

The Shelton Planning & Zoning Commission will hold a Special Meeting on March 23, 2004 at 7:00 P.M. in the Shelton City Hall, Auditorium, 54 Hill Street, Shelton, CT.

Members present: Chairman Joseph Pagliaro
Comm. Patrick Lapera
(sitting in for Comm. Pogoda)
Comm. William Papale
Comm. Leon Sylvester
Comm. Karen Tomko-McGovern
(sitting in for Comm. Daniel Orazietti)

Also in attendance Mayor Mark Lauretti

Staff present: Anthony Panico, Planning Consultant
Richard Schultz, Planning Administrator
Thomas Dingle, Zoning Enforcement Officer
Pat Garguillo, Court Stenographer
Diana Barry, Secretary

Staff absent: Comm. Alan Cribbins
Comm. Daniel Orazietti
Comm. Anthony Pogoda

Tapes (3) and correspondence on file in the City/Town Clerk's Office and the Planning & Zoning Office.

The Chairman reserves the right to change the order of the agenda.

The Chairman opened the meeting with the Pledge of Allegiance.

The Chairman stated there would be a meeting on April 7th, which is a Wednesday, not a usually meeting night Tuesday, to show demographics of the city. Comm. Sylvester questioned what is that? I spoke to Richard Schultz and asked him to invite the Board of Aldermen and our comprehensive planning committed along with the public, stated the Chairman. There should be a notice sent to us and now you are making an announcement before we even heard anything about it, questioned Comm. Sylvester? If that date is no good for you lets discuss it now stated the Chairman. We have a hearing on the 13th, he added.

**RECONVENE THE PUBLIC HEARING ON
APPLICATION # 03-67 PETITION OF RICHARD PATTERSON ON BEHALF OF WE R1 TO
AMEND THE ZONING REGULATIONS (SDA: SECTION 21.2 AND PDD: SECTION 34.8)
(CONTINUED FROM 3/9/2004)**

The Chairman stated that as it is with any meeting if there is a public official who wishes to address the Commission we allow that official to go first in case there is another meeting he might have to attend. The Mayor is in attendance this evening so we will allow him to go first then the public can address this, he added.

Mayor Mark Lauretti addressed the Commission. Typically I don't come to Public Hearings of the Planning & Zoning Commission, for a number of reasons. It is an opportunity for the public to speak their minds on any particular issues, there are issues that Planning & Zoning Commission has to deal with on an ongoing basis that is there statutory obligation. I do come to the meeting and I usually speak on behalf of the City for whatever the issue may be at that particular time. I do come and speak factually about issues as best as I know them and that is what I want to do this evening, stated the Mayor.

At the March 9th meeting, just last week, there was a considerable crowd here and there was quiet a bit of commentary about various aspects of the zoning regulations for our Community. There was also quiet a bit of comment about many things that go on in the City, stated the Mayor. Tonight I just want to take the opportunity to talk about the Waste Water Treatment Plant.

It seems to be a hot issue and there seems to be a lot of misinformation of fact, stated the Mayor. I have been quoted in the local media on a number of occasions with respect to my position on the Waste Water Treatment Plant. Tonight I want to reaffirm and reinforce my position. I said a couple of weeks ago that the plant has an abundance of capacity, he added. Today as I stand here I reiterate that comment. It is my understanding that the Waste Water Treatment Plant has an abundant capacity as we sit here today. That is not the facts from Mark Lauretti, I don't create facts. I rely on our paid personnel. Two different engineering firms that are employed by the City and WPCA to ascertain all the information and comply the facts, present them to us, to our Commission and certify them to the DEP, stated the Mayor. So let me just say from the beginning that if there is anything wrong with the facts that I have said publicly, and the facts that I have from the paid professionals, I will assure everyone here that those paid professionals will be fired and I will take public issue with the Department of Environment Protection. They are the ones that are ultimately responsible for overseeing that information, he added.

I want to also say that I respect everyone's right to disagree, have your own positions and say so publicly, stated the Mayor. I have always felt that is healthy and the dialogue usually will generate a better product in the end. I also want to say that I agree with a lot of what was said at the March 9th meeting, as the City continues to evolve or from a residential standpoint or commercial standpoint. People should be involved and should understand what is going on.

As best as I can tell, there are 3 issues that people are taking issue with respect to the Waste Water Treatment Plant, stated the Mayor. One of the issues, is the issue of the bypass that dumps into the Housatonic River. That is true, he added. It is part of the permit and it is recognized by the DEP. I did bring a copy of the permit with me tonight to show the reference and to substantiate the things I am saying publicly. That is very important to me. It is not a question if it is right or wrong, I think everyone will agree that needs to be corrected. I certainly do. The 1987 Waste Water Facility Treatment Update Plan didn't address the portion of the overflow into the Housatonic River. It did eliminate the 11 or 12 other connections that were doing the same thing. The last and final one was omitted and now to be elevated through the 2002 Comprehensive Plan Update.

The other issue that I have heard a lot of publicly, is that the City is paying fines because of the Plant that is associated with the overspill. I want to say to you tonight that my conversation with the engineers tells me that there are two issues. Nitrogen reduction plant was approved in June 2001 by the State of Connecticut and it was designed to reduce the nitrogen into the Housatonic, stated the Mayor. There was a two-year window before Communities would be fined for whatever percentage of nitrogen was put into Long Island Sound documented by testing through our Staff and DEP's staff.

Having said that, you should know that our plant as it sits today is not capable of separating out nitrogen. That is what the upgrades will do when it is finally completed. The target date for completion is 2007, the spring thereof. While there have been delays, the delays have been approved by DEP and also become part of our permits that get issued on a 5-year basis, stated the Mayor. I believe that the last permit revision was 2002.

The other issue that has greater consequence and implications to the Community as a whole, is the issue of capacity or the debate says the lack thereof. While the Chairman of the WPCA was here last week to address the audience and the Commission, I was disappointed that he didn't go into more detail with regard to the issue of capacity, stated the Mayor. On February 27 of this year they had a special meeting speaking specifically on capacity with the engineers there to explain it in detail so that the membership when they voted would understand what they were voting on. They would realize that there is available capacity. I did bring those documents along with me as well, he added. The members of the Planning & Zoning Commission have these, as well.

A couple of things that I was disappointed in, stated the Mayor, that the Chairman didn't address that evening, when he stood here publicly and said we have to take what they give us. When he said that I said how could that be? The next day I went to the Sewer Authority and pulled the records for all the projects that have been approved in the last 5 years, he added.

