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Jim Zimbardi

few points that I would like to talk to you, if I may. On the point of....(talking in the background, inaudible)....on the point of associations. We heard Attorney Dowley speak to a couple of things. One of them being his willingness to reactivate the association and that all sounds well and good and from a legal standpoint I'm sure it can be done. The only question I have is, it was illegally inacted quite some time ago, without homeowner participation, it comes to a grinding halt and while he is more than welcome to go ahead and do those things, history says that the individuals in that neighborhood are not supporters of an association and to go that route is only going to turn out to be exactly what we had back in the 1970's, which is defunct in about two years. Along that line, a couple of questions, too. If anyone has ventured up into that territory and also read the association rules and guidelines, my question is, what do you do about the violations that exist? Violations such as swimming pools, decks, additions, swingsets and all those kind of neat things that the bylaws say cannot exist on the confines of the association? Now, if you want to amend the association rules and regulations to allow that, you are going to have some real pleased new homeowners when they come in and find out that their children can't have swingsets or they can't build a deck. So, I ask you to address just what kinds of rules and regulations go along with reacting an association or reenacting it once it has been defunct. On the subject of the common land. The common land, as it exists right now, several comments were made last meeting that it is not being taken care of, it is overgrown and all these kinds of neat things and there's probably a few, or more than a few, who take the stance of resentment with those statements, including yours truly. The comment of the land reverting to the City of Middletown, Middletown, excuse me, Middletown, for policing and for maintenance and upkeep and then passing those associated costs back to the homeowners is interesting. I bring to your attention the case of the center divider on Village Drive. Not looking for hand claps or accolades, that piece of parcel, be it 100 feet long by 10 feet wide with a few very, very poorly growing shrubs, belongs to the City and is required to be maintained by the City. I guess what I am entitled to do since for three years I've been the one that has maintained it, is to turn around and submit those costs to the City and ask for reimbursement. I guess all's fair. The common land, itself, to talk about areas that are fit for picnics and for recreation, I ask the members of the Commission, how many of you have recently picnicked on a slope of about 45 degrees? It's not meant - it's not really meant to be funny but if you walk that land back there, you are talking about pretty rough terrain and while it is neat and you can take children on a nature hike, you don't picnic on that kind of land, at least not with four year olds. Talk for a second about home values. I heard the comment from earlier on this evening, from Mrs. Haftel about the home values in that area and the efforts of the previous builders and developers to build homes which were going to allow homeowners to develop equity and you know those rumored things we are all looking for in this day and age. Well, my point is this, I think it is more like being at the right place at the right time. Of the builders in the past, nor the developers can lay claim to the fact that they had any idea of what the housing market in the Connecticut market, or the Boston market for that matter, was going to do and to lay claim to the fact that they are responsible for a 50 or 75 or 140 percent increase in housing values.....

Change of tape

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Jim Zimbardi

.....in line with that, we are talking about condominiums which are going to sell - and I'm reaching back for some figures - \$85,000 to \$90,000 mark. Early comments by Mrs. Haftel also indicated that the current pricing of those homes is well in excess of \$100,000 and I guess that is evidenced by some recent sales. I guess my question is, what kind of impact does an \$85,000 or \$90,000 condominium have when it is approximately located to a \$120,000 single family dwelling, especially if you happen to be back up against all those multiple housing units. A question to me, to the Commissioners I don't know, and that is a curiosity factor as to whether or not anyone has looked at individual deeds for this property, be it Phase I or Phase II, to see, to make sure that they are all the same with regard to the open space and although this doesn't legally probably hold up, I, for one, buying a few years ago, was told my Merrill Lynch Realty and Century 21 what a joy in adventure home I bought, that there was, indeed, no association in Cedar Ridge. Now, I won't say that would or wouldn't have made a difference to me at that point in time, the fact is, the statement was made. Bear with me so I try not to double up on things that have already been said. Okay, one last comment, if I might, on the detention ponds. Maybe I'm just a little bit thick, can I ask, am I permitted to ask, Mr. Chairman, where, exactly, those detention ponds so I have a clear understanding of that? And my question then becomes one of the properties to the north and south of Julia Terrace obviously are owned by, my understanding now, are owned by individuals other than the developer and my question is, do - does the developer or does....whomever it applies to, do they have the property necessary to build the detention ponds they are talking about. In other words, have they secured or bought the land from those individuals and we do now own it or have rights to it, whatever the case might be? That's all, thank you very much.

