

PLANNING AND ZONING COMMISSION PUBLIC HEARING TRANSCRIPT

JANUARY 8, 1975

Ralph H. Shaw, II, Chairman; Eric G. Lowry, Vice-Chm.;  
Cos Giuffrida, Sec'y.; Sebastian J. Garafalo; Alts.  
George L. Augustine; David A. Bengtson

COMMISSION  
MEMBERS PRESENT

Seb Passanesi; Edward J. Kalita; Betty Matteo; Alts.  
Kent M. Scully; Gerald J. Lentini

MEMBERS ABSENT

George A. Reif, Dir.; Althea Rinaldi, Recording Sec'y.

STAFF MEMBERS

Catherine V. Raczka, Ass't. Dir.

MEMBER ABSENT

Phil G. Bauer, Engr., Public Works Dept.; D'Vera Cohen,  
reporter, Middletown Press; 18 members of the public at  
large.

OTHERS

David A. Bengtson sat for Betty Matteo and George L.  
Augustine sat for Seb Passanesi

ACTING MEMBERS

CHM. SHAW:

We will call to order the public portion of the meeting  
of Planning and Zoning Commission and I will ask Sec'y.  
Guiffrida to read the call.

SEC'Y. GIUFFRIDA:

LEGAL NOTICE

THE MIDDLETOWN PLANNING AND ZONING COMMISSION  
WILL HOLD A PUBLIC HEARING JANUARY 8, 1975,  
STARTING AT 7:30 P.M., IN THE COUNCIL CHAMBER,  
MUNICIPAL BUILDING, DEKOVEN DRIVE, MIDDLETOWN,  
CONNECTICUT, to consider proposals for the  
following:

1. Proposal to amend the City's Plan of  
Development, adopted in 1965, to add  
open space land. Specifically the open  
space land is the 11.6 acres, plus or  
minus, located north of Miner Street  
which includes the Westfield Falls now  
or formerly owned by A. David Soobitsky.

PROPOSAL TO AMEN  
CITY'S PLAN OF  
DEVELOPMENT TO  
ADD OPEN SPACE

CHM. SHAW:

This notice has appeared in the Middletown Press  
twice December 28 and January 4 in accordance with  
the legal statutes and it is a legal notice of this  
meeting. There is another item on the meeting which  
will be read by the Sec'y. when we get to that item.  
We are short three regular members of our Commission  
and I have asked Commissioner Bengtson to sit in  
place of Commissioner Matteo and Commissioner  
Augustine will sit in place of Commissioner  
Passanesi. George would you explain the first item.

GEORGE REIF:

Probably the best explanation would be to read  
part of a memorandum from the City Attorney Frank  
O'Neil. "The City desires to acquire certain property  
owned by A. David Soobitsky, which property is lo-  
cated on Miner Street in Middletown, for open space  
purposes. This property consists of approximately

2.7 acres, and is shown on the attached sketch.

One requirement which must be met for a City to acquire open space property, is that the property has been designated as an area of open space land on a plan of development of the municipality adopted by the Planning Commission. This is required by Section 7-131b (a) of the General Statutes. This requirement is in addition to the approval required under Section 8-24 of the General Statutes which I believe has already been given by the Planning and Zoning Commission for this particular piece of property.

You have confirmed that this particular property which the City desires to acquire is not shown on the Plan of Development adopted by the Planning Commission as open space. Therefore, it will be necessary for the Planning Commission so amend the Plan of Development pursuant to Section 8-23 of the General Statutes to designate this land as open space land. The Common Council has approved acquisition of this parcel. Action by the Planning and Zoning Commission at its earliest convenience will expedite the acquisition."

I have here a Plan of Development. Here is a map. It is possible to look on the map and see where the area is. See it is also not designated as open space. Matter of fact it happens to be designated as an industrial area.

CHM. SHAW:

Is that a check zone there?

GEORGE REIF:

Yes, here is the diagram provided by the City Attorney and here is Miner Street and there is the stream going thru. It is right here. So the proposal before you is to adopt this as first actual piece of open space as a modified or an addition to your plan of development. There is a document which is put out by the Conservation Commission in 1968 which recommends a good deal of---a number of areas of open space. One of them happens to be this particular area. There are some bases for the Planning Commission acceptance to this parcel as open space.

