

Planning Commission Meeting
September 22, 2010
Verbatim Excerpt

FDPA C-194 – DANBURY FOREST COMMUNITY ASSOCIATION (Decision Only)
(Public Hearing held on September 16, 2010)

During Commission Matters

Parliamentarian de la Fe: Ms. Harsel.

Commissioner Harsel: Thank you. Last week, we had a public hearing on a townhouse development in the Braddock District wanting to do a couple things. First, one thing they wanted to do was to be able to allow residents of certain areas, or certain pieces of property within that development, to expand or revitalize. The community spent two years coming up with guidelines, having public hearings, although we had one man that said that there weren't that many. At least they held them. And if anyone's ever lived in townhouse communities or any type of homeowners association, they have the meeting, they announce it, it's up to the individual homeowners to attend. Now, whether a lot attend or not, that is not the concern. The meeting was announced. It was held. Everyone had an opportunity, per se, to do it. We had citizens come out and testify on the case. We're looking into the one gentleman from the adjoining neighborhood. When we started this case there was a lot of contention – hard feelings on an adjoining neighborhood. You had Danbury Forest buckled down. And with efforts and meetings and all, we were able to resolve that. I would like to enter into the record the letter submitted by Kayleen Fitzgerald, who is President of the Kings Park Civic Association, in support of this case. And also, we deferred for a week because Mr. Hart was concerned – or Commissioner Hart was concerned – as to firewalls and such on some of these extensions. Ms. Zottl, our staff coordinator, contacted Audrey Clark, who is Director of Building Permits, and there are several different things, depending on how you're going, who's next to you, and things like that, that the fire marshal says. So we have a new blurb tonight, one extra development condition to this that is kind of a generic one. The protection is there, I feel, more or less, for Danbury Forest. Say, in 5 or 10 years, if someone that is not on the list decides their neighbor has a deck and they're going to have a deck, then the homeowners group will have something to go – to go and tell the people that they – or – Condition 18, in the new development conditions that we have tonight, say – says that, "All building additions will be required to meet the appropriate fire codes." And that is whatever the fire codes are at the time they submit a building plan. Therefore, we will be protecting the people when they come in to get their extensions or their additions, right there this flags building permits to check the fire code and check the drawings and the location of that. I want to thank all the citizens that came out last week that spoke for and against. It's been a long, long haul. I commend the Board of Directors and the officers of the Danbury Forest Community Association. They have put a lot of work into this. At one time they probably thought we weren't going to get there, but we are there. So, Mr. Chairman – and this doesn't go to the Board, that's why I rambled. Mr. Chairman, in the case of Final Development Plan Amendment C-194, I
MOVE THE PLANNING COMMISSION APPROVE APPLICATION FDPA C-194,
SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 20TH, THAT

WE ALL HAVE TONIGHT BECAUSE OF THE ADDITION OF THE PRIORITY CODE.

Commissioners Flanagan and Litzenberger: Second.

Parliamentarian de la Fe: Seconded by Mr. Flanagan and Mr. Litzenberger.

Commissioner Migliaccio: Mr. Chairman?

Parliamentarian de la Fe: Yes.

Commissioner Migliaccio: I was not at the public hearing on Thursday, the 16th, but I did watch the tape this afternoon –

Parliamentarian de la Fe: So, you will be voting.

Commissioner Migliaccio: I will be voting.

Parliamentarian de la Fe: Thank you very much. It's been moved and seconded. All those in favor, please signify by saying aye.

Commissioners: Aye.

Parliamentarian de la Fe: Opposed? The motion carries unanimously.

Commissioner Harsel: I have two more motions –

Parliamentarian de la Fe: Right.

Commissioner Harsel: Mr. Chairman. Mr. Chairman, I RECOMMEND THE PLANNING COMMISSION RECOMMEND THAT THE DIRECTOR OF DPWES WAIVE THE TREE INVENTORY AND POOR CONDITION ANALYSIS AS OUTLINED IN THE PFM 12.0502.1A.

Commissioner Litzenberger: Second.

Parliamentarian de la Fe: It's been moved and seconded by Mr. Litzenberger. Any discussion?

Commissioner Flanagan: Second, yes.

Parliamentarian de la Fe: And also seconded by Mr. Flanagan. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Parliamentarian de la Fe: Opposed? The motion carries unanimously.

Commissioner Harsel: And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT AND A WAIVER OF THE BARRIER REQUIREMENT IN FAVOR OF THAT SHOWN ON THE PLAN AND AS CONDITIONED ON THE FINAL DEVELOPMENT PLAN AMENDMENT.

Commissioners Flanagan and Litzenberger: Second.

Parliamentarian de la Fe: It's been moved and seconded by Mr. Litzenberger and Mr. Flanagan. Any discussion? All those in favor, please signify by saying aye.

Commissioners: Aye.

Parliamentarian de la Fe: Opposed? The motion carries unanimously.

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(The motions carried unanimously with Commissioners Alcorn, Hall, Lawrence, Murphy, and Sargeant absent from the meeting.)

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