

The Shelton Planning and Zoning Commission held a Regular Meeting on January 9, 2007 in the Shelton City Hall, Room 303, 54 Hill Street, Shelton, Ct.

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

Staff present: Richard Schultz, Planning Administrator
Anthony Panico, Planning Consultant
Atty Ramon Sous
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.

On a motion made by Anthony Pogoda seconded by Pat Lapera it was unanimously voted to go into Executive Session at 6:37 P.M. with Atty Ramon Sous, Richard Schultz and Anthony Panico attending.

Chm. Cribbins opened the meeting at 7:05 P.M.

On a motion made by Pat Lapera seconded by Virginia Harger it was unanimously voted to come out of Executive Session.

Chairman Cribbins stated that no votes were taken in Executive Session.

On a motion made by Anthony Pogoda seconded by Pat Lapera it was voted by roll call vote to approve the joint motion dated January 10, 2007 to approve settlement pursuant to Connecticut General Statutes 8-8 (n) regarding Avalon Bay Communities v. Planning and Zoning Commission of the City of Shelton, Case CV-05-4008545S currently pending in New Britain Superior Court and authorize Attorney Ramon S Sous to execute said joint motion on behalf of the Commission which is included herewith. The roll call vote was as follows: In favor = Comm. Pogoda, Harger, Lapera and Cribbins. Opposed = Comm. Sylvester and Oraziatti. Motion carried 4-2.

On a motion made by Pat Lapera seconded by Anthony Pogoda it was voted by roll call vote to approve the joint motion dated January 10, 2007 to approve settlement pursuant to Connecticut General Statutes 8-8 (n) regarding Avalon Bay Communities v Planning and Zoning Commission of the City of Shelton, Case CV-05-4004816S, currently pending in Milford Superior Court and authorize Attorney Ramon S Sous to execute said joint motion on behalf of the Commission, which is included herewith. The roll call was as follows: In favor = Comm. Pogoda, Harger, Lapera and Cribbins. Opposed = Comm. Sylvester and Oraziatti. Motion carried 4-2.

Atty Sous left the meeting at 7:30 P.M.

APPLICATIONS FOR CERTIFICATE OF ZONING COMPLIANCE
6440, DAVID MARCHIONE, 167 NICHOLS AVENUE – HOUSE/DECK
6518, WOODS @ LAKE ROAD, LLC, 5 SPICEBUSH LANE – HOUSE/DECK
6430, LARRY ELLIS, 37 CRANSTON AVENUE – HOUSE/DECK
6505, J. MARTIN, 302 CORAM AVENUE – HOUSE/DECK
6357, BARRY AND ANNE WEISS, 120 MOHEGAN RD., HOUSE
#6500, CHRISTOPHER PAQUETTE, 345 NICHOLS AVE- GARAGE TO BEDROOM
6447, GARY O'BRIEN, 56 PARK AVE., - ADDITION
6504, CHAFFEE MGMT, LLC, 396 WALNUT TREE HILL RD., ADDITION
6485, CAROL MILLER, 199 CORAM RD., ADDITION
#6506, JOHN OZELSKI, 26 WAVERLY TERR – DORMERS
6514, KEITH HOGAN, 1 OLD PENT RD., ADDITION
#6521, GARY SIKORSKI, 78 VILLAGE DR., ADDITION
#6508, AURELIA SAMPAIO, 7 MARIE ALICIA DR., ADDITION
6498, PAUL PONTILLO, 28 STRAWBERRY LA., SHED
6509, JOHN LESLIE, 27 PERCH RD., SHED
6515, ANGELO D'AGNONE, 100 CAPITOL DR., SHED
6511, PIETRO SPAGNUF, 281 CORAM AVE, DECK
6497, MARQUEE POOLS, 29 INDEPENDENCE DR., POOL

On a motion made by Pat Lapera seconded by Anthony Pogoda it was unanimously voted to approve the Applications for Certificate of Zoning Compliance Standards 1-18.

6522 DAVID DEFE0, 48 BEECHTREE HILL RD., IN-LAW

On a motion made by Pat Lapera seconded by Leon Sylvester it was unanimously voted to approve the Certificate of Zoning Compliance Separate # 6522.

#6530 G&L HUNTINGTON POINT, 1077 BPT AVENUE, BUSINESS AND

6531 G&L HUNTINGTON POINT, 1077 BPT AVENUE, BUSINESS

On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Separate # 6530 and 6531.

