

APPLICATION OR APEAL#: 09-23

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: Phat Phung
Mailing Address: 600 Lindley Street, Bridgeport, CT 06606
Phone#: 203-448-9457
Email: pphung@aquarionwater.com

2) Premises located at: 2 & 4 Biggs Avenue on the (N SE W) side of the street
at approx. 0 feet (N SE W) from Fairfield Drive (nearest intersecting road).

3) Property Owner Name: Aquarion Water Company of Connecticut

Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 34 Block No.: 8 Lot No.: 21 & 18-20

5) Zone in which property is located: 1 Area of Lot: (0.30 ac. + 0.29 ac.) = 0.59 acres

6) Dimensions of Lot: Frontage: (125' + 125') = 250' Total Average Depth: 100'

7) Do you have any Right of Ways or Easements on the property? No

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

9) Have any previous applications been filed with ZBA on this property? No

If so, give dates and application numbers: _____

10) Proposal for which variance is requested: The Aquarion Water Company is providing improvements to the Ball Pond Water System at their Biggs Well Station site located at 2&4 Biggs Avenue. The improvements require a new 16' X 22' treatment facility to be constructed onsite.

Hardship: The lot is 100' deep and the zone in which it is located requires a rear yard setback of 50' and a front yard setback of 40' leaving a 10' deep area to construct the 16' x 22' facility.

11) Date of Zoning Commission Denial: April 25th, 2023

12) Variance(s) Requested: () USE (X) DIMENSIONAL

Zoning Regulations (sections): See attached Non-Compliance Letter

Setbacks Requested: Front to: _____ Rear to: 30'
Side to: _____ Side to: _____

13) Use to be made of property if variance is granted: Construct the new water treatment building onsite.

14) 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: Phat Phung DATE: 3/24/2023

#1

received

**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE

FROM: Evan G. White, Zoning Enforcement Officer

DATE: April 26, 2023

PROPERTY OWNER: Aquarian Water Company of Connecticut

PROPERTY ADDRESS: 2 & 4 Biggs Ave

APPLICANT/AGENT: Phat Phung

MAILING ADDRESS: 600 Lindley Street Bridgeport, CT 06606

ZONING DISTRICT: R-44 **MAP:** 34 **BLOCK:** 8 **LOT:** 21 & 18-20

Please be advised that the applicant would like to (See Application for Description).

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

Sections:

3.2.5-Minimum Lot Area & Frontage (A+B)

3.2.6-Minimum Building & Structure Setbacks (A+B+C)

3.2.11-Minimum Lot Dimensions

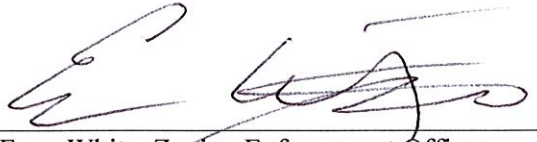
7.1.12-Improved Lots Not In a Validated or Approved Subdivision

7.2.3-Nonconforming Use of Building or Structure; Nonconforming Buildings or Structures (A+B+E)

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.

