

PLANNING AND ZONING COMMISSION REGULAR MEETING MAY 26, 1999,
7:00 P.M. PAGE 1 OF 6

Chm. W. Lee Osborne, Comm. Carl Bolz, Comm. William Holley III, Comm. David Roane, Comm. James Fortuna, Comm. Corrine Dorsey, Comm. Barbara Plum, Comm. Victor Liburdi

COMMISSION
MEMBERS
PRESENT

Comm. Anthony Vasiliou, Comm. Carl Chisem, Mayor Dominique Thornton, Ex-Officio, Dir. P.W. Salvatore Fazzino, Ex-Officio

COMMISSION
MEMBERS
ABSENT

William Warner, Director of Planning, Wayne T. Bell, Zoning Enforcement Officer, Thomas Nigosanti, Chief Engineer

STAFF

There were approximately twenty-five members of the public.

PUBLIC

There was no discussion.

ITEM 2
DISCUSSION WITH
PUBLIC ON ITEMS
ON AGENDA

The Zoning Enforcement Officer submitted his report and commented briefly.

ITEM 2a
ZEO REPORT

Ernest Nepomuceno and Terry Reardon explained the proposal to demolish the existing building and rebuild an identical building. Terry Reardon commented on the problems with the existing building. Chm W. Lee Osborne questioned the previous approval. William Warner explained. Comm. Victor Liburdi questioned building inspections. Terry Reardon explained. The Commission reviewed the plans. Comm. Carl Bolz questioned the approval. William Warner responded it is not a historic reuse. Chm. W. Lee Osborne commented on current codes and problems meeting current codes and requested a motion to approve. Comm. William Holley questioned Special Exception requirements. Discussion ensued. A motion to approve a request for modification to a previously granted Special Exception for 57 South Main Street was made by Comm. David Roane and seconded by Comm. Corrine Dorsey. Comm. David Roane questioned Comm. William Holley's concerns, who abstained.

ITEM 3.1
APPROVED A RE-
QUEST FOR
MODIFICATION
TO A PREVIOUSLY
GRANTED
SPECIAL EXCEP-
TION FOR 57
SOUTH MAIN
STREET

The motion passed unanimously. Applicant/agent
Orthopedic Associates of Middletown/Terry F.
Reardon, M.D. SE99-1

On motion and second by Comms. Carl Bolz and
Victor Liburdi the Commission scheduled a public
hearing date of July 28, 1999 for a proposed amendment
to the Plan of Development to incorporate the Community
Facilities Plan. Vote was unanimous.

ITEM 4.1
SCHEDULED P.H.
7/28/99 PROPOSED
AMENDMENT TO
THE PLAN OF
DEVELOPMENT
TO INCORPORATE
THE COMMUNITY
FACILITIES PLAN

On motion and second by Comms. Carl Bolz and James
Fortuna the Commission scheduled a public hearing date
of June 9, 1999 for a proposed Special Exception to con-
vert an existing building at 574 Saybrook Road from
residential to a new use as a hair and tanning salon.
Vote was unanimous. Applicant/agent Sandra L. Darling
SE99-5

ITEM 4.2
SCHEDULED P.H.
6/9/99 PROPOSED
SPECIAL EXCEP-
TION TO CONVERT
AN EXISTING
BUILDING AT 574
SAYBROOK ROAD
FROM RESIDEN-
TIAL TO A NEW
USE AS A HAIR
AND TANNING
SALON

There is a tape recording of the public hearing available
in the Planning, Conservation and Development office.

