



CITY OF DANBURY
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PLANNING COMMISSION
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MINUTES
APRIL 12, 2011

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

Present were Edward Manuel, Joel Urice, Kenneth Keller, 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 6, 2010, October 20, 2010, November 3, 2010, November 17, 2010, December 1, 2010 and December 15, 2010 minutes. Mr. Keller seconded the motion and it was passed unanimously.

Chairman Finaldi said the next meeting is a special meeting scheduled for Wednesday, April 27, 2011. There was no second meeting scheduled in April because of Passover, but it became necessary to have a second meeting so they will be holding this special meeting on April 27, 2011. He added that there also is an EIC meeting that same night, so everyone should be sure they end up in the right meeting.

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PUBLIC HEARINGS:

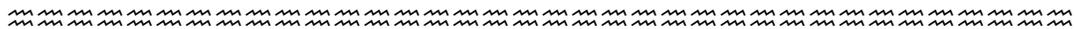
7:30 PM — 53 Lake Ave. Assoc. LLC – Application for Special Exception to allow a Medical Office in an Existing Building in the CG-20 Zone – 53 Lake Ave. Ext. (#E15064) – SE #711.

Mr. Keller read the legal notice. Scott Lavelle spoke in favor of this. He said the tenant is Karen Lobonca who will operate a chiropractic office in this space. He said the actual space is 2,232 sq.ft. and is currently being used as a business office. There are three other tenants in this building. The first floor is an accounting office and the second floor has an insurance agency and a yoga studio. He said the parking table has been revised to include this use and the total parking required is now 48 spaces. There are 51 spaces on the site at this time. He offered to answer questions. Mr. Urice said this seems to be pretty straight forward; just a simple change of use.

Chairman Finaldi asked if there was anyone to speak in opposition and one person came forward.

Phillip Groat, 4 Crestdale Rd., said he already has issues about living next to a business office, but it was there before his house was built so he has no choice. He said he thinks they are opening a can of worms by allowing a medical office, especially because there already is a noise issue. He said before too long the entire building will be medical offices. Mrs. Emminger said no more medical office could be added because they only have three additional parking spaces.

Mr. Keller made a motion to close the public hearing. Mr. Manuel seconded the motion and it was passed unanimously. Mr. Keller then made a motion to move this to item two under the Old Business on tonight's agenda. Mr. Manuel seconded the motion and it was passed unanimously.



7:40 PM – Sympaug Properties Inc. – Application for Special Exception to allow “Indoor Field Sports Arena” in the IL-40 Zone – Shelter Rock Lane (#L15001) – SE #709.

Mr. Keller read the legal notice. Attorney Robin Kahn and Dainius Virbickas PE from Artel Engineering spoke in favor of this. Mr. Virbickas said this is a request to construct an 117,600 sq.ft. air supported structure for an indoor field sports arena on the subject property. This site totals approximately 14.5 acres located in the IL-40 Zoning District. The property owner is proposing to demolish the single-family dwelling and construct a 125 ft. high air supported sports facility structure. Site improvements include a paved driveway, parking, landscaping and a storm water management system. He said portions of the subject property are located within the Floodway and Flood Plain of the Sympaug Brook. They have submitted a separate application for a floodplain permit. He said the site will be served by City water and sewer. A 24 ft. wide driveway will be built for the main access from Shelter Rock La. Based on the requirements in the Regulations; the proposed use requires 145 parking spaces with 5 handicapped spaces. He said the plan shows them providing 182 spaces with 6 handicapped spaces. They received EIC approval in February of this year. Despite the fact that the manufacturer guarantees this is fire resistant, the Fire Marshal has recommended they demonstrate that they have access to a large supply of water. The Fire Marshal also has asked for a fire hydrant so they are providing one at the far west end of the building. Mr. Virbickas said the requested sidewalks are a challenging issue because they have to deal with brook crossings and several areas that get water drained onto them. He referred to a letter received from Benjamin Doto PE, who has done plans for the property across the street, 60 Shelter Rock La. Mr. Doto suggests the Commission require the sidewalks to extend 250 and 350 ft. to connect with his clients sidewalks and thereby provide continuous sidewalks along Shelter Rock La. Mr. Urice asked if there is any seating in this facility. Mr. Virbickas said there is no formal fixed seating; chairs can be placed in some of the areas. Mr. Urice asked how much of the building will actually be used for field area. Mr. Virbickas said about 98,000 sq.ft. which leaves about 20,000 sq.ft for offices and the concession area.

