

PLANNING AND ZONING COMMISSION PUBLIC HEARING SEPTEMBER 23,
1987 7:00 P.M. Page 1 of

Chm. Stephen T. Gionfriddo, Vice-Chm. Steven J. Leinwand, COMMISSION
Sec'y Stephen Gadowski, Ann Loffredo, William A. Pillarella, MEMBERS
Sebastian J. Passanesi, John Robinson, alternates: PRESENT
Christine Lindquist, Francis Patnaude

Mayor Sebastian J. Garafalo, Ex-Officio, alternates: Gerard MEMBERS
Roccapriore, Richard Thompson, Dir. P.W. Salvatore Fazzino, ABSENT
Ex-Officio

Comm. Patnaude and Comm. Lindquist acted for Commissioners ACTING
Leinwand and Robinson who disqualified themselves on item 2.1 MEMBERS
(Westfield Hills Extension).

Dir. George A. Reif, Hope P. Kasper, Secretary, Mary Ann STAFF
Adams, Transcriptionist

Philip Bauer, Engineer, Public Works Dept; Bill Nagler, OTHERS
Reporter, Middletown Press; Mark Cheater, Reporter; Hartford
Courant and approximately 100 member of the public.

Chmn Gionfriddo

We'll call the Planning & Zoning Commission meeting for September 23,
1987 to order. First item on the agenda taking of the roll. I
believe we have all seven regular members present. That being the
case, before I go the public hearing there is one item that I have
had a request under new business which is item 6.10 that we consider
early because of Attorney Cartelli has a prior commitment.

(address item 6.10)

Chmn Gionfriddo

We move now to the Public Hearing.

Comm Gadowski

Legal notice Middletown Planning & Zoning Commission Public Hearing
September 23, 1987, 7:00 p.m., Council Chambers, Dekoven Drive,
Middletown Legal notice appeared twice in the Middletown Press,
Friday September 11th and Friday September 18th, 1987. Item 1.
Continue: Proposed 24 lot subdivision located off Atkins Street, an
extension of Westfield Hills and to be know as Phase Two Westfield
Hills. Applicant K & S Associates/Attorney Karpel

Proposed 24 lot
subdivision off
Atkins Street
TBA Westfield
Hills Phase Two
K & F Assoc.

Chmn Gionfriddo

Commissioner Leinwand has disqualified himself, sitting in his place
will be Commissioner Patnaude. Commission Robinson has disqualified
himself, sitting in him place will be Commissioner Lindquist.

Atty Karpel

Mr. Chairman, Attorney Karpel representing the applicant K & F
Associates. We have nothing further at this point add. If the
Commission has any question they wan to address to us we have our
engineer available. And Mr. Clatski is here on behalf of K & F

Associates. We, we are just to reiterate, going to submit to you a subdivision map that extends the lines in through the wetlands area, so as to increase the size of all the lots on the westerly side. In fact, we have a, how many prints do you have? Okay. This is, this is, we only have one print which we'll leave with the, with George for the time being. It makes no changes to anything you've seen, accept it increases the size of the each lots on the westerly side of the new proposed Leemark Drive. And, everything else remain the same. And in that manner we take care of, the, what was shown originally as lot 101, being the large 11 acre open space. And it's our intention if the commission grants us approval, to dedicate all of that area that's was lot 101 as a conservation easement and to, and to restrict and development in that area, and any activity whatsoever that would change its present character and, and state including the removal of any trees or shrubs. So essentially that would, would, I would say it would be, it would be similar but not identical to what was done on Westfield Street. Bob Coughlin's subdivision, where he created a conservation easement, and declared the, the area an undevelopable area. And, and I would, I would recommend that if the commission grants approval, that simply a condition be made that the map so indicate that this area is not developable. But we will be filing a declaration, covenants and restrictions that would prohibit the use of it.

Chmn Gionfriddo

Now you're scheduled for Inland Wetlands on October 7th. Is that correct?

Atty Karpel

That's correct, but that's, that's our first appearance.

Chmn Gionfriddo

I understand. So this is going to, are you intending to bring your people back here on the 14th, if this continued till that time?

