



Board of Aldermen
Shelton, Connecticut
Special Full Board Meeting Minutes
Thursday, May 10th 2018, 6:30 p.m.

CALL OF THE MEETING/PLEDGE OF ALLEGIANCE

Mayor Mark Lauretti called the Special Full Board Meeting of the Board of Aldermen to order in the Auditorium at 6:30 p.m. All those present rose and pledged allegiance to the Flag of the United States of America.

ROLL CALL

Alderman John F. Anglace, Jr., President – present
Alderman Eric McPherson, Vice President – present
Alderman David Gidwani – not present
Alderman Stanley Kudej – present
Alderman Noreen McGorty – present
Alderman Cris Balamaci – not present
Alderman Jim Capra – present
Alderman Anthony Simonetti – not present

Also present:

Mayor Mark A. Lauretti
Corporation Counsel Fran Teodosio

Special Presentation

Mayor Lauretti read aloud the following Proclamation:

P R O C L A M A T I O N

WHEREAS, the Shelton High School Varsity Cheer Team has worked diligently during the 2018 season. The team has dedicated many hours of hard work and commitment which provided them with many well-deserved successes this year.

WHEREAS, the team had an outstanding performance throughout the season, which helped them to achieve an undefeated season. They earned six first-place wins as well as six grand championships.

WHEREAS, outside their regular season, the team placed first runner-up at the New England Regional Championship which took place in New Hampshire.

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WHEREAS, the team was selected as the 2018 Connecticut High School Coaches' Association Team of the Year.

WHEREAS, their achievement continued throughout the season, earning the Shelton High School Varsity Cheer Team the title of the 2018 Southern Connecticut Conference Championship and the 2018 Class LL Championship.

NOW THEREFORE I, Mark A. Lauretti, Mayor of the City of Shelton, congratulate the Shelton High School Girls' Varsity Cheer Team for their many achievements in 2018 and commend them for their hard work and their dedication.

I FURTHER PROCLAIM that Friday, May 11, 2018 in the City of Shelton be the Shelton High School Varsity Team Day of the Year.

He presented the Shelton High School Cheerleaders with individual certificates.

Mayor Lauretti stated, I want to say a few words of congratulations to the team and the coaching staff. It's important for the City to recognize these accomplishments. We have a long tradition of winning and succeeding in this City. I think that your team represents a lot of what Shelton stands for. Once upon a time I was a player and a coach, so I understand competition. Sometimes it's not easy; sometimes it is very hard. Sometimes you have to deal with adversity. There are a lot of things that happen along the way that you have to overcome. So at the end of the season, what is special about this is there is one champion. There is one; there can only be one. Congratulations on a job well done. I know this hard work has certainly paid off for you. For those graduating seniors, I wish you well in your future endeavors. Keep up the good work – great job.

Mayor Lauretti left at the conclusion of the presentation, 6:40 p.m.

Public Portion

Lauren Moore, 5 White Birch Court

I'm here tonight again to support the Board of Education. I attended Monday's Aldermen workshop in regard to the budget and I was really surprised when an e-mail was read that the City had sent to the Board of Education stating that the Board of Education can no longer use the City's buses for the 2018-2019 school year if they went ahead with Durham Transportation. I really couldn't believe what I was hearing.

I do support your research and trying to employ drivers on the City end; I think it's a great idea. I don't think you guys are prepared for it yet – that's just my personal opinion. I really wish you would ask parents for feedback, especially parents who have been through the last five years with Landmark and can tell you some of the stories that we've been through. Especially when it comes to substitute bus drivers. My daughter right there no longer rides a bus when there's a substitute driver. It has been to the point where my husband or I have been at the bus stop and a substitute shows up, and we just don't feel comfortable putting our child on the bus. There have also been issues with trying to navigate the roads up in

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White Hills. I can only speak on behalf of White Hills because that's where I live. Some of these drivers, it's taking them over an hour to get my child home from school. One night a few years ago, it was 5:15 at night, and a bus driver was still driving around in the dark trying to drop children off.

Before you guys move forward with having City-employed bus drivers, please consider speaking with parents. Seeing what has been working for them and what has not been working and where you guys can improve on that. While you're continuing doing research, and I hope that you still do, please let the Board of Education use the buses. They are school buses. They were meant for the Board of Education. They're just doing what they need to do to, you know, as their contract with Landmark ends on June 30th, they need to have buses to transport the children to summer school.

I also encourage you to let them use the buses just so there's not another million-dollar increase in Board of Education spending. We just don't have the money. There is not enough money to even get by with their minimum right now. I'm hoping you guys can work together and fund their budget request to the maximum amount everybody feels comfortable with. As you all probably know, I started this mission of coming here and speaking and getting involved because I want to see a full-time school counselor at Elizabeth Shelton School. My daughter goes to the largest elementary school in the district. We have almost 500 students and a part-time school counselor two and a half days a week. Just this year alone four parents have died of drug overdoses; that's four members of our community. Obviously it is impacting the children and their educational path. We need to make sure we're taking care of these kids at all times. Thank you for your time, and I really encourage you to work with the Board of Education and maybe even come up with a five-year plan. Think about this – if you guys had worked five years ago when you bought the buses and Landmark was brought on the drivers, if the research was started then, to have City employees when that contract ends, we wouldn't be here talking about transportation issues right now. Thank you.

Janine Meeker, 59 Rocky Rest Road

I also am here to speak again, also, in regard to the bus and transportation issue, which seems to have cropped up this week in newspapers across the county. We're all stunned that a decision has been made by the Mayor, who disappointingly left the building, it seems, after the Cheerleading awards were handed out. I was really hoping he would stay here for this portion of the evening, given that he is still our Mayor, and this really should be for his ears that he hears this. That his decision to not allow the Board of Education to contract the private-industry service of transportation for the school system by using the City buses, which apparently the Durham contract was bidding with that understanding in mind, and now is forcing a raise of that contract price, and now the Board of Education has had to accept that contract, but now apparently the City is unhappy with that due to the money attached to it.

