

PLANNING AND ZONING COMMISSION REGULAR MEETING DECEMBER 14, 2005, 7:00 P.M. PAGE 1 OF 7

Comm. Barbara Plum, Comm. Carl Bolz, Comm. James Fortuna, Comm. Salvatore Fazzino, Comm. Andrew Rak, Comm. Les Adams, Comm. Cynthia Jablonski, Comm. Ronald Borelli

MEMBERS
PRESENT

Comm. Deborah Kleckowski, Comm. Sebastian Scalora, Mayor Sebastian N. Giuliano, Ex-Officio

MEMBERS
ABSENT

William Warner, Director, Asst. Dir. P.W. Robert Dobmeier, Bruce Driska, Zoning Enforcement Officer

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

On motion and second by Comms. Carl Bolz and Salvatore Fazzino the Commission elected Comm. Barbara Plum as Chair. Vote was unanimous. On motion and second by Comms. James Fortuna and Salvatore Fazzino the Commission elected Comm. Carl Bolz as the Vice Chair. Vote was unanimous. On motion and second by Comms. Carl Bolz and Andrew Rak the Commission elected Comm. James Fortuna as Secretary. Vote was unanimous. The Commission appointed Chw. Barbara Plum to the MidState Regional Planning Agency and the Parking Authority. Vote was unanimous.

ITEM 1a
ELECTION OF
OFFICERS

There was no discussion.

ITEM 2
DISCUSSION
WITH PUBLIC

Martin Knox of TO Design explained the proposal, the existing and proposed conditions, and indicated that all departmental comments and Design Review and Preservation Board comments have been complied with. Comm. Carl Bolz questioned the Public Works comments. Martin Knox responded yes. Mark Smith, the engineer, explained the proposal. Comm. Salvatore Fazzino questioned flooding. Chw. Barbara Plum questioned the landscaping. Mark Smith and Martin Knox responded. Comm. Les Adams questioned drainage. No one from the public spoke. On motion and second by Comms. Carl Bolz 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 to construct a convenience store in the 100 year flood plain on the site of the Citgo Gas Station located at 572 Washington Street with the condition that all the departmental comments be addressed. Vote was unanimous. Applicant/agent Prashant (Pete) Patel, CT Gas LLC/Mark G.

ITEM 3.1
GRANTED A
SPECIAL EX-
CEPTION TO
CONSTRUCT
A CON-
VENIENCE
STORE IN THE
100 YEAR
FLOOD PLAIN
ON THE SITE
OF THE CITGO
GAS STATION
LOCATED AT
572 WASHING-
TON STREET

Smith, TO Design, LLC SE2005-10

Comm. Cynthia Jablonski disqualified herself for a potential conflict of interest. Atty. Ralph Wilson explained the proposal and submitted a letter from Mayor Giuliano, eight (8) letters of support, a newspaper article a petition in support from businesses and a petition from residents. He continued and explained the financial need for a convenience store that would be convenient for surrounding property owners. Frank Magnotta explained the site plan, the engineering issues, and responded to the departmental comments. Comm. Carl Bolz questioned the elevations and the lube center. Atty. Ralph Wilson indicated the lube center will be storage and no longer a lube center. From the public, Atty Ted Razcka, representing two (2) convenience stores in the area, argued the need does not exist and feels out it is out of character with the area. Comm. Ronald Borelli questioned the Code section. Comm. Carl Bolz questioned the changes in the circumstances. On motion and second by Comms. Carl Bolz and James Fortuna the Commission closed the public hearing. Vote was unanimous. A motion to grant a Special Exception to convert an existing gasoline station/auto repair/retail business to a new use as a gasoline station and neighborhood store at the Gulf Gas Station located at 339 South Main Street, at the intersection with Pameacha Avenue was made by Comm. Andrew Rak and seconded by Comm. James Fortuna. Comm. Carl Bolz commented on the previous approvals and denials and the potential closing if denied. Comm. Andrew Rak feels that due to more evidence being submitted, he feels comfortable with making the change. Comm. Ronald Borelli questioned the Code. Chw. Barbara Plum commented on the no parking locations. Discussion ensued on parking in front. The motion passed unanimously. Applicant/agent R&A Enterprises, LLC c/o Rahat Chaudhry SE2005-12

