

The Shelton Planning & Zoning Commission held a Special Meeting on May 18, 2004 at 7:00 P.M. in the Shelton City Hall, Room 303, 54 Hill Street, Shelton, CT.

Members present: Chairman Joseph Pagliaro  
Comm. Alan Cribbins  
Comm. Anthony Pogoda  
Comm. Karen Tomko-McGovern  
(arrived late)

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

Members absent: Comm. Patrick Lapera  
Comm. Daniel Oraziatti  
Comm. William Papale  
Comm. Leon Sylvester

This doesn't represent a quorum but we will continue with this meeting. It was scheduled to enable the Commission to have discussion on some items amongst ourselves to give some direction to Mr. Schultz and Mr. Panico. We have a quorum as Mrs. McGovern walked in, stated the Chairman.

**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 ONLY**

**AND**

**APPLICATION # 03-58, PETITION OF BLAKEMAN CONSTRUCTION CO./HUNTINGTON WOODS, LLC FOR EXTENSION OF SDA OVERLAY ZONE, BRIDGEPORT AVENUE/OLD STRATFORD ROAD (MAP 29, LOT 24) OP DISTRICT (PUBLIC HEARING CLOSED ON 2/24/04)-DISCUSSION ONLY**

**AND**

**APPLICATION # 03-59, PETITION OF BLAKEMAN CONSTRUCTION CO./HUNTINGTON WOODS, LLC FOR A PDD ZONE CHANGE (MIX USE DEVELOPMENT) BRIDGEPORT AVENUE/OLD STRATFORD ROAD (MAP 29, LOT 24) OP DISTRICT (PUBLIC HEARING CLOSED ON 2/24/04) – DISCUSSION ONLY**

We hope to make this a 2-hour meeting. We have Spilt Rock on the agenda and everyone is aware of where that is. We also have Richard Patterson's WER-1 's application and Jones Family Farm for an extension, stated the Chairman. We will not be making any decisions tonight, he added.

Comm. Karen Tomko-McGovern stated that Comm. Oraziatti called her to express his feelings. He told me he didn't want earth removal at this time. I don't think that any of us are for the earth removal at this time, stated the Chairman. What we are trying to do, we don't know if we are approving or not approving anything on the site, but we have to start a dialogue because something is going to happen on that site. We have to set a pattern as to how that is going to go on. There has to be some road improvements done and none of that can be done if there is not some sort of approval on the site. We want to control it and we have to give Staff a time frame, stated the Chairman. I don't know if we are going to like the office, the restaurant or the pharmacy but we have to some a discussion, he added.

Staff has provided a summary and overview of the three applications. (see attached) I do see sewers on here but I want you to draft a letter to the Sewer Commission. There are 2 major apartments being proposed in this area as well so see how this sits with them, stated the Chairman.

Rick and I got together and made a list of things that we feel are significant in your deliberations. Everyone knows that the topos here are rough with the site preparation, stated Anthony Panico.

The site is presently zoned Office Park District. This was an IA3 zone until 1999.

This is a major mixed-use proposal. It is not a single use, stated Anthony Panico.

This is a 14.5-acre site and it is at a very important intersection of town.

Any development of the site, regardless of the zone, will require significant site preparation as well as road and intersection improvements, stated Anthony Panico.

About 18 months ago, the applicant came in with an application for a Temporary Special Exception because he wanted to prepare the site without having a plan for its usage. It became obvious that the Commission was not prepared to support that approach. They wanted some sort of a plan.

The applicant has developed a proposed development plan and hopes that will be accomplished in two or more phases. The total plan includes 150,000 sq.ft. and it is roughly divided 50/50 between office and general retail, stated Anthony Panico.

The first phase involves most of the general retail that are being positioned at the front of the site. While Phase 2 consists of a business office condo proposed on the easterly portion of the interior portion of the site.

The office condos could be done under the current the OPD zone it doesn't need a PDD, stated Anthony Panico. As the Commission knows the PDD affords much better control over the development.

There are necessary road and intersection improvements and they approach \$1.5 million dollars. These improvements need to be completed before the retail can open for business. You need time for that. They have to go through SDC and get those designs approved.

