

COPY RECEIVED  
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TOWN CLERK'S OFFICE

**MINUTES – REGULAR MEETING  
SEYMOUR INLAND WETLANDS COMMISSION  
MONDAY, FEBRUARY 26, 2018  
FLAHERTY ROOM, SEYMOUR TOWN HALL**

**Members in Attendance:** Mike Flynn, James Forsyth,  
Tim Connors, Brian Koskelowski

**Also Present:** Atty. Barbara Schellenberg, Don Smith,  
Town Engineer, Brian Nesteriak, Town  
Engineer, Mike Marganski

The meeting was called to order at 7:00 p.m. by Acting Chairman J. Forsyth.

**Public Comment**

There was no one from the public wishing to speak.

Approval of Minutes, Regular Meeting, January 22, 2018.

**MOTION:** M. Flynn/B. Koskelowski to approve the minutes of the  
January 22, 2018 meeting.  
Motion Carried 3-0-1 with J. Forsyth abstaining.

**P&S Paving, 461 Main Street, Discussion and possible action.**

Jesse Judson presented revised plans and a site plan. He stated that they are adding a 2500 foot addition to the building. The stockpile area will be pulled back. He stated that he met with the town engineer and addressed some of his comments. He stated that he received a letter with additional comments. He noted that the stockpile area has been reduced a little to provide a drainage swale. They have removed the smart sponges and added a separator. He also noted that there is an existing fuel tank on the site and the new one will be double walled. He submitted photos last month of the wetlands and noted that the site was filled in. The impacts were determined from the previous records going back to 1995. Mr. Judson stated that no environmental study has been done. There will be a vegetated buffer around the wetlands. He stated that there is not enough space to provide a vegetated basin. The soil and erosion controls are approved and properly installed. The asphalt should be removed during low or no flows. He a partially created project and any conditions would be to protect the watercourse and wetlands. The storm water maintenance plan with clearing schedule and final as-built will be submitted.

Brian Nesteriak stated that the Commission needs to determine whether it is a significant impact. He stated that the wetlands were not flagged and also stated that this will be an improvement to what is there now. Mr. Judson stated that they have been using the entire site and will be pulling back and using less of the site and also reducing the area that will be impacted.

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Mr. Flynn stated that we are dealing with a situation where there is environmental pollution. Mr. Forsyth stated that it has not been determined if there will be an impact to the wetlands. Mr. Flynn stated that there will be some disturbance if they have to install the berm and swale. Mr. Connors stated that damage has been done to this property and the wetlands have been destroyed. Mr. Nesteriak stated that the Commission needs to consider if it falls within the parameters to determine if it is significant. The entire site is within the upland review area. Mr. Forsyth stated that he feels it is a significant impact and noted that the wetlands have not been flagged. Mr. Nesteriak stated that the entire area was wetlands and filled prior to the regulations. Mr. Flynn stated that they are proposing effective remedies.

Mr. Marganski stated that he watched the site and a cease and desist order was issued. He stated that it does not appear that the stockpiles exceed and have now been taken down. He stated that they did not over fill. Mr. Connors stated that they are trying to improve the site. He did not feel it was a significant activity.

Atty. Schellenberg stated that under section 9.1 of the regulations the Commission could hold a public hearing. Mr. Forsyth stated that he feels it is significant and there will be a significant amount of work going on at the site.

**MOTION: B. Koskelowski/J. Forsyth this is a significant activity.  
Motion Failed 2-2.**

Mr. Judson stated that they will be pulling back further. Mr. Connors stated that the site is an eyesore and this needs to be done.

**MOTION: M. Flynn/B. Koskelowski this is a significant activity.  
Motion Carried: 3-1.**

**MOTION: B. Koskelowski/M. Flynn to schedule a public hearing  
on March 26, 2018 at 6:30 p.m.  
Motion Carried 4-0.**

Mr. Forsyth stated that the wetlands need to be flagged and also a determination needs to be made if there is fuel contamination on the site.

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459 North Main Street, Update and possible action.

Atty. Schellenberg stated that she does not have an update at this time. Mr. Marganski stated that there is no change in the condition of the property and no application or plan has been filed. He stated that he was informed by the attorney that it would be moving forward but nothing has been submitted.

