



CITY OF DANBURY
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PLANNING COMMISSION
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MINUTES
DECEMBER 16, 2020

The web based special meeting hosted on Zoom was called to order by Chairman Arnold Finaldi at 7:30 PM.

Present were Robert Chiochio, Helen Hoffstaetter, Perry Salvagne, Joel Urice (arrived late), and Arnold Finaldi Jr. Also present were Planning Director Sharon Calitro and Deputy Planning Director Jennifer Emminger.

Absent were Alternates Kevin Haas and Gary Renz.

Mrs. Hoffstaetter said she watched the video and reviewed the documents from the December 2, 2020 meeting as she was not present. She then said the link for the minutes did not work so she could not review them. The secretary explained that after she had added all of the links to the agenda, the Webmaster had to reset the website and the attachment links were lost. This was not realized until after the agenda was distributed and posted on the City website. Mr. Salvagne then made a motion to table the acceptance of the December 2, 2020 minutes until the next meeting. Mrs. Hoffstaetter seconded the motion and it was passed unanimously by roll call vote with four ayes (from Mr. Chiochio, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi). Mr. Urice was not yet present when this vote was taken.

Chairman Finaldi then explained the Zoom meeting process and how the public could access this meeting. He added that all votes taken at this meeting would be by roll call.

CONTINUATION OF PUBLIC HEARINGS:

JAR Associates LLC/D & B Wellness LLC – Application for Special Exception/Revised Site Plan Approval for a Medical Marijuana Dispensing Facility in the CA-80 Zone – 105 Mill Plain Road (C14063) – SE #779.

Chairman Finaldi said the applicant's attorney had requested this public hearing be continued until the January 6, 2021 meeting as they are not prepared to go forward this evening. There was no discussion. Mrs. Hoffstaetter made a motion to continue the public hearing. Mr. Chiochio seconded the motion and it was passed by roll call vote

with four ayes (from Mr. Chiocchio, Mrs. Hoffstaetter, Mr. Salvagne, and Chairman Finaldi). Mr. Urice was not yet present when this vote was taken.

Danbury Mall, LLC – Application for Revised Special Exception/Revised Site Plan Approval to amend previous approval for Trip Generation over 500 Vehicle Trips Per Day and add Fast Food Restaurant with Drive Thru Use to previously approved Restaurant (Shake Shack) in the CG-20 Zone - 7 Backus Ave. (F17002, F16014, F16015, F17014, & F17015) – SE #771.

Attorney Tom Beecher said at the last meeting, they were waiting for the report from the City Traffic Engineer. That has been received and issues resolved.

Paul Vitaliano, PE from VHB, described the revisions that were made to the site plan. These included showing internal pavement markings and guided signage, and improving the internal circulation. The size of the loading dock was discussed in reference to the size of the supply delivery vehicles. Mr. Urice asked if this application required approval from the FAA (Federal Aviation Administration). Mr. Vitaliano said they had approval of the previous plan and they did resubmit this revised plan. They are still waiting but they expect approval since this is such a minor change. He added that they will have to submit again to the FAA at the end of construction. Mr. Urice said he does not think they can vote on the application until they get their approval from the FAA.

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

Attorney Beecher said that was all they had for tonight and thanked the Commission for their time.

Chairman Finaldi asked Mrs. Emminger if they were waiting for any other reports. Mrs. Emminger said they can close the hearing as all outstanding comments have been addressed. Mr. Urice made a motion to close the public hearing. Mr. Chiocchio seconded the motion and it was passed by roll call vote with five AYES (from Mr. Chiocchio, Mrs. Hoffstaetter, Mr. Salvagne, Mr. Urice, and Chairman Finaldi). Mr. Chiocchio then made a motion to move this item to item number two under Old Business so they can give Mrs. Emminger guidance to prepare a draft resolution. Mrs. Hoffstaetter seconded the motion and it was passed by roll call vote with five ayes (from Mr. Chiocchio, Mrs. Hoffstaetter, Mr. Salvagne, Mr. Urice and Chairman Finaldi).

OLD BUSINESS FOR DISCUSSION AND POSSIBLE ACTION:

West Miry Holdings LLC – Application for Floodplain Permit for 49 Miry Brook Road (F19004) – SE #778.

