

The Shelton Planning and Zoning Commission held a special meeting on November 9, 2005 at 7:00 p.m. in Shelton City Hall, Room 303, 54 Hill Street, Shelton, CT.

Members present: Chairman Alan Cribbins
Comm. Daniel Oraziotti
Comm. William Papale (arrived late)
Comm. Jason Perillo
Comm. Leon Sylvester (arrived late)
Comm. Karen Tomko-McGovern

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

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

Chairman Cribbins opened with the Pledge of Allegiance. He then asked if there was anyone wishing to address the Commission on any item that was not on the agenda. Hearing no response, he asked for a motion to close the Public Portion.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to close the Public Portion.

Chairman Cribbins wanted to take a minute or two to do a little reflection. I wanted to thank the members of this Commission for the last two years. This is the last meeting of the 03-05 term. I wanted to say thank you very much. We covered an enormous amount of controversial issues, we spent long hours, we had a lot of deliberations and I am very proud of the Board's performance.

If you look at land use Board's, it really should be non-political. Land use Board's should be able to come together after an election and we should have good discussion. We should review all of the facts about the applications and we should make the best decision for the City that we can, stated Chairman Cribbins. I believe that we have done that and I thank you for that, he added.

The other thing is that I appreciated, in this term as in others, is that never once did Mark Lauretti call me up and say I want you to vote this way or that way. He gave me my independence and I always thanked him for that. I said I would not run if I could not have independence on the Board, you need to vote your conscious.

There is an issue here, though that I can't let pass, stated Chairman Cribbins. One of my jobs is to encourage younger people to come and serve on a Board or Commission. It takes a lot of time and it takes a lot of effort. What we should do is be encouraging to the people we have so that the youngsters will come out. So when you get older and get gray hair someday we will leave this Commission. We have to get it ready for the next generation.

One thing, last Friday I happened to call Rick about the agenda for this evening and he said there was a problem with Jason Perillo. Jason Perillo, which I think, is one of the finest young men we have in this Community. I knew his Great-Grandfather, I knew his Grandfather, I know the stock that he comes from, I know the commitment that he makes to this Committee, stated Chairman Cribbins. Jason was very upset and he had made a call to the people from WER1, Irving Steiner, about this particular filer that Irving had put out. Even though it said it was compiled by WER1 and the information was based on fact, this is the first of continuing report cards, it was full of errors. Jason asked him to please correct this and don't let it out to the public the way it was because it was an error.

So I got a hold of this flier myself and looked at, stated Chairman Cribbins. First of all Mr. Steiner said he wasn't going to change it. So I got a hold of the flier and sure enough it said I was absent for the vote on the Tall Farm. Anyone can look at the record to see I was here and I did vote no for the Tall Farm. So there was a mistake on my line also, he added. More than likely there are other errors in here and you should look this over. There are at least 4-5 errors.

So I called Mr. Steiner myself and I said you are upsetting Jason and there are errors in this report. What I said to him was that I respect his right to do something like this and to publish it. It shouldn't go out with errors and it should be changed, stated Chairman Cribbins. He again said he wouldn't change it and he would continue to pass it out like that. So I told him to pass them out knowing there were errors in them was really unethical and that he shouldn't do it. At that point he said to me are you threatening me? I said why would I threatening you over something like this I am just trying to tell you that it is unethical and it is wrong, stated Chairman Cribbins. It shows the true character of this person.

I would like to meet with the membership of WER1 but to date they have not made themselves available but I am going to ask that again. When I do meet with them I will ask them to select a new leader because we personally, have lost all respect with him due to his own action. I will call for that, for him to be replaced, within their own WER1 party or group.

I don't know if anyone else had any input into this form, if it was from another person other than he who compiled the information, I don't know if they reviewed it, I don't know if they voted on it, or whatever but it truly is unethical, stated Chairman Cribbins. I am glad that the voters saw through all this stuff. I called him on Friday and said please don't hand them out, they were handing them out at Stop & Shop, IGA and things like that. I didn't see another one until voting day when they were standing out in front of the voting places handing them out with errors, just passing them out. The election is over and the people have spoken but someone has to say that this is truly (inaudible), stated Chairman Cribbins.

Jason Perillo stated I personally thank you for saying that, it really did bother me. I did hesitate rather I was even going to make an issue of that at all. The reality is that the document reflects, states that 4 out of the 5 votes that are in there I was absent. The reality is that I wasn't absent and I did vote in all those situations. My attendance record here is pretty much impeccable, stated Jason Perillo. I was bothered mostly by the fact that I have gone above and beyond to be a friend to WER1. I think the reason I brought it up was because friends are honest with each other and for a group to put forth information about these Boards and Commissions, because a lot of the folks from the Community don't come to these meetings, they don't know what we do, and put forth good information is a great thing. I wish more people would do it. To abuse that and put forth information that is not adequate, is at best, at best, a disservice to this Community and an abuse of whatever informal authority the Community has granted to WER1.

When my grandmother says to me how come you don't go to your meetings because on this document, some guy gave me this document, and you are absent for all of these meetings, when in reality I attended every single one. It just is not right and it is just not fair. It is not fair to any Commissioner here and it is not fair to any one of the 39,000 citizens in our Community, stated Jason Perillo. If they are going to get information and rely on information when they make that very important choice when they are going into a voting booth it had better be good information. This document was not good information and it is too bad because that could have been a very valuable document for people, for voters. It could have been but here we are, he added. Thank you for bringing that up. I think your point was very well put, stated Chairman Cribbins. Any of the other Commissioners, would like to speak to this, he questioned?

Comm. Papale arrived at 7:12 P.M.

APPLICATIONS FOR ZONING COMPLIANCE (SEE ATTACHED LIST)

Richard Schultz stated we have 25 standards and Staff has reviewed them to find that they all are in compliance with the regulations. Staff does recommend approval.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to approve the Applications for Certificate of Zoning Compliance Standards 1-25.

5648 VALLEY FIREARMS, LLC, 549 HOWE AVENUE, BUSINESS/SIGN

Richard Schultz stated that this is an existing business that is moving into the Panache Building. The lettering will be consistent on the awning.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to approve Separate # 5648.

5668 MARK BERRITTO, 2 SHARON DRIVE, IN-LAW

Richard Schultz stated we have a proposal for an accessory dwelling unit. This is a raised ranch at the corner of Long Hill Avenue and Sharon Drive. We have some photos here. They have just fixed this and enhanced the whole piece of property. They are proposing a 24 by 24 addition for the in-law apartment that will be attached to the house and it complies with the regulations. They have submitted an affidavit showing it is the parents of the wife. Staff recommends approval.

