

SHELTON PLANNING AND ZONING COMMISSION MINUTES

SHELTON PLANNING AND ZONING COMMISSION MEETING HELD

AUGUST 8, 2017 AT 7:00 PM. CITY HALL AUDITORIUM, 54 HILL STREET, SHELTON, CT 06484

PZC Commissioners Present:

Chairman Ruth Parkins
Anthony Pogoda, Vice-Chairman
Virginia Harger, Secretary
Jimmy Tickey
Elaine Matto
Charles Kelly

Also Present: Richard Schultz, AICP, Planning and Zoning Administrator
Anthony Panico, Consultant
Sandra Wasilewski, Recording Secretary
Patricia Gargiulo, Stenographer

Tapes, correspondences and attachments are on file in the City/Town Clerk's office and the Planning and Zoning Office and on the City of Shelton Website www.cityofshelton.org

I. Call to Order

Chairman Parkins called the meeting to order at 7:00 PM.

II. Pledge of Allegiance

III. Roll Call

Chairman Parkins identified members present.

A.SPZC initiated Text Amendments: Repeal and replace Section 35: Planned Residence District (PRD's) with Design Residential Development) by allowing said use in R-1A, R-1 and R-3 Districts by Special Exception and prohibited in all other districts (continued from 7/11/17)

Richard Schultz: For the benefit of the audience, copies are up at the table by the stenographer. Again, for the record, I would like to show that we have two exhibits – the building zone map which is the higher map – it shows 5- acre partials, larger in the yellow and I drop down the future Use Plan to show where the proposed open space areas are and existing. Having said that, the Commission directed the Zoning Subcommittee to re-examine the Draft. We have done that. We now have draft regulations for the Commission and the audience dated December 12, 2016 revised through July 18, 2017. The text changes are in red and we

will start. The first changes are on page 3. The altered or new text reads as follows (Richard Schultz reads DRAFT)

Richard Schultz: Did you want to make any comment?

Anthony Panico: Predominately, the two areas of change – one was that which was initiated by the Commission saying we should be able to consider this for the some small partials of land were appropriate and then the other changes were primarily to address items that were brought up by the Conservation Commission that they felt could be clarified a little more and that’s basically what we did. We’ve addressed all their issues and I believe we’ve addressed the issues of the Commission.

Richard Schultz: Yes, these are the 5-acre partials. The purple is the existing open space.

Comm. Harger: Rick, the 5 acres you pointed out – they’re 5 acres plus.

Richard Schultz: Five (5) acres plus.

Richard Schultz: One or two have structures on it. The older structures are now getting demolished. Older structures 75 years or older are being demolished.

Comm. Harger: Are any of these land locked?

Richard Schultz: No, most of them are either in agricultural use or have been in agricultural use.

Comm. Harger: Most are on city streets. What’s the other part of the equation?

Richard Schultz: As opposed to private streets.

Richard Schultz: There are several partials on 110 going up the hill and many, actually a good portion of that area is future open space; at least half of it. What we don’t want to see the one acre standard subdivisions. This is the Jonathan Lane. This is the remaining parcel of the farm land. Beach Tree Hill Road and Jonathan Lane – That’s the remaining. We have that schedule of being a through road.

Comm. Harger: I had a question on page 3. The new language for “A” such tract is adjacent. Adjacent could be not something that is bordering. Is there intent that it’s something that’s bordering?

Richard Schultz: You mean abutting?

Comm. Harger: Yes, adjacent is next to or adjoining something?

Anthony Panico: It should adjoin.

Comm. Harger: Yes, that’s why I’m just saying adjacent might not be the word.

Anthony Panico: We can change the wording to abut or abutting.

Richard Schultz: Abutting.

Comm. Harger: Then down below in “C” what is your definition of accommodation? Access to?

Anthony Panico: It’s an all-inclusive term because it’s an all-inclusive paragraph. What we are trying to do is leave the door open so if we run into a unique situation you have the flexibility to

recognize it and do something with it. There may be a tract of land somewhere that if it got developed it would block the trail. So this would give you an opportunity to use this tool.

Comm. Harger: Something that allows continued use or?

Anthony Panico: Conservation Commission – their Trails Committee might have a map of projected trails that they might want established, none of what are official today. We would make a referral anyhow, so they would point to us “hey we thought about getting a trail through there so can we designate some open space in the area where the trail might go.” That is something that we would recognize and might want to try to do.

