

The Shelton Planning & Zoning Commission held a Special Meeting on October 25, 2005 at 7:00 P.M. in the Shelton City Hall, Room 104, 54 Hill Street, Shelton, CT.

Members present: Chairman Alan Cribbins
Comm. Patrick Lopera (arrived late)
Comm. Jason Perillo
Comm. Anthony Pogoda
Comm. Leon Sylvester (arrived late)
Comm. Karen Tomko-McGovern

Staff present: Richard Schultz, Planning Administrator
Anthony Panico, Planning Consultant
Pat Garguillo, Court Stenographer
Diana Barry, Clerk

Members absent: Comm. Daniel Oraziatti
Comm. William Papale

Tapes (2) and correspondence on file in the City/Town Clerk's Office and the Planning and Zoning Office. Attachments are not available on the website.

Chairman Cribbins opened with the Pledge of Allegiance.

PUBLIC HEARINGS:

APPLICATION # 05-50, MICHAEL MONTANARO FOR SITE PLAN APPROVAL (RELOCATION OF BUILDING/PARKING CONFIGURATION) 60-70 HUNTINGTON STREET (MAP 74, LOTS 27 AND 28) CA-2 DISTRICT

Chairman Cribbins read a letter for an extension until November 29, 2005.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to accept the letter of extension until November 29, 2005 on Application # 05-50.

APPLICATIONS # 05-52 RONIC ENTERPRISES, INC. FOR MODIFICATION OF SPECIAL EXCEPTION APPROVAL (HUNTINGTON ESTATES SUBDIVISION: 50 LOT CRD) INDEPENDENCE DRIVE AND

APPLICATION # 05-53 RONIC ENTERPRISES, INC. FOR RE-SUBDIVISION APPROVAL (CHANGE TO OPEN SPACE AREA WITHIN HUNTINGTON ESTATES SUBDIVISION) INDEPENDENCE DRIVE AND

APPLICATION # 05-54, RONIC ENTERPRISES, INC. FOR SUBDIVISION APPROVAL (4 LOTS: MOUNTAIN LAUREL RIDGE) INDEPENDENCE DRIVE (MAP 114, LOTS 46 AND 53) R-1 DISTRICT

Chairman Cribbins read a letter from the owner, Roger Spinelli, for an extension until November 29, 2005. This is on his behalf so we need an extension because we have 65 days to schedule the Public Hearings, added Chairman Cribbins.

On a motion made by Jason Perillo seconded by Anthony Pogoda it was unanimously voted to accept the letter of extension on Applications # 05-52, 05-53 and 05-54.

APPLICATION # 05-57, RGR SHELTON, LLC FOR MODIFICATION OF STATEMENT OF USES AND STANDARDS FOR PDD # 49 (CRESCENT VILLAGE CONDOMINIUMS) 745 RIVER ROAD (MAP 21, LOTS 48 AND 49)

Comm. Pogoda read the call of the hearing. There was no additional correspondence.

Alex Zidnis, representing RGR Shelton, addressed the Commission. In reviewing the statement of uses the plan that was approved had some areas that were Open Space. We were not sure if those Open Space areas would be deeded to the City or become Conservation areas that would be retained by RGR. In some spots the buildings that were approved are closer to the property line that was created. The site, the plan hasn't changed at all, the ownership of the Open Space has changed hands to the City, stated Alex Zidnis. Therefore where we have buildings next to that Open Space we are asking for modification of those uses, he added.

Chairman Cribbins asked to be shown the areas. Alex Zidnis pointed out the original property lines on the map on the easel. These spaces here and here were dedicated, deeded to the City. At that time this building here, the property line was about 300 feet and now it is less than 40 feet. This location here maybe close to that as well. This building here came up against the Open Space and less than 40 feet. So we are talking about this building here, this building here and this building here.

