

## SEYMOUR ZONING BOARD OF APPEALS

Public Hearing Minutes  
August 5, 2010  
Norma Drummer Room, Town Hall

**Members Present:** David Coe, Theresa Conroy, John Uhelsky, Nicolette O'Toole

**Members Absent:** Robert Ricciutti, Ted Holly

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

***1. An application to allow the establishment of a second building lot on property known as 27 Lantern Drive. The lot to be established does not have frontage on an approved Town Road.***

Don Smith representing the applicant asked to have the public hearing continued to the September meeting when more members may be present.

**Motion:** N. O'Toole/T. Conroy, to table the public hearing to the September meeting.  
In favor: Coe, Conroy, O'Toole, Uhelsky  
**Motion carried: 4-0.**

***2. An application for a front setback variance for the purpose of adding to and converting the building at 318 Roosevelt Drive to a restaurant. The addition would be approximately 12 ft. from the highway line. The application also includes a request for a variance to allow the parking area to be used as loading space during closing hours.***

Mike Horbal, 52 Main Street, Seymour was present for the applicant, Tony Mavuli. He stated that the application is to get a variance for a front yard setback and also parking/loading spaces. The applicant also owns the property adjacent to this lot, The Villa Bianca. This is a very small parcel of land bounded by Roosevelt Drive and Spruce Brook. It is approximately .65 of an acre. Mr. Horbal stated that the house has existed since colonial times and the front corner is only about 2" back from the highway line. This was caused by the State Highway Department in 1929 when it took approximately 35' of property. The property is zoned RC-3. Mr. Horbal stated that his client would like to convert the house into a restaurant and since it is not large enough for that purpose, he is proposing additions to the sides and rear of the house. The house is completely within the front setback line. He stated that they are asking for a front yard variance so that we can construct the restaurant as shown on the plans he submitted. The restaurant also requires parking and a loading space. There is not room for a loading space unless it is moved closer to the wetlands and they cannot do that. Most of the deliveries to the restaurant would be in the morning and as he owns

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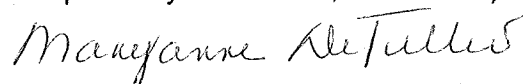
the adjacent property can have delivery vehicles park there and unload. However, the zoning regulations allow for joint use of parking in certain areas; but it refers to parking spaces only and not loading. They feel that the deliveries will be made early in the day and can use the parking spaces before the restaurant opens for business. They have received approval from Inland-Wetlands. They have a septic system and expect to receive Health Department approval and Highway Department approval. They have received Aquifer Protection approval.

They will be providing 27 parking spaces on site. Mr. Uhelsky asked about a hardship and Mr. Horbal stated that the State Highway Department took 35' of front property and that created the hardship. The zoning was also changed from residential to RC-3 which allows for the restaurant use and the amenities.

Mr. Mavuli stated that the house will be totally refurbished but will maintain the colonial look. Mr. Horbal also presented a satellite photo of the site. He stated that when the EDC sent out questionnaires to residents a lot of the responses included the need for more higher end restaurants.

**MOTION:** N.O'Toole/T. Conroy to close the public hearing.  
In favor: Coe, O'Toole, Conroy, Uhelsky  
**Motion Carried: 4-0.**

Respectfully submitted,



Maryanne DeTullio, Recording Secretary