

Chm. William Holley III, Comm. Barbara Plum, Comm. James Fortuna, Comm. David Roane (7:35), Comm. George Lapadula, Comm. Carl Bolz, Comm. Andrew Rak, Comm. Stephen Gadomski, Comm. John Voli

COMMISSION
MEMBERS
PRESENT

Comm. Corrine Dorsey, Mayor Dominique Thornton, Ex-Officio, Dir. P.W. Salvatore Fazzino, Ex-Officio

COMMISSION
MEMBERS
ABSENT

William Warner, Director, Wayne Bell, Zoning Enforcement Officer, Tom Nigosanti, Chief Engineer

STAFF

There were approximately forty members of the public.
There is a word for word tape recording of the meeting on file and available in the Planning Office.

PUBLIC

Lawrence McHugh, President of Middlesex County Chamber of Commerce, spoke in support of Stone Resources, Twin Vane Industrial Subdivision and against the Subdivision Regulation amendment. Ann Bickford commented on Item 2 and the purpose of this item. Comm. David Roane commented as a member of the public in opposition to the proposed charter changes and indicated a need to lobby against the proposed changes.

ITEM 2
DISCUSSION WITH
PUBLIC ON ITEMS
ON AGENDA

Wayne Bell explained the report on Russell Ridge. Comm. David Roane asked for a legal interpretation of whether it is a mining operation or not. William Warner commented on Section 44.08.10 Natural Resource Extraction. Chm. William Holley asked the Zoning Enforcement Officer to review Section 44.08.10 and report back. Wayne Bell commented on the Hunt Club, the intention to pull the bond for Hubbard Estates and the Steeplegate DEP visit. Comm. George Lapadula asked for written orders. Comm. Barbara Plum asked for a copy of the ZEO report. Jim Sipperly, Planning/ Environmental Specialist, commented. Chm. William Holley questioned South Main Street and Randolph Road and zoning enforcement. William Warner commented on the ordinance allowing the issuing of tickets for zoning violations. Comm. George Lapadula commented on issuing tickets and cars on Old Mill Road. Jim Sipperly commented on Lots #4 and #5 of Cranberry Lane. Comm. David Roane questioned Jim Sipperly at length on the issue. William Warner explained pictures on Cranberry Lane and the need for planting grass. Lengthy discussion ensued on the problem on Lots #4 and #5 of Cranberry Lane. Gina Pulvirenti and C. Pulvirenti commented on their frustration over the process. Wayne Bell rebutted. Chm. William Holley summarized and tried to explain the situation. Comm. John Voli questioned the regulations and civil matter. Chm. William Holley responded that there is a need for the City Attorney to be present at the meetings. William Warner

ITEM 2a
ZEO REPORT

responded on civil matters. Chm. William Holley suggested referring the file to the City Attorney for a legal opinion. Comm. George Lapadula asked for cooperation from the Building Department. Wayne Bell commented on his certification as a building official. Comm. David Roane submitted a written document from the Pulvirentis. Comm. Andrew Rak referred to the Subdivision Regulations. Comm. David Roane concluded. On motion and second by Comms. John Voli and David Roane the Commission agreed to refer the matter to the City Attorney.

On motion and second by Comms. Stephen Gadomski and David Roane the Commission granted final approval of The Woods at Westfield Hills with the condition that a cash bond in the amount of \$155,000 be posted and denied a waiver of the sidewalks from the northeast corner of Lot 15 to the northerly end of Chelsea Court. Vote was unanimous. Applicant/agent Signature Homes Corporation/Kevin Daley, President S99-7

ITEM 3.1
GRANTED FINAL
APPROVAL OF
THE WOODS AT
WESTFIELD HILLS
AND DENIED A
WAIVER OF THE
SIDEWALKS FROM
THE NORTHEAST
CORNER OF LOT
15 TO THE NOR-
THERLY END OF
CHELSEA COURT

