

PLANNING AND ZONING COMMISSION REGULAR MEETING FEBRUARY 14, 2001, 7:30 P.M.
PAGE 1 OF 6

Chm. William Holley III, Comm. James Fortuna, Comm.
Corrine Dorsey, Comm. George Lapadula, Comm. Andrew
Rak, Comm. David Roane, Comm. Carl Bolz, Mayor
Domenique Thornton, Ex-Officio

COMMISSION
MEMBERS
PRESENT

Comm. Barbara Plum, Comm. John Voli, Comm. Stephen
Gadomski, Dir. P.W. Salvatore Fazzino, Ex-Officio

COMMISSION
MEMBERS
ABSENT

William Warner, Director, Wayne Bell, Zoning Enforcement
Officer

STAFF

There were approximately fifty (50) members of the public.
There is a word for word tape recording of the meeting on
file and available in the Planning Office.

PUBLIC

No one spoke.

ITEM 2
DISCUSSION WITH
PUBLIC ON ITEMS
ON AGENDA

Chm. William Holley requested a summary. William Warner
summarized the status. Katherine Coley commented on the re-
view by the Conservation Commission, drainage issues, cluster
and open space, on access to open space and feels a better connec-
tion is necessary. Atty. Dean Thomasson read a letter from Jonathan
Beatty into the record, summarized and requested an opportunity to
rebut. Chm. William Holley asked for new input from the public.
From the public, Gerald Daley spoke in opposition due to cumulative
impact of drainage and traffic and several developments. He com-
mented on other subdivision off of East Streete. S. DiMauro spoke
in favor of the development because of the need for homes. R. Sim-
mons commented on open space, restrictions on open space, land-
locked nature, Moody School open space and quoted James Sipperly
on maintenance of the detention ponds. P. Simmons commented on
traffic at Plumb Road. Stan Bysiewicz commented on drainage, the
existing twelve inch pipe versus the thirty inch pipe as proposed,
feels cluster development is out of character with the neighborhood
and requested three quarter acre lots. Scott Kartiganer spoke in
strong opposition, reviewed a letter submitted into the record and
spoke at length. A. Rasch spoke in opposition and commented on
drainage, pesticides, etc. Eleanor Kelsey reviewed a letter she
submitted into the record and commented on property values.
G. Confield, a property owner at the corner of South Plumb Road
and East Street, had concerns about drainage in the area and feels
the proposal will devalue his property. Lawrence Buck commented
on open space and maintenance. A motion to close the public hearing
was made by Comm. Corrine Dorsey, then withdrawn. Atty. Dean
Thomasson provided rebuttal on drainage, traffic and planning.
D. Eigen commented on the planning aspects of the proposal. Comm.
David Roane questioned the future use of the open space. D. Eigen
recommended soccer and use of the wetlands for science. D. Carter
commented on the revised drainage calculations, the slopes in the
area and agreed to all departmental comments. Comm. George
Lapadula commented on the review by the Department of Trans-

ITEM 2b.1
DENIED A
PROPOSED
39 LOT RESUB-
DIVISION WITH A
SPECIAL EXCEP-
TION FOR OPEN
SPACE CLUSTER
DEVELOPMENT
OF THE PROPERTY
OF TINA TOMAS-
SETTI LOCATED
AT 99 EAST STREET
TO BE KNOWN AS
COUNTRY HILL

