

Chw. Barbara Plum, Comm. James Fortuna, Comm. Andrew Rak,  
Comm. George Lapidula, Comm. William Wilson, Comm. Carl  
Bolz, Comm. John Voli, Dir. P.W. Salvatore Fazzino, Ex-Officio

MEMBERS  
PRESENT

Comm. Stephen Gadowski, Comm. John Pieper, Comm. Stephen  
Shapiro, Mayor Domenique Thornton, Ex-Officio

MEMBERS  
ABSENT

William Warner, Director, Kevin Kennedy, Zoning Enforcement  
Officer

STAFF

There were approximately one hundred (100) members of the  
public present.

PUBLIC

Lawrence Buck commented on limited the public comment to  
five (5) minutes. William Warner commented.

ITEM 2  
DISCUSSION  
WITH PUBLIC

Atty. Christopher Smith spoke in opposition to the application  
and indicated he is representing the neighbors/property owners  
on George Street. Atty. Smith asked to question the applicant's  
Civil and Traffic Engineer. The Commission questioned the  
right to cross examine. William Warner indicated that yes, they  
have the right to cross examine. The applicant, Glenn Russo,  
indicated that the Civil Engineer was not present but that the  
Traffic Engineer was. Atty. Christopher Smith questioned Glenn  
Russo regarding blasting and if any was anticipated. Glenn Russo  
indicated that he did not anticipate any blasting but that if they  
did, all necessary precautions would be taken. Atty. Christopher  
Smith questioned the applicant's traffic engineer if traffic from  
the new Home Depot was considered in the traffic study. The  
Traffic Engineer indicated no as at the time of the study, City  
Hall was contacted and there were no applications or approved  
projects in the corridor. Atty. Christopher Smith submitted  
numerous documents into the record and spoke at length re-  
garding each document. Atty. Smith provided the attached  
outline of his presentation. Russell Tsong, a George Street re-  
sident and a licensed civil and traffic engineer with extensive  
experience New Jersey State Department of Transportation,  
spoke regarding traffic concerns, width of the road and the  
sightlines. He felt there would be significant negative impacts  
on traffic and public safety and used pictures to display the  
width of the road, the curves, the plans for a traffic light at  
the intersection of Route 66 and George Street and the lack  
of sidewalks. Atty. Christopher Smith asked Russell Tsong if  
the project would have a negative impact on public health  
and safety. Russell Tsong indicated yes. Atty. Smith asked if

ITEM 2b.1  
CONTINUED A PRO-  
POSED SPECIAL  
EXCEPTION FOR  
56 MULTI-  
FAMILY DWELL-  
INGS TO BE LO-  
CATED ON THE  
WEST SIDE OF  
GEORGE STREET  
BETWEEN WASH-  
INGTON STREET  
AND BOSTON  
ROAD TO BE  
KNOWN AS NOHL  
CREST IV

two access points would be more desirable. Russell Tsong indicated yes, for emergency access and for lessening traffic on George Street. Atty. Christopher Smith indicated that the sightlines are inadequate based on ITE standards and submitted a letter from Russell Tsong. Glenn Russo attempted to cross examine Russell Tsong. The Commission debated and allowed Glenn Russo to cross examine. Chw. Barbara Plum allowed Glenn Russo to list the questions. Glenn Russo began and asked Russell Tsong if he conducted the normal steps in performing the traffic study. Atty. Christopher Smith interrupted and said that all Russell Tsong did was review what was prepared and didn't do a study. Glenn Russo finished his questions. Russell Tsong indicated that all he did was review what was available and used his knowledge of the area and no independent data. Glenn Russo attempted to ask another question. A debate on allowing cross examination ensued. Glenn Russo indicated that there would be only one more question. Chw. Barbara Plum allowed the question. Glenn Russo asked Russell Tsong if he found anything incomplete or incompetent in the traffic study. Russell Tsong indicated no. Atty. Christopher Smith commented that cross examination of any witness is allowed in land use applications in Connecticut. Henry Novicki indicated he had contacted the Department of Transportation regarding the traffic lights on Route 66. He indicated they will be on a eighty (80) second cycle and with new lights, there will be a lot of back ups and that cars will use George Street and Boston Road as shortcuts, which will result in many negative traffic impacts. Henry Novicki submitted the attached summary of his presentation. Janet Muraca read a statement regarding the history of the applications for the last sixteen (16) years and the reasons why this should be denied. Janet Muraca submitted the attached summary of her presentation. B. Westondorf explained that he lived near a development in Meriden, experienced negative impacts and when he was looking at a house on George Street, he chose not to buy because of the proposed development. Kate Miller submitted written testimony, reviewed a letter and submitted pictures regarding traffic, the narrow width of the road and an aerial photo showing the potential fragmentation of a greenbelt in the area. D. Nizolek indicated he almost got hit by a car three (3) times while trying to get his mail, noted that the traffic is very bad and used pictures to display the traffic problems on George Street. D. Nizolek submitted the attached summary of his presentation. C. Clark spoke in opposition and submitted the attached letter in opposition. R. Giocco spoke very emotionally in

