

SHELTON PLANNING AND ZONING COMMISSION
SPECIAL MEETING MINUTES
Wednesday, February 21, 2024
Shelton City Hall (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
Jimmy Tickey (Joined at 6:40 p.m.)
Ruth Parkins (Left at 7:37 p.m.)
Peter Laskos
Robert Cristiano, Alternate (Seated for Ruth Parkins
from 7:37 p.m. – 9:20 p.m.)
Matt McGee, Alternate (Seated for Jimmy Tickey from
6:19 p.m. – 6:40 p.m.)

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 Hearings
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 #23-28, Dominick Thomas for 118 Armstrong Rd Shelton LLC., at 118 Armstrong Road (Assessors Map 19, Lot 10) for a PDD Zone change in an R-1 Zone, for 41 residential condominium units. Review, discuss and possible action.

Comm. Matto read aloud the legal notice for Appl. #23-28.

Chair Harger indicated that Appl. #23-28 was accepted for review on December 13, 2023. She mentioned that the application for PDD zone change, Statement of Uses and Standards, site plans, architectural floor plans and elevations, storm water management report, sign posting photos and a certificate of mailing were posted to the city's website. Ms. Castro noted she received a letter from Ms. Francine Dibiase which was also uploaded to the city's website.

Attorney Dominick Thomas from Cohen & Thomas, Derby, CT addressed the Commission on behalf of the applicant. He indicated the property abuts the United Illuminating substation along with its towers and transmission lines, the open space of Cranberry Hill Estates and the Stratford town line which is across the street. He mentioned the single-family structure will be converted into a three-bedroom condominium and "will be retained on the property in the front."

Mr. Jason Edwards, L.S., J. Edwards & Associates, LLC. Easton, CT addressed the Commission on behalf of the applicant. He reviewed the existing conditions survey, noting the proposal is to construct five condominium buildings. He went over the grading plan and said that the storm water will flow into underground retention chambers in the rear and into a large storm water basin in the front.

Chair Harger seated Alt. Comm. McGee for Comm. Tickey at 6:19 p.m.

Mr. Edwards pointed out a right-of-way which allows access to Partridge Lane. He indicated he is connecting to the sanitary sewer, noting he will install a new sewer main on Armstrong Road. He then reviewed the soil and erosion control plan and the landscape plan.

Mr. Panico stated that this is a "very intensive development." He expressed his concerns of the buildings being too close and the impervious coverage being 80%, which is "very high" for a residential area. He referenced the storm water, noting his concern about the volume of discharge being "significantly increased." Comm. Laskos mentioned a shed which the plot line goes through and inquired if there are any legal claims to it. Attorney Thomas replied that the encroachment would have to be removed if Appl. #23-28 is approved.

Mr. John Guedes, President of Guedes Associates (Primrose Companies), addressed the Commission. He mentioned that there are multiple units and said, "it's basically a typical townhouse style design with the exception that four of the buildings each contain a ranch unit to accommodate the ADA requirements." The units average between 1,200 sq. ft. – 1,600 sq. ft. and have two bedrooms, one and one-half bathrooms and a garage. However, the ADA units have a parking space instead of a garage. He noted he will provide the Commission with revised plans showing the elevations and balconies.

Chair Harger acknowledged that Comm. Tickey joined the meeting at 6:40 p.m.

Chair Harger opened up the public portion and the following members spoke regarding Appl. #23-28:

