

SHELTON PLANNING AND ZONING COMMISSION  
SPECIAL MEETING MINUTES  
Wednesday, February 17, 2021  
Shelton City Hall Auditorium  
54 Hill Street, Shelton, CT 06484

PZC Commissioners Present: Virginia Harger, Chairman  
Charles Kelly, Vice-Chairman  
Jimmy Tickey (via telephone)  
Ruth Parkins (via telephone)  
Mark Widomski (via telephone and left at 6:50 p.m.)  
John Uysal, Alternate (via telephone and sat in for  
Comm. Matto)

PZC Commissioners Excused: Elaine Matto, Secretary  
Peter Laskos, Alternate

Also Present: Alexander Rossetti, Planning and Zoning  
Administrator  
Josh O'Neill, Assistant Administrator, Zoning  
Enforcement Officer  
Kenneth Nappi, Downtown Development Coordinator  
Anthony Panico, Consultant (via telephone)  
Stephanie Charboneau, Stenographer (via telephone)  
Sarah Vournazos, Recording Secretary

CITY OF SHELTON  
TOWN CLERK  
2021 FEB 25 AM 10:50

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).

I. Call to Order

Comm. Harger called the meeting to order at 4:40 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. Public Hearings

Comm. Harger read aloud the guidelines for the public hearing, advised copies of the Agenda were on the podium and how the public who wished to comment on the proposals being presented will be recognized by the Chair.

A. Continuation of Appl. #20-23, "Daybreak Ridge," Key Development LLC, at 85-97 River Road, petitions for a Modification of approved Special Exception Application #19-06, for 34 townhouse units in an R-3 Zone for an additional 2 units in "Building D" for a total of 36 units. This modification recognizes the existing residential zoning, approved Special Exception, and intends to expand on that approval. Review, discuss, and possible action.

Comm. Harger read aloud the public hearing notice for Appl. #20-23. She then provided some brief background information with the timeline.

Mr. Manuel Jose Silva, P.E. of Rose-Tiso & Co LLC, addressed the commission on behalf of the applicant. He indicated that Mr. Ken Schaible would like to have the two units which were removed at the request of the PZC to be reincorporated in Building D. He then noted the rock cut was not as high as originally anticipated and briefly reviewed the drainage plan. He stated the 36 units are compliant to the R-3 Zoning regulations.

Comm. Harger referenced page 4, item #6 on the resolution for Appl. #19-06 dated November 19, 2019 and prepared by Mr. Anthony Panico which says, "to accommodate proper building spacing and to avoid concerns of the Commission about the length of certain structures, the applicant has reduced proposed density by two units down to 34 units." Mr. Silva stated, "there is no longer a high vertical rise behind the building and the density is allowed in the zone." Comm. Kelly concurred with Comm. Harger about their density concern.

Mr. Kenneth M. Schaible identified himself in person and addressed the Commission. He stated, "I was not happy about the 34 count that was granted, we have 12.3 acres, we meet every standard requirement and the density is appropriate for this parcel." He referenced that former Comm. Pogoda was not happy with the 12 unit building and the buildings were then separated. He requested that all of the information in their original approval be brought into the modification incorporation file.

Comm. Tickey reminded the Commissioners he opposed this project from the beginning, noting his concerns of the retaining wall, topography, wildlife, water courses and the density and Comm. Uysal concurred. Comm. Parkins mentioned she was not a member of the PZC at that time and will be abstaining from the vote. Comm. Widomski noted the high numbers of the public who addressed the Commissioners in opposition.

A three-minute recess was observed at 5:12 p.m. and the meeting resumed at 5:15 p.m.

Comm. Harger opened up the public portion and the following members of the audience spoke in person regarding Appl. #20-23:

1. Debbie Lodato, Shelton, CT addressed the Commissioners in person. She spoke about her blasting concerns and Mr. Rossetti noted the fire marshal blasting protocols.

2. Mr. Peter Gomis, Shelton, CT addressed the Commissioners in person. He inquired about Building D proximity to the property line.
3. Mr. Chad McNeil, Shelton, CT addressed the Commissioners in person. He indicated he contacted the fire marshal's office regarding damage to his property's foundation and he is still waiting to be contacted.
4. Mr. William Tureck, Shelton, CT addressed the Commissioners in person. He mentioned he has questions for the applicant and Comm. Harger suggested he submit them to staff.

Mr. Manuel Jose Silva, P.E. of Rose-Tiso & Co LLC, addressed Mr. Gomis' question regarding the property line and he reviewed the scales.

Attorney Dominick Thomas from Cohen & Thomas addressed the Commission and he requested that the public hearing be kept open.

Motion made by Comm. Widomski, seconded by Comm. Tickey, to close the public hearing for Appl. #20-23. On a roll call vote taken by Comm. Harger, the PZC voted as follows:

Comm. Kelly – Aye	Comm. Widomski – Aye	Comm. Tickey – Aye
Comm. Uysal – Aye	Comm. Parkins – Abstain	Comm. Harger – Nay

The motion passed 4 to 1 to 1.

