SHELTON PLANNING AND ZONING COMMISSION

July 2, 2008

The Shelton Planning and Zoning Commission held a special meeting on July 2, 2008 in the Shelton City Hall, Room 303, at 9:00 a.m., 54 Hill St., Shelton, CT.

The following members were present: Chairman Anthony Pogoda

Comm. Chris Jones, Secretary (arrived 9:30 am)

Comm. Virginia Harger

Comm. Ruth Parkins

Comm. Tom McGorty

Commission Members absent: Comm. Leon Sylvester

Comm. Patrick Lapera

Staff members present: Richard Schultz, Administrator

Anthony Panico, Consultant

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

Tape (1) and correspondence are on file in the City/Town Clerk’s Office and the Planning and Zoning Office. Attachments are not available on the website.

Chairman Pogoda began the meeting at 9:18 a.m. with a roll call and the Pledge of Allegiance.

OTHER BUSINESS

ZBA Application #408-9: appeal decision of ZBA for property located at 7 Plum Tree Lane

Mr. Schultz distributed background information and then gave an overview of the recent ZBA decision to grant a variance allowing the location of the square on the lot to encroach within an above ground utility easement area adjacent to property located at 7 Plum Tree Lane. He then gave the history of the seven lot CRD residential development and how the Commission has denied each applicant to create an eighth lot.

Chairman Pagoda indicated that this sitting Commission has always interpreted and regulated the location of the square on the lot for all of its subdivisions the same way and has never allowed the square to encroach within an above ground utility easement. The Commission in its
actions tries to be consistent and does not arbitrarily deny lots without reasons provided in the zoning and subdivision regulations.

The four members present agreed that the matter must be appealed so that this situation does not happen again.

Mr. Panico added that the Commission should challenge this variance in this instance.

**On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously voted to appeal the decision of the ZBA relative to Application #408-9.**

**On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously voted to adjourn at 9:32 a.m.**

Respectfully submitted,

Richard D. Schultz, AICP

Recording Secretary