

Chm. W. Lee Osborne, Comm. Ann Loffredo, Comm. Anthony Vasiliou, Comm. John Robinson, Comm. Jennifer Alexander (7:45), Comm. Gerard Winzer, Comm. Francis Patnaude (7:45), Comm. Stephen Gadowski (7:30), Dir. P.W. Salvatore Fazzino, Ex-Officio

COMMISSION
MEMBERS
PRESENT

Sec'y Stephen Shapiro, Comm. Joseph Vinci, Jr., Mayor Thomas J. Serra, Ex-Officio

COMMISSION
MEMBERS
ABSENT

William Warner, Planning Director

STAFF

There were approximately twenty members of the public present.

PUBLIC

On motion and second by Comms. Ann Loffredo and Anthony Vasiliou the Commission approved the minutes of the April 12, 1995 meeting as amended to add "Vasiliou" under Item 6.8. Vote was unanimous.

ITEM 2.1
APPROVED MINUTES
OF 4\12\95
MEETING AS AMENDED

The Commission acknowledged the ZEO Sign and Monthly Reports.

ITEM 3.1\3.2
ACKNOWLEDGED
ZEO SIGN AND
MONTHLY REPORTS

Chm. W. Lee Osborne read the letter into the record. He commented on the letter and supports the study. On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission requested that staff look into the letter. Vote was unanimous.

ITEM 3.3
APPROVED A LETTER
FROM INFORM
REGARDING REZONING

William Warner explained. The Commission acknowledged the decision.

ITEM 3.4
ACKNOWLEDGED THE
DECISION ON
ANDERSON V. P & Z
COMMISSION

A motion was made by Comm. Ann Loffredo and seconded by Comm. Gerard Winzer to nominate Comm. John Robinson as the Vice Chairman. A motion to close the nominations was made by Gerard Winzer and seconded by Comm. Ann Loffredo. Vote was unanimous.

ELECTED COMM. JOHN
ROBINSON AS VICE
CHAIRMAN

On motion and second by Comms. Ann Loffredo and John Robinson the Commission approved a reduction of the cash bond for Talcott Ridge Subdivision to \$17,000. Vote was unanimous. Applicant\agent Farmers & Mechanics Bank\Pau J. LaMonica, Vice President S87-17

ITEM 4.1
APPROVED REDUCTION
OF CASH BOND FOR
TALCOTT RIDGE
SUBDIVISION

On motion and second by Comms. Ann Loffredo and John Robinson the Commission approved release of the cash deposit for Meadowbrook Estates (Westwood Subdivision, Phase II) with the condition that the Public Works comment be addressed. Vote was unanimous. Applicant\agent B & P Development, Inc.\Atty. Michael F. Dowley S87-15

ITEM 4.2
APPROVED RELEASE
OF CASH DEPOSIT FOR
MEADOWBROOK ESTATES
WITH CONDITIONS

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission granted final approval for The Meadows at Riverbend, Section III, Phase II (Pond Place and Windswept Lane) with the conditions that a bond be posted in the amount of \$74,000 and that all departmental comments be addressed. Vote was unanimous. Applicant\agent Tuttle Road Associates\Robert C. Fusari, President S93-3

ITEM 4.3
GRANTED FINAL
APPROVAL FOR THE
MEADOWS AT RIVER-
BEND, SECTION III,
PHASE II WITH
CONDITIONS

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission granted final approval for Old Farms West, Phase II (Lots 11-19 and 21-22) with the conditions that a bond be posted in the amount of \$50,000 and that all departmental comments be addressed. Vote was unanimous. Applicant\agent Old Farms Associates\ Robert C. Fusari, President S88-7

ITEM 4.4
GRANTED FINAL
APPROVAL FOR OLD
FARMS WEST, PHASE
II WITH CONDITIONS

Comm. Ann Loffredo abstained. William Warner explained the proposal. Discussion ensued. Comm. Anthony Vasiliou questioned the Department of Motor Vehicles license. Discussion ensued. J. Sheil commented. Comm. Anthony Vasiliou questioned the staff comments limiting the number of cars to be displayed. On motion and second by Comms. John Robinson and Gerard Winzer the Commission approved the change of a non-conforming use at 392 Washington Street with the condition that six cars be limited to the front and that all major repairs are to be indoors. This approval is specifically for this application. Vote was unanimous with Comm. Ann Loffredo abstaining.

ITEM 5.1
APPROVED CHANGE OF
NON-CONFORMING USE
AT 392 WASHINGTON
STREET WITH
CONDITIONS

Salvatore Fazzino explained the request. On motion and second by Comms. Ann Loffredo and John Robinson the Commission gave an affirmative G.S. Review to construct a temporary parking lot at the corner of High and Liberty Streets as part of the CSO Project. Vote was unanimous. Applicant\agent United International Corporation

ITEM 5.2
GAVE AN AFFIRMATIVE
G.S. 8-24 REVIEW
FOR A TEMPORARY
PARKING LOT AT THE
CORNER OF HIGH AND
LIBERTY STREETS

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission scheduled a public hearing date of June 14, 1995 for a proposal to amend the Plan of Development to incorporate the Tri Town Lamentation Mountain Plan as a special study. Vote was unanimous.

