

PLANNING AND ZONING COMMISSION REGULAR MEETING FEBRUARY 27, 2008, 7:00 P.M. PAGE 1 OF 8

Comm. Les Adams, Comm. James Fortuna, Comm. Deborah Kleckowski, Comm. Richard Pelletier, Comm. Catherine Johnson, Comm. Cynthia Jablonski, Comm. Quentin Phipps, Comm. Ronald Borelli, Mayor Sebastian N. Giuliano, Ex-Officio, Asst. Dir. P.W. Robert Dobmeier, Ex-Officio

MEMBERS
PRESENT

Chw. Barbara Plum, Comm. Matthew Lesser

MEMBERS
ABSENT

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

STAFF

There were approximately forty (40) 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

Atty. Ralph Wilson presented the proposal and handed out an outline. Patrick O'Leary, an engineer from Vanasse Hangen Brustlin, introduced Patrick Doherty, who explained the current and proposed conditions such as parking, flood zone mitigation, bridge construction, traffic, utilities, and the stormwater management system. Patrick O'Leary explained the traffic flow and volume as well as the drive-thru and architectural elements. Comm. Catherine Johnson questioned lighting on the site. Patrick Doherty explained the extent of the light levels. Comm. Les Adams questioned if the brick would be full size. Patrick O'Leary indicated yes. Comm. Deborah Kleckowski questioned if there will be hazardous waste storage near the river. Patrick O'Leary indicated that CVS does generate some waste but that it is self-contained and that there are no outlets to the river. Comm. Deborah Kleckowski questioned if there will be a waiting area for cars looking to pick up items. Patrick O'Leary indicated that they have never provided waiting areas but that they could provide two (2) spots. Comm. Deborah Kleckowski questioned how traffic would be affected from West Street. Patrick O'Leary indicated that there would be a delay near service level "C". Comm. Deborah Kleckowski questioned where the sidewalks were. Patrick O'Leary indicated that Heritage Commons did not want to be connected by sidewalks and noted that there are grading constraints. Comm. Deborah Kleckowski indicated that access is important for those who don't drive. Patrick O'Leary noted that the developer would be amenable to future connections by sidewalks and would provide an easement based on staff recommendations. Comm. Deborah Kleckowski indicated that the site has been underwater during storm events and questioned how the flooding will be handled with more impervious land. Patrick Doherty noted that it was probably surface water due to poor grading. William

ITEM 3.1
GRANTED
SITE PLAN
APPROVAL
TO CONSTRUCT
TWO COMMERCIAL BUILDING
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

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Warner indicated that there is a drainage problem on Washington Street and that is why the old mill was taken down. Comm. Les Adams questioned if dead woody material would be cleared and the retention wall be removed. Patrick O'Leary indicated the banks will be cleared and that the former dam structure is not a part of this property. Comm. Catherine Johnson questioned the amount of parking on the site. Patrick O'Leary indicated they would be using the 5 per 1,000 standard. Comm. Catherine Johnson questioned why only two (2) trees would be planted along Washington Street. Patrick O'Leary indicated that the Department of Transportation will be installing plantings in their right-of-way. Comm. Catherine Johnson questioned why the lighting fixtures have to be twenty-three (23) feet. Patrick O'Leary noted that there would be more fixtures if the lighting was lower. Comm. Catherine Johnson questioned if any other site plan was considered. Patrick O'Leary indicated that they are on Concept Plan #22. Comm. Catherine Johnson noted that neither building would be seen when you are traveling east. Comm. Ron Borelli questioned the tractor trailer back-up area in the northwest corner and if a chainlink fence would be going across the bridge. Bruce Driska spoke in regards to proper removal and disposal of invasive species as well as the Inland Wetlands and Watercourses Agency's stipulation that no sand or deicing products be used on the bridge. Comm. Deborah Kleckowski questioned what would that mean for safety. Patrick O'Leary indicated that salt is harmful for the environment and that sand would be used to provide adequate traction. Comm. Les Adams questioned the surface of the bridge. Patrick O'Leary indicated it would be either concrete or asphalt. From the public, Lawrence McHugh, President of the Middlesex County Chamber of Commerce, spoke in favor of the proposal. Joseph Carta, Chair of the Inland Wetlands and Watercourses Agency, feels the proposal should come back before the Agency due to removal of dead trees in the Coginchaug River and has issues with traffic on West Street and flooding on Washington Street. Joseph Lentini spoke against the proposal. Joan Liska spoke against the proposal, feels it should be saved for open space and read a letter from Lewis Lukens into the record. Eric Mosher spoke against the proposal on behalf of the Conservation Commission. Philip Cacciola submitted a petition into the record and spoke in support of the proposal. Martin Geonice spoke in support of the drive-thru. Barry Chernoff spoke against the proposal on behalf of the Jonah Center and as a Wesleyan University professor. Comm. Ron Borelli questioned if most of the silt is coming from the Home Depot and other box stores' storm drains. Barry Chernoff indicated yes and the road as well and noted that the river is in trouble. Ed Larson, the previous property owner, spoke to a lack of flooding issues and supports the project. Kate Miller submitted her testimony into the record and spoke against the proposal. Mayor Sebastian Giuliano spoke in favor of the proposal. Ray Gioco spoke against the project. Abe Kaoud spoke in regards to the bridge and its expense. Comm. Catherine Johnson questioned if there were any

