



# City of Shelton

Office of Planning and Zoning  
54 Hill Street  
Shelton, Connecticut 06484-3207

203-924-1555 Ext 1510  
Fax: 203-924-6980  
Email: r.schultz@cityofshelton.org

## MEMORANDUM

Richard D. Schultz, AICP  
Planning and Zoning Administrator  
Ext. 1361

Thomas Dingle  
Asst. P and Z Administrator  
Zoning Enforcement Officer  
Ext. 1351

Fred Wills  
Zoning Enforcement Officer  
Ext. 1320

To: John Anglace, President, Board of Aldermen

From: Richard D. Schultz, Planning and Zoning Administrator *RD*

Date: September 14, 2017

Re: 8-24 Referral: 45, 49, 53 and 57 Wesley Drive and City of Shelton Property

Please be advised that the Shelton Planning and Zoning Commission at their September 12, 2017 meeting voted unanimously to report favorably on allowing and authorizing the Mayor to negotiate the sale, lease and/or license of property owned by the City of Shelton for the purpose of resolving encroachment issues involving 45, 49, 53 and 57 Wesley Drive.

This recommendation was made pursuant to Section 8-24 of the General State Statutes.

cc: John Bashar, Esq., Administrative Assistant  
Paul DiMauro, Public Works Director  
Robert Kulacz, P.E., City Engineer  
Conservation Commission  
Theresa Adcox, Clerk, Board of Aldermen  
File

THE CITY OF  
**SHELTON**  
CONNECTICUT



Office of the Mayor

Mark A. Lauretti  
Mayor

## MEMORANDUM

**To:** Planning and Zoning Commission, c/o Rick Schultz, Planning & Zoning Administrator

**From:** John Bashar, Administrative Assistant, City of Shelton

**Date:** August 1, 2017

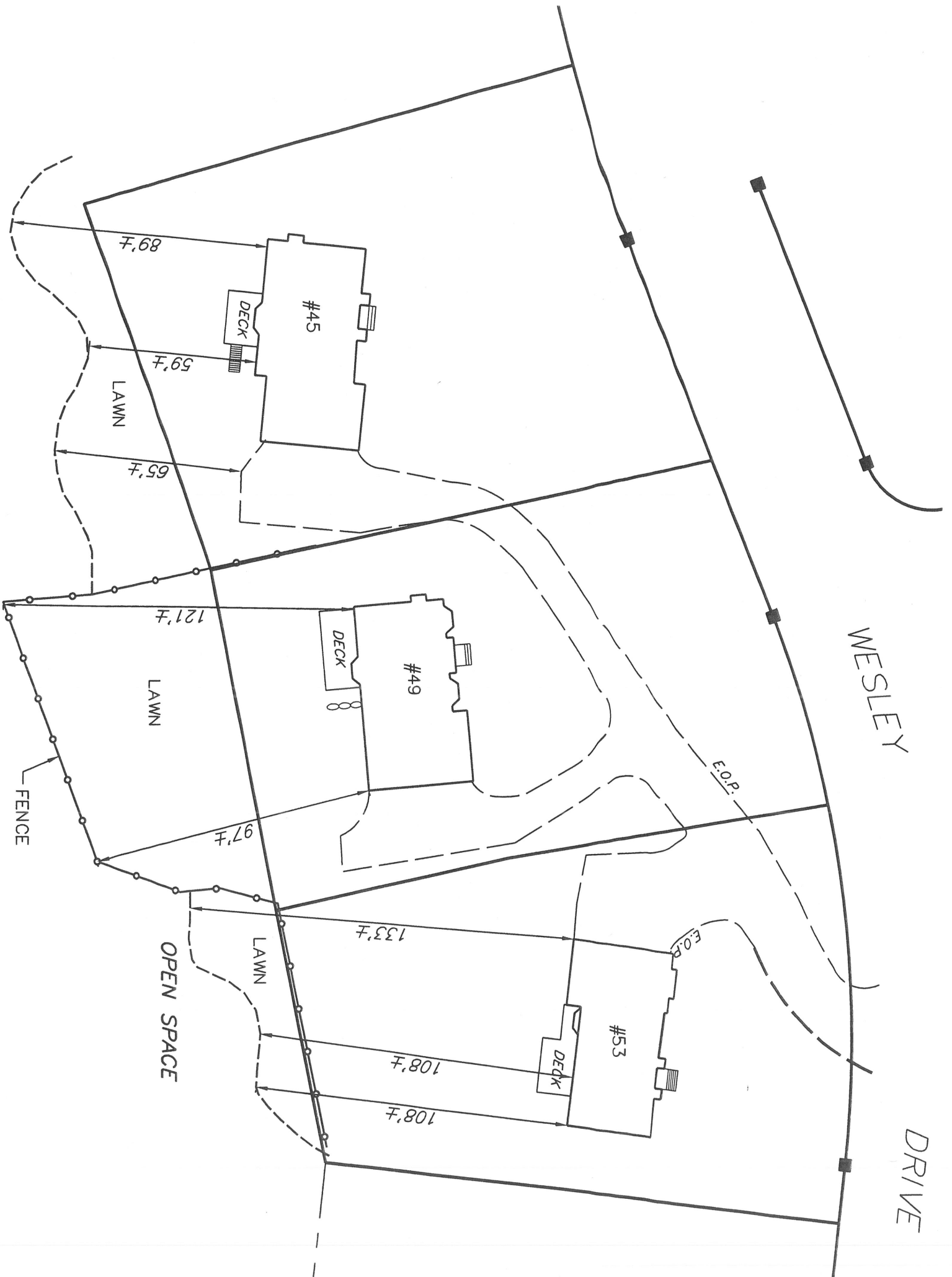
**Re:** #45, 49, 53 and 57 Wesley Drive and City of Shelton Property

