

Ralph H. Shaw, II, Chairman; Eric G. Lowry, Vice-Chairman; Cos Giuffrida, Secretary; Sebastian J. Garafalo, Edward J. Kalita, Sebastian Passanesi, George Augustine, Gerald Lentini.

COMMISSION  
MEMBERS  
PRESENT

Betty Matteo, David A. Bengtson, Kent Scully.

MEMBERS ABSENT

George A. Reif, Director; Catherine Raczka, Assistant Director; Althea Rinaldi, Recording Secretary;

STAFF MEMBERS

Philip Bauer, Engineer, Public Works Dept.; Peter Caprioglio, reporter, Hartford Times; D'Vera Cohn, reporter, Middletown Press.

OTHERS

CHAIRMAN SHAW

I want to call to order the public hearing session of the Planning and Zoning Commission. I'll ask our Secretary to read the call.

SEC'Y. GIUFFRIDA

THE MIDDLETOWN PLANNING AND ZONING COMMISSION WILL HOLD A PUBLIC HEARING OCTOBER 8, 1975, STARTING AT 7:30 P.M. IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, DE KOVEN DRIVE, MIDDLETOWN, CONNECTICUT, to consider the following:

Item 1: Request for Special Exception by William and Belle L. Charatan, to convert the second floor of a house at 144 Washington Street to three apartments.

REQUEST FOR  
SPECIAL  
EXCEPTION-W. & B.  
CHARATAN - 144  
WASHINGTON ST.

CHM. SHAW

That notice appeared in the Middletown Press on September 27 and again on October 4, making it a legal notice, therefore this a legal call - a legal meeting. We're missing two of our regular members and I will ask that Commissioner Augustine sit in place of Commissioner Matteo and Commissioner Lentini sit in the place of Commissioner Kalita for the duration of their absence. George, do you have anything to tell us about this application?

(Commissioner Kalita arrived at 7:36 p.m.)

MR. REIF

Well, I think the owner does.

CHM. SHAW

Is Mr. Charatan here or is someone to represent him? Please come forward.

MR. WILLIAM CHARATAN

My name is William Charatan. I am the owner of this building at 144 Washington Street.

CHM. SHAW

Now tell us what you would like to do.

MR. CHARATAN

Right now its - we have a rooming house upstairs consisting of five single rooms with a bathroom in the hall. Right now I would like to change that to three efficiency apartments, each one would have their own bathroom and little kitchen - kitchenette. You see, there is not much alterations required for this type of thing. We have the central hallway which would introduce each apartment to the hall. We have two exits - front and rear, and basically it's very conducive to this type of thing, without too much alteration. Also, you could change the type of clientele. The big problem with a rooming house today is that we seem to be getting people that are not reliable or responsible. Basically, they are drunkards or whatever - drug addicts, and this is the big problem so we'd like to get people who are more responsible. Thank you.

CHM. SHAW

There will be some questions, I am sure, from the Commissioners. George, I would like to have you tell us about this.

MR. REIF

The reason you are hearing this tonight as a special exception is the creation of three or <sup>more</sup> dwelling units in any zone in the entire community requires the granting of a special exception by the Planning Commission. The requirements are set forth for various zones. In this zone, as well as the other zones, the requirement for open space for every dwelling unit setup, and that's the fundamental problem here. The site itself does not appear to provide the open space requirement and it does seem to provide the required off-street parking. It does lend itself to making the three apartments, but it lacks the requirement of your Zoning code along with the general consideration for this particular problem probably we're going to have to grapple. You cannot really prove this under the conditions existing in the Zoning Code. This is not an unusual type of problem in a highly urbanized area. I stress that you may want to consider this as more than just an entity in itself.

CHM. SHAW

Do you have any documents from any other departments?

MR. REIF

The Department of Public Works says "This office has no objections or comments to offer to the above-referenced proposal."  
The Health Department says "This department has no objection to this proposal". That's it. We have not had any correspondence from any other department. The Police Department so far has not responded. The reason the Police Department has a significant role is that it is on one of the major streets - on Washington Street - and the one access to the rear area is only wide enough for one lane of traffic.

CHM. SHAW

Now, you told us last time that you were here that there was an access through to the parking area to the east of you.

