

Paul P. Parisi, Chm.; Dr. Eric G. Lowry, Vice-Chm.; Cos Giuffrida, Sec'y.; Walter J. Dreaher; Stephen T. Gionfriddo; Seb J. Passanesi; Ralph H. Shaw, II; Alternates: George L. Augustine; Robert F. Cham Chamberlain; Anthony J. Gaunichaux; Mary C. Woods

COMMISSION  
MEMBERS  
PRESENT

Mayor Michael Cubeta, Jr. MEMBER ABSENT

George A. Reif, Dir.; Althea Rinaldi, Recording Secretary STAFF

Philip G. Bauer, Engr., Public Works Dept.; Jeff Kotkin, Reporter, Middletown, Press; Elizabeth Sanger, Reporter, Hartford Courant; 6 members of the audience OTHERS

CHM. PARISI:

I will now call the public hearing to order. This first item of the public hearing and the Secretary is here and I will give him a minute to read the call.

SEC'Y. GIUFFRIDA:

THE MIDDLETOWN PLANNING AND ZONING COMMISSION WILL HOLD A PUBLIC HEARING JULY 9, 1980, STARTING AT 7:00 P.M., IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, DeKOVEN DRIVE, TO consider the following:

ITEM 1-SPECIAL  
EXCEPTION-CAR  
SALES & REPAIRS  
1180 NEWFIELD ST  
RICHARD BELL, SR

1. Request for a Special Exception to establish a car sales and repair facility to be located at 1180 Newfield Street in the I-2 Zone. Applicant Richard Bell, Sr.

CHM. PARISI:

This notice appeared in the Middletown Press Saturday, June 28 and Saturday, July 5, 1980. Is there anyone here representing Mr. Bell? Is Mr. Bell here? No. George what do <sup>you</sup> know about it.

DIR. REIF:

The use is a permitted use in the I-2 Zone if granted a Special Exception. There are several requirements under Item 44.08.24 in the Zoning Code which says simply "Automobile, Truck, Trailer, Farm Implements and Similar Automotive Equipment Sales, new and used, are closely associated service facilities as part of the sales operation may be permitted use in an I-2 Zone under the following conditions: A. Site shall front on and have direct access to, a State Highway; B. Lot area shall be one acre or more; C. Lot frontage shall be two hundred (200) feet or more."

Here's a map that shows Newfield St. and it shows a lot of other things, the Zones, the I-2 Zone, shows where the flood plain is and all those things. Here's a Colonial Auto Sales and that's <sup>the</sup> site needed and more.

COMM. DREAHER:

Inaudible railroad tracks. (Everyone talking together)

COMM. PASSANESI:

You mean where the junk yard is now? Is that what you mean.

COMM. CHAMBERLAIN:

That's Colonial Auto Sales. Now is this a new building they are proposing?

DIR. REIF:

They are proposing a new building.

DIR. REIF:

There is a current site that now has a house and several auxiliary structures. The proponent contends it has over 398 to 400 ft. of frontage. The proponent intends to split the lot and take 200 ft. because that's the requirement in the Zoning Code and locate a new building on the site. And of course we have questions because he doesn't show how far back it's going to be.

COMM. LOWRY:

Is this the same owner Colonial Sales?

COMM. CHAMBERLAIN:

It's right next door

DIR. REIF:

Immediately adjacent.

COMM. LOWRY:

It's a different owner.

COMM. CHAMBERLAIN:

We have had enough problems out there with Colonial.

COMM. PASSANESI:

This is going to be an addition to Colonial?

DIR. REIF:

No, it's just north.

(ALL COMMISSIONERS TALKING AT ONE TIME)

COMM. CHAMBERLAIN:

It's another car place.

