

**SEYMOUR ZONING BOARD OF APPEALS**

Regular Meeting Minutes  
October 4, 2018  
Norma Drummer Room, Town Hall

COPY RECEIVED  
DATE: 10/12/18  
TIME: 9:20am  
TOWN CLERK'S OFFICE

**Members Present:** R. Demko, Paula Chapla, J. Hanewicz, T. O'Neil

**Members Absent:** B. Seale, C. Aliman, P. Wilhelmy

**Also Present:** Jim Baldwin, Colleen Kochan

The meeting was called to order at 8:50 p.m.

***Public Comment***

There was no one from the public wishing to comment.

**MOTION:** P. Chapla/J. Hanewicz to seat T. O'Neil as a regular member.  
**Motion carried: 4-0.**

***Minutes Regular Meeting September 6, 2018.***

**MOTION:** P. Chapla/J. Hanewicz to approve the minutes of the  
September 6, 2018 meeting.  
**Motion Carried: 4-0.**

**MOTION:** P. Chapla/T. O'Neil to have R. Demko act as Temporary  
Chairman.  
**Motion Carried: 4-0.**

***27 French Street Application to allow an increase of building area from 15% to 18% to add an in-law apartment to their existing residence.***

R. Demko stated that it is not a large increase that they are requesting. J. Hanewicz stated that they spoke with neighbors and there were no objections.

**MOTION:** T. O'Neil/P. Chapla to grant the variance to allow an increase  
Tin the building area from 15% to 18%.  
**Motion Carried: 4-0.**

***132 Silvermine Road Application for special permit; Section 12.0 Earth Removal, Filling an Regrading.***

J. Baldwin noted that this property abuts the R-40 Zone. R. Demko stated that there will be no excavation of the property; they will be bringing materials in. T. O'Neil was asked about dust and noise controls. J. Baldwin stated that there is a new ordinance that goes back to the hours of operation. T. O'Neil stated that he did not think there was a concern but it was brought up by a member of the public. J. Baldwin stated that if there is a problem, the Enforcement Officer could take action and issue a cease and

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desist. J. Hanewicz asked about the fueling of vehicles and J. Baldwin stated that most times the vehicles are fueled off of a fuel truck. P. Chapla stated that she was concerned that we don't know where the materials coming in are coming from and there is no guarantee that they are not contaminated. J. Baldwin stated that the omission could limit the amount of stockpiling as a condition.

**MOTION:** J. Hanewicz/T. O'Neil to approve the application with the following Conditions – 1. The Town will be notified 48 hours prior to the equipment being used each time it is used; 2. Maximum stockpiles to be determined by staff.

**Motion Carried: 4-0.**

### **22 progress Avenue Application for special permit; Section 12.0 Earth Removal, Filling and Regrading.**

R.D emko stated that they are just looking for an increase in what they can do. J. Baldwin stated that a permit was granted but they went outside of the scope and did not apply for one year. This was brought to the attention of the owner. J. Baldwin stated that there was no containment of any kind on the site. The staff reviewed the situation and came up with a process. They will be required to come back after a year.

**MOTION:** P. Chapla/T. O'Neil to approve the application.

**Motion Carried: 4-0.**

### **130 Silvermine Road Application for a variance to Section 5.2 table of permitted uses of the Seymour Zoning Regulations: To permit an automotive repair in an LI-1 Zone and automotive sales in an LI-1 Zone.**

R.Demko stated that the abutting parcel has an automotive use. J. Baldwin stated that he did not see anything submitted with the number of cars that will be parked there or available for sale. He stated that he believes it is a small operation but nothing was presented. T. O'Neil asked about the violation of the easement and J. Baldwin stated that he did not know of any violation.

**MOTION:** T. O'Neil/J. Hanewicz to approve the application with the Following conditions:

- 1, There will be no more than 20 motor vehicles for sale In the front lot of the business.
2. The Leggios and their heirs and assigns agree to maintain the 10' sideyard that exists adjacent to the south face of the existing building and between said building and the LFRE Easement Area in a presentable and neat condition, free of unregistered motor vehicles, junk and debris.

**Motion Carried: 3-0-1 with P. Chapla abstaining.**

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### ***Elections of Officers; tabled from September 6<sup>th</sup> meeting.***

**MOTION:** T. O'Neil/J. Hanewicz to elect R. Demko Chairman  
Effective 10/04/18.

**Motion Carried: 3-0-1 with D. Demko abstaining.**

**MOTION:** R. Demko/T. O'Neil to elect J. Hanewicz Vice Chairman  
Effective 10/04/18.

**Motion Carried: 3-0-1 with J. Hanewicz abstaining.**

### ***Zoning Board of appeals bylaws; tabled from September 6<sup>th</sup> meeting.***

R. Demko stated that he would like copies of all applications to come with the agenda. He also suggested having the meetings start at 7:00 p.m. even if there are no public Hearings scheduled. He also suggested reaching out to P. Whilemy to see if he still wants to be a member of the Commission.

### ***Public Comment***

There was no one from the public wishing to speak.

### ***Correspondence***

There was no correspondence to review.

**MOTION:** P. Chapla/T. O'Neil to adjourn the meeting.

**Motion Carried: 4-0.**

The meeting was adjourned at 10:30 p.m.

Respectfully submitted,



Maryanne DeTullio, Recording Secretary