

Middletown Planning and Zoning Commission



Chair	Thom Pattavina ('23)	
Vice-Chair	Vacant ('25)	
Secretary	Shanay Fulton ('25)	
Members	Richard Pelletier ('23)	Marcus Fazzino ('23)
	Catherine Johnson ('23)	Sebastian Giuliano ('25)
Alternates	Kellin Atherton ('23)	
	Hillary Thompkins ('25)	Kelly Sweeney ('23)
Ex- Officio	Mayor Ben Florsheim	
	William Russo, Director of Public Works	
Staff	Marek Kozikowski, AICP, Director of Land Use	

REGULAR MEETING MINUTES

WEDNESDAY, FEBRUARY 9, 2022
Council Chambers, City Hall & Virtual on WebEx
7:00 P.M.

The meeting was held both virtually and in-person. Members of the public had access via <https://webex.com>, the WebEx application, and via telephone.

Start: 7:00 PM
End: 8:11 PM

Commissioner Giuliano chaired the meeting.

1. Pledge of Allegiance

The Pledge of Allegiance was made.

2. Roll Call

Present: Commissioner Shanay Fulton
Commissioner Catherine Johnson
Commissioner Richard Pelletier
Commissioner Sebastian Giuliano
Commissioner Marcus Fazzino
Commissioner Hillary Thompkins (Alternate) (Seated for Pattavina)
Commissioner Kellin Atherton (Alternate) (Seated for Vacancy)
Commissioner Kelly Sweeney (Alternate)

Absent: Commissioner Thom Pattavina

Staff: Marek Kozikowski, Director of Land Use
Gary Middleton, Assistant City Planner

Public: One member of the public attended into the meeting.

3. Items removed from the Agenda

Motion to amend the agenda to add item 7.3 Motion to confirm support for the appeal of The Hartford Dispensary d/b/a Root Center for Advanced Recovery v. City of Middletown, Planning and Zoning Commission
Moved by Thompkins, there was no second.
Motion fails.

Director Kozikowski noted that no items were removed from the agenda.

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

None.

5. Confirmation that all hearing signs have been properly posted

Director Kozikowski reported that no hearing signs were required for the items on the agenda.

6. Public Hearings

None.

7. Old Business

- 7.1. Approving that an Executive Session of the Planning and Zoning Commission be held pursuant to the Freedom of Information Act, Section 1-200(6)(B), for the purpose of discussing attorney-client communications involving strategy and negotiations regarding the pending litigation known as *The Hartford Dispensary d/b/a Root Center for Advanced Recovery v. City of Middletown Planning and Zoning Commission*, Docket No.: AC 210030, MMX-CV20-6029705-S, and that the following individuals are invited to attend: (1) the members and alternate members of the Planning and Zoning Commission; (2) Marek Kozikowski, Director of Land Use, (3) Gary Middletown, Assistant Planner, and (4) Christopher Forte, Assistant General Counsel.**

Motion to go to execute session of the Planning and Zoning Commission be held pursuant to the Freedom of Information Act, Section 1-200(6)(B), for the purpose of discussing attorney-client communications involving strategy and negotiations regarding the pending litigation known as *The Hartford Dispensary d/b/a Root Center for Advanced Recovery v. City of Middletown Planning and Zoning Commission*, Docket No.: AC 210030, MMX-CV20-6029705-S, and that the following individuals are invited to attend: (1) the members and alternate members of the Planning and Zoning Commission; (2) Marek Kozikowski, Director of Land Use, (3) Gary Middletown, Assistant Planner, and (4) Christopher Forte, Assistant General Counsel.

Moved by Johnson, seconded by Atherton

Passed 7-0

Entered executive session at 7:12 pm.

Exited executive session at 7:32 pm.

- 7.2. Authorization to Assistant General Counsel Christopher Forte to convey the Planning and Zoning Commission's response to *The Hartford Dispensary d/b/a Root Center for Advanced Recovery's* settlement offer.**

Motion to authorization to Assistant General Counsel Christopher Forte to convey the Planning and Zoning Commission's response to *The Hartford Dispensary d/b/a Root Center for Advanced Recovery's* settlement offer.

Moved by Thompkins, seconded by Johnson

Passed unanimously, 7-0

Motion to reconsider adding item 7.3 Motion to confirm support for the appeal of *The Hartford Dispensary d/b/a Root Center for Advanced Recovery v. City of Middletown, Planning and Zoning Commission*

Moved by Thompkins, seconded by Fazzino
Passed unanimously, 7-0

Motion to add item 7.3 Motion to confirm support for the appeal of The Hartford Dispensary d/b/a Root Center for Advanced Recovery v. City of Middletown, Planning and Zoning Commission

Moved by Thompkins, seconded by Fazzino
Passed unanimously, 7-0

7.3 [ADDED:] Motion to confirm support for the appeal of The Hartford Dispensary d/b/a Root Center for Advanced Recovery v. City of Middletown, Planning and Zoning Commission.

Motion to confirm support for the appeal of The Hartford Dispensary d/b/a Root Center for Advanced Recovery v. City of Middletown, Planning and Zoning Commission.

Moved by Johnson, seconded by Fulton
Passed unanimously, 7-0

8. New Business

8.1. Request for an affirmative GS 8-24 report for two permanent access easements to Eversource over portion of land located at Map-Lot 07-0226 Country Club Road. Applicant/agent City of Middletown/Land Use Dept. GS 8-24 2022-4

Director Kozikowski presented the application.

Motion to grant an affirmative GS 8-24 report
Moved by Fazzino, seconded by Thompkins
Passed unanimously, 7-0

8.2. Request for an affirmative GS 8-24 report for a permanent access easement to Eversource over portion of land located at Map-Lot 19-0053 Catherine Street. Applicant/agent City of Middletown/Land Use Dept. GS 8-24 2022-5

Director Kozikowski presented the application.

Motion to grant an affirmative GS 8-24 report
Moved by Fazzino, seconded by Thompkins
Passed unanimously, 7-0

8.3. Discussion on the Middletown Section of the Regional Housing Plan.

Director Kozikowski offered a list of potential strategies to address affordable housing issues in Middletown in preparation of the housing plan. The list was provided by SLR, the consultants assisting in the creation of the Regional Housing Plan and Middletown Housing Plan. The Commission discussed which strategies could be effective.

9. Public comment on topics which are not or have not been subject of a public hearing

None.

10. Minutes, Staff Reports, and Commission Affairs

10.1. Minutes of the January 26, 2022 regular meeting

Motion to approve the minutes
Moved by Johnson, seconded by Pelletier

Passed unanimously with one abstention, 6-0 (Fazzino abstained)

10.2. RiverCOG Report

No report.

10.3. Staff Reports

Director Kozikowski reported on administration, staffing, development, riverfront master planning, regional housing planning, and updates on activity of the Zoning Board of Appeals, Commission on Conservation and Agriculture, the Inland Wetlands and Watercourses Agency, and the Urban Forestry Commission.

10.4. Commission Affairs

Commissioner Fulton inquired about appointing a vice-chair.

11. Adjournment

Motion to adjourn

Moved by Fazzino, seconded by Johnson

Passed unanimously, 7-0

Submitted,

Marek Kozikowski, AICP
Director of Land Use