



## Seymour Conservation Commission REGULAR MEETING MINUTES

Community Center Conference Room  
20 Pine Street, Seymour, CT 06483  
Thursday December 18, 2025 – 6:00 PM

COPY RECEIVED  
DATE: 12/22/25  
TIME: 11:56 AM  
TOWN CLERK'S OFFICE

**Members Present:** Joe Nizelski, Jr., Chair; Nancy Chucta; Marietta Sabetta

**Others:** John McKenzie, Land Use Dept Liaison; Jeff Baryla, Advisor

**Members Absent:** Karen Bertapelle, George Cipows

### 1. Call to Order

*Chair Joe Nizelski, Jr. called the meeting to order at 6:03 PM*

All present stood, saluted the flag, and recited the Pledge of Allegiance.

*Chair appointed Jeff Baryla to Secretary Pro Tempore for this meeting.*

### 2. Public Comment

None.

### 3. Approval of November 20, 2025 Minutes

J. Nizelski Jr. stated that the address of the referenced property should be removed.

*Motion by N. Chucta to approve the Nov 20, 2025 regular meeting minutes with stated correction. Seconded by M. Sabetta. No further discussion. Motion carried 3-0.*

### 4. Reports & Correspondence

- J. Baryla, Trail Manager, summarized the Trails Report **[Attached]** for the board.
- The board submitted its 2025 Annual Report to the First Selectwoman on Dec 3, 2025.
- Paul Wetowitz sent an email **[Attached]** sharing his recent experience visiting LLLRP.
- The City of Derby adopted a new ATV ordinance **[Attached]** increasing fines/penalties.

Commissioners entered into discussion with Land Use Liaison J. McKenzie regarding details of Derby's ordinance. There was concern that Seymour and other neighboring towns might be negatively impacted unless they also enacted a similar stricter ordinance.

*Motion by N. Chucta that the Conservation Commission recommend that the Ordinance Committee draft and adopt a similar ATV ordinance. Seconded by M. Sabetta.*  
There was no further discussion. *Motion carried 3-0.*

### 5. New Business

#### A. Recommended Properties for Potential Aquisition

*M. Sabetta made a motion to enter into Executive Session to discuss the possible future preservation of a property, inviting into the session Land Use Liaison John McKenzie and Advisor to the Commission Jeff Baryla. Seconded by N. Chucta. Motion carried 3-0. The Conservation Commission entered into Executive Session at 6:39 PM.*

*Motion by N. Chucta to leave Executive Session, noting that no votes or actions were taken while in session. Seconded by M. Sabetta. Motion carried 3-0.*  
*The Conservation Commission exited Executive Session at 6:49 PM.*

*M. Sabetta moved that the Conservation Commission send a letter outlining proposed recommendations of a property to First Selectwoman Dragonis with copies to the Board of Selectpersons, Inland Wetlands, Planning and Zoning, and Director of Land Use Jim*

*Baldwin. Seconded by N. Chucta. Joe and Jeff will draft the letter(s). Motion carried 3-0.*

**B. Discussion on Status of Board Membership/Vacancies**

CAO Kurt Miller confirmed new openings for alternates. Current vacancies for all boards were posted to Facebook by the First Selectwoman. The board's 2025 meeting attendance was brought up, and commissioners discussed their intentions heading into the new year.

**6. Old Business**

**A. Possible Updates on 2026 Goals**

Commissioner's restated their top 3 goals of 2026 as follows:

Joe – 1. Trail signage/kiosks, 2. Invasive plant management plan, 3. Address ATVs

Nancy – 1. Native Plant Policy, 2. Municipal management of invasives, 3. Nothing else

Marietta – 1. Naming our trails, 2. A nature center type place, 3. informative website

Jeff shared that he recently purchased a hand router for making way-finding and other trail signage. ATVs could potentially be addressed with the proposed new ordinance.

Native plants were recommended to Adopt-A-Spot members last month. Some of our town's official trails already had legacy names prior to Jeff being brought in, but they and any new trails should go before a public hearing for proper (re)naming. The building often referred to as 'Land Trust' is officially known as the "Henry Hamel Environmental Building," which was intended to be a place for education, similar to a nature center.