On motion and second by Comms. Stephen Gadomski and George Lapadula the Commission approved a request for release of the cash bond for Section 3, Phase 3 (Lots #128, 136, 137, 142, 146 and 148 on West Wynd Terrace and Lots #172-175, 179 & 180 on Pond Place) and Section 4, Phase 1A (Lots 209-211 & 242-247 on Rolling Green) of The Meadows at Riverbend. Vote was unanimous. Applicant/agent Tuttle Road Associates/Robert C. Fusari, President S93-3, S95-6

ITEM 3.2
APPROVED A RE-
QUEST FOR RE-
LEASE OF THE
CASH BOND FOR
SECTION 3, PHASE
3 AND SECTION 4,
4, PHASE 1A

THIS ITEM WAS PULLED FROM THE AGENDA

ITEM 3.3
ITEM PULLED
FROM AGENDA

Chm. William Holley questioned the request. William Warner responded. On motion and second by Comms. Stephen Gadomski and Barbara Plum the Commission approved a request for release of the cash bond for the subdivision of Paul and Nancy Pierce located at 408 Maromas Road. Vote was unanimous. Applicant/agent Paul and Nancy Pierce S99-13

ITEM 3.4
APPROVED A RE-
QUEST FOR RE-
LEASE OF THE
CASH BOND FOR
THE SUBDIVISION
OF PAUL AND
NANCY PIERCE
LOCATED AT 408
MAROMAS ROAD

Chm. William Holley requested a motion to move Item #5.1 up. On motion and second by Comms. David Roane and Stephen Gadomski the Commission moved Item #5.1 up. Vote was unanimous. Wayne Bartolotta and Louis Bartolotta explained the comments on various projects and specifically on #5.1 and their recommendation for a fire hydrant. They feel a hydrant is not mandatory. Comm. Carl Bolz questioned the fire code. Comm. John Voli expanded on how fires would be fought. Louis Bartolotta responded. Comm. David Roane questioned public safety. The Commission returned to the agenda.

ITEM 5.1
PROPOSED THREE
(3) LOT RESUB-
DIVISION WITH A
SPECIAL EXCEP-
TION FOR TWO
REAR LOTS OF THE
THE PROPERTY OF
INNOVATIVE REAL-
TY, LLC LOCATED
ON THE NORTH
SIDE OF RANDOLPH
ROAD ADJACENT
TO WESTRIDGE
ESTATES

Frank Magnotta explained the proposal. William Warner commented. Chm. William Holley questioned parking. Frank Magnotta commented that the plan is designed to meet the regulations and ASTO turning radiuses. Comm. Barbara Plum questioned the departmental comments. Chm. William Holley questioned Phase II. Frank Magnotta responded. Comm. David Roane questioned sitelines. Comm. Barbara Plum questioned the State Traffic Commission approval. Frank Magnotta indicated that it is not relevant. On motion and second by Comms. Stephen Gadomski and George Lapadula the Commission granted Site Plan Approval to construct an industrial/warehouse on the east side of Middle Street abutting Hershey Creamery and I-91 with the condition that all departmental comments deemed appropriate by staff be addressed. Vote was unanimous. Applicant/agent Stone Resources, LLC c/o Attorney Martorelli/Bascom & Magnotta, Inc. c/o Frank Magnotta SPR2000-4

ITEM 4.1
GRANTED SITE
PLAN APPROVAL
TO CON-
STRUCT AN
INDUSTRIAL/
WAREHOUSE ON
THE EAST SIDE OF
MIDDLE STREET
ABUTTING HER-
SHEY CREAMERY
AND I-91

William Warner summarized. Frank Magnotta explained the difficulty in placing the fire hydrant at the property and where it could go. Comm. John Voli questioned hydrant locations. William Warner commented on requiring a fire hydrant. Discussion ensued on the hydrant. Comm. Barbara questioned placing of the hydrant. Comm. James Fortuna questioned placing it across the street. Frank Magnotta responded. Comm. George Lapadula questioned the individual line. From the public, Kathy Erickson commented on congestion on the road, traffic concerns, wetland issues and tree clearing. Jim Sipperly commented on the Inland Wetlands approval and the adjacent property on wetlands. On motion and second by Comms. George Lapadula and Stephen Gadomski the Commission closed the public hearing. Vote was unanimous. A motion to grant final approval of a three (3) lot resubdivision

