

SHELTON PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
Tuesday, August 13, 2019
Shelton City Hall Auditorium
54 Hill Street, Shelton, CT 06484

PZC Commissioners Present: Anthony Pogoda, Vice-Chairman (Acting Chairman)
Elaine Matto, Secretary
Jimmy Tickey
Charles Kelly
Mark Widomski

PZC Commissioners Excused: Virginia Harger, Chairman
Ned Miller, Alternate
Nancy Dickal, Alternate

Also Present: Francis Teodosio, Attorney (left at 7:32 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

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CITY OF SHELTON
TOWN CLERK

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. Pogoda called the meeting to order at 7:00 p.m.

II. Pledge of Allegiance

All those who were present rose and recited the Pledge of Allegiance.

III. Roll Call

Comm. Pogoda identified members present.

IV. Executive Session

Hush It Up, updates and pending legal matters with Attorney Francis Teodosio.

Motion made by Comm. Matto, seconded by Comm. Kelly, to go into Executive Session at 7:05 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.

Motion made by Comm. Widomski, seconded by Comm. Kelly, to come out of Executive Session at 7:32 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 #3223: Mr. Alfride Gjeloshi, 503 Howe Ave, for a sign.
Mr. Nappi indicated that this sign is for Tino's Pizza.

Motion made by Comm. Matto, seconded by Comm. Kelly, to approve the sign for Appl. #3223. On a voice vote, the PZC voted unanimously to approve the motion.

2. Application #3244: ABC Sign Corp, 391 Bridgeport Ave, for a sign.
Mr. Larry Bork indicated that this proposed sign is illuminated and it is for Exhale Studio.
Mr. Nappi mentioned that this is a yoga/meditation studio which is about 2,000 sq. ft.

Motion made by Comm. Tickey, seconded by Comm. Matto, to approve the sign for Appl. #3244. On a voice vote, the PZC voted unanimously to approve the motion.

3. Application #2418: ABC Sign Corp, 515 Bridgeport Ave, for a sign.
Mr. Larry Bork indicated that this proposed sign is illuminated and it is for a day spa.

Motion made by Comm. Tickey, seconded by Comm. Kelly, to approve the sign for Appl. #2418. On a voice vote, the PZC voted unanimously to approve the motion.

4. Application #3245: ABC Sign Corp, 917 Bridgeport Ave, for a sign.
Mr. Larry Bork indicated that this proposed sign is for Pieces of the Puzzle. He stated that it is an aluminum sign with graphics on it.

Motion made by Comm. Kelly, seconded by Comm. Matto, to approve the sign for Appl. #3245. On a voice vote, the PZC voted unanimously to approve the motion.

5. Application #3251: Archer Sign, 100 Commerce Dr, for a sign.
Ryan from Archer Sign stated that this sign "is meant to be the same exact fabrication method as the Spotted Horse." He noted that this is a wing of Barnum Financial Group and Mr. Nappi said that it will also be used for training purposes.

Motion made by Comm. Tickey, seconded by Comm. Kelly, to approve the sign for Appl. #3251. On a voice vote, the PZC voted unanimously to approve the motion.

6. Application #3225: Hickory Mill Home LLC, 20 Sunrise Circle, for an in-law apartment.

Comm. Pogoda indicated that they need a professional drawing of the proposed in-law apartment. Mr. Panico said "an in-law apartment is normally an extension of the living space and it has to be properly interconnected." The Commissioners would like to receive a floor plan, to know where the entrances are and how it will blend with the

existing house.

Motion made by Comm. Widomski, seconded by Comm. Matto, to table the in-law apartment for which staff needs more information, for Appl. #3225. On a voice vote, the PZC voted unanimously to approve the motion.

VI. Public Hearing

A. Continuation of Application #19-17, PDD #63, R.D. Scinto and Pereira Engineering, 899 & 905 Bpt. Ave. petition for a Modification to the Statement of Use and Standards and Site Plan to PDD #63. Review, discuss and possible action.

Mr. Nappi indicated to the PZC that the engineer and fire marshal reports are in their packets which they then briefly discussed.

