



CITY OF DANBURY
155 DEER HILL AVENUE
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PLANNING COMMISSION
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MINUTES
FEBRUARY 20, 2013

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

Present were Fil Cerminara, Kenneth Keller, Helen Hoffstaetter, Arnold Finaldi Jr., Joel Urice and Alternate Michael Ferguson. Also present was Associate Planner Jennifer Emminger.

Mr. Keller made a motion to accept the February 6, 2013 minutes. Mr. Ferguson seconded the motion and it was passed unanimously.

Chairman Finaldi asked that everyone be sure to speak into their microphones and also show common courtesy by not interrupting each other. He said he realizes it will take a while for everyone to get used to be videotaped but when you view the video of the meeting; these two behaviors definitely cause a lot of the discussion to be lost.

CONTINUATION OF PUBLIC HEARING

E.W. Batista Family LP -Application for Revised Special Exception/Revised Site Plan Approval to allow uses generating over five hundred (500) vehicle trips per day in the C-CBD Zone - 2-12 Main St. & 155 South St. (#15045, #15046, & #15048) - SE #587.

Dainius Virbickas, PE from Artel Engineering said they had waited for comments from the Engineering Dept. and the City Traffic Engineer. He went over the modifications that the City Traffic Engineer had requested, saying that they did not want to make too many changes as this plan was approved by the State Dept. of Transportation and the City Traffic Engineer ten years ago. He added that DOT approval will again be required if the Commission approves this plan. He said a concrete sidewalk was added along Main St. and they tightened up the radius of the exit lane onto Main St. They cannot do anymore with the inbound land because they need for box trucks to be able to get in through it. Also they cannot extend the radius beyond the property line on that side. Mr. Urice asked if we could get more comments from the City Traffic Engineer before they close the hearing. He said he does not believe that this design will be satisfactory to him. Mr. Virbickas said they received approval from both Mr. Mohammed and the DOT on this plan ten years ago and nothing has changed at this site.

Mr. Virbickas said the Planning staff asked for note to be added stating that all of the parcels would be combined into one. They also wanted a detail of the fencing that would be installed along the west property line. He said they decided to mimic the

fencing that was used at the Springside Ave. site. He added that the landscaping plans are being updated and the drive thru canopy has been added to the rendering. He reminded the Commission that they also have made a minor modification to the façade by adding brick to the lower course on the building. Ms. Hoffstaetter asked if there would be signs directing people through the parking lot. Mr. Virbickas said they were going to paint on the pavement, but they could add signs if the Commission wants them. He said the Engineering Dept. comments were mostly requests for notations on the plans. He once again reviewed the traffic flow through the site and pointed out the green areas that can also be used for snow storage. He said there are existing utilities on the site that will continue to be used and they will be upgrading the storm drainage.

Fred Visconti, 31 Mountainville Ave., said this end of Main St is coming alive with both the new food store and the new medical center. He said he believes this proposal will be a welcome addition and will enhance the other new businesses. He said he has lived his whole life on this end of town and this is the first time this many new businesses were coming in at once.

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

Mr. Keller asked if the Engineering Dept. comments could be read into the record. Mrs. Emminger said they are quite lengthy and about 98% of them have to do with notations that they want added to the plans. She added that all of the comments can be easily addressed. Mr. Keller then asked if we have comments from the Fire Marshal. Mrs. Emminger said Fire Marshal John Osborne had no issues with this proposal and signed off on it.

Chairman Finaldi said since Mr. Urice is not eligible to vote on this, he would seat Mr. Ferguson for him. Mr. Cerminara said he also is not eligible to vote on this.

Ms. Hoffstaetter made a motion to close the public hearing. Mr. Keller seconded the motion. Mr. Urice said even though he cannot vote, he can still ask questions. He then asked if the Dunkin Donuts on South Street will be closed once this one is open. Mrs. Emminger said that was not part of the stipulation. Chairman Finaldi called for a vote on the motion to close the hearing and it was passed unanimously with AYES from Ms. Hoffstaetter, Mr. Keller, Mr. Ferguson and Chairman Finaldi.

Mr. Keller the made a motion to move this matter to item two under the Old Business on tonight's agenda, so they can give Mrs. Emminger guidance for the preparation of the resolution. Ms. Hoffstaetter seconded the motion and it was passed unanimously.

