

**SHELTON PLANNING AND ZONING COMMISSION**

**OCTOBER 13, 2015**

The Shelton Planning and Zoning Commission held a regular meeting on Tuesday, October 13, 2015 at Shelton City Hall, Room 303, 7:00 p.m., 54 Hill Street, Shelton, CT 06484. The Chairperson reserved the right to take agenda items out of sequence.

Commissioners Present:                      Chairperson Ruth Parkins  
    Commissioner Nancy Dickal  
    Commissioner Virginia Harger  
    Commissioner Thomas McGorty  
    Commissioner Anthony Pogoda  
    Commissioner Jim Tickey

Staff Present:                                      Richard Schultz, P&Z Administrator  
    Anthony Panico, P&Z Consultant  
    Karin Tuke, P& Z 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](http://www.cityofshelton.org).

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

Chair Parkins called the October 13<sup>th</sup> regular meeting of the Shelton Planning and Zoning Commission to order at 7:00 p.m. with the Pledge of Allegiance and a roll call of members present.

**OLD BUSINESS**

Chair Parkins stated that the first order of business was to reschedule the continuation of the public hearing for Application #15-16. She asked for a motion and a second to change the date to October 27<sup>th</sup>.

**APPLICATION #15-16: DOMINICK THOMAS ON BEHALF OF SAMMY ALANZ AND STEPHEN MIKLOS FOR SPECIAL EXCEPTION/SITE PLAN APPROVAL (RESTAURANT WITH BAR), 333 RIVER ROAD (MAP 80, LOT 172, CA-2 ZONE) RESCHEDULE CONTINUATION OF PUBLIC HEARING TO 10/27/15.**

**On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously voted to approve the rescheduling of the public hearing continuation for Application #15-16 for Tuesday, October 27, 2015.**

**APPLICATIONS FOR CERTIFICATE OF ZONING COMPLIANCE**

**SEPARATE #293: BURGER KING, 902 BRIDGEPORT AVENUE, EXTERIOR RENOVATIONS**

**Jeff Benevides, Amaral Associates, General Contractors, 148 West River Street, Providence, RI representing Burger King addressed the Commission.**

Mr. Benevides indicated that they are looking to do exterior modifications to the existing Burger King on Bridgeport Avenue. He presented photos of the existing site as it looks now. There is an asphalt shingle roof that was painted blue over the years and the existing masonry and T111 siding was painted a yellow color and the lower half of the brick was painted a brown color.

Mr. Benevides stated that they are proposing to replace the asphalt shingle roof with a new standing seam roof in a silver color, and the upper portion of the building with an effice material in a beige color. He provided samples of the colored materials and pointed out which samples would be used for the standing seam roof, the effice material sample in beige and a brown sample for the lower half of the masonry. He indicated that they would be adding some tower elements at the entrances and the drive-thru windows that would be clad in a cement board siding in the black color. The existing light band would stay pretty much as is; it would be a new light

band replaced in kind, the new entrance doors and glazing as well as over the tower elements. there would be a new flat suspended canopies installed.

Chair Parkins asked if the silver seam would be all the way around.

Mr. Benevides responded that it would be the standing seam roof replacing the asphalt shingled roof.

Chair Parkins commented on the brightness.

Mr. Benevides pointed out the sheen on a photo and added that it was not high gloss but a satin finish.

Mr. Schultz asked about alternative colors for the standing seam.

Mr. Benevides indicated that there could be alternative colors but it would require corporate approval from Burger King but yes. He added that an asphalt shingle roof could be put back in its place.

Comm. Pogoda responded yes, they would want the asphalt.

Chair Parkins agreed.

Mr. Schultz added yes, in the black, the traditional.

Mr. Benevides commented OK, the existing is painted blue. He indicated that he could send samples for their approval.

Comm. Harger asked about the illustration proposed in the center of his display board - where the Burger King logo is located and asked where it was existing now.

Mr. Benevides responded that it was at the gable roof.

Chair Parkins asked if that was the side facing the shopping center.

Mr. Benevides responded correct.

Comm. Harger asked if there were any width changes to the driveways or the drive-thru.

Mr. Benevides responded no.

Comm. Harger asked about the bollards there and if they would be any special color.

Mr. Benevides responded that they would be replaced and they are usually a safety yellow color.

Chair Parkins asked if Corporate was aware that they were also not in favor of the "Home of the Whopper" signage.

Mr. Benevides responded yes and it was removed.

Chair Parkins asked if there were any other questions. With no further comments, she asked for a motion to approve with the stipulation that there be an asphalt roof instead of standing seam.

**On a motion made by Anthony Pogoda seconded by Virginia Harger, it was unanimously voted to approve Separate #293 for exterior renovations with the noted conditions for the asphalt roofing.**

**SEPARATE #0496: ST REALTY, 515 BRIDGEPORT AVENUE, SIGN**

**Robert DeLibro, representing the owners of the Plaza at 515 Bridgport Avenue, addressed the Commission.** Mr. DeLibro indicated that he was also a manager of the plaza. He provided

handouts of the proposed signage for the 515 Shopping Plaza (Captain's Pizza, PJ Salon, Cork & Keg, M Spa, Taylor Fitness, and Quest Labs). He explained that it was a photo of the existing monument sign.

Mr. DeLibro stated that they have a seven tenant plaza and they are trying to keep everything even so there are no playing favorites. He explained that they proposed four inserts, split in half evenly and it is going over the existing monument sign.

Comm. Harger asked if they have the ability to split one lease space if there is a vacancy and make it into eight.

Mr. DeLibro responded that they do and two fit in that space if needed later. He'll put in advertising in there for the space available.

Comm. Pogoda asked if the (inaudible) were all going to be the same.

Mr. DeLibro responded approx. six feet above the monument sign. He added that the sign guy didn't put the measurements on there but it is 6 – 7 to the top of the point – six feet additional.

Comm. McGorty commented about the depiction of a guy standing next to it...

Mr. DeLibro responded yes, it is chest height.

Mr. Schultz stated that they allow eight (inaudible) for 40 square feet.

Chair Parkins asked if it was higher than 8 feet.

Mr. Schultz stated that they don't count the base.

Mr. DeLibro commented that the total sign to the very top might be 10 feet at the most.

Chair Parkins stated that there are a lot of numbers being thrown out.

Comm. McGorty indicated that he was curious because he didn't know what the height of that existing sign is and asked what the overall height is.

Mr. DeLibro responded that the existing #515 monument sign is four feet high.

Comm. McGorty stated that is alright and asked what the top of the other rendering was.

Mr. DeLibro responded 10.

Mr. Panico asked if the guy in the drawing was only four feet tall.

Mr. DeLibro pointed out the car as a reference in the photo.

Mr. Schultz stated that the Applicant will be held to 8' x 5' (inaudible)...

Mr. DeLibro commented that they are trying to keep the tenants happy.

Comm. McGorty stated that wasn't an issue.

Chair Parkins asked if it was 8 feet total.

Mr. Schultz responded yes, 8' x 5' for the signage itself.

Chair Parkins asked if the top could not exceed 8 feet.

Mr. Panico responded no, the sign panel cannot exceed 40 square feet.

Chair Parkins stated 12 feet maximum that is what she was looking for – they don't exceed 12 feet.

Chair Parkins asked if they will remove the flags that they have hanging all over the place.

Mr. DeLibro responded if the Commissioners are requesting it than absolutely.

Comm. McGorty asked if it would be internally lit.

Mr. DeLibro responded yes, internally lit.

Comm. Pogoda asked if it would be all uniform lettering.

Mr. DeLibro responded yes, they aren't giving the tenants their own ...yes, correct. He asked if the Commission was referring to the banners or the streamers because there are both there.

Chair Parkins responded both.

Comm. Pogoda responded everything – all.

Mr. DeLibro stated that they could consider it done.

Mr. Schultz added that the A-frames need to be brought in and everything.

Chair Parkins asked if this would be standard black block lettering.

Mr. DeLibro responded yes unless there is a color that the Commission wants. The actual placard would be white, translucent and everybody has the same color letters and it is more tasteful.

Chair Parkins agreed that it was easier to read but a lot of times the tenants prefer to have their own logos and colors and everything.

Mr. Panico added that those are the kind of signs that become ugly each time a tenant changes and they put their own little wrinkle on it.

Chair Parkins stated that it also becomes confusing.

Comm. Dickal commented that it was confusing especially if you are driving by it.

Mr. DeLibro indicated that he would have jurisdiction over getting it removed if they don't comply with it. He stated that he wanted to give the tenant's the liberty to use who they want.

Chair Parkins agreed and commented that it is good advertising for them to have a monument sign like this.

Mr. DeLibro indicated that they are going to remove the #515, paint it two-tone to match the plaza and put it in the green at the top or in the empty space.

Comm. Harger asked which way it would be because in the rendering it is represented in this location.

Mr. DeLibro responded yes because that is where it presently exists.

Comm. McGorty asked if he would be putting up there.

Chair Parkins stated that the numbers should be visible.

Mr. DeLibro agreed and commented that right now it is impossible to see from Bridgeport Avenue.

Chair Parkins stated that if he put the number up on the green...

Mr. DeLibro responded yes – in a white, non-lit lettering that can be seen from Bridgeport Avenue – that would be their goal.

Chair Parkins stated that it helps to see the number if you are looking for an address.

Comm. Harger asked about him having control over the wavy signs and the (inaudible), as the manager.

Mr. DeLibro responded that whenever he goes up to the plaza, things are just there but the letter will go out to them in a day or two and everything will be taken down. He stated that he could promise them that would be done.

**On a motion made by Thomas McGorty seconded by Anthony Pogoda, it was unanimously voted to approve the signage for Separate #0496.**

Mr. Schultz stated as a side note that Mr. DeLibro was kind enough to clean up that abandoned gas station. Chair Parkins responded that was great and asked about the clothing bins.

Mr. DeLibro stated that they called them twice this week.

Comm. McGorty commented that they are probably putting more out there as they speak.

Chair Parkins indicated that she thinks there is actually a State Statute now where they can be fined. She commented that they have to check with the State Legislator; it was proposed legislation but she wasn't sure if it passed.

Mr. DeLibro stated that every time that they have them removed, a different company brings another one in with a different branded box. He added that they are never for Goodwill or the Salvation Army.

Chair Parkins responded that it didn't matter who they were. She thanked Mr. DeLibro and suggested a camera be placed on the property to videotape who is dropping them off and get the license plate numbers.

**SEPARATE #0500: ONE SMART DOG, 865 RIVER ROAD, BUSINESS/SIGN**

**Dawn Lawry, owner of One Smart Dog Training, 865 River Road addressed the Commission.** Ms. Lawry indicated that she was looking to rent this space on River Road in the lower level.

Mr. Schultz stated that this was Howard Soffan's commercial building on the Stratford town line near Sikorsky.

Comm. Harger asked if she would be doing the dog training inside.

Ms. Lawry responded yes in the lower level.

Mr. Schultz clarified that there would be no boarding.

Ms. Lawry confirmed that there would be no boarding or kennel but she would need the license for a training facility that this Commission would have to approve and sign off on. She provided a rendering of where her sign would be in the center.

Chair Parkins asked what the hours would be.

Ms. Lawry responded that it would usually be a few hours in the morning. It would be closed in the afternoon and open again in the evening for evening classes. She indicated that she was not occupying the space all day long. The days would be Monday through Saturday, no Sundays.

Comm. McGorty stated that it would be fine if she was there all day long, there is nothing wrong with that.

Comm. Harger asked about the lower level and if there was an entrance in the back.

Ms. Lawry responded that there is an entrance through the lobby. You can go down an elevator or a flight of stairs.

Comm. Dickal asked if there would be an area for the dogs to relieve themselves and would it be picked up.

Ms. Lawry responded that it isn't shown in the picture but there are two grassy areas on the side of the building where the dogs could do that and she would be responsible for cleaning it up.

Chair Parkins asked if this was a relocation to Shelton.

Ms. Lawry responded that she sub-leases right now from a doggie boarding/kennel facility in Milford so she is looking to train alone in her own space.

Chair Parkins welcomed her to Shelton and asked if everyone saw the proposed signage.

Comm. Harger asked if a sign request would be added to this application.

Mr. Schultz responded yes, there are no graphics or phone numbers.

Ms. Lawry indicated that the sign would just say "One Smart Dog" Dog Training and a small logo in the middle space where the fitness place sign used to be. She stated that she would probably be opening in November.

**On a motion made by Thomas McGorty seconded by Virginia Harger, it was unanimously voted to approve Separate #0500 for business occupancy and signage.**

**SEPARATE #0481: T. MOLNAR, 350 HOWE AVENUE, BUSINESS**

Mr. Schultz asked if the Applicant was present and he was not. He stated that this is the unoccupied portion of the Downtown Pizza on the corner of Cornell and Howe Avenue. He provided some history of the property and added that it was all curbside parking so the Commission has to use their discretion. It is a commercial zone and the previous tenant was Salemme's Coffee Shop and then there was a fish market. He stated that he called the family today and they have a grocery store permit for beer. There has never been a bar establishment there. He added that there are dwelling units on the upper floor area.

