

Seymour Planning & Zoning Commission

Meeting Minutes: October 8, 2026 @ 7:00 PM

COPY RECEIVED
DATE: 10/14/2026
TIME: 3:36 PM
TOWN CLERK'S OFFICE

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

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call (seat alternate as necessary)**
 - **Members:** B. Sirowich, J. Niezelski, M. Malberti, J. Lombardo
 - **Absent:** R. Peck, K. Stanis
 - **Motion:** J. Niezelski seat alternate J. Lombardo, 2nd M. Malberti **(3-0) unanimous**
 - **Others:** Attorney Marini; M. Marganski, ZEO
- 4. Correspondence**
 - None
- 5. ZEO Report**
 - The ZEO will answer any questions from the commission and report, as necessary, on matters before them.
- 6. Approval of Previous Meeting Minutes**
 - Motion M. Malberti to approve Public Hearing Minutes and Regular Meeting Minutes for September 10, 2026, 2nd J. Niezelski **(4-0) unanimous**
- 7. Application PZC-26-8: 141 Main Street (Site Plan)**
 - Attorney Marini presented a motion with conditions to the commission and suggested the commission strike language highlighted under item # 2 of the document.
 - Chairman Sirowich read the following document striking the suggested change from Attorney Marini.

TOWN OF SEYMOUR PLANNING AND ZONING COMMISSION

**Re: PZC-26-8 - 141 Main Street
SITE PLAN APPROVAL WITH PRE-BUILDING-PERMIT CONDITIONS**

Nature and Effect of Approval

This action constitutes the Commission's approval of the Site Plan pursuant to Section 10 of the Seymour Zoning Regulations and Connecticut General Statutes Section 8-3(g).

The Commission finds that the materials presently before it are sufficient to determine compliance of the Site Plan as approved with the applicable zoning requirements concerning the use and the material features of the proposed site development.

The Commission further finds, pursuant to Section 10.5.13 of the Seymour Zoning Regulations, that the additional information specifically identified below need not be submitted as a prerequisite to the Commission's decision on the Site Plan and may instead be deferred for submission and review prior to issuance of a building permit.

The deferred items constitute supplementary plans, calculations, details, certifications and construction information necessary to confirm continued conformity with the approved Site Plan and applicable regulations. Nothing in this approval authorizes a departure from an applicable zoning requirement or permits subsequent administrative review to alter a material feature of the Site Plan approved by the Commission.

NO BUILDING PERMIT SHALL BE ISSUED FOR THE PROJECT UNLESS AND UNTIL THE APPLICABLE CONDITIONS BELOW HAVE BEEN SATISFIED.

Conditions Precedent to Zoning Certification and Building Permit

1. Survey and Existing-Condition Information

The Applicant shall submit the survey and existing-condition information applicable to the property and required by Section 10.5.3 of the Seymour Zoning Regulations, including, as applicable, property boundaries, existing topography and grades, roadway and sidewalk information, easements, utilities and other existing site features.

All plans shall bear the signatures, professional certifications and seals required by Section 10.5.3(a).

The purpose of this submission shall be to confirm the accuracy of the approved Site Plan and its conformity with the dimensional and other requirements of the Seymour Zoning Regulations.

2. Site Statistics; Parking and Loading

The Applicant shall provide an accurate and internally consistent site-data schedule identifying, as applicable:

- lot area;
- floor area by use;
- building ground coverage;
- total building and paved coverage; and
- the calculation of required and proposed off-street parking and loading.

The information shall distinguish existing, proposed and required conditions as applicable and shall comply with Section 10.5.3(d)(vi) and the applicable parking and loading requirements of the Seymour Zoning Regulations.

3. Building Height, Canopies and Parapets

The final architectural and civil documents submitted for building-permit purposes shall contain accurate and internally consistent building-height information and shall depict and dimension all rooflines, parapets, canopies and other structural or architectural projections relevant to zoning compliance.

