

# ***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, Alt.

Maryanne DeTullio, Clerk

The Planning and Zoning Commission of the City of Derby held a regular meeting on Tuesday, February 17, 2015 at 7:00 p.m. at 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, Glenn Stevens, Steven Jalowiec, Raul Sanchez, Richard Stankye and David Rogers. Also present were Attorney Marjorie Shansky, Peter Georgetti, City Engineer and Maryanne DeTullio, Clerk.

## Additions, Deletions, Corrections to Agenda

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

## Correspondence

Mr. Estwan stated that the Commission previously had a member on the Valley Council of Governments, which has now merged with the Naugatuck Valley Council of Governments. He asked anyone interested in serving as a member to contact him.

## Public Portion

There was no one from the public wishing to speak.

## Approval of Minutes

Mr. Stankye moved to approve the minutes of the January 20, 2015 meeting. The motion was seconded by Mr. Stevens and carried unanimously with Mr. Estwan and Mr. Rogers abstaining.

## Acceptance of Applications

Mr. Stankye moved to accept an application for site plan approval from Green Derby LLC for solar use on the Derby landfill. The motion was seconded by Mr. Jalowiec and carried unanimously.

Public Hearing

(a) Application from Buckingham Estates LLC for zone text change for the purpose of removing the confusing definition and interpretation of lot width and replacing it with a minimum square on a lot which will better insure a lot configuration of a reasonable square or rectangular shape. Continued from 01/20/15.

Attorney Dominick Thomas, 315 Main Street, Derby, representing the applicant, stated that after review of the comments from the planner and Attorney Shanksy they have modified their application to address only Section 195-7 and 195-9le)(1) and also to correct Figure 31. This will clear up any issues and make the regulation easier to understand. There was no public comment on the application. A motion to close the public hearing was made by Mr. Stevens, seconded by Mr. Jalowiec and carried unanimously.

New Business

(a) Discussion and possible action - Application from Buckingham Estates LLC for zone text change for the purpose of removing the confusing definition and interpretation of lot width and replacing it with a minimum square on a lot which will better insure a lot configuration of a reasonable square or rectangular shape.

Atty. Shansky stated that the revision seeks to address the issue of right angles. Mr. Estwan moved to approve the application as amended effective March 6, 2015. The motion was seconded by Mr. Jalowiec and carried unanimously.

(b) Application for Site Plan Approval from Green Derby, LLC for installation of solar panels at City of Derby Landfill.

Paul Curran was present for the applicant and stated that this is a solar energy project on the landfill. They will also need to get approval from the State DEEP. He stated that the landfill will not be adversely impacted in anyway. They anticipate construction to take two to three months and the panels will not be seen from any existing residences. They will also be installing new fencing.

Brivory Angus addressed the concerns raised by Prime Engineering and stated that the application contains a narrative section on how the storm water will be managed. They will need to get an electrical easement. He stated that they are in the vicinity of Two Mile Brook and there are other wetlands on the site but not near where the panels will be located. Mr. Estwan stated that he would like to see a better site plan and where everything will be situated. He stated that the Commission needs to know how much land this will take up and where the field will be. Mr. Curran stated that they have a survey of the portion of the property that they will be licensing but did not survey the entire City of Derby parcel. Atty. Shansky stated that it would be important to show the wetlands and the upland review area. The item will be continued to the next meeting.

(b) Discussion and possible action - City of Derby – Purchase of 4-8 Caroline Street and First Street.

Atty. Dominick Thomas stated that he represents the owner of the property and the contract makes reference to a possible Section 8-24 referral to this Commission. He stated that he does not think that it is a 8-24 referral but agrees with Atty. Francis Teodosio stated that the Commission should review it and make a favorable recommendation to the Board of Aldermen. He stated that the City is purchasing the property to resolve litigation. Mr. Estwan moved that the Commission issue a favorable recommendation of the purchase to the Board of Aldermen. The motion was seconded by Mr. Jalowiec and carried unanimously.

(d) Informal Discussion – 2015 Plan of Conservation and Development.

Atty. Shansky stated that she is assisting in the review of the Plan of Conservation and Development and presented copies of the current Plan to the members. She asked the members to look at the Plan and determine what needs attention and what has been achieved. She stated that the City is moving forward with a Steering Committee who will meet with representatives from Yale and Pace. She stated that anyone can participate on this Committee and there are meetings scheduled for March 15<sup>th</sup>, March 19<sup>th</sup> and March 25<sup>th</sup>. She stated that a survey will be developed so that individuals from the public can register their interests and ideas.

(e) Informal Discussion – South Central Connecticut Regional Water Authority – Water Storage Tank on Northern section of Derby High School/Derby Middle School Property – No action to be taken.

Ted Norris, Beth Nesteriak and Rose Gazrilouc from South Central Connecticut Regional Water Authority were present. Mr. Norris stated that they had previously filed an application for a water storage tank in November 2012 which has been withdrawn. He stated that they received feedback from neighbors and have redesigned the tank and have found another location for it.

Beth Nesteriak stated that they need to be able to improve flows and provide greater pressure to the west side of Derby. She stated that they researched over one hundred sites in the Valley and evaluated all of them. They looked at the size of the sites, hydraulics, current use and the impacts to adjoining properties. Ms. Gazrilouc stated that this site on the northern end of the high school property has a small hill and is approximately two acres in size. They looked at the construction activity that would be involved and disruption that would be caused but this is not a residential area. It would greatly improve flows in the area. It will be a smaller tank than previously designed. She stated that at this time it is only a conceptual plan and are just looking for comments from the Commission. Mr. Estwan stated that this appears to be a much better plan than the previous one.

Old Business - None

Executive Session

(a) Update on Enforcement issues; discussion of pending litigation.

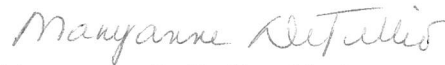
There was no need for an Executive Session.

Payment of Bills

Mr. Stankye moved to pay all bills if found correct. The motion was seconded by Mr. Jalowiec and carried unanimously.

A motion to adjourn was made by Mr. Stankye, seconded by Mr. Jalowiec and carried unanimously. The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Maryanne DeTullio".

Maryanne DeTullio, Clerk

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