

SHELTON PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES  
Wednesday, December 11, 2024  
Shelton City Hall (In Person & Virtual)  
54 Hill Street, Shelton, CT 06484

TRANSCRIBED, BUT  
NOT YET REVIEWED OR  
APPROVED BY SPZC

PZC Commissioners Present: Virginia Harger, Chairwoman  
Charles Kelly, Vice-Chairman  
Elaine Matto, Secretary  
Ruth Parkins  
Jimmy Tickey (Joined at 8:12 p.m.)  
Robert Cristiano  
Matt McGee, Alternate (Seated for Comm. Tickey until  
8:12 p.m.)  
Win Oppel, Alternate

Also Present: Alexandria Castro, Asst. Planning and Zoning Admin.  
Attorney Francis Teodosio, Corporation Counsel  
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](http://www.cityofshelton.org).

I. Call to Order

Chair Harger called the meeting to order at 6:12 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. Other Business

A. Executive Session – Update on pending legal matters

Motion made by Comm. Kelly, seconded by Comm. Parkins, to go into Executive Session inviting Attorney Teodosio, Ms. Castro, Mrs. Vazzano and Attorney McCoy when he arrives. On a roll call vote taken by Chair Harger, the PZC voted as follows:

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

The motion passed 6 to 0.

Motion made by Comm. Kelly, seconded by Comm. Cristiano, to come out of Executive Session and with no votes taken. On a roll call vote taken by Chair Harger, the PZC voted as follows:

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

The motion passed 6 to 0.

V. Applications for Certificate of Zoning Compliance

SIGN-24-41, Dominican Styles Beauty Salon, 132 Center Street, for a sign.

Comm. Matto reported that the sign subcommittee did not approve of the sign and the applicant will resubmit their new plans in January.

Motion made by Comm. Kelly, seconded by Comm. Matto, to deny without prejudice. On a voice vote taken by Chair Harger, the PZC voted 6 – 0 in favor of, with no Commissioner voting no or abstaining.

*Chair Harger recognized Comm. Tickey at 8:12 p.m. and unseated Alt. Comm. McGee.*

SIGN-24-42, Church of the Good Shepherd, 186 Coram Avenue, for a sign.

Comm. Matto reported that the sign subcommittee did not approve the original sign. Ms. Castro showed the Commissioners the revised sign and relayed that the applicant took into account the sign subcommittee's recommendations.

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

SIGN-24-43, Kickback Café & Lounge, 415 Howe Avenue, for a sign.

Chair Harger indicated that Kickback Café & Lounge is owned by the same owner as Kickstart Café.

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

ZBO-24-137, Roaring Boar, 509-517 Howe Avenue, for a business occupancy.

The Commissioners agreed to table the application since the applicant was not present.

Motion made by Comm. Kelly, seconded by Comm. Parkins, to table the business occupancy. On a voice vote taken by Chair Harger, the PZC voted 6 – 0 in favor of, with no Commissioner voting no or abstaining

BRES-24-740, Paolo Mancuso, 7 Red Fern Ridge, for an ADU.

Mr. Paolo Mancuso addressed the Commission. He indicated the addition is for his 78-year-old mother-in-law and it will be built where the gazebo is located. He noted that there will be a heated insulated hallway which will connect from “our main dining room area into the area that she will be living in.”

Chair Harger read aloud Section 45.6.1 of the regulations regarding accessory dwelling units. She mentioned that the word “hallway” is a synonym for the word “breezeway.” Mr. Mancuso said, “it’s technically a hallway because it’s going to be all open and a breezeway is...something that is enclosed.” He then referenced the outdoor kitchen which his mother-in-law will access through the hallway and Ms. Castro displayed the rendering.

Mr. Ron Baia, Zoning Enforcement Officer for the city of Shelton, CT addressed the Commission. He relayed that he interpreted it being a hallway and not a breezeway. He mentioned that breezeways are “generally open-air kind of covered walkways” and this hallway is insulated, heated, enclosed and free flowing into the ADU. He noted there is no door and a common wall would be at the opening to adjoin the ADU to the main house. Comm. Cristiano agreed with Mr. Baia that the common wall which attaches to the existing structure is the shared wall.

