

SHELTON PLANNING AND ZONING COMMISSION
SPECIAL MEETING MINUTES
Wednesday, September 27, 2023
Shelton City Hall (Virtual & In Person)
54 Hill Street, Shelton, CT 06484

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

PZC Commissioners Excused: Dan Onofrio, Alternate

Also Present: Alexander Rossetti, Planning and Zoning Administrator
Alexandrea Castro, Asst. Planning and Zoning Admin
Anthony Panico, Consultant
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 6:04 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. 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. Appl. #23-15, Dominick Thomas for 740 River Road LLC., at 740 River Road (Assessors Map 21, Lot 50) to establish a PDD and approve Initial Development Plans for 51 side-by-side residential condominiums and onsite parking. Initiation of public hearing, discussion and possible action.

Comm. Matto read aloud the legal notice regarding Appl. #23-15.

Chair Harger indicated Appl. #23-15 was accepted for review on September 13,

2023. She mentioned that the application for zone change, Statement of Uses and Standards, initial concept plans, architectural, building elevations, drainage report, and a map report were posted to the city's website.

Attorney Dominick Thomas from Cohen & Thomas, Derby, CT addressed the Commission on behalf of the applicant. He indicated that although the agenda references 51 duplex units, there are really 25 duplexes, 50 units and duplexes and one stand-alone unit. He mentioned the parcel is bounded by 762 River Road instead of 726 River Road as previously stated.

Chair Harger asked if the applicant has tried selling the property instead of applying for a zone change. She mentioned that the city has received inquiries asking if there are properties for light industrial use available. Attorney Thomas replied that when the owner purchased the property, the intent was to develop it for residential use.

Mr. Howard Saffan, Weston, CT owner, addressed the Commission. He indicated the parcel has three deplorable warehouses, noting that the "ability to renovate those warehouses is unrealistic in today's market."

Mr. James R. Swift, P.E., addressed the Commission on behalf of the Applicant. He reviewed the existing survey of the property and noted that the total site is 10.3 acres. He mentioned 1.83 acres of the site will be given back to PDD #72. He went over the site plan and pointed out the two-car garage for each unit. He referenced the 20 visitor parking spaces for three different areas and indicated there will be a total of 224 parking spaces.

Mr. Swift reviewed the grading plan and pointed out the two pipe discharges which go into watercourse in the northern section of the site. He mentioned the underground water retention and detention systems, noting he received approval from Inland Wetlands. He indicated that Inland Wetlands would like him to maintain the vegetation on the existing embankment, but he is planning to remove some invasive species. He then briefly went over the soil and erosion control plan, landscape plan, storm water detail plan and the low velocity sewer plan.

Mr. Joe Mingoello, Architect, Shelton, CT addressed the Commission on behalf of the applicant. He reviewed the architectural (floor plans) and the elevations for units a and b. He mentioned the buildings are "very traditional looking," and referenced the vertical siding and thin stone veneer on the lower level. Mr. Panico noted he would like Mr. Mingoello to consider an alternate garage door.

Comm. Parkins inquired about why Appl. #23-15 is eligible for a PDD. Attorney Thomas replied, "it exceeds the 20,000 square feet that is the requirement on River Road, it's in an IA-2 zone and it's not surrounded by residential." He referenced Section 34.1 of the Planning and Zoning regulations and noted that PDD's are not designated by use. Mr. Swift mentioned the parcel is located in a coastal management area and said, "the residential use is more in keeping with

the coastal area management intentions.”

Chair Harger inquired about the site remediation report. Attorney Thomas replied that the report was prepared at the request of the Planning and Zoning staff and shows that “the property was satisfactory for its use and the environmental issues had been addressed.”

Chair Harger asked about the storm water engineering report prepared by Mr. Swift. Mr. Swift replied that once the project was split, two reports were drafted and they “stand on their own.” Chair Harger referenced the annual maintenance checklist and asked Mr. Rossetti to have the Planning and Zoning staff monitor it. Chair Harger then wanted to know more about the EDR summary radius map report. Attorney Thomas replied that it is a document referencing the surrounding properties.

Mr. Panico expressed his concern about the proximity of the units and the driveways. He mentioned he is curious about how the parcel will be addressed by the coastal area management regarding it being on the waterfront.

