

COMMISSION ON THE CITY PLAN AND ZONING - PUBLIC HEARING - WEDNESDAY -
JUNE 13, 1973, - 7:30 P.M. - MUNICIPAL BUILDING - COUNCIL CHAMBER -
DEKOVEN DRIVE - MIDDLETOWN, CONNECTICUT

Ralph H. Shaw, II, Chairman
Robert F. Chamberlain, Vice Chairman
David B. Mylchreest, Secretary
Seb J. Passanessi
Eric Lowry
Geroge Augustine, Alternate
Frederick Congdon, Alternate
Gerald Lentini, Alternate

COMMISSION MEMBERS
PRESENT

George A. Reif, Director
Catherine V. Raczka, Assistant Director
Althea Rinaldi, Recording Secretary

STAFF MEMBERS

Atty. Thomas White, rep. Thomas W. Fissell;
Wm. Kuehn, MDC; Nils Fredriksen, Wesleyan
University; Jerry Brophy, Westlake; Philip
DeRing, GMCC; Sherman Beinhorn, reporter,
Middletown Press. Approx. 25 members of the
public at large.

OTHERS

CHM. SHAW:

I'd like to call the meeting to order of the
Commission on the City Plan and Zoning. We'll
open as it is our custom and the first meeting
of the month with the public hearing portion.
We have a single item tonight. I'll ask our
Secretary to read the notes.

SEC'Y. MYLCHREEST:

The Middletown Commission on the City Plan and
Zoning will hold a public hearing on June 13,
1973, starting at 7:30 P.M. in the Council Chamber
of the Municipal Building, Dekoven Drive, Middletown
Connecticut, to consider proposals for the following:

LEGAL NOTICE

Subdivision of land for single family home
building lots located at northwest corner of
Millbrook and Prout Hill Roads. A previous
application was denied. This modified version
contains two sections of three lots each.
Only Section I is proposed for approval at
this time. Owner Thomas W. Frissell.

THOMAS W. FRISSELL
SUBDIVISION - MILLBRO
AND PROUT HILL ROADS

Mr. Chairman will you appoint someone to take my
place.

CHM. SHAW: The Secretary has asked that he be
excused from this item. He has a conflict here
and I'll ask Mr. Congdon to sit in his place.
As it is the usual procedure I will ask that
proponents for a particular application speak first,
after all who are proponents or wish to speak for
that application or recommendation I will then ask
for those who are opponents to speak and when all
who have been heard we will close that item and move
on. Who wishes to speak for this request? Please

come forward and identify yourself for the microphone and for the record.

ATTY. WHITE:

Good-evening gentlemen, I'm Atty. White of Middletown, I spoke on behalf of Mr. Frissell at the last hearing which I think was back in Feb. At that time the proposal was in a one--a block or 7-or 6 lots and apparently there was some problem with regard to the sewage that will or hopefully will be coming out on Millbrook Road in the not to distant future. They would service lots 1, 2, & 3. It is generally my understanding apparently that based upon the potential health problems the board was reluctant to consider the 6 lots subdivision based upon that potential problem. Apparently the Health Dept. had some reservations subsequent to that time. Some more spade work has been done. The map here is available. I think you other gentlemen may have seen it if not we will be looking at it later. The engineer here, Mr. Mylchreest, worked a division of the lots now and broke them done and set it up as Section 1 which would be lots 4,5, & 6 which we are in on this evening and lots 1,2, & 3 would not be proposed at this time. We would wait until the sewage is actually in front of the premises and then make an attempt to re-enter before your panel and ask for the consideration of those lots based on City sewage. Lots 4,5, & 6 and I think will indicate that the percolation and deep hole tests which are just north of Prout Hill Road. 5 & 6 are on Prout Hill and the other lot 4 is north of 5 & 6 and on the west side of Millbrook. It will be noted by the Health Dept. that the deep hole and the percolation tests recently taken that the soil in the area for lots 4,5,&6 is more than adequate for what we're requesting. This Section 1 subdivision is for lots 4,5, & 6. Based upon that gentlemen, and I'm sure the other letters from the Police Dept. with regards to the traffic and also Fire which were affirmative at the last hearing indicating that there would be no problem, would be favorable to my client and based upon those situations we would ask your favorable consideration as to subdividing lots 4,5, & 6 at this time. Are there any questions that I might answer?

CHM. SHAW:

Any questions at all?

COMM. CHAMBERLAIN:

We've got the percolation tests all the test from the Health Dept?

CHM. SHAW:
You have all the reports that you require?

