

Chm. W. Lee Osborne, Vice-Chm. John Robinson,
Sec'y Stephen Shapiro, Comm. Carl Bolz, Comm.
Anthony Vasiliou, Comm. Francis Patnaude, Comm.
Jennifer Alexander

COMMISSION
MEMBERS
PRESENT

Comm. Ann Loffredo, Comm. Gerard Winzer, Comm.
Domenique Thornton, Comm. Stephen Gadowski,
Mayor Thomas J. Serra, Ex-Officio, Dir. P.W.
Salvatore Fazzino, Ex-Officio

COMMISSION
MEMBERS
ABSENT

William Warner, Planning Director

STAFF

There were approximately fifty members
of the public present.

PUBLIC

The minutes for the 9\27\95 meeting were not
available.

ITEM 2.1
MINUTES OF 9\27\95
MEETING WERE NOT
AVAILABLE

The Commission acknowledged the ZEO Sign and
Monthly Reports.

ITEM 3.1\3.2
ACKNOWLEDGED
ZEO SIGN AND
MONTHLY REPORTS

On motion and second by Comms. Stephen Shapiro
and Anthony Vasiliou the Commission tabled a
request for final approval for CountryView
Estates, Phase III, located off Margarite Road.
Vote was unanimous. Applicant\agent Cambridge
Homes, Inc.\Glenn Russo, President S93-17

ITEM 4.1
TABLED REQUEST FOR
FINAL APPROVAL FOR
COUNTRYVIEW ESTATES
PHASE III,
MARGARITE ROAD

On motion and second by Comms. Stephen Shapiro
and John Robinson the Commission granted partial
release of the tree bonds for Old Farms
Subdivision, Phases I and II, Phase 2. Vote
was unanimous. Applicant\agent Real Estate
Service of CT, Inc.\Ed Cole, Vice President S88-7

ITEM 4.2
GRANTED PARTIAL
RELEASE OF THE
TREE BONDS FOR OLD
FARMS SUBDIVISION,
SECTIONS I AND II,
PHASE 2

On motion and second by Comms. John Robinson and
Anthony Vasiliou the Commission scheduled a public
hearing date of October 25, 1995 for a proposed
two lot subdivision of the Anthony Fonda and
Robert Schpero property located at 2303 South
Main Street, at the Durham town line. Vote was
unanimous. Applicant\agent Anthony C. Fonda &
Robert A. Schpero\Myron J. Poliner Attorney-at-
Law S95-17

ITEM 5.1
SCHEDULED P.H.
10\25\95 PROPOSED
TWO LOT SUBDIVISION
OF THE ANTHONY
FONDA AND ROBERT
SCHPERO AT 2303
SOUTH MAIN STREET

On motion and second by Comms. John Robinson and Stephen Shapiro the Commission gave an affirmative G.S. 8-24 Review to lease the southeast corner of North Main Street and Pease Avenue as a temporary parking lot for the Water\Sewer Department as part of CSO Contract 3. Vote was unanimous. Applicant\agent City of Middletown Water & Sewer Department\ Guy P. Russo, Director

ITEM 5.2
GAVE AFFIRMATIVE
G.S. 8-24 REVIEW TO
LEASE SOUTHEAST
CORNER OF NORTH
MAIN STREET AND
PEASE AVENUE AS A
TEMPORARY LOT FOR
WATER\SEWER
DEPARTMENT

David Ducki presented the proposal. William Warner commented. Discussion ensued. A motion to approve an addition to a single family dwelling at 1184 Middle Street in the IT zone was made by Comm. Stephen Shapiro and seconded by Comm. John Robinson. The motion was amended to include a garage and family room addition. The motion as amended passed unanimously. Applicant\agent David E. Ducki NC95-1

ITEM 5.3
APPROVED A GARAGE
AND FAMILY ROOM
ADDITION AT 1184
MIDDLE STREET

There is a tape recording of the public hearing available in the Planning and Zoning Office.

ITEM 6
P.H. TAPE
RECORDING

On motion and second by Comms. Stephen Shapiro and John Robinson the Commission tabled a proposed Special Exception for a child care and pre-school facility at 887 Newfield Street. Vote was unanimous. Applicant\agent Aldo Monarca SE95-12

ITEM 6.1
TABLED PROPOSED
SPECIAL EXCEPTION
FOR A CHILD CARE
AND PRE-SCHOOL
FACILITY AT 887
NEWFIELD STREET

William Warner explained the proposal. Lengthy discussion ensued regarding the need for the proposal and if it is premature. Comm. Anthony Vasiliou questioned the need and asked for information from the Middletown Housing Authority. Comm. Carl Bolz feels it should be allowed by Special Exception only. Comm. Jennifer Alexander asked for more information on the zones where it would be allowed. On motion and second by Comms. Stephen Shapiro and Carl Bolz the Commission continued the public hearing to add Sections 16.07.05, 61.01.54, and 61.02.33 Group Home\ Community Residential Treatment Center. Vote was unanimous. Proponent P & Z Dept. S95-16