Chair Harger pointed out the windows located on both sides of the hallway and asked if it would be considered a breezeway if the applicant opened them. Comm. Matto mentioned that the regulations have been very strict with protecting the integrity of the single-family house and said, “I don’t think this defies that.” However, Comm. Parkins expressed her concern of it not meeting with their regulations. Comm. Tickey relayed that the applicant said he is going to sign the necessary paperwork and stated, “I think we need to be consistent...it still just seems that it is a passageway to a separate entity.”

Motion made by Comm. Matto, seconded by Comm. Kelly, to approve the ADU.  
On a roll call vote taken by Chair Harger, the PZC voted as follows:

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

The motion passed 5 to 1.

## VI. New Business

- A. Application #24-34, “Huntington Affordable District,” B-WIZZ, LLC., at 390 Shelton Avenue (Assessor’s Map 89, lot 29) in and R-1 Zone for a Planned

Development District on +/-5.42 acres for 56 residential units under CGS 8-30g. Accept and set public hearing.

Motion made by Comm. Parkins, seconded by Comm. Kelly, to accept for review and set a public hearing. On a roll call vote taken by Chair Harger, the PZC voted as follows:

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

The motion passed 6 to 0.

- B. Application #24-35, PDD #109, 10 Long Hill Ave LLC at 10 Long Hill Avenue (Assessors Map 117B, Lot 49) in a CB-2 Zone, Final Site Development Plans for a three-story residential building consisting of 17 one-bedroom apartments and on-site parking. Accept and schedule date for review.

Motion made by Comm. Kelly, seconded by Comm. Matto, to accept and set a date for review. 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.

- C. Application #24-36, PDD #91, Dominic Thomas for Fountain Square LLC., and FS Shelton LLC., for Final Site Development Plans, consisting of a minor modification; rotating the previously approved location of the specialty grocer known as “Trader Joes” by 180 degrees. Accept and schedule date for review.

Motion made by Comm. Kelly, seconded by Comm. Cristiano, to accept and set a date for review. On a roll call vote taken by Chair Harger, the PZC voted as follows:

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

The motion passed 6 to 0.

## VII. 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 #24-19, Dominick Thomas for David Chuckta at 0 Constitution Boulevard & 0 Weybosset Street, (3 parcels: Assessor's Map 92, lot 85; Assessor's Map 78 Lot 123; Assessor's Map 93 Lot 1) for a zone change from R1 and R2 to R-3 zoning. Continuation of Public Hearing; review, discuss and possible action.

Chair Harger indicated that Appl. #24-19 was accepted for review on July 10, 2024 and the public hearing opened on July 16, 2024. She mentioned that the following items were posted to the city's website prior to the opening of the public hearing: an application for a zone map amendment, an updated site plan, a map of area properties within 500 feet, five pieces of correspondence, a petition from residents, two requests from the applicant for an extension, sign posting photos and certificates of mailing. She noted that since the opening of the public hearing, the following materials were received: minutes from the Conservation Commission June 7, 2017 meeting, November 20<sup>th</sup> letter from the applicant's attorney granting an extension to complete the public hearing, two clearing comparison maps and a December 6<sup>th</sup> letter from the Conservation Commission.

Attorney Dominick Thomas from Cohen & Thomas, Derby, CT addressed the Commission on behalf of the applicant. He reminded the Commissioners that his applicant wanted access off of Constitution Blvd. to develop his properties located in mixed zones and staff suggested that there be an egress off of Weybosset Street. There was public opposition and the application was withdrawn. Staff agreed that open space should be preserved and there was then a discussion of using the Design Residential District (DRD).

Attorney Thomas asked the Commissioners to read the minutes from the Conservation Commission June 7, 2017 meeting since the language is "very clear" and it relates to the zone change. He relayed that the Inland Wetlands Commission will review this application tomorrow and if the change to the text and the zone changes are approved, he said the applicant will go through the DRD. There cannot be a DRD in an R2 zone and the entire site would have to be an R3 zone.

