

SHELTON PLANNING AND ZONING COMMISSION
SPECIAL PDD MEETING MINUTES

Tuesday, March 19, 2019
Shelton City Hall, Room 104
54 Hill Street, Shelton, CT 06484

**TRANSCRIBED, BUT NOT YET
REVIEWED OR APPROVED BY SPZC**

PZC Commissioners Present: Virginia Harger, Chairman
Anthony Pogoda, Vice-Chairman (Via Telephone)
Elaine Matto, Secretary
Jimmy Tickey (Arrived at 7:25 p.m.)
Charles Kelly
Mark Widomski
Ned Miller, Alternate (Absent)
Nancy Dickal, Alternate

Thomas D. Pogoda
2019 APR - 2 P 4: 58

CITY OF SHELTON
TOWN CLERK

Also Present: Mark Lauretto, Mayor (Arrived at 7:45 p.m.)
Kenneth Nappi, Provisional, Planning and
Zoning Administrator
Alexander Rossetti, PZC Assistant
Josh O'Neill, PZC Assistant
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: Continued General Discussion, Planned Development Districts and Related Planning and Zoning Regulations – Commission and Staff.

Comm. Harger indicated that the PZC should continue their discussion about the proposal to change the regulations regarding PDDs and Mr. Panico said they are trying

to specifically identify where PDDs could occur and would not be allowed to occur. In addition, he wishes to attempt to deal with language and explanations that would solidify the fact that the first stage of the PDD (Initial Development Plans) are really "concept sketches". He noted that they took out wording under Intent - Section 34.1 trying to eliminate any vagueness.

Section 34.2 – Purpose: Mr. Panico mentioned that he eliminated language that talked about using PDDs to accomplish transitions between single family residential use and established non-residential area. He also said he is trying not to allow things to go up against residential zones.

Section 34.3.3 – Lot Coverage: Mr. Panico said he is not sure if the Commission would like an actual number (60%) or not. He added words regarding the overlay zone and / or the Route 8 corridor. The Commission may increase coverage consistent with planned guidelines of those areas. Comm. Harger said they will earmark that section along with the other sections to be further discussed.

Section 34.3.5 – Building Height: Mr. Panico noted there are no changes as of this time but will take Comm. Widomski's suggestions from the previous meeting into consideration.

Section 34.3.6 – Utilities: Mr. Panico suggested that they should mandate that all utilities be underground. Comm. Kelly asked whether the utility would dictate that it goes underground or not, and Comm. Harger said from the pole on the street to the structure would be underground. Kenneth Nappi clarified that it is from the source of the utility to the transformer pad on the new development or to the building.

Section 34.3.7 – Architecture –Signs: Mr. Panico said that it says "limited to identification purposes" and is wondering if we have always observed that criteria and Comm. Pogoda said "sometimes no". Comm. Widomski clarified that they are discussing the signs on the actual building and not the monument sign. Comm. Widomski mentioned they can come up with some kind of language regarding consistency from PDD to PDD and then there is no question of discrimination of one business versus another. Comm. Matto expressed that maybe leaving the language allows for some flexibility as the applications come through. Comm. Harger noted that this will need more discussion and once Comm. Pogoda returns, the Sign Subcommittee will meet to further discuss in detail. Kenneth Nappi suggested maybe the Commission should consider a "consent vote" for a sign or other things.

Section 34.4 – Informal Consideration: Mr. Panico said he is open to different language and would like to convey this is not a site plan, but "this is a concept of how the applicant is proposing to develop the site in general terms." Comm. Harger explained that a "sketch" is defined as a rough or unfinished drawing or painting, often made to assist in making a more finished picture. Some synonyms are drawing, preliminary drawing, outline, diagram, representation, delineation, design, plan, artist's impression and tracing. Comm. Pogoda mentioned that a concept is something that is presented;

an idea with certain elements in the plan itself. Comm. Harger said they will earmark this section to also be further discussed.

Section 34.5.1 – Statement: Mr. Panico mentioned that the abbreviation for writing out Statement of Uses and Standards as “SOUS”. He then explained that ground signs shall identify only the premises and the major tenant and Comm. Harger said the Commissioners’ suggestion is that the Sign Subcommittee will look into that as well.

Section 34.5.2 – Initial Development Concept Plans: Mr. Panico indicated that the applicants will have the correct wording i.e. not site plans but concept plans on their drawings.

Section 34.6 – Procedures: Mr. Panico said they are looking for the adequacy of the basic preliminary drainage, street design, etc. and not looking for the approval of the final form. Likewise, for the sewers and their availability.

Section 34.7 – Public Hearing and Decision Mr. Panico stated, “just because you get a plan in a certain way, you don’t have to approve it as-is but you can modify it.”

