

# ***Planning and Zoning Commission City of Derby***

Theodore J. Estwan, Jr., Chairman

Steven A. Jalowiec, Vice-Chairman

David J. Rogers

Richard A. Stankye

Albert Misiewicz

Glenn H. Stevens

Raul Sanchez

Anthony Szewczyk (Alternate)

Maryanne DeTullio, Clerk

## **MEETING NOTICE**

The regular meeting of the Planning and Zoning Commission of the City of Derby will be held on Tuesday, November 18, 2014 at 7:00pm in the Aldermanic Chambers, City Hall, 1 Elizabeth Street, Derby.

### **AGENDA:**

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Additions, Deletions, Corrections to Agenda.
5. Correspondence
6. Public Portion.
7. Approval of Minutes of 10/21/14 meeting.
8. Acceptance of Applications.

### **9. 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 10/21/14.

### **10. New Business:**

(a) Informal Discussion – Derby Housing Authority.

(b) 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.

(c) Informal Discussion – Drew Wolf, NEAWG Group – Dworkin Chevrolet property, Seymour Avenue.

(d) Application for CDD Approval from 140 Main Street-Derby, LLC for 140 Main Street for use as a fast food restaurant (primarily take out).

### **11. Old Business:**

(a) Application for Site Plan Approval from DLC Management Corp. for 60 Pershing Drive for 21,942 sf retail and 43,986 sf retail buildings to be determined – owner of property Walgreens Eastern Co., Inc.

### **12. Executive Session:**

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

13. Payment of Bills.

14. Adjournment.

MARYANNE DETULLIO, CLERK

# ***Planning and Zoning Commission City of Derby***

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Steven A. Jalowiec  
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Albert Misiewicz  
Glenn H. Stevens  
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Anthony Szewczyk, Alt.  
Maryanne DeTullio, Clerk

The Planning and Zoning Commission of the City of Derby held a regular meeting on Tuesday, November 18, 2014 at 7:00 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, Albert Misiewicz, David Rogers and Richard Stankye. Also present were Carlo Sarmiento, Building Official, Peter Georgetti, City Engineer and Maryanne DeTullio, Clerk.

## Additions, Deletions, Corrections to Agenda

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

## Correspondence

Chm. Estwan stated that there was no new correspondence.

## Public Portion

There was no one from the public wishing to speak.

## Approval of Minutes

Mr. Stankye moved to approve the minutes of the October 21, 2014 meeting. The motion was seconded by Mr. Misiewicz and carried unanimously.

## Acceptance of Applications

Mr. Stankye moved to accept an application from 140 Main Street LLC for CDD approval for a take-out restaurant at 140 Main Street. The motion was seconded by Mr. Stevens 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.

Chm. Estwan stated that he received a letter from Attorney Dominick Thomas, representing the applicant, granting an extension of the public hearing to the December meeting (December 16, 2014). The public hearing will be continued to the 12/16/14 meeting.

New Business

(a) Informal Discussion – Derby Housing Authority.

Joe Romano, Chairman of the Derby Housing Authority was present. He stated that they are attempting to turn the Baron's Block into rental units for individuals 62 years and older. They will be no children allowed. They needed to get grant funds for this project which was contingent upon the City of Derby giving them property on Fifth Street. This did not happen and they lost the opportunity to apply for the grant funds. They are now looking to turn this into an extension of Cicia Manor. He stated that they will be removing some of the density in this area and will be coming back before the Commission to discuss density and parking. He stated that very few elderly residents have cars and since this will be an extension of an existing property they may not need that much parking. He stated that they are serious about moving forward with this project and will be getting the documentation to the Commission.

Chm. Estwan stated that cleaning up that area is a step in the right direction. He also stated that Mr. Sarmiento will be able to assist the Housing Authority regarding the regulations and they can also reach out to the Commission for any help.

(b) 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.

Chm. Estwan stated that the public hearing has been continued to the December 16, 2014 meeting and therefore this item will be tabled until that meeting.