1. Mr. Thomas Harbinson, Shelton, CT addressed the Commission, twice. He inquired about how Appl. #23-28 qualifies for a PDD usage since the area is “entirely encompassed by residential zones.” He referenced the Town of Stratford and asked if it needs to be notified, given its close proximity to the proposal.
2. Ms. Margaret Paulson, Shelton, CT addressed the Commission. She mentioned she did not hear any discussion about “light noise.” She asked about blasting and voiced her concern about there being no open space.
3. Mr. Sergio Esteves, Shelton, CT addressed the Commission. He inquired about the sewers and expressed his blasting concern.
4. Mr. Chris Tureecheck, Shelton, CT addressed the Commission. He mentioned the units are dense for the residential area. He noted his concern about the water run-off and lack of greenspace.
5. Mr. Samuel Steiner Kocurek, Shelton, CT addressed the Commission. He referenced the Endangered Species Act and voiced his concern for the wildlife. He mentioned the other developments which are increasing the “social vulnerability of the Shelton population” and stated, “I’m rather worried with climate change and the impact of heat and water.”
6. Mr. Gilman LeBelle, Shelton, CT addressed the Commission. He indicated the acreage should be four acres instead of two acres. He then noted his traffic, water run-off and blasting concerns.
7. Ms. Remy Kocurek, Shelton, CT addressed the Commission. She said the development is a “complete mismatch” and voiced her density and storm water concerns.
8. Ms. Nancy Steiner, Shelton, CT addressed the Commission. She said, “I’m an original habitant, was there when the neighborhood first started.” She referenced Cranberry Pond, noting Yale conducted a study about it and it is one out of three “rare and unique” ponds that is located in the Northeast. She opposes Appl. #23-28 and stated, “this project is an insult to everyone who lives around it.”
9. Mr. Joseph Norton, Shelton, CT addressed the Commission. He mentioned he is concerned about the environment, traffic, water run-off and blasting. He stated, “I think this is not an appropriate use of this land.”
10. Mr. George Friend, Shelton, CT addressed the Commission. He referenced the PDD regulations along with the special development area and he voiced his concern about the United Illuminating substation being in a residential area. He mentioned the nearby homes have well water and

expressed that this development will reduce the water available for the wells.

11. Ms. Cris Petrucelli, Shelton, CT addressed the Commission. She inquired about emergency vehicles and suggested they should use Old Stratford Rd instead of the proposed pathway.
12. Mr. Richard Dibiase, Shelton, CT addressed the Commission. He asked about a buffer and expressed his concern for his well and privacy.
13. Ms. Francine Dibiase, Shelton, CT addressed the Commission. She inquired about the height of the buildings and mentioned that the City of Shelton does not remove the snow. She would like there to be a sidewalk and an area for the children to play.
14. Mr. Greg Wresilo, Shelton, CT addressed the Commission. He owns a business nearby which has been grandfathered since 1946. He expressed he is concerned about blasting and that the buildings are too high.
15. Ms. Robin Friend, Shelton, CT addressed the Commission. She stated, "I am extremely concerned about the devastation to the woods, we have no open space...and we bought to keep this nature in this area." She mentioned she has repaired the culvert many times since it overflows and the City of Shelton "will not hold up to their responsibility to do it."

Attorney Thomas replied to the public comments. He noted that the United Illuminating substation is not a residential use. He then referenced a previously approved former cluster development "which was done in a planned development district in the area."

Mr. Edwards responded to the public comments. He referenced the drainage system and said, "we did design everything in accordance with the Connecticut Department of Environmental Protection." He mentioned there will be blasting but it should be done under the City of Shelton's regulations.

Chair Harger requested that staff contact Corporation Counsel for his determination regarding Appl. #23-28.

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

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

The motion passed 6 to 0.

Chair Harger seated Alt. Comm. Cristiano for Comm. Parkins at 7:37 p.m.

- B. Application #23-29, PDD #100, Dominick Thomas for Six Todd Road LLC., at

6 Todd Road, (Assessor's Map 77, Lot 25) for a Major Modification to a PDD, Amendment to SOUS and IDCP, and Final Site Development Plans, reducing a 10,170 square foot retail building to a 3,690 square foot restaurant with drive thru. Review, discuss and possible action.

Comm. Matto read aloud the legal notice for Appl. #23-29.

Chair Harger indicated that Appl. #23-29 was accepted for review on December 20, 2023. She mentioned that an amended application for a PDD zone change, initial development concept plans, site plans, photometric plan, architectural and elevation floor plan, traffic study, traffic study narrative, roadway and traffic improvements, drainage report, sign posting photos and a certificate of mailing were posted to the city's website.

Attorney Dominick Thomas from Cohen & Thomas, Derby, CT addressed the Commission on behalf of the applicant. He reviewed the site plan which was previously approved in 2021. He referenced the intersection at Platt Road and Bridgeport Avenue, noting there will be "substantial improvements to the intersection."

Mr. Todd Ritchie, PE of SLR International Corporation, Cheshire, CT addressed the Commission on behalf of the applicant. He reviewed the site plan rendering and pointed out the two existing accesses. He indicated he is providing storm water quality treatment in their collection system. He went over the parking, noting the 37 parking stalls, two lanes for the drive thru and handicap parking spaces. He mentioned the utility plan, soil and erosion control plan and landscape plan.

