



Town of Wallingford, Connecticut

**Wallingford Zoning Board of Appeals Meeting
Tuesday, January 19, 2021
7:00 p.m.**

REMOTE MEETING ONLY

The Zoning Board of Appeals meeting of January 19, 2021 will take place REMOTELY ONLY.

The meeting can be accessed through:

<https://global.gotomeeting.com/join/246411173>

YOU CAN ALSO DIAL IN USING YOUR PHONE:

United States (Toll Free): +1 (877)-309-2073

Access Code: 246-411-173

Live Stream of the meeting will also be available on the Town of Wallingford You Tube Channel:

<https://www.youtube.com/c/wallingfordgovernmenttelevision>

AGENDA

Call to Order

Pledge of Allegiance

Roll Call

PUBLIC HEARINGS

1. #20-021 – Variance Requests/Williams/12-16 Northfield Road
2. #20-033 – Variance Request/Hare/5 Gaye Lane
3. #20-034 – Special Exception Request/Pumpkin Patch Properties, LLC/4 Circle Drive
4. #20-035 – Variance Requests/Baker/4 Union Street
5. #20-036 – Variance Request/Krombel/338 Ivy Street
6. #20-037 – Variance Requests/Andrade/26 Beechwood Drive

CONSIDERATION OF MINUTES

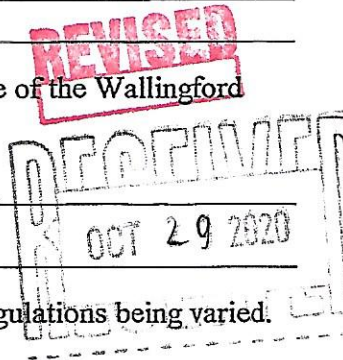
7. November 16, 2020, Regular Meeting

ADJOURNMENT

Individuals in need of auxiliary aids for effective communications in programs and services of the Town of Wallingford are invited to make their needs and preferences known to the ADA Compliance Coordinator at 203-294-2070 five (5) days prior to the meeting date.

ZONING BOARD OF APPEALS
Wallingford, Connecticut
APPLICATION FOR VARIANCE

APPLICATION NO.: 20-021
 APPROVED: _____
 DENIED: _____



The undersigned Applicant hereby applies to the Wallingford Zoning Board of Appeals for a variance of the Wallingford Zoning Regulations.

- 1.) Street Address or Location of the Property: 12-16 NORTHELD RD.
- 2.) Zoning District of the Property: CS 40
- 3.) Indicate the type of variance requested (e.g., lot area, side yard) and the Section of the Zoning Regulations being varied. If more than one variance, list each separately.

Type of Variance	Section of Zoning Regulations	Required by Regulations	Existing	Proposed
<u>side yard</u>	<u>5.1B</u>	<u>20'</u>	<u>14.8 10.2</u>	<u>14.8</u>
<u>front yard</u>	<u>5.1B</u>	<u>50'</u>		<u>42.8</u>
<u>non-conforming use</u>	<u>6.13A</u>	<u>No expansion</u>	<u>N/A</u>	<u>expansion</u>

4.) Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): TO ADD 4x12 ROOM TO SIDE OF RESIDENCE (TWO STORIES)

5.) Briefly describe why strict application of regulations would produce an unreasonable hardship: PROPERTY (revised) WAS APPROVED IN 2019, CURRENT PROPOSAL IS TO ADD TO THIS RESIDENCE. A 4x12 ROOM HAS BEEN THERE BUT INADVERTANTLY WAS DELETED FROM PLAN IN JULY 2019.

- 6.) If any variances for the Property have previously been requested, please complete the following section.
- a. Date(s) of ZBA action: _____
- b. What variance(s) were requested: _____
- c. What variance(s) were granted: _____

7.) **APPLICANT** (Please list mailing address.)

Name(s): NICKOLAUS WILLIAMS Signature: Daniel Lyon for William
 Address: 257 GRACY AVE., MERIDEN City: MERIDEN State: CT. Zip: 06450
 Telephone No: 203-238-1708 Interest in Property: Owner: Other: _____

8.) **PROPERTY OWNER(S) OF RECORD** (Please list mailing address. This section must be completed.)

Name(s): NICKOLAUS WILLIAMS Signature: _____
 Address: same as above City: above State: _____ Zip: _____
 Telephone No: _____

9.) Please list below the names and mailing addresses of all abutting property owners. (Those properties that are directly adjacent or contiguous to yours.)

Name

Mailing Address

- 1. SEE LIST OF ABUTTERS ATTACHED.
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____

(Attach additional sheet(s) if necessary)

10.) Please provide directions to the subject property from a well recognized Town road. _____

NOTES TO APPLICANT:

- 1. Please provide eleven copies of a map or plan drawn to scale clearly illustrating the variance(s) requested. (The plan must show the property boundaries, all existing and proposed buildings and dimensions for any setback, size, area or height related variance request.)
- 2. The Applicant must notify abutters by Certificate of Mailing, 10-15 days prior to the Public Hearing by sending them a copy of the Legal Notice. The Legal Notice will be sent to the Applicant at least 15 days prior to the meeting. Certificates of Mailing must be returned to the Planning & Zoning Office at least five days prior to the meeting.
- 3. The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.

(FOR ZBA USE ONLY)

DECISION: GRANTED DENIED EFFECTIVE DATE: _____ / _____ / _____

REASON(S) FOR DECISION: _____

CONDITION(S): _____

The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.

SIGNED: _____

TITLE: _____

WALLINGFORD
ZONING BOARD OF APPEALS
Variance Application: Revised May 2008

ABUTTERS

Northfield Realty Holdings LLC
118 Rolling Ridge Road
Hamden, Ct 06473

1NRSJ, LLC
27 Musket Drive
North Haven, CT 06473

DeMartino Colony Realty
920 South Colony Road
Wallingford, Ct 06492

Barry Lipka
5 Park Lane
Wallingford, CT 06492

Paget Debra O'Connor
3 Park Lane
Wallingford, CT 06492

Mary G. Nelson
30 Northfield Road
Wallingford, Ct 06492

William H. & Rose Nunez Evans
27 Northfield Road
Wallingford, CT 06492

Jason Mikulski
25 Northfield Road
Wallingford, CT 06492

5 Northfield LLC
5 Northfield Road
Wallingford, CT 06492

ZONING BOARD OF APPEALS
Wallingford, Connecticut
APPLICATION FOR VARIANCE

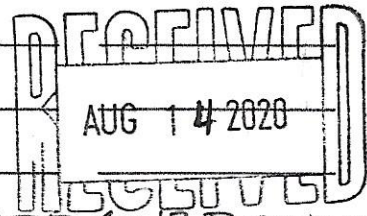
ORIGINAL

APPLICATION NO.: 20-021
 APPROVED: _____
 DENIED: _____

The undersigned Applicant hereby applies to the Wallingford Zoning Board of Appeals for a variance of the Wallingford Zoning Regulations.

- 1.) Street Address or Location of the Property: 12-16 NORTFIELD ROAD
- 2.) Zoning District of the Property: CB 40
- 3.) Indicate the type of variance requested (e.g., lot area, side yard) and the Section of the Zoning Regulations being varied. If more than one variance, list each separately.

Type of Variance	Section of Zoning Regulations	Required by Regulations	Existing	Proposed
<u>SIDE YARD</u>	<u>5.1B</u>	<u>20'</u>	<u>14.8</u>	<u>14.8</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____



4.) Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): TO ADD 4x12 ROOM TO SIDE OF RESIDENCE (ONE STORY)

5.) Briefly describe why strict application of regulations would produce an unreasonable hardship: PROPERTY (REVISED) WAS APPROVED IN 2019. CURRENT PROPOSAL IS TO ADD TO THIS RESIDENCE. A 4x12 ROOM HAS BEEN THERE BUT INADVERTANTLY WAS DELETED FROM PLAN IN JULY 2019.

- 6.) If any variances for the Property have previously been requested, please complete the following section.
- a. Date(s) of ZBA action: _____
- b. What variance(s) were requested: _____
- c. What variance(s) were granted: _____

7.) APPLICANT (Please list mailing address.)

Name(s): NICKOLAUS WILLIAMS Signature: [Signature]

Address: ~~721 BROAD ST.~~ 257 Grady Ave Meriden, CT 06450 City: MERIDEN State: CT Zip: 06450

Telephone No: 203-238-1708 Interest in Property: Owner: X Other: _____

duplicate to Dan [unclear]

8.) PROPERTY OWNER(S) OF RECORD (Please list mailing address. This section must be completed.)

Name(s): NICKOLAUS WILLIAMS Signature: [Signature]

Address: 721 BROAD ST. City: MERIDEN State: CT Zip: 06450

Telephone No: 203-238-1708

TOWN OF WALLINGFORD
DEPARTMENT OF PUBLIC UTILITIES
WATER AND SEWER DIVISIONS

ENGINEERING SECTION
PHONE 203-949-2672
FAX 203-949-2678

INTEROFFICE MEMORANDUM

TO: AMY TORRE, ZONING ENFORCEMENT OFFICER
FROM: ERIK KRUEGER, SENIOR ENGINEER, WATER AND SEWER DIVISIONS
SUBJECT: VARIANCE REQUEST NO. 20-021 - BUILDING ADDITION
12 NORTHFIELD ROAD - NICKOLAUS WILLIAMS
DATE: SEPTEMBER 10, 2020
CC: N. AMWAKE, P.E.; D. SULLIVAN; J. PAWLOWSKI; N. WILLIAMS

The subject building was previously connected to the municipal water system. The water service was deactivated on May 24, 2010. Since this service has been inactive for more than 5-years, water connection charges and meter fees will need to be paid in order to reactive the existing water service line. No municipal sanitary sewer service is available at this location.

The fees to reactivate the water service line will be based on the size of the water meter required which is based on the peak water demand associated with the plumbing fixtures in the building.

Therefore we request that the following list of water and sewer utility items be made conditions of approval that must be resolved prior to the issuance of building permits for the building modification:

1. Provide final water use estimates for the proposed renovated building.
2. The Water Division will determine what water meter size is required based on the final plumbing fixture counts for the building supplied by the Applicant. Connection charges and meter fees shall be based on the size of the meter and will be due prior to reactivating the water utility to the building.
3. All details and appurtenances of the water and sanitary sewer utility installations shall conform to the Technical Standards and Detail Sheets of the Town of Wallingford, Water and Sewer Divisions.

Also, Town Ordinance No. 577 stipulates that if a building permit is issued for improvements/repairs of buildings, costing at least \$25,000, then the Town may conduct an inspection of the property in order to determine if any groundwater or storm water drains are connected to the sanitary sewer. Therefore, if the proposed renovations meet these criteria, we hereby request that the property owner contact this office to arrange for an inspection of the property by the Sewer Division to review potential sources of inflow and infiltration that may need to be disconnected from the municipal sanitary sewer system.

Subject **Legal Notice - letter**
 From PennMarr Boiler Cleaning, Inc. <penmar.boiler@yahoo.com>
 To amy.torre@wallingfordct.gov <amy.torre@wallingfordct.gov>
 Date 2021-01-11 12:37



- Town Letter regarding land next door.jpeg (~160 KB)

Ms. Torre, We wrote a letter back in 2019 (see attached) regarding the property at 12-16 Northfield Road. Our opinions have not changed. We still believe that our business would be disruptive to a residential home due to the timing of our loud work trucks along with the diesel smell.

Please feel free to contact us with any questions.

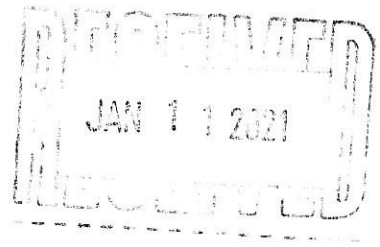
Thank you.

Martin Steiglitz

Penn Marr Boiler Cleaning, Inc.
 10 Northfield Road
 PO Box 489
 Wallingford, CT 06492
 203-284-3733
 800-356-3733
 203-949-0505 Fax
 penmar.boiler@yahoo.com



Town Letter regarding land next door.jpeg
 ~160 KB



PENN MARR

Boiler Cleaning, Inc.
Est. 1970 24 Hour Service



June 17, 2019

January 11, 2021

Amy Torre
Planning and Zoning Department
Town of Wallingford
45 S Main Street
Wallingford, CT 06492

RE: #19-020

My name is Martin Steiglitz and I own the property at 10 Northfield Road. I run a boiler cleaning business out of this property. My employees start around 5:00 am most mornings. We run very loud diesel trucks every morning. I do not want to disturb anyone with the loud trucks or the diesel smells. These properties are rated CB 40 and should remain so.

Also, in the spring, this property is often flooded.

Please contact me if you need more information.

