Chm. W. Lee Osborne, Comm. Ann Loffredo, Comm. Sebastian Passanesi, Comm. Anthony J. Vasiliou, Comm. Jennifer Alexander, Comm. Gerard Winzer, Comm. Francis Patnaude arrived at 8:00 P.M.	COMMISSION MEMBERS PRESENT
Vice-Chm. Philip Halibozek, Sec'y Stephen Shapiro, Comm. John Robinson, Comm. Stephen Gadomski, Mayor Thomas Serra, Ex-Officio, Dir. P.W. Salvatore Fazzino, Ex-Officio	COMMISSION MEMBERS ABSENT
William Warner, Planning Director	STAFF
There were approximately twenty-five members of the public present.	PUBLIC
Comm. Ann Loffredo motioned to amend the minutes to correct the spelling of Atty. Mark Balaban's last name. On motion and second by Comms. Anthony Vasiliou and Gerard Winzer the Commission approved the minutes as amended. Vote was unanimous.	ITEM 2.1 APPROVED MINUTES 9\28\94 AS AMENDED
The Commission acknowledged the ZEO Sign and Monthly Reports.	ITEM 3.1\3.2 ACKNOWLEDGED ZEO SIGN AND MONTHLY REPORTS
On motion and second by Comms. Ann Loffredo and Anthony Vasiliou the Commission approved a request for release of the cash deposit for Oakridge Estates located off Stevens Lane with the condition that the Public Works comment be addressed. Vote was unanimous with Chm. W. Lee Osborne abstaining. Applicant\agent Stephen Realty & Development, Inc.\Kathleen D. Swingle S86-2	ITEM 4.1 APPROVED RELEASE OF CASH BOND FOR OAKRIDGE ESTATES OFF STEVENS LANE
Paul LaMonica explained the proposal and the previous approval. William Warner explained the proposal and the need to revise the detention pond. Comm. Jennifer Alexander felt a one year extion was appropriate. Discussion ensued regarding time frames and why the delay in asking for the extension. A motion for a three month extension was made by Comm. Ann Loffredo and seconded by Comm. Gerard Winzer. Chm. W. Lee Osborne supported the motion so that the project can be reviewed and brought back to the Commission. Discussion ensued. The motion was denied with Comms. Anthony Vasiliou and Sebastian Passinese opposed. Applicant\agent Farmers & Mechanics Bank\Paul J. LaMonica, Vice President S87-34	ITEM 4.2 DENIED REQUEST FOR EXTENSION OF PRELIMINARY APPROVAL FOR EAST MEADOW SUBDIVISION RANDOLPH ROAD

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission granted final approval of the Ed White Subdivision with the condition that the departmental comments, including the Water\Sewer comment, be addressed and that a bond be posted. Vote was unanimous. Applicant\agent Ed White S94-1

ITEM 4.3
GRANTED FINAL APPROVAL OF ED WHITE SUBDIVISION PLEASANT VIEW

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission tabled a release of release of the cash deposit for Southwind Subdivision Phases II and III. Vote was unanimous. Applicant\agent Atty. Dean A. Thomasson S92-6

ITEM 4.4
TABLED REQUEST FOR RELEASE OF CASH DEPOSIT FOR SOUTHWIND SUBDIVISION PHASES II AND III

On motion and second by Comms. Ann Loffredo and Anthony Vasiliou the Commission scheduled a public hearing date of October 26, 1994 for a proposed Special Exception to construct a place of public assembly (worship) in a residential zone with a Special Exception for a parking lot to be located in the 100 year flood plain on the south side of Congdon Street east and west of Springbrook Drive. Vote was unanimous. Applicant\agent Jehovah's Witnesses of Middletown\Gene T. DeProto, Real Estate Broker SE94-15

ITEM 5.1
SCHEDULED P.H. 10\26\94 PROPOSED SPECIAL EXCEPTION FOR A PLACE OF ASSEMBLY (WORSHIP) AND A PARKING LOT ON CONGDON STREET EAST

On motion and second by Comms. Gerard Winzer and Ann Loffredo the Commission approved a Lot Line Revision and Lot Certification for Lot #5 located at the corner of Middle and Bradley Streets. Vote was unanimous. Applicant\agent Charles McInerney\ James W. Clohosey L94-7

ITEM 5.2
APPROVED LOT LINE REVISION AND LOT CERTIFICATION OF LOT #5 CORNER OF MIDDLE AND BRADLEY STREETS

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission scheduled a public hearing date of October 26, 1994 for a proposed review of parking issues and options for the Middletown Nature Park to be located on Randolph Road with access from the Wesley School property. Vote was unanimous. Applicant\agent P & Z Dept.\ Comm.

