

The Shelton Planning & Zoning Commission held a Special Meeting on October 24, 2006 in the Shelton City Hall Auditorium and Room 303, 54 Hill Street, Shelton, CT.

Members present: Chairman Alan Cribbins
Comm. Virginia Harger
Comm. Leon Sylvester
Comm. Karen Tomko-McGovern
Comm. Anthony Pogoda
Comm. Daniel Orazietti
Comm. Jason Perillo
Comm. Pat Lapera

Staff present: Richard Schultz, Planning Administrator
Anthony Panico, Planning Consultant
Maryanne DeTullio, Secretary

Tapes 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 the meeting at 7:00 P.M.

PUBLIC HEARINGS

APPLICATION # 06-46, SECOND TREETOPS, LLC FOR SPECIAL EXCEPTION/SITE PLAN APPROVAL (HIGH TRAFFIC GENERATOR; PARKING LOT) 20 COMMERCE DRIVE (MAP 38, LOT 1) LIP DISTRICT – REQUEST TO RESCHEDULE PUBLIC HEARING (INITIATED BY APPLICANT)

Chairman Cribbins stated that a letter was received requesting that the public hearing be tabled and rescheduled for November 28, 2006.

On a motion made by Virginia Harger seconded by Daniel Orazietti it was unanimously voted to accept and reschedule Application # 06-46 for November 28, 2006.

OLD BUSINESS

APPLICATION # 05-44/06-22 475 RIVER ROAD, QUOT CARE FACILITY – FINAL SELECTION APPROVAL OF EXTERIOR MATERIALS AND FINISHES

Richard Schultz stated that the dormers have been added as well as a decorative garage door. The roof will be asphalt shingles, which is consistent with what is in the neighborhood. Atty. Thomas stated that the second floor will have the look of a second floor without one actually being added to the building. They are planning a brick façade on two sides – the front and northerly side. They are proposing to use a thin brick, which is the same as the buildings located across the street. He presented pictures of the site showing that it will not be visible. Chm. Cribbins felt that it was important to do the front in brick and felt that the applicant has made a good compromise with the roof shingles and addition of the dormers. Comm. Pogoda stated that he would like to see the brick in the front and northerly side. Comm. Perillo agreed and felt that it was necessary to do the northerly side, as that will be seen from the road. The members also discussed adding some landscaping to the corner where the materials will change. Chm. Cribbins stated that the Commission was in agreement that the front and northerly side should be done in a thin brick façade as the buildings across the street and landscaping added to the southerly corner.

PROPOSAL OF PLANNING & ZONING COMMISSION TO AMEND THE ZONING REGULATIONS BY RE-WRITING SECTION 34: PLANNED DEVELOPMENT DISTRICT (PDD) (PUBLIC HEARING CLOSED ON 9/26/2006) – DISCUSSION AND POSSIBLE ACTION

Tony Panico stated that since the last meeting he has prepared a two-page memorandum regarding the areas that have been changed and incorporated those into a final draft. Comm. Sylvester was concerned about the wording in Section 34.1, intent and felt that the words “may be” consistent with the long range should be changed since it is meant to accommodate unique and desirable development. There was also a discussion on Section 34.3.1 size and whether that should be lowered from an area of not less than 10,000 square feet. Tony Panico felt that if it were to be changed at this point it would require another public hearing. Comm. Sylvester felt that it was not necessary to put in a specific number in the downtown area. Tony Panico stated that this is something that can be discussed and once it is determined can be done by an amendment with a public hearing. Comm. Perillo felt that this was a good job of tightening up the regulation especially in the residential areas. Comm. Harger asked about Section 34.3.7 signs and asked how that will be measured. Tony Panico stated that this is a subjective area of review and the Commission needs some leverage regarding signs.

Richard Schultz stated that staff made referral to corporation counsel and they found everything to be in order. They were supportive of the final draft. Chm. Cribbins stated that Comm. Perillo will vote on this item. Comm. Sylvester asked if something should be added to the motion that further discussion will be had on certain sections. Tony Panico felt that it was in the minutes and would be sufficient.

On a motion made by Anthony Pogoda seconded by Jason Perillo it was unanimously voted to adopt the resolution for re-writing of Section 34- Planned Development Districts.

NEW BUSINESS

APPLICATION # 06-48, PRIMROSE FOR PDD ZONE CHANGE (BASIC DEVELOPMENT PLANS; SHELTON RIVERFRONT DEVELOPMENT) CANAL STREET EAST, IB-2 DISTRICT WITH SDA OVERLAY ZONE – ACCEPT AND SCHEDULE FOR PUBLIC HEARING

On a motion made by Jason Perillo seconded by Leon Sylvester it was unanimously voted to accept and schedule Application # 06-48 for a public hearing on November 28, 2006.

OTHER BUSINESS

ZBA APPLICATION # 1006-2 – DISCUSSION AND POSSIBLE ACTION

Richard Schultz stated that the variance was granted by the ZBA. This property goes back many years. The use variance should be limited to just the hair salon and it could result in additional traffic congestion and parking problems. The parking that is used by the hair salon is actually an area owned by the State of Connecticut. This could potentially impact the residential quality of the neighborhood. Tony Panico asked if any conditions were placed on the approval. Richard Schultz stated that he was not aware of any specific conditions. Chm. Cribbins felt that the Commission needed to know if any conditions were imposed. Richard Schultz felt that no conditions were added. Tony Panico asked if they were aware of the concerns of this Commission and Richard Schultz stated that he spoke to them about it. Comm. Pogoda stated that the applicant's attorney was there and told them it was a non-conforming use and the Chairman of the ZBA read the letter from P & Z that they were against this. Tony Panico asked if the applicant indicated any restriction. Comm. Pogoda stated that they did mention the hours would be limited and parking concerns mentioned. They indicated that they have sufficient parking, but it is not their parking and it could be taken away at any time. Comm. Perillo felt that this is a difficult situation to enforce. Richard Schultz stated that because of the time restraints the Commission could appeal and after reviewing the minutes and other information the appeal could be withdrawn.

On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to appeal the Shelton Zoning Board of Appeals decision on Application # 1006-2 and refer this matter to Corporation Counsel for appropriate action. Comm. Lopera abstained.

On a motion made by Virginia Harger seconded by Anthony Pogoda it was unanimously voted to adjourn at 8:15 P.M.

Respectfully submitted by,

Maryanne DeTullio

*THE CLERK HAD A FAMILY EMERGENCY AND THESE ARE UPDATED FOR THE WEBSITE ONLY.