

PLANNING AND ZONING COMMISSION REGULAR MEETING NOVEMBER 12, 1998, 7:00 P.M. PAGE 1 OF 5

Chm. W. Lee Osborne, Comm. Carl Bolz, Comm. William Holley III, Comm. Anthony Vasiliou, Comm. David Roane, Comm. James Fortuna, Comm. Barbara Plum, Comm. Victor Liburdi

COMMISSION MEMBERS PRESENT

Comm. Corrine Dorsey, Comm. Carl Chisem, Mayor Dominique Thornton, Ex-Officio, Dir. P.W. Salvatore Fazzino, Ex-Officio

COMMISSION MEMBERS ABSENT

William Warner, Director of Planning, Wayne T. Bell, Zoning Enforcement Officer

STAFF

There were approximately twenty-five members of the public.

PUBLIC

Eleanor Kelsey and Lawrence Buck commented on procedure and the notice. Brief discussion ensued.

ITEM 2 DISCUSSION WITH PUBLIC ON ITEMS ON AGENDA

Chm. W. Lee Osborne commented the Zoning Enforcement Officer on his work. Comm. David Roane requested that Wayne T. Bell bring a report on the old Knights of Columbus building to the next meeting. Comm. Anthony Vasiliou requested information on top soil.

ITEM 2a ZEO REPORT

On motion and second by Comms. David Roane and Barbara Plum the Commission tabled a request for release of the cash bond for Kenneth Dooley Drive. Vote was unanimous. Applicant/agent Union Savings Bank/Brian R. Skarda, Vice President S89-6

ITEM 3.1 TABLED REQUEST FOR RELEASE OF THE CASH BOND FOR KENNETH DOOLEY DRIVE

On motion and second by Comms. Carl Bolz and Barbara Plum the Commission scheduled a public hearing date of Decmeber 9, 1998 for a proposed Special Exception for a historic adaptive reuse to convert a former four family residence located at 449 Newfield Street to a commercial office for an architectural group. Vote was unanimous. Applicant/agent Jeffery A. Cissell, P.E./Cissell Design Group SE98-9

ITEM 4.1 SCHEDULED P.H. 12/9/98 FOR A PROPOSED SPECIAL EX-CEPTION TO CON-VERT A FORMER FOUR FAMILY RESIDENCE LO-

CATED AT 449  
NEWFIELD  
STREET TO A  
COMMERCIAL  
OFFICE FOR AN  
ARCHITECTURAL  
GROUP

On motion and second by Comms. Carl Bolz and Barbara Plum the Commission scheduled a public hearing date of December 9, 1998 for a proposed Special Exception for a motor vehicle dealership to be located at 680 Newfield Street. Vote was unanimous. Applicant/agent RJAJ, LLC/ Richard Jukonski, Jr. SE98-10

ITEM 4.2  
SCHEDULED P.H.  
12/9/98 PROPOSED  
SPECIAL EX-  
CEPTION FOR A  
MOTOR VEHICLE  
DEALERSHIP TO  
BE LOCATED AT  
680 NEWFIELD  
STREET

There is a tape recording of the public hearing available in the Planning, Conservation and Development office.

ITEM 5  
P.H. TAPE  
RECORDING

Chm. W. Lee Osborne commented on Comm. Roane's suggested changes. Comm. Anthony Vasiliou disqualified himself. All remaining were seated. Comm. David Roane moved to amend as follows. Chm. W. Lee Osborne commented on the suggested changes. Comm. David Roane continued and discussed changes to Sections 38.01 and 38.06. Eleanor Kelsey raised a point of order on procedure. Comm. David Roane continued with Sections 38.08, 61.01.07, 61.01.08 and 61.01.12. He indicated that Section 61.01.19 should be deleted and that Sections 61.01.33 and 61.01.34 should include the NPZ zoning. Comm. Carl Bolz suggested amendments. Comm. William Holley seconded. From the public, C. Bevins lives on Newfield Street and expressed concern over expansion of uses. Chm. W. Lee Osborne commented. Discussion with C. Bevins ensued on traffic and the need for concern over residential. William Caffrey raised issues such as the traffic study, A-frame signs, setbacks, lot sizes, manufacturing and feels it should be left in but made clearer. Eleanor

ITEM 5.1  
CLOSED P.H.  
FOR A PROPOSED  
ZONING CODE  
TEXT AMEND-  
MENT TO ADOPT  
SECTION 38 NEW-  
FIELD STREET  
PLANNED  
BUSINESS ZONE  
(NPZ) AND A PRO-  
POSED ZONING  
MAP AMENDMENT  
TO REZONE PRO-  
PERTIES IN THE  
VICINITY OF NEW-  
FIELD STREET  
GENERALLY  
NORTH OF CONG-  
DON STREET

