

Crescent Village Condos and Centrix, an existing industrial building, location of the Housatonic River and other industrial buildings located nearby.

Mr. Swift indicated that the existing zone is an IA-2 zone, and they are proposing, through consultations with Staff at preliminary meetings, to propose the PDD. It is important to note that this needs an SDA overlay as well. So the intention for this property is both the SDA and the PDD.

Mr. Swift showed a site plan showing the existing building at the front of the site. He stated that their intention is to convert that use from an industrial use to a retail use. Joe Mingolledo will provide a more detailed plan as to how they will go about that. It is approx. 11,800 square feet.

Mr. Swift stated that toward the back of the site, they are proposing a medical office type of facility. It would be a 5-story structure, as seen from River Road. Going around to the back of site, there will be parking underneath the building; from that elevation, it has the appearance of a 6-story building. They are trying to take advantage of as much of the parking layout and grade changes as they can. These two uses share 262 parking spaces. He added that in the last 10-15 years, the town of Shelton created mixed use developments that can share parking, and that is basically what they have done here.

Mr. Swift indicated that the Inland Wetlands Commission has strict review procedures for anything that is alongside a major watercourse, and of course, the Housatonic River is a major one. It has a 100 foot upland review area and anything done within those 100 feet comes under the scrutiny of that Commission. They have basically taken the tact that there is a bit of a grade change there and there is no reason for them to get into it. What they have done is kept all their construction more than 100 feet away from the Housatonic River. They have completely satisfied the Inland Wetlands Commission for their consideration of what would trigger a permit to them. In conversations with John Cook, the enforcement officer, he is very pleased with that tact.

Mr. Swift stated that is where they have concentrated their green space, mainly for the reason that it is near the River. They are aware that this Commission has gotten into discussions with any applications that are along the Housatonic River. Public access and public amenities down along the River have always been at the top of that conversation. He stated that they are open, willing, and able to have those discussions for public access and things of that nature.

Mr. Swift showed a site grading plan and explained that the site is fairly flat traveling from the front to this point in the back. It has a series of little valleys and humps and that makes it easy for grading and keeping erosion under control. In the storm water category, as the Commissioners may know, there is a fairly strict ordinance now for storm water maintenance and planning that has been approved by the BOA and enforced by the City Engineer. He takes satisfaction from the City Engineer's letter because this is one of the first that he's aware of that puts the storm water management plan in the format that is intended to meet the water quality and requirements for that ordinance.

Mr. Swift added that it is pretty detailed and intensive. He showed the location of the underground systems shown in dark blue on the drawing. He stated that they found excellent soils on portions of the site and they are getting all that water back into the ground water system. He'll discuss that more when he talks about the CAM comments. He stated, for the record, that there is no discharge to the River. He had a lot of conversations with the DEP and the Long Island Sound Program representative who wrote those letters. He told them that he needed some sort of overflow discharge to the River and he was told that he could apply for it but it wouldn't be well-received. They don't want any new

piping or discharge into the River. Mr. Swift indicated that they managed to accomplish that on this site. He thinks that they will be happy with that when they go over it in more detail.

Mr. Swift stated that all the utilities that are necessary exist on the site for the completion of this plan. He briefly discussed the erosion control and indicated that they are basically keeping all these run-off issues centered in the site. He showed on the drawing the only point on the site that is an exception to that, where they will have to do some careful planning, double rows of hay bales and things of that nature. He indicated that the bottom line is that they will have no trouble meeting the Connecticut soil erosion control standards and guidelines for this type of construction.

Comm. Harger asked for clarification of the location that he referred to as being fairly flat on the site.

Mr. Swift showed the location of the flat area a little bit behind the face of one of the buildings. He showed where it begins to fall down. He explained that is what they have taken advantage of by dropping a floor as they go down because they are trying to stay close to the grade, and they are parking underneath that exposed floor of the building.

Mr. Swift stated that this is an IA-2 zone, and they thought about how they could develop a site in the IA-2 regulation. They probably could have, and if Tony Panico were present, he'd probably put together a report for the Commission. There are some things that are allowed in the IA-2 zone and are not allowed. They wanted certain uses such as the medical use which is not allowed in the IA-2 zone; it is an important aspect of their application. He also felt that Staff was more comfortable with the PDD because the PDD gives this Commission the full control of the details of the plan that they would like to have.

Mr. Swift explained some comparisons with the IA-2 zone including lot coverage, of the building allowing 40%; their actual is 9.7%. The floor area ratio in IA-2 allows 80%; they are at 34.5% and that is even with a multi-story building in the back. They are well within most of those. The one that they did increase a little bit was the impervious coverage because it is kept back where all the drainage gets put back into the ground and puts no discharges into the River. That is 75% and they are requesting 80.1.

Mr. Swift explained a few issues on the setbacks. He showed that for their office building, some of the stair towers get a bit close to the property line. Those are the kind of things, that as this Commission reviews this, they have the discretion to examine them for appropriateness or request modifications.

Mr. Swift stated that the ability to control the construction of the site really was what made this the determining factor to kick this to the PDD application format.

He indicated that he wanted to address a couple of the issues in the DEP CAM application. There is one issue that he feels should be pointed out because it is the most important. He commented that the Commission can take the letter of suggestion – the kayak launch, the walk, etc. – these are things that are on the record as things that they are willing to discuss to get that public access aspect into the proposal. But there is one issue where the proposal calls for extension clearing, cutting, grading and significant increased impervious coverage that would vastly increase the storm water run-off to the Housatonic River. As he stated, there is run-off from this site that does get to the Housatonic River now that will not get to the Housatonic River once they are done. They are taking all that water and basically all the water that falls on the site, back to about this point and collected in these underground systems and it is 100% up to 100 year

storm, and put back into the ground water system. He added that they got very lucky and found excellent sand and gravel there that can suck everything up just like a sponge. He indicated that he would let Joe discuss some of the architectural elements.

Joe Mingollelo, Mingollelo & Hayes Architectures, 90 Huntington Street, Shelton addressed the Commission. Mr. Mingollelo used a site drawing to point out Building A which is an existing industrial building. He indicated that it is a very tired building that has been there for a long time. Their plan is to basically remove the skin of the building and leave the structure as it is and reface it. The nice part about this, in going down Route 110, all the parking is tucked in behind the renovated building, so it is not seen until entering the site. Additionally, the office tower itself has some fantastic views of the Housatonic River.

Mr. Mingollelo began with discussing the first building, the industrial building. It is 11,800 square feet and it is a typical rectangle. They are going to take the skin off this building. He reiterated that this is an old industrial building that has been there for a long time. They are going to reface it and they have a couple of options. They have designed it so that they can have a multi-tenant building or it could be one tenant. If the office building is to be some sort of a medical use, this could be the perfect drugstore or a multi-tenant. It has a drive-up that loops up, around, and out.

Mr. Mingollelo showed a couple of elevations depicting the front on River Road. He showed that it is broken into four entrances. They bumped it up and down a little to add some interest to the façade and articulated the corners with some stone, so it would be a thin stone veneer. They would wrap up and around and then they brought it back down along the front. He showed the location of some big cornices, moldings, brackets. He indicated that the light tan color shown on the drawing would be a stucco finish and then they added some fabric awnings and canopies to add color and texture to the building. It is all storefront glass work. It is relatively simple; it is more of an arts and crafts type of architecture. They have done a few of these and they've been very successful.

Mr. Mingollelo showed the back elevation from the parking lot. He showed the north elevation that would be seen if driving south on River Road. He showed how the glass turns the corner; the roof turns the corner, so they've got glass on the side elevation which will be fairly exposed. On the side near the Centrix building, that building is up close to the road, so there is landscaping so it is not very visible. He indicated that the two very visible facades are the front and the north elevation. He stated that was basically the architecture for the 11,800 square foot building. He asked if the Commissioners had any questions before he moved onto the next one.

