



# **TOWN OF MIDDLEBURY**

*Planning & Zoning Commission*

*1212 Whittemore Road*

*Middlebury, Connecticut 06762*

*(203) 577-4162 ph*

*(203) 598-7640 fx*

## **January 5, 2023 REGULAR MEETING MINUTES**

### **REGULAR MEMBERS PRESENT**

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

### **REGULAR MEMBERS ABSENT**

### **ALTERNATE MEMBERS PRESENT**

Frank Mirovsky  
Paul Anderson  
Gerald Lukowski

### **ALTERNATE MEMBERS ABSENT**

### **ALSO PRESENT**

John Calabrese, P.E.  
Curtis Bosco, Z.E.O.  
Attorney Dana D'Angelo

### **CALL TO ORDER**

Chairman Smith called the Regular Meeting to order at 7:03 p.m.

### **ROLL CALL AND DESIGNATION OF ALTERNATES**

Chairman Smith announced Regular Members Smith, Stowell, Robison, Carrington & Drauss and Alternate Members Mirovsky, Anderson & Lukowski as present.

## **PUBLIC HEARING**

**1. Stacey J. Drubner/c/o JSD Partners, LLC/500 Chase Parkway, Waterbury, CT 06708-  
Application for text amendments of Sections 9.1 Definitions to add Distribution  
Facilities, 42.1 Permitted Uses to add Distribution Facilities as a permitted use, 42.2.4  
Height of Buildings adding warehouses and distribution facilities not to exceed fifty feet  
to the current language (Application #2022-12-1)**

Chairman Smith read the following for the record:

- Legal Notice published in Voices on 12-21-22 & 12-28-22
- NVCOG Staff Referral Report dated 12-21-22

Paul Anderson stated for the record that he was represented by Attorney Fitzpatrick in the past for a land use matter, however, he did not feel that there was any conflict.

Chairman Smith then questioned if the applicant was in agreement of Paul Anderson not recusing himself.

Attorney Edward (Ned) Fitzpatrick of 203 Church Street, Suite 4, Naugatuck, CT 06770 spoke on behalf of the applicant and replied that he had no objection to Paul Anderson not recusing himself.

Chairman Smith went on to explain that the procedure for the Public Hearing would be to hear from the applicant first, then take comments and questions from the public, followed by comments and questions from the Commission. All persons wishing to speak were asked to stand at the podium, state their name for the record and to speak clearly.

Attorney Fitzpatrick declared that he represents the applicant for the proposed text changes (see attached) to allow distribution facilities and that the definition be placed in the Regulations along with subsequent iterations that are required in the Regulations because of said inclusion. The proposed change to Section 42.2.4 would allow the Commission to have discretion to permit an increase in height, not to exceed fifty (50) feet. He went on to state that their proposals pertain to language change proposals rather than a site plan as there was no depiction of the proposal itself this evening. He emphasized that questions and comments regarding drainage, traffic, size of buildings and setbacks, in his opinion, are not relevant to this proceeding. He wanted it known that he meant it respectfully, that comments in connection with said issues are relevant when and if a site plan is presented before this Commission. He continued by stating that the Middlebury Plan of Conservation & Development (POCD), 2015 being the latest version, is the planning guidance document for the town. It is their opinion that the proposed text change is consistent

with the POCD and while it is not binding on this Commission, it does set forth objectives, goals and recommendations. He went on to cite a portion of the following pages:

- Page 7, Overall Goal #3 – He stated that their proposal is not site specific but rather related to the LI-200 Zone throughout the town.
- Page 57, Industrial Area #2 – He stated that it encourages industrial development in the corridor by the Enterprise Zone which is approximately a 2 miles radius of the edge of the Oxford Airport, overlapping several areas.
- Page 58, #4 Recommendations #1 – He stated that it notes a surplus of industrial land within the three towns in said area and encourages private development.

Attorney Fitzpatrick submitted a copy of Middlebury's Enterprise Zone Map for the record. He asserted that his client could apply, as a matter of right, and acquire a permit to build a warehouse, due to the fact that it is already a permitted use in the LI-200 Zone. However, his client chooses not to do so. Because of the modern technological advances and the way that goods are distributed, packaged, sorted and shipped by way of robotic arms and machinery, most modern warehouses seek higher inside clearances.

