

SHELTON PLANNING AND ZONING COMMISSION

JANUARY 12, 2016

The Shelton Planning and Zoning Commission held a regular meeting on Tuesday, January 12, 2016 at Shelton City Hall, Room 303, 7:00 p.m., 54 Hill Street, Shelton, CT 06484.

Commissioners Present: Chairperson Ruth Parkins
Commissioner Virginia Harger
Commissioner Anthony Pogoda (via teleconference)
Commissioner Jim Tickey
Commissioner Elaine Matto
Commissioner Thomas McGorty

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

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

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

Chair Parkins called the first 2016 Regular Meeting of the Planning and Zoning Commission to order on Tuesday, 1/12/16 at 7:00 p.m. with the Pledge of Allegiance and a roll call of members present. She indicated that P&Z Consultant, Tony Panico (to be addressed as A.J.) and Comm. Tony Pogoda (to be addressed as Tony) would both be attending the meeting via conference phone.

OLD BUSINESS

APPLICATIONS FOR CERTIFICATE OF ZONING COMPLIANCE

SEPARATE #0566: MARIA V'S BAR & RESTAURANT, 220 LEAVENWORTH ROAD, BUSINESS/SIGN

Mr. Schultz indicated that Jeremiah's Restaurant is changing ownership. Everything else will remain the same and the Applicant is present in the audience if they have any questions. The hours of operation will be Sunday - Thursday, 11 a.m. to 1 a.m. and Friday and Saturday, 11 a.m. to 2 a.m.

Comm. Harger asked if that was consistent with what has presently been there.

Chair Parkins responded yes. She asked if the signage would be lit.

Mr. Schultz responded no it is solid.

On a motion made by Jim Tickey seconded by Thomas McGorty, it was unanimously voted to approve Separate #0566.

SEPARATE #0565: QING LIAN SHEN, 90 HUNTINGTON STREET, BUSINESS

Mr. Schultz stated that this is at the Huntington Depot site.

Chair Parkins asked if this was for a second massage therapist.

Mr. Schultz responded no it was the same business with a change of ownership. He wants the Commission to hear from the Applicant. He stated that the hours of operation would be for 7 days a week, 10 a.m. to 9 p.m. The Applicant is present in the audience and he provided a copy of the license that the Applicant holds for massage therapy.

Comm. Harger asked how many employees.

Mr. Schultz responded one employee and it is 900 square feet.

Chair Parkins commented that the license is from the Valley Health District and asked if that is who issues licenses for massage. She asked if the ownership changed and if this wasn't who they approved it to before.

Mr. Schultz responded no and showed the previous owner's license with a similar name.

Chair Parkins asked for clarification as to which license was the old one and which was newer.

Mr. Schultz provided clarification and asked the Applicant to address the Commission. He asked if the Applicant if she would be the only employee.

Qing Lian Shen, Applicant for 90 Huntington Street massage business addressed the Commission.

Ms. Shen indicated that yes she would be working by herself right now.

Chair Parkins asked if she was licensed by the State.

Ms. Shen responded yes.

Mr. Schultz asked the Applicant if she had decided upon a name for the business.

Chair Parkins added that it was called Lisa's Massage before.

Comm. Harger stated that it just says "Massage" right now.

Ms. Shen responded (inaudible)...

Mr. Schultz informed the Applicant that she has to provide a formal detailed design of the sign to the Commission. He recalled that he had told her she would need to contact the sign company.

Ms. Shen responded yes and asked if that was the building owner. She added that she had asked him.

Mr. Schultz commented that all of the signs are black and white up there anyway.

Chair Parkins asked if she was putting a sign up.

Ms. Shen yes (inaudible)...

Mr. Schultz asked if she had determined the name of her business yet.

Ms. Shen responded no, just Massage (inaudible)...

Mr. Schultz stated that tonight is just for change of ownership and to advise the Commission as to the hours of operation. The name is a work in progress.

Comm. Harger clarified to the Applicant that she would have to file an application and the Commission has to approve the sign.

Ms. Shen responded OK, she has to change the sign.

Comm. Harger stated that the Commission needs to see a picture of it first.

Chair Parkins asked if the Applicant had this license or if she just got it.

Ms. Shen responded that she had the professional license for about 6 years maybe more.

Chair Parkins commented that it says it expires in March so it will have to be renewed.

Ms. Shen responded yes she knew that.

Mr. Schultz stated that they would not be approving any wall sign tonight just the business.

Comm. Harger stated that she is going to be using the existing one for now then – it just says “Massage” across the (inaudible)...

Ms. Shen asked if she needed to change (inaudible)...she asked if she could put something in the window.

Chair Parkins stated that if she puts something in the window it has to be approved by the Commission.

Mr. Schultz asked her to come to the P&Z Office tomorrow.

On a motion made by Thomas McGorty seconded by Virginia Harger it was unanimously voted to approve Separate #0565 for business occupancy only (change of ownership).

SEPARATE #0562: LORI MORELLO, 603 HOWE AVENUE, BUSINESS/SIGN

Mr. Schultz stated that the Commission already approved this use and asked if the Applicant was present. He provided a rendering of the proposed signage for 603 Howe Avenue. The previous use there was Siding King over by the Boys & Girls Club. This is for a consignment shop and it is a solid sign.

Chair Parkins asked where it was going and what size the sign would be.

Mr. Schultz asked the Applicant the dimensions of the sign.

The Applicant (unidentified) commented that it was on the sign drawing.

Comm. Harger responded that it wasn't on the rendering provided.

Mr. Schultz stated that they were both emailed to him. The rendering on the right was the initial submission and the second rendering has a reduction of the text because he told them that the Commission would want to see less text. He added that the sign would be non-internally illuminated.

Chair Parkins asked about the size and where it would go.

The Applicant responded that he thinks it is 4' x 6' and it would go on the side of the building.

Comm. Harger asked if it would be on the side going down the hill.

The Applicant stated that it says which side in the e-mail.

Chair Parkins asked Rick if he had that e-mail.

Mr. Schultz responded that he would get the e-mail so that they could move on.

Chair Parkins stated that she wants to make sure that it conforms to the wall space standards.

Comm. Harger asked about the hours of operation.

Mr. Schultz responded that the business was already approved by the Commission for 9 a.m. to 5 p.m., Monday through Sunday. He stated that they could go with 4' x 6' contingent that the size is in compliance. He added that he'll have Staff go there and check it out and look at the surrounding neighborhood.

Chair Parkins clarified that they don't want all the windows filled up with advertisements in addition to that sign.

On a motion made by Virginia Harger seconded by Elaine Matto, it was voted 5-1-0 to approve Separate #0562 for signage approval contingent upon Staff's determination that the sign conforms to signage size regulations. Comm. Pogoda abstained from voting on signage.

SEPARATE #0564: ALLISON BLOOM, 4 RESEARCH DRIVE, STE. 402, BUSINESS

Mr. Schultz indicated that this was for Suite 402 at 4 Research Drive for a 300 square foot area with one employee and hours of operation on an as-needed basis for a professional office.

Comm. Harger asked what type of professional office.

Mr. Schultz responded a general law office.

On a motion made by Thomas McGorty seconded by Jim Tickey, it was unanimously voted to approve Separate #0564 for business occupancy.

APPLICATION #15-17: PRIMROSE COMPANIES REALTY, LLC FOR SPECIAL EXCEPTION APPROVAL (MULTI-FAMILY DEVELOPMENT AND COMMERCIAL BUILDING), 6 BRIDGE STREET AND 131 CANAL STREET (MAPS 129 AND 130, LOTS 21 AND 2), RF DISTRICT (PUBLIC HEARING CLOSED ON 11/10/15).

Mr. Schultz indicated that Staff prepared a Draft Resolution that all of the Commissioners have a copy of. Chair Parkins indicated that she would read the Staff Report Draft Resolution.

***See attached Shelton P&Z Staff Report/Draft Resolution for Application #15-17 John Guedes on behalf of Primrose Companies Realty, LLC Special Exception Approval for Multi-Family**

Residential and Retail Commercial Development and Administrative Site Plan Approval, 6 Bridge Street and 131 Canal Street in Riverfront RF District dated January 12, 2016.

After reading the Draft Report, Chair Parkins asked for a motion and a second to discuss the Resolution. A motion was made by Comm. Harger and seconded by Comm. McGorty.

Comm. Harger stated that she thinks that they went through this Application numerous times with all the presentations and meetings that they had so she is pretty comfortable with it. She recalled that they did a site visit there a while ago too so it is straightforward. She added that the building is in pretty decent shape; the fact that the Applicant is willing to go through and do a lot of the remodeling and retain the basic appearance of it and with all of the improvements that he is going to make to it, it is going to complement Downtown.

Comm. Tickey agreed and stated that he liked the comments about the sidewalks on both sides of the street so that they continue to make it a very pedestrian-friendly, walk-able area for going to shops and restaurants and for the residents there. He agreed with Comm. Harger that he thinks it fits in with a lot of the plans that they have been laying out and it adds to the vibrant Downtown that they have been trying to build.

Chair Parkins asked Comm. Matto if she had been able to review previous meeting minutes of the public hearings from this application to familiarize herself with it.

Comm. Matto responded no she had not so she will abstain from voting on it.

Chair Parkins asked if she had any comments, questions or concerns about it.

Comm. Matto responded that she is interested that they are allowing a lot of this to be presented as it goes along rather than complete plans.

Comm. Harger asked if she meant the layouts.

Comm. Matto responded the finishing materials and some of the details...there is a lot that is kind of left to (inaudible)...

Comm. Harger commented that he's not really changing the exterior of the brick so it is not like a lot of the other parts of Downtown where they had to show the Commission because they are starting from scratch.

Chair Parkins added (inaudible) the new retail...

Comm. Matto stated it is complicated with the land being owned by the City and creating one piece out of two. It is pretty ambitious to take on something like that and put it all together.

Chair Parkins indicated that there are several parcels Downtown that, as they are remediated, are being sold for private development. It has always been the City's intent with the properties down there for them to be remediated (inaudible)...

Comm. McGorty commented that he thinks Tony Panico did a good job and all of their concerns were covered. He is comfortable with it.

Comm. Pogoda stated that he was glad that they got rid of the three-bedrooms and he's happy that they are still investigating about getting the internal garbage chute which he thought was very important from the beginning. He commented about what is happening at the Birmingham where people have to bring trash out to a dumpster. He thinks that is ridiculous so he really thinks that they should have to continue trying to do it. As mentioned by Tony, even if they have to raise the floor a little bit, he knows that it could probably be done. He stated that he was satisfied with everything else.

Chair Parkins indicated that she concurred with all of the comments that have already been made. She thinks Tony Panico did a great job with this resolution and incorporating all of the Commissioner's concerns. It covers everything so with a motion and a second, she conducted a roll call vote.

On a motion made by Virginia Harger seconded by Thomas McGorty, it was roll call voted 5-1-0 to approve Application #15-17 for Special Exception Approval, 6 Bridge Street and 131 Canal Street, RF District. Comm. Matto abstained from voting.