Chair Parkins asked a question regarding what is facing the driveway.

Mr. Mingollelo responded that the long elevation is the front, River Road.

Mr. Mingollelo showed a rendering of the office building and explained that, as Jim Swift mentioned there is a grade change that breaks about halfway and slopes off onto the river. He showed the location of where they have created some parking underneath and the building above it. He showed the location of the parking in the front and the back.

Mr. Mingollelo showed the entrance, the lobby, the elevators to upper floors, mechanical equipment and file storage locations. He showed the ground floor, main elevation, they have a lobby with a canopy that runs out. He indicated that

the lobby is five stories tall; he pointed out the location of the elevators and the stairs. He indicated that this could be one tenant or multiple tenants.

Mr. Mingolledo stated that the 2nd, 3rd, 4th and 5th floors are all the same. He showed the layout and explained that it is a 5-story lobby. He showed the location of the elevators, stairs, and the same layout. He stated that there were stairs on each end for exiting the building so that goes all the way up.

He showed a rendering of the front elevation and pointed out the location of the canopy and entrance. He indicated that it has a stone panel system that runs around for the first two stories and on the back it is two stories. It is basically a glass curtain wall. He showed the lobby space that goes the whole length of the building. He indicated that the total height of the building is 72 feet. He stated the elevation shown was about 63 feet and that is basically the same height of the Sports Center Rinks building. The Rinks was 63 feet, basically a 5-story building.

Comm. Pogoda asked how high the center portion of the building would be.

Mr. Mingolledo responded that it is 72 feet, but it only goes back for about 20 feet into the building. The flat part is the main part of the building and it is approx. 63 – 64 feet. It goes up another ten feet from there.

Chair Parkins asked why the stair tower exceeded the main part.

Mr. Mingolledo responded that the code requires anything over 4 stories to provide a full stair up to the roof to access the mechanical equipment.

Chair Parkins asked if it was an exterior staircase.

Mr. Mingolledo responded no, it is an interior stair – enclosed.

Comm. Flannery commented that on the other drawing, he had shown them staircases out to the sides of the building.

Mr. Mingolledo responded yes, there are outside. They have three staircases, one is internal and two are outside. He showed the drawing and explained that the two side stairs were bumped out but enclosed.

Mr. Mingolledo stated that Jim Tortora had given him a call about a comment made from the Engineer about the access of 24 feet versus 26 feet. He indicated that Jim is comfortable – he knows that this is going to be a sprinkler building, so if they cut it back to 24, it would be OK at the lower end. He told them that they had 26 feet for emergency vehicle access along the main drive and couple other in the parking. So Jim was comfortable with all of that. He concluded the presentation of the architecture for the retail building in the front and the office building in the back. He introduced the traffic engineer from Clark Associates to discuss the traffic this would generate.

Mike Gallante, Traffic Engineer, Frederick Clark Associates, Fairfield, CT addressed the Commission. Mr. Gallante distributed copies of his traffic report to the Commissioners. He indicated that he would provide an overview of his traffic report and answer any questions that they have. He added that all of the graphics that he will be showing are available in the report.

Mr. Gallante pointed out the main venues for reference purposes include Rt. 110; Merritt Parkway; Main Street, Stratford; Sikorsky facility; River Road and the Sports Center. The traffic study showed and named the intersections included in the traffic study. He pointed out significant intersections - the intersection at

Warner Hill Road by Sikorsky's driveway with a traffic signal; the Long Hill Avenue intersection controlled with a STOP sign; the Sports Center driveway because it is near the site; and the Crescent Village Condo driveway used as a northerly point.

Mr. Gallante indicated that in going through the process, they identified traffic conditions, number of lanes, posted speed limits, lane widths, and traffic control to develop the analysis. He showed the location of the proposed site.

Mr. Gallante stated that they conducted traffic counts. He added that because of the interesting winter they have been having this year, they haven't done the traffic counts until just recently. They did traffic counts on a Friday and a Saturday recently. They compared this data to Connecticut DOT data since it is a State highway. Their findings were almost identical, slightly higher, so they know that they are in the right range as far as traffic volumes. At some point this will have to be examined by the STC and CT DOT for a permitting process.

Mr. Gallante indicated that they identified the traffic peak on weekday mornings from 7:30 a.m. to 8:30 a.m. The volume of traffic on Main Street and River Road is approx. 1200 vehicles in the a.m. and p.m. and on Saturday it has 900 vehicles – much lower than weekday conditions. It is safe to say that Sikorsky is the driving force as far as traffic volumes in the area and even on Saturday, Sikorsky has people working but not the same numbers. The difference in traffic volumes is clearly related to Sikorsky and of course, the interchange with the Parkway itself.

He stated that they identified two-way traffic patterns, as far as two-way volumes on 110 itself. It clearly shows the morning hour is the peak hour and the volumes drop off during the day and in afternoon around 5:00 p.m. there is another spike in the traffic volumes. He added that this is the data that they used from the State to match their traffic volumes to make sure that they are in the right range as far as traffic data.

Mr. Gallante stated that Long Hill Avenue has a volume of about 400 vehicles during each of the peak hours and on Saturday it is approx. 315 vehicles.

Mr. Gallante explained that the next step was to bring out the traffic volumes from a current condition to a future condition. They added traffic for different projects. He indicated that Crescent Village is under development, there are units that still need to be built and occupied so they have to add in traffic for those 34 units as they become occupied in the future. They are assuming that they will be built and occupied in the next couple of years. They actually counted that driveway so they know the volume of the 101 units that are occupied. They know how many vehicles would be generated by 34 units. They take that in two ways; one, directly from the traffic counts and figures out the rate per unit and applies it to the 34 units; or they can go to the ITE Handbook which is a trip generation handbook that says a development of this type should generate so much traffic per unit.

Mr. Gallante commented that the volumes for the extra 34 units that aren't built yet are almost identical. For example, the ITE Handbook says that there should be 15 trips in the morning and based on the actual counts they have 17 trips; and in the afternoon 18 trips by the ITE Handbook and 18 trips by the actual count. He explained that by the Book, it says 16 trips on a Saturday for the 34 units that will be built and actual traffic counts are generating 12 trips.

Mr. Gallante stated that they have the traffic for the Berkshire Commons on Murphy Lane – 4 units. They added traffic in for another retail development

from this same developer across the street. So they added 5800 square feet of retail space into the analysis itself.

Mr. Gallante indicated that their next step would be to estimate the amount of traffic that the proposed development will generate on the roadway system. They go to the same trip generation handbook as far as levels for different types of land uses. The 11,800 square foot building, retail space, they estimate will generate 12, 44 and 50 trips during the weekday morning, weekday afternoon and Saturday midday. On Saturday, the peak hours are 10:45 a.m. to 11:45 a.m. based on the actual traffic counts. The afternoon count was 4:30 p.m. to 5:30 p.m. as far as the actual peak hour time. They base all of their analyses on peak conditions.

Mr. Gallante indicated that the medical office building in the back, at 5800 square feet would generate roughly 134 to 211 trips during the different peak hours. In any development for retail space they can account for someone driving on River Road that is going to become a customer. The State says they can use 20% pass-by credit to account for that. Depending upon the actual use of the building, the rate of pass-by credit would be higher but the State says to use 20%. He stated that what they are saying is that they can lower traffic volume by 2 – 12 trips depending upon the peak hour, and of course Saturday is the highest. Overall this development – the medical building in the back and the retail building in the front would add 144 – 257 new vehicles to River Road, Main Street and other roads in the area itself.

