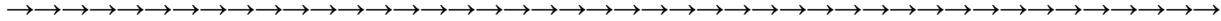




**CITY OF DANBURY**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

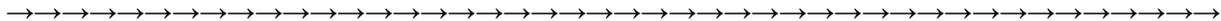
PLANNING COMMISSION  
(203) 797-4525  
(203) 797-4586 (FAX)

**MINUTES**  
**SEPTEMBER 19, 2012**



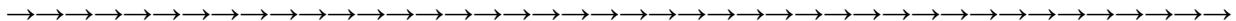
The meeting was called to order by Chairman Arnold Finaldi Jr. at 7:30 PM

Present were Fil Cerminara, Helen Hoffstaetter, Ken Keller, Arnold Finaldi Jr., Joel Urice and Alternate Michael Ferguson. Also present was Deputy Planning Director Sharon Calitro.



Chairman Finaldi asked for separate motions for the acceptance of the minutes as some of the members were not present for some of the meetings.

Ms. Hoffstaetter made a motion to accept the June 6, 2012 minutes. Mr. Ferguson seconded the motion and it was passed unanimously. Ms. Hoffstaetter made a motion to accept the June 20, 2012 minutes. Mr. Cerminara seconded the motion and it was passed unanimously. Mr. Keller made a motion to accept the July 18, 2012 minutes. Mr. Ferguson seconded the motion and it was passed unanimously. Mr. Urice made a motion to accept the August 1, 2012 minutes. Mr. Ferguson seconded the motion and it was passed unanimously. Mr. Keller made a motion to accept the revised September 5, 2012 minutes. Mr. Urice seconded the motion and it was passed unanimously.



Mr. Urice made a motion to move Other Matters for Discussion & Possible Action to here so that it can be considered as part of the public hearing. Mr. Keller seconded the motion and it was passed unanimously.

OTHER MATTERS FOR DISCUSSION & POSSIBLE ACTION:

Proposed Lot Line Revision between 193-207 Great Plain Rd. (#105099) & 209 Great Plain Rd. (#104072).

PUBLIC HEARING

Sycamore Trails Group LLC - (1) Application for Waiver to Sec. B.9.2. of the Subdivision Regulations and (2) Application for Re-subdivision ("Savannah Hills") in the RA-80 Zone -- 193-207 Great Plain Rd. (#105099) -- SUB #06-09. Approved by Court Stipulation in November 2008.

Mr. Keller read the legal notice. Attorney Neil Marcus said it makes sense to discuss both of these matters at the same time as the lot line revision needs to happen in order to make the re-subdivision happen. He said the reason they are here this evening is for a small relocation of the main access road into the subdivision. He explained that the developer,

Joe Cordeiro, had purchased the house next door (at 209 Great Plain Rd.) and with that additional lot, they will be able to shift the location of the roadway and eliminate the large unsightly retaining wall.

Attorney Marcus said the reason this was noticed as a public hearing is because the Subdivision Regulations say that if the location of a roadway is changed, it is considered a re-subdivision, which requires a hearing and notices to the neighbors. Chairman Finaldi reiterated this to the audience, noting that all the Commission is looking at is the change in the location of the roadway.

Michael Mazzucco PE, said since Mr. Cordeiro had purchased the additional lot, they were able to move the road 115 ft. to the north. In the previous application it was located on the south side of the telephone exchange box. He said by adding the parcel at 209 Great Plain to the subdivision, they were able to change the roadway. He said they also are proposing a lot line revision between the original land and the new parcel, which will affect the open space parcels.

Mr. Urice asked if the amount of open space was reduced. Mr. Mazzucco said open space "C" will be reduced but it will be compensated in open space "B". He added that there is almost five acres of open space total. Mrs. Calitro said the previously approved subdivision map was filed on the land records and all of these lots are valid existing lots. Mr. Mazzucco said the area of lot #9 has been slightly increased. Mr. Keller asked him to point out where the retaining wall would have been. Mr. Mazzucco said that it would have been located just north of the wetlands which were the main reason for the retaining wall. He added that moving the roadway eliminated a lot of work in the wetland area so now there would be even less of an impact on them.

