

The Shelton Planning & Zoning Commission held a Special Meeting on March 14, 2006 in the Shelton City Hall, Room 303, 54 Hill Street, Shelton, CT.

Members present: Chairman Alan Cribbins
Comm. Jason Perillo
Comm. Leon Sylvester
Comm. Virginia Harger
Comm. Anthony Pogoda
Staff present: Richard Schultz, Planning Administrator
Thomas Dingle, ZEO
Anthony Panico, Planning Consultant
Maryanne DeTullio, Secretary
Members absent: Comm. William Papale
Comm. Daniel Oraziatti
Comm. Karen Tomko-McGovern

Correspondence on file in the City/Town Clerk's Office and in the Planning & Zoning Office. Attachments are not available on the website.

Chm. Cribbins opened the meeting with the Pledge of Allegiance.

APPLICATIONS FOR CERTIFICATE OF ZONING COMPLIANCE

Thomas Dingle stated that there are 20 Standards that all meet regulations. Staff recommends approval.

On a motion made by Leon Sylvester seconded by Anthony Pogoda it was unanimously voted to approve Standards # 1-20.

5866 ROGER SPINELLI, 92 KANUNGUM TRAIL, IN-LAW

Thomas Dingle stated that this is a new house and they went through the variance procedure. They waived the five year limit. They will be converting the two car garage into an accessory dwelling unit.

On a motion made by Leon Sylvester seconded by Anthony Pogoda it was unanimously voted to approve Separate # 5866.

5856 ENZO IANNI, 19 CLINTON DRIVE, IN-LAW

Thomas Dingle stated that this will be an addition over a two car garage and small addition for the staircase. It meets all zoning regulations.

On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Separate # 5856.

5869 JAY SANDERSON, 10 ABBEY LANE

Thomas Dingle stated that the affidavit is on file. It meets all setbacks and they have received approval from Inland-Wetlands.

On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Separate # 5869.

5879 TOSUM SPAHIA, 5 PAWTUCKET AVENUE, IN-LAW

Thomas Dingle stated that the house is under contract and this is a two story addition in the rear; total square footage 858'. It meets all setbacks. This would eliminate the dwelling being used illegally as a two family home. The landscaping business currently using the property will be moving. It will now be a single family house with an accessory unit.

On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Separate # 5879.

5788 CT MORTGAGE GROUP, 319 HUNTINGTON STREET, CHANGE OF USE

Richard Schultz stated that this separate was previously table. He contacted the abutting property owners and he received favorable response from them. This will be a change of use of a single family house with a different business. The single family use will remain and it should be less of an intrusion to the neighborhood.

On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Separate # 5788.

5830 FORTUNATO CONSTRUCTION, BRIDGEPORT AVENUE, COMMERCIAL BLDG

Richard Schultz stated that this is the Outback Steakhouse and he provide renderings showing the brick on all four sides and around the support posts. This will be consistent with other businesses in the center. He stated that staff is satisfied and no permit will be issued until final building plans are submitted. Commissioners had concerns with white doors and staff will look into what they will be used for and get back to the Commission.

On a motion made by Anthony Pogoda seconded by Leon Sylvester it was unanimously voted to approve Separate # 5830.

5835 GUERRERA CONST. CO., INC. PERRY HILL ROAD @ REGAN CIRCLE. TEMP ROCK CRUSHER

Thomas Dingle stated that this is for a temporary rock crusher for the Perry Hill Road reconstruction project. They have looked at alternate locations for the rock crusher. Robert Rossi, Guerra Construction Co. was present and stated that they did look at other sites and the original site will not be in the existing roadway; that area will be expanded and widened. Chm. Cribbins stated that this is in the middle of a residential neighborhood and the hours of operation are from 7:00 a.m. which is quite early for this type of operation. Comm. Sylvester was concerned about the line of sight and Mr. Rossi stated that the roadway will be expanded approximately 60' and it is not in the island but on the south side of Meadow Street. Chm. Cribbins asked them to change the hours of operation and Mr. Rossi stated that they can begin at 8:00 a.m. to 4:30 p.m. There will be no work on the weekends. He stated that they expect to need this only for a short period of time. Comm. Harger asked when they anticipate starting the use of the rock crusher and Mr. Rossi stated that it will most likely be during the summer. Comm. Pogoda asked about dust from the operation and Mr. Rossi stated that they have a water suppression system to keep the dust down. Comm. Sylvester felt that if there are any neighborhood problems with noise they should address them. Chm. Cribbins felt a 9/1/06 expiration date would be appropriate.

