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**CITY OF DANBURY**  
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DANBURY, CONNECTICUT 06810

**PLANNING COMMISSION**  
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**MINUTES**  
**OCTOBER 18, 2023**

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

Present were Robert Chiocchio, Kevin Haas, Perry Salvagne, and Arnold Finaldi Jr. Also present were Planning Director Sharon Calitro, Deputy Planning Director Jennifer Emminger and Associate Planner Allie Smith.

Absent was Helen Hoffstaetter. Chairman Finaldi noted that since they do not have any alternate members, he cannot seat anyone for Mrs. Hoffstaetter.

Mr. Chiocchio made a motion to accept the October 4, 2023 minutes. Mr. Salvagne seconded the motion and it was passed unanimously by voice vote with four ayes (from Mr. Chiocchio, Mr. Haas, Mr. Salvagne, and Chairman Finaldi).

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Mr. Salvagne made a motion to deviate from the order of the agenda and do the 8-3a referral first before the Old Business. Mr. Chiocchio seconded the motion and it was passed unanimously with four ayes (from Mr. Chiocchio, Mr. Haas, Mr. Salvagne, and Chairman Finaldi).

**REFERRALS:**

8-3a Referral/ Petition of Bright Ravens IS Danbury, LLC to Amend Sections 5.B.2. & 5.B.4. of the Zoning Regulations. (Add Hotel Conversion with Specific Use Requirements as a Permitted Use in the CA-80 Zone.) Zoning Commission public hearing scheduled for October 24, 2023.

Planning Director Sharon Calitro reviewed the Planning Department staff report dated October 12, 2023. She noted that the staff report from the previous petition (May 2023) is attached to this one because there were really only two changes made to the proposed amendment for this petition. The new petition includes a requirement for open space and for some units to be deed restricted as affordable. Other than these two changes, the proposed language mirrors that which was acted upon in July. The reasons given by the petitioner as

to why this petition should be granted are provided in letters from Attorney Thomas Beecher dated September 7, 2023 and October 3, 2023. These reasons are basically a reiteration, for the record, of what he presented as justification as to why the first petition should have been approved. Attorney Beecher also reiterates the petitioner's intent to redevelop the existing hotel for a mix of uses including 198 apartments, a restaurant, fitness center, coffee shop, and offices, among other possible uses. This mix of uses does raise some concerns relative to the parking that would be required for all the uses as well as the provision of open space. She then went through the general comments which addressed permitted versus special exception use, the conversion of the hotel rooms to apartments. She spoke about the specific provisions proposed in Section 5.B.4.f.; minimum lot size, the number of dwelling units versus the number of hotel rooms, the provision of open space, and how the affordable units will be addressed. Next she spoke about the lack of consistency with the Plan of Conservation and Development (POCD). The conclusion of the report states that the requirements for open space and affordable units were quickly added to the language so they could resubmit the petition and still need work. She said staff has concerns about both of these items and does not support the petition as submitted. There was a lengthy discussion about this petition. Mr. Chiochio said he believes the prohibition on residential development in this zone is a prudent decision. He added that he does not feel the applicant has provided enough information on the analysis of hotel uses in the City. He also said there should be much more discussion on the density, special exception versus permitted use, the parking calculations, and the open space before anything like this is approved. Additionally he said that all of these requirements should be consistent with other zones that permit apartment buildings. Chairman Finaldi said he agreed with Mr. Chiochio and is not sold on the idea of permanent residential dwellings in the CA-80 zone. He pointed out that this proposal is not compatible with the FLUM (Future Land Use Map) in the POCD. He said if this is approved, they can expect the hotels located in the CG-20 zone to come in for the same thing. He noted that the site is pedestrian unfriendly as the access is a steep driveway (with no sidewalks) which one would have to walk up to get to Old Ridgebury Road. He added that the traffic on Mill Plain Road is already beyond bad and many of the problems start in the vicinity of the Old Ridgebury Road intersection. He said for all of these reasons he cannot support the petition as submitted. Mr. Salvagne said he does not want to repeat all of what has been said, but there are still a lot of issues to be worked out. Mr. Haas said he agrees with the other Commission members that this needs more work. Chairman Finaldi asked Mrs. Calitro if she had anything else to add and she said the staff report speaks for itself. Mr. Chiochio made a motion to give this petition a negative recommendation for the following reasons:

- (1) This amendment is inconsistent with the Future Land Use Map (FLUM) in the Plan of Conservation & Development (POCD) which classifies the CA-80 zone as a commercial corridor that does not permit dwelling units. Also, this amendment does not transform the CA-80 zone into a mixed-use district, it instead creates a new use that will only be allowed on two specific sites in the CA-80 zone. Furthermore, if a mixed use district is desired, it should only be implemented after a corridor study has been completed.
- (2) Since at least 2007, both residential uses and fast food restaurants have been specifically prohibited in the CA-80 zone and this has proven to be a prudent decision as the traffic

volume and congestion on Mill Plain Road has only increased due to the development of the West side.

