



TOWN OF MIDDLEBURY

*Planning & Zoning Commission
1212 Whittemore Road
Middlebury, Connecticut 06762
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April 8, 2021 SPECIAL MEETING MINUTES

Via Zoom Meeting #848-8185-5835

REGULAR MEMBERS PRESENT

William Stowell, Vice Chairman
Erika Carrington
Joseph Drauss
Matthew Robison

REGULAR MEMBERS ABSENT

Terry Smith, Chairman

ALTERNATE MEMBERS PRESENT

ALTERNATE MEMBERS ABSENT

Jeffrey Grosberg

ALSO PRESENT

John Calabrese, P.E.
Curtis Bosco, Z.E.O.

CALL TO ORDER

Acting Chairman William Stowell called the Special Meeting to order at 7:00 p.m.

ROLL CALL AND DESIGNATION OF ALTERNATES

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

PUBLIC HEARINGS

None

MINUTE APPROVAL

1. Discussion of the Minutes of the Regular Meeting held on March 4, 2021

Motion: to approve the minutes as submitted. Made by Joseph Drauss, seconded by Erika Carrington. Unanimous Approval.

OLD BUSINESS

None

NEW BUSINESS

2. Lake Quassapaug Amusement Park./2132 Middlebury Rd. Application for a Site Plan Revision/Ride Location (Application #2021-3-1)

Attorney Michael McVerry of 35 Porter Avenue, Naugatuck, CT 06770 spoke on behalf of the applicant. They are seeking approval to add a new water ride (Rocket Blast Flying Saucer 2030) in the east corner of the park where the lakeside pavilion, volleyball court and horseshoe pit currently exist. They have also submitted an application to the Conservation Commission.

Motion: to accept the application. Made by Erika Carrington, seconded by Matthew Robison. Unanimous Approval.

3. Peter Amara/1582 Straits Turnpike-Application for Site Plan Approval per Sections 31.1 & 52 (Application #2021-3-2)

4. Peter Amara/1582 Straits Turnpike-Application for a Special Exception for an Excavation & Grading Permit per Section 64 (Application #2021-3-3)

Scott Meyers of Meyers Associates P.C. spoke on behalf of the applicant. The Amara's purchase 1582 & 1570 Straits Turnpike late last year and are planning to redevelop 1582 for a 7,000 square foot for a two-story building. Their architecture business is expected to occupy the second floor and lease out the rest of the tenant space. There will be 58 parking spaces as well as an extensive landscaping plan and draining with stormwater retention in the front. There will be a single curb cut for this site as well as the future 1570 site. The existing house on 1570 will remain until such time that the applicant decides to apply for approval for a building on that site. There is a need to remove 1,500 yards of material in order to get the site to good commercial grade. He requested that

both applications be accepted and that a Public Hearing be scheduled for the Excavation & Grading Permit application.

Matthew Robison questioned if the lower level use would be retail, commercial or professional office.

Scott Meyers replied that it has not yet been determined and that it depends on the outcome when they market it.

Mr. Amara confirmed that he did send the rendering to Curt Bosco, Z.E.O.

Motion: to accept the application for Peter Amara/1582 Straits Turnpike-Application for Site Plan Approval per Sections 31.1 & 52 (Application #2021-3-2). Made by Erika Carrington, seconded by Joseph Drauss. Unanimous Approval.

Motion: to accept the application for Peter Amara/1582 Straits Turnpike-Application for a Special Exception for an Excavation & Grading Permit per Section 64 (Application #2021-3-3) and schedule a Public Hearing for May 6, 2021. Made by Joseph Drauss, seconded by Erika Carrington. Unanimous Approval.

5. Arthur H. Howland Assoc./99 Benson Rd.-Application for Site Plan Modification (Application #2021-3-4)

Paul Szymanski stated much has occurred since approval was granted approximately 13 months ago include the Covid-19 Pandemic and the bridge replacement for Benson Road/crossing over Route 84. They are proposing to combine the two (2) buildings, eliminating a space of approximately 800 square feet to increase the total size of the building by 2,400 square feet. Previously being 45,000 square feet will create a 5% increase in size. They are also proposing to modify the elevation and change the color of the buildings. The use, circulation, parking and landscaping will remain the same. They will provide a comparison of what was approved to what is now being proposed.

Motion: to accept the application and schedule a Public Hearing for May 6, 2021. Made by Matthew Robison, seconded by Joseph Drauss. Unanimous Approval.

