



TOWN OF MIDDLEBURY

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

REGULAR MEETING MINUTES September 27, 2022

Members Present:

Mary Barton, Vice Chairwoman
George Tzepos
Brian Stroby
Curtis Bosco

Members Absent:

Paul Bowler, Chairman
Peggy Gibbons
Joseph Martino

Members Present:

John Calabrese, P.E.
Deborah Seavey, W.E.O,

I. CALL TO ORDER

Vice Chairwoman Mary Barton called the Regular Meeting to order at 7:30 p.m.

II. ACTION ON MINUTES

August 30, 2022 Regular Meeting

Motion: to approve the Minutes of the August 30, 2022 Regular Meeting. Made by George Tzepos, seconded by Curtis Bosco. Unanimous Approval.

III. OLD BUSINESS

1. Application #483 – Christian Road-Steeplechase

Don Ciampi, Barbara Eble and Michael Hopkins from Steeplechase of Middlebury Homeowners Association were present.

Don Ciampi stated that there is a pond which is a part of their community that also has a dam located at the pond's edge. It has come to their attention that the dam is in need of

repairs. They hired an engineer who recommended the removal of trees, stumps and brush within 20-25 feet of said dam.

Deborah Seavey, W.E.O. mentioned that their engineer also recommended work on the outlet pipe be performed as well and she questioned if they planned to replace it.

Don Ciampi replied that the engineer offered a second recommendation of just keeping it clean, which is what they plan to do.

Michael Hopkins stated that their landscape contractor will be maintaining the outlet pipe with non-permeable material in order to maintain the integrity of the dam.

Don Ciampi added that it will be done on annual basis.

Motion: to approve application #483 – Christian Road-Steeplechase per the Draft Resolution. Made by George Tzezos, seconded by Brian Stroby.

Discussion: Deborah Seavey, W.E.O. wanted the applicants to be aware that the need for a sequence of construction is a requirement prior to permit issuance and is listed in said Draft Resolution.

Unanimous Approval.

2. Application #484 – 1000 Southford Road

Chris Francis, EIT of Arthur H. Howland Associates, P.C. stated that nothing has changed since he presented that application last month. He stated that there are 1.37 acres of wetlands on the site of which approximately .4 will be disturbed.

Deborah Seavey, W.E.O. questioned if he would provide more details with respect to the operation of the car wash.

Chris Francis, EIT replied that it is a short single drive-through.

Deborah Seavey, W.E.O. and Vice Chairwoman Mary Barton clarified that they are looking for information on what will happen to the water, where it will be going and if it will be recycled as it is in close proximity of 8 Mile Brook.

Chris Francis, EIT stated that due to the fact that he has been presenting this application on behalf of the Paul Zymanski, he could not speak to the nature of the car wash system.

Vice Chairwoman Mary Barton declared that she was not comfortable approving the application without knowing the specifics.

Chris Francis, EIT expressed his understanding and questioned if there was any additional information that should be provided to the Commission.

Vice Chairwoman Mary Barton supplied Chris Francis with a copy of the recent Engineering Review submitted by Calabrese Engineering for his convenience so that the recommendations stated in said review could be addressed as well.

Deborah Seavey, W.E.O. added that the soil report from the old file was added to the new application's file, along with the drainage calculations.

Motion: to table application #484 – 1000 Southford Road. Made by Curtis Bosco, seconded by George Tzepos. Unanimous Approval.

3. Application #485 – Old Watertown Road Lot 001B

Scott Meyers, P.E. of Meyers Associates, P.C. spoke on behalf of the applicant who is looking to construct a one-level single-family house for his parents. This would require them to cross a roadside swale in the front of the property with a driveway. Soil Scientist George Logan with REMA Ecological Services, LLC identified the wetlands. It was also determined that wetlands exist to the west of the property, where no activity will take place.

Motion: to approve application #485 – Old Watertown Road Lot 001B per the Draft Resolution. Made by Brian Stroby, seconded by George Tzepos. Unanimous Approval.

IV. NEW BUSINESS

None

V. ADJOURNMENT

Motion: to adjourn the meeting at 7:56 p.m. Made by Brian Stroby, seconded by George Tzepos. 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.
Mark Lubus, Building Official
John Calabrese, P.E.
Terry Smith, P&Z Chairman
Curtis Bosco, Z.E.O.
Attorney Robert Smith, WPCA

RESOLUTION/REPORT

Application #483 Christian Road - Steeplechase

WHEREAS: The Middlebury Conservation Commission for the Town of Middlebury has received an application on August 30, 2022 from Donald J Ciampì;

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 restoration/maintenance to the existing dam will not have a substantial impact on the regulated area.
- (2) Prior to permit issuance, a detailed sequence of activities shall be submitted.
- (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.
September 27, 2022

RESOLUTION/REPORT

Application #485 Old Watertown Road Lot 001B

WHEREAS: The Middlebury Conservation Commission for the Town of Middlebury has received an application on August 30, 2022 from William F Stinson map entitled "Lot #001B Old Watertown Road Middlebury, Connecticut" dated August 19, 2022;

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 driveway crossing will not have a substantial impact on the regulated area.
- (2) The applicant shall notify the enforcement officer forty-eight (48) hours prior to the commencement of work and upon its completion.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) It is the applicant's responsibility to give notification to the Army Corps of Engineers and the Department of Environmental Protection if necessary.
September 27, 2022