

PLANNING AND ZONING COMMISSION REGULAR MEETING MAY 14, 2008, 7:00 P.M.
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Chw. Barbara Plum, Comm. James Fortuna, Comm. Les Adams,
Comm. Catherine Johnson, Comm. Cynthia Jablonski, Comm. Richard
Pelletier, Comm. Ron Borelli, Comm. Quentin Phipps (seated
for Comm. Deborah Kleckowski), Comm. Matthew Lesser, Asst.
Dir. P.W. Robert Dobmeier, Ex-Officio

MEMBERS
PRESENT

Comm. Deborah Kleckowski, Mayor Sebastian Giuliano,
Ex-Officio

MEMBERS
ABSENT

William Warner, Director, Matt Dodge, Planning/Environmental
Specialist

STAFF

There were five (5) 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

Atty. Ralph Wilson discussed issues with the blasting at the Kleen
Energy Power Plant site and damage incurred to his property and
asked that Items #4.1 and #4.2 be tabled until the next meeting. Atty.
Ralph Wilson submitted pictures and a narrative, Exhibit #1, into the
record. Comm. Ron Borelli questioned if a pre-blast survey had been
done. Atty. Ralph Wilson indicated that one wasn't as he is 3,000
feet away from the site. Discussion ensued. Comm. Matthew Lesser
questioned if there was documentation of the new assessment. Atty.
Ralph Wilson indicated he would have it the next day. Comm. Les
Adams indicated he would like to see more information. Chw.
Barbara Plum questioned what to do with O&G. William Warner
indicated that O&G was not present, that they would have to come
back in two (2) weeks to discuss the matter further and recommend-
ed that the Commission go see the damage to Atty. Ralph Wilson's
residence. Chw. Barbara Plum asked if the Commission was in
agreement to visit the house. The Commission indicated yes. Chw.
Barbara Plum indicated that a special meeting will be set up.

ITEM 2
DISCUSSION
WITH PUBLIC

Atty. Michael Dowley presented an overview of the proposal.
Joseph DeRing explained the project's purpose and goals. George
Smilas presented the site plan. Atty. Michael Dowley discussed
the zoning in this area and the appropriateness of the proposal for
this area. Comm. Matthew Lesser had concerns with the location
and traffic on Rt. 17. Atty. Michael Dowley addressed the con-
cerns and the need for approval by the State Traffic Control
Commission. He indicated that the application must be approved
locally before state review, at peak time there will be 280 children
and that the Police Department does not have any issues with
traffic on the site. William Warner indicated that it could be a
condition of the Special Exception approval if the State agrees
with the City. Chw. Barbara Plum questioned if blasting will
occur. Atty. Michael Dowley indicated that a pre-blast survey
will be conducted. Chw. Barbara Plum questioned the placement
of trees and site line interference. Atty. Michael Dowley indicated
that adequate site line will be provided. Comm. Catherine Johnson

ITEM 3
GRANTED A
SPECIAL EX-
CEPTION TO
CONSTRUCT
AN INDOOR
RECREATIONAL
FACILITY TO
BE LOCATED
ON THE WEST
SIDE OF SOUTH
MAIN STREET
ACROSS FROM
THE INTER-
SECTION WITH
ROUND HILL
ROAD ON THE

