

COMMISSION ON THE CITY PLAN -- PUBLIC HEARING -- THURSDAY, APRIL 4, 1957

PRESENT: Chairman I. Robert Traverse  
Arthur Dillon  
John Higgins  
Joseph V. Misenti  
William Warshauer  
Mayor Harry T. Clew

ALSO PRESENT: Dr. G. Albert Hill, Director of Redevelopment

CHAIRMAN TRAVERSE opened the Public Hearing at 7:45 P.M. in the Council Chambers of the Municipal Building.

The First petition to be heard was that of Highview Acres. The Chairman read the legal ad which appeared in the Middletown Press on March 27, 1957.

"Notice is hereby given that the Commission on the City Plan of the City of Middletown, Connecticut, will hold a Public Hearing in the Council Chambers of the Municipal Building on Thursday, April 4, 1957, at 7:30 P.M. for the purpose of considering the preliminary plat of a subdivision proposed by the Highview Acres, Inc., owners of a tract of land in the Westfield District of Middletown and bounded and described as follows:

South by Plumb Road;  
West by land of Lyman Hoops and Lois Hoops, and  
Highview Acres, Inc;  
East by East Street, and Harold E. Bushnell; and  
North by Harold E. Bushnell and land of the Connecticut  
Power Company.

All abutting property owners have been notified by Registered Mail. Any and all persons interested may appear and be heard.

Dated at Middletown, Connecticut  
this 27th Day of March, 1957.

/signed/ I. Robert Traverse, Chairman

ATTORNEY MANUEL CLARKE: Mr. Chairman and members of the Board, I am here on behalf of the Highview Acres, Inc. The land in question at this time is no different than before. However, since your City sought fit to change the requirements for lot sizes we have found it necessary to redraw our maps making our lots conform to the new zoning regulations. Our ground is no different from the ground which you have approved. Plumb Road has been approved as a street. Our only change is to make our lots larger to conform with your zoning regulations. We have been delayed for one reason or another. Because you have had it before you at an earlier time, I hope you will do everything in your power to be expedient. I do not think there is anything new to add gentlemen. You have the new maps of the area which is the same as before, and I hope you will extend us the courtesy of prompt approval as soon as possible so that we will not have any more lost time

TRAVERSE: We do have the new set of plans right here.

CLARKE: Mr. Campbell is here and has the linen copies of the map for your Board. The various Boards you would send these maps to have had our entire area. The street and grades topographically are the same. The only thing we have done is to make our lots 50 feet bigger in order to have 20,000 square feet.

TRAVERSE: Asked for other persons who wished to be heard to come forth.

THOMAS FLYNN, Plumb Road: I would like to congratulate Mr. Clark and I would like to have him do all in his power to see that the lot is cleared.

Mr. Campbell presented two linen-backed maps to the Board for filing upon approval. One map showed lots 1 through 6; the other, lots 11 through 21.

TRAVERSE: No other person wishing to be heard, this section of the public hearing is closed.

Mr. Traverse reopened the Public Hearing with the reading of the legal ad re the second petition on the Agenda, with the Commission now sitting as the Zoning Commission.

"Notice is hereby given that the Commission on the City Plan, as the Zoning Commission for the City of Middletown, will hold a public hearing in the Council Chambers of the Municipal Building on Thursday, April 4, 1957, at 7:30 P.M. to consider the petition of H. W. McMeken, Emma L. McMeken, and Jarvis Property, Inc. for a proposed amendment to the Zoning Map and to the Zoning Regulations of the City of Middletown:

By adding to SECTION 16 A. Industrial I Zones, the following described land now located in a Restricted Residence Zone:

1. An area of land containing 18.5 acres, more or less, lying on the southerly side of Anderson Road and more particularly described as follows:

Northerly by Anderson Road, 1200 feet;  
Easterly by Laurel Grove Road and by land of William G. Gordon, partly by each;  
Southerly by land of William B. Gordon and by land of The Connecticut Power Company, partly by each;  
Westerly by the Middlefield Town Line.

2. An area of land containing 7.4 acres, more or less, lying on the northerly side of Anderson Road and more particularly described as follows:

Northerly by land of Frank and Jeanette Munson;  
Easterly by land of Alois F. Petras;  
Southerly by Anderson Road, 700 feet; and  
Westerly by the Middlefield Town Line.

