

HEARING OF THE MIDDLESEX PLANNING COMMISSION  
Wednesday, October 13, 2021  
6:00 PM

Meeting held at the Middlesex Town Clerk's Office and remotely via Zoom

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DRAFT MINUTES

**Public Hearing to Review Zoning Permit #21-37**

**A Subdivision Request by Seth Stewart**

**Call to Order:**

The hearing was called to order at 6:05 pm by Planning Commission (PC) chair Sandy Levine.

**Roll Call:**

PC members Sandy Levine, Elias Gardner, Theo Kennedy, Phil Comen and Mitch Osiecki were present. Mitch Osiecki was physically present at the Town Clerk's office; other members attended remotely. Also present at the Town Clerk's office were Seth Stewart, applicant; Kevin Thompson, Zoning Administrator; and Susan Bellman and Sophia Bettman-Kerson, both abutting landowners. Maribeth Domanski, also an abutting landowner, participated remotely as well.

Sandy Levine explained the purpose of the hearing and introduced PC members. Other attendees introduced themselves. Sandy explained that the proposed subdivision would result in the creation of a fourth lot within a five-year period, and is therefore considered a major subdivision under Middlesex Land-Use (zoning) regulations.

Sandy explained the criteria covering interested parties and asked attendees who wish to be recognized as such to identify themselves. Susan Bettman, Sophie Bettman-Kerson and Maribeth Domanski were recognized as interested parties and were read oath and sworn in. Kevin Thompson and Seth Stewart were also sworn in.

**Hearing:**

Documents submitted for this hearing include:

- Permit Application #21-37;
- A preliminary survey plat;
- Innovative/Alternative System Approval (#2204-02-R7), approved September 20, 2019;
- Installation Certification, (#WW-5-8310), approved July 19, 2021;
- Letter from Chase & Chase to Deborah Iazzo, dated December 19, 2017 (soil test results).

Section 6.2 of zoning regulations requires that a subdivision conforms to own plan, including adherence to settlement patterns.

The applicant's property is in the Rural Residential district, for which lot standards are minimum lot size of two acres, with a maximum density of one dwelling per five acres. Applicant proposes:

- Lot 1: will be ± 28.9 acres and will include the existing single-family dwelling;
- Lot 4: will be ± 6.8 acres of undeveloped land.

Applicant explained that he is proposing a subdivision to create Lot 4 for the purpose of refinancing the mortgage on his home. Applicant has no plans to either sell or further develop the new lot.

Discussion of lot standards for the Rural Residential district.

The clarification was made that Lot 4, if approved, would not be able to be further subdivided. The remaining lands, Lot 1, would have the ability to be further subdivided, but applicant stated that he has no desire to do so.

Discussion of lot layout standards.

Applicant affirmed that the proposed subdivision would conform to lot standards, including: consistent with suitability of land for development; conforms to district settlement patterns; meets zoning district minimum lot size and density requirements; conforms to lot and yard requirements; avoids irregularly shaped lots; and avoids elongated "spaghetti lots."

Short discussion ensued regarding avoidance of spaghetti lots. As one boundary follows a road, it's difficult to determine with certainty the width of the narrowest portion of Lot 4. There was general agreement that the road was a reasonable boundary to use for dividing the lots and met the spirit of the regulation avoiding elongated lots.

The applicant submitted no waiver requests.

Question from Sophie Bettman-Kerson: Asked for clarification of what is meant by a "spaghetti lot." Kevin Thompson recited regulation specifying that a length of a lot is not to exceed four times its width, measured at the lot's narrowest point. The challenge in this instance is determining the narrowest point of the lot along the road. It's very close, but lot appears to conform.

Discussion of General Lot Standards under regulation 6.6 (stormwater management and erosion control; landscaping and screening; and roads and access.

Applicant stated that as he has no plans for further development of the land, there should be no concern with meeting these standards. There are two small waterways on the property, but no plans for any development near these waters.

Theo Kennedy returned to the question of spaghetti lots. Asked whether the Planning Commission can grant a waiver if it appears that a spaghetti lot would be created.

Phil agreed that it was worth noting Theo's concerns with the regulation.

Sandy asked if interested parties had any further questions or comments.

Maribeth Domanski – none.

Susan Bettman – noted increased traffic on Nellie Chase Road in recent years.

Seth Stewart responded that he's also noticed increased traffic lately, and added that there's been a noticeable increase in package deliveries. That traffic is headed further up the road past his house.

Mitch noted that for better or worse, one consequence of the COVID-19 pandemic has been more people working (and shopping) from home.

Sophie Bettman-Kerson – commented that she can often hear human voices and music well into the evening, particularly during the summer.

Seth Stewart responded that he hears that music, too. He stated that the music the neighbors hear is coming from further up the road than his house. Seth also desires that people's privacy be respected.

No further questions from PC members.

No further discussion from interested parties.

Applicant had no further information he wished to provide.

**Motion:** Mitch Osiecki moved to close the PC hearing and enter deliberative session; Elias Gardner seconded. **Motion carried, 5-0-0.**

The hearing was adjourned at 6:52 pm.

Respectfully submitted,  
Mitch Osiecki  
Planning Commission secretary