

SEYMOUR ZONING BOARD OF APPEALS

Regular Meeting Minutes
January 6, 2011
Norma Drummer Room, Town Hall

Members Present: David Coe, Robert Ricciutti, John Uhelsky, Nicolette O'Toole, Melissa Smith-Poynton

Members Absent: Ted Holly, Theresa Conroy

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

The meeting was called to order at 7:30 p.m. by Vice Chairman, David Coe.

1. Appeal of Cease and Desist Order, Keeping of Pigeons, 15 Carriage Drive.

Mr. Coe explained that the Board needs to make a decision regarding this matter. Mr. Ricciutti stated that he felt that 25 pigeons would be reasonable. Mr. Uhelsky stated that he looked at the site and agreed that 25 would be fair. Mrs. O'Toole stated that she lives near this neighborhood and is familiar with it. She stated that there has never been an issue with the pigeons and that she spoke with several neighbors who agreed that they are not an issue. She felt that he should be allowed to keep 50 pigeons. Ms. Smith-Poynton also felt that 50 should be allowed. Mr. Coe was concerned if he went over that number. Mr. Ricciutti stated that the ZEO would have the right to inspect and the Board would need to decide how frequently the inspections would be made. Mr. Coe stated that the Board also needs to determine how often they can be let out to fly.

Ms. Smith-Poynton stated that he has had the pigeons for a number of years and this is the first time that anyone has complained. Mrs. O'Toole stated that these are kept as a hobby and he is part of a club.

MOTION: O'Toole/Smith-Poynton, in accordance with Connecticut General Statutes Section 8-7, that the Cease and Desist Order issued by Mr. William Paecht, Zoning Enforcement Officer of the Town of Seymour, dated July 28, 2010 is hereby modified to allow the Appellant to keep no more than 50 pigeons at his premises known as 15 Carriage Drive, Seymour, Connecticut in a sanitary and non-offensive manner subject to the following conditions:

1. That the pigeons are kept in a permitted shed or coop which is to be kept in a sanitary manner;
2. That feed or other food provided for the pigeons shall be kept in vermin proof feeders or containers;
3. That the pigeons shall be allowed out of their coops four times a week except on holidays.

SEYMOUR ZONING BOARD OF APPEALS

Regular Meeting Minutes
January 6, 2011
Norma Drummer Room, Town Hall

4. That the pigeons shall otherwise be kept in a non-offensive manner;
5. That the Appellant shall allow the Seymour Enforcement Officer and/or other governmental official to inspect the shed or coop wherein the pigeons are housed not less than twice a year unless there is a complaint, to assure that the same are being kept in a sanitary and non-offensive manner.

Motion Carried 5-0.

2. Minutes, Regular Meeting 12/2/10

MOTION: Ricciutti/Uhelsky to approve the minutes of the December 2, 2010 Regular Meeting.

Motion Carried 5-0.

MOTION: Ricciutti/O'Toole to adjourn the meeting.

Motion Carried 5-0.

The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Maryanne DeTullio, Recording Secretary

SEYMOUR ZONING BOARD OF APPEALS

Public Hearing Minutes
March 3, 2011
Norma Drummer Room, Town Hall

Members Present: David Coe, John Uhelsky, Nicolette O'Toole,
Melissa Smith-Poynton

Members Absent: Robert Ricciutti, Ted Holly, Theresa Conroy

Others Present: Bob Looker, Town Planner

1. A variance to allow the construction of a horse barn within 55 ft. of the property line and within about 67 feet of the dwelling on the property known as 160 Bungay Road.

Joseph Mingolello was present for the applicant. He stated that the property is approximately 20 acres. There are a lot of wetlands on the site and a large open space area. They have to deal with the 100' setback from the wetlands; 100 feet from the house and 100 feet from the property line. There is a sewer and water line that runs parallel to the wetlands for the subdivision adjacent to the property. They are requesting the 100 foot setback from the property line to be 55' and 67' from the dwelling. Mr. Mingolello stated that if the barn were located anywhere else on the property there would be the same issues with setbacks and this is the best location. Mr. Uhelsky asked the dimensions of the barn and it was noted that it is 75' X 40' with an attached shed for equipment. Mrs. O'Toole asked the number of stalls and animals. Susan Giordano, 160 Bungay Road stated that there will be five stalls and the horses are hers and none of the stalls will be rented out. The property is completely fenced in. Mrs. O'Toole asked if they had spoken with any neighbors and Mr. Mingolello stated that there are no real close neighbors; the driveway to the house is approximately 1500 feet long. Mr. Looker stated that the Wetlands Enforcement Officer did not want the barn in the wetland review area. He also noted that the open space area can never be built on.

There was no public comment on the application.

MOTION: O'Toole/Smith-Poynton, to close the public hearing.
Motion Carried 4-0.

Respectfully submitted,

Maryanne DeTullio, Recording Secretary