

**MINUTES - REGULAR MEETING  
SEYMOUR INLAND WETLANDS COMMISSION  
MONDAY, JULY 23, 2007  
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL**

COPY RECEIVED  
DATE: 8/6/07  
TIME: 8:40 AM  
TOWN CLERK'S OFFICE

Members in attendance: Philip Wilhelmy, Peter Jezierny, William Ryan, Ralph Noel

Also present: John Conroy, Inland Wetlands Enforcement Officer

The meeting was called to order at 7:35 p.m. by Phil Wilhelmy

**OLD BUSINESS**

**Hull Farm Subdivision Section Three, Hull Road**

Mike Horbal and Bob Rich were present. Mr. Horbal stated that this is a 20 lot subdivision off of Hull Road. Section Three consists of 20 building lots on 27.5 acres of land; two of which are interior lots. There are two areas of wetlands; 2770 s.f. and 51,700 s.f. The smaller area (2770 s.f.) is on Hull Road (Lot 16) and they will fill 640 s.f. which is necessary to construct Hull Road. They will be building 2450 linear feet of Hull Road from where the pavement ends to North Benham Road. They will be doing all storm drainage and soil and erosion controls. They are proposing that the pavement on these roads be 26' wide in order to cut down on the amount of runoff. The project will be done in three phases. The members have walked the site and areas were staked where the houses are close to the wetlands and also the detention ponds. Mr. Horbal stated that by doing the project in three phases it will limit the amount of open area at any one time.

They are proposing to have a storm sceptor installed for the drainage on Hull Road which will be located on Lot 6 and sized for the 20 acre drainage area of Hull Road. Mr. Wilhelmy asked about the sizing and Mr. Horbal stated that work was done by Don Smith. Mr. Ryan asked about maintenance and Mr. Horbal stated that it would be done by the Town of Seymour. Mr. Ryan asked how long a maintenance cycle is and Mr. Horbal stated that it is usually once a year and during construction is when there is the most sediment and after that it is greatly diminished. Mr. Wilhelmy asked if there was any alternative to the 4800 gal. storm sceptor and Mr. Horbal stated that there are already deep sumps and he would have to check with Mr. Smith if there is another alternative. Mr. Ryan stated that he would rather see more hooded sumps in the road. Mr. Horbal stated that a storm water management program had to be adopted by the town and hopefully will result in better maintenance. All lots will have private wells and septic systems which have been approved by Valley Health. Mr. Ryan asked if all the lots were tested and Mr. Horbal stated that all test pits have been done on the lots.

The members were concerned that when the road is constructed it might diminish some of the water going into the small wetlands pocket. Mr. Ryan suggested moving the catchbasin in the road and directing the water toward the wetlands. Mr. Wilhelmy asked

what the three phase sequence would be. Mr. Horbal stated that they would first build the road and continue to the small wetlands pocket and build detention basin and then continue the road. The second phase would be to continue the road to a point beyond Lot 25 and construct another road and the third phase would be the completion of Hull Road up to North Benham Road. Mr. Jezierny asked about clearing and Mr. Rich stated that each phase will be cleared as it is developed.

M. Wilhelmy asked if there will be a conservation easement around the wetlands and Mr. Horbal stated that it was considered around small wetlands but there is not much room in that area and wetlands markers could be put in. Mr. Wilhelmy asked about plantings around the wetlands and Mr. Horbal stated that none are proposed.

Mr. Wilhelmy stated that the Commission gets professional help on all subdivisions and felt it should be referred to Southwest Conservation Services for review. Mr. Horbal stated that they would give an extension. Mr. Wilhelmy asked that they consider any alternatives with regard to the storm sceptor.

**Behuniak Estates Subdivision, Cemetery Road**

Fred D'Amico was present for the applicant and stated that this is a three lot subdivision on approximately five acres on Cemetery Road near the intersection of Mountain Road. He stated that there were a number of changes made and they are re-applied. There is one existing dwelling on the property and there will be two new lots. There are two acres of wetlands in the rear which adjoins the State forest. Mr. D'Amico stated that in depth septic designs were done and they have received approval from Valley Health. The existing house has a septic system also. There will be no filling of any wetlands; the construction activity is close to the wetlands on the rear lot. The garage is about 20' from the wetlands and no conservation easement has been placed but can be added if the Commission would like.

Steve Donato, applicant stated that he will be living in the house and would be willing to have conservation easement on his property. No dwelling will be built on Lot 1 at this time.