Any other Commissioners have any questions? Anyone from the Public wishing to speak for or against this application, questioned Chairman Cribbins? Do we have any correspondence that would support this or not support this, questioned Comm. Sylvester? No but Staff wants to report that all of the departments are reviewing this and they will continue to do that. The biggest concern is the Pine Rock Firehouse, as with all applications that get modified, we will continue to review them.

My point is that something like this could (inaudible) I would request a recommendation from the Staff that is in the field, stated Comm. Sylvester. That is a situation that you would not have had before because of the preserved Open Spaced areas rather than doing them as Conservation Areas, stated Anthony Panico.

The City is saying that we would like to have them in fee. Suddenly there is a property line back there that wasn't there before, stated Anthony Panico. The setback then comes in to play.

I understand the request, stated Comm. Sylvester. Rick and I had discussed if this could be done administratively and we concluded that it impacts a standard zoning setback and it should be processed through a Public Hearing, stated Anthony Panico. Any further questions, asked Chairman Cribbins?

On a motion made by Anthony Pogoda seconded by Leon Sylvester it was unanimously voted to close the Public Hearing on Application # 05-57.

APPLICATION # 05-58, DOMINICK THOMAS ON BEHALF OF STORAGE DELUXE FOR SDA OVERLAY ZONE, 811-829 BRIDGEPORT AVENUE AND 2 TRAP FALLS ROAD (MAP 18, LOTS 13, 14, 15 AND 26) AND APPLICATION # 05-59, DOMINICK THOMAS ON BEHALF OF STORAGE DELUXE FOR PDD ZONE CHANGE, 823-829 BRIDGEPORT AVENUE AND 2 TRAP FALLS ROAD (MAP 18, LOTS 14 AND 26) LIP/IA-2 DISTRICTS

Comm. Pogoda read the call of the hearing and one additional piece of correspondence from the adjacent landowner, Robert D. Scinto.

Attorney Dominick Thomas, an Attorney with Cohen & Thomas, representing the Applicant, addressed the Commission. He presented the letters of notification in accordance with your Section in your regulations.

I will address the SDA issue, stated Attorney Thomas. There is a larger map along with the smaller map that goes along with the zoning map and I have the current Assessor's map as well. It is my understanding that the Commission and its members are interested in presenting the SDA overlay to all the properties along Bridgeport Avenue. When we looked at this we were able to ascertain that the SDA doesn't extend over any of these properties. This was U.I. and over here is Mr. Scinto who has an office building and parking structure. Over here is a retail center, restaurant center that has a bank and a bagel place, stated Attorney Thomas. This SDA proposal will extend from Trap Falls Road to Parrott Drive.

This application for a PDD is on property known as 2 pieces # 829 and 823. 829 has an existing building which I will call the Index Building. That is the company that went in there in the 1980's. It has an office and warehouse. The building shows a relatively modern office like structure.

Storage Deluxe is a major player in the high-end self-storage. It is their intent to come to this area. They have identified this building as vacant and there is relatively little site work to achieve their purpose, stated Attorney Thomas.

This is an area that is a very mixed-use area. There are office buildings, there is residential in the form of the Fairchild Mobile Home Park, there is retail right next to it, and a short distance away you have more substantial retail at Shelton Square, T.J. Maxx and Staples.

You have also approved recently at the end of Parrott Drive a 205 unit or so of luxury office buildings that is owned by Mr. Scinto, which will generate a need for this type of storage. They will serve the residential storage part along with corporate storage. As businesses spend money to rent office space they really don't want to spend that square footage to store stuff. So this, Storage Deluxe, will explain that they cater to the high-end both residential and corporate.

The zone here is IA2 with a tiny triangle of LIP. To best achieve what will be accomplished the PDD was chosen because you are taken an existing industrial building adding square footage in the back and right to put two other storage buildings, one 15,000 square foot and one 5,7square footage to the right of the existing building. To the front will be the office building, which will have a caretaker unit, stated Attorney Thomas.

This will be a high security type of enterprise. Once you get to the caretaker building and beyond it you will need a code to go any further. They will provide 24-hour security and they will need the caretaker for that purpose. We have developed a statement of PDD, which has been filed and reviews the sizes and additions.

