

COPY RECEIVED
DATE: 6/8/17
TIME: 9:10 am
TOWN CLERK'S OFFICE

MINUTES – REGULAR MEETING
SEYMOUR INLAND WETLANDS COMMISSION
MONDAY, MAY 22, 2017
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL

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

Also Present: Atty. V. Marino, Town Engineer Don Smith,
Town Engineer, Brian Nesteriak

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

Public Comment

There was no one wishing to speak.

Minutes Regular Meeting, April 24, 2017; Public Hearing, April 24, 2017

MOTION: J. Forsyth/T. Connors to approve the minutes of the
April 24, 2017 public hearing.
Motion Carried: 4-0-1 with Mr. Koskelowski abstaining.

MOTION: J. Forsyth/T. Connors to approve the minutes of the
April 24, 2017 regular meeting.
Motion Carried 4-0-1 with Mr. Koskelowski abstaining.

144 Grand Street Subdivision.

Mr. Wetowitz read a letter from Brian Nesteriak into the record. Mike Horbal stated that he received the report from Brian Nesteriak and has not had a chance to thoroughly review it and respond.

Mr. Nesteriak stated that the Commission needs to determine whether this is a significant activity or not. He stated that his concerns mainly have to do with drainage. He stated that they are proposing drainage from Lot 2 to go into the right of way on Grand Street. He stated that he did not feel that this was best for the town to have it that way. He stated that the drainage from Lot 1 is over a level spreader and he did not think that a private drainage system should be maintained by the Town. Lot 2 drains from gravel riprap swale which would be a problem. They are proposing an increase in storm drainage flows. Mr. Nesteriak stated that they should show that down stream is not affected. Mr. Horbal stated that he looked over the comments and can make some changes. The road drainage proposes a catchbasin at the end of the driveway on Lot 2 which will also take storm drainage from the upper part of Grand Street. He did not feel that this would have a significant impact after the last project that was done in the area. That area is stable. Mr. Nesteriak stated that they did not show any roof leaders. Mr. Horbal stated that all details will be shown on the

plans. The driveway goes slope to swale and takes runoff which should be adequate. Mr. Horbal stated that he needs more time to review the comments. He stated that they thought that where the storm drainage is put under the road was the best. The street is narrow. They are giving some land to the Town of Seymour so that the right of way is 25' from center. Mr. Nesteriak stated that is really a Planning and Zoning matter. Mr. Forsyth stated that they should look at the drawings for improvements around the upper review area. Mr. Wetowitz asked the members whether they felt it was a significant activity. Mr. Forsyth stated that he has concerns with it being close to the wetlands and disturbed area with the level spreader. Mr. Connors asked if it was possible to accept with revisions that need to be done. Mr. Nesteriak stated the a private drainage system should not be the responsibility of the Town and there are different options that they can pursue. Mr. Horbal asked if they could make a decision on whether it is a significant or insignificant activity which would give them some direction. He stated that they are willing to work with the Town.

MOTION: M. Flynn/J. Forsyth it is a significant activity.

Mr. Nesteriak stated that the impacts within the upland review area and wetlands itself. Mr. Flynn stated that we need to consider the impacts to the wetlands. Mr. Nesteriak stated that if it is built properly there will not be any significant impactts. Mr. Connors stated that as proposed he did not feel that it was a significant activity.

Vote on the Motion was 2 in favor and 3 against. Motion failed 3 to 2.

MOTION: B. Koskelowski/M. Flynn to table so applicant can have more time to review the comments from the Town Engineer.
Motion Carried 5-0.

Mr. Horbal stated that they may have to ask for an extension and if necessary they will do so.

Great Oak ridge Condominiums, Pearl Street, Phase Two

Atty. Chris Smith, Shipman & Goodwin was present representing the applicant Summit Seymour. He stated that they received approval for 22 units and that approval has expired. He stated that they have filed a new application with some minor changes. He stated that the Commission should determine if it is a significant activity. Don Smith stated that he met with their engineer and provided him with some comments. Atty. Smith stated that Ted Hart from Milone and MacBroom is working on additional information that Don Smith wants.

