

COMMISSION ON THE CITY PLAN AND ZONING - ACTING AS THE ZONING COMMISSION -
PUBLIC HEARING - THURSDAY - OCTOBER 6, 1966 - COUNCIL CHAMBERS - MUNICIPAL
BUILDING - MIDDLETOWN, CONNECTICUT

Present: John J. Higgins, Chairman
Carmelo J. Mazzotta, Jr., Vice-Chairman, not sitting in official capacity
Edward F. Button, Secretary
Joseph W. Masselli
Philip M. Salafia
Salvatore J. Lisitano, alternate member, sitting in official capacity
Joseph P. Otfinoski, alternate member, not sitting in official capacity
(Chairman Higgins appointed alternate member Lisitano to act in
behalf of Commissioner Mazzotta)

Absent: Mayor Kenneth J. Dooley, member w.v.p.
Frederick W. Atkins, alternate member

Also
Present: Nicholas Misenti, Deputy Director of Public Works, member w.v.p.,
Hartford Courant Reporter, Jack Daly, Middletown Press Reporter,
Graydon Hambrick, Barbara Sakelakos, City Plan Office Secretary,
and approximately twenty (20) members of the public.

The meeting was called to order by the Chairman at 7:32 P.M.

CHM. HIGGINS: And I'll ask the secretary, to please read the agenda
as the Zoning Commission. We will now sit as the Zoning Commission.

COMM. MAZZOTTA: I would like to announce that I will disqualify
myself on this Hearing as an official, in my official capacity,
because of possible conflict of interest.

CHM. HIGGINS: And I'll ask Mr. Lisitano to sit as an alternate in
place of Mr. Mazzotta, as a Commissioner rather, in place of Mr.
Mazzotta. For the record, Mr. Lisitano.

COMM. BUTTON: As the Zoning Commission -

To consider a proposed amendment to the Zoning Ordinance. A petition
of the Commission on the City Plan and Zoning, that the Zoning Ordinance
be amended to include Educational Publications Organizations in its

Restricted Residence Zones.

CHM. HIGGINS: Now for the benefit of everybody who is here. This is not a change of zone. This is an amendment to the Restricted Residence Zones. This is what we are requesting as the City Plan Commission. An amendment to the Restricted Residence Zones. It is not a change of zone. Anybody here who wishes to speak on this particular amendment, will now please come up, state their name so that it will be recorded and whatever you wish to say will be taken down as a record.

COMM. BUTTON: Do you want the amendment read?

CHM. HIGGINS: I guess it might be a good idea to read just the changes.

COMM. BUTTON: In the Restricted Residence Zones. Uses of Property. I will read just the portions that have been amended or changed.

EDUCATIONAL PUBLISHING ORGANIZATIONS, OPERATIONS CONDUCTING PRIMARILY EDITORIAL AND ADMINISTRATIVE FUNCTIONS, HOWEVER, IT SHALL NOT INCLUDE THE FINAL PRODUCTION OR MANUFACTURE OF FINISHED PRODUCTS, PRINTED OR OTHERWISE, SHALL NOT BE USED AS A RETAIL OUTLET FOR ANY PRODUCTS, NOR SHALL SUCH AN OPERATION CONDUCT ANY ACTIVITIES WHICH WOULD CREATE ANY NOISE OR NUISANCE AT ANY TIME AND BUILDING PLANS AND SPECIFICATIONS FOR SUCH EDUCATIONAL PUBLISHING ORGANIZATIONS SHALL BE SUBJECT TO REVIEW BY THE CITY PLAN COMMISSION, FOR MODIFICATION, APPROVAL OR DISAPPROVAL:

and there are others. Page 4 is the next. Talking about Height of Buildings.

IN THE CASE OF EDUCATIONAL PUBLISHING ORGANIZATIONS THE HEIGHT OF BUILDINGS WILL BE SUBJECT TO PLANNING COMMISSION APPROVAL.

In the case of Proportional Lot Areas and Required Open Spaces.

IN THE CASE OF EDUCATIONAL PUBLISHING ORGANIZATIONS THE MINIMUM FRONT YARD DEPTH SHALL BE ONE HUNDRED (100) LINEAR FEET.

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Proportional Lot Areas and Required Open Spaces:

HOWEVER, IN THE CASE OF EDUCATIONAL PUBLISHING ORGANIZATIONS THE MINIMUM SIDE YARD REQUIREMENT SHALL BE SEVENTY FIVE (75) LINEAR FEET AND THE MINIMUM REAR YARD REQUIREMENT SHALL BE ONE HUNDRED (100) LINEAR FEET.