6503 RICHARD KASTENS, 18 CHESTNUT STREET, PARKING

On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Separate # 6503.

6525 SHELTON SQUARE LIMITED PARTNERSHIP, 862 BPT AVENUE – SELECTIVE CUTTING

On a motion made by Leon Sylvester seconded by Anthony Pogoda it was unanimously voted to approve Separate # 6525.

6523 MERCEDES PAVON, 416 HOWE AVENUE, BUSINESS

On a motion made by Daniel Oraziotti seconded by Leon Sylvester it was unanimously voted to approve Separate # 6523.

6527 PRUDENTIAL CT REALTY, 504B BPT, AVE., SIGN

On a motion made by Virginia Harger seconded by Anthony Pogoda it was unanimously voted to approve Separate # 6527.

6512 KENNETH BILLENBANK, 116 WINIBIG TRAIL, HOME OFFICE

On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Separate # 6512.

6516 GEORGE BRANDT, 31 LUCILLE DRIVE, HOME OFFICE

On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Separate # 6516.

6517 SHEANE ELLIOTT, 39 FIELDSTOND DRIVE, HOME OFFICE

On a motion made by Pat Lopera seconded by Anthony Pogoda it was unanimously voted to approve Separate # 6517.

6520 RJM CONSULTANTS, 11 CARDINAL DRIVE, HOME OFFICE

On a motion made by Anthony Pogoda seconded by Pat Lopera it was unanimously voted to approve Separate # 6523.

6510 GREG SPRUYT, 549 HOWE AVENUE, UNIT F, BUSINESS

On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Separate # 6510.

6526 RONALD LINDEN, DDS, 163 LEAVENWORTH RD., STAIRWELL

Att. Thomas presented photographs of the building. He stated that the outside stairwell has to be covered and the modifications are being made to meet the Code requirements. They will retain the gambrel style and it will have the same shape that is there now.

On a motion made by Pat Lopera seconded by Anthony Pogoda it was unanimously voted to approve Separate # 6526.

6533 OBTS, COM, 162 PLESANT RIDGE, HOME OFFICE

On a motion made by Anthony Pogoda seconded by Pat Lopera it was unanimously voted to approve Separate # 6533.

NEW BUSINESS

Chm. Cribbins read the dates for the meeting schedule for 2007 into the record.

APPLICATION # 06-54 FAR MILL, LLC FOR TEMPORARY SPECIAL EXCEPTION (EARTH REMOVAL) 600 BPT AVENUE, (MAP 39, LOT 13) LIP DISTRICT – ACCEPT AND SCHEDULE PUBLIC HEARING

On a motion made by Virginia Harger seconded by Anthony Pogoda it was unanimously voted to accept and schedule Application # 06-54 for a public hearing on January 16, 2007.

APPLICATION # 06-55 BROADBRIDGE HILL, LLC FOR ZONE CHANGE (INITIAL DEVELOPMENT CONCEPT PLAN; MIX USE DEVELOPMENT) 126 BPT AVENUE (MAP 105, LOT 163) R-5/CB-2 DISTRICTS – ACCEPT AND SCHEDULE PUBLIC HEARING

On a motion made by Anthony Pogoda seconded by Pat Lopera it was unanimously voted to accept and schedule Application # 06-55 for a public hearing on February 27, 2007.

APPLICATION # 06-56, JOSEPH A MONACO FOR AN AMENDMENT TO THE ZONING REGULATIONS (SECTION 34.3.1 SIZE OF DOWNTOWN PARCEL TO QUALIFY FOR PDD ZONE CHANGE) ACCEPT AND SCHEDULE PUBLIC HEARING AND APPLICATION # 06-57 JOSEPH A MONACO FOR PDD ZONE CHANGE (INITIAL DEVELOPMENT CONCEPT PLAN: MIX USE DEVELOPMENT) 332 AND 348 HOWE AVENUE (MAP 117B, LOTS 64 AND 65) CB-2 DISTRICT – ACCEPT AND SCHEDULE PUBLIC HEARING

On a motion made by Anthony Pogoda seconded by Pat Lopera it was unanimously voted to accept and schedule Applications # 06-56 and 06-57 for a public hearing on February 27, 2007.

