

Steven J. Leinwand, Chm.; Stephen T. Gionfriddo, Vice-Chm.; Cos Giuffrida, COMMISSION  
Sec'y; Louis A. Carta, Emanuel A. Pattavina, Rose Sbalcio, Alternates: MEMBERS  
George L. Augustine, Paul H. Bixby, Vincent J. Loffredo PRESENT

Mayor Michael J. Cubeta, Jr., Ex-Officio, Seb J. Passanesi, Alternate: MEMBERS  
Sebastian J. Garafalo, P. W. Dir. Salvatore Fazzino ABSENT

Alternate George L. Augustine acted for absent Comm. Seb J. Passanesi. ACTING MEMBER

George A. Reif, Director; Althea Rinaldi, Recorder; Hope Kasper, Tran- STAFF  
scriber

Philip Bauer, Engr., Public Works Dept.; Lucas Held, Reporter, Middletown OTHERS  
Press; also 11 members of the audience.

CHM. LEINWAND

I would like to call to order the Regular Meeting of the Planning and Zoning Commission of September 8th, 1982. We have four regular members of the Commission and Comm. Augustine if you would be sitting in or you will be sitting in for Comm. Passanesi. Comm. Bixby for Comm. Pattavina, and Comm. Loffredo for Comm. Sbalcio, who we do expect fairly soon. That takes us to the Public Hearing which I would hereby open and ask the Secretary to read the Legal Notice.

SECRETARY GIUFFRIDA

THE MIDDLETOWN PLANNING AND ZONING COMMISSION WILL HOLD A PUBLIC HEARING SEPTEMBER 8, 1982, STARTING AT 7:00 P.M., IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, DEKOVEN DRIVE, MIDDLETOWN, CONNECTICUT, to consider the following:

Item No. 1 Proposed Special Exception to permit an adaptive use of a historical significant building to change current use of a 3 family dwelling to 2 professional offices and one 2nd floor apartment for applicant/agent Ronald E. & Suzanne Nettleton, located at 31 Broad Street in the R-4 Zone.

ITEM 1, PROPOSED  
SPECIAL EXCEPTION  
HISTORICAL BLDG.  
CONVERT TO TWO  
PROFESSIONAL  
OFFICES & 1 APT.  
31 BROAD STREET  
RONALD & SUZANNE  
NETTLETON  
SE82-14

CHM. LEINWAND

Let the record show that the Legal Notice appeared in the Middletown Press both on Saturday, August 28, 1982 and Friday, September 3rd, 1982. Mr. and Ms. Nettleton, the floor is yours.

RONALD NETTLETON

Good Evening Mr. Chairman and fellow Commissioners. My name is Ronald E. Nettleton and I have with me tonight my wife, Suzanne J. Nettleton. First of all I would like to comment to the fact that it's a pleasure to be heard at such an early hour. And secondly in consideration of your own desires and wills, I will be as brief as I possibly can in consideration of the remaining lengthy Agenda that I know that you have. During the period of our presentation we would be happy to entertain any and all questions during and after the proposal, and during the course of the proposal. The property in question is located at 31 Broad Street. It is on the corner of Broad and William Street. And the item before you tonight is a proposed special exception to permit an adaptive use of a historically significant building. The existing use of the building as approved currently is a three family unit with no on site parking requirements, specifically three apartments. All these apartments are a one bedroom apartments. There is a first floor apartment and a second floor apartment, both fronting on Broad Street; and there is a proposed second one bedroom

RONALD NETTLETON (Continued from Page 1)

