

COMMISSION ON THE CITY PLAN AND ZONING - ACTING AS THE ZONING COMMISSION -
PUBLIC HEARING - THURSDAY - JUNE 16, 1966 - COUNCIL CHAMBERS - MUNICIPAL
BUILDING - MIDDLETOWN, CONNECTICUT

Present: Mayor Kenneth J. Dooley, member w.v.p.
John J. Higgins, Chairman
Carmelo J. Mazzotta, Jr., Vice-Chairman
Edward F. Button, Secretary
Joseph W. Masselli
Philip M. Salafia

Absent: Frederick W. Atkins, alternate member
Salvatore J. Lisitano, alternate member
Joseph P. Otfinoski, alternate member

Also

Present: Nicholas Misenti, Deputy Director of Public Works, member w.v.p.,
B. Ralph Gustafsson, City Planner, Middletown Press Reporter,
Sherman Beinhorn, Hartford Courant Reporter, Jack Daly,
Barbara Sakelakos, City Plan Office Secretary, Petitioners
and Counsels and approximately eighty-three (83) members of
the public.

The meeting was called to order by the Chairman at 7:36 P.M.

CHM. HIGGINS: And we will now sit as the Zoning Commission, but before we start to hear the petitions for changes of zone, I would like to say that this is a Public Hearing in which anybody has a right to state their feelings on a petition. I don't want any pictures, maps or suggestions as to what will be done in a zone before it is changed because we can't presuppose in advance that the zone will be changed. I would like to hear your comments, either pro or con on a zone change and we will let it stand at that. I don't like to be in a position of having to call anybody out of order so I hope you will bear with me on this and the record for the Executive Session will contain your remarks both pro and con on these particular zone changes. The first matter as the Zoning Commission, I will ask the secretary, Mr. Button to read.

COMM. BUTTON: Item number one.

To consider a Change of Zone petition of Genevieve Haglund. A request that land be changed from a Medium Density Residence Zone to a General

Industrial Zone. The property is located between Saybrook Road and Bartholomew Road, on the south side of the intersection of said two roads.

Counsel: Carl P. Fortuna, Attorney at Law, Fortuna and Cartelli, 516 Main Street, Middletown, Connecticut

CHM. HIGGINS: Mr. Fortuna if you

ATTY. FORTUNA: Yes. Mr. Chairman and members of the Commission. As was stated, my name is Carl Fortuna. I'm a lawyer and I'm representing in this petition, Genevieve Haglund of Middletown. Now the property in question is perhaps more graphically shown, this map that I have gentlemen, is a brief drawing of which was attached to my original petition, but this in effect is a more accurate graphical picture of the property in question. This contains property on the westerly side of Saybrook Road or Route 9 consisting of ten point forty-two (10.42) acres, a sizeable portion of which, the northerly portion of which, is in a very deep depression and is substantially of very little utilitarian value. The property also contains on it, fronting Saybrook Road in this area, two (2) structures, which purport to be residences, however, they are very dilapidated structures and they are the only buildings on the property. Now the considerations in making any application for a zone change are, have been listed by our Courts many times as being the following: Public Welfare must be considered. The appropriate use of the property must be considered. Conformance to the established Comprehensive Plan and any changes of character in the area. Now as I understand it, this property is within the changes in our Master Plan, our Comprehensive Plan, which is presently in existence in the City of Middletown. We are requesting that this change to General Industrial and as I understand it our Master Plan has so designated this area. Certainly the public welfare is going to be protected, if the Commission should feel fit to make this change of zone. Certainly it does conform, as I have stated, with the Master Plan. Now the character of the area, I think, is common knowledge. Route 9 or Saybrook Road has on it for an extended from an extension which is many miles a number of commercial establishments and as a matter of fact, approximately three hundred (300) yards north of this area, I believe, there is a, the Maloney's or Mahoney's service station which has been used as a commercial

BOORUM & PEASE "NOTAR" (2)

PEASE "NOTAR" (2)

property for many many years and as a matter of fact, as I understand that recently the Zoning Board of Appeals granted a variance to continue to use the Mahoney property or Maloney property for commercial purposes, so the character of the area is such that you might be very hard put to place this as a residential area, a really residential area and for that purpose, I presume, is why our Master Plan has so designated this as the future use of this property as being General Industrial and this is what we request and we respectfully request that the Commission consider the change of zone from Medium Density Residence to General Industrial.

CHM. HIGGINS: Thank you Attorney Fortuna. Anybody else wish to be heard on this petition.

ATTY. SWEET: Mr. Mayor. Mr. Chairman. Members of the Commission. My name is Attorney Stephen Sweet. I practice law in Middletown. My address is 100 Riverview Center. I'm here this evening representing Mr. and Mrs. Joseph Fava, an adjoining property owner. I listen with great interest to what Mr. Fortuna had to say as far as the character of the neighborhood and I would ask as a point of information, Mr. Chairman, if it is not true that a strip two hundred (200) feet deep on Saybrook Road is now zoned Commercial. Maybe the City Planner could answer that question.

MR. GUSTAFSSON: Across the street, yes.

ATTY. SWEET: On the side where this particular piece of property is. Is it zoned Commercial. Two hundred (200) feet.

MR. GUSTAFSSON: No.

ATTY. SWEET: It is not. This is a certainty Mr. Gustafsson.

MR. GUSTAFSSON: Yes.

