

SHELTON PLANNING & ZONING COMMISSION

APRIL 24, 2013

The Shelton Planning and Zoning Commission held a special meeting on Wednesday, April 24, 2013 at the Shelton City Hall, Auditorium, 7:00 p.m., 54 Hill Street, Shelton, CT 06484. The Chairperson reserved the right to take items out of sequence.

Commissioners Present: Chairperson Ruth Parkins
 Commissioner Anthony Pogoda
 Commissioner Joan Flannery (arrived 7:02 p.m.)
 Commissioner Virginia Harger
 Commissioner Elaine Matto
 Commissioner Thomas McGorty

Staff Present: Richard Schultz, P&Z Administrator
 Anthony Panico, P&Z Consultant
 Patricia Garguilo, Court Stenographer
 Karin Tuke, Recording Secretary

Tapes (2), correspondence and attachments on file in the City/Town Clerk's Office and the Planning and Zoning Office and on the City of Shelton Website www.cityofshelton.org.

CALL TO ORDER/ PLEDGE OF ALLEGIANCE & ROLL CALL

Chairperson Ruth Parkins called the April 24th special meeting of the Shelton Planning & Zoning Commission to order at 7:00 p.m. in the Shelton City Hall Auditorium with the Pledge of Allegiance and a roll call of Commissioners and Staff members present.

Chair Parkins indicated that the first agenda item would be a Public Hearing for Application #13-5. She reviewed the procedures for a public hearing, cell phone usage, and procedures for anyone in the public wishing to make comments for or against the Application.

Comm. Joan Flannery arrived at 7:02 p.m.

Due to other Old Business on tonight's agenda, Chair Parkins stated that she would like the hearing to conclude for this evening at 9:30 p.m. She indicated that at 9:30 p.m., if needed, the hearing will be kept open and continued on another day. She added that typically Old Business agenda items are handled first; however, the Commission did not want public members present to have to wait and sit through the Old Business items.

PUBLIC HEARINGS

Chair Parkins read the information regarding the public hearing for Application #13-5 and asked the P&Z Secretary to read the Call of the Hearing and any applicable correspondence.

APPLICATION #13-5, PETITION OF HAWKS RIDGE OF SHELTON, LLC FOR PDD ZONE CHANGE AND INITIAL DEVELOPMENT CONCEPT PLAN (PHASE 1: 60 SINGLE FAMILY DEVELOPMENT AND 80 UNIT MULTI-FAMILY DEVELOPMENT) LONG HILL CROSS ROAD AND BEARD SAWMILL ROAD (MAP 39, LOTS 14 AND 17 AND MAP 51, LOT 7), LIP DISTRICT.

P&Z Secretary, Comm. Virginia Harger read the Call of Hearing (dated 4/11/13) for Application #13-5 and three related pieces of correspondence.

***See attached correspondence dated April 3, 2013 to Richard Schultz, P&Z Administrator from James Tortora, Fire Marshal.**

***See attached correspondence dated April 17, 2013 to Richard Schultz, P&Z Administrator from Robert Kulacz, City Engineer**
(Re: Map of property dated 1/28/13; site plan dated 1/28/13; grading and drainage plan dated 1/28/13 and traffic impact study dated 4/10/13).

***See attached correspondence dated April 23, 2013 to Ruth Parkins, Shelton P&Z Commission Chairperson from Thomas Harbinson, Chairman, Shelton Conservation Commission.**

Atty. Steven Bellis, Pelligrino Law Firm, New Haven, CT addressed the Commission on behalf of the Applicant, Hawks Ridge. He submitted the notices that they gave to the adjacent property owners, the certified mailings, posting of both signs on the different properties and the photographs of them.

Atty. Bellis indicated that they were here tonight because they are requesting a PDD of approximately 41 acres of land. He added that for tonight's meeting, they are only here for the Initial Concept Approval of Phase 1 of this two phase project of the 41 acres. He stated that they would come back at a later date and give them the Detailed Development Plans, if this is approved. He commented that they aren't combining it as they often do in many of these hearings because this is just the Initial Concept Plan for Phase 1.

Atty. Bellis provided some background with a site map of the property. He explained that the property, outlined in black, was a little bit north of Exit 12 on Old Stratford Road. He pointed out the location of the traffic signal, Route 8, Saw Mill Beard Road and Long Hill Cross Road. He added that this was the 41 acres in total with Phase 1 being the northern part and Phase 2 being the southern portion.

Atty. Bellis showed another blown-up version of the previous site plan and again pointed out the locations of Route 8, Long Hill Cross Road and Saw Mill Beard Road. He explained that he was here tonight to discuss Phase 1 and he pointed out the portion of the property for Phase 1. He indicated that on the site plan, Phase 2 has a dotted line and for that, they would come back another night to show them what is proposed to be an Assisted Living Facility; however, that will not be discussed tonight.

Atty. Bellis stated that tonight the Commission is being asked to change the zone from Light Industrial to a PDD (Planned Development District) and he thought it was best to be up front with the Commission and let them know what is in the whole PDD. Therefore, in the Statement of Uses that he filed, they will see that there is an Assisted Living Facility that is not shown here tonight. He concluded that was the overall reason why he was here tonight.

Atty. Bellis began by saying that the Wells Family is the current owner of the property and under their laws, as the Commission knows; a contract purchaser has the right standing to make an application with the consent of the owner. He submitted the Purchase and Sales Agreement to show them that Hawks Ridge is the potential buyer of this property and the Wells Family is the seller so they have standing to bring this action. He indicated that he redacted the price because he didn't think that was appropriate and he explained that was the reason for any blanks shown on the document.

Atty. Bellis clarified that he wanted to make it clear, without them having to read the entire contract, that sale it is contingent upon approvals from the Planning & Zoning Commission, not only for the Phase 1 but also the Phase 2. He summarized that if either one of these Phases were not approved by the Initial Concept Phase or a PDD, then the Buyer is not legally obligated to purchase this property. Therefore, they can't just approve Phase 2 and not Phase 1 or vice versa and then expect that the Buyer would be obligated to purchase the property because he would not be. Atty. Bellis stated that is why he wants to be up front about what is going with that back piece of property.

Atty. Bellis stated that they were going to have several speakers and they will try to keep within the timeframe, but he outlined what he believes that they will be able to prove to them tonight. He thinks that they are going to be able to prove that this PDD is going to be beneficial to the City. He stated that this particular type of residential development will probably generate approx. \$1M - \$3M over the next five years, just for Phase 1 alone. They will be able to provide expert testimony as to why that is going to happen. He explained that he means tax revenue above and beyond expenses to the City. He knows that they have a common belief that there 2.5 children and a dog, and when they have a residential development it is a tax burden on the City and he will be addressing that.

Atty. Bellis indicated that they will hear testimony that there is no demand, no current demand for LIP and that there is a significant amount of vacant LIP property for lease or sale and there is more than sufficient LIP land available if the need should dramatically change in the future. He added that they will have expert economic testimony that there are major demographic shifts that are not only underway in Connecticut, but also Shelton. Since everyone watches the news and reads the newspapers, they are all pretty aware with what is happening with manufacturing here in Shelton, Connecticut and in America. They will provide specific numbers.

Atty. Bellis indicated that they will have an expert who will discuss the traffic that is going to be generated from this use. He'll testify that it will have minimal impact and explain why. He'll also make some proposals, that if this project were to be approved, the developers want to do some pretty impressive things such as fixing three major intersections in this town that are already problematic without having anything to do with the project, at no cost to the City.

Atty. Bellis stated that he thinks that they will also be able to demonstrate to them that this project does indeed conform to the Plan of Development and he'll explain why. Lastly, he wanted them to know that they have had many informal work sessions and at first the developer wanted to propose some apartments. He added that it was quite a few apartments because that is the hot thing right now and where the demand is, but after several discussions with some of the members and Staff, the developer has withdrawn that type of use and is not proposing to build apartments. Rather than that, the developer is proposing the single family residences, condominiums and an assisted living facility. He added that from a developer's standpoint, there is a strong urge to go with what is hot and that isn't being done in this particular case.

Atty. Bellis commented that in an ideal world they would all love it if Light Industry were fighting to move into Shelton. They would love to have them build new buildings and bring manufacturing jobs to Shelton and into the State of Connecticut. He added that the reality of this is otherwise. He referenced a brochure that he recently received from the Yankee Institute of Connecticut and it ranks Connecticut dead last, 50th, out of 50 states for the following reasons: the worse debt situation of any state in the United States; the worst financial situation in the nation with a debt burden of \$49,000 per taxpayer; the worst credit quality (inaudible word) in the whole nation; the worst when it comes to Tax Freedom Day (he explained that as meaning that they all work up until about today to pay taxes before any net income for their own bank accounts).

Atty. Bellis stated that, unfortunately, industry is not banging down the doors to come to Connecticut but he hopes that they will take away from this presentation that Shelton has a golden opportunity to generate a positive tax benefit on this land now that will continue to reap tax dollars for years to come OR they can lose out on this money, the additional tax dollars for the next 5, 10, 15, 20 years, and they can hope, they can dream, that manufacturing will increase and there will be a demand for light industry on this land. He added that is their choice but he is a practical person and he likes a "bird in the hand," but if one were to believe that the next 5, 10, 15, 20 years there is going to be a light industry boom with everyone wanting to come to Shelton, then he will understand their decision.

Atty. Bellis indicated that he was going to bring up some experts to share some hard data with the Commission and then they can decide. He stated that they have Wetlands approval and again, when he says Wetland approval, it is for the Initial Concept. The Wetlands Commission heard their presentation, saw where the sewer crossings were going to be and the impact on the Wetlands, and they approved the Initial Concept Plan. Similarly, they went before the WPCA and showed them the plans, explained what they were proposing to do and again, just for the Initial Concept stage, there was an approval for that. He added that he would get into that later but wanted to submit those approvals. He provided the Water Pollution Control Authority's motions to approve the Initial Concept Plan, their vote and the minutes from the Wetlands Commission including their discussion and approval.

Atty. Bellis stated that he wanted to call up Tom Wells first, he is the owner of the land along with many other Wells Family members. It is not just Tom's land or just Royal's land, and there are quite a few Wells Family members that have signed the contract. Atty. Bellis indicated

that he would like Tom Wells to speak for a few minutes, he has owned the land for hundreds of years, he's not sure how many years, but it's a long, long time.

Thomas H. Wells, 10 Great Meadow Road, Seymour, CT addressed the Commission. Mr. Wells indicated that he is the black sheep of the family because he moved out of town. Mr. Wells stated that this property has been in the family for a couple of years and they hate to break it up like this but they have to face reality. He stated that there are six of them that are heirs; two of his brothers have passed on so it is now in their estates. He added that he has a sister in New Jersey and there are three brothers here tonight. Mr. Wells indicated that their father passed away in 1995 and on August 30, 1999 their mother passed away and they had to make an agreement with the Federal Government so that they wouldn't take the farm in taxes to hold it as a farm for 10 years. Mr. Wells stated that they did and that date was August 30, 2009. He indicated that was their first opportunity to consider selling the property. It took a while to clear things up with their Estate attorney and the Federal Government. It was about 2 ½ years ago that they listed the property with CBRE and they worked on it for over two years and did not bring even one candidate to purchase it.

Mr. Wells stated that they were fortunate to get Hawks Ridge and they have made them an offer which they've accepted and they hope it will go through. There have been no other buyers in the picture especially for Light Industrial property. Mr. Wells stated that he hopes the Commission will consider the application and the zone change. He thinks that right now in this market, anyway, it is very difficult to get what it is zoned for, to get candidates to buy it that are interested in building on light industrial property. Mr. Wells offered to answer any questions that they have. He thanked the Commission.

Atty. Bellis stated that what Tom Wells doesn't know is that Dominick Thomas, their attorney, keeps things in his office, apparently forever, because Atty. Thomas found something that goes back to 1998 that he shared with him. Atty. Bellis said that basically, even going back to 1998, some may remember that the P&Z Commission wanted to change this farm to Office Park, and the Wells Family did a study with a prepared map which he'll submit for the record. An impact study was conducted and it shows that they were having trouble back in 1998. It was their belief that even under an Office Park or Light Industrial setting that they would have trouble because of all the vacancies and other properties available in town.

Atty. Bellis indicated that the reason he wanted to give this to the Commission is because this is not the whole Wells Farms. There is at least another 140 acres that he can determine that is still zoned LIP. This is only a portion of it – as he stated earlier, this is only 41 acres. He commented that they did some calculations that there are approx. 2 ½ million square feet that could be built on the remaining land if it ever needed to be; there is available LIP land and his experts will talk about other land in town. Atty. Bellis stated that he doesn't want the Commission to think this is the last little piece of LIP property left in town but even in 1998 there were concerns because of the location of this land and the zoning designation that it would be difficult to sell – which as they know, has come to fruition.

Atty. Bellis introduced Chris Kerin of Kerin & Fazio. He stated that Chris is UCONN graduate with a degree in Finance and a concentration in Real Estate and Urban Economic Studies. He is an MAI, certified appraiser and he earned this elite designation of CCILM, adding that that he doesn't see too many people with it because he thinks only about 4% of the commercial professionals have this designation. He indicated that Chris Kerin has represented many large, significant companies such as IBM, Mobil Oil, Aquarian, as well as Government and non-profit agencies, the U.S. Department of the Interior, Trust of Public Land and the Diocese of Bridgeport. He is an expert witness in the court system and he asked Chris to prepare a market study of the 41 acre land and render an opinion to its suitability for industrial development. Atty. Bellis distributed the report prepared by Chris Kerin to the Commissioners and asked Chris to summarize it for them.