Atty Karpel

There's, there maybe some problem. Let's follow that through. I was talking to George earlier this evening, early this afternoon. As I, as I understand the schedule here, your meetings, your next meeting will be the

14th of October and the 28th of October. Assuming on October 7th at the Inland Wetlands hearing, assuming that inland wetlands requires a public hearing, that probably isn't going to occur, I'm guessing until December, because the next Inland Wetlands would be the 4th of November, which is right after election, which is, you're probably going to have to reconstitute Inland Wetlands, which, which gets us, this commission will not have Wetlands, assuming that they, they require a public hearing until, I'm sure December. Now, our public hearing here, before this commission, began on September 9th, by statute that public hearing must be concluded within 30 days, which would be October 8th, which is prior to your next meeting.

Chmn Gionfriddo

Are you going, are you going, George we could get a an extension? If that's agreed upon?

Dir Reif

Yes, October the 14th will be 35 days, so you will need an extension. However, to follow Phil's theory all the way, you're going to have to make a decision.

Chmn Gionfriddo

I understand, I understand what you're saying. But, what, I've been approached by some people in the area who have concerns, who've asked me whether or not this public hearing will be continued until the 14th, and I assumed at the time it would. And so informed them, because of the fact that they, you would still be at the Wetland process at that time, so. I, I guess I'm going to formally request that you give us an extension beyond the 30 days. If that's not a problem. I, you know, we, we can't make a decision here until we hear from Wetlands anyway.

Atty Karpel

What Bill said to me, the only thing we would request, and I'm sure that's no problem, if comments come into the commission between now and the 14th we would have an opportunity to, to see them and, and be in a position on the 14th to respond to them.

Chmn Gionfriddo

Okay.

Atty Karpel

I, I don't, obviously, we don't want to cut off the opportunity of the public. And if you inadvertently have led people to believe that it would be to that date, we really, you see the problem is, we don't have anything to add, so. . .

Chmn Gionfriddo

I understand.

Atty Karpel

Our standpoint, the public hearing could come to a close pending your receipt of Inland Wetlands. That's no problem. So, what I will say for the record is that, we consent to an extension of the time in which the Commission must conclude the public hearing to the evening of the 14th, to include the a, your meeting of the 14th, whatever time that meeting will end.

Chmn Gionfriddo

Could we, could you put that in writing, so that we have it in the file?

Atty Karpel

I will, I will submit a letter to George.

Chmn Gionfriddo

Wait. Let's, if there's a public hearing for Inland Wetlands, because of the fact that the meeting in October 7th, and it's not, it's not already scheduled for a public hearing. Right?

Atty Karpel
That's correct.

Chmn Gionfriddo
I mean, you're not scheduled for a public hearing on the 7th.

Atty Karpel
That's correct.

Chmn Gionfriddo
So, you, we'd have to schedule it for a public hearing at a later point and probably would not be, unless there was a special Inland Wetlands meeting sometime in October, it probably wouldn't be until sometime in December.

Atty Karpel
See, I can't, I thought this through Steve, by statute we can grant you an extension, not to exceed the original 30 day period. Which doesn't even give you enough time to get into a Wetland final decision. So, at some point in time you're going to conclude your public hearing, here, before you have gotten your report, which is not, is not a statutory problem.

Chmn Gionfriddo
I think, I think you're agreement is sufficient to give the public, the public will know that the night of the 14th will be the close of the public hearing. Anybody who has comments, can, will, you know, will be here by that time.

Atty Karpel
I will be, I won't be in my office until Monday, but I will have a letter to confirm what we just stated in the file, in George's file.

Chmn Gionfriddo
Thank you. Any members of the commission have any questions. Okay, thank you. If not, any members of the public have anything they. . .

Lang Reid
Country Club Road. Just a quick question. At the meeting Monday night it was mentioned that the Wetlands meeting for October 7th maybe cancelled.

Chmn Gionfriddo
No. It's going to be moved to 6:00, 6:00.

Lang Reid
That was question one. The only other question I've got, and I know it pertains to this. Some questions were asked about the septic system that would be used. Has that information been turned in yet to your knowledge? I know they were talking of a special septic system out there, we would like to review that.

Chmn Gionfriddo
George, did we receive anything on, on Commissioner Patnaude's questions dealing with grinder pumps.

