

Chm. Steven J. Leinwand, Vice-Chm. Stephen T. Gionfriddo, Sec'y Cos COMM.
Giuffrida, Comm. Louis A. Carta, Comm. Emanuel A. Pattavina, Comm. Rose MEMBERS
Sbalcio, Alternates: Comm. Vincent J. Loffredo, Comm. Sebastian J. PRESENT
Garafalo, Comm. Paul H. Bixby

Mayor Michael J. Cubeta, Jr., Ex-Officio; Dir. Public Works, Salvatore MEMBERS
Fazzino, Ex-Officio; Comm. Seb Passanesi, and Alternate Comm. Thomas ABSENT
Hutton

Dir. George A. Reif, Hope Kasper, Beverly Augustine STAFF

Lucas Held, Reporter, Middletown Press; Phil Bauer, Engineer, Public OTHERS
Works, and 51 members of the audience.

Comm. Loffredo acted for absent Comm. Passanesi. Comm. Giuffrida left ACTING
at 7:20 P.M. and returned at 8:30 P.M. Comm. Garafalo acted during MEMBERS
Comm. Giuffrida's absence.

Chm. Leinwand

I'd like to call to order the Regular Meeting of the Planning and Zoning Com-
mission of July 13, 1983. We have one, two, three, four, five, six regular
Commissioners here and as first alternate Commissioner Loffredo will be sit-
ting in tonight for Commissioner Passanesi. We have a three item Public
Hearing. For those of you that didn't look at the posted notice on the door,
the first item, the proposed zone change on Washington Street applied for by
Mario DeMelis has been withdrawn. Therefore, I would ask the Secretary to
please read the Legal Notice.

Secretary Giuffrida

The Middletown Planning and Zoning Commission will hold a Public Hearing
July 13, 1983 starting at 7:00 P.M. in the Council Chamber Municipal
Building, deKoven Drive, Middletown, Connecticut, to consider the follow-
ing:

Item 2 Proposed Special Exception to permit professional offices in an PROPOSED
R-3 zone located on 367 South Main St. opposite Kentucky Fried Chicken, SPECIAL
applicant John E. Moore, Sr. EXCEPTION
367 SOUTH
MAIN ST.

Chm. Leinwand

Let the record show that the Legal Notice appeared in the Middletown JOHN E. MOORE
Press on both Friday, July 1st and Friday, July 8th, 1983. Mr. Moore? SE83-8
Please.

John Moore

Shall I sit here?

Chm. Leinwand

Please. Yes. If you would give your name and address for the record and
proceed to tell us what you'd like to do.

John Moore

My name is John E. Moore, Sr. I...I have an office on Main Street, 363
Main Street, Middletown, Connecticut. I...I don't know exactly what you
want me to...to go about.

Chm. Leinwand

No problem. You are requesting a Special Exception to change the use of that building on South Main Street to professional offices. That requires a Special Exception from the Commission and we only grant Special Exceptions of that sort after having a Public Hearing so that the public has an opportunity to make comments if they see fit on the proposed Special Exception. So, we would very much appreciate it if you would tell us what you're planning to do with the building.

John Moore

I've submitted a plot plan indicating the location of the building and the parking and so forth. Maybe I had better tell you what...how I'm going to do this by illustrating it with the plan, if that's...

Chm. Leinwand

Fine. Fine. George do we have that?

Dir. Reif

Unfortunately, I don't seem to find it. We do have a drawing that shows that street. Why don't you come up here, John and point out the building and relate it to the building...(inaudible)

John Moore

Mr. Reif had me (inaudible) a little bit that the numbers are different than I was led to believe. It's 363 Main Street. It's a lot approximately 50 feet wide. I had it surveyed indicating the the location of the building. But, anyway, it's approximately right here and it backs up to meet Pamecha Pond. And it's a couple hundred feet deep, approximately. It's got a one-family house on it. It's got six rooms: three on the first and three on the second. It's got a huge one car garage, which I hope to take down. And it's...parking at the rear. It requires by zoning regulations four spaces. I...I would like to put in five spaces. I have a real-estate consulting business and I expect to be the only tenant there. Excuse me. Here's Pamecha Pond and here's South Main Street. Here's the location of the existing one-family dwelling. Directly behind it what we would do is..is put parking. There's there's five stalls there. There's four plus one for the handicapped. And that's basically all we're doing. Except there's some trees in front of the building, they're large evergreens, which we expect to take down. And that's basically the only change that we anticipate doing.

Chm. Leinwand

Is...John, is this the building that now has the for sale sign pending up on it?

John Moore

Yes...Yes, it does. There's some large hemlock (inaudible).It's almost diagonal across from Kentucky Fried Chicken and the new restaurant, which is called Frank's.

Chm. Leinwand

Presently, how is the building being used?

John Moore

It's...it's presently a one-family house as I understand it, been there for a fellow who's 56 or so and he's been there all his life. And it's been a one-family house for a, for a good many years as far as I know. We...our hours,

John Moore (continued from page 2)

typically, are from around 7:30 or 8:00 in the morning five days a week until around 6:00, 5:00 to 6:00 during the evening. Sometimes I come in on Saturdays, but there would typically be no one there at night. And...that's not absolutely true, but if there was an emergency, I would be down there and work by myself or something. But, typically, there would be nobody at night there. We'd... as as I said I might go in on Saturday morning or something like that. We have at the present time, we have two appraisers and one secretary. We anticipate that we'd have one more. That would be four appraisers and one secretary. I mean four appraisers and one secretary. And that's as large as we could probably get because we need a room a piece for the appraisers because they need some kind of quiet.

Chm. Leinwand

Are there questions from the members of the Commission?

John Moore

Oh, incidentally, I talked to both neighbors on both sides, I introduced myself, and I tried to explain what we was gonna and if there are any questions, obviously, I would be glad to answer them.

Chm. Leinwand

George, we have we have the use to build...I mean there are there are what, six structures something like that between the Gulf Station and the Shell Station?

Dir. Reif

Yeah...

Chm. Leinwand

And and what are there about three...

Dir. Reif

Yeah...(inaudible)

Chm. Leinwand

...about three left as as residences? Do we have use on that map?

(inaudible, several Commissioners speaking at once)

Dir. Reif

...a sanborn map, it shows...

Chm. Leinwand

The little one.

John Moore

I'm not quite sure of the numbers...I'm 363.

Chm. Leinwand

I think it's the third one up from the south.

John Moore

I think it's about a 50 foot wide lot. So, that's a beauty parlor.

John Moore

So maybe someone in the yellow...the yellow...

Dir. Reif

The colors here show residential uses.

John Moore

This part, I...I'm not quite sure...

Dir. Reif

Yeah, there's no question that that side of the street is heavily...is the only remaining residential section on that street.

Chm. Leinwand

Comm. Carta, do you want that passed around?

Comm. Carta

(inaudible, mumbling)...across the street and...(inaudible)

Chm. Leinwand

O.K., yeah, George, you could pass that map around that would be helpful. Are there other questions for Mr. Moore? If not, thank you.