ITEM 6.2
CONTINUED PROPOSED
ZONING CODE TEXT
AMENDMENT TO ADD
SECTIONS 16.07.05,
61.01.54, AND
61.02.33 GROUP
HOME\COMMUNITY
RESIDENTIAL TREAT-
MENT CENTER

Martin Ruggiri and Atty. John Lambert explained the proposal to process only clean fill. Atty. Lambert reviewed all the departmental comments and agreed to the Health Department concerns. Mr. Ruggiri will not be conducting natural resource extractions. Comm. Anthony Vasiliou questioned truck traffic. Comm. Carl Bolz questioned enforcement. William Warner commented on conditions to limit the size. Atty. John Lambert proposed keeping of a log of all trucks coming and going. Comm. John Robinson questioned the departmental comments, the \$5,000 maintenance bond, traffic, the house, etc. Comm. Anthony Vasiliou questioned the Special Exception criteria. Lengthy discussion ensued regarding the departmental comments. From the public, J. Inglis was concerned about the size limits and the impact on Bow Lane. Earle Roberts feels enforcement was the problem and that quarterly inspections are needed. Comm. Jennifer Alexander questioned the number of trucks and the size of the trucks. Atty. John Lambert approximated twenty trucks per day, just dump trucks. Discussion ensued. Comm. Francis Patnaude questioned the use of the remaining 150 acres. Atty. Lambert responded. Discussion ensued regarding the Water and Sewer Departmental comment. On motion and second by Comms. Stephen Shapiro and Carl Bolz the Commission closed the public hearing. Vote was unanimous. A motion to grant a Special Exception for a building material salvage yard to process and recycle concrete, brick, asphalt, and stone at the former Feldspar site at 1349 River Road with the following conditions: 1) approval is for a three year period; 2) the drainage system should be cleaned and maintained with the \$5,000 maintenance bond; 3) silt fencing as required by staff; 4) the foundations would be stabilized; 5) the Health Department comment would be addressed; 6) Department of Environmental Protection permits would be issued prior to commencement; 7) the site would be limited to two acres and there could be no expansion without Planning and Zoning Commission approval; 8) there would be no solid or bulky waste; 9) a junkyard is not authorized; 10) there would be strict enforcement by the Zoning Enforcement Officer; 11) there would be no trailer trucks; 12) the applicant is to submit a quarterly log to the Zoning Enforcement Officer; and 13) the Zoning Enforcement

ITEM 6.3
GRANTED A SPECIAL
EXCEPTION FOR A
BUILDING MATERIAL
SALVAGE YARD AT THE
FORMER FELDSPAR
SITE AT 1349 RIVER
ROAD WITH
CONDITIONS

Officer will make quarterly inspections of the property was made by Comm. Stephen Shapiro and seconded by Comm. Francis Patnaude. Comm. Anthony Vasiliou cannot support the proposal and quoted sections of codes which have not been satisfied. Comm. John Robinson is in support of the proposal. The motion carried with Chm. W. Lee Osborne, Comm. John Robinson, Comm. Stephen Shapiro, Comm. Carl Bolz and Comm. Francis Patnaude in favor and Comms. Anthony Vasiliou and Jennifer Alexander opposed. Applicant\agent Martin Ruggiri\John R. Lambert, Lawyer SE95-15

Richard Sweeney and Muriel Sweeney explained the proposal. William Warner indicated there were no objections and all the departmental comments were in favor. On motion and second by Comms. John Robinson and Stephen Shapiro the Commission granted final approval of a two lot subdivision of the Sweeney property located at 319 Newfield Street. Vote was unanimous with Comm. Anthony Vasiliou abstaining. Comm. Jennifer Alexander was pleased to see more residential on Newfield Street. Applicant\agent Robert and Muriel Sweeney S95-12

Comm. Jennifer Alexander disqualified herself. Atty. Dean Thomasson, F. Hesketh, and B. Hoben explained the proposal. M. Kelley from Cumberland Farms was present. Atty. Dean Thomasson reviewed a colored site plan and reviewed technical issues. The net floor area with shelf areas would be 1,074 square feet. Curb cuts will be reduced to make them more conforming. Atty. Thomasson explained the landscaping and the existing and proposed signage. F. Hesketh explained the traffic study and reviewed site plan traffic improvement. Comm. Carl Bolz questioned the uses. Comm. John Robinson questioned the tanks and the pump islands. M. Kelly responded. Comm. Jennifer questioned the traffic origins. B. Hoben explained his experience and discussed the marketing report. He submitted a supplemental report. Comm. Anthony Vasiliou questioned the need. Chm. W. Lee Osborne questioned the definition of a neighborhood and a neighborhood store. B. Hoben responded. Comm. Carl Bolz questioned the traffic study. Discussion ensued. M. Kelly responded to comments on Cumberland

ITEM 6.4
GRANTED FINAL
APPROVAL OF A TWO
LOT SUBDIVISION
OF THE SWEENEY
PROPERTY AT 319
NEWFIELD STREET

ITEM 6.5
DENIED A SPECIAL
EXCEPTION TO
CONVERT AN EXISTING
GAS STATION TO A
CONVENIENCE STORE\
GAS STATION AT 339
SOUTH MAIN STREET

