

The Shelton Planning & Zoning Commission held a special meeting on September 25, 2007 in the Shelton City Hall, Room 104, 54 Hill Street, Shelton, CT.

The following members were present:

- Chairman Alan Cribbins
- Comm. Patrick Lapera
- Comm. Daniel Oraziotti
- Comm. Anthony Pogoda
- Comm. Leon Sylvester
- Comm. Karen Tomko-McGovern (alternate)
- Comm. Ruth Parkins (alternate for Comm. Harger)

Staff present:

- Richard Schultz, Administrator
- Anthony Panico, Consultant
- Carol Paneri, Court Reporter (temp.)
- Karin Tuke, Recording Secretary

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

Tapes (3) 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 p.m. with the Pledge of Allegiance.

PUBLIC HEARING

APPLICATION #07-44, BRIDGE STREET PARTNERS, LLC FOR PDD ZONE CHANGE (INITIAL DEVELOPMENT PLANS: MIX USE DEVELOPMENT: (KYLE'S AND PULASKI CLUB PROPERTIES) 44-46 AND 56-64 BRIDGE STREET (MAP 129, LOTS D37, D38, D39, D40), CB-2 AND IB-2 WITH CBD OVERLAY

Comm. Oraziotti read the call of the hearing and one piece of correspondence from the City Engineer.

***See attached letter dated 9/25/07 to Richard Schultz from Robert Kulacz, P.E. City Engineer.**

Kevin J. Gumpper from Holahan, Gumpper & Dowling, 1375 Kings Highway East, Fairfield, CT addressed the Commission representing the applicant, Bridge Street Partners, LLC.

Mr. Gumpper clarified that the Bridge Street Partners consisted of one member, Angelo Melisi who was present tonight. Also present were Barry Unger, the architect for the project, and Jim Rotondo from Rotondo Engineering.

He submitted the proof of mailings for the public hearing notice to Richard Schultz. They have return receipts from everyone except one that was returned with no forwarding address. The owner is now believed to be in New Orleans, LA.

Mr. Gumpper began by stating that this project was for the westerly portion of a block that is bound by Howe Avenue, Bridge Street, Canal Street (in rear) and Center Street. It is the westerly 1/3 of the property that has approximately 15,000 square feet. It is presently the Old Kyle's building and the Kazimir Pulaski Club. Kyle's is located at the intersection of Howe and Bridge Streets and the Pulaski Club at the intersection of Bridge and Canal Streets. In between those two buildings, there are vacant lots.

Mr. Gumpper explained that the project calls for the demolition of the Kyle's building and the existing Pulaski Club, the building of a new Pulaski Club and the construction of a new, single five-story building on Howe Avenue with an underground parking garage on Canal Street. He showed a rendering of this created by the architect, Barry Unger.

Mr. Gumpper explained that although it appears to be three different buildings, it is actually one building with three different colored brick faces. This was done to make it look like a multiplicity of buildings to fit in with the smaller downtown area instead of a single, overwhelming structure. This is the same concept used for the People's Bank Headquarters of downtown Bridgeport that is one very large building, but from the street it looks like three or four smaller buildings.

Mr. Gumpper continued to state that Mr. Melisi is a 15 year resident of Shelton and has invested his money in this project to solidify the intersection of Howe Avenue and Bridge Street. He stated that the project calls for the abandonment of Bridge Street on the westerly side of his

property and the easterly side of the bridge over the Housatonic. Bridge Street would be replaced with a patio that would run at the same level as Howe Avenue. It would have to be built above grade to achieve this continuity. This would provide them with two commercial fronts – one on Howe Avenue and another one on what is now Bridge Street. The patio will take up most of Bridge Street, but not all of it. The portion not taken up by the patio would become a pedestrian access ramp serving this property from Canal Street up to Howe Avenue. Howe Avenue is approx. 10 feet higher in grade than Canal Street in the rear of the property. There is a need to have some access; it will be a 200 foot long ramp that will provide a handicapped and pedestrian access. Additionally, the proposed restaurant at the end may be able to use a portion of it for outdoor dining. This would encourage downtown pedestrian traffic.

Mr. Gumpper provided architectural renderings to point out the different components of this project to the Commission. He indicated that the overall proposal is to have retail on Howe Avenue and retail on to what is now Bridge Street and a restaurant in the back portion of the building (the ground floor, if approached from Howe Avenue). On the next floor up from the ground level, the proposal is for office space. The three floors above the office space would be condominiums or apartment units (dwelling units per regulations). They are good-sized units with approx. 1000 square feet each with one larger unit on each floor. They are presently looking at 24 units, 8 per floor.

There will be some on-site parking accessible from the rear of the building on Canal Street. Mr. Gumpper showed the Commission a drawing of the view from Canal Street. The Canal Street view showed the access to the garage with 27 parking spaces with 2 handicapped spaces at grade level with Canal Street but below ground for most of the project. He continued to point out the bowed windows to be used for the first level restaurant. He indicated that the area below the wrought iron fence had been the former Bridge Street that is planned to be elevated. He showed the proposed stairway and ramp up to Howe Avenue.

Mr. Gumpper explained that on the corner would be a new building for the Kazimir Pulaski Club. The Pulaski Club runs along Canal and Bridge Streets. The present Pulaski building is in bad shape; Mr. Melisi has spent considerable time trying to save that building. However, the project architect deemed it not worth saving because of rotted brick and structural obsolescence. Additionally, an architect from Fairfield, John ? that specializes in brick building renovation also determined that it should be completely demolished.

Therefore, the proposal calls for this building to be demolished as well as Kyle's. A new club house would be built to replace the existing Pulaski Club. Mr. Gumppar's next drawing showed an aerial perspective of all the buildings in that vicinity. He indicated which buildings were presently owned by the Pulaski Club and which ones were owned by the Bridge Street Partners. He outlined the location of the proposed large five-story building and the location of the new Pulaski clubhouse set back 10 feet from Canal Street. There will be an access into the rear of the Pulaski Club and the location of the service truck area. The larger building will be of mixed use in accordance with the Shelton Plan of Conservation and Development.

Chairman Cribbins asked about the square footage of the Pulaski Club.

Mr. Gumpper stated that it was 2800 square feet – a fairly small building 28 ft wide and 50 ft deep. Mr. Unger, the project architect, showed the Commission the floor plans of the proposed Pulaski building. He explained that it will be a similar style to the existing brick building with colonial features having a wrought iron fence in the front. The interior of the two-floor clubhouse would have a bar and function room on each floor.

