

PLANNING AND ZONING COMMISSION REGULAR MEETING JANUARY 23, 2008, 7:00 P.M. PAGE 1 OF 6

Comm. Les Adams, Comm. James Fortuna, Comm. Deborah Kleckowski, Comm. Richard Pelletier, Comm. Catherine Johnson, Comm. Quentin W. Phipps, Comm. Matthew Lesser, Comm. Ronald Borelli

MEMBERS
PRESENT

Chw. Barbara Plum, Comm. Cynthia Jablonski, Mayor Sebastian N. Giuliano, Ex-Officio, Asst. Dir. P.W. Robert Dobmeier, Ex-Officio

MEMBERS
ABSENT

William Warner, Director, Bruce Driska, Zoning Enforcement Officer, Matt Dodge, Planning Environmental Specialist

STAFF

There were approximately ten (10) members of the public present. There is a word for word tape recording of the meeting on file and available in the Planning Office.

PUBLIC

No one from the public spoke.

ITEM 2
DISCUSSION
WITH PUBLIC

On motion and second by Comms. James Fortuna and Matthew Lesser the Commission tabled a proposed Site Plan Review to construct two commercial buildings to include a pharmacy with a Special Exception for a drive-thru to be located on the site of the former Old Mill Wayside furniture store on the south side of Washington Street near West Street. Vote was unanimous. Applicant/agent Old Mill Crossing, LLC SE2007-18

ITEM 3.1
TABLED A PRO-
PROPOSED SITE
PLAN REVIEW
TO CONSTRUCT
TWO COMMERCIAL BUILDINGS
TO INCLUDE A
PHARMACY
WITH A SPECIAL
EXCEPTION FOR
A DRIVE-THRU
TO BE LOCATED
ON THE SITE OF
THE FORMER
OLD MILL WAY-
SIDE FURNITURE
STORE ON THE
SOUTH SIDE OF
WASHINGTON
STREET NEAR
WEST STREET

Atty. Michael Dowley presented the proposal. Comm. Catherine Johnson commented on the placement of garages on each site plan. No one from the public spoke. On motion and second by Comms. James Fortuna and Deborah Kleckowski the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. James Fortuna and Deborah Kleckowski the Commission granted final ap-

ITEM 3.2
GRANTED
FINAL AP-
PROVAL OF
A TWO (2)
LOT RESUB-

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proval of a two (2) lot resubdivision of the property of Middletown Elks Home Corporation located between Clew Drive, Maynard Street, Saybrook Road and Tryon Street. Vote was unanimous. Applicant/agent Middletown Elks Home Corporation/Michael F. Dowley & Associates S2007-10

DIVISION OF
THE PROPERTY
OF MIDDLE-
TOWN ELKS
HOME COR-
PORATION LO-
CATED BE-
TWEEN CLEW
DRIVE, MAY-
NARD STREET,
SAYBROOK
ROAD AND
TRYON STREET

Atty. Robin Messier Pearson presented the proposal and discussed on-site parking issues and the alternative parking layout. Comm. Matthew Lesser questioned what the parking breakdown would be for the units within Building #7. Atty. Robin Messier Pearson indicated she would get that information. Comm. Quentin Phipps questioned how many parking spaces would there be without these. Comm. Catherine Johnson questioned the status of Building #6. Atty. Robin Messier Pearson indicated it would be constructed shortly. Comm. Matthew Lesser asked how many parking spaces are there currently. Atty. Robin Messier Pearson indicated she would get that for him. Mark Vertucci of Fuss & O'Neil discussed traffic and parking standards for the site. Dan Copeland, Manager of Riverstone Residential, discussed his experience with parking in complexes such as the one proposed. Comm. Catherine Johnson questioned if those developments included a clubhouse. Dan Copeland indicated yes. Comm. Richard Pelletier discussed disabled parking and if any spaces were accessible. George Smilas addressed the locations of handicapped parking and indicated they are within American Disabilities Act requirements. Atty. Robin Messier Pearson addressed Comm. Matthew Lesser's question and indicated there currently 398 parking spaces. She reminded the commission that they are to vote solely on whether or not these proposed twenty-four (24) units will have a significant impact. Mark Vertucci explained the safety of the boulevard. Comm. Ron Borelli indicated he would like a map of the setback requirements for all of the buildings and feels the proposal doesn't meet the requirements as a stand alone unit. Atty. Robin Messier Pearson questioned within the context of the approved layout, is the seventh building creating an issue. Comm. Ron Borelli indicated that adding forty-three (43) units to a plan with no sidewalks is a safety issue. George Smilas pointed out the sidewalks on the site plan. Mark Vertucci discussed the traffic report and site access. Comm. Matthew Lesser questioned the 398 approved parking spaces and what the options are. Atty. Robin Messier Pearson indicated there would be two (2) spaces per

