

Edward Kalita, Chairman; Eric Lowry, Vice-Chairman; Cos Giuffrida, Secretary; Commissioners: Dr. Christie McLeod, Paul Parisi, Seb Passanesi, Ralph Shaw, George Augustine, Robert Chamberlain, and Thomas Lineberry. Also Mayor Anthony S. Marino. COMM. MEMBERS PRESENT

George Reif, Director; Althea Rinaldi, Recording Secretary, and Eileen Rogers. STAFF

Kim Smith, Reporter, Middletown Press and four members of the public OTHERS

Commissioner Conrad Tyaack ABSENT

On the Agenda for June 8th public hearing:

- |  |         |
|--|---------|
| 1. Proposal to modify the Commission's regulations as follows:   | PAGES:  |
| (a) Reorganize and integrate the material in the Zoning Code and Subdivision Regulations into an order believed to more logically reflect the sequence of use and        | 1 - 4   |
| (b) make a variety of improvements in terms of language clarity, legibility and to reflect contemporary concepts.  |         |
| 2. Application to amend the Zoning Map to change an area currently zoned R-1 to R-4 on the south side of Washington Street east of the Washington Plaza Shopping Center. | 4 - 11  |
| 3. Application for a Special Exception to permit a professional office on a parcel included in the area proposed for rezoning to R-4 as specified above.                 | 11 - 14 |

**CHAIRMAN KALITA**

I would like to call the meeting to order. This being a public hearing, I'll ask the Secretary to read the legal call.

**SECRETARY GIUFFRIDA**

THE MIDDLETOWN PLANNING AND ZONING COMMISSION WILL HOLD A PUBLIC HEARING JUNE 8, 1977, STARTING AT 7:30 P.M. IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, DE KOVEN DRIVE, MIDDLETOWN, CONNECTICUT, to consider the following:

Item 1: Proposal to modify the Commission's regulations as follows:

- |   |  |
|---|--|
| (a) Reorganize and integrate the material in the Zoning Code and Subdivision Regulations into an order believed to more logically reflect the sequence of use and | CHANGES IN ZONING CODE & SUBDIV. REGS. |
| (b) make a variety of improvements in terms of language clarity, legibility and to reflect contemporary concepts.   |  |

Prior to the finalization of the specific proposal, the Commission wishes to provide the opportunity for public comment on any aspect of its regulations for which modifications may also be recommended for considerations. The specific proposal will be considered at a future public hearing.

As an example of reorganization, the article dealing with administration of the Code would appear at the beginning rather than at the end as in the current Code.

As an example of clarity, as much information as possible would be organized in charts rather than in text as in the current Code.

CHAIRMAN KALITA

This legal notice appeared in the Middletown Press on Saturday, May 28, 1977, and Saturday, June 4, 1977. With the regular Commissioners all present, the meeting will be turned over to the Director for any comments on his work in modifying the Zoning Code book.

MR. REIF

I'll make one other brief statement. A massive modification to the Zoning Regulations occurred in 1969. In the years that have passed - that have since passed - over 60 amendments have been adopted. Many of the amendments reflected philosophical changes in community attitudes toward zoning. At almost every Commission meeting another example of conflict within the Code was discovered as the members become more familiar with it and as the document's importance in patrolling community growth becomes more obvious. Therefore, the Commission has authorized a proposal for modification. The modification proposal will include (1) Replacing text with tables, where possible, for ease of use; (2) Regrouping information - presenting it in a more logical order; (3) Updating and simplifying the text where possible; (4) Renaming certain zones to more accurately suggest permitted uses; (5) Clarifying administration procedures; (6) Incorporating all Commission regulations into one Code such as subdivision of land and street development; (7) modifying the map to reflect text changes to certain existing key land uses. The purpose of holding an information hearing is to provide legal notice to the public of the general proposal for modification and to solicit the public's suggestion to change prior to presentation of a fixed document. At least one more hearing will be necessary when the specific text and map proposals are ready. I have one demonstration of an example of simplifying the text. On the board before you the top three sheets are the current sheets that tell you about modifying the Code - either a text modification or a map modification. The single sheet - the bottom - is what that's all reduced to in the proposed Code. You're not asked to adopt the one sheet but it is a clue that that's the type of thing we're trying to do - simplify the Code. Although nothing is going to be left out, if it - where necessary - we'll increase the text if that suits the goal, but that's one example of saying the same thing in a lot less words.

