

COPY RECEIVED  
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TOWN CLERK'S OFFICE

MINUTES – REGULAR MEETING  
SEYMOUR INLAND WETLANDS COMMISSION  
MONDAY, JUNE 26, 2017  
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL

Members in Attendance: Paul Wetowitz, Jim Forsyth,  
Mike Flynn, Brian Koskelowski

Also Present: Atty. V. Marino, Town Engineer Don Smith,  
Bill Paecht, ZEO

The meeting was called to order by Chm. Wetowitz at 7:00 p.m.

Public Comment

There was no one wishing to speak.

Minutes Regular Meeting, May 22, 2017

MOTION: B. Koskelowski/ J. Forsyth to approve the minutes of the  
May 22, 2017 meeting.  
Motion Carried: 4-0

144 Grand Street Subdivision.

Mr. Wetowitz read a letter from Michael Horbal on behalf of the applicant granting a 30 day extension.

MOTION: B. Koskelowski/J. Forsyth to grant the 30 day extension.  
Motion Carried: 4-0.

Great Oak Ridge Condominiums, Pearl Street, Phase Two.

Mr. Wetowitz stated that the public hearing on this application has been continued to the July meeting.

MOTION: J. Forsyth/M. Flynn to table this item.  
Motion Carried: 4-0.

459 North Main Street, Discussion and Possible Action.

Atty. Marino stated that he did some research to determine if wetlands permits were issued in 1975 and if they can be continued or if they need to come back to the Commission. He stated that usually permits are for a specific purpose and have a certain time limit. Mr. Fanotto got an Inland-Wetlands permit to conduct certain business at this location. Atty. Marino stated that this is something that should be litigated. The business is an activity within a regulated area and if it continues within the confines of the original approval needs to be determined. It is clear that they

Received a permit in 1975 and as long as the activity is within the parameters of the approval it should be allowed to continue in that same business activity. This does not excuse him of wetlands regulations. There is some concern because of the location of the stockpiles to the upland review area. Atty. Marino stated that he did not think that any action is required at this point. He stated that he spoke with Mr. Fanotto and advised him of the position that would be brought before the Commission. Mr. Wetowitz stated that in order to take any enforcement action would have to review the present situation to see if it is in violation. Atty. Marino stated that you would need to look at the 1975 approval and see if he is within that approval. If there is a violation then enforcement action could be taken. Atty. Marino recommended a renewal of the permit.

John Fanotto, 45 North Street, Seymour stated that there are soil and erosion controls on the property and the stockpiles are surrounded by concrete blocks. There is a large sediment basin and the remainder was a detention area between stockpiles. The property is completely vegetated. There is a small amount of wetlands in the north end and that has blocks around it and it has not been increased. He stated that more than half of the site is a sediment basin. Mr. Fanotto stated that the Town has been using the property for many years. A channel was put in and never maintained by the Town. The State of Connecticut was to maintain the culverts under Route 8 which they do not do. Mr. Fanotto stated that he maintains both. The stock piles are stabilized and there are dust controls and a few of the stock piles are covered with tarps.

Mr. Wetowitz stated that the Wetlands Enforcement Officer should walk the site and check it out. Mr. Fanotto stated that he does not have any violations and a permit is in place for many years. The Town of Seymour has used the site and there is nothing in the wetlands. He did not feel that there is any need for an inspection. He stated that the Army Corp has done inspections and the DOT has also used it as a stockpile area.

P&S Paving, 462 North Main Street, Discussion and Possible Action.

Mr. Wetowitz stated that he has not heard from any one on this matter. Don Smith stated that the millings should be out of the way. Mr. Fanotto stated that he was allowed to lower the stockpiles. Mr. Wetowitz stated that he was given 90 days from April 1<sup>st</sup> to get the work done. Atty. Marino stated that if he does not file whatever he is required to file by that date then enforcement action could be taken. Mr. Wetowitz stated that the Enforcement Officer spoke with him and he was told that he is considering asking for an extension of time. Mr. Koskelowski stated that it appears that the stockpiles are lower. Mr. Wetowitz felt that a letter should be sent requesting an update at the July meeting. Mr. Forsyth felt that the Wetlands Enforcement Officer should send a letter that the owner should contact the Commission at the end of the 90 day period with procedures or ask for an extension. If he is moving forward then the WEO should be made aware of that. Mr. Wetowitz stated that the WEO could give an update at the next meeting.

MOTION: M. Flynn/J. Forsyth to table to the July meeting.  
Motion Carried 4-0.

**Inland Wetlands and Watercourses Regulations**

Mr. Wetowitz stated that Bob Looker submitted to the Town Clerk the new regulations that have an effective date of July 1, 2017. He stated that the Commission should discuss the penalties and fines. Atty. Marino stated that a draft of the ordinance for penalties on violations and the creation of an appeal process will be available at the next meeting. He stated that a draft of the storm water management plan and violations will also be presented at the next meeting.

**Enforcement Officer's Report, Take Possible Action.**

Reports were received from Mr. Marganski and Mr. Paecht. The members felt that more information should be given on what was done at inspections and site visits.

**Public Comment**

There was no one wishing to speak.

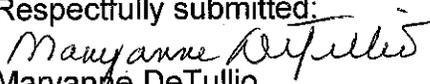
**Commissioner's public comment.**

There was no Commissioner public comment.

MOTION: J. Forsyth/B. Koskelowski to adjourn the meeting.  
Motion Carried 4-0.

The meeting was adjourned at 7:45 p.m. by P. Wetowitz Chairman.

Respectfully submitted:

  
Maryanne DeTullio