



## **TOWN OF MIDDLEBURY**

*Planning & Zoning Commission  
1212 Whittemore Road  
Middlebury, Connecticut 06762  
(203) 577-4162 ph  
(203) 598-7640 fx*

### **September 5, 2019 REGULAR MEETING MINUTES**

#### **REGULAR MEMBERS PRESENT**

Terry Smith, Chairman  
Joseph Drauss  
Erika Carrington

#### **REGULAR MEMBERS ABSENT**

William Stowell, Vice Chairman  
Matthew Robison

#### **ALTERNATE MEMBERS PRESENT**

Jeffrey Grosberg

#### **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 7:01 p.m.

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

Chairman Smith announced Regular Members Smith, Carrington & Drauss and Alternate Member Grosberg as present. Regular Members Stowell and Robison were absent.

## **PUBLIC HEARINGS**

### **1. Straits Crossing, LLC/Corner of Park Rd. & Straits Turnpike – Application for Zoning Map Amendment LI-80 to CA-40 (Application #2019-7-2) (Continued)**

Chairman Smith appointed Alternate Member Grosberg to act in place of absent Regular Member Stowell and read the Staff Referral Report from Joanna B. Rogalski, Regional Planner, NVCOG, dated August 22, 2019 for the record.

Attorney James Strub of Secor, Cassidy & McPartland, P. C. in Waterbury, CT spoke on behalf of the applicant. A portion of said parcel is zoned LI-80 while the other portion is zoned CA-40. The applicant is seeking to have the entire parcel zoned CA-40. Compared to other properties, he feels that this property has the least impact on Waterbury residential for recreational uses given where the golf course is situated as well as the natural buffer that exists.

There were no comments or questions from the public or from members of the commission.

**Motion:** to close the Public Hearing at 7:06 p.m. Made by Erika Carrington, seconded by Joseph Drauss. Unanimous Approval.

### **2. Westover School, Inc./1237 Whittemore Rd.-Application for a Special Exception for non-conforming signage pursuant to Section 52 (Application #2019-8-1)**

Chairman Smith appointed Alternate Member Grosberg to act in place of absent Regular Member Stowell. He then went on to read the Legal Notice published in Voices on 8-21-19 & 8-28-19 for the record.

Julie Faulstich, Head of Westover School, stated that school just opened with approximately 199 girls. As part of the work being done on campus, they are seeking to update and add signage. The historical sign that is across from the common, will be retained but moved to a slightly different area on campus. Often people have difficulty finding the campus due to the lack of signage. They are also proposing two (2) new signs.

Paolo Campos of Patriquin Architects, 20 Grand Avenue, New Haven, CT 06513 stated that the applicant is proposing the intervention of signage (main signage as well as gateway signage) to better steer people into the campus. Visibility and legibility are of

concern, especially for those who are not familiar with the area and due to the speed at which people drive along Whittemore Road. He reviewed that plans of the overall campus, indicating where the proposed signs would be positioned. There will be five (5) signs in total that fall within the jurisdiction of this commission.

Jeannette Penniman of Patriquin Architects reviewed the renderings and added that the two (2) main signs will be located at the corner of Library Road & Whittemore Road and South Street & Whittemore Road. They will serve as the anchors of the campus and were designed to complement the existing architecture of the school as well as the surrounding area. They will be constructed of stone veneer, similar in appearance to the existing walls that run the perimeter of the campus. There will be a base with a large painted aluminum sign with the words “Westover School” punched through aluminum letters. Additionally, they will be back lit through acrylic behind the letters, with a soft/warm glow at night. The portal/gate signs will be placed at the actual main entrances to campus, constructed of the same material. There are also a series of wayfinding signs which have been designed for the interior of the campus. Most are far from the property lines, however, there is one along South Street that is being proposed to be attached to the existing stone wall.

Paolo Campos added that the sign posts with the masonry piers is being proposed with a lantern on top of the lights which would be dark sky compliant.

There were no comments or questions from the public.

Chairman Smith questioned if they made sure the proposed signage would be out of the state right of way.

Paolo Campos confirmed that they would be.

Erika Carrington voiced her concerns with respect to the crosswalk and the speed at which people travel. She requested clarification of the direction in which the sign could be read.

Jeannette Penniman confirmed that the wording would be visible coming from the east.

**Motion:** to close the Public Hearing at 7:19 p.m. Made by Joseph Drauss, seconded by Erika Carrington. Unanimous Approval.

**3. Pomeroy Enterprises, LLC/835 Straits Turnpike-Application for a Special Exception for non-conforming signage pursuant to Section 52 (Application #2019-8-2)**

Chairman Smith appointed Alternate Member Grosberg to act in place of absent Regular Member Stowell. He then went on to read the Legal Notice published in Voices on 8-21-19 & 8-28-19 for the record.