Attorney Thomas mentioned that there would be some preservation to the Ivy Brook headwaters which is in the parcel and would be part of the development and not part of open space. He said, "the properties and that area would be part of the lots and the headwaters of Ivy Brook would be on somebody's property." However, there would be approximately six acres of open continuous space encompassing the Ivy Brook headwaters which the city would control. He read aloud the letter from the Conservation Commission.

Chair Harger opened up the public portion and the following members spoke regarding Appl. #24-19:

1. Mrs. Christine Fornabaio, Shelton, CT addressed the Commission. She has been a resident of Shelton for 50 years and referenced her letters and petitions in opposition. She asked, “why isn’t anybody listening to any of the public opinion; we don’t want it, we don’t need it, this is just an absolute horrendous use of land.” She would like the open space preserved as “it is the last open space on South Constitution Blvd...and the rezone would be detrimental to the Ivy Brook watershed.”
2. Mr. Matt Fornabaio, Shelton, CT addressed the Commission. He said, “this is a cash grab, greedy” and asked, “how does this zone change benefit the city of Shelton?”
3. Ms. Rebecca Douglas, Shelton, CT addressed the Commission. She has been a resident of Shelton for 50 years and would like the buffer of the woods to remain. She said, “that buffer is the only green area that we have left between us, Route 8, Bridgeport Avenue and Constitution Blvd.”
4. Mrs. Margaret Paulson, Shelton, CT addressed the Commission. She referenced her petition asking the city of Shelton to designate the Ivy Brook Greenway as a municipal park. She handed out GIS maps and read aloud Section 2-3-10 of the regulations. She mentioned that if there is no zone change, then the developer cannot build in an R1 zone.
5. Mr. David Paulson, Shelton, CT addressed the Commission. He opposes the zone change and then the applicant can build what they are allowed to do under the regulations for the current zone.
6. Mr. James Hamel, Shelton, CT addressed the Commission. He mentioned that his property will be impacted by the development and is concerned about the wildlife in the open space. He would like the buffer to remain. He said, “I’ve heard a lot of ‘we’ll give Shelton this if you do this for us’ and that’s not how it’s supposed to be.”
7. Mr. Kenneth McGovern, Shelton, CT addressed the Commission. He has been a Shelton resident since 1968 and has fond memories of playing in the woods as a child. He too would like the buffer to remain and is opposed to the “money grab, cluster housing.”

Mr. A.J. Grasso, Developer / Owner of Prestige Builders, LLC., Shelton, CT addressed the Commission. He referenced the buffer and said, “the best way to have a large buffer...is with the applications we have submitted.” He mentioned that if the zone change is not granted, then the property can be cleared from the property line to property line, other than where the Inland Wetlands Commission has authority.

Attorney Thomas responded to the residents' comments. He mentioned that approximately 16 – 18 units can be developed under the R1 zone. He referenced the buffer, noting under current zoning there is no imposition of buffers. He relayed that the property can be accessed through Sunset Drive and Woonsocket Avenue under current zoning. He brought up cluster housing and noted that there is a benefit of no public roads and it increases the buffer and open space.

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

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

The motion passed 6 to 0.

- B. 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. Initiation of Public Hearing; review, discuss and possible action.

Chair Harger indicated that Appl. #24-29 was accepted for review on November 13, 2024. She mentioned that the following items were posted to the city's website: the application, a letter from the applicant, initial and updated diagrams of the front and upper elevations and floor plans, letters from the city's building official and Fire Marshal requesting more detailed information, responses from the city's building official and Fire Marshal after reviewing additional information from the applicant, the street view of the property with the proposed building superimposed over it, public hearing notices and certified mail receipts.

Mr. Robert Brouillette, Shelton, CT addressed the Commission on behalf of the applicant. He mentioned he would like to increase the size of the bar, to install a second floor with a bar and a balcony and to make the third floor more of an office space.

Mr. Joe Joyce, Jr., Shelton, CT addressed the Commission. He is the business owner and noted that the building was built in 1955. He mentioned that the building is "crammed" between another one and there is a concrete staircase and a concrete wall. He said, "we really have no opportunity to grow while the surrounding population is growing."