**C. 'The Seymour Sun'**

J. Baryla stated layout for the third issue is complete. It is ready for its Dec 20 release.

**7. Any Other Business**

J. Baryla shared that the 2026 CT Land Conservation Council (CLCC) Conference will be held on Saturday March 21. More details and registration info will be shared as it unfolds.

J. Baryla stated that all future meeting agendas for Conservation Commission will contain timestamped line items. This will help ensure meetings don't run over the one-hour limit and negatively impact the Beautification Commission, who meets immediately following.

**8. Public Comment**

None.

**9. Adjournment**

*Motion by M. Sabetta. Seconded by N. Chucta.*

*All in favor (3-0). The meeting adjourned at 7:23 PM*

Respectfully Submitted,

*Jeff Baryla*

Secretary Pro Tempore/Advisor to the Commission

***Seymour Conservation Commission will next meet on Thurs Jan 15 at 6:00 PM.***

## Attachment 1 – Trails Report for December 18, 2025

### **Little Laurel Lime Ridge Park [LL]**

Work Party scheduled for this Saturday 12/20. Game plan is to walk the paper street section that Stuart and I worked on last month. Mild trail work should improve visibility of the path. If the ground is soft enough, the uprooted tree hole that's in the middle of the trail could be filled.

### **Paramount (pollinator garden) [PPG]**

Work Party on 12/06 (2.5 hrs). Nancy and I focused on the three Bs (barberry, burning bush, and bittersweet). Narrow access into the upper part of 21 and the lower part of 22 was cleared. More yard waste was found dumped on-site. Will order "No Dumping" signs and post on-site to discourage further illegal activity. Installation of trail cams may follow later, if necessary.

### **Keith Mitchell Forest [KMF]**

On 12/13, I cut most of the last of the barberry that's closest to the parking lot (3.5 hrs). I'm very pleased that, come spring, this will be considerably less of a problem for visitors. I also removed a lot of border privet and cut some bittersweet, too. Afterward, I went into the Land Trust parcel to document junk and bulk waste and survey the area for a possible future trail through this area. I will include all my findings and suggestions in a future report. Things look very promising.

### **Gary Park (18 Osprey) [GP]**

No recent work. Focus in 2026 will be restoring the original trail loop as it appears in the published trail guide. Also attempt the 3-cut method on all knotweed along the road/parking lot.

### **Fountain Lake (North and South parcels) [FLN/FLS]**

I stopped by Fountain Lake on the way back from KMF on 12/13. It appears a large blowdown has been blocking the original Lake Loop trail for quite some time, and it was never cleared by either municipality. Visitors have been going off-trail around it into a "dip" that's causing erosion.

### **Rolling Hills Forest [RHF] (Land Trust parcel)**

JoElle and I visited on 11/24. We observed mugwort and invasive Chinese silvergrass growing.

### **Other**

- I'm still waiting for commissioners to arrange a visit with me to Seymour Dog Park.
- I will be hosting another Meet & Greet event in January. Likely at Heav'nly Donuts in Seymour.
- First free educational event at Land Trust will be Sat Feb 21 "Field, Forest, and Stream".
- 2nd educational event at the Land Trust will be moved to Mar 28 (CLCC Conference is Mar 21)
- Annual Earth Day Hike maybe Saturday April 25? A 3<sup>rd</sup> Land Trust event on Sat May 23?

Upcoming work party schedule (as approved by the Seymour Beautification Commission)

Sat Jan 3 at PPG	Sat Jan 17 at KMF	Sat Jan 31 at LLLRP	Sat Feb 7 at PPG
Sat Feb 14 at KMF	Sat Feb 28 at KMF	Sat Mar 7 at PPG	Sat Mar 14 at KMF

All Saturday events start at 9:30 AM.

Dates not official due to canceled Dec 2025 SBC meeting.

Thank you!

*Jeff Barryla*  
Trail Manager

**Attachment 2 – Email Received from Paul Wetowitz on Dec 11, 2025**

**Little lime Park**

depfm2@aol.com

12/11/2025 1:00 PM 

**To** JEFF BARYLA **Copy** Annemarie Drugonis, Renae Wetowitz

Reply   Forward   Delete   

Hi Jeff. I want to share something that I experienced today. I took my daughter's dog on a long walk thru Little Lime Park off of Tibbets Road. I pushed myself and took the western side route. Walking up a step hill, I suddenly observed a carved out area in the ledge. It was several small caves in the ledge. I instantly remember as a young child going into those small caves. I had to sit down and stare at them. Memories came back. The area almost looked exactly as it did 60 years ago. I remember going into them one-day seeing small white eggs on the ground, dripping water and a pair of eyes staring back at me. I don't know what those eyes were to, but I backed out and left it alone.

