

Chw. William Holley III, Comm Barbara Plum, Comm. James Fortuna, Comm. David Roane, Comm. George Lapadula, Comm. Andrew Rak, Comm. Carl Bolz, Comm. John Voli (8:00), Dir. P.W. Salvatore Fazzino, Ex-Officio

COMMISSION
MEMBERS
PRESENT

Comm. Corrine Dorsey, Comm. Stephen Gadowski, Mayor Domenique Thornton, Ex-Officio

COMMISSION
MEMBERS
ABSENT

William Warner, Director, Wayne Bell, Zoning Enforcement Officer

STAFF

There were approximately one hundred and fifty (150) members of the public. There is a word for word tape recording of the meeting on file and available in the Planning Office.

PUBLIC

Arline Rich spoke on Item #2b.7. On motion and second by Comms. George Lapadula and David Roane the Commission entered into executive session to discuss pending litigation on the Anthony Fazzino appeal. Vote was unanimous. On motion and second by Comms. Carl Bolz and George Lapadula the Commission came out of executive session. Vote was unanimous.

ITEM 2
DISCUSSION WITH
PUBLIC ON ITEMS
ON AGENDA

Chm. William Holley disqualified himself from the hearing. Comm. David Roane read a request for an advisory opinion regarding potential conflict of interests. William Warner raised the need to clear Comm. David Roane of potential conflict based on the bylaws. A motion to indicate that no conflict exists was made by Comm. Carl Bolz and seconded by Comm. James Fortuna. William Warner explained. The motion passed unanimously. William Warner explained the issues regarding wetlands identified on the site and requested that the applicant withdraw the application. Atty. Michael Dowley responded on wetlands mapping. William Warner responded. Atty. Michael Dowley indicated that they will not withdraw the application and will not consent to an extension. Comm. David Roane referenced the subdivision. William Warner indicated that if the applicant refuses to withdraw or consent to an extension, the application must go forward. Atty. Michael Dowley responded. From the public, C. Auger, First Selectman of Middlefield, read a resolution into the record. J. Rodriguez spoke regarding traffic on Route 66 and intolerable conditions. Atty. Charles Smith, representing the neighbors in opposition, submitted a packet of information regarding the development. Atty. Michael Dowley objected to the references and indicated that other experts were not present. Atty. Charles Smith continued regarding watercourses on the site and the need to have a wetlands permit prior to approval. Atty. Michael Dowley objected to using a letter from the record from Brian Curtis, an engineer. Atty. Charles Smith continued on the zoning boundary, sewer capacity, special exception criteria, traffic and rights to Route 66. Atty. Smith submitted a Notice of Intervention based on the Connecticut Environment Protection Act, reviewed the intervention and the reasons for denial and the need to submit a reasonable and prudent alternative. Comm. David Roane questioned what would be reasonable density. On motion and second by Comms. Carl Bolz and Barbara Plum the Commission

ITEM 2b.1
CONTINUED P.H.
FOR A PROPOSED
SPECIAL EXCEPTION
FOR MULTI-FAMILY
DWELLINGS TO BE
LOCATED ON THE
WEST SIDE OF
GEORGE STREET BE-
TWEEN WASHING-
TON STREET AND
BOSTON ROAD TO
BE KNOWN AS
NOHL CREST

