



TOWN OF MIDDLEBURY

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

REGULAR MEETING MINUTES Tuesday, April 25, 2023 7:30 P.M.

REGULAR MEMBERS PRESENT

Mary Barton, Vice Chairwoman
George Tzepos
Peggy Gibbons
Joseph Martino

REGULAR MEMBERS ABSENT

Paul Bowler, Chairman
Brian Stroby
Curtis Bosco

ALSO PRESENT

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

I. CALL TO ORDER

Vice Chairwoman Barton called the Regular Meeting to order at 7:30 p.m. then initiated roll call. Members Barton, Tzepos, Gibbons and Martino were present. Chairman Bowler Brian Stroby and Curtis Bosco were absent.

II. ACTION ON MINUTES

March 28, 2023 Regular Meeting
March 28, 2023 Public Hearing
April 4, 2023 Special Meeting
April 4, 2023 Public Hearing
April 11, 2023 Public Hearing
April 18, 2023 Public Hearing

Discussion was tabled.

III. OLD BUSINESS

Vice Chairwoman Barton confirmed with those present that they are available for deliberation on May 1, 2023.

George Tzepos stated that he would not be available on May 11, 2023 should an additional meeting be required.

IV. NEW BUSINESS

1. Application #495 – White Deer Rock Road – Lots 009 & 007A

Attorney Michael McVerry of 35 Porter Avenue, Naugatuck, CT 06770 spoke on behalf of the applicant, Garrett Moore, Sr. Property owner, Garrett Moore, Jr., was also present. The property consists of two (2) properties of land off of a right-of-way on White Deer Rock Road abutting Lake Quassapaug which Garrett Moore, Jr. purchased approximately 4-5 years ago. They are revising the lot lines. Originally, Lot 9 was 4.05 acres and Lot 7 was 1.6 acres. As a result of the lot line revision, Lot 7A will be 2.88 acres and what will be Lot 8 will be 2.76 acres. They are seeking approval for a site plan and septic systems on the properties. A copy of the September 8, 2021 Soil Report from Davison Environmental was previously submitted. Ron Wolff, P.E. was unable to attend this evening's meeting, but is expected to attend the May 30, 2023 meeting.

Motion: to accept application #495 – White Deer Rock Road - Lots 009 & 007A. Made by Joseph Martino, seconded by Peggy Gibbons. George Tzepos abstained. Unanimous Approval.

Vice Chairwoman Barton questioned if Torrington Health District approved the lot line revision.

Attorney Michael McVerry replied that they have not gotten to that stage yet.

2. Permit Modification #478-B – 43 Sandy Beach Road

Attorney Michael McVerry of 35 Porter Avenue, Naugatuck, CT 06770 spoke on behalf of the applicant, Garrett Moore, Sr. The subject property was previously known as 43 & 45 Sandy Beach Road. In April of 2022, approval was granted to demolish two (2) existing structures and to construct a new dwelling with a garage with new septic. It was then modified in October of 2022 to allow the addition of a deck on the north and west side of the home with an access ramp for the handicapped individual expected to reside in

the dwelling. During the process of trying to obtain a CO, it was determined that there were two (2) sets of stairs constructed leading to the lakeside and that the beach had been expanded slightly. Both would have required the applicant to return to this commission for approval as they were not part of the originally permit.

Garrett Moore, Sr. clarified that he was encouraged to have an alternate means of egress in the event of an emergency, which is why the steps were built. He added that the steps are pure rock and the development did not involve any wetlands.

Vice Chairwoman Barton questioned if the members of the commission could do a site visit.

Garrett Moore, Sr. agreed.

Motion: to accept Permit Modification #478-B – 43 Sandy Beach Road. Made by Peggy Gibbons, seconded by Joseph Martino. George Tzezos abstained. Unanimous Approval.

V. ADJOURNMENT

Motion: to adjourn the meeting at 7:39 p.m. Made by George Tzezos seconded by Peggy Gibbons. 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