Mr. Gallante stated that if they look at the traffic patterns on River Road and what they think it might be in the future, they estimate that 70% of the site traffic will actually come from the south from the Merritt Parkway, Main Street in Stratford, and the Sikorsky Aircraft area coming into the site. That would be a right turn into the site itself. He indicated that the other 30% comes from traffic going down River Road. It is based upon actual traffic patterns, and they look at the density as far as developments in the areas. They looked at traffic on Long Hill Avenue and other streets to see what the traffic volume would be. He added that they have about 10% of the traffic coming down Long Hill Avenue to that site.

Mr. Gallante referenced Table 7 from his report and indicated that the ultimate of the traffic study is to find the impact of the development on the roadway system. They follow standards that Connecticut DOT says they should follow, procedures and computer modeling and they analyze these in sections based upon STOP sign control or traffic signal control, number of traffic lanes, timing of the traffic signal, phasing etc. – so they analyzed the entire picture. He stated that Table 7 is a no-build condition that includes all the other developments that that he mentioned before that would be online and fully occupied within two years. If they add their traffic for the 11,800 square feet of retail space and the 5800 square feet for medical is included in the build condition. He indicated that the last columns on the right – is the impact, which is the essence of the traffic study. Based upon that, they determine impact, mitigation and appropriate traffic control. Without going into great detail, he indicated that the intersection at Sikorsky operates at level B and C depending upon the peak hour. It operates and moves a lot of traffic. This analysis essentially says that this intersection will continue to operate at the same level of service. The increase in delay is moderate or even insignificant but the traffic signal can accommodate the traffic based upon how it is operating today.

Mr. Gallante indicated that the next intersection down at Long Hill Avenue which operates with a STOP sign control operates today with delays during the peak

hours. There are delays now at the STOP sign at Long Hill Avenue. Based upon the criteria, it is level of service F that indicates long delays. This development will delay to that approach and certainly, they have to discuss with the DOT how to address that but the delays will be increased, certainly more in the afternoon and Saturdays. On Saturday they have a higher traffic but the background traffic is lower on the roads themselves so the impact is not as great. That is the intersection that really shows the greatest impact as far as the increase in delay, STOP sign control.

Mr. Gallante indicated that they analyzed the Sports Center and the Condo Development and they are within range; they are acceptable. There is certainly more delay on those driveways as you add traffic for any development. He added that the State wouldn't really be interested in what the Crescent Village Condos levels of service are at because it is a private driveway. Even with the Sports Center, they included that in the analyses on each end of this development for reference purposes.

Mr. Gallante stated that lastly he would discuss the accident analysis. They obtained accident data for a three year period for River Road, Main Street at the intersections discussed, and they developed what is called a collision diagram. Essentially, it shows where the accidents are and what type of accident. They have tables that go with this tell them the type of accident, the date of the accident, roadway conditions, weather conditions, injuries, property damage, probable cause and contributing factors. He indicated that this was a summary of that information. It shows the accidents by location and the biggest one is at the traffic signal at Warner Hill Road– there were 42 accidents in a 3-year period. Certainly, that is a very high number of accidents for any intersection. It happens to be in a different town but they will get to that; it is something that they will be looking at when they get to that point. He added that the type of accident is right angle, turn movement or rear end collision.

Chair Parkins noted that there is no right turn on red there although there are people that don't pay attention.

Mr. Gallante responded that might help a little but it needs more than that. He stated that in traveling up River Road to the proposed site from Murphy's Lane to Long Hill, although he doesn't have the exact distance, there were a total of 21 accidents within a 3 year period. The type of accident was right angle and rear end collision mostly related to driveway movements and failure to grant right-of-way. He commented that the way to mitigate that type of thing is to have a driveway with adequate sight distance and they certainly have that at the proposed location.

Mr. Gallante stated that this traffic report is a quick summary of a lot of information that is helpful to this Commission and the DOT sometime in the future.

Chair Parkins asked Mr. Gallante, in his experience would the increase that may be realized from this development warrant a traffic light.

Mr. Gallante responded that at the driveway itself – it wouldn't meet the criteria or warrants for a traffic signal because they need to have a certain amount of volume for 8 hours and they would not have the volume coming out of that driveway for 8 hours. They may have the volume on River Road but not on that driveway. It is a very reasonable question but the answer is no and that is why they didn't analyze it, because it is not the next step for type of traffic control. They recommend STOP sign control, STOP bar and double yellow center line, and appropriate sight distance based upon speed. They recommend that ,if it is feasible, regarding a two lane exit, and if the DOT thinks it is appropriate, and if

it fits without effecting the parking then – if it is appropriate, then a two lane exit which the Sport Center has, makes it easier because the right turn movement is quicker than the left turn movement. He added that if they actually analyze it with (inaudible)

End of Tape 1A 7:50 p.m.

Comm. Harger asked if it shows the time of day for the accidents.

Mr. Gallante responded no, not on that chart, but the corresponding table does show it. It provides all that information such as time of day, roadway conditions, location, etc. and it is from the DOT.

Chair Parkins asked what weekend they did the traffic count – which Friday/Saturday.

Mr. Gallante responded that they did it on the 12th for Saturday and on the 4th for the Friday. The schools were closed on Friday but because of the snow, and timing and preparation for this meeting, they did the counts when all the lanes were open and it was good weather. It matched the DOT data and that is why they are comfortable with the information.

Comm. Sedlock asked Mr. Gallante to go back to the chart showing the peak hours. He asked if they did it at 9 o'clock and 5 o'clock.

Mr. Gallante responded that the Friday count, the peak hour was 7:30 a.m. – 8:30 a.m. based on the actual data. They counted from 7 a.m. - 9 a.m. and in the afternoon they counted from 3 p.m. – 6 p.m. On Saturday they counted from 10 a.m. to 1 p.m. and from that they determined the peak hour and match it with the DOT.

Comm. Sedlock asked what the peak hour was in the afternoon.

Mr. Gallante responded it was 4:45 p.m. – 5:45 p.m.

Comm. Sedlock commented that he doesn't know if Sikorsky has staggered time, but their peak time is approx. 3:00 p.m.

Mr. Gallante responded yes, he knows that because he was there but the peak volume, because it is not just Sikorsky traffic that they are dealing with because people are coming off those highways – so the peak volume actually occurs later. They purposely stated the counts with the departure of the Sikorsky employees.

Comm. Sedlock asked if he was saying that the peak of the traffic was after the Sikorsky traffic was out of the way.

Mr. Gallante responded that the peak hours for the road in the study were 4:45 p.m.- 5:45 p.m. It is based upon the highest volume recorded by their traffic counts and the DOT counts. He showed a chart of the peak characteristics of the road on an hourly basis all day long – 3 o'clock is slightly lower than the 5 o'clock – so they take the highest number.

Chair Parkins indicated that another concern she has is that it was done on a holiday when many people don't go to work when their kids are home from school.

Mr. Gallante responded that he understands and they had the same concerns but with all the snow days, the schools were closed but that Friday the weather was very good. In order to make this meeting and provide this document – they can

certainly check it again but because it matches the DOT data as far as the volume being almost identical, they are comfortable with that information as far as a base condition to start with, but they can always, obviously, check that.

Comm. Sedlock asked if this building were to go up – the 6-story building, its peak hour would probably be about 9 a.m. because it's a medical building – 9 a.m. – 5 p.m.

Mr. Gallante responded that they are putting the peak traffic related medical building on top of the peak volume on the street. In a medical building, depending upon the type of doctors and number of doctors, etc. they have a variety of patterns in regard to their appointments.

Comm. McGorty asked when the DOT data that he mentioned had been taken.

