

MR. SCULLY: It's a State Statute. Right. Okay.

MR. REIF: The Planning Commission operates under the State Statutes.

MR. SCULLY: Yes, the Planning Commission does itself. But I didn't know whether that was any part of the State Statutes. Okay. Very good. All I can do is request that ..as Mr. Snow said, that you put a lot of study into this and really feel some concern for the individual citizen involved in that area and that are living in that area now and that are going to be under the influence of this project when it is completed. Thank you.

MR. BUTTON: Please, let's keep our comments as brief as possible because we have a lot on the agenda and we have a lot of business even after this hearing. I had told another gentleman that he was second.

MR. DEREN: I would just like to ask a question if I may.

CHM. BUTTON: We usually don't answer questions. But state it for the record and if you will come into the Director of Planning at any time subsequent you will get an answer. Now, rest assured the Commission never takes immediate action on petitions. We always have a two week period before any action can be taken.

MR. DEREN: I was just wondering on that brook that runs north and south, that he was talking about. He was going to dig a five foot ditch. Can I ask that?

CHM. BUTTON: That is subject to Public Works engineers, of course. But these are our experts.

MR. DEREN: I couldn't ask a question then.

CHM. BUTTON: I would prefer that you ask your question. ...We are not going to give you an answer but we will have it on our record and see that the answers are researched.

MR. DEREN: I was wondering if Mr. Passanesi could tell me...

CHM. BUTTON: I can't allow that either. But ask the question.

MR. DEREN: I was wondering what the grade pitch of that brook was from the south side of Mr. Rosenberg's land to

GRADE PITCH
OF BROOK

Mile Lane. How many feet does it drop ? That whole section?

CHM. BUTTON: Mr. Reif, will you try to get that for the record during the week.

MR. REIF: We will look into that.

CHM. BUTTON: Would you identify yourself for the record?

MR. DEREN: Chester Deren, 191 Congdon Street. I was wondering there is only about a two foot pitch there between the south side of his property to Mile Lane and that is the reason why we have all that swamp land in there. If Mr. Rosenberg is going to dig a ditch five feet deep, when he gets to the city property what is he going to do there. That city property runs I think, four or five hundred (500) feet across there and if he digs a five foot ditch on his property, what is the city going to do? Dig the rest for him. And what is Dunkley going to do. Ewald going to do? And the people who own that property on Mile Lane?

QUESTIONS DIT

CHM. BUTTON: These are questions that will all have to be resolved if the situation arises where they need to be resolved. Believe me they will be resolved in the best interest of the city.

MR. DEREN: I just want to make sure that the taxpayers money wasn't going to be used to drain off his property at a later date.

CHM. BUTTON: Well, it is a good question and I think it deserves to be researched. This gentleman.

MR. FISHER: My name is John Fisher, 75 Cynthia Lane. I would like to submit, on behalf of the residents of Cynthia Lane area, a petition. We the residents of the Cynthia Lane, Congdon Street, Annette Place, Lucinda Lane, Newfield Street area urge the Zoning Board not to grant the change in zoning from R-1 to R-2 as requested by Mr. Alex Rosenberg for his North Hills Development. This is signed by some eighty-two (82) residents of the area.

SUBMITS
PETITION

CHM. BUTTON: I accept your petition into the records of the minutes of this meeting.

MR. FISHER: I would also like to raise this point in reference to the development. The zoning change is directed at this tract of land. Now in the area there are

SET PRECEDENT

We, the residents of Cynthia Lane, Congdon Street, Annette Place,
 Lucinda Lane, Newfield Street, urge the Zoning Board not to grant
 the change in zoning from R1 to R2 as requested by Mr Alex Rosenberg
 for his North Hills Development.

