

The Shelton Planning & Zoning Commission held a Special Meeting on May 1, 2007 at 7 p.m. in the Shelton City Hall, Auditorium, 54 Hill Street, Shelton, CT.

The following members were present:

Chairman Alan Cribbins
Comm. Virginia Harger
Comm. Pat Lapera
Comm. Leon Sylvester
Comm. Anthony Pagoda

Staff Present were:

Richard Schultz, Planning Administration
Anthony Panico, Consultant
Ramon Sous, Corporate Counsel
Pat Garguilo, Court Reporter
Karin Tuke, Clerk

Members Absent:

Comm. Daniel Orazetti
Comm. Karen Tomko-McGovern

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

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 at 7:03 p.m. with the Pledge of Allegiance. He announced that the Commission recessed the April 24, 2007 Special Hearing with the intent of continuing the discussions regarding Applications #07-14, 07-15, 07-16 at tonight's meeting.

PUBLIC HEARING

APPLICATION #07-16, JOSEPH WILLIAMS ON BEHALF OF AVALONBAY COMMUNITIES, INC. FOR PDD ZONE CHANGE (DETAILED DEVELOPMENT PLANS: (SHELTON II: 99 UNIT MULTI-FAMILY), BRIDGEPORT AVENUE (MAP 8, LOT 8), R-1/OPD WITH SDA OVERLAY ZONE.

Commissioner Sylvester arrived at 7:07 p.m.

There was no need to reread the call of the hearing; however, there was some new correspondence. Chairman Cribbins stated that they will begin this hearing with the Avalon 2 development on Huntington Street.

Richard Schultz read the new correspondence for the record.

***See attached letter from Fire Marshal Tortora and Fire Chief Milo dated 4/26/07.**

***See attached letter from James Hartman, Tennessee Gas Pipeline, dated 4/25/07.**

***See attached letter from Alderman Randy York dated 5/1/07.**

***See attached petitions (12) opposing Avalon Bay 2, Huntington Street.**

Chairman Cribbins requested that the Applicant begin his presentation. He indicated that the public can make comments after the presentation.

Atty. Joseph Williams, Shipman & Goodwin, One Constitution Plaza, Hartford, CT addressed the Commission. He introduced Tim Bennett, Development Manager with Avalonbay, Tom Shields, Landscape Architect, Ted Hart, Project Manager and David Sullivan, traffic engineer.

Mr. Williams stated that this public hearing would be for Avalonbay's application for approval of a Planned Development District at 917 Bridgeport Avenue which also crosses Huntington Street. It is for 99 units. A detailed description is provided in the application packet submitted to the Commission. Mr. Williams stated that in Tabs (1) and (9) of this application there is an offer to compromise and settle Avalonbay's pending appeal of this

Commission's prior decision denying this application for a zone change at this property to create a multi-family housing district as part of a proposal for 171 apartments. As documented in the packet and in a joint motion approved by the Superior Court, Avalonbay has proposed that upon receiving final and mutually acceptable approvals for this 99 unit development on Bridgeport Avenue and the 40 unit plan on Armstrong Road, it will withdraw all pending appeals.

Mr. Williams explained that pursuant to Shelton regulations they mailed notification to area property owners and posted the necessary signage. He submitted an affidavit to that effect for the record, as well as the green cards from certified mailings to neighbors, and two photographs of the signage on the subject property.

The proposal is for 99 townhouse style units to be rented at market rates. He indicated that within the application packet they have provided the statement of uses and standards and criteria for development. He stated that he would answer any questions about it. He noted that the entire property at 917 Bridgeport Avenue is within an SDA overlay zone that the Commission has previously approved. Therefore, the site is eligible for a PDD and is appropriate for a multifamily residential development given the mix of uses in the area. It is a transition from adjacent commercial uses on Bridgeport Avenue. Mr. Williams submitted that the benefits of this settlement and the appropriateness of the PDD are as follows:

- The proposed reduction from 171 taller garden style apartments to 99 townhouses in smaller buildings is less dense providing a softer transition to the single family dwellings nearby. He presented drawings of the two plans side by side.
- The proposed development provides a high quality housing alternative and increases the options available in Shelton for people who may prefer a rental housing alternative, whether they be starting a career, empty-nester or in a job transition.

In the prior submittal for the previous plan, employers in Shelton submitted correspondence attesting to need for rental options to house employees in this area and to support the commercial center. Mr. Williams resubmitted an a copy for the record of a letter dated May 2005 in which Robert Scinto supported the application and attests that market rent apartments are badly needed in the community, and it is a constant request from his corporate office park tenant. Mr. Scinto stated that it would bring income and economical stability to the community, and for those reasons, he supported the application.

- Mr. Williams summarized that the proposal is consistent with the Planned Development District and the goals of the planned conservation and development in Shelton. It is a fair and reasonable compliment to the city.

Mr. Williams states that submitted with the Application at Tab (5), is a traffic study prepared by Mr. David Sullivan at Barkin & Mess that addressed traffic issues for the previous proposed 171 apartments. The reduced number of units and the trip generation has been lessened by one half. Mr. Sullivan is available for questions about this study. Also, he will speak later tonight in regard to parking calculations for the site.

Mr. Williams noted that the Avalon 2 development will have no access from Huntington Street. At the request of P&Z Staff and the Fire Marshal, they are showing an emergency access only from Huntington Street. The Fire Marshal would like this access paved, however, the Conservation Commission does not want it paved. This decision has yet to be made by this Commission. The access will only be used by city emergency personnel, and it will not be used for any traffic to and from this site. Inland/Wetland and sewer approvals previously obtained were for the larger 171 unit plan in 2005. However, this development, as Mr. Hart will explain, will result in less discharge to the sewer system.

They have also made additional improvements to the sewer system including storm water treatments in response to comments received from the Wetlands Commission, the City Engineer, and the Beaver Dam Lake Association. We have requests pending with the Inland/Wetlands Commission to approve this modified plan to reduce the areas of

wetland disturbance. The reduction in the discharge has already been approved by the NNCA (? *inaudible*)

Mr. Williams stated that at a suggestion from this P&Z Commission on our previous application, they have shown a shifted conservation easement from the southern part of the site abutting the Homestead Suites property up to Huntington Street. We have sought Inland/Wetlands approval as it is a requirement. This is an easement in favor of the city.

This recommendation for shifting the easement has been presented to the Conservation Commission who set additional conditions to expand the conservation area at the front of the site and at the northeasterly side. Mr. Shields, our landscape engineer, will address these issues.

Thomas Shields, Vice President, Milone & MacBroom, Landscape Architects addressed the Commission.

