

SHELTON PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
Tuesday, October 12, 2021
Shelton City Hall (VIRTUAL)
54 Hill Street, Shelton, CT 06484

PZC Commissioners Present: Virginia Harger, Chairman
Charles Kelly, Vice-Chairman
Elaine Matto, Secretary
Ruth Parkins
Jimmy Tickey
Mark Widomski
Peter Laskos, Alternate

PZC Commissioners Excused: John Uysal, Alternate

Also Present: Alexander Rossetti, Planning and Zoning
Administrator
Anthony Panico, Consultant
Sarah Vournazos, Recording Secretary

Absent: Josh O'Neill, Assistant Administrator, Zoning
Enforcement Officer

Excused: Kenneth Nappi, Downtown Development Coordinator

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. Applications for Certificate of Zoning Compliance

1. Appl. #5177, Makayla Kraynak (Butterfly & Sage) 320 Howe Avenue for a sign.

Ms. Makayla Kraynak, owner of Butterfly & Sage, a salon and crystal shop, addressed

Virginia Harger
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CITY OF SHELTON
TOWN CLERK

the Commission. She mentioned the sign has a burgundy outline to match Bello's Barber Shop and the butterfly is raised.

Mr. Larry Bork from ABC Sign addressed the Commission on behalf of the applicant. He indicated the sign is a non-illuminated panel sign with text and a dimensional butterfly logo. He noted the words "Butterfly & Sage" are vinyl graphics and will be on the aluminum sign background.

Comm. Tickey inquired about the lighting and Ms. Kraynak replied that the lights have been ordered and will be placed with the same positioning as Bello's Barber Shop.

Motion made by Comm. Kelly, seconded by Comm. Matto, to approve Appl. #5177 with the condition that a revised design layout be submitted to staff which includes a longer sign, a better font to match Bello's sign, two or three gooseneck lights and to be reviewed by the Zoning Sub-Committee. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

| | | |
|---------------------|----------------------|-----------------------|
| Comm. Parkins – Aye | Comm. Matto – Aye | Comm. Tickey – Aye |
| Comm. Kelly – Aye | Comm. Widomski – Aye | Chairman Harger – Aye |

The motion passed 6 to 0.

2. Appl. #5192, ABC Sign Corp (CeCe) 434 Howe Avenue for a sign.

Motion made by Comm. Tickey, seconded by Comm. Parkins, to table Appl. #5192. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

| | | |
|----------------------|--------------------|-----------------------|
| Comm. Parkins – Aye | Comm. Tickey – Aye | Comm. Kelly – Aye |
| Comm. Widomski – Aye | Comm. Matto – Aye | Chairman Harger – Aye |

The motion passed 6 to 0.

3. Appl. #5193, ABC Sign Crop (Polaris Crystals) 438 Howe Avenue for a sign.

Motion made by Comm. Tickey, seconded by Comm. Parkins, to table Appl. #5193. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

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|----------------------|--------------------|-----------------------|
| Comm. Parkins – Aye | Comm. Tickey – Aye | Comm. Kelly – Aye |
| Comm. Widomski – Aye | Comm. Matto – Aye | Chairman Harger – Aye |

The motion passed 6 to 0.

4. Appl. #5194, Bishop Dev't (Bushi Ban) 762 River Road for a sign.

Mr. Larry Bork from ABC Sign addressed the Commission on behalf of the applicant. He indicated Bushi Ban is a martial arts studio. The sign is to have illuminated channel letters that will be mounted to the sign ban. The Commission expressed they would like the sign to be consistent with the other signs on the building.

Motion made by Comm. Tickey, seconded by Comm. Kelly, to table Appl. #5194. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

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|---------------------|----------------------|-----------------------|
| Comm. Parkins – Aye | Comm. Matto – Aye | Comm. Tickey – Aye |
| Comm. Kelly – Aye | Comm. Widomski – Aye | Chairman Harger – Aye |

The motion passed 6 to 0.

5. Appl. #5208, Archer Signs (Marketplace) 811 Bridgeport Avenue for a sign. Chairman Harger indicated these signs are for a new restaurant where Ruby Tuesday was located.

Motion made by Comm. Widomski, seconded by Comm. Tickey to table Appl. #5208.

Mr. Bryan Vasser from Archer Signs, addressed the Commission on behalf of the applicant. He inquired about the time needed for a sign submission and said the Marketplace would like to open soon.

Motion made by Comm. Widomski, seconded by Comm. Tickey to withdraw the motion to table Appl. #5208.

The Commissioners discussed the signs and Comm. Parkins indicated she has no issue with the front sign which faces Bridgeport Avenue. Chairman Harger inquired about the gap between the wording of kitchen / bar and Mr. Vasser said, “it’s just elevated to get it higher off of the ground.” However, Comm. Parkins mentioned the billboard sign does not conform to their sign regulations.

