



Planning and Zoning Commission City of Derby

Theodore J. Estwan, Chairman
Albert Misiewicz
Raymond Sadlik

Steven A. Jalowiec, Vice Chairman
Raul Sanchez
Cynthia Knopick – Alternate

David Kopjanski
Glenn H. Stevens
Thomas Lionetti - Alternate

Regular Meeting Minutes – 7:00 p.m. – Tuesday, April 16, 2019

Derby City Hall, Aldermanic Chambers: 1 Elizabeth St., Derby, CT

1. Call to Order

Vice Chairman Jalowiec called the meeting to order at 7:00 PM

2. Pledge of Allegiance

Vice Chairman Jalowiec led the Pledge of Allegiance

3. Roll Call

Members present:

Steven Jalowiec, David Kopjanski, Albert Misiewicz, Raul Sanchez, Raymond Sadlik, Cynthia Knopick and Thomas Lionetti.

Theodore Estwan was excused.
Glenn Stevens was absent.

Also present: Atty. Barbara Schellenberg and City Engineer Ryan McEvoy

The Commission welcomed new member Thomas Lionetti.

4. Communications

Nothing was presented.

5. Public Portion

No one call forward

6. Approval of Minutes

Motion by Raymond Sadlik and second by Raul Sanchez. Move to approve the minutes of the special meeting on March 26, 2019, as written. Motion carried with Thomas Lionetti abstaining.

7. Receipt of Applications:

A. 326 Derby Avenue – The Quail & Ales for a Site Plan Approval for a full-service restaurant

Motion by Raymond Sadlik and second by Albert Misiewicz. Move to accept application from 326 Derby Avenue – The Quail & Ales for a Site Plan approval to be discussed next month. Motion carried unanimously.

B. 34 Pershing Drive – Moe's Southwest Grill for a Site Plan Approval for a restaurant

Mr. McEvoy indicated that originally Starbucks was to be at this location. The approval will require a modification of the special exception regarding parking calculations. He questioned whether this should have a public hearing. The Commission determined that this will be a minor amendment and will not require a public hearing.

Motion by Raymond Sadlik and second by Raul Sanchez. Move to accept the application from 34 Pershing Drive – Moe's Southwest Grill for a Site Plan Approval to be discussed next month. Motion carried unanimously.

C. Starbucks

Motion by Raul Sanchez and second by Albert Misiewicz. Move to accept the application from Starbucks to be discussed next month without the need for a public hearing. Motion carried unanimously.

8. Public Hearing:

A. 73-75 Chatfield Street – South Central CT Regional Water Authority – Application for a Special Exception for a 1.0 million gallon water storage tank for a lot 2 (school property) and a proposed parking lot for lot 4 (St. Peter & Paul property).

Mr. McEvoy acknowledged receipt of a letter from the South Central CT Regional Water Authority agreeing to a continuance of the application to the Planning and Zoning Commission meeting on May 21, 2019.

Motion by Raul Sanchez and second by Raymond Sadlik. Move to continue the public hearing for South Central CT Regional Water Authority subject to pending action by the Board of Alderman. Motion carried unanimously.

9. New Business:

A. 656 New Haven Avenue – Tenku Wasabi Asian Bistro – Application for a Site Plan Approval for a dine-in and take-out restaurant.

Business owner Bao Guang Zhuo (Peter) and his sister Jane were present. They explained that their request is for a Japanese, Thailand and Chinese fusion food restaurant with a bar and sushi bar to be located in the Big Y plaza. They will have approximately five (5) employees. The establishment will seat 81 which will include 12 seating spaces outside.

Members clarified that the location is the prior fitness center in the plaza in the side wing by CVS. Mr. Sanchez clarified that this would be the end unit in that wing of the plaza. Outside seating will be casual and off the south side of the building on the existing grassy area. Mr. McEvoy indicated that he took no issue with parking as calculations for the parking analysis encompass the entire plaza and the available parking spaces are in excess of the current demands. This is a permitted use in the zone.

Motion by Steven Jalowiec and second by Raul Sanchez:

Following review of the plans and supporting documentation submitted in support of this application, the Derby Planning & Zoning Commission hereby approves the Site Plan Application for Bao Guang Zhuo on property shown on Derby Assessors Map 3-2, Lot 34 based upon the following documents submitted in support of this application:

1. Application package including statement of use
2. Plan entitled "Tenku Wasabi Asian Bistro, 656 New Haven Avenue, Suite 14A, Derby Connecticut," scale: 1/4"=1', dated: 3/15/2019, prepared by: Frank D. Melito, AIA.
3. Proposed Sign Graphic
4. Letter from Milone and MacBroom, Inc, dated April 2, 2019
5. Plan entitled "Overall Parking Plan, Big Y World Class Market, Derby Plaza, 656 New Haven Avenue, Derby Connecticut," scale: 1"=80', dated: 4/15/2019, prepared by: BL Companies.
6. Email from DLC Management Corp consenting to the application dated April 16, 2019.

Motion carried unanimously.

10. Old Business:

A. 73-75 Chatfield Street – South Central CT Regional Water Authority – Application for a Special Exception – discussion and possible action for a 1.0 million gallon water storage tank for a lot 2 (school property) and a proposed parking lot for lot 4 (St. Peter & Paul property).

This application has been continued to May 16, 2019. Mr. McEvoy noted that the agenda incorrectly states this as a special exception. This is a Site Plan Approval, not a special exception and the public hearing was called as the request of the applicant.

B. Continued discussion on proceeding with a PDD Zone addition to the City of Derby

Mr. McEvoy stated that further review of the effected zones reveals that the Commission may want to consider three quarter (3/4) acres rather than the original two (2) acre specification. This would allow for increased flexibility. Going lower than that may create too broad a variable.

Mr. Kopjanski noted that there are new members on the Commission and it was decided to invite Rebecca to the next meeting to review the discussions and answer questions. Mr. Kopjanski questioned the advantage of this PDD over an adaptive reuse and hoped this could be explained further next month. A draft of a Core Planned Development District was distributed to the members and will also be discussed with Rebecca next month.

Carl spoke on the development plans for the lower side of Main Street. He stated that right of way issues with the Housatonic Railroad are finally being resolved. With that complete he anticipates he will be able to submit an application for the left-hand side of Factory Street.

11. Updates on Previous Approvals

Mr. Sarmiento was not present. Nothing was discussed.

12. Payment of bills

Motion by David Kopjanski and second by Raul Sanchez. Move payment of the following invoices to Milone and MacBroom for professional services for the period March 1, 2019 to March 31, 2019:

Invoice #90663 dated April 10, 2019 for review of App – 49 Pershing Drive, LLC	\$612.50
Invoice #90664 dated April 10, 2019 for meeting preparation and PDD review	\$ 2,984.70
Invoice #90665 dated April 10, 2019 for review of App – 77 Sodom Lane	\$656.25
Invoice #90666 dated April 10, 2019 for review of App – 75 Chatfield – RWA tank	\$2,370.52

13. Adjournment

Motion by Raymond Sadlik and seconded by Raul Sanchez. Move to adjourn the meeting at 7:30 PM. Motion passed unanimously.

Respectfully submitted;
Karen Kemmesies

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