

COMMISSION ON THE CITY PLAN AND ZONING - PUBLIC HEARING - WEDNESDAY
JULY 8, 1970 - 7:30 PM - COUNCIL CHAMBER - MUNICIPAL BUILDING -
MIDDLETOWN, CONNECTICUT

Commission Edward F. Button, Chairman
Members John J. Higgins, Vice-Chairman
Present: Philip M. Salafia, Secretary
Robert F. Chamberlain
Joseph S. Colonghi

Staff George Reif, Director
Present: William M. Kuehn, Jr.
Althea Rinaldi
P. Hutton, Recording Secretary

Others Atty. Richard Parmelee for Josephine Fiala, Sanibel Hospital
Present: N. Misenti, Deputy Director of Public Works
S. Beinhorn, Middletown Press Reporter
Six (6) members of the public-at-large

CHM. BUTTON: I will open this public hearing and call a fifteen minute recess to await the arrival of Commissioner Joseph Colonghi who is at another meeting.

(15 minute recess)

CHM. BUTTON: I will now reconvene this hearing. Mr. Secretary will you read the call of the meeting.

COMM. SALAFIA: The Middletown Commission on the City Plan and Zoning, will hold a public hearing on July 8, 1970, starting at 7:30 P.M. in the Council Chamber, Municipal Building, DeKoven Drive, Middletown, Connecticut for the following purposes:

- A. Proposed Land-Use which requires granting of a Special Exception
 1. Renovation and addition to Sanibel Convalescent Home, South Main Street at Randolph Road.

CHM. BUTTON: Any letters pertaining to this petition?

COMM. SALAFIA: Commission on the City Plan and Zoning
City of Middletown

Gentlemen:

On behalf of Sanibel Convalescent Home and Josephine M. Fiala, owner, it is requested that your agenda for the Commissions' next public hearing include our application for a Special Exception, Land Use as noted specifically in item 60.02.06 of the Middletown Zoning Code.

Very truly yours,

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Josephine M. Fiala

COM. SALAFIA: And there is one from the Department of Public Works, Mr. Chairman.

From the Dept. of Public Works
City of Middletown, Conn.
July 8, 1970

City Plan Commission
Municipal Building
Middletown, Connecticut

Gentlemen: re: Sanibel Convalescent Home

In regards to the above referenced project, we offer the following comments:

1. If there is to be any added storm and sanitary sewer systems outside the additions, show on plan and show where they will be connected to existing facilities.
2. Architect should show site grading, parking stalls and lot dimensions and drive width.
3. Site Plan should be sealed by a Connecticut Registered Professional Engineer.
4. Site Plan shows South Main Street as Connecticut Route #15. It is actually Connecticut Route #17.

Very truly yours,

John C. O'Brien,
Director of Public Works

Mr. Chairman, here is one from the Department of Health, City of Middletown, Middletown, Connecticut.

July 6, 1970

Sanibel Convalescent Home

Nothing which affects the public health adversely will be created by this proposed expansion.

Dr. Palmieri,
Director of Health

That is all Mr. Chairman on that.

CHM. BUTTON: Would the petitioner's representative please step forward.

ATTY. PARMELEE: Gentlemen. My name is Richard C. Parmelee of Parmelee and Snow with offices at 164 Court Street, Middletown. I represent Josephine Fiala and her almost wholly owned corporation, Sanibel Hospital, Inc.

The land and buildings are owned by Miss Fiala personally. The business is operated by Sanibel Hospital, Inc. I am sure that Miss Fiala will cooperate in every sense of the requests of your departments. I have Sherrill Scales who is working with Peter Zorse the architect, here, and I am going to call him forward shortly.

I would like to say that the original land surveys for this property and long prior to the present time were made by Louis F. Quirk, a local civil engineer and land surveyor. I don't believe that there has been any recent survey and as such unless it is needed for pipe work and I guess there was some engineering done for that, I don't think a new perimeter survey would disclose anything that the former one hadn't shown.

Up until a few years ago, Miss Fiala had ninety patients at this location. In fact I think at one time there was a permitted use of ninety-three. And then with the ramifications of the hospital business cut her back to sixty. With the present addition plans which will be before you, when completed she would have a total of eighty-six beds. In other words there would be an increase of twenty-six.