DIR. REIF:

It completely a different operation. It just happens to be contiguous. It's going to be separated by an existing house. Right now the house is on this huge lot. Bell has purchased the property or is going to purchase the property. He's going to separate the lot by the lot with 200 ft. of frontage and locate his new building on it which he is going to use for car sales and repairs. He is the owner now according to this <sup>interagency</sup> application Richard C. Bell, Sr. He meets the three requirements. He is obviously on the State highway and has obviously one acre or more actually he has 2.7 acres and has 200 ft. of frontage. There are some deficiencies in the site plan. Phil has made a list of things that are missing. If it appears that it is going to go then will insist that he comes back and finishes the site plan. No elevations are shown....

CHM. PARISI:

I think we have the right to insist that Mr. Bell come before the Commission to explain it.

COMM. CHAMBERLAIN:

I think instead of the Commission presenting his application....

DIR. REIF:

Right, I'm just <sup>trying</sup> to tell you what it is. You may want to use the same technique that you may use later to continue the public hearing.

COMM. SHAW:

Is the clock running now?

DIR. REIF:

It starts running now, 30 days to complete a public hearing, starting to-night. After the 30 days if that takes 30 days, then the clock starts on 65 days. So we are dealing with 30 days then 65 days. If you conclude the public hearing at the next meeting then the 65 days start.

COMM. SHAW:

(Inaudible) a public hearing?

DIR. REIF:

If you don't it has to be readvertised.

CHM. PARISI:

Is there anyone representing Mr. Bell who may have come in late?  
Is there anyone here <sup>who wishes</sup> to speak in favor of this application? Is there anyone to speak in opposition? I suggest that we deny this without prejudice and let him come back.

DIR. REIF:

Do you want to start all over again?

CHM. PARISI:

Let him start all over again and come to a meeting.

DIR. REIF:

O.K.

CHM. PARISI:

Are you Mr. Bell. You're in the right place. O.k. you're just in time. Have a seat at the end identify yourself for the records and explain your proposal and we have some questions on it and we can go from there.

RICHARD BELL:

My name is Richard Bell, from Portland Ct. and I would like to have the lot in the I-2 Zone on Newfield St. which belongs to me hopefully in the near future providing that the land can be subdivided. Out there I would like to have it subdivided into two parcels. One with 200 ft. of frontage and the other with 197 ft. of frontage because you need 200 ft. of frontage to make the special exception of the Zoning Board would like. I'd like to put a used car lot out there. The requirement calls for 200 ft. frontage and 2 acres of land.

CHM. PARISI:

Are you going to be doing repair work there also?

RICHARD BELL:

I'd like to handle sales and service and light duty trucks and pick-up trucks mostly.

CHM. PARISI:

How much <sup>of the</sup> storage would you project you may have <sup>of</sup> automobiles. You wouldn't have any derelict type of automobiles and trucks there.

RICHARD BELL:

Hopefully not. I just want to handle sales and service that would still be my main business.

CHM. PARISI:

Would you, could you ever foresee turning into a junk yard?

RICHARD BELL:

No, no sir.

CHM. PARISI:

That's one of the concerns I have.

RICHARD BELL:

I can understand that.

CHM. PARISI:

For a matter of fact one of your neighbors out there has an auto sales that looks more like a junk yard as you drive by it.

RICHARD BELL:

I know that. I knew that <sup>topic would</sup> probably be brought up because of that.

CHM. PARISI:

It's not you-you know so. I was hoping it was but it isn't frankly. Tony.

COMM. GAUNICHAUX:

Yes, sales and services mean (Inaudible)

RICHARD BELL:

You mean what class of vehicles.

COMM. GAUNICHAUX:

Yes. The maintenance. The repair of engines, replace engines, transmissions and such.

RICHARD BELL:

I would hopefully be light duty. I want to go into light duty services like lubrication, <sup>services</sup> oil changes, tire changes, and things like that and trucks. Things like that. That would be the heaviest amount of service I would do.

COMM. CHAMBERLAIN:

You intend to take in used cars that are junks won't you. Somebody will say hey take this car off my hands. What arrangements are you going to make to store these. You're sure as heck going to have a few cars out there. They are going to be junks anyway. Let's be honest about this.

