

Chairman Stephen Gionfriddo, Secretary Louis Carta,
Members: Steven Leinwand, Rose Sbalcio, William
Pillarella., Alternate Richard Thompson, Director
Public Works, Salvatore Fazzino.,

COMMISSION
MEMBERS
PRESENT

Vice-Chairman Cos Giuffrida, Member Sebastian
Passanesi, Alternates: Stephen Gadowski, Thomas
E. Hutton Jr., Paul P. Parisi, Mayor Sebastian
J. Garafalo.,

MEMBERS
ABSENT

Lucas Held, Reporter Middletown Press, Martin
Glasser, Reporter Meriden Record and Journal,
Approximately 50 people from the public

OTHERS

Director George Reif, Planner Nino Martucci,
Secretary Hope Kasper, Assistant Secretary
Pamela Jones

STAFF

Alternate Richard Thompson acted for absent Member
Cos Giuffrida

ACTING
MEMBERS

Chairman Gionfriddo:
We ask the Secretary to read the Legal Notice of the public hearing.

Secretary Carta:
The Legal Notice of Middletown Connecticut, the Planning and Zoning Commission will hold a public hearing on March 27, 1985, 7:00 p.m. in the Council Chamber, Municipal Building, deKoven Drive, Middletown, Connecticut, to consider the following; continued proposed Zoning Map amendment for a parcel of land in Middletown located off Preston Avenue, Meriden on Route I-91 (Exit 19) to change from an R-1 (Restricted Residence) zone to IOP (Interstate Office Park). Total area of the parcel within Middletown is 15.6 acres. A map showing the location of the proposed area to be amended is on file in the Town Clerk's Office. Applicant/agent Molly Houston-Savard/Atty. Michael Dowley. The above legal notice appeared in the Middletown Press, twice, Friday, March 15, 1985 and Friday, March 22, 1985, also in the City brief those same days.

Chairman Gionfriddo:
Okay, we kept the public hearing open from the last meeting basically to receive the report from the South Central Regional Council of Governments. A copy of which I have and I will read it into the record. Anyone here who would like to speak as well will be given the opportunity as long as the public hearing is opened. The letter is addressed to the Planning and Zoning Commission from South Central Regional Council of Governments.

"Gentlemen: The Regional Planning Commission of South Central Connecticut, at a meeting on March 14, 1985, reviewed the attached proposed change in zone of property located within the City of Middletown, Town of Middlefield and City of Meriden. This was done in accordance with the provisions of Section 8-3b of the Connecticut General Statutes. We wish to offer the following observations. We note that this property is located within the municipalities of Middlefield, Middletown and Meriden. There are a total of approximately thirty-five acres, fifteen acres in Middlefield, fifteen in Middletown and five in Meriden. We have received a notice of a proposal to rezone the land in Middlefield from AG-1 (Agricultural) to GC (General Commercial) in which the

Chairman Gionfriddo(continued):

permitted uses include: retail business, personal service shops, publishing and printing shops, bakeries, laundries and dry cleaning establishments, and radio and TV sales and service. A notice of a proposal to rezone the acreage in Middletown from R-1 (Restricted Residence) to IOP (Interstate Office Park) has been received. To date we have not received a referral from the City of Meriden regarding the five acres in Meriden. This acreage is zoned Rural-Residential. It should be noted that the proposal for a change in zone in the City of Middletown also included preliminary notice to develop the property with four office buildings containing a total of 350,000 square feet. As there are no site development plans, the Commission did not wish to address this aspect at this time. Access to the property is through the road system of Meriden only. To the East is Higby Mountain, to the South is the State Nature Conservancy, and cutting across the Northwest and North is Interstate 91. The main thoroughfare is Preston Avenue. Access is limited to traffic to and from the North. Adjacent properties in Meriden are developed as single-family residential. A right-of-way of the Hartford Electric Light Company is on site. The Commission finds that the adoption of these changes of zone as presented may create an adverse intertown impact. At this time the proposal is disapproved without prejudice."

That was received from South Central Council of Governments. I also have received a letter here this evening from Senator Amelia Mustone. It is addressed to me as Chairman of the Middletown Planning and Zoning Commission.

"Dear Mr. Gionfriddo, I have spoken with Attorney Dowley's office and Mr. Savard concerning the above captioned zone change. It is my understanding that the applicants are seeking a change of zone to industrial office park and that the applicants expect from 3 to 5 office buildings to be constructed in a park-like setting on the site. I believe that all three towns will benefit from such a zone change and strongly support such a request. Sincerely,
Amelia P. Mustone, 13th Senatorial District."

Chairman Gionfriddo:
Commissioner Leinwand.

Commissioner Leinwand:
George, can I get some clarification, why did we have to get this letter from South Central Regional Council of Governments?

George Reif:
Because when you have a project that is within 500 feet of a Municipal boundary you have to get a...,you have to ask the regional planning agencies for comments.

Commissioner Leinwand:
The law simply says, comments, it does not say that they have to approve it?

George Reif:
No, their comments are strictly advisory.

Commissioner Leinwand:
Thank you.

Chairman Gionfriddo:

Okay, I guess that we are at the point that if there is any member of the public who wishes to be heard on this proposal will have the opportunity. Attorney Dowley did you have anything further that you wished to add at this time?

Attorney Dowley:

Just briefly, because I am sure that you've heard enough from me, but I just remind the Commission that we did receive a favorable report from Midstate Regional Planning Board, which is the Regional Planning Board which Middletown is a member. In concerning the Central Regional Board..., just seeing their notes, they didn't see any site plans. I think as you listened to some of the people who spoke here last week, all of Meriden people who spoke against it, some of the problems are, what is the site plan going to look like, and at the time we take care of it, is site plan. We are here for obviously, a zone change. I told you initially when I came here for the preliminary meeting that this was going to be a long process, we had to start in Middletown and then go to Middlefield and then go to Meriden and we had to go to the various different regional planning boards. I believe strongly that this proposal is a very beneficial proposal for all three towns including, Middletown, Middlefield, and I would like very much for the Commission to act on it tonight if possible, since Attorney Ed Lange is going to represent the Savards in Middlefield beginning tomorrow. Thank you.