NAME:

ADDRESS

Josephine L Beattie	31 Lucinda Lane
Robert L Beattie	31 Lucinda Lane
Rev. W. M. Wang	7 Lucinda Lane
Mrs. Alice Savage	
Joseph Beulah	20 Lucinda Lane
Jucille Beulah	20 Lucinda Lane
Terriann L. Lars	30 Lucinda Lane
Joseph M. Morris	40 Lucinda Lane
Ernie Morris	40 Lucinda Lane
Shirley Furman	50 Lucinda Lane
Dorothy Furman	50 Lucinda Lane
Joseph A. Duda	58 Lucinda Lane
Ann Duda	58 Lucinda Lane
Ernie Marion	41 Lucinda Lane Middletown
Mary Marion	41 Lucinda Lane, Middletown
Edilla Farrell	8 Lucinda Lane Middletown
Stanley Farrell	5 Lucinda Lane Middletown
George McCon	30 Lucinda, La, Middletown

We, the residents of Cynthia Lane, Congdon Street, Annette Place,
 Lucinda Lane, Newfield Street, urge the Zoning Board not to grant
 the change in zoning from R1 to R2 as requested by Mr. Alex Rosenberg
 for his North Hills Development..

<u>NAME</u>	<u>ADDRESS</u>
Edward Albrecht	29 Annette Place
Virginia Albrecht	29 Annett Place
Mare B. Murray	24 Annette Place
James D. Murray	24 Annette Place
Ernest Tycood	14 Annette Place
Rose S. Trach	14 Annette Place
Sue Fark	15 Annette Place
Albert M. Farb	15 Annette Place
Stella Grady	6 Annet Place
Henry Grady	6 Annette Place
Robert Grady	38 Annette Place
Agnes Grady	38 Annette Pl.
Gail Louisa	52 Annette Place
Theresa J. Jamin	52 Annette Place
Maryline Jamin	32 Annette Place.
William S. Jorman	32 Annette Place
Joseph A. Jorman	45 Annette Place
Helia Jorman	45 Annette Place
Bonnie Jorman	5 Annette Place
Ernest J. Jorman	5 Annette

We the residents of Cynthia Lane, Congdon Street, Annette Place,
 Lucinda Lane, Newfield Street urge the Zoning Board not to grant
 the change in zoning from R1 to R2 as requested by Mr. Alex Rosenberg
 for his North Hills Development.

<u>NAME</u>	<u>ADDRESS</u>
Thomas Carson	83 Congdon St.
Theresa Carlson	555 Newfield St.
David Coyle	96 Congdon St.
Daniel Coyle	80 Congdon St.
Joseph M. Hatake	90 Congdon St.
Lemwood Gallagher	557 Newfield St.
Mary Cooper	96 Congdon St.
Walter Hatcher	90 Congdon St.
Stephanie B. Hatcher	140 Congdon St.
Edward Johnson	150 Congdon St.
Cecile Larson	150 Congdon St.
Frank Leone	166 Congdon St.
Clara Williams	160 Congdon St.
Mr. P. P. P.	181 Congdon St.
Marcella Palumbo	157 Congdon St.
John E. Palumbo	157 Congdon St.
Eugene H. H.	151 Congdon St.
John A. A.	141 Congdon St.
Florence W. W.	141 Congdon St.
Wm. W. W.	473 Newfield St.
Wm. W. W.	473 Newfield St.

We the residents of Cynthia Lane, Congdon Street, Annette Place, Lucinda Lane, Newfield Street urge the Zoning Board not to grant the change in zoning from R1 to R2 as requested by Mr Alex Rosenberg for his North Hills Development.

NAME

ADDRESS

<i>John Fisher</i>	75 Cynthia Lane
<i>Margaret Fisher</i>	75 Cynthia Lane
<i>John A. Fisher</i>	75 Cynthia Lane
<i>Victoria A. Fisher</i>	415 Cynthia Lane
<i>Edith Myers</i>	21 Cynthia Ln.
<i>Mad. Myers</i>	"
<i>Jack Allen</i>	32 Cynthia Lane
<i>Rona Allen</i>	32 Cynthia Lane
<i>GARY Johnston</i>	35 Cynthia Lane
<i>Bonnie Johnston</i>	35 Cynthia Lane
<i>Mr & Mrs James Bell</i>	65 Cynthia Lane

RECEIVED 4/13/71
545

We, the residents of Cynthia Lane, Congdon Street, Annette Place,
Lucinda Lane, Newfield. Street urge the Zoning Board not to grant
the change in zoning from R1 to R2 as requested by Mr Alex Rosenberg
for his North Hills Development.

