

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

COMMISSION
MEMBERS
PRESENT

Comm. Carl Bolz, Mayor Maria Madsen Holzberg, Ex-Officio

COMMISSION
MEMBERS
ABSENT

William Warner, Director of Planning

STAFF

There were approximately twenty-five members of the public.

PUBLIC

There was no discussion.

ITEM 2
DISCUSSION WITH
PUBLIC ON ITEMS ON
AGENDA

On motion and second by Comms. Ron Klattenberg and Anthony Vasiliou the Commission tabled a request for release of the cash bond for Lots #2 and #3 of Richards Brook Commerce Park. Vote was unanimous. Applicant/agent Union Savings Bank/Brian Skarda, Vice President S89-6

ITEM 3.1
TABLED REQUEST FOR
RELEASE OF THE CASH
BOND FOR LOTS #2 AND
#3 OF RICHARDS BROOK
COMMERCE PARK

Discussion on receiving materials on the night of the meeting ensued. Chm. W. Lee Osborne commented on Wesleyan University's situation and commented on previous cases that were delayed twenty days. The Chairman feels site plan approval should be granted and a letter be sent to Consumer Protection on the builder's violation. Comm. Jeffrey Pierce commented on groups being treated equally and feels based on statements made by the University that site plan approval should be granted. Comm. Anthony Vasiliou spoke at length regarding the Building Department and government actions. He feels a fine is not appropriate at this point and that the delay was sufficient. Comm. Jeffrey Pierce feels the procedure needs to be cleaned up. Chm. W. Lee Osborne feels the Building Department and Planning and Zoning needs to be in one office. On motion and second by Comms. Anthony Vasiliou and Jeffrey Pierce the Commission granted site plan approval to renovate an existing wood frame structure for

ITEM 3.2
GRANTED SITE PLAN
APPROVAL TO RENOVATE
AN EXISTING WOOD FRAME
STRUCTURE FOR CON-
TINUED BUSINESS AT 284
HIGH STREET

continued business at 284 High Street and instructed staff to send a letter to Consumer Protection regarding issues and violations of Larson Construction. Vote was unanimous. Applicant/agent Wesleyan University/Michael Curtis SPR97-69

Comm. Jeffrey Pierce disqualified himself from the New Business items. William Warner commented. Comm. David Roane had questions. William Warner responded on the Conservation Commission's comment on liability and the need for land. A motion to grant an affirmative G.S. 8-24 Review for conveyance of a piece of property located between River Road and Bow Lane abutting CVH to the City was made by Comm. Ron Klattenberg and seconded by Comm. David Roane. Comm. David Roane feels it is not necessary for the City to own this land. Comm. Ron Klattenberg agreed with Comm. Roane and staff. Comm. William Holley disagreed with Comms. Klattenberg and Roane and feels owning the land would provide the City with some leverage. Comm. Anthony Vasiliou indicated he would be speaking in opposition due to ownership of Feldspar and protections put in place over CVH land. The motion failed with Chm. W. Lee Osborne, Comm. Anthony Vasiliou, Comm. Ron Klattenberg, Comm. David Roane, Comm. Corrine Dorsey, and Comm. Carl Chisem opposed and Comms. William Holley and James Fortuna in favor. Applicant/agent City of Middletown City Attorney's Office/Timothy P. Lynch, Deputy City Attorney

John O'Brien request that the proposal be tabled. On motion and second by Comms. Anthony Vasiliou and James Fortuna the Commission tabled a proposed Site Plan Review to construct an office building and conference complex to be known as Roscommon Office Park, Phase II on Roscommon Drive and Industrial Park Road. Vote was unanimous. Applicant/agent Thomas J. Flatley, d/b/a The Flatley Company SPR97-58

Salvatore Fazzino, Director of Public Works, explained the proposal. Comm. Anthony Vasiliou questioned the map. Salvatore Fazzino explained. Discussion ensued. On motion and second by Comms. Anthony Vasiliou and David Roane the Commission gave an affirmative G.S. 8-24 Review for

ITEM 4.1
DENIED A REQUEST FOR
G.S. 8-24 REVIEW FOR
CONVEYANCE OF A
PIECE OF PROPERTY
LOCATED BETWEEN RIVER
ROAD AND BOW LANE

ITEM 4.2
TABLED PROPOSED
SITE PLAN REVIEW TO
CONSTRUCT AN OFFICE
BUILDING AND
CONFERENCE COMPLEX
TO BE KNOWN AS
ROSCOMMON OFFICE
PARK, PHASE II

