

SHELTON PLANNING & ZONING COMMISSION

March 25, 2014

The Shelton Planning and Zoning Commission held a special meeting on Tuesday, March 25, 2014, Shelton City Hall, Room 303/Auditorium, 7:00 p.m., 54 Hill Street, Shelton, CT 06484.

Commissioners Present: Chairperson Ruth Parkins
 Commissioner Nancy Dickal
 Commissioner Virginia Harger (via cell phone)
 Commissioner Thomas McGorty
 Comm. Frank Osak (alternate)
 Comm. Anthony Pogoda (via cell phone)
 Commissioner Jim Tickey

Staff Present: Richard Schultz, P&Z Administrator
 Anthony Panico, P&Z Consultant (via cell phone)
 Karin Tuke, Recording Secretary

Tapes (1), correspondence and attachments on file in the City/Town Clerk's Office and the Planning and Zoning Office and on the City of Shelton Website www.cityofshelton.org

CALL TO ORDER/PLEDGE OF ALLEGIANCE & ROLL CALL

Chair Parkins called the March 25th Special P&Z Meeting to order at 7:05 p.m. in Room 303 with the Pledge of Allegiance and a roll call of members present including Tony Panico, P&Z Consultant, Comm. Virginia Harger and Comm. Tony Pogoda in attendance via conference phone and cell phones. She announced that they would be recessing the meeting and reconvening in the Auditorium to accommodate the large number of people from the public who are in attendance.

Meeting Recessed at 7:09 p.m.

Restart of the meeting was delayed by audio connectivity issues in attempting to use the conference phone system in the Auditorium.

Meeting Reconvened at 7:30 p.m. in the City Hall Auditorium.

Chair Parkins reconvened the meeting with Comm. Harger, Comm. Pogoda and P&Z Consultant, Tony Panico available via separate cell phones. She indicated that the only thing on tonight's agenda would be a Commission discussion of Application #13-17.

She explained Comm. Osak's status as an alternate Commissioner this evening and that he would not be participating in the discussion. CT State Statute allowed him to participate in the public hearing portion; however it does not allow him to participate in this discussion.

Chair Parkins clarified this meeting would be a discussion amongst Commission members only and requested that all Audience members respect that and not shout out anything in disagreement or anything like that. Additionally, she asked that public attendees refrain from cell phone usage during the meeting or to take any calls in the hallway. She noted that with the long distance communication be used during this meeting, she thanked them for their respect and patience.

Chair Parkins began by commenting that this has been a very long process and she admitted that she was surprised that this Application was resubmitted to them. The Applicant submitted it last year and then withdrew it based upon the consensus of the Commission last time. She reiterated that she was surprised that it was being submitted, however, the Applicant did withdraw, returned with modified plans for a 111 residential versus the 140 that they had originally proposed. The Applicant has added the Assisted Living; it had been mentioned at the last application; however, it was not a concrete part of the plan at that time. In coming back with this proposal, they have added 196 units of residential assisted living facilities.

In regard to what else had changed, Chair Parkins noted that they launched a very successful PR campaign and gained support for the project through that. The Applicants have provided a lot of supporting financial information, especially regarding the tax benefits, many comments about the reputation of the builders and the number of jobs that this would create over the next 8 to 10 years. She added that their decision was about zoning though and if this benefits Shelton on a long term basis. Their decision is not to provide temporary jobs; it is about the stability of Shelton on a long-term basis. She summarized that there was a lot to consider.

Chair Parkins indicated that the parcel as explained by the Applicant, and which is obvious to anyone who drives up and down those roads, has varying topography. It is very difficult in some spots and not all of it would be conducive to LIP and she would have to agree with that.

She commented that if they break this down into parts, for the Assisted Living component on Beards Sawmill Road the topography would certainly be difficult for LIP. The road access on Beard Sawmill is not great but she thinks that people would like to see that road remain as it is. She doesn't think they want it to be improved to be a wide road down there, especially along the River, being scenic. The use of the Assisted Living can be related to the POCD because it does mention that they have to consider residential units for seniors. Assisted Living wasn't exactly a "hot item" back then but it certainly falls into that intent.

Chair Parkins noted that the area where they are proposing the condos is also a difficult area in the central portion of the site located very close to a high pressure natural gas pipeline and it is also close to the electric right-of-way line there. She agrees that it offers less attraction for an LIP zone. The single-family residential units that are being proposed can certainly be adapted as they indicated to the contours of the property there. She stated that there were parts of the proposal that she thinks they can certainly all agree upon; however, she was just wondering as a Commission, if they should give up all of the LIP frontage that is currently available on Long Hill Cross Road. It does open up into an LIP area and there is LIP directly across the street.

Chair Parkins referenced the top parcel which is already separated out – there is a little triangular piece up on the top. She showed the piece to the north on the proposed site plan and mentioned that it was about a 3 acre parcel and she believes that it is already a separate parcel. She added that she thinks there is a good demarcation and there are already existing stone walls around that parcel. She indicated that she thinks that it would be a good site to maintain as an LIP district. It is directly adjacent to the LIP district. There are some things, as their conversation progresses that she would like to the Commission to consider. She asked that they open up the discussion to everyone else before she completes all of her thoughts.