Chris Kerin, Principal, Kerin & Fazio, 1129 Post Road, Fairfield, CT addressed the Commission. Mr. Kerin indicated that he is a State Licensed Commercial Real Estate Appraiser practicing in Commercial/Residential Real Estate in this local market for the last 25 years. Mr. Kerin indicated that he was asked to perform a market study of the property looking at two of the principle uses permitted in the LIP zone for an industrial use and an office use. He was

also asked to look at the impact of this potential development on the market value of surrounding properties.

Mr. Kerin indicated that he would briefly take them through his findings. He referenced Page 6 of his report where there is a map of the subject property similar to the map previously shown. He commented that the property abuts Route 8 for most of its frontage. It is off of the east side of Bridgeport Avenue which is zoned Commercial. It has Long Hill Cross Roads in the north and Beard Saw Mill Road on the south and those two roads are primarily industrial zoned.

Mr. Kerin indicated that with regard to the impact, given the physical characteristics of the subject property and its location between Bridgeport Avenue and Route 8, it is his opinion that the proposed development under PDD zoning will have no negative impact on the market value of the neighboring properties.

In looking at the Supply & Demand Study, Mr. Kerin explained that he looked at all of the existing industrial space and the office development as well as the demand factors in the State of Connecticut and locally in Shelton and Fairfield County. Mr. Kerin stated that he also looked at the amount of land that is actually vacant land zoned LIP in town and he found that there are approximately 167 acres of land in the LIP zone available for development excluding the subject property. Approximately 14% of that land has some type of PDD overlay. This inventory does not include any improved properties that may have some excess land that is available for development. It also does not include land in other commercial and industrial zones in town. He only looked at the LIP zone.

Mr. Kerin stated that the first thing that he did in regard to the Industrial Demand Analysis is that he looked at the supply and demand in Shelton and in Fairfield County. Currently, 20% of the four million square feet of available industrial and flex space in Shelton is currently available for lease. He added that the 20% figure is not unusual. It matches the 20% availability rate in all of Fairfield County for industrial space.

Mr. Kerin referenced Page 19, the median time on market for industrial space in Shelton is nearly two years and they can see on the graph for Shelton and for Fairfield County that most of the properties that are available have been on the market for more than 22 months.

Mr. Kerin indicated that on Page 15 he shows a manufacturing employment chart which shows that the employment in Shelton has declined steadily throughout the entire time period studied and it fell 19% in 2004 – 2011. State-wide manufacturing employment dropped 29% over the same period.

Mr. Kerin commented on the office market and indicated that he looked at the availability of office space in Shelton and 23% of the 4 ½ million square feet of office space is currently available for lease. He referenced Page 26, a chart showing the availability of office space in both Shelton and in Fairfield County and in Fairfield County, that rate is 20%. There is a high office vacancy rate which is probably no surprise to them – both in Shelton and in Fairfield County.

Mr. Kerin discussed Page 28, regarding the median time on market again, for Shelton, for office space is close to two years. The median time on market is 22 months, most of the properties on the market for over 22 months both for Shelton and for Fairfield County. He commented that as with manufacturing employment, office employment in Shelton is declined steadily since the economic crisis in 2008. He added that Office was improving in 2005, 2006 and 2007 but then dropped in 2008; from 2007 to 2011 the office employment dropped 21%. Mr. Kerin stated that the current markets for industrial and office space are oversupplied, the vacancy rates are high and the marketing times are nearly two years. At the same time the employment drivers for both industrial and office uses are declining and over supply of available competing space coupled with the decrease in demand creates a challenging environment for big development. Based upon his analysis, Mr. Kerin stated that it appears unlikely that the subject property would be developed as an industrial or office use in the foreseeable future. He thanked the Commission.

Atty. Bellis asked if any of the Commissioners had questions for Mr. Kerin at this point.

Comm. Flannery asked about the Impact Studies on Page 36. She asked about the list he shows of different places in Connecticut.

Mr. Kerin responded that his qualifications are including in the Addendum and she is referring to qualifications page 36. These are Impact Studies that he has previously presented since he's been in the field of real estate. He did an impact study of Darien High School, Darien Middle School, Fairfield, Westport, Stamford, and Easton – so he listed in here all the properties he has done in the past. He added that on the next page, they will see a representative assignment list and these are properties that he has appraised in the past including Merritt 7, a million square foot office park in Norwalk, Scinto Office Park in Shelton as well as the Grasso Center, Crystal Mall, Sikorsky Aircraft in Stratford, and the Army Engine plant in Stratford. He indicated that those are some of the assignments he's done in the past.

Comm. Flannery asked if the assignments were studies such as this one.

Mr. Kerin responded yes, some of these were market studies, some were neighborhood impact studies, some of them were fiscal studies but they are similar to this.

Atty. Bellis indicated that the next speaker is an economist, Don Klepper-Smith. He stated that Don is the Chief Economist and Director of Research at Data Core Partners LLC. He has been an economist for 30 years and he served as Chairman of the Connecticut Governor Jodi Rell's Economic Advisory Council. He added that sometimes they are lucky enough to see him on WTNH as a commentator and he's been a corporate economist for SNET. He specializes in evaluating consumer markets and the generators of consumer wealth. He understands business conditions as they relate to markets and employment growth. Atty. Bellis indicated that he thought it would be appropriate if they heard from an economist as to the fiscal impact of this proposed development.

Don Klepper-Smith, Data Core Partners, LLC, New Haven, CT addressed the Commission and presented a Powerpoint slide presentation. Mr. Klepper-Smith indicated that he was a Chief Economist and Director of Research with Data Core Partners based in New Haven; they are an economic and demographic consulting firm. He commented that they have a full agenda tonight so he stated that he would keep his remarks brief and to the point.

Mr. Klepper-Smith stated that his firm, Data Core Partners, was retained and asked to produce an assessment of net fiscal impacts generated by the proposed development and as a result of that request they have produced a full report with a four-page supporting summary letter outlining their findings.

Mr. Klepper-Smith indicated that the report itself is pretty much a self-contained document with all of the data inputs, assumptions, calculations, spreadsheets and appropriate documentation. He commented that not everyone wants to read a 100 page report, so about six years ago they started producing a four page summary letter so everything you need to know about their assessment of that fiscal impact is in that 4 page summary letter.

Mr. Klepper-Smith provided some history about himself as a professional economist for 30 years. He said that he has been doing fiscal impact studies in Connecticut for the last 25 years. He has produced dozens of similar studies, and as Steve alluded to, he chaired the Governor's Council of Economic Advisors under Jodi Rell between 2007 -2010. He was corporate economist with SNET for 17 years, President of the Hartford Area Business Economists, President of the Southern Connecticut Business Economists, part time Economics Commentator for WTNH- Channel 8 New Haven. He indicated that he has degrees in Applied Mathematics and Public Affairs and Administration from Stony Brook.

With that as an introduction, he stated that he would like to briefly touch on seven subjects that he thinks go a long way toward explaining the net fiscal impacts generated by the project. Mr. Klepper-Smith stated that he would begin by explaining what fiscal impact analysis is, the process of estimating fiscal impacts both in terms of inputs and outputs, demographics in Shelton, demographic analysis for the proposed development of 60 single family units and 80 condo units, student counts and associated expenses for education, and look at the net fiscal impacts that they calculated and some conclusions.

Mr. Klepper-Smith provided an overview of Hawks Ridge as 60 single family units and 80 condominium units on a 31 acre parcel in Shelton, CT. This would be 30 three-bedroom homes and 30 two bedroom homes that all detached units priced between \$459,000 and \$489,000.

He explained that the 80 condos would be 40 three bedroom units with a two car garages and 40 two bedroom units with no garage in the price range of \$389,000 and \$429,000. The estimated construction start date would be 2013 with completion by 2018. He added that their analysis assumes full build-out and full occupancy.

Mr. Klepper-Smith stated that when they talk about fiscal impact analysis, there is a guide that fiscal practitioners use for estimating fiscal impacts and that is the New Practitioner's Guide to Fiscal Impact Analysis. He indicated that basically, they adhere to the practices and protocols laid out by that guide. He stated that very simply, fiscal impact analysis is a projection of direct, current public costs and revenues associated with residential or non-residential growth of the local jurisdiction in which this growth is taking place. Indirect impacts are not treated due to the near impossibility of predicting accurately secondary consequences of growth and the recurring potential for double counting when primary and secondary impacts are viewed simultaneously.

Mr. Klepper-Smith stated that when they look at the process for estimating fiscal impacts in terms of inputs and outputs, they looked at the primary method being the per capita multiplier method. He indicated that this is the classic average costing approach for projecting the impact of population change on local municipal and school district costs and revenues. He added that the method has been applied to almost every type of fiscal impact situation.

He commented that it should be noted that the per capita multiplier method is an average costing approach using projected expenditures from the latest town budget on local government, public safety, debt, capital spending, parks and recreation, public works and miscellaneous municipal expenses. Education and non-education expenses get treated separately due to ECS grants. He asked them to please note that Data Core takes into consideration in all of their fiscal impact studies, all possible municipal expenses by considering the entire non-education budget using the most comprehensive measure of municipal expenses. So, they are also looking at data on tax revenues derived from real and personal properties.

Mr. Klepper-Smith stated that it has also been their long standing policy of using a conservative approach in their fiscal impact studies using the most recent multipliers for estimating student counts and demographics. Their experience has been that this conservative approach is best used for planning purposes by municipalities. He indicated that their analysis also assumes that all residents and all school aged children will be coming from outside of Shelton and will be incremental to existing population and student counts while in fact many of these residents expected to inhabit this new development already reside here in Shelton.

He commented that when they talk about the areas of fiscal impact to Shelton finances, they are talking about police services, fire services, roads, public works, recreation and health, other city services, administration, benefits and schools.

Mr. Klepper-Smith stated that when they talk about Shelton demographics, as of 2011 they had approximately 15,400 households on a population basis just short of 40,000. The median household income as of 2010 was about \$82,000 which was about 15% above the State-wide average of about \$70,705. Roughly 5500 residents are now over the age of 65 years constituting 14% of the population base. The median age in Shelton is 40 which are basically equivalent to that of Connecticut. He indicated that the person per household ratio is 2.58 and the student counts, according to the State profile is about 5400.

Mr. Klepper-Smith commented that Atty. Bellis alluded to the fact that they have demographic shifts here and he did all the demographic forecasting for SNET for 18 years. He indicated that there are major demographic shifts now underway throughout Shelton, throughout Connecticut and throughout the nation. This has major implications for social services, health care, local housing markets across Connecticut and neighboring states. The Census Department now predicts that Connecticut student population counts are going to drop by more than 17,000 between 2020 – 2030 and that represents a decline of almost 3%.

Mr. Klepper-Smith showed a chart of the latest Census projections from the Census Department with respect to the State of Connecticut and as they can see, that 55+ (inaudible) group is growing rather rapidly, up almost 50% but, as they can see, that top (inaudible) distinction, those ages 5 – 17, they are realizing a decline in student population of roughly 17,000 students.

Mr. Klepper-Smith commented that when they talk about the demographic analysis of these proposed units, again, what they go to here is the Fiscal Practitioner's Handbook and the data out of Rutgers's that gives them the most up-to-date multipliers reflecting Census data from the 2000 census. He added that multipliers based on the 2010 Census are not available at this time but had they been available, they would have reflected lower student counts and he wanted to emphasize that point. He reiterated that they are using the 2000 Census which has even higher estimates of student counts which means reduced net fiscal benefits. He clarified that these multipliers are Connecticut specific and break down estimated resident and student counts by construction type, the number of bedrooms and various other metrics.

Mr. Klepper-Smith stated that using these multipliers, the data shows that the proposed 140 units would add a maximum of 322 new residents. If all the new residents were to come from outside of Shelton this would increase the population by less than 1% or .81%. Their assessment is that the impact to the local population base would be slight.

Mr. Klepper-Smith indicated that when they talk about student counts and associated education expenses using commonly accepted multipliers, the data shows that the town would add a maximum of 37 public and private school students on the base of 5400. He reiterated that this is using multipliers from the 2000 Census. If they had the 2010 Census, he would have expected that number to be lower but they don't have that data at this point in time.

Therefore, they are talking about a maximum increase in the student base of .67%. The resulting student per household ratio of .26 students per household for the proposed development is 25% less than the current town average of .35 because the development is constrained by a 50% mix on two-bedroom units. The bottom line impact on the local school system here would be labeled as being slight.

Mr. Klepper-Smith stated that when they talk about treatment of local education expenditures again, local school expenditures are obtained from the latest strategic school profile issued by the State of Connecticut. School expenditures can be broken down into two separate components with one part paid by local residents through local property taxes and the other part paid by the State in the form of ECS grants. It is important to note that the State portion of school spending is always excluded from local fiscal impact analysis because it represents an indirect expense. The bottom line here is total loaded cost per student in Shelton is \$13,400 with 86.4% being paid by local property taxes, meaning that the local cost per student is \$11,578 and that is adjusted for inflation going forward.

