

COPY RECEIVED  
DATE: 9/17/08  
TIME: 9:40am  
TOWN CLERK'S OFFICE

**Seymour Planning & Zoning Commission**

Regular Meeting Minutes

September 11, 2008

Norma Drummer Room, Town Hall

**Members Present:** Cliff Strumello, Dan DellaVolpe, William Paecht, Al Yagovane

**Member Absent:** Walt Birdsell

**Others Present:** Bob Looker, Town Planner, Art Baldwin, ZEO

The meeting was called to order at 7:40 p.m. by C. Strumello, Chairman.

**1. First Selectman**

First Selectman Koskelowki addressed the Commission and stated that when a building permit is issued there is no sign-off for the Wetlands Officer and it is important that he checks to make sure that there are no wetland issues on a property. Chm. Strumello stated that the zoning permit could be modified to include this.

Mr. Koskelowski stated that there are serious issues with a project at 200 Pearl Street with the amount of fill being brought in and also that they are encroaching on adjoining properties. He stated that he has received several calls regarding this situation and has been at the property. There are also zoning violations with regard to late hours and weekend work among others. He stated that it is difficult for city personnel to check on what was being done on this property. He also stated that all types of materials are being used for fill. He also stated that it is difficult since he is not an assistant ZEO and has no authority in certain circumstances. There is no plan for this property and what will be done with it. He stated that Mr. Looker and Mr. Baldwin have done a good job in trying to resolve the issues, but something needs to be done to protect the abutting property owners. The excess fill should be removed and the fill used should be identified.

Mr. Looker stated that an agreement has been reached with one of the neighbors regarding the situation.

Bob Love, 192 Pearl Street stated that he called the First Selectman who responded immediately. He stated that there are a lot of violations of the zoning regulations at the property. They are also encroaching on this property and have damaged it as well. He is concerned with runoff onto his property.

Mr. Strumello stated that this needs to be resolved before more damage is done. Mr. Looker stated that he will contact the contractor. He stated that the contractor has agreed to remove any fill from adjoining properties.

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Mr. Love stated that he would like to have the excess fill removed and the regulations followed. Mr. Looker stated that he was issued a cease and desist but was allowed to carry out the agreement with the adjoining property owner at 183 Walnut Street.

Ryan Tuillio, 183 Walnut Street stated that he did reach an agreement with the contractor and would want the work to be done in accordance with the zoning regulations and he does not want any detrimental fill put in.

Mr. Strumello stated that a permit was issued in June, 2008 and the First Selectman called in August. The cease and desist was issued on 8/19/08. The Town Engineer was at the site and did see unauthorized materials being used as fill.

Mr. Yagovane moved to authorize the ZEO to immediately direct the resident at 200 Pearl Street to remove any fill in excess of 250 yards and also from the adjoining properties. Mr. Koskelowski felt that the Commission should look at the site and he was not sure what has been done at the property lately. Mr. Yagovane then withdrew his motion. Mr. Tiullio, 183 Walnut Street felt that there are issues with the slope of the driveway. Commission will visit the site.

**MOTION:** DellaVolpe/Paecht to authorize the First Selectman to act as an Assistant Zoning Enforcement Officer for the Board.  
In Favor: Strumello, Paecht, DellaVolpe, Yagovane  
**Motion Carried 4-0.**

### ***2. Section 8-24 Referral, Chatfield School Expansion***

**MOTION:** Paecht/DellaVolpe - Resolved that the Planning and Zoning Commission of the Town of Seymour approves the following Seymour and determined that it would be cost effective to expand project pursuant to Section 8-24 of the General Statutes of Connecticut:  
The Paul E. Chatfield School Additions, Renovations, Alterations and Improvements Project, being undertaken in conjunction with the closing of the Anna L. LoPresti School and contemplated to include renovation of the existing facility to "as-new" condition including roof, window, ceiling, flooring, door and hardware replacement, new millwork finishes, various interior renovations work, exterior wall renovation, replacement and upgrades to HVAC, plumbing, electrical and heating systems, and various code compliance improvements; installation of an elevator; installation of air conditioning; installation of a new sprinkler fire protection system; upgrades and expansions to telephone/data, paging,