opposition to the application and submitted pictures and letters regarding the location of his property relating to the access drive and the detention pond. He noted a letter from his insurance company indicating that if the pond broke, he wouldn't be covered for the flooding and he is concerned about damage and possible loss of life on his property. Ray Giocco submitted pictures of how Glenn Russo cleared the entire site and other multifamily projects with access to major roads, not roads like George Street. He concluded by saying repeated applications are harassment and that it is negatively affecting his health and his wife's health and that it has to stop. R. Giocco submitted the attached summary of his presentation. L. Tencza was very emotional and was yelling at Glenn Russo regarding his insensitivity about the neighborhood and how he wouldn't want this type of traffic on his street. She indicated that the traffic is so bad that she can't walk on the street with her kids as it's too dangerous now and will get much worse with this project. L. Tencza submitted the attached summary of her presentation. J. Figioni was very emotional and spoke broken english. He told Glenn Russo not to come in his house and that if he scared his daughter again, he would kill him. J. Figioni repeated it again and sat down. Glenn Russo asked the Chair not to allow people to threaten him. Chw. Barbara Plum requested more order. Leslie Hare spoke on traffic impacts and problems and the speed on George Street. No one else from the public spoke. Glenn Russo asked the Commission if they would list specific questions, which they could address at the next meeting. Chw. Barbara Plum indicated that she did not have any questions at the moment but that she may have some by the next meeting and would like to have the opportunity to ask them. Comm. George Lapadula asked for a letter from the Department of Transportation regarding the traffic light. Comm. William Wilson asked for alternatives to the detention pond. Comm. James Fortuna asked owners why they can't use Washington Street. On motion and second by Comms. William Wilson and James Fortuna the Commission continued the public hearing for a proposed Special Exception for 156 multi-family dwellings to be located on the west side of George Street between Washington Street and Boston Road to be known as Nohl Crest IV to the September 24, 2003 meeting. Vote was unanimous. Applicant/agent George Street of Middletown, LLC/Glenn Russo, Manager SE2003-5

Robert Bascom explained the proposal to subdivide the property and sell a portion to Shiloh Baptist Church. Discussion ensued on the Public Works Departmental comment and easement. William Warner feels the easement should be defined during the Special

ITEM 2b.2  
GRANTED FINAL  
APPROVAL OF  
A ONE (1) LOT

Exception process. On motion and second by Comms. William Wilson and Andrew Rak the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. John Voli and William Wilson the Commission granted final approval of a one (1) lot resubdivision of the property of Wesleyan University located on the east side of West Street at the intersection with Wadsworth Street with the condition that the Public Works comment be addressed. Vote was unanimous. Applicant/agent Joseph Lombardo/Bascom & Magnotta S2003-9

RESUBDIVISION  
OF THE PROPERTY  
OF WESLEYAN  
UNIVERSITY LO-  
CATED ON THE  
EAST SIDE OF  
WEST STREET  
AT THE INTER-  
SECTION WITH  
WADSWORTH  
STREET