ITEM 4.3
GAVE AN AFFIRMATIVE
G.S. 8-24 REVIEW FOR THE
RELEASE OF A CITY ROW
AND FOR ACQUISITION

the release of a city R.O.W. and for acquisition of land owned by Stanley and Betty Wyskiel for realignment of Randolph Road near the intersection of Daniels Street. Vote was unanimous. Applicant/agent City of Middletown Public Works Department/Salvatore C. Fazzino, Director

OF LAND OWNED BY STANLEY AND BETTY WYSKIEL FOR REALIGNMENT OF RANDOLPH ROAD

On motion and second by Comms. Anthony Vasiliou and Ron Klattenberg the Commission scheduled a public hearing date of October 8, 1997 for a proposed Zoning Code text amendment to add Section 45 Trap Rock Ridge Protection Regulations. Vote was unanimous. Applicant/agent City of Middletown Conservation Commission Z97-8

ITEM 4.4
SCHEDULED P.H.
10/8/97 PROPOSED
ZONING CODE TEXT
AMENDMENT TO ADD
SECTION 45 TRAP ROCK
RIDGE PROTECTION
REGULATIONS

On motion and second by Comms. Anthony Vasiliou and James Fortuna the Commission scheduled a public hearing date of October 8, 1997 for a request for Lot Certification of the property of Mark and Laurie Looney located at the corner of Phedon Parkway and Barbara Road. Vote was unanimous. Applicant/agent Mark & Laurie Looney L97-3

ITEM 4.5
SCHEDULED P.H.
10/8/97 REQUEST FOR LOT
CERTIFICATION OF THE
PROPERTY OF MARK AND
LAURIE LOONEY LOCATED
AT THE CORNER OF
PHEDON PARKWAY AND
BARBARA ROAD

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

ITEM 5
P.H. TAPE RECORDING

William Warner explained the proposal. Comm. Anthony Vasiliou questioned staff. William Warner responded. Comm. David Roane questioned Comm. Jeffrey Pierce, who responded. Comm. Corrine Dorsey questioned the difference between "shall" and "will". Discussion ensued. Comm. William Holley commented in support of "will". Comm. Anthony Vasiliou feels Item 53.04 in the Code should be eliminated. From the public, Arline Rich supports the changes. On motion and second by Comms. Anthony Vasiliou and David Roane the Commission closed the public hearing. Vote was unanimous. A motion to adopt a Zoning Code text amendment to modify Section 53 Administration and Enforcement with the elimination of Item 53.04 was made by Comm. Anthony Vasiliou and seconded by Comm. David Roane. Comm. David Roane offered a friendly amendment that all "shalls" be changed to "wills" and that in Item 53.05 the word "an" be eliminated and an "s" be added to "application". Comm. Anthony

ITEM 5.1
ADOPTED A ZONING CODE
TEXT AMENDMENT TO
MODIFY SECTION 53
ADMINISTRATION AND
ENFORCEMENT WITH AN
EFFECTIVE DATE OF
10/15/97

Vasiliou accepted the amendment. The main motion as amended passed with Chm. W. Lee Osborne, Comm. Anthony Vasiliou, Comm. Ron Klattenberg, Comm. Jeffrey Pierce, Comm. David Roane, and Comm. James Fortuna in favor and Comm. Corrine Dorsey opposed. Proponent P & Z Comm. Z97-4

On motion and second by Comms. Anthony Vasiliou and Ron Klattenberg the Commission tabled a proposed Special Exception to convert a former insurance office at 26 Silver Street to a new use as elderly housing. Vote was unanimous. Applicant/agent Neeta Dhanraj/ T.F. Jackowiak SE97-13

William Warner explained the proposal. Arline Rich of Westfield Residents for Rational Development of Middletown, Inc. spoke in support. William Warner commented. On motion and second by Comms. Anthony Vasiliou and David Roane the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. Anthony Vasiliou and Jeffrey Pierce the Commission adopted a Zoning Code text amendment to modify Section 48.04 Sign Standards to remove "internal illuminations" from INSTITUTIONAL and ATTACHED DWELLINGS UP TO 10 UNITS with an effective date of October 15, 1997. Vote was unanimous. Proponent P & Z Dept. Z97-5

