

Chm Gionfriddo  
Comm Patnaude

Could you read the comments from the Water and Sewer Department?

Comm Patnaude

From what I'm reading here that...  
it should be about water system. This area may experience some low  
pressure at the times of heavy drought, you understand that, I hope. You  
probably have some problems out there. What I'm trying to stress here,  
like we don't want them coming back to the City after and stating that I  
wasn't notified that we could probably have this condition and then expecting  
the City to do something about it. I just want to put that in the record.

Atty. Dowley

In one instance your talking about an expansion for industrial use and in  
another instance your saying that there's not enough water. So I think  
that the entire City should pay attention to what is going on out there.

Chm Gionfriddo

With respect to the rest of the comments, the granting of the easement, and all  
that you have no problem?

Atty. Dowley

The only thing I want to make sure of is that there is no confusion as to  
which - there a couple of different reports and so if I could just see the -

Chm Gionfriddo

This is dated today

Atty. Dowley

I have another problem with the reports that are dated today.

Chm Gionfriddo

Okay

Chm Gionfriddo

Are there any other questions? If not, thank you. Are there any members  
of the public wishing to be heard with respect to this application? Pro or  
Con? If not I'm going to close the Public Hearing on Item number 3.

Secretary Carta

Item number 4 proposed special exception to permit four rear lots, located  
on Ridge Road. Applicant/Agent E. Leroy Brock/T. F. Jackowiak will be making  
the presentation.

PROPOSED S.E.  
TO PERMIT 4  
REAR LOTS  
LOCATED ON  
RIDGE RD.  
E. L. BROCK

Mr. Jackowiak

This piece of property is located on the Westerly side of Ridge Road  
just North of Prout Hill, It is a piece of property that Mr. Brock has  
been using as a meadow, but its what is left after the perimeter has been  
subdivided and conveyed out. What we are proposing to do is use the two  
existing 50 foot strips that exit on Ridge Road, divide those strips into  
two 25 foot strips that go back to four rear lots. The rear lots are larger  
then just about any lot around the perimeter here. The smallest one is  
46,000 and the largest one is 60,000. Both water and sewer are on Ridge  
Road and we have proposed using the water line on Ridge Road to service these  
homes and using the sanitary sewer line on Murray Street to service the

sanitary leads. Its rather simple little subdivision, I guess that's about it. There are no problems that I can see, there's no Wetlands near and no water problems. Do you have any questions?

Chm Gionfriddo

Are there any questions by members of the Commission with respect to this application? If not, thank you Ted, yes George

Dir Reif

There are apparently some question about how to get the sewer line to the sites. Have you figured that one out?

Ted Jackowiak

I talked with Water and Sewer and they asked if we could - if you notice on the map there right on the end section of Murray Street and this property asked if we could purchase rights across the corner of the two lots there. The Cocklin property and the Lynch property, which we are trying to do. We also discussed another possibility and thats the possibility of having ownership of this sanitary sewer be in the four lots and they'll be responsible for the upkeep of it. And the third possibility is to put a force main up the rights of ways to Ridge Road and use that method and pump it up. We haven't decided yet which one we will do, we would prefer to bore down to Murray Street gravity.

Dir Reif

Its not a problem but before they start selling the lots they better work it out or there will be somebody wanting to know -

Comm Leinwand

Going to be subject to Water and Sewer being available.

Dir Reif

Right to the sites

Ted Jackowiak

That's understandable and we will work that out. Its not an insurmountable problem.

Chm Gionfriddo

Is there any other questions? If not thank you Ted, any member of the public wish to be heard with respect to this particular application? If not I'm going to close the Public Hearing on Item number 4 and ask the Commission what their pleasure is?

