

PLANNING AND ZONING COMMISSION REGULAR MEETING SEPTEMBER 25, 2002, 7:00 P.M.
PAGE 1 OF 6

Chw. Barbara Plum, Comm. James Fortuna, Comm.
George Lapadula, Comm. John Pieper, Comm. Andrew
Rak, Comm. William Wilson, Comm. Stephen Shapiro

COMMISSION
MEMBERS
PRESENT

Comm. Stephen Gadowski, Comm. John Voli, Mayor
Domenique Thornton, Ex-Officio, Dir. P.W. Salvatore
Fazzino, Ex-Officio

COMMISSION
MEMBERS
ABSENT

William Warner, Director, Thomas Nigosanti, Chief Engineer

STAFF

There were approximately fifty (50) members of the public
present. There is a word for word tape recording of the
meeting on file and available in the Planning Office.

PUBLIC

Eleanor Kelsey commented on the public hearing of the Plan
of Conservation and Development.

ITEM 2
DISCUSSION
WITH PUBLIC
ON ITEMS ON
AGENDA

Chw. Barbara Plum moved Item #3.1 up. William Warner ex-
plained all staff comments and conditions. A motion to grant
preliminary approval of a twenty-two (22) lot resubdivision with
a Special Exception for a cluster subdivision of the property of
Grace K. Harmon, Marion K. Seifert, and Isabel K. Wimler lo-
cated on the west side of Arbutus Street adjacent to Cranberry
Lane Estates to be known as Kelsey Estates with the condition
that departmental comments be addressed was made by Comm.
Carl Bolz and seconded by Comm. Stephen Shapiro. Wayne
Bartolotta and Steven Krol of the South Fire District were
present. Comm. Andrew Rak commented on the cul-de-sac
length, the fire hydrants and water pressure. Wayne Bartolotta
and Steven Krol indicated that there were no concerns with the
subdivision plan. Chw. Barbara Plum and Comm. George
Lapadula questioned the cul-de-sac radius. Chw. Barbara Plum
questioned the streetlights. Comm. George Lapadula commented
on cul-de-sacs and feels we shouldn't have so many. Comm.
Andrew Rak commented on the cluster subdivision design and
indicated that the Fire and Water/Sewer Departments have signed
off. Comm. Carl Bolz reinstated the motion. The motion passed
with Chw. Barbara Plum, Comm. James Fortuna, Comm. Andrew
Rak, Comm. William Wilson, Comm. John Pieper, Comm. Carl
Bolz and Comm. Stephen Shapiro in favor and Comm. George
Lapadula opposed. Applicant/agent George Smilas, P.E., L.S.
S2002-5

ITEM 3.1
GRANTED PRE-
LIMINARY AP-
PROVAL OF A
TWENTY-
TWO LOT RESUB-
DIVISION WITH A
SPECIAL EXCEP-
TION FOR A
CLUSTER SUB-
DIVISION OF THE
PROPERTY OF
GRACE K. HARMON,
MARION K.
SEIFERT, AND
ISABEL K. WIM-
LER LOCATED ON
THE WEST SIDE
OF ARBUTUS
STREET ADJACENT
TO CRANBERRY
LANE ESTATES
TO BE KNOWN
AS KELSEY
ESTATES

William Warner opened the public hearing and introduced the
consultants, Buckhurst, Fish and Jacquemart. Paul Buckhurst
made a presentation of the chapters. Kyle McGraw reviewed
the chapters in more detail: Introduction, Demographics, Land
Use and Zoning, Housing, Transportation, and Utilities. Paul

ITEM 2b.1
CONTINUED P.H.
FOR A PROPOSAL
TO ADOPT THE
FOLLOWING

PLANNING AND ZONING COMMISSION REGULAR MEETING SEPTEMBER 25, 2002, 7:00 P.M.
PAGE 2 OF 6

Buckhurst spoke on Cultural Resources and Urban Design. From the public, D. McCoid commented on the need for new thoroughfares and the need to move traffic in the Westfield Street, Ballfall Road and East Street areas. She indicated that the I-91 ramp to Country Club Road causes a problem and commented on the Wesleyan University and City connection for land for the high school from Wesleyan. B. Anderson of Westfield Residents for Rational Development of Middletown, Inc., submitted a list of concerns and indicated her concerns regarding housing density. S. Lisitano requested a public boat launch. Lawrence Buck spoke in opposition and read a lengthy written report into the record. Eleanor Kelsey commented on the plan overall and on the "wish list" that the town can't afford. On motion and second by Comms. George Lapadula and James Fortuna the Commission continued the public hearing on a proposal to adopt the following chapters of the new Middletown Plan of Conservation and Development: Introduction, Demographics, Land Uses and Zoning, Housing, Transportation, Utilities, Cultural Resources, and Urban Design and Appearance. Vote was unanimous. Proponent P&Z Commission