Chm Gionfriddo

Is there anyone else? If not, Michael(Dowley)you want to answer that last question and then I'm going to close the Public Hearing.

Atty Dowley

I've got a few answers, Steve(Gionfriddo), I think would help some of the Commissioners out. I picked up the deed of William J. Acousti to Donald Noble and Patricia Nobel, I don't know the Nobels. Let me see what lot number it is. It's on the westerly side of Julia Terrace, this is the standard deed that is given out. The deed says, 'subject to a reservation of rights and an obligation to reconvey open space land as set forth in a deed in Volume 407, page 260.' So the page that you've got to look at for the reversion is Volume 407, page 260. Each of the deeds conveys, sets forth, that the property is subject to the Declaration of Covenants and Restrictions. I don't want to tell you, I mean, this developer doesn't have to go through and reactivate that association unless you people want him to. We can take care of our common land as a condominium, and just as a condominium, but if you want to reactivate the association, the developer will undertake to do all - spend the money to do all the legal things necessary to reactivate it. Whatever the Commission wants, we are willing to do. The way I look at it is that I think that this Commission approved the Phase III for 80 units of multifamily dwellings and I think that in this site plan, if you make sure that the developer in the site plan application process has satisfied

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Atty Dowley

all of this city's departments, which he has in terms of detention areas, in terms of capturing surface water, I think that if the people themselves don't want an association, well then, fine, that is what they want but I believe that by finishing Phase III this Commission will bring to a conclusion an approval that was given many, many years ago and also I believe help the people that are out there in terms of some of the claims surface water problems. Concerning the common land, the common land is there, common land would belong to the association and does belong to the association, I believe that in terms of the City of Middletown getting tax dollars, that would be a reason why you might want to reactivate the association because you would want to have someone to tax for that common land, the tax would go to the association. Thank you.

Chm Gionfriddo

Michael(Dowley), the question that was just raised about the detention pond and he wanted to know the location and whether you had secured sufficient lands to....

Atty Michael Dowley

The detention ponds are not on other people's property, they are in the area they were initially approved on the Planned Residential Development, on the common areas of the development.

Chm Gionfriddo

Thank you. I am going to close the Public Hearing on this item....

Comm Leinwand

Mr. Chairman

Chm Gionfriddo

Yes, sir.

Comm Leinwand

I would like to move to waive the rules and suspend the Public Hearing and enter New Business to consider this matter at this time.

Chm Gionfriddo

Okay, there is a motion to waive the rules. Is there a second? What is your pleasure, as a Commission. I am assuming the reason the motion is being made is because there is a large number of people from the public here who otherwise would have to wait to the very end of the meeting to understand where we are going with this, so what is your pleasure with respect to waiving the rules to consider this item at this time? All those in favor? Any opposed? Okay, we are going to suspend the Public Hearing and we will take up. Okay, Comm Sbalcio is indicating that she was not at the last Public Hearing so Commissioner Gadomski will be voting in her place on respect to this matter. All right, this matter is now on the Agenda for New Business.

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Sec'y Carta

Item #2: Rezone present R-2 Zone to a new Research, Development and Technology (RDT) Zone between East Street and present I-2 Zone west of Newfield Street as shown on a map with text filed in the Town Clerk's Office. Proponent P & Z Commission.

ITEM #2: RE
ZONE R-2 ZO
TO RDT/P&Z
COMM

Chm Gionfriddo

George(Reif), if you would give a brief summary to the public and members of the Commission as to what is being proposed here and why.