Comm. Cristiano inquired about the wall and asked if there will be any windows. Mr. Brouillette replied that he has communicated with the Perry family who owns the apartment and will cover the porch and use the back

section as a form of egress. He relayed that there are no windows going up the back stairwell. The bar will not sell any food as there is no kitchen. He noted that there will be a 48-inch railing, "so no one can fall over." There will be a firewall on the building adjacent to it on the left and pointed out the window on the other building.

Comm. Parkins expressed her concern about the patio since it is a bar and no food will be served. She said, "you're just encouraging drinking with no food and I think that scenario and an open patio on a main street would be dangerous." Mr. Brouillette replied that the bar is for more of a sports crowd as they have televisions and dart boards. Mr. Joyce referenced Porky's second floor and noted that his expanded space would not be open all of the time. He stated, "the intention would be to cultivate more of a congregating space than we already have."

Chair Harger read aloud a letter from the Fire Marshal and Mr. Brouillette noting that there are egress windows on the third floor. Comm. Parkins mentioned the limited parking downtown and Mr. Joyce referenced the street parking spaces and the post office parking lot. There is a maximum of 88 people allowed in the bar per the Fire Marshal and Mr. Joyce stated that someone would monitor it.

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

1. Ms. Marcy Anderson, Shelton, CT addressed the Commission. She owns the six-family house next to the bar and said, "I do not think that this is a good idea to have this type of addition next door." She asked that the public hearing be kept open so she may have more time to review the floor plans.
2. Mr. Charles Walker, Shelton, CT addressed the Commission. He owns 348-350 Coram Avenue. He expressed his concern that his property will be negatively affected with regard to property value and rentability. He mentioned that noise was an issue in the past and asked how the noise will be controlled where his tenants will be able to sleep at night. He voiced his parking and safety concerns, noting that someone was shot three years ago in front of his building.
3. Mrs. Marcia Walker, Shelton, CT addressed the Commission. She expressed her concern for her tenants and does not want their windows to be "sealed up and closed off." She inquired about noise control and read aloud Section 33.18.5 of the regulations. She then read aloud Section 33.18.7, Architectural capability, and stated that this development will negatively impact the "well-being and livelihood of our current tenant."

Chair Harger referenced the sections read aloud of the regulations. Ms. Castro pointed out that Section 33 is for special exception applications and not for site plan applications. She indicated that Section 24.9 discusses windows. Mr. Brouillette mentioned that the footprint of the building is not being enlarged and not encroaching on the neighbors to the right in any way. However, he noted that the building to the left is close and is adding on as applicable. He referenced parking and that people walk from bar to bar. He said, “we’re not bringing loud music, we’re just bringing people to socialize.”

Ms. Castro recommended to withdraw or deny the application or request an extension if the next meeting is in January. Mr. Joyce referenced the neighbors and Mr. Brouillette relayed that they will send a certified letter to them. Mr. Brouillette said that he reached out to them but did not receive any response.

Motion made by Comm. Cristiano, 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. Matto – Aye
Comm. Tickey – Aye	Comm. Cristiano – Aye	Chair Harger – Aye

The motion passed 6 to 0.

#### VIII. Old Business

- A. Application #24-16, Dominick Thomas for Daybreak Ridge LLC., for a text amendment to Shelton Planning & Zoning Commission Regulation Section 34.1. Accept letter of withdrawal.

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

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

The motion passed 6 to 0.

- B. Application #24-17, Dominick Thomas for Daybreak Ridge LLC., at 85 River Road, (Assessors Map 94, Lot 89) for a Planned Development District for 20 townhouses and 20 one-bedroom units in accordance with Connecticut General Statutes 8-30g. Application #24-18, Dominick Thomas for David Chuckta for a text amendment to Shelton Planning & Zoning Commission Regulation Section 35, Table 1. Accept letter of withdrawal.

Motion made by Comm. Parkins, seconded by Comm. Kelly, to accept the letter of withdrawal. 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.

- C. Application #24-18, Dominick Thomas for David Chuckta for a text amendment to Shelton Planning & Zoning Commission Regulation section 35, Table 1. Review, discuss and possible action.