The architect and the Planning consultants had been working with the State Health Department and Fire Marshall as they are required to do and they had some meetings with the Fire Chief on this matter.

As you know since about 1940 this particular site has been devoted to the hospital use by Miss Fiala. She bought this property somewhere around 1940 or 1941 from Ed Meel and converted this home and built onto it and that is the existing hospital.

The actual use which continues to be the same. It would be the twenty-six beds additional. She is connected to public sewer and public water at the present time and has been for sometime past. I would be glad to try to answer any questions that you may have but most structural questions and site questions probably better be referred to Sherrill Scales.

Miss Fiala wasn't feeling very well this evening and I requested that she come down but she said go down and take care of it and as you know she is now a senior citizen so to speak and I think she should not be penalized for not being here personally.

Are there any questions you want to ask of me?

This is Sherrill Scales, the consultant to Peter Zorse.

MR. SCALES: Thank you, gentlemen. We are grateful for the recommendations that were made and since the time of the submittal of the plot plan I have obtained from Mr. Quirk, the registered surveyor, the plot plan and I will resubmit those in a number of copies and see that we indicate on the plan the items that you have requested. Do you have any questions? No. Thank you.

CHM. BUTTON: Does anyone else wish to speak on this particular petition? If not I declare this hearing closed. Mr. Secretary, read the next item.

COMM. SALAFIA: B. Proposed amendment to modify subdivision regulations as they pertain to vehicular street widths, pedestrian walkways, right-of-way widths, and other standards related to these items.

Currently, Section C of the Regulations contain the standards proposed for modification.

Any and all interested persons may appear and be heard.
Edward F. Button, Chairman
Commission on the City Plan and Zoning

CHM. BUTTON: Alright. I will make one comment. We welcome and request all advise and comments that we can on this system because it is so vital to the city and to all its inhabitants and this invitation for information and participation is open at least until our next executive session, two weeks hence. Proceed.

COMM. SALAFIA: Proposal at Public Hearing of July 8, 1970

Amendment to Section C of the subdivision regulations of the City of Middletown, Connecticut.

SECTIONS 4C, 5C, 6C, 7C, 8C, 9C, 10C, and 11C are deleted and replaced by a table entitled STANDARDS FOR A HIERARCHY OF VEHICULAR STREETS, PEDESTRIAN WALKS AND RELATED ITEMS including the general notes and diagrams.

All requirements of the Subdivision Regulations remain unchanged unless specifically noted as being amended.

CHM. BUTTON: Do we have any literature or letters on this? No. Alright, George, will you please take over. Mr. Reif will give us a quick explanation on it.

MR. REIF: Okay. Basically what is involved is expanding the choices available for street rights-of-way and paved rights-of-way that are currently involved or committed within the subdivision regulations. Right now there is only twenty-eight foot pavement permitted. There are three different rights-of-way. These are fifty, sixty and eighty feet. The proposal is to make a series of alternatives available which will make the new pattern reflect the function that it performs and also to incorporate with the development, a pedestrian walkway system. Either a sidewalk as we know it traditionally or as a separate entity.

It might be useful to read certain basic premises regarding the vehicular movement of parking and also the pedestrian walkways. The theoretical targets of this change are:

1. All streets, except those in residential areas, are to function exclusively for the flow of traffic.
2. All parking for non-residential uses shall be off-street.
3. All residential and business areas shall include a continuous pedestrian walkway system.

One step might be, Mr. Chairman, to read the standards.

CHM. BUTTON: Well, why don't you go ahead, George, and just read those that pertain to the city.

MR. REIF: There are six categories for instances.

1. Interstate - that does not pertain to the city.
2. Arterial - that again does not refer to the city.

The several that do would be a COLLECTOR Street, which would link local traffic generating areas.

Another category would be a LOCAL Street. This would link individual sites, parking lots or circular loops.

A fifth category would be CIRCULAR LOOP. These would link individual residential sites.

The sixth category would be OFF-STREET PARKING LOTS. This would include building entrance arrangements. The linkage here would be sites for all uses except single dwelling units.

In order to build a right-of-way and street system it is recommended here certain widths of lanes. For a local street and the circular loop, the minimum width would be eleven feet. The number of lanes for the

street would be two and the circular loop you would have to have eleven feet plus one parallel parking space of nine feet.