MR. CHARATAN

Which we do use. We have a park - we have - you see, G.U. Reed owns the building next door to us and he has a very large parking area and a large wide driveway. He has allowed us to use his driveway for access to parking which we rent from him. We rent three parking stalls from him and he allows us to use the back of the land to go in and out - using his driveway.

CHM. SHAW

You have some kind of an agreement on this? Is this just an informal agreement?

MR. CHARATAN

No, no. I pay him rent for the use of it and the parking.

CHM. SHAW

And the use of the driveway.

MR. CHARATAN

Oh yes. That's all included.

CHM. SHAW

How do you anticipate the change in occupancy other than the nature of the guests in the house - in terms of numbers of people.

MR. CHARATAN

Well, you see, I think we'll cut down the number of people. See - right now we have five single rooms and that means five people. Now, if we make it three efficiency apartments, we will probably get single people or at the most one or two married - that, I think, will either keep it at the same or cut it down. So there will not really be any basic change in the open air space use or anything like that.

COMM. AUGUSTINE

George, any fire escapes required on that?

MR. RIEF

I am sure there is at least two.

MR. CHARATAN

Yes, there is a front entrance and a rear entrance.

MR. RIEF

So far, I am not aware of any requirement that won't meet the building code.

MR. CHARATAN

No. There is a fire extinguisher up there. There are two entrances - one entrance and one exit.

CHM. SHAW

Any other questions? If not, I thank you and I'll ask any other people to respond who may wish to. Is there anyone else present who would like to speak in favor of this proposition? Anyone at all?

MR. ARTHUR LERNER

I am Arthur Lerner. I am one of the partners of Mazda Realty. We own the property at 150 Washington Street adjacent to the property of the Charatan's. We, at present, have apartments right next door of the type that Mr. Charatan would like to put in. I feel it would be a benefit to me - it would cut down on the - what he calls "undesirable people". I would like to see it go through.

CHM. SHAW

Thank you. Is there anyone else who wishes to speak in favor of this proposal? Is there anyone who wishes to speak in opposition to this proposal? Anyone at all? Hearing none, then I'll declare this item closed and move on to the second item.

SEC'Y. GIUFFRIDA

Item 2: Request to modify site parking arrangement - construct an addition to the present building and add an exit to Lake Street by Kentucky Fried Chicken. Douglas Beach, owner, 382 South Main Street - a non-conforming use in an R-3 zone. KENTUCKY FRIED CHICKEN, CONSTRUCT ADDITION & EXIT TO LAKE ST.

CHM. SHAW

I would like to announce for the record that Commissioner Garafalo has asked to be disqualified from this particular item. He has made this request previously. Commissioner Lentini will sit for Commissioner Garafalo on this one.

MR. DOUGLAS BEACH

My name is Douglas Beach. I am the franchisee for Kentucky Fried Chicken. There is basically two portions - well, actually, I think there is three portions to my request. The first one is to put an addition on to the existing building at 382 South Main St. The reason for this, and I hope the Board will take this into consideration before they make their decision, is that my business is the only major restaurant in Middletown that does not have some inside seating. In fact, it may be the only one, but I know it's the only major one, and this has placed me at a certain disadvantage in that all of the other restaurants have facilities for people to eat indoors and many people do not like to eat in their cars so, therefore, that's the first part of it. I would like to put an addition on - 250 square feet, I believe it is, to provide a limited amount of indoor seating for someone to eat inside. The second portion of my request is to take an area that is presently actually just an island - it's really grown up weeds - whatever - between myself and the Pizza Hut restaurant, which is on my land and I would like to enlarge this for more parking, add a number of parking spaces. The print is - you've all seen this in the past so I won't go into that; it's basically to enlarge

the parking - make it easier for people to get in and out. The third portion of the request is to install a driveway to the rear of Mr. Conroy's property, which we've discussed before, and have an alternate exit from my parking lot out onto Lake Street. The reason for doing this is Number 1 - to provide an alternate route out for the people that live in that area of the - I guess it would be the eastern part of Middletown or the Lake Street area up in that area to allow them to go directly from my parking lot up Lake Street and take a left rather than having to get out onto South Main Street and then try to take a left on Lake Street. The police have been over there and they assure me there would be no hazards involved. They think that this would increase the flow of traffic out of my parking lot and, other than that, I really can't add any more to it. Is there anything else you wanted me to answer, Mr. Reif. We went through this several times. I really don't know how much -

CHM. SHAW

For the record we do want it, so don't feel that you're repeating yourself unnecessarily.

