

SHELTON PLANNING AND ZONING COMMISSION

MAY 13, 2015

The Shelton Planning and Zoning Commission held a special meeting on Wednesday, May 13, 2015 at Shelton City Hall, Auditorium, 7:00 p.m., 54 Hill Street, Shelton, CT 06484.

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

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

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

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

Chair Parkins called the P&Z Commission special meeting to order at 7:08 p.m. with the Pledge of Allegiance and a roll call of Commissioners and Staff members present. She noted that tonight's meeting was a special meeting because it was a reschedule of their regular meeting that was supposed to take place last night; therefore, she indicated that was why it had been deemed a special meeting. She stated that the first order of business would be a continuation of the public hearing for Application #15-03 from April 22nd.

PUBLIC HEARING

APPLICATION #15-03: 223 CANAL GROUP, LLC FOR MODIFICATION OF PDD #60 INCLUDING INITIAL CONCEPT PLAN, STATEMENT OF USES AND STANDARDS AND FINAL SITE DEVELOPMENT PLAN APPROVAL (SITE C: 68 MULTI-FAMILY RESIDENTIAL UNITS), 223 CANAL STREET (MAP 129, LOT 18) CONTINUED FROM 4/22/15.

Chair Parkins provided instructions for a public hearing for those in the audience and for anyone wishing to speak regarding this application. She requested that things not be reiterated from the previous meeting. She commented that there was a lot of information to digest on this Application from the last public hearing.

Mr. Schultz recalled that they directed the Applicant to provide some renderings which he has done.

Chair Parkins indicated that they will take the opportunity to speak directly to the Applicant then open it up to the public. She asked Mr. Guedes to begin.

John Guedes, Manager of 223 Canal Street, LLC, the Applicant addressed the Commission. Mr. Guedes stated that he only had a few items to present this evening. He was asked to do a couple of things and one was to emphasize the gable ends of the building as it faces Canal Street and secondly, there is some confusion that 2-D drawings did not represent the proper perspective of access to the garage area. He prepared some renderings that have multiple views and he distributed copies of the renderings to the Commissioners.

Mr. Guedes explained the drawings and commented that it was a brick building meant to emphasize the Industrial Era and there was some concern voiced by the consultant, Tony Panico that the gable end face the street so they emphasized it a little bit with more detail. The second to last drawing shows three different views of the building including the view on the Canal Street

side, the side facing Avalon and the view from the rear facing the River Walk. As they can see from all the views, the building is basically a brick veneer building with dormers similar in look to the Spongex Building that is going to be renovated. Mr. Guedes concluded that those were the elevation renderings.

He continued that the second item he wanted to present was in regard to a lot of the discussion at the last hearing about the STC permit. He provided a brief history and commented that the permit was obtained in 2008. It is on file in the Land Records of the City of Shelton. He stated that he brought a copy of it to submit as an exhibit. He indicated that the permit encompassed every single site that was presented in the Master Plan of Development that this Commission adopted.

Mr. Guedes stated that for the most part it includes every single site. It is laid out in the description, each site and the approvals that it was based on which isn't just for the Birmingham but also the Avalon, this site, etc. to the end. Mr. Guedes indicated that this permit is still active and active until July of this year. He also submitted with that package, a copy of the letter that was sent today to the STC for an extension which is what they have to do 60 days before expiration. He reiterated that that the request went out today; every year – it used to be every year – but then the Executive Director recommended extending it every two years because of the time that it would take for this project.

He restated that the STC permit is in place on every single site that they are dealing with. If they review that permit, and he knows that there is a lot of talk about issues pertaining to the Railroad, but this STC permit has nothing to do with the Railroad. He restated that it had nothing to do with it whatsoever. He indicated that the only obligation that this permit had was that there would be a temporary closure of Wooster Street until such time as the City would install the gates across it. The other requirement from the State was that a bond for \$900,000 be posted and the City has posted that bond.

Mr. Guedes stated that as they review this STC permit, nothing in there, within the permit requirements mentions anything dealing with track realignment or any of those other issues. Those are issues that have nothing to do with this project and he added that if there's anything – that if the Railroad had any rights whatsoever regarding any of these sites, they would have exercised them before the permit was issued. There are have been a number of times throughout the history of this project that statements have been made that the parking garage was built too close to the tracks and that's why they have problems...and one of the STC hearings that they had in which everybody was involved, the same conversation came up by the Attorney Phil? Guerrero. Mr. Guedes indicated that he asked Atty. Guerrero in front of everybody that was present to provide any evidence that he had on file indicating that he had any rights over any property that is privately owned on Canal Street; otherwise, it was a non-issue. Mr. Guedes said that he was unable to present it because he doesn't have it. He reiterated that they have no rights whatsoever over properties that are privately owned along Canal Street. It doesn't matter if it's worthy – he repeated that he asked “if you have any rights over their property to present them – easement rights, grading rights, anything and they will tear it down and rebuild it.”

Mr. Guedes stated that they were unable to present it; therefore, the STC was unable to put anything within this permit as a condition that would address railroad line alignment. The problem is that they built their railroad line too close to the properties and that's the bottom line. It doesn't – whether it is their property or Mr. Watt's property or Better Packages or any properties down the line that are adjacent to the track – there is no document on file anywhere that prevents the individuals that own that site from privately developing it as allowed by Zoning Regulations.

Mr. Guedes indicated that this is something that this Commission should know so that this constant conversation that comes up about the supposed railroad problems – it is the railroad's own problems and it has nothing to do with this project. He added that there are certain conditions that they had to meet in order to be able to open up this project or the next project or the Watt's project and so forth down the line – there are certain conditions that do have to be met. If there are any revisions to the original approval, then they'll have to submit modifications to each site as they did with Avalon. When they originally entertained the Avalon site, they had one concept in mind and then once Avalon came in then they had a separate set of requirements

that were generated by Avalon so when they submitted information it was based upon what Avalon was going to build which included a reduction of the parking which was 242 spaces.

Mr. Guedes commented that every single step of the way they've done everything that they've had to do. Until such time as the crossing is opened, there are certain things that have to be maintained and they have to do with emergency vehicles, etc. Obviously, the issue of the widening of the road has always been an issue. He indicated that he had a conversation earlier today with someone who wants to know why, if there is no water for the canals, then why they can't deal with it. He reiterated that it is something that they don't create. This Commission and the Inland/Wetlands Commission approved the Plan of Development that basically allowed them to fill in those canals and create some landscape areas, additional parking, widening the road and so forth. As they know, it was objected to by Joe [sic] and he objected not only to local agencies but also to the State and to the Army Corp so it created a big too doo; then the DEEP and the Army Corp. came down and said that it's viable wetlands (inaudible) because there was water.

He continued to say that a year and half ago or so the power generation went down and he shut off the water so now they don't have water. They have open ditches that are humongous and yes, there is potential for mosquitoes, rodents and everything else but unless the water is turned back on there is nothing that anyone can do. Unless they can convince the DEEP and the EPA that it is not appropriate to leave these ditches the way that they are, then they are sort of in a bind. The ideal thing would be to allow them to fill in the canals and proceed with the Plan of Development that they originally envisioned; otherwise, this next stage of road development is going to have to go back to STC as well because it is different from what was originally approved. The STC originally approved the canals be filled and the road being widened toward the canals and that is not what they are proceeding with.

Mr. Guedes stated that these are two points he wanted to make so that the Commission understood – there is an STC permit in place that describes every single site. This permit is on the Land Records in the City of Shelton and it is being kept updated as required by law. He reiterated the two points including the various views of building to provide a better understanding of how the parking works and the traffic pattern underneath the building. He thinks there was a little bit of concern about it.

He added that he has Joe Pereira, P.E. here to address the parking issues because after speaking last time, they went back and researched how other some municipalities are handling their inner city parking issues. He indicated that there are always two types of regulations with one dealing with urban and the other dealing with suburban areas. Suburban areas have more land and no walking distance access to restaurants, stores, etc. so the parking requirements are greater but in the downtown areas it is a little bit different. He asked if there were any questions before turning it over to Joe.

Chair Parkins asked for clarification about the STC permit and if it expires July but they ask for an extension, would the existing permit remain in place.

Mr. Guedes responded that it is automatic.

Chair Parkins asked if, once the permit expires, they go back in with a totally different application because of the changes.

Mr. Guedes responded that if they allowed it to expire then it would expire but once the letter goes in requesting the extension then it is an automatic extension. There will be on – for this particular site and if they look at the permit, Item #1 stipulates that the applicant be permitted to occupy up to 30,000 square feet of office space and 34 parking spaces, Site C, River Breeze without completion of Condition 6 that was (inaudible) so the building could be used as is forever without any improvements. If they go to the “description” part, it says that the – and he clarified that this was the “description” of what was approved – it says that the Shelton River Front Development includes the Radcliffe (Site B), 250 apartments, 422 parking spaces; River Breeze (Site C), 30,000 square feet of commercial space and 10 townhouses and 57 parking spaces. Mr. Guedes commented that per this permit, they have the right to have 30,000 square feet of commercial space and 10 townhouses. He added that in talking to Dave Sullivan (traffic engineer) the issue with the STC has nothing to do with the apartments; it has to do with trips.

The type of use and how many trips it generates is what they are concerned with. When they evaluated what they had, and he did a slight calculation based upon (inaudible) trips because that is for Dave Sullivan to do his study. They determined – if they are to follow the City’s Zoning Regulations in dealing with commercial – because the way this was approved was 11,000 square feet of office and 19,000 square feet of retail plus the townhouses – and based on that the parking requirements for it exceeded what they were looking for. The parking requirements were almost 200 parking spaces that would be needed. He added that they needed 106 for the apartments based on a 1 ½:1 ratio. It is a change and Dave Sullivan from Milone & MacBroom is working on what needs to be done to accommodate the STC. There will be a submission for the STC to approve.