Comm. Carta

Pardon me, which one is this?

Chm. Leinwand

I think it's the third one up.

Comm. Carta

Kentucky Fried Chicken (inaudible)...across the street. That's Kentucky Fried Chicken?

Dir. Reif

Yes.

Chm. Leinwand

No, I think that's Frank's. That's Frank's right there. The next one down is Kentucky Fried Chicken. Yes. And then there's a factory...

Dir. Reif

Well, there used to be a Pizza Palace, I don't know, Frankie's now?

Chm. Leinwand

Seafood Broiler...That's right. Are there members of the public that wish to speak to this particular proposed Special Exception? Please.

Holly Schroeder

Should I sit here?

Chm. Leinwand

Yes, of course. Yeah, that's quite a jog.

Holly Schroeder

I don't want to go the wrong way. My name is Holly Schroeder. I live in the house directly north of the DeMale property, which is the one that Mr. Moore wishes to purchase. I called Mr. Reif last month and asked him what the zon-

Holly Schroeder (continued from page 4)
ing history was of South Main Street because I was not familiar with it. I was rather stunned to find out that from 1929 until 1969 it was strict commercial. When I was growing up, I remember it being a very nice tree-lined street. I suspect most of the residences were not aware, way back then, that it was strict commercial. In 1969 we asked for and were granted a change to residential because we felt that it was going to end up looking like Washington Street. And we were getting too many fast food restaurants and other office buildings. I sort of feel that those of us that live in the neighborhood should have a say in what does and what does not go in our area. I don't know how many of you pause when you drive on South Main Street to realize that there is a lovely pond in our backyard. We like to consider it a family neighborhood. We have ten remaining homes in this area, sort of in a circle. All of the homes, all of them, all ten remaining, have all been owned by and for the most part have been occupied by by the same families for at least 25 years. It's a very stable neighborhood. We currently have nine children growing up in this neighborhood. It's a very quiet place to live once you get past the front sidewalk and walk in the back. I think quite a few of us have friends who come and visit and say "gee, we didn't realize that all this was here". It's sort of nice country living right in town. I think it's important that small cities, especially like Middletown, keep these areas for families who would like to to to to move back to the city as we did four years ago to be closer in to the arts and to shopping. At the present time we have a relatively stable relationship with the businesses that are around us. I'm very much afraid if you let in an office, you're gonna open a door that you're not gonna be able to shut. And it concerns me. I'm very much afraid what will happen to our sense of neighborhood unity. If you quite literally plop an office building right in the middle of, I think that our sense of togetherness and our sense of neighborhood will disappear. I spoke with Mr. Moore last weekend and I I expressed some of these concerns to him and I was a little bit alarmed. I said to him, "This is not Washington Street". And he said to me, "well, it is". And I don't happen to agree with it. Pamecha Pond has been cleaned up. We have ducks on it. We have clean water. We ahve very nice quiet backyards with gardens in them. I would hate to see such nice land turned into massive parking lots. Besides not really desiring to have a business next door, I do have a major concern about the parking. If he's putting in five spaces and he's going to take up four of them, that does not leave much customer parking. We own the only house on South Main Street and in that area that has parking on the street. Now, I don't know why it's like that, it shouldn't be there at all, but it is. We quite often already have a problem with people blocking our driveways or parking right illegally. If our house where there is no parking at all, there is one section right by the driveway. They also park in front of the DeMale house illegally. And I I can't quiet see making the situation any worse. I have some questions about his site plan, which I've got a copy of. I'd like a clarification on it. I guess just to know. There is currently only five feet between the DeMale house and our property line where our fence is. To look at this map, it looks as if the parking lot goes within two feet it's a short amount of space. It's not marked on the map as to how many feet it is or if it is I don't see it. I...I'd like to know what the side yard set backs are. I'm not too familiar with that area of the zoning. Is there a set amount of how far back you have to be from an existing property?

Chm. Leinwand

If you...if you have several questions, I'm writing them down and we'll get answers to every one of them.

Holly Schroeder

O.K. O.K. I'm assuming that if he were granted his exception, that he could turn around anytime and rent it out to someone else as offices. Perhaps next year or five years or whatever else, I don't see Mr. Moore as a young man, 22 years old having the next 40 years to do his business. At which point, parking would become worse. The houses are very close in there together. We all sort of wave at each other through our backyards. I'm a little bit...I'm concerned about that.

Chm. Leinwand

That's not really a question as much as a comment.

Holly Schroeder

Yeah...yeah, that's correct. I started to ask a question and ended up making a statement. I apologize.

Chm. Leinwand

All I would say to that one is is that you're right. I mean, once we, if we were to approve this, it would change the use...the permitted use to professional offices. No matter who was using it in terms of the parking, that's determined on the square footage basis. And so the assumption is that no matter what use was in there, five parking spots would suffice no matter where this particular building was. But I, that's what the code says. I understand what you're questioning.

Holly Schroeder

O.K. That's all that I have.

Chm. Leinwand

Fine thank you. Could...could you just help us since you know the set of buildings so much better than we do? There are...are...am I right that there are six buildings between the Shell Station and the...Gulf Station?

Holly Schroeder

Between the Shell Station there's another gas station.

Chm. Leinwand

That's right the one before the Shell. That's right.

Holly Schroeder

And there's a little...and there's a little...there's a store it is now currently a house.

Chm. Leinwand

O.K.

Holly Schroeder

There is a large three-story grey house...

Chm. Leinwand

That's totally occupied, right?

Holly Schroeder

That's totally occupied. There is another two-family house that is owned by Didato's. And there is DeMale's, Schroeder's, Chaffe, which is a three-family house plus a beauty salon, a three-story brick building, which is totally oc-

Holly Schroeder
cupied.

Chm. Leinwand
Yeah.

Holly Schroeder
Yeah, that's seven.

Chm. Leinwand
O.K., so the...

Holly Schroeder
And there are three more on the other side. I counted the other three.

Chm. Leinwand
The only...the only business is the beauty salon.

Holly Schroeder
That's correct.

Chm. Leinwand
And that's not been a problem?

Holly Schroeder
Yes. It has been.

Chm. Leinwand
O.K.

Holly Schroeder
Parking is horrendous. They park on the drive...they park on the sidewalk. They park out in front. Now, I don't know if there's a parking sign in front. They usually end up parking in front of our house. Yes, it has been a problem.

Chm. Leinwand
But, that is the only commercial use.

Holly Schroeder
That's the only commercial use for that particular house, yes. There are three rental units in there. They're all occupied.

Chm. Leinwand
O.K., but of the seven units that you just described, that's the only commercial use. Correct?

Holly Schroeder
That's correct. That's correct. To my knowledge, yes.

Chm. Leinwand
Are there other questions for Mrs. Schroeder? Thank you. Is there anyone else wishing to speak to this issue of Special Exception? Sir?

