

## SEYMOUR PLANNING & ZONING COMMISSION

Regular Meeting Minutes  
October 13, 2011  
Norma Drummer Room, Town Hall

**Members Present:** J. Baldwin, A. Ermer, D. Bitso, Alt., T.Lavranchuk, Alt.

**Member Absent:** J. Jaffer, W. Birdsell, A. Yagovane

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

The meeting was called to order at 7:37 p.m. by Chairman, Jim Baldwin

J. Baldwin stated that he would seat D. Bitso in place of Mr. Birdsell and T. Lavranchuk in place of Mr. Yagovane.

### ***1. Resubdivision of #176 and #202 Cedar Street.***

Michael Horbal stated that they would agree to adding notes to the map as discussed having do with the site plan, retaining wall, sewer connection, sewer fees and the staking of pins in the front corners of the property and any other reasonable conditions that the Commission may set. They would have the notes added and have the map reviewed by Bob Looker before making the mylar.

**MOTION:** D.Bitso/T. Lavranchuk to approve the application with the condition that notes regarding the retaining wall design, site plan, sewer connection, sewer fees and the staking of pins in the front corner of the property and that it will be approved by the town engineer and Bob Looker.

**Motion Carried 4-0.**

### ***3. Acceptance of Barn Hill Lane.***

Mr. Baldwin recused himself from hearing this matter and Mr. Ermer took over the meeting. S. Wells was present and stated that a completed as-built was submitted. He stated that the guardrail and sidewalk at the bottom of the cul-de-sac were completed as well as the handicap ramp. Mr. Nafis stated that the road is not complete and the curbing is bad in parts. Mr. Wells stated that he was not aware of the curbing and was glad that the only two issues remaining were the guardrail and sidewalks. Mr. Wells stated that he has not been working on the road so if the curbing is damaged it might have been done by the public. Atty. Steve Studer, representing Mr. Wells, stated that he did not know if he had responsibility for use of the road by the public. The curbing was done a year ago and was in good shape and he has not done any work in over a year. They did not feel that the curbing was his responsibility at this point. Mr. Nafis stated that the Town has been waiting for the sidewalks for over a year. Mr. Bitso stated that it is his road and he has been taking care of it. Atty. Studer stated that he did build but he is not building any houses or doing anything else in the area. Mr. Wells stated that he was only told about the two items previously mentioned and this is

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The first time he heard about the curbing. Mr. Bitso stated that he should have made sure that everything was in good condition before asking for the road to be accepted.

Mr. Ermer stated that the Commission has a responsibility to make sure that everything is done properly. Atty. Studer suggested accepting the road with the condition that the curbing will be fixed. Mr. Nafis stated that the policy is that when the road is accepted it is one hundred percent done. Atty. Studer stated that Mr. Wells would like to do this work when he is working on another road in the spring. Mr. Lavranchuk felt that was too long to wait over the winter months to have the work done. Atty. Studer suggested that his client meet with someone from Nafis & Young about what needs to be done.

**MOTION:** D. Bitso/T.Lavranchuk to table to the next meeting.  
**Motion Carried 3-0.**

Mr. Baldwin took over the meeting at this point.

### ***3. Section 13, Zoning Regulations; Signs***

Mr. Baldwin noted that the public hearing has been closed. He stated that he would like to act on this next month. He stated that this way the members would have time to review the material presented and the comments from Economic Development Commission, public and work with staff on a couple of the outstanding items. He stated that one of his the square footage of the sign based on the size of the building; the ratio of the sign. He stated that he agrees that the procedure for enforcement be adopted by the selectmen as an ordinance but it may be wise to go with some suggested remedies for it. Mr. Bitso stated that he agreed with the percentage/ratio for the size of the signs. He also agreed with the fines and they will be challenged so that the first one should be moderate and then increase. He stated that this will help clean up problems with signs in the intersections and right-of-ways. Mr. Ermer stated that he agrees with Mr. Looker on the commercial/industrial districts and that RC3 really does not need to be added. He also felt that ZBA should not be included. He also agreed that political signs should be left out. He felt that with tag sale signs that is always going to be complicated with the time for them to be removed. Mr. Baldwin stated that he would like to see a uniform time from for all signs to be removed. Mr. Bitso felt that will be a difficult thing to enforce.

