

## SEYMOUR PLANNING & ZONING COMMISSION

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

**Members Present:** A. Yagovane, J. Jaffer, A. Ermer, Jim Baldwin

**Members Absent:** W. Birdsell, D. Bitso

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

The meeting was called to order at 7:35 p.m. by Chairman, Al Yagovane

Chm. Yagovane stated that Mr. Bitso is an alternate and will not be voting this evening as there is a quorum of regular members.

### ***1. Request for Acceptance of Jennifer Lane, Nickeline Brook Estates Subdivision***

Michale Horbal was present regarding this item. He stated that he had previously submitted to Mr. Looker the plan and profile for Jennifer Lane. This is the last road for Nickeline Brook Estates. He stated that it has been constructed in accordance with the approved plan and the town engineer has been out there to inspect it. He stated that they are asking that the Commission recommend acceptance of this road by the Board of Selectmen.

Dave Nafis, Nafis & Young that they have completed everything, it was inspected and it is all right.

**MOTION:** Birdsell/Bitso, to recommend the acceptance of Jennifer Lane, Nickeline Brook Estates Subdivision.  
**Motion Carried 5-0.**

Mr. Looker asked about the amount of the bond that should remain as a maintenance bond. It was determined that it should be 10% of the bond for Jennifer Lane.

### ***2. Request for Acceptance of Barn Hill Lane, Chatfield Farms Subdivision.***

Mr. Baldwin recused himself from hearing this item. Skyler Wells and Jim Swift were present. Mr. Wells stated that everything is done except at the end of the cul-de-sac there is 60 feet of guardrail that needs to be installed. He stated that they have been speaking with Dennis Rosen from Public Works and wanted to know if they could bring it further back before installing the guardrail. He stated that it is the only item on the check list that is not completed. Mr. Yagovane asked about the sidewalk in the front and Mr. Wells stated it is completed. Mr. Looker stated that there was a problem with the sidewalks as they were not extended far enough. Mr. Wells stated that when they were building the sidewalks all prepped and the ZEO at that time, Art Baldwin, came

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out when they were pouring the sidewalks. He told them to stop them at the point where they are now. Mr. Birdsell stated that the plans were approved with the sidewalks extended further than they are now. Mr. Wells stated that he was told to stop and felt that it made no sense to continue them. Mr. Yagovane asked if he had anything in writing and Mr. Wells stated that he did not. Mr. Yagovane stated that in his opinion it could not be accepted. Mr. Nafis stated that he has not had an opportunity to inspect this.

**MOTION:** Birdsell/Bits to table to the next meeting.  
**Motion Carried 5-0.**

***3. Request for Acceptance of Extension of William Lane, William Lane Estates Subdivision.***

Atty. Fran Teodosio stated that he is representing Mr. Catone and he has represented him before he became counsel for the town for labor matters. There is no conflict with regard to this. He stated that his partner Frank Stanek, felt it was appropriate for him to represent Mr. Catone as he has been doing so in the past.

Atty. Teodosio stated that it was his understanding that William Lane has four issues and he has had some conversations with Nafis & Young. He stated that two of the issues involve easements; one of them is a non-issue now because it was just a misreading of the easement with regard to Lot 5. The second easement that is an issue is with regard to the sidewalk around the cul-de-sac. He stated that the town engineer and town attorney are aware that the sidewalk stepped outside of the boundary as it was poured. He stated that he is asking that it be accepted as poured as opposed to tearing it up and putting it back down because the amount that is over the property line is very slight. He stated that in addition he submitted a memorandum of understanding with the owner of Lot #3, who is aware of the encroachment and will convert it to an easement by providing the easement to the town if the town finds it acceptable. Mr. Looker stated that he had no objection to the easement rather than the sidewalk but felt that the Commission should hold off on accepting the road until the town has the easement.

Mr. Yagovane stated that he has been there a number of times and had some questions for Mr. Nafis. He stated that at the very end there is a storm drain and to the left of it he saw puddling. He also had a concern with the sidewalk with the utility part. He was also questioning the curbing height and width of the sidewalk. Mr. Nafis stated that if there is puddling it should not be accepted. He stated that the electrical box is a problem because they poured the sidewalk and no one was there to inspect that.

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Atty. Teodosio stated that junction box that is being discussed. He stated that it was poured on Saturday but the forms were up the day before and they were approved. The junction box was not part of the construction and it was there before they put the sidewalks in. They just straightened the sidewalks to go by that in conjunction with the plans. He stated that they are asking to have it accepted in that fashion and if not, accept the roadway but not that work and bond out that work. He stated that his client spoke with CL&P and also stated that it did not come with this project it was there for a long time. The sidewalk is where it is suppose to be, but CL&P put the pad there. He stated that he will contact CL&P again if that is what the Commission wishes, but it is there and he did not think it was a big deal. He also stated that throughout the town there are other sidewalks in the same situation. He also stated that he has no problem getting the easement and will do so if the Commission wants one.

The Commission discussed the puddling in the road and whether it should be accepted as it is. Mr. Yagovane was concerned with this and felt that it should be inspected again by the town engineer. Mr. Ermer felt that there were several issues that need to be addressed.

Atty. Teodosio stated the Commission wants the easement and he will get that for the next meeting. Mr. Yagovane stated that the puddling at the very end of the road to the left of the storm drain needs to be addressed. The junction box on the sidewalk also needs to be addressed. Mr. Looker stated that it is clear that the Commission will accept the easement instead of having the sidewalk changed.

**MOTION:** Ermer/Bitso moved that the matter be tabled to the next meeting so that the applicant can address the issues of the easement, junction box , puddling and monuments.  
**Motion Carried 5-0.**

#### ***4. Site Plan, Restaurant, 315 Roosevelt Drive***

Mike Horbal was present for the applicant. He stated that they cannot go forward this evening because they have not gotten the proper approvals from the State and Health Department that they need.

**MOTION:** Birdsell/Ermer to adjourn the meeting.  
**Motion carried 5-0.**

Respectfully submitted,

Maryanne DeTullio, Recording Secretary