On a motion made by Leon Sylvester seconded by Jason Papale it was unanimously voted to approve Separate # 5668.

5682 ADAM HOLLENBACK, 36 WABUDA PLACE, SIGN

Richard Schultz stated that this is a sign for the Vistas at White Hill, Toll Brothers Subdivision. They are proposing a permanent entrance sign. It will be on private property, not in the right of way, which would have required Aldermanic approval. It will be on Lot 10 and they will provide an easement, who ever buys Lot 10.

It is ground mounted, stone pillars and non-illuminated. It is a permanent entrance sign for the Community. The Commission has been putting a lot of emphasis on signage and we are not going to leave out the residential areas. It is consistent with the areas, the stonewalls and pillars, stated Richard Schultz. It can't go on the other side because that is City Open Space.

Comm. Sylvester questioned that the sign is the Vistas of White Hills by Toll Brothers? Is that appropriate, he questioned? Normally the Commission would not want to see that on a permanent sign, stated Richard Schultz. If you want to make reference to the neighborhood that could be a condition to eliminate the reference to the Toll Brothers, he added. This is not an advertisement for Toll Brothers, stated Comm. Sylvester. The Commission doesn't want to see advertising, added Richard Schultz.

Comm. Perillo questioned if we have to do a sign? Was it granted in, he questioned? This is a conventional subdivision and there are provisions in the Shelton Regulations for entrance signs. Some of the older customs homes in Huntington, Owl Hill has it, stated Richard Schultz. Sometimes when you are giving directions it is nice to have that, stated Comm. Sylvester. All of the Condos have them, stated Richard Schultz. It is an easy mark, stated Comm. Sylvester. It is a nice touch, stated Comm. Pogoda. Who is responsible for the sign, questioned Comm. Sylvester? Toll Brothers and the lot owner, stated Richard Schultz. Until such time that an association is created, he added.

On a motion made by Anthony Pogoda seconded by Leon Sylvester it was unanimously voted to approve Separate # 5682 with the before mentioned condition.

5639 RGR SHELTON, LLC 745 RIVER ROAD, CONDOMINIUM

Richard Schultz stated that this is Phase 1, the 33 units. It is the lower left hand corner when you are facing the project. We are acting on the Statement of Uses and Standards later tonight. We required 40 feet and they needed 20 feet in three areas.

This is Phase 1 in the lower left area, stated Richard Schultz. There will be a minor modification to the rest of the project. They will be coming in for three things, one the modification of Phase 1, modify the Statement of Uses and the other modification of the building location. Staff recommends approval, stated Richard Schultz.

On a motion made by Anthony Pogoda seconded by Leon Sylvester it was unanimously voted to approve Separate # 5639.

5673 JOSEPH COCI, ONE WATERVIEW DRIVE, OFFICE OCCUPANCY

Richard Schultz stated that this is the office building on the right going up to Pitney Bowes. This has multiple tenants and this is a new one. It will be a New York Stock Exchange listed Company. They don't want to be specific. They will occupy 11,000 square feet of the 94,000 square foot building. They will have 40 employees, hours are 8 to 5 and they have designated 4 per 1000 at the site. The Commission had recently approved an additional 100 spaces. Staff tweaked that plan. This is a permitted use office, he added. What is the nature of the Company, questioned Comm. Perillo? Headquarters office, stated Richard Schultz. They are affiliated with the New York Stock Exchange and that is all that he wanted to put on there. Staff recommends approval.

On a motion made by Jason Perillo seconded by Anthony Pogoda it was unanimously voted to approve Separate # 5673.

5675 VINCE CUMINOTTO, 1 IVY BROOK ROAD, COMM. BUILDING

Richard Schultz stated that this is across from Constitution Boulevard. This is the medical building associated with Griffin Hospital. It is 40,000 square foot two story medical building with support parking and loading. The Chairman has signed off on the plans and they have been working. If you haven't been up there they are leveling the 8-acre site and they are moving along nicely. Staff does recommend approval, stated Richard Schultz.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to approve Separate # 5675.

5650 SHERI HATFIELD, 94 POPLAR DRIVE, HOME OFFICE

Richard Schultz stated that this is a marketing consultant. She is a consultant. Hours of operation are 9 to 5 and she will have a desk and computer. There will be no visitors to the home.

On a motion made by Jason Perillo seconded by Anthony Pogoda it was unanimously voted to approve Separate # 5650.

5637 LEIF TREGGER, JR, 39 MEADOWRIDGE DRIVE, HOME OFFICE

Richard Schultz stated that this is a medical distributor broker. He is self-employed. He will use 80 square feet for a desk, file and phone. He is a broker that deals with medical related equipment.

On a motion made by Anthony Pogoda seconded by William Papale it was unanimously voted to approve Separate # 5637.

5653 SHARON HOLT, 500 HOWE AVENUE, SUITE 307, HOME OFFICE

Richard Schultz stated that this is 500 Howe Avenue, Suite 307 and she does website development. This is the Condos and she has authorization from the Association. She will use 50 square feet, he added. No visitors, questioned Comm. Perillo? None, answered Richard Schultz.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to approve Separate # 5653.

5654 MARCO CARRALERO, 105 DIVISION AVENUE, HOME OFFICE

Richard Schultz stated that this is for environmental consultant services. He will use 200 square feet. Self employed, no vehicles, he will use his phone and file. No visitors.

On a motion made by Jason Perillo seconded by Anthony Pogoda it was unanimously voted to approve Separate # 5654.

5667 DAWN BARTLETT, 28 RICHARD BOULEVARD, HOME OFFICE

Richard Schultz stated that this is for the cosmetic industry. She will use 50 square feet, she is self-employed. No items will be shipped to the house.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to approve Separate # 5667.

APPLICATION # 05-35, DOMINICK THOMAS FOR SPECIAL EXCEPTION APPROVAL (HIGH TRAFFIC GENERATOR: ADDITION TO RESTAURANT) 66 HUNTINGTON STREET (MAP 74, LOT 28) CA-2 DISTRICT (PUBLIC HEARING CLOSED ON 9/27/2005) DISCUSSION ONLY

Comm. Orazietti stated that he would abstain from this application. Chairman Cribbins stated that Comm. Tomko-McGovern then would be seated for Comm. Orazietti.

I provided a document that gives an overview of the project stated Richard Schultz. I just remind the Commission that review expiration is December 13th. We are meeting the 30th of November and we will have 6-8 Public Hearings on the agenda. The purpose is to come so sort of consensus/discussion tonight, he added. Keep the date in mind, it does expire December 13th.

