

SHELTON PLANNING AND ZONING COMMISSION

JANUARY 27, 2016

The Shelton Planning and Zoning Commission held a special meeting on Wednesday, January 27, 2016 at Shelton City Hall, Auditorium, 7:00 p.m., 54 Hill Street, Shelton, CT 06484. The Chairperson reserved the right to take items out of sequence.

Commissioners Present: Chairperson Ruth Parkins
Commissioner Virginia Harger
Commissioner Elaine Matto
Commissioner Ned Miller (alternate for Thomas McGorty)
Commissioner Frank Osak (alternate for Anthony Pogoda)
Commissioner Jim Tickey

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

Tapes (1), correspondence and attachments are on file in the City/Town Clerk's Office and the Planning & Zoning Office and on the City of Shelton Website www.cityofshelton.org.

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

Chair Parkins called the January 27th Special Meeting of the Shelton Planning & Zoning Commission to order at 7:00 p.m. with the Pledge of Allegiance and a roll call of members present. She stated that alternate Commissioner Ned Miller would be acting for Comm. Pogoda tonight and alternate Commissioner Frank Osak would be acting on behalf of Comm. McGorty who is not present. P&Z Consultant Tony Panico is in attendance via conference phone.

She explained the purpose of the public hearing tonight was to amend their Zoning Regulations and she provided an overview of the procedures for a public hearing for audience members. She asked the P&Z Secretary to read the Call of the Hearing.

PUBLIC HEARING

PROPOSAL OF THE SHELTON PLANNING AND ZONING COMMISSION TO AMEND THE FOLLOWING ZONING REGULATIONS AND BUILDING ZONE MAP:

- A. **SECTION 33: (SPECIAL EXCEPTIONS) SUBSECTION 33.3 (PROCEDURE)**
- B. **SECTION 36: (CENTRAL BUSINESS DISTRICT)**
- C. **PROPOSED ZONE CHANGE FROM CA-3 TO PLANNED DEVELOPMENT DISTRICT (PDD) #82 (Two block area: Howe Avenue to Coram Avenue and White Street to Center Street)**

P&Z Secretary, Comm. Harger read the Call of the Hearing and two pieces of applicable correspondence from the Naugatuck Valley Council of Governments and the Connecticut DEEP.

Chair Parkins asked Rick Shultz if the correspondence relative to all three sections or are they separate.

Mr. Schultz responded that they were separate with one being from the Citizen's Advisory Board and Mr. Oram will read that letter. The Naugatuck Valley Council and the DEEP correspondence cover everything.

***See attached Staff Referral Report dated 12/22/15 to Richard Schultz, P&Z Administrator from Joanna Rogalski, Regional Planner, Naugatuck Valley Council of Governments, Regional Planning Commission, Waterbury, CT.**

***See attached e-mail correspondence dated 1/22/16 to Richard Schultz, P&Z Administrator from Kristal Kallenberg, Environmental Analyst, Office of Long Island Sound Programs, Connecticut DEEP, Stamford, CT.**

Chair Parkins stated that they would take these three items individually, and act on them individually because some sections can be acted on tonight while others may require the public hearing to stay open for further information. She began with Section 33 (Special Exceptions) Subsection 33.3.

A. SECTION 33: (SPECIAL EXCEPTIONS) SUBSECTION 33.3 (PROCEDURE)

She stated that the basic purpose of amending this section is to have it conform to the State Statutes to make sure that when there is a Special Exception application before the Commission that they handle it within the guidelines of the State Statutes and timeframe governed by the State Statutes as well. It is the major change in doing that.

Mr. Schultz indicated that for the benefit of the Audience, whenever the State of Connecticut amends the State Statutes, the local Planning/Zoning Commissions have to acknowledge and amend their Regulations so that they are in sync. Accordingly, the Commission is fulfilling those requirements of the Section 33 Subsection 33.3 procedure that deals with the submission, public hearing process and action of a Special Exception Application. They are fulfilling the State Statute requirement on how the entire process is done. It is pretty straightforward and it will now be in sync with the State Statutes.

Comm. Harger asked a question on one of the hand-outs regarding some language about written demand by an Applicant and if that language was there because it was a part of the State Statute.

Mr. Schultz responded no it was a continuation of their Regulations that they had before the State Statutes went into effect.