Comm. Perillo arrived at this point in the meeting.

On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Separate # 5835.

5851 KATE CASAGRAND, 4 RESEARCH DRIVE, BUSINESS

Thomas Dingle stated that this will be a law office with one employee. It is a commercial building and the size will be 150 s.f.

On a motion made by Anthony Pogoda seconded by Leon Sylvester it was unanimously voted to approve Separate # 5851.

5853 DOGGIE STYLES, 128 CENTER STREET, BUSINESS

Thomas Dingle stated that this is a dog grooming business licensed with the Department of Agriculture. There will be two employees and hours of operation will be 8:30 to 5:30. No dogs will be kept over night and no boarding. There will be Saturday hours. Comm. Perillo stated that Planning & Zoning cannot do much about names of businesses.

On a motion made by Leon Sylvester seconded by Virginia Harger it was unanimously voted to approve Separate # 5853.

5745 ED NEWMAN, 376 BRIDGEPORT AVENUE, SIGNS

Richard Schultz stated that this was previously tabled and staff would recommend it be tabled again. They will be revising the monument sign and the time/temperature sign will be eliminated. They will also be adding more landscaping around the front and side.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to table Separate # 5745.

5863 CONTI ASSOCIATES, 415 HOWE AVENUE, SIGN

Richard Schultz stated that they have eliminated the telephone number from the sign.

On a motion made by Leon Sylvester seconded by Anthony Pogoda it was unanimously voted to approve Separate # 5863.

5857 PETER SANTOS, 484 BRIDGEPORT AVENUE, SIGN

Thomas Dingle stated that this is a sign and change of ownership. The donut shop will not be owned by Dunkin Donuts. Richard Schultz stated that the awning in the rear will be removed. There will be a sign on the monument, the menu board for the drive-thru and inside sign.

On a motion made by Leon Sylvester seconded by Virginia Harger it was unanimously voted to approve Separate # 5857.

5888 JESSE HAMBLIN, 472-488 RIVER ROAD, SIGNS

Thomas Dingle stated that these are wall signs. Richard Schultz stated that the sign was originally 96.9' and will be reduced to 96'. There are no telephone numbers on the signs and it will be internally illuminated. Comm. Perillo felt that it was not necessary to be internally illuminated.

On a motion made by Virginia Harger seconded by Anthony Pogoda it was favorably voted to approve Separate # 5888 with Jason Perillo voting no.

5856 ADAMS AHERN, INC, 711 BRIDGEPORT AVENUE

Richard Schultz stated that this is for Sikorsky Federal Credit Union which is moving to a new location. There will be three signs and everything is in order. The sign will be internally illuminated. Comm. Perillo stated that this is located in a more commercial area and he was not opposed to the internal illumination.

On a motion made by Leon Sylvester seconded by Anthony Pogoda it was unanimously voted to approve Separate # 5856.

5868 T.D. PROPERTIES, LLC PARKING

Richard Schultz recommended that this be tabled as they have wetlands issues to deal.

On a motion made by Jason Perillo seconded by Anthony Pogoda it was unanimously voted to table Separate # 5868.

1732 WALMART, 465 BRIDGEPORT AVENUE, TEMP. GARDEN SALES

Thomas Dingle stated that this is their temporary garden sales area. Richard Schultz stated that staff has to watch the replacement. Anthony Pogoda asked if they restored the outside containers that they had removed. Richard Schultz stated that they will be meeting with them on a site plan modification application for dumpster enlargement and enclose the metal storage containers. It was suggested that it be tabled for some input from staff meetings with the applicant.

On a motion made by Leon Sylvester seconded by Jason Perillo it was unanimously voted to table Separate # 1732.

5881 DYNAMIC SIGN, BRIDGEPORT AVENUE, AWNING

Richard Schultz stated that at the last meeting the Hawley Lane Shoe sign was approved. The old Bradlees Store was subdivided into three store. The current tenant juts out and Hawley Lane Shoe is adding this awning. If this is acted upon favorably the third tenant will also have to put up an awning. There will be no lettering or logo on the awning. Comm. Pogoda stated that if this is approved the next tenant will have to have an awning that is exactly like this one. Comm. Harger suggested having the landlord purchase the awning for both sites at this time. Richard Schultz stated that he will contact the landlord about doing that. Tony Panico stated that they should also be reminded of the importance of maintenance of the awning.