MR. REIF:
At this time two pertinent reports have of course been completed. But there are two new proposals. Would you like to hear them? From the Public Works: All phases of the above reference project pertinent to this department are satisfactory. That's from the the Public Works Department. From the Health Department: After review of the above reference project, this office has the following comments to offer: 1. stream.. wait a minute that's the wrong letter. Health Dept. the following lots are approved without any modification for an onsite sanitary system. Lot #5. The following lots will be approved provided certain fill in accordance with specifications stated on memo dated February 8, 1973 from this department and on specification sheets is added. Lot # 4 & 6. The following lots are not approved under circumstances for on-site subsurface sanitary system. Lots # 1,2, & 3.

ATTY. WHITE:
I might just comment that any fill or requirements of the Health Department will be fully met.

COMM. SHAW:
I'd like to hear that phrase again about the fill. How was that worded?

MR. REIF:
The following lots will be approved provided certain fill in accordance with specifications stated on memo dated February 8, 1973 from this department and on specification sheets is added. That on lots # 4 & 6. What that means is with a certain amount of fill the septic system will be operable.

CHM. SHAW:
Am I to understand that the lots would not be accepted until they were filled.

MR. REIF:
That's correct. For septic tank purposes.

CHM. SHAW::
Any other questions?

COMM. AUGUSTINE:
What do they mean by under no circumstances, 1,2, and 3. Is that with City water and sewer?

ATTY. WHITE:
That's the City sewer.

MR. REIF:
That it be used only with City sewer.

COMM. AUGUSTINE:

Do you have the memo of the 28th that stated the amount of fill?

MR. REIF:

That was February 8th. Soil and percolation tests were completed on lots 4 & 6 only. Lot #5 was in no way tested, examined, or inspected for a sewage disposal system. (since then, lot #5 has been tested.) The water table on lot #4 is twenty-one inches below the surface, therefore, to comply with the Health Code an additional thirty-three inches of good permeable fill would be required to install a septic system on that lot. If sanitary sewers were not to be installed within five years, an additional reserve area would also be required. The water table on lot #6 is thirty-six inches below the surface, therefore, an additional eighteen inches of good permeable fill would be required in both the area for the initial septic system and the reserve area.

CHM. SHAW:

Any other questions?

ATTY. WHITE:

I think you'll note from the size of the lots that were drawn from Mr. Mylchreest there will be more than sufficient area for reserve. Thank you Mr. Chairman.

CHM. SHAW::

Thank you. Is there anyone else who wishes to speak for this proposal? Is there anyone who wishes to oppose this proposal? Hearing none, we will move on to the second item. I'll ask our Secretary to rejoin us.

SECTY. MYLCHREEST:

No. 2. Zoning Code text amendment. Item 40.04.06 now requires one parking space for each two students living in a dormitory. Proposal is to require one space for each three students based on student-auto ratio statistics compiled over several years. Applicant, Wesleyan University.

WESLEYAN UNIVERSITY
DORMITORY PARKING

CHM. SHAW:

Mr. Fredericksen, are you going to speak for this?

NILS FREDERICKSEN:

Mr. Chairman, members of the Commission, my name is Nils Frediksen, I'm the campus planner at Wesleyan University. I greatly appreciate the opportunity to explain the reasons for our proposal. Basically I would like to make five points in support of this proposal. The first one deals with current statistics with respect to number of students and

number of cars on the campus. Our statistics show that about only 22 % of the students at Wesleyan bring their car to the campus or to Middletown. Rather that is to say, one out of every 5 students will bring a car to Middletown. And only 11% of the students request the use of a University parking lot. We thought that the Williams St. apartments which are nearing completion and which will be occupied for the first time this fall might give an even clearer indication and for that reason, we sent a questionnaire out to the prospective occupants of this housing project. Unfortunately, the students were all in the process of leaving and what not and about only 30% responded, and 35% indicated that they planned to bring a car and would like university parking. We feel however, that there is good reason to believe that we had this proportionally large response from car owners who felt by responding that they perhaps might be assured of a parking space on the site. And we feel still that this questionnaire and the results then lets wait until-----that I mentioned earlier that is to say about only 11% requested use of a parking space. The second point I want to raise is the whole question of financial aid. Wesleyan does have an extensive program of financial aid and today approximately 45% of the students receive financial aid. Wesleyan has a very strict policy to the effect the student who is receiving financial aid is not allowed under any circumstances to maintain a car in Middletown and while he is attending the university. So in this way alone almost half the students are disqualified from using a car in Middletown. The third point I want to make is the changing composition of the student body at Wesleyan as the University is growing the proportion of women students is growing and encumbertly the proportion of men students is decreasing. It has been our experience that women students are less likely to bring a car to campus than men students and therefore, in the long run, the need for parking does not increase the direct proportion to the growth of the student body. The four points I would like to make is that the future student housing at Wesleyan is very likely to be a single function facilities as, needless to say, only housing not mixed in with academic and teaching facilities or faculty officers and also there would be likely to be of a more ----- location which means that they are more unlikely to encourage us by other drivers such as faculty, staff and high school teachers.