Mr. Klepper-Smith commented that he also wants to note that there is actual data from other local residential developments that indicate potentially lower student counts. Actual data from local developments shows that student per household rates are apt to be much lower than projected. In looking at the local developments of Four Winds, Heritage Point, Waterview Landing, Wells Spring, Crescent Village, Cranberry Hill Estates – looking at a total of 319 homes, there is 37 total school aged children in those units representing an average student per household ratio of .12. They are talking about Hawks Ridge, the way that they are looking at it, using conservative estimates and the highest possible estimates of student counts at .26. Again, when they look at the municipality of .35, he would have to say in all probability; their count is likely to be much lower in actuality.

Mr. Klepper-Smith stated that when they look at calculated net fiscal impacts, they are talking about the direct impact on municipal finances. Only other direct impacts such as consumption of local goods and services are not considered. If they look at economic impacts they will be positive on the local base as local businesses will be affected in a positive way. One hundred percent of the municipal budget was considered and that is important because it yields a very conservative estimate of net fiscal impacts.

He stated that their analysis assumed 3% inflation, future mil rates growing at their historical norm here in Shelton of .3%, construction start date of 2013 with a completion date as of 2018, personal property taxes now at \$316 per household based on the latest data from the town's Grand List. He indicated that what they have here is an extrapolation of their projected mil rate based upon historical growth rates so what they have is a projection of mil rates out to the 2017 fiscal year of 22.81 – he indicated that is how those numbers were derived.

Mr. Klepper-Smith indicated that the bottom line is that when they looked at these 140 units the net fiscal impact at full build out in one year is \$196,293 and that is assuming the highest possible count of students which is 37. One year school cost in round numbers is about \$555,000; municipal expenses of \$466,000 and gross taxes of \$1.2M; this means that the average annual impact per unit is \$1,402. He stressed that impacts here are positive, tangible, and measurable.

In conclusion, he stated that the proposed Hawks Ridge residential development makes good economic sense. He agrees with Chris Kerin's comments and they just completed a study of manufacturing competitiveness with the Connecticut Business and Industry Association and they ranked 32nd in the nation in terms of manufacturing competitiveness and they are slipping. He commented that what they will say is that this development is stimulative to Shelton's finances and also adds much needed diversity to the Town's housing stock. The average net fiscal impact at full build out is \$1,400 per unit; therefore, the impact on town finances and the local school system can be characterized as slight to minimal. The proposed development generates a slight positive net fiscal benefit of about \$196,000 over a one year period in 2018 and again, this is based on very conservative assumptions. His belief is that if they had the multipliers from the 2010 Census they would have lower student counts and in all probability, a much higher net fiscal benefit.

Mr. Klepper-Smith concluded that the proposed development provides a flexible housing alternative to area residents at a time when economic weakness is apparent in the local housing markets and profound structural changes are adversely impacting their local labor markets. He thanked the Commission and offered to answer any questions.

Chair Parkins stated that he provided a lot of information.

Comm. Flannery asked if they considered the children that are just being born recently because the children that are not in school right now, the children that are under 5 years old, she asked if they were taken into consideration.

Mr. Klepper-Smith responded yes, that is all a part of the Census projections.

Comm. Flannery stated yes, right, but one thing that you based it upon was the Census of 2000.

Mr. Klepper-Smith responded 2000 and the 2010 Census is going to show a lower student count.

Comm. Flannery commented that she thinks that the 2020 is going to be showing a much higher student count because right now they have Baby Boomer's children having babies. She knows that right now her own son has two kids aged 1 and 2. Her nephew has a 3 year old daughter. A lot of teachers in her school are pregnant and having kids with 10 babies born this past year. She added that 2020 there will be a big increase.

Mr. Klepper-Smith responded that according to the Census Department, without getting into the specifics of any one town, he clarified that the Census Department sees between 2000 and 2030 a marked drop off in the student per household ratio. They are losing 17,000 students and, of course, that isn't going to be uniform across all municipalities. There may be some municipalities that lose students at a lesser rate and some at a greater rate but nevertheless they are talking about 17,000 students over a 30 year period; that is a 3% drop so they are talking about major demographic shifts taking place.

Comm. Flannery commented that she disagrees.

Atty. Bellis thanked Mr. Klepper-Smith. He commented that when he went to college, you had to have Macroeconomics but you also had to have take Microeconomics. They heard from Don and now they will hear from him. By microeconomics he means economics on a smaller level. Don was talking about being bound by the guidelines, as a professional of the Census which is a U.S. database.

Atty. Bellis stated that for the State of Connecticut, he wanted to show them some local, current things that he thinks will help them understand where he is coming from. He provided photographs (10) of various vacancy signs for light industrial buildings just on Long Hill Crossroad. He indicated that these are photographs from just one street where this property is – not Bridgeport Avenue or anywhere else in town – just on Long Hill Crossroad.

The Commissioners reviewed the photographs.

Atty. Bellis commented that these photographs clearly show that there is a significant amount of property right on Long Hill Cross Road that are either looking for someone to lease space or looking for people to purchase the property. He didn't go to Bridgeport Avenue between Exits 11 and 12 but all of you have traveled that road and have seen a significant number of signs showing the same thing. He is trying to say that if they look at it from the macroeconomic picture as Don explained and the microeconomics scale, the chance of LIP use on this particular piece is negligible in the near future. He thinks that is the conclusion that they can make from looking at this.

Atty. Bellis stated that he thinks there is good news about this though. He commented that Don talked about some of the statistics being, perhaps, a little bit better in their town than what he was presenting. He indicated that Don gave the Commission, and he asked Don to give the Commission, a conservative estimate. He stated that if you take this conservative estimate, it produces \$200,000 net tax increase over expenses. He stated that Don mentioned that there was a large portion of that which he couldn't adjust because of the 37 students that he had to follow because of State guidelines. Atty. Bellis submitted a chart and displayed the same chart by William Raveis and it basically shows them that in communities similar to what Hawk Ridge are proposing – private roads, smaller lots, less than one acre residential, but rather a particular type of development that is different than what they were used to growing up.

Atty. Bellis stated that in this particular type of development he has given them eight communities. He pointed out that the first four are older communities and have been around for a while. He showed how few children are in the Shelton school system compared to the number of homes. The actual number of school children in our community with similar types of homes and set-ups is a lot less. He commented that they have a total of 12% - that is the number of kids if they take all of these, add them up and divide 37 into 319, you'll get 12%. Atty. Bellis commented on the last two communities listed which are more recent and would submit that the percentage is even decreasing recently.

Atty. Bellis explained that it means that when you have smaller lots with higher density, they are probably going to have fewer school aged children. They have been told and they've heard it over and over under the old economy that everybody has 2.5 kids and a dog. He thinks that was true, except for the ½ kid (inaudible)... It was true in the past and it may be true for parts of Shelton where you have the 2.5 kids and the dog but you don't have 2.5 kids and a dog living in Four Winds, Heritage Point, Crescent Village or Cranberry Hill Estates. He added that he doesn't think that they will have the 2.5 kids and the dog living at Hawks Ridge. This is significant and he's dwelling on the topic of these kids... he showed a chart and commented that they have 140 homes proposed at Hawks Ridge and based on their own microeconomic data of all the communities that are similar, they are going to have 12% having kids. He continued that if they take 140 homes multiplied by 12%, they will have 17 school aged children.

Atty. Bellis commented that Don said that 37 kids is the number he used and he was careful in explaining that was a conservative number based on State of Connecticut 2000 Census data. He is suggesting that it is more likely on the micro economic level that they aren't going to have 37 kids coming out of this type of project; they are going to have 17.

Atty. Bellis stated that if you take the cost, as Don had done, he ended up with about \$196,000 for the gross based on 37 kids. He commented that if they don't take 37 kids and there are only 17 kids than that is 20 less students. He added that if they recall from Don's exhibits, each kid costs \$11,500 to educate. In taking the 20 savings multiplied by \$11,500 it is an additional \$231,500 a year that they are not spending on educating kids. He reiterated that is a savings.

Atty. Bellis submitted that Don's expense of \$466,535 is too high in this particular project because the roads are private. These are not public roads. There is no snow plowing, repaving every 10 years, or working on these roads. He asked if they were going to hire anymore policemen because of the people moving here and he answered that it was very unlikely. He asked if there would be any other community services such as building more baseball fields. He answered that would be "no" because there aren't that many kids. He asked if they would have to build another swimming pool because of more little kids – he stated no, not if there aren't a bunch of kids. He commented that yes, there will be some expenses.

Atty. Bellis submitted that instead of \$466,000 which is the State and general average of "community" expenses but since this is a private road with a lot less kids; it is going to be only \$233,000 or half. He commented that at the end of the day, he thinks it is more likely, more probable that the actual net annual proceeds above and beyond the expenses will come to \$661,000 (he showed the numbers he was adding up on the displayed chart) per year.

Comm. Flannery commented that he did not take into consideration that there are 300 more people that will be taking showers, flushing toilets and adding to the sewage.

Atty. Bellis responded that yes, he did because they are paying 50% of the overall cost which is \$233,000. He added that if they had an industrial use, they also use the same water, sewers and sewage facility so they can nitpick but it is there. He stated that he wanted to give them an idea, have someone else speak, instead of just taking it from him, so he has this gentleman, he doesn't know him, but he is from Heritage Point, and he would like to speak and tell them about the type of people that reside in these types of communities. Atty. Bellis commented that he has a general sense that these people are either retired, empty nesters and he has a sense that they will have a good disposable income because they are affording a nice home; however, those are all assumptions on his part. He stated that he wanted to get someone up here...

Chair Parkins asked Atty. Bellis about his indicating that he did not know this individual – she asked if he is just a member of the public. She asked if that was what he was saying.

Atty. Bellis responded no, he doesn't know him personally, he's known by...

Chair Parkins asked if he was a part of their team.

Atty. Bellis responded yes, he's part of the team.

Chair Parkins commented OK, because if it is really like a public portion speaking on (inaudible)...

Atty. Bellis responded no, he's not a public portion, he apologized for that and wanted to back up.

Chair Parkins commented OK.

Atty. Bellis commented that he wanted to introduce Ed Dobransky. He had meant to say that he isn't friendly with him and doesn't know what type of comments he will give other than that he lives in Heritage Village and he has hands on experience living in this type of community. He could probably tell the Commission a lot better about the type of people living in these types of communities. He reiterated that was the point he had wanted to make.

Chair Parkins responded OK, he lives in Heritage Point.

Comm. Flannery asked exactly where Heritage Point was.

Comm. Pogoda responded that it was on Buddington Road.

Ed Dobransky, Freedom Way, Heritage Point, Shelton, CT addressed the Commission.

Mr. Dobransky indicated that he lives at Heritage Point and he was one of the first buyers into Heritage Point and they've been there for six years. He currently works at Sacred Heart University in the Campus Operations Department, he's Safety Manager for the University and also Special Services Manager. They came to Heritage Point from Fairfield where they had been living in a rather large home in Fairfield. They have no children but they did have two dogs when they came to Heritage Point. Mr. Dobransky commented that what attracted them to Heritage Point wasn't just the location of Shelton over Fairfield, obviously for tax purposes, but also for convenience. He added that his wife works for a school publisher and she has the entire State of Connecticut so ease of travel for her all over the state and ease of travel for him to get to Sacred Heart University.

Mr. Dobransky commented that they were also downsizing a little bit from the property that they had in Fairfield. He stated that Heritage Point attracted them because it was a mixed community. It was not a senior, retirement community and presently it is a mixture of young and old families, some are retired, some are still working and there are a number of young families with children in the community. He stated that of the 40 families living there, he thinks that they are a nice mixture and representation of the population of Shelton.

Mr. Dobransky stated that part of the attraction to Heritage Point is the fact that everything is done for them - practically. These past couple of winters with all the snow, the Association has contracted for cleanup of snow, landscaping and all of these services that they pay for as individuals but it is a convenience. He thinks it would also be a part of the Hawk Ridge Development Association also because of Prestige Builders. He commented that A.J. Grasso is an unusual kind of builder. When they were looking to move, they investigated a whole group of different developers and developments; they did choose Prestige and Heritage Point because of the individual. They came to know A.J. Grasso during the building process as a man of integrity and a local person. He grew up in Shelton and most of his laborers and the people that work with him are people that he went to school with. The purchasing of supplies and equipment, when they had to choose different fixtures and parts of the building - they were all local. His recommendation was for all local businesses. He stated that the funding and the monies that they spent were spent here within the local community. He thinks that one of the experiences that he personally had shortly after moving here was when he had to come to Town Hall to renew his dog licenses. The Town Clerk asked him if he was living in Heritage Point and what did he think of A.J. Grasso. He responded that his experience was excellent. The Town Clerk responded that was what everyone says about him.

Mr. Dobransky stated that if they were to consider the type of individual that he is and what he has provided even after 7 years since they've been living in Heritage Point, he can call A.J. at any time for a word of advice, direction or recommendation. It is that kind of service that the people who move into Hawk Ridge would find as being a very definite and positive experience with this type of an operation. He concluded that his reaction and experience with him has been extremely positive and he would certainly recommend consideration.

Atty. Bellis commented that he wanted to do a little bit more math.

Chair Parkins noted that it is getting a little bit late here and the numbers are starting to get fuzzy.

