

Ralph H. Shaw, II; Seb J. Passanesi; Sebastian Garafalo; COMMISSION MEMBERS  
 Cos Giuffrida; Betty Matteo; Edward J. Kalita; PRESENT  
 Alternates: George L. Augustine; David A. Bengtson;  
 Gerald J. Lentini; Kent M. Scully

Eric G. Lowry MEMBER ABSENT

George A. Reff, Dir.; Catherine V. Raczka, Ass't. Dir.; STAFF  
 Althea Rinaldi, Recording Secretary

Philip G. Bauer, Engr., Public Works Dept.; William M. OTHERS  
 Kuehn, Mayor's representative; D'Vera Cohn, reporter,  
 Middletown Press; 10 members of the public at large.

George L. Augustine sat for Eric G. Lowry ACTING MEMBER  
 Sebastian J. Garafalo Secretary Pro Tem.

ACTING CHM. SHAW:  
 I'll call the public hearing section of the Planning  
 and Zoning Commission meeting to order. I'm sitting  
 as acting Chairman. We have not had our official election  
 and I'm going to ask Comm. Garafalo act as Secretary  
 pro-tem and read the call of the meeting.

SEC'Y. GARAFALO: LEGAL NOTICE

Legal Notice.

THE MIDDLETOWN PLANNING AND ZONING COMMISSION  
 WILL HOLD A PUBLIC HEARING DECEMBER 11, 1974,  
 STARTING AT 7:30 P.M., IN THE COUNCIL CHAMBER,  
 MUNICIPAL BUILDING, DEKOVEN DRIVE, MIDDLETOWN,  
 CONNECTICUT, to consider proposals for the  
 following:

- 1) The sheet size for all drawings and prints  
 submitted to the Office of the Commission  
 associated either with Zoning or Subdivision  
 Regulations shall be either 36 inches by 24  
 inches or 18 inches by 12 inches. All other  
 sizes shall be refused.

Specific references in the Zoning Code to  
 sheet size include:

Item 55.04.01 A; and Item 71.02.02 D.

- 2) Proposed Zoning Code map amendment as follows:  
 Change zone from R-4 on the west side of  
 Broad Street to B-3 Zone at 141 Broad Street.  
 Applicant Linda L. Neeley.

ANY AND ALL PERSONS INTERESTED MAY APPEAR AND BE  
 HEARD

ACTING CHM. SHAW:

The notice as read appeared in the Middletown Press on Nov.  
 29 and Dec. 6, 1974 abiding by the legal requirements. We'll  
 go back to Item 1. The sheet size for drawings and  
 prints submitted to the Office of the Commission. George  
 would you like to comment on that and its support.

GEORGE A. REIF:

Yes the basic reason for making the change is a letter to the Town Clerk/a copy of the letter I have from to the Town Clerk from a gentlemen by the name of Rockwell Pottergent who is here is the public records administrator who has notified the Town Clerks that public Act 74-28 revising Section 7-31 of the General Statutes requires the the public records administrator approve materials on which land record maps maybe drawn. There are 3 paragraphs that deal with materials the last one is the one of significance here tonight. The acts side of above also specifys that maps drawn after the effective date shall be in one of two sizes. 36 inches by 24 inches, or 18 inches by 12 inches. All other sizes should be refused. Whether or not they qualify in other respects. So what the Planning Commission is proposing to do is to change it to required sizes to conform to those required by the public records administrator.

ACTING CHM. SHAW:

You've heard it. Is there anyone who wants to comment on this proposal? Anyone at all. Anyone from the public? Any Commissioners? No comments. All right in that case we will go to item 2. Proposed Zoning Code map amendment as follows: Change of Zone from R-4 on the west side of Broad Street to B-3 Zone at 141 Broad Street. Applicant Linda L. Neeley.

GEORGE A. REIF:

Suppose I take a shot at explaining where we are. Here's a map of the downtown area. Here's Broad Street and this is the current line where the B-3 and the R-4 Zone change. Runs right down Broad Street. The property in question tonight is located here on the west side of Broad Street it is shaded in red. Here's a more detailed map showing the size of 75 ft. by 150 ft. that Marino's own that property and just neighbors to the north and the south. That's the fundamental thing that you are looking at.

COMM. KALITA:

Who is this surrounded by Seb?

COMM. PASSANESI:

It looks like private citizens.

ACTING CHM. SHAW:

Cambria property and Mazzotta on the other. The building with the brick front on it. The Gas Co. use to have their offices in there.

COMM. MATTEO:

It's across from the Trinity.

ACTING CHM. SHAW:

It's across from the rectory.

COMM. MATTEO:

Between Washington and Court.

ACTING CHM. SHAW:

I have relatives living in that building and because of that I think I should disqualify myself from that. Seb would you act as Chairman for this item and Dave Bengtson will you sit in my place.

