SHELTON PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
Tuesday, March 12, 2019
Shelton City Hall Auditorium
54 Hill Street, Shelton, CT 06484

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

Also Present:
Kenneth Nappi, Provisional, Planning and Zoning Administrator
Alexander Rossetti, PZC Assistant
Josh O’Neill, PZC Assistant
Anthony Panico, Consultant (Phone Conference)
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 7:19 p.m.

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

III. Roll Call
Chairman Harger identified members present.

Add On
Motion made by Comm. Widomski to add on Appl. #906 under Applications for Certificate of Zoning Compliance, seconded by Comm. Kelly. On a voice vote, the PZC voted unanimously to approve the motion.

Side Note
Kenneth Nappi mentioned that at the PZC meeting of 02/13/19, they spoke about Southwest Communications which are relocating from Bridgeport to Shelton. The Appl. #2730 was conditionally approved but after Staff review, it is now granted.
IV. Applications for Certificate of Zoning Compliance – Commission Action

1. Application #2882: Thomas Saloomey, 2 Trap Falls Rd. #108 for a business occupancy. Comm. Harger indicated that this is for a Café, Monday – Friday, 6:00 a.m. – 2:00 p.m. and has five employees.

Motion made by Comm. Tickey to approve the business occupancy for Appl. #2882, seconded by Comm. Matto. On a voice vote, the PZC voted unanimously to approve Appl. #2882.

2. Application #2873: Magaly Ortiz, 389 Bridgeport Avenue, for a business occupancy. Comm. Harger stated this is for a hair salon, full-time, Monday – Sunday and has one employee.

Motion made by Comm. Tickey to approve the business occupancy with the condition that the hours are limited to what has been approved for My Salon for Appl. #2873, seconded by Comm. Kelly. On a voice vote, the PZC voted unanimously to approve the business occupancy for Appl. #2873 with the noted condition.

3. Application #2862: Marc Morquette, 167 Center Street, for a business occupancy. Comm. Harger indicated that this is an online sales office for retail cosmetics which is located near Shelton Dental.

Motion made by Comm. Kelly to approve the business occupancy for Appl. #2862, seconded by Comm. Matto. On a voice vote, the PZC voted unanimously to approve Appl. #2862.

4. Application #2729: R.D. Scinto, 6 Research Drive, for a business occupancy. Comm. Harger mentioned that this is a Publisher of a Trade Magazine (Summer Communications) with the hours of 8:30 a.m. – 6:00 p.m.

Motion made by Comm. Tickey to approve the business occupancy for Appl. #2729, seconded by Comm. Kelly. On a voice vote, the PZC voted unanimously to approve Appl. #2729.

5. Application #2726: R.D. Scinto, 2 Corporate Drive, for a business occupancy. Comm. Harger indicated that this is a business office for Ameriprise Financial Planning, Monday – Friday, 9:00 a.m. – 5:00 p.m. with two employees.

Motion made by Comm. Matto to approve the business occupancy for Appl. #2726, seconded by Comm. Kelly. On a voice vote, the PZC voted unanimously to approve Appl. #2726.

6. Application #2727: R.D. Scinto, 6 Research Drive, for a business occupancy. Comm. Harger mentioned that this is a business office for Flagship Financial, Monday – Friday, 9:00 a.m. - 6:00 p.m. with ten employees.
Motion made by Comm. Kelly to approve the business occupancy for Appl. #2727, seconded by Comm. Matto. On a voice vote, the PZC voted unanimously to approve Appl. #2727.

7. Application #2861: Vijay Pidikiti, 132 Center Street, for a business occupancy. Comm. Harger indicated that this is an Uber car service office (NYC Lux Car).

Motion made by Comm. Kelly to approve the business occupancy for Appl. #2861, seconded by Comm. Tickey. On a voice vote, the PZC voted unanimously to approve Appl. #2861.

8. Application #2728: R.D. Scinto, 6 Research Drive, for a business occupancy. Comm. Harger mentioned that this is Johnson Electric of North America, Monday – Friday, 7:00 a.m. – 5:00 p.m. with six employees.

Motion made by Comm. Kelly to approve the business occupancy for Appl. #2728, seconded by Comm. Matto. On a voice vote, the PZC voted unanimously to approve Appl. #2728.

9. Application #2866: Lillian Cornish, 33 Hull Street, for a business occupancy. Comm. Harger indicated that this is for Sunday church services and they estimate having 60 people.