The road improvements should be coordinated with the proposed Commerce Drive reconstruction. They should be completed before the Commerce Drive work begins, stated Anthony Panico. The Commerce Drive work has been delayed a bit.

Commerce Drive, stated the Chairman, for the Public's information, there were some Federal Funds to do some work on that road. For some reason beyond our control, that was withdrawn. We asked Rick to look into that, was that the case, asked the Chairman? The Valley Council of Governments has confirmed that there will be a delay on that stated Richard Schultz.

It is important to note that the Phase 1 site preparation- that is the area that is covered by the Temporary Special Exception and does include the grading of the front portion of the site, stated Anthony Panico. That involves 140,000 cubic yards of disturbance. Of that number about 10,000 cubic yards is needed as fill on the site. The rest will have to leave the site.

As we get into Phase 2, which is not the subject of this application, but when we get into Phase 2 there will be a similar amount to be removed in the rear portion. That is after using about 50,000 yards for necessary filling in that Phase.

The issues associated with the Temporary Special Exception application are going to be there regardless of zoning and the ultimate use of the property. The same is true about the traffic and the necessary road improvements. The current OPD zone could accommodate a 4-area ratio of 60%. That could result in a 5-story building of 350,000 sq. ft. or more of floor space, stated Anthony Panico. In contrast to this proposal of 150,000 sq. ft. That major building will need support parking for 1,400 cars and it would significantly increase the peak traffic. You need to be aware of the OPD zone or considering a mix use development of this neighbor.

The applicant has worked out an agreement with his neighbors, Perkin & Elmer with regard to the grading, blasting, dust control, etc., stated Anthony Panico.

These can be incorporated and expand to include the Commissions concerns such as hours of operation, inspection, timeframes, insurance, sediment erosion control, etc., stated Anthony Panico.

It will be desirable to arrive at a decision on this application as soon as possible so as to take advantage of the summer weather for the site work.

Anthony Panico read from a document that was read into the record at the hearing that was concerned with dust control.

The blasting itself there are restrictions and conditions they asked us to apply to any decision you may make. The first one was that all blasting be limited to Mon-Friday and Saturday may be done if Perkin Elmer agrees. If the blasting doesn't impact Perkin & Elmer they may change the time restraints. Obviously the Commission will have some say in the blasting conditions. We have to establish our limits and then address Perkin & Elmers. The blasting activities records are kept on site.

They want blasting insurance of \$5 million dollars and copies should be with the Fire Marshall, etc. That is similar to the conditions we imposed on Brennan.

Any failure to comply with any condition of approval will allow the Commission to revoke this, stated Anthony Panico.

Comm. Cribbins asked Anthony Panico about the timeframe? Phase 1 what are we looking at? They indicated that the majority of work should be done in 6 months. Normal timeframe would be a year but the applicant is eager to get the site prepared. They want to get in and get started quickly. The majority of work should be completed in 6 months, stated Anthony Panico. You are talking about the 150,000 cubic yards, asked the Chairman? Yes, the front portion of the site, stated Anthony Panico.

You said 10,000 cubic yards will be transferred to somewhere else on site, asked the Chairman? This corner of the site needs fill. The second Phase will need significantly more fill. This Temporary Special Exception covers from here forward and will net out 140,000 yard to leave the site, stated Anthony Panico.

The Chairman asked if they will have a rock crusher on site? They will have a temporary rock crusher on the site, stated Anthony Panico. A lot of it will have to leave the site, there is just too much there, he added. The numbers are lower then what we originally envisioned a year and half ago. He didn't have a plan and they envisioned taking this whole site down. Now there is a plan that is laid out to work with the topos. There are tiers here and another tier here and one in the back. Basically when we are done you will have a three level site, he added.

Will the whole site be prepared before he starts construction, questioned the Chairman? No, answered Anthony Panico. My understanding is that he will start preparing the front part of the site, he will concentrate on this corner because he has a building going in that he wants to do first. That is where the pharmacy is proposed, there is a break here and a lengthy mix use retail 2-story/1-story building on this side, he added.