MR. BEACH

Well, one point I would like to put on the record that came up in previous sessions we had that there seemed to be a concern that this would place an awful lot of traffic - additional traffic on Lake Street. This is not my feeling at all. The people that are going to go up Lake Street are going up there anyway. They live there. The only thing is they're going out to South Main Street and then they're taking a left. This is not going to take traffic that people that live, for example, in the, for example if they live in the Main Street area. If they live in other parts of Middletown, they're not going to go up Lake Street to get to their houses. They are going to merely go out - they could merely go out the Lake Street exit and take a right and go on South Main Street. I want to bring up the point. I strongly feel that this is not going to create additional traffic on Lake Street. Thank you.

CHM. SHAW

Thank you. George.

MR. REIF

I would like to say one or two words. First of all, this is being presented as a modification for expansion of a non-conforming use. This is an R-3 zone. This business and several others businesses in the area were established before the major zoning change in Middletown in 1969. At that time South Main Street and almost every other major traffic artery was known as Strip Commercial. The decision and recognition was made that Strip Commercial was not the right type of development because it helped clutter up the arteries as methods of moving traffic. So the major decision, really, before the Planning Commission is whether or not to encourage expansion of a non-conforming use. There is no question that these improvements in the parking facilities and the other changes that are being proposed or discussed would improve the capability for this business to function, but the big one from community interest is whether or not to further encourage the expansion of a non-conforming

use. There can be no other thing happen but if there is additional buildings and places to sit down, you're going to have more customers. That's why you're going to do it.

So, that's the real gut issue here. Would you like me to read the comments by the other departments?

CHM. SHAW  
Yes.

MR. REIF

This is from the Police Department. In reference to the parking planned for Kentucky Chicken, the Traffic Commission has previously recommended that the driveway on the south side of the building has to be designated "entrance only" and the driveway at the north side of the building must be designated "exit only". At the time of this recommendation the Traffic Division was not aware of the proposed exit from the rear of the Conroy Package Store, Lake Street. IN view of this information, the following is recommended: "That the north driveway be designated "entrance only" that the proposed driveway at the rear of the building be designated "exit only" as shown on the site plan. The south side driveway be completely closed. This will facillitate the traffic flow, removing potential hazards from two-way traffic on the same driveway."

CHM. SHAW

They would suggest a solution similar to the one Friendly Ice Cream uses now, and you're only being able to enter from South Main St. and only being able to exit on Lake Street.

MR. REIF

From the Department of Public Works, they say "This department has no objections or comments to offer other than the concern of the treatment to adjacent properties along Lake Street when the excavation is made to lower the exit drive into Lake Street. Some grading of adjacent properties may be required rather than have a slight slope immediate to either side of the exit drive." Those are the only two departments we've inquired from and both of them responded.

COMM. PASSANESI

Question inaudible - someone coughing.

MR. REIF

12 feet.

COMM. PASSANESI

Down to what? 10 feet?

MR. REIF

There is only one - there are two dimensions. Twelve here and twelve here so it looks like (inaudible). There is another dimension on here - 10 feet. The property is twelve feet and the driveway is ten.

CHM. SHAW

Any questions? Any at all?

CHM. SHAW

No comments, but what would be your reaction to changes suggested by the Police Department?

MR. BEACH

Well, my initial reaction would be - it would be more acceptable than not being able to do it, you know. You say what would be my reaction? I think I would rather have left the existing driveway alone because its a very extensive deal to close off driveways and it would mean changing an island arrangement. It would be a very extensive move which I hadn't contemplated before - it would be quite extensive. I don't know how you could - you would have to put a barrier up there. I don't know how you could stop someone from coming in there.

CHM. SHAW

Unless it's closed.

MR. BEACH

I know. How do you close it- what do you put a fence up? You know, you're on State property there, and the State highway plows are going to come by and you're going to have to put up more than - you're going to have to put up a curb sufficient to keep a car from going through which, again, is an extensive type of thing which I hadn't contemplated.

