

SHELTON PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
Wednesday, January 15, 2025
Shelton City Hall (Virtual)
54 Hill Street, Shelton, CT 06484

PZC Commissioners Present: Virginia Harger, Chairwoman
Charles Kelly, Vice-Chairman
Elaine Matto, Secretary
Ruth Parkins
Jimmy Tickey
Robert Cristiano
Matt McGee, Alternate
Win Oppel, Alternate

TRANSCRIBED, BUT
NOT YET REVIEWED OR
APPROVED BY SPZC

Also Present: Alexandria Castro, Asst. Planning and Zoning Admin.
Stephanie Charboneau, Stenographer
Sarah Vournazos, Recording Secretary

USB disks, 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

Chair Harger called the meeting to order at 6:03 p.m.

II. Pledge of Allegiance

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

III. Roll Call

Chair Harger identified members present and gave the meeting protocol.

IV. Applications for Certificate of Zoning Compliance

A. ZBO-24-137 Roaring Boar, 509-517 Howe Avenue, for a business occupancy. Chair Harger indicated Appl. ZBO – 24 – 137 was discussed and tabled at the PZC meeting held on January 8, 2025. Ms. Castro relayed she researched PDDs along with the Statement of Uses and Standards regarding restaurants having live entertainment. Although she did not find anything specific about having live music in the regular or accessory use of the Statement of Uses and Standards, she found some information on the Certificates of Zoning Compliance for live music on outdoor patios. Chair Harger mentioned that staff would follow up if there were any complaints. Comm. Parkins noted that the applicants would have to indicate on their liquor license if they were having live entertainment.

Mr. Mathew Calandro, applicant, Shelton, CT addressed the Commission. He

said, “this is going to be a restaurant with entertainment, not an entertainment hall.” His restaurant will serve breakfast, lunch and dinner from 6:00 a.m. – 12:00 a.m. Thursday – Sunday. He stated, “we’re trying to reinvigorate the downtown area.”

Motion made by Comm. Matto, seconded by Comm. Tickey, to approve. On a voice vote taken by Chair Harger, the PZC voted 6 – 0 in favor of, with no Commissioner voting no or abstaining.

V. Public Hearing

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

- A. Application #24-29, 352 Coram Avenue, Robert Brouillette for Double J Associates LLC., for a site plan application under Schedule A, use line 24 in a CB-2 Zone, to increase the height of the building by adding two additional floors. Continuation of Public Hearing; review, discuss and possible action.

Chair Harger indicated that the public hearing for Appl. #24 – 29 opened on December 11, 2024. She mentioned that copies of emails and proposals to the owners of the two abutting properties and eight photos were posted to the City of Shelton’s website.

Mr. Joe Joyce, applicant, addressed the Commission. He relayed he mailed letters to his neighbors on both sides of Double J about specific accommodations he considered but did not receive a response. He then reviewed his letter which he mailed to his adjoining neighbor which also went unanswered. He believes he fulfilled his obligation to the PZC, noting “I offered fully funded solutions for both properties and prepared to negotiate in good faith as a neighbor.”

Mr. Joyce mentioned concerns raised by his neighbors, Mr. and Mrs. Charles Walker, at the PZC meeting on December 11, 2024. The Walkers do not want to lose the aesthetic view from the bathroom window which opens up to the current roof of Double J. Mr. Joyce noted he offered to replace the bathroom window with a skylight window at his expense. He mentioned he will repair the “cosmetic defects” of the Walker’s property and relayed that the Walkers do not think they will be able to rent their property if Double J expands. He then referenced the property owned by Mr. Ben Perry and Ms. Marci Anderson.

Mr. Joyce addressed some of the concerns raised by the Commissioners at the PZC meeting on December 11, 2024. He noted he does not serve food but allows customers to bring in food. He mentioned the public’s behavior, noting that he and his management team have made a “concerted effort to eradicate nefarious and negative behavior from taking place inside or outside the establishment.” Comm. Cristiano referenced the second-floor egress that

comes from the inside of the building which limits the capacity of Double J. He then cited the letter from the Fire Marshal which Chair Harger read an excerpt from.