Comm. McGorty asked for clarification about the area on the site map that she was talking about and if it was the tip, the very tip of that...

Chair Parkins pointed out the location on the plan for clarification.

Mr. Schultz indicated that he would get another map from the P&Z Office.

Chair Parkins asked what Comm. McGorty meant by the "area" it would be.

Comm. McGorty asked if she was referring to the whole area where that cul-de-sac would come in and that...

Chair Parkins responded that if he is referring to acreage, it is about three acres – a separate parcel that is already separated out here...

Comm. McGorty asked if she was suggesting to reserve that for LIP.

Chair Parkins responded yes.

Mr. Panico commented that there was that strip adjacent to that also – between that parcel and the Route 8 Expressway – that would add another acre to it so it would be about 4 acres total – if they want to do that.

Chair Parkins commented that is already a separate parcel already subdivided out and then this area would be about another acre.

Comm. Tickey asked what brought her to that finding – and asked if it was because it was a separate parcel.

Chair Parkins responded yes, for one reason and the fact that it is directly adjacent to the existing driveway of the LIP. They are proposing a driveway to come in there so you have that driveway of residential directly adjacent to a driveway of existing LIP as well as the parcel next to that, so just to keep somewhat of a buffer from the residential area to that LIP zone and to keep some LIP zone along that parcel.

Comm. McGorty asked if it would be LIP up against the houses. He added that it would be the same as if you built it out and it was next to LIP.

Chair Parkins responded yes where that stone wall demarcates it, yes.

Comm. McGorty asked what advantages there were other than just having LIP – losing some of that – having LIP...he asked if there were tax advantages or some financial advantages to the City to have that demarcation line and reserve that for LIP. He asked what the benefit would be.

Chair Parkins responded that the benefit is that they are being asked to rezone a 41 acre parcel and she isn't necessarily in favor of rezoning the entire parcel for residential so her thought was to keep that one parcel that is already separated out and it still decreases the density a little bit.

Comm. Pogoda commented that by taking that 4 acre parcel – he added that he didn't know what that was going to benefit – with some company coming in and building next to a bunch of homes. He added that he would assume any company going in there would need a lot of parking so building that close to the homes or even having the homes next to an industrial area...

Chair Parkins responded that they weren't going to have that much parking because it is only a 4 acre site.

Comm. Pogoda commented OK, it's a 4 acre site. He asked what the benefit was to the City by putting a 4 acre site there. He asked how big of a building they can put there and asked how much they are going to get out of a 4 acre site in taxes. He asked how big of an economic benefit it would be to them.

Chair Parkins responded that she couldn't answer that question because she doesn't know what would be built there.

Comm. Pogoda commented OK; well that is a good point for the discussion right now. He added that to take it away from something that they already have - where they know what they may get for the City tax-wise and not knowing what could be there or what is going to be there. He added that would be his question right now – what the benefit would be. He commented that he wasn't sure who just mentioned that or if it was Tom.

Comm. McGorty responded yes, he did. He's not sure what the upside to that would be for the town.

Comm. Pogoda stated yes, that would be his question too.

Chair Parkins indicated that it was something that she was proposing because she didn't see the upside to this residential component being on that property.

Comm. Tickey stated that in regard to LIP land throughout the City – he had some numbers from the office and stated that in Shelton there are 300 acres of non-residential land. He added that if they take, for the sake of argument, the subject 41 acres, there is still 259 acres of non-residential land. So, theoretically, if they had someone come in who wanted to be on non-residential land that is 259 acres. Even if they took away the Mas property that is 60 acres, there are still 199

acres of land that are non-residential and if a manufacturing plant or a business wanted to come in, certainly they have options.

Comm. McGorty stated that at the last meeting, that was the point he alluded to also – this isn't the final frontier and there is a lot of property left. He referenced some information that he requested Rick to dig up about the vacancy on Forest and Long Hill Cross Road and there are a few 100,000 or so square feet of vacant space. There are a lot of buildings up there that are not completely occupied. There is plenty of space and he added that he feels that a lot of companies would look for the path of least resistance and spend 40% of what it would have to if they were going to develop a piece of property especially in this business environment. He commented that it isn't forever, it is a cycle; however, it is a long cycle but to get up and going and to renovate or remodel an existing property is a lot more cost effective than for a business to develop a pretty rough site – well, in some areas, some areas aren't that tough.

Chair Parkins asked if he was talking about the whole site.

Comm. McGorty responded yes and he doesn't see the upside to lopping off 4 acres because then it is even closer to the residential component. He asked what they would gain from that other than getting 4 acres and holding it aside for LIP or something else to come along. He added that he didn't know what the tax revenue would be or how many homes they would lose out of that – it would probably be less.

Comm. Tickey stated that he wanted to echo Tom's comments and he added that he also asked Rick Schultz for that information. He stated that 30 Controls Drive is 100% vacant and 120 Long Hill Cross Road is 100% vacant and there are many more that are less than 100% but none the less have vacancies in their buildings.

Chair Parkins responded that they have also seen reuse for some of these buildings come before this Commission all the time.

Comm. Tickey stated yes, so people are coming in for those buildings.

