

PLANNING AND ZONING COMMISSION REGULAR MEETING SEPTEMBER 8, 1999, 7:00 P.M. PAGE 1 OF 8

Chm. W. Lee Osborne, Comm. Carl Bolz, Comm. James Fortuna, Comm. William Holley III, Comm. David Roane, Comm. Corrine Dorsey, Comm. Barbara Plum, Comm. Victor Liburdi, Dir. P.W. Salvatore Fazzino, Ex-Officio

COMMISSION
MEMBERS
PRESENT

Comm. Anthony Vasiliou, Comm. Carl Chisem,
Mayor Dominique S. Thornton, Ex-Officio

COMMISSION
MEMBERS
ABSENT

William Warner, Director of Planning, Wayne T. Bell,
Zoning Enforcement Officer

STAFF

There were approximately fifty members of the public.

PUBLIC

There was no discussion.

ITEM 2
DISCUSSION WITH
PUBLIC ON ITEMS
ON AGENDA

The Zoning Enforcement Officer commented and introduced W. Ziegler, owner of Wild Bills on Newfield Street, who spoke regarding storage at his site. Comm. David Roane questioned the storage. Chm. W. Lee Osborne commented on the violations. William Warner commented on the violations. Lengthy discussion ensued. Wayne Bell summarized. Comm. David Roane requested a Cease and Desist be issued within thirty (30) days. Wayne Bell commented on the balloon test and the appropriateness of the site. Comm. David Roane questioned work done by Carabetta's on Newfield Street. Comm. David Roane continued.

ITEM 2a
ZEO REPORT

Atty. Michael Dowley explained the proposal, the history of the site, the reason for the request, indicated that the Fire and Public Works Departments concurred, and used a site plan to display the requests. P. Mick explained the intent of the subdivision and the proposed house models. Comm. Carl Bolz questioned Public Works' input. Salvatore Fazzino, Director of Public Works, requested a fifty (50) foot setback and a hammerhead driveway for every lot. Atty. Dowley indicated that the Association would maintain the sidewalks. A motion to grant a waiver of the road

ITEM 3.1
GRANTED A
WAIVER OF THE
ROAD AND SIDE-
WALK STANDARDS
FOR STEEPLEGATE
SUBDIVISION

and sidewalk standards for Steeplegate Subdivision with the condition that: 1) the Association maintain the sidewalks; and 2) each lot have a hammerhead or circle to allow turning and a fifty (50) foot setback was made by Comm. Carl Bolz and seconded by Comm. David Roane. Comm. David Roane expressed concerns over the width and sidewalks. Chm. W. Lee Osborne and William Warner commented on the wisdom of narrower roads. Comm. David Roane concluded. The motion passed with Chm. W. Lee Osborne, Comm. Carl Bolz, Comm. William Holley, Comm. Corrine Dorsey, Comm. Victor Liburdi, and Comm. Barbara Plum in favor and Comms. David Roane and James Fortuna opposed. Applicant/agent Attorney Michael Dowley S95-15

William Warner explained the departmental comments. Comm. David Roane questioned the Public Works comment and the \$10,000 bond amount. Salvatore Fazzino responded. Comm. David Roane continued. Salvatore Fazzino commented. Discussion ensued. On motion and second by Comms. Carl Bolz and James Fortuna the Commission approved a request for reduction of the cash bond for Old Farms Subdivision, Section 3. Vote was unanimous. Applicant/agent Old Farms Associates/Robert C. Fusari, President S88-7

On motion and second by Comms. David Roane and Corrine Dorsey the Commission granted Final Approval of the first portion of Greenview Terrace in The Meadows at Riverbend Subdivision, Section 4 with the condition that a cash bond in the amount of \$75,000 be posted. Vote was unanimous. Applicant/agent Tuttle Road Associates/Robert C. Fusari, President S95-6

On motion and second by Comms. Corrine Dorsey and Barbara Plum the Commission tabled a request for release of the cash bond for Countryview Estates, Phase III. Vote was unanimous. Applicant/agent Cambridge Homes, Inc./ Glenn R. Russo, President S93-17