Said amendments to the zoning regulations are on file in the office of the Town Clerk and are available there for public inspection.

Dated at Middletown, Connecticut  
this 22day of March, 1957

/signed/for COMMISSION ON THE CITY PLAN  
I. ROBERT TRAVERSE, CHAIRMAN"

This Ad appeared in the Middletown Press twice; March 23, 1957 and March 27, 1957.

ATTORNEY AARON PALMER: Mr. Chairman and members of the Board, I am the attorney for the petitioner. This petition is brought by H. W. McMeken, And E. L. McMeken who are the present owners of this property. They reside on the premises. The other petitioner is a corporation known as the Jarvis Company which holds an option for the purchase of this property. I have brought here a drawing of the map on file in the Assessor's office which shows this property. The area in question are an 18.5 acre piece which fronts on Anderson Road and also on Laurel Grove Road; and the 7.4 acreage piece which fronts on Anderson Road only. This is the Middlefield Town Line. That drawing shows the ownership of land in the general area which happens to be in that section of the Assessor's map. The assessor has maps made up by sections and this is the map in which this particular property appears.

MUNSON: He's changing the subject. There is a gentleman who has a \$20,000 house. I want to have an opinion as to why these pictures were taken.

JACKSON: 53 Prospect Place, Treasurer of the Jarvis Company. The pictures were taken merely to show that the factory would not ruin the land any more than a dump.

MUNSON: Technically, as far as he is concerned he is correct. But when people see it they get the wrong idea. This is introducing a piece of evidence that is (?) supplanting the whole thing.

MR. TRAVERSE & MR. JACKSON explained the reason for the picture and tried to clear up the impression that the area was downgrade.

PESERVICH: The showing of those pictures is purely to create an effect. I think if the photographer had come to the back of our yard he would have found . . .

JACKSON: I believe there is a picture of Mr. Peservich's land.

MUNSON: Will you put into the records that I object to the dump.

RICHARD MACHELL (? address): I do not think we are fighting the Jarvis Company. I am sure that the building is beautiful. But once we make an exception, there are some more to follow. There is no other place to go? As you gentlemen on the Board know, Middletown is slowly growing. We have a plan. We have a light industrial area along the east side of Newfield Street. Now if we have a plan, why not stick to it. If you are going to make exceptions, why have zoning at all?

PALMER: Where are you located?

MACHELL: We are located to the east of the property, approximately 1/2 to 3/4 of a mile. However, I would say the whole area would be affected. We are not fighting this one company but want to protect the whole area. Once you make an exception, others will be sure to follow.

PESERVICH: Perhaps, the gentleman from the Jarvis Company will explain how they will handle their drainage.

PALMER: That will all be subject to the Board of Health and if it is desirable, it will be approved; if it is not, it will be turned down.

PESERVICH: May I ask if there will be another hearing . . . in that regard.

PALMER: There will not. The Planning Commission has no restriction in that regard.

TRAVERSE: We act only on petitions.

HAROLD ROWE, CHAMBER OF COMMERCE: I would like to put my organization on record this evening as in favor of this petition and urge all the Commission that industrial development should be pushed in Middletown. Speaking as an individual, the City at the present time is at an economic crest. The City is very fortunate in that we have a sound opportunity to revive ourselves. We are not in the same position as other communities.

I would also like to state that the present community of Middletown does not want to become a second East Hartford, and the greater Middletown area should not be lulled to sleep by CANEL. We do not want to lose the Jarvis Corporation.

Let us see what the Jarvis Corporation does for Middletown; 1) It pays taxes and a good share of taxes to the City; 2) It creates employment; 3) It creates purchasing power in Middletown; 4) It makes a product which is sent all around the world (?) for which we are proud and want the publicity; 5) The Jarvis and other companies encourage a community by supplying financial and moral (?) support to its personnel.

I just named these things to point out the fact that industry always has to be the seat of the citizenry of the Community. Where would Middletown be without industry?

PESERVICH: We have a gentleman (or brother) who is an amateur economist. As he recalls, there was an economist named Adam Smith and . . . They had conflicting economic theories. This gentleman has cited that by virtue of having the Jarvis site located in particular in the Laurel Brook area, it will set the town up beautifully. However, it may very well be that they will get this revenue but how are we to know that we do not get additional revenue by homes in the days to come.

