

COPY RECEIVED
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TOWN CLERK'S OFFICE

MINUTES – REGULAR MEETING
SEYMOUR INLAND WETLANDS COMMISSION
MONDAY, MARCH 27, 2017
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL

Members in Attendance: Paul Wetowitz, Mike Flynn, Brian Koskelowski,
Jim Forsyth

Also Present: Atty. Vincent Marino, Town Engineer Brian
Nesteriak, Town Engineer Don Smith,
Mike Marganski, WEO

The meeting was called to order by Chm. Wetowitz at 7:00 p.m.

Public Comment

Robert Rich, 9 North Benham Road, Seymour stated that he has been a developer and builder in Seymour for many years. He stated that he reviewed the proposed new wetlands regulations and felt that the cost of permits is high. He was particularly concerned with the upland review area fees. He stated that he doesn't have a problem with the regulations but with the cost to do business in town. He stated that if the proper soil and erosion controls are in place there should not be any problems with a project. Mr. Wetowitz recommended that he attend the public hearing when the new regulations will be discussed and express his concerns at that time.

Minutes February 27, 2017.

MOTION: J. Forsyth/M. Flynn to approve the minutes
of the February 27, 2017 meeting.
Motion Carried: 4-0.

Application Fee, 46 & 100 Roosevelt Drive.

Mr. Wetowitz read the section of the regulations regarding fees. Zach Georgina, Juliano Associates was present for this matter. He stated that they are requesting a reduction of the wetlands fees for this project. He stated that the fees include the public hearing fees, upland review area fees and wetlands encroachment fees. He stated that the fees are high especially those for the upland review area. He stated that this is primarily an agricultural operation which is a permitted use in the wetlands and upland review area. He stated that they have been working with the town engineer and the Commission and they have established a 25' buffer around all established wetlands. He stated that they are asking for the reduction primarily in the upland review area. He also asked to have the actual town costs reflected for this project. Atty Marino cautioned the members to be mindful of any action taken with regard to this application and how it would affect future applications. Mr. Flynn asked what the costs to the Town will be and felt that it would be helpful to the members to have the information.

MOTION: T. Connors/M. Flynn to forward the letter along with no additional comments to the Board of Selectmen.
Motion Carried 5-0.

Request for Permit Extension, Hull Farm Section Three Subdivision.

Robert Rich, 9 North Benham Road stated that this subdivision was approved in August 2007 and the first extension granted to 2014 and another extension to August 2017. He stated that he is asking for an additional four years which is the maximum amount that can be allowed. Mr. Wetowitz stated that the regulations state a maximum of 10 years Atty. Marino stated that by statute can be extended up to fourteen years. Mr. Rich stated that he has not gone to P&Z yet.

MOTION: B. Koskelowski/M. Flynn to grant the extension to August 27, 2021.
Motion Carried 4-0.

Application of Pesticide, Ajello's Pond.

Mr. Nesteriak stated that he submitted a packet regarding this at last month's meeting. He stated that the State has just indicated that they received the application. The first application of the pesticide would be in July.

MOTION B. Koskelowski/J. Foysyth/M. Flynn to approve the application of pesticide, Ajello's Pond.
Motion Carried 4-0.

459 North Main Street, Discussion of Appropriate Action.

John Fanotto, 45 North Street, Seymour was present and stated that this was discussed last month and he has some additional information. He stated that he met with the WEO and is responding to correspondence from the Commission. He submitted the application and site plan from 1975 which was approved in 1985. He stated that in 1975 the application was submitted at the request of the Town of Seymour. At that time there was no upland review and this has been a continued use for the same thing since that time. There is no activity in the wetlands. He stated that they have complied with all statutes. Mr. Marganski stated that he has not physically been on the property and did a review from a distance. He stated that it did not appear to be any encroachment but there are no erosion controls on the site. He stated that there is activity within the 100 foot review area of the watercourse. Mr. Fanotto stated that there are no addresses for any of the vacant parcels. He stated that nothing is being discharged into the watercourse and it is standing water because the outlet is plugged. He stated that he now cleans it out instead of going to the State of Connecticut to get it done. He stated that the channel is suppose to be maintained by the Town but he does it. He stated that all approvals are in place and it is the same use since 1975. Mr. Wetowitz stated that Mr. Fanotto is indicating that since nothing has changed there is no reason to get a permit. He felt that a legal review is necessary. Atty. Marino asked for copies of all information submitted so that he can do a review.

