

The Shelton Planning & Zoning Commission held a Special Meeting on November 30, 2004 at 7:00 P.M. in the Shelton City Hall, Room 303, 54 Hill Street, Shelton, CT.

Members present: Chairman Alan Cribbins  
Comm. Jason Perillo (sitting in for Comm. Lapera)  
Comm. Anthony Pogoda  
Comm. Leon Sylvester (arrived late)  
Comm. Karen Tomko-McGovern (sitting in for Comm. Sylvester and also  
Comm. Orazietti)

Staff present: Richard Schultz, Planning Administrator  
Anthony Panico, Planning Consultant  
Diana Barry, Clerk

Chairman Cribbins opened the meeting with the Pledge of Allegiance.

**Tape (1) and correspondence on file in the City/Town Clerk's Office and the Planning and Zoning Office.**

**APPLICATIONS FOR CERTIFICATE OF ZONING COMPLIANCE**

Richard Schultz stated these were put on tonight's meeting so December 14<sup>th</sup>'s meeting will be a light one. Staff has reviewed these and recommends approval.

**On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to approve Applications for Certificate of Zoning Compliance Standards 1-11.**

**SEPARATES:**

**# 3927 WAL-MART, 465 BRIDGEPORT AVENUE, TWO SIGNS**

Richard Schultz stated that this is for two signs. They want to replace the pole sign. He then passed out a picture of the design. They wanted the new pole to be 30 feet in height, which does exceed the 20-foot regulation. They also want to include a separate sign for the pharmacy under it. I did speak to them today telling them the Commission usually likes monument signs. I asked them to call their corporate people to see if they could come up with alternatives. They did do that and there are three versions of the monument sign. One is 17 feet by 2 feet, one is 20 feet by 4 feet, one is 24 feet by 5 feet and obviously they are all excessive, he added. Wal-Mart can provide a metal skirt or a block base. Staff will recommend a block base. They also advise that Corporate would agree to a 8 feet by 5 feet, which is what we allow.

The sign will be a blue background with white letters. They have two mushrooms on top that are lighted and I told them the Commission would not accept that. They will submit final plans for internally illuminated or ground lights. They are willing to go with an 8 by 5 block base skirt with their 5 by 8 sign above it which will be blue background with white letters, stated Richard Schultz.

Comm. Perillo asked what the dimensions are on the existing sign? It is almost 8 by 5, answered Richard Schultz. The Commission doesn't allow anything larger than that.

In addition to the ground sign they want a non-illuminated wall sign to go where the enclosed Garden Center is. They want to put that up above the Wal-Mart sign. I thought they wanted this on the Bridgeport Avenue side but they are looking for an additional wall sign. It is 3 by 22.5. Once again they have been cooperative with the Staff and they will work with us.

One proposal is the replacement of the pole and the other is the wall mounted, stated Richard Schultz. That won't be facing Bridgeport Avenue, it will be on the wall, I don't have a problem with it but why do you need it, questioned Anthony Panico? You can't see it from the road stated Chairman Cribbins. You might see it proceeding downtown, stated Anthony Panico. They are not in a hurry for this, why not allow us to take a ride to look at this again and just vote on the monument sign so that we can all take another look, stated Richard Schultz.

**On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to approve Separate # 3927 with the conditions it is only the ground sign and doesn't include the Pharmacy.**

**Comm. Sylvester arrived at 7:05 and Chairman Cribbins stated Comm. Tomko-McGovern then will be sitting in for Comm. Orazietti.**

**# 3970 MARK DIXON, 4 RESEARCH DRIVE, BUSINESS**

Richard Schultz reported that this is at 4 Research Drive. This is the LIP Zone. This is management of Executive Suites. They will be leasing 12,500 sq. ft. Number of employees is one, that doesn't sound right, he added. You need a clarification of that, stated Chairman Cribbins. I will clarify that, stated Richard Schultz.

**On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to approve Separate # 3970.**

**# 3908 DR. ROBERT RUSSO, 917 BRIDGEPORT AVENUE, BUSINESS**

Richard Schultz read a letter from Michelle Walsh withdrawing their application for a Child's Playtime Village.

**On a motion made by Anthony Pogoda seconded by Leon Sylvester it was unanimously voted to accept the letter of withdrawal on Separate # 3908.**

**# 3956 AMY JACABACCI, 490 LONG HILL AVENUE, BUSINESS**

Richard Schultz stated this is an interesting one. If you stay around here long enough you see them all. This is bartending services to private parties. They will occupy 50 sq. ft. They will provide the service to private parties.

