

Chm Stephen T. Gionfriddo, Vice-Chm. Cos Giuffrida, William A. Pillarella, Sebastian J. Passanesi, Rose Sbalcio, Alternates: Stephen Gadomski, Thomas E. Hutton, Jr., Salvatore Fazzino, Ex-Officio. COMMISSION MEMBERS PRESENT

Mayor Sebastian J. Garafalo, Ex-Officio, Steven J. Leinwand, William A. Pillarella, Alternates: Paul P. Parisi, Richard Thompson MEMBERS ABSENT

Alternate Stephen Gadomski acted for Comm. Leinwand and Alternate Commissioner Hutton acted for Comm. Carta ACTING MEMBERS

Nino Martucci, Planner, Hope P. Kasper, Secretary, Pam Jones, Assistant Secretary STAFF

Jackie Cutler, Reporter, Hartford Courant and approximately 40 members of the public. OTHERS

Chm Gionfriddo

Before we do the Public Hearing I just want to explain something and I guess get the approval of this from the Commission. The signs that were placed on the two particularly sub - two particular items on tonight's Public Hearing. The first item was advertised as a Special Exception, it was a combination of a resubdivision and a rear lot, actually. The rear lot will be the Special Exception. The sign on the premises says 'resubdivision' then it changed to Special Exception so Bob Frank wrote a letter to me that says the wording was not proper and so, what I am saying is, in order for the wording to be proper on that one, I would have to say Resubdivision and Special Exception. My interpretation would be that that sign would be sufficient to give the public notice that we are having a meeting here this evening. If anybody on the Commission feels different - Okay, the second item on the Agenda is a resubdivision of land. A sign was placed on the property saying Subdivision of land, the sign was stolen and another sign was placed on the land and it says, "Special Exception", not "Subdivision". I know for a fact that I was called by a number of people asking what was going to go on that land and I explained it to them, I don't know if Staff - did you receive any phone calls also on that Stevens Lane piece?

Nino  
Concerning signs?

Chm Gionfriddo

Yes, so what - my opinion would be on that one, subject to the Commission's approval, is once again the key elements of a Public Hearing is to date, time, place were there and the public that was interested in the sign and called on it were informed as to exactly what was transpiring there. If anybody feels different with respect to that one, I wish...now is the time to.... What I am going to suggest to staff, and I guess I would ask for the Commission's sanction or approval on this, the wording of the sign ordinance, just basically states that the format is to be at Staff's discretion. It seems to me, at the last few meetings we've had some problems with the exact wording, whether it should be resubdivision, subdivision, special exception, etc. I discussed it with Nino(Martucci) and we talked about just simply saying "Public Hearing on a Zoning Application" and giving the date, time and etc. and letting people contact

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staff, which they do anyway when they see the signs to find out exactly what's going on there, and that would take, at least eliminate, some of the confusion and possible errors down the road as far as wording on signs is concerned. Does anybody on the Commission have any feelings that that is not appropriate?

Nino

Keep it as simple as possible.

Chm Gionfriddo

I'm just looking to avoid potential problems down the road by somebody suing based on the fact that it said Special Exception instead of Subdivision.

Unidentified Commissioner

Just a minimum of notice....

Chm Gionfriddo

Okay, so, Nino, when people look for signs just tell them to place the, you know, the usual date, time, place and zoning application so people can contact staff if they need to know, or want to know exactly what is going on. We need...Comm. Gadowski is now present, he will be sitting for Comm. Leinwand. I am going to designate Comm. Pillarella as the Acting Secretary and ask him to read the Legal Notice. Before he does, I am going to disqualify myself on Item #1 on the Public Hearing and turn the gavel over to Comm. Giuffrida.

Legal Notice: Middletown Planning & Zoning Commission, Public Hearing June 12, 1985, 7:00 P.M., Council Chamber, DeKoven Drive, Middletown, CT to consider: Proposed Special Exception to permit rear lot on Arbutus Street/Applicant/Agent Laurie Ferrara/Westledge Realtors.

