

PLANNING AND ZONING COMMISSION REGULAR MEETING MARCH 13, 2002, 7:00 P.M.  
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Chw. Barbara Plum, Comm. Stephen Gadowski, Comm. James Fortuna, Comm. George Lapadula, Comm. Andrew Rak, Comm. Carl Bolz, Comm. William Wilson, Comm. John Pieper, Dir. P.W. Salvatore Fazzino, Ex-Officio

COMMISSION  
MEMBERS  
PRESENT

Comm. John Voli, Comm. Stephen Shapiro, Mayor Dominique Thornton, Ex-Officio

COMMISSION  
MEMBERS  
ABSENT

William Warner, Director, Wayne Bell, Zoning Enforcement Officer

STAFF

There were approximately seventy-five (75) members of the public. There is a word for word tape recording of the meeting on file and available in the Planning Office.

PUBLIC

There was no discussion.

ITEM 2  
DISCUSSION  
WITH PUBLIC  
ON ITEMS ON  
AGENDA

William Warner explained the need to close the public hearing and deny without prejudice due to no presentation and the lack of input from the Inland Wetlands Agency. On motion and second by Comms. George Lapadula and James Fortuna the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. Andrew Rak and James Fortuna the Commission denied without prejudice a proposed five (5) lot subdivision 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. Vote was unanimous. Applicant/agent Bricon Custom Homes S2001-24

ITEM 2b.1  
DENIED WITH-  
OUT PREJUDICE  
A PROPOSED FIVE  
(5) LOT RESUB-  
DIVISION WITH A  
SPECIAL EXCEP-  
TION FOR TWO  
REAR LOTS OF THE  
PROPERTY OF  
PETER BUSHNELL  
LOCATED AT THE  
END OF SACHEM  
DRIVE AND AD-  
JACENT TO THE  
HUNT CLUB TO BE  
KNOWN AS BEAR  
POND

Atty. Philip Karpel opened the public hearing. Chw. Barbara disqualified herself. B. Hilson pointed out an error in the traffic study regarding Lewis Farms in Southington. David Santacroce, an appraiser, explained the Market Impact Study he prepared. Atty. Philip Karpel completed his presentation. From the public Atty. Len Fusanio, representing the opponents, explained Lewis Farms in Southington using photographs and explained the

ITEM 2b.2  
GRANTED WITH  
CONDITIONS A  
SPECIAL EXCEP-  
TION FOR A FARM  
MARKET/GREEN  
HOUSE TO BE

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differences. He commented on future division of the remaining land. M. Ennis spoke in support. Dr. Arnold spoke in opposition due to traffic and parking. Charles Harris spoke in support to save the farm. An opponent spoke in opposition due to traffic and a recent accident. T. Hewitt spoke in opposition. K. Scirpo spoke in opposition due to traffic and parking. E. Rodriguez spoke in opposition. T. Loroach read a prepared letter of support into the record. J. Messina spoke in opposition. T. Hibbard spoke in support. J. Klimas spoke in support. E. Messina spoke in opposition due to wells and chemicals. S. Pettingol spoke in support. F. Shippy had concerns about traffic. M. Wallace spoke in support, the ability to raise property values and the need for these uses. Charles Harris commented on the history of the Russell Company, Crystal Lake and the Brocks' family living near all of it. T. Sheehan, a part owner, spoke in support. A. Carta is opposed due to traffic. Richard Brock, Sr. commented on his family history and the history of the land. R. Rossenio is opposed. Jeff Pierce feels it is small scale and won't impact traffic. Atty. Len Fusanio reminded the Commission of the Special Exception criteria. Richard Brock, Jr. commented on discussions with the public, his attempts to address their concerns and spoke at length. He indicated that Lyman's has no objections and that Lyman's is 7,500 square feet with a 400 acre forest golf course, etc. Atty. Philip Karpel addressed the general and specific Special Exception criteria and critiqued the opposition's appraisal. D. Carter commented on the potential for forty homes on the site. Atty. Philip Karpel concluded. K. Scirpo commented on the point by Atty. Karpel about the sale of her land. Comm. Carl Bolz questioned the hours of operation. Richard Brock indicated 7:00 a.m. to 6:30 p.m. with the exception of ice cream sales during the summer until 8:30 p.m. Comm. Andrew Rak questioned the petting zoo. Richard Brock feels it is educational to teach kids about agriculture. Comm. William Wilson questioned the hayrides. Comm. Andrew Rak questioned the petting zoo. Richard Brock responded. Comm. Carl Bolz questioned the hours of operation. Comm. Jack Pieper questioned noise and buffers. Richard Brock responded. On motion and second by Comms. James Fortuna and George Lapadula the Commission closed the public hearing. Vote was unanimous. A motion to grant a Special Exception for a farm market/green house to be located on the easterly side of South Main Street at the intersection with Brush Hill Road with the following conditions: 1) the applicant to cause "no parking" signs for this facility to be posted on Brush Hill Road in the vicinity of the Farm Market from Route 17 to Coleman Road in areas acceptable to the Middletown Police Department; 2) an unpaved "overflow" parking area is to be added to the site plan in the vicinity of the paved parking area, and signs posted on the site indicating "Additional Parking". If required by the Middletown Police Department for any activity at the Farm Market, the applicant is to provide and pay for an off-duty policeman