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other projects envisioned for the site. Comm. Deborah Kleckowski questioned who will own the bridge. Abe Kaoud indicated he would. Len Tundermann spoke against the proposal's drive-thru. Joseph Lentini questioned how the bridge would impact traffic and a driveway across the street. Atty. Ralph Wilson summarized the proposal and reiterated the items for Special Exception. Comm. Les Adams questioned the bridge material and sand use and where it would all end up. The Commission took a recess from 9:25 p.m. to 9:35 p.m. Comm. Quentin Phipps requested reiteration regarding mitigation/minimalization of impacts to the Coginchaug River. Patrick Doherty explained how the site would minimize the environmental impacts. Comm. Deborah Kleckowski questioned flooding when the ground is frozen. Patrick Doherty addressed the issue. Comm. Ron Borelli questioned if the proposal had approval from the Inland Wetlands and Watercourses Agency, then why are some of the Agency members coming out against it. Bruce Driska explained their decision and the resulting stipulations. William Warner explained how the Coginchaug River has flooded in the past. On motion and second by Comms. James Fortuna and Richard Pelletier the Commission closed the public hearing. Vote was unanimous. Comm. Ron Borelli commented on the Inland Wetlands and Watercourses Agency approval, the Conservation Commission's recommendations and that it meets the Planning and Zoning requirements. Comm. Quentin Phipps commented on air pollution and Mr. Larson's testimony on flooding, has concerns with impacts to the Coginchaug River and would like to see it preserved. A motion to grant a Site Plan Approval to construct two (2) 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 was made by Comm. Ron Borelli and seconded by Comm. Richard Pelletier. Discussion ensued. Comm. Catherine Johnson indicated that she does see both sides, commented on flooding and doesn't think the site plan is adequate. The motion passed with Comms. Les Adams, James Fortuna, Deborah Kleckowski, Richard Pelletier, Cindy Jablonski, and Ron Borelli in favor and Comm. Catherine Johnson opposed. Applicant/agent Old Mill Crossing, LLC SE2007-18

Atty. Michael Dowley presented the proposal. George Smilas, the engineer, explained the engineering aspects and the technical details. Comm. Ron Borelli questioned if testing was done for pesticides. Atty. Michael Dowley indicated that that could be a condition of the approval. Joseph Lentini questioned if the driveways would be shared. William Warner indicated that each property will have its own driveway. On motion and second by Comms. James Fortuna and Deborah Kleckowski the Commission closed the public hearing. Vote was unanimous. A motion to grant final approval of a four (4) lot resubdivision with a Special Exception for lots with a minimum lot area of 5,000 sq. ft.

ITEM 3.2
GRANTED
FINAL AP-
PROVAL OF
A FOUR (4)
LOT RESUB-
DIVISION WITH
A SPECIAL EX-
CEPTION FOR
LOTS WITH A

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and a minimum lot frontage of fifty (50) feet of the property of Gullitti Builders located on the west side of Farm Hill Road across from the intersection with Shelley Road and adjacent to Milardo Lane with the condition that there be a Phase 1 Environmental Site Assessment on Lots #3 and #4 prior to filing on the land records was made by Comm. Ron Borelli and seconded by Comm. James Fortuna. Comm. Catherine Johnson commented on the subdivision and the Plan of Conservation and Development. The motion passed unanimously. Applicant/agent Gullitti Builders, Inc./Michael Dowley & Associates S2007-11

MINIMUM LOT AREA OF 5,000 SQ. FT. AND A MINIMUM LOT FRONTAGE OF FIFTY (50) FEET OF THE PROPERTY OF GULLITTI BUILDERS LOCATED ON THE WEST SIDE OF FARM HILL ROAD ACROSS FROM THE INTERSECTION WITH SHELLEY ROAD AND ADJACENT TO MILARDO LANE

