

The Shelton Planning & Zoning Commission held a Regular Meeting on June 8, 2004 at 7:00 P.M. in the Shelton City Hall, Room 104, 54 Hill Street, Shelton, CT.

Mmebers present: Chairman Alan Cribbins
Comm. Patrick Lapera
Comm. Joseph Pagliaro
(arrived late/recused himself for the Public Hearings)
Comm. Daniel Orazietti
Comm. Karen Tomko-McGovern

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

The Chairman opened the Pledge of Allegiance and stated Chairman Pagliaro will be late. Comm. Lapera will sit in for Chairman Pagliaro.

The Chairman explained that this evening we were given this room because DPUC is holding hearings in the auditorium. They are using projectors with a drop down screen.

PUBLIC HEARINGS:

APPLICATIONS # 04-05 PETITION OF CHAPPAGUA CAPITAL CORP. FOR SDA OVERLAY ZONE, LONG HILL AVENUE, (MAP 41, LOT 35) R-1 DISTRICT (CONTINUATION FROM 5/25/04)

AND

APPLICATION # 04-06, PETITION OF CHAPPAGUA CAPITAL CORP. FOR PDD ZONE CHANGE (ELDERLY APARTMENTS), LONG HILL AVENUE (MAP 41, LOT 35) R-1 DISTRICT (CONTINUATION FROM 5/25/2004)

These hearings are a continuation. We took a lot of data from the audience and experts. There was one question regarding if the people living in Asbury Ridge were properly notified and proper documentation was taken. All those records, statues and everything we have here at City Hall says that people whose property borders within 200 feet of that subdivision, that application, those are the only people who need to be notified. It is not every resident, stated Chairman Cribbins. It is only those who are located within 200 feet of the property. I kept this opened to verify if those people within 200 feet were notified and to give people in Asbury Ridge an opportunity to speak. I realize that this room is very crowded but rather than if you came here to speak on this proposal I will allow for those people who are here to speak, we will open the floor. You don't have to come back. If there are people standing in the hallway would you please just come in sign your name if you want to come back in 2 weeks, especially you, stated Chairman Cribbins. (There is a woman on crutches who signs her name later to come back in two weeks that the Chairman offers his chair to). We will allow people in the hallway to come back in two weeks.

For those people who are uncomfortable we will take any comments you want on the 22nd, stated the Chairman. For anyone here we will take your information or input now. For those people who have already spoken on this hearing, please give other people the opportunity to speak.

Comm. Orazietti read 3 letters in opposition to these applications from Barbara Freer, Marge Clark, and a name he can't read. These are letters from residents at 408, 490 and 468 Asbury Ridge.

Here is how we will conduct this continuation, the applicant has given us an overview, for those of you who didn't speak, we will let you speak. We don't have a microphone here and we can put a chair here if you feel more comfortable sitting down. There are tapes going and you need to state your name and address before you begin, stated Chairman Cribbins.

Janet Feather, 577 Asbury Ridge, addressed the Commission. She read a letter stating that she moved here 4 years ago from Fairfield. She moved here because of the Open Space. In view of the statements she would like this property used as Open Space or single-family homes.

Barbara Freer, 490 Asbury Ridge, addressed the Commission. I would like to make a statement about the traffic. I have a dear sister-in-law who got hit coming into Asbury Ridge. She has had 2 operations on her head and has had a pacemaker put in. That is because of speeding on that road. It is very dangerous. I am against adding 2 stories especially because it takes away from our views. I think it should be left for Open Space.

Ingrid Waters, Long Hill Cross Roads, addressed the Commission. I am against this application because of the traffic issues. I am dismayed because we have to keep coming to planning & zoning hearings because R1 property is being abused. R1 should be R1 and nothing else. That is why we moved here. We are inundated by these projects and I am against, she stated.

The Chairman stated that he needed a motion to recess this hearing. I will keep this hearing opened for the testimony from the women who wanted to come back on the 22nd. The Chairman calls for Liz and no one answers. The Attorney doesn't have to come back on the 22nd.

On a motion made by Karen Tomko-McGovern seconded by Patrick Lapera it was unanimously voted to recess the hearing on Applications # 04-05 and 04-06.

PUBLIC PORTION:

Irving Steiner, 23 Partridge Lane, addressed the Commission. (see attached)

Richard Patterson, President and Co-Founder WER-1, 31 Daybreak Lane, addressed the Commission. I would like to bring to everyone's attention the cramped spaces in this room. As I arrived this evening I saw a lot of citizens going out the door because they can't get into this room. Anything being heard this evening should be continued to another hearing because the citizen's can't be heard. I would like to reiterate what my Co-Founder had said, it has become painfully apparent that this Commission has a mind of its own and gives no consideration to what the citizens of Shelton want to do or would like to see in their own City. I respectfully urge this Commission to reconsider its voting on action that it takes in the future. WER1 is not going away, we will be watching and we intend on holding anybody and everybody accountable for their actions, stated Richard Patterson.

On a motion made by Daniel Orazietti seconded by Patrick Lapera it was unanimously voted to close the Public Portion.

APPLICATIONS FOR CERTIFICATE OF ZONING COMPLIANCE

Mr. Dingle reported that there are 53 standards. I recommend them to be correct, he added. They are pools, decks and single-family homes, stated Chairman Cribbins.

On a motion made by Daniel Orazietti seconded by Patrick Lapera it was unanimously voted to approve the Standards for Certificate of Zoning Compliance #'s 1-53.

SEPARATE

3443 TAMMY MULROONEY, 289 BRIDGEPORT AVENUE, BUSINESS

Mr. Dingle reported that this was tabled from the last meeting.

Attorney Dominick Thomas, representing Tammy Mulrooney and Superior Storage of Shelton, addressed the Commission.

Richard Schultz read from his memo. He stated he received an application to modify the statement of use on the storage facility. This is a result of a zoning enforcement issue. This will allow for Budget truck rental to remain at this site as a principal use. This will be a 24-hour 7-day a week service to its customer. This was approved in 1983 with sole access to Bridgeport Avenue and the storage facility was the only use approved. Shortly after in 1985 Budget started its operation without the benefit of review of approval of the Commission. Since that date Budget has operated its business from Monday-Saturday hours of 8-5:30 with drop off provisions occurring 7 days a week, 24 hours a day. A total of 8 rental trucks are stored on the property at any one time. A drop off box was located at the beginning of the access driveway and was relocated to 200 feet up the drive for less of an impact to the adjacent neighbor.

Recommendations: Staff has visited the site to examine the total operations discussing issues with the property manager and adjacent property owner. Both parties recommend the following solutions: property owner wishes to have the business remain the same as it has since 1985. This includes the opportunity to park up to 8 trucks on the property and to allow for drop off service to the rental truck customers, 24 hours a day, 7 days a week. The property owner agrees to erect a 6-foot high solid fence along the neighbor's property line to help elevate the noise problem. Signs will be posted to prohibit trucks to back up and restrict customers from visiting the neighbor's home, stated Richard Schultz.

The neighbor's recommendations: the neighbor wished the Commission to impose a drop off time for rental truck to 10:00p.m. Monday-Sunday. It is the noise that impacts the quality of life. Restricting the time to 10p.m. on Saturday and Sunday.

