



**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
MIDDLETOWN CONNECTICUT
MARCH 13, 2019**

1. Pledge of Allegiance

Stephen Devoto called the meeting to order at 7:04 PM with the Pledge of Allegiance.

2. Roll Taking

Present: Commissioner Stephen Devoto
Commissioner Joyce Rossiter
Commissioner Richard Pelletier
Commissioner Molly Salafia
Commissioner Elizabeth Emery
Commissioner Steven Kovach (seated for Commissioner Fazzino)
Commissioner Thom Pattavina (seated for Commissioner Brown)

Absent: Commissioner Nicholas Fazzino
Commissioner Tyrell Brown
Commissioner Christopher Sugar

Staff: Mark DeVoe, City Planner
Public: Over 50 members of the public

Stephen Devoto wished to say a few words before the meeting.

"I would like to take a moment to address an issue that I feel is relevant to the commission as a body."

"There was, and still is, a lot of disagreement with our February 27th vote on whether the sale of 51 Green Street to SVdPM was consistent with our POCD. That is not unexpected and I think we all recognize that difficult decisions will sometimes generate disappointment and even anger over the outcome. There is also the potential that an individual commissioner will be attacked and even accused of cheating or of acting in bad faith. Our February 27th vote was the first that triggered someone to launch a personal attack on me, I was surprised that it came from another elected official, the mayor, in the guise of a demand that I recuse myself from any involvement in decisions on 51 Green Street. I will address the recusal issue at the appropriate time in the meeting, but let me say right now that the personal attack does not anger me, I bear no

animus to the mayor, as I would bear none towards anybody else who might be upset at my vote. I am not in any way speaking for others, but I do not get angry at personal attacks. However, an attack on us as a Commission, an attack on our integrity, does make me mad. In the two days after our meeting, the Mayor tried to have our vote overturned on legal and procedural grounds. Some of his reasoning was that we heard public comments from people who at one time were involved with another proposal to use 51 Green Street. Some was that we heard public comments that were not relevant to our decision. He was upset that we made a judgement that did not simply rubber-stamp the comments of staff. Our staff has assured me that our meeting was conducted properly and our decision was legitimate. And yet, the mayor is challenging the commission's independence, integrity and collective thoughtfulness. The mayor spread his attacks into the community, several people at the council meeting on Monday last week took their lead from the mayor and claimed our decision was illegitimate, one speaker said that we could be sued. This attempt by the mayor to delegitimize another branch of municipal government is reprehensible, because it undermines the confidence of the public in what we do. And all of this because we did not vote the way he wanted--our staff made it clear to me that our decision could not in any way be considered illegal or improperly derived. Staff may not have liked it, but it was legitimate."

3. Items removed from the agenda and why

None

4. Public comment on items on agenda which are not currently scheduled for a public hearing

A motion to waive the rules or order so applicant could present application was made by Rich Pelletier and seconded by none. Motion was withdrawn. Meeting resumed to public comments on St. Vincent DePaul application for a G.S. 8-24.

Stephen Devoto read instructions for public comments. The discussion should only be for the G.S. 8-24 and if it meets the Plan of Conservation and Development. Comments should not be for anything else and there is a 5 minute limit. It is not a formal public hearing as the public would have first heard from the applicant and the Commission would be allowed to ask questions to the public.

Rich Pelletier motioned to waive the rules and let the Commission ask questions to the public. There was no second to the motion. Motion was withdrawn.

- Jeff Hush of 48 Grand Street spoke in opposition and urged denial of application.
- Mayor Daniel Drew, 500 Longhill Road gave a history of 51 Green Street from 1980 to present. It is consistent with former uses such as a school in 1980 to Wesleyan Arts Center for Children until 2018. He spoke in favor of the application.
- Councilman Giuliano also gave a history of the property. At the turn of the Century it was the Johnson School. After World War 1 it was turned into a dormitory for

returning veterans. Later on, it was turned back into the Green Street School with an addition to the building. In the 1950's it was purchased by St. Sebastian Parish. In the 1980's it was turned back to the City and City Welfare moved in there. Finally Wesleyan acquired it by lease and turned it into an Arts Center. So the history shows that it was always for an institutional use. He spoke in favor of the application.