The work on the City street that will be required that means they will be going to the DOT to get all the approvals and that will be done before this can be done, stated the Chairman. That is the Commissions call and I was going to recommend that, though, stated Anthony Panico.

The sequence of action that this Commission is going to have to take, first of all get a decision on the Temporary Special Exception. If there is favorable action on that then the next thing is the basic development plans for Phase 1. Then the SDC will accept his application because they don't want to look at an application unless there is some indication from the municipality that the project will go forward. Generally speaking SDC views approval of the basic development plans as a sign that the project will go forward and they will do their review.

As we are going through the detailed development of the front phase you should be able to get out of the SDC with his actions and as soon as there is an approval of Phase 1 it will carry with it the road improvements approvals, stated Anthony Panico. All of those road improvements have to go to DOT, asked the Chairman? SDC and the DOT, stated Anthony Panico.

What will be the flow of the truck traffic on and off the site, removing all that rock, asked Comm. Pogoda? Initially we had said that they would come in the Bridgeport Avenue side. Initially that is where that is coming in and out stated Anthony Panico. Until such time as this is prepared, he added. Then what, questioned Comm. Pogoda? Then it will exit here and go north or south on Route 8. Work will start and it will take time to put that cut in, stated Anthony Panico. Will they work on that initially to get that truck traffic off Bridgeport Avenue onto Old Stratford Road, questioned Comm. Pogoda? From a practical point of view the work has to start here, added Anthony Panico. They have to come in and exit the property to immediately get on Route 8, stated Comm. Pogoda. We will stress that in writing with your final decision that this will be a requirement, added Anthony Panico. You can start at the other end but this is practical.

If anyone was to start we would have to accept what Phase 1, what he is requesting for Phase 1, before he goes to the DOT, questioned Comm. Pogoda? He cannot go to the DOT without some sort of approval on Phase 1, stated Anthony Panico. Everything that he is proposing in Phase 1 including the restaurant, the retail space and the drugstore, questioned Comm. Pogoda? Then what is Phase 2, questioned Comm. Tomko-McGovern? Phase 2 is the office condos on the rear portion of the site, stated Anthony Panico. That is about half of the floor space of the total, he added.

So that means we are considering this then, questioned Comm. Tomko-McGovern? We are discussing it, stated Comm. Pogoda. If you want to say no, say no but it is an application for which we have had a Public Hearing and you have to make a decision, stated Anthony Panico.

Are you saying that Phase 1 will include the general retail building, questioned the Chairman? Phase 1 will include everything but the 72,000 sq.ft. office building, answered Anthony Panico. That is subject to the Commissions decision. That is the proposal, added Anthony Panico.

Right now our discussion hinges on giving him some sort of TSE to get started clearing, stated Comm. Pogoda. Rather it is this applicant, something is going to be put on that site, he added. Will the applicant clear this differently, if lets say we say we will take the office space, the pharmacy, and we will take this but we don't want to see this, would the site be prepared differently, questioned Comm. Pogoda? I don't have an absolute answer to that, he is attempting to develop the site, if this is not the right plan then you will see plan after plan until he gives you an acceptable plan, stated Anthony Panico. No matter what goes in there he is still going to have to start clearing, stated Comm. Pogoda. I say that is the normal practice but if you say we are not doing anything until we get a project that we can all live with, so be it. You accept the timeframe of what it is and he won't get anything done until next year that is up to you stated Anthony Panico.

A couple of years ago we put this in the OPD to try to protect it from unknown development, stated the Chairman. We didn't want fast foods and others, he added. That is what it was zoned for. We took this and other properties and lumped them into the OPD to try to protect it. I did some quick calculations with the office building fitting into the OPD but the other things it is about 75,000 sq. ft. of retail, restaurant, one will be a bank, and other spaces. It is another 75,000 sq. ft. I am thinking about what will happen and what has happened in the past, we took the apartments away from the initial proposal. That made a lot of people happy. However, the things that will generate traffic in this area is the office building. That will create more traffic then anything, stated the Chairman. It will bring people into the area to work and then leave. It will impact the morning and afternoon peak traffic concerns, added Anthony Panico. The other things will be there to serve the people that will be there. The retail, restaurant and the others will serve people that are there now, added the Chairman. It was our contention to keep from Wells Farm down as upscale. We upgraded Woodside Plaza and we took special care when we did Bertucci's.