Anthony Panico stated that there are 22 parking spaces out there today. After the configuration, how many spaces will there be, he questioned? It is 22 with the reconfiguration, stated Richard Schultz. What is the existing parking, questioned Anthony Panico? 48 total, stated Richard Schultz. 43 after the reconfiguration, he added. There was a net reduction of 5 spaces.

As part of the package, I did solicit the Fire Chief and the Fire Marshall, and everything is here for your reading, stated Richard Schultz.

Did they do a calculation of the parking under the Regulations, questioned Anthony Panico? They discussed that at the Public Hearing, stated Richard Schultz. There was a lot of discussion at the Public Hearing concerning the lack of use of the parking lot. I am concerned with requirements of a building of that size regardless of who the tenants are and who the new tenants will be, stated Anthony Panico. There are 4 current occupants, stated Richard Schultz. All of which could disappear next year, stated Anthony Panico. The Commissions comments to Staff where how many total occupants were there, stated Richard Schultz. What are the needs of the building now, and what are the needs of the parking with the 2000 square foot addition, he added? The applicant at the Hearing said that at the time the restaurant is serving its patrons the other tenants have gone, stated Richard Schultz. Our regulations make no distinction with shared parking, stated Anthony Panico. We are bound by the parking requirements set by our regulations, he added.

At the hearing, it was stated they needed to make a Wetlands Application. They have and it was approved, stated Richard Schultz. The back of the property is all wetlands, stated Comm. Papale.

Chairman Cribbins stated that the parking is a major issue. The other thing that I don't understand is that there are two other applications next door to this. It sounded like when I read through this that to get through, they were going to turn these houses, reconfigure that, people where going to come off the street and go through here. It almost looked like these spaces were going away. It would bring the parking down further, he stated.

This map shows you the adjacent property and what they are proposing to do. This application will be accepted tonight, stated Richard Schultz.

This is the existing, where is the site plan for their proposal, this is a site plan that exists, stated Anthony Panico. That is for the application that will be accepted tonight for the deli, stated Richard Schultz. They are proposing to do something to that, questioned Anthony Panico? That is a third application that is before the Zoning Board of Appeals, stated Richard Schultz. They are scheduled to act on it next Tuesday, he added.

I was confused about this future application and the effect that it will have on this application here because the parking doesn't meet the requirements, stated Chairman Cribbins.

This is the application that is before you and this is not, stated Anthony Panico. You can approve this by saying that it functions well today and when the next application comes in that destroys this, you will have reason to deny it, he added.

It seems to me that if you know that something is in front of you and you know that something else is coming, you should not take it piece meal, stated Comm. Sylvester. Especially in a sensitive area like Huntington Center, most sensitive, he added. If that is the only negative thing that you saw, that would be an invalid reason to deny, stated Anthony Panico. I don't know if that is negative or not, isn't there part of an approval on this building that calls for something that has never been completed, questioned Comm. Sylvester? Sidewalks in front of the building?

Anthony Panico stated we had a lengthy discussion about sidewalks. Didn't you say it was in the approval, questioned Comm. Sylvester? I would ask Rick to go back and pull that out, stated Anthony Panico. The owner argued that there are no sidewalks on either side and if there were sidewalks on either side then he would be happy to do them. I do think that they were part of an approval, I remembered this being talked about, they were part of an approval that the owner refuses to do and now he is in here asking for more, stated Comm. Sylvester.

I would like that clarified with Rick but my understanding is that these 4 spots were used in the application to ZBA, stated Jason Perillo. That is inappropriate because they are not legally available, stated Anthony Panico. They are presenting it to them (ZBA) that they have these spaces, stated Comm. Pogoda. I need clarification, stated Jason Perillo.

Has that matter been decided at ZBA, questioned Anthony Panico? Are you aware if these 4 spots were represented to be available to the future tenant of this piece and made a subject to the ZBA? I can't recall that stated Richard Schultz. I was just reminded that at the Public Hearing the applicants Attorney did an analysis of the parking requirements. It is of his opinion that the parking requirements have been met, he added.

Lets accept that, the existing parking satisfies the zoning requirements, then the next question will be how do you expand the space in the building by 2000 square feet and reduce the parking by 5 spaces, questioned Anthony Panico? That is what the issue is, stated Richard Schultz. You don't have compliance, stated Anthony Panico. The applicant is saying there is sufficient parking based on the circumstances there, stated Richard Schultz. That is why I attached those letters, he added.

The applicant is representing that as submitted there is data that says in the future build out conditions it will still comply with zoning, stated Anthony Panico. If you read those letters, the owner of the property, is making that, is taking that position, stated Richard Schultz.

Comm. Sylvester stated that at the last meeting you said that there was suppose to be sidewalks in front of this building as part of the approval and he has not done it. I am wondering if that was part of the original approval, questioned Comm. Sylvester? It is something that you have always approved, stated Richard Schultz. It has been a long time and I don't remember that stated Comm. Sylvester. Can you find out if that was part of the approval, he questioned?

Comm. Perillo questioned the parking requirements for a building this size are what? With the mix use you have to separate it, for the restaurant it is one space for every 75 square feet of patron area, and the restaurant you then subtract bathrooms and kitchen areas. Restaurant seating is 1000 square feet on the main level, stated Richard Schultz. You have the mezzanine and the outer deck, stated Chairman Cribbins. You have non-patron and 370 in the seasonal terrace. You have 278 in the bar. You have 1648 stated Richard Schultz. That is 22-stated Comm. Perillo for the restaurant. That is where you got your 22 stated Chairman Cribbins. The other tenants stated Comm. Perillo. Dr. Montanaro, the Attorney's office and a Real Estate office that subleases, stated Richard Schultz. How much square foot of office is there, questioned Comm. Perillo?

Looks like we need to do some homework and we need to get some numbers, stated Chairman Cribbins. It is coming down to parking, if the ratio is right, we need to make sure the dumpster is done right in the back. I don't know if that will take away any spaces, stated Chairman Cribbins. I want to make sure it all fits, he added. I know that will hold you up but if you get us some information we can tell you informally how to write this up.

I really have an issue with some of the parking and the way it is even if it is feasible, stated Comm. Sylvester. The site is a weird site, he added. I think the building and the concept of the restaurant addition is fantastic, it looks great and it is a nice addition. The challenge is that this is a part of town where there is just no other place to park and since the applicant seems to have no parking agreement with the next-door neighbor, I have an issue, stated Comm. Perillo. Architectural it compliments the existing building which I think the Commission saw at the hearing, stated Richard Schultz. Could you also get some clarity on the application before ZBA, questioned Comm. Perillo?