RICHARD BELL:

I would say there will be some. I was in the used car business once before about 12 years ago and we just would junk them about 3 to 4 cars a week. But I intend to go with a higher class of car and then we did in that particular instance.

COMM. CHAMBERLAIN:

I realize that but when some one come in with an old car and you're going to sell him a half way <sup>used</sup> decent car well just take it off my hands. You know are you planning on of course you're going to have to store them out there. What facilities are you going to have. Let's be honest you're going to have more than 1 or 2 derelict cars out there. I've never seen any used car lot that didn't.

RICHARD BELL:

Well, it is hard to determine what a junk car is. For instance a car that's complete car is a complete car. A junk car is a car all smashed up, tires gone, hood off and door off. I don't have any intention of doing something....

COMM. CHAMBERLAIN:

The motors gone, the transmissions gone, the rear end is gone, no one is going to buy it anyway.

RICHARD BELL:

I wouldn't have any use to keep it. I would just junk the car.

COMM. CHAMBERLAIN:

You're going to have somebody come in every so often and haul it away?

RICHARD BELL:

Yes I would do that. That would be...

CHM. PARISI:

It is obviously is the line of questioning and understanding....

RICHARD BELL:

I can understand...

CHM. PARISI:

What it concerns is that...You could have a used car lot or a new/used car lot that are not an eye sore. You could have some that are an eye sores. Obviously we are concerned that we don't have an eye sore operation. We have some in town. Obviously that is one of the concerns that we have.

COMM. DREAHER:

Is the same type of operation that Bell Motors has in Higganum??

RICHARD BELL:

No, it would be similar, its a used car lot and sales and service but my intention is to handle light duty trucks and things like that I don't want to contradict with my brother.

COMM. CHAMBERLAIN:

How big is your building goin to be?

RICHARD BELL:

50 X 40, 3 bays. I will be able to put a full tractor trailer in there hopefully.

COMM. CHAMBERLAIN:

You are going to have all the cars outside.

RICHARD BELL:

Yes. 90% of my cars will be outside. 90% of my cars hopefully will be on the front line in front of the building.

CHM. PARISI:

George do we have a site plan how the building is on the site and what is going to be paved and where <sup>the cars</sup> are going to be stored.

DIR. REIF:

The site plan is not complete. That is one of the things the proponent must do.

CHM. PARISI:

Is Mr. Bell aware of the deficiencies on the plan at this point?

DIR. REIF:  
Apparently he may not be.

CHM. PARISI:  
O.K. I would guess that if your interested in pursueing it, and I assume you are, there are some deficiencies on the site plan and you're going to have to get squared away and bring it back to the Commission before the Commission will be able to vote. Just for the benefit of yourself and people in the audience any item that we hear at the public hearing to-night would not be voted on anyway. The earliest anything that would be voted on would be the next meeting in two weeks from to-night.

RICHARD BELL:  
What are some of the questions.

CHM. PARISI:  
I don't know if I should do it now....

DIR. REIF:  
It's the things listed in the site plan review processing section 55 of the Code. The dimension showing how far the building is set back is <sup>from the front</sup> one easy example.

RICHARD BELL:  
There are two prints. There is one that wasn't <sup>the way they</sup> wanted. I brought up the second one I think.

CHM. PARISI:  
Is this your first or second print up on the board.

DIR. REIF:  
Suppose I read Phil's comments. You want to get into what it is.

RICHARD BELL:  
You wanted to know the dimensions from here to here?

DIR. REIF:  
Personally I don't want to know but we've got to know.

CHM. PARISI:  
Why don't you wait a minute. George will read off what some of thos deficiencies are and what I'd suggest probably at your convenience in the next couple of days to get into the planning office and specifically see what you have to do and to get whatever <sup>are</sup> back into the Commission before the next meeting we'll have an opportunity to <sup>discuss it and</sup> look at it further.

