

COMMISSION ON THE CITY PLAN PUBLIC HEARING -- January 3, 1957

PRESENT: I. Robert Traverse
Arthur Dillon
Joseph Misenti
James Higgins
Sebastian J. Passanessi
William Warshauer
Mayor Clew
G. Albert Hill, Director of Redevelopment

Meeting was opened in the Council Chambers of the Municipal Building at 7:45 P. M. by Chairman Traverse.

Chairman Traverse: At this time we are going to render a decision on the Westfield and Millbrook Valley petitions. I want first to thank all who wrote the editor of the Press for public notice of their letters. I am not objecting. I think it is the only way that our Democracy can work. We did feel slighted because of some of the words used, but please remember that your City Planning Commission has to work for the City as a whole. We are very grateful to the Mayor for sitting with us at Executive Session last Friday night and we were glad to hear his views. You have read them in tonight's paper. In Executive Session, it has been moved, seconded and adopted that we should approve the petitions as submitted with one objection. In Section (b) of the petitions it says that the minimum yard size should be a width of 100 feet at the building line and an area of 20,000 sq. feet, but your attorney says, or concurs, that it should read "at the lot line" rather than "building line". Therefore, the Commission on the City Plan approves this petition with that one correction. Your attorney has corrected and initialed the original petition.

Attorney Barrows (representative for the Westfield Petition): On behalf of the Westfield and Sunnyslope Groups, I would like to thank the City Plan Commission for the kind and deep thought and consideration they have given to these petitions and I am sure that they will operate to the benefit of Middletown.

Robert Brainard: Mr. Briggs is out of the Country at the moment. I would like to say for him, and for the Association, similar words as those spoken by our Counsel. We thank you, and deeply appreciate the action which you have taken tonight.

Chairman Traverse again thanked the public present and suggested that at any time the Commission is open for suggestions and will welcome comments or "get togethers". Chairman Traverse then closed this portion of the Public Hearing.

The above news was well received. A tremendous ovation of "Thank You" was expressed by the large attendance. Many of those who had come upon hearing the above report and decision but there were approximately 50 people who remained for the petition scheduled for tonight's Public Hearing.

The Public Hearing resumed at 8:00 P. M. with the reading of the Legal Notice.

on December 20th voted to support the Westfield Petition: We do

feel that this particular proposal does countermand, despite the gentleman's agreement that which is written may have a definite interpretation. On the basis of the written word which appears, we feel that you may negate the action taken and therefore the petition would become invalid. Mr. Renny pointed out the need for different types of zones in different sections of Middletown because of their locations and the different types of services they offer. He stated that the Grange stands definitely opposed to the petition as it stands, despite the Gentleman's agreement.

Mr. Jack Shlien, 165 Clover Street, stated that he is under the impression that a developer is about to develop land in the area of Newton Street and Huntington Hill Avenue. Would this new petition affect the size of the lots in this subdivisions?

Chairman Traverse explained that any subdivision which has already been approved by the Commission on the City Plan will not be affected but that any subsequent subdivision will be; i.e., subsequent to the effective date of this proposed petition, should it be approved by the Commission on the City Plan.

The question of the Haran Realty Subdivision was brought up. Apparently, the Haran Realty has recorded its subdivision map in the Town Clerk's Office. Chairman Travers assured the public that a public hearing regarding this particular subdivision had not been held and therefore it has not, as yet, been approved by the Commission on the City Plan. He reiterated the fact that the proposed petition would affect the entire City with the exception of Westfield and Sunnyslope Areas.

Many extraneous questions and comments were brought up regarding subdivision and the restrictions the Commission on the City Plan could put on types of buildings. Mr. Passanesi explained that the Commission on the City Plan could approve a subdivision only after the subdividor had complied with the zoning laws, the building code, the water and sewer regulations and the health regulations. It could not in anyway enforce or restrict the type of architecture proposed.

Mr. Edward Kolida, 498 Huntinghill Avenue: The point I like to ask is if the developer has a plot plan which he has presented to the Commission regarding his plan, will he be obliged to go under the new regulations or the old regulations: that is, the ones in effect at the time he presented his plans to the Commission?

Chairman Traverse: He will have to go under the new regulations unless the plan was approved and recorded by the Commission on the City Plan.

Mr. Kolida: It was very hard for us to get information as to how far the developer has gone.

Mr. Traverse: From what I know, the developer has filed a plot plan with us and with the ^{Town} Clerk. The law says that in order for him to be exempted from the provisions of this proposed petition, his plan must have been

approved, after a public hearing, and filed by the Commission on the City Plan. Therefore, the man did file a plot plan but legally it means nothing. It has not been approved by the Commission on the City Plan and there has been no public hearing on it. Our procedure is usually this. When a potential subdivider comes in with a preliminary plan, he is given an informal hearing before the Commission on the City Plan at which time the mechanics of the subdivision regulations are explained to him. A date is set for the public hearing. If the public hearing is a favorable one, the subdivider is asked to present sets of his proposed plans which are then routed to the Water and Sewer Departments, the Public Health Department and the First Selectman. When all recommendations and subdivisions regulations have been complied with, the approval is given and the subdivision map is filed with the Town Clerk's Office. Until that is done, a subdivider cannot commence with his plans.

