

## SEYMOUR ZONING BOARD OF APPEALS

Public Hearing Minutes  
November 1, 2012  
Norma Drummer Room, Town Hall

COPY RECEIVED 11/6/12  
DATE:  
TIME: 11:56 AM  
TOWN CLERK'S OFFICE

**Members Present:** Nicolette O'Toole, Melissa Smith-Poynton, Robert Ricciutti, Susan Liscinsky (Alt.)

**Members Absent:** Ted Holly

**Others Present:** Bob Looker, Town Planner

***1. An application for a front setback and rear yard variance for the purpose of building a 25 ft. by 25 ft. garage addition to the property at 132 Skokorat Street.***

Mike Horbal, 52 Main Street, Seymour was present for the applicant Mr. O'Neill for the purpose of obtaining variances to put up a garage. The property is located at the corner of Skokorat Street and Paramount Drive. He presented the plan showing the location of the proposed garage and stated that it is situated at that location so that the exit from the house coincides with the entrance to the garage. This subdivision was created in 1957 prior to the present zoning regulations. Mr. Horbal stated that approximately 10,000 s.f. were required for each lot at that time. The setback requirements were smaller and so were the lots. He stated that zoning has changed and the setback requirements are greater. He presented pictures of the layout of the house and where the garage would go.

Mr. O'Neill stated that he spoke with his neighbors and a lot of them know about the proposal. He submitted letter from neighbors at 131, 133, 138 Skokorat Street all indicating that they had no issue with the garage. He also submitted letter from the owners of 4 Paramount Drive, which would be the most impacted by the garage and they were not opposed. He stated that the driveway is already in this location and he does not want to put in another driveway. This is the only reasonable location for the garage. Mr. Looker asked the height of the garage and Mr. O'Neill stated that it will be the same height as the house and will be one story.

There was no public comment on the application.

**MOTION:** M. Smith-Poynton/R. Ricciutti to close the public hearing.  
In Favor: O'Toole, Smith-Poynton, Ricciutti,, Liscinsky  
**Motion Carried: 4-0.**

***2. An application for a variance of lot area, lot square, area within building setback lines and side yard for the purpose of establishing proposed parcel #1 as a separate building lot on the property known as 213 West Church Street.***

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***3. An application for a side yard variance and a variance to allow a portion of the driveway to be located on proposed Parcel #1 for the purpose of establishing proposed parcel #2 as a separate building lot on the property known as 213 West Church Street.***

Both items will be heard together. Mike Horbal, 52 Main Street, Seymour was present for the applicant. He stated that originally the lots were created back in 1929 or earlier. He presented copies of maps from 1914 and 1929 which maps were superseded by a map done in 1933. The lots have remained the same. Mr. Horbal stated that both lots were always kept as separate lots. The applicant purchased the property from an estate as two parcels. Mr. Horbal stated that the zoning regulations now require a lot to have 18,000 s.f. and these lots do not have that. He stated that over the course of time garages were built on each lot close to the property line. He stated that they are asking for the right to separate two lots and variances for the two garages, which are closer to the property line than what is allowed. They are also seeking a variance to allow a portion of the driveway on parcel #2 to be on parcel #1.

Mr. Looker stated that if the variance is not granted they would have to move the driveway. Mr. Horbal stated that the driveway leads to the existing garage. Ms. Smith-Poynton stated that she did see any hardship. Mr. Looker stated that the reason for the regulation is so that there would not be problems between the owners.

Mr. Horbal stated that they are asking for the variance for the area within the building lines because the area has to be free of wetlands and should be 6,000 s.f. He stated that there are no wetlands on this property but the area is only 5,000 s.f. within the setback lines. Mr. Ricciutti stated that they could make parcel #2 larger since there is enough property. Mr. Horbal stated that they are trying to make use of the existing driveway and garages.

Jeff Soss stated that he has cleaned up the property and the garages are small but structurally sound. He stated that he added siding and doors and is trying to preserve them. He stated that there is a change in the grade and the septic system so that it would be difficult to locate them in another area.

Mr. Looker stated that the lot split seems reasonable. He stated that he does not like the driveway encroachment but the decision is up to the Board. Mr. Horbal stated that his client would be willing to take out the existing driveway and have it come straight out but only has 15'. He would like to be able to use the existing garage.

Mrs. O'Toole noted that the stone wall on the property should be moved back as it causes sight line issues. Mr. Horbal stated that they would be willing to move it as it is a safety issue.

There was no public comment on the application.

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**MOTION:** M. Smith-Poynton/R. Ricciutti to close the public hearing.  
In Favor: O'Toole, Smith-Poynton, Ricciutti,, Liscinsky  
**Motion Carried: 4-0.**

Respectfully submitted,

A handwritten signature in cursive script, reading "Maryanne DeTullio".

Maryanne DeTullio, Recording Secretary