ITEM 5.1
GRANTED FINAL
APPROVAL OF A
THREE LOT RE-
SUBDIVISION WITH
A SPECIAL EXCEP-
TION FOR TWO
REAR LOTS OF
THE PROPERTY OF
INNOVATIVE
REALTY, LLC
LOCATED ON
THE NORTH SIDE
OF RANDOLPH
ROAD ADJACENT

with a Special Exception for two rear lots of the property of Innovative Realty, LLC located on the north side of Randolph Road adjacent to Westridge Estates was made by Comm. Stephen Gadomski and seconded by Comm. George Lapadula. Comm. David Roane made a friendly amendment that a fire hydrant be required. Comm. Andrew Rak questioned site lines. Frank Magnotta indicated over three hundred (300) feet. Comm. Barbara Plum questioned the hydrant location. Comm. David Roane indicated in the right-of-way at the driveway intersection. The motion as amended passed unanimously. Applicant/agent Innovative Realty, LLC S2000-4

TO WESTRIDGE
ESTATES

William Warner commented on the continuation. Frank Magnotta explained the Water & Sewer comment, the WPCA approval and the lapping of the water line. Chm. William Holley questioned the driveway through the property. Frank Magnotta responded and indicated that the applicant has no objections. William Warner commented on the subdivision. Jim Sipperly commented on the wetlands. On motion and second by Comms. Stephen Gadomski and David Roane the Commission closed the public hearing. Vote was unanimous. Chm. William Holley questioned the Westfield Fire comments. Frank Magnotta explained the easement. Comm. Barbara Plum questioned the detention ponds. Frank Magnotta responded on wetland constraints. On motion and second by Comms. George Lapadula and David Roane the Commission granted final approval of a four (4) lot industrial subdivision located on Timber Ridge Road and Bradley Street to be known as Twin Vane Industrial Park. Vote was unanimous. Applicant/agent Delta Building Corp. S2000-7

ITEM 5.2
GRANTED FINAL
APPROVAL OF A
FOUR (4) LOT
INDUSTRIAL SUB-
DIVISION LO-
CATED ON TIM-
BER RIDGE ROAD
AND BRADLEY
STREET TO BE
KNOWN AS TWIN
VANE INDUSTRIAL
PARK

Anthony Fazzino explained the previous hearing and William Warner summarized the issues. Jim Sipperly commented on the wetland issues, the drainage ditch directed to the intermittent stream and the corrective measures. Chm. William Holley questioned the wetland violations. Comm. David Roane questioned dead ash trees. Jim Sipperly responded. Comm. David Roane questioned drainage at the catch basin and water problems. Jim Sipperly responded. William Warner commented and summarized on the drainage. From the public, Marie Sheehan commented on the developer's integrity, changes to the plan to accommodate a rear lot, drainage problems and wondered if it is a "done deal". She continued and asked for a show of hands from the public for opposition. Twenty-five (25) individuals raised their hands and requested denial. Letters were submitted into the record in opposition from neighboring properties. F. Payolla commented on the previous approval of Cranberry Lane, buffers at the rear of the property, the economic need and re-