ITEM 3.3
CLOSED P.H.
FOR A PRO-
POSED SPECIAL
EXCEPTION TO
CONSTRUCT
BUILDING #7
AS PART OF THE
NOHL CREST III
MULTI-FAMILY
DWELLINGS LO-
CATED OFF
GEORGE STREET
AND PLACED
THE ITEM UN-
DER OLD
BUSINESS AT
THE NEXT
MEETING

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unit or 421 total, which would be three (3) more than originally proposed. Comm. Catherine Johnson questioned if Building #7 was approved in 2002. Atty. Robin Messier Pearson indicated that it did not exist on the plan. Henry Withers, a landscape architect, discussed the landscape plan for Building #7. From the public, Linda Tencza, 228 George Street, had issues with traffic problems. Ray Gioco, 221 George Street, spoke against the proposal. Comm. Matthew Lesser questioned the detention basin and if this proposal would decrease safety around the basin. William Mozdziesz, 139 George Street, had concerns. Comm. Deborah Kleckowski questioned if those concerns had been addressed directly to Glenn Russo. William Mozdziesz indicated that that hadn't happened in the past. Diane Mozdziesz had issues with trash from the development. Comm. Ron Borelli questioned if a buffer strip would help. Diane Mozdziesz indicated yes. Laurie, a resident of Woodgate Condominiums, questioned slope stabilization. Atty. Robin Messier Pearson addressed the sewer issue and detention basin. Comm. Ron Borelli questioned the sewer line and the water main easement. George Smilas indicated that the easement is not on the property and indicated the sewer line would be eight (8) inches on site and not ten (10) inches. Comm. Matthew Lesser questioned pervious pavement. George Smilas indicated it would not be appropriate due to heavy usage and sand on the site. Mark Vertucci addressed the public's traffic questions/issues. Comm. Deborah Kleckowski questioned how long and when the traffic study was conducted. Mark Vertucci explained. Comm. Matthew Lesser questioned the total impact of the entire development. Mark Vertucci explained it would be adding sixteen (16) in the morning and thirty-one (31) in the afternoon. Comm. James Fortuna questioned how they would know when people leave. Mark Vertucci indicated that those were ITE standards. Glenn Russo addressed the comments from the public. Comm. Matthew Lesser questioned fencing around the detention pond and construction issues. Glenn Russo indicated he is interested in talking to any neighbor as it relates to the site and that he wouldn't have any objection to placing a four (4) foot fence around the drainage swale. Comm. Matthew Lesser questioned the impact of construction and animals. Glenn Russo indicated that the property boundaries would be policed on a daily basis and that complaints with the contractors regarding trash being thrown onto the neighbors' property would be addressed. Comm. Les Adams questioned if Glenn Russo would be receptive to discussing the concerns with the neighbors. Comm. Richard Pelletier questioned if there is a north line of site issue that needs to be addressed. Mark Vertucci indicated the 480 feet would be created after the grading is completed. Atty. Robin Messier Pearson reviewed all documentation re-

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garding the proposal. Comm. Ron Borelli questioned if a buffer strip was approved. Atty. Robin Messier Pearson indicated that they had not done anything different. Glenn Russo indicated that any trees that were approved on the original site plan are on this plan also and stated that he had no problem with adding a ten (10) foot buffer strip. Comm. James Fortuna questioned if Mr. Ray Gioco would be given the white pine trees to block the light. Glenn Russo indicated that he would discuss that with Mr. Gioco. Comm. Catherine Johnson questioned if this plan was over seven (7) years old and why Building #7 is there. Glenn Russo indicated that it would have a minimal impact to the neighbors. Comm. Catherine Johnson indicated that she would like to see alternative locations for Building #7. Henry Withers explained the placement of Building #7 from a landscape design perspective. Comm. Ron Borelli indicated he would like to see consideration given to the people of George Street. William Warner indicated the Commission needed more level of comfort and that an approval would have to have specific conditions. He noted that conditions of approval can be prepared for the next meeting. Comm. Matthew Lesser questioned how the Commission could enforce any conditions. William Warner indicated that if the conditions have not been complied with, the certificate of occupancy can be withheld. Comm. Quentin Phipps questioned what commitments have been made to the neighbors. Glenn Russo indicated that he has not committed to anything with the neighbors. Comm. Matthew Lesser noted that he could apply for a traffic light and a stop sign, remove all trash and install a fence around the basin. Glenn Russo indicated yes and also add a ten (10) foot buffer. Comm. Matthew Lesser questioned what solutions would there be for the paddock area. William Warner indicated landscaping and a fence would be needed. Discussion ensued regarding the stipulations. Comm. Quentin Phipps felt that the lot near the clubhouse could be eliminated. On motion and second by Comms. James Fortuna and Deborah Kleckowski the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. James Fortuna and Richard Pelletier the Commission placed a proposed Special Exception to construct Building #7 as part of the Nohl Crest III multi-family dwellings located off George Street on the next agenda under Old Business. Vote was unanimous. Applicant/agent Shipman, Sosensky, Randich & Marks, LLC/Atty. Robin Messier Pearson SE2007-8