On motion and second by Comms. Corrine Dorsey and

ITEM 3.2
APPROVED A
REQUEST FOR RE-
DUCTION OF THE
CASH BOND FOR
OLD FARMS SUB-
DIVISION, SECTION
3

ITEM 3.3
GRANTED FINAL
FINAL OF THE
FIRST PORTION
OF GREENVIEW
TERRACE IN THE
MEADOWS AT
RIVERBEND SUB-
DIVISION

ITEM 3.4
TABLED A RE-
QUEST FOR RE-
LEASE OF THE

ITEM 3.5

PLANNING AND ZONING COMMISSION REGULAR MEETING SEPTEMBER 8, 1999, 7:00 P.M. PAGE 3 OF 8

Barbara Plum the Commission tabled a proposed amendment to the Plan of Development to incorporate the Community Facilities Plan. Vote was unanimous.

TABLED 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 September 22, 1999 for a proposed two lot resubdivision of Lot #3 of Dina Estates Subdivision located on Bartholomew Road near the intersection of Shunpike Road. Vote was unanimous. Applicant/agent Salvatore Fazzino S99-8

ITEM 4.1
SCHEDULED P.H. 9/22/99 PROPOSED TWO LOT RESUBDIVISION OF LOT #3 OF DINA ESTATES SUBDIVISION LOCATED ON BARTHOLOMEW ROAD NEAR THE INTERSECTION OF SHUNPIKE ROAD

On motion and second by Comms. Carl Bolz and Barbara Plum the Commission scheduled a public hearing date of September 22, 1999 for a proposed Zoning Code text amendment to add Section 39D Downtown Village District (DVD) and Proposed Zoning Map amendment to rezone an area south of Washington Street generally between Broad, High, and Loveland Streets. Vote was unanimous. Applicant/agent Middetown Design/Preservation Board Z99-

ITEM 4.2
SCHEDULED P.H. 9/22/99 PROPOSED ZONING CODE TEXT AMENDMENT TO ADD SECTION 39D DOWNTOWN VILLAGE DISTRICT (DVD) AND PROPOSED ZONING MAP AMENDMENT TO REZONE AN AREA SOUTH OF WASHINGTON STREET GENERALLY BETWEEN BROAD, HIGH, AND LOVELAND STREETS

On motion and second by Comms. Carl Bolz and

ITEM 4.3

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1999, 7:00 P.M. PAGE 4 OF 8

Barbara Plum the Commission scheduled a public hearing date of September 22, 1999 for a proposed two lot resubdivision of the property of Paul Pierce located at 408 Maromas Road. Vote was unanimous. Applicant/agent Paul and Nancy Pierce S99-9

SCHEDULED P.H.
9/22/99 PROPOSED
TWO LOT RESUB-
DIVISION OF THE
PROPERTY OF
PAUL PIERCE LO-
CATED AT 408
MAROMAS ROAD

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

ITEM 5
P.H. TAPE
RECORDING

Esther McNanny commented on the requests, the previous hearing, the proposed location, and on the balloon test held the day before. Comm. Barbara Plum questioned the building size. Esther McNanny responded. Comm. William Holley questioned the coverage and the need. Esther McNanny responded. Comm. Carl Bolz questioned the cabinets. Chm. W. Lee Osborne indicated that it is probably overkill to regulate what is already regulated in the Building Code. From the public, V. Houghtaling expressed opposition to the proposal and feels that there are many accidents in that area and that this will make it worse. He expressed aesthetic concerns and feels people don't need to be using cell phones when in a car. Esther McNanny returned. Comm. David Roane questioned data on usage and alternate sites. Esther McNanny responded and explained the alternate sites. William Warner commented on the Federal Communication Act and the town's right to regulate but no right to deny unless there is extreme impact on public health or safety. Comm. Victor Liburdi asked Esther McNanny to respond to the public. Esther McNanny indicated that cell phones provide a very positive impact on public safety, that there have been numerous studies on property values and no negative impacts have been found. Comm. Carl Bolz questioned color and design. Esther McNanny responded. Comm. Corrine Dorsey questioned computer use and Y2K compliance. Esther McNanny responded and concluded with the Federal Communications Commission mandate and protected