Comm. Pogoda stated could you find out about the sidewalks and what his duty was at the time of the original approval?

APPLICATION # 05-38, HUNTINGTON WOOD, LLC FOR DETAILED DEVELOPMENT PLAN APPROVAL (PHASE II: THE CENTER AT SPLIT ROCK) 700 BRIDGEPORT AVENUE (MAP 29, LOT 24) – REQUEST FOR WITHDRAWAL (APPLICANT INITIATED)

Staff had requested that the applicant submit the Phase 2 plans for the regrading, stated Richard Schultz. The Commission said on the strength of the original Temporary Special Exception.

End of Side 1A of 2B, tape 1 of 2 at 7:46 P.M.

On a motion made by Jason Perillo seconded by Anthony Pogoda it was unanimously voted to accept the letter of withdrawal on Application # 05-38.

APPLICATION # 05-44, DOMINICK THOMAS ON BEHALF OF C & D CART ENTERPRISES FOR SPECIAL EXCEPTION APPROVAL (HIGH TRAFFIC GENERATOR: MOTOR VEHICLE SERVICE/MIX USE FACILITY) RIVER ROAD (MAP 66, LOTS 1 AND 2) CA-2 DISTRICT (PUBLIC HEARING CLOSED ON 9/27/2005) – DISCUSSION ONLY

Richard Schultz stated that Staff has provided a project overview for the Commission. The applicant has submitted under Use Line # 37 for the limited repair license and 26A for the business office. This is a mixed-use proposal. If you go to the document there is a map and this is right across from the A & P. It is .69-acre piece and total building size will be 8,300 of which 6,500 will be the automotive use. As you can see on the map it is 10 bays and a separate office on the second floor that is 1700 square feet.

The site will be served by under ground utilities including an onsite septic system and public water. The Health Department has provided documentation that on site is acceptable.

The back property line is in sense the backyard. It is our experience that we maintain a 12 foot strip along the property line and there will be no parking or loading in that area. They are showing that as the access line for the back of the stalls, stated Anthony Panico.

At the hearing, the Commission expressed concerns about the visibility of the metal doors, the use of the metal roof, the intensity of the project and the ability to provide sufficient parking for the mix use, stated Richard Schultz.

The applicant has advised the Staff that they are willing to eliminate the mix use and eliminate the second story office. That will help with the on site parking. They have also agreed to go with the traditional roof. That is something that the Commission looks at in a neighborhood. If the predominant roof is asphalt shingles then the Commission would want to go with that. We did that in the White Hills Shopping Center.

There are many conversations all going on at the same time.

There is a $\frac{3}{4}$ acre piece to the south of this and to the back is a 2-acre piece, stated Richard Schultz. 8 acres is next to it, he added. How much of that 8 acres is in the CA-2, questioned Comm. Perillo? $\frac{1}{3}$ of it, stated Richard Schultz. The balance is R3. The topography, what is that like there, questioned Comm. Perillo?

In our regulations what we are saying is that there should be a buffer of 40 feet, questioned Chairman Cribbins? First of all there is a 40 foot required setback from a residents district and there also happens to be a 40-foot rear yard setback, stated Anthony Panico. The rear yard setback and the boundary should be the same location. As a boundary line there are certain restrictions as to how it can be used and it says that no part of the setback should be used for off street parking and loading, he added. A strip of land no wider than 12 feet adjacent to the boundary has to be landscaped.

Are we saying then that this is 12 feet from the boundary, questioned Chairman Cribbins? I don't see a 12 foot landscaped strip here because the way the site will be graded out they are anticipating a rock cut back here. They grade here and that rock base starts at the property line. That obviously is something that needs to be addressed, stated Anthony Panico.

Their presentation at the hearing shows a grade change here and they arguing that the grade change (inaudible) the need for a landscape buffer. You can't see it anyway, stated Anthony Panico. The Commission will decide if that is appropriate or not. It is a downward grade change. That is about 35 feet higher back there. You walked into the parking lot and you can look right down on it, he added. If you look back on the property toward the back you probably won't see anything back here.

Anthony Panico went over some measurements with regard to the property. This is all vacant land and over here in the front is residential and in the back is commercial. This is an area where the Commission should rethink the split zone that occurs along the River Road, stated Anthony Panico. This is a strip zone that is a carry over from 50 years ago. They put strip commercial zones along the highways even though it was undeveloped. There is available vacant depth there and if you want to create a viable commercial area you should do something more than 150 feet because that leads to this type of development.

The parking requirements are 10 spaces. This is a very (inaudible) provisions. That is for motor vehicles service station or repair garages. The old time type of facilities, stated Richard Schultz. These are the requirements that the applicant is filing under, the 10 spaces, he added. They have provided more than that obviously, but you have to feel comfortable with that.

Anthony Panico stated the thing that bothers me is that the applicant hands are tied because of the zoning that applies to the original and not having much buildable space. The site shows the setback comes to this line and the front setback comes to here. So they only have from here to here to put a building in.

The nature of the building is linear for the bays and it has to be put parallel to the street. That is the least desirable as far as impact on what you see as you drive down River Road. Drive down River Road facing at grade you will see the 5 bay garage, 5 front and 5 in the back, stated Anthony Panico.

The State Right of Way is very wide, stated Richard Schultz. There isn't a wide landscaping provision. There is zero, stated Anthony Panico. That is something we like to see, stated Richard Schultz. The property that they own in order to gain the room they need for circulation and a row of parking they will be within 18 inches of the curb line, stated Anthony Panico. That will leave zero to landscape. The applicant can go to the State to landscape out to here, which is fine until the day they widen River Road, he added. Then what you will get is the parking and pavement right up to the street line.

How many employees did they say, asked Comm. Pogoda? Anthony Panico answered 7. Hours of operation are 8 to 5, Monday through Saturday and they have two company vehicles. Two small pick-up trucks stated Richard Schultz.

What is this 10 bays, will they be doing mechanical work, questioned Comm. Sylvester? Oil changes, light repair, tune-ups, stated Richard Schultz. It seems like a big operation for such a confined area, stated Comm. Sylvester.

We are having a concern over rather or not the zoning accommodates this use, stated Anthony Panico. My interpretation of that line is that zoning line identifies the motor vehicle service station and you can have as part of that motor vehicle service station a limited repairers license in contrast to a full repairers license, which they used to do years ago. Remember we are talking about a zoning regulation that was put together 40 to 50 years ago. Back then these free standing, quick lube, muffler shops, brake shops, they were not even visualized yet. That kind of work was done at your local garage. When we wrote up those zones we would allow the gas stations but we don't want them to turn into repair shops. They put the provisions in then that if you wanted to do repair work it was with a limited repairers license, added Anthony Panico. Now we have an applicant that says that line doesn't require you to have a gas station you just need to have a limited repairers license. So we are having a bit of a disagreement.

