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SEYMOUR PLANNING & ZONING COMMISSION

Regular Meeting Minutes
January 10, 2013
Norma Drummer Room, Town Hall

Members Present: J. Baldwin, W. Birdsell, P. Thompson, Alt.

Members Absent: J. Bitso, B. Koskelowski, J. Jaffer, T. Lavranchuk, 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.

MOTION: W. Birdsell/J. Baldwin to seat P. Thompson as a regular member.
Motion Carried 3-0.

1. Rolling Hills Acres Subdivision, Section Two, Final Approval

Don Smith and Jeff Mikie were present. Mr. Smith stated that Rolling Hills subdivision was approved in 2004 and Phase II, Section II in January 2005. The approval was conditional and they could not advertise the lots for sale. He stated that in Section 1 there are 71 lots and 64 are occupied or under construction. Mr. Smith stated that they are seeking final approval for Section 1 of Phase 2 to sign the mylar and be able to advertise the lots for sale. Mr. Smith stated that they submitted information to the town engineer regarding a performance bond in the amount of \$780,000.00 and soil and erosion control bond in the amount of \$61,000.00. He stated that there is also in place at this time a \$40,000.00 maintenance bond which cannot be released until it is approved by the Commission.

Mr. Baldwin stated that he received a letter from Nafis & Young indicating that they have reviewed the bond estimates and are in agreement with the amount. The letter also indicated that they felt that there is a sufficient amount of funds in reserve to make any repairs to the existing road should they be required. Mr. Looker stated that his concern was with construction traffic getting to Section 2 and he wanted to make sure that there was sufficient bonding if any damage was done to the road. Mr. Looker stated that the wording of the bond should be that they are liable for any road damage.

MOTION: W. Birdsell/P. Thompson that the Commission approves the performance bond in the amount of \$780,000.00 and the soil and erosion control bond in the amount of \$61,000.00 in a form acceptable to town counsel and that the bond money for Section 2 may be used to cover any damage to roads in Section 1.
Motion Carried 3-0.

MOTION: P. Thompson/W. Birdsell to authorize the Chairman and Secretary to sign the mylar which will be held in escrow by Bob Looker until bond is received.
Motion Carried 3-0.

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2. Rooster Enterprises Site Plan, New Haven Road.

Michael Horbal and Kevin Cox were present. Mr. Horbal stated that at last month's meeting the Commission discussed some of the concerns that they had and in response to that the applicant has moved or eliminated the piles of stone and cleaned up the site. He stated that a meeting was held with Town staff and Nafis & Young and since that meeting changes have been made to the site and it is in a much cleaner state. He stated that they are looking for site plan modification. The original approval was for a landscape storage area but interest has been shown from larger commercial investors. Mr. Cox has realized that the site is more valuable for commercial development and he would like to not do the detention basin since a commercial development may have a different plan for that. He would like to have the site plan modification approved and no more work done until a new developer is found. If that were the case, they would have to come before the Commission for approval and would have to meet zoning and Wetlands regulations.

Mr. Baldwin stated that there is a \$25,000.00 bond in place and nothing would be done except restoration and soil and erosion control measures monitored. Mr. Baldwin stated that the recommendation from Nafis & Young is that if nothing is done with the site by May, 2013 they have a permanent vegetative cover be installed. Mr. Cox stated that he would do that.

MOTION: W. Birdsell/P. Thompson If the site not in a permanent vegetative state by May 31, 2013 the bond money will be used to perform that work.

Motion Carried 3-0.

3. Other Business

There was no other business for the Commission to discuss.

4. Zoning Enforcement

The Commission reviewed Mr. Paecht's report. Mr. Paecht stated that it has been a quiet month. He stated that the work at the wire factory has been completed. Mr. Baldwin stated that he felt it was important for the Commission to look into establishing a development zone for that area.

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5. Minutes – December 12, 2012

MOTION: W. Birdsell/P. Thompson to approve the minutes of the
December 12, 2012 regular meeting ring.
Motion carried 2-0-1 with Mr. Baldwin abstaining.

MOTION: W. Birdsell/P. Thompson to adjourn the meeting.
Motion carried 3-0.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,



Maryanne DeTullio, Recording Secretary