Ryan McEvoy, P.E. with SLR, Milone & MacBroom, 99 Realty Drive, Cheshire, CT 06410 confirmed that most modern warehouses seek a thirty-five 35 feet clearance.

Attorney Fitzpatrick continued to state that clearance means the inside clearance. In order to meet the clearance, they are requesting that the Commission amend the Regulations to a height of fifty (50) feet. He expressed his belief that the LI-200 Zone was created in 1997.

Chairman Smith was under the impression that it was created in the 70s for Preston Hill Park (Old Uniroyal).

Attorney Fitzpatrick noted that the SDD No 1 Zone, which is adjacent to the subject property and partially shared between Middlebury and Oxford, has a height limit of fifty (50) feet. He feels that the proposal meets the POCD recommendation of promoting a balance between the semirural residential character of the town while encouraging industrial growth. He submitted the following documentation for the record:

- Copy of Middlebury Regulation Section 54.9 Special Regulations Applicable Only to SDD No. 1 (A. Maximum Height 50 feet)
- Copy of Oxford Regulation Table Schedule B, Industrial District Height (2.5 stories/35' Up to 55' by Comm. 55'+ w/S/E) & Corporate Business Park District (4 stories/55'(the lesser) 5 stories/75' w/S/E)

- Copy of Southbury Regulation Table Schedule B Standards, Maximum height of a building or structure, M2 (40'), M-2A (40'), M-5 (40')
- Copy of Watertown Zoning Regulation Table, Page 98, Bulk and Coverage – Maximum Height (Four Stories/60 Ft.), Maximum Floor Area Ratio (0.5), Maximum Impervious Surface Coverage (80%) & Maximum building Coverage (40%)
- Copy of Cheshire Regulation, Section 30, Schedule A, Permitted Uses, 59. B. – provides for fifty (50) by right and could exceed sixty-five (65) feet if additional setbacks are created, and in some cases one hundred (100) feet

Chairman Smith confirmed receipt of a Petition signed by ninety (90) Middlebury Residents as well as several emails sent to Curtis Bosco, Z.E.O. from Middlebury residents who are opposed to the application for various reasons. Additionally, one (1) email was received from Mr. Matt McConnon, Principal of Cobbler Group LLC and owner of Middlebury Racquet Club, to Curtis Bosco, Z.E.O. dated January 5, 2023 indicating that he is in favor of the text amendment, with a proviso specifically adding the wording “Commercial Health Club Facilities and any Special Exception uses permitted under Section 42.4 not to exceed fifty (50) feet”. Chairman Smith stated that all documentation submitted this evening would entered into the record and available for public viewing in the Land Use Office.

Curtis Bosco, Z.E.O. submitted a cover letter and a complete compilation of all correspondence received by the Planning & Zoning Office via USPS, email or hand delivery regarding Application #2022-12-1 as of the close of business (4:00pm) today.

Chairman Smith confirmed that any written comments submitted this evening would also be entered into the record and available for public viewing in the Land Use Office. He then opened the floor to the public and stated that back and forth conversations would not take place and names needed to be stated along with their objections or approvals with reasons. He added that concerns such as traffic or noise would be compatible for a site plan and not at this stage of the procedure.

The following Middlebury residents spoke in opposition of the proposed application:

- Don Cardinal – He believes that the applicant will put in an Amazon and feels that it would ruin the town and create havoc with tractor trailers coming through town, especially when there is an accident on the highway. He wants to keep the town the way it is.
- Jennifer Mahr of 68 Abbott Farm Road – She thanked the members of the Commission for their service, acknowledged the presence of Senator Joan Hartley and Representative Bill Pizzuto and thanked them for their support. She read a portion of her written statement. She feels that the proposal does not match with the idea of small and

semirural. She proceeded to mention Section 9.1 of the Regulations and placed emphasis on storage during the manufacturing process as well as Section 6.1.4 which prohibits trucking terminals except for the transportation of goods manufactured or assembled on the premises. The term “trucking terminal” isn’t specifically defined, but what matters is the use. She feels that the proposed text amendment that defines distribution facilities as a specialized warehouse for finished goods is a generic definition that only serves one purpose: to give the developer a free pass to build whatever he/she wants with zero (0) regulations. She stressed the need to be just as concerned with details and specifics when it comes to the Regulations associated with the LI-200 Zone by reciting those connected to other zones throughout the town and believes there is no consideration given to the impact of the proposed use of the surrounding properties. The impact on traffic is of much concern. She urged this Commission to put a Moratorium on this type of project until it could better define what uses the residents want and what traffic they are willing to allow.

- Don Andrews of 21 Avalon Drive – He reviewed the two (2) Facebook polls he created for “Middlebury CT Neighborhood Page” and “Region 15 Parents” with the question for both being “Do you support changing the Middlebury Zoning Code to allow large scale ecommerce compatible distribution facilities in Middlebury? Note: An example of large scale would be >700k sq. ft. building(s), >100 tractor trailer parking spots, and >40 tractor trailer loading bays.” The former resulted in 90% that were not in favor of the amendment changes for a total of 347 votes while the later resulted in 100 votes and 98% not in favor of the proposed amendments. He submitted a copy of each for the record,
- Connie Packard Kamedulski of 103 Periwinkle Drive and part of the group that purchased the remaining development rights at Benson Woods read and submitted her statement for the record.
- Dr. Dana Shepard of 302 Hemlock Lane, resident of Benson Woods and the Homeowner Representative for their Board of Directors read a portion of and submitted her letter for the record.
- Gary Kline of Avalon Farms, member of the HOA Executive Board read and submitted his letter for the record.
- Anthony Portanova, former owner and operator of the Portanova Warehousing and Distribution Company on Freight Street in Waterbury, CT as well as Chicopee, MA. – He read his statement for the record. He feels that what is being proposed is quite large and compared the functionalities associated with warehouses and distribution centers. He believes that the flow velocity through a distribution center is much greater than the flow

velocity for a warehouse. He suspects that the term “Truck Terminal” will be an issue and shared that they usually contain their own tire and truck repair facilities on the premises. The importance of warehouses has decreased while the distribution centers have now emerged as the nerve centers of the supply chains.

Chairman Smith asked Mr. Portanova if he wished to submit his letter for the record.

Anthony Portanova replied that he did not bring an additional copy.

Chairman Smith suggested that he bring a copy to the Land Use Office and give it to Curtis Bosco, Z.E.O.

Anthony Portanova agreed to do so.

- Chris Martin of Brookside and HOA Board Member – He read a statement on behalf of himself and his wife, Katie, which was emailed to Curtis Bosco, Z.E.O. on January 4, 2023 and entered into the record.
- Don Taglialatella – He stated that a few years ago there was an investment banking consortium that built a power plant in Oxford. He attended many of the meetings as he wanted to know what affect it would have on Middlebury. Jobs, tax incentives and lower energy rates for the residents were promised, however, all of the energy created from the plant goes to Canada and 23 Oxford residents obtained fulltime employment. He went on to express his disbelief of what Attorney Fitzpatrick claims.
- Bob Nerney - He shared his concerns regarding multi-shift 24/7 workers, noise, traffic idling engines, trucks arriving during late evening hours and a decline in air quality. He does not think it's wise to bring trucks into the Light Industrial Districts in the community. He made reference to the neighboring wetlands and feels the topography is challenging in certain areas and would require a massive amount of grading and removal of earth to accommodate truck traffic. He feels it differs greatly from the Timex facility which he deems blends with the community. He stressed that Middlebury is considerably smaller (17 square miles) geographically than other towns and that the parcel is in close proximity of an elementary school. He voiced his concerns with respect to safety and large trucks utilizing the school's road. He went on to cite various statements within the POCD: maintain semirural and small character of Middlebury; promote economic growth that will preserve the character of the town as well as provide an environment for modern emergent industries (“not a warehouse”); protecting environmental sensitive areas like Long Meadow Pond, protect wildlife, etc. It is his understanding that there is a potential for a 750,000 square foot building that is expected to be proposed and for comparison purposes, he declared that the footprint for the Brass City Mall in Waterbury is smaller at

637,294 square feet. Based on his research, ITE performed a weekday/daily trip generation study for a 150,000 square foot facility, similar to the one expected, and the results state that 284 – 1,170 trips were generated. Lastly, he expressed his concern for the lack of special standards or special permit process and requested that the hearing be closed and the application be denied.