Comm. Harger: I just don’t want someone to use that word and misuse it.

Anthony Panico: The bottom line is, you have the final interpretation.

Comm. Matto: I have a question on page 4 “no less than one acre on the smaller parcels,” would that pertain to adjacent to some other open space?

Comm. Parkins: Yes.

Anthony Panico: That is basically the same language we use in the subdivision regulations. It’s always been sort of a threshold that we’ve used.

Comm. Matto: Yes.

Anthony Panico: When you apply those restrictions, even though we don’t express a minimum tract size, in effect, the minimum is probably two to three acres in order to make it worthwhile doing.

Comm. Matto: Right.

Comm. Parkins: Any other questions from Commissioners, Commissioner Tickey?

Comm. Tickey: No.

Comm. Parkins: Does anyone in the audience care to comment on the proposed changes?
No one?

On a motion made by Comm. Pogoda, seconded by Comm. Matto it was unanimously voted to close the public hearing on DRAFT Rev. 7/18/17, Proposed Amendments to Zoning Regulations: Sec. 35 Design Residential Development.

IV. Public Hearing

1. Application #2165 – Signlite, Inc., 389 Bridgeport Avenue for sign

John Hilligan: Manager and partner of Kindred Spirits and Wine. Last month requested modification to sign. You requested detail.

Pat Rose: I understand I missed last month’s meeting. I apologize for not being there. I created the elevation that you requested. Showing the signs that have been approved. Some of them were installed and the proposed sign associated with Kindred Spirits and Wine. They

have a change that they would like to make to their sign. Kindred Spirits and Wine sign is 24" tall to give you some rationalize data with Goodwill being 30" long.

Comm. Parkins: Really?

Pat Rose: The Urgent Care is 1 ft. 9 ¾" tall just 2" less. Kindred is 24" tall that's what the detail shows. So in order to do this if you look at the second page, it shows that there are two windows and sign installed over that area when they are finished. The sign itself is similar to what we have done with the other ones.

Richard Schultz: Pat, can you advise the Commission for the awnings and what prefaced.

Pat Rose: The awnings, what happened is that they did not order them in a timely fashion.

Comm. Parkins: Just on the two ends?

Pat Rose: On the two ends, over the Urgent Care. And there would have been over the Kindred Spirits.

Pat Rose: Correct.

Comm. Parkins: Now, the rendering does not appear to have the raceway underneath it.

Pat Rose: It's difficult to show, but the detail shows that.

Comm. Parkins: It just appears to be, and I agree that the first original sign you have up there appears to be real small. But now it just seems to be huge. It looks larger than Urgent Care. It takes up the whole area. That's my only concern.

Comm. Kelly: It's double.

Anthony Panico: How does it compare with Urgent Care with the height of the letters?

Pat Rose: 1ft 9 3/4" is the Urgent Care sign.

Ruth Parkins: Urgent Care looks a lot smaller than Kindred.

Pat Rose: Going back to details that I have before you.

Ruth Parkins: So I am just going to hope the rendering is not totally off here.

Pat Rose: The band aid portion is about 3' tall.

Anthony Panico: Is the Urgent Care sign up?

Pat Rose: Yes it is.

Comm. Harger: Is this a very recent rendering as to the entire store front, because Marks of Design does not look like that.

Pat Rose: The color is a little bit off; it's much darker than that.

Comm. Harger: Are you talking about Marks of Design?

Pat Rose: Yes.

Comm. Harger: None of the yellow is there that shows on this picture. It's orchid all the way from one edge to the other.

Pat Rose: They changed the color.

Comm. Harger: We didn't approve it.

Anthony Panico: Can you get an actual composite photograph of what's there today? So in the future we can look at what's really there as compared to a graphic.

Pat Rose: Yes.

Comm. Parkins: Regarding Comm. Harger's point, we did not approve the color change and to look at the design element of this you have got the rust color off set by the yellow which complements it and now you have orange purple, so you might want to just for warn these people that they just can't go painting. There was a design element that was approved by the Commission.

Pat Rose: I have made that clear.

On a motion made by Comm. Tickey, seconded by Comm. Kelly it was unanimously voted to approve sign on ACZC. #2165.

2. Application #2160 – Better Building, LLX, 27 Long Hill Ave., 2nd Floor for business

Richard Schultz: Staff is asking to table. Scheduled to meet with the owner of the property next week. This is Antonio's.