CHAIRMAN KALITA

Thank you, George. Any Commissioners have any questions?

COMM. PASSANESI

What do you propose we do with this now - take it with us and look it over for ?

MR. REIF

Is that the one you received tonight?

MR. REIF

That is the current Code that is before you tonight. This has nothing to do with the public hearing.

COMM. PASSASESI

I thought that you were proposing certain changes.

MR. REIF

No.

COMM. PASSANESI

OK

MR. REIF

The Code that you received tonight merely updates the existing current Code and integrates the several changes you made at your last meeting - the Waterfront, the definition of the Housing for the Elderly and the Directory Sign. There's nothing to do, necessarily, with the (inaudible few words - 2 talking)

COMM. PASSANESI

OK. I thought maybe -- I saw some things marked in here and I thought possibly you were making some changes.

COMM. SHAW

This is something in response to our request that we get some update.

MR. REIF

Right.

COMM. SHAW

Comm. Lowry was being a troublemaker at the last meeting.

COMM. PASSANESI

OK. Fine. It doesn't cost us any money.

CHAIRMAN KALITA

Seb wasn't at the last meeting. Did you get a proposed draft? It was handed out.

MR. REIF

No. Unfortunately, we ran out of those and it turned out we only gave them to people who were at the meeting. Now, that was an example of the proposed Code and yet it is not far enough along to really have a public hearing on any of it. It just gave you more clues about the direction in which we are going.

COMM. PASSANESI

Can I stop and pick one up?

MR. REIF

I think we will probably be able to make some more copies.

COMM. PASSANESI

OK.

CHAIRMAN KALITA

Does anybody have any problems from the Commission on proceeding with this? Actually, we want to go ahead, George, if there's no comments from the public or any input and present it at the next public hearing for adoption.

MR. REIF

Well, it's not really ready. We are going to continue to get it --

When it gets ready, it will go to public hearing, but it's not quite ready for the next one and we will certainly want to bring it back and have a discussion among the Commission members before it reaches the public levels.

VICE-CHM. LOWRY

Do you still follow your timetable?

MR. REIF

I hope so. When did I say we were going to go to --  
I think it's in July.

COMM. SHAW

July.

MR. REIF

We may have trouble making that, but we're going to give it a go. Depends on what's going to be happening between now and then.

CHAIRMAN KALITA

You said next month.

MR. REIF

You were right.

CHAIRMAN KALITA

Is there anyone from the public would like to speak on this public matter? If no one from the public wants to speak either for or against, I'll ask the Secretary to read the second call of the legal meeting.

SECRETARY GIUFFRIDA

Item 2: Application to amend the Zoning Map to change an area currently zoned R-1 to R-4 on the south side of Washington Street east of the Washington Plaza Shopping Center. A map showing the proposed area is filed in the Office of the Town Clerk. Applicant: Seb J. Passanesi.

REZONING  
APP.  
R-1 to R-4  
WASHINGTON  
ST.

COMM. PASSANESI

Mr. Chairman, I would like to be excused from this portion of the hearing.

CHAIRMAN KALITA

Yes, Commissioner. In your place, I would ask alternate Commissioner Lineberry. Is there anyone in the public that's going to speak on this proposal?

MR. JOHN WALKER.

Yes, I would like to. My name is John Walker. I'm a landscape architect associated with Mr. Passanesi on many projects and on this one as well and he's asked me to speak on his behalf. I would like to, if I may, put up a (inaudible two words - he displayed site plans). The parcel of land that we're seeking a zone change and an exception for land use on that is just east of the B-2 zone on Washington Street and it's approximately 12,000 - almost 13,000 square foot parcel of land - parcel no. 8 - owned by Mr. Passanesi on Washington St. Presently zoned R-1 and we're seeking a zone change to R-4, which would allow a special exception to provide an office - special office building - on that space,