Chair Parkins added that when all of these existing buildings are used up than they will have to go and buy a large parcel of land to develop whether they want to or not.

Comm. McGorty responded OK, he hears what she is saying but he still thinks that there is plenty of land, and this property, as well as being familiar with Long Hill Cross Roads and being that a lot of those companies are only partially filled, there is such traffic and stacking there during the day. He asked what you could really do there that wouldn't devastate the area as far as an LIP project that is large where there are hundreds of employees leaving at the same hour. He added that he drives by there quite a bit, more over the last couple of months to see what's going on and traffic is backed up all the way to 88 Long Hill Cross Roads. He added that he used to work in that building and he knows it well.

Comm. Dickal agreed with Comm. McGorty.

Comm. McGorty stated that if they have a hundred or more people leaving at the same time - he asked where they were going to go.

Comm. Dickal responded yes, exactly.

Comm. McGorty stated that if they take a right, they are going to go down Long Hill Avenue.

Chair Parkins asked why he was assuming that 100 people would leave at the same time. It's like saying that everyone leaves at 7:30 in the morning to go to work.

Comm. McGorty responded that he didn't know that but there is more of a chance of that happening with a company than with a residential.

Chair Parkins responded that you could say that technically everyone leaves at 7 o'clock in the morning to be at work for 8 o'clock – you could have that scenario too.

Comm. McGorty commented OK you could, he stated that he supposed you could make that argument.

Chair Parkins added that now they were going to have people coming out of two driveways on Long Hill Cross Roads because there are two driveways proposed.

Comm. McGorty stated that his concern was about the stacking – not so much in the morning but at the end of the day when they get out. He didn't think that at 4:00 p.m. and 4:45 p.m. all of a sudden there were going to be hundreds of people leaving their homes versus most companies at 5 p.m. - or between 4 and 5 p.m. - because it seems rush hour begins earlier and earlier – he added that he just doesn't see it working out.

Comm. Pogoda stated that in going along with that theme, and as she had mentioned, about putting an LIP in that zone – he didn't know what company or business would take those acres but most of those people would be coming and going at pretty much the same time. He added that he lives in a community where some people work but the majority is pretty much retired. He commented that he thought this project would lean more toward a project such as the one where he lives. There are some people who leave for work but mostly at staggered hours because they are mostly older adults who have part time or consulting jobs that they are involved in due to their age. There really isn't much traffic going out all at the same time whereas any business would have regular business hours. He commented that was another argument that he has thought about both ways for leaving it LIP or for building these homes.

Chair Parkins asked Comm. Pogoda how many units were in his development.

Comm. Pogoda responded that there were 40 homes.

Chair Parkins responded OK; well this is roughly 3 times that amount.

Comm. Pogoda stated yes, but if they are similar type of living – you are putting homes but these are homes for older people who are retired or doing part time work...He added that he is assuming that is what most of these homes are going to be – not the condos but the homes.

Chair Parkins responded that to assume that there isn't going to be an increase in the traffic congestion, that the Commissioners feel is already there, from this development is incorrect. She added that was her opinion.

Comm. McGorty stated that he didn't think that anyone was implying that there wouldn't be an increase in traffic. Intuitively, it is going to happen but not at the same rate as it would if there were a large company there and knowing people's habits leaving work – that is why it is stacked up right now, not because people are leaving their homes. It is from people leaving work between 4 and 5 p.m.

Chair Parkins commented (inaudible)...

Comm. McGorty stated that is not why he is in favor of it because he doesn't feel it is all about the traffic. He has looked at all sides of the project including the tax revenue generated by it and in looking at companies that may want to build, they would take the path of least resistance and build something cost-effective. He stated that he isn't convinced that this property would go first. He added that he thinks that there are other properties that are more conducive to a lower cost project and are available to build on. He stated that existing buildings, as a business owner looking to expand, he wouldn't build a building but utilize existing space, and in this economy, get it for pennies on a dollar and renovate it.

Chair Parkins stated that she doesn't think that the property was really on the market long enough to really determine and it was put on the market in a down time.

Comm. McGorty responded yes and he thought about that as well and he knows that Mr. Scinto made some comments about it, he had an option obviously and could have done something there. He thinks that if it was a good piece of property, he would have been the first one to do

something there. Mr. Scinto indicated that he thought it was a good project and he respects his opinion and expertise. Comm. McGorty stated that you can only weigh all the information that you have and he's seen a lot of positives and not enough negatives to say that this is a bad fit.

Comm. Tickey commented that with regard to the traffic, they know the traffic in this area and many of them are familiar with it on a daily basis but no matter what goes in there, there will be traffic. People drive, drive to work and drive home so no matter what it will add to the traffic. He stated that his concern is that in staying LIP, which the Chair mentioned, the topography of the land and with some of the pieces of the land are far-fetched that a manufacturer would come in there but let's just say it is there. He has concerns about the roads that are there and the truck traffic, the noise, and the impact it has on the roads in that community. In essence they are looking at the land and a zone change for the land and he has looked at that land and tried to familiarize himself with that land. He commented that it is so much more conducive to a residential neighborhood, if they look at the small streams, the brick walls and all of the environmental elements that are there. He is concerned that given that piece of land, if a manufacturer came through, it would wipe those elements away and the Conservation Commission spoke to those pieces in some of their letters; whereas a residential development can be much more mindful of those small brick walls, small streams and incorporate them into their development in a much more thoughtful way than a large business or a manufacturing plant would.