But I don't understand how there can't be a resolution of just raising the mill rate in this town to make it happen. I don't understand. Everyone complains about the fact we don't have the money, you know, we have to be budget conscious – fiscally responsible. Well why don't we just be civilly-responsible for once? Can we just do that? This seems to be never on the table. This is an education means. I have a small child. We have other children. They all come in shapes, sizes, ages. Education is not a one size fits all. I'm sick of it being treated as such by our Mayor, and frankly it trickles down to the Board of Aldermen. It's tiresome.

It's frustrating to keep coming here month after month and nothing changes. We hear from the Board of Aldermen that says, "well you know the Board of Education knows that they're not going to get everything that they ask for." I'm sick of this game of cat and mouse of saying, "well they're going to give us an inflated budget and we're just going to cut it down because they know that that's how the game is played. It's a bunch of BS and it needs to stop. It is ridiculous. If they were to give you an itemized budget of every paper clip, piece of post-it, pen, you would never sit there and read a fully-itemized budget. No one has time for that. Your time is very precious. So is everyone else's. But you have to understand that they're not asking for the moon here, they're asking for essentials. Eleven staff members. Exactly what this parent and psychologist is asking for, for the good of the children. This is unfathomable that this has gone on for this long. I mean honestly, please, do what is correct and right for this district of this City. I mean honestly. Raise the mill rate one lousy point. It's not going to destitute families in this City. It is not going to make that much of a difference in the final dollar in anyone's pockets each month. It will fund what this district needs for education. You can then have your budget that you need. We can have the staff that we need. You can have the transportation budget that you need. This is no longer a want situation. The money should come from where it should come from. Raise the mill rate. Do what is necessary to be solvent to make the Board of Education do their jobs that they need to do. Please. Do what is right for once. Thank you.

Judson Crawford, 8 Jordan Avenue

I'm not going to ask for any information from you this evening. I do have a question for you and I would like you to research it. In the budget book for the Board of Education which you will be taking up, there shows a figure of 4,679 pupils. In today's paper, there is a figure showing only 3,600. That's a difference of 1,079 pupils. Yes. The Board of Education has to have a seat on every bus for every child that is in the school system. When you make your decision on the bus company, take into consideration how much money you allotted for the school bus fleet. Also, the money that was allotted to fix the Pink Elephant, the propane tanks, down there. All these questions will be answered when you come up with your budget. Thank you.

Christina Newser, 199 Stone Hedge

Obviously a lot of us know about the busing, and I expect that will be an ongoing saga. I just, as a parent of young boys at Mohegan I would just plead to all of you, please, if you can, really partner with the Board of Education as best you can. I know that you have, there have been working sessions, they've been here, Dr. Clouet and Mark Holden, to talk to you all

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about the impact of the budget and difference between what the Board of Education has requested and what Mayor Lauretti has presented a few months back.

I have a second grader at Mohegan and he is in a class of 26 kids. Due to the budget concerns at the beginning of this year, one teacher was reduced from the second grade level. I only know my kid in my house. I know that since the beginning of the year he has developed some emotional responses to that environment that have been difficult as a parent to deal with. He's got tension about going to school which, for a seven year old, feels young and kind of, again, heartbreaking as a parent to see my kid who was really loving first grade hit second grade and feel overwhelmed by the size of the classroom and feel overwhelmed by the response of the teacher and already at seven, hate to go to school.

We, as his parents, have really strong conversations about what happens if the larger class sizes continue on third, fourth and fifth grade. Different to the problems at Elizabeth Shelton School with so many kids, but we kind of are seeing that the Board of Education and the teachers are doing the best they can with the best amount of money that they're given. I like Shelton and I like the school and I love their teachers and I'm really kind of okay to yank my kids out of school and home school them, or send them somewhere else. I can send them somewhere else, but I really would love them to stay at Mohegan while they're that age. We like Shelton. I've been here for 13 years and I don't want to leave, but I don't want my kid to develop any more tics because he can't wrap his head around how second grade or third grade works.

I kind of beg everything, and I know that you already have been doing an awful lot of work with the Board of Education so just kind of an additional, sending good vibes your way to please kind of continue on that, for my kid, who's really stressed out by second grade. Godspeed any good energy you need for that, that would be awesome. Thank you.

*See Executive Session – Letter submitted by Megan Allen, 45 Federal Road for the public portion:

To: The Board of Aldermen, Shelton CT
From: Concerned Neighborhood of Huntington CT

On April 5, 2018 the Shelton Herald reported on a large housing subdivision creating a cluster development, proposed by John Paul Development LLC for the area of Booth Hill and Waverly Road.

The Shelton Conservation Commission had expressed interest in purchasing the property, previously zoned for farmland, with the intention of preserving the roughly 23 acres as public open space, but was preempted by the development company in a private cash sale with the owner.

In an effort to increase profitability, John Paul Development, LLC used a lesser-known zoning regulation that does not meet current conservation or wetland requirements to formulate a design plan that would change zoning in our area from R-1 (1-acre lots) to DRD (.5 acre lots) with the express purpose of increasing the number of units for sale to 23 houses. As an

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attempt at mitigation, recognizing potential environmental impacts and town commission opposition, the company agreed to leave 6.13 acres of open space. Plans were submitted to the town and approved before they were submitted to the Conservation Commission, Inland-Wetlands Commission or Aquarion Water Company. Several problems have been determined, including encroachment on wetlands, wildlife and the proposals to accommodate septic systems and drainage, potentially impacting public drinking water supplies.

The plans, included here, show the crowded cluster development of houses, and the awkwardly designed open space, with a narrow, almost inaccessible entry and impractical boundaries that effectively render the proposed open space moot. Our Huntington neighborhood does not need crowded housing, on smaller plots that change our environment to the detriment of all, except those attempting to realize profits with little or no regard to the future quality of life in our town.