I might mention. The fifth point I would like to make is that traditionally it is known and recognized that it is very difficult for planners to adequately define the dimensional requirements of the Zoning Code and because of this difficulty in defining a quantitative requirement many zoning codes often copy other zoning codes or the model zoning code which was developed back in the late 20's. By contrast, I might mention that the City of New Haven which is a host of no less than four universities and colleges, has a modernized zoning code which on some other innovation contain a special institutional development section. This section specifies a parking requirement for residential students at colleges and universities has one space for every 6 students. For non-resident students, that is to say commuting students the requirement is one space for every 3 students. The main point however, in this connection, is that there is no one established formula for treating institutions and it seems even after a period of time provisions (parking) should prove to be excessive or inadequate, they can and they should be changed. It appears that Wesleyan recently has given ample evidence of its willingness to give or take. In the case of the hockey rink, when it became clear that we had an inadequate provision for parking, particularly for the skating sessions which were open to the community at large at night. Wesleyan voluntarily rectified the situation by providing another 71 parking spaces adjacent to the rink. In conclusion, Mr. Chairman, I would like to say that had I known at the time that we made our petition the details of the New Haven Zoning Code, I would have been tempted very much to propose a reduction from 1 parking space for 2 students to 1 parking space per 4 students and not two parking space per 3 students which I think is a very modest and reasonable proposal. Thank you.

CHM. SHAW:
Have any questions for Mr. Fredricksen?

COMM. CHAMBERLAIN: :
Yes I do. In your statistics that you brought out to us last year and a new one this year I can't find any statistics related to the number of cars that dorm students have.

MR. FREDRICKSEN:
Well it is very difficult to give specific statistics for where students live. I do suggest though that when I saw that 22 percent of students bring a car to Middletown but only 11 percent request a university parking space. The re-

maining 11 percent would partly be parking at fraternities which have almost 70 parking spaces. They would be parking in many of the small houses of which Wesleyan maintain about, 100 scattered around the City and finally and thirdly, they would be parking off campus at non-university housing in the sense that this year for instance we have about 150 students renting space in the greater Middletown housing market.

COMM. CHAMBERLAIN:

O.K. I have one more question. You have approximately 600 students now receiving aid which are---cannot bring their car. What are their future you think that's going to increase or decrease.

MR. FREDERICKSEN:

Well sir, I think that this has a great deal to do with the comment I made earlier to the effect that many zoning codes copy data from older or model zoning codes. I know that the Wesleyan Code is not the only one to stipulate or require 1 parking space for every two beds. This appears to be a left over from the old model zoning code of the late 20's and I would suggest that, at that time, this might perhaps evaluate requirement in the sense, in those days a college education was very much elitist phenomenon. Today with the departmentalization of higher education we have entirely different kind of associate economic mixed in campus. I would not suggest that the number of students receiving or percentus receiving financial aid with increase but I would certainly suggest that stabilizing around this present level that is around 45 percent. A few years ago, it was 39 percent at its peak, at least 48 percent and we are now down to 45 percent and we expect it was stabilized at this level.

COMM. CHAMBERLAIN::

You know I checked with the Central Connecticut State College and they have 1,750 dorm students. Of that, 1,300 have cars and there ratio and your ratio you know.

MR. FREDRICKSEN:

I can only refer only to the New Haven Zoning Code and they have four colleges apparently they can live happily with their requirements which are half of what I'm suggesting.

CHM. SPAN::

Well what Mr. Chamberlain is suggesting is that

your statistics for a number of students who have cars doesn't seem to jive with with the statistics. That is the only thing.

MR. FREDRICKSEN:

Are you talking about residents students or these commuting?

COMM. CHAMBERLAIN:
Dormitory students.

COMM. LOWRY:

I have a question. You indicated that each of the developments that parking will be for students only. Does that imply that present faculty and other people do use dormitories?

MR. FREDRICKSEN:

No but I suggest sir that it is I am sure that you know and everybody knows parking regulations are very difficult to enforce. I suggest that we have so many constituents in campus that it is a great deal of shift in and out of certain parking lots. Particular the more centrally located ones.

COMM. LOWRY:

Don't you think that the reduction would make the situation worse?

MR. FREDRICKSEN:

No I don't sir, because what I am asking for is an amendment to the Zoning Code pertaining to future facilities, no existing. To give you an example.....

COMM. LOWRY:

Could this be enforced?