Comm. Dickal agreed and she thinks it strikes some kind of a balance for Shelton. Tax revenue will be there and she agrees that it is a property that would be difficult for some type of manufacturing because there are so many empty buildings in Shelton. If it was light manufacturing they would probably go in and try to renovate that because it would be a cheaper alternative for them. She commented that they want to try to strike a balance here whether it is industrial, small business or whatever but with a community because it was mentioned many times that they go hand and hand. She thinks that would be a good fit for there.

Comm. McGorty stated that he thinks that the planning which was done many, many years ago has been great. They did a great job in planning that corridor but he thinks that things have evolved and they didn't have a crystal ball to see what would happen in the future and times have changed and there is an evolution that happens. He added that you can't go back and say "well, they did this then so they should stick to it." He believes that they should stick to it in the spirit of what the plan laid out but things have changed. Business climates change and you can't predict that far ahead into the future with everything. There is no crystal ball.

Chair Parkins responded yes, you can't predict and that is what concerns her, the fact that this property has been tied up with tax issues, probate or tied up for whatever reasons. All of a sudden it becomes available and it is in a down time. They don't have a crystal ball and they don't know if things are going to change in five years so they are going to say "OK, right now as it is, people 10 years ago didn't realize we are going to be in this down time so maybe they should have thought of residential..." She asked if they were going to do this for all of the parcels along Bpt. Avenue now, if everybody comes in.

Comm. McGorty responded no, he didn't think anyone was implying that.

Chair Parkins stated that she thinks that this is going to be one of many that are going to come in. She added that she knows that this is going to be one of many to come in.

Comm. Tickey stated that he thinks they take these proposals on a case by case basis.

Comm. McGorty and Comm. Dickal agreed.

Chair Parkins commented that she thinks there is going to be the same argument every time. She referenced Split Rock – she asked who would have thought you could do what has been built on the top of Split Rock. When they talk about topography, there are things that can be done, if they are willing.

Comm. Harger commented that it is a gateway though and she thinks it has a more appropriate appearance than what they are talking about on Long Hill Cross Road.

Chair Parkins asked if she was referring to Split Rock as being a gateway.

Comm. Harger responded yes, this is a little bit more secluded, tucked in...

Chair Parkins stated that her point was about what you can do with a parcel that has tough topography.

Comm. McGorty commented yes, sure, you could do anything.

Comm. Harger added yes there's a lot of equipment these days but asked what they feel would be the best use of the land, the less intensive use of the land. She commented that she felt that the Assisted Living Facility was a more natural fit for the area off of Wells Hollow Road and the topography of the land is more suited for the residential use that has been proposed. She indicated that she was in favor of the project because of the projected revenue versus the expenditure numbers that were presented; it would be a greater benefit to the City than LIP, office or commercial. Long Hill Cross Road is not an appropriate street to handle an increase in truck traffic that an LIP development has the potential to bring in. There is a potential for that truck traffic to spill onto Long Hill Avenue which would be very difficult to control. These are all points that she knows her fellow Commissioners have brought up. She commented that even though they are having this meeting from three different locations tonight, she feels as though they are all on the same page.

Comm. Harger stated that one thing that stood out for her is – there is no one more knowledgeable and with the expertise of property development than Bob Scinto and his opinion that this area is more suited to residential development is something that she would have to rely on. As Comm. Tickey just said, if other pieces or parcels are proposed up and down Bridgeport Avenue, you do have to take them on a case by case basis. Every development is unique and has its own pluses and minuses that must be considered separately. She commented that she doesn't see this as being too different from the topography point than the project they approved last year for behind the Marriot because that was the whole point there because that parcel was better suited for residential because it wouldn't be so clear cut and the elevations would have to be changed dramatically.

Chair Parkins responded that it was a poor example to relate it to that Talbot property. She commented that she was assuming that Comm. Harger was referring to the Talbot apartments that were approved. There is a huge difference between that and this development. For one thing, this is 41 acres and that was 9 acres.

Comm. Harger commented that it is the concept.

Chair Parkins indicated that this project is ownership and the other one was rental; if people don't like what is happening in terms of development then they can certainly move. They can't come in and cry about what they plan to do next door or along Bridgeport Avenue that is going to devalue their property. Additionally, that property was on the market for 30 years and had been looked at by big boxes, commercial and light industrial and it just wasn't conducive, didn't have road frontage and just wasn't a good site. She reiterated that it was a little bit hard to compare those two.

Comm. Harger stated that she was comparing it on the basis of what has the least impact on the land, how it will look afterward and they don't want to turn it into something that is going to harden the environment in the long run.