As they proceeded down the road, and he realizes that what was originally planned may not come to be because the way that the STC approved this, they actually approved a Roadway Plan which had driveways at every single site and so forth. He commented that he was concerned that at some point, they may not be able to build what was originally contemplated and; therefore, they needed to have some flexibility. Mr. Guedes indicated that he wrote to the Commissioner back in 2011 and he said that there may be issues coming up and they need to have some...and this is included in their packet as well...the extension that was granted on July 12, 2011 says at the end that “it is understood that the overall development is comprised of multiple parcels with independent site driveways and these site driveways will be constructed as the individual parcels are developed; consequently, no formal STC action is necessary for opening up a development on any specific parcel without an individual parcel driveway in place. Mr. Guedes clarified that what it meant was that they provided a permit showing a roadway with all of these driveways and he said that they don’t know if those are going to be the actual locations of the driveways.

Mr. Guedes indicated that they responded back and said that was correct. He stated that what he is suggesting is that nothing is cast in stone. As the situation develops, they have the ability, not only for this project but for what is next door or any of the other sites; they have the ability to submit a revised plan to the STC for them. He clarified that the STC has the right to review. They aren’t going to hinder the development of the project; they want to make sure that the (inaudible) is kept and that procedures are followed so that is what they have to do.

Comm. Osak asked for clarification of STC.

Chair Parkins responded State Traffic Commission. It is no longer what it was... (inaudible)...

Comm. Osak commented that it was not a State road.

Mr. Panico responded it was a major traffic generator though.

Mr. Guedes clarified that whenever a municipality changes a zone in an area, it triggers STC involvement.

Comm. Osak commented that he understands.

Mr. Guedes asked if there were any further questions.

Chair Parkins responded not at the moment.

Mr. Guedes stated that Joe Pereira will address some of the parking issues.

Joe Pereira, Principal, Pereira Engineering Associates, One Enterprise Drive, Shelton addressed the Commission. Mr. Pereira indicated that as John just mentioned, there were parking questions at the last hearing in regard to the 1.5 spaces per dwelling unit. They put together some of the ratios for some other municipalities in regard to their parking requirements. He wanted to submit them for the record.

Mr. Pereira indicated that New Haven, for a high/middle density zone, what they call RM2, it is 1 space per dwelling unit and for a general high density which is called an RH2 zone they require a .75 parking spaces per dwelling unit as a minimum.

Chair Parkins asked if that was considered off-street parking.

Mr. Pereira responded yes.

Chair Parkins stated OK, that it wasn't considered street parking.

Mr. Pereira indicated that Bridgeport follows their own which is about 1 ½ spaces per dwelling unit for non-DTD (downtown district) which would be a tighter space only requiring .5 spaces per dwelling unit plus 10% for visitor parking. He stated that it is obviously well below the 1.5 spaces they are talking about here.

For Norwalk as a part of their general parking requirements, he said that they require 1.5 spaces per studio or one-bedroom dwelling and it goes as high as 2.0 for a two-bedroom or larger dwelling unit. Mr. Pereira indicated that his last source was ITE (institute for Traffic Engineers) which is kind of like the Bible for Traffic Engineers, called a Parking Generation Manual, in which it states that for apartments in an urban area such as this, the peak requirement during the weekdays is 1.2 spaces. He reiterated that it was below 1.5 spaces.

Mr. Panico responded that the difficulty is that most of the urban areas that those figures relate to have public transportation and other available parking which they don't have here. He reiterated that was the problem.

Mr. Pereira responded that the ITE Manual is published throughout the country based upon a number of actual examples. They average them all in together and look at urban areas and suburban areas. Suburban areas have a slightly higher requirements and he doesn't want to say that it is 1.5 but for the urban areas, which he would classify this as, it is 1.2 with even less on the weekends of about 1.0 – 1.2.

Chair Parkins stated that they have a couple of questions on the building renderings. She asked if there was any plan to put any sort of fence, like Avalon did in the back so that people couldn't access the Avalon property. She asked if there would be any sort of fence as security for the building and the parking underneath.

Mr. Guedes responded that their Landscape Plan shows it. The intent is that there will be a wrought iron type fence to segregate the landscaping and so forth.

Chair Parkins commented OK and to provide safety for the underground parking.

Mr. Guedes responded that it basically surrounds the building.

Chair Parkins stated it prevents access from the River Walk. In relation to Avalon, she asked what it was in regard to height and location of the road.

Mr. Guedes responded that this was less and the design that was selected, a "T" shaped building, the front of the "T" between that and Avalon is about 80 – 90 feet. If they look at their Site Plan...

Chair Parkins commented that the light is shining on these drawings so she can't really see that...

Mr. Guedes explained on the drawings and pointed out the "T" shape building and from one portion there are two rows of parking, a driveway plus landscaping on each side, plus the 20 or so feet that Avalon is away from the property line so it is over 90 feet away.

Comm. Osak asked what the distance was from the top of the "T" to the Avalon building.

Mr. Guedes responded that it was about 40 feet. He believes it is set back 15 feet on their site and they are set back another 20 feet.

Chair Parkins commented that it wasn't as tall as Avalon.

Mr. Guedes responded no, this one is basically, on the backside, it is basically 4 ½ stories and in the front it is 3 ½; whereas Avalon is 5 ½ stories.

Chair Parkins responded OK and asked about the sidewalks and if you are walking straight down the sidewalks past Avalon, if this building is sort of parallel.

Mr. Guedes responded yes because aside from the 15 feet that they are providing to the City for the roadway, they set the building back about 20 feet, or 15 feet to the vestibule but about 20 feet to the building itself.

Chair Parkins commented OK, just so there is some continuity as people ...

Mr. Panico asked if it was 15 or 20 feet from the back wall.

Mr. Guedes responded that it is basically 15 feet to the front of the vestibule and 20 feet to the main building. It is in line with the Avalon building.

Chair Parkins responded OK.

Mr. Guedes commented that the idea was to make sure that they have the landscaping and so forth to follow the Avalon design.

Comm. Osak asked if this was adjacent to the Avalon construction. He commented that starting from Bridge Street they have the condominium that was the old (inaudible) then they have Avalon going across and then a small space of land between Avalon and the "T" of this structure continued going up. He commented that they are building a wall that prevents the sight of the River from the center of town. He added that he guesses it is nice for the people that live in these buildings but the River belongs to everybody. He imagines that you should be able to see some of it in spaces as you went up Bridge Street.

Mr. Guedes responded that he thinks that you'll see it – right now you don't see it – because the whole site is covered with buildings but they will see sections. He added that right now they don't have setback or anything that they are complying with and buildings are hodgepodge all over. There is some discipline as to how these buildings are being set.

Comm. Osak commented that the space between Avalon and the broad dimension of this building which faces the River – he's saying that it is 30 or 40 feet...

Mr. Guedes responded yes it is about 40 feet. He doesn't have the exact dimensions but if they look at ...

Comm. Osak said that he has a site distance to the River of 20 feet.

Mr. Guedes responded yes, that is correct. They have an access to the River from here (he pointed out a hatched line on the map).

Comm. Osak commented that it was a walking trail, a sidewalk.

Mr. Guedes responded that it was set up as an access to the River Walk between the two buildings.

Comm. McGorty commented that it was for public access and asked what the width of it was.

Mr. Guedes responded that the access was probably going to be 12 feet but it was set up not only for the public but for...

Chair Parkins added it was for emergency...

Mr. Guedes commented that the easement was in favor of the City so it will be up to the City to do whatever but it was access for emergency vehicles, someone collapsing on the River Walk, providing them with access to do whatever is necessary.

Comm. McGorty asked if the access was a 12 foot wide access.

Mr. Guedes responded that he believes the easement itself is 20 feet but the City has been building the access ways at about 12 feet.

Comm. Osak commented that this was the property where the Brennan building was.

Mr. Guedes responded yes, it still is.

Comm. Osak asked if they were taking the building out.

Mr. Guedes responded yes, that all of those buildings are coming down.

Comm. Osak stated that some consideration should be given to the architecture of the structures so that there is some sight of the River from other parts of town.

Mr. Guedes responded that the main thing that they have to consider, if you look at the Avalon building which is a very large one, he didn't want to do a continuation of that large mass so that is why he chose the piece so as you are walking along there is some distance between the buildings. He thinks that this here will provide it.

Chair Parkins commented that they are providing access along the River Walk and anyone who is developing it is giving easements to the City to continue the River Walk in the back for the enjoyment of the general public. Right now she doesn't think anyone goes down there and enjoys ...well prior to Avalon going in, she doesn't think anybody else, unless they were adventurous in fishing...

Comm. Tickey asked about any thought be given to treatment of the windows, especially the windows facing Canal Street.

Mr. Guedes responded that he thought they had this conversation last time but...

Chair Parkins added that right now they look like jail cells though.

Comm. Tickey stated that they have been trying to do a lot in the way of what it looks like from the street with window treatments and in looking at some areas that have done that what it does to improve an area.

Mr. Guedes responded that they are making sure on all of the buildings that there are budgets as far as a program where the treatments are uniform. That didn't happen at the Birmingham and everyone was doing different types of blinds.

Comm. Tickey asked if there would be anything outside on the building itself as to being shuttered in some places.

