



**CITY OF DANBURY**  
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PLANNING COMMISSION  
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BY: J. G. [Signature]

**MINUTES**  
**JUNE 7, 2023**

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The meeting was called to order by Chairman Arnold Finaldi Jr. at 7:32 PM.

Present were Robert Chiochio, Kevin Haas, Helen Hoffstaetter, Perry Salvagne, and Arnold Finaldi Jr. Also present was Deputy Planning Director Jennifer Emminger and Associate Planner Allie Smith.

Mrs. Hoffstaetter made a motion to accept the April 19, 2023 minutes. Mr. Chiochio seconded the motion and it was passed unanimously by voice vote with five ayes (from Mr. Chiochio, Mr. Haas, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi). Chairman Finaldi announced that the May 17, 2023 minutes were not ready for tonight, so they will accept them at the next meeting, which is on June 21, 2023.

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CONTINUATION OF PUBLIC HEARING:

Tower Investment Group LLP – Application for Special Exception/Site Plan Approval for Apartment House (“The Legacy On Main”), Bank, Trip Generation in excess of 500 vehicle trips per day [Sec. 3.E.2.], and Required Parking in excess 100 spaces [Sec. 5.F.2.b.] in the C-CBD Zone -- 30 & 34 Main Street (I15254 & I15335) – SE #792.

Chairman Finaldi noted that as listed on the agenda, there would be no testimony or discussion on this matter at this meeting. Mr. Chiochio made a motion to continue this public hearing until the next meeting on June 21, 2023. Mr. Haas seconded the motion and it was passed unanimously by voice vote with five ayes (from Mr. Chiochio, Mr. Haas, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi).

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OLD BUSINESS FOR DISCUSSION AND POSSIBLE ACTION:

Blackman Enterprises LLC (Property Owner)/NSK Petroleum Wholesale Inc. (Prospective Purchaser) - Application for Special Exception/Revised Site Plan Approval for Automobile Service Station & Convenience Market (Secs 3.E.9. & 5.A.2.b.) and Trip Generation in

excess of 500 vehicle trips per day [Sec. 3.E.2.] in the CG-20 Zone – 32 Germantown Road (J11362) – SE #791.

Ms. Smith reviewed the draft agenda and pointed out some of the specific conditions which were included. She said the correction was made to change the word standard to painted crosswalk and also the discrepancy between the width of the bypass lane was changed from nine feet to eight feet. She then pointed out that condition #4 covers the queuing of vehicles, #7 requires the design of the crosswalk needing approval from the Planning Department as well as the City Traffic Engineer. She also mentioned #10, which deals with the eight foot wide bypass lane, #11 covers the easement for the sidewalk, and #12 deals with the right-of-way work, the installation of the video camera detection, the painted crosswalk, and the concrete curbing and aprons on Germantown Road. She said the rest of the conditions are the standard ones that are always included in these resolutions. Chairman Finaldi asked the Commission members if there were any questions for Ms. Smith. Since there were none, he asked for a motion on this matter. Mr. Chiocchio made a motion to approve this per the draft resolution as revised this evening. Mr. Salvagne seconded the motion and it was passed unanimously by voice vote with five ayes (from Mr. Chiocchio, Mr. Haas, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi).

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REFERRAL:

8-3a Referral: Petition of Black Wolf Properties LLC to Amend Sections 6.A.2.b.(12) & 6.A.5.h (1-7) of the Zoning Regulations. (Add Automobile, truck, and motorcycle repair with indoor parking facility and limited used automobile, truck and motorcycle sales in IL-40 Zone as a Special Exception Use with additional use regulations.) Zoning Commission public hearing scheduled for July 11, 2023.

Mrs. Emminger reviewed the Planning Department Staff Report dated May 31, 2023. She said the Zoning Regulations were amended a few years ago to allow the sale of new automobiles and all of the uses that go along with it for Curry Automotive. There were specific criteria attached to the use so it was really limited to a limited area. This amendment is being proposed by North American Motor Cars which is located at 32 Miry Brook Road. Their primary business is the storage, renovation and restoration of custom classic cars/motorcycles and they want to get a State of Connecticut used car dealers license because they also want to sell some of these special vehicles. This amendment has additional conditions attached to it, including limiting the number of used vehicles which can be sold to ten per month, a minimum lot size requirement, access must be from an arterial or collector roadway, and all vehicles must be stored within the building. It is being proposed as a special exception use and does comply with the economic development goals in the Plan of Conservation & Development. This area of the City, located by the Municipal Airport, has become home to many custom and classic car restoration/storage businesses. This amendment just slightly opens the door to sales of these specialty vehicles, but still specifically limits where they can be located. Chairman Finaldi said he believes that the restrictions on this use will really prevent them from popping up on many lots located in

the IL-40. He added that the price restriction regarding the sales (a minimum of \$75,000 per vehicle and \$40,000 per motorcycle), should definitely keep the number of sales to a minimum. He said it appears this business deals with high end custom and classic cars so it is not your standard used car lot. Mr. Chiochio asked if the VW and Audi dealerships on Sugar Hollow Road are also located in the IL-40 zone. Mrs. Emminger said they are not, that particular stretch of Sugar Hollow Road is zoned CG-20, which permits auto sales. Mr. Chiochio said he does not have a problem with this proposal because it is pretty much a niche market and there cannot be too many other dealerships that would be able to comply with all of the conditions this amendment includes. Mr. Salvagne then made a motion to give this a positive recommendation for the following reason: This complies with the Plan of Conservation & Development (POCD) because it supports the economic development of the area around Danbury Municipal Airport and the limitations placed on this use are an appropriate zoning control for this industrially zoned area. Mrs. Hoffstaetter seconded the motion and it was passed unanimously by voice vote with five ayes (from Mr. Chiochio, Mr. Haas, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi.)

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Chairman Finaldi said there was no New Business, no Correspondence and listed under For Reference Only, were three applications for floodplain permits and one public hearing scheduled for the June 21, 2023 meeting.

At 7:55 PM, Mrs. Hoffstaetter made a motion to adjourn. Mr. Chiochio seconded the motion and it was passed unanimously by voice vote with five ayes (from Mr. Chiochio, Mr. Haas, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi).

Respectfully submitted,



JoAnne V. Read  
Planning Assistant