- Councilman Daley stated that the purpose of the G.S. 8-24 is to determine consistency with the Plan of Conservation & Development. Staff has reported that there is no conflict with the Plan of Conservation & Development. This was a very open and transparent process. Numerous forums were held for the public. He spoke in favor of the application.
- Ron Krom of 23 Mazzotta Place read excerpts from the Plan of Conservation & Development and spoke in favor of the application.
- Gary Stockton currently lives at the Eddy Center. He said that St. Vincent DePaul is literally saving lives and providing the needs of the community. He spoke in favor of the application.
- Ann Vouse, Executive Director of the Coalition on Housing and Homelessness. They depend on St. Vincent DePaul to rent apartments and manage properties. She spoke in favor of the application.
- Sue Murphy, representing Liberty Bank spoke in favor of the St. Vincent DePaul moving to 51 Green Street.
- Carmela Murphy of 43 Ferry Road spoke in favor of the St. Vincent DePaul moving to 51 Green Street.
- Jeff Pugliese from the Chamber of Commerce said the Chamber is a strong supporter in favor as the current location is inefficient, outdated and unfit for operations.
- Lisa McGee Corriveau, dining room manager and part time chef at St. Paul. She spoke about the negative stigma on the soup kitchen. She spoke about providing the training they offer for work and help to get apartments. She spoke in favor of the St. Vincent DePaul moving to 51 Green Street.
- Lydia Brewster, Assistant Director for Community Services at the St. Vincent DePaul and was one of the founders of the North End Action Team. She spoke with pride how many of the services have helped with the north-end residents with dignity. She manages the soup kitchen at St. Vincent DePaul and has high standard for conduct at the soup kitchen.
- Fred Reils of 460 Main Street is disappointed that some residents are against moving St. Vincent DePaul to 51 Green Street. He had been homeless and had hit rock

bottom and St. Vincent DePaul helped him get back on his feet. He is happy now and got married and is a chef at a hotel for three years. He purchased a car and is also an Uber driver. He supports St. Vincent DePaul moving to 51 Green Street.

- Betsy Morgan of 30 Gordon Place is representing the Middlesex (VITA) Volunteer Income Tax Coalition. They are helping some 600 families in Middletown with their taxes at no charges. This move would have a positive impact on the whole north-end and Middletown as a whole. She supports St. Vincent DePaul moving to 51 Green Street.
- Brian Rodrigue of 104R Liberty Street started going to the soup kitchen to eat. He was homeless and unemployed. He now volunteers. There is a code of conduct that is expected of everyone. If anyone acts inappropriately they are asked to leave the area or the police are called.
- Sharon Shifford supports the move. She is a member of the South Congregational Church and brought many members of the church to the meeting. She spoke in favor of St. Vincent DePaul and of the move to Green Street.
- Tanya Thomson of 51 Green Street would like to see a facilitated community meeting with north end neighborhood, especially, Rapallo, Green and Ferry Streets. She is concerned about the upkeep of the building on the outside. What about the youth of the neighborhood? She's also concerned about the drug interactions.
- Scott Healy of 459 Brentwood Lane is a nurse and is studying community and public health nursing. His learning experience is at St. Vincent. It is evident that they have outgrown their space and no longer meets the needs of the public. It is not handicapped accessible. There is no elevator to the second and third floors and the restroom is even one floor below. The new facility will provide laundry facilities, locker rooms and showers which are basic human needs that need to be met.
- Danielle of 65 Church Street has been very active in the community where she has raised five children as a single mother. She has and still uses the services that St. Vincent offers. She eats there weekly and mingles with others. She is a terminal MS sufferer and is so grateful for the caring and kind people at St. Vincents' (especially the guests who always say hello and cheer her up.)
- Eugene Flanagan of 35 Rapallo Avenue spoke in favor of the St. Vincent DePaul moving to 51 Green Street. He has been involved with the Coalition on homelessness and has worked for St. Vincent's Warming Center. He strongly supports this move.
- Shanay Fulton of 25 Green Street referenced the former unfavorable vote at the last P&Z meeting. She stated that residents that will be directly impacted by this move were not properly engaged in the process. Wants to create a strategic plan with