Mr. Gallante responded that it was actually 2007. They are looking into more recent data which may be 2010. But the data that the State gives them is 2007-2008. They are just coming out with 2010 data. He just received one today for Route 25 in Monroe that was done in November and they are just coming out with that data. He stated that eventually they will have to go to the State DOT, STC. They'll be checking their numbers to determine a yes or no or to do something different. He added that he thinks the numbers are going to be very similar and he thinks the results will be similar as far as the analysis.

Comm. Flannery asked about the building in the back. She indicated that they showed them the front of the building but they didn't show them the other sides of it. They showed all four sides of the front building but not of the back building.

Mr. Mingollelo showed the side elevation, and explained where there would be stone and then glass. He explained the grade change from the side, the location of the entrance and the underground parking.

Comm. Flannery stated that she had the same concern with another building because she does not like an all glass façade on buildings because birds like to fly into them and drop dead. She commented that something had been brought up at last week's hearing from the engineer about a special kind of glass that is out now that reflects differently so that the birds can see the window and not fly directly into it.

Mr. Mingollelo responded that he was at that meeting last week and he heard that comment; however, he has never heard of it. He went to a website for TPG, which is one of the largest glass manufacturers, to see if there was such a product out there, because new things do come on board everyday; but there was nothing there. He also called Pella Windows to see if they had ever heard of anything like that. Mr. Mingollelo explained that all glass has a reflective surface and clear is less reflective than a mirror and that is the range. So all glazings have some sort of coating or reflective surface on them and he doesn't know of anything out in the market right now that would deter a bird from flying into a window or glass.

Comm. Harger asked if there was some type of a film that could be applied to it.

Mr. Mingollelo responded that if it is clear glass and depending upon what angle the bird is flying into it, he'll see more or less. If it is a building with a high reflective surface, almost like a mirror, that is very high reflective glazing. Chances are the birds will fly into that a lot more than the less reflective, and the reflective part of it is all based upon energy consumption today.

Comm. Flannery indicated that her concern is that this is on the River and there are a lot more birds on the River than other parts of town. Where she lives, she has actually seen eagles in her backyard. She doesn't want to endanger the eagles anymore than they are endangered. She is against all this glass façade on the river. She just wanted to make that point that it isn't environmentally correct.

Comm. Pogoda asked how many spaces were under the building.

Mr. Mingolledo responded that it would be 16 spaces.

Comm. Harger indicated that on the initial concept plan there is one little section of spaces where the total for the section isn't indicated.

Mr. Mingolledo asked if she wanted to know how the parking was distributed per floor area for each building.

Comm. Harger responded that it is in the parking lot between the two buildings, there is a row of spaces behind Building A. They have back to back with total of 18 and another back to back with a total 22. There is a third back to back with no count on it and then they go again to 22, 18 and then 6. She asked how many were in the middle.

Mr. Swift responded that they are accounted for, maybe the number actually didn't show up.

Comm. Harger commented that she only counted 183 spaces.

Mr. Swift responded that yes, if you count the circles – he tries to get these parking space counts right. He's confident that it is 262.

Chair Parkins asked where they would provide the designated parking if they provided access to the river.

Mr. Swift responded that it would be in the back corner - that's the logical place to put them. They are pretty much on grade back there. He does have a bit of a retaining wall on one side but it is a pretty easy walk down.

Comm. Harger asked if there was a rear access to Building A from the back parking lot.

Mr. Swift responded yes, there is.

Comm. Harger commented that those entrances aren't just service entrances then.

Mr. Swift responded that was correct.

Comm. Harger commented that was good because people like to park and walk right in.

Chair Parkins asked if that was a drive-thru with a second pass around.

Mr. Swift responded yes, there is enough room – that's 16 feet and he thinks that is enough to get around. It probably is not enough for the Fire Marshal as a driving aisle but it is not supposed to be a driving aisle.

Comm. Harger asked if they were treating the rear entrances of the retail building with any special awnings or anything.

Mr. Mingolledo responded that they may do that. It depends upon how it gets fit out. If it is store where you enter from the front and the back, then they will do something to that.

Comm. Harger asked if there would be any additional windows because it is a solid mass of brick.

Mr. Mingolledo responded yes, right now it is. He asked Jim Swift if there was some landscaping on the backside.

Mr. Swift responded that there is a little bit of modest green space below there to soften it up.

Chair Parkins asked if they were proposing a McDonald's or something like that.

Mr. Swift responded no, as Joe said they are looking at some – well, he doesn't know if the ideal would be a single user.

Comm. Flannery commented that a pharmacy drive-through would be nice.

Mr. Mingolledo agreed that it was the perfect size for a pharmacy.

Chair Parkins asked Mr. Soffan if he wanted to make some comments.

Mr. Howard Soffan addressed the Commission. Mr. Soffan indicated that he was the developer and he owns the Sports Center of Connecticut and the Rinks of Shelton. He explained that over a decade ago he had a vision for a golf driving range that was in bankruptcy. He purchased the golf driving range and said that he thought it could be more. He thinks that there could be more economic activity in Shelton. A lot of people said that he was out of his mind because that is a part of Shelton that nobody goes to; it's next to a dump. He had people from lower Fairfield County say that they didn't go to Shelton, they live in Greenwich. Mr. Soffan indicated that he was also the president of the N.Y. Islanders, and the nicest compliment he had was last year when he was sitting with the NHL Commissioner, the owner of the NY Mets, and various NHL officials, and they were talking about hosting the Winter Classic at City Field. Someone asked how they were going to get youth hockey down to City Field, and the owner of the Mets turned to him and said "Look, if he can get Greenwich residents to Shelton, then he can get kids to City Field."

Mr. Soffan continued that the vision that he has for Shelton is immense and it doesn't stop. He bought Esther's Hacienda several years ago because he was tired of looking at it. It was disgusting and that was the entranceway into Route 110 when you got into Shelton. And he built a brick building with quality materials, quite frankly he still doesn't have enough tenants but that is neither here nor there. He built up the Sports Center and the Rinks of Shelton to be a golf driving range that is in the top 100 in this country; and the Rinks are a regular NHL visit. They are talking about building the identical building in Toronto and Moscow so it is really put them on the map – and he means putting Shelton on the map.

Mr. Soffan stated that they look at these properties and they ask how they can develop this area better and that is the vision. The vision is that they get more people down here to take advantage of the Housatonic. He listened to the letter from the DEP and he laughed because for over a year he has been negotiating with a major university to build a boathouse behind the golf driving range. Quite frankly, he'd like to think that within the next year he will be before them with slips and a public access. He told the Mayor that he would love a boardwalk

from downtown Shelton all the way to Sikorsky. There is nothing that would make him happier.

Mr. Soffan stated that he would create a 501C3 and he'll share it; it would be his pleasure because they have to take advantage of the waterway. This complex, this building, is to take advantage of the waterway. He sees bald-headed eagles sit on top of the golf driving range early in the morning. There is no one who understands this area better than him and the whole purpose of this development and the next one is to bring more traffic and more economic stimulation to River Road. They've done a wonderful job on Bridgeport Avenue but this is a jewel that is undeveloped and whatever they can do to make that more worthwhile, especially in developing that waterway. He would encourage their comments and asked them to please understand that they have no bigger fan of River Road than him. He'll do whatever he can over the course of his lifetime to do whatever he can because he is a true believer. He is a Shelton fan and the City of Shelton has been wonderful to the Sports Center and they would like to think that they've been reciprocal because they are good partners. He thanked the Commission and the professionals that did an outstanding job.

Chair Parkins asked if there were any further questions from the Commission.