Mrs. Emminger reviewed her resolution saying this Commission approved a new aircraft hangar building to be constructed on this site in November 2020. Only a small corner of this site is located within the floodplain and there is no work proposed in this area. The site plan shows that the existing buildings and the proposed hangar are located outside of the flood zone. Additionally there is no net cut or fill proposed below the floodplain. She added that the Engineering Department has approved the proposed grading and storm drainage for this development. She said this decision references the approved plans and also notes that any modifications to the approved plans will require approval of a revised floodplain permit. There were no questions from the Commission. Mrs. Hoffstaetter made a motion to approve this floodplain permit. Mr. Chiochio seconded the motion and it was passed by roll call vote with five ayes (from Mr. Chiochio, Mrs. Hoffstaetter, Mr. Salvagne, Mr. Urice, and Chairman Finaldi).

Danbury Mall, LLC – Application for Revised Special Exception/Revised Site Plan Approval to amend previous approval for Trip Generation over 500 Vehicle Trips Per Day and add Fast Food Restaurant with Drive Thru Use to previously approved Restaurant (Shake Shack) in the CG-20 Zone – 7 Backus Ave. (F17002, F16014, F16015, F17014, & F17015) – SE 771.

Chairman Finaldi asked the Commission for their thoughts on this application so they can give Mrs. Emminger some guidance to prepare a draft resolution. Mr. Salvagne said his original concern was that this would create additional vehicle trips but after hearing their engineer explain the design, he does not believe there will be any queuing problems. He added that he likes the new building design better than the original proposal. Mr. Urice said he thinks they should approve this; but they also should find out about the FAA approval. Mr. Chiochio said the revised plan is fine, but he is still skeptical about if the queuing area is adequate. Mrs. Hoffstaetter said she agreed with Mr. Chiochio. Mrs. Emminger then said that the City Traffic Engineer has requested they put the same condition on this as the was put on the first approval; that the signal system is to be designed to the satisfaction of the City Traffic Engineer.

REFERRALS:

8-3a Referral - Petition of BRT Sconset LLC to Amend Section 4.A.6. of the Zoning Regulations. (Add Active Adult Cluster Development to the RA-20 & RA-40 Zones.) Public hearing scheduled for February 23, 2021. THIS DATE IS SUBJECT TO CHANGE DEPENDING ON CIRCUMSTANCES RELATED TO COVID-19. ***This will be discussed at a future meeting.***

Chairman Finaldi noted that this matter is tabled until a future date.

8-24 Referral – December 2020 City Council Agenda Item #6: Request for Renewal of Sewer Extension approval for 5 Great Pasture Road (L15002).

Mrs. Emminger said this is a contractors office that is currently under construction and they are still working on the sewer main. In January 2018, the City Council approved the sewer main extension to serve this development. She said the Department has no objection to a renewal of that approval. Mr. Salvagne made the motion to give this a positive recommendation subject to compliance with the standard Public Works/Engineering Department requirements for public sewer main extensions. All final plans and documents should be approved as to form and content by the Office of the Corporation Counsel prior to acceptance by the City and recording on the Danbury land records. Mrs. Hoffstaetter seconded the motion and it was passed unanimously by roll call vote with five ayes (from Mr. Chiochio, Mrs. Hoffstaetter, Mr. Salvagne, Mr. Urice, and Chairman Finaldi).

NEW BUSINESS:

Newtown Road LLC/Maria & Manuel Andre, Manuel Neves Gouveia Marques, & Antonio Mendes Gouveia Marques – Application for Special Exception/Site Plan Approval for Child Day Care Center in the CG-20/RA-8 Zone – 36 Newtown Road, 40 & 42 Newtown Road, Whitney Avenue (K13188, K13190 & K12255, & K12254) – SE 780. Public hearing scheduled for January 20, 2021.

Chairman Finaldi noted that this application would be on file in the Planning & Zoning Office.

Chairman Finaldi asked if there was anything to discuss under Other Matters and there was nothing. He then said there three floodplain permits listed under For Reference Only.

At 8:05 PM, Mr. Salvagne made a motion to adjourn. Mrs. Hoffstaetter seconded the motion and it was passed unanimously by roll call with five ayes (from Mr. Chiochio, Mrs. Hoffstaetter, Mr. Salvagne, Mr. Urice, and Chairman Finaldi).

Respectfully submitted,

JoAnne V. Read
Planning Assistant