affected residents of Green, Rapallo, Ferry and Main Street and wants to know how St. Vincent's proposes to engage the community. She is against this move.

- Bobbie Knowles Peterson of 10 Knox Blvd. and former director of NEAT and former north-end homeowner supports St. Vincent DePaul but wants residents to be engaged on the process. They feel that no opportunities were offered and is against this move.
- Greg (?) describes surrounding area with opposition to every undesirable person that will now occupy this area. There were no studies for this project. He is concerned about the children in the area and the traffic. He stated that the smoking area for St. Vincent's abuts the children's playground.
- Nora Fitzpatrick is saddened to be pitted against the homeless folks. When she moved here in 2012, she was homeless. She received a lot of counseling from New Horizons and now has an apartment on Green Street. She and other are living in fear and poverty. She said she does not like to be called "blight" and that she doesn't matter to the Mayor and City Councilmen.
- Joan Hendricks served and eaten meals at St. Vincent DePaul. She urges the Commission to delay their decision and that they need to hear from the residents first. Inevitably behavioral problems will be moved to Green Street. The mothers of Green Street deserve answers.
- Peter Harding former Executive Director of St. Vincent DePaul. St. Vincent's has been serving the most vulnerable of the community for 39 years. Now it's your turn.
- Phil (?) lives in North Stonington and is the Episcopal priest at Trinity Church in Portland. He works with 7 priests in Middletown and is intimately involved with a community of folks served by St. Vincent's. He stressed that the economy associated with recovery does not use tax dollars for the services the City should be providing. You have a social service agency with a vast number of people committed to network and work with them in a coalition to help the very problem that is expressed.
- John Hall of 555 Main Street in Portland and former minister of First Church on Court Street feels that St. Vincent's has stabilized Middletown. He spoke of Middletown in 1990 where Middletown was a depressing place and where there were numerous people that slept on the side porch of the Church because of lack of affordable housing. They also has many people coming to the Church every day for emergency assistance and they were not able to help anyone effectively. Middletown is a very different place today and St. Vincent DePaul has been a part of the solution. They started the emergency assistance program which was burdensome on the community and the Amazing Grace Food Pantry which fills a great amount of that need.

- Carl Rodenhouser is staff at Columbus House. 20 years ago St Vincent got involved with Liberty Commons that was a blighted basically empty rooming house/hotel and they helped make it a stable place for those in need. That is one example that St. Vincent reached beyond what they normally did at the time. They have demonstrated the ability of occupy. Maintain and serve the community.
- Javier Woods is a pastor and resides next to the soup kitchen. He came from San Francisco. He did not want to see the leaders of the City, he wanted to see the people of the streets because that's where you find the truth. He stayed in Middletown because of St. Vincent's showed love to him. These people are just like you. There is no difference.
- Jack (?) of 65 Church Street is a seven year volunteer at the soup kitchen. He understands that there is concern of the residents. He said there may be a few characters that maybe you have to watch but 98% of the people coming to the soup kitchen are very courteous. They do not want to cause trouble. Some are homeless, and don't want to be homeless. These people usually just come to St, Vincent's for the meal and go on their way. The opportunities for other Social Services is great.
- Brian Swan lived in the north end of the City since 2015. He moved to the north-end the same reason many people live there. It was all he could afford. He became ingrained with the community and made many friends. He invited one homeless person to spend the weekend because it was very cold and he stayed with him for a year and a half. Since that time he's had a couple of other people who were homeless or on the verge and he has one staying with him now. This is his community and he is in full support of the move to 51 Green Street.