NAME

ADDRESS

George + Helen Petrus	100 Annette Pl.
Gene + Betty Kubinski -	90 Annette Pl.
Richard + Claire Bellemore	89 Annette PLACE.
Harry + Harriet Happers	79-ANNETTE PLACE
H. Happers	50 Annette Pl Middletown Conn
Elizabeth A Happers	50 Annette Place Middletown, Conn.
L. J. Caporale	101 Annette Pl

other tracts of land of approximately the same acreage. Now, would you be establishing a precedent by allowing Mr. Rosenberg to develop his property. In the future, some other developer comes along and he wants to develop his property, on another tract of land along the same lines as Mr. Rosenberg. Aren't you obligated to do the same thing with this man?

Also, we could return to the question of drainage. As a resident in the area I may not be an expert on drainage and I am very happy to have the sewerage come into my street, but experience has taught me that there is more to drainage to just a sewer line.

DRAINAGE

Now on page 9 of Mr. Rosenberg's application, he has referenced to east brook... that is the brook that flows from the bottom of the map adjacent to Newfield Street. He says " east brook flows through the property from south to north. It is a shallow stream only inches deep meandering across the land creating what seems a worthless swamp area.

A few years ago when I was building Green Hills to the south, I dropped the same brook about five feet, thereby drying out the area in which were then built a line of homes along Annette Place. A recent somewhat similar study of the brook as it traverses the Giglio land tells us that the elevation of this brook drops approximately seven feet from the south property line to the north property line. We plan as we did before to drop the brook about five feet and so convert a swampy area into useful dry land. Along this brook we shall create several shallow pools which you see there".

Now this may be true, but I have lived on Cynthia Lane for eleven (11) years now, and I would like to acquaint you with the fact that running to the west of each lot of land on Cynthia Lane is an open drainage ditch for surface water. This ditch runs north to the abutment line of Mr. Rosenberg's property where it is connected to the storm sewer line by underground pipe which runs to the east. Now this ditch is approximately twelve (12) feet wide at its widest point and angles down into a depth of about three and one half feet.

Now we're required to keep this drainage ditch open, not to fill it in. To allow the water to drain freely there. So each land owner has twelve (12) feet of property that we can't use. Now also on Cynthia Lane

many of us must retain sump pumps in our cellars in order to keep our cellars dry. And this is at the top of the hill. I am sure that there are many residents here who can relate to you this evening their problems in drainage in the area of the east brook and I would like to urge everyone on the Commission to study this question of drainage very, very carefully.

NEED SUMP
PUMPS

As I say, we are very happy about the sewerage, but I don't think that dropping this brook five feet is going to solve the problem of drainage. Will these new home owners that will buy these condominium town house homes have the same problems with their cellars that we are having? I certainly hope not. Thank you very much.

FUTURE WATER
PROBLEM

CHM. BUTTON: Now, when we continue on, if you have nothing that is entirely different or new from what has been offered, simply echo it very, very briefly and voice either your approval or disapproval so that we can continue on with the night's business. I think that gentleman had his hand up.

MR. FARBER: Mr. Chairman, my name is Mark Farber and I live at 15 Annette Place. I would like to make a few comments. I hope to be very brief because I know that there are many other people here who would expand on these comments and go into much more detail and give you more factual arguments and discussions about them.

First of all I would like to note that in Mr. Scamporino's opening statement, in Atty. Scamporino's opening statement, he seemed to be selling the property and proposed plan in reference to the new school. The new school contract has been signed, there are deadlines, there are dates, etc. and I believe that it should be dropped from the discussion of this meeting and I know that the wisdom of the Board will not continue to let this linger in their minds inasmuch as rendering an opinion on the proposed property.

DISREGARD NEW
SCHOOL

Secondly, I have heard the comments of the distinguished secretary of the Board in relation to the time factor. I must object to the time factor in relation to the people who live in the area inasmuch as they themselves did not have time to prepare an adequate defense to this proposed plan. It was submitted to the city on the 10th. and I do agree that many laws are antiquated but I would like to make it part of public record and in the future hopefully, the future residents that might be effected by future plans be notified by more in advance.

INSUFFICIENT
NOTICE

CHM. BUTTON: We can only go by the statutes...

MR. FARBER: Right and as a citizen and taxpayer, I ..

CHM. BUTTON: I suggest you pursue that with the elected officials.