Building height shall be determined in accordance with the definition of Building Height and the applicable dimensional requirements of the Seymour Zoning Regulations.

The submission shall demonstrate that the building and all canopies, parapets and other projections conform to applicable height, bulk, setback and projection requirements.

This requirement is imposed pursuant to Sections 10.5.3 and 10.5.8 and the applicable dimensional provisions of the Regulations.

4. Solid-Waste Collection and Storage

Prior to issuance of the building permit, the Applicant shall identify the proposed method and location, where applicable, for collection, storage and disposal of solid waste generated by the approved use.

The Applicant is not required to utilize a particular type of collection system or dumpster. The proposed system must, however, demonstrate compliance with Sections 10.5.2(b) and 10.6.10 of the Seymour Zoning Regulations, including applicable provisions concerning collection, storage, disposal and litter control.

5. Storm Drainage and Utilities

The Applicant shall submit the engineering information required by Section 10.5.3 and Section 10.6.11 concerning the proposed storm-drainage system and its relationship to existing and proposed utilities.

The submission shall include such drainage calculations, elevations, pipe and structure information, utility information and other technical details as are required by the Regulations and reasonably necessary for the Town Engineer to verify that the system shown on the approved Site Plan is feasible and complies with the applicable requirements.

Any actual physical conflict between the proposed drainage system and existing or proposed utilities shall be resolved before issuance of the building permit.

Review by the Town Engineer under this condition shall be technical and administrative in nature and shall not constitute authority to alter a material feature of the approved Site Plan.

6. Sidewalk and Right-of-Way Restoration

Prior to issuance of the building permit, the Applicant shall provide plans or details identifying portions of the existing sidewalk, curb or other public right-of-way improvements that will be disturbed by construction and the manner in which those areas will be permanently restored.

The submission shall demonstrate compliance with Section 10.6.6 of the Seymour Zoning Regulations, which requires proper provision for grading and improvement of shoulder and sidewalk areas within the right-of-way and for appropriate curbs and sidewalks.

Any separate municipal or State authorization required for work within a public right-of-way shall also be obtained before such work occurs.

7. Construction Logistics and Temporary Public-Way Impacts

Prior to commencement of construction, and in all events before construction activity affecting the public sidewalk or roadway, the Applicant shall submit a construction logistics/coordination plan addressing, to the extent applicable:

- construction staging and lay-down areas;
- crane placement and operation;
- temporary pedestrian protection and pedestrian routing;
- temporary sidewalk impacts or closures;
- temporary roadway impacts or closures; and
- maintenance of safe access during construction.

The Applicant shall obtain all separate municipal and State permits or authorizations required for temporary use or obstruction of a public right-of-way.

This condition concerns construction implementation and pedestrian/public-way protection consistent with Sections 10.3.3 and 10.6.6. It shall not constitute a reopening of the approved use or Site Plan.

8. Foundation and Structural Design

Foundation and structural design shall be reviewed by the Building Official in connection with the building-permit application under the applicable State Building Code and other laws within the jurisdiction of the Building Official.

Planning and Zoning approval of a particular structural foundation system is neither granted nor required by this Site Plan approval.

If the ultimate foundation or structural design necessitates a change to a zoning feature depicted on the approved Site Plan, including the building footprint, location, height, finished grade, access, sidewalk configuration, utilities, parking or other material site feature, the resulting change shall be reviewed under Sections 10.14 and 10.15 before the building permit is issued.

Administrative Review of Deferred Information

The deferred submissions shall be reviewed by the Zoning Enforcement Officer, Town Planner, Town Engineer and/or Building Official, as applicable to their respective areas of authority, solely for the purpose of determining:

1. whether the information required by these conditions has been supplied;
2. whether it demonstrates compliance with the applicable requirements of the Seymour Zoning Regulations; and
3. whether the resulting plans remain consistent with the Site Plan approved by the Commission.

This provision does not delegate authority to Town staff to waive a zoning requirement, impose a new discretionary site-plan standard, reconsider the approved use, or approve a material alteration of the Site Plan outside the procedures established by Sections 10.14 and 10.15.

