



**TOWN OF MIDDLEBURY**  
*Board of Selectmen*

**MINUTES**  
**Meeting of the Board of Selectmen**  
**Monday, December 05, 2022 – 4:00 p.m.**  
**Town Hall Conference Room**

**Start: 4:00 p.m.**

**End: 5:00 p.m.**

**Present:**

Edward B. St. John, First Selectman  
Ralph Barra, Selectman  
Robert W. Smith, Town Attorney  
Dana A. D'Angelo, Town Attorney

Fire Chief Brett Kales  
Fire Captain Mike Vonkannewurff  
EDC Chairman – Terry McAuliffe  
Liana St. Germain, Recording Clerk

**Call to Order with Pledge of Allegiance**

The meeting was called to order by the First Selectman at 4:00 p.m. with the Pledge of Allegiance.

**Approval of November 21, 2022, Amended Meeting Minutes**

First Selectman Edward B. St. John MOTIONED to approve the November 21<sup>st</sup>, 2022 amended minutes SECONDED by Selectman Ralph Barra. Unanimous approval.

**Tax Rebates**

None

**Resignation**

None

**Appointments**

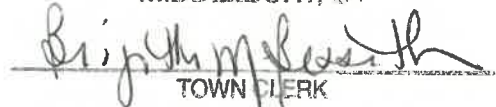
None

RECEIVED FOR FILING

Dec. 7 2022 at 3:30 PM

TOWN CLERK'S OFFICE

MIDDLEBURY, CT

  
TOWN CLERK

**Discussion and Consideration**

**Dana D'Angelo – 3 Items - Accessory Apartments, Temporary Healthcare Structures, and Maximum Parking Spaces.**

Dana explained that these were passed during the 2021 legislative session. There were some overrides to the local zoning unless you OPT out they would automatically be put in. The 1<sup>st</sup> is Accessory Apartments which the Town already has regulations on, the change would be you wouldn't have to come in with a special permit or special exception application it would be an as-of-right, and you would automatically get your apartment. The 2<sup>nd</sup> is Temporary Healthcare Structures, which are temporary structures on people's property that can be taken away, the Town currently has nothing in the regulations. The 3<sup>rd</sup> is Maximum Parking Spaces, the Town currently has parking requirements in the Zoning regulations. The Planning and Zoning Commission voted unanimously to OPT out of all 3 items. The public act requires in order for this to be final the Resolution reflecting OPT out needs to be voted on by the legislative body for the Town.

First Selectman St. John MOTIONED, The Board of Selectman of the Town of Middlebury in accordance with Public Act §21-2 9 and Connecticut General Statute §8-1bb votes to opt out of the statutory requirement for temporary health care structures SECONDED by Selectman Barra. Unanimous approval.

First Selectman St. John MOTIONED, The Board of Selectman of the Town of Middlebury in accordance with Public Act §21-2 9 and Connecticut General Statute §8-2o(d) votes to opt out of the statutory requirement for accessory apartments, SECONDED by Selectman Barra. Unanimous approval

First Selectman St. John MOTIONED, The Board of Selectman of the Town of Middlebury in accordance with Public Act §21-2 9 and Connecticut General Statute §8-2p votes to opt out of the statutory requirement for maximum number of parking spaces, SECONDED by Selectman Barra. Unanimous approval.

**EDC – 2022 Business Survey Report** – Chairman Terry McAuliffe presented a PowerPoint on the findings of the survey. Terry mentioned that he believes the town should look into making a Town Video, that highlights Middlebury and the great business opportunity this town has to offer. See attached.