On a motion made by Comm. Tickey, seconded by Comm. Harger it was unanimously voted to table business on ACZC. #2160.

3. Application #2191 – George & Sophia Aravidis, 38 Middle Avenue for in-law

Richard Schultz: This is for the basement area. It is 520 sq. ft. Access for the upper floor area of the house and exit is to the back of the basement area shown on the floor plan. It's 520 sq. ft. and it is for the parents of the owner.

Comm. Parkins: Where?

Richard Schultz: Birch, Maltby; the dead end.

Comm. Matto: You don't need another exit on that same level? There's one. You only need one?

Richard Schultz: There's one and the second exit is through the main house. No exterior changes.

Anthony Panico: Is the garage going to stay a garage?

Richard Schultz: Yes.

Comm. Harger: It's a two-story house.

Comm. Kelly: No separate utilities?

Richard Schultz: No.

Anthony Panico: Where was the common doorway between the existing unit and this proposal, The common access?

Richard Schultz: The stairs.

Comm. Parkins: Basement stairs.

Richard Schultz: It's a 3-level raised ranch.

Comm. Harger: The basement is not below grade?

Comm. Kelly: No, it's above.

Anthony Panico: Was it built that way originally, Rick?

Richard Schultz: Yes.

On a motion made by Comm. Tickey, seconded by Comm. Matto it was unanimously voted to approve for in-law on ACZC. #2191.

4. Application #2193 – John Cox, 97 Bpt. Ave., Unit 10 for business & sign

Richard Schultz: This is the building in back of the Shell Station. Mr. Cox is going to identify his proposed occupancy. The last proposal was the antique car restoration. Actually, that took a couple meetings because it was so unique.

John Cox: My name is John Cox. I am the owner and operator of Custom Auto Designs. I have been in business since 2009. We are an automotive specialty service. We do automotive detailing. We service one or two cars per day. The other service we provide is a paint protection film. It's a clear urethane to protect from stones and rocks. We have been serving dealerships since 2009. There are probably only a handful of us in this state.

Comm. Parkins: Where are you currently?

John Cox: In Redding. I sold my house to basically get a retail location. I would walk into a dealership and some dealerships ask their customers if they have a vendor like myself that can come in and do the work. It's not a big market out here but Florida and California it's huge. It's a small portion of the public but it's enough to make a living.

Anthony Panico: Is all the work done inside?

John Cox: Yes, it's all done inside. I have pictures actually.

Comm. Parkins: How much sq. ft. are you going to occupy?

Richard Schultz: 2,550 sq. ft.; one employee hours of operation Monday through Friday 9am to 5pm.

John Cox: These are some before and after pictures.

Comm. Parkins: Is it a spray?

John Cox: It's a clear urethane you use baby shampoo and water to apply it.

Anthony Panico: So what was the problem with it?

John Cox: There was no problem with it. So this guy buys a brand new car.

Comm. Harger: You're sealing the paint.

John Cox: Well, sort of, yes. We are basically applying – it's about as thick as a business card of urethane and has adhesive on the back.

Comm. Parkins: How long does it last?

John Cox: So there's a ten-year warranty with the product. (Showing before and after pictures).

Comm. Parkins: Is it squeegeed on?

John Cox: It is.

(Showing pictures) A car like this would take 4 to 5 hours.

Comm. Matto: So you mostly do new cars?

John Cox: Well, you want to do it before the cars get all the chips because you want a smooth service.

Anthony Panico: So it's a protective film?

John Cox: Yes, the technical term is paint protection film. Some customers come right to me from the factory.

Comm. Parkins: So what is the signage?

John Cox: The signage is not going to be any new signage. No new sign.

Comm. Harger: What's the name of the business?

John Cox: Custom Auto Designs.

Comm. Parkins: What's the sign up the street? Is it an existing sign?

John Cox: Yes.

On a motion made by Comm. Kelly, seconded by Comm. Harger it was unanimously voted to approve business & sign on ACZC. #2193.

5. Application #2194 - Jennifer Larsen, 64 Huntington Street for business

Richard Schultz: This is the Montanaro property, next to the restaurant.

Comm. Parkins: You are advertising an office for rent?

Jennifer Larsen: Yes Ma'am.

Comm. Parkins: You are renting the office?

Jennifer Larsen: If it's going to happen. I am starting a life company. Trying to work with kids.