MR. FREDRICKSEN:

Well, I think if I may explain sir, one of the future housing facilities we are considering right now, the so called In-Town houses Hill Development built a few years ago over on Cross Street which is rather a referral location. We are considering at the moment converting these units to student housing. I doubt if any faculty would want to park over, or another potential site for future and this is a very long range, might be in the area bounded by High Street, Washington Street, Pearl Street and Court Street. Particularly down near Court St. and Pearl Street which is pretty much a peripheral location too. Right now we have in that area if I may say so somewhat of a problem in terms of curb-site parking by the students and teachers

of the high school. The parking situation in that area is generally so bad that even Wesleyan has had to make one of its parking lots available to the high school teachers. The high school, as you sure know, will move out in a few months. I am sure that the whole question of congestion as you may accept is today around Court Street, High Street College Street, and Pearl Street, will disappear because, it is my experience and I have an office right on Court Street, that about 90 percent of the curb-side parking is by students and teachers in that area. So if you think that it is a parking problem in that area generated by Wesleyan, I suggest that the course might just as well be the school system.

COMM. PASSANESI:
Nils you said that you provided the rink an additional 71 or the total of 71. What is the total out there?

MR. FREDERICKSEN:
105 and I think that this is a critical consideration that we have I think shown willingness to cooperate when we realized that there was inadequate situation and I think a question of give and take.

COMM. CHAMBERLAIN:
What is the seating capacity at the rink?

MR. FREDREICKSEN:
Around 1,900.

COMM. CHAMBERLAIN:
1,900 that is 135 parking spaces?

MR. FREDRICKSEN:
No, we have earlier approval of a site plan which permitted us to provide parking over on Vine St. I think that if I may in this connection refer back to the New Haven Zoning Code. The New Haven. The Middletown Zoning Code requires one parking space for every seven seats. The New Haven where you have a very large skating rink, amongst others, at Yale requires one parking space for every eight seats. Furthermore, the New Haven Code permits this parking to be provided no less than 1500 feet from the entrance to the auditorium. I think the parking problem if I may reiterate what has been said earlier that the hockey rink was not really created by the five or six varsity games that we have a year, but the unplanned evening use by the community. I think we all agree is a marvelous situation. But this was not planned to begin with and we simply did not anticipate this kind of impact on the neighborhood. When we realized the im-

fact we voluntarily and readily provided another 71 spaces and I think that people that are familiar with that area would agree that the problem has been solved by now.

SEB PASSANESI:

Nils can you explain registered cars away from 70 down to 73. This figure keeps...I'm reading that right which is registered cars this... keeps dropping.....

MR. FREDRICKSEN:

Yes keeps dropping. Well I think part of this certainly has to do with changing economic compasses of the student body. As you may know, Wesleyan was one of the schools which pioneered large admission, of large numbers of minority groups of students and I think that this is a reflection of a change away from the classical if you will, elites this kind of institution to a democratic institution where we have a greater variety of social economic backgrounds.

CHM. SHAW:

Any other questions? Just a minute Frank. Is there anyone else who wishes to speak for this proposal? George do you have any comments about it?

MR. REIF:

We have no literature or comments.

CHM. SHAW:

Alright, I'll ask now that those who wish to speak in opposition to it do so but I would also point out that this is neither a debate nor forum. Please address your remarks and questions to the table and not to Mr. Fredricksen if you will. Mr. Fredricksen may wish to respond at some point after you have made your statements but please make statements here.

MRS. GABERIAL MURACA:

Chairman Ralph Shaw, may I ask Mr.....

CMM. SHAW:

Will you please identify yourself-Mrs. Muraca?

MRS. GABERIAL MURACA:

I'm Mrs. Gaberial Muraca, I would like to ask Mr. Fredricksen a question about.....

CHM. SHAW:

Well, please make a statement and Mr. and we'll see if Mr. Fredricksen will respond to it.

MRS. GABERIAL MURACA:

Well do they make these hockey rinks or what ever do they ask the people where they are going to put...What I mean is this do they ask the people that live in that section how they would feel about this rink or what ever they establish there and like on Knowles Avenue with the hockey rink the people that have lived there can cause a lot of cars parking all over everywhere and sometimes it is so bad that you can't even get out of your own street. Do they ask the people that's what I'm saying before they.....

CHM. SHAW:

I will allow Mr. Fredricksen to respond if he wants to but let me point out to you that we're reviewing these texts section of the Code that has to do with parking spaces for dormitories uses and not for other uses at the University and this would not effect how parking would be handled for things like hockey rinks, athletic events, theater events etc. Also I would remind you that the decision on the parking for instance, was on-which was concurred by this Commission perhaps not by the people on this commission at the moment, but this Commission and Mr. Fredricksen was not here at the time. So I don't think-should take the rap for it but if he wishes to answer the question I will allow him to do so. I think he understood the question. If you wish Mr. Fredricksen.

