

### **MEMORANDUM OF STAFF COMMENTS**

**TO:** Zoning Board of Appeals  
**FROM:** Adam Levitus, ZEO  
**DATE:** January 21, 2021  
**RE:** #2021-01 – Variance for 6-foot Tall Fence in a Residential Front Yard  
**APPLICANT:** David Lallier (property owner)  
**ADDRESS:** 12 Simms Road  
Map 2-3 Block 9 Lot 1A  
**ZONE:** R-15

#### **Proposal and Background**

David Lallier (property owner) is requesting a variance for a 6-foot-tall fence in a residential front yard when up to 3 feet tall is permitted in a residential front yard per Berlin Zoning Regulations §IV.B.7. The property is on a corner lot, with the requested variance along Lincoln Street.

#### **Staff Comments**

The existing house was built in approximately 2001 on the corner of Lincoln Street and Simms Road. From available survey data, the property has an easement with CL&P/Eversource in the rear of the property electrical transmission lines and tower run in this easement across multiple properties. Based on Google Streetview data, arbor vitae that appeared to be over 6 feet tall had existed in the front yard between Lincoln Street and the rear of the house at 12 Simms.

Staff's understanding is that the Arbor Vitae along Lincoln were recently removed by Eversource as a part of maintenance or similar work beneath the transmission lines. Based on information and emails from the owner, it is staff's further understanding that Eversource is proposing to replace the Arbor Vitae with a 6ft tall fence to re-establish the barrier/visual screening to the back of the house.

Note, that because it is a corner lot, the yards abutting both Lincoln St and Simms Rd are 'front' yards. Therefore the variance is required to exceed the 3ft tall front-yard fence limit along either road.

#### **Zoning Requirements:**

§IV.B.7 Exceptions to yard requirements – Walls and Fences  
Maximum (in a front yard): 3ft

Proposed (in a front yard): 6ft

*The Town of Berlin Plan of Conservation and Development, Section II, Strategic Outline for Implementation, Strategy 1: Coordinate the Regulatory Structure to Support the Plan, 3) states: Any variance granted by the Zoning Board of Appeals should be consistent with the standards imposed by Connecticut General Statutes in which a hardship exists owing to conditions affecting a specific parcel of land, and the variance which is granted should be consistent with the goals and policies of this plan and the intent of the zoning regulations.*



# Town of Berlin

ZBA # 2021 - 01 -

## Planning and Zoning Department

240 Kensington Road  
Berlin, Connecticut 06037  
www.town.berlin.ct.us

Town of Berlin  
Received

JAN 05 2021

## ZONING BOARD OF APPEALS APPLICATION

Planning & Zoning Department  
Berlin, Connecticut

- ☐ Special Permit ☒ Variance ☐ Appeal of ZEO  
☐ Motor Vehicle Location ☐ Alcohol Uses Location ☐ Other / Determination

Property Owner(s): DAVID & CHRISTINE LALLIER

Project Address\*: 12 Simms Rd. KENSINGTON

ADL  
Based on  
GIS  
Map: 2 Block: 3 Lot: 9-1A Zone(s): R-15 Lot Area: 0.44

### Please select all relevant items below:

- ☐ Supplemental Information Is Required For:  
ZBA Special Permit / Sale of Alcoholic Beverages Location / Motor Vehicle Uses Location  
☐ Inland Wetlands and Water Course Commission review needed  
☐ Planning and Zoning Commission review needed  
☐ Property is within 500 feet of a Municipal Boundary of \_\_\_\_\_  
☐ Previous Zoning Board of Appeals actions on this property:  
Date(s) & Purpose(s): \_\_\_\_\_

### Applicant Information

Name: DAVID LALLIER Firm Name: \_\_\_\_\_  
Street Address: 12 Simms Rd. City: KENSINGTON ST: CT Zip: 06037  
Email: DAVIDLALLIER@YAHOO.COM Phone: 860.202.0143  
Signature: David Lallier Date: 1/5/2021

### Property Owner(s) Information (If Not the Applicant)

Name: \_\_\_\_\_ Principal: \_\_\_\_\_  
Street Address: \_\_\_\_\_ City: \_\_\_\_\_ ST: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email: \_\_\_\_\_ Phone: \_\_\_\_\_

\*Letter of Authorization Required

ZBA action is requested pursuant to Berlin Zoning Regulations Section(s): IV.B.7

\*Any town official and/or employee who the town deems necessary may enter the property to verify information submitted with this application.

ADL  
Based  
on  
proposals

Brief description of the proposal: CHANGE HEIGHT OF FRONT YARD FENCING FROM 3' TO 6'

**VARIANCE APPLICATIONS:** For relief of: \_\_\_\_\_ requirement.

Requested requirement: \_\_\_\_\_

Reason/Description of Hardship (REQUIRED): EVERSOURCE CUT DOWN 90' OF ARBORVITAE'S WHICH PROVIDED ENTIRE BACK YARD PRIVACY. EVERSOURCE WILL PAY FOR FENCING UPON APPROVAL FROM TOWN OF BERLIN.

