City of Shelton Conservation Commission
Meeting Minutes for
April 6, 2016

Members Present: Tom Harbinson, Sheri Dutkanicz, Pat Gajdosik, Jim Tate, Joe Welsh, Bill Dyer, Ed McCreery (arrived at 7:25pm)

Also present: Teresa Gallagher, Natural Resource Manager; Terrance Gallagher, Trails Committee.

1. The meeting was called to order at 7:15 pm.

2. Meeting Minutes: Pat Gajdosik made a motion to approve the March 2, 2016 meeting minutes. Seconded by Sheri Dutkanicz. All were in favor.

3. Public Portion – for items not on the agenda: No one wished to address the Commission at this time.

4. Trails Committee Report. Bill Dyer summarized the Trails Committee meeting that immediately preceded the Conservation Commission, with a special focus on the review of the proposed Shelter Ridge PDD. The Trails Committee made a strongly worded motion recommending denial of the PDD and requesting that the applicant come back with a more appropriate site plan. There was a discussion about how the Trails Committee’s motion should be communicated to the Planning and Zoning Commission, with a decision to package the Committee’s motion with Conservation’s communications. See the Trails Committee’s minutes for more information about that meeting.

5. Review of proposals before the Planning and Zoning and Inland Wetlands Commissions (this item was move up in the agenda):

a) Bridgeport Avenue Shelter Ridge Associates, LLC, P&Z #16-8, PDD Step #1 site plans, 122-acres bounded by Mill Street, Buddington Road, and Woodland Mobile Home Park, zoned Light Industrial. Map 50 Lot 9.
Ed McCreery arrived at 7:25 pm and recused himself from discussions about this project.

Jim Tate asked for clarification as to the timeline of project presentations. Tom Harbinson said there was a presentation of the concept to the Planning and Zoning Commission on January 12, followed by the presentation to Conservation at the March meeting, and then the public informational meeting held by the applicant a week ago. The public hearing has been scheduled for April 27. Mr. Tate asked if Conservation had received any written response or communication in response to the Natural Resources Report prepared by the Natural Resources Manager, or to the comments made at the March meeting. There was none. Bill noted they did raise the 8-story building to a 9-story building.

Tom Harbinson said he attended the public informational meeting, which was well attended. Pat Gajdosik, Sheri Dutkanicz, Joe Welsh, and Teresa Gallagher also attended.

Bill Dyer said that no arrangements were made to walk the proposed trail route with Jim Swift, as the applicant had offered at the previous meeting.

Jim Tate suggested that for this project, they go around the table and have each commission member independently offer their thoughts on the project, starting with Teresa Gallagher, who prepared an impact statement.

Teresa Gallagher distributed a copy of “Natural Resources Impacts – Towne Center at Shelter Ridge” dated April 5 (attached). She drew attention to the opening statement of the report: “It is difficult to imagine a proposal for this site with a greater negative impact to Shelton’s key natural resources, and the city’s long-term efforts to restore the Paugussett Trail, than this one.” She then flipped to the second page where there is a cross section of the site that was contained within the Natural Resources Inventory prepared a month ago and provided to the applicant. The cross section shows how the ridgeline can be used to protect the greenway corridor on the left from the Bridgeport Avenue development to the right. Below this was a second profile, this one of the proposed project. It is easier to see in the profile view how the 9-story tower is built not just on the hilltop, but how the hilltop is being built up with fill brought up from below. This would result in a 35-foot fill slope, probably anchored with rip-rap, and this would be very close to Old Kings Highway and the open space. Tom Harbinson noted how small the retail building was down the hill compared to the tower, and how the retail portion of the site in this cross section had no impact on the greenway corridor the Commission is trying to preserve.

Ms. Gallagher then listed the high-value natural resources that had been previously identified, and how the proposed development would impact each resource:

1. **Old Kings Highway (roadbed).** The scenic aspect of this surviving section of the historic colonial roadbed would be severely degraded by intense development along the ridgetop, especially the nine-story apartment tower and
associated parking, which would be constructed within 50 feet of the roadbed. There is also concern that plans could be modified to convert the roadbed into an emergency access road.

