

PLANNING AND ZONING COMMISSION REGULAR MEETING SEPTEMBER 9,  
1998, 7:00 P.M. PAGE 1 OF 6

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

COMMISSION  
MEMBERS  
PRESENT

None.

COMMISSION  
MEMBERS  
ABSENT

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

STAFF

There were approximately twenty-five members  
of the public.

PUBLIC

Chm. W. Lee Osborne announced that Item #5.1 will  
not be discussed at tonight's meeting.

ITEM 2  
DISCUSSION WITH  
PUBLIC ON ITEMS  
ON AGENDA

The Zoning Enforcement Officer submitted his  
Report.

ITEM 2a  
ZEO REPORT

A motion to approve a request for release of the cash  
bonds for The Meadows at Riverbend, Section 2,  
Phases 3, 4A, and 4B was made by Comm. Carl Bolz  
and seconded by Comm. David Roane. Discussion  
ensued on releasing of cash bonds and the procedures  
for releasing the bonds. The motion failed unanimously.  
Applicant/agent Tuttle Road Associates/Edward Cole,  
Vice President S91-15

ITEM 3.1  
DENIED REQUEST  
FOR RELEASE OF  
THE CASH BONDS  
FOR THE  
MEADOWS AT  
RIVERBEND,  
SECTION 2,  
PHASES 3, 4A, AND  
4B

A motion to approve a request for release of the cash  
bonds for The Meadows at Riverbend, Section 3,  
Phases 1, 2A, and 2B was made by Comm. Carl Bolz  
and seconded by Comm. David Roane. The motion  
failed unanimously. Applicant/agent Tuttle Road  
Associates/Edward Cole, Vice President S93-3

ITEM 3.2  
DENIED REQUEST  
FOR RELEASE OF  
THE CASH BONDS  
FOR THE  
MEADOWS AT

RIVERBEND,  
SECTION 3,  
PHASES 1, 2A AND  
2B

On motion and second by Comms. Carl Bolz and Anthony Vasiliou the Commission scheduled a public hearing date of September 23, 1998 for a proposed two lot resubdivision of the property of Viola Dunkavich located at 123 George Street to be known as Mary Estates. Vote was unanimous. Applicant/agent C.W. Builders & Developers, Inc./Dowley & Associates S98-7

ITEM 4.1  
SCHEDULED P.H.  
9/23/98 PROPOSED  
TWO LOT RESUB-  
DIVISION OF THE  
PROPERTY OF  
VIOLA DUNKA-  
VICH LOCATED  
AT 123 GEORGE  
STREET TO BE  
KNOWN AS MARY  
ESTATES

On motion and second by Comms. Carl Bolz and Corrine Dorsey the Commission scheduled a public hearing date of September 23, 1998 for a proposed Zoning Map amendment to rezone the Masonic building located at 33 Pleasant Street from MX Mixed Use to the SMH Substance Abuse/ Mental Health Floating zone. Vote was unanimous. Applicant/agent Middlesex Health System/Clifford Aston/Roger Quinley Z98-8

ITEM 4.2  
SCHEDULED P.H.  
9/23/98 PROPOSED  
ZONING MAP  
AMENDMENT TO  
REZONE THE  
MASONIC BUILD-  
ING AT 33 PLEA-  
SANT STREET  
FROM MX TO THE  
SMH ZONE

On motion and second by Comms. Carl Bolz and James Fortuna the Commission scheduled a public hearing date of September 23, 1998 for a proposed Special Exception to convert a former storage facility located in the lower level of Riverview Center to a youth center. Vote was unanimous. Applicant/agent The Connection Fund, Inc./ Attorney Philip F. Karpel SE98-8

ITEM 4.3  
SCHEDULED P.H.  
9/23/98 PROPOSED  
SPECIAL EXCEP-  
TION TO CONVERT  
A FORMER STOR-  
AGE FACILITY IN  
THE LOWER  
LEVEL OF RIVER-  
VIEW CENTER TO  
A YOUTH CENTER