DIR. REIF:  
There are some good questions here which the Commission can't see that drawing enough and they haven't asked questions enough but I think it's a good idea to raise them. First on the site plan their are no dimensions shown to indicate the set back and side yards as well as separations from other buildings on the site. There <sup>are</sup> existing buildings to be used for the requested purpose within the application. I'm sure you mean...are the other buildings shown on the site. What are you going to do with those other buildings?..That are there now.

RICHARD BELL:  
Actually the land up in the back I a...my intentions are to use probably the first section from the building close to the building. I don't really have any intentions to use the back lot as of now. I don't presume that my business

that my business would get so big that I would need two full acres of land to operate on.

DIR. REIF:

Well it is not up to me to make a decision but you've got to tell I think the Commission so they will know if for instance you leave those buildings and later start using them for something then you say gee we didn't know that they were going to be there....

RICHARD BELL:

The most would be to store a car, a complete car.

DIR. REIF:

I think that question is got to be addressed and answered. It doesn't show any elevations or contours obviously part of that site is in the flood plain and stream belt. That is one of the reasons why we have this map here. Here's ~~the~~ <sup>there</sup> site - here's the line, flood plain and stream belt. Part of the site ~~you're~~ <sup>there</sup> proposing to use that site but we've got to identify that that it is in a flood plain. There's nothing showing because you don't show contours, you don't show how the site is going to be drained. You don't show if the entire area adjacent to the building is going to be surfaced or what it is going to be surfaced with gravel or some other material. You don't say what the 250 gal. retention tank is for. Bell's offered the opinion that the 18 ft. driveway going <sup>off</sup> ~~off~~ the side is too narrow and apparently from the other map...the other map you mentioned...the only way to get to that house is from this site, your proposed second site. So you have a couple of problems of a practical nature.

RICHARD BELL:

I have intentions of making a driveway on the other side. A gravel driveway for the apartment house on the other piece of land.

DIR. REIF:

So it's that type of technical thing that you've got to get yourself up to date on.

CHM. PARISI:

I would suggest Mr. Bell that you either get in touch with George or Phil, or the Building Division and see what these particular things are. Is there a seal on there?

RICHARD BELL:

I know David Mylchreest did this up for me so...

DIR. REIF:

Dave is making a drawing to split the lot.

RICHARD BELL:

It was my impression that it was already in your hands.

DIR. REIF:

There's a print of it there. Right, that's going to come as a next phase once the Commission if the Commission grants a Special Exception. We are not going to split the lot until we get this straightened out.

RICHARD BELL:

Alright

CHM. PARISI:

I think you have an idea to the type of information that you are going to have to provide us and again the time frame is really yours so the sooner you get it done and on a drawing and bring it back to the Commission obviously the faster you're going to get an answer to which way it will go.

COMM. SHAW:

Mr. Chairman I think Mr. Bell should be aware of the fact that these are not arbitrary requirements of this Commission but there are items which are set down by the Department of Public Works and our Code are required of anyone that comes in here. Those things have to be done. We are not sending away because we don't like the plan or any other it just doesn't meet the requirements.

DIR. REIF:

Who is the person that prepared that plan there. His name is there. Surveyor or engineer.

RICHARD BELL:

Brian Kronenberger.

CHM. PARISI:

Is he an engineer or a <sup>land</sup> surveyor?

RICHARD BELL:

Well he was working under the supervision of Whalen French who is an engineer.

CHM. PARISI:

There is no stamp or anything on it which is also required.

RICHARD BELL:

That's an oversight of theres...

CHM. PARISI:

What particular section of the Code is he making...

DIR. REIF:

Section 55. The one that deals with Site Plan Review there is a list of all the things that have to be shown on a site plan.

CHM. PARISI:

So you might familiarize yourself with that also.

UNKNOWN VOICE:

Give him a copy of the letter.

DIR. REIF:

No, if we give him a copy of the letter and something that's in Section 55 isn't there then he'll <sup>come</sup> to the next meeting and say you gave me this letter. That's why we have the Zoning Code made available to people to follow and get those bits of information.