Mr. Schultz indicated that the Commission can act on the application tonight or deem it significant and have a public hearing because it is a traffic generator. The business is for a bar.

Chair Parkins stated that it was too small to be a bar.

Comm. Pogoda commented about the residents being upstairs.

Chair Parkins indicated that he tried to get a bar on the corner by Lafayette School too.

Mr. Schultz responded yes and indicated that it is 1000 square feet, all curbside parking with the municipal parking lot across the street.

Chair Parkins asked if it was for a coffee bar or a bar.

Mr. Schultz responded no, a bar with liquor.

Comm. Tickey commented about it only being 1000 square feet.

Mr. Panico stated that it would seem to be an expansion of a non-compliant use.

Mr. Schultz stated for the newer Commissioners, the Commission had a proposal on Center Street for a take-out pizzeria near the pharmacy but there wasn't sufficient curbside parking. He added that they could also table this tonight so he could ask the Applicant to withdraw if that was the consensus. They have to use their discretion because it is curbside parking.

Chair Parkins responded that it was not a good location.

Comm. McGorty commented that it was not so much the parking because there is a lot across the street and the hours it would be used would probably not affect it.

Mr. Panico indicated that it would certainly be a heavier parking demand.

Comm. McGorty asked how much heavier it could be with a 1000 square feet – about 10 people could get in there. He asked what the occupancy would be.

Mr. Schultz noted that it would be open 7 days a week. The occupancy would be determined by the Fire Marshal. He wanted to know how far the Commission would go with the use.

Mr. Panico stated that you underestimate what could fit into a small bar.

Comm. McGorty commented that the Ascot generated a lot – there is a lot of curbside parking with just them.

Chair Parkins responded that the Ascot didn't have residents living upstairs.

Comm. McGorty stated that he wasn't worried about residents upstairs as much because 127 and across the street at 140 there are residents above.

Mr. Schultz commented that he thought the Applicant would be here so (inaudible)...

Chair Parkins suggested that they table it.

Comm. McGorty agreed that they didn't have enough information.

Mr. Schultz agreed and added that he'll talk to the Fire Marshal too.

Comm. Harger stated that was his business decision if he feels that he wants to open a place that (inaudible)...

Mr. Schultz responded yes but this Commission has the discretion because of the curbside parking. He added that the new use is more intensive than the previous use with Salemme's Coffee House.

**On a motion made by Nancy Dickal seconded by Jim Tickey, it was unanimously voted to table Separate #0481 for business occupancy at 350 Howe Avenue.**

Chair Parkins indicated that she would take an agenda item out of sequence because the Matto family arrived for Application #15-10 and they have had to wait way too long at previous meetings.

**APPLICATION #15-10: MATTO FAMILY REALTY, LLC FOR INITIAL CONCEPT/FINAL SITE DEVELOPMENT PLAN APPROVAL AND PLANNED DEVELOPMENT DISTRICT ZONE CHANGE (MIX USE DEVELOPMENT), 434 – 456 HOWE AVENUE/70-72 BRIDGE STREET (MAP 129D, LOT 55), CB-2 DISTRICT AND CBD OVERLAY (PUBLIC HEARING CLOSED 8/11/15).**

Chair Parkins indicated that two meetings ago they had a favorable consensus to direct Staff to prepare a favorable resolution that Mr. Panico has prepared and will read.

Mr. Panico commented that as everyone knows this has been a long, drawn out process. There were a lot of issues that had to be dealt with from basic ones right up front but he feels as though they finally got it to a point where they have a project everyone will be proud of – this Commission, the owners and the City. He read the Draft Report Resolution for Application #15-10.

**\*See attached P&Z Report Resolution for Application #15-10 for the Matto Family Realty LLC for Initial Concept/Final Site Development Plan Approval and Planned Development District Zone Change (Mix Use Development), 434- 456 Howe Avenue/70-72 Bridge Street (Map 129D, Lot 55), CB-2 District and CBD Overlay dated October 13, 2015.**

**End of Tape 1A, 7:43 p.m.**

Chair Parkins asked for a motion and a second to discuss the Draft Report Resolution for #15-10. Comm. Pogoda motioned and Comm. Harger seconded. She asked if there were any comments or questions.

Comm. Harger stated that she was very pleased that the process has come to an end as far as this Board. The latest plans that they were shown at the DSC are very nice. She knows that she probably created some angst for the Matto family because of her desire to have it blend in but it has really come a long way. She thinks it is going to really be a nice addition to Downtown. She commended Joe Matto for all of his hard work and sticking with it.

Comm. Dickal agreed about the due diligence and never giving up.

Chair Parkins added that their patience and cooperation has been much appreciated.

Mr. Panico stated that it has been a very long drawn out process but it is a very critical site in Downtown Shelton and the City had to make sure that what was going to happen on the site was the right thing and make sure that if needed it for City Hall, to move a road or whatever they had to do – it all came together and he hopes they will have a fine product.

Chair Parkins added that it is very exciting.

Joe Matto, architect responded that he speaks for the entire family in saying that they are thrilled to have gotten to this point and hopefully, it will set the tone for other great things happening down there.

Chair Parkins asked for a roll call vote. All Commissioners unanimously voted in favor. She wished the Matto family the best of luck.

**On a motion made by Anthony Pogoda seconded by Virginia Harger, it was unanimously roll call voted (6-0) to approve Application #15-10 for Initial Concept/Final Site Plan Approval and PDD Zone Change, 434-456 Howe Avenue/70-72 Bridge Street (Map 129D, Lot 55), CB-2 District and CB Overlay.**

Chair Parkins indicated that they would return to the Agenda items under the Applications for Certificate of Zoning Compliance.

**SEPARATE #0485: THOMAS MURPHY, 18 CENTER STREET, BUSINESS**

Mr. Schultz indicated that this was for the Conte Building with access from Center Street. The space was previously occupied by Life Touch Rehab. This is for massage therapy; a holistic therapeutic massage center. A State License is required and lease space is 275 square feet with one employee. The hours of operation would be 8 a.m. to 10 p.m., Monday through Friday and Saturday and Sunday, 10 a.m. to 10 p.m.

Comm. Tickey asked if the Applicant was here.

Mr. Schultz responded no.

Chair Parkins told Mr. Schultz not to grant approval until they have a copy of the State License in hand and they will maintain the same standard of inspection as they have for other applicants.

Comm. Harger asked if that meant they would be tabling it for now.

Comm. Pogoda responded no, he didn't think that they have to.

Chair Parkins agreed and added that approval is subject to obtaining a copy of the State License.

Mr. Schultz indicated that they have to post the license on the wall.

Chair Parkins stated that they have to provide a copy before they get the permit to operate.

Comm. McGorty asked if that was where Tad was located.

Chair Parkins responded no Tad is still there. This is for only 275 square feet.

Mr. Schultz reiterated that it replaces Life Touch Rehab. He is in that area.

Comm. McGorty commented that it sounds like a sublet because there was supposed to (inaudible)...

Comm. Harger stated that they have had similar businesses come before them and they have noted that the hours seem to be excessively long. She asked if there was really a need for a business to be operating from 8 a.m. to 10 p.m.

Chair Parkins stated that it is up to the individual business owner.

Comm. Harger responded yes it is but she wants to make sure that they are being consistent.

Chair Parkins indicated that they have to make sure that they monitor these businesses.

Mr. Schultz agreed that was the key.

**On a motion made by Thomas McGorty seconded by Anthony Pogoda, it was unanimously voted to approve Separate #0485 for business occupancy contingent upon the receipt of State License verification.**

**SEPARATE #0480: BRUCE BUTLER, 99 BRIDGEPORT AVENUE, BUSINESS**

Mr. Schultz indicated that Bruce Butler is occupying the space that was previously occupied by Maximum Value On Line so the landlord is going to be using that space. He has his office on the access road going to the back. He stated that, obviously, he has to let Bruce know that will be monitored because his office was out of that rehabbed detached building.

Mr. Panico asked what would happen to that building.

Comm. McGorty asked if he didn't have a trailer there or something.

Mr. Schultz responded it was a structure.

Comm. Pogoda commented that (inaudible)...it was a structure now ...

Mr. Panico stated that was never intended to be an independent office space. It was basically space for the owner.

Mr. Schultz stated that he could use it for storage because he does his own maintenance.

Mr. Panico stated that he cannot have the establishment of another business in that building because there is no parking. You can only put one car there.

Comm. Harger agreed that it was limited with the little side lot past the end of the building.

Comm. Pogoda indicated that it was basically built for him to stay in when he came and built that.

Comm. Harger agreed – up there on the hill. She asked about hours of operation.

Mr. Schultz responded 9 a.m. to 5 p.m., Monday through Friday.

**On a motion made by Thomas McGorty seconded by Nancy Dickal, it was unanimously voted to approve Separate #480 for business occupancy.**

**SEPARATE #0489: ADVANCED SECURITY TECH, INC., 292 CORAM AVENUE, BUSINESS**

Mr. Schultz indicated that the Applicant was present and the subject property is down the road where they had the group home. The property has frontage on both Coram and Prospect and because of the frontage on Coram they have the provision for the larger homes to have professional offices. The Applicant is requesting that the Commission consider that this 4000 square foot former single family home be allowed for an electronic security facility with 18 full time and 2 part-time employees; 8 Shelton residents. Hours of operation would be 7 a.m. to 5 p.m. Monday through Friday, closed Saturday, Sunday and major holidays.

Mr. Panico asked if you can access that property through Coram.

Chair Parkins responded no. She asked for clarification as to its location.

Mr. Schultz responded it was where they have the group home around the corner. It has the parking in the back with a detached garage.

Chair Parkins asked if it was where they had the garbage area shielded with the trees.

Mr. Panico stated that does not seem to fit the definition of what was intended in that Special Overlay.

Mr. Schultz agreed and added that was why he told the Applicant to come to this meeting because the Applicant indicated that there are eight small vans and vehicles. He asked the Applicant if she had an opportunity to speak to people in the neighborhood.

**Debra Marino, owner of Advanced Security addressed the Commission.** Ms. Marino stated that she went to all of the neighbors and met the Guerra's, the Scarpa's, the Norko's, the Day's and three other families. She indicated that she left them with a description of their business, her contact information and information about the meeting tonight. She indicated that she received one phone call from a woman named Chrissy with concerns about parking and that seemed to be the question that everyone had about the parking on the street. She indicated that they would not be parking on the street because it has a huge parking area there and that was one of the reasons that they were drawn to that location because of the available parking there.

Ms. Marino indicated that their business is now in Stratford and they have outgrown it. It began with her and her father in the office and now there are 18 full time and 2 part time employees besides herself and her husband, Tom. There is only parking for four vehicles in the Stratford location.

Ms. Marino reiterated that they went to all of the neighbors and they all seemed very enthusiastic about it and no one seemed to object. She told them that they'd be attending the meeting tonight so if they had any concerns, they could call or contact the Commission.

Chair Parkins asked if she actually spoke with them or just left literature with them.

Ms. Marino responded no, she spoke to the Guerra's, the Scarpa's, the Norko's, the Day's and three other families whose names she couldn't recall including the house next door.

Chair Parkins asked if these trucks would be coming in and out all day.

Ms. Marino responded no, they sometimes come in the morning. They are small vehicles, such as Jeeps with some being marked and some unmarked because it is a security business. There might be one or two there in the morning and one or two might stop back at the end of the day and some might come in the middle of the afternoon but they don't all come there at the same time. She stated that they don't make money if their technicians are at this place of business. In the morning they go to their job location.

Comm. McGorty asked if they have the service vans with them.

Ms. Marino responded yes they take them home overnight.

Mr. Panico asked how much of an office component there was.

Ms. Marino stated that there are six people who work in the office from 7 a.m. to 5 p.m. Some come in at 7 a.m., some at 8 a.m. or 9 a.m. but everyone is gone by 5 p.m.

Comm. McGorty asked if there would be six or so cars there then.

Ms. Marino responded yes, 6 cars.

Comm. Harger asked about the part time employees.

Ms. Marino stated that there are two part time employees.

Comm. McGorty asked how many spaces were there.

Mr. Panico asked if it was a 4000 square foot house.

Ms. Marino responded that the house itself was 4000 square feet but she is going by what the real estate information listed. She added that she didn't know if that was the building, the house and the garage, or just the house.

Chair Parkins stated that they aren't going to list the garage. She asked if her business would be occupying 4000 square feet of space.

Ms. Marino responded yes.

Comm. Harger commented that there was more than one level.

Ms. Marino responded yes, it is three levels.

Comm. Harger asked if she was planning on having an apartment upstairs.

Ms. Marino responded no.

Comm. McGorty asked if it was just for her business.

Ms. Marino responded yes just for the business.

Chair Parkins stated that this is allowing a commercial use in a residential area.

Mr. Panico commented that the trouble is that it does not meet the intent of that zone. The intent of that zone was professional office uses.