John Schroeder

My name is John Schroeder. I live in the house north of Mr. Moore's. I've lived here for 29 years. I expect to live here for another 40 years, God willing. I...I...I really don't, you know like they say, I think Mr. Moore is probably in his mid-fifties or so he maybe will be in business there himself if that long ten years. And I don't see why I should have to live next to a place what he has constructed for his benefit. I enjoy the privacy of my backyard. I would like to continue enjoying my property as have other families in the area also. I personally am not interested in having his business next door to mine. My house is 20 wide feet from the boundary line of his. I really think...If I'm say it was foresight, I don't think any of us would want to have Washington Street to turning out the way it did. We've all been caught in traffic out there. The south end of Middletown is much better. And I would like to see it stay that way. But, the more business you add, the worse it becomes. If Mr. Moore's interested in having his office in a residential house, why don't he put it in his own house or in his backyard? Otherwise, I would suggest that he locate in other some..other... some other downtown area more suited for this purpose. Let the housing in Middletown be left for the families. We've always read about the great need that there is for family housing, and here's a house that is being used for a hou...residence and would like to see it continue being used that...as a residence for some family to enjoy. I think it's a shame to make a nice backyard into a parking lot. Specific concerns I have is how many offices are we talking about? If he expands his business and buys a house for other business, where will they park? And, well my wife went into that, of the DeMale house and our house, our houses are 26 feet apart. It actually on that side of my my property, I have a hundred foot frontage. But, the houses are more or less on one side together. I really am concerned about this. I think that's all I have to say here, now.

Chm. Leinwand
Thank you.

John Schroeder
Thank you.

Chm. Leinwand
George, Mrs. Schroeder's question about the side-yard setback. Is there one for parking? I mean, she's right. The map does look like it is about 2½ feet from the property line.

Dir. Reif
There is no requirement for parking...

Chm. Leinwand
So, they could do...the parking could abut right after the property line?

Dir. Reif
Yes. The code that we have has upper areas between zones, not between uses.

Chm. Leinwand
Is that...did you understand that?

Holly Schroeder
No, I didn't hear a word of it.

Chm. Leinwand

Oh, I'm sorry. We asked directly the question about what kind of side yard setbacks there are for the parking and the answer is that there are none in the code. That the buffer areas that we have in our code are between different zones, not between uses. And in fact, the parking could abut the property line, legally. You had asked how close and are there requirements. Are there other members of the public that wish to speak to this particular proposed Special Exception? Mr. Moore, I'll give you one chance if you have anything else to say.

John Moore

I...I think it might answer a question. One of the questions was that is the parking sufficient for the business that would be operating there. Typically, we have very few people there that come to our office other than the employees because most of our business is done with financial institutions where the assignments are called in. They very seldom come in and see us. So as far as additional traffic to that spot, there wouldn't be any significant...significant amount, that is that I foresee.

Chm. Leinwand

What're you gonna do to the outside of the house?

John Moore

Nothing. We would like to take the tree down in front and put the parking in and replace the fences and that's basically it. There would no...nothing done to the exterior of the house.

Chm. Leinwand

Other comments or questions? Thank you. (inaudible from Holly Schroeder)
Excuse me.

John Moore

I'm sorry, we usually have them called in.

Chm. Leinwand

And if there were three customers it would seem to me that...

John Moore

And usually, we have incidentally I was looking at Steve and we have a lot of attorneys who use our and typically they call in the assignment. They usually don't come down. Very seldom. O.K.?

Chm. Leinwand

Thank you.

John Moore

You're welcome.

Chm. Leinwand

If there's no one else on this matter, then let the record show that the Secretary removed himself for a few minutes and in his absence, where are we, Comm. Garafalo will be sitting in as alternate on this matter as well as the forthcoming matter. The next item on the Public Hearing agenda is the proposed 22 lot subdivision located at the west end of Congdon off Newfield Street, Applicant/Agent Carlos Ortis, Pilgrim Associates. Excuse me. Item no.3.

PROPOSED SUB-
DIVISION
CONGDON ST.
CARLOS ORTIS
PILGRIM ASSOC.
S83-10

Comm. Carta

I had I had a question for the rest of the committee. (Inaudible, too far from microphone.) It seems to me now (inaudible)...

Chm. Leinwand

Yeah, I have no problem. I mean, I've never stifled discussion and if you...

Comm. Carta

No, I don't if you have something to say that is relative. It seems to me that while it's still fresh certainly in my mind I have questions to ask of the other commissioners so I can get some ideas of where we are going with this neighborhood. Simple as that.

Chm. Leinwand

Do you want wait until we complete the Public Hearing? To deal with those or would you...

Comm. Carta

O.K.

Chm. Leinwand

I have no problem under new business discussing the South Main Street issue.

Comm. Carta

Let me just say what it is I...

Chm. Leinwand

Fine.

Comm. Carta

While the issues are fresh in my mind I would like to get some defensive opinion from the rest of the commissioners on a couple of things. That is where where actually we want this neighborhood to go. Is there any alignment amongst the commissioners on that res...I don't know that I have ever been... that this question has ever come up and before I could actually make a decision on this...on the application, I would like to hear that kind of input from the rest of the commissioners. And a couple other (inaudible) like that.

Chm. Leinwand

I...I think that's a key question. I really do. I think that that the public testimony tonight made it very clear that in fact it's easy to blink and miss it, but in fact there is a clear and distinct residential mini-neighborhood right there in the middle and and I think we ought to talk about whether we're going to recognize it or or push it out of existence slowly like we've done to other mini-residential neighborhoods on South Main Street and other streets.

Dir. Reif

Mr. Chairman, can I say one thing? Previously formulated Planning Commission a couple years ago, I personally had to defend that zone the R-3 zone. I was being badgered to have it changed to B-2, a business zone. And it's refreshing to find out there are people that want to live there because everybody said that nobody wanted to live there. And I was pleased that the then constituted commission left it R-3. But there certainly weren't many people who came out and said they wanted to live there.

Chm. Leinwand

I'm going to take the liberty to add an Item 6.8 under "new business" that simply says "South Main Street". I...I don't think it's appropriate for us to discuss the merits of the particular proposed Special Exception tonight. I mean, but it enters into it. I...I think we'd always talk about the generic question of the zones on South Main Street as opposed to the specific merits of this particular Special Exception.

Comm. Carta

Yeah, the two for me are inseparable, but I I hear what you're saying.

Chm. Leinwand

O.K., without objection. O.K. Gentlemen...