Kelsey commented on the quality of the maps, water dependent uses, traffic on Newfield Street, the need to buy land on Newfield Street to widen the road and spoke at length. Arline Rich, Westfield Residents for Rational Development of Middletown, Inc., commented on procedure. Chm. W. Lee Osborne read the report from Midstate Regional Planning Agency into the record. William Warner commented. Chm. W. Lee Osborne commented. Eleanor Kelsey disagreed. Lawrence Buck expressed concern over staff level uses, referenced Section 71, questioned the reasons for the zone change and spoke on traffic and the need to widen the road. L. Boseman commented on Section 61.01.30 and felt there should be limitations on retail size and hours of operation. L. Boseman also commented on Section 61.01.34, had concerns over supermarkets, felt department stores should be excluded and also felt that Section 38.11 should include properties across the street. On motion and second by Comms. David Roane and Victor Liburdi the Commission closed the public hearing for a proposed Zoning Code text amendment to adopt Section 38 Newfield Street Planned Business Zone (NPZ) and a proposed Zoning Map amendment to rezone properties in the vicinity of Newfield Street generally north of Congdon Street and placed it under Old Business at the next meeting. Vote was unanimous. Chm. W. Lee Osborne suggested addressing the amendments section by section. William Caffrey questioned procedure. Comm. David Roane questioned if everyone was okay with staff recommendations. Discussion on item by item ensued. On motion and second by Comms. David Roane and William Holley the Commission approved staff recommendations #1, #3, #4, #5, #6, #7 and #8. Vote was unanimous. Comm. David Roane recommended changing Section 38.01 to include "industrial" and "retail" and to change "will" to "shall". On Section 38.06 discussion ensued on consolidated parcels. The section was amended to show separate owners and to add "shall be". On Section 38.08 discussion ensued on setbacks for car sales. The section is fine as is. On Section 61.01.07 the NPZ zone was added. On Section 61.01.19 further discussion is needed as to

whether the NPZ zone should be deleted. On Section 61.02.23 the NPZ zone should be included. On Section 61.01.28A further discussion is needed as to whether the NPZ zone should be deleted. Discussion on the amendments section by section ensued. Several sections were approved by the Commission. Comm. Carl Bolz proposed amendments. On motion and second by Comms. William Holley and Carl Bolz the Commission added Section 61.01.53. Vote was unanimous. Proponent P & Z Comm. Z98-10

Comm. Anthony Vasiliou pointed out the need to have the minutes available seven (7) days after each meeting. William Warner agreed. The minutes of the October 28, 1998 meeting were not available.

ITEM 6.1  
MINUTES OF THE  
10/28/98 MEETING  
WERE NOT  
AVAILABLE

The Commission held a reorganizational meeting. Chm. W. Lee Osborne requested nominations from the floor for officers. Comm. David Roane asked if anyone was interested in running. A motion to cast one vote was made by Comm. David Roane. Comm. Anthony Vasiliou objected. A motion to nominate the present slate of officers was made by Comm. David Roane. On motion and second by Comms. James Fortuna and David Roane the Commission closed the nominations. Vote was unanimous. The motion passed with Chm. W. Lee Osborne, Comm. Carl Bolz, Comm. William Holley, Comm. David Roane, Comm. Barbara Plum, and Comm. Victor Liburdi in favor and Comm. Anthony Vasiliou opposed. Comm. Anthony Vasiliou requested information on term limits. He discussed problems with the current setup of the Commission and the combination of Planning and Zoning and Economic Development. Comm. Anthony Vasiliou feels there is a need to relook at the term limits and suggested amendments to the bylaws. A motion for the vote to continue was made by Comm. David Roane and seconded by Comm. Carl Bolz. Comm. Anthony Vasiliou spoke at length regarding previous commission actions and the need to resist politics, the bylaws, the Nike site, no institutions on Long Lane, and independent council for the Commission. Comm. David Roane agreed with Comm. Vasiliou's

ITEM 6  
ELECTION OF  
OFFICERS

comments on discussions with politicians and feels there is concern after the department merger. Comm. Roane spoke at length. He feels there is no problem with term limits but there is need for a member that is ready to fill the job. Comm. William Holley encouraged Comm. Vasiliou to continue, feels a conflict does exist and agreed with the term limits. Comm. David Roane feels the meetings should be televised and that legal council is needed. He also feels the Police and the Board of Education should come to the Commission meetings. Comm. Anthony Vasiliou commented on Public Works and Water/Sewer, property values, the downtown and other issues such as education.

Eleanor Kelsey requested an opinion. Lawrence Buck submitted the Conservation Commission's trap rock ridge compact. William Warner clarified. Comm. Anthony Vasiliou commented on Linda Bowers' award.

Adjournment was at 12:00 P.M.

Respectfully submitted,

William Warner  
Director of Planning, Conservation & Development

ITEM 7  
DISCUSSION  
WITH PUBLIC

ITEM 8  
ADJOURNMENT