**Middlebury Vol Fire Dept** – First Selectman St. John reviews the Insurance Services Office (ISO) – Public Protection Classification (PPC) Summary Report. First Selectman St. John goes over sections of the report the first being on page 7 and questions the minimum for the Credit for Ladder Service. First Selectman St. John notes that the Town earned 21.47 out of a total of 50 credits for the Fire Department. First Selectman St. John also made a note that he will be looking into a routine hydrant inspection and flow testing. Fire Captain Mike Vonkannewurff questioned the -6.03 for Divergence. First Selectman St. John suggested contacting the insurance company and having them explain this finding. First Selectman St. John stated that Fire Chief Kales along with Captain Vonkannewurff came to him a while back regarding a training facility. They have been hoping the state would have replaced the current training facility by now which is located in Wolcott that the town currently utilizes. First Selectman St. John believes it's time for the Town of Middlebury to look seriously at funding to have a training facility right here in Town. First Selectman St. John stated he spoke with Phil Butler who is a Director of Business Development for Fire Training Structures, LLC who is now based in Long Island. Their website which showed many of these facilities have been bought by many departments throughout our state. Phil Butler went on to explain the benefits of a modular system where you can add components, modify them and replace them if they become damaged. The First Selectman stated for the Town of Middlebury to spend money on a training facility for our Fire Department is not beyond our reach, and recommended utilizing the area off Woodside Ave, since there is accessibility to water and hydrant use. First Selectman St. John stated he will work on finding the location and he requested Chief Kales along with Captain Vonkannewurff work Phil Butler from the Fire Training Structure LLC, or if they have a different one in mind to where Captain Vonkannewurff stated in preparation for this meeting and conversation he looked into other businesses but he also found himself looking into Fire Training Structure LLC, and went on to state that this company has the most flexible cost-effective solution. First Selectman St. John went on to note that Phil stated if our Fire Department is interested to have them visit Wappingers Falls Fire Department training facility in New York.

MINUTES – BOARD OF SELECTMEN MEETING  
Monday, December 5, 2022, at 4:00 pm  
Page 3

**Executive Session**

None

**Adjournment**

First Selectman Edward B. St. John MOTIONED to ADJOURN the meeting at 5:00 p.m.; SECONDED by Selectman Ralph Barra. Unanimous approval.

The next meeting is slated to take place on Monday, December 19, 2022, at 4:00 p.m.

These minutes are submitted subject to approval.

Respectfully Submitted,

*Liana St. Germain*

Recording Clerk

At a Board of Selectman meeting held on December 05, 2022, the following Resolutions were passed:

**RESOLUTION**  
**Opt Out Accessory Apartments**

Whereas, the Board of Selectman of the Town of Middlebury acting in its legislative capacity has reviewed Public Act §21-29; the Resolution of the Middlebury Planning and Zoning Commission, dated November 3, 2022 and the Memorandum of Town Consultant Hiram Peck, dated October 30, 2022.

Therefore,

**BE IT RESOLVED:**

The Board of Selectman of the Town of Middlebury in accordance with Public Act §21-29 and Connecticut General Statute §8-2o(d) votes to opt out of the statutory requirement for accessory apartments.

**RESOLUTION**  
**Opt Out Temporary Health Care Structures**

Whereas, the Board of Selectman of the Town of Middlebury acting in its legislative capacity has reviewed Public Act §21-29; the Resolution of the Middlebury Planning and Zoning Commission, dated November 3, 2022 and the Memorandum of Town Consultant Hiram Peck, dated October 30, 2022.

Therefore,

**BE IT RESOLVED:**

The Board of Selectman of the Town of Middlebury in accordance with Public Act §21-29 and Connecticut General Statute §8-1bb votes to opt out of the statutory requirement for temporary health care structures.

**RESOLUTION**  
**Opt Out Maximum Parking Requirements**

Whereas, the Board of Selectman of the Town of Middlebury acting in its legislative capacity has reviewed Public Act §21-29; the Resolution of the Middlebury Planning and Zoning Commission, dated November 3, 2022 and the Memorandum of Town Consultant Hiram Peck, dated October 30, 2022.

Therefore,

**BE IT RESOLVED:**

The Board of Selectman of the Town of Middlebury in accordance with Public Act §21-29 and Connecticut General Statute §8-2p votes to opt out of the statutory requirement for maximum number of parking spaces.

