

SHELTON PLANNING AND ZONING COMMISSION

AUGUST 11, 2015

The Shelton Planning and Zoning Commission held a regular meeting on Tuesday, August 11, 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 Frank Osak (alternate for T. McGorty)
 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 (3), 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 August 11th Shelton P&Z Commission Regular Meeting to order at 7:00 p.m. with the Pledge of Allegiance and a roll call of members present. She indicated that it was a full agenda with four public hearings in addition to their regular business. They will try to get through everything the best that they can; however, there may be another meeting held in two weeks to take up anything not addressed.

Chair Parkins reviewed the procedures for a public hearing and explained the different sign-up sheets available on the podium for public audience members to sign if they wished to speak. She asked that any comments be addressed to the Commission and not the Applicant.

Chair Parkins clarified that alternate Comm. Osak will be sitting in for Comm. Thomas McGorty who is not present for this meeting. She asked the P&Z Secretary to read the Call of the Hearing for Application #15-10 and any applicable correspondence.

PUBLIC HEARING

APPLICATION #15-10: MATTO FAMILY REALTY, LLC FOR INITIAL CONCEPT/FINAL SITE DEVELOPMENT PLAN APPROVAL AND PLANNED DEVELOPMENT DISTRICT ZONE CHANGE (MIX USE BUILDING), 434-456 HOWE AVENUE/70-72 BRIDGE STREET (MAP 129D, LOT 55), CB-2 DISTRICT AND CBD OVERLAY.

P&Z Secretary, Comm. Virginia Harger read the Call and two pieces of correspondence from the City Engineer and the Shelton Fire Marshal. She referenced a third e-mail correspondence from a resident, Erica Schwartz; Chair Parkins indicated that would be read into the record at the end of the public portion for this application.

***See attached correspondence dated August 7, 2015 to Richard Schultz, P&Z Administrator from Robert Kulacz, City Engineer.**

***See attached correspondence dated August 11, 2015 to Richard Schultz, P&Z Administrator from James M. Tortora, Fire Marshal.**

***See attached email correspondence dated August 10, 2015 forwarded from Commissioner Jim Tickey to R. Schultz, P&Z Administrator from Erica Schwartz, 54 Montgomery Street, Shelton, CT.**

Atty. Dominick Thomas, Cohen & Thomas, 315 Main Street, Derby, CT representing the Applicant addressed the Commission. Atty. Thomas submitted the photographs of the public

hearing posting, certification letters (he clarified that they really just want Certificates of Mailing), and a Traffic Study that includes an 8 ½ x 11 area map. He indicated that he would provide an enlarged copy of that map when Traffic Engineer, Neil Olinski makes his presentation.

Atty. Thomas began with a brief history of what transpired after the fire. He indicated that some of the Commissioners are quite familiar with it because they sat at the Downtown Subcommittee (DSC) and observed the numerous presentations that were made but the public may not be aware of what went on. He stated that it was approx. a year ago from the tragedy of the fire. The Matto Family led by architect, Joe Matto developed a plan to rebuild the building and that plan was presented to the DSC.

He clarified that he wanted everyone to understand that the evolution of what they will see tonight is probably a very good example of a public/private partnership and that partnership is between the Commission, Staff, the Mayor's Office, the Consultant, the Matto Family and all of the experts that were called together. For those that saw the initial plan up until now, there was an evolution that kept in mind with a coin he phrased at one of the first meetings which was "incorporate-able." He clarified that in other words, this project had to be incorporate-able with what the City was contemplating for a public area in what is the main, central block of Downtown, the Howe Avenue/Center Street/Coram Avenue/White Street block. Through the intervention of this Commission, the Mayor, the Consultant, and after the initial presentations were made and they had some interesting discussions about architecture...but after that happened and they went through that, Joe Matto sat down with the Consultant and after several discussions and input from Staff, they came up with a wonderful plan to transform that City block.

Atty. Thomas commented that that entire plan is not before them today but what is being presented for approval for a PDD is not only the Matto Building rising from the ashes but the first step toward the transformation of the central block of Downtown area into a model of public space surrounded by successful development – that was the goal as it went through. It was the goal and it is a prime example of a project that not only fits with their POCD but fits with their Special Study Plan for the Downtown area which incorporated this block. It has a mixed use approach; it has pedestrian features which are needed.

Atty. Thomas commented that people say it matches the new urbanism but for someone like him it isn't the new urbanism, it is the way he grew up in the Valley. He said that they lived in mixed use neighborhoods and walked around the corner and went to stores. There was retail on the bottom and housing on top. This is a mixed use proposal and they will see it exemplifies that, exemplifies what is in the POCD, exemplifies what is in the Study and they can envision how it will be incorporated into a transformation of that entire block.

In order to accomplish this and as a result of the public/private partnership, Atty. Thomas pointed out that there is a land swap involved and that was mentioned in the notes. The need for the land swap is based on the public and private discussions that took place and led to the evolution of this project. Through the partnership with the Matto Family, they designed the proposal and they made an effort to accommodate the City's desire to make Bridge Street into a boulevard-type entrance and to what will hopefully evolve into the public space of the City. In order to accomplish that there would be property taken away from the Matto property and in turn for that redesign resulting in the City getting this extra property to widen Bridge Street, the City will need to give an equal amount of property to the Matto Family so that – and there is substantial – over 100% increase in onsite parking that was proposed from the beginning can be maintained. As a result of the land swap, there is an issue of the (inaudible); in the future assuming the Commission approves this project, an 8-24 Referral which will come back to them from the BOA and coordination with the City for the work on Bridge Street at the same time that the project is being constructed.

Atty. Thomas pointed out that as a result of the tweaks that took place, even within the last couple of weeks to the Site Plan, his Statement of Uses and Standards calls for 1:1 residential parking spaces. These are all one-bedroom apartments and it is for one space. As a result of some issues with the land swap it ended up with 23 spaces. He proposed amending the Statement of Uses and Standards if need be to the fact that the desired spaces is 1:1 but giving this Commission, as in the past, the discretion to take available public parking within 300 feet

into account. He added that it was something that could be discussed with Staff or they could respond to the Commission as they go through it.

Atty. Thomas commented that the Engineering Report was read into the record and there was an A-2 Study and somehow some of the documentation didn't make it over to the City Engineer. Their Engineer and their Traffic Engineer can respond to some of the points in the report. He stated that he wanted to address one point that caught his eye about the concern of people backing out of the angled spaces that might interfere with traffic. He recalled that when he visits his grandchild in and Larchmont area of LA in CA and when he walks along the boulevard area there...although the Larchmont area is a lot wider than they have here – it is pedestrian-oriented with angled parked and yes, as you leisurely drive down it, looking around at the unique shops, you have to be careful if somebody is pulling out from angled or parallel parking. However, the advantage of it, the approach of it is that it makes it easier, increases the parking and when he saw this design he thought it would be wonderful to have Downtown Shelton resemble that CA area with the restaurants, awnings, and weather like this past weekend with people sitting outside enjoying the downtown area, the River Walk, etc. He concluded and turned the discussion over to Jim Swift to discuss the engineering on this project who will be followed by Neil Olinski with the Traffic Report. He clarified that the initial Traffic Report was done by Milone and MacBroom with respect to the downtown area. He added that they would conclude the presentation with the architect, Joe Matto.

Jim Swift, P.E. and Landscape Architect, 102 Village Drive, Shelton, CT addressed the Commission. Mr. Swift commented that given the nature of the urban character of this, his presentation will be short. They will be looking at some very impressive renderings from the architect, Joe Matto that will explain, in a 3-D way, exactly what is going on and the Commission will get a better idea from Joe's drawings.

Mr. Swift provided a rendering of the property highlighting Howe Avenue on the bottom and Coram Avenue on the top. He said that the purpose of this drawing is to give the Commission an understanding of the land swap for when that time comes. He placed a transparent overlay of the land swap pieces over the site map. He showed where the Matto property would be giving up a little bit of area adjacent to Bridge Street in favor of gaining some of the property behind their building. He indicated that those highlighted areas on the transparent overlay are where those land swap areas are located. He clarified that they were equal land swaps and they will be receiving an 8-24 Referral shortly but he wanted to give a sense of where they are located.

Mr. Swift provided the original rendering of the Site Plan with Howe Avenue on the bottom. He showed the location of the proposed building which is substantially in the same location as the existing building was although configured a little bit differently. He showed the area where it would be a little bit shorter in the area where they are giving the parcel back to the City. He commented that they can see what that does for the City; the Bridge Street traffic pattern becomes one way coming in one direction. He pointed out the perpendicular, angled parking spaces referred to in the City Engineer's letter plus a few parallel spaces on the other side. He said that they will get a lot more parking in that location closer to the Downtown area than they had before.

Mr. Swift explained that as you come up the site, he showed the location of a parking area with 23 spaces primarily dedicated to the residents of the apartments. In the back they need to break through the little planter that currently exists so that they can continue with the traffic pattern back into the municipal lot which sits above. He showed the location of the municipal lot on the site plan. He pointed out that in regard to the parking in general here, the way that this is laid out, the spaces reserved for the City on City property are exactly the same number so under this reconfiguration the City does not lose any parking spaces. It will be exactly the same as they had before.

Mr. Swift indicated that they had some parking spaces in back of the old building that were kind of helter skelter, here and there, but the bottom line is that they are picking up 13 net spaces over the entire area which are primarily on the Matto property. He reiterated that they are picking up parking spaces by doing this reconfiguration.

He referenced the site drawing to point out where the City is picking up spaces and the location of a couple of handicapped spaces. Back up in another area he showed that the City parking lot stays basically the same under this proposal but this proposal is not the finished project for when the City gets involved and figures out exactly what will go on there. He added that they are taking a bit of a shortcut and just cutting in enough green space to do their wall. He showed the location of some leftover pavement that certainly wouldn't remain that way but probably would be landscaped but it is up to the City - the City in partnership with the Matto Family how best to deal with it. He stated that Joe Matto will show them plans that he presented to the City showing a couple of hypothetical ways that it could be redeveloped there.

He showed where they would maintain a decent pedestrian connection and added that the entire idea was to strengthen that connection going back and forth.

Mr. Swift provided another rendering to address grading and utilities for the record which is *pro forma* more than anything else. He commented that the grades obviously aren't going to change on Howe Avenue or on Bridge Street. He showed where they flatten their area in the back a little bit but as far as the topography, it will be similar to the old building. He explained how the retail areas would be accessed from Howe Avenue and coming up the hill, they will access the new Matto building from the rear about ½ - ¾ story up; Joe Matto will explain the stairways and how they will make that work. He added that the parking area has its own entry way in the back area.

Mr. Swift showed on the site plan rendering where they would have a low garden wall surrounding that parking area to give a little bit of definition and within that area the service areas are tucked in the corner with the obligatory masonry trash enclosure. It will be out of sight and out of the way.

Mr. Swift stated that he does have an Erosion Control Plan for the record which has been submitted. He provided another rendering to explain the landscaping improvements. He commented that any green space that they increased this by is more green space than they had there before because there simply was not any. He pointed out the existing trees in the front which he hopes will come back and he showed the area will there will be a strip of new trees. He stated that they will have to work with the City on that because those trees are on City property. They will work with the Tree Warden and the Dept. of Public Works to see who puts them in and who can best maintain them. He commented that they'll have a little bit of green space inside. He concluded his comments by stating that the honey locust tree is a highlight; it's in the back corner and it is a great tree as well as some others there.

Atty. Thomas indicated that he would like Neil Olinski, the Traffic Engineer to briefly explain the Traffic Study. He added that they obviously don't need to do extensive traffic reports in an urban downtown area. It needs to be addressed but they aren't really changing what was there but Neil is here to ask any questions regarding the proposed traffic flow through the parking lot.

Neil Olinski, Milone and MacBroom, 9 Realty Drive, Cheshire, CT addressed the Commission. Mr. Olinski indicated that they did a brief traffic assessment letter. He stated that the first thing they did was to take a look at what was previously on the site and what had generated for traffic and then they looked at industry data. They compared previous trip generation for the site to what is currently being proposed. He stated that what is being proposed now is less intense from a traffic standpoint.

Mr. Olinski commented that Milone and MacBroom were also involved with the Downtown Transportation Opportunity Study. One of the things pointed out in that Study was to recommend that Bridge Street be made one way away from the intersection which will help operations de-signal by taking away one of the approaches so going from a 4-way approach to a three-lane approach will revise the phasing, signal operations, and how the traffic flows through.

Mr. Olinski concluded that was the bulk of it and added that this is a downtown development. He referenced Table 1 in the letter and commented that not all of the trips are going to be vehicular trips. Since it is downtown there will be some walking trips as well. He offered to answer any questions.

Comm. Harger commented that she was a little bit concerned because he said that there wasn't going to be much impact on the traffic. She didn't recall how many residential units had been in the building that burned down but...

Mr. Olinski responded that there were 27 and there are now 24.

Comm. Harger stated OK, 24 but they do have 20 for the chart and they layout different kinds of food uses and two floors of office so that was what she was concerned about and asked if that wouldn't cause any kind of impact.

Atty. Thomas responded that there was only one floor of office, and one floor of retail.

Comm. Harger commented OK then that has changed from the material that she received earlier. She read something today about retail on the ground level, two office levels and two residential.

Chair Parkins clarified that it was one retail, one office and three residential.

