

Seymour Planning & Zoning Commission

Meeting Minutes (Continuance): September 10, 2026 @ 7:00 PM

Seymour Town Hall, Drummer Room
1 First Street, Seymour, CT 06483

COPY RECEIVED
DATE: 9/17/26
TIME: 8:00am
TOWN CLERK'S OFFICE

1. Call to Order

2. Pledge of Allegiance

3. Roll Call (seat alternate as necessary)

- **Members:** B. Sirowich, J. Niezlski, M. Lambeti, J. Lombardo, K. Stannis
- **Absent:** R. Peck
- **Motion:** J. Niezlski seat alternate J. Lombardo, 2nd M. Malberti **(4-0) unanimous**
- **Others:** Attorney Marini; J. Baldwin, DLU; Bryan Nesteriak, T. Eng./Planneer, M. Marganski, ZEO

4. Correspondence

- ZEO noted correspondence from the applicant of application PZC-26-10: 682 So. Main Street requesting sixty five (65) day extension to respond to the town engineer report.
- Chair raised correspondence with regard to First Selectperson speaking as ex-officio at commission meetings and asked Attorney Marini to advise on that statutory and procedural issue. Attorney Marini discussed the matter with the commission. The commission may unilaterally place the item on the agenda, but the commission may also vote to include it formally.

5. Public Comment

- Resident presented detail concerns regarding downtown parking in relation to new retail business, existing businesses and existing residential and the lack of downtown parking with potential increase of commuter traffic.
- Chair reminded the public that comments on the proposed text amendment for commercial uses in support of agritourism closed last month. Attorney Marini stated that once a public hearing is closed, additional testimony is generally improper because it could be unfair to those who were not given notice, though the commission may reopen the hearing if necessary. Counsel clarified that revisions within the scope of the original notice may be considered without a new hearing, but changes that depart substantially from the noticed topic would require reopening.
- A member of the public asserted concerns about regulatory takings and statutory process; the commission noted the comment but maintained the public hearing closure.

6. Approval of Previous Meeting Minutes

- Motion J. Niezlski to approve all minutes for August 13, 2026, 2nd K. Stannis **(5-0) unanimous**

7. Application PZC-26-9: 125 Mountain Road & 23 Ross Drive (Lot Line Revision)

- J. Judson representing the applicants reviewed the proposed lot line revision with the commission.
- Commission noted lots shall remain consistent with the zoning requirements.

- Motion to approve the application by K. Stannis, 2nd by J. Niezlski **(5-0) unanimous**;
- Motion to endorse mylar by K. Stannis, 2nd by J. Niezlski **(5-0) unanimous**

8. Application PZC-26-8: 141 Main Street (Site Plan)

- The town engineer stated he received updated drawings shortly before the meeting, had not had adequate time to review them, and believed more information was needed to show impacts to surrounding areas.
- Specific engineering concerns included the anticipated disturbance of approximately 150 feet of public sidewalk, the need to address how a new three-story building will interface with existing century-old foundations, and conceptual plans for temporary or permanent impacts to town and state-owned sidewalks.
- Attorney Marini reminded the Commission that the application was first discussed on July 9, the 65-day statutory decision period was nearly expired, and failure to act could result in a default approval.
- Attorney Thomas stated the applicant has agreed on the record to a to 35 day extension in writing to allow time for additional materials and review.
- The Commission discussed parking requirements under the new statute, noting that developments under 16 units currently have no minimum on-site parking unless an overlay zone is adopted, and that proximity to bus and train stations is a statutory factor relevant to parking.
- Motion to grant the 35 day extension by K. Stannis, 2nd by J. Niezlski **(5-0) unanimous**

9. Application PZC-26-10: 682 South Main Street (Site Plan)

- Motion to table the application and grant the 65 day extension to allow the applicant time to respond to the town engineer report by J. Nielewski, 2nd by J. Lombardo **(5-0) unanimous**

10. Application PZC-26-7: Proposed Text Amendment Section(s) 3.0; 8.0 and new text "Commercial Uses in support Agritourism"

- Chair noted the public comment on the proposed amendments and new text closed last month.
- Motion to approve proposed amendments and new text by J. Nielewski, 2nd by J. Lombardo
- Discussion: Attorney Marini stated a lot of hot topics and one recurring topic was setbacks for agritourism. Attorney discussed a split system that agritourism to allow for the town and public to engage in agritourism, and to prevent exploitation of commercial uses for start up farms. Reviewed the definition of what constitutes a farm and that has remained the same. What is the appropriate size for agritourism to occur?
- ZEO reviewed proposed section 22.2.B (1) (2). Attorney Marini clarified the proposed text.
- Attorney Marini proposed a similar revision on setbacks as standard fifty (50') ft. setback on all farms that already have farm status as of the effective date. Going forward any farms after the effective date the setback would be double the largest setback as distinction between existing farm status and new farm status.
- K. Stannis proposed a question regarding setback in regard to existing grandfathered farm pre zoning and no longer has 50' setback due to the family division of the property. Existing barns do not meet the 50' setback.

- Attorney Marini questioned him if the existing farm has farm status. K. Stannis responded, yes. Attorney Marini stated that if it has existing farm status the setback would be 50'. K. Stannis explained situation. Attorney Marini explained if agritourism events prior to, that might be the basis for a pre-existing non-conformity. However, if one could not adapt to the regulation one would need to apply for a variance. Chair questioned that what if one had agritourism events there. Attorney Marini stated that might be a potential agreement. Chair questioned setback requirements for sanitation facilities. Attorney Marini reason for setting the threshold for the activity being performed in relation to the good and welfare of the public.
- Chair questioned of language for setbacks to be inserted into the proposed text. Attorney Martini agreed language would need to be crafted and the ZEO has the language.
- ZEO stated that this is not his language and the language crafted was done in consult with Attorney Marini. ZEO stated that he has concerns with this language due to other concerns and issues that have previously occurred in town. The language is for the commission to decide on the matter. ZEO read the language for the commission consideration. Attorney Marini stated they would need a motion to amend the proposed revision. K. Stannis questioned the sanitation setbacks. Attorney Marini explained that the sanitation setback is for their consideration. M. Malberti asked if the amendment could be revisited in the future and the reason for high impact attendance threshold of 100 attendees. ZEO stated that that was a threshold established by Director Emergency Management for notification as relates to public safety. ZEO reviewed remaining sections of the proposed text.
- Attorney Marini stated that they would need an additional motion for the proposed setback regulations.
- K. Stannis questioned equine riding. ZEO explained that this is additional to the existing language. Clarifies that equine riding is accessory use for agritourism.
- Motion by J. Nielewski to approve the setback regulation under proposed read by of 50' as read by the ZEO, 2nd by M. Malberti **(3-Malberti, Lombardo, Niezlski-Yea, Stannis-Nay, Sirowich-Abstain)**
- Motion by to approve regulation as amended J. Lombardo, 2nd by M. Malberti **(4-Malberti, Lombardo, Niezlski, Sirowich-Yea, Stannis-Nay)**
- Motion to establish effective date of October 1, 2026 by J. Lombardo, 2nd M. Malberti **(4-Malberti, Lombardo, Niezlski, Sirowich-Yea, Stannis-Nay)**

11. Adjournment

Submitted M. Marganski, ZEO