



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
www.danbury-ct.gov

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MEETING NOTICE

Who: City Council – Ad Hoc Committee

When: **6:30P.M. – Wednesday, January 17, 2024**

Where: **3C** 3rd Floor
City Hall, 155 Deer Hill Avenue

Purpose: BRT Brookview Commons LLC Application for
Deferral of Assessment Increases

**Agenda Item on file in the Legislative Assistant's Office*

Committee Members, Department Representatives & Petitioners:

Frank Salvatore, Chair
Andrea Gartner, Council
Emile Buzaid, Council
Corporation Counsel Representative
Dan Garrick, Finance Director
Donna Murphy, Tax Assessor
Sharon Calitro, Planning Director
Antonio Iadarola, Public Works Director & City Engineer
Mayor's Office
BRT Brookview Commons, LLC

Posted: Town Clerk Information Board City Website Calendar

CITY COUNCIL MEETING JANUARY 4, 2024

The meeting will be called to order at 7:30 PM

PLEDGE OF ALLEGIANCE & PRAYER

ROLL CALL

Hawley, Rickert, Simone, Gartner, Salvatore, Peter Buzaid, Emile Buzaid, Coelho, Lapine, Ratchford, Dennis Perkins, VACANT, Palma, Robinson, Britton, McAllister, Duane Perkins, Chianese, Rotello, Giordano, Tomchik

___ PRESENT ___ ABSENT _1_ VACANT

PUBLIC SPEAKING

MINUTES - Minutes for the Special City Council Meetings held December 4 and 14, 2023 & the Regular City Council Meeting held December 5, 2023.

CONSENT CALENDAR

AGENDA

1. COMMUNICATION - Appointment to the City Council
2. COMMUNICATION - Fire Department Appointment: Deputy Fire Marshal - Elizabeth Schiller and Robert Natale
3. COMMUNICATION - Police Department Promotion - Stephen Hilderbrand to Lieutenant
4. COMMUNICATION - Police Department Promotion - Matthew Malone to Lieutenant
5. COMMUNICATION - Police Department Promotion - Christopher Belair to Sergeant
6. COMMUNICATION - Police Department Promotion - Stephen Gruse to Sergeant
7. COMMUNICATION - Police Department Promotion - Michael Iaquinto to Sergeant
8. COMMUNICATION - Police Department Appointments - Charlie Hernandez, Yimelfi Mercado De Mateo as Certified Police Officers
9. COMMUNICATION & RESOLUTION - Charter Revision Commission
10. COMMUNICATION - Appointment to Police Pension Board
11. COMMUNICATION - Appointment to Fire Pension Board
12. COMMUNICATION - Appointments to Government Entities Review Committee (GERC)
13. COMMUNICATION - Appointments to Margerie Trail Advisory Committee
14. COMMUNICATION - Request to Review Civil Service & Workforce Process

- 15. COMMUNICATION - 2022 Year End Re-Appropriations, Transfers and Fund Balances - Finance
- 16. COMMUNICATION - Donation of Funds for Ballistic Vests - Police Department
- 17. COMMUNICATION - Storm Drainage Extension - White St. to Ives St. (Savings Bank of Danbury)
- 18. COMMUNICATION - Release of City Easements to Savings Bank of Danbury
- 19. COMMUNICATION - BRT Brookview Commons LLC Application for Deferral of Assessment Increases
- 20. RESOLUTION - Process to Apply for Grant Funds
- 21. RESOLUTION - ARPA Reallocation of Funds - Finance
- 22. RESOLUTION - 2022 OPM JAG Violent Crime Prevention Grant Extension of Funding - Police Department
- 23. RESOLUTION - Will Eisner Graphic Novel Grants - Library
- 24. RESOLUTION - Libraries Transform Engagement Grant - Library
- 25. RESOLUTION - Peggy Barber Tribute Grant - Library
- 26. REPORTS - Ad Hoc: Chow House (Farrington Park) - Residential License
- 27. REPORTS - Ad Hoc: Main House (Farrington Park) - Residential License
- 28. REPORTS - Ad Hoc: Bear Mountain (Reservation) Cottage - Residential License

DEPARTMENT REPORTS

Police, Fire, Health & Human Services, Public Works, Permit Center, U.N.I.T., Elderly Services, Public Library, Tax Assessor

ADJOURNMENT

Copies of Agenda Items are available in the Legislative Assistant's Office and on the City's website.



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PLANNING & ZONING DEPARTMENT
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(203) 797-4525
(203) 797-4586 (FAX)

To: Mayor Roberto Alves
City Council Members

From: Sharon B. Calitro, AICP, Planning Director *SBC*

Date: December 20, 2023

Re: BRT Brookview Commons, LLC
Application for a Deferral of Assessment Increases pursuant to Code or Ordinances
Section 44-63
Tax Assessor Map Number I13034

We have received an application for a Deferral of Assessment Increases from BRT Brookview Commons, LLC, owner of the property located at 333 Main Street. The parcel is zoned C-CBD and is within the Downtown Revitalization Overlay Zone.