All of these things that will serve the public will be the Phase 1 and the office will be the second Phase, stated the Chairman. You will not get someone North of the Valley to come here to go to an Eckerd Pharmacy stated Comm. Cribbins. It will be the traffic that is already here in those towers, he added. It will not be like a Wal-Mart, added Anthony Panico. I don't think it will be a destination place, stated Comm. Pogoda. There was talk of a bookstore, a restaurant, a drugstore, stated Anthony Panico. One of those retail will be office, you are talking about a Lawyer, Doctor, questioned Comm. Pogoda? There is not that much square footage so there will not be as much of an impact, stated Anthony Panico.

The main building of this complex is a 2-story building with access from the back for the upper level and the front is accessible from down below. There is a banking component with a drive up window. This has been worked out at a general basic development stage. It won't change. The drugstore has been worked out carefully and will move to detailed plans. The basic plans are up for grabs from this Commission and the applicant as he gets closer to marketing, stated Anthony Panico.

Will the restaurant be freestanding, asked Comm. Pogoda? Yes, stated Anthony Panico. Under the old zone the restaurant was allowed and the back 50% of the site is consistent with the old zone. The original zoning had nothing to do with general retail, he added.

What is in the works, questioned Comm. Tomko-McGovern? Small retail space, stated both the Chairman and Anthony Panico. There is not much space, half of the floor space will be the office, he added. A major chunk of that is the pharmacy with the bank taking up another big chunk. Some of that is the second floor space that will probably be a bookstore. There is not a huge space for retail.

The first concept was a major shopping center, stated the Chairman. Prior to this applicant a few years back we had a proposal for a major shopping center, he added. We have to be careful of the uses, stated Comm. Cribbins. We want to get things on and off the site. I went to Wendy's and across the street there is gas only. On the other side you have gas with repairs and cars. There are 12 cars sitting on the lot. You say to yourself we need to keep this clean, added Comm. Cribbins. This will be gas with no repairs stated Anthony Panico. It will be a multitude of things, gas station, Dunkin Donuts, stated the Chairman. If there is something that doesn't sit well say it stated Anthony Panico.

You know what my feeling is about the gas station and the ones like what is on Old Stratford Road you have a,b,c,d in that gas station. The majority might be going for gas but they are going for other things, stated Comm. Pogoda. If you want to get gas and a pack of cigarettes, then you have coffee, etc. they don't have to have it. If you want to have coffee go to the other building, stated Anthony Panico. I want to see get your gas and go, stated Comm. Pogoda. The problem we have at White Hills, many times, people drive in park by the front door, people are getting gas and then someone is coming and going, stated Comm. Cribbins. As we work our way down, I like the fact of another restaurant, the pharmacy is not an issue, he added.

My only issue is trying to imagine the traffic flowing on and off, stated Comm. Cribbins. The way that the plan is now is that there is a collector drive feeding in and out. You come here and enter these points to go to the drugstore, stated Anthony Panico. The next best thing for those companies is to get people on and off of Route 8, is staying off Bridgeport Avenue accessing this roadway, stated the Chairman. It will take that traffic away from that intersection, stated Anthony Panico. It will be widened and the signals will be worked on, he added.

What is the normal timeframe for approval from the DOT, asked the Chairman? It is usually 6-7 months but their Traffic Engineer has gotten them to look at some stuff, stated Anthony Panico. They are familiar with the area. They have looked at ramp in connection with work being done on the hill, stated the Chairman.

What made this for me was that they got rid of the residential component, stated Comm. Cribbins. Apartments there would have generated less traffic than the office building, stated the Chairman.

Also probably would have generated as much taxes, stated the Chairman. Have we looked at what the taxes will be questioned Comm. Cribbins? I think we should wait for the plan, the long range, comprehensive plan, stated Comm. Tomko-McGovern. That could take 2 years, Karen, if a person wants to develop his property he is not going to sit around and wait for 2 years, stated Anthony Panico. They have a right to develop their property, added Comm. Tomko-McGovern.