Comm. Sylvester stated that I am sitting here, that sometimes we disagree but most times I take the strength of your interpretation of the regs. I think that you just said that this, that you don't believe, that this is a permitted use. That would be my interpretation, yes, stated Anthony Panico. Based on that I would not go any further, stated Comm. Sylvester. It is unfortunate that our zoning regulations have not kept pace with the times, stated Anthony Panico. Otherwise, we would have recognized the advent of muffler shops, quick lube places, tire places and we would have a special category in our regulations to deal with it. Not having that the only place, my interpretation, the only place for that to occur is in the use line that allows general repairs. Notwithstanding the fact that this will be limited repairs license, which is just a more refined type of it. The umbrella is the one lot that is the line not to be defined. It bothered me after some work sessions that we were dealing with a use that maybe is not the most ideal use in this area. The use that was selected goes along with the zone but I don't think that it fits, stated Anthony Panico. Tony and I don't share on that one but it is something that we needed to bring to the Commission, stated Richard Schultz. Just like the other application we need to sort this out at a Staff level. We might even have to consult Corporation Counsel, he added.

Comm. Sylvester stated I am not trying to be an obstructionist here, if you are you feeling that way, and I think I am senses that, I am looking at this like an over ambitious application that perhaps we better use that interpretation of the zoning to at least work out something that would be palatable, to if at all, in that location. Rather than marching forward trying to figure out a way to approve this.

Comm. Pogoda stated I think that this is too intensive for that site. I think the use in between, sandwiched in between two properties that are going to eventually be developed and putting that there what will you put next to it. Having something like that? I think it is too intensive, he added.

If you are coming down the road looking at the bays, going to a Midas store, they are basically set up the same way, you see the bays in the front and you look right through it. At least that is the way it is with the one I go to, stated Comm. Pogoda. There are 4 bays in the front and another in the other way. They keep getting beat up in that area of town with all kinds of things. I don't feel comfortable with. Look into this a little more to see if this could even go into this zone. If not then this is a mute point, added Comm. Pogoda.

Anytime you have a commercial zone abutting a residential zone, and we see it all the time, you are going to have these problems, stated Comm. Perillo. My concern from 50,000 feet is that this is an expansive area of undeveloped property on River Road and like Tony said this is the start of it. There is a lot of land around it and is this it? Is this what we will do with it? I am not saying yes and I am not saying no. I need someone to convince me that this is the right use for that. I am not yet convinced, I could be down the road, but I am not yet, added Comm. Perillo.

Chairman Cribbins stated that when we first started out, we heard at the hearing that this is by permitted use in this area. We had some issues with the location of the building and the setbacks. What we want to do in our town is be consistent with the interpretation of the uses and what we take away. We look forward in this next term to working on the regulations with regard to what will go into these locations. If it doesn't fit under the use it won't go, added Chairman Cribbins.

Mr. Chairman, if I could make a suggestion, stated Comm. Sylvester. I think I would be more comfortable if Staff got together to make an assessment, a unified assessment, as to rather we should be considering this as a legitimate application in this zone. Then we would be more comfortable to consider the application as it is or something different, added Comm. Sylvester. I think that is a great start because I think we have some disagreement among Staff, stated Comm. Perillo.

These are old regulations and they are ambiguous and that is what is happening. Over the years when we first got our amusement center the Commission said it wasn't a permitted use. A judge said yes it falls under retail and if you don't want it spell it out under your Schedule A. I don't think that this is the same thing, stated Anthony Panico. I am just saying we don't want to go down that road, stated Richard Schultz.

I don't think that this is a bad thing, I think it is a good thing, stated Comm. Sylvester. We need to say and do some things to strength what we are doing here at the table to get a better understanding. I think it is a good thing and I am glad that you brought it up. I think it is a right thing so lets take a step back, added Comm. Sylvester.

Chairman Cribbins questioned Richard Schultz if we have the time on this? Yes, answered Richard Schultz. This goes to December 13th.

This is a beautiful piece property and you hope that there will be a stylish development-taking place along it and you would hope that your first step into it would invite others to follow, stated Comm. Sylvester. If it doesn't, or shouldn't be there, then why talk about the architecture.

It is not a bad looking building, stated Comm. Pogoda. As I indicated the applicant is willing to eliminate the second floor office, stated Richard Schultz. When you say he will eliminate does that mean he will physical remove it, questioned Anthony Panico? Yes, answered Richard Schultz. Eliminate it and the architecturals will show that, he added. It has not been finalized. Staff has to meet on that. If this goes away it will look like a warehouse, stated Comm. Pogoda. Obviously Staff has some work to do, stated Chairman Cribbins.

APPLICATION # 05-51, SAL MATTO FOR SITE PLAN APPROVAL (BUILDING EXPANSION) 500 RIVER ROAD (MAP 54, LOT 2) IA-2 DISTRICT – DISCUSSION AND POSSIBLE ACTION

At the last meeting this was tabled. The Commission wanted some more information on the building addition.

This is the old factory building on the river. Right now it is a single story building. It is a block building painted white and the applicant will use the same materials. The whole area has been transformed. All access now is from River Road. This is next to the bus company with the two pillars, stated Richard Schultz. The addition is back here, stated Anthony Panico. This will be consistent with the single story building.

Are there any parking issues, questioned Comm. Perillo? No, right now it is overkill the parking that they have, stated Richard Schultz. The whole site has been enhanced and the neighborhood is very pleased with it, he added. The letters from the Fire Marshall and the City Engineer's letters were read previously.

It is a single tenant building, questioned Anthony Panico? Yes, answered Richard Schultz.

On a motion made by Leon Sylvester seconded by both Daniel Oraziatti and Jason Perillo it was unanimously voted to approve Application # 05-51.

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) (PUBLIC HEARING CLOSED ON 10/25/05) DISCUSSION AND ACTION

Richard Schultz stated that the Commission directed Staff to write a favorable resolution. When the project was first approved some of the property was proposed to be a Conservation Easement owned by the Association. After much discussion with the City it was deeded to the City as permanent Open Space. That pleased the residents both on Long Hill and the single-family neighborhood to the South of this. So that was a win-win situation.

However because of that conveyance in fee to the City it resulted in the setback to run from 40 feet to 10 feet. We had a hearing and there was no opposition to this. Once again you reviewed the modification of Phase 1 and there will be an additional modification with changes in Phase 2, stated Richard Schultz.