Comm. Flannery commented that she is just concerned with the glass and asked if there was a way that they could change the glass façade.

Mr. Soffan responded that before he went into retirement and built the Sports Center, he owned the largest window and door manufacturing company in Connecticut with the largest factories in New England. He stated that to his knowledge there is no finished material that will deter a bird hit. If there is, rest assured, that it will be on this building.

Comm. Flannery asked if they could put brick or stone instead.

Mr. Soffan responded that they could use more granite. He indicated that this building design, and there was a similar one in Lake Success, NY – it is an absolutely gorgeous building and not cheap to build. So they can incorporate materials that look and lessen the level of glass but rest assured if there is a material that would prevent a bird hit, they will put it on there, regardless of the cost.

Comm. Flannery stated that she works in a brand new building that they decided to make glass, and once a week there is a dead bird that she has to take care of.

Mr. Soffan indicated that they spent an incredible amount of time with the professionals to plan this out because they don't want just a regular building. If they have seen the buildings that they've built before – there is a high level of detail. If there is a way to prevent it, as a building owner, you don't want that to occur because a big bird hit could blow out the glass. He indicated that he doesn't disagree with her.

Comm. Sedlock asked Mr. Soffan if he had a vision down the road on the waterfront to develop the property at the Rinks all the way through this area.

Mr. Soffan responded that he would do that voluntarily. A lot of that would involve the City at whatever point in time. But there is nothing that he'd rather see than a boardwalk that would stretch from downtown all the way through to Sikorsky. It is magnificent. They don't use the Housatonic River enough. He has had boaters tell him that this is finest river in the Northeast and they aren't taking advantage of it.

Comm. Flannery commented that there are a lot of people who own personal property on that River.

Chair Parkins added that there has been a marina that's been proposed.

Comm. Sedlock asked about the University he was negotiating with and if that would be for a crew team.

Mr. Soffan responded that they would house a crew team for both City use, as well as, the University use. It has to be both – that is his condition.

Comm. Harger indicated that one of the concerns is that there has to be a balance. The reason why the Housatonic looks the way it does is, and is as scenic as it is, is because it is not overly used and spoiled by people who don't pick up after themselves or discharge things. They don't want to go past that tipping point.

Mr. Soffan responded that when he sees a speed boat go down the Housatonic, all he thinks of is that gasoline is going into the Housatonic every minute of the day and the guys driving down with cigarette butts and don't care. So he looks at crew and thinks wow...

Comm. Harger stated that she has nothing against the crew.

Mr. Soffan responded that he agrees with her on the other end. The reason that they have bald-headed eagles there is because it is peaceful. The last thing in the world that any of them want is to see is for it to get to the state that maybe it previously was. It is starting to heal itself. He thinks that they need to encourage that. That's why if they have a boardwalk, people will use it; they'll be walking and running. He isn't talking about boat docks and things like that.

Comm. Harger commented that if she had access to the water on a boat, which she doesn't, but if she did, she'd come up the Housatonic from the Stratford area and then go around the bend, and see a building which is a very big type of contemporary building. She commented that she thinks it may stand out a little bit too much. She wants to be comfortable that it is going to blend in with its surroundings.

Mr. Soffan responded that his vision is that it would be reflective so that it could reflect the water. So it wasn't that it would be contemporary at all because they are putting granite on the building. So if anything they want to tie that in. He stated that what they did not want to do was make it with regular aluminum panels. It wouldn't work and it would stand out. But here they have a magnificent reflection and that was the thought process. It wasn't meant to be a contemporary building. He doesn't build contemporary buildings.

Mr. Swift stated that one of the balances was when they decided to respect the 100 foot setback. They are taking advantage of the views of the River because they are so far above it. In the winter obviously it is better. But that 100 foot strip gives them not only the views that they want of the River but that 100 feet gives them a way to sensitively design as Mr. Soffan is talking about, such with the boardwalk and things that access the River. That 100 foot is a built in – big oak trees will stay and those kind of things and then they can be a little more sensitive in what they do down there.

Mr. Soffan stated that when they built the building by Esther's Hacienda, there was a large concern about the river that was right at the side. So what they did, and it was above and beyond, is that they over-landscaped because they thought that was the right thing to do. The fisherman love it and it goes hand in hand.

They sighted this thing and they will make sure that it looks beautiful. The last thing that they want to do is make it stand out.

Comm. Harger stated that all the elevations that were submitted are great but maybe the elevation that would have helped would be the perspective from the other side of the River because it is difficult to imagine.

Chair Parkins asked if, from the river, the vegetation tall enough that it basically covers the bottom was parking lot so that all they really see is the glass.

Mr. Swift responded yes, there is major tree species in that 100 foot.

Chair Parkins asked if they would see the parking lot and parking level.

Mr. Swift responded no, there are large trees.

Comm. Harger asked if they were in good condition.

Mr. Swift responded yes, there is some old development that occurred mostly on the southern portion of this property that is being taken over by some invasive species and things like that. It is a relatively small area but the remainder is mostly mature trees. He can't say that you would never catch a glimpse but it is basically in its natural state.

Comm. Harger commented that when she was at Casanova's a couple of years ago, looking out at the landfill, she was very surprised to see so many deer walking around.

Mr. Soffan responded that he has seen that before, yes.

Comm. Harger asked if there was any thought given to the disruption of that type of animal life.

Mr. Swift indicated that this highway along the river is basically intact. The area that they are disturbing is pretty minimal.

Chair Parkins asked if there were any further questions or information requests from the Commission. She opened the public hearing to anyone who wanted to speak in favor of or against this proposal.

Ron Pavlucik, 287 Eagles Landing, Shelton addressed the Commission.

Mr. Pavlucik indicated that he has been a Shelton resident for 10 years and he was raised in Stratford. He used to live at the Oronoque Shores Condos just south of the Merritt Parkway. That six acre property was right on the river also. He is also a fan of the river.

Mr. Pavlucik stated that he has never met Mr. Soffan before and he stole some of his thunder. Mr. Pavlucik wanted to say that he thinks that this is a reputable developer to have built that fantastic facility, the Sports Center, right next to the dump.

Mr. Pavlucik indicated that as a taxpayer and a citizen, he sees this proposal as perfect. It is a no-brainer for Shelton. It is going to bring in more jobs, like 50-75 people who will be shopping and going to restaurants in Shelton. It probably has a value of 5-10 times the current taxable property value for the current facility – that run down metal building. So that is exactly what they are all trying to do and he thinks that most citizens would say yes. He is bringing in quality projects like this and it is a perfect use in that it was not going to make a big increase in traffic compared to what is already there. The Sikorsky traffic is

manageable and for those who criticize the Sikorsky traffic even, if they look at the records they will probably find thousands of Sikorsky employees who live in Shelton. He is glad that Sikorsky is there today and has a backlog of 5-10 years worth of work ahead of themselves.

Mr. Pavlucik stated that he thinks this is a wonderful project. He thinks the glass design of it is wonderful overkill. He wouldn't have expected that. Since it is set back so far from the road, it won't even be a showcase facility as if it was right on the road so that is a plus. He can see people from the other side in Milford being very envious of that building and probably raising even further their image of Shelton to see that 5-story or 6 story building with the beautiful glass exterior going up the side of the river just like over here they take a look at the Great River Golf Course on the other side.

Mr. Pavlucik stated that in his opinion, he thinks that this thing should be approved on their way out the door tonight. Just write up the motion or the resolution. He asked that this be a project that gets quickly reviewed, quickly approved and hopefully, quickly built. He would like to see Mr. Soffan continue with his additional projects as part of his vision. Mr. Pavlucik commented that he has a feeling that this project could be a catalyst that could lead to further development north of this and go on from there. And maybe someday they will have that boardwalk. It takes entrepreneurs like Mr. Soffan with a vision that are risk takers- that have made this city as wonderful as it is – up and down Bridgeport Avenue. And this is just the next part of it and the Rinks is a tremendous facility and he is a frequent customer over there. He congratulated Mr. Soffan on what he has brought to Shelton. He thanked the Commission.