David Sullivan, Senior Transportation Engineer with Milone & MacBroom, said since there are not many of these facilities, this is not a prototype study. He said he looked at the parking calculation to be sure it would work and also the level of traffic this type of facility would generate. He said there is a lot of data available for full size fields, but these are not

full-size soccer facilities. The full-size facility is set up for almost twice as many people as one of these facilities would have onsite. He said he did find a similar facility in Trumbull CT, so he was able to use that. The busiest day of the week is Sunday with 60 trips and then Friday with 47 trips. He said he also looked at the peak parking demand and the sight line visibility. The traffic impact portion of this application will be sent to the State Traffic Commission to determine if what they have proposed is adequate. Mr. Manuel asked where the City Traffic Engineer got his numbers from because there is a big difference. Mr. Sullivan said he did not know but if the STC uses those numbers they expect to get a negative determination.

Mr. Virbickas said one of the property owners would like to speak. Frank Mariano, Sympaug Properties, Danbury Sportsdome said he would like to address the question about spectator space. He said the interior of the dome will be turfed, so there really is no hanging out area. Any area that is free will be used by teams to warm up. He said the field area is surrounded by a track, so there is about a 4 ft. perimeter for the spectators for a total of 4,000 sq.ft. with maybe another 1,000 sq.ft. in the concession area. Mr. Keller asked if the Fire Marshal has determined full occupancy yet. Mrs. Emminger said she is not sure if they have enough information to make that determination yet. She added that they usually need the building plans to do that. She asked the applicant to submit a floor plan in order to answer the Commission's questions. Mr. Keller asked if there is an internal ventilation system. Mr. Mariano said there is not because they need the interior air pressure to maintain the height. He said the dome that collapsed was about six times larger and had a huge section of roof that was flat. Their manufacturer is in the process of designing a system to address this. Ms. Hoffstaetter asked what happens if there is an electrical failure? How quickly does the roof deflate? Mr. Mariano said it takes literally hours to this dome to deflate but if there was an electrical failure, they would immediately evacuate the dome and close. He added that there will be an alarm system so if the pressure drops at all, they will know it.

Kirk Banford, Eastern Soccer, said what they have been talking about is a different animal than their dome. The interior temperature is kept consistent and they get weather alerts in the case of inclement weather. There is an alarm system in place as well as back-up generators which can keep things going for hours. He added that it takes many hours to deflate the dome. Mr. Keller asked if it is a seven day per week operation. Mr. Banford said the hours of operation would be 5:30 PM to 11:00 PM seven days a week. Any daytime activity would probably consist of low-key recreational walking of the grounds. He said they could open at 4:00 PM if people want to book it for a game or event. Mr. Keller asked if there would be security onsite when they are not open. Mr. Banford said these structures are quite secure; they are not like a tent that someone could slice through. He said the one located in Mt. Vernon NY has never had a break in, but they will have alarms and are willing to add other security measures if necessary.

Mr. Urice asked the traffic engineer to explain how he arrived at his counts. Mr. Sullivan said there are three things that need to be considered when looking at the traffic for this use at this site. The first is that many of the players are carpoled and in the case of regional tournaments, that would cause there to be less cars than one would expect. The second is that the kids are onsite for a much longer time period than just the game; for a forty minute game, they often spend about two hours onsite. The third thing is that all of the game times are staggered. They would not have three games all starting at the same time that would be too much going on at once.

Attorney Robin Kahn said Mr. Virbickas will be submitting responses to all of the comments. She added that she will look into the sidewalk issue. She said although the special meeting on April 27th is for a specific purpose, she asked that they consider adding the continuation of this hearing to that agenda if at all possible.

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

Mr. Urice asked if the Building Dept. had any concerns for the construction techniques and the structural integrity of this facility. Mrs. Emminger said she is not comfortable speaking for Mr. Null, although the applicant has been working with both Building and the Fire Marshal to satisfy their concerns. She said specific questions from the Commission can be forwarded to the specific City depts. Mr. Manuel asked how they would handle the spectators in the four foot area. Mr. Banford said the spectators don't want to sit when watching these sports; they want to move along the side and follow the players. They had portable bleachers but don't even put them out any more. Mr. Keller questioned the Bldg dept disapproval. Mrs. Emminger said those comments are only concerning the handicapped parking.