George Reif

First, let's locate the proposed rezoning area. I'm holding in my left hand the map that was filed in the Town Clerk's Office, it is the regular City zoning map, it's the area that's proposed for rezoning is shown in red, I'm now going to put that down and point to the area, it is the same area as I am running my finger over now, we have a larger drawing which we are going to put on the board which shows property lines which will make it very easy to understand where the area is. Here is Newfield Street, here's the river that divides Cromwell and Middletown, here is East Street, the green line outlines two parcels of land that's the area of which is about 90 acres. This is an area zoned I-2, this area is the one proposed for rezoning to the RDT zone. The purpose - at this time the area is not being used for any specific purpose, it is undeveloped land, it is adjacent to an existing industrial parcel, the road that leads into the existing parcel is Tuttle Road, it's beginning to develop, be developed, for industrial purposes, there is a need for additional industrial type uses in Middletown, there appears to be some logic to extending the existing industrial zone to include this undeveloped 90 acre parcel. The frontage on the proposed parcel is about 500 or so feet on East Street, off the map to the west is the Interstate Highway I-91, off the map to the east is Route 9, the State owns Newfield Street, Route 72, which, of course, crosses and ties in with East Street at this location. East Street is a State highway also. There is a list of proposed uses which is intended to encourage a highly technical type of futuristic, if you will, uses that seem appropriate to attract to Middletown.

Chm Gionfriddo

Are there any questions members of the Commission wish to ask of George(Reif)? If not, are there any comments by members of the public in favor of this proposal?

Michelle Stronz

Good evening, Commissioners. I think it's stuck. My name is Michelle Stronz, I am Executive Director of the Middlesex Industrial Development Corporation and also Industry for Middletown, Incorporated. If you will bear with me for a moment, I would like to give some very brief background on why this zone is before you tonight and so that you can make a more informed decision about this zone. At the end of last year when you were involved in your Plan of Development process, MIDC, one of my organizations, approached this Commission and requested that a task force be formed to take a look at industrial land uses in the town of Middletown and make some recommendations regarding the maximum use of existing zones and the potential use of other areas in the City for industrial development. That task force has been operating actively since March. These zones, this zone, is a direct result of discussions that the task force has held regarding potential sites for development in the city. The reason we

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Michelle Stronz

settled on the Research, Development and Technology zone is really threefold. First, we took a look at what available resources Middletown has as far as support groups and we saw the very present Wesleyan University as the higher education source and also fairly broad based group of industrial citizens - industrial, commercial citizens - ranging from a very large service industry, Aetna Life & Casualty, all the way to a very large manufacturing user, Pratt & Whitney, Inc.. When you took a look at what the community possessed as far as resources for employment, there was one conspicuous absence and that was Research and Development. There are corporate citizens in Middletown who could make use of a kind of research and development component and this is a growth sector in the regional economy based on growth in the Northeast corridor, so, that is how we arrived on the Research & Development. Let me go back to the map for a minute and suggest to you some other points that we had on this RDT zone. We were really looking at, originally, doing this zone and connecting it to the I-2 where there is currently industrial development, we felt that might be a more reasonable and responsible approach rather than going in from the west where the residential development currently is occurring. I would suggest we rethink the map before a zoning decision is made. My final comment on this zone is, the task force was formed in order to anticipate needs and demands and I have briefly given you some indication of why I think research & development is a good thing to approach, begin to approach. We also have seen a tremendous influx of residential development in the city and I think we need to keep an eye on the future use of the available, vacant, underutilized land and I think that this particular piece of property, approximately 80 plus or minus acres is precisely that kind of property. We strongly advocate the Research, Development and Technology zone, we believe there is a demand there, we believe it would compliment the current economy and we think it is a sound industrial use. Thank you.

Chm Gionfriddo

Thank you, Michelle (Stronz). Just for members of the public's information, the Public Hearing is going to be kept open on this item because we have not received a response from Midstate Regional Planning, which is required by State Statute. So, this will be on the Agenda for next meeting as well for those of you who might be interested in this and would like to take more time to consider your comments. Is there anyone else wishing to speak in favor? Is there anyone wishing to speak in opposi....you've got to be quicker.