This new DRD zoning change should not be allowed. It will not only severely impact our area for future sales of open space and farmlands, but also, the property in question is rich with wildlife, borders migration paths, wetlands and Aquarion watershed land and reservoirs that service the public water supply. It will change the quiet, open natural beauty of our neighborhood into a more congested, less appealing place to live. The wonderful qualities that set our Huntington neighborhood apart from other areas of Shelton will be lost forever. Maintaining at a minimum the R1 zoning or, optimally, creating public open space is crucial now and for the future of our town, our children and our children's children.

[The letter and its attachments can be viewed in the Town Clerk's Office, 54 Hill Street, Shelton, CT]

There being no other speakers, Alderman McPherson MOVED to close the public portion; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

MINUTES FOR APPROVAL

Alderman McPherson MOVED to waive the reading and approve the following meeting minutes:

Regular Full Board Meeting – April 12, 2018
Special Meeting – April 30, 2018

SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

5.1 FINANCE COMMITTEE

No Items

5.2 PUBLIC HEALTH & SAFETY

5.2.1 Installation of Streetlight on Pole #1078 Lane Street

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Alderman McGorty MOVED, per the recommendation of the Public Health & Safety Committee, to approve the installation of a 100-watt LED light on Pole #1078 on Lane Street at a monthly cost of \$11.01 with funding to come from Street Lights Account #001-4600-716.35-03; SECONDED by Alderman McPherson.

Alderman McGorty stated, this has been going on for several months. The residents came to the Committee and presented their concerns regarding the lighting. With the City's project on the LED lights we were able to convert two of the existing lights there to LEDs. We received positive feedback and were requested to have one added to this pole. The Shelton Police Department Traffic Division assisted and recommended as well.

Alderman Simonetti stated, the LED lights do work very well and for \$11 you can't go wrong.

President Anglace stated, this happens to be in the Third Ward. I would like to thank the Public Health & Safety Committee for handling it in a very professional manner, coordinating with the transition to the LED lights. Well done.

A voice vote was taken and the MOTION PASSED 7-0.

5.3 STREET COMMITTEE

No items.

Report of the Mayor

No report.

Report of the President

No report.

6 – LEGAL REPORT

6.1 Corporation Counsel Billing

Alderman McPherson MOVED to authorize a total payment of \$2,882.25 to Corporation Counsel, Welch, Teodosio, & Stanek, LLC, for services rendered per statement dated May 3, 2018 with funds to come from the following Legal Services Account:

Legal Fees	001-1900-411.30-03	\$2,882.25
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SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

7 – LEGISLATIVE - OLD

No Items.

8 - FINANCIAL BUSINESS - OLD

No items.

9 – FINANCIAL BUSINESS – NEW

9.1 – May Statutory Refunds

Alderman McPherson MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of \$99,670.95 be approved and that the Finance Director be directed to make payments in accordance with the certified list received from the Tax Collector with funds to come from the Statutory Refunds Account 001-0000-311.13.00; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

9.2 – Adoption of Tax Collector's Suspense List

Alderman McPherson MOVED that the Tax Collector's Suspense List in the amount of \$7,302.89 be adopted and transferred from the Grand Lists into Suspense per State Statute Sec. 12-165:

2010	\$104.00
2011	\$103.50
2012	\$103.08
2013	\$785.09
2014	\$1,319.40
2015	\$2,395.19
2016	\$2,492.63
TOTAL:	\$7,302.89

SECONDED by Alderman Simonetti.

President Anglace noted that \$7,302.89 spans from 2010 through 2016, which is considerably less than we've seen in the past. It reflects the high tax collection rate that we enjoy.

A voice vote was taken and the MOTION PASSED 7-0.

9.3 – Happy Day Preschool Lease

Alderman McPherson MOVED to approve the amendment to the lease between the City of Shelton and Happy Day Preschool; and further,

MOVED to authorize Mayor Mark A. Lauretti to sign any and all documents necessary to effectuate said agreement. SECONDED by Alderman Simonetti.

President Anglace asked Corporation Counsel if this is an amendment or a new lease. The amount is \$2,595.69 per month, based on the cost-of-living formula.

Corporation Counsel Teodosio replied, it is a new lease, but is consistent with the last lease that was signed which provided for this kind of extension. This lease or a version of it has been in place for at least 10 years. The monthly amount will be modified based on the formula that's used in the last page.

A voice vote was taken and the MOTION PASSED 7-0.

9.4 Funding for Administrative Services to Carry Out Brownfield Assessment Activities

Alderman McPherson MOVED to adopt the following Resolution:

BE IT RESOLVED that the Board of Aldermen acknowledge the receipt of the EPA Grant BF #00A00158 in the amount of \$200,000 for the area wide assessment of properties along Canal Street and any other locations deemed necessary by the City of Shelton and to authorize the Mayor of the City of Shelton to take any and all actions necessary to implement the grant, and to designate the Shelton Economic Development Corporation as the implementation agency for this program.

Further, the City of Shelton appropriates \$40,000 with funding to come from Aldermanic Bonding pursuant to Section 7.16 of the City Charter to support the administrative expenses in carrying out the brownfield assessment activities for work associated with the U.S. EPA grant award.

SECONDED by Alderman Balamaci. A voice vote was taken and the MOTION PASSED 7-0.

[Alderman McGorty left at this point, 7:02 pm, 6 present, 2 absent]

9.5 Funding for New Automated Refuse Truck and Refurbishing of City-Owned Refuse Truck

- A. Alderman McPherson MOVED to appropriate an amount of \$296,000 for the purchase of one new automated refuse truck for the Highways and Bridges Department with funding to come from 2018-2019 Aldermanic Bonding pursuant to Section 7.16 of the City Charter. SECONDED by Alderman Simonetti.

Alderman Simonetti asked, this is similar to what we've done in the past?

