



TOWN OF MIDDLEBURY

*Planning & Zoning Commission
1212 Whittemore Road
Middlebury, Connecticut 06762
(203) 577-4162 ph
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June 2, 2016 REGULAR MEETING MINUTES

MEMBERS PRESENT

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

MEMBERS ABSENT

Matthew Robison

ALTERNATES PRESENT

Paul T. Babarik
Jeffrey Grosberg-arrived @ 7:32 p.m.

ALTERNATES ABSENT

Christian Yantorno

ALSO PRESENT

Brian Miller
Curtis Bosco, Z.E.O.

CALL TO ORDER

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

ROLL CALL AND DESIGNATION OF ALTERNATES

Chairman Smith announced Regular Members Smith, Stowell, Carrington, Drauss and Alternate Members Babarik and Grosberg as present. Regular Member Robison and Alternate Member Yantorno were absent. He appointed Alternate Member Babarik to act in place of absent Regular Member Robison.

PUBLIC HEARING

1. Peter Scribner/92 Turnpike Dr.-Application for a Special Exception for an Excavation & Grading Permit (Application #2016-4-1)

Chairman Smith stated that the applicant officially withdrew their application as of June 1, 2016.

MINUTE APPROVAL

2. Discussion of the Minutes of the Public Hearings & Regular Meeting held on May 5, 2016

Motion: to approve the Minutes of the Public Hearings and Regular Meeting held on May 5, 2016 as submitted. Made by Joseph Drauss, seconded by Paul Babarik.
Unanimous Approval.

OLD BUSINESS

3. Peter Scribner/92 Turnpike Dr.-Application for a Special Exception for an Excavation & Grading Permit (Application #2016-4-1)

Application was withdrawn as of June 1, 2016.

4. Peter Scribner/92 Turnpike Dr.-Application for Site Plan Approval

Application was withdrawn as of June 1, 2016.

NEW BUSINESS

None

OTHER BUSINESS

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

Curtis Bosco, Z.E.O. requested to add a commercial application to the agenda in order to avoid having to email the members of the Commission the details. He added that it is a tenant fit-up for Mr. LaFlamme.

Chairman Smith agreed to add it to the agenda but requested that Curtis Bosco, Z.E.O. refrain from making similar requests in the future.

Motion: to add VITAS Health Care-199 Park Road, #109 & #110 to the agenda. Made by Joseph Drauss, seconded by Erika Carrington. Unanimous Approval.

Curtis Bosco, Z.E.O. stated that one of his tenants, VITAS Health Care is seeking to expand into one of the small areas. It was concluded that all the necessary information was not readily available. Therefore, Chairman Smith requested that Curtis Bosco, Z.E.O. submit all of the pertinent information to the members via email.

Erika Carrington withdrew her motion and no action was taken.

6. Enforcement Report

Curtis Bosco, Z.E.O. stated that he finally received a copy of the watering log for Ridgewood. Since April 29th through May 27, the water truck was utilized on two (2) occasions thus resulting in the daily complaints he receives from the residents. He notified them that he does have the authorization to shut down the project until they remediate. He also added that three (3) meetings were held with the residents, members of Toll Brothers, and the First Selectman in order to try and rectify the situation. He reminded the members of the Commission about the policy that if there is one (1) violation of the Zoning Regulations then you don't get a permit to do something else. Last week they pulled three (3) permits for 16, 18 & 20 High Ridge for new construction.

Erika Carrington questioned how often the Building Inspector was performing inspections.

Curtis Bosco, Z.E.O. stated that he maybe goes there twice a week but at least once a week. He also added that the W.E.O. previously had an issue but it has since been rectified and that the First Selectman's first interest is for the people that live on that road.

Chairman Smith questioned why they aren't utilizing calcium chloride.

Curtis Bosco, Z.E.O. did not have the answer but stated that they offered to put up a piping system although he does not think that anyone would want to look at that. They also offered to put down millings although it has yet to occur.

Paul Babarik stated that no more permits should be issued until they do what they have to do.

Curtis Bosco, Z.E.O. commented on the numerous signs that he is recently being forced to collect.

Chairman Smith reiterated that they need to be removed.

7. Adjournment

Motion: to adjourn the meeting at 7:47 p.m. Made by Paul Babarik, seconded by Joseph Drauss. 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.
Ken Long, Chairman, Z.B.A.
Attorney Dana D'Angelo
Larry S. Hutvagner, CFO
Rob Rubbo, Director of Health
Mary Barton