ITEM #1: SPEC EX  
CEPTION/PERMIT  
REAR LOT/ARBUTUS  
ST/APP/AGT L  
FERRARA/WESTLEDGE  
REALTORS

Before we start, the above Legal Notice appeared in the Middletown Press, both in the City Briefs and the Legal Notices, on May 31 and June 7. The way we operate is that the proponent will come up, state his or her case and then all those--we will ask for all those in favor to come up and speak their piece and after that the opposition may come up and speak their piece. Will the proponent for this item please come up?

Ted Jackowiak

She isn't here, so I'll speak on her behalf. My name is Ted Jackowiak, 26 Greenlawn Road, Middletown, CT. The property in question is located on the westerly side of Arbutus Street and, if you remember, this was part of a 4 lot subdivision that was approved earlier this year. What we are trying to do is subdivide, resubdivide, lot #4 and create a rear lot. The front lot, which will be called lot #4 has 81,499 square feet and the rear lot has 129,000 plus square feet. A test holes were made on the front lot and lot #4 and they were approved earlier and test holes were made just recently on the rear lot and Seb Mazzotta, the owner of this piece of property, has hired an Engineer, Civil Engineer, out of Wallingford by the name of Robert Carruthers who has assured him that septic systems can be designed for that lot. The - so there is no water out there and so we will have to have wells and septic systems. It's quite a lot larger than you require for a rear lot and there is a 25 foot strip owned - is part of the lot that goes back to it. There are no other problems with

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Ted Jackowiak

it, if you have any questions, I would be glad to answer them.

Comm. Giufriada

Are there any other questions from the Commission?

Ted Jackowiak

I have another copy here if somebody would like it.

Comm. Giuffrida

Is there anyone who wishes to speak in favor of this proposal? Anybody that wishes to speak in opposition? Would you just step forward and for the record give your name and address.

Muriel Schulman

My name is Muriel Schulman, I live on Arbutus Street. Basically, our area is considered....

Comm. Giuffrida

Excuse me, the purpose of speaking in that is so that we can get a transcript of it.

Muriel Schulman

All right. My name is Muriel Schulman, I live on Arbutus Street. Now, Arbutus has always been a country, rural area. The Westledge is considering putting in a denser area into this section. Outside of benefiting the real estate owner, or the owners, I don't see where there is any advantage to Middletown for this. I mean, why can't we keep our street in this same pattern it has had up to now. I mean, I don't think it is improving it at all, that's my objection.

Ralph Shaw

Mr. Chairman, members of the Commission, I'm Ralph Shaw, 876 Arbutus Street. I come, not so much to speak in opposition to this specific subdivision, although I do agree with Mrs. Schulman that it is an unfortunate, if not inappropriate, to divide the particular property in this way. Rather, I would speak to the way this land has been treated and the responsibility this Commission has, if indeed it does approve this subdivision. When this property was sold to Mr. Mazzotta last year and divided into four properties that seemed reasonable, if not exactly enthusiastically greeted by the neighbors. Mr. Mazzotta then proceeded to strip all of the land of all of its topsoil. He turned it first into a quagmire and then into a sandbox and ever since then the street has suffered from literal dustbowl. He then moved many, many piles of dirt onto the property, some of them encroaching badly upon the wetlands which appears on that property, and still, even though that has been reported to the City. Then he cut into it, this back property, a road, even though he had no permission to make a back property and in the last several weeks in the heavy rains it has turned the road across into a sea of mud and he has maintained--has been able to--fill the storm sewers on a relatively new road, which Public Works has not been able to clean. He has not done any baling of hay, or anything else which any appropriate, responsible developer would do. The plan showed in front of you shows no--gives no indication, except for someone who is skilled in reading a map like that, into this

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tremendous grade that is involved. The fact that any septic system which is up there, regardless of what you do to it, has got to drain towards the property below it. Why anybody would want lot #4, with this lot #5 behind it with a septic system behind it is beyond my imagination. Unless Public Works, the Health Department can see some way to make that work, I would suggest that it is an inappropriate lot to use. It absolutely appalls me that the Fire Department simply said they had no comment when they looked at that because to get a fire truck up that hill would be virtually impossible under anything except the best of weather conditions. I think unless you go out there and take a look at what has been done to that land and take a look at how this is being handled, if you approve it without some further look and some very stringent rules about it, you are not fulfilling your responsibility.