Michael Darby

Good evening, ladies and gentlemen of the Commission. We're back here again now and on Pilgrim Estates. As you...most of you probably recall, this is a subdivision request. It's located up off Congdon Street. It's a 22 lots. The lots range from 15-20,000 square feet each. These will be moderate priced single family homes and we think it's quite an attractive development out there. We've been through this procedure once before as again most of you will probably recall, the main hitch that we had in our original plan was that we had a a dead-end street or a cul-de-sac that had exceeded the allowed length, which was 800 feet. The board suggested a possible solution and we think we have a solution, however, as I will explain a little bit later, there has been a monkey wrench thrown into that work. We think we can work it out, but I would like to proceed first and just answer a few of the questions that came up or that you suggested that we answer last week at our preliminary hearing. On our last application, there were some comments from the Public Works Department and from the Water and Sewer Department that you did want to get...have us get worked out. I can say that our representatives have met with Mr. Grimes at length and I think that we will have...we have been able to work virtually all of the problems coming out of his department. We have also reviewed Mr. Fazzino's department's comments and I think we'll be able to work most of them out. We can address any one specifically that you want to talk about. But, I think certainly none of those will be stumbling blocks and and we can get to those. You did ask us last week to be able to show that all of these lots were...would be feasible in light of the topography. We've got...brought a map here today. The usual engineer that we had appearing here with us, Mr. Skip Alfred, is not here, but Larry Dinicky, who is from his office is here and Larry has prepared this map up here which perhaps he might show.

Chm. Leinwand

Did we get copies?

Dir. Reif

It just came in today.

Chm. Leinwand

Why don't you pass some of these around so that the Commissioners have a copy.

Dir. Reif

Mr. Chairman, can we get the speaker to identify himself for the record because we have new people here...

Chm. Leinwand
If you could identify yourself.

Michael Darby
O.K. I'm Attorney Michael Darby and I'm representing Pilgrim Estates. On my right is Carl Ortis, one of the developers, and to my left is John Morgan, who has been the architect who has worked in this project throughout...since its (inaudible). The person at the blackboard at this point is Larry (name inaudible) who is ...works with Skip Alfred and they are the engineers who have worked on this project.

Larry (name inaudible)
In case you can see I believe the question was raised on the feasibility of the driveway accesses into the general area of where we want to put a house. I picked out probably one easy one, one medium, and one harder lot to obtain access into to show you that there is no problem getting driveways into them. I don't think I exceeded any more than 10% on any driveway. Again on lot... between lot 11 and 12, we plot a common driveway in to service lot 17 and 18 to get away from that steep slope in the front along Congdon Street, the new Congdon Street, and also getting away from the main water line that runs through those two lots.

Chm. Leinwand
Now that...is that the HELCO easement that runs through...

Larry (name inaudible)
No, this is the...this is the water main that runs right up through the property.

Chm. Leinwand
So that's...that's the city...and in fact you can put a house right up to that easement?

Larry (name inaudible)
Right up to the easement, yes. As long as it doesn't go in it.

Michael Darby
Does the board have any questions at this point on the topics that I've covered? I do want to get into development that we've had on Cynthia Lane there.

Chm. Leinwand
Why don't you continue, Mr. Darby.

Michael Darby
O.K. Word apparently travels very quickly in Middletown. Upon walking in here tonight I...

Chm. Leinwand
Only amongst the attorneys.

Michael Darby
Any rate, there has been ...a problem has arisen and I hope we're going to be able to work it out. The board did suggest last time when we did run into a problem with the length of the cul-de-sac that one way we might proceed is to get entrance or access through another route. We went out and signed a

Michael Darby (continued from page 12)
a real-estate contract, purchased a lot that was for sale up there on Cynthia Lane. As will often happen...(change of tape)we would have elected to take and we ended up missing our our deadline. However, we do think that...and as a result of that, another person is now attempting and has signed a contract to buy that lot. We do think that we're gonna be able to work this out. It is...we...it is my opinion that we still have a binding contract with the with the seller, however that's the legal which I , gonna have to hash out with his attorney. We will also be discussing this matter at length, we hope, with the person that is attempting to but that lot. And and for now we perhaps the best way to go with the board might be to ask for two weeks to continue this Public Hearing to let me try and work that problem so I can give you some sort of assurances as to how that's going. It's sort of an open question and we don't want to waste your time. If we don't have that lot obviously you can give us all the approval in the world and it isn't gonna be worth anything.

Chm. Leinwand

Fine. There will be no problem recessing the Public Hearing on this matter for two weeks.

Michael Darby
Alright.

Chm. Leinwand

Are there questions while we do have enough. Mr. Garafalo?

Comm. Garafalo

The common driveway, does that present a problem with any kind of financing agents or mortgage holders?

Michael Darby

Not...I don't believe that that would have any problem.

Comm. Garafalo

'Cause it used to be a touchy area on mortgaging.

Michael Darby

I really couldn't answer you that off the top of my head. I think that might vary from bank to bank.

Carl Ortis

A the reason the (inaudible) was to alleviate the other situation. It's by no means impossible to come from the other side.

Comm. Garafalo

No...I...I...the mortgage might create a problem.

Michael Darby

It won't...it won't from our financier, but from the individual lot owner, I am not sure from bank to bank whether they will have an objection to that or not.

Chm. Leinwand

You call it a common driveway because if it became if it became a city street that it's simply too long? Is that right? I mean past the 800 feet?

Michael Darby

No no. This...the reason...there's a common driveway over there...

Chm. Leinwand

I understand that. Why...I'm just thinking about who plows it out and who's responsibility it is to maintain it, the four people that live on it.

Michael Darby

Yes, two people. Two people.

Chm. Leinwand

Two people. Lot 11 and lot 12.

Michael Darby

Right.

Chm. Leinwand

I understand lot 11 and lot 12 have access off of the cul-de-sac or off of Alden Street. Yes?

(Unidentified Voice from the Audience)

Yes.

Michael Darby

Correct.

Chm. Leinwand

I understand. Fine. Comm. Sbalcio?

Comm. Sbalcio

How wide is the...are the driveways? Is it one or two?

Michael Darby

One.

Comm. Sbalcio

One? A dedeed right-of-way over 11 and 12 or will it be owned by 17 and 18 driveway?

Larry (name inaudible)

That's the one that's...

Michael Darby

I...I can address these. Certainly, I'll write them down and address these next time. If this is a matter of concern I'm sure we can work that out.

Chm. Leinwand

Other...other questions? Comm. Carta?

Comm. Carta

Do you have...is it a problem for you to to give feed to that strip of land to the homes in the...on those two lots? Or, I know you got a much easier mark on this and we don't have a lot of authority over that one way or another. My question is based on my experience, my question is this, I am willing to or are able to give a regular feed to that strip of land or does that

Comm. Carta (continued from page 14)

present a problem? In other words, rather than just an easement use of, can you...can you give that strip of land in fact with the other two lots. Or is that...is that your problem?

Michael Darby

We we can rearrange the lot lines somewhat to do that if if the board thinks it would be helpful.

Comm. Carta

Without diminishing...without going below the...

Michael Darby

That's what I'm thinking about. The...I don't think those are the smaller lots there in fact...

Comm. Carta

Hey, either it works legally, I just...my...lawyers...

Michael Darby

I hadn't anticipated this as a problem, but if the board wants us to do it one way or the other, we're fairly flexible on that.

Carl Ortis

The only reason we did that was to make it easier for for a person buying that lot who didn't want to spend some additional money on a driveway. If you come off Congdon Street, that driveway is gonna cost you more money, obviously.

Leinwand

Yup.

Carl Ortis

That's an alternate...

Comm. Carta

You know I think it's a great solution, personally. Aesthetically and in every other way, the solution's excellent. I just...if the question had come up for bid.