Now, I know that there is a lot of opposition to Cranberry Hill, the people should know that the WPCA approved that back in May of 2003. They are like the Planning & Zoning and they have a right to say no. They have an ability to establish their own Comprehensive Master Plan that I have asked them to do back in June of 2003, stated the Mayor. I asked for a Special Meeting of the WPCA back in June of 03 to address the issue of moratorium and I ask our City Attorney's to be there and they were. We talked about capacity at that time. I asked the engineers to verify the capacity issue either up or down. Is moratorium warranted or is it not, questioned the Mayor? It was agreed at that time, that the Waste Water Facility itself has capacity.

Now the other issue with respect to capacity seems to be coming up and I know that there are some members in the audience that have done a lot of work trying to understand that issue, I commend them for that. I think it is important for people to get involve and express their views. I think the one important factor that is lacking, is that while the WPCA has approved x amount of gallons of available capacity it will also be x amount of years before those gallons come into the system, stated the Mayor. Some of these projects are 2, 3, 4, and 5 years out. Once the Waste Water Facility is upgraded the spring of 2007, there will be an additional million-gallon capacity available, he added. It seems to me that would qualify for an abundance of capacity.

The issue rather you agree or disagree about the projects that are being approved is a separate issue. Like some of you sitting out there, I also have some strong feelings about PDD, R1 Zones and the high-density projects that get developed or don't get developed, stated the Mayor. I think at the end of the day that this discussion is important and it is good that we are able to have. I hope that we will be able to continue on and do it respectively so that the decisions that are made in the end do in fact benefit the entire City as a whole, he added. With that I conclude my remarks with regard to the Waste Water Plant.

One thing I have tried to do in my tenure as Mayor is to be opened and respect the power of debate both publicly and privately with people. I will continue to do that. I am happy to talk to you about everything and anything including my land purchase that was the subject of some discussion last week. This is not the appropriate form to do that but I am telling you that I am happy to accommodate you in a private or public forum outside of this Commission, stated the Mayor. Thank you very much, Mr. Chairman.

Comm. Sylvester stated that I would like to go on record to say that we requested that same information and asked the plant people to get us that information. That evening, the Chairman stated, that information was upstairs in our mailboxes for all of us. We didn't know that, stated Comm. Sylvester. Rick told me that because I had requested that information several days before that, stated the Chairman. It was here on March 9th, he added. The Chairman then explained the procedure of the hearing.

John Tristine, 56 Armstrong Road, addressed the Commission. I have been a Shelton resident for 20 years. He addressed the Mayor's comments. In sounds to me it is a timing issue, 2007. Being a City worker and seeing projects go I do know they go a little further then the projected date. He voiced his concerns with the nitrogen in the River in a question to the Mayor. You are not allowed to dialogue back and forth, all comments are to be made to the Chairman, stated the Chairman. John Tristine then proceeded to read a prepared statement. The Chairman again stated that you have to address the hearing. Mr. Tristine stated that it will all tie in and the Chairman stated I don't want to have to limit the time. Is there a time limit, asked Mr. Tristine? I don't normally have a time limit but I will impose one if I have to, he added. Mr. Tristine continues to read his prepared statement with regard to WE R1. Make a tough decision and pass the amendment tonight, stated John Tristine.

Joan Flannery, 8 Partridge Lane, addressed the Commission. She read a letter that was submitted as part of the file.

Attorney Dominick Thomas, representing David Mack and other clients, addressed the Commission. If you listen to the comments or the evil empire. When Seymour was addressing the moratorium I gave a speech and one of things I want to make clear is that I live in ¼ acre lot in Derby in 100+-year-old house. I prefer urban settings. Several people presented facts. See attached pamphlet with various information.

People talk about horrible development and your Board as if you grant everything that comes before you. I must have missed that, stated Attorney Thomas. I have had my share of rejection. I have made some proposals for office space and I found it hard to have that opposed to.

There is a lot of discussion regarding PDD's and changes that are made to accommodate concerns from the Staff. PDD's are there for a reason and the main purpose that there is a PDD is to give the Board the legislative discretion to address a proposed development. When you zone the land for a PDD then you are given the discretion. The PDD's have uses and if you restrict the PDD's then the uses will be administrative.

When you look at the information that I have given you, you will see this is from the Municipal Indicator from the Office of Policy & Management at the State of Conn. It contains separate towns information. Attorney Thomas went over the attached pamphlet.

With regard to PDD's, stated Attorney Thomas, we are at # 45 with 6 having lapsed. 28 of the remaining are corporate, commercial or retail. 2 of those are large office buildings that have not been built. There are 11 residential, one of which is Basking Ridge and 5 of which are condos. Three of the 5 condos have been built and the remaining two, one is in appeal and the other is a 10 unit condo complex, he added. One is the Maples and the existing houses at the River that where put into the PDD to have some bulk standards. 5 are single family and at least 3 of those 5 are in transitional zones.

I started to total up the taxes on places like the Corporate Towers and Shelton Square. A lot of these developments are by way of the PDD because it allowed you to develop the town as you see fit. It boggles my mind that people talk like Shelton is going downhill, stated Attorney Thomas. I was at a meeting in Stratford and the comments of the people there were envious of Shelton because of the tax base. When you look at the taxes and the stats in the back, you will see why.

The bottom line is that there is no over development because you have been able to control it. You have kept the town with a great tax base. The facts say that from the Office of Policy & Management. The people who are opposing this they want you to stop doing things until you have a plan. Well you have a Plan that has been updated 2 or 3 times, stated Attorney Thomas. Your Plan is to have a built out of this City at 55,000. You only have 38,000 now. Your Plan calls for 1,800 units not all downtown. If you accept there proposal you will violate your own Plan because you are restricting the multifamily to only a few locations.

There is a lot of talk about the Oxford Moratorium. The moratorium was proposed as I was exiting as Town Counsel. Oxford's moratorium is against single-family homes and against the R1 homes. Prior to that time we had heated discussions in regard to big lots. Big lots make it difficult to enforce wetlands restrictions. Big lots can be cleared cut. Cluster houses are synonymous with high density. Cluster homes are preferred in many areas of the country so that there is control on Open Space. I am representing a developer in Oxford that wants to put 171 units to an already approved 400 units in the golf course 55 and over age restricted Community. They have reacted very favorable up until this point, stated Attorney Thomas. Don't misrepresent moratoriums and certainly Shelton doesn't need one, he added.

Finally look at these books for facts. There has been a lot of talk about petitions. You see I could stand in front of a store and say if you don't sign this petition your taxes will go up and I want you to oppose this proposal and PDD's won't be done. There was a petition that was done in a 10-12 hour period in November of last year. These allegations were around long before November. There are many groups that have attacked this Commission and its action. Commission members received some of the highest votes from the people in Shelton. In an election where over 10,000 people turned out, several members got 6000 votes and several came close to that, stated Attorney Thomas. That says you are doing the right job. I think you should take credit for what you have done.

