Call to Order / Pledge of Allegiance

Chairman Virginia Harger called the special meeting of the Shelton Planning and Zoning Commission to order at 7:08 p.m. All those present rose and recited the Pledge of Allegiance.

Roll Call

Planning and Zoning Commission:

Virginia Harger, Chairman – present
Anthony Pogoada, Vice-Chairman – present by telephone
Elaine Matto, Secretary – present
Charles Kelly – present
Jimmy Tickey – present
Mark Widomski – present
Nancy Dickal (alternate) – present
Ned Miller (alternate) – absent

There was a quorum of 7 present, 1 absent.

Administration:

Kenneth Nappi, Provisional Planning and Zoning Administrator
Thomas Dingle, Zoning Enforcement Officer
Anthony Panico, Consultant – present by telephone
Patricia Bruder, Acting Recording Secretary
Pat Gargiulo, Stenographer

Recordings, correspondence, and attachments are on file and available in the Office of the City/Town Clerk and the Planning and Zoning Office. Minutes are available on the City of Shelton website: www.cityofshelton.org.

Chairman Harger reviewed the guidelines of the meeting with the attendees.

Public Hearing

A. Application #18-26 (Continuation) S & G of Shelton, LLC for Continuation of a Public Hearing for Initial Development Plans and Planned Development District Zone Change – Approval sought for property located at 96 Long Hill Cross Roads (Assessor’s Map #51, Lot #13) “The Crossroads – An Active Adult Community”. The intent of the PDD is to accommodate the construction of 15 Duplex Residential
Secretary Elaine Matto read aloud the following:


Attorney Dominick Thomas presented the site plan on behalf of the applicant and addressed the items cited in the letters from the Fire Marshal and the City Engineer. He also discussed in general the available amount of parking availability at two other local 55+ communities.

Jim Swift, Professional Engineer, Landscape Architect addressed the turnaround for emergency and large vehicles. He also discussed the parking provisions and described ways he has the ability to add more spaces. He submitted signed drawings for the record.

In discussion, the Commissioners indicated that they would like the Fire Department’s opinion on whether or not the Ladder Truck will fit into that turnaround. Additionally, they would like to see more parking, they are concerned about the width of the road (24 feet), and feel the project is very dense.

[Mr. Panico’s phone call was dropped at some point during this discussion].

Commissioner Kelly MOVED to keep the public hearing open to receive information from the Fire Department; SECONDED by Commissioner Tickey. A voice vote was taken and the MOTION PASSED unanimously.

B. Application #18-36, PDD #91 Fountain Square, LLC, c/o Attorney Dominick Thomas, Derby, CT, for Amendment of the Statement of Uses and Standards (SUS), Application of Minor Modifications of PDD #91 to the Initial Development Plans for property located at 801 Bridgeport Avenue and identified as Assessor’s Map #28, Parcel #18 encompassing an area of 19.08 acres.

The initial Development Plans are entitled “Fountain Square” prepared by Rose-Tiso & Co., LLC, Architect-Surveyor-Engineers, dated October 10, 2017. The intent of the PDD revision is to accommodate the construction of a Mixed-Use Development and to revise the Statement of Uses and Standards on the restriction on drive-through restaurants.

Secretary Elaine Matto read aloud the Call of Application #18-36.

Attorney Thomas requested that the public hearing be kept open after tonight. He explained that he will address the concerns tonight, but the Phase II wasn’t filed until very recently, and the hearing has to be kept open for the notices. He noted for the record that over the last couple weeks and in anticipation of the Phase II site plan, he has been in contact with Mr. Scinto, with Naiad, and with other people because Phase II involves the widening property to be given to the City and also involves the property to be given to Mr. Scinto.
Phase II cannot go forward without this going forward. The specific purpose of this public hearing is to change the Statement of Uses and Standards to allow a second drive-through for an appropriate tenant.

Attorney Thomas explained that Panera Bread is relocating from its current location on Bridgeport Avenue to this location, specifically in order to be able to have a drive-through facility. He reviewed the site plan via a video shown to the Commissioners.

Pat Rose from Rose-Tiso addressed the walkways on the site. Jason Wuchiski, Executive Director/Partner, 2 Commercial Real Estate, the realtor that is handling the Panera Bread account, explained why Panera Bread is making the choice to come to this site. Attorney Thomas addressed the ‘fast food drive-thru’ concern stating that for the most part, Panera Bread to a great extent does not sell food that can easily be eaten in the car; it derives the greater majority of its business from sit-down customers. The Commissioners discussed drive-throughs in general, the length of the queue, and the design of the entire project that encourages more foot traffic than automobile traffic.

Chairman Harger opened the Public Session on Application #18-36.

Greg Tetro, 281 Buddington Road

Mr. Tetro asked, “Was any green space was lost to make this separate drive-through lane? Does anybody take into consideration what businesses are moving out at the same time something moves in? Everything I’m hearing saying it’s a great business, but 95 percent probably is rapid pickup or they’re going there as a destination and eating in. We’re looking at a drive-through that is possibly 5 percent, 10 at the most. How much more are you gaining and what are you taking away from the development? I agree that we fought very hard to make this presentable, to make it what everybody agreed upon and then obviously because it’s a PDD, at any given time, what I’ve said all the time, we can just come in and modify it and try to sneak in more and more stuff. I’m totally against the idea of the drive-through. I can’t say I’m against Panera Bread moving there; they have every right to move there. I just don’t see that this is really a big positive to just add a drive-through for 5 percent of the people. Thank you.”

