

PLANNING AND ZONING COMMISSION REGULAR MEETING JANUARY 9, 2002, 7:00 P.M.
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Comm. James Fortuna, Comm. George Lapadula, Comm.
Andrew Rak, Comm. Carl Bolz, Comm. John Voli, Comm.
William Wilson, Comm. John Pieper, Comm. Stephen
Shapiro

COMMISSION
MEMBERS
PRESENT

Chw. Barbara Plum, Comm. Stephen Gadowski, Mayor
Domenique Thornton, Ex-Officio, Dir. P.W. Salvatore
Fazzino, Ex-Officio

COMMISSION
MEMBERS
ABSENT

William Warner, Director, Wayne Bell, Zoning Enforcement
Officer, Thomas Nigosanti, Chief Engineer

STAFF

There were approximately thirty-five (35) members of the public.
There is a word for word tape recording of the meeting on file and
available in the Planning Office.

PUBLIC

Earle Roberts spoke in regard to the former Courthouse demolition
and the Vacant Buildings Committee.

ITEM 2
DISCUSSION WITH
PUBLIC ON ITEMS
ON AGENDA

Robert Fusari, President of Tuttle Road Associates, explained the
proposal to create three lots, agreed to all departmental comments,
commented on the Police Department letter and feels it meets all
sightlines. He commented on the Fire Department condition and
explained other open space areas in a previous nine lot subdivision.
From the public, D. Tinner indicated the developer never told them
this land would be developed. L. Spaulder lives across the street
and is concerned about traffic and resale value. T. Uselo commented
about misrepresentation by the realtor and on traffic. R. Boyce and
A. Fletcher had concerns about traffic on the curve and, in bad
weather, serious safety concerns and indicated that the radon level
is very high. Michael Anderson submitted a letter and read it into
the record. L. Boyce submitted a letter and read it into the record.
Colleen Head submitted a petition in opposition, submitted pictures
to the Commission and commented on the premium price paid
for adjoining lots. A. Tory spoke in opposition and read a letter
from his wife into the record. H. Girashivicz spoke in opposition
and referred to the Anderson's report. R. Alexander spoke in
opposition, feels the open space is inaccessible and that there
are misrepresentations of the open space. D. Head commented on
traffic and fire department concerns. E. Stumpo indicated his
opposition. J. Davis is opposed to the development. M. O'lisk is
opposed. The public commented on forest fires. D. Stevenson
is opposed. Robert Fusari asked that the meeting be continued
to address the public's comments. Comm. Andrew Rak had
questions. On motion and second by Comms. Stephen Shapiro
and Andrew Rak the Commission continued the public hearing
for a proposed three (3) lot resubdivision of property located on
the south side of Tuttle Road adjacent to Morning Glory Drive
in The Meadows at Riverbend Subdivision. Vote was unanimous.
Applicant/agent Tuttle Road Associates S2001-23

ITEM 2b.1
CONTINUED P.H.
FOR A PROPOSED
THREE (3) LOT RE-
SUBDIVISION OF
PROPERTY LOCATED
ON THE SOUTH
SIDE OF TUTTLE
ROAD ADJACENT
TO MORNING GLORY
DRIVE IN THE
MEADOWS AT
RIVERBEND SUB-
DIVISION

Tom Hibbard, an architect, requested a continuation. On motion and
second by Comms. Stephen Shapiro and William Wilson the Com-

ITEM 2b.2
CONTINUED P.H.

mission continued the public hearing for a proposed Special Exception for an adaptive historic re-use to convert an existing business to a new use as a residence/business at 53 Warwick Street. Vote was unanimous. Applicant/agent Lee Godburn SE2001-8

FOR A PROPOSED SPECIAL EXCEPTION FOR AN ADAPTIVE HISTORIC RE-USE TO CONVERT AN EXISTING BUSINESS TO A NEW USE AS A RESIDENCE/BUSINESS AT 53 WARWICK STREET

Mike Looram explained the proposal for the five lot subdivision. Comm. George Lapadula questioned the Wetlands timing and spoke at length. Brian Sarisley, the developer, spoke and apologized to the Commission. Discussion ensued on the timing of the application. The applicants agreed to an extension of the public hearing. On motion and second by Comms. John Pieper and William Wilson the Commission continued the public hearing for a proposed five (5) lot resubdivision with a Special Exception for two rear lots of the property of Peter Bushnell located at the end of Sachem Drive and adjacent to the Hunt Club to be known as Bear Pond and a request for a waiver of Section 5.19.12 Driveway in the Subdivision Regulations until February 13, 2002. Vote was unanimous. Applicant/agent Bricon Custom Homes S2001-24

ITEM 2b.3
CONTINUED P.H.
FOR A PROPOSED FIVE LOT RESUBDIVISION WITH A SPECIAL EXCEPTION FOR TWO REAR LOTS OF THE PROPERTY OF PETER BUSHNELL LOCATED AT THE END OF SACHEM DRIVE AND ADJACENT TO THE HUNT CLUB TO BE KNOWN AS BEAR POND UNTIL 2/13/02

William Warner explained the proposal. Comm. Stephen Shapiro suggested that the item be reviewed by the City Attorney. Comm. Carl Bolz questioned the wording, feels written approval is too strong and feels the Inland Wetlands Agency should be incorporated. Comm. Andrew Rak questioned the written approval. L. Buck spoke at length regarding the legality of the changes and the staffs' ability. Eleanor Kelsey commented on legality. Ann Bickford questioned procedure. Eleanor Kelsey and L. Buck continued. On motion and second by Comms. Stephen Shapiro and John Pieper the Commission continued the public hearing for proposed amendments to Section 55.01 of the Zoning Code and Section 2.05 of the Subdivision Regulations Site Plan Review Requirement. Comm. George Lapadula requested that the City Attorney be present at the next meeting to explain. Vote was unanimous. Proponent PCD Dept. S2001-

