

**SHELTON PLANNING AND ZONING COMMISSION**

**JULY 7, 2015**

The Shelton Planning and Zoning Commission held a special meeting on Tuesday, July 7, 2015 at Shelton City Hall, Room 303, 7:00 p.m., 54 Hill Street, Shelton, CT 06484.

Commissioners Present:                      Chairperson Ruth Parkins  
    Commissioner Nancy Dickal (departed 9:00 p.m.)  
    Commissioner Thomas McGorty  
    Commissioner Ned Miller (alternate for Virginia Harger)  
    Commissioner Frank Osak (alternate)  
    Commissioner Anthony Pogoda  
    Commissioner Jim Tickey

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

Tapes (1), 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](http://www.cityofshelton.org).

**CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL**

Chair Parkins called the P&Z Commission Special Meeting to order at 7:00 p.m. with the Pledge of Allegiance and a roll call of members present. She stated that Comm. Miller would be acting as alternate on behalf of Comm. Harger who is not present. She clarified that the meeting is a regular P&Z Meeting but due to it being rescheduled one week early, it is being called a special meeting.

**OLD BUSINESS**

**APPLICATIONS FOR CERTIFICATE OF ZONING COMPLIANCE**

**SEPARATE #0371: MICHAEL SKRTIC, 415 HOWE AVENUE, BUSINESS**

Mr. Schultz indicated that they are going to see a couple of Conte Building applications and this one is for the glass studio. They are a stained glass fabricator with a gallery, two employees, a lease area 2200 square feet with hours of operation, Monday through Saturday, 9 a.m. to 5 p.m. Staff recommends approval

**On a motion made by Thomas McGorty seconded by Nancy Dickal, it was unanimously voted to approve Separate #0371.**

**SEPARATE #0358: JOE GROSSO, 865 RIVER ROAD, BUSINESS**

Mr. Schultz indicated that this is for medical offices where the sports apparel retailer was located on River Road at the Stratford town line. The Commission is going to be hearing from the Applicant shortly to do the office building on River Road which was approved across the street. They are going to refurbish that industrial building into a retail facility with the office building in the back. This medical group, Orthopaedic Specialty Group out of Bridgeport will move into the River Road location tentatively and then go into those new offices.

Comm. Dickal commented that OSG is a huge orthopedic group with about 16 different doctors. It is a very big organization.

Chair Parkins stated that she was glad to hear that.

Mr. Schultz responded yes this is a big deal and he can't believe it that they are getting them twice. They will be leasing 1500 square feet, 6 employees, Monday – Friday, 8 a.m. to 8 p.m. and Saturday 8 a.m. to 4 p.m. Staff recommends approval.

**On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to approve Separate #0358.**

**SEPARATE #0360: SIMONS FAMILY, 10 CONTROLS DRIVE, BUSINESS**

Mr. Schultz stated that this is OEM Controls who have been on Controls Drive for decades doing manufacturing. They were doing a refinancing. Staff recommends approval.

Chair Parkins asked for clarification about them just refinancing.

Mr. Schultz responded that they were refinancing and they needed a Certificate of Zoning Compliance. These are companies that may not have come in and there is no record of it so they had to fill out an application; occupancy goes before this Commission. He added that they couldn't find anything in their records for them.

**On a motion by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to approve Separate #0360.**

**SEPARATE #0363: CHAI CHU SIU, 151 CENTER STREET, BUSINESS**

Mr. Schultz stated that this is replacing the former location of Antonio's Pizza on Center Street. There is curbside parking, 1000 square feet, 2 employees, 6 days a week, Monday through Saturday, 11 a.m. to 10 p.m. He indicated that it is basically consistent with Antonio's but Antonio's was open 7 days a week. There will be less seating than Antonio's; Antonio's had a lot of tables in there but Chinese food tends to be more for take-out. Staff will watch the curbside parking.

Chair Parkins commented that they need to let the owners know not to park on the street themselves.

Mr. Schultz agreed and added that they all know how successful Center Street Social is, especially this time of year.

Chair Parkins stated that for a take-out business they can't occupy the curbside parking with their own vehicles.

Mr. Schultz indicated that they are replacing one food establishment with another food establishment. Staff recommends approval.

**On a motion made by Jim Tickey seconded by Anthony Pogoda, it was unanimously voted to approve Separate #0363.**

**SEPARATE #0364: CHONGDEE LEROUX, 509A HOWE AVENUE, BUSINESS**

Mr. Schultz stated that this is the old Stockbridge's location and he recalled that the Commissioner's had asked him about seeing a sign up there for Dee's Kitchen, Inc. He stated that it will have 40 seats, consistent with Stockbridge's. It will be one level only, 3000 square feet, six employees, hours of operation 7 a.m. to 9 p.m. with all types of food. He added that Stockbridge's did coffee and cheesecake. He asked if the Commission wanted them to come back for the sidewalk seating outside.

Comm. McGorty indicated that they had it there already with small bistro tables.

Mr. Schultz stated that the Commission wants to control the umbrellas and that type of thing.

Chair Parkins stated that if they just want a couple of bistro tables that is one thing but if they want umbrellas and other things than they have to come in.

Mr. Schultz stated that they don't allow advertisements on the umbrellas. There is no sign at this time but he showed a rendering that they provided.

Chair Parkins asked for clarification of "all kinds of food" and if that was American fare.

Comm. McGorty commented that it must be a fusion of everything.

Chair Parkins commented that she was confused by the sign rendering and the word “fusion.”

Comm. Pogoda asked if it was a bakery too.

Mr. Schultz indicated that he did not have the details on the food menu. He added that it would be like the cheesecake place.

Comm. Pogoda asked if it was one whole sign shown or two signs.

Comm. Dickal asked what they meant by fusion.

Mr. Schultz stated that the sign was not on for tonight but they submitted this. He'll call them about it and about the seating outside.

Chair Parkins asked if they were doing both of these signs because there are two here.

Mr. Schultz responded that he didn't know because they just submitted that but the sign isn't being officially requested tonight.

Comm. Tickey stated that fusion is usually a combination of (inaudible)...

Mr. Schultz stated that the use is permitted and he will call them regarding the signage and outdoor seating.

**On a motion made by Thomas McGorty seconded by Jim Tickey, it was unanimously voted to approve Separate #0364 for the business.**

**SEPARATE #0368: TOM MCGORTY, 415 HOWE AVENUE, BUSINESS**

Mr. Schultz stated that this is a business with one employee, 390 square feet, hours of operation 8 a.m. to 5 p.m. for wholesale distribution and Tom works all the time. Staff recommends approval.

**On a motion made by Anthony Pogoda seconded by Nancy Dickal, it was voted 5-1-0 to approve Separate #0368. Comm. McGorty abstained from voting due to conflict of interest.**

**SEPARATE #0374: MATT LAURETANO, 6 RESEARCH DRIVE, SIGN**

Mr. Schultz indicated that this is for a wall sign and a ground sign for Energizer; the Applicant is present. He provided renderings of both signs for Energizer. He asked the Applicant if they were all solid and if the wall sign is internally illuminated.

**Matt Lauretano, Lauretano Sign Group, Terryville, CT addressed the Commission on behalf of Energizer.** He responded that the wall sign is solid.

Comm. McGorty asked if the ground sign was lit.

Mr. Lauretano responded that the ground sign is not lit but the channel letters are lit. He stated that they pretty much swapped them out light for light but the channel letters don't exist at the moment.

Comm. Pogoda asked if the address number was anywhere on the sign.

Mr. Lauretano stated yes.

Comm. Pogoda responded that he doesn't see anything on it.

Mr. Schultz clarified that the Commission wants to see the No. 6 on it for 911 purposes.

Mr. Lauretano corrected that at the moment they don't have it on there and they didn't ask for it.

Mr. Schultz stated that it is something that the City wants.

Comm. Pogoda agreed that they want that address for emergency purposes.

Mr. Laurentano indicated that he can definitely put it on there; it is not a problem.

Chair Parkins asked how he would put it in there – on the monument sign.

Mr. Laurentano responded that they would put it underneath the letters in the same color and regular, Helvetica font.

Chair Parkins asked if there wasn't a number on the building or on another monument sign.

Mr. Laurentano indicated that this is the only monument sign. He added that he wasn't sure if the actual number was on this building.

Mr. Schultz commented that for 911 they want to see the number out in front.

Chair Parkins agreed but added that she knows it is important but if it was indicated enough on the building to see it then it wouldn't be needed on the signage. She asked Mr. Laurentano to verify that it is not on the building anywhere.