ATTY. SWEET: Fine. Mr. Fortuna also stated that the character of the neighborhood is not residential. I think that you, Mr. Chairman, and members of the Commission are familiar with this area. It is mainly a residential neighborhood. Mr. Fortuna pointed out

and correctly so, the Court's feelings on this matter that it is for the welfare and protection of the individual citizens or all the citizens in this particular area that the property be changed or kept the same and that I don't have to remind your Commission of your function that you are well aware of and I wouldn't be here this evening representing these home owners if they didn't strongly feel that their property values will be affected. They are living here. A short distance up the road they are putting up \$30,000 and \$40,000 homes and if we change this to Industrial, you can be rest assured that the value of these homes and these individuals sitting here this evening, the value of their homes will be greatly reduced. Mr. Chairman, I know you like brevity of comment. I thank you very much for your attention. Thank you, gentlemen.

CHM. HIGGINS: Thank you Attorney Sweet. Anybody else here wish to be heard on this particular petition.

MR. SALAFIA: I'm Joseph Salafia and I live next to this property that they are disputing and I consider it residential and I don't want it changed. I wouldn't like to see it changed.

CHM. HIGGINS: Thank you Mr. Salafia.

MR. FAVA: Joe Fava. I'm right next to it. The whole strip is right next to me all the way down there and anything that goes up right there is going to be right under my house and I'm just planning on building a new house on the lower end and I don't know what to do now.

CHM. HIGGINS: Thank you Mr. Fava.

MR. FAVA: And if I'm mistaken, a few years ago, my plea was turned down and they informed me then that two hundred (200) feet was Commercial.

CHM. HIGGINS: Thank you Mr. Fava. Anybody else wish to be heard on this petition. Hearing no further comment, I'll declare the Hearing on this particular petition closed. Just for the record, I'll have the Secretary read into the minutes the comments from the Department of Health on this particular piece of land. It is the second paragraph, Ed.

BOORUM & PEASE

COMM. BUTTON: Which do you want read first.

CHM. HIGGINS: Just the particular comment on the zone change. This is a zone hearing. The second paragraph there.

COMM. BUTTON: May 31, 1966

John J. Higgins
Commission on the City Plan and Zoning

Dear Mr. Higgins:

Laurel Grove Estates, Section II:

CHM. HIGGINS: Pardon me, Ed. Just the comment on the zone change. This is a zone hearing now.

COMM. BUTTON: Petition of Genevieve Haglund:

Land use of this tract is not definite at present. However, there is an adequate well-water supply, and the two private sewage disposal systems appear to be functioning properly. It may be assumed that the soil on the tract in question will be adequate in general terms to take care of an ordinary amount of waste water without causing a public health nuisance. Final approval of use of any part of this tract of land will depend on the type operation, number of people who will use the facilities and individual soil tests.

Yours truly, M. L. Palmieri, M. D., Director of Health

CHM. HIGGINS: Now we will go to number two (2) on the Agenda as the Zoning Commission and I'll ask Mr. Button to read that particular section of the

COMM. BUTTON: Item number two (2)

To consider a Change of Zone petition of Israel Resnikoff. A request that land be changed from a Restricted Residence Zone to a General Residence Zone. The property is located on the south side of Sand Hill Road, between Route 9 and Lee Street. Counsel: John F. Pickett, Attorney at Law, Dzialo, Pickett and Allen, 164 Court Street, Middletown, Connecticut.

BOORUM & PEASE "REGISTER" ®

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CHM. HIGGINS: Anybody here wish to be heard on this.

BOORUM & PEASE "NGEAR" ②

ATTY. ALLEN: Mr. Chairman. My name is Sam Allen, I'm Mr. Pickett's partner. He couldn't be here tonight and we are here on behalf of the applicant, Mr. Resnikoff. As the Commission is perhaps already aware, this application involves approximately seventeen (17) acres of land on the south side of Sand Hill Road and the request is that it be changed from Restricted Residential to General Residential. There have been a good many changes not in the area but in the . . . other facts have taken place since this property was zoned Restricted Residential some time ago. For instance, there is now City water to this property which was not the case some years back and I understand City sewerage is going to be made immediately available to it. Also this property, there is very little property in Middletown which is zoned for General Residential purposes and is available and useable as a practical matter for that purpose. In a growing community such as Middletown, there must be land made available for all legitimate purposes if the town is to grow properly. Another thing that has happened is that there is presently a road plan has been adopted for the area so that any interior roads constructed within it, will have to conform to that plan and the plan calls for a through road from Sand Hill Road to Randolph Road so that some of the problems that existed in the past for the General Residential use of this property . . .

UNKNOWN SPEAKER: Speak up please.

CHM. HIGGINS: This comment is for the benefit of the Commission. But if you will speak a little louder so that you can hear it.

BOORUM & PEASE "NGEAR" ③

ATTY. ALLEN: As some of the problems that existed in the past perhaps might not be so acute now. More to the point, I think the Commission has already recognized the necessity for making more land in Middletown available for General Residential purposes and this fact is reflected in the Comprehensive Plan already adopted in which this land is included and will presumably be made available for General Residential purposes when the new Plan is enacted into a new Zoning Ordinance, and it is on the basis of this, of these facts that we ask that the Commission favorably consider this application.

CHM. HIGGINS: Thank you Attorney Allen. Anybody else wish to be heard on this particular petition.

BOORUM & PEASE "NOISE" ®

ATTY. JOHNSON: In favor or opposed.