With no further public comments, Chair Parkins asked for a motion to close this public hearing.

On a motion made by Thomas McGorty seconded by Joan Flannery, it was unanimously voted to close the public hearing for Application #10-29.

APPLICATION #10-30, BISHOP DEVELOPMENT OF SHELTON II, LLC FOR INITIAL DEVELOPMENT CONCEPT APPROVAL AND PLANNED DEVELOPMENT DISTRICT ZONE CHANGE (RETAIL WITH DRIVE-THRU), COASTAL AREA MANAGEMENT SITE PLAN APPROVAL AND AMENDMENT OF FUTURE LAND USE PLAN OF THE PLAN OF CONSERVATION AND DEVELOPMENT (POCD), 781 AND 785 RIVER ROAD, (MAP 12, LOTS 29 AND 43), R-3 DISTRICT.

Chair Parkins asked the P&Z Secretary to read the Call of the Hearing and three pieces of correspondence.

***See attached correspondence to Richard Schultz dated February 23, 2011 from Kristal Kallenberg-Dorismond, Environmental Analyst, Office of Long Island Sound Programs, Connecticut DEP.**

***See attached correspondence to Richard Schultz dated February 22, 2011 from the Fire Marshal, James Tortora.**

***See attached correspondence to Richard Schultz dated February 18, 2011 from City Engineer, Robert Kulacz.**

James Swift, Landscape Architect and P.E. addressed the Commission.

Mr. Swift submitted the Certificates of Mailing. He showed an aerial photo of the parcel that is 1.08 acres. He showed the location of River Road, the Golf Center

across the street, and a protrusion coming up to Wintergreen with a right-of-way coming into the back. He explained that this parcel is currently two residential lots; it is split in half and there are right-of-ways that extend up to Wintergreen. He imagines that when this residential subdivision took place those were either for water or sewer service and they foresaw construction coming up in that direction for two houses that would actually front on River Road.

Mr. Swift indicated that they have residential on that side and a vacant parcel to the south and of course, the Golf Center across the street. The zone is currently R-3 and they are within a Special Development Area currently, so the P&Z Commission has recognized this strip that starts significantly from the north of them and travels all the way down Long Hill Avenue, as an established special development area.

Mr. Swift stated that unlike the previous application, they do not need that formality. However, they are applying for the PDD. As stated, this is a single story retail development of 5800 square feet. At a 5 per 1000 rate of parking spaces, they are proposing 29 spaces.

Mr. Swift showed that it has a single entry and a two way system and a one-way system around the back and that is to enhance their ability for trash pick-up which is in an enclosed structure in the back. He pointed out the location of the drive-through window on the side with a bypass lane.

Mr. Swift stated that because they are around some residential structures, they have some fairly heavy buffering at the top of the slope. He'll show them how the slope protects some of those structures on the next sheet. The slope of the property comes up fairly steep from River Road to a point about midway on the site and then it flattens out but it does come up some 30-35 feet in the distance from the front of the road to here.

Mr. Swift indicated that was a good news and a bad news type of situation because they do have residences here, and one location is vacant. Being more or less level with River Road in making this excavation around the outside area is going to put this structure some 30 feet below their surrounding neighbors. He stated that was the good news and of course, the bad news was the excavation that has to take place to accomplish that. As an aside, if this should be developed as a residential property, this right-of-way is for utilities only not driveways. Any residential development that would occur here is going to have the same kind of excavation, maybe not in the same scale. It would have the same sort of a concept where it is cut into the hillside.

Mr. Swift stated that, as the City Engineer pointed out, it is about 40 feet down from this upper level down to the lower level. The good news there is that it sort of hides that from any view of the Wintergreen area. He indicated that the storm drainage ties into a CT DOT system. They don't have the issue of the Housatonic River in this particular case. They tie into the State Highway. They spent a lot of time reviewing the plans for that but they have basic water structures and things in place to satisfy the DOT.

Mr. Swift stated that they have all required utilities available to the site. They don't have to bring them from a distance. The erosion control is a little bit of a challenge because they are excavating into the side of a hill but they have prepared a basic erosion control plan for the concept of this. They are confident that they can execute this and meet the CT State erosion control standards. In regard to the site plan, there is clearly a little bit of difference between the R-3 and the performance standards that they are proposing for this PDD. The highlight of that is that the building has much greater setbacks from the property than would have ordinarily taken place for residential development. It is fairly

straightforward, not a lot of complication to it. They are proposing this commercial development in an established special development area for the Commission's consideration.

Comm. Harger asked where exactly the excavation area is.

Mr. Swift responded that the excavation limits – he showed the location on the site plan where they would start just off the pavement. It goes up fairly steep in the first 20 feet and it starts about 5 feet off the pavement and as it gets higher, it goes to 10 feet and then it comes around and down to this location.

Comm. Harger asked if they were notching into (inaudible)

Mr. Swift responded absolutely notching.

Comm. Harger asked what kind of material they were proposing to hold back that (inaudible)

Mr. Swift responded that he has done some preliminary. They do need to do some test bits but he spent some time out there with hand excavation and iron bars that he uses and it is clear that the ledge is very loose, so that is their proposal. They expect it to be a rock excavation going straight down.

Comm. Harger commented that it would be like Duchess up on Bridgeport Avenue in the upper parking lot.

Mr. Swift responded that's correct.

Chair Parkins asked if the driveway would be on an incline going up the hill.

Mr. Swift responded yes, they are coming up as fast as they can but the State has requirements as to how fast you can come up. Once you come up as much as you can and you hit this corner of the building, and that is pretty much it.

End of Tape 1B 8:40 p.m.

Mr. Swift indicated that this building is only about 6 -8 feet higher than the road.

Chair Parkins asked how high the parking would be, if you saw it driving by on River Road.

Mr. Swift responded that if the building is about 8 feet than it would be about 6 feet.

Chair Parkins asked if there would be walls or any kind of screening.

Mr. Swift responded that he doesn't think they need a wall. In their standard landscaping plans, they always like to hide bumpers. They can plant something there that hides the bumpers on the majority of the cars but they still have a really good view of the architecture and the signage.

Comm. Flannery asked if this was 2/3 of an acre.

Mr. Swift responded that it is 1.08 acres and this particular area, the requirement for a PDD is 20,000 square feet.

Chair Parkins asked where the access was to that house, where is the driveway off of – is it Wintergreen?

Mr. Swift indicated that these houses have property lines that extend all the way down to River Road and he believes that they have a private access roadway. He showed the general location.

Comm. Sedlock asked if excavating meant a lot of blasting.

Mr. Swift responded that "a lot" is relative term. This is a fairly small site and not of the magnitude that he's seen for the larger sites that can take many months. This is only a 6000 square foot building.

Comm. Harger asked if it would adhere to all the regulations and the pre-blasting surveys.

Mr. Swift responded yes, as they know this town has quite an extensive program.

Comm. Sedlock asked if they have any idea of what is going in there or what they are looking to do.

Mr. Mingolledo indicated that he would go over the floor plan and elevation and maybe Howard could speak about the potential tenants.

