







they want to see there. Ms. Aldrich then offered to answer questions and said she will prepare a plan for the next meeting on March 21. Mr. Keller said they could restate everything but the main thing is that the natural buffer needs to be replaced. Attorney Marcus said they have two choices; to improve the screening or just replace what was there. He added that his client would like to extend the existing fence to satisfy the neighbor who requested a fence. Mr. Keller said the Commission is talking about putting this back to what it was before, but the neighbors need the fence to protect them from what the condition is now. Attorney Marcus said whether there is a fence or not affects the density of the buffer. Mr. Urice said there are two issues here; one is that the fence is needed to halt the glaring safety issue. Two the buffer is a separate issue, they are not talking about improving a buffer or creating some low undergrowth. They are talking about replacing the natural buffer that was cut down, replacing it to what it was, the exact size and density. They are not looking for a landscaped area, they are looking to reinstate the woody buffer that was there. Ms. Aldrich asked if they wanted to see native plant materials. Mr. Urice said the buffer should be restored to the extent that the neighbors will not suffer any more. Mrs. Emminger said she could get Ms. Aldrich copies of the pictures which show before and after. Chairman Finaldi said they will be willing to look at different options as long as what they are proposing addresses their comments by restoring the buffer back to what it was. Ms. Aldrich asked if she should prepare two versions; one using native plant materials with a heavily planted area and a second one showing the continuation of the fence from the neighbors' property along with native plantings. Chairman Finaldi said she could give them two, three or four options. She said she also will present solutions for soil stabilization. Chairman Finaldi said they will also hear from the neighbors so there will be more information coming. Attorney Marcus said they need to get on this because there also are innocent bystanders being affected, namely the people who are trying to move in here. Mrs. Emminger read the Cease & Desist Order that the Zoning Enforcement Officer had issued right after the previous meeting into the record. Mr. Keller asked if that meant they could keep working on what they are doing, and if it will just prevent them from getting any new permits. Mrs. Emminger said that is correct and additionally, it will prevent any Compliance Certificates from being issued.

Chairman Finaldi asked if there was anyone to speak in opposition to this and two people came forward.

Ron Underwood, said he did not understand. He asked if that meant no one can do anything until this is resolved. He showed them more pictures of the site as it was and as it is now. He said if they look at these photos they will see where he had trees and now he has none.

Henry Antonio, said he wanted to apologize for some of the comments he made at the last meeting but he was under the impression that the Cease & Desist Order had already been issued. He just found out that it had been issued since the last meeting. He said he put his fence in to replace a broken down old fence and he asked them before he did it. He then said if they are going to continue the fence that he put in, does he have any recourse to get some compensation since there was no real fence before he put one in. He added that he also has no trees any longer so all he can see is what will be the buildings. Chairman Finaldi said the Commission is expecting to look at several conceptual plans and he is welcome to look at them also.







they add language regarding potential noise disturbances as a deed restriction for the residential units which have been approved for this area. The Commission has made this type of deed restriction a condition of approval for two recent subdivisions which were approved in the vicinity of the Airport. Mr. Keller asked why they are not using the heliport that was in existence on the Union Carbide property. He added that at one time he had worked there and he remembered that the use of that heliport was very infrequent. Mrs. Calitro said that location is not a part of what was rezoned to PND. Chairman Finaldi said this will be a part of the commercial portion of the PND zone. Mr. Urice said he understands the commercial value of this, but a lot of people have contracted to purchase residential units which will be right in this area and they were not aware of this proposal. He said when he bought his home in the vicinity of the Airport, he knew it was there. He said it is not appropriate to now add this kind of noise incursion when people bought in good faith what they thought was a residential development. He said he is not in favor of this. Chairman Finaldi said his office at Lee Farm Corporate Park is right in the flight path for Danbury Airport, but he does not find the plane and helicopter traffic to be disruptive. Mr. Urice said it is really a different thing when it is your home. He added that a helicopter is extremely noisy when it is hovering or landing and also jars the windows and doors of the houses. He said this is fine where he lives because he moved next to an Airport but these people who have purchased units at "The Reserve" did so without knowing about a possible heliport right in the middle of their development. Mrs. Calitro said Mr. Elpern had spoken to the owners of WCI and they were fine with this. Mr. Urice said although WCI does own the property, they are not going to be living there. Mrs. Calitro also pointed out that the Regulations also require that this use meet FAA standards. Mr. Urice said that doesn't make it anymore pleasant for the people living in the flight path. Mr. Keller said as long as they are not talking about a landing strip, one or two trips occasionally should not be an issue. Someone mentioned that there were no complaints about the heliport when it was at Union Carbide. Mr. Urice said that is because it was not surrounded by residential dwelling units in the immediate vicinity. He then said no one can stipulate what the traffic is going to be. Mr. Keller said he was basing his comments on what the minimal usage he remembered taking place at the Union Carbide site. Mrs. Calitro said they would still need site plan approval and then she read the proposed standards from the petition. She added that we are only talking about shuttling in executives once and a while, this is not a passenger service with a schedule of takeoffs and landings. She reiterated that the proposed standards are modeled after the existing standards in the Zoning Regulations already. Chairman Finaldi reminded the Commission that this is an amendment to the Regulations, not a site plan review. Mr. Urice said these are all nice regulations about controlling the noise when they are landing, but the noisiest time is when they are aloft. He said since this is only subject to administrative site plan review, they will not be able to address the overhead noise issue for the people that live in this area. There will be no opportunity to impose any additional restrictions on an approval. He said this may be a good thing for the City of Danbury, but it does not seem to be a good thing for the residents of this area. Mrs. Calitro pointed out the Regulations also say that the flight profiles have to be approved by the Danbury Aviation Commission so they will not be flying all over the place. Mr. Urice reiterated that since it will not be coming before this Commission, they will have no control over it. Chairman Finaldi said he had lived near Danbury Hospital for many years and remembers occasionally being aware of the helicopters using the heliport at the Hospital. He said if he thought this would affect the quality of life he would say it. Mr. Urice said he has been living near Danbury Airport for twenty-five years and you hear them. He added that if you had purchased one of the units at "The Reserve" and were now finding out about this, you wouldn't be talking that way. Chairman Finaldi then called for a motion on this matter. Mr. Keller made a