APPLICATION #15-24: ADVANCED SECURITY TECHNOLOGIES, INC. FOR SITE PLAN APPROVAL (PROFESSIONAL OFFICE), 292 CORAM AVENUE (MAP 117B, LOT 76), R-3 DISTRICT (PUBLIC HEARING CLOSED ON 12/8/15).

Mr. Schultz indicated that Staff prepared a Draft Resolution and the Commissioners have copies.

Chair Parkins commented that they discussed this Application after the public hearing closed and reached a favorable consensus for Staff to prepare the Resolution.

Mr. Schultz stated that this was the site that accommodated the Safe House and that fit in nicely with the neighborhood and was there for many years with no complaints whatsoever. The Commission was concerned about getting another nice fit there. He read the Draft Resolution dated 1/12/16.

***See attached Planning and Zoning Draft Resolution for Advanced Security Technologies Inc. for Site Plan Approval, 292 Coram Avenue, R-3 District dated 1/12/16.**

Comm. Harger motioned and Comm. McGorty seconded for discussion of the Resolution. Comm. Harger stated that as it says in the Draft Report, this is a pretty low key kind of business. The neighbors came out in support of this and understand what is going in there. The owners assured the Commission that the vehicles coming and going by workers would only be stopping in once in a while and there would not be fleet of vehicles staying in the parking lot overnight. Their technicians drive their vehicles and bring them home. She thinks this is a good use for this particular property.

Comm. Matto asked about the discussion of the signage.

Chair Parkins responded that there was none. Mr. Schultz stated it would just be the mailbox in the back. Chair Parkins indicated that the Applicant indicated that if they required any other signage than that they would have to come back and work with Staff but it would only be minimal. They aren't looking for walk-in business coming to that establishment. The nature of the business is for them to go off site to determine client security needs.

Mr. Schultz stated that it is a large home on Coram Avenue and they are lucky to get a nice fit like this one.

Comm. Matto agreed.

Chair Parkins commented that they just have to be careful to maintain the character of the neighborhood for the residents there.

Comm. McGorty stated that it sounds like they were all for it and that they would be good neighbors.

Comm. Pogoda agreed that it was a good plan and good fit for the neighborhood.

On a motion made by Virginia Harger seconded by Thomas McGorty, it was unanimously roll call voted (6-0) to approve Application #15-24 for Advanced Securities Technologies Inc. for Site Plan Approval, 292 Coram Avenue (Map 117B, Lot 76).

APPLICATION #15-25: VIADE DEVELOPMENT, LLC FOR FINAL SUBDIVISION APPROVAL (9 LOTS), 185 EAST VILLAGE ROAD (MAP 163, LOT 15), R-1 DISTRICT

Chair Parkins stated that they accepted this Application at the December meeting.

Mr. Schultz indicated that the purpose of tonight's meeting is to have the Applicant present the proposal. Residents were notified by the Applicant and many of them are here tonight. Reports have been submitted that need to be read into the record.

Chair Parkins clarified that Comm. Pogoda had a copy of the Application #15-25 documents and drawings to follow along. Chair Parkins asked the Applicant to adjust the site drawings so that members of the audience could see it clearly. She asked P&Z Secretary to read applicable correspondence.

P&Z Secretary, Comm. Harger read two pieces of correspondence from the Conservation Commission and the City Engineer.

***See attached correspondence dated January 8, 2016 to P&Z Chairperson Ruth Parkins from Thomas J. Harbinson, Chairman, Shelton Conservation Commission.**

***See attached correspondence dated January 12, 2016 to Richard Schultz, P&Z Administrator from Robert Kulacz P.E., City Engineer.**

Chair Parkins asked if there was any other correspondence.

Mr. Schultz responded no, this is the Initial Review by the Commission so they will have new ones. The key planning issue is the thru road versus two permanent cul-de-sacs. Staff wanted to note that there are no sidewalks in this area nor is there any recommendation to have sidewalks in this area.

Comm. Matto asked why that was.

Mr. Schultz responded that it doesn't really lead to anywhere. In the 60's and 70's when it was within one mile, the Commission stopped doing it; they weren't maintained.

Larry Edwards, P.E., 227 Stepney Road, Easton, CT addressed the Commission. Mr. Edwards submitted the receipts of mailing and provided a site rendering of the proposed subdivision. He showed the parcel consisting of approximately 12 acres, a little over 12 acres, with frontage on East Village Road and a 50 foot access of the rear which is Nutmeg Lane.

Mr. Edwards indicated that the area around it has been totally developed and that this is the last remaining piece. There is a very large area of undeveloped land across the street which is now being used as a (inaudible) cattle farm and he doesn't think that there is any proposal at this point in time for development of that area.

Mr. Edwards stated that it is proposed to develop this area into five single-family residential home sites in conformance with the Regulations with each lot consisting of at least 40,000 square feet of area. All of those nine lots will be serviced off of a new road of approx. 900 feet in length and that road will be constructed in accordance with Town Standards. It will eventually be turned over to the town as a town road for maintenance. The site is serviced by both City Water and Gas in East Village so all of the houses will be serviced by those utilities. Each lot will have its own septic system because there are no sanitary sewers in the area. They have conducted testing for each of those systems and submitted and obtained review and approval by Valley Health District.

Mr. Edwards indicated that they are not showing any open space based on the preliminary discussions with his client by Staff because of the small amount of open space that would be generated at this site. The Commission would most likely recommend Fee in Lieu of Open Space and they have presented their plan based upon that assumption.

Mr. Edwards showed the road entrance location from the extreme northerly end of the property and indicated that it has been located in such a position due to sight line requirements for the site. If the Commission has walked or driven by this site, there is a high point in East Village Road. He pointed out the location of that high point and explained that it prohibits any location of the road in close proximity to that so they have located where it is shown.

End of Tape 1A, 7:45 p.m.

Mr. Edwards indicated that in the location shown, it would provide adequate sight lines for cars coming in and out. In regard to the drainage, the City Engineer has indicated that he has not completed his review yet but he highlighted some of the things that they have done.

He stated and showed where the property has been divided right through, close to the center of the property. He indicated that the southerly portion flows off onto the adjoining land to the south and the north flows over sheet flow and off to the property on the northerly limits. There are no established watercourses on this property; everything goes off of the site in sheet flow. The only wetlands are a small pocket of wetlands and he showed the location on the site map.

He added that there is no established area for discharge of drainage. East Village Road has no drainage immediately in front of it. The only existing drainage is down in Rugby Road which is to the north so what they have proposed is to take their storm drainage off of the road, put it into a storm water management basin and that basin will retain the flows to maintain a zero increase in peak run-off and that is being piped and installed by the developer and tied into the existing storm drainage on Rugby Road.

Mr. Edwards indicated that right now everything flows off of the site by sheet and they are going to basically be taking about half of the water that now goes onto the neighbor's property, intercepting it, treating, controlling it and discharging it down into the existing storm drainage. Any impact that would be seen as a result of the development should reduce the amount of water going onto the adjoining properties. It will be controlled and discharged into established drainage.

Mr. Edwards stated that for the flow to the south there is no proposed increase that would be directed in that direction. All of the road drainage is located in the northern watershed area. For each of the houses they are proposing, in addition to the storm water system to collect the road run-off, they are proposing to put infiltration systems in for each of the roofs for the houses in order to take that water and introduce it back into the ground. They have basically taken the approach of zero impact and developed a plan in accordance with the Storm Water Management Plan which are the requirement of DEEP's Manual.

Mr. Edwards reiterated that they have developed septic systems for each of the lots and that will be the development for the proposed site. One of the comments brought up by the City Engineer was the connection between the two roads and that is an option that they looked at but the problem that they face, and he showed the location where there is a 15-20 feet drop from the end of one road to the other road so if they were going to try and make that road connection, they would be required to do extensive cutting through the hill in order to make that connection to that existing road. Mr. Edwards commented that they felt early on that would not be the best way for the development of the property and that they would put another cul-de-sac there in order to alleviate the extensive site disturbance that would be necessary as a result of that.

Comm. McGorty stated that there is a lot of ledge on that site.

Mr. Edwards responded yes, that's right and that is one of the things – they could take the material out but it would be an extensive amount of blasting; even what they have proposed is going to require some blasting to construct the road. Test holes have indicated 4-5 feet of good soil but in some cases for parts of this road they are going to be down deeper than that to have City water piped in and so forth (inaudible)....

Comm. McGorty commented that he lives just past this area and his concern with the City Engineer's comments about going through...he asked what the distance to the road was coming out because the Stop sign is right there on Dimon Road close by.

Mr. Edwards stated that it is a relatively short road.

Comm. McGorty responded yes and basically that traffic comes out of Ridgefield Road where there is a Stop sign on East Village as well on Ridgefield – his concern would be about that traffic coming through the other way, coming up over that rise – it does flatten out – but on a winter day when people are trying to gain speed to get up it, because it gets slippery. They do a pretty good job treating it but can't be on top of it all the time. His concern is about it being too close in proximity to where the Stop sign is by Dimon and that rise coming over it. He asked what the approximate distance was from the Stop sign – from Dimon where the Stop Sign is and East Village to the exit of the development.

Mr. Edwards measured and responded that it was about 540 feet.

Comm. McGorty stated that his concern is about the cars pulling out especially in the morning. He goes by there every morning and at the Stop sign everyone is slowing down and then there will be a car coming out trying to jump in there – he worries how it would impact traffic in that area on East Village Road.

Mr. Edwards responded that there was no question that the exit out this way is going to be much safer than dumping more people onto here with ...they have sight lines that comply with the Regulations but as he said with cars coming up over that hill, they are flying when they get to the top of that hill.

Comm. McGorty agreed and added that they have cars pulling out of Dimon Road; you have cars coming down, accelerating to come up and over it. It is a blind type of rise so that would be a concern of his.

Comm. Harger asked Comm. McGorty if he was suggesting the Nutmeg be continued into this with no entrance from East Village.

Comm. McGorty responded either that or – it is only nine homes so he wouldn't be so concerned with the residents of the homes in a cul-de-sac because that isn't a lot of traffic coming out of there but if they make that a thru street, then those residents on Nutmeg, Byron, etc... they will start using that as an exit and entrance. He sees that as being a potentially dangerous situation in that area.

Comm. Matto asked if there were many homes on Nutmeg or...

Mr. Edwards responded that Nutmeg connects back to a much larger area.

Comm. McGorty stated that if they come out and head northwest and take a right, they will probably come out through this new subdivision and he can see that as being a problem. He stated that he has been there for 23 years and he knows the traffic there well.

Mr. Edwards reiterated that one of the issues - if they bring it in there with the cul-de-sac, it is a rather steep section in through there. They would have to do more blasting than they would the other way which is a relatively gentle approach off of the street. He showed where it does get steep but added that it was flat up on top. If they came right off of there they would be digging into that hill with a significant amount of additional disturbance.

Comm. Matto asked what the pitch would be with 15 to 20 feet over how much of a distance.