Mr. Panico clarified that it is a State Statute requirement though.

Mr. Schultz responded yes but they always had it in their Regulations.

Comm. Harger asked if the Applicant had to make a written demand for the Certificate of Zoning Compliance.

Mr. Schultz responded yes, that's correct. It is not an automatic and it has to be put into writing – but they have always had that in their Regulations. It is a step that the Applicant has to take.

Mr. Schultz asked the Commissioners to refer to the packet provided tonight because it supersedes any older version they may have.

Chair Parkins asked if there was anyone in the audience who wanted to speak regarding the amendment to Section 33.3. With no further comments from the Commission or audience members, she asked for a motion to close the public hearing for Section A to Amend Zoning Regulations for Section 33 (Special Exceptions) Subsection 33.3.

On a motion made by Jim Tickey seconded by Frank Osak, it was unanimously voted to close the public hearing for the Proposal of the Shelton P&Z Commission to Amend Section 33 (Special Exceptions) Subsection 33.3 (Procedure).

C. PROPOSED ZONE CHANGE FROM CA-3 TO PLANNED DEVELOPMENT DISTRICT (PDD) #82 (Two block area: Howe Avenue to Coram Avenue and White Street to Center Street)

Chair Parkins stated that they would move to Item C which is regarding the proposed Zone Change from CA-3 to PDD #82 - this two block area of Howe Avenue to Coram Avenue and White Street to Center Street. She stated that she thought it would be helpful for the Commission and the audience to hear a Vision Statement that they have crafted for Downtown to set the stage for the some of the things that they are doing down there.

Chair Parkins read that the vision of Downtown is to guide the transformation of Downtown Shelton into an attractive, pedestrian-friendly, vibrant, multi-functional center of activity for the entire City. The emphasis will be on providing an adequate supply of quality housing, strengthening the retail service market potential, attracting new Downtown commercial development serving the community that provides job opportunities and contributes to the economic base of the City and expanding recreational opportunities focused on the Riverfront.

The Shelton Planning and Zoning Commission with the assistance of the Downtown Subcommittee has formulated long-range planning and zoning as part of the ongoing Comprehensive Plan for the Downtown area. The purpose of the Plan will be to assist the Commission in the decision-making process relative to the desired long-range land use and development patterns for the Downtown area and to guide the efforts of property owners, the City and others in their continuing revitalization initiatives for Downtown Shelton. The Plan has incorporated the near completed Shelton Enterprise and Commerce Park which has emerged as the catalyst for the rebirth of Downtown. She indicated that was the section of Canal Street from the Bridge north.

Chair Parkins read that the established Shelton Enterprise and Commerce Park was designed to utilize public funding to create a linear Riverfront park, a permanent home for the Farmer's Market, Veteran's Memorial Pavilion, improved public facilities and infrastructure and economic development for this area of Downtown. The Downtown area has and will continue to be unique by providing a distinct mix of retail, service, government, residential, social service and cultural activities. Intermingled among these activities will be appropriately designed public spaces. From these public spaces there will be pedestrian linkages to the Riverfront and this in turn will reunite the Downtown and Riverfront areas and provide a sense of place.

The goal of a strong identity for the Downtown area will enable the successful redevelopment effort. Careful stewardship of existing resources combined with imaginative planning and development will ensure that the area reflects the unique areas of Downtown Shelton and fosters continued economic, civic and cultural development. With that said the proposed Zoning Regulations and map amendments are being presented tonight to further achieve that goal.

Mr. Schultz referenced the exhibits being presented tonight on behalf of the Planning and Zoning Commission. He pointed out the Draft Downtown Vision Statement which Chair Parkins just read that is dated January 27, 2016 and a copy of the Future Land Use Plan of the 2006 Plan of Conservation and Development identifying this area as a Central Business District.

He indicated that the definition of the Central Business District reads “areas that serve a neighborhood or City center function suitable for commercial, office, residential, in some instances light industrial uses in a mixed use environment. Additionally, he referenced a location map showing the location of the proposed Zone Change from Commercial CA-3 to PDD #82 dated October 1, 2015 and a copy of the General Statutes relative to Section 8-3C and 8-7D relative to the preceding Amendment and a copy of the Draft Zoning Regulation Amendments dated 1/27/16 which they will read.