CHM. HIGGINS: Either way. Attorney Johnson if you would like to come up, it is all right.

ATTY. JOHNSON: Mr. Mayor. Mr. Chairman. Members of the Commission. My name is Louis W. Johnson. I'm an Attorney at Law. I represent the South Valley Association which is an organization of property owners and residents in the immediately adjacent and nearby area of the proposed zone change. Before commenting on the change, I would like to present, and comprised of some three hundred (300) members. Before commenting on the zone change, I would like to present two (2) petitions to the Commission. Two (2) petitions of protests stated perhaps more accurately, which include two hundred and fifty two names (252) in two separate petitions. One of which is filed under Section 8-3 with which the Commission is familiar, containing seventy-four (74) property owners who live within a distance of five hundred (500) feet of the proposed change in opposition to it and another petition containing one hundred and seventy eight (178) names of property owners in the immediate and adjacent area. Both of the petitions, of course, object to the change.

BOORUM & PEASE "NOISE" ®

Pursuant to Section 8-3 of the General Statutes of the State of Connecticut, 1958 Revision, we, the undersigned, being the owners of twenty (20%) percent or more of the area of the lots within five hundred (500) feet in all directions of a certain piece or parcel of land located on the south side of Sand Hill Road, between Route 9 and Lee Street, in Middletown, Connecticut, hereby protest the proposed amendments to the Zoning Map and Ordinances of the City of Middletown which would change this particular piece or parcel of property to a General Residence Zone. The said piece of property is more particularly described in a corporation notice and notice of

public hearing as carried in The Middletown Press on May 27, 1966.

<u>NAME</u>	<u>ADDRESS</u>
Robert Hollman	183 Sand Hill Road
Kathleen Hollman	183 Sand Hill Road
Alice Spenard	Sand Hill Road
James Doherty	Sand Hill Road
Teresa Doherty	Sand Hill Road
Elsie Petras	Sand Hill Road
Jacob Steinkamp	Sand Hill Road
Matilda Steinkamp	Sand Hill Road
Cecily Dagnall	Sand Hill Road
Wesley Dagnall	Sand Hill Road
Dorothea Verheyen	Sand Hill Road
Emile Verheyen	Sand Hill Road
Elsie Spitzmacher	Lee Street
George Spitzmacher	Lee Street
Ernest L. Rasch	Lee Street
Dorothea Rasch	Lee Street
Dorothy Sledzik	Lee Street
Vincinza Kosloski	Sand Hill Road
Stanley Kosloski	Sand Hill Road
Priscilla Kathan,	Sand Hill Road

<u>NAME</u>	<u>ADDRESS</u>
S. Mielczarski (RH)	Sand Hill Road
Carl Dexter	Tryon Street
Dorothy Dexter	281 Tryon Street
Frank Zabicki	299 Tryon Street
Janet Zabicki	299 Tryon Street
Sebastian LaBella	276 Tryon Street
Mary LaBella	276 Tryon Street
Francis M. Hall	302 Tryon Street
Mary Ann Hall	302 Tryon Street
Everett H. Kensel	307 Tryon Street
Ann T. Kensel	307 Tryon Street
Gustar Smith	323 Tryon Street
Wanda Smith	323 Tryon Street
Lena Smith	Sand Hill Road
Theodore Smith	Sand Hill Road
Celia Harvey	Lee Street
Edith M. Taylor	Lee Street
Helen C. Helenek	Lee Street
George P. Helenek	Lee Street
Jeanne Helenek	Lee Street

<u>NAME</u>	<u>ADDRESS</u>
Barbara Lungaro	Lee Street
Edward Lungaro	Lee Street
Mario Aresco	Lee Street
Francis Aresco	Lee Street
Priscilla Lineberry	Lee Street
Howard Lineberry, Jr.	Lee Street
Gerard P. Cashman	Lee Street
Marjorie K. Cashman	Lee Street
John F. Hagel	Sand Hill Road
Elsie B. Salonia	234 Tryon Street
Joseph Salonia, Sr.	234 Tryon Street
Howard W. Edniston	Sand Hill Road
Julie Edmistin	Sand Hill Road
Veronica Chafee	Lee Street
Philip M. Chafee	Lee Street
Gerald S. Garvin	Sand Hill Road
Maria P. Garvin	Sand Hill Road
Lawrence E. Sheehan	Sand Hill Road
Lyle E. Thrall	Sand Hill Road
Barbara Thrall	Sand Hill Road

BOORUM & PEASE "NOTAR" ®

<u>NAME</u>	<u>ADDRESS</u>
Mrs. Nina Stevenson	Sand Hill Road
Frank J. Raicik	Sand Hill Road
Mary Raicik	Sand Hill Road
Frank Magnano	Sand Hill Road
Joseph Gresl	Sand Hill Road
Lucille Gresl	Sand Hill Road
Frank S. Haydon	255 Sand Hill Road
Ann Dudek	Sand Hill Road
Herman W. Dudek	Sand Hill Road
Margaret Pirruccio	Sand Hill Road
Mary Kinniston	Sand Hill Road
Richard N. La Riviere	Sand Hill Road
George S. Garvin	Sand Hill Road
Sybil Garvin	Sand Hill Road

PETITION NUMBER 2

We, the undersigned, being property owners in the general area of a certain piece or parcel of land located on the south side of Sand Hill Road, between Route 9 and Lee Street, Middletown, Connecticut, hereby protest the proposed amendments to the Zoning Map and Ordinances of the City of Middletown which would change this particular piece

BOORUM & PEASE "NOTAR" ®

or parcel of property to a General Residence Zone. The said piece of property is more particularly described in a corporation notice and notice of public hearing as carried in The Middletown Press on May 27, 1966.

