



TOWN OF MIDDLEBURY

Conservation Commission

1212 Whittemore Road

Middlebury, Connecticut 06762

(203) 577-4162 ph

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SHOW CAUSE HEARING & REGULAR MEETING MINUTES

January 26, 2021

Via Video Conference | Zoom Meeting #898 3258 8885

Members Present:

Mary Barton, Vice Chairwoman arrived @ 7:10 p.m.
George Tzepos
Greg Bonacorsi
Curtis Bosco (Present for Regular Meeting)

Members Absent:

Paul Bowler, Chairman
Keli-Ann Bollard
Joseph Martino

Also Present:

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

I. CALL TO ORDER

Due to the fact that Greg Bonacorsi and George Tzepos were the only members present, there was no call to order for the scheduled Show Cause Hearing Continuance – 383 White Deer Rock Road.

II. SHOW CAUSE HEARING CONTINUANCE– 383 WHITE DEER ROCK ROAD

Unable to hold Show Cause Hearing – 383 White Deer Rock Road due to lack of a quorum.

Greg Bonacorsi requested that Scott Meyers of Meyers Associates P.C. submit the plans to Deborah Seavey, W.E.O. and John Calabrese, P.E. for their review.

Scott Meyers of Meyers Associates P.C. agreed to do so.

Deborah Seavey, W.E.O. questioned Dorothy Daniels at 7:07 p.m. if she would be willing to wait until next month and requested that she submit a letter granting the Commission to extend the application until next month.

Dorothy Daniels agreed to do so.

Curtis Bosco and Mary Barton joined via Zoom at 7:11 p.m.

REGULAR MEETING - CALL TO ORDER

Mary Barton, Vice Chairwoman, called the Regular Meeting to order at 7:11 p.m.

III. ACTION ON MINUTES:

November 24, 2020 Show Cause Hearing & Regular Meeting

Motion: to accept the Minutes of the November 24, 2020 Show Cause Hearing & Regular Meeting. Made by Curtis Bosco seconded by George Tzezos. Unanimous Approval.

IV. OLD BUSINESS

1. Application #458 – 625 Straits Turnpike

Dorothy Daniels was not present at this time but was present earlier before a quorum was met in order to discuss her application.

Deborah Seavey, W.E.O. stated that this was previously approved in 2006 and had a final expiration in the fall of 2020. The applicant is resubmitting the same exact application which consists of an office retail building with parking and drainage that she is attempting to sell. There are wetlands located off of the property up to the property lines, 30,000 square foot disturbance in the upland review area and 50 square foot disturbance for the swale. Back in 2006, the plans were revised per the request of the Army Corps of Engineers.

Motion: to approve Application #458 – 625 Straits Turnpike per the Draft Resolution. Made by Greg Bonacorsi, seconded by George Tzezos. Unanimous Approval.

V. NEW BUSINESS

None

VI. DISCUSSION

1. 383 White Deer Rock Road

Discussion was tabled.

VII. ADJOURNMENT

Motion: to adjourn the meeting at 7:18 p.m. Made by George Tzepos, seconded by Curtis Bosco. 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 #458 625 Straits Turnpike

WHEREAS: The Middlebury Conservation Commission for the Town of Middlebury has received an application on November 24, 2021 from Evelyn Dederick & Dorothy Daniels map entitled "Winthrop Commons 625 Straits Turnpike(Route63)" dated June 23, 2006 with revision date of August 23, 2006;

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 commercial building, parking and drainage facilities will not have a substantial impact on the regulated area.
- (2) Weekly site inspection reports shall be submitted to the commission.
- (3) The engineer shall certify the detention areas have been constructed in accordance with the approved plans.
- (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.

January 26, 2021