



TOWN OF MIDDLEBURY

Board of Selectmen

RECEIVED FOR FILING

December 20, 2023 at 4:00pm

TOWN CLERK'S OFFICE

MIDDLEBURY, CT

MINUTES

Board of Selectmen

December 18, 2023 – 4:00 p.m.

Town Hall Conference Room

Marybeth Lubowski Costello
TOWN CLERK

Start – 4:00 p.m.

End – 5:40 p.m.

Present:

Edward B. St. John, First Selectman
J. Paul Vance, Selectman
Jennifer Mahr, Selectman
Robert Smith, Town Attorney
Patrick Deely, Chief of Police
Brett Kales, Fire Chief
Curtis Bosco, Zoning Enforcement Officer
Rita Smith – Library Board of Trustees –
Chairman, PD – Commissioner, BOF-member
John Jenusaitis, BOF- member
Terry McAuliffe, Economic Development,
Chairman

Kyle Richards – Metro Realty
Marj Needham, Middlebury Bee Intelligence
Sarah Shelton, Voices
Liana St. Germain, Recording Clerk

Also Present

Steve Huebner
Dr. Raymond Sullivan

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 December 7th, 2023, Meeting Minutes

First Selectman St. John MOTIONED to approve the minutes from December 7th, 2023, SECONDED by Selectman Vance. Unanimous approval.

Tax Rebates

Lisa A. Giammarco - \$201.46

First Selectman St. John MOTIONED that this rebate takes its usual course, SECONDED by Selectman Mahr. Unanimous approval.

Appointments

First Selectman St. John MOTIONED to appoint Elaine Strobel (R) to the Retirement Plan Committee, SECONDED by Selectman Vance. Unanimous approval.
Term, 12/18/2023 – 12/18/2026

First Selectman St. John MOTIONED to Amend the Agenda to include the appointment of Bradley Bernstein as Constable. SECONDED by Selectman Vance. Unanimous approval.

First Selectman St. John MOTIONED to appoint Bradley Bernstein (R) as Constable, SECONDED by Selectman Vance. Unanimous approval.
Term, 12/18/2023 – 12/18/2025

First Selectman St. John MOTIONED to Amend the Agenda to include the appointment of Kevin Morse to the Greenway Committee, SECONDED by Selectman Vance. Unanimous approval.

First Selectman St. John MOTIONED to appoint Kevin Morse (U) to the Greenway Committee SECONDED by Selectman Mahr. Unanimous approval.
Term, 12/18/2023 – 04/09/2025

Re-Appointments

First Selectman St. John MOTIONED to reappoint Joseph A. DeSantis (R) to the Public Works Commission, SECONDED by Selectman Vance. Unanimous approval.
Term, 12/18/2023 – 12/18/2027

First Selectman St. John MOTIONED to reappoint Natrajan Kuppuraj (R) to the Greater Waterbury Cable Council, SECONDED by Selectman Mahr. Unanimous approval.
Term, 12/18/2023 – 12/18/2025

First Selectman St. John MOTIONED to reappoint JoAnn Cappelletti (R) to the Retirement Plan Committee, SECONDED by Selectman Vance. Unanimous approval.
Term, 11/21/23 – 11/21/2026

First Selectman St. John MOTIONED to reappoint Robert Rubbo as the Director of Health SECONDED by Selectman Mahr. Unanimous approval.
Term, 6/30/2023 – 6/30/2025

Discussion and Consideration

Status on Beautification Committee / Status on Vacancies of Commissions/Committees

Selectman Mahr stated in the spirit of revitalizing membership on our boards and commissions. Selectman Mahr credited Terry McAuliffe, who started this earlier. Looking at the normal process, which relied on the town committees to funnel in those volunteers, in Middlebury, about 37% of the population is not affiliated with a town committee. Selectman Mahr believes that Mr. McAuliffe's idea was to have a neutral process that does not depend on town committees to advertise vacancies and solicit widely through the town for people to fill through vacancies. On that note, our Beautification Committee has been out of commission for a while. Selectman Mahr noted that the Board of Selectmen is obligated to manage the boards and ensure they are filled and doing their responsibility properly. First Selectman St. John stated that he believes the Greenway Committee is more active than the Beautification Committee. First Selectman St. John noted that it has never been his position to micromanage Boards or Commissions in this town. They are aware of their responsibilities, and we let them move on. First Selectman St. John believes the problem is that we ultimately can't find the

people. Selectman Mahr noted that the Greenway and Beautification Committee are separate entities. Selectman Mahr stated that this last year, there was a resident who was proposing a butterfly garden on the Greenway and who ran into difficulty figuring out how to get that done because the Beautification are the people who would say yes or no to you can plant that, but they are not operating. Currently, those two entities are separate; if the discussion needs to be had on overlapping responsibilities, we should discuss cleaning that up. Selectman Mahr noted that the Charter currently states two separate Committees. First Selectman St. John said we could start working with the Greenway Committee since they are at full strength. We could set up a meeting and try to make a cohesive decision. First Selectman St. John noted that these two committees work hand in hand at the end of the day. First Selectman St. John stated that our beautification has not fallen through the cracks. Our D.P.W., with professional assistance, does our very best to keep the town looking very lovely.

Terry McAuliffe commented on volunteers and town outreach. Mr. McAuliffe noted he believes he received the okay to place an icon on the main page of the town's website. This has been in the works for about six months now. This icon would directly link to the Volunteer tab of the town's website. Mr. McAuliffe was advised that we are waiting to hear back from CivicPlus, and we will notify him if this is still an option.

Selectman Vance would like to make the following statement for the record.

“The Board of Selectmen wants to make a public statement condemning hate and bigotry in all its forms and against any and all people. We try to be very crystal clear today as we hereby condemn the violent attacks by Hamas against Israel and the Jewish people. We have a strong and vibrant Jewish community in Middlebury, and we join our friends and neighbors in mourning the loss of innocent lives in Israel and Gaza. All human life is precious, especially the lives of innocent civilians on both sides of this war. We hope for the safe return of those people taken, and we pray for peace in the entire region and for a peaceful coexistence here, aboard, and in Israel. We stand unified with our Jewish friends and neighbors and all people of goodwill during this difficult time.”

Selectman Vance MOTIONED to enter this into the record of the minutes SECONDED by First Selectman St. John. Unanimous approval.

Dr. Raymond Sullivan stated a letter was sent to the Board of Selectmen on December 6 regarding the abandoned cemetery. During the last 50 years, the Historical Society has been decorating veterans' graves. Research shows a pre-existing cemetery was located on Breakneck Hill between 1703 and 1793. There are a total of forebears. They are entirely buried and unrecognizable in a cemetery that was plowed under in 1880. Dr. Sullivan's request is a historical marker at the corner of Breakneck Hill and Tyler Crossing to recognize our forebears and those who came before us who are buried in that area and have no marker to indicate that that cemetery has ever existed.

