CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
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MINUTES
MAY 5, 2010

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The meeting was called to order by Vice Chairman Kenneth Keller at 7:30 PM

Present were Joel Urice, Kenneth Keller and Alternate Fil Cerminara. Also present was Deputy Planning Director Sharon Calitro.

Absent were John Deeb, Arnold Finaldi Jr., Edward Manuel and Alternates Paul Blaszka and Helen Hoffstaetter.

Vice-Chairman Keller announced that they had not received the minutes, so they would table the acceptance of them. He then explained that the News-Times made an error and the legal notice was not published. So there are no public hearings scheduled for this evening and the only things on the agenda are some referrals.

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REFERRALS:

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.*

Sharon Calitro said she would go over the changes and then the members could ask questions. She described the National Flood Insurance Program and said it is one of many managed by FEMA. She said that City's participation in this program allows residents to be eligible to obtain federally backed flood insurance. The City has had floodplain regulations since 1977 and has issued floodplain permits since 1982. We have been working off of FEMA maps that are from 1982. FEMA also makes rulings on amendments or revisions to their maps, but this does not happen very often.

In December 2008 FEMA sent the City revised maps to be evaluated for correctness. In December 2009, we received a letter from FEMA stating that these new maps would become effective June 18, 2010. it was then that we discovered we were going to have to amend our Regulations in order to remain eligible to participate in the program. She said that the State DEP assisted all of the 169 municipalities in the State by reviewing their existing regulations and providing written comments on them. They made some suggestions as to things that needed to be changed and our amendments were prepared to comply with their new requirements. The proposed amendments were sent back to them for one more review. We got a letter from them yesterday saying that our proposed amendments meet their requirements.

She said that these changes affect the definitions in Sec. 2. Some new definitions were added and some others were moved to Sec. 7, where the floodplain regulations are located. The change to Sec

11 adds language that says that any variances to the requirements of Sec. 7 could make the cost of floodplain insurance be higher. This language was added to put people on notice of this fact. She said most of what was added is already in practice, we just didn't have it stated in the regulations. She said this has been a long process but the proposed regulations are much cleaner and easier to follow because they are all together. The considerations for approval have the statutory language in them. The reason for this is because the Statute was clearer than any other language we could come up with. She said they did not remove things from the existing language, they just retooled it. She said there were changes in the definition of a recreational vehicle because DEP wanted a specific definition to keep it separate from a mobile home. Language regarding storage of a recreational vehicle also was added. There was some discussion about this and when it would be necessary to get a Floodplain Permit. She said they also added language noting the circumstances when hydrologic analyses would be required. She reiterated that much of this new language is things that they are already doing; this just puts them into writing. Vice-Chairman Keller said that the DEP must be very concerned because of all the flood emergencies all over the United States. He added that he hopes Danbury does not have any major problems. Mrs. Calitro said that we have had them with Jensen's Mobile Home Park. Mr. Urice made a motion to give this a positive recommendation for the following reasons: These changes are required by the DEP and FEMA and will benefit all City residents by allowing the City continued participation in the National Flood Insurance Program. Mr. Cerminara seconded the motion and it was passed unanimously.

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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. Cerminara made a motion to table this matter until the next meeting when there would be more members present and they would have the Planning Director's Staff Report. Mr. Urice seconded the motion and it was passed unanimously.

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There was nothing under Other Matters or Correspondence. Under For Reference Only were listed two applications for Floodplain Permits and public hearings scheduled for 5/19/10 and 6/2/10.

At 8:15 PM, Mr. Cerminara made a motion to adjourn. Mr. Urice seconded the motion and it was passed unanimously.