Michael Darby

I will report at length next time at what the solution is and the legalities of it if the board wants me to. I think we can work that out no problem.

Comm. Carta

I have a further question on the cul-de-sac at the end of Annette Place, the one coming straight in off Cynthia Lane. Is there any reason why you couldn't leave for the future that, what we've got now is a buffer zone there at the end of the cul-de-sac, I don't know approximately how many feet. Approximately 30 feet of no-access land there. I don't know what will happen in the future, ten to twenty, thirty years from now, but it would...it would be a good idea to have access. In other words, so we don't run into this problem which you're now in if...

Michael Darby

If you'll, Comm. Carta, if you'll recall, we had that in our first plan and

Michael Darby(continued from page 17)

we had somewhat vigorous objection to a street pointing at the heart of the neighbor's property so we took that out thinking that perhaps we might be a little bit more popular if we did that.

Comm. Carta

Well, you might be a little more popular with your neighbor, but I think that with good planning and zoning procedures, I hate to see a street go like that and leave a dead buffer, which in the future someone might have to pay an awful lot of money for that 30 feet of ground to facilitate good traffic flow, to facilitate the proper street layout or whatever. And it just...it just makes good sense to me for future possibilities.

Michael Darby

If...if that is a condition of approval, we'll certainly grant that easement.

Carl Ortis

We have no objections...

Michael Darby

We have no objections.

Comm. Carta

See, I can't speak for the whole commission, I'm just interested in knowing whether you can do it.

Michael Darby

We can do it. The reason I have explained...to you the reason that it wasn't in there - it wasn't the most popular decision in the world last time when we put it in there.

Chm. Leinwand

O.K. George?

Dir. Reif

I spent a lot of time today talking about that and what we have here are drawings that aren't up to snuff in terms of the discussions I've had with the representative there. Would you like to join in and say we've agreed on several things and that's why I'm...

Carl Ortis

...I've said the same thing I said now, we have no objection to it so that that poses some problems for us last time. And we're not looking for problems. If it's a condition of approval, we'll do it.

Chm. Leinwand

George, we have from the what the Water and Sewer Department and we've got something from the Fire Department.

Dir. Reif

Yes, we also have something from Public Works. I believe we've got...

Chm. Leinwand

I don't believe I have...

Michael Darby

I think... we... were we able to reach Mr. Fazzina?

Dir. Reif

Oh, yes, you had an elaborate...

Chm. Leinwand

Can I just see that?

Dir. Reif

I don't think I have it here from Fazzina. It's been in the file and...

Chm. Leinwand

Well it came a while ago. O.K. Alright, no problem. Since...

Dir. Reif

There are a couple other issues that we ought to ought to...I thought we were gonna talk about tonight and get 'em resolved.

Chm. Leinwand

Go ahead.

Dir. Reif

Like width of the street.

Michael Darby

Like what?

Dir. Reif

The width of the pavement, the understanding about where the sidewalk is going to go, and that type of thing.

Chm. Leinwand

I assume you've discussed those matters with the developer today?

Carl Ortis

We discussed them with the Public Works Department and we discussed them with Mr. Reif and we can come to an understanding on all of them except the 28 foot width. I don't...we're having a problem trying to figure out why that is when all of the streets in the area are 24 feet and we're extending those and when the town themselves is building 24 foot roads. And we don't know where the 28 foot, you know, why it's germane to this program.

Chm. Leinwand

I guess what I'd like to do with the 24-28 foot issue is bring that back up in two weeks when I know the Director of Public Works will be here.

Carl Ortis

Well, we're trying to meet with him and he was not available.

Chm. Leinwand

Well, I think it's important for the commission to hear that arguement or dialogue in public.

Carl Ortis

In terms of the sidewalk. We showed them on one side. The Public Works com-

Carl Ortis (continued from page 17)

ment was that they should be of concrete. You know we have no objections to that. However, upon discussing them with Mr. Reif, we would prefer to see them on both sides. As a practical matter, if we have to do that, we shall do it. As far as the material is concerned, we'd prefer to do it in bituminous if we had to go all the way around.

Comm. Carta

What do our regulations show about sidewalks on both sides of the street?

Dir. Reif

There's nothing to indicate they're not gonna be on...shouldn't be on both sides of the street.

Comm. Carta

How about concrete?

Dir. Reif

The materials of construction are left to the discretion of the Public Works Department in our subdivision regulations.

Comm. Carta

What about the width of the street? Do they address that?

Dir. Reif

They...there is a wide variety of possible widths in the subdivision regulations as the tittering on the side will agree. Public Works, however, has decreed while Phil was in charge that all the streets were gonna be 28 feet wide. And this is one of the first times there has been any question raised.

Comm. Carta

Was this officially done?

Dir. Reif

Well, not in the zoning...not in the...regulations. It's not in the subdivision regulations. The basis for their thinking about 24 feet is...is that Congdon Street is, you know where it exists, is 24 feet wide. Cynthia Lane, yeah.

Carl Ortis

That's a practical matter. The urban land institute, which gets into all of this, and some of the big developers like Mobil Oil land resources tell you that or say that. If you're talking up to 26 houses, they're...they're talking about a 22 foot width as acceptable. There doesn't seem to be any problem with parking if that's what the consideration is all about because these houses are set back enough where people are visiting there's generally enough room to get into the driveway. I don't know what other reason the wider... what other purpose the wider street would serve other than parking. The streets there now are 24 feet and people seem to be living with it.

Chm. Leinwand

Comm. Loffredo?

Comm. Loffredo

To the question regarding the sidewalk interms of the composition thereof. Aren't we into a sidewalk program in terms of concrete and not bituminous?

Dir. Reif

Unfortunately, the answer is no. Those of who sit on that sidewalk committee would love to see concrete, certainly would not object to it being placed here, but the city is still installing bituminous.

Comm. Loffredo

That's what we're doing? How long has that been going on now? I thought we were into a concrete program, at least we had been.

Dir. Reif

Well, I'd like to...I'd like to see that. I mean there...occasionally you bring up what they're doing in other cities, and other cities in their subdivisions are putting in concrete.

Comm. Loffredo

Where is that regulation now regarding the make-up of sidewalks?

Dir. Reif

It's in the...as far as the Planning Commission is concerned as a reference to the materials of construction in the subdivision regulations turns the discretion over to Public Works.

Comm. Loffredo

And to take that discretion away and to lock it into something completely...

Dir. Reif

The Commission could do it. Yeah. Yeah.

Comm. Loffredo

And in terms of approval of this and we will set forth as a condition of approval that they shall be.

Dir. Reif

You can probably convince the Public Works Department that you want concrete. I'll bet.

Chm. Leinwand

Comm. Garafalo.

Comm. Garafalo

This is a comment, Mr. Chairman, talking about the type of material used. Where I lived on Hunting Hill Avenue not too long ago, a few years back, they decided to put sidewalks in within a one mile radius of all the schools. I had a slight sidewalks. The city came in, tore up the perfectly good sidewalk, and put in bituminous materials. I think they're setting some nice high ideals but they don't seem to practice what they preach. I think if we're gonna have subdivisions or or developers follow certain recommendations that we should follow them.