took a five minute break. Vote was unanimous. Comm. Barbara Plum questioned Atty. Michael Dowley on the length of the rebuttal. Atty. Dowley indicated two hours. The public continued. R. Tsong commented on storm drainage impacts and traffic. R. Giocca commented on the detention pond, the driveway in close proximity to his home and the impact on property values. L. Tenza spoke in opposition due to safety and school children and low income units. Comm. David Roane commented on low income housing. P. Shear commented on United Construction's failure to pay past debts on David Drive. Comm. Barbara Plum ruled out of order. J. Martel commented on wetlands, traffic and a traffic light. C. Haller commented on the feasibility of the project and the regulation requiring a feasibility study. S. Monarca read a prepared letter into the record. William Warner commented on time frames. K. Miller commented on traffic, accidents in the area, species of special concern in the area and feels the land should be purchased as open space. G. Martel submitted new information from the realtor and a petition. Atty. Michael Dowley objected to testimony submitted without an expert available for cross examination. Frank Uliano commented on safety and mail delivery. Henry Novicki commented on traffic and water supply wells. Comm. Andrew Rak suggested that Atty. Michael Dowley consent to an extension in order to complete a full rebuttal. Atty. Dowley indicated that he does not consent to an extension. Atty. Michael Dowley began his rebuttal on misunderstandings about the project, submitted a drainage report and a traffic study, continued at length on open space, traffic, visual impacts, sewer and alternates and referenced the definition of useable open space. R. Jefferson commented on the landscape aspects of the plan and suggested additional changes to increase the buffer. D. Milone commented on the need for apartments as a licensed real estate appraiser and referenced a study prepared by the Hartford Courant on May 6, 2001. D. Milone concluded that there is a definite need for additional units and that construction will not have an impact on property values. A. Ness concluded that the development will not have a negative effect on traffic, assuming completion of the State of Connecticut project with a traffic light, commented on traffic volumes and indicated that the proposed drive will work better than driving to Route 66. Comm. David Roane questioned the drainage pipe and why it is thirty-six inches rather than forty-two inches. George Smilas responded that thirty-six inches is most economical and works. Comm. David Roane continued questioning the drainage. George Smilas responded. Comm. Andrew Rak questioned if this development could be done without the detention pond. George Smilas responded. Atty. Michael Dowley concluded on the need for apartments and the benefits of the development. On motion and second by Comms. David Roane and Carl Bolz the Commission closed the public hearing. Vote was unanimous. A motion to place a proposed Special Exception for two hundred (200) multi-family dwellings to be located on the west side of George Street between Washington Street and Boston Road to be known as Nohl Crest on the next agenda under Old Business was made by Comm. Carl Bolz and seconded by Comm. George Lapadula. The motion passed unanimously. A motion that the rest of the items on the agenda be tabled and that the next meeting

start at 6:00 p.m. was made by Comm. David Roane and seconded by Comm. George Lapadula. Comm. Andrew Rak questioned the I-3 public hearing. Comms. David Roane and Carl Bolz agreed that scheduling the hearing for June 5, 2001 is premature and conflicts with Midstate Regional Planning Agency's meeting. Chm. William Holley returned to the meeting and suggested workshops on May 29, 2001 and May 30, 2001 and the public hearings on June 5, 2001 and two weeks later. Discussion ensued on the hearings. A motion to question was made by Comm. David Roane and seconded by Comm. John Voli. The motion passed with Comms. Barbara Plum, James Fortuna, David Roane, Comm. Carl Bolz and Comm. John Voli in favor and Chm. William Holley, Comm. Andrew Rak and Comm. George Lapadula opposed. Comm. David Roane questioned moving the meeting from 7:00 to 7:30 p.m. and if the bylaws were changed. Chm. William Holley ruled the change of time out of order. The main motion failed with Comms. John Voli, David Roane, James Fortuna and Barbara Plum in favor and Chm. William Holley, Comm. Andrew Rak and Comm. George Lapadula opposed. A motion to table all agenda items with the exception of Item #3.2 was made by Comm. Andrew Rak and seconded by Comm. George Lapadula. Comm. Andrew Rak spoke in support. The motion passed unanimously.

The applicant consented to a continuation of time frames. On motion and second by Comms. Andrew Rak and George Lapadula the Commission continued the public hearing for a proposed two lot resubdivision with a Special Exception for a rear lot of Lot #7 of Mapleshade Estates located off Mapleshade Road. Vote was unanimous. Applicant/agent Anthony Fazzino S2001-3

ITEM 2b.2
CONTINUED P.H.
FOR A PROPOSED
TWO (2) LOT RE-
SUBDIVISION
WITH A SPECIAL
EXCEPTION FOR
A REAR LOT OF
LOT #7 OF
MAPLESHADE
ESTATES LO-
CATED OFF
MAPLESHADE
ROAD

The applicant consented to a continuation of time frames. On motion and second by Comms. Andrew Rak and George Lapadula the Commission continued the public hearing for a proposed Special Exception for an adaptive historic reuse to convert an existing abandoned factory building located between Pameacha Avenue, Warwick Street and High Street to a self storage facility. Vote was unanimous. Applicant/agent Cardinal Mills, LLC/ Attorney Philip F. Karpel SE2001-2