ITEM 5
P.H. TAPE
RECORDING

Francis Sumpter and A. Grandozzo presented the proposal.
Comm. David Roane indicated that he is an office of the
adjoining church but does not feel a conflict exists. Francis
Sumpter explained the interior renovations for the daycare
and reviewed the concerns from the last meeting point by
point. Comm. Victor Liburdi questioned the layout, the
entrance and the noise levels. Francis Sumpter responded.
Comm. David Roane questioned childrens interaction
with members and interior walls and the route the children
would take. Francis Sumpter commented. Comm. David
Roane questioned the dumpster location. Francis Sumpter

ITEM 5.1
GRANTED A
SPECIAL EXCEP-
TION TO CONVERT
AN EXISTING
YOUTH EMER-
GENCY SHELTER
TO AN INFANT/
PRESCHOOL
CHILDCARE CEN-
TER AND TO ADD

indicated that it would be in the same location. Comm. David Roane questioned the Special Exception criteria and traffic congestion on Union Street. Francis Sumpter disagreed on traffic congestion and responded further. Comm. Corrine Dorsey questioned the door to the pool and if it will be locked. Francis Sumpter responded yes. Comm. Carl Bolz asked for a typical drop off route in the building. Francis Sumpter responded. Comm. David Roane questioned the Water & Sewer comment. From the public, Angela Villari commented on noise problems in her home. Comm. Victor Liburdi questioned the increase in the noise. Angela Villari responded that it had gotten much worse. Comm. David Roane questioned the playground equipment and the Water & Sewer comment. William Warner responded. Chm. W. Lee Osborne commented on planters becoming garbage disposals and the need for bollards rather than plants. Francis Sumpter responded with concerns. Comms. Carl Bolz and Victor Liburdi expressed concern over the noise issue. Comm. Carl Bolz feels it is not related. Comm. Victor Liburdi was concerned over good neighbor issues. William Warner commented on the noise issue. Francis Sumpter concluded. Comm. James Fortuna questioned the washing machines. On motion and second by Comms. James Fortuna and Carl Bolz the Commission closed the public hearing. Vote was unanimous. A motion to grant a Special Exception to convert an existing youth emergency shelter to an infant/preschool childcare center and to add an outdoor playground at the YMCA located at 99 Union Street was made by Comm. William Holley and seconded by Comm. David Roane. Comm. Carl Bolz questioned the bollards. Chm. W. Lee Osborne feels the YMCA should investigate further into what method to be used should be done in a clean and attractive matter. Comm. William Holley agreed to add an friendly amendment. Comm. David Roane expressed concerns over the application and the applicant and does not feel the application satisfies the Special Exception criteria. He spoke in opposition at length. Comm. Carl Bolz disagreed with Comm. David Roane, feels the Police Department has approved the application and that the Commission must follow expert testimony. Comm. Corrine Dorsey disagreed with the Police comment. Comm. David Roane

AN OUTDOOR
PLAYGROUND AT
THE YMCA LO-
CATED AT 99
UNION STREET

commented. Comm. William Holley commented in support, feels the Police Department must address the traffic issue, and that the Commission must keep in mind that the daycare is for low income, which is in short supply. Comm. David Roane commented on race and low income. Comm. William Holley responded. The motion passed with Chm. W. Lee Osborne, Comm. Carl Bolz, Comm. William Holley, Comm. Corrine Dorsey, Comm. Victor Liburdi, and Comm. James Fortuna in favor and Comm. David Roane opposed. Chm. W. Lee Osborne made final comments. Applicant/agent YMCA of Northern Middlesex County/Francis J. Sumpter SE99-3

Atty. Joseph Borkowski explained the proposal and the history of the project. Alan Bongiovanni explained the subdivision plan. Atty. Borkowski commented on the Water Pollution Control Agency and the cul-de-sac. Comm. Carl Bolz referenced the departmental comments. Alan Bongiovanni responded. Tom Nigosanti, Chief Engineer, indicated that all comments had been fully addressed. No one from the public spoke. William Warner commented on the process. On motion and second by Comms. David Roane and Carl Bolz the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. David Roane and James Fortuna the Commission granted final approval of a seven (7) lot resubdivision of Lots #2 and #3, Cranberry Lane with the condition that: 1) all departmental comments be addressed; and 2) approval be granted by the Water Pollution Control Agency. Vote was unanimous. Applicant/agent Trican Realty, LLC/ Alan Bongiovanni S99-6