Staff has done its review and these are issues. The Company added a use to its original operation in 1985 without the benefit and we heard the complaints at the last meeting. These are the 3 solutions for your consideration, stated Richard Schultz.

I have done some research on this, stated Attorney Thomas. The truck rental went in there in 1984 one year after the site plan was approved. P & Z can't locate its file. The minutes are cryptic at best and I informed your current clerk nowhere near the clarity and detail of her minutes, he added. She does an outstanding job, added Chairman Cribbins. They were cryptic as to what happened, at one meeting in the summer of 83 it was site plan not complete, waiting Mr. Panico's review, then the next meeting in August it was a lengthy notation that the site plan was approved addressing some of Tony's concern, then at the next meeting it was basically approving it. Then a year later, they opened up, got a building permit in October 83 and opened a year later, stated Attorney Thomas. As you know a lot of storage places have the truck rentals as accessory uses.

They have taken other steps. The drop off used to be further down, now the trucks pull all the way up into the actual property. Leaving the vehicles has stopped along time ago. We will put a solid fence up. Putting restrictions, there are truckers who are one-way drivers. The trucks are coming from Idaho, they will drop the truck off at Saturday at 1:00p.m. There is very little control in that. They pull all the way up here, stated Attorney Thomas.

How wide is the driveway, asked Anthony Panico? It is 24 feet wide, answered Attorney Thomas. This is the paved portion. The site plan was approved on the representation that there would be a wide paved driveway. The shaded area was to be paved and the slope was to be cut back to accommodate the driveway, stated Anthony Panico. There are 2 issues here, the site plan was approved for a storage facility only. Now there is an introduction of some activities that are not storage for which there is no certificates every being issued. We have activities that were never authorized, he added.

Thank you very much, you said everything for me, stated the neighbor.

This is a CB1 Zone, stated Attorney Thomas. The rental of vehicles is by site plan approval. No one can find the file on this. I have researched the 83 minutes and I have not researched the 84 minutes. What we are trying to do, we will do all the things we have said we would. I have been out there and there is no need to make that 24 feet wide, stated Attorney Thomas. There is no need to cut the slope or redesign the pavement, he added.

Apparently the engineer who designed the site plan thought that there was, stated Anthony Panico. The Commission on that recommendation approved the site plan. The Commission would not have approved a project of the scope without those improvements, he added.

You are talking about 24 years ago, stated Attorney Thomas.

End of Side 1A of 3B, Tape 1 of 3 at 7:55 P.M.

It doesn't look like you will resolve this tonight, why don't we set up a meeting between Staff, any of the Commissioners, the property owner and the neighbor, stated Comm. Pagliaro.

You have ample room up here and this functions as a fire lane access on this property, why couldn't you stencil or mark it in same way as a fire lane, stated Anthony Panico. We have done that stated Tammy Mulrooney. Here's a dwelling and another dwelling is here.

There are several conversations all going on at one time plus noise in the audience.

Comm. Tomko-McGovern stated I would like to see the 24 hours stop. We don't operate 24 hours, stated Tammy Mulrooney. The trucks are dropped off, she added.

We will table this and the applicant will meet with staff. We will try to reach some common ground, stated Chairman Cribbins.

On a motion made by Daniel Oraziatti seconded by Joseph Pagliaro it was unanimously voted to table Separate # 3443.

#3475 FRED BIALEK, 434 HOWE AVENUE, DINER

Mr. Dingle reported that this is for where the locksmith was, formerly the bakery that was on Howe Avenue. There is a statement of use. The person is an executive chef who is a local resident. They have supplied a floor plan and will seek the approvals of both the Fire Marshall and Valley Health, if approved by P & Z tonight.

This is for a business stated Chairman Cribbins. I will make that motion stated Comm. Pagliaro and I will second this for discussion. This is a commercial business in the commercial zone. This is 1500 sq ft., stated Richard Schultz. They will have 4 employees. What is the parking like, questioned Chairman Cribbins? You have the post office parking lot, Sylvester parking lot, Center Street and Howe Avenue, stated Tom Dingle. What are the hours, questioned Comm. Pagliaro? Monday-Friday 6am-3pm and Saturday 9am-3pm., answered Richard Schultz. Will they have a full kitchen on the site to serve meals, questioned Comm. Pagliaro?

Michelle Violet, the applicant, addressed the Commission. It will be a service counter type restaurant. You will come up to the counter, go to your seat and we will bring the food to you. Will you be serving on paper plates or China plates, questioned the Comm. Pagliaro? China plates answered Michelle Violet. There is a full service kitchen with fully-ventilated hoods.

On a motion made by Joseph Pagliaro seconded by Karen Tomko-McGovern it was unanimously voted to approve Separate #3475.

#3480 KIMBERLY WATKINS, 33 HULL STREET, SIGN/BUSINESS

Mr. Dingle reported that this is Marvin Carpets that is transferring the business to a new owner. It is 2200 sq. ft. of the building of the Manny Weinberger building. There will be 2 signs on the building. Parking requirements they need 2. There is a dumpster on the site. They sell carpets on site and subcontractors go out to install it.

On a motion made by Joseph Pagliaro seconded by Daniel Oraziatti it was unanimously voted to approve Separate # 3480.

3470, AL PAPA, 100 FAR HORIZONS DRIVE, 2 CAR GARAGE

Mr. Dingle asked if Mr. Papa was in attendance this evening and no one answered from the audience. I issued a stop work order, a potential cease & desist. He built a commercial garage on his property without any permits. He also built it on someone else's property. After a year now, the garage is now on his property. He obtained a variance for the back property and purchased land from another property owner. My problem is a commercial garage, it doesn't look like a residential garage, stated Mr. Dingle.

How long has this been going on for, asked Comm. Pagliaro? Mr. Dingle answered the Assessor picked this up and this has been going on for over a year. He did obtain a variance, approval from Wetlands, and Valley Health as well. He bought property from a neighbor, he had to have the property surveyed, and he now has a certified as built, stated Mr. Dingle. If he is to keep the garage you should put certain restrictions on it so it looks more residential. It is buried in the woods.

What is he housing in the garage, asked Comm. Pagliaro? Most of the equipment has been removed and he has downsized his commercial operation. He does snowplowing in the winter. The equipment is not outside or on the property at all. The cease & desist order was for a construction yard so that there were 2 violations on the property, stated Mr. Dingle.

It is a residential zone, questioned Chairman Cribbins? It is at the end of the cul-de-sac of Far Horizons Drive, stated Mr. Dingle. You can't operate a commercial business in a residential zone, stated Chairman Cribbins. He has a cease & desist order as of December 16, 2003. The Assessor notified me to a building that had no permit or wasn't on file as being permitted along with the construction yard. So we started action back then. Then it was found not to be on their property, stated Mr. Dingle.

Is there anything in the back of them, asked Chairman Cribbins? Their backyard is someone else's backyard in the White Hills Section, stated Tom Dingle. Comm. Pagliaro is looking at a map and questioned Mr. Dingle that the heavy line is what he had to purchase from his neighbor? Yes, stated Mr. Dingle. He made the 40-foot setback from that neighbor and he got a variance from the front line on the rear property line. I have not made any recommendations and told him that the Commission would have to review the garage. The dimensions are on the drawing, stated Mr. Dingle.

