



CITY OF DANBURY
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PLANNING COMMISSION
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MINUTES
JANUARY 6, 2010

The meeting was called to order by Chairman Arnold Finaldi Jr. at 7:35 PM.

Present were Kenneth Keller, Edward Manuel, Joel Urice, Arnold Finaldi Jr. and Alternates Fil Cerminara and Helen Hoffstaetter. Also present was Associate Planner Jennifer Emminger.

Absent were John Deeb and Alternate Paul Blaszk.

Chairman Finaldi asked Mr. Cerminara to take Mr. Deeb's place for the items on tonight's agenda.

Mr. Urice made a motion to accept the October 4, 2009 minutes as written. Mr. Manuel seconded the motion and it was passed unanimously. Mr. Manuel said there was a minor error in the October 21, 2009 minutes. Chairman Finaldi asked the secretary to make the correction. Mr. Manuel then made a motion to accept the corrected minutes. Mr. Keller seconded the motion and it was passed unanimously. Mr. Manuel made a motion to accept the corrected minutes of the November 4, 2009 meeting. Mr. Keller seconded the motion and it was passed unanimously. Mr. Cerminara made a motion to accept the November 18, 2009 minutes as written. Mr. Urice seconded the motion and it was passed unanimously.

PUBLIC HEARING:

7:30 PM – MetroPCS of NY LLC as Agent for 25 Germantown Rd. LLC – Application for Special Exception for Rooftop “Wireless Telecommunications Facility” in the RH-3 Zone – 25 Germantown Rd. (#J11381) – SE #690.

Mr. Keller read the legal notice. Attorney Scott Muska of Brown Rudnick said this is located on the building identified as 33 Germantown Rd., which is located with two other office buildings on a parcel identified as 25 Germantown Rd. He said this is approximately a 5.5 acre parcel that is located in the RH-3 Zone. It is surrounded by commercial properties on three sides and on the fourth side, there is a multi-family development. There is a significant grade change between the subject property and this development and this building is over forty feet in height. He said they have listened to the Commission's comments on the previous applications and have tried to make this installation fairly discreet. He added that this installation is consolidated and will be located in the center of the rooftop. He said they also spent a lot of time designing the screening that will go around them in an effort to modify the appearance of the panels to minimize the

overall impact. He said they drove around the Avalon property to see if they could see anything on the roof but due to the grade changes, it is difficult to even see the building. Attorney Muska then said this complies with Sec. 3.E.6.c. of the Zoning Regulations, because this type of installation is the second most preferred for a wireless facility.

Don Ukers, PE, said MetroPCS is proposing to mount eight panel antennas to a new 160 sq.ft. steel mounted platform on the roof of this building. The eleven foot high platform will be enclosed by a chain link fence and constructed with concealment/stealth panels. The panel antennas will be mounted behind the stealth panels.

Greg Shark, RF Engineer, distributed a list of the other parcels that were considered. He said they are building a network in Danbury and the current coverage is almost none. He showed the Commission the maps of where this site will cover and another map of Danbury showing all of the areas they hope to expand into. He added that the subject site is important to improve their I-84 coverage. Mr. Urice questioned a specific spot on the map that is in the middle of a residential area, which turned out to be the Stadley Rough Rd. site that is before the State Siting Council right now. Mr. Shark said there is documentation in the file to demonstrate that this particular facility will provide service along I-84 and the surrounding local roads in the vicinity of the site.

Mrs. Emminger said in response to the comment in the staff report about the aesthetics, the applicant brought in revised stealthing plans which were distributed this evening, so that is no longer an issue.

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

Mrs. Emminger said the Airport Administrator has signed off on this. Chairman Finaldi said since they are not waiting for anything, there is no reason to continue this hearing.

Mr. Urice made a motion to close the public hearing. Mr. Manuel seconded the motion and it was passed unanimously. Mr. Manuel then made a motion to move this matter to number four under the Old Business on tonight's agenda for discussion purposes. Mr. Urice seconded the motion and it was passed unanimously.

OLD BUSINESS FOR CONSIDERATION AND POSSIBLE ACTION:

Seymour R. Powers, Et Al – Application for expansion of previously approved Special Exception for trip generation and change of use from professional office to medical office in the IL-40 Zone – 51-53 Kenosia Ave. (#E17078) – SE #633. Public hearing closed 12/16/09 – 65 days will be up

Chairman Finaldi said based upon the discussion at previous meeting, a draft resolution was e-mailed to the Commission members. Mrs. Emminger said this is a fairly straightforward application although she did add the condition they had discussed about requiring the revised drawings to be submitted. Mr. Manuel excused himself from the vote as he was not present at the previous meeting. Chairman Finaldi asked Ms. Hoffstaetter to take his place for the voting on the Old Business. Mr. Urice made a motion to approve this application per the resolution they had received. Mr. Keller seconded the motion and it was passed unanimously.

NEW BUSINESS:

New Hope Baptist Church – Application for Special Exception for Shared/Proportionate Parking in the RMF-4 Zone – 4, 6, 8-10, 12 & 14 Dr. Aaron B. Samuels Blvd., 22 Williams St. & 9 East Pearl St. (#H15318, #I15017, #I15018, #I15019, #I15020, #I15021 & #I15026) – SE #691. Public hearing scheduled for 1/20/10.

Staples Realty LLC – Application for Revised Site Plan in acc. w/Sec. 10.D.7.b. of the Zoning Regulations for previously approved Special Exception for Nursing Home (“Hancock Hall”) in the R-3 Zone – 19, 27 & 31 Staples St. (#G13206, #G13066 & #G14075) – SE #182. Public hearing scheduled for 2/3/10.

Century 21 Lombardi Realtors/Agriventures Realty LLC – Application for Special Exception for Storage or Sale of Landscape Materials in the CA-80 Zone – 88 Mill Plain Rd. (#D14006) – SE #692. Public hearing scheduled for 2/3/10.

8-3a Referral – Petition of The Windmere LLC, 44 Old Ridgebury Rd. (#C16006) for Change of Zone from IL-40 to RMF-4. Zoning Commission public hearing scheduled for January 26, 2010

Chairman Finaldi said all of these applications would be on file in the Planning office.

Chairman Finaldi mentioned that they should have all received the schedule of regular meetings for 2010. There was nothing under Other Matters and there were two applications for Floodplain Permits under For Reference Only.

At 8:25 PM, Ms. Hoffstaetter made a motion to adjourn. Mr. Keller seconded the motion and it was passed unanimously.