

APPEAL#: 14-21

APPLICATION TO NEW FAIRFIELD, ZONING BOARD OF APPEALS

Please check appropriate box(es)  Variance  Appeal of Cease & Desist

1) Applicant: Christopher Verona + Jennifer Stewart

Mailing Address: 2 Mountain Rd New Fairfield

CT 06812 Phone#: (203) 546-8489

Email (optional): Jen.Moloney13@gmail.com

2) Premises located at: Notch view / Mountain on the (N S E W) side of the street at approx. 0 Feet feet (N S E W) from \_\_\_\_\_ (nearest intersecting road).

3) Property Owner Name: Christopher Verona + Jennifer Stewart

Interest in Property: OWNER  CONTRACT PURCHASER  LEASEE  AGENT

4) Tax Assessor Map No.: 44 Block No.: 1 Lot No.: 16.2-17

5) Zone in which property is located R-44 zoning district Area of Lot 23,937 sq. Ft / 0.5495 Acres.

6) Dimensions of Lot: Frontage: L=172.25 Average Depth: \_\_\_\_\_

7) Is the property within 500 feet of Danbury, Sherman or New York State? NO

8) Have any previous applications been filed with ZBA on this property? NO If so, give dates and/or variance numbers: \_\_\_\_\_

9) Proposal for which variance is requested 21 Foot round above ground pool on west side of lot

HARDSHIP: proposed location fits in the front yard plane, and would require front yard setback \*corner lot. - pre existing non-conforming corner lot variance.

10) Date of Zoning Commission Denial: March 25, 2021

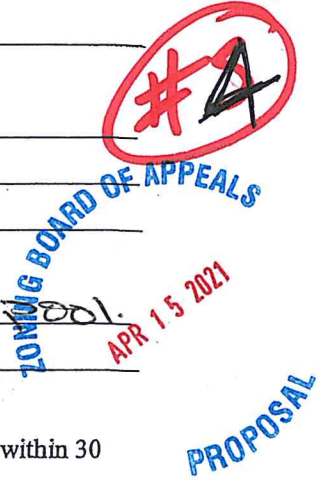
11) Variance(s) Requested: ( ) USE (  ) DIMENSIONAL

Zoning Regulations (sections) \_\_\_\_\_

Setbacks Requested: Front to: 40' to 12.5' (corner lot) Rear to: NR

Side to: NR Side to: NR

12) Use to be made of property if variance is granted: Above ground pool.



13) If this Application relates to a Cease and Desist Order then this application must be made within 30 Days of the issue date of that Cease and Desist Order. CEASE & DESIST ORDER DATE: \_\_\_\_\_

SIGNATURE OF OWNER OR AGENT: [Signature] DATE: 3/17/21



**TOWN OF NEW FAIRFIELD  
ZONING REPORT**

**SUBJECT:** VERIFICATION OF NON-COMPLIANCE  
**FROM:** Evan White, Zoning Enforcement Officer  
**DATE:** March 23, 2021  
**PROPERTY OWNER:** Christopher Verona & Jennifer Stewart  
**PROPERTY ADDRESS:** 2 Mountain Road  
**APPLICANT/AGENT:** Christopher Verona & Jennifer Stewart  
**MAILING ADDRESS:** 2 Mountain Road  
**ZONING DISTRICT:** R-44    **MAP:** 44    **BLOCK:** 1    **LOT:** 16.2-17

Please be advised that the owner would like to propose (SEE ATTACHED APPLICATION...Proposal for which variance is requested).

