

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 regular meeting of the Planning and Zoning Commission of the City of Derby was held on Tuesday, July 21, 2015 at 7:00 p.m. in the Media Room, 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, Richard Stankye, Raul Sanchez, David Rogers, Albert Misiewicz, Glenn Stevens, Steve Jalowiec and Anthony Szewczyk. Also present were Peter Georgetti, City Engineer and Maryanne DeTullio, Clerk.

Additions, Deletions, Corrections to Agenda

Mr. Stevens moved to add as Item 9c Request to Extend Site Plan Approval from Jalowiec Realty Associates, LP for 90-114 Sodom Lane. The motion was seconded by Mr. Szewczyk and carried unanimously.

Correspondence - None

Public Portion

There was no one from the public wishing to speak.

Approval of Minutes

A motion to approve the minutes of the May 19, 2015 meeting was made by Mr. Jalowiec, seconded by Mr. Misiewicz and carried unanimously.

Chm. Estwan noted that the June 16, 2015 was cancelled.

Acceptance of Applications

Mr. Estwan moved to accept an application from Verizon Inc. for modifications to cell tower on Roosevelt Drive. The motion was seconded by Mr. Stankye and carried unanimously.

Mr. Estwan moved to accept an application site plan approval from Julia Bonks for 36 Division Street for use as a pediatric dentistry office. The motion was seconded by Mr. Stankye and carried unanimously.

New Business:

(a) Discussion – Buckingham Estates, LLC v. Planning and Zoning Commission. AAN-CV-13-6012301-S, possible resolution of appeal by stipulation.

Mr. Estwan stated that this application was denied by the Commission and an appeal taken by the applicant. The court ruled on it and some changes were made. A resolution has been reached between their attorney, corporation counsel and Atty. Shansky. Mr. Szewczyk moved that the Commission approve the resolution of this matter. The motion was seconded by Mr. Stevens and carried unanimously.

(b) Informal presentation – O’Riordan Migani Architects, 101 Elizabeth Street.

Joseph Migani was present and stated that he has this property under option. He presented his conceptual plans for the site. He stated that the existing buildings would be taken down and replaced with something that will be an icon in the area. The plans would include a retail component, residential apartments and a hospitality venue. There would be 100 hotel rooms and 100 rental units. The property is located at the head of the Green and the height of the building will allow for water views. He stated that it is in close proximity to the Sterling Opera House. The project will provide its own parking with an underground parking garage. There will be amenities for the hotel use including banquet hall, conference rooms and fitness rooms. There will be retail space on the ground level. He stated that he would like to work with the Commission on this project.

Mr. Szewczyk asked if there will be adequate parking and Mr. Migani stated that the underground parking garage will provide ample parking.

Mr. Estwan stated that there is nothing in the regulations at this time that allows for this type of development. He stated that they are looking for ideas for the concept and the full application and design work would be presented at a later date. Mr. Migani stated that he is looking for an indication that the Town is willing to accept this initiative and then he could market it to a hospitality venue. Mr. Estwan stated that this plan is for a building upwards of 20 stories and he asked if that was realistic. He stated that the Commission would be willing to work together on this project.

Mr. Jalowiec stated that there are a lot of pluses but it would be overwhelming for the City and does not really fit the character of the downtown. He stated that there may be other areas where it would be a better fit. Mr. Migani stated that because of the cost of the structured parking a certain height is needed to justify that expense. Mr. Estwan stated that the Commission needs to look at what fits the master plan of development. He also stated that the Commission is working on redoing the downtown area and the regulations. He stated that it has to be economically feasible for the developer but we need to make sure that it fits with the entire character of the town. Mr. Estwan asked everyone to look at this and come back with comments and questions for the next meeting.

(c) Request for extension of site plan approval Jalowiec Realty Associates, LP, 90-114 Sodom Lane.

Joseph Jalowiec was present and stated that the site plan was approved January 16, 2007 and he is asking to have it extended to January 16, 2021. There are no changes to the original approval just an extension of the date. Mr. Estwan moved to grant the extension of the site plan approval for 90-114 Sodom Lane to January 16, 2021. The motion was seconded by Mr. Misiewicz and carried 6-0-1 with Mr. Jalowiec abstaining.

Old Business

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

Mr. Stevens moved to table this item to the August meeting. The motion was seconded by Mr. Stankye and carried unanimously.

(b) Discussion – Previously approved Site Plan 46-50 Commerce Street – Plan to erect electrical pole.

Terry and David Sekelsky and Don Smith were present for this matter. Mr. Smith stated that the Commission had asked for an updated site plan. He presented a plan showing what is there now. He stated that the area is resurfaced with milling and used for vehicle and equipment storage. He identified the storage area and also the electrical pole. He stated that the purpose of the pole is for security lighting and it is a private pole. David Sekelsky stated that the light will not be facing Route 34 and will be shielded. Mr. Smith also provided an updated statement of use. Mr. Stankye moved to approve the application based on the submitted plans and statement of use. The motion was seconded by Mr. Jalowiec and carried unanimously.

(c) Derby Center Redevelopment District (DCRD) & Mill Design District (MDD) Discussions.

Mr. Estwan moved that this be tabled to the August meeting. The motion was seconded by Mr. Sanchez and carried unanimously.

Executive Session

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

Mr. Estwan stated that there was no need to go into Executive Session this evening.

Payment of Bills

A motion to pay the bills if deemed correct was made by Mr. Estwan, seconded by Mr. Stankye and carried unanimously.

Mr. Stankye moved that the Commission go back to New Business on the agenda. The motion was seconded by Mr. Jalowiec and carried unanimously.

Mr. Stankye stated that he would like for the members to receive a packet with all information regarding agenda items two weeks before the meeting. Mr. Estwan stated that there are procedures in place regarding the acceptance of application and submittal of plans. He will draft a letter and forward it to the Building Department regarding this matter. He also stated that new applications are received one month and heard the next. The Tuesday before the scheduled meeting night is the cut off for new applications.

A motion to adjourn was made by Mr. Sanchez, seconded by Mr. Estwan 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.