

SHELTON PLANNING AND ZONING COMMISSION MAY 14, 2013

The Shelton Planning and Zoning Commission held a regular meeting on Tuesday, May, 2013 at Shelton City Hall, Room 303, 7:00 p.m., 54 Hill Street, Shelton, CT 06484.

Commissioners Present: Chairperson Ruth Parkins
 Comm. Anthony Pogoda
 Commissioner Virginia Harger
 Commissioner Thomas McGorty
 Commissioner Joan Flannery
 Commissioner Elaine Matto
 Comm. Nancy Dickal (alternate, departed 8:50 p.m.)

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

CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL

Chair Parkins called the regular meeting of the P&Z Commission to order at 7 p.m. with the Pledge of Allegiance and a roll call of members present.

OLD BUSINESS

APPLICATIONS FOR CERTIFICATE OF ZONING COMPLIANCE

Chair Parkins stated that there were two add on Applications for Certificate of Zoning Compliance to be placed on the agenda under Old Business. She added Separate #6999 for a home office at 384 Walnut Tree Hill Road and Separate #6942 for a wall sign at 507 Howe Avenue.

SEPARATE #6529 – TONY DELLAMONICA, 5 WHITE STREET, SIGN

Chair Parkins asked for a motion to table this application. Mr. Schultz indicated that the sign would be ready for the June 11th meeting.

On a motion made by Anthony Pogoda seconded by Virginia Harger, it was unanimously voted to table Separate #6529.

SEPARATE #6591 – NANCY’S TREE, 112 BRIDGEPORT AVENUE, SIGN

Chair Parkins indicated that the Applicant has withdrawn this application and she requested a motion to accept the withdrawal.

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to accept the withdrawal of Separate #6591.

SEPARATE #6951 – SUPERIOR SIGNS, WATERFORD LANE, SIGN

Mr. Schultz presented a photograph for the proposed signage at Waterview Landing, a private community off of Murphy’s Lane. He indicated that this is a sign replacement; the current sign is a wood material which has rotted away. This sign will be a non-wood material in keeping with the quality. Staff recommends approval. He added that he visited the site last week and the grounds are maintained perfectly.

Chair Parkins asked if this was the access right off of Murphy’s Lane.

Mr. Schultz responded that in going up Murphy’s Lane, Zuckerman did the four units on the left; Tanglewood is on the right, and at the top, taking a right, is the location of the private community.

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to approve Separate #6951.

SEPARATE #6977 – DAVE GRANT, 18 OLD STRATFORD ROAD, BUSINESS

Mr. Schultz indicated that Mr. Grant is present tonight and he is proposing to relocate his mobile restaurant/trailer from the parking lot next to Blanchette's.

Chair Parkins commented that it was called Smokin' Bones.

Mr. Schultz stated that he would like to relocate to the Old Stratford Road gasoline station/drive through. He indicated that Staff has visited the property and it is very tight there. If the Commission is to look favorably on this he would recommend – there are 8 parking spaces all the way over to the extreme left that abut the Hilton Garden property with the rock cut. He believes that the trailer probably needs about two parking spaces.

Mr. David Grant, proprietor of Smokin' Bones addressed the Commission. Mr. Grant commented that the far right parking space is an oversized space which is 15 feet wide. He asked the width of a normal parking space.

Mr. Schultz responded 10 feet.

Chair Parkins asked if it was a handicapped spot.

Mr. Grant responded no.

Chair Parkins asked if there was a handicapped spot on that site.

Mr. Schultz responded yes, every site has to have handicapped parking but they aren't in that vicinity.

Comm. Flannery asked where the handicapped spot was over there because she doesn't recall a handicapped spot.

Comm. McGorty commented that it might be over by the sign.

Comm. Flannery responded no, she parks on both sides at the facility.

Mr. Schultz asked Dave Grant if it was on the other side.

Mr. Grant responded it was right here by the rock cut (inaudible)...

Mr. Schultz commented yes, that is where he is recommending.

Mr. Schultz provided a photograph showing five parking spaces and Dave will need to occupy two.

Mr. Grant responded yes, with people standing there and everything, he thinks that two would be the best but 20 feet is really enough. The trailer is only 8 feet wide and it is a 15 foot space. He measured it all out. There is plenty of room for people to put their orders in and still have a parking space for their car. He stated that he planned to put fencing across there so that cars can't just pull right in.

Comm. Harger asked if he was planning any picnic tables.

Mr. Grant responded no.

Comm. Pogoda asked Mr. Grant if he was going to have enough space because he knows that when he had it by Blanchette's, there were quite a few contractors coming in with dump trucks and pickup trucks. He added that there isn't really that much room to park over there. Hopefully, he'll get a ton of business but...

Mr. Grant responded no, not enough room for trailers. He stated that what he and his son have found out is that the barbecue-trailer type of business is more of an impulse buy. He commented that even though Shelton is everybody's hometown, there are people who come off of Route 8, and there are people traveling through this area going to other states and they need gas or whatever and pull in, fill up and they are able to serve them really quickly. They can come over and get a sandwich and get back into their cars. They don't want anyone hanging around there and that's why they aren't putting any picnic tables. There are spaces in there, like when you pull in for gas with a trailer or where there is a phone booth and stuff but yes, you're right.

Chair Parkins asked how he was going to orient the trailer and if it would be lengthwise.

Mr. Grant responded no, they are just going to back it right in. He showed the window on the trailer that would be facing outward.

Comm. McGorty asked if it would face toward the next space.

Chair Parkins asked which space it would face. She added that they are going to lose a window somehow.

Mr. Grant showed the location on the site drawing that the trailer would back into.

Comm. McGorty asked if they had to walk around to the back of (inaudible)...

Mr. Grant showed where customers would order the food on the side and go around to pick it up.

Chair Parkins asked how that is going to be on that side if he's pulling in straight with those tanks in the back.

Mr. Grant responded no, not straight - just backing it in.

Chair Parkins asked if the propane tanks would be located here (she pointed out the location on the site drawing).

Mr. Grant responded yes and added that what they wanted to do was put a picket-style fence in, not an in-the ground fence though.

Chair Parkins asked where he was going to put the condiment window.

Mr. Grant showed the location of the pickup window and the condiment window in the back. He commented that he measured it and they have plenty of room. The trailer is 23 feet long from the tongue all the way. The trailer is only 18 feet but the tongue and everything goes up to 23 feet. The space is 26 feet before it even starts making a corner so it kind of fits perfectly in there.

Chair Parkins responded that he also has people and the drive-through and people coming around the drive-through.

Mr. Grant stated that he had some pictures of the drive-through.

Mr. Panico asked if the condiment window was going to face the rock.

Mr. Grant responded that this would face the rock but people will come around here and they will leave space for them too. On a photograph, he showed the location (parking spot) where they would be.

Chair Parkins asked if the photo wasn't a photo of the other side.

Mr. Grant responded no, right in this spot is where they would be.

Chair Parkins asked how people would get back into their cars.

Mr. Grant responded that there is plenty of room and he showed where it corners. He added that right at that corner is where it would end and they would put a fence.

Chair Parkins asked for clarification as to where it would end on the site drawing and photos.

Mr. Grant showed her the location where it would end.

Comm. Pogoda asked if he would be sticking out at all because that drive up window is right over there.

Mr. Grant responded no and showed the distance between the drive up window and the other window. He commented that it really works well and fits in there nicely.

Comm. Flannery suggested trying it for a month.

Chair Parkins asked what he was thinking about with the fence.

Mr. Grant responded that they wanted it because on one side there is a door so they wanted to put a fence across there so it looks neater.

Comm. McGorty commented that it would be a portable type of fence.

Mr. Grant responded yes, portable and they would move it at night.

Comm. Harger asked if this trailer was going to stay there.

Mr. Grant responded yes, they are going to keep it there.

Chair Parkins commented that if the Commission views this favorably she would like to do it on a trial basis to make sure that it works with the traffic.

Comm. Flannery agreed.

Mr. Grant stated that he would be more than willing to do that because if it doesn't work in the area than they don't want to do it either.

Chair Parkins indicated that safety is going to be a major concern here. She reiterated that she was very concerned about safety because for one thing, having those tanks on the outside with all these people who forget where the brake is, hit the gas instead and going flying into storefronts and that sort of thing. She added that the other thing is that she thinks the second space has to be reserved for them as well because there has to be a place for people lining up.

Mr. Grant responded yes, he was willing to give them two spaces.

Mr. Panico asked if it would be difficult to park the trailer with tank space in the ledge. He clarified that he means manually pulling the trailer in.

Mr. Grant responded yes, if it works for you guys.

Comm. McGorty added that then you have people standing on the edge of the truck, he's doesn't know what you'd rather have, people getting hit or what the major concern is.

Mr. Panico stated that in other words, the reverse of the truck instead of facing the parking lot (inaudible)...

Mr. Grant asked if what he was saying is that they should have the tongue going the other way.

Mr. Panico responded no, keep it the same but (inaudible)...

Comm. McGorty added no (inaudible) do a 180°...

Chair Parkins stated that if they are going to utilize both of these spaces then (inaudible)...

Mr. Panico stated reverse it (inaudible)...

Mr. Grant indicated that the thing is so heavy that it is hard to move. They were trying to figure that out too.

Chair Parkins stated that if you are going to utilize both spaces though, she asked if he couldn't pull it into this spot and then have this window on this side.

Mr. Grant responded they thought it would be more efficient because they are only staying open until 6:00 p.m. so they would have an open space all night long and up to 11:00 a.m. for people to park.

Chair Parkins indicated OK, that she understands that.

Mr. Grant stated that they aren't allowed to open for breakfast over there because of Dunkin Donuts. If the Board agrees to this, we can try it.

Mr. Schultz asked the Commissioners how many months they wanted to do it for.

Mr. Panico suggested six months would be good.

Comm. Pogoda agreed to six months because that is the worst part of the season. It is going to be over this time period.

Mr. Grant commented that if it doesn't work than they will move out of there anyway – they won't want to be there either.

Comm. McGorty asked that the other Commissioners keep an eye on it.

Mr. Schultz added that Staff has to monitor it.

Comm. Flannery stated that she is there all the time.

Comm. McGorty commented that he was there a lot too.

Mr. Schultz indicated that the Commissioners living near there will monitor and Staff will also be going up there.

Chair Parkins stated that it would be a temporary approval for six months to be revisited.

