



TOWN OF MIDDLEBURY

*Conservation Commission
1212 Whittemore Road
Middlebury, Connecticut 06762
(203) 577-4162 ph
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REGULAR MEETING MINUTES April 24, 2018

Members Present:

Paul Bowler, Chairman
Keli-Ann Bollard
George Tzepos
Greg Bonacorsi
Curtis Bosco

Members Absent:

Mary Barton, Vice Chairwoman

Also Present:

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

I. CALL TO ORDER

The Meeting was called to order at 7:30 p.m. by Chairman Bowler.

II. ACTION ON MINUTES OF MARCH 27, 2018 REGULAR MEETING

Motion: to accept the Minutes of the March 27, 2018 Regular Meeting. Made by Curtis Bosco seconded by George Tzepos. Unanimous Approval.

III. OLD BUSINESS

1. APPLICATION #409 – TOLL BROTHERS

Ted Merchant, Land Development Director with Toll Brothers, stated the March 27, 2018 meeting, he met with Deborah Seavey, WEO and John Calabrese, PE to do a site visit. Approval was granted by this Commission in the past for the existing temporary crossing which has four (4) 24" pipes and is utilized as a culvert crossing. As a result of their site visit, it was determined that it would be less intrusive if the crossing was left in place as is as opposed to removing it and replacing it with the raised boardwalk. New plans have been submitted showing the path without the raised boardwalk. Members of Toll Brothers also met with the Home Owner's Association to review the new plans. Consequently, the Home Owner's Association approved said plans unanimously and Mr.

Merchant submitted a letter from Home Owner's Association Representative Zachary Olive, dated April 13, 2018 indicating their approval. He also confirmed that it will be a stone dust path.

Motion: to approve Application #408 – Toll Brothers pursuant to the Draft Resolution. Made by George Tzepos, seconded by Greg Bonacorsi.

Discussion:

Curtis Bosco questioned if #408 or #409 was the correct application number.

Deborah Seavey, WEO stated that Application #409 is the correct application number as opposed to #408.

Motion was amended as follows:

To approve Application #409 – Toll Brothers pursuant to the Draft Resolution. Made by George Tzepos, seconded by Greg Bonacorsi. Unanimous Approval.

IV. NEW BUSINESS

None

V. PUBLIC COMMENT

None

VI. ADJOURNMENT

Motion: to adjourn the meeting at 7:35 P.M. Made by Curtis Bosco, seconded by Keli-Ann Bollard. 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 #409 Toll Bros

WHEREAS: The Middlebury Conservation Commission for the Town of Middlebury has received an application on March 27, 2018

from Toll CT II; map entitled "Site Plan – Master Plan Ridgewood at Middlebury" dated June 27, 2011 with revision date of March 1, 2018;

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 installation of walking trail within a regulated area, wetland plantings and elimination of the "great lawn" area will not have a substantial impact on the regulated area.
- (2) Prior to permit issuance, revised plans shall be submitted to reflect the culvert remaining in place, narrowing the existing temporary access and wetland plantings along the crossing area.
- (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.

April 24, 2018