CHM. SHAW

No other questions. Thank you very much.

MR. BEACH

Thank you.

CHM. SHAW

Is there anyone else present who wishes to speak in favor of this proposal? Anyone at all who wishes to speak in favor of this proposal? Is there anyone who wishes to speak in opposition to this proposal?

MR. ERWIN WEITZ

Mr. Chairman, Members of the Board, my name of Erwin Weitz and I'm an attorney in Springfield, Mass. With your permission, I would like to make a few comments this evening on behalf of my mother-in-law, Bertha Bloom, who owns the contiguous property to the driveway. Any comments I make are only with respect to number 3 of the petition. The driveway going out to Lake Street. The alternative route.

CHM. SHAW

The house you're referring to would be -

ATTY. WEITZ

16., directly east. 16-18 Lake Street.

CHM. SHAW

OK

ATTY. WEITZ

With regard to the police report, Middletown Police, as far as the ingress and egress - you're now talking about two egress routes almost parallel to each other coming out on Main Street. As I understand it, the proposal was that you both go in on South Main Street and the egress is on South Main Street. I pointed out to the Board that they are almost parallel. The traffic coming out. There is a slight differentiation. They are pretty close.

CHM. SHAW

Excuse me. You mean Lake Street?

ATTY. WEITZ

Lake Street. They are both coming out - pouring into each other. Next, I would like to point out the difference of about two to two-and-a-half feet level between Mrs. Bloom's property and the proposed driveway and I think there was a statement or comment made by the Department of Public Works that there would have to be a proper treatment. If there is a scooping out you're talking about possibly a retaining wall and also I point out that there's a very nice fence across the street - at least Friendly's had handled the property contiguous with a long fence. It's all fenced; however, there's no level and I am not sure about the package store, but at least on her property there's a rather sizeable differentiation, and that should be treated (inaudible last word). No other comments.

CHM. SHAW

Fine. Thank you.

ATTY. ROBERT PALMER

Sorry I wasn't a little faster in getting up before. Robert Palmer speaking for Mr. Conroy, who is the owner of the abutting property and the liquor store business. Mr. Conroy would just like to have it put on the record that one of his primary reasons for being in favor of rechannelization of the traffic patterns next door is because he feels he will benefit by having a more reasonable traffic situation at the front door of his business. He is making land available to Mr. Beach for the location of the egress from Lake Street. There's no problem in that the lateral integrity of the property next abutting will be maintained. What Mr. Conroy would like to say is that, as a businessman with an investment in the area, he feels his business will benefit if the existing traffic pattern - and it does jam up there at Kentucky Fried Chicken - is approved by having a traffic pattern that is not only similar to Friendly's but the traffic pattern they have seen fit to utilize at McDonald's and, in all probability, I presume, we have utilized with the City Savings Bank if their pattern comes in. The pattern seems to have worked well and improves the traffic. Thank you.

CHM. SHAW

Thank you, Bob. Now, is there anyone else who wishes to speak? We are on the opposition here at the moment although Mr. Palmer got out of turn it's OK. I understood what happened. Is there

anyone else who wishes to speak in opposition to this proposal? P.9 of 15

MR. DAN DAMALI

My name is Dan Damali. I live in a single family house at 367 South Main. Now, what is going on here? This is a residential area and you're opening up more. I'm trying to maintain a house there. If you're going to start opening things up again, why not change it to Commercial? There's enough noise, there's enough traffic. I'm definitely against it.

CHM. SHAW

Thank you. Is there anyone else who wishes to speak in opposition? Anyone at all? All right. Thank you very much. We'll close this item and move on to Item No. 3 for which the Chairman will disqualify himself. I want to ask that our Vice-Chairman sit in this seat and that Alternate Commissioner Lentini sit in his place.

VICE-CHM. LOWRY

OK. Item 3. The Secretary will please read the notice.

SEC'Y. GIUFFRIDA

Item 3: Request for Special Exception by City Savings Bank to develop a banking facility at South Main and Warwick Streets.

REQUEST: CITY  
SAVING BANK  
S.MAIN &  
WARWICK STREETS

VICE-CHM. LOWRY

As mentioned previously, that's a legal notice. Ted Raczka.