<u>NAME</u>	<u>ADDRESS</u>
Anne K. Salonia	230 Tryon Street, Middletown, Conn.
Joseph R. Salonia	230 Tryon Street, Middletown, Conn.
John F. McCormack	218 Tryon Street, Middletown, Conn.
Ann M. McCormack	218 Tryon Street, Middletown, Conn.
Walter R. Wamester	255 Tryon Street, Middletown, Conn.
Alide H. Wamester	255 Tryon Street, Middletown, Conn.
Robert Mischke	258 Tryon Street, Middletown
Nicholas R. Giardina	174 Tryon Street, Middletown
Gail C. Giardina	174 Tryon Street, Middletown
Hazel B. Stepczyk	170 Tryon Street, Middletown
John Stepczyk	170 Tryon Street, Middletown
Alton Whitehead	127 Tryon Street, Middletown
James W. Clohosey	136 Tryon Street, Middletown
Joshua McCammond	142 Tryon Street, Middletown
Pauline McCammond	142 Tryon Street, Middletown

<u>NAME</u>	<u>ADDRESS</u>
Annie M. Blake	154 Tryon Street, Middletown
Robert Blake	154 Tryon Street, Middletown
Grace K. Clohosey	136 Tryon Street, Middletown
William R. Kelly	327 Saybrook Road, Middletown
Anna Bensenhaver	318 Saybrook Road, Middletown
Irene Rys	96 Tryon Street, Middletown
Harold S. Howland	88 Tryon Street, Middletown
Muriel R. Bengston	68 Tryon Street, Middletown
Leonard E. Eurto	29 Tryon Street, Middletown
Helen Bayer	75 Tryon Street, Middletown
Elaine Mischke	258 Tryon Street, Middletown
Louis Whitehead	129 Tryon Street
Margaret Tolette	325 Saybrook Road
Robert Maloney	175 Tryon Street
Angelo L. Bartolotta	208 Tryon Street
Helen S. Bartolotta	208 Tryon Street
Mrs. Frank Snipes	235 Tryon Street
Connie Lohs	268 Tryon Street
John Barone	277 Tryon Street
Catherine Barone	277 Tryon Street
James Galanto	259 Tryon Street

<u>NAME</u>	<u>ADDRESS</u>
Mrs. Raymond E. Spencer	Lee Street
Kendall Hoffman	Lee Street
Rosalie Hoffman	Lee Street
Rose Lee	Lee Street
Wilham A. Lee	Lee Street
Darrin Lee	Chauncey Road
Phyllis Graves	Chauncey Road
Harold E. Graves	Chauncey Road
Robert J. Quirk	Chauncey Road
Helen Quirk	Chauncey Road
Mr. and Mrs. Gerard Lavallie	Chauncey Road
Mrs. Helen Francisco	
Elizabeth Lee Sr.	Chauncey Road, City
Walter F. Lee	Chauncey Road, City
Francis M. Lee Jr.	Chauncey Road, City
Daniel W. Lee	Chauncey Road, City
Francis M. Lee, Sr.	Chauncey Road, City
Anastasia E. Spencer	Lee Street, City
Florence Harvey	Lee Street
Willie Harvey	Lee Street
George A. Wolfe	Chauncey Road

<u>NAME</u>	<u>ADDRESS</u>
Anna B. Wolfe	Chauncey Road
Louis S. Warzecha	Chamberlain Road
Angelina Warzecha	Chamberlain Road
Genevieve Brennan	Chamberlain Road
John Brennan	Same
Elsie B. Lee	Chamberlain Road
Irving K. Lee	Chamberlain Road
John Greco	Chamberlain Road
Anthony G. Kriwokulski	Chamberlain Road
Arline Harris	Chamberlain Road
Charles W. Harris	Chamberlain Road
Delbert Harris	Chamberlain Road
Elizabeth Harris	Chamberlain Road
Edward L. Marks	Chamberlain Road
Mary C. Marks	Chamberlain Road
Rosario Greco	Paddock Road
Eloise Greco	Paddock Road
Adolf Wilderman	Sand Hill Road and Lee Street
Charlotte Wilderman	Sand Hill Road and Lee Street
Estelle T. Majesky	Sand Hill Road

<u>NAME</u>	<u>ADDRESS</u>
Stanley J. Majesky	Sand Hill Road
Arendt, E. L.	Millbrook Road
Guy L. Misenti, Jr.	Millbrook Road
Warren Harris	234 Millbrook Road
Marion S. Harris	234 Millbrook Road
Anna Fazzino	Millbrook Road
Francis Caspes	Millbrook Road
Judith Henderson	Millbrook Road
Marie Hood	Millbrook Road
Marie R. Champey	E. Ridge Road
Michael Champey	E. Ridge Road
Florence Eastwood	Millbrook Road
Raymond J. Sandstrom	Millbrook Road
Josephine Sandstrom	Millbrook Road
Virginia Gilbert	411 Millbrook Road
Camella Tibbetts	426 Millbrook Road
Charles Tibbetts	426 Millbrook Road
Connie Geremia	416 Millbrook Road
Albert Geremia	416 Millbrook Road
Louis Petrizzello	444 Millbrook Road

