

## SEYMOUR PLANNING & ZONING COMMISSION

Regular Meeting Minutes  
August 11, 2016  
Norma Drummer Room, Town Hall

**Members Present:** J. Ziehl, W. Birdsell, T. Lavranchuk, J. Holly, J. Hanewicz (Alt)

**Member Absent:** G. Vasas

**Others Present:** Bill Paecht, ZEO, Brian Nesteriak, Town Engineer,  
Atty. V. Marino

The meeting was called to order at 7:30 p.m. by Chairman, J. Ziehl.

**MOTION:** J. Holly/W. Birdsell to seat J. Hanewicz as a regular member.

**Motion Carried – 4-0.**

### **1. Public Comment**

Atty. Dominick Thomas, 315 Main Street stated that he submitted an application for a lot line revision for a lot on Chatfield Farms Subdivision and asked that it be added to the agenda this evening.

**MOTION:** J. Holly/W. Birdsell to add lot line revision, Chatfield Farms Subdivision to the agenda.

**Motion Carried – 5-0.**

### **2. Plan of Conservation and Development (Public Hearing Must be Held August 25, 2016).**

**MOTION:** J. Holly/W. Birdsell to set the hearing date for the Plan of Conservation and Development for August 25, 2016 at 7:30 p.m.

**Motion Carried 5-0.**

### **3. Chatfield Farms Subdivision Update.**

Atty. Marino stated that the Bank has sent the Town a check in the amount requested. The Town is in the process of obtaining bids from contractors for the work that needs to be done at the site.

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### **4. Sec. 8-24 Referral, Roads and Public Buildings**

Mr. Holly asked why some of the streets on the list will not be graded for several years. Mr. Nesteriak explained that some of the higher volume roads were placed higher on the list and also some of the roads where road has already been started.

**MOTION:** J. Holly/W. Birdsell that the Commission approve the following resolution.

Item 4, 2017 Town Roadway and Drainage Reconstruction, Replacements And Improvements Program

RESOLVED, that the Planning and Zoning Commission of the Town of Seymour approves the following project pursuant to Section 8-24 of the General Statutes of Connecticut:

Various Town roadway and drainage reconstructions, replacements and improvements described in the report entitled "Town of Seymour Roadway Conditions & Recommendations Report", dated July 18, 2016 and prepared by B&B Engineering, a copy of which report is on file in the Office of the Seymour Town Clerk, including but not limited to related improvements and amenities including but not limited to vertical alignment, drainage work including culvert and catch basin installation and replacement, intersection improvements, installation and improvement of utilities, sidewalks, guardrails, and curbing and rebuilding retaining walls, and related land or easement acquisition, if any; provided that this resolution is for approval of conceptual plans only.

The projects are 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.

**Motion Carried – 5-0.**

**MOTION:** J. Holly/W. Birdsell that the Commission approve the following resolution.

Item 4, 2017 Town and School Facilities Repairs and Renovations Program.

RESOLVED, that the Planning and Zoning Commission of the Town of Seymour approves the following project pursuant to Section 8-24 of the General Statutes of Connecticut:

Various Town and school facilities repairs and improvements described in the document entitled "Town of Seymour Priority List of Building Repairs," submitted to the First Selectman by the Seymour Permanent Building Committee on June 6, 2016, a copy of which documents is on file in the Office of the Seymour Town Clerk;

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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.

**Motion Carried 5-0.**

### ***5. Site Plan Modification, 25-27 Progress Ave.***

There was no one present regarding this application. Mr. Nesteriak stated that he did an inspection of the property. There is a cease and desist in place and there are a number of things that are not done. One of the items that needs to be completed is landscaping.

**MOTION:** W. Birdsell/J. Holly to table to the next meeting.

**Motion Carried 5-0.**

### ***6. Zoning Enforcement***

Mr. Paecht presented his report for the period 7/12/16 to 8/09/16. He stated that all Driveway cuts now go the zoning and not to Public Works any longer. He stated that the cease and desist order at Silvermine is still in place until the requested information is provided to the town engineer.

Atty. Dominick Thomas, 315 Main Street, Derby representing Allen Industrial Park stated that he has just been retained as their attorney. He stated that they had a meeting with Atty. Marino, Brian Nesteriak and the First Selectman over the issues and a resolution of those. He stated that it was his understanding the Mr. Fanotto will begin working on the issues regarding the slope and coordinate that work with Mr. Nesteriak. He stated that he is preparing an application and plans for Inland wetlands and Planning & Zoning for new buildings along with the gas plant. The basic structure has been approved by the Fire Marshal but there are changes. The buildings will be for occupancy and not just storage. He stated that he is hoping to have a work session with Atty. Marino and Mr. Nesteriak and staff to address any of the issues once the draft plans are completed. He stated that the work that is being done now is drainage which is part of the 2004 site plan approval. The proposal is that he be allowed to finish that work on the site and no work to the north of the existing buildings will be done.

Mr. Nesteriak asked if the cease and desist could be lifted to finish the drainage. There was no opposition to that. The drainage that was part of the original site plan needs to be completed. The cease and desist will remain for the rest of the site. He recommended having an application filed to get the site up to compliance.

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Atty Marino stated that the ZEO has the cease and desist in place and he has not issues with approving tolling of the appeal period and having it handled administratively. He stated that drainage work that was approved as part of the 2004 site plan would be allowed to be completed. Atty. Thomas noted that the cease and desist is undated and it was voted on at the July meeting. Atty. Marino stated that they are hoping to have something by October and tolling can be until October. Atty. Thomas stated that the bathroom has been completed.

**MOTION:** J. Holly/T. Lavranchuk to toll the appeal period for the cease and desist to the October 13, 2016 meeting.  
**Motion Carried 5-0.**

**MOTION:** J. Holly/T. Lavranchuk to allow the drainage work that was approved in the 2004 site plan to be completed and allow the Town Engineer to inspect.  
**Motion carried 5-0.**

### ***7. Minutes –Regular Meeting – June 9, 2016***

**MOTION:** W. Birdsell/T. Lavranchuk to approve the minutes of the June 9, 2016 regular meeting.  
**Motion carried 5-0**

### ***8. Minutes, Regular Meeting – July 14, 2016***

**MOTION:** W. Birdsell/T. Lavranchuk to approve the minutes of the July 14, 2016 meeting.  
**Motion Carried 5-0.**

### ***9. Chatfield Farms Subdivision, Lot Line Revision***

Atty.Dominick Thomas, 315 Main Street, Derby stated that he is representing Seven Pumphrey and Darryl Fitzgerald. The open space was shown as part of Lot 22. A survey was done and the record subdivision map identifies the open space parcel. There will be a transfer of property to Mr. Pumphrey and a mylar will be recoded. Atty. Thomas stated that when the subdivision was approved the open space area was clearly set aside. He stated that this is a reasonable resolution to correct the situation.

**MOTION:** W. Birdsell/T. Lavranchuk to approve the lot line revision for Lot 22 with the condition that it will be open space with no structure permitted.  
**Motion Carried 5-0.**

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**10. Public Comments**

There was no one from the public wishing to speak.

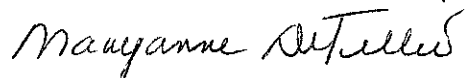
**11. Commissioner's Public Comment**

There were no commissioner's public comment.

**MOTION:** T. Lavranchuk/W. Birdsell to adjourn the meeting.  
**Motion carried 5-0.**

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,



Maryanne DeTullio, Recording Secretary