

Chw. Barbara Plum, Comm. Carl Bolz, Comm. James Fortuna,
Comm. Andrew Rak, Comm. Cynthia Jablonski, Comm. Deborah
Kleckowski, Comm. John Pieper, Asst. Dir. P.W. Robert Dobmeier,
Ex-Officio

MEMBERS
PRESENT

Comm. Les Adams, Comm. Ron Borelli, Mayor Sebastian N.
Giuliano, Ex-Officio

MEMBERS
ABSENT

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

STAFF

There were approximately fifty (50) 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

Arline Rich commented on Item #5.1 and buffers.

ITEM 2
DISCUSSION
WITH PUBLIC

Atty. Michael Dowley presented the changes to the plans. Comm.
Carl Bolz questioned the changes. Atty. Michael Dowley responded.
On motion and second by Comms. James Fortuna and Andrew Rak
the Commission closed the public hearing for a proposed Special
Exception to construct a six (6) unit condominium at 21 West Silver
Street and placed the item on the next agenda under Old Business.
Vote was unanimous. Applicant/agent Garofalo & Saraceno Con-
struction, LLC/Atty. Michael Dowley SE2007-7

ITEM 3.1
CLOSED THE
P.H. FOR A
PROPOSED
SPECIAL EX-
CEPTION TO
CONSTRUCT
A SIX (6) UNIT
CONDO-
MINIUM AT
21 WEST
SILVER STREET
AND PLACED
THE ITEM ON
THE NEXT
AGENDA UNDER
OLD BUSINESS

Glenn Russo commented. Joseph Fazzino, Chief Engineer of the
Water and Sewer Department, explained the sanitary sewer issues/
capacity. Comms. Andrew Rak and Carl Bolz questioned Joseph
Fazzino regarding the looping of water. Atty. Robin Pearson ques-
tioned Joseph Fazzino, who responded. Chw. Barbara Plum set a
fifteen (15) minute time limit for speaking. Glenn Russo showed
the site plan of the approved Nohl Crest III project. Atty. Robin
Pearson addressed the latest comments by City Fire Marshal Lewis
LaRosa. Glenn Russo submitted various letters into the record.
Comm. Carl Bolz questioned issues regarding there being only one
(1) way in and one (1) way out and parking issues. Glenn Russo

ITEM 3.2
CLOSED THE
P.H. FOR A
PROPOSED
SPECIAL EX-
CEPTION TO
CONSTRUCT
BUILDING #7
AS PART OF
THE NOHL
CREST III

responded. On motion and second by Comms. Carl Bolz and Andrew Rak the Commission closed the public hearing for a proposed Special Exception to construct Building #7 as part of the Nohl Crest III multi-family dwellings located off George Street and placed the item on the next agenda under Old Business. Vote was unanimous. Applicant/agent George Street of Middletown, LLC/Glenn Russo, Exc. Manager SE2007-8

MULTI-FAMILY DWELLINGS AND PLACED THE ITEM ON THE NEXT AGENDA UNDER OLD BUSINESS

John Scurzek, the engineer, recapped the departmental comments and read a statement on large lot environmentally sensitive subdivisions into the record. He indicated that two (2) feet of the roadway will require blasting. William Warner explained the blasting requirements. Atty. Peter Jay Alter discussed the blasting issues and indicated abutters' properties may be affected. Comm. Andrew Rak questioned having a pre-blast plan and the effects of the blasting. Comm. Carl Bolz questioned the advantage of having a large lot environmentally sensitive subdivision. John Scurzek explained that there would be less road area, more open space and a private road that would not be maintained by the city. William Warner explained that the road would mean less blasting. Chw. Barbara Plum questioned if the homeowners would know that it would be their responsibility to maintain the road. From the public, Alex Dupuy, 981 Arbutus Street, commented on Lots #5 and #6 and the perc tests, the private road and who will maintain it, the lighting and if it would be short poles with shields, and that the plan did not show the accurate location of the wells. He indicated that if the application was approved, that the plans show the accurate location of the wells and that the drainage be directed away from Arbutus Street. Arline Rich commented on the issues with blasting and wells and explained her experiences. Ray Gioco, 221 George Street, commented on blasting issues. Marjorie Sadinsky, 1011 Arbutus Street, commented on blasting issues and requested that site surveys be done for all the abutters. Atty. Peter Jay Alter rebutted the blasting issues. Comm. Carl Bolz asked if the Commission could set a five hundred (500) foot radius. Atty. Peter Jay Alter indicated that it is up to the Fire Marshall to determine when it is appropriate. John Scurzek rebutted the roadway issues and indicated that the drainage water will not discharge to Arbutus Street and would instead drain into a detention basin. He also indicated that the well is located correctly on the plans brought in front of the commission and that there would be no lighting proposed. Chw. Barbara Plum questioned if the well location would be affected by the blasting. John Scurzek indicated that the septic and well will be seventy (70) feet from the roadway. On motion and second by Comms. Carl Bolz and Andrew Rak the Commission closed the public hearing. Vote was unanimous. Comm. Carl Bolz indicated that there should be two conditions: 1) there be a