Comm. Harger commented OK and indicated that would be different adding that just as long as there has been an adequate study done regarding impact because they have a different mix of people living in the building who may have more vehicles than what was there previously.

Atty. Thomas responded that he understands and he says this to Commission after Commission, in a downtown development you want to have a traffic problem. They are actually going for it because you want more people to come downtown. He clarified that he wasn't suggesting a traffic problem that was bumper-to-bumper but the whole goal of downtown development is to bring people downtown and one of the things that Shelton has done – and people may criticize it – but it has brought people downtown. When you bring people downtown, you strengthen your businesses and when you strengthen your businesses, more people want to come downtown. He can guarantee them that is a cycle that the other three Valley towns, particularly Derby, Ansonia and Seymour would die for.

Comm. Harger responded that she understands that but she doesn't want to see a bottleneck.

Comm. Dickal agreed to a point and added that they have to realize that when people come downtown they are also looking for convenience. If it is difficult for them to find a place to park for a restaurant or retail store, then they are apt to keep on driving by.

Atty. Thomas commented that was always a possibility but a discussion that he has often had is the fact that people are unwilling to park in the small parking area along Canal Street and walk a short distance up to the main street...yes, it is a little bit difficult – and yes, some people who can't park in front of the building won't use it but he doesn't think that it a serious problem. He added that there is an abundance in parking as it exists right now but the proposals that were discussed and the proposals that they may see about the Coram Avenue block may be to add more parking. He reiterated that the fact that someone can't park right in front of business isn't going to deter them.

Chair Parkins asked if the parking for the tenants will be marked as such so that when they leave for the day the businesses can use the parking or will be restricted for just the tenants.

Atty. Thomas responded that at this point it is intended to be restricted for the residents. There are certainly discussions that can be had but he thinks that is a much better way to do it. It is hard to judge who's coming in and out. There is no problem with the office staff and retail staff parking in the abundance of public parking, not just behind the building but other public spaces all over the place.

Chair Parkins agreed.

Atty. Thomas commented that they have to encourage that about employee parking. He relayed a story regarding a big residential proposal in Seymour and there were issues being raised about parking. They did a study over 30 days and the parking spaces that the businesses complained about being taken up were being taken up by the employees of those businesses – instead of

employees walking about two blocks from the municipal parking lot. He stated that it was something that has to be addressed. As a Commission they can't control behavior but both the property owner, the landlords and everybody and the Staff need to do that. There is plenty of parking for people on the commercial end of it.

Mr. Olinski agreed and added that there is always a perception that there is less parking than there really is and more often than not there is adequate parking but people may have to walk a little farther.

Chair Parkins stated that people have to remember that this is a downtown district and all downtown districts, not just Shelton, all downtown districts deal with the same situation. It isn't convenient for people if they can't park right in front to run in and run out. It is downtown.

Atty. Thomas recalled that when his mother sent him to Olivia Street to the bakery in downtown Derby, she didn't give him a survival kit.

Chair Parkins commented that is why they welcome people to move in downtown and walk.

Atty. Thomas asked Joe Matto to make his presentation with the architectural renderings.

Mr. Joseph Matto, Joseph Matto Architects, LLC, 72 Bridge Street, Shelton, addressed the Commission. Mr. Matto stated that he was here with his family, Ralph, Elaine and his partner, Rick – they all worked together on this. He provided an architectural rendering and underscored the aspect of collaboration that Atty. Thomas brought up, with the Commission and the Town. He commented that it was quite an amazing process that they went through.

Mr. Matto stated that before starting he wanted to comment about Comm. Harger's point which is pretty important. He indicated that he spent quite a bit of time with Dave Sullivan, Traffic Engineer, looking at the exact square footages of what they had and what they are replacing it with and what the occupant loads needed. Without going into great detail, it used to be five stores to the right of the two restaurants – seven total. There was the Art School above but there weren't any professional offices. When they did the occupancy load count, they actually had less traffic than had in that building on those floors previously. He added that those numbers are available if they would like to see them.

Mr. Matto provided a rendering that the Commissioners already have and indicated that he would go over a few things. He commented that this face of the building that is seen from Center Street, the lower level where the restaurant is, will not be what they are doing. It is leftover from an earlier design. It is something that they might do depending upon the phasing of their construction project and what happens with this property. It has been left up in the air right now and the design in the rest of the drawings is what they are going to be doing there.

He provided a different drawing of the primary rendering providing a view from Bridge Street. He pointed out the location of Bridge Street going over to the Derby side, Howe Avenue and the location of the two restaurants. He indicated that they will be building above those restaurants creating a level area that goes all around the building and three floors of apartments above that. The first floor is all retail, second floor is all professional offices and the rest are residential apartments.

Mr. Matto explained that they have two stories of brick with a sort of store front glazing system, a lower section on these columns which will be some sort of a decorative block square. He pointed out another area of regular brick and added that they will bring in samples at the time that they pick out the brick. The cladding system is a rain screen cladding system made by Alucobond® which is aluminum bonded to Styrofoam – actually it is polyethylene and it adds some insulation value. It is an excellent system for maintaining weather tight integrity to the building.

He stated that the columns are one piece, full height fiberglass composite columns so they are basically pilasters; there is no curvature to the columns. They are just straight and this one is a typical Tuscan border and there is a heavy entablature around the top. All this material is going to be PVC – Azek®, Versatex®, one of these products which won't rot or need to be painted.

The roofing material is going to be a high quality composite roofing material fiberglass but they aren't going to be doing a metal roof which is one of the things they initially considered.

Mr. Matto indicated that up above the roof between the two gables and hidden by this balustrade in the front and the back is where all of the mechanical equipment is going to be such as condensers, compressors, etc. They are all going to drop vertically down to the apartments and below them. They won't be visible from anywhere except the air. He asked if there were any questions before he went onto to explain the back view.

With no comments he changed the rendering and commented that when doing these renderings it is difficult to know what they are going to look like three dimensionally. He showed his favorite view of the building from the back, from in front of the Post Office, and somewhat aerially. He pointed out the location of the garden wall that Jim Swift referred to around the perimeter of their parking area with the land swap. He showed the land that they are getting from the City from one corner to the other corner. He also pointed out the land that they are giving to the City where all of the side parking areas are. He reiterated that it was an equal area land swap.

Mr. Matto indicated that the garden wall would go all the way around. It is a five foot high brick wall with a two foot PVC topper. The corners are articulated with pilaster with lanterns. He showed the location of the main entrance for the residential tenants. It could also be used for some of the store people to use for loading and unloading. In the far end he pointed out the two blue containers that would be the dumpsters, and the box shown would be the transformer.

Mr. Matto explained that when they reconfigure a parking lot in this way, both the City's and their own, not only do they get additional parking spaces overall but they get more green space. He referenced the nice border behind their wall where they can plant trees and it softens everything and helps them to make the building seem more private and more of a destination area.

Mr. Matto indicated that in regard to the parking and with the one-way street, they are trying to find ways to make the building more special. It is not on the River like Avalon is; it is right in the center of the City but one of the nice things is when you come up Howe Avenue, it feels like a cul-de-sac in the street adding more interest to the area.

Mr. Matto commented that one of the things that they have been discussing is the actual location of the telephone poles. He pointed out those locations on the plan. In looking at all of the telephone poles he commented that it might be interesting to consider, and not just in this area, to think about underground utilities. He stated that maybe it would be something that Jim Ryan could help with for a grant from the State or something. He added that according to his engineer, it is going to cost \$100,000 to move a telephone pole and maybe for \$200,000 they can put (inaudible) underground.

Chair Parkins responded yes, that would be nice.

Mr. Matto commented that he noticed with Jason Williams, the consultant from Milone and MacBroom, in his renderings he left out all of the wires and telephone poles. For his drawings, he put in the poles but left out the wires.

Mr. Matto provided a rendering for the first floor with basically two blocks. He pointed out the existing two restaurants which are 56 feet wide. There is a 14 foot corridor that goes through the center and another 56 foot wide space on the other side. These two are identical with a corridor through the center. He indicated that someone asked if they could make it wider if they wanted to and the answer would be no because then they would exceed the distance for the fire escapes. He commented that things that appear so simple like that are so interlocked by constraints.

He commented about how the stairs look and how they would work. He showed the stairs to the basement. He explained that the tenants would be coming from the rear parking lot, coming into the vestibule area and they can take stairs or the elevator. He showed the location of the elevator and indicated that it would go to all five floors. He showed where a wheelchair could come in and get to the elevator for access to all floors.

He showed the entry from Howe Avenue with five 7-inch steps to get to the same level as the first store. It is all based upon the height of the existing sidewalks which was tricky because it slopes uphill. He indicated that the level of Elevation #44 carries across and that determines how many steps are over there when they are entering at this point at an Elevation #41. He commented that going up approx. four steps gets to the next Elevation # which matches the sidewalk over there so this entrance point, this store are at the correct height. He pointed out the location of an additional bathroom and janitor's closet in the public space.

Mr. Matto stated that they thought a Starbucks would go in there because they were excited about doing it but they decided that they wanted a drive-through. He added that he wasn't changing the drawings again so they don't know who is going in there now but it is set up very similar to the coffee shop on Bridgeport Avenue with two bathrooms with one handicapped required bathroom.

He pointed out the other store which he had labeled at one point as the pastry shop but that is a discussion yet to be had. He showed the other store in the back with the main entrance on Bridge Street. He showed the location of all of the diagonal parking and the proposed pedestrian flow and how the first floor would work.

Mr. Matto commented that there used to be five stores all accessible from Howe Avenue so now he is envisioning a wall of glass where people are sitting at tables with a really nice connection for people inside with what is going on outside to make it a more vital space. He explained that they pulled back the façade and pointed out the existing building line depicted as a dotted line going all the way across. They have pulled it back four feet and they are also going to do that where the restaurants are but not until the end of the project. It turns out that there is actually foundation underneath which blends that (inaudible) a good possibility that they'll do that.

Mr. Matto showed a colored rendered version of Jim's site plan. He commented about having a new appreciation for what engineers do. He reiterated that they gave away this 21 feet of land, shortened the building but it never occurred to him that he was creating a bad situation because of the slopes, they couldn't get the two surfaces to meet at the corner without a very steep area because it is coming down on the north side. He mentioned about the possibility of icy conditions and that he never liked the north side because of that so they have widened it and they won't have an entrance into the outdoor space for the corner store. He has a planter which will be low to the ground so you can see in. This is a two-story space. He referenced that space on the rendering and explained that it was a tall space, about 17 feet. It will all be illuminated at night at that corner and very inviting.

He explained the location of the planter and how it would go all the across to the front pilaster, round that corner and use a series of planters that step up on the side and can also be used as handrails. He has concerns of safety there and he thinks it will be a nice feature.

He showed an area with a lot of space on the other side and he said he didn't want to give up the rounded corner either because he really liked it but it was hard to make it work because the building got smaller. They would end up with two very symmetrical stairs that were fighting for prominence. He realized that they have widened Bridge Street so much that this is now a very strong visual element so they have that and the symmetry of the building so a third thing would be too much.

Mr. Matto commented about the back area and indicated that the garden wall allows them to drop a level slightly, nine inches or a foot because it is disconnected from the existing parking lot. It allows them to get a nice level parking where they can control the drainage. He stated that Jim Swift added some drains there.

He provided a rendering of the second floor area which would be professional offices. He showed the location of the two stair towers with one in the front and one in the back, 30 feet apart per requirement and the elevator. He explained that they have a sort of octagonal core as a sort of evolved design, partly as a device to shorten the exit path to the stair towers. He commented that it is a really nice design element; they have a lot of symmetry going on so it is a nice thing to do.

Mr. Matto showed the entrances to the professional offices from the center hall space. He showed the office along the southeast wall, northwest wall, the front and the back. He showed the location of the bathrooms and the plumbing.

Mr. Matto provided a blueprint of the residential one-bedroom apartments. He asked Comm. Harger if the opening call said 26 apartments because there are 24.

Comm. Harger responded yes, 26 and that was what was in the newspaper.

Mr. Matto responded that it must have been a typo. He indicated that there would be three floors of residential and eight apartments on each floor with four on one side and four on the other side. He stated that there was basically two floor plans for the apartments and he pointed them out. They are exactly the same size at 750 square feet with one side being a flipped over version of the other side.

Mr. Matto provided a rendering of a competitive one bedroom apartment at Avalon with 686 square feet. Their equivalent one-bedroom apartment is 763 square feet or 80 square feet more. In looking at the space inside – the Avalon apartment immediately enters into the kitchen. So if someone were to be in the kitchen, his back would be to the door which may not be a big deal but subtly like that is important in making a space feel right. In their units, they enter into a little peninsula and have a bigger kitchen. They are more interested in making the kitchen a place for socializing. The living room provides space for one or two people to hang out. All of their spaces are slightly bigger. Their distance all the way across is 26 feet and the Avalon is 20 feet. They also have one extra closet.

These will all be heated by individual units – the columns outside are basically hidden heating systems. He showed where they would be located and partly out into the space and the vents will be on the side and not visible from the front.

He commented that he would show them one more thing relative to the construction sequencing. He provided a drawing and reiterated that there were basically two floor plans – Type A and Type B. They set this up so that all of the apartments can be built as modular units - built off site. He showed a parting wall and explained that with modular units they come in two boxes that are 13' x 9' standard size for transporting on highways. This one will be slightly smaller. There will be 48 boxes for 24 apartments. While these are being built in a factory, they are going to be building on site and it will cut their construction time in half and hopefully it will be a little bit cheaper. There will be less disruption to downtown and he thinks they'll have an easier time in protecting people around the building and in scaffolding.

