

SHELTON PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
Tuesday, July 9, 2019
Shelton City Hall Auditorium
54 Hill Street, Shelton, CT 06484

PZC Commissioners Present: Virginia Harger, Chairman
Anthony Pogoda, Vice-Chairman
Elaine Matto, Secretary
Jimmy Tickey (arrived at 7:10 p.m.)
Charles Kelly
Mark Widomski
Ned Miller, Alternate
Nancy Dickal, Alternate

Also Present: Francis Teodosio, Attorney (left at 7:40 p.m.)
Kenneth Nappi, Provisional Planning and
Zoning Administrator
Anthony Panico, Consultant
Alexander Rossetti, PZC Assistant
Josh O'Neill, PZC Assistant
Sarah Vournazos, Recording Secretary
Stephanie Charboneau, Stenographer

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 who were present rose and recited the Pledge of Allegiance.

III. Roll Call

Comm. Harger identified members present.

IV. Executive Session

Motion made by Comm. Pogoda, seconded by Comm. Matto, to go into Executive Session at 7:10 p.m. including inviting Mr. Nappi, Mr. Panico, Mr. Rossetti, Mr. O'Neill, and Corporation Counsel Francis Teodosio. On a voice vote, the PZC voted unanimously to approve the motion.

Mr. Nappi indicated that during the Executive Session, they will be discussing Hush it Up, Huntington Village and Brookview Heights.

Motion made by Comm. Pogoda, seconded by Comm. Widomski, to come out of Executive Session at 7:40 p.m. with no votes taken. On a voice vote, the PZC voted unanimously to approve the motion.

V. Applications for Certificate of Zoning Compliance

1. Application #3038: Robert James, 470 Howe Ave, for a sign.

Mr. Nappi described the proposed sign being aluminum with a vinyl laminate on top, an aluminum frame, and to be installed on the wall with metal brackets. Comm. Tickey mentioned that he would like to see the signs along Howe Ave having some illumination on them.

Motion made by Comm. Tickey, seconded by Comm. Kelly, to approve the sign with the addition of lighting according to the specifications submitted for Appl. #3038. On a voice vote, the PZC voted unanimously to approve the motion.

2. Application #2417: ABC Sign Corp. 760 River Road, for a sign.

Mr. O'Neill indicated that Fatty Patty's wall sign will be internally illuminated as well as the monument sign located below the Parker Eatery.

Motion made by Comm. Widomski, seconded by Comm. Kelly, to approve the sign for Appl. #2417. On a voice vote, the PZC voted unanimously to approve the motion.

VI. Old Business

A. Application #19-07, "Cedar Village, Phase I." Cedar Village Development LLC., 310 Howe Ave / 275 Coram Ave / 30 Hill St. petition for a Mixed-Use Development with 33 apartments, 7,000 sq. of commercial space, and sub-grade parking applying for a Planned Development District. The Initial Development Plans prepared by Rose-Tiso and Co. LLC, architects, Jim Swift, engineer and landscape architect. Resolution, review, discuss and possible action.

Mr. Panico indicated that this resolution is "presented to recognize the entire development but then the decision part is focused just on Phase 1." He then read aloud the proposed resolution regarding Appl. #19-07.

Motion made by Comm. Pogoda, seconded by Comm. Kelly, to adopt the resolution for Appl. #19-07. On a roll call vote taken by Comm. Harger, the PZC voted as follows:

Comm. Tickey – Aye	Comm. Matto – Aye	Comm. Pogoda – Aye
Comm. Kelly – Aye	Comm. Widomski – Aye	Comm. Harger – Aye

The motion passed 6 to 0 and the resolution has been adopted.

VII. New Business

A. Application #19-06, "Day Break Ridge". Key Development LLC., 85-97 River Road on 12.39 acres, petition for Special Exception approval in an R-3 Zone, 36-unit condo development. Accept letter of extension.

Secretary Matto read aloud the letter of extension addressed to Mr. Nappi, from Mr. Kenneth Schaible and dated June 27, 2019.

Motion made by Comm. Pogoda, seconded by Comm. Kelly, to accept the letter of extension for Appl. #19-06. On a voice vote, the PZC voted unanimously to approve the motion.

B. Application #19-18, PDD #68. Attorney Dominick Thomas and NOK, 122 Buddington Road on 2.55 acres, petition for a Major Modification to Detailed Development Plans, to revise from six, single-family units to two units. Review, discuss and set public hearing.

Mr. Panico indicated that since the lots do not conform with the zoning, "we're going to stick with the PDD recognition and modify the Detailed Development Plans accordingly and modify the Statement of Uses accordingly, so that the property will be locked up with the house that's there plus one additional house."

Motion made by Comm. Kelly, seconded by Comm. Pogoda, to accept for review and set the public hearing date to August 28, 2019 for Appl. #19-18. On a voice vote, the PZC voted unanimously to approve the motion.