If Staff and the applicant had been aware of that possible conveyance the language that is necessary would have been incorporated and we would have anticipated that, stated Anthony Panico.

The City did work to get this in fee and everyone on Long Hill and Wintergreen are very pleased, stated Richard Schultz.

Richard Schultz read the attached draft resolution.

On a motion made by Leon Sylvester seconded by Anthony Pogoda it was unanimously voted to approve Application # 05-57. A roll call vote followed with Comm. Sylvester, Comm. Papale, Comm. Oraziatti, Comm. Perillo, Comm. Pogoda and Chairman Cribbins all voting I to approve.

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) (PUBLIC HEARING CLOSED ON 10/25/05) DISCUSSION ONLY AND

APPLICATION # 05-59, DOMINICK THOMAS ON BEHALF OF STORAGE DELUXE FOR PDD ZONE CHANGE, 823-829 BRIDGEPORT AVENUE, (MAP 18, LOTS 14 AND 26) LIP/IA-2 DISTRICTS (PUBLIC HEARING CLOSED ON 10/25/05) DISCUSSION ONLY

Anthony Panico stated that the first application is to expand the SDA so that the whole area will be in the SDA. That is consistent with the findings with the last Route 8 Corridor Update. The whole corridor should be treated as an SDA. This provides the ability to accommodate a use that doesn't fit into the underlying zone. The PDD approach is not available in this zone. This is the former Index site, it has a pond in the back and a fountain up front. It has a two-story garage in the back.

As far as the SDA it is a logical expansion to encompass this next block between Parrot Drive and Trap Falls Road, stated Anthony Panico.

On an existing conditions map Anthony Panico shows the building that steps down grading wise to the pond with parking along the side. The proposal is to continue the basic lines to the building where this is an overhang that will be enclosed and match the addition here and here all brought up to the same roof line with the same material so that when it is finished it will look like the expansion of the original construction. They will construct a single story detached storage building here and another one in here with a two story building in front which will have the basic office activity on the first floor where a new renter will go to register.

The caretaker's apartment will be on the second floor for a 24-hour oversee of the property, stated Anthony Panico. The property will be secured with the same exit and entrance. There will be an island put in with a gate control and fence situation that is totally secured. You will come in and out with some sort of card.

What we ended up with is a significant improvement because the original proposal carried the driveway around the back of the building down this side with an addition here and another detached building here. In order to get the building they were going to mess up some attractive walls there and the building, stated Anthony Panico. We worked at some technical sessions and this is what they came back with, he added.

I like this and what I saw once they scaled it back, stated Chairman Cribbins. It will be an attractive building when you are driving down Bridgeport Avenue.

I will say this stated Comm. Sylvester, preservation is fine and the appearance is good. There is something in me, the problem is the mix use on this. From a traffic point it is a home run because it won't be a traffic generator. It won't add any burden on to that area. We are taking a business, Index, a structure of significant value to our Community, and we are replacing in a part of the high rent District on Route 8 with a storage facility. That is very difficult for me to accept, added Comm. Sylvester. Not because they didn't a good job presenting it and laying it out, I have mixed feelings here. We are talking about an area that we look at with great proud to attract top corporate structure and I am troubled by that. We are going from there to a storage facility. In my opinion it should be beautiful and right it doesn't create any traffic but it should not be in the heartland of our high rent district. It should be somewhere else. I don't know where. I have a problem with that.

I look at it from the point of view of a facility, an attractive facility that has been out there, was custom built for the tenant that was in there, stated Anthony Panico.

End of Side 1B of 2B, tape 1 of 2 at 8:30 P.M.

This is an adaptable reuse that gives us the best of both worlds, stated Anthony Panico. This takes a vacant building and puts it back into use and preserves what is there. It is a self-contained, internally accessible, climate controlled storage facility. It is a very, more and more, needed support facility in the corporate corridors.

It is a great service, obviously it was sold to us, presented to us, it is the wave of the future, stated Comm. Sylvester. I still don't see a storage facility in the heart of our high rent district. I am telling you I am not against the facility, I am not against what they are putting forth, they did a nice job of presenting it in a way that it will be o.k. on the corridor. I still say that, there is part of me, that I have driven to the Route 8 area and you see a lot of for rent spaces empty and if we start to make decisions on what is empty. Changing the philosophy or the views of what we see as the development of the heartland, of our most attractive space, we will give up trying to attract the best and giving it up, and I am not looking down on this facility, but giving it up to a storage facility. That is my problem. My problem is not traffic, it is not architecture, it is not that their business is not needed in this area. My problem is where it is prime space. I have not made up mind, we are in discussion only, and I am presenting that as something, I am open added Comm. Sylvester.

Anthony Panico stated that my only answer to that is if we were going to choose to locate a facility like this somewhere in our corridor, we would not want it to go into our industrial parks, office parks, it probably would belong somewhere on Bridgeport Avenue. So when you think on the one thing for Bridgeport Avenue, I don't think there is anywhere else to fit this into an existing building. You could argue that there are other sites that could be created to put something on it, added Anthony Panico.

Comm. Sylvester stated the phone company would be a good place. That is not in the heart of our, you know what I am saying. I don't have all the answers. I am presenting it because it is bothersome to me. I do remember the intention what we had the dream of that area, Tetley Tea, Richardson Vicks, and each time you see a piece go by the wayside that you view as a treasure. I am having a problem with it, added Comm. Sylvester.

From my viewpoint I probably would not want to give up a piece of prime vacant real estate for that purpose. I am receptive to the adaptable reuse of a building that has been laying vacant for several years. That is what mitigates me to say I think it does work, stated Anthony Panico.

Comm. Pogoda stated that I do agree with Leon 100%. When Rick told me that the plans for this was a storage facility I thought a storage facility coming to such a viable place. They made their presentation and even after they redid it, they did a nice job. Do we need it in this town, upper end for the corporate people? I think it is great. That was my first thought over here. Once you do something, something that was here low volume, maybe this is the wave of the future, maybe corporations need a storage facility. You are not alone, that was my first thought. It is a great facility and it will bring some taxes into the City, added Comm. Pogoda.

Comm. Perillo stated that Leon makes an excellent point. I need to reflect more personally. Part of me sees eye-to-eye 100%, another part of me tried to take a pragmatic approach and I asked myself does this, as a storage facility, truly detract from what is around it? I don't know the answer to that question. Clearly, visually it doesn't. Then I have to ask myself what would be better there? Would having an office tenant here truly make it better, I don't know. I don't have the answer but you raised an excellent issue. Not having an office here is that going to practically matter, we don't have an office there now, does the presence of the storage facility make it better? If have no tenant and we are at zero, is having an office facility a negative? I tend to think not. I think the question is would having an office facility add more value then having this tenant? I don't have the answer, added Comm. Perillo.