Comm. Widomski mentioned that the applicant needs a report from Wetlands prior to the zone change and Comm. Harger said they can discuss this at a different time. Mr. Panico then asked Kenneth Nappi to locate the memo dated July 15, 2016 from Ray Sousa and Ken stated that 34.A.G. further says that Wetlands and the water course should also be considered. Mayor Lauretti indicated that the Statutes purposely designated the authority for each type of body to weigh in independently of one another and that is the whole function of Zoning, Wetlands and the WPCA. Kenneth Nappi said that any approval always contains the wording of a condition and always cite the condition of who approved.

Section 34.10 Final Site Development Plans – Subsection 34.10.1 – Approval: Mr. Panico mentioned that it says “The Final Site Development Plan shall be processed in the same manner as a Site Plan approval under Section 31”. Kenneth Nappi stated that the applicant is corresponding with Inland Wetlands even at the beginning of the application process.

Kenneth Nappi indicated that a location like Huntington Center would be excluded by the PDD. The PDD section is adhering to the downtown development plan and Mr. Panico referred Section 36 – Central Business District – that there are some areas within that section that need to be reexamined and/or softened. Ken also noted that there are a lot of interested parties with the downtown area and does not want a project to be eliminated now to hamper their development.

Comm. Harger asked Mr. Panico to share his thoughts about the process going forward and what is required to be included in that process. Mr. Panico said that it all depends upon the Commission’s perception of how close they are to agree on some of the Amendments and then they should establish a schedule once the Amendments are

approved. He noted that the Commission can have an informal discussion with the public too. Comm. Harger indicated that she would like a list created or a summary of points that need to be finalized and asked Mr. Panico if he can work on the 10 areas of change. Kenneth Nappi would also like Comm. Widomski's comments from the previous meeting addressed in Mr. Panico's summary.

Mayor Lauretti stated that there is nothing wrong with reviewing the Regulations every now and then to address issues of changing times and in particular, the trends in society which affect development. However, he does not feel that things are "radically wrong" with the PDD and said, "if we're trying to fix something that's not broken, I would think very hard on that notion."

Mayor Lauretti wants to encourage private investment and indicated that it is "counterproductive" when the Commission scrutinizes the buildings' color or height and feels that when an applicant meets the regulation, those types of details should become an administrative matter. Also, there are 42 pages of sign regulations and he feels that the amount of meeting time spent on signs is "crazy". "You have bigger and more important things to be looking at; it's called the Big Picture," said Mayor Lauretti. He stressed being consistent and not allowing loopholes that then turn into legal matters, i.e. affordable housing. He expressed displeasure with the Commission's decision making and stated publicly that for the first time in 28 years, he does not agree with what the Commission is doing at all.

For example, Mayor Lauretti feels the Commission's decline of the Waverly Road application was a "bad decision" because the proposal would have given Shelton four acres of open space "free of charge" to the city.

Mayor Lauretti stated that he is for balance because it creates a lot of stability, but he feels they are disrupting the stability which is being done with the residential component on Bridgeport Avenue. He questioned why the Commission approved the 90-unit apartment complex on 3-acres, asking "is it about who the applicant is or is it about the application?" He further stated "this issue of apartments on Bridgeport Avenue needs to slow down."

Mayor Lauretti said he was "astounded" when they denied the little strip center on the corner of Platt Road and Bridgeport Avenue because of traffic. Rick Schultz provided the traffic counts going back 20 years as well as recently when the plaza opened across the street and the traffic counts actually went down at that intersection. Even though the Commission feels it is an Office Park Development (OPD), Mayor Lauretti feels "that property is not big enough to support an office building."

Mayor Lauretti wondered "if people don't think that the PDD has served the city well, then why are so many other municipalities around the State trying to copy our model?" The city has received many State and Federal grants and he is pleased. He is also proud that they secured all of the property rights from Constitution Blvd. to Route 110 through White Hills through the PDD process.

Comm. Harger reiterated that “things should be done in a positive manner” when having their discussion. She also said they are not eliminating PDDs in the downtown area or Route 8, but are trying to strengthen the loopholes where they have had problems before.

Kenneth Nappi passed around a document created by Alexander Rossetti, PZC Assistant, of the PDDs that have been issued since their beginning in 1979, which is by area and contains the number of apartments in the areas. He is also trying to obtain the overlay of the map that Mr. Panico requested in the previous meeting.

Mayor Lauretti complimented the PZC on their “good job” but feels he is responsible to say something if he sees things going in the wrong direction. He is pleased to see the downtown area developing and “we’ve waited a long time for this”. However, Comm. Matto brought up the lack of parking in the downtown area and Mayor Lauretti noted that the buildings have parking that is self-contained on site. Comm. Harger conveyed that parking is a “major concern” and asked “where should all of the visitors park since we do not want them spilling onto the street?” Mayor Lauretti said that “the entrepreneur who is vested in the area finds a way to solve these things where government can’t.”

The PZC scheduled their next Special PDD Meeting to be held on Tuesday, April 16, 2019.

X. Adjournment

Motion made by Comm. Kelly to adjourn, seconded by Comm. Widomski. On a voice vote, the PZC unanimously voted to adjourn at 8:46 p.m.

Respectfully submitted,

Sarah Vournazos
Recording Secretary