CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

MINUTES
MARCH 19, 2008

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Chairman Finaldi asked if there was anyone else to speak in favor and several people came forward.

Mark Nolan, 35 Brushy Hill, said he was originally in opposition and is still not happy with number of units. He said it is good that the Highway Dept. has asked for additional catch basin because the natural spring on lot 3 creates a lot of water and the additional catch basin will alleviate that. He said he is on the Tarrywile Park Restoration Task Force and the significance of the Castle includes the landscaping around it. He said some of the trees that are being removed are quite large and it would be in the best interest of neighborhood if the replacement trees are larger than what is required by the Zoning Regulations. He asked that the Commission require this of the applicant.

Joel Brook, 4 Cannondale Dr., suggested they don't omit any catch basins because the water cascades and there is flooding at times.

Jay Celestino, 16 Brushy Hill Rd., said it is good that the applicants have reduced the amount of excavating that will be done, but thinks a stone wall would be better for the retaining wall.

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

Mr. Doto said the requirement is that they do not increase runoff from the site and they are satisfying that by installing an onsite detention system in the upper portion of the driveway. He said the two inch trees more than satisfy the requirements but he will speak to his client about making the retaining wall out of stone.

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

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immediately delivered to Mr. Mohammed. Mark Smith PE, from To Design, said they addressed all of the staff comments.

Chairman Finaldi asked if there was anyone to speak in opposition to this and there was no one. He then suggested they close since the only open issue is one driveway. Mrs. Emminger said they can condition the approval, since the details about the southern exit can be worked out between the Staff and the City Traffic Engineer. The Commission members agreed that they had no problem closing the hearing so long as they prohibit left turns out of the southern exit.

Mr. Manuel made a motion to close the public hearing. Ms. Hoffstaetter seconded the motion and it was passed unanimously.

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Danbury 6 Associates, LLC – Application for Special Exception for Gas Station & Convenience Store ("Alliance Energy") in the CA-80 Zone – 115 Mill Plain Rd. (#C17040) – SE #667. *Public hearing opened 2/20/08 – First 35 days will be up 3/25/08.*

Danbury 6 Associates, LLC – Application for Revised Special Exception/Site Plan in acc. w/Sec 10.D.7. of the Zoning Regulations for Proposed Revisions to Shopping Center Parking Lot – 115 Mill Plain Rd. (#C17040) – SE #517. *Public hearing opened 3/5/08 – First 35 days will be up 4/8/08.*

Mrs. Emminger said it was noted on the agenda that these two matters would be tabled and continued this evening. She added that the applicant has given us an extension on SE #667, so that we can consider these two matters together. Mr. Urice made a motion to continue the hearing. Mr. Keller seconded the motion and it was passed unanimously.

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8-3a Referral – Petition of Murad Realty Company, Carol J. & John T. Benusis, DMD & GRM Rentals LLC to Amend Section 5.D.2.a. & 5.D.4 of the Zoning Regulations. (Add Medical Offices < 3,000 sq.ft. to CL-10 Zone) *Zoning Commission public hearing scheduled for March 25, 2008.*

Mrs. Calitro reviewed the Staff Report saying that medical offices were a permitted use until last year when all of the commercial zones were amended to make them more in compliance with their purpose and intent. This proposal would add medical offices under 3,000 sq.ft. to the list of permitted uses in the CL-10 zone. She added that although this application was generated by owners of properties along West St. this change would apply to all of the six locations zoned CL-10 within the City. She said the concern with medical offices is the impact on traffic congestion and safety. Large medical offices have proven to generate significant amounts of traffic, but since this request is for medical offices of a limited size, based on the Trip Generation Table in the Regulations, it would not generate significant amounts of traffic. Ms. Hoffstaetter made a motion to give the language as proposed in the Staff Report a positive recommendation for the following reasons: Since this proposal would only permit medical offices of no greater than 3,000 sq. ft. in size, they would not generate significant amounts of traffic. Mr. Urice seconded the motion and it was passed with three AYES (from Ms. Hoffstaetter, Mr. Urice & Chairman Finaldi) and two NAYS (from Mr. Keller & Mr. Manuel).

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that govern farming. It will allow an existing farm to use adjacent property to store products and machinery, which is a typical practice in farming operations. Also there are enough restrictions placed on the use of the adjacent property that this should not affect the neighborhood. Ms. Hoffstaetter seconded the motion and it was passed with three AYES (from Ms. Hoffstaetter, Mr. Manuel & Chairman Finaldi) and two NAYS (from Mr. Keller & Mr. Urice).

Chairman Finaldi and Mr. Urice both said that in the case of these 8-3a referrals to amend the Regulations, they would like to receive the reports earlier, so they have adequate time to review them before the meeting.

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free split approved in 2006 by the Planning Dept. A road renumbering has recently been approved and is to be implemented shortly. Under the renumbering plan, this new lot would be designated as 15 Grandview Drive. She added that the Highway Dept. has determined that these easements would be necessary in order for the lot to be developed. Mr. Keller made a motion to give this a positive recommendation subject to review and approval of the final easement documents and maps by Corporation Counsel for the following reasons: the Highway Department has requested drainage and grading rights be provided to the City before this lot can be developed. These easements are for storm drainage discharge, drainage structures, related grading and will drain to the existing drainage structures on Grandview Dr. Mr. Urice seconded the motion and it was passed unanimously.

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