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I am requesting an 8-24 Referral to the Planning and Zoning Commission for a favorable report allowing and authorizing the Mayor to negotiate the sale, lease, and/or license of property owned by the City to property owners at #45, 49, 53 and 57 Wesley Drive from the City of Shelton, for the purpose of resolving encroachment issues at the rear of each property owners' lots and the City property. I would appreciate it if you could schedule this for your next monthly meeting. If you have any questions, I would be happy to answer them. Thank you for your consideration.

John (Jack) Bashar, Esq.  
Administrative Assistant  
Office of the Mayor  
City of Shelton

Cc: Mayor Mark A. Lauretti  
John Anglace, President of the Board of Aldermen



7.68'

DECK

#45

LAWN

59' F.

65' F.

121' F.

LAWN

#49

DECK

97' F.

133' F.

LAWN

108' F.

#53

DECK

108' F.

OPEN SPACE

FENCE

WESLEY

DRIVE

E.O.P.

E.O.P.



203-924-1555 ext 1509  
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Email: shelton.eng@cityofshelton.org

**City of Shelton**  
Office of the City Engineer  
54 Hill Street  
Shelton, Connecticut 06484-3207

Robert F. Kulacz, P.E.  
City Engineer

Rimas J. Balsys  
Assistant City Engineer

SUBMITTED TO  
SEP - 8 2017

PLANNING & ZONNING

September 8, 2017

Richard D. Schultz  
Planning & Zoning Administrator  
City of Shelton  
54 Hill Street  
Shelton, CT 06484

Re: 45, 49 and 53 Wesley Drive, Encroachments onto City Open Space;  
8-24 Referral Request

Dear Mr. Schultz:

This office has no comments on the proposal to resolve the issue of the encroachments onto the City Open Space Property which abuts the rear (southeast) boundaries of these three adjoining properties.

The terms and conditions of any settlements should be shared with the Conservation Commission.

Very truly yours,

Robert F. Kulacz, P.E.  
City Engineer

Cc: Theresa Gallagher, Conservation Agent

File: Wesley Drive



City of Shelton  
Shelton Conservation Commission

54 Hill Street, Shelton, Connecticut 06484



SUBMITTED TO  
SEP 12 2017

PLANNING & ZONING

9/8/2017

John Bashar  
Administrator Assistant  
City of Shelton  
54 Hill Street  
Shelton, CT 06484

RE: Wesley Drive Encroachments (#45, 49, 53, and 57)  
8-24 Referral to license private use of Public Open Space

Dear Mr. Bashar:

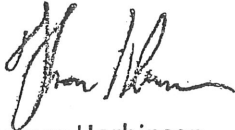
The Conservation Commission is aware of the above referenced 8-24 referral dated August 1, 2017, even though the Commission was not copied on the memorandum.

Conservation would note that the drawing attached to the 8-24 referral letter to the Planning and Zoning Commission is deficient since it does not include the swimming pool or playset in the open space behind house #49, or a map that shows the fourth property at #57. Further, the 8-24 request contains no description of the encroachments, history of the properties, or list any extenuating circumstances used as a rationale for granting a license for the exclusive private use of Public Open Space.

The Commission would especially draw attention to the significant encroachment at #49 and the owners' history with the Zoning Board of Appeals and the Conservation Commission. It is our understanding that the owners may be selling their home with a pool patio and playset in the Conservation area. They also maintain a chain-link fence and lawn area 70 feet deep into city property, even though the owners stated during a public hearing for their pool variance that they had had the property surveyed, knew where their property line was located, and understood that the city conservation area was not to be touched.

Granting a license for such action would set a precedent for the numerous other encroachments on city-owned conservation areas for which the Conservation Commission, Planning and Zoning Commission, and Board of Aldermen spend a great deal of time and money acquiring, and should not be treated lightly.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Harbinson". The signature is fluid and cursive, with the first name being more prominent.

Thomas Harbinson  
Chairman

cc: John Anglace, President, Board of Aldermen  
Richard Schultz, Planning & Zoning Administrator  
Robert Kulacz, City Engineer