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Barbara Sattler

My name is Barbara Sattler and I live at 830 Arbutus Street. I don't think the Commission should be persuaded into believing that young people cannot afford to come into the city and buy a large size

(Change of tape)

Barbara Sattler (continued)

larger lot sizes which I think is a great idea because, from what I can see, there is enough high density housing in other areas in the city.

Chm Gionfriddo

Thank you.

Charles Harris

Mr. Chairman, members of the Commission, my name is Charles Harris and I live at 249 Chamberlain Road. The last words I had to this Commission were to remember, 'they don't make it any more, use it wisely.' I come back with that same message. However, in reference to the plan that George (Reif) has worked up, and it is being shown for the first time, I tried to wheedle a map out of George (Reif) before but George was very insistent, rightfully so, that those maps shouldn't go anywhere until they went to the Commission. I have a couple of questions, though. A couple of things are bothering me in this and I think they are the same things that were bothering Anthony Guida. We are losing flexibility and I think this is what the Mayor was talking about too. There are some areas, to those of you that are familiar with it, Mr. Chairman, you've been in my yard and you could see coming up those hills, there are some places where two acre lots can't be used. One acre building lots can't be used. It is going to require five acres. I think we have to make sure that we leave complete flexibility by the topography of the land and as I come to these meetings and hear these developers and I think Dave Mylchreest can back up what I am saying on this, too, everybody looks at a piece of land like a tabletop and it's not. All I say is that there are some areas that should be zoned by its topography, not by its acreage. That's topography and how it can be used. Also, and I'm sorry that I didn't get a chance to bring it with me tonight, I refer the Commission and I would refer the staff to an article in "Country Journal". This last "Country Journal" that has come out, I'll make sure a copy of it gets to the Town Hall so it gets to the staff so that someone can get it to you people. Believe it or not, we should be thinking about tax liability. With some of these places, and the Government has just finished a study on this, it tells towns or anyone else that wants to, they can write, get the information and how it is put together to come up with these figures. Somewhere on the outskirts of Washington, D.C., when they made their study they found, and these are not accurate figures as quoted in the article, but they are figures that I remember the first figure of. There is a tax deficit created every time we build a new home, okay? Until all homes are reassessed by lot size and by homes, we work with this deficit. The study has found that small homes on small lots, the deficit is not nearly as large as it is on large lot sizes and homes. This one was in reference to a five acre lot. There is and should be, a chance to increase tax base on increase and lot sizes. There has to be, because this study has shown, that for instance on a small lot size the tax deficit liability was something in the neighborhood of \$700, but on a five acre lot it was \$2,000 and some odd dollars. Okay? I don't have a real problem with lot size, I had a hell of a problem when you started talking two acres. I don't have a problem with lot size as long as the topography is taken into consideration by area. You just can't look at it as a tabletop

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Charles Harris

As long as those are taken into consideration, and there has to be some flexibility, you can't just say that you are going to take a certain section of town and there is going to be an acre and the other section of town is going to be two acres, another section is going to be an acre and a half. I have yet, of all the times I have been in here, ever see a map with any topo information on it. Thank you

Chm Gionfriddo

Thank you, Charlie(Harris)

David Mylchreest

David Mylchreest, Middletown. I didn't mean to follow Charlie(Harris) that way, but it worked out fairly well for me, it has to do with my comments. When I saw what was in the works of this revision, and I agree that there are a lot of good points to it, I felt duty bound to my clients to review with them different feasibilities to tell you what we have done in the last eight to ten years. Of all those studies there was one that stood out pretty well that almost chronologed completely what Charlie Harris said. I did ask his permission to present it to you and, if you would like, I would be glad to submit this in writing to you for your consideration if you continue your Public Hearing tonight. It had to do with the Brainard property which, if you could point it out, George(Reif) just short of the Blue Road Area. Yeah, right over there, it is in the orange area. No, keep going north of that. R-1, keep going, right in there. Those of you know where Mrs. Brainard lived, in the lovely white house there. In access of 100 acres and in the process of our feasible study we came up with x number of lots. Now, as Charlie just said, wasn't just a tabletop situation, there are wetlands involved on that property, there's unusable land at the western end of the property, power lines cross it, so it isn't a case that you take 100 acres at one half acre zoning and you are going to come up with 200 houses, no way. When we applied the new criteria for that zone with 175 foot front, that was one problem, the second problem was the relationship of the wetlands, the usable land in between you now got 250 foot depth, double that is 500, plus your roadway you would begin to lose it, you couldn't even get a row of houses down in the usable land in between. So, you not only have lost the prime depth that you are looking for, but you increase your cost because you can only get houses on one side of a road which, in land development, is a no-no. I'm not talking the economics of the thing, I'm talking the land use. Economics is something that regardless of whether they say that developers are making a lot of money, one way or another, it's the ultimate consumer who pays the bill. I've sat on your Commission for a good many years here in our town when the pendulum was way over here, we went through PRD'S, we went through a lot of land use that a lot of us was questioning at the time and some was good, a lot of it was bad. I think we've made a great many corrections on that bad land use of that period. Sometimes we swing over on the other side, too far, and I hope we don't go too far that way. Hopefully, there is a middle road somewhere that we can find, compromise if we will. Something that will make some of the good use, the clustering that we had back in the 60's, there are a lot of good parts to that and this doesn't address that at all. Nor does it address the land that had water and sewer and the land that does not have water and sewer. Your existing code addresses that pretty well. In the case of the Brainard property, not only do we have water and sewer available we have compatible land use on both sides of it and we do have additional requirements over and