apartment that fronts on William Street. The second apartment that fronts on William Street as originally proposed was a first floor and second floor apartment. Now, the property has not been fully improved as originally proposed. Prior to getting into specifically what the elements of are proposal tonight, perhaps it would be appropriate to tell you who we are. We are both the 100 percent principal perspective owners of 31 Broad Street, both Suzanne and myself are Rensyn Enterprises are the proposed purchasers of the building. Suzanne currently maintains a professional office in Middletown at 505 Main Street and is involved in providing home health care services as well as staffing services to hospitals as well as nursing homes. She is the Vice President and managing general partner of Professional Nurses, Inc. Myself, I maintain a law practice in Glastonbury at 41A New London Turnpike. I'm a partner in the firm and we also have a branch office here in Middletown at 547 Main Street, the professional building on Main Street if you acquainted with it. The current owners of 31 Broad Street are T.I.C. Enterprises. Now if I may, perhaps just adjourn to the map. And to go over using the diagrams here. The front portion of the building consists of two apartments. It has a ground floor apartment again fronting on Broad Street, a one bedroom apartment, and a second floor, one floor bedroom apartment. We propose to maintain the second floor apartment in the current use as an existing one bedroom apartment. And to move Professional Nurses into the ground floor apartment fronting on Broad Street. Secondly, we propose to remove my branch office of my law firm and put it into the rear apartment; and again just to remind yourself, this rear apartment is the one that fronts on William Street. O.k. And is a two floor apartment building, first floor and second floor apartment building. This obviously would have a combination of residential as well as business use. O.k. To increase the amount of parking currently available on the site, we had Mr. Davis undertake the site plan which under the current proposal would give us 5 parking spaces. The front two parking spaces would be designated as the tenant of the second floor apartment. O.k. And both these parking spaces would be approximately adjacent to the front side of the building. The rear of the property behind the proposed office, o.k., is capable of supporting an additional three parking spots. Specifically, this could be a client and this could be available for staff, the R.N. Again, as I'm sure you can see that since this property is on a corner, we have a dual entrance from Broad Street as well as from William Street. It's our feeling in our presentation to the Commission tonight that there are a number of considerations here and that is first of all, we propose no existing changes to the exterior, exterior renovations to the building. And of course, we would maintain it in a historic restoration that has already taken place. Secondly, that the movement of professional offices in this particular area would be highly desirable. Both from an owner economic point of view as well as the potential development of the Broad Street William Street area. And thirdly, as professional offices could maintain, could afford, quite honestly to maintain this building in the historic nature to which it has been partially restored and will ultimately be fully restored. And lastly under our proposal with the parking requirements or with the parking situation that we have laid out, we feel that we provided significant amount of on street parking. Off street parking, excuse me. That's the basics of our proposal and I'm ready to entertain any questions that the Commissioners may have. Yes.

CHM. LEINWAND  
Comm. Gionfriddo.

COMM. GIONFRIDDO  
Just for my own information and the information of the Commission, how many hours per week do you envision the offices, the two offices, being manned and what type of traffic do you envision coming in and using these spaces that you have designated?

RONALD NETTLETON  
As I mentioned before our office is in Glastonbury, basically is a branch office. And quite honestly we do not maintain a staff member there at all, but rather only have ap-

RONALD NETTLETON (Continued from Page 2)  
pointments on a as needed basis.

COMM. GIONFRIDDO

Do you mean the Middletown office?

RONALD NETTLETON

The Middletown office. Yes: O.k, in other words, all our staffing and all our machinery is located in Glastonbury. And we use Middletown merely as a place to conveniently meet with clients that we may be required to serve out of the Middletown Judicial District. So as far as the actual requirements of my office, I would see only a mere occasional use of a parking space at all. It's....

COMM. GIONFRIDDO

How about the nursing office? How about the nursing...How about your office? What are your parking requirements?

SUZANNE NETTLETON

Very minimal use there. We employ two, one two full time people, but one of those persons is in and out all day long going around doing assessments of the Community. So we only really require one full time space for my office. And that would be for the full time coordinator that is there from nine to five.

COMM. GIONFRIDDO

In other words, you don't have any members of the...I mean the Public wouldn't really have to have a space there, because they don't really deal with your office.

SUZANNE NETTLETON

No. The nature of my business is to provide our service in the home or in the institutions. Our clients do not come in our office at all.

RONALD NETTLETON

This is very important to understand is the fact that the Public does not come into our office and matter of fact the whole nature of a staffing business as well as home health care agency does not require clients to come to the office. So the only people that basically would be coming to the office are the employees, and one full time employee and perhaps another space might be required for either Suzanne, who is in charge of not only the Middletown office but also a secondary office, the Waterbury office, they opened. And another person possibly. So there's not really a very heavy Public load.

SUZANNE NETTLETON

I'm in and out and I'm generally never there for a full day.

COMM. GIONFRIDDO

Thank you.

CHM. LEINWAND

On what basis did you decide that you needed five places, 5 parking places?

