

**SHELTON PLANNING AND ZONING COMMISSION**

**ANNUAL REPORT**

**January 1, 2009 – December 31, 2009**

Members: Anthony S. Pogoda, Chairman and Vice-Chairman (effective 11/24/09)  
Ruth Parkins, Regular and Chairman (effective 11/24/09)  
Patrick Lapera, Vice-Chairman (ended 11/24/09) and Alternate (effective 11/24/09)  
Chris Jones, Secretary (term ended 11/24/09)  
Virginia Harger, Regular and Secretary (effective 11/24/09)  
Leon J. Sylvester, Regular (term ended 11/24/09)  
Joseph Sedlock, Alternate and Regular (effective 11/24/09)  
Thomas McGorty, Alternate and Regular (effective 11/24/09)  
Joan Flannery, Regular (effective 11/24/09)  
Ludwig Spinelli, Alternate (effective 12/9/09)

Staff: Richard D. Schultz, AICP, Planning and Zoning Administrator  
Patrick J. Tisi, Asst. Planning and Zoning Administrator/ZEO  
Thomas H. Dingle, Zoning Enforcement Officer

	1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter
Regular Meetings:	Jan. 13, 2009	April 14, 2009	July 14, 2009	Oct. 13, 2009
2009	Feb. 10, 2009	March 10, 2009	May 12, 2009 June 9, 2009	Aug. 11, 2009 Sept. 8, 2009
				Nov. 10, Dec. 8, 2009

Special Meetings: Jan. 21, 2009      April 28, 2009      Aug. 25, 2009      Oct. 27, 2009  
Jan. 28, 2009      May 20, 2009      Sept. 22, 2009      Nov. 24, 2009  
Feb. 24, 2009      May 27, 2009  
March 24, 2009      June 23, 2009  
June 30, 2009

## GENERAL

The Planning and Zoning Department continued to experience a significant slow down for the entire calendar year due primarily to regional, state and national economic conditions. Most of the commercial/industrial development continued to take place within the Route 8 Corridor area with additional development primarily within the Shelton Heights Industrial Park and River Road areas. Residential development remained very slow due to the down market. The redevelopment of the Downtown area continued to remain strong. The Commission continued to implement the recommendations of the 2006 Plan of Conservation and Development. Staff meetings were held to provide general zoning and planning assistance to developers and their technical teams interested in commercial and residential development.

The Commission continued to meet up to two meetings a month to review and act on various zoning and planning applications and referrals. Seven (7) separate public hearings were held to consider eight (8) Special Exception Applications, two (2) Zoning Regulations Amendments (initiated by PZC), one (1) Zoning Map Amendment (initiated by PZC), two (2) Modifications of PDD's, and one (1) Re-subdivision Application.

# I. **PLANNING AND ZONING ADMINISTRATOR**

The Planning and Zoning Administrator received and processed the following applications for this period:

<b>APPLICATIONS</b>	<b>FEES COLLECTED</b>
1. Four (4) Subdivision Applications (5 new lots)	\$ 430
2. Zero (0) Re-subdivision Applications (0 new lots)	0
3. Six (6) Site Plan Applications	1,640
4. Four (4) Modification to Site Plan Applications	1,330
5. Ten (10) Special Exception Applications	7,800
6. Zero (0) Modification of Special Exception Applications	0
7. One (1) Temporary Special Exception Application	780
8. Zero(0) PRD Application	0
9. Zero (0) CRD Application	0
10. Zero (0) SDA Overlay Zones	0
11. One (1) PDD Applications	97
12. Seven (7) Modification of PDD's	2,490
13. Zero (0) Zoning Regulations Amendments	0
14. Zero (0) Subdivision Regulations Amendments	0
15. Zero (0) Zoning Map Amendments	0
16. Zero (0) Coastal Area Management Site Plans	<u>0</u>
<b>Total Revenue</b>	<b>\$11,057</b>

The Administrator also attended and participated in the following meetings/conferences:

