

Paul P. Parisi, Chm.; Dr. Eric G. Lowry, Vice-Chm.; Stephen T. Gionfriddo; Seb J. Passanesi; Ralph H. Shaw, II; Alternates; George L. Augustine; Robert F. Chamberlain; Anthony J. Gaunichaux; Mary C. Woods COMMISSION MEMBERS PRESENT

Mayor Michael J. Cubeta, Jr.; Philip G. Bauer, Engineer, Public Works Department; Comms. Cos Giuffrida and Walter J. Dreaheer MEMBERS ABSENT

Comm. Woods acted for absent Comm. Dreaheer and Comm. Augustine acted for absent Comm. Giuffrida. Comm. Chamberlain acted for Comm. Gionfriddo who arrived late and Comm. Gaunichaux acted for Comm. Shaw who arrived late. Dr. Eric G. Lowry acted as Secretary for absent Secretary Cos Giuffrida. ACTING MEMBERS

George A. Reif, Director; Catherine V. Raczka, Assistant Director; Althea Rinaldi; Mary Lee Dorflinger STAFF

Jeff Kotkin, Reporter, Hartford Courant; 10 members in the audience. OTHERS

CHM. PARISI:

In the absence of Comm. Dreaheer, Comm. Woods will be sitting tonight. In the temporary absence of Comm. Giuffrida, who we expect, George Augustine. And temporary absence of Comm. Gionfriddo, who will be about 15 minutes late, Comm. Chamberlain and in the absence of Comm. Shaw, who's just late, I guess-Comm. Gaunichaux. I am going to appoint Dr. Lowry to be the acting secretary and will proceed with the public hearing.

SECRETARY LOWRY:

THE MIDDLETOWN PLANNING AND ZONING COMMISSION WILL HOLD A PUBLIC HEARING OCTOBER 8, 1980, STARTING AT 7:00 P.M., IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, DEKOVEN DRIVE, MIDDLETOWN, CONNECTICUT, to consider the following:

- 1. Proposed subdivision of nine (9) lots located on Miner Street. Applicant and developer Peter Durgan. Owner, Adele A. Claudle.

ITEM 1
SUBDIV.-9 LOTS
MINER ST.
DURGAN/CLAUDLE

CHM. PARISI:

This notice appeared in the Middletown Press on Saturday September 27th, and Saturday October 4, 1980. Mr. Durgan or Ms. Claudle here. Would you just identify yourself for the record? And anyone else/you are going to have with you.

ATTY. MANGO:

For the record I am Attorney Kenneth Mango of the law firm of Luby Olson Mango & Gaffney, Meriden, Connecticut and we represent the applicant Peter Durgan on his proposed subdivision. I believe there has been a revised map placed on on file with the Commission.

DIR. REIF:

The Commission itself has seen nothing. So you can start from scratch. Keep that in mind. It may may help.

Inaudible. Too far from microphone. Also, microphone not turned on.

What we have (Inaudible) mounted several drawings that we have received.

ATTY. MANGO:

Oh. I see.

DIR. REIF:

And the only reason that I haven't put it up is that I thought it might be helpful if you were to point out at some early part of the presentation where the property is in relationship to the rest of the site.

ATTY. MANGO:

Do you, do you have it mounted?

DIR. REIF:

Yes

CHM. PARISI:

Comm. Shaw is present so Comm. Augustine is off.

DIR. REIF:

(Inaudible) They, they no nothing about your proposal except that you are going to tell it.

ATTY. MANGO:

I'll need your assistance on that.

DIR. REIF:

Yes. That's right.

ATTY. MANGO:

It is on Miner Street which is off of Country Club Road in the Westfield Section of Middletown. It is our property, known as the Claudle property. And to orient you in a better fashion, there is a volunteer fire department that adjoins the property and the old Bysiewicz farm also adjoins that property. There is water and sewer in the area and it will be extended to the lots in the subdivision.

(Inaudible)

ATTY. MANGO:

Fortunately, I can't reach...

DIR. REIF:

That purpose we had a point.

ATTY. MANGO:

Miner Street is to the to the left of the subdivision. There is a existing house about in the middle of the proposed roadway that will have to be removed and there is a barn to the rear of the house that will also have to be removed.

CHM. PARISI:

Where are you in in relationship to the old Westfield fire house that is now the day care center?

ATTY. MANGO:

He would be the adjoining property owner.

CHM. PARISI:

He would be the adjoining property owner going down Miner Street.

ATTY. MANGO:

Right. The the day care center-I spoke to Mr. Reif when I got there.

DIR. REIF:

It's down here at the bottom of the (Inaudible)

CHM. PARISI:

O.k. Right.