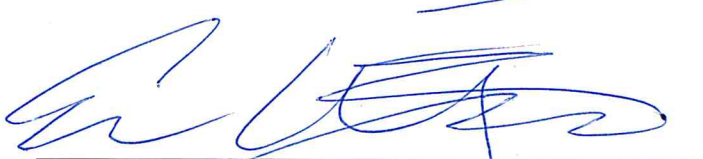
Review of the New Fairfield Zoning Regulations indicated that the above proposal fails to meet the following Zoning Requirements:

- Sections:
- 3.0.6-Swimming Pools (A+B)
  - 3.2.5-Minimum Lot Area and Frontage (A)
  - 3.2.6-Minimum Building & Structure Setbacks (A)
  - 3.2.11—Minimum Lot Dimensions
  - 7.1.1.2-Improved Lots Not in a Validated or Approved Subdivision
  - 7.2.3-Nonconforming Use of Building or Structure; Nonconforming Building or Structures (A+B)

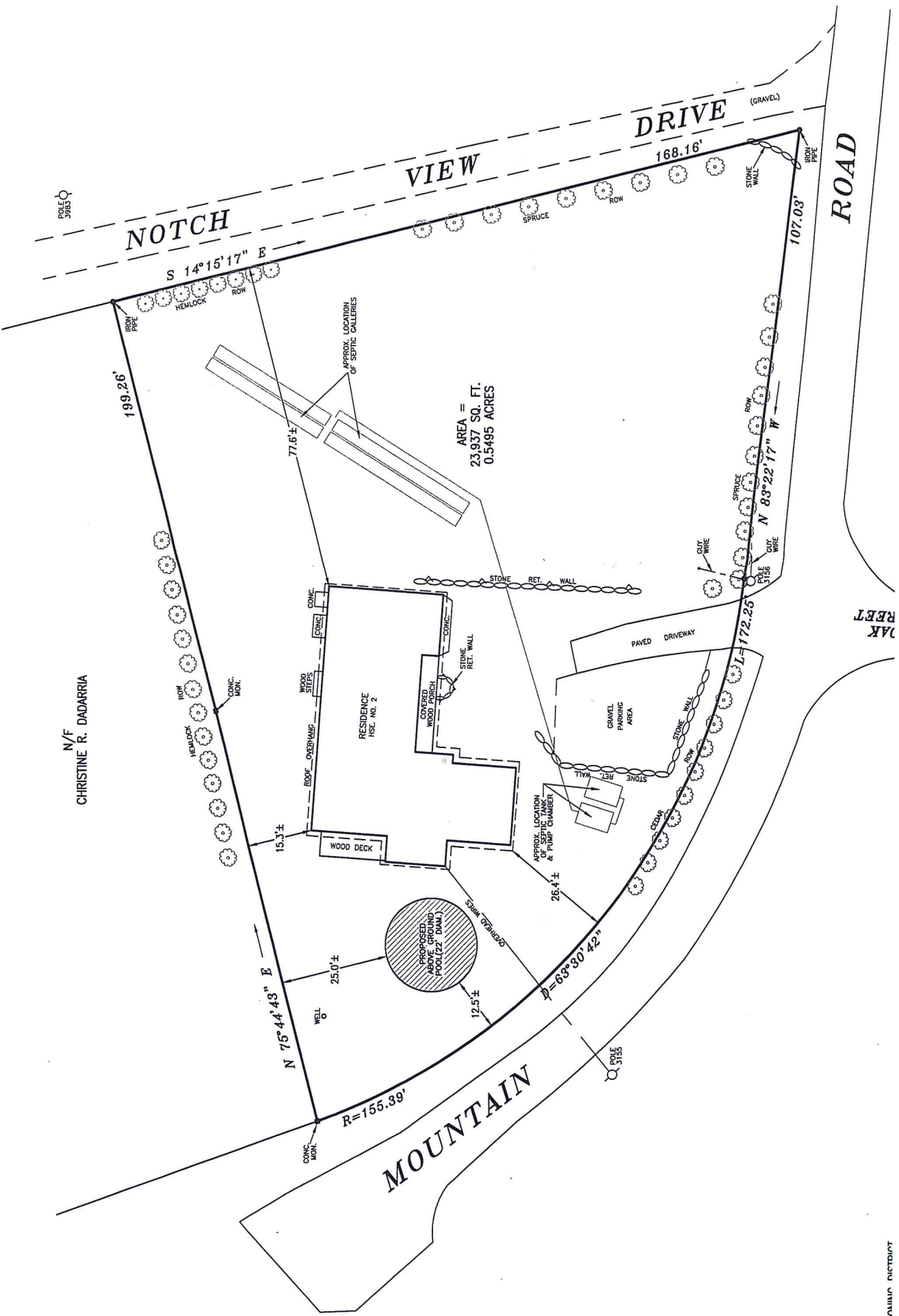
**THE INFORMATION ON THIS REPORT IS TO GUIDE THE APPLICANT/PETITIONER AND THE ZONING BOARD OF APPEALS TO APPLY FOR VARIANCES AND/OR OTHER RELIEF, AND IS BASED ON REPRESENTATIONS MADE BY THE PROPERTY OWNER/APPLICANT.**