PALMER: It has been mentioned here about other locations. The Jarvis people have made a study of all possibilities. Mr. Jackson has made a study and he will explain it to you.

JACKSON: We did consider other area. As you know Newfield Street is the only industrial area in Middletown. We considered that land out there and it is naturally flood land. There is only one little piece that is not. As far as Durham Road is concerned, there is the case of settling. You cannot put machines in there with any settling at all. The other hard bit about locating anywhere else on the outskirts of Middletown is the water situation. That is one of the major problems of building a factory.

MUNSON: May I ask Mr. Jackson what land is available in Middlefield.

JACKSON: A piece of land owned by Grassi's.

MUNSON: Where is it in relation to the railroad crossing.

JACKSON: It is next to the Mohowak. It is almost diagonally across from the Club Vasque.

MUNSON: There is another 13 acres which has never been farmed. . . It is owned by Dunklee, 717 Newfield Street, He has this land as real estate. He told me I could use his name.

GUILMARTIN: One question that I would like to press and that is that I believe it is a fact that in many towns throughout the state, spot zoning has given them a lot of headaches. What provisions would the CPC have to limit the next factory that wants to do this. In other words, it is fine to take an area, but sooner or later, there is another person who will come in. In what manner can the Board prevent this.

PALMER: How far is the person near the petitioner.

GUILMARTIN: Less than 3/4 of a mile. No one is here objecting to the Jarvis Company. The only thing worrying the people is how the zoning board will protect the area from further industry or light industry in the future.

PALMER: Want me to try to answer that. This change of zone will apply only to this specific portion of land. If an adjoining land it will need to be rezoned and it will be up to this board to rezone. As far as Mr. Guilmartin is concerned, is he familiar with the Industrial I zone. It is impossible to carry on in an industrial I zone something undesirable or obnoxious. As far as the next door property is concerned, say Mr. Gordon's or Mr. Munson's, that property could not be used unless it were rezoned by this Board at a public hearing.

MUNSON:

MUNSON AND ZISK CAME UP TO SEE MAP a conference lasting about 3 minutes was held around the maps. Conversations could not be recorded.

PALMER: I might say that last Saturday Mr. McEken took Mr. Sisk out to see the property and he did not have any objection.

MUNSON: Mr. Sisk has the right, as everyone has, to change his mind upon the presentation of new facts and new arguments.

PALMER: I was not quarreling with Mr. Sisk's right to change his mind. All I want to say is that Mr. Sisk knew all about it and I do not want the Board to think this is a surprise to him.

MUNSON: This in my opinion is not a legal matter. I agree with the attorney that this is something that does affect the City of Middletown. You have here stated why the proposed site is correct. (Mr. Munson here advanced some facts regarding other land which he knows as available and on the market but could not reveal the agent's name. Apparently the land he referred to comprised 13 acres of flat and level land which had been "compacted", a small piece of which does flood. The land is on the Meriden Road.) I am sure with shopping around, you can find it. The zoning has been described as inadequate. We are going through growing pains and it is inadequate. I feel there will be many more people moving in Middletown and they will have to have a place to live. This land is good for residential purposes and if you call it undeveloped, there is much land in the United States which is undeveloped. Nobody here know the plans we have and I do not think anyone can say we have no intended use for it. With the Pratt & Whitney plant you will have more people to house, about 5000. This land is imminently suitable not to industry but to people to live. We do not want to drive the people out and we do not want to drive industry out. We must consider everybody in Middletown. The impact on the whole community could be serious. It is serious. If a person buys land today that is residential and latter it is industrial. You cannot say that that land cannot be used in the future for another industry. The undeveloped in all particulars needs a definition. It is now primarily agricultural.

TRAVERSE: People are using it as such?

MUNSON: It has the best soil type in Connecticut and my farmer friends can testify to that. It is put to a highly profitable use. (I believe Mr. Munson mentioned the grade of soil found in this locale.)

JOSEPH PESERVICH: I am speaking also for John J. Peservich, my brother. I should like a clarification of this petition. Is it a variance or is it a matter of a change of zone?

TRAVERSE: It is a change of zone. It would be asking for a spot zoning. They are asking for light industrial zone and as the City Plan has set forth in the ordinance, we have control of the Industrial I Zone in that particular area.

PALMER: I think the answer to the gentleman's question is that it is a change of zone.

