

## SEYMOUR PLANNING & ZONING COMMISSION

Regular Meeting Minutes  
October 11, 2018  
Norma Drummer Room, Town Hall

**Members Present:** J.Ziehl, W. Birdsell, J. Niezelski, J. Brennan, L. Sloat

**Member Absent:** T.Lavranchuk, C. Bowen

**Others Present:** Bill Paecht, J. Baldwin

The meeting was called to order at 7:30 p.m. by Chairman, J. Ziehl.

**MOTION:** W. Birdsell/J. Niezelski to seat L. Sloat as a regular member.  
**Motion Carried 5-0.**

**MOTION:** J. Brennan/J. Niezelski to add Commissioner's Comments to the agenda.  
**Motion Carried 5-0.**

**MOTION:** W. Birdsell/J. Brennan to remove Item No. 9 from the agenda.  
**Motion Carried 5-0.**

**MOTION:** W. Birdsell/J. Brennan to add appointment of ZEO to the Agenda.  
**Motion Carried 5-0.**

### **4. ZEO Report**

Mr. Paecht presented his report and stated that it has been very busy with the vineyard which is on the next phase and they are moving forward with that. He stated that he has been getting a lot of phone calls. He also stated that work on Wendy's has started.

### **5. Public Comment**

Lee Heller, 34 North Street asked if there will be anymore blasting at the new Wendy's. She stated that she had some damage at her home; a water main broke in her driveway. J. Ziehl stated that there is nothing that the Commission can do about that.

Robert Branch, 29 Broad Street, neighboring property to Wendy's stated that the smell from a fast food franchise will negatively impact the enjoyment of his property. J. Ziehl stated that the appropriate time to make those comments would be at the public hearing.

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### **6. Approval of Minutes, September 13, , 2018**

**MOTION:** W. Birdsell/J. Niezelski to approve the minutes of the September 13, 2018 regular meeting.  
**Motion Carried 5-0.**

### **7. 160 Bank Street – Wendy’s Restaurant; Public Hearing Required.**

**MOTION:** W. Birdsell/J. Niezelski to schedule a public hearing On November 8, 2018 at 7:00 p.m.  
**Motion Carried 5-0.**

### **8. 46 & 100 Roosevelt Drive Multi-Use Site - Phase 2 Site Plan Consideration; tabled from September 13, 2018 meeting.**

There was no one present regarding this matter.

### **10. Correspondence**

There was no correspondence to review.

### **11. Commissioner Public Comments.**

J. Brennan stated that he was concerned about some action that the Commission has taken and if it is setting precedent. He also asked if legal counsel will be attending the meetings to advise the Commission.

B. Paecht stated that any questions or concerns that a member has can be presented to legal counsel prior to the meeting. He also stated that the you can request from the First Selectman that you would want legal representation present at meetings. J. Brennan stated that he would like to have legal counsel at meetings. J. Ziehl stated that if there is an application that would require legal counsel, a member can call the First Selectman and request legal counsel be present at the meeting. B. Paecht stated that if there is a concern with an application can get a letter from the attorney with a legal opinion.

### **12. Appointment of ZEO.**

B. Paecht stated that Bob Looker always had an Assistant ZEO. J. Baldwin has offered to step in and do the job. There is a need for more than one. He stated that he would recommend that Jim Baldwin be re-appointed as assistant with no salary or mileage. J. Baldwin stated that he is working out of the Code Compliance Office and it is important to have all officers react to all situations. He also stated that the Board of Selectmen would said that they can all act on situations. W. Birdsell stated that the Board should make sure that the individual is qualified. J. Baldwin stated that the appointment of the ZEO is done by the Planning & Zoning Commission. Mike Marganski stated that he is primarily in the field and not in the office.

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B. Paecht stated that the office has been very busy. J. Baldwin stated that it would be good to have more than one person who can respond at a time. M. Marganski stated that he has been the Wetlands Enforcement Officer since 2012 and has over 20 years of experience in the field. J. Brennan asked who is picking up the Town Planner work. J. Baldwin stated that Bryan Nesteriak is and he also stated that Valley COG is looking to bring on a full time planner.

B. Birdsell stated that he would like to have the First Selectman comment on this matter. J. Baldwin stated that you have to refer to the zoning regulations and the interpretation of the regulation. L. Sloat asked if there were standard procedures in place. M. Marganski stated that they all work together as a team. J. Baldwin stated that they work on blight, zoning violations, code compliance and ordinance compliance.

**MOTION:** J. Ziehl/J. Niezelski to install M. Marganski and J. Baldwin  
As Assistant Zoning Enforcement Officers.

**Motion Carried: 4-1 with W. Birdsell opposed.**

**MOTION:** J. Ziehl/J. Niezelski to adjourn the meeting.

**Motion Carried: 5-0.**

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

  
Maryanne DeTullio, Recording Secretary