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

The motion passed 6 to 0.

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

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

The motion passed 6 to 0.

Chair Harger opened up the public portion and the following member spoke regarding Appl. #23-15:

1. Mr. Thomas Harbinson, Shelton, CT addressed the Commission. He inquired about a lot line revision and if it has occurred with lot one. He referenced PDD #72, which generated a real estate transfer tax and noted it is not on the GIS system for an assessor map or lot. He asked how the road will be maintained during inclement weather and if there are any units designated for affordability. He spoke about the embankment and expressed his concern about “shoring” in a significant flooding event. He requested that this be referred to the Conservation Commission.

Attorney Thomas indicated that the parcel would be accomplished as a “free split” and PDD #72 was subdivided. He mentioned the road is private and there is no intent for affordable units. Mr. Swift referenced the driveways and said they are designed in accordance with the city, street and standards.

Mr. Saffan noted this is the last development he is going to build and said, “I want to build something that people are going to be proud of, and to finally enjoy the water.”

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

The motion passed 6 to 0.

- B. Appl. #23-16, PDD #72, Dominick Thomas for Bishop Development of Shelton, LLC., at 762 and a portion of 740 River Road (Assessors Map 21, Lots 35 and 50) for a Major Modification of a PDD. Modification of Initial Development Concept Plans and Amendment to the Statement of Uses and Standards for three-story, medical building with onsite parking. Initiation of public hearing, discussion and possible action.

Comm. Matto read the legal notice Appl. #23-16.

Chair Harger indicated Appl. #23-16 was accepted for review on September 13, 2023. She mentioned that the zone change application, second amended Statement of Uses and Standards, plans, architectural and a drainage report were posted to the city’s website.

Attorney Dominick Thomas from Cohen & Thomas, Derby, CT addressed the Commission on behalf of the applicant. He indicated that the first amended Statement of Use and Standards was when the property was subdivided. He mentioned that the proposed relocated entrance will have a T-intersection.

Mr. James R. Swift, P.E., addressed the Commission on behalf of the Applicant. He reviewed the site plans as well as the three phases. He indicated that the first phase is a retail building in the front, phase two is offices for OSG in the rear and the third phase is for the three-story medical building. He went over the grading and utility plan, soil erosion control plan, low velocity sewer plan and landscaping plan. He noted that Inland Wetlands would like to see a “comprehensively designed” plan for their review and that they have approved the discharge for storm water for phase three of PDD #72.

Mr. Panico expressed his concern regarding having only one driveway entrance for the 96,500 sq. ft. and 363 parking spaces. He inquired if there could be two

lanes separated by a median. He said, "I just want to make sure we have an entry and exit that will function properly under all circumstances."

Mr. Joe Mingoello, Architect, Shelton, CT addressed the Commission on behalf of the applicant. He briefly reviewed the floor plan and elevations.

Chair Harger opened up the public portion and the following member spoke regarding Appl. #23-16:

1. Mr. Thomas Harbinson, Shelton, CT addressed the Commission. He indicated there are different legal entities owning the property. He agreed with Mr. Panico regarding the double lanes for the driveway. He would like the Conservation Commission to review.

Attorney Thomas replied that at the final site development plan stage, those ownership issues will be addressed.

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

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

The motion passed 6 to 0.

V. Other Business

A. Minutes for Approval

i. August 30, 2023 – Special meeting

Motion made by Comm. Parkins, seconded by Comm. Kelly, to approve the PZC Special meeting minutes of August 30, 2023 contingent upon staff reviewing the spelling of the names. On a roll call vote taken by Chair Harger, the PZC voted as follows:

Comm. Tickey – Aye	Comm. Laskos – Abstain	Comm. Matto – Aye
Comm. Kelly – Aye	Comm. Parkins – Aye	Chair Harger – Aye

The motion passed 5 to 0 to 1.

ii. September 13, 2023 – Regular meeting

Motion made by Comm. Parkins, seconded by Comm. Kelly, to approve the PZC Regular meeting minutes of September 31, 2023. On a roll call vote taken by Chair Harger, the PZC voted as follows:

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

The motion passed 6 to 0.

VI. Adjournment: Chair Harger adjourned at 8:26 p.m.

Respectfully submitted,

Sarah Vournazos
Recording Secretary