ITEM 3.2
GRANTED A
SPECIAL EX-
CEPTION TO
CONVERT AN
EXISTING
GASOLINE
STATION/
AUTO REPAIR/
RETAIL
BUSINESS TO
A NEW USE AS
A GASOLINE
STATION AND
NEIGHBOR-
HOOD STORE
AT THE GULF
GAS STATION
LOCATED AT
339 SOUTH
MAIN STREET,
AT THE INTER-
SECTION WITH
PAMEACHA
AVENUE

Comm. Cynthia Jablonski disqualified herself for a potential conflict of interest. Frank Magnotta explained the proposal. Chw. Barbara Plum questioned the lot. Kevin Ewald explained the lot frontage. Comm. Salvatore Fazzino questioned the lot size. Kevin Ewald responded. From the public, E. Williams, a neighbor, feels this lot is smaller than the rest of the neighborhood. A. Silvestro abuts the lot and spoke in opposition. S. Machugga had some concerns about setting a precedent in changing the character of the neighborhood. T. Dyana is happy about cleaning up of the property but does not want to

ITEM 3.3
DENIED A
PROPOSED
TWO (2) LOT
RESUB-
DIVISION
WITH A
SPECIAL EX-
CEPTION FOR
TWO 5,000

see it change. Frank Magnotta concluded. On motion and second by Comms. Salvatore Fazzino and James Fortuna the Commission closed the public hearing. Vote was unanimous. A motion to grant final approval of a two (2) lot resubdivision with a Special Exception for two 5,000 square foot lots of the property of John Moore located 354 Farm Hill Road near the intersection with Gowin Street was made by Comm. Carl Bolz and seconded by Comm. Andrew Rak. Comm. Carl Bolz feels the infill is positive but that the lot is too small for the neighborhood. Comm. Andrew Rak feels the potential for future subdivisions like this is too great. Chw. Barbara Plum feels the lot is too small for the neighborhood. The motion failed unanimously. Applicant/agent John Moore/Kevin T. Ewald, LS S2005-12

SQUARE FOOT
LOTS OF THE
PROPERTY OF
JOHN MOORE
LOCATED AT
354 FARM HILL
NEAR THE IN-
TERSECTION
WITH GOWIN
STREET

Atty. Guy DeFrances explained the proposal. Adam Thompson, the engineer, explained the proposal. Comms. Carl Bolz and Salvatore Fazzino questioned the length of the road. Discussion ensued on the Public Works Departmental comment. Comm. Andrew Rak questioned Public Works on drainage on individual lots. Robert Dobmeier responded. B. Hilson, the traffic engineer, commented on the traffic report and on traffic signal warrants. He indicated that warrant means a traffic signal "shall be considered". From the public, Robert Stefurak feels Atkins Street is not designed for trucks. M. Tranquillia read a letter into the record. B. Hilson commented on Atkins Street, trucks and the route trucks follow and there is no left hand turn for trucks on Timber Ridge Road. On motion and second by Comms. Salvatore Fazzino and Carl Bolz the Commission closed the public hearing. Vote was unanimous. On motion and second by Comms. Salvatore Fazzino and Carl Bolz the Commission granted final approval of a six (6) lot industrial subdivision of the property of Kenneth Dooley Holdings, LLC to be located at the end of Kenneth Dooley Drive and to the east of Bradley Street to be known as Millenium Industrial Park with the condition that: 1) all departmental comments be addressed; and 2) that the Right-of-Way be extended for future extension. Vote was unanimous. Applicant/agent M.F. Discala & Company/ Guy R. DeFrances S2005-7

ITEM 3.4
GRANTED
FINAL AP-
PROVAL OF
A SIX (6) LOT
INDUSTRIAL
SUBDIVISION
OF THE PRO-
PERTY OF
KENNETH
DOOLEY
HOLDINGS,
LLC TO BE
LOCATED AT
THE END OF
KENNETH
DOOLEY
DRIVE AND
TO THE EAST
OF BRADLEY
STREET TO BE
KNOWN AS
MILLENIUM
INDUSTRIAL
PARK

