



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
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MINUTES
AUGUST 17, 2011



The meeting was called to order by Chairman Arnold Finaldi Jr. at 7:30PM.

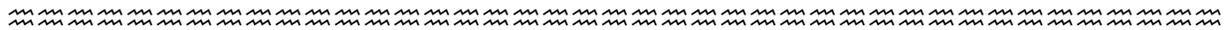
Present were Arnold Finaldi Jr., Kenneth Keller, Joel Urice, Alternates Helen Hoffstaetter and Fil Cerminara. Also present was Associate Planner Jennifer Emminger.

Absent was Edward Manuel.

Chairman Finaldi noted that the Commission has two vacancies at this time, due to the passing of Mr. Deeb and the resignation of Alternate Paul Blaszk. He then asked Mr. Cerminara to take Mr. Manuel's place and Ms. Hoffstaetter to take Mr. Deeb's place for the items on tonight's agenda.

Chairman Finaldi read a withdrawal letter from Attorney Thomas Beecher for the Application of C & W Development LLC for Sewage Treatment Facility at 46 Beaver Brook Rd., SE #710.

Chairman Finaldi announced they would table acceptance of the minutes.



PUBLIC HEARING

7:30 PM — Boehringer Ingelheim Pharmaceuticals Inc. — Application for Revised Site Plan approval for "RDG Pilot Plant Replacement Project" in acc. w/Sec./10.D.7. of the Zoning Regulations — 39 Briar Ridge Rd. (D17001) — SE #317.

Mr. Keller read the legal notice. Leonard Lustrino, from Boehringer introduced the design team: Carole Kuzian, PE from CE & IC and architect Steven Misjura, from HDR. Mr. Lustrino said they are proposing to build a 70,271 sq.ft. building, of which approximately 8,000 sq.ft. will be located in Danbury. Only 54 acres of the Boehringer campus are located in Danbury, the remaining land is in Ridgefield. This PPR (Pilot Plant Replacement) building will be connected to the existing building. It will be built into land so it will be not so visible from the roadway. Although they are proposing a new driveway, the front entrance to the building will remain the same. The majority of the building will be built over the parking lot. The storm drainage will be entirely on campus and utilities will be served by

underground facilities on campus. This new space will be staffed by current employees, so there is not much of a traffic impact. They had a traffic study done and there is a slight increase of 25 trips per day. Mr. Misjura described the exterior of the new building. The new building will be constructed of precast concrete panels and vertical metal panels. The front façade is clad in 3 inch thick metal panels for energy conservation. There will be screening on the rooftop to camouflage the HVAC equipment. There will not be a lot of windows because there are not a lot of people in the building. The main entrance will remain the same; the buildings will be connected internally.

Mr. Lustrino said they are sensitive to the fact that noise and light could affect the neighboring properties. They have been working with a sound expert to maintain the current noise levels and to not incur any new ones. They have taken the measures that were suggested by the expert and there have been no complaints. There will be no lighting in the building at night, except for small ones over the doors. They also had engaged a lighting consultant who reviewed the existing system and has come up with a plan to reduce the light from the existing building. Much of this light is reflection so they are working to diminish it. He added that this new building is just more of the same kind of space used for the same purposes. Mr. Urice asked what kinds of things go on there that might create noise. Mr. Lustrino said they will be doing research operations and manufacturing apparatus. He said the building and the proposed addition already have approval from the EPA.

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

Mrs. Emminger said they are still waiting for most of the departmental reviews so they need to continue the hearing.

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

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CONTINUATION OF PUBLIC HEARING:

C & W Development LLC – Application for Special Exception for Sewage Treatment Facility (“Coffey Environmental Solutions”) in the IG-80 Zone – 46 Beaver Brook Rd. (#K12176) – SE #710.

Chairman Finaldi said this application has been withdrawn as announced at the beginning of tonight’s meeting.

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OLD BUSINESS FOR CONSIDERATION AND POSSIBLE ACTION:

Lee Farm LLC – Application for two (2) lot subdivision (23.326± ac.) in the IL-40 Zone – Wooster Heights Rd. (#G18048) – SUB #11-01.

Chairman Finaldi said they had received a resolution from Mrs. Emminger as discussed at the previous meeting. Mr. Urice asked if all of the notes had been put on the mylar. Mrs.

Emminger said everything is covered under #2 in the resolution. Mr. Urice made a motion to approve this per the resolution. Ms. Hoffstaetter seconded the motion and it was passed unanimously.

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New West St. LLC – Application for Revised Floodplain Permit – 14-16 New St. (#I14066, #I14067, #I14068 & #I 14069) – SP #10-05.

Mrs. Emminger said she did not prepare a written report on this but would explain it because it is a revision to an already approved plan. The Blind Brook goes under the property and the 100 year old culvert could not handle it. This revision was subject to a rigorous review by the City Engineering Dept. despite the fact that this revision is just formalizing what the applicant has already been allowed to do. The pipe is in now and has been inspected. Mr. Urice said he saw the photos of this and it was quite an undertaking. Mr. Cerminara made a motion to approve this. Mr. Urice seconded the motion and it was passed unanimously.

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NEW BUSINESS:

Boehringer Ingelheim Pharmaceuticals Inc. — Application for Revised Site Plan approval for “Parking Lot Revisions” in acc. w/Sec./10.D.7. of the Zoning Regulations — 39 Briar Ridge Rd. (#D17001) — SE #317. Public hearing scheduled for September 7, 2011.