THE MINIMUM LOT SIZE REQUIREMENT IN THE CASE OF EDUCATIONAL PUBLISHING ORGANIZATIONS SHALL BE FIVE (5) ACRES.

those are the changes.

CHM. HIGGINS: These are the changes which the City Plan Commission proposes to put into effect in Restricted Residential Zones. Anybody here who wishes to speak on this change or changes, please come up and state your name so that it will be part of the record.

MRS. ROMEGIALLI: Up in the front there or here?

CHM. HIGGINS: Please come up to the table and state your name clearly so that

MRS. ROMEGIALLI: I'm Mrs. Attilio Romegialli from Long Hill Road. I would like to know how the City's Zoning Board has a right to do this without notifying the property owners in the area.

CHM. HIGGINS: Any abutters who would be involved in a zone change would be notified. This is not a zone change. This is a change of specifications in a residential, in a Restricted Residential Zone. This is not a zone change.

MRS. ROMEGIALLI: No, but at first they were going to ask for a zone change. Right? For industrial use.

CHM. HIGGINS: Well I don't know whether they were or not.

MRS. ROMEGIALLI: That was in the paper.

CHM. HIGGINS: Well it could have been in the paper, but the Zoning Commission is the one who grants or denies zone changes.

MRS. ROMEGIALLI: Now if it was a private individual would you do likewise for this.

CHM. HIGGINS: The circumstances would in all cases be taken into consideration.

MRS. ROMEGIALLI: Because no matter how you look at it, this is an industry regardless.

CHM. HIGGINS: There is no commercial involvement in this at all.

MRS. ROMEGIALLI: It is a printing press, right?

CHM. HIGGINS: There is no printing press.

MRS. ROMEGIALLI: Printing material.

CHM. HIGGINS: There is no printing press.

MRS. ROMEGIALLI: So how do they compile their material.

CHM. HIGGINS: This building has been open for inspection to anybody who wishes to go up and see it for over a period of at least two or three months. They do no commercial. They do editorial educational work there. No commercial. No printing press in there as such.

MRS. ROMEGIALLI: In the future supposing Wesleyan doesn't utilize all that land. Now they own from Long Lane Road, Long Lane Street to Brush Hill Road. Supposing that they don't utilize this property for school purposes, which we wouldn't object to, supposing they in turn turn it over to the City for another industrial park. We have two down, three actually. One below Ruffino's farm. One down on Laurel Grove Road and one that Mr. Carlson recently purchased. Now I should think that you could utilize some of this for some of these things too. I mean I'm surprised there aren't more here because there has been talk about it up in the area.

CHM. HIGGINS: Well each individual case has to stand on its own. We are requesting tonight, a change of certain specifications in Restricted Residential Zones. This is no change of zone. This is

no industrial park. This is nothing similar to an industrial park.

MRS. ROMEGIALLI: I understand that. But in the Spring. . This is just an emergency measures that your doing right now. It is a writing for the purpose of Wesleyan to turn this land over to Xerox. But in the Spring you are going to have rezoning. What is going to happen then. That's what I want to know.

CHM. HIGGINS: Well you can be definitely assured that there will be no commercial or industrial zones out in that particular area. In fact the Zoning Regulations, the General Plan has already been drawn and you must have attended the Public Hearings on the General Plan. The General Plan is now a fact. The only thing that the Zoning Regulations will do on the General Plan is to put down firm lines on the zones rather than. The General Plan is now a fact. The General Plan had to be adopted prior to any further contact with the Federal Government for redevelopment. Now the General Plan is a fact and the General Plan is posted in the City Plan Office available to any member of the public who wishes to look at it.

MRS. ROMEGIALLI: I have that map at home. It was printed in the paper.

CHM. HIGGINS: Well that is the line which will be followed by the Zoning Regulations. The only difference between the General Plan and the Zoning Regulations is that the Zoning Regulations will give a strict demarcation while the General Plan is more flexible. In other words, if a particular part of the City is in the General Plan and projected for commercial or for residential or for an industrial type of development, then a person who comes in and asks for a change of zone to industrial or any other one of the different types, could in justice, expect to get consideration. But this is a Restricted Residential Zone. This is merely an exception in one small area of the zone. This does not change the zone and will have no bearing on the new Zoning Regulations which will come out as soon as we are able to get them to Public Hearings.

MRS. ROMEGIALLI: If it doesn't change like others have.

CHM. HIGGINS: This must follow, unless we change the General Plan, which we are not about to do, this must follow the guidelines of the General Plan. This new Zoning Ordinance must follow the guidelines of the General Plan.