Mr. Laurentano responded yes.

Chair Parkins stated that if it is not on the building then put it on the monument sign.

**On a motion made by Anthony Pogoda seconded by Thomas McGorty, it was unanimously voted to approve Separate #0374 for signage.**

**SEPARATE #0375: AMERICAN SIGN INC, 487 HOWE AVENUE, SIGN**

Mr. Schultz stated that this is for the Schaible SEDC Building; All-State is in there. He sent it to them via e-mail and told them to modify it and take off the phone number. He provided a rendering of the modified signage.

**On a motion made by Jim Tickey seconded by Anthony Pogoda, it was unanimously voted to approve Separate #0375 for signage.**

**SEPARATE #0366: WILLIAM BLACKMAN, 484 RIVER ROAD, TEMP. BUSINESS (FIREWORKS)**

Mr. Schultz indicated that this is an after-the-fact by the old A&P.

Comm. Dickal asked if the fireworks season wasn't over now.

Mr. Schultz indicated that they came in on June 25<sup>th</sup> so they are getting better. They didn't put any Separates on for the 30<sup>th</sup> meeting.

Chair Parkins asked Mr. Schultz to ask the applicants to give them at least two months notice next time so that they can make sure it is on the agenda.

Mr. Schultz responded yes and recalled how Wal-Mart used to come in at the last minute with these types of things but now all the special events are done at one time.

Chair Parkins added that he should explain to them that if they don't have a permit and they are found operating over there then they can actually shut them down. She strongly advised that they do that because these after-the-fact applications are getting a little bit crazy.

**On a motion made by Anthony Pogoda seconded by Nancy Dickal, it was unanimously voted to approve Separate #0366.**

**SEPARATE #0341: MICHAEL YACHYMCZYK, 415 HOWE AVENUE, HAUNTED HOUSE (TEMP. SEASONAL)**

Mr. Schultz indicated that the Commission is aware that the Conte family is going to be upgrading the building. They had a presentation regarding the sidewalk, front, side and rear façade improvements, elimination of unwanted signage and they recently learned about some tenants going in there without zoning approval. More importantly, the property is zoned industrial and that restricts it to manufacturing, professional offices and that type of use.

He stated that Mike Yachymczyk is proposing a special event that will be starting September 25<sup>th</sup> and ending November 7<sup>th</sup> on the weekends when the parking lot is available. He asked him if it would conflict with any other special event that he's aware of.

**Mike Yachymczyk, Applicant for Fat Freddy's House of Horror, 415 Howe Avenue, Shelton addressed the Commission.** Mr. Yachymczyk responded that he has looked everything up and until now there is nothing booked.

Chair Parkins asked for the dates of the event.

Mr. Schultz responded that it begins on September 25<sup>th</sup> & 26<sup>th</sup>, all October weekends and November 6<sup>th</sup> and 7<sup>th</sup> for a total of six weekends.

Chair Parkins asked if that included Shelton Day.

Comm. Tickey responded that Shelton Day is the first weekend and it is on a Sunday.

Mr. Yachymczyk indicated that he didn't open until 7 p.m.

Chair Parkins commented that November 7<sup>th</sup> would be after Halloween.

Mr. Yachymczyk responded yes.

Mr. Schultz indicated that Mike wants to occupy the storage facility area.

Chair Parkins asked if he meant the area down underneath.

Mr. Schultz stated that it is accessed from the back where you can go internally as well. Mike will go over the logistics of it but more importantly, Mike needs to find out tonight if the Commission is inclined to allow this special event to occur because this is an industrial zone. They can probably find a Use line that will allow it as a subordinate activity. He asked the Applicant if this event would be for profit or for charity.

Mr. Yachymczyk responded that he was a member of Echo Hose so he is trying to get all of their guys new uniforms to march in because they've had those green wool uniforms since the early 1980's and he's ready for something new so he would be donating the money back to his Company for new uniforms.

Mr. Schultz indicated that he'll go over the logistics but first wants to know if the Commission has the comfort level. The Fire Marshal called him today and the use is acceptable but he will need a detailed floor plan, exit locations, etc. The Fire Marshal will take care of that. Mike needs to decide if this is something that he'll proceed with. As the Commission knows, special events need to be planned well in advance. He asked if it would be something they could accommodate and Mike will answer any questions.

Mr. Schultz stated that the Zoning Subcommittee is going to be recommending to the Full Commission to rezone this area from Industrial IB2 to the Commercial zone and that will open the door. The Coffee Shop is meeting with him tomorrow; Mrs. Rockwell wants to go over the timing of it all. The Chairman will discuss the dates. They are not meeting again until August 11<sup>th</sup> which will probably be the Matto's public hearing on the reconstruction of the Matto Building.

Chair Parkins asked if this was geared toward children or just adults.

Mr. Yachymczyk responded that he is going for both.

Chair Parkins stated that she is thinking that the time frame might be a little bit off for young children especially when it starts getting dark. She added that in her opinion, 6 p.m. – 10 p.m. would be a better opportunity for families to come in rather than 7 p.m. – 11 p.m. She commented that her biggest concern is insurance and liability issues.

Mr. Yachymczyk responded that he is getting an LLC. He is in the process of getting an LLC and using the same insurance company that the building uses so he's getting blanket insurance over what they already have.

Chair Parkins responded OK for the event. She asked what authority Fire Police had.

Mr. Yachymczyk responded that they can help with traffic and crowd control but they can't carry a weapon or arrest people.

Chair Parkins stated that she was just wondering if, for this type of event, one police officer on larger weekends is enough.

Comm. Miller indicated that years ago they used to do this for the Shelton Jaycee's at the Shelton Field House and that used to get quite a good crowd and it was a good money-maker. They never really had a problem and drew in mostly older people, not too many little kids.

Comm. Dickal agreed that it was mostly teenagers and adults.

Chair Parkins asked where that was held.

Comm. Miller responded that it was at the Shelton Field House down where the United Way is, where the old football team used to play but they tore it down.

Comm. Dickal commented that most of the younger children are too frightened to go anyway. She stated that it was a wonderful idea doing a service for the Fire Department to pay for new uniforms and brings activity Downtown which they are trying to do.

Mr. Schultz indicated that they need parking though.

Comm. Tickey stated that they have the Conte Building Lot. He commented that he is up by the Fairview and he knows Mike worked on the Fairview Haunted House and a big crowd comes out every year.

Chair Parkins stated that the Downtown area is a little different than Fairview. She asked if this was just on Weekends.

Mr. Yachymczyk responded that it was just on Friday and Saturday nights.

Comm. Miller commented that they do the same thing at Madison Square Garden just on the outside and just on weekends. It draws a pretty good crowd.

Chair Parkins stated that she doesn't have any issue with the concept of doing it but she wants to make sure that all emergency scenarios are being thought of.

Mr. Yachymczyk responded that he has the experience of running Fairview so he knows what is going on and he will have enough Fire Police and enough support from his Company to take on the crowd.

Comm. Miller commented that these types of things are usually kept in low light and asked if there was emergency lighting down there.

Mr. Yachymczyk responded yes and he went to see the Fire Marshal today because he has been going to a lot of conventions and doing a haunted house is definitely different than doing the haunted hayride. He indicated that there are a couple of different things that he has to take care of with the smoke detectors and the exit lights. Those are the two major things that have to be done down there.

Chair Parkins stated that she has been down in that storage area and if she recalls, it has very narrow hallways.

Mr. Yachymczyk responded that each hallway is 8 feet wide.

Chair Parkins asked if he would be using some of the containers that aren't rented out to stage it.

Mr. Yachymczyk responded yes what he is doing is putting his scenes inside the containers so people can't walk into them or go anywhere near them. At the end of the night he can just shut the doors and put a lock on it. There will be no touching and there will be nothing going on in the hallways. It is all set back into the units.

Chair Parkins asked what would prevent people from walking into them.

Mr. Yachymczyk responded that he will have plexi-glass in front of the doors.

Comm. Dickal responded that's good, it is just a visual.

Mr. Yachymczyk responded yes, but he needs the light in there and everything.

Comm. Tickey asked if the food trucks would be in the Conte parking lot.

Mr. Yachymczyk indicated that was something that he is trying to figure out right now. It is kind of late in the season and he should have already booked all of these food trucks because everyone he has called says that they are already booked. He isn't sure if he is even going to have food trucks there or not.