# 2022 Business Survey Report

---

Economic Development Commission



## Purpose of the Survey

**Connecticut State Statutes Sec. 7-136.**

*“(b) The commission shall conduct research into the economic conditions and trends in its municipality, shall make recommendations to appropriate officials and agencies of its municipality regarding action to improve its economic condition and development, shall seek to coordinate the activities of and cooperate with unofficial bodies organized to promote such economic development and may advertise and may prepare, print and distribute books, maps, charts and pamphlets which in its judgment will further its official purposes.*

*“(c) The commission shall annually prepare and transmit to the legislative body of its municipality a report of its activities and of its recommendations for improving such economic conditions and development.”*

## **Survey sent to 467 Middlebury Businesses July 2022**

- Follow-up to 2017 survey
- Sent to 467 out of a list of 705 businesses provided by Town Assessor
- Mostly “brick and mortar” businesses directly serving customers
- Three page survey by mail and email
  - First page – rate importance of factors in doing business in Middlebury
  - Second and third page – open ended questions
- 59 responses for an overall response yield of about 12%.



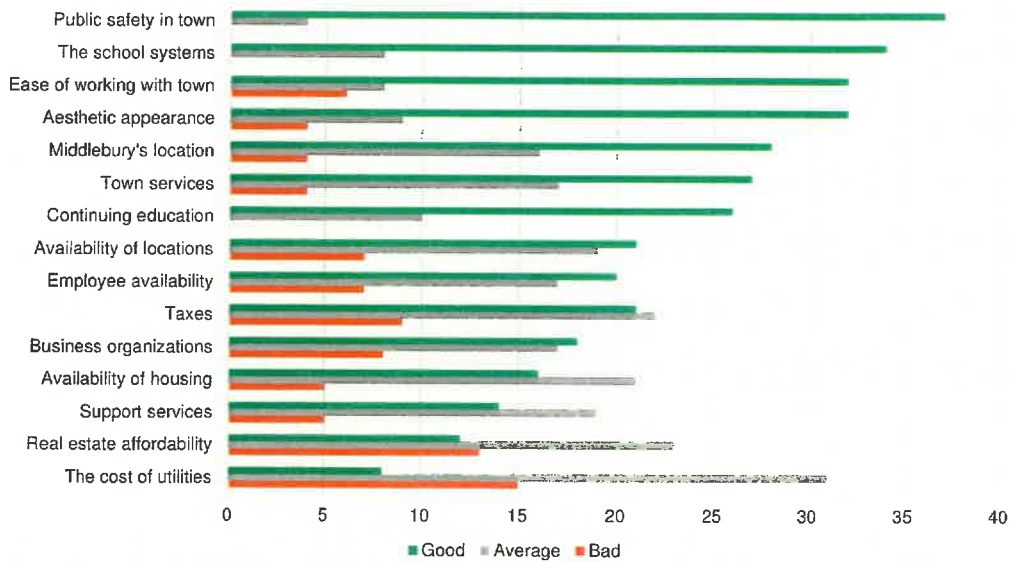
# Key Findings

## Key Findings - Strengths

- **Safety**
  - top factor for choosing Middlebury when rated against all other reasons
  - said to have a “safe feel” for women-oriented businesses
- **Location**
  - biggest plus of doing business in Middlebury
  - easy to get to for traveling customers and those from surrounding communities
- **Demographics**
  - a small, well run, beautiful town with friendly people, good reputation, values, and character
  - owners cited the ability to get to know people and develop loyal customers
  - AdvanceCT said Middlebury’s affluence and educational attainment is an asset

# Key Findings - Strengths

How Middlebury Business Owners Rate the Town



## **Key Findings - Weaknesses**

- Middlebury is not a destination for shopping
- Middlebury Center does not look inviting or upscale
- Traffic congestion on Route 63, Route 64, and I-84 backups
- Restrictive signage regulations
- No focal point to promote business in Middlebury
- Taxes, fees, and the general costs of doing business

## Key Findings - Opportunities

- Most recommendations were “common sense”
  - Improve sign regulations for line of sight advertising consistent with small town feel
  - Use media of all types to promote local businesses
  - Encourage the formation of a business chamber so businesses can help each other
  - Market commercial and office real estate more aggressively.
  - Reexamine and promote the tax incentive programs