(Portions of Mr. Shield's presentation were not audible, please refer to tapes in the Planning and Zoning Office).

He stated that he functions as a project manager along with Mr. Ted Hart.

Mr. Shields indicated that at this presentation he would like to explain the present conditions of the site, the site plan, the layout, the parking, the drives, the architecture, some detail of photo metrics (lighting) and the conservation easement. He also wanted to show some of the updates to the plan that were provided to Richard Schultz last week

He used two schematics – one that showed the existing conditions of the site and the locations around it. The schematic included the seven acre site, Bridgeport Avenue, Huntington Street, and the surrounding structures - the one story industrial building with its parking lot and the Homestead Suites hotel and its parking lot.

Mr. Shields stated that the property has an access easement. There is a traffic light at Exit 11/Route 8. The entrance access to the property is right off Bridgeport Avenue. There is a retaining wall alongside the hotel because there is an elevation change. He referenced the area of the conservation easement on the map. There are utilities running alongside the brook, the reservoir is up above across Huntington Street. It is a controlled discharge for the reservoir. It bisects the property by a stream that bends into a channel behind the main building.

Alongside the brook on one side is a water main easement (Water Company) that is 50 feet wide and on the right side of the brook is a sanitary sewer easement. The brook can be cleared for maintenance purposes. The site itself is slightly wooded, and there are presently no buildings. The terrain is varied and quite hilly (the northern portion is steeper than the southern portion) with elevation ranging from 240 or 245 to 300.

Mr. Shields stated again that the access will be off Bridgeport Avenue which leads into an explanation of the site plan. His second sketch depicted the proposed community of 99 townhouse style buildings. There is seven buildings and a 1600 square foot community building in the center cluster. The drive comes in off Bridgeport Avenue and it cycles around with parking and access to the buildings. The recycling center is on the right side. The site comes across as it crosses the stream up near Huntington Street that ends in a parking lot with about 21 spaces and three more buildings.

Mr. Shields states that the proposal is for 35 three bedroom townhouses and 64 two bedroom townhouses. The particulars of the buildings are such that it there is combination of housing sizes.

The smaller buildings are approximately 120 ft long and 160 ft deep and the larger buildings are 175 feet long and 160 feet deep. He stated that where the buildings back up into the industrial building and the grade drops off into a stream, there are going to be three stories in the front along the access road and four stories in the back. The first small building #1 will have 12 townhouses in it and the building #2 to the right will have 18. These two buildings have a little bit extra in terms of housing. The other five buildings across the brook are three story townhouses. The smallest one on the drawing has 10 townhouses in it and the four other larger buildings have 15 townhouses. There are a series of garages accessed from the front.

Mr. Shields discussed the criteria that had been placed upon the project regarding dimensional issues. The property required is 300,000 square feet; they have slightly more than that with 7.08 acres. In this zone, 200 feet of blocked frontage is required, and they have 700 feet of blocked frontage on Huntington Street. The allotted area per dwelling for the PDD is set at 2500 square feet minimum per unit. Our units are ? (inaudible) square feet. Typically, there is a minimum 250 square feet for storage and they have 390 square feet.

In regard to stories, they have allowed four stories as a maximum. He believes that you may count the two buildings to the east – the industrial buildings to be four stories. We have three story buildings for the majority of the community development and there are some areas with a three and four story mix.

The maximum building height is set at 52 feet.

The setbacks from the various street lines are 15 feet from the street for the zone.

We have set one building within 45 feet of the street line which can be adjusted pending comments.

The side yard is set at 15 feet and the rear yard is 20 feet.

The accessory building (recycling center) setback at the side yard is 15 feet.

The building lot coverage criteria are 25% of the site in which they cover 20%. The total impervious surface allows 50%, and theirs is at 48% of the site.

The maximum floor area allows 60%, and theirs is set at 50%. The minimum floor area per townhouse is set at 1000 square feet, and this plan allows for 1150 square feet.

Parking requirements are set at 1.8 spaces per unit. This plan has a combination of 76 garages and 1500 surface spaces which include spaces in front of garages. The buildings are separated by at least 15 feet. The minimum outdoor living space exceeds the square footage requirements. Sidewalks are located throughout the site up to the access point with Bridgeport Avenue. There is a significant landscaping plan with a buffer of planting along Huntington Street set with 45 -50 feet back at different sides. There will be a significant landscape screening adjacent to the hotel and on the slope along the back of the property.

Mr. Shields showed a drawing of the architectural color renderings of the proposed building at the different levels. The first rendering was of the community building. This building will be used by all 99 units and located centrally next to the pool. It is a 1600 square foot, one store building. It will have a vestibule lobby, meeting room, office, recreation room and small scale kitchen. The exterior will be comprised of asphalt shingles, vinyl siding and brick.

The next sketch of the 15 unit townhouse building showed the representative architecture, 15 garages, 3 stories front elevation, side and back elevations using a combination of brick, vinyl siding in earth tone colors with asphalt shingles.

He also showed a smaller building of a 12 unit townhouse to provide an idea of the consistent architecture.

Mr. Shields provided an explanation of the site lighting planned in relation to the road and neighbors. The photo metrics used by Avalonbay communities utilizes lighting with the intention of creating light guides and not to overwhelm. The light style will be a 12 foot pole with 50 watt lamps. It should not interfere with neighboring properties.

Mr. Shields wanted to relay some recent changes made to the plan as a result of an April 19th meeting with P&Z. He showed black & white drawings of the site to relay these changes because they aren't on the completed plan yet.

Of the changes made, they have moved the building closest to Huntington Street 50 feet away from the road. They added a kiosk for tenants to get their mail and removed some parking to add more greenery. The architecture of the community center was updated for architectural consistency and the recycling center has been revised to accommodate the space. They widened the main entrance off Bridgeport Avenue from 20 feet in width to 26 feet wide. Additionally they have tried to widen the turn around curb about 30 feet to the right and left buildings at the entrance.

Chairman Cribbins asked a question about the pitch of the driveway. He referenced comments made about the elevation from the driveway being 50 feet lower than the height of the lot on the right side.

Mr. Shields stated that the main drive coming in is between 6% and 7%. It is lower on the left than the right. The brook is the low point, and it is quite low on the manufacturing site.

The road grades are quite general to accomplish the grade changes by bringing one building forward to add a greater slope to the grade. They have tried to accommodate the grade change without making the road steep.

The other modifications were to the road geometry for drainage. They provided for additional plantings on the slope along the northern side. They added 37 white fur and pine trees that are 7 – 8 feet in height. We added landscaping to the disturbed area along Huntington Street, the slope areas, and along the area where the homeowners abut on the south. They are working with the Commission to make sure they are comfortable with the density of landscaping.