**On a motion made by Leon Sylvester seconded by Anthony Pogoda it was unanimously voted to approve Separate # 3956.**

**# 3969 JASON TRAN, 420 HOWE AVENUE, BUSINESS**

Richard Schultz reported that this is for a Commercial Establishment. A nail salon, tanning, waxing, pedicure. It is 1600 square feet with 3 employees. This is the Botti Building on the corner of Center and Howe Avenue, right on the corner.

**On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to approve Separate # 3969.**

**# 3967 DEBBIE KELL, 286 HOWE AVENUE, NEW FAÇADE**

Richard Schultz reported that this is Party World Building on Howe Avenue by Commodore Hull Bridge. They are requesting a new façade. This is the wooden treatment that is existing. This is in the Overlay District. They are proposing to eliminate the fascia area.

There is a gentlemen with the applicant who explains that this will be a steel stud frame. This will be asphalt with a copper cap over the parapet. I would like to do scallop shingles up there. There will be vertical siding on the lower half which will be blue vinyl.

The whole skin will be vinyl. This is the storefront and this element will be asphalt shingles that is actually an overhang, stated Richard Schultz. That will stick out 3 feet and the gentlemen had samples to show. It is contemporary, he added.

What about the back, asked Chairman Cribbins? It will be a gable in the back, stated the gentlemen. There will be siding with scallop shingles on the gable.

This was a garage along time ago, the first Toyota Dealership along time ago, stated Comm. Sylvester. Will anything happen on the side, asked Anthony Panico? It will get new shingles, stated the gentlemen. The same color as the whole building, he added.

I think that anyone who is trying to improve or upgrade their property I am in support of. I certainly don't have a problem with it, stated Comm. Sylvester. If you are investing money to make the place look better, he added.

**On a motion made by Leon Sylvester seconded by Anthony Pogoda it was unanimously voted to approve Separate # 3967.**

**# 3965 Richard Rizzo, 875 Bridgeport Avenue, signs**

Richard Schultz reported that this is the Shaw's Grocery Store. They have changed their colors. The old color was more reddish and the new is more orange. That is the one on Bridgeport Avenue. There is also a monument sign.

They are adding Osco which is the pharmacy, stated Richard Schultz. All these big box stores haven't we tried to discourage the signage identifying any one other than the main tenant, asked Anthony Panico? Otherwise where do you draw the line because they will come in with the pharmacy and the photo finishing, he added. The sign now says food and drug, stated Richard Schultz. This is more than just food and drug, it's the name for the pharmacy, stated Comm. Sylvester? How do we know that the banking facility (People's) inside won't want to do the same thing, questioned Anthony Panico? Food and drug is O.k., he added. When you start identifying individuals, that is the problem, stated Comm. Pogoda. You could put Dunkin Donuts at Stop & Shop, he added. I don't have a problem with the one on the wall but I am concerned with the monument, stated Comm. Perillo. I agree stated Comm. Sylvester.

Have you talked to them, questioned Comm. Sylvester? No, answered Richard Schultz. We can table this or modify it, he added. I would approve this with just Shaw's on the outside, stated Comm. Sylvester. I will seconded it, stated Comm. Perillo.

**On a motion made by Leon Sylvester seconded by Jason Perillo it was unanimously voted to approve Separate # 3965 with conditions.**

**APPLICATION # 04-38 GARY KNAUF FOR SPECIAL EXCEPTION APPROVAL (HIGH TRAFFIC GENERATOR – OFFICE BUILDING) BRIDGEPORT AVENUE (MAP 50, LOT 10) LIP DISTRICT (PUBLIC HEARING CLOSED ON 9/28/2004) –DISCUSSION AND POSSIBLE ACTION OR REQUEST FOR EXTENSION (PZC REQUEST)**

Anthony Panico read from the attached (which is on file in the Town/Clerk's Office and P & Z office – not attached on line) Staff Report.

Our concern with the traffic coming up here and we wanted to quiet the traffic here. We wanted to ramp up changing the texture of the material and this tells the motorist to be careful coming through this area, stated Anthony Panico.

The walkways have to have a reasonable connection to the elevators. The burm can be worked out as part of the sidewalk, he added.