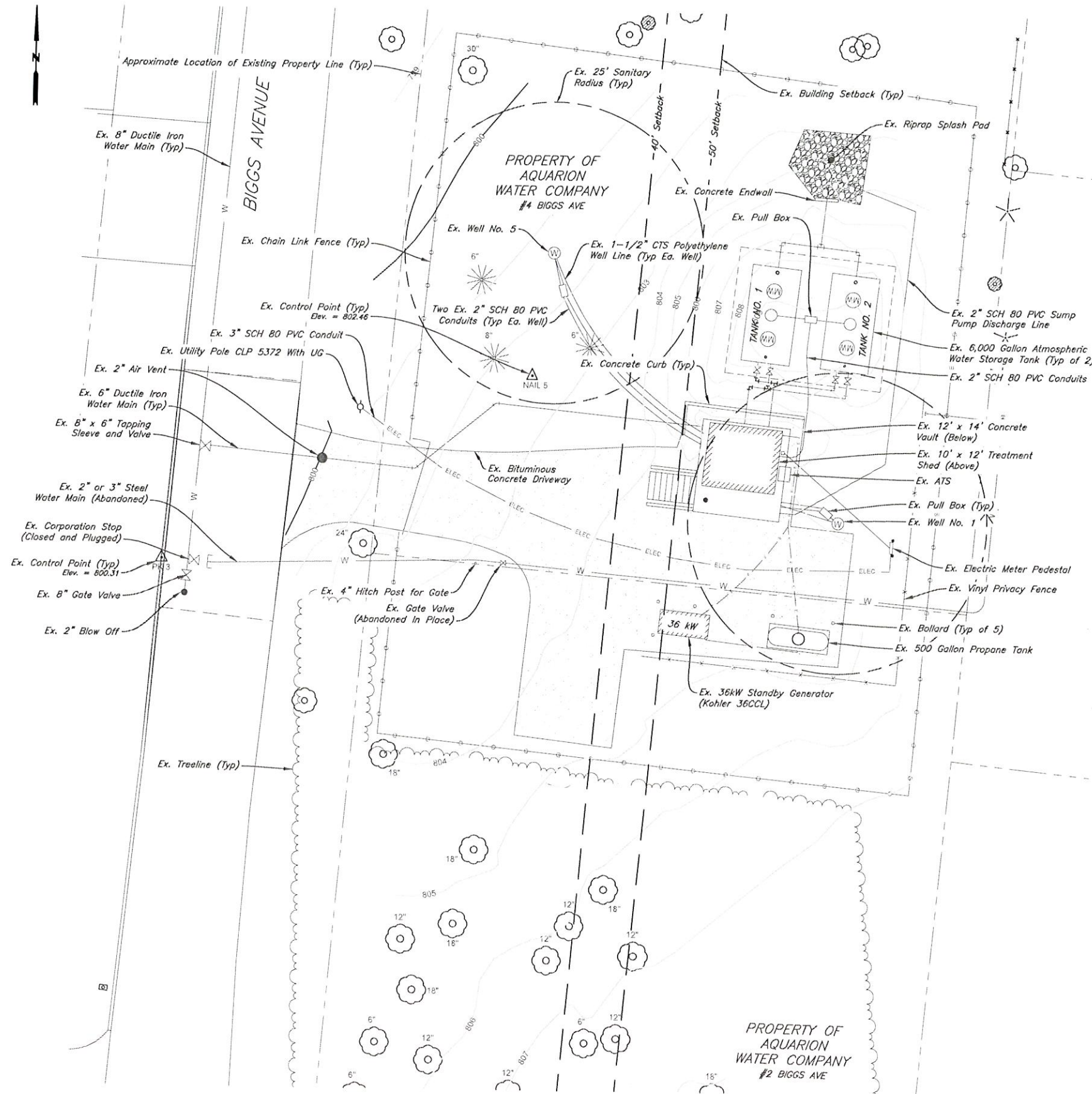
THE OWNER/APPLICANT SHALL BE RESPONSIBLE FOR ANY DECISION MADE FROM RELIANCE ON THIS FORM AND IT SHALL NOT CREATE LIABILITY ON THE PART OF ANY OFFICER OR THE TOWN OF NEW FAIRFIELD.