Mr. Matto concluded his presentation.

Atty. Thomas clarified that there was no truth in the rumor that he suggested plastic brick. He indicated that was their presentation and he added that he thinks the name Phoenix Towers is appropriate. There is no need to explain about the Matto family because Ralph Matto has been one of the most prominent and respected developers in this City for a great number of years. He said that they are prepared to answer any questions from the Commission and from the public.

Chair Parkins asked Mr. Matto about the renderings and if there would be any contrast in color on the columns going up on the top. She added that it just seems like a big mass of grayness.

Mr. Matto put up an external building rendering and stated that it is hard to control the colors on the computer and the printer because they come out really different but yes there will be more contrast. There will also be a difference in the sheen. He showed an area on the building that will be shinier, not reflective, but shinier. He referenced the website for Alucobond® to get an idea with the photos that they have online. The columns will be brilliant white so they are going to try for a lot of contrast. For the actual color of the Alucobond® there is an infinite array of colors to select but they haven't really decided yet but he'll keep her comment in mind.

Chair Parkins asked about the center hallway that accesses the elevator. She stated that she assumes it would be something that is open during the day for businesses but locked at night.

Mr. Matto responded yes. He stated that early on some of the first drawings that they had before the land swap, they were thinking of making that center corridor more like an arcade and they had that connection to the City parking lot but the more they thought about it they weren't sure they liked it and when Bridge Street got wider it would be redundant at that point. It will be open for the stores to use because that is where the extra bathroom is located.

Mr. Panico commented that grade issue too is what really mitigates most of the (inaudible)...

Chair Parkins stated that at the DSC they also talked about accessing the parking area from that side park so now that will have to take place further up if they've that enclosed parking area.

Mr. Matto responded yes one of the things they did is leave an opening in this back corner – there is a way to get (inaudible) – there is a 5 foot wide opening but it may not be in their drawings so you could walk this way but not the other way.

Chair Parkins commented that is Center Street on the left.

Mr. Matto responded yes. He stated that they don't know what the Town is going to do here and they are trying to leave options open. With the new parking layout here that Jim came up with he thinks that this whole connection here is very useful and (inaudible) there isn't going to be a need for that.

Mr. Panico commented that they were trying to figure out that 5 foot setback.

Mr. Matto responded that it wasn't on their drawings – it was within the 15 day period.

Mr. Panico responded OK but asked if it was in the site drawings.

Mr. Matto stated that it was brand new so they are going to have to get that to them. He explained what they did and stated that where it used to square off (inaudible) with the squares (inaudible)...

Chair Parkins responded that she wasn't getting the layout of what he is showing right there.

Mr. Matto stated that basically this wall came down and this intersected it at a 90° angle and there was a hard corner. He put another corner column, articulated part of the brick wall and pulled it back so it was in line with this so they get a more graceful corner for backing out of the lot and it opens up that corner so that they've got 5 feet of walk through.

Mr. Panico asked if basically it is at the end of the area that they set aside for their dumpsters.

Mr. Matto responded yes, correct.

Comm. Osak commented that this area impacts the general block with Center Street, Coram, White Street and Howe Avenue which is quite a large area and this is one small section of it.

Mr. Panico stated it was about 25% of it.

Comm. Osak commented about the common knowledge of the City appropriating some money about 10 months ago to hire a design firm for that whole block area. He asked the question, not of the Applicant, but to open a line of discussion about anything on this project that would impinge or infringe on the design flexibility of the rest of the area.

Mr. Panico responded no and that was what Atty. Thomas pointed out early on in this presentation that Mr. Matto's plans were developed in concert with what was going on down there. They tried to look at various plans and come up with one where they thought the Matto parcel could go forward and integrate nicely with several options for the balance of the site.

Chair Parkins added that this was the result of those discussions.

Comm. Osak asked if everyone was comfortable with the way it was going up until now.

Mr. Panico responded up until now, yes he was.

Comm. Dickal and Comm. Harger agreed. Comm. Tickey commented that the point earlier about parking was solved in part by some of the things they've been talking about with that plan from that consultant. He added that he thinks, in time, there is parking downtown, but before they can get more, (inaudible)...

Mr. Panico stated that as that two block area gets further and further developed, there will come a point in time when additional parking is going to be required especially if there is a possibility of City Hall going down there. If and when that happens, additional parking gets provided and the parking that you have on this lot gets integrated through what is now the Post Office site along the backs of the other buildings to the parking lot that comes in off of White Street – behind the Piermont block. It can all get extended and integrated with this parking facility. There is a lot of flexibility and a lot of options and a lot of good things that can happen.

Comm. Osak asked about the subject of City Hall and if the project that the City is working on came to a resolution about that question yet.

Mr. Panico responded no and added that what they tried to settle was the fact that of the schemes that they looked at for this two block area, conceivably a City Hall can happen in two of three different locations all of which would blend nicely with this proposal.

Comm. Osak commented that City Hall is already downtown.

Mr. Panico responded that there is nothing to say that it is going to happen there but if it wanted to happen there, there are at least three possible sites for it to happen.

Chair Parkins added that it doesn't have to be a City Hall.

Mr. Matto pointed out that it was that idea of "incorporate-ability" and not doing anything that would prevent any options that led to the idea of doing the land swap because the way that you used to access their property was from the City parking lot. If they didn't decide to do this additional curb cut and the City decides to put a building or parking garage there then they would be cut off. He added that putting this garden wall here solves the problem because they can do whatever they want now. They have the wider Bridge Street that works so well in the way that Jim laid it out, and they have an additional pathway that could be developed as an additional approach there.

Mr. Panico commented in regard to Frank's question, one of the things that delayed the processing of this particular corner was to make sure the study was extended far enough along to know what their parameters were and how well this development would fit if put there. He thinks that they finally arrived at the point where it looked like it could all be compatible and now allow the Matto's to move forward with more refined plans.

Comm. Osak commented and apologized that he wasn't able to make any of the meetings of the DSC but it is good to hear that.

Comm. Dickal stated that after everything had been worked on and discussed this is an exciting new era for their City. It is a beginning that has more to follow and added that she applauded everything that they've done.

Comm. Tickey stated that he appreciated all the back and forth and having been on the DSC with some of the other members, they've gone back and forth so much on different versions and the Applicant has been so willing to work with them. The attention to detail here is so special, widening the sidewalks, providing more parking than there was before, and the attention to green space. He commented that he'd love to see those utilities underground but the building presented adds value. He commended the Matto's, Ralph, Elaine and the whole family with their dedication to rebuilding this, making it right and adding value to Downtown. Over time he thinks that this will plug in really well with the greater plan for Downtown that they've worked on. He commended the Matto's for the road that they've been on and for what is ahead on this project.

With no other questions from the Commission, Chair Parkins opened the discussion up for the public. She called the first speaker.

Barbara McDermott, 423 Howe Avenue, Ripton Senior Housing, Shelton addressed the Commission. Ms. McDermott indicated that she has been elected on the Tenant's Association at Ripton Senior Housing and that is why she is here. She said that tenants are voicing their opinion and it great to have a building that is finally going to built on that site. They have a couple questions about what type of stores are going in there because they would like to see a little convenience store. She commented about hearing Starbucks which is great although they already have a Dunkin' Donuts. She added that there are only ten people in her building that drive so there are a lot of people who are walking.

Ms. McDermott commented about the stores on the first floor and if there would be able to access them from ground level or if they would have to go up those few steps.

Chair Parkins responded that the Applicant can address that after the end of the public portion.

Ms. McDermott commented OK and added that as far as the subject of traffic, she invited them over to the Ripton to sit on the deck to see how bad the traffic is adding that it is bad.

Susan Pavlik, 145 Canal Street, Birmingham Unit #113, Shelton, CT addressed the Commission. Ms. Pavlik commented in regard to the parking issues and stated that one of the main reasons she bought this unit in the Birmingham is because it is close to Downtown and she doesn't have to take her car out all the time. She added that is the essence of city living; she can walk where she wants to go, visit all the retail places, and the recreational areas without worrying about finding a place to park.

Ms. Pavlik stated that she thinks that is an important thing to consider – a lot of people will be walking. She also came to this area because of the promise of more development in the downtown area. She stated that she thinks this is a wonderful project and she's definitely in support of it.

Betty Lynn Paez, 65 New Street, Shelton, CT addressed the Commission. Ms. Paez indicated that her mother lives in the house that her great grandparents built on River Road in 1890 so she has a long connection to this City. She recalled the B.F. Goodrich fire in the 1970's and out of those ashes came the River Walk and In-Line Plastics so out of these new ashes she is happy to see a real renaissance for downtown.

Ms. Paez commented about this rebirth, this great design and the great designer, a local boy, Joe Matto who is also an award-winning architect. She commented that they should take advantage of his talents. She thanked the Commission.

Chair Parkins asked if there was anyone else in the audience wishing to speak for or against this application. With no comments, she asked Atty. Thomas to address the one question raised.

Atty. Thomas responded that the access to all of the stores is street level and fully within the handicapped. He thanked the Commission for their time and consideration. They are willing to answer any questions and work with Staff to make this project even better as they go along.

Mr. Schultz commented that they can close the public hearing. The Engineering Dept. will be providing an updated report to reflect the A-2 Survey that was submitted.

Mr. Panico stated that they need to understand that this is a two-part process. They are going to deal with the zoning aspect of it based on a general acceptability of their concept plan.

Atty. Thomas responded no this is a full – Initial Concept and Final Site Development Plan Approval request.

Mr. Panico commented OK and asked if they wanted them to wait on everything. He brings it up because while the public hearing is open on the zoning question, they can't really have a dialogue with the Applicant. The Staff could but the Commission can't.

Atty. Thomas responded that he thinks that the way it can be resolved is because of the confines of this site – they aren't going to be moving buildings around – there are certain things that are going to have to be addressed concerning the land swap. The details of the inside of the building and the details outside are discussed in many Final Site Development Plans. He believes that you can close the public hearing and they can meet with Staff. He's already said that they have to meet with Staff to tweak a few things to his Statement of Uses and Standards because of the parking issue.

Mr. Panico stated that it just puts Staff in a position of having to try to interpret the Commission's concerns and relay them to the Applicant and not have the ability for the Applicant and the Commission to interact with each other directly.

Atty. Thomas responded that he thinks with the public hearing open, if there are concerns with respect to the site plan or the engineering...

Chair Parkins stated that she thinks it is more about details.

Mr. Panico indicated that he's heard some comments from various members of the Commission relative to architecture and architectural design.

Atty. Thomas responded that the detail of the architectural design can be handled even after Final Site Development Plans. If there are changes, they can come in with the Modification of the Final Site Development Plans. He thinks that even though the apartments were a two-step process, he thinks the apartments behind Bertucci's came in about four times for tweaks to the architecture. He doesn't anticipate that here.

Mr. Panico responded that it came in four times because the Applicant wanted to bring it in four times not because the Commission requested them to come back four times with something different.

Atty. Thomas stated that it was the Commission's preference – if they want to...the Application is for the approval of the Initial Concept and Final Site Development plans.

Chair Parkins stated that she thinks that they are fine with the Concept.

Comm. Pogoda commented that the Concept is fine; it's the detail that needs to be (inaudible)...

Chair Parkins asked if everyone knew what the question was here and if they wanted to close the public hearing on the Concept and (inaudible)...

Mr. Panico responded that if they are going to close the hearing, he thinks that it is too messy if they don't just close the hearing.

Chair Parkins stated that they will close the hearing but they won't approve Final Detailed Development Plans.

Mr. Panico reflected back to another project that they recently decided to act on and even at the time that they acted on the PDD they weren't completely satisfied with the architectural aspect plans so they withheld Detailed Development Plan Approval until they got a response to the architectural concerns.

Chair Parkins clarified that they wouldn't be voting on it tonight anyway so they will close the public hearing.

Comm. Pogoda stated (inaudible)...

Comm. Dickal stated that they can (inaudible)...

Chair Parkins stated that they'll close but she's heard a few comments from a couple of different Commissioners – everyone has different opinions but they all aren't going to be incorporated but she wants to give them a chance to voice them.

Atty. Thomas commented that aside from the size of the site, one of the reasons that he chose to do a single application was the length of time it took evolve this.

Mr. Panico responded that he realizes that and they would not want to stretch that out because they know that their against the clock.

Chair Parkins stated that they want to see the project get started as well.

Atty. Thomas commented OK, they can address that but added that he thinks that closing the public hearing would be appropriate.

Chair Parkins asked Comm. Harger to read the one letter which had been submitted with the correspondence read into the record earlier.

Comm. Harger read the email correspondence addressed the Commissioners from Erica Schwartz, 54 Montgomery Street, Shelton, CT in favor of Application #15-10.

Chair Parkins asked for a motion to close the public hearing for Application #15-10.

On a motion made by Nancy Dickal seconded by Jim Tickey, it was unanimously voted to close the public hearing for Application #15-10.

Five minute recess 8:23 p.m.

Chair Parkins resumed the meeting at 8:28 p.m. with the public hearing for Application #15-11.