Mr. Schultz responded that the previous use was a safe home for foster children which has vacated and they cannot find a new user.

Chair Parkins commented that was State regulated (inaudible)...

Mr. Panico stated that he was not opposed to the use but he is just trying to make it fit with Zoning.

Mr. Schultz indicated that's right and the Applicant was advised of that (inaudible)...

Mr. Panico stated that it might require a variance.

Ms. Marino indicated that it would basically be used for office space. They don't manufacture anything.

Comm. Harger asked if they do repairs.

Ms. Marino responded that sometimes an in-house repair such as if a camera is broken - one of the six people who are working there might do some types of repairs. They do services for the Shelton Police Department, the Shelton School System and she thinks that they would be an asset to the neighborhood. She stated that she knows that they aren't a doctor's office but she doesn't think that they have as much traffic as a doctor's office.

Comm. McGorty asked about the customers and if they come there or if they go to their facilities.

Ms. Marino responded that their customers never come to them but they do have vendors that visit them. Customers never stop in to pick anything up or anything.

Comm. McGorty asked how the vendors were scheduled or if they just show up or appointment.

Ms. Marino indicated that they usual call for an appointment to show them a new camera or product. Where they are located now, people stop by like the phone company or UI so they are unscheduled visitors but most of their vendors want to meet with a specific person or one of their salespeople so they schedule an appointment.

Mr. Panico asked where they store the materials used in the installations.

Ms. Marino stated that if it is a large job – and their customers are large even though they are a Mom-and-Pop business – their customers are huge like Sikorsky Aircraft, Bridgeport Hospital, Shelton Police Department, P&W, school systems in Fairfield, Stamford, Wallingford...if they have a large job the order will be sent directly to the customer by drop shipment. They would get paid quicker too that's why and they can build them before they install them there. For small jobs, UPS or Fed Ex drops it off to them such as a couple of cameras.

Mr. Panico asked if they had any need to warehouse any merchandise.

Ms. Marino responded that they don't warehouse because they don't wholesale the equipment. No one calls them up to buy a camera and they check their inventory to see if they have one. They have some inventory but the inventory they have could be kept in the basement or garage for spare parts. They have wire in their Stratford building that they own as a separate warehouse and they would keep bigger stuff there. She added that they have been trying to get rid of inventory because it is just sitting and accumulates over the years such as outdated cameras. Ms. Marino indicated that they are looking to do some housekeeping and get rid of a lot of stuff. She stated that they do get deliveries by UPS or Fed Ex for smaller things.

Comm. Harger asked if that was on a daily basis.

Ms. Marino responded yes probably.

Chair Parkins asked how many parking spaces are on the site.

Ms. Marino responded probably 15 and asked if they have ever seen that driveway.

Mr. Panico asked if they were paved spaces.

Ms. Marino responded that the whole thing is paved and it is bigger than the City Hall parking lot.

Chair Parkins asked if all of her employees would be able to park on site.

Ms. Marino responded yes, all six and any vans or vendors that stop by.

Mr. Panico asked for clarification that the service vans go home with the drivers and don't get parked on the premises.

Ms. Marino responded correct.

Comm. Harger commented that they don't drive their personal cars in and go pick up a van.

Ms. Marino responded that they all drive small transits. They have three Jeeps, a Pilot, an Element...

Comm. McGorty commented OK, they are small transit vans.

Ms. Marino stated that they may have seen them around the Police Department. She presented a rendering of their logo.

Chair Parkins asked if the house was vacant now.

Ms. Marino responded yes.

Chair Parkins asked if she had any intention of renting out apartments upstairs or making any type of living arrangement for anyone in the house.

Ms. Marino responded no. It has a big kitchen and that would be for their use. They went through every room and she has the plans with her if they want to see what it looks like inside.

Comm. Harger stated that her overall impression is that this is a low to moderate impact in the neighborhood and she thinks that knowing those neighbors...

Mr. Panico stated that aside from that they have to wrestle with the Zoning question if it does or does not meet the Zoning and he thinks that they have to think about it.

Comm. McGorty agreed that was the obstacle, he doesn't think it is an intense use but (inaudible).

Ms. Marino explained the floor plans showing the first floor of offices.

Mr. Panico stated that it seems like an ideal situation that works as far as to how they want to use it but the question is (inaudible)...

Ms. Marino explained that they are going ahead with the offices lined up (inaudible)...

Mr. Schultz stated that he didn't know that the vans leave and added that the vans have commercial lettering.

Comm. Pogoda stated that they wouldn't want them in a residential area.

Mr. Panico responded that they'll leave and go to another residential area – at somebody else's house.

Comm. Harger asked how the Regs define a "professional office."

Mr. Schultz read the description of a professional office from the Regs. "For the purpose of this section, the professional office is an office maintained by a physician, surgeon or other

practitioner of healing arts, a dentist, podiatrist, lawyer, clergyman, professional engineer, land surveyor, landscape architect, artist, teacher, musician and shall include as such others persons who may be engaged in support of the office in a non-professional capacity.”

Ms. Marino responded that they were listed with the State of Connecticut and she has the Certification. The first thing that it says is that they are a consulting, engineering, installation and servicing of card-access end products, etc.

Chair Parkins indicated that professional engineering is a P.E.

Mr. Panico stated that the office component is fine and he doesn't have a problem with that. The problem is the service trucks; he thinks that this Commission has to think about this and try to rationalize what it is that they are dealing with and whether it fits or does not fit.

Comm. Harger indicated that she states no vehicles are on the premises overnight.

Chair Parkins stated that they aren't there overnight but there are still vehicles there.

Comm. Harger responded that it makes sense that they would have to drop in to pick up things.

Chair Parkins indicated that with a professional doctor or lawyer you don't have that.

Comm. Harger responded no but there would be clients coming in.

Mr. Panico stated that what they have to wrestle with is if the service activity is ancillary to the office function or is the office function ancillary to the service activity.

Comm. McGorty asked how they get their work orders or instructions and what happens with paperwork after completion. He asked if it was all electronic.

Ms. Marino responded that it was all electronic.

Comm. McGorty asked if they had to come by and drop it off.

Ms. Marino responded that it is submitted to their phones on a program called Building Reports so the service calls are filled out on the computer and it goes directly to an IPAD that the technicians have with their instructions, location, point of contact. When the work is completed, they fill it out the information and send it back electronically.

Comm. Harger asked what the need would be then for her employees to stop by during the day.

Ms. Marino responded that sometimes they just stop in to say hello or to pick up a camera or drop something off for shipping.

Chair Parkins asked if they consult for other security firms such as designing a system without installing it.

Ms. Marino responded yes.

Chair Parkins stated OK, so they are consultants as well.

Ms. Marino responded yes, they consulted for the Shelton (inaudible)...

Mr. Panico asked if they work on systems for which they will not be doing installations.

Ms. Marino responded yes but they hope that is not the case. They hope that when they are hired as a consultant but sometimes they can't compete.

Mr. Tom Marino, Advanced Security Technologies Inc. addressed the Commission and commented that they cannot do both – be the consultant and be the installation company.

Comm. McGorty stated that they do system design and layout.

Ms. Marino responded yes.

Mr. Panico stated that there is a very gray area that worries him.

Comm. Tickey indicated that he needs to think about but it is a professional use because they do consulting. It would have traffic but as with other offices, such as a doctor's office, it would have even more except it would be cars instead of vans. He added that they wouldn't be staying overnight and would be out throughout the day. It seems like a large area where they would be able to come in and out of their own driveway and not on the street.

Chair Parkins stated that with a professional office such as an attorney, they are talking about one or two attorneys seeing clients.

Comm. Tickey commented that when he goes to the dentist, he always has to wait and there are many people in there with cars coming and going.

Comm. McGorty agreed that it was the same for any doctor's office.

Comm. Harger reiterated that she thought it was a low to moderate use and knowing those neighbors, they are very vocal and would (inaudible)...

Chair Parkins stated that they have to be careful with this zoning. It is a Zoning issue and if they set precedence than they set precedence.

Comm. Pogoda agreed that whether the residents care or not, it is just that (inaudible)...

Chair Parkins stated that they have to figure out how they are going to deal with the Zoning.

Mr. Panico indicated that they are going to have to make sure that they document it so that if they do look favorably on it, it won't open the door to a lot of potentially undesirable things.

Comm. Pogoda asked Tony Panico if that was something he wanted to look at before they decide.

Mr. Panico responded yes, just table (inaudible)...

Comm. Pogoda commented that they need to do this right and let Tony (inaudible)...

Chair Parkins asked Tony Panico if he thought the variance was the way to go.

Mr. Panico stated that he wasn't sure but he'll have a better feel when he goes back and rereads what they put together when they first put that in there.

Chair Parkins commented that would require a public hearing and the residents would be notified and they could come out and speak at the public hearing.

Mr. Panico asked what the hardship was, if they were talking theoretically about variances.

Comm. Dickal stated that some of it was questionable so they should table it and figure it out.

Comm. Harger commented that the whole concept was something that they are in agreement with but they have to be careful with the Zoning Regs; it isn't cut and dried.

Comm. Dickal agreed because they don't want to start something because this is a house in a residential neighborhood and they don't want them popping up all over the place.

**On a motion made by Anthony Pogoda seconded by Nancy Dickal, it was unanimously voted to table Separate #0489 for business occupancy.**

**SEPARATE #0345: WRITTEN WORDS, LLC, 415 HOWE AVENUE, STE. 888, BUSINESS**

Mr. Schultz indicated that this was for the bookstore in the Conte Building which was finally rezoned for commercial use. This business is 863 square feet, one employee, hours of operation Monday through Saturday, 10 a.m. to 7 p.m. and Sunday 10 a.m. to 3 p.m. and it is a permitted use. It is on the first floor with the coffee café.

**On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously voted to approve Separate #0345 for business occupancy.**

**SEPARATE #0502: FF PRODUCTIONS, 549 HOWE AVENUE, 2<sup>ND</sup> FLOOR, BUSINESS**

**Nathan Page, FF Productions addressed the Commission.** Mr. Page stated that he wants to bring FF Productions to Shelton. It is a vocal training, dance training– it is a business development entertainment center for those who have dreams – that is what they do. He indicated that they have been in business since 2008 and he has run it as an event company from home. He stated that he thinks it is a good fit here in Shelton because although they have several dance schools here, FF Productions has worked with larger entertainers and has a great name throughout the county, not just Connecticut. He has brought a lot of people into Connecticut such as the Strand Theater and some of the other places. He commented that he thinks bringing dreams alive for people is a great thing.

Mr. Page presented a PowerPoint slide to explain his concept and indicated that in listening to everybody, he knows that his logo probably wouldn't be good for the Shelton area as he has heard them talk about the signage. He would like to put a 3' x 5' window sign up with nothing on the actual building. He stated that this rendering would be his actual sign.

Mr. Schultz stated that this is the Mill Building.

Mr. Page responded correct, 549 Howe Avenue on the second floor right above the pawn shop. It is 2400 square feet.

Comm. Harger stated that it is not too unlike what the Glitzy Girls did for their window treatment.

Mr. Page stated that the hours of operation would vary – Monday through Friday, 9 a.m. to 9 p.m. but 9 a.m. to 5 p.m. would be primarily business and 5 p.m. to 9 p.m. would be individual or group training depending upon the classes.

Chair Parkins asked if what he means by business development is that he is an agent.

Mr. Page responded that he has been doing management for years and he's had people come to him that had great gifts with no idea how to go forward so they are a concept for all of it. They show them how to dance, sing, and perform dancing and singing together. There are a lot of people with talent out there but they don't know how to hone those gifts. The concept of the starving artist is very real and he wants to show people how to do it.

Mr. Page indicated that the people who he has coming in to work for him are all 1099 – they are professional teachers that come into the area. The only actual employee in the building would be himself.

Comm. McGorty asked if they set everything up, getting a class, getting a vocal coach...they have a class or a have a one-on-one.

Mr. Page responded yes, absolutely.

Comm. McGorty asked about how many people that would be.

Mr. Page responded that his desire is for 10 to 15 per class because the area is only 2400 square feet. He will bring in a portable dance floor so there is nothing that would be affixed into the 2400 square feet. He obviously doesn't own the building and doesn't want to do anything but cosmetic work.

Comm. McGorty asked if it was a large open space or a partitioned space.

Mr. Page responded that it was just a big open space. It is a great space for what he wants to use it for though.

Chair Parkins asked if there were acoustic panels in there.

Mr. Page responded no there are no acoustic panels but it is all brick and what they will do, if there is an issue, but he doubts very seriously that there will be, they will put up foam. They will put up soundproofing which is simple to do. He added that they have Whitestone Studios next door and they don't want to be in competition with them; they want to work with them so it is actually a good fit.

Chair Parkins asked what Whitestone Studios was.

Mr. Page responded that they were a recording studio right in the same building.

Chair Parkins asked Rick Schultz if they knew about them.

Mr. Page stated that they have been there for years. He added that he hopes he didn't start any trouble.

Chair Parkins commented (inaudible)...

