

CHM Stephen T Gionfriddo, Vice-Chm Cos Giuffrida,  
Sec'y Louis A Carta, Steven J Leinwand,  
Vincent J Loffredo, Sebastian J Passanesi,  
Rose Sbalcio (Comm Sbalcio arrived at 7:15 PM, after  
Items 1 and 2), Director of Public Works, Salvatore Fazzino,  
Alternates: Stephen Gadowski and Thomas E Hutton, Jr.

COMMISSION  
MEMBERS  
PRESENT

Mayor Sebastian Garafalo, Ex-Officio, Paul H Bixby and  
Thomas J Serra.

MEMBERS  
ABSENT

Commissioner Hutton acted for Commissioner Sbalcio on  
Items 1 and 2. Commissioner Gadowski acted for  
Commissioner Passanesi, who disqualified himself on  
Items 1 and 2. Commissioner Hutton acted for Commissioner  
Leinwand, who disqualified himself on Item 3.

ACTING  
MEMBERS

Dir George Reif, Hope Kasper and Patricia Michnowicz.

STAFF

Lucas Held, Reporter, Middletown Press, Rich Webster,  
Reporter, WCNX Radio Station and approximately 28 members  
of the audience.

OTHERS

CHM GIONFRIDDO

We'll move on with the Public Hearing and we'll ask the  
secretary to read the Legal Notice of the Public Hearing.

SEC'Y CARTA

Legal Notice, Middletown Connecticut

THE MIDDLETOWN PLANNING AND ZONING COMMISSION WILL HOLD A  
PUBLIC HEARING, MARCH 28, 1984, 7:00 PM, IN THE COUNCIL  
CHAMBER, MUNICIPAL BUILDING, deKOVEN DRIVE, MIDDLETOWN,  
CONNECTICUT to consider the following:

Item 2.1 Proposed map amendment to rezone a parcel on  
Stoneycrest Drive from R-2 to R-3. Applicant/  
agent Martin & Donna Nosal/Paul Stetson. A  
map of the parcel is filed in the Office of  
the Town Clerk.

PROPOSED MAP  
AMENDMENT  
STONEYCREST  
DR M&D NOSAL  
P STETSON  
Z84-5

CHM GIONFRIDDO

This Legal Notice appeared in the Middletown Press twice,  
March 16th and March 23rd, 1984. Is the applicant here to  
make their proposal?

FRANCIS MARINO

Mr. Chairman, Commissioners, my name is Francis Marino of  
66 Connery Road. I'm here to represent Marty and Donna Nosal  
on the request of this change from R2 zone to R3. The area in  
which this lot is situated is presently surrounded by all  
R3 zones. So I don't think, as I said last meeting, I don't feel  
it's an unreasonable request and I would hope that this Commission  
would approve the change.

CHM GIONFRIDDO

George, could you briefly. Do you have a map to show us what's  
going on here?

DIR REIF  
(Inaudible. Away from microphone)

CHM GIONFRIDDO  
Excuse me. George, I think you're going to have to speak up. This isn't a conversation between us. I don't know that people can hear and we're even having trouble hearing, so you're going to have to ...

COMM CARTA  
Could he turn it around so we can see it?

CHM GIONFRIDDO  
Yes. Could you pivot the map, George? George, could you pivot the map so we can see what you're doing? Thank you.

FRANCIS MARINO  
If this is Stoneycrest Drive, I believe it is, then the lot that we're talking about should be at this point right here. We're one lot behind a house facing Newfield Street, right behind the house on the corner of Newfield Street. Adjacent to that lot is the Carabetta housing development. To the right of Stoneycrest Drive is Stoneycrest Tower. So you see, we're surrounded in that particular area by a density of housing, and they're all R3. So that's why I feel that the request we're making this evening is not an unreasonable one since we're surrounded in that area by R3.

COMM LEINWAND  
Mr. Chairman.

CHM GIONFRIDDO  
Commissioner Leinwand.

COMM LEINWAND  
George, are we surrounded by R3 or to the ...

DIR REIF  
You're contiguous to the R3.

COMM LEINWAND  
Contiguous. But the north side and the street frontage would still be R2.