**MOTOR VEHICLE USE LOCATION<sup>1</sup>:**

The first page of the State DMV application is required to be submitted with this application

	<u>Number of Service Bays</u>	<u>Parking Required</u>	<u>Parking Provided</u>
<input type="checkbox"/> New Car Dealer	_____	_____	_____
<input type="checkbox"/> Used Car Dealer	_____	_____	_____
<input type="checkbox"/> General Repairer	_____	_____	_____
<input type="checkbox"/> Limited Repairer	_____	_____	_____
<input type="checkbox"/> Gasoline Station	_____	_____	_____

**SALE OF ALCOHOLIC BEVERAGES LOCATION<sup>1</sup>**

The first page of the State Liquor Permit application is required to be submitted with this application

Type of State Liquor Permit:

☐ On -Premises Permit: Type \_\_\_\_\_  
☐ Off-Premises: Type \_\_\_\_\_  
☐ Other: Explain \_\_\_\_\_

**To be completed by P&Z staff only:**

Fee Paid \$ 210 (Refer to current Fee Schedule)

ZBA # 2021 - 01 - \_\_\_\_\_

Received by: ADL #1271

Scheduled on ZBA Agenda of:

1/26/21

**ZONING BOARD OF APPEALS DECISION:**

Plan Title & Date: \_\_\_\_\_

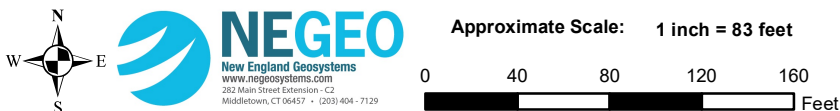
**Town of Berlin  
Receive**

**JAN 05 2021**

**Planning & Zoning  
Berlin, CT**



Address: 12 SIMMS RD



**Disclaimer:** This map is for informational purposes only. All information is subject to verification by any user. The Town of Berlin and its mapping contractors assume no legal responsibility for the information contained herein.



Property Location 12 SIMMS RD  
Vision ID 5155

Account # 1053301

Map ID 2-3/ 9/ 1A/ /

Bldg # 1

Bldg Name  
Sec # 1 of 1

Card # 1 of 1

State Use 1010  
Print Date 1/13/2021 10:22:59 A

CURRENT OWNER		TOPO		UTILITIES		STRT / ROAD		LOCATION		CURRENT ASSESSMENT				<div>6007</div> <div>BERLIN, CT</div> <div>VISION</div>						
LALLIER DAVID J & CHRISTINE A  12 SIMMS RD  KENSINGTON CT 06037		1	Level	1	All Public	1	Paved			Description	Code	Appraised Value	Assessed Value							
										RES LAND	1-1	102,800	72,000							
										DWELLING	1-3	175,700	123,000							
										RES OUTBL	1-4	1,400	1,000							
SUPPLEMENTAL DATA																				
		Alt Prcl ID 02-3 0009 00001A CENSUS 4003 (not used) Medium Incomeexp				Section: W dc CB Letter														
		GIS ID 2-3-9-1A				Assoc Pid#														
										Total		279,900	196,000							
RECORD OF OWNERSHIP		BK-VOL/PAGE		SALE DATE		Q/U		V/I		SALE PRICE		VC		PREVIOUS ASSESSMENTS (HISTORY)						
LALLIER DAVID J & CHRISTINE A PERZAN JOHN E RAWLINGS ROBERT D & THELMA J		0495	0750	03-31-2003	Q	I	255,000		1					Year	Code	Assessed	Year	Code	Assessed	
		0438	0702	10-04-2000	U	I	37,000			2019	1-1	72,000	2018	1-1	72,000	2017	1-1	72,000		
		0170	0447	09-22-1972	U	I	0				1-3	123,000		1-3	123,000		1-3	123,000		
											1-4	1,000		1-4	1,000		1-4	1,000		
										Total		196000	Total	196000	Total	196000	Total	196000		
EXEMPTIONS				OTHER ASSESSMENTS				This signature acknowledges a visit by a Data Collector or Assessor												
Year	Code	Description		Amount		Code	Description	Number	Amount	Comm Int										
Total				0.00																
ASSESSING NEIGHBORHOOD																				
Nbhd		Nbhd Name		B		Tracing		Batch												
1021																				
NOTES																				
POWER LINES/TOWERS IN REAR YRD				2ND FL DEN OPEN TO FOYER																
5%ECONOMIC DEP				NO CLOSET																
2002 VACANT				KIT(HW/FORMICA)																
9'CEILINGS 1ST FL				GL16 ADD WDK																
2STY LR/FOYER				CORRECT FOP 2 FT IS STAIRS																
SOME CROWN/MBR JACUZZI																				
BUILDING PERMIT RECORD										VISIT / CHANGE HISTORY										
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments		Date	Id	Type	Is	Cd	Purpost/Result					
4500	09-22-2003	RS	Residential	1,200	06-03-2003	100		12 X 12 SHED		05-19-2016	JH	1		01	Measur+1Visit					
5197	03-25-2003	NC	New Construct			100		C.O.		11-01-2004	AC			50	BP Inspected Int and Ext					
1110	10-12-2001	CV	Permit	7,500		100		GAS FHA HEAT		06-03-2003	AC			00	Measur+Listed					
986	10-01-2001	CV	Permit	7,500		100		PLUMBING 2.5 BA		06-10-2002	PD			35	Data Conv Data Conver					
1661	07-09-2001	CV	Permit	4,800		100		WIRE NEW DWELLI												
2633	04-09-2001	CV	Permit	126,600		100		NEW SF 33 X35												
LAND LINE VALUATION SECTION																				
B	Use Code	Description	Zone	D	Front	Dept	Land Units	Unit Price	I Factor	SA	Cond.	ST.Idx	Adj.	Notes	Special Pricing		S Adj	Adj. Unit	Land Value	
															Spec Use	Spec Cal				
1	1010	Single Family	R-15	1			0.440	AC	136,400	1.91853	5	0.85	9	1.050	POWER LINE TOWERS I		0	1.000		102,800
Total Card Land Units							0.4400	AC	Parcel Total Land Area					0.4400	Total Land Value					102,800