MR. FARBER: Thank you, sir. I would like to go on shortly into the drainage area. As Mr. Fisher has noted. On properties and if you request I will go up to the map over there, 24, 25 and possibly 26. I am not sure of #26, but there is an easement on the property. A ten (10) foot easement for drainage. Now there is an actual, in the wet season, from my stompings through there in my youth, a natural stream and possibly some very muddy, quicksand type of topography, whatever you would like to call it, which is just downright dangerous to any youngster who might travel in there.

DRAINAGE

EASEMENT

If anything, this has to be looked into and the area must be raised. I say this as a fact. I know. I have gotten stuck myself in this area. Also, I would like to bring out the point that with these buildings, their weight, size, etc. With this added weight on this area, if it is not raised in this wet, marshy area which in the wet season becomes a stream, if I had known again in advance I would have given you pictures of the area. Will it not increase this seepage which comes in from the main project in two areas out here and flows in two spots. Putting drainage wells and other things, the second one would have to cut through the row of houses number "x" figure right here.

RAISE AREA

I don't know, shall I say, if it is possible to put drainage underneath homes or structures, etc. This is something that I wish the Board would look into inasmuch as it is a problem not only for children but also a health problem inasmuch as it breeds mosquitos and I invite anyone out during the summer to get bitten with no malice toward this Board, of course.

HEALTH PROBLEM

Another comment I would like to make about the map. This is drawn to scale and if it is formally submitted, I would like to point out at least one area where there is a mistake in the map inasmuch as Mr. Rosenberg said on Monday night and I do not think he would repute the fact that property #25 which is the Moore residence, if I may mention the name, the closest structure to their line will be forty (40) feet which on the scale is a half inch. The closest structure is 3/8 inch which is less than the forty (40) feet which causes I would think more problems not only esthetically but in other ways also.

ERROR ON MAP

Carol Road as proposed or discussed about Monday night is not the sixty (60) feet which is required by Middletown law from what I understand. It is my understanding that the present road is forty (40) feet and Mr. Rosenberg discussed something that the City of Middletown might condemn the property of twenty (20) feet of property which abuts it to the north I believe, I am not sure where and I apologize for that and then make it the sixty (60) feet. I do not think any plan should be based on actions that might take place from another source totally different from the person proposing the plan.

ROAD WIDTHS

The next item which I will touch on briefly is the number of children. Mr. Rosenberg said Monday night that he is basing his plans on a Nassau County figures. Middletown, Connecticut is not Nassau County. And I also believe the way it is presently growing, there will be more children than that.

SCHOOL STATISTI

And the children from Rose Circle, etc. who will be within walking distance by law in Connecticut. It will be very, very dangerous as we all know the status of Route #72 now. I don't think any parent would want his child to cross Route #72 even if school guards are posted there. There are students who stay after for athletic events and other pre-school or post-school activities when the guards will not be present and they will be crossing the streets by themselves. This is extremely dangerous.

DANGEROUS CROSS

Another thing concerning the students are the playgrounds. If it is true, which I again say that I cannot believe that there will only be the small number of children, the number of playgrounds that are proposed, I believe, are too many, which would invite more children coming across to any of the play areas when school crossing guards again are not there and this will create another hazardous and dangerous condition.

PLAYGROUNDS

Another item I would like to bring up is somewhat in line with Atty. Scamporino's opening remarks. I say this. I am not sure. I do not mean to hurt anyone by saying this, but I believe that possibly Mr. Scamporino could have dissavowed himself from Mr. Rosenberg due to the fact that he was on the High School Building Department. The reason for this being that Mr. Rosenberg has introduced I believe, the extension of Cynthia Lane which would, I heard the figure of \$50,000 Monday night.

CONFLICT OF
INTEREST

FUTURE EXPANSION

The final topic I would like to talk about with the Board's permission is future expansion in Middletown. Middletown has many, many apartments going up along Route #72 and other areas. At present I believe they cannot sell many of the structures which are up either at Cross Street, Wesleyan Hills, whatever. It is just not feasible to start putting up more and more and more and ruin the environment and set up a culture in Middletown which is so foreign that future or old residents will move away and come back and not recognize it.

Another thing about the proposal is the prices. Mr. Rosenberg quoted at twenty-five (25) to thirty (30)

...