Mr. Grant thanked the Commission. Comm. Pogoda wished him luck with it.

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to authorize a temporary approval for Separate #6977 to be re-evaluated by the Commission after a 6 month period of time.

SEPARATE #6976 – DAVE GRANT, 502 HOWE AVENUE, CAR SHOW

Chair Parkins indicated that the next application was also for Dave Grant for a Car Show at 502 Howe Avenue.

Mr. Schultz stated that is the Webster Bank parking lot for Dave's grand opening for his business across the street on May 19th rain or shine.

Mr. Grant indicated that they had to change that date. He doesn't have the exact date yet but it will be in June and he'll let them know when it is. He added that the Bank already told them that whatever date they wanted on a Sunday in June would be fine with them. He will let the Commission know the date.

Chair Parkins commented OK, that it would be for some Sunday in June.

Comm. Flannery stated that it might be in competition with the one going on in Stratford in June.

Mr. Schultz added that it's on June 8th a Saturday.

Chair Parkins asked if this one was specifically tied to the grand opening celebration of your business across the street.

Mr. Grant responded yes, it will be from about 11 a.m. to 3 p.m.

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to approve Separate #6976 for a Sunday in June to be determined by the Applicant.

SEPARATE #6942, DAVE GRANT, 507 HOWE AVENUE, WALL SIGN

Chair Parkins stated that Dave Grant has an add-on third application on here for a wall sign too.

Mr. Schultz provided the rendering of wall signage for Grilled Cheese.

Chair Parkins asked if this was going into the window or where it would be going.

Mr. Grant responded no, there is glass door and then the window and a three foot space between the two and it is two feet wide and it would go right there.

Mr. Panico asked if it was a wall sign mounted on (inaudible)

Comm. Flannery asked if he was going to turn his letters right side up.

Mr. Grant responded that it was a long space and it is short.

Mr. Panico asked if it was a box sign.

Chair Parkins asked if it was lit.

Mr. Grant responded yes.

Mr. Panico asked if it was an internally illuminated box sign.

Mr. Grant responded yes, it is a box sign but 3 inches – very thin. It goes on by itself when it gets started.

Comm. Matto asked if this was for the same place as the ice cream.

Chair Parkins asked if he, obviously, has a grill down there now.

Mr. Grant responded yes, a Panini grill only – a press. This is a very new concept that is very popular throughout the United States now. They have trucks too that only serve (inaudible) grilled cheese.

Chair Parkins asked if this was a four foot light – are they 4 feet tall?

Mr. Panico stated that the light was 2 x 4 – equivalent to one of the panels on the ceiling here.

Comm. McGorty added that it was a four foot long panel.

Comm. Harger asked if the sign designer ever consider this – she showed where she penciled in an edit on the rendering to change the direction of the letters in “grilled cheese.”

Mr. Grant agreed that changing the angle of letter would make it easier to read.

Comm. Flannery agreed that otherwise, you'd be driving by with your heads tilted sideways to read it.

Mr. Panico stated that it kind of gets lost on the wall.

Comm. McGorty asked about where it would be mounted.

Mr. Panico responded that it is the brickwork between the two windows.

Chair Parkins asked if the illumination would be something that they'd turn off at night.

Mr. Panico commented that he wanted to ask about that too because he just said that it goes on automatically when it gets started.

Mr. Grant responded that it is not on a timer; it is on a light sensor.

Comm. McGorty stated that it was a photo cell. He asked how thick or how deep it was.

Mr. Grant responded that it was 3 inches.

Comm. Matto asked if it would stay on all night.

Mr. Grant responded that the other sign he has, the box signs, he thinks that they stay on all night. He knows that his son's does over there but the one that the Commission just approved stays on all night. It is nice because people come through at 10 p.m. or 11 p.m., it might not be open but at least they see it and know it is there.

Comm. Flannery stated that is free advertising.

Mr. Grant commented that it isn't blaring or obtrusive.

Chair Parkins stated that they (inaudible) on Center Street for "Tattoos" because they wanted the light off at night.

Mr. Grant commented that he could put it on a sensor.

Comm. Matto suggested a timer and a photo sensor.

Comm. McGorty asked if that one was neon in the window or was it on site.

Chair Parkins commented that it was a big box sign up on top.

Comm. McGorty asked if that was at the "Tattoo" place.

Chair Parkins responded yes. Comm. Matto stated that she remembers but she doesn't remember the times.

Chair Parkins indicated that they have to stay consistent. She told Mr. Grant that she really didn't have a problem with it but they didn't want to see it illuminated all night long though.

Mr. Grant asked if they wanted him to put it on a timer instead of a light sensor.

Chair Parkins responded yes, if you can.

Comm. Flannery added yes and turn the letters around on "Grilled Cheese" so that you don't have to look at it sideways.

Mr. Panico stated that it is a whole different sign then.

Comm. Harger commented no, instead of the G going this way – have it go up and down.

Mr. Grant responded that is a good idea actually.

Chair Parkins indicated that he'll have to get bolder letters and squatter to get that many on there.

Mr. Grant stated that it is really just inverting the "grill."

Mr. Panico commented that it would still read up and down but the letters would be facing you instead of sideways. He'll have to get a skinny "I."

Comm. McGorty indicated that after you look at and you know what it says – you don't really have to read it.

Chair Parkins stated that they don't get into the design of the letters. That is the Applicant's call but she'd prefer that it not be on all the time.

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to approve Separate #6942 for wall signage with the modifications discussed and the time limitations imposed by the Commission for illumination.

SEPARATE #6970 – CT SIGN, 698 BRIDGEPORT AVENUE, SIGN

Mr. Schultz indicated that this was for the OUTBACK Restaurant and they are going to see renderings of the existing sign and the proposed sign. Essentially, right now the logo shows a mountain graphic and "Steakhouse" is kind of separated.

Chair Parkins asked if they changed their logo.

Mr. Schultz responded yes.

Comm. Pogoda asked if it was the same size.

Mr. Schultz responded yes. It is cleaner looking too.

Joe Penderburg, representing the Outback with Anchor Sign, the national sign vendor for the Outback. Mr. Penderburg indicated that CT Sign will be the local installer who will be performing the actual installation at this location. They will be providing the Outback design.

Comm. Pogoda asked if this would be the only sign on the front of the building that was going to be affected.

Mr. Penderburg responded that is the only sign that will be affected at this time. They typically do their change out in waves. In this wave, it is the front elevation sign and some interior work design to go with their new menu and other looks. Later on they will do another construction which is a little bit more aggressive with a little bit more (inaudible)...

Commission comments inaudible.

Chair Parkins commented that the new one is more modern than rustic. Illuminating this (inaudible)...

Mr. Penderburg added that basically what this is – the existing sign is a standard box as they can see.

Chair Parkins asked if it was illuminated.

Mr. Penderburg stated that currently it is. It is channel letters on that box and the new style is the logo on top with the mountain feature which isn't illuminated. Part of the sign, the OUTBACK letters and the steakhouse cabinet itself are actually routed letters so that only the "steakhouse" lights up and not the cabinet itself. Effectively, it measures the same square footage. The new sign is shorter, about 3 feet shorter but it is about 10 inches taller. As it calculates out, it is about the same size.

Mr. Panico asked if just the red would illuminate.

Mr. Penderburg responded yes, correct.

Chair Parkins asked if it stayed illuminated all night.

Mr. Penderburg responded no, it does not, it is on a timer.

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to approve Separate #6970.

SEPARATE #6969 – MANAL ANZ, DPM, 333 RIVER ROAD, BUSINESS

Mr. Schultz stated that this is located on River Road diagonally across from the Riverview Cemetery. Terminex used to be located in there. There are multiple tenants in there but it is now going to one tenant. It is one of the few sites that has 20 parking spaces. This will be for a doctor's office, podiatry with two employees, 20 parking spaces, 2340 square feet. It is a good fit.

Comm. Harger asked if they were going to do any exterior changes.

Mr. Schultz responded not that he's aware of. There will be a free-standing sign. He showed a rendering of the proposed signage "Housatonic Valley Podiatrics."

Chair Parkins asked if that was a picture of a foot on the sign.

Comm. Pogoda commented that it looks like it.

Mr. Panico commented that it has five toes.

Chair Parkins indicated that it is supposed to look like an "S" for Housatonic. She asked where the sign would be going.

Mr. Schultz responded that it would replace the face of the Terminex sign. There is a ground sign there.

Chair Parkins asked if there was an upstairs and downstairs to that building.

Comm. Pogoda responded that he didn't think so.

Mr. Schultz added that he doesn't think so either, if there is it is just storage. There was a hair salon, Terminex...

Chair Parkins asked if there was ever a Laundromat at the bottom or is she thinking of someplace else.

Comm. Matto commented that there was a farm stand.

On a motion made by Anthony Pogoda seconded by Virginia Harger, it was unanimously voted to approve Separate #6969.

SEPARATE #6959 – LOUIS MERRITT, 223 CANAL STREET, BUSINESS

Mr. Schultz stated that the Applicant is present. This is an existing industrial building that was owned by Brennan. It is to the right of the Apex building that they discussed last Friday with Mr. Watts. So, this is the building that is well maintained all the way over to the right of the Apex building that was burned. Brennan occupied that. The building is approximately 40,000 square feet. This is Merritt Gunsmithing and they will occupy a 120 square feet and the type of business is to repair, alter and fabricate firearms and parts.

Comm. Harger asked how many employees.

Chair Parkins asked if this was licensed by ATF.

Mr. Schultz responded there is one employee and he is right here and it is licensed by the ATF.

Mr. Panico asked if they were going to be the only tenant in the building for now.

Chair Parkins asked if he said 120 square feet out of the 40,000.

Mr. Louis Merritt, owner Merritt Gunsmithing, 223 Canal Street addressed the Commission. Mr. Merritt responded yes, it is a 10 x 12 room which is all he needs for a small workshop.

Comm. Harger stated that on the first floor there is a novelty, premium place supplying sweatshirts and that type of stuff for advertising.

Mr. Panico asked if it was just for manufacturing...

Mr. Schultz responded it was for repair, alteration and fabrication of firearms and parts.

Mr. Panico stated that it's a manufacturing operation.

Mr. Merritt responded yes.

Comm. Harger asked what type of security measures would be in place.

Mr. Merritt responded that once established he will put in an alarm, the doors are locked – there is a key lock and a cipher lock. He stated that he could not provide what it will be on the rest of the premises.