The parking requirements for the local street would vary. The circular loop would be always requiring nine foot widths. The pedestrian walk for the local street system would be four feet walkway. The circular loop also would be a four foot walkway. Parking lots would require four foot walkways from the parking area to the building or buildings. The right-of-way for the local street would vary with the location of parking and walkways. The circular loop would vary with the location of the walkway.

The grade variations for local and circular loop and off-street parking lots would be 1% minimum, 10% maximum. Other factors for the local street category in this category would be designated by the Planning Commission based on the fundamental proposal. The walkway ownership for non-sidewalk would be negotiated by the Planning and Zoning Commission with the developer. The circular loop, the other factors would be one way traffic flow, maximum of thirty dwelling units per loop. The other factors as per the local street system.

The off-street parking lots - the number of off-street spaces would be as required by the code plus one added space for residential uses for one or two family dwelling units. The lots would not be maintained by the city.

The General Notes that would accompany the charts are:

1. Proposed developments along existing streets shall continue the established right-of-way or if the right-of-way is not established it shall be established as sixty (60) feet. (30 feet on each side of the street centerline shall be offered to the city for dedication)
2. Unless otherwise specified proposed right-of-ways shall be selected from the accompanying diagrams which are part of these regulations.
3. All non-continuous, or dead end, streets shall terminate in a turning circle with a minimum R.O.W. radius of 50 feet. Other street terminations may be approved by the Commission instead of a turning circle.
4. Every lot and building group site shall abut a vehicular street which meets the standards of, and is offered for dedication as, a public street.
5. Curb, or other pavement border acceptable to the Commission, shall be required at the edge of all paved areas.

6. All materials and details of construct for vehicular streets and/or pedestrian walks shall meet the specifications and requirements of the Public Works Department.
7. All signs, lights and other fixtures proposed, or required, in association with vehicular streets and/or pedestrian walks shall be provided and installed by the developer after approval by the Commission and other city agencies.

The remainder of the information would be several diagrams which show some of the combinations of travel lanes, parking lanes, walkway lanes and other associated land which would make up the right-of-way. They vary from on the local streets from a possible sixty foot right-of-way which would include two eleven foot travel lanes, two nine foot parking lanes, five feet on either side for light fixtures or plowing of snow, four feet for a walk and one foot between the edge of a walk and the parking lot.

And this goes from a series of combinations down through the one that has the least amount of paving for a local street and that would be the twenty-two foot paved area, for two eleven foot travel lanes, and four feet on either side for light fixtures and the plowing of snow. This would be for a local continuous street with parking and pedestrian walkways elsewhere.

The alternative include two arrangements for circular routes. And one with a sidewalk, associated directly with the travel area, the vehicular travel area. That would require a thirty-two foot right-of-way with a twenty foot paved area.

The second alternative is for a sidewalk or pedestrian walkway. It wouldn't be a sidewalk located elsewhere. The pavement again would be twenty feet made up of the eleven foot lane with nine foot parking. The right-of-way there would be twenty-eight feet.

That basically is the proposal.

CHM. BUTTON: Thank you Mr. Reif. We welcome comments. Mr. Fabian.

MR. FABIAN: My name is Sy Fabian, Real Estate Broker. Without being able to sit down and study this, there seems to be an extreme amount of ambiguity. It is extremely difficult to sit down and try to concentrate. But I would like to ask one or two questions on what you have read there. Did I hear you say that there is going to be a right-of-way of fifty, sixty, or eighty feet?

MR. REIF: No. That is the way it is now.

MR. FABIAN: That is the way it is now.

MR. REIF: Right. There are three choices in the existing subdivision regulations. The minimum is for a fifty foot right-of-way, another is sixty feet and the maximum is eighty. The proposal is to amend the subdivision regulations so that there are other alternatives. Not as high as the eighty feet.

MR. FABIAN: Not as high as the eighty feet.

MR. REIF: No. No.

MR. FABIAN: And the other question. You have in your projected plans, space and right-of-ways for sidewalks. Now when, if you are to adopt these plans, and the sidewalks are part of the plans, is this going to be (inaudible).

MR. REIF: The answer of course depends on whether the Commission adopts this or not, but the proposal is..