Comm. Dickal commented that she didn't know about them either.

Chair Parkins stated that if he is here legitimately and paying taxes than everybody else should be doing the same thing.

Mr. Page indicated that's why he was there because he wants to make sure that everything is in order.

Comm. Harger asked if there was any problem with the amount of space on the window for the sign.

Comm. McGorty stated that there was a lot of window space up there.

Chair Parkins indicated that they have a maximum of 50%.

Comm. McGorty asked what the sign would be made of.

Mr. Page responded it would be a 3'x5' sign on the window and it is window film. It is not very large.

Chair Parkins clarified that whatever he has on the window can't exceed 50% of the window size.

Mr. Page responded that he understands.

Chair Parkins asked if he said there would be 10 -15 in a class at one time with one teacher.

Mr. Page responded that they want to do specialized training and hopes that the people coming are coming for a purpose. It isn't just a kid's class or an adult's class.

Chair Parkins asked what the age ranges would be.

Mr. Page responded that it would vary. He has worked with 5 year olds and people who are up to 60 or 70 years of age. Everyone has a dream and he wants to help them fulfill it.

Comm. Harger asked if he sets up the instructors first.

Mr. Page responded yes, absolutely.

Comm. Harger asked if that's what would draw the people in. She asked if they were one day things or longer events.

Mr. Page responded that it would depend on desire. Most people understand that to make it anywhere, you have to invest in yourself. Some people will come one day a week depending upon what they can afford while others will be there 3 to 5 times a week. His desire is that the place will be open for them.

Chair Parkins asked how he advertises.

Mr. Page responded newspaper, radio, word of mouth, and a lot of (inaudible) – any way that is feasible to get the name out, they will do it.

Chair Parkins asked him to keep their Sign Regs in mind because they don't like sloppy flags and banners...so don't draw attention that way.

Mr. Page responded yes, he heard that tonight. He understands that if he decides to do any exterior signage in the future, he knows he has to come back to the Commission.

The Commissioners wished him luck with the business.

**On a motion made by Thomas McGorty seconded by Jim Tickey, it was unanimously voted to approve Separate #0502 for business occupancy.**

**SEPARATE #501: AROMA JS, 507 HOWE AVENUE, BUSINESS AND WALL SIGN**

Mr. Schultz stated that this is Dave Grant's building where the ice cream occupant, Sweet and Savory was located. This is 900 square feet, one employee and hours of operation 7 a.m. to 6 p.m. for a restaurant – food and catering.

Comm. Harger asked if it was a sit-down restaurant with tables.

Mr. Schultz responded yes, sit down.

Chair Parkins asked if this was next door to Dee's Kitchen.

Mr. Schultz responded correct and indicated that the floor plan was on the second page of the hand-out and the first page is a rendering of the proposed wall sign and the projected sign.

Comm. Dickal asked what type of food it would be.

Mr. Schultz responded Mediterranean.

Comm. Harger commented that the layout was pretty much the same.

Mr. Schultz responded that it was smaller- it is 900 square feet.

Mr. Panico asked if that was one big room on the second floor.

Mr. Schultz indicated that the signage has three components including the wall sign which is pretty straightforward, the projected sign with daily specials (like a chalkboard) and the third sign has a photo and that is probably something that they want to avoid.

Chair Parkins agreed and added that's not...

Mr. Schultz responded that this is the first food establishment that will have the specials outside because usually you have to walk inside. Some restaurants will have a chalkboard outside.

Chair Parkins stated that they don't need the airport kiosks with the pictures and numbers of what to order.

Comm. Pogoda asked if this was on the first floor.

Mr. Schultz responded yes, right on Howe Avenue.

Comm. Harger added that it was to the right of Dee's Kitchen.

Chair Parkins asked if the Applicant was present but he was not.

Mr. Schultz indicated that the Little Tomato Pizza Shop is on the corner.

Chair Parkins commented that he says it is Mediterranean but it's showing French fries here.

Comm. McGorty asked about the name – Aroma JS. He asked what that stood for.

Comm. Harger asked about the sign.

Mr. Schultz responded that it was solid, not internally illuminated.

Chair Parkins reviewed the floor plan and asked what types of food specifically and if it would be gyros...

Comm. Harger asked about the graphic of the globe.

Mr. Schultz commented to put an "X" through that.

Chair Parkins stated that she thinks it is supposed to be geographically showing the Middle East.

Comm. Pogoda commented about the pictures of the fork and the spoon.

Mr. Schultz asked if they wanted it out and what the consensus was.

Comm. Pogoda responded no to the fork and spoon.

Comm. Tickey stated that if they took Dee's Kitchen to task over their font – well, there's a lot happening on this.

Comm. Harger commented that she didn't think it promotes the business.

Mr. Schultz asked them to put an "X" through the fork and spoon.

Chair Parkins stated that she wasn't sure that the Aroma JS was, the name is...well, at first she was thinking this was aromatherapy, massage, oils...so she didn't think it was a food establishment. She added that she thinks it needs something to indicate that it is Mediterranean food or something.

Mr. Schultz suggested tabling the sign because the Applicant is willing to work with the Commission. He added that they can act on the use.

Chair Parkins agreed about tabling the sign and acting on the use. She commented about getting rid of it but adding something about it being Mediterranean food.

Comm. McGorty stated that maybe that was what they were trying to do with all the pictures of food.

Comm. Dickal stated that wasn't going to float either.

**On a motion made by Anthony Pogoda seconded by Nancy Dickal, it was unanimously voted to approve Separate #501 for business occupancy and to table the signage request.**

**AGENDA ADD-ON**

**On a motion made by Anthony Pogoda seconded by Jim Tickey, it was unanimously voted to add Separate #-0504 to the Agenda under Old Business/Applications for Certificate of Zoning Compliance for Schaible Realty, LLC, 25 Brook Street for a new business.**

**SEPARATE #0504: SCHIABLE REALTY, LLC, 25 BROOK STREET, BUSINESS**

Mr. Schultz stated that this was for All In Sales, a marketing company leasing 7000 square feet replacing the FPD Gym. The hours of operation are 8 a.m. to 6 p.m. Monday through Friday and it is by the Girls & Boys Club on the left.

Chair Parkins stated that gym just moved in there from River Road.

Comm. Harger indicated that they used to be on Canal Street.

**On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously voted to approve Separate #0504 for business occupancy.**

**APPLICATION #15-09: BRIDGE STREET PARTNERS, LLC FOR MINOR MODIFICATION OF CONCEPTUAL PLAN AND DETAILED DEVELOPMENT PLAN APPROVAL (MIX USE DEVELOPMENT), 64 HOWE AVENUE AND 44-58 BRIDGE STREET, PDD #67 (MAP 129D, LOTS 37, 38, 39 AND 40)**

Mr. Panico asked if they wanted to talk to the Applicant first or put the Report/Resolution on the table. He has already written what he's written but...

Comm. Pogoda stated that it is what it is.

Chair Parkins stated that maybe he should just read what he wrote.

Mr. Panico stated that he wrote in anticipation of some stuff coming.

Chair Parkins responded that they should set the tone and let the Applicant react.

Mr. Panico indicated that they can fill in the voids later on because he doesn't want it to get sidetracked with a lot of discussion. He read the Draft Report Resolution for Application #15-09.

**\*See attached P&Z Report Resolution for Application #15-09 for Minor Modification of Basic Development Plans and Approval of Detailed Development for PDD #67 for a mixed use development dated October 13, 2015.**

**End of Tape 1B, 8:26 p.m.**

Chair Parkins asked if they move this to discussion would they be able to discuss it with the Applicant.

Mr. Panico responded yes because they already discussed the Zoning issue; this is a site plan.

Chair Parkins asked for a motion to discuss the Draft Resolution. Comm. McGorty motioned and Comm. Tickey seconded.

Mr. Panico indicated that the last time that the Commissioners spoke as a group, he wasn't sure if everyone was aware of the ventilation situation.

Chair Parkins responded no, that is a new issue.

Mr. Panico responded that as a result of the Applicant's desire to utilize natural ventilation for the garage level, they had to achieve a certain number of lineal feet of grill work, venting work, in a certain number of square feet. This has led to putting in some vents. If they recall the wall that went down along the public walk, with the plaza above and the other walkway going down, in the lower part of the walk toward the back half of the building, there is ample room to have a series of vents. Some other venting was also introduced.

Chair Parkins asked the Applicant if they had those drawings.

The Applicant set up the site drawings on the easel for display.

Chair Parkins stated that one of the benefits of it is that it allows light to enter the garage.

Comm. Dickal commented that is good for safety issues.

Chair Parkins stated yes, light for safety purposes so if there is something going on in that area, if someone screams, it will be heard and it allows the natural light to come in.

Comm. Dickal agreed that was good.

Mr. Panico commented that it does impact how they are going to landscape that area. At one time they were going to do landscaping along the wall but then the Applicant was interested in softening the bridge abutment from view up in the plaza and he wanted to do the landscaping against that wall. He added that he thinks that what they may end up doing is some landscaping pockets on both sides and maybe the public walk weaves its way down instead of going straight down.

Chair Parkins referenced the grill vents shown on the updated renderings and added that in Tony's resolution he mentioned landscaping it to the extent possible to soften it. If the Commission would like to see what type of material is used than they can (inaudible)...

Mr. Panico indicated that the Applicant needs to work that walkway out in such a way to satisfy the Commission but also he has to work with the City because if it is handled right, there's a participation between the City and the Applicant in doing some of that work. It isn't just a case of them telling the Applicant that he has to do it. If the City can contribute and work toward it, that is fine but it also means that they get the opportunity to look at it and put their two cents in. It is a final decision that involves the Applicant and what they want to do, what the Commission thinks is right and what the City thinks is right and maybe the State might even have some say. At one time he thought the State might require vehicular along the rest of their right-of-way but in talking to Joe he didn't think that was necessary. Now, the bollard treatment takes on a different atmosphere. If they had to keep it passable for a vehicular than obviously they would want to protect anyone from going in that area; maybe they can do it in other ways so that is why he was wishy-washy on the bollards. Hopefully, they won't even need them.

Mr. Panico indicated that the other thing discussed since the last time they had this on the table was the necessity of closing both ends of old Bridge Street, not just the end up by Howe Avenue which was addressed, but the lower end as well. Up until now that hasn't been done but there will be continuity to that sidewalk with the granite curbing so those details have to come in. They have to coordinate with the stairway as well as the pedestrian walkway and the handicapped ramps. He indicated that those details are still being worked on. He stated that they wrote the decision and they are comfortable with the Commission going forward with it but there is more work to be done. It is a work in progress and the Commission will be kept fully informed. It is only when everything is said and done that the Chair will finally sit down and endorses the Final Plans.

Chair Parkins stated that the gate in the back where the parking is located is also supposed to be grated (inaudible)... a ventilated type gate not a solid metal.

Mr. Panico indicated that all of the spaces are gate controlled so there can be no unauthorized

access. He referenced the back elevation and mentioned the garage roll up but indicated that it is really grill work so it has light and air going through it. The grill work on the side will be complimentary to it. They haven't actually picked out the grill yet.

Chair Parkins stated that the wall that the plaza is sitting on top of is where the grates will be.

Mr. Panico indicated that some other issues that weren't addressed before – he asked Joe if he brought anything with him as to the other elevations.

Joe Mingolello, Architect, Mingolello & Associates responded yes.

Mr. Panico stated that they concentrated so much on this elevation that they never really paid any attention to the other but he knows it was the intent of the Commission to have those dormers on all of the elevations so they got that (inaudible)...

Comm. Pogoda indicated that he never saw that before (inaudible)...

Mr. Panico responded that they never looked at the Center Street elevation but they've got a lot of roof up there too and the Applicant has worked it out and put them in. The function of the doorway into the building on Howe Avenue is strictly an emergency exit doorway and that is why it was taken from the front face of the building and was wrapped around the corner. As a result the engineer's drawing showed it coming in the front but it is actually coming out the side so these little details have to be resolved.

Chair Parkins indicated that the drawing shown was the Canal Street side.

Mr. Schultz pointed out the roll up security grill.

Mr. Panico stated that there is additional grill work to the right of the roll up.

Mr. Schultz responded yes.

Mr. Panico indicated that they have to get a certain square footage of ventilation space and he has to get a certain percentage of the perimeter with some kind of ventilation.

Joe Mingolello, Mingolello & Associates, 90 Huntington Street, Shelton addressed the Commission. Mr. Mingolello referenced the stairwell coming down off of the plaza and he stated that they may be able to get some more grill work under there. They are also thinking of more of a decorative type grill – something that is attractive. He provided a rendering a decorative grill design to tie it all together. He stated that they need to work out those kind of details, the cost, etc.

Comm. Dickal commented that she liked the design.

Chair Parkins stated that she didn't have a good first reaction but then she realized the vent (inaudible)...

Mr. Mingolello responded that it will enhance that whole walkway between the landscaping, the benches and the grill work – it will all come together.

Comm. Tickey commented about the benefits they talked about and it not being just a painted wall.