5. ZEO Certification that all public hearing signs have been properly noticed (when scheduled)

There were no public hearings scheduled tonight.

6. Public Hearings (when scheduled)

None

7. Old Business

None

8. New Business

- 1) Request for a favorable G.S. 8-24 Review for the lease of 51 Green Street and associated parking lots for St. Vincent DePaul to serve the homeless and low income segment of our community. Applicant/agent City of Middletown. G.S. 8-24 2019-4**

Steve Devoto addressed the Commission and the public regarding the mayor asking him to recuse himself.

“I was asked by the Mayor to recuse myself from this item. No one from the neighborhood asked me to recuse myself because I’m a strong supporter of St. Vincent DePaul. I have donated money this year and just about every summer in the past donated cases and cases of vegetables to the Amazing Grace Food Pantry. No one from St. Vincent DePaul has asked me to recuse myself because I have friends living downtown or because I’ve spend time reaching out to the neighbors of 51 Green Street. Only the Mayor. I’ve asked an advisory opinion from the Board of Ethics...this has not yet come. In any case it would only be advisory. The decision to recuse ourselves is entirely up to each of us. In my request for an opinion from the Board of Ethics, I explained why his reasons were spurious. You all have seen that. It’s a public document and I would be happy to share it with everybody. I asked a number of attorneys, former Commissioners, former mayor, friends who I respect whether these accusations merited recusal. None said they did. One person I did not ask was (?) he wrote the following unsolicited... ‘I’ve served for 8 years as Chairman of the Planning and Zoning, you can look it up. During that time, we considered a series of very controversial decisions; Wesleyan Hills, Westlake, Race Track proposal, Aetna etc. and you can be certain that I met with every one of them and did my homework. Steve Devoto has done the same. Good for him.’ I admit that some of these people did say that it was not worth raising a fight that I should just recuse myself because the mayor asked me, because whatever I did wouldn’t change the outcome of 51 Green Street. I decided to stick to process. I had to answer for myself these questions as any of us would. Did I conduct myself (this is from our bylaws)...did I conduct myself with reasonable propriety? Discharge my duties and impartially and fairly and make continuing efforts towards attaining and maintaining high standards of conduct? Did I make every reasonable effort to avoid even the appearance of impropriety? Did I use my official authority of influence for the purpose on interfering with/or affecting the results of an item or vote from the Commission? Let me note, the applicant is not St. Vincent DePaul, it’s the City. Speaking with St. Vincent, I was not speaking with the applicant. I had extensive conversations with residents who are for and residents who are against the City’s application. I sought them out. I tried to give them opportunities to interact with each other. None of these actions in my opinion warrant my recusal for any of the legitimate reasons outlined in our bylaws. I will not be recusing myself.”

The applicants (Mayor Drew, Councilman Giuliano and Councilman Daley) were given the floor to answer any questions from the Commission.

A 5 minute recess was given to change the video tape.

Rich Pelletier moves for a favorable G.S. 8-24 Review for the lease of 51 Green Street and associated parking lots for St. Vincent DePaul to serve the homeless and low income segment of our community. Steven Kovach seconds the motion.

- Rich Pelletier stated that he believes that this application does meet with the Plan of Conservation and Development and encourages the Commission to approve it.

- Commissioner Emery stated that the reason she voted no at the last meeting was because of the materials given to her. She based her decision on something other than land use. Having heard testimony, having had 2 weeks to think about it, having seen the changes particularly with the 10 year lease agreement, she will vote yes.
- Stephen Devoto agrees with Molly Salafia that decisions were made on the testimony heard at the last meeting. It's a really hard decision. He is not in favor of a positive review.
- Thom Pattavina stated that St. Vincent and the City have shown that they are willing to work with the community. He is in favor of approving.