Mr. Panico asked if the rest of the building was empty at this time.

Comm. McGorty asked if there were any requirements.

Mr. Merritt responded no there are some other companies there as well. He is a sublet to Conversion Services LLC which maintains the premises there.

Chair Parkins asked if he was going to have a safe.

Mr. Merritt responded yes he has a safe and it is currently over at his Milford location. He is moving his current operation from Milford to Shelton.

Comm. Harger asked what floor this was on.

Mr. Merritt responded the ground floor.

Chair Parkins asked if the safe was something that could be carried out.

Mr. Merritt responded that it was about 300 lbs.

Comm. Pogoda asked if he stored a lot of guns in there.

Mr. Merritt responded about three or four at a time.

Comm. Pogoda asked if they were all hand guns or rifles.

Mr. Merritt responded that it would be hand guns, rifles or whatever the customer asks him to work on.

Chair Parkins asked if there was any testing done at that site.

Mr. Merritt responded no, he has other places that he uses for testing.

Comm. Pogoda asked if there is ammunition on site.

Mr. Merritt responded that there would only be a small amount probably less than a couple hundred rounds at the most.

Comm. Pogoda asked what the reason would be for storing ammunition if there is no testing and there is no firing of the weapons on site.

Mr. Merritt responded that they would be part of a pick up for a customer who wanted to order some ammunition or something like that. It would go along with the business.

Comm. Pogoda asked if it was a retail operation too.

Mr. Merritt responded yes, it classifies as a retail operation as well. He would bring customers in by appointment only. It is not a walk-in establishment.

Chair Parkins asked if there would be any signs on his facility.

Mr. Merritt responded no, other than the name on the mailbox which would probably be it and a sign on the door to indicate his location internally.

Comm. Harger asked what the name of the business was.

Mr. Merritt responded Merritt Gunsmithing.

Chair Parkins commented that he was licensed by the ATF so they monitor shipments.

Mr. Merritt responded yes, he has had an ATF License since 1981. He provided a copy with the Application.

Comm. Harger asked about the items he would be working on and if they were in various stages of repair but at some point they may be guns.

Mr. Merritt responded yes, they would be completed firearms.

Comm. Harger asked if that is what would be stored, potentially overnight, not necessarily that he would be working on something at 3 p.m. and the customer would be there at 4 p.m. to pick it up.

Mr. Merritt responded yes, there will always be something left over so the premises will be on alarm overnight.

Chair Parkins asked if the same rules would apply if he was receiving any shipments of anything. It would have to be signed for.

Mr. Merritt responded yes, there are people there who would sign for it. Actually he has a facility over in Milford which is going to remain as the receiver and he will go over and pick it up over there. He added that this is a part time business not a full time business.

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

Mr. Merritt responded that basically it is by appointment only so there would be a sign on the door with the name, it will also say "by appointment only" and a contact phone number. It will be internal not outdoors.

Comm. Flannery asked if there were any cameras on the building.

Mr. Merritt responded that he did not think so. It would have to be by installation because the landlord is not providing that.

Chair Parkins asked if this something that the ATF requires P&Z approval for.

Mr. Schultz responded yes, they will contact him.

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to approve Separate #6959.

Mr. Schultz suggested that the Chair take up the add-on Separate #6969 for home office because it is related.

SEPARATE #6999 – HENRY ADAMS, 384 WALNUT TREE HILL ROAD, BUSINESS

Mr. Schultz asked if Henry Adams was present. He was not present. Mr. Schultz read the submittal for a home office at 384 Walnut Tree Hill Road.

Chair Parkins asked if Mr. Adams knew this was on the agenda for tonight.

Mr. Schultz responded yes, absolutely.

Comm. Harger stated that it is listed on the Staff Separates though.

Chair Parkins commented yes, that is why she is wondering because if it wasn't on the Agenda and he saw the agenda on line and it wasn't there.

Mr. Schultz responded that he directed him to attend this meeting.

Chair Parkins responded OK.

Mr. Schultz stated that the site map shows the location of the subject property with all single-family dwellings surrounding it. Mr. Adams wishes to buy and sell guns via the Internet. Initially when the Applicant came in, he indicated that there would be no deliveries. Mr. Schultz stated that the Alcohol, Tobacco & Firearms (ATF) contacted his office and he indicated to the ATF Official that this would have to go before P&Z Commission because it requires a higher level of review. The Applicant was made aware that.

Mr. Schultz continued that the Mr. Adams is proposing an area of 300 square feet and the single family dwelling contains 3700 square feet. There would be one employee, self-employed and the hours of operation vary. There are no vehicles and there is no signage. Once again, this requires ATF approval. This Commission has reviewed and approved two similar ones in Shelton. He asked the Applicant to notify the neighbors and enter that into the record but he cannot confirm that.

Comm. Matto asked if this was a new notification.

Comm. Pogoda asked Rick if he knew if the neighbors were notified.

Mr. Schultz responded that he was supposed to be present at this meeting so...

Chair Parkins asked if he submitted a copy of the letter.

Mr. Schultz responded no.

Chair Parkins stated that when she spoke to him, she indicated to him that he would have to notify his neighbors via letter and he would have to submit a copy of that letter to the Commission.

Mr. Schultz responded yes, understood.

Chair Parkins stated that he said one house next to him is vacant. She added that the gentleman was upset because he had originally been given approval and she thinks there was a misunderstanding in the Zoning Office that he was given approval for it until it was learned that he was actually going to be receiving guns at this location and because the ATF requires P&Z approval for such operations. The approval which he got was null and void so he was a little bewildered.

Comm. Matto asked if he was already operational.

Chair Parkins no because the ATF wouldn't give him approval.

Mr. Schultz responded that they were very fortunate that the ATF followed up.

Chair Parkins commented that she explained to Mr. Adams what the Commission would require and that they would ask if he notified his neighbors, if the neighbors had any objections and to please submit a copy of the letter that he provided to his neighbors.

Comm. Matto stated that she had a question about that notification. She asked if that would create an obligation for those homeowners to then inform a future potential buyer of their property.

Chair Parkins responded no.

Comm. Matto stated that if she were going to buy a house in that situation she would want to know that was happening in the neighborhood.

Chair Parkins responded yes, but it is not something that has to be deed recorded or anything like that.

Comm. Pogoda commented that he moved to table this until they receive a letter from the Applicant and see if he's submitted it to the neighbors and what the neighbors think about it.

Comm. McGorty agreed to table.

Mr. Schultz indicated that he may have decided to withdraw and then they would have to act on that.

Chair Parkins commented that they can't act without knowing whether he notified people even though he said that he would.

On a motion made by Anthony Pogoda seconded by Virginia Harger, it was unanimously voted to table Separate #6999.

SEPARATE #6956 – JOHN PAM, LLC, 500 RIVER ROAD, BUSINESS

Mr. Schultz stated that once again they are entertaining a request of Sal Matto's property – that interior lot off of River Road that goes down to the River. The Commission has approved various uses down there including contractors. It is now vacant. Mr. Matto contacted his office indicating that the school bus people would like to maintain the buses at this facility and the DMV license is not required. This is a use that is directly tied to the City of Shelton and as the Commission knows, all City of Shelton uses are permitted in all the zones. Obviously, the Commission will want to know the particulars.

Comm. McGorty asked if they maintain them there.

Mr. Schultz responded yes.

Comm. McGorty asked if they store them.

Mr. Schultz responded no, maintain them. Two vehicles can be stored inside and two vehicles on the right side of the building so they can maintain up to four vehicles. As they know, buses have to be maintained quite regularly because of their maintenance needs.

Chair Parkins stated that these are propane buses.

Comm. Harger added that they are new buses.

Mr. Schultz responded yes, but the brakes, the oil, the normal, preventative maintenance.

Chair Parkins asked if this was the only business that was going to be down there or is it...

Mr. Sal Matto, 500 River Road, Shelton, CT addressed the Commission. Mr. Matto responded that they are taking 90% of the building. There is just a little spot that would be empty.

Mr. Schultz indicated that there were be four employees and the hours of operation are 9 a.m. – 6 p.m., Monday through Friday. He asked Mr. Matto if it would be just Monday through Friday.

Mr. Matto responded yes unless they have some drastic issue then they might be around on a Saturday.

Chair Parkins asked if this was all-encompassing or just for the City.

Mr. Matto responded City of Shelton only.

Mr. Schultz added - because they don't need a DMW Repairer's License.

Mr. Matto reiterated that it would only be City of Shelton buses. This would be their office space and their area to do the maintenance. The buses will be parked where they are parked now. They will be using the office in the trailer where it is now and using the office here also. It will be a very low key operation.

Comm. Pogoda asked about outside storage of any parts or things like that.

Mr. Matto responded no.

Comm. Pogoda added that he knows Sal lives next door too and doesn't want to see anything either.

Mr. Matto responded yes, the neighbor is difficult.

Mr. Panico commented that he wouldn't want to see it turn into a bus yard.

Chair Parkins agreed yes, with junk buses and that sort of thing.

Mr. Matto stated that they had the contract with Shelton only and the only buses that will be there are the City of Shelton buses.

Mr. Schultz commented that they have a big fleet – the total is a lot of vehicles.

Chair Parkins stated that Mr. Panico's point is if they are getting ready to sell the buses – she asked if the buses would they be stored there.

Mr. Matto commented that the City buses are stored on City property down by the (inaudible)...

Mr. Panico asked what happens if they get a bus in for repair and they make a determination that it is not worth repairing. He asked what they would do with the bus.

Mr. Matto responded that it won't be there, it would be (inaudible)...

Comm. McGorty commented at some point maybe, but they are brand new buses so maybe 8 years down the road...

Mr. Matto stated that the right side of building – he put it in the lease – that is where they will put the buses. The main parking lot visible from the River – on a previous application Rick & Tony came down and said they didn't want construction equipment visible out there – well, he followed through with the same thing here. They must keep the buses over on the right side of the building so if there are a couple of buses there, no one will see them anyway.

Chair Parkins asked if he had a limit as to how many buses can be down there.

Mr. Matto responded that he didn't have a limit on how many buses but he has a limit as to where they can be and they cannot be visible from the River. The buses have to be on the right side of the building.

Comm. Harger asked if that area was paved.

Mr. Matto responded yes, well, on the right side, more than half is paved.

Comm. Harger asked if it was possible to delineate it.

Mr. Matto responded yes, it is. He has a map drawn, attached to the lease, showing where they can be.

