

Planning and Zoning Commission City of Derby

Theodore J. Estwan, Jr., Chairman

Steven A. Jalowiec

David J. Rogers

Richard A. Stankye

Albert Misiewicz

Glenn H. Stevens

Raul Sanchez

Cynthia Knopick (Alternate)

Maryanne DeTullio, Clerk

The regular meeting of the Planning and Zoning Commission of the City of Derby was held on Tuesday, January 17, 2017 at 7:00 p.m. in the Aldermanic Chambers, City Hall, 1 Elizabeth Street, Derby.

The meeting was called to order at 7:00 p.m. by Chairman Ted Estwan. Present were Ted Estwan, David Rogers, Raul Sanchez, Albert Misiewicz, Richard Stankye and Cynthia Knopick. Also present were Atty. Marjorie Shansky, Ryan McEvoy, Milone and MacBroom, Leslie Creane, Economic Development Directors and Maryanne DeTullio, Clerk.

Additions, Deletions, Corrections to Agenda

Mr. Estwan moved to add under Old Business text change amendment. The motion was seconded by Mr. Stankye and carried unanimously.

Correspondence - None

Public Portion

There was no one from the public wishing to speak.

Approval of Minutes

Mr. Estwan moved to table the approval of the minutes from the December 20, 2016 meeting. The motion was seconded by Mr. Stankye and carried unanimously.

Receipt of Applications: Receipt of Commission-Proposed Amendments to the Derby Zoning Regulations and scheduling of Public Hearing.

Mr. Estwan moved to accept and schedule for public hearing in February an application for zone change from I-1 and R-5 to B-1 filed by the Commission. The motion was seconded by Mr. Stankye and carried unanimously. Mr. Estwan stated that this is for four parcels on Derby Avenue which are known as Assessor Lots 6-11 and are adjacent to residential properties.

Public Hearings

(a) Application for Special Exception from Inspired Styles for a Hair Salon at 328 Derby Avenue.

Mr. Estwan stated that a letter was received from the applicant granting time extension to open the public hearing at the February meeting. Mr. Estwan moved to accept the extension request. The motion was seconded by Mr. Stankye and carried unanimously.

(b) Application from Burtville Associates for a Zone Text Amendment to allow Personal Services Businesses in an I-1 Zone – continued from 12/20/16.

Mr. Estwan moved to accept a letter from Burtville Associates granting an extension to allow the public hearing to be continued to the February meeting. The motion was seconded by Mr. Stankye and carried unanimously.

New Business

(a) Application for Site Plan Approval from MedEXpress for a walk-in doctor's office at Red Raider Plaza.

Seth Shafer and Zach Appman were present for the applicant. Mr. Shafer stated that the unit is located at the corner of Division and Pershing Drive and there is a leased area in the rear. Mr. McEvoy stated that it is a permitted use in the zone and in his reviewed he looked at the parking. He stated that the handicap space needs to be size according to the zoning regulations. He stated that a previous applicant was told that the lease ran out for the rear portion. Mr. Estwan asked if there are any physical changes to the building. Mr. Shafer stated that the existing atrium will be removed and replaced with landscaping. Mr. Estwan asked about signage. Mr. Shafer stated that there will be two illuminated wall signs and they will be submitting the necessary documents for a sign permit. Mr. Estwan stated that there are other vacant spaces at this plaza and parking could affect those possible tenants.

There was no further comment on the application. Mr. Estwan moved that following review of the plans supporting documentation submitted in support of this application, the Derby Planning & Zoning Commission hereby approves the Site Plan Application for Medexpress on property shown On Derby Aseessor's Map 7-10, Lot 12 & 17 subject to the following conditions:

The approval shall be based upon the following documents submitted in support of this Application:

1. Derby Planning and Zoning Commission Application for Special Exception Use and Site Plan Approval.
2. Letter from Ceso, Inc. to Planning and Zoning Commission, Town of Derby, dated 12/12/16.
3. Town of Derby, Connecticut Assessment Parcel Map, Map 7-10, produces April 2016, at a scale of 1" = 150'.
4. Plans Entitled "Tenant Build-Out & Building Renovations, Division Street & Pershing Drive, Derby, Connecticut 06418, dated November 18, 2016, at a scale of ¼"=1", prepared by R.W. Larson Architect, with the following plans attached:
 - a. "A-1, Floor Plan
 - b. "A-3, Exterior Elevations

5. Plans entitled "MedExpress, Derby, CT, Construction Documents, Site #1, Red River Plaza, 68 Division Street," dated 10/31/2016, prepared by Cesco, Inc., with the following plans attached:

- a. "C1, Existing Conditions & Demolition Plan, at a scale of 1"=10'
- b. "C2, Site Plan, at a scale of 1"=10'
- c. "C3, Northern Overall Site Plan, at a scale of 1"=40'
- d. "C4, Overall Site Plan, at a scale of 1"=50'

6. Testimony from the applicant, Commission, and City staff at the January 17, 2017 regularly scheduled Planning and Zoning Commission meetings.

