



# *Town of Wallingford, Connecticut*

**Wallingford Zoning Board of Appeals Meeting  
Monday, June 21, 2021  
7:00 p.m.**

**REMOTE MEETING ONLY**

The meeting can be accessed through:

<https://global.gotomeeting.com/join/596643045>

YOU CAN ALSO DIAL IN USING YOUR PHONE:

United States (Toll Free): +1 (866)-899-4679

Access Code: 596-643-045

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. #21-009 – Variance Request/Leahy/58 Nod Brook Road
2. #21-010 – Variance Requests/Choate Rosemary Hall/333-356 Christian Street
3. #21-011 – Variance Request/Benson/15 Atkinson Lane
4. #21-012 – Variance Requests/Maghery/48 Apple Street
5. #21-013 – Variance Request/Booth/2 Bartholomew Lane
6. #21-014 – Variance Requests/Moran/321 Church Street

## **CONSIDERATION OF MINUTES**

3. May 17, 2021, 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.**



# Town of Wallingford, Connecticut

## LEGAL NOTICE

The Wallingford Zoning Board of Appeals will hold the following public hearing(s) REMOTELY ONLY at their meeting of Monday June 21, 2021, 7:00 p.m.

The meeting can be accessed through:

<https://global.gotomeeting.com/join/596643045>

YOU CAN ALSO DIAL IN USING YOUR PHONE:

United States (Toll Free): +1 (866)-899-4679

Access Code: 596-643-045

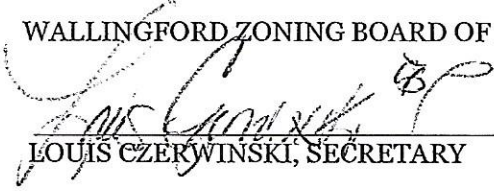
Live Stream of the meeting will also be available on the Town of Wallingford You Tube Channel:

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

1. #21-009 – Variance Request/Leahy/front yard of 18 ft. (40 ft. required) to construct an attached 23 ft. x 26 ft. attached garage at 58 Nod Brook Road in an R-18 District.
2. #20-010 – Variance Requests/Choate Rosemary Hall/height of 70 ft. (50 ft. max permitted), up-lighting (no up-lighting permitted), and sign 25 ft. W x 10 ft. H (12 sq. ft. max area permitted) to erect light poles and scoreboard at Athletic Field at 333- 356 Christian Street in an R-18 District.
3. #20-011 – Variance Request/Benson/side yard of 11.2 ft. (12 ft. required) to construct a single story addition at 15 Atkinson Lane in an R-11 District.
4. #20-012 – Variance Requests/Maghery/front yard of 24.5 ft. (40 ft. required) and building coverage of 23% (15% max permitted) to construct a handicap accessible addition at 48 Apple Street in an R-18 District.
5. #21-013 – Variance Request/Booth/front yard of 65.5 ft. (75 ft. required) to construct a detached 23.5 ft. x 35 ft. garage at 2 Bartholomew Lane in an RU-120 District.
6. #21-014 – Variance Requests/Moran/front yard of 28 ft. (40 ft. required) and parking of 30 spaces (36 required) to construct an attached covered patio addition at 321 (325) Church Street in a CA-12 District.

Should you wish to review any of the above-listed application(s), or have any questions regarding these matters, please contact the Wallingford Planning Office at 203-294-2090.

WALLINGFORD ZONING BOARD OF APPEALS

  
LOUIS CZERWINSKI, SECRETARY

DATED AT WALLINGFORD

June 2, 2021

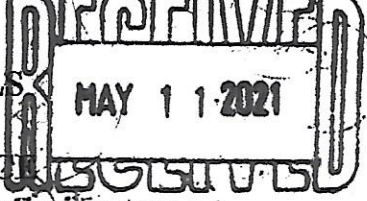
POSTING DATES

June 8, 2021

June 15, 2021

“Individuals in need of auxiliary aids for effective communication 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 meeting date.”

ORIGINAL



ZONING BOARD OF APPEALS  
Wallingford, Connecticut  
APPLICATION FOR VARIANCE

APPLICATION NO.: 21-009  
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: 58 Mad Brook Road Wallingford
- 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>Front yard</u>	<u>5.1A</u>	<u>40 Feet</u>	<u>43 Feet</u>	<u>18 Feet</u>

4.) Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): Build 2 CAR Garage 23' x 26'

5.) Briefly describe why strict application of regulations would produce an unreasonable hardship: Denies the Ability to improve my property consistent with other Houses in the Area.

- 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): Paul G. Leahy Signature: Paul G Leahy

Address: 58 Mad Brook Rd City: WIFD State: CT Zip: 06492

Telephone No: 203 980-2464 Interest in Property: Owner:  Other: \_\_\_\_\_

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

Name(s): Paul G. Leahy Signature: Paul G Leahy

Address: 58 Mad Brook Rd City: WIFD State: CT Zip: 06492

Telephone No: 203-980-2464

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

Justin + Melissa Fahy

54 Nod Brook Rd W1F0

Gail Villani

4 Meadow Pond Rd W1F0

(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:

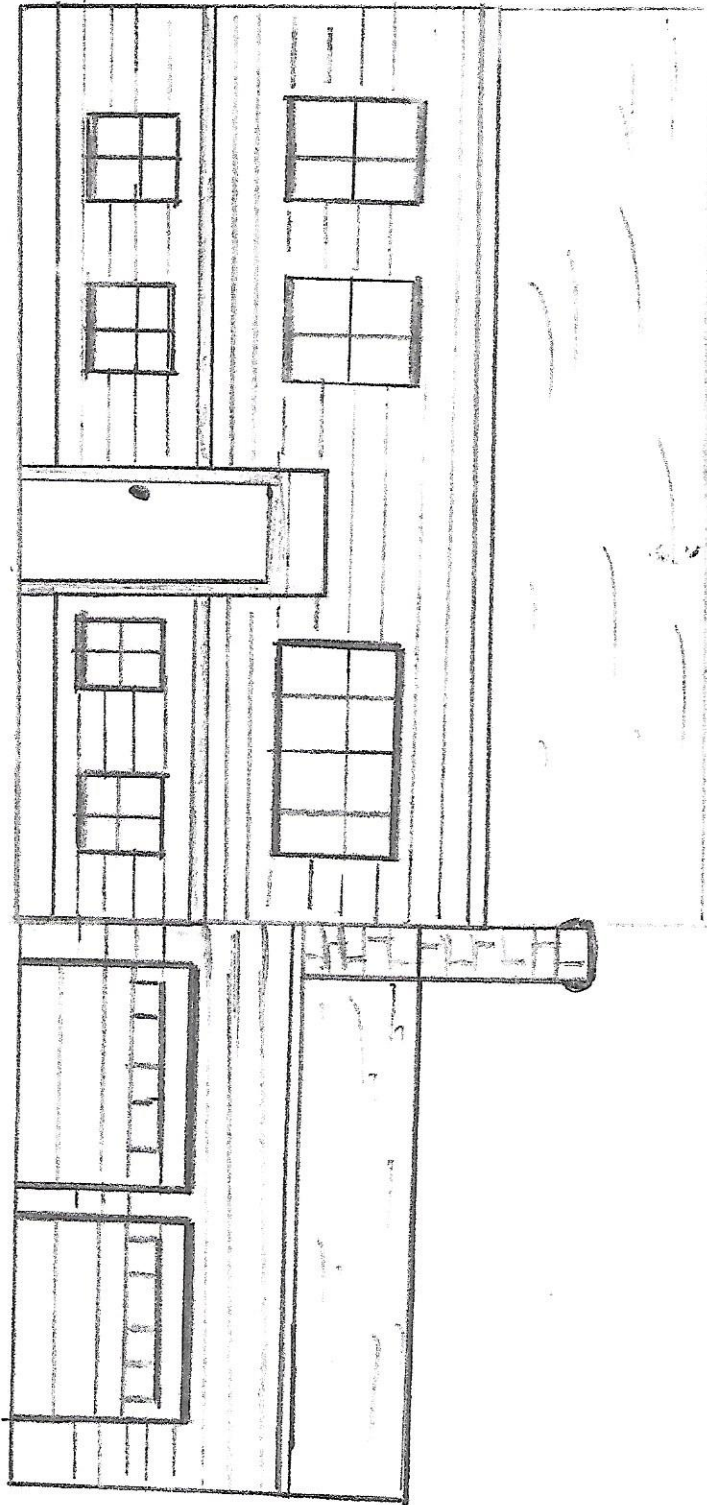
CONDITION(S):

