

**PLAN UPDATE ADVISORY COMMITTEE**

*Minutes*

*Room 104, Shelton City Hall*

*Shelton, CT*

*Monday, January 10, 2005*

**I. Call to Order**

Chairman Frank Osak called the meeting to order at approximately 4:30 P.M.

**Members Present:**

**Frank Osak, Chairman**

**Peter DiCarlo, Vice Chairman**

**Tom Harbinson**

**Fred Musante**

**Jim Tate**

**Also Present:**

**Rick Schultz – Planning & Zoning Administrator**

**Marianne Chaya –Clerk**

**II. Pledge of Allegiance**

All in attendance pledged allegiance to the flag.

**III. Approval of Minutes**

Fred Musante MOVED to approve the minutes from the December 20, 2004 meeting. Tom Harbinson SECONDED the motion. All were in favor, MOTION PASSED.

**IV. General Land Use Overview: Staff presentation**

Rick Schultz gave the committee members 3 handouts, a copy of a commentary from the Connecticut Post newspaper dated 1/9/05, the City-Wide Land Use Plan Summary dated July, 1990, and pages from Guidelines for Preparing Urban Plans.

In Rick's view the land use is the most important component in the plan.

Rick reviewed the two enlarged maps he brought – the existing land use, pointing out the areas and the color-coding representations. The maps are from the 1992 plan update, which was done by HMA.

Rick briefly discussed the commentary article from the paper noting that the content talks about things that we are doing in Shelton. The author noted that there are three matters that every community needs to have: an open and

honest government, a winning community spirit and a fair and consistent approach towards managing new development opportunities. These are three components in being a good balanced community. Further in the article he mentions that there was a residential development proposed in Bridgeport. It was welcomed with open arms. At the 11<sup>th</sup> hour (under Ganim's administration), the developer decided to increase the unit count by over 50%. Essentially what the author of this letter was saying is, unless we have a well thought out land use plan, and the fortitude to properly manage and enforce this plan, you are not going anywhere. Rick suggested that all read the letter in its entirety.

When you are doing a plan update you have to establish the existing uses in the community. Planimetrics will be doing that. Then we will sit down and analyze where we are and where we want to go.

Rick stated that he would point out some specific sites to give the committee members an idea because Shelton has had a lot of zone changes in the last 5-10 years and to some degree, they are totally inconsistent with the proposed land use map. The proposed land use plan was never adopted in its entirety in the 1992 plan. By having a good land use guide for planning decisions. With this guide, the residents should be able to say at a public hearing to the Commission, that the proposal is either inconsistent with the land use plan or consistent. If it is inconsistent, then it is the responsibility of the petitioner and the Commission to justify why they have deviated from it. Rick gave Pinecrest as an example. As the area had been noted on the land use map, it is coded as a special mixed-use development area, including residential, office, retail and water related uses. The planners back in 1992 believed that the Pinecrest Country Club should have been a mixed use. The residential use was supposed to be low density-residential. The current proposal is for 135 units, which is high density, at over 5 units to an acre. Split Rock development is also an example of change of land use. It was proposed as office/industrial park.

Rick noted that he and Tony Panico prepared a Route 8 Corridor plan that recommended corporate office as a land use. This plan was revised May 1, 2000, and adopted Nov. 1, 2000. This planted the seed for the creation of the office park district. The Commission believes that the area between exits 11 and 12, it made sense to mandate that the remaining undeveloped lands go either corporate offices or support services. This Rt. 8 Corridor plan is a supplement to the 1992 plan.

The last large parcel of available land on Bridgeport Ave. is the Wells property. It is currently zoned as light industrial park. The Wells family asked the Commission to keep it as it is.

Other areas of industrial zoning were pointed out and discussed.

There was discussion regarding the area that is known as the Mas property and what possible uses it could bring, especially for some of the City needs, such as a fire station and new location for public works.

