

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, June 17, 2014 at 7:00 p.m. in the Conference Room, City Hall, 1 Elizabeth Street, Derby.

The meeting was called to order at 7:04 p.m. by Chairman Ted Estwan. Present were Ted Estwan, Richard Stankye, Raul Sanchez, David Rogers and Albert Misiewicz. Also present were Peter Georgetti, City Engineer and Carlo Sarmiento, Building Official.

Additions, Deletions, Corrections to Agenda

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

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 April 15, 2014 minutes was made by Mr. Stankye, seconded by Mr. Misiewicz and carried unanimously.

Mr. Georgetti noted that he was in attendance at the May 20, 2014 meeting. No one from Milone and MacBroom was present at that meeting and Carlo Sarmiento also was not present. A motion to approve the minutes of the May 20, 2014 was made by Mr. Stankye, seconded by Mr. Jalowiec and carried unanimously.

Acceptance of Applications

Mr. Stanlye moved to accept and schedule for public hearing at the July meeting an application from Attorney Dominick J. Thomas for zone text change to remove the confusing definition of the 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 a rectangular shape. The motion was seconded by Mr. Jalowiec and carried unanimously.

An application from Michael O'Keefe for Power Base Baseball, owner of the property is Derby Shores LLC, for baseball and softball training facility at 195 Main Street. This is a CDD review. A motion to accept was made by Mr. Jalowiec, seconded by Mr. Stankye and carried unanimously.

Mr. Stankye moved to accept an application from 340 Derby Avenue LLC, Walter Archer for storage units for commercial tenants. The motion was seconded by Mr. Jalowiec and carried unanimously.

New Business:

(a) Application for CDD Approval from Dewygee Fraser and Byron Williams for office use at 17 Elizabeth Street.

Dewygee Fraser, 233 Scott Street, Naugatuck was present and stated that the space will be used an administrative outsourcing office. There will be four employees and parking is available at the parking garage. The office will have standard office hours and no weekend hours. A motion to approve the application was made by Mr. Stankye, seconded by Mr. Jalowiec and carried unanimously.

(b) Application for CDD approval from Jose Reyes/Comstar LLC for 21 Elizabeth Street for a Comstar store.

Mr. Sarmiento stated that they are anxious to move in. He stated that everything is in place and he did an inspection of the space. Mr. Estwan asked what the business is. Mr. Sarmiento stated that they will be selling alarm systems and camera surveillance systems. It will be office space. Mr. Stankye moved to table to next month when the applicant can be present. Mr. Sarmiento stated that they felt that everything was all set; the application is all set. He stated that they have been waiting for sixty days. They were present at last month's meeting. Mr. Stankye stated that they were told that they should be present at this meeting. Mr. Sarmiento stated that it is only office and he could answer any questions that the Commission may have. He stated that they will just be replacing the existing sign that is on the building. There are only two employees and it will not be a high traffic business. Mr. Stankye rescinded his previous motion. A motion to approve the application was made by Mr. Jalowiec, seconded by Mr. Misiewicz and carried unanimously.

(c) Discussion – Signage Town Fair Tire.

Larry from ABC Sign Corporation was present and stated that they had a couple of issues that they needed help with. He stated that it was their understanding that the parcel for their new zone abuts a residential zone. They would like to have their signs illuminated. He did not feel that would be a problem because the front sign faces Route 34 and the side sign faces east, so that neither sign faces the residential zone. He stated that they would hope that the Commission will grant an exception for those. He stated that the other matter is the size of the signs that they are allowed to have based on the regulations, depends on distance from the building to the right of way. He stated that he is assuming that is the property line but was not sure. He stated that on the plot plan that he had it did not have that dimension so he spoke

with the architect and asked him how far the closest point of the building is to the property line and it turns out to be 99.8 feet. He stated that under the regulations they would be allowed to have one square foot of signage per linear foot of the building. He asked the Commission to make an exception of that since they are only asking for a very small exception. He stated that if that is granted than they could have one and a half square feet per the frontage of the building, which they have shown on the drawings to be 63.2. He stated that would be for the two wall signs.

He stated that the other item to discuss is the position of the ground sign. He stated that as it is shown on the plot plan when he discussed this with Carlo Sarmiento, they were not exactly sure where the State right-of-way is, but felt that they could use the property line and did not think that it went beyond the property line. Mr. Estwan asked the size of the sign and the location. The sign that they are proposing is 47 square feet and they would like to put it as close to the road as possible, which is approximately 15 feet from the property line. Mr. Sarmiento stated that the sign does fit the regulations. The stand alone sign will be internally illuminated. Mr. Georgetti stated that he has not reviewed this. Mr. Estwan stated that he would like to have it reviewed by the city engineer and have them come back to the next meeting.

(d) Discussion – Michael Looney – City of Derby Overall Plan.

Mr. Estwan stated that the Commission is both the planning commission and the zoning commission. He stated that Mr. Georgetti represents them on the zoning side, for all engineering purposes. Mr. Estwan stated that the Commission has discussed different planning matters including redoing the CDD Zone, extending it, what other pockets in town need to be tweaked. Mr. Looney is the Chief Planner for Milone and MacBroom and he has been asked to come before the Commission and make a presentation as a plan what is best for Derby and to be our planning consultants.

Mr. Looney submitted a handout to the Commission and gave his background. He stated that he reviewed the zoning regulations and the CDD is an area that could be strengthened. He stated that there may be other sections of the zoning regulations where issues have come up. Mr. Estwan stated the subdivision regulations were adopted in 1970 and have been amended six times since then but never looked at as a whole. He stated that they have asked for capital planning funds to have this updated. He stated that it is outdated and needs to be updated. Mr. Estwan also stated that the center design district has been an issue and the Commission has talked about having it redone and extended. He also stated that the Commission is looking for some guidance with the Route 34 corridor and how that should be planned. Mr. Looney asked the members to come up with issues, concerns and ideas that they have and get those to him. Mr. Estwan stated that based on the input that he gets from the Commission he is going to come up with a rough draft of areas that we would like to address and what the cost will be to update those areas of the regulations. The members discussed what they would like to see changed with the regulations and zones.

(b) Update on Redevelopment Zone.

Mr. Estwan stated that this item will be removed from the agenda in the future and there was nothing to discuss this evening.

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. Stankye, seconded by Mr. Jalowiec and carried unanimously.

Upon motion duly made and seconded the meeting was adjourned.

Respectfully submitted,

Maryanne DeTullio, Clerk

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