

Eric G. Lowry, Vice-Chairman; Dr. Christie E. McLeod, Paul Parisi, Seb Passanesi, Robert Chamberlain, Ralph Shaw, Mayor Marino. COMMISSION MEMBERS PRESENT

Edward J. Kalita, Chairman; Cos Giuffrida, Secretary, George Augustine, Thomas Lineberry, Conrad Tyaack COMM. MEMBER ABSENT

George Reif, Director, Catherine Raczka, Assn't. Director; Althea Rinaldi, Secretary, Florence Pelc, Recording and Transcribing Secretary. STAFF

Phil Bauer, Engineer, Public Works Dept; Kim Smith, reporter, Middletown Press, and approximately 38 members of the public. OTHERS

Commissioner Chamberlain acted for Chairman Kalita Comm. Dr. Christie E. McLeod, acting Secretary for absent Secretary Cos. Giuffrida ACTING MEMBERS

Vice-Chairman Lowry:

The first item is the Public Hearing, I would like to ask the temporary secretary to read the Legal Notice please.

Acting Secretary Dr. McLeod:

The Middletown Planning and Zoning Commission will hold a Public Hearing August 10, 1977, starting at 7:30 p.m., in the Council Chamber, Municipal Building, Dekoven Drive, Middletown, Connecticut, to consider the following:

1. Proposal by the Commission to amend the Zoning Code Text, specifically Item 44.08.26A concerning Architectural Preservation Sites and Structures, to read: "The site, building or structure proposed shall be designated for preservation by the Commission following criteria established by the National Trust for Historic Preservation." And further to delete from Item 44.08.26B the last line which now states: "No structure shall be proposed for an adoptive public assembly use." AMENDMENT TO ZONING CODE TEXT, CONCERNING HISTORIC AND/OR ARCHITECTURAL PRESERVATION SITES AND STRUCTURES

Vice-Chairman Lowry:

You heard the Secretary read the Legal Notice that appeared twice in our local newspaper, the Middletown Press, on Saturday July 30, and August 6, 1977. As it is the custom of this commission we will hear the proponents and then the opposite side. I would like to ask the Commission to ask questions through the chair, so that it makes it easier for the tape recording. Is there anybody here for the proposal of this item.

Mr. Reif:

Since the Commission itself is making this proposal, its probably unlikely that we are going to find anybody from the audience that will rise up and go into the proposal. The people may be wondering what it now says in 44.08.26 that we've advertised what we are going to change it to, and it currently says the site building or structure proposed shall be specifically recommended for preservation by the Connecticut Historical Commission and/ or the National Trust for Historical Preservation by reason of having been placed in its survey according to the sites

National State wide Regional or Local importance. The proposal before the Commission clearly gives the Commission itself a greater control over which buildings are designated, which sites are designated in Middletown. The criteria is well established for many years and is the criteria established by the National Trust. It basically has four items. (a) That building or sites or what have you are associated with events that have made a significant contribution to the broad patterns of history, and of course in this case its basically Middletown history, or (b) that are associated with the lives of persons significant in our past, or (c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or (d) that have yielded, or may be likely to yield, information important in prehistory or history. Those are the criteria that apply nation wide and they can also and it proposed to apply locally, and of course the scale of significant will Middletown may be different than those for a national significant.

Vice-Chairman Lowry:

Is there any question from the Commission? None.
Is there anyone in the audience who wants to speak in favor of this proposal? Is there anyone who wants to speak against it? If not we'll pass to the next item, Item 2.

Acting Secretary Dr. McLeod:

Proposal to designate the Commodore Macdonough Inn as a Historical/Architectural Preservation Site and Structure and its use as an Inn a suitable adaptive use. This is a local issue, this isn't going on to anybody else, as a matter of fact, it's a wonder-

Vice-Chairman Lowry: This also appeared twice in the Middletown Press at the same dates, so it was legally advertised, and no one involved in Is there anybody from the audience? interruption.

Mr. Reif: Is doubt that anybody's here so we'll continue on that. One of the things I think most unique in Middletown's Zoning Code is that the Commission did adopt the regulation that we were talking about a few minutes ago that makes it possible to designate a building anywhere in the community, irregardless of the zone it's in an adaptive use, thereby helping to preserve that building. In the case of the Commodore Macdonough Inn, currently the building is in an R-3 Zone. The use is obviously commercial, therefore it's considered a non-conforming use. With the Commission's designation as currently on the table the category of non-conforming use will change, it will become a Special Exception use and still allow certain amount of modification to go on. Basically it will encourage the preservation of the architectural and historic features of the building.

Item 2
COMMODORE
MACDONOUGH
INN PROPOSED
AS A HISTORI
CAL/ARCHITEC
TURAL PRESER
VATION SITE

It will not necessarily prevent any changes from occurring whatsoever, but in terms of the commissions list of Architectural Historic places, it is a different status from what it currently enjoys. Basically we understand the building was built around 1839, its basically a federal style, and some of the additions are Victorian and its played a role in Middletown. It served as a home, as a home for the indegent from about 1853, is been known as the Commodore Macdonough Inn since 1946 and inherent in this proposal is the fact that its current use, and most recent use, is a acceptable and suitable adaptive use.