Mr. Shield's final item of discussion was relative to the conservation easement. The format on the schematic showed the conservation easement as it exists. It was requested that the conservation easement exist further from the homes on Huntington Street. They created an equal area exchange that they showed the Conservation Commission.

He showed a colorized drawing depicting their plan which is to switch the existing conservation easement area and the equal area exchange, add a 50 foot trough by Huntington Street and keep the existing easement areas in place.

The next graphic shown was based upon the input of the Conservation Commission. They wanted additional plantings along the north and south. They asked if a conservation easement expansion could be included contiguous with the relocation effort. We included that in our review with Staff. After adjustments there is an area of approximately 1.7 acres total easement.

There was an issue with the Conservation Commission about achieving a conservation easement extension that accommodates the disturbance from the road and grading. The Conservation Commission had an issue with non-disturbance for the initial relocation effort which has generally been achieved. There is approx. an 1850 foot trough about 50 feet from the disturbance.

They moved drainage away from the area. They do feel they cannot replant after the buildings are constructed. However, they cannot move the buildings around and completely keep the 50 feet on the south side of the brook undisturbed. That is an issue for this Commission.

The final graphic shows the existing easement that stays in place, the relocated easement area along Huntington Street, and the proposed easement area for part of the community of townhouse condos.

Ted Hart, Project Engineer from Milone & McBroom addressed the Commission.

(Portions of Mr. Hart's presentation were not audible, please refer to tapes in the Planning and Zoning Office).

Mr. Hart began by speaking briefly about the changes to the plans that were submitted to the Wetlands Commission reflecting the change from 171 apartments to 99 units. They reduced the overall wetland impact by moving the buildings further away from the water course. They installed arched culverts instead boxed culverts.

Mr. Hart stated that they have reduced the overall impervious coverage slightly by about 4%. Overall, this is a similar layout to 171 plan but reduced impact to wetlands.

The access road across Bridgeport Avenue has a 6.7% slope up to brook.

Once in the site, the other roads are 4% or less throughout complex.

In regard to the utilities, the water and the sanitary sewer lines run across the site. There is a 30" water main that comes from Trap Falls Reservoir. There is an 8" sewer line running down which will connect with the sewer lines on the proposed site. They received **WPCA ? (inaudible)** approval on 4/11/07. There will be 8" water mains throughout the site to service the townhouse units that will be tapped into Bridgeport Avenue. Three fire hydrants are to be centrally located and at the discretion of the Fire Marshal. Electric, cable and TV will be connected to Bridgeport Avenue.

Our inlands/wetlands data is still forthcoming. The storm water management plan is contingent upon the 171 approved plans.

This is because of the similarity between the storm drainage systems for the 99 unit development and is similar to the storm drainage system approved for the 171 units.

A biofiltration system is to be used between buildings to discharge the storm water. This has been modified after reviewing all the correspondence from the Beaver Dam Lake Association concerning sand sediment. They have submitted a detailed plan for long term maintenance of storm water drainage and sediment removal. Two foot deep sumps collect sand before going into large underground storage units – one collects sediment, one collects oils. There will be a zero increase in runoff and six subsurface detention storage systems.

A soil erosion and sediment control plan and erosion control blankets will be used on steeper slopes. Also, there will be a temporary water diversion during construction.

Additionally, in an application to the Inland/Wetland Commission, they will use calcium chloride only for snow/ice removal because it is environmentally safer.

In a letter dated 4/12/07, the City Engineer reviewed and endorsed this submittal.

David Sullivan, transportation engineer, Barker and Mess Associations addressed the Commission.

Mr. Sullivan stated that he had two topics to discuss. The first topic would be the adequacy of the parking on the site. The second topic would be the industry data on multi-street, multi-home facilities around the state.

Mr. Sullivan referenced two tables to discuss parking generation or the average occupied spaces per unit (1.2 spaces). Their own studies of 23 facilities determined an average 1.3 space demand including garages. This is a conservative number. Additionally, they used another Avalonbay site and determined an average 1.4 space demands. They adjusted accordingly for sites with 2 bedroom and 3 bedroom homes as opposed to 1 bedroom and 2 bedroom developments.

In utilizing the per bedroom basis for statistics they have noted that as bedrooms go up, parking goes up. For example, three one bedroom homes will use more parking spaces than one three bedroom home. This raised the average space demand to 1.52. The parking for the proposed development provides 214 spaces.

Comm. Sylvester asked Mr. Sullivan how the Community Building factors into the overall parking figures. Comm. Sylvester noted that in real condo scenarios that he visits, there never seems to be adequate parking for visitors.

Mr. Sullivan explained that peak parking demand for this type of development is in the evening until work the next morning. Events such as those at a community building wouldn't happen at night.

Comm. Sylvester commented that most events (birthday parties, bridal showers) occur on the weekend when everyone is home. Other issues arose such as availability of surface parking and whether or not all parking is in garages or reserved because this causes a greater demand on visitor parking.

Comm. Sylvester asked how many parking spaces would be provided for the community building. Mr. Sullivan stated that there would be 69 unreserved spaces throughout the entire development.

Comm. Sylvester asked if there was a designated parking area for the community building such as 40 spaces in the front. He asked if a definite number of spaces would be provided. He also wanted to know what the anticipated use of the community building would be.

Kevin Bennett, development specialist for Avalonbay addressed the Commission.

He responded to Comm. Sylvester's questions about the community building by stating that the administration room in the building is quite small (about 15' x 12'). The building also contains exercise facilities, rest rooms and showers for the pool area outside.

In regard to the designated parking for the community room, Mr. Bennett stated that there was no anticipated number because the room itself can only hold about 15 people comfortably.

Chairman Cribbins asked if anyone from the public had any comments for or against this application.

Roger Pleasanton, 350 Beaver Dam Access, Stratford, CT addressed the Commission.

Mr. Pleasanton discussed his environmental concerns about the quality of water in Beaver Dam Lake. He lives on Beaver Dam Lake and has watched the composition of the lake degrade over the past ten years. He discussed the importance of filtering out sediments such as phosphorus and nitrogen, and the need for biological filtering for every inch of disturbed surface on the lake. He stated that 50% of the water supply to Beaver Dam Lake is provided by Silver Brook and Beaver Brook. These streams have resulted in pollution and chemical implantation to Beaver Dam Lake. He provided copies to the Commission of an article entitled "How Much Is a Lake Worth to You," published by the DEP, and he urged consideration to the ecological impact of the Avalonbay project.

Colleen Mondillo, 550 Huntington Street, Shelton, CT addressed the Commission.