Comm. Dickal agreed.

Mr. Panico indicated that once they get a tentative preliminary design of that walkway, they'll share it with the Commission.

Chair Parkins asked if there were any further questions or comments. With no further discussion, she conducted a roll call vote. All Commissioners voted in favor to the Resolution for Application #15-09.

**On a motion made by Thomas McGorty seconded by Jim Tickey, it was unanimously roll call voted (6-0) to approve Application #15-09 for Minor Modification of Conceptual Plan and Detailed Development Plan, 64 Howe Avenue and 44-58 Bridge Street contingent upon receipt of the final drawings for signature.**

Chair Parkins commented that she was nice to see things moving.

Mr. Panico asked Jim Swift if he had any other engineering drawings with some of the last minute things that they discussed.

**Jim Swift, P.E., Shelton addressed the Commission.** Mr. Swift responded that he has drawings with him but he doesn't think that it will show anything to the Commission that would be procedurally helpful. They are working on trying to get that curb line in on Canal Street to make sure that there is no access through there and some other minor things. He mentioned making sure that the walkway is connected to the Dunkin' Donuts parking lot and he thinks they have those drawings. Mr. Swift stated that it is all boiling down to that pedestrian access way.

Mr. Panico responded that was the last big item.

Chair Parkins asked how long he thinks it will take for them to get right-of-way from the State.

**Mr. Angelo Malisi, Bridge Street Partners, LLC addressed the Commission.** Mr. Malisi responded a couple of weeks because they have been working on it for quite a while. He added that the good news was that UI moved their time frame up 10 weeks and they put in new poles today. All they have to do is bring the wires across and take the poles down.

Mr. Panico did not make a misstatement when he said that all the utility lines are coming off of Bridge Street.

Mr. Malisi agreed and commented that it would hopefully be about two weeks.

Chair Parkins stated that was great that they were being cooperative.

Chair Parkins asked when he thought people could move in.

Mr. Malisi responded next September – 2016. He thanked the Commission.

**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 (PUBLIC HEARING CLOSED 8/11/15).**

Chair Parkins stated that the Commission had come to a consensus and asked Staff to prepare a favorable resolution.

Mr. Panico asked if they had final detailed drawings for Knauf's building.

Mr. Schultz responded no.

Mr. Panico stated that he knows that Jim Swift changed things when they had the public hearing because he had a different picture. The standing seam metal roof disappeared and the gable roof treatment but a lot of the detail is missing on the side and rear elevation. He doesn't know how much brick work there is so that is one of the unanswered questions.

Mr. Panico told the Commission that there are some additional details that they will have to fill in because some of the engineering details were left open. One of the Commissioners raised the possibility of evaluating a second curb cut so that has to be examined. They will have to come back with a final decision on that. It doesn't prevent the Commission from going forward because they have a project that works as it is designed. The details can only potentially improve it. The architectural drawings need further enhancement; he couldn't understand the (inaudible)

of the other three elevations so he wasn't sure how much brickwork had been planned. If what he is reading is correct than the brickwork has to be expanded to at least the side elevation that faces the parking lot. Because of the rock outcroppings, the back and the other side it may not be necessary to carry brickwork around there. He commented that he thinks that is something that they will have to sit down and discuss after this was decided.

Mr. Panico advised Mr. Mingoello that this was a public hearing so he couldn't address the Commissioners but he wanted to alert him of the fact that they have to bring the architectural drawings to reflect the new architectural treatment and make them up-to-date. He added that the drawings he was working from show the old standing seam roof on them. He added that he was confused about the extent of the brick work that he was anticipated. It looks fairly meager just in the front and they need to talk about expanding that and wrapping it around the left a little bit and on the right it has to have significant brick.

Mr. Mingoello responded that especially the tower – they would wrap that whole thing. He'll take a look at it.

Mr. Panico stated that he wasn't too concerned about the back because they have the big rock cut. He was going to put it forward as an outstanding item to be addressed.

Mr. Mingoello responded OK, yes.

**\*See attached P&Z Report/Resolution for Application #15-11 for Initial Concept and Final Site Development Plan Approval and PDD Zone Change for a commercial building at 561 Bridgeport Avenue dated October 13, 2015.**

Mr. Panico noted that this was one of the reasons why, if they can avoid it, they like to separate the Preliminary and Final Plans because they can identify concerns on the Preliminary and work them out before the Final Plans come in. He added that for now, he has to anticipate it; fortunately, they know the people they are working with and they've put in enough controls so that if they don't cooperate than they don't get final approvals.

Chair Parkins stated that if the Commission is not comfortable with applications that request the Preliminary and the Final then they can say that they aren't going to approve final plans.

Mr. Panico responded that this application looked like it was going to be easy but at the last minute, the roofing design was changed at the last minute for the public hearing but they have no back up drawings. He stated that it would be taken care of. He read the Draft Report Resolution for Application #15-11.

**End of Tape 2A 9:15 p.m.**

After reading the resolution, Mr. Panico asked the Commissioners if they had any questions. He reiterated that normally they would address all these issues before they even got to the Detailed Development Plan but since the Detailed Development Plans were submitted and the request was made, he tried to marry them into the one resolution. It causes a little bit of confusion but it doesn't compromise their position at all providing that the Commissioners are satisfied that the building belongs where it is shown and the general arrangement of parking is OK. The second connection to the parking, if it happens, can be worked out and doesn't change the layout substantially. Utility services have all been provided for and for the architectural plans, it is just a matter of sitting down with Joe and getting all the details reduced down to the drawings. He stated that he was comfortable with it.

Chair Parkins stated that she was trying to figure out about bringing the brick around.

Comm. Pogoda agreed.

Mr. Panico responded that they are going to want to know what he is proposing to do and run it by the Commission to make sure that they are satisfied with it. They have time to do that and don't have to do it by the 20<sup>th</sup>. He commented that they have to sit down and figure out how to deal with that Statement of Uses to make sure that the Commission is comfortable with it.

Chair Parkins commented yes, the food use.

Mr. Panico stated that they have to make sure that they don't get the wrong kind of food establishment there. It is about using the right terminology and how they will evaluate it. He noted that he put the limitation on three stores. He added that it truly is in a transitional position because the stuff going up has a mixed commercial flavor and to the left they are, hopefully, are going to have an attractive development proposal come in for that 120 acres so they don't want to do anything that would adversely impact that.

Mr. Panico stated that he thinks that they've gone in the right direction. This property is going to have 75% of it untouched.

Chair Parkins indicated that she thinks everything was addressed and she conducted a roll call vote. All Commissioners voted unanimously in favor; however, Comm. McGorty recused himself from voting.

**On a motion made by Nancy Dickal seconded by Jim Tickey, it was roll call voted (5-1-0) with one abstention to approve Application #15-11. Comm. McGorty recused himself from voting.**

### **NEW BUSINESS**

**APPLICATION #15-17: PRIMROSE COMPANIES REALTY, LLC FOR SPECIAL EXCEPTION/SITE PLAN APPROVAL (MULTI-FAMILY DEVELOPMENT AND COMMERCIAL BUILDING, 6 BRIDGE STREET AND 131 CANAL STREET (MAPS 129 AND 130, LOTS 21 AND 2), RF DISTRICT (ACCEPT AND SCHEDULE PUBLIC HEARING).**

Chair Parkins indicated that the information for this application, drawings, etc was in the Commissioner's packets and Rick is suggesting 10/27/15 for the public hearing.

**On a motion made by Thomas McGorty seconded by Nancy Dickal, it was unanimously voted to accept Application #15-17 for Special Exception Site Plan Approval (multi-family development and commercial building), 6 Bridge Street and 131 Canal Street, RF District and to schedule a public hearing for Tuesday, October 27, 2015.**

**APPLICATION #15-20: DOMINICK THOMAS ON BEHALF OF 714, LLC FOR FINAL SITE DEVELOPMENT PLAN APPROVAL (SHOPPING CENTER), 405 BRIDGEPORT AVENUE, 12 NELLE ROCK ROAD AND 20-36 BUDDINGTON ROAD, PDD #70 (MAP 77, LOTS 26, 27, 28, 29 AND 30) – ACCEPT AND START REVIEW PERIOD.**

**Atty. Dominick Thomas, Cohen & Thomas, 315 Main Street, Derby CT addressed the Commission on behalf of the Applicant.** Atty. Thomas provided an update for what is known as the Crabtree site for the Final Site Development Plans. When they were here talking about the change to the Statement of Uses & Standards, he mentioned that sites like this are very much tenant-driven and they've done a lot of work over the last couple of months to address the issues of the tenants.

Atty. Thomas stated that tonight they will have a presentation from Jim Swift, P.E. on the engineering aspects of it and Pat Rose will discuss the architectural color elevations. They also have two representatives here from the Big Y to answer any questions that the Commission may have. He stated that they think this is a first class site to go forward and he said that now things are ramping up and their hope is to get approval as soon as possible. The goals are to get a foundation and the permits once they resolve issues with OSTA, minor issues with OSTA as soon as possible and the target is to have buildings up by next fall. He asked Jim Swift to present and he added that this is their initial presentation. They did not have the opportunity to have a Staff session so hopefully they will have a good exchange with the Commission so that they can have a Staff session. He reiterated that they are looking for the approval as soon as they can.

**Jim Swift, P.E., 102 Village Drive, Shelton addressed the Commission.** Mr. Swift indicated that these are the Detailed Development Plans. He stated that he would explain the differences from this drawing from the original concept drawing plans. He would concentrate on that and questions could be generated from there.

Mr. Swift began in the corner of the site and indicated that originally there was an 1800 square foot building proposed for the back corner with a drive-through that was conceptually a coffee shop or something of that nature. At the last public hearing held to modify the Standards of the Basic Development Plans that building has now changed to a gasoline service station. The location and design conforms to all of the standards put in place when the Commission saw fit to approve that change to the Statement of Uses and Standards. He stated that was the first change.

The second change is the reconfiguration of the main building which they can see is now two buildings. The main anchor has moved directly to the southernmost portion of the site. There used to be some retail stores facing directly south on that end of the building and those are clearly gone now. They have a vehicular pass-through; the building has been split in two so that one-way and two-way traffic is allowed in between those two buildings there. The total floor area of that building is now reduced by about 1200 square feet so in all, the building has gotten a little bit smaller.

Comm. Harger asked which building he was referring to.

Mr. Swift responded that when he says "this building," in the original Concept Plans, this was one building so that is why he's referring to two buildings.

Mr. Swift showed the portion of the site where they added an additional building. He commented that it is clearly some sort of a coffee shop, a food service type that is not a fast food type of a service but more of a coffee shop. It is likely to be a chain; he doesn't think that they have any announcements or anything like that but it does have a drive-thru around the back in two spots and it is just under 2000 square feet so it isn't a high-density restaurant use but a coffee shop type of use that they are looking for tenants for right now.

Mr. Swift stated that they do have a front building that used to be a 3500 square foot proposed building in the front corner of the site. They don't have any prospective users in that area right now so they are going to call that a future development use hence, the termination of this being Phase I of the Detailed Development Plans. He pointed out the location of the Phase II area and added that the square footage has changed from 3500 square feet. He commented that he thinks that the original intent for that building in the front previously was a bank. It did have a drive-thru and it was about 3500 square foot which is about the size of a bank; they aren't getting a lot of interest there.

Mr. Swift indicated that what they've done is allowed for a very large pad area, not with the intention of trying to fill it up with building floor area, but just to try to keep all their options open to what that might be in the future. He indicated that what they do show as a matter of good faith is to say that it is probably somewhere in the 5200 square foot range which could be any number of chain restaurant type of uses. It could in fact be some of the other uses that were approved by the original Concept Plan such as a bank which would be a much smaller building. He reiterated that that area is still up in the air.

Mr. Swift indicated that the last thing he was going to discuss was not so much a change to the Concept Plans because it wasn't originally indicated on the Concept Plans, but it was addressed in the approval documents and that is the right turn out onto Nells Rock Road. He commented that they had shown that and the Commission wasn't crazy about it. Without exception, every tenant that they talk to, particularly on that end of the site, asks why they don't have a right turn out onto Nells Rock Road. In discussion, they would like to talk to the Commission about reconsidering that right turn out and how it might work for traffic.

Mr. Swift stated that they do have the original State Traffic Commission (STC) approval that does not have that and they are in the process right now of getting the State to opine on it as whether it is a good thing, bad thing or indifferent thing from their perspective.

Mr. Panico asked if they actually have full STC approval.

Mr. Swift responded that they have the STC approval but the STC approval does not show that because it was a condition of the Commission. They contacted the State on a preliminary basis as to what kind of affect that would have on the STC approval. They hemmed and hawed a little bit and they said that they need some facts and figures provided so in the way of the State, they aren't going to move quickly on it. He indicated that they're proceeding to give the State those figures so that they can give this Commission the full benefit of what the State says about it. He added that yes, they do have full STC approval.