First Selectman St. John stated he needed to get more historical background and contact the Historical Society.

Kyle Richards – The Metro Realty Group

(See attached Presentation)

Mr. Richards reviewed each slide of his presentation. He invites anyone to visit any of the communities they have in Farmington or West Hartford to get a feel for this proposed luxury rental community. First Selectman St. John states that his questions and/or comments are based on statements he has heard from residents on this contaminated property. Mr. Richards said he would leave the technical components to the professionals. There was a resident meeting held last week where the Environmental professionals were also present, and they will be available to attend the January meeting as well. The Timex contamination occurred at the northwest corner of the property, and among other things, they polluted the groundwater. Mr. Richards stated they are aware of groundwater pollution. We have performed extensive testing on our site in the last two years and have worked with our environmental professionals. We have tested the groundwater and the soil on our site. We strategically located three monitoring wells between where the contamination occurred and our proposed development area. The result is non-detect for constituents knowing what happened in the northwest corner. Mr. Richards noted that even though Timex owned the parcel, no manufacturing occurred on this property. They purchased this property as a buffer.

Selectman Vance asked what the traffic study shows for this property and the impact on Straits TPKE. Mr. Richards stated that even though this is a zone change application and text amendment, we submitted both the traffic impact and environmental studies. Mr. Richards noted that his technical professionals will be available at the January meeting. The short answer is that it showed it would have a de minimis impact on the four intersections that were studied.

John Jenusaitis questioned the education cost. Mr. Jenusaitis stated that since we are a Region, ultimately, it's not just the per-child cost. It is also how much of the budget is also being transferred. Mr. Richards stated that the number given is a budget number.

Selectman Mahr stated she appreciates Mr. Richards's willingness to speak with the residents. Selectman Mahr wanted to address the residents' concerns and contacted Region 15 for our enrollment and capacity reports. Selectman Mahr pointed out that on Middlebury's side of Region 15, we would like to reduce our dependence on portable classrooms. There are security concerns and a high cost to doing this. If you look at the capacity, it may seem we have more capacity, but that includes the portable classrooms. Selectman Mahr noted that we are about at capacity with not wanting to use those portable classrooms. Selectman Mahr's concern with this development from a planning perspective isn't how many kids you have seen there but how many could be there. So, from a different perspective, in the worst-case scenario, if 100 of the 200 units have two bedrooms, there can ultimately be 100 families with one child. Selectman Mahr stated another concern from residents is the number of units matters. We want to stay consistent with small and semi-rural. Selectman Mahr said our population is about 7,500, and for other reasons, I would like to keep our population under 8,000. Mr. Richards doesn't believe this could be possible; the data doesn't show this.

John Jenusaitis asked what the rental price would be for these units. Mr. Richards noted that we won't know precisely for another two years.

Dr. Raymond Sullivan stated that West Hartford is a bedroom community for Hartford, and Middlebury is a bedroom community for Waterbury. Mr. Richards noted that Waterbury is not on par with jobs like Hartford is.

Public Comments

First Selectman St. John requested Mr. Richards discuss the property north of the intersection owned by Metro Realty—the northwest corner of Straits and Park Rd. There was a letter of intent with one of the hospitals, and they walked away from this commitment. Metro is not walking away. Metro has invested \$3 million in the site. No bank debt. Waiting on a tenant.

Executive Session

None

Adjournment

First Selectman Edward B. St. John MOTIONED to ADJOURN the meeting at 5:40 p.m.; SECONDED by Selectman Mahr. Unanimous approval.

The next meeting is slated for Tuesday, January 2, at 4:00 p.m.

These minutes are submitted subject to approval.