Jonathan Tarbox presented the proposal, addressed the comments from the Public Works Department and the South Fire District and indicated that there would be minimized land clearing and grading and that most of the driveway would be at ten (10%) percent grade or less. He also indicated that there would be three drainage structures on the site, all low maintenance and grass lined, and that the house lots are being developed to the maximum southern exposure. Comm. Deborah Kleckowski had issues with the drainage and water per the plan and questioned what the houses would look like. Jonathan Tarbox indicated the proposal is designed to sheet flow and that the Public Works Department will install storm drainage at some point in the future. He noted that the majority of the water is coming from the Connecticut Light and Power Right-of-Way. Comm. Deborah Kleckowski asked what the process of getting sketches of what the homes would look like before voting would be. William Warner explained that this is a subdivision plan only and that the Planning and Zoning Commission will never see what the houses will look like before they are built. Comm. Catherine Johnson questioned if the water velocity that leaves the site will be changed. Jonathan Tarbox indicated yes and will be maintaining an overall flow but that the roofs will not be contributing to the flow. Comm. Catherine Johnson questioned if it was researched to use an existing road to get up the hill instead of the proposed drive. Jonathan Tarbox indicated that he did look into the possibilities, that Mount Road is longer with the same slopes and that the front area will be permanently preserved and will go on the land records. From the public, Joseph Lentini questioned if there could be a shared drive-

ITEM 3.3 GRANTED FINAL APPROVAL OF A FOUR (4) LOT RESUBDIVISION OF THE PROPERTY OF ROBIN & GREG BORENT LOCATED ON THE EAST SIDE OF CHAMBERLAIN HILL ROAD ACROSS FROM THE INTERSECTION WITH THISTLE LANE

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way. Diane Jordan commented and questioned the proposed wells. Discussion ensued regarding wells in the area. Comm. Ron Borelli questioned if there would be blasting. Jonathan Tarbox indicated there was a possibility. Bruce Driska indicated that the Commission could include Diane Jordan's property and have a pre blast survey done. On motion and second by Comms. James Fortuna and Ron Borelli the Commission closed the public hearing. Vote was unanimous. Comm. Ron Borelli indicated that he would like to add that a letter be sent to property owners within five hundred (500) feet of blasting and that there be an optional pre-blast survey.

Comm. Quentin Phipps indicated that he would like to have Diane Jordan included. William Warner noted that she is not located within the five hundred (500) feet. On motion and second by Comms. Ron Borelli and James Fortuna the Commission granted final approval of a four (4) lot resubdivision of the property of Robin & Greg Borent located on the east side of Chamberlain Hill Road across from the intersection with Thistle Lane with the condition that a letter be sent to property owners within five hundred (500) feet of blasting and that there be an optional pre-blast survey. Vote was unanimous. Applicant/agent Robin & Greg Borent/Jonathan Tarbox, Delta Surveying Services, LLC S2007-12

Ray Bolduc of Bolduc Land Consultants presented the proposal. Comm. Catherine Johnson questioned alignment of the buildings with other homes. Discussion ensued on layout of the lots with a hammerhead. From the public, Joseph Lentini had an issue with notice of the previous meeting. Randy Sowinsky had concerns with the proposal. Ed Dion had an issue with placement of the sign for the meeting notification. Verna Ellam had an issue with placement of the sign for the meeting notification. Linda Grimm defended the proposal and the sign notification. William Warner read a letter from an abutter into the record. Ray Bolduc addressed the previous issues, road width, parking and traffic issues. On motion and second by Comms. James Fortuna and Deborah Kleckowski the Commission closed the public hearing. Vote was unanimous. A motion to grant final approval of a three (3) lot resubdivision of the property of Robert and Linda Grimm located on the east side of Highland Avenue Avenue and at the end of Lakeside Avenue with the condition that all departmental comments be addressed and granted a waiver of of Subdivision Sections 5.19.06 Permanent Cul De Sac and 5.19.07.01 Sidewalks was made by Comm. Ron Borelli and seconded by Comm. Richard Pelletier. The motion passed with Comms. Les Adams, James Fortuna, Deborah Kleckowski, Richard Pelletier, Cindy Jablonski, and Ron Borelli in favor and Comm. Catherine Johnson opposed. Applicant/agent Geremia Builders/Bolduc Land Consultants, LLC S2007-13

ITEM 3.4
GRANTED
FINAL AP-
PROVAL OF
A THREE (3)
LOT RESUB-
DIVISION OF
THE PROPERTY
OF ROBERT
AND LINDA
GRIMM LO-
CATED ON THE
EAST SIDE OF
HIGHLAND
AVENUE AND
AT THE END OF
LAKESIDE
AVENUE

