

PLANNING AND ZONING COMMISSION REGULAR MEETING MARCH 26, 2008, 7:00 P.M.
PAGE 1 OF 3

Comm. Les Adams, Comm. James Fortuna, Comm. Deborah Kleckowski,
Comm. Richard Pelletier, Comm. Catherine Johnson, Comm. Cynthia
Jablonski, Comm. Quentin Phipps, Comm. Ronald Borelli, Comm.
Matthew Lesser MEMBERS
PRESENT

Chw. Barbara Plum, Mayor Sebastian Giuliano, Ex-Officio, Asst. Dir.
P.W. Robert Dobmeier, Ex-Officio MEMBERS
ABSENT

William Warner, Director, Bruce Driska, Zoning Enforcement Officer,
Matt Dodge, Planning/Environmental Specialist STAFF

There were ten (10) members of the public present. There is a word for
Word tape recording of the meeting on file and available in the Planning
Office. PUBLIC

Kate Miller asked what purview the Planning and Zoning Commission
has regarding air pollution and indicated she would discuss the matter
during the public hearing. ITEM 2
DISCUSSION
WITH PUBLIC

Pat Benjamin, the engineer, and Scott Town, the architect, presented
the proposal. Comm. Matthew Lesser questioned traffic leaving the site
onto Washington Street. Pat Benjamin indicated they will be using the
existing entrance and if changes are required, they will make them then.
Comm. Catherine Johnson questioned the amount of parking spaces.
Pat Benjamin explained why the proposed twenty-six (26) spaces were
chosen and that they originally wanted more. Comm. Catherine Johnson
questioned the location of the drive-thru. Pat Benjamin indicated to allow
for proper queuing distance. Comm. Ron Borelli questioned if Home
Depot had easements through the property. Pat Benjamin indicated they
have mutual parking rights and that there would be no traffic at that
exit. Comm. Matthew Lesser requested clarification on the need for a
drive-thru. Pat Benjamin indicated it is a part of the applicant's business
plan. Comm. Les Adams discussed the report from the Design Review
and Preservation Board. Scott Town explained the modifications that
the Board requested. Comm. Quentin Phipps questioned the traffic flow
and how it would affect other traffic. Pat Benjamin indicated it would
not have a negative impact. Comm. Catherine Johnson recapped the
remarks from the Design Review and Preservation Board and asked
if the bank could go in the existing building. Scott Town indicated that
the restaurant is too large and would not work for the traffic. Kate
Miller spoke in regard to air quality and public harm from vehicle
emissions, distributed copies of a letter to the Commission and read
the letter into the record. Katchen Coley discussed clean air legislation.
On motion and second by Comms. James Fortuna and Catherine
Johnson the Commission closed the public hearing. Vote was un-
animous. Comm. Matthew Lesser asked William Warner if other
commissions had factored in air quality into their purview. William
Warner indicated he had not seen any discussion and noted that it could
be worked into the regulations but that it would be a stretch. Comm.
Richard Pelletier noted that he asked, before he became a commissioner,
to put in as a Special Exception to allow for drive-thrus. Discussion
ensued regarding air quality and drive-thrus. Comm. Quentin Phipps
questioned reduction of the drive-thru. Comm. Matthew Lesser asked
if the Special Exception was approved, how long was it good for.
William Warner indicated that the approval was good for one (1) year
ITEM 3
GRANTED SITE
PLAN APPROVAL
FOR A PRO-
POSED BANK
FACILITY WITH
A SPECIAL EX-
CEPTION FOR A
DRIVE-THRU
TO BE LOCATED
ON THE SOUTH
SIDE OF WASH-
INGTON STREET
NEXT TO THE
CAR WASH IN
THE HOME DE-
POT PLAZA