<u>NAME</u>	<u>ADDRESS</u>
Mary Petruzzello	444 Millbrook Road
Joseph S. Milardo	454 Millbrook Road
Connie A. Milardo	454 Millbrook Road
Sam Shimoda	Wilcox Road
Ethel Shimoda	Wilcox Road
Richard Stanchfield	Wilcox Road
Delores Stanchfield	Wilcox Road
Mary A. Kruger	Wilcox Road
Abraham Kruger	Wilcox Road
J. Ciaburri	408 Millbrook Road
Helen Ciaburri	408 Millbrook Road
Louis Russo	398 Millbrook Road
Helen Russo	398 Millbrook Road
Louis H. Harris	214 Millbrook Road
Mary E. Harris	214 Millbrook Road
Sebastian Salonia	255 Millbrook Road
Josephine Salonia	255 Millbrook Road
Mary B. Seal	644 East Main Street
Anthony J. Seal	644 East Main Street

<u>NAME</u>	<u>ADDRESS</u>
Leo Boyko	635 East Main Street
Edna C. Stevens	627 East Main Street
Walter Bardeck	619 East Main Street
Eunice V. Leland	624 East Main Street
Myron Leland	624 East Main Street
Irene B. La Malfa	672 East Main Street
Addella B. Seagrave	671 East Main Street
Katherine Erickson	
Frank Hejna	647 East Main Street
Harold J. Mc Cauley	Randolph Road, City
Edith Mc Cauley	Randolph Road, City
Marie Koepke	Chauncey Road, City
Stanton Koepke	Chauncey Road, City
Edgar E. Pratt	585 Randolph Road, City
Florence H. Pratt	585 Randolph Road, City
Edward C. Smith	60 Meadowbrook Road
Rose E. Smith	60 Meadowbrook Road
Edward C. Smith, Jr.	304 E. Ridge Road
Josephine Myjak	303 E. Ridge Road
Rudolph Myjak	303 E. Ridge Road

<u>NAME</u>	<u>ADDRESS</u>
J. W. Walmsley	320 E. Ridge Road
Virginia Walmsley	320 E. Ridge Road
Frances Di Marco	346 E. Ridge Road
Mrs. Barbara Green	20 Meadowbrook Road
Jessie Lombardo	28 Meadowbrook Road
Anne M. Stewart	39 Meadowbrook Road
Sebastian Cianci	27 Meadowbrook Road
Frances Cianci	27 Meadowbrook Road
Helen Sauve	19 Meadowbrook Road
Renaud Sauve	19 Meadowbrook Road
Carmelina Cannata	639 Randolph Road
Edward J. Cook	603 Randolph Road
John W. Mastergorge	591 Randolph Road
Frank Quirk	Sand Hill Road
Joseph J. Tanosi	Sand Hill Road
Marion Tanasi	Sand Hill Road
Mary F. Carta	Sand Hill Road
Vincent Carta	Sand Hill Road
Nick Pitruzzello	Sand Hill Road
Antonietta Pitruzzello	Sand Hill Road
Thomas H. Quirk	Sand Hill Road

<u>NAME</u>	<u>ADDRESS</u>
Catherine Quirk	Sand Hill Road
Lenore Burns	Sand Hill Road
Edwin Burns	Sand Hill Road
Stephanie Czaja	Millbrook Road
Walter A. Czaja	Millbrook Road
Mike Kelly	2 Millbrook Road
Lucy M. Neville	
Frank Wasicki, Jr.	8 Millbrook Road
Jeanette Wasicki	8 Millbrook Road
Helen Carta	Millbrook Road
Henry Lundell	Millbrook Road
Marion Rich	Millbrook Road
Franklin Rich	Millbrook Road
Hazel Turcotte	Millbrook Road
Anna Jones	27 Millbrook Road
Arthur Jones	27 Millbrook Road
Joseph Kaufman	21 Millbrook Road
Sophie Kalish	687 East Main Street
Stanley Kalish	687 East Main Street
Emma R. Hall	Sand Hill Road
Palmer D. Hall	Sand Hill Road

CHM. HIGGINS: I'll ask the Secretary to take these and they will be made a part of the record of this Hearing, Attorney Johnson.

ATTY. JOHNSON: I appreciate the fact that Mr. Allen has some small problems in pointing out why they should be back again. This is the second time I've been down with this group and the group has been down unrepresented at least on two (2) other occasions in respect to either a specific request for a zone change out there or a discussion on the General Plan and I would like to talk about the General Plan first, because we acknowledge that, on this map which represents as I understand it, the proposed General Plan, that this particular parcel is in an area or it is in two (2) areas, as I recall it, one of which indicates Residential and it overlaps, but in any event, your proposed General Plan indicates that at some future time this might be developable as a General Residential zone. It does not indicate on your General Plan. I can't believe that. It needs it. You can pluck out of a general area here this particular piece which has no frontage on any established street, excepting for two (2) fifty (50) foot rights of way leading from backland onto Sand Hill Road. This takes alot of imagination on the part of the petitioner to come in here and ask this Board to make a change in zone for a parcel of this size when it simply does not have any frontage on an existing street. It has none. They don't even claim to have any. They claim that they have two (2) fifty (50) foot rights of way and presumably they have title to rights of way, whether they have title is of no difference, which will empty onto Sand Hill Road. Now Sand Hill Road within a matter of one hundred and fifty (150) feet on one of these proposed entrances and egresses is a dead end street. You can go no where on it. You can go one hundred and fifty (150) feet to the west as you come out or in. The other one is another one hundred and fifty (150) feet removed and of course this is in your file, Gentlemen, I assume, the sketch that the petitioner presented, and it simply shows exactly what I'm saying. Your going to take sixteen (16) or how many acres, purport to erect upon it presumably any number of multiple dwelling units, disgorge the traffic onto what was in fact a rural highway. Sand Hill Road is unpaved. I don't believe that it is travellable distances twenty (20) feet wide. I drove over it this afternoon and to come in here and ask this