Comm. Matto asked if it says how many there will be.

Mr. Matto responded no, they were the ones who said there would be four buses maximum. He didn't put four buses maximum in the lease but he put the only areas where the buses can be.

Mr. Panico asked if they represented that there would be two buses outside and two buses inside.

Mr. Matto responded yes, and they said that would be the maximum.

Comm. Pogoda suggested that maybe they should put it in the approval.

Mr. Panico asked how long the lease was for.

Mr. Matto responded five years. He thinks that their contract with Shelton is for five years and that is why it is five year contract.

Comm. McGorty commented that it is a non-issue at that point because they are brand new buses.

Comm. Pogoda agreed yes, they are new and they're good for ten and what they heard at the meeting is that they would probably get rid of them; turn them over in seven years.

Comm. McGorty added yes seven years they'll turn them over while they still have residual value.

Mr. Schultz asked if there were limitations and a consensus.

Chair Parkins stated that she thinks that they are setting the limitations themselves but asked how they would uphold that.

Mr. Matto added that where the buses are parked now he doesn't see any buses there that are parked buses or disabled buses.

Comm. McGorty added that they would be in and out of there so he doesn't think it is an issue.

Chair Parkins stated OK, they've represented it as 2 outside and 2 inside. She asked for a motion to approve.

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to approve Separate #6956.

Chair Parkins asked Mr. Matto what happened with the crew teams.

Mr. Schultz indicated that they are going to see on the ZBA, an application which has since been withdrawn, he found a motorcycle manufacturer that was going to go to ZBA because he needed a license and that went nowhere. Then the school bus thing came.

Chair Parkins asked what happened to the skulls though.

Mr. Matto commented that the school application was in 2011 when he first applied for permit with DEP for docks. It just came in now and Sacred Heart needed somewhere. He was notified about a week ago that he would have his permit pretty soon.

Chair Parkins commented that is terrible. She asked if they ever utilized the space then.

Mr. Matto responded no.

Comm. Pogoda added that is a shame.

Comm. McGorty commented on the lack of efficiency.

Chair Parkins stated that is unfortunate because it would have been a nice thing to have there.

Mr. Schultz commented that they were going to hear an application for a motorcycle manufacturer but now they won't have to listen to it.

Mr. Matto stated that when the permit comes from the DEP he is going to keep it because it is good for five years and he hasn't given up on Sacred Heart yet.

SEPARATE #6957 – DRIVER EDUCATION STATION, HUNTINGTON PLAZA, BUSINESS

Mr. Schultz stated that this is one of the first tenants above the Wellington Restaurant. He commented that some of the Commissioners have been there to see the renovation work. Upstairs they want to lease 1000 square feet for the Driver's Education Station which is currently located in the old Huntington School so they are expanding.

Chair Parkins asked about its location in Huntington School.

Comm. Harger responded that it's the Community Center.

Chair Parkins commented that she didn't know there was a Driver's Education program in there.

Mr. Schultz stated that because they are expanding, they felt as though this location was ideal. The Commission is aware of the parking there. The hours of operation are 2:30 p.m. to 10 p.m. weekdays and 8 a.m. to 2 p.m. on weekends.

Comm. Pogoda asked if he was kidding.

Comm. Harger asked why it was so late.

Mr. Panico stated that this is for the instructional part of it – the classroom.

Mr. Schultz added that it was indoors.

Chair Parkins asked if he said 10:00 p.m.

Mr. Panico commented that most of the classes are in the evenings.

Comm. McGorty agreed because it has to be after school or work.

Mr. Schultz stated that they get adults for this too after work.

Mr. Panico asked about the parking situation and if they would be dropped off and picked up because when the restaurant is active there is very little parking down there. He asked if they would be assigned to a specific place.

Mr. Schultz responded yes, they have to be, it is (inaudible) they are working it out with (inaudible)...Staff wants to report that the old landscaping facility that was down there about 10 years ago, has been abandoned and has to be cleaned up. Staff will be addressing it.

Chair Parkins commented that there are quite a few sites on that property that need to be cleaned up.

Comm. Pogoda stated that the building is dilapidated with wood, junk there...

Mr. Schultz responded that the operator's father passed away and he ran it with him so they just walked away. It was a nice landscaping place.

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to approve Separate #6957 for the business.

Mark Necio, owner of Driver's Education Station, Huntington Plaza, Shelton addressed the Commission. Mr. Necio requested the proposal of a sign for the side of the Wellington Restaurant building. He provided a rendering of the proposed signage for the Commission.

Mr. Schultz responded OK and asked if he could answer any of the questions by the Commission.

Mr. Necio stated that he thinks one of the first questions was about why they were looking to expand into the Plaza. He thinks the Chair's reaction about not knowing that they were in the Community Center should answer that. People don't know they are there.

Chair Parkins stated that she had no idea that there was a Driver's Ed Program there.

Mr. Necio responded that they've been there for going on 10 years.

Chair Parkins stated that she is concerned because that is a busy restaurant with a busy bar business as well. She is worried about the safety of students coming in and out.

Mr. Schultz commented about the designating the parking areas.

Chair Parkins indicated that maybe they could drop off at the side of the building rather than pulling in the front.

Mr. Necio responded OK, that is what they were looking to do and he spoke to Mr. Mas about that.

Mr. Schultz requested that Mr. Necio call him about that because they have shared parking.

Mr. Panico asked where the sign would go on the building.

Mr. Necio responded that if you are looking at the building from...

Comm. Pogoda stated from where the elevator is.

Mr. Necio commented that it would be on the other side, so if Pagliaro's Lunch is behind you and you're looking at the sign where Wellington's is across the top, the horizontal one. Their sign is going to be on that side of the six windows that are on that side of the building.

Mr. Panico asked if it was on the same side that the Wellington sign is on.

Mr. Necio responded yes, a little bit lower and to the left. He added that the reason that they have to put “driving school” on the sign is because occasionally, because of the train picture on the sign, they will get calls about teaching people to become a train engineer.

Chair Parkins commented that she was wondering why they have a train there.

Comm. Harger suggested taking off the train.

Mr. Panico stated that it says “Driver Education Station” but he doesn’t know (inaudible)...

Chair Parkins indicated from the proposed rendering that they refrain from putting any phone numbers on their signage.

Mr. Necio responded OK.

Chair Parkins stated that an address - well down there it wouldn’t really matter. If they found it then they don’t need to know the address by that point.

Comm. Flannery asked about the train.

Comm. McGorty asked if they could put their phone number on their door.

Mr. Panico responded just don’t put the number.

Comm. McGorty stated that someone might go down there and they are closed – it is nice to be able look and get the number.

Mr. Panico indicated that he has to have that identification – take out that and fit it in there.

Comm. Flannery suggested making the sign longer.

Comm. Pogoda stated just put the address and that’s it (inaudible)...

Mr. Schultz stated that the sign is solid, non-internally illuminated.

Mr. Panico suggested to scale down the size of the lettering, fit it in there, have the “est. 2004” put it in small letters underneath the logo.

Mr. Pogoda agreed and added because it doesn’t mean (inaudible)...

Chair Parkins commented that they could make it part of the block wood sign and just put Driving School underneath here. She asked if this was illuminated.

Mr. Schultz responded no, natural lighting.

Chair Parkins asked if the material was wood – if it was a wooden sign.

Mr. Necio responded that it was (inaudible) metal (inaudible)...

Mr. Schultz added that they are getting away from wood signs because they rot.

Mr. Panico commented that if it really has to have “est. 2004” then scale it down to size and put it over there. He added that a lot of times on a sign he’ll see “established....” but it is always little.

Comm. McGorty commented (inaudible)...

Mr. Panico commented that the consensus is that if it has to say "driving school" that the words "driving school" should be where it now says "est. 2004." He suggested fitting that wording in there and getting rid of the "est. 2004" or scale it way down in size and put under the logo.

Mr. Schultz asked them to give the Applicant the marked up drawing so he could resubmit it with those changes.

Mr. Necio asked if they were suggesting that the Model A and 2004 come out and in its place put the words "driving school."

Comm. McGorty commented just put (inaudible).

Mr. Necio responded that the train is kind of their logo.

Mr. Panico asked what their logo was.

Comm. Flannery showed him the logo.

Mr. Necio responded it is what you see, the Model A and whatever is in the parameter of the frame.

Mr. Panico stated that the problem is where to put "driving school." If you have it on the sign, the Commission is suggesting that they take "est. 2004" out of there and put "driving school" in there and making "est. 2004" as part of their logo, shrink it down size and put it under the logo.

Comm. Flannery commented that she was suggesting something else.

Mr. Panico stated that the sign (inaudible).

Comm. Matto commented that established (inaudible)

Comm. Pogoda (inaudible)

Comm. Flannery suggested just getting rid of this line here and extending the side of the frame down and bring the line back down there.

Mr. Panico stated that then it becomes an enormous sign that it doesn't have to be.

Mr. Necio stated that is what he would like to do actually.

Mr. Panico commented that is a bigger sign then.

Mr. Necio responded that it is on the side of the cars and they are also going to have the train tracks, etc.

Comm. McGorty stated that it is 4 feet high already and 8 feet wide.

Chair Parkins asked if he said it was 8 feet wide.

Mr. Panico responded yes, it is 8 feet long.

Comm. Flannery stated that if you take away this, you'd take away a foot.

Comm. Pogoda stated that he can't put the phone numbers on it.

Comm. Flannery stated no, she is saying that without the phone numbers, he is taking a foot of the sign away. Instead of 4 feet it will be 3 feet. She suggested just moving this line down there.

Chair Parkins asked if it is an 8' x 4' sign.

Comm. Flannery responded no, 8' x 3'.

Mr. Panico asked what the current size of the sign panel was without “driving school” on it.

Comm. Flannery commented that you can even make it a 2’ x 8’.

Comm. Harger asked the height of the border area.

Mr. Necio responded that is about 2 feet.

Chair Parkins asked about their regulations for building signs.

Mr. Panico commented that to him that divorces the words “driving school” from the sign. You have a sign that says “Driver Education Station, Est. 2004” and then underneath it you have another sign, for all he knows somebody else’s sign that says “driving school.”

Comm. Flannery stated that it would not if you just drop the line down as she suggested.

Chair Parkins stated that practically, it’s ugly.

Mr. Panico commented that, in a sense, is what they have said - to move those words in the place where “est. 2004.”

Comm. Flannery stated that she isn’t saying to get rid of “est. 2004.”