Property Location 12 SIMMS RD  
 Vision ID 5155

Account # 1053301

Map ID 2-3/ 9/ 1A/ /

Bldg # 1

Bldg Name  
 Sec # 1 of 1

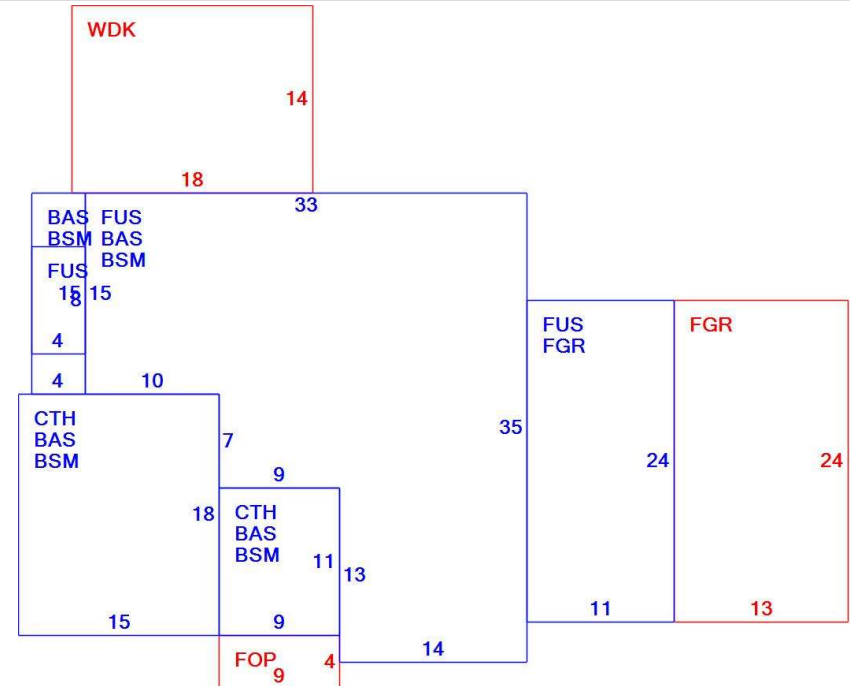
Card # 1 of 1

State Use 1010  
 Print Date 1/13/2021 10:23:00 A

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Style:	03	Colonial			
Model	01	Residential			
Grade:	07	B-			
Stories:	2	2 Stories			
Occupancy	1				
Exterior Wall 1	25	Vinyl Siding			
Exterior Wall 2					
Roof Structure:	03	Gable			
Roof Cover	03	Asph/F Gls/Cmp			
Interior Wall 1	05	Drywall			
Interior Wall 2					
Interior Flr 1	12	Hardwood			
Interior Flr 2	14	Carpet			
Heat Fuel	03	Gas/Oil			
Heat Type:	04	Forced Air-Duc			
AC Type:	03	Central			
Total Bedrooms	02	2 Bedrooms			
Total Bthrms:	2				
Total Half Baths	1				
Total Xtra Fixtrs	1				
Total Rooms:	7				
Bath Style:	02	Average			
Kitchen Style:	02	Average			
Whirlpool Tub	1				
# Fireplaces	1				
Fin Bsmnt Area					
Fin Bsmt Qualit					
Fin Bsmt Qualit					
Bsmt Garage					
Fin Bsmt Area2					

