



TOWN OF MIDDLEBURY

Zoning Board of Appeals

MINUTES

ZONING BOARD OF APPEALS SPECIAL MEETING

Tuesday, January 7, 2020 – 7:30 p.m.

Shepardson Community Center Room 26
1172 Whittemore Road

Present: Ken Long, Chairman
Joe Mancini
Ray Caruso
Tom Ford, Alternate
Linda Herrmann, Alternate
D.J. Mahaney, Alternate

Also Present: Curt Bosco, ZEO
Rachel Primus, Recording Clerk

Excused Absent: Candice Graziano
Brian Proulx

Call to Order with Pledge of Allegiance

The meeting was called to order by Ken Long at 7:33 P.M.

Seating with Regular Members

The regular members present were seated and Ken Long appointed Linda Herman as a regular voting member in place of Candice Graziano.

Approval of December 4, 2019 Zoning Board of Appeals Meeting Minutes

VOTED: Unanimously on a motion by Ken Long and seconded by Ray Caruso to **APPROVE** the December 4, 2019 meeting minutes as presented.

Public Hearing

Ken Long opened the public hearing at 7:35 PM

Application # 3185 – BOCH MIDDLEBURY WATERBURY, LLC at 1628, 1648, 1672 Straits Turnpike for a Certificate of Approval of Location for automobile dealer's license pursuant to 14-54 of the Connecticut General Statutes for a Subaru new car dealership.

Ken Long read the public notice into the record.

Attorney Michael McVerry, 35 Porter Avenue, Naugatuck representing BOCH, a subsidiary of Subaru in New England, is the purchaser of these properties and plans on moving Premier Subaru down the street on Straits Turnpike about ½ mile. Attorney McVerry reviewed the plans and site location with the board. He noted that the lots currently have houses on them. He said the lots will be divided equally between Waterbury and Middlebury. Attorney McVerry told the board that the Planning commission and the Zoning commission approved the special permit application for a new car dealership on this site. He said the application in Waterbury is still pending approval. He explained that the building and front lot will be entirely in Middlebury, and the inventory parking will be in Waterbury. There will be 3 ½ acres in each town. He explained there was a zoning change done in 2019 to allow for a car dealership in this area. He

said that the ZBA is a designated agent of the motor vehicle department to approve the dealership. He read the state statute into the record. Attorney McVerry said he will speak with DOT regarding widening the road once the dealership is approved. He also noted that they will be connecting to city water and sewer.

VOTED: Unanimously on a motion by Linda Hermann and seconded by Ray Caruso to **CLOSE** the public hearing at 7:44 PM.

New Business

None

Other Business

Discussion regarding Application #3185

VOTED: On a motion by Ken Long and seconded by Linda Hermann to **ACCEPT** the resolution for a certificate of location for auto dealership pursuant to CT General Statute 14-54 Application #3185

WHEREAS: The Zoning Board of Appeals for the Town of Middlebury has received an application for a Certificate of Location for An Auto Dealership pursuant to Connecticut General Statute §14-54 Application #3185 for property owned by Boch Middlebury Waterbury, LLC.

WHEREAS: Application #3185, requests approval for the location of an auto dealership to be built on the easterly side of Straits Turnpike, Assessor Map 4-10, Lots 65, 66 and 67. Said property is located in a CA-40 Zone.

WHEREAS: January 7, 2020 at the Shepardson Community Center, 1172 Whittemore Road, Middlebury, CT at 7:30 p.m., a meeting was held to receive and consider information regarding said application.

WHEREAS: The Zoning Board of Appeals considered the proposed application and all documents submitted by the applicant.

NOW THEREFORE BE IT RESOLVED that the Middlebury Zoning Board of Appeals **APPROVES** the Application #3185 for Location of Auto Dealership in accordance with Connecticut General Statute §14-54.

Roll call vote: Joe Mancini: Approved

Ray Caruso: Approved

Ken Long: Approved

Linda Herman: Approved

Tom Ford: Approved

Correspondence

None

Adjournment

VOTED: Unanimously on a motion by Ray Caruso and seconded by Joe Mancini to **ADJOURN** the meeting at 7:50 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.