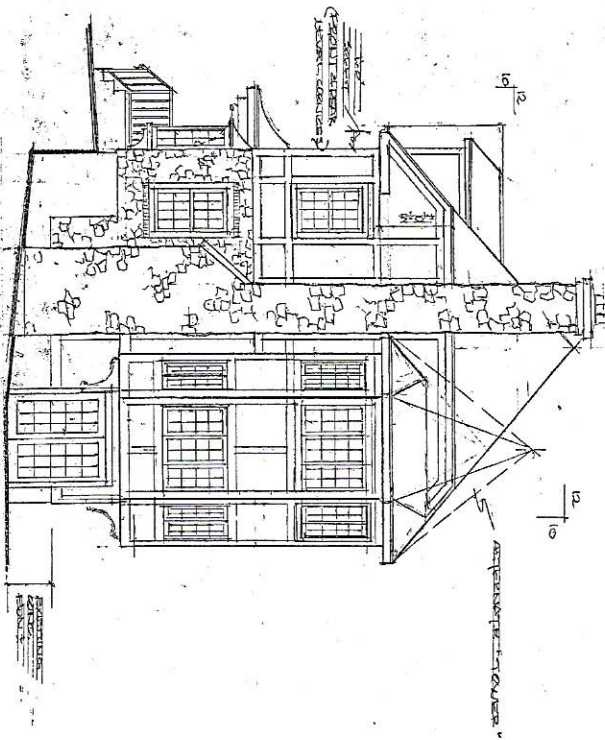
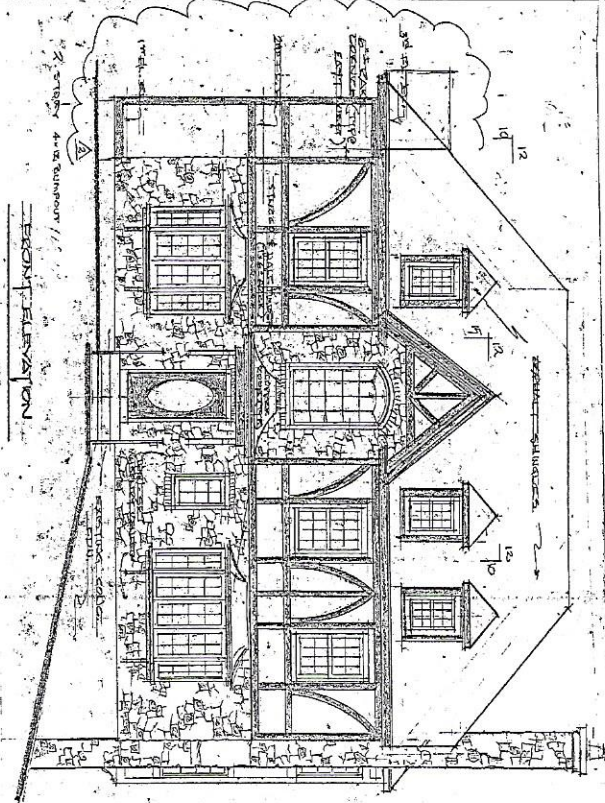
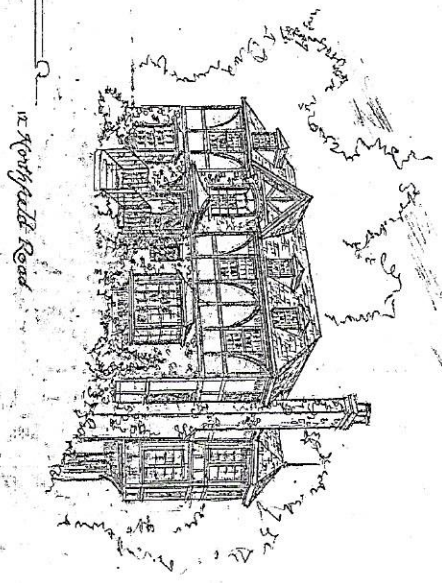
Thank you.

Martin Steiglitz
President
Penn Marr Boiler Cleaning, Inc.
203-284-3733

My opinion has not changed.

10 Northfield Road
MAILING ADDRESS:
P.O. BOX 489, Wallingford, CT 06492

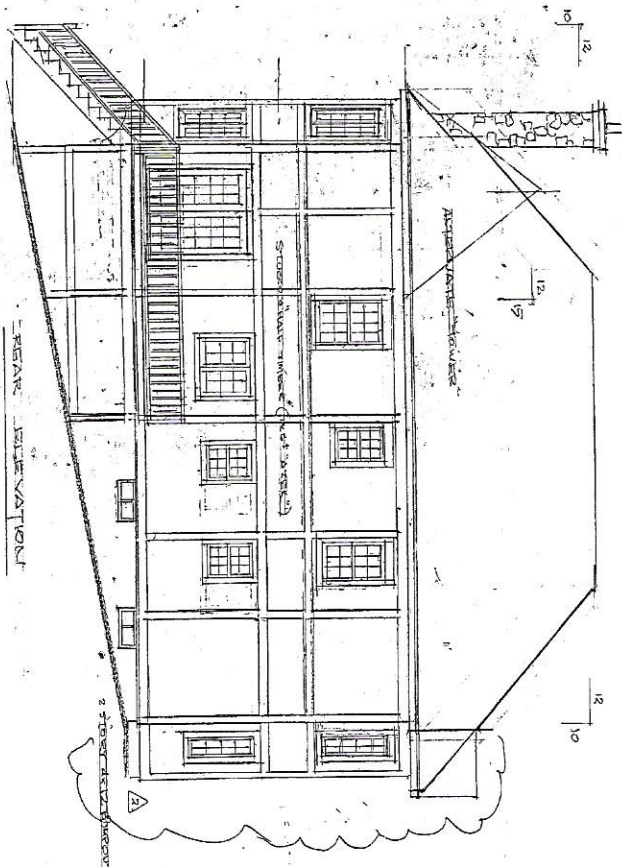
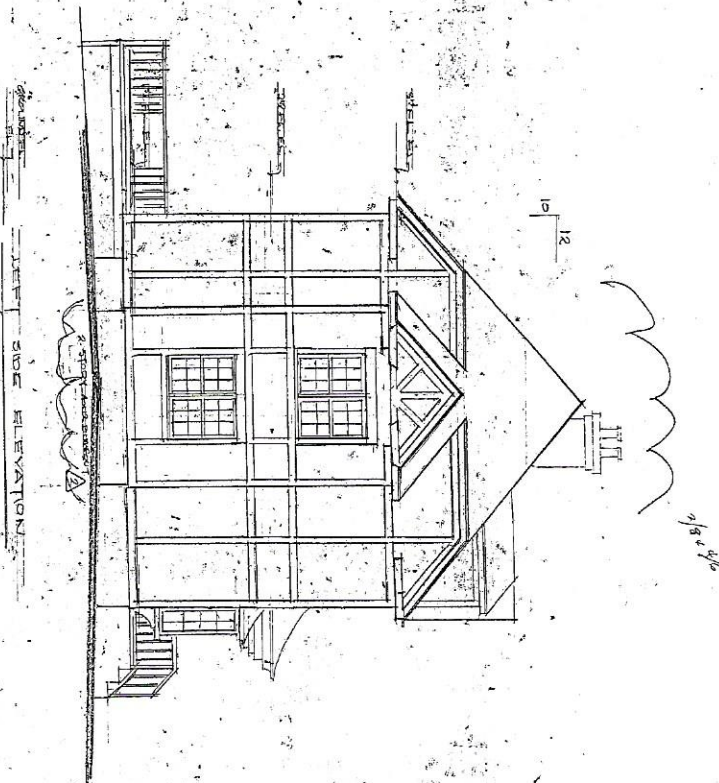
Phone: (203) 284-3733 / (800) 356-3733
Fax: (203) 949-0505
E-Mail: info@penmaronline.com OR VISIT
www.penmaronline.com



RECEIVED
NOV 02 2020

GENERAL NOTES	
A APPROX 2,500 SQ FT 4 1/2 BATHS DATE: 12/14/19	DANIEL WEBSTER LYON ARCHITECT, LLC 4 SIMPSON AVENUE AT CENTER STREET WALLINGFORD, CT 06492 T: 203.269.9469 WWW.DANIELWEBSTERARCHITECT.COM EDWARDS@DANIELWEBSTERARCHITECT.COM
PROJECT TITLE 12 NORTHGATE ROAD 3/20/19 ARCHITECT: DANIEL WEBSTER LYON ARCHITECT: DANIEL WEBSTER LYON ARCHITECT: DANIEL WEBSTER LYON ARCHITECT: DANIEL WEBSTER LYON	DRAWING TITLE ELEVATIONS
DATE: 12/14/19 DRAWING NO.: DWG BY: [Signature] CHECKED: DESIGNED: [Signature] DATE: 03/22/20	A-1

PROJECT NO. 2017-003

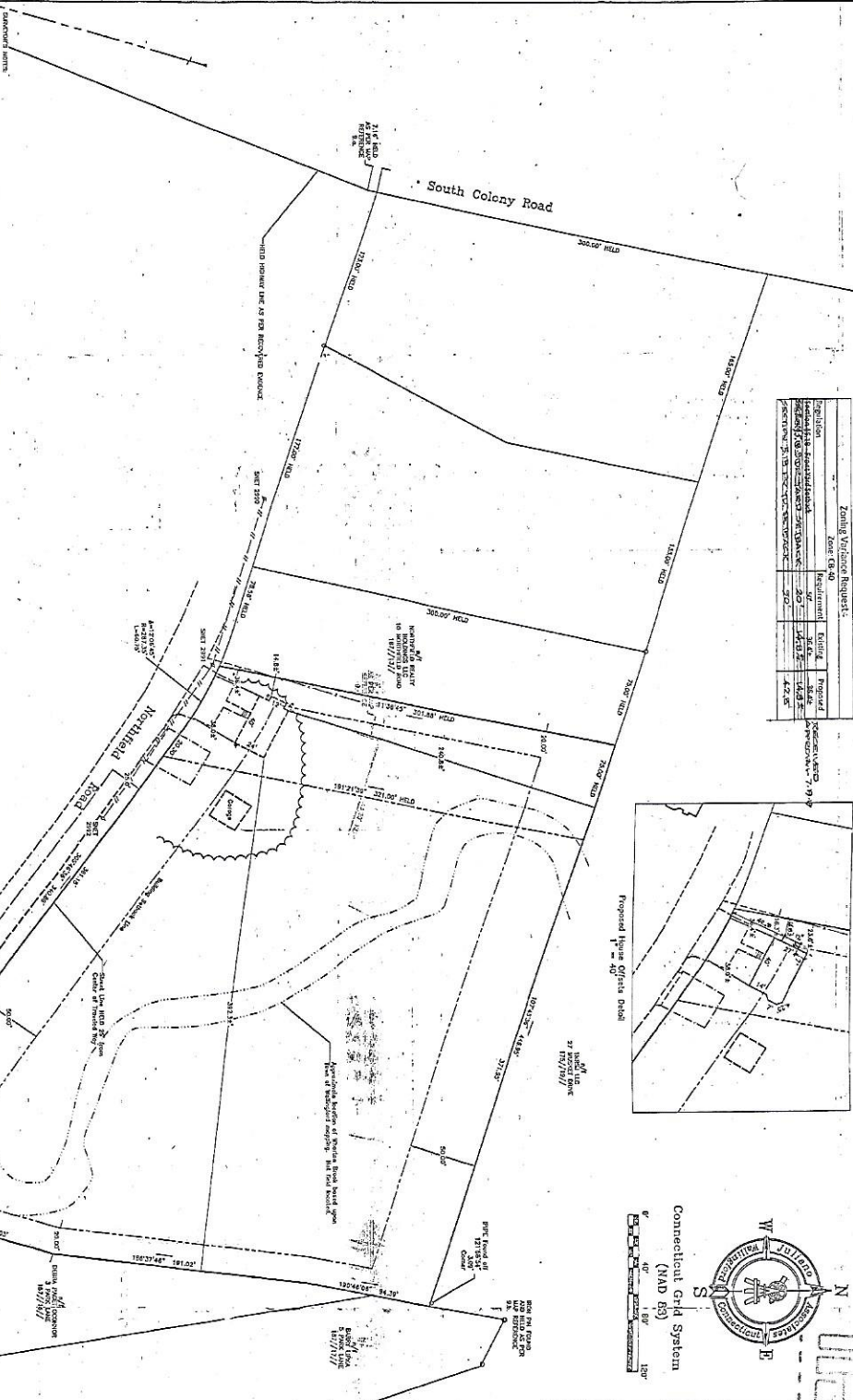


GENERAL NOTES	
1. APPROVED BY ARCHITECT 2. DATE SUBMITTED 3. DATE	
REV.	DESCRIPTION
DATE	DATE
DANIEL WEBSTER LYON ARCHITECT, L.L.C. 1 SAMPSON AVENUE AT CENTER STREET WALLINGFORD, CT 06492 7303389919 WWW.DANIELWEBSTERLYONARCHITECT.COM EDWARDS@DANIELWEBSTERLYONARCHITECT.COM	
PROJECT TITLE	
ARCHITECTURE 1800 WESTFIELD RD WALLINGFORD CT	
DRAWING TITLE	
ELEVATIONS	
SCALE	DRAWING NO.
DATE	DATE



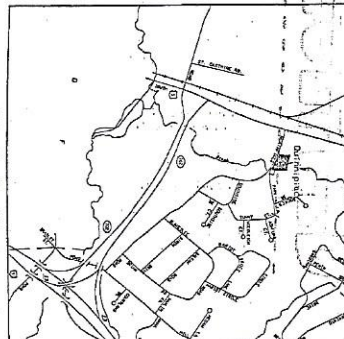
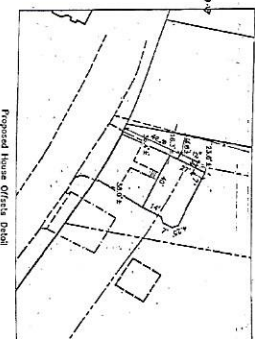
CONVEYANCE NOTES:

1. This plan has been prepared in accordance with the provisions of the Connecticut General Statutes, Chapter 12-210, and the provisions of the Uniform Land Use Regulation Enforcement Act, as amended, and is intended to be used for the conveyance of land, interests in land, or interests in the use of land, and is not intended to be used for any other purpose.
2. The boundaries and areas shown on this plan are based on the best available information, including aerial photography, ground surveys, and other information, and are not guaranteed to be accurate or complete.
3. The boundaries and areas shown on this plan are based on the best available information, including aerial photography, ground surveys, and other information, and are not guaranteed to be accurate or complete.
4. The boundaries and areas shown on this plan are based on the best available information, including aerial photography, ground surveys, and other information, and are not guaranteed to be accurate or complete.
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8. The boundaries and areas shown on this plan are based on the best available information, including aerial photography, ground surveys, and other information, and are not guaranteed to be accurate or complete.
9. The boundaries and areas shown on this plan are based on the best available information, including aerial photography, ground surveys, and other information, and are not guaranteed to be accurate or complete.
10. The boundaries and areas shown on this plan are based on the best available information, including aerial photography, ground surveys, and other information, and are not guaranteed to be accurate or complete.
11. This document is intended to be used for the conveyance of land, interests in land, or interests in the use of land, and is not intended to be used for any other purpose.



Zoning Variance Requests

Parcel	Area (sq. ft.)	Request	Project
Parcel 1	12,345	Height	Project A
Parcel 2	5,678	Area	Project B
Parcel 3	9,012	Setback	Project C
Parcel 4	3,456	Use	Project D



LEGEND

- 1" = 500'
- Proprietary Lines
- Property Lines
- Survey Lines
- Survey Markers
- Survey Points (Open)
- Survey Points (Closed)
- Concrete Boundary
- Concrete Wall
- Concrete Foundation
- Concrete Footing
- Concrete Slab
- Concrete Floor
- Concrete Ceiling
- Concrete Wall
- Concrete Foundation
- Concrete Footing
- Concrete Slab
- Concrete Floor
- Concrete Ceiling

TO THE BEST OF MY KNOWLEDGE AND BELIEF, I AM A PROFESSIONAL ENGINEER AND I HAVE CONDUCTED A REASONABLE AND CAREFUL SURVEY OF THE PROPERTY AND ADJACENT PROPERTIES SHOWN ON THIS PLAN.

