

The Shelton Planning and Zoning Commission held a Special Meeting on March 27, 2007 at 7:00 P.M. in the Shelton City Hall, Room 303, 54 Hill Street, Shelton, CT.

The Chairman reserves the right to take items out of sequence.

Members present: Chairman Alan Cribbins  
Comm. Virginia Harger  
Comm. Anthony Pogoda  
Comm. Leon Sylvester (arrived late)  
Comm. Karen Tomko-McGovern  
(sitting in for Comm. Sylvester/Comm. Orazietti)

Staff present: Anthony Panico, Planning Consultant  
Richard Schultz, Planning Administrator  
Pat Garguillo, Court Reporter  
Diana Barry, Clerk  
Karin Tuke, Acting Clerk

Members absent: Comm. Patrick Lopera  
Comm. Daniel Orazietti

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

Chairman Cribbins opened the meeting with the Pledge of Allegiance.

### **PUBLIC HEARING**

#### **APPLICATION # 07-07, ALEX ESPOSITO FOR SPECIAL EXCEPTION/SITE PLAN APPROVAL (RESTAURANT EXPANSION/PARKING RECONFIGURATION) 376 RIVER ROAD, (MAP 66, LOT 67) CB-2 DISTRICT**

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

#### **Alex Esposito, 312 Pine Meadow Road, Westport addressed the Commission.**

Also present were the owner Carmine (inaudible) and the architect Edmund Morales. Mr. Esposito stated that the owner had a Brick Oven Pizza Restaurant in Bridgeport and decided to purchase this building and relocate the business here. We will do general renovations and a modest addition. We will serve lunch and dinner.

He continued that they were before ZBA last week and were granted variances. He showed on the maps that the red lines were buildable area and the brown lines were the existing. The variance was granted for the street and rear yard setbacks.

The parking lot right now is a sea of asphalt and we will be putting down gravel and re-stripping.

The addition will be on the Dana Avenue side. We will be adding two additional toilets that will meet handicap requirements. We will be expanding the kitchen area. There will be a covered walkway and parking will be off Dana Avenue. There are also loading docks in the back and the enclosure for the dumpsters.

The State DOT didn't like the proposal of the entrance and we then needed to modify the site plan. This is the new site plan. You will enter here and exit here, stated Alex Esposito. (as he pointed to a map)

Let the record show that Comm. Sylvester arrived at 7:05 P.M. and Comm. Tomko-McGovern then will sit in for Comm. Orazietti, stated Chairman Cribbins.

I have spoken to the neighbor, Mr. Richitelli and he stated he would give us anything in writing that we needed but he was in agreement with our proposal.

We will remove the overhang and retreat the whole façade. There will be a new vestibule and fabric awning. We will use stucco material, porcelain tile, and fiberglass roof shingles. They presented the material that will be used.

Comm. Harger questioned how will the parking be layout and will there be dedicated parking for the take-out? Alex Esposito answered that there will 3 spaces over in the take-out area. There are a total of 28 parking spaces. Requirements are for 14, he added.

Comm. Pogoda questioned the square footage being the same and no additional square footage for seating? There is a bar for the patrons inside to sit at while they wait. We picked up some space from removing the counter. We picked up approximately 400 square feet, stated the owner.

**Sal DeFillippo, Colony Street, addressed the Commission.** He has owned a business across the street from this for over 50 years. He addressed the Commission with his concerns over truck traffic, the variance that was granted for the addition, the cuts in the road and driveway, the accident that claimed the life of another business owner, the traffic coming in and out of the nearby cemetery and a possibility of widening the road.

Sal DeFillippo continued and asked the Commission to be very careful with this application. He wished the gentlemen well and thought he might have supper some time over there.

**Nick DiMauro, previous owner addressed the Commission.** He stated that he never had any problems with any of the neighbors. He explained how the trucks came to bring the milk early in the a.m. He thought this would be a nice addition to the City.

Chairman Cribbins stated that it was a different type of truck traffic, like what is associated with a luncheonette stop. It won't be the same truck traffic. I was there at least three times a week and you would see different people. I don't know if you would have the same type traffic. We will take a wait and see attitude with respect to the parking.

Comm. Harger question hours of operation? 11a.m. to 10 p.m., stated the owner. Breakfast will not be served, he added.