PLANNING AND ZONING COMMISSION REGULAR MEETING SEPTEMBER 9, 1998, 7:00 P.M. PAGE 3 OF 6

Guy Russo, Director of the Water and Sewer Department, explained the proposal. Comm. Anthony Vasiliou questioned the area served, the technology used and why grinder pumps. Chm. W. Lee Osborne commented on the G.S. 8-24. Comm. Carl Bolz questioned the technology. On motion and second by Comms. Anthony Vasiliou and James Fortuna the Commission gave an affirmative G. S. 8-24 Review for the installation of a low pressure force main to 1526, 1540 and 1550 Randolph Road. Vote was unanimous. Applicant/agent City of Middletown Water and Sewer Department/Guy P. Russo, Director

ITEM 4.4  
GAVE AN  
AFFIRMATIVE  
G.S. 8-24 REVIEW  
FOR THE  
INSTALLATION  
OF A LOW PRES-  
SURE FORCE MAIN  
TO 1526, 1540 AND  
1550 RANDOLPH  
ROAD

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

ITEM 5  
P.H. TAPE  
RECORDING

Chm. W. Lee Osborne commented. William Warner suggested accepting withdrawal. On motion and second by Comms. Anthony Vasiliou and Corrine Dorsey the Commission accepted withdrawal of a request for a change of a non-conforming use in accordance with Section 14 at 498 East Main Street from manufacturing to accommodate recycling storage for the Middletown Redemption Center. Vote was unanimous. Applicant/agent Carl O. Hayn, Jr. SPR96-3

ITEM 5.1  
ACCEPTED WITH-  
DRAWAL OF A  
REQUEST FOR A  
CHANGE OF A  
NON-CONFORM-  
ING USE IN  
ACCORDANCE  
WITH SECTION 14  
AT 498 EAST MAIN  
STREET FROM  
MANUFACTURING  
TO ACCOMMO-  
DATE RECYCLING  
STORAGE FOR  
THE MIDDLE-  
TOWN REDEMP-  
TION CENTER

William Warner explained the proposal and the modifications to the proposal. Chm. W. Lee Osborne commented on the process, amending the Plan of Development and then rezoning. Comm. David Roane questioned the bypass lanes. William Warner responded. Chm. W. Lee Osborne commented on Department of Transportation funding. Comm. David Roane questioned taking over Newfield Street as a

ITEM 5.2  
ADOPTED RE-  
COMMENDATIONS  
FOR THE NEW-  
FIELD CORRIDOR  
STUDY

local road. William Warner commented. Comm. David Roane commented on the timeliness of the Recommendation changes. Chm. W. Lee Osborne commented on the changes. Salvatore Fazzino, Director of Public Works, commented on the need for a detailed study. William Warner commented. Lengthy discussion ensued. Comm. Anthony Vasiliou commented on the issue of money versus control regarding take over of Newfield Street as a local road. Lengthy discussion ensued on future plans for Newfield Street. Comm. David Roane questioned Item #14. From the public, L. Bozeman expressed concern over Item #14 and feels that under "Key Elements" the words "should be included" should be changed to read "should consider". L. Bozeman also indicated that Item #18 should remain and had concerns over control of the road under Item #21 and wondered if it was feasible. Comms. Anthony Vasiliou and Carl Bolz questioned L. Bozeman. Arline Rich, Westfield Residents for Rational Development of Middletown, Inc., indicated that L. Bozeman is speaking for WRRDM. Joseph Klimas, Jr., Middletown Toyota, feels Item #15 should temper enforcement of violations. Chm. W. Lee Osborne commented on the zoning regulations for signs and violations currently on the street. Joseph Klimas, Jr., continued on Item #14. Comm. David Roane questioned "anti business". Joseph Klimas, Jr., responded at length. Comm. David Roane responded at length. Discussion ensued on zoning violations. Comm. Anthony Vasiliou commented on the need for specialty and automobile advertising. Comm. William Holley questioned balancing of public interest versus private interest. William Caffrey suggested a modification to Route 9 and wants the zone to remain B-2 General Business. Mr. Caffrey commented on accidents, speeding, feels the Monarca property should be residential and referenced the manufacturing section of the Zoning Code and recycling. Discussion ensued. Comm. David Roane questioned staff on zone changes and permitted uses. William Warner responded. Marco DiMauro commented on the purpose of the study and the need to allow restaurants and retail. Lengthy discussion with Comm. Anthony Vasiliou. B. Vinci commented on property owners' rights and the need to allow development. Michele Gauthier, corner of Ridge-

