

PLANNING AND ZONING COMMISSION REGULAR MEETING DECEMBER 8, 1993,  
7:00 P.M. PAGE 1 of 7

Chm. W. Lee Osborne, Vice-Chm. Philip Halibozek, Ann Loffredo, Anthony J. Vasiliou, Francis Patnaude, Gerard Winzer, Dir. P.W. Salvatore Fazzino, Ex-Officio

COMMISSION  
MEMBERS  
PRESENT

Mayor Thomas J. Serra, Ex-Officio, Sebastian J. Passanesi, John Robinson, Sec'y Stephen P. Shapiro, Jennifer Alexander, Stephen Gadowski

MEMBERS  
ABSENT

Alternate Comm. Francis Patnaude acted for absent Comm. Sebastian J. Passanesi. Alternate Comm. Gerard Winzer acted for absent Comm. Stephen Shapiro

A C T I N G  
MEMBERS

Due to lack of a quorum the Commission took no action on the minutes of October 27, 1993.

M I N U T E S  
10/27/93

The Commission acknowledged the Zoning Enforcement Officer's monthly reports for October and November and the Zoning Enforcement Officer's sign report.

I T E M 3  
A C C E P T E D  
Z E O  
M O N T H L Y  
R E P O R T A N D  
S I G N  
R E P O R T

On motion and second by Comms. Loffredo and Vasiliou the Commission granted final approval of the Westwood (Meadow Brook) Subdivision, Phase II with the conditions that (a) the Developer enter into a contractual agreement with the City assuring that several unfinished items be completed and (b) the Developer submit a cash deposit in the amount of \$52,000.00 for miscellaneous work and \$8,000.00 for trees and restoration. Applicant/agent Atty. Michael Dowley S87-15. Vote was unanimous.

I T E M 4.1  
G R A N T E D  
F I N A L  
A P P R O V A L  
W E S T W O O D  
S U B D I V I -  
S I O N

On motion and second by Comms. Loffredo and Vasiliou the Commission tabled a request for final approval of Phase II of the Brooks Road Subdivision located off Brooks Road. Applicant/agent Sebastian Mazzotta S92-15. Vote was unanimous.

I T E M 4.2  
T A B L E D  
F I N A L  
A P P R O V A L  
B R O O K S R D  
S U B D I V I -  
S I O N

On motion and second by Comms. Loffredo and Halibozek the Commission tabled a request for final release of cash deposit being held for the Southwind Subdivision, Phase II, Lots 7-15 located off Long Hill Road. Applicant/agent Bysiewicz Corp./Atty. Dean Thomasson

ITEM 4.3  
T A B L E D  
F I N A L  
R E L E A S E  
O F  
C A S H  
D E P O S I T  
S O U T H W I N D  
S U B D I V I -  
S I O N

On motion and second by Comms. Loffredo and Halibozek the Commission tabled a request for release of cash deposit being held for the Heritage Run Subdivision, Resubdivision Lot 20 and Heritage Run Subdivision, Lots 1-17, 19 and 20 located off East Street. Applicant/agent Bysiewicz Corp./Atty. Dean Thomasson S89-20 S90-18. Vote was unanimous.

ITEM 4.4  
T A B L E D  
C A S H  
R E L E A S E  
H E R I T A G E  
R U N A N D  
R E S U B D I V -  
S I O N L O T  
2 0

William Warner explained proposal. On motion and second by Comms. Loffredo and Halibozek the Commission denied a request to eliminate sidewalks on the inner circle of Valley Brook Village. Applicant/gent Arbar Developers II, Inc./Stephen Barberino, Jr. Vote was unanimous.

ITEM 4.5  
D E N I E D  
E L I M I N A -  
T I O N O F  
S I D E W A L K S  
V A L L E Y  
B R O O K  
V I L L A G E

On motion and second by Comms. Loffredo and Halibozek the Commission granted final approval of Section II of the Meadow at Riverbend Subdivision, lots 74-85 and lots 91 and 105 with the conditions that (a) the Developer enter into a contractual agreement with the City assuring that several unfinished items be completed; (b) the Developer submit a cash deposit in the amount of \$70,000.00 for miscellaneous work and \$8,000.00 for trees and restoration; and (c) meet the conditions of the Water and Sewer Department. Applicant/agent Tuttle Road Associates/Robert C. Fusari S91-15. Vote was unanimous.