1. Six (6) Staff Meetings with Planning Consultant
2. Six (6) Downtown Subcommittee Meetings
3. Two (2) Zoning Subcommittee Meetings
4. One (1) Budget Workshop Meeting
5. One (1) PUAC Meeting (former members)

## II. COMMISSION ACTION

Approved:

1. Four (4) Subdivision Applications: **(total 3 new building lots)**
  - a. Marshal Meadows: 151 Nells Rock Road: 3 lots (re-approval and previously reported)
  - b. Dlugas Subdivision: 88 Valley Road: 2 lots
  - c. Paez/Hopkins Subdivision: River Road: 2 lots (re-approval and previously reported)
  - d. Pole Brook Estates: 353-357 Shelton Avenue: 3 lots
2. Zero (0) Re-subdivision Application: **(total 0 new building lots)**
3. Five (5) Site Plan Applications:
  - A. Commercial
    1. Primer America Realty Corp. (renovation to mix use bldg.): 42-44 Bpt. Ave.
    2. Broadbridge Hill Dev., LLC (4,800 commercial bldg): 140 Bpt. Ave.
    3. Poulsen Hydrid, Inc. (windmill): 6 Waterview Drive
    4. All Car Care II (automotive garage): 61 Center Street
    5. Shelton Truck Center Sales and Repair: 445 Access Road
    6. Center Stage Inc. (indoor theatre and assembly hall): 405 Bpt. Ave.

7. Johnny's Pizza (renovation work for mix use bldg.): 350 Howe Ave.
  
4. One (1) Modification to Site Plan Applications:
  - A. PLR Enterprises, LLC (3,300 sq. ft. addition): 415 Bpt. Ave.
  
5. Seven (7) Special Exception Applications
  - A. Office
    1. R. D. Scinto (110,000 sq. ft. Office Building): Farrell's Office/Mfg. Bldg.
  - B. Residential
    1. White Hills Eagle RC Club (private club): Birdseye Road
    2. Pam John, LLC (conversion of mix use to 6 dwelling units)
  - C. Commercial
    1. Schaible Realty, Inc. (10,680 sq. ft. restaurant/pub): 475 Howe Ave.
    2. Butler Commercial Services (renovation/food establishment): 99 Bpt. Ave.
    3. TLC Kennels, LLC (commercial kennel): 40 Oliver Terrace
    4. Bridge to Preschool, LLC (pre-school): 917 Bpt. Ave.
  
6. Zero (0) Modification of Special Exception Application:
  
7. Zero (0) Temporary Special Exception Application:
  
8. Two (2) Zoning Regulations Amendments
  - A. Aquifer Protection Area (APA) (PZC initiated)
  - B. Sections 2 and 3 (PZC initiated)

9. One (1) Zoning Map Amendment

A. Derby Well Field (PZC initiated)

10. One (1) Planned Development District (PDD):

A, Industrial

1. Long Hill Cross Road, LLC (9,200 sq. ft. industrial bldg.): Long Hill Cross Road (Final Site Plan)

11. Three (3) Modification of Detailed Development Plans (PDD):

A. Residential

1. Aspen Ridge Condo's (turning lane): Commerce Drive
2. Aspen Ridge Condo's (stone wall/fence): Commerce Drive
3. Primrose Companies (Sites C and D 33 dwelling units and 32,760 sq. ft. of commercial space): Canal Street (Final Site Plan)

B. Commercial

1. Stop and Shop Supermarket (signage): 898 Bpt. Ave.
2. Shop-Rite Supermarket (2,575 sq. ft. bldg. expansion): 875 Bpt. Ave.