Vice-Chairman Lowry:

Is there any questions from the Commission?

Mayor Marino:

I just might add Mr. Chairman, that the Attorney of the new owners called today unfortunately the new owner is out of town, now they would probably support this type of a designation but he has not had the opportunity to review it. I was pleased that Mr. Winter, the new owner did the research that I think you just quoted, and has in fact uncovered that there is quite a bit of historical value to his property, and we are sure he will support this designation by this Commission. Actually this commission can not designate, it can only suggest. (inaudible) it can only suggest. I don't think we can act on this tonight, usually we wait until the next meeting.

Mr. Reif:

In terms of designating a building, as we are talking about now this Commission doesn't just recommend anything they have the authority. This is a local issue, this isn't going on to anybody else, as a matter of fact, its a wonderful example, of how a locality can help preserve buildings and do it locally. No body in Washington is involved in this, nobody at the State level, Hartford isn't involved in this, this is a local issue, and its a continuation of at least two other buildings that has been so designated, the Dunklee/Miller House on Newfield Street, and the once bookstore, the Huntington Bookstore, also designated. Both are still there, the Dunklee House particularly because of this Planning Commission. Now there is no threat to this building that we are talking about tonight, but it would be no different, there is no threat to the fact that the man failed to save it and use it, its an encouragement that (inaudible).

Mayor Marino:

Futher I am pleased that the City of Middletown is making these decisions not Hartford or Washington, and other people who are not as concerned about the developement of our City as we ourselves are concerned.

Vice-Chairman Lowry:

Any other questions?

Comm. Parisi:

I have a comment, the most pleasing thing of this in the two sites you mentioned, is the fact that its private monies and its not the municipal government that has to do it, and we do have private businessmen wanting to do it, and its not being forced down the City's throat by preservationists who want to preserve but don't really have the money to preserve the building with, but they want the City to do it.

Vice-Chairman Lowry:

Any other question of the Commission?

Is there anybody in the audience who wishes to speak in favor of this proposal? Is there anybody against it? If not we will go to Item 3.

Acting Secretary Dr. McLeod:

Item 3 Proposed subdivision in the Westfield section north of Footit Drive between Stantack Road and Atkins Street involving approximately 67 acres of land. The initial section of the subdivision will include approximately 20 lots. Proponent W.T. Shea, J.F. Green and J.A. Morrow all of Meriden.

Item 3
SUBDIVISION IN
WESTFIELD SEC-
TION, NORTH OF
FOOTIT DRIVE AND
STANTACK ROAD
AND ATKINS ST.

Vice-Chairman Lowry:

Are you a proponent? If you speak, will you please give your name and address for the tape. Pause.

Oh yes, excuse me just a second, I forgot to, that Comm. Chamberlain will sit in place of Chairman Kalita.

And Temporary Secretary Dr. McLeod in the absence of Comm. Giuffrida. OK now we are legal.

Atty Shea: Mr. Chairman, my name is Attorney William T. Shea, I am an attorney, and I practice law in Meriden, my firm name is Shea, Axelrod, and Cook PC. I am a member of Westfield Associates; there was a bit of an error in the Chairmans designation of Mr. Green and Mr. Morrow of Meriden, they're not of Meriden, they're of Danbury. Mr. Green and Mr. Morrow are both here and I ask them to rise and just introduce themselves to the members of the Commission. And then I'll get on to the business at hand. The property that is the subject of the application of Westfield Associates is for a subdivision approval of approximately 20 lots, is a portion of what was for many years known as the old Brecklin Farm, lying between Stantack Road and Atkins Street in the Westfield section of Middletown. My associates and I have purchased this land approximately about a year ago, after making an exhaustive study as to the best use of it. The study included the market study of the housing opportunity in the City of Middletown and is to the best use to this particular piece of land. It was our opinion based upon the allowed Zoning that there were three choices that were available to us in the development of this parcel. The first choice was to use the R-1 designation in effect a quarter acre lots