ATTY. MANGO:

There is a sewer easement that runs through the property through the back here and we have designed the lot in such a way as not to disturb that easement. And we we have proposed to the bottom of-look's like lot 4 - a detention pond area down through here in accordance with your regulations. We are having some difficulty with that in this regard. This is a low area down here and it is abutted by what is now a dry stream but is at times a wet stream. And it would appear to us that with this 9 lot subdivision, a pipe through the rifferaff and into the stream would be sufficient rather than this type of a holding base. However, if that's what you want, if you feel that's what your regulations require, what we have to provide then, its just that our engineer, who is here this evening, felt that the pipe alone would better serve that purpose. He can expand upon that in a moment. We also provide for concrete sidewalks through the subdivision. However, although we show them as surrounding the roadway and the cul-sac, we would, if granted the permission prefer to have the sidewalks only on the west side of the street. (Inaudible) The right side of the street does drop off. And it would require a civil amount of fill to bring it up to to grade to put in the concrete sidewalk on that side of the street. As with anything that we propose, if you wanted, we'll provide it. We would prefer not to provide this more than see fit to weigh down (Inaudible). We are not sure about sidewalks on Miner Street. I'm not sure how many of you are familiar with Miner Street but it is a a country road. And there are no sidewalks on the street. It is kind of narrow. And there is another subdivision going in to the west of ours. And I'm not sure what your plans are with respect to that adjoining subdivision. But again, if the sidewalks are not required on Miner Street, we'd just as soon not put them in.

DIR. REIF:

May I say something, Mr. Chairman. There is a church right down the street.

ATTY. MANGO:

Yes, there is.

DIR. REIF:

Have you noticed what's happened in front of the church?

ATTY. MANGO:

No

DIR. REIF:

A sidewalk- sidewalks.

ATTY. MANGO:

There's a sidewalk down there.

Talking (Inaudible)

CHM. PARISI:

I think one of the things you have to recognize is that, at least I know we do, is that once Aetna gets built, Miner Street is a way for local people to get into the Industrial Park area without having to traverse 9 or 91. So, I would sure that that roadway is probably going to become much more active than it is now. And it is very active for Raymond Engineering. People during their shift changes. So, with kids in the area and everything I would suspect that the sidewalk is probably a good idea in that area. And I don't know about a subdivision going in down the line but you know, since it is going to be happening, you know, I guess we may as well sidewalk the whole operation there.

ATTY. MANGO:

The the lots all conform to the to the Zoning Ordinance and at this point, I would ask of Mr. Cotter, who is an engineer, to explain our situation with retention ponds.

CHM. PARISI:

Would you identify yourself for the record?

MR. COTTER:

Yes. My name is George Cotter. I am a professional engineer with the firm of Orsine & Cotter. The new (Inaudible) town regulations do provide for on site detention. The problem, as we see it, we have, we're less than 5 acre parcel. We are putting in 450 road, feet of road, generating roughly an additional 2 CFF, 2 cubic feet per second of run off. And that's at a a very intense short storm of, you are talking 10 minutes. The flows from this would be down to less than a a CFS in a storm of an hour into to less than half for any long period of of rain which you would accumulate the flows. Initial, a short duration storm, our water would enter into the system and be gone by the time you would start to have a build up from from any of the areas upland. We feel that since we are, it's it is such a small amount that piping it directly into the stream would be the proper way to go. We've we've shown an easement to the town. There is no land deeded to the town for the retention pond. It would be part of lot No. 4. The area we we would require to to create a dry retention pond that would be our concept, to turn down low would be rather large and we would not want to to use the (Inaudible) part of that. It is a small parcel. We feel that we divided the lots according to the regulations. There are 125 foot frontages. You have 2 larger lots in the rear. And I think direct piping would be adequate (Inaudible). We are bounded by streams on 3 sides. Minerbrook and West Minerbrook. We do not propose any activity within the any of the streams themselves. To further expound on the point of sidewalks, there is one restricted factor that putting sidewalks in the front is the fact that we really haven't got the access at Minerbrook or West Minerbrook to run a sidewalk across the street line there. We have enough for the road itself and and the sidewalk in that area would be would be actually putting it across the the stream. I think we've we've designed it with the road. We brought sewers up from the existing easement. We have the the water that comes off Miner Street and we have designed a rather nice subdivision. Is there any questions? I'd be glad to answer them at this time.

COMM. LOWRY:

Where's the brook on Miner Street?

MR. COTTER:

Pardon.

COMM. LOWRY:

You said there is a brook on Miner Street.

DIR. REIF:

Yes. It might be useful to step back and and explain in terms of the entire drainage basin, the Minerbrook drainage area which we have here, how your whole subdivision fits in.