Gary Cameron, 737 Ridge Road, I live directly East of the subject application. Could I look at a map for a second? I basically just have two concerns. First, there is a substantial spring time surface water problem in the Westerly end of my property which is shown as Coleman C. Weiss on your map and in talking with some of the property owners to the North, specifically Mr. Lynch, I was informed that there was also a water problem on his property as well. That is certainly during the spring time months with standing water. To the point where I honestly can't even mow the back part of my lawn until mid-April or May. Secondly, I would think that the Commission would want to know for sure how the sewer is going to be routed to this property, prior to its approval. This seems to be a real question as to whether it is available from Murray Street seeing that the petitioner

has no free title nor right of way to access to Murray Street. That's basically what I have. Thank you.

Chm Gionfriddo

Anyone else wishing to be heard in respect to this matter? Commissioner Patnaude, you have a question?

Comm Patnaude

Regarding the Water and Sewer, you say that you talked to the Director of Water and Sewer and everything using a pumping system and the force main was okayed by the Water and Sewer?

Theodore Jackowiak

We had three alternatives as stated, the one you just mentioned is one of them.

Comm Patnaude

He okayed it? What I'm trying to ask you, Ted, is they okayed either one of the methods you proposed?

Ted Jackowiak

There is no problem with this - the Water and Sewer has no problem with these.

Comm Patnaude

In other words, one of those methods of putting water to this project or sewer the Water and Sewer Authority has said okay to you, you can use one or the other of these methods. That's what I'm saying.

Ted Jackowiak

I discussed it with them and because they didn't give their approval to any of the lot plans.

Comm Patnaude

Well, I think I've got to go along with Mr. Cameron at this point that this project here is - I'm relying on what the Water Pollution Control says to you. If you can't have the gravity sewer and they do not want pumps, then where do you go from here?

Ted Jackowiak

Pumps are not prohibited in this section.

Comm Patnaude

I understand where you're coming from, but the point is they frown upon them. What I'm trying to say is, did they (unclear) to this project? One way or the other? You're saying there is an approval there?

Ted Jackowiak

There will be sewers for this project one way or the other. And I spoke to Bill Baron about the use of a pump and he said that the Water and Sewer Department has no - do not prohibit it.

Chm Gionfriddo

If there is no one else we will close the Public Hearing on Item 4.

Comm Leinwand

Mr. Chairman the railroad has been running fast and furious tonight I think its time to stop it. I think we just need more information and until I see something from the Director of Water and Sewer about exactly how the water and sewer is going to be handled, I get something more than developers in the process of providing additional information then I think we ought to hold on this one. And not deal with it tonight.

Chm .Gionfriddo

If the Commission has no objection then we will have this placed on the Agenda for old business at the next meeting, and expect to get something in writing from the Water and Sewer Department with respect to - on second thought I think what I should do is re-open the Public Hearing keep the Public Hearing open for us to receive the information to give the public the opportunity to comment on anything that comes out of the Water and Sewer Department. So the Public Hearing on Item number 4 will be continued until the meeting of September 24 and hopefully we will receive something from Water and Sewer by that time. We will move now to Item 5.

Secretary Carta

Item number 5 proposed 7 lot subdivision to be known as Woodbine Subdivision located off Ridge Road and Warner Avenue. Applicant/Agent Rak Realty.

PROPOSED 7  
LOT SUB. TO  
BE KNOWN AS  
WOODBINE SUB.  
LOCATED OFF  
RIDGE RD. AND  
WARNER AVE.  
RAK REALTY

Frank Rak, I live on Bear Hill Road in Middletown, we're planning a 7 unit subdivision here on Warner Avenue, out onto Ridge Road. For those of you who aren't familiar with me, this is our first venture into new construction however, we've had considerable experience in renovation work. Some of our projects are Stillman School, St. Lukes Home, and some property of Bretton Road, various properties on Pearl Street and High Street. I think we have a reputation of doing quality work, and we expect that this project will be of the same quality. Its a nice neighborhood, we expect to keep it that way and enhance it. Its in an R-1 Zone, the lot sizes; there will be 7 lots, the lots range from 15,000 square feet to 38,000+ square feet and the average size of 21,900 square feet. That's more than most of the existing lots. We choose not to go for smaller lots because we wanted to put, establish a project that would be enhancing to the neighborhood. I have Mr. Mylchreest here who did the engineering work on it and he will go over the technical aspects of the project.