There are dimensions on the line but none on the actual garage, stated Comm. Pagliaro. Why don't we table this thing to give us an opportunity to go see this, stated Chairman Cribbins. I would like to see that, also stated Comm. Tomko-McGovern. I want to see if the commercial application is gone, stated Chairman Cribbins. If you can't see this and there is no commercial vehicles being stored on the property, he added. We want to know that there is no commercial business going on there.

You have very little control over the look of a structure, stated Anthony Panico.

On a motion made by Patrick Lapera seconded by Joseph Pagliaro it was unanimously voted to table Separate # 3470.

3476 PAUL GARRETT, 42 BRENTLEY DRIVE, ACCESSORY DWELLING

Mr. Dingle reported this has Valley Health approval, we have an affidavit and we have the floor plan. This will be adding a 4th bedroom in the basement, with living room, kitchen and bathroom. Meets all our recommendations. This is in the basement, questioned Chairman Cribbins? Yes, answered Mr. Dingle.

Does it meet the definition of livable floor space, asked Anthony Panico? By means of a staircase up to the main floor, stated Mr. Dingle. Definition of livable floor space with walls exposed, stated Anthony Panico. It shows doors, windows, yes, stated Mr. Dingle. Definition of livable floor is to have certain criteria. The outside walls have to be exposed to a certain degree, etc., stated Anthony Panico. Otherwise it is not considered livable floor space, he added. If it is not livable floor space then they can't make this an accessory dwelling unit.

On a motion made by Joseph Pagliaro seconded by Daniel Oraziotti it was unanimously voted to table Separate # 3476.

2577 ANNETTE MARSILLIO, 29 SKYLINE DRIVE, ACCESSORY DWELLING

Mr. Dingle stated we an affidavit and health approval. There are a lot of people who have second kitchens and we have to be careful that these become rental units, stated Chairman Cribbins.

On a motion made by Joseph Pagliaro seconded by Patrick Lapera it was unanimously voted to approve Separate # 2577.

Let the record show that Chairman Pagliaro arrived when we first started the separates, stated Chairman Cribbins.

#3477 ANGELA HEYSE, 61 POPLAR DRIVE, HOME OFFICE

This is for a real estate business stated Mr. Dingle. It is a husband and wife operation. Hours will be Monday through Saturday 9-5. They were told clients can't come to the house. There is no signage. There is discussion between Chairman Cribbins, Comm. Pagliaro and Anthony Panico. I pointed out this is a home office not a professional office, stated Mr. Dingle. Those stipulations are on the application.

On a motion made by Joseph Pagliaro seconded by Patrick Lapera it was unanimously voted to approve Separate # 3477.

3434 SANA TRADERS, 5 RIVENDELL DR., HOME OFFICE

Mr. Dingle stated this is a condo and we have a letter from the management. This is import and export of merchandise over the computer. Work at home and heads out to the location. Nothing comes to the house but faxes and mail.

On a motion made by Joseph Pagliaro seconded by Daniel Oraziotti it was unanimously voted to approve Separate # 3434.

3392 CARLY LUCAS, 318 E. VILLAGE DR, RE-GRADE PROPERTY

Mr. Dingle reported that this is work being done to re-grade the property. This application was after a complaint was filed. The property owner & contractor have installed hay, an anti-tracking device, etc. and have agreed to 2 to 1 slope. They are trying to get a level backyard. We have been monitoring this for the past 2 weeks, he added. Aldermen Finn has been involved. The road is clear and they are doing their job, stated Mr. Dingle. We don't need an help from the engineering staff, stated Chairman Cribbins.

On a motion made by Joseph Pagliaro seconded by Daniel Oraziotti it was unanimously voted to approve Separate # 3392.

3372 CHARLES SCHAFENBERG, 765 LONG HILL AVENUE, LANDSCAPING

Mr. Dingle passed around pictures that the applicant has had a problem due to heavy rains. There is a stonewall. We have stepped up sediment and erosion control stated Richard Schultz. They will be regarding this. They will regrade the bank, he added.

On a motion made by Daniel Oraziotti seconded by Joseph Pagliaro it was unanimously voted to approve Separate # 3372.

3471 TED BONADIO, 40 SURREY DRIVE, SOLI & EROSION CONTROL

Mr. Dingle reported that this is the horse farm. This is an ongoing complaint with neighbors on Christine Drive. Staff has been up there several times. There are erosion fences in place and wood chips, also.

What are they requesting, questioned Chairman Cribbins? Right now there is a stockpile of wood chips that they use, some for filling, trees are 6 to 8 feet with food chips, the wood chips are used in the corral and the walking trails, stated Mr. Dingle.

The neighbor has had us there to make sure the water goes correctly to the culvert. There have been manure issues and this is being monitored. Anything done on the property has to come to us to review the plans. Is there an erosion plan, now questioned Comm. Pagliaro? We have a drawing, stated Mr. Dingle. There are 3 issues that coincide with the Commission's authorization for keeping livestock, stated Richard Schultz. This property has hilly terrain. When you have as many horses as they it exposes the soil. I think it is prudent to get a sediment erosion plan in place, stated Richard Schultz.

So there are 3 issues, the owner has the livestock, which puts a strain on the property. We will monitor that and we are aware of the slopes. We need a permanent sediment erosion plan. We can monitor this and then the third issue is the building. I need to monitor this, stated Richard Schultz. Anytime it rains I am concerned, he added.

Did all this happen on the holiday weekend, asked Comm. Pagliaro? Two and half months ago I walked the property. There is an open culvert recognized by the City that drains down to Christine Drive, stated Mr. Dingle. The culvert is up at Surrey Drive that goes down to Christine Drive, questioned Comm. Pagliaro? Yes, and it goes down stated Mr. Dingle. I will make that motion for the erosion control plan, stated Comm. Pagliaro.

On a motion made by Joseph Pagliaro seconded by Karen Tomko-McGovern it was unanimously voted to approve Separate # 3471.

3393 MICHAEL BOUCHARD, 85 BEARDSLEY ROAD, SITE WORK

Mr. Dingle reported that this is Monroe Landscaping. He scraped the backyard and brought large commercial equipment to the property. There was a work order served to stop work. He did come in and he is also working on an East Village site. He is removing the extra fill.

He removed the commercial equipment, he has removed the extra dirt and he is leveling his rear yard, stated Mr. Dingle.

So what is this application for, asked Chairman Cribbins? Not knowing if we were going to ask your permission to take him Court. He has complied and we will monitor his finishing up the backyard. So this is for a site stabilization certificate stated Chairman Cribbins.

On a motion made by Patrick Lapera seconded by Joseph Pagliaro it was unanimously voted to approve Separate # 3393.

3378 GEORGE SENDER, TUXEDO AVENUE, SITE WORK

Mr. Dingle reported that this is gentlemen has 2 lots passed the cul-de-sac. He wants to bring in fill for site work. We are waiting for the plans to come from the Engineer. Staff recommends approval.