Comm. Tickey stated that Ginny mentioned the senior living facility so he just wanted to touch upon that. One of the statistics that was shared with them was that 25% of their population in Shelton by 2020 will be over the age of 55. In looking at the senior living facilities in Shelton they have Crosby Commons with 25 spaces and Benchmark with 91. In hearing from members of the public that came before them in the public hearings, it seemed to him that there was a real need for this for seniors in Shelton that want the security to know that they can downsize but stay in Shelton because they have family here or roots here, and that they now have an option because this is a proposal for 198 spaces. He thinks that Connecticut and Shelton have an ageing

population and that is something to be mindful of as they plan for the future. He added that this might take 8 to 10 years to actually open up so certainly by that point it will definitely be a necessity in their community and in their region.

Chair Parkins asked Jim Tickey which senior locations he had just referenced.

Comm. Tickey responded that he referenced Crosby Commons and Benchmark in working with the office.

Chair Parkins responded OK, as the two ... (inaudible).

Comm. Dickal commented that she thinks that this is a great vision for Shelton. It is a good tax base, a good fit for there and she agrees with what everybody said about the environment and she really thinks that it will add something to their City. She added that it was a balance and that is what they have to stay focused on. She added that she was tending to...she is very favorable of this.

Chair Parkins commented about the Assisted Living Facility and the two buildings for the Assisted Living.

Comm. Dickal responded that has also been mentioned that they have an ageing population.

Chair Parkins stated that she is more concerned about the second building. She commented that one building was the Assisted Living and asked what the other building was. Right now it has been proposed as office but in their Statement of Uses, it could be light industry, other permitted uses – office, light industry, assisted living and anything that is accessory to assisted living. She indicated that you could reuse the building so she is concerned that may be too dense for that road. The Assisted Living being one component and that being a separate building on that road.

Comm. McGorty asked what the size of that building was.

Chair Parkins commented that they don't give the size...

Comm. Dickal asked if it was similar to what is on Long Hill.

Chair Parkins indicated that they don't give a size and commented that this is a conceptual plan. She commented that the second building is in addition to the 191 units. They aren't specifying it right now and just say office, administrative but it is a separate building that they are approving on that site.

Comm. Tickey indicated that if he recalls correctly, he vaguely remembers that it was to be used for training of the nursing personnel and health care workers to provide training for those working at the main building with the clientele.

Comm. Dickal stated that she doesn't think that it would be for training because some of these people should be licensed professionals.

Chair Parkins commented that this was not a nursing home.

Comm. Tickey indicated that he thought that they said something about training.

Chair Parkins commented that they could be, to train people outside and bring them in.

Comm. Dickal asked what the size of the building was.

Comm. McGorty responded that was his question because it could turn into several different uses depending upon the size of it. They can anticipate the worst and the traffic it would generate if it was some sort of lab or other medical use. If they could kind of anticipate how intense it would be on that road with traffic patterns or if it would just be servicing that Assisted Living. He reiterated that he was curious about the size of it.

Mr. Panico stated that they should be able to specify whatever limitations the Commission is comfortable with on that second building. Perhaps limit it to accessory uses subordinate to and related to the principle use so that you don't run the risk of having a dependent (inaudible) office activity taking place there.

Chair Parkins responded yes, but you could say that a dependent use would be a rehab facility so you could have people not necessarily (inaudible)...She commented that if they want to go and see a rehab facility, they should go see Apple Rehab on Lake Road and all the parking up and down the road because they don't have the parking and that would be an accessory use.

Mr. Panico stated that he thinks that there are ways of compelling that to be tied in specifically with the main facility. He added that they would have to come up with wording that makes everyone feel comfortable. He added that he thinks that what they need to do is to solicit more specific proposals for that part of the site. He stated that he thinks that the Commission knows what they are comfortable with and what they are not comfortable with.

Chair Parkins asked if (inaudible)... in the Statement of Uses proposing two separate buildings on site...

Mr. Panico responded that if the Commission doesn't feel as though two buildings are appropriate than they can clause that they amend it. He stated that, obviously, part of the reason that came out as two buildings is because the site sort of got bisected by that (inaudible) which he presumes is also going to be up in (inaudible)...might not actually be there so now it is unified into a single site.

Chair Parkins responded yes, right. She added that the road won't be there, the road cutting through – she added that she would definitely suggest taking that off the table.

Mr. Panico stated OK.

Chair Parkins commented that she thinks that they are all in agreement about that.

Comm. McGorty agreed and commented yes, he doesn't think that is a good idea to have that road that comes through. It will become a cut-through of the neighborhood so he doesn't think that is a good idea.

Comm. Dickal agreed.

Comm. Pogoda agreed (inaudible)...

Mr. Panico stated that if the road does not cut through then they need to re-evaluate the Long Hill Cross Road side of it and where they now have that second (inaudible) with the cul-de-sac is that probably needs to be hooked up so that they have dual access and egress to Long Hill Cross Road.

Chair Parkins asked if he was saying that there would be two entrances and exits to Long Hill Cross Road.

Mr. Panico responded that he thinks that they will need two to serve that entire development with condominium units and single-family lots with one entry would not be prudent.

Chair Parkins asked if this started off with a club house and a pool. She asked if they had any amenities. She commented that it looks as though she is outnumbered here. She added that she really hopes that this is being looked at as a project and not the individuals proposing it – not that she has anything against the Applicants because they are great people but they cannot make decision upon the fact that they are local people. She noted that they could flip the property at anytime and they have seen that happen.

