



# TOWN OF PUTNAM

TOWN HALL  
200 SCHOOL STREET  
PUTNAM, CONNECTICUT 06260

SHOW CAUSE HEARING  
#VIOLATION 21001  
February 15, 2022 at 7:00 PM

Via Zoom  
Join Zoom Meeting

<https://us06web.zoom.us/j/88253486926?pwd=WkJDVDhxZ2kyb0J5bUYrbUR2anYvZz09>

Meeting ID: 882 5348 6926  
**Computer Passcode:** T88i4q

Dial by your location  
+1 929 205 6099 US (New York)  
Meeting ID: 882 5348 6926  
**Phone Passcode:** 422926

Pledge of Allegiance:

Roll Call:

Agenda:

Show Cause Hearing,  
CEASE AND DESIST ORDER #VIOLATION 21001  
532 Liberty Highway (Assessor's Map 26, Lot 69)

Adjournment.

## CEASE AND DESIST ORDER

February 11, 2022

Mr. Michael Hyatt  
532 Liberty Highway  
Putnam, CT 06260

RE: CEASE AND DESIST ORDER #VIOLATION 21001  
532 Liberty Highway (Assessor's Map 26, Lot 69)

Dear Mr. Hyatt,

By this letter you are hereby ordered to immediately cease all regulated activities on your property referred to in the Town of Putnam Tax Assessor's records as "532 Liberty Highway" Assessor's Map 26, Lot 69 which are in violation of section 22a-42a(c)(1) of the Connecticut General Statutes and section 6.1 of the Inland Wetlands and Watercourses Regulations of the Town of Putnam revised June 14, 2007 and perform the following actions:

- 1. Retain a Professional Engineering firm.** By March 30, 2022 you shall retain a professional engineering firm licensed to practice in Connecticut ("the Engineer") to prepare the documents required by this Order, and to oversee the actions required by this Order and by that date, notify the Putnam Inland Wetlands and Watercourses Commission ("the Commission"), in writing of the identity of the Engineer. You shall retain the Engineer until this Order is fully complied with.
- 2. Submit Site Plan.** By May 4, 2022 you shall submit a Site Plan to the Commission for its review and written approval of an Inland Wetland Commission Application For Permit. The goal of the Site Plan shall be to depict existing conditions, all unauthorized activity, and any proposed activity. The Site Plan shall consist of site drawing(s) signed and sealed by the Engineer that includes, but is not necessarily limited to:
  - a. a delineation (relevant to the subject activities), of the site's property boundaries existing grades at the site, proposed grades at no greater than one-foot contour intervals with a scale of 1-inch equals 20 feet, the limit of current wetlands, the limit of original (pre-activity) wetlands, FEMA elevated floodplain, and erosion and sediment controls to be use during and after the implementation of the final approved Site Plan,
  - b. a schedule for the initiation and completion of actions provided for in the Site Plan. Such schedule shall provide for completion of all grading actions as soon as possible following the Commissions approval, but in no event later than May 30, 2022 and stabilization of disturbed soils no later than June 30, 2022.

3. **Implement the Plan.** Following the Commission's written approval of any plan submitted pursuant to this Order, you shall perform the actions as approved
4. **Submit As-Built Drawing.** Within 45 days of completing the required actions, submit to the Commission for its review and written approval, an as-built drawing ("as-built drawing") that verifies conformance with the Site Plan. The as-built drawing shall show final grades at the site at no greater than one-foot contour intervals with a scale of 1-inch equals 20 feet and shall identify final spot elevations at the site. The as-built drawing shall be signed and sealed by the Engineer.
5. **Relocation of Excavating Equipment.** Within ten days of the receipt of this Order, you shall relocate the excavating equipment to the northeast part of the property being 532 Liberty Highway away from the wetland area until such time that the Commission has approved the Site Plan and a Permit has been issued.
6. **Erosion and Sediment Control.** Within ten days of the receipt of this Order erosion and sediment control shall be installed along the current edge of disturbed earth and maintain unless superseded by the approved Site Plan.