Respectfully Submitted,

Liana St. Germain

Recording Clerk



THE PRESERVE

AT MIDDLEBURY

A proposed luxury rental community

WHO WE ARE



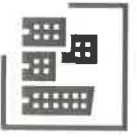
Farmington, Connecticut Based



Fully Integrated Land Developer



Long-Term Approach



30+ Properties – 8 towns



MEDICAL

10 Buildings

459,250 SF

35+ Practices

4 Hospitals

2 Surgery Centers



RESIDENTIAL

23 Communities 1,697 Apartments

Town	Communities
Farmington	5
South Windsor	5
Berlin	4
Avon	3
West Hartford	2





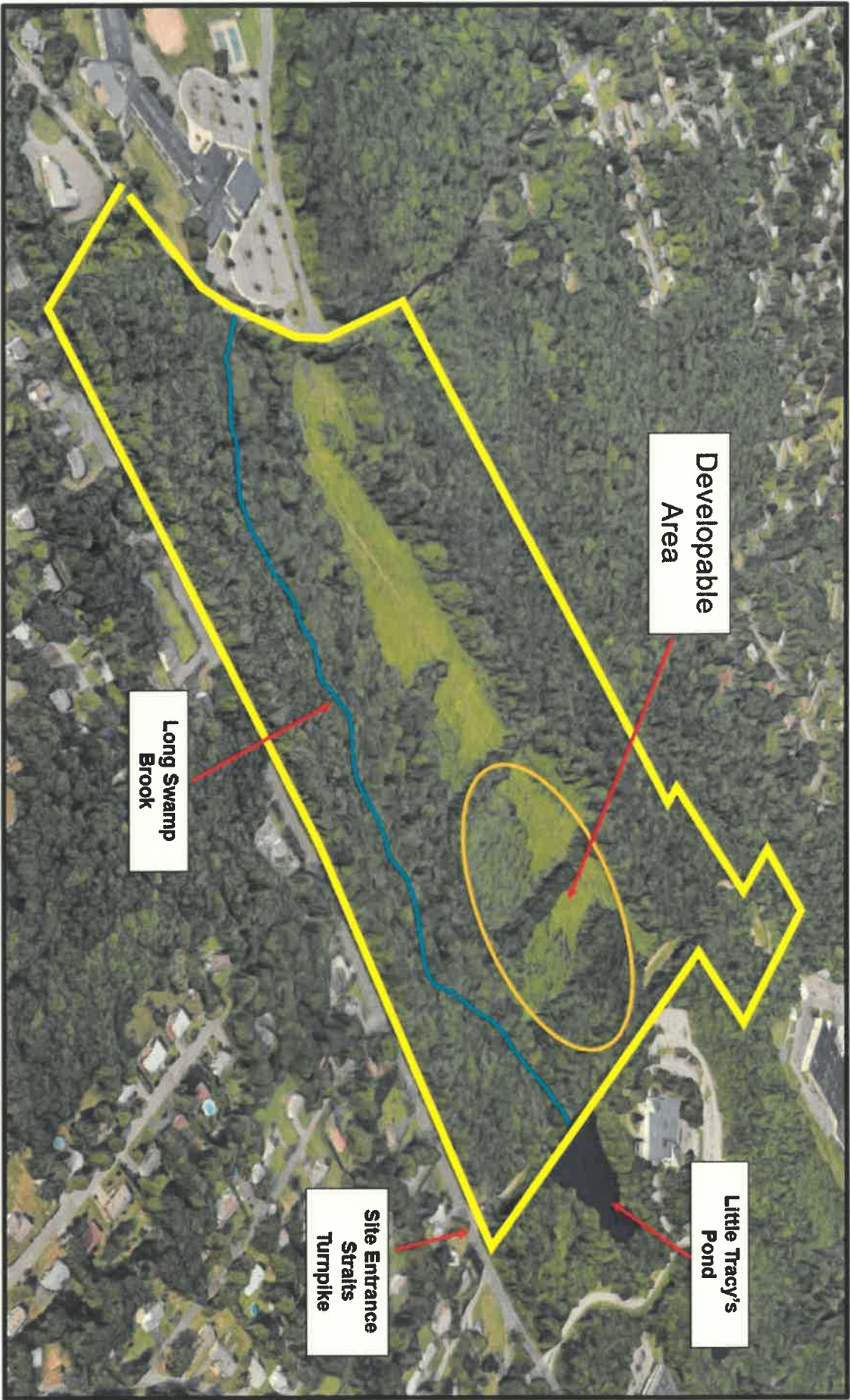


TOWN OWNED
18 ACRES

KELLY ROAD

1579 STRAITS

STRAITS TURNPIKE



Developable Area

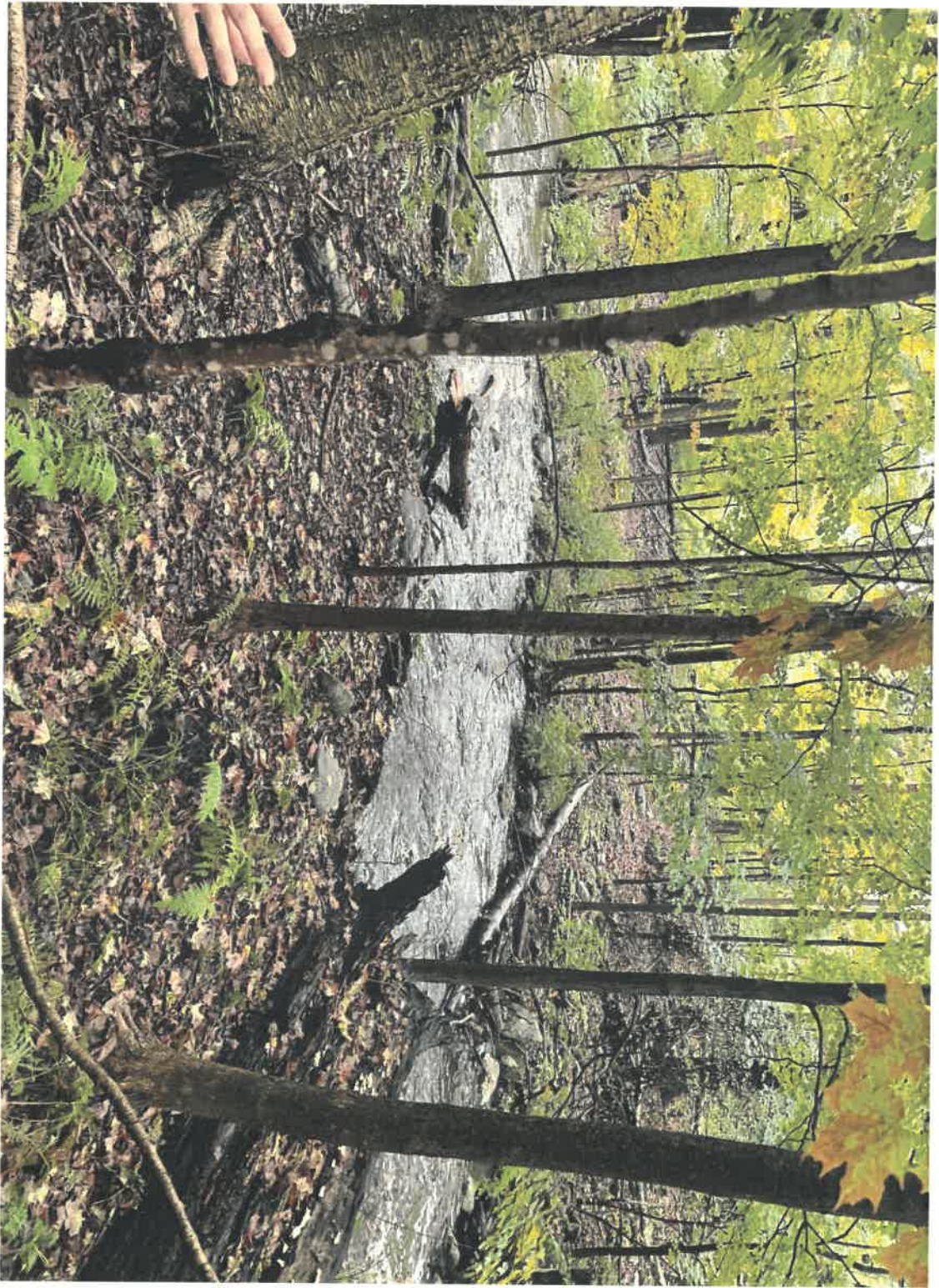
Long Swamp Brook

Site Entrance Straits Turnpike

Little Tracy's Pond







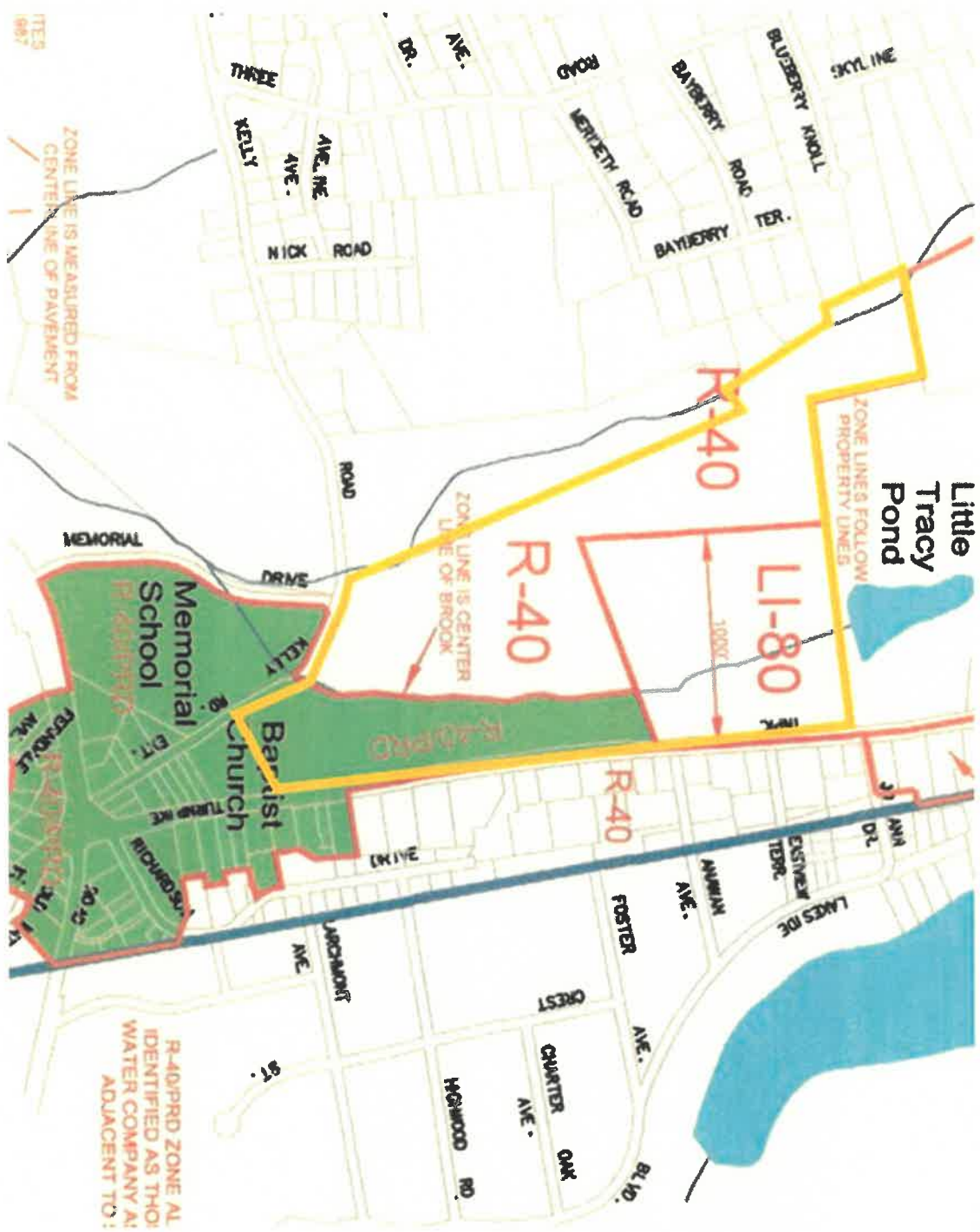
Development Opportunity

1. **Utilities**: Sewer, water, gas service available (additional approvals req'd)