CONDUCTED BY: JULIANO ASSOCIATES, LLC
DATE: 10/15/2019



REVISIONS

NO.	DATE	DESCRIPTION
1	10/15/2019	Initial Survey
2	10/15/2019	Final Plan

JULIANO ASSOCIATES, LLC
1979
2019

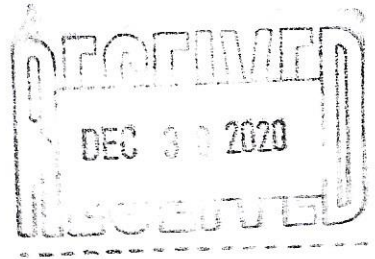
Land of
12-18 Northfield Road, LLC
#12 & #16 Northfield Road
Wallingford, Connecticut

Project No.: 19-118
Scale: 1" = 40'

BOUNDARY DATA FOR 12 NORTHFIELD ROAD

Point	Elevation	Remarks
1	100.00	Iron nail
2	100.00	Iron nail
3	100.00	Iron nail
4	100.00	Iron nail
5	100.00	Iron nail
6	100.00	Iron nail
7	100.00	Iron nail
8	100.00	Iron nail
9	100.00	Iron nail
10	100.00	Iron nail

NOV 2 2019



ZONING BOARD OF APPEALS APPLICATION REVIEW


ZBA MEETING OF: Tuesday, January 19, 2021

Please review and return to Amy Torre, ZEO, by: Friday, January 8, 2021

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> ELECTRIC | <input checked="" type="checkbox"/> HEALTH | <input checked="" type="checkbox"/> WATER & SEWER |
| <input checked="" type="checkbox"/> ENGINEERING | <input checked="" type="checkbox"/> INLAND WETLANDS | <input checked="" type="checkbox"/> BUILDING DEPT |
| <input checked="" type="checkbox"/> FIRE | <input checked="" type="checkbox"/> PUBLIC WORKS | |

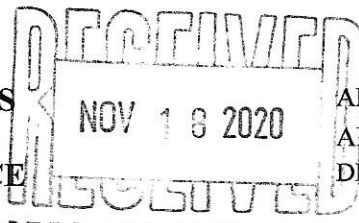
COMMENTS:

Any property served by well or/and septic to contact health department.

 Registered Sanitarian 12-29-20
Signature/Title Date

Please sign form; if you have comments on any application, please denote the application number. Please return all comments to the attention of Amy Torre, ZEO.

ORIGINAL



ZONING BOARD OF APPEALS
Wallingford, Connecticut
APPLICATION FOR VARIANCE

APPLICATION NO.: 20 - 033
APPROVED: _____
DENIED: _____

The undersigned Applicant hereby applies to the Wallingford Zoning Board of Appeals for a variance of the Wallingford Zoning Regulations.

- 1.) Street Address or Location of the Property: 5 Gaye Lane
- 2.) Zoning District of the Property: R-18
- 3.) Indicate the type of variance requested (e.g., lot area, side yard) and the Section of the Zoning Regulations being varied. If more than one variance, list each separately.

Type of Variance	Section of Zoning Regulations	Required by Regulations	Existing	Proposed
<u>side yard set-back</u>	<u>5.1A</u>	<u>20 ft</u>	<u>36.7 ft</u>	<u>6.9 ft</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

4.) Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): to build a

two car garage, protect vehicles, additional entry + storage to act as safe passage into home for family with 2 young children

5.) Briefly describe why strict application of regulations would produce an unreasonable hardship: Strict application of regulation would not allow for safeguards and life and safety improvements given the existing parameters of zoning regulations

6.) If any variances for the Property have previously been requested, please complete the following section.

- a. Date(s) of ZBA action: _____
- b. What variance(s) were requested: _____
- c. What variance(s) were granted: _____

7.) **APPLICANT** (Please list mailing address.)

Name(s): Brendan + Hillary Hare Signature: [Signature]

Address: 5 Gaye Lane City: Wallingford State: CT Zip: 06492

Telephone No: (802) 343-7576 Interest in Property: Owner: Other: _____

8.) **PROPERTY OWNER(S) OF RECORD** (Please list mailing address. **This section must be completed.**)

Name(s): Brendan + Hillary Hare Signature: [Signature]

Address: 5 Gaye Lane City: Wallingford State: CT Zip: 06492

Telephone No: (802) 343-7576

9.) Please list below the names and mailing addresses of all abutting property owners. (Those properties that are directly adjacent or contiguous to yours.)

<u>Name</u>	<u>Mailing Address</u>
1. <u>Karla + Jason Quigley</u>	<u>18 Lori Lane, Wallingford CT</u>
2. <u>Teresa + Salvatore Muro</u>	<u>22 Lori Lane, Wallingford CT</u>
3. <u>Kimberly Merrill + Linda Sirch</u>	<u>58 Ridge Knoll, Wallingford CT</u>
4. <u>Carole + Stanley Brunell</u>	<u>54 Ridge Knoll, Wallingford CT</u>
5. <u>Janet Petsky</u>	<u>9 Gaye Lane, Wallingford CT</u>
6. _____	_____

(Attach additional sheet(s) if necessary)

10.) Please provide directions to the subject property from a well recognized Town road. North on Parker farms road, right onto Jodi Dr, Right onto Gaye lane

NOTES TO APPLICANT:

1. Please provide eleven copies of a map or plan drawn to scale clearly illustrating the variance(s) requested. (The plan **must** show the property boundaries, **all** existing **and** proposed buildings and dimensions for any setback, size, area or height related variance request.)
2. The Applicant must notify abutters by Certificate of Mailing, 10-15 days prior to the Public Hearing by sending them a copy of the Legal Notice. The Legal Notice will be sent to the Applicant at least 15 days prior to the meeting. Certificates of Mailing must be returned to the Planning & Zoning Office at least five days prior to the meeting.
3. **The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.**

(FOR ZBA USE ONLY)

DECISION: GRANTED DENIED EFFECTIVE DATE: _____ / _____ / _____

REASON(S) FOR DECISION: _____

CONDITION(S): _____

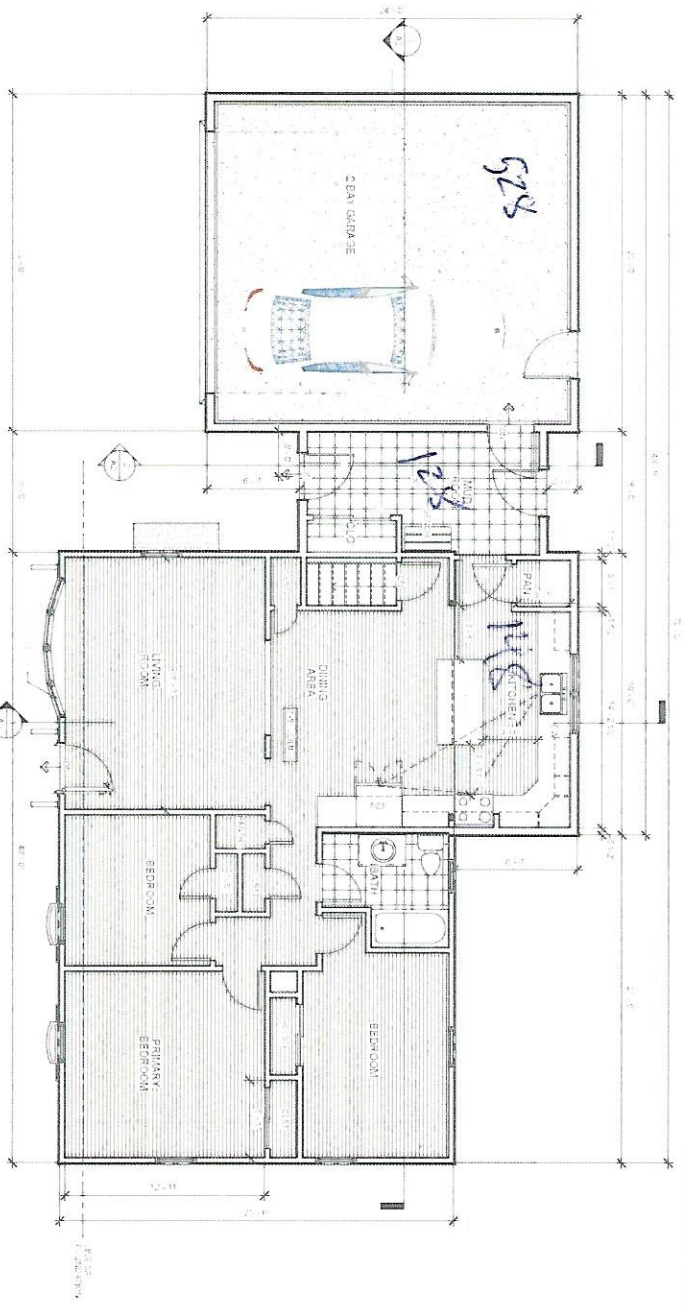
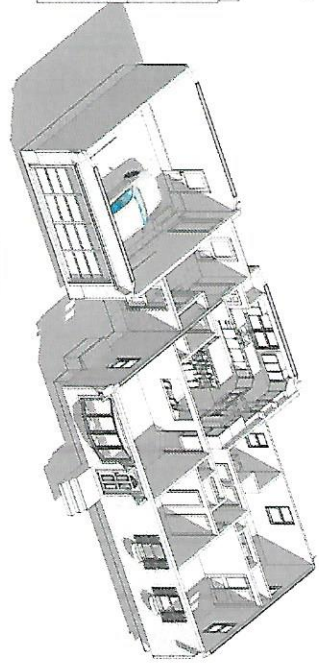
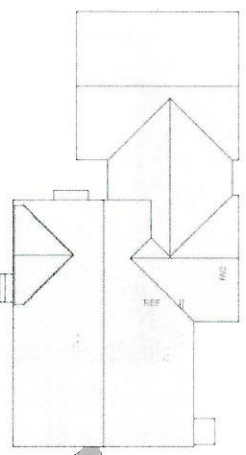
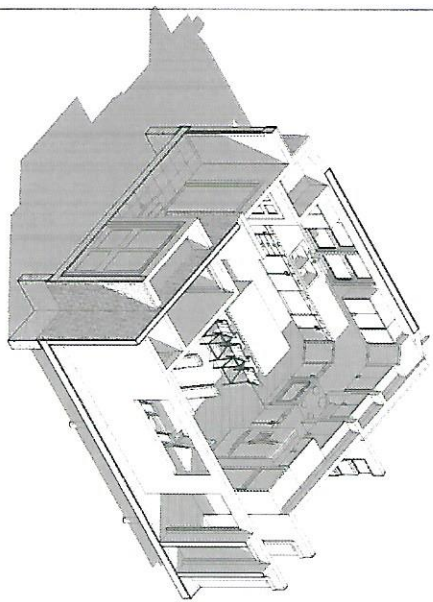
The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.

SIGNED: _____

TITLE: _____

WALLINGFORD
ZONING BOARD OF APPEALS
Variance Application: Revised May 2008

PROJECT NO. 11-00000000
 NOV 16 2023
 WALLINGFORD CT



AREA TABULATION

NO.	DESCRIPTION	AREA
1	2 CAR GARAGE	628.00
2	LIVING ROOM	125.00
3	DINING AREA	110.00
4	KITCHEN	100.00
5	BEDROOM	110.00
6	PRIMARY BEDROOM	130.00
7	BEDROOM	110.00
8	BATH	50.00
9	HALL	50.00
10	CL	50.00
11	STAIR	50.00
12	PO	50.00
13	PT	50.00
14	TO	50.00
15	TR	50.00
16	DR	50.00
17	BR	50.00
18	BA	50.00
19	CL	50.00
20	ST	50.00
21	PO	50.00
22	PT	50.00
23	TO	50.00
24	TR	50.00
25	DR	50.00
26	BR	50.00
27	BA	50.00
28	CL	50.00
29	ST	50.00
30	PO	50.00
31	PT	50.00
32	TO	50.00
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34	DR	50.00
35	BR	50.00
36	BA	50.00
37	CL	50.00
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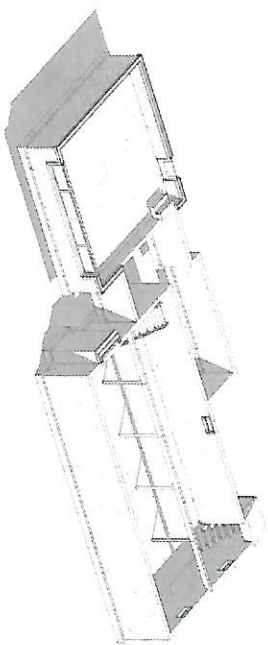
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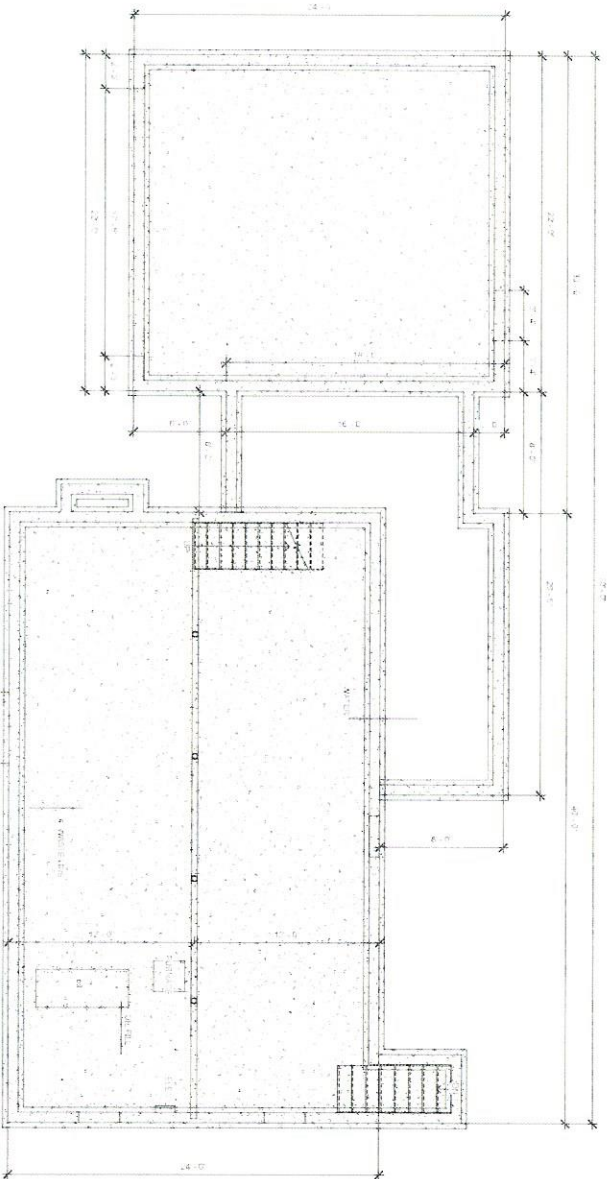
As indicated

