



## TOWN OF MIDDLEBURY

Conservation Commission  
1212 Whittemore Road  
Middlebury, Connecticut 06762  
(203) 577-4162

REGULAR MEETING Minutes  
March 26, 2024

RECEIVED FOR FILING  
*March 28, 2024 at 2:20pm*  
TOWN CLERK'S OFFICE  
MIDDLEBURY, CT  
*Marybeth L. Leland*  
TOWN CLERK

### Members Present:

Paul Bowler, Chairman  
Curt Bosco, Vice Chairman  
Mary Barton  
Joseph Martino  
George Tzepos  
Joe Bernardi  
Peggy Gibbons

### Members Absent:

### Also Present:

Deborah Seavey, W.E.O.  
John Calabrese

### 1. CALL TO ORDER

The Meeting was called to order at 7:30 PM by Chairman Paul Bowler.

### 11. ACTION ON MINUTES

#### February 27, 2024 Regular Meeting Minutes

**Motion:** to approve the February 27, 2024 regular meeting minutes. Made by Mr. Tzepos and seconded by Mr. Martino. Unanimous approval.

### III. OLD BUSINESS

#### APPLICATION #510 17 WEST LAKE ROAD

Chris Thompson to replace a 45 year old dock. He plans to use pressure treated wood. He also may bring it out 2 feet longer. The dimensions of the dock are 14 ft. The dock will be placed in the same location. Ms. Barton asked how it is anchored and Mr. Thompson replied it is cemented. Chairman asked if there were any other questions from the commission and there were none.

**Motion:** to approve application #510 per draft resolution. Made by Mr. Bernardi and seconded by Mr. Tzepos. Unanimous approval.

**IV. NEW BUSINESS**

**PERMIT MODIFICATION#370-A BENSON WOODS**

Mark Riefenhauser for Phase II of Benson Woods. Consists of 60 acres on the east side of Benson Road for 32 units. They are changing the unit configuration and the layout of the roads. One wetland crossing is being eliminated. They reduced the disturbed area from 15 acres to 8.2 acres. Ms. Barton asked when the original permit was first approved and Ms. Seavy responded 2006.

**Motion:** to accept application. Made by Mr. Bosco and seconded by Mr. Tzezos. Unanimous approval.

**PERMIT MODIFICATION #490-A 764 SOUTHFORD ROAD**

Ned Fitzpatrick representing the applicant. The proposal reduces the square footage of the building by 2100 sf. It also proposes to reduce impervious surface by 5,000 sf. Mark Grocki Senior Engineer with VHB presented also on behalf of applicant. There is approximately 8.72 acres of disturbance of the approved SLR plan, they are slightly decreasing that to 8.71 acres. The impervious reduction will be 5,260 sf. VHB is not going beyond the limited disturbance plan. They have mimicked storm water basin designs at each location and mimicking the off sight flows. Mr. Bosco asked who is the client and Mr. Fitzpatrick responded that Flint Development is the interested party. Mr. Bosco asked if they could identify the soil scientist and Mark Grocki responded VHB senior scientist Jeff Shamest. Ms. Barton asked how many parking spaces it will be and Mark Grocki responded a total of 284 parking spaces. Mr. Bernardi asked that now that it will be less parking spaces if it will be more robust. Mark Grocki replied the impervious is decreased and it will more robust, and the order of magnitude is the same. Ms. Barton asked if he looked at the current storm water regulations, and Mr. Grocki responded said he is going with what SLR is currently approved. Mr. Bosco asked Mr. Fitzpatrick if they would be willing to have Mr. Logan do a third party review again on this and Mr. Fitzpatrick responded yes. Mr. Bosco stated that last time there was significant interest and input from the public on this project, he feels that it is in the public interest to hold a public hearing.

**Motion:** to set public hearing for April 30, 2024 at 6:30pm. Made by Mr. Bosco and seconded by Mr. Tzezos. Unanimous approval.

**Motion:** to accept application. Made by Ms. Barton and seconded by Mr. Bernardi. Unanimous approval.

**Motion:** to send application for third party review. Made by Ms. Barton and seconded by Mr. Bernardi. Unanimous approval.

Middlebury Conservation Commission  
Regular Meeting  
March 26, 2024

**PERMIT MODIFICATION #423-B 369 WHITE DEER ROCK**

**Motion:** to add to the agenda. Made by Ms. Barton and seconded by Mr. Martino. Mr. Tzezos abstained. Motion carried.

Garrett Moore and Kelly Moore-Keane for a barn that was constructed and they want to put in a pool-spa that is stationary that goes on top of the ground on a cement pad behind the building. It will be enclosed using the back of the barn as one wall and using a door on one end and glass on the others. 18 feet long and 7.5 wide. Ms. Barton asked if it is within the existing footprint of the building and Mr. Moore replied no that it will be 91 feet from the lake. It is chlorine and there is no discharge. The chairman asked if there were any other questions. Ms. Barton asked if this was a three season and Mr. Moore replied yes. She asked if the pool is heated and he replied yes.

**Motion:** to accept application. Made by Mr. Bosco and seconded by Ms. Barton. Unanimous approval.

**V. ADJOURNMENT**

**Motion:** to adjourn the meeting at 8:03 pm. Made by Ms. Barton and seconded by Mr. Bosco. Unanimous Approval.

Filed Subject to Approval,  
Respectfully Submitted,

Jennifer Atkinson, Recording Clerk

Original to Brigitte Bessette, Town Clerk

cc: Conservation Commission  
Mark Lubus, Building Official  
John Calabrese, PE  
Terry Smith, P&Z Chairman  
Curtis Bosco, ZEO  
Attorney Robert Smith, WPCA

