

PLANNING AND ZONING COMMISSION REGULAR MEETING OCTOBER 23, 2002, 7:00 P.M. PAGE 1 OF 7

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

COMMISSION MEMBERS PRESENT

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

COMMISSION MEMBERS ABSENT

William Warner, Director, Tom 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

There was no discussion.

ITEM 2
DISCUSSION WITH PUBLIC ON ITEMS ON AGENDA

Lawrence Buck requested time to speak after the Conservation Commission. C. Joella of the Connecticut River Watershed Council feels adoption is premature due to the Maromas and sewer service area. Michael Ennis, speaking as an individual and not as a member of the Conservation Commission, feels that the plan limits over-development and commented on build-out, cluster regulations, open space prevention, rezoning and the need to control growth. Eleanor Kelsey is concerned about open space bonding and the cost to the city. She opposes the plan and feels it is very poor. Jeffrey Pierce commented on the notice and assuming title to people's property, the prioritization of property, and commented on previous proposals he has made to sell his property. Jeffrey Pierce threatened to damage his property and do things people are not going to like and that the city can take the permit process and stick it in their ear. D. Bauer commented on the Maromas area and preserving it. Lewis Lukens urged the commission to protect the Maromas area and avoid over-development. Len Tundermann, of the Conservation Commission, made a power point presentation and submitted the slides on hard copy. Lawrence Buck questioned Len Tundermann on when the Conservation Commission made their comments. He commented on the grand list, preserving the grand list, and the cost to the taxpayers. Comm. George Lapadula commented on cluster and the suitability of septic systems. Corrine Dorsey commented on shall versus may. Ronald Borelli commented on his right to develop his property and that the Commission should not limit it. Jeffrey Pierce commented on pre-

ITEM 2b.1
CLOSED P.H.
FOR A PROPOSAL TO ADOPT THE FOLLOWING CHAPTERS OF THE NEW MIDDLE-TOWN PLAN OF CONSERVATION AND DEVELOPMENT: INDUSTRY AND EMPLOYMENT, DOWNTOWN AND RETAIL DEVELOPMENT, NATURAL ENVIRONMENT, OPEN SPACE/ GREENWAYS, COMMUNITY

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servation “nonsense” , that we should stay away from trap rock ridges and indicated that they could disappear and turn from “mountain to real flat”. On motion and second by Comm. George Lapadula and William Wilson the Commission closed the public hearing for a proposal to adopt the following chapters of the new Middletown Plan of Conservation and Development, as filed in the Office of the Town Clerk: Industry and Employment, Downtown and Retail Development, Natural Environment, Open Space/Greenways, Community Facilities, Parks and Recreation, and Future Land Use Plan and placed the item under Old Business at the next meeting. Vote was unanimous. Proponent P& Z Commission

FACILITIES,
PARKS AND
RECREATION
AND FUTURE
LAND USE
PLAN

Ricahrd Mihok explained the proposal for the one lot resubdivision. Comm. Andrew Rak questioned the shape of the lots. Richard Mihok responded. Chw. Barbara Plum questioned the point on the back of the lot. Discussion ensued on the lot shapes. From the public, S. Pettengil commented on fill for the septic systems and had concerns over the wells. A. Lejewski was concerned about the wells and feels there is a need to extend the city water service. D. Young commented on the driveway for Lot #6. Richard Mihok responded that all the wells have been approved by the Health Department. On motion and second by Comms. James Fortuna and William Wilson the Commission closed the public hearing. Vote was unanimous. A motion to grant final approval of a proposed one (1) lot resubdivision of Lot #5 of the Dina Estates Subdivision located at the intersection of Bartholomew and Shunpike Roads was made by Comm. Andrew Rak and seconded by Comm. John Voli. Comm. Andrew Rak indicated that he would vote in opposition and feels it does not meet Section 5.06 Lot Dimensions. The motion failed with Comm. John Voli in favor and Comms. James Fortuna, William Wilson, Andrew Rak, George Lapadula, and Jack Pieper opposed. Applicant/agent Salvatore Fazzino S2002-16

ITEM 2b.2
DENIED A
PROPOSED
ONE (1)
LOT RESUB-
DIVISION OF
LOT #5 OF
THE DINA
ESTATES
SUBDIVISION
LOCATED AT
THE INTER-
SECTION OF
BARTHOLO-
MEW AND
SHUNPIKE
ROADS

On motion and second by Comms. George Lapadula and William Wilson the Commission tabled a proposed two (2) lot resubdivision with a Special Exception for two (2) rear lots of the property of Jeffrey Wojtusik located at the end of Thimble Rock Road at the Durham town line. Vote was unanimous. Applicant/agent Jeffrey Wojtusik/George Smilas, P.E., L.S. S2002-18