Mr. Edwards responded that the pitch right now would be about 150 – 200 feet but the problem is that they have to transition from almost dead flat so they would have to do a gradual transition up to get to that grade so straight they would go at 10% and would be probably cutting around 5 feet but by the time that they do the transition it would be more like 10 – 15 feet, at least 10 feet to cut and get into that hill.

Someone from the audience commented and Chair Parkins stated that the discussion is just with the Commission right now. She told audience members that this is a subdivision which means the Applicant has a right to do this. They aren't having a public hearing but they will give courtesy to the people who came out tonight to give their comments and thoughts. She asked audience members to allow the Commission some time to address a few things and then she'll open it up to the public.

Comm. Harger asked how this subdivision compares to the one done on Grove Street when the street was connected.

Chair Parkins commented that was Richard Boulevard area.

Mr. Schultz responded that one was pretty steep.

Comm. Harger asked if that angle - if it was equivalent to this one.

Mr. Schultz responded yes for grade but the circumstances are different.

Chair Parkins stated that most people, and she is sure that they will hear from them, but she's sure that most people who live on the cul-de-sac up above would prefer to stay on a cul-de-sac because everyone loves to live on cul-de-sac. However, when you live on a cul-de-sac, there is always the possibility that the road will be cut through so they will have to wait to get the recommendations of their public safety officials as well.

Comm. McGorty stated that if they are going to go that far he would like to see some kind of traffic study.

Chair Parkins commented that she would assume that they would do that – that the Police do that.

Comm. Matto indicated that they really prefer not to have a cul-de-sac.

Chair Parkins responded correct, especially two back to back.

Comm. Matto commented that they look like they belong together.

Comm. McGorty stated that on the right side of the property there is a lot of rock there. They aren't really going to do anything with the drainage on that side.

Mr. Edwards responded no and commented that the high point of the property comes right through where this road is located. He showed the location on the site plan. The only thing that they are going to have is these houses and they are going to take that run-off and put it back into the ground through infiltrators.

Comm. McGorty commented OK - from the houses so any impervious surface they are going to take it away and it won't change that because then it drops off and it goes down East Village towards Ridgefield.

Mr. Edwards responded that their report does take that into account and shows that they are not increasing the run-off to the south side.

Comm. McGorty stated OK because there is a house right there at Ridgefield and right next to the property.

Chair Parkins asked for clarification that there would be no drain off towards Ridgefield.

Mr. Edwards responded no, all the roads, all the driveways, that's correct.

Comm. McGorty stated that there would be no increase.

Comm. Matto asked if there wasn't a section of this little road that had a very steep pitch right in the middle.

Mr. Edwards responded yes, right in through there, correct.

Comm. Matto asked if that exceeded the Regulatory requirements.

Mr. Edwards responded no, it is in accordance with Regulations.

Mr. Schultz added yes it complies with the Subdivision Regulations.

Mr. Edwards showed the highest point of the property. He pointed out that to get from one location to another they have to go up a hill. They have gotten the grade from here to here in that amount of area. If he tries to do that from the other side he would be cutting into that hill a lot more because he has a gradual coming one way and a steep coming the other way. This grade coming this way, although it is a somewhat steep grade, it is over a much longer distance than if they'd be trying to do it on the other side.

Mr. Schultz informed Comm. Matto that after tonight they will get handle on the direction that the neighborhood wants to go because this plan is evolving and then the City Engineer will do his final report. They will get input from Police, Fire and EMS.

Chair Parkins asked Mr. Edwards what his thoughts were on the Conservation Commission's request to salvage the trees.

Mr. Edwards responded that they have no problem with it and they will take a look at it, do a study and pick up the ones that are there.

Chair Parkins stated that it is one thing that she hates about clearing is when developers go in and just clear everything.

Mr. Schultz added yes especially for septic.

Comm. McGorty commented that they don't know which way it is going to go with a cul-de-sac or going through but asked if that was a planter shown in the middle of that cul-de-sac.

Mr. Edwards responded that is the way that they are showing it but the Town Engineer already indicated that had to go so...

Comm. McGorty stated that should go because it is never maintained and they become blighted.

Mr. Schultz agreed that it is a nice concept but not good in reality.

Chair Parkins asked the Commissioners if they were satisfied with their questions and comments.

Comm. Matto responded that it would be helpful for her to see a cross section of how it would look with the cul-de-sacs joined. She sees the steep part but (inaudible)...

Chair Parkins stated that if they were joined...they would have to come back and show the Commission if it was deemed appropriate.

Comm. McGorty added yes, that would have to pass muster so it is early for that.

Comm. Matto asked how the In Lieu of Fee Scheduling works and if it was pretty straightforward.

Mr. Schultz responded that the fair market value of the property excluding buildings and structures so that value is established and then it is 10%. For example if it is \$100,000 then it would be \$10,000.

Chair Parkins stated that it goes into the Open Space Fund as (inaudible). She opened this up to the public for comments and indicated that the Commission likes to hear how they feel it impacts residents. She asked people to speak one at a time and address comments and the questions to the Commissioners and then the Applicant can respond.

Andy Bartone, 8 Ridgefield Road, Shelton addressed the Commission. Mr. Bartone stated that the sheeting run-off was discussed and he indicated that he's lived here most of his life and this is a very wet area. He said that recently the catch basin on Ridgefield Road was replaced because of the incessant run-off that went onto people's properties. Even though this lot that is proposed to be developed is not wet, he feels that the people on the lower side of it will be impacted by it. This property has not been developed solely for that reason for many years. He added that he understands that it got sold and the owner has the option to develop it but they have to be concerned about who will be impacted by it.

Mr. Bartone stated that there was discussion about blasting and pointed out existing houses indicating that they were built in the 1940's and 1950's with cinderblock foundations, not even cement block, so he is concerned that the foundations may be impacted and what the blasting would do here. He asked if there would be a Conservation Easement around the perimeter of the property to act as a buffer to the property owners surrounding this development. Catch basins were mentioned but he would like for them to be identified as to where they are going to be and where the catch basin or the drainage easement is going to go and where they are going to tie into as well.

Mr. Bartone asked if there was going to be a detention pond there.

Chair Parkins responded yes there is.

Mr. Bartone asked if that would be tied into that drainage easement as well. He stated that those were his main concerns and he's sure that his neighbors will have others. He reiterated that his main concerns were the blasting and the drainage that impacts the owners surrounding this property. He thanked the Commission.

Mr. Schultz asked Mr. Bartone if he could tell the Commission his feelings about the thru road versus the cul-de-sac.

Mr. Bartone responded that after listening to his presentation and that they have to do a 15 foot cut there, he is concerned with that and with the excessive blasting that would be required to drop that down. They talked about the traffic here and the line of sight. He showed where there is a very big knob there, ledge, right on the corner and commented that perhaps something could be done with that but if they continue this road, they are going to get Byron Place, Chaucer Drive and all of the balance down there to come into this and possibly utilize it.

Mr. Bartone commented that he knows that the Commission would need to think about this but possibly a cul-de-sac might be better. It would be burdensome for fire equipment, EMS, etc. but it might be a consideration to not connect that. His main concern with the connection would be the blasting. This property is solid ledge. They have experienced run-off in the past from this and now, once again, his major concern now with lawns installed, is that it takes away a lot of the trees that were absorbing it. They have had trees fall down because their root structure could never permeate deep into the ground and when they have had heavy rains the trees, healthy trees not sick or dead ones, have fallen down so there is a major concern here with water.

Mr. Bartone reiterated that the developments in the past are not modern developments, the catch basins are on the smaller side, the leader pipes leading out are on the smaller side and he doesn't think the town is going to upgrade any of that. His concern is about tying all of this into older drainage and it should be a concern before all of this is developed.

Andy Kolesk, 18 Ridgefield Road, Shelton addressed the Commission. Mr. Kolesk stated that his property abuts this proposed development and he shares Andy Bartone's concerns about the drainage and the blasting. One of the things he wanted to ask was how far the housing structure would be from the property's border.

Mr. Edwards measured the distance from one of the homes on the plan and responded that it was approx. 240 feet.

Mr. Kolesk asked where the septic tanks would be located.

Mr. Edwards pointed out the different locations of septic tanks on the plan.

Mr. Kolesk asked how far the septic tanks would be from the border.

Mr. Edwards responded that the closest one would be about 100 feet and another would be about (inaudible)...

Comm. McGorty commented that was the tank and he asked where the field would be located.

Mr. Edwards showed the reserve area and commented that from the primary to the edge is about 90 feet and the other is about 100 feet.

Mr. Kolesk stated that when he looks out the back window from his property he sees white pipes sticking up and asked what they were.

Mr. Edwards responded that each time they do a deep test for the septic system they put one of those pipes in it. They did more than was necessary for this subdivision so some of those pipes are not necessarily where a septic system is going to go.

Mark Smarz, 19 Rugby Road, Shelton addressed the Commission. Mr. Smarz stated that his concern is with the water. He showed the location of his home on the site map and he commented that he didn't think that there had been a study on that side because once you go across there, there is actually a natural stream running through there on a spring. The problem is that all of this run-off does go from this road, through the pipes right out to that stream. It is almost like a little bit of a flood plane down there. He believes that a study needs to be done from Rugby Road to White Oak because of the fact of how it comes down and the stream is in the back. He showed the location on the plan.

He added that during the springtime, all of the road there is wet. It is mud because there is so much water there. He lives on the ledge himself and the water comes right down up against the house and it is the biggest concern he has with this. He thinks that they should study the area a little bit farther in that direction.

Chair Parkins added that they should also ask the City Engineer if there is a known issue up on that road.

Comm. McGorty asked if he was referring to that brook by White Oak in the corner there.

Mr. Smarz responded that it is between Shagbark and Rugby. There is actually a stream that goes in back of the houses on the right hand side of White Oak. In the springtime it actually brings a lot of water into there. He isn't sure where it comes from or if it comes from the pipes themselves but there is a wetland

in between Rugby Road and White Oak. He commented that he didn't know if they had looked at that yet.

Chair Parkins stated that it says on the City Engineer's letter that they have not completed their evaluation of the Storm Water Management Plan so there are still evaluating it. She thanked it for bringing it to their attention.

Sara Smarz, 19 Rugby Road, Shelton addressed the Commission. She indicated that she also lives at 19 Rugby Road and stated that one of her concerns is if they have individual septic tanks and the tanks are going to be located a lot closer to their properties than to these new houses than where are the leeching fields going to be located.

Mr. Edwards showed the location of the leeching fields for the proposed homes.

Mrs. Smarz commented that with the water from this side and the other side running down, she is concerned that those leeching fields are not going to contain what they need to contain up there and they are going to get run off from that as well.

Chair Parkins stated that she would assume that any sort of septic system is designed to specifically not do that.

Mrs. Smarz responded that she would hope that too but as they heard, from both sides of their road, they are saying that there is not a lot of run-off here. She commented that she isn't as familiar with Ridgefield but after hearing him speak, she understands that they get a lot of run-off. On her side of the street, particularly at their house and the house before them on Rugby, from the water that runs down that property in the springtime, it is totally wet all the time there. She added that their yard is always wet right into the road. The main concern is in the winter when they have a lot of ice and snow and after a couple warm days it melts right into the road in front of their house and turns into a sheet of ice. The guys who plow the roads can probably tell them too - that the road is horrible.