PESERVICH: Since it is a change of zone and Mr. Munson has spoken about how he feels in regard to the Jarvis Factory, I would like to say that John J, Edward, and myself are not against progress nor against the Jarvis Plan per se, but are going on record as against any plant in that area. Reference has been made in employing semantics, and what may be undeveloped in regards to industry may not be suitable in regards to the farms. Mr. Sisk is engaged as a farmer. He is actually engaged as a farmer. We are diagonally to the north of him and are also engaged in farming and furthermore, the term undeveloped paints a picture of . . . land entirely unsuitable. (spoke on cost to his family in draining and installing of ditches) I cannot understand the feelings of the Jarvis organization in desiring this site and it might be their connection with the present owners and the company and I do not blame them. But as Mr. Munson pointed out there is other land more suitable and it is shown in your general plan for the City.

PESERVICH: continued: We few land owners are very conscious of the growth of this City and it must not be forgotten that we are also citizens of the town and are not against progress and science. We are against this plant. We do not want it construed as such, and as Mr. Munson indicated, who is to judge as to how this particular property is to be disposed. Many of us have fought in the war. We are engaged in one now involving our civil and personal property rights and it is to our judgment as to how this is done. And we object to the term undeveloped. Some years ago when we came back from the service we found that the City had erected a larger wall (referred to Laurel Brook - how that brook has been an important factor in the property value of the farms in furnishing water for the animals). This wall was erected and we never voiced a protest. However, in this case, we feel there are many imperfections with the erection of this plant. No matter how beautiful it is, it will empty into the brook which has been restricted and will develop into a sewerage point and therefore we are against it.

PALMER: Asked the speaker where his property lay.

PESERVICH: Our property is just north of Mr. Sisk's property.

TRAVERSE: Mr. Junson owns the 28 acres.

PALMER: (still speaking to Peservich) About how far would you say it is.

SISK: I went 1800 feet from Anderson Road through my land.

PALMER: 1800 feet from the north boundary.

TRAVERSE: Would that be stopping the farming industry by having this particular site there. What effect would it have with the cattle.

PESERVICH: This would not be a stoppage or infringement at the present moment but it may lead to it. And ultimately if we ever desired to submit our land to the indicated purpose, we feel that opening up an industrial site would not be conducive to this particular site.

TRAVERSE: Invited the public to view and examine picture. Again conversations not recordable.

PALMER: Incidentally, I have here some photographs of the land itself. This is a picture of Mr. Munson's property. The corner of Anderson and Laurel Grove Roads.

MUNSON: May I ask for what purpose you have taken pictures.

PALMER: Just to show the general locale.

MUNSON: These pictures show a dump on my property and a barn that is decrepit. Part of the general locale! I am glad you said part and not all 14.6 acres. These pictures are obviously taken to show the worst. This dump is in agreement with all of the neighbors. It is actually a dump and it was started for the purpose of filling in. This is factual and is done to show that this area is a dump. This barn is an honest barn. The area itself is very good. This barn does not affect the potential area. I resent the implication that this might be a blight area. The background of this area you will see the nice slope behind the dump. The dump is about 25 or 30 feet square. We burn this dump every spring. To the left of this dump is a small pile of sand. I want everybody to look at the background. There is 14.6 acres. I have had people asking to buy my place. It is one of the finest properties in Middletown. It does not show my land or the trees; it shows only the barn and shows an implication that the place is depreciating.

PALMER: Mr. Chairman, I also have a sketch which spots the homes in the vicinity. (named the various homes) There are 7 homes in the immediate neighborhood. Mr. Sisk's is your house on the Middlefield side of the line? I just want to make sure. There are 7 homes in the immediate neighborhood.

ATTORNEY PALMER continued: The petition is to amend the zoning regulations so that the property is in an Industrial I zone. It is not an unlimited Industrial area; it is Industrial I which this Commission set up within the last few years and which is very carefully supervised and regulated so that . . . are not in that zone. The original zoning laws did not have such a zone. It was created a few years ago and defined in great detail the kinds of works allowed, setback lines, etc., to assure that any operation carried on in Industrial I zone would very much under control. If you will bide with me a few minutes, I will make a few remarks as to why it is necessary to come in to make this application.