Comm. Carta

You know I...there's...there's actually legal precedence for that as far as I know. And I would love to see concrete sidewalks throughout this city given the cost and the nuisance of repairing bituminous, but I have a real question of changing that kind of thing in mid stream...in midstream, well the developer of course. I think we ought to address that. I mean that would be a concern of mine and if we address that and if we deem that it should be that way, then to do it.

Comm. Loffredo

This is a question I have, Mr. Chairman, in terms of this development and that is in terms of their discussion with Public Works or with Planning and Zoning Commission. Do you have a problem with going with at least a concrete sidewalk in the area?

Carl Ortis

You mean all the way around on both sides?

Comm. Loffredo

Well, at least one way.

Carl Ortis

I don't think we have a problem with it on one side as we've shown, but I think that to do double...twice as much, I think is...it's quite a bit much. And they're really not that...concrete isn't easier to repair than bituminous as a matter of fact it's a bit more difficult. Bituminous is chip-proof.

Comm. Loffredo

Longevity is the question...

Carl Ortis

Well, maybe. You know, I've seen a lot of sidewalks that heave, crack, and all that stuff. Of course we don't do that kind of work.

Comm. Loffredo

That's what I was gonna say. I wonder where you...

Chm. Leinwand

Are there other questions? Well, I assume that the drainage issues that we asked about last time still obtain and that your belief is that this development could improve the drainage along the Cynthia Lane in the back.

Phil Bauer

Those...those houses that are existing between now and their proposed...(inaudible)..their proposal extension of...(inaudible)...

Chm. Leinwand

Yes. Yes. We know. Other questions from members of the Commission? If not, we will recess after we complete more of the Public Hearing and see you then.

Michael Darby

Thank you very much.

Chm. Leinwand

Are there members of the public wishing to address themselves to this particular subdivision? Mr. Skully.

Kent Scully

My name is Kent Scully. I live at 346 Congdon Road...Street. And I guess I'm gonna spend the rest of the summer with you people. Since you're not going to adjourn the Public Hearing, I won't go into a number of the issues. I'd just like to ask a few questions. One has to do with the slope of the roads and I guess Public Works has responded to the proposed development and I assume all slopes the...were found to be in accordance with Public Works' stan-

Kent Scully(continued from page 20)
dards.

Chm. Leinwand

I believe so. They've been pretty stringent on those things. And if there were slopes over 10%, we usually hear about it pretty quickly.

Kent Scully

That includes the the turn from the now existing cul-de-sac on Congdon Road to the extended Congdon Road?

Chm. Leinwand

I will see to it that the Director of Public Works is asked that question directly.

Kent Scully

Pardon me?

Chm. Leinwand

I said that I will see to it that the Director of Public Works is asked that question directly. That'll be in two weeks. And if I forget, you'll remind me.

Kent Scully

My second question is is there a standard or proceeding with a set of specifications or a proposed project such as this as far as Planning and Zoning is concerned? I mean, we've been working with this for a long time and I find it very difficult not...there's gonna be a development here. And I accept it and I think most everybody in the area accepts it. I think what we're concerned about is making sure that the quality of the development meets the standards that we hope we have established as far as the city is concerned. And that people that are going to be purchasing these properties aren't going to have the same types of problems we have in Quail Run or the same types of problems we have on Nejako Road. But, it seems like we start out with a very undefined set of plans and specifications and each...every two weeks, we come here and we meet and they become more defined and more defined and I don't really think that that's really fair to to people outside of the Commission that you expect to get public input out of. One point is that I continually call or visit the Planning and Zoning Department to try to check on the status of the departmental reports for the for the project. And I haven't seen any. I guess Public Works' came in yesterday and I don't know when the rest of them came in.

Dir. Reif

Public Works came in some time ago. The others came in, I believe, today.

Kent Scully

Well, if it came in some time ago, then it was not in the folder. And, you know, I've been in there, George, when I couldn't even find the maps. Then I, I mean you recall that conversation, and then I was in again...

Chm. Leinwand

Ken, I understand your' concerns about the process. I mean, we've discussed that, we can discuss it again. But, I think that if we could speak directly to the proposal, that it would make a lot more sense.

Kent Scully

Well, I can't speak to the proposal if I don't know what the status of it is. And I don't think it's fair for you people to expect me to come before you tonight when you...when departments are responding to you today. I think that I should have the same access to review that that anybody else does.

Chm. Leinwand

And all I would say to you is that in this case it was the developer who requested the two week recess or extension as I believe you were aware that you were here two months ago that it was the opponents of the particular PRD on East Ridge Road that requested the extension because they just hired an attorney and hadn't seen it. And I believe that we would extend that same kind of courtesy. So, in terms of the process, if in fact you came here tonight and said nothing was in the file this morning, I don't have a chance to review any of this stuff, you know I live right there, can you recess the Public Hearing for two weeks so that I can have a chance to review all the same stuff, I think that you're well aware that this Commission would act in in that way. So, that's the only reason that I say to you that I'm less concerned with the process at this point than I am with the substance because I think that we would accord you and anyone else in Middletown that opportunity to to give a first hand review of everything that's in our file.

Kent Scully

I think that one of the things that the Commission has got to consider and I thought was going to consider subsequent to the initial proposal was the long range plan for Congdon Road. The Commission has taken action on this in the past, it is a part of, I believe, the Plan of Development and I think you should address it, you know. If you're going to abandon what your previous decisions were, I think that that should be done. And...and we'll all work within those parameters. But, I don't...this is the only opportunity you're gonna have, because once this project is approved, you're not...you're not...it it it's gonna be totally infeasible to do anything with houses sitting on the slopes where you expect to put a street.

Chm. Leinwand

Kent, I guess I'm not sure I speak for the entire Commission, but I think I do. And that is that if we were to approve this or a similar subdivision, we would be de-facto saying that we are abandoning the plan of a direct Congdon Street link because we have been convinced by the information that has been presented to us that it just is not possible. That to try and run Congdon Street along the present right-of-way is simply not feasible. And I think that what we would be saying is that there is an alternate way that over time, Congdon Street would be linked up and that's something that we've all talked about. That it would come and move up along there and come back down in some way near where your house is or where your property is. We've discussed that.

Kent Scully

In the formal planning process, is there a procedure or is there something that you have to do, adjust this Plan of Development? Or, first of all, is this affected by the Plan of Development for this city? This...this street?

Chm. Leinwand

I don't believe that it is. I believe that the Plan of Development is a guide. I believe that we do not have to take a special action to say that that one heavy black line that exists that connects Congdon Street is a God given line that has to be adhered to and because it's on the map, we can not consider this subdivision. So...so my...

Kent Scully

So you don't have to go through any hearing or anything else if you decided that you were going to do something different than what is proposed in the...

Chm. Leinwand

When it comes...when it comes to a possibility of a proposed street, I mean my interpretation would be that no...