John S. Ott explained the proposal. From the public, Arline Rich commented on the changes and the driving range. Westfield Fire Marshal Art Higgins commented. Arline Rich commented on the driving range. Comm. George Lapadula responded. On motion and second by Comms. George Lapadula and James Fortuna the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. William Wilson and George Lapadula the Commission granted final approval of a three (3) lot resubdivision with a Special Exception for a Large Lot Environmentally Sensitive (LLES) subdivision of the property of John S. Ott located on Miner Street adjacent to Miner Hills Golf Course. Vote was unanimous. Applicant/agent John S. Ott S2003-

ITEM 2b.3  
GRANTED FINAL  
APPROVAL OF  
A THREE (3)  
LOT RESUBDIVISION  
WITH A SPECIAL  
EXCEPTION FOR A  
LARGE LOT EN-  
VIRONMENTALLY  
SENSITIVE (LLES)  
SUBDIVISION OF THE  
PROPERTY OF JOHN  
S. OTT LOCATED ON  
MINER STREET  
ADJACENT TO  
MINER HILLS  
GOLF COURSE

William Warner explained the proposal. Arline Rich commented on payments in lieu of open space. B. Hasbrouck commented, feels this is unfair and of his fifty (50) acres that he owns, there are no building lots. L. Buck stated his opposition. Sheila Stoane, Chair of the Conservation Commission, spoke in favor of payments in lieu of open space and net lot area and feels there is a need to look at ninety (90) degree angles. M. Joshen spoke regarding building on slopes, the appeal process, the waiver process and on certain number of lots. Eleanor Kelsey stated her opposition. James Marhevka stated his opposition. Atty. Ralph Wilson stated his opposition. Robert Fusari stated his opposition. Ronal Borelli stated his opposition and submitted a book entitled, "Falling Water" by Frank Lloyd Wright. Jeffrey Pierce stated his opposition. S. Guiliani spoke in opposition. Michael Ennis spoke in favor but questioned if it should be for five (5) or more lots. A motion to close the public hearing was made by Comm. George Lapadula and seconded by Andrew Rak. Comm. John Pieper feels the Commission should listen to the public. The motion passed with Chw. Barbara Plum,

ITEM 2b.4  
ACCEPTED WITH-  
DRAWAL OF  
PROPOSED  
AMENDMENTS TO  
THE SUBDIVISION  
REGULATIONS TO  
ADD SECTION 5.06A  
NET LOT AREA AND  
SECTION 5.17.02A  
PAYMENTS IN LIEU  
OF OPEN SPACE

Comm. James Fortuna, Comm. George Lapadula, Comm. Andrew Rak, and Comm. William Wilson in favor and Comms. John Pieper and John Voli opposed. On motion and second by Comms. George Lapadula and James Fortuna the Commission accepted withdrawal of proposed amendments to the Subdivision Regulations to add Section 5.06A Net Lot Area and Section 5.17.04 Payments in lieu of open space and a proposed Zoning Code text amendment to add Section 21.06 Net Lot Area. Vote was unanimous. Proponent PCD Dept,

William Warner explained. Comm. George Lapadula commented on stopping developers from cutting trees before approval. Comm. Andrew Rak commented on the need to develop some type of regulation. Comm. George Lapadula feels there should be a workshop with the Planning and Zoning Commission and the Conservation Commission. Comm. Andrew Rak commented on property values. S. Guiliani commented on getting an agreement from a developer that may want to cut trees. On motion and second by Comms. Andrew Rak and George Lapadula the Commission accepted withdrawal of a proposed Zoning Code text amendment to add Section 10.09.04 Tree Cutting Regulations. Vote was unanimous. Proponent PCD Dept. Z2003-6

On motion and second by Comms. George Lapadula and Andrew Rak the Commission tabled a proposed amendment to the Subdivision Regulations to modify Sections 5.19.04 Street Design Standards, 5.19.04.01 Street Classification, 5.19.04.04 Pavement and Right-of-Way Width, add Sections 5.23.01A Alternative Open Drainage System, and 5.21.06 Initial Fire Suppression Water Supply. Vote was unanimous. Proponent PCD Dept.