Atty Karpel

I could respond if you'd like that. The meeting that we were supposed to attend apparently was cancelled, Fran? Or we were. . . and we're trying to find out when it's going to be rescheduled. And, and it's not really a septic system, they, the City sewers, this is simply a grinder pump setup that would have a retaining type of a tank. So, we, you know, we haven't really had a chance yet to get to the WPCA, and we will as soon as their next meeting is scheduled.

Chmn Gionfriddo

All right, thank you. Anyone else from the public wishing to be heard this evening?

Charles Harris

249 Chamberlain Hill, Middletown. Only that I want to make sure somebody let's me know what that meeting, when that meeting is going to be, as to it's going to be a regular meeting night or whether it's going to be changed. And we all know why it was changed on Monday, I came down Wednesday or when ever it was, and found the door locked.

Chmn Gionfriddo

Franny will let you know.

Charles Harris

Thank you.

Chmn Gionfriddo

Anyone else wishing to be heard? If not is there a motion to continue this public hearing till the meeting of October 14th? Motion by Commissioner Patnaude, second by Commission Pillarella. Any discussion? If not all those in favor. Any opposed? The motion carries, we'll move to item number 2.

Comm Gadomski

Item 2. Proposed 3 lot subdivision located at Freeman Road.
Applicant/agent Clifford Burkhart.

Proposed 3 lot
subdivision
located on
Freeman Road
C. Burkhart

Chmn Gionfriddo

For the record, Commissioners Robinson and Leinwand are, have returned and the alternates will return to alternate status.

Atty Curzan

Good evening Mr. Chairman. For the record Attorney Robert Curzan appearing for Mr. Burkhart This is a proposed 3 lot subdivision off of Freeman Road. One lot approximately 1.1 acres, the others 1.9 acres and the third lot 3.2 acres. We have reviewed the comments, in particular the comments from the Health Department regarding a recommendation that they see some structured septic systems. And also comments from Public Works, Mr. Bauer had a comment about the way out of the road on the map. What we'd like to do is request that this be continued until the October 14th meeting, so that we can address and comply with these comments by Public Works and the Health Department.

Chmn Gionfriddo

Could I, could I interrupt you for one second? George, this getting comments in this form is not satisfactory. I mean I know we've had secretarial problems and things like that, but just make us copies of the comments that you get. Because he's talking about comments that he needs to respond to. All we have here is: Burkhart 3 lot subdivision delay to next hearing.

Dir Reif

That, that was the deal this afternoon or during the day, that we were going to ask that it be extended to the next. . .

Chmn Gionfriddo

But I would like to be able to see the . . . I'm speaking, don't talk out. I would like to see and the members of the commission have a right to see what the comments are. So, at least we understand what the discussion is going on back and forth. So from now when we get our package, just make us copies of the comment that you get, so that we can at least read them and not have to come to the office to look them over. Some people don't have that luxury. Did you have any thing else that you wanted to add?

Atty Curzan

Yes. I think what I'm referring to, and I don't know if the commission has that a memorandum, dated September 10th, from Phil Bauer and Sal Fazzino. The other thing we would like to do as long as we're here tonight, is ask if you have any other questions about the subdivision or any other comments that you think should be addressed while we're addressing these that are already made Public Works and Health Department.

Chmn Gionfriddo

George, for the record could you let us know what, could you read us the departmental comments that we've gotten so. . .

Dir Reif

Sewer says we have no objection to this subdivision. City Water and Sanitary sewer are not available. We shouldn't have even asked them, because we knew it wasn't available. Public Work says it appears that an assumption is made for a street line along Freeman Road that does not provide the necessary 50 foot right of way for an accepted street at several locations. Evidently the surveyor used existing trees and utility poles as property corners which may have been used from a prior survey. 2. A monument is indicated quote to be set unquote at the south west corner of the property that would become a permanent marker. This point will not provide the City with the required right of way for an accepted City street. That's signed by Phil Bauer and Sal Fazzino.

Chmn Gionfriddo

Could I just make a point? Don't you think something like that would've been important for us to see?

Dir Reif

Well, certainly important and they were going to correct. . .

Chmn Gionfriddo

Well, I mean it would be nice for us know what the concerns of the department staff are if we have to make a vote, that's all I'm saying.

Dir Reif

No objection to you getting all the things.

Chmn Gionfriddo

Fine.

Dir Reif

But, it's a super clerical problem and we have some. . .

