

REFERRALS:

8-24 Referral/February 7th CC Agenda Item 26 – Eagle Road Center LLC Transfer of Property to City of Danbury. Tabled at the 3/1/06 meeting for additional info.

Mr. Manuel made a motion to table this item. Mr. Urice seconded the motion and it was passed unanimously.

8-3a Referral – Petition of WCI Communities Inc. to Revise the Master Plan for the Reserve which was originally approved November 26, 2002 and revised September 28, 2004. (Amend Sec. 14d - Stormwater Management and Public Utilities) Zoning Commission public hearing scheduled for August 22, 2006.

Dennis Elpern said this is a minor revision to provide for portions of the property to be serviced by overhead utilities as shown on the attached map. He said the Master Plan still conforms to the Plan of Conservation & Development and the PND Regulations. He said service for electric, telephone, cable, fiber optic and DSL will be provided by underground conduit within Milestone Road and parts of Woodland Road and Reserve Road, and by overhead lines within remaining parts of Reserve Road and Woodland Road and within Reserve Road Extension. The private roads are the major roads of the development and do not include the interior access roads for each neighborhood phase. Mr. Urice asked if these roads ever would be deeded to the City. Mr. Elpern said they might be at some time. Mr. Urice suggested if they give a positive they should add caveat that they meet the standards for City roads. Mr. Manuel said he thought it was part of the original proposal to have utilities underground. Mr. Elpern said there is a fair amount of trees so you probably won't even see them. Mr. Urice made a motion to give this a positive recommendation with the proviso that the construction of all roads and utilities conform to acceptable standards for a City road. The reason given for this recommendation was:

- This is a minor revision for utilities along a private road.

Mr. Blaszkowski seconded the motion and it was passed with three AYES and one NAY from EM

8-3a Referral – Petition of EPG Fuel Cell, LLC to Amend Secs. 2.B., 6.A.2.a., 6.A.4., 6.B.2.a. & 6.B.4. of the Zoning Regulations. (Add “Fuel Cell Generation Facility” as a Permitted use in the IL-40 & IG-80 Zones) Public hearing scheduled for September 12, 2006.

Mr. Elpern read his Staff Report into the record and said with the nature of this use and its limited impact, it is definitely something that belongs in the industrial zones. Mr. Manuel asked how the natural gas is used. Mr. Elpern said he is no expert on this topic but he believes that it is mixed with hydrogen to create a chemical reaction. Chairman Finaldi said there are no issues regarding the Plan of Conservation & Development. Mr. Manuel made a motion to give this a positive recommendation for the following reasons:

- Fuel Cell technology is recognized as an alternative form of power generation. Although this use was never contemplated when the regulations were adopted, it is a new technology which belongs in the industrial zones.

Mr. Blaszkowski seconded the motion and it was passed unanimously.

8-3a Referral – Petition of the City of Danbury by Dennis I. Elpern, Planning Director to Amend Secs. 5.G.3., 5.G.4., 5.G.6., 5.G.7. & 5.G.8. of the Zoning Regulations. (Amend CRP Zone). *Public hearing scheduled for September 26, 2006.*

Mr. Elpern requested they move this item to Other Matters so they could discuss it. Mr. Blaszk made the motion to move this to Other Matters. Mr. Urice seconded the motion and it was passed unanimously.

8-24 Referral/July 5th CC Agenda Item #4 – Hawthorne Water System Acquisition and Extension

This is a project that has been ongoing for several years and in October 2004; this Commission made a positive recommendation for the acquisition of two water system pump houses, the cost of which was to be borne by the affected properties. This referral is for the acquisition of several small privately owned parcels of land located between the public right-of-way in which the lines will be installed and the private properties that are to be served. If these properties are not publicly-owned, service to the properties intended to be served by municipal water would be difficult or impossible. Costs associated with acquisition of these parcels will be borne by the benefited property owners. Mr. Urice made a motion to give this a positive recommendation provided they meet the requirements of both the Engineering Department and the Department of Public Utilities; as well submitting the appropriate legal documents to Corporation Counsel. Mr. Blaszk seconded the motion and it was passed unanimously.

8-24 Referral/July 5th CC Agenda Item #9 – Request for Land Transfer for Drainage and Road Widening for Poet's Landing at 14-16 Hayestown Rd.

