

Edward J. Kalita, Chairman; Eric G. Lowry, Vice-Chairman; Commissioners: Dr. Christie E. McLeod, Paul P. Parisi, Seb. Passanesi, George L. Augustine, Thomas E. Lineberry and Conrad J. Tyaack.

COMMISSION
MEMBERS
PRESENT

Cos Giuffrida, Secretary; Commissioners Ralph Shaw, II, and Robert F. Chamberlain; Mayor Anthony S. Marino

COMMISSION
MEMBERS ABSENT

George A. Reif, Director, and Althea Rinaldi, Secretary.

STAFF

Phil Bauer, Engineer, Public Works Department; Kim Smith, Reporter, Middletown Press; Lincoln Millstein, Reporter, Hartford Courant, and twenty members of the public-at-large.

OTHERS

CHAIRMAN KALITA

In the absence of our Secretary, Commissioner Giuffrida, I would ask Commissioner Parisi to act as the Secretary for the evening. In the absence of Commissioner Giuffrida, I would ask Alternate Commissioner Augustine to take an active part. In the absence of Commissioner Shaw, I would ask Alternate Commissioner Thomas Lineberry to sit in this evening. In the absence of Commissioner Passanesi, I will ask Alternate Conrad Tyaack to sit in. (Commissioner Passanesi arrived at 7:37 p.m.) We have a quorum. I will call the meeting now to order. The first portion of our meeting is a public hearing and I'll ask the Secretary to read the legal call.

SECRETARY PARISI

The legal notice, which appeared Saturday, July second, and Saturday, July ninth, in the Middletown Press.

THE MIDDLETOWN PLANNING AND ZONING COMMISSION WILL HOLD A PUBLIC HEARING JULY 13, 1977, STARTING AT 7:30 P.M, IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, DE KOVEN DRIVE, MIDDLETOWN, CONNECTICUT, to consider the following:

1. Proposal by the Commission to amend the Zoning Map to change an area currently zoned R-1 to R-4 on the south side of Washington Street. The proposal would extend the 200 foot deep strip zoned R-4 at the Commission's meeting of June 22, 1977, eastward to the B-2 zone, approximately 220 feet east of Boston Road. A map depicting the proposed change has been filed in the Office of the Town Clerk.

PROPOSED MAP
CHANGE - R-1
TO R-4.
WASHINGTON ST.

ANY AND ALL PERSONS MAY APPEAR AND BE HEARD.

CHAIRMAN KALITA

You heard the Secretary read the legal call as appeared in the Middletown Press on Saturday, July second, and Saturday, July ninth, 1977. On a public hearing, we will ask if there is any proponents for the proposed rezoning to speak first. I will then call on our Director of Planning & Zoning for any comments, then I will open it to the public hearing pertaining to this proposal - first, the people that are in favor for it; second - the people that are against it. Is there a proponent present for the rezoning of R-1 to R-4?

MR. REIF

Since its the Commission who is making the proposal, it may be best that we start the comments.

CHAIRMAN KALITA

Director, you're on.

MR. REIF

OK. The map on the easel behind me shows the area that was recently changed from R-1 to R-4 by the Commission. The area immediately adjacent to it to the east, surrounded by a broken line, shows the area that's up for discussion tonight. You recall that the - there was an applicant for rezoning to the R-4 area that you did act on. It seemed logical, after some discussion, that the additional area be considered for rezoning to R-4 because there were several buildings that are currently non-conforming - in two cases, their activities would be permitted in an R-4 zone. They're not in an R-1 zone. There are several pieces of property that are not occupied. The Commission has been seeking some solution to the problem of Washington Street. You went through some gymnastics - some mental gymnastics - during the development of the Plan of Development, which I have here, and the area that's shown in red along Washington Street includes the area you're considering tonight. The proposal and the plan of development was to make the area a mixed use area and the zone that comes closest to a mixed use zone, at the moment, is the R-4. So these things all seem to fit together and you came to the conclusion that you would at least make this proposal and see if there was any reaction from the public. So, that's how it got here tonight. That's about it, Mr. Chairman.