Comm. Matto asked if you really need to put “driving school” at all.

Comm. Flannery responded yes.

Mr. Panico stated that he feels as though he does need it.

Comm. Matto stated yes, because occasionally somebody is stupid enough to think that they will be driving a train.

Mr. Necio responded that he wouldn’t use the word stupid but they do get those calls. He indicated that he wanted to provide some background information about his business. Mr. Necio stated that they are the most comprehensive driving school in the State of Connecticut. They deal with not only the 8 hour mandated State requirement to get a license. They do off-site testing where DMV comes out to their locations. They do the full 30 and 8 programs. He also trains instructors to work in other businesses for the State of Connecticut Department of Motor Vehicles. There is a two tier process and he offers the first tier for people getting into the business as instructors, not just for his business but for others. He also offers the second tier if they want to stay in the business after three years.

Mr. Necio indicated that in the State of Connecticut there are two places to get that instructor license, one is AAA up in Manchester and the other is his business here in Shelton. So, if you are going to be in the business for more than three years, you would come to him or AAA. In addition to that they are a provider of the Operator Retraining Program – that is for anybody who has had that magic number of tickets where the State invites them to go to a Driver Refresher class within two months or have their license taken away. They also offer that in 26 locations around the State of Connecticut. They may see that offered at other driving schools but they work for one of the three other out-of-state companies that provide that. They are the only in-state provider of that program – the Operator Retraining Program.

Mr. Panico asked if they provide all of the facilities and services now.

Mr. Necio responded yes.

Mr. Panico asked if he had a sign where he is presently located – at the Community Center.

Mr. Necio responded that the Community Center is the location where they do Teen Classes (inaudible)...

Mr. Panico asked if he had signage there.

Mr. Necio responded no.

Mr. Panico stated that this is a big step forward then from no signage to ...

Mr. Necio responded yes with regard to that – from no sign to a sign. He recalled their reaction about not knowing he was even there though.

Mr. Panico stated that he got along until now without advertising all of these services.

Chair Parkins commented that by the time somebody finds you, they know where you are. They know the business name, the facility they are looking for so by having an 8 foot wide sign, which is a fairly large sign saying “Driver Education Station” – she thinks that they know where they are.

Mr. Necio commented that they are new to that area and new to that Plaza. One of the reasons that they are moving to the Plaza is to have the sign.

Chair Parkins stated that this is not directional signage but advertising signage that you’re looking to do.

Mr. Necio responded that it is indicating that they are going to be contained within the confines of that building, yes.

Chair Parkins asked about the monument sign and if he would be listed there as well.

Mr. Necio responded that he didn’t know anything about the monument sign.

Chair Parkins asked how people would know they are back there.

Mr. Necio stated that he is hoping that when people pull into the parking lot of the Plaza, go to the Wellington, for instance, then they will see the sign on the building. He added that is what he is hoping for.

Chair Parkins commented that if somebody is sent to your facility how they are going to find you.

Mr. Necio asked if she meant by the State of Connecticut.

Chair Parkins responded by any of the programs that he just mentioned.

Mr. Necio commented that with regard to the State of Connecticut, they send a letter out to someone with a lot of tickets with the four companies in the State that offer Driver Refresher classes. People would either go to their website for an address or call them. This is not designed to handle that class, although that class may be instructed there. Currently they are at the Community Center. This is for a teen operation where 16 and 17 year olds primarily, and adults also taking Driver’s Ed and that is what they will primarily do from that location. The Operator Retraining is done primarily outside of Shelton.

Comm. Harger stated that every other business in the Huntington Plaza has a sign. There is no reason why he can’t have one on the wall.

Chair Parkins stated that it is just so big.

Comm. Matto suggested not putting in all that (inaudible)...

Comm. Harger stated no phone number, put driving school here, and rescale it.

Chair Parkins stated that it was overpowering.

Mr. Panico indicated that it needs to be kept simple, he agrees.

Comm. Harger asked the dimensions of the ceiling panels.

Mr. Panico responded 2 x 4.

Mr. Necio commented that four of the ceiling panels would be the size of the sign but if they take a look at the size of the building it is not a big sign.

Comm. Flannery responded yes, exactly.

Mr. Necio commented that he liked Comm. Flannery's suggestion where they can maintain their logo and drop these lines – they try to have the old-fashioned hometown look to it and that is why they have that design there. If they drop that down a little bit and underneath the Model A have the words “driving school.”

Mr. Panico stated that he thinks that they'll have to scale down the size of the font on the word “driving school” compared to the main sign.

Comm. Pogoda stated that it can't be that big.

Mr. Panico commented that it overpowers it.

Comm. Matto stated that it sounds like he is going to have to have it redesigned and bring it back.

Comm. Flannery asked if they could see a picture of it on top of the building after it is redesigned.

Chair Parkins stated that for signage proposals, you are supposed to provide dimensions.

Comm. Harger suggested tabling this.

Chair Parkins stated that they want to see a proportional drawing showing the sign.

Mr. Panico added at least a photograph of that wall superimposing the sign on it.

Mr. Schultz indicated to the Applicant that they would not delay his opening and he can have a temporary banner because the next meeting is June 11th. Unless he wants to agree to (inaudible)...it is your call.

Mr. Necio commented that the 4 x 8 sign would be the size of four of these ceiling panels.

Chair Parkins asked how many ceiling panels he thinks the building is. She added that is what she was saying – they have no idea. Their Sign Regulations request that Applicants...

Mr. Schultz told Mr. Necio that he has choice to agree to their suggestions or have it tabled and do what he thinks would be fair.

Mr. Necio asked if he could agree to Comm. Flannery's suggestion.

Mr. Schultz responded no because it is not the consensus of the Commission.

Comm. Harger commented that they want to see something. It is not right to just bring it in and have them visualize it.

Mr. Schultz stated that the consensus is to modify it so if he is not prepared to (inaudible)...

Mr. Necio responded that he'd like to modify it and bring it back.

Comm. McGorty asked Rick to make sure he knows everything he needs and to superimpose it so that they can see the scale and everything.

Chair Parkins asked for a motion to table the signage. They already approved the use.

Comm. Pogoda stated that the sign wasn't on the Agenda.

Chair Parkins responded that it can't even be tabled because they never added it on.

Mr. Schultz stated to let the record reflect that signage for it is in process.

SEPARATE #6950 – BOMBA SALON, 509C HOWE AVENUE, BUSINESS

Mr. Schultz indicated that they are in the rear portion of this site and asked the applicant to introduce himself. He asked if they were on the first floor.

Robert Bomba, owner Bomba Salon, 509c Howe Avenue, Shelton addressed the Commission. Mr. Bomba stated that they are on the first floor and they are located around the back of the building with Dave & Dave Ice Cream and Stockbridge Cheesecake.

Chair Parkins asked if he was next to the car repair.

Mr. Bomba responded yes, C&C Garage is right on the side in the driveway. Their driveway is right there and it is a part of their rent, part of that section of the building that has a little parking lot.

Comm. Harger asked if his entrance was going down that little driveway.

Mr. Bomba responded yes.

Mr. Schultz added that it is overlooking New England Stair; C&C is on the left.

Comm. McGorty responded it was at the backside of the building.

Mr. Panico asked if the access was off of White Street.

Chair Parkins commented that it isn't visible then.

Comm. McGorty commented no but there is a sign there though.

Mr. Panico added that it is across from the SEDC parking lot.

Chair Parkins asked the Applicant how people will know that they are there.

Mr. Bomba responded that the fortunate thing is that he's worked all over the State of Connecticut and came to Shelton. His father is from Shelton, Lou Bomba, he has a Seeing Eye dog that he walks around town. He came back to his hometown where he grew up. He indicated that he has clients from Rhode Island, Massachusetts, NY and in between who follow him so there has really been no advertising. He put up a little Grand Opening sign, a temporary sign for people in town, friends he knows, or people trying to find the location, people who have been with him for the last 15 years that he's been doing hair.

Mr. Schultz indicated that this was 600 square feet with one employee and it is by appointment only.

Chair Parkins asked if he did walk-ins.

Mr. Bomba responded that walk-ins are not comfortable. You can't count on somebody to talk to you (inaudible)...

Mr. Panico asked where he tells his clients to park when they come to see him.

Mr. Bomba responded that there is a parking lot that is provided with their rent.

Chair Parkins commented that she didn't know this and is surprised because she was not aware of anything being located back there.

Mr. Bomba stated that it is private and secret.

Mr. Bomba commented that they like to interview their clients before they come in because they could be there from 1 to 3 hours and he doesn't want to be terrorized.

Chair Parkins asked if he was proposing any signage.

Mr. Bomba responded tonight, no, because he's not sure he has that – and not after what he just saw tonight. He'll just put a post-it note on his door. Thank God for GPS – he won't ask for a sign – just find White Street.

Chair Parkins asked if his address comes up on GPS.

Mr. Bomba responded yes it does but instead of taking a right, because some people come from Route 34...If they come from Route 8 it is OK but if they come from Route 34 or Route 84, it has them go to where it used to be Kyle's on the corner. The GPS wants them to go that way so they end up having to go to Dunkin Donuts and call up in a panic because they are lost.

Chair Parkins asked if Dave Beck owns that building.

Mr. Bomba responded yes he thinks so.

On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously voted to approve Separate #6950.

The Commissioners wished him luck.

Mr. Bomba indicated that he did ask about how to have a sign.

Chair Parkins responded that he should call Rick Schultz. She suggested taking a picture of the side of the building.

MR. Bomba commented that he was a little scared to now.

Chair Parkins responded don't be scared – the Commission just likes to see accurate renderings so that they have a visual idea – an accurate visual.

APPLICATION #13-4 – BISHOP MANAGEMENT OF SHELTON FOR MODIFICATION TO BOUNDARY OF PDD #73 AND DETAILED DEVELOPMENT PLANS (GRADING PLAN), 781 – 785 RIVER ROAD (MAP 12, LOTS 11, 29 AND 43) (PUBLIC HEARING CLOSED ON 4/9/13).

Mr. Schultz indicated that Staff is recommending that they table action. They have 65 days which expires on June 13th and the next meeting is June 11th. As indicated at the last public hearing the property owner that was affected is now represented by counsel and they are working on a resolution. He would like their resolution to coincide with that resolution. He thinks it would be beneficial to wait until the June 11th meeting. He recommends that the Commissioners go there because he was there Friday. The wall is up and it has good texture to it and hopefully, it will work out nicely.