End of Side 1A of 3A, Tape 1 of 3 at 7:45 P.M.

Kathleen Brousseau, 25 Birchbank Rd., addressed the Commission. There is an issue of air quality that no one has mentioned and the State of Connecticut reports that Shelton has one of the worst air qualities in the State. She voiced her concerns about apartments, more people and more children to educate and the overtaxed school system. She was concerned with busing children across town.

Jack Slovack, 57 Blueberry Lane, addressed the Commission. He has been a lifelong Shelton Resident and remembers when there were woods and trees and peacefulness in this town. He stated his concern with the change to become a big City, the high-rise office buildings and the never-ending line of cars on our City streets. He stated that the Commission should act in the best interest of all the people in Shelton. He supports WE R1 and their proposed amendments.

Lisa Hulbert, 10 Overlook Terrace, addressed the Commission. She stated she is concerned with the over development in Shelton and can remember when the only retail establishment on Bridgeport Avenue was Woodside Deli. She grew up in the Dome Drive area and she walked and rode her bikes in this area. I saw farm and woods developed into the Shelton you see here today. She was concerned with the traffic on Old Stratford Road. She asks the amendments be adopted and the Planning & Zoning Commission pay attention to the citizens that are speaking.

Tom McCarthy, 50 Daybreak Lane, addressed the Commission. I am not a lifelong resident of Shelton. I moved here in 1988 and in 2003 I moved around the corner of where I first lived. He is in support of the amendments proposed by WE R1 because it is about the quality of life. He is concerned with the proposed amount of houses before you and the cars that will generate. He is concerned with the schooling issues. He was concerned with the shape of the roads, the sewers and fines relative to that. We are not saying not in my backyard because Shelton is all of our backyards. He moved here because of the rural setting and he asks that you all do your job in representing the best interest of all the people in Shelton and pass this amendment.

Chris Panek, 19 Meghan Lane, addressed the Commission. He stated his concerns with the fact that this issue is pitting developers, realtors and agents against the residents. I don't think all developers are the evil empire. Many developers have done good for the City. He voiced his concerns with proper growth. He stated his concerns with one acre and the neighborhoods as such. There has been developments approved that are just that one acre one home. He voiced his concerns with taxes and PDD's relative to taxes. When stuff starts hitting you personally, like busing a 5-year kindergartner, then you come out and get involved. That is how it is hitting me. I think it is time to get on the same page and that there will be a special meeting for the secret land development. All land use and the public will be there so we all can be on the same page. Developers have done good in Shelton and they could do that in the future, he added.

Tom LaTulipe, 91 Toas Street, addressed the Commission. He stated his concerns with the Mayor's and Attorney Thomas information with regard to a volunteer fire department. Other towns have paid fire departments. He stated his concerns with traffic coming on and off of the highways. He came from a town where there was garbage collection 5 days, a paid fire department, a large police department and high taxes. He voices his concerns with regard to busing children. He stated his concern with not meeting the obligation to the town. Look at the whole picture and don't compare town to town.

Rick Carlson, 28 Wesley Drive, addressed the Commission. I stand before you in support of the amendments proposed by WE R1. It is time that someone has finally come forth to try to change and stop what I believe to be over development of the neighborhood. He voiced his concerns with what Shelton will look like. If you look at the surrounding towns they are built out and people from those towns move to Shelton. He spoke about the people coming here and developing Shelton through commercial properties including Constitution Boulevard and Route 8. The PDD's have been used to alter neighborhoods.

He spoke about WER1 and residents coming here. He spoke of how many residents have come to these meetings in the last 18 months. He spoke of WE R1's petition and how many signatures they could have gotten.

He spoke about Attorney Thomas's comments with regard to the Plan of Development being violated if you pass these amendments. He thinks the Commission is violating it now and the residents are very concerned, stated Rick Carlson. I ask the Commission strongly to consider these amendments. If you are not going to pass the amendments protect R1 and follow the PDD process. Don't cave into greedy development. Our neighborhood is altered and the City got 40 acres of Open Space. The builders got 72 houses. It is a beautiful development that altered the character of my neighborhood.

Comm. Sylvester stated I don't disagree with what you are saying. As I am sitting here I keep hearing nothing but R1, R1, R1. Come on downtown to see what is happening in our downtown. We are not only talking about R1 here tonight, we are talking about R3, R4 and we are not only talking about big developers doing cluster housing. We are talking development and style of development. We are talking about places with no parking and streets that are overcrowded. I was shaking my head because it is not only about R1 it is about development in our Community. I apologize about shaking my head, stated Comm. Sylvester.

Rick Carlson stated I could not agree with you more. We need to look at all the development in Shelton. You need to protect all the zones and you need to put a Plan in place and let's follow that plan.

Richard Jager, 2 Coppel Lane, addressed the Commission. He is a newcomer who has lived here for 15 years just around the corner from the crazy lady with the 100 cats. I am a professional engineer who lives in this town but doesn't work here and I speak to you as a concerned citizen. I am in favor of the amendments. He pointed out he has been coming to these meetings for about 6 months and I am concerned with the size of the developments that are before you now. He voiced his concerns with the sewer plant. I am ashamed by the proposals of the developers trying to sell the proposals by profitability of the development. There will be more taxes so that will make the Commission look good. He voiced his concerns with the development fitting a neighborhood and they never stress the change, they stress the profits on taxes. In developers proposals they tell us that there will be no change to traffic patterns. I am not a traffic expert my professional engineering degree is not in that field. How can you say you have 50-families in one area that has accidents in it, but that will have no effect on the local traffic pattern? It was ironic that there was an accident on the corner that will exit a development a week after they presented their proposals, stated Richard Jager. He spoke to his concerns about the population and Open Space. He questioned the other town's population density. We have Open Space in one area and want that without the overcrowding in another. He acknowledged the overwhelming workload the Commission has and the timeframe to turn around an application. Don't sell out the neighborhoods that we moved here to appreciate, he added.

Mr. Irving Steiner, 23 Partridge Lane, addressed the Commission. He disagreed with Mayor Lauretti as far as facts go with regard to the DEP and the Waste Water Treatment Plant. The DEP has stated to Mr. Steiner that there is no permit for the illegal bypass at the plant. The Plant personnel don't monitor the flow into the Housatonic. The load will increase with the more people and the more toilets. He stated his concerns with the 2007 date. We are moving in construction to make the plant worse with each insulation, stated Mr. Steiner.

