

SHELTON PLANNING AND ZONING COMMISSION
SPECIAL MEETING MINUTES
Wednesday, July 28, 2021
Shelton City Hall (VIRTUAL)
54 Hill Street, Shelton, CT 06484

PZC Commissioners Present: Virginia Harger, Chairman
Charles Kelly, Vice-Chairman
Elaine Matto, Secretary
Jimmy Tickey
Peter Laskos, Alternate (Sat in for Comm. Parkins)

PZC Commissioners Excused: Ruth Parkins
Mark Widomski
John Uysal, Alternate

CITY OF SHELTON
TOWN CLERK
2021 AUG -5 9:33
Raymond C. Fitzgerald

Also Present: Alexander Rossetti, Planning and Zoning
Administrator
Josh O'Neill, Assistant Administrator, Zoning
Enforcement Officer
Anthony Panico, Consultant
Kenneth Nappi, Downtown Development Coordinator
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
Chairman Harger called the meeting to order at 6:00 p.m.

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

III. Roll Call
Chairman Harger identified members present.

IV. Public Hearing
Chairman Harger read aloud the guidelines for the public hearing, and how the public who wished to comment on the proposals being presented will be recognized by the Chair.

1. Initiation of Application #21-14, Vales Developers, LLC, c/o Dominick Thomas, Old Orchard Road at Soundview Avenue (Assessor's Map 113, Lot 97), petitions for a re-

subdivision of “Lot 9, Harrington Manor,” to create two building lots in an R-1 zone. Review, discuss, and possible action.

Comm. Matto read aloud the public hearing notice for Appl. #21-14.

Chairman Harger indicated Appl. #21-14 was accepted for review on June 8, 2021. Mr. Rossetti mentioned he received an email from a man who expressed his concerns of water management.

Attorney Dominick Thomas from Cohen & Thomas addressed the Commission on behalf of the applicant. He stated, “the property from the adjacent property was purchased by my clients to create the size of the parcel that is going to be sub-divided into two conforming R-1 lots.” He mentioned the re-subdivision is compliant with the current R-1 standards. He then noted both of the lots will be on a septic system, but one of the lots will have public water while the other lot will have well water.

Mr. Fred D’Amico, Engineer, from D’Amico Associates addressed the Commission on behalf of the applicant. He mentioned he received a letter from the Health Department approving the sub-division but the Health Department will require an “in-depth site plan” be provided at the time of construction. He noted the increased water runoff from the impervious areas will be directed to galleys and will be shown on the site plan. He stated, “the galleys will be to the right of the two proposed dwellings.” Chairman Harger inquired about a possible flood from a 100-year storm and Mr. D’Amico replied, “the drainage will be designed to mitigate the 100-year flood.”

Motion made by Comm. Matto, seconded by Comm. Kelly, to close the public hearing for App. #21-14. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

Comm. Laskos – Aye	Comm. Tickey – Aye	Comm. Matto – Aye
Comm. Kelly – Aye	Chairman Harger – Aye	

The motion passed 5 to 0.

2. Initiation of Application #21-17, Daybreak Ridge, LLC, c/o Dominick Thomas, 85 River Road, petition for a Modification of approved Special Exception Application #19-06, for 34 townhouse units in a R-3 zone for an additional two (2) units in “Building D” for a total of 36 units. This modification recognizes the existing residential zoning and approved Special Exception Application. Shelton Zoning Regulations Section 33.6.2 and the bulk standards in Schedule B for a R-3 zone would permit 36 units on the property. Review, discuss, and possible action.

Comm. Matto read aloud the public hearing notice for Appl. #21-17.

Attorney Dominick Thomas from Cohen & Thomas addressed the Commission on behalf of the applicant. He indicated Key Development is the financier and Daybreak is the owner of the property. He mentioned the PZC approved the special exception for 34

units in December 2019 and he reminded the Commissioners of their discussion about rock cut concerns. Mr. Panico noted it was the applicant who reduced the number of units to 34 from 36 during the public hearing process and Comm. Kelly concurred.

Mr. Manuel Jose Silva, P.E. of Rose-Tiso & Co LLC, addressed the commission on behalf of the applicant. He reviewed the site plan, noting the sloping and grading. He mentioned there is a trench at the base of the slope to collect rain water or material, such as rocks or pebbles. Comm. Kelly inquired about the height from the trench to the top and Mr. Silva replied, "52 feet."

Comm. Tickey mentioned their previous and current concern with rock falling. Mr. Silva said, "we still have to do our benching here."

Attorney Thomas suggested the Commissioners speak with their Corporation Counsel for clarification of the standards. Chairman Harger indicated she would like the fire marshal's input in writing.

Motion made by Comm. Kelly, seconded by Comm. Laskos, to continue the public hearing to a later date for Appl. #21-17. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

Comm. Matto – Aye	Comm. Tickey – Aye	Comm. Laskos – Aye
Comm. Kelly – Aye	Chairman Harger – Aye	

The motion passed 5 to 0.

3. Initiation of Application #21-12, 79 Platt Road, LLC., c/o Chris Russo, Russo & Rizio, LLC., petition for amendment of the Zoning Regulations – Schedule A, Permitted Uses - Line 45 "Building contractors businesses and storage yards." This amendment proposes to allow Permitted Uses - Line 45, by Special Exception Application in the IA-2 zone classification. Permitted Uses - Line 45 is currently prohibited in the IA-2 zone.

Comm. Matto read aloud the public hearing notice for Appl. #21-12.

Attorney Christopher Russo from Russo & Rizio addressed the Commission on behalf of the applicant. He mentioned that since storage yards are already permitted in the IA-2 zone under section 24.7.3 of the regulations, the applicant is requesting that building contractors' business items (e.g. vehicles, wires, piping, etc.) be allowed in the IA-2 zone. He then reviewed the IA-2 zones throughout the city of Shelton.

Mr. Panico clarified that section 24.7.3 of the regulations are standards that apply when there is outside storage that is associated with a permitted use, and noted "it's not outside storage as the use." Attorney Russo said that his client would like to one day construct a building for his contractor vehicles and supplies, which would be under a different application.

Motion made by Comm. Kelly, seconded by Comm. Laskos, to continue the public hearing to a later date for Appl. #21-12. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

Comm. Matto – Aye Comm. Tickey – Aye Comm. Laskos – Aye
Comm. Kelly – Aye Chairman Harger – Aye
The motion passed 5 to 0.

V. Other Business

A. Minutes for approval:

i. July 13, 2021 – Regular Meeting

Chairman Harger requested the Regular PZC meeting minutes of July 13, 2021 be tabled because she would like Comm. Parkins to clarify some of her comments made in Appl. #4893.

Motion made by Comm. Tickey, seconded by Comm. Kelly, to table the Regular PZC meeting minutes of July 13, 2021. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

Comm. Laskos – Aye Comm. Kelly – Aye Comm. Tickey – Aye
Comm. Matto – Aye Chairman Harger – Aye
The motion passed 5 to 0.

B. Minutes available for review on the website for the following meetings:

i. July 21, 2021 – Special Meeting

VI. Adjournment

Chairman Harger adjourned at 8:14 p.m.

Respectfully submitted,

Sarah Vournazos,
Recording Secretary