**MOTION:** P. Jezierny/W. Ryan, to accept the application for Behuniak Estates Subdivision as complete.  
Motion Carried 4-0.

Mr. Wilhelmy stated that the Commission will be looking for protection of the wetlands which is in the middle of the property. The applicant was advised to seek legal advice regarding a conservation easement. Mr. Conroy also suggested checking the P&Z regulations regarding the amount of wetlands that can be on one lot.

**1 Ansmour Road, Addition**

There was no one present regarding this matter and Mr. Conroy stated that no fee has been paid.

**MOTION:** P. Jezierny/W. Ryan, to reject the application for 1 Ansmour Road as incomplete.  
Motion Carried 4-0.

**NEW BUSINESS**

**Basement Systems Site Plan, 19 & 25 Progress Avenue**

Chris D'Angelis was present and stated that this is a proposal for a 50,000 s.f. warehouse and office building. They will be combining two lots into one. There are three wetland areas on the site. There is a large detention basin on the lower part of Progress Avenue with an existing maintenance easement indicating that it is owned and maintained by the Town of Seymour.

A representative from Claris Cosntruction was present and stated that everything flows to that lower point. The detention basin is only slightly lower than the road. The application has to do with impacts to that basin and it goes into the upland review area approximately 40' to support the smaller parking area. They are taking all the drainage from the site and having it go into that pond which allows the water to be treated and the water quality will be improved. The basin is only about one foot lower than road and almost at capacity. This will also reduce the amount of drainage going into the other large wetlands area. Mr. Ryan felt that there should be a soil scientist present to explain the application.

Mr. Wilhelmy stated that they are taking a significant amount of water away from the wetlands and putting it into the detention basin. If was concerned that it will not have enough capacity to handle this. Mr. D'Angelis stated that the applicant felt it was more important not to effect the wetlands and if the pond were enlarged there would be more impacts. Mr. Ryan stated that he would like to have the application reviewed by Mr. Klein. Mr. Ryan stated that the Commission is concerned about the wetlands and the pond performing correctly so it does not impact the wetlands below the site. It was also noted that there may be an amendment to the calculation schedule if more work is needed in the pond.

**MOTION:** R. Noel/W. Ryan, to accept the application for Basement Systems as complete.  
Motion Carried 4-0.

Mr. Wilhelmy felt that the Commission should get professional advice on this application. Mr. Conroy stated that it should be determined whether he can sole the concerns with the pond that it is functioning properly and then have an expert look at it. Mr. D'Angelis stated that this is the least impact to the wetlands and there are no comments from the

Town Engineer on the application.

**MOTION:** P. Jezierny/W. Ryan, to get an independent engineer to review the plans and the fee paid by the applicant.  
Motion Carried 4-0.

Matt Keogh asked to what extent will the report be and will it be prepared in time for the next meeting. Mr. D'Angelis stated that he would like to have the engineer review their report. Mr. Conroy suggested getting input from the town engineer and then depending on that report could get a report from a biologist or someone else. Mr. D'Angelis felt that it would be a good idea to get input from the town engineer. The Commission was concerned with possible impacts to the wetlands located below the site. Mr. Conroy felt that the report should come from the town engineer. Mr. Keogh suggested having a meeting with the town engineer because he is familiar with the site.

Mr. Ryan then rescinded his second of the previous motion and Mr. Jezierny rescinded the motion. Mr. Wilhelmy recommended getting together with Mr. Gallagher and Mr. Conroy will make sure that they do and then the Commission can address whatever they are going to do on the site.

**MOTION:** P. Jezierny/R. Noel, to table the application until a report is received from the town engineer.  
Motion Carried 4-0.

#### **OTHER BUSINESS**

##### **Chatfield Farms Subdivision Fee**

Mr. Jezierny read a letter from Atty. Lee to Atty. Studer dated 6/26/07 indicating that the Town of Seymour will not issue any permits for this subdivision until the appropriate fee is paid and if payment is not forthcoming legal action will be commenced. Mr. Conroy stated that no reply has been received to date.

##### **Any Other Business**

Kevin Flaherty, Emma Street commended the Commission on the work they are doing in protecting the wetlands.

#### **MINUTES:**

**MOTION:** P. Jezierny/R. Noel to approve the minutes of the 06/25/07 regular Meeting and public hearing  
Motion Carried 4-0.

**MOTION:** P. Jezierny/R. Noel, to adjourn the meeting at 9:25 p.m.  
Motion Carried 5-0.

Respectfully submitted,

*Maryanne DeTullio*