2. **Old Kings Highway Open Space.** This 16-acre property contains scenic waterfalls and is a potential destination location along a restored Paugussett Trail. The proposal would severely degrade the scenic character of this open space with the construction of the 9-story residential tower overlooking the property with associated parking and a major fill slope at its base. This open space would be demoted to a treed buffer area rather than as a scenic destination location for the general public.

3. **Paugussett “Blue Dot” Trail Restoration.** The 25-year effort to extend the Paugussett Trail to the Stratford border would come to an end if this proposal is approved. Although the applicant shows a trail crossing the property, it is not the type of *scenic route* that rises to the standards of a CFPA Connecticut Blue Blazed Trail. (Note that only the Connecticut Forest and Park Association has the authority to designate a trail as a “Connecticut Blue-Blazed Trail.”) This section of trail, which is nearly a mile long, would run alongside new buildings and parking areas from Buddington Road all the way to Bridgeport Avenue before the required half-mile road walk on Beard-Sawmill Road. Although short stretches of CT Blue-Blazed Trails can tolerate substandard trail sections if that section leads to a highly scenic area, the total mileage of this degraded section would be an unacceptable 1.5 miles.

4. **Mill Street (Shelton’s first Scenic Road):** The nine-story tower above Mill Street would be visible from approximately the old Stump Joint Mill (#104 Mill Street) to Bridgeport Avenue; a distance of about half a mile. The massive modern tower would contrast sharply with the existing scenic character of the roadway.

5. **The Far Mill River:** The nine-story tower would degrade the view from the Far Mill River, used for trout fishing and kayaking. In addition, the development will have impacts on stormwater runoff, a topic reserved for the Inland Wetlands Commission.

Teresa Gallagher closed with a discussion of the open space dedication that was being proposed: The site plans show an open space dedication of 24 acres, or 20% of the site. This new open space consists largely of steep slopes, wetlands, powerlines, the gas line, and areas disturbed by grading and site development. It would have little public value for recreation and would serve primarily as a small buffer of trees between new construction and the residential neighborhood. This narrow buffer would not adequately screen the new development from the residential neighborhood and public open space areas.

**Commissioners’ Comments:**

**Bill Dyer** reinforced what Teresa Gallagher said about the blue blazed trails. “We have walked it. With the permission of the current property owner, we had actually flagged
out a route…knowing that they were going to develop this at some time in the future. I mean the desired route is to go right down through the middle of it.” Jim Tate asked if we had a map showing the flagged route. We should be very clear about what should be protected. Bill Dyer said, “Basically there are two stone walls that are on the south side of the property just before it slopes dramatically down to Mill Street and the Far Mill River. Ideally we’d be up here, above the stone wall, but we said, no, we understand that this is going to be developed, so we can certainly accept a trail that goes just to the south, or downhill, from the stonewall and follows it all the way down…” Teresa Gallagher interjected that this stone wall provides a visual break if the trail is located just below it. “Understanding that they wanted to develop it, we were on the downhill side of it.” Jim Tate asked about the corridor as it comes off of Buddington Road. There followed a general discussion of routing along Old Kings Highway. Terry Gallagher noted that the service side of the buildings, including dumpsters and loading docks, would be up against the trail, and that the trail should be routed on the east side of the large vernal pool shown on the map, not to the west as shown by the applicant, because there were existing homes nearby. There was a discussion of the preservation of the historic stone walls.

**Sheri Dutkanicz** said she agreed with everything in Teresa’s report. The buffer between the development and the scenic features, and especially for the residents, is not adequate.

**Joe Welsh** said they need to scale back the magnitude of the project. Jim Tate asked Joe Welsh, based on his experience as President of the Land Trust, to explain why he thought the development was not appropriate for this site.

“One people value the Land Trust and open space that is going to remain open and pristine. They seek out these areas and neighborhoods, and move into these communities, and they develop roots in the community. And to argue that something is zoned one thing, and we should change the zone because it serves as a ‘transition zone’ to the residential, but then you go way overboard with the scale of what you’re building, you take the value of those residences and the residential areas around it and throw it out the window, because I don’t think this is going to add value to their property…. And I think the whole project should get scaled back for that reason. And there’s a natural ridgeline to keep the property closer to Bridgeport Avenue, that’s where you want to have your economic development. You could protect the other part of the property, you could continue to have Mill Street stay a scenic road, and we don’t need to have access out to Buddington Road and impact the neighbors and people there that are happy with a nice twisty, turny road.”

