

THE CITY PLAN AND ZONING COMMISSION

PUBLIC HEARING - JULY 9, 1959

Present were Commissioners Traverse, Passanesi, Dillon, Misenti and Higgins, Mayor Clew and Corporation Counsel Walter D. Briggs.

Meeting was called to order at 7:40 P. M.

It was unanimously voted to waive the reading of the legal notice which is attached hereto and forms a part of these minutes.

Attorney Carlos B. Ellis appeared for the Hartford Electric Light Company of Middletown to petition for a change of zone from general residence to industrial for an area lying south of River Road and owned by the petitioner. He stated that the area concerned, as indicated on the map already submitted, includes all the area owned by HELCO not already zoned industrial. The major part of it is the area designated "leased area". The reason for this request is that HELCO proposes to lease this area to the Appalachian Feldspar Corporation which requested a hearing earlier regarding the area west of this area. This section and that in the earlier hearing will be under the control of the Feldspar Corporation. The map submitted by HELCO shows the area which has been used for quarrying operations. It shows four (4) quarries plus a Feldspar dike and a sandpit designated "molding sand" back of the old glazed brick factory. The proposed operation will be substantially the same as that conducted here for many years. This petition also concerns an area of 350 acres abutting the present industrial area of the HELCO Plant, the north line being a proposed power transmission line of HELCO. These operations will be conducted with a minimum of annoyance to anyone.

The Chairman asked how close to this property the present residents are. It was stated about one-half mile west and they are the Ledoux, Thibodeau and Garvie families. On Bow Lane the last resident is a man named LaPierre, which is about one-half mile away and his property does not abut that of HELCO. In fact it was stated there were no abutters of private property.

Next easterly to this property is the U. S. Government and their operational area is a considerable distance. There was no representative of the U. S. Government present.

The Feldspar Plant is one-half mile to one mile from any other operation. It was again stated that the petition includes the entire area of 350 acres and that it follows the existing line of general residence zoning until it reaches the HELCO property line. The map referred to is one submitted by the petitioner to the Commission and titled: "The HELCO Middletown Station Site; map showing area to be leased". That portion of the area marked in here in yellow lies south of a line marked "limit of industrial zone" on north side and north of the line marked "limit of general residence zone" on the south side. There will be no increase in traffic hazard as this is next to the area which is concerned in the first petition by Appalachian, and traffic does not go onto the highway.

Referring to the proposed leasing of this property by HELCO to Appalachian, the Chairman asked if it would mean added laborers. Attorney Ellis said that under the present plan it is proposed to employ 75 to 80 people. This operation will

eventually result in an investment of about \$1,000,000.00. The proposed lease will run for 20 years.

Those registering in favor of this petition were Mr. Ernest Nelson, General Manager of HELCO; Mr. Fred Beal, Supervisor of HELCO real estate; Mr. Miller of Feldspar; Mr. Walter W. Glinski, Executive Secretary of the Chamber of Commerce.

No one appeared in opposition to this petition.

There were no questions from the Commission. Attorney Ellis submitted T-B Realty Company map of 1929.

Hearing on this petition concluded at 8:02 P. M.

Attorney John Pickett appeared for Monarch Builders, Incorporated. It was unanimously voted to waive the reading of the legal notice which is attached hereto and forms a part of these minutes.

Attorney Pickett stated that the purpose of the petition is to clarify an ambiguity in the zoning ordinance, section 7, subsection B, regarding front yard lines. The change for which we petition is that the period at the end of section 7, subsection B be changed to a semi-colon and the following added: "provided, however, that where a building line is established by the Common Council all building lots shall conform thereto". The ambiguity lies between the words of section 7, subsection B and the power within the Common Council to set building lines. The enactment of the proposed amendment would acknowledge the authority of the Common Council over an ordinance. This ambiguity was brought to light when the Monarch Builders proposed construction in the Ridgewood Road area. The Common Council of this city set the building lines with which this particular development will be governed. At this point, Counsel Briggs was asked for a ruling on this matter. Attorney Briggs felt that it is necessary that the ordinances acknowledge the right of the Common Council to establish front yard lines when necessary and he felt that the Commission should pass this amendment.

Commissioner Passanesi asked what setback was established on Ridgewood Road. The answer was 30 feet.

Attorney Pickett summed up his remarks with the explanation that the gist of this section of the ordinance is that where buildings within a block are of a certain depth from the line the rest of the buildings on that block should conform to that building line. He felt that this would pertain to a city block but stated that in this immediate area there are a few homes on Newfield Street. There will be more on the rest of the block which must according to the ordinance be governed by these few. He felt that section 7B of the ordinance was not intended to cover such condition. However, the Common Council established a 30 foot line. The existing law is 20 feet and because of these few homes on Newfield Street this ambiguity came to light. With the proposed amendment the 20 foot line would be adhered to except where the Common Council sees fit to establish lines, and their action would prevail.

Hearing on this petition closed at 8:15 P. M.

Attorney Pickett asked for and received permission to discuss the Dover Park Development, Inc. Mr. Bennett of Bristol was present. He submitted a petition which is attached hereto for permission to build 5 model homes on Mile Lane. Plans for a subdivision at this location were submitted some time ago to this Commission and they have been working to obtain approval of the various city departments involved. The attorney stated that they are about ready to come back to this body with the approval of the various groups, but in the meantime would like permission to erect homes on these 5 lots as models. This has been taken up with Dr. Palmieri and Mr. O'Brien, both of whom have given permission to be quoted as approving this request. He said it is possible that they could apply directly to the Building Department for permits since these lots are on an accepted street, but they felt it would be more ethical to request permission of this Commission, or to ask their blessing to go ahead with these homes. He stated that this is a particularly good development and these model homes will be for sale purposes. They will also show the city what is intended for this development. It is expected that there will be 5 different styles of homes and therefore the 5 models. All facilities will be in compliance with the demands of the Health Department and Building Department. Attorney Pickett agreed to submit a letter regarding the approval on this model home project.

In answer to a question from the Chairman, Attorney Pickett said they do not know as yet what the average cost of these homes will be as there are still some details to be settled regarding sewers, septic tanks, etc. They have a problem with this land and have consultants and experts working on it. Mr. Bennett submitted a letter from the Henry Souther Engineering Company of Hartford, dated June 30, 1959, as follows:

"Dear Mr. Bennett:

We are enclosing a report on the design of the sewer disposal system for Dover Park of Middletown, Connecticut. Accompanying this report is a set of preliminary plans and details of the individual disposal systems for your review and approval. We are forwarding a set of plans and the report to the State Water Resources Commission for their review and approval.

We shall await both your approval and the State's approval before forwarding final plans for the disposal system.

Very truly yours,

HENRY SOUTHER ENGINEERING COMPANY

s/Chief Engineer"

Copies of this were sent to the city officials. The sewer and storm water disposal will require the approval of the State Water Resources Commission which we assume will be forthcoming in the near future.

The hearing on this petition closed at 8:30 P. M.

Respectfully submitted,

Claire E. Hedges, Secretary

Claire E. Hedges