Mrs. Smarz commented the she also wanted someone to explain what road sheet was. She asked if there was going to be a perimeter around the property and how big that would be and if they would leave some trees around the perimeter so it wouldn't be cut up to their property lines. She stated that she indicated that it was mentioned about the foundations of the houses there and added that she would add about the wells and septic systems there being very old as well. She asked about what type of assurances they would get about the blasting and possible damage that could occur.

Chair Parkins indicated that there are blasting protocols that are issued by the Fire Marshal so they have specific guidelines.

Comm. McGorty added that they are very stringent.

Mrs. Smarz asked if they would be warned before any blasting.

Chair Parkins responded that there are Blasting Regulations to notify all residents within a certain distance from the blasting area. If you are within that blasting perimeter you would be notified however she doesn't know what that distance is offhand.

Mr. Edwards stated that his client would not have a problem notifying people about when they are blasting. If people think that their house is within close proximity to the blasting, they can request a

monitoring to be done on their property. They may not do it for every house but they would do it on the ones (inaudible)...

Chair Parkins responded yes, the Regulations states that for any house being within a certain distance.

Mr. Edwards added that it is and it is something that is done when it is necessary. It is a part of what the Fire Marshal and the blasting firms do on a regular basis.

Chair Parkins commented that it is required by the Regulations.

Mrs. Smarz asked what the monitoring consists of.

Mr. Edwards responded that it consists of seismic monitoring, pre-survey, post-survey photographs, seismic readings and if necessary, they will put sensors in place to monitor pressure.

Chair Parkins reiterated that these are blasting professionals that have to apply for a blasting permit from the Shelton Fire Marshal for blasting and then there are certain regulations required from those blasting companies to monitor homes within a certain distance of the site. It doesn't go out two miles with everyone within two miles having their house monitored but if you are right there...

Mrs. Smarz commented that they are right there and she indicated that her neighbor is an elderly gentleman with a well and he couldn't attend tonight. He asked her to relay that he is very concerned about his well because he cannot afford to replace the well or hook into City water. He is also concerned about the water that runs off in front of his house too.

Mark Delventhal, 4 Ridgefield Road, Shelton addressed the Commission. Mr. Delventhal indicated that his parents live at 4 Ridgefield Road and stated that there are actually springs in there; it is not just ground water. As a kid he can remember digging about a foot down and there would be water coming out of the ground. They are proposing to take care of all this run-off but if they are cutting trees down, he thinks that there is definitely going to be more of an issue with water coming out onto all of these properties there and probably the other side too.

Mr. Delventhal commented about being concerned with his parent's well which is only 40 feet deep and he believes that blasting could affect it. He asked who would be responsible if there is damage to their well or to their property or their foundation and would they be compensated for that or would it be fixed. He reiterated that it was not just ground water there but springs in a lot of these backyards and areas near there.

William Kullberg, 21 Nutmeg Lane, Shelton addressed the Commission. Mr. Kullberg indicated that his main concern is the blasting. He understands because he lives in a nice cul-de-sac and doesn't want them to build a thru road. He commented about doing this type of thing for a living. He reiterated that his concern is about the blasting here because he knows that there are fills and cuts coming up through there. He showed where they spun the road to get the grade to get on top of the knob. He asked what the cut would be there if they connected the road.

Mr. Edwards responded that he couldn't say exactly off the top of his head but it would be significant if they have to connect it out because they have to make the grade back down to his cul-de-sac.

Mr. Kullberg mentioned about adding another 4 foot for water and drainage at the minimum. He stated that his other concern is about pre-blast surveys and all of that because he has small children. He asked

that someone could knock on his door because he doesn't want his four-year old to have to listen for a whistle because he won't know what that means.

Brian Lampert, 28 Rugby Road, Shelton addressed the Commission. Mr. Lampert commented that he lives on Rugby Road on the far end of this project. He stated that he has over 30 years in the Fire Service so he is pretty well versed on the safety of neighborhoods. He indicated that he has commented for local municipalities on the subject of subdivisions such as this one. He indicated that for anyone who has ever exited Rugby Road onto East Village Road during a high traffic time, they know that they are taking their life in their hands. It is a risk. Mr. Lampert commented that he leaves for work in the dark right now and when he comes home it is dark and that section coming up past Dimon is dangerous and that has to be taken into consideration for kids waiting at the bus stop.

He asked the Commission to take the Ovesny Farm into consideration and the activities there, the livestock there and with blasting there. Blasting could potentially jeopardize their livestock. Mr. Lampert indicated that he is very familiar with blasting and how it works. He doesn't feel as though it is that dangerous if it is done properly. He would hope that it is done properly. Another modification that could be taken into consideration for the individual's who have wells is that perhaps the builder or site management could offer up public water.

Chair Parkins responded that is...

Mr. Lampert responded yes, he knows it is big bucks but if it damages the wells than the damage could cost a lot too – it doesn't happen often but it does happen.

Ruth Ovesny, 164 East Village Road, Shelton addressed the Commission. Ms. Ovesny referred to a comment made about that road being up a grade and that they would be getting water coming down and coming across the road in the winter time bringing more ice problems. She stated that they have enough ice already on Dimon Road that they can't get rid of coming off of that ledge. If they disturb the property there, she thinks that will happen again.

Andy Kolesk, 18 Ridgefield Road stated that his property abuts this project. He stated that about ten years ago they replaced their old septic system and because of the new Regulations they had to put in leeching fields that go up the hill and go across. His concern is that he doesn't know how far his leeching field is to this property line. He is concerned about the blasting too and if would have any effect on his leeching fields going up the hill.

Chair Parkins responded that she would assume that for the developer's sake, he would want or the blasting company would want to do some preliminary well testing to get the capacity that the wells are currently at so that if there is any claim of change at least there is a baseline.

Mr. Kolesk stated that he has City water but he does have a septic system.

John Ovesny, 14 Dimon Road, Shelton addressed the Commission. Mr. Ovesny showed a location on the site map near Rugby Road down by the power lines where a road was put in by (inaudible). He indicated that he put this road in there and he showed where it ended. The brother-in-law took it over, got power lines which started Ergee's land and then he (Ovesny) developed White Oak Road. Bob Baldwin put the drainage in and he dropped it off right by the power line into the ditch that Mark was talking about. There was never an easement there but back in those days it was about whom you knew – and it drops off there and that is where they should check because once this water starts coming down these people on White Oak Road and where Ergee's old farm was are going to get flooded.

Mark Smarz, 19 Rugby Road, Shelton commented about the septic going uphill towards that property. If he has his septic going up that hill towards that property and there is another septic running down, he's assuming that one septic is going to take the burden of the other septic.

Chair Parkins commented that they shouldn't make any assumptions because that isn't fair to the Applicant until some experts take a look at the Storm Water Management Plan.

Mr. Smarz responded that it is very possible that there could be an overload.

Andy Bartone, 8 Ridgefield Road commented about the discussion of remediation of the water from the roofline getting put back into the ground and asked if that wasn't what they were trying to alleviate here, keeping some of the ground water out of the ground and putting it into the basins.

Chair Parkins stated that is all a part of the Storm Water Management that will be addressed.

Mr. Bartone responded that he's done tests but they live there and they know what is there.

Mr. Edwards stated that if you don't put it back into the ground and put it into the pipes and dump it down, somebody downstream is going to be getting your water that you are now getting. He stated that so much of the water is supposed to go back into the ground; the same amount that was originally going into ground is what they are trying to put back into the ground. He indicated that they aren't putting more in; they are just taking what is now going to be roof and putting it back into the ground.

Mr. Bartone stated that it is also a paved road that is not going to permeate water.

Mr. Edwards responded that it was going toward Rugby and not in his direction.

Chair Parkins stated that they weren't going to get into any further discussion. They are going to let the City Engineer handle it; they are the experts in this situation. She thanked everyone for coming out and sharing their comments and concerns with them. They appreciate it.

Mrs. Smarz asked what would happen from here in regard to any more meetings or notifications.

Mr. Schultz responded that they could check with Staff or look for the agendas posted on line. If this is on the agenda for further discussion then it will be on their agenda. All of their meetings are open meetings.

Comm. McGorty added that there is still a lot of work to be done by the City Engineer. This isn't a done deal because it is really going to be scrutinized.

Chair Parkins added that Public Safety and Public Works will be involved as well. They provide input about this too. She asked Mr. Edwards about the CL&P Easement that goes down that last quarter over there and she asked if that last house was far enough away from that easement. She asked how close they were to their easement.

Mr. Edwards responded that they are about 40 feet, the house from the edge of the actual easement.

Chair Parkins commented OK and asked if there were any other questions from the Commission. With no further comments, she thanked the Applicant.

NEW BUSINESS

APPLICATION #16-1: TOLL CT, LP FOR MINOR MODIFICATION OF DETAILED DEVELOPMENT PLAN FOR PDD #75 (BUILDING ORIENTATION CHANGE FOR UNITS 4, 5, 6: SHELTON COVE), 550 RIVER ROAD (MAP 53, LOT 55): ACCEPT, DISCUSSION AND POSSIBLE ACTION

On a motion made by Virginia Harger seconded by Jim Tickey, it was unanimously voted to accept Application #16-1.

Jeff Minke, Project Manager for Toll Brothers, Shelton Cove, 550 River Road, Shelton addressed the Commission. Mr. Minke indicated that they have been working there for a while with an approved plan. He provided a rendering of the site plan with the approved building outlined in red for one of the 14 buildings that they are building.

Mr. Minke showed the location of the first building they did which is the model and the second group of buildings of the fourteen buildings. He stated that as they went along they realized that the original proposal in red had the walk-out elevation coming right into the side of the next set of buildings. It is not very private, very nice and as walk-outs, it creates a difficult grading situation between the low grade on the walk-outs and the high grade (inaudible). They felt that in lieu of the privacy and the grading, it might make sense to reorient these buildings, as shown in the gray area on the plan, and have the back of the buildings, which would be walk-outs, face away toward the water and have the private side of the building facing the private side of the other building. It is a marketing thing and they felt it would make a better plan.

Comm. McGorty commented that it would increase the value of them.

Mr. Minke responded yes it would increase the value.

Chair Parkins added that they aren't as close to the road.

Mr. Minke stated that the only unit that changes – he showed the original plan as a Lenox that changes to a Leman which are all existing approved designs. He explained that this one is a little bit longer and thinner and the other is shorter and wider. The longer, thinner plan gave them a little bit more room in between the two units.

Chair Parkins asked what the purpose of the original design then. She added that she would think that this would have been designed this way originally so there must be some reason.

Mr. Minke responded that they purchased it designed.

Chair Parkins stated that she realized that, she knew that.

Mr. Minke commented that he really couldn't answer that.

Comm. McGorty stated that if he was looking to maximize the profits, he would want water views out of the back of the house and not turn them 90 degrees and (inaudible)...so they did it for some reason.