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questioned what would occur for the parking lot to be leveled. George Smilas indicated that it will be level but sloped. Comm. Catherine Johnson questioned how the earth will be retained. George Smilas indicated that it would be a cut into the existing embankment, that it will not be an all earth cut, that the 2:1 slope will have a reverse bench half way up and that water entering this trough will be directed east and west. Comm. Matthew Lesser cited orderly development, zoning regulations regarding traffic patterns and the need for more traffic impact. Atty. Michael Dowley indicated that the Police Department looked at safety and orderly development in the neighborhood. William Warner indicated that the Commission has to rely on the State Traffic Control Commission and that they will determine if a traffic light is warranted or not. Chw. Barbara Plum indicated that once the applicant gets approval, they will go to the State. Comm. Matthew Lesser questioned when the most people will be expected. Joseph DeRing indicated Saturday and Sunday afternoons. Comm. Les Adams questioned what will the applicant do with the products of the blasting. George Smilas indicated that some of the product will go under the slab as structured fill and that they won't remove the materials off-site. Lawrence McHugh, President of Middlesex County Chamber of Commerce, spoke in favor of the proposal. Tony Jaskot spoke in favor of the proposal. Mr. and Mrs. Scirpo, abutters to the proposed site, had concerns. Mr. Augeri had concerns with the location of the facility. Atty. Michael Dowley addressed the traffic concerns and CONNDOT accident information. Chw. Barbara Plum questioned if the entrance is directly across from Round Hill Road. Atty. Michael Dowley indicated yes. Comm. Matthew Lesser indicated the State will look at the traffic but the Planning and Zoning Commission will more importantly look at issues with the neighbors. Atty. Michael Dowley indicated that any other use of this site would create more traffic. Chw. Barbara Plum questioned Fire Department access. Atty. Michael Dowley indicated there will be a driveway around the building. On motion and second by Comms. James Fortuna and Richard Pelletier the Commission closed the public hearing. Vote was unanimous. A motion to grant a Special Exception to construct an indoor recreational facility to be located on the west side of South Main Street across from the intersection with Round Hill Road on the site of the former golf driving range was made by Comm. James Fortuna and seconded by Comm. Richard Pelletier. Comm. Catherine Johnson felt it is an interesting project. echoed Comm. Matthew Lesser's and the public comments and doesn't agree with the location, felt this type of use shouldn't be at the edge of the city and had issues with blasting and potential traffic. Comm. Richard Pelletier spoke in favor and felt it is a good concept and fits within the zone. Chw. Barbara Plum pointed out the building rendering and agreed with the concept. Comm. Quentin Phipps had reservations regarding traffic but noted that the peak hours for the facility will be different than the normal peak hours. Chw. Barbara Plum made a friendly amendment to the motion that before any blasting is done, there will be a pre-blast survey conducted. William Warner recommended that all the property owners within five hundred (500') feet be given the option of a pre-blast survey and a letter in addition to a well test. The main motion as amended passed with Chw. Barbara Plum, Comms. James Fortuna, Les Adams, Richard Pelletier, Cindy Jablonski, and Quentin Phipps in favor and Comm. Catherine Johnson opposed. Applicant/agent Emjay Enterprises, LLC/

SITE OF THE
FORMER GOLF
DRIVING RANGE

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Michael F. Dowley & Associates SE2008-1

On motion and second by Comms. Les Adams and James Fortuna the Commission tabled a request for a two (2) year extension of the Special Exception approval for the River Road collector wells as part of the Kleen Energy facility pending further information. Vote was unanimous. Applicant/agent White Rock Holding Associates, LLC/William Corvo, Managing Member SE2003-7

ITEM 4.1
TABLED A RE-
QUEST FOR A
A TWO (2)
YEAR EXTEN-
SION OF THE
SPECIAL EX-
CEPTION AP-
PROVAL FOR
THE RIVER
ROAD COLLEC-
TOR WELLS AS
PART OF THE
KLEEN ENERGY
FACILITY

On motion and second by Comms. Les Adams and James Fortuna the Commission tabled a request for a two (2) year extension of the Special Exception approval for the River Road collector wells as part of the Kleen Energy facility pending further information. Vote was unanimous. Applicant/agent White Rock Holding Associates, LLC/William Corvo, Managing Member SE2003-11

ITEM 4.2
TABLED A RE-
QUEST FOR A
TWO (2)
YEAR EXTEN-
SION OF THE
SPECIAL EX-
CEPTION AP-
PROVAL FOR
THE RIVER
ROAD COLLEC-
TOR WELLS AS
PART OF THE
KLEEN ENERGY
FACILITY

Atty. Ralph Wilson explained the request. Adam Thompson, the engineer, explained the site, the buildings and the traffic. William Warner explained the zone and the process of the approval for this proposal. On motion and second by Comms. James Fortuna and Les Adams the Commission approved a request for a two (2) year extension of the Site Plan Approval to construct two (2) industrial buildings on the west side of Middle Street and south of Timber Ridge Road. Vote was unanimous. Applicant/agent For Members Only/Atty. Ralph E. Wilson SPR2007-31

ITEM 4.3
APPROVED A RE-
QUEST FOR A
TWO (2) YEAR
EXTENSION OF
THE SITE PLAN
APPROVAL TO
CONSTRUCT
TWO (2) IN-
DUSTRIAL
BUILDINGS ON
THE WEST SIDE
OF MIDDLE
STREET AND
SOUTH OF TIM-
BER RIDGE
ROAD

On motion and second by Comms. James Fortuna and Quentin Phipps the Commission scheduled a public hearing date of May 28, 2008 for a proposed Zoning Code text amendment to add Section 55.10 Maintenance of Landscaping. Vote was unanimous. Proponent P&Z Dept. Z2008-2