Ms. Mondillo stated that she lives two doors away from the proposed development, and that once again; she was before this Commission to object to the Avalonbay development, their rental housing unit, and its effect on Shelton's roads, schools and city services.

Ms. Mondillo indicated that she is a member of *Voice of Shelton* – a group of working, tax paying Shelton residents who united to pay for legal services in 2005 to defend their neighborhood. She is angry that the city of Shelton is again negotiating with Avalonbay. She urged that the city keep the R-1 zone in place, provide protection to property owners from blasting, and create more buffer zones.

Nick Ross, 545 Huntington Street, Shelton, CT addressed the Commission.

Mr. Ross discussed the dangerous road conditions on Huntington Street and the negative effects he has experienced from previous blasting in the area.

Laurie McCartes, 557 Huntington Street, Shelton, CT addressed the Commission.

Ms. McCartes submitted more petitions to the Commission and asked about the type of air conditioning units that would be used in the development and the amount of noise they would generate.

Constance Schwartz, 536 Huntington Street addressed the Commission.

Mrs. Schwartz stated that she and her husband are abutting neighbors to the Avalon 2 development project. She referenced an article from a recently printed in the Connecticut

Post regarding the Avalon 2 development that quotes Chairman Cribbins as saying that “this is a 70% reduction from the original plan on Huntington Street.” Mrs. Schwartz indicates that calculation does not make sense (the Avalon 1 plan went from 253 units to 40 units and the Avalon 2 Huntington Street plan was reduced from 171 to 99). Furthermore, Avalon 2 is a smaller piece of land than Avalon 1 and the building size (3 & 4 stories) is much larger.

Mrs. Schwartz told the Commission that this building development will run the entire length of her property. She feels that the buildings are too tall and too large. She will experience a loss of privacy, pollution from cars, disruption from construction, dust and blasting. She is requesting more of a buffer zone all around this development which includes mature, tall trees and protections provided by Avalonbay for the cost of warranties, pre-surveys and testing. She concluded by stating the Shelton taxpayers deserve protection from the Planning & Zoning Commission.

Albert Schwartz, 536 Huntington Street, Shelton, CT addressed the Commission.

He requested to second all of the comments made by his wife, Constance Schwartz.

Brian Belvin, 39 Hemlock Drive, Shelton, CT addressed the Commission.

Mr. Belvin indicated that he felt the Avalonbay development plan was unrealistic. He stated that the 99 two and three bedroom units would require more than 1.8 parking spaces. He felt as though no discussion or accommodation had been made in this plan for the possibility of children residing there. Mr. Belvin expressed his concerns about children living there with no designated play area or open space and a swimming pool (would there be a life guard?). He questioned how the existence of more children in Shelton would impact the already maxed out school system.

Mr. Belvin stated his concerns about the amount of parking available and the unrealistic assessment of how many cars there would be in a development of this size. He expressed concerns about an overflow of cars, lack of free parking and illegal parking which might impact access for police, fire and emergency personnel. He feels as though the developers should have considered the worst case scenario with parking, that is, for a 3 bedroom dwelling – 3 parking spaces should be provided.

In light of the recent nor’easter and heavy rains in the area, Mr. Belvin questioned the feasibility of an 8” sewer drain run off from this development’s roofs, gutters and parking lots. His concerns also included the impact on water quality from oil, antifreeze, etc. used by residents in the parking lots.

Mr. Belvin summarized his comments by stating that he felt that the Avalon 2 plan did not utilize forward thinking in regard to how much more crowded and dangerous this area would become as a result.

Vincent Esposito, 23 Daybreak Lane, Shelton, CT addressed the Commission.

Mr. Esposito stated that he is against the Avalonbay development, and he would like the Commission to look at it very seriously and keep the R-1 zoning.

Carla Sullivan, 2 Horse Stable Circle, Shelton, CT addressed the Commission.

Although Ms. Sullivan does not reside near the proposed development, she is a Board of Education member and teacher for a Shelton Elementary School. She stated that the schools in the Shelton school system are full. She indicated that she believes the Avalonbay developments will have some children in them, and it will affect Shelton’s schools. Ms. Sullivan concluded by asking the Commission to consider what kind of community they would like Shelton to be.

She stated that she is against the Avalonbay R-1 zone change and the school children that will be impacted by it.

Rick Mazzadra, 14 Cathy Drive, Shelton, CT addressed the Commission.

Mr. Mazzadra initially asked the Commission if this development was considered low income.

Chairman Cribbins stated that it was not low income but market rate.

Mr. Mazzadra indicated that he is a Stamford police officer, and he has concerns about how the increase in residents and cars will impact the area. He questioned if there were enough police officers to handle this increase. As a policeman, he is aware of the negative activities that can develop in cul-de-sac areas. He stated that he feels that the traffic situation on these roads will be further strained by more cars and moving trucks. Accidents on this road have resulted in fatalities. There was no consideration given as to the difficulty those mail carriers, garbage trucks and school buses will have getting in and out at this location. Mr. Mazzadra also stated his concerns about the impact of this development on the power grids and possibility of damage from blasting.

Jane Daniels, 502 Huntington Street, Shelton, CT addressed the Commission.

Ms. Daniels stated that there are many accidents on Huntington Street near her home. In many instances, she has been a first responder at many accident sites. Vehicles have crashed or overturned near her home and in her yard. She has assisted in the posting of signage for slowing down and curve warnings. However, traffic on the road has gotten worse with drivers going even faster. She believes that an access road to Huntington Road would be disastrous. She asked the Commission to protect the residents of Shelton.

Chairman Cribbins corrected Ms. Daniels by clarifying that the proposed access road would be for police, fire and other emergency personnel only with no public access and a gated entrance. There will be no access to Huntington Street from that road.

She stated for the record that she is against this development and will fight it. She asked the commission to protect the neighborhood.

Remi Zemnoch, 470 Huntington Street, Shelton, CT addressed the Commission.

Mr. Zemnoch stated that he was concerned about the development plan for a 30" water main so near to a bridge and the possibility of accidents.

Richard Jaeger, 2 Coppel Lane, Shelton, CT addressed the Commission.