President Anglace replied yes, I want to make you aware that we're approving the purchase of the refuse truck but we're bonding it in next year's bonding, not this year's. We prioritized and put the Fire Department ahead and put them in for this year. You'll see as we go along we have more bonding, and you'll see what we did and why it's so important. This truck we're going to buy new. We can order it now; it won't come in until next year. We won't have to pay for it until next year. We have to get the process started.

A voice vote was taken and the MOTION PASSED 6-0.

- B. Alderman McPherson MOVED to appropriate an amount of \$88,000 for the refurbishment of a City-owned refuse truck for the Highways and Bridges Department with funding to come from 2018-2019 Aldermanic Bonding pursuant to Section 7.16 of the City Charter. SECONDED by Alderman Simonetti.

Alderman Anglace stated, same thing with this one. This is the second time we're going through this process. We ordered one truck and took it out of this year's bonding. Now we're ordering the next truck. When we take a truck out of service we send it out to get refurbished and it comes back like new.

A voice vote was taken and the MOTION PASSED 6-0.

9.6 Animal Control Services Agreement with the City of Derby

Alderman McPherson MOVED to approve the agreement between the City of Shelton and the City of Derby for Shelton to provide animal control services to the City of Derby; and further,

MOVED to authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate the same. SECONDED by Alderman Simonetti.

President Anglace stated, the charge is \$4,375 per month. Derby has no facilities; they use our facilities exclusively. They're in the position where, with the requirements of the State it would be astronomical for them to build one. We can handle it; it's a cooperative service that we've done and it's working out fine. They're very pleased with the performance of our Animal Control Officers.

Corporation Counsel Teodosio stated, our insurance policy has been sent to CIRMA for review.

A voice vote was taken and the MOTION PASSED 6-0.

9.7 Funding for Structural Firefighting Gear

Alderman McPherson MOVED to appropriate an amount of \$99,333 for the purchase of structural firefighting gear for the Fire Department with funding to come from Aldermanic Bonding pursuant to Section 7.16 of the City Charter. SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 6-0.

9.8 Funding for Replacement of Firefighter Safety Equipment

Fire Chief Fran Jones explained, this is the new battery-operated tools, replacing tools that are approximately 20 years old. Five years ago we received a grant with matching funds from the City of approximately \$600,000 and that replaced all the SCBA air packs, including the masks. Time has passed and we have to update the masks. We plan to replace 30 per year over the next 5-6 years so it's not one big-ticket item all at once. The

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thermal imaging cameras detect heat signatures and allow our members to see through the smoke to see hidden fires through the smoke, and/or people that are missing. We have two newer cameras; these cameras will replace two older cameras. All of these items are part of our six-year Capital Improvement Plan.

Chief Jones thanked the Aldermen, Mayor Lauretti and the taxpayers for their support of the Fire Department.

- A. Alderman McPherson MOVED to appropriate an amount of \$29,000 for the replacement of an extrication cutter, spreader, and ram for the Fire Department's Engine #2 with funding to come from Aldermanic Bonding pursuant to Section 7.16 of the City Charter. SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 6-0.
- B. Alderman McPherson MOVED to appropriate an amount of \$9,045 for the replacement of 30 SCBA-Air Masks for the Fire Department with funding to come from Aldermanic Bonding pursuant to Section 7.16 of the City Charter; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 6-0.
- C. Alderman McPherson MOVED to appropriate an amount of \$10,000 for the replacement of two thermal imaging cameras for the Fire Department with funding to come from Aldermanic Bonding pursuant to Section 7.16 of the City Charter; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 6-0.

9.9 Waiver of Bid – Purchase of Carts for Trash and Recycling Curbside Collection

Alderman McPherson MOVED, per the recommendation of the Purchasing Agent, to waive the bidding process for the purchase of carts for Trash and Recycling Curbside Collection; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 6-0.

10.1 – Items to Public Hearing

No items.

10.2 – Eversource Request to Install Monitoring Wells on City Property

Alderman McPherson MOVED to approve the installation of soil borings/monitoring wells by Eversource Energy on City-owned property located adjacent to the Farmer's Market subject to final approval of the Mayor; and further,

MOVED to authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate the same. SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 6-0.

11 – Executive Session

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At approximately 7:20 p.m., Alderman McPherson MOVED to enter Executive Session to discuss the following agenda items:

- 11.1 Local 1303-238, Council #4, AFSCME, AFL-CIO Contract
- 11.2 S&S Shelton Dev., LLC v. City of Shelton
- 11.3 P&P Waterview, LLC v. City of Shelton
- 11.4 The Real Estate Shelton, LLC v. City of Shelton
- 11.5 Hawk's Ridge v. City of Shelton

and invited Corporation Counsel Teodosio to remain in the auditorium; SECONDED by Alderman Balamaci. A voice vote was taken and the MOTION PASSED 6-0.

*At this point, Megan Allen of 45 Federal Road approached President Anglace and handed him correspondence she had intended to speak about during the Public Portion regarding R-1 Zoning in Huntington to the proposed half-acre.

Return to Regular Session

At approximately 7:33 p.m., Alderman McPherson MOVED to return to regular session; SECONDED by Alderman Balamaci. A voice vote was taken and the MOTION PASSED 6-0.

Alderman Anglace noted that no votes were taken during the Executive Session.

11.1 Local 1303-238, Council #4, AFSCME, AFL-CIO Contract

Alderman McPherson MOVED to approve the contract as discussed in Executive Session; SECONDED by Alderman Balamaci. A voice vote was taken and the MOTION PASSED 6-0.

11.2 S&S Shelton Dev., LLC v. City of Shelton

Alderman McPherson MOVED to settle the tax appeal entitled S&S Shelton Dev., LLC v. City of Shelton for a valuation of \$7,100,000 (Seven Million One Hundred Thousand Dollars) as recommended by the City of Shelton Tax Assessor; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 6-0.