Comm. Flannery commented that they put the wall right up against the dirt that was excavated though. She thought that they were going to leave a gap and fill in more dirt.

Comm. McGorty responded that they did, there is a gap.

Mr. Schultz responded yes and they had to fill it right away.

Mr. Panico commented that they have to do that because there is a special type of material that goes behind the wall, porous material that will drain in case there is hydrologic pressure.

Chair Parkins asked Rick if he had been in contact with Atty. Thomas.

Mr. Schultz responded yes, Atty. Thomas comes in weekly – so Staff recommends tabling it to June 11th.

On a motion made by Thomas McGorty seconded by Anthony Pogoda, it was unanimously voted to table Application #13-4.

APPLICATION #13-6 – GARY DE WOLFE FOR MODIFICATION OF SPECIAL EXCEPTION/SITE PLAN APPROVAL (MEDICAL OFFICES ON UPPER FLOOR), 887 BRIDGEPORT AVENUE (MAP 8, LOT 20), IA-2 DISTRICT (PUBLIC HEARING CLOSED ON 4/9/13)

Mr. Schultz submitted new drawings and a copy of the As-Built which had been an issue with the City Engineer.

Chair Parkins commented that this is not a PDD.

Mr. Schultz stated yes, this is an industrial IA-2 district. He stated the Crafts LLC in seeking approval to establish medical office space on the second floor of an existing medical office building located at 887 Bridgeport Avenue. He commented that it is near Duchess Restaurant; it is an attractive building set back from Bridgeport Avenue. The building was approved for medical office space on the first floor only. The site is currently served by municipal sanitary sewers and public water and is located with the industrial IA-2 district. As the Chairman indicated, this is not a PDD zone. Medical office use is permitted subject to Special Exception Approval.

The second floor area contains approximately 3,200 square feet which will allow for the creation of up to 3 tenants. The building currently contains 5,968 square feet of office space on the first floor for a combined total area of 9,168 square feet. A total of 28 existing, paved parking spaces and two deferred parking spaces for a total of 30 spaces are currently provided. When Staff visited the property during normal business hours, there were 12 parking spaces vacant. It is recommended that two additional deferred parking spaces be shown on the final plans, if they look favorably on this, on the northeasterly corner of the parking lot. It would be adjacent to the entrance ground sign. There is enough room to put two parking spaces there. The two spaces up by the building, however, would require a lot of work. It is heavily landscaped and really beautiful there. He hopes that there wouldn't be the need to impact that part of the site.

Mr. Panico asked if he was referring to 29 and 30.

Mr. Schultz responded yes, those are deferred. It is beautifully landscaped with a sidewalk and he would hate to see it disturbed.

Comm. Matto asked if they share parking with any other businesses.

Mr. Schultz responded no, it is all controlled on the first floor.

Mr. Panico stated that they have Duchess next door and the other side probably doesn't want to give up their parking.

Comm. Matto commented that she would think that it would be self-regulating to the degree that if parking were an issue the tenants wouldn't stay.

Mr. Schultz stated that as the Applicant indicated at the hearing, they know it has to work and they aren't having a problem presently. Staff went out there and there were vacant spaces. It is by appointment and it works. They aren't parking in inappropriate areas such as fire lanes.

Mr. Schultz continued that in the event that the Commission deems these four parking spaces necessary, the property owner can install them without major disturbance to this site. The Commission may wish to bond for these parking spaces for the first year. He added that it gives the Commission leverage.

Mr. Panico stated that he would be inclined to at least bond for these two because he has a suspicion that those two would end up going in.

Mr. Schultz stated that he checked with the Engineering Dept. and the dollar amount that they recommend is \$2,500 and that includes the sub base, the paving and the final preparation. So it is not a big number. It is very level there.

Chair Parkins commented that they need to get to 34 and they have 30 proposed and they'll put two in here (inaudible)....

Mr. Schultz indicated that they are still saying deferred because they believe, even with the spaces on top and because it is by appointment only and the fact that they have 10 or 12 spaces open throughout the course of the day during regular business hours, so they feel comfortable. The Commission can make sure that four more spaces are installed, if deemed necessary because they can't have them parking any which way.

Chair Parkins indicated that her concern is the future sale of the building because it is not a PDD and they can't regulate what goes in there. She asked if that was correct.

Mr. Schultz responded yes, correct but they can bond for it and that is the leverage. He added that the bonding is specific with specific language. The Applicant and Staff have indicated that there is sufficient on-site parking to accommodate the medical uses and each new tenant shall be scrutinized to ensure adequate on-site parking. If you approve this modification to the Special Exception, each new tenant comes before the Commission and each time they come in (inaudible)...

Mr. Panico stated that right up front you know that there will be two employees, a doctor with his assistant. They have to park somewhere. Hopefully, there will be enough balancing off with the patients that come and go that it won't create a problem. Two more spaces is really just maintaining the status quo.

Mr. Schultz stated that technically you can squeeze more in but now you are getting into retaining walls and doing something that this Commission never envisioned from the get-go. This was kind of a difficult site but architecturally, it is one of the most well designed buildings aside from the Exit 11 Opel Mansion. The maintenance is impeccable. A duly noted public hearing was held on April 9th. There was no public opposition at the public hearing. There are no concerns expressed by the Fire Marshal or the City Engineer.

Mr. Schultz added that the City Engineer indicated the final drawings need to be based upon the as built. If the Commission is so inclined he has some conditions for their consideration.

Chair Parkins asked if he had just been reading the report resolution.

Mr. Schultz responded yes. The conditions shall be that:

1. The Applicant shall demarcate on the final site plan two additional deferred parking spaces located on the northeasterly corner of the site for a grand total of 32 spaces. The Commission will determine if these deferred parking spaces need to be installed in the future.
2. The Applicant shall post a bond in the amount of \$2,500 to cover installation costs in the event that these parking spaces are needed. Said bond may be released at any time by the Commission. He added that after a year goes by, they can petition the Commission.

3. Adequate on-site parking shall be provided and maintained at all times. Fire lanes shall remain clear at all times. He added that this was very important to include that as a condition.
4. The effective date shall be the recording date of the Special Exception Permit.

Mr. Schultz stated that a motion and a second would be in order.

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously roll call voted (6-0) to approve Application #13-6.

Mr. Schultz added as a side note, the Zoning Subcommittee is meeting tomorrow and they are undertaking the rewrite of the off-street parking provision and one of the issues is deferred parking. Because right now they don't spell it out and obviously, it should be spelled out so that will be included in the new rewrite. There are instances where you don't want to see the parking paved unless it is really necessary – mainly the larger shopping centers.

APPLICATION #13-7 – SA FUTURE ENDEAVORS FOR SITE PLAN APPROVAL (PARKING LOT IMPROVEMENTS), 40 OLIVER TERRACE (MAP 63, LOT 12), IA-2 DISTRICT

Chair Parkins asked if this is where the fire was.

Mr. Schultz responded close to it – you drive down Oliver Terrace, this was the first group of buildings that the Recycling Company owned and then all the way at the end is the larger complex. It is the first group of buildings on the right hand side as you drive down – he recalled the area where they met on the field walk. This site is on the left side.

Comm. Harger commented that it was across the street from the recycling center.

Mr. Schultz added that it runs parallel to the Route 8 expressway. Satin American used to be in there and they used to refurbish transformers and they have thousands of transformers on the property.

Mr. Schultz stated that he had two letters to read from the City Engineer and the Fire Marshal.

***See attached correspondence dated May 3, 2013 to Richard Schultz, P&Z Administrator from Robert Kulacz, City Engineer.**

***See attached correspondence date May 9, 2013 to Richard Schultz, P&Z Administrator from James Tortora, Fire Marshal.**

Mr. Schultz indicated that as they can see on the highlighted site plan, SA Future Endeavors LLC is seeking approval to replace the existing bituminous concrete parking lot pavement with Portland cement concrete and to replace an existing wooden retaining wall. He stated that this parking lot is on the side but faces the Route 8 expressway and has been neglected for decades.

Comm. Flannery asked what they would be replacing the wood with.

Mr. Schultz responded concrete – everything is going to be Portland cement. The work associated with the parking lot will entail the removal of the asphalt, raising the grade with structural fill and repaving the surface with Portland cement. The site is currently served by municipal sanitary sewers and public water and is located within the industrial IA-2 district.

Mr. Schultz indicated that this parking lot has been neglected. It is collecting water because it has settled. Now they are going to raise it and replace it with concrete cement which will have a better surface.

Comm. Harger asked if this was down in the back.

Mr. Schultz responded yes, in the back overlooking Route 8. Currently the building is occupied with multiple tenants. In the front, the Commission approved the dog kennel with the main tenant servicing transformers. They still service transformers and they have a large warehouse.

When Staff visited the property during normal business hours there was adequate parking provided for the employees. He added that at one time, this business employed a lot of people and there is a lot of parking scattered all around this site. Parking is not an issue. The Fire Marshal indicated in his letter of May 9th required the normal conditions of approval. The City Engineer's Report dated 5/3/13 requires the Applicant to add the standard notes addressing sediment and erosion control. There is no Inland Wetland activities associated with this project. As a side note, they are doing some drainage that requires Inland Wetlands but it is not something regulated by the P&Z Commission.

Mr. Schultz summarized that this parking lot and retaining wall is being upgraded. Unless the Commission has any questions, he will read the conditions of approval.

Chair Parkins asked if there was any change of use in the building. She stated that they are just taking an existing parking lot and improving it.

Mr. Schultz responded no change of use. Resurfacing and replacing an old wooden retaining wall with poured concrete. The conditions would be that the Applicant should adhere to the requirements of the Fire Marshal and City Engineer and adequate onsite parking shall be provided and maintained at all times. Fire lanes shall remain clear at all times.

Chair Parkins asked if there was any further discussion or if the Applicant would like to add anything. With no further comments, she requested a motion.

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously roll call voted (6-0) to approve Separate #13-7.

Comm. Harger asked about some of the standard additions on the Staff Approved Standards for Applications of Certificate of Zoning Compliance. She asked about seven of the Separates for additions and asked if everything was in line with their zoning regulations.

Mr. Schultz responded yes, absolutely.

Comm. Flannery asked if these additions were for bedrooms or...

Mr. Schultz commented that they are finding that homeowners are reinvesting in their house instead of moving, until perhaps they get more equity. As they can see that it has picked up.

