



TOWN OF MIDDLEBURY

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

REGULAR MEETING MINUTES May 26, 2020

*** Via Video Conference | Zoom Meeting #898 3258 8885 ***

Members Present:

Paul Bowler, Chairman
George Tzepos
Greg Bonacorsi
Curtis Bosco

Members Absent:

Mary Barton, Vice Chairwoman
Joseph Martino
Keli-Ann Bollard

Also Present:

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

I. CALL TO ORDER

The Regular Meeting was called to order at 7:51 p.m. by Chairman Bowler.

II. ACTION ON MINUTES:

April 28, 2020 Regular Meeting

Motion: to accept the Minutes of the April 28, 2020 Regular Meeting. Made by Curtis Bosco, seconded by George Tzepos. Unanimous Approval.

III. OLD BUSINESS

1. Application #445 – 1680 Straits Turnpike

Attorney Michael A. Ceccorulli of Pullman & Comley LLC, 255 Bank Street, Waterbury, CT spoke on behalf of the applicant and introduced Peter Yeskey from First Hartford Realty Corporation and Luke DiStefano from Bohler Engineering.

Luke DiStefano from Bohler Engineering reviewed the following changes that were made as a result of conversations that took place with Deborah Seavey, W.E.O. and John Calabrese, P.E.

1. The emergency spillway which initially discharged onto the abutting property to the east has been removed as it did not serve any purpose other than being a real last resort fail safe for storms well above the 100 year storm event. the overflow issue no longer exists as that basin will function like a normal basin with discharge back to the town drainage system without the overflow;
2. The crushed stone on the bottom of the basin has been replaced with seed mix due to maintenance concerns. The seed mix specifications have been outlined on the updated detail sheet;
3. Concerns regarding the drainage infrastructure and settling time within the basin initially had the outflow and inflow pipes in close proximity of one another (approximately 10') resulted in the outlet being redesigned for the majority of the impervious surfaces that now enter that basin. The inlet has been relocated to the south side of the basin providing approximately 80' of channel or bottom of basin;
4. A detail has been added to plans for the temporary sediment basin used during construction which includes a perforated sediment riser;
5. A detailed construction sequence, operation and maintenance plan, stormwater maintenance plan, long term pollution prevention plan and spill prevention measures, and the associated inspection forms have also been added to the plans;
6. A legend has been added to the erosion and sediment control plan;
7. The note "Weekly site inspections with reports must be submitted to the Conservation Commission" has been added;
8. The note "The Engineer shall certify the detention basin and drainage infrastructure has been constructed in accordance with the approval" has been added;
9. A dedicated loading zone (approximately 24' X 74') was added to the area directly in front of the proposed trash enclosure and is now depicted on the plan;
10. The location of the outlet control structure top of grate has been situated 1' below the top of basin berm;
11. The construction sequencing, inspection and proximity of the inlet to the outlet control structure have all been addressed.

Deborah Seavey, W.E.O. confirmed that her concerns have been addressed. but requested two (2) copies of the plans.

John Calabrese, P.E. stated that he has not reviewed their letter but based on the conversation he had with them last week and the presentation given this evening, he believes his issues have addressed as well.

Luke DiStefano was unable to share the plans for the Commission to review via video due to technical difficulties.

Deborah Seavey, W.E.O. requested two (2) copies of the plans.

Motion: to approve Application #445 – 1680 Straits Turnpike per the Draft Resolution. Made by Curtis Bosco, seconded by Greg Bonacorsi. Unanimous Approval.

IV. NEW BUSINESS

Deborah Seavey, W.E.O. stated that there has been some activity down by the Post Office area along Hop Brook and it appears that there has been some tree clearing, which is more than selective clearing. She spoke with the owner and he did not agree with her opinion. She requested that the members of the Commission take a look at it and get back to her with their opinions.

V. ADJOURNMENT

Motion: to adjourn the meeting at 8:08 P.M. Made by George Tzezos, seconded by Greg Bonacorsi. Unanimous Approval.

Filed Subject to Approval,

Respectfully Submitted,

Rachelle Behuniak, Clerk

Original to Brigitte Bessette, 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

RESOLUTION/REPORT

Application #445 1680 Straits Turnpike

WHEREAS: The Middlebury Conservation Commission for the Town of Middlebury has received an application on April 21, 2020 from Cumberland Farms %First Hartford Realty Corp. map entitled "Site Development Plans for Cumberland Farms Location of Site Map 4-10, Lot 64 1672 Straits Turnpike Town of Middlebury Connecticut, 06762 New Haven County" dated May 28, 2019 with revision date of May 21, 2020;

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 discharge of storm drainage will not have a substantial impact on the regulated area.
- (2) Prior to permit issuance, revised plans shall be submitted addressing comments from the wetland enforcement officer and town engineer. Said revisions shall be acceptable to staff.
- (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.

May 26, 2020