Mr. Mylchreest

I'm David Mylchreest, my office is in Middletown, the review of the different departments have indicated that approval with 2 exceptions, Public Works did have some comments which we concur with completely. One major comment is the reconstruction of the southerly portion of Warner Avenue so that where we put the extension of the storm sewer the road will be widened out to meet the same or close to the width of the new section of road. The other comment which I received this afternoon was from the Fire Department in which the Chief asked to have additional hydrant placed at the intersection with Harris Street. I call him this afternoon and he would like to meet further - I called it to his attention that you presently have or would have a hydrant at the northerly portion of this subdivision as well as right across the street on the easterly side of it. He said he would be glad to review it and in any case we will comply with what the Fire District requests. You will notice that

we do not have a detention basin or facility on this site so the report indicated that the existing water system is ample to carry the future water in this area and our calculations were given to the Public Works Department who also concluded that was true. The other thing is we didn't show any open space. If we did then your 10% rule we would have been showing something less than a half acre. We would suggest if the Commissioners so desire that we use the rear area of the lots on the westerly side and set up possibly a conservation easement in that area to protect the existing woodlands and the stream that comes down that area. The last item we have submitted also this to the Inland/Wetlands Agency within the 10 day requirement which I'm sure will be coming up on your agenda at your next meeting. Thank you.

Chm Gionfriddo  
Are there any questions?

Comm Leinwand  
Your saying that you don't have any problem with the public works comments in their August 18 memorandum? That's correct

That's the transition to Warner Avenue - to inclusion of sidewalks? We didn't talk about that.

Mr. Mylchreest  
No, there's no sidewalk I didn't understand that. The question was whether we had sidewalks in our subdivision and the answer is yes we do.

Comm Leinwand  
You do have sidewalks - fine.

Chm Gionfriddo  
Any other questions from members of the Commission? If not, thank you gentlemen. Any members of the public wishing to be heard with respect to this application? Whether pro or con? Come forward please.

Albert Goritts

Albert Goritts, 101 Ridge Road, My house will be - sort of - let me see this map first. I don't know where to find Ridge Road on this map. Point it out to me please. Yes, I'm right next door. Okay, so this would be the house. And this is where the road is going to go? Alright, my concern would be since I heard that he's not going to take some woods down there with the stream. I was concerned about with water and how high the soil is out there to build the lots. Your going to be - there's going to be a lot of trees coming down and all from that part. (changed tape side) Out in the back there at all I have neighbors who have their vegetations out there and you know we have all stuck together with just a little neighborhood area there and we're just not really ready to have this happen. So I don't know what to say - I don't like it. Thank you

Chm Gionfriddo  
Is there anyone else wishing to be heard with respect to this application this evening?

Anne Schanko  
I'm Anne Schanko, 123 Ridge Road and I'm just anxious to know, are these single dwellings? Yes

Chm Gionfriddo  
Is there anyone else?

Comm Leinwand  
Frank, or Dave How many square feet are in lot 1?

Mr. Mylchreest  
(inaudible) 15,000 you don't know?

Comm Leinwand  
Lot 1 doesn't have a number on it here.

Mr. Mylchreest  
(inaudible)

Comm Leinwand  
That's existing, who owns that house? So that house sits on a lot with about 150 feet of frontage? Correct? 50 and 97 agreed, understood. Essentially you have put that road as southerly as you possibly could right along the property line? Correct? In order to come in and bend it around, which puts it as close to that next house as possible as opposed to at least trying to split the difference in some way, your really creating two corner houses now. Both running onto Ridge Road. The question is is it feasible to shift the road or build it a little more radius and bring that curve cut on Ridge Road a little more northerly?

