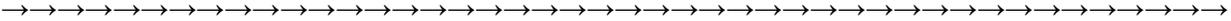




CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525
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MINUTES
FEBRUARY 15, 2012

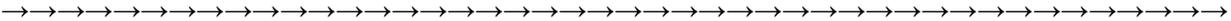


The meeting was called to order by Chairman Arnold Finaldi Jr. at 7:30 PM.

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

Chairman Finaldi asked Mr. Cerminara to be seated for the vacant seat for the entire meeting.

Mr. Urice made a motion to accept the September 21, 2011 and October 5, 2011 minutes. Mr. Keller seconded the motion and it was passed unanimously.



PUBLIC HEARING

7:30 PM -- Winter Brothers Transfer Stations of CT (WBTSCCT) -- Application for Special Exception for Transfer Station in existence prior to 10/15/07 in the IL-40 Zone - 307 White St. (#K13016) -SE #721.

Mr. Keller read the legal notice. Attorney Catherine Cuggino spoke in favor of this application. She introduced Brandon Handfield PE, from Anchor Engineering to go over the details of the application. He distributed a reduced copy of his presentation to the Commission and described the existing conditions at the site. He said there are five buildings over seventeen acres and they plan to demolish two of them (bldgs. 5 & 6) and to construct one new building. They also will be moving the rail loading area to inside of the new building. There had been an approval granted in 2006 to expand building 4, but that work was never done. Mr. Urice asked if this was just pure and simple replacement and reduction on the site. Mr. Handfield said that was correct. He then said that Engineering and Public Utilities had some comments about the initial plan that was submitted. The location that they had proposed for the new building was on top of the sanitary sewer easement, so they moved it 40 ft. to the right and now it is not touching the easement area. The plans have been revised and will be submitted tomorrow. Despite having several buildings, the coverage is only 26%. He said they are moving the loading operation inside in order to comply with a new DEP requirement that all activities be done inside of the building. He then said there will be no increase in stormwater runoff or impervious surface. This will not affect the sewer because there are no bathrooms in the new building. This is purely an operational improvement and with no change to the intensity of the use. Mr. Urice asked if they are going to demolish those buildings first. Mr. Handfield said that building 5 will stay in operation until the new building is constructed. Mr. Urice asked what

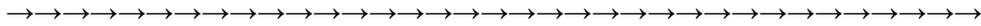
happens to the “Mom & Pop” drop-off. Mr. Handfield said they are working out the details to relocate it. Chairman Finaldi asked if this is used only for construction and demolition debris. Harry Winter, from Winter Brothers said that it is only used for those purposes. Mr. Urice asked if they are doing this to prevent another fire and/or explosion. Mr. Handfield said they doing this to comply with the DEP requirements.

Mrs. Emminger said she would get the revised plans to Engineering and Public Utilities, so they should keep the hearing open for the additional comments.

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

Mr. Urice asked if there is anything regulatory to worry about. Chairman Finaldi said they should wait for the additional reports from Engineering and Public Utilities.

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



7:40 PM -- Nutmeg Square LLC -- Application for Special Exceptions (1) for fast food restaurants, and (2) to allow uses generating over five hundred (500) vehicle trips per day in the CG-20 Zone - 70-72 Newtown Rd. (#L12026) - SE #697.

Mr. Keller read the legal notice. Attorney Fran Collins spoke in favor of this application. Also present was David Hawley, one of the owners of the property. Attorney Collins said the traffic summary and the Planning Dept. staff report pretty well summarize this request. Stop & Shop occupies a little less than two-thirds of the shopping center. The remaining space consists of a variety of stores. This request is to convert what was the golf store into two storefronts, which will be occupied by a Little Caesar’s and Yogurt City. Since the major revisions were done several years ago to the Regulations, both of these uses are now special exception uses. This site was originally approved by a site plan but when these two stores are added to the other stores, it triggers the trip generation requiring that special exception also. Attorney Collins said the addition of these two stores will have no adverse affect on either Newtown Rd. or the shopping center itself. There were no questions from the Commission members.

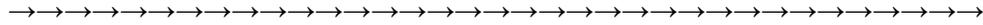
Chairman Finaldi asked if there was anyone to speak in opposition to this and there was no one.

Mr. Keller asked if there had been a Little Caesar’s in the Plumtrees Plaza shopping center by the Boston Chicken. Mr. Hawley said there was one there a long time ago. Mr. Keller said he hopes this location will be more successful. Mrs. Emminger asked Mr. Hawley if he have verified the seating in either restaurant. Mr. Hawley said he had and there would be no seats in either business.

Chairman Finaldi said it would have been overkill to have required a traffic report for this since it is only before them because these uses are now special exceptions in this zone. He added that we already know this site can handle the traffic.

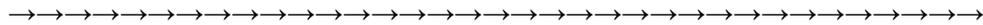
Mr. Urice made a motion to close the public hearing. Mr. Cerminara seconded the motion and it was passed unanimously. Mr. Urice then made a motion to move this matter to

of Public Works. The applicant also should be required to submit all necessary documentation for any proposed easements in a form and content acceptable to the Office of Corporation Counsel. Ms. Hoffstaetter seconded the motion and it was passed unanimously.



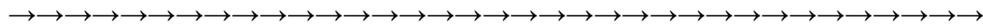
8-24 Referral/February 2012 City Council Agenda Item #13 -- Request for Sewer Extension - 55 Newtown Rd. (#L12022 & #L12023).

The City Council received a request to extend public sewer to 55 Newtown Rd. which is adjacent to Plumtrees Plaza. This parcel is approximately 2.5 acres and has a site plan approval to construct a 7,500 sq.ft. building. This is located between the City's Public Works complex and the Plaza, which is undergoing substantial renovations now. Mr. Keller made a motion to give this a positive recommendation with the standard conditions. Mr. Cerminara seconded the motion and it was passed unanimously.



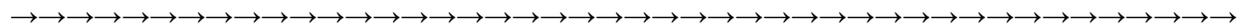
8-24 Referral/February 2012 City Council Agenda Item #14 -- Request for Sewer Extension - 10 Hawley Rd. aka 32 Hawley Rd. (#K08024).

City Council received a request for a sewer extension to serve a lot on Hawley Rd. which contain a single family home. It is within an area proposed to be served by public sewer as noted in the Plan of Conservation and Development. Mr. Keller made a motion to give this a positive recommendation with the standard conditions. Ms. Hoffstaetter seconded the motion and it was passed unanimously.



8-24 Referral/February 2012 City Council Agenda Item #15 -- Right to Drain Easement - 66 James St. (#K12100).

City Council received a request to approve and accept a drainage easement through property located at 66 James Street. Staff has no objection to the issuance of a positive recommendation regarding the request subject to review and approval of all maps and documents by the City Engineering Department and Office of Corporation Counsel. Mr. Keller made a motion to give this a positive recommendation. Ms. Hoffstaetter seconded the motion and it was passed unanimously.



OTHER MATTERS FOR REVIEW AND POSSIBLE ACTION:

Request for Lot Line Revision - Pine View Dr.

Mrs. Emminger explained that in 1982, the Planning Commission approved a partial resubdivision near what is now Louis Allan Dr. This left a 19± acre parcel which cannot be subdivided because it has no street frontage. Someone has bought this landlocked parcel and also purchased a strip for access across the Waterbury parcel. He is proposing to use the strip to construct a driveway off of Louis Allan Dr and to build a single dwelling for his