The chair calls for the vote. It is 5 aye votes by Richard Pelletier, Molly Salafia, Elizabeth Emery, Steven Kovach and Thom Pattavina; 2 nay votes by Stephen Devoto, Joyce Rossiter. The Chair states the matter carries with 5 affirmative votes, 2 in opposition.

Molly Salafia was excused at 9:20 PM.

2) Proposed text amendment to add Section for Redevelopment Design District. Proponent City of Middletown, P&Z Commission Z2019-

Joyce Rossiter moves to schedule a public hearing for March 27, 2019 for a text amendment to add Section for Redevelopment Design District. Thom Pattavina seconds the motion. The chair calls for the vote. The Chair states the matter carries with 6 affirmative votes.

3) Proposed Special Exception with regard to Sections 61.01.34 & 61.01.35 for change of use from a Barber Shop to a Barber Shop / Trade School / Retail in the B-1 Zone at 346 Main Street. Applicant/agent Admir & Merhan Cecunjanin SE2019-1

Joyce Rossiter moves to schedule a public hearing for March 27, 2019 for a proposed Special Exception with regard to Sections 61.01.34 & 61.01.35 for change of use from a Barber Shop to a Barber Shop / Trade School / Retail in the B-1 Zone at 346 Main Street. Steven Kovach seconds the motion. The chair calls for the vote. The Chair states the matter carries with 6 affirmative votes.

4) Proposed Special Exception with regard to Section 60.02.13 & 44.08.2 for demolition of one existing building and construction of four proposed multi-family buildings with associated driveways, parking and utilities located in the 'M' Zone at 173 & 179 Butternut Street. Applicant/agent Hillside Investments, LLC/LRC Group SE2019-2

Joyce Rossiter moves to schedule a public hearing for March 27, 2019 for a proposed Special Exception with regard to Section 60.02.13 & 44.08.2 for demolition of one

existing building and construction of four proposed multi-family buildings with associated driveways, parking and utilities located in the 'M' Zone at 173 & 179 Butternut Street. Steven Kovach seconds the motion. The chair calls for the vote. The Chair states the matter carries with 6 affirmative votes.

5) Proposed Special Exception with regard to Section 60.02.23 for demolition of Woodrow Wilson Middle School at 1 Wilderman's Way and reconstruction of classrooms and main building. Gym will remain as public recreation center. Applicant/agent City of Middletown SE2019-3

Joyce Rossiter moves for to schedule a public hearing for March 27, 2019 for a proposed Special Exception with regard to Section 60.02.23 for demolition of Woodrow Wilson Middle School at 1 Wilderman's Way and reconstruction of classrooms and main building. Gym will remain as public recreation center. Thom Pattavina seconds the motion. The chair calls for the vote. The Chair states the matter carries with 6 affirmative votes.

9. Public comment on topics which are not or have not been the subject of a public hearing

10. Minutes of the Regular Meeting, Transcripts, Staff Reports and Commission Affairs

10.1 Minutes of February 27, 2019

Richard Pelletier moves to table the minutes of February 27, 2019. Thom Pattavina seconds the motion. The chair calls for the vote. It is 6 aye votes. The Chair states the matter carried with 6 affirmative votes.

10.2 Other Commission Affairs
a. River-Cog Report

Elizabeth Emery stated that there wasn't a meeting so there is no report.

10.3 POCD Discussion

Mark Devoe stated that they have been working with the Steering Committee and Consultants to garner some reviews on a proposed survey. They are planning to schedule two Charrettes. They are trying to figure out some dates at Wesleyan. The Council Chambers was deemed insufficient for the crowds they are expecting. The plan is to have one evening meeting and one on a Saturday morning.

10.4 Zoning Regulations (Parking) (RDD)

Mark Devoe gave an update.

11. Adjournment

Joyce Rossiter moves for adjournment at 10:00 PM. Thom Pattavina seconds the motion. The chair calls for the vote. It is 6 aye votes. The Chair states the matter carries with 6 affirmative votes

Respectfully Submitted,

Mark DeVoe
Middletown City Planner