Chmn Gionfriddo

I don't care what it takes, I just want them.

Dir Reif

Okay, okay.

Chmn Gionfriddo

What else do you have?

Dir Reif

Water, Public, I mean Health, additional engineering is required prior to any favorable recommendation from our office. therefore, we recommend denial, William Wamester. Louie Aresco from the Police Department, Middletown Police Department Traffic Division, has no objection to this site plan as presented. That's it.

Chmn Gionfriddo

Could you read the Health one over again? That was kind of. . .

Dir Reif

It says, additional engineering is required prior, underlined, prior to any favorable recommendation from this office, therefore we recommend denial.

Chmn Gionfriddo

So, you're saying Bob, that you need some addition time to work with the Health Department and with Public Works.

Atty Curzan

That's correct. We're going to try and comply. I talked to Mr. Wamester and provide some structures systems so that we can satisfy his comment.

Chmn Gionfriddo

Do any members of the commission have questions this evening?

Comm Leinwand

I have one.

Chmn Gionfriddo

Commissioner Leinwand.

Comm Leinwand
Bob, have the lots been tested?

Atty Curzan
Yes, they have.

Comm Leinwand
And, what did the test show?

Atty Curzan
They have all tested out under perk tests. I guess the concern is, without an actual structured system, he's afraid because we're in an area of significant wetlands that the lots are approved and the septic systems are built later, that they may in fact get to close to the wetlands or something else. And, that's why he's looking for a natural structured system prior to approval.

Comm Leinwand
That's really sounds reasonable to me given how must environmentally sensitive land you've got here.

Atty Curzan
I believe that's not a overly burdensome requirement.

Comm Leinwand
Thank you.

Chmn Gionfriddo
Have you, if there an application at wetland filed or are you just near them or you're not disturbing them or what?

Atty Curzan
Wetlands gave us a comment that, they would not require any permit. This was filed on September, or given to us September 2nd of 87. Says while there are wetland on the property, the proposal for several houses will not impact the wetlands. Further more the erosion control features, if properly installed, should insure against any negative impact to the regulated area.

Chmn Gionfriddo
George.

Dir Reif
An opportunity to add the fact that the Planning office now has modified its application form for subdivisions and closely related things. We ask the date applicant submitted, the application was submitted to the Inland Wetlands, and so I can look at this form and see that it was submitted on 9/1/87, the same day it came to the Planning office.

Chmn Gionfriddo
Thank you. Any other questions this evening? If not are there any members of the public who wish to be heard with respect to this proposal this evening? Is they a motion to continue the public hearing until October 14th? Motion by Commissioner Pillarella, second by Commissioner Gadomski. Any discussion? If not all those in favor, any opposed? Motion carries. Move to Item 3.

Comm Gadomski

Thank you. Proposed Zoning Code text amendment to change Section 60.01.21 to read: "Churches and other places of worship including parish house (ADD) "Parish house shall include a one or two family house used by a Church as personal residence by members of its clergy and/or its full-time employees. Applicant/agent Fellowship Baptist Church / Attorney Bengston.

Proposed Zoning
Code text
amendment Sec.
60.01.21
Fellowship
Baptist Church

Comm Leinwand

Can I ask a question before the attorney comes up?

Chmn Gionfriddo

Yes.

Comm Leinwand

George, this is come specifically from the Fellowship Baptist Church. Have you reviewed the implications of this particular proposal? Or you just said bring it to the commission?

Dir Reif

Bring it to the commission. And they were turned down at staff level, and this is their alternative to accepting being turned down.

Comm Leinwand

And, they were turned down at staff level because it doesn't fit the code.

Dir Reif

Right.

Comm Leinwand

Here with the change, it would allow them to do what they wanted to do?

Dir Reif

Right.

Comm Leinwand

Do you have any. . .

Dir Reif

No great deal of pondering thought to this one. In all honesty I have not been working on that. I'll hear the. . .

Comm Leinwand

So will we.

Atty Bengston

Atty David Bengston representing . . .

Comm Patnaude

Excuse me, what was turned down before by staff and so forth like that? We have not been privy to that information, I'd like to know about it.