Joe Mingolledo, Mingolledo & Hayes Architectures, 90 Huntington Street, Shelton addressed the Commission. Mr. Mingolledo indicated that the building is 100 feet in width by 58 feet in depth. They have designed it so that they have the potential of three tenants but it could be split in half or have one tenant. It is basically a single story building. They tried to incorporate some stone again on the lower level with an infill either brick or stucco could be on top. It has a canopy that runs the length of the sidewalk out front so that people can be out of the elements. The side elevation is the drive up elevation that loops around. He showed the location of the drive up window.

Mr. Mingolledo showed the north elevation and then the rear elevation in the back of the building would be all block. So it is basically storefront, stone, some brick and fill, canopy, potentially three sign boards with the same architecture. It is a pretty simple building. He tried to tie in a little bit with what is going in across the street and they are somewhat consistent in material usage and a little bit on the architecture.

Comm. Flannery asked about the drive-thru location.

Mr. Mingolledo showed her where the drive-thru was located on the end unit and how the traffic moves up and around and then straight out.

Mike Gallante, Traffic Engineer, Frederick Clark Associates, Fairfield, CT addressed the Commission. Mr. Gallante indicated that they prepared a traffic report dated February; it is included in that same report as an analysis.

Mr. Gallante indicated that they analyzed four intersections along Main Street and River Road. In this development it's on the left side of River Road. When they broke it up as far as estimating site traffic, they have retail space at 2800 square feet and they assumed a drive-through bank. They don't know the tenants but did that to try to get an idea what the traffic might be. This type of development, before taking any credits would generate 40, 87 and 94 trips during the weekday morning, weekday and Saturday peak hour. They added that traffic on top of the roadways and the intersections on a.m., p.m. and Saturdays. He mentioned that previously and they put the traffic on top of the peak hour volumes on the street itself.

Mr. Gallante indicated that being a bank and a retail, they are allowed to take a pass-by credit for both uses, or any other retail use within the building itself. They take a credit of 8 – 19 trips during each of the peak hours depending on the peak hour. So generally speaking, this development, this mix would generate, as far as new traffic, anywhere from 35 trips in the morning to 75 trips in the afternoon or a Saturday. If they enter that traffic on top of all the other developments that he mentioned, as far as up and down River Road itself and the east property mentioned before, this traffic will really have a minor impact on the operation of these intersections. The same intersection in Stratford continues to work at the same level of service. The delay at Long Hill Avenue is minimal. They don't really change levels of service up and down the road itself but there is an increase in delay which is very insignificant. So the analysis is that the driveway should be STOP sign controlled; it certainly doesn't have the volume for a traffic signal.

Mr. Gallante mentioned that as far as bypass lanes on River Road itself, the volume of traffic doesn't dictate the need for a bypass lane, but that is something that the State would decide on. They would recommend a left turn lane, such as at Crescent Village because of the volume of traffic. They accounted for that, mentioned that and described the report and they don't think there is a need for bypass lanes but obviously, the State has final say.

Mr. Howard Soffan, principal of Bishop Development, addressed the Commission. Mr. Soffan stated that the vision for this development is not to have McDonald's in here. It's to have distinct retail occupants, one of which would be a bank. Dunkin' Donuts is out of the question because they have a facility down that street and that would violate the franchise. They don't see this as a restaurant. They see this as just having distinct retail, and they think it would bring a lot to the area. They've been looking at a rock up cropping 35 feet for a long time and they think that they can beautify the area with this.

Comm. Harger asked why he thought this wouldn't be good for a restaurant.

Mr. Soffan responded that he wouldn't lease it to a restaurant. He wouldn't set off the fumes, he just wouldn't do it.

Comm. Sedlock asked if he was confident putting retail there because there are already retail spots on River Road near there. He asked if he was confident that these would be filled.

Mr. Soffan responded that where ASO Sports is located, he could have leased that retail about 20 times over. The problem that he has there is the office space not retail. With the retail, people look at the Sports Center and ask how they can become a part of it, and how they can take advantage of the X amount of people that come through there. He has had Sports Clips (sports oriented haircutting place) contact him and some special custard place that has contacted him, so there are a lot of vendors who have asked how they could attach themselves to the Sports Center. They like the economic activity there and they like the stimulus. If they think about it, the stimulus goes on Monday through Friday, plus the weekends – that's when the Sports Center really moves. Whereas, in other areas, they don't necessarily have that weekend activity but for the Sports Center that is their biggest time. So if you have a business oriented to that, or want a business to be oriented to it, then it's a perfect location. So, he's bullish on the retail on River Road.

Comm. Harger asked if that would include a limited retail grocery store.

Mr. Soffan responded not there, but it's coming. He has a wife who always shops at Whole Foods and he just doesn't understand why there isn't a Whole Foods in Shelton.

Chair Parkins agreed that there are a lot of people that don't understand that.

Mr. Soffan commented that when talk about properties along that area, there is property adjacent to this that is owned by Dominick Simone. He's been in contact with all of these people and at the appropriate time, he believes that is an area that needs to be developed. He is willing to put his dollars behind it and take the risks associated with it, because he's not making money on that building down the street but the economic times are the economic times. They need to recognize that, but the way to get out of this great depression that they are in is with economic activity. It is true - stimulating the economy in Shelton is what they do at the Sports Center. They are in a great recession and the Sports Center is still humming. They get out of this by stimulating the economy with construction, retail, etc. and of course there are risks. That is why he has gray hair. He built the world's only double decker ice rink – how crazy can you get... but he has a belief in Shelton.

Comm. McGorty commented that he definitely thinks there is a capacity for these types of projects. There is a terrific draw over there and he is sure that Casanova's and others are really benefitting from it – the hockey crowds.

Mr. Soffan responded that the Subway guy comes in all the time to say thank you, thank you - how lucky was he? There are a lot of associated businesses that come with it and quite frankly, until you build it, you don't really know who the tenant is. But this is definitely not being built for a restaurant.

Chair Parkins asked if there was anyone from the audience wishing to speak for or against this project. There were no comments. She asked for a motion to close the public hearing.

On a motion made by Joan Flannery seconded by Thomas McGorty, it was unanimously voted to close the public hearing for Application #10-30.

APPLICATION #11-01, 680 BRIDGEPORT AVENUE ASSOCIATES, LLC FOR SPECIAL EXCEPTION APPROVAL (PROFESSIONAL OFFICES), 680 BRIDGEPORT AVENUE (MAP 29, LOT 4) IA-3.

Chair Parkins asked the Secretary to read the Call of the Hearing. There was no additional correspondence.

Charlie Smith, one of the owners of 680 Bridgeport Avenue Associates, LLC, Shelton addressed the Commission. Mr. Smith indicated that he was coming before the Commission for a Special Exception. They would like to put medical offices on their 3rd floor. They have a large dental group that would like to buy into their building and occupy the entire 3rd floor. This property has been vacant since December 2008 when the Visiting Nurse Associates moved out. These people are the Dental Associates of Connecticut. They are a large corporation in Connecticut with 150 employees in six locations. They are excellent corporate citizens. They would initially bring 20 -25 jobs into Shelton for dental, dental hygienists, dental techs, orthodontists, etc. They offer all specialties of dentistry; they are a large entity. The investment in the fit up would be approx. \$600,000 and the equipment to outfit the offices would be a little over \$400,000. They are currently dealing with local banks and their own investment pending before them to accomplish this.

Mr. Smith indicated that currently the building is owner-occupied. He is a partner in an accounting firm that takes the entire second floor. Another partner takes the entire first floor with a financial advisory firm. So the entire building is owner occupied. They have 88 parking spaces and the rentable portion is 16,905 square feet. The total square footage is around 18,000 square feet. It is three floors with elevator access.

Comm. Harger asked what the hours of operation would be.