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David Mylchreest
above what you are talking about tonight, like control that land control the density of that land. Just in your recent approval of a new subdivision regulation you...(inaudible)...open space which you never really had before. Now you have something that George(Reif) and his staff can hang his hat on. I've talked and talked and I can go on, but with your permission I will submit to you a plan of, say, the Brainard property, what it exists now and what it would exist if this proposal was adopted. Last comment, I agree with Phil(Karpel), it is extremely hard to make a definitive comment on a concept, whereas a written regulation is something we have to live with, we have to try to interpret this as we go into our land planning. If and when you do come up with a final plan, we certainly hope you would go back to a final Public Hearing on the adoption of the actual word of that. Thank you

Chm Gionfriddo
Comm. Leinwand has a question.

Comm. Leinwand
David(Mylchreest), what is the bottom line on the Brainard property? You've got a hundred acres, you are bringing water and sewer and if it were a table-top you could put 300 houses out there.

David Mylchreest
That's correct

Comm. Leinwand
Water and sewer, the wetlands, the powerlines, what does your feasibility show? 200?

David Mylchreest
I would be glad to submit this to you in writing.

Comm. Leinwand
I think it is important tonight if you have the two numbers.

David Mylchreest
I can't give that to you tonight. There are so many elements that enter into it. You can't just say, 'hey, in fact, you had no way near 300 houses to begin with' because of the restraints, because of the property it was on.

Comm. Leinwand
But, isn't the issue before us, really, your two numbers? If, in fact, the Brainard property with all of the problems on that land is currently developable from 200 lots and we propose a change that talks of one acre lots in the orange area and again the topography in the wetlands and the powerlines get in the way and you could only do 75 lots, then isn't that really what the issue before us is?

David Mylchreest
No, the issue before us is, 'how much land do we have to play with to begin with.'

Comm. Leinwand
What about the issues that we are charged with that deal with the whole ques-

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Comm. Leinwand
tion of the future density and intensity of this city, what kind of city populationwise that we want, what about the municipal services that are already strained in many places, aren't those critical pieces of our planned development?

David Mylchreest
Right. You take one step and here again, Chairman, I hate to get into an argument while you are Commissioner. How come you didn't argue with anyone else when they were up here?

Comm. Leinwand
I only ask you the questions because I respect you so much and want you to tell me why the kind of changes that you are going to supply details on isn't exactly the kind of thing that we, perhaps, want to do.

David Mylchreest
You are saying that because I had my picture in the paper the other day, right? One point, as far as utilities go, there again, I sat right down there and I asked this question twenty years ago when they were sewerage that area and the specific question was, 'what is this sewer designed for'? And the sewer was designed for your present zoning. I am not saying that because you cut back on that density you are hurting us but, certainly, you wouldn't want to increase that density. You have just gone through this with Wesleyan Hills and there was those of us twenty-five years ago that questioned that at that time, but it was brushed aside for one reason or another.

Comm. Leinwand
Let me understand. You are going to supply the Commission within the next week with the two feasibility studies for this particular parcel.

David Mylchreest
I will be glad to show you how it looks so you can compare to your own.....

Commissioner Leinwand
I think that would be very helpful.

David Mylchreest
All right, sir. Thank you.

Chm Gionfriddo
Thank you, Dave. Anyone else?