12. Zero (0) SDA Overlay Zone:

13. Zero (0) Planned Residence Districts (PRD):

14. Zero (0) Conservation Residential Development (CRD)

15. Zero (0) Coastal Area Management (CAM):

16. Thirteen (13) 8-24 Referrals:

- a. License agreement with Maybeck for 279 Soundview - reported favorably
- b. Disposition of property at 279 Soundview Avenue - reported favorably
- c. Disposition of Middle Avenue – reported favorably
- d. Disposition of 470 Howe Avenue – reported favorably
- e. Disposition of Access Road- reported favorably
- f. Disposition of property at 279 Soundview Avenue – reported unfavorably
- g. Purchase of Middle Avenue - reported favorably
- h. Disposition of 58 Perry Hill Road – reported unfavorably
- i. Extension of water main to Treeland Road - reported favorably
- j. Abandonment/Discontinuance of Access Road – reported favorably
- k. Acquisition of 74 Perry Avenue property (parking lot): reported favorably
- l. Aspen Ridge: license agreement – reported favorably
- m. 17 Mt. Pleasant Street (temp. easement) – reported unfavorably

17. Miscellaneous:

- a. Approved '10 Meeting Schedule
- b. Approved 90 day extension for 242-245 Long Hill Cross Roads Sub-division
- c. Zoning Enforcement Action for 26 Hamilton Drive, 44 Lisa Drive, 163 Long Hill Cross Road, 171/173 Division Avenue, 1 Hillside Avenue, 49 Maple Avenue, 32 Spoke Drive, 430 Waverly Road, 27 Hearthstone Drive, 52 Howe Avenue
- d. Reported favorably on Riverwalk extension
- e. One year extension on Site Plan Approval for Crescent Village Condos
- f. Zoning Enforcement for 43 Quaker Ridge
- g. Approved 90 day extension for Meadow View Cluster Development
- h. Zoning Enforcement for 31 Lucille Drive and 15 Maple Lane Ext.
- i. Elected Parkins as Chairman, Pogoda as Vice-Chairman and Harger as Secretary

18. Eight (8) Bonds: Release/Reduction/Call

- a. Crescent Village Condo's: Site Bond Reduction
- b. Twisted Vine Phase 1 and 2: Erosion Control Bond Reduction
- c. Glen Grove Estates: Performance Bond Release
- d. Avalon Shelton II: Site Bond Release

- e. Twisted Vine Est. Phase I: S&E Bond Reduction
- f. 495 River Road: S&E Bond Release
- g. Health Net Garage: S&E Bond Release
- h. 828 Bpt. Avenue – S&E Bond Release

19. Three hundred and three (303) Applications for Certificate of Zoning Compliance

a. Single Family Dwellings	16
b. Condominium Units	0
c. Two family dwellings	0
d. Apartment Units	<b><u>5 21 dwelling units Appr. For 2009</u></b>
e. Pre-manufactured home	1
f. Accessory Dwelling Units	6
g. Accessory Structures	33
h. Additions	56
i. Pools	17
j. Barn	0
k. Signs	20
l. Temp. Trailer	0
m. Lighting	0
n. Retail/Commerce Office Occupancy	36
o. Corp./Ind. Occupancy	12
p. Home Office	28
q. Home Occupation	2
r. Decks	39



s. Telecommunications	5
t. Propane Cylinder Exchange	3
u. Comm. Kennel	1
v. Finished Basement	1
w. Holiday Hours	1
x. Roof Alteration	1
y. Addition to School	1
z. Dance Studio	1
z1. Commercial Buildings	3
z2. Parking Lot	1
z3. Interior/Exterior Renovations	3
z4. Interior Alterations	1
z5. Temp. Garden CenterTent	1
z6. Eagle Scout Project	1
z7. Outside Tables for Restaurant	1
z8. Retaining Wall	1
z9. Outside Lighting	1

**Withdrawn:**

1. #09-02, 2 lot subdivision, Buddington Road
2. #09-24, UMH emergency generator, 580 Long Hill Ave.
3. #09-11, Ricar LLC, River Rd.
4. #049, roof alteration, 60-64 Huntington St.
5. #09-14, URS (recycling cte.) – 90 Oliver Terrace

**Denied:**

1. #09-10, 714, LLC (Crabtree Property) PDD Zone Change: – 405-407 Bpt. Ave.
2. #09-27, Splash Car Wash Oil and Lube Cte.) – 376 Bpt. Ave.

