

MINUTES – REGULAR MEETING  
SEYMOUR INLAND WETLANDS COMMISSION  
MONDAY, NOVEMBER 22, 2010  
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL

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

Also Present: Peter Jezierny, Inland Wetlands Enforcement  
Officer

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

#### Bungay Terrace Subdivision

Mr. Jezierny stated that he was notified by neighbors that something was going on with clearing of trees. He called Atty. Fred Stanek regarding the matter and also did a site visit. He stated that he saw the machines parked on the property but did not see them working. He wanted to know if the clearing was being done on behalf of Bungay Terrace Subdivision or WPCA. Mr. Conroy stated that it did not matter who was doing the work neither had permission and the work was to be cleared with the Commission prior to it being started. Mr. Jezierny stated that he could never find the machines in operation or people doing any work there. Mr. Plotkin felt that if there was no response from the town attorney he should have spoken with the First Selectman as this is an issue that should have been addressed immediately. The work should have been stopped and the machines removed from the property. Mr. Conroy stated that once the work is done in the wetlands it is too late and action needs to be taken quickly. Mr. Jezierny stated that a letter was sent by certified mail and no response received. He also stated that he did not receive a call back from the attorney in a timely manner as to how he could proceed.

Mr. Plotkin stated that the WPCA has to have a permit to do the work and that do not have any permission to do this work. Mr. Plotkin stated that it did not matter that he never saw anyone working there; the work should have been stopped. Mr. Conroy felt that they must have been there for a while as a lot of trees were taken down. Mr. Jezierny asked who would receive the stop work order. Mr. Conroy stated that it would be the Sewer Authority as they probably authorized the work to be done. Mr. Plotkin stated that they cannot just do what they want and Mr. Jezierny should have acted immediately as he has the authority to go on the property and make sure that they were not in the wetlands. Mr. Jezierny stated that he was trying to find someone in the act of actually working. He stated that he made every effort to track down someone doing the work. Mr. Plotkin stated that he saw evidence of the work being done and it should have been stopped.

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William Lane Estates Subdivision

Mr. Conroy stated that he requested this file in order to figure out the fines. Mr. Conroy stated that he submitted the fines and all documentation that went with it. Nothing was ever done and they are now trying to get their bond back and he did not feel that it should be released until all fines are paid. The bond is approximately \$14,000.00. The developer's attorney claims that his client should have been notified within ten days so he could have come before the Commission and request a hearing.

Mr. Jezierny stated that he called the State foresters and someone went out and checked and the cutting line was off on one of the lots. Mr. Plotkin stated that he was told by Mr. Jezierny stated everything was fine and that the State forester came out and checked and everything was fine. Mr. Conroy stated that two foresters and two enforcers were there and determined that a lot of trees were cut down that should not have been taken down. Mr. Plotkin stated that if he knew what was going on it he would have stopped it immediately. He stated that he would not have left the site when he was there and allowed the work to continue but was told that everything was all right. Mr. Conroy stated that the plans changed from what was originally approved and the house and driveway not in the same place.

Mr. Jezierny stated that they are building the house and he told them to get the haybales down and fix the silt fences. Mr. Plotkin stated that if the plans change they need to come back to the Commission. Mr. Jezierny stated that he checked with Bob Looker about the change and he said it was all right and felt that it was a zoning issue. Mr. Plotkin stated that trees were cut down and Mr. Jezierny stated that he did not feel those were in the review area. Mr. Conroy stated that it was 50' from the wetlands markers and should not have been cut down.

Mr. Conroy stated that the developer wants to sell a lot without doing the conn-span bridge that he felt that there should be a caveat that the bridge must be done. Mr. Plotkin stated that he was not sure that the Commission could do that and he would like to get a legal opinion regarding that issue.

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Chatfield Farms Subdivision

Mr. Jezierny stated that there was an issue of the developer volunteering to take fill from Chatfield School and store it on his property. He stated that when he started his project he under estimated the amount of excavation and was short on materials. Don Smith found out that he was short on materials but it was determined that the fill would go to the land fill area where it is stored and secured. The developer has to secure what he has for the winter and Mr. Jezierny stated that he will check on this. He also noted that he owes money for open space of approximately \$11,000.00. He stated that an agreement has been reached with him and the town to get this paid and he will not receive any permits until it is paid and the work that needs to be done is completed. There is still an issue regarding the sidewalks.

Meeting Schedule 2011

MOTION: B. Banks/E. Wood, to accept the meeting schedule for 2011 as presented.  
Motion Carried 4-0.

OTHER BUSINESS

Mr. Conroy asked who gave the authority to cut trees down at the Tri-Town Plaza and Mr. Jezierny stated that it was the First Selectman. He stated that they wanted to make some improvements and clean up the site.

Mr. Jezierny stated that he contacted Nafis & Young to do an inspection on Lot 5, Mountain Road on the box culvert that needs to be there. He stated that Lot 4 also has a crossing but he did not think they would work on both at the same time.

Mr. Conroy suggested that the members go out and look at the projects that are under way in the town.

Mr. Jezierny suggested that the Commission adopt a regulation for clearing and grubbing since he does not know when the work will begin on a project. Mr. Plotkin stated that is part of the construction sequence. Mr. Jezierny stated that there is no notification to the town that they will start work. Mr. Plotkin stated that they are suppose to have a full set of plans on the job and if they don't the work should be stopped.

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MINUTES

MOTION: J. Conroy/B. Banks to accept the minutes of the 7/24/10 meeting  
Motion Carried 4-0.

MOTION: B. Banks/E. Wood to adjourn the meeting.  
Motion Carried: 4-0.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted:

Maryanne DeTullio, Rec. Secretary