Chairman Gionfriddo:

Thank you. Anyone else from the public wishing to be heard this evening on this particular matter?

Attorney Mango:

Members of the Commission, I am Attorney Kenneth Mango and I practice in the law firm of Luby, Olson, Mangle and Gaffney in Meriden and we represent the Mayor and Mrs. Walter Evilia who own property which adjoins the subject premises to the east in Meriden. I wish to advise the Council that we have requested that the City Council of the City of Meriden take under advisement the question of the entire I-91 corridor in Meriden along Preston Avenue and we have done so as residential neighbors because we feel that the time has come for not only the City of Meriden but the Cities of Middlefield and Middletown to address with some detail, what the future holds for that corridor. Our concern in Meriden is that we have one of the finest residential areas in the city but we have voluntarily agreed to allow some commercial development. Unfortunately, we feel that that at this point has put the area in somewhat of a state of flux in this regard. The neighbors do not know whether the character of that neighborhood will remain residential, or whether the future holds the prospect of commercial development along I-91. Therefore we have asked the Council to refer to the appropriate sub-committee of the Council, probably Economic Development, the whole question of Preston Avenue. We've asked that Meriden develop some long range plans for the Preston Avenue area. Be it residential or commercial. We've asked that they consult with Middletown and Middlefield, and the regional planning agencies to talk about a possible zone that may effect all three towns. You may want to join in some kind of zone. We do feel at this point, that the piece-meal development of I-91 is a mistake. We will put the present application in that category at this point. I will offer to you, a copy of my letter submitted to the Meriden City Council. I would suspect that on Monday evening of this coming week that they will report this matter to the sub-committee to begin some deliberation on what the future holds in Meriden, actually Middletown as well,

Attorney Mango (continued):
since we do gain access to the site from the Meriden side. Our position, on behalf of Mr. Evilia is, we don't care if it remains residential or you want to develop it commercially, but do one or the other. Don't continue this piece-meal development of the Preston Avenue area. I will submit as an exhibit a copy of our letter.

Chairman Gionfriddo:
Thank you.

Commissioner Leinwand:
Can I ask you a question?

Chairman Gionfriddo:
Commissioner Leinwand.

Commissioner Leinwand:
Have you read this public hearing of the meeting on the 13th?

Attorney Mango:
The 13th of what?

Commissioner Leinwand:
Of March, the original public hearing of this.

Attorney Mango:
I have not. I have just come into the matter in the past week.

Commissioner Leinwand:
The question is, is that you talk about piece-meal development and you talk about long term planning, and the question that we had last time and maybe you are better prepared to answer it, is how do you explain the creation of that plan Executive Office Development zone that is already there. It seems to me that Meriden has set the ball rolling already and has establish a trend away from residential. You come here and tell us that despite what Meriden has ~~already~~ done, Middletown ought to stop it. I don't understand that.

Attorney Mango:
That 15 acre zone you talk of, can be located anywhere in the City of Meriden it was designed because Meriden is land poor and industry doesn't want to locate there and we've got to find places for them. So in any residential zone in the City of Meriden you can locate what is on Preston Avenue. The point that we are making is that, we now have five acres in Meriden on Preston Avenue, we have behind that in your Town and Middlefield another 30 acres. You are speaking of a large scale Office Park and it is our feeling that Meriden has to make some long range decisions. I-91 along that corridor is either going to be develop commercially or remain residential, and if it is going to be develop commercial it has got to be a planned orderly development along I-91. That is the point that we are making, that is why we want the City to study it. We have not requested a change of zone, what we have requested is, that the City be creative, look at that corridor and make some decision. They may very well revoke that ordinance that you speak of that allowed that one development along Preston Avenue.

Commissioner Leinwand:
Can I put a Planned Executive Office Development automatically or do I need

Commissioner Leinwand:

Can I put a Planned Executive Office Development automatically in any residential zone or do I need a special exception?

Attorney Mango:

You need a certain amount of acreage and if you compile with all the other terms, you can, yes.

Commissioner Leinwand:

I can automatically?

Attorney Mango:

I am not sure if you would need a special exception or not. I am not sure about that.

Commissioner Leinwand:

I guess that I would tell you, unless I hear otherwise I would assume that Fusco was given a special exception by the Town Fathers of Meriden to do that

Attorney Mango:

There was no question that Fusco completely complies with the law. There is no question about that. We don't mean to represent here that he did not, he is in complete compliance with the zoning law.

Chairman Gionfriddo:

Is there any other question. If not, thank you for your comments. Anyone else wishing to be heard on this particular matter this evening? If not, we are going to close the public hearing on item #1. Is there a motion to make this item number 7.3 under new business?

Commissioner Carta:

So moved.

Chairman Gionfriddo:

Is there a second?

Commissioner Leinwand:

Second.

Chairman Gionfriddo:

Any discussion? If not, all those in favor?

Commission:

Aye.

Chairman Gionfriddo:

Any opposed? That will be item 7.3. We will move to item number two.

George Reif:

Chairman, a point of order, are you going to abstain?

Chairman Gionfriddo:

I was going to go into that. Commissioner Carta is abstaining from handling this matter. We will have Commissioner Leinwand as the temporary secretary. Can you read item number 2?

