

MINUTES – REGULAR MEETING
SEYMOUR INLAND WETLANDS COMMISSION
MONDAY, APRIL 23, 2012
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL

Members in Attendance: Bill Banks, Steve Plotkin, John Conroy

Members Absent: Ralph Noel, Elise Wood

Also Present: Peter Jezierny, Inland Wetlands Enforcement
Officer, Atty. Fred Stanek

Chm. Banks called the meeting to order at 7:30 p.m.

2. Seymour Land Trust, Site Work, Chatfield Street/Legion Pool

Michael Horbal, 52 Main Street, Seymour stated that he would like to give an update on the Land Trust progress in answering the concerns of all the departments in Town. There has been a number of concerns about erosion and damage due to the hurricane and concerns with the location of the building. Mr. Horbal stated that he has spoken with Mr. Jezierny a number of times regarding the erosion control problems. He stated that he is working with Don Smith on addressing the erosion controls. They have installed a row of filter fence and haybales. He stated that he was at the site today and did not see any erosion or problems with puddling or silt getting into the pond. He stated that the erosion is in check and they are developing a plan which will eventually come back to the Commission for approval.

Mr. Conroy stated that these are basic erosion controls that need to be in place. He stated that the Town is responsible for some of them and the Land Trust also is responsible. Mr. Banks stated that the Land Trust has not pulled a permit for any of the new work. Mr. Horbal stated that they stopped work and they were not suppose to be doing any work except for the erosion controls. Mr. Conroy stated that the structural damage has to be addressed but the erosion needs to be dealt with first. Mr. Horbal stated that the site is stable.

3. Hull Farm Section 3 Subdivision, Renewal of Wetlands Permit.

Michael Horbal, 52 Main Street, Seymour stated that he is representing Bob Rich regarding this subdivision. It is located off of Hull Road and Squanock Road. It was approved on August 27, 2007 and due to economic conditions has not gone forward. There has been a change in State law governing permits and the times of permits. They are looking for an extension for two years.

MOTION: J. Conroy/S. Plotkin, to grant a two year extension for Hull Farm Section 3 Subdivision which will expire now on 8/27/14.
Motion Carried 3-0.

MINUTES – REGULAR MEETING
SEYMOUR INLAND WETLANDS COMMISSION
MONDAY, APRIL 23, 2012
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL

4. William Lane Subdivision, Lot 5

Mr. Banks stated that Atty. Fred Stanek was asked to be present because the Commission has questions and concerns regarding Lot 5 William Lane Subdivision. Mr. Banks stated that the approval for Lot 5 included that a Connspan bridge be built on this lot. Mr. Conroy stated that part of the soil and erosion controls plan was the bridge. There was a bond to cover the cost of the connspan bridge but now it is not going to be done and the developer is talking about leaving the site. Mr. Conroy stated that the Commission is concerned that the lot will be sold and the buyer will not be aware that they are required to build the bridge. He stated that the other concern is that the lot will not sell for a number of years and this will never get done.

Mr. Plotkin stated that the Commission would like it known that it was part of the approval of the project and that it has to be done. Mr. Banks stated that the Commission does not want the Town of Seymour to be jeopardized if the lot is bought and this is not done and there are problems.

Atty. Stanek stated that he reviewed the matter and found that on the site plan there is a note about the pre-cast bridge. He stated that he also reviewed the subdivision map which is on file in the Town Clerk's Office and there is a note on the map regarding this. That map was approved by Planning and Zoning. He stated that it is the standard note used by P&Z that notice is given of a condition of an approval. He stated that would be a prospective buyer's first opportunity to see that there are issues that need to be met. He stated that he understands the concerns of the Commission and the Commission does have the authority to issue a cease and desist with regard to any violations of statutes or approvals and if not completed they could seek an injunction. Atty. Stanek stated that caveats cannot be recorded on the land records any longer. He stated that the building inspector and wetlands enforcement officer need to be made aware of this and be alert about what could be going on.

Mr. Plotkin stated that the developer is looking to get the bond back but has not completed all of the conditions. Mr. Conroy stated that the majority of wetland plantings that were put in are dead. He stated that P&Z should be notified that the bond should not be released. Mr. Conroy stated that he felt that the pond was built too low and there is no way that the wetland plantings could survive.

Atty. Stanek stated that he has not researched the complete issue regarding the bonds at this time. He did state that the approval for Lot 5 is very clear on the site plan on file and the note on the map regarding the conditions of approval. He stated that any prospective buyer should be doing their due diligence and find out what is required if they purchase the lot.

MINUTES – REGULAR MEETING
SEYMOUR INLAND WETLANDS COMMISSION
MONDAY, APRIL 23, 2012
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL

Atty. Stanek advised the Commission that whenever a bond is needed for a project the town attorney should be put on notice. He recommended that the Commission put a procedure in place so that something like this does not happen in the future.

1. Seymour Public Works Dept. French Street Drainage.

Mr. Banks stated that the Public Works Department will be putting in a new 18" pip under the road at 2 French Street to carry off the water. A map and application have been filed. There is inadequate drainage in this area and the pipe is needed.

MOTION: B. Banks/J. Conroy to accept the application from Seymour Public works Department for French Street drainage.
Motion Carried 3-0.

MOTION: S. Plotkin/J. Conroy to grant the permit to Seymour Public Works Department for French Street drainage work.
Motion Carried 3-0.

5. Other Business

Mr. Jezierny stated that the demolition permit for Seymour Wire was granted last week and they should be mobilizing the site this week. He stated that J. Brennan has done the work on his property on Canfield Street. Mr. Jezierny stated that the individual who was doing the work clearing the small site on Roosevelt Drive was issued a cease and desist by the ZEO.

6. Minutes , Regular meeting March 26, 2012.

MOTION: J. Conroy/B. Banks to approve the minutes of the regular meeting 03/26/12.
Motion Carried 2-0-1 with Mr. Plotkin abstaining.

MOTION: S. Plotkin/J. Conroy, to adjourn the meeting.
otion Carried: 3-0.

The meeting was adjourned at 8:10 p.m.

Respectfully submitted:

Maryanne DeTullio, Rec. Secretary