**THE OWNER/APPLICANT SHALL BE RESPONSIBLE FOR ANY DECISION MADE FROM RELIANCE ON THIS FORM AND IT SHALL NOT CREATE LIABILITY ON THE PART OF ANY OFFICER OR THE TOWN OF NEW FAIRFIELD.**

**IN COMPLEX MATTERS, THE OWNER/APPLICANT MAY WISH TO SECURE THE SERVICES OF AN ATTORNEY.**

  
\_\_\_\_\_  
Evan White, Zoning Enforcement Officer  
Town of New Fairfield

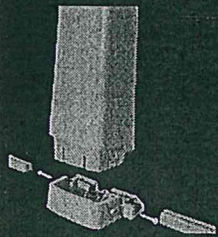
N/F  
CHRISTINE R. DADARRIA



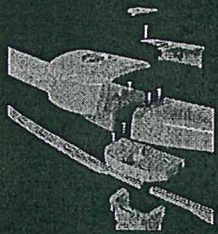
GOLD SERIES

# WHITE WOOD

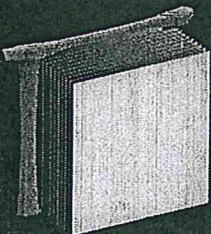
SÉRIE OR



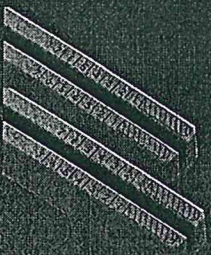
Easy Base assembly.  
Facilité d'assemblage de la base.



Easy Top structure assembly.  
Facilité d'assemblage de la structure supérieure.



Multiple layers of Protection.  
Protection multi-couches.



Graded rail to ensure good assembly.  
Rail graduée assure un bon montage.

## **Starjet Option**

*Incorporate the illuminated WaterJet system.*

## **Option Starjet**

*Incorporez le système de jet d'eau illuminé.*

## **Ajustable Ledges Covers**

*One Screw interlock system.*

## **Couvres Margelles Ajustables**

*Système d'emboîtement à une vis.*

## **Thick & Robust Ledges**

*Optimised for better weight distribution.  
Superior quality resin blends.  
6 1/2" Width.*

## **Margelles Robustes & Épaisses**

*Optimisée pour une meilleure répartition du poids.  
Mélange de résine supérieure.  
Largeur de 6 1/2".*

## **StarGlow Option**

*Incorporate LED light system to your uprights.*

## **Option StarGlow**

*Incorporez un système de lumière LED à vos poteaux.*

## **High Quality Walls**

*Industry renowned, heat treated, multilayered protection process.  
Superior sturdiness.  
Architectural 3D Design.*

## **Murs de Haute Qualité**

*Procédé de protection multicouche traité thermiquement de renommée industrielle.  
Solidité supérieure.  
Design 3D architectural.*

## **Snap in Uprights**

*Uprights Snaps in feet for quick Assembly. Durable Top Plate Interface. 6" Width.*

## **Montants Encliquetables**

*Les Montants s'encliquent pour un assemblage rapide.  
Interface de Support de Margelle Durable.  
Largeur de 6".*

## **Strong Feet Connexion**

*Strong interconnect rail assembly with disassembly feature. Screwing option for increased durability.*

## **Connection de Pied Robuste**

*Interconnexion rail solide avec détail de désassemblage.  
Option de vissage pour durabilité accrue.*