Commission to grant this change of zone without any kind of access to Randolph Road. They are talking about some road layout which I know is within the compliance of the City Planner, that some time, some day, may enter out onto Randolph Road. As a matter of fact, these people don't own any land between here and Randolph Road and we don't ever know whether anybody that owns that land will consent, object or whether this City would put streets in. They are asking you to create an island of dense population in a rural area, disgorging out onto a street and I say you commit murder on this street. There can be nothing else there. The traffic hazard is no different today, not one wit, than it was four years ago when this Commission turned down this petition unanimously or a petition for an adjacent or adjoining piece. There has been no change in condition. The fact that maybe there is City water there has nothing to do with the public safety. It has nothing to do with public welfare. It has nothing to do, except we have them back here again with their rivers of concrete and their structures of steel to invade what is a wholly, beautiful, simple, residential area which people own their own homes. Mow their own yards. Raise their own flowers. Raise their own vegetables. Have their hundred (100) and one hundred fifty (150) feet plots, knock it out with this thing. The City does not need this and if the City needs more apartment houses, there are many many many areas that they can be erected without putting this danger upon these people and upon their children. Through this land, or behind it, runs a brook. The Coast Guard Geodetic Survey has it designated as flood land and There is no reason excepting for the particular private wants and needs of the developer, which is not a good reason, that this petition should be granted, and I say this to this Commission. I appreciate the fact that this Commission has no power to reject an application without a Hearing, but these groups who live in neighborhoods particularly this one, this is the one I'm talking about, because I represented them before, they keep getting dragged down here on these petitions. I appreciate the fact that you can't reject a petition without a Hearing, but they come once, and we come down and we defeat them. And then they come again and they come again and they wear us out and we don't have that kind of money and we don't have a tight Association and we seek to protect that which a man holds most dear, his private individual home and I say that this

Commission should reject this petition out of hand. There is no reason for it.

CHM. HIGGINS: Thank you Attorney Johnson. Any further comment on this petition.

MR. LA BELLA: Yes. My name is Sebastian LaBella and I live at 276 Tryon Street which is the next street up. One thing, where Sand Hill Road ends and our street begins, the road, because it is narrow, is under twenty (20) feet across. In the winter time, it becomes, I suppose, as close as fifteen (15) feet, so kids going to school, incidentally we don't have sidewalks, have to walk in and among the traffic and I say, we have an access to Bielefield School which means they have to walk up and across Tryon Street at the other end, going toward Millbrook Road around through Lee Street, it gets even narrower. At the intersection of Millbrook Road and Sand Hill Road, the road is just about a little, it must be close to twelve (12) may be thirteen (13) feet and since this is a general flow of traffic towards Middletown, I can't foresee any one going out through Randolph Road and then down the highway into Middletown. The traffic would be all our way. Our kids are able now to ride bicycles on the street without too much danger. With another load of families in there, I doubt if they could do this, let alone the kids walking to school. Second of all, if it is going to be a multiple dwelling and since they did receive a bit of advertising, I don't . . . to show but it has been both in our paper and the Hartford Courant, I assume that's the purpose of this is, can you picture the people living on Sand Hill Road stepping in the backyard and having a cookout would be like eating in the Yankee Stadium with all the people looking down at them. Now they didn't buy these homes and erect these homes and go into debt for fifteen (15) or twenty (20) years and not have the privacy they expect. Incidentally, that end of town, as you all are aware of, grew more rapidly than any other section without any multiple buildings. It was just on family homes. I think Mr. Mayor, you live out there, you would appreciate this fact that we did it without multiple dwellings. We did it on the individual home owner going out and building his own home without any help from any outsider. So I protest, I'm against this zone change.

CHM. HIGGINS: Thank you Mr. LaBella. Yes Sir.

MR. GARVIN: My name is George Garvin and I'm a resident of Sand Hill Road and the property in question. The Attorney for the developers mentioned the fact that this is in accordance with the so called Master Plan, but what is the Master Plan. If we stop to figure it out, to me it appears to be the Plan of about seven (7) men that was voted in over the opposition of all these people at several other meetings. There was one (1) City Plan meeting and there were meetings on this same thing as Attorney Johnson said before, and in opposition of those things, the Board, I don't think all of you members were members of it, approved this change of zone or approved the future changes of zone, so I don't think it is the will of the people. It is the will of seven (7) or eight (8) men.

CHM. HIGGINS: Thank you Mr. Garvin. Any further comment on this petition. Yes Sir.