PLANNING AND ZONING COMMISSION REGULAR MEETING FEBRUARY 14, 2001, 7:30 P.M.
PAGE 2 OF 6

portation. Dan Carter responded. A. Mess, a traffic engineer, responded to the traffic concerns. Comm. David Roane questioned traffic counts. A. Mess responded. J. Benway, an environmental consultant, commented on the Phase I study and chemicals used on the property. Comm. David Roane questioned toxic materials. Comm. Carl Bolz questioned the condition of the drums and the buckets. Discussion ensued on environmental issues. Comm. Andrew Rak questioned soil testing. Discussion continued. Atty. Dean Thomasson reviewed the proposal using a large aerial photograph, summarized and concluded. Atty. Thomasson indicated that the applicant will accept the conditions of the fifty foot access strip, the swale to direct the water away from the Simmons property and will address all departmental comments. On motion and second by Comms. Carl Bolz and George Lapadula the Commission closed the public hearing. Vote was unanimous. Chm. William Holley referred to Section 44.08.36 regarding their right to choose conventional versus open space cluster. Comm. Carl Bolz proposed a motion to endorse. A motion to grant preliminary approval of a 39 lot resubdivisions 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 was made by Comms. David Roane and seconded by Comm. George Lapadula. Comm. Carl Bolz offered a friendly amendment that there be a fifty foot access strip, a swale to direct water away from the Simmons property and that all departmental comments be addressed. Comm. David Roane spoke in opposition. Comm. Carl Bolz spoke in support due to additional open space in the cluster subdivision. Comm. Andrew Rak referred to design considerations, feels the proposal doesn't meet guidelines and feels the land should be tested prior to acquisition. Comms. Carl Bolz and David Roane debated a connection to Moody School. The motion failed with Comms. Carl Bolz and Corrine Dorsey in favor and Comm. James Fortuna, Comm. David Roane, Comm. George Lapadula and Comm. Andrew Rak opposed. Applicant/agent The Ravenswood Company, LLC/Conklin & Soroka, Inc. S2000-17

Atty. Ken Antin explained the proposal, reviewed the lot split and the Special Exception. Michael Bennett explained the site plan, reviewed staff comments and concurred with all of them. Chm. William Holley requested clarification. William Warner responded that one free cut is allowed. From the public, C. Westby, who lives across the street, questioned the vacant lot. On motion and second by Comms. Andrew Rak and David Roane the Commission closed the public hearing. Vote was unanimous. A motion to grant a Special Exception to create a fifty (50) foot lot in the RPZ zone at 307 Ridge Road was made by Comms. Andrew Rak and seconded by Comm. George Lapadula. Comm. David Roane requested a friendly amendment that a \$3,500 water and sewer cash bond be posted and that all departmental comments be addressed. The motion as amended passed unanimously. Applicant/agent Bennett & Smilas Engineering, Inc./Michael J. Bennett SE 2000-8

ITEM 2b.2
GRANTED A
SPECIAL EX-
CEPTION TO
CREATE A FIFTY
FOOT LOT IN
THE RPZ ZONE
AT 307 RIDGE
ROAD

PLANNING AND ZONING COMMISSION REGULAR MEETING FEBRUARY 14, 2001, 7:30 P.M.
PAGE 3 OF 6

Mayor Dominique Thornton spoke as Chief Executive Officer of the Commission and commended the Commission on the proposed zoning and the need to develop industrial land. From the public, Robert Hill, Industry for Middletown, Inc. (INFORM), read a letter from the Middlesex County Chamber of Commerce into the record, echoed the Mayor's comments and expressed opposition to the moratorium. Linda Bowers supports continuing the moratorium and read a prepared statement into the record. J. Inglis spoke regarding Feldspar and the problems and feels there needs to be tight restrictions. N. O'Connell feels the moratorium should be extended and commented on the elected commission. L. Smigel spoke in support of the moratorium extension and read a lengthy statement into the record. Gerald Daley, Chairman of the Economic Development Committee and the I-3 Committee, feels the proposed Zoning Code amendments strikes a good balance, feels a mis-understanding of the "Maromas area" exists and indicated the I-3 area is small. D. Brown stated that we shouldn't be developing the area and should be developing existing spaces. Katherine Coley feels that a one month moratorium is not enough, commented on the C.R.I.S.P. report and the need to review it in detail and referenced the existing Plan of Development. On motion and second by Comms. Carl Bolz and George Lapadula the Commission agreed to extend the meeting past 11:30 p.m. William Corvo, representing Maromas Development, emphasized private ownership, indicated the control the commission will have with the new regulations, commented at length that the moratorium will have a very negative effect on development in the area and feels the moratorium takes the use of the property. C. Westby urged continuation of the moratorium. Eleanor Kelsey feels the Commission should keep the public hearing open. Earle Roberts commented on the history of the area and feels more time is needed. On motion and second by Comms. Andrew Rak and George Lapadula the Commission closed the public hearing. Vote was unanimous. A motion to extend the I-3 zone moratorium until June 14, 2001 was made by Comm. Andrew Rak. No one seconded and the motion failed. A motion to extend the I-3 zone moratorium for one month until March 15, 2001 with a three month cap was made by Comm. Carl Bolz and seconded by Comm. David Roane. Discussion ensued on the process. Mayor Dominique Thornton feels the motion is too difficult. Mayor Thornton indicated that without the sewer line development won't occur and the Commission is just putting a cloud over the property. Comm. George Lapadula commented on the process, indicated that he is not against the I-3 zone moratorium, feels Pratt & Whitney needs to be helped, the water needs to be protected and supports the three month extension. Comm. David Roane feels the time limits will force the commission to work. A motion to question was made by Comm. David Roane. The motion passed with Comms. Carl Bolz, David Roane, Corrine Dorsey and James Fortuna in favor and Chm. William Holley, Comm. Andrew Rak and Comm. George Lapadula opposed. A motion to extend the I-3 zone moratorium three months was made by Comm. George Lapadula and seconded by Comm. Andrew Rak. Comm. Andrew Rak commented on the I-3 Committee report and not receiving the proper information. He felt more

