

Acting Chair Richard Pelletier, Comm. James Fortuna, Comm. Barbara Plum, Comm. Les Adams, Comm. Ron Borelli, Comm. Catherine Johnson, Comm. Deborah Kleckowski, Comm. Carl Bolz, Comm. Quentin Phipps

MEMBERS
PRESENT

Comm. Nicholas Fazzino, Mayor Sebastian Giuliano, Ex-Officio, Asst. Dir. P.W. Robert Dobmeier, Ex-Officio

MEMBERS
ABSENT

William Warner, Director, Bruce E. Driska, Zoning Enforcement Officer

STAFF

There were thirteen (13) members of the public present. There is a word for word DVD recording of the meeting on file and available in the Planning Office

PUBLIC

There was no discussion.

ITEM 2
DISCUSSION

William Warner and Lori Montazella explained the proposal. William Warner explained the zone change and special exception process. Discussion ensued on the process and opening up to other zones. William Warner suggested dealing with this application and then coming back with the other zones. From the public, Arline Rich of Westfield Residents, LLC, commented on the board's split opinion. On motion and second by Comms. Barbara Plum and James Fortuna the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. Barbara Plum and James Fortuna the Commission adopted a Zoning Code text amendment to modify Section 44.08.30(B) Bed and Breakfast Uses and Section 60.02.30 Bed and Breakfast in the RPZ to allow the use in the R-15 zone. Vote was unanimous with an effective date of June 5, 2009. Vote was unanimous. Applicant/agent Lori Montazella Z2009-2

ITEM 3.1
ADOPTED A
ZONING CODE
TEXT AMEND-
MENT TO
MODIFY SEC-
TION 44.08.30(B)
BED AND
BREAKFAST
USES AND SEC-
TION 60.02.30
BED AND
BREAKFAST
IN THE RPZ
ZONE TO AL-
LOW THE USE
IN THE R-15
ZONE

Atty. Ceneviva explained the proposal. Comm. Barbara Plum questioned Bruce Driska on the public hearing signs. Bruce Driska responded that the sign conformed with the regulations. Discussion ensued. Comm. Ron Borelli suggested going forward and the Commission agreed. Dan Carter, the engineer, explained the site plan. Comm. Carl Bolz questioned the existing well. William Warner responded. Comm. Ron Borelli commented on sump pumps and dry wells being ineffective if there is high ground water. Dan Carter indicated that the railroad tracks are eight (8) to ten (10) feet below the house so there probably would not be a problem. Comm. Ron Borelli responded. Comm. Barbara Plum questioned the street trees.

ITEM 3.2
GRANTED FINAL
APPROVAL OF A
THREE (3) LOT
RESUBDIVISION
OF THE PRO-
PERTY OF THE
ESTATE OF JOHN
A. BAK AND
JOSEPHINE
TENEROWICZ

The applicant agreed with a condition pertaining to the trees. Comm. Catherine Johnson commented on placing of garages to the back of properties. Comm. Ron Borelli commented that there should be a condition that the existing well be properly abandoned. From the public, Erin Brennan had concerns about the project, the size of the homes, traffic, sidewalks, traffic and noted that Middlefield Street is a busy road. Beth Emery commented on sidewalks. Comm. Carl Bolz questioned hammerheads and sidewalks. Discussion ensued on approving with the condition that sidewalks be installed and having the applicant come back if the Department of Transportation does not approve the sidewalks or felt the impact on trees would be too much. Comm. Deborah Kleckowski read a letter from Mark from McKenna Drive regarding sidewalks into the record. Atty. Ceneviva agreed to investigate the sidewalks and, if necessary, come back to the Commission. Comm. Barbara Plum questioned the process. William Warner explained that the Commission could approve the subdivision and deny the waiver request, therefore requiring sidewalks if necessary. On motion and second by Comms. Barbara Plum and James Fortuna the Commission closed the public hearing. Vote was unanimous. Acting Chair Richard Pelletier did not feel sidewalks should be required. Comm. Barbara Plum had concerns about limited utilization and the impact on the trees. A motion to deny without prejudice the waiver of the sidewalk requirements was made by Comm. Catherine Johnson and seconded by Comm. Deborah Kleckowski. Comm. Catherine Johnson spoke in support of the sidewalks. Comm. Deborah Kleckowski commented on the need for sidewalks. Discussion ensued. The motion passed with Comm. James Fortuna, Comm. Les Adams, Comm. Deborah Kleckowski, Comm. Catherine Johnson, and Comm. Ron Borelli in favor and Acting Chair Richard Pelletier and Comm. Barbara Plum opposed. A motion to grant final approval of a three (3) lot resubdivision of the property of the Estate of John A. Bak and Josephine Tenerowicz located at 42 Middlefield Street with the condition that: 1) there be a hammerhead driveway on the two (2) new lots; 2) there be four (4) street trees planted on each new lot; 3) the well on the first lot be abandoned if required by the Health Department; 4) all departmental comments be addressed; and 5) sidewalks be required was made by Comm. Catherine Johnson and seconded by Comm. Deborah Kleckowski.. The motion passed unanimously. Applicant/agent Del Favero Designs. LLC/Bolduc Land Consultants, LLC S2009-2

