

PLANNING AND ZONING COMMISSION REGULAR MEETING NOVEMBER 8, 2006, 7:00 P.M. PAGE 1 OF 5

Chw. Barbara Plum, Comm. Carl Bolz, Comm. James Fortuna, Comm. Andrew Rak, Comm. Cynthia Jablonski, Comm. Les Les Adams, Comm. Deborah Kleckowski

MEMBERS
PRESENT

Comm. Salvatore Fazzino, Comm. Ronald Borelli, Comm. Sebastian Scalora, Mayor Sebastian N. Giuliano, Ex-Officio, Asst. Dir. P.W. Robert Dobmeier, Ex-Officio

MEMBERS
ABSENT

William Warner, Director

STAFF

There were approximately twenty-five (25) 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

Chw. Barbara Plum raised election of officers. On motion and second by Comms. Andrew Rak and James Fortuna the Commission voted to continue the officers as currently constituted. Vote was unanimous.

ITEM 1a
ELECTION
OF OFFICERS

No one spoke.

ITEM 2
DISCUSSION
WITH PUBLIC

Karen Sullivan explained the proposal. Bob Daniels commented on the proposal and submitted a prepared statement. Comm. Carl Bolz questioned the departmental comments. William Warner commented on the proposal. Chw. Barbara Plum questioned the Police Departmental comment. Discussion ensued. Karen Sullivan agreed to a limit of six (6) students. No one from the public spoke. On motion and second by Comms. Andrew Rak and James Fortuna the Commission closed the public hearing. Vote was unanimous. A motion to grant a Special Exception to open a grooming school to be called Middlesex School of Grooming in an area near the For Your Pet Only grooming business at 874 Millbrook Road was made by Comm. Andrew Rak and seconded by Comm. Les Adams. Comm. Carl Bolz offered a friendly amendment that the approval be conditioned upon the Health and Public Works Departmental comments. Comm. Andrew Rak accepted the amendment. Chw. Barbara Plum questioned limiting the number of students. The main motion as amended passed unanimously. Applicant/agent For Your Pet Only/Karen Sullivan SE2006-10

ITEM 3.1
GRANTED A
SPECIAL EX-
CEPTION
TO OPEN A
GROOMING
SCHOOL TO
BE CALLED
MIDDLESEX
SCHOOL OF
GROOMING
IN AN AREA
NEAR THE
FOR YOUR
PET ONLY
GROOMING
BUSINESS AT
874 MILLBROOK
ROAD

Melody Spurgas submitted a proposal to change a non-conforming use Chw. Barbara Plum reviewed the departmental comments. Melody Spurgas indicated she had addressed all the comments. Comm. Andrew Rak questioned the use and the number of employees. Melody Spurgas indicated there would be six (6) employees at any one time and ten (10)

ITEM 3.2
APPROVED A
REQUEST FOR
CHANGE OF USE
TO CONVERT

customers at the same time would be very positive. Comm. Carl Bolz questioned William Warner on the hours of operation. Melody Spurgas indicated the hours would be from 10 a.m. to 7 p.m. No one from the public spoke. A motion to approve a request for a change of use to convert the former Bitgood Veterinary Clinic (a non-conforming use) located at 62 Silver Street to a day spa to be known as The Fountain of Youth Spa was made by Comm. Andrew Rak and seconded by Comm. James Fortuna. Comm. Carl Bolz questioned limits on the number of employees or clients and offered a friendly amendment that there be no more than seven (7) employees or ten (10) clients and the hours of be from 10 a.m. to 7 p.m. daily. Comm. Andrew Rak accepted the amendment. The main motion as amended passed unanimously. Applicant/agent Melody L. Spurgas