He added that there was also a copy of the Special Area Study Downtown Shelton prepared by Milone and MacBroom dated April 2015. He stated that this was the Special Area Study that the Commission initiated. He pointed out the location of the Special Area Study at the top of the presentation easel and a map of the area of the proposed PDD #82 Zone Change below it.

Mr. Schultz indicated that he wanted to get into the Statement of Uses and Standards in support of PDD #82 and he showed the perimeter of on the map and what is there now.

Chair Parkins asked him to explain #81 as well.

Comm. Harger asked if the only change in the Downtown Vision Statement was the last sentence.

Mr. Schultz responded that it was tweaked a little bit and it is just a draft document that is ongoing and they're working on it. The full Commission will be adopting it when they finalize their planning efforts.

He provided an orientation of the map and showed the location of the Derby Shelton Bridge, Howe Avenue, the shaded two-block area proposed, the Matto PDD #81 location and the Kyle's Corner PDD #67 which is currently under construction. He showed the location of a five acre parcel with the Avalon Apartments. He pointed out the location of the Birmingham, the areas of ongoing redevelopment efforts for the Spongex and Rol-Fite. He stated that this area represents the Central Business District; it is the area that the Commission is currently targeting because there are a lot of redevelopment efforts going on right now.

Mr. Schultz stated that after the Matto's Zone Change, which took a long time because of the nature of the proposal, they nonetheless got a fantastic product out of it. The Commission saw the need to be proactive and to rezone the balance of the two-block area in which the Commission undertook a special planning study. He showed the location of the study on the map.

He indicated that the intent of the PDD is to provide standards for the Commission. The Chair read it in the Vision Statement – it is to guide the type of growth that the Commission wants to see to benefit the Downtown area of Shelton and the entire community. These are very exciting times and a lot of time and effort has gone into it and now things are happening. He commented on the efforts of the Downtown Subcommittee chaired by Ginny Harger which meets once, twice or sometimes even three times a month and they'll be meeting a lot this year because the demand is there. He had a discussion with the Citizen's Advisory Board and explained what the Commission anticipates for this upcoming year. They have received a lot of good information from the area banks and they're willing to provide the financing for these projects. All of these projects are in excess of \$5 million. Avalon was a \$50 million project so they are big projects.

He pointed out the target area and indicated that they are doing it to provide the best type of guidance that they can to the development. There are a lot of issues both architecturally and other issues including drainage, sidewalks controls, etc... and of course, the parking. He stated that he knows the Citizen's Advisory Board will be commenting on that issue. This is an ongoing effort but the Commission saw the need to work now, quickly on this two-block area. There are essentially ten blocks in the Downtown area so the Commission will be continuing; they will see that this effort will be ongoing.

Mr. Schultz referenced the Statement of Uses and Standards that everyone had a copy of and indicated that the first page introduces the area of the proposed PDD, the two block area mentioned which includes PDD #81 (Matto's) which is also a part of that two block area. It contains approximately 2.9 acres and the PDD is the technique of choice by the P&Z Commission to provide the guidance for this type of redevelopment effort. As a side note, the Commission has used the PDD extensively on the Route 8 corridor.

On Page 3, he discussed the Initial Development Concept Plan relying on the architectural renderings that Milone & MacBroom had done for the Commission to fulfill that requirement for that two-block area. He reiterated that the Commission would be expanding it that because Downtown is a ten block area. The permitted uses will be the uses allowed on a CA-3 District as set forth in Schedule A and also there will be Prohibited Uses as set forth in Paragraph 36.4. This area is also located in a Central Business District as he indicated.

In regard to Area Location and Bulk Standards - this is a downtown area. The minimum lot in a downtown area is 5000 square feet; square lot is 50 feet; lot frontage 50 feet; the maximum number of stories – they have a maximum height of 70 feet. The Commission is suggesting the 70 feet because that is the height of the Matto Building and the Commission feels comfortable with that development proposal.