ITEM 3.3 GRANTED PRELIMINARY APPROVAL OF AN EIGHT (8) LOT RESUBDIVISION WITH A SPECIAL EXCEPTION FOR A LARGE LOT ENVIRONMENTALLY SENSITIVE SUBDIVISION OF THE PROPERTY OF ARBUTUS STREET, LLC LOCATED ON THE WEST SIDE OF ARBUTUS STREET AND SOUTH OF ROUND HILL ROAD EXTENSION TO BE KNOWN AS SOUTH GATE

minimum of five hundred (500) foot notification with pre-blasting surveys; and 2) perc tests be conducted on Lots #5 and #6. Comm. Andrew Rak questioned the guidelines of a pre-blasting survey. William Warner clarified and recommended adding "nothing drains to the Dupuy residence". On motion and second by Comms. Carl Bolz and Andrew Rak the Commission granted preliminary approval of an eight (8) lot resubdivision with a Special Exception for a Large Lot Environmentally Sensitive (LLES) subdivision of the property of Arbutus Street, LLC located on the west side of Arbutus Street and south of Round Hill Road Extension to be known as South Gate with the condition that: 1)pre-blast surveys and well tests be conducted within a minimum distance of five hundred (500) feet and beyond if determined by the Fire Marshal; 2) perc tests be conducted on Lots #5 and #6; and 3) the plans be modified to prevent any drainage onto the neighbor's property. Vote was unanimous. Applicant/agent Arbutus Street, LLC/Megson & Heagle CE & LS, LLC S2007-2

Atty. Michael Dowley presented the application. Comm. Carl Bolz requested that the request for a waiver of the A-2 survey requirements be addressed first. Atty. Michael Dowley indicated that an A-2 survey would be provided upon approval. Comm. Carl Bolz requested a vote on the request. Chw. Barbara Plum felt that submitting an A-2 survey after approval was inappropriate. A motion to approve a request for a waiver of the A-2 survey requirements was made by Comm. Carl Bolz and seconded by Comm. Andrew Rak. Comm. Andrew Rak questioned having the public question the issue of the A-2 survey. The motion failed unanimously. On motion and second by Comms. Carl Bolz and Andrew Rak the Commission denied without prejudice a proposed Special Exception to construct a greenhouse in excess of 5,000 sq. ft. as Phase I on the property of Barbara Eddinger located at 359 Chamberlain Road due to the lack of an A-2 survey. Vote was unanimous. Applicant/agent Eddinger Associates, LLC/ Michael Dowley & Associates SE2007-10

On motion and second by Comms. Andrew Rak and Carl Bolz the Commission approved a request for reduction of the cash bond to \$5,000 for Phase 1B of the Country Hill Subdivision located off East Street. Vote was unanimous. Applicant/agent Ravenswood Homes/Richard N. Fiske, Vice President S2001-15

ITEM 3.4
DENIED WITH-
OUT PREJUDICE
A PROPOSED
SPECIAL EX-
CEPTION TO
CONSTRUCT
A GREENHOUSE
IN EXCESS OF
5,000 SQ. FT. AS
PHASE I ON THE
PROPERTY OF
BARBARA
EDDINGER LO-
CATED AT 359
CHAMBERLAIN
ROAD

