



CITY OF DANBURY
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ZONING COMMISSION
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MINUTES
FEBRUARY 16, 2012

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

Present were, Theodore Haddad Jr., Walter Hoo Jr., Richard P. Jowdy, James Kelly, Marina Loyola, Robert Melillo and Alternates Stephen Darcy and Kevin Haas. The secretary explained that Planning Director Dennis Elpern had been called to a special meeting by the Mayor so he would not be present.

Absent were Sally Estefan, Alan Kovacs, Terry Tierney and Alternate Robert Oravetz. Both Mr. Kovacs and Mr. Oravetz had notified the secretary that they were unavailable for this special meeting as they would be out of town on business.

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

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

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Chairman Melillo announced that the minutes were not yet ready so they would table the acceptance of them.

PUBLIC HEARING

7:30 PM -- Application for a Certificate of Location Approval for a Motor Vehicle Limited Repairer's License as required under the provisions of Sec. 14-54 of the CT General Statutes, as amended, for Integrity Motors LLC as Tenant, 217 White St. (#J13103). *Previous license was allowed to expire due to change of tenant. Has been used for gasoline and ltd repair since at least 1975*

Chairman Melillo read the legal notice. He noted that this location previously had a limited repair license which was allowed to expire because they had a proposed tenant who did not need it.

Michael Kelly, one of owners of property, explained that he and his siblings inherited this property a few years ago. It has been in his family since 1906. He said it was originally a gas

station, and then in 1954, it became more of a repair facility. It was used that way until 1992 when an auto glass repair business went in there. He said there were no zoning regulations when the building was built, which accounts for how it was placed on the lot. The existing building has two repair bays and a storage area in the back of the building for parking. Mr. Kelly said the auto glass business did not have to maintain a repairers license so they let it lapse. Since the auto glass business went out, they had a potential tenant who wanted to do straight retail, but unfortunately that tenant fell through. So when he went to see the Zoning Enforcement officer about reinstating the repair use, he was told that since it had been several years since they had a license, they had to come to this Commission for a re-approval. He said most people seem to associate this property with some sort of auto repair, so this is not that much of a change. He showed the Commission some photos of the property and offered to answer questions.

Mr. Hoo asked how long the potential tenant has been in business. Mr. Kelly said at least twenty years. Mr. Haddad then said this gentleman has a good track record in the City of Danbury. Chairman Melillo said he walks by this property quite often as he works within a block of it and it is always very neat and clean. Mr. Haas asked if the tenant will have the use of the detached garage located in the rear of the property. Mr. Kelly said no, that is not part of rental area. Mr. Kelly asked if the entire area is blacktopped. Mr. Kelly said not entirely, just certain portions, while pointing them out on the map.

Amy O'Dell, said she is Mr. Kelly's sister and one of the owners, said she would really like to get a tenant in this building.

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

Mr. Haddad made a motion to close the public hearing. Mr. Jowdy seconded the motion and it was passed unanimously. Mr. Haddad then made a motion to move this matter to the Old Business on tonight's agenda. Mr. Hoo seconded the motion and it was passed unanimously.

OLD BUSINESS

Application for a Certificate of Location Approval for a Motor Vehicle Limited Repairer's License as required under the provisions of Sec. 14-54 of the CT General Statutes, as amended, for Integrity Motors LLC as Tenant, 217 White St. (#J13103).

Chairman Melillo asked for comments and/or a motion on this matter. Mr. Haddad made a motion to approve this Certificate of Location for the following reasons:

- The proximity of such premises will not have a detrimental effect on any church, school, or charitable institution. Nor will it have a detrimental effect on the immediate neighborhood concerned, due consideration having been given to the character of the

surrounding neighborhood. Also, this location held a limited repair license for many years with no problems – this is basically a renewal of this use.

Mr. Darcy seconded the motion. Mr. Haddad added that this is an opportunity to fill a vacant building, and this is not a stretch, the building was built for this purpose. Chairman Melillo called the vote on the motion and it was passed with 8-0 vote with one member not voting (the absent Mr. Kovacs).

NEW BUSINESS

Petition of the City of Danbury by Dennis J. Elpern, Planning Director to Amend Sec. 4.H.2. of the Zoning Regulations. Public hearing scheduled for March 13, 2012.

Mr. Haddad made a motion to accept this petition and refer it to the Planning Commission for their recommendation. Mr. Haas seconded the motion and it was passed unanimously.

Chairman Melillo said there was nothing under Correspondence. He asked if there was anything to discuss under Other Matters and there was nothing. Under For Reference Only, there was listed a public hearing scheduled for February 28, 2012.

At 8:35 PM, Mr. Jowdy made a motion to adjourn. Ms. Loyola seconded the motion and it was passed unanimously.