Comm. McGorty commented that it is a lot of brick and it's a box with a lot of doghouses on the top. He asked if there were some architectural features that could be added to the outside to break up the brick. It is really industrial, institutional-looking with all the brick.

Mr. Guedes responded that was the intent. He asked how they would treat the Spongex Building, for example, on Bridge and Canal Street.

Comm. McGorty commented that he can appreciate the Industrial Era but asked if it had to look so institutionalized like a hospital or something. He asked if they could keep with that style but add some architectural features.

Mr. Guedes responded that they could take a look at that.

Comm. Pogoda commented that if Spongex is going to be on the other side of Bridge Street and all the rest of the buildings are being taken down from Avalon down - so the industrial look doesn't have to continue all the way down.

Mr. Guedes responded that he thinks there is some merit to maintain some of the history. The intent was that he didn't want to see just another Avalon style building.

Comm. Osak asked what they were going to do with Spongex – leave the structure there.

Comm. Pogoda responded yes.

Comm. Tickey stated that he thinks that there is a way to keep the tradition alive with the brick but there might be a balance to strike with bringing some of the (inaudible)...

Chair Parkins agreed about some type of architectural ...

Mr. Guedes stated that they could take a look at it.

Comm. Pogoda commented that it looks like an institution to him.

Mr. Guedes stated that anything to better the building is fine. He wants to emphasize that they are converting an industrial area into other uses.

Comm. McGorty responded that it could evolve a little bit. It doesn't necessarily have to look like a factory building.

Mr. Guedes asked them to keep in mind that the existing building was going to be renovated, open up all the windows and they still would have had a very large brick, not very attractive building; it was going to be maintained.

Comm. McGorty responded that since they don't have to, let's not.

Chair Parkins commented that it needed something to break up all of the brick. She stated that she isn't an architect but she imagines that there is something that can be done to complement the brick.

Mr. Guedes stated OK, he'll look at it. They still have the Final Detailed Plans to review; right now they are talking about a modification to the PDD.

Chair Parkins agreed that they weren't approving Final Detailed Plans.

Comm. McGorty stated that it is good to start thinking about it so that when they get to that point...to save some time.

Comm. Dickal asked about the back where it shows an incline and asked if there would be any run-off during a heavy rain.

Mr. Guedes responded that there are basins and pointed out the gray areas shown on the plan are the same as they are now. The grade is not being changed. It has a gradual pitch from the front to the back.

Comm. Dickal indicated that her concern was during the winter and the way it would be plowed.

Mr. Guedes responded that in the winter, they are going to have to take the snow out. In situations like this, they can't keep the snow around.

Comm. Dickal commented OK, so someone will come and take the snow so it doesn't sit there with a run-off.

Mr. Guedes stated that with inner city places like this, there is no storage capacity so they have to haul it out.

Comm. Dickal asked about the number of parking spaces.

Mr. Guedes responded 106.

Comm. Tickey asked if there were 75 bedrooms.

Mr. Guedes responded that he wasn't certain on the bedroom count because they eliminated some of the bedrooms.

Comm. Tickey stated that he has that there are 47 two-bedrooms and 21 one-bedrooms.

Mr. Guedes responded that before the last meeting they eliminated three bedroom units.

Comm. Osak asked what the status of Canal Street was – if it is a dead end now. He asked if it would always be a dead-end and if they would issue more occupancy permits on a dead-end like that.

Mr. Schultz responded that it was a work in progress.

Comm. Osak asked who knows.

Chair Parkins responded that there are plans to continue Canal Street redevelopment past this building. Mr. Guedes explained this better at the last hearing.

Mr. Panico stated that the long range plan for the improvement of Canal Street is that it is to be completely reconstructed all the way down to the Locks. There will be a bonafide turnaround constructed at that point and the connection at Wooster Street is going to be reconstructed and opened.

Comm. Osak asked what was holding that up.

Mr. Panico responded the railroad.

Comm. Osak asked what they had to do to get the railroad to move.

Chair Parkins responded that was in the Mayor's hands.

Mr. Panico stated that the Mayor has been trying to do that.

Comm. Dickal added that it was the million dollar question.

Comm. Osak asked if that (inaudible) Planning & Zoning.

Comm. McGorty stated that (inaudible)...

Comm. Osak stated that maybe if they shut off occupancy permits they may move.

Chair Parkins responded that they could care less and they would be cutting off their nose to spite their face if they did that.

Mr. Panico commented that the City has posted its bond for its financial responsibility for the reconstruction of that crossing. The Railroad is trying to hold the City up by forcing the City to relocate their tracks and that is an unfair request of the City. He added that the Railroad answers to nobody.

Chair Parkins stated that as an interim measure, if that turnaround needs to be put somewhere else in the meantime...

Mr. Guedes reiterated that he explained last time that was one of the work-arounds. When they met with (inaudible)...

Comm. Osak commented that it was OK, they've answered his question.

Mr. Panico indicated as a point of clarification or correction, the Engineering Drawings show that the face of the main wall at the front of building is 14 feet from the property line and to that entryway it is about 7 ½ feet so it is a little bit closer than what Mr. Guedes was representing.

Mr. Guedes responded that he would have to take a look at that and asked if he was talking about from the curb.

Mr. Panico responded from the back of the sidewalk – if he wants to measure it from the curb but that isn't his property line – in terms of the impression you get when walking on the public walkway, the main wall of the building is going to be 14 feet from you and the entry way is going to be 7 ½ feet away.

Mr. Guedes stated that right now the building is pretty much on the road. The building is going to be torn down and moved back about 20 feet.

Mr. Panico asked if he has thought any further about any reorganization of the parking layout to create some visitor type spaces outside of the gates.

MR. Guedes responded that the intent was, as he stated at the last meeting, they would get together with the Fire Marshal and come up with a program that would be acceptable to him. This whole discussion was brought about because of the Fire Marshal.

Mr. Panico stated that almost any solution is going to cost him a couple of parking spaces.

Mr. Guedes responded no, he looked at it and they are going to be able to do it in a way that it will be OK. On one side, he believes it is the left side; they will wind up with about six visitor spaces which will include two handicapped spaces and still be able to put the gates in. When they were analyzing it, they were still trying to deal with trash container pick-up and a number of other issues to make sure that they have all bases covered.

Comm. Osak asked Tony Panico about his comment regarding the boundary line to the next building. The sight distance to the River is not 40 feet, it is less.

Mr. Panico asked if he meant the opening between buildings to see the River – no, it is about 40 feet.

Mr. Guedes stated that he was referring the street setback.

Mr. Panico stated that according to this drawing, it is 45 feet between the corner of the Avalon Building and the wall of John's proposed building.

Chair Parkins commented to Mr. Guedes that she didn't know if he was going to be the management company to manage this property, but asked if he could foresee this as not-paid-for every parking space – would the parking be....

Mr. Guedes responded that this whole thing about paid parking saying that he still does not believe that is the case because this Commission approved the Avalon project based upon Avalon providing a certain number of parking spaces for their tenants. They never mentioned anything about charging anyone for any parking. He believes that if they are charging for parking then they are violating their approval.

Chair Parkins responded thank you.

Mr. Panico commented that they are violating the intent, that's for sure.

Chair Parkins indicated that was Avalon's problem.

Mr. Guedes agreed but even though it is, Avalon is making it everybody else's problem – and that is the problem.

Chair Parkins commented that the Commission needs to address it with Avalon.

Comm. Dickal stated that it sets a precedent and once someone gets away with it, then someone else will get away with it.

Mr. Guedes indicated that if any of the sites come to the Commission and say that they are going to provide "X" number of parking spaces – and there is so much concern because obviously, the parking issue there is the narrow, congested street and they are shy 60 spaces at the Birmingham for the whole program. He didn't want to get into why they were shy 60 spaces, everybody knows why they are but it will be relieved once Chromium Processing comes down. Everyone is saying "well, it is further away but that is pretty much where Avalon is parking now over by Spongex." The reason that they don't park further down is because it is not available. He reiterated that once Chromium Processing comes down, it opens up that area and provides some relief. People are lazy and you still aren't going to prevent people from wanting to be closer to the door unless they enforce the parking regulations because people are going to do the most convenient thing. Mr. Guedes stated that was the only issue was that they were shy with the Birmingham spaces and Avalon is charging for spaces and shouldn't be. People don't want to pay and are trying to find other means. He added that Avalon has empty spaces in the garage.

Comm. McGorty commented that it needed to be addressed so they can just put the whole issue to bed.

Chair Parkins stated that they need the assistance of the Police Chief as well - that is a separate issue.

Comm. McGorty asked if that is the case could they get them to come back here.

Chair Parkins responded yes.

Comm. Dickal agreed that they should.

Comm. McGorty stated that if it is the case, enforcing it or charging for a space which was not a condition - so they need to get to the bottom of it.

Chair Parkins commented that they can't let it stymie future developments.

Comm. Dickal agreed and added that it could possibly do so.

With no further questions from the Commission, Chair Parkins opened the discussion to the public regarding this application. She asked that people not restate things mentioned at the first public hearing, but if they have something new to add then they'd like to hear it.

Atty. Tim Atwood, offices on Canal Street, representing Mr. John Watts addressed the

Commission. Atty. Atwood indicated that they are here because they had an application scheduled to be heard this evening but at the request of Mr. Schultz, they have delayed that application. He added that they have been delayed for quite a while now. Suddenly, they were told that the road may be redesigned and heard two members of the Commission mention that everything on Canal Street is going to be torn down.

Atty. Atwood provided clear and open notice that his client has put a ¼ million dollars into refurbishing and repairing fire damage to the building at 235 but now he's being told that it is going to be torn down. He suggested that people go hesitantly on this because he is in the business of litigation and they are talking about a long, drawn out eminent domain issue.