CHAIRMAN KALITA

Is there any questions from the Commissioners of the Director on the proposed rezoning?

COMM. PARISI

Did we - I know it was in the paper - do any kind of notification to the people who were immediately affected - the property owners.

MR. REIF

No. We did nothing other than the legal requirements. I didn't see any news stories or anything - there's no requirement for any news stories.

COMM. PARISI

Well, there was a story.

MR. REIF

Was there? I must have missed it.

COMM. PARISI

Yeah. From the last meeting.

MR. REIF

Oh. I haven't heard from anyone - to the best of my knowledge, no one has raised any questions.

COMM. MEMBER

Does this land include that land opposite Old Mill Road?

MR. REIF

Here's Boston Road, here's Old Mill Road. The proposal stops at the line which now is close to the B-2 zone, so the proposal stops at the existing B-2.

That's on this other side of Boston Road.

MR. REIF

Yes. It would include these two - or part of these two parcels, so rather than leave an R-1 segment here, the proposal goes all the way over to the B-2 and does span beyond Boston Road. The pink areas are - show how land is currently being used. You can see quite a bit of pink there. Ironically, it's not sales or anything like that - its a - there are two buildings, primarily with dentists in them, there's one building that's empty. The most recent user was Walt's Roast Beef and the thought was that that - as a B-4 zone - someone could apply for a special exception to permit a medical use. Since there are already two dentists there, it seems that they seem like - sort of fit there. We might encourage an appropriate use and a permitted use in the zone rather than continue the life of a non-conforming use.

CHAIRMAN KALITA

Commissioner Passanesi? Do you have a question? Any further questions of the Director? Is there anyone from the public that would like to speak in favor of this rezoning? Would you please come forward to the microphone, state your name and address so we can have it on tape. This is a public hearing. Would you take the microphone at the end of the table, please?

MS. MARGARET DALY

My name is Margaret Daly and I'd just like to ask a question as to why you're going back - is it 260 feet from Washington St.?

MR. REIF

The exact dimension really hasn't been set. It's actually to the back of the property line. On most property --

MS. DALY

Is that the proposal? To go back to the end of the property line?

MR. REIF

Well, the major property line along here. You may be one of the people that owns property here.

MS. DALY

Right. Yes.

MR. REIF

And that was discussed - whether or not to include all the property or just have the strip go along here.

MS. DALY
I see.

MR. REIF
You may be able to solve that problem by giving your opinion to the Planning Commission.

MS. DALY
That would --

MR. REIF
There's an awkward situation that's created. There's no question about it.

MS. DALY
It would create a very awkward situation because part of our property would be in R-1 and our part would be in R-4.

CHAIRMAN KALITA
How would you like it to be?

MS. DALY
R-4, but I'm not against --

COMM. PARISI
You would prefer to have your whole parcel in R-4?

MS. DALY
Yes, rather than have it split.

COMM. PARISI
Which parcel is yours?

MS. DALY
The corner.

COMM. PARISI
Boston Road.

MS. DALY
Yes.

COMM. PARISI
Do you own from Boston Road down to where the B-2 zone is now or is there somebody between you and the B-2 zone?

MR. REIF
She goes the other way.

MS. DALY
Yes, we're on the corner of --

MR. REIF
She's right here.

COMM. PARISI
OK. You're on the opposite corner.

MR. REIF

Someone owns this property obviously.

MS. DALY

The Scully property, the estate of William Scully is on the corner of Boston Road and the Tobias property is next to it. That property extends much further back than 260 feet - if I'm correct. I'm not sure that I'm correct in saying 260. I didn't hear you.

MR. REIF

That would be another logical place to draw a line - it might even be more logical than the one that's proposed.

COMM. PARISI

In your specific parcel, you'd just as soon take the whole piece.

MS. DALY

Yes, back to the property line.

MR. REIF

That would be hard to argue against - that's one of the things that was discussed. What the Commission is trying to do is to get people to come out and say something, and you've done that.