MR. BUTTON: Now let's not go into that because it is not relevant really.

MR. FARBER: It is relevant to the fact that it will..

CHM. BUTTON: You are going on and I asked you to be brief. If you go on this way I will have to turn around and give the other side another hour and we are going to be here until two o'clock. So please make it as brief as possible and conclude your remarks. And tell me..I would presume you are against it and this is primarily what we want to hear from the people. Whether they are for it or against it.

MR. FARBER: I apologize to the Board and to you Mr. Chairman. I will close then by saying that I am against the plan because I do not believe it is feasible nor do I believe it will work. Thank you.

CHM. BUTTON: Thank you. Next. Anyone else wish to speak. Over there, I see a hand. Again let me remind you to keep it brief because my patience are wearing thin and I'm not paid to sit here and I'm not going to sit here and listen forever.

MR. GIBBS: Mr. Chairman and gentlemen of the Commission. I have but one page. My name is Ervin F. Gibbs and I live on Prout Hill Road, Middletown. I am a realtor and member of the Community Development Action Plan Agency and Chairman of the Housing Advisory Committee. We are of course, gravely concerned with finding ways and means for creating housing which is urgently needed and I am sure you gentlemen are well aware of the fact that there is a serious shortage in adequate housing for the residents of Middletown.

NEED FOR HOUSING

Thus there is an urgent need to increase the housing inventory in order to provide for an upgrading in the choice of living accommodations. A gross deficiency in the supply of ownership housing within the means of the average Middletown family. To meet this requirement we would support and encourage the effort of private enterprise in responding to the basic desires of home ownership. However, we well realize that our land resources must be conserved and used with the utmost economy and efficiency.

ENCOURAGE HOME OWNERSHIP

Further, that growth should be fostered in those areas where municipal services are already in being or are in prospect. Those conditions are essential in producing housing at a cost within the means of those of moderate income. The proposal before you appears to be a positive action to fulfill the needs of many Middletown families in accordance with these principals. Therefore, I would like to register my support and respectively urge your approval of this and any similar housing proposals you may see in the future. Thank you very much.

SUPPORTS PLAN

CHM. BUTTON: Anyone else.

MR. DONAHUE: My name is William Donahue. I live at Newfield Street and I own property there. I would like to say that I am not opposed to the idea of the Planned Residential Development but I am opposed to changing the zone to R-2 and putting up high-rise apartments in the ridge area to the west of the property. And I say this for two reasons.

OPPOSED TO ZONE CHANGE AND HIGH RISE APARTMENTS

Middletown has a population of about 35,000 and covers about forty-five (45) square miles which makes it for a city of its size, one of the largest cities in the United States in area. And I don't feel that there is any reason to start cramming people into buildings like sardines like this when we have this kind of land.

AMPLE AREA

And secondly these high-rise apartments which we have seen developed in recent years should be controlled. Realizing that Middletown is growing, I think we should attempt to retain some of the small town character that is left.

CONTROL BLDG. HEIGHT

And the last point I would like to make actually touches on the area of esthetics and environment. There is a philosophy that is sponsored if I may by the Connecticut Conservation Commission that our ridge lines in rural, semi-rural and forested areas

PRESERVE NATURAL RIDGES

be preserved and this is really going against this. We would be destroying that entire ridge line between Newfield Street and Ridgewood Road by allowing these things to be built. So with that in mind I would like to recommend that the zone change not be granted. Thank you.

CHM. BUTTON: The Commission will receive any communication from any citizen within the next two weeks regarding this petition or any other petition on the agenda tonight. Are there any more remarks to be made by any other individual on this petition?

ATTY. SCAMPORINO: Mr. Chairman, may I have just the opportunity to answer just one thing...because I don't want anybody...

CHM. BUTTON: No, Mr. Scamporino. You can answer in writing, if you will. Because if I start this we are going to be here all night on this one petition.

MR. REIF: We have to change the tape now.

CHM. BUTTON: We are going to have to all stop while we change the tape.

CHANGE TAPES

(short recess while changing tapes)

CHM. BUTTON: I will now close this portion of the hearing. We are now ready to proceed with the second item on the agenda of the public hearing for tonight's session. Mr. Secretary, read the call.