MR. KENSEL: Mr. Chairman. My name is Everett Kensel. I live at 307 Tryon Street and I'm opposed to any change to this. I live within five hundred (500) feet of the area. On your, well the 1955, '62 no this is 1955 here Section 7, Proposed . . . and it goes on in here in preparation of such plans, safety and so forth, safety from fires and other dangers. Now if this thing goes ahead and this multitude goes in there, to me with no sidewalks in that area, the children walking to school or to density areas to catch their buses, your going to have a death trap out there, believe me. That's all I can see. Thank you.

CHM. HIGGINS: Thank you Mr. Kensel. Any further comment on this petition.

MR. LABELLA: I would like to add one more thing. Seb LaBella again. The Attorney, Mr. Allen, I believe, stated that now we have City water. Well for his information, we've had City water, I've been out there five (5) years and we had City water all this time. So it is nothing new. The only thing we haven't had is a decent street. We don't have sewers. As a matter of fact, we were allowed to petition for sewers. We've asked for

them several times, but they said it is not in the near future. We don't have funds for them. Well this may be true, but apparently they do have funds for other things, other than the homeowner and since we've been carrying the tax load in this town for a good many years, due to, well lack of Industry for one thing, and we have been supporting the town, I think we should be considered.

CHM. HIGGINS: Thank you Mr. LaBella. Any further comment on this particular petition. Yes Sir.

MR. WHITEHEAD: Members of the Commission. My name is Al Whitehead. I live at 127 Tryon Street and I would like to protest the petition along with my neighbors in the area. We've been down for the last five years on either City Planning or Zoning. I think the people speak for themselves. They have their homes in the area. This man is going to come in and buy this land in an area and put up an apartment house and bring more people into the area. We like it Restricted Residential. The way it is.

CHM. HIGGINS: Thank you. Anybody else wish to be heard on this petition.

MR. LABELLA: Is it possible to get a vote from the people here. A count?

CHM. HIGGINS: This is just a Public Hearing in which you state your feelings pro or con. Any further comment. Yes Mame.

MRS. HALL: Mr. Higgins, I live next door to Mr. LaBella. I'm Mary Ann Hall, 302 Tryon Street and I disagree with Mr. LaBella. I don't think that the children can ride their bicycles there now. I think it is already a trap because those cars, they cut through from the Connecticut Valley. They come across from down Bow Lane, down Tryon Street over Lee Street and then they go like mad and I have all I can do to keep the children from away the front between four o'clock (4:00) after four o'clock and early in the morning and I already think that it is pretty bad there now, without putting anymore traffic in there.

CHM. HIGGINS: Thank you Mrs. Hall. Any further comment. Yes Mame.

MISS TAYLOR: I would like to protest. I'm Edith Taylor and I'm a resident of Lee Street, and I would like to protest the change of zone from Restricted Residence Zone to General Residence Zone and to bring out the fact that there is an open brook which runs right in back of my house and when we have heavy rain, that floods and then they drain the tank across Saybrook Road or on the other side of Saybrook Road. It all comes down and back through a little narrow bridge at the end of Lee Street, which will just barely take two cars now. Even the road, the road is wide enough, but the two (2) cars can barely make this narrow bridge at the, near the Randolph Road part of Lee Street and has been said, the traffic in the early morning from seven thirty (7:30) to nine o'clock (9:00) and from oh beginning at three o'clock (3:00) three thirty (3:30) to five thirty (5:30) is very heavy, in trucks, in traffic of all kinds.

CHM. HIGGINS: Thank you. Any further comment. Yes Sir. Just a minute, there is a lady.

MR. CASHMAN: Gerard Cashman from Lee Street.

CHM. HIGGINS: Come up closer so we can hear you, please.

MR. CASHMAN: I would like to protest the change of zone as Mr. Johnson pointed out, being a property owner, living out there. We would like to keep things the way they are. We own our own homes and it is a nice residential spot. It is restricted and we want to keep it that way for the simple reason that we all, as was said before, we all own our own homes. We work hard to keep them. We paid our taxes. I don't see why we should change the zone for the benefit of one individual and flood the area with these hazards that have been brought out here by the people.

CHM. HIGGINS: Thank you Mr. Cashman.

MRS. SALONIA: My name is Elsie Salonia and I live on Tryon Street. We've been down here so many times and we would like to do something so that every day when we get the Middletown Press we don't have to quickly turn to the Legals to find what else is being done to us. We've been down here so many times. Each time we win the case.

Now we don't have to worry. Since we were here last time, three people have built single family homes. The area is developing very nicely. There is no need to change it.

CHM. HIGGINS: Thank you Mrs. Salonia. Just for the record, I would like to tell you that I feel your comments are pertinent in the sense, but at the same time anybody has a right to petition at any time and that is what your lawyer's for to defend you in the event that someone does petition. If anybody else wishes to be heard on this petition, I'll be glad to hear them.

ATTY. JOHNSON: Mr. Higgins, if no one else wants, oh, I'm sorry.

MRS. GARVIN: I'm Maria Garvin and my property is located right next to the proposed street on Sand Hill Road, and I would like to invite all the members of this Committee to come down on a nice rainy day and see my backyard. It is full of water and the road that goes through the back lot will be full of water also. Now all these people that will move in won't pay taxes as much as we will, but you will have to pay to fix those roads, so if you like this, that's up to you, but I think you can spend your money better.

CHM. HIGGINS: Thank you Mrs. Garvin. Attorney Johnson.

ATTY. JOHNSON: If there isn't any more comment, I would ask the Chairman, because if people have taken the trouble to come down here and they don't want to speak, I think that at least there should be an indication of how many people are here that are opposed to this. All of them may not want to speak.