- (3) This use should be a special exception use versus a permitted use. This would allow the Planning Commission discretion to ensure the mix of uses would not be detrimental to the area. It would also permit the Planning Commission to determine if specific site improvements, including open space areas are appropriately designed given the mix of uses.
- (4) Both of the sites that meet the criteria in this petition are located in areas that are not pedestrian friendly and are far from neighborhood amenities and mass transit meaning the residents would require the use of a car thus creating additional traffic along a heavily congested corridor. Any new use being introduced in the CA-80 zone should provide expert documentation that the use will not exacerbate the existing traffic situation.
- (5) This is an amendment to the entire district, so it could potentially impact any property located in the CA-80 zone.
- (6) Also, the open space requirement for residential uses for this new use should equal what is required for the same use in every other district.

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

Mrs. Calitro excused herself and left the meeting after the vote was taken.

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#### OLD BUSINESS FOR DISCUSSION AND POSSIBLE ACTION:

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.

The Commission reviewed and discussed the final staff report. Mr. Salvagne made a motion to approve this application per the draft resolution dated October 12, 2023. Mr. Haas seconded the motion and it was passed unanimously by voice vote with four ayes (from Mr. Chiochio, Mr. Haas, Mr. Salvagne, and Chairman Finaldi).

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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.

The Commission reviewed and discussed the final staff report. Mr. Chioocchio made a motion to approve this application per the draft resolution dated October 12, 2023. Mr. Haas seconded the motion and it was passed unanimously by voice vote with four ayes (from Mr. Chioocchio, Mr. Haas, Mr. Salvagne, and Chairman Finaldi).

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REFERRALS:

8-24 Referral – October 2023 City Council Agenda Item #3: 41 New Street Lease & Operations – Health & Human Services.

Mrs. Emminger reviewed the staff report for this item. Mr. Chioocchio made a motion to give this referral a positive recommendation because it is consistent with the 2023 Plan of Conservation & Development (POCD). This recommendation is subject to the review and approval of said lease by the Office of Corporation Counsel and any additional lease terms deemed appropriate by City Council. Mr. Salvagne seconded the motion and it was passed unanimously by voice vote with four ayes (from Mr. Chioocchio, Mr. Haas, Mr. Salvagne, and Chairman Finaldi).

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8-24 Referral – October 2023 City Council Agenda Item #4: 98 Elm Street Lease & Operations – Health & Human Services.

Mrs. Emminger reviewed the staff report for this item. Mr. Salvagne made a motion to give this referral a positive recommendation because it is consistent with the 2023 Plan of Conservation & Development (POCD). This recommendation is subject to the review and approval of said lease by the Office of Corporation Counsel and any additional lease terms deemed appropriate by City Council. Mr. Chioocchio seconded the motion and it was passed unanimously by voice vote with four ayes (from Mr. Chioocchio, Mr. Haas, Mr. Salvagne, and Chairman Finaldi).

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NEW BUSINESS:

Guy & Roberta Montanari (Property Owners) – Application for Special Exception/Site Plan Approval for (1) Petroleum Distribution [Sec. 6.B.2.b.(6)], (2) Petroleum Storage [Sec. (6.B.5.b.(1)], & (3) Business Office [Sec. 6.B.2.a.(4)] for Casey Energy (Applicant) in the IG-80 Zone – 82 Payne Road (M12008) – SE #797. Public hearing scheduled for December 6, 2023

Brookview Commons LLC – Application for Revision to Special Exception Approval granted June 5, 2019 for Brookview Commons Phase II – Request to change conditions of approval – 333 Main Street (I13034) – SE #767. Public hearing scheduled for November 1, 2023.

Brookview Commons LLC – Application for Revision to Combined Floodplain Permit approved on June 19, 2019 for Brookview Commons Phase II – Request to change conditions of Floodplain Permit approval – 333 Main Street (I13034) & 30 Crosby Street (I13045) – SE #767.

Chairman Finaldi noted that these applications would be on file in the Planning & Zoning office.

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Chairman Finaldi said there was nothing listed under Correspondence, or Other Matters. He said that under For Reference Only there was one public hearing scheduled for the next meeting and five floodplain permits listed.

At 8:22 PM, Mr. Chiochio made a motion to adjourn. Mr. Haas seconded the motion and it was passed unanimously by voice vote with four ayes (from Mr. Chiochio, Mr. Haas, Mr. Salvagne, and Chairman Finaldi).

Respectfully submitted,



JoAnne V. Read  
Planning Assistant