

SHELTON PLANNING AND ZONING COMMISSION  
SPECIAL MEETING MINUTES  
Tuesday, August 17, 2021  
Shelton City Hall (VIRTUAL)  
54 Hill Street, Shelton, CT 06484

TRANSCRIBED, BUT NOT YET  
REVIEWED OR APPROVED BY SPZC

PZC Commissioners Present: Virginia Harger, Chairman  
Charles Kelly, Vice-Chairman  
Elaine Matto, Secretary  
Ruth Parkins  
Peter Laskos, Alternate (Arrived at 6:05 p.m. and  
seated for Comm. Widomski)

PZC Commissioners Excused: Jimmy Tickey  
Mark Widomski  
John Uysal, Alternate

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

2021 AUG 31 A 11:00 AM  
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](http://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.

A. Continuation of Appl. #21-10, "River Side Commercial," Riverside Retail Center, LLC. at 131 Canal Street (Assessor's Map 130, Lot 2), petition for a modification of Special Exception Application #15-17, in the River Front District (RFD) zone. This proposed modification intends to convert second-floor office space in an existing two-story retail/commercial building into eight apartments with onsite parking. The plans are titled "Riverside Commercial Center," were prepared by Guedes Associates, Inc. and Primrose Companies. Review, discuss, and possible action.

Chairman Harger indicated Appl. #21-10 was accepted for review on May 21, 2021 and a public hearing was held on July 21, 2021. She mentioned the Commissioners inquired about the adequacy of parking, handicap accessibility to the second floor and if there will be any affordable units set aside. She noted only one person spoke, expressing traffic concerns. She reminded the Commissioners they requested the following from the applicant: 1) a site plan showing the parking designated for Riverside Commercial and for the lofts, 2) the hours of operation for the restaurant, 3) documentation where the Adaptive Reuse does not require handicap access to the second floor and 4) comments from the traffic authority.

Mr. John Guedes, President of Primrose Companies, addressed the Commission. He indicated he submitted a parking plan as per the Commissioners request. Regarding the Adaptive Reuse Program, he noted he provided a copy of the regulation from the international code, and said, "it is more of a change of use, and when you have change of use in an existing building, you comply as much as you can concerning the existing condition." Regarding the hours of operation of the restaurant, he was informed that they are from 4:00 p.m. – 10:00 p.m. Mr. Nappi mentioned the traffic authority said they do not have any concerns but will keep them apprised if they see any problems.

Comm. Parkins asked Mr. Guedes about his decision for the conversion from office space to apartments. Mr. Guedes replied he has had the building completed for the past three years and it has also been on the market. He said, "if I felt as you do, that it would be appropriate to hold onto this space longer, I would do it. It's not going to happen." Mr. O'Neill then reviewed the parking plan but stated, "there are 15 spaces left over that need to be accounted for."

Motion made by Comm. Kelly, seconded by Comm. Matto, to continue the public hearing until a later date for App. #21-10. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

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

The motion passed 5 to 0.

B. Continuation of Appl. #20-22, "River View Park Royal," Dominick Thomas for Canal Properties, LLC., at 113-123 Canal Street (Assessor's Map 130, Lots 3, 4, 5, 6 and 7), petition for a Special Exception on 2.57 acres in the River Front District (RFD) zone.

This proposal is for a five-story mixed-use building with 11,000 square feet of retail/commercial space on the first floor and ninety-two (92) studio, one, two, and three-bedroom apartments with onsite parking. The plans titled "Park Royal" were prepared by J. Edwards & Associates, engineers, and Guedes Associates, Inc., architects. Review, discuss, and possible action.

Chairman Harger indicated Appl. #20-22 was accepted for review on June 8, 2021 and a public hearing was held on July 21, 2021. She mentioned she requested comments from the city engineer and the fire marshal. In addition, Mr. Panico had asked for an elevation of the rear of the building to be provided.

Attorney Dominick Thomas from Cohen & Thomas addressed the Commission on behalf of the applicant. He requested the public hearing be kept open since Appl. #20-22 will be on the PZC Agenda for September 9, 2021. He indicated he is waiting for comments from the Inland Wetlands Commission, who will also inform him if he has to apply to DEEP. Mr. Rossetti said the city engineer and the fire marshal will put their comments in writing at a later time.

Mr. John Guedes, President of Primrose Companies, addressed the Commission. He addressed the Commissioners' traffic concerns and said, "whatever traffic that is generated, it's nothing compared to the traffic that is going to continue to be generated north of the bridge." He then stated the revised plans show that he added another five parking spaces since he was short two – three parking spaces. He also mentioned he is going to provide eight affordable units. He further noted he revised the floor plans to show the efficiency units comply with the 600 sq. ft. requirement.

Motion made by Comm. Matto, seconded by Comm. Parkins, to continue the public hearing until a later date for Appl. #20-22. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

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

The motion passed 5 to 0.

C. Continuation of Appl. #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.

Chairman Harger indicated Appl. #21-17 was accepted for review on July 13, 2021 and a public hearing was held on July 28, 2021. She reminded the Commissioners of their discussion about the proposed adjustment to the angle of the slope behind Building B.

Comm. Kelly had inquired if the applicant qualified under the standards of their regulations for 36 residential units or if the applicant was limited to the 34 units approved in December 2019 by the PZC. Chairman Harger mentioned she requested a letter from the fire marshal about concerns of the layout of the various buildings, layout of the driveways and if the units are accessible for emergency vehicles.

Chairman Harger inquired if Corporation Counsel responded to the Commissioners' question of whether the applicant qualifies under their zoning regulations for 36 residential units. Mr. Rossetti replied, "the position of Corporation Counsel is that if the applicant can demonstrate to the Commission that all of the standards have been met and there are no major public safety or other concerns from the Commission that they need to justify, the applicant, by right, is given the number of units, in this case, that is applicable to the land."

Comm. Parkins recused herself for Appl. #21-17.

Attorney Dominick Thomas from Cohen & Thomas addressed the Commission on behalf of the applicant. He reminded the Commissioners the traffic report and the city engineers' report were written for 36 units.

Mr. Manuel Jose Silva, P.E. of Rose-Tiso & Co LLC, addressed the Commission on behalf of the applicant. He reviewed the revised plans showing the rock slope and the grading. He pointed out there is a 4 ft. black vinyl fence at the top of the slope.

Comm. Matto read aloud a letter dated August 5, 2021 from Rimas Balsys, City Engineer.

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

Comm. Kelly – Aye	Comm. Matto – Aye	Comm. Laskos – Aye
Comm. Parkins – Abstain	Chairman Harger – Aye	

The motion passed 4 to 0 to 1.

#### V. Other Business

##### A. Minutes for approval:

###### i. July 28, 2021 – Special Meeting

Chairman Harger stated she would like "and the city engineer to review the change in the slope behind Building B and to indicate his comments" to be added under Public Hearing, #2, Initiation of Appl. #21-17.

Motion made by Comm. Kelly, seconded by Comm. Matto, to approve the Special PZC meeting minutes of July 28, 2021 with the additional language. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

Comm. Matto – Aye	Comm. Laskos – Aye	Comm. Parkins – Abstain
Comm. Kelly – Aye	Chairman Harger – Aye	

The motion passed 4 to 0 to 1.

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

i. August 10, 2021 – Special Meeting

VI. Adjournment

Chairman Harger adjourned at 7:35 p.m.

Respectfully submitted,

Sarah Vournazos,  
Recording Secretary