Keeping and maintaining land like this is very important for future generations. Also for old generations like me to bring back strong memories. Keep up the great work. It is worth it. You are free to share this with anyone you want.

Paul Wetowitz

**Attachment 3 – Copy of ATV Ordinance passed by City of Derby, CT on Dec 11, 2025**

Motorized Recreational vehicle shall not be deemed to include any of the following:

- (1) Any registered "motorcycle" as defined in the Connecticut General Statutes 14-1.
- (2) Any registered "motor vehicle" as defined in Connecticut General Statutes 14-1.
- (3) Any moped that meets Federal Department of Transportation guidelines for use on streets and is approved by the State of Connecticut Department of Motor Vehicles for use on streets, provided, however, the moped is operated pursuant to all applicable state laws, rules and regulations and all City of Derby Ordinances.
- (4) Any wheelchair or similar mobility assisting device utilized by a person with a physical disability or whose ambulatory mobility has been impaired due to age or physical impairment.
- (5) Any self-propelled snowplow, snow blower, or lawn mower when used for the purpose for which it was designed and operated not to exceed (4) miles per hour;
- (6) Any vehicle owned or leased by the City of Derby;
- (7) Any EPAMD as defined herein;
- (8) Any bicycle or trail bike without a motor;
- (9) Any golf cart;
- (10) Any agricultural equipment such as tractor and farm implements;
- (11) Any construction machinery; and
- (12) Any vehicle that is used solely for the amusement or as a novelty display item, and is operated during a parade or any other special event that is properly permitted and approved by the City of Derby.

#### Section 2. Prohibited Operation

1. **Streets, sidewalks, public property.**
  - a. No person shall operate a motorized recreational vehicle on any street, sidewalk, or public property in Derby.
  - b. No owner shall knowingly permit such operation in violation of (a).
2. **Passenger prohibition.**  
No person may ride as a passenger on a motorized recreational vehicle if doing so violates item 2.1 above, and no owner shall permit such passenger.
3. **Private property use without permission.**
  - a. If the operator or passenger does not own the property, written permission from the property owner is required before operation.
  - b. No owner shall permit operation without such consent.
4. **Noise compliance.**  
Any operation on private property, with permission, must comply with Derby's noise ordinance. Excessive noise is prohibited.



5. **EPAMD operation.**

- a. EPAMDs may be used on designated bike lanes, sidewalks, or crosswalks at speeds not exceeding 5 miles per hour.
- b. Where no bike lane or sidewalk exists, operation is allowed on the far-right side of the street, subject to local traffic rules.
- c. Operators must yield to pedestrians and mobility devices and comply with all Connecticut laws and Derby's traffic regulations.

6. **Street Takeover**

It shall be unlawful for any person or group of persons to organize, participate in, or gather with the intent to observe and actually observing a street takeover as defined herein.

**Section 3. Penalties**

1. **Violations of motorized recreational vehicle rules (Sections 2.1, 2.3).**

- a. Any person who operates any Motorized Recreational Vehicle in violation of Section 2 above, shall be fined as described below:
  - o First violation: \$1,000
  - o Second violation: \$1,500
  - o Third or subsequent: \$2,000



2. **Passenger violations (age 16 or older).**

Any person aged sixteen (16) or older who rides as a passenger on any Motorized Recreational Vehicle in violation of Section 2 above, or any owner of a Motorized Recreational Vehicle who knowingly permits a passenger to ride his/her Motorized Vehicle in violation of Section 2 above shall be fined two hundred fifty dollars (\$250.00).

3. **EPAMD violations.**

Any person who operates an EPAMD in violation of Section 2 above or is the owner of an EPAMD who knowingly permits its operation in violation of Section 2 above that had been previously issued one (1) warning as the result of previous violation of this article, shall be fined two hundred and fifty dollars (\$250.00).

