

Commission on the City Plan - March 16, 1955 - 7:30 P.M.

PRESENT: Chairman I. Robert Traverse; Joseph V. Misenti, John Mosher, Seb. J. Passanesi, and Milo D. Wilcox, Jr., Director of Planning.

The meeting was opened by Mr. Traverse, and Mr. Wilcox gave a report that he had talked with the Corporation Counsel, Mr. Scamporino, on March 15, 1955, concerning the method of advertising the subdivision regulations decisions and zoning regulation revisions. Mr. Wilcox said that Mr. Scamporino had changed his opinion in regard to the necessity for holding a new public hearing on these revisions, and was now of the opinion that a new public hearing should be held in order that the public might have another opportunity to express itself concerning these revisions as amended by the Commission at its meeting on March 14th. Mr. Wilcox reported that he discussed this whole matter at some length with Mr. Scamporino and explained that the Commission members had reviewed all the revisions very carefully item by item at that meeting. He reported further that Mr. Scamporino did say that a new public hearing would not be necessary. Mr. Scamporino was of the opinion however that a new hearing would be necessary before passing the zoning revisions as amended. Mr. Wilcox said that Mr. Scamporino based his decision concerning a new hearing upon the large attendance at the first public hearing held March 8, 1955, upon the controversial opinions raised at that hearing, and on his feeling that the members of the public present at the hearing had been left with the impression that a new public hearing would be held.

Mr. Wilcox said that his discussion with Mr. Scamporino had been interrupted because the latter had to appear in Court and that Mr. Scamporino had said that he would get in touch with him before this meeting, March 16, but Mr. Wilcox said he had not been able to get in touch with Mr. Scamporino for further discussion prior to the meeting.

The Commission discussed at considerable length this opinion of the Corporation Counsel, since its previous actions had been guided by his earlier opinion that no public hearing would be required if the proposed revisions were amended so as to make them less stringent. The Commission members discussed whether, in view of the emergency nature of this entire action, it would be advisable to rescind their action of the meeting on March 14 and approve the revisions with no changes whatever, in which case Mr. Scamporino had informed Mr. Wilcox no new public hearing would be required; or whether it would be advisable to call for a new public hearing on the proposed revisions as amended. The Commission decided that, in view of what appeared to be some uncertainty as to the actual recall requirements for a new public hearing, that it would be advisable to request from the Corporation Counsel his written opinions on:

- 1) Whether a new public hearing would be required before formal approval of the subdivision revisions as amended at the Commission meeting on March 14;
- 2) Whether a new public hearing would be required before formal approval of the zoning revisions as amended at the Commission meeting on March 14;
- 3) As a guide to future actions of the Commission, what changes in any zoning or subdivision revisions may be permitted without requiring a new public hearing or hearings if such proposed revisions have been previously presented at a duly advertised public hearing.

On motion duly made and seconded, the Commission voted to forward a request for these opinions to the Corporation Counsel, and Mr. Wilcox was directed to draft this request for Chairman Traverse's signature. The Commission decided also to await the Corporation Counsel's written opinion before taking further action.

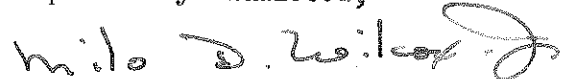
The Commission next took up the matter of review of the General Plan, and commissioned its review of the revised General Plan Notes which had been previously sent to each member.

Items 1 through 9 were covered and several changes were suggested which Mr. Wilcox was requested to make into notes for discussion at the next meeting.

The Commission members decided to meet again on Wednesday, March 23, at 7:30 P.M. in the offices of the Commission, at which time the Industrial Site Committee of the Middletown Industrial Development Corporation would be present to discuss industrial sites in Middletown.

The meeting was adjourned at 10:00 P.M.

Respectfully submitted,



Milo D. Wilcox, Jr.
Secretary