



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
www.danbury-ct.gov

(203) 797-4525
(203) 797-4586 (FAX)

MINUTES
MAY 6, 2020

The web based meeting hosted on Zoom was called to order by Chairman Finaldi at 7:30 PM.

Present were Robert Chiochio, Arnold Finaldi Jr., Helen Hoffstaetter, Perry Salvagne, and Alternate Kevin Haas. Also present was Sharon Calitro, Planning Director, and Jennifer Emminger, Deputy Planning Director.

Absent were Joel Urice and Alternate Gary Renz

Chairman Finaldi asked Mr. Haas to take Mr. Urice's place for the items on tonight's agenda.

Mr. Salvagne made a motion to accept the April 15, 2020 minutes. Mr. Chiochio seconded the motion and it was passed unanimously by roll call vote.

CONTINUATION OF PUBLIC HEARINGS:

Julianna Lunetta, Trustee - Application for two (2) lot Re-Subdivision (1.288 ac.) - 41 Golden Hill Road. (H11130) - SUB #20-01.

Chairman Finaldi said the applicant has requested this public hearing be continued until the May 20, 2020 meeting with no testimony or discussion on it this evening. Mr. Haas made a motion to continue the public hearing. Mr. Chiochio seconded the motion and it was passed unanimously by roll call vote.

AL Real Estate Holdings LLC - Application for Special Exception/Site Plan Approval for Warehouse & Distribution Facility (LoStocco Auto Parts) in the IL-40 Zone - 94 Triangle Street (J14276) - SE #775.

Benjamin Doto PE spoke in favor of this application. He reiterated that this is a proposal to reuse and existing building for warehousing and distribution. He went over the

departmental comments and explained how he had addressed them. He said they had received an email from the City Traffic Engineer yesterday and he does not like the width of the driveway openings although they reduced them from seventy feet to forty feet. He then spoke extensively about the proposed changes to the existing driveways and the improvements to the front of the property. He said there had been some concern about the number of parking spaces; there were 30 dedicated spaces at the old location and there are thirty-seven spaces proposed at this new site. Lastly he said that they had added painted islands where the landscaped islands were eliminated by a variance. Mrs. Hoffstaetter asked if the plans are satisfactory to the Planning Department staff. Mrs. Emminger said this complies with the Regulations, it makes the site more conforming, and should be a vast improvement to the maneuverability of the property.

Chairman Finaldi asked if there was anyone to speak in opposition to this and there was no one.

Mrs. Hoffstaetter made a motion to close the public hearing. Mr. Salvagne seconded the motion and it was passed unanimously by roll call vote.

Mr. Haas made a motion to move this item to number 2 under Old Business for Discussion and Possible Action. Mrs. Hoffstaetter seconded the motion and it was passed unanimously by roll call vote.

OLD BUSINESS FOR DISCUSSION AND POSSIBLE ACTION:

Danbury Retail LLC - Application for Floodplain Permit for "Danbury Retail LLC", 81 Newtown Road (M11023) - SE #772.

Mrs. Emminger referred to the draft resolution and map that she had prepared regarding this application. This Commission granted approval on March 4, 2020 to allow the construction of a 4,249 sq. ft. building to be occupied by two tenants, a 2,446 sq. ft. fast food restaurant and a 1,802 sq. ft. retail tenant. In addition to the construction of the building, site work includes the redesign of the parking lot, associated grading, landscaping, the installation of a storm drainage system, and the construction of a concrete sidewalk and driveway apron. The site work resulted in approximately 335 cu.yds. of fill and the removal of 339 cu.yds. of soil, resulting in a net gain of 4 cu.yds. of floodplain storage. The entire property is located within the Numbered AE Flood Plain of the Lime Kiln Brook which has a base flood elevation of 292.3 ft. The finished floor elevation of the proposed structure is one foot above the base flood elevation and has access to ground that is above the base flood elevation so this complies with the requirements in the Zoning Regulations. Lastly she said the resolution includes the standard conditions requiring an elevation certificate and certification from the design engineer that the site was constructed in compliance with the approved plans.

Mr. Salvagne made a motion to approve this floodplain permit. Ms. Hoffstaetter seconded the motion and it was passed with five AYES (Chairman Finaldi, Ms. Hoffstaetter, Mr. Chiochio, Mr. Salvagne, and Mr. Haas).

AL Real Estate Holdings LLC - Application for Special Exception/Site Plan Approval for Warehouse & Distribution Facility (LoStocco Auto Parts) in the IL-40 Zone - 94 Triangle Street (J14276) - SE #775.

Chairman Finaldi said they moved this here to give Mrs. Emminger guidance to prepare a resolution, so he asked the Commission members for comments on the proposal. Mr. Chiochio said this is generally okay although he is concerned about the number of cars that will be parked on the site and the impact they could have on the truck traffic. Mrs. Hoffstaetter said she agrees with Mr. Chiochio that this is a tight site and this proposal is definitely an improvement over what is existing there. Chairman Finaldi said they did put a lot of thought into this layout and it is the best design given the constraints of the site. He added that it will be good to see the building used as vacant buildings are never a sign of a healthy economy. Mr. Salvagne said he agrees that they put a lot of thought into this and it definitely is an improvement.