## Key Findings – Opportunities, continued

- A few business owners had a broader view
  - Give potential customers more reasons to think about Middlebury
  - Make Middlebury a desirable destination worth the travel time to get here
  - Promote an upscale “vibe” that leverages local businesses and our safe small town feel
  - Examine regulations to create a positive atmosphere for those seeking to start or grow business in Middlebury

## Key Findings - Threats

- Losing the small town character and attractiveness
  - Middlebury Center makes a bad first impression and looks rundown
  - no more gas stations, pizza shops, fast food stores or convenience stores
  - must keep out chain stores, franchises, and strip shopping areas
- Neighboring towns have attractive shopping and reasons for customers to shop there
- We don't have a broad tax base of larger commercial and industrial businesses

## Recommended Actions



## Recommended Actions - Regulations

- Signage
  - Develop signage rules to attract customers while preserving the town's character
  - Take into account Middlebury's seven distinct commercial areas so rules can vary
  - Develop a document that makes those rules understandable
- Land Use Facilitation
  - Help new or expanding businesses get through the land use process
  - Promote the existing Commercial Development Guide
  - Review the practices of “best of breed” towns
  - Find a way to link business owners with someone who “knows the ropes”

## Recommended Actions - Infrastructure

- **Aesthetics**

Business owners complained about appearance and shopper-friendliness of Middlebury's commercial areas.

Many areas, especially Middlebury Center, are not pedestrian friendly

The 2015 Plan of Conservation and Development makes numerous recommendations

1. Create "**Architecture and Design Guidelines**" to be used in conjunction with the town Zoning Regulations. Estimated cost, \$35,000
2. Create a "**Streetscape Plan**" now for Middlebury Center and later for the other commercial areas. Estimated cost, \$35,000
3. Obtain the services of a "**Grant Writer**" to find and apply for matching grants

## **Recommended Actions - Infrastructure, continued**

- **Utilities**
  - Grease Traps - The Water Pollution Control Authority should review regulations and costs
  - Cell Service –The town should communicate the need to the Connecticut Siting Council
- **Traffic Congestion**
  - The Board of Selectmen and Town Engineer should meet with Connecticut DOT to find ways of dealing with traffic congestion and tie-ups along Route 64 and Route 63
  - The “Streetscape Plan” should specifically address traffic control and pedestrian friendliness.

## Recommended Actions – Town Encouragement

- A little push...
  - Encourage
  - Propose
  - Champion

EDC and the town should be proactive about encouraging, proposing and championing desirable development, especially in Middlebury Center.

An example was a discussion July 2021 with the Board of Selectmen regarding a sale of town land to allow expansion of the Four Corners Shopping area. Such an expansion could lead toward parking, shopping, and walking between businesses.

We should do more of this, as possibilities present themselves.

## **Recommended Actions - Advocacy and Support**

- **Business Association**
  - EDC should find motivated business owners and bring them together
- **Business Promotion**
  - Help create “buy local” and “meet the business” programs
  - Create a video to describe Middlebury’s attributes and value
  - Bring back “Celebrate Middlebury” and encourage concerts, etc.
  - Articles of Middlebury businesses in Voices, Bee-Intelligencer and Middlebury Neighbors
- **Improve the “vibe” to make Middlebury a destination**
  - Create reasons for people to visit Middlebury
  - Encourage and listen to “outside the box” ideas and creative proposals
- **Business Contact Database**
  - E-Mail database to be used by EIDC to inform businesses of opportunities and issues

## Recommended Actions - Staffing

- Economic Development Coordinator
  - Create a new paid position or increase the duties and hours of an existing town position
  - Regular office and administrative support in town hall
  - Single point of contact for business
  - Proactive, helpful, and familiar to the business community
  - Visit businesses, gain a realistic understanding of economic situations
  - Collect data
  - Bring people together and solve problems
  - The First Selectman does some of this now

**Thank You**