and this is an enlargement of the parcel itself. It's approximately 65 feet wide and about 200 feet deep with frontage on Washington St. and it's on the south side of Washington St. The proposal would be for a two story wood frame building with possibly four separate office spaces within with a total floor area of about almost 4,000 sq. ft. and the parking requirement for a building of that size would be two cars - one car for 500 sq. ft. so a total of eight cars would be required with access on and off from Washington St. to a dead end parking lot with limited development of the rear portion of the property simply into open space lawn area. This plan has been submitted to the Department of Transportation and has received their approval in terms of egress onto a State highway, storm drainage requirements would be met as the plan shows and the State has approved it, and sight distances are adequate. The maximum building height would be a two story building and there is City sewer, City water and storm available for the facility. It is outside of the Fire district. Basically, unless there are any questions, the intent here, of course, is that this very small rectangular is Mr. Passanesi's property and Mr. Redford owns a portion of land between his property and this business zone, which is the shopping center on Washington St. and it is proposed to change not only his 18 - I'm sorry - 12,000 sq. ft. parcel, but a total of 2.4 - 2.04 acres to this Residential 4 zone. This would give a continuous parcel. It would be this Residential 4 which in the Plan of Development for Middletown, I believe Mr. Reif can verify this, there's a proposal that this entire area (inaudible word - person coughing) R-4 rather than the R-1 which is presently what exists.

VICE-CHAIRMAN LOWRY

George, how far does the R-1 zone go east?

MR. REIF

I think it may -

VICE-CHAIRMAN LOWRY

Up to the Burger King?

MR. REIF

I think it may be a good thing to uncover the map that is covered up because that's the one that shows the zone. Here's Washington St., here's where the Caldor's Shopping Center is, here's King's Shopping Center across the street. Here is these two parcels. You can't see the numbers but they number, for some reason, 9 and 10. The ones owned by Phil Redford - the one Seb Passanesi owns is this one right here - 200 feet deep - numbered 8, as you've heard. The line around here - the red line - outlines the current B-2 zone, so there's a B-2 zone here, a B-2 zone here just east of Boston Rd. that also is outlined, at least partially, here in the red line. The yellow and pink colors, the blue and the brown and the purple show land uses. The red is commercial, so there's some commercial in here. The yellow is residential. The purple you don't have any interest in, it happens to be industrial. The brown color is housing. By sheer chance, the housing colors here happen to be zoned R-1 now but if they were zoned in accordance with the way the land is being used, they too would be R-4 zones. This one, I am sure, some of you are terribly familiar with. This is the Camp St. housing - apartment complex. So, this space here from the location

of the bank which you saw about a year ago all the way down to the Wayside Furniture area is now zoned R-1 even though several parcels are used for commercial purposes. This three and four is where Walt's Roast Beef used to be and the sign has now fallen down. The other two, seven and eight -- seven and --- five and seven happen to be buildings in which (inaudible one or two words) either were or are, relocated.

VICE-CHM. LOWRY

Are there special exceptions in a residential zone?

MR. REIF

Here? The office is a permitted special exception use in an R-3 or R-4 zone. Now, the reason is a tossup here whether or not to apply for a B-2 or an R-4. The reason there's an application for an R-4 is that that would meet the objective of the proponent. He wants to build a professional office building. It would also seem logical that, if this land is going to be changed from R-1, that it be changed to something that would not allow the traffic generation that a B-2 would permit, such is drive-in facilities.

VICE-CHM. LOWRY

What is this pink now? Where the Burger King was?

MR. REIF

Those are the way land is currently being used?

VICE-CHM. LOWRY

Yes, but they're still residential.

MR. REIF

They're still zoned R-1. The pink area there -

VICE-CHM. LOWRY

Special exception for -

COMM. SHAW

Non-conforming use.

MR. REIF

There is some question about their legal non-conforming or illegal non-conforming, but there's no question about non-conforming.

COMM. SHAW

They are non-conforming uses. That's all there is to it, however they got there. The fact of the matter is, that's what they are. What about, we may be jumping ahead of this, but what about the Redford interests in this? I don't see the Redford's on the application and the largest part of the land is theirs.

MR. REIF

Redford is not unwilling to have the 200 ft. deep area of his land rezoned. He has no interest in having it rezoned. He merely is accommodating the proponent so that it is not just one tiny lot that is being applied for. The merit in the R-4, in addition to the reason I've already told you, is that really some of this land across the way is being used for R-4 purposes and if the map were updated, if you will, for zoning it, too, would be R-4. Let me pull this Plan of Development out here. It's a different scale, but here are the two shopping centers and this is the general area that we're talking about. The red color is identified as a mixed use.

The closest you can come to in the current Zoning Code is R-4 for that use that allows high intensity residential use and it also permits some other uses - in most cases, they are under special exception - professional offices are one use.

CHAIRMAN KALITA  
Comm. Parisi?

COMM. PARISI

I guess everybody knows what my feeling is for that section of Washington Street, but looking at the way this thing is worded now, and - put that other map down and go with the other one - you're saying south of the shopping center. How far south?