Dir Reif

See, okay, David Bengston came to the office to see whether or not what the Church wanted to do was permitted under the zoning. The answer is it is not. And, like other people, he either accepts that and goes away and forgets it, or he, they try to do something. The option is to try to change the text of the code. So, he's here tonight and he put this application in to change the text of the codes, so he can, he and the Church he's representing, can have a structure on the same property as the Church that will allow a one or two family structure.

Comm Patnaude

Once more, don't you think that that's something some of the commissioners would like have known that before. . .

Dir Reif

If it were permitted he wouldn't be here.

Comm Patnaude

No, I'm not saying that. Some commissioners are privy to certain information other aren't. And, I don't see how can we...okay, now you explained it to me.

Atty Bengston

Mr. Chairman, members of the commission. I'm Attorney Bengston representing the applicant. I maintain an office for practice at Law at 363 Main Street in Middletown. I just would like to clarify something, I'm so sure that this is not permitted my special exception. The question is the definition of "Parish House". And, the Church on its own came down here, basically what they want to do, the Church is located on Brooks Road near Summer Hill Apartments, if you go out the old Saybrook Road and take a left towards Maromus, they have a large church and a school. One building located on their land, on the north side of Brooks Road, it's been there for a number of years, and what they want to do is construct a residence for their two assistant ministers on the remaining land. I'll get into the details of the actual proposition on item number 4. But, they came down to City Hall and they said what they wanted to do, and they were advised that probably this could be, come between the parish, under the provision for parish house which is not defined. Right now the code is provides for churches and other places of worship including parish house within the various residential zones by special exception. And, so they, they filed an initial application taking this two family house as a parish house since there's no definition. When it went through the staff Nino said that a parish house could only be a one family house. The reason I don't think it is exactly clear is if you look on code there's a provision for a convents and monasteries by special exception in the various residential zones. And, that clearly implies at least multi-person residential units for churches. When Nino turned them down, they came to me and reviewing the matter, I figured just to clarify the whole matter and bring it before the commission, I would go and seek this change to clarify what parish house means. So to say we're down here trying to do something, what we're seeking is a clarification in the code. And, I think clearly if we can have a large convent or large monastery by

special exception, I believe that the Baptists should be able to have a house for two of their ministers. It's a little different situation, but I think there is some equity in the code, and that's what we're here doing tonight. And, I'd like to speak in favor of that proposition, just as a matter of equity. And, I don't think it's exactly that unusual. All of this would be by special exception so there is control over what's going on, Just the same as if it were a monastery of convent. But, we're just trying to spell this thing out. There's one other item on the matter, we filed for a waiver of fees for this particular application and we, I request that that also be done, if possible. I don't know. Are there any questions?

Chmn Gionfriddo

Okay, now we're dealing only with the text amendment, not that's the actual proposal.

Atty Bengston

I'll get into the actual proposal in a minute.

Chmn Gionfriddo

I'm just making sure the commission understands when they direct questions. Does anybody have any questions in particular dealing with the text amendment which my understanding, simply allows as a special exception and clarifies the language. If not, are there any members of the public who wish to be heard dealing with this particular item?

Atty Bengston

Mr. Chairman, There are members of the congregation here, perhaps if they just stand. If someone wants to speak, but just to move the matter along. Would the members from Fellowship Baptist Church here in favor please stand?

George Souto

George Souto, Julia Terrace. I would like to request that the commission do consider this, does consider this change. These are people who I think do a worthwhile service to our community. The pre-school, the school provided at a very affordable cost, at a cost that even I can afford for my son. I think we, in any case, that we in making things easier for those who are providing a vital service to our community, I think we should do so. And, I would request that you grant this special exception.

Chmn Gionfriddo

Thank you, George. Any one else? If not, we'll close the public hearing on item 3. What's your pleasure? George, commissioner Leinwand has a question.

Comm Leinwand

I'm just wary about changing that code with around five minutes of off the top of my head review. You have any thoughts now? I mean, have you listened to all this? With special exception, does this control? There's no problem here, I mean God, they got 12 acres of land. I'm trying to think about parish houses on other parcels of

land where, you know, there is not a whole lot of land around, it's \$60,000.00 for a building lot. Somebody can build, it seems to me, a parish house for the church sexton or for the church gardener or for another employee on the basis of a special exception, where maybe we shouldn't have it. Am I reading too much into this?

Dir Reif

No, you're not. I believe on that same site they have a separate lot for a home for the minister.