ITEM 2b.3
TABLED A
PROPOSED
TWO (2) LOT
RESUBDIVI-
SION WITH A
SPECIAL EX-
CEPTION FOR
TWO (2)
REAR LOTS
OF THE PRO-
PERTY OF
JEFFREY
WOJTUSIK
LOCATED
AT THE END

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OF THIMBLE
ROCK ROAD
AT THE DUR-
HAM TOWN
LINE

On motion and second by Comms. George Lapadula and William Wilson the Commission tabled a proposed thirty-two (32) lot re-subdivision with a Special Exception for a cluster subdivision of the property of John Zisk located off Laurel Grove Road between Rockfall Road, Scenic View Drive and Harvard Court to be known as Laurel Farms and a request for a waiver of Section 5.19.07.01 of the Subdivision Regulations. Vote was unanimous. Applicant/agent LePage Homes, Inc./O'Brien Associates, Inc. S2002-15

ITEM 2b.4
TABLED A
PROPOSED
THIRTY-TWO
(32) LOT RE-
SUBDIVISION
WITH A
SPECIAL EX-
CEPTION FOR
A CLUSTER
SUBDIVISION
OF THE PRO-
PERTY OF
JOHN ZISK
LOCATED
OFF LAUREL
GROVE ROAD
BETWEEN
ROCKFALL
ROAD, SCE-
NIC VIEW
DRIVE, AND
HARVARD
COURT TO
BE KNOWN
AS LAUREL
FARMS

On motion and second by Comms. George Lapadula and William Wilson the Commission approved a request for release of the cash bond for Oak Ridge Estates (formerly Valley Brook Village) located off Stevens Lane. Vote was unanimous. Applicant/agent Stephen Realty & Development, Inc./Stephen J. Barberino, Jr. S86-2

ITEM 3.1
APPROVED
A REQUEST
FOR RE-
LEASE OF
THE CASH
BOND FOR
OAK RIDGE
ESTATES
LOCATED
OFF STEVENS
LANE

On motion and second by Comms. George Lapadula and

ITEM 3.2

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William Wilson the Commission tabled a request to modify a previously approved site plan for a Special Exception approval at 680 Newfield Street. Applicant/agent RJAJ, LLC/Attorney Borkowski

TABLED A REQUEST TO MODIFY A PREVIOUSLY APPROVED SITE PLAN FOR A SPECIAL EXCEPTION APPROVAL AT 680 NEWFIELD STREET

On motion and second by Comms. James Fortuna and Andrew Rak the Commission tabled a proposed Site Plan Review to construct an industrial building on Lot #2 of the P, Inc. Industrial Subdivision located at 975 Middle Street. Vote was unanimous. Applicant/agent Gerry Clean, P., Inc., LLC/Frank Magnotta, P.E.

ITEM 4.1
TABLED A PROPOSED SITE PLAN REVIEW TO CONSTRUCT AN INDUSTRIAL BUILDING ON LOT #2 OF THE P, INC. INDUSTRIAL SUBDIVISION LOCATED AT 975 MIDDLE STREET

On motion and second by Comms. George Lapadula and Andrew Rak the Commission scheduled a public hearing date of November 13, 2002 for a proposed Site Plan Review to construct an academic facility for The Center for Film Studies to be located at 301 Washington Terrace. Vote was unanimous. Applicant/agent Wesleyan University/Alan Rubacha SPR2002-146

ITEM 4.2
SCHEDULED P.H. 11/13/02 FOR A PROPOSED SITE PLAN REVIEW TO CONSTRUCT AN ACADEMIC FACILITY FOR THE CENTER FOR FILM STUDIES TO BE LOCATED AT 301 WASHINGTON TERRACE

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P. Bailey explained the proposal using plans. Chw. Barbara Plum questioned elevators, wetlands and setbacks. Comm. Carl Bolz questioned parking. Comm. George Lapadula commented on Marino Manor. Thomas Nigosanti, the Chief Engineer, commented on moving the detention pond and a better layout. Comm. Carl Bolz questioned buses. Comm. Andrew Rak questioned expansion of the parking at Marino Manor. On motion and second by Comms. George Lapadula and James Fortuna the Commission granted Site Plan Approval to construct sixteen (16) units of elderly housing for the hearing impaired to be located at the southwest corner of the intersection of Randolph Road and South Main Street with the condition that the Public Works recommendation be followed. Vote was unanimous. Applicant/agent Housing Authority of the City of Middletown/Paul B. Bailey, Architect SPR2002-145