On the next page, he mentioned the Setback from the street line is zero, adding that this is an urban setting; rear and side property lines are zero. Maximum building coverage is 90% and the maximum total impervious lot coverage is 100% and maximum floor area is 500%. He stated that these standards represent what the Commission needs to provide to make this is a successful redevelopment for the Downtown area. He pointed out an asterisk in which it states that the Commission may impose additional setback as necessary to assure the provision of appropriate pedestrian walkway at locations deemed necessary by the Commission, guided by appropriate, overall PDD site planning/concepts. He reiterated that the Chair read that in the Vision Statement too - regarding pedestrian-friendly Downtown connecting to the Riverfront.

The next provision is Off-Street Parking and Refuse Disposal and for the retail, commercial and financial uses they will require 5 spaces per 1000 square feet of floor space; he added that was pretty common. A full service restaurant would require 8 spaces per 1000 square feet of floor space; business/professional offices require 4 spaces per 1000 square feet and medical/professional require 5 spaces per 1000 square feet.

Mr. Schultz added that they have a provision for uses and facilities not encompassed above; the basic provisions of the Shelton P&Z Regulations shall apply. For those that haven't followed the Off-Street Parking Amendments that they had a couple of years ago, they did a major overall and detailed all of the uses so the Commission feels comfortable with the current parking requirements.

Storm Water Management ensures that they are in compliance with Ordinance #58, and there is a section discussing the Maintenance of trees, shrubs, etc. and Signage must be in compliance with Section 36 – Central Business District. Section 12 is for any Modification and Amendments and Section 13 is for Development Plans. This is the Shelton Zoning Regulation for this two-block area so unless the Regs are in the General Regulation, these are the Regulations that the Applicant will use.

Chair Parkins noted that there is reference to Section 36 for the Central Business District.

Mr. Schultz stated that fortunately the Commission has had the opportunity to reference other development such as Avalon, Kyle's Corner and most recently, the Matto property so they have a pretty good understanding of what the market needs are so these are not numbers that were just pulled from the air; they have reviewed ongoing development efforts. He stated that was the Statements of the Uses and Standards and the Amendment to the Zoning Map is for that shaded area shown for PDD #82.

Chair Parkins stated that the Chairman of the Citizen's Advisory would be reading the correspondence into the record so the P&Z Secretary does not need to read it. She asked if there were any questions from the Commission.

Comm. Harger asked about #7 at the bottom of Page 3 (Area, Location, and Bulk Standards) asked if Section 33.12.4 (inaudible) where it says 40 feet and the Commission would consider 60 feet ...would it be changed to reflect...

Chair Parkins responded this is just referencing this PDD.

Comm. Harger commented OK.

Mr. Schultz added that they used the Matto's – they did the Special Planning Study to show what the height should possibly be and now they know what the Matto's is going to be.

Chair Parkins clarified that the PDD allows flexibility for uses and gives the Commission tighter control of what goes on within the (inaudible)...

Comm. Harger asked if there was a reason why they have zero feet setback because of the nature of the urban area.

Mr. Schultz responded yes.

With no further questions from the Commission regarding the PDD, Chair Parkins asked if there was anyone in the audience wishing to address the Commission on the proposal.

James Oram, 181 Division Avenue, Shelton addressed the Commission. Mr. Oram indicated that he was there to represent the Citizen's Advisory Board. He thanked Rick Schultz for coming out to their last meeting, bringing them up to speed as much as could be done at the time. Based upon what they have learned from that, their Board has prepared and submitted a letter which he will read into the minutes.

January 27, 2016

Re: Shelton Planning and Zoning Commission, Notice of Public Hearing Wednesday, January 27, 2016 at 7 p.m.

Honorable Commissioners,

The Citizen's Advisory Board reviewed the subject notice, the associated Initial Development Concept Plans and proposed changes to the Shelton Zoning Regulations at our January 20, 2016 meeting. Our Board voted, unanimously, to support the proposed changes and the creation of a Planned Development District encompassing the two block area cited in the Notice of Public Hearing.

We feel that the proposed changes will guide development of Shelton's Downtown Central Business District in a manner that reflects our shared vision for a viable area that serves residents, businesses owners, customers, and property owners, while preserving buildings and features of historic significance. Your Board, the Shelton Economic Development Corporation, The Shelton Economic Development Commission, our Board of Aldermen, and our Mayor have demonstrated the foresight needed to set standards for "smart growth" in our City.

