

## SEYMOUR PLANNING & ZONING COMMISSION

Regular Meeting Minutes  
March 14, 2013  
Norma Drummer Room, Town Hall

**COPY RECEIVED**  
**DATE:** 3/20/13  
**TIME:** 8:55 pm  
**TOWN CLERK'S OFFICE**

**Members Present:** J. Baldwin, D. Bitso, W. Birdsell, B. Koskelowski, T. Lavranchuk

**Members Absent:** P. Thompson, Alt.

**Others Present:** Bob Looker, Town Planner, Bill Paecht, ZEO

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

### ***1. Sec. 8-24 Referral, Utility Easement in favor of 130 Silvermine Road over 116 Silvermine Road.***

Robert Leggio, 84 Colony Road, Seymour stated that he needs an easement over Town property in order to hook up to the water service. He stated that he went to the Board of Selectmen and was advised to come to Planning and Zoning. He is looking for the easement from his building to the hydrant which would be over town property. Mr. Looker stated that he had no problem with the request. Mr. Baldwin asked why he did not connect to the water on Silvermine Road and Mr. Leggio stated that the water line was put in my family members and in order for him to hook into that line it would be extremely expensive. Mr. Baldwin asked why the easement line was not drawn in a straighter manner and Mr. Leggio stated that he did not know but it was done by his surveyor.

**MOTION:** D. Bitso/W. Birdsell to recommend to the Board of Selectmen that the Commission was in favor of granting the requested easement.

**Motion Carried 5-0.**

### ***2. Proposed Zone Map Change, Zone Text Change and Special Permit Application, 2-4 New Haven Road***

Chm. Baldwin stated that a letter was received from the applicant requesting that a public hearing be scheduled on this application. The property is the former Sweets N'Eats site and they are proposing a small convenience store and gas pumps. Mr. Looker stated that they will need a zone change from the current G1-1 since this use is not allowed in that zone. There is also an issue with parking on the site and that is the reason for the zone text change. They would like to relocate the sign which legally non-conforming and if moved it will be conforming. The special permit application is for the sign.

**MOTION:** W. Birdsell/B.K oskelowski to schedule a public hearing at 7:00 p.m. on April 11, 2013.

**Motion Carried 5-0.**

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### **3. *Aria Subdivision, 12-16 Tomlinson Road***

Don Smith was present for the applicant Daniel Turro, who was also present. Mr. Smith explained that Mr. Turro recently purchased the property which is on the easterly side of Tomlinson Road. The site is 3.9 acres in size and there is a small wetlands area in the rear. There are currently two residential dwellings on the property. The small house at 16 Tomlinson Road sits entirely within the front yard setback. There are two wells and two septic systems proposed. The applicant would like to divide the property down the middle and create two conforming lots of approximately 1.86 acres each. The existing house at 12 Tomlinson Road would remain and some additions made to it. They would remove the existing house on 16 Tomlinson Road and build a new four bedroom house in line with the existing one.

Mr. Smith stated that Lot 2 conforms to zoning except for lot square and they have received a variance from ZBA for that. He presented a letter from Valley Health District approving the proposed septic systems. He also stated that the plans were reviewed by Peter Jezierny, Wetlands Enforcement Officer and he stated that they received a letter from him that the plans meet wetlands regulations and there is no construction in the wetlands or upland review area. Mr. Smith stated that this plan will bring the lots into conformity with the neighborhood.

Mr. Baldwin noted that the existing shed on the property is a zoning violation and Mr. Smith stated that the shed will be removed. Mr. Baldwin asked if this was a re-subdivision or subdivision and Mr. Looker stated that it is a subdivision. He stated that they researched the property and no subdivision plan is on file for this property and it is a straight subdivision. Mr. Baldwin stated that it is the Commission's discretion to hold a public hearing on this application and he felt that it would be better to do so.

**MOTION:** B.K oskelowski/W. Birdsell to schedule a public hearing at  
7:15 p.m. on April 11, 2013.  
**Motion Carried 5-0.**

### **4. *Zoning Enforcement***

The Commission reviewed Mr. Paecht's report. Mr. Paecht stated that the bridge section that washed away at the Land Trust property will be taken down this weekend. Mr. Paecht stated that he and the Building Official have been in contact with the owner of 8 Silvermine Road regarding the retaining wall on that property. The wall was built without a permit and they are working on rectifying the problems at that site. Mr. Paecht stated that the retaining wall at 64-80 Main Street needs to be repaired and the owner of the property has indicated that he does not have the money to do the repairs. The matter will be referred to the town attorney.

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The Commission discussed the situation at Silvermine Industrial Park with Allen's Plumbing. Mr. Looker stated that the site plan that was approved was for storage. The buildings that are there have been rented out and Mr. Looker stated that if that is the case that is not what was originally approved. Mr. Baldwin suggested that Mr. Looker and Mr. Paecht look at the property and the original site plan and if it is not being used for what was approved they should contact the town attorney as to what is the course to remedy the situation.

**MOTION:** D.Bitso/W. Birdsell to go into Executive Session and have Mr. Looker and Mr. Paecht in attendance for the purpose of discussing a personnel matter.  
**Motion carried 5-0.**

The Commission went into Executive Session at 8:35 p.m.

**MOTION:** B. Koskelowski/W. Birdsell to come out of Executive Session at 8:45 p.m. and reconvene the regular meeting.  
**Motion carried 5-0.**

### **5. Minutes – Regular Meeting – January 10, 2013**

**MOTION:** D. Bitso/W. Birdsell to approve the minutes of the January 10, 2013 regular meeting ring.  
**Motion carried 4-0-1 with Mr. Koskelowski abstaining.**

**MOTION:** W. Birdsell/D. Bitso to adjourn the meeting.  
**Motion carried 5-0.**

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

  
Maryanne DeTullio, Recording Secretary