Jill Moroski
I am Jill Moroski, East Ridge Road. A resident of Middletown. I applaud what has been going on and I applaud the planning and I give you my support. I have just two brief corrections to make, I think there are two presumptions that we heard from several people here this evening that need correction. The first is the equation of having sane planning, equating that with elitism. Underline that assumption or presumption that people are making is that somehow rich people have, or deserve, more land and poor people less. I would like to point out the East Ridge Road area, which is not high income. If we had sane zoning we wouldn't have lost the privacy of that area, okay? So, the new zoning suggests that since the new lot sizes will protect the low income as well as the high income. The second presumption I'd like to correct is that in the absence of any kind of lot size regulations you have sane planning, and that is that some people will not act reasonably and I don't want say developers here, but I mean developers. If people do not believe that in the absence of lot sizes and regulations, people won't act sanely. I ask them to come visit my home which now has on the left hand side three roads that look like runways, ersatz airport, on the right hand side a house that is the absolute minimum distance from my lot line and in the back a brook which, when I bought my house five years ago, had water in it, and is now empty. That is not reasonable planning.

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Chm Gionfriddo
Thank you. Charlie, before you come back why don't we give first timers a chance. Thank you

Tricia Hellman
I am Tricia Hellman and I am a registered voter on Kelsey Street in town and I moved from a high density housing situation, my first home. I was attracted to the rural nature where I live on Kelsey Street in Middletown and I support this proposal. I think it is very good and I know that there's a lot of work that's been put into it.

Chm Gionfriddo
Thank you. Anyone else?

Mrs. George Seiffert
Members, my name is Mrs. George Seiffert, I live at 181 Kelsey Street and obviously I am in the minority tonight. As a landowner of undeveloped land we definitely are minority members. First of all, the people that are proposing the larger lot sizes do not have a real stake in the financial situation that occurs. When you have done this, you have taken a value without compensation from the landowner. You just have arbitrarily set up your different size lots without regard to return to the person who owns it as undeveloped land. You are depriving the use it's already been pointed out, of a great deal of needed land but, it was pointed out earlier we really don't know what is needed and what is available. I think a study of what we do have and what we will be needing in the future should precede any decision that is made on revising the plan for the city. When you talk about land use I am glad the neighbors all like the rural character of the area in Kelsey and Arbutus Street, we hope that we can provide some esthetic relief for them but, as everybody has, I am sure, been aware reading the media they know that an industry can be in trouble and it seems that in agriculture right now, in order to survive, you must get bigger. For this reason, we are limited, not through our own doing, we have become housebound. There is no room for expansion. We do not want to give up farming, we love the life but there may come a time when we have to. When an industry is no longer viable you have to look to alternate use of the land and we should be assured, as people that have held this land for the appreciation of others as well as our own use, that we can make the best use of this land when an industry has to move on to another area. I hope this doesn't happen for awhile. When you set up your lot requirements with a front footage and a side depth it was pointed out just a while ago, you have completely eliminated the creative use of land. We have to be able to deviate and make the use of this, as was said before, without topography to go by, you can't just set up little blocks and say this is it, we have to be able to make creative use of the land. There is one thing that does bother me a little bit. As I said, I definitely am a rural lover, when we first built our house on Kelsey Street it was a dirt road. I loved our little dirt road, but neighbors began to move in and the next thing the road had to be paved because this is what they were used to. Then the next thing, we have a street light in front of our house out in this farming area, believe me, the cows do not need a street light and neither do we. This seems to be the problem, you want your rural atmosphere but you want all the amenities of urban living and it just doesn't go, as far as I am concerned. One other thing that, in rebuttal to the remark that maybe the best use of land is not to build on it, if you don't build on it, you either have to farm it, you have to make organized recreational use out of it or you have to leave it as open space and certainly you can't ask the landowner to hold it as open space for other people's benefit, in that case, if that's the way you want it, then let the taxpayers buy it. Thank you.

Chm Gionfriddo
Thank you.

Anna Barron
My name is Anna Barron, I live at 21 Murray Street. I'm in favor of the proposal. Thank you.

Chm Gionfriddo
Anyone else wishing to be heard?

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Mary Risley
I'm Mary Risley and I live at 30 Maple Shade Road. First, I want to say that a homeowner's investment is his probably his biggest investment in his life and 2) I want to say that every homeowner wants to protect his investment and then I want to respond to Attorney Karpel I have heard him here, he defends, he represents builders and he's also harboring his interests I want to also say that in reply to Mrs. Seiffert, a lot on Coleman Road which was less than an acre was sold for \$40,000 not long ago. Also, Mark Brady is leaving Newfield Street because it is so busy to move to a more rural area, he hopes, which is Maple Shade Road.

Chm Gionfriddo
Anyone else?

