



that you can put a house on it. He said that is the reason they prepared the plan showing one house. There is sewer available because the main was installed from Backus Ave. through the school property and there also is water available. He again said the only reason they prepared a plan showing a house on seventeen acres of land is because they have to do it this way in order to comply with the Regulations. He said it really is unfair because the Regulations allow for subdivision of a commercially zoned parcel without requiring a site plan showing feasibility of development. In closing, he said this proposal before them tonight is simply for the purpose of creating this new lot.

Mrs. Emminger related a conversation she had with Asst. Airport Administrator Michael Safranek who had requested there be a note placed on the deed regarding this lot's proximity to the airport runways as well as the possibility of planes flying over this site because it is within the approach zone. Ms. Hoffstaetter asked how much of the new lot would be usable land. Attorney Marcus said wetlands and steep slopes comprise about 5-8 acres of the site and a portion of it is at a very steep grade. Mrs. Emminger then pointed out that the Airport beacon is located up in this area.

Chairman Finaldi asked if there was anyone to speak in opposition to this.

John Calhoun, 12 Noteworthy Dr., submitted a letter that many of the neighbors received from the Headmaster of Wooster School (Exhibit A). This letter described the intent of the subdivision proposal. Mr. Calhoun said he was referred to John Katz, who confirmed this information. He also said they were told it could be sixteen single-family homes or possibly townhouses.

Patrick Gillotti, 5 Greta Dr., said they expect a cluster development, but have concerns about potential access from Noteworthy Dr. He said he walked Ye Olde Rd. today and it is very passable. He described what he thought were some of the other access options. He then said there already are sixty homes in their development and more homes will increase trips by 25%. He expressed concern for traffic issues and the safety of the children since there is only one access in and out of Rolf Dr. He suggested they use Ye Olde Rd as an alternative. .

Mrs. Emminger clarified that Ye Olde Rd. is not a City road which means it is not built to City standards and definitely is not wide enough to support traffic.

Benjamin Chianese, said he has lived at 5 Briar Ridge Rd. for over thirty years and seen many changes. He said Boehringer Ingelheim had a huge expansion project which has increased traffic tremendously. He said there is no place to widen Briar Ridge because one side is mountain and the other side is a cliff. Rolf, Noteworthy and Greta Drs. are all quiet neighborhoods. This is a unique situation because there is no egress out without turning around because Briar Ridge just abruptly ends. The Plan of Conservation & Development says that will not change. He said for this reason the neighbors always worry that Noteworthy Dr. will be opened up. He suggested they look at the best possible use of this piece of land since it will require a lot of land work to develop it. Also it is before EIC because it is a very wet piece of land. In closing, he said the biggest concern is the potential usage and where the access will be from. He suggested Wooster School allow access through their property so they can handle the traffic.

Eleanor Schoenauer, 13 Noteworthy Dr., said she moved to Danbury to raise a family and she chose Noteworthy Dr. because of the cul-de-sac. She said increased traffic is a threat to the neighborhood and asked if this is approved; please make them use Ye Olde Rd. for access.

Paul Rotello, 13 Linden Pl., said he understands that Wooster School needs help financially, which has led to them to start selling off property. Presently the campus contains about one-hundred acres, so if they sell off seventeen acres they will begin lose their identity. He said he does not want to see them fail, but if this is just about them getting additional funds into their coffers, there are other means. He said it does appear that they have a buyer lined up to purchase and develop this, although in this real estate market, it will probably take a couple of years before anything actually happens. He suggested that the site plan that is before the Commission is a fantasy; it has nothing to do with what is actually planned for this new lot. He added that the purchaser could come in and request a rezoning to multi-family. Ye Olde Rd. was a road to nowhere; it only went to Wooster so there was not much traffic. He said it would be a better idea for the neighborhood if that was the access instead of crossing the school campus to get to these new houses. If Ye Olde Rd. is not appropriate then Noteworthy Dr. certainly is not either. He said he does not see anyway they could approve this any other way

Mrs. Emminger said what is before them tonight is simply an application for a two-lot subdivision; a public hearing for the site plan would come before them at a later date. Right now the applicant is simply complying with the Regulations by showing that it is feasible that this land be used for single family development.

Walter Gunter, 23 Rolfs Dr. said they understand the facts but are concerned about the increase in traffic, mentioned small children in his neighborhood. The transition of this property introduces additional risk because of the adjacent Cartus property. If this piece is approved, traveling through this neighborhood will get more complicated.

Shirley Vitale, 13 Greta Dr. said she has lived there since 1972 and seen much development including LakePlace Condos. She mentioned the Boehringer addition and the additional traffic it has caused. She continued saying that Ridgebury Estates, Shadow Lake, Noteworthy Dr., Rolfs Dr., Greta Dr., CelBret Dr. all use the very narrow Briar Ridge Rd. for access. Briar Ridge Rd. is so narrow that if you are walking on it, you have to jump up on the lawns when cars come at them. She said she understands that Wooster School has the right to sell their property, she just hopes they don't access through any of these roads.

Alysia Margiloff, 27 Rolfs Dr., said she is not going to reiterate about the children and the traffic. No one has spoken of the impact on wildlife and wetlands. There is a stream that runs along this area which would be affected and the birds and deer already have no where to go. She added that there are no less than six school buses traveling these roadways everyday. She suggested they ask the developer to consider Ye Olde Rd. or possibly build a new road to support the development.

Dan Reidy, 19 Rolfs Dr., asked if the sale of this new parcel is contingent on approval of a development. He added that there is no way this area could pass "perc" tests so they would have to go with City sewer.