Comms. George Lapadula and Stephen Shapiro disqualified themselves. Atty. Michael Dowley explained the proposal to rezone the Elks property and indicated that the property is currently non-conforming in the RPZ zone and can't expand. He explained the TD zone and the desire to build a medical office building. Atty. Michael Dowley commented on the consistency with the proposed Plan of Development and the medical corridor. He reviewed Section 71 and permitted uses currently, the Special Exception criteria, presented a draft lease restricting the use to medical use only, submitted a petition with seventy-five (75) names and reviewed staff comments. S. Lisitano, President of the Home Corporation for the Elks, spoke in support. A. Discanio spoke in opposition. C. Calhoun spoke in opposition. C. Shadle spoke in opposition due to traffic. J. Pasemore spoke in opposition due to traffic and the corner of Tryon Street and Saybrook Road. D. Clayton, representing a retail developer, spoke in opposition. Atty. Michael Dowley responded to the comments. On motion and second by Comms. Andrew Rak and James Fortuna the Commission closed the public hearing. Vote was unanimous. A motion to adopt a Zoning Map amendment to rezone the Elks property located between Saybrook Road, Clew Drive, Maynard Street and Tryon Street from the RPZ Residential zone to the TD Transitional Development zone with an effective date of October 25, 2002 was made by Comm. Andrew Rak and seconded by Comm. James Fortuna. Comm. Carl Bolz commented on the potential of retail. Comm. Andrew Rak questioned staff. William Warner spoke in detail about the existing and proposed zoning and permitted uses, zoning and the retail/medical market. Chw. Barbara Plum commented on the cost of residential and

CHAPTERS OF THE
NEW MIDDLETOWN
PLAN OF CON-
SERVATION AND
DEVELOPMENT:
INTRODUCTION,
DEMPGRAPHICS,
LAND USES AND
ZONING, HOUSING,
TRANSPORTATION,
UTILITIES,
CULTURAL RE-
SOURCES, AND
URBAN DESIGN
AND APPEARANCE

ITEM 2b.2
ADOPTED A
ZONING
MAP AMEND-
MENT TO RE-
ZONE THE ELKS
PROPERTY LO-
CATED BETWEEN
SAYBROOK ROAD,
CLEW DRIVE,
MAYNARD STREET,
AND TRYON
STREET FROM
THE RPZ RESIDEN-
TIAL ZONE TO THE
TD TRANSITIONAL
DEVELOPMENT
ZONE

PLANNING AND ZONING COMMISSION REGULAR MEETING SEPTEMBER 25, 2002, 7:00 P.M.
PAGE 3 OF 6

existing controls. The motion passed unanimously. Applicant/agent Realty Investors V11, LLC c/o Bob Martino/Michael F. Dowley & Associates Z2002-3

On motion and second by Comms. James Fortuna and Andrew Rak the Commission tabled a proposed Special Exception to construct a medical office on Saybrook Road between Standpipe Road, Holmes Drive and CT Route 9. Vote was unanimous. Applicant/agent Medical Development Associates, LLC/Len Dorr SE2002-5

ITEM 2b.3
TABLED A PROPOSED SPECIAL EXCEPTION TO CONSTRUCT A MEDICAL OFFICE ON SAYBROOK ROAD BETWEEN STANDPIPE ROAD, HOLMES DRIVE AND CT ROUTE 9

Comm. John Pieper disqualified himself. Anita Turnquist of Conklin and Soroka clarified that the proposal was for twelve (12) lots and not eleven (11) as the application indicated. She reviewed the proposal, indicated that the Inland Wetlands Agency had approved the application and agreed with all the departmental comments. Comm. Carl Bolz questioned the departmental comments. Comm. George Lapadula commented on the cul-de-sac. Comm. Andrew Rak commented on the completeness of the application. J. Bowen commented on the ledge. Comm. Andrew Rak requested the applicant to withdraw. The applicant consented to a withdrawal. On motion and second by Comms. Andrew Rak and George Lapadula the Commission accepted withdrawal of a proposed eleven (11) lot resubdivision of the property of Lisa Passanesi located on the north side of Westfield Street west of Lisa Lane. Vote was unanimous. Applicant/agent Sonoma Woods, LLC/Conklin & Soroka, Inc. S2002-10

ITEM 2b.4
ACCEPTED WITHDRAWAL OF A PROPOSED ELEVEN (11) LOT RESUBDIVISION OF THE PROPERTY OF LISA PASSANESI LOCATED ON THE NORTH SIDE OF WESTFIELD STREET WEST OF LISA LANE