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)										
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value
SHD1	Shed Wd Res	L	144	12.54	2003	G	75		0.00	1,400

BUILDING SUB-AREA SUMMARY SECTION							
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value	
BAS	First Floor	1,267	1,267	1,267	73.60	93,252	
BSM	Basement	0	1,267	254	14.75	18,694	
CTH	Cathedral Ceiling	0	369	19	3.79	1,398	
FGR	Garage, Attached	0	576	231	29.52	17,002	
FOP	Porch, Open, Finished	0	36	7	14.31	515	
FUS	Upper Story, Finished	1,134	1,134	1,134	73.60	83,463	
WDK	Deck, Wood	0	252	38	11.10	2,797	
Ttl Gross Liv / Lease Area		2,401	4,901	2,950		217,121	





# Town of Berlin

## Planning and Zoning Department

240 Kensington Road  
Berlin, Connecticut 06037  
www.town.berlin.ct.us

ZIP # \_\_\_\_\_  
Town of Berlin  
Address: \_\_\_\_\_  
Received

NOV 23 2020

Planning & Zoning Department  
Berlin, Connecticut

### CERTIFICATE OF ZONING COMPLIANCE

#### FOR RESIDENTIAL FENCING (including REQUIRED POOL FENCING)

In accordance with Connecticut General Statutes:

Notice is hereby given to the applicant that under CGS 8-3(f) No building permit or occupancy shall be issued for a building, use or structure subject to the zoning regulations of a municipality without certification in writing by the official charged with the enforcement of such regulations that such building, use or structure is in conformity with such regulations or is a valid nonconforming use under such regulations. Such official shall inform the applicant for any such certification that such applicant may provide notice of such certification by either (1) publication in a newspaper having substantial circulation in such municipality stating that the certification has been issued, or (2) any other method provided for by local ordinance. Any such notice shall contain (A) a description of the building, use or structure, (B) the location of the building, use or structure, (C) the identity of the applicant, and (D) a statement that an aggrieved person may appeal to the zoning board of appeals in accordance with the provisions of section 8-7. ☐

And

CGS 8-7 ☐ An Appeal may be taken to the zoning board of appeals by any person aggrieved or by any officer, department, board or bureau of any municipality aggrieved and shall be taken within such time as is prescribed by a rule adopted by said board, or, if no such rule is adopted by the board, within thirty days, by filing with the zoning commission or the officer from whom the appeal has been taken and with said board a notice of appeal specifying the grounds thereof. Such appeal period shall commence for an aggrieved person at the earliest of the following: (1) Upon receipt of the order, requirement or decision from which such person may appeal, (2) upon the publication of a notice in accordance with subsection (f) of section 8-3, or (3) upon actual or constructive notice of such order, requirement or decision ☐ ☐

Property Owner(s)\*: DAVID & CHRISTINE LALLIER  
Project Address: 12 SIMMS RD. KENSINGTON  
Map: 2-3 Block: 9 Lot: 1A Zone(s): R-15 Lot Area: 0.44

#### Applicant Information

Name: DAVID LALLIER Firm Name: \_\_\_\_\_  
Street Address: 12 SIMMS RD. City: \_\_\_\_\_ ST: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email: DAVELALLIER@YAHOO.COM Phone: \_\_\_\_\_  
Signature: David Lallier Date: \_\_\_\_\_

#### Property Owner(s) Information (If Not the Applicant)

Name: \_\_\_\_\_ Principal: \_\_\_\_\_  
Street Address: \_\_\_\_\_ City: \_\_\_\_\_ ST: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email: \_\_\_\_\_ Phone: \_\_\_\_\_

\*Letter of Authorization Required

\*Any town official and/or employee that the town deems necessary may enter the property to verify information submitted with this application.

Description of Proposed Fence and Location: INSTALL 6FT. FENCING ALONG SIDE YARD ABUTTING LINCOLN ST 90FT OF FENCING TO REPLACE ABORUITAES CUT DOWN BY EVERSOURCE. EVER SOURCE IS PAYING FOR FENCE & INSTALLATION. FENCING WILL STOP APPROXIMATELY 80 FT FROM CORNER OF LINCOLN & SIMMS.

ADDRESS: 12 Simms Rd.