I think that we all agree if you had two proposals before you today, this for the reoccupancy with the office tenant, we all know what the answer would be, stated Anthony Panico.

Sometime we are anxious to build the Grand List with the taxes, the old taxes, and this is the way to do it. Sometime in businesses, and we all know this, that things are not at 100% all of the times. Sometimes we have to be patient and wait, stated Comm. Sylvester, for the correct thing to come along. We don't have to jump at something that we think will be a home run because it will add to the Grand List by taking a vacant property off the rolls. I understand that. Sometime when you have something that you consider precious you shouldn't be so anxious to say this is the time to do it. You have to be convinced that there is a reason to do it, added Comm. Sylvester.

Chairman Cribbins stated when I looked at this particular site. We have done something's in the past such as a piece on Research Drive for corporate offices. The owner came in to do an apartment building. Keep in mind that offices were in and we waited for 10 years saying that you don't want to put residential there. Now he is coming back to us to say we are right.

Comm. Sylvester stated it has been a good discussion and I think we should consider the value of the property and what we are thinking of for the future.

Chairman Cribbins stated we have been reading information from the Plan Update Committee. There is not that much acreage of commercial property left.

Staff will get the tax revenue data stated Richard Schultz. Get that data, stated Chairman Cribbins. That will give everyone an opportunity to go over and take another look, he added.

Comm. Sylvester stated I think that Index was an incredible Corporate Sponsor with the school system. They would take our students in for on the job training and shadowing. The President worked closely with the schools. We have lost that. Richardson Vicks was incredible. Some of the people coming in don't want to be Community Partners, added Comm. Sylvester.

One of the problems we have is that we are victims of our own success, stated Anthony Panico. The values have grown such so that no one can afford to be in the Route 8 Corridor, he added.

When I think back to Richardson Vicks they were incredible. I can still think of the names of the people who wanted to make it better, stated Comm. Sylvester. You would hope that you could get that from the Corporations, stated Comm. Pogoda.

Richard Schultz stated before we getting into scheduling Public Hearings, I wanted to remind you that we have 4 scheduled for November 30th. Our hearings are Wednesday, November 30th. Does anyone have a problem with that, is Wednesday good for everyone, questioned Richard Schultz? I will tell you that Wednesday's are a bad day for me, stated Comm. Sylvester. I am speaking for myself but why can't we schedule this at another building. Why can't we go to another building, is it too difficult for Staff, he questioned? We have talked about it stated Richard Schultz. This will be a hefty hearing schedule, he added.

One of the problems, your comments to start the meeting I appreciated them, stated Comm. Sylvester. I did have issues with some of the things that took place in this election, I certainly was part of some of them, but one of things that I find that is difficult, if we are consistent, one of the messages we sent out, meeting more than once a month, we might consider asking people to wait for us, after having meeting after meeting, and there is obviously a group of people who feel threatened by the development taking place in our Community. Most of them don't understand that it is beyond our control. People have a right to develop their property and I know that we send out a message that, I was chasing my tail trying to make the meetings. As a retired person I do it better but it is a message I hear but all due respect to people like, Dominick Thomas, that need to know that he is making a presentation to a Commission that has limits also and it is not about his schedule or his clients schedule but the schedule of the Community and our schedules. All due respect to Dominick I didn't mean to point him out but people are impatient, they want to be heard and they want to get on the table and they want approval. I understand all of that but I also know that the people in this Community, these are nice people and good people. I am not talking about people who fib and lie about to make a point. There are people who say that we should slow down. There should be a way for us to schedule our meetings to be consistent and once in a while with an agenda that is doable. Sometimes I feel we are rushed to get through the agenda, added Comm. Sylvester.

Chairman Cribbins stated one thing I thought about was some other Communities, and we have been told by people from Wilton, that they are only given 3 minutes to speak. Once they start speaking about Water Pollution they should know not to come up and say the same thing, stated Comm. Tomko-McGovern. We have asked that and tried for that, stated Chairman Cribbins. We have been accused about everything under the sun and it is painful at some of these meetings, stated Comm. Sylvester. We should slow down and it is a message that the people need to know. I don't want to listen to anyone else, I want to listen to Staff, he added. I want to listen to the Staff, we have a great Staff and I want to listen to your recommendation and I want to know what you feel. I just oversee this thing. You guys are the professional. These are my thoughts for the next two years. Thank you, stated Comm. Sylvester.

So we have the 4 hearings, one is Dr. Montanaro's site for the relocation of the building and relocation of the parking. That won't happen unless ZBA approves it, stated Comm. Sylvester. That is right, if next Tuesday ZBA denies it this will become mute and this will be removed, stated Richard Schultz.

The other three are for the subdivision on Independence Drive. We anticipate a decent crowd on that. They are using the private Open Space and 15 acres adjacent to create a 4-lot subdivision. It is very involved and it is a resubdivision, a subdivision, and a modification of the special exception. It is very involved, stated Richard Schultz. So tonight there are an additional 5 that need to be scheduled.

Comm. Perillo stated that we are here with 5 hearings to be scheduled. How do we slow it down when need these hearings scheduled? There is a 65 day window, like for Item B I am recommending January 10th, stated Richard Schultz. Instead of doing it all together then we are playing catch up. If we run into something like today when we will need an extension then it doesn't give us enough time to research, stated Comm. Pogoda. I thought today was excellent with the discussion and it is the way a Board like this should work, stated Comm. Sylvester. We should not feel we should beat ourselves up, he added. Just a reminder we are scheduled for November 30th and December 13th which is it for the year. We need these two hearings to get consensus on some of these things, stated Richard Schultz.

APPLICATION # 05-61, DOMINICK THOMAS FOR DARBY BUILDERS, LLC FOR RE-SUBDIVISION APPROVAL (2 LOTS) LOT 3 WINTERGREEN ESTATES, 781 RIVER ROAD, R-3 DISTRICT (MAP 12, LOT 29) – ACCEPT AND SCHEDULE PUBLIC HEARING

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to accept Application #05-61 and schedule the Public Hearing for November 30, 2005.