Comm. McGorty commented yes, they've seen that happen.

Chair Parkins responded yes, that is right, they have seen that happen before – not that she thinks that is what would happen here but they just cannot make a decision based upon the Applicant. She added that she thinks that the Commission and the City is going to be opened to a lot of – at least 110 people - coming out against anything put onto Bridgeport Avenue.

Comm. Dickal stated that she is probably right but as Jimmy stated, they will take them on a case by case basis and decide then what the best thing is.

Chair Parkins indicated that even if it is zoned – even if it is something that is allowed – these people are going to come out and complain about the traffic.

Comm. Dickal commented that they would be coming back to them.

Comm. McGorty stated that he thinks that anybody who owns along Bridgeport Avenue takes an assumed risk because of the way that it is zoned that they always have the possibility of an industrial, retail or commercial coming in. It is a risk that they take; when people go and buy a property or home they do their diligence and research it to determine the possibilities. He added that when he bought his house, he made sure that the open spaces behind him would not be developed and people have to do that homework. You have to go into a place with your eyes wide open and you need to expect that in that type of zone.

Chair Parkins responded that was not reality, unfortunately. There are people waiting in the wings to see how this is going to go so they are going to see more soon.

Comm. Dickal commented that this was no disrespect to anyone who worked on the long range plan but they have to be adaptable and there are no crystal balls. Unfortunately, that is the way that it works and if you don't adapt to the change...

Chair Parkins responded that it was also cyclical.

Comm. Dickal stated yes, but it is also just the way that it is.

Comm. Tickey stated that he wanted to make one more comment because he was thinking about this throughout the entire process and it was certainly covered upon by the press and that is the focus on manufacturing because manufacturing was hit so hard in the recession. He stated that obviously when you are hit hard, you get back up and they talked about there being some signs of hope in the manufacturing sector. He stated that in taking that step back and in looking at the broader picture, their POCD cites that economic development is anything for the City that generates wealth. He commented that he looked and manufacturing was hit hard in the recession but it was second on the list. The first thing on the list was housing and construction and those are the people that work with their hands every day, bricks and mortar, plumbing, electricians and it was said that some industries tend to reinvent themselves. He commented that he thinks that, right here, they are seeing that with another industry that was hit hard and is trying to come back. He noted that they could even look at the Assisted Living piece and look at healthcare services and services for those that need help or assistance, particularly older people and certainly that is a sector that is looking to grow.

Comm. Tickey commented that since it seems as though they are wrapping up, since they focused so much on the manufacturing piece and that is important and that is thoughtful of them to think about what a local economy is based around, but he does think that there are other sectors of the economy like housing, construction, healthcare for seniors that play a role too in economic development.

Chair Parkins responded that she absolutely agrees that the Assisted Living is a job creator and not just on the short term but in the long term so it is going to provide jobs. She commented that yes, the construction industry has been hit hard but this is about a zone change and not about putting construction people to work.

Comm. Tickey indicated that was why he saved this comment for his last and started with the comments about the appropriateness of the project for the land.

Chair Parkins indicated that there is plenty of residential land to be developed in Shelton too for people to get back to work. She reiterated that this was about a zone change; it is not about putting people back to work. She added that they all want to see their neighbors with jobs, making money for their families, that goes without saying, but the role of this Commission is not that.

Comm. Tickey responded yes, absolutely, but he thought it was important to mention the other sectors of the economy because so much was said of manufacturing and he just thinks that there are other sectors that should get equal time when they discuss who lifts up their local economy.

Chair Parkins commented yes, absolutely. She stated that it sounds as though they have a consensus moving forward, well mostly a consensus.

Comm. Dickal stated that it is definitely the right balance for them going into the future.

Chair Parkins commented that they'll have to see about balance...she asked for a motion to move forward with the preparation of a favorable resolution.

Comm. McGorty made the motion to go forward and Comm. Tickey seconded.

Chair Parkins took a vote with all voting in favor with one opposed, herself (5-1). She requested Mr. Panico begin preparing a favorable resolution and she asked how long he thought it might take.

On a motion made by Thomas McGorty seconded by Jim Tickey, it was voted (5-1) to direct Staff to prepare a favorable resolution for Application #13-17.

Mr. Panico responded that based upon what he has heard tonight, he will start putting the fundamentals of it together on paper and see where they go with it. He indicated that he hasn't heard too much more, comments about the specifics of the proposal other than he thinks that everyone is in favor of eliminating the connection across the gas line.

Chair Parkins responded yes, that is correct.

Mr. Panico commented that they also are recognizing that they will have to create a second connection on Long Hill Cross Road. He added that there is concern about the secondary building on the Assisted Living site so they will have to address that somehow. He stated that there was some concern at the public hearing about the owner of the abutting industrial property and he thinks that some of his concern was that if they make this a residential zone they are going to impose on him a residence district setback requirement. He commented that he and Rick will have to tinker around a little bit with how they modify that wording so that doesn't happen.

Chair Parkins responded exactly.

Comm. Harger agreed yes.

Mr. Panico asked if they were in agreement with that.