46-100 Roosevelt Drive, mitigation Plan for Phase 1

Zach Georgina representing the application submitted a mitigation plan. He stated that they are proposing to remove the manmade pond. He stated that they will be enhancing two small brooks and making a larger wetlands area and connecting any drainage to the waterways. They have reinstated the 25 foot buffer and re-established the wetlands. They are making a larger marsh and pond are in the lower portion. This will collect any silt trying to leave the site. He stated that during Phase 1 they will install a small wetlands are in the lower portion. They will leave the waterway intact and build up the sides. He stated that they will build the buffer area and finish with bushes and grasses. He stated that they are trying to protect the wetlands. The vineyard will have grass strips between the plans. He presented a planting scheme and stated that they are still working on the wetlands plantings. He stated that the area for planting on top is fairly flat and long. They will start planning the southern vineyard first. He stated that there currently are erosion control blankets and grass already planted there.

He stated that they will finalize the grades on top once Phase 1 is stabilized and then want to start working on the water way. They want to start getting the buffer area planted with grass. He stated that it should be stabilized by late summer.

George Logan, wetlands scientist stated that he gave the Army Corp a lot of information and they asked for additional information which was just given to him. He stated that there are three areas of mitigation and the brook is the priority. There are some boulders on the site and they may need more or biologists. He stated that they can also put in plantings. He stated that he needs to review the plans and look at the lower portion of the site. They will be creating a deeper sump and marsh in the lower portion and some work on the stream can be done at the same time as the planting for the vineyard. He stated that a full plan should be done with a few weeks. He stated that he is still waiting for jurisdiction from the Army Corp. Mr. Nesteriak stated that he has not done a full review and there are no real details on how the wetlands will be designed. He stated that he would recommend that they go through phasing. He stated that he feels the waterway is a high priority and it needs to be protected before any excavation is done. Mr. Georgina stated that where repairs could be done they were but they ran into issues with the weather. Tony Marvull stated that he is on the property every day trying to fix everything and there is no runoff.

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Mr. Nesteriak and Mr. Marganski have both been to the site and feel there are some things that need to be corrected. Mr. Marganski stated that they need to get additional plans on the waterway and wetlands. Mr. Marvuli stated that no excavation is being done, just planting. Mr. Georgina stated that there are additional check dams in the waterway and this is not the best time to plant. Mr. Logan stated they need to do something at the top of the waterway.

Mr. Connors asked about disturbance and Mr. Logan stated that there will be haybales and silt fence. Mr. Georgina stated that they currently have a silt fence the entire length re-enforced with haybales. There are check dams and erosion control mats. Mr. Forsyth stated that the Commission needs to wait for the Army Corp determination. Mr. Nesteriak stated that they are waiting for the mitigation plan. Mr. Georgina stated that they would like to ask that the cease and desist be altered so that the planting of the southern vineyard could be done and the work on the waterway. Mr. Connors stated that it is important to take care of the waterway. The members stated that a special meeting could be held on March 14<sup>th</sup> or 15<sup>th</sup>.

**Herbicide Application, Ajello's Pond.**

Mr. Nesteriak stated that he is representing the Ajello Pond Association. He stated that last year they wanted to get a permit for the application of two herbicides for nuisance vegetation. They received a permit from the DEP and Town of Seymour and applied the herbicides and saw some results. He stated that they need a permit from the Town for the application of two herbicides. He stated that he is not sure if they will be applying them but wants to have a period in place.

**MOTION: B. Koskelowski/M. Flynn to accept the application  
Motion Carried: 4-0.**

**MOTION: B. Koskelowski/T. Connors to approve the application.  
Motion Carried: 4-0.**

**Enforcement Officer's Report, Discussion and Possible Action.**

Mr. Marganski stated that regarding 459 Main Street there has been no movement. He stated that he is walking around the vineyard and the detention pond is eroding. He stated that it is important to make sure that the bottom portion is stabilized. He stated that they are filling in the main made pond. He stated that on Great Hill Road there is a large tree that is dead and the owner asked for permission to remove it. He stated that he told him that it could be done. He also stated that he is expecting an application for 168 Great Hill Road.

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**Public Comment**

There was no one from the public wishing to speak.

**Commissioner's Public Comment.**

There were no Commissioners wishing to comment.

**MOTION: M. Flynn/ T. Connors to adjourn the meeting.  
Motion Carried 4-0.**

The meeting was adjourned at 8:45p.m.

Respectfully submitted:

*Maryanne DeTullio*  
Maryanne DeTullio