Atty. Jennifer Gagosz presented an overview of the proposal. Jeff Johnson of BL Companies summarized the application with regards to parking and a full access driveway. He presented the architectural elevation drawings and indicated that the chain link fence would be removed to provide better clearance. Paul Purotato indicated that the fuel tanks have been removed. Chw. Barbara Plum questioned if there was any room to plant low maintenance shrubs along the narrow area. Jeff Johnson responded yes. William Warner questioned along the back elevation, could improvements be made to dress up that elevation.

ITEM 3.5
GRANTED A
SPECIAL EX-
CEPTION TO
CONVERT AN
EXISTING
BUILDING LO-
CATED AT 595,
601 AND 613

On motion and second by Comms. Carl Bolz and Andrew Rak the Commission closed the public hearing. Vote was unanimous. A motion to grant a Special Exception to convert an existing building located at 595, 601 and 613 Washington Street to a new use as a Dunkin Donuts and a retail/office use was made by Comm. Andrew Rak and seconded by Comm. James Fortuna. Comm. Carl Bolz indicated he would rather see something other a fence to separate the properties and that a wood guard rail would be preferred. Comm. Ronald Borelli questioned snow removal. A friendly amendment that a guard rail be added, that work required by the State Department of Transportation be approved and that in lieu of curbing, a wood rail be used was made by Comm. Salvatore Fazzino and seconded by Comm. Carl Bolz. The main motion as amended passed unanimously. Applicant/agent Mattabessett Realty, LLC/BL Companies SE2005-11

WASHINGTON STREET TO A NEW USE AS A DUNKIN DONUTS AND A RETAIL/ OFFICE USE

William Warner explained. A motion to grant a sidewalk waiver for the Joseph Mazzotta Subdivision located on Alsace Terrace was made by Comm. Carl Bolz and seconded by Comm. Andrew Rak. Comm. Carl Bolz indicated he agreed with staff. The motion passed unanimously. Applicant/agent The Residents of Alsace Terrace and Ballfall Road

ITEM 4.1 GRANTED A SIDEWALK WAIVER FOR THE JOSEPH MAZZOTTA LOCATED ON ALSACE TERRACE

Karen Sullivan explained the proposed need for the kennel license. William Warner explained. Chw. Barbara Plum questioned the need for a public hearing. Comm. Salvatore Fazzino questioned keeping dogs overnight. Karen Sullivan indicated the dogs would be kept inside. A motion to approve an interpretation of a use to open a doggie day care center as agriculture in an area near the For Your Pet Only grooming business at 874 Millbrook Road with the condition that no dogs be kept overnight was made by Comm. Salvatore Fazzino and seconded by Comm. Carl Bolz. Comm. Ronald Borelli questioned kennel regulations in industrial zones, Section 61.01.02. William Warner responded. The motion passed unanimously. Applicant/ agent For Your Pet Only/Karen Sullivan

ITEM 4.2 APPROVED AN INTERPRETATION OF A USE TO OPEN A DOGGIE DAY CARE CENTER AS AGRICULTURE IN AN AREA NEAR THE FOR YOUR PET ONLY GROOMING BUSINESS AT 874 MILLBROOK ROAD

On motion and second by Comms. Carl Bolz and James Fortuna the Commission tabled a request for release of the cash bond for the Crystal Lake Estates Subdivision located off Millbrook Road. Vote was unanimous. Applicant/agent CMC Development, LLC/

ITEM 4.3 TABLED A REQUEST FOR RELEASE OF THE

Robert J. Babjak, President & Managing Member S2002-7

CASH BOND FOR
THE CRYSTAL
LAKE ESTATES
SUBDIVISION
LOCATED OFF
MILLBROOK
ROAD

Fazlay Rabbi explained the proposal. Chw. Barbara Plum questioned the one way in and one way out. William Warner noted the departmental comments. Discussion ensued on traffic circulation within the area. Fazlay Rabbi agreed to the one way in and one way out. On motion and second by Comms. Salvatore Fazzino and Andrew Rak the Commission approved a modification to the Special Exception approval with regard to the location of the canopy/pumps at 427 South Main Street with the condition that the Police Department Traffic Division sign off on an one way in on the north side and an one way out on the south side. Vote was unanimous. Applicant/agent Fazlay Rabbi SE2004-11