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

Comm. Pogoda asked what do you need from us now, in our discussions, to move this along with the first step being the earth removal? The Commissioners need to get to a comfort level with the basic plan proposal. If you have a comfort level you should proceed to a decision on the TSE application, stated Anthony Panico. If you were in total disagreement with the plan then you could say until we get a plan that we agree on, we don't want to touch the site. In reality this is a plan that you are in relative accord with then you should allow the grading to start as soon as you can, he added.

What you are saying then is that these items won't generate as much traffic, asked Comm. Tomko-McGovern? What I said is these items here are going to be serving the public that is here now. You would have gone to the CVS in Ansonia but now you will come to an Eckerd's here, you would have gone to the bank downtown but now you will come to the bank here, the retail outlets, etc. this will serve the public that is here and it will generate traffic, stated the Chairman. The traffic associated with this building is customer traffic. Some of that customer traffic will be on that road already, stated Anthony Panico. The traffic associated with the office building are the employees coming in the morning and going home in the evening. Some of this traffic is spread during the day and that traffic has one reason to be on the road. That is to get to there jobs and go home at night, he added.

I don't think that you want to put all offices on this site, stated the Chairman. Take one tower and put it into 5 small buildings, he added. You are preventing a lot of undesirables. There have been people in the years that I have sat here that came in with shocking proposals.

Whatever we put here has to be the best from the outside, it is a prime corner, stated Comm. Pogoda. That is your call, stated Anthony Panico. You have to be satisfied with what you saw, we will have drawings and draftings to see if we are going in the right direction, he added. If we approve this general concept we will, as I mention the gas station is an issue, it doesn't mean we can't go forward, stated Comm. Pogoda. We are coming up with suggestions in lieu of, stated the Chairman. We want to get them off the ground to start the clearing, stated Comm. Pogoda. Staff is not asking you to make a decision of the detailed development plans, simply reminding you to be at a comfort level to start the grading plan, stated Anthony Panico. He won't put a shovel in ground until he gets approval. He will do preparations such as clearing and the equipment in place, stated Anthony Panico.

If you make a decision in the next two meetings, he added. The Chairman went over the meeting schedule and who will be here or not here. The decision could be made in June but I don't want to make a decision until all the Commissioners are here, stated the Chairman. If we don't get some things cleared from this table we are creating a bigger backlog of decisions that have to be made of hearings that have been held and we are going nowhere, stated Anthony Panico. We have had a good discussion tonight and we gave you some direction of where we are going, stated the Chairman. We have a good timeframe for site work that is 6 months and the DOT will take 3 months so we now where we will be come December or January, he added. He is not going to want to put a shovel in the ground without all the approvals, stated Anthony Panico. Before any of the buildings are occupied the roadwork has to be done, stated the Chairman.

In a discussion that I had with the applicant, he stated that the roadwork will go fast, stated Anthony Panico. You should find out how fast, questioned the Chairman? We can find out how fast, stated Anthony Panico. The applicant's Engineer should be able to tell us, he added. Twice as many men will do it in half the time.

There will be bonds, questioned the Chairman? There will be several bonds including one for temporary special exception, there will be a bond on the roadwork, there will be a bond on the detailed development plan, there will be a bond on the sediment erosion control, etc. There will be several bonds, stated Anthony Panico.

Mr. Chairman I have a letter authorizing an extension until June 9<sup>th</sup> on the Temporary Special Exception, stated Richard Schultz. On the SDA and the PDD zone change the letter authorizes an extension until June 23<sup>rd</sup>, he added. We should get some decisions made stated Anthony Panico. We have to get this done by the time that the extension is up, stated Comm. Cribbins. You need to give Staff direction stated Anthony Panico. You will be able to say something is going on that site, added Comm. Cribbins. I would like to know what is going on that site, questioned Comm. Tomko-McGovern. We have that information, stated Anthony Panico. To the degree required on the basic plans we have all the preliminary draining, engineering and grading is all there, he added. Rick I believe that they got their approvals from the Wetlands. There are some issues with the roadwork and drainage but they got approval.