ITEM 4.1
APPROVED A
REQUEST FOR
REDUCTION
OF THE CASH
BOND FOR
PHASE 1B OF
THE COUNTRY
HILL SUB-
DIVISION LO-
CATED OFF

On motion and second by Comms. Andrew Rak and Carl Bolz the Commission tabled a proposed eleven (11) lot resubdivision of the property of John H. & Lynda R. Herrmann located on the west side of Crystal Lake Road and south of Prout Hill Road to be known as Trailside Crossing. Vote was unanimous. Applicant/agent AA Denorfia Building & Development/Harry E. Cole & Son/Stephen N. Giudice L.S. S2006-7

EAST STREET

ITEM 4.2
TABLED A
PROPOSED
ELEVEN (11)
LOT RESUB-
DIVISION OF
THE PROPERTY
OF JOHN H.
AND LYNDA R.
HERRMANN
LOCATED ON
THE WEST SIDE
OF CRYSTAL
LAKE ROAD
AND SOUTH OF
PROUT HILL
ROAD TO BE
KNOWN AS
TRAILSIDE
CROSSING

Atty. Gennaro Martorelli commented. Comm. Carl Bolz referred to the memorandum by William Warner. Atty. Gennaro Martorelli responded. Comm. Carl Bolz requested clarification of buffers. William Warner indicated that the final plans are to show the front yard and setback requirements. On motion and second by Comms. Carl Bolz and Andrew Rak the Commission granted site plan approval to construct two (2) industrial buildings at 275 Middle Street, southwest of the intersection with Boardman Lane with the condition that: 1) there be an eight (80) foot setback on the side; 2) the front yard setback be seventy-five (75) feet; 3) there be a buffer area of ten (10) feet; and 4) that the Water and Sewer Departmental comments be addressed. Vote was unanimous. Applicant/agent Stone Resources, LLC & Giuseppe Capasso/Gennaro Martorelli, Esq. SPR2007-65

ITEM 5.1
GRANTED
SITE PLAN
APPROVAL
TO CONSTRUCT
TWO (2) IN-
DUSTRIAL
BUILDINGS AT
275 MIDDLE
STREET, SOUTH-
WEST OF THE
INTERSECTION
WITH BOARD-
MAN LANE

Charles Marano commented. Chw. Barbara Plum referred to the Police Departmental comment. Charles Marano indicated that he and Tom Nigosanti, the Chief Engineer, reviewed the requirements. William Warner indicated that there is to be no parking on city property. On motion and second by Comms. Carl Bolz and Deborah Kleckowski the Commission granted location approval for sale of used cars under G.S. Sec. 14-54 at 169 Main Street Extension in the TD zone with the condition that the Public Works and Police Departmental comments be addressed and that there be no parking on city property. Vote was unanimous. Applicant/agent Charles Marano

ITEM 5.2
GRANTED LO-
CATION AP-
PROVAL FOR
SALE OF USED
CARS UNDER
G.S. SEC. 14-54
AT 169 MAIN
STREET EX-
TENSION IN

THE TD ZONE

On motion and second by Comms. Carl Bolz and James Fortuna the Commission scheduled a public hearing date of June 13, 2007 for a proposed three (3) lot resubdivision of the property of Wallace Kelsey located on the northeast corner of the intersection of Ridgewood Road and Mile Lane. Vote was unanimous. Applicant/agent Wallace A. Kelsey (Suzanne Hall P.O.A.)/James P. Cassidy, Hallisey, Pearson and Cassidy S2006-12

ITEM 5.3
SCHEDULED P.H.
6/13/07 FOR A
PROPOSED
THREE (3) LOT
RESUBDIVISION
OF THE PRO-
PERTY OF
WALLACE
KELSEY LO-
CATED ON THE
NORTHEAST
CORNER OF
THE INTER-
SECTION OF
RIDGEWOOD
ROAD AND
MILE LANE

On motion and second by Comms. Carl Bolz and Andrew Rak the Commission scheduled a public hearing date of June 13, 2007 for a proposed four (4) lot resubdivision with a Special Exception for lots with less than one hundred (100) feet of frontage of the property of Jean Gullitti located at 311 Farm Hill Road and abutting Milardo Lane. Vote was unanimous. Applicant/agent Jean P. Gullitti/Michael F. Dowley & Associates S2007-3