Motion made by Comm. Widomski, seconded by Comm. Matto, to approve only the front sign on the front of the building for Appl. #5208 as it is presented now, with the circular logo to be possibly added later if the client desires based on what happens to the rest of the signage on the building. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

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|-------------------|----------------------|-----------------------|
| Comm. Matto – Aye | Comm. Parkins – Aye | Comm. Tickey – Aye |
| Comm. Kelly – Aye | Comm. Widomski – Aye | Chairman Harger – Aye |

The motion passed 6 to 0.

Motion made by Comm. Widomski, seconded by Comm. Matto to table the rest of the signs for Appl. #5208 for review by the Zoning Sub-Committee. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

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|---------------------|----------------------|-----------------------|
| Comm. Matto – Aye | Comm. Tickey – Aye | Comm. Kelly – Aye |
| Comm. Parkins – Aye | Comm. Widomski – Aye | Chairman Harger – Aye |

The motion passed 6 to 0.

V. Old Business

A. 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 that public hearings for Appl. #21-10 were held on July 21, 2021, August 17, 2021 and September 29, 2021. She noted parking requirements were reviewed, Mr. John Guedes gave his presentation and answered the Commission questions.

Comm. Widomski recused himself for Appl. #21-10 since he was not present for the public hearings and Comm. Laskos was then seated.

The Commissioners discussed Appl. #21-10 further. Comm. Matto said she feels office space would be feasible if Mr. Guedes chose to do so. Comm. Parkins noted she is in favor of this building being for commercial use and stated, "I think we really need to encourage as much mixed use as possible." Comm. Kelly indicated apartments would be a better fit and Comm. Laskos mentioned he is also in favor of residential use. Comm. Tickey hopes there is clarity about where residents can park and that they have documentation for an elevator not being needed if this building is going to be residential and Chairman Harger agreed with Comm. Tickey.

A two-minute recess was observed at 7:23 p.m. and the meeting resumed at 7:25 p.m.

Motion made by Comm. Laskos, seconded by Comm. Kelly to approve Appl. #21-10 with the condition that if an elevator is required, it will be addressed. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

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|--------------------|---------------------|-----------------------|
| Comm. Kelly – Aye | Comm. Matto – Aye | Comm. Laskos – Aye |
| Comm. Tickey – Nay | Comm. Parkins – Nay | Chairman Harger – Nay |

The motion failed 3 to 3.

VI. New Business

A. Appl. #21-23, PDD #85, "The Spotted Horse", Marc Murphy at 100 Commerce Drive for a Minor Modification of a PDD for a four – season outside dining area. Accept, review and possible action.

Chairman Harger re-seated Comm. Widomski.

Motion made by Comm. Matto, seconded by Comm. Tickey to accept Appl. #21- 23 for review. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

Comm. Parkins – Aye Comm. Matto – Aye Comm. Tickey – Aye
Comm. Kelly – Aye Comm. Widomski – Aye Chairman Harger – Aye

The motion passed 6 to 0.

Mr. Rossetti reminded the Commissioners that the applicant first applied for the covered outdoor patio during the beginning of the COVID-19 pandemic and he would like it to be permanent.

Mr. Marc Murphy addressed the Commission. He stated, “I’m not looking to seat anyone under the awning after November 1, 2021, I’m just looking to keep the canvas up year-round instead of taking it down.” Comm. Parkins inquired about a temporary structure versus a permanent structure in their regulations and Chairman Harger suggested for the motion to have a contingency in it requiring the building official and fire marshal’s approval of its safety factors.

Motion made by Comm. Matto, seconded by Comm. Kelly to approve Appl. #21- 23 contingent upon the building official and the fire marshal approving the safety factors and that the outdoor patio will not be used between November 1, 2021 – May 1, 2022. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

Comm. Parkins – Aye Comm. Matto – Aye Comm. Tickey – Aye
Comm. Kelly – Aye Comm. Widomski – Abstain Chairman Harger – Aye

The motion passed 5 to 0 to 1.

B. Appl. #20-21, PDD #100, "6 Todd Place," Willinger, Willinger, & Bucci for Final Detailed Development Plan approval for a 10,170 sf. retail development. Accept, review, and possible action.

Motion made by Comm. Kelly, seconded by Comm. Parkins to accept Appl. #20- 21 for review. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

Comm. Tickey – Aye Comm. Matto – Aye Comm. Widomski – Aye
Comm. Kelly – Aye Comm. Parkins – Aye Chairman Harger – Aye

The motion passed 6 to 0.

Attorney Diane Lord from Willinger, Willinger & Bucci, addressed the Commission on behalf of the applicant. She mentioned they have incorporated the Commission’s

suggestions and Mr. Panico confirmed, "in general, they responded to the concerns and conditions that were imposed on the original approval."

