Town Counsel

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clarified to be a 90-day appointment of Schellenberg and [Mahr to] work on an RFP for legal services.

The RFP was issued August 12, 2026, and posted online August 13, 2026. The return date for proposals was September 15, 2026. Six firms, including Robert W. Smith and Zabel Schellenberg, responded.

At their November 2, 2026, meeting, the selectmen went into executive session to meet individually with members of three of the six firms to discuss the town's needs and what the firms could provide. Two of the six applicants, Smith and Zabel Schellenberg, did not meet with selectmen because Mahr said board members were familiar with what they offered since each of them had previously worked with the board. A sixth firm was not interviewed.

As previously reported, Barbara Schellenberg is the town attorney for Greenwich, Conn. Mahr said she spoke with the Greenwich town selectman and also with the town of Orange because Barbara's firm also represents the town of Orange. Both towns highly recommended the firm. In choosing this firm, Mahr said she thought Middlebury needed a firm with a deeper bench and one that can provide specialty attorneys, which the town was paying for in addition to its former town counsel. Zabel Schellenberg has 10 attorneys, each specializing in one or more aspects of municipal law.

In other business, the matter of establishing an historic properties committee by starting with a study committee for one property, Hawkeye Farm at 352 Judd Hill Road, continued but ended up being tabled for a second time when neither Shaban nor Vance voted for a motion to do so.

Again, Shaban and Vance resisted moving forward. With the study committee issue, they rejected the names of residents who volunteered to serve on the committee and insisted on resident input on who should serve on the committee. Save Historic Middlebury President Nick Stuller presented the names, Nick Stuller (D), Chris Ambrosio (U), Laurie Burk (U), Sally Romano (D), Kerry Baldwin (D), Bruce Richardson (D), Terry McAuliffe (U) and Kara Collins (R), at their September 8, 2026, selectmen's meeting.

Vance previously stated the committee needs to be unbiased and he didn't want the study committee proposal shoved down his throat. He said he was doing a "deep dive" on all the individuals suggested and he wanted a total investigation for the benefit of Middlebury residents.

At the October 16 meeting, Stuller said, "The study committee is not to study the concept of a historic properties commission. That's not what it's about. That's not what I said. That's not what's in writing. That's not the general statutes. The study committee is to study a building, one building, not a district. We don't want to do a district. It's our suggestion to study one building, come back and say this building is historic for the following reasons. And here's the thing: the study committee is not to investigate and opine on whether the town should do a historic properties commission, that's a different thing. Jen's right. That's your decision, but the committee is to do one thing and then the committee is disbanded."





The before, left, and after, right, photos of a recently renovated Waterbury house were posted on "Waterbury Historic Landmarks" on Facebook. The house was built in 1850. (Before photo, Randy Clark; After photo, Realtor.com)

Renovators change home's facade

By MARJORIE NEEDHAM

WATERBURY – The pictures above show the changes renovators made to an historic Waterbury house. Rae-chel Guest of Waterbury manages the "Waterbury Historic Landmarks" page on Facebook, where she posted the pictures along with these comments:

"[This house at] 180 Prospect Street used to be a gorgeous Greek Revival home. Built sometime around 1850, the house was typical of its era until just this year, with a pediment with a single centered window, formed by the gable end of the low-pitched roof. The simple clapboard siding was enlivened by the moldings over the windows. The wings in the back of the house were a later addition.

All of the distinctive architectural features that made this house a breathtaking gem have been destroyed. The house was purchased in June 2026 for $300,000 by Innova Home Improvement Corp of Flushing, N.Y. The house was gutted, slapped in cheap gray vinyl, divided into two apartments, and put back on the market five months later with an asking price of $550,000.

This is why Waterbury needs a Historic Preservation Commission."

Guest said when the house was sold, "It did not look the same as it did 20 years ago. But really all it needed was a new paint job. If we had a historic preservation commission, that group could have assisted the previous homeowner, who was elderly, with finding funding for painting the house. They could also have worked proactively to help find a buyer that would appreciate the house for its historic qualities. They could also advocate for laws to protect historic properties."

She said she was motivated to post the photos in response to a November 9, 2026, "Republican-American" article about the Waterbury housing market "soaring." She said the article did not at all reflect the negative side of the booming market. "Nearly every older house is being bought by flippers who slap a bunch of cheap gray vinyl on everything then sell it at a steep markup, or by investors who are converting single-family homes into rental properties," she said.

She said while some people see this as a good thing for Waterbury, it is doing a lot of damage. The average person can no longer afford to buy a home there, and even the cost of renting has gone up so much that people are struggling to pay their rent and don't know what they'll do if they have to move. Meanwhile, the best quality housing stock, like the home at 180 Prospect Street, is being ruined, all of its historic value removed, leaving a vinyl shell that will end up being demolished because there's no point taking care of it any more.

Referring to formation of a historic preservation commission, she said opponents of historic preservation will say that it's not right to prevent a property owner from doing whatever they want with their property, but that's a fallacy. We already have laws in place requiring property owners to maintain sidewalks, cut their lawn, remove trash from their yard, and keep the exterior of their home in good condition. Why shouldn't blight laws include the maintenance of historic facades?

The newspaper is trying to reach Innova Home Improvement for comment, but has thus far been unsuccessful.

ZEO disrupts meeting, later resigns

By MARJORIE NEEDHAM

The Naugatuck Valley Council of Governments staff were explaining a PowerPoint presentation on preparing a Plan of Conservation and Development to the Planning and Zoning Commission on November 5, 2026, when Middlebury Zoning Enforcement Officer Curtis Bosco rose from his seat in the front row and began handing out spiral bound documents to the Commission members. He introduced himself as ZEO and said, "I've been working on a plan of conservation and development, and I'm springing this on members of the Planning and Zoning Commision tonight for the first time."

First Selectwoman Jennifer Mahr said, "Curt, this isn't the time, and you weren't asked to do this, so we'll discuss this at a different time."

P&Z Chairman Terry Smith said, "If you want to explain it, get yourself on the agenda."

Bosco said he was on the agenda, but Mahr and Smith again told him he was not and if he wanted to make a presentation, he needed to get on the agenda. Bosco said the NVCOG staff asked for ideas, and he was the zoning officer.

Mahr said, "You are not planning staff, so I did not ask you to do this work. He (Smith) did not ask you to do this work. And if you did work outside the scope of your job responsibilities, that's going to be another problem for us to talk about. So I respectfully ask you to please be quiet."

The meeting returned to the presentation, and Bosco left the meeting shortly thereafter. He resigned his ZEO position Tuesday, November 10, effective immediately, stating it was "made necessary due to a hostile work environment."

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