LOCATED ON THE  
EASTERLY SIDE OF  
SOUTH MAIN  
STREET AT THE  
INTERSECTION  
WITH BRUSH HILL  
ROAD

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to assist with traffic entering and exiting the site; 3) temporary unpaved parking areas for "pick your own" activities shall be shown on the site plan; all such parking to be interior to the site and no closer than 25 feet to adjacent residential boundaries; 3a) ingress and egress to the property shall be limited to that shown on the approved plan; 3b) the farm animal petting zoo shall be limited to the area shown on the approved plans on Sheet 3 of 7; 4) all machinery associated with the Farm Market (air-conditioning, blowers, etc.) are to be covered and/or interior to buildings and noise levels at the property lines from machinery are not to exceed levels permitted by law for residential areas; 5) any and all special activities (hayrides, etc.) shall end by 6:00 pm and shall be limited to the interior of the property and not on the public road, and are not to be conducted closer than 35 feet from other residential properties; 6) the remainder of the 45+ acres of the existing farm, not displayed on the approved plans, are to be considered part of the Special Exception for hayrides and pick your own vegetables only. Any additions or new structures on any portion of the 45 acre site and/or not shown on the approved plan shall require an amendment to the Special Exception including a public hearing; 7) all exterior lighting is to comply with the Zoning Code and no light is to be aimed upward or toward any residential property; and 8) the hours of operation will be from 7:00 a.m. to 6:30 p.m. or until sunset was made by Comm. William Wilson and seconded by Comm. James Fortuna. Discussion ensued on the draft motion. Comm. Andrew Rak made a friendly amendment to Item #1. Comm. William Wilson accepted the amendment. The motion as amended passed unanimously. Applicant/agent Brock's Farm Market, LLC/ Conklin & Soroka, Inc. SE2001-9

On motion and second by Comms. Stephen Gadomski and George Lapadula the Commission tabled a request for release of the cash bond for The Woods at Westfield Hills Subdivision. Vote was unanimous. Applicant/agent Signature Homes Corporation/ Kevin Daley, President S99-7

ITEM 3.1  
TABLED A REQUEST  
FOR RELEASE OF  
THE CASH BOND  
FOR THE WOODS AT  
WESTFIELD HILLS  
SUBDIVISION

On motion and second by Comms. Stephen Gadomski and George Lapadula the Commission approved a request for release of the cash bond for Saddle Ridge Subdivision, Phase I located off Congdon Street. Vote was unanimous. Applicant/agent Luby Olson, PC/Kenneth W. Mango, Esq. S99-4

ITEM 3.2  
APPROVED A RE-  
QUEST FOR RE-  
LEASE OF THE  
CASH BOND FOR  
SADDLE RIDGE  
SUBDIVISION,  
PHASE I LOCATED  
OFF CONGDON  
STREET

