

COPY RECEIVED
DATE: 12/18/20
TIME: 8:00 AM
TOWN CLERK'S OFFICE

**Seymour Planning and Zoning Commission
Regular Meeting 12-10-20
Zoom Meeting/ Norma Drummer Room**

Members Present: Joe Ziehl, Tom Lavranchuk, Jamie Brennan, Richard Peck

Members Absent: Leon Sloat,

Others present: Keith Rosenfeld, Michael Marganski, Bryan Nesteriak, Jesse Judson

1. Call to Order

Meeting was called to order at 7:01pm.

2. Pledge of Allegiance

All recited the pledge.

3. Seating of Alternates

There were no alternates to be seated.

4. Public Comment

There was no public comment.

5. Approval of Public Hearing Meeting Minutes; September 10th, 2020

Joe Ziehl asked for a motion to approve the meeting minutes.

Motion by: Jamie Brennan

Seconded by: Tom Lavranchuk

All in favor. Motion Passes.

6. Approval of Regular Meeting Minutes; September 10th 2020

Jamie Brennan asked if Bill Peck was at that meeting, and if not it should be Richard Peck the Commissioner.

Joe Ziehl asked for a motion to approve the minutes as revised for the Regular Meeting.

Motioned by: Tom Lavranchuk

Seconded by: Jamie Brennan

All in favor. Motion passed.

7. Lot Line Adjustment; 31,39, and 47 Silvermine Road

Jesse Judson explained the application is for lots 11, 12, and 13 of the Industrial Park. The owner would like to merge these 3 parcels, which would allow for greater redevelopment of future parcels. Merging would be the first step, and is already approved by the Board of Selectman. Once it is merged, there will be a site plan modification that will come before this Commission because it allows for a larger building addition than originally proposed.

Keith Rosenfeld said the application, as he sees it, is simply merging 3 lots into one. Currently, 31 Silvermine Rd has an existing building on it. In his September 30th, 2020 memo, he recommended the Commission approved such a change because it is not a significant change. He does not see any negative impacts on it.

Joe Ziehl asked for any questions from the Commissioners, and seeing none asked for a motion to approve.

Motion by: Tom Lavranchuk

Seconded by: Jamie Brennan

All in favor. Motion passes.

8. 19 Beach Street; Site Plan/Enforcement Action. Result of a cease and desist order from the ZEO. Decision required to be made by November 12th, 2020.

No one from this Enforcement Action was present at this meeting.

Keith Rosenfeld said that on Sept 24th 2020, he and Nesteriak had written a list to the applicant. He had not received any amended plans from the engineer of this project. Mr. Nesteriak did not have any amended plans either.

Mike Marganski said that this was an enforcement action from November 2019. The applicant was allowed to come before the Commission and submit a site plan. There was a significant delay because of the COVID pandemic, however, the applicant was in Florida at one point and later said he would be at the next meeting. The applicant was not heard from since. Marganski recommends that this Commission acts on enforcement action.

Rosenfeld said there was no other option, other than to deny it, as his memo stated from Dec 8th 2020 memo. Keith Rosenfeld read the Dec 8th, 2020 memo from himself, into the record.

Commissioners, I submit the following final comments of the above reference proposed parking site plan at 19 Beach Street.

1. The applicant has not provided a report from a certified soil scientist, either identifying wetland soils from the property or statement that there are no wetlands on the property.
2. The applicant has not provided a zoning table that is required to be placed on a site plan, stating all general bulk and lot requirements for the C2 zoning district showing how the property meets them for the plot plan standards.
3. Applicant has not accounted for areas not covered by either the principle building, accessory building, or pavement and shall place either ground cover or plantings on that site plan.

4. The applicant has not demonstrated to the Commission that the proposed development can adequately be accommodated on the site and integrated into the neighborhood, considering the properties physical site conditions, its site access, and the intensity and character of the operation.
5. Proposal shows grading within 5 feet of the property line which is prohibited by the zoning regulations.
6. Proposal shows parking to be within 25 feet of the right of way, which is prohibited by the zoning regulations.

In his memo, it is Rosenfeld's recommendations that they deny this application for the above reasons.

Joe Ziehl asked for a motion to deny this site plan and move forward with enforcement action for 19 Beach St.

Motion to deny by: Jamie Brennan

Seconded by: Tom Lavranchuk

All in favor. Motion passes.

9. Kimmer Subdivision; 3-Lot Subdivision. Discussion of proposed subdivision, referral to Town Planner and Town Engineer. Possible scheduling of Public Hearing.

Scott Kimmer presented to the commission the 3 lot subdivision application. All maps have been changes to show the concerns that Bryan Nesteriak had for it.

Bryan Nesteriak said he submitted comments during the wetlands application and received a call from Kimmer's engineer. They spoke about the Brooke St. Culver that commonly floods during smaller storms. Nesteriak's recommendation was that the storm water was revised so that that flooding does not get any worse. He received plans 3 hours ago, so he has not looked at them yet, but is able to look at them over the next month.

Rosenfeld said that the best thing to do would be get a letter of extension from Mr. Kimmer and have Mr. Nesteriak look over the revised plans and meet back at the next meeting. He said in his opinion, he does not think there is a need for the public hearing.

Ziehl asked what the surrounding properties were, and if they were all residential.

Rosenfeld said they are all residential.

Nesteriak said that other than the drainage, which is easy to adjust, there isn't anything to concerning which would warrant a public hearing.

The Commission asked Mr. Kimmer to send a letter to allow them to continue this matter to the next meeting.

Joe Ziehl asked for a motion to continue this matter to the next meeting.

Motion by: Richard Peck

Seconded by: Tom Lavranchuk

All in favor. Motion passes.

10. Correspondence

No correspondence.

11. ZEO Report

Mike Marganski said that 20 New Haven Road appears to be on target for December 31st. Earlier in November, staff facilitated a meeting with Apple Development for a previously approved subdivision off of Bungay Terrace. They are anticipating a sale down at Stones Throw, which might go through and open up an American Cuisine line. There is an application that will go before Inland Wetlands, for demolition and a septic system at the former Pier 34. There was an inquiry of zoning districts on 132 Silvermine. There have been a lot of inquiries about Franklin St. near Stop and Shop. Most of the enforcement actions that have occurred over the last four or five months are now cleared. One enforcement action is pending.

12. Adjournment

Motion by Tom Lavranchuk

Seconded by Jamie Brennan

All in favor. Motion passes. Meeting adjourned at 7:35.