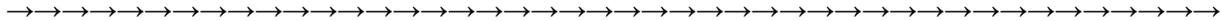




CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

MINUTES
NOVEMBER 14, 2012



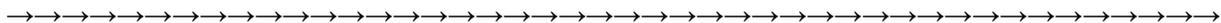
The special meeting was called to order by Chairman Arnold Finaldi Jr. at 7:00 PM.

Present were Helen Hoffstaetter, Ken Keller, Arnold Finaldi Jr., Joel Urice and Alternate Michael Ferguson (arrived at 7:25 PM). Also present was Deputy Planning Director Sharon Calitro.

Absent was Fil Cerminara

Chairman Finaldi announced that they would table the acceptance of September 19, 2012 meeting.

He also asked for a motion to move the Stew Leonard’s Floodplain Application from For Reference Only to Other Matters. Mr. Keller made a motion to move this to item two under Other Matters. Ms. Hoffstaetter seconded the motion and it was passed unanimously.



CONTINUATION OF PUBLIC HEARING

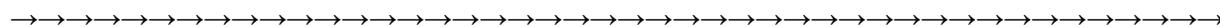
Sycamore Trails Group LLC - (1) Application for Waiver to Sec. B.9.2. of the Subdivision Regulations and (2) Application for Re-subdivision (“Savannah Hills”) in the RA-80 Zone - 193-207 Great Plain Rd. (#J05099) - SUB #06-09. Approved by Court Stipulation in November 2008.

Mike Mazzucco PE spoke in favor of this. He explained that Attorney Marcus had a hearing in another town and could not be here this evening. Chairman Finaldi said the Commission should have received the staff report from Mrs. Calitro. Mr. Mazzucco reminded the Commission that they are proposing changes because Mr. Cordeiro purchased the property at 209 Great Plain Rd. This additional land has allowed them to make roadway improvements and some other minor changes to the approved subdivision. He said the proposed relocation of the roadway would eliminate the need for the retaining wall on open space Parcel A. They will still be able to meet the open space requirement which is 1.67 acres. The roadway changes will require the Commission to approve a waiver to the distance requirements between intersections. Also the size of Lot 9 will gain some additional land but there are no new lots being created. He said they had met with Duke Hart, the Highway Supervisor and Abdul Mohammed, the City Traffic Engineer and they both felt this proposal was the right way to do this. They will be addressing the curve and width of the roadway by lifting the road higher and removing all of the rock on the side of the existing road. He added that the Lot Line Revision must be approved before this resubdivision can be decided. And they are still waiting for a decision from EIC because the “B100” had not been approved yet.

REFERRAL

8-24 Referral/October 2012 City Council Agenda Item # 7 – Easement/Rights to Drain for 41 Grand St.

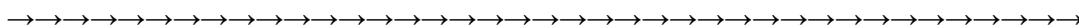
Mrs. Calitro said the report on this had been sent out with the agenda. She explained that the easement and drainage rights are part of SE #592, a multi-family development approved in 2003 for Jay’s Land Development, Ltd. It was not developed right away and a new owner purchased the property with the approval still in place. It has been built and is consistent with the approved plan. Mr. Urice made a motion to give a positive recommendation with the standard conditions (subject to review and approval of all plans and documents in form and content acceptable to the Engineering Dept. and Corporation Counsel prior to acceptance and recording on the Danbury Land Records). Mr. Keller seconded the motion and it was passed unanimously by voice vote.



OTHER MATTERS FOR DISCUSSION & POSSIBLE ACTION:

Letter from Attorney Paul Jaber requesting a five-year extension for Special Exception #603 (Interstate Business Center LLC, Prindle Lane Centre) approved October 1, 2008.

Mrs. Calitro said the reason for this request is because the site plan for this special exception is valid for nine years, but language in the Zoning Regulations says all work associated with a special exception must be completed in five years. Special exceptions do not expire and are filed on the land records for perpetuity. She said this needs to be changed in the Zoning Regs because there is nothing in the Statutes that says all work associated with a special exception must be completed within a specific time period. Ms. Hoffstaetter made a motion to grant the five year extension for the Special Exception. Mr. Keller seconded the motion and it was passed unanimously.



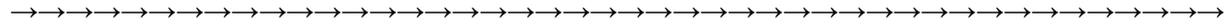
STLJ LLC -- Application for Revised Floodplain Permit (for New Bank Building with Drive-through Use) – Stew Leonard’s, 99 Federal Rd. (#L08031) – SE #376.

Mrs. Calitro said they should have received the staff report by e-mail from Mrs. Emminger. A revised site plan approval was granted by the Commission on July 18, 2012 for a 4,355 sq.ft. bank building with two drive-through lanes. The proposed building will be located between the Walgreen’s drive-through and the Stew Leonard’s garden center. Site work within the floodplain includes the construction of the building, reconfiguration of the rear parking area, landscape improvements and minor drainage improvements.

The established base flood elevation for this area is 287.0 ft. The first floor elevation of the proposed structure is 290 ft., approximately 3 feet above the base flood elevation. In addition, the grading plan shows that all principal and fire exits have ground leading to ground above the base flood elevation. The applicant’s engineer has indicated that there is no activity proposed below the base flood elevation and there is no filling proposed within the 100-year floodplain. The City of Danbury Engineering Department has reviewed and approved the proposed grading and drainage improvements relating to the proposed development.

Mrs. Calitro reviewed the standard conditions proposed in the report. Mr. Urice said based on past history with this applicant, he feels they should add another condition requiring that

they stake the boundaries of the wetlands so no equipment will cross the wetlands either by ground or aerial encroachment. Chairman Finaldi asked if anyone had any comments on this additional condition and there were none. Mr. Urice made a motion to approve this permit with the conditions as amended. Mr. Keller seconded the motion and it was approved unanimously.



Chairman Finaldi said the next meeting is the first week in December and that is the only meeting in December. He said the only matter under For Reference Only is an Application for Floodplain Permit

At 7:35 PM, Mr. Keller made a motion to adjourn. Mr. Urice seconded the motion and it was passed unanimously.