Commissioner Leinwand:

Continued: Proposed revision of the Subdivision Regulations, of the City of Middletown to refine the existing regulations by regrouping, adding regulations required by new Conn. General Statutes Section 8 enabling legislation, revising certain sections to agree with decisions of the City's Legal Dept., and make new changes to conform to contemporary technology. Copy of revision on file in the Town Clerk's Office. Proponent P & Z Commission.

Chairman Gionfriddo:

What George and Nino were about to say is that with Commissioner Carta disqualifying himself, we are now down to five sitting members, which is not a quorum for purpose of transacting business, as far as the chair, unless told otherwise, is going to continue the public hearing for the taking of testimony but we will not be able to conduct a vote on the matter this evening because we don't have a sufficient number of individuals present to conduct business with respect to this item.

Commissioner Leinwand:

We have done that before.

Chairman Gionfriddo:

I know that we have done it before, and we are going to do it. Before we have any people from the public speak, I just want to acknowledge that the Subdivision Regulations were referred to Midstate Regional Planning Agency for their review and comments, which we have received this evening and a copy of which has been passed out to members of the Commission. Midstate Regional Planning has extended an offer to us to be present on April 9th, to review their comments and to discuss them and barring any objections by members of the Commission, I am going to contact Jeff Colegrove from Midstate Regional Planning and tell him that we would be wel..., he would be welcome here. If you like we could do it..., would people be available 6 o'clock on April 9th if we wanted to start the meeting earlier? That is our next regular meeting. Does that sound all right with everybody? Can we schedule

.....
Commissioner Leinwand:

Steve, what day is that meeting on?

Chairman Gionfriddo:

Wednesday.

Commissioner Leinwand:

That is the 10th.

Chairman Gionfriddo:

Okay, the 10th. April 10th at six o'clock, George please schedule our next meeting to begin at six. We also received comments from, in letter form, which you have in your packets from two other individuals, who are not here. I will read them, first, is address to Chairman and members of the Planning and Zoning Commission, from Jesse Salafia, Jr. 101 Lorelei Circle, Middletown Connecticut, 06457.

"Subject: Comments pertaining to the proposed Subdivision Regulations. I would appreciate it if the Commission would give consideration to the following comments. Section 3.2.14 Landscaping. It is suggested that specifying 'The developer shall leave not less

Chairman Gionfriddo (continued):

than two (2) naturally growing shade trees....' leaves it open for a developer to nearly clear cut a wooded parcel of land in order to facilitate construction. It would be preferable to strengthen the first sentence 'The natural features of the site shall be preserved to the fullest extent, and felling trees held to a minimum' by specifying some limit to removal of existing trees. Minimum clearing to allow for placement of the dwelling and lawn while preserving the integrity of the existing landscape, particularly between new lots and adjacent to established properties should be a prime objective of these regulations. The adoption of a minimum of a twenty-five (25) foot buffer between new lots and existing lots in which, existing, healthy trees are left standing, should also be considered. Regarding any proposed minimum lot size: Keep in mind that many communities in Connecticut have realized that it is prudent to limit development and have imposed minimum lot sizes of $\frac{1}{2}$, 1 and even 2 acres for new subdivisions. At the very least, you should consider each proposed subdivision, individually and insist that lot size be at least at parity with the average lot size of adjacent, existing, neighborhoods." Second letter is from William

Wamester and it reads as follows.

"I respectfully request the following comments that I make regarding the proposed Subdivision Regulations be read into the Hearing Record. 1. Proposed section 3.2.8 Definition of Streets The bottom line of these proposed changes is that the Commission is trying to improve some misinterpretations that have been made in the past. I do not recommend to the Commission that they make any changes to the existing regulations as it applies to the length of streets and Boulevards. A street is a street. To allow a longer dead end street just because it has a strip of land in the middle does NOT shorten the distance which emergency vehicles have to travel. The lengthening of the current dead end street limits will just exacerbate the problems which these vehicles will travel in order to give the assistance that is necessary. I call your attention to a PRD currently in the southern section of town west of Route 17. This PRD has proven to be a great asset to the City Planning. The streets in this development have reached about the logical limit that a dead end street can and still allow for a person or emergency vehicle to find his or its way out. The Commission is now proposing to expand this an inordinate amount provided that a strip of land is maintained between the in and out lanes. It still is a dead end street and should not be encouraged by the Commission. The proposed subsection (e) borders on the absurd. There are NO SAFEGUARDS built into this proposal. A developer could come in and propose a street 3000+ feet long, provide a beautiful turnaround, many caveats that the land of the turnaround will revert to the abutting landowners, build the development and then disappear. The Commission would be obligated to approve this 3000 foot dead end street. You may say that this can not happen. This proposal is not clear. The intent may be one but the outcome may be very different. The Commission should not approve this subsection. Article VIII - Waivers Sections 8.0, 8.1, and 8.2. I strongly ask that the Commission look carefully at this entire proposal. Any developer should be able to develop his property if it is in the proper zone and if it meets the Zoning Regulations. That is the purpose of the Regulations. Every decade the Town Plan of Development is supposed

Chairman Gionfriddo (continued):

to developed Regulations that provide for the implementation of the Plan. Here, in Article 8, the Commission is throwing all of this Planning out of the window. They say that it requires a 'three quarters vote', that 'the conditions of these regulations e waived without IMPAIRING the integrity of the Zoning Regulations', and 'The Commission shall review and waive, but not be limited to the following'. What you are saying is that yes you need to convince three quarters of the members present but you or they can do anything and everything opposite from these regulations. There really are no paramenters to guide the Commission. It is entirely up to the feeling of the Commission. Certainly, this can not be considered proper planning. It could very easily result in some very inappropriate developments. This proposed section no longer borders on the absurd. I appreciate this opportunity to address this Commission. Signed William Wamester."

Any members of the public here this evening like to address any matters dealing with Subdivision Regulations?

