



# TOWN OF MIDDLEBURY

*Conservation Commission  
1212 Whittemore Road  
Middlebury, Connecticut 06762  
(203) 577-4162 ph  
(203) 598-7640 fx*

## REGULAR MEETING MINUTES August 25, 2015

### **Members Present:**

Vincent LoRusso, Chairman  
James G. Crocicchia, Vice Chairman  
George Tzepos  
Thomas Proulx  
Terry Manning

### **Members Absent:**

Mary Barton  
Justin Stanziale

### **Also Present:**

Deborah Seavey, W.E.O.

### **I. CALL TO ORDER:**

The Meeting was called to order at 7:31 P.M. by Chairman Vincent LoRusso.

### **II. ACTION ON MINUTES OF THE JULY 28, 2015 REGULAR MEETING**

**Motion:** to accept the Minutes of the July 28, 2015 Regular Meeting. Made by George Tzepos, seconded by Terry Manning. Unanimous Approval.

### **III. OLD BUSINESS**

None

### **IV. NEW BUSINESS**

#### **1. Application #364 – 120 Tranquility Road**

Attorney Anne Peters of Carmody, Torrence, Sandak & Hennessy, LLP spoke on behalf of the applicant. She confirmed that approval has been granted from the US Army Corps of Engineers for a planting plan which was submitted in response to a violation that they issued to her client. They are not before this Commission to seek an after the fact approval for the concrete dam that Mr. Bosco constructed to replace an earthen berm that was failing as well as the implementation of the planting plan. The US Army Corps of Engineers has waived the requirements in place of the planting plan. Numerous invasive

species have been removed. The way in which the dam is constructed allows for more predictable control of water flow and is less susceptible to wash out.

Cynthia Rabinowitz, Soil Scientist, reviewed photos of the dam with the Commission.

Bob Bosco confirmed that his proposed changes will not change the elevation of the spillway.

Cynthia Rabinowitz, Soil Scientist, stated that the plantings are designed to be naturalistic and in time will fill in to create a woodland setting and eventually provide shade and keep the water at a cool temperature. All planting consist of native species.

**Motion:** to accept Application #364 – 120 Tranquility Road. Made by Terry Manning, seconded by James Crocicchia.

**Discussion:**

Terry Manning stressed the importance of having an itemized list pertaining to the proposed revisions to the contour of the bridge.

George Tzezos stated that members of the Commission may walk the property.

**Unanimous Approval to accept Application 364.**

Deborah Seavey, W.E.O. confirmed that there is no activity within the regulated area with respect to the proposed aesthetic changes to the bridge.

**Motion:** that the aesthetic improvements of the bridge have no potential impact on the wetlands. Made by Terry Manning, seconded by George Tzezos. Unanimous Approval.

**V. PUBLIC COMMENT**

Chairman LoRusso stated the an as-built for 891 Straits Turnpike-Application #351 was resubmitted indicating that the patio is larger than what was originally approved (20X20 patio).

Deborah Seavey, W.E.O. confirmed that work was performed (20X40 patio, stairs & retaining wall) which was not approved and the applicant is seeking a Certificate of Occupancy.

The Commission agreed that Deborah Seavey, W.E.O. could sign off for C.O. purposes with the condition that the applicant submit a modification for the after the fact work performed.

**VI. ADJOURNMENT**

**Motion:** to adjourn the meeting at 8:14 P.M. Made by Terry Manning, seconded by Thomas Proulx. Unanimous Approval.

Filed Subject to Approval,

Respectfully Submitted,

Rachelle Behuniak, Recording Clerk

Original to Edith Salisbury, Town Clerk

cc: Conservation Commission Members  
Debbie Seavey, W.E.O.  
Ollie LeDuc, Building Official  
John Calabrese, P.E.  
Terry Smith, P&Z Chairman  
Curtis Bosco, Z.E.O.  
Attorney Robert Smith, WPCA  
Larry S. Hutvagner, C.F.O.