2. **Access**: Located on Straits (state road) 1 mile from I-84
3. **77 Acres**: Large w/ tremendous natural elements

What is the highest and best use?

Property is partially zoned R-40 Residential, LI-80 Industrial, PRD.

Makes sense that the property be residential or industrial, not both



ITEMS 6667

LI-80 -- Light Industrial District

- Permitted Uses: Light manufacture, vehicle service station, warehousing
- Warehouse driven by increase in online shopping
- Large, rectangular shaped buildings
- Location – close to highway for truck traffic
- Labor – Access to Waterbury and Naugatuck labor force



R-40 - Residential

- **Parcel could accommodate up to 60 homes**
- Between 3,000 – 3,500 SF
- 4+ Bedrooms – 2 ½ Baths
- Potential for tax negative to the Town





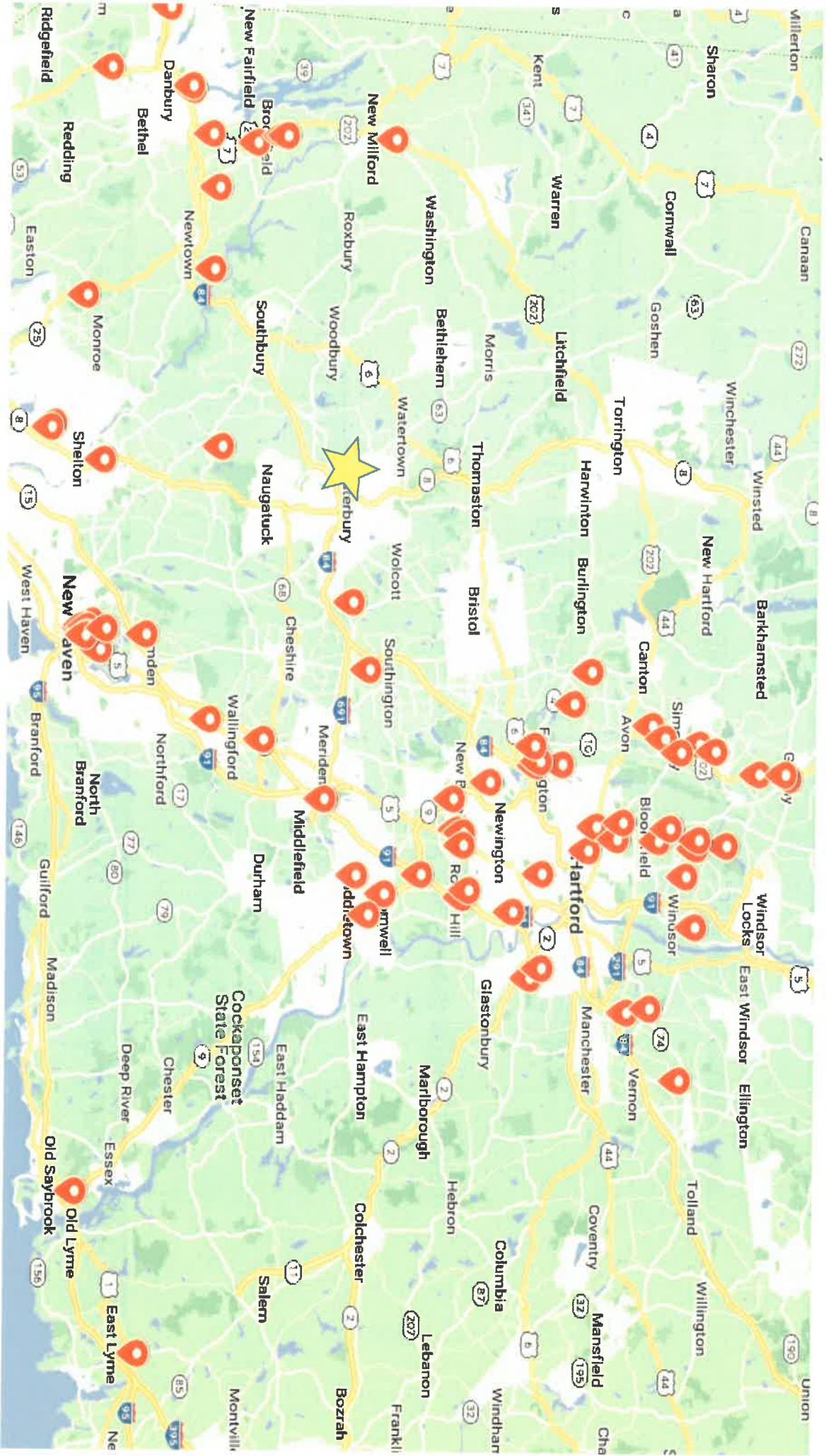
Why do towns want luxury rental housing?