ITEM 2b.3
ADOPTED A
ZONING CODE
AMENDMENT
TO MODIFY
62 MORA-
TORIUMS TO
EXTEND THE
I-3 ZONE MORA-
TORIUM UN-
TIL 4/15/01

PLANNING AND ZONING COMMISSION REGULAR MEETING FEBRUARY 14, 2001, 7:30 P.M.
PAGE 4 OF 6

time was needed and supports the three month extension. Comm. David Roane spoke about honest information and the need to serve the public. The motion failed with Chm. William Holley, Comm. Andrew Rak, and Comm. George Lapadula opposed and Comms. Carl Bolz, David Roane, Corrine Dorsey and James Fortuna in favor. Chm. William Holley attempted to find a compromise. On motion and second by Comms. George Lapadula and Carl Bolz the Commission adopted a Zoning Code text amendment to modify Section 62 Moratoriums to extend the I-3 zone moratorium for two months until April 15, 2001 with a one month cap and placed the proposed Zoning Code amendments under Old Business for the next meeting. Vote was unanimous. Proponent P&Z Comm.

On motion and second by Comms. Carl Bolz and George Lapadula the Commission granted a request for reduction of the cash bond to \$2,000 for the Laurel Grove Subdivision. Vote was unanimous. Applicant/agent Larsen, St. John & Johnson, P.C./Atty. Walter G. Johnson, Jr. PRDI

On motion and second by Comms. David Roane and George Lapadula the Commission tabled a request for modification of the subdivision approval to allow separate driveways for Lots 16 and 17 of the Meadowview Subdivision located off Long Hill Road. Vote was unanimous. Applicant/agent Larsen, St. John, & Johnson, P.C./Atty. Walter G. Johnson, Jr. S93-18

On motion and second by Comms. Carl Bolz and George Lapadula the Commission granted a reduction of the cash bond to \$35,000 for The Hunt Club Subdivision. Vote was unanimous. Applicant/agent D'Amato Bros. Builders & Developers/Louis J. D'Amato S87-44

On motion and second by Comms. Carl Bolz and George Lapadula the Commission scheduled a public hearing date of March 14, 2001 for a proposed Special Exception for an addition to an existing bank with remote drive-up tellers to be located within the 100 year flood plain at the Middlesex Schools Federal Credit Union at 524 South Main Street. Vote was unanimous. Applicant/agent Middlesex Schools Federal Credit Union/ Attorney Philip F. Karpel SE2001-1

ITEM 3.1
GRANTED A REQUEST
FOR REDUCTION OF
THE CASH BOND
FOR THE LAUREL
GROVE SUB-
DIVISION

ITEM 3.2
TABLED A RE-
QUEST FOR
MODIFICATION
OF THE SUB-
DIVISION AP-
PROVAL TO AL-
LOW SEPARATE
DRIVEWAYS FOR
LOTS 16 AND 17
OF THE MEADOW-
VIEW SUBDIVISION
LOCATED OFF
LONG HILL ROAD

