



## TOWN OF MIDDLEBURY

Conservation Commission  
1212 Whittemore Road  
Middlebury, Connecticut 06762  
(203) 577-4162 ph  
(203) 598-7640 fx

RECEIVED FOR FILING  
Feb 3 2020 at 8:00 A.M.  
TOWN CLERK'S OFFICE  
MIDDLEBURY, CT

### REGULAR MEETING MINUTES January 28, 2020

  
TOWN CLERK

#### **Members Present:**

Paul Bowler, Chairman  
Mary Barton, Vice Chairwoman (arrived 7:35 pm)  
Greg Bonacorsi  
Joseph Martino  
George Tzezos  
Curtis Bosco

#### **Members Absent:**

Keli-Ann Bollard

#### **Also Present:**

John Calabrese, P.E.  
Deborah Seavey, WEO

### **I. CALL TO ORDER**

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

### **II. APPROVAL OF MEETING MINUTES**

George Tzezos moved to approve the November 26, 2019 regular meeting minutes; seconded by Joe Martino; motion carried unanimously.

George Tzezos moved to approve the December 11, 2019 special meeting minutes; seconded by Joe Martino; motion carried unanimously.

### **III. PERMIT MODIFICATION #395-A 383 WHITE DEER ROCK ROAD**

This application was tabled until the applicant arrives.

**IV. APPLICATION # 443 1685 STRAITS TURNPIKE**

Emily Jones of Civil One Engineering was present. This application consists of the development of a parcel of property located on the corner of Park Road and Straits Turnpike. Ms. Jones indicated the parcel is wooded in the rear and has been cleared in the front of the property. The wetlands are located within the rear of the property and is associated with Long Swamp Brook and Sperry Pond. There is an existing 48 inch culvert which flows underneath Park Road which accommodates a large portion of this watershed. Park Road is currently ten feet above the existing culvert and there has been no history of any drainage issues in the past. The wetland area is part of the marsh associated with Sperry Pond. This development will not add any additional drainage to this flood plain storage.

At this point, Mary Barton arrived.

The parcel is part of the one hundred year floodplain along with existing wetlands. There is no proposed activity within the wetland area. The applicant is proposing two 12,000 sf single story commercial buildings. The site will be serviced by public utilities.

Ms. Jones stated that an extensive stormwater management system has been designed to assure there are no impacts to the downstream wetlands. Due to the basins that have been designed the post peak flows are less than current flow. The basins will treat all run-off from the proposed paved areas. Water quality swales have been designed to treat and promote water quality. Mr. Calabrese's comments have been revised on the plans to include blanket installation of steep slopes along with the addition of guardrails; details of the bio-swale and access drive to the basin.

Mrs. Barton questioned the wetland plantings and Ms. Jones indicated a wetland planting will be provided. Ms. Jones also explained the required maintenance of the bio-swale.

Curt Bosco moved to approve Application #443 1685 Straits Turnpike per the draft resolution; Mary Barton seconded the motion; motion carried unanimously.

**V. PERMIT MODIFICATION #395-A 383 WHITE DEER ROCK ROAD**

Curt Bosco recused himself from discussion on this application.

Mr. Bob Bosco, applicant was present and indicated he is asking approval for stonewalls and stairs that have been constructed within the upland review area of Lake Quassapaug.

Mary Barton moved to approve permit modification #395-A 383 White Deer Rock Road per the draft resolution; George Tzepso seconded the motion; motion carried unanimously.

**VI. APPLICATION #444 99 BENSON ROAD**

Mr. Paul Szymanski, engineer was present. He is seeking approval to develop a 4.3 acre parcel for commercial use. There is approximately 2.75 acres of wetlands that are located in the rear of the property. All activity is proposed along the front of the parcel along Benson Road. The proposal consists of constructing two buildings for a climate control storage use. Retaining walls are proposed along the western side to protect the existing wetlands. A 900 sf wetland creation area has been designed to compensate for the filling of 400 sf area of wetland.

Mr. Szymanski indicated the drainage system will be handled through underground chambers that will discharge to a small detention area and flow to the large wetland area.

Mr. Bowler questioned to whether if any plan is in place to access a small portion of the property in the rear which is a non-wetland area. Mr. Szymanski stated that in order to access the area, it would be more of a negative impact to the existing wetland.

The site will be serviced by public water and sewer. Due to the storage warehouse use, only four parking spaces will be required. Only moving vans and box trucks would enter the site with at most ten to twelve vehicles a day.

Mary Barton moved to accept application #444 99 Benson Road with George Tzeptos seconding the motion; motion carried unanimously.

#### **VI. DISCUSSION-TOWN OF MIDDLEBURY PUBLIC WORKS/WPCA ADDITION**

Mr. Calabrese stated the Town is proposing a 5,000 sf addition to one of the existing public works buildings for the use of storage for the WPCA. Previously, an addition was approved for this use on Christian Road. There is no new drainage proposed, there will be re-routing existing drainage to accommodate the addition. There is no regulated areas within the proximity of this activity.

#### **VII. ADJOURNMENT**

George Tzeptos moved to adjourn the meeting at 7:56 p.m. with Mary Barton seconding the motion; motion carried unanimously.

Respectfully Submitted,

Deborah Seavey  
Acting Recording Clerk



**RESOLUTION/REPORT**

  
TOWN CLERK

Application #443 1685 Straits Turnpike

**WHEREAS:** The Middlebury Conservation Commission for the Town of Middlebury has received an application on November 26, 2019 from Straits Crossing, LLC map entitled "1685 Straits Turnpike" dated November 22, 2019;

**WHEREAS:** The Commission has considered the proposed activity, application and all documents and reports submitted by or on behalf of the applicant.

**WHEREAS:** The application was referred to town engineer, John Calabrese whose comments have been considered by the Commission;

**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 building, parking and discharge of storm water 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 to include the following items:
  - Weekly inspection reports shall be submitted
  - A maintenance schedule for all erosion control measures
  - Method of stabilization of basin slopes
  - Bioswale details
  - Maintenance access for the basins
  - Wetland planting plan
  - The engineer shall certify all site work has been completed in accordance with the approval. As-builts of the detention basins shall be part of the certification
  - All comments in John Calabrese's January 20, 2020 review
- (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.

January 28, 2020

RECEIVED FOR FILING  
Feb 3 2020 at 8:00 AM  
TOWN CLERK'S OFFICE  
MIDDLEBURY, CT  
*Stephan Smith*  
TOWN CLERK

**RESOLUTION/REPORT**

Permit Modification #395-A 383 White Deer Rock Road

**WHEREAS:** The Middlebury Conservation Commission for the Town of Middlebury has received an application on November 26, 2019 from Robert A Bosco map entitled "As-Built Survey owned by Robert Bosco 383 White Deer Rock Road Middlebury, Connecticut" dated September 14, 2017 with revision date of October 22, 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 modification consists of construction of stonewalls and stone stairs within Lake Quassapaug's upland review area along with minor drainage improvements; said activities will not have a substantial impact on the regulated area.
- (2) All original conditions still apply.
- (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.

January 28, 2020