ITEM 2b.4
CONTINUED P.H.
FOR PROPOSED AMENDMENTS TO SECTION 55.01 OF THE ZONING CODE AND SECTION 2.05 OF THE SUBDIVISION REGULATIONS SITE PLAN REVIEW APPROVAL REQUIREMENT

On motion and second by Comms. Stephen Shapiro and George Lapadula the Commission granted Final Approval of Moss Glen (Lots 199-208) in Section 3, Phase 4 of The Meadows at Riverbend with the condition that a cash bond in the amount of \$65,000 be posted. Vote was unanimous. Applicant/agent Tuttle Road Associates/Robert C. Fusari,

ITEM 3.1
GRANTED FINAL APPROVAL OF MOSS GLEN (LOTS 199-208) IN SECTION 3, PHASE 4 OF THE MEADOWS

President S93-3

On motion and second by Comms. Stephen Shapiro and George Lapadula the Commission granted a reduction of the cash bond to \$28,000 for Phases II, III, IV, and V of the Russell Ridge Subdivision located off East Street. Vote was unanimous. Applicant/agent Ameritage Construction Corp./Thaddeus P. Bysiewicz S91-9

Brigham Metcalfe, the applicant, explained the letter from the State of Connecticut Department of Transportation. On motion and second by Comms. Stephen Shapiro and George Lapadula the Commission granted a two (2) year extension of the Site Plan Approval for the Connecticut Beverage Mart plaza located at 955 Washington Street. Vote was unanimous. Applicant/agent 3127 Berlin Turnpike Associates/Brigham S. Metcalfe SE95-6

A motion to table a Request for G.S. 8-24 Review for demolition of the former Court House building located at 265 deKoven Drive was made by Comm. George Lapadula and seconded by Comm. Andrew Rak. The Commission requested that the City Attorney attend the next meeting. Vote was unanimous. Applicant/agent City of Middletown Public Works Department/Salvatore C. Fazzino, Director

On motion and second by Comms. George Lapadula and Stephen Shapiro the Commission scheduled a public hearing of February 13, 2002 for a proposed twenty-two (2) lot re-subdivision of the property of Grace K. Harmon, Marion K. Seifert and Isabel K. Wimler located on the west side of Arbutus Street adjacent to Cranberry Lane Estates to be known as Kelsey Estates. Vote was unanimous. Applicant/agent George Smilas, P.E., L.S. S2001-25

AT RIVERBEND

ITEM 3.2
GRANTED A REDUCTION OF THE CASH BOND FOR PHASES II, III, IV, AND V OF THE RUSSELL RIDGE SUBDIVISION LOCATED OFF EAST STREET

ITEM 3.3
GRANTED A TWO YEAR EXTENSION OF THE SITE PLAN APPROVAL FOR THE CONNECTICUT BEVERAGE MART PLAZA LOCATED AT 955 WASHINGTON STREET

ITEM 4.1
TABLED A REQUEST FOR G.S. 8-24 REVIEW FOR DEMOLITION OF THE FORMER COURT HOUSE BUILDING LOCATED AT 265 DEKOVEN DRIVE

ITEM 4.2
SCHEDULED P.H. 2/13/02 FOR A PROPOSED TWENTY-TWO LOT RESUBDIVISION OF THE PROPERTY OF GRACE K. HARMON, MARION K. SEIFERT AND ISABEL K. WIMLER LOCATED ON THE WEST SIDE OF ARBUTUS STREET ADJACENT TO CRANBERRY LANE ESTATES TO BE KNOWN AS KELSEY

On motion and second by Comms. Stephen Shapiro and George Lapadula the Commission scheduled a public hearing date of February 13, 2002 for a proposed two (2) lot resubdivision of the property of Grace K. Harmon, Marion K. Seifert and Isabel K. Wimler located on the north side of Kelsey Street near the intersection with Arbutus Street adjacent to the Arbutus Plains Subdivision. Vote was unanimous. Applicant/agent George Smilas, P.E., L.S. S2001-26

A motion to approve the minutes of the December 12, 2001 meeting was made by Comm. George Lapadula and seconded by Comm. Andrew Rak. The motion passed with Comms. Stephen Shapiro and John Voli abstaining.

On motion and second by Comms. George Lapadula and Andrew Rak the Commission approved the Zoning Enforcement Officer's Report with some modifications. Vote was unanimous.

There was no discussion.

A motion to adjourn at 9:30 p.m. was made by Comm. George Lapadula and seconded by Comm. Andrew Rak. Vote was unanimous.

Respectfully submitted,

William Warner, AICP
Director of Planning, Conservation and Development

ESTATES

ITEM 4.3
SCHEDULED P.H.
2/13/02 FOR A PRO-
POSED TWO LOT
RESUBDIVISION
OF THE PROPERTY
OF GRACE K. HAR-
MON, MARION K.
SEIFERT AND
ISABEL K. WIMLER
LOCATED ON THE
NORTH SIDE OF
KELSEY STREET
NEAR THE INTER-
SECTION WITH
ARBUTUS STREET
ADJACENT TO THE
ARBUTUS PLAINS
SUBDIVISION

ITEM 5.1
APPROVED THE
MINUTES OF
THE 12/12/01
MEETING

ITEM 5.2
ACCEPTED THE
ZEO REPORT
AS AMENDED

ITEM 6
DISCUSSION
WITH PUBLIC

ITEM 7
ADJOURNMENT