APPLICATION # 05-62, SERGIO FERNANDEZ FOR SPECIAL EXCEPTION APPROVAL (HIGH TRAFFIC GENERATOR: FOOD ESTABLISHMENT) 64 HUNTINGTON STREET (MAP 74, LOT 27) CA-2 DISTRICT – ACCEPT AND SCHEDULE PUBLIC HEARING

This is the item that was denied. Dr. Montanaro came in with two requests, both requests were to waive a special exception and the site plan. This application is for a combined deli and donut shop. In that building, asked Chairman Cribbins? Now you know if you will consider the site plan, you need to give it a lot of thought in other areas, stated Richard Schultz. That is why the provision is in there for the high traffic generators.

On a motion made by Jason Perillo seconded by Leon Sylvester it was unanimously voted to accept Application # 05-62 and schedule the Public Hearing for January 10, 2006.

APPLICATION # 05-63, R.D. SCINTO, INC. FOR PDD ZONE CHANGE (CORPORATE OFFICES) RESEARCH DRIVE (MAP 28, LOT 1) LIP DISTRICT – ACCEPT AND SCHEDULE PUBLIC HEARING

Richard Schultz stated this can go on for November 30th. We are putting this back into the PDD for the original intent for offices.

On a motion made by Jason Perillo seconded by Leon Sylvester it was unanimously voted to accept Application # 05-63 and schedule the Public Hearing for November 30, 2005.

APPLICATION # 05-65, PERRY PETTAS FOR PDD ZONE CHANGE (MIX USE DEVELOPMENT) 356 AND 366-368 HOWE AVENUE (MAP 117B, LOTS 60 AND 61) ACCEPT AND SCHEDULE PUBLIC HEARING

Richard Schultz stated that this is the building between the Donut Shop and Johnny's Pizza. It is a single-family home. He is proposing to knock the single-family story down replacing it with a 3 story mixed use. The first floor will have retail and professional offices with 4 units on the second and third floor. He will use part of the second property the Donut Shop. This is a private proposal for downtown. He will use a part of the Donut Shop. That is where all the parking spaces are. He is required to have all the parking spaces on the existing property. He needs 1/2 space on the municipal parking. We now want 1 space on site and 1/2 off site, stated Richard Schultz. This is the first proposal to knock down an old building in that area. We have asked them to speak to the owners of Johnny's and he hasn't had any luck. There is vacant property on the side too.

He wanted to move this, is this something that you think you could put on the 30th, asked Richard Schultz? It took him 6 months to get where he is today, stated Anthony Panico. Chairman Cribbins stated I think the 10th of January. I don't think that this is the thing that is threatening but it is the message we are getting is that someone wants to get something going stated Comm. Sylvester. That is the message we sent by Community Development when we took the position years ago we put it on the table and they found out if it was approved. Now we have so much to do, stated Anthony Panico. This will go to January 10th, stated Chairman Cribbins.

On a motion made by Jason Perillo seconded by Leon Sylvester it was unanimously voted to accept Application # 05-63 and schedule the Public Hearing for January 10, 2006.

APPLICATION # 05-64, MDC INVESTMENT PROPERTY, XI, LLC FOR SPECIAL EXCEPTION APPROVAL (HIGH TRAFFIC GENERATOR: OFFICE BUILDINGS AND PARKING) ONE WATERVIEW DRIVE (MAP 65, LOTS 25 AND 26) LIP DISTRICT – ACCEPT AND SCHEDULE THE PUBLIC HEARING

On a motion made by Jason Perillo seconded by Anthony Pogoda it was unanimously voted to accept Application # 05-64 and schedule the Public Hearing for January 10, 2006.

Chairman Cribbins stated that he wanted to introduce Virginia Harger, who has just won the election to be seated on this Commission. Welcome Aboard, he stated.

APPROVAL OF MINUTES: 10/11/2005 AND 10/25/2005

On a motion made by Jason Perillo seconded by Anthony Pogoda it was unanimously voted to approve the minutes of 10/11/05 and 10/25/2005.

ROBERT'S PLACE SUBDIVISION: APPRAISAL REPORT - see attached

Richard Schultz stated that this report was submitted for \$200,000 and at 10% it would be \$20,000. He wants to use the fragment payment plan so that each time there is a lot sold, we will get \$5,000.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to approve the appraisal report on Robert's Place Subdivision.

WOODS AT LAKE ROAD, PHASE I: REQUEST FOR REDUCTION OF PERFORMANCE BOND - see attached

Richard Schultz read the Engineers letter who recommends the reduction.

On a motion made by Jason Perillo seconded by Leon Sylvester it was unanimously voted to approve the request for reduction of the Performance Bond on the Woods at Lake Road, Phase I.

WINDY FIELD ESTATES: REQUEST FOR REDUCTION OF PERFORMANCE BOND

Richard Schultz read from the Engineer's letter that is attached.

On a motion made by Leon Sylvester seconded by Jason Perillo it was unanimously voted to approve the request for reduction of the Performance Bond on Windy Filed Estates.

PAYMENT OF BILLS

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to pay bills, if funds are available.

QUARTERLY REPORT (JULY THRU SEPTEMBER, 05)

Richard Schultz stated that this report is in your package.

STAFF REPORT

Please refer to the ZBA's agenda and I know they are planning on deciding on Montanaro. I will call the Commissioners because that impacts the 30th meetings. The ZBA has been cutting the applications off at 12 and they have cut back.

End of Side 2A of 2B, tape 2 of 2 at 9:15 P.M.

The Plan Update Committee is ready to present their findings and this will be a working meeting on December 5th, stated Comm. Pogoda. It is a Monday at 7:00 P.M., stated Richard Schultz.

Chairman Cribbins stated that week has set the schedule and we will vote on that on November 30th.

The tower has been approved on Platt Road. There was a lot of input and residents were asked to send letters. I was the only one from the City. The server got bumped from Buddington Road. Their lease expired and they were in dire need to find a replacement. Platt Road was what they found, stated Richard Schultz. They asked us for an alternative site. It was very interesting. There are two more that they want to remove 9 on Daybreak Lane and put up just 6 and then Nells Rock they want to remove 9 and put up 6. Some of these are reasonable, he added.

Staff is moving ahead with the PDD amendments and we will deal with this. We need to do some work on these and we have to accept some legislation. We have to share that with the Board of Aldermen, stated Chairman Cribbins. There is new language I just got that I have provided you with, stated Richard Schultz.

We will provide a list for the planning issues, stated Richard Schultz. We have to have a hearing on the zoning map and adopt that. I am saying that we are going into this new term nice and slow stated Chairman Cribbins.

On a motion made by Leon Sylvester seconded by Anthony Pogoda it was unanimously voted to adjourn at 9:25 P.M.

Respectfully submitted by,

Diana Barry,
Clerk