Tom Harbinson noted that the Land Trust owns property in close proximity to the site, along the Far Mill River, and they had witnessed impacts to their property from offsite developments. What were those impacts?

Mr. Welsh said that, “Drainage is a huge issue, and then it’s the sight, it’s the buildings when we’re down along the river that you can see up, especially in the corporate tower area. Aspen Ridge is funny, too, and I got a chance to talk to one of the people there, and they were against this, and I said, ‘it’s funny that you mention that because we fought your project, where you’re living now.’ But this is what’s going to happen, for
everybody that has lived here and stuff that gets approved, there’s obviously a reason why they’re being drawn to Shelton. And they’re the very ones that come out when... they hear about what’s going on across the river from them, and how it’s going to be dramatically changed, they’re saying, ‘Whoa, whoa, time out, we thought Shelton was something different here.’ So that’s another issue with this, and with this kind of spot zoning to change things and just looking at narrow, short-sighted, for maximizing the gain of what could be built on the property verses let’s scale things back to keep it attractive for a lot of people.

“And then there’s a lot more than just Land Trust going on here. There a bunch of relationships that should be maintained in the scheme of things. Obviously the Land Trust, we have twenty acres on this side of the Far Mill River, and how that plays into City open space. The relationship we have with Connecticut Forest and Park Association, developing the blue-blazed trail. It’s important to show our commitment as a city – ‘hey, this is important, this blue-blazed thing is no joke and we’re going to do our part to make sure it gets down to Stratford,’ and there’s a quality corridor that it’s going to go through, not a ridgeline and giant buildings that people are going to say, ‘I want to be in nature, I don’t want to see this.’

“Then another group is Housatonic Valley Association. They’re responsible for a lot of stuff along the entire Housatonic, and they’ve been active in Shelton, and we owe them to do our part to protect this river corridor, and what gets drained by overdevelopment and ends up down into the Housatonic River. And with that said you have the Far Mill River Association -- that’s another small Shelton organization -- they’re doing everything they can to put garbage bags out and try to improve stuff blown into the river. Trout Unlimited – the Land Trust is partnered with them as well as Far Mill River Association for cleanups in this area -- because it’s stocked by the DEP, which is another reason. They tell us there’s not going to be any impact with drainage, yet they have pipes going right to the river there, this other stream here (points to map), they have it piped."

Tom Harbinson said that obviously there is going to be a lot of impervious surface on this development that’s going in and asked about the impact of stormwater discharges from the existing developments (corporate towers) to the Land Trust’s property.

“It’s taking away from everything we’re trying to protect and we should be watching out for as environmental stewards. And then the other relationship that we have on the larger scale of things, across town boundaries, is with the Fairfield County Regional Conservation Partnership and they’re very much into establishing these links and greenways and partnering, and we have this chance to continue to do great things in the eyes of Connecticut Forest and Parks, HVA, our local groups like the Land Trust and the Far Mill River Association, and Trout Unlimited.

“So, back to the transition zone concept: economic development along the Bridgeport Ave. corridor, and divide it along the property ridgeline, and either the city should try to limit what’s built there, if anything, or scale it way, way back, where heights aren’t protruding out of the treeline, where you can see it across town, even over on the Stratford side. That’s about it.”
Pat Gajdosik said, “I think what I heard at that meeting…” (Tom Harbinson clarified this was the public informational meeting hosted by the developer) “was that as a person who lives in Shelton that we needed everything that they had planned. ‘We needed’ the four hundred and some odd rooms that they were going to provide for Shelton people, as though we didn’t have a lot of building that has been going on, providing apartments and what have you. ‘We needed’ a store, ‘we needed a men’s store because you could buy a suit in Shelton. But there are so many stores around us. Why do we need it? To have these particular stores? You go down on the Milford Post Road, and you see all these factory outlets, it’s almost like a junky store, even though they’re high end stores.”