ITEM 4.3
GRANTED SITE
PLAN APPRO-
VAL TO CON-
STRUCT SIX-
TEEN (16) UNITS
OF ELDERLY
HOUSING FOR
THE HEARING
IMPAIRED TO
BE LOCATED
AT THE SOUTH-
WEST CORNER
OF THE INTER-
SECTION OF
RANDOLPH
ROAD AND
SOUTH MAIN
STREET

On motion and second by Comms. George Lapadula and James Fortuna the Commission scheduled a public hearing date of December 11, 2002 for a proposed two (2) lot resubdivision of the property of Tuttle Road Associates and the City of Middletown located at the intersection of Tuttle Road and Putter Place in The Meadows at Riverbend Subdivision. Vote was unanimous. Applicant/agent Tuttle Road Associates S95-6

ITEM 4.4
SCHEDULED P.H.
12/11/02 FOR A
PROPOSED TWO
(2) LOT RESUB-
DIVISION OF THE
PROPERTY OF
TUTTLE ROAD
ASSOCIATES
AND THE CITY
OF MIDDLE-
TOWN LOCATED
AT THE INTER-
SECTION OF
TUTTLE ROAD
AND PUTTER
PLACE IN THE
MEADOWS AT
RIVERBEND
SUBDIVISION

William Warner explained. On motion and second by Comms. Andrew Rak and William Wilson the Commission gave an affirmative G.S. 8-24 Review regarding the submission of an application to the DEP to purchase the Wilcox property on Atkins Street and Footit Drive. Vote was unanimous. Applicant/agent City of Middletown Conservation Commission

ITEM 4.5
GAVE AN AF-
FIRMATIVE G.S.
8-24 REVIEW
REGARDING
THE SUBMIS-
SION OF AN AP-

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William Warner explained. Comm. Andrew Rak commented. On motion and second by Comms. George Lapadula and Andrew Rak the Commission gave an affirmative G.S. 8-24 Review to transfer land on Standpipe Road to Medical Development Associates and to accept land on Country Club Road from Trilogy Trust. Vote was unanimous. Applicant/agent City of Middletown Economic Development Committee

On motion and second by Comms. George Lapadula and James Fortuna the Commission scheduled a public hearing date of December 11, 2002 for a proposed Special Exception to allow thirty-eight (38) units of multi-family housing at the end of Jackson Street in the MX zone. Vote was unanimous. Applicant/agent Real Estate Service of Connecticut

The following change was noted: Add Comm. Carl Bolz to the present list. On motion and second by Comms. James Fortuna and Andrew Rak the Commission approved the minutes of the September 25, 2002 meeting as amended. Vote was unanimous with Comm. John Voli abstaining.

The minutes of the October 9, 2002 meeting were not

PLICATION TO
THE DEP TO
PURCHASE THE
WILCOX PRO-
PERTY ON AT-
KINS STREET
AND FOOTIT
DRIVE

ITEM 4.6
GAVE AN AF-
FIRMATIVE G.S.
8-42 REVIEW TO
TRANSFER LAND
ON STANDPIPE
ROAD TO MEDI-
CAL DEVELOP-
MENTS ASSO-
CIATES AND TO
ACCEPT LAND
ON COUNTRY
CLUB ROAD
FROM TRILOGY
TRUST

ITEM 4.7
SCHEDULED P.H.
12/11/02 FOR A
PROPOSED
SPECIAL EXCEP-
TION TO ALLOW
THIRTY-EIGHT
(38) UNITS OF
MULTI-FAMILY
HOUSING AT
THE END OF
JACKSON
STREET IN
THE MX ZONE

ITEM 5.1
APPROVED THE
MINUTES OF
THE 9/25/02
MEETING AS
AMENDED

ITEM 5.2

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available.

THE MINUTES
OF THE 10/9/02
MEETING WERE
NOT AVAIL-
ABLE

Chw. Barbara Plum questioned the Zoning Enforcement Officer's Report at length.

ITEM 5.3
ZEO REPORT

Comm. George Lapadula commented on cul-de-sacs and feels the Departmental Directors should be present. Comm. Andrew Rak commented on the Plan of Conservation and Development. William Warner responded.

ITEM 5.4
COMMISSION
AFFAIRS

On motion and second by Comms. George Lapadula and John Pieper the Commission adjourned the meeting at 9:30 p.m.

ITEM 7
ADJOURNMENT

Respectfully submitted,

William Warner, AICP
Director of Planning, Conservation and Development