Chair Parkins interrupted to let Atty. Atwood know that no one mentioned the address #235.

Atty. Atwood responded that the gentleman to the left has mentioned twice that all buildings are being torn down. The second thing that he was going to speak to as to that proposal is in view of

the fact that he is hearing comments being made about preserving the Lock as a historical feature, so he wanted to throw out that it would probably be a nice idea if they preserved the Lock Building which is right next door and they are more than happy to negotiate.

Atty. Atwood indicated that his comments would be limited. He is in favor of Mr. Guedes, his proposal and the fact that he does things, does them well and he thinks. He stated that he thinks the parking is still an issue and what has not been addressed by anyone on the Commission that he has heard is the requirement for all development on Canal Street being to preserve the River Walk. It has been commented by at least two members of the Commission that all the land owners have agreed to give the City an easement for the River Walk.

Atty. Atwood said that hesitated to inquire how many pedestrians would get down to the River Walk if it is supposed to become a public feature providing public access to the River and the views. It strikes him that it might be a worthy consideration to ask the question about just where people were supposed to park. Each further development that comes before this Commission involves a reduction in Shelton's required parking spaces meaning less and less space available to anyone who might be inclined to enjoy the River Walk. People don't walk from somewhere else to the River; they need somewhere to park. Each time they reduce the parking requirements by development after development. There is clearly less and less availability. It is not a matter of whether you can view the River between the buildings if everyone is preserving land and granting easements to the City. They need someplace for the people to park and that's really his only problem with Mr. Guedes' proposal.

Atty. Atwood stated that there is an existing permit from the STC. He asked if everyone was clear on what the problem is with the STC. The problem is the City they all represent, despite bonding the railroad crossing, despite having approval, the City has done nothing. What the City has done is close off Wooster Street which is a necessary access to Canal Street. They have closed it off to build a new railroad crossing for a railroad line that has no trains. He asked to have a couple of them look at this, set up a camera and notice that there are no trains so that solves the traffic issues and their STC issues by suggesting to the Mayor or the Department of Public Works to take down the fences and barriers because they really don't need to improve a railroad crossing over a railroad line that has no trains. He has been there for years and he can assure them that there are no trains.

Atty. Atwood commented that the permit is active; he noted that the Avalon included a reduction of parking; the Birmingham included a reduction in parking.

Chair Parkins commented that she thought Atty. Atwood was being redundant in his comments from the last hearing.

Atty. Atwood responded that he appreciates her opinion but it is a public forum. He is not convinced that everyone may be in agreement so if she doesn't mind, because even in Appellate Court you are given 10 minutes.

Chair Parkins stated OK, he has two left.

Atty. Atwood concluded that he has pretty much gone through his notes. He hopes the Commission will consider the inputs and the concerns of other landowners of properties. He thanked the Commission.

Chair Parkins thanked Atty. Atwood and asked if there was anyone else in the audience wishing to speak. Mr. Watts indicated that he wanted to speak; She asked him to remain seated and someone would hand him the microphone.

Mr. John Watts, owner of 273, 281, 235 Canal Street and both parking lots on both sides of the street, Shelton addressed the Commission. Mr. Watts stated that he seems to be the only one that has the required parking for any permits that can be issued. They have not been able to obtain these permits because the STC says that they won't give them the CO's if they built anything on Canal Street. He went to the STC and that is the requirement – they will not allow any residential permits to be granted until the street issue is fixed. He has been told now that Phase 2 or Phase 3, whatever it was, is going to go to Wooster Street. He asked why they don't

go to the end of the street and the issue of parking and the road came up. He has made offers, unofficially, to the town, verbally to Jim Ryan, Mr. Schultz, the Mayor and anyone who would listen, that he was willing to do almost anything with that particular piece of property to make it a viable asset because as it sits now...he's paid taxes on it for ten years and has gotten not even a hint as to what they are going to do about the road.

Mr. Watts indicated that he has issues about parking that haven't been mentioned here. The gate that ends Canal Street goes onto the public fishing ground that has to be maintained open. During fishing season, he defies them to park on the street because they won't be capable; fishermen don't believe in signs or anything else because they are going there to fish. They need a place for fishing parking, parking with Avalon and no one considered what the trash receptacles would do. Three days a week they put the trash out – Monday, Wednesday and Friday and when the City Carter comes in to take the trash away the street is blocked. You couldn't a fire truck down there either.

Mr. Watts stated that he has the property next to #235 and he has put off putting an application in here and twice he had to sign an agreement to some 65 period that wouldn't count with his particular thing. He is doing that because he is waiting to see what P&Z wants to do. He bought the properties along Canal Street because they were beautiful. He had 30 artists, as they all know, in 273 (inaudible) and the biggest thing to him was "Can't we live here?" It really helped out Shelton because the artists are there 24/7 because they are painting. They walk to town to and help the town. Everybody would love to do this sort of stuff. He had the parking available. He had plenty of parking.

Chair Parkins indicated to Mr. Watts that they would welcome his application just as they have welcomed this one so he is certainly welcome to submit his application. They have no control over the STC.

Mr. Watts responded that it is not the STC who is causing these problems. It is always an innuendo that someone somewhere is going to think about the redesign of Canal Street and he thinks that is a good idea. He has offered the City parts of #273, parts of #281 so that they could make the turnaround that the Fire Department requires. The only way the property is valuable to him is to get the road done and he'll be glad to work with anyone in this department but every time he asks who he should talk to, he gets "they" so he would like to talk to "they."

Mr. Watts stated that if the road is causing a problem, the parking is definitely causing a problem; they do not have any place to park. He has had to put up barriers on his property because of the trucks that come down to do the servicing for Avalon and the Birmingham. They have no place...

Chair Parkins indicated that they will review his application just as they would review any other application based upon its merit and not based upon any other project.

Mr. Watts stated that he is the only one so far that put in a project to have the designs for the project exactly the way that it was planned in 2008. He has two cars per dwelling unit, a turnaround and more parking than he needs.

Chair Parkins stated that they look forward to seeing his application.

Mr. Watts indicated that he would have his application in tomorrow.

Chair Parkins thanked Mr. Watts and asked if there was anyone else in the audience wishing to speak regarding this proposal.

Bill Dyer, 20 Beverly Lane, Shelton addressed the Commission. Mr. Dyer indicated that he was there to talk in general about this project. He commented that they all know that parking is an issue here. It sounds like there are plenty of parking spaces, just too many units. He asked if the number of units was defined. He asked if they could step back and say "wait a minute, this is how many parking spaces per unit – would Trumbull approve this, would Monroe approve this?" He added that they aren't Derby, they aren't Seymour and they aren't Ansonia. They gave a

bunch of towns but Shelton isn't New Haven or Bridgeport. He asked if the towns that surround them like Orange would do this – he doesn't think so.

More to the point, Mr. Dyer commented that they have been developing the idea of a River Walk in this town forever. This property was supposed to have commercial, 10 townhouses and offices but now it is all residential. The whole idea of having a River Walk...he asked if they could imagine the River Walk in San Antonio with only residential units next to them. No, of course not. The idea of the River Walk was to have retail along the River Walk so that people had a reason to park in the municipal parking lot to the right of the City by the Farmer's Market, walk the River Walk and have a destination. The idea of the River Walk was to have a destination for Shelton and that people would come down to Shelton, walk along there, get their ice cream and get whatever - the whole idea of the River Walk – someone actually mentioned separating the River Walk with an iron fence. The whole idea of the River Walk was to make it so that people would live there, shop there, work there and walk to the River Walk. They can't do that in Trumbull. The whole idea was to get people to come Downtown, to shop Downtown, walk the River Walk but they aren't going to walk the River Walk if there is nothing to walk to.

Mr. Dyer stated that they should have a requirement that every first floor facing the River Walk has retail, has a place where people would want to come to, to shop, for pizza, ice cream, whatever – that was sort of what they had in mind way back when. It was originally a whole bunch of different things now 68 residential units – not so good in his opinion. He asked them to think about it. The City is paying a lot of money, and the State also to redo Canal Street so that these kinds of projects are viable. He asked why they don't require that the people who build these projects, who are going to do very well financially, that they be responsible for building the River Walk and that they put aside a certain amount of money to redo the Locks. He added that was not an unreasonable thing to do. Other projects in the past people were required to put money aside for future development including the rec paths – and God Bless, Rick Schultz and the others in that era – which they did.

Mr. Dyer asked them to think a little further than just each little segment; the whole concept was to make this town a much nicer, bigger...he isn't saying that they are going to become San Antonio with floats coming down along the River Walk but really, to be able to go out of your apartment, get a pizza and go shopping; or drive down from Huntington and park somewhere.

Chair Parkins stated that she doesn't see anyone coming from Huntington to support the businesses Downtown. She added that was her own personal opinion.

Mr. Dyer stated that he's eaten at Amici's – he doesn't know about them.

Comm. McGorty commented that if they have that mixed use, it does make it a destination that spills over.

Chair Parkins stated that these businesses have to be viable and be able to sustain themselves and as they can see from Downtown – it doesn't happen Downtown.

Comm. Dickal responded that it doesn't right now but they have a blank slate that they are working towards and they have to really envision what they are doing there. She tends to be agreement that they have to really sit back as a Board and just get it right. This is their only chance to get it right so they really have to scrutinize everything and take the time to do it.

Comm. Osak commented Mr. Dyer on his refreshing remarks.

Mr. Dyer concluded and thanked the Commission.