Chair Parkins indicated that she's sure that Tony Panico will have a comment about it.

Comm. Harger stated that she didn't have a good feeling about turning these buildings at all.

Chair Parkins added that she is concerned that there was a reason that it was done the way that it was. The way it was approved would not seem to be ideal from a marketing standpoint and she wouldn't think a developer would propose something like that unless they were trying to address a specific issue. She asked Mr. Panico if he had any comment on this.

Mr. Panico responded that he didn't have a comment yet but he is considering what has been said. He can see the advantages of both ways. It seems to fit a little bit better the way that it was originally set in there. The relocation ends up being a little bit closer to the adjacent building. There are definitely some advantages and it is certainly worthwhile considering. He is just seeing it for the first time though.

Chair Parkins commented that it would just make sense to her that if it was possible to do it this way from the beginning than it would have been done this way; there is something not clear.

Comm. Harger indicated that they have unit 3 looking at the back end of 4, 5 and 6 versus the original looking at just side of it so if anything, can't there be some redesign done so that the walkout (inaudible) rather than change the orientation of the building.

End of Tape 1B, 8:30 p.m.

Mr. Minke stated that the rear of the buildings are a very focal area so in the original design you have this extremely focal area of these people sort of staring right at their next door neighbor.

Chair Parkins indicated that she thinks it has something to do with the brook – the waterway that goes through there.

Mr. Minke responded that this retaining wall is there and continues to be there – it isn't going anywhere.

Comm. McGorty commented that aesthetically he thinks it looks better, raises the value of them and raises the tax revenue generated – he doesn't have an issue with it but it is odd that they were turned that way but there wasn't any reason. If he owned that property he would want to get as much water view as he can out of any of those units to maximize his return.

Chair Parkins stated that she wants to know why it was originally designed that way.

Comm. McGorty agreed and added that it was odd how they were turned that way.

Mr. Minke responded that he couldn't argue with that.

Comm. Harger stated that the original plan is more symmetrical.

Chair Parkins stated that if there is no reason and if it was just done like that, it's fine but...it flows much better this way.

Comm. Harger commented that it would look (inaudible) coming down the road from the Stratford area approach.

Chair Parkins asked if there were any modifications to that last building from the time it was approved.

Mr. Minke responded he doesn't think that there have been any modifications at all.

Chair Parkins indicated that they are going to have Tony Panico take a look at this and take a look at their notes and figure out if there was any reason why it wasn't done this way to begin with. She added that they wanted the comfort that they are not undoing something that they wanted there.

Mr. Panico stated that he was a little concerned that the left rear corner of the new orientation gets awfully close to that retaining wall in the back. It is only about 7 ½ feet away.

Mr. Minke responded that 7 ½ is exactly what the plan said, yes.

Chair Parkins stated that with no further questions they will let Tony take a look at this. They have accepted the application and it will be under review.

**TOWN CENTER AT SHELTER RIDGE PROPOSAL (WELLS PROPERTY ON BPT. AVE):
INFORMAL PRESENTATION BY ATTY DOMINICK THOMAS**

Atty. Dominick Thomas, Cohen & Thomas, 315 Main Street, Derby, CT addressed the Commission. Atty. Thomas stated that he was representing the proposed developer for this. He indicated that when you say the Wells property on Bridgeport Avenue it encompasses a lot of property so to clarify he provided a site map showing the location of the property. It across the street from the Wells Farm. It is a property that was explained to be a farm in the flat upper area and right now it is heavily wooded and bisected by a Iroquois Gas Easement and an Eversource Power Line Easement. It is currently zoned LIP.

In 1999 when they did the Route 8 Corridor Update, he was hired by the Wells Family and there was an effort to zone this OPD. They showed the number of offices would be ridiculous and not needed and it was left as an LIP parcel. This proposal that they are going to informally make to the Commission tonight is more than likely the largest mixed use proposal in Fairfield County that has ever been made. It is 120 acre site and the proposal is for a five pod, multi-phased development of approx. 490,000 square feet of retail, commercial, office, 450 residential apartments and possibly an age-related residential pod for memory-care or age-restricted residential. The Statement of Uses & Standards will be, and he has done many of them, will be one of the most complex he has ever drafted. It is a proposal that will be phased and it is a proposal that they will require will be subdivide-able at a point in the future.

Atty. Thomas referenced the two front pods – and stated that he is referring to each area as a pod – will be retail with architecture which will be roughly...he added that they will be hearing from Richard Granoff, the architect; Kevin Solli, the traffic engineer along with Jim Swift, P.E. He continued that the front pods will be retail with the initial front pod being closest to the street and being an upscale Milford Marketplace -type of architecture with the understanding of drawing upscale retailers who have been contacted and have shown an interest in locating onto Bridgeport Avenue. It is one area of retail with many stores, beneficial retail targeting upscale retail stores on that site. The adjacent pod would be retail but with an anchor store and more traditional retail. The apartments proposed for 450 apartments right now in three buildings that are 5 -7 stories or mid-height buildings geared to one-bedroom, some two-bedrooms but mostly smaller apartments and very upscale.

Atty. Thomas indicated that the pod shown in the middle in the back which is a proposal right now for memory care with the option for age-restricted housing. In the back right area, a large, retail/office pod that could be developed in several fashions including corporate office, if there was a market for it. The development will feature pedestrian paths that connect the pods.

Atty. Thomas indicated that one of the unique things that they will see about this is that they are proposing a large band of open space along the rear of the property that connects to other Shelton Open Space that he believes connects all of the open space to the Shelton Lakes.

End of 2A, 9:15 p.m.

Atty. Thomas stated that then they would have large parcels of Open Space connected all the way down to Mill Street or the Far Mill River and as it progresses, and if they progress it, a River Walk along the Far Mill to eventually get to the Housatonic River.

Atty. Thomas stated that there are issues; this is a very challenging, topographic site. One of the things that they will hear is that they are not going to lower it to the street. It is not going to be done. When he was first introduced to this proposal and the discussions were on that, it occurred to him about a time a couple of years ago when he was driving in Pennsylvania on Route 80 and stopped for lunch at a shopping center. They pulled off the road but all he could see was a rock cliff. He saw the entrance and realized that the shopping center was developed on the rock cliff and when you drove in, there were towering walls on either side and you could either go right or left into two different pods on either side. While driving out he took a tour through the whole place and drove to the very top where there was an enormous shopping center with a couple of anchor stores and smaller stores built into the topography of the site.

Atty. Thomas stated that right now this area is zoned LIP and as he has said before – when he says that there is no market for LIP – what he means is that it would be foolish for them to expect anyone to build LIP simply because of the cost to build when there are numerous opportunities for people to get into existing buildings and renovate them. If someone decided to come in – and one of the points that they have with LIP – if you are talking about a larger building, you are talking about flattening the site much more so. Whether or not somebody would spend the money on this site to create pods for LIP is very difficult; however, he could guarantee them that they couldn't put enough LIP on this site to come anywhere near the taxes that this project would generate.

Atty. Thomas stated that with that, in order to get into some of the serious issues that they need input from this Commission on– he added that he hoped that rather than treating this as a presentation, he hopes that as they go through it, the Commissioners would interrupt them and ask questions. There are some serious issues that they need to address with them such as the interconnection to Buddington Road, other issues concerning the interconnection on the site and issues of dropping, blasting, etc. One of the advantages that they have is that this site fronts onto Bridgeport Avenue so any removal doesn't require them to go through any residential areas. He asked Jim Swift to provide a better addressing of this site and show the proposed plan.

Jim Swift, P.E. and Landscape Architect addressed the Commission. Mr. Swift provided another rendering of the site and showed the location of Bridgeport Avenue across the front of the site and the location of the Old Stratford Road and Commerce Drive intersection to the Route 8 access point. He stated that Old King's Highway isn't really access; it is one of the old paper streets in town and not anything that would affect the development of property. He pointed out the location of Buddington Road in the upper corner of the site map. He stated that he prepared this plan so that they could see it in its whole and how it fits in traffic-wise for the entire area.

Mr. Swift commented that Atty. Thomas mentioned that they are LIP which is something that is fairly important to them because they all know that when this goes to public hearing at some point, the density and the impact is going to be an issue. When they reach that point, he would like to present to the

Commission what the property would support in a light industrial park because maybe not now, but maybe at some point in five years, if it is constructed as LIP, they want to contrast that with what they are trying to do in this application right now.

Mr. Swift provided another drawing and commented that there are 120 acres, all LIP with Bridgeport Avenue and Mill Street. He commented that the pods are pretty obvious and he pointed them out – as they stay near Bridgeport Avenue they are looking at some sort of a retail. This plan has some sort of an outlet store type of a feel but they are being directed that they are looking for upscale. Serge has been asking every since he brought this project to them “Where can I buy clothes in Shelton?” He commented that there really is no place.

Chair Parkins responded T.J. Maxx. She asked if he was talking about a Clinton Crossing type of outlets, a destination type of place.

Mr. Swift responded yes exactly, very much a destination. He stated that right now they have that outlet down there and it could migrate to other portions of the site in the context of the application that they submit and the approval that they Commission might see fit to grant. This is one pod coming in off of the street.

Mr. Swift pointed out another pod in proximity to Bridgeport Avenue, another retail area that may be geared toward something a little bit more traditional, it could be something along the lines of clothing. He pointed out the 3500 square foot block that might jump out at them. He mentioned how long they have been saying Whole Foods or Trader Joe’s or anything like that. They can think of these as the retail portion of the site.

Mr. Swift pointed out the corner of the site and added that it was really beautiful up there and it is where they are looking to do the luxury residences. The architect, Rich Granoff is a real professional and he will knock their socks off with it. He thinks that what they are looking for in this particular layout – they have a good range of apartments right now and they certainly have luxury with the Renaissance and Bob Scinto’s buildings but they are looking for something just a notch below that. This layout shown is sort of a place holder and they have been working at an architecture that looks at steps, courtyards and a lot of things. He thinks that the Commission is going to be impressed and that is the goal for that area – maybe a notch below or perhaps even rivaling the Renaissance – something very high quality because they have the location to do that.

Mr. Swift commented about the next pod and mentioned something along the lines of skilled nursing, senior-oriented and added that it was the grayest area that they have. He stated that these kinds of facilities are very much – they are going to be told what they look for. He added that they would be looking for this Commission to think about senior housing, senior care and that sort of thing and then they can market that to someone who would tell us if whether it is an Alzheimer’s care unit, something with a more medical slant or more luxury residence but definitely in that vein of senior housing.

Mr. Swift pointed out the last pod in the corner of the site and described it as the area with the most mixed use to it. In looking at this area, they can think very much of a Split Rock-type of an issue with a lot of things like food services, chain restaurants, banking, some two-story grade change things going on in the back, retail on the ground floor with offices on the second floor. He reiterated that this is a placeholder and this is the largest footprint on the site with 82,000 square feet. It is not meant to represent any particular user or possibility. It could be a big box or broken down to cover smaller areas because they do have the topography through there.

