

SEYMOUR PLANNING & ZONING COMMISSION

Regular Meeting Minutes

May 11, 2017

Norma Drummer Room, Town Hall

COPY RECEIVED
DATE: 5/23/17
TIME: 8:45am
TOWN CLERK'S OFFICE

Members Present: J. Ziehl, J. Hanewicz (Alt.), T. Lavranchuk,
G. Vasas, J. Niezelski

Members Absent: W. Birdsell

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

The meeting was called to order at 7:30 p.m.

MOTION: T. Lavranchuk/J. Holly to seat J. Hanewicz as a regular member.
Motion Carried 6-0.

2. Public Comment.

There was no one from the public wishing to speak.

3. Rolling Hills Acres, Section Two, Request to Void Approval.

Atty. Dominick Thomas, 315 Main Street, Derby was present representing the applicant. Michael Horbal was also present for the applicant and stated that all issues regarding the maps have been resolved. He presented revised maps and dates. He stated that one map is a data accumulation plan for the transfer of the roads; which were accepted by the Town.

Atty. Marino stated that he reviewed the Board of Selectmen minutes and a portion of Rolling Hills Drive was accepted. He stated that Fox Hollow Road and Hidden Meadows, south section were accepted. Red Oak and Fox Run Walk are not accepted. He stated that the Commission could approve with conditions. Atty. Thomas stated that representations were made that all roads are accepted. He stated that if they can provide proof they will do so otherwise the Board of Selectmen can act.

Atty. Marino stated tht the deeds are fine and asked if it was necessary to go back to the Board of Selectmen for road acceptances if they are not accepted. Atty. Thomas stated that the original deed had the large open space parcel that was taken out and replaced with a drainage easement. It is still owned by Baker Residential. Atty. Marino stated that there was no concern with that. He also stated that the sight line easements are properly shown. The temporary cul-de-sac easement is also fine.

It was noted that the small side road needs to be removed or topcoated to make it look like a finished roads. This is a liability issue for the applicant. Mr. Horbal stated that the road which onbly has a binder coat of paving is in Section 2. Atty. Thomas stated that he will speak with his client regarding this.

SEYMOUR PLANNING & ZONING COMMISSION

Regular Meeting Minutes
May 11, 2017
Norma Drummer Room, Town Hall

Mr. Nesteriak stated that the road only has a binder but all catchbasins and manholes are installed. There is a pothole forming and something needs to be done with the road. The construction road is unfinished area and the town needs to know what the intend is from the applicant. He stated that the temporary turnaround is not to typical standards. He stated that he believes it was approved but does not think it looks right. The issue of whether the Fire Department can turn a truck around there should be addressed.

Mr. Ziehl stated that all the issues should be identified and the motion should be very specific.

Atty. Marino stated that regarding the temporary cul-de-sac more input should be received from the Fire Department on the turnaround. He stated that they can work out the issues with the applicant. Mr. Lavranchuk stated that if there is a problem with the road the Town has a lot of liability. Atty. Marino stated that the prior town engineer approved it and the Board of Selectmen accepted it. Mr. Lavranchuk stated that the Commission should find out what has been accepted by the Town and make sure that what was accepted is up to code. Mr. Horbal asked if there are as-builts of the roads and Mr. Nesteriak stated that he has some of them. Atty. Thomas stated that they were told that all roads were accepted but not all deeds done.

MOTION: T. Lavranchuk/G. Vasas to continue this item.
Motion Carried 5-0.

4. Re Approval of Expired Special Permit, Great Oak Ridge Residential Community, 45 Spring St., Phase Two.

Mr. Paecht stated that this has not gone to Inland Wetlands and therefore the Commission cannot act on it this evening. He recommended that it be referred to the Town Engineer and once it gets Inland Wetlands approval the matter will come back to this Commission. Mr. Nesteriak stated that he will review the plans.

Jim Pendry, Summit Seymour stated that this was previously approved and it expired. The changes to the plans are very minimal. Mr. Ziehl stated that this is a new application and he will check with counsel on whether we need a public hearing. Mr. Pendry stated that they have already paid the fees and since this is a re-approval they would ask for some consideration on the fees. Mr. Nesteriak stated that it is up to the Commission to determine any reduction in fees. He recommended waiting to the end of the process to see what the costs are. He stated that he did not think a public hearing was necessary but since it is a special permit it has to go to public hearing.

MOTION: T. Lavranchuk/G. Vasas to schedule a public hearing
For June 8, 2017 at 7:00 p.m.
Motion Carried 5-0.

SEYMOUR PLANNING & ZONING COMMISSION

Regular Meeting Minutes
May 11, 2017
Norma Drummer Room, Town Hall

5. Minutes Regular Meeting April 13, 2017

MOTION: G. Vasas/J. Hanewicz to table this item.
Motion Carried 5-0.

6. Zoning Enforcement.

Mr. Paecht presented his report for the period 03/12/17 to 04/17/17. He stated that he has been receiving a lot of calls regarding zoning matters.

7. Public Comment

There was no one from the public wishing to speak.

8. Commissioner's Public Comment.

There were no Commissioner public comment.

3. Rolling Hills Acres, Section Two, Request to Void Approval.

MOTION: T. Lavranchuk/G. Vasas, that the Subdivision approval of Rolling Hills Acres, Section 2, be voided and that the property be returned to a single lot under the following conditions:

1. The recording of a lot consolidation plan as approved by the Town Counsel and Town Engineer.
 2. The recording of a data accumulation plan as approved by the Town Counsel and Town Engineer.
 3. A Warranty Deed to the Town for the roads accepted by the Town in Section 1 of Rolling Hills Acres.
 4. A Warranty Deed to the Town for the open space parcels and other parcels in Section 1 as required by the Section 1 approvals.
 5. A Drainage Easement to the Town as shown on the lot consolidation plan.
 6. A Temporary Turnaround Easement to the Town as shown on the lot consolidation plan.
 7. Compliance with all conditions concerning the Temporary Turnaround Easement requested by the Town Counsel and Town Engineer.
 8. A satisfactory resolution of the conditions of Butternut Lane in Section 2.
- Motion Carried 5-0.**

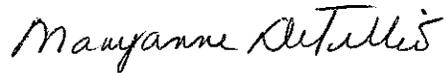
SEYMOUR PLANNING & ZONING COMMISSION

Regular Meeting Minutes
May 11, 2017
Norma Drummer Room, Town Hall

MOTION: J. Hanewicz/G. Vasas to adjourn the meeting
Motion Carried 5-0.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,



Maryanne DeTullio