

**AGENDA
THE PLANNING AND
ZONING COMMISSION**



Chm. Barbara Plum (11)
Vice-Chm. Richard Pelletier (11)
Sec'y James Fortuna (11)
MEMBERS Deborah Kleckowski (09)
Les A. Adams, Jr. (09)
(09)
Catherine Johnson (11)
ALTERNATES Carl Bolz (11)
Quentin W. Phipps (11)
Ronald Borelli (09)
Ex-Officio Mayor Sebastian N. Giuliano
Ex-Officio Asst. Dir. P.W. Robert Dobmeier
Staff William Warner, Director
Matt Dodge, Planning Env. Specialist
ZEO Bruce E. Driska, CZEO

**JANUARY 28, 2009
COUNCIL CHAMBERS
MUNICIPAL BUILDING
7:00 P.M.**

THE MUNICIPAL BUILDING IS WHEELCHAIR ACCESSIBLE

- 1. PLEDGE OF ALLEGIANCE AND ROLL TAKING**
- 2. DISCUSSION WITH PUBLIC ON ITEMS ON AGENDA WHICH ARE NOT, WILL NOT BE, OR HAVE NOT BEEN THE SUBJECT OF A PUBLIC HEARING**
- 3. PUBLIC HEARINGS (when scheduled)**
- 4. OLD BUSINESS**
 - 4.1 Proposed update of Chapter 6 Future Residential Growth of the Plan of Conservation and Development. Proponent P&Z Comm.
 - 4.2 Proposed update of Chapter 9 Promoting Commercial/Industrial Growth of the Plan of Conservation and Development. Proponent P&Z Comm.
 - 4.3 Proposed update of Chapter 8 Addressing the Urban Dilemma and Statement on Alternate Modes of Transportation of the Plan of Conservation and Development. Proponent P&Z Comm.
 - 4.4 Proposed update of Chapter 7 Protecting Natural Resources and Preserving Rural Character and Chapter 10 Maromas: Middletown's last frontier and Statement on Protecting Water Quality. Proponent P&Z Comm.
- 5. NEW BUSINESS**
 - 5.1 Appeal of the granting of a residential unit business pursuit for a massage therapy business at 81 Ridge Road
 - 5.2 Proposed Special Exception for a sober house to be located at 133 South Main Street. Applicant/agent New Freedom, LLC/Wendi Clark SE2008-11
 - 5.3 Request for G.S. 8-24 Review for the acquisition and rehabilitation of a city owned building located at 82 North Main Street by JDS Holding Company, LLC/John R. DeSena, President
 - 5.4 Request for G.S. 8-24 Review for the construction and the granting of easements for a 20-inch natural gas pipeline, primarily within the River Road right-of-way. Applicant/agent Algonquin Gas Transmission, LLC/Carmody & Torrance LLP
 - 5.5 Proposed amendment to the 1993 Open Space Plan section of the Plan of Conservation and Development to designate the entire Merriam Property as proposed open space. Applicant/agent City of Middletown Conservation Commission
 - 5.6 Request for G.S. 8-24 Review for the construction and the granting of easements for a 12-inch ultra low-sulfur diesel (USLD) pipeline through the City, primarily within city streets, the P&W Railroad right-of-way and a large tract of land owned by the City near the Kleen Energy Site. Applicant/agent Buckeye Partners L.P., STV Incorporated/Steve Schory, P.E., Project Manager
- 6. MINUTES, TRANSCRIPTS, STAFF REPORTS AND COMMISSION AFFAIRS**
 - 6.1 Minutes of 12/10/08 Special Meeting
 - 6.2 Minutes of 12/10/08 Regular Meeting
 - 6.3 Minutes of 1/14/09 Regular Meeting
 - 6.4 POCD Report – C. Johnson
 - 6.5 Draft Legal Opinion Request
- 7. ITEMS REMOVED FROM THE AGENDA AND WHY**
- 8. DISCUSSION WITH PUBLIC CONCERNING TOPICS WHICH ARE NOT SCHEDULED TO BE OR HAVE NOT BEEN THE SUBJECT OF A PUBLIC HEARING**
- 9. ADJOURNMENT**

ALTERNATES: C. Bolz, Q. Phipps, R. Borelli

If you require special accommodations for any meeting, please call the ADA Coordinator at (860) 344-3491 (voice), or (860) 344-3521 (TDD/TTY), or the Town Clerk's Office at (860) 344-3459 at least ten (10) days prior to the scheduled meeting.

Disclaimer:
The information on this Agenda does not necessarily reflect any official action or position of the Commission. In many instances items are being brought to the Commission's attention that have been filed with the staff.