If you would like to look at the parking and loading it is more than significant to deal with the traffic on this site. The Engineer will explain that you have your wetlands with an existing pond on the site. Wetlands applications is being prepared and we will be doing some upgrades to the water quality measures that are on the site, stated Attorney Thomas.

In regard to this area, it will now take, the proposal will be to take a vacant building do substantial upgrades, substantial improvements enhancing the area with a use that blends in to be used by both the residential citizens and the corporate citizens within the area. Looking at your PDD that currently exists for the Bridgeport Avenue area and looking at the PDD concept we believe this is a good fit, stated Attorney Thomas.

Phil Tiso, Rose Tiso & Co., Fairfield, the Engineer on the project, addressed the Commission. My guess is that you all know the site. There is a drainage through the site and could be a potential problem. There is also run off from the State DEP with a pipe (inaudible).

The site is relatively flat for the first half and goes up steep. The site plan is to extend the existing building to add some additions in the North side. There will be 7500 square feet here.

We have taken advantage of the existing driveway with the same cut. We will get 5 parking spaces in front of the office. The rest of the site is basically a clean area with access to the typical storage building. There will be a small amount of traffic on the site.

It is very difficult to hear and understand Mr. Tiso.

Even though we added on we are not changing the (inaudible) site. We discussed the site with John Cook who is o.k. with what we are proposing with the caveat that we upgrade the existing drainage system. He wants us to clean the pond. There will be no effect of the additions on the run-off, stated Mr. Tiso.

We have a soil erosion plan and that has been submitted. There is future landscaping plan but there are some existing trees and mature plantings. We will preserve as much of that as possible. We will screen the back of the building with additional plantings being added.

Comm. Pogoda asked on the addition of the 3000 square foot portion on the rear of the building, that looks like a storage shed? You are not taking down any walls you are just making that another storage portion, what is the access to that, questioned Comm. Pogoda? I will call on the architect to answer that stated Phil Tiso.

Jack Wilbern, RA (Architect), 6718 Whittier Avenue, McLean, Virginia, addressed the Commission.

My goal is go through the site, features and the buildings. As you look at the building we are fundamentally doing a facelift to the building along with alterations to the entire building. After a couple of meetings we came to our senses to realize that we have a perfectly good looking building that should remain as much intact as possible.

It is very difficult to understand Mr. Wilbern.

The existing building has a one story in the front, three in the back, one story and the shed here, there are low retaining walls and step downs here, stated Mr. Wilbern. That won't change so all this stone, the overhang, all this glass, all of that will remain the same. We are not changing any materials.

In the back we will take a shed into the back of the structure to build out the three stories. We will cover the road area to restrain from the outside visibility. You won't see the storage area from Bridgeport Avenue at all. All storage areas will have veneer walls. The remaining three-story building might be visible from Bed, Bath & Beyond.

In coming forward with this building, we won't come any further then (inaudible). There is a stone base, brick and a very simple white overhang to pull this into this covered area for people to walk in, stated Mr. Wilbern.

There are a lot of existing plantings and we will add supplemental plantings especially in the parking areas. We wrap around this area and close this off for some additional control in that area.

The function of the facility is to give people a place to store their belongings and so for the amateur they will have to decide what size they need. It is important that there will be adequate parking outside of the security office. They can pull in off the street, go to the gate to key code themselves in, the doors will lock and they will be in the loading off areas. There are elevators and hallways systems, state Mr. Wilbern.

There is a second alarm system at that area. We will have access to the second and third stories. They are all climate controlled, well light, with motion detectors, there are security cameras going back to the office and this will be a dusk to dawn operation. Occasionally people might need to get in early the a.m. that could be arranged. Mostly though it is the normal hours of operation.

You have color pieces in the packets that you received. We changed two things, one was the white overhang that was shown all the way over here, we corrected that and the dumpster was located in a visible spot so we moved that. There are no doors visible from Bridgeport Avenue.