CHAIRMAN KALITA  
No, no. East.

COMM. PARISI

OK. How far east of the shopping center could we conceivably rezone this to R-4?

MR. REIF

Well, the application brings you from this point of the B-2 over to --

COMM. PARISI

Could we go the rest of the way?

MR. REIF

The answer in the past experience that's met the legal test is "yes".

COMM. PARISI

All right. Could we go and do the north side at the same time?

MR. REIF

Yes, you could.

COMM. PARISI

Even though -

MR. REIF

Based on past experience and met the legal test, you could.

COMM. PARISI

My philosophy on that whole section is that - I think R-1 is ridiculous. We know what's out there and no one is going to invest any money out there to fix up any of those properties. We've just got to make it attractive to get development out there - maybe R-4 is the best way that we can control it, we don't want McDonald's -

MR. REIF

Without generating a huge amount of traffic.

COMM. PARISI

So that it would really be no problem then to take that - the whole - both sides of Washington St. between the B-2 zones at this point (inaudible few words - someone coughing) and go in 200 feet, or whatever the property lines are there.

COMM. CHAMBERLAIN

Well, there's one property line that goes way back.

COMM. MEMBER

That's no problem there, though.

COMM. SHAW

You're up behind single home property down on Old Mill --  
Barbara Road.

COMM. PARISI

But if it's R-4, you're not going to have commercial development -  
you're going to have some control there.

MR. REIF

He doesn't want apartments there. He could have apartments in the  
zone.

COMM. CHAMBERLAIN

Yes, he could have apartments there, but they've already had that  
big battle, for God's sake, when the apartments were put up there  
originally, for God's sake, that was the biggest battle we've ever  
seen around here. Now you're suggesting, Paul, that we go back up  
and take that big piece and go back into R-4 there. I mean, I  
don't mind an R-4 going across, but 200 foot depths on both sides -

COMM. PARISI

Yes, that doesn't bother me. I just think that we've got to face  
reality and that section of Washington St. is - I hate to use the  
work slum in public, you know, because there are people out there  
but, nonetheless, that housing is very deteriorated.

MR. REIF

There's a lot of blood back here.

COMM. PARISI

I recognize that there's a lot of blood back there.

MR. REIF

But it's being used as an R-4 - as it was an R-4 zone and it's R-1.

CHAIRMAN KALITA

George, what's the average depth of the lots across the street there?

MR. REIF

They're approximately 200 feet.

COMM. SHAW

The problem is you can't draw a line 200 feet without blocking  
(inaudible words - many talking at once).

MR. REIF

We've discussed that this afternoon with Phil Redford and he thinks  
- he's only interested in going 200 feet. He prefers to have a piece  
of land in the back that's zoned R-1. That creates an awkward  
situation as far as zoning is concerned.

CHAIRMAN KALITA

What's the white color behind his property?

MR. REIF

The white color? This? It's unoccupied land and, quite obviously,  
this is lots that have no frontage on a public street. They are not  
accessible except through some easement, so that's the answer. They're  
not developed.

COMM. PARISI

But they would be R-1 though.

MR. REIF

They are zoned R-1.

COMM. SHAW

They are R-1 zoned, but they're not in use.

COMM. MEMBER

I assume it isn't Redford.

MR. REIF

No, it's not Redford.

MAYOR MARINO

Johnson

MR. REIF

Johnson?

MAYOR MARINO

Says here.

CHAIRMAN KALITA

George, going back to the architect's drawing there -

MR. REIF

That almost comes - building and everything - almost comes in the next item - the special exception. The first item is the zoning.

CHAIRMAN KALITA

Are you showing like an entrance to the lot behind Redford there on the top drawing?

MR. REIF

Here?

COMM. SHAW

No. Down to the east side. Looks like a very narrow strip goes in on the east side.

MR. REIF

That is there now.

COMM. SHAW

Is it a parcel of land or is it a driveway?

MR. REIF

It's a parcel of land which is used as an access. Here it is - right here.

CHAIRMAN KALITA

No ~~is~~ that other yellow strip between the two whites, isn't it?

MR. REIF

Here's the one - it's the one that's tight up against the back of these lots.

COMM. SHAW

Well, the property line must not be on there then, George. Something's wrong on the top map.

MR. REIF

Well, what's partially wrong is that it's oriented a different way. It is the same. That little strip here --

COMM. SHAW

OK. But where is the Redford property line?