## **Stable & High Wall Rails**

*At 1.6 inches high, the rail keeps the wall in place during ground shifts.*

## **Rail Stable & Haut Support de Mur**

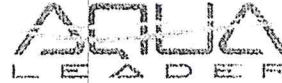
*D'une hauteur de 1.6 pouces, la rail garde le mur stable lors des mouvements de sol.*

## Design & Architecture

The Carvin Pool offers architecture on the cutting edge of Canadian Engineering. The quality of its 100% resin design provides an extremely reliable and robust product, which will be able to withstand the weather. All this, while also having a unique and modern design that will allow your backyard to stand out. Available sizes from 12 to 33 feet.

La piscine Carvin offre une architecture à la fine pointe de l'ingénierie canadienne. La qualité de sa conception 100% résine permet d'obtenir un produit extrêmement fiable et robuste, qui saura braver les intempéries. Tout cela, en ayant aussi un design unique et moderne qui permettra à votre cour extérieure de se démarquer. Tailles disponibles de 12 à 33 pieds.

  
trendium<sup>INC/IN</sup>  
PRODUITS DE PISCINE TRENDIUM POOL PRODUCTS

  
AQUA  
LEADER

Thursday, June 6th, 2019

Trendium Pool Products  
7050 St-Patrick  
Lasalle (Qué)  
H8N 1V2

Reference: **Aqualeader**

To whom it may concern:

We have analyzed the structural design of the **Aqualeader** above ground swimming pools, consisting of sheet metal walls for both round and oval configurations.

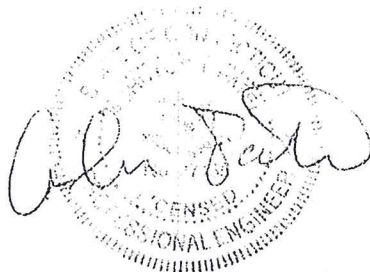
This letter certifies that the above mentioned pools are structurally adequate when installed strictly in accordance with the manufacturers written instructions.

This letter also certifies that the above mentioned pools comply with ANSI/APSP-4 2012 standards and the ISPSC 2015 code as they pertain to the manufacture of aboveground swimming pools.

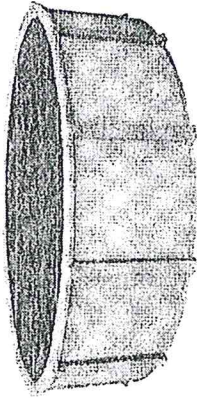
Please contact us if you have any questions.

Sincerely,  
MPP Engineers, LLC

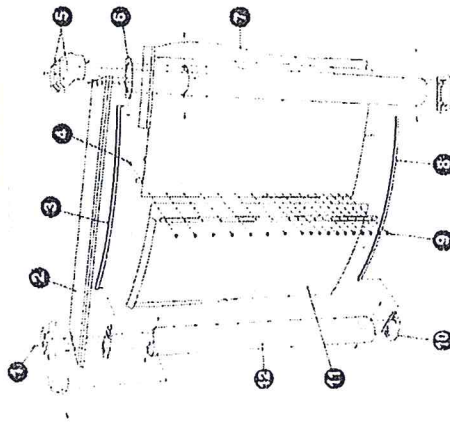
Ashutosh Patel, PE  
CT. Lic. No. 27155



### Round

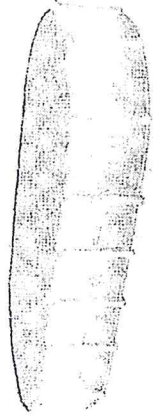


Round pools are up to 54" tall. They are available up to 33'.