Mr. Swift stated that there are a couple of minor things. They had previously shown a wall all the way across the front of the site and that was when they had a 10 foot setback to the pavement along there. They have increased the green space from that 10 feet to about 19 feet to about 16 feet and that is enough for them to eliminate the wall and yet increase the green space area in there. It doesn't change the concept of the planting, hiding the fronts of the cars and that sort of thing.

Mr. Panico commented that he noticed that they've got a considerable amount of fill in the front right-hand portion of the site. He asked if that was an attempt to have a balanced cut and fill on the job.

Mr. Swift responded that they aren't going to reach a balanced cut and fill. They are trying to lose as much material as they can without compromising the design of the site. The removal of this wall has more to do with them increasing their green space than any significant changing of the grades across the front of the site.

Mr. Panico stated that he was looking at the corner of Nells Rock and the former frontage road and right there they have about four or five feet of fill coming in.

Mr. Swift responded yes, that was always there. There is not a significant difference here. When they examined the grading plans, they'll see that the whole site and some of the buildings were lowered somewhat and that is a result of when they put that strip of retail adjacent to the building there and they had a step in the structure. Now that they have slid the anchor building down, they don't have that step in the structure so that previous elevation has to carry through; like dominoes it ripples through the site. Mr. Swift stated that they have a little bit more excavation.

Comm. Dickal asked what the advantage was of splitting it open instead of keeping it together as one.

Mr. Swift responded that it was one of the requests from the user to have it that way for traffic.

Mr. Panico commented that eliminates a lot of the traffic going all the way around the end of the building.

Mr. Swift responded that it was something that was stated in the (inaudible)...

Comm. Dickal commented that if it is going to be a gas station in the back would people go between the two buildings.

Mr. Swift showed how they could come directly into the gas station. He stated that they took a lot of time on citing this gas station so that it is not so much "in your face" but it is clearly visible in coming up the line. He showed the location of a planting area to minimize any direct view of gas pumps or anything. Anybody using the gas station, certainly the main user wants people to use both facilities. He showed how you could come straight in, use the gas station, circulate right in and circulate back out if you wanted to.

Mr. Swift stated that they deleted a significant number of parking spaces around the corner which was one of the things that the Commission had asked for. They had that coming down to a point for parking but they have opened that up and further examination of the landscape plans is going to show how they are trying to take this intersection and (inaudible)...

Mr. Panico asked if the big square shown over the gas station was the outline of the canopy.

Mr. Swift responded yes, correct.

Mr. Panico commented that he looked quickly at the PDF's from Atty. Thomas and asked if there was a canopy enclosure between the two buildings  $\frac{3}{4}$  of the way back.

Mr. Swift responded yes there is and that is a good point. It should have been hatched on the drawing the same way. He showed the location of the canopy between the buildings.

Comm. Harger asked if that was a cover in between the two buildings.

Mr. Swift responded yes.

Comm. Harger asked what the need for that would be.

Mr. Swift responded that it was an architectural feature.

Mr. Panico stated that it also provides shelter to the drop off of the store on the right hand side.

Comm. Harger commented that the entrances aren't going to be there.

Mr. Swift stated that there is a door to Retail #2 right in that location. As a general note, they don't have a final square footage for the building in the Phase II development but they expect that the overall square footage of the Center was approved at 130,000 and it is going to end up more in the 120,000 square foot range.

Mr. Panico asked if the parking requirement for the pad for the future building had already been anticipated in the parking that they are going to construct at this time.

Mr. Swift responded yes, at the very least there will be peripheral parking all around that area. They have had some interest from some users that they've done some schematics for a building of about 5200 square feet and the parking still balances overall on the site while providing them with adequate trash disposal facilities, delivery access, etc.

Mr. Swift commented that he wasn't sure if the Commission wanted to examine this more or go to the architectural.

Chair Parkins stated that she has a lot of questions but they can continue.

Mr. Swift commented that he has finished with the site.

Chair Parkins indicated that one of the things when they approved the change in the Statement of Uses for the gas facility, there was some concern from the Commissioners about having more specifics as to the hours of operation, lighting and that sort of thing. She commented that she didn't know where that has been covered.

Atty. Thomas commented that the hours of operation of the gas station – they have representatives here from Big Y – the store hours range from 7 a.m. to 10 p.m. He introduced Anthony Copolla from Peppin Associates, the architect for Big Y. He commented that the gas station would mirror the store with the possibility that the gas station might stay open a little bit later but it isn't a 24 hours gas station.

Chair Parkins responded that they would like to set the hours and 10 p.m. sounds reasonable.

Atty. Thomas indicated that they would relay that to the tenant with respect to it.

Chair Parkins stated that they did that with Stop & Shop as well.

Comm. Pogoda added especially with the resident's right above it.

Chair Parkins commented that there is no reason to keep it open longer than the store is open.

Atty. Thomas asked Mr. Swift if he reviewed the landscaping plan.

Mr. Swift responded that the landscape plan is...

Atty. Thomas stated that he wanted to point out the rows along Buddington to cover that – because there have been some concerns. There is going to be some property transfer, a small property transfer along Nells Rock Road to increase the snow shelf to the City. Along Buddington Road they are going to be transferring enough property so that the City will have 25 feet from the center of Buddington into their property similar to what they do on a subdivision when they are on an existing narrow road. It will still leave them with a substantial amount of area to be able to landscape. He asked Jim Swift to show them the landscaping along Buddington so they have enough property up there. There will be a substantial tree buffer.

Mr. Swift commented that those land transfers are proposed to deed land back to the City were shown on the original plans and they remain unchanged. The specific layout of the intersection and where that proposed line actually is has changed because of the STC and the way that they've maneuvered things around. Once the Commission is satisfied with the layout then those lines will become finalized and they'll be able to prepare a map to file and make those transfers.

Mr. Swift stated that as far as the landscaping goes, the line of wall or rock cut along the back is fairly definite and he pointed out the area across the site into to the corner. He stated that he mentioned previously to the Commission that they did some testing along that area without the benefit of the specific layout. They know that there is going to be some portion of wall in some areas but it is possible that they may hit rock ledge. If the ledge comes out level – if the ledge is following the contours as they come down into the site then they will need the wall. If the ledge comes more out level and the overburden gets shallower then they will probably not need the wall. He explained that was why they will see two different lines on the plan – a heavy dash line and a line where the pavement is. If they do a wall, that wall will be located out where the pavement is but if they find out that the rock is shallow enough that they don't need the wall, the actual face of the rock cut will be farther back so that they have adequate rock fall areas before coming into the pavement. He reiterated that was the reason for those two lines.

As far as the landscaping up above, he showed an area where there are a significant number of existing trees and a few others scattered in other areas. They are large deciduous trees that they don't want to cut down for obvious reasons. They are proposing a line of evergreens and white pines that continue all along that proposed street line, right at the street line to get them as high up on the hill as the can for the best buffer possible. On the rest of the hill side they are using two different species of juniper that get fairly high (6 – 8 feet high) without putting too much weight on top of a wall if that is what it comes to.

Mr. Swift indicated that on the landscaping there is the usual note that the Commission insists on that once they execute this, the Commission has the ability to take a look at it and add some more material if necessary.

Chair Parkins stated that it was their preference to get that landscaping up there done as soon as possible.

Comm. Dickal asked where the large trucks would enter and exit.

Mr. Swift provided a site plan rendering and explained that they've provided for the trucks for the main user, the supermarket to come in at the main entrance, maneuver however necessary into their service area and come directly back out again.

Chair Parkins asked if their turn around area was going to be near the gas station.

Mr. Swift responded that it was the diameter of a circle. He added that clearly, if there is a big line for the gas station it would be a really bad time for the trucks to come.

Comm. Harger commented that could be anytime during the day.

Mr. Swift stated that the truck would wait.

Chair Parkins commented that it would preferably be during the day and not at night and they will talk about that.

Comm. Dickal asked where they would be waiting if they come in and the gas station is...she asked if they would just park there and wait. She asked what would happen with the customers at the gas station.

Mr. Swift showed that the customers would be circulating this way so once the truck comes in they are free to fill up their cars and leave. The truck does not obstruct them from maneuvering back out of the site so that the truck can make the maneuver it needs to make.

Comm. Harger commented that she thinks that what she and Nancy are both thinking about is the congestion.

Comm. Dickal stated that she was totally thinking about the congestion because it doesn't look like enough space to her. Some of those rigs are really huge.

Comm. McGorty asked about the size of the circle and if it was about 100 feet.

Mr. Swift responded that the circle was a 50 foot diameter which is what a truck needs to make that maneuver.

Chair Parkins stated that she doesn't see lines forming at that gas station.

Mr. Panico agreed that he didn't either.

Comm. Dickal stated that they have issues at Stop & Shop.

Chair Parkins stated that it wasn't blocking traffic; it is just blocking the people trying to get into (inaudible)...

Mr. Panico agreed that it would only be messing up their own operation.

Comm. McGorty agreed that it was Big Y's business so he's sure that they'll try to schedule it when it isn't during peak gas station hours.

Comm. Dickal indicated that her concern was about the safety. It was chaos when Stop & Shop was paving recently, the police were there and everyone was turning around in all different directions to get out of that exit.

Comm. Pogoda commented that (inaudible)...

**Tony Copolla, Peppin Associates representing Big Y addressed the Commission.** Mr. Copolla added that 100 feet is made for a tractor trailer to spin. It is typical for (inaudible)...

Comm. Dickal asked if it was for the rest of the stores too.

Mr. Swift responded no (inaudible)...that is the traffic pattern that is possible for the supermarket. In any other case such as one of the other users, one of the conditions of approval for this was that this rear area be two-way so it was changed to be a two-way operation with two-way traffic all along the back. There is the ability for all trucks to circulate either way or both ways. It is necessary for one reason in that there is a service dock in one location. He showed that service dock location and explained how that truck would need to come in this way, come through, back in and proceed out. Those other trucks, obviously, that are coming in (inaudible)...

Comm. Dickal asked if that truck would be coming out near Nells Rock Road.

Mr. Swift responded that it could. It is conceivable but the radius and width of the driveways are designed as such that a truck could come in, circulate around through the building and back out the main entrance. He reiterated that was the design and that was the ability that any truck entering the site has in either direction so it has complete freedom how to maneuver.

Comm. Harger asked if that was the traffic pattern he was suggesting for a vehicle – a large truck.

Mr. Swift responded no, what he is saying is that they have accommodated both.

Atty. Thomas stated that they are talking about trucks like this is going to be a truck depot. This is a retail site and the amount of trucks, especially beyond here, the amount of trucks is relatively minimal and he would venture to say when they look at the uses that are going to be down here, the vast majority of trucks are going to be box trucks. There may be semis backing in but they aren't talking about truck-intensive uses so that was why the discussion was to keep it two-way and those trucks that do go out the front, and there are trucks in many shopping centers that go out the front.

Comm. Harger stated that there are some retail sites on Bridgeport Avenue that have truck entrances.

Comm. Dickal added that they are in the back away from the public entering and exiting the stores.

Chair Parkins asked about the loading dock on that second building and who it was intended for.

Mr. Swift stated that it was intended for that retail tenant.

Chair Parkins commented that those are for 18 wheelers backing in there.

Atty. Thomas responded yes, it could be, it is possible.

Comm. Tickey asked if there were loading docks on the others for #3, #4 and #5.

Mr. Swift responded no. He showed the two locations where they have four foot loading dock on the back of the building. All the other service areas are at grade (inaudible)...

Chair Parkins asked if those two docks were for one tenant.

Atty. Thomas responded no that wasn't one tenant. He commented that the 27,000 square feet wasn't one tenant.

Comm. Dickal commented that it was five separate tenants.

Atty. Thomas stated that the tenant that they are talking to in which nothing has been signed officially is looking for 17,000 and change. There is a second tenant that there is some discussion with for approximately 12,000 and change.

Chair Parkins asked if the loading dock was blocking that second user.

Mr. Swift showed where the access to the second building is on the corner in the back at grade. He pointed out that this dock, with some modifications, could possibly be used for both of these. There is a compactor shown and it could simply slide that compactor forward a little bit and extend a piece of concrete platform out.

Chair Parkins asked to see the drawing showing the canopy completely across because the other drawing doesn't show it going straight across.

Mr. Copolla, Big Y indicated that the canopy doesn't go all the way across and attach to the Big Y building; it is separate.

Comm. Pogoda asked if it was just an awning.

Mr. Copolla responded that it was a roof.

Chair Parkins asked how it was held up and if it was attached to the building. She asked if there were any poles or...

**Pat Rose, Rose & Tiso addressed the Commission.** Mr. Rose responded no there would be columns in this island in between that will hold up the roof.

Comm. Harger asked if there was a sidewalk underneath.

Mr. Rose pointed out the location on the site drawing and explained that there was a sidewalk on the edge of the retail space and an island that separates the in-traffic from the out-traffic. He indicated that the columns would be located in the island.

Comm. Pogoda asked if it went completely to the Big Y.

Mr. Rose responded that it is separate from Big Y. The Big Y is one building and this is another building.