Motion made by Comm. Tickey to approve the business occupancy for Appl. #2866, seconded by Comm. Kelly. On a voice vote, the PZC voted unanimously to approve Appl. #2866.

10. Application #2886: Barra Restaurant, 389 Bridgeport Avenue, for a business occupancy / modification. Attorney Stephen Bellis identified himself on behalf of the applicant. He stated that the owner would like to have an acoustic guitar player along with a singer on Friday as well as a singer accompanied with a keyboard player for Sunday brunch - 11:30 a.m. – 3:00 p.m. Kurt Popick, the owner, then spoke and clarified the music would be “soft” and not “loud, rock and roll”. Comm. Harger said “if there is a problem, then we will issue a Cease and Desist Order”.

Motion made by Comm. Kelly to approve the business occupancy / modification with the conditions of no cover charge, closing the doors at night with no spill over to the outside when a performer is playing music, and all live music to be performed inside of the restaurant for Appl. #2886, seconded by Comm. Matto. On a voice vote, the PZC voted unanimously to approve Appl. #2886 with the noted conditions.

11. Application #2875: John Paul Development, 110 Commerce Drive, for a business and a sign. Comm. Harger mentioned that this is a massage and skin care facility. There are 12 employees, Monday – Friday, 9:00 a.m. – 5:00 p.m. Saturday, 9:00 a.m. – 8:00 p.m. and Sunday, 9:00 a.m. – 6:00 p.m. Terry Riccio spoke on behalf of Massage
Envy and noted there are individual rooms and will submit paperwork from the State.

Motion made by Comm. Tickey to approve the business occupancy and the sign for Appl. #2875, seconded by Comm. Kelly. On a voice vote, the PZC voted unanimously to approve Appl. #2875.

12. Application #2799: Ryan Lensye & Mike Terenzio, 500 Howe Avenue for a business and a sign. Comm. Harger indicated that this is a computer repair and sales facility operating on Tuesday – Friday, 10:00 a.m. – 6:00 p.m. and Saturday, 12:00 p.m. – 4:00 p.m. Kenneth Nappi conveyed that the owner is in compliance.

Motion made by Comm. Kelly to approve the business occupancy and the sign for Appl. #2799, seconded by Comm. Matto. On a voice vote, the PZC voted unanimously to approve Appl. #2799.

13. Application #2876: Dena Jara, 504 Bridgeport Avenue, for a business and a sign. Comm. Harger indicated that this is a coffee shop called Common Grounds, which sells baked goods and is replacing Starbucks in the Crown Point Center. Dena Jara identified herself, noted they have two other locations - Hamden and Branford and that the baked goods will be delivered from them.

Motion made by Comm. Tickey to approve the business occupancy and the sign for Appl. #2876, seconded by Comm. Kelly. On a voice vote, the PZC voted to approve Appl. #2876 with Comm. Pogoda opposing.


Motion made by Comm. Kelly to approve the business occupancy and the sign for Appl. #2869, seconded by Comm. Matto. On a voice vote, the PZC voted unanimously to approve Appl. #2869.

15. Application #2871: Jennifer Mosley, 813 River Road, for a business and a sign. Comm. Harger indicated that this is Riverside Nutrition LLC. for a smoothie bar. Jennifer Mosley identified herself and passed around pictures of her sign. She said this is "basically take-out" and there is another location in Milford.

Motion made by Comm. Kelly to approve the business occupancy and the sign for Appl. #2871, seconded by Comm. Tickey. On a voice vote, the PZC voted to approve Appl. #2871 with Comm. Pogoda opposing.

16. Application #2883: Peter and Ann L’Altrella, 60-64 Huntington Street, for a business and a sign. Comm. Harger mentioned that this is for a company called Fairway Independent Mortgage Corp. located in the Montenero building.
Motion made by Comm. Tickey to approve the business occupancy only and to table the sign for Appl. #2883, seconded by Comm. Matto. On a voice vote, the PZC voted unanimously to approve the business occupancy only and to table the sign for Appl. #2883.

17. Application #885: John Fontana, 64 Huntington Street, for an addition. John Fontana identified himself and clarified that this is an expansion of the entire floor with approximately 7 x 10 addition in the back of the building.

Motion made by Comm. Kelly to approve the addition for Appl. #885, seconded by Comm. Tickey. On a voice vote, the PZC voted to approve Appl. #885 with Comm. Pogoda opposing.