ITEM 5.2
GRANTED FINAL
APPROVAL OF A
SEVEN (7) LOT
RESUBDIVISION
OF LOTS #2 AND
#3, CRANBERRY
LANE

Atty. Jule Crawford and Atty. Michael Dowley explained the proposal to convert the property to a law office and the former approval as a thrift shop. Atty. Dowley explained the surrounding land uses, the reasons why the building is not appropriate for residential and how the law office is a way to save the building. Atty. Michael Dowley read letters from the owner, the realtor, Greater Middletown Preservation Trust, Dr. Bridgeford, and Atty. Becker into the record. He commented on the

ITEM 5.3
GRANTED A
SPECIAL EXCEP-
TION FOR AN
ADAPTIVE HIS-
TORIC REUSE TO
CONVERT A FOR-
MER THRIFT SHOP
AT 85 BROAD

parking, submitted a letter from the adjoining property owner providing four parking spaces, and displayed pictures of the area. Atty. Jule Crawford explained the historic significance of the building. Atty. Michael Dowley referenced the Zoning Code and adaptive historic reuse. Comm. Carl Bolz questioned parking. William Warner responded. Comm. Victor Liburdi questioned parking. Atty. Dowley responded. From the public, Andrew Becker spoke in support. Catherine Johnson requested a condition that no parking be permitted in front of the building and that the sign not exceed five square feet. Atty. Michael Dowley concluded and agreed to eliminate one space but not all the spaces. He indicated that the current sign has been done nicely and appropriately. Comm. Victor Liburdi questioned staff on the comment. William Warner responded. Chm. W. Lee Osborne commented on eliminating the parking. Atty. Michael Dowley responded by objecting to the elimination. Comm. William Holley suggested an amendment. Discussion ensued on parking. On motion and second by Comms. James Fortuna and William Holley the Commission closed the public hearing. Vote was unanimous. A motion to grant a Special Exception for an adaptive historic reuse to convert a former thrift shop at 85 Broad Street to law offices was made by Comm. David Roane and seconded by Comm. William Holley. Comm. Carl Bolz made a friendly amendment limiting the parking to two stacked spaces, the inner space be standard and the space at the street be handicapped. Comm. David Roane spoke in support and feels the intended use will bring up the property value. Chm. W. Lee Osborne feels the sign should be limited to twelve square feet and was accepted as a friendly amendment. Comm. Corrine Dorsey spoke in support but was concerned over the loss of residential. The motion as amended passed unanimously. Applicant/agent Jule Crawford SE99-4

STREET TO LAW
OFFICES

On motion and second by Comms. Carl Bolz and William Holley the Commission approved the minutes

ITEM 6.1
APPROVED THE

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of the May 12, 1999 meeting. Vote was unanimous.

MINUTES OF THE
5/12/99 MEETING

William Warner requested a subcommittee for the Plan of Development. Discussion ensued. Chm. W. Osborne suggested Comm. Carl Bolz as the Chairman, and Comms. Barbara Plum and James Fortuna.

ITEM 6.2
POD SUBCOMMITTEE

S. Balinda, President of the Hunt Club, and 90 other residents commented regarding the soil erosion problem. F. Liptac submitted pictures. R. Sparrow expressed concern and continuous disturbance of the yards. Tom Nigosanti commented on the problem. William Warner, Tom Nigosanti, and Wayne Bell responded. Discussion ensued. J. Power expressed concerns. Chm. W. Lee Osborne and William Warner commented. Discussion ensued. M. Koch mentioned a safety hazard on Briarwood Lane at the sedimentation basin. Lengthy discussion ensued. Chm. W. Lee Osborne feels the City should request the City Engineer to submit a design to stabilize the sedimentation basin on Briarwood Lane. Jeffrey Pierce commented on open space and statutes relating to the Conservation Commission and his property.

ITEM 7
DISCUSSION
WITH PUBLIC

Adjournment was at 11:25 P.M.

ITEM 8
ADJOURNMENT

Respectfully submitted,

William Warner
Director of Planning, Conservation & Development