

Paul P. Parisi, Chm.; Eric G. Lowry, Vice-Chm.; Comms. Stephen T. Gionfriddo; COMMISSION
Rose Sbalcio; Alternates: Mary C. Woods; Louis Carta; George L. Augustine; MEMBERS PRESENT
Anthony Gaunichaux

Mayor Michael J. Cubeta, Jr.; Secretary Cos Giuffrida; Comms. Walter J. MEMBERS ABSENT
Dreaher; Seb J. Passanesi

Comm. Stephen T. Gionfriddo was appointed as Acting Secretary in the absence ACTING MEMBERS
of Secretary Cos Giuffrida. Comm. Woods acted for absent Comm. Giuffrida.
Comm. Carta acted for absent Comm. Dreaher and Comm. Augustine acted for
absent Comm. Passanesi.

George A. Reif, Director; Althea Rinaldi; Mary Lee Dorflinger STAFF

Robert Frank, Zoning Enforcement Officer; Jeff Kotkin, Reporter, Hartford OTHERS
Courant; Jan Frazier, Reporter, Middletown Press; approx. 88 persons in the
audience.

Chm. Parisi called the public hearing to order and then closed it to allow
the chamber to be cleared and the necessary arrangements made to conduct the
commission meeting, on motion and second by Comms. Gionfriddo and Lowry.
(Note: Meeting started at 7:15 P.M. due to a previous meeting in chamber.)

CHM. PARISI:
O.k. I'll call the meeting to order. I, I apologize to all the people that
came for a 7:00 meeting. Some that were here early I guess saw the end of a
meeting that ended at about 3 minutes to seven. So that's why we're about ten
minutes late. In the absence of Secretary Giuffrida, I don't know where Eric
is, Steve, would you be the Acting Secretary tonight? Now we have some absences.
Comm. Giuffrida is absent. Comm. Woods will be a voting member tonight. Comm.
Dreaher will be absent, Comm. Carta. Comm. Passanesi is absent, Comm. Augustine.
So their will be seven members voting. First item on the agenda is a public
hearing and the first item is a continuation from a previous public hearing.
So I'll ask Steve to read the legal notice.

ACTING SECRETARY GIONFRIDDO:
Shall I read the continuation first?

CHM. PARISI:
Yes.

ACTING SECRETARY GIONFRIDDO:

2.1 Continued to the April 8, 1981 meeting, the hearing for the ITEM 2.1
proposed Special Exception for a neighborhood store to be located PROPOSED S.E.
at 590 High St., in the R-3 Zone, for applicant Louis Aresco. 590 HIGH ST.
R-3 ZONE
LOUIS ARESCO

CHM. PARISI:
O.k. Just for, so that everyone knows I'll set out what the ground rules are NEIGHBORHOOD
with a public hearing. The proponent will make his proposal to the Commission. STORE
The Commission will ask whatever questions it has at which time members of
the public who wish to speak in favor of the proposal will be given an opport-
unity to speak following which members of the public who are in opposition
will be given an opportunity to speak. It is the policy of the Planning and
Zoning Commission not to vote on the night of a public hearing on any particular
item unless their has been a request made. And I am not aware of any requests
for votes for tonights public hearing agenda. So that the earliest there will
be a vote on any of the four items that are on the advertised public hearing

CHM. PARISI: (Continued from previous page)

will be two weeks from tonight which turns out to be April 22nd. So with that said, Special Exception for a neighborhood store, 590 High Street. Mr. Aresco.

ATTY. MARINO:

Good evening. My name is Joe Marino and I am associated in the practice of law with Sal Arena over in Portland. And I am representing Mr. Aresco this evening. The application is for the grant for a special exception for a neighborhood store in an R-3 Zone. The property is located at 590 High Street. It's right on the corner of High Street and Stack Street. Especially there is there a two story frame house with two families renting there. And under our proposal, the the first floor would be converted at into the store and an adjacent wooden garage which fronts on Stack Street will be razed and the parking area would be placed there. I would submit to the Commission this evening that this location is really ideally suited for a neighborhood store. And I say this for two main reasons. Number one is the nature of the neighborhood. The area around High and Stack Street is very heavily populated. Their are, it is mainly multi-family dwellings and it is a well defined neighborhood. And the key word when we are discussing a proposal for a neighborhood store is convenience. It serves the neighborhood. That's precisely what this store would do. It is well within the walking distance of all of these people in this neighborhood. And in a energy conscious times this is certainly a factor that I believe the the Commission should should consider. And it would make this neighborhood that much more self sufficient. Another factor and and the second main reason is the location of the neighborhood itself. In this particular area, a neighborhood store would not be sticking out like a sore thumb because granted it is an R-3 Zone but this R-3 Zone borders on I-1, a Service Industrial Zone. You can stand on a corner of Stack and High Street and you are literally within a stones throw of such a a business and commercial establishments such as (Inaudible) Club, Casserino's Moving and Storage, Auburn Mfg. Co., Jackson Pontiac and the E.I.S., just to name a few. And then there's McDonough School right behind the property. There's a city park also. So, so it isn't like we are, you know proposing let's say to place a neighborhood store in a in R-1 Zone but it's R-3 Zone which borders on an I-1 Zone but there are no stores in that area of the neighborhood store variety. Lastly, I would just like to address the question about parking and any potential traffic problems. There, and you can tell from the site plan there is off-street parking available for ten cars. And the parking is off of Stack Street which I believe is a less heavily traveled road than High Street. And also it is within approximately 100 feet of a four way intersection so that traffic would not be waiting up and down Stack Street because they are either just coming from a stop or about to stop at the corner of Stack and High Street. So that would remind me the Commission that as far as any potential traffic problems, the Police Commission did did review the the site plan and approve it. That's all, that's all I would have to say at this time.

CHM. PARISI:

O.k. Well I've, I've got a couple of questions. I'm very familiar, you know, with the corner and the house, if for no other reason that at one point in time, three out of four apartments contained relatives of mine. So I grew up there. The grade from High Street to where your proposed parking is is a rather major grade with the store I assume taking what would have been the first two floor apartments. There used to be a back porch there that is another story so from where your parking lot is to the first story on High Street, the cellar is practically a full story in the back end there. How do you propose getting people into the store, walk up the hill and through the front door?

ATTY. MARINO:

Well, there would be a, a five foot sidewalk from the parking lot along the side of the store and in through the front. So, you know, it would...

CHM. PARISI:

People would be walking...

ATTY. MARINO:

Right.

CHM. PARISI:

So there's no provision for people to climb up the back stairways where the porches are now to go in.

ATTY. MARINO:

Not at this time, no.

CHM. PARISI:

And you can get 10 parking spaces at that map? Does anybody else have any questions? From the Commission point of view?

DIR. REIF:

It might be useful if they got up there and pointed out these things on the map.

CHM. PARISI:

Yes. O.k.

COMM. LOWRY:

Do you have a big one?

CHM. PARISI:

Do you have a big map there?

DIR. REIF:

This is the same size as your looking at here.

CHM. PARISI:

Pass it on. Do you have reports in on this George?

DIR. REIF:

Yes. Let's just take the pointer and you know, point out where the corner is. Red is the building. Black is the...

ATTY. MARINO:

Well, this is a, this would be the corner here. That's High Street and Stack Street and fronting number 590 High Street fronts High Street opposite and then the parking area is along back ^{and} that fronts on Stack Street so the red area would be the store and the black area would be the parking garage. The sidewalk which I'm referring to is both the sidewalk which is presently there. (Inaudible) along Stack Street (Inaudible). The sidewalk would be constructed along the other side of the building. And the entrance would be through the front which is on High Street.

CHM. PARISI:

For parking, the sidewalk on the south side of of the of the home.

ATTY. MARINO:
On Stack Street side?

CHM. PARISI:
No. The other side. The other side. That's got to be on top of the next door neighbor's house. The property line is so close between that corner house and and the house that's next to it which used to be a a kind of a reddish pink color at one time. You know, is their five feet between those two properties to begin with?

MR. ARESCO:
I got 15 feet.

CHM. PARISI:
You have 15 feet there?

MR. ARESCO:
Yes.

CHM. PARISI:
Between the property lines?

MR. ARESCO:
(Inaudible)

COMM. WOODS:
Paul, I think there's a sidewalk there now. So..

CHM. PARISI:
Yes, that's what I thought.

COMM. WOODS:
Yes.

CHM. PARISI:
O.k. Any other questions?

COMM. LOWRY:
What's on the side of the future parking lot?

ATTY. MARINO:
I'm sorry.

COMM. LOWRY:
What's on the side of the future parking lot right now? Is that another building?

ATTY. MARINO:
Back there?

COMM. LOWRY:
No, where the parking lot is going to be.

COMM. WOODS:
There's a garage.

COMM. LOWRY:
Where's the parking lot?

CHM. PARISI:

There's a garage there.

COMM. WOODS:

There's a garage there.

ATTY. MARINO:

Oh, o.k. I'm sorry. There's a, there's a wooden structure now which is a, which is a garage which Mr. Aresco presently uses as a type of a storage area for some of his construction equipment. But it's, it needs to get knocked out (Inaudible) something of any permanent character (Inaudible).

COMM. CARTA:

(Inaudible) question on that?

CHM. PARISI:

Lou.

COMM. CARTA:

Just noticing on the plan, there's no, well, it shows some grades there. It doesn't show any regrading lines. Maybe George looked at it closer than I can see there but it doesn't show any provisions or which way the water would run off the new parking lot. In other words you got to collect, you got to have a fairly large paved area and with neighborhood being so tight where's all that water going to go?

CHM. PARISI:

O.k. George indicates he has a comment....

DIR. REIF:

This is one of the things that.....

CHM. PARISI:

Why don't you read the comments? Back it up...

DIR. REIF:

...our site plan review process and our ever alert Public Works Department has picked that up. In review of the above referenced site plan, the only comment to offer ^{is} to ask what provisions are made for surface drainage. It appears that no curbing has been planned and water will drain onto adjacent land if existing elevations are kept. So they're identifying as a problem. We don't have, haven't offered a solution but certainly have as you quickly did, identify that as one of the problems there.

COMM. CARTA:

Yes. That I would think, you know, in order to protect the neighbors which is their essentially residential, what we're doing is putting in a, you know, should the Commission decide to approve that, really need to see that that's engineered properly so that no water goes there or that the water isn't just dumped directly onto the city street to cause a freeze up problem in the wintertime.

DIR. REIF:

All right.

ATTY. MARINO

But the present time (Inaudible) answer that here. There are provisions here that the parking surface would be covered with 1/4 inch trap rock. And to my understanding.....

CHM. PARISI:

That's all. No blacktop.

ATTY. MARINO:

No. No, not at the present time.

CHM. PARISI:

Just a trap rock parking lot?

ATTY. MARINO:

Just the trap rock, right. And from my understanding of the nature of trap rock, that would add to absorb most of the water. It, it acts sort of like as a reservoir, you know, to collect it and then percolate it down into the ground.

CHM. PARISI:

Would also be a fabulous source of supply for stones for the neighborhood kids. I'm sure they'd love you. Although the people with their windows might not but..

COMM. CARTA:

But would, is their a provision, is it the intention to pave in the future? In other words if, if it gets approved in, and if it were to get approved in this state and then six months from now it got paved, it would be in a, you know, the condition would be, it would still exist that were talking about. What's, you have a long term plan or is this it? It would just simply be crushed rock for indefinitely?

ATTY. MARINO:

But at the present time it, if that develops into a problem then, and if we do decide to you know, pave it, we will have to make accommodations to consider and take care of the and your run off problem, obviously, you know.

CHM. PARISI:

O.k. George, do you have other reports from...

DIR. REIF:

Yes. We have one from our Health Department. They get, probably get into some things you don't want to hear but I'll read it to you anyhow. City water and sewer is available. Existing line should be checked as to their condition and load capacities. Area for solid waste storage and disposal must accommodate adequate size dumpsters for refuse and must include a large enough space for the pick up vehicle to gain access to these areas. Three, the building should have energy conservation measures installed. Four, the Fire and Building Departments will have to complete an on site inspection for code compliance. And five, any food service facility must be reviewed and approved by the Health Department under Section 19-13-B42 of the Connecticut Public Health Code prior to the issuance of building and or occupancy permits. That's from the Health Department. Water and Sewer is much briefer. Water and sewer available to the site. The Fire Department says the Middletown Fire Department has no objections to the site plan as presented. The code requirements will be addressed when plans are filed for building permit. And from the Police Department we have the above application for Special Exception, neighborhood store, 590 High Street, has been reviewed and approved by the Police Commission at a meeting held on March 19, 1981, signed by Chief Rame. That's the end of the comments. And so again the water problem identified quickly by Public Works is is one of the outstanding issues.

COMM. LOWRY:

How are deliveries going to be made? Deliveries? You have to go in the parking lot or can you make it from the street or you're planning it from the trucks park in the street?

ATTY. MARINO:

(Inaudible)..from the parking lot it would probably be best to, it would be a....

COMM. LOWRY:

Is that big enough to cover the big trucks?

ATTY. MARINO:

Oh yes, certainly. I mean, a neighborhood store would probably not be calling for the type of truck such as, go into Food Mart or you know we're talking about probably not the trailer type truck but a little smaller, you know, providing that that would certainly fit into a parking space designed for a car. I don't see a problem there.

CHM. PARISI:

Any other questions from the Commission? O.k. Anything else? Thank you. Is there anyone from the public who wishes to speak in favor of this proposal?

UNIDENTIFIED PARTY FROM AUDIENCE:

Yes, I do.

CHM. PARISI:

This is for people speaking in favor.

UNIDENTIFIED PARTY FROM AUDIENCE:

No, I'm against it.

CHM. PARISI:

O.k. Your turn is next.

UNIDENTIFIED PARTY FROM AUDIENCE:

We can't hear a word you people are saying.

CHM. PARISI:

Pardon.

UNIDENTIFIED PARTY FROM AUDIENCE AND OTHERS:

We can't hear a word you people are saying.

CHM. PARISI:

Oh. o.k. I'm sorry.

DIR. REIF:

Can, can, is your microphone turned on?

CHM. PARISI:

Yes.

DIR. REIF:

O.k. Can you hear, can you hear this? Can you hear me now? I sat out there for two hours and I agree with you. Sometimes you couldn't hear anything.

UNIDENTIFIED PARTY FROM AUDIENCE:

I can't hear a word you're saying. You're just mumbling.

DIR. REIF:

All right. Can you hear me now? Paul, will you speak and see if she can hear you?

CHM. PARISI:

O.k. How about it? Can you hear me?

UNIDENTIFIED PARTY FROM AUDIENCE:

Yes.

CHM. PARISI:

O.k.

UNIDENTIFIED PARTY FROM AUDIENCE:

I can now.

CHM. PARISI:

All right. O.k. I'm sorry. I apologize. You should have said something earlier. Would have tried to....

UNIDENTIFIED PARTY FROM AUDIENCE:

Answering Chm. Parisi (Inaudible) Too faint.

CHM. PARISI:

O.k. Is there anyone who wishes to speak in favor of this proposal? Anyone wishing to speak in opposition? And if you just give us your name and address please, and come up and speak into the mike.

MR. CARL GIULIANO:

I'm Carl Giuliano. I want to thank you for giving me the opportunity to talk against it. The, the neighborhood that he speaks of is a crowded area. And their's a a a very steep grade corner. And he's sitting right on the sidewalk. And, and if he thinks that the people in his parking area that's, that's in back of his property, the people aren't going to park there. They're going to park in front of my property which is on the southwest corner. He's on the south, on the, on the....

CHM. PARISI:

He's directly across the street.

MR. CARL GIULIANO:

directly opposite. They're going to be parking in, on my corner. And the litter that a store brings isn't worth the powder to blow it to heck. And we need a store there like we need a hole in the head. Now I, I talked to the people in the area. And everybody in the, in the, in that section is against it, a store there. To have a store there, they, is, is to my estimation is going to create a a another slum area. And the people in that, in that area are trying to keep the place looking respectable. And the the City does a tremendous job trying to keep this this place **clean**. But some of these, these owner occupied properties are well kept but when you have a, a four apartment house with the with the owner living, I don't know where he lives and cares less, the, the place looks like a mess now. And everybody hangs around there. And and with the school buses, there's four school buses that come by there and everyday it looks like like a like a regular a messy corner. And

MR. CARL GIULIANO: (Continued from previous page)

the reason is because these owner occupied property owners keep their place neat and clean. And some of these people that don't have owner occupied areas, they let it go to heck. And, and with a store there and the litter that they would bring isn't worth it. And, and, and the parking that he thinks he has is of no use to the store at all because the people aren't going to climb up a flight of stairs to go into the back of the store. The store apparently will be on on on the High Street side and the Stack Street side and the parking will be opposite the property owners and on those four corners and not on his, his--50 by 150--I, I'm just guessing at that estimate of his property. And, and he has a, a four family house and a garage there which leaves about a parking area for maybe 5 cars the most unless he, unless he, unless he brings down that garage and and and I don't know how he possibly get more than 5 cars in there.

CHM. PARISI:

O.k.

MR. CARL GIULIANO:

Thank you for allowing me to talk to you.

CHM. PARISI:

Thank you Mr. Giuliano. Is there anyone else who wishes to speak in opposition? Joe.

MR. JOSEPH SERRA:

Good evening. My name is, my name is Joe Serra and I reside at 608 High Street. I think for the benefit of the Commission and some members who are present 4 or 5 years ago, I think I'll just like to give you a little historical background into the neighborhood and the transformation that has taken place at it slowly evolves from a, you might say an industrial area that was zoned into a general residential area. About 5 years ago the residents of this area came before the Planning and Zoning Commission and asked that the zone, I think it was some type of an industrial zone be changed to a general residence zone. And as whether it's R-4 or R-3 I don't, it's one of those designations. The Commission granted that request because after surveying the area and I know that some of the Commissioners who were on the Commission at that time physically walked the area along with the City Planner and took a look at it. In fact concluded that it was a stable multi family residential area that has not transformed to any great degree in 35 years. Some of the industrial and commercial area are structures that the attorney alluded to were there 35 years ago. And in 35 years with the exception of some small structures that were built on North Main Street, no other industrial or commercial structures have been built in the north end. And I can attest to that because I was there all that time. Now recently the City and I guess the Planning Commission had part of it went to the Macdonough School area, removed some dwellings on Pease Avenue, removed dwellings on Stack Street and including a neighborhood store. There was no large cry from the residents of the area that they were taking away their neighborhood store. As far as the traffic goes just to give you an idea and I don't want to get into a debate with the Traffic Commission or the Police Department but there's a four way stop at the intersection of High and Stack. The declivity of Stack Street, I think by today's standards would exceed the grade allowed by the City for a street. The fact of the matter is that in front of this dwelling on both sides because of the state law requiring a yellow curb to be painted back from the cross walks, they can't park on that side nor the other side. They can't park on Stack Street. To park in the rear on Stack and walk up the hill, I can't see that. Now I'm not going to take up really all your time because

MR. JOSEPH SERRA: (Continued from previous page)

I can go on and on because I know the neighborhood very intimately. I just want to get back to the zoning code. I think that when you grant a special exception, it is really granted for the residents of the area who come before the Commission and say, we want this, we need this. That's when I think that something like this should be granted. I came before you at the meeting two weeks ago and presented a petition with 53 names. We can get more but I think that that's sufficient. We're before you tonight saying we don't want this store. We've turned the corner at the north end. There was a time a few years ago that we thought we might lose it. It's coming back. The City through some of its grants and rehabilitation, the area is turned around. People are fixing their homes. It's becoming a stable community and I hope it remains that way. And the only thing I want to say is that I have people here tonight if you want to listen to them all, they can all speak on it in opposition to this but I can turn around and just tell them to stand if that's sufficient or if you want they can all come up here and and basically repeat what I'm going to tell you.

CHM. PARISI:

Obviously, I, I would not tell anybody they didn't want to speak. If they feel more comfortable standing and I'll be glad to take a count as opposed to speaking I'll do that and we can do both, so which ever people prefer.

MR. JOSEPH SERRA:

And I'd be happy to answer any questions that the Commission might have as I've kind of been designated the spokesman for these people.

COMM. LOWRY:

I have a question. Are their still going to be apartments above the store? I don't think anything has been mentioned.

MR. JOSEPH SERRA:

There's 2 apartments above the store and and they usually generate, what did we say, George, a car and a half?

DIR. REIF:

One and a half parking spaces for each unit.

MR. JOSEPH SERRA:

O.k. That's, those are three cars right there.

COMM. LOWRY:

But the intent is to keep apartments above the store?

MR. JOSEPH SERRA:

I can't answer that. I, you know...

CHM. PARISI:

George.

ATTY. MARINO:

Yes.

DIR. REIF:

Yes, that's what they said. Yes.

CHM. PARISI:

Any questions from the Commission? O.k. Thank you Joe.

MR. JOSEPH SERRA:

And you. Mr. Reif, you have our petition.

DIR. REIF:

Yes. We've passed it on to the Chairman again to refresh his memory.

MR. JOSEPH SERRA:

Thank you.

CHM. PARISI:

O.k. Well, let me take Joe's option but I know you want to talk but, well, let's take the people who want to talk and then we'll ask for the standees.

MR. BUD WOODCOCK:

Bud Woodcock, 581 High Street. I noticed that the Council mentioned all the businesses in the area as well as the traffic but I didn't hear anything in regards to the youngsters in that area. We have a handicapped child which when he is outside playing which is very rarely because of the handicap, we have to keep a very very close eye on him. With the store that use to be down further on Stack Street, we had a very hard time with him. We feel that, not only my son because he's handicapped but the smaller children in that area will the first thing that comes to their mind when they see a store is to dash across the street for a candy bar. I haven't heard anything mentioned in regards to the City dump which we have trailer trucks that go to E.I.S. We have hugh city vehicles that travel to and from that dump. It would be very hard as they said in the beginning to park all these delivery trucks in the parking lot. Trailer trucks could not get in there. So as a result those trailer trucks would park on the corner which would make a very blind spot for any child crossing to that store from either side or four sides of that street. It would be just a matter of a child getting hurt on this corner. And I'm just speaking primarily right now of the small children in this area. I am not the only parent in that neighborhood with a handicapped child. We have four in that neighborhood, that immediate area that are handicapped. And I think it would be very very detrimental not only to the handicapped children in that area but for all the young children in that area. And for this reason I'm opposed to it. I wasn't home at the time this petition went around but I would like to be able to insert my name on it. Thank you.

CHM. PARISI:

Thank you Bud. Is their anyone else who wishes to speak? O.k. I assume I'll take a, Joe Serra's suggestion. People from the neighborhood who are here if you want to stand and I'll count that you are here in opposition if you don't want to speak. O.k. Three, it's nine. O.k. Thank you. O.k. If their are no further speakers, close that item and proceed to item one.

ACTING SECRETARY GIONFRIDDO:

THE MIDDLETOWN PLANNING AND ZONING COMMISSION WILL HOLD A PUBLIC HEARING APRIL 8, 1981, STARTING AT 7:00 P.M., IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, DEKOVEN DRIVE, MIDDLETOWN, CONNECTICUT, to consider the following:

Item 1. Proposed amendment to the Zoning Map to change area on the east side of Newfield Street at the rear property owned by William J. Caffery, at 558 Newfield Street from I-2 to B-2 Zone. Applicant/Agent William J. Caffery. Map showing the proposal is on file in the office of the Town Clerk.

ITEM 1
PROPOSED AMEND
TO ZONING MAP
WM. J. CAFFERY
NEWFIELD ST.
I-2 TO B-2
ZONE

CHM. PARISI:

Thank you Steve. This notice appeared in the Middletown Press on Saturday, March 28th and Saturday, April 4th, 1981 which constitutes legal notice. Is Mr. Caffery here or...

MR. LEON CAFFERY, JR.:

I'm Leon Caffery, Jr. My father's sick and I'm representing him.

CHM. PARISI:

O.k.

MR. LEON CAFFERY, JR.:

We'd like to change this zoning for the sole purpose of adding on to the facilities in the future, that now exist. There's a dancing studio there, a small market, a hairdresser, hairdressing salon and a laundrymat.

CHM. PARISI:

George, you want to lift up the map....

DIR. REIF:

Yes, might be...

CHM. PARISI:

.....so we can see it. See what we have here.

DIR. REIF:

(Inaudible)...to point out that this is the little red area right here on Newfield Street is the location that they're proposing to add an additional area B-2 too. That's where it has the overall City map. This is their map. This is Newfield Street. The broken red line outlines the existing property that is zoned B-2. It shows the opening here to the highway. It shows the existing building. The solid line on the east side of the property shows the proposed additional area to be zoned from I-2 to B-2. In area it's point 4 acres. Obviously since that lot is not independent, doesn't have a separate frontage on a public street, the only thing they can do is add to this building. At this stage, there's no site plan for anybody to review. They're merely, put it that way asking that there be more area zoned so they then can prepare a site plan and go through the right process for the site plan.

CHM. PARISI:

Is this, is that; does this, if this change is made, does that cover their total property lines now?...

DIR. REIF:

Based on the information shown on that drawing, the answer is yes. It shows the Kane Brick Co. owns surrounding area or...

CHM. PARISI:

Mr. Caffery, That, that's, that would be the extent of the property that your family owns there?

MR. CAFFERY:

Right.

CHM. PARISI:

So, it would just be taking the whole lot that you own and made it B-2 is basically what you're asking for?

MR. CAFFERY:
Right.

DIR. REIF:

I wonder, did you, your father or you, just buy this property recently? You know, it's unusual to have zoned an area and leave another piece that wasn't zoned when the initial (Inaudible....

MR. CAFFERY:

....Yes, they, they just recently purchased it, I believe. We just own backed to that red line at first and then we had to change the zoning on that too.

CHM. PARISI:

O.k. Any questions? Any other questions from the Commission?

DIR. REIF:

No. There's no, there's an interesting point here. Even though in subdivisions and site plans and what have you there's a organized system to get the opinions and advice from others, when it comes to rezoning, there is no such system. It's, it's up to the Commission without advice if you will. You may get advice from people in the neighborhood.

CHM. PARISI:

O.k. Thank you. Yes, Lou.

COMM. CARTA:

I'm not clear on that one question. It sounds like you've all ready purchased the land or do you have an agreement to purchase it based on the zone change?

MR. CAFFERY:

He has an agreement to purchase it, I believe. I'm not quite sure. I know that he has talked with Kane Brick yard and they have put up stakes but I mean I'm not positive he has purchased it yet.

COMM. CARTA:

So as far as you know you don't own the land or I'm not clear. I need to be clear as to whether you do own it and you want it. It's part of your lot now and you want it all to be the same or you have an agreement to purchase it if you can get the zone change?

MR. CAFFERY:

I believe it's agreement to be purchased if we get the zone change but I'm not sure because there are stakes up there now. And he has talked to Kane on it.

CHM. PARISI:

George may have the answer here.

DIR. REIF:

One of the things that we have people do before they do anything is fill out an interagency application. And one of the questions we ask about any parcel of land that's proposed for any purpose is who owns it. And the owner listed here is William J. Caffery. And therefore by looking at the document turned in to the Planning Office or the Building Official's Office, we've got to conclude that the owner is your father.

MR. CAFFERY:

O.k.

DIR. REIF:

That's what he's telling us.

COMM. CARTA:

That's, that's not we're hearing now.

DIR. REIF:

I know. I know. I realize that. That's why I'm specifically making that point.

CHM. PARISI:

O.k.

COMM. CARTA:

I have only one more question. Is, do you have a planned use? Do you have some planned expansion or planned use?

MR. CAFFERY:

The, the planned expansion would mainly be, there's a gymnasium at the back of that building that that's what it would mostly be used for, for a gymnasium, for gymnastics school.

DIR. REIF:

And can I add since we're into that, even though there is no plan, no site plan being, to be reviewed right now, circumstances happen to send a member, a traffic engineer from the Department of Transportation to the office today because someone in the neighborhood who may or may not speak tonight at the meeting has objected to the facility that's there now. And so we reviewed, had the opportunity to review with this traffic engineer from D.O.T., the process that will be involved. At the time their is a proposal, a site plan, the Department of Transportation will get a copy, will review what's proposed and see whether or not it constitutes a basis for either changing the entrance that's there now or denying any additional expansion or what have you. So...

COMM. CARTA:

Where did the, where did the objection or complaint come from? I wasn't clear on that. Where did the...

DIR. REIF:

Someone who lives in the neighborhood. They may or may not be here tonight. I, I don't know if they are or not. They have objected, the spokesperson from the Department of Transportation told me that this person has complained from time to time. It's not just one person. It's a family. And they as I said may or maynot be here tonight. They have not officially as far as I know complained to the Planning Commission. They haven't filed any notice with us...

COMM. CARTA:

O.k. I have....

DIR. REIF:

.....but the process does, will involve others when we, when they do get to the point where they're proposing to expand the building. And the key thing from the Department of Transportation's point of view is how many cars are going to be parked there. And of course the number of cars parked there is a spin off of what their use is.

COMM. CARTA:

I have a, I have a further question on that. We, a couple of meetings back, we discussed, excuse me, let me talk into this microphone. A couple of meetings back we discussed some of these areas and that being one of them to be a neighborhood, you know, to include neighborhood shopping and so on and with the possibility of excluding or stopping the, the stores, the neighborhood stores in the R-3 Zones to protect the single family dwellings. My question is, is their enough existing land, I think that was one of the areas we talked about as being located in such a place that it would service the development at that end of town. Now is that, is their enough land existing in that general area right now that can be used for the uses that we anticipate to service it?

DIR. REIF:

They are proposing here or...

COMM. CARTA:

No, in general, I'm....

DIR. REIF:

....The answer to that is, is yes.

COMM. CARTA:

I'm looking to you in the Planning Department.

DIR. REIF:

Yes. The, the answer to that is yes. And also, they've gone beyond the neighborhood concept here. They've got a B-2 Zone, the one that permits shopping centers and what have you. And they are expanding, well let me take this. (Dir. Reif at easel.) They're only, they're only dealing with one small fragment. This entire area is zoned B-2 the same as the very shopping center area, see. And there's lots of land available north of their land in an I-2 Zone that could be rezoned as the demand is created. Now, this isn't the best possible type, the best thing that could have happened is to have a shopping center there. But no one has come along and and recommended a shopping center. These people have started a something a little larger than a neighborhood store because it's not a neighborhood store it's serving much larger area of town. And they have found they're so successful there are several activities that now they want to expand. So they're beyond the neighborhood store concept there.

COMM. CARTA:

Yes. I was concerned that their would be, is their a all ready enough land to do what we anticipated in that area? When, when you, if we cut off the use of neighborhood stores in the mixed in with the residential, can we provide enough space for the all ready existing land zoned, so?

DIR. REIF:

Yes, well, it could be rezoned. And that's what they're, that's how they got where they are now and that's how the, no doubt, anybody else that wants to expand there will get there.

COMM. CARTA:

O.k. Thank you.

DIR. REIF:

O.k.

CHM. PARISI:

Any other questions from the Commission? Is their, thank you. Is their anyone from the public who wishes to speak in favor of this proposal? Is their anyone who wishes to speak in opposition?

MR. JOE RANNO:

I'm Joe Ranno on 581 Newfield Street. I live directly across the street from this location. It used to be an R-1 location which was changed to a B-2. Now what you have there right now is a mini-mall. There are four stores in one building. What you're proposing is expanding behind the present building. Whether it is attached or not, I do not know. But it does not show any access for exit rights or how you're going to get in and behind this building. I propose what's happening now is you're going to become another Washington Street out there because little by little you're changing the whole zone, spotting it in, B-2, B-2, B-2. You've got 14 acres adjacent to that property, all Kane Brick yard which is presently being filled in. Sooner or later that's going to come up for commercial. Now I propose that if you're going to change any zones there, you take the whole street, both sides, and either make it commercial or leave it well enough alone because we have quite a bit of traffic. And their accidents have increased tremendously since this location opened. And that's all I have to say on that.

CHM. PARISI:

Thank you Mr. Ranno. Is their anyone else who wishes to speak in opposition?

MR. JOHN SADLOWSKI:

I'm John Sadlowski, 597 Newfield Street. I live the opposite side of the store. I believe once you start with a it always accumulates more and more (Inaudible). So like Joe says if you want to help the people there one way, I have a right to have a store there too. So make it on both sides of streets or leave it alone.

CHM. PARISI:

O.k. Thank you Mr. Sadlowski. Is their anyone else who wishes to speak in opposition? O.k. Proceed to item two.

ACTING SECRETARY GIONFRIDDO:

Item 2. Proposed resubdivision of a previously approved subdivision of land owned by Richard Bell located at 1180 Newfield Street, in the I-2 Zone. Applicant/Agent John L. Bocalatte, Atty.

ITEM 2
PROPOSED RESUBDV
RICHARD BELL
1180 NEWFIELD ST
I-2 ZONE

DIR. REIF:

The attorney is not here tonight. He has asked the Commission to continue this item to the next meeting. The Commission is authorized under the General Statutes to have a meeting that lasts a public hearing less to 30 days. And the concept of continuing has become popular recently and so he's asking for reasons that he didn't go into. He can't make it tonight. So..

CHM. PARISI:

O.k. Do we need a motion to do that?

DIR. REIF:

I think that might be ...

COMM. GIONFRIDDO:

I'll move we continue to a next meeting.

CHM. PARISI:

Motion by Comm. Gionfriddo.

COMM. SBALCIO:

Second.

CHM. PARISI:

Seconded by Comm. Sbalcio. All in favor? Opposed? So voted, that will be continued. Item 3.

(Members of the Commission answered Aye in favor.)

ACTING SECRETARY GIONFRIDDO:

Item 3. Proposed amendment to the Zoning Code to add wholesale and warehousing (Zoning Code Item 61.01.37) to uses permitted in the IT (Interstate Trade) Zones.

ITEM 3
PROPOSED AMEND.
TO ZONING CODE
ITEM 61.01.37
IT ZONE
WHOLESALE/WARE-
HOUSING

CHM. PARISI:

O.k. Let's see. I suppose I ought to give some background on this since I...

DIR. REIF:

...That, that might be a good idea.

CHM. PARISI:

....since I asked George to put this on. Last month or probably two months ago the Commission changed, let's call it the I91 Industrial Park Area from an I-2 Zone to a IT Zone because we thought that we would probably have a better control over the uses of the land. Speaking for myself only, one of the things that concerned me about the I-2 designation was that as a special exception you could put in a restaurant type uses. And while I recognize that a fast food chain at any of those intersections would probably put a phenomenal value on the price of that land I didn't think that it was in the best interests of the City that we tie up our land in one of the prime industrial areas with fast food things so I suggested well, why don't we take a look at this and change it out. So we did and and I for one and I'm, I'm willing to admit it publicly didn't realize that by doing that we would take industries who located to Middletown by changing the zone put them in a special exception use category when they were not that in the past...

DIR. REIF:

You mean a non-conforming use...

CHM. PARISI:

...a non-conforming use or special exception or you know. And I regret that happening and I apologize to those industries that, you know I inadvertently did that to. And, and I think most of the Commission was inadvertent on their part also. So when the matter was, was brought to our attention, I asked George to put this back because initially I was led to believe it was the the warehousing, wholesale warehousing matter. That was the first one that was brought to my attention and as it got looked into more closely but unfortunately after the legal notice went into the Middletown Press. We found out that machine shop, we put Olin Ski into a

DIR. REIF:

Well, I don't think, can I say one thing? That we have a list here. Every member of the Commission has it showing all the companies that are located in the Saw Mill Brook area. And these are the ones that have come through the office and some cases they've come to the Commission for an interpretation as authorized in the zoning code. And others, they were, they, their wasn't any need for them to come to your attention. But we've listed the use shown on the interagency application which I've mentioned before we have everybody fill out. And I will say that there are several warehouses here. I and there are several uses that might require an interpretation and of course those are the uses that came to the Commission because your zoning code authorizes yourselves to make an interpretation of whether something fits in the zone. And I certainly among those that are astounded to learn that, their seem to be a lot of other problems other than warehousing. But in defense of what we were all trying to do which is certainly something good for the community, that's how the zoning code which dates back to 1927 has been improved. And, I will be the first to say their are many reasons and many other things that can be improved in it. And I will give you a specific example. One of them is off-street parking. We have a category which has the same requirement for off-street parking for manufacturing and warehousing. And everybody knows that it takes a lot more parking for manufacturing then it does for warehousing. And that's one example. And so, I hope if we've done nothing else, we've gotten a lot of people to join us at a public hearing. And I think they will, it will be a helpful experience. It's all ready been helpful to me so far and I think it may even be more helpful to make further improvements in our zoning code.

CHM. PARISI:

Well I know that there's, there's people that are here to talk and and I'll let them do that but I just have a question for you. The fact that we've only advertised on the legal notice adding wholesale and warehousing, we cannot legally add anything else?

DIR. REIF:

Their, their are several theories and since their are so many attorneys here and I'm not practicing law, I'm not going to say--the, the wisest procedure is to.....

CHM. PARISI:

.....is to advertise everything over again....

DIR. REIF:

....is to advertise again.

CHM. PARISI:

...O.k....

DIR. REIF:

.....I've been, I agree. And I've been told by very learned members of the legal profession. There are other things however that you probably hear that also we ought to change. And, and one of them is one that, no one else has brought up but I'm bringing it up, the parking requirement. I happened to be looking over Phil DeRing's Hazen's Showroom and that was the thing that really brought it to my attention. The rather outlandish requirement for off-street parking which no one else has complained about.

CHM. PARISI:

O.k.

DIR. REIF:

But there are a lot of things we can correct. I just don't want something that caused ^{an} unfortunate uproar to result in not continuing to make improvements. The time is moving along and we've got a lot of improvements to make.

CHM. PARISI:

O.k. I agree. Well, anyways, that's the background of where we are. And I know that Attorney Karpel is here representing Sawmill Brook Industrial development people, I guess. Are you going, are you going??

ATTY. PHILIP KARPEL:

Yes. That, That my introduction...

CHM. PARISI:

That's your cue if you're, if you're ready. I, is Inform going to be involved in this????

ATTY. KARPEL:

Well, I believe...

CHM. PARISI:

...(Inaudible) attorney....

ATTY. KARPEL:

...I believe that Inform will make a separate statement.

CHM. PARISI:

Separate presentation?

ATTY. KARPEL:

Yes.

CHM. PARISI:

O.k.

ATTY. KARPEL:

For the record, my name is Attorney Philip Karpel. I practice law in the City of Middletown. I'm also a resident in the City of Middletown. I'm here this evening representing a list that I have already given to the Planning Commission staff but I'll read it into the record, a list of businesses in the Industrial Park area and the people who are either owners or representatives from each of the businesses: Bailey's Express Co. with Mr. John Hall; Olin Ski Co. with Mr. Richard Gebhardt who's seated here to my left and will have a, brief comments of his own to make when I'm through; Hypermachine, Inc., Mr. James Clark, who I believe is also present this evening; Albany International Corporation represented by Mr. Rod Santos who is present this evening; Prototype Plastic & Mold Co. with Mr. Murray Gerber. I didn't see him, he maybe here. Shaw Belting Co. and Rayco, two separate companies both owned by Mr. Adler Dobkin who could not be present this evening. Dainty Rubbish Service, Inc., Mr. Phil Armetta, the owner. Labco Welding Co., Mr. Vincent LaBella. He is present this evening. MIDCO, Mr. Joseph Goodreau, Sr. who is present this evening. Howard McAuliffe, Inc. represented by both Mr. and Mrs. Howard McAuliffe, Howard and Yvonne McAuliffe and they are both present. Raymond Industries, Inc. represented this evening by Mr. Art France. New England Shade & Blind Co. represented by Mr. Joseph Pear. Both of those latter two gentlemen are present. DeFavero Builders, Inc. represented by Mr. Jack West who is present this evening and Bell Detroit

ATTY. KARPEL: (Continued from previous page)

Diesel, Inc., represented by Mr. Arnold Bell who is also present this evening. I, I feel as if I have a bit of special knowledge of this particular area because not only do I represent the group I just mentioned but for several years now I have represented Industry for Middletown although I'm not here speaking tonight on their behalf. But as council to InForm, I've watched that Industrial Park area, the now IT Zone, grow. And have as I say developed a special knowledge of the types of uses that are there and the permitted uses under the old I-2 designation in our zoning code. Our main purpose for being here this evening is to support the proposal before the Commission. That is the inclusion of wholesaling and warehousing in the IT Zone. I'd like to also say that the group I represent wholeheartedly supports the change from I-2 to IT. And we praise the Commission for what I think is obvious foresight in making the change. We recognize that the area along I-91 is distinct from any other I-2 Zone. And I believe that by changing it to I-2 you're going to create flexibility in that area that you would not otherwise have because if it stayed I-2 you might want to do something out there and by so doing you would effect the other I-2 areas in town. And you might not want that to occur. I think there are two other I-2 areas, there maybe more. So, we do favor the change to IT. My, originally, in, in preparing for this meeting, about a week or so ago, I intended to spend a lot of time talking to you about the problem of non-conforming uses. However, since that time, the City through the Mayor's Office, the Municipal Development Office and the Planning and Zoning Commission's Staff have reacted both quickly and positively to the situation. And again, speaking on behalf of not only my clients but myself as a practicing attorney and as a resident, I have nothing but the highest praise for that quick and positive reaction. We understand that what was done was an oversight. And we understand that the Commission would like to take such action as it deems necessary and sufficient to correct the problem. However, we believe that this evening, you are going to be restricted to acting on the proposal before you or matters that are directly related to it. And that is warehousing and or wholesaling and warehousing. I have advised my clients that in my opinion to go beyond that by trying to cure all of the ills tonight would only leave the potential for a claim that had exceeded the the notice of the hearing. And if that were my only reason, I might examine it much closer than I have, read a few more cases, and perhaps try to find a way to get it all done tonight. But the other reason is that the group I represent feels that the Commission should not simply react tonight to try to cure all of the ills that were inadvertently created at the February 11th meeting when you changed the zone and the designation of uses there. We feel that we can be of great assistance to the Commission in this process. Obviously because all the people I represent are experienced business people and are out in that area right now. I have, I don't want to pass over however, our concern for the fact that many of the people I represent feel that they are in a non-conforming status and are looking forward to a quick change of that particular situation. I've had discussions with the attorney representing Aetna who I believe is present tonight or I know is present tonight, Mark Svonkin. I've also met with members of the group I represent and Mr. Reif and I would like to propose to the Commission that the manner in which the problem be solved be by the combined efforts of all the people involved. I've proposed that perhaps I started by drafting some type of a amendment that covers the ills that I feel apply to my clients, get input from Aetna's Council because I believe Aetna has distinct problems with what was done that don't relate to, directly to our problems. And after we've done that, that we sit down with your staff, particularly with Mr. Reif, and get the professional planning input that we can get from his office and come up with a proposal that can be the joint efforts of all three groups. In that I might add, I, I would like and I intend to use the offices of Industry for Middletown through Joe Carney,

ATTY. KARPEL: (Continued from previous page)

who obviously has a very special knowledge of not only this industrial area but all the industrial areas in, in Middletown through his efforts on behalf of not only InForm but the Chamber. I think in that way we'll have a well reasoned and thought out approach. And we won't have a helter-skelter let's undo what we did or let's do part of it and not part of it without some, some solid input from the people who are affected. I think in so doing it maybe time to perhaps redefine some of the terms in the code. I know Mr. Reif referred earlier to the fact that many of the people out there in their original applications to the Commission listed uses that don't appear to put them in a non-conforming status but of course, some of the terms that we're used on those applications are subject to various interpretation. Even the zoning code is as it now stands really doesn't define what manufacturing is. Wholesaling and warehousing, I might suggest, if you adopt the change that's been proposed that you might add some sort of definition to it. It should include distribution. Most, most wholesalers and warehousemen also distribute the products that they're holding. I'm sure that nobody would argue that that's part of it but why not make it clear and and not have the the problem come up again in the future. That's, that's our proposal. In, in a nut shell, we do want to support the the direct application tonight for the inclusion of wholesaling and warehousing. And we would ask the Commission to give us the opportunity to present a reasoned, well thought out amendment that can be properly advertised and heard at a public hearing next month. On that basis, I think that Dick Gebhardt has some comments that he'd like to make. And the rest of the group that are here this evening and I don't want to cut any of them off because I haven't had a chance to talk directly with each and every one of them but I believe that most if not all of them are going to hold their comments to the meeting next month. And we can speak more directly on the problems that affect various ones of that group.

CHM. PARISI:

Dick. Dick, before I interrupt you, just, just to respond to you from, from my point of view, I don't have any problem with, with doing that type of thing. I think it's important that that be done with InForm and and the City and and the property owners and probably the Mayor's Office to make sure that the City obviously, what we want I think is the highest and best use of that land. From a point of view at least in my position where it makes economic good to the community and creates jobs and and I just don't believe fast food jobs at \$3.16 are good jobs. And that's why I want restaurants out of the area, you know, so I hope you're not looking for restaurants. But I, I would agree with you and and I don't know, George, do you want a formal support of the Commission to do that type of thing or do you feel you can just do that on your own?

DIR. REIF:

I don't see any reason why we can't do it without any....

CHM. PARISI:

O.k. Fine. All right.

DIR. REIF:

I think it's a good idea and we're pleased to have this offer.

CHM. PARISI:

O.k. Dick.

MR. DICK GEBHARDT:

Thank you. I'm Dick Gebhardt. I'm the Personnel Director of Olin Ski Co. We're at 475 Smith Street out in the Industrial Park. I've also been a

MR. GEBHARDT: (Continued from previous page)

resident in Middletown for 21 years now. I'm here tonight in a relatively new role. For the past few weeks I've been acting as the Chairman, an Acting Chairman of the Sawmill Brook Industrial Park Businessmen's Association which consists of all the businesses represented here tonight by Attorney Karpel together with a few others that he did not mention. I guess one of the most productive events to occur primarily because of the recent decisions of this Commission was the formation of our association. Although we now exist in a rather informal fashion, we have found that as businessmen who are all in close physical proximity to each other in the Industrial Park, we have common problems which can be solved more readily through a joint effort. I'd like to simply confirm that we are all in complete concurrence with the comments made by Attorney Karpel tonight and support the proposal now before you. In addition, I'd like to invite the Commission at any time to contact our Association for any assistance that we can give you either of a technical or a non technical nature which might help you in deciding proposals presented to the Commission. I believe that as part of the business community of Middletown we can provide valuable assistance from time to time. And we stand available to you for that purpose. Although we are concerned over the recent happenings which have left some of us in doubt as to our status under the zoning code, we are confident that next month the Commission will rectify that situation. We also will be working with Attorney Karpel and your staff, with George, and with representatives of Aetna to arrive at an appropriate amendment to the zoning code. And look forward to discussing it with you in more detail at your next public meeting. Thanks for your time. Thank you Paul.

CHM. PARISI:

Thank you Dick. I know InForm, Joe, no, O.k.

ATTY. MARK SVONKIN:

My name is Mark Svonkin. I'm an Attorney in Hartford, Connecticut. I represent Aetna Life And Casualty Co. Just a few remarks, first the Aetna does endorse the proposed amendment that's before you today. Secondly, we do endorse the comments which were recently made by Attorney Karpel. And third, we look forward to the opportunity of sitting down with Mr. Reif and the staff in discussing some technical amendments or other amendments to the proposed, to the existing IT Zone. Further we applaud the concept of the adoption of the IT Zone because we do think that it is a meaningful and significant zoning concept and theory. And we feel that's a good idea. We do feel that there are some amendments that required and not only because of the limitations legally within the legal notice but also to have some calm reflection and input from all parties involved. We also endorse the idea and the suggestions that was made by Mr. Karpel. And look forward to working with him and Mr. Reif and the staff. I have no further comments.

CHM. PARISI:

Thank you Mark. Ernie.

MR. ERNEST APPELLOF:

My name is Ernest Appellof. I reside at 417 High Street. And I'm here tonight representing InForm Organization of which I am President. Having been a member of InForm since its inception about 11 years ago, we have been the marketing agency for the City of Middletown in the industrial zone, the I-91 Zone. As such, we have conveyed property through the City and established all the people that are out now off Industrial Park Road. Obviously, when this came out and these people found they were non-conforming use, one establishment which is in the process of opening up, it caused grave concern, to say the least. You're,

MR. ERNEST APPELLOF: (Continued from previous page)

you're getting into the, I know one City Agency versus another City Agency type of thing because we are a quasi public organization system. The Mayor does appoint four members to the Board of InForm. Obviously, we support wholeheartedly the amendment before you tonight. And also the additional comment that Attorney Karpel made relative to InForm sitting down as a party to the deliberations with the people in Sawmill and Aetna. I would like to go one step further that in the future if any changes are being proposed to the I-2 Zone that whether it be a formal mechanism or an informal mechanism, that that information be conveyed to the Office of the Chamber, namely to Joe Carney, who has the input and has the responsibility as Executive Director of both Industry For Middletown and MIDC, which is the private corporation that has money that they have invested and will continue to invest in the general area. So I would hope that some mechanism can be worked out in the future to include that body in deliberations. I have no problem with the intent of the IT Zone. I think that as changes take place, these things are necessary. And one further involvement and I know Mr. Reif was at our last meeting, the Economic Development Task Force is looking into such areas. And I think that again, we have an opportunity to do something to enhance the industrial climate in Middletown. And I would hope that the cooperative spirit that seems to be here tonight will continue so we can all work together for a better Middletown. Thank you.

CHM. PARISI:

Thank you Ernie.

DIR. REIF:

Mr. Chairman, the, the Mayor has asked that we treat Joe Carney as a department. But I've assured Joe he's going to get better treatment than that.

CHM. PARISI:

Joe, you want us to treat you as a department, you're in serious trouble.

DIR. REIF:

You're in trouble, buddy.

CHM. PARISI:

We're going to be doing the budget tomorrow night and I can guarantee you that you're going to lose money if you let the Council get at you.

MR. JOE CARNEY:

I, I'm aware of the fact their is no provision for my position on this staff.

DIR. REIF:

O.k.

MR. CARNEY:

Are we on?

CHM. PARISI:

Yes.

MR. JOE CARNEY:

Good evening. I'm Joe Carney, a resident of Guire Road, Durham, appearing in the capacity of Director of Economic Development for the Northern Middlesex Chamber and the staff for Industry for Middletown and the Middletown Industrial Development Corporation. The following comments, and I'll keep them brief, are

MR. JOE CARNEY: (Continued from previous page)

at the direction of the Executive Committee of the Chamber. The Chamber believes that the recent adoption of the Interstate Trade Zone has unfortunately and in all probability quite unintentionally raised serious questions, serious present and particularly future problems for several of the concerns and people who have invested major sums in the development of the zone. It would be the recommendation of the Chamber that those steps which maybe necessary and proper to reestablish the conforming status of all existing development be taken with all reasonable haste. Most specifically, the Chamber does support the return of warehousing and distribution to the IT Zone as noted on the notice for this hearing. Beyond this step, the Chamber recognizes that there may well be need for changes and improvements which would be appropriate to this zone. And the Chamber is support, prepared to support such changes as maybe required after full and deliberate consideration. Thank you.

CHM. PARISI:

Thank you Joe. Is their anyone else who wishes to speak on this matter? Steve, yes.

COMM. GIONFRIDDO:

I just wanted to make one comment. And that's, I guess a small problem that I see but I think contributed to our current situation. And that is the fact that we publish our legal notices on the Middletown Press on a Saturday which I think is fine for those of us that live in Middletown but there are number of probably of businesses or businessmen out in that particular zone who don't live in Middletown on Saturday and probably have no access to the Middletown Press. And probably were not aware at all that we were contemplating any action. So, what I would recommend is that we look toward publishing our legal notices during a week day which I think is possible within the ramifications of the statute.

DIR. REIF:

May I?

CHM. PARISI:

Yes.

DIR. REIF:

We, we've of course have been...

CHM. PARISI:

....It's always been Saturday in my memory....

DIR. REIF:

.....and the reason it's been Saturday is it happens to fit, you know, there is a Planning Commission meeting on Wednesday. The Commission has an opportunity to decide from time to time if their are issues that are going to go on a public hearing. And, then you, going to give, have to give ourselves some time to get the notice prepared and then it goes to the Press on Friday. And, and by that time, the only time they can publish it is on, on a Saturday in order to make the time sequence. However, there's, we will try, at least what we have been talking about, several of the people who have been spokesmen here, is to try to get at least, no matter what problems we have, to try to get at least, one notice that isn't on Saturday. And I think we can.....

CHM. PARISI:

.....One Saturday, one Friday...

DIR. REIF:

...One something, something like that. Yes. There's nothing sacred as far as I'm concerned about Saturday and I would agree.

CHM. PARISI:

It's always been Saturday in my experience but you know, and I, frankly, never knew why and I guess never really cared except that it was advertised.

DIR. REIF:

Yes. Yes. The other, some of the other things that we've been talking about, trying to get legislation in is to require newspapers to group their notices about various towns. But we've never have gotten any place with that. We never did anything with it but that's one thing that the Press could do. And they could also have an index. They do that for classified ads. Why, they, they could also do it for legal notices. So, they're a lot of things that could be done and we're going to try and we're going to achieve getting at least one of the notices in on other than a Saturday.

CHM. PARISI:

Good. Is there anyone else who wishes to comment on this item, either pro or con, I guess as it seems to be all the pro there? Anyone wishing to speak in opposition? O.k.

DIR. REIF:

You know, you said you were, weren't going to pass any tonight but you've heard nothing but people who want to pass this one and there's nothing that says you can't pass it.

CHM. PARISI:

Well, I thought, you know, I thought that, and let me and I'll ask Joe Carney straight out. Joe, I, I thought that there was a concern that we wanted to at least do this as quickly as possible because there were potential sales that were pending the clarification of this warehousing item.

MR. CARNEY:

If it is permissible, it certainly would make everybody's mind easier but in as much as you indicated earlier that you did not to intend to vote, I don't want to put you into the position of having to address yourself.

CHM. PARISI:

Yes. Well, you know, I, I said that only because I, I thought that someone was going to ask that we vote on it tonight and then I didn't see anything that said that somebody wanted to vote tonight so I said well I guess, evidently it's not a problem.

DIR. REIF:

Normally we put an asterik or something on there. I didn't put that on because I wasn't sure how we were going to be moving tonight.

CHM. PARISI:

I don't.....

COMM. GIONFRIDDO:

We need a motion?

CHM. PARISI:

Yes, we need a motion.....

DIR. REIF:

To adopt this....

COMM. GIONFRIDDO:

I, I would move that we (Inaudible) More than 1 person speaking.
Oh, not now.

CHM. PARISI:

O.k. All right. But we, you know, I don't have any problem with doing it. I announced that no one had asked for it but if it is holding up the sales, certainly we could....

(Inaudible) More than one person speaking.

CHM. PARISI:

Yes. O.k.

COMM. GIONFRIDDO:

I want to make a motion that we consider Item three on the public hearing under the new business section.

CHM. PARISI:

O.k. Is their a second?

COMM. LOWRY:

Second.

CHM. PARISI:

O.k. Any discussion. All in favor? Opposed?

(Members of the Commission answered Aye in favor)

O.k. So, we'll pick this up then under new business. All right. Did someone else wish to speak? I saw somebody stand so...

MR. JACK WEST:

I am Jack West and I represent DeFavero Builders and I've just built the warehousing facility out there. (Inaudible) ... speak and ask you to vote tonight.

CHM. PARISI:

Oh. O.k. All right. If there's no further comments then we will close the public hearing and move on.

ADJOURNMENT OF
PUBLIC HEARING

Mary Lee Dorflinger
Mary Lee Dorflinger
Transcribing Secretary

Paul P. Parisi, Chairman
PLANNING AND ZONING COMMISSION

APPROVED AT THE MEETING OF _____