Jim Tate and Tom Harbinson asked Pat Gajdosik about the project from a conservation perspective. She continued, “Everything that they’ve got is huge.” Tom Harbinson asked if she was concerned about the visual impact of the buildings, or light pollution, or what, from an environment perspective? “If I had a house on Buddington, and I had the sun shining through the trees, coming in, and all the sudden you put this big behemoth of a structure up…” (multiple people speaking, members discussed the visual impacts of the tower on residential areas). “You’ll see it. Nothing is going to buffer it. As an example, I can’t even think what it is on top of the hill near my house. The bank depository, is that right? Right. Now, they put trees up. That thing has been up for eleven years, those trees, they put up fairly good trees. I get the light from there. It looks like a prison. Those lights are so bright, it shines in all my front windows at night. I’m a long distance (away), and people say, oh, it can’t be, but the other day we had no electricity, and those lights were shining in, and they’re affecting me. And it bothers me. And I’m sure this big shadow would be projected onto the Buddington area....” (multiple people speaking).

Sheri Dutkanicz noted that the entry points to Shelton are being made less attractive with development. “People come here to live because it’s pretty, and all the sudden, we’re damaging all those pretty access roads…exactly what Joe was saying.”

Jim Tate said, “I think Joe apply touched on most of the points, except that it appears very clearly to me that this site plan was developed without really any cognitive understanding of the impact of this ridgeline that is so important to the natural topography of Shelton. I mean, Bridgeport Avenue is in somewhat of a valley between two – Long Hill and what I would call maybe Buddington Ridge. Right. So in that natural land form, we’re sending a real clear violation of that with this perching of a structure – a behemoth of a structure – on top of the highest point of the ridgeline. This site plan I think could be reasonable and acceptable to the community, if that ridgeline was protected, and I think it would go a long way to (protect) the investment that the City of Shelton has made over the years, a very large investment, considerable investment, in its open space acquisitions, and its open space corridors, and its trail system, and the volunteer hours, and I want to say maybe millions of hours, that have gone into this, since my start of reviewing the regional open space plan that Shelton was part of back in 1991, ‘92. And we’ve come a long way.

“These are symbols when I see plans like this, and where someone has taken a development and really is basically just raping the site in a clear violation of what we’ve
worked very hard to do. And I think somebody has to wake up and look at this, look at the big plan. There’s no reason why we need… we don’t need a luxury hotel, in that location. We have other locations. We don’t need a luxury hotel in that location. It’s a prime spot and it’s just, it’s not appropriate. And I hope the P&Z Commissioners wake up to that very quickly, and stop the dance around, and let everybody know, and let’s not waste any more time on it. Let’s let the developers know that it won’t be tolerated in the City of Shelton. Certainly from a Conservation standpoint, as a commissioner, I made it clear to the applicant that the ridgeline should be protected. We looked at that very carefully in our planning. We will also prepare a schematic map. The report is clear [natural resources inventory]. I think it indicates why the ridgeline is so important to the community. It does so much. It provides a buffer. It provides an adequate trails system. It provides linkage for open space. It protects the City of Shelton’s investment. I really don’t think there is anything more to say. I think someone is being very selfish here in the proposal, and I don’t think it’s well done…..and I speak to that as a professional. I think the individual buildings may be very well done, but as a site plan, it’s not well done. It has so many problems, so much disturbance, it’s just a way to maximize the dollar on a piece of property without understanding of what the impacts are on our natural resources. Our role is to protect that, and to preserve that, enhance it. This is a clear violation of that.”

Tom Harbinson “I would reiterate all the comments that were made. But to add on to it a little bit, when I think of this location being in such proximity, besides being the gateway that Sheri mentioned, and being highly visible when people first come to the community for doing business or whatever, being on the Far Mill River, that’s a greenway corridor. And a greenway corridor was a principal that we laid out in our open space plan years and years ago, and when you look around this room and see the years that the people have been involved, whether it was doing trails, or serving on the commission, or being in the Land Trust, and Scouts, and everything else that’s environmentally related to our community, and the years and years of different commissions and boards that have continued to support the direction of the Open Space Plan with the Greenway Corridors and illustrating how being diligent in the same direction, year after year for when an application comes up for development and an open space gets set aside or a parcel gets purchased, and that you have a much greater sum than the parts, to really be near the end of the race, and have passed the baton from member to commissioner to board for so many years, and see the finish line -- for this, the Paugussett Trail is the example -- to just say ‘I quit’, is awful. It’s just distasteful. It’s a violation and a slap in the face to every commissioner or board member who has worked so diligently for the past ten years ago, or fifteen years ago, or twenty-five years ago, to say what you’ve done, all the way up until now: I disregard. And I think that’s not what our community is about. And I think you’ll see the public come out and speak to what they value as a community. They certainly did it at the public informational meeting, and I would expect them to also do that at the public hearing. I think we’ve all been hearing that in our community. Whether it’s Joe, as he said, speaking to people at Aspen Ridge who just moved to the community, and had a draw to live in such a
location, and now being concerned about what’s being whittled away at their back door. So from my perspective, it’s the collective input of so many people for so many years that is just being thrown out the window.”