Irving Lee
My name is Irving Lee and I'm ^{un}accustomed to this type of speaking so bear with me. My Mother and Father died fifteen years ago and my two brothers and I have property beyond Cedar Village, now let's take this for an example, Cedar Village, I don't know who started it, I know we spent many evenings up here with the Zoning Board, my wife and I begged them to make the sewer large enough because we are adjacent to Cedar Village, to carry all the sewer up that would come past Charlie Harris's, everything in that valley behind the hill. I read the paper a short time later they didn't put in a 2 inch smaller sewer, now it doesn't carry it. Because of Cedar Village, which I think is pretty nice, actually, on Julia Terrace. When the government valued the property that is left there Cedar Village had been changed at least (hands) twice and paper value went up to, I think, over \$300,000 so that when they took our property and valued it, if my Mother hadn't had some money because of the land that was sold to the Fire Department, we would have been lost trying to cover the taxes that was paid on that property. The land is hilly, we now, as far as I know, we can't hook onto a city sewer because it is too small, which is adjacent to the property and I also read in the paper that the Zoning Board had in the Legal Notices made the sewer and others usable to the adjacent property owners when the lawyer was taking care of our property they went through our papers and everything and they couldn't find anything on it. They said there was never anything there about it. So, if these you are talking about, the amount of money that went into that property now we, to split it up into large lots, we probably wouldn't even get our money back on it, in fact, we had somebody that wanted to buy 27 acres of it but they didn't want hear about the rest of it because it was undevelopable. I just can't see how you can take a, as Charlie (Harris) and the rest of them say, a piece of property and and finding what it actually will support, plus, the two brooks that are there which are probably wetlands, I don't know. Also, the map, I have never seen it because the people that have been pushing these things have been up and said they knew all about it, I really didn't know about it until I read it in the paper. I have often read that number so and so is going to be changed, I didn't know what they were talking about. Certainly I wish that nothing is done on this at least for a while so I can at least have a chance to see what you are trying to do. I guess that is about all I have to say. Thank you.

Chm Gionfriddo
Thank you. Anyone else?

George Zepco
I am George Zepco, I live at 1133 Long Hill Road. I grew up in Westport, Connecticut, which is some 50 miles west of here. When I grew up, there were berry pastures on three sides of our home. I now live in Middletown, I've lived here for eleven years, I enjoy the rural atmosphere, it reminds it of my youth and I hope you will take steps to preserve it.

Chm Gionfriddo
Thank you.

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Tom Sylvester
My name is Tom Sylvester, I live on Maple Shade Road. I know everybody here is concerned about Middletown and what is going to happen to it in the future. Mr., Attorney, Karpel points to more detail, more planning, I've heard definitive plan taking everything into consideration, I think it would be very nice if we could do that but, at the same time, we have what is what we have right now and that has been lack of approval of a plan, lack of adjusting to any changes in size for some time, which this Commission is aware of. A lot of people, including their staff, have worked on it. Mr. Harris points to topography, dividing up land as a, I think he said, breadboard, I'm not exactly sure, by developers. He is really speaking toward land use zoning, I personally like that concept, many communities are adopting land use zoning approach. Middletown hasn't got to that yet. But, again, we have to start to look at where are we now and where are we going. I think a lot of people have worked, a lot of people have compromised, you are hearing from homeowners, farmers and developmental interest tonight as everybody speaks, but there is a big picture. In fact, in Mr. Karpel's own words, we need a start, or that the plan was a start and perhaps it is a compromise as others have pointed out. We know what's happening now with some of the developments, we do know what is happening with our lot sizes and, contrary to what Mrs. Seiffert said, I'm definitely financially effected by any undeveloped land, and what happens to it. So, I think we take that big step right now toward our planned future by adopting our plan, by adopting changes in lot sizes, they may be changed again, seeing somehow always find that way of happening, they may be improved. But if we don't do anything we are still where we have been for a number of years so I urge the Commission and....

(Change of tape)

Unidentified member of the audience
....hasn't rightfully put that applicant through the test. How many times have we sought the opinion of City Council, how many times have we referred matters to Midstate Planning, whether or not it was required, how many times have we brought in the Environmental Protection Department, how many times have we brought in the Soil Conservation Commissioner, often. None of that has been done here. It may be that the City needs a change but that should be determined after a great deal more information is before this Commission. It took nearly a year to do something in regard to an acknowledged mistake, with regard to the roadway provisions of the Subdivision Regulations. Midstate Regional Planning was brought in and it took them, I believe, three or four months to come up with a decision with regard to relatively minor changes having to do with the Subdivision Regulations. Those people who have come to this podium, this microphone, this evening saying, 'let's change, let's hurry up, let's do it by September', do not have the best interest of the City of Middletown at heart, they have personal interests that they are trying to protect.