On a motion made by Joseph Pagliaro seconded by Daniel Oraziotti it was unanimously voted to approve Separate # 3378.

3400 JACK PERKINS, 61 CENTER STREET, BUSINESS

This is the former Shuster's Garage and the gentlemen has received approval from ZBA for site approval, stated Mr. Dingle.

On a motion made by Joseph Pagliaro seconded by Patrick Lapera it was unanimously voted to table Separate # 3400.

3458 SMITH & OLEYNIK REALTY, 72 WOOSTER STREET, ADDITIONS

Mr. Dingle reported that the Commission approved the site plan at the last meeting. They got a variance for one part of the addition.

On a motion made by Joseph Pagliaro seconded by Karen Tomko-McGovern it was unanimously voted to approve Separate # 3458.

3371 V. CUMINOTTO, 30 SHELTON TECH. CENTER, BUSINESS

Mr. Dingle reported that this is Shelton Technology Center. Comm. Patrick Lapera abstained from this application. This is where Firing Circuits was. This is Random House, a multi-media company. They will use 42000 sq. ft. Similar number of employees, up to 90. Hours of operation 8-6, parking requirements 111. Company vehicles there are none and there is no outside equipment, stated Mr. Dingle. This doesn't include a sign that is forth coming.

On a motion made by Joseph Pagliaro seconded by Karen Tomko-McGovern it was voted to approve Separate # 3371. Comm. Lapera didn't vote.

3391 U.S. BLUES, 427 BRIDGEPORT AVENUE, BUSINESS

Mr. Dingle reported that this is 800 sq. ft. The property owner is Blanchette's. It is music management and promotion. This is on the second floor of the Blanchette's building.

On a motion made by Joseph Pagliaro seconded by Karen Tomko-McGovern it was unanimously voted to approve Separate # 3391.

3362 CITY POINT CONSTRUCTION CO., 33 PLATT ROAD, PARKING

Mr. Dingle reported this is 33 Platt Road, Sikorsky. They want to add 30 parking spaces. This has been reviewed by Staff. They have cleaned up the area. This was gravel and they are putting asphalt there.

Chairman Cribbins turned this over to Chairman Pagliaro because he is employed at Sikorsky's.

On a motion made by Patrick Lapera seconded by Karen Tomko-McGovern it was voted to approve Separate # 3362. Comm. Cribbins abstained.

3376, RALPH CALANDRO, 100 CENTER STREET, EXT. IMPROVEMENTS

Mr. Dingle reported that this is the old Valley Bank. He is changing all the windows on the second floor. Certain areas will have windows some will have panels. This is in front of ZBA, stated Richard Schultz. This is above the church which has moved out. He wants to have 5 apartments there.

On a motion made by Joseph Pagliaro seconded by Karen Tomko-McGovern it was unanimously voted to approve Separate # 3376.

3380 FIRING CIRCUITS, 230 LONG HILL CROSS ROAD, BUSINESS

Mr. Dingle reported that this is a transfer of a previous tenant. Subleased information 20,000 sq. ft. 2.9 spaces per 1000 sq. ft. of rental. It is on the property of Kell Realty. It is manufacturing and industrial electronics. There are 25 employees, 41 parking spaces and one company vehicle, stated Mr. Dingle.

On a motion made by Joseph Pagliaro seconded by Daniel Oraziotti it was voted to approve Separate # 3380. Comm. Lapera abstained.

3410 DRESS BARN, 874 BRIDGEPORT AVENUE, INT. & EXT. RENOVATIONS & SIGN REPLACEMENT

AND

3452 DRESS BARN, 876 BRIDGEPORT AVENUE, INT. & EXT. RENOVATIONS & SIGN REPLACEMENT

Richard Schultz reported that this is external and interior renovations. They are changing their sign. This must be the Corporate Logo that is on all their stores, stated Chairman Cribbins.

On a motion made by Joseph Pagliaro seconded by Daniel Oraziotti it was unanimously voted to approve Separate # 3410 and 3452.

3474 OMNIPOINT FACILITIES NETWORK, LLC, 2 MOUNTAINVIEW ROAD, CELL TOWER

Mr. Dingle reported that this is for a Cell Tower near California Closets on Mountain View and Ivy Brook Road. It will be a tower 20 feet off the steel platform that will be mounted on the roof. This is a matter of right stated Chairman Cribbins. The antenna will be here and no one will see it. You will see a portion when entering Mountain View Road, stated Richard Schultz. There is one tower with 3 co-habitats. This is Omnipoint who is the applicant. The Commission will get a photo, stated Richard Schultz.

End of Side 1B of 3B, Tape 1 of 3 at 8:40 P.M.

3487 ALLEN NATHAN, 21 WAKELEE AVENUE, 2 FAMILY CONVERSION

Mr. Dingle reported that this gentlemen bought this property with a kitchen upstairs. He wants to go through proper code compliance to make it a 2 family and use that for rental. Are there 2 family houses on either side of him, asked Comm. Pagliaro? I told him he had to have 10,000 sq. ft. The Assessor's card shows this as a one family. There is a discussion as to what you need for the districts to make this a 2 family.

On a motion made by Joseph Pagliaro seconded by Daniel Oraziotti it was unanimously voted to approve Separate # 3487.

3490 SHELTON III HOTEL OWNERSHIP LLC, 780 BRIDGEPORT AVENUE, HOTEL RENOVATION & SIGN REPLACEMENTS

This is Courtyard taking over for Ramada. There will be exterior renovations, stated the applicant. There will be new signage and we will be painting the building. We are asking for a sign. There will be 3 signs. There is a sign at this end and there will be a sign here. All signs will change from Ramada to Courtyard..

On a motion made by Joseph Pagliaro seconded by Daniel Oraziotti it was unanimously voted to approve Separate # 3490.

3491 PAT CAREY, 172-176 CORAM AVENUE, PROFESSIONAL OFFICE IN DWELLING

Mr. Dingle reported that his should be tabled. Not enough information.

On a motion made by Patrick Lapera seconded by Karen Tomko-McGovern it was unanimously voted to table Separate # 3491.

3483 ACME SIGN, BRIDGEPORT AVENUE, SIGN

Mr. Dingle reported that this is a sign replacement over the door. There is a sign that is there by the driveway. This is next to Timex.

On a motion made by Joseph Pagliaro seconded by Daniel Oraziotti it was unanimously voted to approve Separate # 3483.

3488 SUZANNE MELISI, 99 CENTER STREET, BUSINESS

Mr. Dingle reported that this is for a bar/café license. The permittee has owned a bar in Bridgeport for 23 years. This is John Simonetti's building. It is 900 sq. ft. with 3000 sq. ft. upstairs of apartments. There will be 3-4 employees. Parking requirements will be on Center Street, the Post Office Parking Lot and Coram Avenue. No company vehicle, no outside equipment. There is no signage. There was a bar there.

Mr. Dingle reported that she will need the approval of Valley Health, the Fire Marshall, Liquor Permit, Building Permit and a floor plan. Check on no entertainment, stated Chairman Cribbins. She lives in Shelton, stated Mr. Dingle.

On a motion made by Daniel Oraziatti seconded by Patrick Lopera it was unanimously voted to approve Separate # 3488.