**On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to close the Public Hearing on Application # 07-07.**

**APPLICATION # 07-13 JOHN GUEDES ON BEHALF OF PRIMROSE COMPANIES FOR MAJOR MODIFICATION OF DETAILED DEVELOPMENT PLANS FOR PDD # 54 (INCREASE OF THREE RESIDENTIAL UNITS: THE BIRMINGHAM PROJECT) 5 BRIDGE STREET (MAP 129, LOT 20)**

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

**John Guedes, Primrose Companies, President, addressed the Commission.** Mr. Guedes stated that this phase began two years ago, the basement which is now known as the garden level, we had submitted a proposal for 110 units. We then scaled that back to 100 units. When we began the work we gutted everything and the laid out had to accommodate the units that would be facing the asphalt plants. We laid out the storage areas and the garden areas. We consulted as the units were being contracted for. There are 66 units under contracts currently. As we consulted with the owners we discussed the fitness center, meeting rooms and so forth. We then ended up with this additional area that could accommodate three more units. Mr. Guedes added that parking was always a concern.

The Birmingham recently closed on all the parcels, two months ago, and we now own all along Canal Street north to the locks. So that ensures the future development of the riverfront.

So the modification then is 100 to 103 units, which is one one-bedroom unit and two two- bedroom units. The parking requirements will be meet with the additional land that we required from the Canal Co. We hope to be able to occupy the building in May, stated Mr. Guedes.

The State Traffic Commission has to review this and those applications are presently up at STC. The Engineers along with Barkan & Mess have meet a number of times. We are hopeful that within the next 6 weeks they will finish there work and we will get approvals.

The third, fourth and fifth floors are ready for Certificates of Occupancy. The second, first and garden level will follow. We are looking for this building by the end of May to be occupied, stated Mr. Guedes. We hope in the next two months to finish off selling the units.

Staff has the parking plan, stated Richard Schultz. Chairman Cribbins stated here is my thought about this we could put another 20 units at the work way down the other end. When we get the other phases in here as long as we have all this room in here we could zero out in one of the other phases. Even next door, if we needed to tweak some there. If we steal 6 spaces for this we won't change the maximum levels that we have talked about. He may end up with three less units in other building.

That would be fine, stated Comm. Sylvester. That is fair and I don't have a problem with the space. The building obviously has space. Mr. Guedes points out the issue for the community. I am not comfortable with putting all of everything here and taking away from something coming later. There has to be an even distribution. The same thing is going to happen with the next place and the next person and the next person. The economics will drive the success of the next investment. Rather it is this man or someone else doing the investment in the next piece. They will be coming in to do the same thing, they won't say they want fewer units, stated Comm. Sylvester. They will say they want more. The economics will force them to invest more money. I don't see a problem with the space, he added.

I can't accept taking away from when we move down, stated Comm. Sylvester. Our commitments are to provide two spaces to the unit owners, stated Mr. Guedes. We are trying to work that out and that is part of the approval. The approval was based on 1.5 spaces, stated Anthony Panico. The final approval has to show 2 spaces, stated Mr. Guedes.

I guess for me this is a non-issue. I would be comfortable to accept this application and voting on it tonight. Let him sell his units and as we move up Canal Street we still have time with the balance of the property, stated Chairman Cribbins.

I agree but what I am saying is that what I don't buy, as we move down we take away from others because I don't believe that will work, stated Comm. Sylvester. Rather it is he or someone else it will be the same kind of thing. They would want the same, he added. They would demonstrate a need then added Chairman Cribbins.

Mr. Guedes stated that there was a comment made about the trash enclosure. Part of the landscape plan shows the enclosure. The pad sits here and because it was winter it has not been built yet. There is a brick enclosure around it and ornamental gates to match the gates. Spring is here and we will put the enclosure in with the containers inside.