You are so ordered based upon the following:

The Putnam Inland Wetlands and Watercourses Commission has the authority and responsibility to regulate inland wetlands and watercourses in Putnam under sections 22a-36 through 22a-45 of the Connecticut General Statutes ("C.G.S.") and the Inland Wetlands and Watercourses Regulations of the Town of Putnam ("the Regulations").

This order is issued in accordance with section 22a-44, C.G.S. and section 14 of the Inland Wetlands and Watercourses Regulations. On Tuesday, February 15, 2022 at 7:00 p.m.

Via Zoom, Meeting ID: 882 5348 6926 Computer Passcode: T88i4q, Dial by your location +1 929 205 6099 US (New York) Meeting ID: 882 5348 6926 Phone Passcode: 422926, the Putnam Inland Wetlands and Watercourses Commission will hold a hearing to provide you with an opportunity to show cause why this order should not remain in effect.

Please also be advised that this order is an addition to and not in lieu of other statutory remedies available to me and the town. Those remedies include commencement of a civil action or initiation of a prosecution before the Connecticut Superior Court under Conn. Gen. Stat. Section 22a-44 (b) and (c). That statute provides that any person who commits, takes part in, or assists in any violation of any provision of the Connecticut Inland Wetlands and Watercourses Act or the Putnam Inland Wetlands and Watercourses Regulations *shall* be assessed a civil penalty of not more than one thousand dollars for each offense. Each violation is considered a separate and distinct offense, and, in the case of a continuing violation, each day's continuance thereof shall be deemed to be a separate and distinct offense. Further, the statute provides that any person who willfully or knowingly violates the act or regulations shall be fined not more than one thousand dollars for each day during which such violation continues or be imprisoned not more than six months or both. The court is also empowered to grant orders to cease violations of the act and regulations and to restore the property impacted by the violator. The court is also required to include all costs, fees and expenses in connection the action taken by me or the town shall be assessed as damages against a violator together with reasonable attorney's fees. And you should also be advised

CEASE & RESTORE ORDER # VIOL12023  
Page 3 of 3

that penalties assessed by the court under that statute are not dischargeable in bankruptcy. *In re Jimmo*, 204 B.R. 655 (Bankr. D. Conn. 1997).

Sincerely,

Bruce Fitzback  
Putnam Wetlands Agent

Order VIOLATION 21001

Certified Mail # 7019 1640 0001 0221 0679

I, Michael Hyatt received this Cease-and-Desist Order in person on \_\_\_\_\_  
Date Signature

**Sec. 22a-44. Penalty. Court orders.** (a) If the inland wetlands agency or its duly authorized agent finds that any person is conducting or maintaining any activity, facility or condition which is in violation of sections 22a-36 to 22a-45, inclusive, or of the regulations of the inland wetlands agency, the agency or its duly authorized agent may issue a written order, by certified mail, to such person conducting such activity or maintaining such facility or condition to cease immediately such activity or to correct such facility or condition. Within ten days of the issuance of such order the agency shall hold a hearing to provide the person an opportunity to be heard and show cause why the order should not remain in effect. The agency shall consider the facts presented at the hearing and within ten days of the completion of the hearing notify the person by certified mail that the original order remains in effect, that a revised order is in effect, or that the order has been withdrawn. The original order shall be effective upon issuance and shall remain in effect until the agency affirms, revises or withdraws the order. The issuance of an order pursuant to this section shall not delay or bar an action pursuant to subsection (b) of this section. The agency may file a certificate of such order in the office of the town clerk of the town in which the land is located and the town clerk shall record such certificate on the land records of such town. Such certificate shall be released upon compliance with such order. The commissioner may issue orders pursuant to sections 22a-6 to 22a-7, inclusive, concerning an activity, facility or condition (1) which is in violation of said sections 22a-36 to 22a-45, inclusive, if the municipality in which such activity, facility or condition is located has failed to enforce its inland wetlands regulations, or (2) for which an approval is required under sections 22a-36 to 22a-45, inclusive, and for which such approval has not been obtained.