Mr. Gumppar continued that they are requesting a PDD (planned development district) because they would not be able to build what they have proposed under the city's current regulations. They are asking for an increased height – a 75 foot height on the rear of the building as seen from Canal Street and 64 feet as seen from Howe Avenue. They are looking for a big building with zero setbacks. The proposed project has the larger building going from the lot line along Bridge Street, to the lot line on Canal Street and to the lot line on Howe Avenue. It follows the lot line along most of Oraziotti's before breaking off behind onto Canal. The proposed Pulaski Club would have a zero sideline setback from the existing property owned by Shival? There will be 27 parking spaces for the condominium units. There is essentially no parking provided for either the retail or the business offices. This is in line with the Plan of Conservation and Development that calls for downtown parking availability in the municipal lots.

Mr. Gumppar showed a wider rendering of the project area in relation to available parking for the proposed buildings. He pointed to potential parking areas across the Housatonic on the other side of the Bridge Street, a block away at the corner of Cornell, Howe & Canal, parking further up Bridge Street and parking on White Street.

Mr. Gumppar referenced pages from the Plan of Conservation and Economic Development to indicate that this proposal is a pedestrian-friendly, main street community development with mixed use. He stated that the wraparound patio is extremely easy to access for pedestrians.

He also referred to the POCD, page 4.7 as stating there should be 1.0 parking spaces per dwelling unit and page 4.8 states that parking for residential buildings is usually built for the exclusive use of tenants. Independent off-street parking areas/facilities will be provided for office, retail and light industrial uses. On page 4-31, the POCD mentions that one of the goals is to provide housing diversity in appropriate locations, encouraging downtown mixed use and multi-family development which is exactly what this project is. Furthermore, the mixed use development makes the re-development of the downtown commercial industrial properties more economically viable.

Mr. Gumppar continued to correlate this project with references taken from the POCD such as page 6.10 Redevelopment and Revitalization of Commercial Centers, which emphasizes the continued flexibility for mixed used redevelopment of the downtown buildings and making pedestrian improvements to support mixed use development. Under the POCD Guidelines, Plan of Action on page 7.16, it states that guiding appropriate development is a policy that should continue to provide development flexibility in downtown Shelton.

Therefore, Mr. Gumppar concluded that they are requesting the Commission to provide development flexibility so that Mr. Melisi can move forward with this project which would be of significant benefit to downtown Shelton. This plan has been discussed for years with the Shelton Economic Development Corporation, the Downtown Subcommittee and has tried to support their views into the body of this proposal.

He wanted to reiterate two key components to this project. One component is the Bridge Street property owned by the State of Connecticut and being leased by the City so that it can be abandoned. This project would be contingent upon a satisfactory arrangement being worked out between Bridge Street Partners and the Board of Alderman. Without it, they cannot go forward.

Another key to this project is the rear of the building along Canal Street. In the area where the railway runs through there is room for about 30 parking spaces. The Mayor's Office has been in negotiations to acquire that to be used for parking. Without this component, it would be difficult to attract people to retail or office space if there is no parking nearby.

Mr. Gumppar submitted a revision to the Statement of Uses and Standards.

Chairman Cribbins announced that Comm. Lopera arrived at 7:15 p.m. therefore he will sit in for this hearing. He asked the Applicant for a floor plan of the office portion of this building and condominiums.

Comm. Lopera arrived at 7:15 p.m.

Mr. Barry Unger, President of Barry Unger Associates, Inc., 631 Main Street, Monroe, CT addressed the Commission. His firm has been there for 15 years; it is an architectural and construction management company.

He stated that Mr. Melisi approached his company to come up with a building that would fit this site. He used building and floor plans to explain the design. The idea was to create one large building that looked like three smaller buildings. All floors are contiguous. They are all straight lines. There are no breaks, no steps on any of the floors. It is just three different facades. Each façade is colonial in nature and fits the community. There are different cornice, panel and crown details. All three are brick, but in different colors.

Comm. Sylvester commented that they appear different in height.

Mr. Unger clarified that the center building was intentionally made higher to break it up. The buildings are all different heights. In regard to the patio and the importance of having Bridge Street was due to the fact that they have set up different entrances for this one building. There are outside entrances for the restaurant overlooking the courtyard, overlooking Derby and overlooking the new development on the rear. The center corridor goes up to Howe Avenue with more than one door that goes into the building where there are two sets of stairs and two elevators.

From Canal Street, there is a parking garage entrance, pedestrian entrance and service garage. All trash is kept inside the building. The Pulaski Club with the passageway in between, is at the end of the property.

The courtyard provided the width to create back to back parking, a ramp, stairs, an elevator and service area. He showed the Commission the layout of the parking garage.

The lower level of the parking garage has one elevator that can go all the way up. The elevator in the front of the building enters from the first level and provides an emergency exit directly into the street. This elevator goes up to the restaurant, office and condos. It will be equipped with a lock down to prevent office tenants from going up to the residential condo levels.

Mr. Unger showed the breakdown of rentable spaces on the office space level. He noted that they can be altered to accommodate the tenants needs. Ideally, one large tenant could take the whole floor. There is a main entrance with a vestibule to the side, doors into the restaurant and doors into the rented space. On the drawing he showed how a corridor beginning at one end of the floor could be used to get to the rentable space at the other end of the floor without going outside. Additionally, he pointed out restroom locations and the trash chutes which from the top floor all the way down to the lowest level. The restaurant, however, would be set up differently. The second floor offices can be entered from Howe Avenue, such as an attorney with his/her business on the main street. The stairs or elevator could be easily accessed from that entrance. The second floor includes bathrooms, offices broken up, 2 sets of stairs, 2 elevators and no extreme distance to walk.

Parking on Canal Street would provide for taking the elevator, walking down the courtyard and taking the center corridor on the floor below and come up to the elevator directly. The mail room is also located there so that postman doesn't have to access the office area.

Mr. Unger explained that their rendering of eight offices ranging from 1900 square feet to 750 square feet and another as small as 300 square feet. This configuration does not have to remain. He added that one nice feature is that there are windows on three sides for this project because of the courtyard.

Mr. Unger continued with a drawing of the top three floors. The condo apartments are above the usual standard – 1000 to 1600 square feet. All the units have walk-in closets and 7 out of 8 of the units are two bedrooms. Additionally, they include laundry areas and full baths. The larger end unit facing Canal Street, has a master bedroom with a master bath as well. He showed the location of the staircase, the elevator and trash chute. He pointed out that it was one long run and one long mechanical down the center. He showed a sample blueprint of the condos with all three floors laid out one on top of the other. However, they can be broken up in different proportions later on.

His next drawing showed the view from Bridge Street and Howe Avenue that is all one level. He pointed out the door to the interior corridor where the elevator can be accessed. Although it has three totally different looks, all floors are the same height except the building in the center has a slightly higher ceiling.

Canal Street is the entrance for the parking and the residents. The elevator in the back would go all the way up to the top floor. The elevator in the front exits on to Howe Avenue, as well as the stairs that serve as an emergency exit. The building will be code with all the necessary fire suppression items required.

Mr. Gumppar distributed copies of the architectural information and drawings that Mr. Unger has been referring to.

