

PLANNING AND ZONING COMMISSION REGULAR MEETING JANUARY 10, 2001, 7:30 P.M. PAGE
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Chm. William Holley III, Comm. James Fortuna, Comm.
Corrine Dorsey, Comm. George Lapadula, Comm. Andrew
Rak, Comm. David Roane, Comm. John Voli

COMMISSION
MEMBERS
PRESENT

Comm. Barbara Plum, Comm. Carl Bolz, Comm. Stephen
Gadomski, Domenique Thornton, Ex-Officio, Dir. P.W.
Salvatore Fazzino, Ex-Officio

COMMISSION
MEMBERS
ABSENT

William Warner, Director, Thomas Nigosanti, Chief Engineer

STAFF

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

PUBLIC

Lawrence Buck commented on the Plan of Development.

ITEM 2
DISCUSSION WITH
PUBLIC ON ITEMS
ON AGENDA

Frank Magnotta explained the proposal for a 10,000 square foot
addition. Eleanor Kelsey raised a point of order. Comm. David
Roane questioned comments from the departments. Frank Mag-
notta responded. Chm. William Holley questioned traffic. Frank
Magnotta responded. William Warner summarized and recom-
mended approval. A motion to grant Site Plan Approval to
construct a 10,000 square foot addition to the Habasit ABT, Inc.
building located at 150 Industrial Park Road with the condition
that all departmental comments be addressed was made by Comm.
George Lapadula and seconded by Comm. John Voli. Chm. William
Holley commented on the process. The motion passed unanimo-
usly. Applicant/agent Habasit ABT, Inc./Frank Magnotta, Bascom/
Magnotta, Inc. SPR99-17

ITEM 2a
GRANTED SITE
PLAN APPROVAL
TO CONSTRUCT
A 10,000 SQUARE
FOOT ADDITION
TO THE HABA-
SIT ABT, INC.
BUILDING LO-
CATED AT 150
INDUSTRIAL
PARK ROAD

Comm. James Fortuna read the public hearing legal notice into the
record. William Warner summarized. Philip Armetta explained the
status. A. Rasch questioned toxic waste and burning waste. Arline
Rich, Westfield Residents for Rational Development of Middletown,
Inc., read a prepared statement into the record and summarized her
concerns on gates. Philip Armetta explained the site plan and the
proposal using Sheet #2. No one else from the public spoke. Philip
Armetta summarized, reacted to Westfield Residents for Rational
Development of Middletown, Inc., issues and spoke against the
group. Comm. George Lapadula asked for order. Chm. William
Holley called for order. Comm. Andrew Rak questioned gates.
Philip Armetta responded. Comm. David Roane questioned various
concerns and Section 44. Philip Armetta responded. On motion and
second by Comms. David Roane and George Lapadula the Com-
mission closed the public hearing. Vote was unanimous. A motion
to grant a Special Exception to convert an existing vacant building
at 80 Industrial Park Road to a solid waste transfer station with the
condition that all departmental comments be addressed was made
by Comm. David Roane and seconded by Comm. George Lapadula.
Comm. David Roane spoke in support. Comm. Andrew Rak
spoke in support. Comm. John Voli questioned staff. William
Warner responded. The motion passed unanimously. Applicant/

ITEM 2b.1
GRANTED A
SPECIAL EXCEP-
TION TO CON-
VERT AN EXIST-
ING VACANT
BUILDING AT 80
INDUSTRIAL
PARK ROAD TO
A SOLID WASTE
TRANSFER STA-
TION

agent Dainty Rubbish Service, Inc., Michael Armetta/HRP
Associates, Inc., Joseph Magdol, P.E. SE2000-5

