



TOWN OF MIDDLEBURY

Conservation Commission
1212 Whittemore Road
Middlebury, Connecticut 06762
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REGULAR MEETING MINUTES August 25, 2020

Shepardson Community Center Auditorium, 1172 Whittemore Road, Middlebury, CT
and concurrently
Via Video Conference | Zoom Meeting #898 3258 8885

Members Present:

Paul Bowler, Chairman
Mary Barton, Vice Chairwoman
George Tzezos
Joseph Martino
Greg Bonacorsi
Curtis Bosco

Members Absent:

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 7:31 p.m. by Chairman Bowler.

II. ACTION ON MINUTES:

July 28, 2020 Regular Meeting

Motion: to accept the Minutes of the July 28, 2020 Regular Meeting. Made by Greg Bonacorsi, seconded by George Tzezos. Unanimous Approval.

III. OLD BUSINESS

1. Application #450 – 1100 Southford Road

John Mack, P.E. with Stewart Somers Company LLC spoke on behalf of the applicant and reviewed the plans with the Commission. The applicant is seeking to expand the existing commercial parking and drainage facilities. The parcel is approximately 3.8 acres in size with an estimated .003 of designated wetlands off the rear of the property. Additionally, it is within the upland review area. They are proposing to create fifty new paved parking spaces to be positioned between the existing building and the existing detention basin.

John Calabrese, P.E. stated that RCP must be utilized and requested that they put a guardrail across the back parking lot. He also suggested that he and Deborah Seavey, W.E.O. be allowed to look at the final plans and make any final recommendations as a condition of approval.

Deborah Seavey W.E.O. clarified the setback to be 150 feet from Eight Mile Brook.

Motion: to approve Application #450 – 1100 Southford Road per the Draft Resolution, the correction of the 150 foot setback on the map, the recommendations of W.E.O. Deborah Seavey and the recommendations of John Calabrese, P.E. Made by George Tzezos, seconded by Greg Bonacorsi. Unanimous Approval.

2. Application #451 – 99 Burr Hall Road

George Tzezos recused himself from the application as it is his application. He is seeking to construct an 810 square foot addition/in-law apartment for his mother-in-law. There is no activity in the wetlands yet there is a 100 foot setback and there will be some disturbance in the regulated area. If there is a need to change their septic system, they may need to install a system in the regulated are but they do not intend on doing so at this time.

Motion: to approve Application #451 – 99 Burr Hall Road per the Draft Resolution. Made by Greg Bonacorsi, seconded by Joseph Martino. George Tzezos recused himself. Unanimous Approval.

IV. NEW BUSINESS

1. Application #452 – 30 Sandy Beach Road

Scott Lukowski, P.E. of Dymar spoke on behalf of the applicant. They are proposing to

Each parcels contains an existing home. The house on unit 31 will be demolished and a new addition to unit 30 will be constructed. Besides the house addition, they are also proposing a deck and upgrades to the driveway including drainage, installation of a new water supply well, and a pump up sewage disposal system. He did not have the exact dimensions of the proposed addition.

Chairman Bowler stated that he wants to know the size of the building that is being taken down, the size of the proposed addition, the size of the proposed deck, how much closer to the water will it be and how much of an increase of the impervious area will there be.

Mary Barton requested that the engineer put a table on the plans with the requested details.

Motion: to accept Application #452 – 30 Sandy Beach Road. Made by George Tzepos, seconded by Greg Bonacorsi. Unanimous Approval.

2. Application #453 – 92 Turnpike Drive

Motion: to add Application #453 – 92 Turnpike Drive to the agenda. Made by Greg Bonacorsi, seconded by Joseph Martino. Unanimous Approval.

Emily Jones, P.E. with Civil 1 Engineering in Woodbury spoke on behalf of Connecticut Topsoil, LLC and reviewed the plans with the Commission. The property is 6.37 acres and located in the LI-80 Zone on the north side of Turnpike Drive and adjacent to the city of Waterbury. The site is currently wooded with some areas of existing rock outcropping and contains a large wetlands that runs from north to south. The wetlands flow north to south and run through twin 24” pipes under Turnpike Drive with the outlet in the city of Waterbury and inlet on the border. Approximately 1/3 of the propriety flows towards Turnpike Drive over land and heads southwest along Turnpike Drive towards Route 63 and Sperry Pond in Middlebury. The remainder of the property flows towards a wetland and then through the watercourse under Turnpike Drive into Waterbury but then goes towards Tracy’s Pond. Both drainage areas end up in the Hop Brook Watershed. There is no 100 year floodplain on the property. The landscape and lighting plan consists of construction of a 3,750 square foot single-story light industrial building with some office space but mostly shop and storage areas. There are garage bays in the rear of the building with a new parking lot for the building. The rear back paved area will be for storage. Since there is no existing water or sewer in Turnpike Drive in this area, a well and septic system are being proposed. Due to the large amount of rock and ledge on the southern and western portions of the property, the northeast corner is the most suitable location for the septic system which will necessitate a small wetlands crossing. A stormwater renovation area is also being proposed.

Their surveyor will be going out to stake the building corners, parking corners, stormwater renovation area and the center line of the gravel access drive up to the leaching field. There is approximately 219 square feet of direct wetland activity for the construction of the gravel access drive to the septic area. There is an additional .34 acres of regulated activity within the 100 foot setback which includes activity for constructing the gravel access drive and the construction of the stormwater renovation area and the installation for the silt fence, which will be temporary. There are no buildings or parking areas located within 100 feet of the wetland boundaries. There will be a significant amount of cut and rock excavation. The stormwater renovation area has been designed to hold and treat the water quality volume per the CT DEEP and are of primary importance. Details on the procedures will be available before the next meeting.

Motion: to accept Application #453 – 92 Turnpike Drive. Made by George Tzepos, seconded by Greg Bonacorsi. Unanimous Approval.

Curtis Bosco made mention of a wetlands application in the City of Waterbury which is within 500 feet of Middlebury.

All members of the Commission stated that they have no comments or concerns.

V. **ADJOURNMENT**

Motion: to adjourn the meeting at 8:18 P.M. Made by George Tzepos, 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 #450 – 1100 Southford Road

WHEREAS: The Middlebury Conservation Commission for the Town of Middlebury has received an application on July 28, 2020 from Employment Options map entitled "Site Plan Depicting Additional Parking prepared for Employment Options Map 8-04, Lot 006 1100 Southford Road Middlebury, Connecticut" dated May 20, 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 parking and drainage facilities 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 150' buffer from Eight Mile Brook and comments from John Calabrese.
- (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.

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RESOLUTION/REPORT

Application #451 99 Burr Hall Road

WHEREAS: The Middlebury Conservation Commission for the Town of Middlebury has received an application on July 28, 2020 from George Tzepos map entitled "Property Survey/Plot Plan Showing Proposed Addition owned by George C. And Barbara A Tzepos" dated July 22, 2020;

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 addition and leaching field expansion 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.

August 25, 2020