Chairman Cribbins asked if it would have a sprinkler system.

Mr. Unger stated that it would have fire hydrant sprinklers, totally engineered and efficient. His next drawing of the new Pulaski Club showed that it would be a two story building with a kitchen on both floors, as well as handicapped bathrooms, bar facilities and event rooms. Additionally, it has a remote egress. Two sets of stairs with a rear exit located in the basement. The front door exits into the front. The column details shown will mimic the details on the existing club. Since the original building cannot be saved, it will be a reproduction. The building will have a brick-look façade, and one side of the building will be saved for parking with wrought iron fencing around the other side with a continuation of fencing behind it. The building itself will act as a barrier to the parking garage. Mr. Unger asked the Commissioners if they had any questions about the buildings.

Mr. Panico asked him to discuss a bit about the skin of both of the buildings.

Mr. Unger showed him a brick-looking sample of a concrete Madera block which comes together as brick. It is available in multiple colors. It comes in sheets, but it is not a thin product. It looks like real brick but lasts a lot longer. All the crown moldings, the cornice work and details will be fabricated to last a long time. They don't think that they will be using wood, but probably a Dow product or something that stands up to the different colors.

Mr. Panico asked if this is a modular masonry product; it is not traditional brick.

Mr. Unger responded that right now it is going to be a brick, brick-look or masonry that will stand up and to help the costs. It will stand up and have the same appearance as brick, and the same colors. Although the rendering of the building shows three different shades, it is not painted brick. They have chosen this material for its durability. Mr. Melisi would like this building to be as maintenance free as possible.

Mr. Gumppar interjected that in reference to Mr. Panico's question about the skin of the building, this product would not be the brick wallpaper, vinyl-type material that some buildings have.

Mr. Panico asked what the basic construction of the exterior wall was – a frame system that something is applied to or a solid masonry wall.

Mr. Unger responded that it would be a frame system. At this point, the main building would be constructed out of steel with metal studs using an exterior Dow product or other product. They haven't come that far yet, but the building will be substantial.

Mr. Panico asked about the intermediate floors – are they frame, concrete.

Mr. Unger responded that they haven't planned that far ahead yet. There will be many engineers involved, but as of now, they haven't gone the rest of the way yet. This building will not be a vinyl clad and will look and be substantial.

Mr. Pogoda stated that he heard the word condos, but he also heard the residential units called apartments. He asked if they would be apartments or condominiums.

Mr. Gumppar replied that for zoning purposes, there is no difference. The present plan is for them is to be condo units; however, they may end up being apartments.

Mr. Lopera asked if, once the decision is made about what they will be, would they all be apartments, or all be condos.

Mr. Gumppar stated that the whole thing would be condos. He indicated that by state law and for zoning purposes, there is no difference between a condo and an apartment. Not to be evasive, they are both dwelling units. They are presently laid out as very nice condominiums.

Mr. Unger commented that when he sat down with Mr. Melisi, the intent was for condo units that is why there is so much storage, such as the walk-in closets, laundry facilities, larger rooms. The economy and market would be dictating what happens.

Mr. Panico stated that the reason for their interest is that the level of quality of some of the interior finishes varies according to whether a dwelling is going to be a rental unit or a condo unit. Generally, the units intended to be sold as condos are of a slightly higher quality.

Mr. Gumppar responded that in fairness to Mr. Melisi, he is interested in making these units high end and of good construction units of substantial size - 1000 to 1600 square feet each.

Mr. Panico asked for clarification about parking on site for the residential component with all other vehicles parking offsite. He stated that in preliminary discussions, the intent had been that those residential spaces would be available during the daytime hours for retail and office components of the development. Mr. Panico wanted to know if that was still true.

Mr. Gumppar explained that is hard to do as a practical matter. Retail would want to have parking spaces available on a Saturday, but many residents may be at home on a Saturday. It would probably be restricted to the residents.

Mr. Panico asked if that meant there would be no access to that parking except through the control of the tenant.

Mr. Gumppar replied yes, that is the plan.

Mr. Unger added that Mr. Melisi had been excited about units on the waterfront because this creates a new destination – retail, restaurant while staying right in Shelton.

Comm. Pogoda asked how many one and two bedroom units they had.

Mr. Unger responded that there were 7 two-bedroom units and 1 one-bedroom unit on each floor. (total of 21 2-bedrooms, 3 1-bedrooms). The end unit facing Canal Street is so large that it could be customized to a specific tenant and another bedroom could be added.

Comm. Pogoda stated that the presentation mentioned that the rear of the building on Canal Street requested a 75 foot height. What is the height of the middle building that is going over that end building? If that one building is 75ft, what is the height of the middle building?

Mr. Unger answered that from the front, they included that in the height. It is only going up about 2 ½ feet more.

Mr. Pogoda asked if the middle would be 77 feet.

Mr. Unger stated that in their proposal they requested 82 feet to take care of everything up to the highest point. The details have not been blown up yet; however, they know that it will all fit in there. The height requirements for each floor are adequate to put structure in and keep the ceiling heights high enough to do everything.

Comm. Sylvester asked how much higher Kyle's Corner is than Danny O's.

Mr. Unger stated that he didn't know that offhand but could get that info. Probably 10 or 12 feet. He told Mr. Sylvester that he would get the information to him.

Comm. Sylvester stated that he knows this piece of property very well because he grew up there. He indicated that much of what has been presented for this proposal is not that different than what existed there when he was a boy. There were no setbacks with buildings right up to the sidewalks. When Rapps burned down, he watched a common wall between the old Rapps and the present Danny O's be torn down. There was no separation between each building – they were joined together by one supporting wall. Outside of giving up a street which Shelton can't afford to do, the design is attractive and thoughtful. A lot of his reservations have to do with the parking.

He complimented them for their honesty about the project relying upon parking approval and the need for parking in the back. Mr. Sylvester commented that when he grew up there weren't anywhere near the number of cars out there as there are today. People downtown were pedestrians. Now there has to be a place for people to put their cars when they come downtown. The parking and traffic are what bother him; he thinks the project sounds exciting.

The traffic downtown and the parking are already bad - someone needs to provide relief in municipal parking. All the parking spaces Mr. Gumppar defined are already full. People that are developing on Howe Avenue now are already counting on that municipal parking lot on Howe Avenue. Development of downtown is great but the two pieces missing are the parking and traffic.

Mr. Gumppar replied that in the Plan of Conservation and Economic Development that issue is addressed that in the downtown corridor there should be a certain number parking spaces per square foot or per employee, etc. It is set forth in the plan and they should be provided in common by the city or entrepreneur who makes a living renting car spaces. However, at present, there is no market for paid parking. They hope that the parking is adequate for now and as the development continues, parking will somewhat cure itself (businesses that charge for parking, etc.). It is an issue for any planning commission; there is no way to bring development downtown without increasing the traffic.