MR. COTTER:

Right there.

DIR. REIF:

Here's your subdivision.

MR. COTTER:

Right.

DIR. REIF:

There's the line that shows where all the drainage basin is and (Inaudible) help everybody get the picture.

MR. COTTER:

There are 2 streams that form to the South of our property. Roughly in the vicinity of Country Club Road that mander down through to Miner Street and they happen to join at the rear of our property. West Minerbrook has, the flows in West Minerbrook are rather rather low being presently 224 - 324 RCP. culverts there that that function properly. You're talking of of a range of, at maximum, 60 CFS in that vicinity. The other stream would be Minerbrook. It crosses East Street and comes back. Goes through Miner pond to the South of our property which acts as as a temporary holding pond to some sorts for a small stream like this and then crosses through a 48" culvert. Our flows to those 2 streams is is very very minute. Any any additional flows we we add. The one thing that is in in a subdivision like this is that, although that it is apparent that your your run off is greater due to the fact that you have a decreased type of concentration for the water flow and our case, I feel this is to a advantage because this water is is collected that much quicker and is out of out of the drainage system before you have a tendency to build up your flows from upstream. So this, in that respect, that's one of the reasons we feel we do not need the detention pond there.

COMM. LOWRY:

Why does the brook interfere with the sidewalk?

MR. COTTER:

Pardon

COMM. LOWRY:

Why does the brook interfere with the sidewalk on Miner Street?

MR. COTTER:

Oh. There is a existing 48" culvert that crosses Miner Street itself or Minerbrook. The head walls on that are very near the the shoulders of the road and your. You would put this sidewalk basically in the center of the sidewalk across the head wall. Half of it would be in the brook itself. This is this is Miner Street here. The headwall is located here and our^{OUR} Street line is approximately 4' behind the headwall. That is a 25 foot setback that we established from the center of the road. There are no established street lines in that vicinity.

CHM. PARISI:

You talked about giving an easement to the city for your dry detention pond. Do you propose that the city would maintain it?

DIR. REIF:

No. He's got less than 10 acres. And the regulation says that...

CHM. PARISI:

Oh. (Inaudible) Two people talking at once.

DIR. REIF:

(Continued) the city would own it. O.k. but that is a good question about whether or not the city would maintain it.

CHM. PARISI:

Who is going to maintain that?

MR. COTTER:

That would be in our in our thinking in developing it that would be the responsibility of the city of the city. They would have a easement and the right of access to it.

CHM. PARISI:

Why in your thinking should it be the city's responsibility? Since you are the developer and you know somebody's going to buy it.

DIR. REIF:

They are going - they are going disappear.

(Inaudible) All talking at once.

MR. COTTER:

That's it exactly. We we would sell the lots. We'd either have to put, you created a regulation where you you desire retention on site. It is a city regulation. You either have to assume that that the individual owner would assume responsibility to maintain a street drainage system. And in this particular case, it's it's a city street that generates the water. If you're trying to hold the city ordinance, I feel that, you know, this is something the city should handle.

DIR. REIF:

May I inquire? Who is going to own the stream when you get through here?

MR. COTTER:

The streams are on the boundary lines.

DIR. REIF:

O.k. That's not what it shows here though. There is a problem because these little streams can mander around. Isn't this the property line down here? And the streams up wandering around?

MR. COTTER:

This, in this portion of, where the center is, the day care center, the property line was established some years ago. The rest of the property to the west is-the stream is designated.

DIR. REIF:

It's up there.

MR. COTTER:
Right.

DIR. REIF:
O.k. now. So, therefore this part of the stream is going to be owned by the person. Right down the line.

MR. COTTER:
(Inaudible) clarify that. There, there were 2 boundary line agreements entered into in the history of this property. One of which was with the volunteer fire department. That would be to the east boundary of the property and the other was with the west of the property owner. And those those property lines are locked in by virtue of those 2 agreements because there was some question about the (Inaudible) of the stream. Our map, if you should put a subdivision, will go on record that will also lock in the property lines. Now, I'll also add, one thing one thing that we did not mention but you will note on the map. We do have a 25' retention line from the stream so that we will not encroach within 25' of of that stream. We also have a 10' retention line from the stream belt line. Now, the belt line is is shown here. Make sure you all see it. But it's in a shaded area. We established a belt line and we will not go within 10' of that belt line nor within 25' of the stream. And that includes both building or (Inaudible). So we don't intend to go any where near any portion of that stream.

DIR. REIF:
May I ask another question?

CHM. PARISI:
Yes

DIR. REIF:
How come you didn't show the stream belt over here? Because right here there is a steep bank and then on that side it's level again.