On a motion made by Anthony Pogoda seconded by Virginia Harger it was favorably voted to approve Separate # 5881 with Leon Sylvester voting no.

5564 C & D CART ENTERPRISES, LLC 475 RIVER ROAD, COMMERCIAL BLDG

Thomas Dingle stated that this is a previously approved commercial building and the Commission will be considering revised architectural later on in the meeting. Chm. Cribbins suggester hold this separate.

5860 FIBERTECH NETWORKS, 435 ACCESS ROAD, BOOSTER STATION PAD

Thomas Dingle stated that this is the Viking Tool location and the business is similar to a phone company. They supply fiberoptic cables and need the booster pad. It will be 4 x 4 x 5 and it will be well screened and is setback from the road approximately 145'.

On a motion made by Jason Perillo seconded by Anthony Pogoda it was unanimously voted to approve Separate # 5860.

5840 DIANA SCALENGHE, 38 TREELAND ROAD, HOME OFFICE

Thomas Dingle stated that this is a part-time photography business. There will be only one employee, no sign and no people coming to the house. It is being filed for a trade name certificate.

On a motion made by Jason Perillo seconded by Anthony Pogoda it was unanimously voted to approve Separate # 5840.

5873 LUCIEN DIMEO, 37 BIRCHBANK ROAD, HOME OFFICE

Thomas Dingle stated that this is a home office for a general contractor. There will be one employee and one pick-up truck. There will be no signage.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to table Separate # 5873.

5874 MICHAEL YEVICH, 45 MAPLE AVENUE, HOME OFFICE

Thomas Dingle stated that this is a part-time food business. He stated that he did not have enough information on the application.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to table Separate # 5874.

5887 CUMINOTTO, INC. 90 IVY BROOK ROAD, SECURITY FENCE

Richard Schultz stated that this some additional fencing for security purposes. It will be 6' high metal fence with black vinyl coating. It will start at the rock pile on Rocky Rest Rd and goes all the way around. Staff will monitor. Additional landscaping may be required. Comm. Sylvester was concerned about the stone all that was erected on this site. He stated that it is very prominent and it should be looked at. Richard Schultz stated this is a result of the grading plan and it meets that plan. They were concerned with the aesthetics of the wall. Chm. Cribbins stated that it appears there is no problem with the fence. Richard Schultz stated that staff will look at the wall and speak with the developer.

On a motion made by Leon Sylvester seconded by Jason Perillo it was unanimously voted to approve Separate # 5887.

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 (PUBLIC HEARING CLOSED ON 1/10/06) DISCUSSION ONLY AND REQUEST FOR EXTENSION (APPLICANT INITIATED)

Tony Panico stated that the plans were reviewed concentrating on the method of access and he felt that a separate isolated driveway would be better for this size development. They are now contemplating one single building and a main driveway from Constitution Blvd would be better. This would be one of the curb cuts that had been anticipated for a development in this area. He stated that a traffic study has not been received yet. Comm. Sylvester asked if a signal would be necessary on Constitution Blvd and Mr. Panico stated that it would probably trigger the need for one. He stated that would provide sufficient gaps in the traffic flow to allow that driveway to function properly. They will have to get STC approval. Mr. Panico stated that right now we are focusing on the traffic for this development and they are just bringing the Commission up to date on the issues. Comm. Sylvester asked about options and Mr. Panico stated that this falls into the range of permitted uses and the burden on the state highway system would be the same with one or two buildings. Richard Schultz stated that a traffic report will be given to the Commission when received. A 65 day extension will be necessary.

On a motion made by Jason Perillo seconded by Anthony Pogoda it was unanimously voted to accept the 65-day extension request.

APPLICATION # 05-65 PERRY PETTAS FOR BASIC DEVELOPMENT PLAN APPROVAL (MIX USE DEVELOPMENT) 366 AND 366-368 HOWE AVENUE (MAP 117B, LOTS 60 AND 61) (PUBLIC HEARING CLOSED ON 1/10/06) DISCUSSION ONLY AND REQUEST FOR EXTENSION (APPLICANT INITIATED)

Richard Schultz stated that they are trying to incorporate both sites and garage with a total of three buildings. He stated that these are conceptual drawings. Tony Panico stated that it is an attempt to make it somewhat architecturally compatible to the new building. Richard Schultz stated that the old wooden building will be retrofitted with brick. Comm. Perillo stated that this is a significant improvement to what is there now. Richard Schultz pointed out the roof design that they are proposing. Comm. Sylvester felt that someone should determine if the wooden building is salvageable. Tony Panico stated that he does not see the compatibility between the two buildings and the design of the main building needs to be addressed. They should soften the elevation if the existing house is going to be used. Richard Schultz stated that he will convey the Commission's feelings to the applicant and work with them.