Comm. Sylvester added that he doesn't mind increasing the traffic, if it can be accommodated. It is not so much the amount of traffic as where does this traffic go.

Mr. Gumppar stated that Mr. Melisi realizes this is a big risk in this project on his part; yet he is still willing to come forth with it. He relayed his experience with the positive development of downtown Fairfield through outdoor dining which offered no dedicated restaurant parking either.

Comm. Sylvester noted that Shelton has more of a residential component downtown than Fairfield. That is a big difference, especially because the Shelton residential component is increasing. The new retail and restaurants will be in competition with the people living there that need to come and go on a daily basis.

Chairman Cribbins asked if there were any other questions or comments from the Commission. There were none.

Mr. Gumpfar indicated that they would like to get going with the Pulaski Club. Bridge Street Partners owns most of the property but does not own the Pulaski Club property. That contract is contingent upon the approval of the Pulaski Club buildings for demolition and rebuilding before tearing down the rest of it. He requested the Commission to see fit to provide some encouragement that this project will go forward for approval, it would be greatly appreciated. He pointed out the portion of the Pulaski Club that would temporarily stay while the other part is demolished and rebuilt in the same general area. The portion that remained will then be torn down and rebuilt.

Chairman Cribbins asked about the 10 foot driveway in between the new Pulaski Club and the new building.

Mr. Unger stated that there wasn't going to be any parking there. It would only be used for maintenance. It would be paved, but not for cars.

Chairman Cribbins asked if a dumpster would fit in that space.

Mr. Unger stated that a rolling dumpster would fit there easily.

Chairman Cribbins commented that he was just trying to get a general sense of the width between those two buildings. He asked if there was anyone from the public who was for and against this application. There were no comments.

Chairman Cribbins mentioned to Rick Schultz that they would need input from the SEDC? and probably from the Downtown Merchants Committee. He would like to get as much input from them as possible. He asked Rick Schultz to solicit inputs from those groups and contact Jim Ryan as well. He stated that they will close the hearing, but it will remain open for any pertinent technical information.

On a motion made by Anthony Pogoda seconded by Patrick Lapera, it was unanimously voted to close Application 07-44.

OLD BUSINESS

APPLICATION #07-11, BARRY KNOTT ON BEHALF OF RICAR, LLC AND MIANUS HOLDINGS, LLC FOR PDD ZONE CHANGE (INITIAL DEVELOPMENT PLANS: MARINA EXPANSION, MULTI-FAMILY, RESTAURANT/CLUB HOUSE), AMENDMENT OF THE 2006 POCD BY MODIFYING CHAPTER 6, RESTRICTED COMMERCIAL DESCRIPTION AND CAM SITE PLAN, 704, 712 AND 722 RIVER ROAD (MAP 32, LOTS 16 AND 17), IA-2 AND IA-3 DISTRICTS – PUBLIC HEARING CLOSED ON 5/29/07) – AUTHORIZATION FOR EXTENSION ON REVIEW PERIOD (APPLICANT INITIATED) – DISCUSSION ONLY.

On a motion made by Anthony Pogoda seconded by Patrick Lapera, it was unanimously voted to authorize the extension on the review period for Application #07-11 through September 25, 2007.

Mr. Schultz provided an overview stating that the Commission has completed its site visit, received various correspondence read into the record (police and fire departments). Additionally, the Commission has examined most of the issues for this site, and this is the third or fourth meeting on this subject matter. Mr. Panico will discuss some Staff concerns and possible remedies; perhaps the Chairman could get a consensus tonight and provide some direction for Staff. He wanted to bring to the attention of the Chairman that the 65-day review period is coming to a close. The next meeting will be October 8th.

Mr. Panico began the discussion by bringing up some of the more important issues that the Staff and the Commission have been analyzing such as:

1. the general level of adequacy of parking in relation to the magnitude of slips being proposed.
2. the convenience of the parking to the various uses
3. the enhancement of the entryway for convenience

4. the development of internal convenience for pedestrians by creating stairways and repositioning the parking areas
5. the need for eliminating the dead end configuration by creating an emergency outlet at the northerly end of the site

All of these items are doable. Staff has spent more time looking at the convenience and distribution of the parking. Mr. Panico suggested that the present clubhouse building that contains the boating facilities, the clubhouse, the restaurant, pool support and other functions is a focal point of marina activity. Staff thought that it might be beneficial if it were separated a little bit. It looks like there is a possibility of readjusting how the site comes in or shortening where it comes into the site so that it comes in a more central location.

He suggested taking the clubhouse, restaurant component off of this building and creating another one. The boating, pool and cabana activity are for marina members only, so perhaps that portion could be relocated at the bottom of the site near the end of the condominiums. In this way, the one large building would become two smaller buildings. The stairway and crosswalk discussed by Staff earlier could then be tied into the clubhouse building. Mr. Panico noted that this is similar to the development scheme used at the Greenwich facility. He thinks that this merits examination as an alternative to the present plan. The Applicant has agreed to look into this possibility; it is doable.

Mr. Panico mentioned that he had discussed with Rick Schultz the possibility of enhancing the accessibility of the proposed sewer extension system to Murphy's Lane and the residents of Tanglewood Condominiums because of their history of septic problems. The Applicant originally conceived of bringing the sewer lines into the public roadway to the entrance of the complex at the southerly end. Since they were doing this internally, Staff spoke with the Applicant about the possibility of taking that sewer component of their site and bringing it up to the road. In this way, the sewer lines would be in the terminus of the public road system making it easier for Tanglewood residents to get into it.

The Applicant is willing to do this; however, it is a more expensive solution for them. It conjures up a different kind of line that needs to be brought up there and the need to work on a very heavily traveled state highway in or adjacent to the pavement. However, this is also doable.

Mr. Panico told the Commission that they need to conclude how they want to proceed because Staff can't offer any magic numbers about how many boat slips. He senses that the amount of parking there right now could probably be preserved in a more convenient fashion. He admits that he is not an expert on marina activity; however, he drove to Branford facility to see one of the bigger marinas. That marina is fed off of a single, narrow, unpaved street past a sewage treatment plant into its boatyard. Their facilities are older but similar to the one proposed here. It is strung out in a linear fashion. The proposed Beacon Point Marina is a much cleaner plan. Mr. Panico concluded by adding that he is comfortable that this plan will work on a daily basis with a single entrance and exit. Accessibility is on a steep grade which furthers the need for the emergency exit as a way out from the lower level.

Chairman Cribbins commented that with the knowledge that the Applicant is working with us to create the on-road sewer connection, this looks like a desirable project for the City. He asked Mr. Panico what effect that on road connection would have on the number of proposed condominiums.

Mr. Panico responded that the issues could be addressed without losing any condo units except possibly a single unit. Instead of having three breaks between the buildings, there could be one major break for where the road has to come out and another big break where a stairway connection could be created. By rearranging buildings a bit, more space could be created. His original thought had been that 2 or 4 units would need to go; however, he no longer thinks that loss is required.