Chair Parkins asked if there was anyone else in the audience wishing to address the Commission regarding this proposal. With no further public or Commission questions, she asked for a motion to close the public hearing.

On a motion made by Thomas McGorty seconded by Virginia Harger, it was unanimously voted to close the public hearing for Application #15-03.

End of Tape 1A, 8:10 p.m.

OLD BUSINESS

APPLICATIONS FOR CERTIFICATE OF ZONING COMPLIANCE

SEPARATE #0255: DAVID DUNN, 52 PATRICIA DRIVE, TEMPORARY STRUCTURE

Mr. Schultz stated that the Commission directed Staff to review all of the correspondence that was submitted as exhibits and he consulted with the Chairman of the ZBA to see if there was a condition of approval when the property owner received this variance. Staff provided a copy of the ZBA Minutes and referenced Page 3; the first condition of approval is that the temporary structure on the property shall be removed. Furthermore, he indicated that he contacted the ZBA Chairman who reiterated to him that it was a condition of approval and without hesitation directed him to relay to the Full Commission that the variance was granted subject to eliminating the temporary structure. Mr. Schultz advised them to act accordingly.

Mr. Schultz stated that the Applicant also submitted a request for consideration tonight to postpone action on this. He read the Applicant's letter addressed to him from David and Louisa Dunn dated May 7, 2015 requesting the postponement regarding the sun shade. He added that a motion would be in order for that postponement as well. It is the Commission's right to table it with a yes or no to that request.

Comm. Pogoda motioned to deny the postponement request for Application for Certificate of Zoning Compliance Separate #0255, seconded by Jim Tickey, it was unanimously voted to deny.

Mr. Schultz's stated that their Regulations are very specific and say that the Commission may grant temporary shelters for up to a six month period. The Commission directed Staff to look into these circumstances surrounding this issue. The Commissioners have copies of the ZBA Minutes and it was clarified by the ZBA Chairman for the record.

On a motion made by Anthony Pogoda seconded by Jim Tickey it was motioned to deny Separate #0255 in accordance with the ZBA's stipulation that the temporary structure shall be removed from the property located at 52 Patricia Lane to accommodate the detached garage and to direct Staff to issue a Cease & Desist Order to remove the said temporary shelter.

Chair Parkins stated that she wanted to add something to that because according to the ZBA Minutes, the structure was also enlarged to accommodate storage up on top and such storage was going to be for any kind of pool equipment, chairs, etc. so anything being stored outside of that garage presently should be stored inside that garage to be in conformance with the ZBA guidelines.

On a motion made by Anthony Pogoda seconded by Jim Tickey it was unanimously voted to deny Separate #0255 in accordance with the ZBA's stipulation that the temporary structure shall be removed from the property located at 52 Patricia Lane to accommodate the detached garage and to direct Staff to issue a Cease & Desist Order to remove the said temporary shelter. Additionally any items being stored outside shall be moved inside the garage to conform to the ZBA condition of approval.

SEPARATE #0296: CHRIS CARTISANO, 475 RIVER ROAD, SIGN

Mr. Staff indicated that the Applicant was here for the Shelton Car Care facility that was built new on River Road. Chris will advise the Commission that this is going to be an independent garage and accordingly, he presented the proposed signage. It is across from the old A&P Shopping Center.

Comm. Pogoda clarified that it was the old, old A&P.

Mr. Cartisano, 475 River Road, Shelton Car Care, Shelton addressed the Commission. Mr. Cartisano stated that they dropped the franchise and they are going independent.

Mr. Schultz thanked him for maintaining the shrubs and putting down mulch because not too far down the road they have plastic flowers.

Chair Parkins asked Mr. Cartisano if they blow onto his property.

Mr. Cartisano responded yes, sometimes; they pick them up every once in a while.

Chair Parkins asked him to let the Commission know if it becomes a problem because it is litter. She asked if he had a phone number on this sign.

Mr. Cartisano responded that it was on the brick, on the post of the building. The sign is the same color scheme and same everything else.

On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously voted to approve Separate #0296 for signage.

SEPARATE #0279: NANCY CAVINESS, 165 CENTER STREET, BUSINESS & SIGN

Mr. Schultz indicated that this was a transfer of ownership. The previous name was ...

There was confusion as to the location of the hair salon, which Downtown hair salon it was and if it was on Howe Avenue or Center Street and the name of the previous business.

Chair Parkins asked if they were moving.

Mr. Schultz indicated that it was a transfer of ownership and he wanted to clarify its name and location. He requested that it be tabled.

On a motion made by Anthony Pogoda seconded by Nancy Dickal, it was unanimously voted to table Separate #0279 to obtain more information.

SEPARATE #0008: JOEY DEDUVIC, 888 BRIDGEPORT AVENUE, SIGN

Mr. Schultz indicated that this was for the Pizzeria at Shelton Square. They were supposed to be here tonight because of an issue with this sign. Unfortunately, they didn't make the submission tonight so it needs to be tabled. He added that it was a work in progress and the owners of the Shopping Center are pushing the tenant to get it resolved because they had a banner up there.

On a motion made by Thomas McGorty seconded by Nancy Dickal, it was unanimously voted to table Separate #0008.

SEPARATE #0280: KEMAL BUYUKSOLAK, 503 HOWE AVENUE, BUSINESS

Mr. Schultz indicated that this is the old "Little Tomato" on the corner. It is still pizza with different ownership, Toma's Pizza.

Comm. Pogoda asked if they were coming in with a different sign.

Mr. Schultz responded that they are coming in with a different sign. It hasn't been submitted yet. He added that the old sign has the phone number on it so that will be eliminated. This is just for a change of occupant.

Chair Parkins clarified that this was only to approve the business.

On a motion made by Jim Tickey seconded by Thomas McGorty, it was unanimously voted to approve Separate #0280 for the business occupancy.

Comm. Pogoda asked if they would be coming in with the sign prior to putting it up.

Mr. Schultz responded yes and he'll tell them no phone numbers.

SEPARATE #0310: AGNI KALICI, 350 HOWE AVENUE, WINDOW

Mr. Schultz stated that this is for Johnny's Pizza and the storefront that is still vacant. He wants to put in another window. He provided a photo and explained that he put an "X" where he would like to put a window to the left to balance it. He indicated that tenants are interested but they want the exposure. This is normally handled internally but it is an alteration and the condition is subject to enclosing the meters on Cornell Street. He added that he still has that agreement.

Comm. Harger asked about the false brick.

Mr. Schultz indicated that they have that agreement still before the tenant goes in.

Chair Parkins commented that it was supposed to be when he starts making money.

Mr. Schultz indicated that the new window would be the same size as the one on the other side.

On a motion made by Jim Tickey seconded by Nancy Dickal, it was unanimously voted to approve Separate #0310 for the window structure.

SEPARATE #0101: JESSICA OWENS: 507 HOWE AVENUE

Mr. Schultz stated that this was "Sweet & Savory" which was Dave Grant's but it changed ownership.

Chair Parkins commented that they opened about one month ago.

Mr. Schultz indicated that everything was the same.

Comm. Pogoda asked why they have a new sign.

Chair Parkins commented that it's a new sign because they changed the name.

Mr. Schultz responded that it just says "Sweet & Savory," they just painted over it – they used the same sign.

Chair Parkins added that it was a blade sign with a little ice cream cone.

On a motion made by Virginia Harger seconded by Nancy Dickal, it was unanimously voted to approve Separate #0101.

APPLICATION #15-04: S&G OF SHELTON, LLC FOR FINAL SITE DEVELOPMENT PLAN APPROVAL FOR PDD #80 (PERRY HILL ESTATES: 20 SINGLE FAMILY CLUSTER DEVELOPMENT), PERRY HILL ROAD (MAP 116, LOTS 37 AND 38).

Mr. Schultz indicated that Staff was directed to write a favorable resolution and Mr. Panico will read it. Mr. Swift gave the presentation at the previous meeting to bring everyone up to date. The Resolution will cover everything.

Mr. Panico stated that he would read the Staff Report -Draft Resolution for Application #15-04. He stated that it was pretty straightforward and most of the issues that they had anticipated were resolved as Final Plans were developed. There were a couple of minor conditions that arose and can be addressed as they tidy up the drawings.

***See attached P&Z Staff Report Draft Resolution for Application #15-04, S&G of Shelton LLC for Final Site Development Plan Approval (PDD #80) dated May 13, 2015.**

Upon completion of reading the Draft Resolution, Chair Parkins asked for a motion to discuss it. Comm. Tickey motioned and Comm. McGorty seconded for discussion.

Chair Parkins stated that she had no further questions or comments.

Comm. Tickey added that he had no comments. He indicated that it has been said when the density was lessened, it reduced that access point on Walnut and lessened the blasting. He thinks that this is in a much better place than when it started and the Applicant was very responsive to the residents who came and spoke at the public hearing.

Mr. Panico stated that he thinks that it really enabled them to alter their planning and get rid of the development in the real problem areas and absolutely eliminated any connection out to Walnut. Twenty lots on a permanent dead – they have allowed it in subdivisions so it should work here too and taking the precaution of putting in a median divider down at the entry which is usually the place where a problem is going to occur. They always have the alternative side that they can use. He indicated that he thinks that it has turned out to be a very good plan.

Chair Parkins asked if the Soil and Erosion Control Plan would include mud mats to avoid dirt getting out.

Mr. Schultz responded yes, anti-track (inaudible)...

Comm. Tickey asked if there was a school bus stop in that vicinity and where students would be picked up.

Mr. Panico responded that he assumes that they would be picked up on Perry Hill Road. They don't like to go onto private developments.