- Matt Costa of 188 Three Mile Hill Road – He feels that increasing a building height to fifty (50) feet would not increase the tax base as taxes are built off of the square footage footprint of the building nor would it promote job creation with the expected use of robotics. He requested that the members of this Commission visit other towns to hear what other boards are being faced with as a result of having these uses approved. He believes that the tax incentive is beneficial to the warehouses while causing a detrimental tax to the town. He conveyed his concerns regarding the volume and size of vehicles and questioned who would bear the responsibility to fund road repairs, additional Police and Fire staff. He attested that if this application is approved by right, control will be lost. He questioned if the air handlers would be included in the height calculation and suspects that the noise created by them will travel.
- Tony Peluso of Benson Woods – He declared that he cannot understand why anyone would build a 750,000 square foot facility on speculation and a tax base like Middlebury. He considers the location a nightmare due to traffic amongst other things. Based on his professional expertise of having to make decisions on locations of buildings, he certified that the subject property would be the last place he would select. The probability of the town ultimately ending up with a vacant building, to him, seems high.
- Amanda Fernandez – She stated that she and her husband moved to Middlebury a month ago. She believes that industrialization is not the only way to promote economic growth. She voiced her concerns with respect to increased traffic, pollution, adverse health effects, decrease in property value and crime.
- Mike McDonald of 209 Munson Road – He stated that because distribution centers pay their people by how many pieces they pick and pack, it will create an unbelievable burden on the people that need to drive to schools and through Middlebury. He suspects that the values of surrounding homes will undoubtedly decrease.
- Joseph Morningstar of Christian Road – While he expressed his support of growth, he feels that this is a ludicrous proposal. He also conveyed his frustration with those present being told to focus only on the proposed language and that traffic is immaterial. He communicated his concerns regarding increased traffic, questioned the capacity for sewage, drainage, water and other utilities. He suspects that answers are not available and believes approving such a proposal would be an egregious mistake.

- Stephen Badger of 46 Ridgewood Drive – He read his statement for the record and questioned if the proposed increase in height is the primary goal, why a definition for the term “Distribution Center” is needed. He suspects that the applicant is choosing not to apply for a variance or file for the permits directly because they are doubtful that their application would be approved or if denied whether or not they would receive a variance. He suggested that all relevant questions and concerns about any project brought up this evening are addressed prior to approval of a distribution center.
- Jim Kelly of Brookside – He voiced his concerns with respect to most people utilizing Christian Road to visit Lake Quassapaug and the impression it would leave having to see such a building with a fence around it. He requested more details surrounding the need to excavate twenty (20) feet of soil to construct a foundation.
- John McDonald of Judd Hill Road – He asked Attorney Fitzpatrick to corroborate that the text amendment would apply to every piece of property designated LI-200.

Attorney Fitzpatrick confirmed that it applies to the Zoning Regulations, that it is a town wide application and not site specific but for all LI-200 districts.  
John McDonald questioned if it would include the abandoned Uniroyal building.

Chairman Smith verified that it would.

John McDonald stated that this Commission’s job is to ensure that there is no urban sprawl. He added that if approved, the individual who owns the abandoned Uniroyal building could present a site plan application for another distribution center, which he feels is against the POCD of Middlebury. He noted that the POCD includes the protection of scenic vistas and ridgelines in the town by way of revisions to zoning regulations and subdivision regulations. He then questioned if building height is increased from thirty-five (35) feet to fifty (50), how it complies with the protection of scenic views and ridgelines.