# **ZONING STATISTICS**

ZONE: \_\_\_\_\_

*It is the responsibility of the property owner to locate the property lines. IF a location survey or staking of the structure has been waived for this proposal, and a subsequent survey shows the regulations have not been met; the owner is responsible to remove or relocate the fence in conformance with the requirements and approval.*

	<u>REQUIRED/ALLOWED</u>	<u>PROPOSED</u>	<u>Dept. Initials</u> Staff use only
Distance from property line(s)	---	3 FEET	
Length along right side of lot	---	90 FEET	
Length along rear of lot	---		
Length along left side of lot	---		
Length along front	---		

Height of fencing in required front yard	3 feet		
Height in required side & rear yard	6 feet	6 FEET	

Is the property a corner lot?	<u>Yes</u>	No	
Easement or right-of-way on the property? <sup>1</sup>	<u>Yes</u>	No	
Wetlands on the property or within 50'?	Yes	<u>No</u>	
Septic system and/or well on the property?	Yes	<u>No</u>	

1. By initialing this statement, you are certifying that all applicable records, including Town Land Records, have been checked and to the best of your knowledge no rights-of-way, easements or other encumbrances are identified that would prevent the location as shown on this application and attached plan. Should an encumbrance be identified after construction, I will hold harmless the Town of Berlin and remove/relocate the structure to remedy the situation. [Signature]  
(applicant/owner initial)
2. All municipal property taxes are paid in full at this location in accordance with Article 5, §4-40 local ordinance of the Town of Berlin.

ok per S.P. email 12/3/20  
Collector of Revenue Date

NOTE: This form is for zoning compliance ONLY. The owner &/or applicant is responsible to obtain any other agency's authorization in relation to the proposal.

## **To be completed by P&Z staff only:**

*This application is approved for compliance with the Berlin Zoning Regulations as proposed; the applicant is responsible to obtain any other approvals necessary for its installation and install the fencing as approved.*

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

Fee Paid \$ 50.- (Refer to current Fee Schedule)