MR. FREDRICKSEN:

As a good neighbor I certainly would like to answer Mrs. Murace. and I can only say that as a University and a large institution and as a large land owner we certainly are aware of the potential impact of what ever we do in the neighborhoods and I think that we have-rightfully of being very considerate of our neighbors. I think that in particular in respect to the question of the parking around the hockey rink we have not only as I mentioned before voluntarily provided more parking but I think that we have also have, voluntarily at a great deal of expense provided policing of that area to the extent that this would be possible under few occassions when we have had very large activities at the hockey rink. However, as Mr. Shaw, the Chariman, properly pointed out, we did build the hockey rink. By right, the Zoning Code permits us to build a hockey rink. in this area, subject appropriate site plans, approvals and what not, but I would say that if you have any reasons to complain about Wesleyan students in that area you have done it already, I would suggest that you do it directing it to the university and I am sure that we will make an effort to help you out and make sure that you don't suffer because of the activities.

MRS. GABERIAL MURACA:

I have heard this from other people that live in that section and they have asked.....

MR. FREDRICKSEN:
That is hearsay. Do you have any direct personal...

MRS. GABERIAL MURACA:
They have gone there....

MR. FREDRICKSEN:
Have you yourself?

MRS. GABERIAL MURACA:
No, because I don't live there, Mr. Fredricksen. I'm speaking for them.

CHM. SHAW:
Are there any other comments in opposition to this proposal? If not, we'll move on to the last item of our public hearing, Mr. Secretary.

SECRETARY MYLCHREEST:
#3 Zoning Code text amendment. Section 55, "Site Plan Approval requirements." This is a second public hearing concerning the proposal. The first was held March 14, 1973. The proposal is to delete the entire text of the present Section 55. The new proposal eliminates any exceptions to the site plan review requirement for any development proposal but establishes three categories arranged in terms of increasing complexity. The first category may be approved by the building inspector; the second category approved by the planning director and the third, most complex, category by the Planning Commission. The entire text of the proposed revision is filed in the office of the Town Clerk. Other sections of the Code which mentions Site Plan Review are proposed to be modified as follows: Section 10-General Provisions, Item 10.06. Site Plan Approval DELETE both 10.06.01 and 10.06.02 and substitute: "Site Plan Approval shall be required in accordance to Section 55 of this Code.

SITE PLAN
APPROVED
PROPOSAL
SECTION 55

CHM. SHAW:
Thank you, this change in the text arose from a request for a meeting in common with the Public Works Commission which did take place sometime ago and you understand any such text change is strictly a "trial balloon" at this point and changes in it and what we have said here tonight and what we will say can be made on the bases of comments that come from the public. I'm going to ask our director George Reif to explain this as simply as possible the pertinent changes as they effect the Code as it currently is and as it would be and if anyone else wishes to speak for the changes I will ask you to do so and those of you who have comments either in opposition to or in addition to what has been said we will be happy to entertain those comments after Mr. Reif is completed.

GEORGE REIF:

The existing Site Plan Approval Requirement has been in the City Planning Code since 1969. The details of the requirements has included in the proposed change would be substantially the same as they have been since '69. Therefore, in order to really understand the proposal one must actually have access and be familiar with requirements that already exists. By saying the requirements are the same on making reference now to those items that are listed as being required to be shown on a site plan. What is proposed to be different is to step in two directions. One is to go back and include things that at the time the original site plan requirement was adopted seemed to be a tribal to include, but experience over the years has shown a number of things have slipped by, therefore, it would be appropriate to mention those things as being included in a site plan approval requirement.

The second attempt is to again based on experience over a number of years is to speed up the process for those people who have a Site Plan Approval Requirement but who have all the requirements, are clearly stated in the Zoning Code and who clearly comply with those requirements. Right now it is necessary for a proposal to actually go through process and then wind up at a planning Commission meeting. In order to handel that, these two proposals will establish...proposed established three categories. A heard text of legal notice, some of the implications but basically three categories with the first items that were relatively simple major like re-roofing to building, or residing a building, theses would be handled by the Building Inspector who has always handled this procedure. There is no proposal here to subtract from his responsibilities or relay to modify in anyway. We are merely stating, any changes to a building in effect requires site plan approval and the Building Inspector with simple changes would be personally approved.