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



Evan White, Zoning Enforcement Officer
Town of New Fairfield

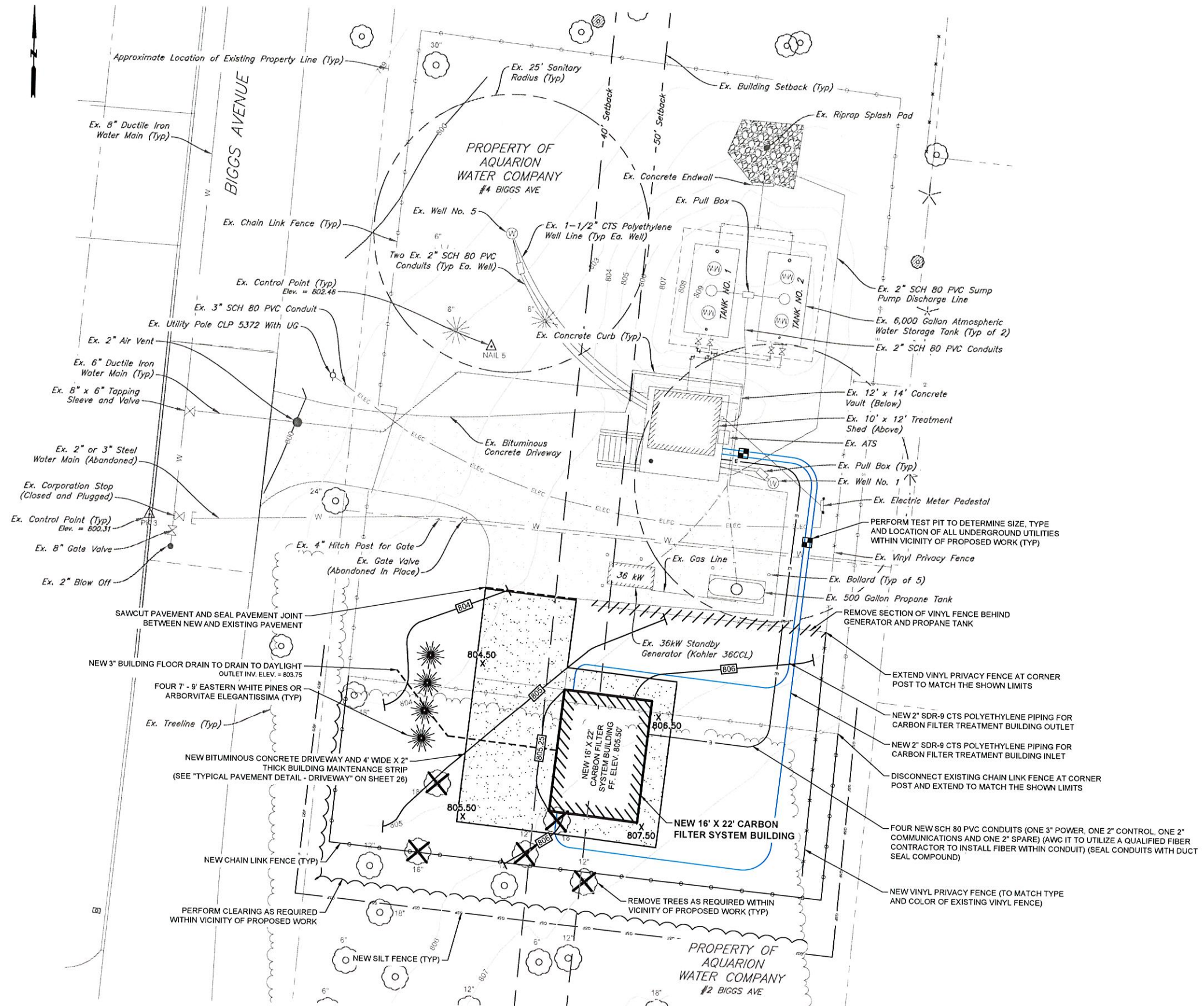
BIGGS WELL STATION



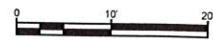
EXISTING SITE PLAN
SCALE: 1" = 10'