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

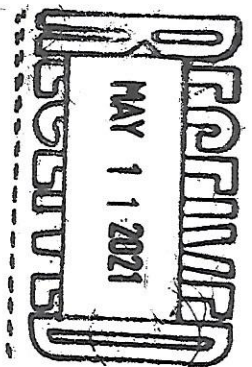
SIGNED: \_\_\_\_\_

WALLINGFORD  
ZONING BOARD OF APPEALS  
Variance Application: Revised May 2008

TITLE: \_\_\_\_\_

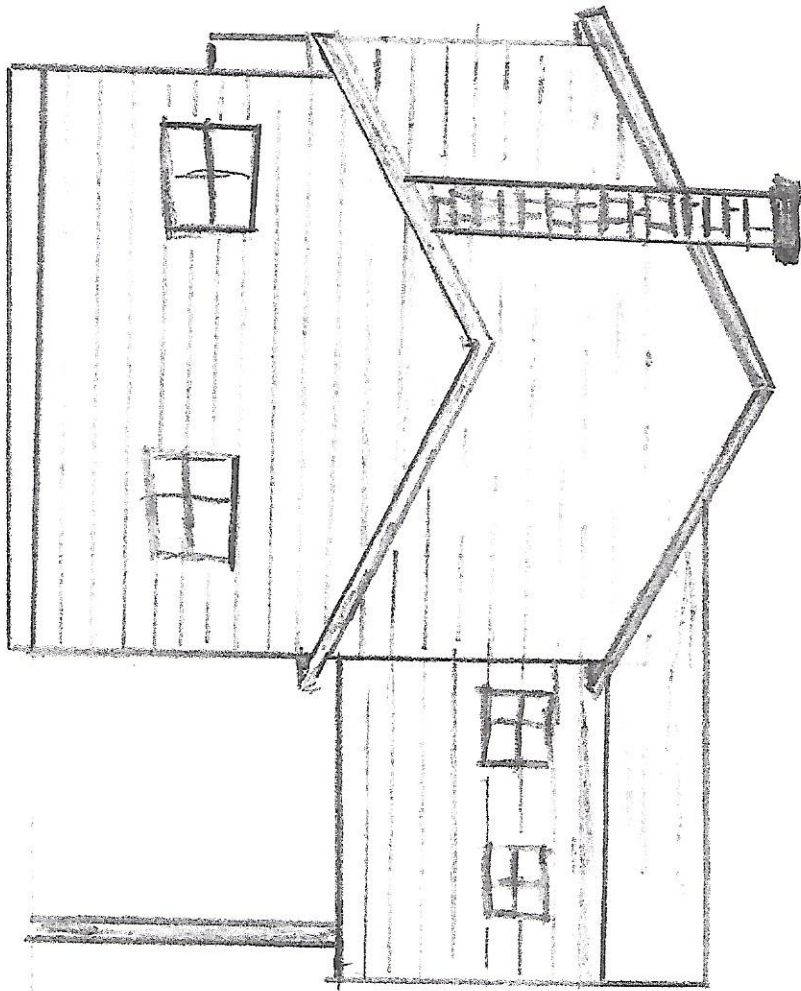


FRONT

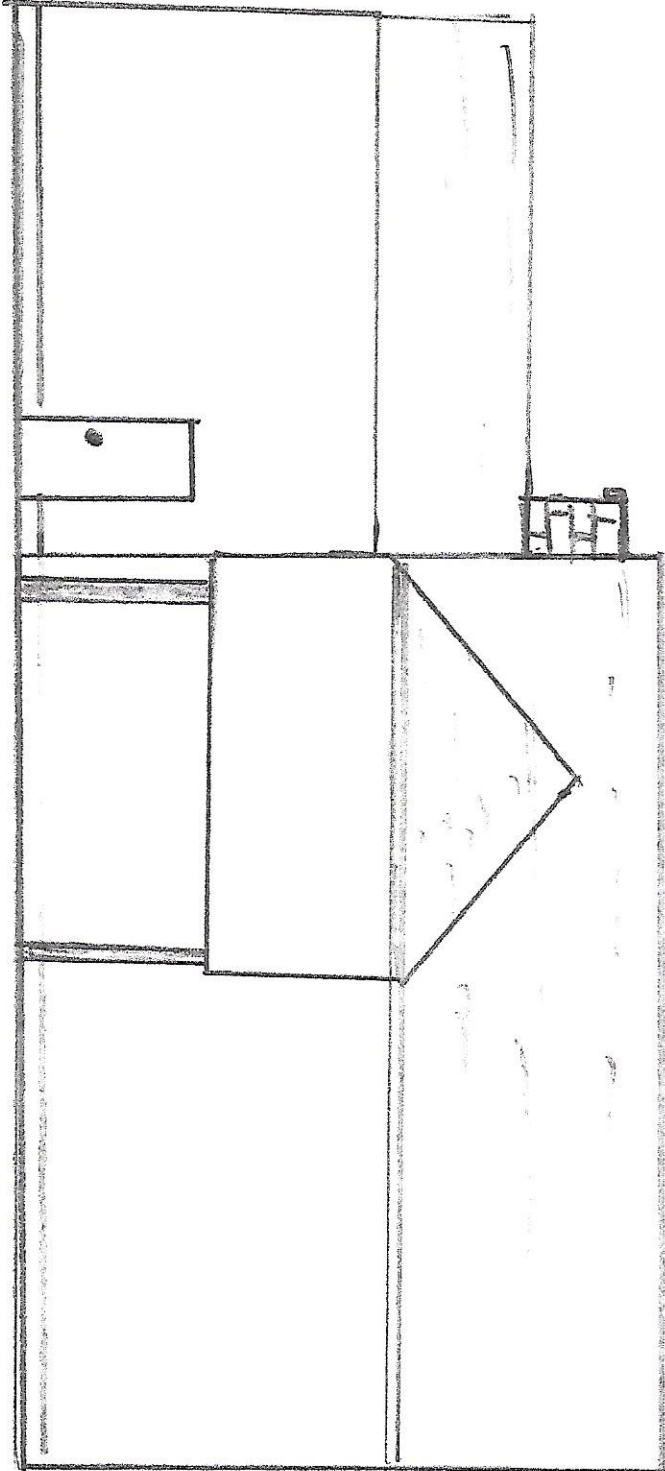


# 21-009

SIDE

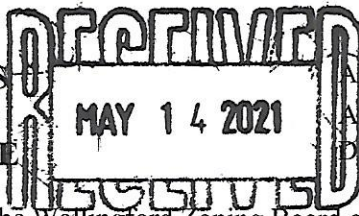


Back



ORIGINAL

ZONING BOARD OF APPEALS  
Wallingford, Connecticut  
APPLICATION FOR VARIANCE



APPLICATION NO.: 21 -- 010  
APPROVED: \_\_\_\_\_  
DENIED: \_\_\_\_\_

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

333 Christian Street - 356 Christian Street. (North of Christian Street, between Rosemary Lane and Old Durham road)

- 1.) Street Address or Location of the Property: \_\_\_\_\_
- 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.

<u>Type of Variance</u>	<u>Section of Zoning Regulations</u>	<u>Required by Regulations</u>	<u>Existing</u>	<u>Proposed</u>
Structure Height	6.1	50' Maximum Height	Undeveloped	4-70' Tall Light Poles
Up Lighting	6.26.C.2	Up Lighting	Undeveloped	4- Poles with Uplights
Signs in Residential Zone	6.9.D.1	12 s.f. per 25 acres	Undeveloped	Scoreboard 25'Wx10'Tall

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

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: 5-20-2019, Variance #19-010
- b. What variance(s) were requested: Height of 70 ft. where maximum 30ft. is permitted to erect 4 poles to illuminate reconstructed athletic field at 333 Christian Street - 55 North Elm Street in an R-18 District.
- c. What variance(s) were granted: Variance was granted

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

Name(s): Choate Rosemary Hall Signature: Patrick T. Durbin - Patrick Durbin, CFO

Address: 333 Christian Street City: Wallingford State: CT Zip: 06492

Telephone No: 203-697-2230 Interest in Property: Owner:  Other: \_\_\_\_\_

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

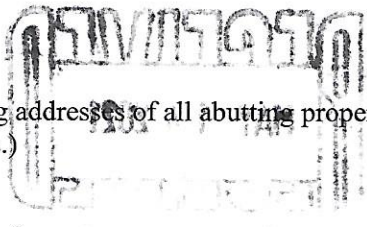
Name(s): Choate Rosemary Hall Signature: Patrick T. Durbin - Patrick Durbin, CFO

Address: 333 Christian Street City: Wallingford State: CT Zip: 06492

Telephone No: 203-697-2230



010 15



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. Choate Rosemary Hall	333 Christian Street, Wallingford, CT
2. Town of Wallingford	45 South Main Street, 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. \_\_\_\_\_

North of Christian Street, between Rosemary Lane and Old Durham 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: \_\_\_\_\_

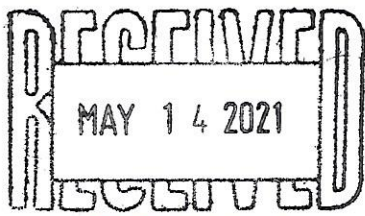
CONDITION(S): \_\_\_\_\_

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



**To: Town of Wallingford – Planning and Zoning Department**

**From: Chris Hulk, PE – Senior Civil Engineer (SLR Consulting Inc.)**

**Date: May 14, 2021**

**Re: Variance Application for Athletic Field Lighting Structure Height  
Choate Rosemary Hall - Athletic Field**

Choate Rosemary Hall is seeking variances from the following sections of the Town of Wallingford Zoning Regulations:

Section 6.1 – To allow height of 70 feet where a maximum of 50 feet spire height is permitted.

- Proposed: Install (4) 70' tall poles to illuminate new athletic field at 356 Christian Street in an R-18 Zone.

Section 6.26.C.2 – To allow up lighting where up lighting is prohibited.

- Proposed: Install up lighting on 4 new poles to illuminate athletic field balls to appropriate levels.