Charles King:

Mr. Chairman, members of the Commission, my name is Charles King, I live on Miner Street and this evening I am one of two people who will be representing Westfield Residents For Rational Development. We are back. The main reason that I am back is to satisfy Commissioner Leinwand request last time after we handed out our little encyclopedia of changes or suggestions, that they might have some questions. The first thing that I would like to do is entertain any questions that anyone might have on what we submitted, if read it.

Chairman Gionfriddo:

Is there any members of the Commission who have questions that they would like to address at this point in time? Okay, what is your next question?

Charles King:

Two comments on the...,what we submitted, one has to do with this bonding suggestion, bonding requirements that we submitted. I want to...,and I notice the next day that they received a good deal of press. I want to reiterate our feeling that perhaps on the one hand, the wording in the present revision may appear to be a little bit lax. However on the other hand, I think that some of the stuff that we submitted, if adopted in any way shape or form, the way we did it could be such a straight jacket on the developer that that might not be practical. I just submit that the Commission in its...,will try to cut some middle ground and try to insure you know, that the developer is given the maximum flexibility, but on the other hand, make sure that the City is well protected. One other point is, in the area of the buffering, I would like to suggest that everyone consider that buffering provision that we put in very, very carefully. I note that there no real mention any-

might make the...,buffering might be considered between the contiguous sites. There might be some benefit in doing something like that. We have some additional comments which our Chairman Ann Bickford would like to give to you at this time. Thank you.

Ann Bickford:

Ann Bickford, Chairman of Westfield Residence for Rational Development, and we are passing out a copy of this, so I will just sort of paraphrase what we covered. We didn't have time to make a complete study of the regulations before so this is sort of an add on to what we submitted at the last hearing. The item...,one item that we felt might bear looking into as written was the open spaces, Section 3.2.13, Open Spaces other than streets. The requirement that five percent of the area, exclusive of streets, of every subdivision be set aside for open spaces, seems to be an impractical one, the way it is worded now. In a small subdivision, you would be required to set aside such small parcel of land, it hardly seem that it would be of much value. I wonder if perhaps there might be some thought as to whether it would only be in larger subdivisions. Some towns have a minimum of one acre to the land that is turned over to open spaces. Many towns that we looked into...,on the other hand on a large subdivision, we felt that perhaps five percent was too little to required. Other towns seem to come closer to ten percent of the land, exclusive of streets for open space. I...,one of the ordinance that we thought seemed to be fairly well worded was from the Town of Farmington. We included that as something to peruse. It also ties the open spaces back into the Plan of Development as a reference point. The other item that we notice, bears some thought and that is solar access. The State Statues have incorporated this in the, Chapter 126 which governs Subdivision Regulations, and the way it reads is that you shall include addressing this issue on the subdivision Regulations and we found no paragraph concerning solar energy techniques but using passive solar energy techniques. The...,again, because this is a fairly new requirement, the Subdivision Regulations we found that included a solar access paragraph, was in the Town of Farmington Subdivision Regulations and we included their wording for you to peruse. It is basically a rewording of what the State sets out as some of the requirements, such as the site design technique shall include, but not be limited to, this is a quote from the State Statued, "House orientation 2 street and top lot layout, 3 Vegetation, 4 Natural and Manmade Topographical features and 5 Prediction of solar access within the development. So...,the way the statute reads, it is something that they mandate, to be included within Subdivision Regulations.

Chairman Gionfriddo:
Commissioner Leinwand.

Commissioner Leinwand:

Ann, you would be happy to know that it is one of the things in Jeff's memo as well, he said very clearly that under sections that should be included are, solar access in accordance with Section 8-25. He doesn't give us the wording that you did.

Chairman Gionfriddo:
Anyone else wishing to be heard this evening?

Nino Martucci:
Can I say just one word?

Chairman Gionfriddo:
Not yet.

George Greer:
My name is George Greer, I am the Secretary of the South Middletown Association. I have some additional comments that (tape doesn't pick up at this point, changed over) I'd like to pass out copies if I may, with out taking

George Greer (continued):

Too much of your time, perhaps you can pass them along. I would like to read the one page that we added. South Middletown Association, to members of the Planning and Zoning Commission, March 27, 1985. These comments on the proposed revision of the Middletown Subdivision Regulation are in addition to those presented by members of the association on March 13, 1985. Section 2.1b, this deals with...the problems of cash deposit. We endorse the rational and recommendation purpose for this section by the Westfield Resident for the Rational Development of Middletown on March 13, 1985. In addition, we feel that the City of Middletown has an obligation to protect homes and property adjacent to the property being developed. These regulations should be amended to require developer bonding to protect against abuse, damage to adjacent property by blasting, heavy equipment passage, dust, chemicals, excess noise, erosion and so forth. Section 2.2.p, paragraph that deals with maps. Consider revising to read in part, "key maps of 1 inch equal 1200 feet or less". Section 2.0a, this is the section that deals with the sign that has to be posted by the developer. Consider clarifying the status of the sign when a public hearing is continued. Section 3.2.13, consider clarifying who is responsible for maintaining the area set aside for open space. This is particularly...this could become particularly important where open spaces adjacent properties. Section 4.0, we recommend retention basins be specifically prohibited by this paragraph. These comments came from a civil engineer, a member of our organization. We feel that these retention basins for the most part, are hazardous, I've watched kids climb over fences into swimming pools and that sort of thing. In many cases the silting that occurs here, eventually make nothing but frog ponds out of these things. We feel that only in a possible exceptional case, are they very practical. Section 4.1, consider addressing installation and control of pumping stations when required. Are there any questions?

Chairman Gionfriddo:

Does anyone have any questions? Thank you. Anyone else wishing to be heard?