No matter what we say it will be developed, questioned Comm. Tomko-McGovern? It is a matter of coming up with the best development, stated Anthony Panico. Can you get the tax revenue, asked Comm. Cribbins? Richard Schultz he would work on that.

**On a motion made by Alan Cribbins seconded by Anthony Pogoda it was unanimously voted to accept the letter of extension on Application # 03-60 until June 9<sup>th</sup>, 2004 and the letter of extension on Applications # 03-58 and 03-59 until June 23<sup>rd</sup>, 2004.**

**APPLICATION # 03-67, PETITION OF RICHARD PATTERSON ON BEHALF OF WER-1 TO AMEND THE ZONING REGULATIONS (SDA: SECTION 21.2 AND PDD: SECTION 34.8) (PUBLIC HEARING CLOSED ON 3/23/04) DISCUSSION AND POSSIBLE ACTION**

Richard Schultz reminded the Commission that the expiration date is May 27. That is probably, one will have a hearing on the Tall Farm that night, we will review the Wabuda Farm and that is it, he added.

This change will effect every residential zone but R5, stated the Chairman. There are two parts to these amendments, the first being to expand on the language in a paragraph regarding the Special Development Area. We will add a sentence that states the Special Development Area shall not be established in the R1, R1A, R2, R3, R4, and R5 district. They are asking for a stipulation that you can't have an SDA in those zones, stated Anthony Panico.

The second part of the proposed amendments is to modify Section 34.8, which are the findings you go through to adopt the PDD. They want you to add a new finding that says if the PDD is currently zoned other than Central Business District and/or Commercial CA3 the proposed PDD doesn't include any dwelling or residential uses, stated Anthony Panico.

So it pretty much takes on all of our residential areas, stated the Chairman. Yes, answered Anthony Panico. When all this came about it was because of all the empty nesters development that we have established in town, stated the Chairman. The Comprehensive Plan of 92, which we started to update in 2000, it called for us to look for empty nester type developments. As I review and look at it, all the empty nester type developments were located in a area with some sort of buffer zone. The one down on Exit 12 Wells Spring has its back to Richardson Vicks, the other one on Buddington Road is a split zone with property zoned 2 different zones an industrial zone that acts like a buffer, the ones over looking the water, Waterview has been on this table, we went to court a couple of times, it has been on the table for a good 10 years, and Four Winds backs up to an industrial park. The only one in R1 is Cranberry and that was denied, stated the Chairman.

What I would think what we consider doing is have Rick and you look into amending some of these things instead of making such a drastic decision here, stated the Chairman. The PDD is a tool that we have used to the City's advantage in many areas, he added. It is certainly not something that should be considered over development. We only approved 16 single-family lots in the City last year with 69 permits, is certainly not over development.

Most people don't understand that concept that we only gave out 69 permits, stated Comm. Cribbins. With all the dialogue that has been going on lately, that people would think we are doing 500-600 homes in the City, he added.

The Chairman asked Rick to look into Huntington Woods, how many houses were built to date and over what amount of time? The other thing that we could do, stated Comm. Cribbins, for the PDD could we get some explanations, of what the tool does for us in regard to what we control. Such as the size, the density, the location on the property, we can control the protection of stonewalls & features of the site relating to the house. When it is a PDD we the Commission get maximized control as opposed to giving it as of right, he added.

If you use anything using a generic zone you have standards in a book and if the applicant meets those standards that is the end of your discretion, stated Anthony Panico. That is what we are running into with the Toll Brothers up at Wabuda, stated the Chairman.

The PDD, you are acting with you legislative hat not administratively. When you make a legislative decision such as a zone change that PDD is a zone change. When you act legislatively you have the maximum amount of discretion, stated Anthony Panico. You can say no. You don't have to document extensive reasoning for it.

I am thinking of the PDD's that took place in the last 20 years since I have been here, some people make reference to using the PRD. We used the PRD years ago but if we use the PRD where we used the PDD you can multiple the number by 2 or 3. Then you would have PRD's similar to the other condos and that would make 3-4 units per building, stated the Chairman.