Chair Parkins commented that she believes that they aren't allowed to.

Comm. Pogoda stated that's right, they aren't allowed to.

Mr. Panico stated that the cul-de-sac at the end was sized to handle emergency equipment. It was looked at by the Fire Marshal.

Chair Parkins reiterated that it was a development geared toward an adult community anyway. They can't dictate that but...

Comm. Harger commented that this plan represents month and months of hard work, there has been an evolution and she likes the overall plan except for the position of Homes #2 and #3. She commented that the cul-de-sac at the end was redesigned and that looks very nice but she doesn't care for the placement of #2 and #3.

Mr. Panico responded that there is a lot of road frontage that they are building; unfortunately, to take these out of here and use the road frontage up there introduces a lot of blasting.

Comm. Harger stated that she wasn't saying moving them; she just doesn't like the placement of how they are there. She would rather have seen them in a mini cul-de-sac, if that had been possible.

Chair Parkins commented that she didn't think the space allowed that; in other words, there was really no talk about it. She thinks it is an improvement over what they originally proposed for that.

Mr. Panico stated that he really doesn't think that (inaudible) is going to be any different than it will be with this plan because they are going to have two parallel driveways. What you're suggesting is, instead of two parallel driveways, take that strip of landscaping out and make it one big strip of pavement.

Comm. Harger responded no, a mini cul-de-sac – that's the whole thing that is the only thing that she knows (inaudible)...

Mr. Panico commented that it wouldn't justify it for just two houses.

Comm. Harger responded yes, she knows that...she's just saying it is too bad because she doesn't care for that placement.

Mr. Panico commented that if the geometry of the property were such that you could put a little stub cul-de-sac and have four or five homes in there than it would be different.

With no further comments, Chair Parkins took a roll call vote.

On a motion made by Jim Tickey seconded by Thomas McGorty, it was roll call voted (5-1) to approve the Resolution for Application #15-04, Final Site Development Plan for PDD #80. Comm. Dickal voted in opposition.

APPLICATION #15-05: 235 THOMPSON STREET ESTATES FOR FINAL SUBDIVISION APPROVAL (2 LOTS), 235 THOMPSON STREET (MAP 108, LOT 26), R-1 DISTRICT

Mr. Schultz indicated that this was the first split, the homestead, so this is now a two-lot subdivision. They will hear from Staff that variances were granted for both lots and the Project Engineer is going to explain how they convinced ZBA that it made sense for this instance. He read four applicable pieces of correspondence.

***See attached correspondence dated April 20, 2015 to Ruth Parkins, P&Z Chairman from Naugatuck Valley Health District, Gary Malone, Chief Sanitarian.**

***See attached copy of e-mail correspondence dated May 7, 2015 to Richard Schultz, P&Z Administrator from Conservation Commission, Chairman, Thomas Harbinson.**

***See attached correspondence dated May 1, 2015 to Richard Schultz, P&Z Administrator from City Engineer, Robert Kulacz.**

***See attached P&Z Staff Report/Resolution dated May 12, 2015 from Richard Schultz, P&Z Administrator**

Jim Swift, P.E. and Landscape Architect, 100 Huntington Street, Shelton addressed the Commission. Mr. Swift reminded the Commission that this property originally contained the existing house out front and quite a bit of property towards the back of the site which they developed as two rear lots. They were submitted to this Commission, subsequently approved, filed, and are no longer a part of this property. However, before they submitted that application, they had been to the ZBA on this well before then.

On a site map, Mr. Swift explained that they applied to the ZBA and the reason for the hardship was that they knew taking the overall property before any changes were made to it that they had enough area for the four lots that they eventually wanted to get out of this property. It would have required a road going back to rear of the site, the areas were all there, the squares were all there, they made an arrangement with an adjoiner just to get a tiny triangle of land, a minor swap but this would have been a subdivision with no variances required.

Mr. Swift stated that they made the application to the ZBA to change the line between Lots #3 and Lot #4 for a similar layout that they can now see before them tonight for a subdivision. The complication came in two ways. One way – well, actually all the adjoiners were everyone around the site because these lots didn't officially exist. The second problem was that these lots didn't officially exist so they couldn't ask for waivers for lot areas on lots that didn't exist. They tried to work that out with ZBA a couple of times and it wasn't working out so they eventually withdrew that application knowing that they were going to go back in later because they had the hardships but first they had to get rid of this land, establish those two lots, so that what was remaining was remaining. He added that was the way the ZBA wanted to see it.

Mr. Swift stated that they took a chance, subdivided the land and got their rear lots. They went back to ZBA and they looked back at the original plans, saw the hardship, granted the waivers and now they have, except for the ZBA waivers, a clean application for Planning & Zoning with no requirement waivers of the (inaudible)... He concluded that was the long, contorted history of

the ZBA waivers. Even though the waivers look intense they really weren't when you consider the entire property as a whole.

Mr. Swift explained that the second issue was pretty standard. They got a clean bill of health from the City Engineer. He showed the direction the water generally flows from on the site, in (inaudible) flow and he reminded the Commission that they are doing some street drainage on Thompson Street and at the location where they would be picking up a retention basin on their common driveway for the lots. Additionally, he pointed out where they would be building some new drainage farther up. He stated that they have the drainage under control.

For the house itself they are following the City Engineer's new requirements for disposing of a certain amount of roof drainage. On this one they used a 1 1/2" of water over the entire roof area, a dry well for the footing drains and the septic system out front which was approved out front by Valley Health.

Chair Parkins asked if the bottom lot was the new dwelling.

Mr. Swift responded yes and showed the location of the existing house and the new one. It is a modest 4-bedroom colonial (inaudible)...

With no further questions, Mr. Schultz read the motion to approve the subdivision for P&Z Application #15-05, two lots on plans titled Subdivision Map Lot #3 235 Thompson Street Estates prepared by Louis Associates prepared 4/1/15 subject to the following conditions: 6, 9, 12, 13 and 24.

Mr. Schultz commented that, as reported, the developer has already made payment in lieu of to the City of Shelton Open Space Trust Fund.

On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously voted to approve Application #15-05.

APPLICATION #15-01: STEVE BELLIS ON BEHALF OF HAWK'S RIDGE OF SHELTON LLC FOR IFNAL SITE DEVELOPMENT PLANS APPROVAL (PHASE 1: RESIDENTIAL DEVELOPMENT), LONG HILL CROSS ROAD (MAP 39 AND 51, LOTS 7 AND 17), PDD #77: REQUEST FOR EXTENSION OF REVIEW

Mr. Schultz stated that the Commission has received a letter from Attorney Bellis requesting an extension to May 28th. The next scheduled meeting is May 27th. He was hoping to have the Staff Reports today; he has been calling the Fire Marshal and the City Engineer and they are all in progress. Hopefully, he will have them all by the end of the week and submit them to everyone.

Atty. Steven Bellis representing the Applicant, Hawk's Ridge of Shelton, LLC addressed the Commission. Atty. Bellis brought the Commissioners up to date about meeting with Rick Schultz, Tony Panico and the Applicant to work out some final details. He said that he attended a Conservation Commission Meeting and they had a couple of good suggestions for working out conservation easements for some of the parcels that they have. They are on track and finished with what they have to do on their end.

Atty. Bellis stated that he had no problem giving an extension but the 65 days he's allowed to give really expires on the 23rd and their meeting is the 27th so he requested the 28th. He really doesn't like doing that because it is not what the Statute says. He is allowed to give 65 days and he gets a little nervous because he doesn't think that is a precedent that they ought to be setting. He added that there is Case Law that supports that you shouldn't give more than a 65 days because that is all he's allowed to give.

Chair Parkins responded that the option is that they could deny it and start all over again and she doesn't think he would want that either. There's no resolution prepared for it prior to that so (inaudible)...

Atty. Bellis stated that is why he sent it in for the 28th but he just wants them to be aware of it.

Chair Parkins commented that it wasn't like they were asking for another month or unduly delaying this. There were a lot of changes made.

Atty. Bellis responded that it is probably five days after. He thinks that they've worked it out and asked if they could convey to the other departments that they are kind of running out of time.

Mr. Schultz indicated that he sent out another email today and consulted the Applicant. He asked Atty. Bellis if he had a handle on the Private Open Space Agreement because that is a new format.

Atty. Bellis responded yes, he has drafted a Conservation Easement. It is different than the ones that they used to. It doesn't run to the City in accordance with the Ordinance that they have. He doesn't know why they couldn't do it the old-fashioned way; he guesses there was some kind of concern that there could be a liability to the City if someone were on this easement area and got hurt.

Chair Parkins stated that the City doesn't like to accept Conservation Easements that have no...

Atty. Bellis indicated that he went over that with the Conservation Commission so they are going to let the Homeowner's Association have it in their bylaws, penalties and the kind of things that they have in their Ordinance that would mirror it. They would be the ones to enforce the Conservation Easement; he added that he thinks that is a solution.

Chair Parkins stated that they would ensure that it is adhered to but the City or P&Z could still enforce non-adherence to it.

Atty. Bellis responded P&Z; no he doesn't think that is true.

Chair Parkins asked who would enforce that.

Atty. Bellis responded that the Homeowner's Association since it is a private...

Chair Parkins asked who holds them accountable.

Comm. Dickal asked about sidewalks down on the street for people who...

Mr. Schultz commented that in the future, the City would have to pursue that but the grading is going to be provided for.

Chair Parkins stated that those comments were provided too late after the public hearing had already closed.