Ann Loffredo:

Good evening, my name is Ann Loffredo, a week in a half ago I was here and I mentioned to you that I had intended to put the Subdivision process in some sort of order that a lay person could possibly understand. I tried to do that for this meeting. I will start with the first page. The propose of this paper is to provide an educational tool that would inform interested persons of the Subdivision process. It is not a detail description of everything that can take place. Our goal is to document this process into understandable order so that anyone who has the desire to read it would have a better understanding of the details involved. The initial application for land use form is the start of the legal subdivision process. With this form is a total of 20 sets of drawings showing the proposed subdivision, complete with all required information that is listed in the Subdivision and Zoning Code Regulations, available in the Planning and Zoning Office. The basic fee is 75 dollars and 25 dollars for each lot. The copies of drawings are to be received in the Planning and Zoning Office, not less than 10 days before a meeting of the Planning and Zoning Commission at which time the proponent wishes to be on the agenda for the purpose of making a require preliminary presentation to the Commission. The Planning and Zoning Department distributes the drawings along with the form, requesting comments from the following departments, Public Works, Water and Sewer, Police, Fire Marshal and if necessary the Health Department. It is to the advantage of all concerned for the developer or his representative to work with all departments and to

Ann Loffredo (continued):

make all required adjustments to the Subdivision, before it is scheduled for a public hearing. Once comments have been returned by the due date, listed on the Planning and Zoning department...,the Planning and Zoning department reviews them. Copies of the drawings and comments are then sent to all Commissioners for review also. The applicant may request to see the file on the subdivision if he so wishes.

Chairman Gionfriddo:

Ann, can I ask a question.

Ann Loffredo:

Yes.

Chairman Gionfriddo:

Is it your intention to read to us this paper?

Ann Loffredo:

Yes.

Chairman Gionfriddo:

Why.

Ann Loffredo:

Because I think it....

Chairman Gionfriddo:

We are going to have another public hearing on this next meeting. My personal suggestion would be, to let us read it through ourselves and come back the next meeting to discuss it. I am not going to stop you from reading it, but I really don't know if there is any benefit to sitting here reading us a six page document.

Ann Loffredo:

Well, I don't know if the benefit would be to you, but I am concerned about getting the benefit to the people who are here, that have learned about the process the hard way, especially the homeowners groups that are here. You got three in Middletown, that are more or less organized.

Chairman Gionfriddo:

Well, I am not saying, that that is not a good goal to have, but to sit here and read it to the limited number of people who are here this evening, I don't think it is going to get the wide distribution that you are looking for, my suggestion would be if you like, we could provide them to each of the homeowner groups for there passing out to there members. I am not trying...,if you want to go ahead and read it, fine, but to me I just don't know if it is really going to be that beneficial for us to have it read to us.

Ann Loffredo:

Well, I think, rather than read the whole thing, I think what I would be looking for would be some kind of direction from you. What do you think it could be used for? I've talked to George and he has made some suggestions to me.

Chairman Gionfriddo:

Why don't we...,what I am suggesting to you is, why don't you give us an opportunity to look at it, read it over and then come back a the next meeting and we would probably be able to discuss it and give you some feedback on

Chairman Gionfriddo (continued):

where we think that we could go with it, rather than, I don't feel comfortable sitting here and having someone sit here and read six pages to me, and then ask what I think I would like to see done with it. I would like to look at it, read what it says. I know that you spent a lot of time on it, because I come into City Hall everyday and I see you in here everyday in the Planning and Zoning Office. I want to commend your effort for putting this together, I just don't want it to be something that gets skimmed over either by us spending ten minutes glancing at it right now.

Ann Loffredo:

Can I ask you something else.

Commissioner Leinwand:

Can we ask you some questions?

Ann Loffredo:

Yes.

Commissioner Leinwand:

Ann, if in fact we could edit this and put it into a brochure and have it available on the desk in the Planning Office, would that be part of your intent?

Ann Loffredo:

Yes.

Commissioner Leinwand:

Good, I think that we could do that. I think that that is appropriate. I have skimmed through most of it while you were reading the first couple of pages and I think that in fact that it is an educational document. I think that it does help people understand the process. More importantly is, I guess the question that I have after having examined the whole process, having sat here through a whole lot of things over the past three or four years, the question that I would have is does it work? Do you have some suggestions to how it might be changed. You talk about the preliminary presentation, the preliminary presentation works for us, I think that every one knows that. Most developers find it a royal pain in the rear. Does it work for you? Are there things that we could do to change that preliminary presentation process? Are there parts of the decision making process that are problematic? Are there things that we ought to look at in terms of our procedures that you would want to talk about?

Ann Loffredo:

One thing about the preliminary presentation, I must compliment, when Mike Dowley makes a presentation, he makes a hell of a good one. He makes a good one. He comes well prepared I think he gives you what you want to know. I think he gives us a lot of information that we want to know. My problem is that when you get someone up here, who is clearly uncomfortable and doesn't have any idea what is expected of them, that is when, more can be gotten out of the preliminary than what some people give to us. I think that maybe if you want more..., I think that there are enough specifics mentioned in here, that if they followed them, this wasn't meant to be used for a developer, I would hope that they would have more on the stick than they would need to pick something up like this. I think that if they follow some sort of guideline that I did list in here..., but some of that information that I got I did

Ann Loffredo (continued):

get from the publication that George has given me through the years. If they follow them and give you that, then I think that you would be more comfortable and I think that we would too. Once you go over that, I notice that a lot of times that you would look over the preliminary and then ask your questions, so that when the public hearing does come, the developer or the applicant is clearly much more able to answer the questions that mean a lot to you and that would probably mean a lot to us. I don't have any qualms with coming up to someone after a preliminary and saying look, I have a question on this and I appreciate it if you could answer it. I think that we have come far enough along where we don't have to hedge and wait till the same night and sock it to them. I think that I would rather have them seen and prepared and let's get it out and let's get it over with. Never mind dragging it out as long as..., several nights. I think that one of the things that I did find out is that, a lot of times the subject of cash deposits, every time we hear about a developer coming in and he has roads to put in, it never fails that someone is going to get up here and ask about what assurances do you have? Well there is one, if the developer chooses to use it, and it is a good one. Most of the things that are already in place in Middletown, are good regulations, I can't say that I found anything drastically wrong or that I could really improve upon. If you wanted me to say something like that. I think that..., sometime I think that if the Commissioners took more than an in-depth interest and really don't hold back asking questions because you may not understand something, ask them anyway. I know a lot of times everybody gets embarrassed, but that is the only way we are going to find out answers about this stuff. If we wait until after the public hearing it is too late.