MRS. ROMEGIALLI: Well I don't know. It just seems a shame that all this open land that is being bought up, purchased for industrial zones and residential is going to be out of the question in Middletown. Wesleyan is buying every piece of open land that is available. You people are buying up open land for industrial park areas. Where are the people going to go in this redevelopment, relocation bit.

CHM. HIGGINS: Well I don't know that the City Plan Commission or any part of it has bought any land for any particular type of development. Now certain individuals or certain small corporations, with the general benefit of the City in mind, have purchased areas but not in residential zones because they can't build industry in those zones.

MRS. ROMEGIALLI: I know that. This is open land I'm speaking of too. I mean where are people going to have the opportunity to build. Right now, we have only lived there for three years but supposing in the future if Wesleyan uses that land, supposing they want our land too and we're out again. Where are we going to have the opportunity to build again. We were pushed out of the north end and now we are down here. I don't object to Wesleyan building a college, don't get me wrong, but I wouldn't want to see it broken up afterwards for industry.

CHM. HIGGINS: Well according to the Zoning Regulations now, it couldn't be used for industry.

MRS. ROMEGIALLI: No, not right now. I know that.

CHM. HIGGINS: And prevailing as the General Plan is now, we don't foresee any use for this particular area that you talk about for industry. We have enough land zoned now for industry. I only hope that we can get the industry to use the land that we have zoned. Now we have seven hundred and some odd acres out in

Westfield which would be the key to the success of Middletown's future development if we could get a couple of anchor companies in there with reliable companies to start to project this industrial development, that's why we are putting sewers and water in this 91 area.

MRS. ROMEGIALLI: Well I don't think I'll get what I want.

CHM. HIGGINS: No, I don't believe that you have any fear that your home or your area will be encroached on by industry. This, I can't see, have any foreseeable idea of your particular area being encroached on. Now if Wesleyan goes out and buys property, there is nobody in the world that can stop a person from purchasing property, but the Zoning Commission can stop Wesleyan from using property which they purchase for industrial uses, if it is not in an industrial zone. They can stop anybody. That is the regulation and that is why it is set up. But, you don't have any fear in your particular home area of any encroachment by industry.

MRS. ROMEGIALLI: Well it just didn't look right in the paper to have one night in there that they were going to apply for a change of zone and the next week or so, have it in the paper that they are writing in a special clause so that this land could be appropriated for this use.

CHM. HIGGINS: Well as a matter of fact, if we change a zone in an area as small as that, it is illegal. It is called a spot zone and the courts would turn it down.

MRS. ROMEGIALLI: That's right.

CHM. HIGGINS: We are not going to change a zone. There will be no zone change.

MRS. ROMEGIALLI: So you did something to get away from it.

CHM. HIGGINS: But it will not be a zone change and consequently you will not have to worry about any industry in your area as a result of this particular change in the regulations for a residential

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zone.

MRS. ROMEGIALLI: Well if there ever is, you will hear from me again. Thank you.

CHM. HIGGINS: Well that would be your privilege and I would be very happy to have you come. Does anybody else wish to be heard on this particular item that we have on the agenda this evening.

MR. SMALLSHAW: Yes. My name is Earl Smallshaw and I live on Long Hill Road. I'm just wondering, you call this a writing in of a clause to the Zoning. In effect, you are changing the zone. Is that not correct, if this passes?

CHM. HIGGINS: Absolutely not. We are not changing the zone.

MR. SMALLSHAW: Well your allowing other than residential to enter the area.

CHM. HIGGINS: We are making changes in the Restricted Residence Zone which will allow this particular stated type of a use.

MR. SMALLSHAW: That seems rather selective to me, doesn't it?

CHM. HIGGINS: Well it may be selective, but it is only a restricted type of a use and anybody who would want to come in and have another stated type of a use in a residential zone, would have to come in as an individual and ask for a change of zone.

MR. SMALLSHAW: It seems to me that your making this little clause or small print line to accommodate Xerox primarily because they threatened to move out of town if they didn't get their way. Now I understand that there are other areas that are already zoned for whatever you want to call it, commercial or light industrial or whatever have you and those weren't suitable and I wonder why not.

CHM. HIGGINS: Well I haven't heard any threats that Xerox would move out of town.

MR. SMALLSHAW: It was in the Middletown Press.

MRS. ROMEGIALLI: It is right here in this paper.

CHM. HIGGINS: Well there's never been any threats to the Commission. Let's put it in that particular way.

MR. SMALLSHAW: I can only believe what I read in the paper. I don't get any information any where else.

CHM. HIGGINS: I think that everybody at Xerox has invited any body in the neighborhood who wishes to come in and look at their operation.