Two areas of Bridgeport Ave. were pointed out and discussed how they were or were not consistent with the land use proposal – the Botti development and Wal-Mart. The Botti development had an expanded industrial to retail and at Wal-Mart was a varied density of residential. The original proposal was for rental

apartments. When the market dropped off, the developer then came in with the proposal for Wal-Mart.

Rick mentioned some of the consistent zoning that has recently taken place. The committee members discussed what was adopted after the last plan update was done and the fact that when the plan was handed to Planning & Zoning the committee did not proactively go after the entire plan being adopted. This committee agreed that they should not let that happen again.

The adopted land use plan only highlighted 11 areas of Shelton. They discussed several of the areas and what happened to them.

They asked how many PDD's have been approved and over what time period. 51 have been approved since 1979.

Rick suggested that the committee consider suggesting that when the Commission gets a petition for a zone change, which would precipitate a public hearing to amend the land use plan. The town of Orange does that now.

They discussed the fact that there is a lack of respect for the land use plan as an adopted instrument to be followed. The plan has to have credibility to avoid being maneuvered.

They also discussed how some of the zoning changes happened due to the current market situations.

Frank Osak brought up the point that 80-90% of the development options have been used up. They have to figure out what to do with the remaining space.

They discussed Split Rock, the size and the fact that the Phase 1 part is being submitted for Planning & Zoning's review.

Rick stated that P&Z is by and large protecting and preserving Shelton Research Park by the denial of the apartments and will be zoned back to LIP. He was asked for the reasoning behind approval of one apartment complex and not both. There was also discussion of traffic considerations, especially in the Split Rock area.

Seven years ago P&Z amended their regulations by taking away use variances from the Zoning Board of Appeals. Uses that are not permitted anywhere in town, like trailer parks, are prohibited. Uses in the family of the zone, a use that is not permitted in any residential, industrial or commercial codes are prohibited. A retail cannot go into any residential, R1-R5. That was a good amendment. So we don't have to deal with those radical use variances like we have seen in the past. But we do still see our share of use variances.

The discussion came back to the fact that since most of the development options are gone, the bottom line is how to protect our tax base with the right commercial and industrial uses.

Rick stated that many people feel "entitlement", especially when they see the condos that are now being built on River Rd. Many of the property owners are coming into his office. Planning & Zoning has made a statement that there are no more PDD's for residential. Lake Road was the last one. P&Z will be amending the planned development district, not precluding residential, but restricting as to where it can go. They want to use the PDD for downtown.

## **V. Future Meetings**

The next meeting will be 1/24, which will be to go over the structure of the zoning book. The meeting on 1/31 is to discuss public facilities. The 2/7 meeting should be the discussion of the additions to the Grand List in the last 5 years – how much land has been used up and how much has added to the grand list.

## **VI. Other Business**

Frank Osak discussed the traffic study and noted that Barkan & Mess, the traffic consultants, will be reporting to Planning & Zoning, P&Z will run the project, and Planimetrics will be involved, and then we will be involved through Planimetrics and P&Z.

The other item was the fact that WeR1 issued a flyer requesting public comment to get involved in this process. The concern is that if there is a lot of feedback, how does this committee want to handle it. It was decided that they would ask Planimetrics if they are interested in receiving all the comments and if it would be an additional cost.

There were several members of the public who attended this meeting and they asked about future public meetings and it was noted that when they will be held, they would hold them at 7PM and most likely at the same location as where they held the workshops.

Tom Harbinson asked Rick where they stand with the BOE and the information they asked for, which was the geographic location of where the school children are. Rick stated that he has seen a progress sheet and that the BOE staff is working on it internally. Rick said he would follow up on it.

## **VII. Adjournment**

Fred Musante MOVED to adjourn the meeting, seconded by Tom Harbinson. All were in favor, MEETING ADJOURNED at 5:50 P.M.

Respectfully submitted,

Marianne Chaya  
Clerk, Plan Update Advisory Committee  
1 tape is on file at the City/Town Clerk's office