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On motion and second by Comms. George Lapadula and William Wilson the Commission scheduled a public hearing date of April 10, 2002 for a proposed eleven (11) lot re-subdivision of the property of Michael C. Gazzillo located at 1340 Randolph Road to be known as Country Farm. Vote was unanimous. Applicant/agent Michael C. Gazzillo/Stephen T. Gionfriddo S2002-3

ITEM 4.1  
SCHEDULED P.H.  
4/10/02 FOR A  
PROPOSED ELEVEN  
(11) LOT RE-SUB-  
DIVISION OF THE  
PROPERTY OF  
MICHAEL C.  
GAZZILLO LO-  
CATED AT 1340  
RANDOLPH ROAD  
TO BE KNOWN  
AS COUNTRY FARM

On motion and second by Comms. George Lapadula and William Wilson the Commission scheduled a public hearing date of April 10, 2002 for a proposed seventeen (17) lot re-subdivision with a Special Exception for a large lot environmentally sensitive subdivision with a private road of the property of Grace K. Harmon, Marion K. Seifert and Isabel K. Wimler located on the southerly side of Kelsey Street across from Paterson Drive to be known as Orchard Hill Estates. Vote was unanimous. Applicant/agent Howard Carlson/Christopher G. Bell S2002-4

ITEM 4.2  
SCHEDULED P.H.  
4/10/02 FOR A  
PROPOSED SEVEN-  
TEEN LOT RESUB-  
DIVISION WITH A  
SPECIAL EXCEP-  
TION FOR A LARGE  
LOT ENVIRON-  
MENTALLY SEN-  
SITIVE SUB-  
DIVISION WITH A  
PRIVATE ROAD OF  
PROPERTY OF  
GRACE K. HARMON,  
MARION K. SEIFERT,  
AND ISABEL K.  
WIMLER LOCATED  
ON THE SOUTHER-  
LY SIDE OF KELSEY  
STREET ACROSS  
FROM PATERSON  
DRIVE TO BE  
KNOWN AS OR-  
CHARD HILL  
ESTATES

On motion and second by Comms. George Lapadula and William Wilson the Commission scheduled a public hearing date of April 24, 2002 for a proposed twenty-two (22) lot re-subdivision with a Special Exception for a cluster 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

ITEM 4.3  
SCHEDULED P.H.  
4/24/02 FOR A PRO-  
POSED TWENTY-  
TWO LOT RESUB-  
DIVISION WITH A  
SPECIAL EXCEP-

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known as Kelsey Estates. Vote was unanimous. Applicant/  
agent George Smilas, P.E., L.S. S2002-5

TION FOR A  
CLUSTER SUB-  
DIVISION OF  
THE PROPERTY  
OF GRACE K.  
HARMON, MARION  
K. SEIFERT, AND  
ISABEL K. WIM-  
LER LOCATED  
ON THE WEST  
SIDE OF ARBUTUS  
STREET ADJACENT  
TO CRANBERRY  
LANE ESTATES  
TO BE KNOWN  
AS KELSEY  
ESTATES

The minutes of the February 27, 2002 regular meeting were not  
available.

ITEM 5.1  
THE MINUTES  
OF THE 2/27/02  
MEETING WERE  
NOT AVAILABLE

Wayne Bell, the Zoning Enforcement Officer, gave his report.  
Chw. Barbara Plum questioned woodchips in the wetlands at  
Wild Bill's on Newfield Street.

ITEM 5.2  
ACCEPTED THE  
ZEO REPORT

Comm. Carl Bolz commented on the Plan of Development.  
William Warner commented. Comm. Andrew Rak questioned  
the changes from 1990 to 2000. Discussion ensued. Comm.  
George Lapadula feels William Warner should sit next to the  
Chair to plug the tape recorder into the audio plug.

ITEM 5.3  
COMMISSION  
AFFAIRS

R. Stefrak commented on the former courthouse demolition.  
Arline Rich commented on Stone Resources and the Plan of  
Development. C. Dean commented on the microphones.  
Eleanor Kelsey commented on the room layout.

ITEM 6  
DISCUSSION WITH  
PUBLIC

The meeting adjourned at 10:00 p.m.

ITEM 7  
ADJOURNMENT

Respectfully submitted,

William Warner  
Director of Planning, Conservation and Development