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master clock, security, fire alarm and cable television systems; construction of an addition to the boiler room/administration area, a new Gymnasium/Auditorium addition to the east of the existing facility and a new two-story classroom wing to the west of the existing facility; installation of new site services including electrical water, fire water, storm and telephone data services; various site improvements including new parking facilities; and other building, site and other improvements intended to provide a school facility accommodating approximately 680 students. The project is contemplated to be completed substantially in accordance with conceptual plans prepared by Antinozzi Associates Architecture & Interiors, dated July 31, 2008 and entitled "Town of Seymour – Chatfield Elementary School – Seymour, Connecticut –Propose Floor Plan, Scheme 2";

Provided that this resolution is for approval of conceptual plans only. The project is subject to and shall comply with all applicable zoning, site plan, subdivision, inland wetland and other laws, regulations and permit approvals, and this resolution shall not be a determination that the project is in compliance with any such applicable laws, regulations or permit approvals.

In Favor: Strumello, Paecht, DellaVolpe Abstained: Yagovane  
**Motion Carried 3-0-1.**

***3. Parking Lot Senior Housing, 14-16 Bank Street***

Joe Migani stated that certificates of occupancy were issued in April, 2008, but due to a delay in funding they could not do the improvements to the parking lot. He stated that in August they were informed by the ZEO that the parking lot had to be completed and they are asking for an extension to October 15, 2008 to complete the work. He stated that they anticipate the funding to be processed next week and they have a contractor in place to do the work. He stated that the order also states that no additional apartments can be leased until the parking lot is done. Mr. Paecht asked if the work will be completed by October 15<sup>th</sup> and Mr. Migani stated that the lot will be cleared and a process materials laid so it can be used.

**MOTION:** Paecht/DellaVolpe to grant extension to October 15, 2008 and allow them to continue to lease apartments at the site. The parking lot will be completed and useable on or after October 15, 2008.  
In Favor: Strumello, DellaVolpe, Paecht, Yagovane  
**Motion Carried 4-0**

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**3. ALLCOMM Special Permit, Peral Street**

Atty. Dominick Thomas stated that he has a favorable judgment since March and they would like to go forward with the project. He stated that he has asked to have this on the agenda and Atty. Lee has asked that it be continued since he could not be at the meeting this evening. Atty. Thomas stated that he would like to have a meeting with Atty. Lee, Mr. Looker and several Commission members on how to proceed with the matter. Chm. Strumello stated that since this matter is in litigation they could not hear anything on it until the Commission confers with Atty. Lee.

**MOTION:** Paecht/DellaVolpe to table any action until reviewed with counsel.  
In Favor: Strumello, Paecht, DellaVolpe, Yagovane  
**Motion Carried 4-0.**

**5. Zoning Enforcement**

The members reviewed Mr. Baldwin's report. They discussed the situation at 5 Wild Duck with animals. Mr. Baldwin stated that he has been to the site and it is clean and has no odor. First Selectman Koskelowski stated that he has also been to the property as well as Naugatuck Valley Health and there are no issues with odors or anything else.

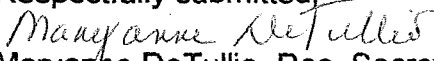
**4. Minutes Regular Meeting - 8/4/08**

**MOTION:** Paecht/Yagovane to approve the minutes of the 08/14/08  
Regular Meeting  
In Favor: Strumello, Paecht, DellaVolpe, Yagovane  
**Motion Carried 4-0**

**MOTION:** Paecht/DellaVolpe to adjourn the meeting.  
In Favor: Strumello, Paecht, DellaVolpe, Yagovane  
**Motion Carried 4-0.**

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

  
Maryanne DeTullio, Rec. Secretary