

## SEYMOUR ZONING BOARD OF APPEALS

### Public Hearing

June 4, 2019

**Members Present:** R. Demko, J. Hanewicz, B. Nerone, P. Wilhelmy, J. Duke (Alt.)

**Members Absent:** B. Seale, C. Aliman, '

Also Present: M. Marganski, J. Baldwin

The public hearing was opened at 7:05 p.m.

R. Demko read the notice of public hearing.

The Seymour Zoning Board of Appeals will conduct a public hearing on June 6, 2019 at 7:00 pm in the Norma Drummer Road; Seymour Town Hall, 1 First Street, Seymour CT 06483 for the following application: Application for a rear yard variance of Section 6.0 of the zoning regulations from 75' to 45'. Property located at 470 North Main Street, Seymour CT.

Atty. Dominick J. Thomas, 315 Main Street, Derby was present for the applicant. He presented a permission letter from the owner of the property and also pictures of the signs posted on the property. He stated that this is a narrow property and is impacted by Rimmon Brook. He stated that the decision from Inland Wetlands is pending. He also stated that it is impacted by a right of way. There is an elevation change between the rear portion and Lakeview Avenue. The property slopes down from North Main Street. Atty. Thomas stated that the hardship in developing the rear portion and also in front. These will be self-storage buildings. He stated that they have addressed all the concerns of Inland Wetlands. He stated that the unusual nature of the property is that it borders another industrial property, and there is a large empty parcel on the other side of Lakeview. There is no impact on any residential properties in the area.

Don Smith, 56 Greenwood Circle stated that there are two existing buildings on the site. He stated that Rimmon Brook bisects the property and this is a corner lot. There is a right of way providing access from Rimmondale Street. The proposed buildings will be similar to those that are there now. The larger building in the rear will be three stories. Atty. Thomas stated that they are requesting a rear yard variance from 75 feet to 45 feet. Don Smith stated that there is an existing non-conformity on one of the existing buildings and this will correct that. R. Demko asked about Inland Wetlands. D. Smith stated that there are two small wetland pockets on the property. The southerly one will be eliminated and they will fill the northerly one. There is an existing culvert, which will be removed. There will be some mitigation done to offset the storm drainage will be a benefit.

P. Wilhelmy stated that there is no approval from Inland Wetlands or Planning and Zoning. D. Smith stated that they need the variance from this Board before going to

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TIME: 1:11 PM  
PAGE: 1

Planning and Zoning. Atty. Thomas stated that the property is zoned G1 and it is a corner lot which creates three setbacks. He stated that in order to use the back of the property they need the variance. This property has a unique topography. There is an issue between this property and Lakeview. It will not impact the neighborhood. The proposed use is a low traffic and parking development. He stated that since it is a corner lot and the unusual shape and topography makes it difficult to develop. D. Smith submitted the grading plan and stated that there is an existing two to one slope from the top down to the building. He stated that they cannot move the building without getting into more excavation on the site. R. Demko asked the distance between the front building and stream. D. Smith stated that it is 25 feet.

R. Demko asked for any public comment.

John Fanotto, 45 North Street, owner of residential and industrial property on North Main Street felt that it is too intense for this site and does not feel there is any hardship. He felt that the building is too big for the site and was concerned with how it will affect the residential properties. He also stated that the relocation of Lakeview by the State of Connecticut was accepted by the owner and he received compensation for it. He also stated that there are springs on the property. J. Fanotto stated that when the State takes property they take into consideration that they are changing the size of the lot and the owner was compensated. He did not feel this created a hardship. Atty. Thomas stated that the State took the property for Route 8. Atty. Thomas stated that this is a reasonable size industrial building which has the least impacts. The property has three 75 foot setbacks. The property is strangely configured and has unique topography. D. Smith stated that when Lakeview was realigned this property was cut in half.

J. Fanotto stated that the building is level with the top of Lakeview and the bottom level with Rimondale. He felt that there will be a lot of impacts to the residential properties. Lighting will impact the properties and there is not enough parking. Atty. Thomas stated that the height is within the regulations.

R. Demko stated that he felt that the Board had enough information and closed the public hearing at 8:18 p.m.

Respectfully submitted

Maryanne DeTullio, Rec. Sec.