18. Application #2864: ABC Sign Corporation, 5-9 Research Drive, for a sign. Comm. Harger indicated that this is the Sperry Rail building. Larry Bork identified himself and spoke on behalf of the applicant. He presented a 4th drawing showing the location of the existing building and the corner lot of the new building. He said the LEDs will make the sign very visible but will not be "harsh lightning".

Motion made by Comm. Tickey to approve the sign upon the condition of revisiting the illumination after it is installed and to notify the PZC office within 48 hours of installation for Appl. #2864, seconded by Comm. Kelly. On a voice vote, the PZC voted unanimously to approve the sign for Appl. #2864 with the noted conditions.

19. Application #2863: Signlite, Inc. 801 Bridgeport Avenue, for a sign. Mark DeTulio from Signlite identified himself and reviewed the proposed two signs for Fountain Square. The Commission discussed the regulations of how many panels (~10) can be on the monument sign. Comm. Harger recommended the approval of the overall exterior of the monument sign but would like Comm. Pogoda and Kenneth Nappi to research the portion that would comprise the inside panels. Comm. Harger would like to see an elevation which shows some perspective in addition to the elevations provided by Rose Tiso.

Attorney Dominick Thomas identified himself and noted they went through a sign regulation change for Fountain Square and he quoted Ed Newman, "A business without a sign is a sign of no business." Pat Rose, Architect and owner of Rose Tiso & Co., LLC., also identified himself and noted the grade change but said they are keeping within the scale of the development of the site.

Motion made by Comm. Widomski to table the sign for Appl. #2863, seconded by Comm. Kelly. On a voice vote, the PZC voted unanimously to table the sign for Appl. #2863.

20. Application #2854: Maria and Giancarlo Massaro, 10 Oriole Court, for a home office.

Motion made by Comm. Widomski to table the home office for further clarification of
deliveries and what items are being sold for Appl. #2854, seconded by Comm. Kelly. On a voice vote, the PZC voted unanimously to table the home office for Appl. #2854.

21. Application #2878: Luz Sarmiento, 116 Richard Boulevard, for a home office. Comm. Harger mentioned that this is for computer online sales for skincare products.

Motion made by Comm. Matto to approve the home office for Appl. #2878, seconded by Comm. Tickey. On a voice vote, the PZC voted unanimously to approve Appl. #2878.

22. Application #886: S&G of Shelton, 96 Long Hill Cross Road, for a temp. stockpile 200 yards. Kenneth Nappi noted S&G had temporary approval based on Inland Wetlands to allow them to stockpile, but Comm. Widomski did not like that they asked after the fact of stockpiling.

Motion made by Comm. Kelly to approve the temp. stockpile of 200 yards with the condition of a six-month period for Appl. #886, seconded by Comm. Tickey. On a voice vote, the PZC voted to approve the temp. stockpile of 200 yards with the condition of a six-month period for Appl. #886 with Comm. Widomski opposing.

23. Application #2867: Nancy's Tree Service, 153 Bridgeport Avenue, for a temp. stockpile.

Motion made by Comm. Kelly to approve the temp. stockpile with the condition of a six-month period and no machinery left on site for Appl. #2867, seconded by Comm. Matto. On a voice vote, the PZC voted unanimously to approve Appl. #2867.

24. Application #900: Jason Wells, Beard Saw Mill, for a temp. food vehicle. Jason Wells identified himself and he would like to put one temporary concession (hotdogs, french fries, onion rings, philly cheesesteak) trailer (8 x 16) across the street from Wells Hollow Creamery from 10:00 a.m. – 3:00 p.m. However, Comm. Pogoda and Comm. Widomski expressed their parking concerns but Jason Wells said he can increase the number of parking spaces available to 20 – 25.

Motion made by Comm. Kelly to approve the temp. food truck with the condition to increase the number of parking spaces available to 20 - 25 for Appl. #900, seconded by Comm. Matto. On a voice vote, the PZC voted unanimously to approve the temp. food truck for Appl. #900 with the noted condition.

25. Application #906: Thomas Simonetti, 286 Howe Avenue, for a temp. business occupancy. Kenneth Nappi mentioned this is an add on from Valley Shakespeare Theatre who rented space for shows but lacked both a Certificate of Zoning Compliance and Fire Marshall approval. He noted there was a Fire Marshall violation and they issued a Cease and Desist order. The new space proposed is the Echo Hose Education Center on 286 Howe Avenue to have performances of Shakespearean plays. Anthony Simonetti identified himself and spoke on behalf of his son, Thomas Simonetti, the Artistic Director.
Motion made by Comm. Widomski to approve the temp. business occupancy with the condition of the Fire Marshall’s approval and a public hearing date of March 27, 2019 for future shows for Appl. #906, seconded by Comm. Kelly. On a voice vote, the PZC voted unanimously to approve the temp. business occupancy for Appl. #906 with the noted conditions.