which require municipal sewer and municipal water. We did a thorough investigation of the possibilities and probabilities of being able to bring water and sewer to the site to most intensively develop the site. An alternative proposal was to use either water or sewer and go to half acre zoning. After this of course was part of our review at the time, months before we purchased the property and immediately thereafter. After an evaluation of talking with marketing people in the City of Middletown and surrounding areas and after checking with various contractors in getting cost of bringing in and talking with the public works people. We came to the conclusion that the highest and best use of this property and one that would preserve the natural rural area of the country side would be the most restrictive type of use, that is a one acre zoning of the subdivision. We then after discussing with the various city officials in the departments, proceeded to at the suggestion of the various departments proceeded to working with the department of Health because we recognize of course that for a one acre subdivision without municipal water and municipal sewers we would then have to provide for private sanitation systems. In May of this year following an application that was made in probably in March or April, we made a date with the Health Department and we tested 20 proposed lots in the proposed subdivision. We had to make a determination at that time, and we did not determine we should test all the lots, because to do so would of required a substantial tree removal. We felt a subdivision of approximately 40 lots which this area would probably come to, give or take a few depending upon the continuing evaluations both by the developer and the City Officials. We felt to denude the property to cut the tree cover would not be the best ecological principal, certainly not be in the best to the neighborly principals of keeping the land as it is as long as possible. We also felt under those circumstances we probably would be cutting tree cover that subsequently might be able to be utilized by the residence of the area. We therefore proceeded with our test holes and our percolation test, the very extensive requirements of the City of Middletown, and on May the 24, received a letter from the Department of Health, signed by the Acting Director Dr. Minor and Mr. Vinci, the Environmental Sanitarian who have taken a very active part in the testing of the particular parcel. In the letter the department stated that 19 lots are approved by this department for the installation of private subsurface sewage disposal systems. It then went on to say that certain of the lots would require individual engineering design which we would anticipate upon the preliminary approval of the subdivision by the community. I think that it might be worth while to give you some of the criteria that we used in laying out this subdivision. In the first place, they are one acre

lots, and therefore are a large size for subdivision developments. We had open to us three possible accesses to the property from Atkins Street. And if I may, I'll walk over to the map and show that. And if I'm off the tape recorder, well just wave your hand and Mr. Reif:

We have a mobil mike which you may use.

Atty. Shea:

Thank you George, there are on the deeded property that we took title to last year there are three opportunities for accesses to the back land which was the old Brecklin Farm, the Brecklin Homestead by the way is here, Vice-Chairman Lowry:
Excuse me, maybe if you can turn the map so the audience can see

Atty. Shea:

The Brecklin Homestead is located here, there are single family homes, the Hackney, the (unaudible) the Bacon, the Moore, the Look, and the MaGee houses are along Atkins Street. The three approaches that were available to us in laying out this development were this one lying to the North. This was Mrs Brecklin's home immediately very close to the South to the Hackney home. As a matter of fact its about 8 ft. between the window and this line. The other-- the second approach was immediately to the south of the Brecklin homestead, there is a small pond on this and it sort of gives protection from the homestead which is located here, and the pond is here. The third is a parcel that is located, a 50ft. parcel between the Moore house and the Look house, its shown on here. In talking with the City Officials it was recommended to us that we try to (inaudible) lightly as we possibly can on the wetland area, which has been mapped in the Seal by Mr. Cavanna of the Soil Conservation Service, and Mr. Green who is a professional engineer, and one of the partners of Westfield Associates. It is suggested that the least damaging approach would appear to be the central one, it also has a very practical one from the neighboring point of view, because, if this one was to be used the road would be I think to close to the Hackney house, and using the (unadible) most opportunity it would be sandwiched in between the Look House and the Moore House. This area by far is asthetic point of view the best entrance into the property, and it would infringe at least into the neighbors and it would also afford, because frankly the beauty of the area and the way the Brecklin homestead has been maintained and the properties have been maintained and the most asthetically pleasing into the property. If you see here... the blue lines on this map are they denote the (unaudible) of the wetlands and the widest area of wetlands would be here and therefore that would be the most heavily approachable area if we were to approach.

The wetlands pull in here and therefore felt that all things considered that this would be the best opportunity to come in. We're asking for a preliminary subdivision approval which is shown on this map, it shows also a second lot I think that George and I have finally determined that that would be considered as one lot. What we have asked for is that we would be giving an approval a preliminary approval of these particular lots that are shown on here so that we can have lot configurations so that we can move on into the next stage, which is working with the Health Dept. on the individual location of homes, wells and septic tank field, septic fields, we would also like to have approval of road network as is shown so that we can put the drainage in so that we may not have the problems in drainage. We are going before the Inland Wetland Commission on the 29th of this month, so therefore we ask for approval subject to there approval. There is a public hearing on the 29th and hydrological material will be presented to the Public Hearing. We have been working with the Health Dept. well its not really the Health Dept. It's Mr. Goldman from the Health Dept., who is staffed in Wetland agencies and with Mr. Cavanna from the Soil Conservation Service, for that information that will be submitted to the Inland Wetland Agencies on the 29th of this month. We would like to put preliminary drainage in here so that it would tie up with the drainage that would be completed before the actual first construction and final approval of the subdivision as we understand your procedure are here in the City of Middletown. We would therefore ask for approval of the road system in section 1 and in lot, which is generally referred to as section 12 at this time. As far as some of the amenities or let the people in the neighborhood know what kind of a proposal we have. We found that there are very few lots for sale in the public area in a comprehensively planned subdivision. We've also found that many of the custom builders in the area, because of the economics of the day are really unable to go into the very substantial expenses involved today in the governmental approvals of the subdivisions. So what we propose here is that these lots be made available to the custom building market and also the individuals. Its been very interesting simply because of the amount of newspaper coverage the number of calls that we've had from people who are interested in this particular kind of a lot. It also kind of interesting. I've explained to them the very stringent requirements that the City of Middletown puts on its subdivision requirements. I think this is a major benefit to people that they'll be able to buy a lot that has been very thoroughly evaluated by the City, by the municipal officials before they go into it. There's very few people in my own experiences who know very much about it before they buy a lot. The fact that you have established this approach is something you should be congratulated for, because the people who come in to buy a lot in Middletown's subdivision in my opinion has been thoroughly protected as any people in the State of Connecticut.