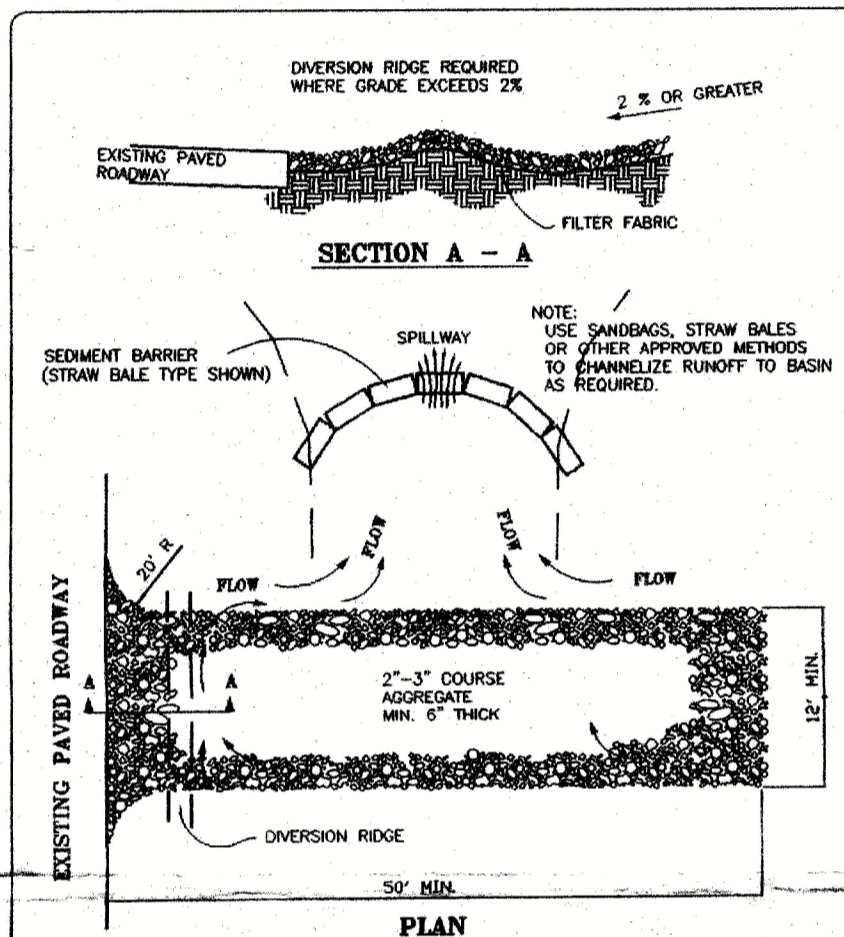
Received by: fms

**Town of Berlin  
Received**

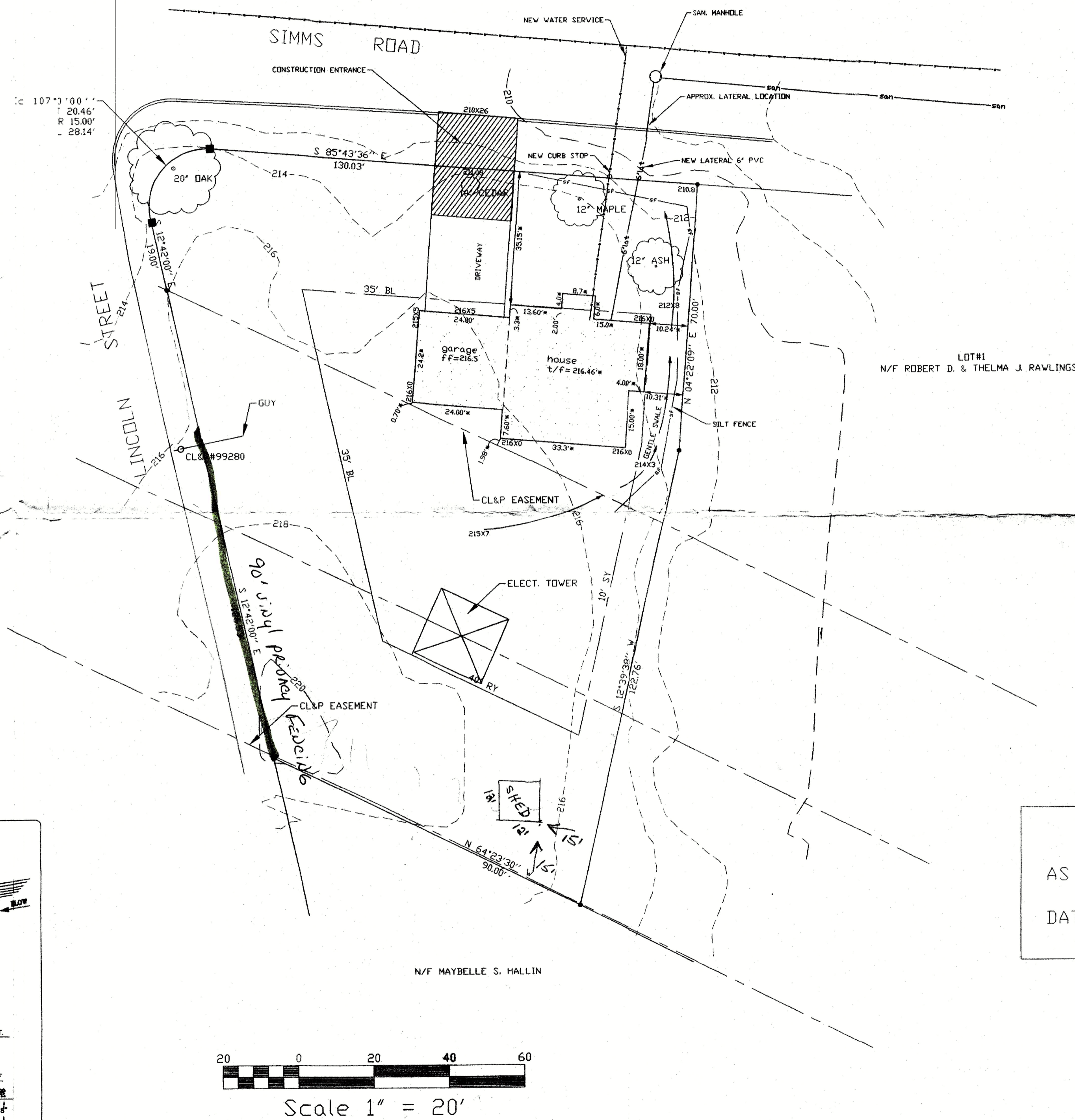
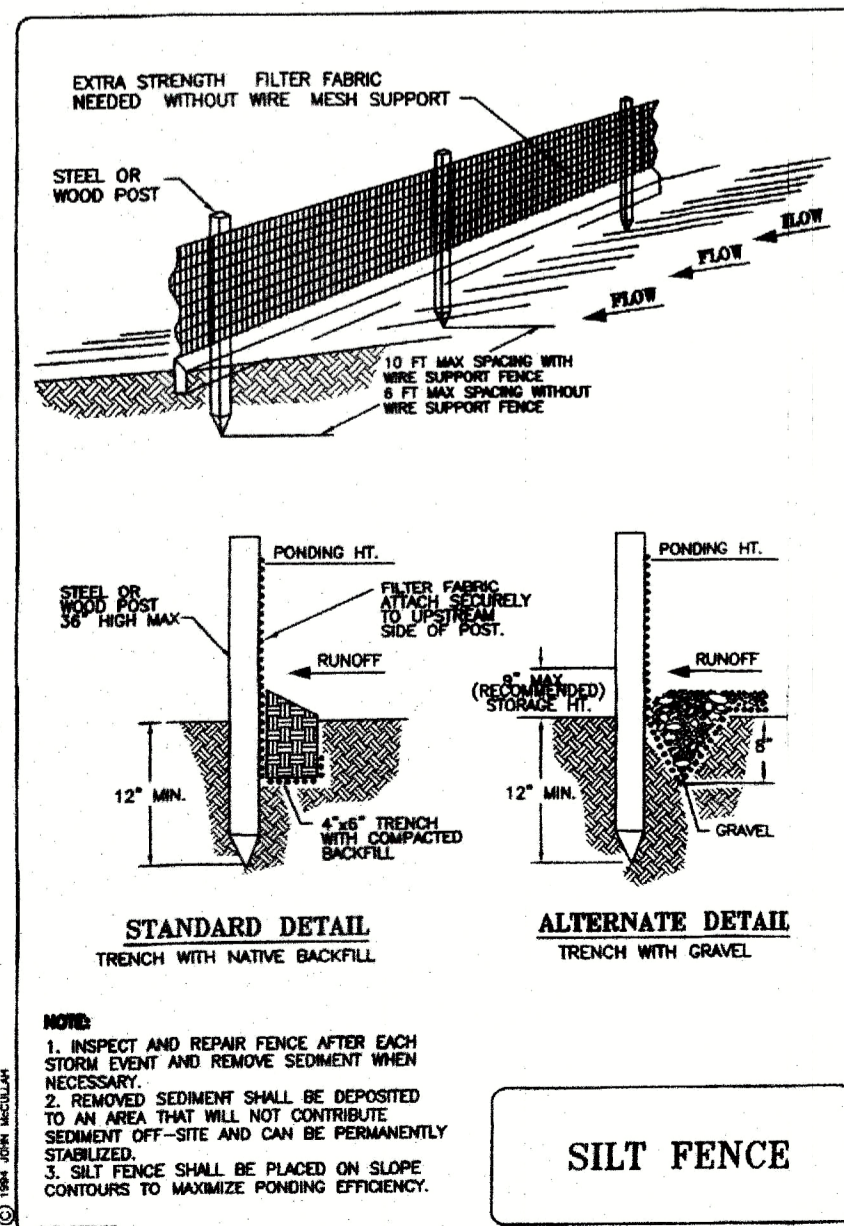
**NOV 23 2020**

