

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, October 17, 2017 at 7:00 p.m. in the Aldermanic Chambers, City Hall, 1 Elizabeth Street, Derby.

The meeting was called to order at 7:05 p.m. by Chairman Ted Estwan. Present were: Ted Estwan, David Rogers, Richard Stankye, Albert Misiewicz, Glenn Stevens, Raul Sanchez and Cynthia Knopick. Also present were Atty. Marjorie Shansky, Ryan McEvoy, Milone & MacBroom and Maryanne DeTullio, Clerk.

Public Portion

Tom Lionetti, 79 Sunset Drive stated that no one from the public spoke in favor of the proposal for the old Marshal Lane manor but the Commission voted in favor of the change. Mr. Estwan stated that the Commission had three public hearings on this matter and received a lot of information from the public which was taken into consideration when the Commission made their decision.

Lorrie Capuano-Alberta, 325 David Humphreys Road stated that a student would need to have a F1 visa and could attend Derby High School. Mr. Estwan stated that the Commission does not have an application for this property at this time.

Lorrie Capuano-Alberta stated that the Derby schools are at capacity at this time and there is a report that they are overcrowded. Mr. Estwan stated that there has been a text change that was approved and when an application is received it will require a public hearing and the public can attend and ask questions at that time.

Richard Augustine, 91 Harold Avenue asked when the application will be accepted. Mr. Estwan stated that the application will be accepted this evening and scheduled for public hearing at the regular meeting in November.

George Giugno, 333 David Humphreys Road asked why this is not voted on by the residents of Derby. Mr. Estwan stated that the Commission is driven by Connecticut law and an applicant comes before the Commission with their plan and the Commission makes the decision. This particular application would require a public hearing and there are certain requirements associated with that. He stated that the Commission had three public hearings on the text amendment change and took a lot of what the public said at those hearings into consideration and made changes based on public input.

Tom Marcucio, 196 New Haven Avenue asked when the application gets accepted it will then be scheduled for public hearing. Mr. Estwan stated that it is just going to be received this evening and will be scheduled for public hearing at the November meeting.

Carl DiCarli, John Street asked if it is a zone change. Mr. Estwan stated that it is a zone text change in the R-3 Zone and it would not be proper to change the zone. He stated that regulations list permitted uses and those allowed by special exception which require a public hearing. This is a text change for all R-3 zones in the City and would be allowed by special exception.

Stefano Ponzillo, 31 Bellevue Drive asked what the benefit is to the City. Mr. Estwan stated that if someone comes in and applies for something and gets approved there is an added assessment to the property and an increase in tax revenues. Mr. Ponzillo stated that it will be a cost to the City and not a benefit. Mr. Estwan stated that there will be a public hearing on the application next month. He also stated that the applicant's attorney has scheduled a neighborhood meeting at the location.

Tom Lionetti, 79 Sunset Drive stated that he heard that an appeal of the Commission's decision was filed in court. He asked why the Commission is going forward. Mr. Estwan stated that the City has been served with an appeal. Mr. Lionetti asked why bother to go forward. Mr. Estwan stated that an application has been filed and when it is presented to the Building Department by law it has to be accepted as part of the process.

Carl DiCarli, John Street stated that if it is in court why continue with this. Mr. Estwan stated that once the application is received it will move forward.

Marc Garoflo, 95 Academy Hill, Town Clerk encouraged the public to contact his office and sign up for e-mails so that they can get the information directly sent to them. He also congratulated the members of the Commission on the job they are doing and asked them to take into consideration all of the feelings and comments from the public.

S. Ponzillo, 31 Bellevue Drive asked if anyone else is interested in that property. Mr. Estwan stated that the attorney for the applicant had Marshal Lane Manor has a client for a long time and will be having a neighborhood meeting on November 2nd at 6:30 p.m. at the site.

Approval of Minutes

Mr. Estwan moved to table the approval of the minutes from the October 3, 2017 special meeting. The motion was seconded by Mr. Stankye and carried unanimously.

Receipt of Applications

Mr. Estwan moved to accept and schedule for public hearing at the November 21, 2017 meeting an application for special exception from AIEP for educational dormitory at 101 Marshal Lane. The motion was seconded by Mr. Stankye and carried unanimously.

New Business

(a) Discussion and possible action – Application for site plan approval for improvements to existing athletic fields, 75 Chatfield Street (Application #2017-10-03-01).