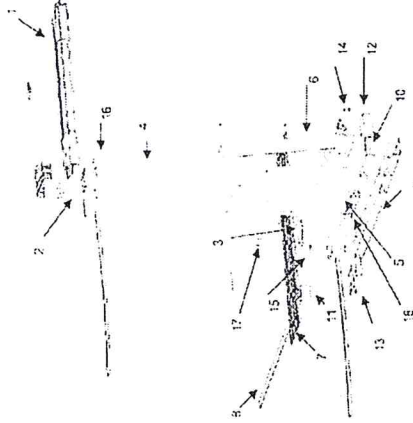


- 1. Self tapping screw
- 2. Ledge
- 3. Top wall channel
- 4. Mechanical screw
- 5. Cover ledge
- 6. Top inner plate
- 7. Liner
- 8. Bottom wall channel
- 9. Nut
- 10. Bottom joint plate
- 11. Weld
- 12. Upright

### Oval Contour



Oval pools are up to 54" tall. They are available up to 21' x 43'.



- 1. Top seat
- 2. Top plate
- 3. Bottom plate
- 4. Right L-Bracket
- 5. Left L-Bracket
- 6. Right gusset
- 7. Pressure plate
- 8. Strap
- 9. Liner channel
- 10. Strap channel
- 11. Strap end channel
- 12. Channel join cap
- 13. Styrofoam slab
- 14. Nut 5/16" x 5/16" 18 gpd B
- 15. Nut 5/16" x 1/8"
- 16. Phillips screw 1/2" x 5/16" - 18
- 17. Hex Phillips screw 1/2" x 1/2"
- 18. Truss Phillips 3/8" x 2"
- 19. Washer 3 holes

Trendium Pool Products Inc. manufactures round and oval above-ground swimming pools. See installation instructions for complete details regarding pool and liner installation. A complete report with all stress analysis and back-up calculations regarding the structure of the pool are available upon request.

### Engineers Approval





May 13, 2020

Reference: MPP Project No: 11-0139

To Whom it May Concern:

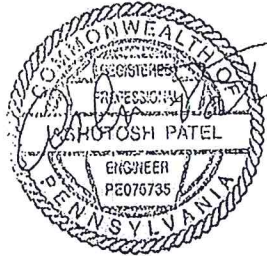
Engineering Approval of Round and Oval Above Ground Swimming Pools  
Manufactured by Wilbar International: "Sharkline" brand, "Backyard Leisure" Brand.

I have completed an analysis of your above ground swimming pools in 48", 52"  
And 54" which includes but is not limited to the Heritage, Summerfield, Matrix,  
Oasis, Reprieve, & Elektra pool models.

When installed in accordance with the manufacturer's installation instructions,  
they fall within the boundaries of the factors of safety. The pools are built in  
conformance to ANSI/APSP/ICC-4 A 2018 and ISPSC 2015 specifications. These  
pool walls are approved to serve as a barrier when installed on-ground and in  
compliance with the requirements listed in Section 305.2 of the ISPSC 2015 code.

Please contact us if you have any questions.

Sincerely,



Shyotosh Patel, PE  
PE License No. 48235



NAMCPOO-01

KDISIPIO

**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)

12/29/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER People's United Insurance Agency, Inc. One Financial Plaza Hartford, CT 06103	CONTACT NAME: Karen Disipio
	PHONE (A/C, No., Ext): (860) 426-6160 FAX (A/C, No.): (860) 426-6160 E-MAIL ADDRESS: Karen.Disipio@AssuredPartners.com
INSURED  NAMCO Pools, LLC 30 Waterchase Drive Rocky Hill, CT 06067-2110	INSURER(S) AFFORDING COVERAGE NAIC #
	INSURER A: Continental Casualty Company 20443
	INSURER B: Continental Insurance Company 35289
	INSURER C:
	INSURER D:
	INSURER E:

**COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			6050604753	1/3/2021	1/3/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea. occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/PROP AGG \$ 2,000,000
GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER							
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY Comp DED 1,000 <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY Coll DED 1,000			6050604767	1/3/2021	1/3/2022	COMBINED SINGLE LIMIT (Ea. accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB EXCESS LIAB DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			6075852716	1/3/2021	1/3/2022	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below							PER STATUTE E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
N/A							

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
RE: 49 Pavillions Drive, Manchester, CT 06042.