MR. SALAFIA: Item 2 - Request for a Special Exception for an automobile filling station associated with the Bunce's Department store parking lot, in the B-3 Central Business Zone.

SPECIAL EXCEPTION
BUNCE COMPANY

No comments received to date, Mr. Chairman.

CHM. BUTTON: No comments received to date? No other literature?

MR. SALAFIA: No other literature.

CHM. BUTTON: Will the petitioner step forward and identify himself and proceed.

ATTY. PALMER: Gentlemen, I am Atty. Robert Palmer, 173 South Main Street, Middletown, Connecticut. I am representing the James H. Bunce Department Store who are

owners of the parcel of land situated in this block of Middletown.

I hope you will excuse me. I will attempt to be very brief and if I am other than brief, I am sorry. The James H. Bunce Company is placing with you for your consideration an application for a land use which your zoning code requires the granting of a Special Exception.

SPECIAL EXCEPTION

The property is located in a B-3 Zone and the proposed use is an automobile filling station as a part of the major parking facility. Item 61.02.02 of the zoning code permits this as a Special Exception Use in the B-3 Zone and in no other zone. The complexities that what may appear as a simple transaction are rather enormous and in trying to come to grips with details it seems logical to start with the Planning Commission.

We are starting the steps toward a joint development plan with you by requesting that you approve this area for the land use as a site for a major parking facility into which will be integrated a gas station.

At this time we do not have drawings or diagrams or any joint development plan. Basically my clients have proposed to enter negotiations with all companies and appropriate city agencies for the purpose of working toward a joint plan of development. This will require taking steps in preparation in the form of legal consultation, planning, engineering and financial arrangements for the joint development of a major parking facility with a gas station a part thereof.

JOINT PLAN

All efforts would be fruitless without an expression by your Commission that the proposal is acceptable to you and that you find it in accord with your urban core traffic circulation and off-street parking planning.

I would like to point out that in addition to other forms of control, this is only the first step, but that we realize that we must specifically submit to you for approval before any construction takes place, the site plan and you will have an opportunity at this time to go into the details.

The Bunce interests are a locally, home-owned enterprise. They are an essential part of the present central business district and intend to remain so.

They have a concern that the central business district remain a healthy one and they feel that the time for a decision and an attempt to upgrade it is at hand and they as private individuals can and should share in this.

PRESERVE CENTRAL
BUSINESS DISTRICT

As one enterprise they cannot create a sweeping program for the entire business district, but they can attempt to aid themselves and the city in upgrading the immediate neighborhood.

UPGRADE AREA

Simply put, we request you at this time, to approve the land use for this portion of the Bunce property, what is known as a parking lot, as a major parking facility with an integral part being a gas station.

LAND USE APPROVAL

CHM. BUTTON: Does anyone else wish to speak? Sir?

MR. MAGARY: I will be brief and read this very rapidly. My name is Alan Magary. I live at 154 Washington Street. I also drive on Washington Street. The problem there is - so does practically every other driver in the city! This is the primary reason why there should not be a gas station in the Bunce's parkinglot.

Traffic is impeded enough in several locations nearby. At the intersection with Route #9, at the entrance to the city parking lot, at the entrance to the Bunce's parking lot, at the intersection of Washington Street and Main and by the short-time parking allowed on Washington Street. That is in just a one block area. A service station in the same block would only make it worse. I don't have to say how bad the traffic is on Washington Street already. To be realistic, nothing else should be built on the street until it is widened or until Route #66 is re-located.

TRAFFIC JAMS

Second, while I am a driver, I am also a pedestrian. Please look at the plight of a pedestrian in this city, if you will. Crossing most streets, they take their lives into their own hands. Even walking on the sidewalk, which is the pedestrians' territory, they have to be careful of cars charging out of driveways, alley ways, parking lots and gas stations. Some parts of the city have no sidewalks at all, but that is another matter. The pedestrian is a very abused creature. The downtown area where there are plenty of pedestrians, should stay that way. It is not a place for another gas station.

PEDESTRIAN
DANGERS

Third, back in the 1930's a very famous architect designed a beautiful gas station. It was never built. I wish to point out that gas stations, while functional, are quite ugly. They also seem to come equipped with lots of poles and wires and sales banners and billboards and colored flags and other unsightly things.