MR. COTTER:
This, in this vicinity, this property does on our side does (Inaudible) drop 4 to 5 feet. When they came through with the sewers, they, to the sewer easement, they filled in this area of the property up here. There is a at least a 2, changes from 2 to 3 foot bank in the stream itself and we feel the flows of this stream will be confined (Inaudible).

DIR. REIF:
So that in effect is the stream belt.

MR. COTTER:
Right. The stream itself.

DIR. REIF:
You might point out as a further reducement on your behalf, that there is another subdivision just north of it. That stream, I'm I'm not sure, I should have taken a look at that. I didn't. It either goes through a pipe or must wander in somebody's back yard. The 2 streams that embrace your parcel come together and go through another subdivision. Right.

MR. COTTER:
Yes. At some point in time there was--years ago there were 2 streams beyond our property lines. And in development of the piece to our north, the contractor relocated West Minerbrook across the back of their properties. They, this is off our property in this vicinity across the back here. And they

they created a channel down down through ^{and} across our property line and joined them. They also, this, they have, it it's wider than about the normal stream width here. Where the, it will flare out but this property owner here to the north of us, for Aetna, had a definite 3 to 4 foot bank. And he has no problem with with any flooding in that vicinity. He goes across through a 54" pipe on the street to our north.

CHM. PARISI:

Any questions from any of the commissioners?

COMM. SHAW:

Your 2 (Inaudible) to CFS flow, consider all the driveways, and buildings that draws the road.

MR. COTTER:

Yes, we we allowed for additional pavement. We also feel that the houses to the south, the driveways, the houses would drain into the the rear yards. The driveways, the houses to the west will drain to the street. There are a very limited number of drives in our in the subdivision. We're we're staying fairly close to the 25 foot setback line.

COMM. SHAW:

On the east side of the property where the sewer easement was, can you show me the the property line and the building? Where the buildings would be on those, I can't tell from here what they look like. The lots.

MR. COTTER:

The street is, this would be the easterly street line. The sewer line and sewer easement run in this vicinity.

COMM. SHAW:

Well the third line, whatever number that is, comes in pretty close.

MR. COTTER:

Right. The the sewer line-the sewer easement would be off, fairly close to the rear of the house within a couple of feet. We have, that sewer easement at that point leaves about 50 feet to the property line in the rear.

COMM. SHAW:

Are you going to build these kind of homes? Or are you just suggesting where they might be?

MR. COTTER:

As it stands right now, I believe, the developer proposes to do the work himself. That's not a definite thing. But these would be-these are the, right now we would -these are the proposed locations for the houses.

COMM. SHAW:

Being that close to the sewer easement line satisfactory to the the Public Works Department, Sewer and Water, or whoever's responsible for that?

CHM. PARISI:

.....comment

MR. COTTER:

The requirement would be that they wouldn't want it in in their sewer easement. Outside that, ^{they} I don't think there would be any problem there.

COMM. SHAW:

It would preclude the building of a deck on the back of a house like that
(Inaudible)

MR. COTTER:

Right. That that would be shown on the the plot plan and the the mylar.

COMM. SHAW:

Is any of that designated wetlands?

MR. COTTER:

No. There are no designated wetlands on the property.

COMM. SHAW:

Where does this correspond that Steeple or (Inaudible) Steeple whatever it
is(Inaudible)?

DIR. REIF:

I don't think, have we seen Steeple View Estates? I've read about that. I
don't think we've.....

All talking at once (Inaudible)

I don't-I was going to.....

All talking at once (Inaudible)

We received...

ASSISTANT DIR. RACZKA:

(Inaudible).....the ones, that we've read about in the paper.

DIR. REIF:

We read about in the paper. Right. I don't believe we've received anything
yet. Steeple View Estates (Inaudible)

ALTHEA RINALDI:

Sometime back we did. Sometime back we received something. (Inaudible)

DIR. REIF:

Did we?

ALTHEA RINALDI:

Yes.

All talking. (Inaudible)

COMM. SHAW:

Well, there is some property within and seems to me to be they are adjacent
but I'm not actually positive of that. Steeple Estates is because it's that
Steeple we're talking about.

DIR. REIF:

No. I don't believe, what do you call this thing? Did he come up with a name
for this one? I don't think so. There is another one. There's several floating
around in that area and I use the word floating with some...

COMM. SHAW:

Mr. Bergans

DIR. REIF:

Bergans. Right. He's been in to see us a few times but I don't believe we've
actually (Inaudible). Now

COMM. SHAW:

I think, I think they maybe interrelated. (Inaudible)...that is important.

DIR. REIF:

They may indeed be. Now, I don't think these are the 2 that are interrelated because this one is next to the learning center and that's already used.