Section 6.9.D.1 – To allow a scoreboard in a residential zone 25' Wide x 10' Tall

- Proposed: Install a new scoreboard with programable LED digits

#### Description of Hardship

The project proposes to develop a new athletic field at Choate Rosemary Hall on the north side of Christian Street, between Rosemary Lane and Old Durham Road. The areas surrounding the proposed field location are Choate owned properties to the north and west. The site is bordered to the south by the Town of Wallingford right of way for Christian Street with additional land owned by Choate beyond the roadway. These properties mainly consist of other athletic fields and academic buildings. Lastly, to the east of the site is Old Durham Road and undeveloped land beyond the roadway also owned by the school. The site is located within an R-18 zone.

The proposed field is a new synthetic turf field with bleachers, field house, scoreboard and athletic field lighting. In order to maximize the playability and usability of the field, athletic field lighting is proposed. This system will be a 4 pole LED system with pole heights of 70 feet tall and up lighting on each pole. This field will be designed to accommodate the recommended illumination for similar fields with an average of 50 footcandles in order to enhance player safety and performance and to improve spectator visibility.

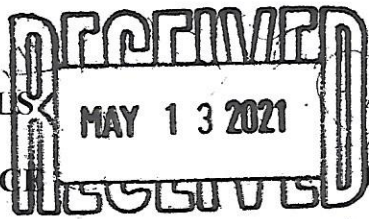
The fundamental hardship is that the athletic field cannot be safely illuminated using poles that fall within the maximum height specified for spires, water tanks and similar structures (50'). Placing lights on shorter poles or having a lower level of illumination than what is proposed will cause lights to shine into



the athletes' eyes or create dark areas where a player may not be able to see, increasing the risk of injury and/or reducing the playability of the field especially for the Fall sports' season. Up lighting is required to illuminate balls in play that exceed the height of the light poles, i.e. football punts, etc. without up lighting the field would not be able to adequately illuminated.

The proposed scoreboard will be 25' wide by 10' tall and include a programable portion at the base of the board and a display portion at the top of the board. The fundamental hardship is that signs in residential zones are limited to 12 square feet per 25 acres of property. A 12 square foot scoreboard would not be a sufficient size to support the new athletic field and would not be adequately visible to spectators or players. The proposed seating areas range from 200'-400+' from the scoreboard and require lettering/number dimensions larger than what is allowable in the R-18 residential zone to be visible.

ORIGINAL



ZONING BOARD OF APPEALS  
Wallingford, Connecticut  
APPLICATION FOR VARIANCE

APPLICATION NO.: 21-011  
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: 15 Atkinson Lane
- 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>
<u>Side yard</u>	<u>5.1</u>	<u>12'</u>	<u>10'4"</u>	<u>11'2"</u>

4.) Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): to build a room, mudroom, full bath + laundry room on 1st floor

5.) Briefly describe why strict application of regulations would produce an unreasonable hardship: existing side yard setback is non compliant. The addition falls in line with the existing side of the house for maximum use and design.