CHM. SHAW:

Are there any comments about this. Is there anyone here who wishes to speak about this particular proposal. Anyone at all. Have any the Commissioners have any comments or questions about it. Hearing none we will move on to the second item on the agenda.

SEC'Y. GUIFFRIDA:

2. Proposed Zoning Code map amendment as follows:  
Change zone from R-4 to B-3 for parcel located at the northwest corner of Broad and College Streets. Address of parcel is 148 College Street. Applicants: George W. Bentley, Lloyd S. Plumstead and the Gor-Mar Corporation.

PROPOSED ZONE  
CHANGE @ 148  
COLLEGE STREET  
R-4 to B-3 Zone

CHM. SHAW:

This item appeared with the other one on the dates previous indicated of December 28 and January 4, and thereby constitute a legal notice of this hearing. George do you have anything to say about it before we ask people to speak on it.

GEORGE REIF:

No, we have no comments its one of the things it's up to the Commission almost entirely to decide how this area should be zoned.

CHM. SHAW:

Who would like to make a presentation in behalf of this request. You'll have to come up forward, identify yourself for the benefit of the Commission and records.

ATTY. THOMAS KABLIC:

I am Atty. Thomas Kabolic from Wethersfield, Conn., and am a partner with the firm of Kabolic & Kabolic and I'm representing Mr. Lloyd Plumstead and Mr. George Bentley. These gentlemen are clients who sought to lease the property the premises of 148 College Street. They came to us and it/<sup>was</sup> discovered the area was in fact zoned R-4. This was somewhat of a suprise because on that parcel is the Ethical Pharmacy which you may be aware and also the past uses of the property in question consisted of an attorney's office upstairs and over a period of time uses of a retail establishment a boutique and for many years this as the Huntington Book Store you may recall. Technically and unfortunately this has been in violation of the permitted use in that zone, so obviously some change is necessary. My clients wish to utilize the parcel for a eating establishment a small one serving breakfast, lunches to the people in the area, particularly in light of the SNETCO office building on that same corner--- across the corner, and the obvious college community near by. The neighbors to my client/<sup>actually</sup> uses that are incident usually to your business 3 zone such as Dr. Chalko and the Ethical Pharmacy. The other corners in the area you have a large office building the SNETCO that I referred too, a church which obviously generates much more traffic than this will ever do on Sundays and a cleaning establish-

ment and that comprises of 4 corners of Broad Street and College Street. In any event I would like to point out that the use that my clients are hopefully contemplating is a service use for those in the area. It is not a traffic generator and is not meant to be. In any event I think the area fortunate because the municipal parking area, large area is contiguous to the cleaning establishment across the street. The point I particularly would like to underline in reference to my clients utilization of the premises is that the change that is requested will allow them to serve people already in the neighborhood and I thought it particularly apropos to just site a short portion of the definition of B-3. It says, its designed to permit retail development in the core of the community where there is a concentration of pedestrian activity. That's the pedestrian activity we are trying to serve SNETCO and the college community near by. The other occupant of the property whom I do not represent is the Ethical Pharmacy which is a long time member of the neighborhood and the effect of the zone change will allow really obviously there would be no change to the Ethical Pharmacy which I visited this evening. It's been there for many years and it intends to stay there. This would allow our clients to occupy what is now a vacant and somewhat deteriorating front, and improve it and serve the area and the people that work in the area. That concludes my remarks and if the Commission has any questions I would be happy to entertain them otherwise, yes....

COMM. LOWRY:

Do intend to use both floors or is it just on the ground floor or the upper floors.

ATTY. KABLIC:

No, the uses for the upper floor our confined to the office operation for the business, the bookkeeping, record keeping, the funds this type of thing. The upper floor is not practical and has a safe guard community which perhaps be...which should have been said earlier. The operation as a eating establishment obviously has to clear all the regulations of the Health Dept. and etc. In the upper floor is suited substantially for their business operations, their interior/operation is not contemplated at all that this will serve the general public, the area that will serve the general public is confined to the lower floor.