THE FORMER
BITGOOD
VETERINARY
CLINIC LO-
CATED AT 62
SILVER STREET
TO A DAY SPA
TO BE KNOWN
AS THE FOUN-
TAIN OF YOUTH

Sheila Girgenti-Emanuelson explained the proposal and requested an amount of six (6) to ten (10) children of pre-school age. Comm. Deborah Kleckowski questioned the number of children and the curriculum. William Warner commented on no more than six (6) children. Discussion ensued. From the public, Arline Rich commented on limiting the number of children to six (6) and indicated that the Westfield Residents for Rational Development of Middletown membership is fine with six (6) children. Eleanor Kelsey is concerned about the children's safety, questioned if the play area will be enclosed and had concerns over bears and deer. Sheila Girgenti-Emanuelson indicated that the play area will be fenced in. On motion and second by Comms. Andrew Rak and James Fortuna the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. Andrew Rak and James Fortuna the Commission granted a Special Exception for a child care center to be located at 436 Higby Road, on the east side near the intersection with Country Club Road with the condition that there a maximum of six (6) children. Vote was unanimous. Applicant/agent Sheila Girgenti-Emanuelson SE2006-8

ITEM 3.3
GRANTED A
SPECIAL EX-
CEPTION FOR
A CHILD CARE
CENTER TO BE
LOCATED AT
436 HIGBY
ROAD, ON THE
EAST SIDE
NEAR THE
INTERSECTION
WITH COUNTRY
CLUB ROAD

Joseph Crouse explained the proposal for lighting. D. Rudda from Musco Lighting commented on dark skies and efficiencies. Joseph Crouse submitted photographs and the pole design. On motion and second by Comms. Andrew Rak and Carl Bolz the Commission approved light pole standards and lighting levels for the Wesleyan University Synthetic Turf Field located at 170 Long Lane. Vote was unanimous. Applicant/agent Wesleyan University/Joseph E. Crouse, P.E. SE2005-16

ITEM 4.1
APPROVED
LIGHT POLE
STANDARDS
AND LIGHT-
ING LEVELS
FOR THE
WESLEYAN
UNIVERSITY
SYNTHETIC
TURF FIELD
LOCATED AT
170 LONG
LANE

Jim Pendry explained the requests. Discussion ensued on the fifty-five (55) and older requirement and the original Bacon property. Comm. Deborah Kleckowski questioned the precedent for having a house that is not in compliance. Comm. Carl Bolz questioned the Tuttle house. William Warner indicated that the Tuttle house is not involved. Chw. Barbara Plum feels the use of the barn should be restricted to fifty-five (55). Comm. Carl Bolz clarified that the existing house will not be a rental home. Jim Pendry agreed to use the Bacon house for a one family only. On motion and second by Comms. Andrew Rak and James Fortuna the Commission approved a request for modifications to the Special Exception approval with regards to relocation of Unit #7 and having 401 Newfield Street remain a member of the homeowners association for the Bacon Village Active Adult housing complex with the condition, but not age restricted, that: 1) the Public Works Departmental comment be complied with; and 2) that 401 Newfield be owner occupied and one family only. Vote was unanimous. Applicant/agent Summit Middletown, LLC/James M. Pendry SE2005-7

ITEM 4.2
APPROVED A
REQUEST
FOR
MODIFI-
CATIONS
TO THE
SPECIAL EX-
CEPTION
APPROVAL
WITH RE-
GARDS TO
RELOCA-
TION OF
UNIT #7
AND HAV-
ING 401
NEWFIELD
STREET RE-
MAIN A
MEMBER OF
THE HOME-
OWNERS AS-
SOCIATION
FOR THE
BACON VIL-
LAGE AC-
TIVE ADULT
HOUSING
COMPLEX

Todd Isaacson explained the request for a waiver of the grade requirements to 15%. William Warner explained the departmental comments. On motion and second by Comms. Andrew Rak and Carl Bolz the Commission approved a request for a waiver to the Subdivision approval for the Todd Isaacson Subdivision located off Chamberlain Hill Road with regard to the proposed grade for a driveway to Lot #1AA to exceed 12%. Vote was unanimous. Applicant/agent Todd M. Isaacson SPR2006-192, S2004-4