Mr. Jaeger submitted a letter to the Commission that stated his comments about the proposed application for a PDD. He expressed concern about this highly intensive development over a primary residential R-1 zone neighborhood, and its impact on the local neighborhood and infrastructure. His letter states that this Commission has the authority to deny this proposed district and should deny it for the following reasons:

1. It is too dense a district for an R-1 zone neighborhood and existing R-1 properties.
2. It is inconsistent with the plans of development for Shelton.
 - The plans exceeds the maximum number of multi-family units allowed to exist, if this includes apartments, townhouses, condos, nursing homes, elderly housing and mobile parks. Shelton may have already exceeded this number.
 - River Road corridor and the downtown area are more appropriate locations for this type of multi-family development.
3. There are serious environmental concerns with the runoff from this site going into Beaver Dam Lake. Environmental experts have confirmed this. The Beaver Dam Lake Association and others have appealed to the Inlands/Wetlands Commission.
4. This project does not fit on this parcel.
5. The Shelton Conservation Commission issued a letter against this development stating that this conservation easement not be touched. No construction, not even paving, within the conservation easement unless this Commission allows it. The applicant has paving and construction planned, as well as two bridges.
6. The plan of development states that sites for multifamily development be of suitable size and configuration to accommodate good layout and design. Setback and buffer requirements are not met when adjacent to non-multifamily developments or located near major roads.

7. The applicant cannot access this site as proposed unless this Commission allows them to build a bridge over a conservation easement. By restrictive deed, no access can be built at this site without specific approval from the Planning & Zoning Commission. This had not been mentioned previously.

If this Commission decides to deny this proposed project, it has the authority to modify the details of the proposal and approve or deny the modified custom district. Connecticut State Statutes 6-803 amended 10/01/02 states that the Commission can act upon as instead of to approve or deny.

Therefore, this Commission may modify the proposed district to better suit the Commission's development standards. Modifications might include:

- 3 story limits,
 - 40 ft height
 - Min. street setback of 60 feet,
 - minimum set backs for other properties of 80 feet
 - maximum total impervious lot coverage of 30% matching R-1 standards
 - Addition of open space requirements that have been required of other multifamily development projects in Shelton.
8. The Traffic Study submitted by the applicant is in error. It has not been updated and presents inaccurate data.
The actual annual increase in traffic is 3 – 5%. They noted a 21% increase in the morning rush hour from CT DOT survey of 2001 to their survey of 2005. They also noted an increase of 11% for the afternoon rush hour of the same period. After review of their traffic data, they state that traffic volume will increase by 2% to reflect normal annual growth.
It appears that they did not even look at their own data which shows actual annual average increases to be 3 – 5% for this site.
Their accident totals are inaccurate and should state 155 accidents within one mile of this site on Bridgeport Avenue within four years.
This study does not include areas beyond one mile of the site, new developments (Shelton Vet Ctr, Panero Bread...), or Trumbull roads within one mile or whether there is full occupancy at all the buildings on Bridgeport Avenue.
 9. The conservation easement for this site dated 9/11/97 has prohibitions including dumping, storage, and placement of soil excavation, removal/destruction of trees or shrubs. The easement does not allow any changes to be made to the easement area unless approved by the P&Z Commission. The applicant wants to create two bridges and pave over the easement.
 10. The proposed development does not fit on this site. It is comprised of 4.26 acres of R1 zone and 2.82 acres zoned as an office park development. Of this 7.08 acre site approx. 2.5 acres are taken up by wetlands and watercourses. Another 2.08 acres are taken by the buffer zones around the wetlands and waterfronts. Approx. 0.8 acres are taken by conservation easement which cannot be touch unless approved by this Commission. Another 0.2 acres are taken by the Bridgeport Hydraulic easement, 0.2 acres for the sanitary sewer easement and 0.2 acres for the reduced setback. This leaves 3.5 acres. Their proposal allows for no open space, playground, or walking trails. Mr. Jaeger asked the Commission to deny this application and thanked them for allowing him to speak.

Jane Calderado, 25 Cortland Drive, Shelton, CT addressed the Commission.

Ms. Calderado stated that two years ago, this Commission refused to allow approval for her to build one house on a two acre parcel on Old Stratford Road.

Chairman Cribbins replied that they would research that issue.

George Friend, 2 Daybreak Lane, Shelton, CT addressed the Commission.

Mr. Friend commented to the Commission that he feels that a school bus stop on Bridgeport Avenue is not a good idea because of the traffic volume.

Gil Pastore, 150 Patacki Lane, Shelton, CT addressed the Commission.

Mr. Pastore commented as to the applicant's plan to use calcium chloride in place of salt for the removal of snow and ice in this proposed development. He stated that calcium chloride is a poison. He has used this substance in commercial developments, and he knows that it has the potential to kill anything with 5 – 10 feet of where it is placed. The runoff from this substance will contaminate Beaver Dam Lake.

John Tristan, 6 Armstrong Road, Shelton, CT addressed the Commission.

Mr. Tristan supported the statements made by other members of the public who have concerns about the lack of open areas or play areas for kids, not even in the vicinity.

Brian Belvin, 39 Hemlock Drive, Shelton, CT addressed the Commission.

Mr. Belvin reiterated his previous comments of the evening about kids and teenagers with nothing to do and the high probability of these developments contributing to hanging out and, drug & alcohol abuse or crime. Any safe areas to play are not within walking distance.

Norma Garcia, 84 Maple Lane, Shelton, CT addressed the Commission.

Ms. Garcia commented about the heavy traffic on Huntington Street and Bridgeport Avenue leading to and from Route 8. She has lived near Huntington Street for 9 years and travels that road to work every day. She stated that there a lot of traffic and many accidents on a continual basis. She feels that putting 99 more families near this area would further exacerbate the problem. There is no way to expand this road, and there a not enough traffic lights. She is concerned that there will be even more accidents and no room for emergency vehicles to get to Huntington Street.

(Inaudible) McKeenan, 79 Thorton Road, Shelton, CT addressed the Commission.

Ms. McKeenan stated her opposition to this development and mentioned that she lost her well to the Roaring Brook Development years ago. She wanted to know if more petitions would be accepted against this development. She asked for a show of hands from audience members opposed to this development.

Chairman Cribbins stated the application will be closed tonight but correspondence or data will be accepted.

An unidentified audience member stated that they haven't seen any signs posted regarding this development.

Atty. Williams answered that they were there and photographed to indicate they were there.

Chairman Cribbins stated that they will check that issue out.

Chairman Cribbins asked Mr. Williams to address some of the public concerns stated this evening about blasting, air conditioner noise levels, ratios of children, etc. or, if he is not prepared, could he present something in writing to the Commission.

Mr. Williams addressed the Commission.

He spoke about the blasting issue by stating that Avalonbay understands that Shelton takes the blasting issue seriously in lieu of accidents and damage. They have engaged an expert to assist with their road development that prepares protocols for blasting programs and oversees blasting projects. Mr. Ulrich La Fosse, P.E. has prepared such a plan for the Armstrong Road development and will present it to the Commission tonight. Mr.