There was a stone lower level with drivit on the upper level. I had some problems with the stone masonry, which seemed out of character with the Route 8 Corridor. I asked them to bring some brick work which is in keeping with the corridor. The architect worked on this quick and this afternoon we got modified elevations. The brick is coming up here, brought up here with the only driveit areas being these two and up in here. It will be consistent with the corridor.

If this leases with different tenants then we will look at the third floor with regard to the storage use, stated Anthony Panico.

Comm. Perillo questioned Line # 27 and limiting the parking to 20% for patient use? Anthony Panico stated customer oriented use then will limit it to 20% of 5 per 1000 sq ft. If he wants to use 20% for medical, stated Anthony Panico. I have given rounded numbers and you will use the portion of the third floor. I took off the lobby, which demands no parking. We took those off and I will double-check my figures, he added. The floor space being provided will meet the standards before we even now who the tenants are.

Comm. Sylvester stated that I can sense that this gentlemen has been cooperative with you in working out some difficulties with the property but what I am sensitive to is that we end up putting pressure on ourselves and staff to make sure that the size of the building and use per square footage is proper employed so that they are not over. Wouldn't it be easier for the community to design a building it can accommodate, he questioned? Rather than build a bigger building that will need to be policed which then we step in, then there is additional parking spilling over, etc., you know what I am talking about here, he added.

It was a difficult site and because we wanted the highest quality of development and the economics needs to work. We have to comply with regulations, stated Anthony Panico. We could approve only amount of floor space that the regulations show. What the applicant then does is build that floor space and then go back to look at the occupancy. The Zoning Code keys parking to occupancy (numbers of employees) that will entitle him to say I still have 12 parking spaces. We can take that approach, he added.

Comm. Sylvester I am not worried about the size of the building. I have only seen one problem on the Route 8 Corridor with the parking and that was with the Ramada Inn. I have not seen that recently and I think we are doing a good job. I am concerned with the pressure we put on our own people to police this, which is almost impossible, he added. We do that anyway, stated Anthony Panico. The Old Anson Reel, Rick has been reporting every time a new user comes in with regard to the parking there. We denied a restaurant there, stated Richard Schultz.

If the Staff is comfortable, you have done a great job with the design, it is appropriate, you have worked with the applicant to make a tough site work, stated Comm. Sylvester. I think that it is great.

Staff has alerted the applicant with regard to the third floor. The applicant stated he will use it for himself and one office worker. We are not even promising him that, stated Anthony Panico. A lot will depend on the kind of tenants. He would like the 20% but maybe that wouldn't be occupied by Doctor's. I will check the numbers again. Even if new tenants come in they will be tied to those numbers and spaces.

Comm. Perillo stated he appreciated the applicant working so well with Staff. I think it looks great. The dumpsters in back, how are the trucks going to access those back there? The building will have adequate vertical access, stated Anthony Panico. Commercial trucks including the garbage trucks, he added. We wanted that in the back.

**End of Side 1A of 1B, Tape 1 of 2 at 7:50 P.M.**

**On a motion made by Anthony Pogoda seconded by Karen Tomko-McGovern it was unanimously voted to approve Application # 04-38 with conditions. A roll call vote followed with Comm. Tomko-McGovern, Comm. Sylvester, Comm. Perillo, Comm. Pogoda and Chairman Cribbins all voting 1 to approve.**

**APPLICATION # 04-32 RIVER ROAD PARTNERS, LLC REQUEST FOR EXTENSION ON SUBMISSION OF FINAL DETAILED DEVELOPMENT PLANS (CRESCENT VILLAGE – 135 CONDO UNITS) – DISCUSSION AND ACTION**

Richard Schultz read a letter from the applicant requesting an extension of submission on the final detailed plans. The Town of Stratford was delayed in approving the sewer issue. The State won't vote on this until December 6<sup>th</sup>. In addition STC can't issue approval of the plans until after that meeting. The consultants then will have to review them so that is the need for the extension.

Chairman Cribbins stated that I would give them until the end of January, with the holiday's coming, etc. Anthony Panico stated we don't have to put dates down because we know that there is activity on this.