ITEM 5.4
SCHEDULED P.H.
6/13/07 FOR A
PROPOSED FOUR
(4) LOT RESUB-
DIVISION OF
THE PROPERTY
OF JEAN
GULLITTI LO-
CATED AT
311 FARM
HILL ROAD
AND ABUT-
TING MILARDO
LANE

Atty. Elaine Stuhlman presented the proposal. Comm. Carl Bolz asked William Warner if there would be any future problems with the remaining lot. William Warner indicated that there wouldn't be a problem with building as long as it was consistent with the other houses. On motion and second by Comms. Andrew Rak and Carl Bolz the Commission approved a request for modification to the lot line between two (2) non-conforming lots of record pursuant to Section 14 of the Zoning Code with the condition that approval from the Design Review and Preservation Board be granted. Vote was unanimous. Applicant/agent Kathryn Mullins/Elaine K. Stuhlman

ITEM 5.5
APPROVED A
REQUEST FOR
MODIFICATION
TO THE LOT
LINE BETWEEN
TWO (2) NON-
CONFORMING
LOTS OF RE-
CORD PUR-
SUANT TO SEC-

On motion and second by Comms. Carl Bolz and Andrew Rak the Commission scheduled a public hearing date of June 13, 2007 for a proposed Special Exception to construct two (2) buildings to be used for retail, office and a restaurant with a drive-thru on the property of Marco DiMauro located at 850 Newfield Street, on the east side between Wilderman's Way and Mile Lane. Vote was unanimous. Applicant/agent Marco DiMauro/Dean Bagdasarian, P.E. SE2007-6

TION 14 OF THE
ZONING CODE

ITEM 5.6
SCHEDULED P.H.
6/13/07 FOR A
PROPOSED
SPECIAL EXCEP-
TION TO CON-
STRUCT TWO
(2) BUILDINGS
TO BE USED FOR
RETAIL, OFFICE
AND A RES-
TAURANT WITH
A DRIVE-THRU
ON THE PRO-
PERTY OF MAR-
CO DIMAURO
LOCATED AT
850 NEWFIELD
STREET, ON THE
EAST SIDE BE-
TWEEN WILDER-
MAN'S WAY
AND MILE LANE

On motion and second by Comms. Carl Bolz and John Pieper the Commission approved the minutes of the April 25, 2007 regular meeting. Vote was unanimous with Comms. Cynthia Jablonski and Deborah Kleckowski abstaining.

ITEM 6.1
APPROVED
MINUTES OF
THE 4/25/07
REGULAR
MEETING

On motion and second by Comms. Carl Bolz and Andrew Rak the Commission approved the minutes of the May 9, 2007 regular meeting. Vote was unanimous.

ITEM 6.2
APPROVED
MINUTES OF
THE 5/9/07
REGULAR
MEETING

Bruce Driska, the Zoning Enforcement Officer, presented his report. Chw. Barbara Plum questioned a few items and requested clarification. Comm. Carl Bolz questioned clarification of the Inland Wetlands Agency and erosion and sedimentation acronyms. Chw. Barbara Plum questioned Adesa Impact. Bruce Driska responded to all the questions. Comm. Andrew Rak brought up that there was a fire in a group home on Liberty Street in the

ITEM 6.3
ZEO REPORT

local newspaper. Bruce Driska indicated that he would look into it.

Glenn Russo indicated that he was proposing to change the size of the porches on all the buildings in Nohl Crest III. Discussion ensued. Chw. Barbara Plum suggested that William Warner review the proposal at the staff level for the commission. William Warner did not think that the commission nor he needed to review the proposal and that it was more of a Building Department issue. Ray Gioco of 221 George Street indicated that he is not happy with the lack of answers and opportunities to request more information on Nohl Crest III. William Warner indicated that it was all on record in the City Attorney's Office.

ITEM 8
DISCUSSION

On motion and second by Comms. James Fortuna and John Pieper the Commission adjourned the meeting at 9:52 p.m. Vote was unanimous.

ITEM 9
ADJOURNMENT

Respectfully submitted,

William Warner, AICP
Director of Planning, Conservation and Development