Don Smith submitted a report and stated that he met with their design team. Phase 2 received approval in 2007 and started construction with approximately 60% completed. They made some changes on what is not finished. He stated that the soil and erosion

cannot be built the way it is shown, it needs to be reworked and they need to show how it is going to be built. There is additional encroachment into the 100' review area. The last two units and sidewalk is in the 100 foot upland review area. The detention pond has some invasive species and needs some work. They have reviewed some of the current conditions but not all of them. Mr. Koskelowski stated that he has concerns with runoff from this development. Atty. Smith stated that they have an overlay of what was approved and what is being proposed. The application is for a regulated activity and when going through the process will explain what was approved and what is proposed. Don Smith stated that he feels that there are some revisions that need to be made. Atty. Marino noted that the application was received last month and it would be best to discuss during the public hearing. Atty. Smith stated that they will make a presentation during the public hearing.

MOTION: B. Koskelowski/J. Forsyth that this is a significant activity and a public hearing should be scheduled.
Motion Carried: 5-0.

MOTION: B.Koskelowski/M. Flynn to accept the storm water management application.
Motion Carried: 5-0.

General Revision of Inland Wetlands Regulations

Atty. Marino presented the proposed changes and stated that the majority of those are in Section 9.3. Don Smith asked if the notices have to be sent out by certified mail or if a certificate of mailing from the Post Office is sufficient. This would show that the notice was sent out. He did not feel that it was necessary to have it done by certified mail. Atty. Marino stated that they are trying to make sure that the property owners get notices. The members felt that a certificate of mailings was sufficient. Atty. Marino noted that there are some minor changes throughout the regulations. He stated that the payment of fees is by certified check or money order and it could be cash or personal check. He stated that he could be changed to check or money order.

Mr. Wetowitz stated that the fee for a significant activity is going from \$200.00 to \$125.00 and he was concerned about that. Mr. Nesteriak stated that the bond protects the wetlands. Don Smith asked if the monitoring compliance fee is for every time they go out or a flat fee. Mr. Wetowitz felt that the regulations should specify exactly what the monitoring compliance fee is. Atty. Marino stated that they could add per site visit and also add more specifics about this on the application. Don Smith stated that the fee structure is shown on the application form and the amount could be left off and just show as "to be determined". He asked if there are no wetlands and it just needs an administrative signoff what is the fee. Atty. Marino stated that there is no fee if there are no wetlands but within the review area then under a regulated activity.

Mr. Wetowitz stated that the Commission needs to act within 65 days. Atty. Marino stated that at this point the Commission needs to come to terms on fees. He stated that with the monitoring compliance fee a note could be added that it is per site visit.

Mr. Nesteriak noted that there is no complex application fee. Don Smith stated that could be added an any unused portion is refundable. It could be \$100.00 per 1000 feet and if unused given back for monitoring. In sub-section (g) it will be 4100.00 per site visit and not applicable to a significant activity.

MOTION: B. Koskelowski/M. Flynn to accept the regulations as amended. The effective date will be pursuant to the charter and State statute.
Motion Carried 5-0.

Enforcement Officer's Report, Take Possible Action.

Mr. Marganski was not present and no report submitted.

MOTION: J. Forsyth/B. Koskelowski if the Enforcement Officer is not present a written report shall be submitted to the Chairman prior to the meeting effective for the June meeting.
Motion Carried 5-0.

Public Comment

There was no one wishing to speak.

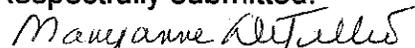
Commissioner's public comment.

There was no Commissioner public comment.

MOTION: J. Forysth/M. Flynn to adjourn the meeting.
Motion Carried 5-0.

The meeting was adjourned at 8:50 p.m. by P. Wetowitz Chairman.

Respectfully submitted:


Maryanne DeTullio