ITEM 4.4
APPROVED A
MODIFICATION
TO THE SPECIAL
EXCEPTION
APPROVAL WITH
REGARD TO THE
LOCATION OF
THE CANOPY/
PUMPS AT 427
SOUTH MAIN
STREET

On motion and second by Comms. Carl Bolz and James Fortuna the Commission scheduled a public hearing date of January 11, 2006 for a proposed two (2) lot resubdivision of the property of Jeannette C. Parrett located on the south side of Randolph Road between Arbutus Street and Wildwood Lane. Vote was unanimous. Applicant/agent Jeannette C. Parrett S2005-11

ITEM 5.1
SCHEDULED P.H.
1/11/06 FOR A
PROPOSED TWO
(2) LOT RESUB-
DIVISION OF THE
PROPERTY OF
JEANNETTE C.
PARRETT LO-
CATED ON THE
SOUTH SIDE
OF RANDOLPH
ROAD BETWEEN
ARBUTUS
STREET AND
WILDWOOD
LANE

William Warner explained. Discussion ensued. Comms. Andrew Rak and Carl Bolz agreed that it should come from the Commission. The Commission agreed unanimously.

ITEM 5.2
AQUIFER PRO-
TECTION AREA
PROGRAM IM-
PLEMENTATION
FOR THE CITY
OF MIDDLE-
TOWN

William Warner explained the regulation and the proposed less intensive use. Discussion ensued on the business, parking, etc. On motion and second by Comms. Les Adams and Salvatore Fazzino the Commission approved a change of a non-conforming use from a gas station/service/repair shop to a monument business at 471 Washington Street. Vote was unanimous. Applicant/agent Monuments by Labbadia/Spillane

ITEM 5.3
APPROVED A
CHANGE OF A
NON-CONFORM-
ING USE FROM
A GAS STATION/
SERVICE/REPAIR
SHOP TO A
MONUMENT
BUSINESS AT
471 WASHING-
TON STREET

William Warner explained. On motion and second by Comms. the Commission scheduled a public hearing date of January 11, 2006 for a proposed twenty-five (25) unit active adult community to be located at 822 East Street, between Glenwood Terrace and Heritage Lane, to be known as Tuscany Hills. Vote was unanimous. Applicant/agent Whitetail Custom Homes/Pat Verderame SE2005-14

ITEM 5.4
SCHEDULED P.H.
1/11/06 FOR A
PROPOSED
TWENTY-FIVE
(25) UNIT
ACTIVE ADULT
COMMUNITY
TO BE LOCATED
AT 822 EAST
STREET, BE-
TWEEN GLEN-
WOOD TERRACE
AND HERITAGE
LANE, TO BE
KNOWN AS
TUSCANY HILLS

On motion and second by Comms. Andrew Rak and James Fortuna the Commission approved the minutes of the October 26, 2005 regular meeting. Vote was unanimous.

ITEM 6.1
APPROVED THE
MINUTES OF
THE 10/26/05
REGULAR
MEETING

Bruce Driska provided the Zoning Enforcement Officer's Report. Comm. Carl Bolz questioned the Pheasant Drive variance and Wild Bill's on Newfield Street.

ITEM 6.2
ZEO REPORT

There was no discussion.

ITEM 8
DISCUSSION

On motion and second by Comms. James Fortuna and Andrew Rak the Commission adjourned the meeting at 10:35 p.m. Vote was unanimous.

ITEM 9
ADJOURNMENT

PLANNING AND ZONING COMMISSION REGULAR MEETING DECEMBER 14, 2005, 7:00
P.M. PAGE 7 OF 7

Respectfully submitted,

William Warner
Director of Planning, Conservation and Development