Charles King

Mr. Chairman, members of the Committee, my name is Charles King, I live on Miner Street. I believe this is a good idea. My only comment would be possible access to the new zone and, initially, I would have to say, if this could be done I think it should be restricted such that you couldn't come in off of East Street, Route 17. I would much rather see it come in somehow off of, or, somehow be restricted such that that road, what is it, Tuttle Road or whatever, that comes in from that existing zone to the east that would have to be extended to get in there. I was just wondering what potential traffic problems it might cause with all the other stuff that's going on up in the Lachenbach(sic) property. Thank you.

Chm Gionfriddo

Is there anyone else wishing to be heard in favor? Is there anyone wishing

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Chm Gionfriddo

to speak in opposition? If not, we will continue the Public Hearing - is there somebody? Oh, Commissioner Carta, do you have a question?

Comm Carta

I have questions of George(Reif). George, there is also a red line that kind of goes around a lot of property, I wanted to know what the red line meant, if anything.

Mr. Reif

The answer to that is we've used these, this, map for a number of purposes and at one time we were doing something with a red line in it. This proposal has nothing to do with it.

Comm Carta

The other question is, on the top of that map, the top of the green piece there is a narrow kind of right of way that swings all the way down and around on that side. It looks like sewer or power, what is that?

Mr. Reif

That's the former right of way for a railroad. The railroad right of way. Unfortunately, the key portion of that Tuttle Road has already been sold. Other than that reason, that would be relatively logical to think about using that as an access.

Comm Carta

It is in private hands now?

Mr. Reif

Yeah.

Comm Carta

Uh-huh, too bad. Okay.

Chm Gionfriddo

All right, I am going to continue the Public Hearing to the meeting of the 23rd and ask the Secretary to read Item #3.

Sec'y Carta

ITEM #3: Establish new Industrial Redevelopment Area (IRA) Zone and designate present I-1 Zone at area north of the Central Business District as an IRA Zone. Map and text filed in the Town Clerk's Office. Proponent P & Z Commission

ITEM #3: NEW IRA ZONE/PRE I-1 ZONE NOR OF CBD as IRA P&Z COMM

Change of Tape

Chm Gionfriddo

...the Federal Government is getting rid of IRAS' and we are putting them in. George(Reif).

Mr. Reif

I am holding a duplicate of the map that was filed in the Town Clerk's Office. The area is shaded in red that is proposed for rezoning. On our zoning map this area of town, as the note says, north of the Central Business District, we have another map that does show the area at a larger scale. In the event that anyone wants to look at it in larger scale, there it is. Here is the B-1, or Central Business Zone, here is the Residential north end of Middletown and north of that is the current I-1

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Mr. Reif
zone.

Chm Gionfriddo
George(Reif), before we ask - you just want to give an idea of what this zone will allow that it is currently not allowed or what the changes entail?

Mr. Reif
Well, we do have a list of the proposed uses. Let me get the question about area first.

Chm Gionfriddo
He was wondering if there was any houses in the area.

Mr. Reif
If there are, it is exactly the same area that is now zoned Industrial. You may want to change that, you know, there is some possibility, but we did not make that presumption to change. It is possible, there are some places where it could go.

Unidentified voice in the background
Down North Main?

Mr. Reif
It's exactly the way it is now. There are places - I, too, wonder why it got the way it is, but....

Chm Gionfriddo
Just for members of the public, what changes, what is the actual change going to entail here?

Mr. Reif
I hope Michelle(Stronz) is going to come up here and make a presentation and one of the big incentives for this is that there may be funds available to do some of these things and it's really that, rather than the change in the specific uses. It is - the proposed uses include metal shops, welding shops, building trades, automobile service and repairs, lumberyards, laboratories, manufacturing, printing related trades, public utilities structures, warehouse distribution, non professional offices and light industrial uses. I think as we go along Michelle(Stronz) will help explain why we want to designate that area. It is something different than industrial.