ITEM 5.3
SCHEDULED P.H.
6\14\95 PROPOSAL
TO AMEND PLAN OF
DEVELOPMENT TO
INCORPORATE THE TRI
TOWN LAMENTATION
PLAN AS A SPECIAL
STUDY

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission scheduled a public hearing date of June 14, 1995 for a proposal to adopt the proposed Future Land Use Plan as part of the Plan of Development. Vote was unanimous.

ITEM 5.4
SCHEDULED P.H.
6\14\95 PROPOSAL
TO ADOPT PROPOSED
FUTURE LAND USE
PLAN AS PART OF THE
PLAN OF DEVELOPMENT

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission scheduled a public hearing date of May 24, 1995 for a proposed Special Exception for adaptive historic re-use of a former child care for an antique shop, auction house, and art gallery at 861 Middle Street. Vote was unanimous. Applicant\agent Ms. Judith Burns\Mr. Sebastian Leonardi, Consultant SE95-5

ITEM 5.5
SCHEDULED P.H.
5\24\95 PROPOSED
SPECIAL EXCEPTION
FOR ADAPTIVE
HISTORIC RE-USE FOR
ANTIQUÉ SHOP,
AUCTION HOUSE AND
ART GALLERY AT 861
MIDDLE STREET

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission scheduled a public hearing date of June 14, 1995 for a proposed Zoning Code text amendment to add Section 61.02.32 to allow Antique\Flea Market as a Special Exception in the I-21 zone. Vote was unanimous. Applicant\agent Vincent S. & Margaret R. Scarrozzo Z95-13

ITEM 5.5
SCHEDULED P.H.
6\14\95 PROPOSED
ZONING CODE TEXT
AMENDMENT TO ADD
SECTION 61.02.32
ANTIQUÉ\FLEA MARKET

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission scheduled a public hearing date of May 24, 1995 for a proposed 17 lot Subdivision with a Special Exception for Open Space located on Millbrook, Lyceum, and Chamberlain Hill Roads to be known as South Farms Estates. Vote was unanimous. Applicant\agent CMP Construction Co., Inc.\Attorney Philip F. Karpel S95-5

ITEM 5.7
SCHEDULED P.H.
5\24\95 PROPOSED
17 LOT SUBDIVISION
WITH SPECIAL
EXCEPTION LOCATED
ON MILLBROOK,
LYCEUM, AND
CHAMBERLAIN HILL
ROADS

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission scheduled a public hearing date of May 25, 1995 for a proposed Special Exception to demolish an existing vacant nursing home and construct a retail building at 955 Washington Street. Vote was unanimous. Applicant\agent 3127 Berlin Turnpike Associates\ Philip F. Karpel, Attorney SE95-6

ITEM 5.8
SCHEDULED P.H.
5\24\95 PROPOSED
SPECIAL EXCEPTION
TO DEMOLISH VACANT
EXISTING NURSING
HOME AND CONSTRUCT
RETAIL BUILDING AT
955 WASHINGTON
STREET

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission scheduled a public hearing date of June 14, 1995 for a proposed 18 resubdivision of The Hunt Club Subdivision located on East and Miner Streets and a request for waiver of Section 5.19.06 of the Subdivision Regulations. Vote was unanimous. Applicant\agent Avondale Farms, LLC\Michael F. Dowley, Esquire S87-44

ITEM 5.9
SCHEDULED P.H.
6\14\95 PROPOSED 18
RESUBDIVISION OF
THE HUNT CLUB
LOCATED ON EAST
AND MINER STREETS

On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission scheduled a public hearing date of May 24, 1995 for a proposed Special Exception to permit a light industrial use and to construct a drive-in bank at the former Bradlees\Stop N'Stop, 643-651 South Main Street. Vote was unanimous. Applicant\agent Anthony C. Fonda\Atty. Myron Poliner SE95-8

ITEM 5.10
SCHEDULED P.H.
5\24\95 PROPOSED
SPECIAL EXCEPTION
TO PERMIT A LIGHT
INDUSTRIAL USE AND
CONSTRUCT A DRIVE-
IN BANK AT 643-651
SOUTH MAIN STREET

There is a tape recording of the public hearing available in the Planning and Zoning Office.

