

Chm. Quentin Phipps, Comm. Richard Pelletier, Comm. Les Adams,
Comm. Barbara Plum, Comm. Catherine Johnson, Comm. Daniel Russo,
Comm. Nicholas Fazzino, Comm. Carl Bolz, Comm. Ken McClellan,
Comm. Michael Johnson MEMBERS
PRESENT

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

Michiel Wackers, Deputy Director STAFF

There were seventeen (17) members of the public present. There is a word
for word DVD recording of the meeting on file and available in the
Planning Office. PUBLIC

The Pledge of Allegiance was recited at 7:08 p.m. ITEM 1
PLEDGE OF
ALLEGIANCE

Comm. Les Adams conducted Roll Call. ITEM 2
ROLL CALL

No items were removed from the agenda. ITEM 3
ITEMS RE-
MOVED FROM
THE AGENDA
AND WHY

There were no public comments. ITEM 4
PUBLIC
COMMENT ON
ITEMS

The public hearing sign was correctly posted and in place. ITEM 5
ZEO SIGN
CERTIFICATION

On motion and second by Comms. Daniel Russo and Nicholas
Fazzino the Commission moved Item #6.4 to the top of the public
hearing items. Vote was unanimous. Atty. Ralph Wilson presented
the proposal. On motion and second by Comms. Barbara Plum and
Nicholas Fazzino the Commission closed the public hearing. Vote
was unanimous. A motion to grant a Special Exception to modify
the concept plan for the Downtown Bar (formerly known as Public)
with the following conditions: 1) The Special Exception form filed on
the land records shall reference the business plan and the discussions
at the public hearing and require that any change in concept be approved
as a new Special Exception by the Planning and Zoning Commission;
2) Any transfer in the liquor license shall be approved by the Planning
and Zoning Commission prior to sign off; 3) Repeated Public Health or
Fire Code violations and/or noise ordinance violations in excess of three
ITEM 6.4
GRANTED A
SPECIAL EX-
CEPTION TO
MODIFY THE
CONCEPT PLAN
FOR THE DOWN-
TOWN BAR
(FORMERLY
KNOWN AS
PUBLIC) AT 337-
351 MAIN
STREET

(3) per year will constitute a violation of the approved Special Exception; and 4) Failure to comply with any of the above terms and conditions shall constitute a violation of the Special Exception and allow the Commission to revoke such permit pursuant to Section 44.07 of the Middletown Zoning Code was made by Comm. Barbara Plum and seconded by Comm. Nicholas Fazzino. Comm. Barbara Plum offered a friendly amendment that the recommended additional conditions that there be no more than one bar in the establishment and no live bands or disc jockey booth in the southern bay of the establishment (Public's former "lounge area" and the proponents "game room") and that the proprietor shall ensure that the sidewalk remains clean and is swept each morning be included. Chm. Quentin Phipps offered a friendly amendment that all Connecticut State Liquor Commission requirements be complied with. The main motion as amended passed unanimously. Applicant/agent Frank Johnson SE2010-1

Chm. Quentin Phipps opened the public hearing on the Guiding Principles of the Plan of Conservation and Development. From the public, Eleanor Kelsey commented. Jeffrey Pierce commented. On motion and second by Comms. Nicholas Fazzino and Barbara Plum the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. Barbara Plum and Richard Pelletier the Commission adopted an update of Guiding Principles of the Plan of Conservation and Development. Vote was unanimous. Proponent P&Z Comm.

ITEM 6.1
ADOPTED AN
UPDATE OF
GUIDING
PRINCIPLES
OF THE PLAN
OF CONSER-
VATION AND
DEVELOPMENT

On motion and second by Comms. Daniel Russo and Richard Pelletier the Commission opened the public hearing. Vote was unanimous. Discussion ensued. On motion and second by Comms. Barbara Plum and Richard Pelletier the Commission closed the public hearing. Vote was unanimous. A motion to adopt a Zoning Code text amendment to add Section 61.05.03 Sale or dispensation of marijuana and/or medical marijuana was made by Comm. Barbara Plum and seconded by Comm. Richard Pelletier. The motion failed with Comms. Daniel Russo, Barbara Plum and Richard Pelletier in favor and Chm. Quentin Phipps, Comms. Les Adams, Catherine Johnson and Nicholas Fazzino opposed. Proponent P&Z Comm. Z2010-1

ITEM 6.3
DENIED A PRO-
POSED ZONING
CODE TEXT
AMENDMENT
TO ADD SEC-
TION 61.05.03
SALE OR DIS-
PENSATION OF
MARIJUANA
AND/OR MED-
ICAL MARI-
JUANA

Atty. Manual Dan and Marco DiMauro presented the proposal. Discussion ensued. On motion and second by Comms. Richard Pelletier and Barbara Plum the Commission closed the public hearing. Vote was unanimous. A motion to adopt a Zoning Code text amendment to modify Section 60.02.13 Multi-family Dwelling to add the NPC zone was made by Comm. Catherine Johnson and seconded by Comm. Les Adams. The motion failed with Comms. Barbara Plum and Richard Pelletier in favor and Chm. Quentin Phipps, Comms. Les Adams, Daniel Russo, Catherine Johnson and Nicholas Fazzino opposed. Applicant/agent Marco DiMauro-John

ITEM 6.3
DENIED A PRO-
POSED ZONING
CODE TEXT
AMENDMENT
TO MODIFY
SECTION 60.02.13
MULTI-FAMILY
DWELLING TO
ADD THE NPC

Pappas Z2010-2

ZONE

On motion and second by Comms. Daniel Russo and Barbara Plum the Commission tabled a request for release of the cash bond for Phase II of the Country Hill Subdivision located off East Street. Vote was unanimous. Applicant/agent Ravenswood Homes/Richard N. Fiske S2001-15

ITEM 7.1
TABLED A RE-
QUEST FOR RE-
LEASE OF THE
CASH BOND
FOR PHASE II
OF THE COUN-
TRY HILL SUB-
DIVISION LO-
CATED OFF
EAST STREET

There was no New Business.

ITEM 8
NEW BUSINESS

Jeffrey Pierce, George Street, commented about the Middletown Trail Guide and the designation of proposed open space of his property on city maps.

ITEM 9
PUBLIC
COMMENT
ON TOPICS

On motion and second by Comms. Daniel Russo and Les Adams the Commission approved the minutes of the April 28, 2010 regular meeting. Vote was unanimous.

ITEM 10.1
APPROVED THE
MINUTES OF
THE 4/28/10
REGULAR
MEETING

Comm. Les Adams requested that the Zoning Enforcement Officer, Bruce Driska, attend to answer questions regarding the Zoning Enforcement Officer's report. Comm. Carl Bolz requested a legal opinion regarding labeling open space and if the Commission has the right to propose any parcel eligible for open space purchase. Comm. Michael Johnson requested that the Budget Subcommittee hold a meeting in Room 208 on Wednesday, May 19, 2010 at 6 p.m.

ITEM 10.2
OTHER COM-
MISSION
AFFAIRS

On motion and second by Comms. Daniel Russo and Nicholas Faz-zino the Commission adjourned the meeting at 9:10 p.m. Vote was unanimous.

ITEM 11
ADJOURNMENT

Respectfully submitted,

Michiel Wackers, AICP
Deputy Director