He voiced his concerns with Attorney Thomas comments. There are excellent developers and the other developers who were never educated in City Planning. There is no rhyme or reason for where the cluster housing appears. It is circumstance were they have put in place to date, stated Mr. Steiner. He questioned the corporate citizens getting recognized over residents living here. The application is for R2, R3, R4, and it is right on the application that is before you this evening. It is all the R's, he added. He voiced his concerns with the criticism against R1 and we expected that.

Mr. Steiner stated he will address 2 letters that are in the Planning & Zoning file. There is a letter from Mr. Mucci and Mr. Steiner stated his concerns with the letter. He stated his concerns with unbuildable land, wetlands and land under utility lines. This is a clear abuse of cluster housing in an R1 zone.

The Chairman explained you cannot address that because we have not voted on that. I have not geographically pinpointed that, stated Mr. Steiner. You mentioned Mr. Patterson, stated Anthony Panico. I want you to understand were we are coming from, stated the Chairman. The next project stated Mr. Steiner is down half mile by the river, is it o.k. to speak to that one? Anthony Panico stated we have already voted on that so you can speak to that. I don't want to get stopped again, stated Mr. Steiner.

We have not voted on that stated the Chairman. You have to talk to proposals on the table tonight. If you give us information on another project put on a table after that hearing was closed but not yet voted on you can take away our rights to votes. Some Courts would see that as an automatic approval and take away our right to vote, stated the Chairman. He mentioned 2 developments, stated Comm. Papale. The only reason is I am so intense to rebuttal these. The letter is in the file and those developments are in there not stricken out. Mr. Schultz stated to me that you would not take that letter into consideration but normally I would say those references should be taken out of that letter. The Chairman asked if anyone has seen the letter? Comm. Sylvester and Comm. Papale stated that they had not seen the letter. If he could do this put that in front on you to affect your thinking on the negotiations, I thought I could take some liberty with that regard. As I have said many times, once the hearing is closed if you have information to bring to the Commission, bring it to the technical adviser. If a letter comes like that, they (the Staff) use their discretion as to if we see that letter, stated the Chairman. If you have that type of information bring that to them. A letter like that, I have not seen it and none of the other Commissioners have seen that so maybe that was removed, he added. I won't continue then I have made my point, stated Mr. Steiner.

He voiced his concerns with the number of units proposed and the number approved. The procedure is pouring oil on the water. He voiced his concerns with the developments being burdens on the school systems. The developers fail to mention these empty nester wish to remain here because they have previously owned homes here and have social ties. The empty nesters then put their very child friendly house on the market. This will impact the school system because a family with 2, 3, or 4 children will purchase that home. Our concern with dense housing has to do with location, location and location, stated Mr. Steiner. The Commission has not denied one application of high density housing in R1. Our application is a relief to offer to you. He spoke of a referendum started by WE R 1. He spoke of future goals that will not be from your action it is from your inaction.

End of Side 1B of 3A, Tape 1 of 3 at 8:50 P.M.

Comm. Sylvester stated he is concerned with the apartments downtown. He also stated that Attorney Thomas had comments about the education. We rank 150 out of 169 towns on what we spend on the education of the children in this community.

Walter Sofian, 7 Andrew Drive, addressed the Commission. (see attached)

Richard Green, 431 Howe Avenue, addressed the Commission. He read a statement from the newly formed Shelton Home Builders and Developers Association. This new group represents the Shelton excellent, responsible, homebuilders that live in Shelton, send their children to Shelton schools and are proud to be Shelton residents. The SHBDA opposes the application # 03-67, stated Richard Green. He stated his concerns with a moratorium. He stated his concerns with 5 new subdivision amendments. The Update is ready for a Public Hearing. The new amendments deal with wireless cellular facilities, childcare facilities, as well as self-storage facilities.

He stated his concerns with the sewer plant. The developers since 1998 are paying a fee to hook into that at \$2000.00 per hook up. That could be used for the fines until 2007, stated Richard Green.

He stated his concerns with the overcrowding schools and at the last meeting it was mentioned that there are seats here. There are seats downtown even though everyone wants their children to go to school uptown. There is information for 2004-2005 that show a decrease in the amount of children attending the schools. He voiced his concerns with the total number of students attending since 1978. The situation is being addressed with Sunnyside now serving children again.

He stated his concerns with the plan of development with regard to single-family homes impacting finances in the City. The streets and utilities in these developments are usually privately maintained.

The houses recently developed are on smaller parcels with restrictions such as pools, fences and swing sets, stated Mr. Green. He stated his concerns with the PDD's and where they can be located. The 1992 Plan references housing for empty nesters. This Commission should consider the day residents. There are a number of employees that come here daily and their desire to live where they work. These create and encourage Open Space. The land is conveyed to the City through the land trust. The 3 current PDD's created 29.84 acres or 42.45 % of their total space is Open Space.

At present there are 738 units under 5 applications. Of the 5 applications, 399 units don't involve residentially zoned land. These units are not subject to these amendments. This Commission has reduced the number of units to create more Open Space. There are 30 acres of Open Space in the 3 most recently approved developments. The density is lower mainly because of this Boards discretion.

The current PDD's are used as transition between commercial and residential. We don't believe the Planning & Zoning has allowed PDD's to invade residential areas. They utilize this option to further assist in development, stated Richard Green. The last 3 developments approved have a density of 4.7 units per acres as 2 bedroom attached units. He stated his concerns with PDD's and PRD's and the last 3 approved PDD's would not meet requirements for PRD's.

He stated his concerns with traffic and traffic studies with regard to impact on roads and patterns. These are referred back to the City Engineer whose report is given back to this Commission.

He stated his concerns with the population numbers.

The sewer treatment plant can handle the capacity, the school system has the capacity to handle the additional students, building more R1's will attract more families with children, PDD's have resulted in lower density than PRD's and the Shelton population growth has slowed since 1950's. The P & Z has followed the regulations and used their judgment wisely. The PDD should not be eliminated and should continue to be used as a tool for this Commission stated Richard Green.

Mary Beth Banks, 2 Snowberry Lane, addressed the Commission. When we buy a home and invest in the Community naturally we want the value of our investment protected. When it comes to our homes and the Community we depend on the zoning regulations to protect us. We depend on the people we elect on the Zoning commission to also protect our investment as well as the quality of life in the Community. We are all aware of the developers trying to increase density of subdivisions. They want to use every inch. What is another house that creates bigger profits for them, questioned Mary Beth Banks? The taxpayers have to provide services for the new residents. This is irresponsible and offensive, she added.