Atty. Bellis provided something to give some perspective. He thinks that they've heard him say loudly and clearly, that it is highly unlikely in the near future that LIP will come to this particular site. He gave them some revenue figures – he took 88 Long Hill Cross Road which is a matter of public record which is a light industrial use building on about 7 ½ - 8 acres. In regard to the taxes generated from this, it is about \$120,000.

Chair Parkins asked how many acres.

Atty. Bellis responded about 8 acres and he provided the Assessor's Card. He commented that it was 7.8.

Chair Parkins asked if he had said 78.

Atty. Bellis responded no 7.6 – so even if that LIP were to come he doesn't think that they are getting any windfall. They aren't going to get the home run that they think they are going to get. If they have a development such as this where there is not a great deal of students than they are going to get more bang for their buck. He means that if they wait five years they aren't going to get the tax money that he's showing here or that Don Klepper-Smith told them about for the next five years because you are waiting for that LIP to come. He stated that in the 10 years that you've waited, the City of Shelton will have a cost opportunity loss of \$6M because if they take the \$661,000 a year over 10 years, it is \$6M that they aren't going to have. So, they can wait and perhaps get that LIP business to come, maybe, but you will never get that \$6M back. He stated that was the point he was making.

Atty. Bellis commented about density and he recalled that they talk about density with subdivisions because they don't want all these kids going to the schools. They knew the costs were high, the project is too dense, there are too many kids and it will cost the town a lot of money and it is a loser. They have all talked about density. He submitted that when they talk about density for a project like this, the more units that you have, the more money the town makes. Every unit that is removed or taken away is money that is not going to the town as tax revenue.

Atty. Bellis stated that there are some negatives. One of them is traffic. He hired a traffic engineer, Joe Balskus from Tighe & Bond in Shelton. Joe is a Professional Engineer, Professional Traffic Operations Engineer and he has a lot of experience with impact studies for municipal projects all across southern New England.

Joe Balskus, Director of Traffic & Parking, Tighe & Bond, 1000 Bridgeport Avenue, Shelton, CT addressed the Commission. Mr. Balskus indicated that he is a P.E., State of Connecticut and also a Professional Traffic Operation Engineer which basically says that he's a P.E. but he knows traffic. He stated that he knows that he is getting older because he has been doing this for 24 years and actually 24 years ago he was working on Enterprise Corporate Park way back then for Mr. Scinto, on Old Stratford Road and Bridgeport Avenue – so he knows this area very well. His office is here in Shelton and he has been working in this area for a number of years so he isn't unfamiliar with it. Obviously, he came out and took a look at it again but he knows this area.

Mr. Balskus stated that he wanted to begin by dovetailing with Don Klepper-Smith's presentation on Heritage Point. The Commissioners heard a lot about the school-aged children and the numbers don't lie. They were talking about five children in that development – they did a traffic count in Heritage Point because they wanted to see what was going on because this is a similar development to this one. They did a morning peak hour and afternoon peak hour traffic count up there. He indicated that the numbers are far lower than what they typically see and that goes to show that the numbers Don Klepper-Smith is saying about Heritage Point says the same thing, that less students there, less families there in terms of children going in and out for soccer games – you don't have that as much in that type of development.

Mr. Balskus indicated that they used that for this development to make a comparison. They did not use the numbers in their traffic study, which he'll explain in a minute, but it just goes to the point that this type of development is not going to have families with soccer-playing kids, Soccer Moms, and everybody going to games, or more traffic than you would normally have for a residential development.

Mr. Balskus stated that he was going to give brief presentation on the Traffic Impact Study that the Commissioners have a copy of. He will talk about the analyses and the improvements that they are proposing to do, that aren't needed for their traffic, but that are needed today. He added that maybe some of these improvements should have been done 24 years ago but it is also based upon a conservative analysis. He just identified that one key issue is traffic generation. He is also going to talk about this development not being a high traffic generator even when he uses the national numbers – it is still not a high generator of traffic for residential and it is going to provide improvements to Bridgeport Avenue, to Long Hill Avenue, to the intersections that may

(inaudible) get better today and reduce those long queues that they have out there during peak hours.

Mr. Balskus began by showing a site map which he indicated was included in the report as well. He pointed out the locations of Route 8, Old Stratford Road, the proposed development site. He commented that it shows the Phase 1 and Phase 2 with Beard Saw Mill Road. He showed the location of Long Hill Cross Road and Long Hill Avenue on the site map.

Mr. Balskus indicated that as a part of the study they looked at what they are going to generate for traffic. The rule of thumb that they always use and that the State uses is 100 trips. If you generate 100 trips on an intersection, then you should study that. They are at about 100 trips total for Phase 1 so they could argue that they only looked at one intersection but they didn't. They looked at four intersections all together. They looked at Long Hill Avenue and Long Hill Crossroad unsignalized, Stop sign controlled intersection. They looked at the signalized intersection of Long Hill Cross Road at Bridgeport Avenue, a State Highway; obviously that is where all the traffic is going. They looked at Beard Sawmill Road, more towards Phase 2 but they looked at that intersection as well and finally they looked at the big intersection of Old Stratford Road, Commerce Drive and Bridgeport Avenue. He indicated that those were the four intersections that they looked at.

Mr. Balskus stated that they could argue that some of these intersections do not generate 100 trips but they looked at them anyway. Therefore, when they look at their study area, it is probably larger than it needs to be but it is also, understanding from his own experience working in this city and as well as from being here for many years, that they need to do that. They need to look at it because there are issues out there which he will discuss. Because of what is going on today, this won't impact them but they will look at them to see what is going on and if they can do anything to correct those issues.

Mr. Balskus indicated that they did their normal traffic studies, data collection, traffic counts of the morning peak hours and afternoon peak hours. They observed traffic flow, drove the roadways themselves and they looked at Old Stratford Road, the speeds and the roadways. He stated that they obtained accident data from the City and historical DOT area traffic counts. He indicated that they looked at signal plans, they looked at the signals themselves, and they timed the signals to make sure that they count national plans. From that they basically looked at analysis and what the intersections are operating at with Level of Service A through F, with A being the best and F being the worst case condition in the peak hours. They did an analysis of the capacity of the four intersections (Long Hill Ave, Long Hill Crossroad/Bpt Ave, Beard Sawmill Road, and Old Stratford Rd) in the existing condition and how things were operating.

Mr. Balskus stated that obviously, as they know, Old Stratford Road does not operate very well; it is Level of Service F in the afternoon peak hour based upon their counts and analysis. They know that there is an issue right there from the get-go. They looked at what else was in the project area and if there was anything pending for other projects. They are aware of the apartment complex to the south that is on the agenda later tonight. They looked at what that would do to their numbers. It doesn't really have much of an effect because there is not a lot of traffic coming up north of the development but they do look at that as well. He indicated that they look at the background condition. They ask what this is going to look like when the development is about to open and they do another analysis. They ask if there is any background growth or if the volumes on Bridgeport Avenue are growing.

Mr. Balskus indicated that historically, since 2007, nationally as well as in Connecticut, the volumes are going down. For the most part, travel on the United States roadways are trending downwards for several reasons. If they look at the vehicle miles traveled, the fatalities across the country are down below 40,000. They used to be 50,000 a year and now they are below 40,000. It is on precedent if they are coming down. He added that here they are coming down but they aren't trending too far down. They have come down but there are some developments that have occurred which have added to some of the traffic. It is trending downward but it is not trending where it is going up 2%, 3% or 4% a year which they've seen pre-2007 when things were really cruising in the Shelton area for development.

Mr. Balskus stated that they looked at trip generation and he talked about Heritage Point. He showed a table regarding trip generation and it basically shows, in looking at Phase 1, between the condos and the houses that they have, they're at about 96 – 116 trips generated in the peak hours so roughly 100 cars being generated by this Phase 1 development. He commented that is determined using the standard rates that they use from the Institute of Transportation Engineers which is a thick book about 3 inches thick and there are actually two of them. He indicated that you look up the land use and see what the typical single family dwelling unit would generate based on thousands of studies and they use that rate. The numbers are telling them that there are about 100 cars for total Phase 1.

However, for the single family dwelling they are showing about 52 and 56 from that part of Phase 1 but it is actually less than half of that. If they use Heritage Point, what Heritage Point is generating, the five children that live there and the low volume being generated, it is actually half of that. But they aren't using that – they just wanted to show that they are using a higher number, a national number with the mom, dad, two kids and the dog in their analysis. They are doing a conservative analysis but the point being made, that this development, as they heard is very similar Heritage Point in terms of single family. They are still using the more conservative numbers for their analysis. They want to do a conservative analysis to make sure that they are looking at it from the standpoint of conservatively, what is the impact.

Mr. Balskus stated that they are at 100 trips in the morning peak hour and afternoon peak hour. In taking those trips, they ask where they going. They ask if they are coming out of the development on Long Hill Crossroad, where are they going. This is where they get a lot of information from existing numbers, where the population is, where the highway ramps are located and they come up with a distribution on the network to figure out where they are going. For Phase 1, they've got about 60% of traffic going towards Bridgeport Avenue and 40% going toward Long Hill Avenue and from there it goes north and goes south from various roadways. That is being done because people live there, they are going to work, some may not work, so it is not a typical 90% going to the highway; it is a little bit less than that. So, they take those numbers and add them to the network and then they do another analysis. They look at the intersection and ask, with this traffic how it is now going to operate with the morning peak hour and the afternoon peak hour. He stated that when they did that analysis there wasn't much of an impact. There wasn't any change in local service. He commented that it wasn't like they added traffic to this intersection and it went down from like a Level of Service B or C to a Level F. It did not happen; however, they do know this intersection and the Old Stratford Road intersection has some issues. They know that Long Hill Cross Road at Long Hill Avenue has some issues. He indicated that they looked at these intersections, went back to their team and said that this is an issue that needs to be discussed and considered doing some improvements. It was with that discussion that they asked if they needed to do any improvements - and they don't need to for their traffic but they need to address some existing issues and they should do that. There are peak hour issues, there are queuing issues so they are proposing some improvements with this project that he will walk them through.

Mr. Balskus showed the site map of the area and referenced the last page on a new handout that he distributed to the Commissioners. The first improvement that he discussed was Long Hill Avenue at Long Hill Cross Road. He showed the intersection on the site map showing Long Hill Avenue running south to north and Long Hill Cross Road. He indicated that this is the base of the eastern intersection from their study area, ½ to ¾ mile away from their site. He pointed out that on the existing roadway there are two lanes and a hatched out area on the north side of Long Hill Cross Road where they propose to do some widening. Presently, it is a single lane and Long Hill Cross Road approaches Long Hill Avenue in a single lane. They found that there is some queuing there in the afternoon peak hour with cars backing up because there are fairly heavy volumes on Long Hill Avenue. They're spaced further apart so the gaps aren't all there that you'd want to have so it takes a little bit longer to turn left out of there or if you want to turn right and someone is in front of you waiting to turn left, then you have to wait for that person to go left. From a capacity standpoint, there is capacity there but there are queues that have developed there. Mr. Balskus stated that they are proposing to widen along Long Hill Cross Road to give them two lanes. Therefore, basically when you pull up to the intersection, if you want to go left, you go into the left lane and if you want to go right, you go in the right lane. For the most part, if you are in the right lane you'll be able to turn right, look to the left and go;

they've basically cut the queue that is happening there in half. It will reduce that queue tremendously.

Mr. Balskus stated that the opposite end of Long Hill Cross Road intersects with Bridgeport Avenue. There are issues on Long Hill Cross Road approaching this intersection on that curve coming to the traffic light. There are cars there, sometimes 6, 7 or 8 cars in the queue during the peak hour – but they usually clear, when the signal goes green for Long Hill Cross Road, they clear although sometimes the last car doesn't clear. So, there is an issue right there.

Also, on Bridgeport Avenue the lanes are not balanced. There is an existing through lane and a right turn lane going to Long Hill Crossroad. He added that the right turn lane never has volume in it for the most part and is always open. It is unbalanced so what they are proposing to do, instead of widening this approach which takes time and effort with the culvert – they can re-stripe this northbound approach - the two through lanes and widening on the other side of the intersection to accept those two lanes, carry them through intersection, and retime the signal. This will do a couple of things, they will reduce the queue on Long Hill Cross Road with their traffic and cut the queue here which is about 700+ feet in half so it is no longer backing up down to Beard Sawmill Road.

Mr. Panico asked if he is just going to give more green time to Long Hill Cross Road.

Mr. Balskus responded yes, exactly. He pointed out where they will have more storage here, carry them through and redistribute that green time on Long Hill Cross Road. Most cars do get through the light there but sometimes one car misses it. He added that by doing this it will be high bang for the buck. Mr. Balskus stated that with these signals, they will find, unless someone complains about them, the DOT signal won't be re-timed or fixed. The timing could have been put in there 24 years ago when he was doing work for Scinto in Enterprise Corporate Park. Mr. Balskus indicated that timing change, restriping and widening helps a lot with making it a snappier traffic flow on Long Hill Cross Road.

Comm. Harger commented that at some point across that intersection those two lanes have to merge.

Mr. Balskus responded yes, exactly. He pointed out the two lanes that would be restriped 300 or 400 feet long and that is all they need because they cut the queue in half. They go beyond the intersection and usually it is about 300 feet, they'll want to carry those cars through and they start merging. He commented that you see that around a lot of times – what is happening is that they are maximizing your storage because you're stopping traffic so they are making the traffic more efficient and making the lanes more balanced.