Williams stated that they will prepare the same type of plan for the Bridgeport Avenue/Huntington Street development. Some of the types of things provided for in this blasting planning program would be videotaped pre-blast surveys, well water testing, monitoring of the blasting procedures, vibration testing, etc. They want the Commission and the public to comment on this blasting plan before any blasting would occur.

Mr. La Fosse will speak to the Commission tonight about the Armstrong Road development, however, please note for the record that Avalonbay will provide the same type of pre-blasting program for the Avalon 2 application as well.

Mr. Williams addressed Mr. Jaeger's comments about the Conservation Commission decision on the easement. He asked the Commission to verify that they had received the

correspondence dated 4/24/07 in which Mr. Shields addressed each one of the Conservation Commission's recommendations.

Mr. Williams introduced Mr. Bennett from Avalon Bay to discuss the air conditioning units and the issue of school-age children.

Mr. Bennett addressed the Commission.

He stated that the air conditioning units are part of a mechanical plan that is not yet fully developed. However, the a/c units will be secured on concrete slabs covered with screening material and located adjacent to the rear of the building. He will investigate the possibility of additional screens for noise reduction.

In regard to school-aged children, Mr. Bennett said that they do not expect a significant number of children in this development. This is based on a sampling of other Avalonbay rental properties. The number of bedrooms in the unit is not one of the driving factors used to determine the number of children at a particular property.

Avalon Bay focuses on providing housing for people in transition, the young professional just out of college, empty-nesters, or those relocating for work. Typically, individuals involved in transition do not have children. Generally, the lower the price point, the more children there will be per bedroom. In this case, our price point is higher with rents beginning at about \$2000/month. All this information factors into the number of school aged children at a site. The Avalon Bay Milford facility, similar to this proposed site, has 246 units with 7 children and the Avalon Bay Orange property has 186 units with 22 children.

Mr. Williams addressed the Commission.

He asked the Commission to recognize a letter, although not requested, be submitted for the record in response to *Mr. Belau(sp?)* written by Ted Hart to the Wetlands Commission in response to concerns regarding Beaver Dam Lake.

Chairman Cribbins stated that this correspondence would be included into the record, and he asked if any of the Commissioners had any further questions.

Comm. Pagoda asked for clarification of a comment made by a resident in the audience and Comm. Sylvester as to the school bus stop issue. He asked for clarification as to how a school bus stop will be placed on a busy road and, in the event that there are children, what provisions will be made for their safety.

Mr. Williams stated that they need to communicate with the Board of Education and their transportation coordinator regarding their recommendations. He believes that there is more than one location where a school bus stop could be located. Avalonbay is flexible on this subject.

Comm. Sylvester asked if there were cul-de-sacs.

Atty. Williams stated that there are no cul-de-sacs. There is an area in the far east corner of the development that is closed but is not a cul-de-sac; it is a parking area.

Comm. Sylvester asked what the turn rate would be.

He believes that Mr. Shields could better provide this information.

Tom Shields addressed the Commission. He explained that the end of development comes into a parking lot with 21 spaces and there is approx. an 80 foot radius.

Comm. Sylvester stated that he believes a school bus might need a 100 foot radius. He advised that a backing up a school bus is not a good idea. In either case, the Shelton School System would not bring a school bus into a private development anyway. He is only concerned that a designated spot be identified so that kids could be safely dropped off and picked up.

Dave Sullivan, transportation engineer, believed that the radius is greater than 80 feet because it has been determined that a fire truck will fit, and it has a larger radius than a school bus.

Chairman Cribbins stated that it was not an issue anyway, because the school buses won't go into a private development as Comm. Sylvester had stated. However, he did accept a copy of Mr. Sullivan's information about fire truck access for the record.

Chairman Cribbins asked if there were any further comments before closing this application.

On a motion made by Patrick Lapera and seconded by Virginia Harger it was unanimously voted to close Application 07-16.

APPLICATION 07-14, JOSEPH WILLIAMS ON BEHALF OF AVALONBAY COMMUNITIES, INC. FOR AMENDMENT TO THE ZONING REGULATIONS (SECTION 35, SUBSECTION 35.5.2.: PRD REGULATIONS) (CONTINUATION OF HEARING FROM 4/27/07 MEETING)

APPLICATION 07-15, JOSEPH WILLIAMS ON BEHALF OF AVALONBAY COMMUNITIES INC FOR PRD OVERLAY ZONE (SHELTON 1: 40 UNIT CLUSTER DEVELOPMENT), ARMSTRONG ROAD (MAP 19, LOTS 2, 3, 4, AND 5) R-1 DISTRICT (CONTINUATION OF HEARING FROM 4/24/07)

Chairman Cribbins stated that the next portion of the meeting will be a continuation of discussions regarding the Avalon 1 development. The purpose of this continuation is not to repeat information for the record but to address open items from the April 24th hearing.

Chairman Cribbins stated that the Commission will allow the applicant to address any open issues such as blasting plan for submittal. After that, others such as Mr. Trautman will be allowed to speak. He stated that he would like to stay on schedule and convene by 10:30 p.m.

There was no need to reread the call of the hearing; however, Mr. Schultz read new correspondence for the record.

***See attached letter from the Fire Marshal dated April 26, 2007.**

***See attached letter from Ingrid Waters, 261 Long Hill Avenue dated? (inaudible).**

Mr. Williams addressed the Commission.

He submitted more certified mail receipts for this site to the Commission. He stated that in regard to the blasting issue, they have retained Ulrich La Fosse, P.E. who has expertise in blasting protocols and creating blast plans. He will be drafting a blasting plan for this site and submitting it to whatever towns and Commissions requested. It will be submitted in advance and made a condition of approval. They understand that the Commission, the Fire Marshal and the public will want to review and provide comments. Mr. La Fosse will explain the work that he has done already to examine the site, site plan properties, and the elements of what the plan will provide for.

After Mr. La Fosse speaks, Keith Metzger, an environmental geologist, will address the concerns about acidic runoff and any risks about the type of bedrock in this area.

Finally, Mr. Carboni, the project engineer from Spath and Bjorkland, will talk about runoff on the Armstrong Road property.

Mr. Ulrich La Fosse, P.E., Professional engineer, GeoDesign, a geotechnical firm addressed the Commission. He provided copies to the Commissioners outlining his credentials.

Mr. La Fosse explained that he will be discussing blasting on the Armstrong Road property, but the general comments will apply to the Avalon 2 property as well. He

stated that although he hasn't seen the Avalon 2 property yet, he can point out a few differences that he noted from tonight's discussion between the two properties.

The primary reason for his presentation tonight is to discuss how he can assist the developer and the contractor during construction to insure blasting is done in an effective and safe manner that protects the neighborhood and infrastructure (road, culverts, phone lines, etc.)