MR. SMALLSHAW: I've been there.

CHM. HIGGINS: And give them the privilege to do it and frankly after looking at it myself, I don't see anything that's really in conflict with that particular area that they want to go into.

MR. SMALLSHAW: Except that there are only homes out there now. Not big office buildings.

CHM. HIGGINS: Well I don't see that this is a conflict at all. This is no commercial use there.

MR. SMALLSHAW: Would you see a conflict if it was built next to your house, for instance.

CHM. HIGGINS: No. I happen to be in an area right now where industrial zoning encroached on me and I thought for the benefit of the City of Middletown that I should go along with it.

MR. SMALLSHAW: I see. Well the reason, I've only lived there about three or four years and the reason I moved out there in the first place is because of its countryfied atmosphere and a good place to bring up children and it is quiet and somewhat out of the city and with the advent of Mercy High School and the Vinal Technical School which was there before I was there, unfortunately, not Mercy but the other, traffic has increased considerably and they go

by there pretty fast and I was wondering with the advent of Xerox, that there would be at least another three hundred cars a day going back and forth and not to mention the construction trucks in the interim while building their structure and it seems to me that this is kind of hazardous especially with small children around and I don't relish to have all this happen to me.

CHM. HIGGINS: Well I don't believe that you have anything to worry about because I think that the traffic is well regulated in Middletown and your children and everybody in the area will be protected against any further great traffic hazard.

MR. SMALLSHAW: I haven't seen protection come forth yet in my area.

CHM. HIGGINS: Well I haven't heard of any serious accidents in your neighborhood as a result of Vinal Technical School or as a result of Mercy High School.

MR. SMALLSHAW: No, you haven't but they've come close. I've seen them speed through there especially Vinal Technical boys and I can only imagine what the advent of three hundred more cars a day is going to do to the place and I ultimately know that the road won't be safe for this amount of increased cars so I can imagine that the road will have to be widened and when this happens, I lose a lot of valuable frontage. Granted that this frontage isn't mine to have but it doesn't make it any easier to give up and with this road widen, I suspect it would be in the future, this makes playing on the front yard for my children more hazardous than right now, because the road will be closer to our building right now and it seems to me that if other properties are already available, I question the need to go into a Restricted Residential Zone right now. Is it only because they have a hill to build on the side of or they can't build on flat land or something of that sort.

CHM. HIGGINS: Well I don't think that we have any right to ask them why they want to build there.

MR. SMALLSHAW: Well you have reason to ask them why they don't want to move into a place that is already zoned for that type of building.

CHM. HIGGINS: Well we are not changing the zone.

MR. SMALLSHAW: Well you keep saying that, but the zoning is changed. You wouldn't write an amendment like this.

CHM. HIGGINS: Well it isn't a change of zone.

MR. SMALLSHAW: What do you call it then.

CHM. HIGGINS: We've made adjustments in a Restricted Residential Zone.

MR. SMALLSHAW: Adjustments to me is a change. Granted it is still a residential zone.

CHM. HIGGINS: Well we can talk back and forth all night. If you have anything you want to say, I'll listen to it. I won't answer any further questions.

MR. SMALLSHAW: All right.

CHM. HIGGINS: Thank you. Anybody else wish to be heard on this particular item.

MRS. ROMEGIALLI: I'm Mrs. Irma Romegialli and I live on Long Hill Road. From what I gather and I go by there all the time, there is a very bad curve that's going to be involved. Is the street going to be enlarged.

CHM. HIGGINS: I don't have any information on that.

MRS. ROMEGIALLI: Have you looked over the land to see just where they've asked for it. I mean because it is a very bad curve and it would never stand that way and the road would not stand the traffic for them to go by.

CHM. HIGGINS: We have all the information necessary on this particular request that we are making. Your comments are welcome.

MRS. ROMEGIALLI: No. I'm just asking for myself. Now for instance, there is no water, I don't believe out there or sewerage. The City's going to have to take care of that. A new road has to be built out there also. We do have other places, now Laurel Grove. I can't understand why you, as the members of the Zoning, didn't even mention to the Xerox that we have a place like that because that is a beautiful spot. I mean as far as the company, yes, everybody wants it in town and I think if the company or anybody from the company was here and if the people in Middletown took them around and showed them the different places we have. There are places that are more ideally located for them to build than this.

CHM. HIGGINS: Thank you. Any further comments. Hearing no further comments, I'll declare this Hearing closed.

The meeting adjourned at 7:50 P.M.

Respectfully submitted:

Barbara Sakelakos
Barbara Sakelakos, Recording Secretary

John J. Higgins, Chairman