Chair Parkins commented that it might be better to have them on a curb street though and leave the parking lot open.

Mr. Yachymczyk agreed because he kind of has to leave every spot open.

Chair Parkins commented that it might be worthwhile to see if he can just let them park, otherwise people will park along the side of the road.

Comm. Miller asked if food trucks (inaudible)...

Mr. Schultz stated that the sidewalks are wide enough.

Chair Parkins added that if he stages the trucks there then it will prevent people from parking there and bring them into the parking lot.

Mr. Yachymczyk asked when the Chromium Processing building was coming down and if there was a date for that.

Mr. Schultz indicated that it was a work in progress. It is moving along.

Chair Parkins responded that she didn't have an exact date on that yet...but not soon enough.

Mr. Yachymczyk commented that he hopes it doesn't coincide with this. It would be creepy but it will really mess up the parking and everything because that whole road or half the road will be shut down.

Chair Parkins responded she really didn't know; the Mayor would probably know better when it is planned to come down but even if it comes down she doesn't know that the parking will have been put in place yet.

Mr. Yachymczyk commented that he doubts it would be. He stated that his exit goes out that way. He will have them go out that way and go straight through the parking lot.

Chair Parkins asked how they would enter the building.

Mr. Yachymczyk responded from Howe Avenue. He added that where the two buildings meet, the Ripton and the Conte Building, there is a driveway that goes down. There are eight stairs that go down and the rest is all level. He has a wheelchair accessible entry around the side for handicapped.

Mr. Schultz indicated that customers can line up on the sidewalk if he gets a major influx.

Mr. Yachymczyk added that he has the whole driveway that goes down too for lining people up.

Comm. Miller asked about the PCRC having the food trucks in the Valley but he thinks that is the week before.

Chair Parkins commented that at the very minimum they could have an ice cream truck or something like that.

Mr. Yachymczyk responded yes, if he can still find somebody that can do it.

With no further questions, she asked for a motion to approve.

**On a motion made by Nancy Dickal seconded by Thomas McGorty, it was voted 5-1-0 to approve Separate #0341. Comm. Miller abstained from voting due to conflict of interest.**

Mr. Schultz informed the Applicant that he would now be working with the Fire Marshal.

The Commission wished the Applicant good luck.

**SEPARATE #0370: T. D. PROPERTIES, 417-419 BRIDGEPORT AVENUE, TEMP. STORAGE USED VEHICLES.**

Mr. Schultz indicated that Tom D'Addario's temporary permit for vehicle storage expires on August 11, 2015 and he is requesting an extension to February 11, 2016.

Chair Parkins commented that he's been storing new vehicles there not used vehicles.

Comm. Miller asked for clarification about the location.

Mr. Schultz responded that it was Blanchette's open lot.

Comm. McGorty commented that a lot is going to be going on over there with trucks and everything.

Chair Parkins reiterated that it was brand new vehicles that he's storing not used vehicles.

Comm. McGorty asked about the timing over there and all of the activity with new buildings.

Mr. Schultz responded that the Commission is going to be receiving the Application in two months.

Chair Parkins commented that she saw a trailer there today with a bunch of used vehicles on it.

Comm. McGorty asked what type of time period he was looking for.

Mr. Schultz responded August 11<sup>th</sup> 2015 to February 11<sup>th</sup> 2016. He added that this should be the last one because of the logistics.

Comm. McGorty agreed.

Chair Parkins commented that she wasn't really keen on the used cars but she would prefer that he put the used cars at his place and bring the new cars over.

Comm. Pogoda responded that he has more control than he has on the new ones. He would want to put the new ones over there.

Chair Parkins commented that they are there; that's what he's been storing there – the new cars not the used cars. He's had all brand new cars over there. It will be six months before anything starts taking off over there so it is fine right now but she didn't know after February.

Comm. McGorty agreed ...this is the last six months.

Comm. Pogoda commented that when it comes around to the next time – that's it.

Comm. Dickal stated that they should give him a little bit of a head's up.

Chair Parkins clarified that there would be no junks because the auto body is right behind there so no storing of junk. They have to be saleable used cars there. She asked if he would be bringing people over there as a used car sales lot or just storing them there.

Mr. Schultz responded no just storage. Blanchette's doesn't want that type of activity because it is a liability.

**On a motion made by Thomas McGorty seconded by Anthony Pogoda, it was unanimously voted to approve Separate #0370 for temporary storage of used vehicles (8/11/15-2/11/16).**

**APPLICATION #15-03: 223 CANAL GROUP, LLC FOR MODIFICATION OF PDD #60 INCLUDING INITIAL CONCEPT PLAN AND STATEMENT OF USES AND STANDARDS (SITE C: 68 UNIT MULTI-FAMILY RESIDENTIAL UNITS), 223 CANAL STREET (MAP 129, LOT 18) (PUBLIC HEARING CLOSED ON 5/13/15)**

Chair Parkins indicated that after discussion at previous meetings there was a consensus to direct Staff to prepare a favorable resolution. Mr. Panico requested some clarification from Commissioners on certain items at their 6/9/15 meeting and those items were further discussed. She believes that all of those issues have been reflected in the draft resolution that they have tonight.

Mr. Schultz indicated that all of the Commissioners have a copy of the Draft Resolution.

Chair Parkins noted that although the Applicant had asked for Final Site Plan Approval this Resolution does not include that. The Applicant will still have to come back to the Commission with the architectural drawings because there were some major concerns from the Commissioners. She read the Draft Resolution for Application #15-03.

**\*See attached P&Z Resolution for Application #15-03 for Modification of PDD #60 including Initial Concept Plan and Statement of Uses and Standards (Site C) dated July 7, 2015.**

Upon completion of reading the Draft Resolution Mr. Schultz added that the effective date would be Friday, August 14, 2015 at 8 a.m.

Chair Parkins asked for a motion and a second for discussion of the Draft Resolution. Comm. McGorty motioned and Comm. Dickal seconded.

Comm. Miller commented that there had been a discussion about the vista switch and asked if it would be located on an adjacent property. He read something that said it was being moved to the front but there had been discussion about it being moved to the other site.

Chair Parkins responded that it was her understanding that whatever it is on the site plan – she asked if it was verified that it was a vista switch or whether it was a transformer because if it is a transformer than the Applicant will have to move it to the side.

Mr. Schultz responded that's correct.

Chair Parkins commented that if it is a vista switch than its more about UI finding another location.

Comm. Pogoda stated that he thought it was a transformer. He remembers that is what was indicated. Comm. Dickal added that is what she thought too.

Chair Parkins responded yes - that it was a transformer on the drawing.

Comm. McGorty commented that was what they needed clarification about – if it was a transformer or a vista switch.

Chair Parkins stated that the vista switch is the high voltage that comes in and the transformers knock it down for that particular building. If it is just a transformer, than they are basically asking the Applicant to relocate it.

Comm. Pogoda agreed to move it to the side or to wherever.

Chair Parkins commented that if it is the vista switch, even if it moves to the side there may be an issue with UI as to its location so UI has to get involved with relocating it. She indicated that either way and whatever that box is they are asking for it to be moved or it will be in the Final Detailed Development Plan. She asked Mr. Schultz if he got any clarification from the Applicant about it.

Mr. Schultz responded no and added that he spoke to him quickly to give the Commission an FYI that he's started working on revised architectural plans that they will be seeing for the Detailed Development Plans. Mr. Guedes indicated that they are a drastic change because the Commission said it was unacceptable and too industrial looking. Staff will be meeting with the Applicant as early as this Thursday and he'll keep them in the loop. It is an important component. He added that he'll send everyone an email to clarify about the transformer/vista switch.

Comm. McGorty commented that he had asked what they project asking for the rents. They wouldn't be Avalon-type rents.

Comm. Pogoda added that he thinks he said that they would be below that.

Comm. McGorty commented that he knows there is a lack of amenities but it doesn't mean they can't be really nice and have the price come up. He just wanted to find out what those rents would be.

Mr. Schultz stated that he'll find out the range.

Chair Parkins commented that she thinks that with some of the modifications that they've asked for, it could raise it up to be a little bit higher.

Comm. McGorty agreed that would help but even with unit-type amenities such as the washer/dryer, or finishes to make it nicer and yield better rents.

Comm. Dickal agreed that could make it a little bit more upscale.