Chairman Smith announced that he would have Curtis Bosco, Z.E.O. have a sheet available so those that wanted to state their objection but did not have the opportunity to do so could sign said sheet and that it would be entered into the record. He went on to state that the Public Hearing would be continued until next month so the applicant would have the opportunity to address some of the resident’s concerns.



**Motion:** to continue the Public Hearing for Stacey J. Drubner/c/o JSD Partners, LLC/500 Chase Parkway, Waterbury, CT 06708-Application for text amendments of Sections 9.1 Definitions to add Distribution Facilities, 42.1 Permitted Uses to add Distribution Facilities as a permitted use, 42.2.4 Height of Buildings adding warehouses and distribution facilities not to exceed fifty feet to the current language (Application #2022-12-1) on February 2, 2023. Made by William Stowell, seconded by Joseph Drauss. Unanimous Approval.

\*All documentation and statements submitted for the record are available for public inspection in the Land Use Office.

Chairman Smith called a recess at 8:59 p.m. and called the meeting back to order at 9:16 p.m.

### **MINUTE APPROVAL**

#### **2. Discussion of the Minutes of the Regular Meeting held on December 1, 2022**

Chairman Smith stated that although he was not present at said meeting, he did listen to the recording, read the Minutes and felt qualified to vote on any business that transpired during said meeting.

**Motion:** to approve the Minutes as submitted. Made by Erika Carrington, seconded by Joseph Drauss. Unanimous Approval.

### **OLD BUSINESS**

#### **3. JSD Partners Southford, LLC/1067 Southford Road aka 1101 Southford Road-Application for a Text Amendment pursuant to Section 63 of the Regulations (Application #2022-8-3)**

Chairman Smith questioned if there were any questions or comments regarding the proposed text amendments to which there were none.

**Motion:** to approve the application for JSD Partners Southford, LLC/1067 Southford Road aka 1101 Southford Road-Application for a Text Amendment (see attached) pursuant to Section 63 of the Regulations (Application #2022-8-3). Made by Erika Carrington, seconded by William Stowell. Unanimous Approval.

#### **4. JSD Partners Southford, LLC/1067 Southford Road aka 1101 Southford Road-Application for Special Exception pursuant to Sections 63.8.2 (A) & (B) of the Regulations (Application #2022-8-1)**

Erika Carrington stated that she hopes that there would be no additional growth/changes.

Chairman Smith acknowledged that there are now two (2) final versions of the proposed sign (see attached) and that William Stowell's recommendations have been met.

**Motion:** to approve the application for JSD Partners Southford, LLC/1067 Southford Road aka 1101 Southford Road-Application for Special Exception pursuant to Sections 63.8.2 (A) & (B) of the Regulations (Application #2022-8-1). Made by William Stowell, seconded by Erika Carrington. Unanimous Approval.

William Stowell thanked the applicant for making the changes according to his recommendations.

### **NEW BUSINESS**

5. **Stacey J. Drubner/c/o JSD Partners, LLC/500 Chase Parkway, Waterbury, CT 06708-Application for text amendments of Sections 9.1 Definitions to add Distribution Facilities, 42.1 Permitted Uses to add Distribution Facilities as a permitted use, 42.2.4 Height of Buildings adding warehouses and distribution facilities not to exceed fifty feet to the current language (Application #2022-12-1)**

Discussion was tabled.

6. **1365 LLC/1321 West Street-Application for a Zoning Map Change from R-40 to CA-40 (Application #2022-12-2)**

Attorney Michael McVerry of 35 Porter Avenue, Naugatuck, CT 06770 spoke on behalf of the applicant. He stated that the subject property is a former St. John of the Cross Church property, aka the Keggi property, which was recently purchased by 1365 LLC. He requested that the application be accepted and that a Public Hearing be scheduled.

**Motion:** to accept the application and schedule a Public Hearing for March 2, 2023. Made by Erika Carrington, seconded by Matthew Robison. Unanimous Approval.

