



TOWN OF MIDDLEBURY

Conservation Commission
1212 Whittemore Road
Middlebury, Connecticut 06762
(203) 577-4162 ph
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REGULAR MEETING MINUTES March 26, 2019

Members Present:

George Tzepos
Greg Bonacorsi
Joseph Martino
Curtis Bosco
Mary Barton, Vice Chairwoman-arrived @ 7:55pm

Members Absent:

Paul Bowler, Chairman
Keli-Ann Bollard

Also Present:

Deborah Seavey, W.E.O.

I. CALL TO ORDER

The Regular Meeting was called to order at 7:48 p.m. by Curtis Bosco.

Motion: to nominate Curtis Bosco as Acting Chairman. Made by George Tzepos, seconded by Greg Bonacorsi. Unanimous Approval.

II. ACTION ON MINUTES:

February 26, 2019 Regular Meeting and Show Cause Hearing Meeting

Motion: to approve the Minutes of the February 26, 2019 Regular Meeting and Show Cause Hearing Meeting with the following amendment:

- Removal of the following duplicate paragraph (1st paragraph on page 2):

“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.”

Motion: made by George Tzepos seconded by Greg Bonacorsi. Unanimous Approval.

III. OLD BUSINESS

1. Application #422 – Ravenwood Drive Lot 6A

Scott Meyers, P.E. & L.S. of Meyers Associates, P.C. spoke on behalf of the property owner, John Gargano. He stated that the Commission's comments from last month have been addressed. The house was staked at their request. Additionally, the plans have been updated to reflect the plan that was approved in 2013 (old house location indicated in pink) and the new proposed plan (new house location indicated in blue). A memo was also done to the commission referencing the four (4) changes. The new house is shifted slightly to the west and to the north to accommodate the difference in the garage with the driveway. A patio has been added to the rear of the house and the well was shifted slightly to the west. Galleys have been added to the septic system as the applicant was able to increase the house bedroom size from two (2) bedrooms on the original approval to three (3) bedrooms on this proposed plan. Per the request of Deborah Seavey, W.E.O., arborvitaes have been added and the removal of the knotweed, which was also a condition of the past approval that expired in October, was also added.

Deborah Seavey, W.E.O. confirmed that the requested changes meet her approval.

Motion: to approve Application #422 – Ravenwood Drive Lot 6A per the Draft Resolution. Made by George Tzezos seconded by Greg Bonacorsi. 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 they are seeking approval to clear a house lot, for a septic, driveway, and carriage house garage. There is a mound of ledge on the property and are looking to remove 4,100 cubic yards of the rock material.

Ronald Wolff of Wolff Engineering, 39 Sherman Hill Road, Suite C101, Woodbury, CT 06798 provided details of the proposed free-standing stone wall. It will be 3 ½ feet tall, 18 inches wide with a natural boulder foundation and the wall itself will also be constructed with boulders. Said wall will go along the shoreline on this property as well as the one that will be discussed in the next application. Details of the proposed dry hydrant were also added to the plans.

Mary Barton arrived at 7:55 p.m.

Ronald Wolff went on to add that the location of the dry hydrant is shown on the site plan. He reviewed the sequence of construction on the plans with the commission.

Deborah Seavey, W.E.O. confirmed that she is satisfied with the plans.

Ronald Wolff confirmed that any surplus material would be taken off site and used for the next site (Application #424).

Motion: to approve Application #423 – 369 White Deer Rock Road per the Draft Resolution. Made by Greg Bonacorsi seconded by Mary Barton. George Tzepos 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. He stated that this is a continuation of the last application in which the excess rock material will be transported off of the other site (369 White Deer Rock Road) to these two (2) parcels for the construction of a stone wall on the lake front. Additionally, they are seeking permission to do some clearing/thinning of dead trees and brush within the upland review area. He suggested that Mr. Moore meet with Deborah Seavey, W.E.O. on site to designate, with her permission, what trees/brush they are seeking to remove.