11.3 P&P Waterview, LLC v. City of Shelton

Alderman McPherson MOVED to settle the tax appeal entitled P&P Waterview, LLC v. City of Shelton for a valuation of \$3,100,000 (Three Million One Hundred Thousand Dollars) as recommended by the City of Shelton Tax Assessor; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 6-0.

11.4 TH Real Estate Shelton, LLC v. City of Shelton

Alderman McPherson MOVED to settle the tax appeal entitled TH Real Estate Shelton, LLC v. City of Shelton for a valuation of \$12,000,000 (Twelve Million Dollars) as recommended by

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the City of Shelton Tax Assessor; SECONDED by Alderman Balamaci. A voice vote was taken and the MOTION PASSED 6-0.

11.5 Hawk's Ridge v. City of Shelton

Alderman McPherson MOVED to settle the tax appeal entitled Hawk's Ridge of Shelton v. City of Shelton for a valuation of \$675,000 (Six Hundred Seventy Five Thousand Dollars) as recommended by the City of Shelton Tax Assessor; SECONDED by Alderman Balamaci. A voice vote was taken and the MOTION PASSED 6-0.

ADJOURNMENT

At 7:36 p.m., Alderman McPherson MOVED to ADJOURN; SECO-*NDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 6-0.

Respectfully submitted,

Patricia M. Bruder
Administrative Secretary
City of Shelton

DATE APPROVED: _____ BY _____
Mark A. Lauretti
Mayor, City of Shelton

May 2018

To: The Board of Aldermen, Shelton Connecticut City Hall

From: The Concerned Neighborhood of Huntington, Connecticut

On April 5, 2018, the Shelton Herald reported on a large housing subdivision, creating a cluster development, proposed by John Paul Development LLC, for the area of Booth Hill and Waverly Road.

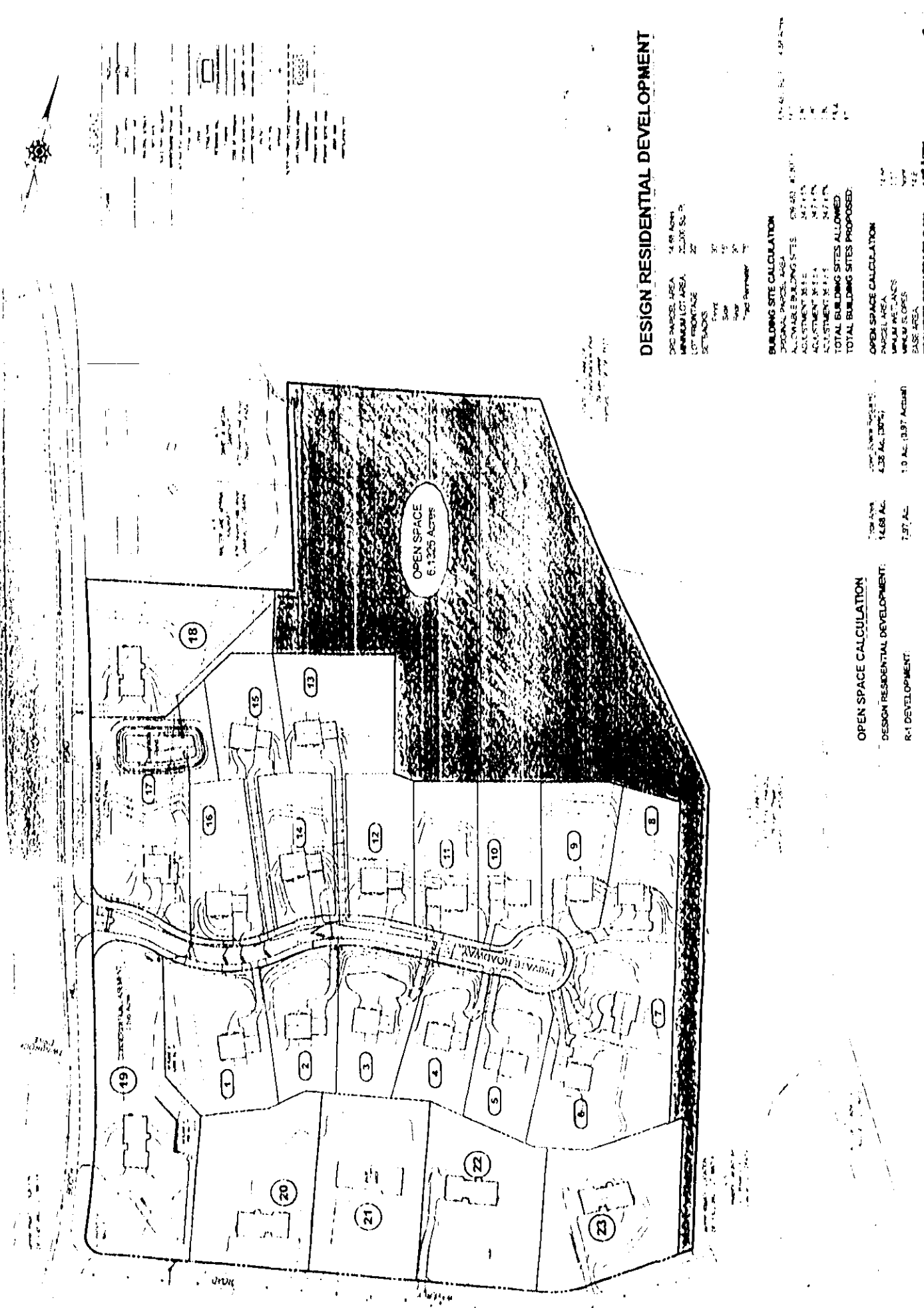
The Shelton Conservation Commission had expressed interest in purchasing the property, previously zoned for farmland, with the intention of preserving the roughly 23 acres as public open space, but was preempted by the development company in a private cash sale with the owner.