APPLICATION # 04-17, TOLL BROTHERS, INC. FOR SUBDIVISION APPROVAL (37 LOTS-THE VISTAS AT WHITE HILLS) EAST VILLAGE ROAD/WABUDA PLACE AND SACHEM DRIVE (MAPS 152, 158, 159, LOTS 52, 10, 15, 16, 7) R-1 DISTRICT REQUEST FOR EXTENSION (APPLICANT REQUEST) AND DISCUSSION ONLY

On a motion made by Joseph Pagliaro seconded by Karen Tomko-McGovern it was unanimously y voted to approve the extension on Application # 04-17.

Comm. Lopera excused himself from the remainder of the meeting. He is not feeling well, stated Chairman Cribbins.

Attorney Thomas, representing Toll Brothers addressed the Commission. This is an R1 in an R1 zone and we will be keeping our waste on site. This doesn't need a public hearing and the public has spoken on this before. We had a public informational meeting up in White Hills that was run by Aldermen Finn and Aldermen Minotti.

This is the Wabuda Farm. It is an R1 subdivision with 37 lots. It will have a new road system that connects Village Drive with East Village Road.

This will have public water. We wanted initially to install sewers but White Hills is non-sewers.

We have had several walks with Conservation. What you see as Open Space is the result of those walks. It provides what they requested which was larger Open Space adjacent to French's Farm and connects that to the Land Trust down to Indian Wells, stated Attorney Thomas.

We had to address Wetlands approval but there is extensive drainage issues. Toll Brothers has made every effort to accommodate including moving the detention pond and burying pipes very close to China.

A strip of land here that is owned by a neighbor who has had serious water problems for years, will be deeded to correct his water problems.

In this area there are stonewalls and this one will be extended. There are walls that will be taken down and efforts will be made along the boundary of Open Space to reconstruct the stonewalls or use the stones in construction, stated Attorney Thomas, along those area to create a physical barrier.

When an Open Space borders a larger lot then they creep and we hope to create a barrier.

We are not required for a routine subdivision to have a traffic study. The study was done after an analysis was done on East Village Road. The site lines were based on 45 m.ph. The Wabuda's are retaining their property but once they don't want to live there anymore we will have additional land. There would be a 50-foot right of way to be dedicated if the City so chooses to do nothing now. There are intersection improvements being proposed. This will be a 3-way intersection, stated Attorney Thomas.

If the City takes any action under eminent domain then this property that is on a pivot that will connect in any fashion of what was approved. We have put that in a pivot to avoid the Wetlands.

We have developed this on the patterns right now. It is R1. We have approvals from Conservation and Wetlands. We have had meetings with the Engineer, stated Attorney Thomas.

How come they haven't done the 50-foot right of way, now, questioned Comm. Oraziatti? We would have to have Joe and Lorraine get out, stated Attorney Thomas. We don't own this, he added. We would be willing to grant a right of way to the City, stated Attorney Thomas. The Toll Brothers have no option. This would be dedicated as a right of way, he added.

Comm. Pagliaro stated if the approval is granted to Toll Brothers for this development, they purchase the land from Wabudas and some sort of City record should show that. In my application there is a note that the Wabuda's are retaining this property. They want some sort of trade, credit for the additional Open Space and there would be a dedicated 50-foot right of way. The first 500 feet is the town road, stated Attorney Thomas.

The City can put the road and assess that to the property owners, stated Anthony Panico. We are saying that City Engineers has raised this question. We have no control over this road. We won't connect this person's home. They will lower the road anyway with the improvements. We will accommodate that in the future, stated Attorney Thomas.

James Swift, Landscape Engineer, addressed the Commission. There is sensitivity for water run off coming in this direction. Run off is also coming this way. We have sediment basins up here and a detention pond. There is drainage coming down this way to Sagamore Road. Each of these houses in this area, will have 40 feet of 4 by 4 galley. We satisfy the run off then in that direction, stated James Swift.

This side of the property had a detention pond lower in this area down here. The Land Trust and the City Engineer had objections because of the long run. We are worried about the people on Village Drive. This hillside drains along this side towards those people. In talking with the City Engineer and John Cook we are going to build a new detention pond in this area and protect the Land Trust, stated James Swift. The Land Trust hired a hydrologist and we have meet several times after he wrote a letter. He concurred how he would like this to work out. He is satisfied with what has happened, he added.

This pond is further up the hill. There is a pipe that comes straight over. Maintenance will be access over and to the pipe. The City Engineer is aware of all the things that are there, stated James Swift. He has written to Wetlands and he should be writing to P & Z as well.

Who will own the detention pond, asked Comm. Pagliaro? The detention pond is part of Lot 14 but it is part of the City owned and City responsible drainage system. We offered when the detention pond was down in this area that we wanted to form an association to take care of that. The City Engineer feels that this is part of the roadway drainage system, stated James Swift.

He didn't think that the City should have a deed to that, asked Anthony Panico? The City will have full rights to access it, stated James Swift.

We checked that when we did the pond, we wanted to make sure that the road if it comes in this direction, we want to maintain the rights of the owners of this property (Wabuda's). Toll Brothers have no rights to do anything in this area. The road must go through at sometime. At some point this road will come out to this intersection.

Another thing I wanted to point out is on the Open Space. Look at the obligations we owe 10% of Open Space that is 8.1. We are dedicating 10.34 acres of Open Space. All of that Open Space will have restrictions such as some to be wet and some to be dry. We owe 6.08 acres of qualified Open Space and we are dedicating 8.1. We are exceeding all Open Space requirements.

We had another lot that was tested and qualified but there is a high-tension power line here. We had a house layout to have the lot comply with all zoning regulations. When we meet with conservation they wanted this land in regard to the walking trails. The Open Space is coming around to the land that the Wabuda's have reserved. We have fulfilled the Open Space obligations for the remaining land. We can dedicate the Open Space even on the future development, stated James Swift.

I think you should provide us with preliminary subdivision plans with the layout that way, stated Anthony Panico. We can do that, stated James Swift. We have a very steep hillside and we can't develop that. It is undevelopable. It could be deeded Open Space. It depends on who this developer is, he added. We can provide to you a master plan for that area. That would help with further discussions on the Open Space, stated Anthony Panico.

All this land goes down to Indian Wells Road, questioned Comm. Pagliaro? Are you improving the drainage off that road, he asked? The Land Trust touches down there, answered James Swift. Where that is happening, I can attest to that because I live on Village Drive and we didn't know what we know now.

I traced the pipes down Sagamore that doesn't have an open channel and the drainage comes down stays piped all the way down here. I have photos that show there was erosion problems 5-6 years. I presented those photos to Wetlands. On discharge it is less at post then at predevelopment. Everything on this side, there is some erosion on Indian Hull Brook.

This is a designated Wetlands area and this is the downhill Wetlands area here. This is very narrow here that is dry. Wetlands wanted the road on the dry portion to have minimum impact on the Wetlands. We did make sure that all the options were looked at. The street line shows that after 6 months the Wabuda's are still there but the Lopez's and Wasliewskis want to subdivide. The road can match lines with the lower lines and extend the 50 foot right of way to Wasliewski. If the Waslieski's don't want to do anything and Joe & Lorraine decide to sell this road can be adjusted to meet the street line on the Waslieski side. There is full flexibility on this and the road can be built.