Ronald Wolff of Wolff Engineering, 39 Sherman Hill Road, Suite 101, Woodbury, CT 06798 confirmed that as requested, he did add details for the stone wall to the application since it is a separate application.

Deborah Seavey, W.E.O. confirmed that she is satisfied with the plans.

Motion: to approve Application #424 – White Deer Rock Road-Parcels 7A & 9 per the Draft Resolution. Made by Mary Barton seconded by Joseph Martino. George Tzepos recused himself. Unanimous Approval.

IV. NEW BUSINESS

Application #425 – Washington Drive - Parcels 145, 167 & 148

Motion: to add Application #425 – Washington Drive-Parcels 145, 167 & 148 to the agenda. Made by George Tzepos seconded by Mary Barton. Unanimous Approval.

Jad Harb of 171 Judd Hill Road, Middlebury, CT reviewed two (2) maps with the Commission. He purchased all three (3) lots and is seeking to do a lot line revision to make them into two (2) parcels.

Parcel A will be 42,420 square feet, meeting the R40 Zone requirement, with 154 feet of road frontage. The home will be within the 100 foot wetlands restricted area but will not encroach near the wetlands. The home on Parcel B will be outside of the upland review area but will be crossing the wetlands with a driveway. He plans to extend an existing pipe and make it a culvert.

Mary Barton requested that John Calabrese, P.E. be able to review the plans.

Jad Harb reviewed that footing drains, roof drains, sanitary sewer line and well placement with the Commission.

Motion: to accept Application #425 – Washington Drive-Parcels 145, 167 & 148. Made by Mary Barton seconded by Greg Bonacorsi. Unanimous Approval.

Mary Barton requested that the houses & driveway on parcel B be staked.

V. PUBLIC COMMENT

None

VI. ADJOURNMENT

Motion: to adjourn the meeting at 8:09 P.M. Made by George Tzepos, seconded by Mary Barton. 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 #422 Ravenwood Drive Lot 6A

WHEREAS: The Middlebury Conservation Commission for the Town of Middlebury has received an application on February 26, 2019; from John Gargano LP map entitled "Lot #6A Ravenwood Drive Middlebury, Connecticut" dated February 12, 2019 with revision date of March 11, 2019;

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, well and plantings will not have a substantial impact on the regulated area.
- (2) Prior to the issuance of a building permit, permanent wetland markers shall be installed.
- (3) Prior to the issuance of a certificate of occupancy, approved mitigation plantings shall be completed.
- (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.

March 26, 2019

RESOLUTION/REPORT

Application #423 369 White Deer Rock Road

WHEREAS: The Middlebury Conservation Commission for the Town of Middlebury has received an application on February 26, 2019 from Garrett M Moore, Sr & Garrett M Moore, Jr. map entitled "Site Plan and Subsurface Sewage Disposal Plan 389 White Deer Rock Road Assessor's Map 7-08 Lot 001 Middlebury, CT 06762" dated February 4, 2019 with latest revision date of March 20, 2019;

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, well, stone walls, stormwater chambers, discharge of stormwater chambers, dry hydrant, and carriage house and associated driveway areas will not have a substantial impact on the regulated area.
- (2) Prior to permit issuance, revised plans shall be submitted to include stone wall details, dry hydrant details and detailed construction details that include all activities.
- (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.

March 26, 2019

RESOLUTION/REPORT

Application # 424 White Deer Rock Road Parcels 7A & 9

WHEREAS: The Middlebury Conservation Commission for the Town of Middlebury has received an application on February 26, 2019 from Garrett M Moore, Jr.; map entitled "Site Location: Tax Map 7-10 Lot 007A, Tax Map 7-10 Lot 009; dated February 13, 2019 with revision date of February 19, 2019.

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 a stone wall along the water's edge of Lake Quassapaug will not have a substantial impact on the regulated area.
- (2) Prior to permit issuance, details of the stone wall shall be provided.
- (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.

March 26, 2019