Comm. Tickey stated that he thinks that Tony did a good job of capturing the Commission concerns about the intensity of it. There are good comments about the footprint of the building and looking to see if they could reduce without reducing the density as stated in #2. He reiterated their concerns that the architecture was unacceptable as it was. He added that he's looking forward to the Final Development piece of this and really look at the building and have it be something that really fits with their Downtown that fits with that road.

Chair Parkins added about making the amenities, as few as there are, more attractive to a buyer with a higher rent.

Comm. McGorty reiterated about making the units really special.

Comm. Dickal agreed that they have to put all the money into the inside.

Comm. Pogoda commented that they can bring it up and some things are (inaudible)...

Mr. Schultz indicated that they may have the renderings for the Downtown Subcommittee on July 23<sup>rd</sup> because the consultant is going to finalize the 3-D rendering for Howe Avenue. They are incorporating all of the models that the Commission wants.

Comm. Dickal asked about the gated access controls that were possibly going to be installed. On the Site Plan it said not less than six visitor parking spaces must be available outside of the gate. She asked if that was correct.

Chair Parkins responded yes right because people that don't have access to the gate coming to visit can't get inside. They will need to put signage out there indicating that the parking is for visitors to the building only and others will be towed. It will be up to them as to how it will be managed.

Comm. Dickal commented that she didn't want it to become an issue where other people are going in there to park.

Chair Parkins responded that they may still have that issue but it is going to be up to them to control it. She asked if there were any other questions or comments from the Commission.

Comm. Pogoda commented that Tony did a good job. Comm. Dickal agreed that he covered basically all of their concerns.

Chair Parkins conducted a roll call vote with all Commissioners voting in favor.

**On a motion made by Thomas McGorty seconded by Nancy Dickal, it was unanimously roll call voted to approve Application #15-03.**

**APPLICATION #15-08: PETITION OF DOMINICK THOMAS ON BEHALF OF 714 LLC TO MODIFY THE STATEMENT OF USES AND STANDARDS FOR PDD #77 (FORMER CRABTREE DEALERSHIP), 405-407 BRIDGEPORT AVENUE, PORTION OF 409 BRIDGEPORT AVENUE, 12 NELLS ROCK ROAD AND 20, 28, AND 36 BUDDINGTON ROAD (MAP 77, LOTS 26, 27, 28, 29 AND 30 AND MAP 63 LOTS 10 AND 20). (PUBLIC HEARING CLOSED ON 6/30/15)**

Mr. Schultz recapped that the use being requested reads as follows: "full service food supermarket with accessory uses normally related thereto including retail gasoline sales with the following restrictions:

1. The retail gasoline sales must be owned and operated by the entity owning and operating the full service supermarket;
2. The use is limited to the southwest ½ acre corner of PDD #70;
3. The kiosk servicing the retail gasoline sales shall be permitted to sell only oil, motor vehicle additives and provide air compressor service;
4. Motor vehicle repair servicing in any manner is prohibited.

The second request is to delete theatrical uses limited to live performances only by non-profit theatrical entity and that was to accommodate Center Stage.

Chair Parkins clarified that Comm. Miller was not here for the public hearing on Canal Group or for this application so she wanted to confirm that he had read the meeting minutes from those meetings.

Comm. Miller confirmed that he had read the meeting minutes regarding Application #15-03 and Application #15-08.

Chair Parkins asked if the Commissioners had any issues regarding this application for discussion.

Comm. Tickey asked if they had any sense of hours for the gas station. He knows that was some of the concern of the residents regarding how late at night this might be operating.

Chair Parkins responded that they don't yet but in using Stop & Shop Gas Station as a guide, she believes their hours were 7 a.m. to 10 p.m. originally. They came back to extend the hours to 11 p.m.

Mr. Schultz confirmed that it was 7 a.m. to 11 p.m.

Comm. Tickey commented that at least Stop & Shop is not abutting residential homes; whereas this is for people living on Buddington Road.

Comm. Dickal indicated that was her concern. They have a number of gas stations already on that stretch of road and those gas stations are in a commercial type of area. She is concerned because this one is going to be abutting residential neighborhoods. In regard to the cliff and if you go up there and look down...

Comm. McGorty responded that they are going to line the whole area with trees though.

Chair Parkins stated that she personally didn't think that gas stations make a lot of noise because pumping gas doesn't make noise. She clarified that the Gulf Station is across the street from the Mobile Home Park which is highly residential. It is directly across the street so they see all of that activity going on.

Comm. Miller commented that the only time the gas station makes noise is when they use the music and the speakers.

Comm. Dickal stated that was relevant in the summertime.

Comm. Pogoda added that there are cars coming in at night with the headlights on.

Comm. Dickal stated that there is also the lighting issue.

Comm. Tickey indicated that he thinks there is a big difference between 10 p.m. and 11 p.m. If this gas station was open until 10 p.m. he would prefer that to 11 p.m. The Stop & Shop Station until 11 p.m. with no residential is one thing but this one has homes right above the cliff from it.

Mr. Shultz commented that the Commission controls the hours and everything else.

Chair Parkins agreed that 10 p.m. was late enough.

Comm. Dickal asked how many lanes they would have.

Chair Parkins stated that they only have a 1/2 acre back there and that is what it is being restricted to so she can't imagine that they could put very many.

Comm. Miller asked how big the Shelton Stop & Shop gas station was – and if it was a half an acre.

Chair Parkins responded that it was larger.

Comm. Dickal added that they have four lanes there. Comm. Pogoda stated that they were on both sides.

Chair Parkins stated that this one would have to be smaller.

Mr. Schultz commented that they aren't aware of any in Connecticut but (inaudible)...

Chair Parkins stated that she doesn't go to Stop & Shop Gas Station even though she shops there. She views it like this, because it is not right on the road like the Gulf Station, there is no benefit to use that gas station unless you are a Big Y customer. It is a loyalty program where you gain points by shopping at Big Y so you will shop at Big Y and while you are there you'll get your gas. It is the exact reason that Stop & Shop does it; it is a loyalty program. You get points for every dollar spent on groceries at the store.

Comm. Miller added that they aren't advertising Exxon, Mobil or any major gas either.

Comm. Dickal stated that she had too many issues with it. They have too many gas stations up there. She asked when they stop – when they have 10 or 12 within a short span. She has concerns for those residents because it is going to devalue their homes and if they have kids, there will be extra traffic. She stated that she uses the Stop & Shop Gas Station and even at 6 a.m. there are at least 8 cars there sometimes which is a lot for that early in the morning.

Comm. McGorty responded yes that it is all people going to work – it is a busy time.

Comm. Dickal commented that it is busy at lunchtime and when people get out of work too.

Chair Parkins stated that there are a lot of people living across the street there at Avalon so it is convenient for them.

Comm. Dickal responded exactly, so she has some concerns with that. She might feel more favorably if she had an idea of what it might look like.

Chair Parkins reiterated that they control that in the Detailed Development Plans. She disagreed that it devalues people's properties.

Comm. McGorty agreed that he didn't think so either – it is a local amenity.

Comm. Parkins stated again that she strongly disagreed with that.

Comm. Dickal asked if you had a home there would you buy a home there or would you want to go to another area.

Comm. McGorty responded that if he was concerned about something like that coming in there he would do his homework beforehand about where the house is zoned so if it is a possibility and he doesn't want to be there he would know a gas station could be there.

Chair Parkins pointed out that they had lived over a car dealership with loudspeakers and everything.

Comm. McGorty agreed about there being a car dealership and a garage back there.

Comm. Dickal stated that she thinks that they have to be sympathetic to the people that live around there.

Chair Parkins commented that she thinks that they are adding value to their house.

Comm. Dickal responded that she didn't think it was adding value.

Comm. McGorty stated that she has to keep in mind where they purchased and a lot of people know what the possibilities are so her assumption that no one had any idea this could ever happen is not accurate.

Comm. Dickal responded that she knows that but they have a blank slate now and they have to do it right.

Comm. McGorty stated that a lot of people probably think it is great to have the gas station right there.

Chair Parkins stated that it adds value because it is not that eyesore anymore. She added that in her opinion it was a mess.

Comm. Dickal agreed that it was a mess.

Comm. Tickey agreed and added that it is a PDD where they have these sorts of controls. They all want something that is visually appealing and adds value to the neighborhood. They are adjacent to this commercial zone. He indicated that he was OK with the use but he wants to be particular about what hours they allow. He doesn't want to give them a blank check for someone to come in and operate a gas station all night but that they have some controls over that and he thinks that they will.

Comm. McGorty agreed.

