

COPY RECEIVED
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TOWN CLERK'S OFFICE

MINUTES – REGULAR MEETING
SEYMOUR INLAND WETLANDS COMMISSION
MONDAY, AUGUST, 28, 2017
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL

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

Also Present: Town Engineer Brian Nesteriak, Town Engineer
Don Smith, Atty. V. Marino

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

Public Comment

There was no one wishing to speak.

MOTION: B. Koskelowski/J. Forsyth to add to the agenda
discussion regarding general conditions all
Inland Wetlands permits are subject to.
Motion Carried: 4-0.

Minutes Public Hearing and Regular Meeting July 24, 2017.

MOTION: J. Forsyth/B. Koskelowski to approve the minutes
of the July 24, 2017 public hearing.
Motion Carried: 4-0.

MOTION: J. Forsyth/B. Koskelowski. to approve the minutes
Of the July 24, 2017 regular meeting.
Motion Carried: 4-0.

Great Oak Ridge Residential Community, Phase Two, Discussion and possible action.

Mr. Wetowitz stated that the public hearing on this application was held at last month's meeting and testimony was given by the applicant that this project will not have a significant impact to the wetlands. Don Smith, Town Engineer had some concerns regarding the matter. Mr. Wetowitz stated that the Commission has until the September meeting to made a decision. The applicant has submitted additional information. Mr. Wetowitz stated that staff noted on the plans where the 100 foot boundary was at the time that this was previously approved and what it is now. There is some further encroachment with impervious surfaces. They have expanded the width of each unit and added a little more parking and also added sidewalks. Mr. Wetowitz noted that there are some buildings within the 100 foot review area. Mr. Smith stated that the Commission needs to decide if it is a significant activity or not.

MINUTES – REGULAR MEETING
SEYMOUR INLAND WETLANDS COMMISSION
MONDAY, AUGUST 28, 2017
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL

Mr. Wetowitz read the letter from Don Smith regarding this project. Mr. Forsyth asked if the work is being performed on Association property and Mr. Smith indicated that it is. Atty. Marino stated that he received an e-mail and copies of the declaration with the retention of rights. The ownership is retained by the developer.

Mr. Forsyth noted that it appears that some of the requirements for the first approval where never made. Atty. Marino stated that the Commission could condition any approval on whatever work needs to be done. Don Smith stated that landscaping and planting needs to be done. Atty. Marino noted that those are enforcement matters but since it is an extension of the parcel by development it could be made a condition of this approval.

Mr. Wetowitz suggested having staff prepare a motion with a list of condition for the next meeting. He stated that the applicant asked for a waiver of the fee and based on the application submitted the fee would be \$4,770.00. They paid the fee for Phase 1 and are asking for a waiver of the fee for Phase 2.

Mr. Forsyth stated that the Commission needs to decide if it is a significant activity and if so no alternate plan was proposed. He stated that he feels it is a significant activity. They changed the drawings, made the units wider and are encroaching further into the wetlands. He stated that there is a significant amount of work that will be performed in the area. Mr. Wetowitz stated that their experts did not feel it was a significant activity.

Atty. Marino stated that a draft motion can be prepared in advance of the next meeting.

MOTION: B. Koskelowski/J. Foysyth to table to the next meeting
and have staff prepare a resolution.
Motion Carried 4-0.

Subdivision, 144 Grand Street, Discussion and Possible Action.

Michael Horbal, 52 Main Street, Seymour was present representing the applicant. He stated that revised plans were submitted at last month's meeting and they have been reviewed by Town Engineer Brian Nesteriak. Mr. Nesteriak submitted a report with his concerns. Mr. Nesteriak stated that he reviewed the revised plans and most of the concerns have been addressed. There are storm water drainage improvements. He stated that the Commission needs to determine if it is a significant activity. Mr. Wetowitz stated that it was determined that it is not a significant activity. Mr. Nesteriak stated that the Commission needs to determine if each lot needs to come back for approval or if it can be handled administratively. He stated that he would recommend a

MINUTES – REGULAR MEETING
SEYMOUR INLAND WETLANDS COMMISSION
MONDAY, AUGUST 28, 2017
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL

bond for soil and erosion control measures and storm drainage system. There is a level spreader on the lot that is being maintained by the Town and it should be maintained by the property owner. He stated that is not really a Wetlands issue; it is more of a zoning issue.