Comm. Giuffrida

Is there anyone else that would wish to speak in opposition?

Frances Formica

My name is Frances Formica and I live on Arbutus Street also. I agree with Mrs. Schulman and I agree with Mr. Shaw completely.

Estelle Goodman

I'm Estelle Goodman, Mrs. Franklin Goodman, Arbutus Street, I also concur. The street is a beautiful street and this is going to make it not what we intended when we moved there many, many years ago.

Comm. Giufrido

Is there anybody else? Are there any comments from the Commission? Questions?

Unidentified Commissioner

Mr. Chairman, I move to make that item 7.8 under New Business.

Unidentified Commissioner

Second

Comm. Giufrida

All those in favor of making this Item 7.8 under New Business? Anybody opposed? This will become Item 7.8 on New Business.

Chm Gionfriddo

Okay, I'll ask the Secretary read Item #2 on the Public Hearing.

Sec'y Pillarella

Item #2: Proposed resubdivision on Stevens Lane and Lorelei Circle/Applicant/Agent Edmund Gayeski/T. F. Jackowiak.

Ted Jackowiak

Ted Jackowiak, 26 Greenlawn Road, Middletown, CT. speaking on behalf of the head man, Gayeski. The property in question is located on the corner of Lorelei Circle and Stevens Lane. It--there is one house on the property which is shown on lot #1 and we are proposing to break the rest of the property into two lots so this is really a three lot

ITEM #2  
RESUBDIVISION  
STEVENS LANE/  
LORELEI CIR/  
GAYESKI/JACKO  
WIAK

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Ted Jackowiak  
subdivision. Lot 4a had previously been broken up on this piece and it is a lot of record, Vol. 316, 554, as shown on map 2563. There is water and sewer on this lot, on both of these streets and we can get into the water and sewer, although I understand there is some question about that. We conform to all the regulations concerning frontage and area, there are no steep inclines, anything to prevent us from putting a house on this property. We are proposing, I'm asking, that it just be put on the next hearing.

Chm Gionfriddo  
Wait a minute. What was the last comment you said?

Ted Jackowiak  
I'm asking that this be placed on the Public Hearing.

Chm Gionfriddo  
That's what you are here for.

Ted Jackowiak  
All right, oh, I'm sorry....

Sal Fazzino  
You mean New Business. Is that what you are saying?

Ted Jackowiak  
I mean on New Business.

Chm Gionfriddo  
Okay. Are there any members of the Commission that have any question of Ted or....Commissioner Pillarella

Comm. Pillarella  
Ted, the Water & Sewer Department's comments on this special condition, "it is time we had a developer and/or his engineer contact this office prior to granting any approval". (inaudible)....

Ted Jackowiak  
I beg your pardon....

Comm. Pillarella  
Water & Sewer Department....

Ted Jackowiak  
I had contact with them. I had spoken with them earlier, unless this a new request.

Comm. Pillarella  
Well, I'm looking at the statement, May 17.

Ted Jackowiak  
I had spoken with them after that.

Comm. Pillarella  
All right, I'm just going by the reading under the special conditions.

Ted Jackowiak  
No, I haven't spoken with them.

Comm. Pillarella  
No problem?

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Ted Jackowiak

Well, I - they didn't indicate at that time that there was any problem but I have heard that they think that there might be a problem getting into the sewer on Lorelei Circle but we are some eight (8) feet above.

Comm. Pillarella

I'm just going by, it says....

Ted Jackowiak

Yeah

Comm. Pillarella

....that the Engineer contact this office prior to granting any....

Ted Jackowiak

I will contact them again if...but I hadn't heard about it. I didn't get that comment.

Comm. Pillarella

You didn't get that?

Ted Jackowiak

No, I didn't

Chm Gionfriddo

Anyone else have any questions of Ted(Jackowiak)?