Chairman Gionfriddo:

Does anyone have any other questions that they would like to ask of Ann?
Are you going to be back on the 10th?

Ann Loffredo:

Yes.

Chairman Gionfriddo:

Thank you.

Commissioner Leinwand:

George, Nino, I know that we are still in public hearing but I think that this makes sense. I see six months from now, six weeks from now, being able to walk in there and sitting on your desk, is a four-sided thing, reduce, which reads Subdivision approval in Middletown, a guide to the public, prepared by the Westfield Residents for Rational Development in conjunction with or with the assistance of the Middletown Planning Department. That is a sensible tool, I think in fact that there is a lot of questions that you have to answer over and over and over again. When you think about how many people ask the same question who lived on Maple Shade Road or the number of people who asked the same question who lived on Atkins Street. Three times a year we have a major subdivision. That kind of document would allow someone to get most of those answers and it seems to me that it would be a very wise policy.

George Reif:

May I respond to that. It is such a great idea, we've done it many many times what I've learned..., we will do it again, however what I've learned is that people won't read or can't understand because they are hearing it for the first time and it becomes just another document. We already have a lot of

George Reif (continued):

things that we pass out, however we will do it again, gladly. I used to have signs up, I used to pass things out, but we will do it again.

Chairman Gionfriddo:

Thank you George, anyone else? The public first, Nino. Public first, staff second.

Ann Bickford:

I am sorry, I did forget one thing that I wanted to mention on the..., South Farms comments reminded me. In regard to the open spaces, the Farmington Code that we quoted from, actually they required that any open spaces are deeded over to the local government. In our Code, we have that they can either be deeded to the government or remain a part of the subdivision and by covenant..., have deeds in the cov..., have covenants in the deed where there would be joint ownership. If we retain that, I am not objecting to that necessarily, but if we retain that, I think that there ought to be some provision added that requires maintenance of somehow, of tied down so that if there was any open space that was not taken over by the local government, by Middletown, be maintained. I see no provision now, that requires this.

George Reif:

Can I add one thing, what we have going on now is a training program, people are going out to communities and looking at their subdivisions, and picking certain sections that sound good, and this one sounds good. Middletown has had this provision since 1941 about taking a piece of land. There has been only one time that a developer offered a piece of land, it sat for many years this is before I got here, so I wasn't involved in it, the Council refused to accept it. The developer then came back to the Planning Commission and showed lots..., and now it has about eight lots on the piece of property. There is a history of why Cities don't want to take parcels of land. Part of it is what you are learning. Part of Planning is not to make the same mistakes over and over again. If we do everything wrong again..., repeat errors, Middletown is going to be in trouble. We are way ahead in many ways. Somebody has to mention that we are way ahead of getting developers to do work without bonds. So while you are, everyone is learning and talking about, I don't want you to throw away what you already have.

Chairman Gionfriddo:

Thank you George. Anyone else.

Ann Loffredo:

The public hearing on the Subdivision, how are you going to handle it, are you going to be going through everyone's sheet, because your collection is quite a few.

Chairman Gionfriddo:

I don't assume that we are going to go through everyone's sheet. What I am assuming is, at the next public hearing is, we are going to have an opportunity to discuss with Midstate Regional Planning, the rather lengthy comments that they gave us this evening after people have had an opportunity to digest it. We are going to allow the public to, once again come in and give their comments, since the public hearing is going to be open. Then I guess that the Commission is just going to have to sit down and go to work on taking the recommendations staff gave us, and implementing

(continued transcription - Dorothy Wilson)

Chm Gionfriddo

those regulations with amendments as we see fit based on what we have gotten from the public.

Ann Loffredo

Do you feel that you are going to have to go into a workshop type or something?

Chm Gionfriddo

Whether or not it is called a workshop or whether it is called a session where we sit here and spend a considerable amount of time rewriting or reworking the Subdivision Regulations, yes, I assume that is going to happen. We are going to have to sit down, like you said, we have gotten a lot of input, a lot of suggestions from various individuals and what we are going to have to do is sit down and take what we consider to be the good suggestions that were given to us and find ways of working them into the document that staff has given us or revise staff's document in some way that we feel will be meaningful.

Ann Loffredo

How much of this do you feel that you can accomplish at the next meetings? I mean, how many more meetings do you feel that we are going to have....

Chm Gionfriddo

I can't see it being done in less than two at this point. If we are going to have another public session on it April 10th then I don't see, depending on the length of that and whatever else we have on the Agenda, that we are probably going to sit down and complete the process at that meeting. It would be my hope that by the second meeting of April that we would be done if not, or at least if not done, 99% done.

Ann Loffredo

Okay, with all the handout sheets you have been given, are you going to have questions from the group, the people that have passed them into you?

Chm Gionfriddo

What do you mean, questions?

Ann Loffredo

Do you plan on asking them questions on what they have proposed?

Chm Gionfriddo

What I am allowing when people come up hereto speak and members of the Commission have questions that they would like ask of the speakers, they are free to ask them. If at some point at the next meeting a Commission member reviewing the sheet has a question they would like to ask of you and you are here, they will be free to ask it. I'm not going to set aside a special time for asking questions for people who have submitted suggestions.