Comm. Lopera questioned the HVAC will be on the roof? We don't use the large units we have smaller units like residential units. There will be small condensers on the roof. We have smaller units so that if one breaks it doesn't shut down the whole building, answered Jack Wilbern.

Steve Novenstah, 50 Main Street, Suite 100, White Plains, NY, the owner of Storage Deluxe, addressed the Commission. Our first facility is in Wilton on Route 7. We offer a high quality self-storage facility and this will be the second one in Connecticut. We have another facility in the Westchester, N.Y.

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

Steve Novenstah continued with information on Storage Deluxe. There are security measures we take. You can't bring in oil and we will have cameras to see all of that. It is very high security, stated Attorney Thomas.

Attorney Thomas stated that there was a letter from the Wilton Chamber of Commerce that I don't have with me tonight though I wanted it to be part of the record. Assuming the ground ever dries out we want to start work as soon as possible and hope this could be put on an agenda as early as possible. Wetlands is scheduled for the 10th, stated Attorney Thomas. I would like that consensus with us at Wetlands. We won't be meeting until Thursday night, stated Chairman Cribbins.

Question, asked Anthony Panico, will the applicants own the property then? Yes, they will, answered Attorney Thomas. Maybe through a different LLC but yes they will, he added. If the seller represents the degree of development that is geared to that use and if there should be a change to the use you may find yourself in an overload situation without parking for that. You might need to scale down for parking. If this Commission allows you to expand these buildings doesn't mean that the spaces will go for the different occupancy, stated Anthony Panico.

Chairman Cribbins asked if there is anyone in the audience that wishes to speak for or against this hearing? I will take a motion to close the hearing then, he added.

On a motion made by Anthony Pogoda seconded by Patrick Lapera it was unanimously voted to close the Public Hearing on Application # 05-59.

APPLICATION # 05-45, JAMES P BOTTL, SR. FOR DETAILED DEVELOPMENT PLAN APPROVAL AND PDD ADOPTION (MIX USE DEVELOPMENT) BRIDGEPORT AVENUE (MAP 77, LOT 18) – DISCUSSION AND ACTION

Anthony Panico stated the Commission had discussed this previously and came to the consensus that if we were going to approve this you directed Staff to write a favorable resolution. He then read the attached resolution and motion.

At the present time this curb is facing backwards. This is a lengthy building with people traveling through here. People will park and walk through here. We want to create a berm where people will become alerted to pedestrians traveling in this area. There will be a planting isle here, stated Anthony Panico. He adds that losing spots here, you might lose 5 at the very most. I will suggest to the Engineer that he relocate some of these handicap spots. Anthony Panico went over that the sign should be specific for sign panels. Character, color and design we want to work with the owners who are in control. Legislation controls what we can do but the owner can control a lot, he added. We want consistency and we can have the owner apply the pressure to the tenant. We don't want to see a menu sign at the road.

Attorney Thomas stated there is a Scribner's error. On the first page it should be 18,045 feet not the 26,125, he added. Then on the bottom under # 1 the square footage should be 13,965, stated Anthony Panico.

For this application, for the record, we will say that Comm. Perillo will sit in for Comm. Papale and Comm. McGovern is seated for Comm. Oraziotti. So we have 5 Commissioners to vote on this particular application. Comm. Sylvester stated that he has recused himself.

On a motion made by Anthony Pogoda seconded by Patrick Lapera it was voted to approve Application # 05-45. A roll call vote followed with 4 Commissioners voting I to approve and one Commissioner (Perillo) voting nay. Comm. Sylvester abstained from the vote. Motion passed.

APPLICATION # 05-55, SCOTT WASILEWSKI FOR SUBDIVISION APPROVAL (5 LOT CRD: ROBERTS PLACE) WABUDA PLACE/EAST VILLAGE ROAD, (MAP 152, LOT 51) R-1 DISTRICT – DISCUSSION AND ACTION

The Toll Brothers are doing all the drainage work and want to pave the road, stated Richard Schultz. He then read the City Engineer's letter, which states there will be no occupancy until the road is paved, and other conditions as read. Richard Schultz continued by reading his Staff Report.

