 658 3252

gmcgregor@simsbury-ct.gov



From: brian denno <brian.denno@gmail.com>
Sent: Friday, February 3, 2023 1:40 PM
To: McGregor George <gmcgregor@simsbury-ct.gov>
Cc: Barkowski Laura <larkowski@simsbury-ct.gov>
Subject: Re: 2 Tunxis

George,

He is planning on putting up a tent during the warmer months of the year, nit a permanent structure; it will have no foundation and will be removed after the functions. He is not placing any fill in the flood plain and will not be blocking any flow of flood waters or in the floodway.

Will the town still require that he get a LOMA?

Brian

Brian Denno, LS
Denno Land Surveying & Consulting, LLC
2 Tunxis Rd., Suite #214
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On Fri, Feb 3, 2023 at 1:34 PM McGregor George <gmcgregor@simsbury-ct.gov> wrote:

Brian:

I have reviewed the background related to the 2 Tunxis Floodplain issue.

I have reviewed with The Town Engineer and Zoning Compliance Officer. We all agree with the previous conclusion drawn by former Assistant Town Planner and the contents of her email to you:

Good afternoon Brian,

Thank you for your email. As discussed during our phone call, per Section 6.4 of the Town of Simsbury's Zoning Regulations, "Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time a map or map revision is obtained from FEMA." The Town has to use the FIRM unless we receive a Letter of Map Correction, whether it be a Letter of Map Amendment or Letter of Map Revision from FEMA.

If the property owner is proposing to construct any structures within the area depicted within the Special Flood Hazard Area, he will be required to apply for a Special Exception permit from the Zoning Commission. It would then fall upon the property owner to show that the structure(s) are compliant with Section 6 of the Town of Simsbury's Zoning Regulations.

If the property owner is not proposing to build within the Special Flood Hazard Area, as shown on the FIRM, then he would not be required to apply for a Special Exception.

The Zoning regulations expressly prohibit Staff from making a best determination using perhaps the more accurate Base Flood information determined by field survey.

We must wait for A corrected map via LOMA or LOMR.

I just don't see any alternative as the regulations are currently written.

George

George K. McGregor, AICP

Planning & Community Development Director

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