Our shared vision sees a pedestrian-friendly downtown neighborhood, where residents rely on walking, bicycling, and public transportation as their primary means of travel. Presently, most downtown residents, like most other Shelton residents, rely on their automobiles to get them to work, shopping, and entertainment. Customers from outside of the Downtown usually come by car to do their business. Weekend evenings often find Center Street and the Canal Street area overburdened with parked cars.

The Citizen's Advisory Board understands that an overabundance of dedicated parking wastes valuable land that could be used for development. We suggest, however, that insufficient parking could become the primary threat to success of future Downtown businesses and residential uses.

Perceptions of Shelton's Downtown parking situation vary. We suggest that an effort be made to collect data through an inventory of available parking and a survey of the number of cars registered at downtown addresses. Based on that data, the Planning and Zoning Board could make informed decisions about the present situation and future parking requirements.

Respectfully submitted,

James F. Oram, Chairperson, Citizen's Advisory Board

Mr. Oram added that he thinks that their bottom line is here is collecting more data always helps and that is their input for them.

Chair Parkins commented that they actually do have an inventory of the parking; they have that document. She thanked him for the input.

Regis Dognin, 342 Long Hill Avenue, Shelton addressed the Commission. Mr. Dognin commented that he had prepared his remarks early but he brought a newspaper article from today's Connecticut Post that he thought was interesting; an article about businesses in Bridgeport seeking a parking overall. He

commented about just crossing out the name Bridgeport and putting Shelton in there and it is befitting his discussion. He commented that he had a letter that he would read and submit to the Commission.

Honorable Commissioners:

For the benefit of those who don't know me, in 1972 my wife and I bought the 1894 [sic] homestead at Long Hill Avenue and Kneen Street. Route 8 was under construction and soon an exit ramp came within yards of our front door. In early 1990, Constitution Boulevard was built and my old garage is now buried under the right lane. Change has been around us for all of these years – some 44 years. I am no stranger to P&Z Hearings and our neighborhood has fought and won 15 zone change battles over the years including a gas station proposed by an active P&Z member. You may know the area as Constitution Park. Change, if it is done right, can lead to significant progress but that "if" is terribly important. I am happy to be here tonight along with other members of the Citizen's Advisory Board to show our appreciation and support for the current work of the Planning and Zoning Commission under consideration tonight. The careful planning and preparation appears to us as important changes in the right direction for the right reasons and moves to Downtown towards our shared visions of the future is very welcome.

I am here specifically to focus on an issue which runs as an undertone of the P&Z document before you that deserves much greater attention – parking. While Shelton's master plan of transforming the Canal Street area has been extremely successful, the management of parking areas has proven to be a major failure at both Birmingham and Avalon. We need to learn from those mistakes. The parking is the *Achilles' Heel* of the Downtown redevelopment. Unless the parking issue is tackled head on no real success can be expected. It is also an issue whose solution is beyond what project developers can be expected to propose. As the Army likes to say, "it is the long pole in the tent." If it is not done right, it won't work.

Recently, architect Joseph Matto, A.I.A. created a set of design concepts for his two block area showing the absolutely unique topography of this area. A 42 foot elevation difference (78 feet – 36 feet) between its Coram Avenue and its Center Street level and Coram Avenue at its White Street level – there is 42 feet of difference there.

At the top of Coram you have White and there is a 32 foot drop between that level of White and where it comes into Howe Avenue and both of those come into play for the design for underground parking.

By exploring this unusual topography and adding underground parking entrances at Center Street on one end and White Street at the opposite end, at the midway and the other one at the top of Coram, the following parking spaces can be created:

- At the entrance at Center Street, you can get 56 parking spaces at Center Street at street level.
- At the White Street entrance, you can get 54 parking spaces at the second level above White Street's spaces.
- At the White Street entrance, just discussed, you get 60 parking spaces underground on Level 2
- At entrance at Coram Avenue, you could get an additional 30 parking spaces above the Level 2 level.

There are 200 spaces available within this two block area and 170 spaces are completely out of site. He can't think of a more exciting, incredible statistic to give you. One hundred seventy cars can be parked so you cannot see them - and that doesn't count the Bridge Street parking which is another 35 and it obviously doesn't count the 30 above, off of Coram Avenue that will be visible.