RONALD NETTLETON

We didn't decide that we needed five places. What we tried to do is provide the maximum number that we could given the on site location. So on the basis of the Middletown Ordinances perhaps the best answer that I can give you that in an attempt to meet the maximum numbers, that is how we decided on five.

CHM. LEINWAND

George, do you.....

DIR. REIF

The answer there is that's how many spaces you need for the uses they propose in the building.

CHM. LEINWAND

O.k., however, that's a special exception for an adaptive historic preservation use. This Commission has the opportunity to approve a site plan that has only four spots on it. Correct?

DIR. REIF

That's right. That's why it's being heard under this. That zone, the R-4 zone, would permit their use, but the reason you're hearing it as a historic use.

CHM. LEINWAND

So in a sense we can look at this and say well, this is one way to get the full five on there.

DIR. REIF

Sure.

CHM. LEINWAND

But if we don't like this particular site plan for one reason or other, we have the right within the Code to approve it with say 3 or 4 parking spaces. Is that correct?

DIR. REIF

That's correct. There is another thing I think everybody ought to understand; and that's you don't really get credit in terms of meeting the Code by having one of those spaces that you can't get out. I wouldn't want anybody else to see that and say gee, you let them do it. We'll do it.

CHM. LEINWAND

Is that a hardship to you? Suppose this Commission was to look at this and say well that's really only one on the left that's head on parking, where you got the two piggy back. And we're to approve a site plan that only allows you three parking places. Would that be an inconvenience? I mean are you telling me that you really need to have five to make this thing go?

RONALD NETTLETON

No. Please let me explain myself. Perhaps there is a misunderstanding here. We in drawing up the site plan tried to lay out as many parking spaces....

CHM. LEINWAND

I fully understand that.

RONALD NETTLETON

as we possibly could have. If you were to say to us that you could only approve it with four parking spaces, it's our feeling and our position that it would be no hardship whatsoever. What we're trying to do is merely provide as much on site parking as possibly could be. Incidentally, we do have an alternative site plan that could if the Commission approved it or wanted to go in a different direction. We'd change this slightly, and I'll leave it up to your personal judgment is you might consider this an alternative. It is possible to remove this parking space, to remove this parking space, and provide a drive through. O.k. from Broad Street to William Street. O.k. That would reduce this from five to four because we could put one space here and another space here, and if there was a one directional drive through. O.k. We would go from five to four. O.k. And I don't quite honestly we would not have a preference either way. As a matter

RONALD NETTLETON (Continued from Page 4)

of fact just the first one that might even be preferable. There is enough room and I have a scaled down model tonight if you prefer me to pin it up here to show you that if you eliminate this space, you can have one space here, another space there, and enough for a drive through. The preference is really makes no difference to us, and quite honestly if you would be willing to accept a reduction to four and perhaps consider the better traffic flow that would have through the area, I think that we would be more than ready to accept that. Because I think on site parking more than meets the requirement of the building.

CHM. LEINWAND

O.k., are there other questions? Comm. Loffredo.

COMM. LOFFREDO

The proposed special exception addresses the issue of adaptive use of a historically significant building. Do you have data on the record regarding that? Just that it's a historically significant building?

DIR. REIF

Yes, it's on our survey of the entire Town. One question here....

RONALD NETTLETON

I think I can answer that perhaps Mr. Reif if I may. I do not have the information with me documentary tonight, but this building has been approved by the Preservation Trust.

CHM. LEINWAND

Yes.

DIR. REIF

It's in a survey made by the Preservation Trust.

RONALD NETTLETON

I've been attempting apparently one of the owners of the building is in possession of that particular scroll that was granted by the Preservation Trust is on vacation. I tried to obtain for tonight's Hearing. I was not able too, but this building is unquestionably documented as a historically significant site. And I do ask the Commission to consider that alternative parking plan as well as drive through parking to be an acceptable alternative.

CHM. LEINWAND

Comm. Augustine.

COMM. AUGUSTINE

Is this the entire building including your addition in the back? That's an addition in the back there put on....

RONALD NETTLETON

That is not...That is a current established...

COMM. AUGUSTINE

Was that part of the original building or is that an addition to it?

RONALD NETTLETON

That was part of the original building. And in fact, the building originally went back further towards the rear of the parking and that was removed. So the building you've

RONALD NETTLETON (Continued from Page 5)

got right now is the building that has been existing since 1810 is my understanding.