NO. DESCRIPTION DATE

PFQ DESIGN GROUP
 110 Washington Avenue, 4th Floor
 North Haven, CT 06460
 Phone: 203.967.7333
 Fax: 203.234.6588
 Email: pfqdesigngroup@gmail.com
 Website: pfqdesigngroup.com
 Facebook: PFQ Design Group



3D Foundation



1 Foundation

PRELIMINARY

301105001
 10/21/2014
 14 OCTOBER 2014
 PFS
 PFS

HARE RESIDENCE
 #5 GAYE LANE
 WALLINGFORD CT

Basement Plan

PFG DESIGN GROUP
 110 Washington Avenue 4th Floor
 North Haven, CT 06472
 Phone 203.927.4385
 Fax 203.234.6398
 email: pfeiffer@pfgdesigngroup.com
www.pfgdesigngroup.com
 facebook: PFG Design Group

NO.	Description	DATE

2 of 20
 14 OCTOBER 2014
 PFS
 PFS
A0
 14 OCTOBER 2014

20-033

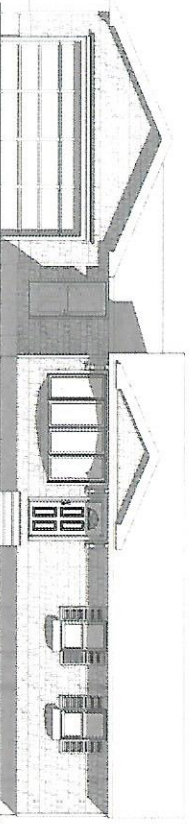
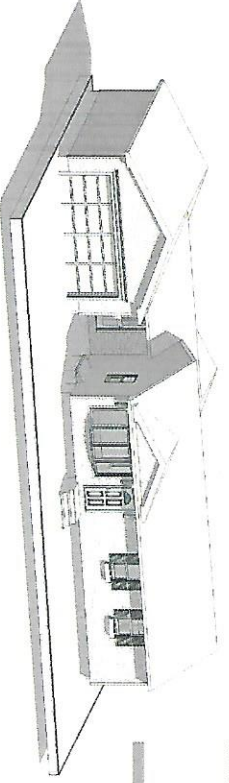
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NOV - 2 2013

DATE PLOTTED: 11/02/13 10:58 AM
 PLOT FILE: 20131102_105800.ctb
 PLOT DEVICE: HP DesignJet T1100PS
 PLOT SCALE: 1:1
 PLOT SHEETS: 1 of 1

DRAWING LEGEND

NO.	SYMBOL	DESCRIPTION
01		EXISTING
02		NEW
03		REVISION
04		REVISION
05		REVISION
06		REVISION
07		REVISION
08		REVISION
09		REVISION
10		REVISION



ALTERATIONS AND ADDITIONS:
THE HARE RESIDENCE
 #5 GAYE LANE, WALLINGFORD, CT

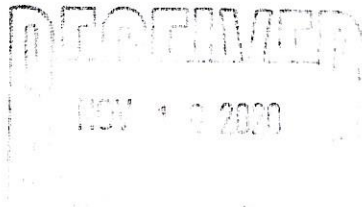
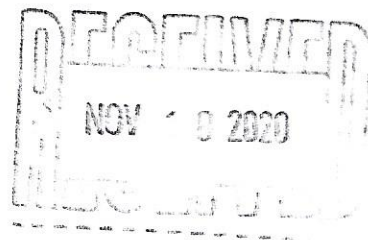
PETER F. GRASSO

PRELIMINARY
 11/2/13 10:58 AM

<p>PFG DESIGN GROUP 110 Wallingford Avenue 4th Floor North Haven, CT 06413 Phone: 203.344.5500 Fax: 203.344.5598 e-mail: pfgrd@pfgdesigngroup.com pfgrd@pfgdesigngroup.com facebook: PFG Design Group</p>	
<p>HARE RESIDENCE #5 GAYE LANE WALLINGFORD, CT</p>	<p>Title Sheet</p>
<p>NO. 1 Description Date</p>	<p>DATE PLOTTED: 11/02/13 10:58 AM PLOT FILE: 20131102_105800.ctb PLOT DEVICE: HP DesignJet T1100PS PLOT SCALE: 1:1 PLOT SHEETS: 1 of 1</p>
<p>NO. 2 Description Date</p>	<p>NO. 3 Description Date</p>
<p>NO. 4 Description Date</p>	<p>NO. 5 Description Date</p>
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<p>NO. 100 Description Date</p>	<p>NO. 101 Description Date</p>

Please type or print in ink.

ORIGINAL
ZONING BOARD OF APPEALS



APPLICATION FOR:
 Special Exception
 Appeal of Decision of ZEO

Application # 20-034

Date: 11/3/20

Name of Applicant: Pumpkin Patch Properties LLC

Mailing Address: #4 Circle Drive Wallingford, CT 06492
Street City State Zip Code

Phone: (203) 522-3357

Interest in Property: Own Rent Lease Option to Buy Other

Name of Property Owner: Pumpkin Patch Properties LLC

Mailing Address: #4 Circle Drive Wallingford, CT 06492
Street City State Zip Code

Legal Description of Property (check one box and complete information for that line only):
90 SOUTH WORTH ST MILFORD, CT-06461

- Street Address #4 Circle Drive
- Lot # and Street Name
- Volume & Page of Deed in Land Records

Zoning District: R-18

Directions to Property (from well recognized Town road): Right hand turn off of North Colony Road North at intersection with Route 71 (Old Colony Road)

A. TYPES OF SPECIAL EXCEPTION REQUESTED & MINIMUM ITEMS TO BE INCLUDED WITH APPLICATION

1. CUSTOMARY HOME OCCUPATION

- a. Type of Occupation: _____
- b. Sq.Footage of 1st floor of building: _____ c. Sq.Footage of home occupation: _____
- d. Map, drawn to scale, showing property, location of dwelling on property and location & dimensions of all parking spaces.

2. BOARDING HOUSE/ROOMING HOUSE

- a. Map, drawn to scale, showing property boundaries, location & dimensions of building, number of boarders and location & dimensions of all parking spaces.

3. BED & BREAKFAST

- a. Year house constructed: _____ b. Number of guest rooms: _____ c. Map, drawn to scale, showing property boundaries, location & dimensions of building, location & dimensions of all existing and proposed parking spaces, proposed landscaping. d. Floor plan of proposed B&B, with room use listed. e. Architectural drawings for any proposed additions, including emergency exits.

4. WINDMILL

- a. Map, drawn to scale, showing property, location of any buildings on lot, proposed location of windmill and distances to buildings and property lines.

5. SOLAR PANELS & SATELLITE DISHES

- a. Map, drawn to scale, showing property, location of any buildings on lot, proposed locations of panes or dishes and screening. b. Height of device _____ c. Technical literature about device

6. NURSERY SCHOOL, CHILD DAY CARE CENTER, GROUP DAY CARE HOME

- a. Map, drawn to scale, showing property, location of building(s) on lot, parking spaces, play area.
- b. Square footage of lot: 40,213 c. Building Coverage: 17.5% d. Enrollment capacity per session: 117

7. [] CEMETERIES

a. Location map showing adjacent streets.

8. [] GARAGES

a. Map, drawn to scale, showing property, location of building(s) on lot, garage location.

b. Size of existing garage space _____, size of proposed garage space _____, total proposed garage space _____.

9. [] STABLES

a. Map, drawn to scale, showing property, location of building(s) on lot, proposed stable.

B. APPEAL OF DECISION OF THE ZEO: Please describe the decision of the ZEO below and why you feel it is not accurate.

Applicant must notify abutters by certified mail 10-15 days prior to the public hearing by sending them a copy of the legal notice. Certificates of Mailing must be returned to the Planning Department at least five (5) days prior to the meeting.

Names and Mailing addresses of all abutting property owners (to the right, left and rear of your property)

	NAME	MAILING ADDRESS
1.	Infinity RT. 5 Limited Partnership & C/O Great Island Development	20 Park Plaza Suite 443, Boston, MA 02116
2.	Eric & Charlotte Slayton	#8 Circle Drive, Wallingford, CT 06492
3.	_____	_____
4.	_____	_____
5.	_____	_____

(ATTACH ADDITIONAL SHEET IF NECESSARY)

Name of Applicant or Agent: Matthew Niski Title: Engineer
(Please print) (If agent or company representative)

Signature of Applicant or Agent: [Signature]

Name of Property Owner: SARAH SIMIADRY Title: OWNER
(Please print) (If agent or company representative)

Signature of Property Owner: [Signature] 10/26/20

FOR ZBA USE ONLY:

Application is: [] Granted [] Denied Effective Date: _____

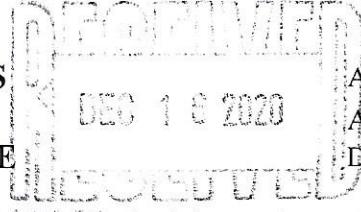
REASON(S) _____

CONDITION(S) _____

SIGNED: _____ TITLE: WALLINGFORD ZONING BOARD OF APPEALS

ORIGINAL

ZONING BOARD OF APPEALS
Wallingford, Connecticut
APPLICATION FOR VARIANCE



APPLICATION NO.: 20 -- 035
APPROVED: _____
DENIED: _____

The undersigned Applicant hereby applies to the Wallingford Zoning Board of Appeals for a variance of the Wallingford Zoning Regulations.

1.) Street Address or Location of the Property: 4 Union Street

2.) Zoning District of the Property: R-6

3.) Indicate the type of variance requested (e.g., lot area, side yard) and the Section of the Zoning Regulations being varied. If more than one variance, list each separately.

<u>Type of Variance</u>	<u>Section of Zoning Regulations</u>	<u>Required by Regulations</u>	<u>Existing</u>	<u>Proposed</u>
Front Yard Setback	6.2	12 feet	6 feet	6 feet
Side Yard Setback	6.2	6 feet	1 foot	1 foot

4.) Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): Replacing existing Playscape in this location due to safety concerns with former structure and to provide outdoor space for our daughter during Covid.

5.) Briefly describe why strict application of regulations would produce an unreasonable hardship: ** See attached

6.) If any variances for the Property have previously been requested, please complete the following section.

- a. Date(s) of ZBA action: August 2005
- b. What variance(s) were requested: Addition to house, including attached garage, encroaching on side yd setback
- c. What variance(s) were granted: Variance granted within 2 feet of shared property line with lot at 8 Union St

7.) **APPLICANT** (Please list mailing address.)

Name(s): Jeffrey Baker & Jillian Kellogg-Baker Signature:

Address: 4 Union Street City: Wallingford State: CT Zip: 06492

Telephone No: 203-687-6750 Interest in Property: Owner: Other:

8.) **PROPERTY OWNER(S) OF RECORD** (Please list mailing address. **This section must be completed.**)

Name(s): Jeffrey Baker Signature:

Address: 4 Union Street City: Wallingford State: CT Zip: 06492

Telephone No: 203-687-6750

9.) Please list below the names and mailing addresses of all abutting property owners. (Those properties that are directly adjacent or contiguous to yours.)

<u>Name</u>	<u>Mailing Address</u>
1. Robert & Heather Beverage	128 S Orchard St, Wallingford, CT
2. Beverly King	8 Union St, Wallingford, CT
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____

(Attach additional sheet(s) if necessary)

10.) Please provide directions to the subject property from a well recognized Town road. Turn right out of Town Hall parking lot onto Prince St. Turn left at 2nd stop sign onto S Orchard. House is on corner of S Orchard and Union.

NOTES TO APPLICANT:

1. Please provide eleven copies of a map or plan drawn to scale clearly illustrating the variance(s) requested. **(The plan must show the property boundaries, all existing and proposed buildings and dimensions for any setback, size, area or height related variance request.)**
2. The Applicant must notify abutters by Certificate of Mailing, 10-15 days prior to the Public Hearing by sending them a copy of the Legal Notice. The Legal Notice will be sent to the Applicant at least 15 days prior to the meeting. Certificates of Mailing must be returned to the Planning & Zoning Office at least five days prior to the meeting.
3. **The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.**

(FOR ZBA USE ONLY)

DECISION: GRANTED DENIED EFFECTIVE DATE: _____ / _____ / _____

REASON(S) FOR DECISION: _____

CONDITION(S): _____

The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.

SIGNED: _____

TITLE: _____

WALLINGFORD
ZONING BOARD OF APPEALS
Variance Application: Revised May 2008

Hardships Caused by Strict Application of Regulations

- The current location of the playscape was selected because this is the most level and most functional area of the yard, which we logically assumed was our back yard because it is opposite the front of our house, is elevated from the street, and is fully enclosed with a privacy fence. The location was also referred to as the "Back Corner of Property" in a notice we received from the building department. Our lot is undersized by more than 1000 sq ft according to section 5.1A of the zoning regulations (attached) and as confirmed by Amy Torre, the Town Zoning Officer. Moving the structure out of the standard setbacks would place the structure directly in the center of the only functional outdoor area on our property, which is only roughly 1300 sq ft when taking into account these setbacks and the location of the house. The opposite corner of the yard is unlevel, as we live at the base of a hill, and contains a landscaped area that would be blocked if we had located the playscape there. Placing the structure in this corner of the lot would present a privacy concern for our two adjacent neighbors, whom we spoke to throughout the process, as our kids would have a clear view into their back yards while playing on the playscape. There are also remnants of a detached garage buried shallowly throughout this area of the yard, including bricks and large blocks of concrete, which would make leveling this area extremely difficult.
- Our lot was granted a zoning variance in August of 2005 for an addition, including attached garage, which is 2 feet from the neighboring lot on Union Street. This was presumably granted for many of the reasons listed above.
- The strict application of the regulations is clearly not enforced throughout this neighborhood, upon casual inspection. The tight spacing of the lots in this area leads most nearby homeowners to place their accessory structures much closer to neighboring property lines than the required 6 ft. Although we do not want our neighbors to receive violations, if the regulations need to be applied strictly to our property, then they need to be applied strictly across the entire neighborhood and throughout the town.
- The current location of the structure is the same location our previous playscape stood from July 2017 through July 2020. The previous playscape also met the definition of a structure and exceeded 10 ft in height, per the definitions in the zoning regulations, but we were not informed of an infraction during the three year period it resided in this location. Also, the design of the new playscape does not meet the requirements for a building permit and the application does not mention receiving other permits if a building permit is not required. Therefore, being unfamiliar with town zoning regulations and also considering the examples set by neighboring home-owners, we were under the impression this was an acceptable location for our new, safer structure. Having only been informed of the zoning violation after a significant amount of work had gone into construction of the new playscape, we would now have to spend a significant amount of money and time to move and/or rebuild sections of the playscape in a less desirable area. We already spent a significant amount of unplanned money and time reducing the height of the structure to less than 10 ft and further modifications will set us back even further, despite our hopes to have the playscape functional for our daughter during the pandemic, while parks and playgrounds have been closed.