### **OTHER BUSINESS**

7. **Metro Realty/1685 Straits Turnpike – Informal discussion regarding construction status of buildings (2020-12-1)**

Kyle Richards of Metro Realty provided the Commission with a progress update for the approved medical office development. He reviewed the drone photo with the Commission and

explained that a large portion of the site work is complete including the initial grading and the installation of the retaining walls in the rear of the site, storm water management system as well as both detention basins in the rear. Both 21,000 square foot foundations have been poured, anchor bolts were installed and they are now in a position to go vertical once a long-term tenant is secured. He shared that their leasing efforts in 2021 progressed very well and they had a letter of intent with one of the major hospital groups, however, in the middle of 2022 they chose to walk away due to internal strategy reasons and not due to the site or Middlebury. He acknowledge that it was a setback but wanted the Commission to know that they are aggressively marketing the site to other medical users and they feel strongly that there will be a desire and need for a high-quality medical office hub in a suburban location. In addition, they have been marketing to some retail users to see if there is demand, although the preference would be a medical office for the site. He confirmed that there is no bank debt and shared that they are still interested in making commitments in Middlebury broadly and have been actively seeking other sites in Middlebury as well.

Matthew Robison expressed his preference for a medical business for said location as that was presented to the Commission.

Kyle Richards confirmed that there has not been any interest in retail use, but assured him that they would approach this Commission first if that should be the case.

Chairman Smith explained that there are other uses in the LI-80 Zone and if there was something in the LI-200 Zone that would fit in their plans, this Commission would entertain that as well but he would need to submit an application for a text change.

**8. Any other business added to the agenda by a 2/3 vote of the Commission**

None

**9. Reminder of Public Hearings scheduled for February 2, 2023 for GB Middlebury, LLC/80 Turnpike Drive – Application for a Site Plan – (Application #2022-11-2) \*Graziano Brothers, LLC (prior owner) and GB Middlebury, LLC/80 Turnpike Drive – Application for a Special Exception for Section 64 Excavation & Grading – (Application #2022-11-3) \*Graziano Brothers, LLC (prior owner)**

Duly noted.

**10. Enforcement Report**

Curtis Bosco, Z.E.O. informed the Commission that last year, legislation was passed that requires all members of Zoning Board of Appeals, Planning & Zoning Commissions, Planning

Commissions, and combined P&Zs are required to take four (4) hours of training. He stated that he plans to work with the Regional Planning Agency to coordinate a session(s).

Chairman Smith requested to split the 4-hour requirement into two (2) sessions.

### **11. Adjournment**

**Motion**: to adjourn the meeting at 9:35 p.m. Made by Joseph Drauss, seconded by Erika Carrington. Unanimous Approval.

\*The next Regular Meeting of the Planning & Zoning Commission is scheduled for February 2, 2023.

Filed Subject to Approval,

Respectfully Submitted,

Rachelle Behuniak, Clerk

Original to Brigitte Bessette, Town Clerk

cc: P&Z Commission Members  
Paul Bowler, Chairman, Conservation Commission  
Mark Lubus, Building Official  
Curtis Bosco, Z.E.O.  
Ken Long, Chairman, Z.B.A.  
Attorney Dana D'Angelo  
Rob Rubbo, Director of Health

# Application 2022-12-1

## Summary of Text Amendments

### Section 9.1 Definitions:

Add the following:

**Distribution Facilities:** A specialized warehouse that serves as a hub to store finished goods, facilitate the picking, packing and sorting process and to ship goods out to another location or final destination.

### Section 42-LIGHT INDUSTRIAL-200 DISTRICT

#### **42.1 Permitted Uses:**

Add Distribution Facilities. as a Permitted Use and re-number accordingly.

#### Section 42.2.4 **Height of Buildings:**

Current:

##### **Height of Buildings:**

The Commission may grant a Special Exception, under Section 52 of these Regulations to permit an increase in the height of executive offices, business offices, water storage facilities, communications facilities, elevator penthouses, and heating and cooling facilities.

Proposed:

##### **Height of Buildings:**

The Commission may grant a Special Exception, under Section 52 of these Regulations, to permit an increase in the height of executive offices, business offices, water storage facilities, communications facilities, elevator penthouses, heating and cooling facilities, warehouses and distribution facilities not to exceed fifty (50) feet.