**MOTION:** T. Lavranchuk/D. Bitso to table to the next meeting.  
**Motion Carried 3-0.**

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### **4. Special Permit, Ten Town House Units, Old Drive and George Street.**

Mr. Baldwin stated that this is in reference to the recent court case. The Town lost its case and the judge has overturned the P&Z decision. The appeal time has expired.

MOTION: T. Lavranchuk/D. Bitso moved to authorize staff to issue the permit if requested.

**Motion Carried 4-0.**

### **4. Castle Lane Subdivision, Ansonia**

Ed Musante, Old Ansonia Road, Seymour. He stated that the rear of his property is Castle Lane. He stated that the road will not be able to handle any more traffic and he was very concerned about the proposed subdivision.

Mr. Looker stated that the application that was referred to the Town Clerk is for a 23 lot subdivision in Ansonia. All traffic will end up on Castle Lane in Seymour before it gets to Old Ansonia Road. He stated that he responded to Ansonia Planning & Zoning on how this would affect Seymour. He stated that Castle Lane should be made wider. He also stated that the First Selectman will also be sending another letter commenting on this application.

Nelson Tchekirides, 138 Old Ansonia Road stated that all access is through Castle Lane and Old Ansonia Road. This area does not have city water and all the homes have wells. He was concerned about what would happen with blasting. He was also concerned with traffic as the road is very narrow. He was concerned that they may have to take some of his property for the development. Mr. Baldwin stated that they cannot disturb his property and if they want to do anything on it he will need to deal with the developer. Mr. Baldwin stated that this Commission has to send correspondence to Ansonia about the problems that exist in that area. Mr. Baldwin stated that we do have concerns and we will let Ansonia know what they are.

Bill Gambino, 131 Old Ansonia Road stated that traffic is the main issue and there are bad sight lines in that area.

J. Cruz, 25 Castle Lane stated that he spoke at the Ansonia P&Z public hearing and brought up the problems in the area. He stated that traffic will increase and also concerned about more wells in the area.

Mr. Baldwin stated that the Commission will forward a letter but encouraged the individuals present to be vigilant with what happens with the Ansonia P&Z. He also suggested going to the Fire Commission and Police Commission with their concerns.

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**MOTION:** D. Bitso/T. Lavranchuk to authorize Bob Looker to send a letter to Ansonia Planning & Zoning Commission addressing concerns that have been mentioned regarding sight lines, water, fire access, road width and length and also copy Fire Chiefs, Police Department and Board of Selectmen and that we are strongly opposed to the application.  
**Motion Carried 4-0.**

### ***6. Zoning Enforcement***

The members reviewed the report from the Zoning Enforcement Officer. Mr. Paecht stated that he will be meeting with Rooster Enterprises and do a site walk with the site plan. He stated that their plan is to finish within the next few weeks. Mr. Baldwin suggested that he take someone from Nafis & Young with him and make sure that he verifies the grade. He stated that regarding 61 New Haven Avenue and the parking lot repair he received a letter that it will be done within the next 30 days or so. Mr. Baldwin stated that he would recommend that it be done within ten days or face a fine. This is a zoning violation.

**MOTION:** D. Bitso/T. Lavranchuk moved that the ZEO notified them that this be done by 10/28/11 or be subject to ZEO action to include fines.  
**Motion Carried 4-0**

Mr. Paecht stated that he signed off on the demolition of the wire factory.

### ***7. Minutes Public Hearing 9/8/11, Regular Meeting 9/8/11, Special Meeting 9/15/11***

**MOTION:** D. Bitso/T. Lavranchuk to approve the minutes of the 09/8//11 public hearing.  
**Motion carried 4-0.**

**MOTION:** A. Ermer/T. Lavranchuk to approve the minutes of the 09/8//11 regular meeting  
**Motion carried 4-0.**

**MOTION:** T. Lavranchuk/D. Bitso to approve the minutes of the 9/15/11 special meeting  
**Motion carried 4-0.**

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**MOTION:** A. Emmer/D. Bitso to adjourn the meeting.  
**Motion carried 4-0.**

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Maryanne DeTullio, Recording Secretary