



# TOWN OF MIDDLEBURY

## Economic Development Commission

**Regular Meeting Minutes, Monday, January 23, 2023 6:30 p.m.**  
**Shepardson Community Center, Room 26**  
**(amended approved)**

**Present:** Commissioner David Cappelletti  
Commissioner Nicole Griffin  
Commissioner Jesse Langer  
Chairman Terrence McAuliffe  
Commissioner Frank Mirovsky  
Commissioner Armando Paolino  
Commissioner Mark Petrucci

**Also present** Emily Jones  
Brian Godin  
Edward Godin  
Jennifer Mahr  
Bob Nerney  
Don Andrews

### **Excused**

### **CALL TO ORDER**

Chairman McAuliffe called the meeting to order at about 6:30 pm with roll call and pledge of allegiance.

### **APPROVAL OF MINUTES**

Mark Petrucci MOTIONED to approve the November 28, 2022 Regular meeting minutes, SECOND by Frank Mirovsky and unanimously voted.

### **Architecture Review – 80 Turnpike Drive – Steel Commercial Building, GB Middlebury, LLC**

Professional Engineer Emily Jones of Civil1, Woodbury, used lot plans, elevations, a color rendering, street photos, and an example building to show the location of the proposed building, parking areas, lighting, services, landscaping, and access ways for the building which is in the LI-80 zone and will be in the same lot and behind an existing industrial building, using the same driveway. The 13,950-square-foot single story structure will be of steel construction with neutral earthtone finish colors as shown in an illustration. The building will have overhead doors for use by multiple small trade tenants.

At the conclusion of the review process, a MOTION was made by Mark Petrucci, SECOND by Frank Mirovsky and unanimously voted to recommend the proposed building design and site plan.

## **OLD BUSINESS**

### **2022 Business Survey Presentation to Board of Finance**

Chairman McAuliffe reviewed the PowerPoint presentation of the 2022 Business Survey as presented to the Board of Finance.

### **EDC Budget request for FY 2023-2024**

Chairman McAuliffe reviewed the budget request which consisted of \$2,000 for typical EDC expenses plus \$5,000 for a proposed promotional video.

### **Research on surrounding towns EDCs**

David Cappelletti provided a report on the EDC budgets of several towns near or comparable to Middlebury.

### **Government and Business Institute Reports**

No report.

## **NEW BUSINESS**

None.

## **DISCUSSION**

The commissioners discussed input they had received from the public regarding a proposed development project on Southford Road and the Timex property. Member Frank Mirovsky recused himself, since he is an alternate on P&Z. After some discussion, a proposed resolution document of opinion was considered.

The resolution "RESOLUTION FOR A COMPREHENSIVE APPROACH TO DEVELOPMENT" is attached.

A MOTION was made by Armando Paolino, SECOND by Jesse Langer and VOTED with 6 members in favor, Frank Mirovsky abstaining, and none opposed – to send the resolution to the Planning and Zoning Commission as an opinion of the EDC.

## **PUBLIC COMMENTS**

Jennifer Mahr, 68 Abbott Farm Road, Bob Nerney of 414 Long Meadow Road, and Don Andrews of 21 Avalon Drive spoke against the proposed Distribution Center project on Southford Road and the Timex property.

## **ADJOURNMENT**

Nicole Griffin MOTIONED to adjourn, SECOND by Armando Paolino, and unanimously voted at about 7:28 pm.

Respectfully submitted,

Terrence McAuliffe  
Chairman—Economic Development Commission  
cc. Town Clerk, Commission Members

attachment: RESOLUTION FOR A COMPREHENSIVE APPROACH TO DEVELOPMENT

RESOLUTION FOR A COMPREHENSIVE APPROACH TO DEVELOPMENT

WHEREAS, the Economic Development Commission (the "EDC") is constituted to encourage balanced smart economic development in Middlebury, review architectural consistency, and recommend tax incentives where appropriate.

WHEREAS, the Town of Middlebury Planning and Zoning Commission is considering a proposal that would change the zoning ordinances as follows: January 5, 2023 Meeting: 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.

WHEREAS, members of the Economic Development Commission (the "EDC") have been contacted by a wide array of Middlebury property owners, homeowners, residents and constituent electors and taxpayers of the town regarding the proposed text change that would benefit one property in a commercial zone immediately adjacent to several neighborhoods; the proposed change would intensify the use of the commercial property and conduct of business beyond what is currently provided in the existing commercial zone.

WHEREAS, the new use would strain the local road infrastructure and impact the peaceful enjoyment of the residents of the immediate neighborhoods and the general conduct of life in town.

WHEREAS, the existing former use was a sensitive and consistent approach to development that was in concert with the adjacent residential development that occurred over time. This reality cannot be dismissed solely based on a permitted zone and simply adding provisions to increase intensity of use.

WHEREAS, the Planning and Zoning Commission should also respect that the town has other zones that will not impact neighborhoods in the same way and are better suited to accommodate the commercial intensity, infrastructure needs, and traffic attendant to the proposal currently under consideration.

WHEREAS, the Commission should consider that such a text change may result in other unintended consequences in similar commercial zones elsewhere in town.

WHEREAS, the Economic Development Commission (the "EDC") maintains that as the town's growth continues the EDC must recognize not just the desire for economic development and added value to the grand list to occur in such zones, but that such development needs to occur with a comprehensive approach and understanding of other residential and commercial development as it has evolved to date in such areas.

THEREFORE, the proposal currently before the Town Planning and Zoning Commission should be rejected in favor of other areas within town that are better suited for such development. Consistent with this recommendation the Commission should immediately proceed to the re-examination of our commercial and industrial zones to consider designations where such uses will not radically alter the enjoyment of other development that has occurred in immediately adjacent neighborhoods and the local and state road infrastructure is conducive to such developments.