



CITY OF DANBURY  
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ZONING COMMISSION  
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MINUTES  
JANUARY 10, 2012

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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, Kevin Haas, and Robert Oravetz. Also present was Planning Director Dennis Elpern.

Absent was Terry Tierney.

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

Ashley Kovacs (daughter of Commissioner Kovacs) led the Commission in the Pledge of Allegiance.

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Mr. Haddad made a motion to accept the November 22, 2011 & December 13, 2011 minutes. Mr. Jowdy seconded the motion and it was passed unanimously.

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Chairman Melillo said there were no public hearings scheduled for this evening; the purpose of the meeting is to discuss the Zoning Regulations with the Planning Director. At this time, the secretary distributed copies of the current Zoning Regulations to each of the Commission members. Chairman Melillo reminded the members that they should bring their regulations to all of the meetings.

Discussion of Zoning Regulations with Planning Director Dennis Elpern.

Mr. Elpern said he does this at the start of every term. He distributed a five page summary of what he was going to discuss. He started with a definition of zoning and some history as to how zoning began in Danbury. He then spoke about the Connecticut General Statutes and how they regulate every aspect of what this Commission does. He briefly touched on case law and the United States Constitution, referencing free speech and due process. He then described the types of applications this Commission hears and went through a brief

description of how a public hearing is conducted. He said the Commission abides by Robert's Rules of Order and cited some examples of how a motion is made. He explained what an Executive Session is and why they might need to hold one. He then spoke about the Plan of Conservation & Development which is the guide for all development in the City. He explained what the term "spot zoning" is and said it is illegal. He then moved into attendance, ex parte communications and conflicts of interest. He asked if there were any questions and there were none at this point.

Mr. Elpern then reviewed the various chapters of the Zoning Regulations, starting with definitions. He said in the City of Danbury, we have "permissive zoning", which means if a use is allowed, it is listed in the Regulations. If it is not listed in the Regulations, then it is not allowed. Some municipalities have "prohibitive" zoning which actually spells out what uses are not allowed. He explained the different types of districts, what an overlay zone is, as well as non-conformities and supplemental regulations. He also described the function of the Zoning Board of Appeals and how the Regulations are administered and enforced. He then told the Commission the names and responsibilities of the Planning & Zoning Department Staff. He also described the diversity of duties that the department handles, from Planning (project reviews, studies & reports) to Redevelopment to Zoning Enforcement to providing staff support for this Commission, the Planning Commission, the Zoning Board of Appeals and the Environmental Impact Commission. He added that the Department is also responsible for preparing and maintaining the Capital Improvement Program for the City, which falls under the purview of the Planning Commission. He closed by saying this is a lot to digest, but it is important to understand what is expected of this Commission as well as what kind of support this Commission can expect. This was followed by a brief question and answer period between Mr. Elpern and the Commission members.



Chairman Melillo said there was nothing under Old Business, New Business or For Reference Only and the only item under Correspondence was the meeting schedule for 2012.

Chairman Melillo asked if there was anything to discuss under Other Matters and there was nothing. He then said that since there was nothing scheduled for next meeting and we are past our legal notice deadline, we will be cancelling that meeting. He said the secretary will follow up with an e-mail to confirm the cancellation.

At 8:30 PM, Mr. Kovacs made a motion to adjourn. Mrs. Estefan seconded the motion and it was passed unanimously.