1. Significant economic benefit to the town.

Communities can exceed \$1M in annual taxes.... very few school aged children

2. Provides a place for tomorrow's and yesterday's homeowners

High earning professionals before kids and downsizing homeowners after kids.



Town	Luxury apartments approved in last 10 years
Farmington	1,145
Simsbury	1,013
Glastonbury	412
Cheshire	300
Newtown	284
Avon	250
Monroe	245

Simsbury Luxury Apartments Built since 2013

Community	# of Luxury Apartments
Mill Commons Apartments	88
King's Ridge	24
The Pointe at Dorset Crossing	168
Highcroft Apartments	272
Aspen Green	181
The Ridge at Talcott Mountain	280
Total	1013



- 1 & 2 BR's only, no 3 BR apartments
- 1 BR Size: 750 – 900 SF
- 2 BR Size: 900 – 1,250 SF
- 1.4-1.5 residents per apartment
- 10% apartments - handicap accessible

One Bedroom Apartment



Two Bedroom Apartment



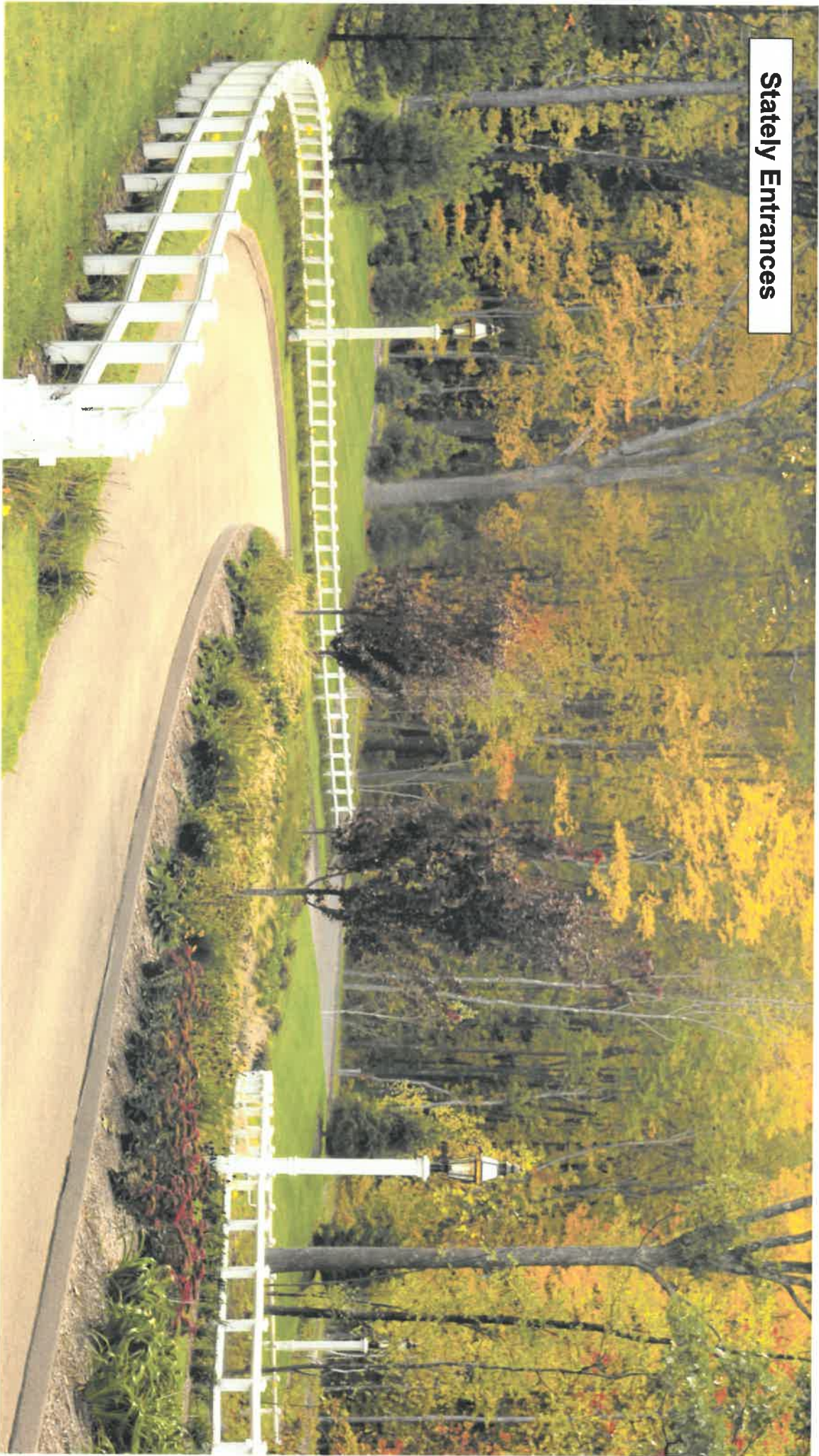
Colonial Design



Interior Garages



Stately Entrances



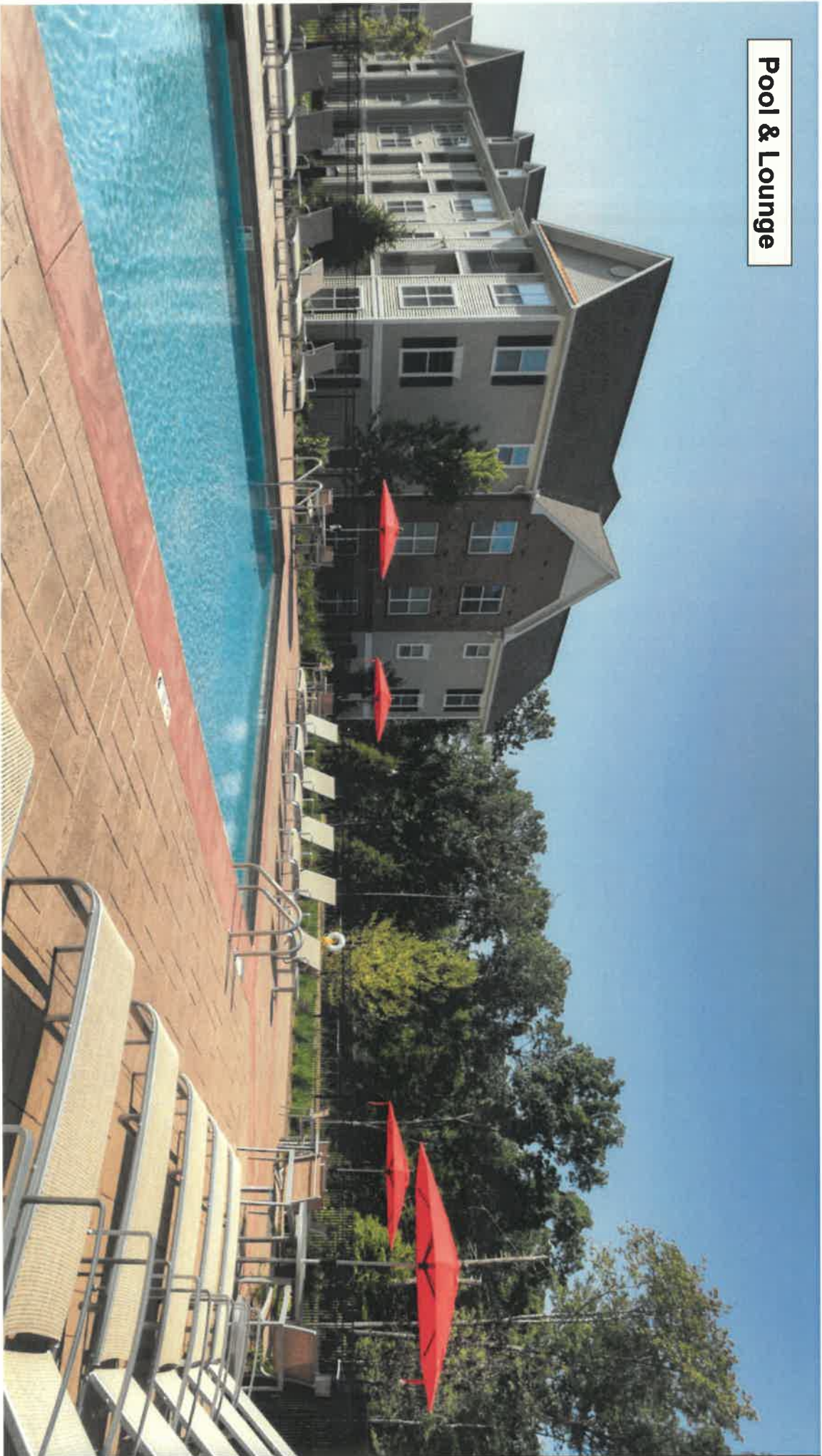
Clubhouse



Clubhouse



Pool & Lounge



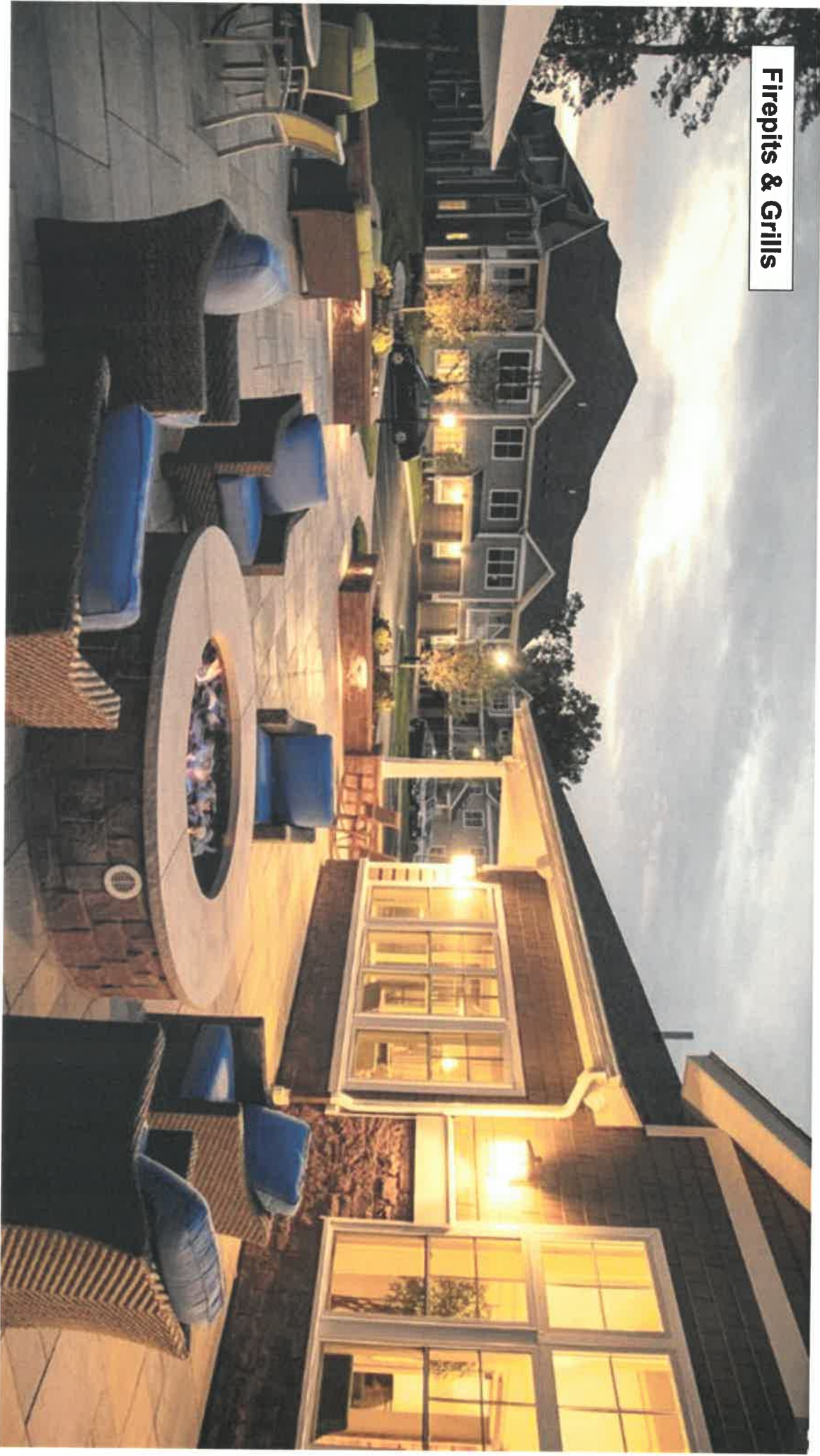
Full-Service Gym



Full-Service Gym



Firepits & Grills



Clubroom



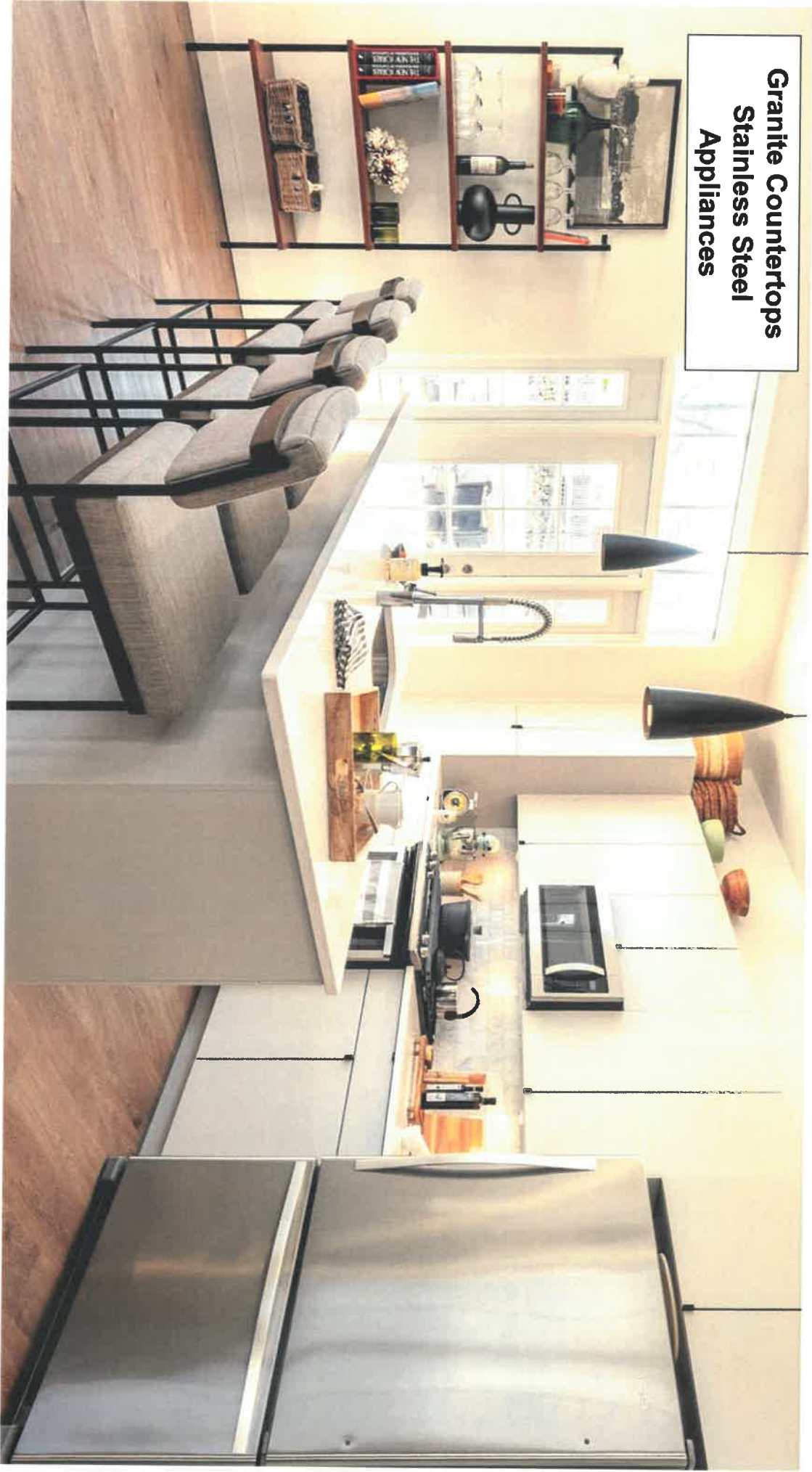
Clubroom



**Living
Room/Kitchen**



**Granite Countertops
Stainless Steel
Appliances**



Open Floorplans

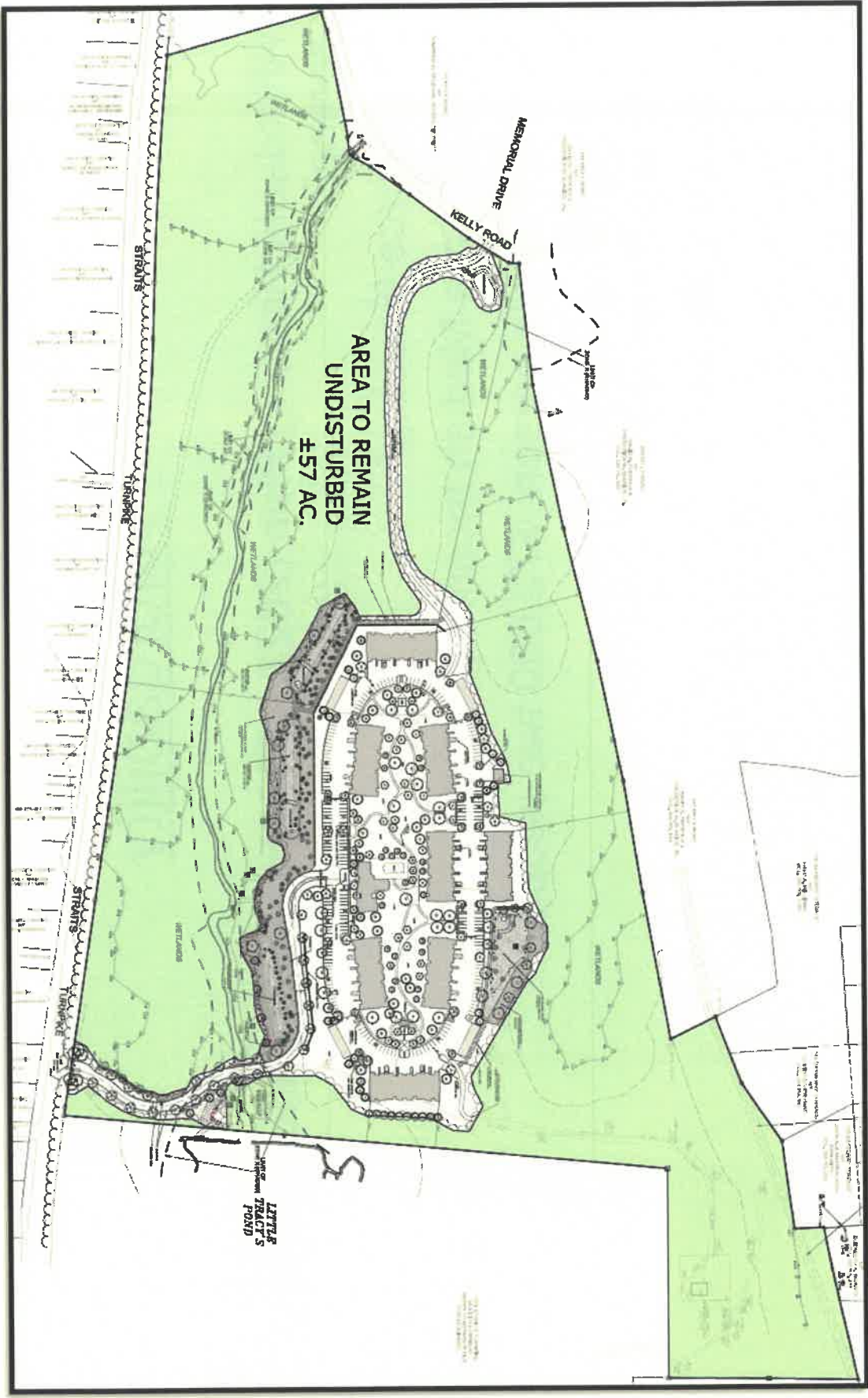


Walk-in Closets









Affordability

- Affordable Housing Plan (2023 – 2028) suggests “inclusionary zoning”
- “Workforce Housing”
- 80% of Area Median Income (“AMI”)
- \$63,120 single person, \$72,080 two people
- Per month rental rate:
 - \$1,690 (1 Bedroom)
 - \$2,028 (2 Bedroom)

2022 HUD Income Limits - 80% of Area Median Income (Waterbury HMFA)	
1 Person	\$ 63,120
2 Person	\$ 72,080
3 Person	\$ 81,120
4 Person	\$ 90,080

Many town employees in various roles would qualify for apartments at 80% AMI. Including but not limited to:

- Teachers
- Clerks
- Library staff
- Wardens
- Admins

Why do towns want luxury rental housing?

1. Significant economic benefit to the town.

Communities can exceed \$1M in annual taxes... very few school aged children

2. Provides a place for tomorrow's and yesterday's homeowners

High earning professionals before kids and downsizing homeowners after kids.

	Per Apartment	Total
Estimated Property Taxes	\$ 4,000	\$ 800,000
Estimated Car Taxes	\$ 792.97	\$ 158,594
Estimated Total Annual Tax	\$ 4,793	\$ 958,594

Notes

1. This example has 200 apartments
2. Car values are estimated at \$22,550 per vehicle
3. Subject parcel currently pays approximately \$13,000 in real estate tax per annum

	Per Apartment	Total
Estimated School Aged Children	0.085	17

	Per Pupil *	Total
Regional 15 School Aged Children Cost (\$)	21,789	370,413

* 2022-2023 Regional 15 Board of Education Approved Budget

Estimated Total Annual Tax	\$	958,594
Estimated Cost School Aged Children	\$	370,413
Estimated Net Benefit to Town	\$	588,181

School Aged Children (“SAC”)

Town	Community	Apartments	SAC	SAC/Apartment
Farmington	299	120	14	0.12
West Hartford	Steele	190	9	0.05
Newtown	10 Washington	74	6	0.08
Rocky Hill	Alterra	144	4	0.03
Rocky Hill	Montage	144	11	0.08
Glastonbury	One Glastonbury	114	15	0.13