We have to show a layout all on the Wabuda side. Mr. Resnick spoke and I want to point out that the Resnicks have 2 approved lots except P & Z. So they are not approved lots, stated Anthony Panico. The entrance would be off the cul-de-sac. It would be a challenged entrance and there is an agreement pending with access over here. The driveway would be off of here and not create a greater disturbance.

The roads are all 30 feet because of the extension of Sachem Drive. There are 74 lots back here and we didn't want to ask for reduced pavement, stated James Swift. When this road gets built we will be fighting traffic in both conditions, stated James Swift.

The State improvements are to totally re-grade East Village Drive and make this a stop sign. The assumption is once the building is built. Concerning the 3 way stop sign with the grade it is too steep. This way won't be able to stop and will have the run through.

The discussion could be on going because it is not a public hearing stated Attorney Thomas.

What is the timeframe on this project, questioned Comm. Pagliaro? **Chris Bennett, Toll Brothers, addressed the Commission.** April of 2007. A 3 year project a total of 37 homes.

APPLICATION # 03-54, DOMINICK THOMAS ON BEHALF OF ED NEWMAN FOR PDD ZONE CHANGE (CAR WASH AND RESTAURANT) BRIDGEPORT AVENUE (MAP 77, LOT 19) OP DISTRICT (PUBLIC HEARING CLOSED ON 2/10/04)-DISCUSSION AND ACTION

End of Side 2A of 3B, Tape 2 of 3 at 9:30 P.M.

Anthony Panico stated that the Commission has gone around and around on what to do about this proposal. The discussion was about the concern for the site and the activity beyond what the site could support. The Commission took the position of one use being able to work but the second use they would have serious questions about. After further discussion the consensus was to eliminate the restaurant and reconfigure the car wash could be a workable thing.

Anthony Panico read the Staff Report on Application # 03-54. (see attached)

You won't see the car wash from Bridgeport Avenue, questioned Comm. Pagliaro? No you won't see it because of the vegetation, stated Anthony Panico. You might see a car in the winter, stated Comm. Pagliaro. Staff will look for treatment for an attractive view, added Anthony Panico.

We have had a lot of dialogue on this piece of property. Our concern has been that over development of the site. Parking the cars and getting on and off of the site. There was a lot of concern with regard to traffic at the public hearing.

Comm. Pagliaro made a motion with Comm. Oraziotti seconding that motion. Comm. Pagliaro stated that with the car wash on that site in the bad weather that won't operate. If the restaurant was there it would be operating with a lot of traffic already on Todd Road. The water will be recycled that will be used at the Car Wash, he added.

Anthony Panico stated that at the hearing the comments were favorable and in support of the car wash. There was concern with the intersection at the Bridgeport Avenue. There was concern with the second entrance and it was counter productive to protecting the intersection at Bridgeport Avenue. We were concerned with onsite circulation and we could approve the second driveway at a later date. We can discuss that with the application and once we take the restaurant away we will play around with the location of the car wash, he added.

Can you also address the timeframe and time of year, asked Comm. Pagliaro? We can do that when they come back in with their detailed development plans, stated Anthony Panico. We are into June and they will take 60-90 days to get those plans in bringing us to the end of summer. At that point in time we can discuss the opportune time to begin constructing. If they want to move fast maybe they can get something's done before the bad weather begins, he added.

Are they required to do any road work, asked Comm. Pagliaro? They have to widen Todd Road, stated Anthony Panico. That will be done prior to the construction, stated Comm. Pagliaro. Prior to site approval, stated Anthony Panico.

There is a discussion between Comm. Tomko-McGovern and Anthony Panico concerning Bridgeport Avenue and the lanes. There has to be discussion through our Traffic Authority and the State, added Anthony Panico.

On a motion made by Joseph Pagliaro seconded by Daniel Oraziotti it was unanimously voted to approve Application # 03-54 . A roll call vote followed with Comm. Oraziotti, Comm. Pagliaro, Comm. Tomko-McGovern and Comm. Cribbins all voting I in favor of this application.

APPLICATION # 03-68, PETITION OF JONES FAMILY FARM TO AMEND ZONING REGULATIONS (FARM WINERY) (PUBLIC HEARING CLOSED ON 3/9/04) DISCUSSION AND ACTION

Richard Schultz stated that at direction of the Commission the Staff has prepared a resolution. The Jones Family has initiated a Farm Winery. The P & Z Staff issued the permit under the current regulations however we saw the need to revisit the regulations with regard to this use. The Jones Family submitted a petition and held a Public Hearing. The Commission felt very positive about it. There are other areas especially in the White Hills Area that could accommodate a winery and felt that it was necessary to amend the regulations to accomplish that. Richard Schultz then read the attached draft resolution.

On a motion made by Joseph Pagliaro seconded by Karen Tomko-McGovern it was unanimously voted to approve Application # 03-68. A roll call vote followed with Comm. Orazietti, Comm. Pagliaro, Comm. Tomko-McGovern and Comm. Cribbins all voting I in favor of this application.

APPLICATION # 04-08, GENO BLAKEMAN FOR SUBDIVISION APPROVAL (2 LOTS- CROSSROADS ESTATES) 8 BIRDSEYE ROAD EXTENSION (MAP 125, LOT 36) R-1 DISTRICT-REQUEST FOR EXTENSION (APPLICANT REQUEST)

On a motion made by Joseph Pagliaro seconded by Daniel Orazietti it was unanimously voted to approve Application # 04-08 request for an extension (applicant request).

The sewer extension needed to be reviewed, stated Richard Schultz.

APPLICATION # 04-12, ROYAL WELLS FOR SITE PLAN APPROVAL (EXPANSION OF WHITE HILLS SHOPPING CENTER), LEAVENWORTH ROAD, (MAP 144, LOT 15) CA-2 DISTRICT-DISCUSSION AND ACTION

Richard Schultz stated that they have received wetlands action at the last meeting, they will take this up at Thursday's meeting. They will need an extension until the July 13 meeting.

On a motion made by Joseph Pagliaro seconded by Daniel Orazietti it was unanimously voted to approve the extension until July 13, 2004 on Application # 04-12.

Comm. Cribbins stated I have a concern with the shopping center with the trash removal and disposal. In the back it is disgusting, there is a partition that is broken and it is very unsightly, he added.

APPLICATION # 04-16, NORTHSTAR AUTO GROUP, INC. FOR SITE PLAN APPROVAL (AUTOMOTIVE REPAIR GARAGE), 61 CENTER STREET (MAP 129D, LOT 53) CA-2 DISTRICT-DISCUSSION AND ACTION

Richard Schultz stated that this is where Shuster's used to be. He read the Fire Marshall's letter, the City Engineer had no comments and he then read Staffs Report. This is on Center Street. He will sell up to 7 cars and there will be no repairing or towing. This is for the sale of used cars. There is no Wetlands activity. There is no outside dumpster. It is recommended there be landscaping in the front. We were talking about low timbers. We can do timber plantings. There are 3 bays, which he will use to detail cars. There are a lot of gas stations with a lot of cars on them, stated Chairman Cribbins. I like you limiting this, he added. This is as of right, stated Comm. Pagliaro. Hours of operation are Monday-Friday 8 to 8 and Saturday 8-6. There is a wall sign. Motion is to waive the site plan and approve the application with conditions listed.

