# CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
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MINUTES
FEBRUARY 3, 2010

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application. He said there will be more lights but they are fully shielded and covered, so there is no glare or reflections onto the adjoining parcels. Mrs. Emminger asked Mr. Sullivan to point out the area where the trees will be removed. He pointed it out and said the area next to the adjacent property owners will remain wooded.

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

Donna Bayless, 10 Sleepy Hollow Dr, identified her property on the site plan. She said she is very concerned about the runoff because there is a stream that runs under her property to the pond. Chairman Finaldi said after all of the opposition speaks; Mr. Sullivan will come up and respond to their comments.

Bob Ogden, 8 Sleepy Hollow Dr, said Filosa has been a great neighbor for over forty years. His only concern is about how the new lighting will affect his back yard.

Mary Slater, 26 Staples St., said she has questions about lights also. Chairman Finaldi said Mr. Sullivan would point the lights out on the site plan once all of the opposition is done speaking.

Ronald Slater, 26 Staples St., said he is not in opposition but is concerned about where the new driveway will be with respect to where his driveway comes out onto the road.

Chairman Finaldi asked Mr. Sullivan to respond to the opposition's concerns. Mr. Sullivan said they are not changing anything in the wetlands area. He added that the Engineering Dept. has approved the drainage plans and agrees with their calculations. The Engineering Dept. has also said that any problems with the City's existing drainage are the City's responsibility to correct. Ms. Hoffstaetter asked for some clarification on the stream and the runoff. Mr. Sullivan explained the path the runoff follows and how the drainage picks it up. Mr. Keller asked if the lights are on all the time. Mr. Sullivan said they will not be on during the daytime.

Chairman Finaldi asked if they are waiting for reports from any City departments. Mrs. Emminger said they are not on the initial distribution but the City departments have not yet finished reviewing the revised plans submitted by Mr. Sullivan.

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

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land that their New Milford store was located on was being taken by the State as part of the Route 7 road work. So they had to move all of their storage to the Danbury location. They were allowed to continue selling from this site until recently when the State notified them that the plans have changed and the property is now for sale, so they must vacate it. Mr. Kornhaas said essentially the State cannibalized this site. He then submitted a letter from the State DOT (designated Exhibit A) saying that the State is selling all excess property and this site needs to be vacated in conjunction with that. Mr. Kornhaas then submitted a letter from the Savings Bank of Danbury (designated Exhibit B), the immediate neighbor. This letter said since the storage yard is not open to the public, they have no problems with the proposed area as long as it is fenced and gated. Mr. Kornhaas introduced Dave O'Leary, who is the president of Agriventures and said he was available to answer questions. Mr. Keller asked if the proposed storage area would be locked and Mr. Kornhaas said it will. Mr. Urice asked if this means that they will not be storing bulk anywhere but in these bins. Mr. Kornhaas said he cannot guarantee that because sometimes they get deliveries during a busy time and the stock is just left in an available spot. He added that an access driveway was constructed between both properties and the applicant is proposing to continue to use the driveway. Mr. Urice made a motion to continue the public hearing. Mr. Keller seconded the motion and it was passed unanimously.

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Mr. Urice made a motion to move the Other Matters to before the Referrals. Mr. Keller seconded the motion and it was passed unanimously.

## OTHER MATTERS FOR REVIEW AND POSSIBLE ACTION:

Discussion & Recommendation of the proposed Capital Improvement Budget FY10/11.

Planning Director Dennis Elpern asked the Commission members if they wanted to go through this line by line or just summarize it. The Commission members agreed that they would take the short version with the key points. Mr. Elpern said the State has cut much of their funding and that had a tremendous impact on this budget. He said it took a lot of work this year to make this fair and reasonable. Mr. Keller asked if the Mayor had proposed any modernizing for Dorothy Day or the homeless shelter. Mr. Elpern pointed out that the City doesn't own the shelter, so that limits what we can do there. Mr. Urice made a motion to approve the CIP as presented and forward it to the Mayor and the Council. Mr. Cerminara seconded the motion and it was passed unanimously.

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*that an objection is filed by an abutting occupant, a zoning permit shall not be issued".* He said in 2008, the Commission gave the CG-20 amendment a negative recommendation. And allowing this in the CA-80 would move the light industrial uses into commercial zones. Also this is a noisy operation so the language should have the same restrictions that were put on the CG-20 use. He said subsection b should be deleted because it will be a tough thing for the Zoning Enforcement Officer to enforce. Mr. Urice made a motion to give this a negative recommendation for the following reasons:

- They do not object to the sale of granite and marble in CA-80 Zone, but they are opposed to the cutting of granite as it is more of an industrial use. Also they feel the proposed notification process will result in an enforcement nightmare.

Mr. Keller seconded the motion and it was passed unanimously

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