COMM. SHAW:

What's behind- What's What's....

DIR. REIF:

Behind it our existing...

COMM. SHAW:

Yes, I know. That's a that's a subdivision. What's that called?

DIR. REIF:

Its been there for a - since..

All talking at once (Inaudible)

CHM. PARISI:

That's Glenwood Terrace out in that area. I don't know. I don't think it has a name though, Biff.

COMM. SHAW:

Well, I'm not so sure about that but I think it's being unfair to the people if it backs up again. That's what I'm trying ...

CHM. PARISI:

Yes. Yes. That's..(Inaudible)

DIR. REIF:

There are at least a half a dozen proposals in this general area all of a sudden. This is one and we've been talking to other people about it.

CHM. PARISI:

Why not.

DIR. REIF:

Right

CHM. PARISI:

If I owned property there I'd do the same thing.

COMM. SHAW:

They're going, they're going to have to be (Inaudible)as far as we're concerned. I think it's going to make some difference in what we require for the detention pond, in what we require....(Inaudible) ...information at some point...(Inaudible) We have been looking at that whole valley for some time now.

DIR. REIF:

Right. That's why I have the diagram showing the entire drainage area. That's the one in which the Knox subdivision has at the very beginning. (Inaudible)

COMM. SHAW:

(Inaudible)

DIR. REIF:

Phil Bauer, may or may not be right, in his comments. He said the wetland maps designates a major portion of the area as wetland. It should be reviewed by that agency. Now, did you...

MR. COTTER:

Yes, we checked the map. It does not-it's it's located. The stream belt is shown on both sides of the property. We have talked to Wetlands and they would like to see us come in. We were going in next month for that.

DIR. REIF:

And also, Phil mentions that we will need the calculations which we have talked about in which you use to determine the amount of runoff on that.

ATTY. MANGO:

We are, just to round off that discussion of wetlands, we are going, as I understand it next month for the purposes, of of getting permission to pipe that water into the stream. The water from their retention pond. But to my knowledge, we are not in a wetlands. The question will be there anyways because of that question.

COMM. SHAW:

It surprises me that it's not. But I've, I...

ATTY. MANGO:

I have not, I have not seen the map. But our title searcher has told us that it is not and apparently you have looked at it. But anyway, we will be there anyway.

CHM. PARISI:

Any other questions from commission members at this point?

COMM. SHAW:

I, I would think that, you know, we could. I don't know what we want to do with sidewalks, Mr. Chairman, but I would think we'd want some kind of a resolution to that problem.

CHM. PARISI:

I'd like to get out and take a look at the property myself anyways.

DIR. REIF:

The regulations now require sidewalks for all new streets. And these two lots that face the existing street are part of the subdivision and they would be required there.

COMM. SHAW:

No. I understand the problems of putting a a sidewalk right to a right to a brook at that (Inaudible) There are some risks. But (Inaudible)...doing next. Where, where do you go from there?

DIR. REIF:

At at some, at some point, the street no doubt will be widened. It's the same type of situation way down here -down here with the little bridge over Sumner Creek. It's going to be widened because. DeKoven Drive is being extended. No question that the street will be widened, improved and what have you. I went out there the other day to take a look at it and I was amazed. It was during the regular course of the day. The traffic, couldn't get out of the car for a while. It was a shock.

CHM. PARISI:
O.k. Anything else.

MR. COTTER:
Thank you.

CHM. PARISI:
Thank you. Is there anyone from the public who wishes to speak in favor of this proposal? Is there anyone who wishes to speak in opposition? If not, we will proceed to item 2. I'll ask the secretary to read the legal notice.

SECRETARY LOWRY:

2. Proposed special exception to permit professional and business office use, in addition to residential use located in the R-4 Zone, located at 163 College Street. Applicant Richard G. Adams. Owner Martha Crenshaw.

ITEM 2
S.E. R-4 ZONE
163 COLLEGE S
ADAMS/CRENSHAW

CHM. PARISI:
This notice also appeared in the local paper on September 27th and October 4th.

ATTY. ADAMS:
Good evening. My name is Richard Adams. I am an attorney and the application is on my behalf and that of my partner. Richard Thompson is also here with me this evening. I think you'll find that the site plan which we have filed also names my wife in as much as she maybe a co owner. O.k. that's it right up there on the board. So, I go to that.

CHM. PARISI:
What are you next to at 163 College Street just for identification?

ATTY. ADAMS:
All right. I'm next to Bernie O'Rourke here on the ..

CHM. PARISI:
Oh. o.k.

(Laughter)

DIR. REIF:
He's next to an institution.

CHM. PARISI:
Well, if everybody knows where that is, o.k.