He brought a drawing that highlighted the subject property with 500 foot boxes outlined. The closely shaded contours on the drawing show where the roadway grade changes occur (i.e., Cranberry Hill Road, Cranberry Terrace). Most of the grade changes along the roadway and single family homes with basements will be cuts.

Of those cuts, some will be in soil and some will be in rock. Test bits done prior to his involvement (for septic design) show that about 1/3 of those cuts are approx. 0 – 5 feet of ledge (bedrock). After walking the property he saw a number of areas where ledge or bedrock is at the surface. Other areas (the test bits went approx. 8 feet deep) did not encounter ledge. Mr. La Fosse stated even without a volume analysis, this drawing shows that there is in enough shallow rock on this site and enough proposed cuts to pose rough removal. This information indicates that the only practical and economical way to clear this site for building is by blasting.

Mr. La Fosse explained that over the years, the methodology of the basic blasting process has changed because areas being blasted are more developed and there is more people and property to protect. More measures are put in place and this is called a control blast.

In a control blast, technical specifications and quality control measures are made part of the contract – blasters are required to submit a very detailed plan. Quality control personnel must be on site to ensure that procedures and specifications are adhered to. Before blasters are even allowed on a site, a blasting contract needs to meet these criteria:

- They must be a licensed blaster.
- They must have experienced drillers and blasters.
- Preconstruction surveys or snapshots of the conditions of surrounding properties must be conducted before the work begins.

On the drawing he shows a 500 foot radius around the development - these houses within this radius typically would be at greatest risk of damage.

Preconstruction surveys include videotape or photographs of exterior and interior residential structures. If defects are found during this preliminary survey, such as cracks in the wall or floor, they will install crack monitoring devices before blasting to determine alterations. The purpose of the preconstruction survey is to document what is in good condition and what is not.

The pre-survey selection of a home is typically based on the distance from the blast site (usually 500 feet). However, other factors for selection include the condition or how fragile a home or structure is. Modern houses will be less fragile than a custom built structure. An old church with plaster walls will be more fragile, and a structure having a stone foundation with mortar is considered very fragile.

Mr. La Fosse provides the Commission with a drawing that outlines the homes that would be included in a pre-blast survey and photos of the types of houses that they are.

Typically the homeowner will be provided with a copy of the pre-blast survey. Pre-blast photographs are also used to supplement to pre-survey analysis.

Mr. La Fosse differentiated between a blasting plan and a blasting specification. The blasting specification is a legal requirement of a contract. His organization does not prepare a blasting specification, not a blasting plan. A blasting plan will outline such details as the exact spacing between blasting holes, the size of charges, sequence of blasting, safety guidelines, etc. This plan is prepared by the blasting contractor.

The primary elements of the blasting specification for control blasting include a prediction of the size of the charges (lbs per delay, how much explosive) are required to clear the area successfully and protect the structures surrounding the site. The goal of a

control blasting is to provide the greatest degree of excavation with the least amount of vibration.

There are published correlations as to how far a given amount of vibrations will travel with a given amount of blasting.

People are very sensitive to vibrations and they will feel vibrations well below the point where it can cause damage.

Relationships can be developed as to the amount of blasting vibrations for a given blast but these relationships are imperfect and vary from site to site.

On a site of this size, part of the blasting specification would include a blast plan requirement for a test blast. A test blast is performed as far from any structures as possible. It will begin near the center of the site to determine if vibration predictions measure up to actual vibration measurements. Seismographs can measure the vibrations at the property lines. The vibration measurements are also taken at the home/foundation closest to the planned blasting.

A blast company can measure its own blasts with its own seismographs. A blast company must have seismographs as a requirement for blasting insurance. His company, Geodesign will provide additional seismographs to provide additional measurements for comparison purposes. Seismographs are calibrated instruments.

Another requirement that they require before blasting is notification to neighbors. Some contractors do not notify neighbors. We recommend notification because the more people who know about a blast event, the higher the comfort level. Knowing at least the day will avoid the psychological upset of a surprise blast. They will post and predict the approx. time the blast will occur. Drilling and loading blast holes takes much longer than the actual blast, which is a relatively quick event.

Additionally, they ask the neighborhood affected if they would like to elect one or two representatives to be invited to the blast site. They will be given hard hats, safety training and be allowed to ask questions. They can then relay this information (quality control, procedures) to their neighbors to foster a better understanding of the blasting process.

Finally, Mr. La Fosse indicated that the Avalon 1 blasting specification for the closest properties to the blast site (Daybreak Lane about 80 - 100 feet away and an Armstrong Road residence at 90 feet) will be much stricter than a Cranberry Lane location farther away.

The Avalon 2 property is even closer so they will have a strict blasting specification anyway.

Mr. La Fosse discussed the possibility that blasting, even when done properly, can adversely affect the water supply and private wells. Most wells in this area are bedrock wells. Before blasting, pre-survey analysis measures the capacity of the well and measures water chemistry (iron, manganese...) and torpidity or discoloration.

Often as a short term result of blasting (days to weeks) the water may be discolored for a small period of time because the blasting can loosen the silt rock formation. Mineral water should be used during that time. If a controlled blasting has been performed, this discoloration to the water will go away. The condition of the wells will be accessed prior to blasting.

Finally, Mr. La Fosse addressed the issue of acid runoff of pyrite in the bedrock. He did some research to determine that this bedrock is nices bedrock. There is no pyrite in the sample rock taken from the site. Quite a distance away, there is a rock with some pyrite in it.

He provided the rock samples to the Commission. Chairman Cribbins asked Mr. La Fosse, in his professional opinion, how long is the post monitoring period is— after the completion of the blast.

Mr. La Fosse stated that it can be as little as none if there are no complaints or any issues that arise as a result of the blasting. The primary purpose of monitoring is to provide a snapshot to be a baseline to compare pre and post-blast conditions. This pre-survey analysis protects homeowners, blasters, and the blaster's insurance company.

Comm. Harger asked how long a test blasting takes on a project of this size.

Mr. La Fosse answered that it could be one or two days.

Comm. Harger asked how long the actual blasting would take on a project of this size.

Mr. La Fosse stated that it would not take long, but he would need to better access the volume of the area to be more specific.

Comm. Harger asked if he could show where, on the map, he obtained the sample rocks.

Mr. La Fosse showed an area on the map where the rock sampling was taken from a large rock formation near House #16. He also showed a photo of the rock formation where the sample was hammered off.

Mr. La Fosse stated that he still needs to perform a more detailed analysis, but he did access the area, the rock type, the blasting required where the blasting would occur and the location of the nearest residences.