**Section 4. Seizure of Motorized Recreational Vehicles; Disposal**

- a. Any person who operates a Motorized Recreational Vehicle in violation of Section 2 above or is the owner of any vehicle who knowingly permits its operation in a street takeover as defined above, will be subject to seizure of said vehicle (s) pursuant to Connecticut General Statutes 54-33g, which allows for seizure of property. A police

officer who observes any Motorized Recreational Vehicle being operated in violation of Section 2 or any vehicle being operated in a street takeover may detain such person for purposes of enforcing the provisions of this ordinance and may remove or tow such Motorized Recreational Vehicle or other vehicle to a secure location for impoundment pending a hearing pursuant to Section 5 below. Before the owner of any such impounded property may remove the vehicle from the vehicle pound, he/she shall furnish to the operator such pound or such other person as the Chief of Police shall designate evidence of registration and ownership, shall sign a receipt for such property and shall pay any fine imposed pursuant to this section, the cost of towing, the cost of any related charges, any overdue property taxes on such vehicle, plus the cost of storage in excess of the first twenty-four (24) hours after seizure. The operator of such pound shall refuse the release of any such property lawfully seized that the Chief of Police has authorized to hold as evidence in a criminal investigation or proceeding. Such operator shall obtain written permission from the Chief of Police on any form or document prescribed by the Chief of Police prior to the release of such property held for evidence. The vehicle shall be deemed forfeited to the City if the owner or the lienholder fails to pay all fines and related charges within six months of impoundment. The City of Derby shall not be held liable for any damage to or loss of property seized in accordance with this section.

- b. Any such Motorized Recreational Vehicle that is not claimed by its owner under the terms of this section for a period of six months after seizure or in the case of a vehicle being held as evidence not claimed by its owner within six months of the cessation of such investigation or disposition of such criminal proceeding, whichever is later, may be disposed of at the discretion of the Chief of Police after serving notice in the same manner as that required for the disposal of abandoned vehicles under Connecticut General Statutes 14- 150(c), except in the case that a vehicle that is not registered, such notice shall not require mailing to person's whose names are registered with the state Department of Motor Vehicles.

## **Section 5. Hearing Before Forfeiture**

### **1. Hearing Officer.**

The City shall appoint a Hearing Officer to conduct forfeiture hearings, in coordination with the Chief of Police.

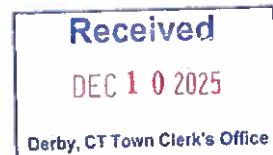
### **2. Notice & hearing request.**

Within 30 days of seizure, notice must be sent to the owner and any known lienholder. A written request for a hearing must be filed (by certified mail or hand delivery) within 30 days, with proof of ownership or lien interest.

### **3. Scheduling & notice.**

The hearing must occur within 30 days of the request (unless extended for cause). At least 10 days' notice of date/time/location must be given.

### **4. Procedures.**



- o The police incident report is *prima facie* evidence of a violation.
- o Owner/lienholder may cross-examine, present evidence, be represented by counsel.
- o Recording is allowed at party expense.

**5. Forfeiture criteria.**

The Hearing Officer may order forfeiture if probable cause is found that:

- a. The vehicle was used in violation of this ordinance or Connecticut law; or
- b. It was operated with reckless disregard for safety or property.

Any Motorized Recreational Vehicle ordered forfeited shall be sold at public auction or destroyed by the City of Derby. If sold, the proceeds of such sale shall be deposited into the general fund of the City of Derby.

**6. Lienholder rights.**

Forfeiture shall not violate rights of bona fide lienholders.

**7. Decision & abandonment.**

The Hearing Officer shall issue a written decision ordering either forfeiture or return, unless the vehicle must remain as evidence. If no hearing is requested in 30 days, the vehicle is deemed abandoned and disposed of under applicable law.

**Section 6. State Law Compliance Clause**

1. If any part of this ordinance conflicts with Public Act 25-80 or other controlling state law, the state law controls.
2. This ordinance includes procedural safeguards, notice, lienholder protection, and forfeiture processes required by statute.
3. The City shall review and amend this ordinance as needed to remain consistent with updates to state law.

**Section 7. Effective Date**

This ordinance will take effect as authorized by law after adoption and publication in accordance with the City of Derby's Charter.