ATTY. THEODORE RACZKA

Do you wish to have the comments of the various city agencies first?

VICE-CHM. LOWRY

Will you please give your name and address.

ATTY. THEODORE RACZKA

Mr. Chairman, Members of the Commission and Staff: My name is Theodore J. Raczka and I practice law at 363 Main Street in Middletown, Conn. and this evening I am representing the City Savings Bank of Middletown. The City Savings Bank of Middletown owns, in part, the fee of the parcel which is in question namely, and on the plan you will see an area designated as house on Warwick Street. That property was purchased by the City Savings Bank - I believe on July 25, 1975. With reference to the other property, the City Savings Bank is the holder of an option to purchase this approximately 1.7 acres abutting approximately 250 feet on South Main Street and 187 feet more or less on Warwick Street from one George E. Cameron. That is our legal basis. The request is for a special exception to conduct on the parcel a banking facility and, in accordance with our rules and regulations regarding exceptions to Section 44, the Commission in order to consider and to either grant or deny the application must make finding on approximately 7 points; and the first is that the request for the special exception is consistent and -- with the plan of development which, in this case, shows the property to be in an R-4 zone and last July this Commission, through a text amendment, had permitted the conduct of a banking

facility in an R-4 zone. Secondly, that the requested facility would not be detrimental in any way to the use of the development of the area and have any adverse affects on it and I cannot see that a banking facility would; also that this facility would not impair visibility or accessibility to either adjacent property or surrounding property by pre-empting the frontage of the property which is owned or which will be-hopefully will be owned by the bank and there is no other properties which have access to South Main Street through this particular piece of property. Thirdly, and or fourthly and this is very important, that such a facility not affect adversely the traffic pattern in and about the area. The great amount of the traffic in this particular area is either in the morning or at night. The bank will generate traffic approximately two hours after the height of the traffic in the morning and approximately two hours before the height of the traffic in late afternoon, and during the course of the day I think it will tend to stabilize rather than increase the traffic. The granting of a special exception in an area as large as this certainly should not fragment the development of the area as a whole. In fact, I think it will help to develop it. A banking facility, I would submit, certainly would not depreciate the values of any of the existing houses or property owners or uses in the area. In fact, Mr. Palmer just before told me that - to inform your committee that he for the first time in many years is in favor of this use and (inaudible one or two words) has been - the history of this particular piece of property. This particular piece of property is also large enough to provide for all the required offsite parking and storage facilities, in fact, it's one of the largest of its kind in this area for this type of a use and it further - lastly, will meet the requirements of your text amendment that any such facility as it's proposed here will be only limited to two stories, so that on I think this Commission can make the finding on all points. Mr. Reif has a site plan of this particular piece of property which shows the proposed tentative location of the facility showing a building of approximately 10,000 square feet of two stories height - two stories in height and off street parking for approximately 14 employees which, we believe, will be the potential of this property in the future. It has a sign limitation and location on the map and it shows an area that is susceptible to many, many variations of detail which, I think, would be left to the architect and to the admin -- the administrative - administrative staff of your Commission. What we are looking for is a policy decision approving the facility on the area in question and not in the particular location with the detail that is shown there. Mr. Mylchreest made the drawing for us and he can explain it if he would.

MR. DAVID MYLCHREEST

I am David Mylchreest, a Consulting Engineer in Middletown. My office is in Laurel Grove Road in Middletown. I can move around on this side right here. I can point out some of the features. I think you are all familiar with the property. I know you have seen it many times before. - it's come before you on different matters. (inaudible word) South Main Street, Warwick, Main Street proper down that direction there. The high point of the land runs a ridge right in this area here, drops off rather sharply on the corner through this section of Warwick and South Main .