§5.1A SCHEDULE OF LOT AND BUILDING REQUIREMENT - RURAL AND RESIDENTIAL DISTRICTS

DISTRICT	MINIMUM LOT AREA (Sq. Ft.)	MINIMUM FRONTAGE (feet)	MINIMUM YARDS (feet)			MAXIMUM BUILDING COVERAGE/HEIGHT	
			FRONT (1)	SIDE (each)	REAR	COVERAGE (percent)	HEIGHT (feet)
RU-160	160,000	250	100	40	40	5	30
RU-120	120,000	250	75	40	40	5	30
RU-80	80,000	200	75	30	30	10	30
RU-40	40,000	150	50	30	30	10	30
R-18	18,000	100	40	20	30	15	30
R-15	15,000	85	20	15	30	20	30
R-11	11,250	75	20	12	30	25	30
R-6	6,250	50	10	6	30	33.5	30

(1) See Section 5.2.F

Lot Area @ 4 Union St 5117.67 SQ.Ft.



RETURN TO: Ryan & Tyma, LLP
William J. Ryan, Jr., Esq.
231 Coram Avenue
Shelton, Connecticut 06484

Doc ID: 002928810002 Type: LAN
BK 1565 PG 1094-1095

WARRANTY DEED
(Individual)

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL, GREETING:

KNOW YE, THAT, WE, AARON J. DESJARDINS and STEPHANIE DESJARDINS, of 4 Union Street, Wallingford, CT, (hereinafter referred to as the "Grantor"), for the consideration of **THREE HUNDRED THOUSAND AND NO/100 DOLLARS (\$300,000.00)**, received to our full satisfaction of **JEFFREY BAKER** of 2 Penn Drive, Wallingford, CT (hereinafter referred to as the "Grantee"), do give, grant, bargain, sell and confirm unto the said Grantee all that certain piece or parcel of land known as **4 UNION STREET** located in the City of Wallingford, County of New Haven and State of Connecticut, more particularly described as follows:

All that certain piece or parcel of land together with the buildings and improvements thereon standing situated in the Town of Wallingford, County of New Haven and State of Connecticut and bounded and described as follows:

- NORTH: by land formerly of John Bartek, more recently of Ida Veres, Julia Veres and Margaret Veres;
- EAST: by land formerly of Joseph Stannard, more recently of Alfred Cej;
- SOUTH: by Union Street;
- WEST: by South Orchard Street.

Containing 47 ½ feet front and rear by 100 feet in depth.

Being the same premises as shown in a Warranty Deed from Jeffrey H. Rochler to Aaron J. Desjardins and Stephanie W. Bauer dated December 30, 2009 and recorded December 31, 2009 in Volume 1376 at Page 682 of the Wallingford Land Records; see also Certificate of Name Change, Stephanie W. Bauer to Stephanie Desjardins dated and recorded simultaneously herewith.

As part consideration hereof, Grantee agrees to assume and pay any and all taxes and municipal assessments hereinafter becoming due and payable.

Said premises are free and clear of all encumbrances, except:

1. Building Lines, if established, and any and all provisions of any planning or zoning ordinance enacted by the City of Wallingford, and any and all provisions of any ordinance; municipal regulation or public or private law.
2. Variance from the Town of Wallingford Zoning Board of Appeals dated August 5, 2005 and recorded August 19, 2005 in Volume 1219 at Page 94 of the Wallingford Land Records.

Conveyance Tax Received

\$ 2250.00 State \$ 750.00 Municipal

Town Clerk - Wallingford

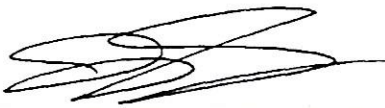
TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto the said grantee, to his own proper use and behoof.

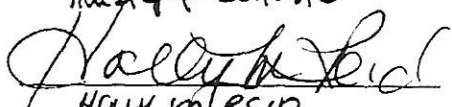
AND ALSO, the said grantors do for ourselves and our heirs, successors and assigns, covenant with the said Grantee, and unto the Grantee's heirs and assigns, that at and until the ensealing of these presents, we are well seized of the premises, as a good indefeasible estate in FEE SIMPLE; and have good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances except as above stated.

AND FURTHERMORE, The said grantors do by these presents bind themselves and their heirs, successors and assigns, forever to WARRANT AND DEFEND the above granted and bargained premises to him the said grantee, his heirs and assigns, against all the claims and demands whatsoever, except as above stated.


IN WITNESS WHEREOF, We have caused these presents to be executed this 29th day of June, 2017.


Signed, Sealed and Delivered in presence of:



Timothy F. Sullivan


HOLLY M. REID



AARON J. DESJARDINS


STEPHANIE DESJARDINS

STATE OF CONNECTICUT)
) **ss: Waterbury** **June 29, 2017**
COUNTY OF NEW HAVEN)

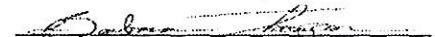
On this 29th day of June, 2017 before me, the undersigned officer, personally appeared **AARON J. DESJARDINS** and **STEPHANIE DESJARDINS**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained, as their free act and deed.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Timothy F. Sullivan
Commissioner of Superior Court

Received for Record at Wallingford, CT
On 06/30/2017 At 4:28:59 pm



4

3

PROPERTY AT 4 UNION STREET
WALLINGFORD, CT, 06492

ZONE R-6

SETBACKS

FRONT YARD - 12 FT ALLOWED/6FT REQUESTED

SIDE YARD - 6 FT ALLOWED/1FT REQUESTED

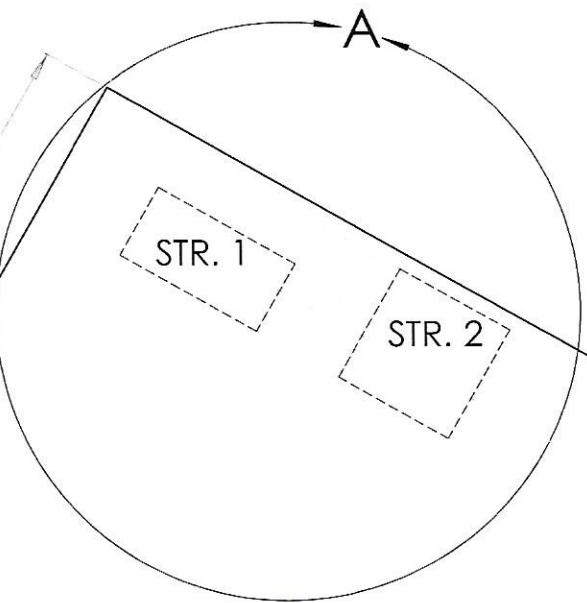
TOTAL COVERAGE (33.5% ALLOWED)

1475 SQ FT / 5117.67 SQ FT = 28.82%

B

S. ORCHARD ST

N



SETBACK
BOUNDARIES

SHED
80 SQ FT
EXISTING

HOUSE
1281 SQ FT
EXISTING

2.00 FT
SIDE YD
VARIANCE
GRANTED
AUGUST 2005

101.00 FT

12.00 FT
FR. YD

50.67 FT

12.00 FT
FR. YD

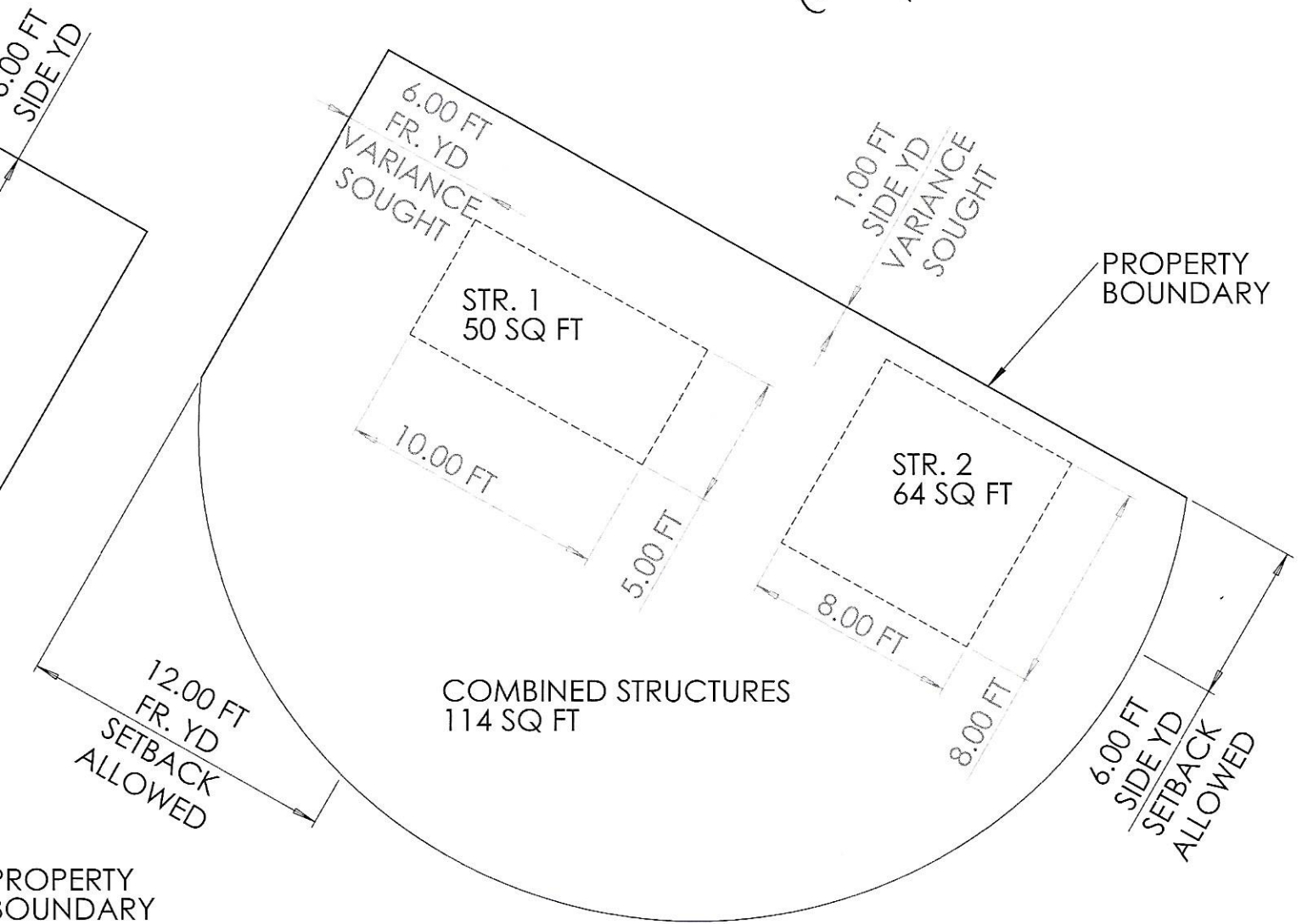
A

UNION ST

4

3

1507 ~~sq~~ bldg
(inc. 150 ~~sq~~ roof
~~deck~~ on deck)



B

PROPERTY BOUNDARY

DETAIL A

SCALE 1:75

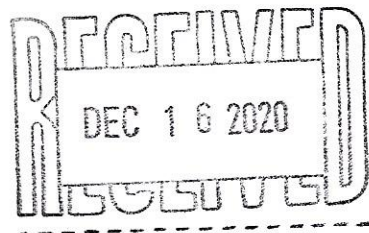
A

DRAWN BY

JEFFREY BAKER

DATE

12/15/2020



PROPERTY BOUNDARY DRAWING FOR ZONING VARIANCE APPLICATION

DO NOT SCALE DRAWING
 COMMENTS:
 -ALL DIMENSIONS ARE IN DECIMAL FEET
 -ALL STRUCTURES ON PROPERTY ARE SHOWN
 -SATELITE IMAGE USED AS REFERENCE

SIZE ADDRESS

B 4 UNION ST

REV

A

SCALE: 1:150

SHEET 1 OF 1



Town of Wallingford, Connecticut

JAMES SEICHTER
CHAIRMAN-PLANNING & ZONING COMMISSION

KACIE A. HAND, A.I.C.P.
TOWN PLANNER

WALLINGFORD TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 294-2090
FAX (203) 294-2095

January 7, 2021

Jeffrey Baker
4 Union Street
Wallingford, CT 06492

RE: Survey Waiver #801-21
4 Union Street

Dear Mr. Baker:

Your request to waive the survey requirement for the building location information for the recently constructed accessory buildings at 4 Union Street was approved administratively on Wednesday, January 6, 2021; your Zoning Permit is enclosed.

Please note that this waiver does not include the request to "waive" lot area. Waivers are only granted when the absence of a survey or other official documentation certain zoning information can be reasonably ascertained by alternative means.

In the case of the lot area for 4 Union Street, there is on file in the Wallingford Land Records a deed that specifically calls out measurements of "47.5 feet front and rear and 100 feet in depth" for this property. As the current existing legal description of the property, it cannot be "waived" or essentially ignored on the basis of a field measurement conducted with a tape measure. It would require an actual survey to amend the area description found in the deed for this property.

Should you have questions relating to this matter, please do not hesitate contacting the Wallingford Planning and Zoning Office at 203-294-2090.