APPLICATION #15-11: GARY KNAUF FOR INITIAL CONCEPT/FINAL SITE DEVELOPMENT PLAN APPROVAL AND PLANNED DEVELOPMENT DISTRICT ZONE CHANGE (COMMERCIAL BUILDING), 561 BRIDGEPORT AVENUE (MAP 50, LOT 10), LIP DISTRICT

Chair Parkins asked P&Z Secretary, Comm. Harger to read the Call of the Hearing and any applicable correspondence for Application #15-11.

Comm. Harger read the Call and correspondence from the City Engineer and the Fire Marshal.

***See attached correspondence dated August 7, 2015 addressed to Richard Schultz, P&Z Administrator from Robert Kulacz, City Engineer.**

***See attached correspondence dated August 11, 2015 addressed to Richard Schultz, P&Z Administrator from James Tortora, Fire Marshal.**

James R. Swift, P.E. and Landscape Architect, 102 Village Drive, Shelton addressed the Commission. Mr. Swift submitted the Certificates of Mailing for the record. Mr. Swift indicated that this project is a small parcel and he provided a aerial site rendering. He explained that it was two acres located in the LIP zone on Bridgeport Avenue southbound. It is the last small parcel on the right side; there is the mobile home park, and a couple of small office buildings and then this last vacant piece of land.

The Commissioners may remember that the area was excavated some years ago. There is a cut in there as if it was a gravel mine or something of that nature. It is quite grown in now but you wouldn't know it unless you'd seen it previously.

Mr. Swift provided another rendering and indicated that they were proposing a mixed use development. The site is a light industrial park and they would like to take advantage of a mixed use type of development which would be commercial on the lower floor and office buildings on the upper floor. They can see from this layout there is a tremendous amount of the parcel in the

rear that is not useful because there is a wetland and a watercourse back there and also it there is a lot of topography to the site. So what they are doing is moving all of their development up toward the very front of the site to avoid those two issues; and, hence their request for a PDD.

Mr. Swift explained that it was a two-story building, approx. 4000 square feet of commercial on the first floor and about 4000 square feet of development on the second floor. They are proposing as a part of the PDD Regulations a common parking ratio of 5 spaces per 1000 on the commercial and 4 spaces per 1000 on the upper floor. It would result in a required parking area of 36 spaces and on their plan right now they are showing a total of 41 spaces so they do have a little bit of extra parking provided.

Mr. Swift commented that this building does not have a rear parking area so the second floor of the office building is located with all the parking down on the lower level. It's accessed through elevators and stairways which he will show them. As far as the commercial, it is a fairly small commercial building at 4000 square feet. In some of the technical sessions that they had with Staff, everybody thought it was important that they wanted all the commercial uses that they can but food service is going to be sensitive. The way that they wrote the allowed use for commercial, they did not exclude restaurants but they very specifically wrote the line for restaurant use to be low impact restaurant use. Also it was made subject to review and approval by the P&Z Commission.

Mr. Swift commented that a Mom & Pop pizza restaurant is a possibility but nothing like a high-intensity system. As they can see there is no drive-through or anything like that so they could be the only commercial building proposed in Shelton in the last ten years that isn't looking for a Dunkin Donuts drive-through.

As they can see, the driveway has one access off the State highway and the parking is in an "L" shaped configuration. The commercial parking is for the front of the building and the upper floors are more to the right. In the back right corner is where their service is for a masonry trash enclosure.

Mr. Swift stated that they have a Soil Erosion Control Plan which he provided. He discussed the grading and reiterated that they do have topography on the site. There is a slope here albeit even with some of it already excavated out now. He pointed out the dark gray areas in the back that were rock excavation toward the back of the site. In going over the topography of the site, Mr. Swift indicated that they gain a little bit of elevation but the parking lots are basically in a level situation. They are going to bury the back and the side of the building so that they don't have to excavate back there.

He pointed out a location where they have really good information on the quality of the ledge and the rock in the area. The adjoiner on one side does have rock excavation. It is a very good, clean face; it is very hard rock with a very straight, regular grade to it. He commented that if they look at the rock excavation in this location, it is the same sort so it is very consistent. They have about 28,000 cubic yards of material to be removed from the site. They don't have a lot of overburden so they are looking at 24,000 – 25,000 cubic yards of rock to be excavated from the site.

He reiterated that they do have such good information that they were able to do very specific rock profiles on each of the areas so they have a very good handle on what needs to be done out there. They have wetlands back in the rear and a watercourse. This has been presented to Inland Wetlands and has been approved by Inland Wetlands. Inland Wetlands is aware of this aspect of this site; they've gone over it in great detail and have approved it.

Mr. Swift stated that storm water – they are across from (inaudible) Brook which is a main brook in town. They have two sets of criteria that they have to meet – the City Drainage Ordinance which deals with both peak run-off flow and water quality – these days, he has been saying it for at least two years now that it has been in place – they do meet those Regulations. He is pleased to have a clean letter from the City Engineer. They are also tying into the State Drainage System and their hydrologist will also be looking into the site.

Mr. Swift commented that they are handling this with infiltrators in the front of the site under the parking lot which provide both the storm water retention and some water quality treatment. The other utilities available for the site are the sanitary sewer, gas, electric and water.

He provided another rendering to discuss landscaping and commented that it was straightforward. He indicated that a massive amount at the rear of the site remains undisturbed. There is not a lot that they need to do back there so they preserve a lot of the natural landscaping that way. In the front whenever they do something along the highway or the parking lot is in front of the street, they like to leave the ability to put a hedge in front of the cars which is shown in the rendering to hide those bumpers and get them out of the line of sight.

He pointed out an area where you can see the face of the rock cut toward the back, they'll plant some trees and shrubbery that will do well back there and have some shade trees toward the front. He concluded that was the site and reiterated that it was fairly straightforward. They meet all of the sight line criteria and they will be dealing with the State for this but it is very much in line with what has been going on in their neighborhood. He hopes the Commission is pleased to see the mixed uses instead of a purely commercial building being proposed.

Mr. Swift indicated that for the architectural plan, he would be representing Joe Mingoello (Mingoello & Hayes Architects, 90 Huntington Street, Shelton) tonight to discuss the architecture.

Mr. Swift presented the architectural plan adding that he thought it was a fairly simple plan, straightforward and very attractive. He provided a rendering of the front elevation and showed where they were dividing the lower commercial area into three separate storefronts. There is a lot of glass with a brick highlights with pilasters between the three uses and a brick wall toward the front. They bring elements of that brick up through the offices on the second floor. They have a very standardized sign board going across. Exterior lighting with a gooseneck lighting that comes across the top and standard signs for those three uses there.

He indicated that above that for the office use they have a little bit of (inaudible) below the windows just to pick that out a little bit, add a little legibility and a solid line of glass across that. Mr. Swift indicated that above that Joe has added a nice series of doghouses to give it a nice colonial look with the asphalt shingles.

He pointed out the layout for the lobby and entrance area to the elevator and stairs going up to the second floor. He commented that he also submitted a Traffic Report and Neil Olinski is here from Milone and MacBroom.

Mr. Panico asked if he changed the design of the roof from standing seam metal to asphalt.

Mr. Swift responded that he doesn't recall if they had that discuss but he thought the Commission really wants asphalt architectural.

Mr. Panico responded that they weren't terribly fond of the standing seam metal roofing.

Chair Parkins indicated that the plans that they have in front of them show the standing seam.

Mr. Swift commented that he didn't realize they did. He commented that they were scrambling a little bit to get this together so if the plans that they have on file are standing seam, for the record, they are proposing this architectural asphalt roof.

Chair Parkins responded thank you for the clarification.

Mr. Swift indicated that Neil Olinski from Milone and MacBroom is here to pass out the Traffic Report to the Commission. He stated that Neil could certainly give a presentation but he highlighted the fact that they are on a State road. This is a very small project in the world of Bridgeport Avenue. This is a very thorough report and Neil can answer any questions that the Commission has but the only difference that they are going to see in the conclusions is that there was a suggestion made that instead of a single exit lane that they do two exit lanes for both a right and a left turn which they can add.

Comm. Harger responded that she is glad that he brought that up because that was exactly what her concern was. If someone goes down Bridgeport Avenue and goes by it and misses it...

Mr. Swift stated yes, Neil picked up on that too and put it into his report. They are happy to do that. He commented that interestingly, after the previous application, this submission is for both the Initial Concept Plan Approval and Final Detailed Development Plans Approval. Since it is so simple and straightforward, he thought that might doable and the owner is in a rush to get the excavation done this fall but clearly that is up to the Commission. If the Commission sees fit, they appreciate it but if not, they'll handle it anyway the Commission wants to approach it.

Comm. Pogoda asked about the three storefronts and if they would remain three separate storefronts. If someone comes in and needs two of them for a single store or even one tenant for all three...

Gary Knauf, 19 Elderberry Lane, Shelton, CT addressed the Commission. Mr. Knauf responded that he would leave that up to the tenants.

Comm. Pogoda commented OK, so it isn't steadfast that he has to stay with three tenants.

Mr. Knauf responded correct.

Mr. Panico clarified that it would be a maximum of three tenants though.

Mr. Knauf responded correct. He clarified about the roof and stated that when Joe Mingoello designed the original plan, he came back from one of the Commission's other meetings about a Downtown project and said that the Commission didn't want that metal roofing. He added that Joe isn't here tonight and he didn't discuss it with Jim Swift so that might explain the confusion.

Comm. Harger asked about widening the single driveway entrance and why there wasn't two entrances – one on either side of the parking lot.

Mr. Swift responded that there were a couple of reasons. They were trying to minimize the rock excavation there. He stated that this was the higher side of the DOT roadway and secondly, for their purposes it would cost them parking spaces. Also, in regard to the DOT, the fewer curb cuts the better. The DOT does not like a lot of curb cuts.

Comm. Harger asked what the width of this was compared to the Quest Lab/Cork & Keg location – is it half or...(inaudible).

Mr. Swift responded that he thinks Quest is two connected parcels – he stated that he thinks that they are about twice the width of this parcel.

Comm. Harger asked if they would still meet the parking standards if they had another exit and entrance.

Mr. Swift responded that he believes that they would but he believes the DOT would give them a hard time.

Comm. Harger stated that he doesn't know for sure that they will say no. She added that she thinks it is a convenience and gets more people in and out.

Mr. Swift responded that he doesn't know. They are more than happy to expand the single entry way to a dedicated right in and left out (inaudible)...

Mr. Panico asked what they were doing with site lighting.

Mr. Swift responded that site lighting is pretty standard. They don't have a lot of parking area to light so they are looking at the 20 foot pole. He showed the location for two different lights and also two lights in the front.

Mr. Panico commented that in concert with Ginny's concerns about missing the driveway, if the driveway is well illuminated than it won't be missed as much.

Mr. Swift agreed and stated that they can double up on the lighting at the entry way too. The sign does need to be back out in that island there and they'll certainly be able to see that.

Mr. Panico asked if there was any intention of having a ground sign or lighted sign.

Mr. Swift responded yes but they just don't have the design for that yet. As the Commission knows, they will be back for that once they have something roughed out.

Mr. Panico asked him to explain a little bit more what he means by a low impact food operation. He asked how he defines it and how he would limit it.

Mr. Swift responded that he understands and this is something that they talked about in a technical session, they understand that it is not going to be a drive-through. It is not going to be an in-and-out pick-up type of service. A coffee shop wouldn't want to go in there anyway because there is no drive-through or any of those kind of things that have a high-intensity.

Chair Parkins asked if he could just name something because she can't imagine anything there other than a small coffee shop to service the building tenants which would be an accessory use. She reiterated that she can't imagine anything that would be a low-intensity use on Bridgeport Avenue.

Mr. Panico added that they don't have enough floor space to survive on just serving the building.

Chair Parkins stated that they could take up the three storefronts on the bottom.

Mr. Panico clarified that there isn't enough business for a coffee shop to survive just serving that building's tenants though.

Mr. Swift agreed.

Chair Parkins commented that even a low-intensity store wouldn't make it.

Mr. Swift responded that he thinks it is a question for them to have a dialogue about because it was something that Staff had questions on and thought...they really don't want a 4,000 square foot restaurant. He thinks that they agree on that because there is not enough parking for a 4,000 square foot restaurant and that is why the Statement of Uses and Standards specifically refers it back to P&Z Commission.

Chair Parkins responded that it is a PDD so it would come back to them anyway.

Mr. Swift commented that not every user; if a user changes from one typical retail-type of an outlet to another retail type of an outlet.

Mr. Schultz responded that it would still come back to the Commission.

Mr. Panico commented about the mention of banks and added that it would even be difficult for a bank to go into a portion of that building without the benefit of a drive-through.

Mr. Swift responded yes, that's correct and it is a built-in deterrent to those kinds of uses.

Chair Parkins stated that there is going to be a lot of back and forth when they try to come in for a restaurant use or food use.

Mr. Swift responded yes, they understand that.

Comm. Tickey agreed that it wouldn't be high on his list.

Chair Parkins stated that any place serving subs, like a Nardelli's, would be a high-traffic generator especially on that road with very good visibility.

Comm. Osak commented that the limitation of parking will govern who is going to occupy that space.

Chair Parkins stated yes to a degree.

Comm. Osak commented that if there isn't enough parking, the high intensity uses will steer clear of it.

Chair Parkins responded not necessarily, they will still try.