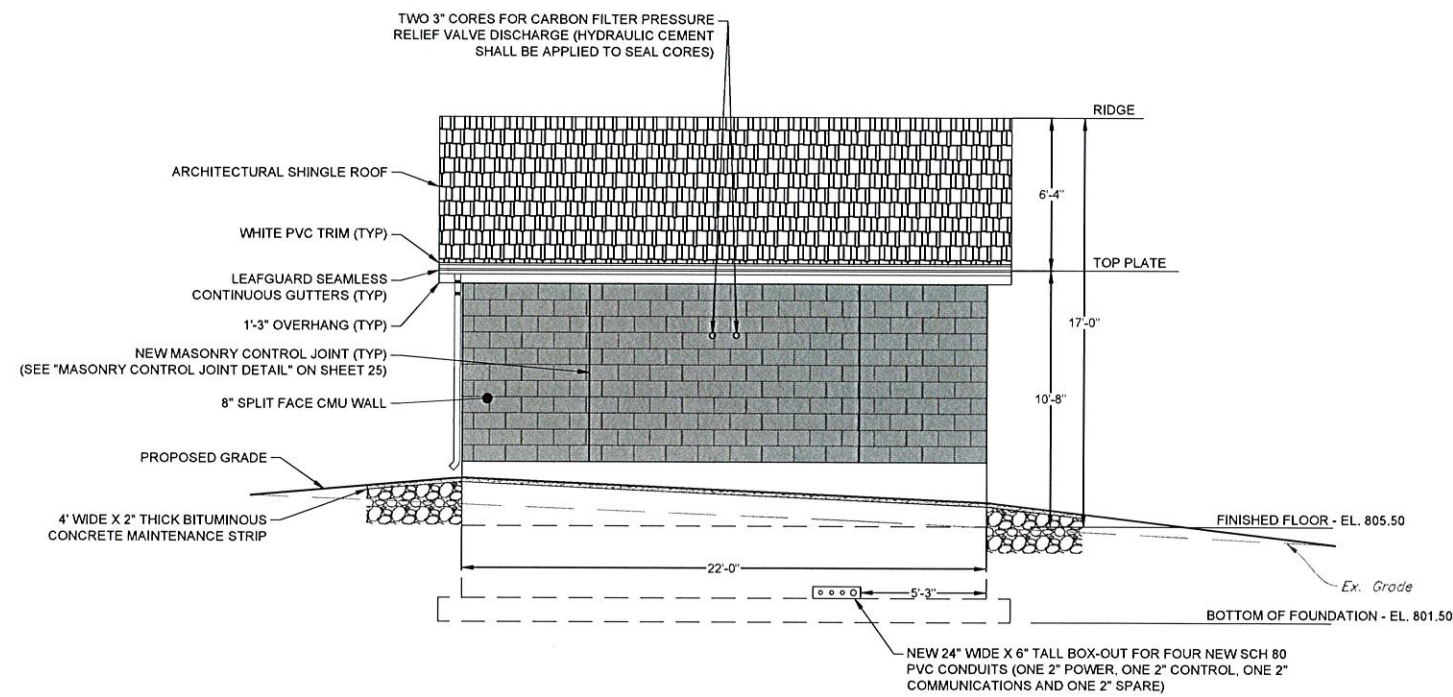


BIGGS WELL STATION

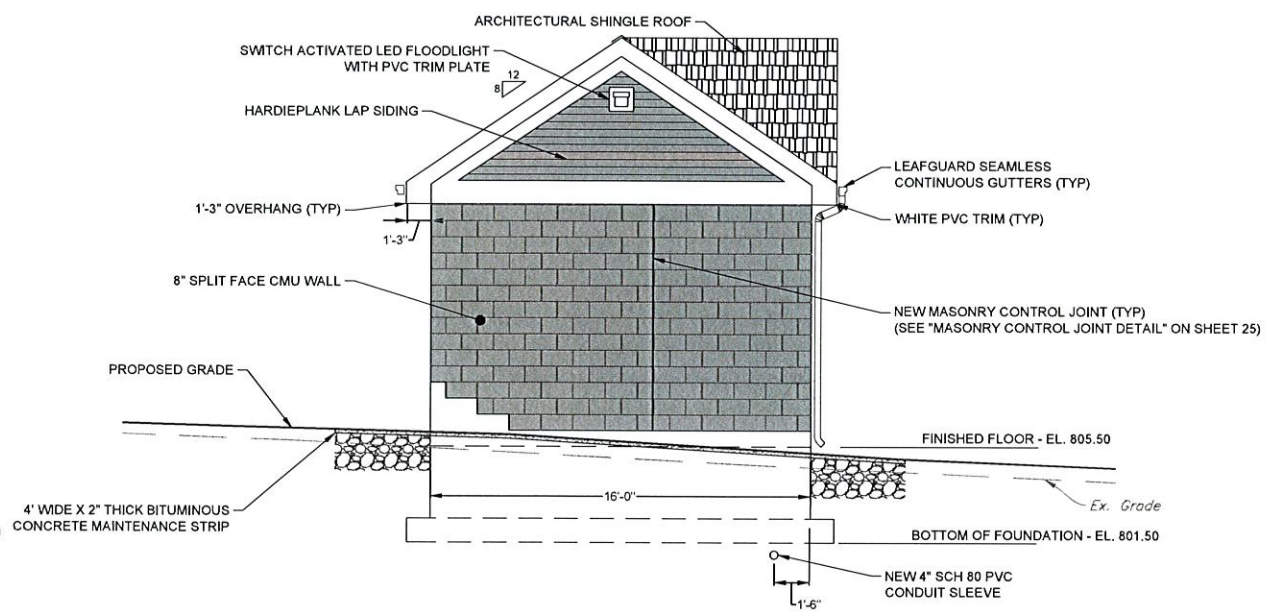


PROPOSED SITE PLAN
SCALE: 1" = 10'