On motion and second by Comms. George Lapadula and William Wilson the Commission tabled a release for release of the cash bond for Cranberry Lane Estates/Peppercorn Lane. Vote was unanimous.

ITEM 2b.6  
ACCEPTED WITH-  
DRAWAL OF  
A PROPOSED  
ZONING CODE TEXT  
TO ADD SECTION  
10.09.04 TREE CUTTING  
REGULATIONS

ITEM 2b.6  
TABLED A PROPOSED  
AMENDMENT TO THE  
SUBDIVISION  
REGULATIONS TO  
MODIFY SECTIONS  
5.19.04 STREET  
DESIGN STANDARDS,  
5.19.04.01 STREET  
CLASSIFICATION,  
5.19.04.04 PAVE-  
MENT AND RIGHT-  
OF-WAY WIDTH,  
ADD SECTIONS  
5.23.01A ALTERNA-  
TIVE OPEN  
DRAINAGE SY-  
STEM, AND 5.21.06  
INITIAL FIRE SUP-  
PRESSION WATER  
SUPPLY

ITEM 3.1  
TABLED A REQUEST  
FOR RELEASE OF THE

Applicant/agent Fortuna & Cartelli/Atty. Joseph S. Borkowski S99-6

CASH BOND FOR  
CRANBERRY LANE  
ESTATES/PEPPER-  
CORN LANE

On motion and second by Comms. George Lapadula and William Wilson the Commission tabled a request for release of the cash bonds for Section IV, Phase 1B (Rolling Green); Phase 2A (Greenview Terrace); and Phase 2B (Greenview Terrace). Vote was unanimous. Applicant/agent Tuttle Road Associates/Robert C. Fusari, President S95-6

ITEM 3.2  
TABLED A REQUEST  
FOR RELEASE OF THE  
CASH BOND FOR  
SECTION IV, PHASE 1B  
(ROLLING GREEN);  
PHASE 2A (GREEN-  
VIEW TERRACE);  
AND PHASE 2B  
(GREENVIEW TER-  
RACE)

Salvatore Fazzino, Director of Public Works, explained. On motion and second by Comms. George Lapadula and Andrew Rak the Commission gave an affirmative G.S. 8-24 Review to abandon a portion of Old Johnson Lane and to release a portion of Old Johnson Lane to William and Eleanor W. Howard. Vote was unanimous. Applicant/agent City of Middletown Public Works Department/Salvatore C. Fazzino, Director

ITEM 4.1  
GAVE AN AF-  
FIRMATIVE G.S.  
REVIEW TO A-  
BANDON A POR-  
TION OF OLD  
JOHNSON LANE  
AND TO RELEASE  
A PORTION OF  
OLD JOHNSON  
LANE TO WILLIAM  
AND ELEANOR  
W. HOWARD

Salvatore Fazzino explained. On motion and second by Comms. George Lapadula and James Fortuna the Commission gave an affirmative G.S. 8-24 Review for an \$8,100,000 appropriation for road improvements throughout the city. Vote was unanimous. Applicant/agent City of Middletown Public Works Department.

ITEM 4.2  
GAVE AN AF-  
FIRMATIVE G.S.  
REVIEW FOR AN  
\$8,100,000 AP-  
PRIATION FOR  
ROAD IMPROVE-  
MENTS THROUGH-  
OUT THE CITY

On motion and second by Comms. George Lapadula and James Fortuna the Commission scheduled a public hearing date of October 22, 2003 for proposed Zoning Code text amendments to modify Section 48.07(O) Free standing signs and to add

ITEM 4.3  
SCHEDULED P.H.  
10/22/03 FOR PRO-  
POSED ZONING

Sections 48.01.12 Sign, Halo Style and 48.01.13 Sign, Stencil-cut. Vote was unanimous. Proponent PCD Dept. Z2003-7

CODE TEXT A-  
MENDMENTS TO  
MODIFY SECTION  
48.07(O) FREE  
STANDING SIGNS  
AND TO ADD SEC-  
TIONS 48.01.12  
SIGN, HALO STYLE  
AND 48.01.13 SIGN,  
STENCIL-CUT

