

SEYMOUR PLANNING & ZONING COMMISSION

Public Hearing Minutes
October 13, 2011
Norma Drummer Room, Town Hall

Members Present: J. Baldwin, A. Ermer, D. Bitso, Alt., T. Lavranchuk, Alt.

Members Absent: A. Yagovane, J. Jaffer, W. Birdsell

Others Present: Bob Looker, Town Planner, Dave Nafis, Town Engineer,
Bill Paecht, ZEO

1. The re-subdivision of 176 and 202 Cedar Street. The proposed re-subdivision plan is on file with the Town Planner.

Michael Horbal was present for the applicant. He stated that they will be creating one new lot which is known as Parcel B. There is an existing house on Parcel A #176 Cedar Street and Parcel B #200 Cedar Street. He pointed out the location of the existing property lines between Parcel A and B. He noted that Parcel A wraps around all of Parcel C. He stated that they went to the ZBA and received a variance for the area of Parcel B because it is less than the 18,000 s.f. required. It is 15,691 s.f. The lots are presently served by city water and sewer as will the proposed lot. There are no wetlands on the parcels and they have received sign off from the Inland Wetlands Commission. He stated that the grades along Cedar Street are fairly steep so the proposed is close to the front line but behind the front setback. The proposed driveway meets the driveway regulations. There will be a retaining wall on the property and if it over three feet in height it will have to be designed by a professional engineer. He stated that someone building on Parcel B will have to submit a site plan with the exact house that they are going to build if it is not the same as shown now. This is not indicated as a note but Mr. Looker suggested that it be added to the record subdivision plan as well as the payment of any fees to the Sewer Authority. This will be done. Mr. Horbal stated that they will also stake the two front corners of Parcel B. Mr. Baldwin stated that he would like to have them add a note that if the wall is over 4' it will be designed by a professional engineer.

Chm. Baldwin asked for any public comment on the application.

Attorney Dominick Thomas, 315 Main Street, Derby representing the owner of 176 Cedar Street, I. Vazquez stated that she is giving her consent to have her property involved in the subdivision. She is in favor of this application. This will allow her to have a conforming lot.

Mr. Baldwin asked if 202 Cedar Street encroaches into the front setback. Mr. Horbal stated that it does and has for many and is an existing non-conforming lot. The variance was only for lot width.

There were no other comments and Chm. Baldwin closed the public hearing.

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2. A proposed change in the zoning classification of property at 130 New Haen Road from the present C-2 General Commercial to the LI-1 Limited Industrial zoning district. A map showing the area of the proposed zone change is on file with the Town Clerk.

Chm. Baldwin read a letter from R. Yarosh, owner withdrawing the application for zone change.

3. A general revision of Section 13, Signs, of the zoning regulations as proposed by the Planning and Zoning Commission. This hearing is continued from September 8, 2011.

Chm. Baldwin stated that correspondence was received from the Economic Development Commission. He asked if there was anyone wishing to speak on this.

Michael Horbal, member of Economic Development Commission presented a report from them. He stated that the Commission looked at the proposed regulations and have submitted a list of recommendations on some revisions to the regulations. He stated that most of what they submitted are to clarify questions and to ask to add more definitions to the language for signs.

He stated that in Section 13.2 the term "sign" did not include any flag, pennant or insignia of any governmental unit or non-profit organization not any traffic or similar regulatory devices. They would recommend that the definition of banners, portable sandwich signs and roof signs as separate and distinct items or incorporate them into the definitions of detached signed and attached signs.

He stated that in Section 13.3 prohibited signed they have the phrase or state highway and state property and that they add on town property. He stated that they did not want the signs to protrude into the state highways and town streets. Mr. Ermer asked if the Commission would have a legal right to state something regarding state property. Mr. Looker stated that the Commission could do that. Mr. Horbal stated that he felt it would give people fair warning if they want to put a sign on the state highway. He also stated that the adopt-a-spot signs should be defined.

Mr. Horbal stated that in Section 13.3 prohibited signed – animated signed they felt that the phrase relatively static is too subjective and needs clarification. He stated that they had no comment as to how long they could be on before changing. This is one of the newest type of signs that are being used and this should be looked at closely. He also stated that in that section there is a reference to Zoning Officer and that should be changed to zoning enforcement officer. They also felt that in the section that requires special permit the last word "approval" should be changed to "action".