The Commission on the City Plan went into effect in 1929 (?). If there is a store here, that was commercial; if a factory, that is industrial. Everything else was residential, and most of it restricted residential. There was an absurd lack of planning. It took what there was and said this commercial, etc., and we have to meet those problems and are facing them now. There is no area left in Middletown for industrial expansion whatsoever. What has this meant every time a person wanted to bring a factory in or expand a factory which they have. It means that they have to come to this commission and have a fight and everyone feels offended. It is because the zoning regulations have been inadequate; although, I will say, in recent years there have been improvement.

I am asking the commission to proceed in this manner to bring another improvement. I might add that it has been very bad for the City. No attraction to bring in new industry. You cannot expect a manufacturer to fight his way in. Here is our situation now. A plant in Middletown, for many years a well restricted organization, finds it impossible to continue. It wants to stay in Middletown. It has looked all over. The piece it has found is this, but before it can use it, it must be acted on. I do not know what ideas people have about factories. This is a modern one. We have not had any modern factories in Middletown. We do not know what they are like. Ours go back to the 1880's and '90s. They are eyesores and unaesthetic. A modern factory is attractive. It does not harm to the surroundings. It can add to them. The Jarvis Company built a plant in . . . ., Massachusetts. I am going to show you the type of plant built there, (Attorney Palmer passed out pictures of the type of plant built in Massachusetts) and then pictures of houses built around that plant since the factory was erected. First came the plan and then the houses. Everyone feels that they will be hurt; this is the proof that they won't. I do not think anyone need be ashamed of them. Those houses were constructed after the plant was erected. Here is what an editorial in a newspaper in . . . , Massachusetts, had to say:

"Modern-day factories are not eyesores. They (

ATTORNEY PALMER, continued: The land we are talking about is relatively undeveloped. For you residents in the immediate neighborhood, it is not residential. It has not been committed to residential purposes. I say that it is imminently suitable for the development of which we seek high-class industrial development. Another point. It is a function of this commission to consider not only the immediate neighborhood that is involved in a particular matter such as this, but the whole community. Planning relates to the whole community and this should be looked at in addition to the local impact. It should be looked at for its desirability for the whole community. It could be a very serious loss to the community if this company is unable to build here and finds it necessary to go elsewhere. There are sites in New Britain and New Haven, but this company wants to stay here and this commission should do all in its power to make it so. It will pay more into the grand list than it will take out. You have been busy with residents but you know that for every dollar they will bring in in taxes they will take out 1.50 in school services, public utilities, etc. The City and Town will get a net gain for this which you cannot say about other buildings in town. Before I get into that, let me show you an artist's conception of what this building will look like. I want to show you also a building on which the landscape is not complete which the Jarvis people built in Guilford. It is a factory in the sense that it is used for industrial purposes. That gives you an idea of the kind of construction going into modern industrial plants. Now the basic dilemma which is faced here is that if a plant of this type is not to be permitted in an undeveloped area of town, and it is undeveloped, you are throttling the life-blood of this community. A community cannot exist if you do not have industry. This is a hope to get into the City a nice plant; one which will employ 100 people and which will be an asset to the community as far as payroll and addition to the grand list is concerned. If there are any questions, I will be happy to answer them and if I cannot, I think Mr. H. Everett Jackson, of the Jarvis Company, will.

FRANK MUNSON: Laurel Grove Road: I would like a clarification of the boundaries on the north. The smaller space.

TRAVERSE: read the 7.4 acre description.

MUNSON: Are you sure there are no other abutting properties to the north. Do you have a map.

TRAVERSE: To the north? That is listed as the Anderson property.

MUNSON: Munson and who else.

TRAVERSE: Petrus, 700 feet on Anderson Road.

MUNSON: We have a gentleman here who owns land to the north. Stanley and Joseph Zisk.

PALMER: Most of this gentleman's land is in Middlefield.

ZISK: All except the piece on the other side, most of it is in Middletown. 60 acres.

TRAVERSE: Where is that in relation to the 7.4 acres.

MUNSON: To the north. I think our land divides it just about in half.

TRAVERSE: You have nothing that borders Anderson Road itself?

ZISK: North of Anderson Road.

TRAVERSE: This City owns it and Petrus. What relation are you to Petrus?



MUNSON: In order to change the zone, we must come before the zoning board again?

TRAVERSE: When we receive a petition for zoning change, it goes for a public hearing and we cannot do anything about it until then. At no time would anything be put over on you. It has to be advertised in the Press twice at intervals of not less than 10 days and 3 days and no doubt a newspaper reporter will get it and make a story of it.