Jim Tate noted that, “Fifteen years ago we did our Plan of Conservation and Development, we hired an outside consultant to do it. Tom -- you and I served on that commission. The number one reason, by far, in our survey of community members, was to preserve open space and the trails system. The number one item that concerned them. The number one priority in that Plan of Development. This ignores that totally. It just totally ignores it.”

Teresa Gallagher responded, “Well you know what they’re going to say is, ‘we’re preserving twenty percent of the site, that’s a lot of open space.’” Tom Harbinson countered, “Well, you could look at open space regulations, and if this were a subdivision, the open space set-aside (requirement) qualifies that open space can’t be steep slopes or wetlands… is it qualified open space. Is it not wetlands? Is it not underneath a powerline corridor? Is it not going to be disturbed? Which is something you mentioned. And I was very upset about when Toll Brothers did the development up in the White Hills. The open space dedication in the approval became a cleared lot and where they stored construction materials for the whole development and then they just put some gravel on it and said, ‘here’s your open space.’… If you’re going to dedicate open space as open space you pick a section of tape and cordon the whole thing off and don’t cut down the trees, don’t brush hog it, and don’t use it as a support staging location for the development.”

Jim Tate asked, now that everyone has spoken, how would we like to direct the applicant. Tom Harbinson said that comments should be directed to the Planning and Zoning Commission at this point. Conservation should draft a letter that includes the points made by the commission members, with Teresa Gallagher’s reports attached. Jim Tate said he would like to take it one step further and would like to see a revised site plan that acknowledges the importance of the trail system, that the apartment leaves the site plan, and that we look at a more reasonable site plan. “They can save the ridgeline. There is plenty of opportunity for making a very financially successful project without having to load the site, without destroying the inherent character of the property.”

There was a discussion about how best to define the ridgeline clearly. Jim Tate: “Where’s the marker line (on a map) that says ‘you can disturb to here and you can’t disturb here. Here’s your contract limit line. Or your site disturbance line. We have to mark that on a plan, and see if Planning and Zoning can interest the applicant in making a worthwhile site plan with that. Which I think they should be able to for the betterment of everyone. So I think we need to take a plan like this, and we’ll marker it….and attach it to our letter. So it’s very clear.”
There was a discussion about how best to mark up a map showing the limit of disturbance. Teresa Gallagher shared a profile schematic and marked site plan to illustrate how a low profile development that is cut into the slope can be placed much closer to the greenway without impacting the natural resources, than a development sitting on top of the ridge. There was general agreement that the key question was, ‘can you see the development from the greenway or not’ and that the overall footprint of a site plan that respects the greenway would depend on the creativity of the development.

**Sheri Dutkanicz motioned that Teresa Gallagher draft a letter to the Planning and Zoning Commission opposing the PDD that incorporates the previous comments made by each of the commissioners, along with the supporting reports. Bill Dyer seconded the motion. All were in favor (Ed McCreery recused).**

**b. Brookview Heights, Jack and Josephine Gaida, 405 Hill road, PDD Step 1 for 18 residential units on four acres in an R-1 zone.**

Tom Harbinson said he attended the public hearing. The background is that it was previously a 2-acre property zone partially R-1 and partially LIP. The applicant received a stop work order for industrial activity occurring on the site. He later added to the parcel by purchasing the abutting surplus DOT land along Route 8. The property has a long history with various legal issues. There is no open space nearby and it’s not in a greenway. There are some wetlands and a stream onsite. The project will result in a much greater site density and more impervious surfaces. Teresa Gallagher reminded the commission of their Position Statement on the use of PDDs in residential areas.