She stated her concerns with our already stretched services and our out of balance Community. The police and fire department are maxed out, our schools are overcrowded, our streets are choked by too many cars and our sewer system needs upgrading. She stated her concerns with the penalties for the sewer system. We want a planned well run balanced City. She stated her concern with dwindling natural resources that also need protection. This is your job. The greed of a few should be rejected. If you do the job that we elected you to do then all that is here private citizens, realtors, businesses, and builders will benefit. Let this go out of balance and we all will lose, stated Mary Beth Banks. Finally, the Plan of Development for developing our Community needs to be updated and it seems like you are traveling along like 3 blind mice in disarray at a hodgepodge. I call for a moratorium on building so that you can stop to catch your breath. Evaluate, study and take a serious look at where we are going to keep Shelton a premier Community. Support the moratorium and one house one acre. Or one house 5 acres, that is what I would like, stated Mary Beth Banks.

Remy Kocurek, 15 Partridge Lane, addressed the Commission. I was thrilled to see the support in this room during a snowstorm, at the last meeting for these amendments. I was not surprised. There was opposition of about 3 different people. There is an Attorney that was here tonight. Attorney Thomas painted a Norman Rockwell PDD story about yelling out his window about spaghetti sauce. Maybe Shelton is not for him and that is why he lives in Derby.

Our town in being overdeveloped. Those opposing our amendments for the most part are in the building trades, real estate and developing in Shelton. The petition shows mostly people who don't live here but work here and even teenage children of Shelton developers. Clearly not the healthy cross-section of voters in town. She stated her concerns with developers who support these amendments. She stated her concerns with those developers getting her real estate business. I hope that this Commission scrutinizes both petitions to determine their true representation of the town that you are charged to serve, stated Remy Kocurek.

Richard Patterson, 31 Daybreak Lane, President of WE R1, addressed the Commission. I have a 2-page letter that I was about to read but most of my comments in the letter have been addressed. I do wish to bring out some points. There is talk that I did this all by myself but I can't take all the credit. The grass root support is well earned by hardworking members that share common beliefs and goals. When the group asked me to represent them as President because of my 30+ years in Real Estate, I was honored to represent these honest hardworking citizens who are not afraid to stand up and be counted.

This is coming down to a David and Goliath tale. Goliath is the builders who only care about the profit margins and David is the local homeowner citizen who wants to live peacefully in their homes maintaining a quality of life in their neighborhoods. This Planning & Zoning Commission must now choose between David and Goliath, stated Richard Patterson.

Ken Walsh, 170 Isinglass Road, addressed the Commission. I have been a resident of Shelton for 7 years. My Grandma lives in Westport where taxes are extremely high. She barely makes end meet. Look down the road to where we will be. We will need a new fire department and a new sewer system. I think there are a lot of people in this town that care about this town and I know you all do too. I don't think rushing into anything is good. If you rush in to anything you might regret. I think a lot time it is good to think about things and rationalize, stated Ken Walsh.

Nancy Steiner, 23 Partridge Lane, addressed the Commission. She read a prepared letter.(see attached)

The Chairman stated that there would be a 5-minute recess and then the Attorney will respond. The April 7th meeting may have to be changed because of a conflict that Mr. Sylvester may have. Richard Schultz will let me know tomorrow and we will try to accommodate everyone.

Attorney Brian Stone, representing the applicant, addressed the Commission. To address Mr. Sylvester's comments in regard to the application. The application has 2 parts. One it restricts the special development areas in all the residential zones, which would in effect prohibit PDD's in all of the residential zones. It also prohibits residential uses in PDD's that are approved in other zones with the exception of the Commercial 3 Zone and Central Business District Zone because they allow multifamily use. I can tell you that decision was made after some discussion and trying to track the existing records. You would have the knowledge if the uses are appropriate or not. You are not restricted by the fact that by what I proposed is allowed in the Central Business District. You can amend and allow the PDD's or eliminate them and that is at issue with your notice being adequate stated Attorney Stone.

End of Side 2A of 3A, Tape 2 of 3 at 9:40 P.M.

Comm. Sylvester stated I would be interested in zoning that would force applications to go into a particular area.

Attorney Stone addressed the Mayor's comments with regard to the treatment plant, which is just a small part of this proposal. I have not reviewed this City's permit from the DEP. I have reviewed many of them. I am familiar with the requirements that allow a certain level of discharge and certain compounds. I have never seen one with an exception to the levels. When you discharge in excess of those levels you violate your permit, stated Attorney Stone. You have the permit that was submitted as part of the record, it is not that hard to understand. That is not the primary driving reason behind this application.

I would like to address the petitions that were submitted, stated Attorney Stone. I don't hold much stock in them even if they are for me or against me. Certainly if you took this as an election it would be a landslide in this case, he added. Attorney LeDonne stated the petition had no information on it. Every single page should have the stated purpose of the petition. Attorney LeDonne should have heeded the advise he must give all his client's which is don't sign anything until you read it.

When we are talking about an application such as the one in front of you, you should take those petitions into consideration. The reason is that when you are acting on a zone change you are acting in a legislative capacity. In that capacity the desires of the citizens of the community are a factor for your consideration. You are charged with good planning and good zoning. What the citizens of your town desire in the way the town is planned should be an important factor in your consideration, stated Attorney Stone.

I would like to address a comment from the Shelton Home Builders & Developers Association about the payment of the hook-ups. You can defray the cost of the fines but it won't change the environmental impact. Those are on going until you take a corrective action that won't take place for another 3 years, stated Attorney Stone.

I would like to address the comments of Attorney Thomas. I agree with a lot of the things he said. The PDD's do give you legislative control. That is a wonderful thing. It is not a substitute for planning. Part of your role is planning & developing of the Community. You have to establish the SDA and what you have done in many cases, applicants come in to establish the SDA as part of the PDD application. That is not planning. The Route 8 corridor is in your own plan an SDA. That corridor is right for this kind of application. If it makes sense do it and it makes sense, so do it, stated Attorney Stone. This group is not opposed to the PDD's it is only opposed to the use of the PDD in residential zones for non-residential uses and to use the PDD for high density multifamily development.

Attorney Thomas gave growth statistics but if you look at the number of applications pending and the various numbers of units 797 that is 5% of your housing stock in this Community. That will change the growth of your Community and that is not the end of it, stated Attorney Stone. I believe in Open Space and I believe in cluster houses. They are a bonus under the PRD regulations.

There is nothing in your old plan or new plan that calls for multifamily residential development through PDD. What I would ask you to do, if you have been around a long time you know these regulations, I ask you when you voted for that did you think the PDD would be used for multifamily use. Was that your objection? I would venture to guess, no, stated Attorney Stone.