CHM. PARISI:

So you've got to look at Section 55 of the Code also. That gives you the particulars that the Commission <sup>will be</sup> looking for.

DIR. REIF:

When he comes around I'm going to tell him some other things that are there that I'm not going to read out that he's going to work on.

COMM. SHAW:

Mr. Mylchreest or any other surveyor that works in this area is fully aware of parts of the Code.

CHM. PARISI:

O.K. any other comments or questions from the Commission? Anything else Mr. Bell?

RICHARD BELL:

No but I'm going to educate myself.

CHM. PARISI:

Thank you. Is there anyone else to speak in favor of this application? Wish to speak in opposition. If not then I will close this portion of the public hearing.

RICHARD BELL:

Two weeks from to-night?

CHM. PARISI:

That would be our next meeting. I will ask the Secretary to read the second item on the public hearing.

SEC'Y. GIUFFRIDA:

ITEM 2.

Request for a Special Exception to permit a banking facility with drive-up window in the R-4 Zone, for the Hartford National Bank & Trust Co., to be located at Union St. & DeKoven Drive. Applicant Herbert Mayo. Owners Northern Middlesex Y.M.C.A.

ITEM 2:

SPECIAL EXCEPTION-BANKING FACILITY-DRIVE UP WINDOW-R-4 ZONE-UNION ST. DeKOVEN DRIVE, FOR HARFORD NATIONAL BANK HERBERT MAYO, APPLICANT-Y.M.C.A. OWNERS

COMM. SHAW:

Mr. Chairman I would like to remove myself from this department.

CHM. PARISI:

You are not going to have to at this point. The Y has asked us to open the public hearing they are not prepared to go ahead at this point but will be coming at the next meeting and we will be continuing the public hearing. However, if there is anyone present to-night who wishes to speak on behalf of the Y.M.C.A. I am not going to tell you that you cannot speak. Anyone wishes to speak on the Y.M.C.A. proposal? Anyone wishes to speak in opposition? O.K. this will be continued at our next meeting.

COMM. SHAW:

Two weeks from to-night?

CHM. PARISI:

Two weeks from to-night. O.K. we will close this portion of the public hearing. Item 3.

SEC'Y. GIUFFRIDA:

A proposal to amend the Zoning Code Section 55 Site Plan Review Procedure, to prohibit issuing of any indication of final approval (Certificate of Occupancy etc.) for any project which re-

ITEM 3:

AMEND ZONING CODE-SECTION 55, SITE PLAN

quired P & Z Commission approval until all site or other work required as part of the Commission's approval has been completed. Commission approval would be as a motion at an official meeting.

REVIEW PRO-  
CEDURE, RE:  
FINAL APPROVA

CHM. PARISI:

Planning &

This proposal is put forth by the Zoning Commission itself. We discussed it at our last meeting with George just want briefly to go over it.

DIR. REIF:

The reason for suggesting this is obviously a lot of projects that appear to be completed and people move in and start using facilities and then later a Commission member or other people discover that the project wasn't really completed. You <sup>have</sup> almost have total control when it comes to subdivision because you have to give final approval after all the work is done. Their is no such provision now and this is a suggestion that we operate in a similar manner for things like special exceptions and expansions of non-conforming uses. This would be an instruction in a sense to people like the Building Inspector who is responsible for enforcing your Code so we give him the benefit of a doubt that he'd pay attention to it. That would mean that a project to use an example the Cypress Grill that you granted a Special Exception to-- you granted an expansion of a non-conforming use to would have to come back before it was issued any Certificate of Occupancy or either approval by anyone such as the Health Department and we get a chance to get a report to see that all the work was done before they were allowed to proceed with their activities. It's an effort to correct an oversight in our system.

COMM. CHAMBERLAIN:

But how about the Public Works Dept. issues the Certificate of Occupancy now?