Comm. Parkins: So your business would be coaching one person at a time?

Jennifer Larsen: One patient at a time. Usually a young person, after school hours and being dropped off by a parent.

Comm. Harger: Is it Monday through Friday?

Jennifer Larsen: I'm expecting Monday through Friday and maybe a Saturday afternoon.

Comm. Parkins: A sign?

Jennifer Larsen: I would love to do a sign but not yet.

Richard Schultz: 338 sq. ft. One employee. Monday through Saturday 2PM to 8PM life coaching.

On a motion made by Comm. Harger, seconded by Comm. Kelly it was unanimously voted to approve for business on ACZC. #2194.

6. Application #2069 – R.D. Scinto, 2 Corporate Dr. for business

Richard Schultz: This is for a trade show producer, occupying 2,330 sq. ft. Monday through Friday 9AM to 5PM.

On a motion made by Comm. Harger, seconded by Comm. Tickey it was unanimously voted to approve for business on ACZC. #2069.

7. Application #2162 – Peter Pynadath, 1 Waterview Dr. for business

Richard Schultz: This is for computer software business occupying 142 sq. ft., one employee Monday through Friday, 9AM to 5PM.

On a motion made by Comm. Harger, seconded by Comm. Tickey it was unanimously voted to approve for business on ACZC. #2162.

8. Application #2163 – Barry Blumenfield, 100 Beard Sawmill Rd. for business

Richard Schultz: Another computer software systems company, 1000 sq. ft., 9AM to 5PM, ten employees.

On a motion made by Comm. Harger, seconded by Comm. Tickey it was unanimously voted to approve for business on ACZC. #2163.

9. Application #2186 – Tom Welsh, 100 Trap Falls Rd. for business

Richard Schultz: Commission already approved Option Care. This is to do internal work within that. So we wanted to advise you about the new occupancy space which will be 9,760 sq. ft.

Comm. Parkins: I'm sorry, what was the name?

Richard Schultz: Option Care. They do the warehousing. They just expanded the space.

On a motion made by Comm. Harger, seconded by Comm. Kelly it was unanimously voted to approve for business on ACZC. #2186.

Richard Schultz: Application #2196 is to be continued to the September 11 meeting.

Ruth Parkins: So table?

On a Motion made by Comm. Tickey, seconded by Comm. Harger it was unanimously voted to table ACZC. #2196.

B. Application #16-28, Dominick Thomas on behalf of Ricar, LLC and Mianus Holding, LLC. Modification of PDD #66 including initial Concept Development Plans and Statement of Uses and Standards (164 unit multi-family, clubhouse, maintenance building and marina), 704, 712 and 722 River Road (Map 22, Lot A and Map 32, Lots 16 and 17) and CAM Site Plan (public hearing closed on 3/22/17)

Ruth Parkins: As the Commission recalls at our last meeting, we learned that staff had been in contact with the Sewer Department regarding clarification regarding the connection of this project; staff was informed at that time that the WPCA was considering a re-evaluation of the remaining capacity. They were actually meeting the following night after our meeting and said we granted an extension of the applicant to tonight's meeting. WPCA did meet on July 12 and they decided to commission a study in regards to the River Road Pump Station and sewer area. You all received a copy of that as well as their motion where they passed a motion to commission that study. During our discussions, Commissioners were very concerned with the density of this project and the change of what we had originally approved. Sort of off-set by the benefit that we felt that the city was going to derive from the connection to the sewer. We don't dictate that the WPCA is in charge of that. I think due to the density of the project and the uncertainty right now as to the outcome of the study, I don't know that it's privy to move forward with this project. The applicant has offered to give us another extension but the extension will be September 12 and I just don't see a report produced in that time frame. My recommendation is that we deny this Application without prejudice until the uncertainty can be settled. Our regulations do say with the modification of the PDD that evidence that sewers are available to the project for tie in and that the sewage treatment plant have the capacity for the projected volumes. There is just too much uncertainty.

Comm. Elaine: I agree.

Comm. Tickey: I would totally agree and given its density we can't move forward.

Comm. Harger: It wouldn't be logical to pursue this.

Comm. Parkins: WPCA waits to hear from the city, the Planning and Zoning Commission on how many units they will be approving. With that and knowing that, I did ask Tony to prepare a resolution.

Anthony Panico: Before you get to that, perhaps you want to dispose of his request for granted an extension of time?