On a motion made by Leon Sylvester seconded by Anthony Pogoda it was unanimously voted to accept the 65-day extension request.

APPLICATION # 06-02 MICHAEL MONTANARO FOR SITE PLAN APPROVAL (NEW DRIVEWAY) 60-64 HUNTINGTON STREET (MAP 74, LOTS 27 AND 28) CA-2 DISTRICT – DISCUSSION AND POSSIBLE ACTION

Richard Schultz read the Fire Marshal's report which recommends denial. He also read the City Engineer's report which indicated that he could not review the plans because they were incomplete. He also read the staff report which recommends denial. Chm. Cribbins stated that the Commission has not been able to get a complete site plan developed by professional engineers and get a full description of what was going to happen on this property. The applicant has been advised of what he should have been doing with the application.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to deny Application # 06-02.

APPLICATION # 06-12 DOMINICK THOMAS ON BEHALF OF F&R REALTY INC. FOR SITE PLAN APPROVAL (PARKING LOT EXPANSION) 326 BRIDGEPORT AVENUE (MAP 91) R-1 DISTRICT – DISCUSSION AND POSSIBLE ACTION

Attorney Dominick Thomas stated that the new car storage parking lot is on a parcel of land that the applicant purchased from Griffin Hospital which was in the old PDD zone. He stated that they were required to get a variance to store cars there and the Commission had several conditions which have been complied with. The parking lot is crushed stone. They are expanding the area for the storage of new cars and the only access is through their own property. They have received Inland-Wetlands approval and they would accept the same conditions that we put on the site plan – vinyl coated fence and some landscaping in addition to the natural buffer. Richard Schultz read the City Engineer's report which endorses the plan. He also read the Fire Marshal's report which also endorses the plan. He read the staff report which recommends approval and that staff will be present during the cutting of trees. He read the draft motion (copy attached).

On a motion made by Jason Perillo seconded by Anthony Pogoda it was voted unanimously to approve Application # 06-12. A roll call vote followed with all participating Commissioners voting I to approve.

APPLICATION # 06-13 DOMINICK THOMAS ON BEHALF OF STORAGE DELUXE FOR DETAILED DEVELOPMENT APPROVAL AND ADOPTION OF PDD ZONE CHANGE (STORAGE FACILITY) BRIDGEPORT AVENUE (MAP 18, LOTS 14 AND 26) DISCUSSION AND POSSIBLE ACTION

Attorney Dominick Thomas presented renderings of the different signs that are being proposed. The Commissioners felt that the sign on the main building was very large. Atty. Thomas stated that the building is set back from the road and they felt that the sign was necessary. Tony Panico stated that he would rather see the sign on the entrance and felt that the main sign was overpowering. He felt that the square footage of the sign should be brought more into scale with the building. Steve Melvinsen, Storage Deluxe, stated that they worked on this for a long time and would like to incorporate their logo into the sign. Tony Panico suggested that they go back and try something a little smaller and work on the logo. Comm. Perillo stated that this is a prime corporate and office area and the sign on the main building takes away from the architectural beauty. Mr. Melvinsen stated that signage is important to them but they understand what the Commission is looking for and can work with that. The Commission felt that there was no problem with the monument sign. Tony Panico read a draft resolution. Comm. Harger asked if there was a change of use where the additional parking would be. Tony Panico stated that they would either have to go in the back where the slope is or take down part of the building. Richard Schultz stated that staff will review the signage with the applicant and adjust the logo and will get back to the Commission on this.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to approve Application # 06-13. A roll call vote followed with all participating Commissioners voting gl to approve.

APPLICATION # 06-15 JAMES OSSO FOR SITE PLAN APPROVAL (BUILDING ADDITION) 511 RIVER ROAD (MAP 54, LOT 4) CB-2 DISTRICT – DISCUSSION AND POSSIBLE ACTION

Richard Schultz stated that an unfavorable response was received from the City Engineer and Staff recommends tabling this application.

On a motion made by Leon Sylvester seconded by Jason Perillo it was unanimously voted to table Application # 06-15.

Comm. Sylvester stated that he was informed that there was a sign on the property at 60 Huntington Street and asked staff to check it out and take a picture of it.