Chair Parkins responded yes and she asked if that was to protect the rights of the current manufacturing facility that is down there.

Mr. Panico responded yes, right, they don't want to impose on him any restrictions that are not there today.

Chair Parkins responded correct.

Mr. Panico stated that would happen inadvertently by changing this to a residential zone and he thinks that they can handle that with some type of language.

Chair Parkins commented that there was also discussion about having the condo or homeowner's association or whatever may be there, or possibly what other document you might put it in regarding the noise factor. She added that there was some concern from the business owner that people would complain about the noise emitting from his factory.

Mr. Panico responded that any noise that would occur would be subject to the Noise Ordinance. He's not exactly sure what she thinks they ought to ...

Chair Parkins stated that he'll need to go back and read through the minutes, there was some mention of it and the Applicant indicated that they could do something – or somebody, somehow said that it could be addressed.

Mr. Panico stated OK, (inaudible) something in the condo documents recognizing that they are an existing industry.

Chair Parkins commented that she didn't know if it would be in the condo documents because she doesn't know how they are handling the whole development.

Mr. Panico responded OK; he'll work with Rick and give it some thought.

Chair Parkins stated that it is going to come down to the City because the City is the one that is going to hear the complaints.

Mr. Panico agreed. He commented that there was one particular house in the single-family part of the development that is right on top of the property line and he thinks that they are going to have to look to perhaps get that either removed or spaced out a little bit more. It is the only one that impinges very closely on the line. He stated that he assumed that they wanted to preserve the minimum 50 foot buffer along Long Hill Cross Roads. He stated that he will begin putting something down but he wasn't sure that it would be completed in two weeks but they will do everything that they can on it.

Chair Parkins stated that regarding the buffer, there were some comments that Alderman Anglace made about vegetation that would hold up or something.

Comm. Tickey commented that he did mention the 50 feet.

Mr. Panico stated that the buffer should show on the (inaudible) they just want to make sure that in the documentation that the only thing that would pierce that buffer strip would be the two road connections.

Chair Parkins asked if he had been talking about the house that sits right on the side of the ...

Mr. Panico responded that it is right on the corner of that adjacent industrial parcel going down to Bridgeport Avenue. He asked if she could see it.

Chair Parkins asked if it was where there were three houses next to each other.

Mr. Panico responded yes, there are three in a row there and the one nearest to the industrial area can't be more than 10 feet from the property line so they will work with that a little bit more because those houses may need to be reconfigured. As he redesigns that road as an entrance road, the cul-de-sac goes away and with the removal of the cul-de-sac he has a little bit more flexibility in being able to shift those houses on Long Hill Cross Road and get away from that corner. He stated that the obvious concerns that they have on the physical plan won't see (inaudible) until they see the Detailed Development Plans.

Mr. Panico commented about the concerns regarding flipping and he thinks that the Commission needs to be aware that it is the intent of the Applicant, he believes, to sell off that parcel where the Assisted Living would be. He thinks the Applicant (inaudible) ...to build that Assisted Living Facility; there are people that specialize in that who he believes were represented at the public hearing and they are the ones that they would be dealing with on that.

Chair Parkins responded OK. She stated that she also thinks it is important that whatever condo documents, or however they treat that easement where the gas line goes through, that it be indicated in the condo documents that there is a high pressure, natural gas pipeline that runs in their backyard. Many people have said that they had no idea that there was a natural gas pipeline in their yards, so they need to be made aware of that.

Mr. Panico responded OK, what they would do is, they would ask them to submit an outline of their homeowner's or condominium association's documents so that they could get their two cents in and make sure that things are taken care of as they were represented. He added that he sees no reason why they would not follow through because they did on their previous proposals. They mentioned things about having nothing conducive to children like any backyard pools, swings or things of that sort just like they did at the other development.

Chair Parkins asked if he was proposing to do these the same way as Heritage Point so that each parcel is in fee. It is not a part of an association.

Mr. Panico responded yes, that is his understanding that these are all fee parcels, that's correct.

Chair Parkins stated OK, but the condos would probably be different, they would be an association.

Mr. Panico responded yes, a condominium association but the rest of it would be some kind of a homeowner's association because someone has to pay to maintain their roads, etc.

Comm. Pogoda commented that he would assume that they would all be put under one association.

Mr. Panico stated that there could be (inaudible) association that would be in charge of maintaining all of the roads, etc. and then a homeowner's association that would worry about the things that a condo association wouldn't worry about (inaudible)...

Chair Parkins commented that she didn't see it being done as one big association because when the condos need roofs, the homeowner's don't want to have to pay for it.

Comm. McGorty agreed that would be a deal breaker.

Comm. Dickal commented that they are definitely two separate entities.

Chair Parkins stated that she just wants to make sure that someone takes responsibility for stating that easement is back there.

Mr. Panico commented that another thing is that the homeowner's association is not going to want to take full responsibility for the access road that serves the condominiums.

Chair Parkins responded yes, that's true.

Comm. Pogoda commented OK, you're right.