MR. REIF

The Redford parcel is here.

COMM. SHAW

All right, but on the covered map you have, where is the Redford property line? That's the side line. Where's the back line?

MR. REIF

Here's the back line.

COMM. SHAW

But that doesn't show - the one below it does not show that narrow strip going to the Redford line - it goes on to whatever - the Mayor just said it's called Johnson's.

MR. REIF

It's almost as if this was the Redford plan.

COMM. SHAW

That's what I wondered.

MR. REIF

The question is whether or not that line is theirs.

COMM. SHAW

Whether that's the property line or whether the other one is. If it is and Redford owns the other, maybe he has an access to his property.

MR. REIF

At this point, this one shows it as if its all (inaudible word - someone banging)

COMM. SHAW

Yeah, yeah.

CHAIRMAN KALITA

And it does give the three lot numbers.

COMM. SHAW

In which case he might have access to the back property (inaudible rest of sentence), although both those houses must sit on the forward section of that land.

COMM. PARISI

(inaudible first few words) more than 200 feet of the lot?

COMM. SHAW

No.

MR. WALKER

One is approximately 200, the other is about maybe 80 or 70.

COMM. SHAW

They're back, but they're not - 200 feet is a long way.

MR. REIF

So that's the proposition. Of course, Seb Passanesi did take just one lot in the zone but that's not really acceptable. You may want to just want to move on to the next

CHAIRMAN KALITA

Yes. Why don't we go to Item 3 because they go hand in hand.

VICE-CHM. LOWRY

Reminder to ask anyone from the public to speak.

CHAIRMAN KALITA

You're right. Is there any further discussion on Item 2 - the

application for change from R-1 to R-4 zone? Does anyone from the public wish to speak either for or against the application? Being none, I'll ask the Secretary to read the third legal call.

SECRETARY GIUFFRIDA

Item 3: Application for a special exception to permit a professional office on a parcel included in the area proposed for rezoning to R-4 as specified above. Applicant: Seb J. Passanesi. S.E. APPLICATION PROFESSIONAL OFFICE

CHAIRMAN KALITA

The above legal notice appeared in the Middletown Press on Saturday, May 28th and Saturday, June 4th. Is there any further discussion now on the application?

MR. REIF

I have several communications from departments. In the case of zoning, it's a practice not to ask for departmental comment. On the other hand, for a special exception since there's a site plan, I send that around and get the comments and I have several. The Police Department happens to be the one on top, so I'll read that. "In reference to the proposed office building to be located on the south side of Washington St., east of Washington Plaza shopping center, the Traffic Division of the Middletown Police Department has reviewed the site plan. The proposed building does not appear to generate heavy traffic if used for offices; however, if in the future the Traffic Division finds it necessary to eliminate left turns when exiting the premises, it will so recommend to the legal traffic authority of the City of Middletown. From the Public Works Department, they say "This office has no objections or comments to offer for the above referenced proposal. The Department of Health says "The plan should include provisions for solid waste disposal. Otherwise, there is no objection to said proposal. That's it. We don't have any comments from the Fire Department or Water and Sewer but, obviously, there is water and sewer available.

CHAIRMAN KALITA

Commissioner Parisi.

COMM. PARISI

Yes. I don't know - probably you (inaudible word) know the answer to this. Is the State planning to do anything with widening Washington Street or rebuilding Washington Street through that section?

MAYOR MARINO

I understand there is a taking line that exists now would not be altered.

COMM. SHAW

Is that the line which is inside that driveway?

MAYOR MARINO

Wherever the State taking line is now.

COMM. SHAW

That's what I am saying. Is that the line?

MR. REIF

It, indeed, must be. That's the property line.

COMM. SHAW

You lose at least one parking place if that should ever be used. You couldn't use the end one. There would be no way.

COMM. PARISI

Got any plans to do anything with Washington Street in that (inaudible word) with any of these new plans that you see - to that section?

MAYOR MARINO

Well, the widening of the bridge at the railroad overpass will not go that far and the Coginchaug Bridge doesn't extend that far either. Either one of the two projects that I read in the paper today are being delayed are funded and being drawn by the State DOT - neither one extends to this point - to my knowledge.

COMM. PARISI

Would there be enough, assuming at some point in time that Washington St. did get widened to that section, would there be enough space if you had to - if you lost a parking space to the widening of the road - to go around the building and park in the back? Is there enough there for a driveway?

SOMEONE

Width?