What we are getting here is a fee conveyed to the City to extend the Blue Dot Trail through the power lines and through the Resnick's property. The Resnicks gave us both a Conservation Easement preserving the Pent Road and a Pedestrian Easement up to French's Farm, stated Richard Schultz.

We had a conversation the last time on sidewalks and I wondered about this area, stated Comm. Sylvester. This is 5 lots but it will be more, he added. If we were going to do it we should have done it with the Toll Brothers stated Anthony Panico. Toll Brothers doesn't have it and I know in hind site we talked about developments like that, that we would have done that, stated Comm. Sylvester. Staff has advocated sidewalks for years now but the position in the past with the Commission is they don't want to see sidewalks in the R1 areas, stated Anthony Panico. Comm. Sylvester stated I have become more aware of the value of them in the Long Hill Avenue to the school and over by my Dad at Wicke. It seems to me that

I don't disagree with you but I haven't viewed them in a negative way and I would like to remind the applicants when the development is significant that we consider sidewalks, he added.

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Comm. Perillo stated that someone who has enjoyed the Long Hill sidewalks, I enjoy the side roads just as equally when I run even though they don't have sidewalks. So for a road like Long Hill Avenue that has significant traffic the sidewalk makes sense whereas for a side road that have a few houses even the Long Hill Avenue area the fact that there are not sidewalks doesn't impede my ability to walk, run, bike whatever, he added.

The perfect example of that is the Independence Drive area. That clearly should have sidewalks. That is not used all the time, stated Richard Schultz. That is the perfect example the Cross Country Team. I stopped that but that has started again, stated Comm. Sylvester. They cross Route 108, traffic has increased and speed is a real issue, he added. I brought it up for the Commission to consider sidewalks in the appropriate areas, he continued.

Richard Schultz read his draft motion.

On a motion made by Jason Perillo seconded by Leon Sylvester it was unanimously voted to approve Application # 05-55. A roll call vote followed with all Commissioners voting I.

APPLICATION # 05-43, DOMINICK THOMAS ON BEHALF OF OTTAVIO DISANTO/DISANTO TECHNOLOGY FOR MODIFICATION OF DETAILED DEVELOPMENT PLANS FOR PDD #29 (LIGHT MANUFACTURING FACILITY) 10-20 CONSTITUTION BLVD, SOUTH (MAP 53, LOT 51) AND CAM SITE PLAN (PUBLIC HEARING CLOSED ON 9/27/2005) – DISCUSSION AND POSSIBLE ACTION

Staff took your authorization to prepare a resolution. Anthony Panico then read from the attached resolution.

End of Side 1B of 2A, Tape 1 of 2 at 8:45 P.M.

Anthony Panico continued to read from the attached resolution.

The building will not be visible. You might be able to see it in the dead of winter. You won't get a whole view of it, stated Anthony Panico.

On a motion made by Jason Perillo seconded by Karen Tomko-McGovern it was voted to approve Application # 05-43. A roll call voted followed with all Commissioners voting I except Comm. Lapera who abstained from the vote. Motion passed.

Chairman Cribbins stated we need to talk about the scheduled meeting on November 8th. That is election night and we will cancel that night. If we have Commissioners available we should schedule that for Thursday, November 10th. I don't know when the Swearing In Ceremony will be but we could still be the sitting Commission until we are replaced. The November meetings then would be the 10th and the hearings are November 29th. It is conceivable that 2/3's of the Commission can be replaced and hopefully we will get together one more time on the 10th, he added.

On a motion made by Anthony Pogoda seconded by Patrick Lapera it was unanimously voted to adjourn at 8:50 P.M.

Respectfully submitted by,

Diana Barry
Clerk