ITEM 4.3
APPROVED A
REQUEST FOR
A WAIVER TO
THE SUB-
DIVISION AP-
PROVAL FOR
THE TODD
ISAACSON
SUBDIVISION
LOCATED OFF
CHAMBERLAIN
HILL ROAD
WITH REGARD
TO THE PRO-
POSED GRADE
FOR A DRIVE-

WAY TO LOT
#1AA TO EX-
CEED 12%

William Warner explained. On motion and second by Comms. Andrew Rak and Carl Bolz the Commission approved a request for location approval for sale of used cars under G.S. Sec. 14-54 at 170 North Main Street in the IRA zone. Vote was unanimous. Applicant/agent D&M Recovery & Towing, LLC

ITEM 5.1
APPROVED A
REQUEST FOR
LOCATION AP-
PROVAL FOR
SALE OF USED
CARS UNDER
G.S. SEC. 14-54
AT 170 NORTH
MAIN STREET
IN THE IRA
ZONE

On motion and second by Comms. Carl Bolz and Andrew Rak the Commission scheduled a public hearing date of January 10, 2007 for a proposed two (2) lot resubdivision with a Special Exception for a rear lot of the property of Andre Blaszczyński located on the east side of Atkins Street near Old Farms East. Vote was unanimous. Applicant/agent Andre Blaszczyński/Conklin & Soroka, Inc. S2006-10

ITEM 5.2
SCHEDULED P.H.
1/10/07 FOR A
PROPOSED TWO
(2) LOT RESUB-
DIVISION WITH
A SPECIAL EX-
CEPTION FOR A
REAR LOT OF
THE PROPERTY
OF ANDRE
BLASZCZYŃSKI
LOCATED ON
THE EAST SIDE
OF ATKINS
STREET NEAR
OLD FARMS
EAST

John Moore explained. William Warner commented. Discussion ensued on limits. On motion and second by Comms. Andrew Rak and Carl Bolz the Commission approved a request for location approval for sale of new cars under G.S. Sec. 14-54 at 107 Newfield Street, the Citgo Gas Station, in the NPC zone with the condition that there be no more than eight (8) vehicles displayed outdoors. Vote was unanimous. Applicant/agent Auto Store, LLC/John Moore

ITEM 5.3
APPROVED A
REQUEST FOR
LOCATION AP-
PROVAL FOR
SALE OF NEW
CARS UNDER
G.S. SEC. 14-54
AT 107 NEW-
FIELD STREET,
THE CITGO
GAS STATION,

William Warner explained the limit of three (3) cars. On motion and second by Comms. Andrew Rak and Carl Bolz the Commission approved a request for location approval for sale of used cars under G.S. Sec. 14-54 at 168 East Main Street in the TD zone with the condition that there be a limit of no more than three (3) cars on display. Vote was unanimous. Applicant/agent Glenn Automotive, LLC/Rginald M. Glenn, owner

IN THE NPC
ZONE

ITEM 5.4
APPROVED A
REQUEST FOR
LOCATION AP-
PROVAL FOR
SALE OF USED
CARS UNDER
G.S. SEC. 14-54
AT 168 EAST
MAIN STREET
IN THE TD
ZONE

On motion and second by Comms. Carl Bolz and James Fortuna the Commission approved the minutes of the October 11, 2006 regular meeting. Vote was unanimous with Comm. Deborah Kleckowski abstaining.

ITEM 6.1
APPROVED THE
MINUTES OF
10/11/06
REGULAR
MEETING

There was no ZEO report.

ITEM 6.2
ZEO
REPORT

Comm. Carl Bolz questioned Higby Mountain. William Warner responded. Comm. Les Adams questioned a North Main Street garage. William Warner commented on the fines ordinance.

ITEM 6.3
COMMISSION
AFFAIRS

There was no discussion.

ITEM 8
DISCUSSION

On motion and second by Comms. Carl Bolz and Andrew Rak the Commission adjourned the meeting at 8:30 p.m. Vote was unanimous.

ITEM 9
ADJOURNMENT

Respectfully submitted,

William Warner, AICP
Director of Planning, Conservation and Development