PZC Commissioners Present: Virginia Harger, Chairman  
Anthony Pogoda, Vice-Chairman (Via Telephone)  
Elaine Matto, Secretary  
Jimmy Tickey  
Charles Kelly  
Mark Widomski  
Ned Miller, Alternate (Absent)  
Nancy Dickal, Alternate (Absent)

Also Present:  
Mark Lauretti, Mayor (Arrived at 7:10 p.m.)  
Kenneth Nappi, Provisional, Planning and Zoning Administrator  
Anthony Panico, Consultant (Via Telephone)  
Sarah Vournazos, Recording Secretary

Tapes, correspondences, and attachments are on file in the City/Town Clerk’s office and the Planning and Zoning office. Minutes are on the City of Shelton website: www.cityofshelton.org.

I. Call to Order  
Comm. Harger called the meeting to order at 7:05 p.m.

II. Pledge of Allegiance  
All those present rose and recited the Pledge of Allegiance.

III. Roll Call  
Chairman Harger identified members present.

IV. New Business

A. Planned Development Districts: General Discussion, Planned Development Districts and Related Planning and Zoning Regulations.

Kenneth Nappi explained the six submitted documents regarding PDDs. These include a Chart which lists all of the PDDs and Ken said that there have been 93 of them since 1979. Ken also noted that these items will be made available to review as well.
Chairman Harger read Item #1, a Memo written by their Consultant, Anthony Panico, addressed to the Commission on January 25, 2019 which is about Planned Development Districts’ Applicability and Provisions. Chairman Harger then indicated that the 2006 Plan of Conservation and Development mentioned that the language of the PDDs should be addressed because it wasn’t the best language at that time and she is pleased the Commission is having their discussion. Chairman Harger would also like the Commission to do things in a “positive manner” and to come up with “productive language” as opposed to other language that would cause drastic measures which would work against the city.

Mayor Lauretti mentioned that PDDs have served the city well over the last 30 years. He also indicated that the PDD is a “flexible tool” which allows the Commission to do things differently and keep pace with changing times and changing concepts that occur in the workplace and society in general, i.e., fast food restaurants with a drive-thru. Mayor Lauretti noted that the users who are requesting this are just keeping pace with the standard that is all over America and businesses may go out-of-business if they are not allowed to do so. He also said the Commission should vote against an Application if they do not like it.

Although Mayor Lauretti said he may not have always agreed with what the PZC has done, he does agree to a very strong percentage of their accomplishments. He indicated that the PDD technique has been “revolutionary”, it is what other communities haven’t done but what has been done in Shelton, particularly in the downtown area. Mayor Lauretti has recently opposed the use of apartments and the residential developments in the Bridgeport Avenue area. He conveyed his concerns about them going too far, particularly with apartments and feels that Connecticut will become inundated and they will saturate the market.

Mayor Lauretti said people are continuing to leave the state which is a “red flag” and they no longer want to invest in properties. He feels that the path of “least resistance” are apartments because it gives residents a tremendous amount of flexibility since they can leave at any given time. However, Mayor Lauretti stated he is in favor of apartments in the downtown area and along the Housatonic River because those will be insulated due to their location.

About 45 years ago, Bridgeport Avenue was slated for economic development and Mayor Lauretti mentioned that balance has always been Shelton’s theme. He then reiterated that the residential developments will offset the balance of what has been accomplished over the years on Bridgeport Avenue. He also hopes everyone understands the big picture, stating, “Shelton has been able to stand the test of time in many respects and many different types of use because we’ve had balance.” He is pleased that the Commission has been very responsible in their decision making with respect to the PDD.

Anthony Panico said they are moving in the desired direction and is hoping to answer some of the issues they have had. He noted he would like the language “without a
doubt,” to spell out that the initial phase of the planning process of PDDs is a concept and/or sketch and not an application subject to site plan review. Mayor Lauretti reminded Mr. Panico about their previous discussion with Joe Pagliaro, who was once the Chairman of the PZC, regarding zoning on Bridgeport Avenue. The Mayor said that Joe’s approach was to zone everything on Bridgeport Avenue as an OPD (Planned Development Overlay Zone). Although Mayor Lauretti had tremendous respect for Joe Pagliaro, he noted that not every piece of property is going to have an office building on it. Mr. Panico replied that any time there was a “questionable site” they put it in an OPD, and it was a “holding pattern,” recognizing it would get examined for a more appropriate use based on the market.

