



TOWN OF MIDDLEBURY

*Conservation Commission
1212 Whittemore Road
Middlebury, Connecticut 06762
(203) 577-4162 ph
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REGULAR MEETING MINUTES September 25, 2018

Members Present:

Paul Bowler, Chairman
Greg Bonacorsi
Joseph Martino
Keli-Ann Bollard
Curtis Bosco
George Tzezos arrived @ 7:31 p.m.

Members Absent:

Mary Barton, Vice Chairwoman

Also Present:

Deborah Seavey, W.E.O.

I. CALL TO ORDER

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

II. ACTION ON MINUTES OF AUGUST 28, 2018 REGULAR MEETING

Motion: to accept the Minutes of the August 28, 2018 Regular Meeting. Made by Curtis Bosco seconded by Joseph Martino. Unanimous Approval.

III. OLD BUSINESS

1. Application #417 – 155 Christian Road

Chairman Bowler thanked the applicant for submitting plans with the additions that were requested month. They have been greatly improved and approved by Deborah Seavey, W.E.O. and the Town Engineer. He reminded the Commission that this pertains to an existing structure that is being torn down and rebuilt in the same footprint. In addition, all of the setbacks are what existed.

Motion: to approve Application #417 – 155 Christian Road per the draft resolution. Made by Curtis Bosco seconded by George Tzezos. Unanimous Approval.

IV. **NEW BUSINESS**

1. **Application #418 – 21 Tedesco Drive, Waterbury, CT 06708**

Motion: to add Application #418 – 21 Tedesco Drive, Waterbury, CT 06708 to the agenda. Made by Curtis Bosco seconded by George Tzezos. Unanimous Approval.

Endri Zhuleku and his wife were present.

Chairman Bowler stated that this the property is located on the corner of Leonard Road and Bioski Road. Said building lot was approved by this Commission in 2006 and they are looking to reinstate said approval. In order to do so, this Commission must accept the application first.

George Tzezos questioned if there are any differences between the previously approved plan and the current plan.

Endri Zhuleku stated that it is 1,800 square feet.

Deborah Seavey, W.E.O. confirmed that the footprint is a little different.

Motion: to accept Application #418 – 21 Tedesco Drive, Waterbury, CT 06708. Made by Curtis Bosco seconded by George Tzezos.

Discussion:

Chairman Bower requested that the house corners and the center of the driveway be staked.

Endri Zhuleku agreed to do so.

Unanimous Approval.

V. **DISCUSSION**

1. **Bond Release – 1000 Southford Road**

Deborah Seavey, W.E.O. informed the Commission that the property owner has opted not to pursue the development of the grocery store. Therefore, he is requesting the release of the \$36,000.00 bond.

Motion: to recommend to the Board of Selectmen that the bond for 1000 Southford Road be relinquished in the amount of \$36,000.00. Made by Keli-Ann Bollard, seconded by George Tzepos. Unanimous Approval.

VI. PUBLIC COMMENT

None

VII. ADJOURNMENT

Motion: to adjourn the meeting at 7:38 P.M. Made by Keli-Ann Bollard seconded by Greg Bonacorsi. 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 #417 155 Christian Road

WHEREAS: The Middlebury Conservation Commission for the Town of Middlebury has received an application on August 28, 2018 from M3 Properties map entitled "Zoning Location Survey Land Owned by M3 Properties', LLC 155 Christian Road Middlebury, Connecticut" dated July 5, 2018 with revision date of September 17, 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 demolition of existing structure and rebuilding within the same footprint within the upland review area 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 25, 2018