ATTY. ADAMS:
That makes it easy. I've got a little sketch of a part of the assessor's map in the corner. It's to give you the orientation that Christian Science Church is on the corner of Broad and College, O'Rourke's on this side and there are two houses between us and the Christian Science Church. The present owner is Martha Hutchinson Crenshaw which is now her maiden name which she now uses again. And we are under contract with her to purchase these property subject of (Inaudible) a continuancey for this special exception. We are applying for the office use of the building located on the north side of the north edge of the lot. The property runs all the way back to a point where it abuts the parking lot behind Color Mart and the and Huntington's Atticus. What we propose to do is simply convert the house to office use, probably for ourselves. That's our primary concern is to be able to relocate our own offices there. We-We're still in the process of working out estimates and

fuss with John Martin to see how extensive this maybe. The site plan shows the 7 required minimum required parking spaces. Actually, I'm not sure. It might compute to 6 but in any event shows 7 including a handicapped parking place. The access is proposed to be along the west side of the house which is the point of which there is the greatest amount of space to get by the house. It's right adjoining Bernie O'Rourke's driveway and at the street line they would be right next to each other. I've spoke to the O'Rourke's and they indicate no concern about that and no opposition to it. What else would you like me to cover?

DIR. REIF:

Did you reach a point where you think you might join those 2 driveways or is there a difference in the (Inaudible)...elevation?

ATTY. ADAMS:

Well, at the, at the, for a certain distance back--there's yet undetermined, yes, we could join those 2. There, there is a difference in grade. And at one point it's no longer practical to even out that grade. I'm not in a position to exactly tell you I'm not. But yes, that would be our idea. That would make the turning easier also.

DIR. REIF:

One of the traditional problems with converting these houses is that the driveways is designed for residential uses and it's very clearly shown as 9 1/2 feet. But it's been done successfully, in other examples, very close by and that's why we're talking about the concept of if you can make any wider driveway or joint driveway, it would help.

CHM. PARISI:

Is there a garage behind the house?

ATTY. ADAMS:

No

CHM. PARISI:

No. What's behind there? A porch? What's that?

ATTY. ADAMS:

There, there is a portion of the house, jumping our label, that's a shed. Now, we have this labeled on your site, on the site plan to be removed because that was our first instinct and John Martin saw it. He said, "Oh, this is a wonderful old structure." He says, "Don't remove this." He says, "Find a way to make it work out."

DIR. REIF:

Maybe historic.

ATTY. ADAMS:

So I would like it treated as though, assume it's going to be there and if it isn't there, that would merely reduce the

CHM. PARISI:

Now, what's between the shed and the first parking space? Looks like there is a lot of space there?

All talking at once. All answered tree.

ATTY. ADAMS:

A tree. A beautiful big old tree.

CHM. PARISI:

Oh. o.k.

ATTY. ADAMS:

A big maple.

CHM. PARISI:

Oh. All right. Seemed like an awful lot of space...

COMM. SHAW:

(Inaudible)...which you promised to keep? Right?

ATTY. ADAMS:

Yes, absolutely. That's nice. That's why key concern about the way this factor is going to look if you....(Inaudible)

COMM. SHAW:

(Inaudible)...to play.

CHM. PARISI:

Now from the, from the last parking stall, which is number 7, you still have a lot of space. What are you going to do with the rest of the way there?

ATTY. ADAMS:

Well..

CHM. PARISI:

If your property line is at the top of.....

ATTY. ADAMS:

Back there, you mean.

CHM. PARISI:

Yes.

ATTY. ADAMS:

For the present, we would simply take care of that. Keep it mowed and pruned and nice shape. Conceivably, at some future time, under a different arrangement, perhaps something can be worked out with a joint jointly with an adjoining owner.

DIR. REIF:

The adjoining owner is the Atticus bookstore or Huntington's.

All talking at once.

COMM. SHAW:

Huntington's. Right.

CHM. PARISI:

They're in chapter eleven.

All talking at once.

COMM. SHAW:
No. Well, Huntington's not.

CHM. PARISI:
No, but Atticus is.

COMM. SHAW:
Huntington owns the building.

CHM. PARISI:
Yes. Huntington owns the building. Yes.

DIR. REIF:
O.k. And that seems like something that can be could be worked out. Some joint relationship.

CHM. PARISI:
How big is, how big is the house?

ATTY. ADAMS:
The house is, the the main portion of the house is 1473 square feet of per floor. This little area in the back is 336 square feet so we're talking about 3000 square feet of the (Inaudible)

COMM. PASSANESI:
Is it a wood house or a brick house?

ATTY. ADAMS:
It's a wood house. Frame.

COMM. PASSANESI:
A big yard?