MR. FABIAN: Well, if it is adopted, will it be mandatory?

MR. REIF: Yes. To have a pedestrian walkway system.

MR. FABIAN: And this would be mandatory for any subdivision or any planner or any construction contractor, subdividing in Middletown. It would be mandatory for them to put in sidewalks.

MR. REIF: Or walkways. The term sidewalks could be misunderstood. A walkway parallel to a vehicular way would be a sidewalk. See. A walkway for a pedestrian could be located somewhere else. This does not apply to anybody except residential and business uses. And it is an important point to keep in mind that this is not just for subdivisions. This embodies all the vehicular road systems for the future development of the city.

MR. FABIAN: Alright. Then may I comment on this particular point. It is getting more difficult as you know in the last two or three years for builders to come in and build moderate income housing. And as far as I am personally concerned, this (inaudible) of low income housing and high income housing has been substantial to the point where possibly not enough, nevertheless, they have been built. And as you have read in the papers and you are well aware of, that there has been a let down in moderate income housing.

I predicted this two or three years ago and it is here. And we are building very, very few moderate income houses. And as far as I am personally concerned is what my interpretation of the market would be today is that the people that are buying, and they are having difficulty in finding homes in the middle income group. They, in our experience in real estate are finding it pretty difficult to sell their homes to the moderate income group because they are not available at this time.

And no one is building them. And if you are going to restrict subdivisions with blocks such as sidewalks and make it more difficult for builders to come in and build moderate income houses, then I mean moderate income houses in the category of \$26,000 to \$32,000 houses. We are going to put extra blocks in their way and it will be even more difficult for them to supply the market. And that is why I brought up the point on sidewalks.

As it is there would be no difficulty at all if our fair city would pay for the water and sewer and bring the price of building down and the builder would not have to sustain this or be strapped with the situation of paying this excessive cost. Unit cost is what we are talking about. And I would just add the point that if you would in the final determination of adopting this, I would (inaudible) And further than that I think that the entire group, this entire agency has done an extremely commendable job in bringing this up. It is about time we did do something about it.

CHM. BUTTON: Sy, I hate to interrupt you but under the existing regulations if somebody builds a development today, they are required to put in a sidewalk anyway. Right.

MR. FABIAN: I know that.

CHM. BUTTON: Now, under these new proposals it may not be necessarily so that you would require a sidewalk per se on each side of the street in every particular type of subdivision. You have a flexibility here of permitting other types of walkways that might serve the needs of the residents without necessarily putting a concrete or blacktop sidewalk on each side of a road. There is more leeway possible here than there was under the old subdivision regulations.

MR. FABIAN: I realize that. But on the other hand, if an analyses were made and a consensus were made of people now living in the suburban area of Middletown and you were to ask them or take a consensus of these people, of your opinion on sidewalks you will find that a great majority of them would not want sidewalks at all.

CHM. BUTTON: Oh, I disagree with you.

MR. FABIAN: This is on the suburban area type of subdivision.

COMM. HIGGINS: Sy, may I read you this. .is a short paragraph. It is in Section C1 of the Subdivision Regulations and it says. Sidewalks shall be provided on both sides of each street adjacent to the property lines and shall have a minimum width of four feet in accordance with city regulations as approved by the Board of Public Works.

Now these sidewalks regulations go to the point where it specifies Portland cement and everything else. But in this particular operation

that we are trying to create here, Sy, we are going to leave some leeway in the use of sidewalks but we are not going to allow anybody not to have pedestrian right of ways. In other words it is not going to be a sidewalk per se, made of a certain type of material. Where there is some leeway in it and I think that this is definitely has to be a relief to a developer.

MR. FABIAN: Again I say. The job you are doing is commendable. The only thing that I can appeal to you and I really mean it sincerely. You cannot put too many blocks in the way of a builder to build moderate income homes in Middletown. We just can't. Because there are many blocks as it is. And I just feel that we should go along with it very carefully and consider the elements because the unit cost is the thing that is paramount in the builder's mind and we are going to fill up Middletown with P.R.D.'s, apartment houses and there is ..and condominiums, there is no question about it at all. And you are going to see very, very few moderate houses built for the moderate income people of Middletown.