A few years ago the public, much like what the public is doing today with the cluster developments, that was what we were facing with the condos years ago, stated Anthony Panico. So we got rid of that multiplier. They didn't want to see the high-density development 3-4 units to a building, he added. We decreased the number in Summerfield and that was approved because of the Shriners wanting that, stated the Chairman. The Commission was strongly influenced by the Shriners wanting that, added Anthony Panico. The Shriners could not carry the project forward and that was approved at the Special Exception level, he added. Aspetuck is a PRD.

The other thing that I am thinking of is the Committee working on the Comprehensive Plan, we don't have to wait to the very end to get direction on certain things, the Chairman could say lets review the Open Space or the space we have for residential space. It will be hard for them to look at things like that, stated Anthony Panico. Early on you can't ask for them to give you an answer on certain things, he added. I would like to get their opinions though when we meet with them, stated Comm. Cribbins.

One PDD that comes to mind that is in a largely residential zone is the Methodist Home, stated the Chairman. That is not just a residential PDD that has a residential component, assisted living component, an elderly care component and religious component, stated Anthony Panico. That is the largest bank of affordable housing in the City, stated the Chairman. The only complaint we have is from John Anglace that people drive to slow, he added.

The elderly component works very well, stated Comm. Cribbins. That allows the elderly to stay on their own. We are a maturing Community, stated the Chairman.

In my mind I am reviewing where the PDD's are. You made a list of where all the PDD's are for us and I didn't bring my list. There is a list but there is not one that has single-family surrounding it, stated Anthony Panico. There are some like L'Hermitage that has North Forty behind it. We used the PDD to define Route 108 and there is a condo complex, the nursing home and the high school. Tanglewood was the first one, he added. I was here 36 years and it was there along time before that, added the Chairman. Tanglewood is where the gentlemen who spoke at the hearing on the Pinecrest stated that they were having trouble with their septic systems. There are no sewers there.

There are 10 residential condos. Riverdale used to be rental units, Knollbrook was a matter of right under the PDD, that was right next to automobile row, Country Place was the downtown commercial zone. 10 Residential PDD's stated the Chairman. The Pines is across from Shelton Lake, North Forty will have Constitution Blvd behind it, Waterview had a previous approval on it then it was reduced, Four Winds had a PDD through the Corporate Park, Howe Corners built for senior citizens, Heritage Point connects to Buddington Park that is a split, and Wells Springs Estates abuts Route 8. I don't think anyone violated the R1 zone drastically. They are in transitional areas, stated Anthony Panico.

It is good to know when we are right or wrong. There is a lot of Open Space at Four Winds, stated Comm. Cribbins. Huntington Woods has 35 acres of Open Space that the City was going to buy, stated the Chairman. Wells Springs might have been the trigger as to getting close to residential areas, stated Comm. Cribbins.

Cranberry's proposal got everyone upset, stated Anthony Panico. We knew that from the beginning stated the Chairman. There were a lot of components in there, stated Comm. Pogoda.

If you adopt this proposal you are over simplifying the PDD and the attempts to address the concerns of the people about residential areas. I think we should look at the amendments we have and be more specific, stated the Chairman. I was born and raised downtown but that is neither here or there. More houses have come down then gone up, he added.

I think we should try to address some of their concerns in a realistic way. Logically look at where it should be addressed. You will eliminate any PDD's even downtown, stated the Chairman. You still could do the PDD's downtown stated Anthony Panico. It is important you don't do a PDD in the middle of a residential area, he added. You would have to consider a PDD only in a residential zone that abuts a non-residential zone. We could write to that effect and you are accustomed to putting them in the middle of the residential zones. These amendments don't address density. That is something we need to look at and we need to get the amendments on the table that we have had a hearing about already. Oronoque is not age restricted and you don't see them complaining, stated the Chairman.

You have to get those amendments up for discussion, stated Anthony Panico. We might need to do some revisions. Leon is looking for something that you can just say no too, he added. We can go back to revisit making it a zone change but not a special exception, he added.