Second category would be those items for which a proposed use was clearly a permitted use in the Zoning Code to which all the requirements of the Zoning Code say in terms of off-street parking, set backs, coverage of the building on a site, all clearly stated, and clearly identified. This incidentally, these requirements are set up by the Planning Commission in the Zoning Code. So it's merely a matter of more or less a check list to see if a person complied. The proposal here is to make it possible for the planning staff together with the other technical people in the municipal structure to approve the site plan and hopefully that would be done expeditiously. Third category would bring those items to Planning Commission of which there is any descrationally requirements. A clear example is requirements for Special Exceptions. They would, and do now, would continue to come to the Planning Commission's attention. The requirements for the process is virtually the same as it is now includes Public Works, Water/Sewer, Health police and the applicable districts of Fire. This has been one notable success in site plan reviews process. We've gotten on a number of occasions very helpful comments, suggestions and information from those various departments there is no proposal for the second and third category to drop - that requirement.

The scope of the review remain word for word what it is now. One example of a change really would simplify there procedures the current requirement says that Site Plans are supposed to be filed with the office of the Town Clerk for one reason or another this hasn't been done. Proposal here is to drop that and include, and say what we are really doing, lets file the proposals in the office of the Commission. Though, that is essentially it I'm sure there are probably questions that will come from those of you if you want to Mr. Chairman, as they arise.

CHM. SHAW:

Fine if there is anyone here who wishes to speak for this proposal and has studied it sufficiently to feel that he could speak to the issue about it for it. I am asking for those who wish to speak for it. Are you wishing to speak in favor this?

MRS. CITRON:

I'd like to (inaudible because she was to far away from the microphone)

CHM. SHAW:

We'll have some questions in just a moment, if you give us time for that. Is there anyone here who does wish to speak for this? If not we'll entertain those who want to make other statements and perhaps to ask some questions.

PHILIP DERING:

I'm Philip DeRing I'm the President of the Northern Middlesex Chamber of Commerce. I would like to comment this evening on the proposed Zoning Code text amendment Section 55 Site Plan Approval Requirements. As you mentioned eariler this was a "trial balloon" and the Chamber of Commerce is here this evening in the position or only for constructive criticism, and to offer its comments with regard to this section. The Board of Directors at the June 13th meeting voted to urge the Commission to make the following changes in the proposed Zoning Code text amendment. 1. Section 55.02 entitled "Purpose" eliminate the words "value judgement". It was felt by the Board that if exclusions exist or if criteria exists, deterring the extent of the value judgement, then these exclusions and/or criteria should be listed.. 2. Section 55.04.01 Section D-Subsection (d) second sentence should be changed and the proper category of professional person should be listed. The Board felt that this section should be explained more fully. 3. Section 55.04.01 -1. The exact requirements with regard to the development of signs should be indicated. No existing guidelines to our knowledge are published. If a specific ordinance is no possible, then the general intent in signing restrictions should be listed in lieu of the specific ordinance. 4. Section 55.05 - (6) The Board urges that the Planning Agency be more specific with regard to other technical agencies or organizations who may undertake additional studies and investigations. The Board is opposed to the terminology as presented as it is open ended.

If additional agencies in the future are deemed advisable to take part in the review procedure, the ordinance should be amended at that time. I understand that you are going into executive session with regard to the belt-loop system.

CHM. SHAW:
We are?

PHIL DERING:
I understand that you are.

CHM. SHAW:
That's interesting.

PHIL DERING:
Well if your not fine. At this time also I'd like to present a letter of construction criticism with regard to the belt-loop system.

CHM. SHAW:
You may stay if you like Mr. DeRing. Hang around.

PHIL DERING:
Thank you.

CHM. SHAW:
Would you like to make a statement? Will you please identify yourself for the records.

HELEN CITRON:
On your site plan, does this include the redevelopment plans which are coming up. Would your site plan or zoning be inclusive on the apartments which the Hartford Courant stated were going to be built on Church Street? The Carabetta Apts. and if so, that area which is across from Wesleyan and the housing development which is a congested area as it is. How many apartments do they intend putting up and how do you intend to carry out your zoning authority there?

CHM. SHAW:
I think that the question is not pertinent to the particular discussion, but I'll try to answer it if I can. We certainly do have a review procedures for the redevelopment area and we'll be asked block by block, section by section to respond. I cannot respond for the developer because we have seen no plans for the block as yet, and so, we cannot at this time tell you how many he asked or have been proposed, for that area. There is no way for us to.

MRS. CITRON:
Can you answer the first question? Will your site plan effect the developer?

MR. REIF:

Let me say this that every apartment house in the City of three units or more is classified as a Special Exception. Therefore, the current site plan review and the proposed site plan review would come to the Planning Commission and would require a public hearing so the answer is yes, those apartments will be included in the site plan review process.

MRS. CITRON:

I see. And the type of apartments, and the need and necessity is not known?

CHM SHAW:

It is not known to us.

