



**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
MIDDLETOWN CONNECTICUT
APRIL 22, 2020**

1. Roll Taking

Present: Chairman Stephen Devoto
Vice-Chairman Nicholas Fazzino
Commissioner Thom Pattavina
Commissioner Richard Pelletier
Commissioner Catherine Johnson
Commissioner Shanay Fulton (seated for M. Fazzino)
Commissioner Kellin Atherton (seated for Tyrell Brown)
Commissioner James O'Connell

Absent: Commissioner Tyrell Brown
Commissioner Marcus Fazzino

Staff/Host: Marek Kozikowski, AICP, City Planner

2. Items removed from the agenda and why

None

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

None

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

All public hearing signs have been properly noted

5. Public Hearings (when scheduled)

- 1. Proposed Special Exception for a new medical clinic use in a portion of an existing building located at 211 South Main Street in the MX zone.
Applicant/agent 211 South Main Street LLC/Robert Kempenaar II SE2020-2**

Nicholas Fazzino moves to close the public hearing. Thom Pattavina seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes.

Nicholas Fazzino moves for approval with conditions for a Special Exception for a new medical clinic use in a portion of an existing building located at 211 South Main Street in the MX

zone. Applicant/agent 211 South Main Street LLC/Robert Kempenaar II SE2020-2. Thom Pattavina seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes.

The conditions of approval are:

1. If there is a change in the type of medical office from orthopedist to another type of medical office or service, there will need to be a new application for special exception.
2. The front of the building will remain active, open and transparent. The glass of the offices and waiting area MUST remain clear and transparent, so as to enable a view into the building. The windows may not be obscured with film or any other means.
3. Floor plans for the medical clinic space should be submitted for review prior to the issuance of permits.
4. The medical clinic use should be limited to 5 practitioners and 9 employees.
5. The medical clinic use specifically excludes clinics whose principal service is mental health and/or substance abuse diagnosis and treatment.
6. The applicant should get final CT DOT approval for the improvements in the state Right of Way prior to the issuance of a certificate of occupancy.

2. Continuation of public hearing of a Petition for text amendments to Sections 61 and 40 to modify language related to prohibited uses, rooming houses and clinics in the Middletown Zoning Code. Applicant/agent City of Middletown PCD Dept. Z2020-2

Kellin Atherton moves to close the public hearing. Thom Pattavina seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes.

Richard Pelletier moves for approval for text amendments to Sections 61 and 40 to modify language related to prohibited uses, rooming houses and clinics in the Middletown Zoning Code. . Kellin Atherton seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes.

6. Old Business

None

7. New Business

1. **Request for an affirmative G.S. 8-24 for a 5 year lease agreement between the City of Middletown and Fidelux Lighting, LLC (an existing tenant) for 23,500 sq. ft. at 180 Johnson Street. Applicant/agent City of Middletown/PCD Dept. G.S. 8-24 2020-1**

Richard Pelletier moves for an affirmative G.S. 8-24 for a 5 year lease agreement between the City of Middletown and Fidelux Lighting, LLC (an existing tenant) for 23,500 sq. ft. at 180 Johnson Street. Thom Pattavina seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes.

2. **Schedule public hearing for a proposed Special Exception regarding Section 55.03 for construction of a high tunnel greenhouse at 1044 River Road. Applicant/agent Forest City Farms/Gabe Russo SE2020-3**

Nicholas Fazzino moves to schedule a public hearing for May 27, 2020 for a Special Exception regarding Section 55.03 for construction of a high tunnel greenhouse at 1044 River Road. Thom Pattavina seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes.

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

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

a. Minutes of the March 11, 2020 Meeting

Thom Pattavina moves for approval of the minutes of the March 11, 2020 meeting. Nicholas Fazzino seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes.

b. Minutes of the April 1, 2020 Meeting

Thom Pattavina moves for approval of the minutes of the April 1, 2020 meeting. Nicholas Fazzino seconds the motion. The chair calls for the vote. It is unanimous to approve with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

2. Other Commission Affairs

a. River-Cog Report

Kellin Atherton and Beth Emery provided a report of the March 23rd and April 14th RiverCOG meetings.

3. Staff Reports

Staff provided an update on the closure of City Hall.

10. Adjournment

Thom Pattavina moves for adjournment. Nicholas Fazzino seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes.

Respectfully submitted,

Marek Kozikowski, AICP
City Planner