



TOWN OF MIDDLEBURY

*Planning & Zoning Commission
1212 Whittemore Road
Middlebury, Connecticut 06762
(203) 577-4162 ph
(203) 598-7640 fx*

JANUARY 7, 2016 REGULAR MEETING MINUTES

MEMBERS PRESENT

Terry Smith, Chairman
William Stowell, Vice Chairman
Matthew Robison
Erika Carrington
Joseph Drauss

MEMBERS ABSENT

ALTERNATES PRESENT

Paul T. Babarik

ALTERNATES ABSENT

Christian Yantorno

ALSO PRESENT

Brian Miller
John Calabrese, P.E.
Curtis Bosco, Z.E.O.

CALL TO ORDER

Chairman Smith called the Regular Meeting of the Middlebury Planning & Zoning Commission to order at 7:30 p.m.

ROLL CALL AND DESIGNATION OF ALTERNATES

Chairman Smith announced Regular Members Smith, Stowell, Robison, Carrington, Drauss and Alternate Member Babarik as present. Alternate Member Yantorno was absent.

MINUTE APPROVAL

1. Discussion of the Minutes of the Regular Meeting held on December 3, 2015

Motion: to approve the Minutes of the Regular Meeting held on December 3, 2015 as submitted. Made by William Stowell, seconded by Joseph Drauss. Unanimous Approval.

OLD BUSINESS

2. Quain Family Trust

Chairman Smith stated that the application had been withdrawn and that he sought the opinion of Town Counsel.

Attorney Dana D'Angelo, stated that it is an accessory building which is permitted in the Regulations. Therefore, said matter could be handled administratively by Curtis Bosco, ZEO.

NEW BUSINESS

3. Town Attorney – Section 8-24 Referral for the lease of the library basement

Attorney Dana D'Angelo reviewed the lease proposal dated 10-28-15 whereas Independent Living Solutions would like to lease a portion of the library basement. They have proposed a one 5/year term with a monthly payment of \$3,000.00 for the initial term and \$3,300.00 during the option period. Some renovations that need to be made will be handled administratively by the Building Official, Ollie LeDuc. Said proposal went to the Board of Selectmen and they in turn referred it to the Planning & Zoning Commission. Should this Commission send it back with an affirmative vote, it will then go to a Town Meeting.

Motion: to approve the Resolution (see attached). Made by Erika Carrington, seconded by Matthew Robison. Unanimous Approval.

4. Sabbir Properties, LLC/550 Middlebury Road – application for a site plan (Application #2015-12-1)

Brian Miller, Town Consultant stated that he reviewed the site plan and summarized his Memorandum dated 1-4-16. He feels that the property should include a sidewalk but is unsure as to whether or not there will be sufficient room to do so. In addition, there should be more details in the landscaping plan, a lighting plan, and a treatment plan for the area in the rear of the property.

Chairman Smith stated that said matter should be referred to the Architectural Review Board. This Commission also needs larger copies of the site plan submitted by Scott Meyers, P.E. of Meyers Associates P.C. dated 12-18-15 and that revisions should be more detailed including a lighting plan and a landscaping plan. He also would like a recommendation from the Architectural Review Board. Therefore, he requested that this be continued until next month.

5. Southford Road, LLC & Southford Park, LLC/1000 & 984 Southford Road- Application for Special Exception for Excavation & Signage & Site Plan Approval (Application #2016-1-1)

Attorney Michael McVerry of 35 Porter Avenue, Naugatuck spoke on behalf of the applicant. The applicant is proposing an 11,700 square foot grocery store in the Gateway Industrial Design District. They are in receipt of approval from the Conservation Commission. They are also in the process of seeking approval from the Architectural Review Board, WPCA, Fire Department, and Police Department.

Motion: to schedule a Public Hearing for 2-4-16 for a Special Exception for an Excavation and Grading Permit. Made by William Stowell, seconded by Joseph Drauss. Unanimous Approval.

Motion: to schedule a Public Hearing for 2-4-16 for a Special Exception for a sign. Made by Erika Carrington, seconded by Joseph Drauss. Unanimous Approval.

OTHER BUSINESS

6. Any other business added to the agenda by 2/3 vote of the Commission

None

7. **Enforcement Report**

Curtis Bosco, Z.E.O. reviewed his enforcement report with the Commission focusing mainly on a blight issue on White Avenue.

8. **Adjournment**

Motion: to adjourn the meeting at 8:04 p.m. Made by Joseph Drauss, seconded by William Stowell. Unanimous Approval.

Filed Subject to Approval,

Respectfully Submitted,

Rachelle Behuniak, Clerk

Original to Edith Salisbury, Town Clerk

cc: P&Z Commission Members
Vincent LoRusso, Chairman, Conservation Commission
Ollie LeDuc, Building Official
Curtis Bosco, Z.E.O.
David Alley, Chairman, Z.B.A.
Attorney Dana D'Angelo
Larry S. Hutvagner, CFO
Rob Rubbo, Director of Health
Mary Barton

RESOLUTION

**Regarding the lease of the basement level of the Middlebury Public Library 30
Crest Road, to Independent Living Solutions**

After review of the Lease Proposal from Independent Living Solutions, dated October 29, 2015 and other supporting documentation, the Planning and Zoning Commission of the Town of Middlebury finds that it would be in the Town of Middlebury's best interest to the lease of the basement level of the Middlebury Public Library 30 Crest Road, to Independent Living Solutions. Therefore,

BE IT RESOLVED:

That in accordance Connecticut General Statute §8-24, the Planning and Zoning Commission of the Town of Middlebury recommends the lease of the basement level of the Middlebury Public Library 30 Crest Road, to Independent Living Solutions. Said lease shall be in substantial compliance with the terms of the Lease Proposal from Independent Living Solutions, dated October 29, 2015. This recommendation shall be submitted to the Board of Selectman.