

TOWN OF MIDDLEBURY

Planning & Zoning Commission

1212 Whittemore Road

Middlebury, Connecticut 06762

(203) 577-4162 ph

(203) 598-7640 fax

RECEIVED FOR FILING
May 2 2011 at 4:25 PM
TOWN CLERK'S OFFICE
MIDDLEBURY, CONN.

Edith Salisbury
TOWN CLERK

MINUTES SPECIAL MEETING April 27, 2011

MEMBERS PRESENT

Curtis S. Bosco, Chairman
Terry Smith
William Stowell
Erika Carrington

MEMBERS ABSENT

Matthew Robison

ALTERNATES PRESENT

Paul T. Babarik

ALTERNATES ABSENT

Ron Kulpa

ALSO PRESENT

Brian Miller
Attorney Stephen Savarese
Linda Burton

PLEDGE OF ALLEGIANCE

The meeting began with the Pledge of Allegiance

1. CALL TO ORDER

Chairman Bosco called the meeting to order at 7:30 p.m.

2. DISCUSSION – PLAN OF CONSERVATION DEVELOPMENT AND ZONING REGULATIONS

Chairman Bosco stated that this evening's special meeting was noticed at the Town Clerk's office, and it was a workshop for the POCD that is being developed throughout this year. The town has contracted Turner Miller Group for this project. Chairman Bosco added that the alternates were welcome to fully participate in the discussions.

Brian Miller of Turner Miller Group reviewed the 3 memorandums he had sent out to the board members:

1. Memorandum #4 dated March 14, 2011 was an analysis of the discussion from the February 2011 meeting about strengths, weaknesses, opportunities and threats;
2. Memorandum #5 dated March 31, 2011 was a more detailed analysis of the area referred to as Middlebury Center;
3. Memorandum #6 dated April 4, 2011 related to a meeting Mr. Turner attended at the Council of Governments of the Central Naugatuck Valley and a draft long range regional transportation plan. Mr. Turner thought that it was important that if there was something that needed to be done by the town that it be "put into queue". He referred to a streetscape study of the Route 64 Middlebury Center area. This was also sent to the Board of Selectmen.

Mr. Turner distributed Memorandum #7 dated April 26, 2011 to the Board members, which related to sign regulations. The sign regulations were reviewed with the Board. The issues Mr. Turner went over proposed changes to section 63.3 to expand the definitions of signs for the terms "private commercial banner", "non-profit commercial banner", "internally illuminated signs", "window signs" and "informational signs". Each of these definitions was discussed. Terry Smith stated that he felt that Southbury's signs are tasteful, and it was suggested that maybe the Board should take a more comprehensive look at their regulations. Some of the Board members were okay with neon signs as long as it meets certain parameters. Southbury allows illuminated signs for the business name.

There were two members from the public present, and Mr. Babarik asked the Chairman if it would okay for their input. Chairman Bosco explained that this was a workshop, and that the public hearing would be held down the road, but that they were welcome to share any ideas with the Board if they wished to do so.

It was suggested that "sandwich signs" be restricted to be put within 10-feet of the restaurant, and only during the hours of operation. Another suggestion was that election signs or temporary event signs be allowed to be put up for a period of time before the event, possibly 45 or 60 days, and that they shall be removed within seven days after the event.

Attorney Savarese referred to Section 63.3.3, and suggested that flags be no higher than the building associated with it. Attorney Savarese also suggested that the word intent should not be in there, as the I.R.S. has codes for that, and that the assessor has a "990" that has to be filed in order to be a non-profit organization.

The conversation was then focused on the town's Plan of Conservation and Development. Attorney Savarese stated that the statute has a checklist of what is supposed to gone over. Mr. Turner went over a January 5, 2011 memorandum that addressed the background information based on the 2000 consensus, the Middlebury center area, affordable housing, the integration of the land use plan with the WPCA plan, other economic development considerations, review of the goals and objectives, and consistency with the State and regional plan.

Mr. Turner referred to his January 5, 2011 memo and stated that in preparing such plan, the Commission, or any special committee shall consider the community development action plan in the municipality, of which there is none, and the need for affordable housing. Attorney Savarese

said that they are required by law to look at each of these subjects, but they have been looked at in the past, and therefore the commission can adopt what is already in effect, but that Mr. Turner should re-read those sections to the commission to make sure that they are okay with those elements.

Attorney Savarese and Mr. Turner worked up where they think the greatest need is in the town. Since this hadn't been done for ten years, the Plan of Conservation and Development needed to be updated. The inventory of approved lots is gone, and the re-approvals of Ridgewood, Middlebury Land Associates and North Benson are enough, although the need for affordable housing still exists. Attorney Savarese stated that the WPCA is reserving for emergency reasons any ground water in any residential areas that fail.

Mr. Smith asked the Commission if they want to encourage retail since they didn't get the industrial, and Mr. Smith added that he would like the public's input on that. Attorney Savarese addressed the issue of parking. Right now they have tried to make every lot stand alone in its ability to sustain its parking, and he asked the commission how they felt about a communal parking concept.

One issue that Chairman Bosco wanted to address was the airport. A couple of years ago the State Senate passed a bill making hundreds of lots in the area around Bradley International Airport an enterprise zone. The Senate has a bill before them right now that makes any of the three towns in or around the Oxford Airport area, including the former Uniroyal site. Chairman Bosco thinks that it will happen and it will offer an incentive for projects within the enterprise zone. He added that all of the area that is zoned industrial can benefit by this.

The next topic that Mr. Turner addressed was the State Plan of Conservation and Development. They are in the process of updating the plan right now. After that, the next topic was Fiscal Social Economic and Governmental Conditions and Trends. The commission discussed if they would like to build up the commercial base in town, clean up the downtown area, and possibly diversify the central business district by adding singles apartments and possibly apartments above the businesses. Attorney Savarese discussed encouraging the development of the medical community in town. He also suggested that the commission could start planning to change the configurations of the building in the downtown area so that it didn't look like a strip mall. Mr. Babarik said that he would like to see more industrial in town, but little to no residential growth.

There was agreement that the town has nice parks pre-ordained in the plan, and that the infrastructure meets the town's needs, and that additional costs do not want to be incurred.

Energy efficiency was discussed as an important part of the plan. Mr. Smith spoke about the ambient noise that wind turbines make. The importance of melding the WPCA plan with the POCD plan was discussed.

Mr. Turner asked the Commission to take a look at the sign regulations for further discussion at the next meeting.

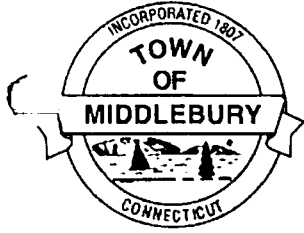
The next meeting was to be scheduled for around May 18 or 19. The date was to be decided at the next Planning and Zoning meeting. Erika Carrington will send an email to let the Commission members know of the date.

Filed Subject to Approval,

Respectfully Submitted,

Linda Burton, Clerk

cc: Thomas P. Gormley, First Selectman
Elaine M. R. Strobel, Selectman
Robert C. Desmarais, Selectman
Chairman, Conservation Commission
Olie DeLuc, Building Official
Jean Donegan, Z.E.O.
Director of Health
Edith Salisbury, Town Clerk
Robert Bean, Chairman, Z.B.A.
Daniel Kenny, Assessor
P&Z Commission Members
Francis L. Barton Jr.
Attorney Stephen Savarese
Larry S. Hutvagner, CFO



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