4232 - Brixmor Manchester III LLC, and Brixmor Property Group, Inc. are included as an Additional Insured where required by written contract, per the terms, conditions and exclusions of the referenced General Liability policy. Coverage is primary and non-contributory. Waiver of subrogation applies.

**CERTIFICATE HOLDER****CANCELLATION**

4232 - Brixmor Manchester III LLC & Brixmor Property Group, Inc. c/o Risk Toolbox, Inc. 8 Wood Hollow Road Suite 201 Parsippany, NJ 07054	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE <i>People's United Insurance Agency, Inc.</i>
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STATE OF CONNECTICUT ♦ DEPARTMENT OF CONSUMER PROTECTION

Be it known that

NAMCO POOLS LLC  
30 WATERCHASE DR  
ROCKY HILL, CT 06067-2110

has satisfied the qualifications required by law and is hereby registered as a

HOME IMPROVEMENT CONTRACTOR

Registration # HIC.0650926

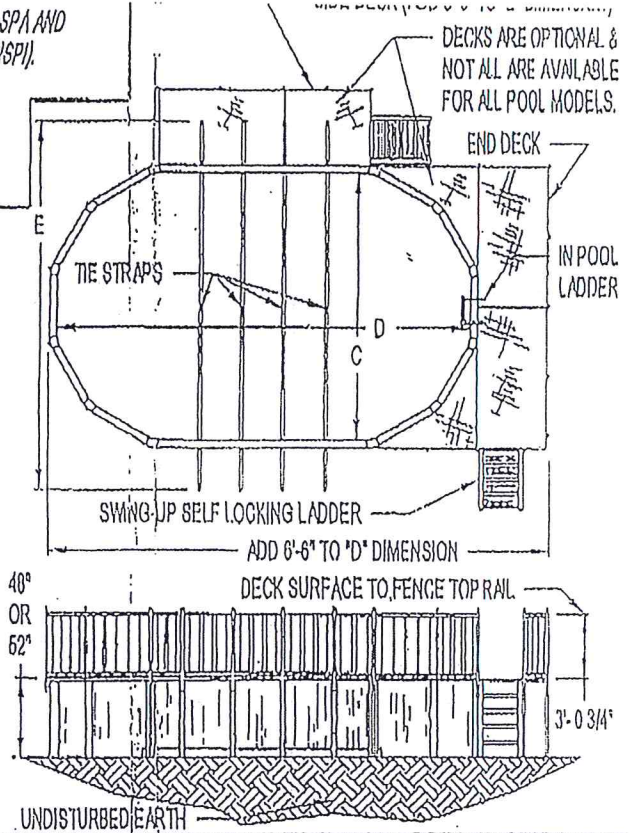
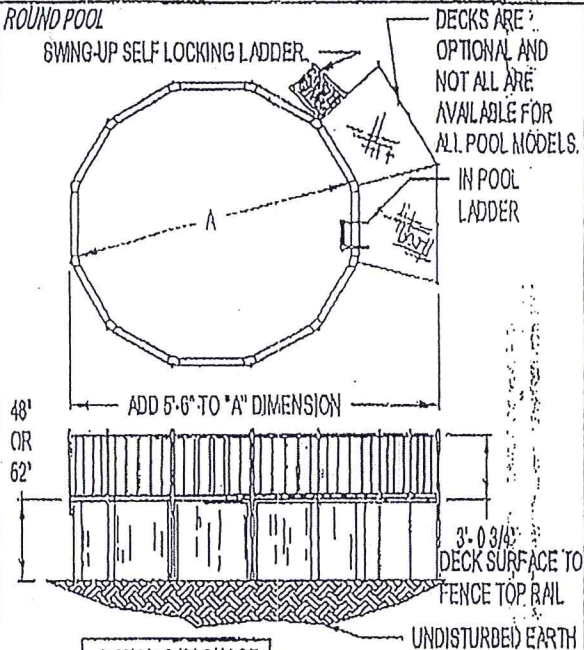
Effective: 12/01/2020