In an effort to increase profitability, John Paul Development, LLC used a lesser known zoning regulation that does not meet current conservation or wetland requirements to formulate a design plan that would change zoning in our area from R1 (1 acre lots) to DRD (.5 acre lots) with the express purpose of increasing the number of units for sale to 23 houses. As an attempt at mitigation, recognizing potential environmental impacts and town commission opposition, the company agreed to leave 6.13 acres of open space. Plans were submitted to the town and approved before they were submitted to The Conservation Committee, Inland Wetlands Commission or Aquarion Water Company. Several problems have been determined, including encroachment on wetlands, wildlife, and the proposals to accommodate septic systems and drainage, potentially impacting public drinking water supplies. (Please see attached documents supplied by the Planning and Zoning Department).

The plans, included here, show the crowded cluster development of houses, and the awkwardly designed open space, with a narrow, almost inaccessible entry and impractical boundaries that effectively render the proposed open space moot. Our Huntington neighborhood does not need crowded housing, on smaller plots that change our environment to the detriment of all, except those attempting to realize profits with little or no regard to the future quality of life in our town.

This new DRD zoning change should not be allowed. It will not only severely impact our area for future sales of open space and farmlands, but also, the property in question is rich with wildlife, borders migration paths, wetlands and Aquarion watershed land and reservoirs that service the public water supply. It will change the quiet, open natural beauty of our neighborhood into a more congested, less appealing place to live. The wonderful qualities that set our Huntington neighborhood apart from other areas of Shelton will be lost forever. Maintaining at a minimum the R1 zoning or, optimally, creating public open space is crucial now and for the future of our town, our children and our children's children.

Thank you for your support!



DESIGN RESIDENTIAL DEVELOPMENT

230 PARCEL AREA 14.68 ACRES
 MINIMUM LOT AREA 22' X 100'
 LOT FRONTAGE 22'
 SETBACKS 30'
 FIVE 30'
 SIX 30'
 SEVEN 30'
 EIGHT 30'
 NINE 30'

BUILDING SITE CALCULATION
 ORIGINAL PARCEL AREA 14.68 ACRES
 ADJUSTABLE BUILDING SITES 14.68 ACRES
 ADJUSTMENT 10% 1.47 ACRES
 ADJUSTMENT 10% 1.47 ACRES
 ADJUSTMENT 10% 1.47 ACRES
 ADJUSTMENT 10% 1.47 ACRES
 TOTAL BUILDING SITES ALLOWED 14.68 ACRES
 TOTAL BUILDING SITES PROPOSED 14.68 ACRES

OPEN SPACE CALCULATION
 PARCEL AREA 14.68 ACRES
 MINIMUM SETBACKS 1.47 ACRES
 BASE AREA 1.47 ACRES
 REQUIRED OPEN SPACE @ 30% 4.39 ACRES

OPEN SPACE CALCULATION

DESIGN RESIDENTIAL DEVELOPMENT:

R-1 DEVELOPMENT:

TOTAL

14.68 AC
 4.39 AC (30%)
 1.47 AC (10.37 AC)
 1.47 AC
 1.47 AC
 1.47 AC

14.68 AC
 4.39 AC (30%)
 1.47 AC (10.37 AC)
 1.47 AC
 1.47 AC

14.68 AC
 4.39 AC (30%)
 1.47 AC (10.37 AC)
 1.47 AC
 1.47 AC

14.68 AC
 4.39 AC (30%)
 1.47 AC (10.37 AC)
 1.47 AC
 1.47 AC



City of Shelton
Office of Inland Wetlands Commission
54 Hill Street
Shelton, CT 06484-3207

John R. Cook
Wetland Coordinator
203-924-1555 ext. 1353
Fax: 203-924-6980
j.cook@cityofshelton.org

WCEO REPORT
April 12, 2018

PERMIT-APPLICATION #18-2, BOOTH HILL ESTATES – Booth Hill Road/Waverly Road
Proposal to create a 23-lot DRD development in a R-1 zone within upland review area, road construction and culverting intermittent watercourse for access.

STATUS: 1. Application clock starts February 8, 2018
2. 65-day clock to decide action or schedule public hearing expires April 14, 2018

PLANS: BOOTH HILL ESTATES

Topographic Survey and Existing Conditions January 30, 2018	
Subdivision Plan	"
Existing Conditions	"
Orientation Plan	"
Grading & Utility	"
Septic Testing and Design	"
Soil Erosion Control	"
Plan & Profile	"
Storm Drainage	"
Construction Details	"

COMMENTS: Comments are received from Aquarion, Conservation Commission, and are expected this evening from the City Engineer. The comments from both the Conservation Commission and Aquarion are detailed and significant establishing negative concerns and reservations. Staff met with the design engineer and he made a number of changes to Lot 19 to attempt to make it more palatable. Staff believes a good effort was made in this regard.

The layout from a vintage preliminary subdivision of "several" decades ago exhibited complete disregard for any open space, wetlands, grades or soil conditions to sustain bonified lots and should not be considered as a reasonable contemporary preliminary as it would unlikely pass muster with Conservation or the Wetlands Commission, Aquarion or Engineering. That said there is at least one alternative layout avoiding nearly all or all regulated crossing by accessing from Waverly Road. Reference paragraph two and three from February comments. Further, the degree of refinement before approaching the Commission would have set design parameters much earlier before this application

If an access from Booth Hill Road is considered, a number of possible techniques could be implemented to minimize disturbance or enhance viability. Though staff has not the opportunity to discuss those with the design engineer.