COMM. PASSANESI TO  
ACT AS CHM. FOR TH  
ITEM-COMM. BENGTSO  
TO SIT FOR CHM.SHA

COMM. MATTEO:

Is the application to change that whole side of the street.

GEORGE A. REIF:

No. The application is just a change-that one parcel of property. Correct

COMM. MATTEO:

So that would be a B-3 and now is an R-4.

GEORGE A. REIF:

It would be a B-3 and its adjoining property further west and north and south would be R-4 immediately across the street would be B-3. The prononet is here, if you would like to hear from him.

ACTING CHM. PASSANESI:

Is there anyone here that would like to speak in favor of the application? Please come forward, state your name and address.

LINDA NEELEY:

I'm Linda Neeley, scared Linda Meeley. We came to Middletown (we run a book store in Madison a book exchange) we came to Middletown hoping to locate in the center of town. We weren't to successful.. We tried Main Street first it because it is the most logical place when you're opening a small business to start and we contacted four or five different people (land-owners) on Main Street and the empty buildings found were either about ready to be moved into (like the expanding bank over here) or they were about to be knocked down by Redevelopment. So we still want to go to Middletown because we think it is a good place to run our type of business if you don't have a surplus of book stores in Middletown and you do have a surplus of people and we run a family book store and we think it's a good thing for Middletown. So we tried the side streets and down here we could find nothing suitable. Up here the only thing that were empty were down at this end and unfortunately the empty ones were about to be torn down. There was no rent available. Well the next street logical to try was Broad Street and there was enough commercial

enterprises on Broad Street so I had no fear about it being commercial neighborhood. So we went ahead found 141 Broad Street and it is right across from Bacon Bros. mowing and repair place and there is parking right here and best of all the library is right here, the Children's Library and the Russell Memorial Library. Now in Madison we were very close with the Guilford Public Library and the Madison Public Library because the books we stock are books that the library cannot supply because they don't have the funds. It is a very nice relationship between the two. So we were delighted to find two libraries next door. Of course Huntington Hartford is down at the end of the block and there is a Christian Science Reading Room here. It's going to be a very literate block. So we are delighted with the location. It went ahead, we moved in and was very happy with it. I was about to invite the Mayor to our grand opening when I registered the name down stairs in the town hall and the woman said have you checked the Planning and Zoning? Well I'm young but not green and normally I always check with Planning and Zoning but this neighborhood there was so many commercial enterprises on the street already that I couldn't imagine how it couldn't be zoned commercial. So I didn't check the Planning and Zoning until that day. I went up and checked with Planning and Zoning and to my amazement it wasn't a commercial neighborhood I was in a building that was restricted and I couldn't open. So the store is all set to be opened and it's not. We have a elderly housing project at the end of the block. Now in the City right now if your mobile, you're young or middle aged for the people who are not mobile the one that don't have cars are the elderly. A third of our customers are elderly it is another reason why Broad Street rather than up here is a suitable location. A third of our customers wouldn't walk here where Broad Street is just a lovely street. Our customers when they get to be sixty they fear places and Broad Street is an open nice place and they feel comfortable coming. So this is one of the considerations that we picked Broad Street and so because of the scarcity in this downtown area for a book store if this is unavailable I don't know where we would go we would probably wind up out of Middletown. We'll probably will have to do just what we don't want to do, to move to a plaza in Cromwell, someplace like that. So because of the scarcity of in the neighborhood (the immediate neighborhood) and because of the already commercial nature of Broad Street we would like a zone variance for our store. Thank you very much.

COMM. KALITA:

Are you going in the basement of the building that Atty. Josphs is located?

MRS. NEELEY:

Yes he is overhead.

Mrs. NEELEY:

It looks like an office building. It use to be gas company there.

COMM. MATTEO:

What's an exchange store?

MRS. NEELEY:

We trade two for one. If you have paperbacks you can bring them in and trade. Then it's just great for the elderly and low income people because they can it doesn't mean a lot of money and we well for half price.

COMM. KALITA:

Have you checked with the American Legion for space.

MRS. NEELEY:

The American Legion?

CHRM. MATTEO:

It is on Washington Street. They are renovating now to put in .....

CHRM. PASSANESI:

They are now. They are in the proper zone. They would be located somewhere right here. It is reasonably close to what you want.

COMM. MATTEO:

There is offices in this building right now.

GEORGE REIF:

You have already heard the uses on the street. Virtually non-conforming. However, it is an R-4 Zone. B-3 is a Central Business District.

CHRM. PASSANESI:

Thank you. Is there anyone else want to be heard in connection with this?