Expiration: 11/30/2021



Michelle Seagull, Commissioner

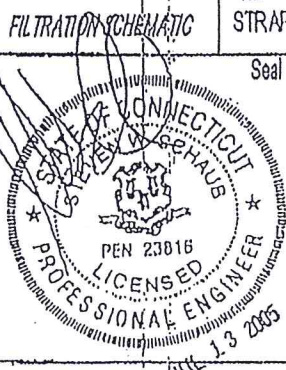
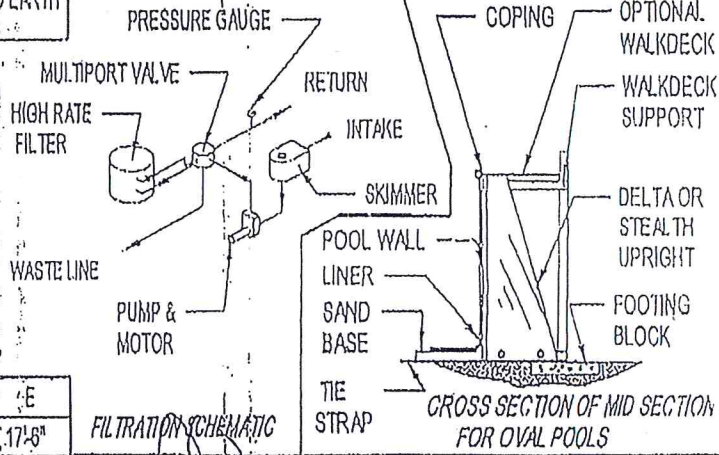
- 1) THIS IS A NON-DIVING POOL AS DEFINED IN THE CURRENT "ANSI/NATIONAL SPA AND POOL INSTITUTE" STANDARD FOR ABOVE GROUND SWIMMING POOLS, (ANSI/NSPI).
- 2) DECKS ARE DESIGNED TO WITHSTAND A LIVE LOAD OF 100 LB/SF.
- 3) FENCE WILL WITHSTAND A 200 L.B. LOAD CONFORMING TO IBC 1007.7.1
- 4) ALL OPENINGS IN THE FENCE ARE LESS THEN 4"
- 5) PRODUCT MEETS OR EXCEEDS ALL REQUIREMENTS OF IBC SECT. 3109



DESIGN GALLONAGE		
ROUND	48" GAL.	52" GAL.
10'	2,350	2,550
13'	3,650	4,000
15'	5,300	5,750
18'	7,600	8,250
21'	10,350	11,250
24'	13,550	14,650
24' HOP.	16,160	18,300
27'	17,160	18,550
27' HOP.	19,300	23,100
30'	21,150	22,900

NOT ALL POOL SIZES ARE AVAILABLE ON ALL MODELS.

OVAL SIZES	48" GAL.	52" GAL.	C	D	E
13'x19'	5,050	6,400	12'-6"	18'-6"	17'-6"
13'x22'	7,050	7,800	12'-6"	21'-6"	17'-6"
13'x25'	8,200	8,850	12'-6"	24'-6"	17'-6"
15'x24'	9,350	10,100	15'-0"	24'-0"	20'-0"
15'x24' HOPPER	10,400	11,150	15'-0"	24'-0"	20'-0"
15'x30'	12,050	13,050	15'-0"	30'-0"	20'-0"
15'x30' HOPPER	13,250	14,250	15'-0"	30'-0"	20'-0"
18'x33'	15,700	17,000	18'-0"	33'-0"	23'-0"
18'x33' HOPPER	17,200	18,500	18'-0"	33'-0"	23'-0"



**S.E. CONSULTANTS, INC.**  
 Scottsdale, Arizona  
**DELAIR GROUP L.L.C.**  
 8600 RIVER ROAD  
 DELAIR, NEW JERSEY 08110-3390  
 SAFARI, LEGEND, SUN MASTER, ANGLE KING  
 SOUTH BEACH, ULTIMA TITAN, SAHARA  
 ADLLENIA, SUMMIT, CLASSIC, FESTIVAL, FAMILY NES  
 SPEC020 11/20/04 NTS J.D.J.