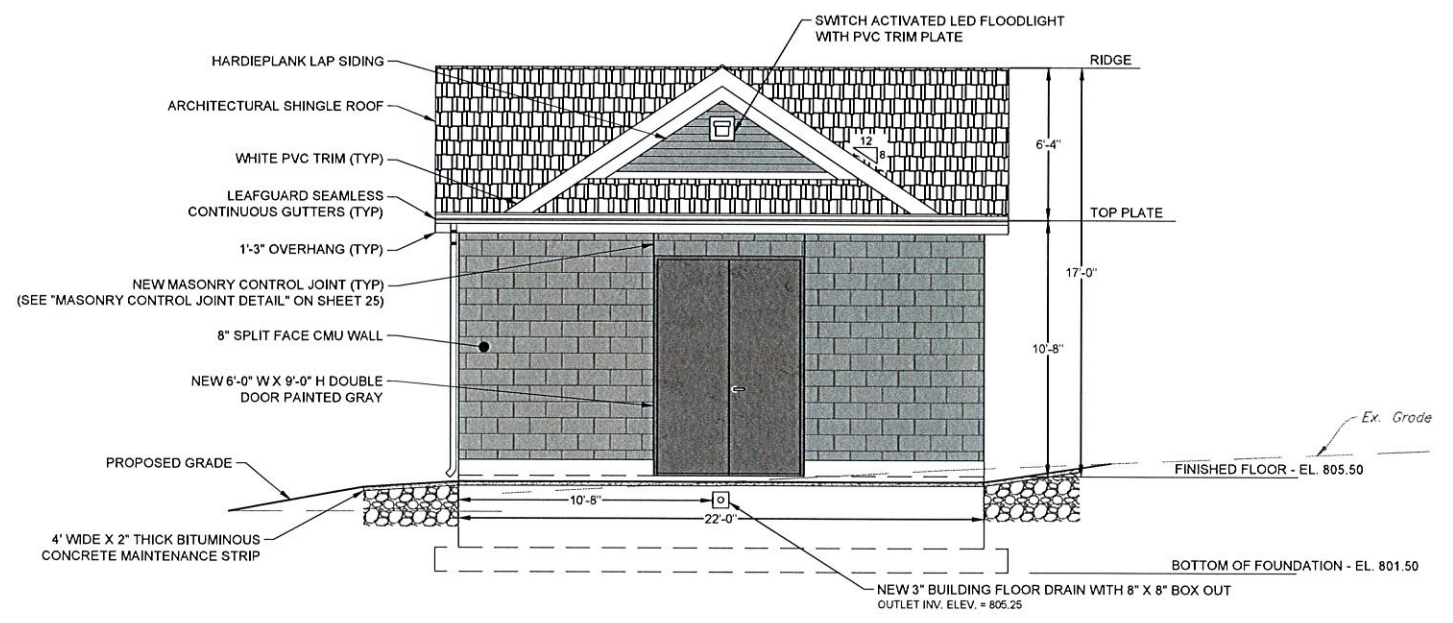




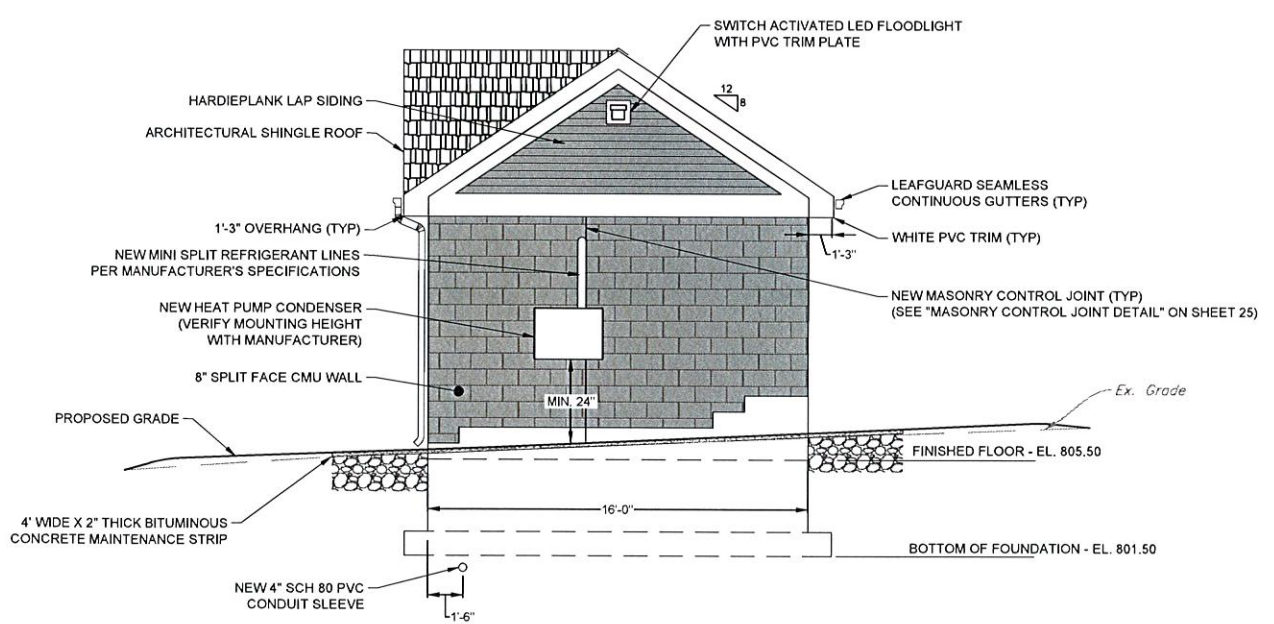
EAST ELEVATION
SCALE: 1/4" = 1'