On a motion made by Joseph Pagliaro seconded by Daniel Orazietti it was unanimously voted to approve Application # 04-16 with conditions listed on Staff's Report.

APPLICATION # 03-63 DOMINICK THOMAS ON BEHALF OF ROSELAND SHELTON, LLC FOR MODIFICATION OF PDD # 32 AND CREATION OF NEW PDD (APARTMENTS)RESEARCH DRIVE (MAP 28, LOT 1) (PUBLIC HEARING CLOSED ON 2/10/04) DISCUSSION ONLY

An office complex won't generate as much sewer issues as the apartment will. There meeting is tomorrow night, stated Comm. Pagliaro. We should not have much discussion on this and Application # 03-65 because the Water Authority is meeting tomorrow night, stated Chairman Cribbins.

We had previous approval on this site for an office park, stated Comm. Pagliaro. There is a portion of the site and a PDD on the site that this would take the place of stated Anthony Panico. We denied this once because once you give this up as residential land you will never get it back, stated Comm. Pagliaro.

We need to give Staff direction stated Chairman Cribbins. Draft something up to share with the other Commissioners, he added.

When I first sat on this Commission 2 things we learned was dispersing traffic and road circulations. Part of our charge is try to satisfy all the needs of all of the residents. We don't have an upscale apartment complex, stated Comm. Pagliaro. Comm. Tomko-McGovern stated I don't want apartments at all.

We have to act on the zone change and we need to make a decision, stated Anthony Panico. You want to act in the near future because if the applicant thinks he is being strung along he can go to court and the court will mandate a decision, he added. Staff can formulate some facts without bringing it to a resolution.

APPLICATION # 03-65, R.D. SCINTO, INC. FOR SDA OVERLAY EXTENSION, PARROT DRIVE (MAP 28, LOT 17) IA-2 DISTRICT (PUBLIC HEARING CLOSED ON 2/3/04)-DISCUSSION AND ACTION 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) (PUBLIC HEARING CLOSED ON 2/3/04) DISCUSSION ONLY

We need an answer from the Water Authority, still, stated Comm. Pagliaro. I am not in favor of apartments, stated Comm. Tomko-McGovern. I am concerned with the height of the building and I would not want this any higher than what is there now. This will bring in a lot of tax dollars to the Community. We want to make sure the height is the same. The parking is there and it can't be shared. It is a nice compliment to what is there and I don't see another office tower being there, stated Chairman Cribbins. I agree with you and the parking is there that can be utilized in the evening, stated Comm. Pagliaro. Everyone should have the opportunity to choose their lifestyle, he added. In my younger years I choose a house on acre of land. Now I choose a condo.

Mr. Dingle asked I am against apartments in this area. This area should be with jobs. How can you distinguish between Parrott Drive and Research Drive. One is good and one is bad. It is in the same area. I am speaking as a Zoning Enforcement Officer and I can write a letter. The problem I am having is that there was a Public Hearing on this, stated Chairman Cribbins. Fine, I will write a letter, stated Mr. Dingle. We will have to come up with specific reasons why we don't want this, stated Comm. Pagliaro.

End of Side 2B of 3B, Tape 2 of 3 at 10:20 P.M.

We are concerned with the height, stated Comm. Pagliaro. They start off at the same elevations and with the office building it is 1% greater. The residential will be under 10 feet and commercial is under 12 feet stated Anthony Panico.

I was at 30/30 Park over the weekend. Those are condos but similar to this application. A lot of those people live here during the summer and in the winter they are in Florida. It is a lifestyle, stated Chairman Cribbins. Realistically I would love to see apartments downtown but do you think that you would get something like that downtown, questioned Comm. Pagliaro? Maybe we should stated Comm. Tomko-McGovern. What developer would bring that type of apartment downtown, questioned Comm. Pagliaro? I don't know, stated Comm. Tomko-McGovern. I think you won't get the monthly rent downtown, she added. Look at South Norwalk, stated Comm. Orazietti. They cleaned that up and I would like to see that downtown, stated Comm. Tomko-McGovern. We have to say no, she added. 10-15 years ago you would not want to be in South Norwalk, added Comm. Orazietti. Look now, he added. If you don't act on this it is not an automatic approval, stated Comm. Pagliaro.

When you travel throughout the States you will find in many places there are apartments in their corporate areas stated Comm. Pagliaro. The people who work there live there. There is a lot of validity of putting residential opportunities where you are generating the people, stated Anthony Panico.

APPLICATION # 03-60, BLAKEMAN CONSTRUCTION CO./HUNTINGTON WOODS, LLC. FOR TEMPORARY SPECIAL EXCEPTION APPROVAL (EARTH REMOVAL), BRIDGEPORT AVENUE/OLD STRATFORD ROAD (MAP 29, LOT 24) OP DISTRICT (PUBLIC HEARING CLOSED ON 2/24/04)-DISCUSSION AND ACTION

Anthony Panico stated that this is the latest revised grading and sediment erosion control plan. There are a lot of modifications that came up at the hearing. There was discussion at Wetlands for protecting the watercourse. In the folder is a lengthy report and a Staff Resolution for discussion tonight. We tried to pull the factual information together and get that information on paper. Anthony Panico then read from the attached resolution.

The earth removal is basically on the front and the rear portion will basically all stay on site. The back needs a significant amount of fill and the front needs very little fill, stated Anthony Panico. 10,000 yards of fill will come out of the 140,000 cubic yards, he added.

There is a significant amount of offsite work that has to be done. How long will it take to do the improvements to the road, asked Comm. Pagliaro? That depends on a lot of issues including the time of year, on the lag time for getting the electronic equipment for signalization, etc. stated Anthony Panico. You have to coordinate it all and all those improvements and signalization have to be in place.

When you get into the subsequent portion, you would not want that back portion disturbed until they are ready to go in there with detailed development plans.

The activity will start in this area with an anti-tracking pad here. They will gain access here, stated Anthony Panico. They will push the road in further with excavation in the corner. Then they will get to this corner and construct the road out to Old Stratford Road allowing the turn right to Route 8. The timing of that building will allow him to work on the schedule and have approval from STC. The State doesn't look at this until P & Z approves this, he added.

There are 3 phases on the front portion.

The recommendations with regard to the T.S. E. are Staff's recommendations and the Commission can adjust them if needed. There is an agreement with Perkin Elmer with regard to blasting, stated Anthony Panico. That works the same with Perkin Elmer if they need an adjustment they will come back to you. We should try to allow work to be done on Sunday because there is less of an impact to the area on a day when people are not coming and going, stated Comm. Pagliaro. My concern is that we need to look at the testimony that if we take Sunday's off there would be a problem, stated Chairman Cribbins.