(c) Informal Discussion – Drew Wolf, NEAWG Group – Dworkin Chevrolet property, Seymour Avenue.

Atty. Peter Ressler stated that he represents NEAWG Group who are interested in turning the former Dworkin Chevrolet property into an auto world.

Greg Grew, Grew Design, Woodbury, Connecticut stated that he is representing the group taking over the development of this property at 198 and 208 Seymour Avenue and also Hawkins Street. They are in the early stages of the project. It will be a high end pre-owned

car dealership. He stated that the property is in close proximity to Route 8 and they are planning on opening up the gate in the back and have an entrance directly from Route 8. There will be inventory of cars throughout the lot. They have no use for the large building on Hawkins Street and are planning on taking that down and use the space for vehicles. They would enhance the other buildings with a new facade and landscaping.

Drew Wolf, NEAWG Group stated that they have been in the automotive business for many years. He stated that all of the vehicles that they will sell will be equipped with GPS systems. The business is an internet type business and the price of the cars is set. He stated that the vehicles will be serviced at this location and ready for pick up when purchased. Mr. Stankye asked if it was similar to CarMax and Mr. Wolf stated that it is but on a higher end; although they will have a range of cars available. Mr. Estwan asked what their time frame is and Mr. Wolf stated that they are hoping to have their application for next month's meeting and would like to be ready in the spring. Atty. Ressler stated that all back taxes owed to the City will be paid for this property.

Mr. Estwan stated that this property has been an eyesore for many years and this type of business is the best use of the property. Mr. Stankye asked if they will only service the cars that they sell. Mr. Wolf stated that the service will be open to the public but it will not be promoted.

(d) Application for CDD Approval from 140 Main Street-Derby, LLC for 140 Main Street for use as a fast food restaurant (primarily take out).

Anthony Perrilli stated that it will be a take out only steam cheeseburger restaurant. He stated that it is a small space and may have a counter with some stools but not tables. There is parking at the municipal lot behind the building. There were no questions from Commission members. Mr. Estwan moved to approve the application for CDD approval from 140 Main Street-Derby LLC. The motion was seconded by Mr. Stankye and carried unanimously.

### Old Business

(a) Application for Site Plan Approval from DLC Management Corp. for 60 Pershing Drive for 21,942 sf retail and 43,986 sf retail buildings to be determined – owner of property Walgreen's Eastern Co., Inc.

Ray Gradwell, BL Companies stated that they have met with Atty. Micci who represents Rocco Cingari, owner of the Shop Rite Supermarket and have resolved any concerns that they had. Mr. Estwan stated that he did receive a letter from Atty. Micci indicating that they are taking no exception and accept the application. Mr. Gradwell stated that they also met with the Fire Marshal who reviewed the plans. Mr. Estwan stated that a letter was received from the Fire Marshal indicating that he has no problem with the plans. Mr. Gradwell stated that they have worked with the City Engineer and have addressed all of his concerns.

John Mancini, BL Companies stated that they are finishing the improvements to the drainage, replacing some of the pavement in the parking areas and enhancing the landscaping and lighting. He stated that once there is a tenant for the building they will be back before the

Commission regarding that. Mr. Georgetti stated that he has been working with them over the last month and they have addressed all concerns and comments of his review letter. Mr. Estwan asked if all the latest revisions have been received. Mr. Mancini stated that he will submit a final consolidated set of plans.

Mr. Estwan stated that they have addressed all concerns discussed last month and all necessary documentation has been submitted and is part of the permanent record. Mr. Estwan moved to approve the application with all amendments. The motion was seconded by Mr. Stevens and carried unanimously.

#### 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 all bills be paid if found to be correct. The motion was seconded by Mr. Rogers and carried unanimously.

A motion to adjourn was made by Mr. Stevens, seconded by Mr. Rogers and carried unanimously. The meeting was adjourned at 7:45 p.m.

Respectfully submitted,



Maryanne DeTullio, Clerk

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