Mr. Swift commented that the topography is obviously low at the bottom coming all the way up. It is very steep and they will develop the road through, it has to wind and bend a bit so they can make the grades up and still respect the CL&P Easement and the Iroquois Gas Easement. As far as how this fits into the overall scheme of the town, he pointed out the location of a trail head on Buddington Road that connects the trails going all the way up to Shelton Avenue that connect into the Huntington Center trail system. He added that another thing that they have is the Far Mill River. He stated that Conservation is certainly going to weigh in on this but he doesn't know how far they have gotten with some sort of connection but he knows that is their goal to get all the way down to Stratford somehow along the Far Mill River; they've been picking away at that with projects as they go.

Mr. Swift stated that here they have, probably one of the few parcels, that has the ability to connect all these open spaces – he pointed out surrounding areas of City-owned Open Space going up to Shelton Avenue to connect down to that Far Mill River and start to get their access down there. He hopes the Conservation Commission may smile upon them with this proposal.

Chair Parkins asked if they have had any discussions with them.

Mr. Swift responded no, they are starting here.

Atty. Thomas clarified that they have had very informal discussions with two members of the Commission in an informal setting.

Chair Parkins asked if they showed them the plans.

Atty. Thomas responded not showing them the plans but explaining it to them – they are very familiar with the site – explaining to them that this creates the connection so through that they are looking forward to addressing it. He commented that their position was to bring it more formally informally to this Commission first before other steps which involve going to the Aldermen and the Conservation Commission.

Mr. Swift stated that they will be taking this and it's certainly a concern of the Commission's as to how this impacts development – this development as compared to the LIP and they will be preparing a plan so that they can see a judgment. He did some preliminary estimates on this and not taking it as a flat site but what he did was determine "x" amount of developable areas in different areas – not taking all of the acreage but just what he sees as developable acreage and converting that into what types of things that they are doing in LIP. He added that they've all seen Bob Scinto's buildings on Waterview Drive, two stories with a second story below. He is coming up with significantly more parking spaces on the site than this plan generates but there are other factors and they will be prepared to present that kind of information as they go along. The Traffic Engineer is going to be a big part of that too.

Comm. McGorty commented about the senior facility in proximity to a luxury residential facility. He indicated that they are going to have emergency vehicles in and out of there all of the time. He is sure that they'll build a beautiful luxury area but if they are going to have sirens going all the time than they aren't going to yield what they want there.

Mr. Swift responded that was a good point. He commented that it would depend what kind of senior facility it would be.

Comm. McGorty stated that even age-restricted high end luxury – people don't want to see that – it is a fact of life but you don't really want to live there where it is in and out all the time. He added that his

parents live at Heritage Village and his father said he could set his watch by the ambulances coming and going and it is kind of depressing. They moved out of there because of that.

Mr. Swift responded that he isn't sure that there is a place to hide from that because when he plays golf at Bronson on the weekends, some ambulance always drives by at some point in the morning.

Chair Parkins stated that Assisted Living doesn't tend to generate as much emergency service.

Comm. McGorty commented that they mentioned Alzheimer's care they might have a lot more so they might want to think about that.

Comm. Tickey asked if the upper right corner connects to Buddington.

Mr. Swift responded yes.

Comm. Harger asked if the road system was adequate enough to handle the amount of traffic that this would generate.

Mr. Swift responded that Kevin Solli will get into that.

Chair Parkins asked about the luxury apartments and how many stories they were looking at.

Mr. Swift responded five to seven – mid-rise.

Chair Parkins responded that it was going to be visible from many places around town.

Mr. Swift responded that he is sure that will be studied very carefully and it comes before the Commission.

Atty. Thomas indicated that it will be visible, potentially more in months like this when there are no leaves on the trees but ... (inaudible)

Chair Parkins commented about the height of the property already.

Atty. Thomas stated it was high already but...

Mr. Swift stated that it was not actually the highest part of the site.

Atty. Thomas indicated that they may see the building at this time of the year coming down Commerce. He indicated that he did the Aspen Ridge project and when there are no leaves on the trees you might be able to look up and see it. He stated that that slope – he pointed in out on the site plan – and added that it was extremely tree'd, so much so that even with no leaves on the trees, it creates an almost opaque thing and there is no intention to thin that out or anything.

Comm. McGorty stated that if an LIP proposal came in it is possible that they might have the same type of situation and possibly not as aesthetically pleasing.

Chair Parkins stated that with the Assisted Living or whatever may be there, they could orient the parking to be closer to the right-of-way rather than the building itself to provide a little bit of extra buffer because they cannot plant on the right-of-way so there is no screening.

Kevin Solli, P.E., Solli Engineering, 1428 Monroe Turnpike, Monroe, CT addressed the Commission. Mr. Solli stated that they are obviously very familiar with the site and from a traffic standpoint; this site has almost 3700 parking spaces with all of these different pods and a considerable amount of square footage so it certainly meets the requirements of a major traffic generator with the DOT and the Office of the State Traffic Administrator.

Mr. Solli stated that the Commission can take some solace that it isn't just this Commission reviewing this from a traffic standpoint but the DOT will obviously be very heavily involved. He indicated that they are very familiar with the corridor and they are very familiar with the activity along Bridgeport Avenue and the surrounding areas. He stated that their standard rule of thumb for traffic engineers is that if a development generates 100 trips on an intersection than you need to improve it in a study. A development of this size, preliminary estimates look at 1500 to 1600 trips during the a.m. and peak hour period and potentially upwards to 2000 trips during the Saturday peak hour periods.

Mr. Solli commented that for them this is a very exciting and fun task to be looking at this kind of development.

Chair Parkins responded that she would classify it more as daunting.

Mr. Solli indicated that when they look at something like this it is going to be a daunting and exhaustive study. They have identified 17 intersections throughout the area roadway network and the corridor that are going to be included in their study, obviously understanding everything that is going on, everything that has been approved, everything that is currently under construction and how this traffic all interrelates is what they will be focused on. They have conducted traffic counts in the area, they have had very preliminary discussions with the DOT and as Jim indicated, these areas are still somewhat in flux so for them to do their traffic study, they are going to want to take a conservative approach so that there is some flexibility which their PDD allows in terms of ...and ultimately as the DOT requires they will be mitigating their impact so that will be a critical component to this overall development to go through that permit process.

Mr. Solli stated that there was a comment in the question about the road network. In looking at this project and the different components, the primary benefit of this site is that it is on Bridgeport Avenue and all of the traffic coming to the site is going to be from Bridgeport Avenue. There would really be no reason for people who are visiting the center or leaving the center to pass through Buddington Road or that tricky roadway network. An access to this is really going to be more of an access of convenience for the residents fed from that Buddington Road area. They are going to be the ones to really benefit from this to come through to access this and even for them to get to Bridgeport Avenue, possibly another route. They want to make sure that this site has adequate access points to accommodate emergency vehicles of large size.

Comm. Harger asked if he had considered upper Huntington and also White Hills and people coming from that neighborhood.

Mr. Solli responded that they certainly will.

Comm. Harger stated that she can see them coming in a circuitous route and coming down Bridgeport Avenue from Downtown.

Chair Parkins states that she thinks that what they will find is that the residents of Shelton would utilize Buddington Road. Anyone coming from Milford or other points aren't going to be aware of that.

Comm. Harger agreed and added that was what she was pointing out – Huntington, Ripton Road area and up there, coming down Soundview Avenue, White Hills and that section of Shelton.

Chair Parkins stated that needs to be studied.

Mr. Solli responded that it certainly would be.

Comm. Harger commented that Buddington Road is not the best road – it is an old cow path.

Mr. Solli agreed and added that isn't as improved as one would like but that will be a big part of their distribution, their trip generation, trip assignment to really understand and study where all of the traffic patterns will be and make sure that they are looking at each individual movement so that any potential issue can be addressed.

Comm. McGorty asked if this would be based upon a worst case analysis of what could be in there as far as tenants being higher traffic generators.

Mr. Solli responded yes it will be.

Comm. McGorty asked how they base line that and where do they start.

Mr. Solli commented that it was an interesting task. Through the PDD process, this Commission has created a mechanism where you can have flexibility and the developer can have flexibility but when this project gets approved by the DOT, they have much less flexibility in what they approve. Any modification that impacts 50 parking spaces or a change of use from what was approved by the municipality is required to go back and modify that certificate. He stated that obviously, they want to try to minimize the potential wholesale reanalysis of the networks so they are going to be looking at some conservative approaches to some of these trip generations such as a grocer that generates more trips per 1000 square feet than a traditional retail and make sure that they are allotting square footage for that kind of use in addition to restaurants and other things so if it is decided that this should be a restaurant instead of retail the overall trip generation that is approved can accommodate that change in use perhaps through an administrative modification rather than a large wholesale reanalysis of the network.

Mr. Solli stated that it is going to be a process with them but they will take an approach from a trip generation and assignment standpoint that what they do does have flexibility and does represent more of a conservative analysis. Even with that, the DOT and Traffic Engineering guidelines allow for things like pass-by trip credits where you are allowed to take a small percentage of credit for retail pass-by trips where they go in and leave versus a new trip on the roadway.

A facility like this will probably have a much higher percentage for that type of generation because not only are they going to have pass-by but they are going to have shared trips. They will have someone going to this store and that restaurant or if it is an office, maybe they will be working in the area too so from a trip generation standpoint their initial estimates are probably going to be much higher than what is actually going to be generated by a facility like this. It is certainly something that they are going to take into consideration as they do their analysis but ultimately, they won't be able to take the benefit of that. In the grand scheme of things, in his mind it is going to be a conservative approach and the analysis is going to be representative of that and they will still have to mitigate the impact.

Comm. Harger asked him to provide some perspective by comparing this to the something like the Westfield Mall in Trumbull and what the difference in size would be – in acreage, number of parking spaces, etc...to get an idea of what this looks like compared to something that already exists.

Mr. Solli responded that he did not know the exact characteristics of the Westfield Mall but he would estimate that it is maybe 30 or 40 acres.

Someone in the audience indicated it was 74 acres.

Mr. Solli responded OK so that is probably about 250,000 to 300,000 square feet of retail spaces.

Mr. Swift responded that it was parking for 5,000 parking spaces.

Mr. Solli commented OK, he would have to look at the square footages but if he were to look at all the retail areas here it would be comparable to what the mall looks like. Malls and traditional retail and outlet malls while they are similar, they do function differently from a traffic standpoint and that will all come into play in their analysis.

Comm. Harger asked how this compares to Connecticut Post.

Mr. Solli asked if she meant Route 1.

Comm. Harger responded yes, plus next door where they have Wal-Mart, Barnes and Noble and Home Goods – a space comparison.

Atty. Thomas stated that one difference there is that they don't have white stuff and added that size-wise he couldn't tell her in regard to square feet when you put the two of them together. He added the numbers from Retail A, Retail B and Retail C and that is all he did. Retail A and Retail B are pretty much what they want to build and what they are looking at with Retail C being more flexible. As far as the size goes, when they make a presentation, it may be more illustrious to give them locations that are similar in size to the pods rather than similar in size to the whole thing.