Atty. Bellis recalled that at the last meeting they requested some tree clearing and that was authorized on (inaudible). He asked A.J. Grasso if he wanted to continue to do that work.

A.J. Grasso, the Applicant, 15 Beechtree Hill Road, Shelton addressed the Commission.

Mr. Grasso stated that at the last meeting the Commission approved his ability to do some land clearing and tree planting and they've done that. He asked that they continue a bit more tree clearing right in the front. They have four acres; bond has been posted for four acres of tree clearing. They haven't done four acres of tree clearing. He'd like to do a little bit more, not to exceed four acres. Additionally, there is a stone wall that is about 350 feet in from the main road and they want to rebuild everything to the west side of the roadway and possibly screen a little top soil. He added that they wouldn't be doing anything to add any water up to Long Hill Cross Road or anything else that is major.

Atty. Bellis commented that was about it. He added that he knows Tony Panico is working on the Resolution and said they were available to answer any questions. He has been in a dialogue with Rick and Tony via Skype and they've ironed out a lot of the little issues.

Chair Parkins stated that she wants to make sure that something gets into the Resolution about how the roadwork is going to be handled. She wants to make sure that it is captured in terms of the resurfacing of the road from that development all the way down on Long Hill Cross Road so from the beginning of that development all the way down to Bridgeport Avenue will be completely repaved.

Comm. Dickal agreed that was a concern.

Mr. Grasso responded that Long Hill Cross Road improvement has been agreed to with his engineer and the Town Engineer. To give them an idea, if you are starting from the top, from the Route 8 area and worked your way back down – the area from Route 8 to the upper entrance, where the water and gas are going to be brought down the road, that area will be totally resurfaced because they are going to be disturbing the entire piece. Between the two roadways where they will be raising the grade to get rid of the existing dip in the road, that area will also be entirely resurfaced. From that point down the only thing they are doing is drainage and the way it was drawn up with their Engineer and agreed to at this point by the Town Engineer, they would be making their saw cut and putting the drainage in that section from there down. If at that time, the City Engineer is not satisfied with the road, he would have the ability to ask them to resurface it from that portion down.

Mr. Grasso commented that as that stands, they are currently putting somewhere between \$560K and \$620K worth of road improvements to Long Hill Cross Road and that is the way it is being handled right now with the Engineer. The only portion that isn't being completely resurfaced is the section below the lower entrance where they will only be putting in storm drainage.

Chair Parkins asked for clarification that from the lower entrance all the way down to Bridgeport Avenue, they aren't resurfacing at all, just patching.

Mr. Grasso responded correct, they are only (inaudible)...

Comm. McGorty stated that the section that is disturbed sounds like a saw tooth area.

Mr. Grasso indicated that it was a sawed area, if it works out there would be any rock hammering and or any blasting that would disturb more surface than they would pave more of the surface. He indicated that their engineer and the Town Engineer have agreed to that. The City has also agreed to accept ownership and maintenance of the improved areas on Long Hill Cross Road as well as the new headwall portion of Long Hill Cross Road they will putting in on the Beard Sawmill side of the road where the water will drain into the existing watercourse.

Mr. Panico stated that in conjunction with that drainage installation below the lower connector, he asked if that would result in some increased pavement width or would the pavement width remain the same.

Mr. Grasso responded that he thinks that the way that AI has it drawn it might be slightly more but not substantially more pavement. He doesn't expect it to get that much wider but it will be more (inaudible) and the road will be in better condition than it is currently.

Mr. Panico asked if they would be putting storm drainage on just one side of the road.

Mr. Grasso responded that the way it works out is when coming down the road, there will be drainage on both sides where necessary and crosses on the low side (coming up LCR from Bpt. Ave) on the right-hand side there will also be drainage.

Chair Parkins asked if it was typical for the City Engineer to make that determination or is it Public Works.

Mr. Panico responded that he's taking it from the point of view of the quality of the road.

Chair Parkins stated that is what she's worried about – the quality of the road.

Mr. Panico stated that he'll make that determination.

Chair Parkins commented that a lot of times when they replace pipe or whatever, it becomes very uneven and when the car goes over it, it bangs.

Mr. Grasso responded that they addressed that with the open-ended agreement with the Town Engineer that if it is an issue than they'll address that.

Chair Parkins asked about Sawmill Road improvement be phased when (inaudible)...

Mr. Grasso stated that to give them an idea – the last time they spoke, they had an LOI with an intent buyer and they have decided to move to the next stage so he assumes that in the next 2 – 3 weeks, he hopes to sit down for workshop session with the Commission and the actual buying user.

Atty. Bellis stated that he drafted a contract but (inaudible)...

Chair Parkins stated that was good news.

Comm. Tickey reminded Rick that in regard to the department letters that have to come in by May 28th – that time period includes a holiday weekend too.

Chair Parkins asked for a consensus to direct Staff to move forward with a favorable resolution. With a consensus, she directed Staff to draft a favorable resolution and asked for a motion to accept the extension and continued alterations on LHCR.

On a motion made by Jim Tickey seconded by Nancy Dickal, it was unanimously voted to accept the letter requesting an extension of the review period for Application #15-01 to 5/28/15 and approve the continuation of tree and related work for PDD #77.

PDD #70 (FORMER CRABTREE PROPERTY): DISCUSSION ON MODIFICATION OF INITIAL DEVELOPMENT CONCEPT PLANS

Atty. Steven Bellis commented that there is no applicant so he isn't representing the Applicant; they are just here to discuss information.

Atty. Bellis commented that since the last time he was here, they had a meeting again with Rick, Tony Panico and had invited the Chair.

Chair Parkins responded yes, I was unavailable for that meeting.

Atty. Bellis commented that if they recall, they have Initial Concept Plans approved and they are coming in now to submit Detailed Site Plans. There are slight differences between the Detailed Development Plans and the Initial Concept Plans but the changes aren't in any way making the project larger; it is actually less square footage. There is a little bit of a change to the building locations and he'll have Jim Swift go over that with them.

Jim Swift, P.E. and Landscape Architect addressed the Commission. Mr. Swift presented a revised site plan and commented that the issue is the anchor and it has always been the issue holding up progress on this. They are finally making some progress with a supermarket that they are talking to now and they are very close.

There are some minor changes in that and they've separated retail and shifted the main anchor over. The biggest change in this plan is that rather than one big large building, they are getting a lot of interest from users that go with pads. Considering some of the things going on at the other end of Bridgeport Avenue, they seem to be relatively attractive because they have a little more green space between the buildings. It does reduce the square footage.

Comm. Harger asked if it was similar to the area with TD Bank and Chili's.

Mr. Swift responded yes, exactly. He added that those are the kind of people that they are looking for. He flipped over an overlay drawing to show the differences between this plan and

the approved Initial Concept Plan shown in a different color. He pointed out that the buildings are smaller; additionally, moving some things around slightly, and sliding them around up front. They don't have contracts for these users yet so they can still see some changes with that. He pointed out a building toward the rear of the site and indicated that they don't have a contract with that user but they are getting some interest because as you come in, it is a great building for certain users with a quick in and quick out.

Comm. Harger asked if the lower front building in blue was projected to be a bank.

Mr. Swift responded yes, that they were projecting as a bank or at least that is what this design shows as far as the drive-thrus are set up.

Chair Parkins asked about the building up above in the corner and if it had gotten larger. She asked what the square footage change was on that building.

Atty. Bellis responded that it was 3200.

Mr. Swift added that he thinks it was 2500.

Mr. Blakeman commented that they were talking to a bank possibly back there and (inaudible)...

Comm. McGorty asked about the aesthetics because the other design was very nice.

Mr. Swift responded (inaudible) similar.

Chair Parkins commented that it was similar to the designer mall in Milford.

Mr. Blakeman stated that the supermarket said that want the Plaza to be nice, upscale and whatever they're looking for they are going to meet the aesthetics.

Mr. Panico asked Jim to point out—even though he is talking about three pads, he isn't talking about vehicular circulation between all of those buildings.

Atty. Bellis responded no.

Mr. Swift responded no and added that it actually breaks the site up a lot better. They now have, if they do these pads, they have a breakthrough point here which helps the circulation of the whole thing; between the buildings they will have walking lanes.

Comm. Dickal commented that was nice.

Atty. Bellis commented that what they have been seeing, and the Board has probably been seeing it too now, there is more interest in it, and it makes it harder for them; sometimes they like to have ownership of these separate areas so they actually sometimes subdivide it.

Chair Parkins responded that they don't want to lease.

Atty. Bellis responded yes, it is a land lease. He thinks that they are going to see more and more of it.

Chair Parkins asked about the design element would have to be consistent.

Atty. Bellis stated that the design element is no different.

Mr. Schultz stated that it would still be a PDD.

Atty. Bellis commented that yes it is still a PDD but that is why they were talking about it because it is not so easy, cut and dry because now they may own this but how does it work for the shared parking, or the sewer or storm drains.

Comm. Harger asked what happens if the retail business folds up or moves out.

Atty. Bellis stated that it is more complicated. He wanted to give the Commission a heads up that it may be something that they come in.

Mr. Panico commented that it is not very unusual; it is done very often.

Atty. Bellis added that in other towns, cities and states it is very popular.

Comm. Harger asked if there were any in Shelton yet.

Mr. Schultz commented yes, Benchmark.

Mr. Swift stated right, Benchmark in Split Rock; they ending up purchasing (inaudible)...there are a lot of (inaudible) access easements, utilities rights...

Mr. Panico stated the documentation gets a little bit complicated. He added they had a lot of discussion when they first reviewed the original proposal and there was a lot of discussion about getting some individuality to some of the tenants. At that time, no one was talking about cutting it up into individual buildings but this process carries that the next step further to get away from this massive strip center into more a village-like look with a series of individual buildings.