ITEM 3.3
GRANTED A RE-
DUCTION OF THE
CASH BOND FOR
THE HUNT CLUB
SUBDIVISION

ITEM 4.1
SCHEDULED P.H.
3/14/01 PROPOSED
SPECIAL EXCEP-
TION FOR AN AD-
DITION TO AN
EXISTING BANK
WITH REMOTE
DRIVE-UP TEL-
LERS TO BE LO-

On motion and second by Comms. Carl Bolz and George Lapadula the Commission scheduled a public hearing date of March 28, 2001 for a proposed Zoning Map amendment to rezone the rear portion of the property of Diane Magee etals located on the east side of Newfield Street north of Stoneycrest Drive from the Newfield Street Planned Retail Business Commercial (NPC) zone to the M (Multi-family) zone. Vote was unanimous. Applicant/agent Landmark Development Group, LLC/Michael F. Dowley Z2001-1

On motion and second by Comms. Carl Bolz and George Lapadula the Commission scheduled a public hearing date of March 14, 2001 for a proposed proposed twenty-four (24) lot resubdivision of the property of Hubbard Estates Middletown, LLC located at the intersection of McCormick and Brookview Lanes to be known as Knoll Ridge Acres, Phases I and II. Vote was unanimous. Applicant/agent Hubbard Estates Middletown, LLC/Joan C. Molloy, Esq. S2001-2

On motion and second by Comms. Carl Bolz and George

CATED WITHIN
THE 100 YEAR
FLOOD PLAIN
AT THE MID-
DLESEX
SCHOOLS
FEDERAL CRE-
DIT UNION AT
524 SOUTH
MAIN STREET

ITEM 4.2
SCHEDULED P.H.
3/28/01 PROPOSED
ZONING MAP A-
MENDMENT TO
REZONE THE REAR
PORTION OF THE
PROPERTY OF
DIANE MAGEE
ETALS LOCATED
ON THE EAST
SIDE OF NEW-
FIELD STREET
NORTH OF
STONEYCREST
DRIVE FROM THE
NEWFIELD STREET
PLANNED RETAIL
BUSINESS COM-
MERCIAL (NPC)
ZONE TO THE M
(MULTI-FAMILY)
ZONE

ITEM 4.3
SCHEDULED P.H.
3/14/01 PROPOSED
TWENTY-FOUR
LOT RESUB-
DIVISION OF THE
PROPERTY OF
HUBBARD
ESTATES MID-
DLETOWN, LLC
LOCATED AT THE
INTERSECTION
OF McCORMICK
AND BROOKVIEW
LANES TO BE
KNOWN AS KNOLL
RIDGE ACRES,
PHASES I AND II

ITEM 4.4

PLANNING AND ZONING COMMISSION REGULAR MEETING FEBRUARY 14, 2001, 7:30 P.M.
PAGE 6 OF 6

Lapadula the Commission scheduled a public hearing date of February 28, 2001 for a proposed three (3) lot resubdivision of the property of The Meriden Trust and Safe Deposit Company located on Atkins Street adjacent to Old Farms East. Vote was unanimous. Applicant/agent Thomas Wilcox/Conklin & Soroka, Inc. S2001-1

SCHEDULED P.H.
2/28/01 PROPOSED
THREE LOT RE-
SUBDIVISION OF
THE PROPERTY
OF THE MERIDEN
TRUST AND SAFE
DEPOSIT COM-
PANY LOCATED
ON ATKINS STREET
ADJACENT TO
OLD FARMS EAST

Chm. William Holley noted the following change: Page 4, Item #4 add "The main motion passed unanimously and the Plan of Development sections were withdrawn". On motion and second by Comms. George Lapadula and James Fortuna the Commission approved the minutes of the January 24, 2001 meeting as amended. Vote was unanimous.

ITEM 6.1
APPROVED THE
MINUTES OF
THE 1/24/01
MEETING AS
AMENDED

The Zoning Enforcement Officer issued his report. On motion and second by Comms. Carl Bolz and George Lapadula the Commission accepted the report.

ITEM 6.2
ACCEPTED ZEO
REPORT

No one spoke.

ITEM 6
DISCUSSION
WITH PUBLIC

Adjournment was at 12:15 A.M.

ITEM 8
ADJOURNMENT

Respectfully submitted,

William Warner
Director of Planning, Conservation and Development