Motion made by Comm. Matto, seconded by Comm. Kelly to approve Appl. #20- 21 contingent upon additional landscaping if needed, the sidewalk would be installed at an appropriate time on Todd Road and the sidewalk installation would be at no cost to the city, signage would be clarified and determined at staff level and footings would be done appropriately for the wall as to not interfere with the installation of the sidewalk. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

| | | |
|---------------------|----------------------|-----------------------|
| Comm. Tickey – Aye | Comm. Kelly – Aye | Comm. Matto – Aye |
| Comm. Parkins – Aye | Comm. Widomski – Nay | Chairman Harger – Aye |

The motion passed 5 to 1.

C. Appl. #19-01, PDD #95, "Brookview Heights," Dominick Thomas for Final Detailed Development Plan approval of a four lot residential development. Accept, review, and possible action.

Motion made by Comm. Matto, seconded by Comm. Kelly to accept Appl. #19- 01 for review. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

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|---------------------|----------------------|-----------------------|
| Comm. Matto – Aye | Comm. Kelly – Aye | Comm. Tickey – Aye |
| Comm. Parkins – Aye | Comm. Widomski – Aye | Chairman Harger – Aye |

The motion passed 6 to 0.

Attorney Dominick Thomas from Cohen & Thomas addressed the Commission on behalf of the applicant. He mentioned the applicant had to go to DEEP because after the numerous test pits were dug on the site, a tire wall was discovered. He then requested Appl. #19-01 be tabled so they may have an additional meeting to further review the revised Final Development Plans.

Motion made by Comm. Kelly, seconded by Comm. Tickey to table Appl. #19- 01. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

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|---------------------|----------------------|-----------------------|
| Comm. Parkins – Aye | Comm. Matto – Aye | Comm. Tickey – Aye |
| Comm. Kelly – Aye | Comm. Widomski – Aye | Chairman Harger – Aye |

The motion passed 6 to 0.

VII. Public Portion: Anyone wishing to address the Commission on any item, not on the agenda.

No one made any comments from the public.

VIII. Other Business

A. Bond release for a \$15k maintenance bond for Sylvester's Way a private road for Appl. #15-04, PDD 80, Perry Hill Estates.

Mr. Rossetti indicated that staff is satisfied with the road and its conditions, and has conferred with the city engineer.

Motion made by Comm. Parkins, seconded by Comm. Tickey, to approve the bond release for Appl. #15-04. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

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|---------------------|----------------------|-----------------------|
| Comm. Matto – Aye | Comm. Kelly – Aye | Comm. Tickey – Aye |
| Comm. Parkins – Aye | Comm. Widomski – Aye | Chairman Harger – Aye |

The motion passed 6 to 0.

B. Comments from Chairwoman and Subcommittee Chairman

Chairman Harger indicated she attended the SEDC meeting held this morning. She mentioned Tighe & Bond will finalize Phase 2 and Phase 3 and prepare a remedial action plan by October 30, 2021 regarding Star Pin / Canal Street. She noted Tighe & Bond completed Phase 1, Environmental Site Plan Assessment and the SEDC plans to put out a remediation bid in the Winter of 2021.

She relayed there are some environmental land use restrictions which are being looked into by Corporation Counsel regarding Veteran's Memorial Park and Shelton Farm and Market area. She then noted there is a remedial action plan for 113-123 Canal Street, with a field investigation, data analysis and preparation of a report to be completed.

She reminded the Commissioners an Ad Hoc Committee was created over the Summer 2021 regarding 113 Canal Street West, and they are going to select an engineering company on October 20, 2021.

She would like staff to look into holding in-person PZC meetings and will resume discussion after the November 2021 election.

Comm. Widomski stated he is not running for re-election due to work commitments.

Comm. Kelly indicated he submitted a list of bullet points to staff which he would like to discuss. He also thanked Mr. Nappi for keeping them informed as to the downtown development.

Comm. Matto mentioned she would like applicants to submit their sign applications with more advance notice going forward, and Mr. Rossetti said he informs the applicants to submit them as soon as possible. The commission discussed potential lead times that would suffice for sign applications (e.g. 1 month notice).

C. Staff Comments

Mr. Rossetti mentioned there are upcoming public hearings, and that he and Mr. O'Neill will keep the Commission apprised.

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

- i. September 29, 2021 – Special Meeting

E. Minutes for approval:

- i. September 22, 2021 – Special Meeting

Mr. Rossetti indicated that Mr. Panico was not present at the September 22, 2021 and September 29, 2021 meetings and should be marked excused. Comm. Parkins then recused herself as she was not present as well.

Motion made by Comm. Kelly, seconded by Comm. Matto, to approve the Special PZC meeting minutes of September 22, 2021 as amended. On a roll call vote taken by Chairman Harger, the PZC voted as follows:

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|-------------------------|--------------------------|-----------------------|
| Comm. Tickey – Aye | Comm. Kelly – Aye | Comm. Matto – Aye |
| Comm. Parkins – Abstain | Comm. Widomski – Abstain | Chairman Harger – Aye |

The motion passed 4 to 0 to 2.

IX. Adjournment

Chairman Harger adjourned at 8:48 p.m.

Respectfully submitted,

Sarah Vournazos,

Recording Secretary