

Chw. Barbara Plum, Comm. James Fortuna, Comm. George Lapadula, Comm. Andrew Rak, Comm. John Pieper, Comm. Carl Bolz

MEMBERS
PRESENT

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

MEMBERS
ABSENT

William Warner, Director, Kevin Kennedy, Zoning Enforcement Officer, Thomas Nigosanti, Chief Engineer

STAFF

There were approximately one hundred (100) 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

Lawrence Buck commented on agenda items. William Warner responded.

ITEM 2
DISCUSSION
WITH PUBLIC

On motion and second by Comms. Carl Bolz and George Lapadula the Commission accepted withdrawal of 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 and to add Section 5.23.01A Alternative Open Drainage System. Vote was unanimous. Proponent PCD Dept.

ITEM 2b.1
ACCEPTED
WITHDRAWAL
OF A PROPOSED
AMENDMENT TO
THE SUBDIVISION
REGULATIONS TO
MODIFY SECTIONS
5.19.04 STREET DE-
SIGN STANDARDS,
5.19.04.01 STREET
CLASSIFICATION,
5.19.04.04 PAVE-
MENT AND RIGHT-
OF-WAY WIDTH
AND TO ADD SEC-
TION 5.23.01A
ALTERNATIVE
OPEN DRAINAGE
SYSTEM

On motion and second by Comms. Carl Bolz and George Lapadula the Commission accepted withdrawal of a proposed amendment to the Subdivision Regulations to add Section 5.21.06 Initial Fire Suppression Water Supply. Vote was unanimous. Proponent PCD Dept.

ITEM 2b.2
ACCEPTED
WITHDRAWAL
OF A PROPOSED
AMENDMENT TO THE
SUBDIVISION
REGULATIONS TO

ADD SECTION 5.21.06
INITIAL FIRE SUP-
PRESSION WATER
SUPPLY

William Caffrey explained the proposal for the zoning text amendment. On motion and second by Comms. Carl Bolz and George Lapadula the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. Carl Bolz and James Fortuna the Commission adopted a Zoning Code text amendment to modify Section 61.02.16 Alcohol Liquor Package Store with an effective date of October 22, 2003. Vote was unanimous. Applicant/agent William and Nella Caffery Z2003-8

ITEM 2b.3
ADOPTED A
ZONING CODE
TEXT AMEND-
MENT TO MODIFY
SECTION 61.02.16
ALCOHOL LIQUOR
PACKAGE STORE

On motion and second by Comms. George Lapadula and Carl Bolz the Commission tabled a proposed Special Exception for 40,000 sq. ft. of greenhouses to be located on the property of Barbara Eddinger located on Chamberlain Road near the Chauncey Road intersection. Vote was unanimous. Applicant/agent Joshua D. Eddinger SE2003-10

ITEM 2b.4
TABLED A PRO-
POSED SPECIAL
EXCEPTION FOR
40,000 SQ. FT. OF
GREENHOUSES
TO BE LOCATED
ON THE PROPERTY
OF BARBARA
EDDINGER LO-
CATED ON CHAM-
BERLAIN ROAD
NEAR THE
CHAUNCEY ROAD
INTERSECTION

Sandra Sattler and Frederick Sattler explained the proposal for a two (2) lot resubdivision. Chw. Barbara Plum questioned the departmental comments. Sandra Sattler agreed to all the departmental comments. From the public, Arline Rich questioned the rear lot. William Warner responded. On motion and second by Comms. Carl Bolz and George Lapadula the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. George Lapadula and Carl Bolz the Commission granted final approval of a two (2) lot resubdivision of the property of Frederick W. Jr. & Sandra S. Sattler located at 1292 Country Club Road with the condition that all department comments be addressed. Vote was unanimous. Applicant/agent Frederick & Sandra Sattler S2003-12

ITEM 2b.5
GRANTED FINAL
APPROVAL OF A
TWO (2) LOT RE-
SUBDIVISION OF
THE PROPERTY OF
FREDERICK W. JR. &
SANDRA S. SATTLER
LOCATED AT 1292
COUNTRY CLUB
ROAD

On motion and second by Comms. Andrew Rak and George Lapadula the Commission granted final approval of Kelsey Estates Subdivision located off Arbutus and Kelsey Streets

ITEM 3.1
GRANTED FINAL
APPROVAL OF

with the condition that a cash bond in the amount of \$165,000 be posted. Vote was unanimous. Applicant/agent CDS Developers, LLC/Jean P. Gullitti S2002-5