Ted Jackowiak and Pearalina Jackson explained the proposal, the location, and the history of the property. Chm. William Holley questioned the use of the property. Ted Jackowiak submitted a letter from Super Stop N' Shop. Discussion ensued on parking. William Warner commented on the package store and the loss of non-conforming uses. Chm. William Holley questioned the plan. William Warner commented on the requirements. Comm. John Voli questioned the site plan. William Warner responded. Pearalina Jackson questioned the site plan. Chm. William Holley responded. From the public, T. Brown spoke in support of the church. On motion and second by Comms. David Roane and Corrine Dorsey the Commission closed the public hearing. Vote was unanimous. Ted Jackowiak commented on the adequacy of the plan. A motion to grant a Special Exception to convert a vacant building in the TD zone at 453-455 East Main Street to a new use as a church with the condition that all departmental comments be addressed and that a map of the surrounding area be submitted was made by Comm. David Roane and seconded by Comm. George Lapadula. Comm. Andrew Rak spoke in support, especially to get rid of the package store. Chm. William Holley spoke in support of the use, expressed technical concerns regarding traffic patterns and the intersection and indicated he couldn't vote in favor. Comm. David Roane spoke in support. Chm. William Holley responded. Comm. Andrew Rak questioned staff. William Warner responded. Comm. George Lapadula commented and suggested conditional approval that the applicants submit a copy of the surrounding area. The motion passed with Chm. William Holley opposed and Comms. David Roane, George Lapadula, Corrine Dorsey, James Fortuna, Andrew Rak and John Voli in favor. Applicant/agent Pearalina Jackson/T.F. Jackowiak SE2000-6

ITEM 2b.2
GRANTED A
SPECIAL EXCEP-
TION TO CON-
VERT A VACANT
BUILDING IN
THE TD ZONE AT
453-455 EAST
MAIN STREET TO
A NEW USE AS A
CHURCH

The Commission took a five minute break.

On motion and second by Comms. George Lapadula and David Roane the Commission agreed to limit the speakers to five minutes. Atty. Philip Karpel summarized the issue of a through street versus a cul-de-sac and explained the proposed revisions. Frank Magnotta explained the revisions for two cul-de-sacs. Atty. Philip Karpel commented on the waiver requirement. From the public, D. Lemon spoke in support of two cul-de-sacs. Comm. George Lapadula commented on the safety issue and the need for thru Road. He felt a comment from Hunter's Ambulance was needed. A member of the public had concerns regarding the through road. Comm. James Fortuna questioned sidewalks. William Warner responded. Comm. Andrew Rak questioned other land. Frank Magnotta explained the conceptual plan. Comm. John Voli questioned the Water and Sewer Departmental comment. Comm. David Roane questioned the Fire Departmental comment. Atty. Philip Karpel feels from a planning perspective a through road makes more sense. On motion and second by Comms. George Lapadula and Corrine Dorsey the Commission closed the public

ITEM 2b.3
GRANTED PRE-
LIMINARY AP-
PROVAL OF A
SEVENTEEN (17)
LOT RESUBDIVI-
SION OF THE PRO-
PERTY OF KENT
SCULLY LOCATED
ON THE NORTH
SIDE OF CONG-
DON STREET BE-
TWEEN NEW-
FIELD STREET AND
RIDGEWOOD ROAD
TO BE KNOWN AS
SADDLE HILL,
PHASE II

hearing. Vote was unanimous. A motion to grant preliminary approval of a seventeen (17) lot resubdivision of the property of Kent Scully located on the north side of Congdon Street between Newfield Street and Ridgewood Road to be known as Saddle Ridge, Phase II was made by Comm. John Voli and seconded by David Roane. Comm. Andrew Rak requested clarification. Comm. John Voli indicated a double cul-de-sac. Comm. George Lapadula wanted a better explanation from Emergency Services. William Warner explained. Comm. John Voli withdrew the previous motion. A motion to have double cul-de-sacs was made by Comm. John Voli. Comm. Andrew Rak spoke in support. Comm. David Roane questioned Comm. George Lapadula on tabling. Comm. Corrine Dorsey questioned William Warner, who responded. Chm. William Holley clarified. A motion to grant preliminary approval with double cul-de-sacs was made by Comm. John Voli and seconded by Comm. George Lapadula. The motion passed with Comm. George Lapadula opposed and Chm. William Holley, Comm. John Voli, Comm. Andrew Rak, Comm. David Roane, Comm. Corrine Dorsey, and Comm. James Fortuna in favor. Applicant/agent Daybreak Corp./Bascom/Magnotta, Inc. S2000-16