Ann Loffredo

No, I mean from you, them.

Chm Gionfriddo

That's what I am saying. I mean, when you were up here speaking I turned to everybody and said, 'have you have questions of Ann?', and that is the case of any speaker that comes up here. If you are here at the next meeting and someone has thought of a question they want to ask you and they ask the Chair to request that you come up to answer a question, I would be glad to do it. Okay? Comm. Leinwand

Comm. Leinwand

Ann, I think you asked some good questions and I don't think that we really clarified that.

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Comm. Leinwand

I think it is a do-able(sic) process and I think we can do it by early May. There are about ten areas that have come up all together. We need to make some clear decisions about roads, we need to make some clear decisions about cash bonding and how much we are going to extend that, we need to look at buffers, we need to look at the issue of insurance related to the cash bond that you raised, there are two or three others but I mean, they are not a whole lot of areas so I don't think that it is going to take weeks and weeks and weeks to finally resolve those, decide that solar stuff makes sense that some of the cash bonding does and some of it doesn't, and run through it in that fashion and send it back to staff. I think that every one of us is basically operating on the basis that we are going to use the sheets that come in, the input of the public, we are going to use staff, we are going to use Jeff Colebrough(Sic), we are going to use our best judgement.

Chm Gionfriddo

I'm shooting for an earlier date, I'm shooting for the 24th, so we will see what we can do. Anyone else wishing to be heard on this this evening? If not, we are going to continue the Public Hearing....Oh, I'm sorry, I'm looking out there for someone to stand up. Okay

Jan Miller

Jan Miller, Maple Shade Road, a member of Your Neighborhood Friends and South Middletown Association. We would like to endorse Westfield's comment on the importance of protecting your neighborhood from a change in character. This can be done by providing a buffer zone where the first subdivisions are contiguous. I also hope to see some graphics on the possibilities inherent within the cul-de-sac and all the possibilities for the extension of the cul-de-sac with the center thing. They are not available this evening, I....

Chm Gionfriddo

Yes, they are

Jan Miller

Oh, are they? Oh, you have them in the copy, oh.

Mr. Reif

We missed you, where were you?

Jan Miller

I was here all the time, I'm invisible.

Mr. Reif

You usually come to see us.

Chm Gionfriddo

I don't think she can take that home, Nino

Jan Miller

No, no.

Mr. Martucci(Nino)

I won't let her. These are the things you asked for. There are copies.

Jan Miller

I'll study them

Chm Gionfriddo

Here, I'll give you mine.

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Jan Miller
Okay, thanks

Ghm Gionfriddo
Anyone else wishing to be heard? Okay, that is what you got, one.

Nino(Martucci)
I used my 75¢ word. The people discussing this solar energy, would someone please study Microclimatology on your Solar Energy, please?

Jan Miller
What did he say?

Chm Gionfriddo
Is that it? Is that your word? Okay, we are going to continue the Public Hearing until April 10th, at 6, Okay? This Public Hearing is continued to April 10, at 6 o'clock. Okay, we will move on to Item #3, Comm. Carta being the acting member will read -

Comm. Carta
ITEM #3: Proposed Special Exception to permit 84 multiple family dwelling units ITEM #3 to be sold as condos located on Washington Street near the Middlefield line in anPROPOSED R-3 zone/Applicant/Agent KLM Associates/Atty Mark Asmer SPEC. EXCE 84 UNITS SOLD FOR FOR CONDOS R-3ZONE/KL ATTY ASMER

Mark Asmer
Good evening, my name is Mark Asmer, I'm an attorney and I practice law with the firm, Hyman, Harding, Sbarge & Droney in West Hartford, Connecticut. Our firm represents KLM Associates, the owner of the parcel of land on Washington Street. KLM Associates has filed an application with this Commission for a Special exception pursuant to Sections 44.08.21 and 60.02.12 of the Zoning Regulations of the City of Middletown. As many people are aware this application had been previously filed on this property and we have revised it and presented it preliminarily about a month ago to this Commission. In the interest of the time of this Commission we have elected not to put forward our Traffic Engineer and our Engineer. The report of the Traffic Engineer and Engineer are part of your files, there have been some comments made by Public Health and by Public Works, those comments have been responded to, our responses from our Engineer are on file and those responses have been accepted by the appropriate departments. The Traffic Engineer and the Site Engineer are available here tonight in case there are any questions which need to be addressed and with that I would like to.....

(Change of Tape)

Mr. Reif
....outstanding issue and there is no way that the Commission can resolve it, it is a matter of technical improvements as the water pressure. I don't think you are going to stop these 15 houses because they have a water pressure problem, but I would be amiss if I didn't bring it to your attention and it has reached the point where they have actually , the Water Department has actually required that they put the pressures on each lot showing that they will be below what is considered the minimum standard and it may have an impact on further development in Wesleyan Hills but I think at this time you are ready to move on this, they'd like to move along on this.

Chm Ginfriddo
Comm. Leinwand

Comm. Leinwand
How serious is that?

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Mr. Reif
Would you like to....

Comm. Leinwand
Let me phrase that another way. I do not want to see in this Chamber, either as a member of the Planning & Zoning Commission or member of the Council for someday a member of the Water Pollution Control Authority and hear from the fifteen residents in these houses that the City screwed them. Are we talking about seriously inadequate water pressure?

Chm Gionfriddo
Did them wrong, you mean.

Mr. Reif
I would call your attention to the notes we have in your handout. I asked for a clear statement, 'is there enough water, is the water pressure correct, do you have enough sewer capacity?' One of the sheets here someplace, is that it, they say, 'the water & sewer plans are in substantial accord with the department's requirements or minor adjustments are required in pipe arrangements and drawing notes - water supply is adequate, water pressure, as shown on drawing, is marginal in some cases, sanitary sewer capacity will be adequate.'