Chair Harger opened up the public portion and the following members spoke regarding Appl. #24-29:

1. Mrs. Marysia Walker, Shelton, CT addressed the Commission. She indicated she has not replied to Mr. Joyce because she is not interested in moving forward with any of his proposals. She would like the bathroom window to remain and is going to make interior improvements of the building. She expressed her concern of not being able to rent her property in the future because “no one is going to want to actually sleep right next door separated by one wall next to that kind of noise level.”
2. Mr. Charles Walker, Shelton, CT addressed the Commission. He appreciates Mr. Joyce’s offers and would rather communicate to the Commissioners at the PZC meetings. He expressed he would like further clarification regarding covering a “utilitarian window” which was discussed in the PZC meeting of December 11, 2024. He said, “I don’t think this thing should be forced down our throats and we should have to give up that window.” He has owned the property since 2010 and relayed his concern of not being able to rent it in the future if Double J expands.
3. Mr. Chris McClanahan, Shelton, CT addressed the Commission. He has been a resident of Shelton for 19 years, with living in the downtown area for 14 years. He said that he really fell in love with the town and works in downtown Shelton. He knows some of the tenants who live in the Walker’s property and has not heard of any noise complaints. He enjoys going to Double J and stated that “it’s a really fun hangout.”
4. Ms. Marcy Anderson, Shelton, CT addressed the Commission. She opposes the addition of Double J and expressed her traffic concern. Her property extends behind Double J about 28 feet and noted, “we are not looking to share that in any way.”

Mr. Joyce replied to the public’s comments. He reiterated that he would like to expand Double J to hold private events and said, “I’m again negotiating in good faith.” He mentioned he does not want to inconvenience the other neighbors and will find an egress in the front of the building. Chair Harger inquired about doing so and Mr. Joyce responded that he could have another door coming out in front of the building and believes that is what Porky’s does.

Motion made by Comm. Cristiano, seconded by Comm. Parkins, to close the public hearing. On a roll call vote taken by Chair Harger, the PZC voted as follows:

Comm. Kelly – Aye Comm. Cristiano – Aye Comm. Tickey – Aye

Comm. Matto – Aye Comm. Parkins – Aye Chair Harger – Aye

The motion passed 6 to 0.

Ms. Alexandria Castro, Assistant Planning and Zoning Administrator addressed the Commission. She reminded the Commissioners that Appl. 24 – 29 is a site plan application which has 65 days for a decision and the cutoff date is on Friday.

Motion made by Comm. Matto, seconded by Comm. Kelly to reopen Appl. #24-29 for discussion.

The Commissioners discussed Appl. #24 – 29. Comm. Matto referenced the neighbors' concerns and noted that maybe the applicant could come up with some design changes which would address some of their issues. Comm. Cristiano relayed that there are "pre-existing circumstances" with the neighbors but appreciates the applicant's attempts to negotiate with them. Comm. Parkins agreed with Comm. Cristiano and is "not in favor of enlarging a business at the sake of small apartments that are up there, which is why I asked the question if the applicant had considered apartments." Comm. Tickey mentioned the applicant offering to make enhancements to the exterior of the building and said, "when you beautify your building or enhance your building, it does help the whole block."

Motion made by Comm. Cristiano to deny. Motion made by Comm. Cristiano to amend motion to deny.

Comm. Tickey requested clarity about a motion to deny without prejudice. Chair Harger responded that a motion to deny without prejudice is where the applicant can come back to the Commission and upon request to the Commission, the applicant would not have to pay the fees again.

Motion made by Comm. Cristiano, seconded by Comm. Kelly to deny without prejudice. On a roll call vote taken by Chair Harger, the PZC voted as follows:

Comm. Parkins – Aye	Comm. Kelly – Aye	Comm. Matto – Aye
Comm. Cristiano – Aye	Comm. Tickey – Aye	Chair Harger – Aye

The motion passed 6 to 0.