ATTY. ADAMS:
Yes. It's 32 hundred and 82 square feet.

CHM. PARISI:
You gonna keep a, are you going to keep an apartment in there or you going, 2, because I I just you see...

ATTY. ADAMS:
Yes. (Inaudible)

CHM. PARISI:
Professional business office use in addition to residential use.

ATTY. ADAMS:
Right. We're, we're still trying to hedge our bets because...

CHM. PARISI:
O.k.

ATTY. ADAMS:
.....We're not quite sure what we anticipate to be his whole office. But if it should turn out that it works out better to have the upstairs for apart, for apartments, we don't want to forfeit that right.

CHM. PARISI:

O.k. Any other questions?.....

ATTY. ADAMS:

(Inaudible) It is quite a (Inaudible) to you know arrange the exits and so on so that's a that's a good way to do it.

CHM. PARISI:

Any questions from the commissioners?

COMM. SHAW:

What's the parking requirement, George?

DIR. REIF:

For office it's 1 space for every 500 square feet.

COMM. SHAW:

Oh. 500

DIR. REIF:

For residential, for a single unit, it would be 2 spaces.

COMM. SHAW:

No. It's 500 square feet. That's what (Inaudible)

ATTY. ADAMS:

Let me just say that, that it it is a quite a historic old house. It's shown on the assessor's records as 1839 but George Creeger thinks it's a good deal older than that. Apparently an 18th century house, the center chimney was removed at some point, the 1870's perhaps or maybe even earlier. But anyway, the place was redone in the 1870's and it's some lovely features from that period which we can make very good use of as office space.

DIR. REIF:

This is in keeping with the concept of having all those buildings saved and converted to some useful purpose.

ATTY. ADAMS:

It's a lovely block. I was hoping that, you know, my impression is that it's your your general hope to see these buildings maintained as they appear by seeing them eventually converted to office use and this and along these lines.

CHM. PARISI:

Any other questions from commission members? Anything in, Biff, yet?

DIR. REIF:

What do we have? No no derogatory things. Phil Bauer has no objections. The Fire Department has no objections. Obviously, they've got to review the individual specific building plans and that's the only

CHM. PARISI:

Anything else.

ATTY. ADAMS:

Thank you.

CHM. PARISI:

O.k. Thank you. Anyone else wish to speak in favor of the proposal? Anyone wishing to speak in opposition? O.k. We will close Item 2.

SECRETARY LOWRY:

Item 3. Modifications to the Zoning Code Flood Plain Regulations, Section 46, to be in compliance with the recently created Federal Emergency Management Agency for the purpose of the City remaining eligible for the National Flood Insurance Program. The FEMA requirements are in Section 44 CFR 60.3 (d) of their regulations. A new map showing base flood elevations has been provided for Middletown. This Flood Insurance Rate Map can become effective December 16, 1980 provided the City remains eligible for the program.

ITEM 3
MODIFICATIONS
TO ZON. CODE
FLOOD PLAIN
REGULATIONS
SECTION 46

CHM. PARISI:

O.k. This also appeared twice in the local paper. September 27th and October 4th. And this is a proposal from the Federal Government, I guess.

DIR. REIF:

It's a threat from the Federal Government.

CHM. PARISI:

It's a threat. George, what do you have on it?

DIR. REIF:

O.k. Middletown's had a....

CHM. PARISI:

Everybody get these letters, by the way?

DIR. REIF:

I believe they did. Yes.

CHM. PARISI:

O.k.

DIR. REIF:

Is that from the woman in Washington?

CHM. PARISI:

Yes. Gloria

DIR. REIF:

O.k. Well, they've been, we've had this around for several months now. And they keep sending us letters that if we don't change our code they are going to discontinue our presence on the list of eligible communities and we don't want that to happen. Flood insurance. So I think we've got to change the regulations.

CHM. PARISI:

What do we have to change? (Inaudible)

DIR. REIF:

Well, first of all, let me point out, that they provide us two types of maps. The upper map here is called a firm map. It shows the flood insurance rate