ITEM 2b.3
CONTINUED
THE PUBLIC
HEARING FOR
A PROPOSED
SPECIAL EX-
CEPTION FOR
AN ADAPTIVE
HISTORIC REUSE
TO CONVERT AN
EXISTING ABAN-
DONED FACTORY
BUILDING LO-
CATED BETWEEN
PAMEACHA

AVENUE, WAR-
WICK STREET AND
HIGH STREET TO A
SELF STORAGE
FACILITY

On motion and second by Comms. Andrew Rak and George Lapadula the Commission continued the public hearing for a proposed Zoning Code text amendment to modify Section 40.04.11 Industrial Uses and to add Section 61.01.56 Design Center. Vote was unanimous. Applicant/agent Stone Resources, LLC/Michael F. Dowley & Associates Z2001-4

ITEM 2b.4
CONTINUED P.H.
FOR A PROPOSED
ZONING CODE
TEXT AMENDMENT
TO MODIFY SEC-
TION 40.04.11 IN-
DUSTRIAL USES AND
TO ADD SECTION 61.
01.56 DESIGN CEN-
TER

On motion and second by Comms. Andrew Rak and George Lapadula the Commission continued the public hearing for a proposed Special Exception to convert an existing vacant building at 80 East Main Street to a new use as office space for the Community Renewal Team, Inc. (CRT). Vote was unanimous. Applicant/agent Philip H. W. Redford/T.F. Jackowiak SE2001-3

ITEM 2b.5
CONTINUED P.H.
FOR A PROPOSED
SPECIAL EXCEP-
TION TO CONVERT
AN EXISTING VA-
CANT BUILDING
AT 80 EAST MAIN
STREET TO A NEW
USE AS OFFICE
SPACE FOR THE
COMMUNITY RE-
NEWAL TEAM,
INC. (CRT)

On motion and second by Comms. Andrew Rak and George Lapadula the Commission continued the public hearing for a proposed three (3) lot resubdivision with a Special Exception for a rear lot of the property of Stanley Boniewski located on the east side of Higby Road north of White Road. Vote was unanimous. Applicant/agent Bricon Custom Homes/Brian Sarisley S2001-6

ITEM 2b.6
CONTINUED P.H.
FOR A PROPOSED
THREE (3) LOT RE-
SUBDIVISION WITH
A SPECIAL EXCEP-
TION FOR A REAR
LOT OF THE PRO-
PERTY OF STAN-
LEY BONIEWSKI
LOCATED ON THE
EAST SIDE OF
OF HIGBY ROAD
NORTH OF WHITE
ROAD

On motion and second by Comms. Andrew Rak and George Lapadula the Commission tabled a proposed Zoning Map amendment to rezone a piece of property located on the east side of Middle Street north of Old Middle Street from the R-30 Residential zone to the IT Interstate Trade zone. Vote was unanimous. Applicant/agent Stone Resources, LLC/Frank Magnotta,

ITEM 2b.7
TABLED A PRO-
POSED ZONING
MAP AMENDMENT
TO REZONE A PIECE
OF PROPERTY LO-

P.E. Z2001-8

CATED ON THE EAST SIDE OF MIDDLE STREET NORTH OF OLD MIDDLE STREET FROM THE R-30 RESIDENTIAL ZONE TO THE IT INTERSTATE TRADE ZONE

On motion and second by Comms. Andrew Rak and George Lapadula the Commission tabled a proposed twenty-two (22) lot resubdivision of the property of Hubbard Estates Middletown, LLC located off of Brookview Lane just east of McCormick Lane to be known as Knoll Ridge Acres, Phases I and II. Request for a waiver of the Street Design Standards to permit a road of 950 feet instead of 800 feet as required. Vote was unanimous. Applicant/agent Hubbard Estates Middletown, LLC/Joan C. Molloy, Esq. S2001-7

ITEM 2b.8
TABLED A PROPOSED TWENTY-TWO (22) LOT RESUBDIVISION OF THE PROPERTY OF HUBBARD ESTATES MIDDLETOWN, LLC LOCATED OFF OF BROOKVIEW LANE JUST EAST OF MCCORMICK LANE TO BE KNOWN AS KNOLL RIDGE ACRES, PHASES I AND II

