# *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**
**Anthony Szewczyk (Alternate)**
**Cynthia Knopick (Alternate)**
**Maryanne DeTullio, Clerk**

The regular meeting of the Planning and Zoning Commission of the City of Derby was held on Tuesday, April 19, 2016 at 7:00 p.m. in the Aldermanic Chambers, City Hall, 1 Elizabeth Street, Derby.

The meeting was called to order at 7:05 p.m. by Chairman Ted Estwan. Present were Ted Estwan, Richard Stankye, Raul Sanchez, Glenn Stevens, Albert Misiewicz and Anthony Szewczyk. Also present were Attorney Marjorie Shansky and Maryanne DeTullio, Clerk.

Additions, Deletions, Corrections to Agenda

There were no additions, deletions or corrections to the agenda.

Correspondence

Mr. Estwan stated that was no correspondence received.

Public Portion

There was no one from the public wishing to speak.

Approval of Minutes

Mr. Estwan moved to table the approval of the March 15, 2016 minutes. The motion was seconded by Mr. Szewczyk and carried unanimously.

Receipt of Applications

Mr. Estwan moved to accept and schedule for public hearing at the May meeting an application for special exception use was received from Cellco Partnership d/b/a Verizon Wireless for 123 Minerva Street. The motion was seconded by Mr. Stankye and carried unanimously.

Mr. Estwan moved to accept and schedule for public hearing at the May meeting an application for special exception use from Tim Whalen, Centerline Communications for 50 Olivia Street. The motion was seconded by Mr. Stankye and carried unanimously.

New Business

(a) Application for CDD Approval from 41 Elizabeth Street, LLC for 37 Elizabeth Street, for use as a liquor store.

D. Patel was present for the application. Mr. Estwan noted that the regulations do not allow a liquor store within 150 feet of a park, school or church. He stated that this location is within 150 feet of the Green and the application cannot be approved for this location. He informed the applicant that he can go to the ZBA for a variance or submit an application for a zone change. Mr. Patel stated that there had been a liquor at this location in the past. Mr. Estwan stated that there is not one there now and the regulations do not allow this use at that location. Atty. Shansky pointed out that there is also a church that is 700 feet from this location. Mr. Estwan stated that the applicant can discuss this with the building official and determine the best approach to take but it cannot be approved at this time. He suggested that the application be withdrawn and then the applicant follow up with the building official.

(b) Application for CDD Approval from Thomas Lucia for 33 Elizabeth Street.

Thomas Lucia was present and stated that the location is the loading dock behind 33 Elizabeth Street. He stated that this has not been used in a long time. He stated that he needs a larger space. This is an on-line business and he has three employees. Mr. Estwan moved to approve the application for CDD approval from Thomas Lucia for 33 Elizabeth Street. The motion was seconded by Mr. Stankye and carried unanimously.

Old Business

(a) Derby Center Redevelopment District (DCRD), Mill Design District (MDD) and Update to Plan of Conservation and Development Discussions.

Atty. Shansky stated that the planning sub-committee met with Milone & MacBroom on the existing amendments and getting some information on the Center Design District. She stated that a special meeting is scheduled for Monday, May 23, 2016 at 7:00 and another meeting is scheduled for May 24, 2016 at 7:00 for discussion and adoption of the plan of conservation and development. She stated that a public hearing will also be scheduled regarding the plan.

Payment of Bills

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

Executive Session

(a) Update on Enforcement Issues; Discussion of pending litigation.

Mr. Estwan moved that the Commission go into Executive Session at 7:30 p.m... The motion was seconded by Mr. Stankye and carried unanimously.

Upon motion duly made and seconded the meeting was adjourned at 8:04 p.m.

Respectfully submitted,

Maryanne DeTullio, Clerk

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