MUNSON: I apologize if I gave the board that feeling. I say that if you gave in to Jarvis, the next would come in and say that.

TRAVERSE: As counsel has stated, the zoning commission has full authority on that. It may be that your property is near and you have no argument with the Jarvis change as you have said, it is for zoning in the future. When we get a petition, a public hearing is first held and then we study it.

MUNSON: It does open the door.

TRAVERSE: I would like to read what the Zone I Industrial allows:

(SECTION 16A - INDUSTRIAL I ZONES are hereby made a part of these minutes and a copy of this regulation is therefore attached)

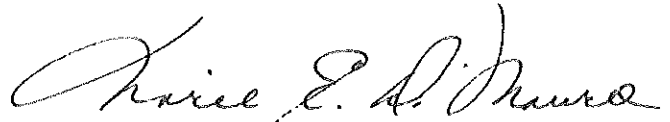
We have control of the aggregate footage of the land, the parking facilities, and landscape. I do not know whether you gentlemen have seen this artist's conception. Would you care to come up and look at it.

Several people came up to look at the sketch. Conversation took place but it was not recordable.

TRAVERSE: If there are no further comments to be added to the record, I will adjourn the hearing.

There being no further comments, either pro or con, the meeting was adjourned and the Public Hearing closed at 8:56 P.M.

ATTEST:



MARIE E. DIMAURO, SECRETARY

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*Special Session 7/28/57 begin reuse side*

COMMISSION ON THE CITY PLAN -- EXECUTIVE SESSION IMMEDIATELY FOLLOWING

PUBLIC HEARING OF APRIL 4, 1957.

PRESENT: Chairman I. Robert Traverse  
Arthur Dillon  
John Higgins  
William Warshuer  
Joseph Misenti  
Mayor Harry T. Clew

Chairman Traverse called the meeting to order at 9:00 P.M.

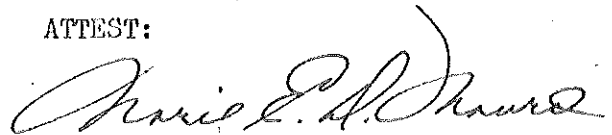
After discussion, on motion duly made and seconded, the Board unanimously voted to approve the Plumb Road section of the Highview Acres, Inc. Subdivision.

The Secretary was instructed to notify the developer, through his attorney, Emanuel Clarke, and to prepare maps for filing in the Town Clerk's office.

The Secretary was instructed to set up a public hearing regarding the petitions of Ethel Segal and Haran Realty Corporations for their respective subdivisions, Rolling Green Park and Farm Hill Homes. The date suggested was April 18, 1957.

The Jarvis Company petition was tabled until the minutes could be made available.

ATTEST:



MARIE E. DIMAURO, SECRETARY

STANDARD B & P "NOISE"

STANDARD B & P "NOISE"

COMMISSION ON THE CITY PLAN -- SPECIAL EXECUTIVE SESSION -- MARCH 28, 1957

The meeting was called to order in the Planning & Redevelopment Office by Chairman Traverse at 7:30 P.M.

PRESENT: I. Robert Traverse, Chairman  
Arthur Dillon  
Joseph Misenti  
William Warshauer  
Mayor Harry T. Clew

ALSO PRESENT: Acting Commissioner William Griffin  
Acting Commissioner William Cote

Chairman Traverse and Mr. Warshauer again disqualified themselves and Acting Chairman Dillon called for a discussion on the Haran Realty Corp. petition. The remaining Commissioners and the two acting commissioners discussed the Haran Realty subdivision and the public hearing relating to it. On motion duly made and seconded, it was unanimously voted to deny the Haran Realty petition because of the existing Zoning Regulations. A letter is to be sent to the Haran Realty Corporation.

Acting Chairman Dillon thanked the acting commissioners and discharged them.

Chairman Traverse resumed the Chairmanship. He called for a discussion of the Vego F. Larsen Co. petition. Upon motion duly made and seconded, it was unanimously voted to deny the Vego F. Larsen petition regarding a subdivision because of the existing Zoning regulations. A letter is to be sent to Attorney Pickett, counsel for the Larsen Co. informing him of this action.

There being no further business, the meeting was adjourned at 9:35 P.M.

ATTEST:



I. ROBERT TRAVERSE, CHAIRMAN  
SECRETARY, PROTEM