



# **TOWN OF MIDDLEBURY**

*Planning & Zoning Commission*

*1212 Whittemore Road*

*Middlebury, Connecticut 06762*

*(203) 577-4162 ph*

*(203) 598-7640 fx*

**July 6, 2023**

## **REGULAR MEETING**

### **MINUTES**

#### **REGULAR MEMBERS PRESENT**

Terry Smith, Chairman

William Stowell, Vice Chairman

Matthew Robison

Erika Carrington

Joseph Drauss

#### **REGULAR MEMBERS ABSENT**

#### **ALTERNATE MEMBERS PRESENT**

Frank Mirovsky

Gerald Lukowski

Paul Anderson

#### **ALTERNATE MEMBERS ABSENT**

#### **ALSO PRESENT**

John Calabrese, P.E.

Curtis Bosco, Z.E.O.

#### **CALL TO ORDER**

Chairman Smith called the Regular Meeting to order at 6:57 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. 1365 LLC/1321 West Street-Application for a Text Amendment to create a Bed & Breakfast use (Application 23-21Z)**

Chairman Smith announced that the application was withdrawn per the request of the applicant.

## **MINUTE APPROVAL**

### **2. Discussion of the Minutes of the Regular Meeting held on June 1, 2023**

**Motion:** to approve the Minutes as submitted. Made by William Stowell, seconded by Matthew Robison. Unanimous Approval.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **3. Timex Group USA, INC/Route 188, LLC/Stacey Drubner, Trustee/555 Christian Rd./P.O. Box 51 Beacon Falls, CT/500 Chase Parkway, Waterbury, CT - Application for a Text Change regarding height in LI-80 Zone (Application #23-32Z)**

Attorney Edward (Ned) Fitzpatrick of 203 Church Street, Suite 4, Naugatuck, CT 06770 spoke on behalf of the three (3) applicants that have made this proposal through, with and in accordance with Section 74 of the Middlebury Zoning Regulations along with Section 8-3 of the Connecticut General Statutes (CGS). Said proposal is to amend Section 11 of the Middlebury Zoning Regulations associated with the LI-80 Zone from 35' to 44' (Maximum Height). He stated that it is their intention to present evidence and significant information regarding the applicant's desire and need for the change in order to promote the economic growth of the subject properties during the public hearing, which he assumed would be scheduled by the commission this evening. They believe it to be a way of attracting emerging technologies associated with robotics and the electronics that are required by the current standards of the present-day market trends. He asked that the record reflect that the application has been received and that the fees have been paid. Additionally, he expressed his assumption that there will be some note regarding notices being sent to the surrounding communities, as well as publication in the newspaper.

Chairman Smith confirmed that all would be noted for the record and acknowledged receipt of the application as well as the payment of fees.

**Motion:** to set a Public Hearing for September 7, 2023. Made by Erika Carrington, seconded by Joseph Drauss. Unanimous Approval.

## **OTHER BUSINESS**

4. **Reminder of Public Hearing scheduled for August 3, 2023 regarding Jennifer Mahr/Middlebury Small Town Alliance, LLC/P.O. Box 1073, Middlebury, CT 06762 – Proposed Zoning Regulation Amendment. Moratorium on Distribution Facilities of any size and Warehouses in excess of 100,000 square feet. (Application #23-26Z)**

No discussion.

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

None

6. **Adjournment**

**Motion:** to adjourn the meeting at 7:01 p.m. Made by William Stowell, seconded by Matthew Robison. Unanimous Approval.

\*The next Regular Meeting of the Planning & Zoning Commission is scheduled for August 3, 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