

# ***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, December 15, 2015 at 7:10 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, Glenn Stevens, Steven Jalowiec, David Rogers, Anthony Szewczyk, Raul Sanchez, Cynthia Knopick and Albert Misiewicz. Also present were Attorney Marjorie Shansky, Carlo Sarmiento, Building Official and Maryanne DeTullio, Clerk.

## Additions, Deletions, Corrections to Agenda

Mr. Estwan moved to add as Item 10b further discussion regarding lighting issues at The Hops Company, Sodom Lane. The motion was seconded by Mr. Rogers and carried unanimously.

Mr. Estwan moved to add as Item 10c lighting issues at 88 Sodom Lane, proposed animal hospital. The motion was seconded by Mr. Rogers and carried unanimously.

## Correspondence - None

## Public Portion

Joe Jalowiec, 90 Sodom Lane, stated that some of the issues at 88 Sodom Lane have been taken care of but there are still issues with the lights coming onto Sodom Lane.

## Approval of Minutes

A motion to approve the minutes of the November 17, 2015 meeting was made by Mr. Jalowiec, seconded by Mr. Stevens and carried unanimously.

## Acceptance of Applications

Mr. Estwan moved to accept an application was received from Munawar Choudhry for 3 Pershing Drive to add a U-Haul franchise to the site. The motion was seconded by Mr. Misiewicz and carried unanimously.

Mr. Estwan moved to accept an application from McDonald's for 44 Division Street to remove existing drive-thru and restaurant and build a new one. The motion was seconded by Mr. Misiewicz and carried unanimously.

Atty. Shansky noted that with the application for 3 Pershing Drive it should be determined the amount of storage associated with the u-haul vehicles.

New Business

- (a) Section -24 Referral – Sale of city property at 38 Anson Street and 96 Olivia Street.

Mr. Estwan stated that the City wants to sell these two parcels and one of the stipulations is that there will be no new structures on either of them. Mr. Jalowiec moved to give a favorable recommendation for the sale of 38 Anson Street. The motion was seconded by Mr. Stevens and carried unanimously.

Mr. Stevens moved to give a favorable recommendation for the sale of 96 Olivia Street. The motion was seconded by Mr. Misiewicz and carried unanimously.

Old Business

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

Mr. Jalowiec stated that the sub-committee met and went through some of the comments received and discussed what to do with the development districts. They asked the planners to go back and look at the downtown district, the south side of Main Street and the parcel that abuts the railroad station up to BJ's. He stated that they will be meeting again in January. They also looked at some preliminary updates to the plan of conservation and development.

- (b) Lighting Issues – The Hops Company, Sodom Lane.

Mr. Estwan noted that this is a pre-existing non-conforming use and complaints from residents were received regarding the lighting. Mr. Sarmiento stated that he spoke with them and they are going to contact United Illuminating to have hoods put on the lights. Mr. Estwan stated that there is also a height limit in the regulations. Mr. Sarmiento stated that he will also speak with them concerning the height of the lights.

- (c) Lighting Issues – 88 Sodom Lane

Mr. Estwan noted that the lights shine onto Sodom Lane and can cause a safety issue. Mr. Sarmiento stated that he will speak with the owner regarding this.

Executive Session

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

Mr. Estwan stated that there was no need for an Executive Session.

Payment of Bills

Mr. Jalowiec moved that all bills be paid if found to be correct. The motion was seconded by Mr. Stevens and carried unanimously.

Mr. Stevens moved to adjourn the meeting. The motion was seconded by Mr. Rogers and carried unanimously. The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Maryanne DeTullio".

Maryanne DeTullio, Clerk

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