Chm Gionfriddo
I would ask people not to be rude, we all, everybody, had the opportunity to speak and everybody listened, whether they agreed with you or not, so I would appreciate the same consideration.

Same person as above
If after a great deal of more information is available and you will note that people that have nothing to gain or lose have come here before you this evening and have not said, 'don't approve it or approve it, they said, you don't have enough information before you', the workshops and the studies that have been done, have been done by people that are here this evening. The agencies that you look to for monthly guidance have not been brought into long range planning, obviously, they should be. Midstate Regional Planning, whether or not the statute say that they must be, and incidentally, I think that this Commission is in deep trouble if they don't refer it to Midstate because my interpretation of that statute is in total conformity with Attorney Karpel's, that you must refer it. But if you don't, you are not just missing a legal point, I think that you are doing a disservice to the citizenry of the City of Middletown. Mr. Mylchreest is a well respected engineer who comes before this Commission

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Same person as before frequently, he hasn't said, 'don't do it', he said, 'let's look into it more deeply, let's get the information we need', I am suggesting that you not make the mistake of putting a time limit on what you are doing but that you gather all the information that you feel necessary to make a comfortable decision with regard to this plan, or any variation thereof. I say all of this, believe it or not, as a citizen of the City of Middletown, and not as counsel for any particular group or person that I may have represented in the past or that I may represent in the future.

Chm Gionfriddo
Thank you, Joe. Anyone else wishing to be heard this evening? I have before me here, I would say, well, hang on one second since I started this. I have about 35, I would say, letters signed by individuals whose names I will not read, but I will have the letters made part of the record, who are in support of the plan as proposed by Staff. I also have three short comments that I have been asked to read into the record, which I will - 'We support the rezoning proposal because with 1/3 acre lots the housing density will become too great and we will lose our country atmosphere', signed by Robert D. and Nancy C. Shooshan, I hope I'm not butcher-ing the name, 311 Coleman Road. The next one, 'we strongly support the rezoning of the lot: and new proposal which would increase lot sizes in Southern Middletown from 1/3 acre to approx- imately 1 acre, with or without water and sewer,' David and Marie Carlson, 275 Coleman Road. The third one is from Mrs. Jan Miller, 'in Middletown there will be approximately 15,981 dwell- ing places that have either been built since 1982 or will be built by the end of this year. There will, in the near future, be no problem in accomodating the needs of those seeking hous- ing in the expanding Middletown, but one group of homeseekers are, at the present time, having to look outside of Middletown to find housing to suit their needs, they are the executive level population who are looking to make a substantial home investment, they are looking for a large lot with rural character, they will want to protect their investment by being cer- tain that the area will be composed of other large investors, this kind of land is very hard to find, as it is bringing very high prices, we, who live in the South Farms area desire to protect this rural character. One way of doing that is to support a Zoning Code which will ensure that all developement is of the kind that will enhance, not detract from this rural quality. It is good sense, from the economic and the esthetic point of view, what we love and enjoy, others will love and enjoy. If we allow it to deteriorate, it will lose economic and esthetic value. It is possible that the market for medium range housing will be saturate- in Middletown, at the time the larger, more rural lots will be in demand'. The only comment that I will make on this one, is that it is not humanly possible that there could be 15,981 dwelling places built from 1982 to today. I know that, maybe total in the whole town at the end of this year, 15,981, but not in the last three years.

Nino Martucci
I have a different figure, but I have three figures. I don't know if it is proper. I would like to answer some of the questions involved about statistics. How can I handle statistics if I don't know what the general Plan of Development is going to be. I mean, I can't come up with the total population for the year 2000 unless I know what your land pattern is going to be. This is what I am looking for first. As for reports, we have an economics report down here in progress but it relies upon this Plan of Development and we are still waiting for it to be approved. We have statistics, yes, I mean, the one you just said, the one you just cited it says the amount of dwelling units in the city of Middletown. But, my mute fig- ures is going to go up to 16,900 by the end of this year.

Chm Gionfriddo
I assume by the way it is written it says 15,000 new units since 1982, which I knew was not correct. Commissioner Leinwand has a question. Do you have a question?

Comm. Leinwand
In your true statistics is it possible for you to generate the kind of matrix that, by color- ing, give us the present number of dwellings un-

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Commissioner Leinwand
in each of those colored areas?

