

SHELTON PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES  
Tuesday, June 11, 2019  
Shelton City Hall Auditorium  
54 Hill Street, Shelton, CT 06484

PZC Commissioners Present: Elaine Matto, Secretary  
Jimmy Tickey  
Charles Kelly  
Mark Widomski  
Ned Miller, Alternate  
Nancy Dickal, Alternate

PZC Commissioners Excused: Virginia Harger, Chairman  
(via telephone and left at 8:05 p.m.)  
Anthony Pogoda, Vice-Chairman

Also Present: Francis Teodosio, Attorney (left at 8:20 p.m.)  
Kenneth Nappi, Provisional, Planning and  
Zoning Administrator  
Anthony Panico, Consultant  
Alexander Rossetti, PZC Assistant  
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](http://www.cityofshelton.org). Alternate, Ned Miller was voting for Tony Pagoda and Alternate, Nancy Dickal was voting for Chairman Harger.

I. Call to Order

Comm. Matto 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

Comm. Matto identified members present.

Add On

Motion made by Comm. Kelly, seconded by Comm. Dickal, to add on Brookview Heights, Long Hill Avenue and Huntington Village to the Agenda. On a voice vote, the PZC voted unanimously to approve the motion.

IV. Executive Session

Motion made by Comm. Kelly, seconded by Comm. Dickal, to go into Executive Session including inviting Mr. Nappi, Mr. Panico, Mr. Rossetti, Corporation Counsel Francis Teodosio and Chairman Harger via telephone to participate at 7:08 p.m. On a voice vote, the PZC voted unanimously to approve the motion.

Motion made by Comm. Kelly, seconded by Comm. Dickal, to come out of Executive Session at 8:06 p.m. On a voice vote, the PZC voted unanimously to approve the motion.

Motion made by Comm. Widomski, seconded by Comm. Kelly, to direct staff to calculate the parking requirement of Hush It Up LLC in accordance with court directive. On a voice vote, the PZC voted unanimously to approve the motion.

#### V. Applications for Certificate of Zoning Compliance

1. Application #908: David S. Beardsley, 278 Leavenworth Rd, for a farm distillery. Mr. Dan Beardsley stated that he is a 4<sup>th</sup> generation farmer and that Mr. David S. Beardsley is his father. They would like to open a farm distillery in their existing building using their fruit that they grow as well as from other Connecticut farms.

Motion made by Comm. Widomski, seconded by Comm. Kelly, to approve the farm distillery for Appl. #908. On a voice vote, the PZC voted unanimously to approve the motion.

2. Application #2880: Diana Gomez, 26 King St, for cottage food. Mr. Nappi indicated that Ms. Gomez is the first person to apply under a new state program called Cottage Industry which is for home baked and prepared foods. He mentioned that she is limited to earning not more than a \$25,000 yearly profit and "food has to be from her kitchen, not a commercial or residential kitchen outside of her home." Mr. Rossetti noted that she would need PZC approval if she would like to have a sign.

Motion made by Comm. Dickal, seconded by Comm. Kelly, to approve the cottage food for Appl. #2880. On a voice vote, the PZC voted unanimously to approve the motion.

3. Application #3165: Maria Felix, 44 Hubbell Ln, for cottage food. Mr. Rossetti stated that she is already part of the food industry and currently has a coconut sugar packing business. He noted that she would need PZC approval if she would like to have a sign.

Motion made by Comm. Dickal, seconded by Comm. Tickey, to approve the cottage food for Appl. #3165. On a voice vote, the PZC voted unanimously to approve the motion.

4. Application #3137: Yong Deng Wang, 194 Leavenworth Rd for a business occupancy. Mr. Rossetti indicated that this is a nail salon moving into an existing site and they will

need PZC approval if they would like to have a sign.

Motion made by Comm. Kelly, seconded by Comm. Dickal, to approve the business occupancy for Appl. #3137. On a voice vote, the PZC voted unanimously to approve the motion.

5. Application #3159: Lisa Serra, 515 Bpt. Ave, for a business occupancy. Mr. Rossetti indicated that this is a business occupancy moving into an existing building. He noted that this is for massaging, skin care, spa services and must be licensed and esthetician certified.

Motion made by Comm. Tickey, seconded by Comm. Kelly, to approve the business occupancy for Appl. #3159. On a voice vote, the PZC voted unanimously to approve the motion.