On a motion made by Pat Lopera seconded by Anthony Pogoda it was unanimously voted to add Application # 06-28 to the agenda.

On a motion made by Virginia Harger seconded by Anthony Pogoda it was unanimously voted to grant the 60-day extension for Application # 06-28.

On a motion made by Anthony Pogoda seconded by Pat Lopera it was unanimously voted to add Application # 07-01 to the agenda.

On a motion made by Pat Lopera seconded by Anthony Pogoda it was unanimously voted to accept Application # 07-01.

APPLICATION # 06-48 PRIMROSE FOR PDD ZONE CHANGE (INITIAL DEVELOPMENT PLANS: SHELTON RIVERFRONT DEVELOPMENT) CANAL STREET EAST, IB-2 DISTRICT WITH CBD/SDA OVERLAY ZONE (PUBLIC HEARING CLOSED ON 12/12/2006) DISCUSSION ONLY

Anthony Panico stated that he made notes on several issues that the Commission and the public were concerned about and expressed during the public hearing. He stated that the density figures for various buildings need to be confirmed. He also spoke on whether there is adequate public space near the Locks since that space is lower than the road. The access points between the street system and River walk need to be determined as well as the parking situation. The Commission will need to determine that there is adequate parking and how it is distributed between on-site and off-site spaces.

He also stated that the Commission would need to look at whether two spaces per dwelling unit are reasonable and whether commercial parking could be shared. Another issue that should be pursued is whether there should be an affordable housing component mandated. There are utility issues and factors that need to be dealt with. He stated that traffic improvements need to be looked into and it is important that they are scheduled and implemented in a timely manner. The project will be done in phases and the time frame need to be established. He also stated that the Commission might consider having an independent traffic study done. The design standards need to be worked on, as each individual project will come back to the Board for thorough review.

Comm. Sylvester stated that he has attended some of the meetings of the Downtown Committee and is not speaking for the Committee but has been involved with the downtown business community for many years. He stated that he is sure that staff and Mr. Panico can handle this project and believes that it is a very important project for the City. He stated that a lot of traffic will be added to the infrastructure with this development and there are other areas of concern and things that need to be looked at carefully. He suggested that the Chairman might pursue funds to employ people who have been involved in development of riverfront properties in other cities to bring their experience with this type of development to Shelton. He felt that it is important that the project be done correctly and that someone with experience of this type would be helpful. He stated that Mr. Panico and staff would be involved but would have guidance and help with the project.

Mr. Panico stated that the future of the canal is important from a conservation as well as historic point. He stated that he was supportive of Comm. Sylvester's comments and will work with Mr. Schultz on looking into successful projects and how they work.

Chm. Cribbins stated that the density is an issue and the project will be done in phases so that the density can be investigated. He stated that more information is needed to be given to the Commission on all the issues raised. Comm. Oraziotti mentioned getting information on design standards.

PUBLIC PORTION

There was no one from the public wishing to speak.

On a motion made by Leon Sylvester seconded by Anthony Pogoda it was unanimously voted to close the Public Portion

OTHER BUSINESS

APPROVAL ON MINUTES FOR 11/14/2006 AND 11/28/2006

On a motion made by Anthony Pogoda seconded by Pat Lapera it was voted to approve the minutes of 11/14/2006 and 11/28/2006. Comm. Sylvester abstained.

PAEZ-HOPKINS SUBDIVISION: REQUEST FOR SECOND 90-DAY EXTENSION TO RECORD MYLAR MAP

On a motion made by Pat Lapera seconded by Anthony Pogoda it was unanimously voted to approve the second 90-day extension to record the Mylar map on the Paez-Hopkins Subdivision.

PAYMENT OF BILLS

On a motion made by Anthony Pogoda seconded by Pat Lapera it was unanimously voted to pay all current bills.

STAFF REPORT

Richard Schultz stated that there are three public hearings scheduled for the next meeting, which is January 16, 2007. Chm. Cribbins stated that he received an anonymous letter regarding eyesores in town and Richard Schultz is working on this.

On a motion made by Leon Sylvester seconded by Anthony Pogoda it was unanimously voted to adjoin the meeting.

Respectfully submitted by,

Maryanne DeTullio,
Secretary

THESE MINUTES ARE TO UPDATE THE WEBSITE. DIANA BARRY, CLERK WAS SICK FOR THIS MEETING.