Me and my associates have had experiences around the State of Connecticut, and we have seen the various stringencies established by the various towns. We feel that anyone who buys a lot in this area, will have the protections, the practical protections of your preliminary and final approval. We recognize of course that before final approval is granted on the subdivision, that the utilities, the requirements, that everything is in place. We believe we have complied with all the requirements of your subdivision regulation. We think that this will act as a as perhaps setting the pace of this section of Westfield. It will be a custom area, it will not be an inexpensive home because of the size of the lot, because of the kind of rural neighborhood that we intend to preserve. Each of the lots are at least 1 acre and they all have a you might generally say they have roughly 200 ft. frontage on each street. We have named streets that is required, nothing that is locked into here, but we have put the Erecklin Drive name on the main course that runs over to Stantack Road, which is a Middletown city street. Although we recognize that street have only been partially improved up to about this point on the map here. We have taken the names from the map of the city, Snow Ridge, Snow Ridge Road and (mumbled) and added Sutton Court. None of these names have any particular meaning to us. We found that they did not seem to, pause) in any way duplicate other names that were in the city of Middletown. I think that generally this will explain what our proposal is. We feel this will be a very very fine and (inaudible) subdivision for the City of Middletown. We feel that the market is here, we have great confidence in the city. We have done quite a bit of our own personal study as to the developments in the City, both industrially and of course about a mile to the north of us, over here would be where the proposed Sawmill Race Track is planned. Its an area that we think will be a very successful subdivision. We're not here for the fun of it. We are business men who are interested in providing a service that the public will buy, we feel that with the work we have done, with the co-operation that we have received from the city, and thats the kind of reception that we'll get in the market place upon approval. I will say to you that we are very much interested in being able to let our road network which will be from here, at Atkins Street up to the intersection of Irving Place and 100 ft. beyond. Snow Ridge Road in both North and South (Inaudible) we would like to get that out to contract as soon as possible. There are a number of contractors in the area who are particulally interested in bidding on this. We have not taken any bids on this and will not take any bids until we have a preliminary approval. Numbers of the---there are about five of these contractors who are locking for the work to be done in connection with this. We have given to them copies of our preliminary proposal. We've also supplied them with copies of the regulations of your Dept. of Public Works so that they know what the requirements are as far as construction. We feel that this is a highly probable use for this particular piece of land that it would be successful and it would be met with acceptance in the Westfield area. We would expect this section of Westfield will be --will retain---not only its residential, its semi-rural characteristics that this subdivision that we propose to you this evening, will very clearly fit into that.

Vice-Chairman Lowry:

How many lots on this first subdivision.

Atty. Shea:

This first lot-- proposal is for 19 lot approvals. There is one lot that I'm sure we should not get an approval on and that is lot number 13. There was a some-- The Health Department had not been able to properly test that lot. And so that is my understanding that today I received in my office a copy of the report from the Health Department, that was sent by the Director of Health to you, to the Planning Commission, and they have noted that is---that should not be approved, and we would accept that at this time and realize we'd have to come back. We expect a continuing amount of work with the Department, and they know what they want and they've already done a very major extent of the work. We were very pleased to receive the approval in May of that.

Vice-Chairman Lowry:

Thank You. Is there somebody else with you to speak in favor of the proposal.

Atty. Shea:

Well I think that certainly Mr. Green and Mr. Morrow who are associates here would be registered in favor of it, if that is with your approval Gentleman. -- (Unaudible) heard that I presume the tape recorder will recognize that.

Vice-Chairman Lowry:

I will ask our Director at this time, are there any comments.

Mr. Reif:

Yes, it might be appropriate at this time to hear from the various departments and there comments to the Commission. As you well know, it's the policy of the office to receive an application for just about anything -- to ask of the Departments a written statement. In this case, we asked the Public Works Dept., the Water and Sewer, Health, Inland Wetlands Agency, the Police, and the Westfield Fire Department for comments. We said the Commission will hold a Public Hearing concerning the proposed Westfield Heights subdivision on August 10, 1977. Please review the proposal shown on the accompanying two sheets. Your comments will be appreciated, to be included in the transcript of the hearing. From Water and Sewer we got the message we expected. No Water or sanitary Sewer available. From Inland Wetland we were notified, the Inland Wetland and Water Course agencies has an application on file from Westfield Associates and will be conducting a public hearing on August 29. From the Health Department we have the following memo.