Regards,

Thomas M. Talbot
Planner

TMT:ss



Town of Wallingford, Connecticut

ZONING PERMIT
(Waiver of Survey Requirement)

#801-21

DATE: January 6, 2021

ISSUED TO: Jeffrey Baker

ADDRESS: Jeffrey Baker
4 Union Street
Wallingford, CT 06492

ISSUED FOR: Playscape in rear-yard

LOCATION OF PREMISES: 4 Union Street

CONDITIONS OF PERMIT: **Waiver is for building locations only
Does not include lot area "waiver".**

ALL WORK CONNECTED WITH A SITE PLAN APPROVAL SHALL BE COMPLETED WITHIN FIVE YEARS AFTER SAID APPROVAL.

WALLINGFORD PLANNING AND ZONING COMMISSION

THOMAS M. TALBOT, PLANNER

* CONDITIONS MUST BE ENTIRELY SATISFIED BEFORE COMMENCING ANY WORK ON THE SUBJECT PROPERTY

To Whom It May Concern,

Attached is Revision B of the Property Boundary Drawing for Zoning Variance Application at 4 Union St. The changes are noted on the drawing and were made in response to Amy Torre's comments during an audit of the property conducted on 1/5/2021.

Please destroy and replace all copies marked with Rev A.

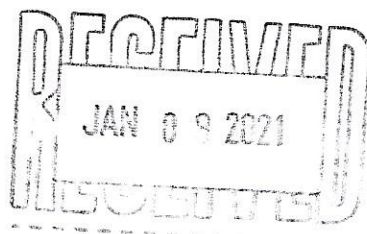
Sincerely,

Jeffrey Baker

4 Union St

Wallingford, CT 06492

20-035



4

3

PROPERTY AT 4 UNION STREET
WALLINGFORD, CT, 06492

ZONE R-6

SETBACKS

FRONT YARD - 12 FT ALLOWED/6FT REQUESTED
SIDE YARD - 6 FT ALLOWED/1FT REQUESTED

TOTAL COVERAGE (33.5% ALLOWED)
1640 SQ FT / 5117.67 SQ FT = 32.04%

B

S. ORCHARD ST

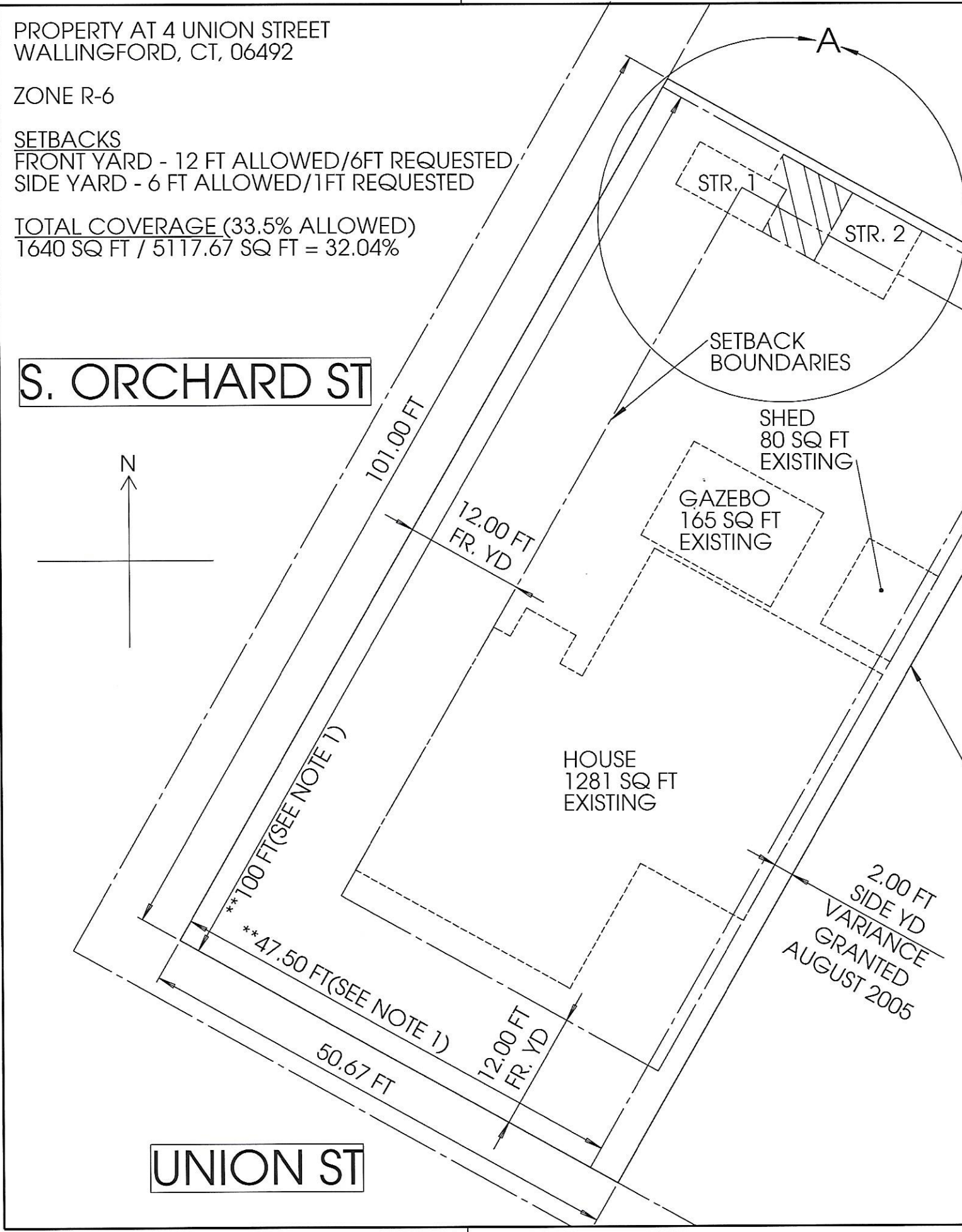
N

A

UNION ST

4

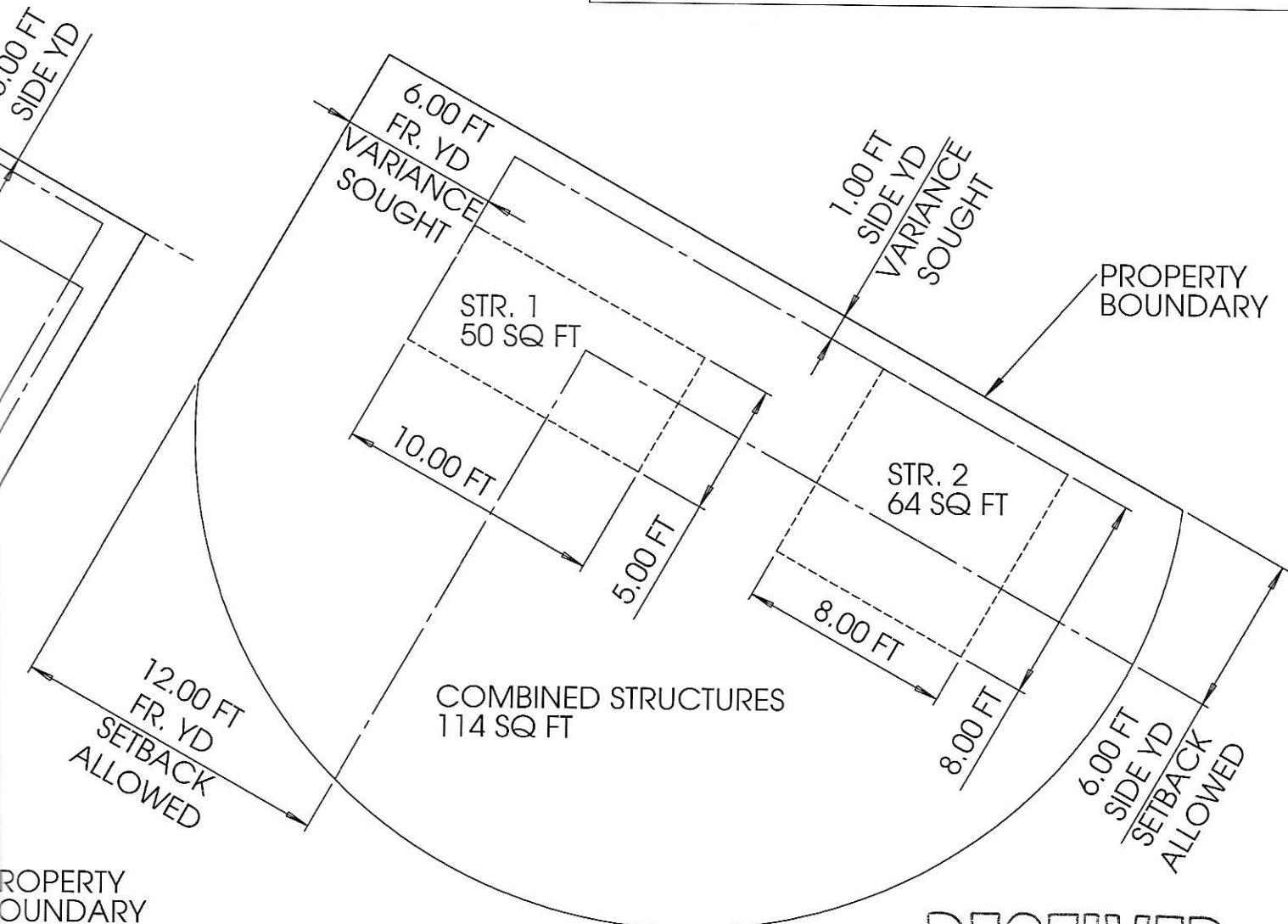
3



REVISION NOTES

REV A - INITIAL REVISION - 12/15/2020

REV B - ADDED GAZEBO MEASURING
165 SQ FT; ADDED NOTE 1 AND
DEED RELATED MEASUREMENTS
- 1/7/2021

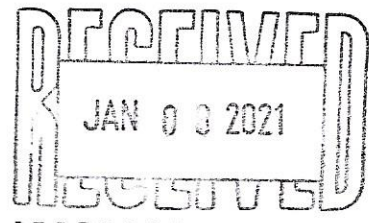


B

PROPERTY BOUNDARY

DETAIL A

SCALE 1 : 75



A

NOTE 1: LOT DEFINITION PER PROPERTY DEED IS 47.5 FT FRONT AND 100 FT IN DEPTH. AS MEASURED DIMENSIONS WERE USED FOR CALCULATION OF COVERAGE. MEASUREMENT METHODOLOGY AND ADDITIONAL DETAILS ARE DESCRIBED IN ADDENDUM PROVIDED.

DRAWN BY	DATE
JEFFREY BAKER	12/15/2020

PROPERTY BOUNDARY DRAWING FOR ZONING VARIANCE APPLICATION

DO NOT SCALE DRAWING	SIZE	ADDRESS	REV
COMMENTS: -ALL DIMENSIONS ARE IN DECIMAL FEET -ALL STRUCTURES ON PROPERTY ARE SHOWN -SATELLITE IMAGE USED AS REFERENCE	B	4 UNION ST	B
	SCALE: 1:150	SHEET 1 OF 1	



8/2020



Town of Wallingford, Connecticut

JUSTIN J. ROSSETTI
CHIEF BUILDING OFFICIAL

BUILDING DEPARTMENT
TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CONNECTICUT 06492
TELEPHONE (203) 294-2005

Regular and Certified Mail

August 25, 2020

Mr. Jeffrey Baker
4 Union Street
Wallingford, CT 06492

Re: 4 Union Street

**STATE BUILDING CODE §115
STOP WORK ORDER
2-Story Structure at Back Corner of Property**

Dear Property Owner:

On August 24, 2020, an inspection was conducted of the premises located at #4 Union Street for the purposes of determining compliance with the State Building Code as amended and the applicable referenced standards, adopted pursuant to the Connecticut General Statutes §29-252. The Code and said standards are available for your inspection at this office. The inspection revealed that work was being performed at the above-referenced location without a permit in violation of State Building Code §105.

PURSUANT TO STATE BUILDING CODE §115, YOU ARE HEREBY ORDERED TO STOP ALL WORK UNTIL APPROVAL IS GRANTED AND ALL NECESSARY PERMITS ARE OBTAINED FROM THE BUILDING OFFICIAL.

This is the only order you will receive. Be advised that the Building Official is authorized to prosecute any violation of this order by requesting that legal counsel of the jurisdiction, or the Office of the State's Attorney, institute the appropriate proceeding at law. Per Connecticut General Statutes §29-254a and §29-394, and State Building Code §114.3, any person who is convicted in a court of law of violating any provision of the State Building Code or for failure to comply with the written order of a building inspector for the provision of additional exit facilities in a building, the repair or alteration of a building or the removal of a building or any portion thereof shall be fined not less than two hundred not more than one thousand dollars or imprisoned not more than six months or both.

Page Two
Jeffrey Baker
August 25, 2020

You are hereby notified that you have the right to appeal this order pursuant to Connecticut General Statutes §29-266(b) to the municipal board of appeals or Connecticut General Statute §29-266(c) in the absence of a municipal board of appeals. Variations or exemptions from the State Building Code may be granted by the State Building Inspector where strict compliance with the code would entail practical difficulty or unnecessary hardship, or is otherwise adjudged unwarranted pursuant to Connecticut General Statutes. Any application for a variation or exemption or equivalent or alternate compliance shall be filed with the local Building Official.

This office is looking forward to working with you in the interest of building and life safety for a timely resolution of this serious matter. If you have any questions, please feel free to contact this office at 203-294-2005.

Very truly yours,



Justin J. Rossetti
Building Official

JJR/kgt



Town of Wallingford, Connecticut

JAMES SEICHTER
CHAIRMAN-PLANNING & ZONING COMMISSION

KACIE A. HAND, A.I.C.P.
TOWN PLANNER

WALLINGFORD TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 294-2090
FAX (203) 294-2095

NOTICE OF VIOLATION

CERTIFIED LETTER #0000 2654 9857

October 21, 2020

Jeffrey Baker
4 Union Street
Wallingford, CT 06492

Re: 4 Union Street

Dear Mr. Baker:

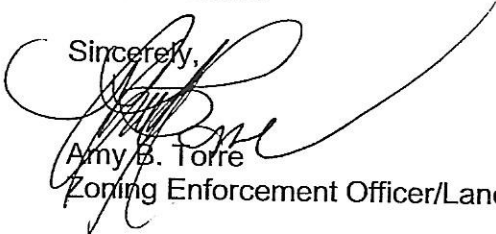
This office has advised you in August that the multi-level accessory structure you were erecting in your front yard exceeded permitted height and was located within setbacks for your property. The Building Official issued a Stop Work Order for said structure under construction with no building permits or zoning approval. I advised you upon our telephone conversation that this office would delay Notice of Violation provided the height was reduced to less than 10 feet, and the structure was located compliant with front and side setback requirements for your zone within 30 days. You were also advised that as you were a corner lot your property consists of two front yards and two side yards. The height of the structure has been reduced and is compliant yet the structure remains located in violation on the parcel. Today an individual was working on and siding the remaining structure. This remains in direct violation of Section 6.2 of the Wallingford Zoning Regulations.

