



# TOWN OF MIDDLEBURY

*Conservation Commission  
1212 Whittemore Road  
Middlebury, Connecticut 06762  
(203) 577-4162 ph  
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## **SPECIAL MEETING MINUTES July 10, 2018**

### **Members Present:**

Paul Bowler, Chairman  
Mary Barton, Vice Chairwoman  
Keli-Ann Bollard-arrived @ 6:31 p.m.  
George Tzepos- arrived @ 6:31 p.m.  
Greg Bonacorsi  
Curtis Bosco

### **Members Absent:**

None

### **Also Present:**

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

## **I. CALL TO ORDER**

The Regular Meeting was called to order at 6:30 p.m. by Chairman Bowler. He also announced that at the last meeting, Mr. Bosco mentioned that there was an application approved in the past without the applicant being present for the meeting, which Chairman Bowler did not recall. After some research, Chairman Bowler did learn that Mr. Bosco was correct. However, he did add that those applicants for that particular application had been before this Commission more than three (3) times and that there was no impact on the wetlands. Moving forward, the applicant should always be present in front of this Commission at every meeting.

## **II. OLD BUSINESS**

### **1. APPLICATION #412 – 633 CHRISTIAN ROAD**

Liz Miller informed the Commission that they are looking for approval to connect to water and sewer.

John Cavaciupi, the applicant's contractor, reviewed the plans with the Commission and stated that there were errors on the old map with respect to the location of the sewer and water. Due to its actual location, they have no choice but to connect as proposed.

Deborah Seavey, W.E.O. confirmed that it will be going through approximately 100 feet of wetlands and that part of the application does include the restoration to the wetlands. Additionally, the Resolution does say that after the restoration is done, the Commission does need a letter from the Wetland Consultant stating that they had restored it as approved.

**Motion:** to approve Application #416 – 633 Christian Road per the Draft Resolution. Made by Mary Barton, seconded by Curtis Bosco. Unanimous Approval.

**2. RENEWAL OF PERMIT #337/337A – 633 CHRISTIAN ROAD**

Deborah Seavey, W.E.O. stated that the permit expired and a renewal is required to finish the project.

**Motion:** to approve the Renewal of Permit #337/337A – 633 Christian Road per the Draft Resolution. Made by Mary Barton, seconded by Curtis Bosco. Unanimous Approval.

**3. APPLICATION #413 – WATERTOWN ROAD LOT 029**

Jodi Ann Lasky stated that she forwarded a copy of the approval from the Torrington Health Department to have the land accommodate a house. The person that wants to build on the lot needs to submit their own plans.

Chairman Bowler read the approval from the Torrington Health District for a Septic Feasibility Plan prepared by Mark Reifenhauer, P.E. for the record.

**Motion:** to approve Application #413 – Watertown Road Lot 029 per the Draft Resolution. Made by Mary Barton, seconded by Greg Bonacorsi.

**Discussion:**

Deborah Seavey, W.E.O. requested to add the following conditions:

- limits of disturbance must be shown; proper erosion and sediment control plan with details and narratives must be shown on the plans
- permanent wetland markers should be installed

Mary Barton revised her motion to include the above additional conditions. Greg Bonacorsi seconded the revised motion. George Tzezos abstained from voting. Unanimous Approval.

**III. ADJOURNMENT**

**Motion:** to adjourn the meeting at 6:41 P.M. Made by Mary Barton, seconded by Keli-Ann Bollard. Unanimous Approval.

Filed Subject to Approval,

Respectfully Submitted,

Rachelle Behuniak, Recording Clerk

Original to Edith Salisbury, Town Clerk  
cc: Deborah Seavey, WEO

## **RESOLUTION/REPORT**

Application #412 633 Christian Road

**WHEREAS:** The Middlebury Conservation Commission for the Town of Middlebury has received an application on May 29, 2018  
From Elizabeth Miller map entitled "Improvement Location Survey Inland Wetland Boundary Property of Route 188 LLC Christian road & Route 188" dated August 27, 2013 with revision date of May 21, 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 crossing of wetlands with sewer and water laterals will not have a substantial impact on the regulated area.
  - (2) A wetland consultant shall submit a letter stating the disturbed wetland area for the crossings have been restored with appropriate New England Wetlands Area Mixture.
  - (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.
- July 10, 2018

## **RESOLUTION**

Permit Renewal # 337/337A 633 Christian Road

**WHEREAS:** The Middlebury Conservation Commission for the Town of Middlebury has received an application on June 26, 2018 to renew permit #337/337A;

**WHEREAS:** The applicant has stated there are no changes to the original approval date of June 25, 2013 & permit modification of May 27, 2014 with the exception of application #412 for sewer and water lateral crossings.

**NOW THEREFORE, BE IT RESOLVED** That the Middlebury Conservation Commission approves the above application with the following conditions:

- (1) Permit #337/337A is renewed for another five years, which will expire on June 25, 2023. Activities include construction of a driveway, house and wetland creation.
- (2) All conditions in the original June 25, 2013 & May 27, 2014 approvals still apply.
- (3) The applicant is reminded a final report must be received from the wetland consultant regarding the wetland creation.

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## **RESOLUTION/REPORT**

Application #413 Watertown Road Lot 029

**WHEREAS:** The Middlebury Conservation Commission for the Town of Middlebury has received an application on May 29, 2018 from Jodi Ann Lasky map entitled "Topographic Survey & Preliminary Site Plan Prepared for Patricia L Lasky Watertown Road Middlebury, CT" dated July 28, 2011

**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 dwelling, septic and well within the upland review area will not have a substantial impact on the regulated area.
  - (2) Prior to permit issuance, revised plans shall be submitted and acceptable to town staff: limits of disturbance must be shown; proper erosion and sediment control plan with details and narratives must be shown.
  - (3) Prior to issuance of a building permit, permanent wetland markers shall be installed every 100 feet along the limits of disturbance as shown on plans.
  - (4) The applicant shall notify the enforcement officer forty-eight (48) hours prior to the commencement of work and upon its completion.
  - (5) 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.
  - (6) 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.
  - (7) 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.
  - (8) It is the applicant's responsibility to give notification to the Army Corps of Engineers and the Department of Environmental Protection if necessary.
- July 10, 2018