You have an opportunity here and I am not against profits. The town has a great tax rate and is developing well. It is an envy of the area with the growth of commercial and industrial and office development. No one is looking to stop the good job you have done. You are not continuing it by approving large-scale multifamily developments. The developers will earn their profits but your job is to plan the town. The developers will come in and follow the rules and if you stretch the rules they will take advantage of the rules. They'll follow the rules and do what ever you say is o.k. for them. It is profit motivation that has given this town the kind of development that it has, stated Attorney Stone. That doesn't mean you are cutting off development by precluding multifamily developing in residential and commercial zones, he added.

Kathleen Brousseau, 25 Birchbank Road, addressed the Commission. She stated I live on the water and that is a flood plain. We all have septic systems on the water. When it floods you know where the septic goes it goes into the Housatonic. I would think the houses in the Birchbank area should have a sewer system to get us off septic systems.

On a motion made by William Papale seconded by Leon Sylvester it was unanimously voted to close the Public Hearing on Application # 03-67.

APPLICATIONS # 03-65 R.D. SCINTO, INC FOR SDA OVERLAY EXTENSION, PARROT DRIVE (MAP 28, LOT 17) IA-2 DISTRICT-REQUEST FOR EXTENSION ON REVIEW PERIOD AND APPLICATION # 03-66 R.D.SCINTO, INC FOR MODIFICATION OF PDD # 4 AND # 37 AND PDD ZONE CHANGE (APARTMENTS) PARROTT DRIVE (MAP 28, LOTS 7, 11, 17)-REQUEST FOR EXTENSION ON REVIEW PERIOD

On a motion made by Patrick Lapera seconded by Karen Tomko-McGovern it was unanimously approved to accept the request for extension on the review period for Applications # 03-65 and #03-66.

APPLICATION #03-52 RIVER ROAD PARTNERS, LLC FOR PDD ZONE CHANGE (MULTIFAMILY DEVELOPMENT) AND CAM SITE PLAN, 745 RIVER ROAD (MAP 21, LOTS 46, 48) R-1 DISTRICT (PUBLIC HEARING CLOSED ON 1/6/2004) REQUEST FOR EXTENSION

On a motion made by Karen Tomko-McGovern seconded by Patrick Lapera it was unanimously voted to approve the request for extension on Application # 03-52.

APPLICATIONS # 03-43 CRANBERRY HILL, LLC FOR SDA OVERLAY ZONE, ARMSTRONG ROAD (MAP 19, LOTS 2, 3, 4, 5) R-1 DISTRICT (PUBLIC HEARING CLOSED ON 9/23/2003)-DISCUSSION AND POSSIBLE ACTION AND APPLICATION # 03-44, CRANBERRY HILL, LLC FOR PDD ZONE CHANGE (49 SINGLE-FAMILY CLUSTER RESIDENTIAL DEVELOPMENT) ARMSTRONG ROAD (MAP 19, LOTS 2,3,4, 5) R-1 DISTRICT (PUBLIC HEARING CLOSED ON 9/23/2003)-DISCUSSION AND POSSIBLE ACTION

I have spoke to the 2 Commissioners who are not here tonight and I have a letter from the 3rd Commissioner and after we have some discussion on this I will make their feelings known, stated the Chairman.

Comm. Papale stated Mr. Chairman I have looked this over and I have some comments. He read a prepared statement. He stated even though he feels the adult oriented housing developments fill an important need in the City of Shelton and they place no greater burden on the Community services than a single-family subdivision.

I feel we do need to be careful as to their location and impact and natural condition. I have some concerns about the proposed 49 home adult oriented Cranberry Hill PDD proposal on that site because it has some severe topography and wetlands problems, stated Comm. Papale. It also drains into the wetlands of the Cranberry Bog in the Town of Stratford. The proposal appears to be a result of over development on the site, in my view which is excessive and the disturbance that it causes may seriously impact the natural environment of the area and the nearby Cranberry Bog. The application doesn't provide us with a biological evaluation of the property. It appears from looking at the Plan that the proposal will result in a considerable disturbance of the natural features, stated Comm. Papale.

The Daybreak Lane and Partridge Lane neighborhood now have only one point of access. Overall access and circulation to the neighborhood may benefit from an extension of Daybreak Lane onto Armstrong Road. That might happen under an R1 single-family subdivision.

So based on these concerns of mine, I would move to deny this application for a 49 home adult oriented housing development at that site, stated Comm. Papale.

Would you qualify that so that it states this is for Application # 03-43 and 03-44, stated Anthony Panico. That is correct stated Comm. Papale. Application # 03-43 and 03-44, added Comm. Papale. Do I have a second for discussion asked the Chairman? Seconded stated Comm. Lopera. Mr. Lopera is sitting in for either Comm. Cribbins or Comm. Pogoda. Comm. McGovern is sitting in for Comm. Oraziotti. Discussion on the motion, asked the Chairman? I have a letter in my hand from Comm. Orazetti that was to be read at the last meeting relative to that project that basically says the same thing as Comm. Papale said with regard to the traffic, the roads, neighborhood, and the long-range plan of development. I have spoken to Comm. Cribbins, who is out of the country right now, he is opposed to this as well as Mr. Pogoda stated the Chairman. I will take a roll call vote then.

There is a motion on the floor that was made by William Papale and seconded by Patrick Lopera to deny Applications #03-43 and 03-44. There is more discussion before an actual roll call vote will be taken.

Comm. Sylvester stated those are fine words that Bill (Comm. Papale) read. Obviously we agree with him although there is a bigger issue than just Cranberry Hill. I am not sure how to address it. We need to face what is going on here and take into consideration this Board and what we are being faced with.

I still believe we should have a discussion at this table about development in this Community, stated Comm. Sylvester. Perhaps a moratorium is the wrong term but I am going to ask you again to seek Corporation Counsel's opinion.

The Mayor had an opportunity this evening to speak at our table and when we sit here we don't get a chance to say anything. Sometime people will think that we agree with it and that is unfair, stated Comm. Sylvester. I think that we should have our own discussion at this table about the sewer treatment plant, traffic and it is about what we are elected to do as a Commission.

I am not sure it is a moratorium that I am seeking but I am seeking that once again the longer we wait, I am seeking the right to say no to applications until we catch our breath. People have accused me of saying what I am saying to win you over and I am not doing that either, stated Comm. Sylvester. I am saying what has been on my mind for a long time. I think that Cranberry Hill is going down and it was not an inappropriate development.

