

Middletown Planning and Zoning Commission



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

REGULAR MEETING MINUTES

WEDNESDAY, JANUARY 25, 2023
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: 8:22 PM

1. Pledge of Allegiance

The Pledge of Allegiance was made.

2. Roll Call

Present: Commissioner Marcus Fazzino
Commissioner Shanay Fulton
Commissioner Catherine Johnson
Commissioner Sebastian Giuliano
Commissioner Tyler Eckstrom (Seated for Commissioner Pattavina)
Commissioner Kelly Sweeney (Seated for Commissioner Pelletier)
Commissioner Kellin Atherton (Seated for Vacant)

Absent: Commissioner Thomas Pattavina
Commissioner Richard Pelletier

Staff: Marek Kozikowski, Director of Land Use

Public: 4 members of the public attended.

3. Items removed from the Agenda

Item 8.1 has been postponed by the applicant until the February 8th meeting.

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

All public hearing signs have been properly posted.

6. Public Hearings

6.1. Request for a special exception to construct a 10,830 SF retail establishment at 796 Saybrook Road in the MXC zone. Applicant/Agent: RM Realty, LLC. SE2023-1.

Jim Sakonchick, professional engineer, land surveyor, and designer of 796 Saybrook Road presented the application. Mr. Sakonchick began by discussing the difference in elevation on the land between Bartholomew Road and Saybrook Road and that they positioned the building and parking lot between those elevations. The entrance to the parking lot will be from Saybrook Road across from the entrance to a parking lot to an existing business. Mr. Sakonchick discussed the parking lot design to accommodate tractor trailer trucks. Drainage will go to Saybrook Road. The building design will include brick for the exterior. They will comply with all department and staff comments that were provided. The building will be 140 feet by 76 feet. He explained that this is a good location for a retail store because it will serve those in the surrounding neighborhoods who won't have to drive far for their shopping needs.

Mr. Sakonchick then spoke about EV. He explained that EV stations are not profitable and are looking to only establish one EV station instead of the two required stations. There will be 40 parking spaces.

For a side walk on Saybrook Road, there will be some challenges to overcome due to the high slope of the property.

Edward Klopfer of 490 Bartholomew expressed two concerns. One is visibility. Instead of looking at undeveloped land across the street, he'll be looking at a building. The second concern is what kind of retail store will this be and what effect will this have on traffic and the area.

Director Kozikowski read into the record an email he received from Peter Bright of 474 Bartholomew Road. Mr. Bright expressed his opposition to the special exception stating his concerns on the traffic flow, impact on other properties, and impact on residents.

Mr. Sakonchick addressed the comments presented. The logical place to put a commercial building is off a state highway to service that neighborhood. They left 80 feet of undeveloped land behind the building facing Bartholomew Road. They are proposing a line of evergreens behind the building. The proper use of the commercial building is a retail option. They tried to incorporate the concerns of the neighbors to the best of their ability into their plans.

Commissioner Fulton asked if approved, when would construction begin and what time of day would you be performing construction.

Mr. Sakonchick answered construction would start as soon as possible working Monday through Friday 7am to 5pm with an occasional Saturday.

Commissioner Fulton then asked how the lighting would be set up.

Mr. Sakonchick answered that all the parking lot lighting is dark sky compliant.

Commissioner Giuliano asked when tractor trailer deliveries will be made.

Mr. Sakonchick answered that deliveries will take place during off hours.

Commissioner Giuliano expressed his concerns of the applicant's plan to have the delivery trucks taking Coe Avenue to Saybrook Road to turn left into the parking lot. It would be easier for the trucks to come off the highway, drive up Randolph Road, turn left on Saybrook Road and then a right into the parking lot.

Mr. Sakonchick responded that they thought it was easier to take the route they proposed.

Commissioner Fazzino asked what the delivery times will be.

Rino Mozzicato answered that truck deliveries won't be more than once a week.

Commissioner Johnson asked how Mozzicato's in Hartford receives deliveries.

Rino answered deliveries are made by trucks that sometimes park on the street.

Commissioner Johnson asked what kind of retail store will be put in this location.

Rino Mozzicato answered it will be a general retail use.