Atty. Dean Thomasson explained the proposal. Dan Carter, engineer, explained the subdivision plans. Chm. William Holley questioned staff. William Warner responded. Atty. Dean Thomasson continued on cluster versus conventional. Chm. William Holley questioned procedure. Dan Carter continued explaining the proposal, conventional subdivisions and the wetlands approval. R. Eigen commented on the proposal and its relation to the Plan of Development and the cluster regulations. A. Ness, a traffic engineer, commented on the proposal and indicated there was no significant difference between cluster and conventional. Comm. Andrew Rak questioned the Police Departmental comment. Dan Carter responded and indicated there was objection to the departmental comments. Comms. James Fortuna and Corrine Dorsey questioned the departmental comments. Comm. David Roane questioned the need for a traffic signal. A. Ness indicated a signal is warranted at the intersection of Country Club Road and East Street. Discussion ensued on the comment. Chm. William Holley questioned the average lot size and the percentage of open space. Dan Carter responded. Comm. Andrew Rak questioned open space. Atty. Dean Thomasson indicated that the Conservation Commission was in favor of the cluster. From the public, R. Simmons read a letter from Stanley Bysiewicz opposing the subdivision plan and continued speaking with regard to storm water runoff and the existing problem on his property. Comm. David Roane questioned R. Simmons. A. Rasch questioned access to the open space, the detention ponds and traffic. Eleanor Kelsey commented on accepted city streets. Comm. George Lapadula commented on herbicides, pesticides, past uses and drainage. E. Bogdan commented regarding storm drainage and feels the open space is wetlands. Charlotte McCoid is concerned about storm drainage and feels the Commission should look at the entire area as a whole watershed. Ann Bickford, Westfield Residents for Rational Development of Middletown, Inc., expressed drainage concerns and supports

ITEM 2b.4
CONTINUED P.H.
FOR A PROPOSED
39 LOT RESUB-
DIVISION WITH A
SPECIAL EXCEP-
TION FOR OPEN
SPACE CLUSTER
DEVELOPMENT OF
THE PROPERTY OF
TINA TOMASSETTI
LOCATED AT 99
EAST STREET TO BE
KNOWN AS COUN-
TRY HILL

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the cluster concept. She is concerned about access to the open space, feels Lot #33 should be the access to the open space and spoke at length on cluster. Comm. David Roane questioned Ann Bickford on open space. A motion to extend the meeting past 11:15 p.m. was made by Comm. John Voli and seconded by Comm. David Roane. The motion failed with Comms. Andrew Rak, David Roane and Corrine Dorsey in favor and Chm. William Holley, Comm. James Fortuna, Comm. John Voli, and Comm. George Lapadula opposed. On motion and second by Comms. David Roane and John Voli the Commission continued the public hearing for a proposed 39 lot resubdivision with a Special Exception for open space cluster development of the property of Tina Tomassetti located at 99 East Street to be known as Country Hill. Vote was unanimous. Applicant/agent The Ravenswood Company, LLC/Conklin & Soroka, Inc. S2000-17

The Commission tabled a proposed Special Exception for a wireless communication facility to be located at 290 Preston Avenue. Vote was unanimous. Applicant/agent AT&T Wireless Services, PCS, LLC/Cuddy & Feder & Worby LLP SE2000-7

The Commission tabled a proposal to adopt Chapter 1 Introduction, Chapter 2 Demographics, Chapter 3 Land Use and Zoning, Chapter 4 Housing, Chapter 5 Industry and Employment, and Chapter 6 Downtown and Retail Development of the proposed Plan of Conservation and Development. Vote was unanimous. Proponent P&Z Comm.

This item was pulled from the agenda.