Chm Gionfriddo
I still don't know what that means? What does that mean?

Mr. Reif
That means that

Comm Carta
You've heard that 60 pounds, that it is only 45 or

Mr. Reif
Sal, can you tell us what the pressures that they have up here are?

Comm. Carta
Marginal by what standards?

Mr. Fazzino
Never commented on the pressures but we will relate to them by anyone that has a well in a house operates between 25 and 50 pounds, in the City Water systems you operate on 80 pounds.(inaudible)..so, usually I think the statute refers to if you are under extreme circumstances, around 30 pounds, than the homeowner has to know in advance and it becomes part of the lease.

Chm Gionfriddo
So what pressures do they have?

Mr. Fazzino
I haven't looked at them

Mr. Reif
Here they are, right there.

Mr. Fazzino
34, 25, 25, 26, 27....31, 34, your lowest is 25. That's what he indicates on the map.

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Comm. Leinwand

Is there some way we can do something about that? I mean...

Mr. Reif

Yes, you have to....

Comm. Leinwand

One of our options is to tell Wesleyan Hills, no, you can't do that unless you put some kind of a booster pump....

Mr. Reif

They are planning to put a booster pump in each house, it gets down to an argument about whether the booster pumps in each house will draw pressure away from the units that don't have booster pumps.

Comm. Carta

I thought the volume was sufficient? If the volume is sufficient, you won't do that.

Mr. Reif

All right. That is what they say, the volume is sufficient. I'm bringing this up, we don't claim we have the answer, I've identified an honest problem.

Comm. Carta

Most people using shallow well pumps in cities where there are two types of pumps, one is the deep well, submergible, the other one is the shallow well pump. The shallow well pump operates around 25 to 35 and (inaudible) cycle and most people don't recognize that they have water pressure problems when they are in those conditions, they don't recognize it when the pump is about to go on, they don't recognize it that they've got a water pressure problem, they recognize it only after they have lived in the City with 75 pounds and they get this stinging type shower that is available, they recognize that when they are in the country they don't have that. The volume is there....

Mr. Reif

I think it is a matter of an amber light flashing and the sewer is a problem in the southern part of town, the water supply is a problem and I think that this may be the finale of projects in that area.

Chm Gionfriddo

George, what you are saying, is that it is a problem but it is not sufficient to...

Mr. Reif

It is sufficient to

Chm Gionfriddo

It is sufficient to

Mr. Reif

...to tell them, 'don't start working on a working drawings for the next project until they get it worked out.'

Chm Gionfriddo

Comm. Carta

Comm. Carta

That was my question on that. To your knowledge, Sal, on that line that is feeding this end of the development, is there capacity for other developments to tie into that line, and not robbing more pressure or picking it up?

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Mr. Fazzino

I am not really familiar with the distribution system but I am also aware that there is a plan floating around with significant extensions of the water mains in this area that can make the loop which I have seen that in Hartford. We were concerned with it and so far as our account that's the existing utilities so, there are steps in progress to assist the statute.

Mr. Reif

So a major thing that has to be done is some more utility lines in that part of town before any new projects.

Comm Carta

I'd like to just address the Commission. Perhaps on the very lowest pressured homes, those that are in the twenties, look and see couldn't we make a recommendation that they install a pump. A small temporary pump in the house and if that happens we won't get the complaint from the homeowner and I suspect, I don't know what the price of that pump is but if it is modest....

Chm Gionfriddo

Anywhere under 30? Any home under 30?

Comm. Carta

I would say 25, down below 25, give them a little.

Chm Gionfriddo

25 is the lowest, he said

Mr. Reif

25 is the low

Comm Carta

No, it is below 25, there are some below. I think there was a 21.

Chm Gionfriddo

Yes, Nino. Don't talk about microclimatology.

Mr. Martucci

I'm not going to give you the big words this time. There is another thing you have to be concerned about here. That's two-story houses. The pressure on the first floor is greater than the pressure on the second floor so that has to be taken into consideration as well.

Mr. Fazzino

That's figured for the second floor.

Comm Carta

It is figured already. Okay, so the first floor will be considerably higher.

Mr. Fazzino

That's correct

Comm. Carta

What is the lowest pressure there? I mean....

Mr. Fazzino

25 psi. - 24, that's right, Long Hill Road

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Mr. Reif

The real message is that they, and they have put money in it, Hill is willing to put money into the Water & Sewer Department, they have got to solve the problem and they just can't keep adding units.

Comm. Leinwand

Are they going to put the pumps in automatically or do we have to tell them to do it?

Mr. Reif

I have no - I don't see any harm in you reminding them that they should have pumps so that the water pressure comes up to the required city standards.

Chm Gionfriddo

Is there a motion to approve?

Comm. Leinwand

Move to approve the fifteen additional lots in the Blue Acre Road area of the Wesleyan Hills PRD with the understanding that any house that/ ^{is tested} on that map below 30 psi needs to have a booster pump installed.

Chm Gionfriddo

Second? Any discussion? If not, all those in favor? Oh, sorry, Dick, go ahead.

Comm. Thompson

Who is going to be responsible for paying for those pumps?

Chm Gionfriddo

Wesleyan Hills, the developer.

Comm. Thompson

The developer, well, they will pass that on....

Chm Gionfriddo

Yeah, it will be passed onto the homeowner but....and the cost. Any further discussion? If not, all those in favor? Any opposed? The motion carries, we move to Item 6.1 - Scenic Route Ordinance as authorized by Public Act 81-401/Applicant David Mylchreest

ADJOURNMENT

Transcribed in part by

Dorothy Wilson