On a motion made by Comm. Tickey, seconded by Comm. Kelly it was unanimously voted to reject an offer of extension on App. #16-28.

Anthony Panico: Rick and I discussed at great length and Instead of writing up 8 pages of history of where we are and how we got to where we are, the basic problem is that we have no conformation on the sewers. We decided to keep it relatively short and sweet. I did put in

some background information just so that anybody that picks it up has some idea about what it is. Basically it concerns Application 16-28 Petition of Dominick Thomas on behalf of Ricar, LLC and Mianus Holdings, LLC for Modification of Adopted PDD #66 and therefore also a CAM Modified Site Plan, at 704, 712 and 722 River Road (Map 32, Lots 16 and 17), and it's currently zoned PDD#66. (Reading Report/Resolution hand out)

On a motion made by Comm. Harger, seconded by Comm. Tickey it was unanimously voted to deny without prejudice App. #16-28.

Comm. Parkins: Roll call vote

C. Application #17-10, Dominick Thomas on behalf of Long Hill Cross Road, LLC for Modification of PDD #69 including Statement of Uses and Standards and initial Concept Development Plan (public hearing closed on 7/11/17) (3 single family dwelling), 241 Long Hill Cross Road (Map 51, Lots 25 and 29)

Richard Schultz: Staff has prepared favorable resolution as directed by Commission.

Anthony Panico: There are only one or two concerns that was to make sure that there was complete clarification about the protection of the residences from the adjacent industrial area that there not be a burden on the industrial zone and that curb cuts be consolidated so that we eliminate one curb cut and provide for a shared one. With that in mind, this is concerning Application #17-10 Petition of Attorney Dominick Thomas on behalf of Long Hill Cross Road, LLC for Modification of Planned Development District #69 (PDD#69) proposing three (3) single family houses to replace a currently approved industrial building, including Modification of the Approved Initial Development Plans and Statement of Uses and Standards for said Adopted PDD #69.

(Anthony Panico is reading Draft for consideration/action at Commission meeting of August 8, 2017)

On a motion made by Comm. Harger, seconded by Comm. Kelly it was unanimously voted to move for adoption of resolution on App. #17-10.

Comm. Parkins: Roll call vote. Any further discussion?

Comm. Matto: July 8, wasn't that a Saturday?

Comm. Parkins: July 11th. Good catch. On page 4 and on that the same page #69 should be PDD#69. I also have a suggestion on page 5, # 5, second to last sentence says to minimize curb cuts on Long Hill Cross Roads, 'should' is too weak of a word. It should either be shall or must.

Richard Schultz: Shall.

Comm. Parkins: Any other comments, questions? Roll call. Resolution is adopted.

D. Application #17-11, GTJ Reit, Inc. for Modification of site Plan Approval, 470 Bpt. Avenue, (Map 63, Lot 24), IA-2 District

Richard Schultz: These are Shelton's oldest warehouses. Two pieces of correspondence from the Fire Marshal, August 3, addressed to myself. This office finds no issues and plan has been submitted from the City Engineer. The other piece is dated August 12 from the City Engineer addressed to myself.

Comm. Parkins: You are saying there is a building behind that building? I'm pulling up google maps.

Comm. Harger: One across from Walmart and one in the back.

Comm. Kelly: So you really can't see it from Bridgeport Avenue.

Anthony Panico: No.

Richard Schultz: The motion is to approve it with conditions to satisfy the City Engineer.

On a motion made by Comm. Kelly, seconded by Comm. Tickey it was unanimously voted to approve with conditions on App. #17-11.

SPZC initiated Text Amendments to repeal and replace Section 35 Planned Residence District (PRD's) with Design Residential Development by allowing said use in R-1A, R-1 and R-3 Districts by Special Exception and prohibited in all other districts

Comm. Parkins: Public hearing closed today, August 8, 2017.

Richard Schultz: I have a draft resolution. (Reading resolution)

On a motion made by Comm. Matto, seconded by Comm. Harger it was unanimously voted to approve the repeal and replacement of Section 35: Planned Residence Districts with Design Residential Development with the noted corrections, effective 9/1/17.

Comm. Tickey: I think it's a tool and a guide and we still have the opportunity and authority to take things on a case by case basis to ensure that they are in line with what we want for the future of Shelton.

VI. New Business – None

VII. Public Portion

Comm. Parkins: Is there anyone in the audience that wishes to address the Commission? Okay, no one in the audience. We will close the public portion.