Chair Parkins asked how many cars would be able to be queued in that right hand lane before they would block people who wanted to take a right.

Mr. Balskus responded that he thinks that they have about 300 feet. This is concept plan but they are thinking about 300 feet. They can go longer because it is basically a very wide shoulder and they could go back to Beard Sawmill Road if they wanted to but they are showing it at about 300 feet. He added that was enough for and about the point she was making about it not blocking any of the cars in the other lane.

Chair Parkins commented that it's the cars that want to make the right because they are going to get people that want to go straight and don't want to wait in the line.

Mr. Panico asked what his evaluation was of southbound Bridgeport Avenue traffic that wants to make a left turn into Long Hill Cross Road without holding up Bridgeport Avenue.

Mr. Balskus responded that was an excellent point. He recalled that out there, he pointed out the wide shoulder over there and they talked about doing a left turn lane but they don't need to. When there is a car sitting there to go left onto Long Hill Cross Road, you could go right around them; it's called a bypass lane. It is not a defined lane because it uses the shoulder but you can just go right around them. He added that there are not a lot of cars doing that. It is not like there are 500 cars doing that; it is much lower numbers. So, that can work. At some point there may

possibly be a need for a left turn lane. He stated that when they go to the DOT with this, the DOT may want that, they'll see but right now in this analysis, they don't need to do that because you can go around that left turning vehicle because there is a very wide shoulder there.

Comm. Flannery commented that it is a State road so you can't really assume anything really. She asked if that was correct.

Mr. Balskus responded that they you can absolutely assume a lot.

Mr. Panico stated that this has to go to STC.

Mr. Balskus responded that he's been working with the DOT – it's called OSTA now – for 24 years, since Enterprise Corporate Park.

Mr. Panico commented that he is still calling it STC.

Mr. Balskus responded that it is the Office of State Traffic Administration (OSTA). He has been working with them for 24 years through the boom times and they have become more flexible and more geared toward economic development. This would be considered economic development so he will say that he can't guarantee that they will agree with this but he's done a lot of these. There is no reason why they wouldn't do it.

Mr. Panico responded that they have done it to them on other stretches of Bridgeport Avenue where they thought storage for a left turn was necessary and they said no, there's ample pavement width for them to get around so it wouldn't be the first time.

Comm. Harger commented that it only works if that pavement is paved...it's a gutter.

Mr. Balskus responded that it is paved and there are very wide shoulders there. He commented that if they were talking about 300 cars an hour turning left, he couldn't see doing this because then he would say that they have to have a left turn lane there. However, they aren't talking about that, the numbers are much lower than that. Once you reach that 300 vehicle threshold, then you start talking about dedicated lanes. They wouldn't have the Level of Service B there if they had that. It will work very well with this improvement.

Mr. Balskus indicated that the last one is more geared toward...

Comm. Harger asked before he goes on she really has to say that the merging really bothers her and she doesn't think it works well. There are other places where there are two lanes moving into one lane and it gets to be like "which car can get in front faster than the other car." She added that she thinks there is a safety issue there.

Mr. Balskus stated that is what is happening right now at Beard Sawmill Road.

Comm. Harger responded that she thinks it is up the street too.

Chair Parkins added between Old Stratford Road and Beards Sawmill Road.

Mr. Balskus commented yes, right now because there is so much volume, OK, that's happened. It depends upon your volume, how much distance you have, if you are trying to swish them in – he said that DOT says "do this" but when they do it themselves "they don't." He added that you have to have 300 feet or more so in their analysis they are showing 300 feet. If they need more, than they can provide more. He indicated that they aren't constrained; there is nothing beyond...He referenced the rendering of the site, and said that on Bridgeport Avenue there is nothing beyond this that prohibits them from going 500 feet.

Comm. Harger stated that the place that she is thinking of is not even in Shelton. It is on Pershing Drive in Derby heading to get onto Route 8 Southbound, in front of Shop Rite, there are two lanes that go forward, it narrows to one lane and it becomes a competition between two cars to get in the front first.

Mr. Balskus commented OK, to get onto the ramp and the highway to accelerate...

Comm. Harger responded that it is even before you get underneath the highway overpass. Right in front of the Shop Rite area.

Mr. Balskus stated OK, but he thinks if he recalls that area correctly, it is a shorter merge. So his point would be that this has a long merge area. He's saying a minimum of 300 feet; if they need 500 feet then they can go to that.

Comm. Harger asked if they were doing this while proposing to widen the road.

Mr. Balskus responded and showed where they need to do some widening and eventually the widening goes away because they taper back. Yes, they are proposing to do widening on all of these at their cost. He added that yes, if the numbers and the DOT review says that they want it longer, then they'll have to do that, but right now they think that 300 feet will get them there.

Mr. Balskus commented that this last improvement is really geared toward Phase 2 of the development but he'll talk about it anyway in terms of Beard Sawmill Road. He indicated that Beard Sawmill Road intersection which they are all aware of and he tried to think back to why they didn't do anything there about 20-something years ago and why nothing has been done there since there has been so much other development. He said that it is cow path approach by Wells Farm, two lanes coming up, merging across the bridge to one lane before Beard Sawmill Road, there is one lane southbound...The intersection itself works OK, it is the queuing, in terms of the Level of Service, it works pretty good. It is the queuing that is happening. The queuing from this signal that occurs in the afternoon peak hour because of the volume and the merging lanes, hitting the signal, that queue backs up at Old Stratford Road times. It then effects that intersection. Mr. Balskus indicated that they are going to fix that. He showed that they are proposing to keep the two lanes down here, keep two lanes northbound coming to the intersection.

Mr. Panico commented that they don't have enough room to merge.

Mr. Balskus stated that a combination of a little bit of sliver widening, restriping and then beyond the intersection, two lanes to accept that and then merge them back to one lane. He indicated that it takes care of – and with a little re-timing here – they don't need the re-timing signal for the volumes on Beard Sawmill Road because there isn't much volume and they aren't adding much volume. In Phase 2 they are only adding 25 cars but they recognize that there is an issue at this intersection so they are going to clean it up. By doing that, this queue gets cut in half so that they no longer have a backup from Beard Sawmill Road. Therefore, if you can through Old Stratford Road's intersection, the light goes ...boom... he added that the lights aren't coordinated. He indicated that the signal is not coordinated with Old Stratford Road. Mr. Balskus stated that Old Stratford Road carries so much volume that it operates by itself for the most part. It runs before they activate it because it has so much volume. It is not coordinated so you could go through the Old Stratford Road intersection and then get a red light at Beard Sawmill Road which then, because of the queue, it's going to back up the intersection and so on. He added that they are going to fix that by doing this – this queue is no longer there. They improve the queue traffic so when you come to the intersection, there will be two lanes instead of one lane, get a green light and then merge into a lane. By doing that improvement they will obviously mitigate the existing issue with the queuing, accommodate the limited amount of volume at the intersection and provide a much better operating intersection.

Chair Parkins asked if he was saying that they were merging back into one lane right past Beards Sawmill Road.

Mr. Balskus responded that they are doing a similar condition. They are going to merge back to one lane about 300 feet away back to one lane.

Chair Parkins asked if they were going to split off into two lanes again.

Mr. Balskus responded yes.

Chair Parkins asked why they don't just keep it as two lanes.

Mr. Balskus responded that was going to be a DOT issue.

Chair Parkins commented that she would agree.

Mr. Balskus stated yes, in terms of working with DOT as to how to do that.

Mr. Panico commented that it almost seems like they might as well just keep that extra lane.

Mr. Balskus responded that it comes down to the amount of work that they are doing here, proposed to do here for this type of development is pretty significant. If they can minimize the improvement with high "bang for the buck," if you will, that is what they are proposing to do. It makes sense but it is also a long distance. It is probably 1500 feet, he thinks it is 1500, so it is a pretty good distance of more pavement widening and restriping.

Comm. Harger asked if they could go back to something and she asked how far down the 300 feet would go to because there is a major commercial area right there after going through that intersection. She added that it was where Enterprise and Wild Kanji restaurant in there.

Mr. Balskus responded that if it is the one to the north, it is way up there.

Comm. Harger commented that was what she was asking – how many feet is that.

Mr. Panico responded that it has to be at least 900? (inaudible) feet.

Mr. Balskus responded that he didn't have the exact dimensions but showed the location of Long Hill Cross Road and how far 300 feet would be and the commercial area is way up there.

Comm. Harger commented OK, she is just trying to put it into perspective.

Mr. Balskus made another comment about Beard Saw Mill Road intersection and the signal itself that is presently there is at least 40 years old. There have been various upgrades to it and they are going to work with DOT to get that signal replaced. It is a DOT signal and it has been around for so long so they are going to work with them to see about getting that actual equipment replacement because it is basically being held by wooden span poles. It is part of the DOT process when they submit for OSTA and a bunch of permits so they can work on replacement signals.

Mr. Balskus reiterated that those improvements are not needed for their traffic. They really don't. If they took out these improvement, threw their traffic in there, there wouldn't be a change in the level of service. The queues wouldn't change, they would see the same queues but you really don't need to do these improvements for their traffic because they aren't adding a hundred feet of queuing to get to these queues. However, they recognize that there are some issues so in doing these improvements they are going to mitigate the existing conditions, accommodate their traffic and provide, maintain, or improve the operation of the intersections as a part of this development. With that he concluded that they aren't going to have a significant impact to the road system based upon their traffic.

Comm. Flannery commented that 90% of the people would be leaving, which would be about 100 cars; she asked how he determines that 90% of 300 people equals 100. She has that 90% of 300 people equals 270.

Mr. Balskus responded that he is trying to understand her numbers. He is saying that there are 100 trips in the peak hours.

Comm. Flannery stated – right, in the peak hour he is saying 100 trips and 90% of the people would be leaving.

Mr. Balskus responded by clarifying with his table that during the peak hour they have 95 trips. So, they are saying that in the morning peak hour, 20 are entering and 75 are leaving for Phase 1.

In the afternoon peak hour, they have about 76 and 40 for 116. He reiterated that there are 20 cars coming in to the development in the morning – coming back from bringing the kids to school, going jogging, coming back from breakfast – and they 76 leaving. There are 20 cars coming in and 75 cars going out.

Comm. Flannery commented that there are 300 people living in this development.

Mr. Panico commented that he is just talking about the peak hours.

Chair Parkins added that everyone isn't going to be leaving at the exact same time.

Mr. Balskus responded yes, this is just one hour but the hour before there may be 40 cars and the hour after there may be 60 cars. This is just a snapshot; they aren't looking at every hour of the day. They look at the peak hour because the peak hour to them is what is happening on Bridgeport Avenue and what is the adjacent street and what is the community peak hour. He added that in that community peak hour not everyone is leaving at the same time. He continued that if there are 300 people living in the development, they aren't all leaving at the same time – unless there is a factory across the street, they aren't doing that. He commented that this is a national study that says it. He asked them to look in their own neighborhoods and see if everyone leaves at the same time. The peak hour is 95 cars.

Mr. Panico asked if he was using the peak hour of Bridgeport Avenue traffic and trying to measure what this will contribute at that peak hour.

Mr. Balskus responded yes, correct.

Mr. Panico commented that it is not necessarily the peak hour for the development.

Mr. Balskus responded yes, correct but for the most part, for the residential ,it is about the same.

Comm. McGorty commented that it is the worst case scenario for Bridgeport Avenue.

Mr. Balskus responded yes, exactly.

Mr. Panico stated that you want to avoid those times if you can.

Mr. Balskus added that he doesn't really want to say it's worst case but it is definitely the peak traffic flow on Bridgeport Avenue – in the morning 7 a.m. to 9 a.m. and afternoon 4 p.m. to 6 p.m. basically.

Chair Parkins commented that he mentioned the down trend in traffic and asked if there was any correlation between that and unemployment. She added that when employment comes up the trips go up.

Mr. Balskus responded yes, there is and added that The Washington Post has an article about the estimated vehicle miles driven vs. gasoline prices. He showed Chair Parkins the graph accompanying the article on his IPAD with Wi-Fi connection. He explained that the graph shows the trend of vehicle miles traveled over from 1990, 2010, 2015 projection and the gas prices. They originally thought that if gas prices went up, it would go down but it continues to go down. The gas prices went down, it came back up again so that is one issue.

Chair Parkins commented that there are a lot of smart cars out there.

Mr. Balskus responded correct and quoted from the article that the cost of driving is going up. It costs more to drive because of the gas, insurance rates, and the recession is another issue. Also, it is harder to get a license. He added that his own son turned 17 and got his truck just yesterday and he's excited, but 16 used to be the age you could get a vehicle. It is harder to get a license, especially in Connecticut, these days. He read from the article that more young people are living in transit areas and they are living near train and bus stations. There is a drive towards urban living more so now. He added that technology is making it easier to be car-free with another aspect being that people are spending money on cell phones and laptops as opposed to cars. He

indicated that the percentage of teenaged licensed drivers is down tremendously because now they just want cell phones. It is harder to get a license and they are socializing with smart phones. It is across the board, it's nationally. There are isolated areas where there are some increases but it is usually associated with some major development – a major shopping center coming in, etc. but the trend is that it is going down. Therefore the gas tax is going down as well.

Atty. Bellis indicated that he knows that they are running late with this presentation but he wanted to submit a letter from Alan Shepard of Nowakowski, O'Bymachow & Kane to respond to the City Engineer's letter. He hopes Alan doesn't mind that he'll be cutting him short tonight. He filed some of the plans, drainage reports, etc.