Mr. Swift stated that it does depend on the uses. It is not hard to envision some uses – he thinks Gary can talk about this, he's got plans to possibly use the upstairs office for himself. They are reserving 16 parking spaces and if there are only 4 or 5 employees in the upper offices than there are a lot of parking spaces available. It is one of those things where they build it, they put in the precautions to give the authority to govern these kind of things but if it turns out that they have plenty of parking than they have plenty of parking.

Mr. Panico asked if he would contemplate medical offices going in there.

Mr. Swift responded that it would have to be very specialized because they could be shooting themselves in the foot if it is the wrong kind of medical office.

Mr. Panico indicated that they have to go over that Statement of Uses.

Mr. Swift responded yes, absolutely.

With no further questions or concerns from the Commission, Chair Parkins asked if there was anyone in the audience wishing to speak for or against this application. There was no one signed up to speak and no one wishing to address the Commission. Chair Parkins asked for a motion to close the public hearing.

On a motion made by Virginia Harger seconded by Jim Tickey, it was unanimously voted to close the public hearing for Application #15-11.

APPLICATION #15-14: DOMINICK CERRITELLI FOR ZONE CHANGE (IB-2 TO CA-2), 415 HOWE AVENUE (MAP 129, LOT 33)

Chair Parkins asked P&Z Secretary, Comm. Harger to read the Call of the Hearing and any applicable correspondence.

Comm. Harger read the Call and one piece of correspondence from the City Engineer.

See attached correspondence dated August 7, 2015 addressed to Richard Schultz, P&Z Administrator from Robert Kulacz, City Engineer.

Chair Parkins commented that she thought they would do the two applications together because they are related and asked her to read the Call of the Hearing for Application #15-15 as well.

Comm. Harger read the Call for #15-15 for Three Bridges Coffee House. There was no applicable correspondence.

Dominick Cerritelli, Partner with Conte Associates addressed the Commission. Mr. Cerritelli indicated that he was a partner with Conte Associates with his mother, Madeline Conte Cerritelli and his three sisters. Their hope is to change the zoning of the Conte Building for 415 Howe Avenue to evolve with the changes happening in Downtown Shelton. It would allow them to provide more flexibility for potential tenants coming into the building.

Mr. Cerritelli stated that it was fairly straightforward. Judy Rockwell is applying for a coffee shop in the front entrance so they plan on doing this in conjunction. He asked if they had any particular questions.

Mr. Cerritelli stated that they spoke to the DSC about the plans to enhance the building aesthetically and structurally, repairing the sidewalk, having it skim-coated later on this year around September or October. The concern they have is that there is a vault located beneath the sidewalk that would preclude completely digging it up. They would apply a cement coating that would repair it but not be as permanent as completely digging it up and adding brick. It was one of the challenges that they've had with this sidewalk.

Chair Parkins asked if the vault was the length of the sidewalk, the total length of the building.

Mr. Cerritelli responded that it was probably 80% of the sidewalk because it is their basement so another two feet and you'd be in their basement.

Chair Parkins stated that one of the differences between the DSC is that it is an advisory committee, not the full Commission. Typically when applicants come to the DSC and discuss it, it is kind of just a prelude to coming before the full Commission. For the benefit of the full Commission, she asked if he could talk a little bit about the improvements that he has planned. One of the Commission's concerns is if they'll start having applicants coming into his building that want to start making modifications to their entrance ways and that there is no consistency of his building. They want to know what he plans on doing to improve his building for the benefit of the whole Commission.

Mr. Cerritelli responded that in addition to the sidewalk, the Chromium Process building is being taken down and they plan on revitalizing in conjunction with the plans of the City for additional parking. They plan on power washing the building to improve the aesthetics for the brick as well as repainting. They plan, as it relates to West Canal, it is going to be done in unison with the planning of that space. He indicated that they will be painting parts of the building and either painting or replacing the awnings. Generally, beautification and immediate structural enhancement including roof repairs and replacement.

Chair Parkins asked about the tanks at the side of the parking lot.

Mr. Cerritelli responded that it is on the list of what they plan to do. It is a big building, 143,000 square feet – that is most definitely on the list. They could provide a short term fix of painting it but they are also in the process of reaching out to scrap metal providers to work out a deal. They are empty but maybe in exchange for the cost of the scrap, they could just take it out.

Chair Parkins asked if he had a timeline for any of improvements other than the sidewalk which he said would be around September or October.

Mr. Cerritelli responded that it is in a state of becoming – in terms of West Canal there was a discussion of whether to do it prior to or in conjunction with the demolition of Chromium Process. They will work with the City on that. There is also signage that they are working with their architect, John Ruffalo on putting it into place for painting and signage. They want to be in keeping with the enhancements that are taking place in the City. They feel that things need to be done for the better of the town, the family, and the businesses and to attract additional businesses.

Chair Parkins responded that signage is very important and they prefer not to see signs hanging from the building or mounted to the roof or windows. They would appreciate his cooperation on that. She commented that they look forward to seeing the improvements and asked if other Commissioners had any comments or questions. With no further questions she asked to hear from the Applicant for #15-15.

APPLICATION #15-15: JUDY ROCKWELL FOR SPECIAL EXCEPTION APPROVAL (FOOD ESTABLISHMENT), 415 HOWE AVENUE (MAP 129, LOT 33).

Judy Rockwell, for Three Bridges Coffee House in the Conte Building addressed the Commission. Ms. Rockwell indicated that she showed some of her renderings at the DSC but she would show them again to the full Commission.

Ms. Rockwell commented that she is a very visual person and when she saw this space at the Conte Building, it reminded her of the heritage of Shelton and the heritage of the building and she has a (inaudible)...

She indicated that she thought a great way to use that space would be to open a coffee house with the premise was that the coffee house would serve fine coffee, espresso, cappuccino, snacks such as cookies, cakes, etc. and light salads and sandwiches. She added that she was not a baker or a cook so she doesn't intend to go in there and cook everything. She intends to get the best of what other people have to offer and sell it there. She provided examples such as finding the best cupcake maker in the area, selling it; find the best cookies, selling them, etc. She has already looked into the best coffee that she thinks would work there and has picked up her equipment such as espresso machines, etc.

Ms. Rockwell commented that the rendering shows a feel for the brick, hardwood floor, raised ceiling that has an industrial feel of open ductwork – using the space pretty much the way it is but bringing it forward.

Ms. Rockwell indicated that she has a floor plan done by architect, John Ruffalo that she presented to the Commission. The floor plan shows the windows that can be seen from the exterior and added that they are her primary focus. She'll have tables in front of them and a hanging lamp. There will be a lot of open space, a counter top and behind the counter an area for the espresso coffee stand and a small food prep area to make salads. She added that they won't have a big grill or anything like there.

Chair Parkins clarified that the tables by the windows would be on the inside.

Ms. Rockwell responded yes, on the inside. She added that maybe at some point they could put some tables on the sidewalk but she'll start with tables inside for people to come up to the counter, order coffee and pie and sit down to eat. As part of the requirement, it was asked that she submit letters to business/property owners in the vicinity and she did so. She submitted those letters and the receipts of mailing/return.

Mr. Panico asked if this was all of her lease space.

Ms. Rockwell responded it is.

Mr. Panico asked if it was also along the back wall.

Chair Parkins commented that it was an office back there.

Ms. Rockwell responded that the existing office was within her space.

Mr. Panico commented that it goes from the elevator over to the #1 space out to Howe Ave.

Ms. Rockwell responded to the corner of Howe, yes that's correct. The bookstore is her neighbor and the elevator is next door. Within her space she has a corridor, three office spaces, two bathrooms, an open area in the back for food prep and the front is all for the retail customers.

Chair Parkins asked if the offices were used by her or would she be subletting them.

Ms. Rockwell responded that they are utilized by her.

Comm. Harger asked if she would need all three offices to operate the coffee house.

Ms. Rockwell responded that she is a clothing designer and she has (inaudible) so the other two spaces are for her clothing line.

Comm. Tickey asked if any of it was going to be open to like students to utilize one of those small offices, if they are coming for coffee. He asked if it was a workspace for the public or were they her offices.

Ms. Rockwell responded that she has more office space than she probably needs to use and that can be addressed if someone can use it. She plans on having this base, she is very community-minded and she understands that there is huge pedestrian traffic and with all the apartments in the area she would like to have people come in to sit, relax, have coffee and not have to spend a lot of money and enjoy the space.

Comm. Tickey stated that she may find that there is a need for that with students who come down needing work space.

Ms. Rockwell responded yes, if it is OK with Zoning.

Chair Parkins responded that the addition of her having an office for a separate business within this business would have to be incorporated into this Special Use permit because she is operating two separate businesses.

Ms. Rockwell responded that it was not even a business; it was just space that she could use because the other is not up and operational yet.

Chair Parkins stated that at such time that it becomes operational, she would have to come back to the Commission and let them know.

Ms. Rockwell responded OK.

Mr. Panico asked her to discuss her hours of operation and menu.

Ms. Rockwell responded that she would like to be open early in the morning about 7 a.m., Sunday through Wednesday until about 7 p.m. or 8 p.m. depending upon the schedule of the other tenants in the building. She looks at herself as a service to those tenants and if there are classes being held with continuing education or with any of the other tenants, she would like to be able to coordinate and be open for them. On Thursday, Friday and Saturday, she would like to be a resource for the Downtown area for people to come in after dinner and provide a non-alcoholic place to gather. She likes to go Downtown for dinner but she finds that after she has dinner there is no place to go if she doesn't want to have a cocktail. It would just be somewhere to go and have a coffee – she doesn't want to go home at 10 p.m. but she doesn't want a cocktail.

Chair Parkins commented that at first she had proposed possibly serving wine and having a wine bar.

Ms. Rockwell responded yes, maybe somewhere down the line. She isn't proposing it right now.

Mr. Panico asked what would be the customer points of access to this establishment.

Ms. Rockwell responded that customers are expected to come through the main door on Howe Avenue. There is a doorway there with two steps and she'd like to put signage of the door for customers to come in through that door. For the building tenants, there is an entrance at the corridor where the office spaces are behind the bookstore.

Mr. Panico asked if that (inaudible) all of the other tenants in the building or just the ones in this little area.

Ms. Rockwell responded that it leads to the main doorway so that is also handicapped access with a ramp so you can come into the side entrance by the parking lot and into her space. There is all another entrance along the other corridor. She doesn't plan to use that as an entrance but as an exit if people would like to leave that way.

Chair Parkins asked if she would leave that door open from that main entrance where the elevator is located. She asked if she would leave that door open as access to her coffee shop.

Ms. Rockwell responded as an access, yes, especially for the tenants of the building because they wouldn't go out of the building and around (inaudible)...

Inaudible comments ...(multiple conversations)

Chair Parkins asked what else they were proposing for the outside of the building.

Ms. Rockwell indicated that originally she had wanted to do awnings and some tables, planters but she would just like to get in, getting running and see what happens from there. If it ends that she'd like to put tables out there then she can approach the Commission again to come up with a different plan.

Chair Parkins commented OK and added that as far as the awnings, they have to coordinate with what is being done for the rest of the building.

Ms. Rockwell responded that she is really just looking to improve it. She thinks that (inaudible) first so having it looking beautiful brings more people in so her goal is to make it look as good as it can.

Chair Parkins commented OK that sounds good and asked if there were any other questions from the Commission for Ms. Rockwell or for the property owner, Mr. Cerritelli.

Comm. Osak stated that the previous hearing was for 415 Howe Avenue to change it to a CA-2. When it is done then this would be a permitted use.

Mr. Panico responded yes, that's correct, a Special Permit. All food establishments require a Special Permit.

Chair Parkins commented that she is asking for it prior to them approving the zone change.

Mr. Schultz added that it was contingent on the Zone Change for #15-14.

Mr. Panico stated in the old zone it would not be permitted at all.

Chair Parkins stated that this is just saving a little bit of time for her to open as they coordinate the two projects together.

Comm. Harger stated that the Applicant has to understand that just because she has leased space and intends to start off with the coffee shop, any other uses in that area that are different have to come back for a discussion before the Commission.

Chair Parkins opened the discussion up to the public for anyone wishing to speak in favor of or against Application #15-14 and #15-15.

Susan Pavlik, 145 Canal Street, Birmingham Unit 113, Shelton, CT addressed the Commission. Ms. Pavlik commented that she is in support of both of these applications.

Barbara McDermott, Ripton Senior, 423 Howe Avenue, Shelton, CT addressed the Commission. Ms. McDermott commented that this was a great idea but she has a couple of questions. She asked if it would be handicapped accessible and would it be in the City parking lot. If there are steps, the wheelchairs or walkers aren't going to be able to do the steps so where would the handicapped entrance be and would it be in the back where the City parking lot is. Many of their residents walk back to the Farmer's Market with walkers so they want to know where the handicapped accessible access would be.

Ms. McDermott stated that it was a great idea, the more things on Howe Avenue that people can walk to the better.

Betty Lynn Paez, 65 New Street, Shelton, CT addressed the Commission. Ms. Paez commented that she loves to see the center of Shelton come back to life. She has been waiting and she feels that now there is really enough energy to make it happen and she thinks it is great.

Monica Leggett, 50 Mohegan Road, Shelton addressed the Commission. As the others stated, she would really be in favor of both the zone change and encouraging more retail and restaurant type of establishments in the building. She likes the idea of having some kind of uniformity because the building is a little bit confusing.