MR. REIF:

It is not known to the Planning Commission at this time.

CHM. SHAW:

We have not seen any plan or proposal for that area or indeed any other area that you're looking at.

MRS. CITRON:

I've seen this in the Hartford Courant this morning.

CHM. SHAW:

There have been a number such statements that things will happen but we have not seen the proposals yet.

MRS. CITRON:

You people are familiar with the area, you know what is going on there now. You would know how many houses are coming up?

CHM. SHAW:

There will be as our director has suggested a public hearing at the time such a request came. Mr. Ryer are itching to say something?

DAVID REIER: Members of the Commission

Mr. Chairman, my name is David Reier. I live on Maple Shade Rd. In addition to that my partner Clifford E. Bull and I own approximately 7 acres of industrial land fronting on Saybrook Rd., and on Hillside Ave. We intend someday to, we now own one building there and we intend someday to build at least one other and maybe several. We object to the new proposal as written for two reasons. We object to the language specifically in regard to such things as quote "incorporate the valued judgement of the Commission" and we also believe and this may be our reading of it that the, and George may feel differently about it, but what you're proposing is going to increase the cost and the time in order to get something done.

If I may refer back to the first thing. We feel that if you're going to, at the present time the City of Middletown has a master plan and they ask specific requirements for things that can happen in specific zones. The Industrial Zone 1 & 2, depending on the type of industry. We feel that if you wish to state what type of industries are not going to be allowed in a certain type of area you should say so. Because for the small businessman to prepare and get ready to build a building for a specific industry which he may have in mind. Get all the plans ready bring them in and they have you tell us "we won't accept that industry this is unfair. We think it is very simple. You can say for instance, we will not allow a solid waste disposal in Industrial Zone or whatever you have. And we think that it would be fair both to the City because you have your master plan you can do the things you planned originally to do and its fair to the owner. Most of us who own industrial land have searched long and hard to find. And it's dammed expensive. Now all of a sudden you come to us and say you are not allowed to build this in this specific area. You're taking away part of the value of the land that we purchased. In regard to the second phase of the thing. There are several things in there which bother me. For instance, the requirement of a profession to prepare a site plan. In our own specific case I remember the last time we did it, we took a simple piece of draft paper, showed the measurments to the side lines, showed the road, showed the parking spaces and outlined it, submitted it to the building committee. As far as I know we obeyed every law written. I think you are demanding too much when you say we have got to go to a profession, have him stamp the thing. That costs you another fifty bucks for a guy not to look at it but to put a stamp on it. That's all he's going to do. You know it and I know it.

COMM. MYLCHREEST:

Dave, I object to that statement, sincerely, and I think you should withdraw it.

DAVID REIER

I won't withdraw it because I know what can be done. Maybe in your case it's different. I'm talking about site plans.

COMM. MYLCHREEST:

I take -----to your statement, damm it all.

DAVID REIER

The important thing is I'm stating it can be done.

COMM. MYLCHREEST:

It it can be done I would suggest since your at a public hearing that you definitely make a statement and I will put you in touch with the State Board of Registration. They should know who does it and they would appreciate way much if you would do that.

DAVID REIER

In the first place, it doesn't require a profession right now. It requires no one to make any kind of a profession stamp on a building for a site plan. It requires a professional stamp for the plans of the building. But it does not require a professional stamp for a site plan to show how many parking spaces and where those parking spaces will be. That's what I'm objecting to.

COMM. MYLCHREEST:

No problem with the objections Dave, but I am objecting very much to the statement you just made. I think it's very unfair.

DAVID REIER:

Well, be that as it may. Another thing, I would like to know what beaucrocat needs 8 copies on anything? Come on George, 3 copies yes but 8 copies? On a specific size piece of paper. You know things get a little bit out of hand. Furthermore there's also, t you read this thing closely you can define every tree that goes up on a property. I know you're not going to do this, but I just think that you can draw these things up so that it would make a little bit more sense to the average guy who is trying to put together a package in order to benefit from the land that he is trying to develop. I don't think that the law has been changed on the next thing I would like to talk about. It appears to me that it is possible in some of these cases, for time to be extended 30 to 60 days and I heard George say that you're trying to get rid of this. It appears to me that this is entirely possible. For instance, if I were to come in with a plan somebody, as I see it today, somebody in Planning and Zoning, I see nothing in here that says that you George, your staff can o.k. this thing within 48 hours, I don't know whether the Public Works Department has this either, but I do know that it happens, because I've done it. I've brought plans down there, they look at the thing. They can tell immediately whether they meet the specs. In 48 hours we've got and o.k. I think that this is the only thing that the average small businessman is looking for. I can understand that if you've got a project with 2000 or 100 homes or something. But when were talking about putting up one building I think that your staff could check that thing out in 48 hours and get back to the person that trying to build it. Thank you very much.