Mr. Panico stated that they are probably going to need some differentiation in the documentation as well but that is for them to figure out. He stated that they need to have this at the level where they are comfortable with putting the zoning in place and then they'll plan details out between now and when they approve the Detailed Development Plans. They can modify it, massage it and change it. For example, he's sure that the condo layout is going to change a little bit when they eliminate that piece of road that goes across the gas line. There has to be a little bit more useable site space available there and it could lead to an improvement in the preliminary type of layout; things will change slightly.

Mr. Panico asked what the general feeling was about the access for the Assisted Living. The plans that have been submitted show what was originally the crossroad coming through and it crossed at Beard Sawmill Road and then the Assisted Living was accessed off of that proposed

cross road. It also had another outlet from the parking lot out onto Beard Sawmill. He asked if they wanted to try restricting access to one location or what. He asked if they had that concern.

Chair Parkins commented (inaudible) ...

Comm. Pogoda asked if they wouldn't have to find out first from whoever is proposing this Assisted Living Facility. Right now, there are two buildings and if they still have intentions for those two buildings.

Mr. Panico stated that there was some concern expressed about them and he thinks that they should reiterate that concern and see if they can't make it go away.

Comm. Pogoda responded that is what he means. Right now, they are in flux; basically, they don't know what is going on and if they have intentions of putting in the two buildings or can they work it for one building. He asked if they could do away with the second building as Ruth mentioned because that second building could possibly house something else.

Mr. Panico responded that he thinks that they need to (inaudible) what can be housed in it. His understanding is that they really don't want anything that is going to be unrelated to the Assisted Living that might result in a traffic generator that they don't anticipate. They will have to figure out how to address that into the Statement of Use or with recommendations to their physical plan.

Comm. Pogoda responded alright.

Chair Parkins asked if he recalled if it was a separate building because of the road cutting through the property.

Mr. Panico responded that he doesn't recall if that was a part of the rationale or not.

Chair Parkins asked if they could eliminate that building and just add on to the original building, if that road were to be removed.

Mr. Panico responded that if they need a building, it could only be accessed from an internal driveway situation.

Chair Parkins responded correct, that would limit the use.

Mr. Panico stated yes, making a main entrance for the facility, putting it to the other side of that little wetland area.

Chair Parkins commented that then the parking could be controlled better and possibly that might not need as much parking as has been proposed.

Mr. Panico responded yes, he'll get something on paper, work with Rick and (inaudible) to start considering. It may not be the final document but (inaudible)...

Chair Parkins responded OK. She asked about any improvements to Long Hill Cross Road.

Mr. Panico stated that he'll have to go back and look at the Traffic Engineer comments but he thought the traffic improvements were going to be minimal. There were no extensive improvements that he's aware of, he'd have to go back and review the public hearing. He reiterated that he didn't recall any significant improvements being made.

Chair Parkins asked if there weren't any sight line issues up above with the access up above.

Mr. Panico asked if she is referring to the Bridgeport Avenue end.

Chair Parkins responded yes.

Comm. Harger referenced a letter from (inaudible) dated January 21st talking about things that needed to be considered including a traffic control signal at Long Hill Cross Road and Bridgeport Avenue; the traffic control signal at Beard Sawmill Road and Bridgeport Avenue; review of the Long Hill Cross Road in the area of the project improvement of sight lines and widening; review of Beard Sawmill Road in the area of the project; review of Far Mill Crossing and Old Stratford Road, the traffic study recommended for possible additional turn lanes and traffic control signals.

Chair Parkins asked where the sight line improvements were requested – on Long Hill Crossroad or Beard Sawmill.

Comm. Harger read that it says it was review of Long Hill Crossroad in the area of the project, improvement of sight lines and widening.

Mr. Panico stated that to make that road connection that was going to intersect with Beard Sawmill Road, there was a sight line concern at Beard Sawmill Road that was going to have to be addressed by taking the grade of Sawmill Road down a little bit.

Chair Parkins stated that she thought there was some discussion about the sight line on Long Hill Crossroad.

Mr. Panico commented that there is a sight line constraint - that is what he was saying; there is a sight line constraint.

Chair Parkins stated that she was talking about Long Hill Cross Road – not Beard Sawmill Road.

Mr. Panico apologized because he was talking about Beard Sawmill. He responded that they have a sight line issue with that connection that they do not take at the present time. If they (inaudible), they will have to address it. Anything that they do that has a physical constraint to it, they are going to have to address those constraints. They (inaudible)...allow them to bring a road connection in if there is a sight line constraint that they aren't addressing.

Chair Parkins responded OK and commented that will be addressed at the Building Permit stage.

Mr. Panico responded that it would be addressed before they sign off on the Detailed Development Plans.

Chair Parkins responded OK.

Mr. Panico indicated that he isn't worried about those physical details right now. All that he is really going to be concerned about is what they have to get in place by way of zoning restrictions because that is what their PDD adoption is basically going to do – put the zone in – they have not yet approved the Detailed Development Plans. This first step, in effect, is a rezoning.

Chair Parkins responded yes. With no further comments, she requested a motion to adjourn.

On a motion made by Jim Tickey seconded by Thomas McGorty, it was unanimously voted to adjourn at 8:30 p.m.

Respectfully Submitted,

Karin C. Tuke
P&Z Recording Secretary