Nino Martucci
Existing?

Comm. Leinwand
Existing dwellings units.

Nino Martucci
Being built?

Comm. Leinwand
Potential increased number of units if we made no change. Just stayed R-1 and then the last column, the potential number of new dwelling units under the proposal. Is that something that can be done in two weeks in approximate terms?

Nino Martucci
Two weeks, a little more than two weeks, I can do that because I did it once for Camp, Dressler & McKee. report for the water study.

Comm. Leinwand
So that....

Nino Martucci
I gave him three different figures to work with.

Comm. Leinwand
So the issue that arose of what are the implications of this little long term....

Nino Martucci
I mean if....

Comm. Leinwand
....growth of Middletown could be generated.

Nino Martucci
Well, I'll find that report and submit you a copy. I came up with the high figure of 125,000 people for the people of Middletown. I gave three different figures. We came up with I came up with three different figures from population alone and theyI went from 65,000 up to 120,000 people and the Camp, Dressler & McKee decided that 65,000 would be the figure in the year 2020. They took my low figure. I picked up - I used the '76 Plan of Development

Comm. Leinwand
Remember, I wasn't talking population, I was talking about dwellings.

Nino Martucci
Oh yes, dwelling units. I have a complete count of dwelling units and as of right now....

Comm. Leinwand
And we can hypothesize how many we would get if all that dark blue area was left R-1, even with what we know about water and sewer unlikely ever getting down there and knowing what we know about the topography and how that might change things.

Nino Martucci
All right, let's put it this way, not taking into any consideration in land classification

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Nino Martucci
or planning or zoning, we can go up to how many houses we will have in each of the zones.

Chm Gionfriddo
Can I ask you for one other thing? Would it be theoretically possible, one of the questions that was asked this evening, would be percentage of land that would be developable in each of these zones that you have left. Is that what you have?

Nino Martucci
I have to do that every year for the Department of Finance.

Chm Gionfriddo
Okay.

Nino Martucci
I do that every year for the Department of Finance.

Chm Gionfriddo
If you could get that, that would be helpful. Is there anyone else from the public who wants to speak? Charlie, go ahead.

Charlie Harris
I said something that bothered me after I went back to my chair. I want to make sure the record stands corrected on this because of some of the things that I have seen happen at the Zoning Board between different people. That's in relative to your being in my yard, Steve. The only reason that Steve was in my yard was not collusion as Chairman of this Commission was to save me a trip to Middletown to sign a legal paper for another one of his clients.
Thank you.

Chm Gionfriddo
I appreciate that.

Unidentified
Since we are the minority we should get a second shot at this. One thing I would like to emphasize here that the footage we keep talking about footage, frontage and so forth. I would like the Commission and George (Reif) to consider that if a lot is big enough in the back and it makes a good building lot and it is probably short 10, 15 feet in the front but it has more than ample of the square footage, I would like to ask the Commission, 'would that be considered a building lot'?

Mr. Reif
Part of the Subdivision is a provision for waiving certain features.

Unidentified
Thank you, George (Reif)

Chm Gionfriddo
Anyone else wishing to be heard?

Ann Loffredo
I'm very careful tonight I'm sitting in the chair. Not to have this go on any longer I think we are kind of talked out on this but where are we going to from here, now? What are we to do with it now? We've been looking at this for a year, I'm not saying to vote on it tonight or not vote on it tonight, but there have been so many questions raised but the truth is, we never go back and look at the minutes of the first meeting and say, 'this is relevant, let's get this, that's relevant, let's get that'. The minutes are just shoved aside, so

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Ann Loffredo
reread them, some of us don't. I think we are going to have to have a better idea of the next meeting, what you're going to present. Some of you know already in your minds what you are going to be asking. I think tonight we deserve to know what more you are going to be looking for. What you intend to look for. Whether you intend to look for a lot of the suggestions that Attorney Karpel made. Whether you intend to take into consideration Mrs. Seiffert and Mr. Harris' comments. What do you intend to do now? That is my question.