(b) Any person who commits, takes part in, or assists in any violation of any provision of sections 22a-36 to 22a-45, inclusive, including regulations adopted by the commissioner and ordinances and regulations promulgated by municipalities or districts pursuant to the grant of authority herein contained, shall be assessed a civil penalty of not more than one thousand dollars for each offense. Each violation of said sections shall be a separate and distinct offense, and, in the case of a continuing violation, each day's continuance thereof shall be deemed to be a separate and distinct offense. The Superior Court, in an action brought by the commissioner, municipality, district or any person, shall have jurisdiction to restrain a continuing violation of said sections, to issue orders directing that the violation be corrected or removed and to assess civil penalties pursuant to this section. All costs, fees and expenses in connection with such action shall be assessed as damages against the violator together with reasonable attorney's fees which may be allowed, all of which shall be awarded to the commissioner, municipality, district or person which brought such action. All penalties collected pursuant to this section shall be used solely by the Commissioner of Energy and Environmental Protection (1) to restore the affected wetlands or watercourses to their condition prior to the violation, wherever possible, (2) to restore other degraded

wetlands or watercourses, (3) to inventory or index wetlands and watercourses of the state, or (4) to implement a comprehensive training program for inland wetlands agency members.

(c) Any person who wilfully or knowingly violates any provision of sections 22a-36 to 22a-45, inclusive, shall be fined not more than one thousand dollars for each day during which such violation continues or be imprisoned not more than six months or both. For a subsequent violation, such person shall be fined not more than two thousand dollars for each day during which such violation continues or be imprisoned not more than one year or both. For the purposes of this subsection, "person" shall be construed to include any responsible corporate officer.

## Bruce Fitzback

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**From:** Elaine Sistare  
**Sent:** Wednesday, October 14, 2020 3:02 PM  
**To:** Bruce Fitzback  
**Subject:** FW: Wetlands Commission discussion and minutes

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**From:** Michael Hyatt <michaelhyattfb34@yahoo.com>  
**Sent:** Thursday, July 16, 2020 7:00 PM  
**To:** Elaine Sistare <Elaine.Sistare@putnamct.us>  
**Subject:** Re: Wetlands Commission discussion and minutes

Is there a time frame to have these documents submitted to the committee?

Sent from my iPhone

On Jul 15, 2020, at 1:34 PM, Elaine Sistare <[Elaine.Sistare@putnamct.us](mailto:Elaine.Sistare@putnamct.us)> wrote:

Hi Michael,

As discussed when you and I met on July 2<sup>nd</sup> at your property, the Inland Watercourses and Wetlands Commission met on Wednesday, July 8<sup>th</sup> and discussed your questions. Please see attached minutes.

The Commission determined that an application for the discussed work on your property (even limited to the areas in front of the house/adjacent to road) would require a survey of the property with elevation contours, and the wetlands to be flagged by a Soil Scientist and shown on the survey. Note that due to the Little Dam Tavern Brook being adjacent, there is also the Flood Plain to be aware of (Zoning Regulations, Section 605), so that survey should identify the 100-year flood elevation and how that corresponds to elevations on your property.

We appreciate your coordination with us and the Commission. If you choose to move forward with a application including survey and wetlands delineation, please submit to us.

Elaine

Elaine Sistare, PE, BCEE  
Town Administrator  
Town of Putnam  
126 Church Street  
Putnam, CT 06260  
Office: 860-963-6800, x 113  
Cell: 860-372-1755  
Email: [Elaine.Sistare@putnamct.us](mailto:Elaine.Sistare@putnamct.us)

<07-08-2020\_meeting\_minutes.pdf>

638-6620.



APPROXIMATE SCALE

800 0

1

ZONE A

ZONE A

SAYLE

ZONE X

ZONE AE

ZONE AE

ZONE X

Dam

ACCESS ROAD

ROAD

HAWKINS

SHIPPEE

HILL

ZONE X

M11

RM 3

ZONE AE

M12

Little Dam Tavern Brook

394

370

44

379

M10

342

M9

350

338

336

337

328

RM 2

M7

327

400 FEET

NATIONAL FLOOD INSURANCE PROGRAM

**FIRM**  
FLOOD INSURANCE RATE MAP

TOWN OF  
PUTNAM,  
CONNECTICUT  
WINDHAM COUNTY

PANEL 10 OF 10  
(SEE MAP INDEX FOR PANELS NOT PRINTED)



PANEL LOCATION

COMMUNITY-PANEL NUMBER  
090194 0010 B

EFFECTIVE DATE:  
OCTOBER 18, 1988



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

JOINS PANEL 0002

N





**TOWN OF PUTNAM**  
MUNICIPAL COMPLEX  
TOWN HALL  
200 SCHOOL STREET • PUTNAM, CT 06260

Inland Wetland Commission Meeting Agenda

December 8, 2021 7:00 P.M.

