



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

**ZONING COMMISSION**  
www.danbury-ct.gov

(203) 797-4525  
(203) 797-4586 (FAX)

**MINUTES**  
**MARCH 22, 2022**

---

The web-based meeting (hosted on Zoom) was called to order by Chairman Theodore Haddad Jr. at 7:35 PM.

Present were Michael Coelho, Milan David, Candace Fay, Ryan Hawley, Rick P. Jowdy, Robert Melillo, Theodore Haddad Jr., and Alternate Olga Mejia. Also present was Planning Director Sharon Calitro and Planning Intern Allie Smith.

Absent were Angela Hylenski, Joseph Raya and Alternate members Bruce Bennett and Edwin Duran.

Chairman Haddad led the Commission in the Pledge of Allegiance.

Mrs. Fay made a motion to accept the March 8, 2022 minutes. Mr. Coelho seconded the motion and it was passed unanimously by voice vote with eight ayes.

---

**OLD BUSINESS FOR DISCUSSION AND POSSIBLE ACTION:**

Petition of the City of Danbury by Sharon B. Calitro, Planning Director to Amend Section 10.C.4.(a)(2) of the Zoning Regulations. (Amendment pursuant to Public Act 21-29: Amend Language in Additional Requirements for Approval of Special Exceptions and Special Permits relative to use of the word "character"). NOTE: AMENDMENTS TO SECTION 3.C. AND 10.B.2 INCLUDED IN THIS PETITION WERE APPROVED JANUARY 25, 2022.

Mr. Jowdy made a motion to open the discussion on this petition. Mr. Hawley seconded the motion and it was passed unanimously by voice vote with seven ayes. Mrs. Fay said their hands are tied as to what they need to do here, they discussed substituting other words for character, but that would require a separate petition to be filed. Chairman Haddad pointed out that Corporation Counsel had advised them that there were other ways to get the point across without using the word character. He added that the petitioner had granted an extension to this evening so they need to take action tonight. Mrs. Fay said Corporation Counsel also had told them whether or not they change the Regulations, they are bound by the language in the Statutes.

Mrs. Fay made a motion to approve this petition because it makes more sense to have our Regulations conform to the Statutes. Mr. Hawley seconded the motion. Mr. Melillo said he is going to vote no on this on the principle that he does not like being told by the State what our Regulations should say. He added that he would rather define the word than go with what is being proposed in this amendment. Mr. Coelho asked if they vote on this tonight, can the petitioner come back at a later date with a revision to the language. Mrs. Calitro said that could be done. Chairman Haddad then called for a vote on the motion and it was passed by roll call vote with six ayes (from Mr. Coelho, Mr. David, Mrs. Fay, Mr. Hawley, Mr. Jowdy, and Chairman Haddad) and one nay (from Mr. Melillo).

At 7:50 PM, PM, Mr. Melillo excused himself and left the meeting.

---

#### OTHER MATTERS:

##### Workshop session regarding Zoning Commission procedures & statutory requirements.

Attorney Robin Edwards and Attorney Dan Casagrande gave a presentation on the procedures and statutory requirements that are relevant to the Commission.

Attorney Robin Edwards asked that they hold their questions until after both of them speak. Referring to a PowerPoint presentation, she described the powers and duties of the Zoning Commission, the legislative and administrative functions, the Comprehensive Plan and the Plan of Conservation & Development, what they must consider when making decisions, and how their decisions work with Planning Commission decisions to ensure compliance with the Regulations.

Attorney Dan Casagrande (also referring to the PowerPoint presentation) then spoke about the administrative process, reviewed the required approval standards in the Zoning Regulations, and spoke about the overlapping jurisdiction of the land use commission and agencies. He described the difference between permitted and special exception uses and why we need both. He described the “McLoughlin vs. Town of Bethel Planning & Zoning Commission” case and the potential for abuse of discretion when making a decision. He pointed out that Public Act 21-29 prohibits them from denying an application because of the physical characteristics of the neighborhood. He also spoke about protecting the integrity of their decisions, problem issues that can arise after a decision is made, and ex parte communications. He described the role of staff and also said that starting in 2023, all of the land use commissions will be required to attend training. He added that it has not yet been determined if the State will designate an agency to provide the training or if it will be on a local level. He also spoke about the ECB vs. both the Planning and the Zoning Commission cases saying it is a good example of the Zoning Commission and Planning Commission working together to protect the City. He then offered to answer questions from the Commission but there were none.

Chairman Haddad asked Mrs. Calitro if she had anything to add to the presentation. She thanked both attorneys and said she thought it was a good presentation. She said things keep coming out of Hartford and we work very hard to protect what we do and keep it on a local level. She added that the PowerPoint presentation and the info from OPM

(Office of Policy & Management) regarding the required training would be sent to the Commission members tomorrow by email. Chairman Haddad asked if that would be the required curriculum, and also would the training be conducted by Corporation Counsel. Mrs. Calitro said we are not sure yet if it will be done by WestCOG or on the State level through a program at UCONN. She said as soon as we get the specific information, we will let everyone know because all of the land use Commissions will be required to attend the training.

---

Chairman Haddad said there was nothing under New Business, Correspondence, or For Reference Only.

At 9:15 PM with no further business to discuss, Mr. Coelho made a motion to adjourn. Mrs. Fay seconded the motion and it was passed unanimously by voice vote with seven ayes.

Respectfully submitted,

JoAnne V. Read  
Planning Assistant