**On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to close the Public Hearing on Application # 07-13.**

**APPLICATION # 06-53 EPC INTERNATIONAL, INC. FOR SPECIAL EXCEPTION /SITE PLAN APPROVAL (HIGH TRAFFIC GENERATOR: CONVENIENCE STORE) 493 BRIDGEPORT AVENUE (MAP 62, LOT 44) CA-2 DISTRICT (PUBLIC HEARING CLOSED ON 1/16/2007) DISCUSSION AND POSSIBLE ACTION**

Richard Schultz read a letter from the City Engineer (attached) , and the Fire Marshal's letter. (in the P & Z office) At the end of the hearing the Commission asked Staff to review the parking. We sat with the applicant to review all the concerns including the state right of way, the parking, the canopy and the improvements to the building including the streetscape. He read his staff report. (in the P & Z office)

**End of Side 1A of 2B, tape 1 of 2 at 7:50 P.M.**

The applicant will agree to brick on the side and front, stated Richard Schultz. These are the most visible. If the Commission is prepared to vote on this he recommended certain conditions. Staff has recommended angling the parking and it is an effective way to deal with the parking. You can come in and back up. Angling parking makes sense with the one cut, he added.

Comm. Sylvester stated how will we handle the way people come and go here? I go to a gas station that the store is there allowing people to park their cars and traffic then backs up. Where I go there is room to stack but here there won't be any room to stack and it will go out onto Bridgeport Avenue. I don't know how to do this but you should get it where people don't do that. They will do that and people won't get thru. You can't drive thru after you get your gas, stated Comm. Sylvester. You should also have the ability to go around the store, stated Richard Schultz. You know that traffic is a problem here, added Comm. Sylvester. Trying to squeeze all that in to this size a parcel, he added. See what you have a cross the street, there are two lanes and you can turn into Crown Point and the thru lane can be cut off by people waiting, stated Comm. Pogoda. I am just trying to figure out how you do that kind of a business on that site, stated Comm. Sylvester. Look at the one by the Hilton, he added. The Hilton doesn't have the competition, added Anthony Panico. Good planning is what I am concerned with, stated Comm. Sylvester. When people come in to discuss this we should encourage them and put into the approval that some kind of monitoring should be done because they are adding to the burden of the traffic. Comm. Sylvester stated I am not worried about the street traffic but I know as a patron at another site that deals this that we should put something in our comments that make people aware that it is their responsibility.

Chairman Cribbins stated I have no issues . The state will be concerned with the curb cuts questioned Comm. Harger? You can put arrows people will still do what ever they want, stated Comm. Pogoda. Richard Schultz read the draft motion. (Available in P & Z office).

**On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Application # 06-53 with conditions.**

**APPLICATION # 07-18 259 CORAM AVENUE, LLC FOR SITE PLAN APPROVAL (DETACHED 3 BAY GARAGE WITH OFFICE ABOVE) 259 CORAM AVENUE (MAP 118A, LOT 2) R-3 DISTRICT – DISCUSSION AND POSSIBLE ACTION**

Richard Schultz passed around photos and read several pieces of correspondence that included a letter from the City Engineer, the Fire Marshal and his own Staff Report. (Fire Marshal's and City Engineer attached hereto, Staff Report available at the P & Z office). As you know anyone going into Coram Avenue Offices has to come before the Commission because of the parking. The parking will be expanded.

**Donald Sheehy and his brother addressed the Commission.** We have meet with Mr. Panico and Rick. They were concerned with what we will do with the building. We had a complete elevation done and I have 5 copies of that. We are proposing to bring the brick element of the building through the first floor and shingle will be used on the 2<sup>nd</sup> floor. We will try to match the brick and blend the rooflines into the new building.

Chairman Cribbins questioned this will be an office? The concern is that you will put a kitchen up there. No, answered Donald Sheehy we already have one too many now. It looks nice, stated Chairman Cribbins.

What is the square footage upstairs, questioned Chairman Cribbins? 1,080 stated Donald Sheehy with a 160-foot stairwell. How many offices will this be, questioned Comm. Pogoda? Just one stated Donald Sheehy. Our tenant on Bridgeport Avenue has just vacated our building and we may go back there. So we are looking for a tenant.

Richard Schultz read his draft motion. (Available in the P & Z office).

**On a motion made by Virginia Harger seconded by Leon Sylvester it was unanimously voted to approve Application # 07-18 with conditions.**

**APPLICATION # 07-05 DOMINICK THOMAS FOR DETAILED DEVELOPMENT PLANS APPROVAL AND ADOPTION OF PDD ZONE CHANGE (ASPEN RIDGE: 12 UNIT MULTI-FAMILY DEVELOPMENT) COMMERCE DRIVE/BRIDGEPORT AVENUE (MAP 39, LOTS 2, 3, AND 4) DISCUSSION AND POSSIBLE ACTION**

Richard Schultz read several pieces of correspondence including a letter from the City Engineer, the Fire Marshal's letter, and his Staff Report. (The City Engineer's and Staff Report are attached, the Fire Marshal's letter is available in the P & Z Office)

I received a letter from Chief John Millo that the emergency driveway should be paved to a width of 16 and be gated.