Comm. Harger responded OK and added anything to give some perspective to it.

Serge Papageorge, Developer addressed the Commission. Mr. Papageorge stated that the Trumbull Mall is 1.3 million square feet of retail space.

Chair Parkins stated that they mentioned that this would be a phased project and asked which phase they would envision first.

Atty. Thomas responded the retail in the front and the residential in the back.

Chair Parkins asked if it was those three pods.

Atty. Thomas responded yes, these two pods with 1, 1A and 1B but all having the number one.

Chair Parkins stated that she loves the concept of high-end retail. She thinks that the people in Shelton have been waiting for something like this for a long time. Her concern is that it gets approved and they end up with Auto Zone because she hears "they don't want to come to Shelton..." She stated that she

would be in favor provided that there is some sort of caveat that it is high end retail or they stay empty because she doesn't want it to see it become a Wal-Mart Center.

Atty. Thomas responded that he didn't think that economically that could happen. This is not a flat site. This is not a predetermined site. The amount of site work that goes into this, as much as the site work that went into Split Rock, that was an easy site and the site costs there were pocket change compared to this.

Chair Parkins stated that she is talking about the intention not the economics.

Atty. Thomas stated that the economics of it are going to do it and of course the people involved in developing it wouldn't go into it without the fact that they've had some conversations with people. Right now it is a little bit different. In 2005 any developer he was representing would come up with a proposal, his name would appear in the paper and his phone would ring off of the hook. These tenants are a little different. He pointed out about this type of site and he is dealing with a site in a another town where they are clearly not as open to residential as they are. A lease with a major anchor requires the residential but that site is nowhere near this site. This site and what they are building up there is going to impact what goes below and that is what happens. He added that what they are building here is going to impact A.J.'s project across the road at Hawk's Ridge.

Atty. Thomas indicated that they aren't talking about 13 acres at Crabtree or 20 acres of UI, they are talking about 120 acres – this is five Crabtree's so that is the impact of it. Atty. Thomas asked if they had any other questions for Kevin.

Comm. Harger stated that she has concerns about the road systems in front of Pet Supplies Plus where it goes from four lanes to the Wells Farm, Beard Sawmill, the lanes on Long Hill Cross Road – she is just wondering if there is any plan to expand the road.

Chair Parkins responded that is what the STC has to do.

Mr. Solli stated that for any project they have to mitigate the impacts so things like that – design at intersections, design at roadways, design of the corridor – it is going to be an exhaustive study to look at a lot of these locations with a fine toothcomb to understand exactly what happens. Because of the mix of the center they are looking at the morning peak, the afternoon peak and the peak on Saturday so every peak period is going to get the attention that it needs and that it warrants so that the overall corridor can have some considerable improvement.

Chair Parkins stated that the afternoon peak should be considered between 5 p.m. and 7 p.m. not between 3:00 p.m. to 4:00 because that is when Bridgeport Avenue is like a parking lot.

Mr. Solli responded that in their analysis to be conservative they will use the traffic volumes for that peak period on Bridgeport Avenue from 5:00 p.m. to 7:00 p.m. but look at their trip generation on the peak hour of the actual generators so it may actual be – even if the generator peak hour is from 3:00 p.m. to 4:00 p.m. they will apply those three or four trips to the 5:00 p.m. – 6:00 p.m. period so that it actually serves as a conservative analyses.

Comm. McGorty commented yes because he thinks actual activity inside of there will probably be the lunch hours with all the professionals at Scinto's – it is not necessarily a conflict with the 5:00 p.m. – 7:00 p.m. traffic. That is probably when it would be really active at those high-end stores.

Chair Parkins agreed about it being people getting out of work and stopping on the way home.

Mr. Solli stated that if it ends up becoming office and commercial, people would be leaving there at a different time that everyone is finally getting home and going through Bridgeport Avenue so their analysis will take that into consideration and they will get a worst case snapshot that would be far worse than how the center would actually operate.

Atty. Thomas commented that he had a couple of brief comments about the traffic before turning it over to Rich Granoff. He referenced a black line on the site plan which is the property line. As they know, this was supposed to be Route 8 so the right-of-way is quite wide there so if there are any issues (inaudible) and certainly even if this had to be bent back, the developer has expressed the interest and he certainly would work with the State in giving that to the State.

As they can see and this is a small scale map, Atty. Thomas showed where there is quite a bit of area to do work (inaudible)...He commented on Comm. Harger's point, the distance between where you enter Buddington Road and where you enter Commerce Drive is a relatively short distance. If they are going to either one of these two without speeding and trying to go around corners at 80 mph and they both started at the same point and he went down Commerce and you went down Buddington, he would beat you there because of the narrowness of the roads. He thinks that people who do get used to it coming from that flow are going to have a tendency after a while, when you are getting farther up, when you are getting to the people coming from White Hills and Huntington, they may very well go to Commerce to come down to the light.

Chair Parkins commented that it depends on the time of day or there is Mill Street.

Atty. Thomas stated that Mill is a little bit better than Buddington. They are thinking that they are going to end up having two lights, not one but two with one at Long Hill Crossroad. He indicated that he would turn it over to Rich Granoff to show them the architecture.

Richard Granoff, Granoff Architects, 30 West Putnam Avenue, Greenwich, CT addressed the Commission. Mr. Granoff prefaced that he hadn't really designed anything yet. He said that they are in pre-design and they are studying the site. He was asked to present some images of some work he had done and some developer's concepts.

Mr. Granoff stated that they are in pre-design and working off of plans right now for this pod (he pointed out the location on the plan). The concept that they have been discussing is a higher end residential development, mid-rise, 5, 6 or 7 stories. They have been talking about whom the users would be and what kind of price point. They concluded that it would be the higher end of the spectrum, probably skewing younger with mostly one-bedrooms. Most of the work that he has done a little bit more forward thinking, he wouldn't say the word modern though. He provided renderings of a project that he is finishing up in New Rochelle, NY on the water. It's a 300,000 square foot waterfront development but it has a kind of shingle-style feel to it. It is going to be a luxury condominiums and this is a five story waterfront development that is about to start construction.

Mr. Granoff indicated that he purposely chose four different images here of various styles to get their feedback here or get some input from Shelton as to what direction and if they prefer something more traditional or modern.

He provided another rendering of another project in Westchester County as well with a mixture of wood and metal panels; it is also a six-story multi-family project. He commented that the upper two images

shown were provided by Serge and in his mind this is kind of the direction that they should be going. They plan on having some type of a communal area whether it is fountains, a swimming pool or recreational facilities so they are looking at either three buildings around a courtyard or a U-shaped building.

Mr. Granoff showed another image with composite siding as well as wood and brick. He provided another building rendering with brick, stucco and mixed materials. They are going to be large buildings with up to 420 – 450 units so he is very conscious of the scale. They discussed how it was going to look from other parts of town and they talked about getting some drone images done from various points in town looking toward the site. These are all computer-generated images and they are able to do fly-bys and movies and look at it from various angles and views toward the units and even views from the units looking out.

Mr. Granoff reiterated that this is very preliminary and they are working on plans in preparation for a formal presentation in February or March.

Chair Parkins commented that she assumes that they are doing market studies for the area to determine at what point they would become oversaturated with apartments whether they be luxury or mid-luxury so they don't become a sort of co-op city with thousands and thousands of apartments in town. She asked if there were studies being done.

Atty. Thomas responded that person isn't present tonight but the Commission is familiar with him Stanley G(inaudible) from Realty Concepts. Stanley is one of the most respected persons nationally in market studies and financial studies and they've had numerous meetings with him. Atty. Thomas stated that it sounds crazy but they haven't really touched – they are at the tip of the iceberg of the demand. In Shelton they happen to be ahead of the curve as to what is happening and given Shelton's hybrid nature of being a city with a lot of country area, with larger land area and in Fairfield County ...he referenced what is happening in cities such as New Haven with their Economic Development/Planner indicating that they need to get as much density as possible. This is what is transpiring and there are a lot of arguments going around as to whether this is a structural change or whether it is a change, pushing them out but most people feel it is a structural change. It doesn't mean that it is the end of the single-family home but it does mean, and there are plenty of news articles out there, that people who are sitting around with 2-acre and 3-acre zoning are going to be sitting around as the rest of it goes. Shelton is ahead of the curve. He added that he was astounded by what happened across from his office with Avalon and to have it fill up in 8 months to a year. He added that they will see from the marketing study which they have already begun that they are fitting right in. They will see it with the success of the Mark Apartments and they can see it from the Renaissance. Condos are starting to sell and apartments have a waiting list.

Chair Parkins commented that it is the whole issue of supply and demand. They have luxury housing and people want to live there but when you get oversaturated with luxury housing than your price point is going to have to drop down and she asked what happens then. She stated that those are the figures that she would like to see.

Atty. Thomas pointed out that, despite his pitch in 1999 about pedestrian/bike access along the whole right-of-way on Bridgeport Avenue when he was laughed at – the fact is that what changes Bridgeport Avenue and the marketing is 2.8 million square feet of Class A office that has one of the lowest vacancy rates in the county. He commented about the number of cars and people in and out of Shelton every day and that some of those people are going to live here.

Comm. Matto indicated that she thinks there are about 20,000 people commuting to Shelton on a daily basis.

Chair Parkins responded yes but they still have to come down to Commerce Drive and get caught at the light there and (inaudible)...She added that they will look forward to seeing those studies.

Atty. Thomas indicated that Serge would like to make some comments.

Serge Papageorge, Developer, addressed the Commission. Mr. Papageorge stated that this whole project is demand-driven, obviously, they can't spend \$300M - \$350M and not have a demand-driven project. When they talk about residents, and when they talk about luxury – what is upper scale? He might say Neiman Marcus is upper scale but you'll say Nordstrom Rack is upper scale. Neiman-Marcus isn't coming here unless this becomes an outlet project in the front here – then yes, a Neiman-Marcus outlet could be there. The bottom line would be that is the first determination, if it is going to be an outlet place like Clinton Crossing or regular stores like Milford Marketplace.

Mr. Papageorge stated that in his opinion that is medium-scale because they aren't talking about putting Louis Vuitton in because that wouldn't sell here but it could be a Coach outlet or a Ralph Lauren outlet. If the decision is made by the (inaudible) the discussions with and that they would rather put it in stores, they certainly aren't going to put stores in that pay are going to pay \$18/square foot. Brian Atherton is here tonight from Atherton Associates and he is one of the partners on this project and he definitely wants to \$30/square foot or something like that. They don't envision that there are going to be large anchor stores that would be selling \$4/square foot space to just have them there.

Mr. Papageorge stated that when they look at this, they really have to look at it as a destination. As far as the visibility on the retail portion of this project, if you go up to Clinton Crossing and approached its long narrow driveway where you see a block and some signs. Rich is going to design buildings that are going to look the same on the backside of the building as it does on the inside of that courtyard so it will be very pleasing aesthetically and have visibility because of the grade.