Attorney Marcus said when the previous plan was approved, they did not know that this additional lot would become available. Once it did, it seemed like the most logical way to go. He added that this is a dangerous area with virtually no site line looking to the south so moving the road and raising the roadway entrance will definitely make this a safer situation. He said they didn't have much choice before because the telephone exchange box was too close, but the additional lot has made it possible for them to do this the way it should be done. He said all of the drainage calculations have been updated and this new plan is being reviewed by EIC. The EIC had wanted Dan Baroody to do it as an administrative review but since this was approved by a court stipulation, they are checking with Corporation Counsel to be sure that will be alright. Attorney Marcus then said the field conditions have improved greatly with the addition of the 209 Great Plain Rd. lot.

Mrs. Calitro said they have only received comments back from the Engineering Dept.; they are still waiting for all of the other departments.

Joe Cordeiro said during the previous application, both this Commission and EIC wanted the roadway moved but the telephone box prevented it. He tried to get them to move the box, but they wouldn't, so he was really glad when 209 Great Plain became available for him to buy. He said he thinks this new plan makes the subdivision much better because the open space pieces are much nicer now.

Mr. Keller read a letter from Gary Sivacek, 114 Great Plain Rd., which said that the new proposal is better although it still will disrupt the neighborhood. The letter also asked for a guarantee that the nine acre lot would not be subdivided any further.

Chairman Finaldi asked if there was anyone to speak in opposition to this; and requested that they confine their comments to the shift in the location of the roadway.

Lorraine Seder, 224 Great Plain Rd., submitted a photo of 209 Great Plain Rd. which shows where the new roadway will go into the subdivision (designated Exhibit A). She expressed concern about flooding issues and suggested the fifty-year plan be taken into consideration. She said there have been runoff issues in the past, where the existing drainage could not accommodate it. A lot of trees were removed in July and that combined with the amount of rain we have had, has lead to erosion and damage to the ridgeline and the wetlands. She said she contacted Joe Cavo, President of the City Council and he spoke to Joe Mead in the Health Dept. who did not see any need at this time for silt fences. She said this new location of the roadway is much better; she just wants to be sure that there is an adequate site line. She also asked that they explain the request for the waiver to the Subdivision Regs. She submitted her comments in writing (designated Exhibit B).

Debbie Legg, 215 Great Plain Rd. a/k/a Old Town Rd. said she really likes this plan and is not really in opposition. She is glad that the road is being moved farther from the wetlands. She said Mr. Cordeiro has been very good to them and she hopes this continues to be a prime development for Danbury. She expressed concern about the proposed roadway being located too close to Old Town Rd. She added that moving it back ten feet is not really enough because the site line is very bad and there have been several accidents in this area.

Rodney Moore, 189 Great Plain Rd., said he wanted a point of clarification. He said the previous application had a retention pond; what engineering changes have been made to address the runoff.

Dana Castle & Maria Carrera, 191 Great Plain Rd., said they had moved in since approval was granted and they are concerned because their lot is not shown correctly on the maps submitted with this application. They said a portion of their lot was sold to Albert Salame but it is not shown: their lot is not as big as it is shown. They also expressed concern about the drainage and any possible effects it might have on the water table and their septic which is located right next to the open space parcel. They said they were sorry if what they were saying was redundant but they were not here for the previous application.