Atty. Bellis indicated that he wanted to provide a quick overview of what they are talking about architecturally. He'll have A.J. Grasso show them a couple of slides to give them an idea of the type of structure.

A.J. Grasso, Prestige Builders, 15 Beech Tree Hill Road, Shelton, CT addressed the Commission. Mr. Grasso indicated that he did all of the development and building at Heritage Point several years ago. He indicated that this project is kind of a combination of Heritage Point and Crescent View Village. The single family homes that are shown here are nearly identical to what was built at Heritage Point.

Mr. Grasso commented that the easiest way for them to get the feel for this would be to go to Heritage Point. If they take a drive through Heritage Point, they should take a look at the architecture, and the landscaping on all four sides of the homes. The lawns are just about perfect there because when they did it they put a sprinkler system into the project. They are at all 40 units, the entrance, and the areas of the road that do not have homes in front of them.

Mr. Grasso indicated that in regard to the condominiums, if they drive through Crescent Village that is a very good idea of what the section of condos will look like. One of things that they did here with the help of the Town Planner, is where they access the development for the condominiums; there is basically a separate roadway so that people going to the condominiums don't have to drive through the entire area of residential area of single family homes. He pointed out that a couple people living in single family homes placed over in one area here may use that access as well. Everybody else that is servicing the balance of the 60 single family homes would probably use the secondary entrance into the development. He offered to answer any questions they have.

Atty. Bellis commented that before giving his conclusion, he wanted to point out that he thinks this plan is consistent with their Plan of Development. One of the aspects for Plan of Development is to decrease their tax burden and he thinks he has made it abundantly clear that this type of development would produce a net increase of revenues.

Atty. Bellis indicated that he wanted to read something from their Plan of Development, which he'll submit. It talks about "while future population growth is important, changes in age composition within the community may actually have more far reaching implications in terms of anticipating future facility and service needs as well as housing needs. With continual advances in medicine, residents are living longer, healthier lives which lead to a larger, more stable elderly population. Baby Boomers have already begun to reach age 55 and by 2020 will be entirely age 55 and older. During the 1960's, the Baby Boom generation created exceptional demand for schools, recreational facilities, and other programs. As they approach retirement age, they will again create unprecedented demand for senior services and alternative housing options to meet their needs." He added that they've thrown in some statistics too that are scary.

He continued to read that "In 1970, nearly 40% of Shelton's population was under 20 years old compared to 15% over 55 years of age. By 2020, less than 20% of the population will be under 20 years old while 37% will be 55 years and older." Atty. Bellis stated that this comes from their own Plan of Development. It says that mature (55-65) adults need smaller homes and that is what their conclusion is.

Atty. Bellis commented that the housing needs of residents will change as they grow older. Alternative housing options such as condominiums, active adult communities and assisted living facilities for those who choose or who need to leave their single family homes. He added that is what their long range Plan of Development is saying. He looks at this project and that is exactly what they are doing.

Comm. Harger asked if he could provide a breakdown as to the percentage of land use for single-family homes and condominiums.

Atty. Bellis asked A.J. Grasso if he could provide that information.

Mr. Grasso responded that this parcel right here is about 31 acres. The single family homes portion is taking up probably less than 2/3 of it – probably about 19 – 20 acres. The condominiums would be taking up the balance.

Chair Parkins commented that it is basically 2/3 and 1/3.

Mr. Grasso responded yes, a little bit over a 1/3 for the condominiums.

Comm. Harger asked what the size of the average single family home lot would be.

Mr. Grasso responded that the single family units will be identical to Heritage Point. At Heritage Point they are 60 feet wide x 100 feet deep and also they also sold (inaudible) simple. So when somebody buys them they are also purchasing the land and the house. There will be an Association just like there is at Heritage Point. The plowing, paving, and all the lawn maintenance will be taken care of the Association. The advantage to that is you won't have your neighbor mowing his lawn on Sunday morning and you want to mow yours on Friday night.

Comm. Flannery asked how much space there was between houses.

Mr. Grasso responded that the side yard setback on this is identical to what it is at Heritage Point. The side yard setback is a minimum of 8 feet but generally between houses over there they have between 20 – 22 feet.

Comm. Flannery asked if it was 8 feet or 20 feet.

Atty. Bellis responded that those are setbacks.

Comm. Flannery asked how far apart the homes are.

Mr. Grasso responded that the homes themselves are generally about 20 feet apart.

Comm. Flannery commented 20 feet - that is it.

Mr. Panico stated it was the spacing between them.

Chair Parkins commented that it was cluster housing.

Atty. Bellis stated that is why kids don't want to live there. He summarized that he knows this has been a long night and he appreciates that they've been listening. He commented that he thinks this plan meets and is consistent with their regulations for PDD and Initial Concept Plans in 34.5, 34.2 and 34.9. There isn't another zoning district that would be appropriate to establish this kind of purpose. The PDD, Statement of Uses, and the Initial Concept Plan are consistent with the Comprehensive Plan of Development because it reduces the tax burden on residents and it provides alternative housing for active adults and anticipates an aging population. They have heard that the streets and intersections are adequate to accommodate traffic and the additional traffic will not overload the street systems. In fact, the developer intends to improve certain key intersections that are currently problematic at no cost to the City and that is not due to this development but are pre-existing. The existing utility service is adequate and doesn't overburden capacity. Atty. Bellis commented that there is a problem already existing on Center

Street with sewer lines that are overburdened. The WPCA is currently working to fix that problem and re-route some of that flow but that is an existing problem.

Atty. Bellis submitted that the additional \$2100 per unit that people have to pay will add up to about \$295,000 and that would help offset some of those costs if not pay for them all together. Any potential impact regarding the ecological environmental conditions can be maintained. He didn't have Alan Shepard speak tonight because of the time constraints but he will be utilizing the storm management best practices management, etc. The site design is safe for the intended users and as they can see there are two access ways to Long Hill Cross Roads in the event of fire or if one entrance is blocked off.

Atty. Bellis stated that the proposal according to Chris Kerin will not have an adverse impact on the surrounding property values. He indicated that they would come back with Detailed Development Plans so if there are any specific questions such as the ones Comm. Flannery has raised, they can be taken up at that time.

Atty. Bellis commented that he is thinking that this application is beneficial to the City of Shelton. They all know that they had an industrial economy for a very long time and there was a transition from 1970 to 2000. There have been changes in their population growth and he emphasized that under the old economy there was 2.5 kids single family residential and high expenses for the education. In their plan of development it says that it costs an extra \$1,467 the way that they used to do things with the subdivisions. He thinks that what he has shown them is that these type of developments, and the William Raveis chart shows it, will have significantly less children which translates into less expenses.

Atty. Bellis stated that the bottom line is that if they look at what Don Klepper-Smith showed using a conservative approach; the City will get \$200,000 per year if they approve this type of proposal. If they look at the micro economics, they will see that there are really less students than the State projections so it is more likely that the City will get \$660,000 per year. He commented that he thinks that over the next five or ten years that is a significant amount of money. He added that he thinks that it is something that they aren't going to get with LIP industrial uses because there is no demand for them. They've seen the vacancy rates and the economic indicators. They have heard Chris Kerin say that it is not coming here.

Atty. Bellis stated that they used to worry about density because it used to gobble up too much land. They used to worry about density because there were too many school aged children but in this particular case he doesn't think that they have to worry about density all that much because they are going to have a net benefit and net gain of taxes and not a net loss.

Atty. Bellis commented that they didn't have a chance to hear from Alan Shepard, P.E. but he would have told them that there are not a lot of significant changes in the grading and topography. They aren't leveling a mountain to make this. It fits in the way he designed it. The houses fit in and the condos fit in with the contour of the land. The layout is consistent with the topography of the land right now.

Atty. Bellis mentioned that it is not likely that light industry is going to come on to this land. The land is not cheap, it is an expensive part of town, they would have to build a new building and it would be for manufacturing. He really thinks that over the next 5 – 10 years, if they don't accept a project like this, they are giving up \$6M in revenue that they would get from this type of development. There are also secondary beneficial impacts, the people coming into these projects, he thinks that they can assume will have disposable incomes, they'll spend their money at local stores. The developer uses local contractors. They've suffered through a recession. It isn't an out-of-state developer coming in that uses their team from Massachusetts which they've seen when these developments comes in and none of their local guys gets hired. They have their own buddies up in Vermont and New Hampshire, they bring them down and the local guys don't get anything. He stated that would not be the case in this particular development.

Atty. Bellis summed up that they are lucky that the Applicant and the Seller are willing to risk their time and money on a project that is going to benefit the community both financially and with the diversity of people that they are going to bring in. Those people will become active in the community, politics, hopefully, volunteer their time. He hopes that the Commission will

look favorably on the PDD and Initial Concept Plan and as he said, this is just an initial concept plan and he thinks that they've provided more than enough evidence, factual data and good reasoning why in the new economy things are different and they can make money off of these types of projects. He thanked the Commission.

Chair Parkins commented that in speaking of time, the Applicant has taken two hours to make the hour presentation he said he was going to make but it was a very thorough presentation. For those not in the audience when the public hearing was opened, she announced that they would end the hearing at 9:30 p.m. and continue the public hearing if needed. She commented that since it is already 9:15, she'll keep it open to 9:45 p.m. because the Commission does have other business to take care of tonight. The Commissioners don't want to be here until 11 p.m. Chair Parkins indicated that they will take public comments for the next 30 minutes and requested that elected officials speak first and then other members of the public can speak. She requested that they address comments to the Chairperson and not to the Applicant and in consideration of time, try not to repeat what has already been said but instead simply indicate that you are in agreement with the previous speaker.

Chair Parkins asked if there were any public officials present who would like to sign in and speak first. She requested that anyone else wishing to speak, sign in on the sheet and she'll call people up in that order.

Michael DeAngelis, Chairman, Shelton, WPCA addressed the Commission. Mr. DeAngelis indicated that he was here tonight representing the WPCA and its Board members including their approval to make this presentation tonight.

Mr. DeAngelis stated that he was not here to debate or argue the merits of Phase 1 Hawks Ridge project. He is here to enlighten the P&Z on their established sewer shed flow area allocation table. Even though their Board is split on its decision as to whether to accept this project or not, ultimately it was approved as conceptual project with an agreed stipulation moving forward. He reiterated that there will be stipulations. There was much discussion regarding the P&Z zoning change 9A from Light Industrial to a PDD. It is rare that the W.P.C.A. fervently debates a project. He indicated that he has been on this Board for about 25 years and he's been the Chairman for about 10 -12 years, and he can't remember the last time that they debated a project like they did for this one.

Mr. DeAngelis explained the crux of their dilemma and, hence his involvement here tonight. He stated that back in 2004, the WPCA was approached by the Long Range Planning Committee including Frank Osak. In 2004, he prepared an Executive Summary and presented it to the Long Range Planning Committee and the P&Z Commission. Much time was spent gathering information and presenting it to the Board with the document outline their goals and a plan. Voting on it (inaudible) and within a year's time frame 2005 -2006, the WPCA was given a task to evaluate the sewer flow allocations to their plan and bring it more in line with the City's Ten Year Master Plan provided by the P&Z and discussed with the Long Range Planning Committee. This plan was based on obtaining detailed information from the Shelton Economic Development Corporation, P&Z and the Mayor's Office.

Mr. DeAngelis presented a site rendering of the zones including Shelton, Derby, Stratford area and stated that when he talks about the twelve zones. He explained that they obtain their information from those three municipalities including the Mayor's Office. The WPCA had several special meetings over a three or four month period to understand where the City expected development in certain areas and where the City wanted future growth. It was no surprise the City future Downtown development and growth. Since the acceptance of flow allocations, the WPCA felt they had a rock solid plan to mirror the City's wishes and desires. They walked away feeling confident that they had the correct formula to handle any new project that was come into the City of Shelton.

Mr. DeAngelis stated that here lies the issue. They have an allocation firmly in place, the WPCA has allocated flows to the 12 sewer shed areas as detailed on that map. He showed another chart and stated that five or six times in the past, they actually allocated these flows with no insight - meaning there were certain areas in town - they changed a lot of these sewer shed areas 5 or 6 times in the past meaning that they might have 20,000 gallons worth of flow in a certain sewer

shed area and the PDD increased the density and now all of a sudden instead of 20,000 gallons per day flow in that area, now they are witnessing 30,000 gallons of flow per day to that area.

Mr. DeAngelis commented that while he agrees that they have capacity to plan now, and he knows that you're going to tell him that that they have capacity to plan, there is no denying that, to accept future flows but their allocation is a moving target. He clarified that means that if they thought this property had industrial flows to it, it might have been less than residential. He stressed that it might have been and he doesn't have specific numbers and he's sure it will be debated at some point.

Mr. DeAngelis indicated that it was a moving target every month when a new application came to their Board for approval. They might as well throw away good and reasonable planning, dissolve the Board and let others make the decisions without any recourse to the WPCA. It is frustrating that their work over several months had no impact on other planning devices within the City. It was noted by Alan Shepard, the PE of Hawk Ridge that the WPCA approved an industrial project by Bob Scinto at this site several years ago. He verified that they did. It was reserved for industrial flows as he already mentioned.