Ted Jackowiak

I would say that if their concern is that you wouldn't be able to get in with the gravity....

Comm. Pillarella

It tells you in here, Ted(Jackowiak),I mean it....

Ted Jackowiak

No, just read it off to me, I didn't get the comments.

Comm. Pillarella

'...(inaudible)...elevation of sanitary sewer main line, lot elevations indicate gravity service lots may not be possible, marginal effect".

Ted Jackowiak

Yeah, well, if in any event it is not possible to get in with gravity sewer, you can always pump it up, which is allowed in this city,with a grinder pump in the cellar.

Chm Gionfriddo

Ted(Jackowiak), I guess I would ask, it says here, 'contact-have engineer contact this office prior to approval'. If we were to not approve this this evening and delay two weeks, would that be a big problem?

Ted Jackowiak

No

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Chm Gionfriddo

Okay. In that time you can contact the Water & Sewer Department. Any other questions by members of the Commission? If not, thank you, Ted. Any members of the public wishing to speak in favor of this proposal? Are there any members of the public wishing to speak in opposition? Just come forward and give your name and address.

Donald Gerarde

My name is Donald Gerarde, I live on 5 Lorelei Circle which is right across the street from the property and mine is not an opposition as much as it is seeking more information. Will there be available to us, maybe I missed, I was on vacation, a plot plan that we could see what is happening and the type of zoning is going to go in there?

Chm Gionfriddo

Does anyone have a plan that they would like - it's the same type of zoning, we are not changing the zone.

Mr. Gerarde

The zone is not changed.

Chm Gionfriddo

No. Does anyone have one of their plans that they would let Mr. Gerarde take a look at?

Mr. Gerarde

Under the circumstances of what you just said about the sewer, would there be a second hearing on this to enable us to look at this and come back at a later time?

Chm Gionfriddo

I don't know if I was planning to keep the Public Hearing open, but I suppose in light of waiting for Sewer Department comments, we probably should, yes.

Mr. Gerarde

Good, could I have a chance-then I'll have a chance to look at this and come back.

Chm Gionfriddo

Yeah, I think staff would probably need...do you need that one back?

Nino Martucci

He can come up to the office any time.

Chm Gionfriddo

Either that or I think Ted(Jackowiak)has one in the back that you can have. Okay?

Mr. Gerarde

Thank you very much.

Chm Gionfriddo

Okay. Anyone else wishing to be heard this evening? If not, we will continue

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Chm Gionfriddo  
the Public Hearing until the 26th of June. Okay, that is the conclusion of  
Public Hearings and we will move to #3 on the Agenda.