MR. REIF:

Do you like the requirements of the size of the sheets as it is now. Because it's exactly the same.

DAVID REIER:

It may be, all I know is we drew up a plot plan on a single piece of paper submitted it and got no problem.

MR. REIF:

You recently went through the site plan review process, through this Planning Commission and I dare say it was so simple you didn't know you were doing it.

DAVID REIER:

Right, I'll tell you one thing, I didn't submit 8 copies or 6 copies of anything, and I'm saying to you, you don't need it. Why put it in there. Because what you can do, you can make it unbearable for a guy. You can drive him up the wall.

MR. REIF:

Somehow we got enough copies to send around.

DAVID REIER:

You've got a copying machine downstairs, you copied them. But if you don't need them, why put it in there.

MR. REIF:

The other thing is you were logically attacking something that it wasn't there. You were addressing yourself to the fact that there ought to be a list of uses that are permitted in each zone. There are now.

DAVID REIER:

Alright, that is exactly my point.

MR. REIF:

And if you meet one of the uses that's what were talking about.

DAVID REIER:

But also you have in here subject to valued judgement, now what I'm saying to you is then that today, and I, we never had a problem, but six months from now this Commission changes. Two years from now it's a different committee entirely. We don't know, no one knows what the next 8 people are going to say.

MR. REIF:

It won't matter what it says in any of the regulations in that case. Because that's the purpose of the Planning Commission to give valued judgements to the community.

DAVID REIER:

Well you know what were talking about. Thank you.

JOE VIRGADULA:

My name is Joe Virgadula, and I'm opposed to what were speaking a out tonight. My own case, a year and a half ago, I went to the zoning and Planning Commission on a lot for a house and I was told to bring in a site plan, building blueprints which I did through the expense of engineering etc. and when I finally brought them in it was rejected.

I still have the blueprints at home that I paid for and the site plan that I paid for and had to do it secondly. I'm opposed to the fact that one department could have all this power. Without other judgements such as the Building Dept. to control it. Thank you.

COMM. SHAW:

Mr. Reif would like to identify the problem.

MR. REIF:

Was this a single family dwelling?

MR. VIRGADULA:

No, it was a lot on Catherine St., two family dwelling. It was good in the books and you rejected it for improper parking, not enough parking.

COMM. SHAW:

You wanted to take that into a three family?

MR. VIRGADULA:

It was P4 we built 2 family, we wanted to build 3 family, we couldn't because of inadequate parking. So my 4 family plans were disbanded for 2 family after all this expense exactly 5 trips to the Planning Office to get results. This is an indication of what might happen for every little pittily thing that John Jones come in and wants to put on a porch and has to go through 3 weeks of aggravation. I don't think it should happen.

MR. REIF:

In your case it was simply not a porch being added to a house.

MR. VIRGADULA:

No I'm not saying that I'm saying that by giving your office the authority and the power to control the whole town by one mans say so.

MR. REIF:

It is not one mans sayso the ordinance, the zoning code---

MR. VIRGADULA:

Well in my case with you Mr. Reif, you made me come back four times. And on a one to one basis. Twice I went in twice I couldn't see you because you had an appointment. I'm telling it the way it is Mr. Reif, don't laugh at me.

MR. REIF:

I'm not laughing at you.

MR. VIRGADULA:

Four time in your office to get dissaproved. After spending money on a site plan, blueprints, abandoning the first set and coming back with the second and third ones.

MR. REIF:

Had you checked the requirements of the zoning code right off, without any drawing without putting a pencil to paper, and saw that it required a certain amount of parking spaces, you could have saved yourself a lot of money.

MR. VIRGADULA:

If you recall the situation, we took the side boundaries and had it appealed because of the change on that particular case.

CHM. SHAW:

Is there anyone else that wishes to speak in opposition to this particular proposal? If not we will close the... The Planner can't resist can you.

NILS FREDRICKSEN:

After my presentation, Mr. Chamberlain asked a very important question at that time I didn't have the answer at my finger tips I have it now.

CHM. SHAW:

Go ahead if you will, we're back to item 1, I believe. No. 2.

NILS FREDRICKSEN:

The question was what is the number of students living in dormitories? The answer is 929. We have requests for 196 parking spaces it comes out to 135 we are asked by the code to provide 132.

CHM. SHAW:

Thank you. Anyone else, if not we'll close the public hearing portion of our meeting.

Adjournment

Respectfully submitted;

Lydia D. Guere

Lydia D. Guere, Recording Secretary

RALPH H. SHAW, CHM.
COMMISSION ON THE CITY PLAN
AND ZONING