The City Engineers letter supports the Conservation Commission proposal that this is not an appropriate location. The Fire Marshal and Fire Chief are recommending approval. The Traffic Authority support the entrance from Commerce Drive or Bridgeport Avenue. The final design is Commerce Drive. The Fire and Police are fine with that. The one department, the City Engineer doesn't concur, stated Richard Schultz.

Richard Schultz read his draft motion. The Board of Aldermen has to accept the conveyance of the Open Space as shown in the map or it will go back to this Commission and you then decide if it goes to the Land Trust. Wetlands has approved the site. It will be constructed with brick and complementing material. They took in other dwellings across the river, stated Richard Schultz.

Comm. Sylvester made a motion to be seconded for the sake of more discussion. Comm. McGovern seconded that and more discussion developed.

Comm. Sylvester stated that this is the second time, lately, that the City Engineer doesn't endorse a project. I am, with all great respect to the Fire Chief, Fire Marshal and the Chief of Police, I don't know their background, but I have great respect for his ability, his background and his education. He has been here a long time and I respect Bob Kulacz. I am uncomfortable if the City Engineer doesn't endorse this and I have great respect for the Fire Marshal but I do look at the City Engineer as someone who (inaudible). I voted for this but I am uncomfortable when I hear the City Engineer say he will not endorse. I know we have all tried this before, we have tried to get the City Engineer here but I think a situation like this, I would be more comfortable having him here.

Secondly, I would ask, the last time we had this discussion, was with Attorney Bellis when the City Engineer was against that project, did they have to go back to the City Engineer for him to sign off on that? No, answered Richard Schultz. So if we disregard the City Engineer's recommendation, it won't have to go back, questioned Comm. Sylvester? The City Engineer doesn't have to endorse these plans like a subdivision, stated Richard Schultz. I am very uncomfortable without having some discussion from the City Engineer, stated Comm. Sylvester. You need to read his letter again, stated Anthony Panico. Richard Schultz read the attached City Engineer's letter, again.

Chairman Cribbins stated don't we have homes on the other side all the way up and down the river. Richard Schultz stated that this is a sensitive site.

If our Engineer puts on the table that this is fine, it works, then I will vote for it, stated Comm. Sylvester. When I have a City Engineer saying one thing, I need someone with an Engineer background, I can't say or vote when someone is cautioning me not too, he added. I don't know how he came to that conclusion, stated Anthony Panico. That is why I am saying if he was here, stated Comm. Sylvester. It would be more productive, conversations and discussions, he added.

This way out is better, stated Anthony Panico. You come in at the far end, there is a gate connecting to the emergency driveway, a moving van or emergency vehicle can go out that way, he added. The design of the gate is critical, stated Richard Schultz. The reason Staff is suggesting to gate it so that a resident is not tempted to go out Bridgeport Avenue, stated Anthony Panico. Everyone agrees to go out on Commerce Drive, stated Richard Schultz.

**Attorney Dominick Thomas, representing the applicant, addressed the Commission.** I spoke with the Fire Marshal on the gate design. It will have two controls. The Fire Department will have the ability to open the gate. The gate will be similar to the one at Oxford's Golf Course. I would recommend the legal case concerning Newtown's Engineer with regard to the relationship. The applicant can address many of the Engineer's concerns. He is given the plans in plenty of time.

We revised the plans and they were concerned with the pavers get slippery. They requested the driveway be widened. The Fire Chief had those plans first thing this morning, stated Attorney Thomas.

The second issue stated the Engineer's concern are not within his profession. The 100-foot buffer, he has no degree in Biology, you should be at Wetlands where that 100 foot discussion took place. There could be more damage done to the river from another plan. This proposal along the Open Space requires my client to repair the buffer. There will be a greenway. It would be nice to have the Engineer here a lot of time, stated Attorney Thomas.