As far as that is concerned, fine I agree with it. I think it is great. And I think you've done a great job. But maybe we ought to talk to the water and sewer departments and maybe if they can add something and we can find some more water and sewer and this can be part of the overall picture, or we can't have it at all. A builder cannot come in and spend \$200,000 and then come up to union costs which the financial feasibility is just to the point where it cannot be built. The financial feasibility right now in most areas is impossible.

CHM. BUTTON: Thank you, Mr. Fabian. Bob.

MR. FUSARI: My name is Bob Fusari, I represent George Achenbach of Middletown. I would like to commend the Commission on their foresight and the planner on their foresight in this endeavor to put together this hierarchy of roads. We are in the process now of preparing our plans for submission and we are working very closely with this kind of problem. We perhaps spent more time paying attention to them than the average person would.

There are a couple of things that come up as you have brought these things to our attention. Perhaps might be worth saying. I think that the choices that are available are well put, however, the choices could be greater if I might say this, by making the job a little simpler.

We look at the function of a roadway. It serves or may serve a number of functions. As you said, Mr. Reif, originally. One is for vehicular traffic, to move vehicles. The other is to provide parking perhaps and to retain water where necessary, the drainage system, method of handling snow, getting rid of it, a place to put it and a place for people to walk if a road should so include these things.

Now some of the choices allow for some of these things and some of them do not. I was wondering whether the Commission might consider the road system or expand the hierarchy a little further to consider the vehicles and build a road so big for that and if you are going to add other things next to the roadway, utilities, for snow, for lighting for sidewalks, these be added in modular increments and you could build up to the seventy-two feet obviously that you have here.

It might be a way of simplifying a number of choices. Eleven foot lanes and twelve foot lanes under given circumstances. A utility, etc. and you could have everything you want to have included in that right-of-way.

CHM. BUTTON: You are saying to start out with a road, a system of nodes, tailor them and build them on. What is your thoughts on lane widths?

MR. PUSARI: I think the lane widths you have in here are fine. Eleven and twelve feet seem to make a lot of sense. One of the questions, I might ask if you don't have any parking on either side of the street, how do you allow for shoulders? There is no specific allowance here for shoulders without parking.

MR. REIF: This is partially in a diagram. You are somewhat handicapped because you don't have a diagram.

MR. PUSARI: A local street without any sidewalk, the narrowest one is twenty-two foot paved. With a curb..

CHM. BUTTON: 4.6

MR. PUSARI: 4.6 yes. Perhaps a curb might be in the way there. This is an example. I am just going to toss out some examples which is playing the devil's advocate roll I'm afraid. As generally speaking, I think this is an excellent way of handling this. Where there is parking there is obviously a built in shoulder. Where there is no parking, perhaps a defined sort of a rolled curb or flat curb. This would be a way of getting off the street immediately in case of emergency.

MR. REIF: Yes, well the option is here to have curbs or some other border acceptable to the Commission. The Commission is the one who...

CHM. BUTTON: Is that on the diagram?

MR. REIF: It is in the general notes. Number five. Curb or other pavement border acceptable to the Commission, shall be required at the edge of all paved areas.

CHM. BUTTON: Well, that becomes a function of an engineering inspection for the particular site for the particular area of the roadway anyway. Wouldn't it?

MR. REIF: Yes.

MR. FUSARI: The major question that I really wanted to ask is the one related to parking. In one instance you say you must have off-street parking. So many units per dwelling unit, whatever. Then you provide for on-street parking. In certain areas, I think it is a little unclear. When you require on-street parking would you also require off-street parking.

MR. REIF: The only on-street parking is if you select a one way loop. If you didn't or the Commission didn't require it, it is possible to put in an eleven foot road. If you had that in mind that is the only instance where you must have on-street parking.

MR. FUSARI: Beyond that it would be optional, is that the...

MR. REIF: Beyond that it is optional as long as you meet all the other requirements for parking.

MR. FUSARI: Now on the last...

CHM. BUTTON: Let's talk about that loop there a little bit. One way traffic, 5.2, a circular loop. One way traffic, parking on one side, pedestrian walkway elsewhere. 5.1 and 5.2 are pretty much alike, aren't they George?

MR. REIF: They are except for the so called sidewalk. The difference is only the location of the pedestrian walkway. In case of the 5.1, the right-of-way includes the sidewalk and on 5.2 it does not, it is somewhere else.