Chair Harger indicated that there was a cut and paste mistake which was in the published agenda from Appl. #24-17. There is no letter of withdrawal to accept for Appl. #24-18.

Chair Harger indicated that the public hearing opened on August 28<sup>th</sup> and closed on October 18<sup>th</sup>. She reminded the Commissioners that this application is regarding removing the setbacks from 75 ft to 0. She then reviewed the setback chart. She noted that the applicant is requesting that the setbacks from the track perimeter property line and the boundaries of outside of the property be eliminated altogether.

The Commissioner discussed Appl. #24-18. Comm. Kelly suggested that there be a 25 ft setback. Comm. Cristiano expressed he is in favor of a 20 ft minimum and that the Commission should “consider denying this application...I’m not comfortable changing a requirement for the whole city.” Comm. Parkins and Comm. Matto said there should be a setback. Chair Harger asked Ms. Castro to ask the applicant for an extension and to discuss further with Corporation Counsel.

- D. Application #24-20, Dominick Thomas for Crown Point II LLC at 0 Bridgeport Avenue and 48 Long Hill Crossroads. (Assessor’s Map 50, Lots 15 & 16) in an LIP zone for a Planned Development District, for a mixed-use commercial development to include a hotel, restaurants, grocery and retail. Accept letter of extension for continuation of the Public Hearing.

Motion made by Comm. Kelly, seconded by Comm. Matto, to accept the letter of extension. 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.

- E. Application #24-28, “390 Shelton Avenue” B-WIZZ, LLC., at 390 Shelton Avenue (Assessor’s Map 89, lot 29) in and R-1 Zone for a Planned Development District on 5.42 acres for 56 residential units under CGS 8-30g. Accept letter of withdrawal.

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

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

The motion passed 6 to 0.

IX. Public Portion

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

1. Mr. Thomas Harbinson, Shelton, CT addressed the Commission. He voiced that a town planner should be hired which would be very helpful. He suggested that the Commissioners read the open space plan as some of residents spoke about open space in an incorrect manner. He referenced ADU’s, noting that there are three homes in his neighborhood with second driveways. He brought up Appl. #24-07 which was denied on August 14<sup>th</sup> and he has yet to see an unfavorable resolution. He would like the Commission to receive a legal opinion regarding spot zoning and noted a case, the Town of Southington vs. Dominick.

X. Other Business

A. Comments from Chairperson and Subcommittee Chairpersons

Chair Harger mentioned she was unable to attend the SEDC meeting yesterday.

B. Staff Comments

Ms. Castro relayed that she received an email from an applicant apologizing for his absence from tonight’s meeting.

C. 2025 Planning & Zoning Commission Meeting Dates

Chair Harger indicated that the second and third meetings of the month are currently identified as special meetings. She mentioned that she was recently informed by Mr. Russell Blair, FOI Director of Education and Communication, that all of the meetings on the list which are filed with the Town Clerk for the calendar year are considered Regular meetings. If a regular meeting is cancelled or rescheduled then it is considered as a special meeting.

Chair Harger mentioned that city hall will be closed on February 12th for Lincoln’s birthday. The Commissioners discussed the dates and arrived at a

consensus of February 5<sup>th</sup> for their first February meeting.

Motion made by Comm. Kelly, seconded by Comm. Matto, to revise the meeting list to include February 5<sup>th</sup> to be the first meeting in February. On a voice vote taken by Chair Harger, the PZC voted 6 – 0 in favor of, with no Commissioner voting no or abstaining.

D. Minutes for Approval

i. November 13, 2024

Comm. Parkins mentioned that the motion did not indicate the discussion and would like the words “descriptive text removed” to be added at the end of the first sentence in the Playa Bowls sign application.

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

ii. November 20, 2024

Motion made by Comm. Cristiano, seconded by Comm. Kelly, to approve the meeting minutes as submitted. On a voice vote taken by Chair Harger, the PZC voted 5 to 0 to 1, in favor of, with Comm. Parkins abstaining but no Commissioner voting no.

XI. Adjournment Chair Harger adjourned at 11:18 p.m.

Respectfully submitted,

Sarah Vournazos  
Recording Secretary