6. Ter-Geo, LLC/896 Middlebury Road-Application to consider a Text Amendment to Sections 35.3.1 & 35.8 (Residential Transition) of the Regulations (Application #2021-4-1)

Attorney Michael McVerry of 35 Porter Avenue, Naugatuck, CT 06770 spoke on behalf of the applicant Russel Antonacci on behalf of Ter-Geo, LLC which is the owner of the

former Post Office building. He stated that zoning approval was granted by this commission in December of 2020. It has come to their attention that their rendering exceeds the 10% ground coverage in the Regulations. Therefore, they are seeking to amend the 10% ground coverage to 15% and understands that a Public Hearing is required.

Curtis Bosco, Z.E.O. stated that the proposed amendment does not need to be submitted to C.O.G.

Attorney McVerry also suggested that Section 35.3.1 be incorporated based on past discussions with Town Counsel.

Motion: to accept the application and schedule a Public Hearing for May 6, 2021. Made by Erika Carrington, seconded by Joseph Drauss. Matthew Robison recused himself. Unanimous Approval.

OTHER BUSINESS

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

None

8. Michaud Development Group/Nutmeg, Regan, Stevens & Edwards Rds.- Informal discussion for Spur development

Discussion was postponed until May.

9. LoRicco Family-Christian Rd/Hunting Ridge- Informal discussion regarding residential development at Hunting Ridge

Patrick O'Leary, P.E. spoke on behalf of the LoRicco family. He stated that he came before this commission approximately 2 years ago to discuss this project which is an approved 23 lot subdivision. The infrastructure has been constructed. The project has not been brought to fruition because fiscally it does not make sense. He stated that this commission was not supportive of the previously proposed zone change for the site. Alternatively, they are now proposing to request that the PRD be included in this 23 lot subdivision as well as two (2) adjacent parcels that are landlocked and currently owned by the Town and potentially considered for acquisition in the near future. He reviewed the proposed plans with the commission and feels that it would allow for an opportunity

to increase the density and propose a development of approximately 56 units with a mixture of duplex style town homes and single family homes. The intent would be to condominiumize the site. There will be no additional demand on the infrastructure. He welcomed any feedback and questions from the commission prior to application submittal.

Curtis Bosco, Q.E.O. confirmed that the site is currently zoned R-40.

Acting Chairman Stowell stressed the importance of proposing affordable units within the plans.

Patrick O'Leary, P.E. replied that they did not give it a great deal of consideration but added that he would address it with the LoRicco family.

Joseph Drauss agreed with Acting Chairman Stowell with respect to affordable housing being an option.

Patrick O'Leary, P.E. went on to share renderings for the commission's review.

Matthew Robison questioned if there would be airport impact.

Patrick O'Leary, P.E. stated that there is no impact of the airport on this parcel.

Matthew Robison expressed his concerns with respect to what transpired with Triangle Boulevard.

Erika Carrington voiced the same concerns along with the possibility of expansion of the airport.

Curtis Bosco, Z.E.O. stated that someone was proposing changing to industrial the remaining land the Oxford town line.

Patrick O'Leary, P.E. reminded the commission that they already have a 24 lot subdivision approval. They could go back to the Connecticut Airport Authority and look at their master plan to see if there are any plans for expansions. If there are no proposed expansions for the airport today, it would be a danger to stop everything they do based on the fact that it could happen sometime in the future. The parcel is not in line with the runway. It lies to the east of the runways. It was not designate by the Airport Authority at any time as even being subject to acquisition by them. He suggested that it would be imposing a hardship on the property if it was viewed that way.

Acting Chairman Stowell again placed emphasis on affordable housing being included in the mix.

Patrick O'Leary, P.E. confirmed that he would inform the LoRicco family of the affordable component and that if they proceed with the purchase of the 2 lots from the town, they would remain open space.

10. Town of Middlebury-8-24 Referral presented by Attorney Dana D'Angelo

Discussion was tabled.

11. Enforcement Report

Curtis Bosco, Z.E.O. briefly reviewed various concerns with businesses in town.

John Calabrese, P.E. suggested that members of the commission review 22.3.2

Acting Chairman Stowell requested that a copy of Section 35 of the Regulations be supplied to the members of the commission.

12. Adjournment

Motion: to adjourn the meeting at 8:09 p.m. Made by Matthew Robison seconded by Joseph Drauss. Unanimous Approval.

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
Ollie LeDuc, Building Official
Curtis Bosco, Z.E.O.
Ken Long, Chairman, Z.B.A.
Attorney Dana D'Angelo
Rob Rubbo, Director of Health