Consequences of Noncompliance

These conditions are material conditions of the Site Plan approval.

The Commission's action constitutes approval of the Site Plan; however, the approval does not by itself authorize construction.

Pursuant to Connecticut General Statutes Section 8-3(f), no building permit may be issued for a building, use or structure subject to zoning unless the official charged with zoning enforcement has certified in writing that the proposed building, use or structure conforms to the zoning regulations. Section 22.1 of the Seymour Zoning Regulations likewise prohibits construction or a change of use until the required Zoning Permit and Site Plan approval have been obtained.

Accordingly, the following consequences apply:

A. Failure to Submit Required Information.

If the Applicant does not submit the information required by these conditions, the Zoning Enforcement Officer shall not issue the zoning certification necessary for issuance of the building permit, and the project may not proceed to construction.

B. Submission Demonstrates Noncompliance.

If a deferred submission demonstrates that the project, as approved, would violate an applicable zoning requirement, no zoning certification or building permit shall issue unless and until the noncompliance is lawfully corrected. Nothing in this approval authorizes the Zoning Enforcement Officer, Town Planner, Town Engineer, Building Official or any other Town official to waive a requirement of the Seymour Zoning Regulations.

C. Minor Changes.

If compliance requires a change to the approved Site Plan that qualifies as a minor change under Section 10.14, the change may be approved only through the procedure established by Section 10.14 and only upon the determinations required by that section.

D. Major or Material Changes.

If compliance requires a change that may alter the quality, density, intensity, use, amenities, traffic generation, parking facilities or another major feature of the approved Site Plan, the change shall be treated in accordance with Section 10.15 and shall require approval by the permitting agency. The Commission may determine that a modification is sufficiently substantial to require a new application.

E. Unauthorized Construction or Use.

Construction or use undertaken contrary to the approved Site Plan, these conditions, the Seymour Zoning Regulations or the required zoning certification shall be subject to the enforcement remedies available to the Town under the Seymour Zoning Regulations and Connecticut General Statutes Section 8-12.

F. Certificate of Occupancy.

Nothing in this approval limits Section 22.2 of the Seymour Zoning Regulations. No Certificate of Occupancy shall issue until the Zoning Enforcement Officer provides the required written certification of zoning compliance, including substantial compliance with the approved Site Plan.

Filing and Continuing Effect of Conditions

The Site Plan shall be endorsed and filed in accordance with Section 10.11 of the Seymour Zoning Regulations.

The endorsed Site Plan shall contain a notation substantially as follows:

"Approved by the Seymour Planning and Zoning Commission on [DATE], subject to the conditions contained in the Commission's written decision concerning Application PZC-26-8. No zoning certification for issuance of a building permit shall be provided until the applicable pre-building-permit conditions have been satisfied."

These conditions shall remain applicable to the Site Plan and to any successor owner or applicant seeking to construct or implement the approved development.

- Motion to approve Application PZC-26-8 with conditions as read by Chairman Sirowich by J. Lombardo, 2nd by M. Malberti **(4-0) unanimous**

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

- ZEO reported that the applicant has not responded to the comments made by the Town Engineer.
- Motion to table Application PZC26-10 by M. Malberti, 2nd by J. Nielewski **(4-0) unanimous**

9. 234 West Church Street: Request CGS §8-24 referral

- Horbal & Judson Land Surveyors & Associates, J. Judson reviewed his findings regarding a town right-of-way on his client's property deed.
- Motion by J. Nielewski give a positive referral to the Board of Selectmen to dispose of the right of way located on the parcel located at 234 West Church Street, 2nd by M. Malberti **(4-0) unanimous**

10. 2027 PZC Meeting Calendar:

- Motion to approve 2027 PZC Meeting Calendar by M. Malberti, 2nd by J. Nielewski **(4-0) unanimous**

11. Adjournment

Submitted M. Marganski, ZEO