CHM. LEINWAND  
Comm. Gionfriddo.

COMM. GIONFRIDDO  
George, didn't we approve this as an apartment building without parking spaces, because of its historic use?

DIR. REIF  
At one time you did; however, there is a practical...

COMM. GIONFRIDDO  
No, I'm just wondering if that isn't substantiation of the fact that it was...that the Commission already...

DIR. REIF  
There is no question that it's in the study that was made jointly by the City of Middletown and the Preservation Trust. I'm sure during the conversation you are going to turn in your statement about as required in the Zoning Code that you are going to maintain the building in its...

RONALD NETTLETON  
I have an agreement in my file tonight that I'm prepared to file that should we become the owners of record of this building that we're prepared to maintain it as a historic building.

DIR. REIF  
O.k. Are you going to turn that in or....

RONALD NETTLETON  
I am prepared to turn it in momentarily. And not only that the building has not been 100 percent approved. It's about 80 percent approved. We're prepared to quite honestly make that what we feel to be something that we're very proud of and something that Middletown is proud of as well. It's not quite to that point yet and we're prepared to do that momentarily.

CHM. LEINWAND  
Are there other questions? O.K.

COMM. CARTA  
One question.

CHM. LEINWAND  
Comm. Carta.

COMM. CARTA  
Is there any reason why you couldn't have them use a drive through parking?

DIR. REIF  
It wouldn't in terms of meeting the Code requirements give you anymore parking because it would give you less. See you've got to have independent parking spaces.

CHM. LEINWAND  
But we're past the point of worrying about the Code.

DIR. REIF  
Yes.

CHM. LEINWAND  
We're trying to worry about...

COMM. CARTA  
site plan.

CHM. LEINWAND  
historic preservation building and a site plan that works.

DIR. REIF  
Which you're really to worry about is a practical solution so he can operate a nice business in the building, preserve it, and still have some spaces. And he's got a reasonable solution there.

CHM. LEINWAND  
Exactly.

COMM. CARTA  
So I think quite...

DIR. REIF  
So the drive through...

COMM. CARTA  
I'm not quite clear on my question. Do you have any objections? Is there some reason behind not...

DIR. REIF  
About having a driveway through there. No, if he wants to have a driveway through, it won't....If the people don't come in and go out in the right order, it's not going to give him any additional parking. One of the benefits of the way he has it now, while you want to analyze it a little bit, is he has his functions separated. The three spaces in the back could be clearly used for his business and the spaces which in which you can actually physically fit two cars could be used for the living purposes, and at least those functions wouldn't cross each other. They're mixed up if you have a driveway through there.

COMM. CARTA  
Yes, I'm a little concerned about the one that backs out onto William Street. One there looks like in order to get out of it, you've got to back out onto William verses a drive through. It doesn't look like you would have to do that.

RONALD NETTLETON  
I have these...These are parking spaces. They're probably not readily evident to you. These are alternative parking spaces. These are 9 by 20 and as an alternative...I may not position these entirely correctly without knocking this off. And as an alternative we could have two parking spaces here, and remove this parking space. And then you have a drive through from Broad Street simply....That would just lessen the parking requirements. It would lessen the problem of backing out on Broad Street.

SUZANNE NETTLETON  
That would alleviate the problem of backing out.

CHM. LEINWAND

Even the width between the building and the property line?

RONALD NETTLETON

In terms of moving out here?

CHM. LEINWAND

Yes.

RONALD NETTLETON

Yes, because we're talking this is the parking space and not the car. O.K. And also I have a small car here.

Laughter

RONALD NETTLETON

Well, sometimes....

DIR. REIF

You can see that cars have to come and go out in the right order. Or it wouldn't work.

RONALD NETTLETON

Sometimes our office gets over-staffed and we have people with nothing to do. But this according...this is two sides, o.k., according to this which is 120. Now I...you will see that cars have more than adequate room to get out.

CHM. LEINWAND

Do you want to back it up for us?

RONALD NETTLETON

Pardon me.

CHM. LEINWAND

Back it up. Keep backing.

COMM. CARTA

He's got....

CHM. LEINWAND

That's the point. That's the point.

COMM. GIUFFRIDA

But you have eliminated the drive through, by doing that.

COMM. GIONFRIDDO

Yes, you can't get by that car.