Mr. Wetowitz asked if it is approved are there are conditions that should be added. Mr. Nesteriak stated that the only condition would be the requirement of a bond.

MOTION: M. Flynn/B. Koskelowski to approve the application.

Mr. Forsyth stated that if any lot is within 100 feet or 50 feet of the upland review area then they should to submit a separate application for approval. Mr. Nesteriak stated that as proposed it is just a conceptual design.

MOTION: J. Forsyth/B. Koskelowski to amend the motion to include
The following conditions – 1. Surety bond for soil and
Erosion and storm water drainage along Grand Street;
2. any lot being constructed on or close to the 100 foot
Review area must come before the Commission.
Motion Carried: 4-0.

Discussion of Fines Ordinance

Mr. Wetowitz stated that staff has prepared fines ordinance for the Commission to consider. He stated that any ordinance would have to be approved by the Commission and then forwarded to the Ordinance Committee of the Board of Selectmen. He asked if a public hearing is necessary if it is approved as submitted. Atty. Marino stated that a public hearing would not be necessary and he could draft something that would go to the Board of Selectmen for review.

Don Smith stated that under penalties it is \$1,000.00 for each offense. Atty. Marino stated that he will add some language to clarify that.

MOTION: B. Koskelowski/M. Flynn to approve the fines ordinance
and refer to the Board of Selectmen with any clarifications.
Motion Carried 4-0.

MINUTES – REGULAR MEETING
SEYMOUR INLAND WETLANDS COMMISSION
MONDAY, AUGUST 28, 2017
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL

Enforcement Officer's Report, Discussion and possible Action.

Mr. Marganski submitted his report. Mr. Forsyth asked about North Main Street and if the owner was contacted about the concerns that the Commission has. Atty. Marino stated that he did try and call but has not heard back from the owner. Mr. Wetowitz stated that P&S Paving has removed a lot of materials on the site and has graded a path around the stockpiles. This was done to allow for future inspections and a survey for future plans which will be submitted to the Commission. Atty. Marino stated that the cease and desist order could be continued.

MOTION: J. Forsyth/M. Flynn that is there is no resolution
By 9/18/17 then a cease and desist order is issued.
Motion Carried: 3-0-1 with Mr. Wetowitz abstaining.

Inland Wetlands General Conditions

Mr. Wetowitz stated that staff has come up with some general conditions which apply to a motion for approval of an application. Atty. Marino stated that he felt it would be easier to have a standard form and conditions that would apply to every application. These would be general in nature and then also specific conditions that could be amended from time to time. He stated that it might be helpful to have a list of conditions when the Commission is deliberating on an application. He stated that when a motion is made it would include the general conditions and any specific ones that the Commission would want to have added. He stated that he will do further review and have something for next month's meeting.

MOTION: B. Koskelowski/M. Flynn to table to the next meeting.
Motion Carried: 4-0.

Public Comment

There was no one from the public wishing to speak.

Commissioner's Public Comment

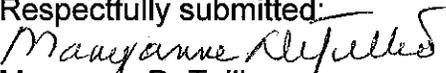
Mr. Forsyth stated that regarding Great Oak the Commission was told that they could not request any additional information after the hearing. Atty. Marino stated that he was asked if staff could go out and look at was recorded on the land records. In order to respond to question had to review information and staff can respond to questions. Mr. Forsyth stated that the Commission needs to determine if it is a significant activity.

MINUTES – REGULAR MEETING
SEYMOUR INLAND WETLANDS COMMISSION
MONDAY, AUGUST 28, 2017
NORMA DRUMMER ROOM, SEYMOUR TOWN HALL

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

The meeting was adjourned at 8:00 p.m.

Respectfully submitted:


Maryanne DeTullio