I believe and I still ask you to take this item on the table for discussion so that we all can express what we are feeling. I am telling you that it is not about R1 only, it is about my town, it is about downtown, it is about an application that I heard last week or the last time we were here that was probably, and I am going to say it even if it puts this Board in jeopardy or not, it was probably one of the poorest thought out presented applications that I have seen. I have the complete sense that it was at our table because they were trying to get in under a wire, stated Comm. Sylvester. We have got to say no to people and applications, he added.

The Chairman stated I think a lot of us agree with you. Well get it on the table stated Comm. Sylvester. That has nothing to do with the motion that is on the table, added the Chairman. Yes it does, it really does, stated Comm. Sylvester. Part of the reason for the meeting that is coming up on April 5 or April 7 is to discuss that issue and the applications in front of us. We have a letter in our mailbox from Winnick., Vine, Welch and Teodosio dated Feb. 23, 2004 over the signature of Thomas Welch, Corporation Counsel that addresses the question of the moratorium. We are trying to do this in a fashion where it won't jeopardize other discussions that are on the table now, stated the Chairman.

It is not about moratorium, stated Comm. Sylvester. It is about saying no to the applications. I am ready to vote here, he added.

Is there any other discussion on the motion asked the Chairman? Comm. Sylvester stated I apologize you for putting you on the spot and I am over anxious to get this straighten out. I support you in many ways, stated the Chairman. Any other discussion on the motion to deny Cranberry Hill applications # 03-43 and 03-44. If not, I will call for a vote with I meaning to deny these applications, added the Chairman.

On a motion made by William Papale seconded by Patrick Lapera it was unanimously voted to deny Applications # 03-43 and 03-44. A roll call vote followed with I being a denial and Comm. Lapera, Comm. Papale, Comm. Pagliaro, Comm. Sylvester, and Comm. Tomko-McGovern all voting I.

APPLICATIONS FOR CERTIFICATE OF ZONING COMPLIANCE

Mr. Dingle reported that there are standard applications on a revised list. These are pools, single-family additions and sheds, stated the Chairman. All meet our zoning standards, stated Thomas Dingle. On # 3620 I will not vote and I will excuse myself, it is # 41 Inground Scale, that is a family member stated Comm. Sylvester.

On a motion made by Patrick Lapera seconded by William Papale it was voted to approve the Standards for Certificate of Zoning Compliance.

SEPARATES:

3634 THOMAS GLOVER, OWNER 319 SOUNDVIEW AVENUE, HOME OFFICE

Mr. Dingle reported that this is a home improvement contractor. He has been a trim carpenter for many years in Shelton and he is taking the business over from his father, stated Mr. Dingle. If I remember right this has been a carpentry shop for many generations, stated the Chairman. He has had a saw and carpentry shop for years, he added. There is an office there with a drafting board, stated Mr. Dingle. One van and no permanent signs, stated the Chairman. He will only use 100 ft of the building and he is a carpenter that goes offsite, he added.

On a motion made by Patrick Lapera seconded by Karen Tomko-McGovern it was unanimously voted to approve Separate # 3634 with the stipulation it be used for home office.

#3601 TOM & ELLEN GEISSLER, 17 BROOKPINE DRIVE, MUSIC LESSONS/DRUM SET

There are people in the audience that are concerned with this application. Mr. Geissler gives drum lessons in his basement and he is the only employee. He is requesting hours of operation 3-7 Monday through Friday and on Saturday morning. He teaches one student per hour at a time.

Basically we started with a complaint from a neighbor on the noise and operating a business in a residential zone. We have pictures of houses and plenty of correspondence. A neighbor has retained an Attorney to speak tonight if the Chairman so permits it, stated Mr. Dingle. Is the applicant here, questioned the Chairman? Wasn't the applicant here last week, asked Anthony Panico? Yes, he was here and there was confusion as to if we were going to hear that application or not, stated Mr. Dingle. We have a petition from the neighborhood, he added.

We do know that there are a lot of people giving lessons in their homes today in Shelton and in other cities, stated the Chairman. Our concern is that if this will bring an excessive amount of traffic into the residential neighborhood. Fortunately that is what we are doing here, he added. I am not sure if this is a class or individual, stated Anthony Panico. If you are talking about 8 trips in and 16 round trip that will add up quickly, added Anthony Panico.

Attorney Tim Bishop, addressed the Commission. He wanted to make sure that the Commission had everything in their file that he had in his file. He presented a letter from Aldermen Jack Finn who is against this application. In addition to what is already in the file there are over 24 neighbors who are opposed to this application, stated Attorney Bishop.

I would like to point out Section 45.2.3 is relative to this application. It talks about the residential character of the neighborhood. In addition you have in your packet information from a realtor about the impact that this would have on the values of the neighborhood, stated Attorney Bishop. If you are showing a house you could hear that drumming going on and that could affect the sale of the home

Lastly, the reason to deny this as he continues to read from the above mentioned Section of regulations is because the regulations state there should be no evidence of the professional office outside of the dwelling unit except for maybe signs. This use is unlike another professional office because you can hear this use outside the dwelling. Neighbors that are here today are prepared to testify that this use has been going on for 2 years. This applicant has been told on 2 different times and has continued to carry that on, stated Attorney Bishop. I have copies of that in the file.

The Chairman asked if that was true? Yes, answered Mr. Dingle. When the complainant came back in a year and wanted to pursue the complaint, basically, we told Mr. Geissler that he would have to apply for a home business under the Statue that the Attorney mentioned, stated Mr. Dingle. Professional offices 45.2 and he complied for his teaching, stated Mr. Dingle. He was in violation, he added. Is there a complaint from the neighbor, asked the Chairman? A verbal complaint from a neighbor, stated Mr. Dingle.

Was noise part of it, asked the Chairman? Yes, answered Mr. Dingle. Just doing paperwork won't elevate the problem stated Anthony Panico. Again we thought that the 2 neighbors that had a conflict had calmed down about the tree cutting and the noise and the lessons, stated Mr. Dingle. The lessons don't create the noise, it is Mr. Geissler practicing his own drums that create the noise. If Mr. Geissler has friends over and they play the drums in the driveway it is not a zoning issue, he added. The zoning issue is that he advertises drum lessons for people to come to his house and learn the drums. That is the violation, stated Mr. Dingle. He could be in violation of the noise ordinance, stated Anthony Panico. You had the person who spoke that has her sons as students, stated Mr. Dingle. The application would be different if he went to the student's home, stated the Chairman. Them coming here then it would be treated differently, stated the Chairman.

Attorney Bishop stated I just want to point out one more thing, the application also talks about hours of operation and he starts in the morning during the week. So you know what you are dealing with. Is there an addendum modifying the hours, asked Anthony Panico? Mr. Dingle then read the addendum. There a couple of adult students that come in the morning during the week.