- 1 Eliminate Lots 17&18 from the equation as elaborated in paragraph #4 from February
The maximization of lots is irrelevant to the evaluation of the regulated activities
- 2 If accepting of Lots 17 & 18, then relocate the watercourse parallel to
Booth Hill Road or between lots 16 & 17 and expand the conservation easement as
envisioned to expand the conservation easement on lot 19
- 3 Shift and redesign homes for lots 16 & 17
- 4 Discharge to the upper end of the basin and provide for a low flow channel to augment
the crushed stone berm

WCEO REPORT

April 12, 2018

PERMIT-APPLICATION #18-2, BOOTH HILL ESTATES – Booth Hill Road/Waverly Road

5. Lot 18 may attempt to acquire a variance to be closer to Booth Hill Road (10'). This shifts the home away from being built on top of a series of intermittent watercourses.
6. The roadway itself should cross with an open bottom type technique. The photographs even dating back to 1934 show this corridor and small amphibians and other terrestrial wildlife will utilize it as they pass back and forth to large wetland systems on the water company property and watershed lands.
7. Eliminate the extensive piping of stormwater through the open space. All told nearly 840' of piping should be able to be eliminated with a better concerted effort in this regard. A possible solution offered by the design engineer is the use of multiple perforated pipes from the detention basin. The practical implementation of these are questioned.

Regardless of the pending the report from the City Engineer the applicant does consent to an extension of time on this matter, copy attached. However, the Commission may also consider the existing comments from the Aquarion Company, the Conservation Commission and Staff's comments of this evening and of February, and if it concludes the impacts are unacceptable and unreasonable in the present form it may deny the application without prejudice. This application allows the applicant to take all the recommendations of all the agencies and attempt reworking the application to a form that may be acceptable.

COMMENTS FROM FEBRUARY: Recommend receipt for review and referral to City Engineer. This new development technique approved by the Planning and Zoning Commission provides for a combination of proposed lots that meet the existing zoning and others with an approximately ½ size for this zone. It also provides for the creation of a private road.

Historically, residential zone changes were required to demonstrate a conventional subdivision supposedly to pass muster with all boards and commissions. This facet is not part of this new design technique. A preliminary layout was based on an assumed approval of some 23-26 lots. Irrespective of the Planning & Zoning assurances at least one of these alternate layouts avoids nearly all or all regulated activity.

With the present layout, Lots 17&18 represent a poor approach to respecting the goals of the Commission. To propose dwellings directly over or directly adjacent to intermittent watercourses just to create a lot slaps in the face of the Commission effort to find proper balance of protection versus use. These two lots should be pulled from the equation. Time and again over the years the owners of lots in Shelton built like this pay the price years later with saturated lawns, wet basements etc. The goal of preventing impacts to these areas not only protects the resource for its intrinsic value but protects the interests of future owners. Clear photographic evidence dating back as far as 1934 show this wetland/watercourse condition and the farm at the time avoided substantially.

The piping of the intermittent watercourse to improve lot 19 is overly aggressive and should be eliminated. There is a cross road culvert and that should be maintained. An alternate would be to restrict the size of the house move the septic system or eliminate the lot 19. Much of the piping is to provide separation for the septic system.

The 26-lot plan entering from Waverly Road avoided crossing and filling the regulated areas

This entire site is not only within public water supply watershed (the Means Brook Reservoir drinking water supply) but is adjacent to Connecticut Class II fee parcel
pg 2/2



City of Shelton

Shelton Conservation Commission

54 Hill Street

Shelton, Conn. 06484

SUBMITTED

MAR 22 2018

INLAND WETLANDS



March 21, 2018

Gary Zahornasky, Chairman, Inland Wetlands Commission
Virginia Harger, Chairman, Planning and Zoning Commission
City of Shelton
54 Hill Street
Shelton, CT 06484

RE: Booth Hill Estates Application IWC #18-2 and PZC #18-05
Waverly & Booth Hill Roads

Dear Ms. Harger and Mr. Zahornasky:

The Conservation Commission reviewed the Booth Hill Estates site plan packet dated January 20, 2018 and notes that the Commission previously recommended acquisition of the entire property for open space due to its proximity to the public drinking water reservoir and location within the Far Mill River Greenway. The City has an obligation to protect the public drinking water supply and septic systems are a serious concern.

The Commission does not understand why it was not consulted for the proposed open space configuration because it does not work. The following actions are recommended:

1. Eliminate the impractical, narrow open space access off of Waverly Drive.
2. Remove Lots #17 and #18 in order to allow for meaningful open space access from Booth Hill Road and to reduce impacts to the intermittent watercourse that flows through those lots.
3. Eliminate Lots #13 and #15 because rear lots do not work with undersized lots and shared driveways, and also because this would provide better access to the open space.
4. Require a hard boundary, such as a stone wall, between the open space and residential properties. In our experience, the small lot sizes can lead to future encroachment problems as homeowners are tempted to expand their yards into the open space area.

Sincerely,

Thomas Harbinson
Chairman



AQUARION
Water Company

Stewards of the Environment

Aquarion Water Company
714 Black Rock Turnpike
www.aquarionwater.com

George S. Logan
Director – Environmental Management
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Gary Zahornasky, Chairman
Shelton Inland Wetlands Commission
City of Shelton
City Hall
54 Hill Street – Third Floor
Shelton, CT 06484

March 6, 2018

Re: Booth Hill Estates – Application – Proposed Development – Booth Hill Road & Waverly Road, Shelton, CT

In compliance with Public Act Number 06-53 of the Connecticut General Statutes, the Aquarion Water Company received plans of the above referenced proposal on February 2, 2018. The site for the proposed development is hydraulically upgradient and within the watershed of Aquarion's Far Mill Reservoir. The nearest lot (Lot No. 13) is approximately 612 feet from the Far Mill Reservoir. The plans show an existing intermittent water course that leads directly to a wetlands area that is adjacent to the Far Mill Reservoir. The proposed site drainage leads to a detention basin and the outflow drains to the wetlands area. Aquarion is concerned the proposed development as designed will have a negative impact to the water quality of the Far Mill Reservoir.

The Aquarion source protection staff has completed a plan review and site inspection to determine the extent of potential impact on water quality that might be associated with the proposed activities at this site. The following comments are provided for your consideration.