CHM. BUTTON: But you see the circular loop included the parking on one side is still only a twenty foot total paved area.

MR. REIF: Right.

MR. FUSARI: The question I had relating to this is if you have on-street parking, would the law that we presently have in town prevail during the winter that you could not use this for parking during certain hours of the night.

MR. REIF: In addition, let me answer that this way. In addition to this requirement for parking at the edge of this circular loop, you can also or you must have two fully off-street parking spaces for example.

MR. FUSARI: 4.7 does not consider that. Is that correct?

MR. REIF: That is correct. That is another category. A special category for dead end streets. Non-continuous only.

MR. BUTTON: For a dead end street.

MR. FUSARI: I see. In any event all these various parking laws, none of them would be counted as parking. You would have to provide your parking someplace else. Wherever the parking is required within the subdivision regulations, you have to provide it somewhere else. Even if you had it here. Right.

MR. REIF: Right. There is one thing added as you know.

CHM. BUTTON: Let's cover this again George, on this dead end street. The parking that would be sealed in on this would this be included in their parking requirements?

MR. REIF: This would be included in the requirement for one additional parking space beyond the two which are required for single family and two family dwellings as noted in item. (inaudible).

CHM. BUTTON: Well, suppose it is an apartment block.

MR. REIF: If it is an apartment block they have to require according to the regulations now, 1.5 parking spaces per dwelling unit.

CHM. BUTTON: Right. Would this be used for providing that one and a half for all parking spaces.

MR. REIF: That would be included. Yes.

CHM. BUTTON: It could be?

MR. REIF: Yes.

CHM. BUTTON: What is the permitted length of it (inaudible) of the street.

MR. REIF: This does not establish that. It does not change the existing four hundred feet in the code. Right now it does not change that.

CHM. BUTTON: Would this require a cul de sac at the end of it?

MR. REIF: Absolutely. Or someother acceptable method of turning. Its important to note that somewhere here the proposal all requirements of the subdivision regulations remain unchanged unless specifically noted as being amended. This four hundred foot length and cul de sac does not include those things changed.

MR. FUSARI: Can I just recap this particular item. With the ninety degree parking you show on this 4.7 diagram, could this be counted as

the off-street parking requirement as the one and one half. And the town would maintain this. The town would plow it. Is this the object of it?

MR. REIF: It would be part of a community system.

MR. FUSARI: A community system. Okay.

CHM. BUTTON: Alright George. It was our thinking that these standards would be..would apply to both public and private streets was it not?

MR. REIF: The proposal here clearly says that all the vehicular ways would be eventually offered as public streets. There are no provisions for so called private streets.

CHM. BUTTON: This doesn't mean that there aren't private streets, does it.

MR. REIF: It would mean that none of them would serve the requirements for access to sites.

CHM. BUTTON: (inaudible) with a cul-de-sac?

MR. REIF: It could be.

CHM. BUTTON: Well the question arises constantly as you well know and we know, what constitutes a private driveway or private street?

MR. REIF: And the answer there could only be a driveway on someone's individual piece of property. That is a private street. From the public street to someone's garage or driveway is the only private street that is envisioned here.

MR. FUSARI: Could I ask another question. On the 4.7 would parking be allowed on both sides of the street. Unless it is a parking lot.

MR. REIF: That's correct. This is one of..of course these things are all alternatives that are available as proposals by the developer and in most cases the acceptance has to be by the Commission after they see the proposal.

CHM. BUTTON: Well that would go back to our other regulation. I think we would require twenty five feet plus for backout in a parking lot. You would get right into a parking lot.

MR. REIF: This does show incidentally the twenty-five feet here backout space. That is how we got the fifty-five foot right-of-way.

From time to time people have suggested this but it never included the twenty-five foot backout space.

MR. FUSARI: If you allowed it on one side, why would you not obviously allow it on the other. Would you prohibit it completely on the other side of the street?

CHM. BUTTON: It doesn't make sense to allow it on two sides, does it. I mean with this kind of a setup you would have the possibility of cars backing into one another.

MR. FUSARI: It would be in essence a parking lot.

CHM. BUTTON: So, other words if you talk this way then you talk about a parking lot. Which definitely shouldn't be thrown under the mantle of a so called street.

