



TOWN OF MIDDLEBURY

Zoning Board of Appeals

MINUTES

ZONING BOARD OF APPEALS SPECIAL MEETING

Wednesday, September 5, 2018 – 7:30 p.m.

Shepardson Community Center Room 26
1172 Whittemore Road

Present: Ken Long, Chairman
Candice Graziano
Brian Proulx
D.J. Mahaney, Alternate
Linda Herrmann, Alternate

Also Present: Rachel Primus, Recording Clerk
Attorney Dana D'Angelo

Excused: Ray Caruso
Absent: Bernie Evans, Alternate
Joe Mancini, Alternate

Call to Order with Pledge of Allegiance

The meeting was called to order by Ken Long at 7:54 P.M.

Seating with Regular Members

The regular members present were seated and Ken Long appointed Linda Hermann and D.J. Mahaney as regular voting members.

Approval of April 4, 2018 Zoning Board of Appeals Meeting Minutes

VOTED: Unanimously with a motion by Brian Proulx and seconded by Linda Hermann to **APPROVE** the April 4, 2018 minutes as presented.

VOTED: Unanimously with a motion by Brian Proulx and seconded by D.J. Mahaney to **APPOINT** Linda Hermann as acting temporary chairman.

At this time Ken Long recused himself from the meeting.

Public Hearing

- a. **Appeal #3178 Town of Middlebury, CT through the Middlebury Water Pollution Control Authority – Seeking a variance from Section 11 (Setback) of the Middlebury Zoning Regulations to allow the enlargement of Pump Station #6 located at 1341 Christian Road placing the northern wall of the proposed facility 20 ft. from the North side of the property line in comparison to the required 25 ft.**

Linda Hermann read the legal notice into the record. Ed Bailey, WPC Authority representing the town requested an extension for their application due to the delay of the Public Hearing of 30 days.

VOTED: Unanimously on a motion by Brian Proulx and seconded by D.J. Mahaney to **EXTEND** the application for 30 days.

Mr. Bailey showed the commission a copy of the proposed plans, bringing them up to speed on the project. He explained they are looking to upgrade 3 pump stations that are roughly 35-37 years old. This particular site is running the pump station for 4 houses, and has a possibility of having a few new tie ins. They currently have no place to house their equipment and are in need of having a pump station and storage facility at Christina Road. He explained the current pump station is under ground and they are proposing construction of a building to put over the existing station. They are in need of a 5 ft variance. It is not feasible to make the building smaller. There currently is only one abutting property owner. Ed stated this application has already been before the Zoning Commission and Land Conservation board.

Linda Hermann closed the Public Hearing at 8:05 PM

- b. Appeal #3179 Town of Middlebury, CT through the Middlebury Water Pollution Control Authority – Seeking a variance from Section 11 (Setback) of the Middlebury Zoning Regulations to allow the enlargement of Pump Station #4 located at 1180 Southford Road placing the concrete pad of the proposed facility from the east side at 12.5 ft in comparison to the required 25 ft setback.**

Lina Hermann read the legal notice into the record.

Ed Bailey explained this station is located down the street from the hotel in Southbury. There is one house, next door, which is a State group home. He explained that currently all the controls and generator are enclosed inside the pump station building, but because of electric code, it prohibits the generator from being inside the building. They are proposing to install an outside generator. Ed also explained there is a 600 gallon holding tank within the flood zone. They are proposing to remove the underground storage tank, lay a concrete pad for the generator and above ground holding tank.

Linda Hermann closed the public hearing at 8:10 PM

Other Business

VOTED: Unanimously on a motion by D.J. Mahaney and seconded by Candice Graziano to **APPROVE** Appeal #3178.

VOTED: Unanimously on a motion by D.J. Mahaney and seconded by Brian Proulx to **APPROVE** Appeal #3179.

Correspondence

None

Adjournment

VOTED: Unanimously on a motion by Candice Graziano and seconded by D.J. Mahaney to **ADJOURN** the meeting at 8:14 P.M.

These minutes are submitted subject to approval.

Respectfully submitted,

Rachel Primus

Recording Clerk

ZBA Members

CC: Town Clerk, Barbara Whitaker, Z.E.O.