



**CITY OF DANBURY**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

ZONING COMMISSION  
(203) 797-4525  
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**MINUTES**  
**DECEMBER 13, 2011**

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The meeting was called to order by Chairman Robert Melillo at 7:30 PM.

Present were Sally Estefan, Theodore Haddad Jr., Walter Hoo Jr., Richard P. Jowdy, James Kelly, Alan Kovacs, Marina Loyola, Robert Melillo and Alternates Stephen Darcy and Robert Oravetz. Also present was Planning Director Dennis Elpern.

Absent were Terry Tierney and Alternate Kevin Haas.

Chairman Melillo asked Mr. Darcy to take Mr. Tierney's place for the items on tonight's agenda.

Mr. Kovacs led the Commission in the Pledge of Allegiance.

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Chairman Melillo said since there were no new public hearings this evening, they would go to the Organizational Business.

NOMINATION/VOTE OF CHAIRMAN AND VICE-CHAIRMAN.

Chairman Melillo asked for nominations for the office of Chairman. Mr. Kovacs made a motion to nominate Chairman Melillo for Chairman. Mr. Haddad seconded the motion. Chairman Melillo asked if there were any other nominations and there were none. Mrs. Estefan made a motion to close the nominations for Chairman. Mr. Haddad seconded the motion and it was passed unanimously. Chairman Melillo then took a roll call vote on the motion to re-elect him as Chairman and the motion was passed unanimously with eight AYES (from Mrs. Estefan, Mr. Haddad, Mr. Hoo, Mr. Jowdy, Mr. Kelly, Mr. Kovacs, Ms. Loyola and Chairman Melillo).

Chairman Melillo asked for nominations for the office of Vice-Chairman. Mr. Jowdy made a motion to nominate Mr. Haddad for Vice-Chairman. Mrs. Estefan seconded the motion. Chairman Melillo asked if there were any other nominations and there were none. Mr. Hoo made a motion to close the nominations for Vice-Chairman. Mr. Jowdy seconded the motion and it was passed unanimously. Chairman Melillo then took a roll call vote on the motion to re-elect Mr. Haddad as Vice-Chairman and the motion was passed unanimously with eight AYES (from Mrs. Estefan, Mr. Haddad, Mr. Hoo, Mr. Jowdy, Mr. Kelly, Mr. Kovacs, Ms. Loyola and Chairman Melillo).

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DISTRIBUTION OF ZONING REGULATIONS, PLAN OF CONSERVATION & DEVELOPMENT AND ZONING MAPS.

Chairman Melillo explained that normally the secretary would distribute individual copies of the Zoning Regulations and Maps to the members but the Regulations are at the printer so this will have to wait until the next meeting. He said if anyone wants to look at them now, both of these items are available on the City website. He said the secretary had distributed the Plan of Conservation and Development (POCD), which is the long range plan for land use in the City. Sections of this document will often be referred to during public hearings, so it is a good idea to always bring both the Plan and the Zoning Regulations to every meeting. He said the secretary also distributed copies of the Commission bylaws to each member.

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SETTING OF EFFECTIVE DATE FOR APPROVALS GRANTED BY THE COMMISSION.

Chairman Melillo said past practice has been for the following language to be adopted: *“The effective date of any amendment duly made by the City of Danbury Zoning Commission to provisions of the Zoning Regulations or zoning district boundaries on the Official Zoning Map shall be either (1) immediately after filing of the approved amendment in the office of Town Clerk and after publication of the notice of the decision in a newspaper having a substantial circulation in the City, as specified in Sec. 8-3 of the C.G.S., whichever occurs last, or (2) any subsequent date to such actions as determined by the Zoning Commission and entered as part of the motion to approve the amendment”*. He asked if anyone had any questions and if not, for someone to make a motion. Mr. Haddad made a motion to adopt the language as written. Mr. Kovacs seconded the motion and it was passed unanimously.

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APPOINTMENT OF ZBA SUBCOMMITTEE – THREE MEMBERS.

Chairman Melillo said Sec. 11.B.4. of the Zoning Regulations provides for both the Planning Commission and the Zoning Commission to make a recommendation on what is referred to as a Use Variance. This is a specialized type of ZBA application which has to do with the use of the property instead of the regular applications which have to do with not being able to meet the requirements of a zone. There are not many of these during the year, but a subcommittee of three people is set up to review these referrals and report back to the rest of the Commission so a recommendation can be made to the ZBA. He asked for volunteers and Mrs. Estefan, Mr. Kovacs and Mr. Jowdy said they would do it. Chairman Melillo asked Mr. Jowdy to chair the subcommittee.

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DISCUSSION OF PROCEDURES WITH PLANNING DIRECTOR.

Mr. Elpern explained that this is where he usually explains how the Zoning Regulations are put together and gives them a brief history of zoning, but since they do not have the Regulations, he really cannot do this tonight. He distributed a two page summary of the contents of the Regulations and talked briefly about how the Department operates.



Chairman Melillo said there is no Old or New Business and nothing under For Reference Only. He said listed under Correspondence is the schedule of regular meetings for 2012. He asked that if you know you can't make a meeting, please let him or the secretary know. He added that is it important for the Alternates to attend the meetings even if they are not seated during the hearing because often when it comes time to vote, there are not enough regular members present. So often the Alternates are needed to make a quorum to vote. He then asked if anyone had anything to discuss under Other Matters and there was nothing.

At 8:10 PM, Mr. Jowdy made a motion to adjourn. The motion was seconded by Mrs. Estefan and passed unanimously.