OLD BUSINESS FOR CONSIDERATION AND POSSIBLE ACTION:

Lemle Danbury – Application for Special Exception/Revised Site Plan Approval for Change of Use from Business Offices to Medical Offices (One Plaza West) in the CA-80 Zone – 100 Mill Plain Rd. (#C14058) – SE #728.

Chairman Finaldi said they should have received a draft resolution from Mrs. Emminger on this matter. Mr. Cerminara said he is not eligible to vote on this. Mr. Urice said he is eligible because the audio for this portion of the video was clear so he

heard all the testimony. Chairman Finaldi asked Mr. Ferguson to take Mr. Cerminara's place for this matter. Mrs. Emminger said this is a fairly cut and dried resolution. She asked if anyone had any questions and there were none. Mr. Urice made a motion to approve this per the resolution. Mr. Keller seconded the motion and it was passed unanimously.

E.W. Batista Family LP -Application for Revised Special Exception/Revised Site Plan Approval to allow uses generating over five hundred (500) vehicle trips per day in the C-CBD Zone - 2-12 Main St. & 155 South St. (#J15045, #J15046, & #J15048) - SE #587.

Mr. Keller expressed concern over the Main St. access/egress and asked if the State DOT has approved these plans. Mrs. Emminger said it will not be submitted to DOT until all of the City approvals have been received. Mr. Urice said he is very familiar with this corner as the building has often been used as political headquarters during the past few elections. He said he agrees with Mr. Keller that the Main St. access/egress is rather vague. Mrs. Emminger said she will be sure to forward any additional staff comments that may come in to the Commission. Chairman Finaldi said moving the South St. driveway farther away from the intersection made a big difference. Ms. Hoffstaetter said this design is well done and the improvements that were made should enhance this project. Mr. Keller said he is anxious to see how long the construction will take. Chairman Finaldi asked if there was anything else they wanted to discuss with regard to the resolution and there was nothing.

REFERRALS:

8-3a Referral -- Petition of WestConn Properties Inc., 10 Meadow St. (#J13181) for Change of Zone from R-3 to CG-20. Zoning Commission public hearing scheduled for February 26, 2013.

Mrs. Emminger said the Planning Director prepared the staff report. This is a pre-existing non-conforming lot that is being used a parking lot. The intent is to combine this lot with three lots that front on White St. These three lots consist of the corner which is currently being used as an auto repair facility; and the two adjacent lots with the non-conforming dwellings on them. The dwellings will be demolished, and the building with the auto repair will be revamped for use as a medical office on the first floor and professional office on the second floor. Mr. Urice said normally he is not in favor of changing the zone of a non-conforming use to make it conforming but given the physical layout and size of this parcel, this is not such a bad idea. Mr. Cerminara asked about lighting. Mrs. Emminger said they did not have to provide it yet as this is just at the conceptual stage. If the zone change is approved, a full site plan will have to be prepared and that will include a lighting plan. Mr. Urice made a motion to give this a positive recommendation for the following reason: Based upon the physical layout of the site, the proposed use will be a good fit for this property. Mr. Keller seconded the motion and it was passed unanimously.

8-24 Referral/February 2013 City Council Agenda Item #15: Renewal of Water/Sewer Extension Approval - 12 Clapboard Ridge Rd/ (#H12002)

Mrs. Emminger said that this is actually a request to re-approve a previously approved water/sewer extension. These extensions were originally approved in 2008, and again in 2010. The Planning Dept. approved a site plan for twenty units in 2007, but they have not yet been built. Mr. Urice made a motion to give a positive recommendation for the renewal of the previous positive recommendation with the standard conditions. The standard conditions are that this is subject to compliance with all Public Works/Engineering Department conditions relative to construction of said extensions 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. Mr. Keller seconded the motion and it was passed unanimously.

Chairman Finaldi said there was nothing under Correspondence, Other Matters or For Reference Only. He then asked if anyone had anything they wanted to discuss and there was nothing.

At 8:25 PM, with no further business to discuss, Mr. Keller made a motion to adjourn. Ms. Hoffstaetter seconded the motion and it was passed unanimously.