

Town of Newtown, CT

Edmond Town Hall: 45 Main Street, Newtown, CT 06470

Inland Wetlands 10/10/07

Inland Wetlands Commission

APPROVED MINUTES

Regular Meeting

October 10, 2007, 7:30 p.m.

31 Pecks Lane, Newtown, Connecticut

Present: Peters, Kotch, Pieragostini, Salling, Curran, Gillingham and Clancy

Staff Present: Robert Sibley, Conservation Official; Tammy Hazen, Clerk

Commissioner Peters opened the hearing at 7:31 p.m.

Violation #07-11 Housatonic Railroad, Hawleyville Road. Violation of filling wetlands and activities related to the operation of a solid waste transfer facility.

Mr. Sibley distributed information and photos of a wetlands disturbance in the lumber company area in Hawleyville. The Railroad company began using the area as a solid waste transfer station using a federal loophole exempting them from all land use laws. Mr. Sibley read a violation letter he sent to the Housatonic Railroad Company dated June 4, 2007 noting a fine, asking for erosion and sedimentation controls and requesting they apply for a wetlands permit. They were given 30 days from June 23, 2007. On July 13th (45 days later), they sent a letter asking for an additional 60 day extension. Mr. Sibley granted the 60-day extension and lent them the 2002 guidelines for sediment and erosion controls. Mr. Sibley received another letter on August 7th stating they would like to meet. Mr. Sibley then received an e-mail on August 29th stating that they would meet on the site to discuss the process. During the meeting, they stated they did not understand what was needed. They then wrote a letter stating they are exempt from wetlands law and will continue to operate as they have been. Mr. Sibley will send a cease and desist letter with request for show cause hearing. If they do not show, it will then be forwarded to the Town's attorney and the Attorney General's office. The CEPA (Connecticut Environmental Protection Act) can also be involved with this violation as brought up by Commissioner Peters.

Minutes

September 26, 2007 – Commissioner Salling motioned to approve with changes. Seconded by Commissioner Curran. Commissioner Kotch Abstained.