Upon review of proposed subdivision site plan called Westfield Heights which shows areas of deep cuts and perc holes, we have determined that more information is needed to develop conditions of approval for this subdivision; 1. Location of house, well, reserve area, and designed sewage disposal system. 2. Where feasible, design of a sewage disposal system for a four bedroom house based on existing percolation rates. 3. Excluding Lot 12 (formally #13) since no perc holes were available for testing. 4. According to the Public Health Code of the State of Connecticut, ten (10) of the nineteen (19) lots require specific detailed engineering plans due to poor percolation rates. The revised detailed plans for Lot Numbers 2,5,7,8,10,11,12,15,16, and 20 must include the following additions: (a) Ground water and ledge rock elevations. (b) Both original and finished surface contours and elevations. (c) Property lines. (d) Building locations. (e) Watercourses. (f) Ground and surface water drains. (g) Nearby wells and water surface lines. 5. A hydrology report regarding underlying aquifer is necessary to insure sufficient water supply for the entire subdivision area. The revised site plan should be based on a scale of one inch equals fifty feet. The plan must be reviewed by the Middletown Health Department and the State Department of Health in order to develop specifications for approval of this subdivision. The rationale behind a revised detailed site plan is to maximize the number of buildable lots. Without additional information subsequent development of lots on an individual basis could possibly mean less lots suitable for home development due to the requirements of separating distances between wells and septic systems. Signed by Karen Grabill, Director of Health and Hank Solek, Environmental Sanitarian. We also have a letter from the Department of Public Works. The following comments are made in review of the above referenced project: 1. Is the maximum length of a permitted dead end street exceeded, if you begin at Atkins Street? 2. Lot #17 seems to be rather small in area. A slight relocation of Snow Ridge Road can be made to gain additional area. 3. Catch basins locations should not exceed 250 feet between each and that includes the distance from the back of a cul-de-sac to the first pick-up point. 4. No provision for draining the southerly 400 feet of Snow Ridge Road. 5. Outletting of the drainage system into the wetlands area without provisions to reach the stream itself on another owner's property should not be permitted. 6. Positioning of catch basins at the intersection of Snow Ridge Road and Brechlin Drive should be redesigned. 7. Drainage system from intersection of Snow Ridge Road and Brechlin Drive should provide for surface water to be carried eastward along Brechlin Drive to the outlet sign of the proposed culvert. 8. Gradients along proposed Brechlin Drive exceed the permitted 10 percent. 9. Proposed Brechlin Drive indicates a future connection with Stantack Road. Has any provisions been made to improve Stantack Road southerly to exit on an improved portion of the roadway? In summary, it is our considered opinion that alternate proposals be drafted to possibly utilize Parcels "A" or "B" to serve as a secondary access to the site. From the Fire Chief Alfred Rasch, A review of the plans show no water supply (hydrants) in the proposed subdivision. Water to fight fires must be carried on fire department vehicles, therefore it is very essential to have good paved roads and adequate turn arounds on all deadend roads.

Brecklin drive starts in a wet land area and ends in wet land area. Brecklin Drive also ends up on Stantack Road which is nothing but a wood trail. Provisions should be made there for a turn around for emergency trucks (Fire-Ambulance) and service vehicles (Oil Trucks-Snow Plows). In case all roads are not initially completed, a temporary turn around should be built on Brecklin Drive where Parcel A ends. That completes all the reports from the various departments.

Vice-Chairman Lowry:

Thank you George. What was the question for the Commission.

Comm. Shaw:

I'm curious about the--- (inaudible)----- . I'm not aware of this at all. How does this layout work-out.

Atty. Shea:

Probably the best person to answer that is Mr. Green who is the engineer and who has become intimately familiar with the property. Jack would you want to go up to the map with the pointer if Mr. Reif could hand you that.

Comm. Shaw:

Maybe while your doing that you can give us the distances---- roadway distances and what not---so we can get some feel of the----

Mr. Green:

The most (inaudible) feature of the property if you will is a ridge line that goes along like so. The highest elevation on the property is up here on the lower most part. The lowest portion of the area is here, (pointing to the map) and here. There are two streams. There is a stream that goes down north parallel to Atkins Street and a second stream that flows north also parallel to Stantack Road. The water shed for this stream is relatively small. This is some-what larger. (pointing to map). The area that's proposed as Section 1 is essentially open meadow land in its present configuration. The area proposed for Section 2 is very dense brush and woods. The (inaudible) as such, it slopes both East and both West, again with the ridge line in the middle. I'd like to make a point to why we didn't test the whole site at once. Before I layout a subdivision, I make it a practice to really hike the place over so I know it personally. I know what the (inaudible) are, I know what the pluses and the minuses are on the site. We have tried to lay the roads out so that they follow the car tours, in-so-far as possible--- (inaudible)--- up a 10 percent grade and comes down at approximately a 10 percent grade. The grades are relatively flat because they follow the contours. Again we didn't want to test Section 2 because your Health Dept. requires 5 distinct holes to be dug on every site. Two-Three deep test holes 7ft. in depth and 2 percolation holes. This requires heavy equipment. For us to come in here and put 5 holes on each of these lots we would really tear up the pea patch, and quite frankly we didn't want to do it. We feel that we would best serve our interest and the interest of the City of Middletown and labors, if we could get ----(inaudible) approval of the road do a minimum amount of cutting to get our vehicles in so that we can adequately test the lots by selecting the sites that we can get to without just arbitrarily