Chair Parkins indicated that they can be really particular about the screening that is up on Buddington Road. Even those houses that are higher looking down - those arborvitaes start growing up tall enough that they won't see (inaudible)...

Comm. Dickal stated that she doesn't want to see the mess that occurred on River Road. She thinks about it every time she drives by there. It is sad the way that house almost came down due to blasting, the rock ledge, the height up there...she doesn't want to see that.

Chair Parkins commented that they are across the street so the road won't... (inaudible)

Comm. Dickal stated that was a sad thing that took place.

Chair Parkins responded that she doesn't think that is near the potential of that situation.

Comm. Dickal commented that was why they have to be extremely careful as to how this plays out.

Comm. McGorty stated that he thinks everyone agrees with that.

Chair Parkins indicated that when they start working on the Detailed Development and the architectural design of the shopping center, she thinks it is going to be a huge improvement over whatever was there, especially the car dealership.

Comm. Dickal commented that it is still a mystery what will take place there.

Chair Parkins agreed that it is hard to envision because they aren't the ones developing it but that is the nicety of the PDD that they have that control. She asked if there were any other questions or comments before voting. She asked if there was a resolution prepared.

Mr. Schultz responded no but the Commission can make a motion to adopt the submission for the reasons noted during the discussion followed by a roll call vote.

Comm. Dickal asked what they were approving - the discussion.

Comm. McGorty clarified that this wasn't the Final Site Plan.

Chair Parkins clarified that they would be approving the changes to the Statement of Uses and Standards.

**On a motion made by Thomas McGorty seconded by Ned Miller, it was roll call voted (4-2) to approve the request for Application #15-03 for the Modification to the Statement of Uses and Standards for PDD #77. Commissioner Pogoda and Commissioner Dickal voted in opposition.**

**NEW BUSINESS**

**APPLICATION #15-09, BRIDGE STREET PARTNERS, LLC FOR MINOR MODIFICATION OF CONCEPTUAL PLAN AND DETAILED DEVELOPMENT PLAN APPROVAL (MIX USE DEVELOPMENT), 64 HOWE AVENUE AND 44 -58 BRIDGE STREET (MAP 129 D, LOTS 37, 38, 39 AND 40): ACCEPT FOR REVIEW**

Chair Parkins asked for a motion to accept this application for review.

**On a motion made by Jim Tickey seconded by Thomas McGorty, it was unanimously voted to accept Application #15-09.**

Mr. Schultz clarified that this location is currently zoned PDD #67.

**Atty. Steven Bellis, representing Bridge Street Partners, LLC addressed the Commission.**

He provided background regarding this application and stated that a few years ago Bridge Street Partners came in after purchasing a portion of the land and requested a PDD as Rick just mentioned, and it was approved by this Commission.

Atty. Bellis indicated that there was an Initial Concept Plan that went along with it and on that plan it had retail on the bottom level with three stories including office space and apartments. Additionally, part of the initial proposal was to relocate the Pulaski Club to behind the facility. There was also an idea for part of the land in front on Bridge Street that had to be purchased from the DOT to allow the project to go forward.

Atty. Bellis indicated that he represented the Applicant on the DOT portion in trying to get that land and it took years. The State wanted appraisals which included going through a myriad of Committees – in other words, lots of hoops. In any event they were finally successful in purchasing the property, the land from Howe Avenue up to where the Pulaski Club currently sat. He added that the Pulaski Club also did not want to sell and they had problems that also lasted a couple of years.

Atty. Bellis indicated that the DOT would not give them the land in front of the Pulaski Club so he has to go back to them now to get that land as well. He commented that he thinks that the framework has been laid because the State has gone up there, appraised it, and they even have a price so it should go a lot quicker. Having said that, Atty. Bellis noted that the Initial Concept Plans, although approved by this Commission, were not built and no Detailed Development Plans were ever submitted. Now they are here today and already have a PDD and they are asking for a Minor Modification to their Initial Concept Plans. They are also going to combine this Application with Detailed Development Plans. He added that it has been done many times in the past having the Initial Concept Plans and Detailed Development Plans at the same time for consideration.

Atty. Bellis explained that the Modification was requested for two reasons. Bridge Street Partners has now purchased the Pulaski Club and intends to demolish it. As of yesterday, the Pulaski Club members have vacated the premises so that will no longer be in the mix as it was for the initial project. The Pulaski Club is out of the picture entirely.

Atty. Bellis indicated that the second reason was a decision by the Applicant to knock off the entire top floor. It was going to be a higher building with a more intense use and those offices and apartments are now going to be eliminated. The same footprint is being proposed so that has not changed. Because the Pulaski Club is no longer there or being built in the back there is room for additional parking; so that is why they have a minor modification.

Atty. Bellis stated that they are asking the Commission to look at this proposal in light of those changes – no more Pulaski Club and lopping off the top floor. He has brought Jim Swift, P.E. to go over the site and Joe Mingolello to go over the architectural design because there are obviously changes on that and they never did a Detailed Development Plan for the Commission to see. He began with Jim Swift going over how this is going to fit in...

Chair Parkins asked if the additional parcel they picked up is relative to all this.

Atty. Bellis responded no, it is not relevant. He doesn't mind saying for the record that Bridge Street Partners purchased the Schaible piece but it has no issues.

Comm. Pogoda asked about the parcel that he still has to deal with the State about and if there was a good possibility, more than 50% that they'll be able to get it.

Atty. Bellis responded yes, they'll get it.

Chair Parkins added that it is totally useless to them.

Comm. Pogoda agreed but added that you never know though.

Comm. McGorty asked if it was the road in front that they're talking about.

Chair Parkins responded yes the road in front of the Pulaski Club.

Atty. Bellis commented that after about three years, they said that they couldn't sell them what was in front of the property; they wanted a deed which they sent them. He understands ...it's not that hard...but he's confident that he'll be able to get that.

**Jim Swift, P.E., 102 Village Drive, Shelton addressed the Commission.** Mr. Swift provided site plans and commented that the primary building didn't change that much. He showed the location of Howe Avenue and explained that they would be redoing the sidewalk in front of Howe Avenue. He pointed out how the building takes a little turn with a column and an overhang in that area. He explained that as you come around they have a concrete walk, primarily in the State right-of-way as it comes around and joins the concrete walk that goes over Bridge Street. They are also going to have this plaza. As the Commission may recall, this plaza is all located at the upper elevation of the retail floors.

Mr. Swift showed where it would all be level, the location of the retaining wall and the section going down under Bridge Street. In regard to that area - they don't own it and they don't lease it but they are working with the DSC and others to figure out how they can make it more inviting as a walkway. Right now, they are just showing it closed off and they will have the temporary planters that are there now to block automobile traffic but not pedestrian traffic. Pedestrians can continue to use it but they don't want anyone driving down there.

Chair Parkins commented that it is basically just going to be a sidewalk.

Mr. Swift responded yes.

Chair Parkins asked who would own it.

Atty. Bellis responded the Department of Transportation.

Mr. Swift added yes as part of Bridge Street is. They can do certain things inside that State right-of-way and as things develop, they'll get approvals.

Atty. Bellis added about cobblestones being the look that they were trying to get there.

Mr. Swift commented that they have this brick plaza up here and Joe Mingolello will go into more detail about the nice things going on there when he shows building elevations. One of the interesting things that he has to deal with is that this plaza basically has to be level. As they

know, this comes around and goes downhill pretty quickly so at the termination of this wall he has a cobblestone curb planter which helps to make that transition.

Mr. Swift showed the location of the stairs at the end so that the upper plaza can get down to the lower area. All along the frontage on Canal Street they are going to do brick paver walks in their area. They are going to take the curbs that are there now which are mostly granite and reset those to keep that look with the pavers. He showed the location of the garage entry where they will access the parking area.

Mr. Swift pointed out the location of where the old Pulaski Club reconstruction was going to take place, the transformer that would have landscaping around it and an entry for tenants, six parking spaces at that location and the trash entry location. The way that they are handling the trash is similar to the way it has been done in quite a few of the apartments by getting compacted inside the building so there is no need for dumpsters or anything like that outside. It all gets taken care of inside the building and on trash day the bins are rolled out for pick-up.

Mr. Swift showed the location of the Schaible Realty piece that they now own. They don't have any connection to it other than what he will explain; however, traffic-wise there is no advantage to it that they can see at this time. He just wanted to identify the location of it for them.

