

**SEYMOUR ZONING BOARD OF APPEALS**  
**MINUTES**

REGULAR MEETING - MAY 7, 2009

**MEMBERS PRESENT:** Phil Wilhelmy, David Coe, Len Greene, Nicolette O'Toole, Theresa Conroy, Ted Holly, Alt.

**OTHERS PRESENT:** Bob Looker, Town Planner

Chairman Wilhelmy called the meeting to order at 7:40 p.m.

1. An application for a side yard setback variance for the purpose of constructing an addition to the dwelling at 129 Squantuck Road. Addition to be 21.26 ft. from side lot line.

Mr. Wilhelmy noted that each application is heard separately and none set a precedent. Mr. Looker stated that the Board should consider the overall effect of the variance and in this case it is 3 ½ feet and will not set a precedent.

Mr. Wilhelmy stated that the Board received comments from town counsel, looked at the property and reviewed the situation. Mr. Looker stated that when the application was submitted the owner thought that the lot line was 25'. Mrs. O'Toole noted that there is a large mound behind the property which could make it difficult to determine where the property line is.

**MOTION:** T. Conroy/N. O'Toole to approve the application for 129 Squantuck Road and noted that this will not set a precedent. It was also noted that the Building Department should find out how to avoid this type of situation happening in the future.  
In Favor: Wilhelmy, O'Toole, Conroy, Coe, Holly  
**Motion Carried 5-0.**

**MINUTES:**

**MOTION:** N. O'Toole/T. Conroy to approve the minutes of the 11/09/08 public hearing and regular meeting and 04/02/09 public hearing and regular meeting.  
In Favor: Wilhelmy, O'Toole, Conroy, Coe, Holly  
**Motion Carried 5-0.**

Mr. Wilhelmy stated that he received an anonymous complaint letter about 11 Walter Road which indicated that repairs work on vehicles in the garage continues to be done. The letter further stated that cars are left at the property which are not registered in the Town of Seymour and there are numerous zoning violations. The letter will be referred to Art Baldwin, for investigation and to report back to the Commission.

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The Commission discussed whether there was a fine or penalty structure in place in the event that another application is filed because the property owner made a mistake. Mr. Looker stated that there is a fine section for zoning violations but it is very involved. Mr. Wilhelmy noted that zoning board of appeals violations go to the Enforcement Officer and then he directs it to the Planning & Zoning Commission or Inland Wetlands Agency depending on where the violation is.

**MOTION:** N. O'Toole/T. Conroy, to adjourn the meeting.  
In Favor: Wilhelmy, O'Toole, Coe, Conroy, Holly  
**Motion Carried 5-0.**

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Maryanne DeTullio  
Recording Secretary