With the following stipulated conditions:

1. The parking count on sheet C4 shall be revised to reflect the correct parking demand for retail space at 5 spaces per 1,000 SF of gross area.
2. Handicapped parking spaces shall be revised to correctly depict the space requirements from the Connecticut Building Code.
3. Details and sizing of the proposed business signs shall be provided to the Derby Zoning Enforcement Officer and shall comply with the requirements of the Zoning Regulations.
4. The Zoning Enforcement Officer and City Engineer shall have the authority to direct the Applicant, to install sediment and erosion control measures as conditions may warrant.
5. Any modifications to the above referenced drawings shall be submitted to the Planning & Zoning Commission for review and action if necessary.

The motion was seconded by Mr. Rogers and carried unanimously.

(b) Joint meeting with DHS Baseball Field Relocation Committee discussing possibilities of Witek Park as a site.

Barbara DeGennaro stated that the Committee has been considering sites for the relocation of the baseball field. She stated that with her this evening were the members of the Committee – Jack Walsh, Ken Marcucio, Andy Cota, Peter Olenoski, Ron Sill, Anthony DeFala, Carmen Dicenso. She stated that they would like to discuss the option of relocating the field to Witek Park. Mr. Estwan stated that this is an informal discussion only.

Anthony DeFala stated that the Committee has worked on designs and where it can be done. He stated that if the field was moved to Witek Park all athletic programs that use the fields would be accommodated. He stated that there is available property at Witek Park to put the field. He stated that if the field were moved to Bradley School that would compromise other programs that use the fields. Mr. Cota stated that if the field were relocated to Bradley School it would be too costly and then three other fields would have to be relocated. He stated that by relocating to Witek Park it would reduce the cost to the City and have the least impact.

Mr. Dicenso stated that it would have been wonderful to have the field at the high school campus but that would be very expensive. The two soccer fields presently at Witek Park would remain and will be placed side by side. The baseball field would be located at the lower section and no trees will be taken down. Mr. Dicenso asked if dugouts and batting cage would be allowed to be put up at Witek Park.

Mr. Estwan stated that when the City purchased Witek Park there was an application submitted to this Commission. The soccer fields were approved but with certain conditions and one was that no structures or electricity would be allowed there. A turf management program was also incorporated into the plans. He stated that the Commission is not opposed to uses at the Park but want it done the right way. He stated that he would be opposed to losing any parking. Mr. Dicenso stated that the upper level of parking which is not really used would be removed.

Mr. Stankye asked about what would happen to the programs currently using the fields during construction. Dr. Conway stated that he has spoken to surrounding communities about using their fields during the construction. Mr. Estwan stated that this appears to be the least costly and least intrusive plan. Jack Walsh stated that Witek Park is the best location for this project. Mr. Sarmiento asked if temporary structures could be used there. Mr. Estwan stated that the conditions were put in to protect the Park.

Keith McLiverty stated that a grant was received for this project and Ryan Field and the track. He stated that a RFQ will be done once we know what can go there. Mr. Estwan stated that a formal application will need to be submitted and the Commission is willing to work with the City on this project.

(c) PZC Informal Discussion on upcoming Zoning/Zone Text/Zone Map Changes (CDD, CDRD, Mill Design District, I-1 to B-1 Zone Change).

Mr. Estwan stated that the text change application will be scheduled for a public hearing at the February meeting. The other applications will be received next month and scheduled for public hearings in March.

(d) Presentation by Leslie Creane, Economic Development Director, on suggested roadway configurations for the South Side of Main Street Development Area.

Leslie Creane presented three options done by DPZ. The "U" Street option would have good circulation and vehicle access to Main Street. The "Central Park" option would have access dependent on the completion of Route 34. She stated that with the "First Street" option the traffic configuration would be more complicated. Mr. Estwan stated that it appears that the "U" Street option is the best for developing the south side of Main Street. He asked about access to the sewer treatment plant and Ms. Creane stated that it would remain the same. She also stated that the "U" Street option is the most practical and could start without the work being done on Route 34. Mr. Estwan stated that there has been interest from developers in Derby and the shopping center on Pershing Drive has just been sold. Mr. Estwan moved that the "U" Street build out be adopted. The motion was seconded by Mr. Stankye and carried unanimously.

Old Business

(a) Zone Text Change

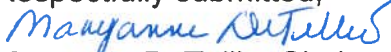
Mr. Estwan stated that a public hearing will be held next month on the zone text changes.

Payment of Bills

Mr. Estwan moved that all bills be paid if found correct. The motion was seconded by Mr. Stankye and carried unanimously.

A motion to adjourn was made by Mr. Stankye, seconded by Mr. Rogers and carried unanimously. The meeting was adjourned at 8:50 p.m.

Respectfully submitted,


Maryanne DeTullio, Clerk

These minutes are subject to the Commission's approval at their next scheduled meeting.