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

- a. Date(s) of ZBA action: August 21, 2006
- b. What variance(s) were requested: garage height b.2. A.b. 15' required 15'6" built
- c. What variance(s) were granted: garage height

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

Name(s): Mark + Nancy Benson Signature: Nancy Benson  
 Address: 15 Atkinson Lane City: Wallingford State: CT Zip: 06492  
 Telephone No: 203-269-9204 Interest in Property: Owner  Other:

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

Name(s): Mark + Nancy Benson Signature: Nancy Benson  
 Address: 15 Atkinson Lane City: Wallingford State: CT Zip: 06492  
 Telephone No: 203-214-7650 (Nancy)

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. <u>Kevin + Bryan Toski</u>	<u>11 Atkinson Lane Wallingford</u>
2. <u>Monica Boros</u>	<u>120 Grandview Avenue Wfd</u>
3. <u>Naphie Arellano</u>	<u>122 Grandview Avenue Wfd</u>
4. <u>Frank + Nancy Chantz</u>	<u>4 Lincoln Drive Wfd</u>
5. <u>Charlene + Steven Munzi</u>	<u>16 Lincoln Drive Wfd</u>
6. <u>Kim I. Varney</u>	<u>567 Pilgrim Harbor Wfd.</u>

(Attach additional sheet(s) if necessary)

10.) Please provide directions to the subject property from a well recognized Town road. heading South on South Main St, turn left on Hillsview, Right on Grandview, left onto Atkinson Lane #15 Green House on Right

**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): \_\_\_\_\_

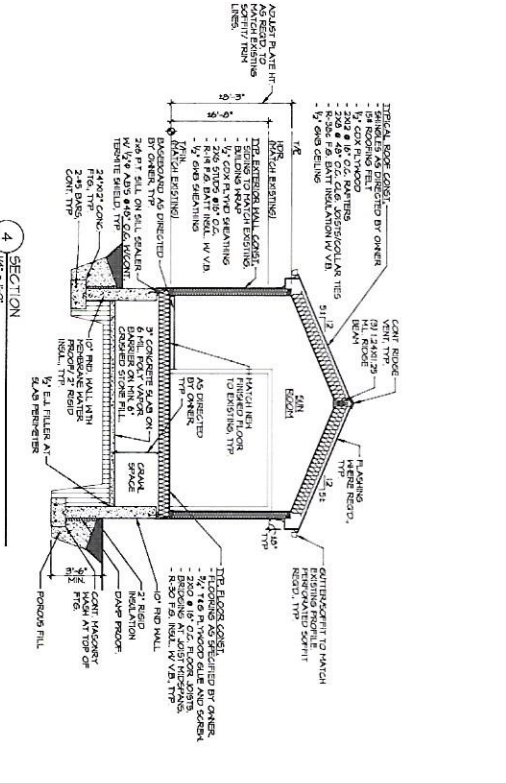
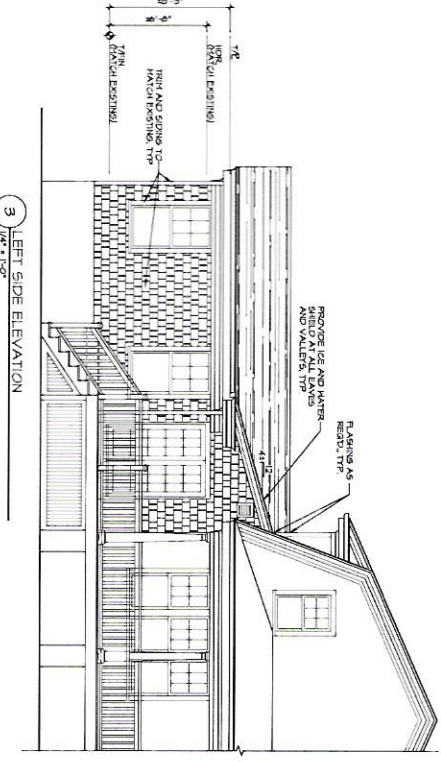
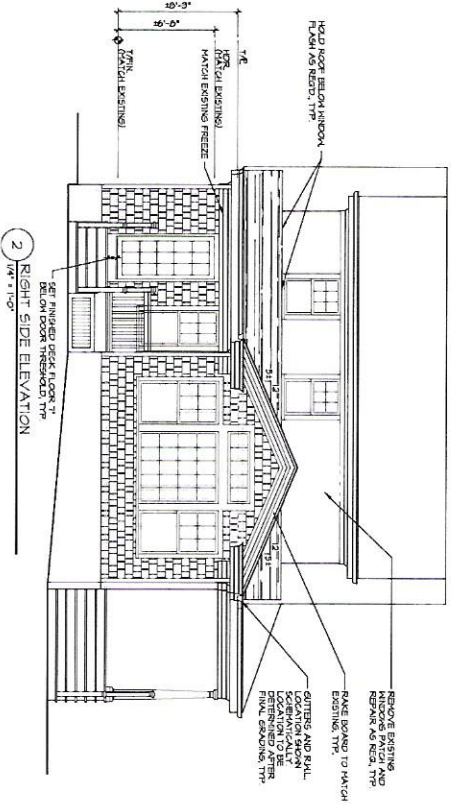
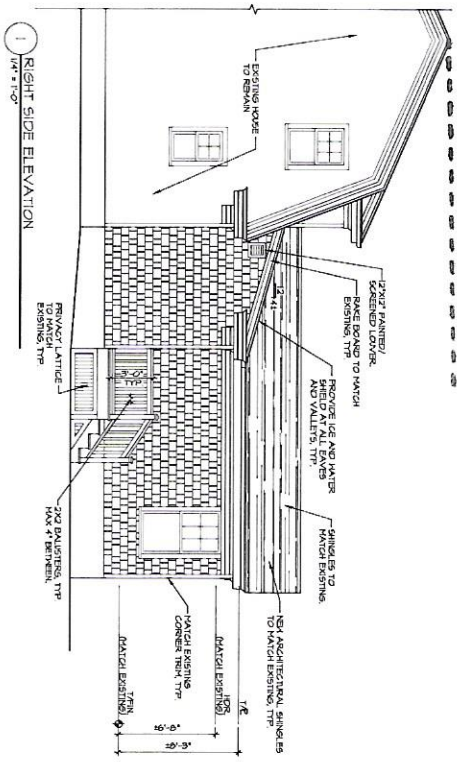
The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.