cutting down an awful lot of trees. Really. So this is one of the reasons that we wanted to go in two stages. The second reason being that we didn't see the point in going with 40 lots--- We felt that we wanted to take this slowly and do a proper job at it. We've done a fair and thorough analysis on the hydrology here. It's not completed as yet. We've had conversations with the wetlands people so that we know what exactly they want. This is being prepared and will be submitted at the Public Hearing. (Inaudible) that we can drain in two directions. We can drain east and we can drain west. We don't again have large water sheds to consider because it's broken in the middle. We don't see any hydrologic problems, we feel we can subscribe to all of your regulations and I think that we can speak to most of the things that I've heard your planner (inaudible) to in your various reports.
Vice-Chairman Lowry:
Thank you very much.

Mr. Green:
Any other questions while I'm here?

Comm. Parisi:
Just going along with Comm. Shaw. Whats the high point, the high point going to the northend, what's the measure?

Mr. Green:
What's the elevation?

Comm. Parisi:
Yes, What's the elevation?

Mr. Green:
250 200.

Comm. Parisi:
What's the elevation? What's the low?

Mr. Green:
220

Comm. Parisi:
Do you own the Brecklin house and the pond that is near or is it--

Mr. Green:
No, we do not own it----(inaudible).

Comm. Chamberlain:
What is the total width of that Brecklin Rd., Brecklin Drive.

Mr. Green:
Approximately 2500 feet from Stantack to Atkins.

Comm. Chamberlain:
So far thats the only--- (inaudible) on that property?

Mr. Green:
Correct.

Mr. Green:

If I might make a comment, to come across here, I certainly couldn't recommend that as a plan. I think if you were to go out and look at it, you would probably agree with me.

Comm. Parisi:

What's the length of Snow Ridge?

Mr. Green:

Well, from here to here, (pointing to map) is 800 and from here to here is 800. Let me speak about Snow Ridge Road. The reason that I took these to the property lines is because in examining the whole area, it (inaudible)---- I feel and I think in a growing community--(inaudible)zoned one acre residential. These parcels will be developed in some point in time, if its next year or ten years. It would be a logical point to extend Snow Ridge Road as a road parallel to Atkins Street. Going to --- (inaudible) to what other point you might penetrate this next parcel. The only place that would not have a logical extension would be here, because there's a home here. Sutton Court really doesn't have a logical extension because of the ---- (mumbled) so we've said we've made these permanent dead end streets. This has the potential, I'm pointing to Snow Ridge Road, for future extension. And this does subscribe to some of the concepts you've laid out in the subdivision regulation.

Comm. Passanesi:

What about the cul-de-sac between A and B?

Mr. Green:

cul-de-sac's A and B, you mean here and here?

Comm. Passanesi:

No, the main road that comes into the property.

Mr. Green:

here? We are not suggesting that we are here? construction. What we would do is

Comm. Passanesi:

No, keep going, stop right there. You say you can develop that land at a (inaudible) of time?

Mr. Green:

Yes, this will be a (inaudible). put a road

Comm. Passanesi:

O.K, you've --- provided a temporary --- (inaudible).

Mr. Green:

Yes, that's correct. In this subdivision, would have

Comm. Passanesi:

What about the other end?

Mr. Green:

Downhere? I would say we would do that at your pleasure. If you feel that a temporary turn around is a proper way to do it, we would probably put it back here and not cross the wetlands.

Comm. Passanesi:

Is there among the comments the Fire Dept. , the Fire Chief made, where the cul-de-sac at both of these points , and as you know are quite important.

Mr. Green :

That's no problem, again we would do that at your pleasure.

Mr. Reif:

If I may intercede here. We were making I thought, amazing progress in coming to some point of solution on a number of problems with the exception of the 800 ft. limitation on the length of the dead end road. I don't think we've gotten the answer to that, several members of the Comm. have ask that question and until you answer that one, your not going to make any progress.

Atty. Shea:

What answer?

Mr. Reif:

Unless, if you don't have an answer, then you know.

Atty. Shea:

I wish you could clarify your point a little bit better, so we can attempt to --- (inaudible).

Mr. Reif:

There's a requirement in the Subdivision Regulations that the length of a street to a dead end, be no more than 800 ft.