Carley Ames of Fiduciam Financial stated that the company is planning to acquire space at 835 Straits Turnpike and they are seeking approval for a special exception for a sign that contains lettering of 18” over 6” as opposed to 8” over 6” per town regulations. They are also proposing hook lighting to illuminate the signage.

There were no comments or questions from the public.

Chairman Smith requested that the illumination not be visible and that it be fully shielded.

**Motion:** to close the Public Hearing at 7:24 p.m. Made by Erika Carrington, seconded by Joseph Drauss. Unanimous Approval.

**MINUTE APPROVAL**

**4. Discussion of the Minutes of the Regular Meeting held on August 1, 2019**

Discussion was tabled as Erika Carrington and Joseph Drauss were not present at said meeting.

**OLD BUSINESS**

**5. Straits Crossing, LLC/Corner of Park Rd. & Straits Turnpike – Application for Zoning Map Amendment LI-80 to CA-40 (Application #2019-7-2)**

**Motion:** to approve the application with an effective date of September 27, 2019. Made by Erika Carrington, seconded by Jeffrey Grosberg. Unanimous Approval.

**NEW BUSINESS**

**6. Westover School, Inc./1237 Whittemore Rd.-Application for a Special Exception for non-conforming signage pursuant to Section 52 (Application #2019-8-1)**

**Motion:** to approve the waiver requests of Sections 52.3.1 through 52.3.15 as they do not apply. Made by Erika Carrington, seconded by Joseph Drauss. Unanimous Approval.

**Motion:** to approve the application. Made by Erika Carrington, seconded by Jeffrey Grosberg. Unanimous Approval.

**7. Pomeroy Enterprises, LLC/835 Straits Turnpike-Application for a Special Exception for non-conforming signage pursuant to Section 52 (Application #2019-8-2)**

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

**OTHER BUSINESS**

**8. Discussion on Waterbury referral for Accessory Earth Excavation at the Middlebury Line**

Curtis Bosco, Z.E.O. stated that the town of Middlebury received a notice from the City of Waterbury, dated August 19, 2019, regarding an application for a special permit for accessory earth excavation on a property that is within five hundred feet of the town of Middlebury. Said parcel is approximately 18-19 acres and is situated at the end of Exit 17. Ultimately, the plan would be to construct 18 units of housing. Currently, the only proposal is for the accessory excavation (166,000 cubic yards of material) which is expected to last two (2) years. He feels that this would have a major impact on the people entering and exiting Middlebury and urged the commission to weigh in to the Planning & Zoning Commission of the City of Waterbury.

Chairman Smith read the attached Resolution for the record.

**Motion:** to approve the attached Resolution. Made by Erika Carrington, seconded by Joseph Drauss. Unanimous Approval.

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

None

**10. Enforcement Report**

Curtis Bosco, Z.E.O. updated the commission about the status of several letters that he recently sent.

**11. Adjournment**

**Motion:** to adjourn the meeting at 7:51 p.m. Made by Erika Carrington, seconded by Joseph Drauss. Unanimous Approval.

Filed Subject to Approval,

Respectfully Submitted,

Rachelle Behuniak, Clerk

Original to Edith Salisbury, Town Clerk

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

**WHEREAS** the Planning and Zoning Commission of the Town of Middlebury has received a CGS 8-7d (f) Referral from the City of Waterbury Zoning Commission.

**WHEREAS** the Referral **PL 2019-0187 Special Permit for an Accessory Earth Excavation; Location: 18.87 acres located on the north side of Chase Parkway, east of the Middlebury Town line, south of the terminus of Crest Street and west of Lakeside Blvd West, Wooster Street and the rear property lines of the properties on the northwestern side of Mason Avenue./MLB# 0383-1009-0911; Applicant: Mike Dillon.** was received by the Middlebury Town Clerk on August 21, 2019.

**WHEREAS** The Planning and Zoning Commission of the Town of Middlebury has reviewed the proposal has determined it will have a substantial impact on its municipality and offers its comments.

**NOW THEREFORE BE IT RESOLVED** that the Planning and Zoning Commission of the Town of Middlebury **OPPOSES** the approval of the Application until the following concerns are mitigated:

A Traffic Study by a certified Traffic Engineer be submitted for review. This Study should include but not be limited to:

- All necessary information addressing hours and days of operation, number of daily trips, alternate trucking routes, site line distances, traffic signaling;
- Impact on the ingress to and egress from Interstate 84;
- Impact on the proposed improvements by the State of Connecticut to the intersection of Routes 63 and 64;

A more comprehensive and detailed proposal for blasting and on site processing of earthen material including but not limited to:

---