Mr. David G. Sullivan, Traffic Engineer of SLR International Corporation, Cheshire, CT addressed the Commission on behalf of the applicant. He reviewed the traffic study, noting the 120 trips during afternoon peak hour and 200 trips during the Saturday lunchtime peak hour. Chair Harger requested that the page with the incorrect headings be resubmitted properly.

Mr. Sullivan indicated that he will need DOT approval for the design drawings including a revised signal plan. He mentioned that he will also need an encroachment permit. He noted his biggest concern is the queuing at the signal and the road improvement "will make the blockage of Todd Road less."

Chair Harger inquired if any consideration was made about turning the building 90 degrees, so that the "front entrance is facing Todd Road, not Platt Road and the drive-thru windows are now on the side facing the abutting property owner." Mr. Sullivan replied that this is a prototype and circulation pattern of McDonald's, and the drive-thru windows are in the "perfect location for exiting on Platt Road."

Comm. Tickey reminded the Commissioners that they discussed this site in 2021 and suggested that the new Commissioners familiarize themselves with

the material. He said, “we did not want a drive-thru at this particular location and we were told there would not be a drive-thru at this location.” He mentioned that the previously approved 10,170 sq. ft. building was for six to eight store fronts of small retail stores.

Mr. Dan Allen of Bohler, Hartford, CT addressed the Commission. He reviewed the elevations, building material and signs. We think it is “aesthetically pleasing and consistent with the surrounding area.” Chair Harger expressed she would like to see more earth tones and Attorney Thomas replied that they could discuss further.

Chair Harger opened up the public portion and the following member spoke regarding Appl. #23-29:

1. Ms. Margaret Paulson, Shelton, CT addressed the Commission. She suggested that the sidewalk be moved from the right side of Todd Road to the other side. She then mentioned garbage, noting she would like to see more receptacles.

Chair Harger inquired about a peer review regarding the circulation and the queuing, and the Commissioners agreed with having an outside firm except for Comm. Laskos and Comm. Cristiano.

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

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

The motion passed 6 to 0.

- C. Application #24-01, PDD #107, Dominick Thomas for B Wizz LLC., at 0 & 435 River Road (Assessor’s Map 66, Lots 3 & 4) to amend the Final Site Development Plan to add a 20-foot strip of land that was intended to be conveyed to the adjacent property owner at 261 Coram Road. Review, discuss and possible action.

Comm. Matto read aloud the legal notice for Appl. #24-01.

Chair Harger indicated that Appl. #23-29 was accepted for review on February 14, 2024. She mentioned that an application for a PDD zone change, initial concept development plans and final site development plans, Statement of Uses and Standards, site plans and a certificate of mailing were posted to the city’s website.

Attorney Dominick Thomas from Cohen & Thomas, Derby, CT addressed the Commission on behalf of the applicant. He mentioned that a 50 ft. strip of land was excluded from the initial concept plans and final site development plans which were approved in October. Further, he noted that a 20 ft. strip of land

was supposed to be encumbered by slope rights. However, he relayed that the property owner would like a 30 ft. strip of land around their property, noting that the 20 ft. strip needs to be added back into the PDD.

Chair Harger opened up the public portion and the following members spoke regarding Appl. #24-01:

1. Ms. Margaret Paulson, Shelton, CT addressed the Commission. She said, “this is really the continuation of ugliness” and then complimented 1 Laurel Heights Road (Gardner Heights) as a model.
2. Mr. Christopher Tureecheck, Shelton, CT addressed the Commission. He inquired about the timeframe of construction. He then voiced his pedestrian and traffic concerns.
3. Mr. Frank Tureecheck, Shelton, CT addressed the Commission. He is concerned about the removal of drainage area.

Mr. Panico stated that “there is no change to the physical plan, it’s simply adjusting a property line.”

Mr. Patrick O’Leary, P.E. at B-Wizz LLC., & retired from VHB, Wethersfield, CT addressed the Commission on behalf of the applicant. He replied that the timeframe for construction could begin in three to six months depending upon approvals.

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

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

The motion passed 6 to 0.

Motion made by Comm. Cristiano, seconded by Comm. Kelly, to approve Appl. #24-01 with an effective date of March 8, 2024. On a roll call vote taken by Chair Harger, the PZC voted as follows:

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

The motion passed 6 to 0.

V. Adjournment: Chair Harger adjourned at 9:20 p.m.

Respectfully submitted,

Sarah Vournazos
Recording Secretary