

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

Theodore J. Estwan, Jr., Chairman

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

A special meeting of the Planning and Zoning Commission of the City of Derby was held on Monday, November 29, 2010 at 6:00 p.m. in the Aldermanic Chambers, City Hall, 1 Elizabeth Street, Derby.

The meeting was called to order at 6:05 p.m. by Chairman Ted Estwan. Present were Ted Estwan, Albert Misiewicz, Glenn Stevens and Raul Sanchez. Also present were Ryan McEvoy, Milone & MacBroom and Maryanne DeTullio, Clerk.

## Public Portion

There was no one from the public wishing to speak.

## Public Hearing

(a) Application for special exception from Debbie Parlow for 198 Seymour Avenue for use as a dance studio – R-4 Zone. (Application #2010-10-19-02).

Debbie Parlow was present and submitted the certified mailings. She stated that she is looking to relocate her dance studio to the former Dworkin Chevrolet site on Seymour Avenue.

Chm. Estwan read a letter dated November 17, 2010 from Warren Dworkin requesting that the Commission revoke the special exception for used car sales and vehicle repairs by Frank's LLC at 198 Seymour Avenue. This request will allow for sufficient parking for this application.

Chm. Estwan also stated that a review letter was received from Milone & MacBroom dated November 15, 2010. Mr. McEvoy stated that he spoke with Barry Steinberg, engineer, regarding this letter and all references to Frank's LLC have been removed from the plans. Mr. McEvoy also stated that it is their recommendation that the handicap parking space be moved closer to the front of the building. An easement will also have to be granted on 208 Seymour Avenue.

Chm. Estwan asked for any public comment on the application.

Glenn Dworkin asked if Frank's LLC would be able to re-apply to the Commission and Chm. Estwan stated that they could do that.

A motion to close the public hearing was made by Mr. Stevens, seconded by Mr. Misiewicz and carried unanimously.

### New Business

(a) Discussion and possible action Application for special exception from Debbie Parlow for 198 Seymour Avenue for use as a dance studio – R-4 Zone. (Application #2010-10-19-02).

Mr. Estwan moved that pursuant to Section 195-44, the Derby Planning & Zoning Commission finds that the application and supporting documentation as presented is in accordance with Section 195-44.

Following review of the plans and supporting documentation submitted in support of this application, the Derby Planning & Zoning Commission hereby approves the Application for Special Exception Use for Debbie Parlow on property shown on Derby Assessors Map 8-9, Los 205 & 207 subject to the following conditions:

The approval shall be based upon the following documents submitted in support of this application:

1. "Statement of Use"
2. Draft easement for parking facilities.
3. Assessor's Map with properties within 500' of the property.
4. Plan entitled "Site Plan for Danz Magic and Parking, 198 Seymour Ave., Hawkins St., Winter St., and Mohawk Ave., Derby, Connecticut," Scale 1"=20', dated October 12, 2010 prepared by Engineers, Steinberg Associates.
5. Plan entitled "198 Seymour Ave., Proposed Dance Studio," scale 3/16"=1'0".

With the following conditions:

1. The Special Exception approval shall not be effective until the following is completed and filed on the Derby Land Records. All documentation shall be reviewed by the City Engineer, Corporation Counsel and Derby Zoning Enforcement Officer:

a. The revocation of the existing special exception for used car sales and repair facility on Assessor's Map 8-9, Lots 206, 207 and 208 in accordance with Section 195-49.

b. The special exception approval is filed along with any conditions in accordance with the General Statutes of the State of Connecticut.

c. An easement granting parking rights to encompass the proposed parking area.

2. The applicant's engineer shall revise the site plan to remove the notation depicting the proposed location of Frank's LLC.

3. The handicapped space shall be located at parking space #1 adjacent to the existing building at #198 Seymour Avenue.

4. Any modifications to the above referenced drawings shall be submitted to the Planning & Zoning Commission staff for review.

The motion was seconded by Mr. Stevens and carried unanimously.

A motion to adjourn was made by Mr. Stevens, seconded by Mr. Misiewicz and carried unanimously. The meeting was adjourned at 6:15p.m.

Respectfully submitted,

Maryanne DeTullio, Clerk

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