

**MINUTES - SPECIAL MEETING  
SEYMOUR INLAND WETLANDS COMMISSION  
MONDAY, MARCH 23, 2009  
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL**

Members in attendance: Steve Plotkin, Peter Jezierny, William Ryan, Ralph Noel, Elise Wood

Also present: John Conroy, Inland Wetlands Enforcement Officer, Jim Gallagan, Nafis & Young, Atty. Richard Bruchal

The meeting was called to order at 7:05 p.m. by Chairman Steve Plotkin.

**Discussion with Seymour WPCA of activities taking place adjacent to the tributary to Bladen's River, such activities located generally north and west of Birchwood Road.**

Mr. Plotkin stated that trees were cut along the brook and he felt that the Sewer Authority should have come before this Commission to discuss their plans and get the necessary permits. He stated that maintenance is necessary but they went very close to the brook.

Atty. Bruchal stated that there are easements in place which allow for maintenance work to be done. They needed to clear away the trees and growth in order to have access to do maintenance on the sewer pipes. The Authority had a clear and valid easement to go over that area and they will continue to do this in the future. Atty. Bruchal stated that some of the work has to do with pipes installed prior to 1974.

Mr. Plotkin asked when the pipes were installed. Atty. Bruchal stated that he did not know exactly and has not had an opportunity to research this.

Mr. Plotkin stated that work was done in the wetlands without permits or the Commission knowing anything about it.

Mr. Galligan stated that the specifics of an easement vary throughout the town. This program was initiated in November to do the clearing in all easements so that necessary maintenance work could be done. Atty. Bruchal stated that he gave the Authority no legal opinion on this matter and encouraged harmony between the various boards in town. He asked that they would like the WPCA to do. Mr. Plotkin stated that the Commission needs to look at the work done. Mr. Conroy stated that the Chairman of the WPCA was asked to come to this meeting to discuss this matter.

Atty. Bruchal stated that he did not see where some went into the wetlands. Mr. Plotkin stated that they did not get a legal opinion or advice and there is a 100 foot review area that should have been considered. The Commission needs to determine if the pipes

were installed prior to 7/1/74 and review and see if they need a permit. He stated that a letter was sent to the Chairman and he has not come to the meeting and no permits were issued.

Atty. Bruchal stated that he thought a Board member was going to attend this meeting. Mr. Plotkin stated that they need to come here and get the permits. He stated that if they had come prior to starting the work the Commission would have made sure that the work was done properly. Atty. Bruchal stated that it is important to maintain the sewer lines. Mr. Plotkin stated that the problem is how they went about doing it. He stated that they have not come here tonight. He stated that he would like to review the minutes from the meeting when they decided to do this work and see what was discussed.

Mr. Galligan stated that he suggested to them that they come to this Commission. He also stated that it was a board decision regarding the work. Atty. Bruchal asked what this Commission would like to see done to correct the problem. Mr. Plotkin stated that the Commission will have to discuss the proper plan for remediation. He also stated that they made the decision to cut the trees. Atty. Bruchal stated that he is here to listen to what the Commission has to say. There is more work planned and their main concern is to have the sewer lines maintained.

Mr. Plotkin stated that they have to come up with a plan and if they are within the 100 foot review area they need to come before this Commission. He also felt this Commission should have a chance to walk the site. He stated that the area needs to be protected.

Mr. Ryan felt that the town engineer should have come before this Commission and told them what they were planning to do. Mr. Galligan stated that their Board made the decision and he suggested to them to come before this Commission. Mr. Plotkin asked about who flagged the area and Mr. Galligan indicated that his firm did. Mr. Plotkin stated that it appears that they went beyond the survey area. Atty. Bruchal stated that the clearing work was long overdue. Mr. Plotkin stated that the Commission needs to get information from the town engineer on what was to be cut and if they overstepped the bounds. He stated that the Commission needs to see the tree removal plan and remediation plan. He also stated that they will walk the area and see the widths that were cut. Mr. Conroy stated that the Commission needs to see the plans on where they are going next. He stated that he did not believe that the trees on the bank should have been cut.

Mr. Plotkin stated that the matter will be tabled to the next meeting to get information from the town engineer. Mr. Conroy asked if there is any work planned for the next few days. Atty. Bruchal stated that he was not aware of any.

**MOTION:** P. Jezierny/R. Noel, to table this matter to the next regular meeting of the Commission.  
Motion Carried 5-0.

**MOTION:** P. Wilhelmy/P. Jezierny, to adjourn the meeting at 7:40 p.m.  
Motion Carried 5-0.

Respectfully submitted,

Maryanne DeTullio, Rec. Secretary