Kent Scully

It's not a proposed street, it's an existing street.

Chm. Leinwand

That we would not have to do anything unlike if we were to change a zone from the Plan of Development. There are different kinds of things re...

Kent Scully

Well, don't you...you have hearings and stuff.

Chm. Leinwand

If we changed any of the zones as per what's in the Plan of Development, we would have to have a Public Hearing.

Kent Scully

But, that's why I am asking about...

Chm. Leinwand

I understand that.

Kent Scully

What does the Plan of Development have as far as?

Chm. Leinwand

I think it has a lot of weight.

Dir. Reif

Can I join in one aspect of that?

Chm. Leinwand

Goerge...

Dir. Reif

This particular plan offers three possible solutions to the schematic extension and connection of Congdon Street. One of...if particularly if the rights-of-way are extended to the property line. One by Alden Street touching what we know on the records is the city right-of-way is one way to complete or connect Congdon Streets. The other way that doesn't seem practical now, is to actually extend Congdon Street and tie it in with the one on the west side. And the other is the one that could be extended through your property. So, there are three possible ways to carry out the schematic proposal in the Plan of Development.

Kent Scully

Wouldn't now be the time to evaluate this particular proposal? In conjunction with the plan to see that if you are going to adopt or use one of the alternatives that it is feasible? That...you're...you're just talking a few minutes ago about street width. And I think that there's one train of thought

Kent Scully (continued from page 23)

related to street width with Congdon Road going all the way through and it's going to be this main east-west thoroughfare from the old Route 72 to I-91. But, all I'm trying to say is that I think there's more to your decision than just approving a subdivision plan. And I thought that you were really going to try to evaluate that. I don't really care whether you put a super highway in there or you don't. I mean I I just don't have the energy anymore to to get uninvolved in those issues. But, I just think that that you have to evaluate it.

Chm. Leinwand

I guess the only reason that I keep asking you to get back to the substance as opposed to the process is is not because I don't think the process is important. But, I think that we agree with you when you say that one way or another, that particular parcel and eventually, maybe not in our lifetimes, your parcel is going to be developed. And I think that what we care about is how to develop it in the best possible way. How to develop it so that the people that eventually live there are well served. And I think that your point about a 28 ft. road is entirely appropriate when one talks about any kind of long term planning that may tie that area in to an east-west road.

Kent Scully

To...to facilitate the entire examination of the proposal, I would respectfully request that the Commission take the opportunity to review the property, review the elevations in light of the proposal that's been submitted to you. I think that you have to go out and walk the parcel of property to try to visualize how these homes are going to be situated on the lots that are designed. As i said before, I think the property can be developed. I think it's going to be developed. But, whether or not the houses should be 30 or 40 feet above one another in adjacent lots, if that's feasible, whether or not, I don't have the the lot numbers, but those first two lots on the west side of Congdon Road. I don't know what they're going to have for drainage lawns. Whatever, they're gonna be on top of a very steep hill. People on...below them are gonna be far below them. I don't know what you do in your thinking process to evaluate the feasibility of a lot, but I don't think you can really evaluate it until you walk that property, until you see how Congdon Road is going to be connected, until you see how those angles are going to work, going straight up a hill. So, I...I would...and if you don't get a chance in the next two weeks at the next Public Hearing, I'll ask you to recess it until you have the opportunity to do so.

Chm. Leinwand

As...as you're well aware and and I don't want to be argumentative, but...but, we do walk it, as you well know. We ask the staff whether or not they believe it's practical. And we rely on the neighbors. And I think it's entirely appropriate for you to join into that process and say "Hey". I mean it doesn't make any sense. If you're gonna build a house on lot 17, it just doesn't work in conjunction with lot 11. That's why we don't make a decision the same night we close the Public Hearing because it gives us the chance to use the information and go and revisit it if that's necessary.

Kent Scully

O.K. That's...thank you.

Chm. Leinwand

O.K. Thank you. Is there anyone else wishing to speak to this particular

Chm. Leinwand (continued from page 24)

matter? O.K., that takes us to the final item on the Public Hearing tonight and that's the proposed resubdivision of an existing lot into two lots located on Margarite Road Extension, applicant Glenn C. and Robin Mosebach.

PROPOSED
RESUBDIVI-
SION
MARGARITE RD.
EXT.
ROBIN & GLEN
C. MOSEBACH
SE83-9

Dir. Reif

Mr. Chairman, I can only pray that Dave has the drawing with him.

Chm. Leinwand

I...I have a drawing with me.

Dir. Reif

Do you have a drawing with you? We must have sent them all out. I'll tell you.

Dave Mylchreest

What happened to all the ones we give you?

Dir. Reif

Well, I'll tell you.

Chm. Leinwand

Did you like this? Margarite Road Extension. One map.

Dir. Reif

We're so generous with our maps, we just don't have any in the office.

Chm. Leinwand

Dave, are you gonna tell us why this is a resubdivision?

(Change of Tape)

Chm. Leinwand

Well, let's...excuse me. Are we ready? Mr. Mylchreest?

Dave Mylchreest

I'm David Mylchreest (inaudible) Laurel Grove Road, Middletown. The whole phase ... (inaudible) ... a big history to begin with. Those of you who have grey hair like I do, are old enough to remember this was the site where ... (inaudible) ... Linus Baldwin gave this land to the ... (inaudible) ... a good many years ago. And that building was located just off this area here. Subsequented the demise of a great many social clubs and the land was conveyed to the Shrine hospital in Springfield and eventually it was sold. And it went through in the last 30 years or so a real crazy change. It expanded one time to any area twice this and then little by little and never to my knowledge and George and I have talked about this did it ever go through a subdivision process per se. (inaudible) And after there was ... (inaudible) ... left over, which is Mrs. Mosebach's, the yellow one. And even though it is a two lots, George and I know that there should be no question at all. We've come in and asked for a resubdivision of the land in ... (inaudible). Basically, the nice big parcels of land will be ... (inaudible) ... with it. Margarite Road in this direction, Livingston Road over here, the Arbutus just about over here where George's ... is. The high ground through here, there's a series of of pine and hemlocks through here, which I can recall back in the '38 hurricane was just devastating. And yet you look at it today and you'd never even realize it...there had been a storm here at one time. But, and then

Dave Mylchreest (continued from page 25)

it goes here, comes up gradually, then stops off very abruptly at the rear, here. Prior to the time that the State Health Department regulations have been recodified in this past few months, the development of this land really was one lot. I don't know, it was an area up in here which the Health Department had approved as being acceptable for all types of reposes. With the change in the, improvement I think of the of the...(inaudible)...now we have developed another area down in here which Mr. and Mrs. Mosebach are trying to sell this lot. That plan has been to the Health Department. I understand that both the city and state have approved it and to my knowledge, that's the last two remaining things...(inaudible)...

Chm. Leinwand

Are there questions for Mr. Mylchreest? Comm. Carta?