Atty. Shea;

Well, from here to here (pointing to map) is not more than 800 ft.

Mr. Reif:

And we've also put a scale, a graphic scale for your benefit at the bottom of the map. The red line is 800 ft.

Atty. Shea:

Yes Yes, If you are and of course out to Stantack Road, this is a City Street even though it is not a particularly well used city street. I would imagine in the next few years it will be --has already been substantial improvement along---and the beginning of Stantack is as eluded to the Public Works Dept.----. we feel that this does fit with the requirements of dead end streets. These are no more than 800 ft. There's no way that we can ---- that problem until Stantack is eventually completed. We as the developer are not suggesting that we are about to be able to do that construction. What we would do is, we would simple as the commission has suggested, or aluded to, we would make turn-arounds available as the commission required from time to time, so that there would be the proper access. We do not prefer mainly because of neighborly considerations, to put a road in through parcel A or parcel B. We think that thats going to have a very disruptive effect upon the beauty of the neighborhood and particularly, and I know that both the(inaudible)and the Hackneys would be our neighbors in this subdivision, would have these roads so close to the house that I think it would be closer than the table top here (pointing to the table) from the Hackney House and almost as close but not---probably one and a half times as much from the.(inaudible). We are also concerned, because we have been told to be concerned with the ---upon the wetland. There are always ----traces in development of land as you members of the commission are well aware.

We also, to be practical about it, are not particularly interested in putting in long stretches of road that cannot be used as lot frontage. We think that would end up with, in the future when this whole area is more thoroughly developed as being un-used roads and not to the liking of the neighbors, making long corner lots. If you use b, and over on here it would (inaudible) the Brecklin property, which is a ---area. I doubt it would ever be developed as far as lots are concerned. It would be of no benefit to them. We think that this is the most practical way with the cul-de-sac, the temporary cul-de-sac that we will follow, not the problems that have been raised by the Fire Chief. We think that the measuring from Atkins Street to the end of Snow Ridge Road, around to the end of Snow Ridge Road on the north and the south(inaudible(could'nt understand) interpretations of your subdivision regulations. This is a problem that George has brought to our attention. We feel that the proposals we have meet the (inaudible) of the Subdivision Regulations and should be acceptable to the City.

Comm. Passanesi:

What about the comment on--by the Public Works that if you exceed the(10%) ten per-cent ----on Brecklin Road.

Atty. Shea:

We frankly don't know where that came from, because we actually had this flown by Photo Electric Survey and our roadway submitted to the Planning Commission ---do meet the 10 per-cent requirement. We'd only heard that for the first time tonight, but we are certain, Mr. Green has just assured me that we are with-in the requirements of the City.

Unident: And I'm sure that if we sat down with the Public Works people, they would see that.

Comm. Passanesi:

If it was required to re-design, to make it come for 10 per-cent or less---(inaudible).

Atty Shea:

No problem, no problem.

Vice-Chairman Lowry:

Any other questions from the commission. If not I thank you and it will open the meeting for comments from the public.

First we will ask those who are for it, please come forward and give your name and address for the record.

Mr. Steve Leinwar

Mrs. Brecklin?

My name is Mrs. Brecklin and I'm for it.

So there's no one

Mr. Hackney:

My name is Irving Hackney and I live at 603 Atkins Street and I am very much in favor of the development. The way the developers have proposed it, I think its the best use that can be made of the land that we have in back of us.

Lorrain Hackney:

I am Lorrain Hackney and I live at 603 Atkins Street and I agree with my husband.

Don McInerney:

My name is Don McInerney and I live at 570 Atkins Street and I'm for it. I think its the best use for the land.

Robert Stefurah:

My name is Robert Stefurah and I live at 584 Atkins Street and I think its a great idea. Its very nice.

Dwayne Look

My name is Dwayne Look and I live at 495 Atkins Street. In considering the alternatives to the -(inaudible) as a proposed, in coming up with possible quarter acre lots. I think it is much preferred by the people that live there to use the proposal the way it stands. I think there's little question but what Stantack Road will eventually be re-developed as a city street. It's gone a long way as long as I've been in the area, and the thing that frightens me is the possible alternatives of going into quarter acra lots in the neighborhood. I think it would be a desecration on the land.

Vice Chairman Lowry;

Is there anyone else who wants to speak in favor of the proposal.

Mr. Zenkel:

Mr. Zenkel 610 Atkins Street. The way that its set up now it looks pretty good.

Vice Chairman Lowry:

Anybody else, if not is there anybody who wants to spead in opposition of this project?

Unidentified Man: ---of poor planning and ---circumstances beyond George, does the Commission havd copies of these memo's yet?

Vice Chairman Lowry: ---well to do people as they can afford. Could you please give your name.

Unidentified Man: I will when----- (everyone talking at once). I guess I was just repeating Mr. Sha's comment

Mr. Reif: There hearing everything for the first time tonight, so, including everything your going to tell them tonight.