Atty. Bellis stated that would only encompass this side and nothing to do with the other side.

Mr. Swift stated that what is probable is that they would come in, hypothetically, if they get the lease for this building and some other spec space, it may be their first step in coming in with Detailed Development Plans for those sections and then they will have to just take it one step and a time.

Comm. Harger asked about the rectangular building in the front and if it was a separate pad.

Mr. Swift responded yes.

Comm. Dickal asked if right now they only had someone interested in the bigger building but not the other ones.

Mr. Swift responded no, they have other interest in 4, 5, and 7 in discussions.

Chair Parkins asked about the orientation of the building in the front.

Mr. Swift responded for aesthetics mostly. He said that for these people it was view but for him as a designer it was aesthetics because it created an outdoor "room" effect and it is kind of an outdoor "room" (inaudible)...

Chair Parkins responded that she didn't like it; she didn't like that flow, all the parking to the left and a drive-through going through there. She asked if they would expect people to cross over there because that isn't safe.

Comm. Dickal agreed that it could become a safety issue.

Mr. Swift responded that it depends where the parking is. He understands her concern.

Mr. Blakeman stated that it was going to evolve and the plan was going to change. They're going to see or three or four different plans before they are through.

Chair Parkins indicated that she was very excited. She goes by this thing every day and was so excited when she saw big red "X's" on that building.

Comm. Harger asked for clarification that out of nine they have interest from seven.

Mr. Swift responded yes, seven.

Mr. Swift commented that (inaudible) probably, if they are lucky, three will (inaudible).

Atty. Bellis asked if it was too premature to do an Erosion Control Bond.

Mr. Schultz responded yes, probably for the demolition.

Atty. Bellis asked about for the Environmental Studies.

Chair Parkins asked if they were still planning on blasting back.

Mr. Blakeman yes, they have to; the Initial Site Plan isn't going to change much as far as the amount of (inaudible)...

Mr. Swift commented that having learned on another site where there was blasting, of which they may be familiar, they have tests all along this back area.

Chair Parkins responded that's a good move.

Atty. Bellis added "live and learn."

Mr. Swift indicated that they have a wall that they know works at a certain elevation and it actually had a maximum height of 12 feet because that is how high they can go without having to get too far back into the ground; so that wall would have a 12 foot height with a slope above it. He added that a 12 foot height was really nothing compared to a building (inaudible)...

(multiple comments inaudible)

End of Tape 1B 9:10 p.m.

Chair Parkins stated that she likes comparison to the original approved plan but to have access off of Nells Rock Road but only access in. She thinks it is really important not have access out.

Atty. Bellis asked about access going right. They were talking about right turn only.

Chair Parkins responded that people don't pay attention to the Right Turn Only. If they make it physically impossible (inaudible)...

Comm. Pogoda added that it is only going to work if you have an island like the one at Staples to physically prevent them (inaudible)....

Comm. Dickal stated that Walgreen's does the same thing.

Chair Parkins commented that this is going to be a big attraction to people up in White Hills and that area. The traffic on Nells Rock Road is going to increase. To burden it with people coming out of that – especially depending upon what goes in there and if it is a high traffic generator – it is really going to screw up the traffic on that side of Nells Rock Road.

Mr. Blakeman mentioned an island up in Seymour for CVS.

Chair Parkins commented that maybe with a four foot curb or something.

Mr. Swift stated that the thing that they have going for them on this particular right turn out is that normally they are coming out at 90° to the road and then trying to wrestle and force that turn like at Staples. He admitted to actually trying once or twice to do it himself. He understands that the Commission is against it but on this one, you are actually coming out at such a sharp angle that they might be convinced because it is going to be very, very difficult to make that right turn.

Comm. Pogoda commented that it is very rough there with Webster Bank with cars coming left and right close to the other entrance.

Chair Parkins added that there are also people trying to get into the middle lane to turn left which will block the people coming down to go right.

Mr. Swift stated that they observed (inaudible) in traffic.

Comm. Harger stated that the “right turn on red” driver would be parallel (inaudible)...

Chair Parkins stated that she understands why the tenant would want that but (inaudible)...

Comm. Dickal added that there is school bus activity on that road too.

Comm. McGorty commented that they can discuss that when they get there.

Comm. Harger asked for clarification about the driveway, right turn on red, coming out would it be almost be parallel to Buddington in the way that it has to be designed.

Mr. Swift asked if she meant the angle.

Comm. Harger responded yes.

Mr. Swift stated almost directly in line.

Comm. Harger commented that she would be concerned about somebody being able to turn around and look to see whose coming down the hill. The sight lines are not good. People coming out of Webster Bank have a hard time making a left because they have to look up Buddington Road and there's a dip in the road.

Atty. Bellis indicated that they will work on it; otherwise, that is kind of where they are headed on this. They'll need a little more time... (inaudible).

In regard to the turn, Mr. Swift noted that they understand the concerns and will see that it isn't on the plan right now.

Mr. Blakeman indicated that they would like to start doing some excavation, take the buildings down and that is really what they are looking for now.

Chair Parkins stated that demolishing doesn't require anything.

Atty. Bellis agreed they have a right to do that.

Mr. Blakeman indicated that they want to talk to Rick, do some site work.

Comm. Dickal commented that they should start it tomorrow, they're excited...

Chair Parkins asked if they were moving those poles, doing that whole intersection the way it is proposed to be improved.

Mr. Panico responded that what they are going to be looking for the Commission to do is what they would put forth as some architectural controls to maintain some consistency in those satellite buildings because if they get individual people who want to do individual things...

Atty. Bellis stated that they are going to tell them that it is a PDD.

Mr. Swift commented that it isn't necessarily a bad thing that they are in control.

Mr. Panico stated that they don't have to replicate each other but there has to be some consistency. He added that what they did up on Bridgeport Avenue came out very nice; of course, it was three of them.

Chair Parkins commented that there is so much landscaping that it kind of takes away from...

Multiple comments (inaudible)...

Chair Parkins thanked them for sharing the information.

NEW BUSINESS

APPLICATION #15-06: ROMANO BROTHERS BUILDERS, LLC FOR FINAL SUBDIVISION APPROVAL (2 LOTS), 84 LAKEVIEW AVENUE (MAP 138D, LOT 20), R-4 DISTRICT – ACCEPT FOR REVIEW

Mr. Jim Swift, P.E. and Landscape Engineer addressed the Commission regarding Application #15-06 Mr. Swift quickly reviewed the subdivision application located on Lakeview Avenue across from Riverview Park. There is a piece of property in there left over from a subdivision. It is very large in the R-4 zone; there is an existing house on the parcel.

On a rendering, Mr. Swift showed how Lakeview Avenue parcel comes in and then it jogs and then it continues. He showed the parcel where the pavement from Lakeview Avenue is located. In some respects it has nothing to do with them but they've taken part of Lot A1, this triangular and offered to deed it back to the City so that at least when you come in there is at least a continuous 50 foot wide right-of-way that keeps on going. He showed the location of all of the services, the sewer extension that is before the WPCA, they have the water line and they've developed the drainage that the City Engineer likes and he expects the Commission will see his letter. Mr. Swift commented that it is straightforward except for the issue with the road right-of-way. It conforms to all the other requirements.

On a motion made by Virginia Harger seconded by Jim Tickey, it was unanimously voted to accept Application #15-06.

APPLICATION #15-07: MOHEGAN REALTY, LLC FOR FINAL RE-SUBDIVISION APPROVAL (3 LOTS), 107 MOHEGAN ROAD (MAP 84, LOT 37), R-1 DISTRICT – ACCEPT AND SCHEDULE A PUBLIC HEARING

Mr. Schultz indicated that this is the application that came in late Friday and requires a public hearing. The Commission is meeting on the 27th of this month to dispose of Hawk's Ridge and asked if they want it put on the agenda for that night or June 9th. This subdivision is pretty straightforward, right past Mohegan School.

Chair Parkins commented that it was going to be a pretty lengthy Resolution for Hawk's Ridge; however, she concerned as to what may come in for June with possibly the Matto's application. After further comments regarding scheduling, the consensus was to hold this on the 27th.

On a motion made by Jim Tickey seconded by Virginia Harger, it was unanimously voted to accept Application #15-07 and schedule a public hearing for May 27, 2015.

PUBLIC PORTION

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

OTHER BUSINESS

APPROVAL OF MINUTES: 4/14/15 AND 4/22/15

Chair Parkins pointed out a numerical error on the April 22nd minutes, page 3 for the Guedes Application in which should read 47 two-bedroom units.

On a motion made by Thomas McGorty seconded by Nancy Dickal, it was voted 5-1-0 to approve the minutes of 4/14/15 and table the minutes of 4/22/15.

PAYMENT OF BILLS

On a motion made by Virginia Harger seconded by Jim Tickey, it was unanimously voted to approve the payment of bills, if funds are available.

STAFF REPORT

Mr. Schultz reviewed P&Z Staff Report items including ZBA Agenda items, Citing Council, DSC, Zoning Subcommittee, Zoning Enforcement Issues, BOA and Sign Ordinance and update to the POCD.

***See attached P&Z Staff Report dated May 13, 2015 from Richard Schultz, P&Z Administrator.**

ADJOURNMENT

On a motion made by Thomas McGorty seconded by Jim Tickey, it was unanimously voted to adjourn the meeting at 9:38 p.m.

Respectfully Submitted,

Karin C. Tuke
P&Z Recording Secretary