Comm. Lopera asked if there was any way to minimize the vibrations of the blast such as blasting mats, or jack hammering

Mr. La Fosse stated that blast mats don't reduce vibrations and can increase them by containing the noise movement underground which subsequently increases the residual vibration.

Comm. Lopera then asked why blast companies even bother to use the blast mats.

Mr. La Fosse answered that the blast mats are used when there is rock exposed to the surface, as a safety measure against fly rock.

He continued to address Comm. Lopera regarding jack hammering as an alternative. As far as reducing vibrations, jack hammering doesn't create as much traveling vibration, but it will take so long that it is a greater disturbance and expense. Jack hammering is not an option for a large area to be excavated.

Comm. Lopera asked what the typical insurance that a blaster would carry is.

Mr. La Fosse did not know and Atty. Williams stated that he will get that information for the Commission.

Keith Metzger, Environmental Geologist, Primrose Companies, 1425 Noble Avenue, Bridgeport CT addressed the Commission.

Mr. Metzger submitted a letter regarding the subject property to the Commission. He provided his geological education and credentials. He began with an explanation of the acid rock drainage process as typically being associated with large metal ore mines rich in metal sulfides. The major mineral at issue for this discussion is iron sulfide or pyrite, often called "fool's gold."

Mr. Metzger explained that when iron sulfide is exposed to air and water, it reacts to form sulfuric acid. This is a natural process that is usually balanced by other minerals such as limestone neutralizing any acid production prior to drainage.

Regarding this site, Mr. Metzger stated that he looked at the Connecticut Bedrock Geological Map to determine that the site is comprised of bedrock that is a member of the

Pumpkin Ground Member of the Harrison Gneiss. This rock is a metamorphic rock containing quartz, feldspar, and other ferromagnesian silicate minerals. It does not contain any metal sulfides. There are some areas in the region where some pyrite exists, but not at this site.

Mr. Metzger confirmed this finding by consulting with Dr. G. Benoit, Yale University Environmental Science Center regarding the Pumpkin Ground Member of the Harrison Gneiss. Dr. Benoit stated that he had provided a previous study of this site and concluded that acid rock drainage was not an issue at this location because there was sufficient pH in the waters of the peat bog nearby.

Additionally, Mr. Metzger contacted the Connecticut DEP to confirm his conclusions. Ms. Margaret Thomas of the DEP confirmed that based on her geological studies of the area, she substantiated the fact that the subject site doesn't contain the iron sulfides necessary to result in acid rock drainage.

Mr. Metzger concluded his report by stating that acid rock drainage is not likely to occur at the Armstrong Road site based upon his research.

Bill Carboni, addressed the Commission.

Mr. Carboni stated that after analyzing the water flow and drainage on Mr. Tristine's property at 56 Armstrong Road, the Applicant has indicated that they will provide an easement for his driveway to provide an upper and lower drainage system to prevent an occurrence of flooding.

Mr. John Tristine, 56 Armstrong Road, addressed the Commission.

Mr. Tristine stated that if he does get an easement for his property, he would like it to go on record to avoid future problems.

He provided other comments after the Applicant's presentation this evening. Mr. Tristine stated that he feels very vulnerable to whatever might result from the blasted bedrock. He thinks the information provided by the ecological expert and the geological experts contradict each other.

Mr. Tristine recalled a previous blasting near his home that resulted rock dust covering everything inside and outside his house. Since this is likely to reoccur, he wanted to know if the Applicant would provide a clean up service to property owners nearby. Also, he was interested to know if there was any possibility that this blasting might be conducted on a weekend.

He wanted to know about the time limit for recouping loss from blasting vibration damage. He is concerned that a ripple effect may result in damage appearing weeks or months after the blast. He requested that the pre-blast survey include photos of his foundation, retaining walls and walls behind sheetrock.

Mr. Tristine concluded that he feels more confident about the blasting after listening to Mr. La Fosse. However, he was concerned that Mr. La Fosse would not be the final candidate chosen to oversee this blasting. He wanted to know if he Mr. La Fosse would be overseeing the Armstrong Road blast.

Mr. Williams responded that Mr. La Fosse would be overseeing the blasting for Avalon 1.

Mr. John Trautman, Ecological Consultant, 797 East Broadway, Stratford, CT addressed the Commission.

Mr. Trautman states that at the suggestion of Corporate Counsel, he prepared a letter to Mr. Cribbins regarding Application 07-15 in which he selected records from the previous 2005 application of the same property. He submitted copies to the Commission.

***See attached letter from John Trautman to Chairman Cribbins.**

Mr. Trautman continued to submit other documents and petitions from June 2005 to the Commission. He asked that his submittal of Prof. Benoit's report being acknowledged as

well. He submitted highlighted copies of Shelton P&Z regulations that he had addressed at the 4/24/07 hearing.

He read another letter to the Commission for the record regarding his recommendations for proposed conditions of approval for this application. He provided copies to the Commission and Atty. Williams.

***See attached letter from John Trautman to Chairman Cribbins dated 5/1/07.**

Mr. Trautman concluded by addressing the stone wall structures near the Avalon 1 site. He commented that there is at least 1500 feet of linear interior stone wall. He believes that these stone walls should be preserved due to their historical/cultural value, aesthetic appeal and ecological benefits (nooks/crannies in the stone walls are home to small mammals, amphibians and reptiles). He thanked the Commission for the opportunity to readdress them.

Richard Jaeger, 2 Coppel Lane, Shelton, CT addressed the Commission.

He read a letter to the Commission for review regarding a traffic study used by Avalon Bay that has not been updated in several years.

Mr. Jaeger states that this traffic data was compiled before the completion of the Split Rock development and the Philips Medical establishment.

Chairman Cribbins asks for any other public comments prior to closure.

Michael Nichols, 54 Daybreak Lane, Shelton, CT addressed the Commission.

He wanted to note his concerns about radon levels in relation to blasting because this issue had not been brought up at all.

Nancy Steiner, 20 Partridge Lane, Shelton, CT addressed the Commission.

Mrs. Steiner had additional comments based upon issues raised at tonight's Avalon Bay presentation. Mrs. Steiner asked about Mr. La Fosse's determination of which property owners would be given a pre-blasting survey. She feels as though, since blasting is unpredictable, most of the neighborhood (not just those within 500 feet) should receive these preventative assessments.

Mr. Williams submitted the posted floor plans and architecture from the presentation board to the Commission for the record.

Chairman Cribbins asked for further questions or comments before closing this hearing.

On a motion made by Anthony Pagoda and seconded by Virginia Harger it was unanimously voted to close Application 07-14 and 07-15.

The meeting adjourned at 11:24 p.m.