Chair Parkins noted that she can see that from the list.

Mr. Schultz responded that they know that people in Shelton are becoming aware that they need to get their permits. So they are coming in which is good. Secondly, this is the first agenda where they are seeing the influx, not a minor influx, it is pretty major.

Comm. Harger asked about an item that came before the Downtown Subcommittee - #407.

Chair Parkins commented yes, John Watts and recalled that he was going to repair the building, put the windows in because they are boarded up.

Comm. Harger asked about the temporary ramp under #15.

Mr. Schultz responded that is for handicapped. As they know when you need a handicapped ramp, he had a temporary one for his own mother, it was temporary. The Building Department works with you. There are some very restrictive codes for handicapped, if it is going to be a permanent structure but if it is structure that is going to be removed for whatever reason, the Building Official will work with you. They are called temporary and permanent.

Comm. Harger asked about #11 rebuilt walls. She asked if they were in the same location without any intrusion on the neighbors.

Mr. Schultz responded yes, most property owners have as-built now .

Comm. Harger asked for clarification of #19 for the deck roof.

Chair Parkins commented that they are probably putting a roof over the deck.

Mr. Schultz responded yes, it's a cover over the deck.

Comm. Flannery asked what #6965 install solar PV was about.

Mr. Schultz responded that is the first one under their new regulations on Far Mill Street off of Waverly. It is the 10th house on the left. The Zoning Requirements are for no more than 12 feet in height and adequately screened from the neighbors. They received a letter from the neighbor stating that they do not have any problems with it. He was told by the installer that 12 feet is too restrictive so he is going to bring it to the Zoning Subcommittee. They really need to go 15 feet because they got about 3 feet of snow last year and if that covers it...that was a freak snowstorm but these things can't be covered. They need to make adjustments and go up higher for the first panel. They came up with an overall height of 12 feet that they thought was fair but they need a couple more feet.

Comm. Harger asked about the businesses on Corporate Drive and Research Drive.

Mr. Schultz responded that they were corporate offices.

Chair Parkins stated that normally they approve the businesses.

Mr. Schultz responded normally, yes, but Staff issued these because of the timing of when they needed occupancy. He'll put them on the next agenda.

Chair Parkins commented that the Henry Adams, tonight's add-on, at 384 Walnut Tree Hill Road for the home office was not approved either. So those three were not approved and they have not been issued permits.

Comm. Harger asked about the temporary sign for the Plumb Memorial Library.

Mr. Schultz responded it was for a book fair. He reiterated that they are coming in for the temporary signs- not all of them but he gets calls on a regular basis.

Comm. Harger asked about #6953 for adding fill.

Mr. Schultz responded that is the site that the Commission denied for the child daycare center. They are improving the property. They allow as-of-right, up to 200 cubic yards, and over 200 cubic yards requires a Zoning permit by Staff for between 200 and 400. Over 400 cubic yards, this Commission has a public hearing.

Comm. Harger asked how many truckloads would be 200 cubic yards.

Comm. McGorty responded that each dump truck is 15 yards.

Comm. Harger commented that is at over 10.

Comm. Pogoda stated that is (inaudible)...

Chair Parkins commented that they should keep an eye on that. Comm. Pogoda stated that he's there every day.

NEW BUSINESS

APPLICATION #13-8 – DI SANTO TECHNOLOGY, INC. FOR MINOR MODIFICATION OF DETAILED DEVELOPMENT PLANS FOR PDD #29 (8,100 SQUARE FOOT BUILDING ADDITION), 10 CONSTITUTION BLVD SOUTH (MAP 53, LOT 74): ACCEPT, DISCUSS, AND POSSIBLE ACTION

On a motion made by Thomas McGorty seconded by Virginia Harger, it was unanimously voted to accept Application #13-8.

Mr. Joe Renn, P.E. representing the Applicant, DiSanto Technology addressed the Commission. Mr. Renn introduced Cliff Lenox from OR&L Construction who will be the design build construction manager. Mr. Renn stated that he would go through some of the site and zoning issues and Mr. Lenox will discuss the building. He indicated that they have a 3D rendering of the building and Mr. Lenox will go over some of those details for the Commissioners.

Mr. Renn recalled that in 2005-2006 they came before the Commission for the main building and the main parking lot. They received approval and it was constructed in 2006. Basically, this project entails adding 8,100 square feet in the locations shown. It is a very similar type of construction exterior and interior. The parking lot, more or less, remains the same since there are four parking spaces being eliminated with the construction of the building. There are actually eight spaces being added on the north side of the building. Currently, behind the building there is a flat, crushed stone area that was actually nine reserved parking spaces so they had approval for 91 parking spaces in the original application.

Mr. Renn stated that losing those nine spaces plus these four paved parking spaces, adding eight results in a reduction in the total number of parking spaces on the site. He referenced the Zoning Date Table on the site drawing and indicated that they are actually required to have 84 parking spaces and by their regulations, they are providing 86 spaces. There are three handicapped spaces which will remain untouched from the original application.

Mr. Renn provided a brief history of the site and indicated that it was located at 10 Constitution Boulevard South. It is the first driveway entrance from the left after the Diner coming off of River Road. The site is about 4.4 acres. Ivy Brook runs southerly through the site and under River Road toward the River. It is located in PDD #29 together with the Sure Source building up above it.

Mr. Renn stated that they were here for a Minor Modification of the original Detailed Development Plan and also they are on the outer fringe of the Coastal Area Management zone so they have had a Coastal Site Plan application in front of this Commission as well for the original project. He showed the location of the proposed addition and parking areas just inside of that zone. Mr. Renn indicated that on the original plan in the proposed area of this addition, they had a future proposed addition. If they recall, it was not quite this size but it was at least two-thirds or $\frac{3}{4}$ of the size shown. The ledge was kind of over-blasted in that area. They created a temporary crushed stone parking area and now this building of this size will require the removal of some additional ledge upwards of about 1000 cubic yards of material that would need to come out of the corner. It would be hauled off site to accommodate the building in a 12 foot flat area between the toe of the ledge and the south wall of the building in that location.

Mr. Renn indicated that he already went into the proposed parking a little bit. On the north end because there is no more room on the south end, they are adding six spaces in the gray shaded area on the plan. There will be another two in the northeast corner of the site for a total of eight paved proposed parking spaces.

Mr. Renn stated that the building setbacks are shown. The one that they might be most concerned with would be the 75 foot resident setback on the south side. There are two residential homes in that location – one with a River Road address and another on Rocky Rest Road. The building is not over that setback line. The total distance is just over 77 feet from that south property line. There is a buffer of an additional 2 feet or so. There is a 12 foot swap coming around the building for storm water runoff that would be a crushed stone swale, nothing would really grow in there because it is a 12 foot swap between the ledge face and the building face so it wouldn't get too much sunlight during the day. Additionally, it would have a ledge base so it wouldn't encourage a lot of growth.

Mr. Renn commented that it is a crushed stone swale with two crushed stone permanent check bands so that any runoff that does get there would be a minor amount of run-off. Some would come from the roof and just proceed down in the natural swale toward Ivy Brook. It is the same

planned drainage pattern as they had with the original plan. There is a closed drainage system on this that was installed on the original site. There is an oil grid separator on site before it all discharges to the slope that goes down to Ivy Brook and that same separator would be utilized.

Mr. Renn stated that the building coverage increases from just over 13% to approx. 17.4%. In PDD #22 there is an allowable 20% coverage so they are within that. There is an increase in total site impervious coverage of about 4.6%. The total goes from about 40% to about 45% but they are allowed 65% in PDD #29 so they are well within the total impervious site coverage as well.

Mr. Renn commented that he would let Cliff get into some of the details about the building and then answer any questions that they have.

Mr. Cliff Lenox, OR&L Construction addressed the Commission. Mr. Lenox indicated that they were the original design builders of the original structure and he was also the project manager of it. He indicated that they are matching the same materials, same building manufacturer, Matalan [sic] for the addition. They have a CMU [sic] exposed preface with a metal aggregate panel and metal site panels. The window construction and the construction of the addition are the same. The elevations are slightly different. This building is slightly elevated from the original building to accommodate a future mezzanine stock proposed at this point. They had to make some modification for the snow loading in a separate engineering aspect of this building. They are going to have an overhead door, just a glass panel or the light panels at the front elevation. There is nothing in the rear elevation, it has a single exit door, just a metal panel. The overhead door is used specifically for occasional large equipment access and not truck traffic. There are loading docks on the rear of the building and that is where all of the normal deliveries are. This is just where that occasional machine move in and out will take place.

Mr. Lenox stated that six spaces to the rear will be an extension of the existing parking. There is an existing light on the side of the building that will be relocated to this side of the building. The owner has security cameras that run around the entire building so they are just going provide lighting.

Chair Parkins asked if that light would have any effect on the residents.

Mr. Lenox responded that it is the same light that was there, just relocated. It is closer but by placing the light to the center of the building there is a rather steep upgrade in the slope. The grade cut at the rear of the building is actually taller than the building itself so they are 23 feet 5 inches at the rear of the building; that grade slope is much taller than that at the rear. At the front of the building at the edge of the parking lot they are about two feet tall and it goes up to relatively steep. He added that the adjacent neighbor will see the light but they won't actually see the light itself.

Comm. McGorty asked what type of light it was.

Mr. Lenox responded that it was low cut off, side mounted fixture so nothing is going up.

Comm. McGorty asked if it was a wall pack with a full cut-off.

Mr. Lenox responded yes.

Comm. Matto asked if that was basically for security.

Mr. Lenox responded (inaudible) there will be two other lights one at the entry door as required by code for egress.

Comm. Pogoda asked if they were adding any additional employees.

Mr. Renn responded no, they have 100 employees over two shifts right now – 60 on the first shift and 40 on the second shift. No additional employees. This addition is essentially for their operations.

Mr. Lenox commented that the primary expansion is because they are going into a new technology for manufacturing in their machining process and they are going into 3D printing. They operate their machines on 36 hour segments and it is some very large machinery that goes in there but once they turn it on it goes.

End of Tape 1B 8:35 p.m.

Chair Parkins commented that before this addition, there was no drive around for the tractor trailers that would come into the back so they had to turn around and...

Mr. Lenox responded that there is no access in the rear. There is stationary equipment that is to the rear of the building but there was never any planned drive around.

Chair Parkins asked if the trucks would just back up out of the loading dock and turn around.