T. Desontos commented on the proposed text amendment and indicated the ITE standards in other towns are all less. Comm. Andrew Rak commented on density and increases due to change. T. Desontos commented. William Warner clarified on the Multi-family zone density requirements. Comms. Carl Bolz and John Pieper commented on snow removal and the need for space during snow storms. Comm. William Wilson continued the discussion on snow removal and parking spaces. Comm. George Lapadula commented on the excessive space at Carabetta's and on sand and spoke in support. Art Higgins, Westfield Fire Marshal, commented on the parking at Westlake. Glenn Russo commented on lot coverage and the reasons for the change at length. Comm. Andrew Rak commented on reducing density. Comm. Carl Bolz suggested an amendment to "Two or more bedrooms: as follows: 2 or less bedrooms – 2 parking spaces and 3 or more bedrooms – 2.5 parking spaces with 40% impervious. From the public, Janet Muraca requested that the item be continued. R. Gioccio commented

ITEM 2b.5
CLOSED THE P.H. FOR A PROPOSED ZONING CODE TEXT AMENDMENT TO MODIFY SECTION 40.04.14 MULTI FAMILY DWELLINGS

PLANNING AND ZONING COMMISSION REGULAR MEETING SEPTEMBER 25, 2002, 7:00 P.M.
PAGE 4 OF 6

on the need for reduction of the number of units and visitor parking. M. Rubino feels that 1.25 is not sufficient and commented on other alternatives. F. Uliano spoke in opposition. Eleanor Kelsey spoke in support and feels more trees should be required in conjunction with the change. T. Desontas responded to the comments. Glenn Russo suggested the minimum standards. On motion and second by Comms. James Fortuna and George Lapadula the Commission closed the public hearing for a proposed Zoning Code text amendment to modify Section 40.04.14 Multi family dwellings and placed the item under Old Business at the next meeting.. Vote was unanimous. Comms. George Lapadula and Andrew Rak requested stormwater information and examples of impacts. Applicant/agent Landmark Development Group LLC Z2002-4

Atty. Michael Dowley explained the proposal. Comm. Andrew Rak questioned the driveway on Lot #4 and erosion and sediment controls. Comm. Carl Bolz questioned the map and the requirements. William Warner responded that the map meets the minimum standards. On motion and second by Comms. James Fortuna and George Lapadula the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. Carl Bolz and George Lapadula the Commission granted final approval of a five (5) lot resubdivision of the property of John Bystrek, Jr. located on the south side of Ridgewood Road near East Street with the condition that all departmental comments be addressed. Vote was unanimous. Applicant/agent Allstate Development, Inc./Michael F. Dowley & Assoc. S2002-14

William Warner explained. On motion and second by Comms. Andrew Rak and William Wilson the Commission granted final approval of a three (3) lot resubdivision of the property of P, Inc., LLC located at 975 Middle Street. Vote was unanimous. Applicant/agent Jerry Clean – P, Inc., LLC/Frank Magnotta P.E., Bascom & Magnotta, Inc. S2002-11

R. Kane commented on the project and the need for the extension. William Warner commented on the five (5) year limit. Comm. Carl Bolz commented on the hotel. R. Kane responded. On motion and second by Comms. George Lapadula and James Fortuna the Commission granted a request for a two (2) year extension of the site plan approval for Roscommon Park. Vote was unanimous. Applicant/agent Fuss & O'Neill, Inc./Andrew W. Platt, P.E.

On motion and second by Comms. George Lapadula and Andrew Rak the Commission approved a request for release of the cash bond for The Hunt Club Subdivision. Vote was unanimous.

ITEM 2b.6
GRANTED FINAL
APPROVAL OF A
FIVE (5) LOT RESUB-
DIVISION OF THE
PROPERTY OF
JOHN BYSTREK,
JR. LOCATED ON
THE SOUTH SIDE
OF RIDGEWOOD
ROAD NEAR
EAST STREET

ITEM 3.2
GRANTED FINAL
APPROVAL OF
A THREE
(3) LOT RESUB-
DIVISION OF THE
PROPERTY OF P,
INC., LLC LOCATED
AT 975 MIDDLE
STREET

ITEM 3.3
GRANTED A RE-
QUEST FOR A TWO
(2) YEAR EXTEN-
SION OF THE SITE
PLAN APPROVAL
FOR ROSCOMMON
PARK

ITEM 3.4
APPROVED A RE-
QUEST FOR RE-

PLANNING AND ZONING COMMISSION REGULAR MEETING SEPTEMBER 25, 2002, 7:00 P.M.
PAGE 5 OF 6

Applicant/agent D'Amato Bros. Building/Louis J. D'Amato S87-44

LEASE OF THE
CASH BOND FOR
THE HUNT CLUB
SUBDIVISION

On motion and second by Comms. Carl Bolz and George Lapa-
dula the Commission granted final approval of Phase III (Lots 33,
34, 35 and 37-48) of the Saddle Ridge Subdivision located off
Congdon Street with the condition that: 1) all departmental com-
ments be addressed; and 2) a cash bond in the amount of \$105,000
be posted. Vote was unanimous. Applicant/agent Luby Olson, P.C./
Kenneth W. Mango S2001-22