NOTES:  
FOUNDATION DIMENSIONS ARE SHOWN FOR GENERAL REFERENCE ONLY.  
THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL DRAWNGS  
FOR EXACT MEASUREMENTS. DO NOT SCALE  
DO NOT CHANGE THE ELEVATION OR LOCATION OF THE HOUSEWITHOUT  
PRIOR APPROVAL OF THE ENGINEER.  
PLACE FOOTINGS ON VERGIN SOIL OR SPREAD FOOTINGS ON CIMPACTED GRAVEL.  
1. LOT TO BE SWALED ALONG THE PROPERTY LINE  
2. ELEVATIONS TO USGS  
3.LOT AREA = 20,770.72 S.F. W/ ACCESS

SOIL NOTES:  
1. INSTALL SILT FENCES AND SEDIMENTATION MEASURES PRIOR  
TO STRIPPING TOPSOIL.  
2. LOCATIONS AND CONTROLS ARE MINIMUMS. ADDITIONAL CONTROLS  
SHALL BE INSTALLED AS DIRECTED OR ON AN AS NEEDED BASIS TO  
INSURE ADEQUATE CONTROL OF RUNOFF AND SILT.  
3. MINIMIZE DISTURBED AREAS TO THE GREATEST EXTENT POSSIBLE.  
4. PROVIDE TEMPORARY ANNUAL GRASS SEEDING FOR AREAS TO BE  
LEFT EXPOSED FOR AN EXTENDED TIME PERIOD.  
5. UTILIZE GROUND CONTOURS AND EXISTING VEGETATION TO CHANNEL  
AND CONTROL RUNOFF.  
6. PERMANENT SEEDING SHALL BE BETWEEN 4/1 AND 6/1 PLUS  
5/15 AND 9/15 IN ANY GIVEN YEAR.  
7. FERTILIZER, LIME AND MULCH SHALL BE USED TO ESTABLISH  
GROWTH.  
8. REMOVE CONTROLS AFTER PROJECT COMPLETION.