6. Application #3162: Maria Felix, 8 Huntington St, for a business occupancy. Mr. Rossetti indicated that this is a new deli moving into Huntington Center and replacing the Center Deli.

Motion made by Comm. Tickey, seconded by Comm. Dickal, to approve the business occupancy for Appl. #3162. On a voice vote, the PZC voted unanimously to approve the motion.

7. Application #3161: CT Burns Care Foundation, approved sign locations for a temporary sign. Comm. Matto indicated that this is for a car show. Mr. Rossetti said the initial date is June 23, 2019, the rain date is on June 30, 2019 and the signs will be removed once the show is finished.

Motion made by Comm. Kelly, seconded by Comm. Dickal, to approve the temporary sign for the initial date of June 23, 2019 and with a rain date on June 30, 2019 for Appl. #3161. On a voice vote, the PZC voted unanimously to approve the motion.

8. Application #3136: Signlite Inc. 1 Waterview Drive, for a sign. Mr. Rossetti indicated that this is a wall sign for Johnson Controls which is not internally illuminated.

Motion made by Comm. Tickey, seconded by Comm. Kelly, to approve the sign for Appl. #3136. On a voice vote, the PZC voted unanimously to approve the motion.

9. Application #2416: ABC Sign Corp, 815 Bpt. Ave, for a sign. Mr. Larry Bork said that Newtown Savings Bank has asked them to replace the old box signs on the elevations.

Motion made by Comm. Kelly, seconded by Comm. Dickal, to approve the signs for Appl. #2416. On a voice vote, the PZC voted unanimously to approve the motion.

10. Application #3138: Tim Nefores, 2 Keron Dr, In-law (existing).

Mr. Rossetti indicated that this is an existing in-law with a new home owner but will be inspected by the building inspector and the fire marshal.

Motion made by Comm. Kelly, seconded by Comm. Dickal, to approve the existing in-law for Appl. #3138. On a voice vote, the PZC voted unanimously to approve the motion.

11. Application #3093: Gaines Construction, 32 Weybosset St, for an in-law.

Mr. Mark Reynolds said "this is actually an add-on to the house." Mr. Nappi mentioned that they are waiting for a driveway permit.

Motion made by Comm. Miller, seconded by Comm. Kelly, to approve the addition for Appl. #3093. On a voice vote, the PZC voted unanimously to approve the motion.

## VI. Old Business

A. Application #19-14, PDD #24, "CVS Pharmacy," 701 Bridgeport Ave LLC. Propose a Major Modification to PDD #24 for a Retail/Pharmacy development with a drive-thru located at 705 Bridgeport Avenue. Site Development Plans prepared by VHB, engineers and William Stark, architect. Resolution, review, discuss and possible action.

Mr. Panico read aloud the proposed resolution regarding Appl. #19-14.

Motion made by Comm. Widomski, seconded by Comm. Kelly, to adopt the resolution for Appl. #19-14. On a roll call vote taken by Comm. Matto, the PZC voted as follows:

Comm. Tickey – Aye	Comm. Dickal – Aye	Comm. Kelly – Aye
Comm. Widomski – Aye	Comm. Miller – Aye	Comm. Matto – Aye

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

B. Application #19-15, PDD #91, "Fountain Square, Phase IV," Fountain Square LLC. Petition for a Minor Modification of Mixed-Use Development located at 801 Bridgeport Avenue. Phase IV Detailed Development Plans and Signage Plan prepared by Rose-Tiso & Company, LLC., architects, surveyors and engineers. Review, discuss and possible action.

Attorney Dominick Thomas identified himself on behalf of the applicant. He stated that he would like to have a further discussion with the sub-committee regarding signage. Mr. Panico mentioned that the content of the sign panels was unclear to him and Attorney Thomas replied that it is for 15 panels.

A five-minute recess was observed at 9:00 p.m. and the meeting resumed at 9:05 p.m.

Mr. Panico then read aloud the proposed resolution regarding Appl. #19-15. Motion made by Comm. Kelly, seconded by Comm. Dickal, to adopt the resolution for Appl. #19 –15. On a roll call vote taken by Comm. Matto, the PZC voted as follows:

Comm. Tickey – Aye	Comm. Dickal – Aye	Comm. Kelly – Aye
Comm. Widomski – Aye	Comm. Matto – Aye	Comm. Miller – Abstain

The motion passed 5 to 0 with one abstention and the resolution has been adopted.