Chmn Gionfriddo

But isn't it, isn't that the whole purpose of having a special exception. That we're able to say yes or no depending on the site and the circumstances. So, if the circumstances don't warrant granting a it, we say no. If the, if that situation you're envisioning should arise.

Dir Reif

Well to continue, there does seem to have to be some limitation to how many different residential units you can have. And, this is the next move. I have no idea what the end will be.

Comm Leinwand

Could I, David, why the language include a one or two family house? It's the two family that begins to grate. You're talking about a two family here, aren't you?

Atty Bengston

Yes.

Comm Leinwand

So that's why you need the. . .

Atty Bengston

Protestants, I guess have ministers and have wives. It's just an unusual situation. Convents, I guess, are all single people. But you could, under the code right now, I guess, you could you could have a six hundred person convent. You know, by special exception. You could have a six hundred person monastery. It's just, it's a little unusual, I grant you. But, it's not under the circumstances, I think there's a certain question of equity.

Comm Leinwand

I didn't understand your answer to my question, why you need a two family house.

Atty Bengston

Yes, there's actually, there's going to be two assistant ministers, so it's two, it's a two family house.

Comm Leinwand

Is it full time?

Atty Bengston

Yes.

Comm Leinwand

Paid employees by the Church, they don't have separate jobs?

Atty Bengston

As far as I know, somebody from the Church? Alright.

Dir Reif

Another way to get a home in that general vicinity would be to establish another lot. Then they would be entitled to use for what ever use, it'd be a subdivision of land. That's what they did when they created a lot for . . .

Comm Leinwand

Is there a good reason why you don't cut off some other lot?

Atty Bengston

Yes, special consideration are given under the codes for religious institutions, and we're just seeking equitable things. I suppose you could say there can't be convent because we should six hundred individual houses and a convent, you know. It's just that this is a charitable use, and special considerations are given under the code for religious organizations. And, I don't think this is asking too much.

Comm Leinwand

I'm convinced.

Chmn Gionfriddo

Is there any other questions? It just seems to me, out of equity, that makes full and complete sense. I can't see... I was going to say have we ever waived fees? Is that something we've done, I know we do it in Public Works, but do we do it here?

Dir Reif

I'm hard pressed to recall doing it.

Chmn Gionfriddo

Okay.

Atty Bengston

Whatever it is, it was my understanding from, from a representative at City Hall that that was the custom. But, my people are willing to, I guess, render to Ceasar whatever is required.

Chmn Gionfriddo

Building, no. Well, let's not get, let's not get carried away, David. I mean, building permit fees are usually waived by the Public Works Department when the time comes to construct the building. But, I've never know us to waive a fee here.

Comm Leinwand

You trying to draw defeat out of the jaws of victory?

Atty Bengston

No, no, no.

Chmn Gionfriddo
No.

Atty Bengston
I'm just saying, a representative is you know. It's very difficult, you come down here, I had no intention of doing it, someone at City Hall, and I don't want to get into who's what or what, said that the custom of the thing. So I, I requested, it is a charitable use, but I'm confident that my people will be happy. . .

Chmn Gionfriddo
At the time you go for your building permit they always waive the building permit fees, so that will, you will be able to get that.

Atty Bengston
I'm only, my only application was based on what was told me here at City Hall.

Chmn Gionfriddo
Okay. Wait, let's just, I haven't closed the public hearing yet. Is there anybody else who wants to be heard?

Atty Bengston
I had just one clarification, I guess it goes in the next item, well I'll withhold it.

Chmn Gionfriddo
Okay.

Atty Bengston
There's only one building on this lot right now.

Chmn Gionfriddo
Okay. Is there a motion to close the public hearing? Moved by Commissioner Pillarella, second by Commissioner Loffreddo. Any discussion. If not, all those in favor, any opposed? Motion carries. What's your pleasure?

Comm Leinwand
Move to grant the zoning code text amendment to section 60.01.21 effective October 1st.

Chmn Gionfriddo
The motion by Commission Leinwand, second by Commissioner Loffreddo Any discussion? If not, all those in favor, any opposed? Motion carries. Move to item 4.

Atty Bengston
Thank you.

Comm Gadonski
Item 4. Proposed Special Exception to permit a two family parish house located on Brooks Road. Applicant/agent Fellowship Baptist Church.

