

**MINUTES**  
**Ordinance Public Hearing**  
**Tuesday, October 2, 2007 @ 7:00 PM**  
**Norma Drummer Room/Seymour Town Hall**

**Board of Selectmen members present: First Selectman Robert J. Koskelowski, John Putorti, Roberta King, Clifford Strumello, Paul Roy, and Frank Conroy.**  
**Not present: John Conroy.**

**Others present: Greg Kovacs, Chris Infurchia, Casimir Grusz, Eva Grusz, Joanne Frosceno, Sean Walsh, John Leon, Brian Koskelowski, Eleanor Hoffman, Frank Loda, Helen Knapp, Shellie Lee, Frankie Lee Jr., Monica Lee, and Jason Weaving.**

- **Everyone Saluted the Flag and Stated the Pledge of Allegiance.**

**ITEM # 1 - Open Public Hearing.**  
**The First Selectman opens the public hearing at 7:00 PM.**

**ITEM # 2 - Discussion of Revision of Section 8-58, Regulation of the Operation of Recreational Vehicles Ordinance.**

**DRAFT**  
Town of Seymour  
Revision of Section 8-58,  
Regulation of the Operation of Recreational Vehicles.

Purpose: To Regulate the Operation of Recreational Vehicles

Section 8-58:

The following shall be an Amendment added to the aforesaid section of the Seymour Code of Ordinance.

(B) No person shall operate a recreational vehicle within fifty (50) feet of the property line of adjacent land owners, publicly owned lands or streets and sidewalks. Violation of this section shall be subject to the following fine schedule.

- 1) Twenty Five (\$25.00) Dollars for the first offense.
- 2) Fifty (\$50.00) Dollars for the second offense.
- 3) Ninety Nine (\$99.00) Dollars and confiscation of the vehicle for the third offense.

(C) Any property owner that allows this action on their property will be cited with the violation and will be subject to the fine schedule.

Vehicles subject to this regulation shall be those defined as a "Recreational Vehicle" under section 8-48 of this code. However, battery operated vehicles designed for children under ten, which do not exceed a speed of five miles per hour during normal operation shall not be subject to the provisions of this Ordinance.

Enforcement of this Ordinance shall be by the Seymour Police Department. Any expenses incurred by the Town of Seymour as to the collection of fines shall be the further responsibility of the violator of this Ordinance.

Sean Walsh, 9 Swan Avenue: Has a problem with the 50 foot limit between properties. Mentions that he uses his ATV to plow snow.

Helen Knapp, 13 Spring Street: Is in favor of this ordinance due to living near a home on the corner of Pearl and Day Street where there is constant riding of motor bikes, without mufflers and there is always a large amount of dust and dirt in the air. Say's that sometimes they ride all day long.

Frank Lee, 384 South Main Street: Says that he rides with his son and that their bikes are very quiet and they do not disrespect their neighbors or break the law, but the 50 foot limit is too much.

Eleanor Hoffman, 13 Eleanor Road: Has come to the Board before about the neighbor in her neighborhood that have several kids that ride all day long and the terrible noise and dirt everywhere. Would like to know if the town has gotten anywhere with purchasing the noise meter.

First Selectman Robert J. Koskelowski: Responds that the Chief of Police did get prices on the noise meter and they are approximately \$2,500.00 and they are currently looking in the budget for funds to purchase it.

Sean Walsh, 9 Swan Avenue: If the kids can not ride on their own property, has the Town considered designating an area of land in Town for riding ATV's and have people sign release forms so the Town is not liable.

Chris Infurchia, 26 Heritage Drive: Does not feel that this Ordinance is fair to everyone. He understands that there are problems with some neighborhoods, but he uses his ATV's for lawn care. He uses his to plow his driveway, haul things and basically it is farm equipment. He also states that his machines are not loud and they are quieter than a lawn mower. He also feels that the motor bikes are a good focus for the children and it teaches them responsibility and not all of them misuse them.

Helen Knapp, 13 Spring Street: Her complaint is mainly the noise due to the motor bikes in her neighborhood not having mufflers.