V. Old Business

A. Application #18-17, PDD #93: Calandro and Guarerra, LLC, 509 Howe Avenue (Map 129D, Lots 27 and 29). Mixed Use Development – Mingolello & Associates Architects, LLC. Final Site Development Plan. Accept for Review, Discussion and Possible Action.

Kenneth Nappi stated that the Commissioners should have the Fire Marshall, city engineer and sewer approvals in their packets. He then passed around the brick samples but noted that the third sign is missing from the rendering. Attorney Stephen Bellis identified himself on behalf of the applicant. He said that “the Commissioners function is to determine whether the application we’ve submitted conforms to the PDD.” Mr. Panico noted that he is satisfied with the review of the materials that was presented.

Motion made by Comm. Kelly to accept for review for Appl. #18-17, seconded by Comm. Widomski. On a voice vote, the PZC voted unanimously to accept for review for Appl. #18-17.

Motion made by Comm. Matto to approve the Final Site Development Plan for Appl. #18-17, seconded by Comm. Kelly. On a voice vote, the PZC voted unanimously to approve the Final Site Development Plan for Appl. #18-17.

A five-minute recess was observed at 8:55 p.m. and the meeting resumed at 9:00 p.m.

B. Application #19-02, PDD #91: Fountain Square, LLC, 801 Bridgeport Avenue, (Assessor’s Map #28, Parcel #18). Phase II – Mixed Use Development – Rose, Tiso & Company – Architects and Engineers, LLC. A – Final Site Development Plan; B – Sub-Division of Property. Review, Discussion and Possible Action.

Comm. Harger mentioned she would like to hear Appl. #19-02 and Appl. #19-10 together since they are basically the same project.

Application #19-10, PDD #91: Dominick Thomas on behalf of Fountain Square, LLC, Mixed-Use Development – Phase III Detailed Development Plans. Located at 801 Bridgeport Avenue (Assessor’s Map #28, Parcel #18). Accept Application for Review.

Motion made by Comm. Kelly to accept for review, for Appl. #19-10, seconded by Comm. Matto. On a voice vote, the PZC voted unanimously to approve Appl. #19-10.
Attorney Dominick Thomas identified himself and updated the Commissioners with their architectural changes to the hotel. He noted they are requesting approval on Phase II of the Final Site Development Plans which include the sub-division of the property and said more property will be going to the city of Shelton. He indicated they provided the Commissioners with a phasing plan and said that CVS has opted for another location.

Pat Rose, Architect and owner of Rose Tiso & Co., LLC., also identified himself and he gave a presentation regarding their changes to the hotel. Attorney Dominick Thomas gave a presentation regarding Phase III - 14,700 square foot building comprised of 11,200 sq. ft. of retail and 3,500 sq. ft. for a restaurant. He stated that the applicant would like permission to "dig the hole" for the foundation.

Pat Rose then gave a presentation regarding the Phasing Plan and he reviewed the following Phases: Phase I has already been approved for a 30,000 sq. ft. retail building, Chick-fil-A and a coffee shop. Phase II is the Panera Bread building and the hotel. Phase III is the 14,700 sq. ft. retail building (formerly CVS proposed) and the 3,500 sq. ft. for a restaurant. Phase IV is 2 items a central fountain and a stair configuration and sidewalk going up to Parrot Drive. Phase V (Final Phase) there is an office building, restaurant pad and bank pad.

Attorney Dominick Thomas gave a presentation regarding the proposed restaurant, Mission BBQ. He noted that they are "community service oriented, dedicated and Patriotic". They will need to request a flag pole outside their restaurant as well and are also located in Southington, Connecticut as well as 16 other states.

Comm. Harger read aloud the Resolution for Appl. #19-02, Fountain Square, LLC, Phase II, Final Detail Development Plan approval for a portion of the Fountain Square Commercial Development on a site located at 801 Bridgeport Avenue at the corner of Parrot Drive Zoned Planned Development District #91 (PDD #91).