Attorney Ellis: One other thing I have just thought of. This ordinance, after it goes through, makes a non-conforming use out of every lot less than 100 feet of frontage. I am not arguing the law with you, I am only stating it. If that house on such a lot burns down that owner may not be able to rebuild on it because it has a frontage of less than 100 feet.

Mr. Traverse: They have the recourse to go before the Zoning Board of Appeals but you are forgetting that they are the exceptions to the case. Mr. Traverse reread the exception in the petition.

Dr. Gronau: I was just thinking that there is attractive land west of the road to Durham and also a small tract of land east of Saybrook Road. These two parcels of land were not included in the Sunnyslope Petition but despite the fact that we have gotten our petition, we believe those people are similarly interested in larger land. If this proposed petition goes through, is it not quite likely that these people would feel that the particular changes are not enough for them but would want what we have. In view of this fact, it is important to recognize that blanket zoning will not be effective but that there must be regulated zoning for the different districts.

Charles Stone, Jr. (?address): I appreciate very much the decision which your group rendered a few minutes ago. I do not, however, understand how this proposal you are now considering does not negate the petitions which you have just passed.

Mr. Traverse: The petitions as approved and adopted will become effective January 7 (next Monday). Automatically, it will become law by that date. We do not meet in Executive Session until two weeks from tonight. In that way, Westfield and Sunnyslope Sections will be eliminated entirely because they will be law on Monday and no action will be taken on this petition prior to two weeks from now. Mr. Traverse again stated that the Commission was free to deplete from but not add to a petition.

Mr. Stone: In other words, you propose to change the words to this petition.

Mr. Traverse: We are holding a public hearing on this petition and will act on this petition.

Mr. Stone: I do not see that if you accept this petition as written now, it would not negate the decision you just

rendered.

Mr. Traverse: Nothing is said in this present petition about Westfield. When you are zoned, you are zoned.

Mr. Stone: This does not recind it?

Mr. Traverse: No.

Mr. Brainard: Supposing the group in Westfield decide that it would come in for another petition in which it has been decided to include Newfield. Could we do such a thing?

Mr. Traverse: We, as City Planning Commission, must accept all petition from citizens.

Mr. Brainard: If the petition you have before you now is passed and we come in and want to extend our petition what happens?

Mr. Traverse: A new petition is a new petition and must be honored as such.

Mr. Brainard: If you do approve this petition, you wouldn't just as well take in the whole of Westfield and Sunnyslope? We do not want it, but I think you would have to make an exception.

Mrs. Beckford (?address): I think that all we need to have said by you is that if you do anything concrete on this petition, you now are speaking of, it will exclude Westfield and Sunnyslope Sections.

Mr. Traverse: That is understandable.

Al Richards, Connery Road: I want to know the type of restrictions on the type of houses that will be built on this lot.

Mr. Traverse: *There must be 750 square feet of living space on the first floor but no less. (*Single dwellings.)

(the discussion of restrictions on types of architectures developed again)

Mr. Traverse: There is nothing in the law which prevents a person from building any type of home he wishes to.

?Fox, 239 Clover Street: When would we see the results of the Planning Commission's decision regarding this petition?

Mr. Traverse: After the Executive Session.

Fox: Any petition submitted in favor of this could be sent to you so that it might help pass it.

Mr. Traverse stated that the Commission on the City Plan would honor any written approvals of this petition.

Mr. Gil Martin, Randolph Road: In other words, this petition is a stop gap which would at least protect the 100 foot frontage.

Mr. Charles Hall, 308 Farm Hill spoke regarding the commendable work done by the Commission and of the letter submitted to the press by the Mayor stating that since it was the will of the people, he would recommend that the Westfield and Sunnyslope Petitions be approved. Mr. Hall congratulated the Commission on the City Plan.

Mr. Howard Gillian, Huntinghill Avenue spoke in favor of the proposed petition.

Mr. Harris and Mr. Passanesi discussed subdivisions and the restrictions set upon architectures. Mr. Passanesi and Mr. Traverse assured the public that it was protected to the best of the Commission on the City Plan's ability by the Subdivision Regulations.

Charles Stone: I am still in the dark on this thing. What was it you told me before as to whether or not you would consider it an amendment to the present petition? Are you contemplating considering an amendment to your petition would except Westfield and Sunnyslope?

Mr. Traverse: I want to tell you that the law will become effective on January 7, 1957. And he explained the filing of an approved petition.

Mr. Stone: I gather that if you approve the present proposal, you will have a written exception to the present petition which will exclude Westfield Section.

Mr. Traverse: Yes, a written exception will be made.

The public hearing adjourned at 9:25 P. M.

ATTEST:



MARIE E. DIMAURO
SECRETARY