

## SEYMOUR ZONING BOARD OF APPEALS

Public Hearing and Regular Meeting Minutes  
February 1, 2018  
Norma Drummer Room, Town Hall

**Members Present:** Bob Seale, Christine Aliman, Paula Chapla,  
Jeff Hanewicz, Rick Demko

**Members Absent:** Phil Wilhelmy, Tom O'Neil

**Others Present:** Bill Paecht, ZEO

- 1. An application for a use variance to allow eight apartments over commercial in an RC-3 Zoning District to be served by a common septic system and a parking setback variance. These variances pertain to the property at 46-100 Roosevelt Drive.***

Robert Rich was present and submitted letters in support of the application. John Halligan, 36 Roosevelt Drive stated that he has lived there for many years and has seen what has happened to that land and knows the property very well. He stated that he likes what is going on there now and is in support of the apartments over the commercial. He felt this would be in the best interest of the Town to support the application.

R. Dunlap, 7 Falcon Drive stated that he strongly supports this project and felt it would be good for Seymour.

Zach Georgina, engineer for the project stated that they are proposing a commercial facility with eight units with parking behind the building and raised above the road level. He stated that parking for the vineyard will be on top. He pointed out the growing area. He stated that they are seeking a variance for multi-family on septic and not sewers and also a parking setback in the rear from 50 feet to 44.2 feet.

He stated that regarding the use variance there is a section in the regulations that addresses uses that are in Section 5.13. He stated that he spoke with Planning and Zoning and they ruled favorably that the use is allowed in other commercial zones in the Town. He stated that there is a statute that allows septic for multi-family and there would only be 5000 gals per day which would be within the limits. There are no sewers in this section of Seymour.

He stated that regarding the parking setback due to the topography and wetlands they are limited as to where the parking can be located. He stated that they are only asking for a reduction of six feet in order to meet the regulation. He stated that there will be three separate septic systems. There is currently water service but they are looking into wells. He also stated that this will be reviewed by Planning and Zoning, Valley

Health and the town engineer. He also noted that Valley Health will make the final decision on septic. He also noted that the parking setback does not affect any neighboring properties.

George Kalavos, owner of 137 Roosevelt Drive stated that he is very happy about the project but was concerned about the apartment complex with an impact on traffic. He felt that an additional eight units on this street may have an adverse impact on traffic. Mr. Seale stated that the Commission is just looking at the requested variances and Planning and Zoning will address other items including traffic.

Corey Foster, 115 Roosevelt Drive stated that the apartments on the second floor will cut down on the visibility from their house and asked if anything is being proposed for the water side. Mr. Seale stated that they are not asking for any height variance and water right should be addressed to P&Z.

MOTION: R. Demko/J. Hanewicz to close the public hearing.  
Motion Carried: 5-0.

**2. An application for a side yard reduction from 37.5 ft. to 25 ft. for Phase Two, Great Oak Residential Community 4 Spring Street and Summerbrook Way.**

Atty. Chris Smith, Shipman & Goodman was present representing Summit LLC. He stated that they are asking for one variance regarding setbacks in one location. Phase 1 consists of 34 units. He stated that they received approval in 2007 for Phase 2 for 22 units and ten units were constructed and sold the balance of the other twelve were never built. He stated that approval expired in 2016 and the applicant never asked for any extensions. He stated that they are now asking to have the twelve units reapproved. He stated that Inland Wetlands were concerned that the units were moved closer to the wetlands and denied the application which is now under appeal. He stated that they are working with the town attorney. He also noted that they received a letter from the neighbor at 10 Spring Street in support of the application to reduce the side setback from 37.5 feet to 25 feet. He stated that the hardship is the unique topography of the site with wetlands and a slope. He stated that Planning and Zoning really had no issues and they are waiting for the decision from this Commission and Inland Wetlands.

MOTION: P. Chapla/R. Demko to close the public hearing.  
Motion Carried 5-0.

Respectfully submitted,



Maryanne DeTullio, Recording Secretary

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Rick Demko

Members Absent: Phil Wilhelmy, Tom O'Neil

- 1. Application for a use variance to allow eight apartments over commercial in an RC-3 Zoning District to be served by a common septic system and a parking setback variance. These variances pertain to the property at 46-100 Roosevelt Drive.**

Mr. Demko stated that this is a unique opportunity for Seymour and will do a lot for that area. He also noted that the town engineer and Inland Wetlands will be reviewing the septic issue.

MOTION: R. Demko/P. Chapla to approve the application.  
Motion Carried: 5-0.

- 2. An application for a side yard reduction from 37.5 ft. to 25 ft. for Phase Two, Great Oak Residential Community, 4 Spring Street and Summerbrook Way.**

MOTION: P. Chapla/J. Hanewicz to open discussion on this application.  
Motion Carried: 5-0.

Mr. Hanewicz stated that it makes sense as it is now further from the wetlands and only approving the setbacks. Mr. Seale noted that they modified the plans and have moved the cul-de-sac further away from what was originally proposed.

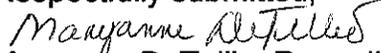
MOTION: J. Hanewicz/P. Chapla to approve the application.  
Motion Carried: 5-0.

- 3. Minutes Regular Meeting October 5, 2017.**

MOTION: P. Chapla/C. Alilman to approve the minutes of the  
October 5, 2017 meeting.  
Motion Carried: 3-0-1 with R. Demko and B. Seale abstaining.

MOTION: P. Chapla/J. Hanewicz to adjourn the meeting at 8:20 p.m.  
Motion Carried: 5-0.

Respectfully submitted,

  
Maryanne DeTullio, Recording Secretary