Comm. Harger commented about the column location and asked if a car could go there.

Mr. Rose responded that a car can go on either side of that column.

Comm. Harger commented that it was almost like Home Depot where the contractors entrance is, where you can park underneath and (inaudible)...

Chair Parkins commented that he didn't say you could park.

Comm. Harger responded no, she wasn't saying that but it extends over like that.

Mr. Rose responded that yes, it extends over like the Home Depot pick-up.

Comm. Pogoda asked if the reason for that canopy was just for the entrance to that store.

Mr. Rose pointed out the location of the entrance to that store there which is a requirement of that tenant that they are talking to.

Comm. Pogoda asked if they wanted that.

Mr. Rose responded yes.

Comm. Harger asked why they didn't want their entrance in the front.

Mr. Rose responded that they have an entrance in the front of the store also.

Atty. Thomas stated that there is no finalized LOI with it but they had to draw it up with their requirement in it. The 12,000 square foot store, in which they are pretty close to an LOI with is a package store. For one of the smaller stores down farther, they are close to an LOI with a high-end jewelry store so those are some of the larger spaces. For the division of the 19,000 there are a few, he isn't sure where because he isn't doing the leasing end of it, but he knows that there have been serious discussions with an urgent care facility that is close to signing an LOI. Those are the types of tenants that they are going to see in that area. They have the smaller division areas down there where there's been some interest in that.

Comm. Tickey asked if that was a dining pad off of Retail #5.

Mr. Swift responded yes.

Comm. Tickey asked if it was just in the back.

Mr. Swift responded yes, just in the back. It is a bit of a late addition because there was a requirement that they be 150 from the nearest structure on adjoining properties. They had originally squared that off but once they found they were in that they took advantage of the mistake and made something good out of it. He showed where they have a pretty good area there for a restaurant with a built in area for outside dining.

Atty. Thomas commented that given the landscaping and everything, if they get a good tenant for that corner, they may come in and ask for a modification of the 150 feet. He thinks that they were at 146 feet or something like that or something like 140 feet with 10 feet difference but they chose to adjust it to comply with the Regs.

Chair Parkins commented OK and indicated that she wanted to talk about the egress out to Nells Rock Road. She indicated that if they recall at the public hearing many years ago, the neighbors were very opposed to having an exit onto Nells Rock Road. For those of us who use Nells Rock Road, it has improved slightly. People still don't get it to move over a little bit so that cars can get by you. She stated that she sees it being very problematic.

Comm. Dickal commented about the school buses and kids being picked and dropped off. She added about the problems in the wintertime.

Chair Parkins is that the problem is going to be if you are going (inaudible)...

Mr. Panico stated that they have to visualize what the rebuilt road looks like. It's going to look like Constitution Boulevard (inaudible)...

Atty. Thomas agreed and stated that the important thing to understand is that there is no stop and pick-ups at that point. There is going to be substantial improvement to Nells Rock Road even though right now it is wide. The Chairman is correct that nobody pulls over properly and they sit in the middle sometimes. He stated that with their STC approval (now OSTA), there is going to be substantial requirements for the widening of the road which is going to enhance once they have the traffic flow which will enhance. In addition to that, he facetiously commented that you can't stop people from doing things but the design that Jim has come up with is relatively a straight driveway out. People can still turn and short of, again, renting space on top of #375 and putting a sniper there to shoot people who make a left hand turn which will deter others, you can't stop it.

Atty. Thomas indicated that he hears it over and over again and in the 30 years he's been doing it, there are very few areas where it really creates a problem except where the design is not definitive. This is a very definite design and they have gone back to the State to discuss it because it comes in now to a widened intersection that is going to be well-defined with the lights being re-signalized or recalibrated.

Mr. Swift clarified that it would be completely new traffic lights.

Atty. Thomas stated that it has been a constant theme with tenants.

Chair Parkins responded that it is also a constant theme with the Commission.

Comm. Pogoda commented that it was a constant theme with the public too.

Chair Parkins stated that the problem is because of the nature of that coffee shop, if you will, people coming south on Bridgeport Avenue are not going to want to go to the next light, turn into the shopping center and go up there so they are going to take a right onto Nells Rock Road and take a left into that shopping center.

Atty. Thomas stated that this isn't going to change; this is what they approved.

Chair Parkins stated that she knows that but because they can get out just as easily as they can get in – even though they aren't supposed to (inaudible)...

Atty. Thomas responded yes there are going to be a few people who will do it and (inaudible)...

Comm. Pogoda stated that there was going to be a lot of people and asked why anyone...if they are going left on Bridgeport Avenue out of Nells Rock, he asked why they would go all the way to middle at the light and come back.

Atty. Thomas agreed that there will be people who will do that, yes (inaudible)...

Chair Parkins commented that it was going to create...(inaudible)

Atty. Thomas reiterated that yes there will be people who do that but he doesn't think it is going to impact (inaudible)...

Chair Parkins stated that if they can't get out than they won't do it.

Atty. Thomas stated that they he is being honest when he tells them that they are jeopardizing tenants. He reiterated that he thinks that they are jeopardizing tenants because of this situation and the amount of people who will go out there and do it... He asked them to show him one that has created a problem. He has heard this for 30 years and he asked them to show him one that has created a problem.

Comm. Pogoda asked as far as what.

Atty. Thomas commented that there was no problem.

Comm. Harger responded that there is the public safety.

Comm. Pogoda commented about all the problems in the driveway right across from a busy area going to the bank and if you're going to have that traffic coming in between...

Chair Parkins stated that she was not in favor of that.

Comm. Dickal commented that she wasn't either. She stated that she travels that road every single day and she can't believe the things she sees.

Comm. Tickey stated that the public was pretty clear when they spoke with the Commission.

Chair Parkins indicated at the public hearing, the residents came out and asked that it not be a (inaudible)...

Comm. Pogoda commented that he sees the problem with some of the trucks that come out...

Atty. Thomas indicated that the residents did not want a turn left. The residents did not want people turning left and going out there; this is people merging right into a substantially improved intersection.

Chair Parkins questioned "merging" and added that it was merging into three lanes of traffic. If they are going to be in the far right lane and want to get into the left lane, she asked how that would be...they'd be blocking the traffic coming down Nells Rock Road as they try to cross over. There isn't that much of a distance between that exit and those three lanes. She liked the coffee shop in that empty pad down there. A little Starbucks would be perfect scenario there.

Atty. Thomas responded that there is a reason why they won't get Starbucks and it is because of what they are talking about...

Comm. Dickal responded no, she didn't believe that.

Atty. Thomas indicated that is what the realtors have explained to them. One of their first questions is why they don't have a right turn out at the other end.

Chair Parkins stated that Crown Point doesn't seem to have a problem with people getting in there every morning. She added that they don't have a drive in.

Atty. Thomas responded no, but they have an entrance and exit that is right there. This is one of the issues that they have presented. The entrance and exit – in the case of Crown Point has two entrances and exits.

Chair Parkins commented that it isn't convenient to park but people still go.

Atty. Thomas indicated right but this doesn't have anything to do with the convenience of parking.

Chair Parkins responded no, but people go there. It is not convenient but people still go.

Atty. Thomas commented that he'll let the real estate people know that this is their position. He added that he understands about the public comments and what they are talking about – and in his opinion it was left hand turns – they didn't want people coming out and making a left-hand turn out and turning up – that was their concern and this is not that. It is a right-turn in, the way it was approved and this is a straight out left turn.

Chair Parkins responded that everyone liked the right hand turn in because it doesn't bring people all the way down. They appreciated that but they wanted to make sure that it wasn't conducive to having people coming up Nells Rock Road and turning left into it. It looks like it could be done there and people will do it. They are going to be less likely to do if they know that they can't get back out.

Comm. Dickal commented about tenants saying it wouldn't be good for their businesses, if people really want to frequent the business, they will get in any way they can.

Comm. Pogoda clarified that they are able to get in but (inaudible)...

Comm. Dickal stated that what she was saying was that it won't be an inconvenience. She added that she didn't want it there.

Comm. Pogoda added that he didn't want it there either.

Comm. McGorty stated that there's a right turn out at Split Rock...he's in there every day but doesn't see too many though. He's sure they do it but...(inaudible)...

Multiple comments (inaudible)...

Chair Parkins commented that wasn't feeding into an intersection that is already congested.

Atty. Thomas responded that intersection is one of the busiest intersections in the State of Connecticut at Commerce Drive and Bridgeport Avenue.

Comm. McGorty stated that you can't go left, you aren't supposed to. It is not a problem and that's a really congested intersection and it gets really backed up at certain hours of the day. He added that it gets much more backed up than this intersection. It is just an observation he's made by frequenting Split Rock; it is not a major problem there because there is the median (inaudible)...

**Jim Blakeman, Blakeman Construction addressed the Commission.** Mr. Blakeman stated that was his Plaza, as they know and they built that. He understands what they are saying about the traffic but their tenants are asking them and there is some push back. He indicated that they aren't just doing it to make waves. He agreed that you can't stop some people from doing things that are troublesome. He stated that Tom made a good point about Split Rock. It is a very busy intersection, his office is there and he knows it. It is going to happen. This is because of their tenants and that is what is driving it. It isn't because they are pushing it.

Comm. Dickal responded that she understands but his tenants have to realize that they are going to have shoplifters. People go in and shoplift. It is not conducive for just the tenants. They heard a public outcry that they don't want it. He's saying that some people are going to do it and (inaudible)...Two wrongs don't make a right.

Atty. Thomas responded that when they talk about people violating it, he supposes that what they are talking about is whether you have that exit or not, there may be some people who will drive up Nells Rock Road and try to take a left into the entrance. It is going to be difficult unless (inaudible)...

Chair Parkins commented that her concern wasn't about people making illegal turns, her concern is traffic coming straight out into that intersection with three lanes right there that are already heavily used, especially if tractor trailers are now allowed to go out any exit.

Atty. Thomas responded no, they can easily prohibit it (inaudible)...

Mr. Panico stated that he's afraid that they are going to get that same push back from the State when they go to them with that rant.

Atty. Thomas responded that they may and that is why (inaudible)...

Mr. Swift stated that they may also get the State to say that they like that right turn out.

Comm. Pogoda commented that it is on a State road so (inaudible)...

Mr. Panico stated that (inaudible)...the left turn and they have to go over three lanes (inaudible)...

Multiple comments (inaudible)...

Atty. Thomas indicated that as far as the tractor trailers go, it is extremely easy to prohibit in the leases to prevent tractor trailers from exiting (inaudible)...

Comm. Harger commented that from her point of view, they have to look at the whole picture for this area and that is why they are concerned about issues that aren't the type of issues that a landlord is concerned about such as site sourcing prospective tenants. She stated that she didn't know if anyone remembers but Stop & Shop on Division Avenue in Ansonia was a "no turn on left" if you came across the railroad tracks and wanted to go Stop & Shop. You had to go down to the traffic light and get in that way. They had a "No Left Turn" sign that they eventually took down because so many people were violating it.

Atty. Thomas responded yes, he was the only one who went to the light – everybody else turned left there. Somebody finally ran over the "No Left Turn" sign.

Chair Parkins stated that in that same area, there is Shop Rite with an "Enter Only" on the side where KFC is located. It works fine.

Comm. Dickal added that it was for the same reason.

Chair Parkins commented that people still go to those stores, Sally's on the far end (inaudible)...

Atty. Thomas indicated that the entrance to Shop Rite is in the middle and they can't move this entrance. Maybe if their entrance was in the middle, but it was a requirement of STC and it is a good example of why they need it. He pointed out on the plan that if their entrance was there in the middle, like the Shop Rite Plaza, you could drive right in here. Part of the reason, especially for tenants interested farther down, is because their entrance has to be, according to their Initial Concept Plans and they made it that way, is because they knew that is what the State was going to require for them to be a substantial distance away from the Nells Rock intersection.

Comm. Harger asked if their prospective tenants feel that they are going to be in no man's land if they don't have some kind of (inaudible)...

Atty. Thomas responded that yes (inaudible)...

Chair Parkins asked if they design some sort of an internal roadway on the bottom there that would make it a little faster so they aren't literally going through the shopping center.

Atty. Thomas asked for clarification as to the location.

Chair Parkins responded that an area along the bottom, if they design that so it is a little bit more conducive to traveling maybe 20 mph rather than (inaudible)...

Atty. Thomas responded that he didn't think they want people to think it is a race way.

Chair Parkins responded that 20 mph isn't a race way.

Comm. Pogoda added that they have that at the Connecticut Post Mall with that round about in the back. He stated that he thinks that the tenants would care more about the customers coming in than the customers going out and they've got people coming in. There are two ways to get in there.

Comm. Harger commented that they don't have to go all the way up to the Big Y building and (inaudible)...

Comm. Dickal commented about it being that way at the Milford and Trumbull malls (inaudible)

Multiple comments (inaudible)...

Atty. Thomas commented about the truck traffic and indicated that it was not going to be a lot. He asked how many trucks they think would be coming in during the day.