APPLICATION # 06-17 EDWARD D'AMICO FOR SITE PLAN AND CAM APPROVAL (BUILDING ADDITIONS) 740 RIVER ROAD (MAP 21, LOT 50) IA-2 DISTRICT – DISCUSSION AND POSSIBLE ACTION

Richard Schultz read the City Engineer's report which endorses the application. He read the Fire Marshal's report and staff report. They have received approval of a use variance from ZBA and also approval from Naugatuck Valley Health District. The CAM application shows no adverse impacts.

Mr. Schultz stated that this is a large parcel with two metal buildings. He felt that more masonry should be added to the buildings and the applicant indicated that he will be going up with block on front of the buildings. Mr. Schultz read the draft motion (see attached).

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to approve Application # 06-17. A roll call vote followed with all participating Commissioners voting I to approve.

APPLICATION # 06-22 MODIFICATION OF SITE PLAN APPROVAL (ARCHITECTURAL CHANGE) 475 RIVER ROAD (MAP 66, LOT 2) CA-2 ACCEPT FOR REVIEW, DISCUSSION AND POSSIBLE ACTION

On a motion made by Jason Perillo seconded by Anthony Pogoda it was unanimously voted to accept for review Application # 06-22.

Attorney Dominick Thomas stated that the applicant had a code analysis done. The initial application had a request for a second story office which has been dropped. He then requested an unheated attic for a cupola look. The Code requirements increased the cost even though this would have been unheated. Chris Cardisano, applicant, stated that the cost would have been too great and he would like to change the roof line and keep the cupola look. The modification is to reduce the second story look. Richard Schultz stated that there is another application pending for the corner and the Commission wanted to see two buildings that would compliment each other. He presented a rendering of the corner building and both sites will be inter-connected. Atty. Thomas suggested that it be left up to staff to work with the applicant on the final design. Comm. Perillo stated that he did not see any problem as long as it breaks up the building.

On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Application # 06-22.

475 RIVER ROAD: AUTHORIZATION FOR TEMPORARY PORTABLE ROCK CRUSHER

Chris Cardisano stated that they would like permission for a portable rock crusher for approximately one month. The hours of operation would start at 8:00 a.m. and no weekends.

On a motion made by Jason Perillo seconded by Leon Sylvester it was unanimously voted to approve the temporary portable rock crusher at 475 River Road.

PUBLIC PORTION

There was no one from the public wishing to address the meeting.

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

**OTHER BUSINESS:
APPROVAL OF MINUTES 2/7/06, 2/16/06 AND 2/21/06**

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to approve the minutes of 1/10/06, 2/16/06 and 2/21/06 meetings. Comm. Sylvester abstained from the vote.

8-24 REFERRAL: DISPOSITION OF 40 WHITE STREET PROPERTY

Richard Schultz stated that a 8-24 referral has been received from the Board of Aldermen on 40 White Street and also 470 Howe Avenue. He asked the Commissioners to think about these and recommended tabling it tonight. Comm. Sylvester stated that these parcels have some historic value to the City of Shelton and that should be considered.

On a motion made by Anthony Pogoda seconded by Virginia Harger it was voted to table 8-24 Referral; Disposition of 40 White Street Property.

DERBY PZC REFERRAL: ZONING REGULATIONS AMENDMENTS

Richard Schultz stated that this is a referral from Derby Planning & Zoning for zoning regulations amendments to their I-1 zone. He stated that there are no intermunicipal impacts and he respond to the Derby P & Z.

NICHOLAS ESTATES SUBDIVISION: CALL OF PERFORMANCE BOND

Richard Schultz stated that this is a request to call the performance bond. The subdivision has gone beyond the five year period. Mr. Schultz read a letter from the City Engineer asking that the performance be called so that the City can complete the work. There is some simple drainage work that needs to be done and the City can complete the improvements. He read a letter indicating that the developer will continue the improvements, but the steps need to be initiated even though he states it is not necessary.

On a motion made by Virginia Harger seconded by Jason Perillo it was voted unanimously to call the performance bond for Nichols Estate Subdivision.

PAYMENT OF BILLS

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

STAFF REPORT

Richard Schultz presented his report and noted the agenda for the ZBA and they will be acting on Porky's proposal. He also noted the special meeting dates.

On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to adjourn at 10:00 P.M.

Respectfully submitted by,

Maryanne DeTullio
Secretary

*** These minutes are being typed from the originals that were done by Maryanne DeTullio solely for the purpose of updating the website. The Clerk, Diana Barry, was out on medical leave at the time of this meeting.**