On another rendering he discussed the Oraziotti building next door that has their trash and a lot of their utilities in the back. Mr. Melisi has been working with them to figure out how they can access their trash in and out as well as have access to the back. He showed the location of the Oraziotti trash and utilities and commented that they have decided the best way to do it is to give them a relatively flat level walk that comes out, turns and comes into the trash area on the Schaible Realty parcel. Their trash will be in that closed area there so they have taken care of their neighbor in that respect. Their tenants won't have to deal with looking at that; they have a fence for isolation because they don't want a lot of cross traffic there and some landscaping.

Chair Parkins asked if there was access to the building from that lot.

Mr. Swift showed the location of the access for tenants and the stair location and possibly another access; however, Joe can clarify if that elevator is public or just for maintenance to the garage/lower level.

Mr. Swift provided another rendering to discuss grading and commented that it is what it is. It is basically flat, it goes down evenly. They've worked it out and it will be nice and flush and they'll have a nice look at the streetscape. He commented that they don't have to mess around too much there and they are matching up fine with Howe Avenue. As you come around the back, this parking lot is flat because they have two points of access here.

In regard to drainage, sanitary sewer is taken care of and he showed where it discharges out to an existing sanitary lateral. He stated that the water and gas will come in off of Canal Street into the basement utility room areas. It is beautiful, sandy gravel down there so they don't see a lot of problems with drainage. Historically, this area has been basically a hole. There used to be buildings there but there was a flat area with no drainage out of it that drained just fine. They are going to put a nice deep drywell there to take advantage of that nice gravelly soil with an overflow pipe into the nearest drainage area that they now own in the Schaible parking lot. All the utilities are taken care of.

Mr. Swift commented that there is an existing power line that comes down to Bridge Street and they had a few meetings with UI about relocating those poles. There is one very remote possibility that the poles will get relocated into the State property but UI doesn't really like that idea because the poles start to get close to a really high area near Bridge Street. He commented that in other words, unless these wires are really high than they are uncomfortably close although you can't actually reach out and touch them. UI is presently studying taking that line, which is a main line, and re-routing it down around Center Street and back down to Canal Street.

Chair Parkins asked why they can't bury it – it is called underground utilities.

Mr. Swift responded that was a very expensive concept. There are some transformers and things on this line that used to serve the building that bother UI which is why he gave that a low percentage and this other a high percentage. He thinks that what they are thinking is that if they did go underground, they still have to change the lines because they have to make up that distance to go down, underground, through and then go back up again; so they are redoing the lines anyway. It is probably just as easy for them and quicker to just go down Center Street.

Chair Parkins asked about a vista switch. She added that there has been a lot of discussion of vista switches down on Canal Street. She knows that there was another one proposed for this side of the bridge. She asked if there was any discussion on that.

Mr. Swift responded that he didn't know what a vista switch was and asked if it was for electrical.

Mr. Schultz explained that it was for the main power source.

Chair Parkins added that it was for the underground lines. Avalon was required to put one in that now serves Avalon and the Birmingham. Another vista switch would be needed for anything north of the new 223 building that is going in and another would be needed for the Spongex Building and south on Canal Street.

Mr. Swift responded that from that description he would suggest that – he explained that this was a main coming from both directions so if such a switch is necessary than somewhere down in here...

Chair Parkins asked if there were any utilities coming into that building from the Canal Street side.

**Mr. Angelo Melisi, Bridge Street Partners, LLC addressed the Commission.** Mr. Melisi responded yes, underground.

Mr. Swift asked if he was talking about off of this pole.

Mr. Melisi responded that he didn't know about that but stated that there is power underground right on Canal; they've gone over that with him (inaudible)...where they pick it up right to their transformer.

Mr. Swift responded OK, for the electrical...yes.

Chair Parkins stated that the vista attaches to the transformer which brings it down to the 110, 220.

Mr. Swift indicated that there is still a main line that connects to that pole though.

Chair Parkins commented that vista switch – there is supposed to be a second one for that side of Canal Street.

Mr. Melisi responded that he didn't know. He's never heard about that.

Mr. Swift indicated that they will check on that.

Chair Parkins indicated that they will have to check with UI on that.

Mr. Swift commented that it just seems that with the other things that are going on with Chromium (inaudible)...they will work that out.

Chair Parkins indicated that she has sat in her fair share of meetings regarding vista switches so...

Mr. Melisi commented that it wasn't that complicated - the line going up Bridge Street, the only thing that is useful are the top three feeder lines. Everything else below that was for buildings on

Bridge Street which are all gone now. He showed the location of the three feeder lines on the site drawing and what would be eliminated and where it would be picked up and taken across to Center Street. It is actually a simple (inaudible)...

Mr. Swift asked if there was a connection there.

Mr. Melisi explained where they came down, he showed which way the three power lines go across and all the way down so it is just putting a pole over where Chromium is and then picking them up on Center Street.

Mr. Swift commented OK and stated that was the update on UI.

Chair Parkins reiterated that they needed to ask UI that question though.

Mr. Swift responded OK, he'll ask about the vista switch and (inaudible)... obviously there (inaudible)...

Chair Parkins commented that they've talked about putting it under the bridge and different locations to put the switch that would serve multiple properties on that side of Canal Street.

Mr. Swift stated that they aren't going to be real happy with power lines right off their (inaudible)...

Chair Parkins asked if the wall between the Schaible Realty property would be taken down.

Mr. Swift responded that they were going to take it down. They aren't necessarily going to eliminate it all together though. If they remember the wall that fronts on Canal Street, it is beautiful so they are probably going to do something along that height in there. They are going to take the big screen wall down to some level and finish it off in some nice way. There is about a 1 ½ foot drop from there.

Chair Parkins commented that it would be a great spot for employees of those retail spaces to park.

Mr. Swift agreed, yes possibly. He showed a different rendering for landscaping and commented that there obviously wasn't a lot of room for landscaping there but they did want to take advantage of that grade change that he needs to make there with that island to put a shade tree there to highlight the corner a little bit. He showed the area with seasonal grasses, high grasses to hide the transformer and some beefier plantings on that side. He showed the location of an existing beautiful lemon plane tree that they will be able to see now from everywhere once they take that wall down. He pointed out a small area where they will put upright evergreens in different heights to break up the eyes a little bit going across. Some of them will be beefier to screen from the other area.

Atty. Bellis asked him to touch on the lighting a little bit.

Mr. Swift responded that Joe would be doing that.

**Joe Mingoello, Mingoello & Associates, 90 Huntington Street, Shelton addressed the Commission.** He provided an architectural drawing showing the lowest garage level which is adjacent to Canal Street. Mr. Mingoello indicated that 34 spaces are under the building and secured with a parking gate. He showed the location of an additional six spaces in the back lot.

Once in the secured parking area, he showed the elevator location for the residents above and a stair required as a means of egress. At the far end from Canal Street they have a service elevator and a stair as well as access from these parking spaces to an entrance. He added that you can take the stair or the service elevator up to the residences also. He indicated that the service elevator was for two purposes – to service the next level up, the commercial aspect of it for deliveries and also to service the residential units. It will be secure and key-operated so no one can get out on a residential level.

Mr. Mingolello indicated that all of the mechanicals would come off of Canal Street and he showed the location of the electric equipment room and mechanical equipment room for fire protection which is a requirement. He showed the location for trash and summarized that was all on the lower level.

Mr. Mingolello provided another rendering for the next level up which he explained is really the elevation of Howe Avenue. As Jim mentioned they will have the sidewalk coming along there so everything shown in gray is the plaza level. He showed the location of the bridge and indicated that they are about 14 feet away from the bridge.

From Howe Avenue, he showed the retail space on the corner which is about 1000 square feet. Retail #2 is 1470 square feet and Retail #3 is about 1490. He showed the entrance located there for the apartments where there is a small tenant meeting room inside the door as well as a business office and a mail area.

He pointed out the location of the restaurant, 3900 square feet with outdoor dining. He pointed out the bar location in the front, the kitchen tucked in the back near the service corridor, dining room and restrooms for the restaurant. The whole level is serviced by the service elevator and the regular stair. He pointed out the service corridor that runs along the back for all of the stores and the restaurant.

Mr. Mingolello indicated that there will be landscaping with potted trees so it is fairly flexible. They aren't going to build in planters except for the tree that Jim has in the corner to make that transition. He showed the location of the lighting which will be shown in greater detail on the elevations. He commented that there will be some traditional type of lighting that will light the walkway going from Howe Avenue down to Canal Street and the plaza itself. They will probably have sconces on the building and canopy lighting for the commercial part of it.