(b) Discussion and possible action — Application for site plan approval for new field house, baseball field and associated site improvements, 75 Chatfield Street (Application #2017-10-03-02).

Peter deBretteville, architect presented the plans and stated that both fields will be visible from porches on the building. There will be locker rooms for both teams, a large room and a small exhibition space. There will also be a concession stand and small kitchen. There will be a bus drop off area and handicap parking.

Katie Gagnin, civil engineer stated that they are proposing a retaining wall where the existing Softball field is. There will be batting cages and have also added parking. She stated that all Utilities will be connected to Chatfield Street and a new underground drainage system installed.

Mr. McEvoy presented his draft comment letters and stated that his comments are mostly minor. He stated that the 24" pipe picks up discharge from Osbornedale State Park and felt it should be kept outside of the detention system. He stated that they should make sure that the drainage is not an infiltration system. He also commented on the lighting and stated that they may need a variance for that. There is a regulation that would allow the lights to be grandfathered in but the poles were removed and therefore they cannot be done that way. Mr. deBretteville stated that the lights are shown as a future possibility. K. Gagnin stated that they are on the plans and if necessary they could come in for a variance. Mr. McEvoy also commented on the distance from home plate to the fence and the safety netting which should be clarified. K. Gagnin stated that the maintenance gate will be relocated to a more suitable location so that vehicles can park on Chatfield Street. The plans show the dumpster pad locations.

Brendon White stated that the plans were done in order to maximize the outfield area. This will be a turf field.

Mr. Sanchez asked about the scoreboard and K. Gagnin stated that it is located in the outfield and pointed it out on the plans.

Brendon White stated that it will be a new softball field and practice area, batting cages and Storage building and dugouts. The grandstand will be relocated. The track will be six lanes and there will be a four foot high fence around the perimeter. The bleachers will be moved slightly and there will be new press box. Mr. Estwan asked if they will be permanent dugouts and Mr. White stated that they will be. There was a discussion regarding the lighting and the height of the poles. Mr. White stated that they will be using the existing fixtures at an appropriate height for the field and will address that in their response to the comment letter. Mr. Ryan stated that the fencing is four feet along the foul line and it is recommended that it be eight feet when adjacent to bleachers or parking lots. He stated that their recommendation would be six foot minimum. Mr. Estwan asked about the field irrigation system and Mr. White indicated that they are working on that.

Mr. Estwan moved that both items be continued to the November 1, 2017 special meeting. The Motion was seconded by Mr. Misiewicz and carried unanimously.

(c) Discussion and possible action – Application for site plan approval for Great Clips, 49 Pershing Drive (Application #2017-10-03-03)

Mr. Vankawala, applicant stated there will only be haircuts done at this location. The parking requirements are less than what was there previously. Mr. Estwan moved to approve the application. The motion was seconded by Mr. Stankye and carried unanimously.

(d) Discussion and possible action – Application for site plan approval for Aldi's expansion, Pershing Drive (Application #2017-09-19-01).

Jeff Borg, BL Company stated that it will be a 540 s.f. expansion on the southwesterly side of the property. There is plenty of parking available on the site. He also stated that there are no changes to the stormwater system.

Mr. McEvoy stated that a letter was received from the Fire Marshal and his concerns can be addressed when they go through the building permit process. Mr. Estwan moved to approve the application. The motion was seconded by Mr. Stankye and carried unanimously.

(e) Informal Discussion 186 New Haven Avenue.

Doug Leone stated that he owns three properties in Derby. There is currently a four family house with garage on this property. There was a barn in the back which has been removed. The property is located in the R-5 Zone and does not have a lot of frontage. There is a private driveway and there are some differences in elevations. He stated that he would like to build something on this property and was looking for some advice from the Commission. Mr. Estwan stated that he did not think that multi-family is right for that area. Mr. Leone stated that he is considering efficiency apartments. Atty. Shansky noted that since he does not have the right amount of frontage he may need a variance from ZBA. It was recommended that he contact an attorney to help him with his plans.

Payment of Bills

Mr. Stevens moved to approve payment of the following bills from Milone & MacBroom – Invoice #82675 \$748.80; Invoice #82673 \$457.50 and Invoice #82672 \$1,577.07. The motion was seconded by Mr. Sanchez and carried unanimously.

A motion to adjourn was made by Mr. Estwan, seconded by Mr. Stevens and carried unanimously. The meeting was adjourned at 8:55 p.m.

ATTEST:



Maryanne DeTullio, Clerk