**Bill Dyer made a motion to send a letter to the Planning and Zoning Commission in opposition to the proposed PDD, with Conservation’s Position Statement attached. Jim Tate seconded. All were in favor.**

**c. PZC #16-4 Pearmain Estates Lot 5 Resubdivision, Key Development, LLC. 4.3 acres, Map 143 Lot 4.**

Tom Harbinson indicated that there was no open space donation as part of the original subdivision. Rick Schultz has indicated that P&Z will require a fee-in-lieu of open space. A conservation easement is shown over the rear of the property.

Joe Welsh expressed concern for future farming operations on the abutting property to the north. Tom Harbinson spoke in favor of a conservation easement on the northern boundary of the property. The commission reviewed the proposed site plan and noted the plans show a driveway along the northern border. Tom Harbinson withdrew his request for a conservation easement there.

**Pat Gajdosik made a motion to send a letter to the Planning and Zoning Commission in favor of a fee-in-lieu of open space donation for this subdivision.**
along with a recommendation that a note be made to the builder and future owners that the abutting property to the north, although currently wooded, is part of a working farm, and that the trees could be cut and the land utilized for farming purposes. Sheri Dutkanicz seconded the motion. All were in favor.

6. **Communications:** From the Olde Ripton Garden Club: A flyer announcing that the City of Shelton has designated Orange Coneflower the official city flower.

7. **Comments by Members:** Ed McCreery met with Jim Ryan at the Shelton Economic Development Corporation to discuss the future of the canal and locks. Paul Grimmer will be taking over his position when Mr. Ryan retires in August.

   Jim Tate noted the Plan of Conservation and Development is being redone. We need to make sure the canal preservation goal is in that.

   Joe Welsh said that the Land Trust will hold their annual meeting on April 20, 7-9 pm, at Plumb Library, with guest speaker Mary LeMay from the Fairfield County Regional Conservation Planning group.

The Commission adjourned at 8:50 pm.

*Meeting minutes were prepared by Teresa Gallagher and should be considered in draft form until adopted at the next meeting. Audio tapes of the meeting are on file in the Town Clerk’s office.*
Natural Resources Impact: “Towne Center at Shelter Ridge”
Prepared by Teresa Gallagher, Natural Resources Manager, Shelton, CT
April 5, 2016

Site Location: 122 acre property at Bridgeport Avenue, Mill Street, and Buddington Road
Map 50 Lot 9

Site Plans Reviewed: Dated March 22, 2016

Applicant: Shelter Ridge Associates, LLC

Proposal Summary:
Residential: 450 apartment units in a 9-story tower at top of ridge
Retail/Office: 506,000 sf, Parking: 3,550 spaces
Residential/Medical Office: 200 units residential and medical (32,000 sf)

Discussion: It is difficult to imagine a proposal for this site with a greater negative impact to Shelton’s key natural resources, and the city’s long-term efforts establish a quality greenway corridor in this area, and to restore the Paugussett Trail through that corridor, than this one. Conservation’s “Natural Resources of Shelter Ridge”, prepared in February and presented to the applicant, identified a low ridge crossing the property that could be used to divide high-density development along Bridgeport Avenue from the residential and greenway areas located on the west side of this ridge. The flexibility of the PDD mechanism can allow for economic development as well as greenway/trails development if a unique convergence of key natural resources are protected. These resources include the Old Kings Highway open space, Mill Street Scenic Road, Far Mill River, the Old Kings Highway historic colonial roadbed, and a viable scenic route for the Paugussett “Blue Dot” Trail.

Instead of using the ridge to divide the greenway from the Bridgeport Avenue corridor, the proposed project includes a nine-story luxury apartment tower at the top of the ridge that would offer scenic views to prospective tenants. Additional buildings, drives, parking areas, and fill slopes are also depicted along the length of the ridgetop overlooking our high-value natural resources.

Rather than the complementary, win-win, site design that is possible for this site using the PDD mechanism, the proposed project would have a parasitic relationship to Shelton’s existing natural resources, utilizing our scenic resources as selling features while simultaneously degrading these features for the general public.

The residential tower, with 450 units, would be located within about 300 feet of the Old Kings Highway open space, a property that the city purchased after commencing eminent domain proceedings to prevent high-density housing from being built in the 1990s. This scenic area has waterfalls, the old stone-lined roadbed, and views of the Far Mill River. Arguments made by the city for open space preservation and against high density development in this location are as valid today as they were in the 1990s.