Hybrid Meeting

Putnam Municipal Complex

200 School Street

Second Floor Room 201

Join Zoom Meeting

<https://us06web.zoom.us/j/81079332948?pwd=c3NZWHYwSEZxeSthL25OU2lYc1VGUT09>

Meeting ID: 810 7933 2948

Computer Passcode: L7CVkW

One tap mobile

+13017158592,,81079332948#,,,,\*048730# US (Washington DC)

+1 929 205 6099 US (New York)

Meeting ID: 810 7933 2948

Phone Passcode: 048730

Pledge of Allegiance:

Roll Call:

Agenda:

Review minutes of the October 13, 2021 meeting. VOTE REQUIRED

Correspondence:

Public Participation:

Other Business: POSSIBLE VOTE REQUIRED

Discussion on work taking place at 532 Liberty Highway, owned by Mr. Hyatt.

Accepting of New Applications if applicable for the January 12, 2022 meeting.

Meeting schedule for 2022

Adjournment.



## History 532 Liberty Highway, Putnam, CT

July 8, 2020

At the July 8, 2020 meeting of the Town of Putnam Inland Wetlands and Watercourses Commission, the Commission reviewed the application of Mr. Hyatt, See Minutes

October 18, 2020

I met with Mr. Michael Hyatt on site. Discussed his plans for the property, including extending yard into the wetlands, and a future garage. Mr. Hyatt was told he could use his excavator to remove the trees he had cut from the wetlands. Under no circumstances was he to disturb the earth or pull stumps until he had a wetlands permit. Mr. Hyatt had reservation about hiring an engineering firm to do the required mapping for the permit process. It was suggested that he hire a firm to flag the limits of the wetlands first.

November 30, 2021

Disturbed earth was observed from the road in front of 532 Liberty Highway, See Photos



## Inland Wetland Commission Meeting Minutes

### Meeting Held Via Zoom

Wednesday July 8, 2020 7:00 P.M.

Present: Bruce Fitzback-Chairman, Theodore Altmeier, Robert Greene, Jennifer Heath

Absent: David Pomes

#### Agenda:

##### Regular Meeting:

Review minutes of the June 10, 2020 meeting.

Motion by Theodore Altmeier to accept the minutes, second by Robert Greene. ALL WERE IN FAVOR

Review minutes of the June 16, 2020 special meeting. VOTE REQUIRED

Motion by Theodore Altmeier to accept the minutes, second by Robert Greene. ALL WERE IN FAVOR

Correspondence: None

##### Unfinished Business:

##### Update – 532 Liberty Highway

Elaine Sistare explained that this was an application that was previously reviewed at the June 2020 meeting and she had met with the owner at the site on July 2, 2020. He wanted to know what would be required if he were to resubmit an application with less work being proposed. He would like to level his off his property. The work he is proposing is adjacent to the Little Dam Tavern Brook, it is a 4-acre parcel with a portion located in the flood plain.

Motion by Theodore Altmeier that a soil scientist, flagging of wetlands, elevation of flood plains and a survey would be required, second by Robert Greene. ALL WERE IN FAVOR

##### New Business:

Application for Transfer of Permit – 645 Providence Pike (Route 44). New Solar Installation Applicant for Permit Approval granted on November 14, 2018.

Elaine Sistare explained that it was a transfer of an existing permit that had not expired.

Motion by to transfer the existing permit, second by Jennifer Heath. ALL WERE IN FAVOR.

Other Business:

Accepting of new applications for the August 12, 2020 meeting if applicable.

Wheelabrator Putnam Inc. – Development of Phases 7 through 11 – 314,344,376,388,404,422,444 & 448 River Road

Motion by Robert Greene to accept the application for August 12, 2020, second by Jennifer Heath.

