

Planning and Zoning Commission City of Derby

Theodore J. Estwan, Jr., Chairman

Steven A. Jalowiec
David J. Rogers
David Barboza II
Richard A. Stankye
Albert Misiewicz
Glenn H. Stevens
Raul Sanchez (Alternate)
Maryanne DeTullio, Clerk

A meeting of the Planning and Zoning Commission of the City of Derby was held on Tuesday, June 17, 2008 at 7:00 p.m. in the Aldermanic Chambers, New 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, Albert Misiewicz, Richard Stankye, David Barboza and Raul Sanchez. Also present were Michael Joyce, Milone & MacBroom and Maryanne DeTullio, Clerk.

Additions, Deletions, Corrections to Agenda

A motion to add to the agenda as Item 10b New Business - Discussion Aquifer Protection regulations was made by Mr. Jalowiec, seconded by Mr. Stankye and carried unanimously.

Correspondence

Chm. Estwan read a letter from Fred D'Amico regarding Hidden Woods Subdivision requesting the release of the maintenance bond in the amount of \$5,000.00. Mr. Joyce stated that he reviewed the information and had some concerns with the homeowner's association. Mr. Estwan stated that this will be deferred to the next meeting so that it can be further reviewed.

Chm. Estwan read a letter from Attorney Joseph Rini withdrawing without prejudice the application for ABC Learning Center for 328 Derby Avenue.

Public Portion

Dan Waleski, 23 Elm Street stated that he attended the VCOG meeting and they are working on the plan of conservation and development. He stated that he has not seen any plans that are really meaningful and had any specific objectives regarding economic development. He suggested that with the downtown redevelopment, transportation issues, globalization, loss of manufacturing facilities that the Commission should be more ingenious in revising the plan.

Approval of Minutes:

A motion to approve the minutes of 5/20/08 meeting was made by Mr. Barboza, seconded by Mr. Stankye and carried unanimously.

Acceptance of Applications:

Chm. Estwan stated that an application for special exception use and site plan modification was received from Michael Teixeira for 193 Marshall Lane to expand rear yard using segmental wall, crushed stone and fill. A motion to accept and schedule for public hearing at the July meeting was made by Mr. Barboza, seconded by Mr. Stankye and carried unanimously.

Chm. Estwan stated that an application for site plan modification was received from Ken Hughes for 470 New Haven Avenue for home office use and construction of a sign. A motion to accept was made by Mr. Stankye, seconded by Mr. Misiewicz and carried unanimously.

Public Hearing:

(a) To consider amendments to the City of Derby Plan of Conservation and Development.
(Continued from 5/20/08).

Mr. Joyce stated that since last month's meeting he spoke with Jack Walsh and Sheila O'Malley to get input from them regarding the Plan. He stated that there are a lot of clear guidelines or directions that would help Derby meet the next phase of development in Derby. He stated that it is not mandatory that this be updated at this time. He stated that current census data will be available late next year and it might be a good idea to wait for that. He also stated that there is some funding sources which can help communities pay for updates. He also stated that a lot of things in the Plan are occurring now with recreation and the new middle school. He also felt it was important to get the comments from Jack Walsh and Sheila O'Malley.

Chm. Estwan stated that there were some discussions at the last meeting whether this should be done now or if it were better to wait for the updated census data. He also stated that there are a number of projects going forward in the City. He felt that it would be better to wait to have a more comprehensive plan to work with instead of something so broad in scope.

Mr. Misiewicz stated that this is a huge project and he felt that it should be started now and not keep putting it off. He felt that at least get the progress in place that is needed with the downtown redevelopment.

Mr. Joyce stated that he has solicited comments and responses from other City departments and that the Commission is not under any statutory time line to get this done.

Chm. Estwan stated that this plan update is a huge project and will require more study and research. He also felt that we should look into getting some funding.

David Elder, VCOG stated that there is some funding available and he recommended that the Commission fill out the application. Mr. Jalowiec felt that the Commission

should get a proposal on how much it will cost and attempt to get the funding. Mr. Joyce felt it was important to get the feedback from other City departments on what they would like to see in the plan. Chm. Estwan also felt that Sheila O'Malley could come to the next meeting and

discuss what she would like to see in the plan. He stated that he will contact her and other City departments for comments.

A motion to continue the public hearing was made by Mr. Barboza, seconded by Mr. Stankye and carried unanimously.

Old Business

(a) Update on Redevelopment Zones - No Report

(b) Discussion Aquifer Protection Regulations

David Elder, VCOG stated that all municipalities who have aquifer areas or portions of them need to adopt regulations. He stated that there are three tasks that need to be done and they are the adoption of aquifer protection area Level A mapping into the zoning map. The designation of the APA as a special district and the appointment of a Commission to act as the APA agent. He stated that Derby has submitted Level B mapping to the DEP and once that is accepted it will become Level A mapping. He stated that DEP needs to be notified as to who the agent is. Chm. Estwan stated that the Commission had agreed previously the this Commission would be the agent.

Mr. Elder also stated that an alternate member to the VCOG board needs to be named. Chm. Estwan asked that anyone interested in being an alternate to contact him.

Payment of Bills

Chm. Estwan stated that there were no bills to be paid at this time.

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

Respectfully submitted,

Maryanne DeTullio, Clerk