Mayor Lauretti indicated that is very hard to get a zone change and there are transitional changes which occur in the business world and society in general. He believes the PDD has added a lot of value to the success that residents enjoy along Bridgeport Avenue. He also stated that the car dealerships on Bridgeport Avenue were opposed. They legally challenged the PZC about 15 years ago and Mr. Panico said their result was a compromise.

Comm. Widomski stated that he was pleased that Mr. Panico addressed some of his concerns in his Memo. Comm. Harger then read the following list of “Areas of Concern” written by Comm. Widomski:

1. PDDs are currently permitted in too many areas of the city especially in Huntington Center.
2. PDDs are being used in places they were never intended to be used in.
3. Conceptual Site Plan section needs to be rewritten as it conflicts with state statute language requiring projects with regulated IWC activities to submit an IWC application.
4. Strengthen and clarify submission language on reports from WPCA, Traffic Authority, City Engineer, Traffic Reports and include language on applicant paying for peer reports.
5. Clarify language on height limitation including what structure elements are acceptable.
6. Add new language for the downtown area requiring an architectural review board to assist the PZC.
7. Add new language on Bonding by requiring an “Architectural Completion Bond” to ensure projects are completed in accordance with the approved plans.

Mayor Lauretti mentioned that Comm. Widomski’s “Areas of Concern” are areas that the Commission has required of different applications in the past without making any changes in the regulations. Mr. Panico said that the current regulations give the PZC the option of reviewing designs and the PZC can take advantage of it if necessary. Comm. Matto said she has heard that too many PDDs have been accepted but does not see where any objections were made. Comm. Kelly expressed his agreement with the Mayor about apartments belonging downtown and the river area. Comm. Tickey noted he agrees with Comm. Widomski and Mr. Panico, stating that the Commission
can do two things at once: “move through the business of our economic development projects while we review the regulations and see what’s best for PDDs going forward.”

Comm. Widomski said since there are informal discussions being held, he would like them to discuss things as a Commission. He then reiterated Comm. Matto’s comments about proposals coming before the PZC and noted that he has yet to be invited to an informal discussion of any type. Mr. Panico then clarified Page #4 under “Informal Consideration” and mentioned there are provisions for the applicant to ask for a technical staff session.

Comm. Widomski mentioned that there are things the Commission can and cannot control. Mayor Lauretti said that the PDD allows for flexibility which is the whole point of the PDD and “that’s part of the success we’ve enjoyed here because the PZC over the years has exercised that.” The Mayor expressed that when the PZC approves a project such as a 30-acre site, that there should be provisions in place to protect the site during inclement weather. Comm. Harger agreed and would like to see adjustments made.

Kenneth Nappi said they have improved some of their standards to control for erosion. Before any project can begin, Ken noted that the applicant needs to attend a pre-construction meeting which is mostly about soil and erosion control. Invited to that meeting are the Planning and Zoning Administrator, Inland and Wetlands and the City Engineer. They also make sure there is a Bond for soil and erosion and in addition, Ken mentioned that they now have a two-violation method. These methods are 1) The inspector will keep an inspection log and if they find a violation, they will meet with the site manager and 2) They will send a violation of compliance to the owner of the property. The Mayor stated he is pleased with this and believes Ken is implementing Best Practices.

Mayor Lauretti mentioned he would like there to be a discussion about Residential PDD applications since the affordable housing statute drives his interest. He stated that when applicants are declined, their only recourse is to use the affordable housing statute 830G. The Mayor emphasized the importance of everyone’s understanding of affordability. He also said that when the PDD changes come in for high-density residential developments, perhaps a component of that should be in the affordable category. The Mayor stated, “Shelton is being progressive and working towards the state goals on affordability in terms of housing.” Mr. Panico said maybe they should mandate a certain number of affordable housing units within a development and Comm. Harger would like to have a workshop on it as well.

Comm. Harger conveyed she would like the Commissioners to familiarize themselves with the language of Section 34 and to submit their notations prior to their next special PDD meeting on Tuesday, February 19, 2019 and Mr. Panico concurred with Comm. Harger. However, Kenneth Nappi noted that the PZC is continuing to accept applications for review of the PDD proposals.
Mayor Lauretti expressed the city's point of view, saying that "over the years the PDD has helped us mitigate the affordable housing statute." The second point the Mayor stated about PDDs as they pertain to residential housing is that they have helped the city in terms of infrastructure. The Mayor then noted his displeasure of the PZC's decline of the Waverly Road application and does not understand their decision making.

X. Adjournment

Motion made by Comm. Kelly to adjourn, seconded by Comm. Matto. On a voice vote, the PZC unanimously voted to adjourn at 8:05 p.m.

Respectfully submitted,

Sarah Vourazos
Recording Secretary