He does have an agreement with Perkin Elmer, stated Anthony Panico. We need to go back to them, he added. You don't want a restriction in here and then Perkin Elmer allows something that is not in here. I want to see the work being done expeditiously with little or less impact to the area, stated Comm. Pagliaro. There was a lengthy discussion with regard to blasting on Sundays, stated Anthony Panico. What time would they blast on Sunday, asked Comm. Oraziotti? It would be the 7am, stated Anthony Panico. Leave this the way it is in this report not including blasting on Sunday and we will revisit if we have to, stated Chairman Cribbins.

When is a timely fashion, questioned Chairman Cribbins? We need to review this with the City Engineer and we just don't want to get stuck on the site with any problems once they start removing material, stated Anthony Panico. We want to see the site progressing out to Old Stratford Road as soon as we can to get that truck traffic to Route 8, he added.

I am ready to act on this because I know the site, stated Chairman Cribbins. My concern is the timing of the road improvements and the signalization. I have put in a tentative timeline, stated Anthony Panico. The State won't give approval until your approval is done, he added. If we approve the site development can start, stated Comm. Pagliaro. The excavation work can start but the public infrastructure improvements can't be started.

Everyone has the right to develop their property and after all the hard work we have done, I know that this will be built up eventually. I don't know what is going there, stated Comm. Tomko-McGovern. You can't change it to total retail or total office, stated Comm. Pagliaro. Something is going there. You need to get the work done in a timely fashion for less impact to the area, he added. We did this as OPD to protect this area and we don't want to allow undesirables there. Know that we want to develop, they have to do site preparations and we can deny the whole project. He can take that chance.

That is not a big risk, stated Anthony Panico. You will make a decision within 65 days. Even if he didn't change the zones he still could develop this as office and you won't have so much say. Leaving it OPD he can put the office in anyway he wants. He is going to have 5 sites of varying sizes. If we push him to the OPD he can have 350,000 sq. ft. office with over 12,000 cars. Instead of 140,000 there will be 300,000 cubic yards to go off that site, he added. Parking garages are not cost effective. He will take advantage of the slopes for the parking. There is a lengthy discussion including Comm. Oraziotti, Chairman Cribbins, Comm. Tomko-McGovern and Anthony Panico.

I feel strongly but I don't have a problem allowing them to get started, stated Chairman Cribbins. I would like to see the work get started as soon as possible, stated Comm. Pagliaro.

50% of this is OPD and 50% of this is other uses, stated Comm. Pagliaro.

End of Side 3A of 3B, Tape 3 of 3 at 11:00 P.M.

The office condos in the back are 75,000 sq. ft. and that is not taking what is in the front into consideration. What office will be factored in, asked Comm. Pagliaro? There is a small building that could be small retail/office such as a Doctor's building. This whole site of 14.5 acre site will come out of OPD but now you have a greater control over it, stated Anthony Panico. At the end of the month this expires, stated Richard Schultz.

Chairman Cribbins stated because of what happened tonight we can't talk about Applications #04-05 and 04-06.

NEW BUSINESS

APPLICATION # 04-24, LATEX FOAM INTERNATIONAL FOR MODIFICATION OF SITE PLAN APPROVAL (LOADING DOCK EXPANSION) 510 RIVER ROAD (MAP 54, LOT 2) IA-3 DISTRICT – ACCEPT FOR REVIEW AND REQUEST FOR SITE WORK AUTHORIZATION

On a motion made by Joseph Pagliaro seconded by Daniel Oraziotti it was unanimously voted to accept for review and approve the request for site work on Application # 04-24.

APPLICATION # 04-25, OEM CONTROLS FOR MODIFICATION OF SITE PLAN APPROVAL (BUILDING EXPANSION) 20 CONTROLS DRIVE (MAP 40, LOT 22) LIP DISTRICT-ACCEPT FOR REVIEW AND REQUEST FOR SITE WORK AUTHORIZATION

On a motion made by Joseph Pagliaro seconded by Daniel Oraziotti it was unanimously voted to accept for review Application # 04-25 and request for site work authorization.

APPLICATION # 04-26, CT COMMERCIAL INVESTORS FOR SPECIAL EXCEPTION APPROVAL (BANK DRIVE THRU-HIGH TRAFFIC GENERATOR) 819 BRIDGEPORT AVENUE (MAP 18, LOT 15) IA-2 DISTRICT-ACCEPT AND SCHEDULE PUBLIC HEARING

On a motion made by Daniel Orazietti seconded by Joseph Pagliaro it was unanimously voted to accept and schedule the Public Hearing for June 22, 2004 on Application # 04-26.

APPLICATION # 04-27, PETITION OF CT COMMERCIAL INVESTORS FOR MODIFICATION OF PDD # 24 (BUILDING EXPANSION) 707-711 BRIDGEPORT AVENUE (MAP 28, LOT 22) ACCEPT AND SCHEDULE PUBLIC HEARING

On a motion made by Daniel Orazietti seconded by Joseph Pagliaro it was unanimously voted to accept Application # 04-27 and set the Public Hearing on June 22, 2004.

APPLICATION # 04-28, PETITION OF VETERINARY PROPERTIES, LLC FOR SDA OVERLAY EXTENSION, 895 BRIDGEPORT AVENUE (MAP 8, LOT 17)- ACCEPT AND SCHEDULE PUBLIC HEARING

AND

APPLICATION # 04-29, PETITION OF VETERINARY/ PROPERTIES, LLC FOR PDD ZONE CHANGE (VETERINARIAN HOSPITAL) 895 BRIDGEPORT AVENUE (MAP 8, LOT 17)- ACCEPT AND SCHEDULE PUBLIC HEARING

On a motion made by Joseph Pagliaro seconded by Daniel Orazietti it was unanimously voted to accept Applications # 04-28 and 04-29 and set the Public Hearing on August 10, 2004.

APPLICATION # 04-30, REQUEST FOR DOMINICK THOMAS ON BEHALF OF RESERVIOR ASSOCIATES, LLC FOR ONE YEAR EXTENSION OF TIME TO COMPLETE DEVELOPMENT FOR PDD # 31 AND #32, 20 COMMERCE DRIVE AND 6 RESEARCH DRIVE- ACCEPT AND SCHEDULE PUBLIC HEARING

On a motion made by Joseph Pagliaro seconded by Daniel Orazietti it was unanimously voted to accept Application # 04-30 and set the Public Hearing on August 10, 2004.

8-24 REFERRAL: SHORT TERM/LONG TERM MASTER PLAN (OLD SHELTON INTERMEDIATE SCHOOL)

There was no action taken on this.

8-24 REFERRAL: LEFT TURN LANE (HUNTINGTON STREET/BLUEBERRY LANE INTERSECTION)

On a motion made by Joseph Pagliaro seconded by Karen Tomko-McGovern it was unanimously voted to report favorably on the 8:24 Referral: Left turn lane (Huntington Street/Blueberry Lane Intersection)

PAYMENT OF BILLS

On a motion made by Joseph Pagliaro seconded by Karen Tomko-McGovern it was unanimously voted to pay bills, if funds are available.

STAFF REPORT: see attached

On a motion made by Daniel Orazietti seconded by Joseph Pagliaro it was unanimously voted to adjourn at 11:15 P.M.

Respectfully submitted by,

Diana Barry,
Clerk