



**REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
MIDDLETOWN CONNECTICUT
APRIL 10, 2019**

1. Pledge of Allegiance

Stephen Devoto called the meeting to order at 7:04 PM with the Pledge of Allegiance.

2. Roll Taking

Present: Commissioner Stephen Devoto
Commissioner Nicholas Fazzino
Commissioner Joyce Rossiter
Commissioner Richard Pelletier
Commissioner Elizabeth Emery
Commissioner Tyrell Brown
Absent: Commissioner Molly Salafia
Commissioner Steven Kovach
Commissioner Thom Pattavina
Commissioner Christopher Sugar
Staff: Mark DeVoe, Middletown

3. Items removed from the agenda and why

None

4. Public comment on items on agenda which are not currently scheduled for a public hearing

None

5. ZEO Certification that all public hearing signs have been properly noticed (when scheduled)

None

6. Public Hearings (when scheduled)

None

7. Old Business

None

8. New Business

- 1. Proposed Special Exception regarding Section 39.01 for change of use from a hair salon to a florist shop at 186 Main Street Extension. Applicant/agent Beni Lagana SE2019-4 (To be scheduled for a public hearing)**

Commissioner Pelletier moves to schedule a public hearing on April 24, 2019 for a proposed Special Exception regarding Section 39.01 for change of use from a hair salon to a florist shop at 186 Main Street Extension. Commissioner Rossiter seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 6 affirmative votes.

- 9. Public comment on topics which are not or have not been the subject of a public hearing**
None

10. Minutes of the Regular Meeting, Transcripts, Staff Reports and Commission Affairs

10.1 Minutes of March 27, 2019

Commissioner Rossiter moves to approve the minutes of 3/27/19. Commissioner Emery seconds the motion. Commission Devoto gave a list of corrections that he would like made. The chair calls for the vote for the approval with corrections. The chair states the matter passes unanimously with 6 affirmative votes.

10.2 Other Commission Affairs

a) River Cog

Commissioner Emery said there was no meeting and she would get back to them at next meeting.

10.3 POCD Discussion

Planner DeVoe also discussed the proliferation of the use of the special exception process and the misleading notion that special exception applications may be denied with more ease than a standard site plan application. He reviewed some of the inconsistencies in the Zoning Code and asked the Commission to report back to him at the next meeting with their thoughts and feelings. The Commission asked for clarification and some discussion ensued. Planner DeVoe stated that he would perform some research and get the information into a memo for future discussion.

The POCD process was then discussed at length.

10.4 Zoning Regulations / Text Changes

Chairman Devoto mentioned the budget request for professional development and noted

that it was not in the Mayor's proposal. He indicated that Mark informed him that Director Samolis stated the funds would be available from a different source and Chairman Devoto would confirm that with the Director.

Chairman Devoto also indicated that at a recent Common Council meeting, the Mayor announced that he would be calling for a Council vote on all matters requiring a PZC referral before submitting the matter to the PZC for a recommendation. The PZC discussed whether this was permitted under the statute. Planner DeVoe stated that it was. When asked if this was the way it was normally done, Planner DeVoe responded that he could only speak from his experience. While it has occurred in the past, the matters were typically referred before a vote at the council level. That said, there was nothing barring the Mayor from adopting this position.

Planner DeVoe discussed the commercial regulations and handed out a reformatted version of the permitted uses, and the uses permitted via special exception. He pointed out that in many cases; the uses were duplicative and inconsistent in that some uses were permitted by special exception in less restrictive zones and by right in more restrictive zones. Additionally, other uses were defined so that they would only fit the narrowest of proposals – he opined that these may have been text amendments narrowly drafted to suit a specific use on a specific lot. While not spot zoning, it is nonetheless a poor practice. He asked the Commission to review the draft tables he prepared to see if they agreed with his assessment. If so, it might make sense to review this section more closely and consider merging some the uses, and streamlining process for others.

Commissioner Emery issued some concern that word was not getting out to the public. Planner DeVoe indicated that all newspapers were provided with Press Releases – only one followed through with coverage to his knowledge. The City has posted the POCD in two places; on the front page of the website and provided approximately 5,000 copies of the announcement to the school system to be sent home in weekly information packets to notify parents. Chairman Devoto indicated that he felt the City was doing all it could in terms of outreach and added that PZC members could go a step further by taking the message with them at all levels of community interaction.

Commissioner Emery asked when the Steering Committee would be engaged further. Planner DeVoe indicated that most of the decisions thus far have been administrative and have not involved the review of information. Once the initial charrettes are over and the survey is closed out, the information will be compiled and the Consultants will begin drafting individual sections of the plan. At that time, the Steering Committee will be asked to take the matter to the PZC for review under a process known as listening sessions, where the PZC can listen to the Steering Committee's report, as well as hearing from relevant groups. The PZC can then make final recommendation to the Consultant for a final draft of the specific sections.

Chairman Devoto stated that the Commission should be cognizant of the fact that the POCD can be used to bolster a wide variety of community issues, not just land use. He provided an example of a recent conversation he had in a barber shop that revealed many in the north end would favor more street trash receptacles and better lighting. Those preferences can also be made a part of the plan.

11. Adjournment

Commissioner Rossiter moves for adjournment. Commissioner Richard Pelletier seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 6 affirmative votes.

Respectfully Submitted,

Mark DeVoe
Middletown City Planner