RONALD NETTLETON

We would have a maximum of four cars. We'd have this one, this one, this one, and this one. Meaning that all four cars are on the site. We'd have to drive in through Broad Street and move out, four cars would be full. Yes.

CHM. LEINWAND

But if someone put their car in that fourth spot, you would.....

DIR. REIF

See alot of people park and they don't pay attention to the rules.

CHM. LEINWAND

That's right.

DIR. REIF

I know it's hard for us rule bodies...

RONALD NETTLETON

But please let me revert back to the nature of our business. O.K. About the only people that wouldn't pay attention to the rules is possibly a client that we may be meeting. O.K. Now she's got full control over her employees, and our employees will be told to park exactly where they will be parking. O.k. So basically this fourth car might be shall we refer to him as a tranient? That might be the only one. This parking spot, this parking spot, and that parking spot will be controlled. And if again personally, I think the best for your purposes would be a drive through. Although it really makes no difference to us. I think it's unrealistic to believe that the tenants (inaudible) is really going to live up the situation.... (inaudible)

CHM. LEINWAND

Could you fit three spots in the back, driving in off William Street? Maybe...

RONALD NETTLETON

Of course, that's really the way.....

CHM. LEINWAND

No, I don't mean that way. Could you without all the curves and turns and all that stuff, is there enough room between the back of the building and City of Middletown right-of-way to put...That's right....three cars in there? This way, one, two, three?

DIR. REIF

Here, this way. One, two, three.

CHM. LEINWAND

Yes.

RONALD NETTLETON

I'd have to say...

DIR. REIF

You need 27 feet.

RONALD NETTLETON

If we could have done it. We worked this 75 different ways.

CHM. LEINWAND

O.K.

RONALD NETTLETON

O.k. And if you're going to have the assumption of commercial parking which you know everybody is independent know there will be one car blocking another. I figured this again like I say 75 different ways, and the drive through with this parking spot, this parking spot, and this one appears to be the most realistic and the most workable. It does give us one less than the proposal of five...

DIR. REIF

But if you accept that and you count them, you'd have alot more because everybody could park in the driveway. You'd have one there, one there, one there, and...

RONALD NETTLETON

That's right.

DIR. REIF

You'd have ten parking spaces. I don't think that's too far fetched.

CHM. LEINWAND

Other questions?

RONALD NETTLETON

I don't mean to present it as (inaudible, multiple speakers)

CHM. LEINWAND

I understand that. Other questions? Is there anyone from the Public that wishes to speak to this proposal? If not, I thank you. And I close the Public Hearing.

RONALD NETTLETON

Mr. Chairman.

CHM. LEINWAND

Yes.

RONALD NETTLETON

If I may prior to you concluding our discussion, is it possible that we can request the Commission to grant us approval of either the five parking, well one of the two, or both alternatives as we presented them tonight?

CHM. LEINWAND

You mean both, you mean one or the other?

RONALD NETTLETON

One or the other.

CHM. LEINWAND

O.k, tonight. What's your pleasure?

COMM. PATTAVINA

So moved.

COMM. GIUFFRIDA

Second.

CHM. LEINWAND

Moved and seconded to add a new item 6.2 to the agenda and deal with this item somewhere later tonight. Any discussion? Hearing none, all those in favor please signify by saying I? Opposed nay? Fine we will at least take it up and try and make a decision. (Vote was unanimous.)

RONALD NETTLETON

Mr. Chairman, will you require our attendance?

CHM. LEINWAND

No, I don't believe there is any reason that you have to stay.

RONALD NETTLETON

Thank you very much.....

CHM. LEINWAND

Thank you.

RONALD NETTLETON

Mr. Chairman and fellow Commissioners. Thank you for your time.

CHM. LEINWAND

O.k, simply to be official with the arrival of Commissioners Pattavina and Sbalcio, Comm. Augustine you are the only alternate that's sitting in for Comm. Passanesi. O.k., good.

Note: Application in regard to the above special exception was written in the name of Rensyn Associates which differs from the statement in the transcript. Also no agreement was submitted to the Commission in accordance with Section 44.08.26 C.

Adjournment 7:30P.M.

ADJOURNMENT

Respectfully submitted,



Hope Kasper  
Transcriber

Steven J. Leinwand, Chairman  
PLANNING AND ZONING COMMISSION

Received at the Meeting of 9/13/82