wood Road and Westfield Street, commented on traffic problems at that corner. Chm. W. Lee Osborne responded and feels a memorandum should go to the Police Commission. Comm. Anthony Vasiliou commented. William Caffrey commented on the B-2 zoning. On motion and second by Comms. Carl Bolz and David Roane the Commission closed the public hearing. Vote was unanimous. A motion to approve the new proposal as submitted was made by Comm. William Holley and seconded by Comm. James Fortuna. The Commission discussed Items #1, #3, #4, #7, #8, #9, #10, #11, #13, #15 as amended, and #16 and unanimously approved those items. The Commission discussed the old Item #18 and felt it should be left in as a new Item #19. It was felt that the old Item #19 should be left in as the new Item #20. Discussion ensued on the need for the old Item #20 and approved it as amended as the new Item #21. Comm. David Roane indicated that he did not support the old Item #21. Comm. Anthony Vasiliou spoke at length on the old Item #21. Comm. Carl Bolz spoke in support of the old Item #21, which is now the new Item #22. Comm. David Roane suggested moving to Item #7. A motion to table discussion on the Newfield Street Corridor Study at this point was made by Comm. William Holley and seconded by Comm. David Roane. The motion was withdrawn. Comm. Carl Bolz commented that the new Item #2 was too specific. An amendment by Comm. William Holley to include only bold type failed. The Commission approved Item #2 as proposed. With regard to Items #5, #6 and #12, Comm. David Roane spoke against the bypass lanes and felt it should be an exclusive lane. Items #5, #6 and #12 were approved as written. Comm. David Roane amended Item #14 to include "retail" in the title of the zone and to include the deleted text change. Chm. W. Lee Osborne spoke against naming the zone now, suggested that the sentence end after the word "west", the specific text be included and the word "include" be changed to "consider". Item #14 as amended was approved. Comm. David Roane expressed concerns over the new Item #17. Comm. Anthony Vasiliou spoke in support of keeping this item. Discussion ensued. Item #17 as proposed was approved. Comm. Carl Bolz suggested voting down Item #18. A

motion to approve Item #18 as amended was made by Comm. David Roane and seconded by Comm. Corrine Dorsey. Comm. Anthony Vasiliou was opposed. The motion failed. William Warner commented on policy level decision. Comm. Anthony Vasiliou feels policy decision should be no restaurants or retail on Newfield Street. Lengthy discussion ensued on policy regarding allowing retail and restaurants. Chm. W. Lee Osborne summarized his objection to the Special Exception and feels it does not eliminate the potential to allow retail and restaurants. Item #18 was denied unanimously. Michele Gauthier commented on Item #7 and her concerns over traffic on Westfield Street. Lengthy discussion ensued. Comm. Anthony Vasiliou moved to instruct staff to investigate improving traffic safety at Westwood lane and Nejako Drive. Proponent P & Z Comm.

On motion and second by Comms. David Roane and Carl Bolz the Commission tabled a proposed two lot resubdivision with a Special Exception for rear lots of the property of Joseph Mazzotta located on Alsace Terrace. Vote was unanimous. Applicant/agent Joseph Mazzotta/M.F. Dowley SE98-6

ITEM 5.3  
TABLED TWO LOT  
RESUBDIVISION  
WITH A SPECIAL  
EXCEPTION FOR  
REAR LOTS OF  
THE PROPERTY  
OF JOSEPH  
MAZZOTTA LO-  
CATED ON AL-  
SACE TERRACE

On motion and second by Comms. David Roane and Carl Bolz the Commission approved the minutes of the July 22, 1998 Meeting. Vote was unanimous.

ITEM 6.1  
APPROVED  
MINUTES OF THE  
7/22/98 MEETING

On motion and second by Comms. David Roane and Carl Bolz the Commission approved the minutes of the August 12, 1998 Meeting. Vote was unanimous.

ITEM 6.2  
APPROVED  
MINUTES OF THE  
8/12/98 MEETING

The minutes of the August 26, 1998 Meeting were not available.

ITEM 6.3  
MINUTES OF THE  
8/26/98 MEETING

WERE NOT  
AVAILABLE

There was no discussion.

ITEM 7  
DISCUSSION  
WITH PUBLIC

Adjournment was at 11:30 P.M.

ITEM 8  
ADJOURNMENT

Respectfully submitted,

William Warner  
Director of Planning