MR. FUSARI: I would agree with that of course. I would question whether this is really a parking lot as it stands. Well, under this theory that these must be dedicated, how would you allow for a parking lot under this system of roads? For vehicular movement.

MR. REIF: How would you allow them in what sense?

MR. FUSARI: Well, suppose we were building an apartment house and we wanted to have this type of arrangement with parking on both sides and we wanted to own it ourselves. Which I am sure we are not unique in this respect. Anybody who builds apartments usually ends up doing that kind of thing. Parking on two sides with a lane through the middle. Must we dedicate a certain portion of this to the town? And be required to meet these standards and have parking on one side. Such as here.

MR. BUTTON: No, Bob. You are really splitting hairs. I don't think that enters into it really.

MR. REIF: He is covered by category number 6. He is into a parking lot, which it says clearly that the city will not maintain. Lots not maintained by the city.

MR. FUSARI: I realize that. The statement that these things must be built to the standards and offered for dedication to the town. If you don't meet the standards then you don't offer them for dedication. Is that right.

MR. REIF: If you don't meet the standards, you don't get approval. You don't have a choice. You don't decide that you don't want to have an eight foot road and call it a private road. And you are going to get the city's approval you must meet the city standards.

CHM. BUTTON: If you want to retain ownership of them, that's your prerogative in some cases but in essence in Sight Plan Review, they will be built to whatever the standards are that the Commission adopts.

MR. FUSARI: I see what you mean. Whether they really adopt them or you offer them or not is not important.

MR. REIF: This could become a very delicate point. Some developers could propose very narrow streets and claim that forever they would maintain them and then..

MR. FUSARI: I understand what you are saying.

MR. REIF: The Commission is wiser than that. They know that sooner or later the city assumes or gets the streets.

MR. FUSARI: I appreciate that. That isn't really what I was after. What I am saying is I am wondering whether the regulations as you have it now would prohibit a parking lot with parking on both sides.

MR. REIF: No. No. You are in category number 6. Off-street parking lots.

MR. FUSARI: And you don't have specs on that, is that it? Are there any specifications on that.

MR. REIF: Oh yes. The Zoning Code covers the requirements as far as size and this also reflects that the fact that a parking space must be nine by twenty and it is also repeated in the Zoning Code.

MR. FUSARI: I am still a little unclear on a parking lot and a one sided parking for instance. This loop street that you speak of. If we chose to build a one sided parking lot how would you determine that it was not a loop street and therefore was built..

MR. REIF: Well, a loop street envisions parallel parking only. No question about that.

MR. FUSARI: I'm sorry. Not a loop street.

MR. REIF: A local street that envisions this possibility of perpendicular parking, would be a dead end street. Your question is if you have parking on one side why can't you have it on the other. You can but then you have a parking lot. This is only offered as another alternative to carry out some of the suggestions that helps the builder. In helping the development of housing in Middletown.

MR. FUSARI: I agree with (inaudible) over here and these are a step in that direction. The only concern is that I just didn't want to see us boxed in or in the interest of being more flexible. In having put us in the corner someplace where neither of us are particularly happy with it.

MR. REIF: If you are going to have a parking lot you have to meet the Zoning Code regulations as far as size and that sort of thing.

MR. FUSARI: Well, I realize that. But how you determine what the parking lot and what is this 4.7, they might look identical.

CHM. BUTTON: Well, it might. But we'll know. If it is four hundred foot long it is dead end. If it is perpendicular parking on one side according to these dimensions that is perpendicular on-street parking. And it is allowed only under that condition. A four hundred foot dead end street. That's the only place it is allowed.

MR. REIF: May I suggest that if the Commission adopts it, this is a real gift in the direction which has been suggested.

MR. FUSARI: I appreciate that 100%. I have a strong concern for the parking situation and we are involved in it right now. And I just brought it up as a point of issue. The concern is that we would prefer to maintain our own parking lot. Not to criticize the town's maintenance, but I think perhaps we would want to have the capacity to do it promptly. To get rid of the snow with equipment that picks it up and hauls it away. This the town is not prepared to do.

MR. REIF: No one will deny you the right. Because it specifically mentions at the end that it will not be maintained by the city.