Chm Gionfriddo
I guess I, for one, would require, not require, request of George (Reif) at least for the next meeting, I'm going to continue the Public Hearings for the next meeting to give people the opportunity to come back and other people who have not been here who may be interested in what they read in tomorrow's newspaper, for instance, or who may not have had a chance to look at the map to have that opportunity to come back and speak in two weeks. I am going to request staff is some specific language and how it is going to fit into the Code. I don't think that is an unreasonable request, that people get the opportunity to see exactly how the thing is going to be worded. Other members of the Commission, I'm sure, have other things that they are going to want that I think Comm. Leinwand and I have already asked for certain things from Nino which he says he will provide. I would assume that we are going to take this up and deal with the situation and come to some kind of resolution and vote within the relatively near future. Other members of the Commission may have other feelings and may ask for other things from staff but I think I would like, I would feel uncomfortable voting on the way #7 is worded as it is here without some specific language as to how it is going to be implemented. That's my point of view, anyway. I'm looking to have this drag out for any long period of time, I'd like to see it brought to a head relatively quickly and I think we have worked on it for a considerable period of time.

Comm. Leinwand
We need some statistics. We need a better handle on implications of what all these changes are. We need the actual text that Steve (Gionfriddo) just spoke of. I think we need to sit down with that map and look at where those lines are drawn and why they are drawn the way they are, I think there are some clean ones, like streets and power lines, and I think there are some messy ones that are uncertain. I think we need to call in the Water & Sewer Department and have them sit and talk to us about where water is going to go and where sewer is going to go and where it is never going to go. I think we have to look at more than the residential issues but I guess what I would say to you and to everyone in the room is threefold. George (Reif) you and Nino (Martucci) take a hell of a lot of grief around here both from the Commission and the public, I think that everybody knows that sometimes you may deserve it and sometimes not. You are certainly the target. So, I think what needs to be said loud and clear and publicly and said from this side of the table is, in respect to the present proposal I think that you both have shown an exciting level of creativity and sensitivity. It's not perfect, I think you know that as well as anybody but I think, unlike a lot of other things we have done here, it is a great place to start. To those of you who spoke in favor of the changes tonight, I think this Commission is committed to making many of the changes, but I think we are going to do it right and I don't think that you want us to do it rashly. I think that Attorney Karpel struck some raw nerves tonight but I think that many of us know that some of his comments are ones that we have to weigh as careful as we weigh the comments that anyone else made. But as Steve (Gionfriddo) said, I think we are also committed to doing this prior to the election which really means that we've got August and September, October to get this thing done and I know people would like to see it done in two weeks, I know people would like to see it done by September, I'm not sure that that is responsible. I know that going past November is irresponsible. To those that spoke in opposition to these things, I think that you probably know that we held six or seven hearings on the revised Subdivision Regulations over three months. I think that those sections were well worth it and I expect that the same series of hearings, dealing with some of the information that we requested, will be equally beneficial to improving this particular proposal and in so doing I think best serving the interests of all of us. It's not easy. I think you all know that. We're going to make it

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Chm Gionfriddo

I guess another area of concern that I have about this is I know that the comments that I have heard this evening are correctible. A number of you have been here practically every Planning & Zoning meeting for the last year dealing with this one particular issue and I know that those of you ^{who} have been here for that year are extremely well informed on what we have done and what is on that map. I guess that the people, some of the people, that I would be concerned about are the people who don't come down here every second and fourth Wednesday, or every time we have a Planning & Zoning meeting, and who may own a small piece of land who don't understand or have not had the opportunity or the desire to read in the newspaper what the possible ramifications are of this type of a change. I wouldn't feel very comfortable pushing this through in one Public Hearing without giving those types of individuals the opportunity to come in and take a look at this map and after reading the newspaper and talking to people and seeing that maybe the 30,000 square foot lot that they now have where they might break off 15,000 square feet and give a house to their child and may not be possible in six months, and what I'm saying is there are a lot people, probably the large majority of the people in Middletown, who don't understand or don't even know what we are talking about here this evening and it is something that's so broad based throughout the whole town and so wide reaching in its scope that I really wouldn't feel too comfortable unless we give it a good Public Hearing so that everybody at a later can say that, at least, they have had the opportunity to have found out what was going on. What I think I am saying like Steve (Leinwand) is saying, 'we are going to try to get it done in a reasonable period of time, but we are talking about a massive rezone change for the entire City of Middletown and that's not something that is going to happen in two weeks. It is something that is going to need some time and some thought and I think we are a long way there already and I'm sure that we will be done reasonably quickly. Commissioner Hutton?

Comm. Hutton

I don't mean to throw any cold water on this but is there going to be anything done with the validity of running this by Midstate Regional Plan to see how solid a ground we are standing on?

Chm Gionfriddo

I think that, I don't know the precise wording of the statute, but I would hate, and I'm just speaking about this and I am looking at members of the public who have worked so hard and long on this project that I would hate to see us go through the trouble of passing a massive zone change such as this and then have it overturned in a courtroom because of the fact that we did not comply with the requirements of a Connecticut General Statute. So I'm going to look at it and I'm sure we are going to ask our acting City Attorneys to look at it and if it is their feeling that it is in our best interest to refer it, than I think we are going to refer because we are not going to have something like this passed and have it overturned on a technicality. I don't think anyone in the audience would want that either because it would not be in your best interest.