B. Initiation of Appl. #21-02, PDD #72, Dominick Thomas for Bishop Development LLC, at 760 – 762 River Rd., for a subdivision of PDD #72 from one (1) to two (2) lots.  
Review, discuss, and possible action.

Comm. Harger read aloud the public hearing notice for Appl. #21-02. She then provided some brief background information with the timeline.

Attorney Dominick Thomas from Cohen & Thomas addressed the Commission. He indicated there is a typo of 13,000 sq. ft. in paragraph 3 in the Statement of Uses and Standards and the correct number is 40,000 for minimum subdivided lot area sq. ft. He reviewed the proposed subdivision plans which showed the utilities and the parking.

Mr. Rossetti indicated that the subdivision was reviewed by the Conservation Commission who is asking for an easement of 75 feet in the back of the property by the river. He stated "we agree with their intent, however a conservation easement is not the way to proceed." He then read aloud some of staff's comments.

Motion made by Comm. Kelly, seconded by Comm. Tickey, to close the public hearing for Appl. #21-02. On a roll call vote taken by Comm. Harger, the PZC voted as follows:

Comm. Kelly – Aye  
Comm. Uysal – Aye

Comm. Parkins – Aye  
Comm. Tickey – Aye

Comm. Widomski – Aye  
Comm. Harger – Aye

The motion passed 6 to 0.

Comm. Widomski inquired as to why the Conservation Commission was requesting the easement and Mr. Rossetti stated they wanted the easement to prevent any vegetation being disturbed. Mr. Rossetti noted there is already 100 feet “no disturbance area” and the easement would restrict public access. Mr. Panico said “there would also be a modification to the PDD because the PDD clearly states a non-disturbance line.”

Mr. Rossetti read aloud a motion regarding Appl. #21-02.

Motion made by Comm. Kelly, seconded by Comm. Parkins, to approve Appl. #21-02. On a roll call vote taken by Comm. Harger, the PZC voted as follows:

Comm. Kelly – Aye  
Comm. Tickey – Aye

Comm. Parkins – Aye  
Comm. Widomski – Aye

Comm. Uysal – Aye  
Comm. Harger – Aye

The motion passed 6 to 0.

#### V. New Business

##### A. COC Appl. #4561, Janice Vizzo, 6 Kathleen Rd., Accessory Dwelling Unit.

Ms. Janice Vizzo and Mr. Chris Fernandez identified themselves and addressed the Commission. They reviewed the architectural designs and Mr. Panico indicated there needs to be a common doorway between the living area of the existing unit and the living area of the proposed unit. Comm. Harger and Mr. Panico stated that the staircase leading to the garage does not meet their requirements. Comm. Harger recommended that the applicants, staff and Mr. Panico meet at a different time to further discuss.

Motion made by Comm. Widomski, seconded by Comm. Parkins, to table Appl. #4561. On a roll call vote taken by Comm. Harger, the PZC voted as follows:

Comm. Kelly – Aye  
Comm. Uysal – Aye

Comm. Parkins – Aye  
Comm. Tickey – Aye

Comm. Widomski – Aye  
Comm. Harger – Aye

The motion passed 6 to 0.

#### VI. Other Business

##### A. Minutes available for review on the website for the following meetings:

- i. February 9, 2021 – Regular Meeting

**B. Minutes for Approval**

- i. January 12, 2021 – Regular Meeting
- ii. January 20, 2021 – Special Meeting
- iii. January 27, 2021 – Special Meeting

Comm. Harger noted there is a typo of the word “exasperate” and it should be written as “exacerbate” in the January 20, 2021 Special Meeting Minutes. Comm. Parkins mentioned that there is a change where she indicated that the sidewalk should be installed. She stated that sidewalk should be installed the length of their property along Platt Road and suggest that the city install a cross-walk to the car wash in January 27, 2021 Special Meeting Minutes.

Motion made by Comm. Kelly, seconded by Comm. Parkins, to approve the PZC meeting minutes of January 12, 2021, January 20, 2021 and January 27, 2021 with the noted corrections. On a roll call vote taken by Comm. Harger, the PZC voted as follows:

Comm. Tickey – Aye	Comm. Uysal– Aye	Comm. Parkins– Aye
Comm. Kelly – Aye	Comm. Harger – Aye	

The motion passed 5 to 0.

**VIII. Adjournment**

Motion made by Comm. Kelly, seconded by Comm. Uysal, to adjourn at 6:55 p.m. On a roll call vote taken by Comm. Harger, the PZC voted as follows:

Comm. Kelly – Aye	Comm. Tickey – Aye	Comm. Uysal – Aye
Comm. Parkins – Aye	Comm. Harger – Aye	

The motion passed 5 to 0.

Respectfully submitted,

Sarah Vournazos,  
Recording Secretary