Approved 1/5/2023

**34.13 Digital Signs:**

34.13.1 Solely in the Gateway Design District electronically digitally produced signs may be utilized as a special exception use as approved by the Planning & Zoning Commission upon submission of a site plan demonstrating the following minimum requirements. The Commission may request additional information in order to clarify what is being proposed.

34.13.2 The specific digital resolution of at least 4K (4000 pixels) shall be presented to the Commission from the applicant at the time of submission of the special exception application. In addition to the technical data, the applicant shall also submit examples of signs showing the exact degree of resolution and degrees of brightness as viewed from the adjacent roadway and experienced by passing motorists.

34.13.3 The application shall also contain a specific menu/agenda demonstrating the proposed electronic displays proposed to be used on the digital sign. Such information shall clearly demonstrate the exact type of proposed content and the proposed schedule of revisions/modifications to the digital sign on a weekly basis, with revisions/modifications permitted not more than every 7 days with the exception that governmental alerts (i.e., amber, silver or other similar emergency alerts) may be posted at any time.

34.13.4 The dimensions of such approved digital signs shall not exceed four (4) feet in height and eight (8) feet in width and shall be counted as part of any other signage approved for the subject property.

34.13.5 While the total signage for any single property located in the GIDD Zone shall be limited to a maximum of 120 square feet for properties of three or more businesses, the following shall be considered:

- a. The Base of the sign shall be constructed of an aesthetically desirable material as determined acceptable by the Commission at the time of submission of the special exception application;
- b. The base of the sign shall also be suitably landscaped at the time the sign is erected and shall be continuously maintained as long as the sign is erected and in place and the businesses connected thereto are operational;
- c. The address of the property shall be legibly displayed on the top of the proposed sign and shall be readable by any emergency services personnel looking for the property. The address line shall not be counted as part of the sign area.
- d. The total maximum height of the sign including the sign base shall be no more than 23 feet in height;
  - a. Any such sign placed along a state highway shall be shown on a site plan drawn by a certified professional surveyor to not be located within the state highway right of way. Additionally, such sign which is in close proximity to any electric or utility service or power lines shall be constructed so as not to interfere or

cause potential interference with services provided by such power, utility or electric service.