William Warner read the conditions requested by the Commission

ITEM 4.1

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at the last meeting. Comm. Catherine Johnson commented on the location of Building #7. On motion and second by Comms. Richard Pelletier and Ron Borelli the Commission granted a Special Exception to construct Building #7 as part of the Nohl Crest III multi-family dwellings located off George Street as shown on the plans entitled: Knoll Crest Building 7, George Street, Middletown, Connecticut, Dated February 1, 2007, Latest Revision Date 12/10/07 Drawing #2 revision #5 – added sidewalk, with the following conditions: 1) Any significant changes or modifications to the plans as presented will require subsequent review and approval by the Planning and Zoning Commission; 2) The project shall have 421 parking spaces: 408 for the 204 units and thirteen (13) spaces for the pool and clubhouse. The developer is not required to construct the proposed parking lot displayed on the plans behind and west of the clubhouse; 3) a six foot high fence and landscaping shall be installed along the southern property line adjacent to the Mozdziesz paddock area to screen and contain livestock from the new development; 4) the detention pond shall be encircled with a four (4) foot high fence to prevent children from sliding into the pond; 5) the developer shall meet with the Giocos and review his landscape plan for the north side of the entrance drive and shall add additional plantings to screen the Gioco property from the entrance drive and headlights from exiting cars; 6) During the duration of construction activity, the developer agrees to monitor and walk the property boundary lines twice a week to remove any garbage or other debris which could escape onto adjacent properties; 7) the developer will notify all subcontractors and their employees that excessive noise or littering or inconsiderate behavior towards the neighbors will result in removal from the property; and 8) the developer will seek approval to install a traffic light or stop sign on George Street at the entrance to the new development. Vote was unanimous. Applicant/agent Shipman, Sosensky, Randich & Marks, LLC/Atty. Robin Messier Pearson SE2007-8

GRANTED A
SPECIAL EX-
CEPTION TO
CONSTRUCT
BUILDING #7
AS PART OF THE
NOHL CREST III
MULTI-FAMILY
DWELLINGS LO-
CATED OFF
GEORGE STREET

Bruce Driska explained his report. On motion and second by Comms. Les Adams and Ron Borelli the Commission accepted the report. Vote was unanimous.

ITEM 6.2
ZEO REPORT

On motion and second by Comms. Ron Borelli and James Fortuna the Commission gave an affirmative G.S. 8-24 Review for the proposed purchase of development rights for the Schieman Farm located at the intersection of Atkins and Bradley Streets. Vote was unanimous. Applicant/agent City of Middletown Economic Development Committee.

ITEM 5.1
GAVE AN AF-
FIRMATIVE
G.S. 8-24 RE-
VIEW FOR THE
PROPOSED
PURCHASE OF
DEVELOPMENT
RIGHTS FOR
THE SCHIEMAN
FARM LOCATED

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AT THE INTER-SECTION OF ATKINS AND BRADLEY STREETS

Joseph Wren, the engineer, explained the proposal and submitted documentation to the State Traffic Commission into the record. Comm. Ron Borelli commented on the site line of the driveway on the neighboring property. Comm. Catherine Johnson had concerns with the lack of windows. Joseph Wren submitted revised plans. Comm. Deborah Kleckowski questioned the power doors. A motion to grant Site Plan Approval to construct a 12, 200 sq. ft. medical office building to be located at 512 (rear) Saybrook Road was made by Comm. James Fortuna and seconded by Comm. Deborah Kleckowski. The motion passed with Comms. Les Adams, James Fortuna, Richard Pelletier, Deborah Kleckowski, Cindy Jablonski and Ron Borelli in favor and Comm. Catherine Johnson opposed. Applicant/agent Middlesex Center for Advanced Orthopedic Surgery, LLC/ Joe Wren, P.E. SE2007-4

ITEM 5.2
GRANTED SITE PLAN APPROVAL TO CONSTRUCT A 12,200 SQ. FT. MEDICAL OFFICE BUILDING TO BE LOCATED AT 512 (REAR) SAYBROOK ROAD

William Warner presented the request. On motion and second by Comms. James Fortuna and Deborah Kleckowski the Commission gave an affirmative G.S. 8-24 Review to lease 15,000 sq. ft. for film storage at \$1.5 per sq. ft. with two (2) free months at the former Remington Rand building located at 180 Johnson Street. Vote was unanimous. Applicant/agent City of Middletown Economic Development Committee

ITEM 5.3
GAVE AN AFFIRMATIVE G.S. 8-24 REVIEW TO LEASE 15,000 SQ. FT. FOR FILM STORAGE AT THE FORMER REMINGTON RAND BUILDING LOCATED AT 180 JOHNSON STREET

On motion and second by Comms. James Fortuna and Deborah Kleckowski the Commission approved the minutes of the January 27, 2008 regular meeting. Vote was unanimous.

ITEM 6.1
APPROVED THE MINUTES OF THE 1/27/08 REGULAR MEETING

There was no discussion.

ITEM 8
DISCUSSION

On motion and second by Comms. James Fortuna and Ron Borelli the Commission adjourned the meeting at 12:25 a.m. Vote was unanimous.

ITEM 9
ADJOURNMENT

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Respectfully submitted,

Matthew Dodge
Planning Environmental Specialist