LEGEND	
X 76.2	EXIST. SPOT GRADE
76.2	PROPOSED SPOT GRADE
● I.P. FND.	IRON PIPE FOUND
● I.P. SET	IRON PIN SET
● M.N. FND.	MONUMENT FOUND
● M.N. SET	MONUMENT SET
○ SAN. MH.	SANITARY MANHOLE
BIT.	BITUMINOUS CONCRETE
C.B.	CATCH BASIN
R.C.P.	REINFORCED CONCRETE PIPE
Y.D.	YARD DRAIN
T/F	TOP OF FRAME
F.F.	FINISHED FLOOR
F/L	FLOW LINE
INV.	INVERT
T.G.	TOP OF GRATE
V.V.	WATER VALVE
N/V	NEW OR FORMERLY
STM	STORM
HYD	HYDRANT
V	VATER
C.C.	CONCRETE
P.V.C.	POLYVINYL CHLORIDE PIPE
H.D.P.E.	HIGH DENSITY POLYETHYLENE
PROPOSED LIGHT FIXTURE WALL OR POLE TYPE	YARD LIGHT
RL	ROOF LEADER
M.H.	MANHOLE
T	TANGENT
R	RADIUS
L	LENGTH
LC	LENGTH
LC	LENGTH
TYP.	TYPICAL
SAN.	SANITARY
-WP	WATER LINE
W	WATER SERVICE
SEVER LATERAL	SEVER LATERAL
S	SLOPE IN FEET/FOOT
N	NUMBER
BIT.	BITUMINOUS
C.C.	CONCRETE
P.V.C.	POLYVINYLCHLORIDE PIPE
H.D.P.E.	HIGH DENSITY POLYETHYLENE PIPE
X-SECTION CROSS SECTION	N.T.S. NOT TO SCALE
N/V	NEW OR FORMERLY
STM	STORM
T.G.	TOP OF GRATE
FND.	FOUNDATION
Y.D.	YARD DRAIN
RY	REAR YARD
SY	SIDE YARD
BL	BUILDING LINE
S/V	SILT FENCE



AS BUILT FOUNDATION ONLY \*

DATE 4/24/01 BY rch

MAP CERTIFICATE:  
THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS  
OF CONNECTICUT STATE AGENCIES-"MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ENDORSED  
BY THE CONNECTICUT STATE ASSOCIATION OF LAND SURVEYORS, INC. THIS MAP CONFORMS TO A HORIZONTAL ACCURACY CLASS  
OF A-2. THE SURVEY TYPE IS RESURVEY, BASED ON EXISTING MAPS AND FIELD EVIDENCE.  
AND IS INTENDED TO BE USED FOR PLOT PLAN DESIGN.

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

RODERICK D. HEWITT L.S. #6432

PLOT PLAN  
LAND OF  
JOHN PERZAN  
LOT 1A BLOCK 9  
SIMMS ROAD AND LINCOLN STREET  
BERLIN CONNECTICUT  
RODERICK D. HEWITT  
Consulting Engineer & Land Surveyor  
470 New Britain Road  
Kensington, Connecticut  
860-828-3200



PROJECT NO.  
93037A

SHEET NO.  
1 OF 1

CALL BUD  
(CALL BEFORE YOU DIG)  
TO LOCATE BURIED UTILITIES  
1-800-922-4455  
203-281-5435  
OUTSIDE CONN.

4/24/01 ob fnd

DATE

FILE NAME

DRAWN BY

SHEET NO.

## Adam Levitus

---

**From:** David Lallier <davelallier@yahoo.com>  
**Sent:** Thursday, January 14, 2021 10:16 PM  
**To:** Adam Levitus  
**Subject:** Fw: Eversource Fence Commitment- 12 Simms Road, Berlin

Just received this letter this evening Adam .  
Thanks.

[Sent from Yahoo Mail on Android](#)

----- Forwarded Message -----

**From:** "Cyr, Paul" <PCyr@trccompanies.com>  
**To:** "davelallier@yahoo.com" <davelallier@yahoo.com>, "clallier51@gmail.com" <clallier51@gmail.com>  
**Sent:** Thu, Jan 14, 2021 at 7:22 PM  
**Subject:** Eversource Fence Commitment- 12 Simms Road, Berlin

Mr. and Mrs. Lallier,

As previously discussed, Eversource has agreed to install a fence in place of compatible vegetation where incompatible vegetation was removed along the west property line of 12 Simms Rd, Berlin, Connecticut. The proposed fence will be installed on your property, parallel with Lincoln Street relatively perpendicular to the Eversource easement. See aerial view below with an orange line indicating the proposed fence installation location. The provided view is not to scale and the proposed location is approximate.

Installation will be contingent upon you receiving Town of Berlin approval, requesting and acquiring the appropriate town permits (if required by the Town Building and Zoning Department), and the survey/identification of your property line as well as identification of any private property subsurface hazards such as but not limited to irrigation lines, invisible dog fence wires, buried outdoor lighting wires and/or conduits located within the proposed fence installation area. The installation contractor will be responsible for preclearing for public utilities through Call Before You Dig (CBYD) and the installation of the agreed upon fence design per the general construction details below.

Proposed Fence construction detail:

6' HIGH EASTERN ILLUSIONS V300 SOLID VINYL TONGUE AND GROOVE BOARD  
FENCE  
WITH CONCRETE POST FOOTINGS AND CLEARING OF BRUSH AS NEEDED TO  
INSTALL  
FENCE (88LF total).

12 Simms Rd, Berlin



Regards,

Paul Cyr

Paul Cyr

Project Closeout Coordinator – Vegetation Management

Contractor for Eversource Energy

888-673-9943 – [CTVegMaintenance@eversource.com](mailto:CTVegMaintenance@eversource.com)