

SEYMOUR PLANNING & ZONING COMMISSION

Regular Meeting Minutes
April 14, 2016
Norma Drummer Room, Town Hall

COPY RECEIVED
DATE: 4/21/16
TIME: 11:30AM
TOWN CLERK'S OFFICE

Members Present: J. Ziehl, W. Birdsell, J. Ziehl, T. Lavranchuk, J. Holly

Members Absent: B. Koskelowski, G. Vasas

Others Present: Bill Paecht, ZEO, Brian Nesteriak, Town Engineer,
Atty. V. Marino

The meeting was called to order at 7:30 p.m..

1. Public Comment.

Bailey Cooke stated that he spoke at the March meeting about the property at 38 Columbia Avenue which is no longer being handled by the Seymour Housing Authority. He stated that when the application was approved the parking requirements were reduced because the building was going to be managed by the Seymour Housing Authority. There is another entity that now manages the building. He felt that the parking requirements should now revert back to what is required there since it has no affiliation with the Housing Authority. He stated that he is hoping that the Commission will do something about this. Mr. Ziehl stated that it is the intention to address this matter this evening. Mr. Cooke stated that he was also concerned about the setbacks and the height of the building will be different than what was approved.

2. Rolling Hills Estates Subdivision, Section Two, Phase One (letter enclosed)

Don Smith, representing Baker Residential was present and stated that they are requesting a 180 day extension to record the mylar. He stated that they are not in a position to post the bond at this time and are asking for the full 180 day extension.

MOTION: T. Lavranchuk/J. Holly to grant the 180 day extension for Rolling Hills Estates Subdivision Section Two, Phase One.
Motion Carried 4-0.

3. Site Plan, Allen Industrial Park, 94-98 Silvermine Road.

Brian Nesteriak stated that they received a call from the engineer for this project indicating that they are still preparing the plans and asking to have the matter tabled.

MOTION: T. Lavranchuk/J. Holly to table to the May meeting.
Motion Carried 4-0.

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4.. Subdivision Application, Regional Water Authority.

Nick Zito, Forester for the Regional Water Authority was present and stated that they received a letter from the Health Department regarding their application. Mr. Birdsell stated that he spoke with Bob Looker regarding this and Mr. Looker indicated that there is no problem with this and the mylar can be signed.

5. Site Plan, 600 Derby Ave., Sale of Landscaping, Garden and Stone Supplies.

Mr. Nesteriak stated that the annual inspection was done. He stated that the quarry operation is not really going on at this time. He stated that the inspection is really separate from this application. He stated that he has reviewed the plans and he has some additional comments. He stated that he has been in touch with the engineer about some items. Mr. Nesteriak asked to have the application tabled to the next meeting to take care of the final issues. He stated that he does not believe that there is a wetlands issue since it is at least 100 feet from the wetlands area. He also stated that the Inland Wetlands Commission chairman has not seen the plans. Mr. Nesteriak stated that all work will be outside of the regulated area. Atty. Marino stated that even though it is outside the regulated area if it is determined that it will have an impact it would be best to refer it to Inland Wetlands for review.

MOTION: W. Birdsell/T. Lavranchuk to table to the next meeting.
Motion Carried 4-0.

6. Chatfield Farms Subdivision, Discussion with Developer.

Mr. Ziehl stated that a letter was sent to the developer to be present at this meeting. There was no one present for this matter. Mr. Birdsell stated that this was originally approved with sidewalks and that has not been done and the road work also needs to be done. Mr. Nesteriak stated that there are several things that need to be done at this subdivision. He stated that their approval will expire in July of this year. Mr. Birdsell stated that it was his understanding that there are no more extensions that can be given. Mr. Nesteriak stated that since no one has shown up and a letter was sent to the developer to be present at this meeting, the Commission could call the bond. Atty. Marino stated that it would be his recommendation to send a letter that the bond will be called. He stated that he will review the file and comment further at the next meeting. ~~ed on the site for the storage of landscaping products. There will also be an outdoor co~~

7. Lot Line Revision, 7-9 North Benham Road (letter enclosed)

Bob Rich, 9 North Benham Road was present and stated that he received approval from the ZBA for two variances. He stated that No. 9 North Benham Road was an interior lot and he has now acquired a piece of land adjacent to the lot. He stated that this will now make this a street lot. He stated that they will also be able to use the driveway that has been used. There are no changes to anything on these two lots. He

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stated that the zoning regulations previously allowed two access strips and now with the revised regulations only one access strip is necessary. The proposed lot line revisions will make the property more conforming. He stated that he is just asking for a lot line revision. Mr. Nesteriak stated that a mylar would not be required. Atty. Marino stated that the Commission could act on this and make it a condition of the approval that there is no appeal to the ZBA approval.

MOTION: J.Holly/T. Lavranchuk to approve the lot line revision condition upon no appeal to the ZBA approval.
Motion Carried 4-0.

MOTION: J. Holly/T. Lavranchuk to add Item #8 to Item #13, Commissioner's Comments.
Motion Carried 4-0.

9. Plan of Conservation and Development Discussion.

Mr.Ziehl stated that he received an e-mail with a time line for completion of the Plan of Conservation and Development. The draft of the Plan must be ready by May 12, 2016.

10. Zoning Enforcement

Mr. Paecht presented his report for the month of March. He stated that he has been getting a lot of calls regarding keeping animals on a property.

11. Minutes, Regular Meeting, March 10, 2016

MOTION: T.Lavranchuk/W.Birdsell to approve the minutes of the March 10, 2016 meeting.
Motion Carried 4-0.

12. Public Comment

Mr. Ziehl stated that the Commission has heard from a number of individuals last month and this evening regarding the property on Columbia Street. Atty. Marino stated that he looked into this and the application was originally filed according to the affordable housing statute, CSG Section 8-30g. He stated that by filing under that statute it is not subject to the zoning regulations. Therefore regarding the parking, height and setbacks there is nothing that can be done about that. He also stated that there was no appeal ever taken on the approval. Mr. Ziehl stated that this Commission has no further jurisdiction over this property. Atty. Marino stated that with respect to the approval nothing can be done. He did state that if there are any violations then the ZEO could look into those. Mr. Holly asked if a municipality can deny an application

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That has been filed under 8-30g. Atty. Marino stated that an application can only be denied if it is harmful to the public health, welfare or safety. He stated that if a denial is made the reasons for the denial must be thoroughly explained. Bailey Cooke stated that the project on Columbia Street was approved several years ago. He asked if the height or setback will be investigated. Atty. Marino stated that if what was approved is not what was built then the staff could look into that.

13. Commissioner's Comments

Mr. Ziehl stated that there are State statutes that would allow for the tightening up of our zoning regulations and Atty. Marino is looking into that. Atty. Marino stated that he is reviewing the wetlands regulations and the zoning regulations can also be modified. He stated that after review he can prepare a draft for the Commissioners to discuss. He stated that after that a public hearing will be scheduled and then the Commission would vote on whether or adopt or reject the regulations. He stated that he is also looking into the budget to make sure that there are funds available to do a proper review.

MOTION: T. Lavranchuk/W Birdsell to adjourn the meeting at 8:30 p.m..
Motion carried 4-0.

Respectfully submitted,


Maryanne DeTullio