ANTHONY MARINO:

Mr. Chairman and Commission, I am not accustomed to speaking before this group so excuse me if I make any mistakes. I'm Anthony Marino and represent the owner of the property of 141 Broad Street. We are asking specifically for an exception not an exception but a change of zone at 141 Broad Street but I would hope that the Commission would consider and this is probably out of order but considering changing the entire west side of Broad Street to a business zone because anyone who walks the street would see that (I don't have the statistics) but I am sure of 50% of the usage is business at the present time. You have a lot of special exceptions or non-conforming uses and by making the entire west

side of Broad Street from Washington Street to Church Street an business B-3 Zone you would make all these businesses Huntington's Book Store, Ethical Pharmacy , American Red Cross, the Russell Library, Children's Library all conforming uses rather than exceptions. We have in this building possibly it's been illegal there have been business in this building before. The office that...the space that is being requested by Mrs. Neeley was formerly a sales office, an insurance agency, a psychiatrist has offices in the next door basement, they're is an attorney there now, there was a gas company office there so actually there has been a lot of commerical business uses in this building before. As I said down the street you will find that there is a tremendous amout of commerical uses, business uses at the present time. It would appear because of the existing conditions that a change of zone now for the entire side of the street actually be an orderly progression of expansion-business expansion in the City of Middletown. We can't go any other way but west we are commercial now and business up to this point. As Mrs. Neeley said ---Bacon Broths. has a business enterprise on the east side and there are others of the course the east side is B-3. So I respect the request that the Commission would favorably upon this request in so doing not just pick out 141 Broad Street as B-3 but the entire west side of the street.

CHM. PASSANESI:

Is there anyone else want to be heard on this application?

LLOYD PLUMSTEAD:

If I may. My name is Lloyd Plumstead and I live in Cromwell. It's going to be easy act to follow. I would just like to reinerate and reemphazie the complete conversation that my present before me stated to you. I'm contemplating going into business in the same area which I believe is R-4 and I would like to propose that the Town Planning Committee take into consideration to change that whole area so that it may be used for a commercial business. One that could possibly enhance the Town of Middletown and bring in new commers such as young blood like myself. Mr. Bently is my partner who would...would you like to say a few words George.

GEORGE BENTLY:

The only thing I would like to say we're ....

CHM. PASSANESI:

Just one minute please. Would you please clearly state your name and address.

GEORGE BENTLY:

My name is George Bentley and I am also a resident of Cromwell. We are planning on our selves and a stage earlier for the same position that Mrs. Neeley is in. We have been talking with a landlord who owns the building on the street...on Broad Street and in going yesterday as a matter of fact to the zoning office we discovered the same predicament that Mrs. Neeley did. So in the interest of her part and of ours with the case sighted with all commercial establishments that presently exist on the west side of Broad. I also would like to think that it makes a lot of sense to extend the B-3 Zoning area to contain the lots on the west side of Broad Street.

LLOYD PLUMSTEAD:

I would like to add one more point that because of same situation that she became addicted to her.....the need for urgency with you people to come up with a decision because we are about ready to move in and our hands are tied until there is a decision with you people.

CHM. PASSANESI:

Mr. Plumstead would you kindly tell us what building you're speaking of that your planning to move in.

LLOYD PLUMSTEAD:

It is the old Huntington Book Store. Which is on the corner of Broad and College Streets.

COMM. KALITA:

That is facing College.

LLOYD PLUMSTEAD:

It is facing College Street and part of Ethical Pharmacy.

COMM. MATTEO:

George, would I be correct in stating that the only decision we could make to-night would deal with specifically 141 Broad. The others would have to be re-advertised and go back to a hearing.

GEORGE REIF:

You are 100% correct.

LLOYD PLUMSTEAD:

We realize that but it is ironic it was one day before the meeting and we certainly want to come here to support Mr. Reif's attitude which I think is terrific.

COMM. MATTEO:  
but we would have to readvertise and go....

GEORGE REIF:  
Your grasp of the Zoning laws is sensational Betty  
you are correct.

LLOYD PLUMSTEAD:  
Are they any other questions about the nature of....

CHM. PASSANESI:  
What is the nature of the business.

LLOYD PLUMSTEAD:  
A small sandwich shop.

COMM. MATTEO:  
It is part of the property that is zoned....

GEORGE REIF:  
I too went through that. It is not on Broad.

COMM. KALITA:  
It's facing College Street.

LLOYD PLUMSTEAD:  
It's facing College Street it is the same area  
that....the number is 143 right next door to  
the...

COMM. MATTEO:  
And what's College, R-4?

ALL TALKING AT ONCE INAUDIBLE

LLOYD PLUMSTEAD:  
I might add that several months ago there was  
also some business in there some sort of  
a gift shop and prior to that was a book shop.

COMM. MATTEO:  
It's been used a bit.

LLOYD PLUMSTEAD:  
Thank you for your time.

CHM. PASSANESI:  
Does any one else want to speak on this application?  
Hearing none we will proceed to the next item on  
the agenda. I asked if anyone wanted to speak for  
or against, on this application. Then we will proceed  
to the next item on the agenda.

Adjournment

Respectfully submitted,

*Arthur Rinaldi*

*Ralph H. Shaw, II*  
Ralph H. Shaw, II, Chairman  
PLANNING & ZONING COMMISSION