On motion and second by Comms. James Fortuna and Matthew Lesser the Commission accepted withdrawal of a proposed Zoning Code text amendment to modify Section

ITEM 3.4
ACCEPTED
WITHDRAWAL

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39C.02 Substance Abuse Mental Health Overlay Zone Applicability. Vote was unanimous. Applicant/agent Rushford Center, Inc./Richard D. Carella Z2007-6

OF A PROPOSED ZONING CODE TEXT AMENDMENT TO MODIFY SECTION 39C.02 SUBSTANCE ABUSE MENTAL HEALTH OVERLAY ZONE APPLICABILITY

The Commission moved Item #6.2 up before Old Business. Bruce Driska, the Zoning Enforcement Officer, discussed the report. Comm. Ron Borelli questioned an abandoned house on River Road. On motion and second by Comms. Les Adams and Catherine Johnson the Commission approved the Zoning Enforcement Officer's Report. Vote was unanimous.

ITEM 6.2 ZEO REPORT

Greg Chere, an architect, introduced the changes to the original site plan. William Warner indicated that the garage is too close to the property line and a variance would be needed. Greg Chere indicated that he would get a letter from Wesleyan University for the six (6) inches. Comm. Catherine Johnson confirmed the changes made since the initial site plan. The engineer explained the changes. Comm. Matthew Lesser questioned if there had been any changes to the traffic on West Street. Greg Chere indicated there have been no changes. William Warner indicated that a motion to approve with modifications would be in order. A motion to approve a request for modification to the Special Exception approval with regard to a proposed garage and the elimination of a curb cut for the new Cross Street AME Zion Church located at the intersection of West and Wadsworth Streets was made by Comm. Quentin Phipps and seconded by Comm. James Fortuna. Comm. Catherine Johnson indicated she would accept the changes without the column on the corner. William Warner indicated that all signs must go to the Design Review and Preservation Board for review. Comm. Quentin Phipps indicated he was confident that the sign would fit once the work has been said and done. Comm. Matthew Lesser questioned if the Design Review and Preservation Board would be able to look at the column. William Warner indicated they would if the column is part of the sign. Otherwise no permit would be necessary if it's just a column. Discussion ensued regarding the column. The main motion passed unanimously. Applicant/agent Cross Street AME Zion Church SE2004-6

ITEM 4.1 APPROVED A REQUEST FOR MODIFICATION TO THE SPECIAL EXCEPTION APPROVAL WITH REGARD TO A PROPOSED GARAGE AND THE ELIMINATION OF A CURB CUT FOR THE NEW CROSS STREET AME ZION CHURCH LOCATED AT THE INTERSECTION OF WEST AND WADSWORTH STREETS

On motion and second by Comms. Richard Pelletier and Matthew Lesser the Commission approved a request for reduction of the cash

ITEM 4.3 APPROVED A

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bond to \$7,500 for Fawn Meadow Estates located off Chamberlain Road. Vote was unanimous. Applicant/agent Real Estate Resources, LLC/Atty. James F. Ripper S2002-26

REQUEST FOR
REDUCTION
OF THE CASH
BOND FOR
FAWN MEADOW
ESTATES LO-
CATED OFF
CHAMBERLAIN
ROAD

On motion and second by Comms. James Fortuna and Catherine Johnson the Commission scheduled a public hearing date of February 13, 2008 for a proposed three (3) lot resubdivision of the property of Robert and Linda Grimm located on the east side of Highland Avenue and at the end of Lakeside Avenue. Vote was unanimous. Applicant/agent Robert & Linda Grimm/Bolduc Land Consultants S2007-13

ITEM 5.1
SCHEDULED P.H.
2/13/08 FOR A
PROPOSED
THREE (3) LOT
RESUBDIVISION
OF THE PRO-
PERTY OF
ROBERT AND
LINDA GRIMM
LOCATED ON
THE EAST SIDE
OF HIGHLAND
AVENUE AND AT
THE END OF
LAKESIDE
AVENUE

On motion and second by Comms. Les Adams and Deborah Kleckowski the Commission approved the minutes of the January 9, 2008 regular meeting. Vote was unanimous.

ITEM 6.1
APPROVED THE
MINUTES OF
THE 1/9/08
REGULAR MEET-
ING

There was no discussion.

ITEM 8
DISCUSSION

On motion and second by Comms. Matthew Lesser and Ron Borelli the Commission adjourned the meeting at 10:50 p.m. Vote was unanimous.

ITEM 9
ADJOURNMENT

Respectfully submitted,

Matthew Dodge
Planning Environmental Specialist