ITEM 4.6  
G R A N T E D  
F I N A L  
A P P R O V A L  
S E C T I O N I I  
M E A D S A T  
R I V E R B E N D

A lengthy discussion regarding rezoning ensued regarding a petition to rezone the Margarite Road area. Comm. Vasiliou motioned to schedule a public hearing on January 12, 1994. There was no second. Comm. Halibozek motioned not to take action and Comm. Loffredo seconded the motion. Discussion ensued for clarification on why not now. Vote was 5 to 1 with Comm. Vasiliou in opposition.

ITEM 5.1  
TOOK NO  
ACTION  
MARGARITE  
ROAD  
REZONING

Atty. Myron Poliner and David Mylchreest explained a proposal to realignment the boundary lines between properties of Sumner Brook Realty, Anthony C. Fonda and Joseph H. Mylchreest, Inc. located on East Main Street. David Mylchreest used the plan to display existing and proposed lots. Comm. Loffredo questioned the reason for the realignment. Atty. Poliner responded and explained the right-of-way. Comm. Loffredo questioned the bus storage in the rear. Comm. Patnaude questioned Director for compliance. On motion and second by Comms. Loffredo and Vasiliou the Commission approved the realignment of the boundary lines. Vote was unanimous.

ITEM 5.2  
APPROVED  
BOUNDARY  
LINES  
REALIGN-  
MENT EAST  
MAIN  
STREET

On motion and second by Comms. Loffredo and Halibozek the Commission scheduled a public hearing on 1/12/94 to consider a proposed 25 lot resubdivision to be known as Country View Estates, Phase III located off Margarite Road. Vote was unanimous. Applicant/agent Cambridge Homes, Inc./Glenn Russo S93-12. Chm. W. Lee Osborne read letter into record and questioned completeness. William Warner responded. Comms. Halibozek and Patnaude motioned for a five minutes recess to check application. Chm. W. Lee Osborne read letter to wetland into record. William Warner responded that it is a valid wetlands permit and other issues were addressed. Chm. W. Lee Osborne indicated application is not substantially incomplete. He rules not substantially incomplete. There was no further discussion.

ITEM 5.3  
SCHEDULED  
P . H .  
1 / 1 2 / 9 4  
COUNTRY  
VIEW  
ESTATES,  
PHASE III

M. Hussey and David Mylchreest presented a proposal for a three year extension of the Hunt Club Subdivision located off East Street. M. Hussey explained time frames and need for extension assurance that activity will commence. He used plan to detail work that would be completed if extension will take place. Discussion ensued regarding State Statute and need for redesign. Comm. Loffredo questioned P.O.D. zoning. Comm. Halibozek questioned area traffic. William Warner responded. Comm. Vasiliou raised many concern regarding extension and changes in six years. Comm. Halibozek moved approval for three year extension. Comm. Patnaude seconded the motion. Comm. Halibozek felt he could not support the proposal because of development and traffic. Discussion ensued. Request was denied unanimously.

ITEM 5.4  
D E N I E D  
R E Q U E S T  
F O R  
E X T E N S I O N  
H U N T C L U B

The Commission discussed the interpretation of Zoning Code Section 61.05 Prohibited Uses as it applies to acetylene gas manufacture and storage as requested by the Municipal Development Office. William Warner explained the proposal. Comm. Halibozek felt the Fire Department should be involved. Comm. Patnaude raised numerous concerns. Discussion ensued at length. On motion and second by Comms. Patnaude and Halibozek to approve the interpretation the Commission defeated the proposal with Comm. Vasiliou voting in opposition and Comm Loffredo abstaining. Vote was 4 to 1 with one abstention. Chm. W. Lee Osborne explained conflict of interests and felt living next to an industrial zone wasn't a conflict of interests. Comm. Loffredo reconsidered the conflict of interest and voted on the motion. On motion and second by Comms. Halibozek and Patnaude the Commission reconsidered the motion and voted to approve the interpretation. Vote was 5 to 1 with Comm. Vasiliou voting in opposition.

ITEM 5.5  
P O S I T I V E  
I N T E R P R E T A  
T I O N  
P R O H I B I T E D  
U S E S  
S T O R A G E  
A C E T Y L E N E  
G A S

There was a five minute recess.

RECESS

B. Aisner explained a request to amend the conceptual plan. On motion and second by Comms. Loffredo and Winzer the Commission granted a request to amend the conceptual approval for the Atkins Red Barn area in the Wesleyan Hills P.R.D. from multi-family to single family dwellings located along Long Hill Road near the Daniels Street intersection. Vote was unanimous.