MR. FUSARI: If we built a structure similar to this 4.7 and we wish to have it as a parking lot to maintain it ourselves, you say we must offer it for dedication to the city.

MR. REIF: No. It would be very easy to classify it as a parking lot. No problem.

MR. BUTTON: Or a private street.

MR. FUSARI: Or a private street. Okay.

CHM. BUTTON: We still haven't got that tied down. One way or another.

MR. FUSARI: One more question I would like to ask here relating to the cul de sac. I realize you don't discuss it on these particular issues, but I would like to. I have a personal phobia against four hundred foot and I am sure it is going to come out in my discussion. I wonder whether the length of the cul de sac might be better determined by the number of units there are on it as opposed to the shorter length. The use that the road is going to get. The function as to serve as opposed to just an arbitrary length of feet. I don't offer any criteria for making that decision although there is some of it available (inaudible) and various engineering studies. Has that been considered at all?

MR. REIF: That has not been one of the issues the Commission has dealt with here.

MR. FUSARI: Although it does involve some of the loops and things.

MR. REIF: Well, the loop, the circular loop has a limiting factor. It has a maximum of thirty dwelling units per loop.

MR. FUSARI: I am neither prepared to agree or disagree with the figure, but I think that it is a step in the direction I was asking. That considers a density.

CHM. BUTTON: Why did you just happen to pick thirty dwelling units? You could conceivably have a loop with one hundred fifty units.

MR. REIF: That is true. There is that possibility. Of course, if you would want to move it to one hundred fifty.

CHM. BUTTON: No, I am just asking how you arrived at that figure.

MR. REIF: The reason this was selected is because the State in their definition of a P.R.D. mentioned twenty five dwelling units as a minimum and by having more than twenty-five it would be possible to have a loop road with twenty-five dwellings or a few more and have a P.R.D. See if you have twenty-four then you couldn't have a P.R.D.

CHM. BUTTON: I see.

MR. REIF: That was the only landmark we could put our finger on as a thinking piece.

CHM. BUTTON: I wonder if there would be some other way to tie that down and to lock it in, that thirty dwelling units because we may not be serving our best purpose just by saying arbitrary thirty. I don't know. I am just posing that question.

MR. REIF: No question about it. It could be One hundred.

MR. FUSARI: Did you set that as a maximum by the way?

MR. REIF: Yes. Possibly you could suggest..there is no reason to have it as a minimum either. You could simply say usually thirty and then it could be left to the discretion of the Commission.

CHM. BUTTON: Would you say that if you go above so many units, in a loop, then maybe the loop should have the width increased.

MR. REIF: No. That would violate the concept. We don't want to get into the situation where we are changing width by virtue of the length. But there is an honest opening for discussion about the fact that we recognize that there should be some limiting factor and again it is arbitrary. Like the four hundred feet there. There are usually three figures. Four hundred feet, five hundred feet and one thousand.

MR. FUSARI: I think it is up to fifteen hundred now, but I don't know how they arrived at any of the numbers to tell the truth. I couldn't find any criteria for the length. Why is one length better or not quite as good as the other. Maybe the density and the amount of traffic you bottle up at the beginning seem to be the determining factor. I don't know how you arrived at it. I'm not a traffic engineer, but I am sure there must be data available for it.

MR. REIF: The original concept was supposedly based on the length of the hose.

MR. FUSARI: Is that it? They figured the fire hydrant was at the corner. Perhaps this is where it started from. That is all I have to offer.

CHM. BUTTON: We always appreciate that. Are there any other comments to be made?

MR. REIF: Mr. Chairman may I acknowledge with great appreciation the help from the MidState Regional Planning Agency and the city's Department of Public Works. Their effort made here. The level of achievement so far.

CHM. BUTTON: And we back that up with appreciation..I was wondering why Mr. Colegrove was sitting there not saying anything. Okay.

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MR. REEF: I wanted to find out how badly we did here before
we....

CHM. BUTTON: Okay. I hereby declare this hearing closed.

The hearing adjourned at 8:40 P.M.

Respectfully submitted:

P. Hutton

PATRICIA HUTTON, RECORDING
SECRETARY

E. F. Button (H)

EDWARD F. BUTTON, CHAIRMAN
CITY PLAN & ZONING COMMISSION