Comm. Hutton

Could we have that answer by the next meeting?

Chm Gionfriddo

It is going to be before the next meeting. We are going to talk to him tomorrow.

Comm. Sbalcio

Why would there be any question at all going to Midstate when they represent so many other towns that you could gather information from those towns on the Plan of....

Chm Gionfriddo

I am not questioning whether or not I want them to be involved, all I'm saying is, for those

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Chm Gionfriddo
people who are anxious to have this move forward, we were told this evening if we referred to Midstate, they have to get it 35 days before the beginning of this Public Hearing, so if we submit it to them tomorrow we have to wait 35 days, readvertise, then start all over again. So, all I'm saying is, if it comes to the point where, to protect the integrity of the decision we make, we are going to have to send it, then we will send it. If we don't have to send it for a formal review that doesn't mean that we can't bring Midstate in or any other agency of the city or in the area to make comments. What we are talking about is a formal review procedure and the effect that is going to have on the time line for approval.

Ann Loffredo
Could I make another....

Comm. Hutton
Excuse me, if I might just clarify, Ann, what concerns me is the suit on the Rural Residential Zone, you know, the 500 feet aspect, I don't want to see this thing adopted and then the day after we adopt it we are in serious problems, we are trying to implement the plan, that it is held up in court and we go through a period of six months or a year. I think the sooner you handle that to see what solid ground you are on, whether you are or you are not, then we could change our plan of attack to accommodate what is right and what is wrong.

Chm Gionfriddo
That's something that I am going to ask the acting City Attorney tomorrow and, through the Mayor's office naturally, and if he indicates that it is in our best interest to refer it to protect the integrity of this decision that we will make, then it will be referred.

Ann Loffredo
My next question is, 'judging from the Agendas that I have seen in the past three years that I've been coming here, I don't see how you can possibly, or even I could possibly, get through this Plan of Development with the ordinary schedule that you are carrying, it's not possible.

Chm Gionfriddo
If need be, as time passes on, we will schedule special meetings as we did on the Subdivision Regulations.

Ann Loffredo
I think for everyone's own good, I think if we start doing them now, as soon as possible, we are going to be better off. If we leave this to two days out of a month what do we have, one more this month, September, October, five meetings?

Chm Gionfriddo
There is a problem with that, I mean, it may turn out that that becomes necessary because also, the problem of Staff has other projects that they are working on during the course of the day and they may need two weeks to compile some of the information we ask for and if we have a meeting every week it may not even be productive if they don't have time to compile what we are looking for, second of all, as you know, some of us here are members of the Council and our meeting schedules are not such that we can schedule meetings maybe as often as we would like to. I think that you have heard this evening that there is a commitment to get this thing done, certainly before the Election if not quite a bit sooner than the Election, if possible, and we are going to do what we have to do to get it done.

Ann Loffredo
Is there any way when we go into this business about water and sewer to have Mr. Barron here?

Chm Gionfriddo
He or someone from his department will have to be here to....

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Chm Gionfriddo

Ann Loffredo

Is there any other department that you are thinking of, or that we would need to have here, department heads?

Chm Gionfriddo

The only other one that I could possibly consider is the Health Department.

Ann Loffredo

I think that is all my questions for tonight.

Chm Gionfriddo

Thank you. Anyone else? If it is brief, sir, yes. You were the first time, I remember the

Unidentified member of the public

One of the concerns that some of us have with the requests for further delays, further study and the like that can drag things out that in the interim developers will present many plans that will get in before the changes. The lawyers who spoke so far have argued that considerable work has to be done, I was wondering if they would consider a moratorium on not presenting any further development plans in the interim where they have suggested that we have worked so hard to look into this for any further period of time. I say that facetiously, of course. I realize that.

Chm Gionfriddo

I will just tell you that that was something that was something that crossed my mind and I consulted with the corporation counsel for the City to determine whether or not there was any possible way that that could be done, and I was told no.

Same unidentified person

I didn't think so. Thank you.

Chm Gionfriddo

Anyone else? If not, we are going to continue this Public Hearing until August 28th. Is there a second? Okay, we are going to move to Item #3 which is discussion with public concerning topics are not or have not been the subject of a Public Hearing.

ADJOURNMENT

Transcribed by

Dorothy Wilson