You are hereby ordered to correct this violation within 15 days from receipt of this notice.

Failure to do so will result in the issuance of a Cease and Desist Order; if such an action is taken and you fail to comply, the Town may consider legal action, including seeking a court ordered injunction to compel correction of the violation, citation with fines of up to \$150.00 dollars per day for each day such violations continue, and/or a one-time civil penalty of \$2,500.00.

Please contact me at your earliest convenience to discuss this matter. I may be reached at 203-294-2090.

Sincerely,


Amy B. Torre

Zoning Enforcement Officer/Land Use Specialist

and their friends a safe place to play and enjoy the outdoors, which we believed was especially important during the Covid pandemic.



CURRENT OWNER	TOPO.	UTILITIES	STRT./ROAD	LOCATION	CURRENT ASSESSMENT
BAKER JEFFREY	2 Above Street	2 Public Water	1 Paved	2 Suburban	RES LAND DWELLING
4 UNION ST					Code 1-1
WALLINGFORD, CT 06492					Appraised Value 88,400
Additional Owners:					Assessed Value 152,000
					61,900
					106,400
					WALLINGFORD, CT
					6148

SUPPLEMENTAL DATA

Other ID: 056001146
 Census: 1752
 Old MBLU
 TC MAP #
 TC MAP #
 Record Lot
 GIS ID: 133/163

P/Z MAP #
 ENG MAP #
 Easement
 Town Line?
 IND PARKS

ASSOC PID#

RECORD OF OWNERSHIP	BK-VOL/PAGE	SALE DATE	q/u	w/i	SALE PRICE	P.C.	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
BAKER JEFFREY	1565/1094	06/30/2017	Q	1	300,000	00	2018	1-1	61,900	2017	1-1	61,900
DESJARDINS AARON J + STEPHANIE	1565/1093	12/31/2009	Q	1	0	40	2018	1-3	106,400	2017	1-3	106,400
ROCHLER JEFFREY H	1376/0682	12/31/2009	U	1	300,000	00						
ROCHLER JEFFREY H	1376/0680	11/27/2006	U	1	0	4						
ROCHLER AIMEE L	1277/0194	01/08/2001	Q	1	0	29						
	975/1089				149,000	0						
Total:									168,300			168,300

EXEMPTIONS	Description	Amount	Code	Description	Number	Amount	Comm. Int.
Total:							

ASSESSING NEIGHBORHOOD

NBHD/SUB: 40/A
 NBHD Name: NBHD Name
 Street Index Name: Street Index Name
 Tracing: Tracing
 Batch: Batch

NOTES

ST=LR,DR,K,IB
 VND=3BED,1/2B

VAR 05-088

APPRAISED VALUE SUMMARY

Appraised Bldg. Value (Card) 152,000
 Appraised XF (B) Value (Bldg) 0
 Appraised OB (L) Value (Bldg) 0
 Appraised Land Value (Bldg) 88,400
 Special Land Value 0
 Total Appraised Parcel Value 240,400
 Valuation Method: C
 Adjustment: 0
 Net Total Appraised Parcel Value 240,400

BUILDING PERMIT RECORD

Permit ID	Issue Date	Type	Description	Amount	hsp. Date	% Comp.	Date Comp.	Comments
17533	12/11/2009	CA	C- Approval	0	06/25/2007	100		10/06/2015
20455	12/11/2009	CA	C- Approval	0		100		06/08/2010
6078	12/11/2009	CA	C- Approval	0		100		05/24/2010
8314	12/11/2009	CA	C- Approval	0		100		02/27/2010
20455	05/08/2006	AD	Addition	41,190	06/21/2007	100		02/26/2010
19710	09/20/2005	DE	Demolish	1,000	07/31/2006	100		
10058-1	12/05/1998	DE	Demolish	5,000		100		

LAND LINE VALUATION SECTION

Use Code	Use Description	Zone	D	Front	Depth	Units	Unit Price	Factor	I	Acres	Disc	Factor	C	ST	Adj.	Notes- Adj	Special Pricing	S Adj	Adj. Unit Price	Land Value
1010	Single Family	R6				4,800	18,42	1,0000	5	1,0000	1,00	1,00	40		1,00			1,00	18,42	88,400

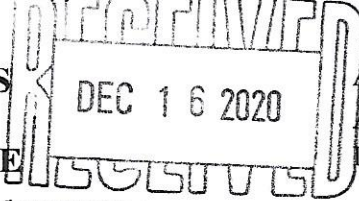
VISION

6148
 WALLINGFORD, CT

Total Card Land Units: 0.11 AC
 Parcel Total Land Area: 0.11 AC
 Total Land Value: 88,400

ORIGINAL

ZONING BOARD OF APPEALS
Wallingford, Connecticut
APPLICATION FOR VARIANCE



APPLICATION NO.: 20-036
APPROVED: _____
DENIED: _____

The undersigned Applicant hereby applies to the Wallingford Zoning Board of Appeals for a variance of the Wallingford Zoning Regulations.

- 1.) Street Address or Location of the Property: 338 Ivy Street, Wallingford
- 2.) Zoning District of the Property: R-11
- 3.) Indicate the type of variance requested (e.g., lot area, side yard) and the Section of the Zoning Regulations being varied. If more than one variance, list each separately.

<u>Type of Variance</u>	<u>Section of Zoning Regulations</u>	<u>Required by Regulations</u>	<u>Existing</u>	<u>Proposed</u>
Front Yard	Sec. 5-2 5.1A SCHEDULE	25ft 20 FEET	11.50 FEET	(no change)

4.) Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): to build small 2nd floor addition to expand a bathroom over existing first floor footprint (no change to house footprint)

5.) Briefly describe why strict application of regulations would produce an unreasonable hardship: Lot created and house built prior to adoption of zoning regulations. Application of existing regulations creates an unreasonable hardship.

(N/B - proposed addition is on "side" of house, but due to corner lot, it is considered a second "front yard".)

6.) If any variances for the Property have previously been requested, please complete the following section.

- a. Date(s) of ZBA action: We (present homeowners) have not requested any prior variances.
- b. What variance(s) were requested: We (present homeowners) have not requested any prior variances.
- c. What variance(s) were granted: We (present homeowners) have not requested any prior variances.

7.) **APPLICANT** (Please list mailing address.)

Name(s): Chelsea Krombel Signature: *Chelsea Krombel*
 Address: 338 Ivy Street City: Wallingford State: CT Zip: 06492
 Telephone No: 203-430-7579 Interest in Property: Owner: Other: _____

8.) **PROPERTY OWNER(S) OF RECORD** (Please list mailing address. **This section must be completed.**)

Name(s): Chelsea E. Krombel & James E. Ringold Signature: *Chelsea Krombel*
 Address: 338 Ivy Street City: Wallingford State: CT Zip: 06492
 Telephone No: 203-430-7579

9.) Please list below the names and mailing addresses of all abutting property owners. (Those properties that are directly adjacent or contiguous to yours.)

<u>Name</u>	<u>Mailing Address</u>
1. <u>Donald E. & Barbara F. Pizarz</u>	<u>334 Ivy Street, Wallingford, CT 06492</u>
2. <u>Anthony J. Dorsey</u>	<u>399 South Main Street, Wallingford, CT 06492</u>
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____

(Attach additional sheet(s) if necessary)

10.) Please provide directions to the subject property from a well recognized Town road. 338 Ivy St. is located one
block west of South Main Street, on the corner of Willow Street and Ivy Street.

NOTES TO APPLICANT:

1. Please provide eleven copies of a map or plan drawn to scale clearly illustrating the variance(s) requested. **(The plan must show the property boundaries, all existing and proposed buildings and dimensions for any setback, size, area or height related variance request.)**
2. The Applicant must notify abutters by Certificate of Mailing, 10-15 days prior to the Public Hearing by sending them a copy of the Legal Notice. The Legal Notice will be sent to the Applicant at least 15 days prior to the meeting. Certificates of Mailing must be returned to the Planning & Zoning Office at least five days prior to the meeting.
3. **The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.**

(FOR ZBA USE ONLY)

DECISION: GRANTED DENIED EFFECTIVE DATE: _____ / _____ / _____

REASON(S) FOR DECISION: _____

CONDITION(S): _____

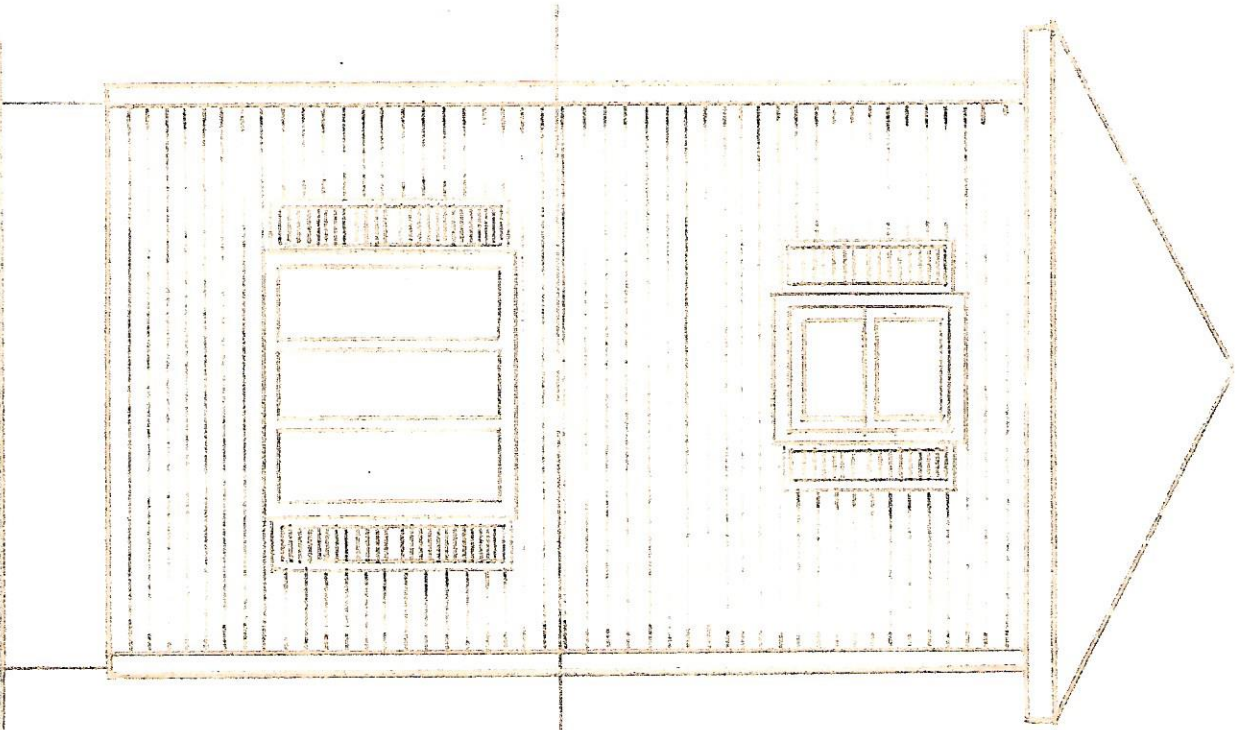
The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.