Two hundred parking spaces area available and 170 spaces completely out of site at the same time leaving surface areas available for attractive architectural buildings and pedestrian-friendly walkways and gardens, which Joe Matto did a great job of showing examples. Thirty five additional parking spaces are on street level at Bridge Street and some of those are for PDD #81.

Somehow the degree of underground parking must be created. This is a critical condition for success of this PDD. To overlook or miss this unique opportunity by the City would be unwise and extreme. Underground parking facilities must be designed and fully integrated with the buildings. To take full advantage will require by strong leadership by the city and some degree of direct involvement in the design and implementation.

The security issues of underground parking have already found solutions in all major cities. It is called valet parking – surrendering your keys and vehicle at the entrance to receive a ticket. Only bonded employees with the garage are allowed within. They park the vehicles and return them to the ticket holder. This usually allows the Staff to park vehicles in a more compact way further increasing the parking garage's efficiency. Space per vehicle in a public parking lot is what is calculated in the statistics that he gave them. In a valet parking garage where they have an entire building and maybe some special elevators to take people up and down, they have a much higher capacity for cars because they really pack them in and their own drivers jockey them around.

If the City does not plan and prepare for this eventuality, the opportunity may be missed and success compromised.

Mr. Dognin added that they have to realize that this is the only two block area of the City where there is this kind of topography that lends itself to building an underground parking garage.

My hope is that the City will take full advantage of this great opportunity, make this most significant change happen and it will be done right.

He added that if it is not done right than all bets are off. He thanked them for their attention. He provided the letter he read and the maps that Joe Matto gave him.

Chair Parkins asked if there was anyone else wishing to speak regarding this PDD #82. With no comments, she asked Mr. Panico if he wanted to add anything.

Mr. Panico responded that he had nothing to add and stated that the Commission knows his thoughts. He commented that he thinks that Mr. Dognin is right on the money and they have to do something about structured parking but that is down the road and they'll be looking at it.

With no further comments or questions from the audience regarding PDD #82, Chair Parkins asked for a motion to close the public hearing on that item.

On a motion made by Jim Tickey seconded by Elaine Matto, it was unanimously voted to close the public hearing for the Proposed Zone Change from CA-3 to Planned Development District #82 (two block area: Howe Avenue – Coram Avenue and White Street – Center Street).

B. SECTION 36 CENTRAL BUSINESS DISTRICT

Chair Parkins commented that in regard to Section 36 Central Business District, they have made some modifications to the Amendments as well.

End of Tape 1A 7:46 p.m.

Mr. Schultz referenced the packets provided and indicated that he would be making reference to the proposed amendments and at the completion of those amendments they have the whole section so they can see how it is inserted. He returned to the map shown and identified the Central Business District as the highlighted area beginning in the north end by Riverview Park and continuing all the way through Downtown to the Commodore Hull Bridge. It is the whole area and it is known as the Central Business District Overlay. Right now that Overlay has Standards for expanding those standards to assist the Commission with the overall development of this area. They did rezoning just for this two-block area but as he indicated the downtown area is 10 blocks. In all likelihood, the balance of the blocks will be PDD as well; that has been the choice zoning technique.

Mr. Schultz indicated that he would go over the proposed amendments and added that there is a lot of text in here and he commented that he believes the Chair plans to keep this hearing open because a lot of things have to be looked at carefully but the Commission will take any comments.

He referenced Paragraph #36.5 Multi-Family Residential Development which inserts a new paragraph and re-numbering remaining paragraphs. He indicated that he would go through all of the amendments and attached, following that directly, is the entire CBD Overlay Zoning Regulation Amendment. There is a lot to digest tonight but it is important that they get a taste of what is needed to fulfill the direction that the Commission wants to take.

The Multi-Family Residential Development *“within the CBD Overlay Zone, as part of a mixed use development, high density multi-family residential units consisting of studio/efficiency, one-bedroom and two-bedroom units area permitted in the CA-3 and CB-2 underlying zones subject to the Approval of a Special Exception in accordance with the provisions in Section 33 of these Zoning Regulations. Units containing more than two bedrooms are not permitted...”*

Mr. Schultz stated that that Commission is consciously cutting it off after the two-bedroom. Obviously, there are three-bedrooms downtown that will be grandfathered in and they cannot take away uses that exist.

Comm. Harger clarified that was in the existing buildings.