The proposed use of the parcel is for permanent residential use (apartments) with retail space fronting on Main Street. The request is for a 7-year deferral at 100 percent.

The application is attached. It meets the eligibility criteria in Section 44-63 of the Code of Ordinances. Please refer to Department comments as specifically noted on the application above my signature.

Attachments

c: Elisa Etcheto, Legislative Assistant
Dan Garrick, Finance Director
Taylor O'Brien, Mayor's Chief of Staff
Farley Santos, Community Services Coordinator
Donna Murphy, Tax Assessor
Les Pinter, Deputy Corporation Council
Dan Casagrande, Assistant Corporation Counsel
Robin Edwards, Assistant Corporation Counsel
Dan Bertram, BRT Brookview Commons LLC



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PLANNING COMMISSION
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**CERTIFIED COPY OF REVISED SITE PLAN APPROVAL WITH CONDITIONS
DATED JUNE 9, 2022
APPROVED ON JUNE 22, 2022**

APPLICATION FOR REVISED SITE PLAN APPROVAL

**Brookview Commons, Phase II
May 2022 Revision
333 Main Street (Tax Assessor Lot #113034)
Planning Code SE 767**

WHEREAS, the Danbury Planning Commission received an application on May 4, 2022 from BRT Brookview Commons, LLC, property owner, hereinafter referred to as the "applicant(s)", for approval of a Revised Site Plan Application to permit a directional change of the vehicular bridge from two-way traffic flow to a one-way traffic flow from Brookview Commons Phase II (333 Main Street) into Brookview Commons Phase I (30 Crosby Street) for the previously approved Brookview Commons, Phase II project, located at 333 Main Street; and

WHEREAS, there are no changes proposed to the width of the bridge, the project site or the building footprint.

WHEREAS, the Danbury Planning Commission approved a Grant of Special Exception/Site Plan on June 5, 2019 to permit a mixed-use commercial/residential development, consisting of 149 residential units and 1,800 square feet of retail and, additionally, the Commission approved a revised site plan in 2020 to change the renderings and finish materials, furthermore, the Department of Planning and Zoning approved a revised site plan application on May 26, 2022 for minor changes to the site related to landscaping, site lighting, and a detailed phasing plan; and

WHEREAS, staff has determined that the change to the traffic flow is considered a substantive change to the operation and functionality of the site and therefore should be presented to the Commission for approval and as a result, and in accordance with Section 10.D.7 of the Zoning Regulations, the applicant has submitted the proposed changes to the Commission for consideration and approval; and

WHEREAS, the plans and documents submitted by the Applicant, as referenced below, have been received and reviewed by the Planning Commission and, in conjunction with the submitted Application for Revised Site Plan Approval, are hereinafter referred to as the "Application" and shall be considered the record of said Application; and

WHEREAS, in accordance with Section 8-7d of the Connecticut General Statutes ("C.G.S."), the Planning Commission conducted a duly advertised Public Hearing that opened on June 1, 2022 and closed on June 1, 2022; and

WHEREAS, in addition to the Application, the record also includes testimony and related correspondence and staff reports on file in the Department of Planning and Zoning; and

WHEREAS, the Application has been reviewed by the City of Danbury Department of Planning and Zoning and the City Traffic Engineer; and

WHEREAS, all materials, plans and documents submitted by the applicant in support of the Application and reviews conducted or permits issued by the aforementioned City departments or Commissions are incorporated into the record of this Application and have been reviewed and considered by the Planning Commission and found to be credible and reliable; and

BE IT FURTHER RESOLVED, that the City of Danbury Planning Commission, after review of said Application, materials, receipt of Staff comments and consideration of all information incorporated into the record, hereby approves with conditions said Application for Revised Site Plan Approval, SE 767 (Tax Assessor Lot #113034); and

BE IT FURTHER RESOLVED, the conditions of said approval are as follows.

1. The project shall be developed in accordance with the map titled "Brookview Commons Phase II, 333 Main Street", Subtitled 'Bridge Circulation Plan', prepared by CCA, LLC, dated 4/8/22.
2. The applicant shall comply with the all other conditions outlined in the original Grant of Special Exception and Site Plan (SE 767) approved by the City of Danbury Planning Commission on June 5, 2019 and the Department of Planning and Zoning approval dated May 26, 2022, except as modified herein.

The following actions shall be taken prior to any land disturbance or alteration related to site improvements shown on the approved plans and issuance of any permits.

3. The City of Danbury Zoning Enforcement Officer ("ZEO") shall verify that development of the site as proposed and approved and shown on the site plans comply with City of Danbury Zoning Regulations.
4. The applicant shall file the Site Plan Approval on the City of Danbury Land Records and upon recording, the Applicant shall provide a copy of the receipt to the Department of Planning and Zoning. The Department shall then provide evidence to the ZEO that the Site Plan Approval has been duly recorded.