COMM. PARISI

Yes, width wise?

MR. REIF

There's 20 feet.

COMM. SHAW

To the line?

MR. REIF

Yes. From the building to the property line - in its tightest location.

COMM. SHAW

No buffer?

MR. REIF

No. No buffer.

COMM. PARISI

What's next door to that?

MR. WALKER

The dentist. He has a driveway right adjacent to this property line.

COMM. PARISI

So you could get around the building if you had to put parking in the back.

MR. WALKER

You almost could, yes. There's a grade problem there with the house.

COMM. SHAW

We've gone through that a number of times and never succeeded. (inaudible few words) South Main to Highland Avenue. A common driveway with two propertyowners.

MAYOR MARINO

I am not suggesting this.

MAYOR MARINO

You said it was next to it.

COMM. SHAW

It would be much nicer to have a single cutout onto the road too.

MAYOR MARINO

From what they tell us in the paper tonight, and I have no information (inaudible word) on this, it might be a long time before the taking - going to this taking line if they're going that far.

COMM. PARISI

How far is that taking line? 20 feet?

MR. WALKER

At the least its probably 15 feet.

COMM. SHAW

What's the scale?

MR. WALKER

This is ten scale. Presently it's 15 feet at the least and at the furthest, it's 22 from the curb to the property line.

They may go to the other side, rather than go that way.

COMM. PARISI

They might go both ways because it kind of spreads out there when you get past these (inaudible word)

COMM. SHAW

Just beyond it spreads out to four lanes.

CHAIRMAN KALITA

Any further questions?

COMM. LINEBERRY

Yes. I have a question. Wouldn't it be wise to get a letter from Mr. Redford.

MR. REIF

Mr. Redford was willing to sign a statement which would cover what you're thinking of. It is a good idea. He came - he called and he came and I must confess that we were busily engaged - the clerical staff was engaged in putting together a lot of other things, including these Zoning Codes, and so we did not have time to prepare a statement. I have a witness that I was talking to Phil this afternoon. Right?

MAYOR MARINO

I wanted to see you and I couldn't.

MR. REIF

Yes, I know. Of course that doesn't guarantee what he was saying, but before you make a decision, he was there and I think we can get him to sign a statement. He has no interest in this other than the fact that he doesn't want to stand in the way of someone who wants to develop that parcel for the - a use that he feels would be compatible.

COMM. LINEBERRY

I realize that, but in the best interests of everyone, suppose he sells that land?

MR. REIF

It could change it over. Right. There's no question that that could happen the day after it's rezoned, if it is rezoned.

COMM. MC LEOD

Since we are not going to vote on it tonight, we can get the statement before the next meeting.

COMM. SHAW

Right. I agree with you.

MR. REIF

But it's not Phil Redford - except that he didn't want to write the letter himself - it's not his fault we don't have it.

CHAIRMAN KALITA

Any further questions? Comments?

COMM. PARISI

If we're finished with this, I just want to get back to the whole (sounds like "parcel") because I'm going to push for this Washington Street thing, but I don't know --

CHAIRMAN KALITA

No. Let's close the --

COMM. PARISI

Yes. Close this first.

CHAIRMAN KALITA

Anyone from the public wish to speak on the application for a special exception to permit professional offices on a parcel of land in the area on Washington Street?

COMM. SHAW

Dr. McLeod suggested and I think I agree absolutely with her that this really is not in the province of our staff of getting a letter from Phil Redford. It is in the province of the proponent. I think that that should come from Seb. Seb should be the one who should get it. It seems to me it should not come out of your office and you shouldn't be required to write the letter for him to sign. I don't believe that's an appropriate solution.

MR. REIF

I'm not going to disagree with that.

CHAIRMAN KALITA

I agree with Comm. Shaw on that. Probably all he done is stopped in to voice his opinion - probably he couldn't attend tonight. I'm assuming that.

MR. REIF

Well, I don't think there's any chance that he would have attended. He's just been contacted by Seb to find out whether or not he would be opposed or whether or not he would sign a letter and he said he would, so it's just been a mechanical situation - you know - how to get it.

CHAIRMAN KALITA

Yes. I think it should be carried back to the proponent and let him get the approval of the adjoining property owner. Does anyone from the public wish to speak on the item - either for or against? Nobody? I'll close the public hearing. Thank you

*Eileen Rogers*  
Eileen Rogers,

Transcribing Secretary

Edward Kalita, Chairman  
Planning & Zoning Commission