CHM. HIGGINS: Well I think your indications are stated in your petitions, Attorney Johnson. I believe that the petitions will cover that rather than, we are going to make a town meeting out of it if we start to have a show of hands, I'd rather keep it as a Public Hearing. Yes Sir.

MR. KENSEL: Just one more thing, I forgot Mr. Chairman. Everett Kensel, 307 Tryon Street. We were just reassessed here approximately a year ago and God knows everybody in Middletown on the reassessment,

the value of our land was increased. Now changing this zone will certainly down grade our property through there.

CHM. HIGGINS: Thank you Mr. Kensel. Anybody else, yes Mame.

MRS. PETRAS: My name is Elsie Petras from Sand Hill Road. About four years ago, when I was looking for a place with piece and quiet when I got through work, I could relax and I found it, on Sand Hill Road. I wonder if we can keep it this way.

CHM. HIGGINS: Thank you Mrs. Petras. Any further comment. Well hearing no further comment, I'll declare the Section two (2) on the Zoning agenda closed and we will ask the Secretary to read Section three (3) as the Zoning Commission.

COMM. BUTTON: Item number three (3).

To consider a Change of Zone petition of United Aircraft Corporation . . .

(At this time, the Hearing was interrupted by members of the public leaving)

CHM. HIGGINS: Pardon me. Will you please give this Gentleman the courtesy of letting him read this, because these people have to hear this.

COMM. BUTTON: A request that land be changed from a Restricted Residence Zone to an Industrial Zone for an area known as the Connecticut Advanced Nuclear Energy Laboratories site consisting of approximately 1,050 acres and located on the Connecticut River near Dart Island and bounded by the existing Maromas Industrial Zone on the west and south side and by the Connecticut River on the north and east side.

Counsel: David Hasson, Division Counsel, Pratt & Whitney Aircraft Corporation, East Hartford, Connecticut.

CHM. HIGGINS: If anybody wishes to leave . . .

MR. LABELLA: Mr. Higgins, some of these people, before you start

may want to leave. Is it all right?

CHM. HIGGINS: Yes, before we start in.

(At this time, all, but the people interested in the United Aircraft Corporation Change of Zone petition, departed)

CHM. HIGGINS: Will you read that again now. Read the balance of what you didn't read. Your continuing with the tape recorder, Mrs. Sakelakos.

MRS. SAKELAKOS: Yes.

COMM. BUTTON: You want it read again?

CHM. HIGGINS: Yes, please.

COMM. BUTTON: To repeat item number three (3).

To consider a Change of Zone petition of United Aircraft Corporation. A request that land be changed from a Restricted Residence Zone to an Industrial Zone for an area known as the Connecticut Advanced Nuclear Energy Laboratories site consisting of approximately 1,050 acres and located on the Connecticut River near Dart Island and bounded by the existing Maromas Industrial Zone on the west and south side and by the Connecticut River on the north and east side.

Counsel: David Hasson, Division Counsel, Pratt & Whitney Aircraft Corporation, East Hartford, Connecticut.

CHM. HIGGINS: Mr. Hasson, would you care to speak on this.

ATTY. HASSON: Yes, thank you. Mr. Mayor. Mr. Chairman. Members of the Commission. As has been said, my name is David Hasson. I'm an Attorney and I'm here this evening to represent United Aircraft Corporation, concerning its request for a change of zone from Restricted Residence to Industry, that parcel of land in Middletown which has become generally known as CANEL and in that regard, I would like to make reference to our petition for a change of zone dated June 3, 1966, which in accordance with your Zoning Regulations, has been submitted

to this Commission. As you undoubtedly realize, the Pratt and Whitney Aircraft division of United Aircraft Corporation, has since 1957, operated and maintained the CANEL facilities for the United States Government. I don't believe it will be any great surprise to you when I say that this operation and use can be considered as nothing less than Industrial in nature. However, because of the rather unique powers of the Federal Government, this property was zoned Restricted Residence when the Government purchased it and it has remained Restricted Residence, although for many years, this property has even been used for Industrial purposes. In July of 1965, the Atomic Energy Commission terminated its contract with the Pratt and Whitney Aircraft division and since that date, with the assistance of Pratt and Whitney, has entered into a phase out or close out program which we believe, will be completed very shortly. As you all know, it has been officially announced that the United Aircraft Corporation was the winning bidder for the purchase of the CANEL property, of the entire one thousand fifty nine acres (1,059) comprising the CANEL facilities and I do want to say that our use of this property, will indeed, be Industrial and unlike the Federal Government, the Corporation will require a change of zone from Restricted Residence to Industrial, so that we can properly use the property. The Corporation is presently occupying this area for its own use and benefit and purposes under an agreement of Purchase and Sale with the United States Government now, which will be in effect until the property is deeded or conveyed to us, to the Corporation rather, and it is this agreement, of Purchase and Sale with the United States Government that establishes our legal right to occupy the facility presently and also establishes our right to petition for this change of zone. On behalf of United Aircraft Corporation, I respectfully request that you favorably consider our petition for a change of zone. Thank you very much.

CHM. HIGGINS: Thank you Attorney Hasson. Any further comment on this petition. Well hearing no further comment, I'll declare this Public Hearing closed.

The meeting adjourned at 8:15 P.M.

Respectfully submitted:


Barbara Sakelakos, Recording Secretary

John J. Higgins, Chairman