C. Application #19-17, PDD #63. R.D. Scinto and Pereira Engineering, 899 & 905 Bpt. Ave. petition for a Minor Modification to the Statement of Standards and Uses to PDD #63. Review, discuss and set public hearing.

Mr. Panico indicated that Mr. Scinto is asking for a reconsideration of the adopted PDD which was originally intended as a commercial center. He mentioned that there is a daycare tenant which would like to occupy over 50% of the floor space. He noted that there are some minor changes on the drawings for the outdoor play area and that the Statement of Uses needs to be modified in order to add the daycare as one of the permitted uses.

Motion made by Comm. Tickey, seconded by Comm. Kelly, to accept for review and set the public hearing date to August 28, 2019 for Appl. #19-17. On a voice vote, the PZC voted unanimously to approve the motion.

Mr. Rob Scinto spoke to the Commissioners and stated that he would like to be on the July agenda since it's "time sensitive." Mr. Nappi said that they are already on it and Comm. Tickey amended his motion for the public hearing date.

Motion made by Comm. Tickey, seconded by Comm. Kelly, to then set the public hearing date to July 31, 2019 for Appl. #19-17. On a voice vote, the PZC voted unanimously to approve the motion.

VIII. Public Portion

Anyone wishing to address the Commission on any item, not on the agenda.

Motion made by Comm. Pogoda, seconded by Comm. Kelly, to close the public portion. On a voice vote, the PZC voted unanimously to approve the motion.

IX. Other Business

A. Bond Release

- i. Application #14-27, "Water's Edge of Shelton." Water's Edge of Shelton LLC, 500 River Road, request release of a \$15,000 Soil and Erosion Control Bond.

Mr. Nappi indicated that this is the remaining bond which has been inspected by Inland Wetlands, Enforcement Officer and Planning Officer who approve the bond to be released.

Motion made by Comm. Pogoda, seconded by Comm. Matto, to authorize the release of the \$15,000 Soil and Erosion Control Bond. On a voice vote, the PZC voted unanimously to approve the motion.

- ii. Application #15-20, "The Marketplace." 714 LLC, 405-407 Bridgeport Ave., request release of the remaining \$25,000 Site Bond.

Comm. Pogoda indicated that the applicant should be reminded to maintain the landscaping and Mr. Nappi noted he put in a request with the city and the Superintendent said he will make sure it is on his list. Comm. Tickey stated that he would like the site work to be finished before releasing the bond.

Motion made by Comm. Pogoda, seconded by Comm. Widomski, to table the release of the remaining \$25,000 Site Bond and direct staff to contact the appropriate person of the Marketplace to obtain documentation of who is going to maintain the landscaping and find out more information about the kind of business. On a voice vote, the PZC voted unanimously to approve the motion.

B. Comments from PZC Chairman and Subcommittee Chairman

None.

C. Staff Comments

Mr. Nappi indicated that there are nine applicants for the permanent Planning and

Zoning Administrator position who are in the process of being screened as to meeting qualifications. He then mentioned his discussions with Comm. Pogoda that the sign committee should be re-established and the Commissioners concurred.

Comm. Widomski inquired about Linda's Liquor, Split Rock and signs along Bridgeport Avenue and Mr. Nappi said that "Starbucks signs have been removed, Linda with the A frames has been spoken to and Mr. O'Neill will follow up." Mr. Nappi mentioned that there is a sign violation with The Greek's. The PZC's process is to investigate the violation and to send a letter which asks for voluntary compliance. The PZC will then send a "cease and desist order" if they do not comply within 10 days.

Mr. Nappi stated that he is proposing that the PZC needs to revise their 2014 fee schedule and that it is time to revisit Mr. Panico's fee.

D. Approval of Minutes

i. May 22, 2019 – Special Meeting

Motion made by Comm. Pogoda, seconded by Comm. Tickey, to approve the PZC meeting minutes of 5/22/19. On a voice vote, the PZC voted unanimously to approve the motion.

ii. May 29, 2019 – Special Meeting

Motion made by Comm. Matto, seconded by Comm. Tickey, to approve the PZC meeting minutes of 5/29/19. On a voice vote, the PZC voted unanimously to approve the motion.

E. Distribution of Minutes and Motions

Comm. Harger indicated that the Commissioners should review the June 11, 2019 and June 26, 2019 meeting minutes found in their packet to be approved at the next meeting.

i. June 11, 2019 – Regular Meeting Minutes

ii. June 26, 2019 – Special Meeting Minutes

X. Adjournment

Motion made by Comm. Pogoda, seconded by Comm. Kelly, to adjourn at 8:57 p.m. On a voice vote, the PZC unanimously voted to approve the motion.

Respectfully submitted,

Sarah Vournazos
Recording Secretary