



TOWNE ENGINEERING, INC.

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DONALD R. AUBREY, P.E., L.S.

JOSEPH H. BOUCHER, M.S., L.S.

January 9, 2026

Planning and Zoning Commission
Town of Sterling
P.O. Box 157
Oneco, CT 06373-0157

Attn: James Larkin, Town Planner

Re: **Second Review Memorandum**
Special Permit and Excavation Permit Review
Charles Corson, III – Map 3830 Block 27 Lot 15
Route 14A, Plainfield Pike
TEI Job #25-055

Dear Commissioners,

We received revised plans and supplemental supporting materials from Daniel Blanchette of J&D Civil Designs, LLC on January 5, 2026 and offer the following:

Regulatory Issues:

Project time frames:

- Official date of receipt: September 15, 2025
- Public Hearing opened October 17, 2025
- PUBLIC HEARING CLOSED DECEMBER 15, 2025 (per draft minutes posted on the Town of Sterling Website)
- Action required on or before February 25, 2026

Basis of Regulatory Review (Regulations in effect September 15, 2025)

Zoning Regulations Town of Sterling

Latest Revision: Adopted October 21, 2024;

Effective Date November 18, 2024

We will yield to the advice of the Town Planner but it is our Profession Opinion and experience that no new materials can be considered by the Commission on an application once the Public Hearing has been closed. Therefore since the Public Hearing was closed on December 15th, 2025 that the revised materials received on January 5, 2025 cannot be used as the basis of review for the current application of Charles Corson for a Special Permit for Earth Excavation at the parcel known as Map 3830 Block 27 Lot 15. In our Professional opinion, there are two options available to the Commission; act on the materials that were in the record before the close of the

Public Hearing on December 15, 2025 or accept a withdrawal request from the Applicant who could then be able to reapply and begin the process all over with a fresh set of regulatory time frames which are 65 days following the official date of receipt of an application to open the public hearing, 35 days to close the public hearing, and 65 days after the close of the public hearing to act. The Applicant is afforded the opportunity to request time extensions up to a maximum of 65 days to one or more of the regulatory time periods.

Also, the applicable regulations are those that were in force on the date of application and not those that became effective on January 1, 2026.

Pending the outcome of the important regulatory issues raised above, we offer the following comments on the materials received on January 5th, 2025:

1. There are 2 letters from J&D Site Designs, LLC which have "Encroachment Permit for Quarry" in the header neither of which pertain to the required Encroachment Permit. No review comments or approval from District 1 of the Connecticut Department of Transportation have been provided for our review.
2. We disagree with Mr. Blanchette's assertion that a stormwater permit from the D.E.E.P. is not necessary. The section of the General Permit cited is for construction activities and not industrial activities under which an excavation falls. Should the Commission choose to act on the current application we recommend that a condition of approval be that evidence of an Industrial Stormwater permit be submitted prior to the start of excavation or a letter from the D.E.E.P. indicating that a stormwater permit is not required.
3. Likely the DOT will not issue an Encroachment Permit until there is PZC approval of the application. Again we would recommend a possible condition of approval that no excavation commence on this site until all of the
4. improvements required by the DOT under an Encroachment permit have been completed and that evidence be submitted by the Applicant indicating that those improvements have been successfully completed. We did note that the sightline plans that were previously submitted were not received with the January 5th submission.
5. The signature blocks on the first sheet should be revised to eliminate the box for the endorsement of the Board of Selectman while retaining the line for the expirations date. Note #2 under the restoration phase notes on sheet 5 of 5 should be revised to remove the referenced to the "Board of Selectman".
6. The Applicant's Engineer has submitted an Erosion and Sediment Control bond estimate in the amount of \$40,250.00. This estimate does not include the cost for the installation of the stone filter berm which is the key element of the Erosion Control Plan. Therefore we would recommend a bond amount of \$50,000.00. A cash deposit of \$5,000.00 is

recommended with the balance (\$45,000.00) be provided in the form of a letter of credit or commercial surety in a form acceptable to the Town Treasurer and Town Attorney.

7. Any approval motion considered clearly condition the approval to prohibit any on site processing of materials including screening, sifting, washing or crushing. (See Section 6.03.F.10)
8. We recommend that the Commission review the language contained in Section 7.05.A to determine if the impacts of this proposed excavation are in harmony with the intent of this section especially due to the fact that the home located at 6 Partridge Place was constructed subsequent to the previous 2007 approval of an Excavation Permit on this property.

As always, please feel free to contact us at any time if you have any questions or if you would like us to review new or revised materials associated with this application.

Respectfully Submitted,



Matthew D. Maynard, P.E.
Consulting Town Engineer
Owner Towne Engineering, Inc.



Joseph H. Boucher, M.S., L.S.
For: Towne Engineering, Inc.

Cc: Myron "Jack" Joslyn, First Selectman
Daniel Blanchette, P.E., L.S J&D Site Designs
John Guskowski, Sterling Zoning Enforcement Officer