Mrs. Emminger said there are still many issues to be addressed. At this time, the landscape plan is lacking some of the required plantings. The Fire Marshal would like gates at both entrances of the emergency access drive. There also is some required signs necessary regarding the emergency egress from the building. The Engineering dept. has requested sidewalks along the entire frontage of Shelter Rock La. although the plans only show them along the northern portion of the site. The loading area must be moved as it is located in the emergency access drive. There is additional information needed regarding the street trees. There also is documentation needed regarding a long term parking agreement between this property and 60 Shelter Rock Rd.

Mr. Urice made a motion to continue the public hearing. Mr. Keller seconded the motion and it was passed unanimously.

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CONTINUATION OF PUBLIC HEARING

*PLEASE NOTE THAT THE FOLLOWING MATTER WILL BE TABLED AND THE HEARING CONTINUED THIS EVENING AT THE REQUEST OF THE PROJECT ENGINEER.*

SSR Development LLC - Application for Special Exception for Storage or Sale of Building Materials, Storage of Construction Equipment and Warehouse in the IL-40 Zone - 90 Shelter Rock Rd. (#K14233) - SE #708.

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NEW BUSINESS:

City of Danbury/Union Savings Bank - Application for Special Exception for Drive-Through Use as Accessory to a Bank in the C-CBD Zone - 116 Main St. & 6 Boughton St. (#I14134 & #I14133) - SE #712. Public hearing scheduled for April 27, 2011.

City of Danbury/Union Savings Bank/CT Institute for Communities Inc. - Application for Special Exception ("120 Main St.") to permit (1) Garden apartments, (2) a use (or combination of uses) which will generate over 500 vehicle trips per day, and (3) shared parking in the C-CBD Zone - Main St. & Boughton St. (#I14135 & #I14437). Shared parking on lots #I14379, #I14380, #I14381, #I14382, #I14383, #I14384, #I14385 with access over #I14378 - SE #713. Public hearing scheduled for April 27, 2011.

C & W Development LLC - Application for Special Exception for Sewage Treatment Facility ("Coffey Environmental Solutions") in the IG-80 Zone - 46 Beaver Brook Rd. (#K12176) - SE #710. Public hearing scheduled for May 4, 2011. Rescheduled for may 18, 2011.

Chairman Finaldi said all of these would be on file in the Planning & Zoning Office

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OLD BUSINESS FOR CONSIDERATION AND POSSIBLE ACTION:

Danbury Hospital - Application for Special Exception to permit a use ("North Tower Clinical Addition") generating more than 500 trips per day in the RH-3 Zone - 24 Hospital Ave. (#I12001 & #I12232) - SE #707.

Chairman Finaldi said they all should have received a draft resolution dated April 7, 2011 from Mrs. Emminger. He added that eligible to vote on this are Mr. Keller, Mr. Urice, Mr. Cerminara and Ms. Hoffstaetter. He then said he is not eligible so he seated Ms. Hoffstaetter to take his place. Mrs. Emminger distributed a revision which was made yesterday and reviewed the changes she had made. There were no questions from the Commission. Mr. Urice made a motion to approve this per the amended resolution. Ms. Hoffstaetter seconded the motion and it was passed unanimously.

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53 Lake Ave. Assoc. LLC - Application for Special Exception to allow a Medical Office in an Existing Building in the CG-20 Zone - 53 Lake Ave. Ext. (#E15064) - SE #711.

Chairman Finaldi said he had instructed Mrs. Emminger to prepare a resolution for this. She distributed it and asked if anyone had any issues with this application. Mr. Keller asked if what she had said about the parking was true. Mrs. Emminger said it is, there are only three more spaces than what is needed for the current uses including this new one. Mr. Urice suggested that the Zoning Board of Appeals could grant a variance to reduce the number of parking spaces required. Mrs. Emminger said even if they did, additional medical use is a special exception so it would have to come back to the Commission. Mr. Keller made a motion to approve this per the resolution. Mr. Cerminara seconded the motion and it was passed unanimously.

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Chairman Finaldi said there was nothing under Referrals or Correspondence. Under For Reference Only were four applications for Floodplain permits and a public hearing scheduled for the May 4, 2011 meeting.

At 9:10 PM, Mr. Urice made a motion to adjourn. Mr. Manuel seconded the motion and it was passed unanimously.