ADJOURNMENT

Transcribed by

Dorothy Wilson

Chm. Stephen T. Gionfriddo, Vice-Chm. Cos Giuffrida, William A. Pillarella, Sebastian J. Passanesi, Rose Sbalcio, Alternates: Stephen Gadomski, Thomas E. Hutton, Jr., Salvatore Fazzino, Ex-Officio	COMMISSION MEMBERS PRESENT
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Nino Martucci, Planner, Hope P. Kasper, Secretary, Pam Jones, Assistant Secretary	STAFF
Jackie Cutler, Reporter, Hartford Courant and approximately 40 members of the public.	OTHERS
On motion and second by Comms. Giuffrida and Pillarella the Commission approved the Minutes of the Regular Meeting of 5/22/85 and the Minutes of the Special Meeting of 6/6/85. Vote was unanimous.	APPROVED MINUTES 6/6/85 <i>5/20/85</i>
On motion and second by Comms. Giuffrida and Pillarella the Commission designated Public Works Dept. as inspection agent under Section 10.09.07 of the Zoning Code. Proponent P & Z Commission.	DESIGNATE P.W. ENFORCEMENT SECTION 10.09.07
On motion and second by Comms. Giuffrida and Hutton the Commission scheduled a Public Hearing on 6/26/85 to consider a Proposed Zoning Code text amendemnt to add Section 16.21.04 Urban Core Living Unit - a dwelling unit located in the B-1 or T.D. zone; Section 40.04.18, one or no bedroom 1.25 spaces, two bedroom 1.5 spaces, three bedroom two spaces; Section 61.01.22B, Urban Core Living Units. Proponent P & Z Commission. Copy of text on file in Town Clerk's office. Vote was unanimous.	SCHEDULED P.H. 6/26/85 ZONING TEXT AMENDMENT B-1, T.D. ZONES
On motion and second by Comms. Hutton and Sbalcio the Commission scheduled a Public Hearing on 6/26/85 to consider proposed special exception to permit adaptive reuse of a building for offices located on South Main Street in an R-1 zone. Applicant/agent Albert and Enza Cubeta. Vote was unanimous.	SCHEDULED P.H. 6/26/85 S.E. OFFICES -SOUTH MAIN ST. - ALBERT & ENZA CUBETA
On motion and second by Comms. Pillarella and Hutton the Commission approved lot certification for a parcel of land located on Randolph Road as depicted on a map entitled "Property of Anna M. Todeschini, dated 6/5/85". Vote was unanimous, 6 - 0. Chm. Gionfriddo disqualified himself.	APPROVED LOT CERTIFICATION RANDOLPH RD. TODESCHINI
On motion and second by Comms. Giuffrida and Hutton the Commission scheduled a Public Hearing on June 26, 1985 to consider a proposed 3 lot subdivision located on Congdon St. in an R-1 zone. Applicant/agent George Zenzie/Mutual Realtors. Vote was unanimous.	SCHEDULED P.H. 6/26/85 3 LOT SUB. CONGDON ST. OTFINOSKI
On motion and second by Comms. Giuffrida and Pillarella the Commission scheduled a Public Hearing on 6/26/85 to consider a proposed 14 lot subdivision located on East Ridge Road in an R-1 zone. Applicant/agent Louis A. Carta.	SCHEDULED P.H. 6/26/85 14 LOT SUBDIVISION EAST RIDGE RD.
On motion and second by Comms. Giuffrida and Gadomski the Commission scheduled a Public Hearing on June 26, 1985 to consider proposed land division located on 21 George Street in an R-1 zone. Applicant/agent Irene C. Merritt/T.F. Jackowiak.	SCHEDULED P.H. 6/26/85 LAND DIVISION - GEORGE ST. I. MERRITT

On motion and second by Comms. Pillarella and Hutton the Commission granted final approval for a 3 lot resubdivision located on n/s side of Wadsworth St. between Rogers Rd. and Hendley St. as depicted on a map entitled, "Plan of Resubdivision Knollwood Heights Addition, dated 8/83, latest revision 4/26/84". Applicant/agent Estate of Morris Haftel/Atty. Philip Karpel. Vote was unanimous, 6 - 0. Chm. Gionfriddo disqualified himself.

GRANTED FINAL APPROVAL 3 LOT RESUBDIVISION WADSWORTH ST. & ROGERS RD. M. HAFTEL

On motion and second by Comms. Hutton and Sbalcio the Commission designated Naninni Martucci as Acting Director and Cos Giuffrida as Acting Chairman for purposes of signing approved maps on items 7.3 and 7.7 on the Agenda. Vote was unanimous.

DESIGNATED N. MARTUCCI ACTING DIRECTOR C. GIUFFRIDA ACTING CHAIRMAN

Acting Chairman Giuffrida closed the Public Hearing on item 2.1. On motion and second by Comms. Gadowski and Hutton the Commission tabled this proposal to permit a rear lot on Arbutus Street for applicant Lori Ferrera/Westledge Realtors.

REAR LOT - ARBUTUS ST. MAZZOTTA

Chm. Gionfriddo continued the Public Hearing on item 2.2 concerning proposed resubdivision on Stevens Lane and Lorelei Circle. Applicant/agent Edmund Gayeski/T.F. Jackowiak.

RESUBDIVISION STEVENS LANE & LORELEI CIRCLE E. GAYESKI REPORTS

No Reports

Adjournment 7:45 P.M.

ADJOURNMENT

Approved at the Meeting of William Pillarella, Acting Secretary

Minutes prepared by,

  
Hope P. Kasper