

PLANNING AND ZONING COMMISSION REGULAR MEETING OCTOBER 13, 1993,  
7:00 P.M. PAGE 1 OF 5

Chm. W. Lee Osborne, Vice-Chm. John Robinson,  
Sec'y Stephen P. Shapiro, Ann Loffredo,  
Sebastian Passanesi, Sebastian Timbro,  
Jennifer Alexander, Anthony J. Vasiliou  
arrived at 7:27 P.M., Philip Halibozek arrived  
at 7:20 P.M.

COMMISSION  
MEMBERS PRESENT

Stephen Gadowski, Anton A. Petras, Mayor  
Stephen T. Gionfriddo, Ex-Officio, Dir. P.W.  
Salvatore Fazzino, Ex-Officio

MEMBERS ABSENT

Alternate Comm. Jennifer Alexander acted for  
Comm. Vasiliou until he arrived at 7:27 P.M.

ACTING MEMBER

William Warner, Planning Director

STAFF

Reporters from the Middletown Press and  
Hartford Courant and approximately 40 members  
of the public.

OTHERS

On motion and second by Comms. Shapiro and  
Loffredo the Commission approved the minutes  
of 9/22/93 meeting. Vote was unanimous.

A P P R O V E D  
MINUTES 9/22/93

The Commission acknowledged the Zoning  
Enforcement Officer's sign report and monthly  
report.

ITEM 3.1 3.2  
ACKNOWLEDGED  
ZEO REPORTS

On motion and second by Comms. Loffredo and  
Shapiro the Commission tabled a proposed  
change of non-conforming use from lunchroom to  
beauty supply store at 283 East Main Street.  
Applicant/agent Annette Fountain/Pearl  
Cockfeld NC93-1. Vote was unanimous.

ITEM 5.1  
TABLED NON-  
CONFORMING USE  
283 EAST MAIN  
STREET

On motion and second by Comms. Loffredo and  
Timbro the Commission scheduled a public  
hearing on 10/27/93 to consider a proposed  
special exception to allow the conversion of  
an existing house to two family residential  
dwelling located on 209 Prospect Street in an  
RPZ zone. Applicant/agent Mario Vinci, Biagio  
B. Vinci and Sebastiano Vinci/Atty. Philip  
Karpel SE93-5. Vote was unanimous.

ITEM 5.2  
SCHEDULED P.H.  
10/27/93 S.E.  
209 PROSPECT  
C O N V E R T  
DWELLING TO TWO  
FAMILY

On motion and second by Comms. Loffredo and Robinson the Commission scheduled a public hearing on 10/27/93 to consider a proposed special exception to allow a hair salon and office space located at 975 Newfield Street. Applicant/agent Marco DiMauro SE93-6. Vote was unanimous.

ITEM 5.3  
SCHEDULED P.H.  
10/27/93 S.E.  
HAIR SALON 975  
NEWFIELD STREET

On motion and second by Comms. Loffredo and Robinson the Commission approved a request for lot certification located on 30 Cooley Avenue, Parcel A. Applicant/agent Theresa Russo, Executrix/Atty. Jeanne Messick L93-3. Vote was unanimous.

ITEM 5.4  
APPROVED LOT  
CERTIFICATION  
30 COOLEY  
AVENUE

William Warner explains completeness issue in regard to a proposed Zoning Map amendment to rezone a section of land located on the east side of Margarite Road south of Prout Hill Road from R-15 to R-30 zone. Applicant/agent Theodore R. Werner et al Z93-14. Chm. W. Lee Osborne read letter from Cambridge Homes into record regarding settlement and read a letter from the property owners. On motion and second by Comms. Shapiro the Commission requested a legal opinion regarding the above site as soon as possible. Vote was unanimous.

ITEM 5.5  
REQUESTED LEGAL  
O P I N I O N  
PROPOSED ZONING  
MAP AMENDMENT  
MARGARITE ROAD

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

ITEM 6  
P.H. TAPE  
RECORDING

The applicant was not present for a proposed Zoning code test amendment to modify Section 61.01.32 to allow as an out right permitted use retail sales or rental in the T.D. (Transitional Development) zone. Applicant/agent Tom's Truck and Auto/Tom Landeen Z93-12. On motion and second by Comm. Loffredo and Robinson the Commission tabled the above application. Vote was unanimous.