John Mihalko, 100 Parrot Drive, Shelton, CT addressed the Commission. Mr. Mihalko stated that he agreed with the other speakers. He thinks the building is kind of an eyesore so any enhancement would be well-accepted. If they are going to have more businesses than parking is going to become an issue. He asked if there was any way they could use that lot to make a parking garage because that could alleviate a lot of parking in terms of both the Matto building too.

Mr. Mihalko commented about hearing there may be a Starbucks coming in Downtown— he would rather support someone local than give business to a Starbucks or Dunkin’ Donuts. He agreed that there wasn’t anything like this in that area of Shelton – a unique little coffee shop where you can go and just sit. With one-bedroom apartments coming in, they cater to younger people and he thinks a little coffee shop would really attract a lot of business.

David Broder, 143 Longfellow Road, Shelton addressed the Commission. Mr. Broder commented that he thinks the re-zoning of the Conte Building is an absolute necessity. Right now it is industrial-zoned and there is nothing industrial about it. Shelton is no longer an industrial town. He thinks that the building will be beautiful cleaned up and spruced up; the architecture is traditional and historic. It is a part of Shelton. To open up that building for other businesses, maybe a retail center, then it becomes a destination and stops becoming that brick building that everybody just passes by. It becomes a place where people will go and there is plenty of room in it for retail. He strongly encouraged the Commission to allow the zoning for both the retail use and to allow Judy Rockwell to open her coffee shop. It will be the first step toward a renaissance with that building and the whole Downtown.

Chair Parkins commented in regard to the question about turning that parking lot into a parking garage. The City does not own that parking area, it leases it from the utility that is located across the street. She added that parking garages do not come cheap either – they are extremely expensive to build.

Mr. Mihalko responded that the renovations needed for the Matto Building are going to be pretty expensive too.

Chair Parkins stated that it was private development and there is a difference between private development and taxpayer dollars. She just wanted to clarify that. She asked the Applicant, Dominick Cerritelli to address the handicapped access questions.

Mr. Cerritelli responded that there is handicapped access from the Howe Avenue entrance. There are no steps. With regard to the staircase going down to the parking area, that is leased by the City of Shelton but there are no steps to access the building for the proposed coffee shop. There is also an elevator in the building.

Chair Parkins commented that they would walk down to the entrance that is right before the stairway going down – there is an entrance door. There are no steps leading into the building and it is straight down the hall to the coffee shop. She thanked the Applicant.

With no further public comments or Commission questions, she asked for a motion to close the public hearings.

On a motion made by Jim Tickey seconded by Virginia Harger, it was unanimously voted to close the public hearing for Application #15-14.

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

OLD BUSINESS

AGENDA ADD-ONS

Chair Parkins asked for a motion to add a couple of items to the Agenda for Applications of Certificate for Zoning Compliance for signage on Howe Avenue #347 and #439.

On a motion made by Anthony Pogoda seconded by Jim Tickey, it was unanimously voted to add an agenda item under Applications for Certificate of Zoning Compliance/Old Business for Application #0347, 433 Howe Avenue, wall sign.

On a motion made by Anthony Pogoda seconded by Jim Tickey, it was unanimously voted to add an agenda item under Applications for Certificate of Zoning Compliance/Old Business for Application #0439, Sean Lee, D.D.S., 488 Howe Avenue, wall sign.

APPLICATION FOR CERTIFICATE OF ZONING COMPLIANCE

SEPARATE #0426: TOM LIACOS, 10 WATERVIEW DRIVE, DUST COLLECTION

Thomas Liacos, Mercantile Building, 10 Waterview Drive, Shelton addressed the Commission. Mr. Liacos indicated that they want to add a dust collector to their manufacturing and production facility because they are a converter. They do some paper converting and through some processes they accumulate some dust from their manufacturing. They want to keep their environment clean for their people. They have a 150,000 square feet facility, 3,000 square feet of that is production for (inaudible) rest of the warehouse.

Mr. Liacos indicated that they want to capture most of the dust that is being generated from their production to an outside ventilation which is a dust collector. They want to put an exterior system in on a factory pad outside which is adjacent to Plaskon Drive which is a residential area. He stated that they wanted to do it in a good manner and be a good neighbor to everyone there. It will create a little bit of noise. It is graded for 75 decibels (db) and they want to make sure that they are fully within that standard.

Chair Parkins commented that was pretty high and asked if it was a constant noise.

Mr. Liacos responded that it would not be constant.

Comm. Pogoda asked how often.

Mr. Liacos responded that more than likely it will be for a 6 hour run period. They are only there for 8 hours a day during production. They aren't a 24/7 business. They have a buffer between their facility and the neighbors with about a 200 foot tree line. They also have pine trees that border their property. There will be silencers on that system.

Chair Parkins asked if it gets silenced down to 75 db.

Mr. Liacos responded that the manufacturer of the equipment could not give him a complete decibel reading on it until the equipment is installed and being outside, the silencers and everything. He didn't have all of that information.

Chair Parkins asked how a manufacturer can sell it without a db rating.

Comm. Harger asked if there wasn't any way to contain it in a structure.

Mr. Liacos responded that they could put shrubs or a fence if need be so if there is any noise it can go into the atmosphere above that.

Comm. Harger commented that she didn't understand why this was outside if they were trying to mitigate dust inside.

Mr. Liacos responded that they are drawing air from the building and bringing it back into the building. They have a controlled atmosphere humidity and air conditioner in their facility so they are drawing dust from their production equipment, filtering it and bringing the air back into the building so that they don't lose any of that air conditioning and/or heat. It is being filtered, brought into filtration system and the dust is being collected and it will be removing dust from the building.

Mr. Liacos stated that the reason that they brought it outside is because they didn't want to have any potential for a fire inside the building if there is being dust collected. They have had their dust analyzed and there is not a fire potential but they want to be certain. To make sure they are putting dampers throughout the duct work which will add smoke detectors and sensors. If there happens to be a flash fire, which they are pretty certain there will not be, the dampers will close and prevent the fire from going outside or coming back inside the building.

Comm. Harger asked if some of their activity inside as intense as though what is shown in this paperwork from the manufacturer. It shows pictures of metal grinding...

Mr. Liacos responded no, they are a non-woven paper converter. They take big rolls of paper, tissue paper, heavy duty wipers, run it through their process, cut them, slit them, fold them, box them, roll them and they sell them to job shops, Home Depots, etc.

Chair Parkins asked if it was toxic.

Mr. Liacos responded it is not toxic. They are throw away paper wipers. The dust that comes off of those tissue papers are basically being collected through this dust collector.

Comm. Harger asked if they were like big paper towels.

Mr. Liacos responded yes.

Chair Parkins recalled that if her memory serves her correctly, this a location in which they had some neighbor issues regarding trucks, compactors, etc.

Mr. Liacos responded yes they dealt with the trucks coming into the parking areas prior to 7 a.m. and they put gates on their locations. They keep the gates closed and they made sure that the trucks no longer access the back lot until 7 a.m. and they close it at 3:30 p.m. Their shipping is from 7 a.m. to 3:30 p.m. and that is it. He added that was how this unit would be also.

Chair Parkins asked if this unit would only be running during the hours the business is operating, potentially between 7 a.m. and 3:30 p.m.

Mr. Liacos responded that is correct.

Comm. Pogoda asked for clarification that they would run it for six hours straight.

Mr. Liacos responded that they will more than likely be running it for 6 hours on a continuous basis.

Chair Parkins commented that she is concerned about the 75 db – that is quite loud.

Mr. Liacos responded that they plan on taking readings for it.

Chair Parkins added that she thinks it is higher than their Noise Ordinance.

Mr. Schultz responded yes, for residential so they have to get a handle on the total dba.

Mr. Liacos commented sure, they can do that. He'll go back to the manufacturer and if need be, they can put some sort of a barrier but they do have a buffer zone between their facility and the

residential area. They've planted quite a few pine trees back there. They've also made sure that the shipping and receiving areas are closed during certain hours so that it doesn't disrupt the neighbors. He added that he thinks they've been compliant with all of that.

Chair Parkins responded that they haven't had any further complaints. She asked if it needed ventilation or air flow.

Mr. Liacos stated that it only requires air flow from their internal production area.

Chair Parkins asked if they were to enclose it with any brick walled enclosure, would it be against the manufacture warranty or anything.

Mr. Liacos responded that he couldn't say because he hasn't spoken to the manufacturer about a completely enclosing it like that. He doesn't think it would be necessary to put it in a room; that is basically what they would be doing. If they went ahead and did that it would be a whole different ballgame.

Comm. Harger stated that it would still be outside, there would just be a structure containing it.

Chair Parkins indicated that they need more information from the manufacturer. She asked him to get some more defined information from the manufacturer.

Mr. Liacos responded yes, and added that they could put some kind of barrier around it.

Chair Parkins asked if it had to be on that side that faces the residents. She asked if it could be somewhere else on the property.

Mr. Liacos responded that it is closest to the production area there and that is why they asked for that location.

Comm. Harger stated that it would be helpful for her to see some kind of perspective showing the building location, the number of feet, what is behind it, etc.

Chair Parkins added if he could just do a Google map of the area.

Mr. Liacos responded yes he could do that.

Chair Parkins asked for a motion to table this until the next meeting. She told the Applicant to work with Rick Schultz on it.

On a motion made by Anthony Pogoda seconded by Virginia Harger, it was unanimously voted to table Application #0426.

SEPARATE #0416: PRIME LENDING, 112 HUNTINGTON STREET, BUSINESS/SIGN

Mr. Schultz indicated that Mr. Frederick Serra is moving his business from Huntington Street at the corner of Lane Street to the Scinto Towers. He has found a replacement occupant, Prime Lending, a plane scaffold company. The company will be occupying 3000 square feet which is what Serra Insurance currently occupies.

Chair Parkins clarified that it was a house.

Mr. Schultz responded yes, a two-story house. There will be 10 employees, 6 in the office and 4 on the road which is consistent with the previous business. Hours of operation are Monday through Friday, 9 a.m. to 5 p.m. Company vehicles are all private vehicles. Staff is recommending that this is a good fit. He distributed a rendering of a sign that they are also proposing.

Chair Parkins commented that there is plenty of parking there for 10 employees. They are currently located on the corner of Commerce and Huntington Street.

Mr. Schultz indicated that Mr. Serra will continue to own the property and as the Commission is aware, he has maintained that property well since he moved in.

Comm. Pogoda asked how many employees did Frank have there – basically the same as Prime Lending. He added that he never saw a problem with anything there on Lane Street (inaudible)...

Chair Parkins commented about the sign rendering and stated that they need to add a street number at the top or the bottom of the sign.

Comm. Pogoda asked if there would be lights on the sign.

Mr. Schultz responded that he had some lights there coming up from the ground.

On a motion made by Anthony Pogoda seconded by Virginia Harger, it was unanimously voted to approve 0416 for the business and the sign with modifications.

SEPARATE #0423: JOLENE MESSERE, 216 LEAVENWORTH ROAD, BUSINESS

Jolene Messere, Anything Goes Fitness, 216 Leavenworth Road, Shelton addressed the Commission.

Ms. Messere indicated that this location is currently the White Hills Diner which is now out of business. They are proposing to put a private personal training facility in there. It is 2200 square feet, she and her partner, David Geleso are looking to open in the next 30 to 45 days. Mr. Wells is the landlord there and he is working with them to get the facility up to code. Very little work needs to be done to the facility. It is handicapped accessible and there is more than enough parking. There are very little renovations to be done and they have all the equipment. The concern was that it was a diner before and now it would be a private personal training facility and it was recommended to her that they come down and propose it to the Commission.

Comm. Harger asked what the hours would be.

Ms. Messere responded that right now they are by appointment only. It is a semi-private personal training studio with nutritional counseling. They have enough room in the back of the facility to offer a small group classes with 10 to 15 people at the most. Classes such as pilates, yoga, and other fitness activities that aren't open at night. There is a yoga studio in the Plaza but besides that the closest gym is either the Edge or a small multi-function gym like this in Monroe. Obviously, off of Bridgeport Avenue there nine other small gyms. She stated that they aren't a Mom & Pop store, they offer a very specific type of training, one-on-one training with herself, David or another trainer with them that are all certified.

Comm. Harger asked if they would start at 7 a.m.

Ms. Messere responded that it would be whenever someone scheduled a session. They wouldn't necessarily be open to the public immediately so it would be by appointment only. She has a pretty substantial client base that will be training with her. Open for classes, everything is online registration but ideally it would be 9 a.m. to 5 p.m. if you are coming in during the day. They wouldn't necessarily be open to a huge client base. There may be only 40 memberships for people not training with a trainer. It is designed to be a one-on-one, "I have an injury," "I'm not comfortable going to a big box gym," and it is an opportunity for people to come in for that semi-private feel. If you come in and train with me, then you can come in and use the gym from 9 a.m. to 5 p.m. As they grow, those hours will change but right now it is appointment only.

Comm. Pogoda asked how many days a week.

Ms. Messere responded six days a week with only one class on a Sunday. It is not going to be open to the public on a Sunday. It might be a day where they teach a boxing class or a barre class or a specialty class where you need one-on-one attention which is why they keep the classes small. They want it to have that personal touch.

Chair Parkins asked what day they would be closed.

Ms. Messere responded Sunday.

Chair Parkins commented that she just said that there was a class on Sunday.

Ms. Messere stated that they would offer a class.

Chair Parkins responded that they are really open 7 days/week then.

Ms. Messere commented yes, she's right.

Comm. Tickey asked the name of the business.