DIR. REIF:

The Building Inspector.

COMM. CHAMBERLAIN:

The Building Inspector don't they do it now?

DIR. REIF:

Yes they do.

COMM. PASSANESI:

Don't they consult you?

DIR. REIF:

No.

COMM. PASSANESI:

They don't consult you?

DIR. REIF:

No. What made you think they would consult me? That's a nice idea but they don't.

CHM. PARISI:

It has always been my belief in five years on the Commission and <sup>I'm sure</sup> for those who have been on longer it has been their belief a C.O. wasn't issued until every thing was done. Well that's not the case. Frankly it came up on a

PRD situation, when a lot of cases people never bothered picking up C.O.'s and things go into operation and on they go and C.O.'s sit down there and then after five years somebody decides to through them away because obviously they are of no value.

COMM. PASSANESI:  
Oh the Building Department is suppose to take care of that. Let me ask a question here. Commission approval would be as a mote at an official meeting.

DIR. REIF:  
Yes.

COMM. PASSANESI:  
That means before I can occupy a building I've got to have Commission approval by the Commission at a regular meeting?

DIR. REIF:  
Right. If you has some work to do---if you were granted a special exception which involved a site plan and the site plan showed how your site was going be developed this says the Building Inspector would have to come back to the Commission and report that all the required work had been done before he issued his Certificate of Occupancy.

COMM. PASSANESI:  
We only meet twice a month. If I had a building I wanted to occupy between that period that is 99%% finished I can not occupy it by unless I come back to this Commission and say to you---At your next meeting and I have to wait two weeks.

DIR. REIF:  
You can act any way you want on this but...

COMM. PASSANESI:  
I'm asking you a question. I'm not...

DIR. REIF:  
I'm telling you the answer is you have to come back just as you do with a subdivision any body does with a subdivision and insure that all the required work was done.

COMM. PASSANESI:  
I look at a subdivision a little bit differently, and a Certificate of Occupancy for a building. I can see a person....

COMM. LOWRY:  
It is only a Special Exception in different cases.

DIR. REIF:  
Right.

COMM. LOWRY:  
It is only when we grant exceptional and other variations, deviated, and they would have to come back to us as long as they built the house...

DIR. REIF:  
If you're building a house---a building that's an out right permitted use...

COMM. PASSANESI:

You are only speaking of Special Exception?

DIR. REIF:

Special Exception or expansion of a...it says here or anything that requires the action of the Commission. There are only two basic things that requires the action of the Commission.

COMM. LOWRY:

Take the Cypress Grill for example. We approved it then we never knew what happened. We still don't know what happened.

DIR. REIF:

It still is a good example.

COMM. LOWRY:

Officially we don't know.

CHM. PARISI:

Monty Green is the same case.

COMM. LOWRY:

With the PRD on (inaudible) At least we get to know (inaudible chairs squeeking) being accomplished.

COMM. CHAMBERLAIN:

We've got so many things now that are Special Exceptions they are coming in for practically everything now.

DIR. REIF:

Well you can not accept if you don't want.

COMM. PASSANESI:

I would like to be shown how you are going to...

DIR. REIF:

Well you see many examples of things around town that weren't completed and this is another effort to get them completed.

CHM. PARISI:

members

Any other comments from the Commission? Is there anyone from the public who wishes to speak in favor of this proposal. Is there anyone who wishes to speak in opposition. If not we will close the public hearing. I'm sorry, Phil.

PHIL BAUER:

As a representative of the Public Works I felt someone else was going to be here to speak on behalf...Right now it's in the hands of...it's govern by the State Statutes Certificate of Occupancy, I don't see how you can even stop them. That deals with the building only, not the site work. We've been through this and I don't see how you<sup>can</sup> actually approve anything like this to hold up a C.O. It's impossible.

COMM. PASSANESI:

You mean it doesn't apply to a site plan? The State Statute and it doesn't apply.

PHIL BAUER:

No. It's been tested else where in the State.