C. Application #17-03, PDD #86, “Brookview Apartments,” Jim Blakeman Construction Co. Petition for a Modification to PDD #86 for a 28-unit apartment complex, located at 309 Old Bridgeport Ave. Final Detailed Development Plans prepared by Rose-Tiso & Company, LLC., architects, James R. Swift, engineer. Review, discuss and possible action.

Attorney Stephen Bellis identified himself on behalf of the applicant. He distributed a letter to the Commissioners from the city engineer who has “no objections to the project.” He also said that the fire marshal is “in favor of the project.” Mr. Nappi mentioned that Inland Wetlands is also in favor as well. A member of the condo association was also present to support the revised plans of Brookview Apartments.

Mr. Jim Swift, the Professional Engineer and Landscape Architect identified himself on behalf of the applicant. He gave a presentation with the following layouts. One layout showed the existing approved Detailed Development Plans with two separate parking plans on either side of the building and with different accesses. The other layout showed that they “spun” the building 90 degrees and connected the upper parking lot to the lower parking lot.

Mr. Panico inquired about the left side entrance being modified to be handicapped accessible and Mr. Swift said, “the short answer is that it can.”

Motion made by Comm. Kelly, seconded by Comm. Tickey, to approve the modification for Appl. #17 – 03. On a voice vote, the PZC voted unanimously to approve the motion.

D. 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 sf. of commercial space, and sub-grade parking applying for a Planned Development District. The Initial Development Plans prepared by Rose-Tiso & Co., LLC, architects, Jim Swift, engineer and landscape architect. Review, discuss and possible action.

Mr. Panico reminded the Commissioners that the applicant previously verbally indicated that they wished to proceed with Phase I and hold off on Phase II. Comm. Matto said “we have no way of knowing what their analysis is in terms of what makes this a viable project.” Mr. Nappi mentioned that the applicant has yet to have the opportunity to

address his concerns on Phase II. The Commissioners have a unanimous favorable consensus to direct Mr. Panico to develop a resolution regarding Phase I to vote on at a different meeting.

## VII. New Business

A. Application #19 – 06, “Day Break Ridge.” Key Development LLC., 85 – 97 River Road on 12.39 acres, petitions for Special Exception approval in an R – 3 Zone, 36 – unit condo development. Accept Letter of Extension.

Mr. Nappi indicated that this letter of extension is until June 27, 2019 for completion of the public hearing.

Motion made by Comm. Tickey, seconded by Comm. Dickal, to accept the letter of extension until June 27, 2019 for Appl. #19 – 06. On a voice vote, the PZC voted unanimously to approve the motion.

B. Application #19-16, PDD #26, “United Methodist Welcome Center.” United Methodist Homes, Inc., at 580 Long Hill Ave on 1.09 acres, petitions for a Major Modification of PDD #26 to include a 6,000 – sf. welcome center to include a multi-purpose hall and business offices. Initial Development Plans titled “Proposed Addition to PDD #26” prepared by EGA Architects, architects James R. Swift, landscape architect and engineer, Lewis Assoc., surveying and engineering. Accept and set public hearing date.

Motion made by Comm. Tickey, seconded by Comm. Dickal, to accept Appl. #19 – 16. On a voice vote, the PZC voted unanimously to approve the motion.

Motion made by Comm. Widomski, seconded by Comm. Kelly, to set the public hearing date to June 26, 2019 for Appl. #19 – 16. On a voice vote, the PZC voted to unanimously to approve the motion.

## VIII. Public Portion

No one spoke and Comm. Matto closed the public portion.

## IX. Other Business

### B. Staff Comments

Mr. Nappi indicated that the Planning and Zoning Administrator’s job posting end date is June 21, 2019 at 5:30 p.m. He mentioned that he would like there to be a regular meeting held on July 9, 2019 and a public hearing meeting held on July 31, 2019. Mr. Nappi will plan on those meeting dates and reserve a room at the City Hall.

### C. Approval of Minutes

Motion made by Comm. Kelly, seconded by Comm. Tickey, to approve the PZC meeting minutes of 3/12/19, 3/19/19, 3/27/19, 4/4/19, 4/9/19 and 4/24/19. On a voice

vote, the PZC voted unanimously to approve the motion.

X. Adjournment

Motion made by Comm. Kelly, seconded by Comm. Dickal, to adjourn at 9:55 p.m. On a voice vote, the PZC unanimously voted to approve the motion.

Respectfully submitted,

Sarah Vournazos  
Recording Secretary