ITEM 5.3
DENIED A
PROPOSED TWO
(2) LOT RESUB-
DIVISION WITH A
SPECIAL EXCEP-
TION FOR A REAR
LOT OF LOT #7 OF
MAPLE SHADE
ESTATES LOCATED
OFF MAPLE SHADE
ROAD

quested denial without prejudice. Dr. Mehever commented on his house and wet property and requested denial. A. Alfano commented on the trench and drainage issue and used photos to display existing drainage. Chm. William Holley questioned timing of the photos. A. Alfano responded. Jim Sipperly commented on the existing trench. A. Alfano continued on wetlands, buffers and the two abutting rear lots. He requested a correction of the drainage, restoration of the cleared area, changing back of the lot lines and requested denial. Comm. John Voli questioned a buffer. S. Guiliano commented on the general character of the neighborhood and wetlands and stated his opposition to the wetlands and his concern over the intermittent stream. D. Vercad had concerns over the ditch and the division of the lot. He felt the ditch should be fully removed. Dr. Mahever commented on the impact of an additional lot. M. Speciale expressed concern over rear lots. A. Fazzino rebutted and concluded on compliance with the regulations and the neighbors' opposition and setbacks and emphasized compliance with rules and regulations. The Commission voted to continue the meeting until 12:00 a.m. Anthony Fazzino continued on draining into the catch basin on Maple Shade Road and emphasized that the water drains down a hill. Comm. David Roane questioned removal of trees and if they were dead. Anthony Fazzino responded. Comm. David Roane continued. Comm. Barbara Plum questioned the lot configuration. Anthony Fazzino responded. William Warner explained the previous approvals and lot shapes. M. Cannata commented on selling an easement to Maple Shade Road and indicated that an easement still exists. M. Sheehan commented on wetlands and the drainage issue. S. Guiliano indicated that Mr. Monarca did not convey any property, that there was a misrepresentation and drainage concerns. On motion and second by Comms. David Roane and George Lapadula the Commission closed the public hearing. Vote was unanimous. Anthony Fazzino concluded and that he will comply with all departmental comments. Chm. William Holley questioned the applicant on the Special Exception criteria. Anthony Fazzino responded. Chm. William Holley questioned private drains and lot line rearrangement. Comm. David Roane commented on latitude with Special Exceptions and referred to Section 44.04 criteria and health issues. Anthony Fazzino responded. A motion to grant final approval of a two (2) lot subdivision with a Special Exception for a rear lot of Lot #7 of Maple Shade Estates located off Maple Shade Road was made by Comm. David Roane and seconded by Comm. James Fortuna. Comm. David Roane spoke in opposition and feels it does not meet Special Exception criteria with conditions to fix the violations. Chm. William Holley clarified that the Commission can't attach conditions. William Warner indicated that the applicant could re-apply with no

restrictions. Comm. Barbara Plum questioned water runoff and lot lines. Chm. William Holley commented on the increase in the rate of flow of the water, the character of the area, the depreciation of property values and adverse effects. The motion failed with Comm. Stephen Gadomski in favor and Chm. William Holley, Comm. Barbara Plum, Comm. James Fortuna, Comm. David Roane, Comm. George Lapadula, and Comm. Andrew Rak opposed. Applicant/agent Anthony Fazzino S2000-8

On motion and second by Comms. Stephen Gadomski and David Roane the Commission tabled until the next meeting a proposed amendment to the Subdivision Regulations to modify Section 5.02 Site Design Standards. Vote was unanimous.

On motion and second by Comms. James Fortuna and George Lapadula the Commission approved the minutes of the May 28, 2000 meeting. Vote was unanimous.

Mrs. Schildwaster commented on a drainage issue in the Syvlan Run Subdivision, privacy issues and had concerns over drainage. Chm. William Holley suggested dealing with this issue under Item #2 at the next meeting. Ann Bickford commented on quarrying at Russell Ridge. C. McCoid commented on quarrying at Russell Ridge.

Adjournment was at 12:30 A.M.

Respectfully submitted,

William Warner
Director of Planning, Conservation and Development

ITEM 5.4
TABLED A
PROPOSED A-
MENDMENT TO
THE SUBDIVISION
REGULATIONS TO
MODIFY SECTION
5.02 SITE DESIGN
STANDARDS

ITEM 6.1
APPROVED THE
MINUTES OF THE
5/28/00 MEETING

ITEM 7
DISCUSSION
WITH PUBLIC

ITEM 8
ADJOURNMENT