Chm Gionfriddo
Are there any questions members of the Commission might have of Staff?
Commissioner Thompson

Comm Thompson
Yes, George(Reif), are there other residential homes in that area at the present time and, if so, how many?

Mr. Reif
I couldn't give you a number of how many but they are the same as totally I(inaudible) there are no changes....(unidentified voices in the background, inaudible)...okay, we have not made any change from the area that is currently zoned I-1, Industrial 1, so we can look and

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Mr. Reif

study the map and see how many residential units there are. New residential units are not permitted in an industrial zone and they, presumably, would not be permitted in this zone either, so we are not changing anything, in that sense.

Comm Thompson

Another question is that we have been putting a lot of emphasis on expanding the industrial area out where the new Aetna Life and Casualty building is, now why are we talking about extending part of our downtown business district for industrial development also?

Mr. Reif

No, this is not a proposal to extend the downtown area, it's a proposal to rejuvenate, or have a renaissance, in this area that has been zoned for industrial uses for many, many years. And, again, this is part of an overall program which you are going to hear more about from Michelle(Stronz), shortly, to rejuvenate the area. So, it is not a new area, it is a rezoning of an industrial area that has been there for decades.

Chm Gionfriddo

Are there any other questions by members of the Commission of Staff. If not, are there any members of the public wishing to speak in favor or this proposal?

Michelle Stronz

Thank you, Mr. Chairman. Again, this Industrial Redevelopment Area zone is a direct result of discussions that were held by the Industrial Land Use Task Force and it comes as a result of trying to identify a way, and I think George's(Reif)word renaissance is a good one, a way to look at our vacant, underutilized industrial sites, and I think North Main where the old Remington Rand building is a good example, look at those sites and try and reuse the older, vacant industrial sites and bring them back to a level where - to a level of activity that compliments the community. We are talking about laying this new zone over the existing I-1 Zone in the North End and I would hope that the reclamation of this area would improve it for, as far as quality of life, for people who live there although I think it is legitimate to talk about the residential, the existing residences, in the area. I think that it is important to point out that during the late 60's and early 70's, urban renewal was really the vanguard and UDAD grants were predominant and downtowns were being brought back to life. Today, I think the emphasis is on the older, vacant industrial site, ala the North End, ala Fenner that have been vacant, not used and really more of an eyesore than a contribution to the community. The vanguard now is to designate these areas for redevelopment and to, in fact, go in and rejuvenate these areas so that they are once again productive and that they are no longer eyesores. George(Reif)alluded to the fact that there are funds available. Yes, there are. I'm led to believe that they might be in limited supply, given what's happening at the Federal level, but next year funding has been guaranteed through the U.S. Economic Development Administration for areas that have been designated industrial redevelopment and those funds would be used to rejuvenate infrastructure, to bring back the buildings, to create long term employment where there hasn't been long term employment for years. We are hoping that if we do designate certain areas in the City

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Michelle Stronz

Industrial Redevelopment we are not extending or encroaching on other uses, we are just bringing back industrial ghost towns. This comes through discussions of the Task Force, as I mentioned but MIDC and INFORM strongly support this proposal because the costs are not as prohibitive as a developer coming in and buying raw land and trying to build new construction, there are public-private partnership monies available, it would improve an area of a community that really and truly right now is in need of some kind of responsible activity. So, we do support this Industrial Redevelopment Area.

Chm Gionfriddo

Thank you, is there anyone else wishing to speak in favor of this proposal? Is there anyone wishing to speak in opposition to the proposal? If not, Commissioner Leinwand has a question.

Comm Leinwand

George(Reif), I think it would be helpful if we got, in writing, specifically what the differences are between the present I-1 designation and the IRA designation and if that was in our packet prior to the 23rd it would make the decision somewhat easier. Is that possible you and Michelle can work on that? Then I have one other question.