LOCATED AT 42
MIDDLEFIELD
STREET AND
DENIED A RE-
QUEST FOR A
WAIVER OF THE
SIDEWALK RE-
QUIREMENTS

On motion and second by Comms. Barbara Plum and James Fortuna the Commission tabled a proposed fifteen (15) lot resubdivision of the property of Madelyn Cerritelli located at 85 Flynn Lane to be known as Poplar Estates and a request for a waiver of the sidewalk requirements until the June 24, 2009 meeting. Vote was unanimous. Applicant/agent Del Favero Designs. LLC/Bolduc Land Consultants, LLC S2008-2

ITEM 3.3
TABLED A PRO-
POSED FIFTEEN
(15) LOT RESUB-
DIVISION OF
THE PROPERTY
OF MADELYN

CERRITELLI LO-
CATED AT 85
FLYNN LANE
TO BE KNOWN
AS POPLAR
ESTATES AND
A REQUEST
FOR A WAIVER
OF THE SIDE-
WALK REQUIRE-
MENTS UNTIL
THE 6/24/09
MEETING

William Warner explained. On motion and second by Comms. Catherine Johnson and Ron Borelli the Commission granted final re-approval of Phases I (Lots 10-12), II (Lots 1, 2) and III (Lots 3-5) of the Liberty Commerce Park located on Middle Street with the condition that: 1) all departmental comments be addressed; and 2) that a cash bond in the amount of \$240,000 for all three phases be posted. Vote was unanimous. Applicant/agent Thaddeus Bysiewicz S2006-6

ITEM 4.1
GRANTED FINAL
RE-APPROVAL
OF PHASES I, II,
AND III OF THE
LIBERTY COM-
MERCE PARK
LOCATED ON
MIDDLE STREET

On motion and second by Comms. Barbara Plum and James Fortuna the Commission scheduled a public hearing date of June 24, 2009 for a proposed two (2) lot resubdivision of the property of Sebastian Russo located at 78 Flynn Lane. Vote was unanimous. Applicant/agent Sebastian Russo/Kevin T. Ewald L.S. S2009-3

ITEM 5.1
SCHEDULED P.H.
6/24/09 FOR A
PROPOSED TWO
(2) LOT RESUB-
DIVISION OF
THE PROPERTY
OF SEBASTIAN
RUSSO LOCATED
AT 78 FLYNN
LANE

William Warner explained that the request was simply a name change. On motion and second by Comms. Barbara Plum and James Fortuna the Commission approved a request for location approval for a used car dealer under G.S. 14-54 at 175 Johnson Street. Vote was unanimous. Applicant/agent Jesse Morin

ITEM 5.2
APPROVED A
REQUEST FOR
LOCATION AP-
PROVAL FOR
A USED CAR
DEALER UN-
DER G.S. 14-54
AT 175 JOHN-
SON STREET

On motion and second by Comms. Barbara Plum and James Fortuna

ITEM 5.3

the Commission scheduled a public hearing date of June 24, 2009 for a proposed two (2) lot resubdivision of the property of Andrew & Patricia Brown to be located at 239 Ballfall Road at the southwest corner of the intersection with Sisk Street. Vote was unanimous. Applicant/agent Andrew P. & Patricia L. Brown/Pat Benjamin S2009-5

SCHEDULED P.H.
6/24/09 FOR A
PROPOSED TWO
(2) LOT RESUB-
DIVISION OF THE
PROPERTY OF
ANDREW &
PATRICIA
BROWN TO BE
LOCATED AT
239 BALLFALL
ROAD AT THE
SOUTHWEST
CORNER OF THE
INTERSECTION
WITH SISK
STREET

Comm. Catherine Johnson submitted changes on Pages 3 and 4. On motion and second by Comms. Barbara Plum and James Fortuna the Commission approved the minutes of the May 13, 2009 regular meeting as amended. Vote was unanimous.

ITEM 6.1
APPROVED THE
MINUTES OF THE
5/13/09 REGULAR
MEETING

Acting Chair Richard Pelletier opened up the nominations. A motion to nominate Comm. Deborah Kleckowski for Chair was made by Comm. Catherine Johnson. The motion failed with Comms. Les Adams, Deborah Kleckowski, Catherine Johnson, and Ron Borelli in favor. A motion to nominate Acting Chair Richard Pelletier for Chair was made by Comm. James Fortuna. The motion failed with Comms. Barbara Plum, James Fortuna and Richard Pelletier in favor.

ITEM 6.2
ELECTION OF
OFFICERS

Bruce Driska gave the ZEO Report and reviewed several items. Lengthy discussion ensued with many questions. On motion and second by Comms. Deborah Kleckowski and Les Adams the Commission accepted the report.

ITEM 6.3
ZEO REPORT

William Warner explained the process of getting the By-Laws ready for approval on June 10, 2009.

ITEM 6.4
COMMISSION
BYLAWS

Comm. Deborah Kleckowski felt the Commission should modify the text for Bed and Breakfasts and sidewalks. Comm. Catherine Johnson felt there should be a list of work to be done on the June 10, 2009 agenda. Comm. Carl Bolz felt the language for Bed and Breakfasts is strong and that there is no need for a workshop.

ITEM 6.5
OTHER COM-
MISSION AF-
FAIRS

Comm. Catherine Johnson commented on public input session #3 on transit issues.

ITEM 6.5
PLAN OF CON-

SERVATION AND
DEVELOPMENT

Arline Rich thanked the Commission for putting staff comments on the website.

ITEM 8
DISCUSSION

On motion and second by Comms. James Fortuna and Deborah Kleckowski the Commission adjourned the meeting at 8:48 p.m. Vote was unanimous.

ITEM 9
ADJOURNMENT

Respectfully submitted,

William Warner, AICP
Director