ITEM 5.1
GRANTED A
SPECIAL EXCEP-
TION FOR A WIRE-
LESS COMMUNI-
CATION FACILITY
TO BE LOCATED
ON THE WEST SIDE
OF SOUTH MAIN
STREET SOUTH OF
BRUSH HILL ROAD

rights. On motion and second by Comms. Carl Bolz and Barbara Plum the Commission closed the public hearing. Vote was unanimous. A motion to grant a Special Exception for a wireless communication facility to be located on the west side of South Main Street south of Brush Hill Road was made by Comm. David Roane and seconded by Comm. Barbara Plum. Comm. William Holley is not in support, feels the technical need is a very narrow focus, feels safety is a greater concern and that cell phones are dangerous when driving. Comm. Carl Bolz disagreed with Comm. Holley and feels they have complied with all regulations. Comm. William Holley went back to there being a small technical need. Chm. W. Lee Osborne disagreed with Comm. Holley on the use of cell phones. Comm. William Holley feels cell phones contribute to accidents. Chm. W. Lee Osborne attested to a technical need and the fact that he loses calls in this area, which forces a redial. Chm. Osborne and Comm. Holley debated the issue. Chm. W. Lee Osborne questioned the legal notice. William Warner responded that it is appropriate. The motion passed with Chm. W. Lee Osborne, Comm. Corrine Dorsey, Comm. James Fortuna, Comm. Carl Bolz, Comm. Barbara Plum in favor and Comms. William Holley and David Roane opposed. Applicant/agent SBA Inc./Sprint PCS SE99-7

Atty. Mark Quattro and Robert Fusari, President of The Meadows at Riverbend, explained the Special Exception. Atty. Quattro acknowledged A. Zucharus and B. Gillis, who were instrumental in the course's design and who passed away recently. Atty. Quattro explained the history of the project all the way back to the 1960's and the wetlands applications. He indicated that unanimous approval was granted by the Inland Wetlands Agency and feels that the proposal complies with the Plan of Development and all regulations. Robert Fusari introduced the development team and reviewed the site characteristics. Atty. Quattro detailed the course layout. Robert Fusari explained the clubhouse floor plans, the soil and erosion details, pesticide/herbicide use, traffic issues, indicated that all the departmental comments were

ITEM 5.2
GRANTED A
SPECIAL EX-
CEPTION FOR A
GOLF COURSE,
CLUBHOUSE AND
MAINTENANCE
FACILITIES, AND
USES ACCESSORY,
THERETO TO BE
LOCATED BE-
TWEEN MILE LANE,
TUTTLE ROAD,
RIDGEWOOD ROAD,
AND NEWFIELD
STREET

reviewed and that the developer will comply with all concerns. Chm. W. Lee Osborne indicated that he has worked with the developer's engineer but that he has no conflict. Comm. Barbara Plum indicated that she has property on Ridgewood Road but feels that no conflict exists. Comm. Plum questioned club members and private use. Atty. Mark Quattro responded. Comm. Carl Bolz questioned crossing Tuttle Road and shuttling across the road. Atty. Quattro indicated that the sight lines are excellent and that there will be many signs. Comms. Carl Bolz and David Roane questioned the Buffer adjacent to the school and the sidewalks. Atty. Mark Quattro and William Warner responded. Comm. David Roane questioned S. Hesketh regarding the traffic study. S. Hesketh responded. Atty. Quattro indicated that the restaurant facility is only for the golfers and not for the general public. Comm. Corrine Dorsey questioned handicapped golfers and parking. Atty. Mark Quattro responded. Comm. Barbara Plum questioned high school teams and when they would play. Atty. Quattro indicated the time would normally be around 3:15 p.m. prior to the night leagues. Comm. Victor Liburdi questioned buffers between the course and the abutting residences. Atty. Mark Quattro responded. From the public, Arline Rich, Westfield Residents for Rational Development of Middletown, Inc., indicated their previous opposition and current support, feels it is appropriate for a liquor license and questioned the wells on old Tuttle Road. Atty. Quattro explained the well tests and results. Chm. W. Lee Osborne explained the procedure of the hearing. M. McCall questioned the time frame. Atty. Mark Quattro indicated that they would start in the spring of 2000. A. Shaket questioned the buffers along the 15th fairway. Atty. Quattro responded. Comm. David Roane questioned Robert Fusari regarding the Tuttle Road crossing. Robert Fusari and Mark Quattro responded. Comm. William Holley questioned if carts would be mandatory. Atty. Mark Quattro indicated no and explained the fees. Atty. Quattro concluded. On motion and second by Comms. James Fortuna and David Roane the Commission closed the public hearing. Vote was unanimous.