Attorney Thomas replied, it’s the same pad as approved in the initial concept plan; there is no green space being lost. Panera will be occupying a little more than half the pad, and there will be another business going into the other side of the pad. There is no lost green space.

Mr. Kelly MOVED to keep the public hearing open with the notation that the public will be able to address any new material that is submitted at the continuation; SECONDED by Commissioner Tickey. A voice vote was taken and the MOTION PASSED unanimously.

A five-minute recess was observed at 8:15 p.m. The meeting resumed at 8:26 p.m.
C. **Application #18-29, PDD #77** Hawks Ridge Luxury Rentals, LLC, of Shelton, CT for Amendment to the Planned Development District (PDD) #77, Petition for Amendment of the Statement of Uses and Standards (SUS) and Petition for Major Modification of PDD #77 to the Initial Development Plans and to propose Final Site Development Plans for property located at 60 Beard Saw Mill Road and identified a Assessor’s Map #39, Parcel #14, 89 Luxury Apartments, site encompassing an area of 3.0 acres.

Secretary Elaine Matto read aloud the following:

1. The Call of Application 18-29
3. Letter from Fire Marshal James Tortora – approval of site plan with stipulations.
4. E-mail from Patrick Carey of Carey & Guerrera Real Estate endorsing the quality of work done by A.J. Grasso and endorsing the change in use to apartments.

A.J. Grasso, developer of Hawk’s Ridge addressed the Commission and submitted the WPCA approval and the Inland-Wetlands approval. He proceeded to give an update on each phase of the entire subdivision, concluding with the only remaining parcel of the 41-acre subdivision, the Hawks Ridge Luxury Rentals piece. There will be no change in use; it will still be 89 units of residential housing – he is asking that the word “independent” be changed to “market-rate” in reference to the apartments.

During the lengthy presentation, the Commissioners viewed a PowerPoint showing the site plan and floor plans. They heard statements from Architects Bonita Cook and Erik Anderson designers of the apartments. Project Engineer Alan Shepard discussed the site plan and landscape plan. Mr. Grasso highlighted the benefits of the project to the City of Shelton.

Project Manager Craig Yannes from Tighe & Bond, discussed the traffic impact. The Commissioners had questions about traffic flow, and a specific question about the hours represented in the actual traffic study.

Chairman Harger opened the Public Hearing portion.

**Patrick Knott, 63 Bungay Road, Seymour**

Mr. Knott stated, “I was one of the contractors on site for Hawks Ridge and several other of A.J.’s projects, along with about 100 houses a year we work on in Shelton for water and sewer.” He read the following statement:

“Good evening, I'm Patrick Knott, owner of Connecticut Professional Water Services. I am a water and sewer contractor who performs work in Shelton and many other Connecticut towns. I am also the sewer repair contractor for the City of Shelton WPCA. I came tonight in support of the Beard Saw Mill Project that A.J. has brought forth.

I am sure you're aware of the housing economy collapse that occurred in 2008. It was devastating. In my statewide travel since 2008, one of the only areas that kept most contractors busy in the State of Connecticut was the City of Shelton. You are basically the
envy of the state, as A.J. said. I’ve always said that Shelton sells – no matter what happens statewide, Shelton is always going to sell. In saying “Shelton sells”, it means many things to me. It means the housing that’s being built is also being sold. It means that the old factories being renovated are being rented. The commercial businesses that are being built are being utilized. Main streets are active and booming. They amount to more taxes, more jobs, more options for a family, living in the city and surrounding areas, and more work for contractors and builders than anywhere else in the State of Connecticut.

Many contractors would have been out of business if it wasn’t for this last project that A.J. built. Like most of today’s builders, they watch their dollars more carefully than in the past. A.J. Grasso kept many contractors and builders employed during the years that have passed. He has paid well and he has paid on time. He has proven to be an honest and prudent businessman. I trusted him and his ability to develop a good, solid project that will keep many employed and provide positive living quarters at market rates. This is a win-win for Shelton in my opinion, because it will add more tax dollars to the coffer without putting an unnecessary burden on public works or the school system.

Shelton’s close proximity to Route 8, Route 34, Route 25, Route 15 and I-95, along with the bus routes that Shelton has provided along Bridgeport Avenue and the downtown area make Shelton the gem of the Valley. It provides all that Fairfield County has to offer, but at much more reasonable rates. The approval of this project will demonstrate that Shelton is committed to supporting the real estate businesses, restaurants, contractors, which will ultimately contribute to its continued prosperity.

I mean that from the bottom of my heart. I work in every single city and every town in the State of Connecticut. I work for every utility and every municipality in the State of Connecticut. Nobody rolls better than Shelton. I applaud you guys for that and I also applaud builders that could build projects like A.J. and do them the way they’re proposed, with quality and integrity. Thank you."

Mr. Grasso provided a concluding statement. He thanked his subcontractors that came. He asked the Commissioners to consider that there is virtually no opposition to this fairly minor change in his proposal.

Commissioner Kelly MOVED to keep the hearing open for the additional traffic information, with no further public comment at that meeting; SECONDED by Commissioner Tickey.

Mr. Grasso asked if the Commission would provide the specific traffic-related question so that he can be prepared at the next meeting.

Commissioner Widomski replied, the specific question is, what is the time of the year and what are the peak hours that were used in the traffic study flow chart.

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

Commissioner Kelly MOVED to adjourn; SECONDED by Commissioner Widomski. The meeting adjourned at approximately 9:36 p.m.

Respectfully submitted,

[Signature]

Patricia M. Bruder
Administrative Secretary
City of Shelton