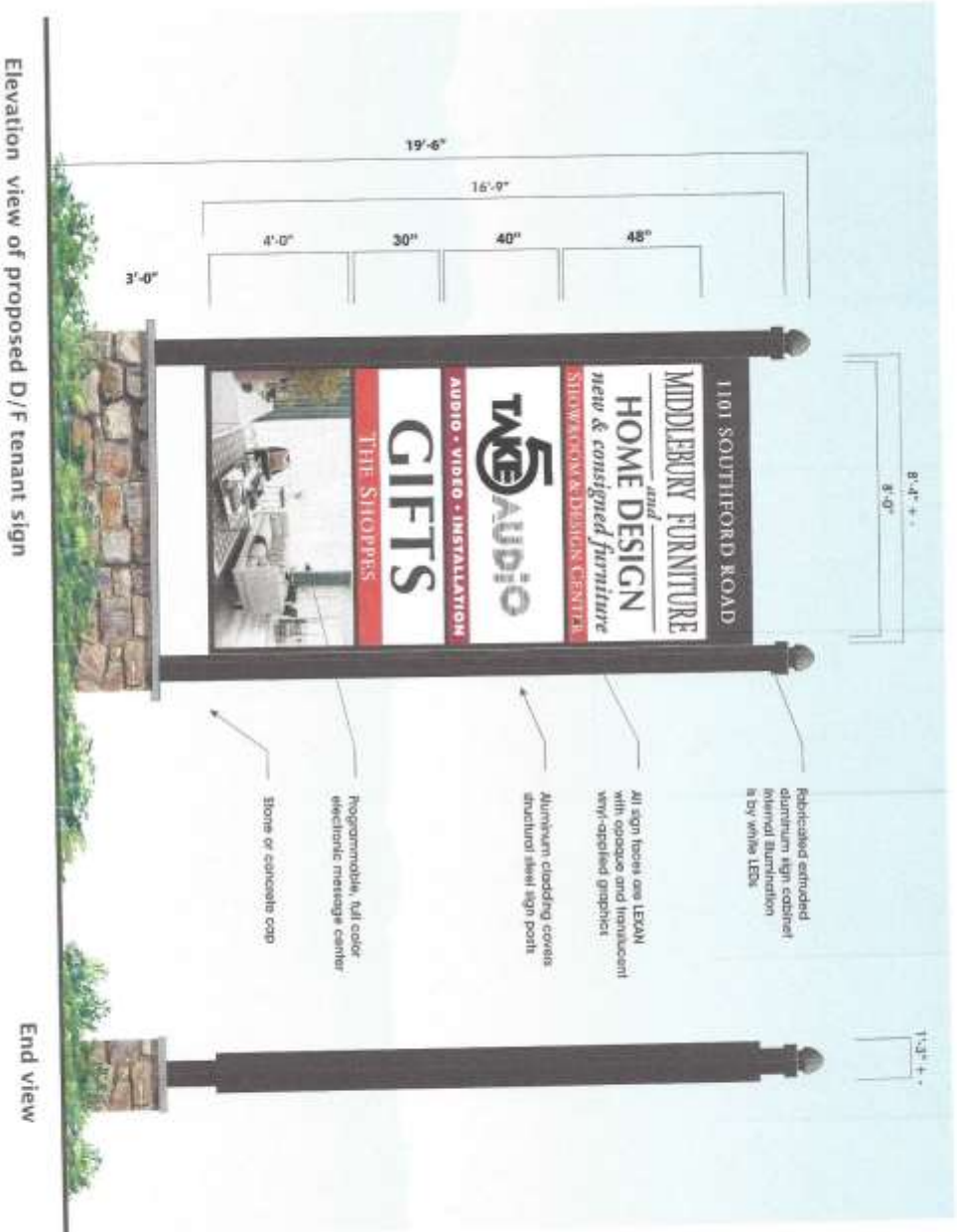
- e. The sign details for all portions of any sign within the GIDD Zoning District are subject to the approval of the Commission. Such details may include items such as letter types, halo lit letters and brightness of any signs but not font types . Any proposed sign shall have the ability to be dimmed if the Commission determines it is too bright and distracting so as to cause a safety issue.

34.13.6 The sign shall be removed within thirty (30) days if the business associated with the approved electronic sign ceases operation. If the property owner desires to seek to use the sign for another business, a new special exception is required to be approved by the Commission.

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**63.1** Unless otherwise provided in this Section and Section 34.13, no sign shall be established, constructed, reconstructed, enlarged, expanded, moved or structurally altered until an APPLICATION FOR CERTIFICATE of ZONING COMPLIANCE therefore has been approved by the Commission.





<p><b>SENIOR</b></p> <p>SENIOR LTD. Inc. 1000 West 10th Avenue West Haven, CT 06473 Tel: 203-355-4342 • Fax: 203-355-4343 www.senior.com</p>	<p>Proposed Signage Proposed signage 1 (1) Selection Board</p>	<p>Client:</p>	<p>Date: 4.11.22</p> <p>Scale: 1/8" = 1'-0"</p>	<p>Drawn By: P. Stockwell</p> <p>Checked By:</p>	<p>Phase: Preliminary design development</p>	<p>Drawing:</p>
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Elevation view of proposed D/F tenant sign

End view

**SIGN-IT-TO**  
 SIGN LIGHTING  
 800 LANTANA DRIVE  
 SOUTH HAVEN, CT 06487  
 TEL 203.348.4244 FAX 203.348.4245  
 WWW.SIGN-IT-TO.COM

Proposed Signage  
 Proposed Signage  
 1101 Southford Road  
 1101 Southford Road

Date: 4.1.12  
 Scale: 3/8" = 1'-0"

Drawn By: P. Mosek  
 Checked By:

Phase: Preliminary design development

Drawing: