

Chm. W. Lee Osborne, Comm. Ron Klattenberg, Comm. Carl Bolz, Comm. David Roane, Comm. Jeffrey Pierce, Comm. James Fortuna, Comm. William Holley
Comm. Anthony J. Vasiliou, Comm. Corrine Dorsey, Comm. Carl Chisem, Mayor Maria Madsen Holzberg, Ex-Officio, Dir. P.W. Salvatore Fazzino, Ex-Officio

COMMISSION
MEMBERS
PRESENT
COMMISSION
MEMBERS
ABSENT

William Warner, Planning Director

STAFF

There were approximately twenty-five members of the public.

PUBLIC

No one spoke.

ITEM 2

DISCUSSION WITH
PUBLIC ON ITEMS ON
AGENDA

On motion and second by Comms. David Roane and Carl Bolz the Commission tabled a request for release of the cash bond for Red Glen Road, Wesleyan Hills PRD. Vote was unanimous. Applicant/agent Larsen, St. John & Johnson, P.C./Atty. Frank St. John PRD

ITEM 3.1
TABLED REQUEST FOR
RELEASE OF THE CASH
BOND FOR RED GLEN
ROAD, WESLEYAN HILLS
PRD

Atty. Myron Poliner and Craig Penney explained the final architectural renderings using drawings and explained the Hollywood Video building. Comm. Ron Klattenberg questioned the elevations. Craig Penney explained. Comm. Jeffrey Pierce questioned the East Main Street entrance. Discussion ensued. On motion and second by Comms. David Roane and James Fortuna the Commission approved the final achitectural drawings for the Anthony Fonda project located on East Main Street and Main Street Extension. Vote was unanimous. Applicant/agent Anthony Fonda/Atty. Myron Poliner SE96-5

ITEM 3.2
APPROVED FINAL
ARCHITECTURAL
DRAWINGS FOR THE
ANTHONY FONDA
PROJECT LOCATED ON
EAST MAIN STREET AND
MAIN STREET EXTENSION

On motion and second by Comms. David Roane and Carl Bolz the Commission tabled a proposed Special Exception for an adaptive historic re-use to convert an existing commercial building at Starr Mill on Beverly Heights to a commercial building with four (4) apartments. Vote was unanimous. Applicant/agent Newfield Realty Co./Ralph E. Wilson, Esq. SE97-6

ITEM 4.1
TABLED PROPOSED
SPECIAL EXCEPTION
FOR AN ADAPTIVE
HISTORIC RE-USE TO
CONVERT AN EXISTING
COMMERCIAL BUILDING
AT STARR MILL ON
BEVERLY HEIGHTS TO A
COMMERCIAL WITH

On motion and second by Comms. Ron Klattenberg and David Roane the Commission scheduled a public hearing date of May 28, 1997 for a proposed Special Exception to allow a portion of the Main Street frontage of the new Police Station to be used as non-retail at the former Sears on Main Street. Vote was unanimous. Applicant/agent City of Middletown/ Michael Cubeta, Building Committee Chairman SE97-7

There is a tape recording of the public hearing available in the Planning and Zoning Office.

Comm. Ron Klattenberg read the public hearing legal notice into the record. Comm. Carl Bolz noted that he had reviewed the tapes and will be acting. Atty. Norm Fineberg explained the revisions to the proposed conditions. M. Segal commented on marketing of the site and competition with downtown. Chm. W. Lee Osborne questioned the number of floors, the percentage of impervious coverage, the office mall concept and the need to avoid same. Comm. Carl Bolz commented. Discussion ensued. Comm. Ron Klattenberg questioned the number of employees. Atty. Norm Fineberg stated 400-450 employees. Comm. David Roane questioned potential tenants. From the public, Michael O'Brien commented on the market for campus style offices. D. Harper, CFO for Weekly Reader, commented on Weekly Reader's history and change in the industry. Comm. Jeffrey Pierce questioned ownership. D. Harper responded. On motion and second by Comms. Carl Bolz and Jeffrey Pierce the Commission closed the public hearing. Vote was unanimous. A motion to approve a request to change a previously granted Special Exception use at the Weekly Reader facility at 245 Long Hill Road from an educational publishing use to a general office use with the amendments by Atty. Fineberg was made by Comm. David Roane and seconded by Comm. Ron Klattenberg. Comm. David Roane spoke about the motion. Comm. Jeffrey Pierce spoke in opposition due to traffic concerns. Comm. Ron Klattenberg spoke in support. Comm. Carl Bolz commented on his concerns over the previous Special Exception. Chm. W. Lee Osborne commented in support and proposed an amendment regarding garbage

PLANNING AND ZONING COMMISSION REGULAR MEETING MAY 14, 1997, 7:00 P.M.

FOUR APARTMENTS

ITEM 4.2
SCHEDULED P.H.

5/28/97 PROPOSED
SPECIAL EXCEPTION TO
ALLOW A PORTION OF
THE MAIN STREET
FRONTAGE OF THE NEW
POLICE STATION TO BE
USED AS NON-RETAIL
AT THE FORMER SEARS
ON MAIN STREET

ITEM 5
P.H. TAPE RECORDING

ITEM 5.1
APPROVED A REQUEST
TO CHANGE A
PREVIOUSLY GRANTED
SPECIAL EXCEPTION
USE AT THE WEEKLY
READER FACILITY AT
245 LONG HILL ROAD
FROM AN EDUCATIONAL
PUBLISHING USE TO A
GENERAL OFFICE USE
WITH CONDITIONS

collection, sign agreements and to limit to four the number of tenants and if the limits are too much to come back before the Commission in six months. Comm. David Roane accepted Amendments 1 and 2 are friendly amendments. Comm. David Roane moved Amendment 3 be discussed and suggested seven tenants instead of four. Chm. W. Lee Osborne indicated that he is open to larger numbers. A motion to open it up to five offices was made by Comm. Jeffrey Pierce and seconded by Comm. Carl Bolz. Chm. W. Lee Osborne accepted the change from four tenants to five. The motion passed with Chm. W. Lee Osborne, Comm. Carl Bolz, Comm. Jeffrey Pierce, Comm. James Fortuna and Comm. William Holley in favor and Comm. Ron Klattenberg opposed. The main motion as amended passed unanimously. Applicant/agent Weekly Reader Corporation/Wiggin & Dana, Attorneys at Law SE68-2

The Commission took a five minute recess.

Comm. Ron Klattenberg read the legal notice into the record. On motion and second by Comms. Jeffrey Pierce and Carl Bolz the Commission tabled a proposed Special Exception to construct an automobile filling station and car wash in front of the Bradlees/Super Stop & Shop at 400-416 East Main Street. Vote was unanimous. Applicant/agent Stop & Shop Companies, Inc./Tyree Engineering, P.C. SE97-4

ITEM 5.2
TABLED A PROPOSED
SPECIAL EXCEPTION TO
CONSTRUCT AN AUTO-
MOBILE FILLING STATION
AND CAR WASH IN FRONT
OF THE BRADLEES/SUPER
STOP & SHOP AT 400-416
EAST MAIN STREET

Comm. Ron Klattenberg read the legal notice into the record. Chm. W. Lee Osborne noted that he does not have a conflict of interest due to affiliations to Frank Magnotta. Atty. Myron Poliner explained the proposal. Frank Magnotta explained the flood plain issue, indicated a deficiency in the FEMA mapping and a major change in the stream channel and continued with the hydraulic analysis. Atty. Myron Poliner noted that restaurants are as of right in the B-2 zone. Comm. David Roane questioned discussions with FEMA. Frank Magnotta responded. Comm. Carl Bolz questioned staff comments. Frank Magnotta responded. Discussion ensued. Chm. W. Lee Osborne indicated there is only a floodplain issue. Comm. Ron Klattenberg questioned repairing the berm.

ITEM 5.3
GRANTED A SPECIAL
EXCEPTION TO CONSTRUCT
A RESTAURANT WITHIN
THE 100 YEAR FLOODPLAIN
IN FRONT OF THE BIO-
SYSTEMS COMPANY
LOCATED AT 643-651
SOUTH MAIN STREET

spoke in opposition due to increased flooding. Bart Bovee, also representing Brian Baker, expressed concern over Frank Magnotta's comments. Comms. David Roane and Jeffrey Pierce questioned Bart Bovee. Bart Bovee responded. Atty. Myron Poliner and Frank Magnotta rebutted at length about the flooding conditions and the changes within the channel. Comm. David Roane questioned if Atty. Poliner was aware of Brian Baker's problem. Atty. Poliner responded no. Comm. Ron Klattenberg commented on the discrepancy. Comm. Jeffrey Pierce commented. William Warner responded. On motion and second by Comms. David Roane and Ron Klattenberg the Commission closed the public hearing. Vote was unanimous. A motion to grant a Special Exception to construct a restaurant within the 100 year floodplain in front of the Biosystems company located at 643-651 South Main Street with the condition that the following wording be added "As shown on 1990 FEMA Map" was made by Comm. David Roane and seconded by Comm. Jeffrey Pierce. Comm. Jeffrey Pierce feels there is no need to continue as the hearing has been satisfied. The motion passed unanimous. Applicant/agent Anthony C. Fonda/Attorney Myron J. Poliner SE97-5

The Commission acknowledged the ZEO Sign and Monthly Reports.

ITEM 6.1/6.2
ACKNOWLEDGED ZEO
SIGN AND MONTHLY
REPORTS

On motion and second by Comms. David Roane and Jeffrey Pierce the Commission approved the minutes of the April 16, 1997 meeting. Vote was unanimous.

ITEM 6.3
APPROVED MINUTES OF
4/16/97 MEETING

On motion and second by Comms. James Fortuna and David Roane the Commission approved the minutes of the April 23, 1997 meeting. Vote was unanimous with Comm. Carl Bolz abstaining.

ITEM 6.4
MINUTES OF 4/23/97
MEETING

Chm. W. Lee Osborne commented on a letter from the Snow School Board of Education and the need to review the site plans of all other schools. Comm. William Holley commented on the need for crosswalks on Wadsworth Street.

ITEM 7
DISCUSSION WITH
PUBLIC

Adjournment was at 10:08 P.M.

ITEM 8
ADJOURNMENT

Respectfully submitted,

William Warner
Director of Planning