

SEYMOUR PLANNING & ZONING COMMISSION

Public Hearing Minutes
April 11, 2013
Norma Drummer Room, Town Hall

Members Present: J. Baldwin, W. Birdsell, D. Bitso, B. Koskelowski,
T. Lavranchuk, P. Thompson, Alt.

Others Present: Bob Looker, Town Planner, Bill Paecht, ZEO, Eric Swift,
Nafis & Young

1. An application for a change in the zoning classification of the property at 2-4 New Haven Road from the present G1-2 zoning district to the CBD-1 Zoning District. An application for an amendment to Section 9.3.4(f) of the zoning regulations pertaining to parking within 25 ft. of the street line. An application for a special permit to relocate the existing pole sign and to allow the existing detached sign to remain. Each of these applications is related to a proposal for a convenience store and filling station on property known as 2-4 New Haven Road, therefore the hearings will be held concurrently. A map showing the area of the proposed zone change is on file with the Town Clerk. A copy of Section 9.3.4(f) of the zoning regulations as proposed is on file with the Town Clerk.

Attorney Dominik Thomas, 315 Main Street, Derby was present for the applicant. Atty. Thomas stated that the site plan portion of the application is not part of the public hearing process but they will speak about it. He stated that the site was a gas station and Sweets & Eats and has been vacant for a number of years. He stated that in order to develop the property they had to address some issues with respect to the zone. They are requesting a zone change. The proposal is for retail gas sales and a retail store which is a non-conforming use in the current zone. The requested change to CBD-1 would be an appropriate zone for this use. The zone would fit the site and the uses proposed. Mr. Koskelowski asked what tax revenues are generated from the current zone and Atty. Thomas stated that he did not know but could provide that information to the Commission.

Atty. Thomas stated that proposed text change to Section 9.3.4(f) would add language regarding parking requirements and would give the Commission discretion in handling that issue. He stated that he consulted with Mr. Looker and this would give the Commission sufficient discretion especially in the CBD-1 ones and the downtown area.

Atty. Thomas stated that they have discussed this project with DOT regarding ingress and egress from the site. There is a light at this location which is a pedestrian light. He stated that they have discussed this with DOT and presented a modification to them. This project requires an encroachment permit from DOT.

Mark Smith, engineer, stated that they will remove the existing buildings from the site and construct a new 2965 s.f. convenience store with the option for a drive-thru and pick-up window on the north side. There will be four pump stations under a canopy.

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There will be two curb cuts on Day Street and they proposed to make Day Street an entrance only. They discussed the proposed curb cuts on Route 67 with DOT and have provided a modification to allow right turns into the site but restrict exit to right out only. They propose to relocate the existing sign to the north side and reface the sign on the front. There will be full circulation movement throughout the site.

There was a discussion regarding the traffic light and Atty. Thomas stated that it will be a replacement light.

Mr. Smith presented a plan showing the proposed elevations and parking. They are providing 22 spaces which include 8 at the fueling stations. Mr. Baldwin asked the height of the retaining wall at the back of the site. Mr. Smith stated that it is approximately 4 feet. Mr. Birdsell asked about the possibility of a drive-thru and Mr. Smith stated that there is no proposal for that right now but could be in the future. Mr. Bitso asked if one handicap space is adequate and Mr. Smith stated that it meets the requirements.

Atty. Thomas stated that the sign regulations give the Commission discretion in dealing with them. The existing high rise sign will be relocated. The front sign is in the State right-of-way and they would like to have the Commission approve it subject to DOT approval. There would be an entry sign on the building and two possible wall signs. There are no details on the wall signs at this time but could submit them when ready. Mr. Bitso asked if there would be any digital signs and it was noted that there are not.

Chm. Baldwin asked for any public comment on the application.

Michael Horbal, member of Economic Development Commission stated that he was speaking from the position and was in agreement with the application. He stated that this is a logical change in the some industrial to commercial and the amendment to the zoning regulations is necessary. He stated that there is a need for more parking in the downtown area and this will help with that. He also stated that this would allow for greater commercial growth along Route 67 and was in favor of the applications.

Dave Stevens, 22 Eleanor Road asked about a loading dock. Russell Sear stated that there is a loading space in front of the dispensers and deliveries would be during off hours.

Fred Messore, Economic Development Directors stated that discussions were started on this project in July of 2012. He stated that this is a strong re-use of the property and he was in support of the application. He stated that the administration has been working with the developer and he would encourage approval.

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Atty. Thomas stated that the plans have been reviewed by Nafis & Young and all engineering issues have been resolved.

There being no further comment, Chm. Baldwin closed the public hearing.

2. An application for approval of a two lot subdivision on property known as 12-16 Tomlinson Road.

Donald Smith was present for the applicant, Daniel Turro. He stated that Mr. Turro would like to divide the property down the middle and create two conforming lots. The lots would be 1.97 and 1.87 acre in size and conform to the zoning regulations. Lot 2 does not meet the lot square requirements and they were granted a variance by ZBA for this. Mr. Smith stated that the house on Lot 12 will remain and undergo renovations. The other house will be demolished and a new three bedroom house built. The existing well will be used and a new septic system installed. He stated that a letter was received from Valley Health District approving the septic system. There is a shed at the back property line which will be remodel and taken off the record subdivision map. There was the question of a possible well on the site but it is just a cover for a well and nothing underneath and that was also removed from the record subdivision map. There is no activity within the wetland reviews area and no application was required. The Wetlands Enforcement Officer reviewed the plans and submitted a letter.

There was no public comment on the application. Chm. Baldwin closed the public hearing.

Respectfully submitted,



Maryanne DeTullio, Recording Secretary