**On a motion made by Leon Sylvester seconded by Anthony Pogoda it was unanimously voted to approve the request for extension on Application # 04-32 until the end of January, 2005.**

**APPLICATION # 04-47 SHELTON DEVELOPERS, LLC FOR PRD OVERLAY ZONE (10-LOT SUBDIVISION: TURKEY HILL ESTATES) BUDDINGTON ROAD (MAPS 39 AND 44, LOTS 51 AND 54) R-1 DISTRICT – ACCEPT AND SCHEDULE PUBLIC HEARING**

Richard Schultz reported that the last meeting on the year is on December 14<sup>th</sup> and we will be hearing the Tall Farm. The next public hearing will be January 25<sup>th</sup>. This is for Research Park and they want this rezoned to LIP. We haven't used the PRD since Whipoorwill subdivision. We have to accept this, questioned Comm. Sylvester? We must accept an application for a PRD in an R1 Zone, questioned Comm. Sylvester? Yes, answered Anthony Panico.

**On a motion made by Leon Sylvester seconded by Jason Perillo it was unanimously voted to accept Application # 04-47 and schedule the Public Hearing for January 25, 2005.**

**APPLICATION # 04-48 R.D SCINTO, INC. FOR DETAILED DEVELOPMENT PLAN APPROVAL AND ADOPTION OF PDD ZONE CHANGE (THE RENAISSANCE: 200 UNIT APARTMENT BUILDING) 100 PARROTT DRIVE (MAP 28, LOT 17) ACCEPT FOR REVIEW**

Anthony Panico stated that we have detailed plans and this is the final step. We will attempt to get this on the next meeting, for now we have to accept this, stated Richard Schultz.

**On a motion made by Anthony Pogoda seconded by Jason Perillo it was voted to accept for review Application # 04-48. Comm. Sylvester abstained.**

**AUTHORIZATION TO USE "SPECIAL AREA STUDY" LINE ITEM FUNDING FOR PLAN UPDATE CONSULTANT**

Richard Schultz stated that there is a need to use \$15000 in our Special Area Study Fund to fund Planimetrics consultant through January of next year. Appropriations will be made for the balance of the funding for the project that will end in October of next year, he added. We will have to put this back.

It is part of the funding process because all the money was not appropriated up front. This Study line item is for special studies that the Commission would take. We used it for Route 8 and downtown. It is an important line item and the Chairman will go to the Board of Aldermen to get the funds appropriated.

Do we need a motion, we do make a motion to pay bills, questioned Comm. Sylvester? This is in the budget and we are not modifying anything, stated Anthony Panico. We approve funds if they are available, stated Comm. Sylvester. We will be going to the Board of Aldermen to ask for those funds and it will be put back, stated Comm. Sylvester.

**8-24 REFERRAL: EASEMENT OVER CITY PROPERTY (MURPHY'S LANE)**

Richard Schultz stated that this is the Pinecrest Property. We received an 8-24 Referral from the Board of Aldermen for the easement. This will be for the second emergency access from the back. This will be a formal entrance. We have letters from the City Engineer, the Fire Marshal and Chief of Police all in favor of this, he added. River Highlands widened the road during their construction.

The Fire Dept. was concerned with visibility to their yard, stated Anthony Panico. It was very involved because of all of the opinions, stated Richard Schultz. There will be a gate by the Pinecrest Property. We need to know that this thing will be plowed off. They will open the gate, plow it and it will be done, stated Anthony Panico.

**On a motion made by Jason Perillo seconded by Karen Tomko-McGovern it was unanimously voted to report favorably on the 8-24 Referral: Easement over City Property (Murphy's Lane).**

**BIRMINGHAM CONDOMINIUM PROJECT: UPDATE BY STAFF**

Richard Schultz reported that we have a progress sheet to bring the Commission up to speed before we get the detailed plans. The Commission has given approval. We are recommending phasing on this project, stated Richard Schultz.

What they want to do while they are working out real estate issues to the side and the Right of Way for the State, stated Anthony Panico, they went through the calculations to see how much parking they can provide. They want to see how many units that will support. They will pursue that then in Phases. The parking will be what they can provide then. They will continue to work with the State, he added.

Do you think they will start on a building, next year, questioned Chairman Cribbins? Obviously there are things to do with the tops and we will have to work on the atrium and there is a lot of work that still needs to be done, stated Anthony Panico. What is the estimate for Phase 1, he questioned? 55 units, half, stated Richard Schultz.

We have been getting a lot of calls in support of this building conversion, people in town and people out of town. This is different and we have never received calls, stated Richard Schultz. I have no doubt that this will be successful, I did have my reservations at first, stated Anthony Panico. I have a better comfort level, he added.

**On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to adjourn at 8:10 P.M.**

Respectfully submitted by,

Diana Barry  
Clerk