KELSEY ESTATES
LOCATED OFF
ARBUTUS AND
KELSEY STREETS

On motion and second by Comms. Andrew Rak and George Lapadula the Commission granted final approval of Phase 1B (Lots 3-22 and 34-38) of the Country Hill Subdivision located at 99 East Street with the condition that a cash bond in the amount of \$300,000 be posted. Vote was unanimous. Applicant/agent Ravenswood Homes/Dean B. Fiske, President S2001-15

ITEM 3.2
GRANTED FINAL
APPROVAL OF
PHASE 1B OF THE
COUNTRY HILL
SUBDIVISION LO-
CATED AT 99
EAST STREET

On motion and second by Comms. Andrew Rak and George Lapadula the Commission granted final approval of Phase I (Lots 1, 2, 14 15, 16, 20, 21, 31, and 32) of the Laurel Farms Subdivision located off Laurel Grove Road with the condition that a cash bond in the amount \$70,000 be posted. Vote was unanimous. Applicant/agent LePage Homes, Inc./William D. LePage, President S2002-15

ITEM 3.3
GRANTED FINAL
APPROVAL OF
PHASE I OF THE
LAUREL FARMS
SUBDIVISION
LOCATED OFF
LAUREL GROVE
ROAD

On motion and second by Comms. George Lapadula and Andrew Rak the Commission granted final approval of the Country Farm Subdivision located at 1340 Randolph Road with the condition that a cash bond in the amount of \$102,000 be posted. Vote was unanimous. Applicant/agent Atty. Stephen T. Gionfriddo S2002-3

ITEM 3.4
GRANTED FINAL
APPROVAL OF THE
COUNTRY FARM
SUBDIVISION LO-
CATED AT 1340
RANDOLPH ROAD

A motion to grant a 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 was made by Comm. Andrew Rak and seconded by Comm. George Lapadula. Chw. Barbara Plum asked for a roll call vote. Comm. Andrew Rak referenced Section 55.04, felt there was no design for the detention pond and that the pond could overflow down the street. He also referenced Section 44.04.02 Adverse Effects and commented on the detention pond, mosquitoes, traffic safety, felt the traffic movement will be impaired, noted that there was no data on the new Home Depot or new traffic lights and called for other types of residential development. Comm. Carl Bolz commented on substantial change and the need to determine if there is a substantial change. Chw. Barbara Plum commented on traffic and Section 44.06.06 Property Values and Character and feels this proposal would definitely change the character of the neighborhood. Comm. Carl Bolz commented on adverse effects and single access and feels

ITEM 3.5
DENIED A PRO-
POSED SPECIAL
EXCEPTION FOR
156 MULTI-FAMILY
DWELLINGS TO BE
LOCATED ON THE
WEST SIDE OF
GEORGE STREET
BETWEEN WASHING-
TON STREET AND
BOSTON ROAD TO
BE KNOWN AS NOHL
CREST IV

there is not and adequate egress to ensure safety. Chw. Barbara Plum explained the impact and meaning of the "yes" vote and "no" vote and explained the sections commission should be referring to. The motion failed with Chw. Barbara Plum, Comm. Carl Bolz, Comm. James Fortuna, Comm. John Pieper, Comm. Andrew Rak and Comm. George Lapadula opposed. Applicant/agent George Street of Middletown, LLC/Glenn Russo, Manager SE2003-5

On motion and second by Comms. George Lapadula and James Fortuna the Commission accepted withdrawal of a Request for G.S. 8-24 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 4.1
ACCEPTED WITH-
DRAWAL OF A
REQUEST FOR G.S.
8-24 REVIEW TO
LEASE "OFF PEAK"
PARKING FOR
TWENTY-EIGHT
(28) SPACES FOR
THREE (3) YEARS
TO THE INN AT
MIDDLETOWN
HOTEL

On motion and second by Comms. George Lapadula and Andrew Rak the Commission scheduled a public hearing date of October 22, 2003 for a proposed Zoning Map amendment to rezone the property of Mazzotta Brothers Rentals located at 69 Boston Road (rear) from R-15 Residential to B-2 General Business. Vote was unanimous. Applicant/agent Mazzotta Brothers Rentals, Inc./Dowley & Associates Z2003-9