Mr. Mylchreest  
That could be done Commissioner, however, both houses, the existing Harris house which Rak's now own and the abutments do meet the minimum side line requirements and as recently as two months ago we were dealing with the Gofinowski property off of Newfield Street and Congdon Road and the Palumbo house, and we had a very resolution of that where the road was essentially replaced to give some consideration to the abutting property owners.

Dir Reif  
They are bringing up a good point there is a potential side yard issue with the existing house on the south. Well, it is an existing side yard but the minute you put a street in you have created a different situation. The minute you put a street in you have a different problem.

Mr. Mylchreest  
And there is no way we can get the required front yard on a street for that house.

Chm Gionfriddo  
All that I am saying is that it would seem to me possible to center that street between the Harris House and what you call the abutting, the abutments house even though that's not their name,

Mr. Mylchreest

To answer your question Commissioner, yes that is possible.

Chm Gionfriddo

Thank you.

Nino Martucci

According to the Code to get a side yard on a minor street it has to be one half the front yard on the major street. So you have to have a 12½ foot side yard.

Chm Gionfriddo

Well it doesn't seem to be a problem because the indication is the road can be pivoted slightly to accommodate that. Correct? Okay. Are there any other questions -

Comm Leinwand

I thought you want to make it clear, I mean that lot 1 may be existing but if we cut down the size of lot 1 a little bit and we have the right to do that, certainly lot 1 is a lot larger than the Malpica lot for example and would fit it on the street. So I mean we're not violating any of our requirements if in fact we would ask him to do that.

Comm Patnaude

It seems to me a lot of it, how, whats, we got to do this, but nothing seems to be on paper here. I mean there are a lot of stipulations that have got to be met on this thing. One thing I read as far as again the water and sewer it says, "please have the developer contact this department to solve minor items prior to final approval". Who's final approval? The Commissions here? Water and Sewer? So we could not give this developer -

Chm Gionfriddo

This is only preliminary approval

Comm Patnaude

Thank you, I'm sorry

Chm Gionfriddo

Is there anyone else wishing to be heard?

Chet Bladek

My name is Chet Bladek, and I have abutting property to this development. My only question was, I've not seen a plan of this proposal previously and my concern is that the homes appear to be placed on the west side of the street here and I'm a little concerned that they not be placed over the easement that the City has for the sewer line.

Chm Gionfriddo

Thank you Chet, anyone else? If not I will close the Public Hearing with respect to Item number 5 and ask the Commission what their pleasure is?

Chm Gionfriddo  
Move to Item Number 6.

Secretary Carta

Item number 6, proposed 12 lot subdivision to be known as Meadow Wood Estates located off Flynn Lane and East Street. Applicant/agent United Construction, Inc./Glenn J. Russo.

PROPOSED 12  
LOT SUB. TO  
BE KNOWN AS  
MEADOW WOOD  
ESTATES  
LOCATED OFF  
FLYNN & EAST  
STREET  
UNITED CON-  
STRUCTION,  
INC. G. RUSSO

Glenn Russo  
The property is located on the Northeastern corner of Flynn Lane and East Street, its a 12 lot subdivision

Chm Gionfriddo  
Excuse me, could you give your name and address for the record please?

Glenn Russo  
Glenn Russo, 34 Bacon Avenue, Middletown, Connecticut. Like I was saying its located in the Northeast corner of Flynn Lane and East Street, its a 12 lot subdivision, the dimensions of the lots conform to all the zoning regulations. With one concern that Nino had that deals with the floodplain. I'll show that now. The existing floodplain is in red, the natural floodplain, and what we wanted to do was to put two houses here, and here and one down here, and in doing so we engineered cuts and fill in the soil to convey a new floodplain which would hold more water then the existing flood plain and would regulate the flow of water in and out of that new created soil. I have a copy of the summary of the report by Purcell Associates on the hydraulics if you want to review that.

Chm Gionfriddo  
Your submitting it as an exhibit we'll take it and just make sure that the members of the Commission have an opportunity to look at it.

Glenn Russo  
Okay, that's basically the presentation, we're not asking for any exceptions we're not asking to to anything out of the proper zoning regulations. Do you have any questions?