Ms. Messere responded Anything Goes Fitness, LLC.

Chair Parkins asked if the classes with 10 -15 people would be held during the hours of 9 a.m. to 5 p.m. or after 5 p.m.

Ms. Messere responded that currently they would be outside of her training hours. It would be two classes between 9 a.m. – 5 p.m. and the other two would happen between 5:30 p.m. – 8:00 p.m.

Chair Parkins asked if it would be two classes held simultaneously or two classes held back to back.

Ms. Messere responded that she's the only class instructor and their facility wouldn't be able to accommodate that. Right now it is herself and David doing most of the teaching so it is pretty much when she isn't with a client for those classes.

Comm. Harger asked if she could foresee staying open as late as 10 or 11 p.m.

Ms. Messere responded no but she could foresee an after work client situation like for someone who works in New York and who can only be home at 9 p.m. They would have an hour or half hour session to accommodate that person. Their insurance won't allow them to be open past 10 p.m. and it won't let them be open before 5 a.m. because it has a different liability as does being open 24 hours a day. They have to operate within those guidelines.

Chair Parkins stated that is kind of what they are looking for too in regard to asking her schedule. They aren't asking what is going to be next Monday, they are asking what they foresee their hours to be in the long run. She asked if it could possibly be at 5 a.m. in the morning.

Ms. Messere responded that she would say possibly 5 a.m. because they have a lot of clients who like to come in before work. She definitely doesn't see them being there until 10 p.m. unless there are special circumstances.

Chair Parkins asked if she said she couldn't be there past 10 p.m.

Ms. Messere responded that's correct, they can't be there past 10 p.m. at night. They've been going back and forth as to what those hours look like and the parking lot is well lit so there is no concern about coming and going in a dark parking lot. The facility is well lit from the front and back entrances; however, they wouldn't be using the back entrance for anything but fire purposes.

On a motion made Anthony Pogoda seconded by Virginia Harger, it was unanimously voted to approve Separate #0423.

Mr. Schultz reminded the Applicant that she needs to bring in her sign application to make sure it is consistent.

Ms. Messere responded that they are working with the person who does the signs for the facility to go with what they already have there. It isn't very large and it will be uniform with the others.

SEPARATE #0377: SHELTON WINNELSON, 14 FOREST PARKWAY, BUSINESS

Mr. Schultz indicated that they have another business moving from River Road, the Winnelson which is an office/warehousing facility that is a large piece on the Housatonic River.

Chair Parkins asked if it was the big blue building.

Mr. Schultz responded yes and this is going to the STIHL Inc site at 14 Forest Parkway which was a office/warehousing/partial retail. That particular building had an addition about 15 years ago. It is 64,000 square feet, the company will have 40 employees with hours of operation 6 a.m. to 5 p.m., Monday through Friday and Saturday, 8 a.m. to 12 p.m. The day have two Mack trucks, two box trucks and three pick-ups.

Chair Parkins asked if they had a showroom too.

Mr. Schultz responded yes.

Comm. Harger asked if it was the Shelton Winbath.

Mr. Schultz responded no Winbath is at the bottom of Long Hill.

On a motion made by Virginia Harger seconded by Nancy Dickal, it was unanimously voted to approve Separate #0377.

SEPARATE #0432: ADRIANO MONACO, 17 ALGONKIN ROAD, BUSINESS

A.J. Monaco, 17 Algonkin Road, Shelton addressed the Commission. Mr. Monaco stated that he owns the garage, A.J.'s on 851 River Road. He is applying for a certificate to do business at this location too.

Mr. Schultz indicated that he wants a separate license for this location. He asked if he had separate parcels so he can have a separate DMV license.

Mr. Monaco responded yes, it's basically for the towing. He explained that he works for All-State Motor Club and Progressive and stuff like that and he wants to be on their Tow List twice – as A.J.'s and put two other trucks but he needs a different license. He's trying to get J&S Towing so if he has two licenses he can be on their Tow List twice. It is the same thing – he'll basically be doing basically the same things like tire changes, jump starts, road service.

Mr. Schultz commented that he has the main garage in the front and the building that he added on years ago.

Chair Parkins added that he uses it for Emissions.

Mr. Monaco responded yes, correct. He uses the front bay for Emissions and the bottom bay is basically just for towing.

Chair Parkins asked if he would be adding any additional trucks.

Mr. Monaco responded no. He is actually taking two trucks from A.J.'s and putting it as J&S Towing. He is taking one tow truck and one flat bed and making J&S Towing. He is only doing it because the expenses are so great lately between insurance and workman's comp so he is trying to keep up. He has to try and generate more income from these trucks otherwise he has to sell a couple trucks because he can't keep up seven trucks, it is getting too expensive.

Chair Parkins asked when he tows cars, if he has to tow the cars, are they towed to his facility.

Mr. Monaco responded that if they are stuck or have a blown out tire or a mechanical failure, they take them off the road because that is what they want him to do; otherwise they tow it to their facility.

Chair Parkins stated that it is basically like AAA.

Mr. Monaco stated yes, basically but (inaudible) but he has to have another Certificate of Insurance to be on the Tow List twice.

Chair Parkins responded OK, so you need to two separate businesses but there is no net increase, you are just creating another business.

Mr. Monaco stated yes, he is just trying to generate more income.

On a motion made by Comm. Tickey seconded by Comm. Harger, it was unanimously voted to approve Separate #0432.

SEPARATE #0435: M. SCHINELLA, 405 BRIDGEPORT AVENUE, BUSINESS

Mr. Schultz indicated that they have a request for the new shopping center at the Crabtree location for a liquor license. The City of Shelton has one license left for this operation. It is available on-line. He sent an email a while ago with a list of towns and the number of licenses that each town is permitted; it is based upon population.

Comm. Harger commented that she thought that were close but knew someone had backed out.

Chair Parkins added that it was the wine shop in Huntington Center. They had gotten approval and would have been the last one but they never turned it into ...she asked if that was the one that they are using.

Mr. Schultz responded that he believes so. They need to get local Zoning approval before they can make an application to the State Liquor Commission.

Chair Parkins asked if the State keeps a count of how many they have.

Mr. Schultz responded yes, absolutely. There is a website for it. He'll send the email again with the list of towns. He added that this will be for retail.

On a motion made by Virginia Harger seconded by Anthony Pogoda, it was unanimously voted to approve Separate #0435.

SEPARATE #0223: FABIANA JARRIN, 90 HUNTINGTON STREET, BUSINESS & SIGN

Mr. Schultz indicated that this is at the Huntington Depot Shopping Center proposing a massage facility replacing the dentist office that was there. The Applicant was not present. It is for 900 square feet, one employee who is licensed by the State of Connecticut, hours of operation are 7 days a week by appointment. He added that this just came in today.

Comm. Harger asked if this was upstairs or downstairs.

Mr. Schultz responded first floor where the dentist office was located. He asked if they wanted more information.

Comm. Pogoda noted that it was also for a sign and asked if there was a sign.

Mr. Schultz responded yes but he didn't have anything for the sign.

Chair Parkins indicated that was also why they need to table it.

On a motion made by Virginia Harger seconded by Jim Tickey, it was unanimously voted to table Separate #0223.

SEPARATE #0430: NATIONAL SIGN, 768 BRIDEPORT AVENUE, REPLACE SIGN

Mr. Schultz asked if there was someone here representing Bertucci's.

Darcy Correy for National Sign addressed the Commission representing Bertucci's. She indicated that Bertucci's would like to upgrade their current sign. She provided renderings and stated that they want to remove the sign on top of the pylon right now and replace it with one of the exact same size. The sign wouldn't get any taller than it is now.

Ms. Correy stated that she spoke to Mr. Schultz today and she knows that the Commission prefers the lower monument signs in this area but she drove up and down that street, it is 40 mph, Bertucci's Restaurant is set back and the sign is set pretty far back too. She added that traveling north on Bridgeport Avenue, you don't see the sign so if it was a lower monument sign, you wouldn't be able to see it until right upon it. Coming in the other direction, there are a lot of trees and bushes, and you just barely see that sign above the trees. She added that she couldn't say that the client would want to come down to a monument style sign unless it came much closer to the road than it is now.

Ms. Correy commented that she believes it 15 feet high right now. She did this application back in 2006 and she thinks (inaudible)...it will be the exact same size but they'll clean it up so it will look nicer than it does now.

Chair Parkins responded that one of their objectives in Planning is to make it so that there are not signs and businesses right on the road. They don't want it to resemble to Boston Post Road in Milford.

Ms. Correy commented that she understood and commented that it is very attractive the way it is.

Chair Parkins added that it doesn't mean that they encourage high signs to compensate for it. She doesn't think that there is anyone in Shelton who doesn't know where Bertucci's is located. Coming up from the south it is clearly visible – the restaurant itself is visible.

Ms. Correy agreed that the restaurant itself is visible.

Comm. Harger asked if this was a national redesign.

Ms. Correy responded that it is for the logo.

Chair Parkins commented that the colors were nice. Mr. Schultz added that it does look better.

Chair Parkins asked how tall the sign was currently.

She responded that it was 15 feet.

Mr. Schultz indicated that the Regs are for 12 feet now.

Comm. Pogoda added that 12 feet is already big.

Comm. Dickal stated that since they are changing the sign they can revisit it.

Chair Parkins commented that coming down three feet would meet the Regs.

Mr. Schultz stated that it is in their Regs but it is the Commission's call. The Dunkin Donuts was 10 feet plus and they walked away from it.

Ms. Correy stated that Ruby Tuesday's has a sign that is pretty tall.

Mr. Schultz responded that they just recently amended the Regs.

Chair Parkins commented that they are trying to get everyone to conform. She doesn't think that coming down three feet is going to matter that much to them and it will conform to their Regs.

Comm. Dickal agreed.

Chair Parkins stated that they can keep the sign but take off three feet.

Mr. Panico asked what the limit was on the top of the sign.

Comm. Pogoda responded 12 feet.

Mr. Panico stated that they are just barely 7 feet underneath the sign. They have to be careful of the in between because if they get too close to the ground, they don't want somebody walking under it and accidentally hitting their head. So either keep it high enough to prevent that or drop low enough that nobody can walk under it.

Comm. Dickal asked who would want to walk under it (inaudible)...

Comm. Pogoda asked agreed and added (inaudible)...he didn't think 3 feet was going to be (inaudible)...Chamberlain doesn't live around here...

Comm. Harger added that UCONN Basketball could go to the Marriot.

Comm. Pogoda commented that they should bring it into conformance.

Chair Parkins told the Applicant that the sign was fine but it needed to come down three feet to conform with their Regs.

The Applicant responded OK. She asked if she should come back to the next meeting with a rendering and present it again or if the client agrees...

Mr. Panico indicated that they could approve it subject to that change.

On a motion made by Anthony Pogoda seconded by Nancy Dickal, it was unanimously voted to approve Separate #0430 for signage replacement subject to lowering the height three feet to conform with the Regulations.

SEPARATE #0325: JEFF & LAURIE FAENZA, 475 ISINGLASS ROAD, IN-LAW

Doug Nolan, representing Jeff & Laurie Faenza, 475 Isinglass Road, Shelton addressed the Commission. Mr. Nolan indicated that this was for a pretty straightforward in-law apartment over an existing four-car garage. He indicated that this is Monty Blakeman's house on Isinglass Road. They aren't touching anything on the exterior or replacing – he just has to add in one egress window in the bedroom area to meet the Building Inspector's Code. All the entrances are there. It is 892 square feet.

Mr. Schultz provided floor plans for the proposed in-law.

Mr. Panico asked if there were any additional entrances or anything like that.

Mr. Nolan responded none.

Mr. Schultz added that this was showing them locations to the rear that you don't see. He asked if the roof was being altered at all.

Mr. Nolan responded nothing. The only thing that they are doing outside is that one egress bedroom window at the total rear of the building.

Comm. Harger asked if it connected to the main building.

Mr. Nolan responded yes, it has an entrance connecting to the main building. This apartment is for the mother.

Mr. Schultz asked what was underneath - a three car-garage.

Mr. Nolan responded that it has two garage doors but it is a three or four car garage.

Mr. Schultz commented OK, it is an oversized garage.

Chair Parkins asked if the in-law was above the garage.

Mr. Nolan responded yes.

Comm. Harger stated that above the garage there is a doorway that leads (inaudible)...

Mr. Nolan responded yes there is a doorway that connects into the existing home.

Comm. Harger asked what it was before and if it was storage.

Mr. Nolan responded that it was unfinished. Mr. Blakeman never got to it.

Comm. Pogoda asked Rick if he went out to look at it.

Mr. Schultz responded yes.

Mr. Nolan responded that it still has some of Monty's peccadilloes that he has to fix. They have Valley Health approvals taken care of.

Comm. Harger asked if this was actually in the rear of the house.

Mr. Schultz responded yes, you don't even see it.

Mr. Panico asked if there was construction at all and if the space above exists already.

Mr. Schultz commented that it exists already. There is no alteration to the roof, it is internal.

Mr. Nolan reiterated that there was only one window to do.

On a motion made by Anthony Pogoda seconded by Nancy Dickal, it was unanimously voted to approve Separate #0325.

SEPARATE #291: BURGER KING, 902 BRIDGEPORT AVENUE, EXTERIOR MODIFICATIONS

Mr. Schultz indicated that the Burger King industry has a new CEO and he showed some of the exterior modifications that they are proposing. He added that it is very contemporary. This Burger King is in Shelton Square which is a PDD and the Commission has complete control over (inaudible)...

