CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

MINUTES
APRIL 21, 2010

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

The meeting was called to order by Acting Chairman Edward Manuel at 7:30 PM.

Present were Joel Urice, Edward Manuel and Alternates Fil Cerminara and Helen Hoffstaetter. Also present was Associate Planner Jennifer Emminger.

Absent were John Deeb, Arnold Finaldi, Kenneth Keller, and Alternate Paul Blaszka

Ms. Hoffstaetter made a motion to approve the minutes of March 3, 2010. Mr. Urice seconded the motion and it was passed unanimously. Mr. Manuel then said they would table the March 17, 2010 minutes as they have not received them yet.

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

Mr. Manuel said since there were no new public hearings scheduled for this evening, they would go right into the Continuation of the public hearing for Peregrine Acquisition

CONTINUATION OF PUBLIC HEARINGS:

Peregrine Acquisition Corp. − Application for Special Exception to permit a use (“Mill Plain Plaza”) generating more than 500 trips per day in theCA-80 Zone − 102 Mill Plain Rd. (#C14014) − SE #535. *Public hearing opened 3/17/10. 35 days will be up 4/20/10 – extension granted to 4/26/10.*

Mr. Urice said he had listened to the tapes of the April 7th meeting and reviewed the file.

Joe Canas PE from Tighe & Bond gave a quick update of what has been changed since the last meeting. He added that he has submitted responses to the Departmental comments. He then submitted the rendering of the proposed building. Mr. Urice asked if they have any potential tenants yet. Mr. Canas said not that he is aware of. He then said he has nothing else to add unless there are any other questions. There were none at this time.

Mrs. Emminger said this hearing had been continued for the response from the City Traffic Engineer which has been received. Mr. Canas added that they have responded to all comments now and all revisions have been made. Mr. Urice said just for clarification; if things were supposed to be done by another project and they have not been done, then this applicant will be responsible. Attorney Paul Jaber then said Mr. Balskus submitted a map at the previous meeting that includes all work proposed for this application.

Mr. Manuel asked if there was anyone to speak in opposition to this and there was no one

Mr. Urice made a motion to close the public hearing. Ms. Hoffstaetter seconded the motion and it was passed unanimously with the exception of Mr. Manuel who was not present for the public

hearing. Mr. Urice then made a motion to move this matter to number two under Old Business on tonight's agenda. Ms. Hoffstaetter seconded the motion and it was passed unanimously with the exception of Mr. Manuel.

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

OLD BUSINESS FOR CONSIDERATION AND POSSIBLE ACTION:

Wooster School Corporation – Application for two (2) lot subdivision (111.38 ac.) in the RA-40 Zone – Miry Brook Rd. & Noteworthy Dr. (#E19001) – SUB #08-03. *Public hearing closed 4/7/10 − 65 days will be up 6/10/10.*

Mr. Manuel said the Commission members should have received the draft resolution by e-mail. Mrs. Emminger offered to answer any questions but there were none. Mr. Urice made a motion to approve this per the draft resolution. Ms. Hoffstaetter seconded the motion and it was passed unanimously with the exception of Mr. Manuel who was not present for the public hearing.

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

Peregrine Acquisition Corp. − Application for Special Exception to permit a use ("Mill Plain Plaza") generating more than 500 trips per day in theCA-80 Zone − 102 Mill Plain Rd. (#C14014) − SE #535. *Public hearing opened 3/17/10. 35 days will be up 4/20/10 – extension granted to 4/26/10.*

Mrs. Emminger went over a few things in the resolution. Mr. Urice then said it was fairly straightforward and made a motion to approve this per the resolution. Ms. Hoffstaetter seconded the motion and it was passed unanimously with the exception of Mr. Manuel who was not present for the public hearing.

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

NEW BUSINESS:

8-3a Referral − Petition of the City of Danbury by Dennis I. Elpern, Planning Director to Amend Secs. 2.B., 7.A. & 11.B.4.(d) of the Zoning Regulations. (Revise Floodplain Regulations per DEP mandate) *Zoning Commission public hearing scheduled for May 11, 2010.*

8-3a Referral − Petition of E.W. Batista, Family Limited Partnership, 155 South St. (#J15048) for Change of Zone from RMF-4 to C-CBD. *Zoning Commission public hearing scheduled for May 25, 2010.*

Mr. Manuel said these would be discussed at a later meeting after they receive the staff reports from the Planning Director.

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

REFERRALS:

8-24 Referral/April '10 CC Agenda Item #10 – Request for Water Main Extension – 2 & 4 Brushy Hill Rd. (#I16256 & #I16257).

Mrs. Emminger referred to the report prepared by the Deputy Planning Director. She said this is for the Tarrywile Woods subdivision which was two new houses and open space. When this was approved there were outstanding conditions about how they would connect to City water, which have

been settled now. The Engineering Dept. has confirmed that this meets both theirs and Public Utilities requirements. Ms. Hoffstaetter made a motion to give this a positive recommendation with the standard conditions. Mr. Cerminara seconded the motion and it was passed unanimously.

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

8-24 Referral/April '10 CC Agenda Item #28 – Acquisition of 190 acres from Back 'O Beyond LLC (property formerly known as the "Farrington Property")

Mrs. Emminger said the Council has been in negotiations to buy 193 acres on the west side. She passed around a map showing the location of the 193 acres and said this purchase was recommended in the Plan of Conservation & Development. It also was ranked as a high priority in the 2008 Open Space Bond referendum. Additionally, the City is eligible to apply for a grant from DEP which will cover 55% of the cost. There were no questions. Ms. Hoffstaetter made a motion to give this a positive recommendation with the standard conditions. Mr. Cerminara seconded the motion and it was passed unanimously.

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

There was nothing under Other Matters or Correspondence. Under For Reference Only were two applications for Floodplain Permits and public hearings scheduled for 5/5/10 and 5/19/10.

At 8:00 PM, Mr. Urice made a motion to adjourn. The motion was seconded by Ms. Hoffstaetter and passed unanimously.