Comm. Pogoda opened up the public portion and Dr. Sheldon Yessenow, one of the owners of VCA Shoreline Veterinary Referral and Emergency Center, spoke to the PZC regarding Appl. #19-17. He stated he would like “some kind of accommodation to make visibility for traffic and for our sign to be seen by the public” and Mr. Panico said he feels “they can work with Mr. Scinto to have some of the vegetation cleared away to help improve that visibility.” Dr. Yessenow also expressed his concern about the retaining wall. Mr. Panico mentioned that they will meet with the engineer to address some of the minor issues on the site plan.

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

Mr. Panico read aloud the resolution regarding Appl. #19-17.

Motion made by Comm. Tickey, seconded by Comm. Kelly, to adopt the resolution for Appl. #19-17. On a roll call vote taken by Comm. Pogoda, the PZC voted as follows:

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

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

B. Continuation of Application #18-01, PDD #65, “Riverwalk Place Apartments” located at 356-358 Howe Avenue, John Ruffalo and Perry Pettas, petition for a Modification of PDD #65 for a Mixed-Use development including two retail spaces, 36 apartments and necessary parking. Review, discuss and possible action.

Attorney Dominick Thomas identified himself on behalf of the applicant. He indicated that in addition to the presentation there is a two-page handout which shows a picture of the dumpster and addresses the dumpster issues. He then gave a quick review of their previous presentation from the public hearing of July 31, 2019.

Mr. John Ruffalo, Architect, identified himself on behalf of the applicant and stated there are 35 units instead of 36 units. After speaking with Mr. Pettas' trash collectors, he noted that it was decided to use "plastic type dumpsters that are movable by hand with a six inch wheel" and the trash would be removed two or three times per week.

Attorney Thomas indicated that he received the engineer report, the fire marshal report and a letter from Norman Iannarelli, a resident of the Victorian Condos. Mr. Panico stated that the fire marshal used standard terminology in his letter saying "all driveways are considered fire lanes or fire access lanes." He would like the fire marshal to clarify his language in his letter because there is not enough vertical clearance underneath the building for the fire trucks.

Secretary Matto read aloud the letter addressed to the PZC, from Mr. Norman Iannarelli and dated July 30, 2019. The Commissioners then briefly discussed the height and the brickwork of the building. Mr. Panico noted that the general consensus is "more brickwork on the backend" and said that Mr. Ruffalo can then show the PZC his architectural drawings.

Motion made by Comm. Kelly, seconded by Comm. Matto, to close the public hearing for Appl. #18-01. On a voice vote, the PZC voted unanimously to approve the motion.

VII. Old Business

A. Application #19-12, "Vista Apartments LLC," 1039 Howe Ave, petition for a Zone Change from a R-1 to CA-3 zone on a site consisting of 1.96 acres. Review, discuss and possible action.

Attorney Stephen Bellis identified himself on behalf of the applicant and Mr. Panico read aloud the resolution regarding Appl. #19-12.

Motion made by Comm. Kelly, seconded by Comm. Widomski, to adopt the resolution for Appl. #19-12. On a roll call vote taken by Comm. Pogoda, the PZC voted as follows:

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

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

VIII. New Business

A. Application #19-19, PDD #7, Fairfield Realty Group LLC., 1000 Bpt. Ave. on 6.27 acres petition for a Modification to the Statement of Use and Standards of PDD #7. Accept and set public hearing.

Mr. Davis Owen identified himself on behalf of the applicant. Mr. Nappi stated this business is called "Weak Lashes and Brows" and that "they need to define that so the

public can have a clear understanding as what we are allowing.” Mr. Panico brought up signage and stated that the tenant will not be able to put signs in their windows because “the whole character of the building will change.”

Motion made by Comm. Widomski, seconded by Comm. Kelly to accept Appl. #19-19 and to set the public hearing date to 8/28/19 for Appl. #19-19. On a voice vote, the PZC voted unanimously to approve the motion.

B. Application #19-21, SEP Shelton LLC., AA Shelton LLC., AA Shelton Investor LLC., 710 Bpt. Ave. petition for a Zone Change from an Office Park District to a Planned Development District on 36.43 acres. Accept and set public hearing.

Comm. Widomski indicated that he would like all materials submitted to the PZC at least one week ahead of the scheduled meeting and Attorney Thomas stated that they will have their traffic study and full marketing and fiscal study by the end of August.