CHM. SHAW:

You are saying they are going to take the upper floor however to use which is office space.

ATTY. KABLIC:

They have the upper floor was the former office of the late Vincent Scamporino and they intend to utilize that for their own internal business use. It is not an area that is opened to the public however.

COMM. LOWRY:

Is the restaurant going to be open all day?  
Nights?

ATTY. KABLIC:

No, I inquired about that and they intend to open for morning breakfast, coffee-and type with a shut down hour in the area of approximately 7:00 o'clock I understand. It is a light operation. It has to be for the size of the building.

COMM. LOWRY:

How big is it going to be? Is there going to be many people they will have in there?

ATTY. KABLIC:

There will be...well frankly I don't know that answer but I would say that is obviously be limited by what the town officials say in capacity and the Fire Marshall and what have you. Obviously it has to be one of them. In what ever is appropriate to the....

CHM. SHAW:

Where is the floor space to that building?

ATTY. KABLIC:

I would have to defer on that point to the owners of the building who are...one of whom is present.

UNIDENTIFIED PERSON IN BACKGROUND SPEAKS: (Mr. Gordon)  
Excuse me, We have the measurements that are needed.

ANOTHER IDENTIFIED PERSON:(George Bentley)  
It is approximately 560 that I recall sq. ft. I don't have a calculator here so I can't multiply by footage.

COMM. LOWRY:

Is it a countertop.

ATTY. KABLIC:

It's a countertop operation.

GEORGE BENTLEY:

There will be limited seating a kind of a tea room type size there will be some seating.

ATTY. KABLIC:

Essentially it is to take your lunch back to SNETCO and or eat it at the bar or whatever you do. It's a limited operation.

CHM. SHAW:

Go back to your presentation you'd implied at least I inferred that the Ethical Pharmacy address was a College Street address.

ATTY. KABLIC:

The Ethical Pharmacy quoting/<sup>to</sup> what is over their door has a Broad Street address. However, I was curious on that point myself. Apparently the application does site a volume and page and that to my knowledge is of that entire corner. From talking with the owners of the pharmacy they indicate to me historically that it was one building when they purchased it and they're actually only occupying what use to be the area covered by a rec room or some other part of the original house.

CHM. SHAW:

Are there any other questions of council?

COMM. LOWRY:

Inaudible...the parking lots belong to the pharmacy or to the house.

ATTY. KABLIC:

Ownership that is correct.

COMM. LOWRY:

There is no parking at all.

ATTY. KABLIC:

Well it's a common...we have use of...

COMM. LOWRY:

Well I know that. The land belongs to the pharmacy.

CHM. SHAW:

The property belongs to the Gor-Mar Corp.

ATTY. KABLIC:

We have common usage for what limited items their might be I also indicated that literally across the street is the Municipal Parking Area, which frankly is not an operation designed to draw vehicular traffic at all. It is a service operation for the office building in the neighborhood and the college community which is right across the street. It's essentially a to service people who are already there who do not need to drive into the area.

COMM. LOWRY:

Maybe George can answer this. Is the pharmacy the same lot or is it two separate lots.

GEORGE REIF:

The same lot.

COMM. LOWRY:

Whatever are we doing with concerns both the corner and the pharmacy. I wasn't here.

CHM. SHAW:

How many employees is your client expect to have.

GEORGE BENTLEY:

Possibly two or three.

ATTY. KABLIC:

Including yourselves.

CHM. SHAW:

There is some parking requirements for them, I presumably they are not going to walk to work.

ATTY. KABLIC:

That is correct.

UNIDENTIFIED PERSON TALKING FROM AUDIENCE INAUDIBLE.

CHM. SHAW:

Are there any other questions from council?  
Do either of your clients wish to speak with us?

ATTY. KABLIC:

Not unless there are some questions. I think we have indicated the type of operation, service operation of the neighborhood and also again emphasizing that this is essential to legitimize what had been taking place over the years in terms essentially a business use for that property. Thank you.

CHM. SHAW:

Anyone else wish to speak for this. Jack?