Mr. Schultz responded yes, they are not taking anything away. He continued to read the new paragraph *“Business and professional offices in a dwelling unit plus customary and accessory recreational, maintenance and similar facilities incidental to and in support of such residential development are also*

permitted. Such residential development shall conform to the additional standards set forth in Paragraph #33.12.”

Mr. Schultz stated that these are the normal uses that take place in these types of situations. He commented that they would be inserting a new paragraph 36.13 Applicability and renumbering other paragraphs accordingly.

36.13 Applicability: *“In addition to the requirements of the underlying zoning district, these regulations shall also be applicable to the following activities:*

- a. *Exclusive of single and two-family dwellings, all major alterations, new construction and substantial reconstruction or rehabilitation of properties within the CBD overlay zone and in view from public streets, including but not limited to the design and placement of the buildings; the maintenance of public views; the design, paving materials and placement of pedestrian passageways; construction of new landscaped areas and re-grading of existing landscaping, replacement of exterior siding and components with different surface materials such as a change from wood siding to vinyl or aluminum siding or from stucco to wood siding.*

Mr. Schultz stated that essentially the Commission wants to cover everything. This is an important component of the redevelopment effort.

- b. *These requirements shall not apply to minor landscaping changes or changes to the exterior color of single and two-family dwellings provided that the new color is consistent with the color of other dwellings in the immediate area.*

Mr. Schultz stated that they have had situations where some of the owners tried to color their buildings in some outlandish colors. He won't get into the sites but it has happened and, fortunately, most of them have cooperated with the Zoning Department but it is important that the Commission wants to have continuity and consistency.

- c. Amend old Paragraph 36.13 to become 36.14 and add the following to the end of the first sentence. *“Approval under Section 31 and/or an Application for Special Exception Approval under Section 33...”*

He stated that these are all of the text amendments that they have to do so a lot of this is hard to follow.

- d. Amend Subparagraph 36.13. Architectural Plans to become 36.14.1 and add the following to the beginning of the last sentence *“...An accurate scale. A streetscape rendering and/or photographs, outline specifications describing...”*
- e. Amend Subparagraph 36.13.2 Procedure to become 36.14.2 as follows:

36.14.2 Procedure: *“All Applications are subject to the review and approval of the Commission, adhering to the time limits prescribed in these Regulations. The Downtown Subcommittee and/or the Commission may provide assistance and guidance to applicants, property owners and others, may solicit assistance from any other informal planning advisory committee and in its review of site and architectural plans and proposals may consult with the Citizen’s Advisory Committee, the Shelton Economic Development Commission, the Shelton Economic Development Corporation and the City’s*

Designated Parking Agent. Any reports and recommendations shall be entered into the Commission's records and considered by the Commission in rendering its decision."

Mr. Schultz added that he could not underscore the importance of the Downtown Subcommittee which he already mentioned tonight and Comm. Harger's role and it clearly needs to go into these Regulations because the DSC is an important component and it will be here for a long time, as it needs to be.

He indicated that the rest of the Regulations – the entire Section 36 Central Business District and includes all of the Amendments that he just read so that they can look at in its entirety. He reiterated that there was a lot to digest tonight but the intent and purpose is to expand upon the Regulations that deal with the Central Business District. It is obviously an important component in their redevelopment efforts.

Chair Parkins stated that there are also a couple of things or at least one thing that was not included. The City has, whether it is new or amended, a Sidewalk Ordinance. There is no reference to it in here so they do need to make sure that is considered.

Mr. Schultz agreed that was why they should keep this hearing open.

Chair Parkins stated that Staff can take a look at that. Under Lighting, the wording is kind of antiquated so they want to make sure that is updated as well. There is still a bit of work to do on this document and as Rick said, it is pretty comprehensive with a lot of verbiage so they thought they would keep it open for everyone to review. He can come back with additional comments and the Commissioners can add their revisions as well regarding lighting and sidewalks.

She asked if there were any questions from the Commission.

Comm. Harger asked about Page 4 and the list of Permitted Uses and commented that she was a little concerned when she read 36.4.5 Wholesale laundry, dry cleaning and dyeing plants. She asked if they needed to include dyeing plants.

Mr. Schultz responded that they are the Prohibited Uses.

Comm. Harger responded OK, that's good.