A motion to grant a Special Exception for a golf course, clubhouse and maintenance facilities, and uses accessory, thereto to be located between Mile Lane, Tuttle Road, Ridgewood Road and Newfield Street was made by Comm. William Holley and seconded by Comm. Barbara Plum. Comms. Corrine Dorsey, Carl Bolz, David Roane and Barbara Plum spoke in favor. The motion passed unanimously. Applicant/agent Quattro Development Corp./ Mark H. Quattro SE99-6

On motion and second by Comms. James Fortuna and Barbara Plum the Commission tabled a proposed Special Exception to convert two (2) existing buildings located at 88 and 91 Beverly Heights to a new use as eight (8) studio apartments (five (5) in the north building; three (3) in the south building). Vote was unanimous. Applicant/agent Joseph Vinci/Atty. Ralph Wilson SE99-8

Atty. Philip Karpel, K. Daley, and D. Carter explained the proposed fifteen lot resubdivision. Atty. Karpel discussed the previous approval and indicated that the future road extension will be eliminated because it is no longer necessary. Dan Carter explained the plan using boards and reviewed and agreed with the departmental conditions. Comm. David Roane questioned the underdrain and sidewalks. Dan Carter indicated that they have complied. Atty. Philip Karpel explained the home designs in Westfield Hills and the prices. K. Daley commented on previous projects in Fairfield County, Avon, and Farmington. He indicated that the houses will be between 2,700 square feet and 4,000 square feet and commented on the entrance and the landscaping. Comm. Carl Bolz questioned who will be maintaining the landscaping. K. Daley indicated that the Association would be responsible and that it would not be a burden on the city. Comm. Barbara Plum questioned the wetlands issue. Dan Carter responded. From the public, Robert Biaforo

ITEM 5.3
TABLED A PROPOSED SPECIAL EXCEPTION TO CONVERT TWO EXISTING BUILDINGS LOCATED AT 88 AND 91 BEVERLY HEIGHTS TO A NEW USE AS EIGHT STUDIO APARTMENTS

ITEM 5.4
CLOSED THE P.H. FOR A PROPOSED 15 LOT RESUBDIVISION OF THE FINAL PORTION OF WESTFIELD HILLS LOCATED AT THE WESTERN END OF BRECHLIN DRIVE AT ITS INTERSECTION WITH SHADOW COURT AND TAVERN CIRCLE TO BE KNOWN AS THE WOODS AT WESTFIELD HILLS

of Tower Road questioned the sewer and water slopes and the stop signs. Chuck McKeon commented on the water pressure. Dan Carter responded. Comm. Carl Bolz questioned the grinder pumps. Dan Carter responded. Atty. Philip Karpel commented further on the grinder pumps. Comm. David Roane questioned if the pumps are outside or inside. K. Daley responded that the installation will be up to city specifications. Atty. Philip Karpel concluded. On motion and second by Comms. James Fortuna and David Roane the Commission closed the public hearing for a proposed 15 lot resubdivision of the final portion of Westfield Hills located at the western end of Brechlin Drive at its intersection with Shadow Court and Tavern Circle to be known as The Woods at Westfield Hills and placed the item under Old Business at the next meeting. Vote was unanimous. Applicant/agent Signature Homes Corp./Conklin & Soroka, Inc. S99-7

On motion and second by Comms. David Roane and Corrine Dorsey the Commission approved the minutes of the August 11, 1999 meeting. Vote was unanimous.

ITEM 6.1
APPROVED THE
MINUTES OF THE
8/11/99 MEETING

Chm. W. Lee Osborne read a letter from Midstate Regional Planning Agency looking for hazardous waste collection volunteers. Comm. Barbara Plum questioned the Cambridge Homes reports and the public hearing signs.

ITEM 6.2
COMMISSION
AFFAIRS

Robert Biafore questioned the water tower on Tower Road. William Warner referred him to the Water and Sewer Department.

ITEM 7
DISCUSSION
WITH PUBLIC

Adjournment was at 11:30 P.M.

ITEM 8
ADJOURNMENT

Respectfully submitted,

William Warner
Director of Planning, Conservation & Development