SIGNED: \_\_\_\_\_

TITLE: \_\_\_\_\_

WALLINGFORD  
ZONING BOARD OF APPEALS  
Variance Application: Revised May 2008

**REPROVIDED**  
MAY 13 2021  
**RESOURCES**



REV.	DESCRIPTION	DATE
1		0-0-00

<p><b>GENERAL NOTES</b></p> <p>1. REFER TO ALL DRAWINGS FOR NOTES AND SPECIFICATIONS.</p>
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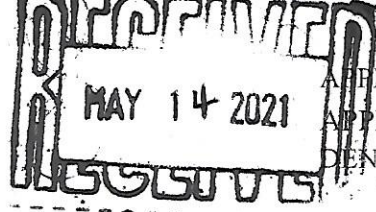
  

<p><b>LAZARUS AND SARREANT</b> ARCHITECTS PLANNERS INTERIOR DESIGNERS</p> <p>59 NORTH MAIN STREET WALLINGFORD, CONNECTICUT 06492 203.265.5511 203.265.5512</p>	<p><b>PROJECT TITLE</b></p> <p><b>BENSON RESIDENCE</b></p> <p>15 ATKINSON LANE</p> <p>WALLINGFORD CT</p>
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<p><b>DRAWING TITLE</b></p> <p><b>ELEVATIONS AND SECTION</b></p>	<p><b>SCALE:</b> 1/8" = 1'-0"</p> <p><b>DWG. BY:</b> C.W.</p> <p><b>CHECKED BY:</b> S.L.</p> <p><b>DATE:</b> 01/15</p>	<p><b>DRAWING NO.:</b></p> <p><b>A-2</b></p>
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ORIGINAL



ZONING BOARD OF APPEALS  
Wallingford, Connecticut  
APPLICATION FOR VARIANCE

APPLICATION NO.: 21 - 012  
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: 48 Apple St.
- 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>FRONT</u>	<u>SCHEDULE # 5.1A</u>	<u>40 FEET</u>	<u>24.70 FEET</u>	<u>24.50 FEET</u> <u>24.66 FEET</u>
<u>BUILDING COVERAGE</u>	<u>SCHEDULE # 5.1A</u>	<u>15 %</u>	<u>20 %</u>	<u>23 %</u>

4.) Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): Enlarge bathroom + 2 bedrooms for handicapped accessibility.

5.) Briefly describe why strict application of regulations would produce an unreasonable hardship: THE PROPERTY IS LEGALLY NON-CONFORMING. IT IS ONLY 9,185 SQ FT IN AREA WITHIN A R-18 ZONE. WE ARE ASKING FOR A HANDICAP ACCOMMODATION TO CREATE A HANDICAP ACCESSIBLE BATHROOM.

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

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

Name(s): Erin Magherny Signature: [Signature]

Address: 48 Apple St. City: Wallingford State: CT Zip: 06492

Telephone No: 203-215-8096 Interest in Property: Owner:  Other: \_\_\_\_\_

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

Name(s): ERIN MAGHERNY Signature: \_\_\_\_\_

Address: 48 APPLE STREET City: WALLINGFORD State: CT Zip: 06492

Telephone No: (203) 215-8096

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>Craig Cassella</u> <u>MARLENE JOANNE BORDERS</u>	<u>7 Quince St. Wallingford, CT 06492</u>
2. <u>Marlene Borders</u>	<u>46 Apple St. 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. Right onto Quince

St. from Parker Farms Rd. Then, 1<sup>st</sup> right onto Apple St. House (48) is first house on right.

**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



**REVISED**

**RECEIVED**  
MAY 24 2021

**ZONING BOARD OF APPEALS**  
Wallingford, Connecticut  
**APPLICATION FOR VARIANCE**

APPLICATION NO.: 21-013  
APPROVED: **REVISED**  
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: 2 Bartholomew Lane
- 2.) Zoning District of the Property: R-120
- 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>FRONT YARD</u>	<u>5.1A</u>	<u>75</u>	<u>142.1</u>	<u>65'-6"</u>

4.) Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): TO BUILD A 3-CAR GARAGE

5.) Briefly describe why strict application of regulations would produce an unreasonable hardship: THE GARAGE BELONGS IN THIS LOCATION IN VIEW OF PRESENT BUILDING LOCATION SINCE THIS IS A CORNER LOT W/ 2 FRONT YARDS, WE ARE PROPOSING TO REDUCE ONLY ONE OF THEM, LEAVING 65'-6" TO NO. BRANFORD RD, WITH A LITTLE HILL BETWEEN. 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): Frederick + Kristen Booth Signature: [Signature]  
Address: 2 Bartholomew Lane City: Wallingford State: CT Zip: 06492  
Telephone No: 203-793-7486 Interest in Property: Owner:  Other: \_\_\_\_\_

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

Name(s): Frederick + Kristen Booth Signature: [Signature]  
Address: 2 Bartholomew Lane City: Wallingford State: CT Zip: 06492  
Telephone No: 203-793-7486

PLEASE SEND NOTICES TO: D. WILSON, ARCHITECT  
4 SIMPSON AVE. ALSO,  
WALLINGFORD

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. | <u>Nicholas + Sharon Ciarlo</u> | <u>4 Bartholomew Lane</u>  |
| 2. | <u>Town of Wallingford</u>      | <u>45 South Main St</u>    |
| 3. | <u>Michele Lanzoni</u>          | <u>67 N. Branford Road</u> |
| 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

NO. BRANFORD RD. FROM WHIRLWIND HILL RD. 1<sup>ST</sup> ST. ON RIGHT IS BARTHOLOMEW.