DIR REIF  
Correct. You may remember a year or so ago you rezoned all the apartment complexes in town, from whatever it was they were zoned to R3. So this is a request to extend that R3 zone to include a lot that is now not occupied, immediately adjacent or contiguous to the Carabetta apartment complex.

COMM LEINWAND  
There are no structures on this particular parcel right now.

FRANCIS MARINO  
Nothing at all.

COMM LEINWAND

And it is one, separate, delineated parcel on the Tax Assessor's maps.

FRANCIS MARINO

Yes, it is.

CHM GIONFRIDDO

Are there any other questions? Commissioner Carta.

COMM CARTA

The frontage you're going to be using is on the drive that goes into the apartments at present, the apartments now which are Stoneycrest? Is that where you're going to enter it?

FRANCIS MARINO

It's right off of Stoneycrest. It fronts right on Stoneycrest Drive.

COMM CARTA

You're not going to have any exits out on 72?

FRANCIS MARINO

I beg your pardon?

COMM CARTA

You don't have any exits out on 72?

FRANCIS MARINO

No.

COMM CARTA

Could you tell us what's in front there on 72?

FRANCIS MARINO

On 72. It doesn't face 72 at all. It doesn't go out to 72 at all. Do you mean how deep is it?

COMM CARTA

There's a piece. Maybe George can answer it where he's at the map.

DIR REIF

There are dwelling units there, houses...

COMM CARTA

Out on that piece.

DIR REIF

...contiguous on the next street to other lots. Each one, according to this map, shows that there are two dwelling units there.

COMM CARTA

Okay, where the land comes closest to 72, it kind of jogs out and comes real close to 72, it doesn't even look like there's a lot there. Is there one there?

DIR REIF

I think if you look at this map you'll see...

(Multiple speakers)

CHM GIONFRIDDO

I would ask that any questions that are going to be asked, be asked to the public again. Are there any other questions? Okay, thank you Chick.

FRANCIS MARINO

Mr Chairman, I would hope that we will render some kind of a decision this evening. We'd appreciate it very much if there's no opposition to the request.

CHM GIONFRIDDO

Thank you, Chick.

FRANCIS MARINO

Thank you very much.

CHM GIONFRIDDO

Are there any members of the public who wish to speak in favor of this proposal? In favor of. Are there any members of the public who wish to speak in opposition? You just come up and identify yourself, give your name and address please.

WILLIAM DONAHUE

My name is William Donahue and I live at 426 Newfield Street in the immediate area of that particular location. As was pointed out, this land is not surrounded by, it is contiguous by R3 on one side only. The rest of that area, except for the Carabetta development, is all individually occupied dwelling units and I'd like to speak against that because at this point there's quite a bit of traffic in the area anyway. And what is there to stop people from taking down the house on the piece of property now and having access to Route 72 and thereby creating additional traffic. So I would like to speak against this particular issue. That's all I have to say.

CHM GIONFRIDDO

I was going to say, our understanding as it was explained to us is there is no house.

WILLIAM DONAHUE

There is a house there.

CHM GIONFRIDDO

Not on this particular parcel there isn't. It has no frontage on 72 and no house.

WILLIAM DONAHUE

I thought the parcel was owned by the same party that owned the house that faces Newfield Street.

CHM GIONFRIDDO

The understanding that we have is that the only access is on Stoneycrest Drive and no access to 72.

COMM LOFFREDO

Do you know what parcel ...

CHM GIONFRIDDO

Commissioner Loffredo.

(Multiple speakers)

COMM LOFFREDO

Mr. Chairman, maybe George, you could show him what parcel.

(Multiple speakers)

WILLIAM DONAHUE

It is two lots that just happen to be owned by the same person.  
Thank you.

CHM GIONFRIDDO

Okay, thank you. Is there anyone else who wishes to speak in opposition to this proposal?

WILLIAM CORVO

Mr. Chairman, my name is William Corvo, 790 Ridge Road. I represent Carabetta Enterprises, Joseph Carabetta. I don't really have any problem with the immediate zone change. Obviously there's been no proposal for development yet, so I'm not going to address the problem pro or con. But is there some way that there can be a method by which this Commission can notice parties involved in, or adjacent to zone changes on a direct basis? Now I know a number of communities do that within a hundred and fifty, two hundred feet in some densities. And when you have a developer like Carabetta which has a number of rental apartments in an area like Middletown, the management of the corporation is not always appraised of what's happening in Legal Notices even if they are well advertised. On the merits of the zone change there is no pro or con yet. When the development takes place, we don't want special consideration but we feel that it might be appropriate for the Commission to consider direct notice to individual parties within an adjacent area.

CHM GIONFRIDDO

Bill, just for your knowledge, we had a Public Hearing on just that item on March 14th and it's on our Agenda as Old Business to be discussed. Okay? Thank you.

WILLIAM CORVO

Thank you.

CHM GIONFRIDDO

Is there anyone else who wishes to speak in opposition to this proposal? If not, we'll close the Public Hearing on Item 1 and move on to Item 2.

COMM LEINWAND

Mr. Chairman, is it appropriate to place this on the New Business Agenda at this point?

CHM GIONFRIDDO  
If you make a motion.

COMM LEINWAND  
I would move that this be Item 6.9 on the New Business Agenda.

COMM LOFFREDO  
Second.

CHM GIONFRIDDO  
There's a motion and a second. Any discussion? If not, all those in favor? Any opposed? (Vote was unanimous) It will be Item 6.9 on New Business. Okay now, just for the record, Commissioner Passanesi has disqualified himself on Item 1 and on Item 2. So for the purposes of Item 1 and 2, Commissioner Gadomski will be sitting in place of Commissioner Passanesi. I will move to Item 2 on the Public Hearing.

SEC'Y CARTA

Item 2.2 Proposed special exception to permit additional housing units, 2 buildings, at Marino Manor located on Randolph Rd. and South Main St. in an R-1 zone. Applicant Middletown Housing Authority.	PROPOSED SE MARINO MANOR RANDOLPH RD & SOUTH MAIN ST MIDDLETOWN HOUSING AU- THORITY. SE84-2
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CHM GIONFRIDDO  
Tom?

TOM GIONFRIDDO  
Good evening. My name is Tom Gionfriddo. I'm the director of the Middletown Housing Authority at 40 Broad Street. And what we're requesting this evening in terms of a zone change is permission for the appropriate zone change that would allow us to construct up to twelve (12) units on the 1.3 acre parcel of land that's now occupied by the Long Hill School that's adjacent to Marino Manor. We would construct units, if we were able to secure funding, similar to the units that are already there. That is one story units, probably two buildings consisting of approximately six units each. Each unit is about five hundred (500) square feet.

CHM GIONFRIDDO  
George?

DIR REIF  
There's no zone change involved.

CHM GIONFRIDDO  
No, it's a special exception.

DIR REIF  
They're in an R1 zone and they're asking for a special exception.

CHM GIONFRIDDO

That's correct. Are there any Commissioners who have any questions?  
Commissioner Carta.

COMM CARTA

We already gave a special exception on the rest of the piece, so we  
just have to extend the area of it?

DIR REIF

Yes, that is correct ... ( Inaudible. Away from microphone)...  
How many units are going to be there?

TOM GIONFRIDDO

Not more than twelve.

COMM CARTA

What surrounds. What's on the other two sides? R1?

DIR REIF

It's all R1 around there. Adjacent to the proposed buildings is the  
existing housing for the elderly.

COMM CARTA

Right.

DIR REIF

It's on the corner of South Main Street and Randolph Road. Right now  
there's a school there.

COMM CARTA

They're going to tear that down?

DIR REIF

It's been sitting there for a long time. Discussions have been going  
over the decade about tearing it down.

CHM GIONFRIDDO

Commissioner Leinwand, do you have a question?

COMM LEINWAND

Tom, there's one new curb cut that would go in to take care of these  
or is that an existing curb cut for the school?

TOM GIONFRIDDO

We have an existing curb cut. There'll be no new curb cut, I don't  
believe.

COMM LEINWAND

Excuse me?

TOM GIONFRIDDO

I don't envision a new curb cut. Is that right, Seb?

(Multiple speakers)

COMM LEINWAND

Have you got funding for this now?

TOM GIONFRIDDO

No we don't. We're in the process of applying for funding.

COMM LEINWAND

Through the State Department of Housing.

TOM GIONFRIDDO

One of the criteria is on the application we must show proper zoning.

CHM GIONFRIDDO

Are there any other questions?

COMM LEINWAND

And you said each of these structures would house six units, so you're talking a total of twelve new units altogether.

TOM GIONFRIDDO

A maximum. We may go as low as eight (8).

CHM GIONFRIDDO

Are there any other questions from the Commission? Thank you, Tom. Are there any members of the public who wish to speak in favor of this proposal? Are there any members of the public who wish to speak in opposition to the proposal? If not, we'll close Item 2.

COMM LOFFREDO

Mr. Chairman, I move that Item 2 of the Public Hearing be made Item 6.10 on the Agenda.

CHM GIONFRIDDO

There's a motion. Is there a second?

COMM LEINWAND

Second.

CHM GIONFRIDDO

A motion by Commissioner Loffredo, seconded by Commissioner Leinwand. Is there any discussion? If not, all those in favor? Any opposed? (Vote was unanimous) And before we move to Item 3 on the Agenda, Commissioner Sbalcio is here, Commissioner Passanesi is back sitting, so we have a full contingent... Oh, no we don't. Commissioner Leinwand is now disqualifying himself on Item 3, so Commissioner Hutton will be sitting for Commissioner Leinwand on Item 3 and Commissioner Gadomski will be back as an alternate. Okay, so we'll move on to Item 3 on the ...

SEC'Y CARTA

Item 2.3	Proposed 3 lot subdivision located on the north side of Footit Drive, approximately 395 feet west of the intersection of Atkins Street and Footit Drive in an R-1 zone at the time the application was filed. Applicant/agent Westfield Associates/Atty. William T. Shea	PROPOSED SUB-DIVISION FOOTIT DRIVE WESTFIELD ASSOCIATES S84-8
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ATTY SHEA

Mr. Chairman and members of the Commission, for the purposes of the record my name is William T Shea and I represent Westfield Associates, the applicant for this subdivision. I'm sure that the members of the Commission and the public are aware that this is a three lot proposed subdivision off of Footit Drive. The reason for the submission of this application and for obtaining control of this land is because of the questions that have been raised by the Commission relative to our neighboring subdivision which is presently before this Commission, and that is Westfield Heights. In view of the questions as to additional or an alternative means of access that Commissioner Loffredo raised, we did obtain the right to this property and it is available. We would say to the Commission though that we think that it's rather poor planning to have this tied in because Footit Drive right now is a very rural street. It's a City street maintained by the City of Middletown. However, it is one of the last dirt roads, I guess, in the City and I know that the people who live on Footit Drive are very concerned about maintaining that type of rural atmosphere. It is the only practical alternative as far as access is concerned in the event that it is required by this Commission. And so therefore, we do have it. The application that we have made tonight does not show the tying in of this subdivision into the Westfield Heights Subdivision, but of course, if that is mandated by the Commission or if it is mandated by the Commission that an alternate means of access to the Westfield Heights Subdivision is in order, then we certainly would be able to extend the road through the subdivision into Westfield Heights which would then provide the three lots that the subdivision proposes, proposaf that is before you tonight, and also an alternative access means to Westfield Heights.

CHM GIONFRIDDO

George, do you have the map of that? Is there a map put up? Is that the map? Do any Commissioners have any questions of Mr. Shea, Attorney Shea? Commissioner Loffredo.

COMM LOFFREDO

I have a procedural question. All of this particular Legal Notice talks just about a three lot subdivision located on the north side. The testimony though of Attorney Shea is that this is a part of the larger subdivision.

ATTY SHEA

No sir, it is not my testimony.

COMM LOFFREDO

It's your intent that it will be.

ATTY SHEA

No sir. I'm just pointing it out to you that it could be if it is the desire of the Commission.

COMM LOFFREDO

Okay, so this stands on its own.

ATTY SHEA

Oh yes, as is required under State Statutes and under your Subdivision Regulations, Commissioner

COMM LOFFREDO

I just want to clarify your testimony.

ATTY SHEA

I hope my answers have clarified the point.

CHM GIONFRIDDO

Commissioner Loffredo, do you have anything...

COMM LOFFREDO

Well, the matter before us here is just dealing with this three lot subdivision as stated in the Legal Notice.

CHM GIONFRIDDO

That's correct.

COMM LOFFREDO

Thank you.

CHM GIONFRIDDO

Are there any other questions of Attorney Shea from any members of the Commission? If not, thank you.

ATTY SHEA

Thank you very much.

CHM GIONFRIDDO

Are there any members of the public who wish to speak in favor of this proposed subdivision? Are there any members of the public who wish to speak in opposition?

WAYNE REED

Wayne Reed. I live at 1557 Country Club Road in Middletown. It's not so much that I'm in opposition to it, but am I correct in assuming the same rules and regulations would apply to this subdivision as goes into the subdivision adjacent to it, which would also include access to water which at present is nowhere near the area?

CHM GIONFRIDDO

It stands on its own merit so it would have to follow the same regulations or the same standards as the other subdivision.

WAYNE REED

Okay, which would include the fact that no water at present is up there.

CHM GIONFRIDDO  
That's correct.

WAYNE REED  
Okay, that was my only question. Thank you.

CHM GIONFRIDDO  
Is there anyone else who wishes to speak in opposition? If not,  
we'll close Item 3...

COMM LOFFREDO  
Excuse me Mr. Chairman, before you close it.

CHM GIONFRIDDO  
Go ahead.

COMM LOFFREDO  
Do we have any comments on this one yet? I don't see them.

CHM GIONFRIDDO  
Are there any staff comments, George?

DIR REIF  
If we had them by the time we made our mail out, they were sent to  
you ...(Inaudible)...

COMM CARTA  
I have a question on the comments.

(Multiple speakers)

CHM GIONFRIDDO  
George, these comments that you passed out to us, these are more  
your comments than the normal staff comments we get, aren't they?

DIR REIF  
No, the departmental comments ...

CHM GIONFRIDDO  
I mean don't you usually break them down between Public Works,  
Water & Sewer. I don't see that for these.

(Multiple speakers)

CHM GIONFRIDDO  
I don't think any of us got it, let's put it that way.

COMM CARTA  
I have page one of three which is...

CHM GIONFRIDDO  
The only thing we have is these notes.

DIR REIF  
You got them in the mailing of the 14th.

CHM GIONFRIDDO

Okay, in other words, the comments were back at the meeting of the 14th. Well George, for the edification of the members of the Commission, why don't you review... You've got them? Why don't you review what you have for staff comments for people on the Commission who don't have them with them.

DIR REIF

Here's one from the Police Department: "The traffic division has no objections to this site plan as shown."

One from the Health Department: "This department has the following preliminary comments:

1. The availability of public water and sewer facilities for this subdivision is totally dependent on their extension as part of the proposed Westfield Heights development.
2. The location of the 30' utility easement through Lot 12 of the proposed Westfield Heights may restrict the house placement.
3. Construction and maintenance of the stormwater drainage through Lot 1 must be reviewed by the Inland Wetlands Commission, The Soil Conservation Service and the City Public Works Engineering Department. Also, this strip should be designated as an easement.
4. Who will be responsible for maintenance of the triangular shaped parcel of land (including a wetlands area) adjacent to and west of the proposed Shirley's Court?"

From the Public Works: "The following comments are offered after review of the referenced proposal:

1. First to answer your question, all of Footit Drive between Atkins Street and Stantack Road is a city maintained street although not conforming to the usual standards.
2. The normal width of a drainage easement for city maintenance of a storm water system is 20 feet (10 feet on each side of the centerline of pipe).
3. A right to drain document must be received from the owner (Lindquist) of land upon which surface water is discharged. If adjacent owner is agreeable, it may be more acceptable to drain toward the wetlands area.
4. Some provision must be made to provide for surface water on the proposed cul-de-sac, since it presently slopes to the east by some 5 feet.
5. Any grading of the site to provide house locations and road construction must conform to erosion and sediment controls.
6. Sight distance must be provided to the west at intersection of proposed road with Footit Drive.
7. Although note on profile sheet states that developer will conform to all city standards, we must restate that the intersection must conform to our vertical detail standard. This may require some drainage provision, as well, for conformance.
8. Lot areas range from 21,000 square feet to 27,000 square feet. It is our understanding that this parcel was recently rezoned, thereby making these lots non-conforming."

DIR REIF (Continued from Page 12)

Water and sewer has a form they check. They've checked "NO WATER AND SEWER AVAILABLE" They've also checked "SPECIAL CONDITIONS" and under that they have: "a. Development beyond limits of existing water and sewer systems but generally serviceable in the manner shown. b. The utilities should be extended north on 'Shirley's Court' (10' - sewer) (20' - water) to eliminate any private utility easement for Lot #1. c. This subdivision is conditionally approved subject to the completion of Woodland Terrace Subdivision (S83-15) and Westfield Heights Subdivision (S83-25)."

CHM GIONFRIDDO

Thank you, George.

DIR REIF

We have nothing from the Fire Department.

CHM GIONFRIDDO

Do any Commissioners have any questions? Commissioner Carta.

COMM CARTA

Does the applicant have these?

DIR REIF

The applicant ...

COMM CARTA

Do you have these comments?

ATTY SHEA

We picked them up today.

COMM CARTA

I don't have them myself. I probably do, but I don't have them.

DIR REIF

We have developed an elaborate system in which the staff people spend a lot of time and a lot of money making copies and sending things out, a lot of postage, so I have every confidence that you got them somewhere along the line.

CHM GIONFRIDDO

I would only ask one thing, George. Maybe the other Commissioners may or may not want this to happen but I would ask that we get the staff comments in the package that we get just before the Public Hearing.

DIR REIF

That means you would not have had them for the preliminary presentation.

CHM GIONFRIDDO

I'm just thinking to myself that it seems like it would be more beneficial for us to have them when we're on the record than when we're not.

DIR REIF

Well, we were trying to decide whether to duplicate them again.

CHM GIONFRIDDO

Well, I don't want you to send them out twice, okay?

COMM CARTA

The applicant just got them tonight and we got them at the preliminary?

DIR REIF

The applicant has had every opportunity to come look at these documents. Again these comments are from the ...

CHM GIONFRIDDO

I was going to say, my...

DIR REIF

For instance, Water and Sewer gives their approval. They have no authority to approve us.

COMM CARTA

True. I understand.

CHM GIONFRIDDO

I was going to say, I would think it's more beneficial that everyone would have had them in front of them tonight than that we had them two weeks ago.

COMM CARTA

Are you prepared. I'd like to ask a question of the applicant. Is he prepared...

CHM GIONFRIDDO

Commissioner Carta.

COMM CARTA

As the applicant, are you prepared to make any comments on these or you haven't had time to look at them or...

ATTY SHEA

No, I don't think that in view of the fact that we only received these today and learned of their existence today, we would prefer to address them during the regular portions of the meeting. I think if there are any questions we're pretty familiar with the comments that were raised and we could probably address those questions, but I would prefer to reply to the staff comments with the staff as is the usual procedure.

CHM GIONFRIDDO

Any further questions from any Commissioners? Commissioner Carta.

COMM CARTA

I have one more of George. On the information concerning items on the Agenda, number 3 addresses this subdivision. This is the one that we just got in our packet. This is page 1, item 3. I'd like some clarification and I'd like to know what your intent is.

COMM CARTA (Continued from Page 14)

It says, "Proposed 3 lot subdivision...." You're familiar with the paragraphing?

DIR REIF

You're talking about the one that mentions that the water and sewer facilities weren't there?

COMM CARTA

Yes.

DIR REIF

Two of the departments make that same comment. It's a fact that they're out there showing sized lots based on the availability of water and sewer.

COMM CARTA

I understand that. Yes, obviously there's nothing there but woods now. The part that I'm not clear on is, it says, "You may wish to give approval with the stipulation that the approval will become effective when the utilities are actually available within some set time limit such as one or two years." And we're talking about the two subdivisions. Are you saying that we shouldn't give approval on the other subdivision or this one?

DIR REIF

You've already given approval on one subdivision. You're studying the other one.

COMM CARTA

Correct. The other one being which one?

DIR REIF

This is the, I forget the name of it.

CHM GIONFRIDDO

Westfield Heights.

DIR REIF

Westfield Heights, okay. You haven't acted on that. I don't know what you're going to do on that. This is a 3 lot subdivision which is even further from the source of the utility lines.

COMM CARTA

Correct.

DIR REIF

But they've asked for sizes basically...

COMM CARTA

There's lots actually further away than these lots. They keep going way up the hill and beyond there.

DIR REIF

You may want to take that into consideration on these lots too. You may also decide, if you want to, that you can't approve these because there's not the facilities of water and sewer available. Two other departments make that same observation.

COMM CARTA

I just have a hard time with the way we're doing this. I have a comment in that normally when you give approval, the person has five years under the statutes.

DIR REIF

Under the state law there's five years to finish a subdivision.

COMM CARTA

And he never has the water and sewer there until he brings it there.

DIR REIF

That is correct. But this is a long way away and it depends, as they pointed out in the other... (Inaudible)... that this is a long way away and they have to go through their first subdivision to get to these. Again, this brings up a wonderful opportunity, staff comments are just that.

COMM CARTA

Yes, I understand. I have no problem with the comments. I want to understand. The way I interpret it is that you meant both this new subdivision tonight not to be approved and the other one also.

DIR REIF

It doesn't say anything about the other one. We're already over the hill on that. We've already had the Public Hearing and you're looking at that... (Inaudible)...

COMM CARTA

Okay, I thought the two of them were commented on.

CHM GIONFRIDDO

Any other questions from Commissioners? Is there any other member of the public who was wishing to speak in opposition? If not, we will close Item 3 and move to Item 4. Commissioner Leinwand is back, so all the regular members are sitting and the alternates are back to being alternates.

SEC'Y CARTA

Item 2.4 Proposed special exception to permit a used car dealer located at 1000R Newfield Street in an I-2 zone. Applicant Moore Brothers.	PROPOSED SE NEWFIELD ST MOORE BROTHERS SE 84-3
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CHM GIONFRIDDO

I just ask you to identify yourselves.

ALFRED MOORE

I'm Alfred Moore. This is my brother James.

JAMES MOORE

I'm James.

DIR REIF

You may want to point out where your proposed location is near Newfield Street. Here's Newfield Street... (Inaudible)...

ALFRED MOORE  
(Inaudible. Away from microphone)

COMM CARTA  
Could you speak up a bit so we can hear you. It's hard to hear you.

ALFRED MOORE  
Okay, we're by the Vinci Oil... (Inaudible)... There's already  
a lot of industry out there in that area.

CHM GIONFRIDDO  
What exactly are you going to be doing on the site?

ALFRED MOORE  
Selling used cars...

CHM GIONFRIDDO  
Why don't you sit down so you can be next to the microphone so they  
can pick it up.

ALFRED MOORE  
We're going to be selling used cars, body work and mechanical work.

CHM GIONFRIDDO  
Do any Commissioners have any questions?

COMM CARTA  
I'm not clear on the building, where it is.

CHM GIONFRIDDO  
George, why don't you help them... (Multiple speakers)

DIR REIF  
First of all, they want to have a used car facility. It's among the  
zones that that's permitted in, it being a special exception in the  
I-2 zone. We have a series of requirements in your Section 44 that  
are specifically associated with this type of activity. One of the  
requirements is that they have frontage on a state highway. They do  
have frontage on a state highway... (Inaudible. Away from micro-  
phone)... What they're going to do is rent a building from the  
J.J. Vinci complex of activities out there. They would like to be  
in one of those buildings. They can't be there. They can't take.  
The next step is to get their license, and they can't do those things  
unless they get approval by the Planning & Zoning Commission and the  
special exception granted... (Inaudible)... I'm sure that during the  
course of the evening they'll mention that they'd like to be on the  
decisions made at the end because they're also on the Board of  
Appeals Agenda for April 4th. They can't get approval for...

CHM GIONFRIDDO  
Commissioner Leinwand

COMM LEINWAND  
George, they need approval to do what? Right now there is a repair  
shop there, is there not? And that's...

DIR REIF  
Right. Had they only been going into repair...

COMM LEINWAND  
That's legitimate, right?

DIR REIF  
They want to have a used car sales lot.

ALFRED MOORE  
You see, Mr. Vinci already has a repairer's license there, but for the used car, for the state, you need the special exemption.

DIR REIF  
Exception.

ALFRED MOORE  
Exception. There was, Graves Plymouth was in the building that we're in before for about a year apparently. And I don't know if they had a repairer's license or a dealer's license there.

COMM LEINWAND  
You'd be selling cars directly out of the shop or you would have them lined up and have ...

ALFRED MOORE  
No. The blueprints, survey, that we left last time we were here, there's the frontage that the state requires, it's all fenced in, there is an opening that's installed in a gate that, by the state law, they want you to have open to a main highway.

COMM LEINWAND  
George, would you...

DIR REIF  
They're going to have an automobile sales lot.

COMM LEINWAND  
Fronting on Newfield Street or is the drive off of Mile Lane.

ALFRED MOORE  
Fronting on Newfield Street but the drive, there is an opening we had put in the gate on Newfield Street, which is supposed to have access to a main highway. So that's all in there.

CHM GIONFRIDDO  
Commissioner Carta.

COMM CARTA  
Question. George, we, to my recollection, we already approved this lot and the front on the street for sales, for equipment sales; bulldozers, back hoes, tractors and the like. When the Graves Company...

DIR REIF

They're in back of that lot.

COMM CARTA

Pardon?

DIR REIF

They're in back of that lot. Their building is in back of that lot where they actually, supposedly repaired.

COMM CARTA

But that's a shop. But the frontage, the place he's talking about for his car display, used car display, is the same one in fact, to my recollection anyway, we've already approved for sales. Graves had all his equipment parked along the street, his items for sale, behind the chain link fence, and we approved it.

ALFRED MOORE

Right. We're right in the same building that Graves was in originally and it's going to be like you said, the same place we're going to sell cars is where he had his equipment.

DIR REIF

They need the date of a special exception for approval ...  
(Inaudible)

COMM CARTA

Am I correct in what I'm saying.

DIR REIF

There shouldn't. We're backing into this. There shouldn't be any problem, it's in the right zone. It's a, I hate to use the word, a formality but they have to go through the process of filling out a form. For some reason we don't...

COMM CARTA

No, I'm just curious if we already had approved that use there.

DIR REIF

We could have decided at one point that it was neither necessary to go to ZBA or the Planning Commission. It seemed prudent to go through each because there are certain changes that are involved and ... (Inaudible)

CHM GIONFRIDDO

Commissioner Loffredo.

COMM LOFFREDO

Yes. I'd like to move to place this item on, this Item 6.11 under New Business.

CHM GIONFRIDDO

Alright. Just before we do that we'll wait until the Public Hearing is closed. Is there any other questions of the Commissioners?

CHM GIONFRIDDO (Continued from Page 19)

Thank you very much. Does anyone from the public wish to speak in favor of this proposal? Does anyone wish to speak in opposition to the proposal? If not, we'll close Item 4 and call on Commissioner Loffredo for his motion.

COMM LOFFREDO

I move to place Item 4, Proposed special exception for a used car dealer, on Item 6.11.

COMM GIUFFRIDA

Second.

CHM GIONFRIDDO

There's a motion by Commissioner Loffredo seconded by Commissioner Giuffrida. Any discussion? If not, all those in favor say aye. Any opposed? (Vote was unanimous) That will be Item 6.11.

ADJOURNMENT 7:40 PM

ADJOURNMENT

Respectfully submitted,

*Patricia Michnowicz*

Patricia Michnowicz, Transcribing Secretary

Stephen T Gionfriddo, Chairman  
Planning & Zoning Commission

Received at the meeting of \_\_\_\_\_