ITEM 6.1  
TABLED ZONING  
TEXT AMENDMENT  
SALES OR RENTAL  
T.D. ZONE

Comm. Philip Halibozek arrived at 7:20 P.M.

ITEM 6.2  
APPROVED S.E.  
LEAF COMPOSITNG  
HIGBY ROAD

Dir. Salvatore Fazzino, Kim O'Rourke and J. Kolman explained a proposed special exception to allow leaf composting located on the west side of Higby Road adjacent to the Middlefield Town line. Dir. Fazzino explained the proposal using a site plan submitted with the application. He addressed drainage concerns and soil tests. Chm. Osborne read the Health and Water and Sewer Depts.' letters into the record. Comm. Robinson questioned the bids. Comm. Timbro questioned limiting leaves to city leaves only. Comm. Loffredo questioned temporary or permanent arrangement. Dir. Fazzino clarifies. Comm. Shapiro questioned the permanency of the site condition on special exception limiting. Comm. Loffredo questioned staff regarding conditions on city leaves. Dir. Warner recommended 44.07 approval conditioned on only city leaves and department condition. Comm. Loffredo questioned monitoring. K. O'Rourke responded. Comm. Vasiliou questioned monitoring, only leaves being picked by City official. Comm. Loffredo questioned leaves on landfill. Dir. Fazzino responded. Discussion ensued. Earl Roberts discussed Conservation Commission subcommittee and their search for State permit requirements. Must State permit come first? Leachate monitoring is important. Check ground water periodically. Chm. Osborne questioned Earl Roberts regarding test groundwater. Earl Roberts responded. Discussion ensued regarding testing groundwater. Dir. Fazzino indicated no groundwater at 6 foot location is at crest at hill. Sees test no big issue. Relates use to septic systems. K. O'Rourke responded to State requirements and permits. DEP has reviewed site not registered yet. Carl Bolz recommends conditions. On motion and second by Comms. Loffredo and Shapiro the Commission closed the public hearing. Comm. Shapiro moves approval that (1) exclusively for leaves delivered by Public Works and Parks and Recreation Depts; (2) City Departmental conditions, (3) monitoring by recycling coordinator, and (4) groundwater monitoring. Comm. Loffredo seconded the motion. Vote was unanimous.

Atty. Michael Dowley explained a proposal to amend the Zoning Code text addition under Section 61.01.50 to allow a golf driving range, add Section 16.07.03A, Golf Driving Range, and modify Section 40.04.21, Off-street parking regulation. Applicant/agent Tricon International LTD/Michael F. Dowley Z93-13. He explained I-4 location and history of area, previous rezonings, uses currently permitted. Tricon's activities at the site, need cash flow. Nursery allowed but must dedicate site long term. Explains driving range why client interested in it. Chm. Osborne disqualified himself because of being adjacent to his neighborhood. Comm. Robinson takes over Chair. Atty. Dowley submitted petition supporting the change over 100 Middletown residents plus others. Midstate letter is read into the record. Explains location in relation to watershed line. Comm. Robinson read Chamber of Commerce letter into record. Applicant indicated no objection to P & Z staff amendments. Comm. Shapiro questioned Water and Sewer conditions. Atty. Dowley responded, site plan issues addressed during site plan process. Comm. Alexander questioned Tricon activities and size of parcel. Atty. Dowley responded. On motion and second by Comms. Loffredo and Halibozek the Commission closed the public hearing. Vote was unanimous. Comm. Loffredo moved for approval with Planning and Zoning Director's amendments. Motion was seconded by Comm. Halibozek. Vote was unanimous.

Comm. Robinson and the rest of the Commission congratulated Comm. Vasiliou on his appointment as Assistant Secretary of State.

ITEM 6.3  
ADOPTED ZONING  
CODE TEXT  
AMENDMENT GOLF  
DRIVING RANGE  
IN THE I-4 ZONE

V A S I L I O U  
A P P O I N T E D  
A S S I S T A N T  
S E C R E T A R Y     O F  
S T A T E

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There was no discussion with the public.

ITEM 7  
DISCUSSION WITH  
PUBLIC

Adjournment was at 8:13 P.M.

ADJOURNMENT

Respectfully submitted,

William Warner  
Planning Director

Approved at the meeting of \_\_\_\_\_.