



TOWN OF MIDDLEBURY

*Conservation Commission
1212 Whittemore Road
Middlebury, Connecticut 06762
(203) 577-4162 ph
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REGULAR MEETING MINUTES March 29, 2016

Members Present:

Vincent LoRusso, Chairman
James G. Crocicchia, Vice Chairman
George Tzezos
Curtis Bosco

Members Absent:

Terry Manning
Justin Stanziale
Mary Barton

Also Present:

John Calabrese, P.E.

I. CALL TO ORDER

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

II. ACTION ON MINUTES OF JANUARY 26, 2016 REGULAR MEETING

Motion: to approve the Minutes of the January 26, 2016 Regular Meeting. Made by Curtis Bosco, seconded by George Tzezos. Unanimous Approval.

III. OLD BUSINESS

1. APPLICATION #368 - 1800 MIDDLEBURY ROAD

Curt Smith of Smith & Company, Surveyors & Engineers, Inc., 247 Main Street South, Woodbury, CT 06798 spoke on behalf of the applicant, Thyrsa Whittemore and reviewed the plans with the Commission. The application consists of a proposal to replace the existing house & septic system with a new house, barn, septic system and

well. The 3.4 acre parcel is located on Lake Quassapaug and is at the end of a long driveway that services two houses. Said property has been in the Whittemore family since 1893. The existing beach house is 1,400 square feet in size. In 2011 the property was before this Commission for improvements to the driveway which has since been completed. The entire site contains an estimated 1/3 of an acre of wetlands and was flagged in conjunction with the application for the driveway improvements. The footprint of the house will increase from 1,426 square feet to 1,807 square feet. The proposed septic system will be a vast improvement over what currently exists and will be 20 feet further from the lake. There will be no changes to the boathouse or the beach. The current house is approximately 100 feet from the lake while the proposed will be 86 feet at the closest point. The barn will be approximately 100 feet from the lake and 50 feet from the wetlands. He confirmed receipt of the review from Deborah Seavey, WEO dated 2-14-16. He stated that all of her comments have been noted and that the detailed construction sequence which she requested resulted in Mr. Smith submitting a detailed narrative which was received March 16, 2016. For the record, he read and submitted a letter from the applicant, Thyrza Whittemore, indicating her plans to continue to be mindful of the property when it comes to turf maintenance as it is in such close proximity of the lake. Therefore, there will be no use of pesticides or fertilizer. He also submitted renderings of the proposed house and barn and confirmed that there will be no basement.

Motion: to approve application #368 – 1800 Middlebury Road per the Draft Resolution. Made by James Crocicchia, seconded by George Tzezos. Unanimous Approval.

IV. NEW BUSINESS

1. APPLICATION #369 – LOT 3 COMMERCE CAMPUS INDUSTRIAL PARK/TURNPIKE DRIVE

Motion: to add Application #369 – Lot 3 Commerce Campus Industrial Park/Turnpike Drive to the agenda. Made by James Crocicchia, seconded by Curtis Bosco. Unanimous Approval.

Gary Giordano, P.E. of Bethlehem, CT spoke on behalf of the applicant and reviewed the plans with the Commission. The proposal is to perform grading and construction on the 6.3 acre of land for a Light Industrial building within the 100' regulated area. There is one small area of wetlands & intermittent watercourse disturbance for a septic system force main crossing. There will be an estimated 90,000 cubic yards of material moved off of the site. He anticipates the project taking approximately 2 years to complete if the economy is good. The 60' X 120' building will hold 20 employees and have 20 parking spots. The closest distance between the wetlands and the edge of the parking lot is 50 feet and will contain a vegetated buffer. There is less than 1 acre of wetlands on site and

the total drainage course affected by this project will be 15 linear feet. The proposed septic may not be needed but is part of this application should the need arise as construction develops.

Motion: to accept Application #369 – Lot 3 Commerce Campus Industrial Park/Turnpike Drive. Made by George Tzepos, seconded by James Crocicchia. Unanimous Approval.

V. DISCUSSION

1. LAND USE WORKSHOP WITH ATTORNEY GAIL MCTAGGART

Chairman LoRusso stated that said workshop was rescheduled for next month.

VI. PUBLIC COMMENT

None

VII. ADJOURNMENT

Motion: to adjourn the meeting at 8:01 P.M. Made by George Tzepos, seconded by James Crocicchia. 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.

RESOLUTION/REPORT

Application #368 1800 Middlebury Road

WHEREAS: The Middlebury Conservation Commission for the Town of Middlebury has received an application on January 26, 2016 from map entitled "Prepared for Thyrza S Whittemore Beach & Boat house Parcel Adjacent to 1814 Middlebury Road, Middlebury, CT" dated December 15, 2015;

WHEREAS: The Commission has considered the proposed activity, application and all documents and reports submitted by or on behalf of the applicant.

WHEREAS: Field inspections were conducted by Commission members;

WHEREAS: The Commission finds based on evidence received that the proposed activity does conform to the purposes and requirements of the Inland Wetlands Commission;

WHEREAS: The Commission finds on the basis of the record that a feasible and prudent alternative does not exist. In making this finding, the commission considered factors and circumstances as set forth in Section 10.2;

NOW THEREFORE, BE IT RESOLVED That the Middlebury Conservation Commission approves the above application with the following conditions:

- (1) The proposed activity that consists of construction of house, barn and septic system will not have a substantial impact on the regulated area.
- (2) The property owner shall conform to the sequence of construction that has been submitted and the BMPs that have been proposed regarding lawn care maintenance.
- (3) The applicant shall notify the enforcement officer forty-eight (48) hours prior to the commencement of work and upon its completion.
- (4) Timely implementation and maintenance of sediment and erosion control measures are a condition of this approval. All sediment and erosion control measures must be maintained until all disturbed areas are stabilized.
- (5) No equipment or material including without limitation, fill, construction materials, or debris, shall be deposited, placed or stored in any wetland or watercourse on or off site unless specifically authorized by this approval.
- (6) All work and all regulated activities conducted pursuant to this approval shall be consistent with the terms and conditions of the wetland permit. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized shall constitute a violation of this approval and may result in its modification, suspension, or revocation.
- (7) It is the applicant's responsibility to give notification to the Army Corps of Engineers and the Department of Environmental Protection if necessary.

March 29, 2016