

Posted in City of Danbury Town Clerk's Office on August 14, 2023 at 3:31 p.m.



**CITY OF DANBURY**  
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**ZONING BOARD OF APPEALS**  
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***ZONING BOARD OF APPEALS***  
***MINUTES***  
**June 22, 2023**  
7:00 p.m.

**ROLL CALL:**

Chairman Joseph Hanna called the web-based meeting of the Zoning Board of Appeals held via ZOOM to order at 7:14 p.m. Present by roll call were: Peter DeLucia, Juan Rivas, and Richard Roos. Michael Sibbitt and Anthony Rebeiro were absent. Staff present on Zoom were Zoning Enforcement Officer Sean P. Hearty, Secretary Mary Larkin and Secretary Melissa Llera. Chairman Hanna seated Alternate Richard Roos in place of Anthony Rebeiro.

**ACCEPTANCE OF MINUTES:** June 8, 2023

Motion to accept the Minutes of June 8, 2023 was made by Peter DeLucia; seconded by Juan Rivas. All in favor by those eligible to vote: Commissioners Peter DeLucia, Juan Rivas, Richard Roos, and Joseph Hanna.

The next regular meeting is scheduled for **July 13, 2023.**

Motion to open Public Hearing No. 23-05 was made by Juan Rivas; seconded by Peter DeLucia. All in favor with AYES from Peter DeLucia, Juan Rivas, Richard Roos, and Joseph Hanna.

**PUBLIC HEARING:**

**#23-05: 32 Germantown Rd., Beecher, Thomas, W. Esq., Agent; Blackman Enterprises, LLC (J11362), CG-20 Zone, NSK Petroleum Wholesale Inc., Certificate of Location Approval.**

Thomas W. Beecher, Esq., representing Blackman Enterprises, LLC, was present. The property is located in a CG-20 zone. It has received a Special Exception and Site Plan approval on June 7, 2023 from the Planning Commission to operate a gas station and convenience store at this site. This property had previously been granted permission in 1971 by the Zoning Board of Appeals, and had been operating as a gas station for decades after. Blackman Enterprises has since removed the

former storage tanks, but would be installing new ones. The existing garage will be converted into a convenience store, and there will be no automobile repair onsite going forward. The board is asked to provide a Certificate of Location approval for the sale of gasoline. The board, in this instance, is not performing local zoning functions, but is acting as a “special statutory agent of the state” for the Commissioner of Motor Vehicles under Section 14-321. The Department of Motor Vehicles does not know the zoning regulations for the 169 cities and towns in Connecticut, so this is a statutory requirement to comply with the regulations. The board has to determine if the location is suitable for the gas station and sale of gasoline for motor vehicles. Also that this proposed gas station would not pose any issues with the health, safety, and welfare.

There was no one in favor or opposition to the application. There were no further questions or discussion.

Motion to close No. 23-05 was made by Peter DeLucia; seconded by Juan Rivas. All in favor by roll call with AYES from Peter DeLucia, Juan Rivas, Richard Roos, and Joseph Hanna.

Motion to go to voting session was made by Juan Rivas, seconded by Peter DeLucia. All in favor by roll call with AYES from Peter DeLucia, Juan Rivas, Richard Roos, and Joseph Hanna.

Motion to approve Application No. 23-05, 32 Germantown Rd., for certificate of approval, was made by Peter DeLucia; seconded by Juan Rivas. All in favor with AYES by roll call: Peter DeLucia, Juan Rivas, Richard Roos, and Joseph Hanna.

#23-11: 70 Carol St., Lynch, Dan & Gibson, Melissa; (I22009), RA-20 Zone. Sec 4.A.3, Reduce front-yard setback from 30’ to 26’; reduce side-yard setback from 15’ to 5’ for addition.

Prior to the meeting the applicant requested the matter be tabled until July 13, 2023.

ADJOURNMENT:

Motion to adjourn was made by Juan Rivas; seconded by Peter DeLucia. All in favor with AYES from: Peter DeLucia, Juan Rivas, Richard Roos, and Joseph Hanna. Meeting adjourned at 7:27 p.m.

Respectfully submitted,

Melissa A. Llera  
Recording Secretary