**End of Side 1B of 2B, tape 1 of 2 at 8:35 P.M.**

Comm. Pogoda stated I would like to see the Engineer here. I don't want to see anyone backing out onto Bridgeport Avenue. I never was for the ingress and egress off Commerce. That is my concern stated Comm. Pogoda.

I read the blog from Conservation about myself, stated Comm. Sylvester. My decision is my vote and I hate to throw a vote for or against, totally against the Staff. I respect Staff's opinion. If Tony tells me he is comfortable then I am, he added.

Comm. Harger questioned is the emergency exit going out by Blockbuster? Our thoughts were to gate this at both ends, stated Anthony Panico. That is the proper way to do it, he added.

Who would control the gate to, who will be in charge, questioned Comm. Pogoda? The Fire Chief, stated Attorney Thomas. One difference here between other locations, is that the Fire people will use this only as an exit. We did agree clearly that the fire can be fought from Commerce and the other side as well. The control will be the Fire Department responding, he added. The control of that would be put into the covenants and declarations. We could restrict that to for such things as moving vans. The Police and Emergency Services are very important. I want to make sure if someone wants to open the gate just to get out easier, they won't be allowed to do so, stated Comm. Pogoda.

Comm. Tomko-McGovern stated as you know I am alternate. A long time ago, but not too long ago, the rules changed so that the alternates could not speak and I don't talk anymore, that is why. I can't talk unless I am seated. As you know I had strong feelings about Split Rock and that area. I have listened and sat through all the documentation about the water flows cluttered with garbage. I sat through this whole process and I was concerned and hoped that Conservation would come forward a lot sooner than they did. I hoped that they would backup what I was feeling about this piece. They didn't. So all I can say is that what I was hoping for because of the area being congestive with commercial I would have thought this piece would bring the Community together for the employees and make it a park. That was my thought. I sat back and did nothing. My time is to say something now, stated Comm. Tomko-McGovern

Chairman Cribbins stated you still could have a park because to the west of this property there is 70 acres that the City owns. This is the river though, stated Comm. Tomko-McGovern. As far as the houses on the other side they were built many years ago, she added. I have nothing against the developer. When the Public Hearing came I could not comment and I could not ask questions.

Attorney Thomas stated that you were at Wetlands with Conservation. The fact of the matter is that you will have more bags of garbage if you have a park there. The Land Trust was not interested in access. The most important part of this piece is that the buffer will be replaced. The water will flow into the river and be dumped on a ledge. Wetlands approved this by a 2 to 3 vote because the river will benefit from this, he added.

One last thought, stated Comm. Sylvester, I would ask if you know ahead of time that the City Engineer will be negative to a proposal that we put it in writing that we ask him to appear and discuss his opinion and position with us. So that we could have a lively, opened, intelligent debate. At least invite him, stated Comm. Sylvester.

So I have to have a roll call vote, stated Chairman Cribbins, starting with Comm. McGovern. No, she stated. Comm. Sylvester, stated Chairman Cribbins. Yes, he answered. Comm. Pogoda. Yes, he stated. Comm. Harger. Yes, she stated. Chairman Cribbins stated and I vote yes. 4 to 1.

**On a motion made by Leon Sylvester seconded by Anthony Pogoda it was voted to approve Application # 07-05 with conditions. Comm. Tomko-McGovern voting in opposition.**

**APPLICATION # 07-19 HUNTINGTON WOODS, LLC FOR SUBDIVISION APPROVAL (SPLIT ROCK: 2 LOTS) BRIDGEPORT AVENUE/OLD STRATFORD ROAD (MAP 29, LOT 24) PDD # 52A DISTRICT – DISCUSSION AND POSSIBLE ACTION**

At the last meeting the applicant's Engineer advised the Commission that this procedure is necessary for financial purposes, stated Richard Schultz. The Commission is aware this is a PDD and standards have to be maintained. Go over that one more time, Rick, so that I can understand his reasons for splitting this in two, stated Comm. Pogoda. He is establishing two deeded parcels of land. Two economic development parcels of land for financial purposes, stated Richard Schultz. That triggers the two-lot subdivision. It falls in the PDD and all the standards have to be met, he added.