Comm. Carta

Yeah, unfortunately, I left my map home. Somehow, when shuffling my papers I left it on my desk. So and I did review it at home. My only problems were that I didn't know the history you just gave me. My problem with it is the topography. I have a request that we somewhere in this process we overlay our topographic, city topographic, on the piece. I'm not able to evaluate it myself, you know...you know, as to its usability. But, I think it should be inexpensive given its style. We just spent thousands of dollars to do that...bring that area work in and I'd like to have us have advan...take advantage of that. Is that any problem?

Dave Mylchreest

...the departmental drawings?

Dir. Reif

No.

Dave Mylchreest

It shows up...we gave it all on the other drawing. The the copy of the Health Department...

Comm. Carta

What class of survey is that in front of me now?

Dave Mylchreest

...(inaudible)...

Comm. Carta

O.K. So you could we fix the topo to the same standard on those pieces or do you have a problem with that?

Dave Mylchreest

...(inaudible)...

Comm. Carta

Yeah can you actually bring the scale up to this scale?

Dave Mylchreest

You could do it the other way.

Comm. Carta

Or bring that scale...

Dave Mylchreest

Yeah, the...the...the...

Comm. Carta

Will it bring that scale down at all?

Dave Mylchreest

The...the...the...the plan that your city has would show up on this map about so big on the top. No, it doesn't help in that respect. That's excellent for planning purposes, it's excellent for if you have any wetlands involved or want to see what the general drainage is. Fortunately, this is high and dry and has no problem.

Comm. Carta

That's my only request. That we actually use that scale and we bring our own topography to it up to that scale. I...very probable. That's my request so that I can evaluate it. As it sits, I can nothing's wrong with it, but I don't know. You have a problem?

Dave Mylchreest

...(inaudible)...I haven't been up there.

Chm. Leinwand

In...is it a legitimate concern or what's a topo gonna show us?

Dave Mylchreest

It will show you that the roads will be gradual here to a high point and then drop off the back.

Chm. Leinwand

There's a house just to the south of there?

Dave Mylchreest

There's a house over here, there's another one over here, there's on up in here. The power lines for HELCO run up in this direction here. They're only in for some.

Dir. Reif

I think the bottom line in this whole thing is that these...this is an example of something that would have been slipped through...

Chm. Leinwand

Regardless, I mean...

Dir. Reif

We're trying now to correct those things that they did incorrectly in the past and encourage everybody to...

Chm. Leinwand

Whether it slipped through or not, Comm. Carta's point is well taken. We still want to make sure that it's feasible.

Dir. Reif

Oh, yeah. And we do have the maps and there's no use in...

Comm. Carta

I don't...I mean I don't I've blown up (inaudible) to fit on that thing. Granted, the inaccuracies stand as they are a great deal worse than what we have, but I don't know that that's a real problem.

Dave Mylchreest

Well, I don't know if you necessarily want topo on the boundaries here...

Comm. Carta

Just for my own appraisal, that's all. I mean I don't care that it's...

Dave Mylchreest

If we gave you the one we gave the Health Department, which is obviously gonna be filed. It should be in there, but...

Dir. Reif

We don't necessarily get the stuff that the Health Department...what would be useful...

Chm. Leinwand

George, why don't you see...why don't you see if between now and the 27th whether or not you can dig that up and provide it.

Dave Mylchreest

You can't take any action on this? It's relatively simple...(inaudible)...

Chm. Leinwand

I don't either. Comm. Carta, I mean, do you want to hold out on this or or what?

Comm. Carta

It's just for me, you know, I understand what's trying to be done, but I I can't...I simply can't evaluate the uses...as we were just talking about, evaluate the uses of the building lot. I'm not...it's not possible for me to do, and I could, I obviously know the integrity of Dave, that I could... I could just trust that the way he said that the slopes are going, are going. But I know it.

Chm. Leinwand

O.K. I guess that I am relying not just on David, but I'm relying on George as well. Comm...

Dave Mylchreest

Right now, the map we submitted to the the Health Department...

Chm. Leinwand

Why don't you let...why don't you let Comm. Carta see that. In the meantime, Comm. Pattavina.

Comm. Pattavina

Yes, Mr. Chairman, not all of us being developers and not familiar with maps and topos, so-called topos. George, this is a question to yourself. Wouldn't it be more simple for this Commission if he did take a ride out there and look at that property? And we'd be able...and we'd be able to get the same scope.

Dir. Reif

Well, you might be able to see it, but...

Comm. Pattavina

See whether it was feasible as far as development was concerned and so forth.

Dir. Reif

Well, I'll tell you, I must say that personally, I like to work with maps 'cause you can ride around and you don't know what you're looking at. It's ...I think you get a...I get a lot more out maps.

Comm. Pattavina

Personally, you would like to work with maps, but personally, I would like to get out to the site. Because I think you get a better viewpoint.

Dir. Reif

Again, I would like to express that the key issue here was to try to bring the approval of various lots into our system, you know rather than to...

Chm. Leinwand

I...I don't mean...yes, it's not a major matter, but I don't hear a ground swell need to take care of this tonight. And I think that if we follow standard procedure and take care of it in two weeks, it's just gonna have to be. O.K. Are there other questions on this particular matter?

Glenn Mosebach

There's nothing that can be done tonight?

Chm. Leinwand

Well, it's up to the Commission to place this on the "New Business" Agenda. The chair is not about to do that automatically, but he hears two members of the Commission showing some desire to spend some more time on this. Comm....Comm. Carta?

Comm. Carta

Did the Health Department give an O.K. on the system?

Dir. Reif

Yes, here's the report from the Health Department. I think we've got it right there.

Chm. Leinwand

Both lots have been tested by this department and found to be acceptable pending engineer's design plans. That says something. I mean, the Health Department is as much a stickler as anyone else. Again, we're relying on staff. Does that satisfy you?

Comm. Carta

Yeah. Have you seen the..you're content with the land and the slopes and the topography?

Dir. Reif

Yeah, because they're...

Comm. Carta
O.K. Fine.

Chm. Leinwand

Here we go. Wait...wait...hold on. Before we jump to put this on under "New Business", I would like to complete the Public Hearing and see whether or not there's anyone else who wishes to speak to this first. Is there anyone that wishes to speak to this particular proposed resubdivision? If not, Comm. Pattavina?

Comm. Pattavina

Mr. Chairman, I would like to move to put this under "New Business" tonight.

Vice Chm. Gionfriddo
Second.

Chm. Leinwand

Moved and seconded to make this Item 6.9 on the "New Business" Agenda of tonight's meeting. Any discussion? If not, all those in favor please signify by saying "aye", opposed "nay". So moved. O.K. We will deal with this later on tonight. At this point, I would like to close the Public Hearing on items 2 and 4. Let the record show that we are recessing the Public Hearing on the item 3, 22 lot subdivision and that takes us to minutes and transcripts.

ADJOURNMENT

ADJOURNMENT 8:10 P.M.

Respectfully submitted,



Beverly Augustine
Transcribing Secretary

STEVEN J. LEINWAND, CHAIRMAN
PLANNING and ZONING COMMISSION

Received at the meeting of _____