“Mr. Swift pointed out the corner of the site and added that it was really beautiful up there and it is where they are looking to do the luxury residences... He thinks that the Commission is going to be impressed and that is the goal for that area – maybe a notch below or perhaps even rivaling the Renaissance – something very high quality because they have the location to do that.” - P&Z Meeting Minutes, January 12, 2016
A comparison of Conservation’s recommendation for site development Vs. the proposed project:

**Impacts to Natural Resources:** This section addresses the impacts of the proposal to key natural and community resources that were previously identified in the “Natural Resources of Shelter Ridge, February 2016.”

1. **Old Kings Highway (roadbed).** The scenic aspect of this surviving section of the historic colonial roadbed would be severely degraded by intense development along the ridgetop, especially the nine-story apartment tower and associated parking, which would be constructed within 50 feet of the roadbed. There is also concern that plans could be modified to convert the roadbed into an emergency access road.

2. **Old Kings Highway Open Space.** This 16-acre property contains scenic waterfalls and is a potential destination location for residents along a restored Paugussett Trail. This proposal would severely degrade the scenic character of this open space with the construction of the 9-story residential tower overlooking the property with associated parking and a major fill slope at
its base. This open space would be demoted to a treed buffer area rather than as a scenic destination location for the general public.

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**Open Space Dedication:** The site plans show an open space dedication of 24 acres, or 20% of the site. This new open space consists largely of steep slopes, wetlands, powerlines, the gas line, and areas disturbed by grading and site development. It would have little public value for recreation and would serve primarily as a buffer of trees between new construction and the residential neighborhood. This narrow buffer would not adequately screen the new development from the residential neighborhood and public open space areas.

**The PDD Mechanism:** The following excerpts from the PDD regulations pertain to the natural and historic resources.

**Intent (34.1):** The intent of the PDD is “to encourage and accommodate unique and desirable development that will be consistent with the long range, orderly development of an area but is not accommodated by the established conventional zoning of that area.” Due to the convergence of the city’s greenway and economic development corridors, located in close proximity to each other, the PDD mechanism has the potential to allow for a more appropriate site design than the underlying LIP zone. However, this potential has not been realized in the proposed site plan. The areas that have been set aside for open space are unbuildable and have little value for public recreation as the site is currently designed.

**Building Height (34.3.5):** “Buildings and other structures shall not exceed a height of 60 feet…” unless three conditions are met. The 9-story residential tower at the top of the hill above Mill Street, a Scenic Road, would be 140 feet tall according to the applicant. The second condition is that the height “shall result in the preservation of more open space.” Most of the designated open space is unbuildable, so it is unlikely this tall building is leading to more open space. The third condition is that the “topography of the tract on which such building or structure is located, the location thereof on such tract, and the nature thereof are appropriate to accommodate such greater height.” In terms of conservation and the neighboring residential area, this ridgetop is the worst possible location for a 140-foot tower. The regulation also states that “such added height shall not be for the sole purpose of creating additional development density but rather to
accommodate otherwise allowable density in an alternative manner." This tower does in fact appear to be designed for maximizing development density for the site.

**Natural Features (34.3.8):** “When reasonably prudent and feasible, development proposals shall make reasonable attempts to adapt to existing topography and natural site features.” For this site, the ridgetop was identified as a natural site feature that should be used to protect the residential and greenway corridor from the Bridgeport Avenue commercial areas. Although doing so would not allow for the maximum profit, there remains significant potential commercial development of the site along Bridgeport Avenue.

**Findings Required for Initial Development Concept Plan Approval (34.8)d:** “Provisions for ...usable open space are adequate and acceptable.” The proposed open space is not “usable”, but is dominated by steep slopes, wetlands, powerlines, the gas lines, and major fill slopes (rip rap).

**(34.8)f:** “The proposal will not have a significant adverse impact of surrounding properties.” This proposal will have a significant negative impact on the adjacent Old Kings Highway open space owned by the City of Shelton, which was intended to ultimately serve as a destination site along a restored Paugussett Trail. The proposal would eliminate any realistic chance of continuing the Paugussett Trail into the property. Further, the 140-ft tower with 450 residential units would be located adjacent to the open space, significantly degrading the scenery.

**(34.8)g:** “Ecological and environmental concerns associated with the proposal...will be adequately addressed.” The impacts to this important connection between the Shelton Lakes and Far Mill River Greenway corridors have not been adequately addressed.