Motion by Robert Greene to amend his motion to include a public hearing to be held, second by Jennifer Heath. ALL WERE IN FAVOR OF THE MOTION IN ITS ENTIRETY,

Scheduling of onsite inspections if applicable.

Motion by Theodore Altmeier to hold the onsite inspection on Tuesday July 21, 2020 at 6:00 P.M.

Elaine Sistare, Town Engineer – Update on ongoing projects

Municipal Complex  
Recreation Park Road Bridge  
Bridge Street Bridge  
Sabin Street Field

Motion by Theodore Altmeier to adjourn, second by Robert Greene. ALL WERE IN FAVOR.

Respectfully submitted by Brenda Roy.

Please note these minutes have not been accepted by Commission and will be placed on their next meeting agenda.

Attention

Brenda Roy

Wetlands application and plans

Michael Hyatt 401-651-8722

Michael Hyatt FB34@yahoo.com



# INLAND WETLAND COMMISSION

## APPENDIX A

### APPLICATION FOR PERMIT

This application is for the use of inland wetlands and water courses.

The meetings are held on the second Wednesday of every month at 7:00pm in the Town Hall. If an on-site inspection is canceled due to inclement weather, the applicant is asked to call the office at 963-6803 30 minutes before the scheduled inspection to see if or when the inspection will be held.

Name of Applicant Michael Hyatt  
Applicant's Address 532 Liberty highway  
Phone # 401-651-8722  
Owner of Land Michael Hyatt & Jessica Piron  
Owner's Address 532 Liberty highway  
Location and description of proposed activity: Front left adequate, level. use created fill to fill low land in side yard, clear level and possibly fill right side and rear yard for future developments, not for livestock, Recreation, additions, septic leach field additions etc. see Drawn up Plans

#### Activity & Purpose Code

Please CHECK one in each column that best describes the activity proposed.

Code	Activity Type	Code	Activity Purpose
<input checked="" type="checkbox"/> 1	Filling	<input checked="" type="checkbox"/> A	Residential Improvement by homeowner
<input checked="" type="checkbox"/> 2	Excavation	<input type="checkbox"/> B	New residential development - single family
<input checked="" type="checkbox"/> 3	Land Clearing	<input type="checkbox"/> C	New residential development - multi- family/condo
<input type="checkbox"/> 4	Stream Channel	<input type="checkbox"/> D	Commercial/Industrial Uses
<input type="checkbox"/> 5	Stream Stabilization	<input type="checkbox"/> E	Municipal Improvements
<input type="checkbox"/> 6	Stream Clearance	<input type="checkbox"/> F	Utility Company Improvements
<input type="checkbox"/> 7	Culverting	<input type="checkbox"/> G	Agriculture, Forestry or Conservation
<input type="checkbox"/> 8	Und. Grd. Util.	<input type="checkbox"/> H	Wetland Creation/Restoration
<input type="checkbox"/> 9	Roadway Construction	<input type="checkbox"/> I	Storm Water/Flood Control
<input type="checkbox"/> 10	Drainage Improvements	<input type="checkbox"/> J	Erosion/Sediment Control
<input type="checkbox"/> 11	Pond Dredge/Dam Construction	<input type="checkbox"/> K	Recreation/Boating/Navigation
<input type="checkbox"/> 12	Activity Buffer/Set Back Area	<input type="checkbox"/> L	Routine Maintenance
<input type="checkbox"/> 13	Other: Please describe: _____		



# INLAND WETLAND COMMISSION

## APPENDIX A Continued

Project Name (if applicable)

Useable property Improvements

Estimate of Linear Footage affecting Wetlands

400 FT

Affected number of acres in which Wetlands are part of  
the impacted area for Multi-Family, Condos and  
Commercial Development

0

### TO BE COMPLETED BY THE COMMISSION

Application Number

Date of Receipt

Application Approved (date)

Conditions of approval if applicable

Application Denied (date)