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Mr. Horbal stated that in Section 13.3f excessive height “free standing” should be changed to “detached signs”.

He stated that in Section 13.3g the following language should be added at the end of the paragraph “and shall not interfere with vehicular sight lines or block sidewalks”.

Mr. Horbal stated that in Section 13.4 Exempt Signs, sub-section d political signs. He stated that there have been concerns raised that signs are put up and never taken down. He stated that they felt that there should be a reasonable time that signs are allowed after a short-term event. He stated that they would recommend that after 72 hours after an election that political signs be removed. He stated that they also felt that size limitations should be put on temporary signs. They would also recommend that “for sale” or “for rent” signs also be permitted on private property with the express permission of the property owner. He stated that in Section 13.4j He also stated that they did not know how beneficial it would be to have a sign displayed 30 days prior to an event. They felt that the signs should be removed within 7 days after the event.

Mr. Horbal stated that Section 13.6 talks about business signs. He stated that even though the regulations allow signs in the commercial areas, they felt that it would be a benefit to add the term RC3. Mr. Looker stated that RC# is a business district and he did not feel that was necessary.

Mr. Horbal stated that in Section 13.6a change “free standing” to “detached signs”. He stated that they felt it might be a good idea to further define the area of such signs. Mr. Baldwin stated that they have been having a discussion on this. He stated that if you apply a percentage for the sign based on the size of the building it might be better.

He stated that Section 13.6b should be the same to change “free standing” to “detached signs”. In Section 13.6c include in the description of banners and signs made of other materials including plastic, metal and wood and add cloth.

Mr. Horbal stated that in Section 13.8 special permit signs he asked if this would be something that the ZBA is responsible for. Mr. Looker stated that he would not recommend that as they have no knowledge in something like that. He stated that a lot of time a sign is part of a site plan and this Commission is better to handle it.

He stated that they would recommend that a Section 13.9 be added to establish fines for violation of these regulations to give the ZEO the power to administer the regulations. He stated that he discussed this with Mr. Looker and they would change the recommendation that something be added that violations re subject to fines as established in the Seymour town ordinance.

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He stated that the last paragraphs deals with tag sale signs which is very difficult to enforce. He stated that they are offended by tag sale signs that go up on poles and are never taken down.

Mr. Horbal stated that they would like to thank the Commission for considering their recommendations. Mr. Baldwin stated that the Commission appreciates the EDC's input. He stated that this is a good example of the Commission working together in their advisory position. Mr. Baldwin stated that he agrees with all the recommendations and only questions the comment relating to the commercial/industrial district and whether we should set a square foot limit or continue on the topic of a percentage of square footage of the area of the building. He stated that is currently 10% and we have had the suggestion of 5% and also 7.5%. He stated that this is something that still needs to be discussed. He stated that it might be easier that when we ask to have signs removed that we also have temporary signs be removed within 72 hours after an event to keep things uniform.

Mr. Looker stated that he would strongly recommend that political signs are left alone. Mr. Baldwin agreed with him but felt that something should be added about the allowed size. Mr. Looker stated that he would do nothing with political signs at all.

Mr. Looker stated that with regard to electronic signs in the CVS a limit of 10 minutes was set. It is not flashing but changes. He stated that he would allow it as a matter of right and subject to the ZEO's judgment. Mr. Baldwin stated that the purpose of it is to be able to change. He stated that he did not think it should be too restrictive but at intersections safety reasons should be considered. Mr. Paecht stated that what would happen if a lot of businesses in one area had animated signs and they were all flashing at different times. Mr. Baldwin stated that he felt that ten minutes is too restrictive but some language will probably have to be added regarding this.

Bruce Richards, 132 Silvermine Road, New Age Design that with electronic signs what would be the process to apply for one as of today. Mr. Baldwin stated that it would be under the current regulations as a special permit.

There was no further public comment and Mr. Baldwin closed the public hearing.

The public hearing was adjourned at 7:35 p.m.

Respectfully submitted,

Maryanne DeTullio, Recording Secretary