William Warner explained the proposal. Chm. W. Lee Osborne commented. Comm. Anthony Vasiliou asked staff to explain zoning. William Warner complied. Discussion ensued. From the public, William Caffrey spoke in opposition and stated there was a need to consider public comment. Chm. W. Lee Osborne commented. Comm. Anthony Vasiliou commented on the public hearing legal notice. Lengthy discussion ensued on whether or not to continue the public hearing. Comm. Jeffrey Pierce feels the testimony should be transcended. A motion to continue the public hearing for a proposed Zoning Code text amendment to modify Section 62 Moratoriums was made by Comm. Corrine Dorsey and seconded by Comm. Ron Klattenberg. A friendly amendment that the public hearing legal notice be clarified

ITEM 5.2
TABLED A PROPOSED
SPECIAL EXCEPTION
TO CONVERT A FORMER
INSURANCE OFFICE AT
26 SILVER STREET TO A
NEW USE AS ELDERLY
HOUSING

ITEM 5.3
ADOPTED A ZONING CODE
TEXT AMENDMENT TO
MODIFY SECTION 48.04
SIGN STANDARDS TO
REMOVE "INTERNAL
ILLUMINATIONS" FROM
INSTITUTIONAL AND
ATTACHED DWELLINGS
UP TO 10 UNITS WITH AN
EFFECTIVE DATE OF
10/15/97

ITEM 5.4
CONTINUED A PROPOSED
ZONING CODE TEXT
AMENDMENT TO MODIFY
SECTION 62 MORATORIUMS

explaining the purpose of the hearing was made. Comm. Anthony Vasiliou requested that appropriate signage be posted prior to the next public hearing. Comm. William Holley spoke in opposition. The motion passed with Chm. W. Lee Osborne, Comm. Anthony Vasiliou, Comm. Ron Klattenberg, Comm. David Roane and Comm. Corrine Dorsey in favor and Comms. Jeffrey Pierce and James Fortuna opposed. L. Bossman spoke in support of the moratorium. Arline Rich supports the continuation. Proponent P & Z Comm. Z97-6

Guy Russo, Director of the Water & Sewer Department, explained the proposal and reviewed sections of the Zoning Code. William Warner suggested that Section 42.00 should remain unchanged. Comm. Anthony Vasiliou questioned various sections. Guy Russo responded. Comm. Jeffrey Pierce questioned locations of the aquifers and questioned the public hearing legal notice. Chm. W. Lee Osborne and William Warner responded. From the public, Arline Rich of Westfield Residents for Rational Development of Middletown, Inc. spoke in support. Comm. William Holley questioned sanitary waste discharge. Discussion ensued. On motion and second by Comms. Anthony Vasiliou and William Holley the Commission continued the public hearing for a proposed Zoning Code text amendment to modify Section 42 Protection of Water Sources with the condition that the Environmental Planner attend the next meeting. Vote was unanimous. Applicant/agent City of Middletown Water and Sewer Department/Guy P. Russo, Director Z97-7

The Commission acknowledged the ZEO Sign Report.

On motion and second by Comms. James Fortuna and Corrine Dorsey the Commission approved the minutes of the September 10, 1997 meeting. Vote was unanimous with Comm. Ron Klattenberg abstaining.

William Warner commented. Comm. Anthony Vasiliou feels there is a need to educate the newspaper and then go to candidates. Chm. W. Lee Osborne commented on the School's long range plan.

ITEM 5.5
CONTINUED PROPOSED
ZONING CODE TEXT
AMENDMENT TO MODIFY
SECTION 42 PROTECTION
OF WATER SOURCES

ITEM 6.1
ACKNOWLEDGED
ZEO SIGN REPORT

ITEM 6.2
APPROVED MINUTES OF
THE 9/10/97 MEETING

ITEM 6.3a, b, c
CIP PLANNING
NEWFIELD STREET
(CT RT. 3) CORRIDOR

STUDY
PLAN OF DEVELOPMENT
UPDATE

Arline Rich commented on the Zoning Enforcement Officer and the Miner Hills Golf Course driving range. Comm. Anthony Vasiliou requested that staff investigate the issue of is there a violation of the Special Exception regarding beer, wine and the driving range. Discussion ensued. On motion and second by Comms. Anthony Vasiliou and Ron Klattenberg the Commission made policy that all comments must be received in the Planning and Zoning Department no later than the Thursday prior to each meeting; that any supplemental information be provided by the applicant to the Commission; and that the agenda will be closed on the Thursday prior to each meeting. The Commission made a recommendation to change the By-laws to implement this new policy. Vote was unanimous.

ITEM 7
DISCUSSION WITH
PUBLIC

Adjournment was at 11:35 P.M.

ITEM 8
ADJOURNMENT

Respectfully submitted,

William Warner,
Director of Planning