Michelle Stronz

Mr. Leinwand, the zone description, the purpose of the zone, as it is written in the description, I think is clear. It talks about - I'll just - it is one sentence, I'll read it briefly, 'the IRA Zone will preserve Middletown 's existing and limited industrial development areas and encourage the rehabilitation and reuse of the land and buildings for job and tax generating uses'. currently, I-1, as you all know, is really more of a dumping ground for uses and not a renaissance, rejuvenation type area and that is spelled under purpose. The only addition under proposed uses is Item #11, which reads, 'light industrial, including electronic assembly, assembly and distribution of other hard and soft goods, including apparel, furniture and fixtures, electronic components, computer circuitry and software, high-tech assembly and distribution. The reason that I added that, and that description comes directly from FIC codes which describe light industrial uses. The reason I include that is, currently, the Zoning Code does not have a light industrial description and light industrial is becoming like high tech, it is often used and often misunderstood and so I tried to define it under proposed uses.

Comm Leinwand

So, the only addition is Item #11. How about deletions? What possibly could you do there that you can't do now? I'd just like to read that....

Mr. Reif

It's like a junkyard, you can't have a junkyard, that's a good example.

Comm Leinwand

Is that the only thing?

Chm Gionfriddo

Michelle(Stronz), we are going to continue the Public Hearing until next meeting, anyway, so why don't we wait and get the response in

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Chm Gionfriddo
writing as long as we are not going to be....

Comm Leinwand

There is a procedural question. We have filed a Legal Notice and we have referenced a map. In the past we have always been able to delete sections and approve a zone change on (inaudible) this is the way it was advertised. Can we expand, going back on Item 2 now, for example. I mean, suppose that when we wander out there we realize that it would be appropriate to take some of the (inaudible) 2 land that you do not have proposed for (inaudible), can that be made IRA? In our book it is not IRA, can that be made Research and Development?

Mr. Reif

There are several theories on that. The safest theory is to have another Public Hearing if you are going to expand it. However, the basic principle of a Public Hearing is if you knew positively what you were going to do in advance, there would be no sense to having the Public Hearing. The other thing is, when you make your decision you also give people the opportunity to object so it is possible, it is smarter to - if you are going to make any substantial differences, changes to go out and have another Public Hearing.

Comm Leinwand

Excuse me, to the Chair. The Legal Notice speaks to Rezoning present R-2 and present I-2 Zone off of Newfield Street so we are covered there (inaudible)....

Mr. Reif
Right.

Comm Leinwand

....about the easterly line that I am talking about.

Mr. Reif

You could expand, you could change that, yeah.

Comm Leinwand

Can, since we continued the Public Hearing, is there a procedural way where we can incorporate some additional land to the east and some additional I-2 land so that if, in fact, the Commission deems that appropriate we can approve it? How does one do that?

Mr. Reif

I think you

Chm Gionfriddo

George (Reif), the only thing I am going to suggest to you is if we are going to do that, then I want to make sure that what additional land we are doing gets into the newspaper so anybody who ever took the time to look at the map originally and found their parcel was not on there has notice that the map has been changed, that new land has been added because I don't want to approve something and have somebody come in and say you changed the map halfway through the game and my land was not in there originally. My concern is that we referenced a map, anyone that comes in and looks at that map and sees their parcel

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Chm Gionfriddo

is not included, I want to make sure that person has an opportunity to appear and be heard if we are going to include their property.

Mr. Reif

I suggest that you have to do that, incidentally, if you are going to really make it worthwhile through a Legal Notice, you just can't have a newspaper story....

Comm Leinwand

Then that unduly complicates things at this particular point in time. All right, I will leave that.

Chm Gionfriddo

I am going to continue this Public Hearing also until July 23rd, that concludes the Public Hearing and we are going to move to Item #3 which is Discussion with Public Concerning Topics which are not or have not been the subject of a Public Hearing.

ADJOURNMENT

Transcribed by
Dorothy Wilson