On motion and second by Comms. Andrew Rak and George Lapadula the Commission tabled a proposed three (3) lot resubdivision with a Special Exception for a rear lot of the property of Thomas Wilcox located on the east side of Atkins Street north of Sawmill Road. Vote was unanimous. Applicant/agent Thomas Wilcox/Conklin & Soroka, Inc. S2001-8

ITEM 2b.9
TABLED A PROPOSED THREE (3) LOT RESUBDIVISION WITH A SPECIAL EXCEPTION FOR A REAR LOT OF THE PROPERTY OF THOMAS WILCOX LOCATED ON THE EAST SIDE OF ATKINS STREET NORTH OF SAWMILL ROAD

On motion and second by Comms. Andrew Rak and George Lapadula the Commission tabled a request for release of the cash bond for the McInerney Industrial Subdivision located on Middle Street. Vote was unanimous. Applicant/agent Delta Building Corporation/Douglas Balfour, Vice President S99-12

ITEM 3.1
TABLED A REQUEST FOR RELEASE OF THE CASH BOND FOR THE MCINERNEY INDUSTRIAL SUBDIVISION LOCATED ON MIDDLE STREET

On motion and second by Comms. Andrew Rak and George

ITEM 3.2

Lapadula the Commission scheduled workshops for May 29, 2001 and May 30, 2001 and scheduled a public hearing for June 5, 2001 for the proposed I-3 Special Industrial zone text amendments. Vote was unanimous.

SCHEDULED WORKSHOPS AND PUBLIC HEARING FOR THE PROPOSED I-3 SPECIAL INDUSTRIAL ZONE TEXT AMENDMENTS

On motion and second by Comms. Andrew Rak and George Lapadula the Commission tabled a proposed one (1) lot resubdivision of Lot #13 Highmeadow Lane. Vote was unanimous. Applicant/agent Carrier Enterprises, Inc./Yvon Carrier S2001-12

ITEM 4.1
TABLED A PROPOSED ONE (1) LOT RESUBDIVISION OF LOT #13 HIGHMEADOW LANE

On motion and second by Comms. Andrew Rak and George Lapadula the Commission tabled a proposed two (2) lot resubdivision with a Special Exception for two rear lots of the property of Meriden Trust & Safe Deposit Co. located on Footit Drive and Chelsea Court. Vote was unanimous. Applicant/agent Signature Homes, Inc./Conklin & Soroka, Inc. S2001-13

ITEM 4.2
TABLED A PROPOSED TWO (2) LOT RESUBDIVISION WITH A SPECIAL EXCEPTION FOR TWO REAR LOTS OF THE PROPERTY OF MERIDEN TRUST & SAFE DEPOSIT CO. LOCATED ON FOOTIT DRIVE AND CHELSEA COURT

On motion and second by Comms. Andrew Rak and George Lapadula the Commission tabled a proposed thirty-eight (38) lot resubdivision of the property of Tina Tomasetti located at 99 East Street to be known as Country Hill. Vote was unanimous. Applicant/agent The Ravenswood Company, LLC/Conklin & Soroka, Inc. S2001-14

ITEM 4.3
TABLED A PROPOSED THIRTY-EIGHT (38) LOT RESUBDIVISION OF THE PROPERTY OF TINA TOMASETTI LOCATED AT 99 EAST STREET TO BE KNOWN AS COUNTRY HILL

On motion and second by Comms. Andrew Rak and George Lapadula the Commission tabled the minutes of the May 9, 2001 meeting. Vote was unanimous.

ITEM 5.1
TABLED THE MINUTES OF THE 5/9/01 MEETING

On motion and second by Comms. Andrew Rak and George Lapadula the Commission accepted the Zoning Enforcement Officer's Report.

ITEM 5.2
ACCEPTED THE ZEO REPORT

There was no discussion.

ITEM 6
DISCUSSION

PLANNING AND ZONING COMMISSION REGULAR MEETING MAY 23, 2001, 7:30 P.M. PAGE 7 OF
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WITH PUBLIC

A motion to adjourn at 1:45 a.m. was made by Comm. David Roane and seconded by Comm. Barbara Plum. Discussion ensued. The motion passed with Comms. David Roane, Andrew Rak, George Lapadula, and John Voli in favor and Chm. William Holley opposed.

ITEM 7
ADJOURNMENT

Respectfully submitted,

William Warner, AICP
Director of Planning, Conservation and Development