Fairfield	333 Unquowa	90	4	0.04
Fairfield	Alto Fairfield	160	7	0.04
Average				0.071

Sources:

1. Farmington & West Hartford are Metro Communities - Updated 12.17.23
2. Fairfield (333 Unquowa) provided by ownership 12.18.23
3. Rocky Hill - Provided by Town Staff 12.1.23
4. Newtown, Fairfield (Alto Fairfield), Glastonbury - 1.7.22 report prepared by Stanley Gniazdowski, CRE, CCIM

Tomorrow's Homeowner

Career oriented professionals, before children & marriage

- Delaying major life decisions (Marriage & Children)
- 1960 – Age of first marriage for females was 20.3 – today 28.2. Men are delaying beyond 30.
- High earners (Choosing to rent – don't need a large home)
- Were raised in Middlebury area – returning home

Yesterday's Homeowner

Empty Nester

- A person or couple whose adult children have left home.
- Wish to downsize, cash out
- Remain connected to Middlebury
- Perhaps have second home warmer climate
- Stay close to grandchildren
- Currently no luxury rental option in Middlebury
 - Quarry Walk (Oxford) & Heritage Village (Southbury)

Empty Nester

Estimated to make up over 40% of renter base in proposed community

Percentage of renters over 50, with no children:

- Residences at 299 (Farmington): 35%
- Residences at Steele (West Hartford): 36%
- Median age Middlebury (45) is 10% higher than state median age (41)

Residences at 299 - Farmington

Total Apartments	120
1 Bedrooms (%)	50%
2 Bedrooms (%)	50%
Total Residents	166
Residents Per Apartment	1.38
Male (%)	50%
Female (%)	50%
Single (%)	61%
Healthcare Workers (%)	38%
Empty Nesters (% 50 & Older)	35%