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: \_\_\_\_\_

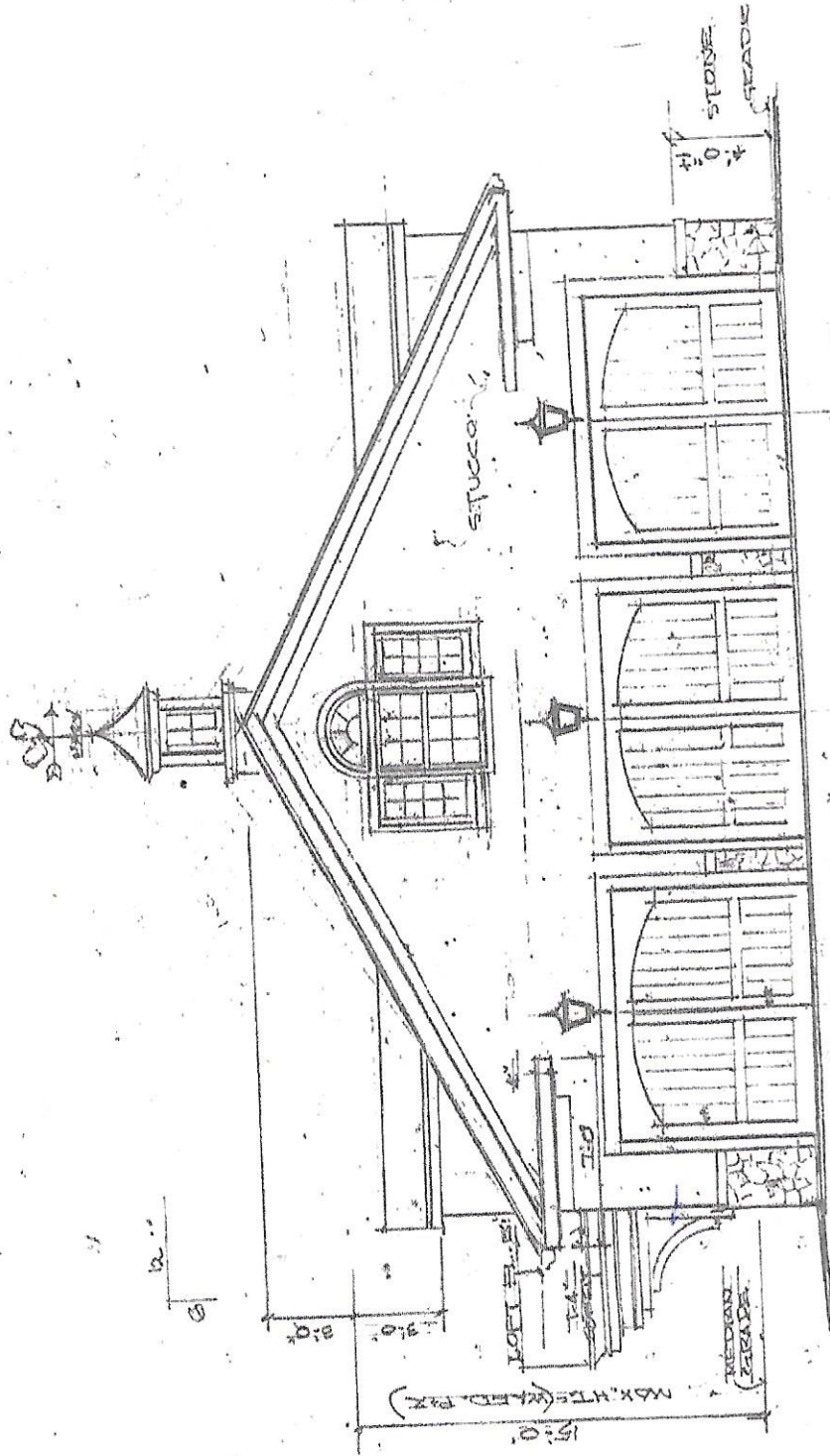
CONDITION(S): \_\_\_\_\_

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

SIGNED: \_\_\_\_\_

WALLINGFORD  
ZONING BOARD OF APPEALS  
Variance Application: Revised May 2008

TITLE: \_\_\_\_\_



FRONT ELEVATION (EACH HOUSE)

0.7' CLOSER OVERHEAD  
DOORS (BELOW MODEL C)  
ARCHIT (SOLID)

RECEIVED  
MAY 14 2021  
PLANNING

#21-013

MAP TITLE



Department 1

Department 2





7/2014

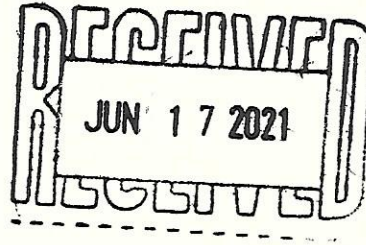


View from N. Branford Road... Pool house will be approximately 15' below view line

# DANIEL WEBSTER LYON, ARCHITECT

SERVING CONNECTICUT SINCE 1969

June 15, 2021



Chairperson  
Zoning Board of Appeals  
Town Hall  
Wallingford, CT

re: 2 Bartholomew Lane

The median grade: calculated by averaging the grades at the four corners

415.10	
413.57	
413.57	
<u>415.30</u>	
1,657.54	$1657.54/4 = 414.385 - \text{median grade}$

proposed garage floor elevation	$\frac{413.230}{1.155 (1'-2")}$
---------------------------------	---------------------------------

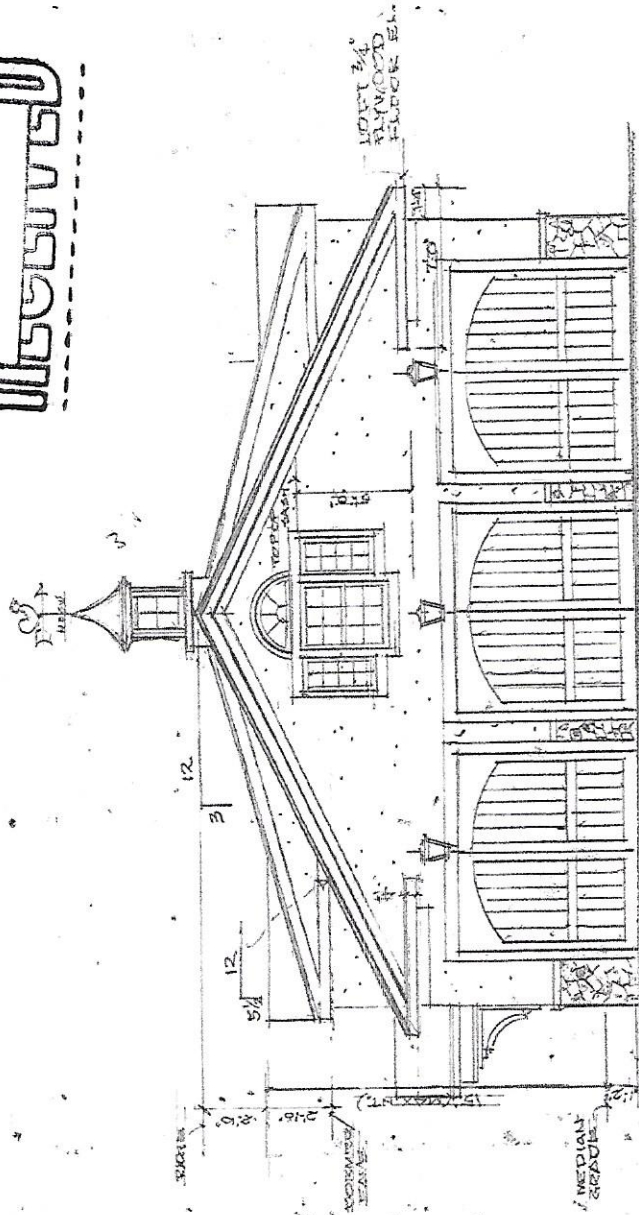
To establish building height, see enclosed drawing.

Respectfully submitted,

Daniel W. Lyon

4 Simpson Avenue, Wallingford, Connecticut 06492\*

**BRANNING**  
 JUN 17 2021  
**ARCHITECTS**



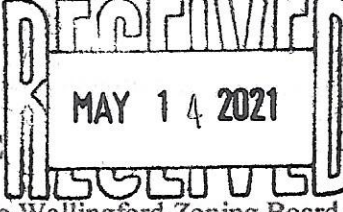
FRONT ELEVATION (FACING HOUSE)

2 BATHS



ORIGINAL

ZONING BOARD OF APPEALS  
Wallingford, Connecticut  
APPLICATION FOR VARIANCE



APPLICATION NO.: 21-014  
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: 321 CHURCH ST.
- 2.) Zoning District of the Property: CA-12
- 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>FRONT YARD</u>	<u>5.1B</u>	<u>40'</u>	<u>40'</u>	<u>28'</u>
<u>OFF ST. PARKING</u>	<u>6.11</u>	<u>36</u>	<u>32</u>	<u>30</u>

4.) Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): TO BUILD A 12x40 COVERED PATIO + REDUCE NUMBER OF SPACES.

5.) Briefly describe why strict application of regulations would produce an unreasonable hardship: PROPOSED PATIO WILL TAKE THE PLACE OF EXISTING OUTDOOR SEATING + PARKING IS ON A CORNER LOT W/ 2 FRONT YARDS; THE BUILDING PREDATE'S ZONING. PARKING NEED VARY DURING THE DAY FOR THE DIFFERENT BUSINESSES IN THE BUILDING. THE PROPOSED 30 SPACES ARE SUFFICIENT.

