



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

ZONING COMMISSION  
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MINUTES  
MAY 26, 2009

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The meeting was called to order by Chairman Ted Farah at 7:31 PM.

Present were Theodore Haddad Jr., Patrick Johnston, Richard P. Jowdy (arrived at 7:37 PM), David Manacek, Robert Melillo, Larry Stramiello, Andrew Wetmore, Ted Farah and Alternates Victoria Hickey and Thomas Spegnolo. Also present was Planning Director Dennis Elpern.

Absent were Anthony DiCaprio and Alternate Jacqueline Perez-Ares

Mr. Melillo led the Commission in the Pledge of Allegiance.

Mr. Melillo then made a motion to accept the minutes of the April 28, 2009 meeting with one correction. Mr. Johnston seconded the motion as stated and it was passed unanimously.

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Chairman Farah then said since there was no new public hearing this evening they would move directly to the Old Business.

Petition of Cioffoletti Construction Co., 18 Plumtrees Rd. (#L13121 & #L13122) for Change of Zone from IG-80 to RMF-10. Public hearing closed 4/28/09 - waiting for opinion from Corporation Counsel.

Chairman Farah said that Mr. Stramiello, Ms. Hickey & Mr. Spegnolo have listened to the tapes and reviewed the file documents so they are all eligible to vote. He said that means that everyone present is eligible to vote on this matter. Additionally they have received a letter from Corporation Counsel clarifying that it is okay for the Commission to take action on this petition despite the fact that the previous appeal has not yet been resolved. He then asked Ms. Hickey to take Mr. DiCaprio's place and Mr. Spegnolo to take Mr. Jowdy's place for the discussion and possible vote on this.

Chairman Farah asked if anyone was ready to make a motion. Mr. Melillo made a motion to deny this petition for the following reasons: The circumstances for the two previous denials have not changed: (1) this is inconsistent with the Plan of Conservation & Development, (2) the proposed development is incompatible with the adjacent land uses and steep slopes, (3) there still exists the need to retain industrially zoned land, and (4) this could have a potential negative effect on traffic in the area.

Mr. Johnston seconded the motion and said that although the attorney claimed this was a different petition because it included more land, there really has been no change since the initial denial of the same petition and no good reason was given to reconsider this. Chairman Farah asked if anyone had comments or discussion and there was nothing.

Chairman Farah then did a roll call vote the motion to deny was passed with eight AYES (from Mr. Haddad, Mr. Johnston, Mr. Melillo, Mr. Stramiello, Mr. Wetmore, Ms. Hickey, Mr. Spegnolo and Chairman Farah) and one NAY (from Mr. Manacek).

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At 7:37 PM, Mr. Jowdy arrived.

Chairman Farah noted that there was nothing under New Business or Correspondence. He asked if anyone had anything to discuss under Other Matters and there was nothing. He said under For Reference Only they have one public hearing scheduled for the next meeting on June 9, 2009.

At 7:39 PM, Mr. Johnston made a motion to adjourn. Mr. Stramiello seconded the motion and it was passed unanimously.