UNATTRACTIVE

I ask you to look at the north end of Main Street where there are three gas stations and at the south end of Main where there are two. What person wants to live next door to a gas station? What retail store wants to be next to a gas station? Necessary as they might be, gas stations look bad and you only have to look at Route #66 between the railroad overpass and the shopping plaza to see what gas stations do to the scenery.

They make Middletown look like a road town. A wide space in the highway. I also feel that a gas station so close to Dekoven House and the County Court House and the Municipal Building would be inappropriate. Just let me add this, Mr. Chairman. I am very glad that you opened this meeting with the comments about ecology, conservation and saving the city and its environment, etc.

INAPPROPRIATE

I do not approve of either the gas station or the parking lot, but I don't really think you should consider the parking lot since that has not really been formally proposed. But I think that granting the Special Exception to include this particular gas station would be a disservice to the city at a time when we are struggling to save the cities. This would be a very bad thing for the City of Middletown.

CHM. BUTTON: Thank you. Does anyone else wish to speak on this petition? Does anyone else wish to speak on this petition. I will close this item and go on to the next item. Mr. Secretary.

MR. SALAFIA: Item 3 - Subdivision Approval. Proposal of four lots on west side of Chamberlain Hill Road near municipal boundary. Owner Augustus Hasbrouck.

SUBDIVISION -
CHAMBERLAIN ROAD

CHM. BUTTON: Do you have any letters?

MR. SALAFIA: I have a letter from Atty. James Kelly.

To the Commission on the City Plan
Municipal Building
Dekoven Drive
Middletown, Connecticut

December 15, 1970

KELLY LETTER

To: Commission on the City Plan and Zoning Staff

From: Dept. of Health

Date: December 18, 1970

Re: Subdivision "Oak Hill", Chamberlain Hill Road
Owner: Augustus Hasbrouck

In order to determine the type of soil, and porosity for subsurface sewage disposal systems, observations shall be made of ground water levels and ledge rock by digging four test holes to a depth of seven feet to assure that the requirements of Sec. 19-13-B20 are met.

No judgement can be made prior to the above.

Sebastian E. Crescimanno, R.S.

CHM. BUTTON: Is that all the correspondence?

MR. SALAFIA: This is one from Public Works, Mr. Chairman.

LETTER FROM
PUBLIC WORKS DEPT.

City Planning Commission
Municipal Building
Middletown, Connecticut

re: "Oak Hills - Sect. A."
Chamberlain Road

Gentlemen:

In reference to the above named subdivision this department offers the following comments:

1. The old town road, as shown on the south side of Lot 1, indicates a width varying from 34 feet to 37 feet. Provisions should be made for this width to be a minimum of 50 feet; the necessary area to be taken from Lot 1 with the strip designated to be deeded to the City of Middletown.
2. Since no sanitary sewer or other utilities are readily available, lot frontages and area requirements comply with regulations.

Very truly yours,

John C. O'Brien,
Director of Public Works

CHM. BUTTON: Mr. Kelly.

ATTY. KELLY: Mr. Chairman and members of the Commission James Kelly, Attorney At Law, 164 Court Street. I shall be very brief in this, Mr. Chairman.

PRESENTATION

Mr. Hasbrouck owns a substantial tract of land. His home is on Millbrook Road and this acreage runs through to Chamberlain Road, sometimes referred to as Chamberlain Hill Road and Mr. Hasbrouck is not a developer in any sense of the word.

He is retired from his position as an engineer with United Aircraft and simply intends with your approval to sell off substantial sized lots for the building of, what I would say, high class single homes.

BUILDING LOTS

Of course, you all know that Chamberlain Road is an accepted city street. This old town road, I might say and it was made mention of in Mr. O'Brien's letter, there is a grave question as to its existence and non-existence but I haven't gone into that because we are not asking for anything on the Town Road. All of these four lots face on Chamberlain Road.

LOCATION

CHM. BUTTON: Is that all?

ATTY. KELLY: That is all I have to say.

CHM. BUTTON: Does anyone else here wish to speak for or against this petition? Speak now or forever hold your peace.

I hereby close this hearing.

The hearing adjourned at 8:50 P.M.

Respectfully submitted:

P. Hutton
P. Hutton, Recording Secretary

E. Button (4)
Edward Button, Chairman