Motion made by Comm. Kelly to move the Resolution for Appl. #19-02, seconded by Comm. Matto. On a Roll call vote taken by Comm. Harger, the PZC voted as follows:


The motion passed 6 to 0 for Appl. #19-02

Motion made by Comm. Kelly to approve B- Sub-Division of Property (see Map) with any information to include from any boards or commissions or the city engineer, for Appl. #19-02, seconded by Comm. Matto. On a Roll call vote taken by Comm. Harger, the PZC voted as follows:

The motion passed 6 to 0 for Appl. #19-02.

Motion made by Comm. Matto to obtain a foundation permit and steel plating for Appl. #19-10, seconded by Comm. Kelly. On a voice vote, the PZC voted unanimously to approve to obtain a foundation permit and steel plating for Appl. #19-10.

Mr. Panico reiterated that he would like to have a Comprehensive Signage Plan for the monument sign, wall sign and to establish the parameters for the retail store sign. Pat Rose then reviewed the location of the monument sign. Attorney Thomas said he would address the pile on sign at the next meeting.


Secretary Elaine Matto read aloud the Resolution for Appl. #18-15, PDD #66: Ricar LLC and Mianus Holding, LLC. Great Water River Water Club located at 704, 712, 722 River Road.

Motion made by Comm. Tickey to move the Resolution for Appl. #18-15, seconded by Comm. Kelly. On a Roll call vote taken by Comm. Harger, the PZC voted as follows:


The motion passed 4 to 2 for Appl. #18-15.

D. Application #19-04: Mike Ballaro and Son, Petition for a Special Exception CA-2 Zone, 415 River Road (Assessor’s Map 66, Parcel #7), for a Mixed-Use Development – Apartment and Retail Space. Parcel. (Public Hearing Closed 02/27/19). Review, Discussion and Possible Action).

Kenneth Nappi read aloud the draft of the motion for Appl. #19-04 of the Petition for a Special Exception CA-2 Zone, 415 River Road.

Motion made by Comm. Kelly to approve to move this motion for Appl. #19-04, in accordance with conditions #1, #4, #5, #7, #8, #9, #18, #19, and #22, seconded by Comm. Matto. On a Roll call vote taken by Comm. Harger, the PZC voted as follows:


The motion passed 6 to 0 for Appl. #19-04.

Attorney Dominick Thomas reiterated that Mr. Jim Swift has previously made two presentations and they have advised DEEP of the Inland Wetlands approval.

The Commissioners have a unanimous favorable consensus to direct Mr. Panico to develop a Resolution to vote on at a different meeting.

VI. New Business


Motion made by Comm. Kelly to approve to Accept for Review and set the public hearing date of March 27, 2019 for Appl. #19-08, seconded by Comm. Tickey. On a voice vote, the PZC voted unanimously to approve Appl. #19-08.


Bob Scinto identified himself and is requesting a modification of the architecture. Jim Swift, the Professional Engineer and Landscape Architect, stated that the modification which was made to the architecture raises the height above what is going to be allowed in the special permit. He also noted that it does not require a public hearing because Detailed Development Plans are an administrative action. They then made a presentation of their proposed plan. Mr. Scinto feels his design is “outstanding” and said they are doing everything they can to make their tenant happy.

Motion made by Comm. Tickey to approve the Modification to Planned Development District #31, for Appl. #19-11, seconded by Comm. Kelly. On a voice vote, the PZC voted to approve Appl. #19-11 with Comm. Pogoda abstaining.

VII. Public Portion

Leo T. Sands of Shelton, Connecticut spoke in opposition of the First Congregational PDD project.
VIII. Other Business

A. Approval of Minutes

Comm. Harger indicated that their approval of minutes will be reviewed at the April 2019 meeting.

B. Payment of Bill:

None.

C. Bond Release

None.

D. Staff Report

Kenneth Nappi stated that they need to respond by March 15, 2019 regarding the First Congregational lawsuit. He also met with Mayor Lauretti about filling his provisional position. In addition, he noted that Russell Speeders will lower their vacuum cleaners and will be open for public use.

E. Comments from PZC Chairman and Subcommittee Chairman

Comm. Harger mentioned she attended the HUSH hearing at Milford Superior Court and the Judge ordered both attorneys to submit additional information by April 11, 2019.

IX. Adjournment

Motion made by Comm. Kelly to adjourn, seconded by Comm. Tickey. On a voice vote, the PZC unanimously voted to adjourn at 11:21 p.m.

Respectfully submitted,

Sarah Vournazos
Recording Secretary