This is a request for the transfer of land for road widening purposes and drainage and sightline easements pursuant to the site plan approval that was granted for Crystal Beach/Poet's Landing in June 2004 and revised March 2006. Mr. Urice asked if this was anticipated and Mr. Elpern said it was and we want it. Mr. Blaszk made a motion to give this a positive recommendation subject to approval of the Department of Public Works and submission of the appropriate legal documents to Corporation Council. Mr. Manuel seconded the motion and it was passed unanimously.

8-24 Referral/July 5th CC Agenda Item #11 – Request for Water Line Extension for MCCA, 38 Old Ridgebury Rd.

This is a request for the extension of the water line in Larson Drive to serve Sunrise Terrace, eight residential units that are part of the MCCA facility located at 38 Old Ridgebury Rd. The Planning Department approved the site plan on March 14, 2006 with the condition that extension gets approval from the Common Council. Mr. Urice made a motion to give this a positive recommendation provided the extension is designed and constructed in a manner acceptable to both the Engineering Department and the Department of Public Utilities and all of the appropriate legal documents are submitted to Corporation Counsel. Mr. Blaszk seconded the motion and it was passed unanimously.

8-24 Referral/August 2nd CC Agenda Item #12 – Request for Sewer Line Extension for Taranjit Randhawa, 25 Mill Plain Rd.

This request is for municipal sewer to serve three lots on Mill Plain Road. Two of the lots have direct frontage on Mill Plain Rd. and the third lot has frontage on Woodland Hill Rd. The three lots total approximately .7 acres and are located in the CA-80 zone. The existing sewer line runs parallel to and behind these lots. The map submitted with the request provides for crossing property owned by GTR Properties LLC, so it should be clarified what the relationship is between them and the applicant. The Planning Department does not have any applications currently under review for this parcel, although it is within the proposed sewer service area in the Plan of Conservation & Development. Mr. Urice made a motion to give this a positive recommendation subject to the following: (1) the applicant clarifying its rights to install and convey such sewer line located within the property owned by GTR, LLC, (2) obtaining the required approvals to develop the site including the submission of required utility plans, (3) approval of the design, construction, installation and inspection requirements of the City of Danbury Engineering Department and Department of Public Utilities, and (4) submission of all required legal documents in form and content acceptable to Corporation Counsel. Mr. Manuel seconded the motion and it was passed unanimously.

8-24 Referral/August 2nd CC Agenda Item #13 – Request for Sewer Line Extension for Jeffrey Bruno, 176 Shelter Rock Rd.

This request is for a proposed multi-family development on Shelter Rock Rd. The existing zoning on the site is RA-40, which does not permit multi-family structures. Although the Plan of Conservation & Development indicates this site is within the proposed sewer service area, there is no rezoning application on file with the Zoning Commission. Mr. Manuel made a motion to give this a negative recommendation because this request is premature since there is no application presently on file and the proposed use is not permitted in the existing zone. Mr. Blaszkowski seconded the motion and it was passed unanimously.

8-24 Referral/August 2nd CC Agenda Item #14 – Request for Water Line Extension for Mannkind Corp./Artel Engineering Group as Agent, Casper St.

This request was a condition of the approval granted by the Commission on August 2, 2006. This site is within the proposed water service area as shown in the Plan of Conservation & Development. The Engineering Dept. made it a requirement in their letter dated July 28, 2006 that this extension is approved for the proposed fire protection lines and hydrants and that letter was listed in the resolution of approval. Mr. Manuel made a motion to give a positive recommendation provided the extension is designed and constructed in a manner acceptable to the Engineering Department and all of the appropriate legal documents are submitted to Corporation Counsel. Mr. Urice seconded the motion and it was passed unanimously.

8-24 Referral/August 2nd CC Agenda Item #15 – Sewer and Water Line Extension for 62 Chestnut Street, Inc.

This site obtained site plan approval for a multi-family development in April 2004. The site is within the public water and sewer service area. This request was originally referred to the Commission in October 2004 and a positive recommendation was made at that time. The extension was approved by Council in December 2004 but has since expired and now the applicants are ready to proceed with the project. Mr. Manuel asked if the site plan approval is still valid and Mr. Elpern said it is still within the five-year approval period. Mr. Urice made a motion to give this a positive recommendation provided the extension is designed and constructed in a manner acceptable to the Engineering Department and all of the appropriate