Comm. McGorty asked if they were pole or bollard type.

Mr. Mingolello responded that they were poles.

Comm. McGorty asked about the height – about 14 feet.

Mr. Mingolello responded yes, no more than that ...they'll see it on the railing system that he will show them in greater detail. They are a part of the railing system so they aren't going to be up that high.

Mr. Mingolello provided another rendering of the next level, the second floor as well as the third and fourth floor. He showed the location of the elevator coming out into the middle and how you can go either left or right from the elevator. He showed the room at the end of the corridor with the trash shoot. He indicated that trash goes all the way down the chute, gets compacted and they never see it.

He showed the alternate entry from the service elevator or stairs at the other end of the building. He added that depending upon what end of the building residents enter there is vertical access all the way up to the fourth floor.

Mr. Mingolello commented that they have a total of 7 studio apartments, 27 one-bedroom apartments and 6 two-bedroom apartments for a total of 40 units and a total of 40 parking spaces. On the third and fourth floor it is mostly one-bedrooms. There are 745 square foot one-bedrooms with a dining area, kitchen, living area, bedroom and bath as well as washer/dryer and mechanical equipment. Each unit will have central air conditioning and the condensing units will be on the roof out of sight.

Comm. Dickal asked about the laundry facilities.

Mr. Mingolello responded that there would be a stackable washer/dryer in each unit.

Mr. Mingolello provided another rendering showing Howe Avenue, the old Schaible building, Bricks & Barley and the architectural rendering of the new building. He indicated that the street

level is basically a stucco where it is a recess panel. They can do it in stucco or they can do it in PVC but it is a very traditional recessed panel detail on the storefront. There is a canopy that runs over with a glass about 9 feet tall with the residential above it.

He provided a rendering of the Bridge Street elevation and he pointed out the slope down from Howe Avenue down to Canal Street. The building at Howe Avenue is 55 feet tall and their height limitation on the PDD was 65 feet so they are about 10 feet less. He commented that he had looked at the biggest buildings downtown and most of them are about five stories – the Pierpont, Ripton, etc...He indicated that they are at five stories but this top story is right to ridge and built into the roof.

Mr. Mingolello commented that this rendering is sort of the commercial aspect of the whole thing. He showed the traditional light poles and explained that at the plaza level, they were going to build a little wall about 2 feet tall with a metal railing above it. They will put a metal railing within all of these piers so they'll have a light post on some of the piers or they'll have a tree behind them. There will be signs for each business and this corner will have a sign on Howe Avenue and when you turn the corner onto Bridge Street there will also be sign. There will be a sign board for the apartment entrance and traditional lighting for the restaurant which will be set back a bit.

In regard to the plaza, he indicated that he wanted to find a drawing to give them an idea as to the depth of the plaza.

Chair Parkins asked if there was an access to the apartments from Howe Avenue.

Mr. Mingolello responded yes there is and he'll show that in a minute. He provided a different drawing to explain that the typical sidewalk there is about 12 feet deep. He indicated that they set the building back about a foot so on Howe Avenue they are about 13 feet deep. He showed where it goes to 20 feet in one location, then back up to 13 feet in another location and sets back at 18 feet again and the restaurant is about 22 feet deep. The restaurant has a nice canopy and Angelo was thinking that for the restaurant at least doing a retractable canopy that is out in the morning and back at night or however they want to work it with a timer. He added that they were still contemplating how that would work.

Chair Parkins asked if they would continue that all the way out, the walkway past the restaurant or would they end it there with an enclosed patio so it can't be accessed.

Comm. Miller commented that there were stairs there though.

Chair Parkins responded OK.

Mr. Mingolello showed the Howe Avenue elevation done with brick, stucco and glass; the long elevation on Bridge Street is the commercial part of it with landscaping and street lights. They carried the brick up on the corner as a base, brought it up and then they broke it up with some clapboard to break up the material use. Right now they are going back and forth as to what the roof materials should be so they discussed asphalt, but standing seam might look good so they are back and forth right now.

Chair Parkins asked if it would be metal though.

Comm. Pogoda commented that he hopes it isn't metal.

Mr. Mingolello responded yes standing seam metal. He asked if they didn't like that.

Comm. Pogoda commented no and it isn't what the original proposal was either. The original proposal was asphalt.

Mr. Melisi stated that the original proposal had a flat roof.

Comm. Pogoda stated that they have been trying to stay away from metal.

Mr. Mingolello commented that it is more expensive than asphalt. They can do a nice asphalt a lot cheaper than they can do a standing seam.

Comm. Pogoda asked if there could be some design elements in front of the roof – all along that seam.

Mr. Mingolello responded yes there will be a big fasciar which they can't see now because there is a shadow line but there is dental blocking and moldings – yes, absolutely it is a part of that. He provided another rendering that depicted the moldings and brackets coming out a little more clearly. He explained that they are going to have some nice overhangs, some moldings underneath and Angelo wanted some more detail on the corners. Additionally, they discussed using six cast iron building corners from the old Pulaski Club. They are going to salvage those, sandblast, clean and repaint them to take some of the original elements from that period and incorporate them into this design and add some interesting detail.

Mr. Mingolello stated that they talked about doing some solar on the flat roof which won't be seen. There are a lot of programs out there right now – but not for the units themselves but for all of the common lighting like hallways, site lighting, etc...

Comm. Pogoda asked if they were still going with the color theme of having different colors for the original buildings. He can't really remember but initially...

Mr. Melisi responded that has changed a little bit because of the way the buildings are coming out a little bit.

Atty. Bellis commented that Angelo was talking about making the brick wall area a stone face as opposed to brick to break it up.

Mr. Mingolello responded that it is probably cheaper to do a thin stone which is very attractive to put down there to create that base as opposed to the brick.

Comm. McGorty commented about the stairway near the restaurant and he suggested blocking it with a short wall or something. He enjoys being outside but not when there is bunch of people walking by because that is main access route through there. It could be from the front to the back.

Mr. Mingolello responded – well, if they are coming up Howe Avenue they probably won't do that and they'll walk through this 14 foot alleyway and come up through Canal Street.

Chair Parkins asked if it was required to have that stairway there. She had the some thought about closing it off because she just thinks it will become a place where people hang out and congregate on the stairs.

Comm. McGorty clarified that he was talking about the area outside by the restaurants outside seating. He added that you wouldn't want people walking in and out and through there or loitering.

Mr. Melisi responded that the original thought was from the additional parking that would be on Canal to get those people up to that level.

Comm. McGorty stated that they could go around though.

Chair Parkins indicated that if they could close off that promenade up on top where that restaurant outdoor seating begins, it would lend itself to a higher class type of restaurant.

Comm. McGorty agreed or commented about keeping it as an emergency exit to get out to the back because it is a dead end.

Mr. Mingolello commented that they could probably just put a gate at the bottom with some sort of signage.

Chair Parkins stated that was why she had asked if it was required – as a Code issue. It will make a nicer outdoor dining area up there.

Comm. McGorty indicated that it could possibly become a hang out on the stairs, kids, smoking, skateboarding.

Mr. Mingoello responded that was a good point. They also discussed how they might keep people from painting this wall with graffiti so that is something that they have to think about. Whatever materials they use they have to be able to clean up.

Chair Parkins responded that was police control. She added that cameras are a huge deterrent on the top of the building; hopefully, as this area really starts developing there will be less of that type of activity.

Mr. Melisi commented that once that building is down and the wall between the properties, it will open right up. They have solicited the DOT for more lighting under the bridge and they'll be sitting down with them in a few weeks to talk about that.

Chair Parkins agreed that it will be very nice and with a little bit more police presence they will be all set.

Comm. Dickal added that with more police presence there will be more activity with people that will report anything going on.

Mr. Melisi reiterated that it is really in need of a lot more lighting.

Chair Parkins commented again about the stairs and if it is not needed for Code or any kind of emergency access, she thinks eliminating that stairway would add value to that restaurant.

Mr. Mingoello added that the entire building will have fire sprinklers. When they get to the next stage from a design standpoint, they are going to have it professionally rendered and then really start studying colors and materials. If they don't like the colors then it is just a flip of the key to change at that point.

Comm. Tickey commented that it looks great and it is very exciting.

Comm. Dickal agreed that she was very excited about it.