I DO HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND ACCURATE COPY OF THE REVISED SITE PLAN APPROVAL GRANTED BY THE CITY OF DANBURY PLANNING COMMISSION ON JUNE 15, 2022, FOR BRT BROOKVIEW COMMONS LLC, 333 MAIN STREET (113034), SE # 767.


JoAnne V. Read, Secretary to the
PLANNING COMMISSION

NOTE: AT THE TIME OF THE DPZ LETTER TO CITY COUNCIL ON 12.20.2023, IN ADDITION TO ANY OUTSTANDING REQUIREMENT PURSUANT TO #2 OF THIS APPROVAL, THE DPZ HAS NO RECEIPT OF THE REQUIRED RECORDING OF THIS APPROVAL PER CONDITION #4 ABOVE.



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**APPLICATION
FOR
DEFERRAL OF ASSESSMENT INCREASES ATTRIBUTABLE TO
CONSTRUCTION OR IMPROVEMENTS WITHIN THE CITY OF DANBURY**

Pursuant to §44-63 of the Code of Ordinances of the City of Danbury, this application must be completed and submitted to the Department of Planning & Zoning by all applicants seeking to secure a deferral of assessment increases on real property or air space for construction or improvements on property located within the City of Danbury.

Address/Location of Property: 333 Main Street, Danbury

Tax Assessor's Map Number: 113034 Town Clerk Map and Lot Number: 6196

Zoning District: C-CBD

Name, Address and Telephone Number of Owner (print):

BRT Brookview Commons, LLC 50 Newtown Road, Danbury, CT 06810 (203) 748-5100
(name) (address) (phone)

Name, Address and Telephone Number of Applicant/Agent/Lessee if other than owner (print):

(name) (address) (phone)

Proposed Use of New Construction or Improvements (as permitted in §44-63): Permanent Residential Use

Present Assessed Value of Property: \$18,486,160

Estimated Cost of New Construction or Improvements Subject to Deferral: \$15,900,000+

Length of Time and Percent of Assessment Increase Requested for Deferral for the cost of eligible construction or improvements specified above: 7 years - 100%

Indicate if the applicant agrees to enter into a written agreement with the City fixing the assessment of the real property, air space and all improvements thereon or therein and to be constructed thereon or therein, upon such terms and conditions as are specified by the City. Yes No

Is the property located within the Downtown Revitalization Zone? Yes No
Is the property located within the Main Street Historic District? Yes No

Required additional information.

Enclose plans and drawings and other required additional information with the Application.

The applicant is advised that all proposed construction and improvements to be undertaken are subject to the eligibility criteria specified in §44-63 of the Code of Ordinances and must comply with all municipal land use regulations and building and health codes.

Signature of Applicant/Agent: _____



Date: _____

12/12/2023

Print Name and Title: Daniel E. Bertram, Duly Authorized

FOR DEPARTMENT USE ONLY

The City Council of the City of Danbury:

The Department of Planning & Zoning has reviewed this "Application for a Deferral of Assessment Increases Attributable to Construction or Improvements" and has made the following determination of compliance with §44-63 of the Code of Ordinances.

- The real property or property subject to air rights is located within the City of Danbury.
- The property or property subject to air rights is current in the payment of taxes owed to the City or taxes owed to the Downtown Special Services District at the time of application.
- The applicant proposes to undertake construction or improvements to real property or property subject to air rights for uses eligible in §44-63.
- The amount and time period requested for the deferral complies with the limits specified in §44-63.

The following application materials have been submitted for review, as required.

- Application form
- Plans and Drawings **SEE ATTACHED**
- The Department finds that the application does meet the eligibility criteria in §44-63.
- The Department finds that the application does not meet the eligibility criteria in §44-63 for the following reasons.

COMMENT: CONSTRUCTION SHALL BE IN COMPLIANCE WITH ALL APPROVED FINAL PLANS

AND PROJECT SHALL COMPLY WITH ALL FINAL SPECIAL EXCEPTION/SITE PLAN

APPROVAL CONDITIONS

Signed: _____



Date: _____

12/20/2023

2022

Brookview Commons Phase 2 Improvements

1 General Requirements	\$ 815,616.00
2 Site Work	\$ 1,248,984.00
3 Concrete Covered Parking	\$ 2,490,314.40
4 Masonry	\$ 968,400.00
5 Metals	\$ 126,000.00
6 Wood & Plastics	\$ 1,951,750.80
7 Thermal	\$ 985,635.90
8 Doors & Windows	\$ 651,564.00
9 Finishes	\$ 1,371,954.60
10 Specialties	\$ 198,936.00
11 Equipment	\$ 345,600.00
12 Furnishings	\$ 502,200.00
13 Special Construction	\$ -
14 Conveying Systems	\$ 359,136.00
15 Mechanical	
Heating / Ventilation	\$ 1,034,136.00
Plumbing	\$ 1,185,318.00
Fire Protection	\$ 453,424.50
16 Electrical	
Electrical	\$ 1,163,592.00
Fire Alarm System	\$ 70,200.00
	\$ 15,922,762.20

**For the
complete
application
please refer to
your emailed *Jan. 6*
agenda.**