The applicant stated that this is being done for financial purposes. The statement of uses and standards will be maintained. So right now he owns lots 1 and 2, until what ever happens, stated Comm. Pogoda. Richard Schultz read the City Engineer's letter., which is attached and his Staff report. (available in the P & Z office)

Chairman Cribbins stated what jumps into my mind is why would a person do something like this unless like you said it is for financial purposes. The first thing is that he is taking on a partner. Why don't you come in on this particular PDD application and that might develop into something. The standards and uses are not changing. We sold this application and that the office component was there. I preferred the office on this rather than residential. If this is for financing purposes, I am o.k. with it, he added.

If you take a partner will you sell a part of that, questioned Comm. Sylvester? What happens if this is divided, will it work? It was a difficult piece to develop and I never participated in this. I will now re-enter this thing and they can challenge me, if they want. I paid a lot of attention to the discussion and feel I can vote, he added. I was away on vacation and I heard that there was an accident, rocks fell on a car, stated Comm. Sylvester. I don't know if it is true, he added. Comm. Pogoda stated I heard that too. It smashed the car. Nothing was in the paper, stated Comm. Sylvester. No there was not, stated Comm. Pogoda. This was a large, delicate parcel and now he is talking about splitting it, stated Comm. Sylvester. I don't know the impact to the next step. I don't understand the downsize of this. I have to agree with the Chairman stated Comm. Pogoda. We initially approved it when he wanted to put condos up there. The community voted against it and it was approved, the top portion, to be some office condos, he added. As long as that is in effect for 1 and 2, if that gets split off to 3 and 4 and there is no negative aspect to doing this, I am for it. It is for financial reason. If it gets sold off, o.k. .this is what you are buying. Comm. Sylvester stated I want to know if it will effect the overall project. The answer to that is no, stated Anthony Panico. Draw a line separate the ownership has no effect, he added. Mr. Blakeman can agree to stop the development, finish the site and let that back part go back to an office park and the person wanting to develop that would then start from scratch. We could just leave this the way it was approved, stated Comm. Pogoda.

If he decided retail back there, they would have to get approval. If they want to take that out of the PDD they could start with the OPD again, stated Anthony Panico. Drawing different ownership lines is not an unusual practice. It happens all the time. If you get a national tenant like Outback and Walgreen's, they could have decided they wanted to own their own piece, he added. It is important that this is coordinated with common areas remaining common areas. Richard Schultz then read his draft motion (available in the P & Z office).

**On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Application 07-19 with conditions.**

**APPLICATION # 06-55 BROADBRIDGE HILL, LLC FOR PDD ZONE CHANGE (INITIAL DEVELOPMENT CONCEPT PLAN: MIX USE DEVELOPMENT) 126 BRIDGEPORT AVENUE/159 LONG HILL AVENUE (MAP 105, LOT 163) R-5/CB2 DISTRICTS (PUBLIC HEARING CLOSED ON 2/27/2007) DISCUSSION ONLY**

Richard Schultz stated that this is our first discussion since the Public Hearing closed. I have given you an overview of the project. This is the first concept plan. This property has two addresses because it fronts on Long Hill and Bridgeport Avenue. It is .07 acres and they are proposing a zone change. It is the Petro property. They are proposing 5 townhouses with access off Long Hill and 4 retail stores on the lower side by Bridgeport Avenue. There is public water and sewers.

In our future plan of development on Bridgeport Avenue it is recommended for office and residential. That is consistent. On Long Hill Avenue it is recommended for moderate density. That is what the Commission has to deal with. This is 7 units to the acre, stated Richard Schultz. The Commission is trying to keep it to 1 to 2 units in an R1, he added. The 5 units equals 7 on that site.

Comments, wetlands has to approve this because of the brook, the culvert will need to be examined by the City Engineer, and the special area study has to be completed. The parking layout will need to be reviewed. We need a planning study for developers wanting to buy duplexes. If they buy multiple lots they can try for a higher density.

Chairman Cribbins asked Rick, could you show me where the split is? Here is Route 8, two-thirds is CB2 and one-third in the back is R5, stated Richard Schultz. How many square feet in the residential asked Comm. Sylvester? You have 33,000 square feet, 20,000 in the front and roughly 10,000 in the back, answered Richard Schultz.

Chairman Cribbins asked what can you get in an R5? 5,000 per dwelling unit or 4 units per acre. It is 8 acres to the unit. They have 20,000 square feet and 10,000 in R5 allowing 2 units. CB2 allows residential .

