

SEYMOUR ZONING BOARD OF APPEALS
Public Hearing
October 3, 2019

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

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

Also Present: M. Marganski, J. Baldwin

The meeting was called to order at 7:00 p.m.

R. Demko read the notice of public hearing.

Application for variance of section 7.10 (e) to reduce side yard setbacks from fifty five feet to 30+feet for the purpose of building a single family residence at 2 Bunting road, Seymour, CT.

Atty. Dominick Thomas, 315 Main Street, Derby, representing the applicant presented photos of the site showing the posting of the signs. He stated that in 2018 the property was conveyed to the current owners, at which time it was added to the property. The property is located in the R-18 zone and is an interior lot. He stated that the lot size is 15,000 s.f. and front yard setback is 25 feet, side yard setback 15 feet and rear yard 30 feet. The lot square is 90,000 s.f. He stated that 2 Bunting is taxed was taxed as a building lot sometime in the 1990's. 4 Bunting was conveyed in the 1950's to the tomlinson's. The 25 foot right of way at that time was 37 feet. In 1972 A. Bunting deeded 12 feet to #4 Bunting which reduced the non-conformity. He stated that in 1990 this lot with the added property would have been totally complying and was a valid lot. He stated that 58 Skokorat was given to them and not added to 2 Bunting. He stated that they added the property to reduce the non-conformity. The Town taxed it as a building lot and was a building lot when created and complied through the 1990's. He stated that when the amendment went into effect it confiscated the property. P. Chapla He stated that P&S Paving needs to get this done to continue their business. He stated asked about building on 2 Bunting. Atty. Thomas stated that it will now be a larger parcel of land; and a lot consolidation map will be done and recorded. J. Hanewicz asked about rotating the building. Atty. Thomas stated that it would have to be further back if rotated.

Neil Dejarnette, 60 Skokorat Road stated that his property will be directly affected by the variance. He did not feel that there was an unusual hardship. The map shows a 30 foot setback and 25 feet will put it right on the right-of-way. The right-of-way is an access used by several properties in the area. This could become a dangerous situation. He felt that this will be a detrimental impact to his property and will decrease the value. He felt that this is a self-created hardship.

John Whitmore, 21 Eleanor Road stated that he is concerned about what will happen to his well. Susan Hoffert, 4 Bunting Road sated that this has always been nice to have an open area and was concerned that her property value will decrease. She stated that she will lose privacy and this will change the entire neighborhood. She was also concerned about runoff and where will snow be plowed. There are wells in the area and not sure how those will be affected as well as the wildlife.

Patrick Maturo, 56 Skokoret road stated that the right of way comes all the way across. There are large trees and a fence. He stated that he has had equipment on his property and does not want neighbors using the right of way. He has had water issues in the past. The property has a severe slope.

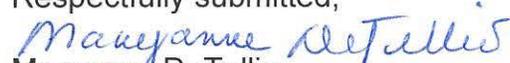
Susan Hoffert, 4 Bunting Road stated that the access road goes all the way down and in one area there is a significant slope which will affect water run. She submitted a petition with 44names on it.

Charlene Stevens 20 and 22 Eleanor Road was concerned about runoff the wildlife in the area.

Atty. Thomas stated that initially they did 25' and are now requesting a variance for 30 feet. He stated that with respect to the right of way, this is an interior lot subject to the right of way. There is a hardship and the evidence presented reduces the non-conformity. R. Demko asked if they were ever denied any applications. Atty Thomas stated nothing related to this.

Charles Bunting sated that he was not allowed to do this. Atty. Thomas stated that the hardship is unique it is an interior property and taxed as a lot. Neil Dejarnette questioned the right of way. Atty. Thomas stated that each lot must have its own accessway to a public street. The public hearing was closed at 8:30 p.m.

Respectfully submitted,


Maryanne DeTullio