

COPY RECEIVED
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TOWN CLERK'S OFFICE

SEYMOUR PLANNING & ZONING COMMISSION

Regular Meeting Minutes
January 13, 2011
Norma Drummer Room, Town Hall

Members Present: A. Yagovane, J. Jaffer, A. Ermer, Jim Baldwin

Members Absent: W. Birdsell, D. Bitso, Alt.

Others Present: Bob Looker, Town Planner, Bill Paecht, ZEO

The meeting was called to order at 7:35 p.m. by Chairman, Al Yagovane

1. Request to Accept Extension of William Lane.

Atty. Fran Teodosio was present and stated that there were five items that needed to be addressed. The issue with Lot 3 and the easement has been taken care of. He stated that regarding the encroachment on Lot 5 he has spoken with their attorney and it will be forwarded to him for consideration. The monuments are in and the surveyor has verified that. The junction box and movement of the box by CL&P is scheduled to be done at the end of the month. There was also the issue of puddling and the developer has contacted a company which has come out and observed the area before the snow. They have received an estimate for the remediation of the puddling. Atty. Teodosio asked that the Commission consider accepting the road at this time. He stated that the town has plowed the road and sometimes the plows damage the curbing or the road. Mr. Ermer asked what type of improvements will be done to the puddling problem. Atty. Teodosio stated that the pavement could be heated and realigned and sometimes a small channel is put in. Mr. Looker stated that he spoke with Dave Nafis, Town Engineer and he would recommend that the road not be accepted at this time. Mr. Looker did confirm that the monuments are in. Atty. Teodosio stated that regarding the puddling issue the maintenance is more than adequate to cover that work. Mr. Baldwin asked what caused the problem of puddling. Atty. Teodosio stated that he did not know but did speak with the engineer and it appears to be more of a settling out problem. Mr. Baldwin was concerned that the problem could persist even after the remediation work is done. He felt that the problem should be identified by the engineer so that the remediation work will correct it. Mr. Yagovane stated that no action would be taken this evening and he asked that the Town Engineer submit a report prior to next month's meeting. Atty. Teodosio asked that they receive a copy of that report when it is issued.

MOTION: Ermer/Jaffer, to table any action and get a written report from Nafis & Young prior to next month's meeting.

Motion Carried 4-0

2. Change of Non-Conforming Use, Bakery to Take Out Restaurant, 56 Pearl St.

The applicant was present and stated that he would like to have a take-out restaurant at this location. Mr. Looker stated that the Commission has the authority to change one non-conforming use to another. Mr. Yagovane asked if there was adequate

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parking. Mr. Looker stated that it will be take out only and there was sufficient parking.

MOTION: Jaffer/Ermer to approve the change in non-conforming use to a Take-out restaurant at 56 Pearl St.

Motion Carried 4-0.

3. Rooster Enterprises, New Haven Road, Processing of Earthen Material

Mr. Paecht stated that in his report he attached the minutes from the meeting when this was originally approved. Mr. Looker stated that he had to remove a lot of material from the site. The applicant came back to the Commission as asked to bring down the site a little more. He stated that he was going to put a building up and first it would be storage bins. Mr. Baldwin stated that it appears that instead on preparing the site to put the bins in he is just excavating materials from the property. Mr. Yagovane stated that the contractor on the Chatfield School project was allowed to store material there and those materials will eventually go back to the school site. Mr. Baldwin stated that he was concerned that once the site has been approved it won't be finished. He also stated that they have brought in material from another site and it was originally noted that they would not bring in materials from anywhere else. Mr. Paecht stated that the Town gave up the opportunity to own the material from Chatfield School project and Inland Wetlands would not allow it to be stored on the Wells property. Mr. Jaffer stated that the Commission had requested that a representative from the Chatfield School Committee be at the meeting or someone from Rooster Enterprises so that the Commission could get information directly from them. Mr. Baldwin suggested having the Town Engineer go out and see what is going on there and if the elevations are at what was approved.

MOTION: Baldwin/Jaffer to have the Town Engineer inspect the site and issue a report.

Motion Carried 4-0.

4. Section 8-24 Referral; High School Bleachers Replacement, Town Buildings Improvements, Bunting Road and Garden City Road Improvements.

The Commission reviewed the requests and Mr. Baldwin and Mr. Ermer stated that they had no problem with the referrals. Mr. Looker stated that major projects in Town are referred to the Planning & Zoning Commission. Mr. Yagovane was concerned that the Commission did not have more information on some of the projects.

John Conroy, Jr., Board of Selectmen stated that they have been dealing with these issues for some time and they are moving through the proper channels. He stated that as far as the road improvements there is a specific list of roads and what will be done.

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He stated that as far as the replacement of bleachers the Board of Education is obtaining bid proposals for that. The bleachers are old and need to be replaced and they do not meet handicap requirements.

MOTION: Baldwin/Jaffer to recommend approval of the 8-24 Referrals for high school bleacher replacement; town buildings improvements; Bunting Road and Garden City Road improvements. (Resolutions Attached).
Motion Carried 4-0.

5. Sign Regulations

Mr. Looker stated that there is an ordinance in place to fine for zoning violations. He stated that it is an involved process and has to be done according to State statute. He stated that if the problem is not corrected or the fine paid, the individual does have the right to a hearing before an enforcement officer. There is not anyone in that capacity. He also stated that most people have paid or corrected the problem.

Mr. Baldwin stated that there are signs in town which are not allowed under the regulations. Mr. Looker stated that they can be removed if they are in the town right of way or on town property. Mr. Paecht stated that something needs to be done about out of town businesses that put up signs. Mr. Yagovane suggested having a workshop to review and discuss the sign regulations. He also suggested getting information from other town on what their regulations are. Mr. Baldwin felt that the regulations should be looked at thoroughly and either modified or revised and also review the fine structure and how it is enforced.

6. Zoning Enforcement

The Commission reviewed Mr. Paecht's report on zoning enforcement. He also submitted a mileage report. Mr. Yagovane felt that it is important to budget for enough to cover his projected mileage for next year.

7. Minutes Regular Meeting 12-9-10; Special Meeting 12-20-10

MOTION: Ermer/Jaffer to approve the minutes of the 12/09/10 meeting.
Motion carried 4-0.

MOTION: Ermer/Baldwin to approve the minutes of the 12/20/10 special meeting.
Motion carried 4-0.

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MOTION: Jaffer/Ermer to adjourn the meeting.
Motion carried 4-0.

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Maryanne DeTullio, Recording Secretary

RESOLUTION OF PLANNING AND ZONING COMMISSION

January 13, 2011

Item __.

RESOLVED, that the Planning and Zoning Commission of the Town of Seymour approves the following projects pursuant to Section 8-24 of the General Statutes of Connecticut:

1. Replacement of the Seymour High School field bleachers, and related improvements.
2. Improvements to various Town buildings, including (a) replacement of the roof on the Seymour Public Works Department Garage on Derby Avenue, and related work and improvements, (b) installation of a new boiler and heating system at the Seymour Community Center at 20 Pine Street, and related work and improvements, and (c) implementation of the Energy Committee's plans to convert Town buildings into energy and cost-efficient structures.
3. Road improvements on approximately seven miles of roads in the Bunting Road and Garden City areas, as to be determined by the Board of Selectmen, and related improvements, work and appurtenances and any related land or easement acquisitions;

provided that this resolution is for approval of conceptual plans only. The projects are subject to and shall comply with all applicable zoning, site plan, subdivision, inland wetland and other laws, regulations and permit approvals, and this resolution shall not be a determination that any of the projects is in compliance with any such applicable laws, regulations or permit approvals.