Mr. Fanotto stated that this application was requested by the Town of Seymour Public Works Department to fill and dump on this property. Atty. Marino stated that the original application and permit was granted in 1975 for a specific activity. He stated that once the filling is done and then there is stockpiling that is a different job. Mr. Fanotto stated that it was for the Town of Seymour and all contractors were able to use it. He stated that this type of operation is done all over town by the Public Works. He stated that there is only one tenant at this time and nothing stays on the property and nothing is stockpiled near the wetlands. Mr. Marganski stated that it is about ten yards from the watercourse. Atty. Marino stated that the Commission is obliged to protect the wetlands. Mr. Marganski asked if they had any intent of going any higher with the stock piles. Mr. Fanotto stated that it will not go higher. Mr. Marganski stated that there is a drainage problem and he looked at it and forwarded it to the town manager for review but has not heard back at this time.

Wetlands Regulations

Atty. Marino stated that the public hearing is scheduled for the next meeting and he asked the members to read the packet and fee schedule.

Public Comment

There was no one from the public wishing to speak.

Commissioner's public comment.

There was no commissioner public comment.

MOTION: J. Forsth/M. Flynn to adjourn the meeting.
Motion Carried 4-0.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted:

Maryanne DeTullio
Maryanne DeTullio

**MINUTES – PUBLIC HEARING
SEYMOUR INLAND WETLANDS COMMISSION
MONDAY, MARCH 27, 2017
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL**

Members in Attendance: Paul Wetowitz, Mike Flynn, Brian Koskelowski,
Jim Forsyth

Also Present: Atty. V. Marino, Town Engineer Brian Nesteriak
Mike Marganski, WEO

Mr. Wetowitz read the public hearing notice.

The purpose of this hearing is to allow the owners of the property at 461 North Main Street to show cause why a Cease and Desist Order issued for this property should not remain in effect.

Philip Marini, 461 North Main Street stated that he has been crushing on this property for fifteen years with any problems. He stated that he has stopped dumping. His crusher is down and he has been cleaning up the property. He stated that he will be putting up a silt fence and the site will be completely cleaned out. He stated that no more materials will be coming in.

Mr. Marganski stated that there are no erosion controls and there is encroachment into the watercourse. The piles are lessening but there are no controls. He stated that there is a channel back there that runs to a culvert. He stated that there is debris up structuring the water. Mr. Wetowitz stated there should be some engineered controls in place to protect the watercourse and a plan submitted. He advised him to contact an engineer and have him review the situation and put together a plan and submit an application and go through the process.

Mr. Marini stated that he is trying to clean out the property and will not be disturbing the watercourse or wetlands.

Atty Marino stated that the Commission needs to notify the individual within ten days by certified mail that the order remains in effect, has been revised or rescinded. Mr. Wetowitz stated that it could remain in place until he goes through the application process. Atty. Marino stated that the plan that is submitted will be reviewed by the Commission and it would most likely be a two month process. Mr. Marganski stated that he could be notified that a time frame has been established and a completion date to have the lot down to grade. Mr. Marini stated that it will start going down more and more. Mr. Marganski suggested that during that time an engineer do a plan and file an application.

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MOTION: J. Forysth/B. Koskekowski to continue the cease and desist order and no additional materials brought on the site. Within 90 days the property owner will submit an application and plans with any modifications, effective April 1, 2017.
Motion Carried 4-0.

Atty. Marino stated that if a plan cannot be submitted he can ask for an extension.

MOTION: B. Koskekowski/M. Flynn to close the public hearing.
Motion Carried 4-0.

The public hearing was closed at 8:45 p.m.

Respectfully submitted:

Maryanne DeTullio
Maryanne DeTullio