1. With its 23 new homes, subsurface stormwater infiltration systems, septic systems, and 700 feet of roadway construction, this subdivision will most likely meet the requirements of the Connecticut Department of Energy and Environmental Protection (CT DEEP) for registration for a "General Permit for Discharge of Stormwater and Dewatering Wastewaters from Construction Activities". Aquarion believes that careful adherence to the requirements of the "Stormwater General Permit", as it is known, will greatly reduce the risk of sediment pollution to nearby watercourses and to the public drinking water supply. Aquarion urges the City of Shelton to require the applicant to register with the CT DEEP for a Stormwater General Permit as a condition of approval.
2. The "Erosion Control Narrative" included in the plans submitted for review by Aquarion, and the erosion controls as shown on the project's plans fail to meet certain requirements of both the Stormwater General Permit and the CT DEEP "2002 Connecticut Guidelines for Soil Erosion and Sediment Control". These include: an estimate of total disturbed area, limits of disturbed areas, temporary stormwater detention basins, site inspection requirements and schedules, roadway/driveway water diversion bars, dewatering or water diversion strategies for the proposed wetland crossings, and adequate anti-tracking apron lengths. Aquarion

AQUARION WATER COMPANY OF CONNECTICUT

Gary Zahomasky, Chairman, Shelton Inland Wetlands Commission

Page 2 of 2

requests that the Town require the applicant to provide an erosion control plan that demonstrates compliance with all of the pertinent requirements of the Stormwater General Permit and the CT DEEP "2002 Connecticut Guidelines for Soil Erosion and Sediment Control" as a condition of approval.

3. The heating oil storage tanks for the new residences, if proposed, should be installed indoors on impermeable floors without drains. If the tanks must be installed in-ground, tank design should meet State of Connecticut underground storage tank regulations design specifications, CGS Sec. 22a-449-(d)-1(c).
4. Aquarion requests notification by the commission of its decision regarding this application. If approved, Aquarion requests notification by the developer prior to the start of any soil disturbing activities at the site.
5. Aquarion requests that the name and telephone number of the person or agency responsible for implementing the erosion and sedimentation control plan be provided to our office prior to the start of construction.
6. All contractors and their employees should be informed that they are working in an important public water supply area. During construction, no equipment or machinery should be refueled, maintained or parked near wetlands or in areas where storm runoff can wash pollutants into a watercourse. Fuel or other hazardous material spills must be reported immediately to the CT DEEP Oil and Chemicals Spills Unit (860-424-3338) and to Aquarion (203-445-7339). The phone numbers of both agencies should be prominently posted at the project site.

Aquarion appreciates the opportunity to comment on this project, and we thank you for your help in protecting the public drinking water supply. If you have any questions, or if I may be of further assistance, please feel free to call me at (203) 445-7455.

Sincerely,



George S. Logan

Director, Environmental Management

c Charles Wilson Jr., Vice-Chairman, Shelton Inland Wetlands Commission
John R. Cook, Wetland Administrator, Shelton Inland Wetlands Department
Raul Almonacid, Environmental Analyst



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City of Shelton
Office of the City Engineer
54 Hill Street
Shelton, Connecticut 06484-3207

Robert F. Kulacz, P.E.
City Engineer

Rimas J. Balsys
Assistant City Engineer

SUBMITTED

APR 11 2018

INLAND WETLANDS

April 11, 2018

John R. Cook
Wetlands Coordinator
City of Shelton
54 Hill Street
Shelton, CT 06484

Re: Booth Hill Estates, Booth Hill Road;
1) Subdivision Map dated January 30, 2018
2) Plan Sheets 1 through 8 all dated January 30, 2018
3) Stormwater Management Calculations dated January 30, 2018

Dear Mr. Cook:

This office has reviewed the proposal to create a 23 lot subdivision on the 22.7 acre parcel located at the northeast corner of Booth Hill Road and Waverly Road. The property naturally drains to the north, then easterly to the Far Mill Reservoir. Erosion and Sediment Control as well as Stormwater Quality are the two key concerns regarding this proposal.

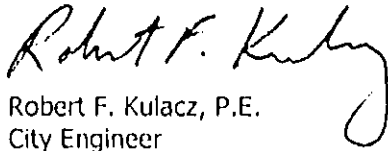
The stormwater management plan is sound, providing both runoff detention and stormwater quality enhancement. The proposed storm system conveys the existing discharge from the small Waverly Road culvert pipe located between Lots 19 and 20 to Wetland Areas A and B. We endorse the design to pipe the intermittent watercourse between Waverly Road and Wetland Area A. In the event that the Commission does not permit the piping, a plunge pool and riprap will be required at the culvert discharge.

On the subject of Erosion and Sediment (E&S) Control, the individual lots all have the potential to degrade the runoff that will flow into the public water drinking supply. That's why it's critical that the design engineer certify that the subdivision E&S Control plan complies with all CT DEEP guidelines. The E&S Control plan for this application shall delineate all E&S measures on all 23 lots so that City staff can ensure that the specified measures are included on the Individual site plans, which may be prepared by other design professionals and/or builders.

This office has no major reservations with the application and recommends that any approval by the Commission be subject to the following conditions:

1. The applicant shall obtain a General Permit for Discharge of Stormwater and Dewatering Wastewater Associated with Construction Activities (DEEP-WPED-GP015)
2. A copy of the applicant's Stormwater Pollution Control Plan (SWPCP) Review Form to DEEP (DEEP-WPED-LIST-015) shall be submitted to the City (P&Z, Wetlands, Engineering).
3. The applicant's engineer shall certify that the subdivision E&S Control Plan conforms to all CT DEEP guidelines.
4. The subdivision E&S Control Plan shall include the detailed control measures on all 23 lots.
5. The applicant shall address any concerns expressed by the Aquarion Water Company in regards to potential impacts to the public water supply system.

Very truly yours,


Robert F. Kulacz, P.E.
City Engineer

cc: Richard D Schultz, Planning & Zoning Administrator

File: Booth Hill Estates

RFK:lv