South Main does ride up to a point and then begins to drop down so that the South Main Street side we have a minimum or the less change of grade from this point back up into there. We have run our rough drawings and have determined that we can get a very reasonable grade from this point up into the (inaudible word) to this parking lot at this point here. We have also tried to take advantage of any and all existing good growth. There's a lovely maple in through here, there these old maples through there, there's another one down by the existing house at this point there. There's a lot of secondary growth in this whole area here and, although we haven't shown any of it to be retained, as such, selective cutting, of course, would be done. We have kept all the improvement at least 15 feet away from the adjacent boundary to enable planting and screening to be installed in that area on the west and southwest. Now, the building itself would be positioned so it could get exposure, of course, from both streets and it's shown here as a building 5,000 square feet on one floor and I won't say it's going to be in this particular configuration when it ends up but at least for our planning purposes this is enough to give you an idea of what we had in mind. We are asking to have a one-way in traffic off of South Main Street and we show two parking areas on either side of the building. The general flow would be coming in off of South Main Street, then coming down through this dual lane here so we can have a drive-in window at this point with a passing lane over there and then continue on out to Warwick Street and from there either right or left turn depending upon traffic and the destination of the person. On Warwick Street there will be a two-way traffic coming in and going out, and they can get to the first parking area if their business so demands or they can go in and loop and come over and hit that

VICE-CHM. LOWRY

Dave, how far away is this from the stop line, the traffic lines there?

MR. MYLCHREEST

Stop line is approximately in through here. I would say this is 40 scale so it must be 100 feet from the stop line. No question there is a problem. When people come out of here they're going to queue up if their intention is to go out South Main Street here.

Those of us who know area, of course, would probably head this way and then go through from Beach Avenue or out Highland Avenue. We have shown some additional parking through here as either the facility might be increased as either employees or they find there is a greater demand for customer parking. We have shown enough parking to meet the minimum requirement - a little bit more as far as your Code goes. We have, of course, sanitary sewer and water in Warwick Street available. We've had discussion with the City Engineer on drainage of this area here. We have two solutions and probably the best one that we're discussing is to go down - in other words - bring all our surface drainage out to Warwick Street, run down to the intersection of Warwick and Oak, and tie in to the existing system that runs across under or adjacent to where C.B. Stone and goes into the creek there. There is an alternative there - there is a State highway system at this point here, drains across and then gets into the same creek down here, and there is a possibility, at least in the initial phases,

that this could be drained into there. Future development then would require us to go back this way or some other arrangement. That's about the presentation. Are there any questions?

VICE-CHM. LOWRY

Maybe we can hear from George. Are there any comments?

MR. REIF

Well, so far we haven't solicited comments from the other departments because it was quite clear that all the elements will fit on this site and the real issue is, again, a policy issue of having this facility. The technical ones can clearly be coped with - it's just a matter (inaudible - background noise - sounds like "this and that"). There may be some improvements. This may be the only solution that is acceptable so it is the principle that is involved.

VICE-CHM. LOWRY

Any questions from the Commissioners?

COMM. GARAFALO

Maybe I'm jumping the gun, but do you anticipate a satellite drive-in window over here at any time?

MR. MYLCHREEST

It's very possible. And in that development, of course, this would be right now another passing lane at that point. The nice thing about the site - you've got ample space.

MR. REIF

One of the sites is so open you can - (Mr. Mylchreest talking)

MR. MYLCHREEST

(inaudible five or six words) the fact is we have done two or three go arounds and this is the one we have come up with. We are certainly open to suggestions and modifications.

VICE-CHM. LOWRY

Did you see this, George.

MR. REIF

Yes.

VICE-CHM. LOWRY

Are there any other questions?

COMM. PASSANESI

The site drainage will be no problem. You either go across -

MR. MYLCHREEST

- either the (coughing, inaudible word) highway or go down Oak Street and tie in the (sounds like "fill system").

COMM. PASSANESI

The only question I have here - I wondered - this is just in, right? This one here, Dave?

MR. MYLCHREEST  
That is correct.

COMM. PASSANESI  
The grade here - with that sidewalk, do you think we can get up in there?

MR. MYLCHREEST  
It isn't as bad as next door. Next door, and the reason is -

COMM. AUGUSTINE  
The professional building?

MR. MYLCHREEST  
Your grade here remains pretty constant and your street goes on down. This is about the high point of South Main Street and, of course, as it gets down to about 150 - 200 feet, that's pretty tough, but it was our intention - now we may not even have to rebuild part of that sidewalk but, if we did, we'd certainly start right here (one inaudible word) it down and back up again.

COMM. PASSANESI  
It would take - yes, OK.

VICE-CHM. LOWRY  
Any more questions? No?