Mr. Schultz stated that there are the uses that have historically been in their downtown areas in the Valley as they know.

Comm. Matto commented that they are prohibiting tattoo and pawn shops, which they do have – and asked if this would be for future reference.

Mr. Schultz responded in the target area. Their CBD does not go down Center Street to Oak Avenue and Exit 13 – that is something that the Commission is looking to expand upon but within that area that he just identified from Riverview Park to the Commodore Hull Bridge – these are all of the Prohibited Uses. It is important that the public really read that provision of 36.4 and understand it.

With no other questions from the Commission, Chair Parkins asked if there was anyone in the audience wishing to address the Commission.

Jim Oram, 181 Division Avenue addressed the Commission. Mr. Oram asked about the uses and if people who are presently existing there would be grandfathered in.

Mr. Schultz responded yes absolutely.

Chair Parkins added that once they move out, it cannot be re-established.

Comm. Harger commented that was what they ran into on lower Center Street with the car dealer across from Porky's Café.

Mr. Schultz responded that's what the public is seeing – this is the formulation of the new regulations for the next 50-100 years for the redevelopment of Downtown. The Commission understands what the market needs are and they also know what uses don't work in a downtown setting. He asked them to give it a careful review.

Chair Parkins asked if there were any other comments from the audience.

Mr. Regis Dognin, 242 Long Hill Avenue asked about the lighting that they intend, instead of Mercury Vapor, maybe LED...

Chair Parkins responded yes – that wording is antiquated and needs to be revised.

Mr. Dognin asked what the Shelton Parking Authority is, who is on it and what they do.

Chair Parkins responded that was not a question that they could answer at this time.

Mr. Dognin commented OK but asked if there was one or if it was something to be planned or anticipated.

Chair Parkins responded that she didn't know the answer to that either and added that it has been a long time since she's seen anybody walking around downtown putting tickets on cars or checking meters. With no further questions, she stated that they will keep this hearing open, they make some modifications to this document themselves and invite the public back for the continuation on Tuesday, February 9th, the next regular P&Z Meeting. She asked for a motion to continue the hearing.

On a motion made by Jim Tickey seconded by Virginia Harger, it was unanimously voted to keep the public hearing for the Proposal of the Shelton P&Z Commission to Amend Section 36 (Central Business District) and continue it on February 9th.

Chair Parkins thanked everyone in the audience for coming out to learn about what the Commission is doing regarding the Amendments and to provide their inputs.

OLD BUSINESS

PROPOSAL OF THE SHELTON PLANNING AND ZONING COMMISSION: AMENDMENT OF SECTION 33 (SPECIAL EXCEPTIONS) SUBSECTION 33.3 (PROCEDURE): DISCUSSION AND POSSIBLE ACTION

Chair Parkins indicated that they would move on with the Section 33 (Special Exceptions) and asked Mr. Schultz if he had prepared a Draft Resolution.

Mr. Schultz read the Draft Resolution dated regarding the Section 33 (Special Exceptions).

***See attached P&Z Report dated 1/22/16 for Proposal of the Shelton Planning and Zoning Commission: Amendment of Section 33 (Special Exceptions) Subsection 33.3 (Procedure).**

Chair Parkins asked for a motion and second for discussion. Comm. Harger motioned and Comm. Tickey seconded. She asked if there were any comments or questions.

Comm. Matto stated that it was straightforward.

Comm. Tickey commented that the updates are needed.

Chair Parkins conducted a roll call vote.

On a motion made by Virginia Harger seconded by Jim Tickey, it was unanimously roll call (6-0) voted to approve the Proposal of the Shelton P&Z Commission to amend Section 33 (Special Exceptions) Subsection 33.3 (Procedure).

Chair Parkins stated that the comments that they heard tonight on PDD #82 were favorable so if it was unanimous then they can direct Staff to draw up a favorable resolution for the February 9th meeting. With a consensus amongst the Commissioners, she directed Staff to prepare the favorable resolution for PDD #82.

ADJOURNMENT

With no further business, Chair Parkins asked for a motion to adjourn.

On a motion made by Virginia Harger seconded by Elaine Matto, it was unanimously voted to adjourn the meeting at 8:05 p.m.

Respectfully Submitted,

Karin Tuke
P&Z Recording Secretary