On a motion made by Comm. Harger, seconded by Comm. Kelly it was unanimously voted to close public portion of meeting.

VIII. Other Business

A. Approval of minutes

Comm. Parkins: **The August 9, 2016** meeting, I am going to abstain from because I wasn't here, but the document on the website is upside down, missing all the even numbered pages, so every other page is on line but not the full document. That needs to be fixed.

August 31, 2016 meeting, was fine.

September 7, 2016 meeting, staff presence you have **Ginny Evanski** and it should be **Virginia Urbanowski**. **So her name needs to be fixed.**

September 13, 2016 meeting was a regular meeting and should be noted as such. The page numbers are incorrect.

September 21, 2016 meeting, Frank Ozak was sitting in for **Bernie Simon**, not for Virginia Harger because Virginia Harger was reading two letters into the record. Also reads Chairman Harger and should be Commissioner Harger.

Comm. Parkins: **September 28, 2016** meeting, same thing. Frank Ozak was sitting in for Bernie Simon, not for **Tom McGorty**.

October 11, 2016 meeting, Charles Kelly should be listed as a Commissioner who is present and it should be noted that I welcomed him to the Commission, replacing **Bernie Simons**. Comm. Kelly's first meeting was October 11th, and again, that was a regular meeting.

November 9, 2016 meeting, was a special meeting.

November 16, 2016 meeting, was also a special meeting.

Anthony Panico: The 9th may not have been a special meeting.

Richard Schultz: Well, let me check it.

Comm. Parkins: **December 13, 2016** meeting, nothing for this one so it's okay.

Comm. Harger: What I emailed to Rick was on the December 13 PDF, on line, all the minutes from September 21 to November 16 follow the December 13 minute on-line.

Comm. Parkins: December 13 has to be corrected. Anything else that you want to add?

Comm. Harger: No I picked up the one about Commissioner Kelly and we talked about the page on the September one.

Comm. Parkins: Any other comments? Anyone need to move to abstain from any of the minutes because they weren't here?

Comm. Tickey: August 31, 2016 is not on this list so we need to add that so we can approve that as well.

On a motion made by Comm. Tickey, seconded by Comm. Harger it was unanimously voted to add August 31, 2016, minutes to the agenda.

On a motion made by Comm. Harger, seconded by Comm. Matto it was unanimously voted to approve all meetings as listed with the noted changes and the abstention with Comm. Matto for August 31st, 2016 and Comm. Parkins for August 9th.

B. Payment of Bills

On a motion made by Comm. Harger, seconded by Comm. Kelly it was unanimously voted to pay bills.

C. 128 East Village Rd. Subdivision: request for Bond Reduction

Richard Schultz: The developer came in last week. He sold the house for over \$600,000. It was only scheduled to sell for \$475,000 and up smaller colonials, so it is still happening. These are all major upgrades. All these upgrades are going for \$600,000. Commission has a request for reduction, 185 East Village Rd. subdivision hereby request that the performance bond in the amount of \$250,000 being held by the City of Shelton to ensure the satisfactory completion of improvements associated with the subdivision known as 185 East Village Rd. be reduced to \$62,500. The above referenced site is inspected on August 4 by the City Engineering Department. It is recommended that the bond be reduced to \$62,500.00.

Comm. Harger: What was the bond amount?

Richard Schultz: The original was \$250,000. City Engineer is recommending it be reduced to \$62,500.

Comm. Harger: No comments or complaints with the site?

Richard Schultz: No, the blasting has been controlled. But we worked really worked hard in stabilizing the site. As you know, that whole site was rock.

Comm. Matto: So the \$62,500 is what?

Richard Schultz: The City of Shelton will hold on to \$62,500 until everything is done. Please take a ride up there.

On a motion made by Comm. Kelly, seconded by Comm. Harger it was unanimously voted to approve bond reduction on 128 East Village Road Subdivision.

C. 8-24 Referral: Rental of single family dwelling at 279 Soundview Avenue

Richard Schultz: This is next to Maybeck and the power lines and Soundview, closer to Meadow Street side. We have a memorandum from **John Bashur**, Administrative Assistant. (Reading Memorandum)

Comm. Tickey: How did the family come to own the home?

Richard Schultz: The **Dasilva** family owned it then they were going to subdivide it.

Comm. Tickey: How many acres was it?