- B. Application 24-30, Steve Bellis for Stephen Shapiro, proposal to amend the Shelton Planning & Zoning regulations by adding Section 37: Age Restricted Residential Development. Initiation of Public Hearing; review, discuss and possible action.

Comm. Matto read aloud the public hearing notice for Appl. #24 – 30.

Chair Harger indicated that Appl. #24 – 30 was accepted for review on November 13, 2024. She mentioned that the application for a proposed new text change and a map by the NVCOG showing the roadways were posted to the City of Shelton’s website.

Attorney Stephen R. Bellis, New Haven, CT addressed the Commission on behalf of the applicant. He requested a continuance due to a schedule conflict.

Motion made by Comm. Tickey, seconded by Comm. Kelly, to continue the public hearing. On a roll call vote taken by Chair Harger, the PZC voted as follows:

Comm. Parkins – Aye	Comm. Kelly – Aye	Comm. Tickey – Aye
Comm. Cristiano – Aye	Comm. Matto – Aye	Chair Harger – Aye

The motion passed 6 to 0.

Ms. Alexandra Castro, Assistant Planning and Zoning Administrator addressed the Commission. She requested the applicant submit an extension letter since it was the “cutoff to open the public hearing.”

VI. Old Business

- A. Application #24-33, Dominick Thomas for David Chuckta for at 0 Constitution Blvd and 0 Weybosset St. (Assessor’s Map 92, Lots 65 & 85, Assessor’s Map 78, lot 123, and Assessor’s Map 93, lot 1), for an Application for a Special Exception to allow 23 cluster, single-family homes under Schedule A, Use Line 1D, Designed Residential District. Accept letter of withdrawal.

Motion made by Comm. Cristiano, seconded by Comm. Parkins to accept the letter of withdrawal. On a roll call vote taken by Chair Harger, the PZC voted as follows:

Comm. Matto – Aye	Comm. Kelly – Aye	Comm. Tickey – Aye
Comm. Cristiano – Aye	Comm. Parkins – Aye	Chair Harger – Aye

The motion passed 6 to 0.

VII. Public Portion

Chair Harger asked if there was anyone from the public who wished to comment.

Mr. Thomas Harbinson, Shelton, CT addressed the Commission. He referenced Executive Sessions and read an excerpt from the State of Connecticut Freedom of Information Act. He mentioned he was unaware of the “pending claims or litigation” regarding the three different applications which are open for 390 Shelton Avenue.

VIII. Other Business

A. Minutes for Approval

i. December 11, 2024 Minutes

Ms. Alexandria Castro, Assistant Planning and Zoning Administrator addressed the Commission. She pointed out that the motion is to accept a letter of withdrawal instead of an extension under item E in Old Business and on page 11.

Motion made by Comm. Matto, seconded by Comm. Cristiano to approve the December 11, 2024 PZC Meeting Minutes with the change noted by staff. On a voice vote taken by Chair Harger, the PZC voted 6 – 0 in favor of, with no Commissioner voting no or abstaining.

B. Executive Session – Update on pending legal matter: 390 Shelton Avenue.

Motion made by Comm. Kelly, seconded by Comm. Matto to go into Executive Session, inviting Attorney McCoy to attend the entire session and Ms. Castro to attend only until the point she has completed the connection and we are all elevated to participant status. On a voice vote taken by Chair Harger, the PZC voted 6 – 0 in favor of, with no Commissioner voting no or abstaining.

Motion made by Comm. Cristiano, seconded by Comm. Matto to come out of Executive Session with no votes taken and no applications were discussed. The only discussion had to do with the process and procedures related to the FOI information that was received during the public portion. On a roll call vote taken by Chair Harger, the PZC voted as follows:

Comm. Parkins – Aye	Comm. Kelly – Aye	Comm. Matto – Aye
Comm. Cristiano – Aye	Comm. Tickey – Aye	Chair Harger – Aye

The motion passed 6 to 0.

IX. Adjournment Chair Harger adjourned at 7:51 p.m.

Respectfully submitted,

Sarah Vournazos
Recording Secretary