SIGNED: _____

TITLE: _____

**WALLINGFORD
ZONING BOARD OF APPEALS**
Variance Application: Revised May 2008

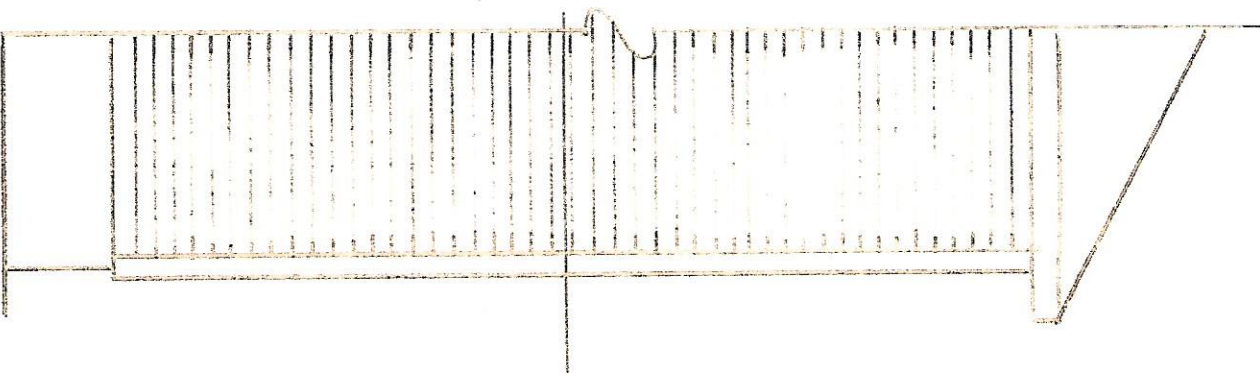
FRONT ELEVATION



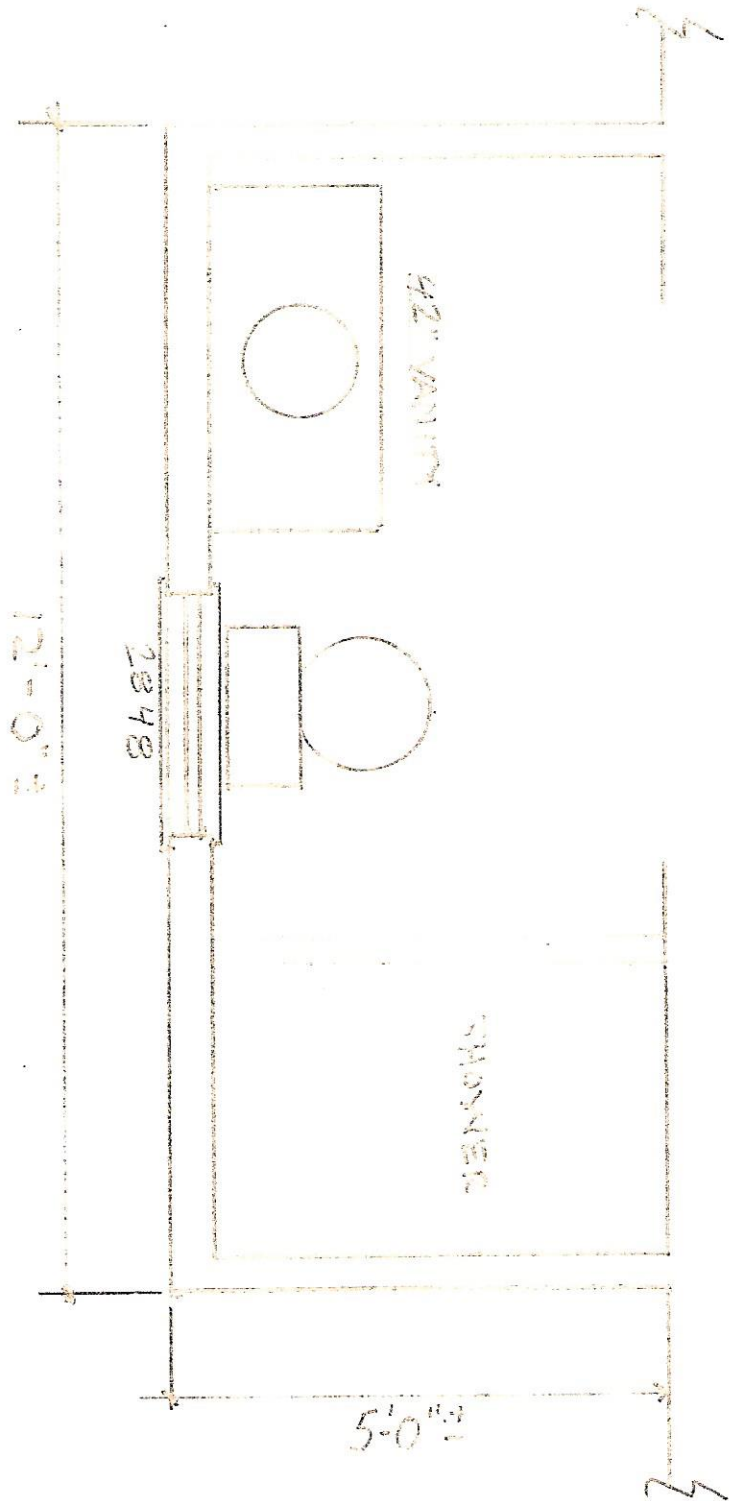
ADDITION
ELEVATION

RECEIVED
DEC 18 2020

SIDE ELEVATION



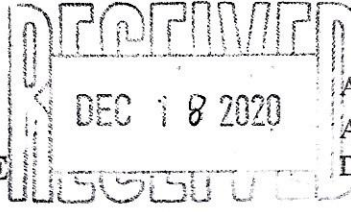
EXISTING



FLOOR PLAN

$7'10''$ FOOT

ORIGINAL



ZONING BOARD OF APPEALS
Wallingford, Connecticut
APPLICATION FOR VARIANCE

APPLICATION NO.: 20 - 037
APPROVED: _____
DENIED: _____

The undersigned Applicant hereby applies to the Wallingford Zoning Board of Appeals for a variance of the Wallingford Zoning Regulations.

- 1.) Street Address or Location of the Property: 26 BEECHWOOD DRIVE
- 2.) Zoning District of the Property: R-18
- 3.) Indicate the type of variance requested (e.g., lot area, side yard) and the Section of the Zoning Regulations being varied. If more than one variance, list each separately.

Type of Variance	Section of Zoning Regulations	Required by Regulations	Existing	Proposed
<u>SIDE YARD</u>	<u>5.1A</u>	<u>20'</u>	<u>19.8'</u>	<u>18'</u>
<u>FRONT YARD</u>	<u>"</u>	<u>40'</u>	<u>39.5'</u>	<u>28.5'</u>
<u>COVERAGE %</u>	<u>"</u>	<u>15%</u>	<u>12.5%</u>	<u>15.5%</u>

4.) Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): TO BUILD A 2-STORY ADDITION AND A PORCH.

5.) Briefly describe why strict application of regulations would produce an unreasonable hardship: PROPOSALS ARE IN KEEPING W/ NEARBY RESIDENCES; PROPOSAL IMPROVES THE SITE IN ALL RESPECTS.

- 6.) If any variances for the Property have previously been requested, please complete the following section. N/A
 - a. Date(s) of ZBA action: _____
 - b. What variance(s) were requested: _____
 - c. What variance(s) were granted: _____

7.) **APPLICANT** (Please list mailing address.)

Name(s): DARIO ANDRADE Signature: [Signature]

Address: 26 BEECHWOOD DR City: WALLINGFORD State: CT Zip: 06492

Telephone No: 203-444-8615 Interest in Property: Owner: Other: _____

8.) **PROPERTY OWNER(S) OF RECORD** (Please list mailing address. This section must be completed.)

Name(s): DARIO ANDRADE Signature: [Signature]

Address: 26 BEECHWOOD DR City: WALLINGFORD State: CT Zip: 06492

Telephone No: 203-444-8615

And sends correspondence to
D.W. LYON, ARCHITECT
45 HUNTER AVE.
WALLINGFORD CT 06492

9.) Please list below the names and mailing addresses of all abutting property owners. (Those properties that are directly adjacent or contiguous to yours.)

<u>Name</u>	<u>Mailing Address</u>
1. <u>ROBERT A & GERARDINE BIANCO</u>	24 BEECHWOOD DR, WALLINGFORD, CT 06492
2. <u>ANN WHITMAN</u> <u>Y&O WALLINGFORD L.L.C.</u>	28 BEECHWOOD DR, CT 06492 WALLINGFORD, CT 06492
3. <u>Y&O GROUP</u>	23-27 VILLAGE LANE
4. _____	_____
5. _____	_____
6. _____	_____

(Attach additional sheet(s) if necessary)

10.) Please provide directions to the subject property from a well recognized Town road. GO NORTH ON

NORTH MAIN ST, & NO. MAIN ST. EXT. BEECHWOOD IS
FIRST RIGHT BEYOND
COMMUNITY POOL

NOTES TO APPLICANT:

1. Please provide eleven copies of a map or plan drawn to scale clearly illustrating the variance(s) requested. (The plan must show the property boundaries, all existing and proposed buildings and dimensions for any setback, size, area or height related variance request.)
2. The Applicant must notify abutters by Certificate of Mailing, 10-15 days prior to the Public Hearing by sending them a copy of the Legal Notice. The Legal Notice will be sent to the Applicant at least 15 days prior to the meeting. Certificates of Mailing must be returned to the Planning & Zoning Office at least five days prior to the meeting.
3. The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.

(FOR ZBA USE ONLY)

DECISION: GRANTED DENIED EFFECTIVE DATE: _____ / _____ / _____

REASON(S) FOR DECISION: _____

CONDITION(S): _____

The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.

SIGNED: _____

TITLE: _____

WALLINGFORD
ZONING BOARD OF APPEALS
Variance Application: Revised May 2008



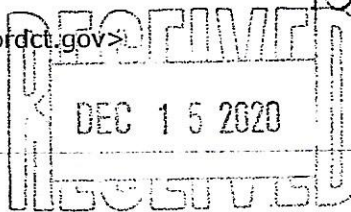
26 Beechwood Drive

RECEIVED
DEC 18 2020



D.W. LYON 12-20

Subject **600 SOUTH COLONY ROAD ZBA APPEAL**
From Dennis Ceneviva <Dennis@cenevivalaw.com>
To amy.torre@wallingfordct.gov <amy.torre@wallingfordct.gov>
Cc Ira@cif-hvac.com <Ira@cif-hvac.com>
Date 2020-12-15 11:20

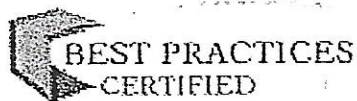


Amy-

Please allow this email to serve as written confirmation that the ZBA appeal involving 600 South Colony Road is hereby WITHDRAWN. Thank you for your efforts in assisting my client and me prior to this withdrawal.

Dennis
Dennis A. Ceneviva, Esq.
Ceneviva Law Firm, LLC
721 Broad Street
Meriden, CT 06450
203-237-8808
FAX 203-237-4240

WIRE FRAUD ALERT- Please contact Debbie Mischler or Attorney Ariana F. Ceneviva for specific wiring instructions BEFORE wiring funds. If you ever receive an email appearing to be from our firm stating that our wire instructions have changed or requesting a wire transfer, please contact us immediately at 203-237-8808 as you may have fallen victim of a scam. Law Firms, Realtors and other professionals are being targeted by sophisticated hackers in an attempt to steal funds by initiating fraudulent wire transfers.



***** THIS MESSAGE AND ANY OF ITS ATTACHMENTS ARE INTENDED ONLY FOR THE USE OF THE DESIGNATED RECIPIENT, OR THE RECIPIENT'S DESIGNEE, AND MAY CONTAIN INFORMATION THAT IS CONFIDENTIAL OR PRIVILEGED. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE (1) IMMEDIATELY NOTIFY Ceneviva Law Firm, LLC ABOUT THE RECEIPT BY TELEPHONING (203) 237-8808; (2) DELETE ALL COPIES OF THE MESSAGE AND ANY ATTACHMENTS; AND (3) DO NOT DISSEMINATE OR MAKE ANY USE OF ANY OF THEIR CONTENTS



Town of Wallingford, Connecticut

January 12, 2021

Wallingford Zoning Board of Appeals
Town Hall
45 South Main Street
Wallingford, CT 06492

RE: Staff comments for the January 19, 2021 ZBA Meeting

Dear Board Members:

- 1. #20-021/VARIANCE REQUESTS/SIDE YARD SETBACK, FRONT YARD SETBACK, EXPANSION OF NON-CONFORMING USE/Williams/12-16 Northfield Road**
Applicant proposes a side yard setback of 14.8 ft where 14.8 ft. exists and 20 ft. is required, front yard of 42.8 ft. where 50 ft. is required, and expansion of non-conforming use (residential) where no expansion is permitted to add a single story, 48 sq. ft. addition and modify original proposal for construction of a single family dwelling at 12-16 Northfield Road in a CB-40 District. Applicant received Variance Approval in July 2019 for a 36.4 ft. front setback and to allow expansion of non-conforming use in order to construct a two story residential dwelling on existing foundation. Applicant subsequently proposes adding a 4 by 12 ft. two-story addition to west side of same proposed dwelling. Original submission of application was incomplete as two additional variance Approvals would be necessary to construct said addition. There is no hardship presented in this request for 3 more variances. Current Variance Requests are based solely on comfort and preference of the applicant.
- 2. #20-033/VARIANCE REQUEST/SIDE YARD SETBACK/Hare/5 Gaye Lane**
Applicant requests a side yard setback of 6.9 ft. where 36.7 ft. exists and 20 ft. is required to construct an addition and attached 2 car garage at 5 Gaye Lane in an R-18 District. Conforming dwelling is a ranch with no garage on a conforming lot. Compliant options exist to add living space as well as garage area to the site. Option also exists to reconfigure and substantially reduce side yard variance request. With compliant alternative(s) available, this office cannot determine a hardship associated with current proposal.
- 3. #20-034/SPECIAL EXCEPTION REQUEST (Day Care)/Pumpkin Patch Properties, LLC/4 Circle Drive**
Application incomplete and therefore Legal Notice erroneous and/or incomplete. Applicant is requesting Child day care center with enrollment of 117. Property has existing Special Exception approval for enrollment of 100 at same site. Public Hearing should not be opened or application cannot be approved. Applicant may request no action for the January 19, 2021 meeting on the application and modify accordingly or withdraw application and resubmit new with appropriate detail and supporting plans/documents for the February 16, 2021 meeting.
- 4. #20-035/VARIANCE REQUESTS/FRONT YARD AND SIDE YARD SETBACK/Baker/4 Union Street**
Application is for side yard and front yard setback in order to locate accessory structure erected in violation. Applicant did not submit a survey to determine the setbacks necessary for the structure to remain but rather sought a Survey Waiver for setback distance and lot area. Survey Waiver was granted for setback only. Lot area cannot be based on other than Survey, or Deed and therefore Waiver of lot area was not approved. Based on lot area from the Deed and applicant's representation of buildings, the site exceeds maximum building coverage. Applicant did not seek a Variance for building coverage nor did Notification reflect building coverage variance request. Therefore this application is incomplete/inaccurate and cannot move forward. Application should be withdrawn and resubmitted, modified and continued to February Meeting, or Public Hearing opened and application denied.

5. #20-036/VARIANCE REQUEST/FRONT YARD SETBACK/Krombel/338 Ivy Street

Applicant requests front yard of 11.5 ft. where 11.5 ft. exists and 20 ft. is required to construct a vertical addition at 338 Ivy Street in an R-11 District. Parcel is a nonconforming, undersized, corner lot. Applicant proposes adding a 2nd story, 57 sq. ft. addition to existing single story, 57 sq. ft. area with no change to existing building footprint. Addition is oriented to the side of the residence yet corner lots identify both street sides as front yards. Existing dwelling is nonconforming with regard to front yard on Willow Street. Vertical addition requires Variance approval as it is an expansion of the non-conforming structure.

6. #20-037/VARIANCE REQUESTS/SIDE YARD SETBACK, FRONT YARD SETBACK, BUILDING COVERAGE/Andrade/26 Beechwood Drive

Applicant seeks side yard of 18 ft. where 19.8 ft. exists and 20 ft. is required, front yard of 28.5 ft. where 33.5 ft. exists and 40 ft. is required, and building coverage of 15.5 % where 12.5% exists and maximum 15% is permitted to construct addition, add front porch, and construct a second story to the dwelling at 26 Beechwood Drive in an R-18 District. Lot is undersized and non-conforming with respect to front yard and side yard setbacks. Parcel is compliant with building coverage despite lot size being 45% conforming lot size. This office cannot determine hardship with the numerous variances being sought, further decreasing front and side setbacks in addition to vertically expanding on existing non-conforming setbacks and eliminating the one compliant zoning requirement (building coverage) in order to nearly double the living space as well as expand to create a wrap-around front porch.

Regards,


Amy B. Torre
ZEO/Land Use Specialist

Cc: Williams
Hare
Pumpkin Patch Properties, LLC
Baker
Krombel
Andrade