Mr. DeAngelis commented that some might ask what the difference between industrial and residential and an industrial zone might have less flow hence reduced flow to the sewer shed area. He referenced it as Sewer Shed area 9A. He indicated that on that map there are 29,000 – there is a deficit in that area right now of about 25,000 gallons per day in that area. As mentioned earlier by Steve Bellis, they are going to be forced to go Downtown and do some work at Center Street to accept this project.

Mr. DeAngelis stated that since 2006, this sewer shed area has been changed several times to accept additional flows not originally forecasted as (inaudible)...He indicated that if he were to add up the numbers, they have a negative flow allocation in this area which was originally estimated to have 11,500 ngb and now they are in a negative 31,420 ngb – these are rounded numbers and he's sure that smarter guys than him will debate them.

Mr. DeAngelis indicated that he attached on an 11 x 17 sheet how they keep track of all the development that goes in Shelton and how they allocate the flows. Back in 2006, for three or four months they met with everybody and broke down these sewer shed areas based upon what they knew from everybody what was going to be in that sewer shed area. There are 12 sewer shed areas. This impact would force the WPCA to re-evaluate where they find flows to support this sewer shed area in projects in the future including Phase 2 Hawks Ridge. Mr. DeAngelis commented that he is afraid of Phase 2 as far as this is concerned because he is not sure when it stops. He is trying to talk about the WPCA as a whole and not talk about namely this project. He is just trying to figure out how they are going to do their work as the Commissioners, as volunteers and them as volunteers – they have to now have many, many more special meetings. This isn't only just for this project. He said he is talking in general, the PDD, how it gets handed out. It makes their life more difficult based on this long range planning that he went and made with Frank Osak and this Commission.

Additionally, the underground sewer pipe in many areas of town occasionally surcharges during the day because excessive flows that were not estimated during their evaluation process such as for Hawks Ridge. They will be forced to dig up streets, increase pipe sizes, install new lines throughout the City as new and larger projects come on board. They have several sewer shed areas that anticipated to be over capacity and sewer lines will need to be upgraded due to unallocated flows. Mr. DeAngelis stated that an important fact to remember in the previous assessment, they need to allow for existing septic systems from existing homeowners within the City that need to hook up to the plan to alleviate failed systems. He added that every once in a while they get residential areas coming in saying that they are having problems with their septic systems and they need to hook up. They come before the Board and they accept or don't accept their project. The DEP tells them that they have to put flow aside for these future residents in the town of Shelton to accept their flows if the septic systems fail.

Mr. DeAngelis commented that on occasion the WPCA has been threatened by developers that they will take them to court if they don't accept their application to connect. He stated that Avalon was a classic example of threats by their attorneys to take action against them.

Ultimately, the WPCA was forced to step down and approve their application. They had to accept their flow for their plan; they don't really care if we have unallocated ... (inaudible) He commented that he can only see the future and its impact and they continue to debate within the ranks of the WPCA which projects they can accept or they can deny based solely on the decision of zoning changes which is beyond their control but that he hopes the Commission has control over it.

Mr. DeAngelis stated that the good news is that Shelton is a desirable place to live. They have low tax base and one of the lowest user fees in the State. They have the third lowest user fee in the state out of 167 towns at \$197 per user. He added that some towns, such as Greenwich are \$900 to use per dwelling unit. Some modest towns such as Derby are \$500 per dwelling unit. He indicated that Derby is having major problems with their plant and they wanted to ask them to bring their flows to Shelton's plant.

Mr. DeAngelis indicated that the bad news is that the WPCA work is not done regarding their sewer shed allocation and will continue to be threatened by outside factors unless the Commission helps them with the PDD and help them put their long range planning back in line. He thanked the Commission.

Chair Parkins commented that she had a question. She stated that she wasn't an engineer and she doesn't understand how ... she just likes to flush her toilet and know it will go away.

Mr. DeAngelis responded that everybody does.

Chair Parkins asked about in terms of the allocation, just because they have to reallocate does it necessarily mean that they have to dig up sewers. She asked if they have to do it on every occasion.

Mr. DeAngelis responded sometimes yes. Over the past five years they have done four or five different projects to alleviate a lot of this type of ... A lot of their problem too is iodides[sic]. They have 600,000 of iodides, meaning inflow and infiltration, which is their responsibility to get rid of. It wouldn't be a Hawks Ridge's problem, it would be their problem but until they get rid of it, it is hard to accept these types of projects until they can figure out how to get rid of it. They are spending a lot of money every year to get rid of that iodide.

Chair Parkins commented OK, thank you.

Alderman John Anglace, 676 Long Hill Avenue, Shelton addressed the Commission.

Alderman Anglace indicated that he just wanted it to be acknowledged that he was present tonight. He indicated that he would like to speak when they reconvene. He commented that by reconvening it gives him and the other members of the public more of a level playing field because it gives him a chance to study the documents. He added that he thinks all of the public hearings should be that way. He comes here and listens but he can't see these charts and he doesn't have any documents so he can only take issue with things off of the cuff. He'd like to listen to the public and come back to speak.

Chair Parkins responded OK and called the first person signed in to speak.

Regis Dognin, 342 Long Hill Avenue, Shelton, CT addressed the Commission. Mr. Dognin distributed information to the Commissioners and commented that he goes back to 1888, that's an exaggeration but part of that is true. Actually Max Durrschmidt built his home Victorian home on Long Hill Avenue in 1888 when only Kneen Street existed. There was no Route 8, no Constitution Boulevard, no (inaudible)... a quarter or less of the housing that goes up and down Long Hill Avenue. Mr. Dognin stated that he has lived there for 40 years so today with the intersection of Constitution Boulevard, Route 8 and Exit 13, it is a very busy place with a traffic light. Mr. Dognin indicated that he speaks for his neighbors when he says that they see this project, located as planned, as a very bad idea. They oppose it strongly and ask the Commission to deny it and here are their reasons.

The current LIP zone is the best option for Shelton. Thanks to strong leadership and foresight, hard work and persistence, Frank Osak and Ole Severson started planning in Shelton off on the right foot in 1963. They created IA-2 for this site, they moved planning forward and were the

driving force to the critical years. The current LIP zone was adopted in 1999 based on the recommendations of the 1992 Comprehensive Plan of Development. The recent 2006 Plan of Conservation and Development undoubtedly represents the finest effort Shelton has ever put forth. This project was sponsored by this Commission. It was under the talented and expert direction of noted professional organizations which had demonstrated high quality results elsewhere in Connecticut and beyond. The residents and interested parties who worked tirelessly on this plan were amongst the most dedicated and gifted people in Shelton. The deliberations were carefully planned, very thorough, and garnered excellent public inputs. A lot of thought was invested and a lot of hard work that had been approved by an elected Commission. Now it should be wisely followed unless there are exceptional circumstances that warrant an exception. They see nothing of the sort. They see opportunism in this application. It is time to follow the master plan and not ignore it and let it collect dust. At this critical junction it is time to follow some planning.

Mr. Dognin commented that business, commercial and industrial areas heavily support the city's tax base and it's growth over many years. Open space is an investment with healthy returns two decades later but residential developments are the opposite. They add to the City's expenses and costs in the long run. Inevitably, more expenses follow and police, fire, security, EMS and schools as a result.

Mr. Dognin commented on what was said earlier – and said what is the situation today will not be the situation in a decade or 15 years or 20 years. These things change over time in the composition of those that live and rent, etc. those properties. As a result of these considerations, the Master Plan leaves in place the OPD/ LIP zones that invite business, commercial, industrial enterprises. These areas are the guarantors of the balance so essential to the future of Shelton. Therefore, this very attractive LIP near an excellent transportation corridor should be preserved. It would be short-sighted to lose the potential for more attractive enterprises in the future. It comes down to this – the Master Plan says “no.” They ask the Commission to deny Application #13-5. It is the wrong place. Keep it LIP for future businesses.

Mr. Dognin commented that his second reason is local employment opportunities are lost. Hawks Ridge would occupy an LIP area and turn it into residential. Not only would that raise Shelton's taxes for all residents but it would also deny commerce for business or light industry from being there. Once gone, these areas never return and are rarely replaced. The result of Hawks Ridge locating here would deny some other businesses from being in Shelton to offer employment and career opportunities to Shelton residents. For Shelton, a local job means much higher quality of life for a person that must commute to Bridgeport, Stamford or beyond. That represents an enormous loss if not preserved for their future. This is why Application #13-5 must be denied.

Mr. Dognin added that the presenter ignored Shelton Heights which started off as Shelton Heights Joint Venture which was the cause of the construction of Constitution Boulevard which serves it to Route 8 Exit 13. He stated that is and was an LIP but it is now covered with PDD's that bring in things like Pitney Bowes, Hubbard Electric and many of the others. He doesn't have an exact count but some are very large and some much smaller – that is a case of an LIP that has generated a lot of income and future jobs for the City.

Mr. Dognin stated that the Hawks Ridge project is too intense. Eighty multi-family dwellings and 60 single family detached homes is far too intense for this area. First, if it has to be residential, it should be zoned residential and not (inaudible) and surrounding as it is with residential R-1 areas it would support probably no more than 30 – 35 homes. Open space designation would claim 15%. Roads and other considerations would bring that number down. At least it would have an open space that could buffer Route 8 highway noises and industry noises and night activity south of Long Hill Cross Road where industry is already present. The traffic for Long Hill Avenue and Long Hill Cross Road would also be acceptable in quantity and hours of use. The open space provided are two wetland areas, one detention basin and a 25 foot buffer between the backs of the houses and Route 8 corridor. He added that is not a lot. They plan to have a ten foot fence and that is the only protection they have between the two of them. Mr. Dognin indicated that the use of R-3 and R-4 zones in this area to account for the higher density dwellings would not be desirable for this community and they are opposed.

Mr. Dognin stated that the fourth item is objectionable – traffic. For the proposed 140 dwellings they can expect at least 280 vehicles which must travel Long Hill Avenue and Long Hill Cross Road. Motorcycles are not counted but would certainly be there. This is traffic of a different order of magnitude from the normal residential of 30 to 35 homes. Commercial enterprises would also bring traffic but they would be of a different sort. Constitution Boulevard serves Long Hill and is a good example. The traffic is heavy for two hours a day but is very light the rest of the time and totally absent at night and on weekends when residents enjoy the outdoors. Cars going by are generally quiet, truck traffic is usually slight unless a construction project is going on. Moreover, it is restricted to first shift, it would be using only the lower portion of Long Hill Cross Road because no thru trucks are allowed on Long Hill Avenue. The 140 proposed PDD residential units would generate traffic during all hours of the day and night with surges at rush hours. They should expect longer delays at the five traffic lights that provide access to the two roads in question – Long Hill Avenue and River Road, Long Hill Cross Road at Bridgeport Avenue, Platt Road at Bridgeport Avenue, Long Hill Avenue at Constitution Boulevard, Rocky Rest Road at River Road. Out of those five, only two were discussed in this presentation and the worse of them would probably be Constitution Boulevard. High density residential development at this location would increase the traffic burden. This would be excessive and very objectionable to the Long Hill Avenue community which is mostly people that own their home, live there and work somewhere else. It should be opposed – another reason why #13-5 should be denied.

Mr. Dognin asked how these residential projects look in the future. Their time span seems to be 7 – 8 years, not even a decade. They are in a hole right now and they know that. Everybody does – from 2008 to now. They aren't coming out of it very soon but they will come out of it and when they do they are going to need LIP and they may not need residential quite so much. At last count the residential developments that are built and anticipated or being planned – approximate numbers – Avalon Shelton Canal Street (250); Canal Street Rest of Parcel to the Locks (350); Spongex, #6 Bridge Street repurposed (45); Talbot Project, 740 Bridgeport Avenue (262); Assisted Living Split Rock (92); Blue Herring Cove (36); Hawks Ridge, Long Hill Cross Road (140). This would be adding 1,175 new residences and a lot of these are in the future. They don't know how well they will sell and they don't know who will buy them, rent them or live them. Mr. Dognin asked what happens after the second person is renting and the third person is renting and there are many, many questions that he hopes they will struggle with.

Mr. Dognin stated that in total there are very significant changes going to happen and it seems that housing is not the problem. Enterprises in the future are another matter. It may be asked where these changes are taking them and will they saturate the rental market. He added that means lower rentals and it means people that have a problem with renting and that brings on a whole new set of difficulties for the neighborhood. They need to keep in mind that the economy will come back and the City must be ready to accommodate further enterprises. This LIP zone established in the 1960's, when lost, will never be seen again.

Mr. Dognin commented that it is important to understand that it is all too easy to say “yes” when a “no” is the right answer based on sound planning and not current market conditions. In conclusion, he has a banner that says “Save the LIP. Save the jobs. Save the City” for other things. He thanked the Commission for their time.

Chair Parkins thanked Mr. Dognin.

Mr. Dognin commented that he is also the Vice Chairman of the WPCA for about a decade roughly, he's been replaced in the last year and he may have a few comments at the next session which you said you would have.

Chair Parkins responded OK and called Robert Neidermeier.

Atty. Dennis Laccavole, 1087 Broad Street, Bridgeport, CT addressed the Commission on behalf of Robert Neidermeier. Atty. Laccavole stated that he was Mr. Neidermeier's counsel and they have a presentation in opposition. He indicated that he probably has about 10 minutes of comments and Mr. Neidermeier probably has 10 minutes of comments and they have some exhibits. Due to the lateness of the hour, they are going to be prejudiced in trying to rush through this.