Chairman Cribbins commented that he did not attend the site survey with the other Commissioners; however, he did go there the next day. The buoys positioned in the water looked reasonable. He asked for input from the other Commissioners as to their comfort level and thoughts about numbers of slips.

Comm. Sylvester stated that he was comfortable with the location of the first two buoys. He is still confused about the mechanics of how they are moving that channel. He thought the third buoy at the narrowing portion of the river seemed to go out too far out and left very little room for the tide to go down. It appeared to intrude on the river's activities. He'd like to see that third buoy reduced.

Chairman Cribbins asked Staff how far out that third buoy was.

Mr. Panico stated that from the location of it on the map, that buoy would be about 220 feet from the proposed bulkhead line. A practical matter to keep in mind is that the two solid piers require a certain length to be functional for ice protection and shell boating.

Comm. Sylvester asked if it was the same ice protection or if a new ice protection was being built.

Mr. Panico responded that the last upstream dock (the solid one) on the upstream (left) side is the ice protection for the marina.

Comm. Oraziotti asked how wide the dock was.

Mr. Panico answered that as it is drawn, it appears to be about 15 – 20 feet.

Comm. Oraziotti asked if the far side could be used as a fishing pier.

Mr. Panico responded that there had been discussion with the applicant about a fishing pier, and apparently there are some conflicts. There are a lot of expensive shells racked there that could easily be damaged by public fishing lines. He can't answer for the Applicant, but he believes that their answer about a fishing pier would probably be no.

Comm. Sylvester reiterated that he thinks that one buoy goes out too far. He thinks the overall project is a great project with a beautiful design. But he questioned how much is needed. The economic component that Chairman Cribbins brought out is important; however of equal significance is the quality of life on the river and access to the water. Comm. Sylvester commented that he agreed with the idea that everyone should have access to the waterway, not just certain people. He feels that the Commission should not get caught up in the number of slips this developer needs, but how everyone can use this river.

Additionally, Comm. Sylvester asked about the density of the project – restaurant, swimming pool, sales, storage, condos, etc. There is more land to be developed on this river, and the Commission is setting benchmarks here for the future Commissions to come. He feels the Commission needs to carefully note how many condos will be allowed in what size plot of land because that type of decision will come back to this Board later.

Comm. Sylvester concluded that he would like to see this project go through, but he wants it to go through in a way that preserves the entire riverfront forever. He commented about the Branford Marina being a nice facility on a level piece with great amenities and a lot of activity. He realizes that these types of marina facilities exist. He recalled that this proposed marina has the same amount of property as the existing two older Shelton marinas combined. Those two marinas have fewer than 200 slips, no restaurants, no sales and no public boardwalks. Those are the only benchmarks he has as to what marinas exist and how they are accommodated.

Mr. Panico stated that this marina sets a benchmark that he doesn't believe any future marina could ever adhere to anyway. The Applicant is guaranteeing public access to the entire water frontage of their facility. They don't have that today down there. The public components are being offered because they are asking the City to give consideration to the right of way of Murphy's Lane extension. Our job is to get the maximum that they can for the public, and the public is getting access to a 1000+ boardwalk, free boat launch and parking for Shelton residents, and boat accommodations for City Police and Fire.

Comm. Pogoda asked about the suggestion to make the large clubhouse building into two smaller buildings and if that would take away from viable parking.

Mr. Panico responded that it would take away some parking; however, it would allow the parking that remains to be more functional and better distributed. He'd like to see if they can generate a two building plan and how it might possibly look.

Comm. Pogoda asked about the relocation of some of the entry drive parking to the lower level.

Mr. Panico stated that there is a greater loss than originally thought with that concept. These alternatives for the parking would be part of the final plan. However, if the zoning component is decided, those things can be determined with the Applicant without a public hearing.

Comm. Orazetti asked Mr. Panico to show the location of his proposed separation of the clubhouse into two buildings.

Mr. Panico used the site drawing to show the locations of various components if the clubhouse were two divided into two separate buildings.

Comm. Orazetti stated that it seems to diminish the parking a lot.

Mr. Panico reiterated that the spaces left would be more efficient because about 20% of the more remotely located parking spaces probably won't be used anyway.

Chairman Cribbins indicated that he wants to provide Staff with some direction tonight. He asked Comm. Lapera what his thoughts were from the site visit.

Comm. Lapera commented that the condominiums and the pool/restaurant seem to have sufficient parking. In his opinion, the main component is the water and the boats. He also agrees that the third buoy was far out into the water. The other two buoys were fine because of the width of the river. He shared his thought that perhaps if the buoys were rearranged, not many slips would be lost, resulting in 265 – 270 slips. This would offer some parking relief as well. This would still allow for the width to accommodate a shell dock while only losing about 8% of the slip spaces.

Mr. Panico stated that from the tip of the last buoy to the bulkhead it is about 220 – 230 feet. As the channel moves away from the shore, they are able to put in a longer dock.

Chairman Cribbins asked Comm. Oraziatti for his comments.

Comm. Oraziatti asked what the difference was between Dock L and Dock M.

Mr. Panico stated it was about 10 feet.

Comm. Oraziatti added that he liked the idea of a one building clubhouse better than two separate ones.

Chairman Cribbins asked Mr. Panico what type of direction Staff would need to write a resolution.

Mr. Panico asked if the Commission could provide some “not to exceed” numbers for the amount of rentable slips, number of condo units and parking spaces. He noted that it seems that everyone is in agreement about the sewer line and the proposed traffic signal at Murphy's Lane. However, the traffic signal is at the behest of the State who can deny it no matter how bad they want it. He added that he could ask the Applicant for the possibility of finding a location somewhere for a designated fishing pier.

Chairman Cribbins reviewed the basic points necessary for Staff to prepare a draft resolution. He mentioned some points including –

- moving sewer line adjacent to Route 110
- a not to exceed, maximum of 23 condo units
- requesting that the Applicant investigate an alternative (2) building configuration for the restaurant, clubhouse and marina amenities
- creation of center staircase and a dedicated walkway between the upper and the lower level
- 265 slips with the possibility of moving the M dock to the L dock
- investigating the possibility of a fishing pier located somewhere on the site

Chairman Cribbins asked the Commissioners if they could give consensus on those parameter in order that Mr. Panico could go ahead with a draft resolution.

Comm. Sylvester claimed that he still has difficulty with the numbers. He can still recall all the haggling that took place with the Far Mill River Condos and the number of units there. It was under a lot of public scrutiny, and it was for half of the amount of condos requested here.

Mr. Panico stated that they are two different sites with different circumstances. They can't establish a condo density for one place in town that all other condo development would have to adhere to. That is not how planned development districts work.