ITEM 5.1
SCHEDULED P.H.
5/28/08 FOR A
PROPOSED ZON-
ING CODE TEXT
AMENDMENT TO
ADD SECTION
55.10 MAIN-

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TENANCE OF
LANDSCAPING

On motion and second by Comms. James Fortuna and Les Adams the Commission scheduled a public hearing date of May 28, 2008 for a proposed Special Exception for an adaptive historic re-use to convert an existing home located at 401 Newfield Street to a new use as an insurance company and single family dwelling residence. Vote was unanimous. Applicant/agent Caleb Carney/Law Offices of Richard D. Carella, LLC SE2008-4

ITEM 5.2
SCHEDULED P.H.
5/28/08 FOR A
PROPOSED
SPECIAL EX-
CEPTION FOR AN
ADAPTIVE HIS-
TORIC RE-USE
TO CONVERT AN
EXISTING HOME
LOCATED AT 401
NEWFIELD
STREET TO A
NEW USE AS AN
INSURANCE
COMPANY AND
SINGLE FAMILY
DWELLING RE-
SIDENCE

On motion and second by Comms. James Fortuna and Les Adams the Commission approved the minutes of the April 23, 2008 meeting. Vote was unanimous.

ITEM 6.1
APPROVED THE
MINUTES OF THE
4/23/08 REGULAR
MEETING

Chw. Barbara Plum spoke regarding a subcommittee on air pollution, indicated that there would be three (3) members including Comm. Matthew Lesser as chair and that it will be run like a public meeting. Comm. Quentin Phipps indicated he would like to serve on the subcommittee. Comm. Les Adams questioned if this would be an exploratory or a standing subcommittee. Chw. Barbara Plum indicated it will be a public meeting subcommittee and that Comm. Matthew Lesser will report his findings to the Commission. William Warner indicated that Comm. Deborah Kleckowski is interested. Chw. Barbara Plum noted that she will be contacted and commented that the bylaws will be reviewed in November, not by a subcommittee as per last meeting's request. Comm. Quentin Phipps questioned what could be done as a Commission concerning the bylaws before November. Chw. Barbara Plum asked if there was a pressing issue. Comm. Quentin Phipps indicated yes. Comm. Les Adams suggested that when there is a review, any changes should be noted in the bylaws with the dates of the changes added. Comm. Ron Borelli commented that there are four (4) new members here that haven't had a chance to review the bylaws and questioned if after an election is it not an appropriate time for new members to review the bylaws. Chw. Barbara Plum indicated that she would investigate and report back at the next meeting and felt the matter should be discussed as an entire commission. Comm. Richard Pelletier discussed the timing of bylaws review. Chw. Barbara Plum indicated that after a year of review a new commissioner would have a better understanding of the bylaws. Comm. Matthew Lesser agreed with Comm. Ron Borelli. Comm. Ron Borelli has issues with how and when alternates get a chance to vote. Chw. Barbara Plum indicated she would like to possibly put discussion on the bylaws on the agenda. Comm.

ITEM 6.2
COMMISSION
AFFAIRS

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Les Adams indicated he would like Comm. Catherine Johnson conduct a workshop on how to review the site plans. Comm. Catherine Johnson indicated she would like to see corrections in the minutes, that she would submit her request to William Warner and recommended that consultants come in for seminars. Chw. Barbara Plum questioned Comm. Catherine Johnson on why she wouldn't have a workshop. Comm. Catherine Johnson indicated that the bylaws don't allow the commissioners to set one up so that would have to be addressed first. She indicated that she would like to bring in other commissions for workshop topics like: blasting, economic development and low impact design for stormwater. William Warner noted that if a meeting comes up, such as June, the Commission could fit in a workshop like the Plan of Conservation and Development workshop. Comm. Ron Borelli questioned how will the commissioners be notified of the walk through of Atty. Ralph Wilson's house and indicated he would like to see a list of those with property damage from the blasting. William Warner indicated the South Fire Marshall and those affected should be there also. Comm. Les Adams commented that he would like to see the blasting company's representative there. William Warner noted that there is no real law about how to deal with blasting.

There was no discussion.

ITEM 8
DISCUSSION

On motion and second by Comms. James Fortuna and Les Adams the Commission adjourned the meeting at 9:30 p.m. Vote was unanimous.

ITEM 9
ADJOURNMENT

Respectfully submitted,

Matthew Dodge
Planning/Environmental Specialist