Hawthorne Terrace Assoc. — Application for Special Exception for Water Pumping Station & Water Storage Facility (“Hawthorne Terrace Lower Well House”) in the RA-80 Zone — Forty Acre Mountain Rd. (#K02079 & #K02080) — SE #715. Public hearing scheduled for September 7, 2011.

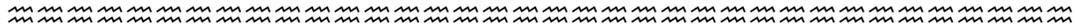
Chairman Finaldi said these applications would be on file in the Planning Office.

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REFERRALS:

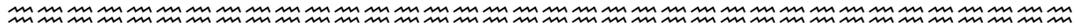
8-24 Referral/August 2011 Council Agenda Item #1 — Request for Ad Hoc for Sale of Thirteen (13) acres of City-owned land on Old Ridgebury Road

This is a request to purchase a 13.1 acre parcel of land along Old Ridgebury Road. It is part of the land approved as the PND zone for the Reserve. It is proposed in the PND Master Plan for “Municipal” use. There has been previous discussion regarding this being developed as retail space but that is not allowed with the current designation. Since the land across Old Ridgebury Rd. is zoned CA-80, this parcel would need to be rezoned if the intended use of the purchaser was retail. The Master Plan for the Reserve would also need to be amended to remove this parcel from the available land. Mrs. Emminger said one of the principals in this has requested it be tabled until the next meeting. Mr. Keller made a motion to table this matter until the next meeting. Mr. Cerminara seconded the motion. Mr. Urice said he thinks they should just vote on it. Chairman Finaldi called for a vote on the motion to table and it was passed with three ayes and one nay (from Mr. Urice).



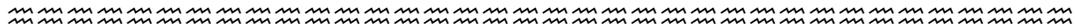
8-24 Referral/August 2011 Council Agenda Item #7 — Request for Extension of Time for Sewer Extension Approval at 9 Zinn Rd.

This is a request for a second time extension of this sewer extension which was originally approved in 2008, and previously granted a time extension in October 2009. The first extension has expired due to the applicant running into delays with the design of the system, getting the City approval of the design and finding a contractor. Mr. Urice made a motion to give this a **positive** recommendation subject to the standard conditions of the applicant meeting all requirements of the Engineering and Public Utilities Depts. as well as submission and approval of all plans and documents by Corporation Counsel's Office as to form and content prior to recording. Ms. Hoffstaetter seconded the motion and it was passed unanimously.



8-24 Referral/August 2011 Council Agenda Item #9 — Request for reconsideration of Purchase of City Land on Lake Ave. Ext.

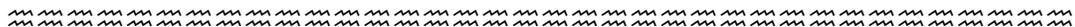
Mrs. Calitro's report asked that the Commission table this until some addition information is submitted by the applicant. Mr. Urice made a motion to table this until the additional information has been received. Mr. Keller seconded the motion and it was passed unanimously.



8-24 Referral/August 2011 Council Agenda Item #10 — Request to Purchase City Land at Bell's Lane & Kennedy Ave.

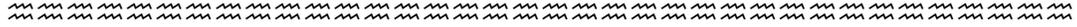
This is a request to purchase land located at the intersection of Bell's La. and Kennedy Ave. Based on the City maps, it seems this land is a part of the right-of-way for Kennedy Ave. There presently is a zoning violation on the property because the owner subcontracted to have some trees taken down and all of them were removed. This is a huge problem resulting in serious erosion and sedimentation impacts. In response to the violation, the City is requiring that the property owner re-vegetate this area. Until this is done, and the lot is brought back to where it was, the City should retain control of the land.

Mr. Urice made a motion to give this a **negative** recommendation because there is an outstanding violation on this property resulting from unauthorized tree removal and land disturbance and remedial actions to re-vegetate the property must be undertaken before any further damage occurs. And continued ownership by the City will ensure proper re-vegetation of this property. Mr. Keller seconded the motion and it was passed unanimously.



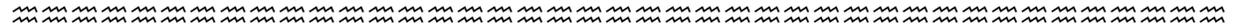
8-24 Referral/August 2011 Council Agenda Item #11 — Request for Acceptance of City Road and Drainage Easement, Chestnut St.

This is a request to accept a new cul-de-sac and the other improvements that go with it. It is located at the end of Chestnut Street and was built as a part of the approved site plan for Colonial Square. This site plan was an administrative review and approval. Mr. Urice made a motion to give this a positive recommendation subject to approval of all plans by both the Engineering Dept. and Corporation Counsel's office. Mr. Cerminara seconded the motion and it was passed unanimously.



8-3a Referral – Petition of Scott Benincasa & David Benincasa to Amend Secs. 2.B., 5.B.2.a.(12), 5.B.5.d., & 8.C.4. of the Zoning Regulations. (Add “Indoor Shooting Range” as a Special Exception Use to CA-80 Zone.) Public hearing scheduled for September 13, 2011.

Mrs. Emminger said Mr. Elpern asked that they table this. Mr. Urice made a motion to table this matter until the next meeting. Mr. Cerminara seconded the motion and it was passed unanimously.



Chairman Finaldi said there was nothing under Other Matters or Correspondence and two applications for Floodplain Permits under the For Reference Only.

At 8:45PM, Mr. Urice made a motion to adjourn. The motion was seconded by Mr. Keller and passed unanimously.