ITEM 5.6  
AMENDED  
WESLEYAN  
H I L L S  
CONCEPTUAL  
PLAN -  
ATKINS RED  
BARN AREA

On motion and second by Comms. Loffredo and Halibozek the Commission scheduled a public hearing on January 12, 1994 to consider a 17 lot subdivision located on the east side of Long Hill Road across from the Daniels Street intersection to be known as Meadow View Subdivision. Applicant/agent Laurel Grove Limited Partnership. Vote was unanimous.

ITEM 5.7  
SCHEDULED  
P . H .  
1/12/94 17  
L O T  
SUBDIVI-  
S I O N  
ATKINS RED  
BARN AREA

Rev. Paul Franco explained the proposal to amend the conceptual approval of Grandview Drive in the Westlake P.R.D. from multi-residential to church use. Comm. Winzer questioned the amount of activity. On motion and second by Comms. Vasiliou and Winzer the Commission scheduled a public hearing on January 12, 1994 to consider the above. Vote was unanimous.

ITEM 5.8  
SCHEDULED  
P . H .  
1 / 1 2 / 9 4  
WESTLAKE  
PRD GRAND-  
VIEW DRIVE

On motion and second by Comms. Vasiliou and Halibozek the Commission gave an affirmative G.S. 8-24 report regarding a defined easement for highway purposes of 170 square feet for the Brown Street culvert. Applicant Public Works Dept. Vote was unanimous.

ITEM 5.9  
G A V E  
AFFIRMA-  
TIVE G.S.  
8 - 2 4  
R E P O R T  
BROWN ST  
CULVERT

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

P.H. TAPE  
RECORDING

D. Costa and S. Russo explained the proposal for wholesale of cars. Discussion ensued regarding display of cars for sale. Applicant doesn't need to display or advertise cars from the site. On motion and second by Comms. Loffredo and Winzer the Commission closed the public hearing. On motion and second by Comms. Halibozek and Loffredo the Commission approved a special exception to allow used car sales located on 455 Middlefield Street with the conditions that (a) it meet departmental requirements, (b) that no more than five cars be on the site for sale and (c) that no advertisements be allowed on the cars or the lot other than a sign advertising the name of the business. Applicant/agent D & S Auto Sales/Donald Costa and Salvatore Russo SE93-7. Vote was unanimous.

ITEM 6.1  
APPROVED  
S.E. 455  
MIDDLE-  
F I E L D  
STREET  
D & S AUTO  
SALES

David Mylchreest and Richard Lindquist explained a proposal for a 2 lot subdivision including two rear lots located on the east side of East Main Street near Sand Hill Road. Applicant/agent Richard A. Lindquist, Jr. S93-15. He explained that he met with Water/Sewer Depts. and agreed to amendment. All other departments have approved the proposal. He reviewed William Warner's comments and agrees to suggestions. Comm. Loffredo questioned Water/Sewer and Public Works Comments. David Mylchreest responded. Comm. Loffredo questioned letter asking for continuation. David Mylchreest responded. William Warner notes grade requirement for rear lot drive is 4 percent. A. Smith expresses concerns regarding stormwater located across from proposed drive. Dir. Fazzino explained catch basins. P. Wilbuirn is concerned about water and traffic problem due to icy conditions on drive and in street. J. Leal is concerned about mother's property.

The hill is a spring and there is a significant amount of groundwater. Traffic is bad. Development has had a negative impact on area. B. Swanson indicated that his father passed away and requests a continuation of the hearing. Chm. W. Lee Osborne indicated he spoke to B. Swanson on the phone. William Warner indicated need for mutual consent to continue. Chm. W. Lee Osborne would like to walk the site. Questioned procedures on site walks. William Warner responded. David Mylchreest indicated applicant agreed to a continuation of hearing and then responded to storm water issues. Comm. Loffredo questioned distance to Sand Hill Road. David Mylchreest responded. Comm. Loffredo questioned buffers. David Mylchreest explained. Comms. Loffredo and Vasiliou motioned to continue public hearing. Vote was unanimous.

ITEM 6.2  
CONTINUED  
P.H. 2 LOT  
SUBDIVI-  
SION EAST  
M A I N  
STREET

There was no discussion with the public.

DISCUSSION  
W I T H  
PUBLIC

On motion and second by Comms. Loffredo and Vasiliou the Commission voted to adjourn the meeting at 10:35 P.M. Vote was unanimous.

ADJOURN-  
MENT

The Commission elected W. Lee Osborne as Chairman, Philip Halibozek as Vice-Chairman and Stephen Shapiro as Secretary.

ELECTION  
O F  
OFFICERS

Respectfully submitted,

William Warner  
Planning Director

Approved at the meeting of \_\_\_\_\_.