REFERRALS:

8-24 Referral - April City Council Agenda Item # 5: Water and Sewer Extension Renewal - Great Plain Road.

Mrs. Emminger explained that this is a request to renew the sewer main and water main extension approvals for properties located in the Great Plain Road and Great Meadow Road area. The sewer extension was originally approved with conditions by the City Council in July 2014, The conditions were based on Planning Department and Engineering Division reports and included a density restriction that the sewer extension shall serve only 63 single-family dwelling units. Renewals were approved by Council in December 2015, June 2017, and October 2018, subject to the same conditions of the 2014 approval. The water extension was originally approved with the same conditions by the City Council in June 2017. A renewal was approved by Council in October 2018, subject to the same conditions of 2017 approval. Mr. Chiochio asked how long do we extend these approvals for. Mrs. Calitro said each approval by the City Council is good for eighteen (18) months. Mrs. Emminger explained that we do not have any development plans for this project, the utility connections need to be in place before they can do their design.

Mr. Salvagne made a motion to give this a positive recommendation with the same density restriction of sixty-three (63) single family dwelling units and also compliance

with the standard Public Works/Engineering Dept. requirements for sewer & water main extensions and all final plans and documents should be approved by Corporation Counsel prior to acceptance and recording. Mr. Haas seconded the motion and it was passed unanimously by roll call vote.

8-24 Referral - April City Council Agenda Item # 6: Sewer Extension Renewal - 3 Parker Street.

Mrs. Emminger said this also is a request to renew the sewer extension that was approved by the City Council in May 2018 for a single family dwelling. The property owner has not been able to complete the construction so he is requesting an extension.

Mrs. Hoffstaetter made a motion to give this a positive recommendation with the standard conditions: compliance with the standard Public Works/Engineering Dept. requirements for a sewer main extension and all final plans and documents should be approved as to form and content by the Office of the Corporation Counsel prior to acceptance by the City and recording on the Danbury Land Records. Mr. Chiocchio seconded the motion and it was passed unanimously by roll call vote.

8-24 Referral - April City Council Agenda Item # 7: Water Extension Renewal - 120-128 Osborne Street and 9 & 17 Cleveland Street.

Mrs. Emminger said that in October 2018, City Council approved the water main extension to serve the expansion of the Victorian Meadows development. The applicant had bought property on Cleveland Street in order to expand the development. In August 2018, the Planning Commission approved a revision to the Special Exception approval to allow the construction of an additional 13 units within the existing Victorian Meadows development. The original 39-unit affordable housing project was approved by the Planning Commission on October 21, 2009. Mrs. Emminger pointed out that the water main is already existing from Osborne Street but the Engineering Department thought it best to extend the main onto this site.

Mr. Salvagne made a motion to give this a positive recommendation with the standard conditions: compliance with the standard Public Works/Engineering Department requirements for a public water main extension and all final plans and documents should be approved as to form and content by the Office of the Corporation Counsel prior to acceptance by the City and recording on the Danbury land records. Mr. Chiocchio seconded the motion and it was passed unanimously by roll call vote.

8-3a Referral - Petition for BRT Sconset LLC to Add Section 4.I to the Zoning Regulations. (Create “Active Adult Residential Floating Zone: AAR”) Zoning Commission public hearing rescheduled for May 26, 2020. THIS ITEM WILL BE DISCUSSED AT THE MAY 20, 2020 PLANNING COMMISSION MEETING.

8-3a Referral - Petition for SC Ridge Owner LLC for a Zone Change from IL-40 to PND and approval of Master Plan, 100 Reserve Road (C16022). Zoning Commission public hearing scheduled for June 9, 2020. THIS ITEM WILL BE DISCUSSED AT THE JUNE 3, 2020 PLANNING COMMISSION MEETING.

Chairman Finaldi said that these two petitions would be discussed at another meeting and would be tabled this evening.

NEW BUSINESS:

8-3a Referral – Petition of D & B Wellness to Amend Sections 3.C.4., 5.A.2.b., 5.A.5., 5.B.2.b., 5.B.5. of the Zoning Regulations. (Medical Marijuana Dispensaries as Special Exception in CG-20 & CA-80 Zones) Zoning Commission public hearing scheduled for June 9, 2020.

Chairman Finaldi noted that this petition would be on file in both the Town Clerk's and the Planning & Zoning Offices.

Falcon Development Investment Co. LLC - Application for Floodplain Permit for 138 Deer Hill Ave. & 12 George St. (I15118 & I15110) - SP #20-04.

Chairman Finaldi noted that this application would be on file in the Planning & Zoning Office.

Chairman Finaldi asked if there was anything to discuss under Other Matters and there was nothing. He then said there was no Correspondence and one Floodplain Permit listed under For Reference Only.

At 8:25 PM, Mrs. Hoffstaetter made a motion to adjourn. Mr. Chiochio seconded the motion and it was passed unanimously by roll call vote.

Respectfully submitted,

JoAnne V. Read
Planning Assistant