DIR. REIF:

map. And it's a relatively simple arrangement whereby they shaded in all those areas throughout the city. Mostly along the Connecticut River and other river tributaries that might be flooded. They are the areas that obviously are eligible to be considered for the federal flood insurance. The, so that's a relatively simple deal. The lower map, the map that's on the easel is called the flood way map. It shows the flood boundaries in flood way channels. Let's take a look at along the Coginchaug here. They've got the actual white areas in the shade among the shaded areas of the actual areas in which the river flows. The darker shaded areas, are the areas that are considered to be possible flooded ones every 100 years. And the lighter areas adjacent to some of the dark areas are areas that might be flooded every 500 years. So that map is a little more detailed. They also have little lines that show sections through the channels to get elevations. They, they have a great deal of information about this river. They have some information about this part of town. You were close you could see the lines around these areas are solid. The lines around this area which happens to be Pameacha Pond are broken. And so, what that means is that they don't really have much information where they have the broken lines. They think they've got it right where they have the solid lines. And they have a lot of information where they have the channels and the sections. So, so much for their maps. What they really want is a tie in in our code which we have the flood plain regulations is in Section 46. They want the the text changed to identify the Federal Emergency Management Agency as the source of the maps. And they want to make sure there is a system to control what development takes place in the flood areas or potential flood areas. And basically, that's it. Their regulations, if you were to read them, talk about allowing construction. That's the part I don't agree with them on. They they say they want to protect the flood plain and yet they allow certain types of development. We have not generally allowed it but I'm going to read to you and have passed out for you to look at along with me is something that is similar to the theory we've been using now and will continue it. This isn't finalized. I had intended to spend a lot more time working on this than I did. And I have to add some.....

CHM. PARISI:

You just want to read what (Inaudible).....

DIR. REIF:

I I don't particularly want to read if you don't. If you want to read it all by yourself....

CHM. PARISI:

Well I, well I, you know, you know, I learned how to read and I don't think you (Inaudible).....

DIR. REIF:

Good. Fine. Wonderful, wonderful. That's good news. But what we, I must do next, is to send something like this to the Boston office and get their comments and then eventually, I'm sure they will accept something. There's no way, we're not fighting this. We're trying to join it.

COMM. SHAW:

I don't see how this fits into our (Inaudible) numbering system. What would this be covering?

DIR. REIF:

This is section 46. We.....

COMM. SHAW:

All right. 46 is got a a series of paragraph numbers in our section, where it says.....

DIR. REIF:

Well, we would completely abandon what's in there now and we'd give different numbers. I just...

COMM. SHAW:

You would, you would add.....

DIR. REIF:

Sure. Yes...

COMM. SHAW:

O.k. All right. You'd abandon all of 46.

DIR. REIF:

Yes. Yes. Yes.

COMM. SHAW:

(Inaudible)

CHM. PARISI:

Do do you want.....

DIR. REIF:

This section 46 now makes reference to the Corps of Army engineers. And thats what.....

COMM. SHAW:

(Inaudible) More than one person speaking.

DIR. REIF:

Not just, they just, they can't

COMM. SHAW:

Our 4605 for instance, you could have a, the commission (Inaudible)

DIR. REIF:

No. We will put that in also. That's an example of something that we will leave in.

COMM. SHAW:

That answers that item. I don't see that here. That's why....

DIR. REIF:

No. It isn't there yet.

(Inaudible) All talking at once.

DIR. REIF:

This is not the finale, the final. That was what we would.....

CHM. PARISI:

What, what do you want to send to Boston? Now this.....

DIR. REIF:

I am going, I am going...

CHM. PARISI:

Do you want something, that's we all ready voted upon. (Inaudible) All talking.

DIR. REIF:

No. No. I don't want you to, no, I don't want you to vote on it until they say it is all right.

CHM. PARISI:

All right. Well, o.k.

DIR. REIF:

I want, modify this a little bit and make a little, few.....

CHM. PARISI:

Well, why don't you rewrite Section 46 to include...

DIR. REIF:

That's what I'm doing.

CHM. PARISI:

.....this here plus the items that are in there that we should be keeping. You know.

DIR. REIF:

I want, I want to start fresh. See, I don't want to just make...

COMM. SHAW:

Well, without a cover here, I couldn't really tell (Inaudible)

CHM. PARISI:

All Right. o.k.

DIR. REIF:

O.k. I don't want to piece meal together part of what we have and and the new one. So, I'm going to start fresh and I didn't, just didn't bother copying the numbers down.

CHM. PARISI:

O.k. All right. Well why, why don't you work on it and then bring back whatever you want to bring back in two weeks and we'll....

DIR. REIF:

And I'll see what they have to say about it.

CHM. PARISI:

See what they have to say in the meantime.

DIR. REIF:

See if they're going to buy it.

CHM. PARISI:

O.k. Any questions from commission members? Anyone from the public who wishes to speak in favor of floods?

DIR. REIF:

No one, no one shows any interest until it's on their property, incidentally.

CHM. PARISI:

Right. Anyone speaking in opposition? O.k. We will close the public hearing. ADJOURNMENT OF
PUBLIC HEARING

Mary Lee Dorflinger
Mary Lee Dorflinger
Transcribing Secretary

Paul P. Parisi, Chairman
PLANNING & ZONING COMMISSION

APPROVED AT THE MEETING OF _____