Commissioner Johnson requested clarification of the placement of the parking within the MXC zone.

Director Kozikowski read the parking requirements from the Middletown Zoning Code.

Commissioner Johnson commented that the design for 796 Saybrook Road doesn't include a sidewalk. She stated that the building should be placed closer to Saybrook Road.

Director Kozikowski expressed his concerns about headlights of vehicles at night shining into the homes on Bartholomew Road.

Mr. Sakonchick responded that the headlights will be mitigated by the elevation of the property.

Director Kozikowski asked for more specifics on delivery times.

Rino Mozzicato answered deliveries will take place between 7am to 3pm.

Motion to close the public hearing.

Moved by Commissioner Giuliano, seconded by Commissioner Fulton.

Motion passed unanimously, 7-0.

Commissioner Johnson won't be supporting this application because she doesn't think the proposed use is good for that site. Also, it will be difficult to access the establishment unless you're driving. She also stated that she doesn't agree with the positioning of the building.

Commissioner Fulton will not be supporting this application. She has traffic concerns and the impact this will have on the residents.

Commissioner Giuliano will be supporting this application because this is an allowed use per the zoning code.

Commissioner Eckstrom will be supporting this application echoing Commissioner Giuliano's reason.

Director Kozikowski asked the Commission to discuss if they should waive the two EV requirement since they are only proposing one.

Commissioner Sweeney commented that the application should be required to follow the two EV requirement within this underserved community. If the Commission waives this requirement she will not be supporting this application.

Motion to approve the one EV charging station
Moved by Commissioner Giuliano, seconded by Commissioner Atherton

Commissioner Giuliano asked if it be a condition that if the applicant gets the subsidy from Eversource they have to put in two EV stations.

Commissioner Atherton wondered the same thing.

Director Kozikowski answered that if the application is approved, staff can hold off on signing the CO until they receive proof from the applicant that they tried to get a subsidy from Eversource.

Commissioner Atherton does not support waiving the two EV requirement.

Commissioner Giuliano withdraws his motion to approve the one EV charging station. Commissioner Atherton withdraws his second.

Motion to approve the special exception
Moved by Commissioner Giuliano, seconded by Commissioner Fazzino
Passed, 5-2
(In favor: Fazzino, Giuliano, Atherton, Eckstrom, Sweeney. Against: Fulton, Johnson)

Commissioner Giuliano clarified that the applicant can seek a waiver at a future date for the EV stations.

7. Old Business

7.1. Discussion on Design Guidelines for the Return to the Riverbend- Riverfront Master Plan.

Director Kozikowski stated that the consultant for the Riverfront Master Plan took in the comments from the Commission and the public from their last discussion on this project. They took those comments and provided revised design guidelines.

Commissioner Giuliano suggested scheduling a public hearing on the revised design guidelines.

Director Kozikowski suggested a public hearing for the February 22nd meeting.

Commissioner Johnson expressed her concerns that the design guidelines are more focused on the Design Review and Preservation Board and not the Planning and Zoning Commission. She noted that ziggurat style buildings are being used in the design guidelines that she does not agree with. She believes the language of the design guidelines should be simplified and that there's no master plan by this consultant that she would like to see.

Commissioner Giuliano agrees with Commissioner Johnson in that they have one shot to get these guidelines right and would be willing to work with the Design Review Board and the public on these guidelines. He wants to make sure they're doing everything right and that they're not rushing into anything.

8. New Business

None.

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

Motion to approve the January 11, 2023 meeting minutes.

Moved by Commissioner Giuliano, seconded by Commissioner Fulton.

Passed: 6-0-1 (Commissioner Fazzino abstained)

10.2. RiverCOG Report

River COG has an economic plan developed for the entire region. She would like the Commission to read it and make comments. She highlighted from the report that Middletown is a substantial employee draw.

10.3. Staff Report

There is one public hearing for the February 8th meeting, A 3-lot subdivision on Country Club Road.

10.4. Commission Affairs

None.

11. Adjournment

Motion to adjourn

Moved by Commissioner Giuliano, seconded by Commissioner Atherton

Passed Unanimously: 7-0

Submitted,

Marek Kozikowski, AICP

Director of Land Use