COMM. PASSANESI  
No. I haven't.

VICE-CHM. LOWRY  
If not, anybody who is here who would like to speak in favor of this proposal? Anybody? Anybody here to speak against?

MRS. VIDA DAMALE  
Would I be out of order if I asked a question?

VICE-CHM. LOWRY  
Would you please come to the microphone?

MRS. DAMALE  
I am not really here to -

VICE-CHM. LOWRY  
Will you please state your name and address for the record?

MR. DAMALE  
I am Mrs. Damale - Vida Damale on South Main Street. I am not here to speak for or against it. I am here to ask a question. What is happening on South Main Street? Are we Residential or are we Business? We own a single home. What happens if we want to sell our home and we want to sell to a business? Well, I am saying - Are you being fair with all of us? Well, I mean, a business here, a business there. Fine, but when I want to sell my home and I can't sell that home to anybody who wants a nice residential area, right?

VICE-CHM. LOWRY

It's an R-4 zone, and George maybe can help me.

MR. REIF

This particular -

VICE-CHM. LOWRY

Banking is allowed as a special exception.

MRS. DAMALE

All right. It isn't just this. I am talking about all of South Main Street. Kentucky Fried Chicken is nearer my home than this.

MR. REIF

That's in an R-3 zone. That's one of the issues that's before the Commission, whether to encourage the expansion of -

MRS. DAMALE

That is what I'm concerned about.

VICE-CHM. LOWRY

We do have the public hearing now to get all opinions.

MRS. DAMALE

Well, I really am concerned about South Main Street because I don't think it's fair to the homeowner. I'm not saying that I'm against, you know, everything being commercial. It would be to my advantage to eventually be able to sell my property commercially but, the way it's going now, I certainly can't.

VICE-CHM. LOWRY

The questions you are posing are exactly the ones we have to (inaudible word). That is exactly (rest of sentence inaudible)

MRS. DAMALE

And this is what I am worried about. There are areas in - on South Main Street that have gotten special permission - I believe Coca-Cola just built a big garage, didn't they?

MR. REIF

Yes, they did.

MRS. DAMALE

And I believe that what's-his-name - Morello in the brick house next door to the Gulf Station - he keeps heavy equipment in the back yard. He took everything right off - all the top soil and blacktopped everything. I'm sure that's great for the drainage. But, what I'm saying is Let's be fair to me, too. OK?

VICE-CHM. LOWRY

Thank you. Anybody else for or against? If not, the item is closed.

CHM. SHAW

Last item. Secretary to read the last item on the agenda for the public hearing.

SEC'Y. GIUFFRIDA

Item 4: Amendment of Zoning Code and Subdivision Regulations to require installation of fire alarm boxes in all residential projects and subdivisions.

ZONING CODE  
& SUBDIVISION  
REGULATION  
AMENDMENT  
FIRE ALARM  
BOXES

CHM. SHAW

This item, as with the others, appeared in the paper on September 27 and October 4. George, can you explain what this is all about?

MR. REIF

Yes. This is a proposal that, I have every reason to believe, will proceed successfully to change the City Code so that the appropriate section of the City Code will require the installation of fire alarm boxes in all residential sub-division and other residential projects. The change in the City Code, which is not specifically under the control of the Planning Commission, will go into all the details, specifications, and what-have-you about how many boxes you have to have and the technical details of those boxes. What the Planning Commission is asked to do is to add to its site plan review requirements an item requiring that the site plan show the location of the fire alarm boxes for all residential projects and subdivisions and add to its Subdivision Regulations in the Preliminary Plat section the requirement to show a fire alarm box according to the City regulations in its drawing. So, it's relatively simple - almost all projects in the past, subdivisions in the past have never come to grips with this problem because there was never any way to realistically run wires from the perimeter areas of the community to the central fire house. That's now been overcome and it's a very reasonable thing to require to provide the safety for the people in the outlying residential developments.

CHM. SHAW

Any questions of any of the Commissioners? Is there anyone left here who would like to speak about this? Either for or against? Hearing none, I will declare that item closed and the public hearing closed.

Respectfully submitted,

*Eileen Rogers*

Eileen Rogers  
Transcribing Secretary

Ralph Shaw, II, Chairman  
Planning & Zoning Commission