This is the first discussion and there are some serious ramifications. We should do a special area study, stated Richard Schultz. I am concerned about the Long Hill Avenue site, he added. I think we are opening a can of worms that we won't be able to stop once it is opened. Rick has already stated that people are calling, stated Comm. Pogoda. We will put ourselves in the position of our backs against the wall. I am sure a lot of these sites need to be cleaned up. I know where this is because my son-in-law was going to buy this and I am very concerned, he added.

Comm. Harger questioned does it make a difference in the R5 about the driveway? We are talking about the appropriate amount of developing on the site, stated Comm. Sylvester? Anthony Panico stated that zone needs to be adjusted. The ownership of this property works for them, stated Comm. Sylvester. Is the garage in the R5, asked Comm. Sylvester? This line is gone and the existing dwelling is on the commercial line, stated Richard Schultz. They built the house then built the business, stated Comm. Sylvester.

You have to plan how you want to handle the Bridgeport Avenue stretch along Long Hill Avenue, stated Anthony Panico. We should send this back to the zoning subcommittee, stated Chairman Cribbins.

**APPLICATION # 07-13 JOHN GUEDES ON BEHALF OF PRIMROSE COMPANIES FOR MAJOR MODIFICATION OF DETAILED DEVELOPMENT PLANS FOR PDD # 54 (INCREASE OF THREE (3) RESIDENTIAL UNITS: THE BIRMINGHAM PROJECT) 5 BRIDGE STREET (MAP 129, LOT 20) –DISCUSSION AND POSSIBLE ACTION**

Richard Schultz stated we heard this earlier. They want to put three more units at the Garden Level. Chairman Cribbins stated there was an open house on Sunday. We went through the building and I am not a big fan of what has been done so far with regard to parking. It really is the access to the parking spaces, stated Comm. Sylvester. I parked underneath it and it wasn't bad, stated Chairman Cribbins. It is not an attractive parking arrangement, stated Comm. Pogoda. They choose a dark green color, stated Richard Schultz. We want to look at the details stated Richard Schultz. It was proposed, originally at 110 units and went down to 100 and now they want to add 3, stated Chairman Cribbins. There are storage units 8 by 4 and every unit will have their own laundry facilities. The singles don't want to go out to do their laundry, he added.

**End of Side 2A of 2B, tape 2 of 2 at 9:25 P.M.**

Comm. Pogoda stated that they now own the Canal Company and that is a positive note. If we need to do the subtraction down the road from him, he added. We did him a favor, stated Comm. Tomko-McGovern. Comm. Harger stated he is the only one that appears. Comm. Pogoda stated we have control over each and every project. Don't give him control because that might not be what you get even though that is what you see, stated Comm. Sylvester. When you acted on the overall plan you put a cap on the units and you have to stay under it, stated Anthony Panico.

I will make the motion to approve the additional units, stated Comm. Pogoda. You should put a stipulation in there about the parking at the additional land, stated Anthony Panico. I would like him to come back to this table for 40 parking spaces in that area, he added. I would like to see more parking in that area, stated Comm. Pogoda, so I will add that stipulation to the approval.

**On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to approve Application # 07-13 with conditions.**

**PROPOSAL OF THE SHELTON PLANNING & ZONING COMMISSION TO AMEND THE SHELTON ZONING REGULATIONS BY CREATING A NEW DISTRICT AND RELATED REGULATIONS ENTITLED "RIVER FRONT DISTRICT" AND AMENDMENT OF THE BUILDING ZONE MAP BY CHANGING FROM INDUSTRIAL IB-2 TO RFD FOR AN AREA ON CANAL STREET – SCHEDULE PUBLIC HEARING**

**On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to accept and schedule the Public Hearing on May 8<sup>th</sup>, 2007 for the Proposal of the Shelton Planning & Zoning Commission to amend the Shelton Zoning Regulations by creating a new district and related regulations entitled "River Front District" and amendment of the building zone map by changing from Industrial IB-2 to RFD for an area on Canal Street. .**

**On a motion made by Anthony Pogoda seconded by Virginia Harger it was unanimously voted to adjourn at 9:30 P.M.**

Respectfully submitted by,

Diana Barry  
Clerk