Farms, its history and the type of customers.
F. Hesketh corrected the typos in the table.
Atty. Dean Thomasson summarized. From the public, David Roane is opposed. He stated that it is not a neighborhood store and feels they are attempting to make more money from adjacent moderate income housing. Atty. Frank White representing Stop and Go was present. The owner of Stop and Go commented in opposition and feels this is not a neighborhood store. He indicated there is space available in other areas of the city. The landlord of Stop and Go, M. Wargo, stated that Cumberland Farms was at the site from 1966 to 1992 and then sold out. Atty. Frank White referenced the Code and findings that must be made. He referenced numerous vacant locations to the north and the south and spoke at length. J. Park, who lives across the street, is opposed. D. White feels Stop and Go is convenient and there is no need for another store. Atty. Dean Thomasson and F. Hesketh rebutted the comments. On motion and second by Comms. Stephen Shapiro and Carl Bolz the Commission closed the public hearing. Vote was unanimous. A motion to grant a Special Exception to convert an existing gas station to a convenience store and gasoline facilities at 339 South Main Street was made by Comm. Stephen Shapiro and seconded by Comm. John Robinson. Comm. Anthony Vasiliou is opposed to the motion and referenced Zoning Code Section 44.08.09. He stated that the burden is on the applicant to show a need, that available space exists in the business zones and that non-conforming curb cuts and signs still exist. Comm. Carl Bolz feels this is not a neighborhood store. Comm. John Robinson referenced Section 44.04.02 and 44.08.09 and is opposed. Comm. Anthony Vasiliou feels the increase in traffic will have a negative impact and referenced the traffic movement part of Section 44. The motion died with all opposed and none in favor. Applicant\agent Cumberland Farms, Inc.\Dean A. Thomasson, Attorney SE95-17

Atty. Philip Karpel explained the proposal. Comm. Anthony Vasiliou disqualified himself. Atty. Karpel addressed the Water\Sewer Departmental comment. Comm. John Robinson questioned the Public Works comment. Comm. Francis Patnaude commented on the sewer issue. No one from the public spoke. On motion and second by Comms. Stephen Shapiro and Carl Bolz the Commission

ITEM 6.6
GRANTED PRELIMINARY
APPROVAL OF A THREE
LOT RESUBDIVISION
AT 630 BARTHOLOMEW
AND 921 SAYBROOK
ROADS

closed the public hearing. Vote was unanimous. On motion and second by Comms. Stephen Shapiro and Carl Bolz the Commission granted preliminary approval of a three lot resubdivision of property currently known as 630 Bartholomew Road and 921 Saybrook Road with the condition that the Water\ Sewer and Public Works comments be addressed and that there be a specific look at extending the gravity sewer. Vote was unanimous. Applicant\ agent Michael C. O'Brien\MAP Investment Trust LLC\ Atty. Philip F. Karpel S95-13

On motion and second by Comms. Stephen Shapiro and Anthony Vasiliou the Commission accepted withdrawal of a proposed 13 lot subdivision of property located on Congdon Street and McCormick Lane to be known as Hubbard Estates, Stage IV. Vote was unanimous. Applicant\agent John Orsini\C. Timothy Brown, P.E. S95-14

On motion and second by Comms. Stephen Shapiro and Carl Bolz the Commission tabled a proposed two lot subdivision of the Sunrise Farms property located on Atkins Street in the vicinity of Timber Ridge Road to be known as Laurel Farms. Vote was unanimous with Comm. John Robinson abstaining. Applicant\agent Sunrise Farms Project LLC\M. F. Dowley, Attorney S95-15

Christopher Bell explained the proposal. Chm. W. Lee Osborne read a letter of support into the record. William Warner read the letter from MidState Regional Planning Agency into the record. On motion and second by Comms. Stephen Shapiro and Carl Bolz the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. Stephen Shapiro and John Robinson the Commission granted final approval of a three lot subdivision of the Frederick Hasbrouck property located at 707 Chamberlain Hill Road with the condition that the Public Works comment be addressed. Vote was unanimous. Applicant\agent Christopher G. Bell S95-16

There was no discussion.

ITEM 6.7
ACCEPTED WITHDRAWAL
OF PROPOSED 13 LOT
SUBDIVISION OF
PROPERTY ON CONGDON
STREET TO BE KNOWN
AS HUBBARD ESTATES,
STAGE IV

ITEM 6.8
TABLED PROPOSED TWO
LOT SUBDIVISION OF
THE SUNRISE FARMS
PROPERTY ON ATKINS
STREET

ITEM 6.9
GRANTED FINAL
APPROVAL OF A THREE
LOT SUBDIVISION AT
707 CHAMBERLAIN
HILL ROAD

ITEM 7
DISCUSSION
WITH PUBLIC

Adjournment was at 9:30 P.M.

ITEM 8
ADJOURNMENT

Respectfully submitted,

William Warner
Director of Planning