Comm. Sylvester indicated that he understands that they need to move away from that thinking, but there must be a more comfortable middle ground. He stated his uncertainty with the number 23 condos and would like to leave it open for some negotiation in relation to how the parking development appears.

Mr. Panico stated that these numbers come only from the need to address the basic concerns and the ability to physically fit things in. If another number is decided that is fine; he is only concerned with what can physically be accomplished.

Comm. Sylvester commented that he isn't a developer and doesn't know anything about marinas; however, he does know about setting benchmarks. He stated that he has been on the Commission long enough to know that decisions continually come back to present themselves at this Board.

Chairman Cribbins asked Mr. Panico how flexible they could be while still moving this forward.

Mr. Panico stated that the Commission needs to put a zone in place to accommodate the development of this property with various components. There needs to be a standard in that zone such as a maximum of 23 condos – no more.

Comm. Sylvester asked if that number could be less than 23, like 20 units.

Mr. Panico responded that once a zone is in place, they give up a bargaining chip. At that point, the Commission can no longer mandate a not to exceed number. However, the Commission can express their dissatisfaction with the final plan and give the Applicant an opportunity to adjust their plan. Adjustments can be made to the orientation or configuration of the buildings later.

On a motion made by Patrick Lapera seconded by Leon Sylvester, it was unanimously voted to authorize Staff to prepare a draft resolution for Application #07-11.

APPLICATION #07-38, EVR JOINT VENTURE FOR SUBDIVISION APPROVAL (26 LOTS: TWISTED VINE ESTATES), FOX HUNT ROAD, OKENUCK WAY, POE PLACE AND DICKINSON DRIVE (MAP 174, LOT 11), R-1 DISTRICT – AUTHORIZATION FOR EXTENSION ON REVIEW PERIOD (APPLICANT INITIATED) – DISCUSSION ONLY

On a motion made by Patrick Lapera seconded by Leon Sylvester, it was unanimously voted to authorize an extension on the review period for Application #07-38 until October 9, 2007.

Mr. Schultz stated that the Applicant will not meet with Inland Wetlands until after the P&Z October 9th meeting. The Applicant is going to Inland Wetlands with the design that Foxhunt Road be connected to Poe Place. Dickinson Drive and Okenuck Way are located in that area as well.

He showed the Commission a large road map to show them the designated streets. Mr. Schultz asked the Commission for some type of consensus on the overall circulation plan.

He read the letter from the City Engineer regarding the joint meeting with the Fire and Police that has already been reported on.

***See attached letter to Richard Schultz from Robert Kulacz, P.E. City Engineer dated 9/25/07.**

Mr. Schultz reminded the Commissioners that the residents came to the public hearing to express their desire to have all the temporary cul-de-sacs remain permanent. The Fire, Police, City Engineer and Staff agree that certain connections should be made and were planned for by the previous Commission in the 60's and 70's. The Applicant proposes Foxhunt Road and Poe Place be connected. That has the least impact overall; however, extending Dickinson opens up those entire neighborhoods, which includes a lot of homes.

He continued to state that the philosophy of this Commission and past Commission has been to provide a secondary emergency route. Obviously, this is an emotional issue, because residents like living on their cul-de-sacs. Staff needs some direction before the Applicant meets with Wetlands. The Police, Fire and City Engineer think that Dickinson Drive should be included with the connection of Foxhunt and Poe Place. There are a lot of topographic issues with this neighborhood regarding wetlands.

Comm. Pogoda asked Mr. Schultz for clarification that the connection between Poe and Foxhunt added the least amount of impact.

Mr. Schultz added that yes it adds the least impact, and it provides a secondary means if East Village Road is blocked.

Comm. Pogoda asked if the other connections were needed at all.

Mr. Schultz responded that there is a need in the opinion of the Fire and Police. Weighing the pros and the cons, opening up the other roads brings in a lot of traffic. They aren't looking for any action tonight. This is an as of right subdivision with its biggest component being drainage and the subject traffic concern.

Chairman Cribbins asked for comments from the Commission.

Comm. Sylvester indicated that he has respect for the Staff recommendation and supports it.

Comm. Pogoda asked about the comments from the Fire and Police.

Mr. Schultz answered that the Fire and Police looked at the overall neighborhood and worst case scenarios, as they should. All the roads are temporary; back in the 1960's wetlands weren't an issue.

Chairman Cribbins asked to look at what was existing right now. Mr. Panico used the site map to show the Commissioners the existing cul-de-sacs and the planned extensions and alternative routes to Longfellow and East Village roads. He explained the parallel system previously used for road development and the location of wetlands.

Mr. Schultz indicated that he would pass this Commission comments on to Inland Wetlands.

APPLICATION #07-36, DAVDAN, LLC FOR SITE PLAN APPROVAL (RESTAURANT EXPANSION/RENOVATION AND PATIO AREA), 127 CENTER STREET (MAP 117B, LOT 35), CA-3 DISTRICT – DISCUSSION AND ACTION

Mr. Schultz distributed the site plans to the Commissioners and read correspondence from the City Engineer.

***See attached letter to R. Schultz from Robert Kulacz, P.E. City Engineer dated 9/25/07.**

Mr. Schultz summarized that the Applicant is converting this building into a sit-down restaurant that includes an expansion for the kitchen, bathroom and storage. There is a vehicular easement for employee parking and a dumpster.

Comm. Lopera asked if the office shown on the plan would be a rental office or the restaurant business office.

Comm. Oraziotti stated it would be an office for the restaurant.

Rick Schultz read the draft resolution.

***See attached Draft Resolution for Application #07-36.**

On a motion made by Leon Sylvester seconded by Patrick Lopera, it was unanimously voted to approve Application #07-36. Comm. Oraziotti abstained from voting with Comm. Karen Tomko-McGovern as the alternate.

APPLICATION #07-37, PHILIP WEINER ON BEHALF OF HEALTH NET OF NORTHEAST, INC. FOR MAJOR MODIFICATION OF DETAILED DEVELOPMENT PLANS FOR PDD #1A (PARKING GARAGE FOR HEALTHNET), ONE FAR MILL RIVER CROSSING (MAP 129, LOT 18) (PUBLIC HEARING CLOSED ON 8/14/07) – DISCUSSION AND ACTION.

Rick Schultz showed the Commission the location of Cold Spring Circle and the entrance to the proposed Health Net garage. There is a 1500 foot distance between them. Staff has been to the site because residents have expressed some concern about seeing lights coming from Health Net's facility during the winter months when their trees are not heavily leaved.

The Commission looked at the site drawing and discussed the distance between the residents on Cold Spring Circle and the proposed Healthnet garage, the topography and height of the garage.

Mr. Panico commented that the topography in between sticks out to the same height at the proposed garage. They might see some lights, but they would be 1500 feet away.

Mr. Schultz added that the issue will be how this garage lighting will be handled.