Mr. Steve Leinwand: My name is Steve Leinwand, I live at 101 Highland Ave., and I would like to speak to the Westfield Heights proposed subdivision. So there's no miss-understanding about my motives, by the end of the month, I will be a property owner in the Westfield section of Middletown, with land above the Westfield subdivision. As most of you are well aware, I'm for development in Middletown. My support of the racetrack has been public. As a teacher, I can't afford hindering the growth of Middletown's grand list. I've (inaudible) recently had the honor of serving on the Re-development Commission Design Review Committee. (from here on tape was hard to listen to) In all cases-----sensible development that serves the entire city. -----of Westfield Heights, my purpose

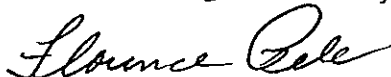
here tonight is simply to ask some questions. My goal is not to be selfish because progress is coming to my neck of the woods. -----do I hope the necessary thrill---of Middletown. Rather it's my intent to -----subdivision comes to pass. If it is done correctly -----spirit of the various codes and most----- (inaudible)neighbors and future home-owner are not unduly helped. My future neighbors that have just spoke. There's no question that one acre subdivision is a whole lot more -----than quarter acre lots. I think Mr. Shea explained that quarter acre lots simply would of been -----because he could'nt bring water and sewer out there. I think that my----are one acre lots the best we can do, or to really do it rightwe have to think about perhaps larger lots in a subdivision of some what smaller scale----.(mumbled) the following questions with a few comments. Is this ----official water supply to support 40 to 44 homes without problems ---pre- sently in the immediate area. Has the Health Dept. ---and I hope George, that the commission will get a copy of that, as well as the ----Dr. Minor and --Vinci dated May 24. I think that Mr. Shea only quoted what he felt like quoting, and I don't blame him a bit, but there is a little more that I would like the Commission to read in that particular letter. As the Health Dept. suggest the Hydrolic report should be required before approval is granted. I certainly would like to know if the---and all the other scientific names and words and all -- adds up to a proper and decent water supply for all those people out there as well as ----- the possibility of the Planning and Zoning Commssion to make decisions with suffecient ----to insure that 5 of 10 years from now the city does not have to -----sizable expence to correct mistakes of the past ----- (inaudible) to the Higby area ----of poor planning and ---curcumstances beyond our control, the city must now supply city water and sewer to those -----at condiderable cost. I don't think we ought to be sitting here 5 years from now with ---well to do people as they can afford the kind of houses, homes, land that we are talking about here. -----screaming and yelling at the Common Council that we need city water and sewer out there. Does'nt the Planning and Zoning Commission need to take into account ----of the land before granting a subdivision. I guess I was just repeating Mr. Shaw's comment or question earlier. ----proposed building lots have ----steep grade in ----the future homeowner----- (inaudible) in the place of his or her house, well, and septic system. I raise this question in hopes the Commission will follow once again the re- commendation of the Health Dept.--required subdivision----the location of each house----sewage disposal systems on each lot. It is not at all ---to me that someone could-----lot number 9 and after installing ---septic system make it impossible for some- one else to build on lot number 10 because of ---Health Dept. re- gulations. Futher I would like to know if this land---support 44 septic systems. (inaudible) talking about expensive real estate and ----3 or 4 bedroom houses. These houses will require large septic systems -----concerns----lots. You and I both know that this is only part one of the eventual 44 lots. Finally I would like to know----the Commissions responsibilities lay.

Does it lay with Mr. Shea and his associates, or does the prospective home-owner and citizens of Middletown? I ask this because some of these lots are (in my opinion) are described as problem lots. (inaudible) 4 lots have seperation rates at one inch in 40 minutes. That's 10 minutes beyond the code regulation and has been stated. (inaudible) Another 6-----to one inch in 30 minutes-----when they were re-tested by the Health Dept., prior to the granting of the permit. Prospective home-builders may be surprise to know---preliminary and like our problems on South Bartholomew Road find themselves with five or ten thousand dollar engineering headaches. I submit that it's the responsibility of the Planning and Zoning Commission to do it's damest to see that this kind of stuff doesn't happen again. Mr. Shea earlier, when he stated we in Middletown should be complemented. We have such stringent regulations and we protect our prospective buyers. Well as a prospective buyer ----protected when the Commission when----the Health Dept. does its job. So therefore what I really am suggesting is the Commission proceed with a great deal of caution. I believe you need much more information before you can approve this plan. I believe ----responsibilty to approve suitable and buildable lots, so that our citizens and future citizens are protected. And I believe -----Westfield Heights with too many unanswered questions.

Vice-Chairman Lowry;

Thank you Steve. Is there anybody else who wishes to speak in opposition? If not I declare this item closed and also this Public Hearing.

Florence Pelc
Recording Secretary



Eric G. Lowry, Vice-Chm.
PLANNING & ZONING COMMISSION