21. Open Space

- a. Fee Simple Conveyance to City (0 total acres)
  
- b. Conservation Easement (0 total acres)
  
- c. Payment in Lieu of Open Space (\$15,000 Total Payment)
  1. Marshal Meadows Subdivision: Nells Rock Road (\$15,000.00): previously reported in 2008

**iii. ZONING ENFORCEMENT OFFICER**

The Department’s Zoning Enforcement Officers, responsible for the enforcement and interpretation of the local Zoning Regulations, ordinances, and enforcement of sedimentation and erosion control, reviewed and processed the following:

I. Zoning Complaints

Complaints received	35
Complaints resolved	23
Pending complaints	21
Notices of Violation issued	6

Cease and Desist Orders issued	4
Court Action initiated	1
Court Injunctions issued	0
Stop Work Orders	6
Notice of Deficiency	8

II. Weekly Inspections Conducted

1. Crescent Village
2. Boehm Pond Woods
3. Meadow Wood Estates Subdivision
4. Huntington Estates Subdivision
5. The Center at Split Rock
6. Housatonic Rise
7. Huntington Wood Subdivision
8. Hubbell Building
9. Twisted Vine Estates
10. 828 Bpt. Avenue
11. 495 River Road
12. 865 Bpt. Avenue
13. Hodosi Project, River Road

III. Application/Regulations Revenue

395 - Applications for Certificate of Zoning Compliance	\$ 7,540.00
1 – Non Conformity	0
2 - Zoning Regulations	50.00
1 - Zoning Maps	20.00
0 – PDD Inventory	20.00
0- Subdivision Regulations	40.00
0 - Plan of Development	0

8 – Accessory Dwelling Units	960.00
0 – Rte. 8 Update	0
0 – Open Space Plan	0
Miscellaneous	<u>130.00</u>
<b>Total Revenue</b>	<b>\$8,760.00</b>

## **SHELTON PLANNING AND ZONING DEPARTMENT**

### **2009 Summary Breakdown**

I. Planning and Zoning Department Revenue - **\$19,817.00**

#### II. Residential Development

A. Residential Subdivision Lot Approvals: 3 Lots

B. Residential Re-subdivision Lot Approvals: 0 Lots

### 3 Total New Residential

#### Building Lots

C. Multi-Family Development Approvals: **38 dwelling units** (Stanley Market Bldg, 1 Bpt Avenue, and Sites C and D on Canal Street)

#### III. Residential Permits

##### A. Total Dwelling Units Approved for

construction in 2009: 21

(2008: 270 Total Units)

##### Breakdown

Single Family: 16

Condo Units: 0

Apartment Units: 5

##### B. Total Cert. of Occupancy for New Dwelling Units in Year 2009: 15

##### Breakdown

(2008): 318 Total Units)

Single Family 150

Condo Units 0

Apartment Units 0

#### IV. Industrial/Commercial Development (approved for construction/occupancy)

##### V. A. Light Industrial

1. 54,860 sq. ft. (bldg. expansion): Mercantile Development: 10 Waterview Dr.

2. 110,000 sq. ft. (new building): R. D. Scinto (Farrell's Bldg.): Waterview Drive

**164,860 sq. ft. Grand Total**

##### B. Commercial

1. 2,575 (building expansion): Shop Rite: 875 Bpt. Ave.

2. 32,760 sq. ft. (conversion from industrial to commercial): Sites C and D,

Shelton Riverfront Development: Canal Street

**35,335 sq. ft. Grand Total**

V. Open Space Dedication (0 acres scheduled to be conveyed)

VI. Payment in Lieu of Open Space (\$15,000.00 Total) previously reported in 2008

A. Scheduled payment to the Open Space Trust Fund as the result of  
subdivision approval in 2009

1. Marshal Meadows (Nells Rock Road): \$15,000.00