Atty. Bellis responded that they appreciate that. He provided a time table and commented that the Pulaski Club has moved out, Bridge Street Partners has the Demolition Permit from the City of Shelton and they are interviewing demolition companies. The building is scheduled to be taken down and removed by the end of this month – in July. Once that building is down, some of the materials will be recycled including some nice pieces of wood, granite steps, and a few other features mentioned to be salvaged and the rest will be carted out. They will clean up that site and start pouring a foundation in the fall – September or October - before the frost comes in and then go ahead with construction.

Mr. Melisi stated that they would like to start that in September if possible.

Atty. Bellis stated that they never know from year to year when the frost is going to come in. One year, maybe last year, you couldn't put in a foundation until May because of the frost. It took a long time to get this far but he thinks that they are well on the way now.

Chair Parkins asked about the original parking ratio on this.

Atty. Bellis responded that it was the same. The reason is that for the commercial, a lot of it is off street parking.

Chair Parkins stated that she is more worried about the tenants. They have 40 units and 40 spaces.

Mr. Melisi responded yes, one per apartment.

Comm. McGorty commented that there were some two-bedroom apartments.

Atty. Bellis responded not too many.

Comm. Dickal asked about visitor parking spaces.

Chair Parkins responded that visitors can use the municipal lot across the street or the lot on the other side.

Comm. McGorty stated that pretty soon, hopefully, Chromium is going out.

Atty. Bellis added that there is a gravel area that people park on along the Housatonic.

Chair Parkins stated that she is more concerned about the two-bedrooms and that parking ratio. She asked if some of those spaces could be made narrower to accommodate compact vehicles and get one or two more in there.

Mr. Melisi responded they were 9 feet (inaudible)...

Mr. Swift stated that they have urban conditions so inside the garage, normally they have 60 feet for aisle width but inside they have 58 feet with 9 feet which is doable; they really can't add any more in there. He commented about the area with 6 spaces in 20 feet with a 15 foot depth because they have a 4 foot walk because they are right against the building. Rather than putting curb stops in, they put the walk in and the cars can overhang without hitting the building. In other words it isn't really a walkway but one big curb stop. They are only 10 feet wide because they are so tight in there. If he adds a 7<sup>th</sup> space he would be looking at 8 foot spaces.

Chair Parkins asked if the 40 spaces included that outdoor parking.

Mr. Swift responded yes. He mentioned an error on the site plan that has an addition error. It should be 34 spaces under the garage and 6 outside for 40 spaces.

Chair Parkins asked where the retail workers park.

Mr. Swift responded that there is the municipal lot on the other side of Bridge Street which is a convenient walk, existing spaces between Chromium and this property and they are working with the City to formalize and pave them.

Comm. McGorty commented yes people park in there but it is just dirt. If they lay the spaces out properly they could probably get quite a few in there.

Chair Parkins indicated that it was her understanding that the State was supposed to provide some parking underneath the bridge.

Mr. Swift responded that they did. He showed the location of a couple of parking spaces but added that because of the width from the abutment of the bridge itself and the other abutment – he thinks there are two or three spaces. He indicated that they did the best that they could.

Comm. Miller indicated that it was probably two. It is tight back there.

Mr. Swift stated that he is hoping that Chromium comes in with some.

Mr. Melisi asked Mr. Swift asked how many spaces they could fit if (inaudible)...

Mr. Swift responded 13.

Chair Parkins asked if he meant from Chromium Process.

Mr. Swift responded no.

Mr. Schultz commented that it was in the City right-of-way.

Comm. McGorty indicated that it was between this property and Chromium there is a strip of land that goes along the track. People from the Birmingham will park over there.

Chair Parkins asked who it belongs to.

Atty. Bellis responded that he wasn't sure (inaudible)...

Mr. Swift commented about the parking on the railroad (inaudible)...on railroad property. They can't formalize it and (inaudible)...

Chair Parkins stated that no, they can't put it in their plan or count for it.

Mr. Swift responded no but it is still there.

Mr. Schultz commented that for the 23<sup>rd</sup> DSC Meeting, Staff is going to take them to the Ripton to see their parking arrangement. It is very tight but they will get an idea; it is the only one that they have in town.

Mr. Swift commented about tightening up the spaces and they've already explored it.

Chair Parkins asked if he was sure that they approved 1:1.

Mr. Melisi responded yes, he checked the PDD and the parking was 1:1.

Mr. Schultz referenced the Statement of Uses and Standards being attached to their packets.

Chair Parkins indicated OK, they will take a look at it.

Atty. Bellis indicated that pretty much covers it. They meet all the Regulations, the PDD Regulations and the plan conforms to those PDD Regulations so from a legal perspective he thinks that they've covered their bases.

Mr. Schultz commented about the July 23<sup>rd</sup> meeting if they come to some consensus or have changes (inaudible)...

Chair Parkins commented that unfortunately Comm. Harger isn't here tonight because she would be interested in seeing these plans. She thanked the Applicant and commented about the good things happening downtown.

No action taken, no motion required.

**APPLICATION #15-10: PETITION OF DOMINICK THOMAS ON BEHALF OF MATTO FAMILY REALTY, LLC FOR FINAL SITE DEVELOPMENT PLAN APPROVAL AND PLANNED DEVELOPMENT DISTRICT ZONE CHANGE, 434-456 HOWE AVENUE AND 70-72 BRIDGE STREET (MAP 129D, LOT 55), CA-3 DISTRICT: ACCEPT AND SCHEDULE PUBLIC HEARING.**

Mr. Schultz stated that Staff is recommending August 11<sup>th</sup> which is when the Applicant and the Applicant's team is available.

Chair Parkins responded OK that is their regular scheduled meeting.

Mr. Schultz responded yes and for the balance of July they will be doing the Subcommittees – Planning, Zoning Subcommittee and DSC.

**On a motion made by Nancy Dickal seconded by Jim Tickey, it was unanimously voted to accept Application #15-10 and schedule a public hearing for August 11, 2015.**

He asked the Commissioners to take a ride down there to take a look at the old Polish Club. They are witnessing history because they are gutting everything.

### **PUBLIC PORTION**

Chair Parkins asked if there was anyone in the audience wishing to address the Commission on any items not on the Agenda. With no response, she asked for a motion to close the public hearing.

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

### **OTHER BUSINESS**

#### **APPROVAL OF MINUTES: 5/27/15 AND 6/9/15**

Chair Parkins commented that they were missing the minutes from June 2<sup>nd</sup> Special Meeting. She asked for a motion to approve May 27<sup>th</sup> and June 9<sup>th</sup>.

**On a motion made by Thomas McGorty seconded by Jim Tickey, it was unanimously voted to approve the minutes of 5/27/15 and 6/9/15.**

### **PAYMENT OF BILLS**

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

### **ZONING ENFORCEMENT PROGRAM**

#### **540 HUNTINGTON STREET: AUTHORIZATION TO INITIATE LEGAL ACTION: JUNKYARD CONDITONS**

Mr. Schultz indicated that 540 Huntington Street was in the vicinity of Buddington Road with junkyard conditions.

Comm. Pogoda responded yes, on the corner and he added that it has been a junkyard for 10 years.

Comm. Miller asked if that was the Skoronski property or is that the one up the hill.

Mr. Schultz responded it was Dwayne Hoffman and Alfred Jackson.

Comm. Pogoda stated that it was right on the corner with gutters hanging off; it's on the left hand side (inaudible) with a tractor, a boat, it's a dump.

Mr. Schultz reminded the Commission that they were able to clean up that camper on Mill Street.

Chair Parkins responded yes but it took five years.

Mr. Schultz commented that they were elderly in a nursing home and their child living in Oxford nickel and dined them on everything. He asked for a motion to initiate legal action for 540 Huntington Street.

**On a motion made by Anthony Pogoda seconded by Nancy Dickal, it was unanimously voted to authorize Staff to initiate legal action for Zoning Enforcement at 540 Huntington Street regarding junkyard conditions.**

### **STAFF REPORT**

Mr. Schultz reviewed the Planning & Zoning Staff Report including ZBA Agenda, POCD Update, Zoning Subcommittee, Downtown Subcommittee, upcoming meeting dates and Zoning Enforcement Issues.

**\*See attached P&Z Staff Report dated July 7, 2015 from Richard Schultz, P&Z Administrator.**

**Nancy Dickal departed at 9:00 p.m.**

**ADJOURNMENT**

**On a motion made by Thomas McGorty seconded by Anthony Pogoda, it was unanimously voted to adjourn the meeting at 9:15 p.m.**

Respectfully Submitted,

*Karin C. Tuke*  
P&Z Recording Secretary