Mr. Panico read the draft resolution.

***See the attached draft resolution for Application #07-37 dated 9/25/07.**

Mr. Panico added that the zoning is already in place, they are considering a modification of the plans that would install this additional parking structure. They are looking for basic development plans to be followed up by detailed plans.

Comm. Pogoda commented that during the public hearing, they indicated that there wasn't much need for blasting.

Mr. Panico responded that they don't know what might be encountered there. Between now and the Detailed Development Plan, they should let us know of any need they have for blasting. They always have to be concerned about the utilities.

Mr. Schultz relayed that the Blasting Committee is recommending a policy for mandatory pre-blast survey within 200 feet. Even if the blasting requirement is brought to the end of the Health Net property, Cold Spring residents are still 500 feet away. He wanted to bring that to the Commission's attention. He asked the Commission if the blasting pre-survey requirement should be brought to the property line.

Mr. Panico stated that they don't even know if there is any blasting yet.

Comm. Parkins thought it would set a precedent.

Mr. Panico commented that despite the Blasting Committee, when any significant project goes through a detailed review with P&Z, they would have the authority to go beyond the requirements of the blasting ordinance.

On a motion made by Leon Sylvester seconded by Anthony Pogoda, it was unanimously roll call voted (6-0) to approve the resolution for Application #07-37. Comm. Oraziatti abstained from voting with Comm. Tomko-McGovern as the alternate.

APPLICATION #07-39, WILLIAM HODOSI FOR SPECIAL EXCEPTION/SITE PLAN APPROVAL (NEW BUILDING: DEALER'S LICENSE FOR AUTOBODY REPAIR), 803 RIVER ROAD (MAP 12, LOT 27), CB-2 DISTRICT (PUBLIC HEARING CLOSED ON 8/14/07) – DISCUSSION AND ACTION.

Mr. Schultz stated that the Commission directed Staff to prepare a favorable resolution on the Special Exception component. There are issues with the site plan. The Applicant is in agreement with the denial for the site plan portion of the application because he is proposing to do a drastic reconfiguration.

Additionally, he wanted to remind the Commission that across the street is the CRRA. They have contacted Staff and the project engineer. The engineer responded back that they will take the proper precautions.

Mr. Panico added that the reason this application went to a public hearing was because of the automotive component. All automotive type businesses are treated as traffic generators. Otherwise, it would have been a straight site plan approval. Staff has no real issues with the traffic aspects or the traffic generator components. However, they do have concerns and issues with the size of the site and the difficulty of its topography. They believe there may be better ways to lay out this property with the same size building proposed, if they have some freedom from the existing setback restraints. In this way, the building could be turned, brought closer to the street in order to develop a much more efficient service yard on one side of the building instead of breaking it up with part of it on the side and part of it in the front of the site. Additionally, this would eliminate the negative visual impact of an overhead door on River Road.

Mr. Panico told the Commission that Staff had an informal discussion with the Applicant, and he is willing to consider these things. He understands that there may be some variances required. Staff suggested recommending a positive action on the traffic generator component. The Applicant could do their due diligence with a new plan, with variances if necessary, without a new public hearing which would be necessary if this entire application were denied outright.

Mr. Panico read the draft resolution for the traffic generator component of Application #07-39.
***See attached resolution for Application #07-39 dated 9/25/07.**

On a motion made by Leon Sylvester seconded by Patrick Lapera, it was unanimously roll call voted (6-0) to approve the resolution for Application 07-39. Comm. Orazietti abstained from voting with Comm. Tomko-McGovern as the alternate.

APPLICATION #07-43, DATA CENTER PARTNERS, LLC FOR SITE PLAN APPROVAL (DATA CENTER), CONSTITUTION BLVD. SOUTH (MAP 65, LOTS 25, 26) LIP DISTRICT – DISCUSSION AND ACTION.

Mr. Schultz stated that this application was tabled at the last meeting pending a favorable report from the City Engineer. He read correspondence from the City Engineer approving the revised site plan. Additionally, they have received approval from the Fire Marshal.

***See attached correspondence from Robert Kulacz dated 9/25/07.**

Mr. Panico asked about the screening across the front of the loading area because it is faces the street, is set up on the hill and is quite visible. The previous discussion included the plan to create a landscaped wall in front of that corner.

Pat Rose from Rose, Tiso & Co. addressed the Commission. He clarified that they intended to use a double row of tall trees in that area.

Comm. Pogoda asked what the grade was from Constitution Blvd. to that building.

Mr. Panico stated that if you're on the street in front of the driveway, it would be an elevation of approx. 240. The building has an elevation of about 270. There is no natural vegetation there. His concern is that the driveway opening would give a view of the building's overhead door.

Mr. Schultz added that if they have the same result as Sure Source with the large trees well spaced, then he'd be satisfied.

Comm. Pogoda asked what they were planting there.

Mr. Rose responded that it would Austrian white pines, white fur and white pine trees, 6 to 8 feet tall.

Mr. Schultz added that a standard note that if the Commission deems additional material, it will be provided.

Much of the discussion was inaudible because more than one person was speaking at a time.

Mr. Panico asked what was in the area between the lower third of the driveway and the building.

Mr. Rose stated that it was a lot of vegetation and rock.

Mr. Schultz stated that the strategic planting should take care of this as in the case of Sure Source.

Comm. Sylvester left the meeting at 9:50 p.m.

On a motion made by Anthony Pogoda seconded by Patrick Lapera, it was unanimously voted to approve Application 07-43. Comm. Tomko-McGovern voted in Comm. Sylvester's place.

PROPOSAL OF SHELTON PLANNING AND ZONING COMMISSION: ADOPTION OF GIS GENERATED BUILDING ZONE MAP INCLUDING AQUIFER PROTECTION AREA (APA) (PUBLIC HEARING CLOSED ON 9/25/07) – DISCUSSION AND ACTION.

Mr. Panico asked if the Coastal Area Boundary show on that map.

Mr. Schultz said that it did not, but they have the layer? for that.

Mr. Panico stated that he doesn't know if that belongs in there or not but it has constraints that impacts property usage.

Mr. Schultz stated that the aquifer is state-mandated. Additionally, in response to an earlier question, a property owner owns the aquifer under his individual property with the right to take from it. However, if Aquarian wants to draw and it results in a bad yield, a civil matter could result. He contacted the State Attorney for the DEP and there hasn't been a case since the late 50's.

Mr. Schultz submitted the draft resolution for the record with an effective date of October 12, 2007.

***See attached draft resolution dated 9/25/07.**

On a motion made by Anthony Pogoda seconded by Patrick Lapera, it was unanimously roll call voted (6-0) to approve the Shelton P&Z Commission Proposal for the Adoption of GIS Building Zone Map with Aquifer Protection Area. Effective date is 10/12/07.