The Commission tabled a request for release of the cash bond for The Hunt Club Subdivision. Vote was unanimous. Applicant/agent D'Amato Bros. Builders & Developers/Louis J. D'Amato S87-44

ITEM 2b.5
TABLED PROPOSED SPECIAL EXCEPTION FOR A WIRELESS COMMUNICATION FACILITY TO BE LOCATED AT 290 PRESTON AVENUE

ITEM 2b.6
TABLED PROPOSAL TO ADOPT CHAPTER 1 INTRODUCTION, CHAPTER 2 DEMOGRAPHICS, CHAPTER 3 LAND USE AND ZONING, CHAPTER 4 HOUSING, CHAPTER 5 INDUSTRY AND EMPLOYMENT, AND CHAPTER 6 DOWNTOWN AND RETAIL DEVELOPMENT OF THE PROPOSED PLAN OF CONSERVATION AND DEVELOPMENT

ITEM 3.1
PULLED FROM AGENDA

ITEM 3.2
TABLED A REQUEST FOR RE-

This item was pulled from the agenda.

LEASE OF THE
CASH BOND FOR
THE HUNT CLUB
SUBDIVISION

ITEM 3.3
PULLED FROM
AGENDA

The Commission tabled a request for release of the cash bond for the Laurel Grove Subdivision. Applicant/agent Larsen, St. John & Johnson, P.C./Atty. Walter G. Johnson, Jr. PRDI

ITEM 3.4
TABLED A REQUEST
FOR RELEASE OF
THE CASH BOND
FOR THE LAUREL
GROVE SUB-
DIVISION

This item was pulled from the agenda.

ITEM 3.5
PULLED FROM
AGENDA

This item was pulled from the agenda.

ITEM 3.6
PULLED FROM
AGENDA

The Commission took no action on a proposed two lot resub-division of the estate of Stanley Boniewski located on the west side of Higby Road. Applicant/agent Andrew Chiaravallo, Executor S2000-18

ITEM 4.1
NO ACTION TAKEN
ON A PROPOSED
TWO LOT RESUB-
DIVISION OF THE
ESTATE OF STAN-
LEY BONIEWSKI
LOCATED ON
THE WEST SIDE
OF HIGBY ROAD

The Commission took no action on a proposed Special Exception to create a fifty (50) foot lot in the RPZ zone at 307 Ridge Road. Applicant/agent Bennett & Smilas Engineering, Inc./Michael J. Bennett SE2000-8

ITEM 4.2
NO ACTION TAKEN
ON A PROPOSED
SPECIAL EXCEP-
TION TO CREATE
A FIFTY (50) FOOT
LOT IN THE RPZ
ZONE AT 307 RIDGE
ROAD

The Commission accepted withdrawal of a proposed Zoning Code text amendment to add Section 61.01.56 Stone Fabrication in the IT zone as a permitted use. Vote was unanimous. Applicant/agent Stone Resources, LLC/Michael F. Dowley & Associates Z2000-6

ITEM 4.3
ACCEPTED WITH-
DRAWAL OF A
PROPOSED ZON-
ING CODE TEXT
AMENDMENT TO
ADD SECTION
61.01.56 STONE
FABRICATION IN

The Commission took no action on a proposed Special Exception for multi-family dwellings to be located on the west side of George Street between Washington Street and Boston Road to be known as Nohl Crest. Applicant/agent Landmark Development Group, LLC/Michael F. Dowley, Esq. SE2000-9

THE IT ZONE AS A
PERMITTED USE

ITEM 4.4
NO ACTION
TAKEN ON A
PROPOSED SPECIAL EXCEPTION
FOR MULTI-FAMILY DWELLINGS TO BE LOCATED ON THE WEST SIDE OF GEORGE STREET BETWEEN WASHINGTON STREET AND BOSTON ROAD TO BE KNOWN AS NOHL CREST

On motion and second by Comms. David Roane and George Lapadula the Commission approved the minutes of the December 13, 2000 meeting. Vote was unanimous.

ITEM 6.1
APPROVED THE
MINUTES OF
THE 12/13/00
MEETING

The Commission tabled the Zoning Enforcement Officer's Report.

ITEM 6.2
TABLED ZEO
REPORT

Lawrence Buck commented on departmental comments. Arline Rich commented on the procedures for meetings.

ITEM 7
DISCUSSION
WITH PUBLIC

Adjournment was at 11:11 P.M.

ITEM 8
ADJOURNMENT

Respectfully submitted,

William Warner
Director of Planning, Conservation and Development