ITEM 5.3
SCHEDULED P.H. 10\26\94 PROPOSED REVIEW OF PARKING ISSUES AND OPTIONS MIDDLETOWN NATURE PARK

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

ITEM 6
P.H. TAPE RECORDING

Dominic DiMauro was present. William Warner explained the proposal. Discussion ensued. No one from the public spoke. On motion and second by Comms. Ann Loffredo and Gerard Winzer the

ITEM 6.1
APPROVED AMENDMENT TO SPECIAL EXCEPTION AT 871

NEWFIELD STREET

Commission closed the public hearing. On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission approved the amendment to the previously approved Special Exception at 871 Newfield Street to allow a sun tanning salon. Vote was unanimous. Applicant\agent Marco DiMauro\ Atty. Sebastian N. Giuliano SE93-6

ITEM 6.2
TABLED PROPOSED ZONING CODE TEXT AMENDMENT TO MODIFY SECTION 10.07.02, OWNERSHIP

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission tabled a proposed Zoning Code text amendment to modify Section 10.07.02, Ownership. Vote was unanimous. Applicant\agent Vincent Sansone\Atty. Theodore V. Raczka Z94-17

ITEM 6.3
TABLED PROPOSED SPECIAL EXCEPTION FOR PARKING LOT ACROSS FROM GOLD'S GYM ON TUTTLE ROAD

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission tabled a proposed Special Exception for an accessory parking lot to be located across from Gold's Gym on Tuttle Road east. Vote was unanimous. Applicant\agent Vincent Sansone\Atty. Theodore V. Raczka SE94-11

ITEM 6.4
CONTINUED PUBLIC HEARING FOR A PROPOSED SPECIAL EXCEPTION FOR PLASTIC HOOP GREENHOUSES AT 320 CHAMBERLAIN ROAD

Luke Eddinger explained the proposal, the nature of the proposal, the history of the use, the requirement for VoAg and the reasons for the proposal. Comm. Jennifer Alexander questioned hoops and greenhouses. Comm. Ann Loffredo questioned the location. Discussion ensued on type of business sales. Comm. Ann Loffredo questioned the surrounding uses. Barbara Eddinger introduced Matt Eddinger and James Eddinger submitted a letter from the VoAg teacher, which was read into the record. A letter from W. Welz was read into the record. Discussion ensued regarding previous violations. From the public, Katchen Coley felt the use is not compatible with the neighborhood. Susan Bright owns property across the street and is strongly opposed to the Special Exception. She submitted a petition of residents opposed to the proposal. Comm. Jennifer Alexander questioned the location of the property. Can the greenhouses be seen? Susan Bright responded. Comm. Francis Patnaude asked questions regarding the property. R. McCabe opposes the proposal. His property will overlook the use. Comm. Francis Patnaude questioned when the property was purchased and noted that the greenhouses were there first. Charles Harris explained the surroundings. He feels the hay business is a commercial operation. He spoke about the condition of the property and that there was bulky waste at the site. Charles Harris is opposed to the proposal and is afraid the greenhouse might pollute the

groundwater. Comm. Francis Patnaude questioned Barbara Eddinger on the water. She responded that it is all well water. Barbara Eddinger commented on the watering. Discussion ensued. Charles Harris referenced various sections of the Zoning Code, including Section 55 and 44, and feels a clear cut decision for denial is appropriate. P. Fallon voiced his concerns over the proposal and appearances. Comm. Francis Patnaude commented that the greenhouses were there first. Barbara Eddinger provided rebuttal testimony. Comms. Ann Loffredo and Anthony Vasiliou questioned staff. Staff responded. Discussion ensued. Charles Harris commented on the accuracy of the petiton. On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission continued the public hearing until the next meeting. Vote was unanimous. Applicant\agent The Eddinger family SE94-12

The Commission recessed for five minutes.

RECESS

Michael Legman explained the proposal to open a video store. Atty. McCann, representing Mr. Legman, commented on the appropriateness of the application and commented on the staff comments. William Warner commented. Michael Legman commented on the plan. William Warner explained that the proposal does not necessarily need to hire a surveyor. Comms. Ann Loffredo and Anthony Vasiliou commented. Discussion ensued. No one from the public spoke. On motion and second by Comms. Gerard Winzer and Ann Loffredo the Commission closed the public hearing. On motion and second by Comms. Anthony Vasiliou and Jennifer Alexander the Commission denied without prejudice a proposed Special Exception to permit a video rental store in the 100 year flood plain at 551 Washington Street. Vote was unanimous. Applicant\agent Michael Legman SE94-13

ITEM 6.5
DENIED PROPOSED SPECIAL EXCEPTION FOR A VIDEO RENTAL STORE AT 551 WASHINGTON STREET

On motion and second by Comms. Ann Loffredo and Anthony Vasiliou the Commission accepted withdrawal of a proposed 16 lot subdivision with a Special Exception for the 100 year flood plain to be located on Millbrook, Lyceum, and Chamberlain Hill Roads. Vote was unanimous. Applicant\agent CMP Construction, Inc. S94-10

ITEM 6.6
ACCEPTED WITHDRAWAL OF A PROPOSED 16 LOT SUBDIVISION WITH A SPECIAL EXCEPTION TO BE LOCATED ON MILLBROOK, LYCEUM, AND CHAMBERLAIN HILL ROADS

M. Diziets explained the proposal. Comm. Jennifer Alexander questioned the location. Comm. Ann Loffredo questioned the proposal. William Warner commented and read the Middletown Preservation Board comment into the record. On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission closed the public hearing. On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission approved a Special Exception for an adaptive historic reuse for a retail store within a two family dwelling at 228 William Street with the condition that the Middletown Preservation Board's guidelines for future improvements be adhered to. Vote was unanimous. Applicant\agent Emile deLeon SE94-14

ITEM 6.7
APPROVED SPECIAL EXCEPTION FOR AN ADAPTIVE HISTORIC FOR A RETAIL USE WITHIN A TWO FAMILY DWELLING AT 228 WILLIAM STREET

No one from the public spoke.

ITEM 7
DISCUSSION WITH PUBLIC

Adjournment was at 9:20 P.M.

ITEM 8
ADJOURNMENT

Respectfully submitted,

William Warner
Director of Planning