ITEM 4.2
SCHEDULED P.H.
10/22/03 FOR A PRO-
POSED ZONING
MAP AMENDMENT
TO REZONE THE
PROPERTY OF
MAZZOTTA BRO-
THERS RENTALS
LOCATED AT 69
BOSTON ROAD (REAR)
FROM R-15 RESIDEN-
TIAL TO B-2 GENERAL
BUSINESS

William Warner explained the previous approval. Frank Magnotta explained the site plan, the changes to the plan, and agreed with all departmental comments. William Warner explained that the Inland Wetlands staff had signed off. A motion to grant site plan approval to construct an office building on Lot #3 of the Middle & Bradley Industrial Subdivision located off Bradley Street with the condition that all departmental comments be addressed was made by Comm. George Lapadula and seconded by Comm. Andrew Rak. Tom Nigosanti agreed with the revised plans. The motion passed unanimously. Applicant/agent Coastal Oceanographics, Inc./Frank

ITEM 4.3
GRANTED SITE
PLAN APPROVAL
TO CONSTRUCT
AN OFFICE BUILD-
ING ON LOT #3 OF
THE MIDDLE &
BRADLEY INDUS-
TRIAL SUBDIVISION
LOCATED OFF

Magnotta SPR2003-366

On motion and second by Comms. George Lapadula and James Fortuna the Commission scheduled a public hearing date of October 22, 2003 for a proposed Special Exception to construct raw water storage tanks and treatment facility to include an access road at the Kleen Energy facility located on River Road. Vote was unanimous. Applicant/agent Armetta & Associates, LLC and the City of Middletown/William Corvo SE2003-11

BRADLEY STREET

ITEM 4.4
SCHEDULED P.H.
10/22/03 FOR A
PROPOSED SPECIAL
EXCEPTION TO
CONSTRUCT RAW
WATER STORAGE
TANKS AND TREAT-
MENT FACILITY
TO INCLUDE AN
ACCESS ROAD AT
THE KLEEN
ENERGY FACILITY
LOCATED ON
RIVER ROAD

On motion and second by Comms. George Lapadula and James Fortuna the Commission approved the minutes of the September 10, 2003 regular meeting. Vote was unanimous.

ITEM 5.1
APPROVED THE
MINUTES OF THE
9/10/03 REGULAR
MEETING

The following changes were noted: On Page 1, under Item #2b.1, in the seventh line from the bottom and after "plans", add "from Nohl Crest I, II, and III". Also, add Item 3.5 to Page 4. On motion and second by Comms. George Lapadula and James Fortuna the Commission approved the minutes of the September 24, 2003 regular meeting as amended. Vote was unanimous.

ITEM 5.2
APPROVED THE
MINUTES OF THE
9/24/03 REGULAR
MEETING AS
AMENDED

The following changes were noted: In the third line, change the sentence to read: "William Warner indicated that there would be pre-application meetings as now allowed by statute to discuss conceptual plans involving the public prior to the hearing and there is a possibility that Comcast Cable could broadcast the public workshops". On motion and second by Comms. George Lapadula and James Fortuna the Commission approved the minutes of the September 30, 2003 workshop as amended. Vote was unanimous.

ITEM 5.3
APPROVED THE
MINUTES OF THE
9/30/03 WORKSHOP
AS AMENDED

Comm. Carl Bolz commented on getting involved at the Zoning Board of Appeals meetings. A motion that Comm. Carl Bolz attend the next ZBA meeting was made by Comm. Andrew Rak and seconded by Comm. George Lapadula. Discussion ensued on the Zoning Enforcement Officer's report.

ITEM 5.4
ZEO REPORT

Arline Rich requested letter from the Health Department indicating if 136 Westfield St. is in violation of health or housing code. She also commented on John S. Ott and his driving range. Atty. Ralph Wilson questioned Large Lot Environmentally Sensitive (LLES) subdivisions and previous proposals. He suggested a format for future text changes to include showing the existing and proposed text, an explanation form and the cost of subdivision requirements to the property owner. Comm. Carl Bolz commented on cost and benefits to proposals. Lawrence Buck commented on procedure and regulations. B. Stefrick commented on his Atkins Street land. Earle Roberts commented on traffic and the need to understand traffic better.

ITEM 6
DISCUSSION
WITH PUBLIC

On motion and second by Comms. James Fortuna and George Lapadula the Commission adjourned the meeting at 8:48 p.m. Vote was unanimous.

ITEM 7
ADJOURNMENT

Respectfully submitted,

William Warner, AICP
Director of Planning, Conservation and Development