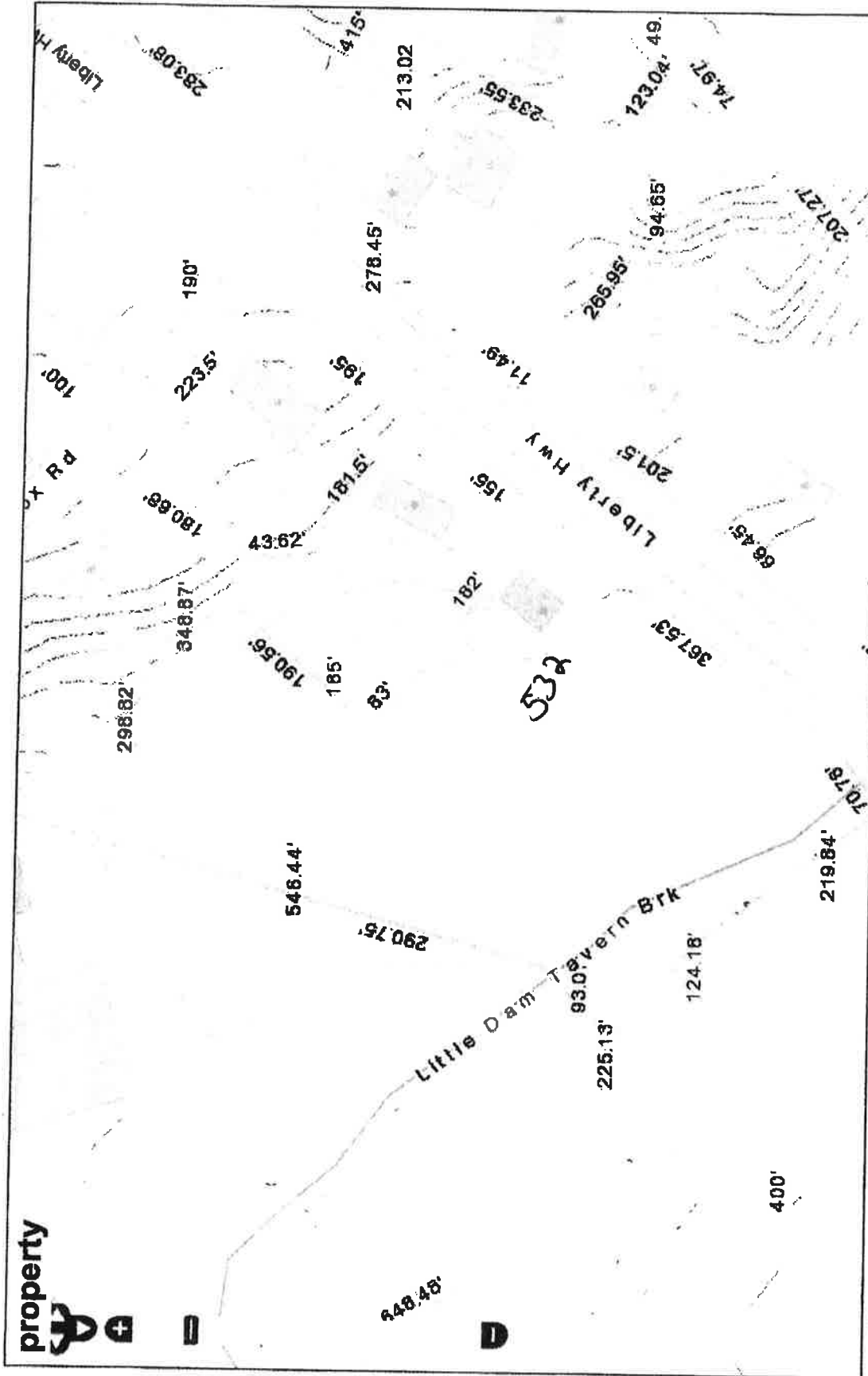
Reason(s) for Denial

Signature of Chairman or Secretary of Commission

Date

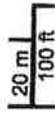


property



## Town of Putnam, Connecticut

Printed 6/2/2020 from <http://www.mainstreetmaps.com/ct/putnam/public.asp>



**MainStreetMaps**  
MainStreetGIS, LLC  
[www.mainstreetgis.com](http://www.mainstreetgis.com)

This map is for informational purposes only. It is not for appraisal of, or conveyance of land. The Town of Putnam, Connecticut and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.