ITEM 6
P.H. TAPE
RECORDING

Comm. Anthony Vasiliou read the Legal Notice the record. On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission tabled a request for a three year extension of the preliminary approval granted for Westfield Hills Subdivision, Phase II, located off of the west side of Atkins Street and south of Timber Ridge Road (18 lots). Vote was unanimous with Comm. John Robinson abstaining. Applicant\agent Resource Development Corporation\William J. Kotchen S87-26

ITEM 6.1
TABLED REQUEST FOR
THREE YEAR
EXTENSION OF THE
PRELIMINARY
APPROVAL FOR
WESTFIELD HILLS,
SUBDIVISION, PHASE
II

William Warner explained the proposal. Chm. W. Lee Osborne read the letters from the Middlesex County Chamber of Commerce and the United Way into the record. Melanie Giamei spoke in favor of the proposal and felt it is time to address specifically. Philip Redford feels legislation should be proposed to take people back to their home communities. Comm. John Robinson indicated that this is unconstitutional. Lengthy discussion ensued. Atty. Ralph Wilson questioned how many facilities are needed for one community and supports the proposal. Daniel Russo commented and supports the proposal. Arline Rich from Westfield Residents for Rational Development of Middletown, Inc. supports the change. Evelyn Russo supports the proposal and stated that only two at Long Lane are from Middlesex County. D. Brown supports the proposal and feels control is necessary. Ann Bickford supports the proposal and feels someone could have been here to ask for a continuation. Comm. Jennifer Alexander questioned staff. William Warner responded. E. Kelsey questioned the legal ad that was published in the Middletown Press. A recess was called to check the legal ad. Chm. W. Lee Osborne ruled that the legal ad was okay for the continued hearing item but Items 6.3 and 6.4 are flawed and must be tabled. A motion to continue was made by Comm. Jennifer Alexander and seconded by Comm. John Robinson.

ITEM 6.2
ADOPTED SECTION
61.05 PROHIBITED
USES AS AMENDED
WITH AN EFFECTIVE
DATE OF 5\30\95 AND
TABLED SECTIONS
60.02.29; 61.02.22;
61.01.40; 61.02.09;
AND 60.02.38

The motion failed. On motion and second by Comms. Ann Loffredo and Gerard Winzer the Commission closed the public hearing. Vote was unanimous. Comm. Anthony Vasiliou moved approval of the language for Section 61.05 as originally proposed. Comm. Gerard Winzer seconded. Comm. Jennifer Alexander moved to amend. Comm. Anthony Vasiliou commented that the motion is the original language. Comm. Jennifer Alexander moved that Drug\Alcohol Treatment Facilities should be a Special Exception. Comm. John Robinson seconded. Comm. Jennifer Alexander commented. Discussion ensued. Comm. Anthony Vasiliou feels the Commission must take control now and let future boards address needs. Comms. Jennifer Alexander and John Robinson voted in favor and Comms. Ann Loffredo, Anthony Vasiliou, Gerard Winzer, Stephen Gadomski and Chm. W. Lee Osborne were opposed. A motion to amend registration was made by Comm. Ann Loffredo and seconded by Comm. Gerard Winzer. Comm. Ann Loffredo accepted a friendly amendment to include in whole with significant expansion. The motion passed unanimously. Comm. Ann Loffredo requested a modification to remove rooming houses from the main motion. Comms. Anthony Vasiliou and John Robinson agreed to amend the main motion. The main motion as amended was approved with Comm. Jennifer Alexander opposed and Comm. Gerard Winzer abstaining. On motion and second by Comms. Stephen Gadomski and John Robinson the Commission approved a vote on Section 61.01.40 Rooming Houses. Comm. Ann Loffredo disqualified herself.

On motion and second by Comms. Anthony Vasiliou and John Robinson the Commission tabled a proposed Zoning Code text amendment to modify Section 55 Site Plan Approval Requirements. Vote was unanimous. Proponent P & Z Dept. Z95-12

ITEM 6.3
TABLED PROPOSED
ZONING CODE TEXT
AMENDMENT TO MODIFY
SECTION 55 SITE
PLAN APPROVAL
REQUIREMENTS

On motion and second by Comms. Anthony Vasiliou and John Robinson the Commission tabled a proposed

ITEM 6.4
TABLED PROPOSED

Zoning Code text amendment to modify Section
61.02.23 to allow solid waste facilities in the
IT zone by Special Exception. Vote was unanimous.
Applicant\agent Philip C. Armetta\Santo Longo\
Attorney Z95-11

ZONING CODE TEXT
AMENDMENT TO
MODIFY SECTION
61.02.23 TO ALLOW
SOLID WASTE
FACILITIES IN THE
IT ZONE BY SPECIAL
EXCEPTION

There was no discussion.

ITEM 7
DISCUSSION
WITH PUBLIC

Adjournment was at 10:00 P.M.

ITEM 8
ADJOURNMENT

Respectfully submitted,

William Warner
Director of Planning