Mr. Smith responded that hours of operation are currently about 8 o'clock in the morning until about 5 o'clock for the both financial advisors and accounting firms. He thinks that the dental group is approx. 8 a.m. to a little later about 6 o'clock in the evening and he is sure that they would operate on Saturday. The accounting and financial advisory offices do not operate on Saturday except during tax time.

Comm. Flannery asked for clarification as to the location of this building.

Mr. Smith responded that it was on the corner Bridgeport Avenue and Old Stratford Road and across the street from Blockbuster Video.

Chair Parkins asked if they had just the one entrance.

Mr. Smith responded that they have the back exit on Pootatuck Place and they utilize that all the time so they really have two.

Comm. Flannery asked what the hours would be.

Mr. Smith responded Monday – Friday 8 a.m. – 6 p.m. and probably 8 a.m. to 1 p.m. or 2 p.m. on Saturday.

Comm. Flannery commented that is right where her street is and it makes more traffic for her to get out of there. She hates that intersection.

Mr. Smith responded that he is there 6 or 7 days a week too. It requires a little bit of patience but something is going to be there. They used to have the Visiting Nurses Assoc. and Hospice coming and going all the time.

Chair Parkins commented that the biggest issue that she finds with that intersection is that people do not obey the traffic signage. They have to rush through cautions, they go through reds, they block the intersection – and if people would just obey the rules that intersection would work much better.

Comm. Sedlock added that it goes like that all the way down to the next intersection on Mill Street.

Mr. Smith commented that he thinks that is a societal situation everywhere. You never see so many red lights being run as you do today.

Chair Parkins responded that unfortunately, it is out of their control.

Mr. Smith commented that he thinks the Pootatuck Place entrance/exit does help significantly. He added that all with all the great business development in Shelton, there is the downside with the significant amount of traffic that goes with it. He thinks the benefits outweigh the downsides though.

Comm. Harger asked how many employees they would have.

Mr. Smith responded that there will be 20 – 25 jobs. They have a six offices in Danbury, Newtown, New Milford, Monroe, and Trumbull. They happen to be clients of his accounting firm as well. There are 22 or 23 dentists that are (inaudible)

Chair Parkins asked if this was a relocation or an expansion.

Mr. Smith responded that it was an expansion. They have looked up and down Bridgeport Avenue for a location. They looked at the Tetley Building, the building where Wachovia went out and where the Chamber of Commerce is located. They looked at numerous buildings looking for the space and the visibility that they wanted. So they ending coming back to their accounting firm, and they structured it with an arrangement for them to buy into.

Mr. Smith indicated that he thinks that it is a good use. CVS came to them also because there is a Walgreen's across the street.

Chair Parkins commented that presently their signage is pretty low key and asked if they plan on keeping it that way.

Mr. Smith responded that obviously, they'll have something within permissible limits. He thinks it is about 40 square feet located in the front section. It is not of great importance to them as the financial advisory firm or the accounting firm but the dental associates will probably want to utilize that sign. They will stay within the permissible limits. He knows that they are allowed to have two signs so they would have to see what worked from Old Stratford Road because it sits below grade of the road. They would only have what is within the regulations.

Chair Parkins asked if there were any other questions or comments from the Commission. There were none. She asked if there was anyone from the public wishing to speak for or against this application. There were no comments from the public.

On a motion made by Joe Sedlock seconded by Anthony Pagoda, it was unanimously voted to close the public hearing for Application #11-01.

OLD BUSINESS

Mr. Schultz indicated that Staff is suggesting that they table discussion on Items A & B of Old Business (Application 10-29 and Application 10-30). He has prepared a draft decision letter for 680 Bridgeport Avenue if the Commission would like him to read it.

APPLICATION #10-29, BISHOP MANAGEMENT OF SHELTON FOR INITIAL DEVELOPMENT CONCEPT APPROVAL AND PLANNED DEVELOPMENT DISTRICT ZONE CHANGE (MIX USE FACILITY), COASTAL AREA MANAGEMENT SITE PLAN APPROVAL AND AMENDMENT OF FUTURE LAND

APPLICATION #10-30, BISHOP DEVELOPMENT OF SHELTON II, LLC FOR INITIAL DEVELOPMENT CONCEPT APPROVAL AND PLANNED DEVELOPMENT DISTRICT ZONE CHANGE (RETAIL WITH DRIVE-THRU), COASTAL AREA MANAGEMENT SITE PLAN APPROVAL AND AMENDMENT OF FUTURE LAND USE PLAN OF THE PLAN OF CONSERVATION AND DEVELOPMENT (POCD), 781 AND 785 RIVER ROAD, (MAP 12, LOTS 29 AND 43), R-3 DISTRICT.

The Commissioners discussed making a site visit to get a better sense of the elevations for the River Road applications. The consensus was to table the Applications #10-29 and #10-30 until the March 8th meeting.

On a motion made by Joan Flannery seconded by Thomas McGorty, it was unanimously voted to table Application #10-29 and Application #10-30 until the March 8th P&Z Meeting.

APPLICATION #11-01, 680 BRIDGEPORT AVENUE ASSOCIATES, LLC FOR SPECIAL EXCEPTION APPROVAL (PROFESSIONAL OFFICES), 680 BRIDGEPORT AVENUE (MAP 29, LOT 4) IA-3.

Mr. Schultz read the draft motion to approve the Special Exception for P&Z Application #11-01, Professional Office Use, 680 Bridgeport Avenue, IA-3 District prepared by 680 Bridgeport Avenue Associates LLC subject to the following: Adherence to the requirements of the Fire Marshal; adherence to the requirements of the Building Department including handicapped parking spaces and the property owner shall maintain the existing 88 parking spaces.

Comm. Flannery asked if that was enough parking.

Mr. Schultz responded yes, absolutely.

Comm. Harger added that it is huge in the back.

Mr. Schultz added that all the traffic is diluted too because it is all interconnected to the Pootatuck Place. It is a nice addition to that building and it is good to see that 3rd floor occupied.

Comm. Flannery asked why this needed approval, is it because it is professional offices.

Mr. Schultz responded that this use, the professional use, requires a higher level of scrutiny. If this site had only 50 parking spaces, the Commission would have to say that it would not work unless they expand the parking lot. It requires a higher level of review by this Commission. The medical offices can generate more traffic. They have the 88 parking spaces and the ratio for all three floors is there.

Comm. Flannery asked if there was going to be more traffic because it is not a professional office.

Mr. Schultz responded no, the use that is being requested can, at certain times, generate more traffic, but more importantly, the parking ratios have to be sufficient to cover the professional offices and the medical offices that are there and the 88 spaces that are there satisfy that.

Comm. Flannery asked if it would be less traffic if it was a professional office.

Mr. Schultz responded no, not necessarily, it depends because there are two types of professional offices. The ones with large rooms and the ones with smaller cubicles and that is why they try to get 3 spaces per 1000 square feet.

Comm. Flannery asked how many individual offices are for dentists because out of that 20 some are going to be dentists, but some are going to be hygienists, some are receptionists. She wanted to know if there would be 20 dentists' offices in there.

Chair Parkins responded no, it is a dental firm. It's like going to an orthopedic office that has two doctors in it, then they have X-ray techs, nurses, etc. - it is along the same lines.

Mr. Schultz indicated that 30 -35 spaces have been committed for this floor.

Comm. Flannery asked if there were 3 separate dentists working at a time then there would be one person waiting and one person being worked on.

Mr. Schultz responded that it would all be by appointment only.

On a motion made by Thomas McGorty seconded by Joe Sedlock, it was unanimously roll call voted (6-0) to approve Application#11-01.

ADJOURNMENT

On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously voted to adjourn the meeting at 9:12 p.m.

Respectfully submitted,

Karin Tuke
Recording Secretary, Planning & Zoning Commission