The old zone works as a matter of right, stated the Chairman. I don't know if that is the right direction or if that is the right answer, stated Anthony Panico.

When do we have to have a decision on this, asked the Chairman? Richard Schultz said by the 27<sup>th</sup>. This is on for the 25<sup>th</sup> and we have the Tall Farm. I will recuse myself from that, stated the Chairman. This has to be acted on by the 27<sup>th</sup> stated Comm. Cribbins. I will come to the meeting but I won't be there for the portion of the Tall Farm. I will stay for the rest of the agenda, stated the Chairman.

I want everyone to sit in on this. They should all have input on this. If need be have something drafted for the 25<sup>th</sup>. I don't think we should deny it out right but look at the amendments to be more precise. I don't see where we violated the R1. Once the decision is made we could have more dialogue. An amendment would go to a Public Hearing, stated Anthony Panico.

These are the same type of circumstances when we backed this on other. There is no PDD in the heart of a residential zone, stated Anthony Panico. There is LIP and R1 and they could have used that for industrial. There are condos here and they sell for \$500,000.00, stated the Chairman. The Wells property going south is 100+ acres that will be subdivided and developed on 5-acre sites. That land is there and we have looked at the proposed road.

That is like Buddington Road and the exit that is now we knew about that stated Comm. Pogoda. I think that it is a good point that you should draft something.

I will put a draft together stated Anthony Panico. The long-range plan committee has picked their consultant and they have an agenda. The first thing will be to get a public information thing going, stated Comm. Pogoda. They can voice their opinions as to what is a sticking point. We will look at it more when we come with this. It is a little too restrictive, he added.

**End of Side 1B of 2A, Tape 1 of 2 at 8:35 P.M.**

**APPLICATION # 03-68, PETITION OF JONES FAMILY FARM TO AMEND THE ZONING REGULATIONS (FARM WINERY) (PUBLIC HEARING CLOSED ON 3/9/2004)-REQUEST FOR EXTENSION ON REVIEW PERIOD (PZC REQUESTED)**

Richard Schultz stated that we need to get an extension on this until June 9<sup>th</sup>, 2004.

**On a motion made by Anthony Pogoda seconded by Alan Cribbins it was unanimously voted to accept the letter of extension until June 9<sup>th</sup>, 2004 on Application # 03-68.**

We had a public hearing over a year ago cleaning up residential regulations with regards to animals and farms, stated Anthony Panico. June 8<sup>th</sup> is just old business and it is fairly significant. We will need a day like today, stated the Chairman. We need to have some discussing meetings. We will need another meeting for amendments and other things, stated Anthony Panico. We always needed 3 meetings a month, stated the Chairman. How much of this is going to be a commercial enterprise asked Comm. Pogoda? The licensing that he goes through from the State has significant restrictions answered Anthony Panico. It is accessory to the farm, he added. Staff felt uncomfortable and we got a generic definition that is all-inclusive. When these farms create new activities our office gets the call. We need to advise the public if this is covered under our regulations, stated Richard Schultz. We advised the applicant to clarify, regulate and define the winery, he added.

I have been to the site and I have nothing against the winery, stated Comm. Pogoda. The point I want to make is that I know the street and the truck traffic is a concern. How far will they expand that so that this is a commercial business in a residential area? Will they be selling it from that establishment? You have to get onto the farm to get to the winery, stated Anthony Panico. We need to deal with this specifically and not on the language for accessory farm use, he added.

Richard Schultz stated we will get some specifics from this farm. The bulk is off of Israel Farm Road and they planted the grapes by the Monroe side. The gift shop is here and at the top of the hill is a pasture site that is where the grapes are. The Nike buildings was used. 51% of the products used have to be produced in the State, stated Anthony Panico. He has to grow it. He doesn't have to use only his products stated Comm. Cribbins. He could supplement up to 45%, stated Anthony Panico. He could have a vineyard somewhere else and use those, he added.

**On a motion made by Karen Tomko-McGovern seconded by Alan Cribbins it was unanimously voted to adjourn at 8:55 P.M.**

Respectfully submitted by,  
Diana Barry, Secretary