He stated that it is probably going to be about 50 feet above street level which means that the amount of ledge would have to be excavated off the site would phenomenally less which is good for Shelton and good for getting things done quicker as far as the implementation and construction of this site.

As he mentioned, the marketplace on the left-side and along with the right in the rear portion, as far as the residences are concerned because it is a built-in market to do shopping there, obviously are the first three things that should get built. When they talk about a potential Alzheimer's Clinic and if they are going to have Millennials (potentially 24 years – 42 years old) living in that project, they wouldn't want to walk out, and he wouldn't either - no matter how nice the building is - to see a bunch of old people and their visitors over there. He agrees with that so perhaps if that isn't going to be retail, it could be office, a restaurant or an adult community, or just open. Mr. Papageorge stated that the people driving that decision have more money than everyone in this room so they are going to have definite ideas as to what they would like to do. They will probably come back for a public hearing to change the use of what was initially approved but that isn't a big problem.

He pointed out an area that he discussed with Jim Swift and mentioned that they could take that Clinton Crossing-type building at fit it in higher up as well and really have two. If he had his druthers he would like to see it like a Woodbury, New York and just be an outlet center. The people he has spoken with over the last six months reach across the country and have told them that they are looking at their shopping centers and where they could put residential apartments, residential power, because there is a

perceived need by Millennial to live near shopping rather than having to commute to work and go somewhere else to shop – so they can go home and shop at their leisure.

Comm. Tickey responded that he could feel that need.

Comm. McGorty agreed that he had too much property at home. He wants to downsize (inaudible)...

Mr. Papageorge commented that as far as the Mall is concerned, they are going to have a lot of green space and one thing that wasn't mentioned, when you come in through both of those entrances, it is going to be landscaped very nicely with a waterfall there. He said that they'll be back to talk about the signage for identification of the buildings in this complex.

He said that it is very important to them, and they have discussed this at length, that this has to be a four lane road and go back to a two- lane road once you hit this intersection all the way up here. Mayor Lauretti told him there should be a turnaround but if OSTA says it has to be connected than they can't override that decision. He added that was why they have Kevin Solli digging into this to get an optimal solution for everyone in Shelton and for the State.

Mr. Papageorge stated that from a tax-generation point of view, they think it is very complementary to what Scinto has and it fits a definite need in town. As long as everyone keeps in mind that it is demand driven – he knows that from an economic point of view you can't afford to develop this site and put stores in that won't generate the rental income.

Chair Parkins asked what kind of input they were looking for from the Commission.

Atty. Thomas responded that the issue of the cut-through is a good point (inaudible) and one thing that he has learned from Kevin, and Kevin explained it when they had their initial meetings. ...Mark Lauretti did say something about having an emergency entrance there...But Kevin educated everyone and Kevin has a good team put together (inaudible)... As they are aware, people think that OSTA just deals with the State Highway there and stops at the black line; however that is not the case. When there is a project of this size, they are looking at intersections elsewhere and they may tell them to do it. This exchange was good because they understand that road is not going to be the proverbial cut through that they discussed in the previous subdivision tonight with the two cul-de-sacs. He commented that there is going to be somebody who may decide to use that cut through but it is going to be minimal because of the road structure around it so that has been helpful to them. Also, they appreciate their comments about the Assisted Living that helpful to what they are trying to present. If they have any other issues ...

Chair Parkins responded that from a concept perspective she thinks it would be welcomed, most people would welcome it. She thinks the biggest community outcry is going to be about the traffic on Bridgeport Avenue and the cut through on Buddington – those will be the two major hurdles.

Comm. Harger commented about a former co-worker went on and one when other properties in the other area were developed who always asked why they can't just leave it the way it is, make it a park... She told her that people have a right to develop their property and if they want to see it stay the way it is then she should buy the property.

Chair Parkins added that education can only go so far with those people.

Atty. Thomas stated that LIP - and Jim has done some preliminary studies and talks about 5500 parking spaces – 1500 to 2000 more spaces than they are proposing here as well as square footage that would be

generated. They are presenting marketing on LIP as well as this project. He stated that there is light industrial going on and Shelton is a desirable place to come simply because the taxes are low but the issue is one of cost per square foot. People will build buildings but the problem with this site is that in order to build an office park, and they showed it in 1999, but it really needs to be flattened for it because those type of buildings don't lend themselves to being tiered. However, they can tier the pods here as well as the parking.

Atty. Thomas stated that this has been helpful and he'll let them know that they intend on going to the Conservation Commission. They intend on contacting Alderman Anglace and Alderman Farrell to request the coordination of a neighborhood meeting for residents of the Buddington Road area. He will contact them right away for a neighborhood meeting but he really doesn't want to welcome P&Z members there because it creates an impression of an exchange before a public hearing, and with his luck, four of them will show up.

Chair Parkins asked if that meant that they weren't invited.

Atty. Thomas responded that they weren't invited but he'll let them know what they say.

Mr. Pappageorge stated that when they have the meeting they have full architectural drawings.

Chair Parkins asked if OSTA would be looking at Route 8 as a feeder to this project. She commented that one of the complaints that they are getting now from a City perspective is with the people commuting down from points in Waterbury, Beacon Falls, etc...in the morning and leaving at night - it is a nightmare. If there is one accident on that highway, it turns the local roads into a nightmare for a minimum of two hours.

Mr. Solli responded that they will be including all of the exits and on-ramps for Route 8 but in terms of the actual analysis of Route 8 itself, it comes down to generation and how many trips that they are dealing with and what impact those trips have on the infrastructure.

Chair Parkins commented that it is one thing to have this serve the local people which is a great amenity especially for people living there but if it becomes a destination than they have to look at the incoming traffic.

Comm. McGorty agreed that they are going to get trips coming off of Route 8 on the way home.

Mr. Solli agreed that it would certainly (inaudible)...

Chair Parkins indicated that OSTA needs to look at Route 8 to begin with a couple of cameras between Waterbury and Bridgeport would be nice (inaudible)...

Mr. Solli responded that Route 8 is on their Capital Plan – the next 25 or 30 year plan and Route 8 is a big part of that study.

Chair Parkins suggested three to five years, not 25 -30...

Comm. McGorty agreed that they'll have to do that without him...

Mr. Solli agreed and indicated that they were going to be looking at it and for something like this it is going to have a regional draw and that traffic distribution so it will be a part of the report.

Mr. Papageorge responded that Route 84 presents the same problem with a two lane highway and even I95 further north.

Chair Parkins indicated that they are addressing 95 further north and they're addressing 84 but nothing on Route 8.

Atty. Thomas provided some shortcut tips to avoid traffic in Downtown Derby and Chair Parkins pointed a shortcut route from the Corporate Towers to Downtown Shelton.

Chair Parkins commented that they look forward to keeping up on the progress for this project and thanked them for coming.

Atty. Thomas stated that they are hoping to make their presentation to them with the Initial Concept Plans shortly and schedule the public hearing for February or March.

Mr. Panico (speakerphone) commented that he would like to see something come in pretty quickly about the marketing side of this as well as the traffic side. He thinks that the facilities that they are contemplating in here are going to rely on a market that goes well beyond Shelton; otherwise, they aren't going to get the level of quality that he thinks the Commission envisions. He reiterated that he thinks that they need to know what the market is, where the market is and how far out does it go – all the details about it so that if it is built, it will be successful with the type of tenants that they are looking for.

Mr. Panico added that he thinks that they need to know about traffic generation internally to make sure that those internal roads are at the level of development that they need to be. Those are a couple of components that need to be addressed relatively soon.

Mr. Solli responded about the internal roads and said that one of the things that they've been talking about in their initial meetings is that these internal roads need to be boulevards, like the ones with the landscaped medians and having two lanes in both directions. It will be one of the critical components because traffic has a funny way of being the true equalizer and if this is designed and people can't get in than they aren't going to come and it isn't going to be successful.

Mr. Panico stated that if they can't get out than they won't come back either.

Mr. Solli responded agreed.

Mr. Panico commented that he was glad that they were thinking along the lines of a median divided type of boulevard with two-lane capacity in each direction at least as far up as the intersection where they have the luxury housing or assisted living facility.

Mr. Solli responded yes that is what they've been talking about and one of the things Serge pointed out in his presentation which he didn't have the benefit of seeing. He thanked him for the comments.

Atty. Thomas added that they are going to have the traffic study and the marketing study have with their initial presentation.

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 one in the audience, she asked for a motion to close the public portion.

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

OTHER BUSINESS:

APPROVAL OF MINUTES: 12/8/15

On a motion made by Anthony Pogoda seconded by Elaine Matto, it was voted 5-1-0 to approve the minutes from the 12/8/15 meeting. Comm. Tickey 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.

THE MARK APARTMENTS: REQUEST FOR REDUCTION OF CASH SEDIMENT AND EROSION CONTROL BOND

Mr. Schultz stated that this is the Cash Sediment and Erosion Control Bond and they are looking for a partial reduction. They have a \$65,000 cash bond and it is at the Commission's discretion.

Comm. McGorty asked if Staff had been up there and taken a look at it.

Mr. Schultz responded that he would not go less than 50% which would be 30 or 40...

Comm. McGorty stated that he didn't have enough information on it. It is a little too soon.

Mr. Schultz added yes and it is winter.

Comm. Tickey stated that he would rather not.

Mr. Schultz commented that at the Staff level he didn't have the ability to say no. He indicated that he would tell them to come back in the spring.

Chair Parkins asked for a motion to deny the request for reduction.

On a motion made by Thomas McGorty seconded by Virginia Harger, it was unanimously voted to deny the request for reduction of the Cash Sediment and Erosion Control Bond for the Mark Apartments.

781-785 RIVER ROAD: REQUEST FOR REDUCTION OF CASH SEDIMENT AND EROSION CONTROL BOND

Mr. Schultz indicated that this is across the street from the Rinks where the donut shop is located. The Commission wanted to wait for a whole growing season. They have a \$5,000 Cash Sediment bond.

Chair Parkins asked if they fixed that sight line.

Mr. Schultz asked Comm. Pogoda about the curb line issue.

Comm. Pogoda responded that they never fixed that.

Mr. Schultz indicated that they're disputing that. He added that he knows Tony Pogoda's feelings about it but they said no. He spoke to Howard Soffan last week and they said no way because it is not an issue. However, he knows that Comm. Pogoda feels strongly about it.

Chair Parkins stated that the bond has nothing to do with the sight line.

On a motion made by Thomas McGorty seconded by Jim Tickey, it was voted 5-1 to approve the request for release of the Site and Maintenance Bond for property located at 781-785 River Road. Comm. Pogoda voted in opposition.

STAFF REPORT

Mr. Schultz reviewed ZBA issues, Zoning Enforcement, and Sign Enforcement, etc.

See attached P&Z Staff Report from Richard Schultz, P&Z Administrator dated January 12, 2016.

ADJOURNMENT

On a motion made by Thomas McGorty seconded by Jim Tickey, it was unanimously voted to adjourn the meeting at 9:55 p.m.

Respectfully submitted,

Karin Tuke
P&Z Recording Secretary