Chair Parkins asked if he would like to defer to their next meeting.

Atty. Laccavole responded yes and thanked the Commission.

Chair Parkins commented OK. It will be held on May 22nd, the fourth Wednesday in May and they will continue this public hearing.

Robert J. Giantasio, 96 Long Hill Cross Road, Shelton, CT addressed the Commission. Mr. Giantasio stated that he was 85 years old and served in World War II and the Korean War. He owns the property on 96 Long Hill Cross Hill Road. He owns half of it and his charitable trust owns the other half. He stated that he was in favor of Wells selling the property to Hawks Ridge enterprise and he's in favor (inaudible). He indicated that one gentleman made a false remark saying that it is going to cost the City money because it's bringing taxpayer's money into the City. Mr. Giantasio commented that the evidence that they've shown him is very proper and so he's in favor.

Brian Mooney, 78 Thompson Street, Shelton, CT addressed the Commission. Mr. Mooney stated that he was a life-long resident of Shelton and he currently resides at 78 Thompson Street. He's a business owner in Shelton, he co-owns Baldwin & Mooney Plumbing and Heating. His business partner is James Baldwin whose family members, coincidentally, are among some of the original settlers that developed this town. They even pre-date the Wells family. Mr. Mooney indicated that he has a love for and a vested interest in Shelton. He is voicing his support for the project being proposed. He believes that the planned project is an appropriate use of the land in question and also seems to financially benefit the City of Shelton and its residents. When development is done intelligently, it can serve to increase town tax revenues as well as revenues for local businesses that benefit all of the citizens within the City.

Mr. Mooney stated that intelligent development to him means using local developers, builders and contractors. He has worked with this developer, A.J. Grasso on his previous subdivision in Shelton, Heritage Point on Buddington Road. He is also a lifelong resident of Shelton, takes great pride in the town and it was truly reflected in the care he took in the construction of Heritage Point. Mr. Mooney indicated that he met A.J. when he hired him and his partner just starting out with their own business to complete the majority of the plumbing in this 40 home subdivision. He noted that the majority of subcontractors he employed at Heritage Point were Shelton residents or Shelton business owners. It is easy to identify the pride and craftsmanship of someone building something great in the town that they are a part of and love. Heritage Point is a place that he can look back on and know that he personally contributed to something that has benefitted the town and the community.

Mr. Mooney commented that over the past decade or two this town has seen a serious boom in development as Shelton adapts to the 21st century. A great percentage of this development has overlooked the value of local contractors, local talent and local voices. Publicly traded corporations like Avalon Bay and Toll Brothers tend to see development as profit and profit is increasing their own company's bottom line and then they leave town. He believes it should be local contractors and citizens who benefit from this project rather than anonymous shareholders or board members. The local contractors and citizens have an interest beyond just financial gain in town development and the proceeds of this project will remain local. He reiterated that the tax revenue generated from this project will likely be significant. Shelton is filled with some of the best contractors and construction workers in the State and this project will also mean the employment of countless local tradesmen, laborers, skilled and unskilled workers. A project like this is an opportunity for long term employment for many Shelton contractors and residents because A.J. has a track record of employing a great deal of Shelton citizens - that way Shelton dollars can stay Shelton dollars. He commented that he hopes this input will help the Commission with their decision-making.

Doug Cooper, 39 Judson Street, Shelton, CT addressed the Commission. Mr. Cooper stated that he owns a single family dwelling and has a wife and 4 children. He also owns Diversified Kitchens in Huntington Center and he employs 10 people. Most of his employees live in this town as well. They have worked with A.J. Grasso over the years and it is a great mix. It brings customers to their business which allows them to support the local businesses as well. Everyone

down to the delivery guys live in town. One hand washes the other and it helps the whole town. Mr. Cooper stated that he was in favor of the proposal.

Steve Jarvis, 13 Freedom Way, Shelton, CT addressed the Commission. Mr. Jarvis commented that he resides at Heritage Point and he could echo a lot of the things said earlier by Ed Dobransky who also lives there. One of the questions that came up before was about the distance between the houses. Mr. Jarvis stated that he lived in Monroe for about 11 years and then lived in Trumbull for 26 years. He had an acre in Monroe and about ½ acre in Trumbull. His wife passed away and he was going to remarry about 6 years later and his new wife didn't want to move into the house where he was before. She was living in Sunwood Condominiums and liked Shelton and he had lived on both sides and never been in Shelton before so they both sold their places and looked for something in Shelton. Mr. Jarvis indicated that they looked at a lot of houses, Wells Hollow, condominiums and a friend was doing the appliance installations at Heritage Point so he suggested looking at them. He stated that they looked at Heritage Point and fell in love with it. If they look at a lot of the other subdivisions that go on, this one looks like it has been there forever. When A.J. did the landscaping, he said he does it on all four sides. He put in some mature plants so that it doesn't take 20 years for them to grow and looks great. In regard to the distance between the houses, he commented that he has more privacy there than he did in Monroe or Trumbull. A.J. has a lot of nice open spaces even where the houses back up to each other which he can see from the plans will happen there. There is plenty of privacy even though they are 60' wide and there are some with a little more distance and some a little less but it is a nice, quality construction. Mr. Jarvis stated that he still uses Brian Mooney for his plumbing and the electricians that A.J. used – it is a quality operation. He's sure that if he's allowed to build over there, it will be equally as good. He thanked the Commission.

Bill Banfe, 25 Riverview Avenue, Shelton, CT addressed the Commission. Mr. Banfe indicated that he didn't want to repeat everything but he certainly concurs with people who spoke before him about A.J. Grasso's commitment to his community, his work ethic, his integrity and all of his personal qualities. Mr. Banfe added that he saw those when A.J. was 13 years old and they haven't changed in the past 30 years. He feels very confident as a taxpayer and a resident that this project will come out the way everyone wants it to come out. He knows that the Commission has to dot the I's and cross the T's and assimilate all the technical information presented over the last two hours, but from the taxpayer and resident point of view, he incorporated all that as well but he also incorporates the other part of it. Having lived here for 40 years and in his roles as an educator, most people don't know that he spent 30 years in the construction and real estate industry as well so he sees it from all angles. He feels very confident that this project is going to come out the way everybody wants it to come out.

Mr. Banfe stated that he is especially interested as an aging member of this community in the Assisted Living portion of this. He can't recall the statistics that the gentlemen used before as to how many of them are over 65 years old but the number is only going to increase. He added that those types of facilities are necessary. It is too bad that it is in Phase 2 and not in Phase 1. Mr. Banfe stated that he certainly wants to speak on behalf of supporting this project. He thanked the Commission.

Chair Parkins indicated that was the last person who signed up to speak. She asked for a motion to continue the public hearing.

On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously voted to continue the public hearing for Application #13-5 until Wednesday, May 22, 2013.

Chair Parkins called for a five minute recess at 9:50 p.m.

OLD BUSINESS

Chair Parkins reconvened the meeting at 9:57 p.m.

APPLICATION #12-21, PETITION OF TALBOT PARTNERS, LLC FOR PDD ZONE CHANGE (INITIAL DEVELOPMENT CONCEPT PLAN: 262 UNIT APARTMENT DEVELOPMENT), 784 BRIDGEPORT AVENUE (MAP 19, LOT 56), OP DISTRICT (PUBLIC HEARING CLOSED ON 1/23/13).

Chair Parkins commented that after a discussion at the last meeting, they decided to move forward with a favorable resolution. She indicated that Mr. Panico has prepared a draft resolution which he will read.

Mr. Panico stated that he went back into the meeting minutes and tried to pull together all of the comments and discussion that took place at the Commission level and the concerns that were expressed and he tried to address them all and get it down in black and white. He read the Draft Resolution for Application #12-21.

***See attached P&Z Report Resolution, dated 4/24/13, for Application #12-21, Petition of Talbot Partners, LLC for Conditional Approval of Initial Development Concept Plans, Adoption of a Revision to the 2006 Plan of Conservation and Development, changing the Future Land Use Designation to Multi-family/Group Quarters, and Adoption of Planned Development District for 262 multi-family residential rental development at 740 Bridgeport Avenue.**

When Mr. Panico completed reading the report, Chair Parkins requested a motion to accept the draft resolution for discussion. Comm. McGorty motioned and Comm. Harger seconded. She asked if there were any comments.

Comm. Flannery stated that she had four comments. She indicated that she agrees with Mr. Perillo that it is not good timing to accept this application at this time because they really need to develop the downtown first. If they develop up on Bridgeport Avenue, these apartments, then they are subject to having the apartments not being filled downtown because this will take priority over the downtown. Then there will be a lot of empty apartments or they may have to lower the cost of the downtown apartments and then they won't have very responsible people living there.

Comm. Flannery commented that secondly, Frank Osak was brought up tonight during the meeting and she actually talked to Mr. Osak and asked him about PDD's because he was around in the 1970's. He told her that the PDD's were originally made for the businesses to make sure a quality business was going to be moving into the property so they could more specific about the building and what is in the building. It has nothing to do with residential. She added that she thinks that the current Planning & Zoning Commission is changing the whole perception of what the PDD is supposed to be about and its original intent.

Comm. Flannery stated that her third item was about the WPCA. The WPCA person who spoke tonight made her realize that he has to approve everything that their Commission approves and he really has no other choice. It means there has to be more building of pipes or whatever to accommodate and he felt very overwhelmed by all the PDD's that have been approved lately.

Chair Parkins commented that was brought up at tonight's public hearing. It was not brought up during this discussion. She indicated that she was trying to be very patient but it is getting very late and every comment so far that she has made has not been regarding this resolution.

Comm. Flannery responded that the economy will change, just because the economy is bad now ...she is addressing everything that was brought up...just because the economy is bad now, it doesn't mean that it will be bad 10 years from now. It said right in here...in the past few years...a few years to her means three to five...that they couldn't sell this property. She added, OK, then wait another 10 years and then sell it to a business.

Mr. Panico commented that with all due respect to Comm. Flannery, in his recollection Mr. Francini has been attempting to market that property for the last 20 years. He personally sat in on work sessions involving big box retail on that piece, he sat in on work sessions regarding a hotel proposal, at least those two and they were at least 10 years ago. So, it hasn't been just the last three or four years, Mr. Francini has been trying to market that piece for 20 years unsuccessfully.

Comm. Flannery stated that another thing is the blasting. It really has her worried after the guy went "frisky" and that the was the quote with the blasting at that last development and over

blasted. She added that she doesn't know how they are going to have the State regulations conformed to when the blaster doesn't do it and goes overboard.

Comm. Matto commented that any development that went there would require as much or more blasting, so if she is saying that you can't blast there then she is saying that they can't develop there.

Mr. Panico agreed and added that a development of that size for conventional big box retail, major industrial or office building is going to require getting into that steep slope in the front in order to create a large enough site and generally, that site has to be relatively level. It would require more extensive earthwork including the possibility that if that slope is rock, it would require more blasting.

Comm. Flannery stated that she concerned about the Fairchild trailer homes and the blasting. It will just knock them off their bases.

Mr. Panico responded that she or other people have said that same thing about other developments that have occurred around the Fairchild Mobile Home Park, closer in to where they are. The nearest activity on this site would be something in the order of 200 – 250 feet away from their boundary line, so it's 300 feet or more away from the actual buildings. He added that blasters have to know what they are doing and they have to be responsible. If they create problems then they have to suffer for that. You can't stop development.

Comm. Flannery commented that the only other thing is that she doesn't think it is appropriate for residential because of the air and noise pollution from Route 8 – it is too close. She added that she brought that up at the meeting and it wasn't in the report.

Chair Parkins commented OK.

Mr. Panico asked Comm. Flannery what she what like put in here.

Comm. Flannery stated that it is not appropriate for residential.

Mr. Panico stated that is her concern but he was reflecting the consensus of the Commission.

Chair Parkins reiterated that it was the consensus.

Mr. Panico stated that he wasn't reflecting individual commissioner's concerns.

Comm. Flannery responded that he didn't address that concern.

Comm. McGorty asked about all the people living downtown with all the cars and (inaudible)...

Mr. Panico indicated that the consensus of the Commission is that it was not a concern.

Comm. Flannery stated no, it's Route 8 with cars going 55 mph, it is quite different.

Chair Parkins responded that Route 8 goes right through downtown.

Mr. Panico commented that it was a not a concern of the Commission. It may have been a concern of hers, as a member of the Commission but it was not the concern of the Commission.

Comm. Flannery stated that he didn't address that concern – like trees – like how about a buffer of trees between the apartments and Route 8.

Chair Parkins asked Comm. Matto if she had any comments.

Comm. Matto responded no, she was ready to vote.

Chair Parkins asked Comm. Pogoda, Comm. McGorty and Comm. Harger if they had any further comments. With no comments from them, she indicated that she would take a roll call vote.

On a motion made by Thomas McGorty seconded by Virginia Harger, it was roll call voted (4-2) to approve Application #12-21. Commissioner Flannery and Commissioner Pogoda voted in opposition.

Chair Parkins requested a motion to adjourn.

ADJOURNMENT

On a motion made by Thomas McGorty seconded by Virginia Harger, it was unanimously voted to adjourn the meeting at 10:32 p.m.

Respectfully Submitted,

Karin Tuke

P&Z Recording Secretary