Patrick Irving, 17 Greta Dr., said he also will not reiterate what has already been said. He is concerned about access/egress especially for emergency vehicles. He said in addition to vehicle traffic, everyone walks, runs and bicycles on Briar Ridge Rd. which is the same width it was two-hundred years ago. He said nobody has brought up the fact that this is a major watershed area, so when it is cleared or paved, this could create a major flood threat. He asked that they take into consideration the risks they may be creating.

Stefan Weber, 39 Rolfs Dr., said his main concern is the impact on the environment. He added that he is also getting runoff onto his property from the Cartus site. He said once they clear this area, his property will become a total swamp. Also once this is done, the country feeling will be lost.

Samantha Wolf, 33 Rolf Dr., said she chose this area because it seemed they could walk there, but they have not done much lately because the traffic is so bad. She added that Rolfs Dr. is just a stone and oil road so it cannot handle any more traffic.

Mr. Calhoun then came up again saying this does not comply with the criteria in Sec. 10.C.4. of the Regulations. Mrs. Emminger said that section specifically applies to special exceptions and special permits.

Jim Miller, 15 Greta Dr., suggested that next time they discuss this; the plan should be put in plain view of everyone instead of the Commission. Chairman Finaldi said that everything faces the Commission because the presentation is being made to them.

Attorney Marcus spoke in rebuttal thanking Mr. Rotello for the kind words about Wooster School being a unique institution that should be encouraged. He continued saying that even Ivy League schools are suffering from cash flow issues. And in their eighty-two year history, Wooster made an error by being very generous with their scholarship program. He said they are trying to keep this request under control and in the proper perspective. They are not proposing fifteen or twenty 20 houses although they would only generate thirty or forty trips per day. He said in response to the complaints about the runoff from Cartus, they have nothing to do with that. If there is a problem, perhaps the Planning staff can direct them to the proper City Dept. He said regarding the comment about losing the country feeling, he grew up on Briar Ridge and it has been widened since he was a child. Regarding the issue of clearing, they have not proposed any clearing. He said the description of this being a sponge is not accurate; the athletic field was cleared and it does not flood like that. The sale will be contingent upon approvals because very few people would buy property that cannot be developed. The Common Council would have to grant approval of a sewer extension. Regarding the comments about developing a road for access and the impact on the wildlife; this is about creating a line on a map, dividing this piece of land into two parcels. The Commission and the neighbors will have the chance to review whatever is proposed once the formal application for development is submitted. He added that when headmaster sent his letter out to the neighbors, he expected an application would be submitted immediately but times being as they are, this will probably not happen immediately. The probability of using other options to access this parcel will be limited by the grade issues. He said there was mention of this being an age-restricted development but Danbury does not have regulations for that use. If safety is an issue, there are City Depts. that can look into hazardous conditions. If he was to represent the potential applicant, he would have a traffic study prepared as part of the application to look at both site-specific traffic and



7:50 PM – 80 Mill Plain, LLC – Application for Special Exception to permit Retail/Warehouse generating more than 500 trips per day – 80 Mill Plain Rd (#D14003) – SE #652.

Mr. Keller read the legal notice. Attorney Paul Jaber said this is a 4.8 acre property which was previously the Wickes lumber site. He said the owner is present tonight if anyone has any questions for him. This proposal is to add 20,000 sq.ft. to the existing building. The existing building is 42,000 sq.ft., with 32,000 sq.ft. occupied by Dandy Distributors. The 10,000 sq.ft. addition on the east side will be used by Dandy in conjunction with their existing space. The 10,000 sq.ft. addition on the west side will be used for retail. Attorney Jaber said that Dan Baroody from the Health Dept. is still reviewing this with respect to the Public Water Supply Watershed. They have received the Engineering Dept. comments and the plans will be revised in response to them. He continued saying that their traffic engineer, Michael Galante from Frederick Clarke Traffic Consultants was unable to be here this evening but he will be at the next meeting. He then asked their engineer to describe the project in greater detail.

Steve Sullivan PE, CCA LLC, described the location of site and said there are no wetlands on it, although it is within the Public Water Supply Watershed. Both the existing shed and the concrete slab will be demolished and the drainage will be rerouted. There are 199 spaces proposed with six handicapped spaces. The existing driveway in northwestern part of property is to remain. He added that there was some confusion about proposing curbing, but it was never intended to curb the easement area and a note will be added to this effect. The site is currently served by City water and sewer. Mr. Keller asked if any improvements will be made to the driveway entrance. Mr. Sullivan said Mr. Galante would address that in his presentation. He added that the Fire Marshal has asked for a fire hydrant which will be added. He described how the drainage will be handled and then submitted correspondence between the applicant and the railroad company. This was designated Exhibit A.

Mrs. Emminger said she believes that they have used the wrong setback. She explained that the CA-80 zone was created in the late 1980's, right before the Mall was built. There used to be a provision in the Regulations which essentially "grandfathered" lots created before 1984, but that language was removed last year. She said there also is confusion over the actual size of the proposed addition and it is not noted anywhere on the plans. Attorney Jaber said the information they have provided regarding this is correct. He referred to a letter stating that they are working with the railroad to clean out the basin since it needs to be done. Mrs. Emminger said the letter does not mention required rights to pass and the drainage that is needed. Attorney Jaber said they believe that these rights exist already, but they are working with the railroad to come up with a final plan. He then referred to a rendering which was on the easel.

Chairman Finaldi asked if there was anyone else to speak in favor of this and one person came forward. Bob Underhill, the owner of Jewelry Design at 86 Mill Plain Rd. said Mr. Salame is fantastic neighbor. He added that this proposal will upgrade the lumberyard and also be a great improvement for the community.

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

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