Motion made by Comm. Matto, seconded by Comm. Tickey to accept Appl. #19-21 and to set the public hearing date to 9/25/19 for Appl. #19-21 with the condition of receiving all materials submitted at least one week ahead of 9/25/19. On a voice vote, the PZC voted unanimously to approve the motion.

C. Application #19-20, Standard Petroleum, Inc. petition for Site Plan Approval at 429 Shelton Ave. on 1.13 acres. Accept, review and possible action.

Attorney Dominick Thomas identified himself on behalf of the applicant. He indicated this property was previously the Buck Stop. He noted that it is a pre-existing legal non-conforming use and said “they cannot expand the nonconformity in any fashion.” He stated the only change is to “take the 370 sq. ft. shed down and add to the back of the building 370 sq. ft. in order to place the storage and other uses for the convenience store inside the building.”

Attorney Thomas mentioned the handout which shows the site plan of the property with its changes. Mr. Mark Smith, Professional Engineer, reviewed the site changes and said the two new gasoline dispensers will go in the same location as the previous dispensers. He also said they will maintain the existing parking as well. He then reviewed the floor plan and said that they are proposing to make it more of a “modern type facility.” He also reviewed the elevations and stated that the roof will be new architectural shingles.

Mr. Mike Sloane of Standard Petroleum, spoke to the Commissioners regarding diesel fuel and stated that they plan to incorporate it into their dispensers. He mentioned they are hoping to open by the end of the year.

Motion made by Comm. Kelly, seconded by Comm. Widomski, to accept Appl. #19-20. On a voice vote, the PZC voted unanimously to approve the motion.

IX. Public Portion

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

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

X. Other Business

A. 8-24 Referral: Recommendation of water main extensions for Fairlane Drive, Millbrook Road and Short Street.

Motion made by Comm. Widomski, seconded by Comm. Tickey, to report favorably for the 8-24 Referral. On a voice vote, the PZC voted unanimously to approve the motion.

B. 8-24 Referral: Recommendation of a gas pipe extension for Aquarion/Eversource to cross the city conservation easement near Trap Falls.

Motion made by Comm. Tickey, seconded by Comm. Widomski to report favorably for the 8-24 Referral. On a voice vote, the PZC voted unanimously to approve the motion.

C. Comments from PZC Chairman and Subcommittee Chairman

Comm. Kelly indicated that Paul gave his report at their subcommittee meeting last Thursday regarding the property north of the bridge on Canal Street. Comm. Pogoda mentioned that the sign subcommittee's meeting will be postponed to the following week.

D. Staff Comments

Mr. Nappi indicated that they contacted DEEP and Fish and Game and put the #19-06 "Day Break Ridge" applicant in touch with them regarding the Bald Eagle's nest. Mr. Nappi stated that they have contacted the architect and engineer of Sperry Rail who will present a revised landscaping plan for Commerce Street and Huntington Street.

Comm. Widomski mentioned the signs (flags) at Walgreens on Center Street and he would like them removed. Comm. Pogoda then noted the signs (flags) in front of Stop and Shop and CX Plaza should be removed as well. Comm. Pogoda conveyed his concerns about the numerous vehicles at Anderson's Auto Service. He said that they are only supposed to have a total of 10 vehicles but there are about 20 now. He also said he would like Mr. Nappi to speak with the city and James Blakeman regarding the weeds/landscaping at Nell's Rock Rd along the curve cleaned up weekly.

E. Approval of Minutes

- i. June 11, 2019 – Regular Meeting Minutes
- ii. June 26, 2019 – Special Meeting Motions

Motion made by Comm. Kelly, seconded by Comm. Widomski, to approve the PZC

meeting minutes of 6/11/19 and 6/26/19. On a voice vote, the PZC voted unanimously to approve the motion.

F. Distribution of Minutes and Motions

- i. July 9, 2019 – Regular Meeting Minutes
- ii. July 31, 2019 – Special Meeting Minutes

XI. Adjournment

Motion made by Comm. Kelly, seconded by Comm. Widomski, to adjourn at 9:50 p.m. On a voice vote, the PZC unanimously voted to approve the motion.

Respectfully submitted,

Sarah Vournazos
Recording Secretary