School Aged Children	14
School Aged Children Per Apartment	0.12
Median 1 BR Income	\$ 124,500
Median 2 BR Income	\$ 161,000

Information updated 12.17.23



Residences at Steel Road - West Hartford

Total Apartments	190
1 Bedrooms (%)	56%
2 Bedrooms (%)	44%
Total Residents	277
Residents Per Apartment	1.46
Male %	46%
Female	54%
Single	65%
Healthcare Workers	35%
Empty Nesters	36%
School Aged Children	9
School Aged Children Per Apartment	0.05
Median 1 BR Income	\$ 125,000
Median 2 BR Income	\$ 165,700

Information updated 12.17.23



Residences at 299
299 Colt Highway
Farmington, CT 06032
www.299living.com



Built in 2014
120 Apartments
100% Occupied

Residences at Steele Road
243 Steele Road
West Hartford, CT 06117
www.243steeleroad.com



Built in 2016
190 Apartments
100% Occupied



Trip Generation Comparison

- Proposed trip generation for 200 unit multifamily using ITE Trip Generation Rates

200 Unit Multifamily Development	Total Trips	Trips Entering	Trips Exiting
Morning Peak Hour	76	18	58
Afternoon Peak Hour	78	48	30

- Existing trip generation rate at 243 Steele Road, West Hartford.

190 Unit Multifamily Development	Total Trips	Trips Entering	Trips Exiting
Morning Peak Hour	67	14	53
Afternoon Peak Hour	77	42	35

Traffic Impact Study

- Queue Analysis Results
 - De minimis increases of two vehicle lengths or less on all approaches.
- Capacity Analysis Results
 - All signalized intersections maintain or improve level of service following implementation of CTDOT state project #80-128 improvements.
 - Site driveway turns in and out will operate at acceptable levels of service