DIR. REIF:

There is another provision in the General Statutes that says the <sup>Planning</sup> Commission can require site plan. It may be that the entire system has to be overhauled. If you can go through the trouble and make people come in and show the site plan and give <sup>you</sup> approval and you have no control over whether it's finished or not there's something wrong.

CHM. PARISI:

That might be. Well why don't we look into that. I think Phil raises a valid point George. Why don't you check with Frank O'Neill. If that is the case there is no sense in adopting something that we are not going to be able to implement any way. I think we all appreciate the concern that there. I know I do. There's got to be some way that we can protect the interest of the City because I frankly when someone comes in with a site plan and when we give approval I consider that half that they've got to do what they said they're going to do. I want control to make sure that the people do what they pledge to do.

PHIL BAUER:

Why don't you make them (inaudible). A performance bond.

CHM. PARISI:

That maybe something that we are going to <sup>have to</sup> do. Obviously if we hold money you always insured that things get done. That may be something to look at.

DIR. REIF:

It may be the only way the history of bonding has not been to successful. May I ask Mr. Passanesi what would your reaction be if a bond was required on a site plan.

COMM. PASSANESI:

It would help tremendously.

DIR. REIF:

Would you be in favor of that?

CHM. PARISI:

Then why don't we take a look at that then.

COMM. PASSANESI:

Make it a sufficient amount even the work is small amount of work. Make a minimum bond. If you have only 4 or 5 hundred dollars <sup>worth of site</sup> work it would be silly to ask for 4 or 5 hundred dollars bond.

COMM. CHAMBERLAIN:

We ran that once before 9eb a small amount of bonds it was cheaper to go to public bond than do the work. We ran that on sidewalks.

CHM. PARISI:

Its cheaper to pull the bond than do the work.

COMM. PASSANESI:

I guess we'll have to give it more thought. I don't know what the answer...

CHM. PARISI:

I think it is something that we are going to have to look at as a Commission.

COMM. PASSANESI:

Whatever we do we don't want to impede construction we want to block...

DIR. REIF:

I'm sure it gets completed. Most projects...

COMM. PASSANESI:

There are many times that there are circumstances where you can't complete a thing either because of lack of delivery. I have a job right now where it happens to be a electrified sidewalk. If I didn't put an order on it on time it's going to be delivered about 90 days from now. I've got occupy that building. I can't hold that entire project because of a 90 day delivery on some wiring that's going into some sidewalk.

DIR. REIF:

Is this a housing project.

COMM. PASSANESI:

No it is not.

CHM. PARISI:

Well in the situation that you explained I don't think that anyone is going to get upset over ninety days. I get upset over 2 years. We have some stuff floating around that's been over 2 years. Special Exceptions, Expansion of Non-Conforming Uses not a commitment on a site plan and come back and then try to change the site plan. You start getting the pressure and calls from the obvious groups that are in there. Don't make the guy do it. That kind of up sets me. Really as an architect when you commit a building that's what you deliver to your client. I would hope when someone commits to the City of Middletown this is what they are going to do and we approve it on that basis that they've got to deliver that.

COMM. PASSANESI:

I would want something flexible enough to permit some form of occupancy on the structure

CHM. PARISI:

We could hold the C.O. This is what Phil tells us. Legally we cannot do it. It's not in the Commissions power. I'm going to have George check this out.

DIR. REIF:

Legal opinion. There's got to be something. Make a mockery out of the town.

CHM. PARISI:

There's got to be something that we have that we can do. That's what I'm looking for.

DIR. REIF:

Yes, I'm looking for it too.


PHIL BAUER:

They could put up a realistic bond (inaudible to many speaking at one time, moving of papers).

CHM. PARISI:

O.K. Close the public hearing.

ADJOURNMENT  
7:25 P.M.

  
Recorder & Transcriber from Cassette  
Althea Rinaldi

Paul P. Parisi, Chairman  
Planning and Zoning Commission