Richard Schultz: A significant amount. It is a new rent and has city water.

Comm. Tickey: It was rented out when the city owned it?

Richard Schultz: Now it is a new rent.

Comm. Parkins: It's been vacant because it was in disrepair.

Richard Schultz: Yes.

Comm. Harger: Right across from Red Fern Ridge or Rd.

Richard Schultz: While I have the map up, the Board of Alderman is considering purchasing a part of Pearmain Rd. You have accepted from review, an Application from the **shible** family for a 6-lot subdivision. The Conservation Commission has asked the City of Shelton Board of Alderman to acquire all of it, if not a part of it. The Aldermen this Thursday during their meeting are considering purchasing all of it except for two lots. We have been holding off under pending Application to see what the Aldermen want to do Thursday.

Comm. Kelly: Who owns it now?

Richard Schultz: **Disteriac**.

Comm. Harger: What would be the access, the green.

Anthony Panico: The green is open space.

Richard Schultz: You have 2,000 acres in White Hills of contiguous open space.

Comm. Matto: Still a bit confused on this rental property on open space.

Richard Schultz: There are instances where the City of Shelton bought land near the old Intermediate School that was the **Hurd Farm** and Shelton Avenue and Nells Rock Road that we bought as open space and then we knocked it down.

Comm. Harger: This is right on the road, on Soundview. It's not like it's in the woods.

Richard Schultz: Yes, right on the road.

Comm. Tickey: What do they rent it for, fair market value? It just seems peculiar that it was falling apart on open space but partially renovated so it can be rented again.

Richard Schultz: The other one is the Nike site. We allowed a caretaker to live there and watch the property.

Comm. Matto: I just think open space is not residential use. I just don't get it.

Comm. Parkins: I actually think it's parceled out. I think it was cut out of the open space so that they don't have a big huge backyard.

Richard Schultz: I'll send you a clarification tomorrow.

On a motion made by Comm. Kelly, seconded by Comm. Harger it was voted 4 to 2 for a favorable referral on the rental of the residence at 279 Soundview Avenue; Comm. Tickey opposed and Comm. Matto opposed.

D. Staff Report

Richard Schultz: Commissioners have a copy of the staff report that was in the package.

Comm. Harger: Could you clarify? There are blanks in the pages.

Richard Schultz: the CPA public was cancelled for August. They only had one applicant and decided to cancel. Zoning Subcommittee as we put it tonight, we worked on the final draft I want to thank everyone that was involved. Subcommittee, we are meeting this Friday. We are also going to get an upgrade and also going to hear from [john rufelo](#) for the Donut Shop.

Comm. Harger: Do you have any information on the Conti Building?

Richard Schultz: Yes, the young lady that was here works for a marketing company and she was advised to attend this meeting instead of Friday. She wants to show up Friday and show us some exhibits for the Conti Building.

Anthony Panico: If this is going to continue to occupy and re-occupy, we don't make any progress.

Richard Schultz: The transformer is moving along, which it has to.

Comm. Kelly: I just wanted to know if they tested the soil.

Richard Schultz: They have not. The Mayor is aware of that.

Comm. Kelly: I think utility should test the soil.

Comm. Parkins: He is trying to get the utility company to test the soil. There are other issues with the transformer. There are a lot of issues with that building.

Richard Schultz: Just to remind you because I sent you an email last week, The salon is in on the 4th floor. That leaves two more occupants and Co's for the second and fourth floors.

Comm. Kelly: Is the elevator in?

Richard Schultz: I requested that Angelo have [Joe Mingeello](#) present. There are several issues that need to be discussed. So it's going to be a good walk. The next page is Zoning Enforcement Program. We have 578 Howe Avenue, ongoing tag sale. The owner is from Trumbull and he owns a two-family.

Comm Harger: Are you going to add Soundview Avenue to that category?

Richard Schultz: Yes.

Comm. Harger: Why is there an ongoing tag sale/estate sale?

Richard Schultz: A gentleman that is selling furniture out of his garage. Any special meetings for August? None? Next regular meeting is September 11, is that fine with everybody?

Comm. Harger: September 11 is a Monday.

Richard Schultz: September 12; sorry about that.

On a motion made by Comm. Harger, seconded by Comm. Kelly it was unanimously voted to adjourn the meeting at 9:57PM.

**Respectfully Submitted,
Sandra Wasilewski
Recording Secretary**