- 6.) If any variances for the Property have previously been requested, please complete the following section.
  - a. Date(s) of ZBA action: 6.17.2015
  - b. What variance(s) were requested: PARKING - REDUCE FROM 44 REQ'D TO 32 PROPOSED
  - c. What variance(s) were granted: THIS WAS APPROVED - "BETTER USE OF PPTY."

7.) APPLICANT (Please list mailing address.)

Name(s): MELISSA MORAN Signature: [Signature]

Address: 321 CHURCH ST City: YALESVILLE State: CT Zip: 06492

Telephone No: 203-605-0970 Interest in Property: Owner:  Other: \_\_\_\_\_

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

Name(s): CORNER CARE PROPERTIES Signature: [Signature]

Address: 321 CHURCH ST City: YALESVILLE State: CT Zip: 06492

Telephone No: 203-605-0970

PLEASE SEND NOTICES TO D.W. LYON ARCHITECT 4290

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>CHRISTOPHER GREEN</u> REAL	<u>21 CHAPEL ST, WALLINGFORD</u>
2. <u>MARLENA + GRASSER ESTATE</u>	<u>271 HALL AVE., WALLINGFORD,</u> <u>VT. 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. HEAD WEST ON  
CHURCH ST. (RT 68) FROM RTS 68 + 150 INTERSECTION. THIS  
PROPERTY IS ONE BLOCK AWAY AT THE CORNER OF CHAPEL ST.

