



TOWN OF MIDDLEBURY

Conservation Commission
1212 Whittemore Road
Middlebury, Connecticut 06762
(203) 577-4162 ph
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REGULAR MEETING MINUTES June 29, 2021

Members Present:

Mary Barton, Vice Chairwoman
Joseph Martino
George Tzepos
Curtis Bosco

Members Absent:

Paul Bowler, Chairman
Keli-Ann Bollard
Brian Stroby

Also Present:

John Calabrese, P.E.

I. CALL TO ORDER

Acting Chairwoman Mary Barton called the Regular Meeting to order at 7:46 p.m.

II. ACTION ON MINUTES

1. May 25, 2021 Regular Meeting

Motion: to accept the Minutes of the May 25, 2021 Regular Meeting. Made by Curtis Bosco, seconded by George Tzepos. Unanimous Approval.

III. OLD BUSINESS

1. Application #464 – 896 Middlebury Road

Attorney Michael McVerry of 35 Porter Avenue, Naugatuck, CT 06770 spoke on behalf of Russell & Raymond Antonacci, the contract purchasers of the property. Russell has a property management business, real estate office and his father owns a law office. The current owners, Ter-Geo, were able to maintain the mailing component of what was once

the Post Office. The Antonacci's will not have any mailing components, therefore a Zone change was created last year resulting in the Residential Transition Zone which would allow certain commercial uses while maintaining existing residential uses. They are currently seeking approval from P&Z for the office. A soil report was provided to Deborah Seavey, W.E.O. approximately 2 weeks ago. They are looking to remove the loading dock, add a garage and put in a 2nd story.

Scott Meyers of Meyers Associates, P.C. reviewed the rendering and plans with the Commission. Parking will be reconfigured slightly by removing the northerly driveway leaving one access point, resulting in 28 parking spaces. They will install infiltration, a Riprap type trench, to improve water quality as currently there is no drainage. Arborvitae will also be planted per the request of P&Z. The total disturbance is approximately 3,100 square feet. They will be utilizing sewer and a private well and are asking P&Z to defer the number of parking spots in order to prevent the creation of extra impervious area they do not need.

Motion: to approve application #464 – 896 Middlebury Road per the Draft Resolution and the recommendations of the 6-28-2021 review submitted by Calabrese Engineering. Made by George Tzepos, seconded by Curtis Bosco. Unanimous Approval.

IV. NEW BUSINESS

Application #466 – 1556 Straits Turnpike

Emily Jones, P.E. with Civil 1 Engineering in Woodbury spoke on behalf of the applicant and went on to apologize for not coming before this Commission at the end of 2020. Due to a miscommunication with Deborah Seavey, W.E.O., she was under the impression that this was an administrative sign-off as there are no wetlands on the site. The property is approximately ½ acre in size, somewhat in the new CA-40 Zone and is a nonconforming lot. The site was mainly cleared as it was an existing one story residence with an attached garage and a shed. The driveway is existing and comes off of JoAnne Drive. The proposal for the property is for a veterinary clinic, which is served by public sewer and a private well. They are seeking to convert a portion of the building, eliminate the garage, shed and put a one-story addition on the rear of the property and create a 15 car parking area. The drainage was designed to accommodate flows up to the 100 year design storm. There is an increase in the impervious surface. The impervious area was 3,500 square feet and is now approximately 9,000 square feet. All will be directed into the detention system which meets town regulations and was reviewed by John Calabrese, P.E. as part of the P&Z process a contact oil grit separator was installed ahead of the chambers per his recommendation. The site is cleared and currently under construction, poured the foundation including plumbing but the parking lot is not in. She confirmed that there are no wetlands or regulated activities.

Acting Chairwoman Mary Barton stated that a wetlands permit is not required.

John Calabrese, P.E. stated that an adjacent property owner was recently required to come before this commission.

Motion: to accept application #466 – 1556 Straits Turnpike. Made by George Tzepos, seconded by Joseph Martino. Unanimous Approval.

Application #467 – 288 Watertown Road

Emily Jones, P.E. with Civil 1 Engineering in Woodbury spoke on behalf the applicant. The property is approximately 35 acres in an R-40 Zone with 2 lots. Hop Brook runs through the middle of the property with the associated flood plain and the 100 foot regulated area as well as the 150 foot regulated area from Hop Brook. Most of the front portion of the site has been cleared and the back portion remains wooded and there is an existing entrance. They are proposing a 6 lot residential subdivision which consists of the construction of approximately 635 linear feet of roadway and a temporary cul-de-sac with a right-of-way that could continue to the rear in the future if necessary. The pond lot will absorb the remainder of the parcel. The subdivision will stop short of Hop Brook and not cross over into the rear of the property. The lots will be served by private wells and septic systems.

Joseph Martino voiced his concerns with respect to traffic and safety.

Emily Jones, P.E. confirmed that the property is located close the Hop Brook watercourse and the lower portion of the watershed and detention is not recommended but they are providing water quality features. The roadway will be treated with raingarden and is designed to meet town and DEEP regulations. There is no direct wetland impact associated with this construction activity.

Motion: to accept application #467 – 288 Watertown Road. Made by Curtis Bosco, seconded by George Tzepos. Unanimous Approval.

1365, LLC – 1395 & 1405 Middlebury Road

Motion: to add an application for 1365, LLC – 1395 & 1405 Middlebury Road to the agenda. Made by Curtis Bosco, seconded by George Tzepos. Unanimous Approval.

Attorney Michael McVerry of 35 Porter Avenue, Naugatuck, CT 06770 spoke on behalf of the applicant and stated that they inadvertently forgot to add 42 parking spaces to their last application.

Motion: to accept the application for 1365, LLC – 1395 & 1405 Middlebury Road. Made by Curtis Bosco, seconded by George Tzepos. Unanimous Approval.

V. DISCUSSION

None

VI. ADJOURNMENT

Motion: to adjourn the meeting at 8:11 p.m. Made by George Tzepos, seconded by Curtis Bosco. Unanimous Approval.

Filed Subject to Approval,

Respectfully Submitted,

Rachelle Behuniak, Clerk

Original to Brigitte Bessette, 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

RESOLUTION/REPORT

Application #464 Middlebury Road

WHEREAS: The Middlebury Conservation Commission for the Town of Middlebury has received an application on May 25, 2021 from Russell Antonacci map entitled "Property Worx 896 Middlebury Road(Ct Route No. 64) Middlebury, Connecticut" Dated May 17, 2021;

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

WHEREAS: The application was referred to Town Engineer whose comments have been considered by the Commission;

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 building addition, parking and drainage facilities will not have a substantial impact on the regulated area.
- (2) Engineer shall submit certification that all site work/drainage has been completed in accordance with the approved plans.
- (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.

June 29, 2021