CHAIRMAN KALITA

Do you have any feeling how some of your neighbors --

MS. DALY

I don't live there myself. I rent the property and I have heard no complaints from anybody about it. In fact, I just happened to see the legal notice in the paper on Saturday night and haven't heard from anybody about it.

CHAIRMAN KALITA

Wait a minute. Let me get something straight here. Are you speaking as a tenant of the property or a landowner.

MS. DALY

No, a landowner.

CHAIRMAN KALITA

You have a tenant living there.

MS. DALY

Yes.

CHAIRMAN KALITA

OK. I misunderstood you in your first remark there. Would you be - as long as you are giving us your idea about your parcel of land and this has been proposed by the Commission to try to straighten out the problem in that area - would you be willing to contact some of your neighbors and see how they would feel about going back to the further end of the boundary lines?

MS. DALY

Yes. I can't quite see why the Tobias people, who own property next to us, would want their property zoned two different ways.

CHAIRMAN KALITA

Well, these are the - one of the hardships the Commission has. We are making the proposal because of the mixed uses that exist there right now and, if we don't have the public input into this, I mean - we're limited as to what we could do.

MS. DALY

Right.

CHAIRMAN KALITA

So - if you would take it on as an individual, I think the Commission would appreciate it if you'd check with your neighbors and see how they feel on this proposal.

COMM. TYAACK

I am wondering (three or four inaudible words) with the announcement how we're proposing a change along Washington Street, if your property is adjacent to Boston Street, then actually where --

MR. REIF

Her property is adjacent to both.

MR. DALY

Yes, it's on the corner. The front is on Washington Street.

COMM. TYAACK

It's going back a long distance from Washington Street. It's actually that we're changing the zone along Boston Road.

MR. REIF

More than shown on --

COMM. TYAACK

Now, how far back do we go on Boston Road?

MS. DALY

It goes back about 440 feet, I believe.

COMM. TYAACK

So I really think there would be some input from people on Boston Road. Are you extending the -- up Washington Street or are you now traveling on Boston Road? (inaudible word between "the" and "up" sounds like "traffic" - two talking).

MR. REIF

If I may pick up on that. You could do the same as you did with the former application rather than not make a decision at some logical time - obviously not tonight - you could decide to zone this and then proceed to the next piece with the understanding that that would be a technique to notify the owner and what-have-you, and eventually the goal would be to rezone it all to be R-4.

COMM. TYAACK

What's our plan of development (few inaudible words)

MR. REIF

The plan of development shows it as a mixed use zone. The closest we have to that is an R-4.

COMM. TYAACK
Along Boston Road?

MR. REIF
Yes.

MS. DALY
Well, couldn't the proposal be made to rezone it to R-4 back to the property lines?

MR. REIF
It could be, right. The Planning Commission can advertise one thing and then ~~and then~~ make modest changes in what is advertised. They're advertising it's R-4 - they can't decide it would be nice to have it a BZ zone, whatever that might be, and then change it.

MS. DALY
Well, that is my only argument and I mean I'm all for R-4. It's a terribly mixed up area and I think something should be done about it but I can't quite see one property divided between two zones. That's all I have to say.

CHAIRMAN KALITA
Well, as I said, we would appreciate it if you would contact some of your neighbors there and see how they feel about it.

MS. DALY
I think that the Tobias family is the only other neighbor there who would go beyond the 200 foot. Can you tell by your map?

MR. REIF
Yes, they are.

MS. DALY
They are the only people.

MR. REIF
They might be here tonight.

CHAIRMAN KALITA
Then you got the problem on the one that we just changed too - you've got some balance of land there too - under Redford.

MR. REIF
True. That particular owner would have preferred that it be done the way it was. You don't have to do it all the same.

CHAIRMAN KALITA
O.K. Thank you, Mrs. Daly.

MS. DALY
You're welcome.

CHAIRMAN KALITA

Is there anyone else who would like to speak in favor of this rezoning proposal? Anyone who would like to speak against it? Being none, I will close the public hearing.

Eileen Rogers

Eileen Rogers
Transcribing Secretary

Edward J. Kalita, Chairman
Planning & Zoning Commission

Approved at meeting of: _____