Mr. Renn responded yes.

Mr. Panico stated that the majority of the trucking activity is off of the back corner of the building anyhow. This is just for an occasional truck that might have to bring a large piece of equipment in.

Mr. Renn showed the location of the main loading area with a depressed ramp in that area. Trailers come in, pull into this area and then back straight in to this. There is no access road. There is a flat level area but it is not for vehicles and it goes around the west side of the building.

Comm. Flannery stated that her concern is about the blasting with the houses so close by. She asked if there will be some testing done on the houses to make sure that when there is blasting, there is no change.

Mr. Lenox responded that as a requirement for any blasting that has to occur is a full survey which has to occur within the area of the structure. The blaster is bonded and they are responsible to do any blasting. There will be an option to blasting where they mechanically hammer depending upon what the actual site conditions reveal. The site is underground so they really can't tell. They may be fortunate and the rock may peel away just with heavy equipment and they may be able to (inaudible)...If blasting is occurring, he expects that it would just be two shots.

Chair Parkins stated that they would follow the procedures required by the Shelton Blasting Permit.

Mr. Lenox responded yes.

Mr. Panico indicated that the bulk of that area was prepared at the time that the original building was built in anticipation of an expansion in that area. This expansion is slightly bigger than what they had contemplated and that is why they need to take out a little bit of additional rock. The majority of the rock has already been blasted and taken out of there.

Mr. Renn commented that it is this swap right here that is 35 to 40 feet wide and about 80 or so feet long. It is more or less at grade on the eastern side and that it goes up relatively high on the western side.

Comm. Flannery asked if they could have made the building skinnier and longer so that they wouldn't have to blast.

Mr. Renn responded that they are right to – if they made the building longer they would cut off their own parking in that area. Right now the end of the parking stripes to the face of the building they have their 24 feet.

Mr. Panico stated that they have a concern over the impact of the blasting on their own operations. If he recalls, they work with some sensitive instrumentation in that building.

Mr. Renn responded yes, they would be shutting down their operations. It is (inaudible)...

Mr. Panico stated that they told the Commission when they did the original building that they were going to blast for the expansion so that they wouldn't have to do it when they were in there working but apparently they did not blast enough.

Mr. Lenox responded yes, they are going for a slightly larger building. Basically, this is for a change in the technology. The blasting, if any in there, is minimal and he projects it would be 2-3 shots maximum.

Chair Parkins stated that Shelton does have a Blasting Ordinance and naturally the necessary permits.

Comm. Flannery asked that they not get too frisky with the blasting.

Mr. Renn responded (inaudible) the ledge out there is very (inaudible) in the original operation the majority of the ledge which is similar was (inaudible) and not blasted.

Chair Parkins commented that in their discussion about the parking ratio from the PDD was originally 91 spaces and now they really only need 86. She asked if the 86 was including the expansion.

Mr. Renn responded yes, that there are no additional employees. It is mainly for equipment.

Mr. Panico stated that they are adding four more spaces but they are losing nine deferred spaces.

Chair Parkins commented that they were losing 13.

Mr. Renn responded that there was a net loss of five spaces.

Mr. Panico stated that there were nine deferred spaces which can now no longer occur. They are gone but of the physical spaces they are losing 4 and adding 8 so there is a net gain of 4 useable spaces.

Chair Parkins commented yes, but they are adding a building. Parking spaces are (inaudible)...

Mr. Panico stated that he just represented that there are no additional employees and manufacturing facilities...

Chair Parkins commented that they have no way of controlling that. They could hire 20 more people and they don't have to come and tell them that.

Mr. Panico responded that then they will have a parking problem.

Chair Parkins stated yes, they will.

Mr. Panico indicated that it will be on their site.

Mr. Renn stated that right now they don't fill the parking lot. Their largest shift is 60 people. They may or may not commute together but even single cars...

Chair Parkins commented that the thing is that they don't fulfill their regulations for parking.

Mr. Panico stated yes.

Mr. Renn stated that they do meet it because what is required by their regulations is 84 and they are providing 86. They are over what is required.

Chair Parkins asked if that included the new square footage of the building. That is her question (inaudible)...

Mr. Renn responded that their ratio is per employee.

Chair Parkins asked if it was per employees or square footage.

Mr. Panico asked if the 86 spaces includes the 9 spaces that were deferred.

Chair Parkins stated that it was per square footage not per employee.

Mr. Schultz stated that it was one space per 1.2 employees.

Mr. Panico commented that they really had the 9 spaces as a bonus in the event that they had a problem.

Mr. Renn responded correct.

Chair Parkins asked Rick if this PDD was approved on the basis of the amount of employees in the building and not the square footage of the building.

Mr. Schultz responded yes, one space for 1.2 employees.

Mr. Renn added that has been working for them since 2006. They have had no parking issues out there and they aren't planning on adding any employees. Their largest shift is 60 employees. Even if they added 10 people for 70 employees, there are 86 parking spaces. There is some shift overlap.

Mr. Lenox commented that he thinks that they have (inaudible) about 23 – 26 on the shift overlap (inaudible)...

Mr. Panico added that their (inaudible) was to have extra spaces because of the shift overlap but based on either one of those shifts there is an excess amount of parking.

Chair Parkins commented that was news to her because she doesn't know that she's ever ...

Mr. Schultz stated that they used a different approach for the parking there.

Chair Parkins stated yes, that is what prompted her to ask because adding square footage wasn't changing the parking ratio and that didn't make sense to her.

Mr. Renn stated that it was included in this PDD was Sure Source and their (inaudible)...

Mr. Panico commented that the basic zoning regulation parking for manufacturing areas is geared to employees.

Mr. Renn stated the original Sure Source building was 140,000 square feet so it might have come out of that instead of doing the parking ratio per square footage so they did it per employee to give it a more reasonable parking count.

Mr. Renn commented about the blasting, he noted #12 requires a contractor to determine if any pre-blast surveys are required and any pre-blast surveys that are required shall be completed prior to any blasting activities. They don't anticipate a lot of blasting, if any but of course that note is included to cover that.

Mr. Schultz indicated that he had two favorable pieces of correspondence to read followed by the P&Z Staff Report.

Chair Parkins asked about the Staff Report.

Mr. Schultz stated that if the Commission is ready to act on it because Wetlands acted on it last night.

Mr. Renn added that the Wetlands Commission acted favorably last night. The DOT gave them a letter because there is an STC now, OSTA, certificate for the PDD for both buildings together. This is a minor modification administrative approval for that. They need P&Z approval before they can go in and get that final approval but the DOT District 3 did review the site plans. They looked at the culvert that they have under River Road and gave them a minor statement via e-mail stating that they had no issues with this project and there are no known drainage issues in that location. Also, your local Traffic Authority which is Chief Hurliman provided a letter from his office concurring with them that this is just a minor project and not adversely impact the traffic in the area.

Mr. Renn stated that lastly, they were hoping to come to this Commission in April. Wetlands, at the 11th hour, required that they get a permit but they did not have a meeting in April so they were on the agenda for the May meeting which was cancelled because they had no quorum. It was rescheduled for last night when they approved the project. They are hoping they can get concurrence and approval from P&Z Commission tonight unless there are any major or outstanding issues.

Mr. Panico stated that in view of the fact that it is implementing an expansion that was contemplated when they first heard the original PDD, he thinks the Commission, if they are comfortable with it, can act on it if they wish.

See attached correspondence dated May 3, 2013 to Richard Schultz, P&Z Administrator from Robert Kulacz, City Engineer.

See attached correspondence dated May 9, 2013 to Richard Schultz, P&Z Administrator from James Tortora, Fire Marshal.

See attached P&Z Staff Draft Report/Resolution dated May 14, 2013 for P&Z Application #13-8 DiSanto Technology, Inc. for Minor Modification of Detailed Development Plans for PDD #29 and CAM Site Plan for 8,000 Square Foot Addition at 10 Constitution Boulevard South.

Mr. Renn commented that he had a copy of the PDD #29 Development District Regulations Section 7A says that for single tenant facilities where the tenant is known there will be one parking space per 1.2 employee but not less than 2 spaces per 1000 square feet of floor space and that would be 66 or 67 spaces.

Chair Parkins thanked him for the information. She asked if there were any additional questions or comments before the roll call vote.

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously roll call voted (6-0) to approve Application #13-8.

Comm. Dickal departed at 8:50 p.m.

PUBLIC PORTION

Chair Parkins asked if there was anyone in the audience wishing to address the Commission on any item not on the agenda. There were no public comments.

Sal Matto, 500 River Road, Shelton addressed the Commission to ask the result of his Separate for John Pam LLC because he doesn't recall hearing the result.

Comm. Pogoda stated that he couldn't believe he waited all this time to ask that.

Mr. Schultz stated that it had been approved.

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to close the Public Portion of the meeting.

APPROVAL OF MINUTES (2/27/13, 3/12/13, 4/9/13, 4/24/13)

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to approve the minutes of 2/27/13, 3/12/13, 4/9/13, and to table the minutes of 4/24/13.

Mr. Lenox asked Rick Schultz about the bonds required by the City Engineer. Mr. Schultz responded that the cash bond would be \$5,000 for Sediment Erosion and for the Site Completion he will have to consult with the City Engineer. He stated that the cash bond is \$5,000 for sediment and erosion and should be in tomorrow to start the work. The Site Completion won't be that much more - \$5,000 or \$10,000 – a letter of credit or surety.

Mr. Panico commented that they should require a bond from them for the expanded parking.

Mr. Schultz responded yes, a site completion bond.

Mr. Panico stated that normally they monitor it by not issuing a CO but in this case the building is there. Once the addition is done, they will move right in and they will have no control.

Mr. Schultz responded yes, and that is the site completion – that covers that.

PAYMENT OF BILLS

On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to approve the payment of bills, if funds are available.

STAFF REPORT

Mr. Schultz provided a copy of the P&Z Staff Report to all Commissioners.

***See attached Planning & Zoning Staff Report dated May 14, 2013**

He discussed ZBA applications, CT Siting Council, DSC & Zoning Subcommittees, Zoning Enforcement, Sign Enforcement and Filling/Grading Projects.

COMMENTS FROM CHAIR/SUBCOMMITTEE CHAIRS

On a motion made by Joan Flannery seconded by Anthony Pogoda, it was unanimously voted to adjourn the meeting at 9:10 p.m.

Respectfully Submitted,

Karin Tuke

P&Z Recording Secretary