NEW BUSINESS

APPLICATION #07-45, LABORATORY CORPORATION OF AMERICA/DIANON SYSTEMS FOR MODIFICATION OF SITE PLAN APPROVAL (GENERATOR/EXTERIOR BUILDING ALTERATIONS), 1 FOREST PARKWAY (MAP 51, LOT 19), LIP DISTRICT – ACCEPT FOR REVIEW (CLOCK STARTED ON 9/11/07).

On a motion made by Daniel Oraziotti seconded by Patrick Lapera, it was unanimously voted to accept Application #07-45.

APPLICATION #07-46, DOMINICK THOMAS FOR PDD ZONE CHANGE (INITIAL DEVELOPMENT PLANS: 7 UNIT CLUSTER RESIDENTIAL DEVELOPMENT), 122 BUDDINGTON ROAD (MAP 62, LOT 31), R-1/LIP DISTRICTS – ACCEPT AND SCHEDULE PUBLIC HEARING.

Mr. Schultz stated that this was the property that immediately abuts Heritage Point. They tried to get a three lot subdivision through the Zoning Board of Appeals, and it was rejected. This is the current attempt for a high density residential project.

On a motion made by Patrick Lapera seconded by Ruth Parkins, it was unanimously voted to accept Application #07-46 and schedule a public hearing for October 23, 2007.

OTHER BUSINESS

APPROVAL OF MINUTES: 7/31/07 AND 8/14/07

On a motion made by Anthony Pogoda seconded by Patrick Lapera, it was unanimously voted to approve the minutes of 7/31/07 and 8/14/07.

8-24 REFERRAL: IMPROVEMENT TO BUDDINGTON ROAD/HUNTINGTON STREET INTERSECTION

Mr. Schultz read correspondence from the City Engineer dated 9/6/07 to R. Schultz endorsing the elimination of raised island at Buddington and Huntington Street.

***See attached correspondence from Robert Kulacz, P.E. City Engineer dated 9/6/07.**

He also noted that the developer of the Huntington Wood subdivision has not completed the required widening of the south end of Huntington Street. The Street Committee has been receiving requests to deal with that intersection, and it appears that the consensus has been to do a T intersection there. He reminded the Commission that Huntington Woods added 72 new homes off of Great Oak, Cathy and Wesley Drives; increased traffic has been reported.

Many of the Commissioners had concerns that were inaudible.

Mr. Schultz asked the Commissioners to take the time to look at this intersection and think about it.

On a motion made by Anthony Pogoda seconded by Ruth Parkins, it was unanimously voted to table the 8-24 Referral for the improvement to Buddington Road/Huntington Street intersection.

8-24 REFERRAL: WATER MAIN EXTENSION FOR HICKORY LANE

Mr. Schultz stated that a recommendation is needed for public water to Hickory Lane. In a letter dated 9/25 from the City Engineer, his office recommends extending public water to 12 homes.

***See attached letter dated 9/25/07 to R. Schultz from R. Kulacz, P.E. City Engineer.**

On a motion made by Anthony Pogoda seconded by Patrick Lapera, it was unanimously voted to approve the 8/24 Referral for the Water Main Extension for Hickory Lane.

PROPERTY SPLIT (INTERIOR LOT): 57 CHURCH STREET

Mr. Schultz asked the Commission to look at the three lots at Huntington Center that fall within the R-2 zone with a half acre. They allow interior lots. It is one and one half times or 30,000 square feet. There is a large lot there. He made a referral to the Parks and Rec Commission, and they have no recommendation other than making sure any home that goes in there knows there is a ball field immediately abutting it. There may be plans for lighting.

He added that he has contacted the Mayor's Office and there are no ongoing efforts for any acquisition for the three lots 57, 51 and 47.

Chairman Cribbins noted that there isn't any redeeming value for the City to go in and create an interior lot there.

Comm. Pogoda commented that it is redeemable to the point that the parking over by that ball field is bad. They could use this space for parking or an expanded field.

Comm. Lapera asked if the City was interested in buying it.

Comm. Pogoda said no they aren't.

Comm. Lapera doesn't think there should be another house in there.

Mr. Shultz stated that every vacant or oversized parcel is being examined by developers. Also note that there is a common driveway. He has correspondence from Dominick Thomas.

Comm. Cribbins indicated that there is no redeeming value to this lot. It is up to this Commission whether another lot in this location is necessary.

Mr. Schultz requested that it be tabled. Dominick Thomas had planned to be here. His client complies with the standards and asks to approve it.

On a motion made by Daniel Oraziotti seconded by Anthony Pogoda, it was unanimously voted to table the Property Split at 57 Church Street.

APPLICATION #07-29: MODIFICATION OF CONDITIONS OF APPROVAL FOR 2 LOT RE-SUBDIVISION (SLOSSAR: 14 BUCK HILL ROAD)

Mr. Schultz stated that the property owner has decided to deed it to his son which allows him to waive the payment in lieu of. Subdivisions of five lots or under have that option. The modification of condition changes the payment in lieu of to a waiver condition.

Comm. Pogoda asked if Staff checks into that to make sure it is deeded over to his son.

Mr. Schultz said it would absolutely be checked out.

On a motion made by Patrick Lapera seconded by Anthony Pogoda, it was unanimously voted to approve Application #07-29 – modification of conditions of approval for 2 lot re-subdivision (14 Buck Hill Road).

TUXEDO AVENUE EXTENSION: REQUEST FOR BOND REDUCTION

Mr. Schultz stated that the City Engineer recommended that the \$26,000 performance bond be released to \$6500 for maintenance.

On a motion made by Anthony Pogoda seconded by Patrick Lapera, it was unanimously voted to approve the bond reduction request for Tuxedo Avenue extension.

WHITE HILLS SHOPPING CENTER – REQUEST FOR BOND RELEASE

Mr. Schultz stated that they had a \$5000 site completion bond. Staff has inspected and everything has been completed.

On a motion made by Patrick Lapera seconded by Anthony Pogoda, it was unanimously voted to approve the bond release request for White Hills Shopping Center.

OAKDALE SELF STORAGE: REQUEST FOR BOND RELEASE – RIVER ROAD

Comm. Pogoda asked if they finished putting in those plantings.

Mr. Schultz recalled that had been a condition.

On a motion made Anthony Pogoda seconded by Patrick Lopera, it was unanimously voted to table the request for bond release at the Oakdale Self Storage.

ZONING ENFORCEMENT – 120 ISINGLASS ROAD: STORAGE OF COMMERCIAL VEHICLES IN RESIDENTIAL ZONE

On a motion made by Anthony Pogoda seconded by Patrick Lopera, it was unanimously voted to approve Zoning Enforcement at 120 Isinglass Road.

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

On a motion made by Anthony Pogoda seconded by Patrick Lopera, it was unanimously voted to adjourn at 10:17 p.m.

Respectfully submitted by,

Karin Tuke
Clerk