PLANNING AND ZONING COMMISSION REGULAR MEETING MARCH 26, 2008, 7:00 P.M.
PAGE 2 OF 3

but if a building permit has been issued the approval would be good in perpetuity. Comm. Matthew Lesser questioned if the Commission could add to the regulations Planning and Zoning purview over air quality standards related to drive-thrus. William Warner explained the current regulations and Planning and Zoning Commission guidance through the Plan of Conservation and Development and that it would have to be changed in the Plan of Conservation and Development. A motion to grant Site Plan Approval for a proposed bank facility with a Special Exception for a drive-thru to be located on the south side of Washington Street next to the car wash in the Home Depot Plaza was made by Comm. Richard Pelletier and seconded by Comm. Catherine Johnson. Comm. Catherine Johnson indicated that the Special Exception should not be granted due to its sprawl characteristics. Comm. Richard Pelletier noted that there would be no increase to impervious surface and no significant in air pollution. Comm. Quentin Phipps had concerns about the drive-thru but felt the site was appropriate. Comm. Matthew Lesser had reservations over the proposal. Comm. Quentin Phipps agreed with Comm. Matthew Lesser and feels the Commission should discuss air quality in the future. Comm. Ron Borelli discussed Home Depot and customers idling. Comm. Matthew Lesser questioned if the Commission could look at a precedent or do they have a broader latitude. William Warner indicated that Special Exceptions are site specific, that the Commission could craft a case for an issue with drive-thrus in this location and that it is an administrative, not a legislative decision. Comm. Deborah Kleckowski indicated that the Commission should include and address Kate Miller's letter in the Plan of Conservation and Development discussion. Bruce Driska reminded the Commission about previously approved drive-thru locations. The motion passed with Comms. Les Adams, James Fortuna, Cindy Jablonski, Deborah Kleckowski, Richard Pelletier, Quentin Phipps in favor and Comm. Catherine Johnson opposed. Applicant/agent TD Banknorth/Bascom & Benjamin, LLC SPR2008-28

On motion and second by Comms. Richard Pelletier and Deborah Kleckowski the Commission approved a request for final release of the cash bond in the amount of \$5,000 for the Bear Pond Subdivision located off Sachem Drive. Vote was unanimous. Applicant/agent Allen Bushnell S2002-8

ITEM 4.1
APPROVED A
REQUEST FOR
FINAL RELEASE
OF THE CASH
BOND FOR THE
BEAR POND
SUBDIVISION
LOCATED OFF
SACHEM DRIVE

On motion and second by Comms. Richard Pelletier and James Fortuna the Commission approved a request for reduction of the cash bond to \$2,500 for the Donitta Griffith Subdivision located off Olympus Parkway and Ballfall Road. Vote was unanimous. Applicant/agent Anthony DeLucia S2001-17

ITEM 4.2
APPROVED A
REQUEST FOR
REDUCTION OF
THE CASH BOND
FOR THE
DONITTA GRIF-
FITH SUB-
DIVISION LO-
CATED OFF
OLYMPUS PARK-
WAY AND BALL-
FALL ROAD

On motion and second by Comms. Richard Pelletier and James

ITEM 5.1

PLANNING AND ZONING COMMISSION REGULAR MEETING MARCH 26, 2008, 7:00 P.M.
PAGE 3 OF 3

Fortuna the Commission gave an affirmative G. S. 8-24 Review to lease 3,000 sq. ft. of space at the former Remington Rand building located at 180 Johnson Street to M & J Home Improvement. Vote was unanimous. Applicant/agent City of Middletown Economic Development Committee

GAVE AN AFFIRMATIVE
G.S. 8-24 REVIEW
TO LEASE 3,000
SQ. FT. OF SPACE
AT THE FORMER
REMINGTON
RAND BUILDING
LOCATED AT
180 JOHNSON
STREET TO M &
J HOME IM-
PROVEMENT

Bruce Driska gave his report. Comm. Ron Borelli had questions about Kleen Energy. Comm. Catherine Johnson questioned a few of the terms in the report. On motion and second by Comms. Quentin Phipps and Richard Pelletier the Commission accepted the report. Vote was unanimous.

ITEM 6.2
ZEO REPORT

On motion and second by Comms. James Fortuna and Deborah Kleckowski the Commission approved the minutes of the March 12, 2008 Regular meeting. Vote was unanimous.

ITEM 6.1
APPROVED THE
MINUTES OF
THE 3/12/08
REGULAR MEET-
ING

Comm. Deborah Kleckowski requested that Item #8 be moved up before Item #6.3. Kate Miller discussed the air quality in Middletown and asked for the city to review what other cities are doing. Discussion ensued. Comm. Deborah Kleckowski questioned the difficulty with having to interpret guidelines. Comm. Ron Borelli commented on the Environmental Protection Agency air quality listing. Comm. Cindy Jablonski discussed the use of non-idling signs. Discussion ensued.

ITEM 8
DISCUSSION

William Warner presented Chapters 7 and 10 of the Plan of Conservation and Development. Discussion ensued regarding development, roads and open space as well as how changes can be made within the Plan of Conservation and Development.

ITEM 6.3
PLAN OF CON-
SERVATION
AND DEVELOP-
MENT WORK-
SHOP

On motion and second by Comms. Catherine Johnson and Quentin Phipps the Commission adjourned the meeting at 10:15 p.m. Vote was unanimous.

ITEM 9
ADJOURNMENT

Respectfully submitted,

Matthew Dodge
Planning/Environmental Specialist