



TOWN OF MIDDLEBURY

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

MINUTES PUBLIC HEARING February 6, 2014

MEMBERS PRESENT

Terry Smith, Acting Chairman
Matthew Robison
William Stowell

MEMBERS ABSENT

Erika Carrington

ALTERNATES PRESENT

Ron Kulpa
Paul T. Babarik

ALTERNATES ABSENT

ALSO PRESENT

Brian Miller
Curtis Bosco, ZEO
Rachelle Behuniak

REGULAR MEETING

1. Call to Order

Chairman Smith called the Regular Meeting of the Middlebury Planning & Zoning Commission to order at 7:31 P.M.

2. Roll Call and Designation of Alternates

Chairman Smith announced Regular Members Smith, Stowell, Robison and Alternate Members Babarik and Kulpa as present. He appointed Alternate Member Paul Babarik to act in place of absent member Erika Carrington and Ron Kulpa to act in place of the Open Seat.

3. Discussion of the Minutes of the Regular Meeting held on January 2, 2014

Motion: to approve the minutes of the Regular Meeting held on January 2, 2014. Made by William Stowell, seconded by Paul Babarik. Unanimous Approval.

OLD BUSINESS

4. Middlebury Land Trust – Update on environment & open space (Sec. 5) P.O.C.D.

Alice Hallaran stated that both she and Scott Peterson have reviewed the draft of the P.O.C.D. and wanted discuss with the Commission, some possible changes for their consideration. They focused on the importance of committed open space and the need to replace the table in Section 5.2 of 2001 P.O.C.D. She also reviewed the map done by Curt Smith for 2010. She estimated that there is approximately 1,726 acres (14.3%) of total Committed Open Space. Among other things, she feels that the purchase of Fenn's Farm should be referenced, along with recommendations for open space planning, wildlife corridors, and connections of open space between towns.

Brian Miller stated that some reevaluations of goals and policies is important and welcomes the Land Trust's input.

Alice Hallaran stated that she would try to get more information available for the March meeting.

Alice Hallaran submitted suggested additions to the 2014 P.O.C.D. on behalf of Ingrid Manning, Chairman of the Lake Quassapaug Association for the Commission's consideration as well.

NEW BUSINESS

5. Joseph Dinova – 480 Middlebury Road – Application for signage and change of use (Application #2014-2-1)

Curtis Bosco, ZEO stated that he told the applicant that he did not need to be present. Ovens of France have changed their name to Middlebury Baking Co. Baking is being done on the premise and the WPCA has confirmed that a grease trap is present.

Motion: to approve the application and authorize the Zoning Enforcement Officer to issue a Certificate of Zoning Compliance. Made by William Stowell, seconded by Matthew Robison. Unanimous Approval.

6. Michael Ferrara – 106 Skyline Drive – First Cut Review

Scott Meyers, P.E. & L.S. of Meyers Associates P.C. spoke on behalf of the applicant. Mr. Ferrara would like to make a first cut and create an interior lot for a proposed house which conforms to the R40 Zone.

Chairman Smith thanked Mr. Meyers for informing the Commission of the applicant's intention.

OTHER BUSINESS

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

None

8. Enforcement Report

Curtis Bosco, ZEO stated that he did receive another request for a tenet fit-up from Mr. LaFlamme for the property located at 199 Park Road. Mr. LaFlamme is seeking to construct a conference room within the building to allow any tenant to utilize when needed and a tenant fit-up for Maggie McFly's.

Chairman Smith stated that he had no issue with Mr. LaFlamme's request but instructed Curtis Bosco needs to inform Mr. LaFlamme that the next time he needs approval from the Commission, that a complete parking calculation will be required. The parking spaces that are being leased to the car dealerships cannot be included in his calculations as they are being utilized.

Paul Babarik stated that he thinks the piece of land should be taxed as a business.

Curtis Bosco, ZEO stated that he would contact Mr. LaFlamme to discuss this matter.

Brian Miller stated that there is no Site Plan Approval for car dealerships to utilize the parking lot as part of their business. He also thinks that the owner of the property should be sent a letter with respect to the violation.

9. Adjournment

Motion: to adjourn the meeting at 8:38 P.M. Made by Erika Carrington, seconded by Paul Babarik. Unanimous Approval.

Planning & Zoning
Regular Meeting
2-6-14

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Filed Subject to Approval,

Respectfully Submitted,

Rachelle Behuniak, Clerk

Original to Edith Salisbury, Town Clerk

cc: P&Z Commission Members
Thomas Proulx, 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, Deputy Director of Health
Mary Barton