Chair Parkins reviewed the renderings and commented no, it is ugly.

Comm. Harger agreed by reiterating "no way."

Mr. Schultz commented OK, so much for the exterior modifications.

The other commissioners reviewed the architectural modification renderings.

Mr. Panico asked what they were specifically proposing for this location. He didn't care what they were doing in other locations.

Chair Parkins stated that someone was here for just the signs.

Darcy Correy, representing National Sign distributed copies of the sign package for the Commissioners. She stated that it shows the colored logo.

Chair Parkins commented that if they aren't going to approve the exterior building designs, she asked if it made any sense to approve the signage.

Mr. Schultz responded that they could give her a consensus at least about the signs.

Chair Parkins read where "Home of the Whopper" was added on to the sign and commented that they all know that already. She noted that the letters for it were over a foot tall.

Mr. Schultz indicated that the company for the modifications is out of Sugarland, Texas.

Inaudible comments regarding modification drawings...(multiple conversations)

Chair Parkins stated that they aren't going for the "Home of the Whopper."

Comm. Pogoda and Comm. Dickal agreed.

Comm. Tickey commented that the sign itself is fine. It is everywhere and hasn't changed much but everything else...

Comm. Dickal asked what the change was on the sign.

Mr. Schultz stated that he had some proposed elevations to show them. He reiterated that this is a PDD. They can see the whole direction that they are going.

Mr. Panico commented that it was a lot better than what he just showed them.

Mr. Schultz stated that there are still some features that he doesn't see the Commissioners embracing though.

Chair Parkins commented that they definitely aren't going for the "Home of the Whopper."

Darcy Correy, National Sign representative indicated that she would cross off "Home of the Whopper."

Chair Parkins added that this is not Las Vegas on the Strip.

Ms. Correy stated that the Burger King sign that is on the front elevation is actually there right now. She added that was just going to stay.

Comm. Pogoda responded yes, that is fine.

Ms. Correy indicated that they are going to add the two logos on the other elevations and then they were going to add the Home of the Whopper. It is not over-signing because this is a very large building and the logos are under 20 square feet each. The second page shows the colors of the logos.

Mr. Panico asked where "Home of the Whopper" was and if it was above the entrance.

Ms. Correy responded that it was on the side elevation.

Mr. Panico asked who would see it if the customer was already parked there.

Chair Parkins responded that it was the side that faces the gas station.

Ms. Correy responded no - that it is the opposite side, it faces the parking lot.

Comm. Harger stated that it faces 1000 Bridgeport Avenue.

Mr. Panico stated yes, it faces the Corporate Offices, it is on the backside (inaudible)....

Comm. Harger stated that the drive-through, the middle one faces the gas station and Stop & Shop.

Chair Parkins asked if they have (inaudible)...she added that she wonders if the architect has even been to this site.

Ms. Correy responded that he isn't here tonight.

Chair Parkins stated that she wasn't opposed to the Burger King lettering.

Ms. Correy indicated that sign is already there anyway.

Chair Parkins added that Burger King is the name of their business but their slogans don't need to be on there.

Ms. Correy commented OK to no "Home of the Whopper." She asked if the logos were OK on the towers there.

Chair Parkins responded yes.

Comm. Dickal agreed that the logo is fine.

Chair Parkins stated that the Applicant is here for the sign company so she has heard clearly that they aren't going to approve the exterior modifications or the "Home of the Whopper." The logos are fine but she doesn't know if the Burger King name and logo are going on something different than what is there now. She recommended that the Applicant might want to check with them.

Ms. Correy responded OK.

Mr. Panico commented that as far as the building modifications this is a PDD so those significant building modifications have to come back here for approval. It is not a case of just going out and remodeling one of their installations.

Ms. Correy stated that she understood and added that she expected that the architect would be at the meeting tonight and they would be doing this together.

Mr. Schultz asked if the Commission was concerned about the interior modifications. They are also doing interior work.

Comm. Harger indicated that this only says exterior modifications on the agenda.

Comm. Pogoda stated that they didn't see anything for interior so there is nothing they can say.

Chair Parkins asked how they know if they are putting a swimming pool in.

Mr. Schultz responded OK, they are just acting on the sign.

Comm. Harger asked for clarification on the bottom of the front elevation if a sign was there right now.

Ms. Correy responded yes, she took a picture of it tonight and there's a logo with it right now that is coming off so just the "Burger King" letters are going to stay.

On a motion made by Anthony Pogoda seconded by Nancy Dickal, it was unanimously voted to approve the signage only (logos but no slogans) for Application #291.

SEPARATE #0347: MICHELLE BIALEK, 433 HOWE AVENUE, SIGN

Michelle Bialek, 10 Weybosset Street, Shelton CT addressed the Commission.

Mr. Schultz indicated that she was going to reopen shortly.

Ms. Bialek responded yes.

Mr. Schultz commented that this is a part of the name change and she has the extended hours and will be serving liquor.

Ms. Bialek responded yes and asked if he was referring to the original application she submitted.

Mr. Schultz responded yes.

Ms. Bialek stated that what has changed since then is that there was a subcommittee meeting.

Mr. Schultz indicated that there was an informal discussion after the last meeting to show them because all of the Commissioners were not present.

Ms. Bialek commented OK, there were revisions on the design and whoever was at the meeting said that they didn't like it. She was curious as to what about the sign they didn't like.

Chair Parkins indicated that the Downtown Subcommittee is an advisory committee and they don't vote on anything. It was a discussion that they had there. Applicants always have to come back to the Full Board anyway. She added that she doesn't think anyone said that they did not like it. There was confusion about there being actual dirt in there and things growing out of the sign.

Ms. Bialek responded that they were talking about having the structure there for the possibility but if that isn't something that is desirable then she is fine with that.

Chair Parkins commented that they just didn't understand the concept of it and if they would have ivy coming down, would it be weeded, and how it would be watered. It is up pretty high so a lot of the comments were about the upkeep of it.

Ms. Bialek responded that she agrees with that so if the Commission says no than that is fine. She'll tell her husband no.

Chair Parkins stated OK, so it is just going to be the sign "Grow" without any flower box underneath it.

Ms. Bialek responded yes.

Comm. Tickey commented that he thinks it is a great sign.

Mr. Schultz stated that the fact remains that when the new construction starts, everything changes.

Comm. Tickey agreed that it was temporary anyway.

Chair Parkins added that if the plants started growing up it might cover up the sign too. She reiterated that no one said that they didn't like it though. They just had questions about the grow box. It is going to change anyway.

Comm. Harger asked if there was any reason why she hadn't expanded throughout the whole storefront.

Ms. Bialek responded that it is the same size as the sign that is there now. She added that she thinks it is 4'x8'. She asked if they would be able to keep the logo once the new building is done.

Chair Parkins responded that it was hard to say what the whole scheme would be.

Mr. Schultz added that he talked to Joe Matto and asked that same question. He was told that it is a work in progress but he wants uniform signage and he's going to enforce it. He advised her to start working with him and commented that he was an architect.

Mr. Panico commented that they would expect to see sign panels established for each tenant and their sign stays within that panel and has some parameters on coloration and fonts.

Ms. Bialek asked if there were to be something like a Starbucks in there, would they be held to that standard too.

Comm. Pogoda responded yes.

Chair Parkins added yes, all the businesses would.

On a motion made by Nancy Dickal seconded by Jim Tickey, it was unanimously voted to approve signage for Separate #0347.

SEPARATE #0439: SEAN LEE, D.D.S., 448 HOWE AVENUE, SIGN

Mr. Schultz indicated this is for Valley Dental Group who changing its name to Shelton Dentist. He provided renderings of the proposed signage on Howe Avenue near the old hot dog house.

Mr. Panico commented that Shelton Dental Group or something would (inaudible)...

Comm. Tickey asked if it was just one dentist or several dentists.

Comm. Pogoda stated that it used to be two dentists a while ago.

Mr. Schultz stated that it was Sean Lee, D.D.S. who is a new owner.

Chair Parkins asked if he could put his name down underneath the sign – Shelton Dentist and then his name.

Mr. Schultz commented that it was clean.

On a motion made by Anthony Pogoda seconded by Nancy Dickal it was voted 5-1-0 to approve signage for Separate #0439. Comm. Harger abstained from voting.

AGENDA ADD-ON

Chair Parkins indicated that she needed a motion to add an item to the Agenda under New Business for Application #15-16 for a restaurant and bar on River Road.

On a motion made by Anthony Pogoda seconded by Jim Tickey, it was unanimously voted to add Application #15-16 to the Agenda under New Business.

APPLICATION #15-16: SAMMY AHANZ AND STEPHEN MIKLOS FOR SPECIAL EXCEPTION SITE PLAN APPROVAL (RESTAURANT AND BAR), 333 RIVER ROAD: ACCEPT AND SCHEDULE A PUBLIC HEARING

Mr. Schultz indicated that this location is across the street from Riverview Cemetery where the hair salon is located. It is an unassuming, single-story commercial building.

Chair Parkins commented that years ago it was a Laundromat.

Mr. Schultz commented that it is a food establishment with a bar so it requires a public hearing.

Chair Parkins stated that it would have to be in September because there is too much going on in August.

On a motion made by Anthony Pogoda seconded by Jim Tickey, it was unanimously voted to accept Application #15-16 and schedule a public hearing for September 23rd.

APPLICATION #15-12: MIKE BALLARO, 425 RIVER ROAD, COMMERCIAL BUILDING, REVIEW AND APPROVAL

Chair Parkins asked for a motion to table this until the next meeting on 8/26/15.

On a motion made by Anthony Pogoda seconded by Jim Tickey, it was unanimously voted to table Application #15-12 until 8/26/15.

PUBLIC PORTION

Chair Parkins asked if there was anyone in the audience wishing to address the Commission.

Patricia Reynolds, 8 Reichelt Terrace, Ansonia addressed the Commission. Ms. Reynolds indicated that she was the office manager in the Conte Building and she wanted to know what will happen procedurally with the Zoning application for the Conte Building tonight as well as Judy Rockwell's application. She didn't understand if closed meant tabled or...

Chair Parkins responded that they have closed the public hearing and gathered all of the information that they need. At their next meeting, a discussion will be held amongst the Commissioners only to approve or deny the application; action will be taken at their next meeting.

Ms. Reynolds responded OK.

With no one else in the audience wishing to address the Commission, she asked for a motion to close the public portion.

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

Chair Parkins thanked the audience members for staying so long tonight.

OTHER BUSINESS

Mr. Schultz indicated that they have a public hearing for Hodosi's Extension of the Commercial Zone on River Road for August 26th. He asked if they wanted to move that to the September 23rd meeting because the Applicant is not in any hurry.

Comm. Pogoda responded yes. Chair Parkins agreed that they had a lot to do on 8/26.

Mr. Schultz indicated that they could add that to the agenda to reschedule it and he'll get a letter out to authorize it.

Chair Parkins asked what else was scheduled for 8/26.

Mr. Schultz responded that would have been the hearing for 8/26 so now they will just have unfinished business. Hodosi was the only public hearing on 8/26. They have a lot of Old Business.

Comm. Tickey stated that he thought that they had decided to only meet once in August but he can move things around in order to attend. He added that the doubled up in July.

Chair Parkins commented that she told a lot of people tonight that they would meet on 8/26. Mr. Schultz indicated that he could call those Applicants.

Comm. Pogoda stated that they were trying not to have a second meeting in August.

Mr. Panico stated that it isn't the end of the world if things get put off for a couple of weeks. Mr. Schultz responded that was why he recommends it.

Mr. Panico commented that the only thing they could act on would be Cerritelli, Rockwell and Ballaro's.

Comm. Tickey asked if it could be done on September 8th. Comm. Dickal stated that Frank Osak would have to sit in for her because she'll be away on 9/8/15.

After further comments and discussion about meeting dates, Chair Parkins indicated that there would not be a meeting on August 26th. She directed Mr. Schultz to inform any Applicants affected by the meeting changes to be notified.

AGENDA ADD-ON

Chair Parkins stated that she needed a motion to add Application #15-13 to the agenda to reschedule the public hearing for Hodosi.

On a motion made by Anthony Pogoda seconded by Jim Tickey, it was unanimously voted to add Application #15-13 to the Agenda.

On a motion made by Anthony Pogoda seconded by Jim Tickey, it was unanimously voted to reschedule the public hearing for Application #15-13 to September 23rd.

AGENDA MODIFICATIONS

She asked for a motion to amend the motion for Application #15-12 for Mike Ballaro and change the agenda item to 9/8/15.

On a motion made by Anthony Pogoda seconded by Jim Tickey, it was unanimously voted to change the agenda item for Application #15-12 to be tabled until the 9/8/15 P&Z Meeting.

Chair Parkins asked for a motion to table the remaining Agenda Items under Other Business until the next meeting on September 8, 2015.

On a motion made by Anthony Pogoda seconded by Jim Tickey, it was unanimously voted to table remaining Agenda items under Other Business until the next meeting on 9/8/15.

ADJOURNMENT

Chair Parkins asked for a motion to adjourn.

On a motion made by Anthony Pogoda seconded by Jim Tickey, it was unanimously voted to adjourn the meeting at 10:32 p.m.

Respectfully Submitted,

Karin C. Tuke
P&Z Recording Secretary