ITEM 3.5
GRANTED FINAL
APPROVAL OF
PHASE III OF THE
SADDLE RIDGE
SUBDIVISION LO-
CATED OFF
CONGDON STREET

On motion and second by Comms. John Pieper and William
Wilson the Commission scheduled a public hearing date of
October 23, 2002 for a proposed thirty-two lot resubdivision
with a Special Exception for a cluster subdivision of the prop-
erty of John Zisk located off Laurel Grove Road between
Rockfall Road, Scenic View Drive and Harvard Court to
be known as Laurel Farms Subdivision. Vote was unanimous.
Applicant/agent LePage Homes, Inc./O'Brien Associates, Inc.
S2002-15

ITEM 4.1
SCHEDULED P.H.
10/23/02 FOR A PRO-
POSED THIRTY-TWO
LOT RESUB-
DIVISION WITH A
SPECIAL EXCEP-
TION FOR A CLUS-
TER SUBDIVISION
OF THE PROPERTY
OF JOHN ZISK LO-
CATED OFF LAUREL
GROVE ROAD BE-
TWEEN ROCKFALL
ROAD, SCENIC
VIEW DRIVE AND
HARVARD COURT
TO BE KNOWN AS
LAUREL FARMS
SUBDIVISION

Guy Russo, the Director of the Water/Sewer Department,
explained the request. On motion and second by Comms.
George Lapidula and Andrew Rak the Commission gave
an affirmative G.S. 8-24 Review to convey the City's in-
terest in Lot C of Long Hill Estates and dedicate both its
use and its maintenance responsibilities to the Water
Pollution Control Authority. Vote was unanimous. Applicant/
agent City of Middletown Water and Sewer Department/
Guy P. Russo, Director

ITEM 4.2
GAVE AN
AFFIRMATIVE
G.S. 8-24 REVIEW
TO CONVEY THE
CITY'S INTEREST
IN LOT C OF LONG
HILL ESTATES AND
DEDICATE BOTH
ITS USE AND ITS
MAINTENANCE
RESPONSIBILITIES
TO THE WATER
POLLUTION CON-
TROL AUTHORITY

PLANNING AND ZONING COMMISSION REGULAR MEETING SEPTEMBER 25, 2002, 7:00 P.M.
PAGE 6 OF 6

On motion and second by Comms. John Pieper and George Lapadula the Commission scheduled a public hearing date of October 23, 2002 for a proposed one (1) lot resubdivision of Lot #5 of the Dina Estates Subdivision located at the intersection of Bartholomew and Shunpike Roads. Vote was unanimous. Applicant/agent Salvatore Fazzino S2002-16

ITEM 4.3
SCHEDULED P.H.
10/23/02 FOR A PRO-
POSED ONE (1)
LOT RESUB-
DIVISION OF
LOT #5 OF THE DINA
ESTATES SUB-
DIVISION LOCATED
AT THE INTER-
SECTION OF
BARTHOLOMEW
AND SHUNPIKE
ROADS

On motion and second by Comms. John Pieper and George Lapadula the Commission scheduled a public hearing date of November 13, 2002 for a proposed Special Exception for a nail salon addition to a single family home located at 557 Newfield Street. Vote was unanimous. Applicant/agent Le Lam Van SE2002-3

ITEM 4.4
SCHEDULED P.H.
11/13/02 FOR A PRO-
POSED SPECIAL
EXCEPTION FOR A
NAIL SALON AD-
DITION TO A
SINGLE FAMILY
HOME LOCATED
AT 557 NEWFIELD
STREET

On motion and second by Comms. James Fortuna and John Pieper the Commission approved the minutes of the August 14, 2002 regular meeting. Vote was unanimous.

ITEM 5.1
APPROVED THE
MINUTES OF THE
8/14/02 REGULAR
MEETING

On motion and second by Comms. James Fortuna and John Pieper the Commission approved the minutes of the August 28, 2002 regular meeting. Vote was unanimous with Comm. Carl Bolz abstaining.

ITEM 5.2
APPROVED THE
8/28/02 REGULAR
MEETING

There was no discussion.

ITEM 6
DISCUSSION
WITH PUBLIC

On motion and second by Comms. James Fortuna and William Wilson the Commission adjourned the meeting at 11:15 P.M. Vote was unanimous.

ITEM 7
ADJOURNMENT

Respectfully submitted

William Warner, AICP
Director of Planning, Conservation and Development