**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: \_\_\_\_\_

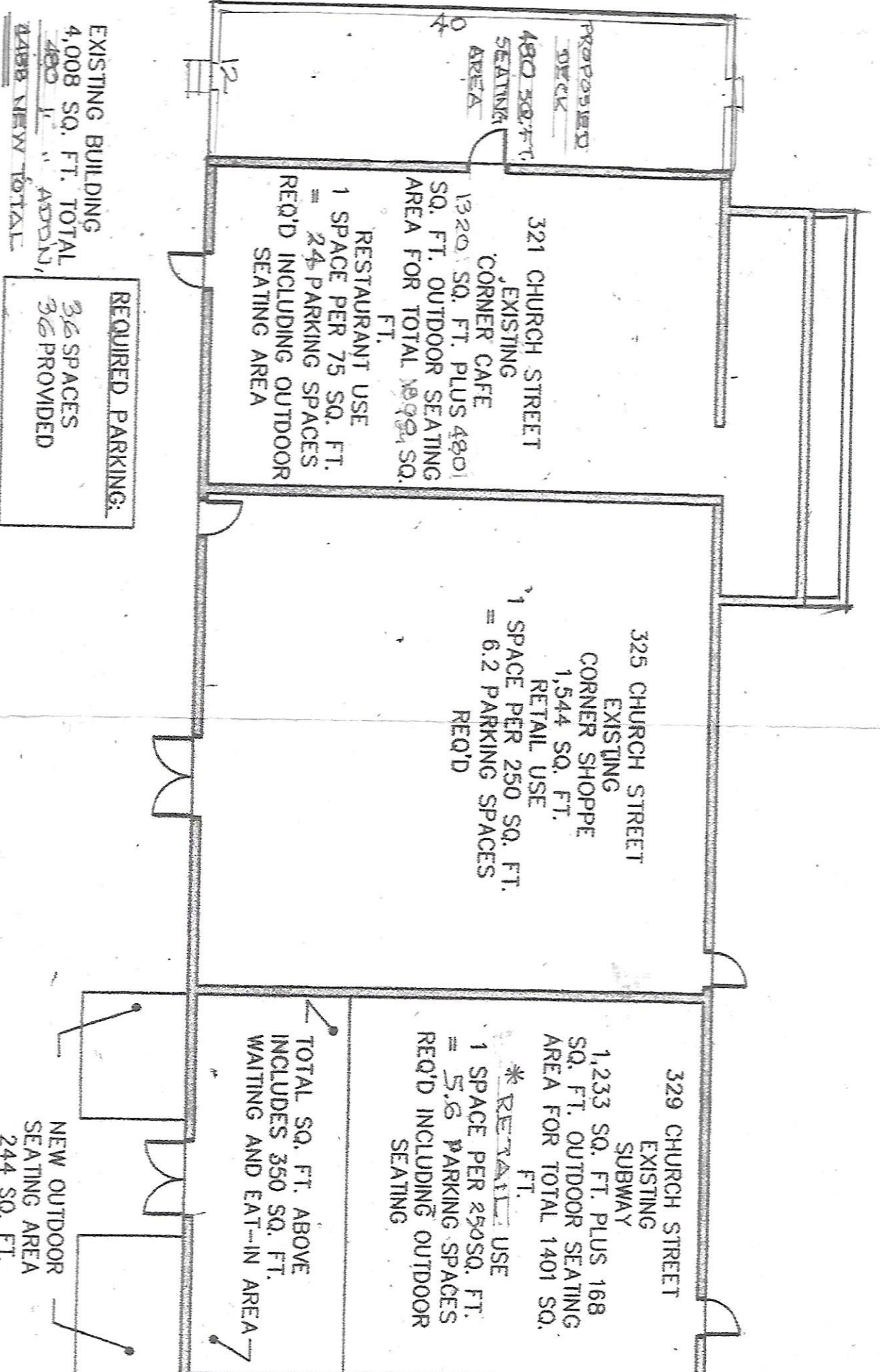
CONDITION(S): \_\_\_\_\_

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

SIGNED: \_\_\_\_\_

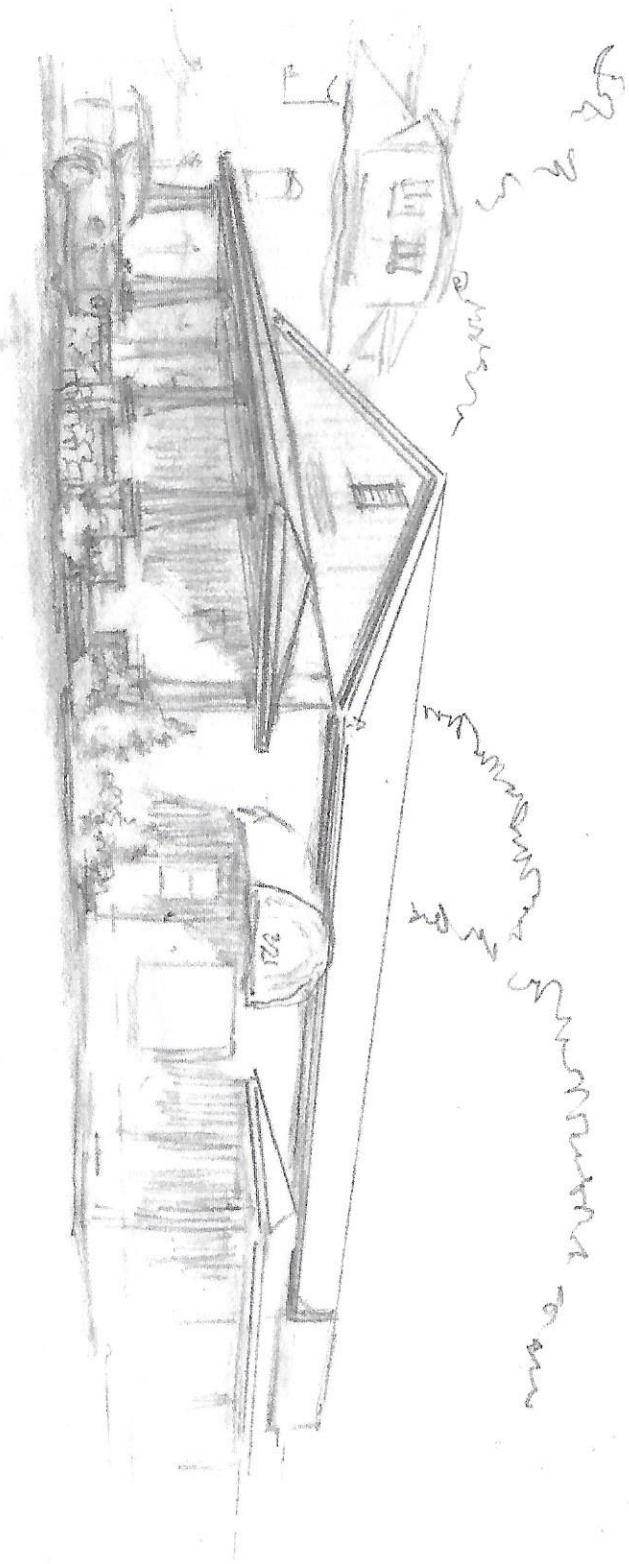
TITLE: \_\_\_\_\_

WALLINGFORD  
ZONING BOARD OF APPEALS  
Variance Application: Revised May 2008



\* 5/10/21 RETAIL & 3 TABLES, 105 "SUBWAY"

RECEIVED  
MAY 14 2021  
RESERVES



PROMISED PATIO - CORNER CASE  
321 CHURCH ST., SALISBURY

DIXON 5-10-21



**Town of Wallingford**  
**Department of Engineering**  
45 South Main Street  
Wallingford, Connecticut 06492  
Tel: (203) 294-2035; Fax: (203) 284-4012

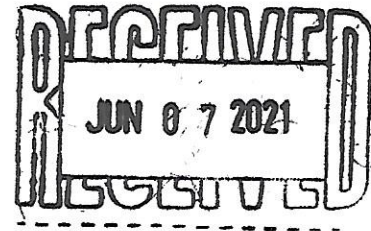
Alison Kapushinski, P.E.  
Town Engineer

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## MEMO

**TO:** Amy Torre, Zoning Enforcement Officer  
**FROM:** Alison Kapushinski, P.E., Town Engineer AMK  
**RE:** **ZBA Application #21-014**  
**321 Church Street/ Variance Application**  
**DATE:** June 4, 2021



Dear Commissioners:

We are in receipt of the following materials for the referenced application:

- Boundary Survey Land of Corner Shoppe, Inc., by Conklin & Soroka, Inc. and dated January 6, 1988.

We offer the following comments based on the reviewed application materials:

1. The current site plan does not propose any ADA spaces. Per Zoning Regulations, 2 accessible parking spaces are required for the proposed layout.
2. Per Google Streetview, there is a concrete pad with an AC unit on the west side of the building. This is in conflict with one proposed parking space on the west side of the building and eliminates access to two proposed parking spaces along the southern property line. If the concrete pad was to be removed, the proposed parking space on the west side of the building along eliminates access to the proposed parking spaces in the rear of the building.
3. The distance between the western building face and the western property line is  $\pm 13$  feet. A one-way drive aisle, properly marked and signed, is recommended to be a minimum of 16 feet wide. A two-way drive aisle is recommended to be 24 feet wide. Insufficient drive aisle width eliminates access to the proposed parking spaces in the rear of the building.
4. Though a fence no longer exists along the western property line between the subject property and #341 Church Street as shown on the plan, the adjacent property shall not be used for a drive aisle. That leaves a  $\pm 10$ -foot drive aisle adjacent to two proposed parking spaces in front of the building. As previously

June 4, 2021  
321 Church Street

mentioned, a minimum one-way drive aisle, properly marked and signed, is recommended to be 16-feet wide and a two-way drive aisle is recommended to be 24 feet wide.

5. The plan shows two parking spaces, which appear to be existing, along the Church Street frontage. These parking spaces are unprotected from entering and existing traffic as they are not adjacent to a curb and/or protected by curbed end islands.

If you have any questions or require any additional information, please let me know. ■

TOWN OF WALLINGFORD  
DEPARTMENT OF PUBLIC UTILITIES  
WATER AND SEWER DIVISIONS

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

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**INTEROFFICE MEMORANDUM**

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**TO:** AMY TORRE, ZONING ENFORCEMENT OFFICER  
**VIA:** FAX 2095  
**FROM:** SCOTT SHIPMAN P.E., JUNIOR ENGINEER, WATER AND SEWER DIVISIONS  
**SUBJECT:** ZONING BOARD OF APPEALS APPLICATION – VARIOUS BUILDING ADDITIONS

58 NOD BROOK ROAD	APP. NO. 21-009
15 ATKINSON LANE	APP. NO. 20-011
48 APPLE STREET	APP. NO. 20-012
321 (325) CHURCH STREET YALESVILLE	APP. NO. 21-014

**DATE:** JUNE 17, 2021  
**CC:** N. AMWAKE PE; E. KRUEGER; D. SULLIVAN; J. PAWLOWSKI

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Please note that all applications referenced above include additions to existing structures. The owner of each building should take into consideration the location of the existing water service and sanitary sewer lateral to the building when planning a building addition to ensure that the water and sewer lines are not in conflict with the proposed addition.

If the existing utility lines are in conflict with the proposed building addition it may be necessary to relocate the addition or modify the utility lines to avoid conflict.

Also, if the building addition will include new plumbing fixtures, the Water and Sewer Division will need to determine if the existing water service, water meter and sanitary sewer lateral are adequate for the additional demand associated with the proposed new plumbing fixtures.

Therefore it is requested that the following items be made conditions of approval that must be resolved prior to issuance of a building permit:

- Provided information is available, the Wallingford Water and Sewer Divisions will assist the owner in determining the location of the existing water service and sanitary sewer lateral for the building. If it is found that the utility lines will be in conflict with the proposed building addition the owner will be required to prepare a plan and relocate or modify said utility lines if determined necessary by the Wallingford Water and Sewer Divisions.
- If new plumbing fixtures are proposed then the Owner shall provide water use and sanitary sewer usage estimates for the proposed new fixtures. If it is determined that the water service, water meter or sanitary sewer lateral are in anyway inadequate to serve the proposed fixtures, it will be the owner's responsibility to upgrade said services if determined necessary by the Water and Sewer Divisions.

If it is required to modify, repair or replace any underground sanitary sewer or water line as part of the work proposed for the addition, it will be the Owner's responsibility to pay all fees and charges associated with such work and engage a properly licensed,

AMY TORRE, ZONING ENFORCEMENT OFFICER  
JUNE 17, 2021  
PAGE 2

insured, and bonded plumbing contractor to obtain a permit from this office to perform all such work in accordance with the Wallingford Water and Sewer Technical Standards and Details.

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.

*O:\Engineering\ZBA\Various ZBA building additions - 2021 June.docx*