



CITY OF DANBURY
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PLANNING COMMISSION
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MINUTES
SEPTEMBER 6, 2023

The meeting was called to order by Chairman Arnold Finaldi Jr. at 7:30 PM.

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

Absent was Kevin Haas. Chairman Finaldi noted that they have no alternate members, so he cannot seat anyone to take Mr. Haas's place for tonight.

Mrs. Hoffstaetter made a motion to accept the August 16, 2023 minutes. Mr. Salvagne seconded the motion and it was passed unanimously by voice vote with four ayes (from Mr. Chiochio, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi).

PUBLIC HEARINGS:

Safstor Real Estate Co LLC (Applicant) /94 Sandpit Road LLC (Property Owner) – Application for Special Exception/Site Plan Approval for Self Storage (SafStor) in the IL-40 Zone – 94 Sandpit Road (K10014) – SE #795.

Chairman Finaldi read the legal notice regarding this application. Speaking in favor of this application were Attorney Amy Souchuns and PE Charles Evans from Bohler Engineering. Attorney Souchuns described the physical characteristics of the site. She also pointed out that there currently are a number of uses on site and this proposal will really clean up the site. She said Interstate 84 is located in the rear of the property as well as there being a steep embankment along the rear. She said there are some wetlands also but noted that these plans received approval from the Environmental Impact Commission in June of this year. She said that Mr. Evans would present some updated renderings and the floor plans of the proposed 92,000 sq.ft. four-story building. She said there would be a great deal of site improvement in the way of drainage and landscaping.

Mr. Evans then said the proposed plan actually reduces the amount of impervious surface on the site by about 3,300 sq.ft., while increasing the building footprint from the existing 17,000 sq.ft. to 23,000 sq.ft. for the new building. He added that this is a significant

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reduction in the amount of pavement on the site. He said they are proposing two stormwater management systems, one in the rear and one in the front of the site. He described how the existing drainage runs and then how it will be changed with this new system. He then said one of the goals for the site was to improve the access onto Sandpit Road. They are proposing a 30 ft. wide proposed access drive which is minimal compared what is existing presently. They are proposing 19 parking spaces and two loading areas that are 30 ft. wide and they believe you would be able to fit two box trucks on either side. He continued saying that they don't meet the exact loading space definition but they are working with City staff to clarify this. He said based on the regulations, they would only be required to have two parking spaces because self-storage is a low impact traffic impact use. He said some of the areas that are currently used for parking will be replaced with lawn cover and plantings. He added that public sewer and water is available to this site, so they will be applying to hook up to it. He then said that they had received Engineering comments so they are working on the response to them. They are still waiting for other Departmental comments. Mr. Chiochio said he would like to see a truck turning plan at the next meeting. He also said they should consider getting rid of some of the extra parking to increase the amount of pervious area. Mr. Evans said the trucks do have to do a "K" turn to get out. He added that they want to have as much onsite parking as possible and said that they will review that with their traffic engineer. Chairman Finaldi said they have been looking at several applications for this use and they just don't want to see a big box sitting in the middle of the parking lot. Attorney Souchuns shared her screen to show the revised floor plans and elevation sketches. She said they had just received these and would be submitting them to the Planning Department. Mr. Chiochio asked if the access to the building is only through the loading dock. Attorney Souchuns said there is access from the office and from the loading dock. Mrs. Hoffstaetter asked is if the building would be sprinklered and how many elevators it will have. Attorney Souchuns said it will be sprinklered and there will be two elevators. She pointed out where they would be located on the floor plans. There were no more questions at this time.

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

Mr. Salvagne made a motion to continue the public hearing. Mr. Chiochio seconded the motion and it was passed unanimously by voice vote with four ayes (from Mr. Chiochio, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi).

CONTINUATION OF PUBLIC HEARING:

Down Home Associates LLC (Property Owner) – Application for Special Exception/Site Plan Approval for Self Storage (Putnam Three Self Storage) in the IL-40 Zone - 7 Great Pasture Road (L16001) – SE #794.

Chairman Finaldi said this hearing will be continued until the next meeting at the request of the applicant's engineer. Mrs. Hoffstaetter made a motion to continue this public

hearing until the next meeting on September 20, 2023. Mr. Chiocchio seconded the motion and it was passed unanimously with four ayes (from Mr. Chiocchio, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi).

OLD BUSINESS FOR DISCUSSION AND POSSIBLE ACTION:

Sugar Hollow Associates LLC – Revised Floodplain Permit for “The Shops at Marcus Dairy” for new stand-alone fast food restaurant with Drive-Thru Window in the CG-20 Zone - 5 Sugar Hollow Road & Backus Avenue (G17002) - SE #663.

Mrs. Emminger reviewed the draft resolution. She reminded the Commission that they had approved a revised grant of special exception in March 2023 to permit construction of a free-standing fast food restaurant with a drive thru in the parking lot of this shopping center. There were floodplain permits previously issued in October 2008 and in August 2009. Portions of this property are located within the Unnumbered A Flood Plain of the Still River. The established base flood elevation for this area is 454.4 ft. The proposed site work results in both cutting and filling of soil within the limits of the floodplain, with the volume of floodplain resulting in approximately 406 cubic yards of fill. The site plan notes that through a combination of storage provided through the storm water management system and additional site work that 34 cubic yard of additional storage will be provided. The finished floor elevation 455.60, which is 1.2 ft. above the base flood elevation of 454.4. The resolution contains the standard conditions which include requiring the submission of an elevation certificate and noting that any change to the approved plans will require approval of a revised floodplain permit. There were no questions from the Commission. Mrs. Hoffstaetter made a motion to approve per the draft resolution dated August 31, 2023. Mr. Chiocchio seconded the motion and it was passed unanimously by voice vote with four ayes (from Mr. Chiocchio, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi).