On motion and second by Comms. George Lapadula and William Wilson the Commission scheduled a public hearing date of October 8, 2003 for a proposed Zoning Code text amendment to modify Section 61.02.16 Alcohol Liquor Package Store. Vote was unanimous. Applicant/agent William and Nella Caffery Z2003-8

ITEM 4.4  
SCHEDULED P.H.  
10/8/03 FOR A PRO-  
POSED ZONING  
CODE TEXT A-  
MENDMENT TO  
MODIFY SECTION  
61.02.16 ALCOHOL  
LIQUOR PACKAGE  
STORE

On motion and second by Comms. William Wilson and George Lapadula the Commission scheduled a public hearing date of October 8, 2003 for a proposed Special Exception for 40,000 sq. ft. of greenhouses to be located on the property of Barbara Eddinger located on Chamberlain Hill Road near the Chauncey Road intersection. Vote was unanimous. Applicant/agent Joshua D. Eddinger SE2003-10

ITEM 4.5  
SCHEDULED P.H.  
10/8/03 FOR A PRO-  
POSED SPECIAL  
EXCEPTION FOR  
40,000 SQ. FT. OF  
GREENHOUSES TO  
BE LOCATED ON  
THE PROPERTY OF  
BARBARA EDDIN-  
GER LOCATED ON  
CHAMBERLAIN  
HILL ROAD NEAR  
THE CHAUNCEY  
ROAD INTER-  
SECTION

On motion and second by Comms. William Wilson and George Lapadula the Commission scheduled a public hearing date of October 8, 2003 for a proposed two (2) lot resubdivision with a Special Exception for a rear lot of the property of Frederick W. Jr. & Sandra S. Sattler located at 1292 Country Club Road. Vote was unanimous. Applicant/agent Frederick & Sandra Sattler S2003-12

ITEM 4.6  
SCHEDULED P.H.  
10/8/03 FOR A PRO-  
POSED TWO (2)  
LOT RESUB-  
DIVISION WITH A  
SPECIAL EXCEP-  
TION FOR A REAR

LOT OF THE PRO-  
PERTY OF FREDER-  
ICK W. JR. &  
SANDRA S. SATTLER  
LOCATED AT 1292  
COUNTRY CLUB  
ROAD

William Warner and Ben Logan explained. Comm. Andrew Rak feels the surrounding businesses should be notified. Comm. Carl Bolz feels the Middlesex County Chamber of Commerce should be involved. On motion and second by Comms. Carl Bolz and George Lapadula the Commission continued a request for G.S. Review to lease "off peak" parking for twenty-eight (28) spaces for three (3) years to The Inn at Middletown Hotel. Vote was unanimous. Applicant/agent Inn at Middletown/Ben Logan, General Manager

ITEM 4.7  
CONTINUED A RE-  
QUEST FOR G.S.  
REVIEW TO LEASE  
"OFF PEAK" PARK-  
ING FOR TWENTY-  
EIGHT (28) SPACES  
FOR THREE (3)  
YEARS TO THE INN  
AT MIDDLETOWN

On motion and second by Comms. James Fortuna and George Lapadula the Commission approved the minutes of the August 13, 2003 special meeting. Vote was unanimous.

ITEM 5.1  
APPROVED THE  
MINUTES OF THE  
8/13/03 SPECIAL  
MEETING

Arline Rich commented on a public hearing sign. Kevin Kennedy responded.

ITEM 5.2  
ZEO REPORT

Comm. Andrew Rak feels better notification is needed and suggested putting the legal ads in the Middletown Press.

ITEM 5.3  
COMMISSION  
AFFAIRS

Glenn Russo commented on the need for better cluster regulations.

ITEM 6  
DISCUSSION  
WITH PUBLIC

The meeting adjourned at 12:00 a.m.

ITEM 7  
ADJOURNMENT

Respectfully submitted,

William Warner, AICP  
Director of Planning, Conservation and Development