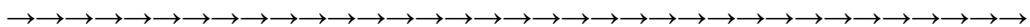
Attorney Marcus then spoke in rebuttal to the opposition's comments. He said regarding the comment about the road widening, the ten feet might be enough. He asked Mr. Mazzucco to explain. Mr. Mazzucco said the edge of the road will be moved only ten feet but all of the ledge will be leveled. He apologized if this point was not made clear. He said coming out of Old Town Rd. looking south, they will probably have 200 feet of visibility versus the mere 75 feet they have now. Mr. Mazzucco said the storm drainage was not changed at all. The original application had the drainage designed for the 50 year storm so there was not need to change it. He said this was designed to prevent the runoff from getting to 189 Great Plain. It has a detention basin, a vortex unit and road drainage. Mr. Urice asked if that mean that none of the drainage would get to the wetlands. Mr. Mazzucco said it goes under the roadway and discharged. He added that there also should be no impact on 191 Great Plain; the "topo" map shows the difference in grade between these lots. He added that there is no work proposed in the vicinity of that lot's septic system.

Mrs. Calitro asked Attorney Marcus to clarify the requested waiver in response to Mrs. Seder's inquiry. Attorney Marcus said they are not meeting the requirement for distance between roadways so they are asking to waive it. He added that they really believe this plan is a vast improvement and they will compensate.



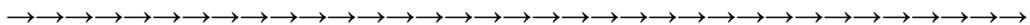


as accessory which could be detrimental to the area. Mr. Urice said the intent of the deed restriction was to maintain this land for airport uses and there really is no reason to change it. Mr. Keller said changing this would set a bad precedent. Chairman Finaldi pointed out that when the Zoning Regs. were cleaned up a few years ago, uses that didn't belong or were not compatible with the purpose and intent of the zone were removed, so this would be negating all of that work. Mr. Keller made the motion to give this a negative recommendation because the Industrial district zoning regulations were recently revised to ensure that only uses compatible with the purpose and intent of the industrial zones are permitted in these zones. Since the intent of this deed restriction was to maintain this land for airport uses, changing it could expand the permitted uses in the zone, which would be inconsistent with the Zoning Commission's previous actions. Ms. Hoffstaetter seconded the motion and it was passed unanimously with ayes from Mr. Ferguson, Mr. Urice, Mr. Keller and Chairman Finaldi.



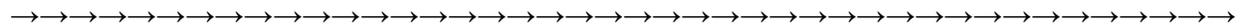
8-24 Referral/September 2012 City Council Agenda Item #9 – Request for Sewer Extension at 3 Scuppo Rd. (#F14124).

This is a request to extend public sewer service to serve a proposed multi-family development which will be located at 3 Scuppo Rd. The approved site plan provided for and required connection to public sewers via an extension within Scuppo Rd. Mr. Urice made a motion to give this a positive recommendation because this is located within the proposed sewer service area as shown in the Plan of Conservation & Development. A site plan for 10 dwelling units was approved by the Planning Department on July 23, 2012. This recommendation is subject to compliance with all Engineering Department conditions relative to construction of said sewer main extension and submission and approval of all plans and documents in form and content acceptable to the Office of Corporation Counsel prior to recording on the Danbury Land Records. Ms. Hoffstaetter seconded the motion and it was passed unanimously with ayes from Mr. Cerminara, Mr. Keller, Ms. Hoffstaetter, Mr. Urice, and Chairman Finaldi.



8-24 Referral/September 2012 City Council Agenda Item #10 – Request for Water Extension for Fire Hydrant for Ingersoll Auto of Danbury, Morgan Ave.

This request is to approve a fire hydrant that was added as a condition of approval by the Fire Marshal and was included in the Commission's referral to Council issued on September 5th. Mr. Keller made the motion to give this a positive recommendation subject to review and approval of the as-built drawings and all documents by the Engineering Department and Office of Corporation Counsel prior to acceptance and recording on the Danbury Land Records. Ms. Hoffstaetter seconded the motion and it was passed unanimously with ayes from Mr. Cerminara, Mr. Keller, Ms. Hoffstaetter, Mr. Urice, and Chairman Finaldi.



Chairman Finaldi said that listed under For Reference Only there were two applications for Floodplain Permits.

At 8:55 PM, Mr. Urice made a motion to adjourn. Ms. Hoffstaetter seconded the motion and it was passed unanimously.