REFERRAL:

8-3a Referral – Petition of Danbury Mall LLC to Amend Sections 2, 3.F.2. of, and Add Sections 5.I. & 8.E.4.A. to, the Zoning Regulations. (New Mixed-Use Regional Mall Zoning District and Associated Amendments.) Public hearing scheduled for September 12, 2023.

Planning Director Sharon Calitro reviewed her staff report dated August 30, 2023. She referred to the general comments section stating how this new zone is intended to address specific redevelopment issues associated with a large regional mall commercial center with a configuration predominantly oriented inward, or with the majority of tenants having access from an internal pedestrian concourse. This description fits the Danbury Fair Mall which was designated in the Plan of Conservation and Development (POCD) as an economic driver for Danbury. Its regional significance, taxpayer status, and unique physical characteristics set it apart from other general, arterial, limited, light and neighborhood commercial districts and areas within the City. She then spoke about the

creation of a new zoning district and commented on the proposed new Section 5.I.titled Mixed Use Regional Mall (MURM) District. She described each of the proposed subsections listed under this new section. She then addressed compatibility with the POCD. She noted that the Future Land Use Map (FLUM) identifies this site as regional mall, which is a different layout from other types of shopping centers. She then pointed out that strategy #6 of the Economic Development section recommends timely reviews and updates to the commercial zoning regulations to ensure that the regulations provide sufficient flexibility to address ever changing market conditions. She said additionally these amendments proposed adding a housing component to the new zone. The density is limited and the housing must be created within the existing building. She added that the POCD and the Affordable Housing Plan (AHP) both recommend exploring opportunities to create affordable housing and this petition provides this, so it is consistent with both the POCD and the AHP. In her conclusion, she mentions that the City staff worked with Attorney Beecher on this proposal, to protect the City's interests as well as to satisfy the applicant's objectives. She said that the proposed regulations have been reviewed by several City Departments who determined that this is an appropriate proposal for many reasons. There was brief discussion on this because the Commission felt the staff report as well as Attorney Beecher's letter really make this very clear. Chairman Finaldi acknowledged that a lot of work went into both this report and Attorney Beecher's letter. Mr. Chiochio asked how many sites in the City fit the criteria to be eligible for this. Mrs. Calitro said this was written specifically for the mall site; being 100 acres or more and having an interior concourse. Someone asked about the parking spaces and Ms. Smith said that there are around 5,600 spaces. Mrs. Emminger added that they probably have about 500 more parking spaces than needed at the present time. Mr. Salvagne also said that he appreciated the thoroughness of all the documents. Mr. Salvagne then made a motion to give this a positive recommendation for the following reasons:

- The Plan of Conservation and Development (POCD) and Danbury's Affordable Housing Plan both recommend exploring opportunities to create affordable housing. This petition provides an incentive to develop more housing in general and an opportunity to create affordable housing.
- The FLUM (Future Land Use Map) designation for the area of the Danbury Fair Mall is "Regional Mall" which denotes an area under common management consisting of a single structure wherein a mix of compatible uses are provided, and that is designed with the majority of uses accessible from a common interior concourse. Since this petition seeks to create a zone that fits this general description, it is consistent with the POCD.
- The Economic Development section of the POCD recommends review and update to the City's commercial zoning regulations to ensure that the regulations provide sufficient flexibility to respond to current and future market conditions.

- The POCD contemplated developing a regional mall mixed use district and the proposed amendments do just that and will not negatively impact the health, safety and welfare of the general public.

Mrs. Hoffstaetter seconded the motion and it was passed unanimously by voice vote with four ayes (from Mr. Chiochio, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi).

NEW BUSINESS:

Route 6 Plaza LLC – Application for Revised Special Exception/Revised Site Plan For Change of Use from Restaurant to Fast Food Restaurant (“Wing Stop”) in the CG-20 Zone – 56 Newtown Road (L12025) – SE #765. Public hearing scheduled for September 20, 2023.

Chairman Finaldi said this application is on file in the Planning & Zoning Office.

Danbury Auto Group – Application for New Floodplain Permit for 23-27 & 33-37 Rose Street (H13272 & H13273) – Revised Site Plan #22-08.

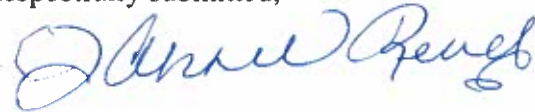
New West Street LLC – Application for Revised Floodplain Permit for 43 & 47-49 West Street and 3-5 Montgomery Street (I14048, I14069, & I14071) – Revised Site Plan #10-05.

Chairman Finaldi noted that the revised site plan applications for these two floodplain permits are being reviewed administratively and both of these would be listed under For Reference Only until it is time to act on them.

Chairman Finaldi said there was nothing under Other Matters, no Correspondence and listed under For Reference Only was one floodplain permit.

At 8:50 PM, Mr. Chiochio made a motion to adjourn. Mrs. Hoffstaetter seconded the motion and it was passed unanimously by voice vote with four ayes (from Mr. Chiochio, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi).

Respectfully submitted,



JoAnne V. Read
Planning Assistant