JACK GORDON:

I am Jack Gordon I'm from the Gor-Mar Corporation. The Ethical Pharmacy is a tenant of the Gor-Mar Corporation. When we bought the property about 15 years ago we were/understanding that it was commercially zoned. Huntington Book Store had been there 5 years before that and in addition to what he had to say that is about it.

CHM. SHAW:

I have a question about the building Jack, that building has some architectural and historical significance and it has not keep as I would say in that natural over the years. Huntington so-so, the Boutique certainly not. I'm curious what your intent is of that corner. Especially in view of the down town redevelopment and what else

is happening on the street.

JACK GORDON:

I think they will try and keep it more like it should have been with these gentlemen in there.

CHM. SHAW:

Well meaning what? Neon lights or.....

JACK GORDON:

No, no protecting the old fashion building, as of what the architectural structure of... imagine they'll need some signs and lights of some kind that way. We have lights and signs ourselves.

CHM. SHAW:

But your not in the old building, right. I'm making a pitch for the building and not for that corner building which is rather an unusual building.

JACK GORDON:

We plan on preserving the architectural structure as much as possible.

CHM. SHAW:

I am correct am I not in assuming the Ethical Pharmacy is a Broad Street address.

JACK GORDON:

Definitely.

CHM. SHAW:

Any questions. Thanks Jack. You'll have to come up here and identify yourself.

LLOYD PLUMSTEAD:

The name is Lloyd Plumstead, 1108 Cromwell Road, Cromwell, I'd like to speak in light of which you had spoke of in the preservation of possible historic site. This is one of my pet babies in so to speak of in helping to restore where old buildings and keeping things/should be land marks available and although I can see your thoughts how an eating establishment/going to do this with some of the decor that we have in mind and some of the (inaudible) cliental we hope to draw in and possibly later on at a later date some of the services that we maybe able to offer. (inaudible)... some of our offices other than immediate establishment we feel that we best can serve the community by helping to restore an old building of this type. This is one of the things that draw to our attention to it by looking in the areas for an older type building George who can add to the information has another idea in mind.

GEORGE BENTLEY:

Yes, my name is George Bentley. Also of 1108 Cromwell Drive, Cromwell and one of my interest, although I'm not an architect or a professional redeveloper of any sort is a personal interest in adapting older business...older buildings for new uses. In spotting this building I must-I was a little dismayed to see the interior not in really in disrepair but rather the decor of the previous tenant had gone in a rather ugly purple and green painting job. I unfortunately never saw it when Huntington's was the tenant there. This brings up the point such as number of windows have been blocked over, the plaster job was done-is very well done. However in terms of my interest- that certainly cannot undertake full restoration of the building but perhaps a better word is preserving. I would like to make some very moderate adaptations and try to retain the interior flavor of a building of that vintage and not really restored to its former condition but to a least preserve it from further deterioration or changing its appearance so radically that its unrecognizable.

CHM. SHAW:

Well my point really was the outside not the inside. One of the tricks of adaptive uses over buildings is to continue to leave the outside look as it did or correct that means not neon signs that say coca cola on them but some very effective uses have been done. No body up to now has spoken of the exterior we are talking about the inside, I don't care if it has purple walls or not. We are concerned about the outside.

LLOYD PLUMSTEAD:

We are not in favor of large neon signs. We are in favor of small Colonial type of shingles.

GEORGE BENTLEY:

Actually the concept that we are working for is to give the feeling that you are coming into a home essence to grab a sandwich and therefore the exterior has to maintain that kind of feeling. We don't plan to do like super graphic on the walls or huge signs whether they are neon or not on the outside.

LLOYD PLUMSTEAD:


Atty. Scamperino has done a lot of work, wall paneling and etc. upstairs. He did a nice job but unfortunately he has passed away. I think he was trying to do something with the upstairs. Unfortunately the Boutique just left. They really did a job just the opposite way. Are there any other questions?

CHM. SHAW:

Thank you very much. Is there anyone else wishes to speak about this proposal. Either for or against. Hearing none I'll call...I'll declare the public hearing portion of our meeting closed.

ADJOURNMENT

Respectfully submitted

  
Althea C. Rinaldi

Recording Secretary

Ralph H. Shaw, II, Chairman