End of Side 2B of 3A, Tape 2 of 3 at 10:25 P.M. Mr. Dingle continues with the addendum and the applicant provided photos.

Attorney Bishop stated there are 24 neighbors on this petition. In those 2 years none of those 24 neighbors have called, stated Mr. Dingle. Are there neighbors here that are against it asked the Chairman? The neighbors in the audience raised their hands. Are there any neighbors in the audience for this application, asked the Chairman? No one raised their hands. I will ask for a motion then, stated the Chairman.

Comm. Lapera stated we have had these before, I don't know about the noise issue but as Mr. Panico pointed out it is the concern for the trips of 50 in and out of this neighborhood. We have had professional uses with the density not like this and my view is this is not a home office, it is a business. A business belongs in a commercial zone and I make a motion to deny this application, stated Comm. Lapera.

On a motion made by Patrick Lapera seconded by Karen Tomko-McGovern it was unanimously voted to deny Separate # 3601.

3630, 62 GREYSTONE, HOME OFFICE

Mr. Dingle reported that he has the Condo. Association's letter of approval. He is a remodeler and home improvement contractor. He has a pick up and there are no signs on it. This is the 2nd trade name asked for in Greystone, stated Mr. Dingle. We need to get some more information from the Association, stated the Chairman.

On a motion made by Patrick Lapera seconded by William Papale it was unanimously voted to table Separate # 3630.

3639, 26 LONGVIEW ROAD, HOME OFFICE

Mr. Dingle reported that this person is requesting gardening, decorating and design. No one comes to the home and it is part-time. Carousel Garden is the name. No signs and no company vehicle, he added.

On a motion made by William Papale seconded by Leon Sylvester it was unanimously voted to approve Separate # 3639.

#3640 29 CEDAR HILL ROAD, HOME OFFICE

Mr. Dingle reported that this is a writing and publishing business that is done over the computer. It is a husband and wife team. They are requesting a home office.

On a motion made by William Papale seconded by Leon Sylvester it was unanimously voted to approve Separate # 3640.

#3642 74 TUCKAHOE DRIVE, HOME OFFICE

Mr. Dingle reported that this gentleman is a carpenter who is requesting a Trade Name Certificate. He has a van with no lettering and this will be part time. The application states no sign or outside storage.

On a motion made by William Papale seconded by Leon Sylvester it was unanimously voted to approve Separate # 3642.

3621 73 RED OAK CIRCLE, HOME OFFICE

Mr. Dingle reported that is a consulting business. He will be the only employee and no one will come to the house.

On a motion made by Patrick Lapera seconded by William Papale it was unanimously voted to approve Separate # 3621.

3604 1000 BRIDGEPORT AVENUE, SALE OF PRINTING BUSINESS

Mr. Dingle reported that this is a sale of a printing business. No change in the signage just a change in the ownership.

On a motion made by Leon Sylvester seconded by Karen Tomko-McGovern it was unanimously voted to approve # 3604.

3624 374 LEAVENWORTH ROAD, VETERINARY/TRAVELLING IMAGING VAN

Mr. Dingle reported that this is the Veterinary Office almost into Monroe. He has a traveling van that will go to other vets and do imaging. Ultrasounds that travel to other vets, stated Mr. Dingle. He is not expanding his business this is as a second business. This is all the same business. This will be done by one of the vets and he travels to other vets office that don't have this machine. I don't want the preexisting to get obtrusive into the neighborhood, stated Comm. Sylvester. He will travel to other vets if they need this machine.

On a motion made by Leon Sylvester seconded by Karen Tomko-McGovern it was unanimously voted to approve Separate # 3624 with the stipulation that this doesn't represent expansion of a nonconforming condition.

3609 8 ALGONQUIN ROAD, COMMERCIAL BUSINESS

Mr. Dingle reported a business is relocating. It is Huntington Electric (Huntington Power) by the firehouse. It is on the corner. It is an existing R3 non-conforming use. You have to say to yourself are you expanding that nonconforming use, stated Anthony Panico. This gentlemen does gas and electric service and they both have vans. It is a similar operation and it will be less, stated Comm. Papale. This says we have delivery by UPS, etc. Is that what happened before, asked Anthony Panico? As long as you know that and just state when you make the motion as you did before, he added.

On a motion made by Leon Sylvester seconded by William Papale it was unanimously voted to approve Separate # 3609 with the stipulation that this doesn't represent expansion of a nonconforming condition.

The Chairman stated we will take the Spooner House Application and everything else will be put off to another meeting.

Mr. Dingle reported that once we are done with Spooner House I would like to revert back to the Certificates. There is one for lights at the Nike Site that people have been waiting for all night.

APPLICATION # 03-69 ACT, INC. FOR DETAILED DEVELOPMENT PLAN APPROVAL AND PDD ZONE CHANGE (SPOONER HOUSE) TODD ROAD (MAP 63, LOT 170 REQUEST FOR EXTENSION, DISCUSSION AND ACTION

Comm. Lopera stated that he abstained from the original matter and he will continue to abstain.

Anthony Panico stated everyone has and is familiar with this. This is an IA-3 zone. We were concerned with accessory activities that might need additional parking. They can come up with a temporary arrangement for additional parking. Anthony Panico read a motion. (see attached0

On a motion made by Leon Sylvester seconded by Karen Tomko-McGovern it was voted to approve Application # 03-69. A roll call vote followed with Comm. Tomko-McGovern, Comm. Sylvester, Comm. Paglairo, and Comm. Papale all voting I to approve. Comm. Lopera did abstain because of a client conflict.

3616 LIGHTS FOR NIKE SPORTS COMPLEX

Mr. Dingle reported that this is for lights at the Flag Football Field. They will accept these from the Little League Field. They will install 6 poles with lights. This has been approved by Parks & Recreation Commission contingent on the P & Z Commission giving approval. This has been there for 20 years with their season from Labor Day to November. The lights will be faced down, they won't be on late at night, and this is once a week, stated Mr. Dingle. The poles are 35 feet and this should be no later than 9p.m. We can restrict it to 9p.m. stated the Chairman and the one day a week. I will make the motion but asked them to work out the details with Staff stated Comm. Sylvester.

On a motion made by Leon Sylvester seconded by William Papale it was unanimously voted to approve Separate # 3616 with details to be worked out with Staff.

On a motion made by William Papale seconded by Karen Tomko-McGovern it was unanimously voted to adjourn at 10:45 P.M.

Respectfully submitted by,
Diana Barry, Secretary