



TOWN OF MIDDLEBURY

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

REGULAR MEETING MINUTES March 29, 2022

Members Present:

Paul Bowler, Chairman
Curtis Bosco
George Tzezos
Brian Stroby

Members Absent:

Mary Barton
Joseph Martino
Peggy Gibbons

Members Present:

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

I. CALL TO ORDER

Chairman Paul Bowler called the Regular Meeting to order at 7:30 p.m.

II. ACTION ON MINUTES

February 22, 2022 Regular Meeting

Motion: to accept the Minutes of the February 22, 2022 Regular Meeting. Made by George Tzezos, seconded by Curtis Bosco. Unanimous Approval.

III. OLD BUSINESS

None

IV. NEW BUSINESS

1. Permit Modification #456-A – 1685 Straits Turnpike

Megan Raymond, Soil Scientist with SLR International Corporation, spoke on behalf of the applicant Metro Realty. This Commission approved the application for two (2) medical buildings in the fall of 2021. The site is approximately 12 acres in size with 5 acres of wetlands in the rear of the parcel that is connected to the Long Swamp corridor. There are no modifications being proposed to the work within the approved project area. However, in coordination with the request from DOT to widen Straits Turnpike between 1-11 feet on the western edge for the encroachment permit, they are seeking approval from this Commission for the modification. She went on to review the plans with the Commission, indicating where the proposed modification would occur. Middlebury Land Trust is a cosigner on said application for the permit modification due to the fact that a portion of the proposed activity will take place on their property as well. DOT is satisfied with the proposal which would involve 8,450 square feet of work in the upland review area.

Motion: to accept Permit Modification #456-A – 1685 Straits Turnpike. Made by Chairman Bowler, seconded by George Tzepos. Unanimous Approval.

2. Application #478 – 43/45 Sandy Beach Road

Attorney Michael McVerry of 35 Porter Avenue, Naugatuck, CT 06770 stated that he represents the applicant, Garrett Moore, who is the contract purchaser of the two (2) units, currently owned by Matthew Holloway.

Ron Wolff, P.E. of Woodbury, CT reviewed the plans with the Commission. Currently 2 houses (units 17 & 18) exist, as well as a shed near the southern property line. The existing 25% grade gravel driveway comes off of Sandy Beach Road and provides access to the neighboring unit #16, owned by Ms. Quinn, and then continues further on to the northwest. They are proposing to demolish two (2) existing homes and construct one (1) new 32' X 32' house along with a barn style garage. The new home will be constructed in basically the same location of the existing structures and the garage would be positioned further away from the lake. The driveway would be paved with a maximum grade of 14.8% along with two (2) masonry retaining walls and a guardrail on the south side of Ms. Quinn's driveway. A new septic system is also being proposed and soil testing was performed with Torrington Health District, which is currently under review. The existing

septic tank and leach fields will be abandoned and a new well is proposed. 15,317 of activity within the 150 foot upland review area is planned. There are no clay or wetland areas that encroach up into the property.

Chairman Bowler questioned if there would be a change in the impervious area.

Ron Wolff, P.E. replied that in order to meet the requirements for the maximum driveway grade of 15% they are proposing to pave the driveway and the water would sheet flow due to the close proximity of the lake.

John Calabrese, P.E. stated that while has not had the time to thoroughly review the plans, with the steepness of the existing driveway, there most likely will not be much absorption. He will discuss ways in which they can slow down the flow with Ron Wolff, P.E.

Ron Wolff, P.E. confirmed he would be willing to work with John Calabrese, P.E. He went on to add that they also included a walkway to accommodate Mr. Holloway to get from the garage to the house by way of wheelchair.

Garrett Moore of 389 White Deer Rock Road stated that although he plans to purchase the property, it will remain for the use of Mr. Holloway who is currently in an assisted living facility. The goal is to build a 2-story house, with the first floor being handicap accessible for Mr. Holloway and the second floor to be for a nurse who will be required to take care of him. He would also like to take down the existing shed and replace it with a pergola.

Deborah Seavey, W.E.O. requested that it be included on the plans, including the demolition.

Motion: to accept application #478 –43/45 Sandy Beach Road. Made by Brian Strobry, seconded by Curtis Bosco. George Tzepos abstained from voting. Unanimous Approval.

3. Application #479 – 1625 Straits Turnpike

Emily Jones, P.E. with Civil 1 Engineering in Woodbury, CT spoke on behalf of the applicant, Robert LaFlamme of Middlebury Edge, LLC and reviewed the plans with the Commission. Currently there are two (2) buildings on the site with parking, drainage and detention pond that comes in from Straits Turnpike, water and sewer. They are proposing to construct an 8,000 SF footprint 2-story medical office building with parking, drainage and utilities. There is a pocket of wetlands in the area and much of it is associated with some drainage that comes off of Route 63. They are attempting to tuck the building as far forward as possible. She pointed out the existing sanitary pump station. She confirmed that there will be direct wetland activity and some regulated activity. They are proposing a wetland crossing to obtain access to the rear portion of the property and they will need

to take the pipe from Route 63 and get it across the parking area. The rest of what she deems as direct wetland activity is a temporary disturbance creating the rest of the construction in an effort to be as conservative as possible. She added that when Middlebury Edge was previously approved there was some wetland disturbance and she is treating it as the same project. They are designing some stormwater features, detention basin and some underground chambers to protect the wetlands as much as possible. Retaining walls will be used to minimize grading. The project will be served by the water and sewer that is coming in from the existing parking lot. It is estimated to involve 2,701 square feet of activity in the wetlands, with an additional 48,000+ square feet of activity in the upland review area. They are working with a soil scientist for a mitigation plan for the wetlands and plantings for the detention basin itself. Once received, she will review with Deborah Seavey, W.E.O. and John Calabrese, P.E.

Chairman Bowler stated that the proposal is an exceptionally aggressive plan and that he reserves the possibility of hiring outside experts.

Motion: to accept application #479 – 1625 Straits Turnpike. Made by George Tzepos, seconded by Curtis Bosco. Unanimous Approval.

1. Permit Modification #456-A – 1685 Straits Turnpike

Chairman Bowler added for the record that the reason why he made a motion to accept the modification was because it was academic. The project was previously approved and the reason for the modification was a caveat put on by DOT and approval from the Middlebury Land Trust was granted.

V. ADJOURNMENT

Motion: to adjourn the meeting at 7:54 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.
Mark Lubus, Building Official
John Calabrese, P.E.
Terry Smith, P&Z Chairman
Curtis Bosco, Z.E.O.
Attorney Robert Smith, WPCA