NORTH ELEVATION
SCALE: 1/4" = 1'



WEST ELEVATION
SCALE: 1/4" = 1'



SOUTH ELEVATION
SCALE: 1/4" = 1'





FAIRFIELD DRIVE

BIGGS AVENUE

BALL

POND

ROAD

- LEGEND**
- WATER MAIN — W —
 - TREE WITH SIZE 12"
 - WELL
 - UTILITY POLE AND NUMBER #1013
 - WATER VALVE BOX
 - CATCH BASIN
 - UNDERGROUND ELECTRIC AND TELEPHONE — T —
— E —

- NOTES**
1. AREA WITHIN 75' OF WELLS AS SHOWN DOES NOT FALL WITHIN A WETLAND LIMIT PER SOIL SURVEY TOWN OF FAIRFIELD, (GENERAL PLANNING MAP)
 2. WOOD FENCE ENCROACHES UPON NORTH PROPERTY LINE OF AQUARION WATER PROPERTY AS SHOWN.
 3. VERTICAL DATUM IS 1928 NGVD FROM BENCH MARK CTGS 1584 ELEV.=788.98
 4. HORIZONTAL DATUM IS NAD 83, CONTROL USED ARE:
CTGS #1184 COORDS. N 729254.89
CTGS #1184 COORDS. E 787682.43
CTGS #8144 COORDS. N 730683.27
CTGS #8144 COORDS. E 787068.38
 5. AREA WITHIN 75' OF WELLS DOES NOT FALL WITHIN A FLOOD ZONE.
 6. AREA OF LOT IS 12,600 SQ. FT.
 7. WELL #5 COORDINATES N 728913.2
E 787587.7
WELL #1 COORDINATES N 728883.5
E 787446.0
 8. AREA OF WELL SETBACK WITHIN AQUARION PROPERTY IS 11,460 SQ. FT (0.2 ACRES).

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON. THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300B-1 THROUGH 20-300B-30 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES- MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT AS ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. IT IS A PROPERTY SURVEY BASED ON A RESURVEY CONFORMING TO ACCURACY CLASS A-2T-2. THIS MAP IS INTENDED TO BE USED FOR PROPERTY LINE DETERMINATION.

I HAVE CHECKED THE SITE ON 11-10-06 AND HAVE DETERMINED THAT THERE ARE NO WETLANDS OR WATERCOURSES ON THIS PARCEL.

Eric Davison
ERIC DAVISON, SOIL SCIENTIST
12/10/06
DATE

UTILITIES SHOWN ON THIS MAP ARE LOCATED FROM THE BEST AVAILABLE MAPS AND MARK-OUTS AND ARE APPROXIMATE ONLY AND SHOULD BE FIELD VERIFIED. PLEASE CALL BEFORE YOU DIG. 1-800-922-4455. NOT ALL UTILITIES ARE SHOWN.



REV 12-08-06
REV 11-17-06
REV 10-27-06

PLAN SHOWING	
EXISTING AQUARION WELL LOCATIONS AND INFORMATION SURROUNDING #4 BIGGS ROAD NEW FAIRFIELD, CONNECTICUT	
PREPARED FOR AQUARION WATER COMPANY	
DATE: 9-15-06	SCALE: 1"=20'
SARGIS ASSOCIATES, INC. SURVEYS & ENGINEERING	
	SHEET 1

- 10168 -