Chm Gionfriddo  
Do any members of the Commission have a question that they would like to address to Mr. Russo? If not, thank you. Are there any members of the public wish to be heard with respect to this particular application?

Jan Johnson  
Jan Johnson, Westfield resident, I live at 267 Bell Street. Recently I have had calls from three or four people who live in this neighborhood, they have expressed concern that there exists much wetland area there. Subsequently I called the City Planners Office and was told they had to submit a topographical map, it would be overlaid to see whether wetlands did exist on that property. Apparently, some do and what I would like to ask the Commission to do is to make sure that it do is make sure that it does get closely reviewed by the Inland/Wetlands Commission before the Public Hearing is closed in Planning and Zoning. Thank you.

Chm Gionfriddo

I would just ask Mr. Russo, has this been sent in to Wetlands, have you filed an application?

Glenn Russo

We were going to file the application but they took the last meeting off which threw the sequence. But what I would like to have done with it is a approval, pending Wetlands recommendations. Now I have a report from....

Chm Gionfriddo

Can I just ask you - I'm not sure I understand your answer. Have you applied or have you not applied?

Glenn Russo

We're in the process of applying for the next meeting.

Chm Gionfriddo

When was this application filed? Because we're back in that old problem again of not having applied within 10 days. We had a problem similar to this where the state statute specifically states that an application to Inland/Wetlands has to be filed within 10 days of the application to Planning and Zoning Commission if I'm not mistaken, thats what we went through.

Maybe I'm misunderstanding you but the meeting thats coming September ...

Chm Gionfriddo

I'm not saying you have to have a meeting, you have to file an application August 6. Okay? Technically speaking, by State Statue an application to Inland/Wetlands should have been filed within 10 days of your application to Planning and Zoning Commission. Whether or not you were heard within 10 days is not the point, the point is you had to file an application. Its not a matter of question, its a matter we already go an opinion from Ralph Wilson on that and it was pretty clear.

Is there any member of the public that wishes to be heard with respect to this? Okay, do you have anything in the wetlands that your going to be doing or you just have wetlands on your property? Are you crossing the wetlands or doing anything in the wetlands at all that will require you to file an application?

Glenn Russo

We are going to take the catch basins, the drainage from the storm water and going to drain into the stream that cuts across the corner of the property over here. There's some wetlands on the corner that might, I imagine requires a permit. As far as the property where the wetlands lie on the maps and where the wetlands actually are is two different points and what's on the maps is not what actually out there. I have licensed soil surveyors that will confirm that. I'm not building or attempting to build in the wetlands. I'm just trying to correct the maps.

Chm Gionfriddo

What you are indicating you have an activity that's going to require a Wetlands Permit?

Glenn Russo

That's what the Wetlands Commission told us.

Chm Gionfriddo

But the State Statute says specifically is that you had to have filed an application within 10 days of your application to Planning and Zoning Commission. We asked for an opinion at one point and he indicated quite definitely that when that is not complied with we have no alternative but to reject. So what we basically are going to have to do based on that opinion is to reject your application and your going have to re-submit and re-file to Inland/Wetlands within a 10 day period.

Glenn Russo

Well I guess I have no other choice but the reason this all was not done was because the Wetlands Commission canceled the meeting.

Chm Gionfriddo

That has nothing to do with the filing of an application.

Glenn Russo

Okay, thank you

Chm Gionfriddo

I'm only speaking for myself, I know you filed an application for a fee with your subdivision proposal to the Planning and Zoning Commission, if at the time that you refile if you wanted to be heard on the subject of the Commission allowing you to apply the fee to the new application, I will be willing to allow that to happen. I don't see that we have to charge you double to come back because you missed a technical deadline. Okay, so I suggest that I'm going to close the Public Hearing on Item 6 based on what we've discussed. I would suggest the Commission deny and then the applicant can re-apply.

Adjournment 9:00 P.M.

Transcribed By

Iris Schnipper

Temporaries Unlimited