Comm. Dickal responded that she goes to Shop Rite a lot and there are always a couple of trucks there.

Atty. Thomas responded OK, two or three Mack trucks, 18 wheelers a day.

Multiple comments (inaudible)...

Someone (voice unidentifiable) asked if it was all a drop and hook operation.

Mr. Copolla, Big Y responded that it is pretty close because most of the deliveries - and there are other people here from Security and Inventory - they have about six deliveries a week or five. The high volume stores have about six. On Wednesday at noon they stop receiving in the morning. They call for the bread trucks which are just vans. Some of their older stores have the dock and they used to have four bays but they are down to two bays. Sometimes they will have a storage truck there so it is only one bay. There are not a lot of big trucks coming like the old days. They have a milk run, a produce run and a grocery run - five or six days a week.

Mr. Copolla stated that for this store and for the projection of what the sales will be; they aren't looking at this one as a high volume store. They have some stores with rough numbers of \$1M. They hope it is but they do all the demographics and they have this one at \$300,000 - \$400,000.

Chair Parkins asked if this is a special concept Big Y store or is it just a normal store.

Mr. Copolla responded that this is a typical growth (inaudible)...that's what they call it.

Atty. Thomas presented computerized color graphic renderings of the store and plaza area.

Chair Parkins commented about them considering an access road down below.

Comm. Harger asked if they were planning to line and separate some parking spaces out in front for UPS trucks because something that she does not like to see is what they do down at Hawley

Lane where they have a whole area in front of the main entrance that shoppers can't park in because it is for the UPS trucks.

Comm. Dickal agreed with that.

Comm. McGorty asked if the deliveries were in the rear.

Mr. Swift responded that all of the deliveries were in the rear.

The Commissioners reviewed the colored renderings of the proposed Big Y store and plaza.

Comm. Dickal asked them to point out the location of the split between the stores.

Mr. Rose pointed out the location of the split next to Big Y.

Mr. Panico explained that the perspective of one of the renderings was from Nells Rock Road looking at an angle from Webster Bank across the street.

Chair Parkins went back to the subject of the awning, the canopy and asked how they were treating that architecturally.

Comm. Dickal asked if they had a picture of that.

Mr. Rose provided a rendering of the awning on a smaller scale drawing that showed the whole thing. He pointed out the location of the Big Y store, the opening between the buildings, the other building, the sloped roof and (inaudible)...

Chair Parkins asked what type of roofing they were doing.

Mr. Rose responded that it was simulated slates. These are all simulated slate roofs. He explained that the rest of it was the retail center and showed the 17,000 square foot piece of it and the 12,000 square feet of it, the 7,000 square foot piece of the and the 19,000 square feet of smaller store. He indicated that this was in keeping with the Initial Concept Plan as far as the way that they are breaking up facades with smaller retail pieces in between each building so that it looks more like a streetscape.

Chair Parkins asked if trucks can fit in between the buildings.

Mr. Rose responded that a truck really isn't going to be able to make the turn in there. It is really made for cars.

Mr. Swift stated that the smaller box trucks could make it.

Comm. Pogoda added yes and normal delivery vans.

Mr. Rose stated that it is 14 feet high so they can get underneath it.

Mr. Swift added that it wasn't a height issue, it was the turning radius.

Chair Parkins asked if there was also some sort of landscaping plan for the front corner.

Mr. Rose responded yes and pointed out the location for the landscaping. He stated that they will have two lanes, there is a 24 foot width there so when you make that turn, it is a road not a driveway.

Comm. Pogoda commented that he was sure that the width was wide enough for plows to get the snow out of there.

Mr. Rose responded yes.

Chair Parkins asked what was going to be on the buildings because he said that there is going to be an entryway there - not for people but for product drop off. She asked what would be on the building on the Big Y side and would it be all brick.

Mr. Rose responded no, it is not just going to be a blank wall. He provided some drawings and explained that the two sides, the side that is in the alley and the side going back to the gas station are going to be brick cast concrete panels with brick on them. They are also going to have - the rest of the entire facility is going to have a low stone veneer wall 2 ½ feet high with a brick cast concrete (inaudible).

Mr. Panico asked if that would go all the way down that travel way.

Mr. Rose responded it would go all the way down that portion to the back of the center and all the way down the other portion to the gas station. Everywhere except the back wall. The back wall would be precast panels with an aggregate finish.

Mr. Rose indicated that for the front of Big Y he spent a lot of time with them trying to get them to incorporate materials that they have in their center from the old approval into their building. He added that Big Y did a great job of accommodating them. They put in the stone veneer all the way across the bottom of their store, even on the bottoms of the columns. They have used simulated slates on the roof and sections in the front. He commented that they talked them into keeping their extra windows at the entrances because their new stores don't have them. They are using the brick, a base brick on the sections in the front and a thin brick on the side sections that will match.

Mr. Copolla responded that they were the nicest finishes that he's ever seen.

Chair Parkins asked if there was obviously down lighting in the alleyway.

Mr. Rose responded yes.

Atty. Thomas indicated that the whole site has the appropriate lighting.

Chair Parkins responded yes but added that between the buildings they don't have the ability to put that down lighting on the new landscaping.

Mr. Rose responded that in that ...(inaudible) off the building. Mr. Rose reiterated that they did a great job of accommodating them so their building used the same materials, although it is not the same architecture but it does have some of the same elements that they've incorporated into their buildings. He provided another rendering to show the stone veneer piece going all the way around the side of their building.

Comm. Dickal commented about how good the renderings were.

Mr. Rose responded that it was all developed on computers off of drawings.

Atty. Thomas indicated that this is a PDD so it has to reflect what they are seeing here. The colors may not come out the same though.

Mr. Rose indicated that their side elevation is the same stone with brick (inaudible)...He showed a rendering across the alley from where the Big Y is located and pointed out the stone with precast on top and showed where it becomes the effice. They are leaving a substantial amount of effice on their design.

Chair Parkins asked if that was a second retail store opposite it in the alley.

Mr. Rose responded yes across from Big Y in the alley. He pointed out the location of the canopy.

Atty. Thomas commented about naming the shopping center and it is called The Marketplace.

Chair Parkins stated that people are going to call it the Big Y Center.

Mr. Panico asked if The Marketplace was the name of it officially.

Chair Parkins asked if the Stop & Shop Plaza even had a real name because she just calls it Stop & Shop.

Comm. McGorty responded that it was the Shelton Square.

Mr. Rose commented about some of the other materials that they are using. On the canopy over the gas station is still a sloped roof with stone on the bottom of the building and the columns, attenuated wood above and trim so that it matches similar to what they have done at Stop & Shop plaza. Mr. Rose indicated that the coffee shop is the same stone, precast and the same brick above with an effice corner. He added that if they get a tenant, it might look different.

Mr. Panico stated that the thing that he likes about the gas station and the way that they have it laid out is that they can do a lot of landscaping and you won't even see the pumps or anything. All you will see is the canopy; whereas, if it was turned the other way, you couldn't help but look at the lines of cars.

Mr. Rose reviewed the sign rendering and commented that it was done quickly today so they could at least begin the discussion about it. He stated that it was the entrance sign – two entrance signs are shown on the site plan with one at the corner of Nells Rock Road and one at the main entrance to the site. Both signs are 18 feet wide and 25 feet high with The Marketplace and the Street No. at the top, a retail anchor tenant spot and six spots underneath it. He commented that he just set it up and didn't incorporate any graphics or anything into.

Atty. Thomas indicated that he realized that the Commission obviously wouldn't take any action tonight but hoped to have a work session before the next meeting. Hopefully they will consider this and if they want to avoid his comments, he will be having knee replacement on the 10<sup>th</sup> or they can meet the 2<sup>nd</sup> week in November.

Chair Parkins commented that the 10<sup>th</sup> sounded good.

Mr. Rose stated that they wanted to at least get the sign rendering out so that they could have a reaction to it.

Chair Parkins asked if it was necessary for Big Y to put a sign on every window. She asked if they could do every other one.

Mr. Copolla commented that the colors of them are like a brick red.

Chair Parkins stated that she didn't mind the color, there are just too many. She mentioned the signs indicating "Pizza," "Chicken"...

Comm. Pogoda agreed that people know what is inside the store. It gets a little ridiculous with "Bacon," "Fruit" or whatever else...

Comm. Harger indicated that Stop & Shop wanted to put all those signs up and the Commission said no.

Chair Parkins recalled that they cut Stop & Shop's down a little bit; things like a Pharmacy or Florist are OK.

Mr. Copolla asked if they wanted it cut by about 30%.

Comm. Pogoda responded about 50%.

Chair Parkins stated that it should be based on the items that they really need to let people know about like a pharmacy or florist because all grocery stores have delis, chicken, etc...

Atty. Thomas stated that because they will be having a work session, he'll bring this back to Big Y to discuss it with them and they'll discuss it at the Staff session. He commented that this wasn't a public hearing so they can have a Staff session and one or two of the Commissioners can attend.

Comm. Harger stated that she would rather have it just say Big Y and not any of the other things.

Mr. Copolla indicated that it is very important to Big Y and the owner for the signage. He added that they can cut back on some but it is important to them.

Chair Parkins stated that 30 – 40% less would be nice. It would be a cleaner look. She added that the red was very nice.

Mr. Copolla stated that he was sure that he'd be willing to bend somewhat.

Mr. Rose indicated that what they have done for the other retail stores is to use channel lit signs, the raceway at the bottom of those channel lit signs would be hidden by a molding so you won't see it. They are trying to standardize that.

Chair Parkins commented that if three spaces were for one tenant they wouldn't need three signs.

Mr. Rose responded no they wouldn't have three signs but he showed all the spaces there for now because he doesn't know.

Mr. Panico asked if the Big Y was the only thing illuminated.

Mr. Copolla responded that the red was illuminated and that is it. None of the sub-signage is lit even the "American-owned" would not be lit.

Chair Parkins commented that it was nice-looking.

Atty. Thomas indicated that he was only having one knee replaced so he might hobble in for the meeting on November 10<sup>th</sup>.

**On a motion made by Thomas McGorty seconded by Jim Tickey, it was unanimously voted to accept and start the review period for Application #15-20, Final Site Development Plan Approval, 405 Bridgeport Avenue ,12 Nells Rock Road and 20 – 36 Buddington Road, PDD #70.**

**APPLICATION #15-21: LONG HILL CROSS ROAD, LLC FOR MODIFICATION OF CONCEPTUAL PLANS, DETAILED DEVELOPMENT PLANS AND STATEMENT OF USES AND STANDARDS FOR PDD #69 (CLUSTER RESIDENTIAL DEVELOPMENT), LONG HILL CROSS ROAD (MAP 51, LOT 29), ACCEPT AND SCHEDULE A PUBLIC HEARING**

Mr. Schultz indicated that this is for the balance of the remaining land that was four industrial buildings and the property owner is requesting to build three detached dwelling units on Long Hill Cross Roads.

**On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously voted to accept Application #15-21 and schedule a public hearing for Wednesday, November 18<sup>th</sup>.**

**APPLICATION #15-11: APPLETREE DAYCARE AND PRESCHOOL CENTER, LLC FOR MODIFICATION OF SITE PLAN APPROVAL (SECOND FLOOR ADDITION), 117 LONG HILL CROSS ROAD, LIP DISTRICT (MAP 51, LOT 4): ACCEPT FOR REVIEW.**

Mr. Schultz stated that there is no increase in enrollment

**Debra Ulrich, owner of Apple Tree Day Care, 117 Long Hill Cross Road, Shelton addressed the Commission.** Ms. Ulrich indicated that she is looking to put a second floor addition over their indoor play space. It would be 800 square feet on top of what is already there. It is not for additional children but for an additional arts and craft area and science/exploration zone for their current students. She reiterated that she was just adding more space.

Comm. Harger asked what the access would be to get up there.

Mr. Schultz responded internally and they will have an exterior stairwell.

Ms. Ulrich stated that the exterior stairwell wasn't needed in the plans but she would like to have it for additional safety. She'll have an extra stairwell going outside. They won't be able to get in that way, only out.

**On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously voted to accept Application #15-11 for review.**

### **PUBLIC PORTION**

Chair Parkins asked if there was anyone in the audience wishing to address the Commission on any item not on the Agenda. With no public comments, she requested a motion to close the Public Portion.

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

### **OTHER BUSINESS**

#### **APPROVAL OF MINUTES: 9/8/23 AND 9/23/15**

Comm. Dickal responded that she wanted to abstain from the September 8<sup>th</sup> minutes because she wasn't in attendance.

**On a motion made by Anthony Pogoda seconded by Virginia Harger, it was voted 5-1-0 to approve the minutes of 9/8/15 and 9/23/15. Comm. Dickal abstained from voting.**

### **PAYMENT OF BILLS**

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

### **ADJOURNMENT**

**On a motion made by Thomas McGorty seconded by Jim Tickey, it was unanimously voted to adjourn the meeting at 10:35 p.m.**

Respectfully Submitted,

*Karin C. Tuke*  
P&Z Recording Secretary