Proposed Special
Exception to
permit 2 family
parish house on
Brooks Road
Fellowship Baptis
Church

Comm Leinwand

We could hear this tonight, but since we. . .

Chmn Gionfriddo

Go ahead Dave.

Atty Bengston

Attorney David Bengston representing the applicant Fellowship Baptist Church. If you'll refer to your maps, members of the commission, which you have. As I indicated to you, the Church is located on the north side of Brooks Road, if you go out the old Saybrook Road and you swing a left towards Maromas out there by the Summer Hill Apartments, the Church complex is right around the corner. As you can see in your map, there were two lots, they originally bought roughly, I guess it's about 13 acres. They subdivided it through the commission. And, on your map you'll see there is a pastor residence on a separate lot, then on the large parcel, 12.38 acres, there's the Church and the school and gymnasium, which have been constructed over the years. And, to the right, you'll find a proposed parish house, this is, the proposal's a two family house which is going to be occupied by two assistant ministers. And, as you can see on your sketch if you look closely, the house is located in a wooded area, it's largely a wooded tract that sits around the Church. I went out there the other day, the actual site which has been cleared, you can hardly see it from the road if you can at all. And, what they're planning on building is modular two family home for the pastors and their families. And, it's set back 160 feet by the, from the road. It's going to be served by a sanitary sewer line, there's a comment by the Water and Sewer director I'll get to in a minute. The building is 23 x 44 feet and it's located in what now is a R1 zone. However, the building as its, the proposal's before you cannot be seen, it's right in the area of Summer Hill Apartments so multi-family housing is not really unusual to the area, although this is located in an R1 zone. I don't know, any questions?

Chmn Gionfriddo

George, could you go over the comments for us before we get to the questions? What you've got. Well that's a summary of it, I want to know what they say.

Dir Reif

Public Works, Phil's put a stamp on, says approved for building permit. Baron says we recommend this project not be approved at this time. Please have the developer provide additional information to this department for proposed sanitary sewer, Phil Baron. Aresco, Louie Aresco, says Middletown Police Department Traffic Division has no objection to this site plan as presented. Fire has no comment, that's what they say.

Chmn Gionfriddo

Dave, is it our intention... Oh, you have another one? I'm sorry. Is it your intension to get together with Bill Baron between now and the next hearing to work this out?

Atty Bengston

Well, I already talked to Bill. Really I believe his concern is more relative to the issuing of a building permit. What he's concerned about is that he would like an engineering study relative to the whole hydraulics. If you say it is a proposed pump sewer line, the Church itself and the pastors's other residence on the other lot is served by a sanitary sewer and this building will also. Bill is mainly concerned relative to the size of pipe, the hydraulics that the sewer goes down the pipe into the public sewer system. The Church is also. . .

Chmn Gionfriddo

The only thing we're concerned about, before we grant approval we're going to need some kind of letter from Bill Baron that doesn't say he recommends denial until - which he does right now. So I know, you know you're going to have to talk with him and get something in writing indicating his approval of what ever it is you're doing. Commissioner Patnaude.

Comm Patnaude

Did he say he'd give you permission to hook into that line, that high pressure line?

Atty Bengston

I believe so, well that was my understanding. I just asked him what he wanted, he was concerned with the hydraulics and he wanted an engineering study. the only comment I came across was just today, this afternoon I reviewed the file and I saw the disapproval and I called Bill. So, that's my understanding but, I'm not an engineer.

Comm Patnaude

Just to the point, I mean they have a problem with this. So, I think if you okayed it is very, very important what Baron thinks.

Chmn Gionfriddo

We can't approve it tonight anyway, because it's not, the zoning change isn't effective until October 1st. Are there any other questions members of the commission wish to ask this evening? If not, are there member of the public who wish to be heard on this matter this matter this evening? Based on what we've heard, I would suggest this matter be continued until the 14th, so that we could get Bill Baron's report. Is there a motion? By Commissioner Leinwand, second by Commission Gadmonski to continue this public hearing until the 14th. Any discussion? If not, all those in favor, any opposed? Motion carries. Thank you Dave, see if you can work that out with Water Department. That closes the public hearing.

Adjournment 9:00 P.M.

Transcribed by:

MaryAnn Adams, Transcriptionist