Joanne Froscono, 11 Eleanor Road: The noise in her neighborhood is so horrible that her children can not even do their homework or read. The dirt is kicked up so much that the shrubs are covered and it is all over her property.

Frank Gabianelli, 11 Brook Street: Believes that this ordinance is not fair to everyone that does not misuse their ATV's. He also uses his to plow his driveway and does not want this ordinance passed the way it is.

Eleanor Hoffman, 13 Eleanor Road: Explains that the lots on her street are 80 by 150, very small. The kids/teenagers disturb the neighborhood so much it is unbearable. The adults involved are just as disrespectful and the noise and riding is constant, sometimes it is non stop from morning to night, seven days a week. They have basically built a race track in their back yard. She does understand that not everyone is like that, but how do you separate them.

**Frank Gabianelli, 11 Brook Street:** Does understand the issue on Eleanor Road, but still feels that everyone should not be punished.

**Frank Lee, 384 South Main Street:** Also upset over the 50 foot limit because his lot is small and then they cannot ride at all.

**Casimir Grusz, 12 Eleanor Road:** Says that the gasoline smell and the dust clouds are also a very big problem. They also drive motor vehicles on the property and rev the engines constantly. Also acknowledges that this is happening in other parts of town, not just Eleanor Road.

**Greg Kovacs, 22 Heritage Drive:** Says that there is a drought right now and there is going to be a lot of dust in the air.

**Eva Grusz, 12 Eleanor Drive:** States that it is not just dust clouds it is literally piles of dirt that is banked up against her shrubs and her property line.

**Frank Lee, 384 South Main Street:** Wants to know why the town can not send the Blight Officer over to the property on Eleanor Road and site them for the race track in the yard.

**Frank Conroy:** Understands everyone's point. He agrees that there are some responsible owners and there are a lot of areas with serious problems, example Eleanor Road and Pearl Street. He is not fully satisfied with this ordinance and does not agree with the 50 foot limit. He lives near the Heritage Drive area and agrees that he does not hear any noise from that area. He believes that noise is the biggest problem in some areas. He also does not think that there is enough open space to designate to ATV's and said, like everyone "Not in my backyard". Meaning that no one is going to want this around them.

**Paul Roy:** Agrees with Frank and feels that this ordinance should be re-written. Also wants a Blight Officer sent to the property on Eleanor Road that has the "race track".

**John Leon, 7 Applewood Drive:** Wants to know why the Police Department cannot get these kids on Breach of Peace or Disorderly Conduct or Creating a Nuisance?

**Joanne Frosceno, 11 Eleanor Road:** Says they call the Police, but they say that they can't really do anything.

**Robert J. Koskelowski:** The charges of Breach of Peace and Disorderly Conduct do not apply here due to certain definitions in the law. Most of the complaints are about noise, dust and the amount of hours that this happens. Does agree that this ordinance should be re-done and that the 50 foot limit is too much. Wants to make sure that the police get the noise meter as soon as possible. Also would like the noise ordinance updated and the noise decibels lowered.

Also is requesting that the residents here in attendance from both sides sit down with the town and try to work together to try and make this ordinance fair for everyone.

Asks that everyone signs in so we can contact everyone interested in meeting on this issue. This was the first initial draft and that it can be worked on by a group of residents that are interested. He would like the noise meter purchased immediately.

George Temple: Suggests that the police use their clothing drive fund to purchase the noise meter so the Town does not need to make a transfer.

John Leon, 7 Applewood Drive: The noise meter is a great idea, but he would also like to see more detail in the noise ordinance also.

Charles Romano, Holbrook Road: States that the DEP says that you can only ride ATV's on your own property. He has many ATV's for his family and they are extremely quiet and are never driven in his yard. He pays to ride them elsewhere.

The First Selectman thanks everyone for coming and for expressing their opinion on this matter. He will try to get a group together to work on this ordinance.

ITEM # 3 - Close Public Hearing.

The First Selectman closes the public hearing at 7:55 pm.

Submitted by,

Reviewed by,

Deirdre Caruso,  
Recording Secretary

Robert J. Koskelowski,  
First Selectman