



TOWN OF MIDDLEBURY

*Conservation Commission
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REGULAR MEETING & SHOW CAUSE HEARING MINUTES February 26, 2019

Members Present:

Paul Bowler, Chairman
Keli-Ann Bollard
George Tzezos
Greg Bonacorsi
Joseph Martino
Curtis Bosco

Members Absent:

Mary Barton, Vice Chairwoman

Also Present:

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

I. CALL TO ORDER

The Regular Meeting was called to order at 7:31 p.m. by Chairman Bowler.

II. ACTION ON MINUTES:

January 29, 2019 Regular Meeting

Motion: to approve the Minutes of the January 29, 2019 Regular Meeting. Made by Curtis Bosco seconded by George Tzezos. Unanimous Approval.

III. SHOW CAUSE HEARING CONTINUANCE

2 Sandy Beach Road November 19, 2018 Order

Chairman Bowler read the following for the record:

There is a current order in place dated November 19, 2018. This is a continuance of the Show Cause Hearing based on that Order. After review of the 2015 application, it is determined that the activity is arguably within the scope of the 2015 approval.

There is a current order in place dated November 19, 2018. This is a continuance of the Show Cause Hearing based on that Order. After review of the 2015 application, it is determined that the activity is arguably within the scope of the 2015 approval.

Therefore, I make a

Motion: to rescind the Order and close the Show Cause Hearing. Made by Chairman Bowler seconded by George Tzepos.

Discussion:

Curtis Bosco requested clarification.

Chairman Bowler went on to state that after further review of the 2015 application that was approved, it is determined that the activity is arguably within the scope of that 2015 approval. He then called for a vote.

The following were in favor of the motion:

Chairman Paul Bowler
Keli-Ann Bollard
George Tzepos
Greg Bonacorsi
Joseph Martino

Curtis Bosco was opposed.

Vote: 5:1

Motion Passed.

Chairman Bowler then added that the Show Cause Hearing was closed and over

Jack Starr & Shauna McManus of 2 Sandy Beach Road, Middlebury, CT were both present.

Shauna McManus questioned if the Commission wanted them to do anything.

Chairman Bowler replied, "No. You're done. All set. Have a nice night."

IV. OLD BUSINESS

1. November 19, 2018 Order-2 Sandy Beach Road

No action was taken. See agenda item above.

V. **NEW BUSINESS**

1. **Application #422 – Ravenwood Drive Lot 6A**

John Gargano, owner of the property, stated that the property was originally approved back in October of 2013 and the permit expired on October 28, 2018. As a result, he hired Scott Meyers of Meyers Associates P.C., who was unable to attend this evening's meeting, to reengineer and take tests on the property and to get a re-approval from this Commission.

George Tzezos questioned the differences in the old approved application with the new proposal.

Mr. Gargano replied that the grades were looked at and the soil was retested. The new proposed home is slightly repositioned and contains 3 bedrooms as opposed to the previously approved 2 bedroom home.

Chairman Bowler questioned if the footprint was increased.

Deborah Seavey, W.E.O. informed the Commission that the change was subtle with a patio or a deck. She added that within the original application, the Japanese Knotweed was to be removed and replaced with native plantings. She requested that it be added to the new plans.

Chairman Bowler requested that the differences between the old proposal and the new proposal be presented at next month's meeting. He also requested that the house be staked.

Motion: to accept Application #422 – Ravenwood Drive Lot 6A. Made by Keli-Ann Bollard seconded by George Tzezos. Unanimous Approval.

2. **Application #423 – 369 White Deer Rock Road**

Attorney Michael McVerry of 35 Porter Avenue, Naugatuck, CT 06770 spoke on behalf of the applicant, Garrett Moore, Sr., and stated that this application is tied in directly with the application below: Application #424 – White Deer Rock Road, Parcels 7A & 9 which is owned by Garrett Moore, Jr. Currently, Mr. Moore Sr. is seeking to create a house site within the property which will entail taking down a large piece of ledge on the property, most of which is in the setback area. Additionally, he is looking to take the broken up

ledge from this property and transport it to the Tyler Cove piece and create a stone wall along the water similar to what is currently on the Moore properties on the lake.

Mr. Moore, Sr. added that he does not intend to put the house up this year but that there are many other things that can be done. The blasting of the rock will allow them to move the driveway. He provided photos for the Commission to review. The rock would immediately be transported to his son's property ½ mile next door (Application #424). He would then like to lay the base for the stone walls that would run along said property.

Deborah Seavey, W.E.O. added that it is a separate application.

Mr. Moore, Sr. confirmed that they are two (2) separate applications but felt it was necessary to mention for discussion purposes as they do somewhat overlap. He also provided photos of what the wall would look like along the Tyler Cove property. They plan to put up two (2) single family homes, one on each of the lots. In returning the discussion to Lot 6 (369 White Deer Rock Road.), he would like to clear the area and put in the septic and the carriage house. When the blasted rock from this lot is brought over to Garrett Moore, Jr's lots, they would then put the base along the front of the property and in order to divide the lots clearly, the stone wall will go down approximately 200 feet. Lastly, he would like to walk the property with Deborah Seavey, W.E.O. and mark the dead and dying trees/brush according to her approval. He is hopeful to finish the previously approved dredging in Middle Cove in March or April and once that work is complete, he would like to do the blasting in April or early May.

Ronald Wolff, P.E. of Wolff Engineering in Woodbury stated that the blasting would take approximately 2-3 days, a week at the most.

Mr. Moore, Sr. added that in total it he estimates the blasting and transporting of the rock would take two (2) weeks and before the MRA opens.

Motion: to accept Application #423 – 369 White Deer Rock Road. Made by Keli-Ann Bollard seconded by Greg Bonacorsi. George Tzezos recused himself. Unanimous Approval.

3. Application #424 – White Deer Rock Road- Parcels 7A & 9

Attorney Michael McVerry of 35 Porter Avenue, Naugatuck, CT 06770 spoke on behalf of the applicant, Garrett Moore, Jr. who is seeking to build a wall with the rock produced from the blasting which is to occur on 369 White Deer Rock Road (see Application #423-369 White Deer Rock Road above).

Motion: to accept Application #424 – White Deer Rock Road-Parcels 7A & 9. Made by Keli-Ann Bollard seconded by Joseph Martino. George Tzezos recused himself. Unanimous Approval.

VI. PUBLIC COMMENT

None

VII. ADJOURNMENT

Motion: to adjourn the meeting at 7:54 P.M. Made by George Tzepos, seconded by Joseph Martino. 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.