

**PLANNING COMMISSION
PUBLIC HEARING MEETING DECEMBER 6, 2010
TO CONSIDER A NUMBER OF AMENDMENTS TO THE NAUGATUCK
SUBDIVISION REGULATIONS, SECTIONS 3-6.
APPLICANT: BOROUGH OF NAUGATUCK, CT.**

Anthony Whelan reconvened the Public Hearing Meeting at 7:26 P.M. with the following in attendance:

MEMBERS:

Anthony Whelan, Chair
Robert Pease, Vice-Chair
Harry Jancis,
Lois E. Braziel, Secretary, absent
Deanna Krzykowski,
Katherine Gabrielson, alternate, absent
Robert Urbano, alternate, absent

OTHERS:

Public: 0
Wayne Zirolli, Boro Engineer
Keith Rosenfeld, Town Planner
Edward Fitzpatrick, Boro Attorney

Borough Attorney Ned Fitzpatrick stated he has met with Keith Rosenfeld and reviewed the draft copy. He has also looked at other Town regulation. The Commission, Staff and Borough Attorney reviewed the following of the draft copy of the proposed subdivision regulations.

The Commission would like an Index page.

Page 10E - ten or greater lots

Page 15- 115% bonding, Attorney Fitzpatrick likes the language, phase bonding Attorney Fitzpatrick likes that there are alternatives.

Page 16- 3.5.1.3.3c- Attorney Fitzpatrick stated it is too complicated suggests rewriting it.

Page 17- He questioned retainage.

Attorney Fitzpatrick had a discussion regarding easements, interior lots and common driveways and 4E-maintenance bonds.

Attorney Fitzpatrick stated he recently had a discussion regarding a bond under a different Commission and the processed was flawed because it was under the PDD regulation. His suggestion to this Commission is to have the Applicants submit there bond information in regards to the proposed public improvements. It should be submitted with the construction proposal prior to the close of the public hearing so the commission, staff and the public have the opportunity to see what public improvements the applicant is planning to bond. Then the proposed bond amount can be discussed by the applicant, public, commission and the Borough Engineer.

Page 12- A4 the word sooner is missing from sentence.

A discussion ensued regarding pages 34 and 39 curbs; it should say granite and concrete. Harry Jancis feels walls higher than 3 feet should have to be brought to the planning Commission. He also suggests reformatting the definition section. The Commission continued the Public Hearing to January 3, 2011 at 6:30 P.M

RESPECTFULLY SUBMITTED:

Deanna Krzykowski, Acting Secretary/ah

**PLANNING COMMISSION
REGULAR MEETING DECEMBER 6, 2010**

Anthony Whelan opened the Regular Meeting at 6:08 P.M. with the following in attendance:

MEMBERS:

Anthony Whelan, Chair
Robert Pease, Vice-Chair
Harry Jancis,
Lois E. Braziel, Secretary, absent
Deanna Krzykowski,
Katherine Gabrielson, alternate
Robert Urbano, alternate, absent

OTHERS:

Public: 6
Wayne Zirolli, Boro Engineer
Keith Rosenfeld, Town Planner
Edward Fitzpatrick, Boro Attorney
E. Warren Hess, Boro Attorney

1. Anthony Whelan, Chair led with the Pledge of Allegiance. He then took attendance and determined a quorum was present.
2. Executive Session.
VOTED: Unanimously on a motion by Harry Jancis and seconded by Robert Pease to enter into executive session at 6:10 P.M. with Borough Attorney regarding legal matters for KIMP Enterprise vs Naugatuck Planning Commission.
VOTED: Unanimously on a motion by Deanna Krzykowski and seconded by Harry Jancis to exit executive session at 6:30 P.M. and resumed the Regular Meeting.
3. Review /Approval of the November Meeting Minutes.
VOTED: Unanimously on a motion by Harry Jancis and seconded by Deanna Krzykowski to **APPROVE** the November Meeting Minutes as amended.
4. **NEW BUSINESS:**
 - A. Referral from the Zoning Commission regarding a Special Permit Application for a commercial addition located on 1100 New Haven Rd. Applicant: Wal-mart. Attorney John Knuff and John Brodner, Engineer for the applicant introduced the plans for the proposed addition to the existing building for an expansion that will occur on the right side of the building and a slight bump out to the front. A discussion took place regarding a traffic study consisting of counts and level of service. Attorney Knuff explained how the site plan adheres to the Plan of Conservation and Development.
VOTED: Unanimously on a motion by Deanna Krzykowski and seconded by Harry Jancis to send a **POSITIVE** referral to the Zoning Commission for a Special Permit Application for a commercial addition located on 1100 New Haven Rd. Applicant: Wal-mart that the plans adhere to the Plan of Conservation and Development.
VOTED: Unanimously on a motion by Deanna Krzykowski and seconded by Robert Pease to send a **POSITIVE** referral to the Zoning Commission for a Special Permit Application for excavation of 1200 cubic yards of material for a Commercial addition for a Super Wal-mart located at 1100 New Haven Road. Applicant: Wal-mart.

B. Discussion regarding the Update to the 2001 Plan of Conservation and Development.

Keith Rosenfeld explained to the Commission that a Public Act was passed postponing the need to update the POCD within the next year and have extended the time limit to 2013. He stated there is no penalty. This allows the state to update their plan and the municipalities to comply then with the states plan. Harry Jancis stated the Commission should still go forward with their updates.

The following item were suggested to consider for the update:

Update demographics, consider economic development, and put thought into Brownfield's, Renaissance Place, downtown redevelopment, residential development, redevelopment of existing areas, outlining things a little more clearer, include SDD, Uniroyal significant activities and redevelopment for Union City and Prospect Street areas. Attorney Ned Fitzpatrick suggested the Staff and Commission look at West Haven, Torrington, Shelton and Plainville's Plan of Conservation and Development. He also stated Milone and MacBroom could be utilized as a consultant.

C. Commission Discussion/Decision regarding temporary Access and Construction Easement and Agreement for 144 Graham Ridge Rd. Naugatuck, CT, Applicant: Borough of Naugatuck.

The Commission took no action and tabled this until next month's meeting.

D. Commission Discussion/Decision regarding a request for a proposed Easement located on Hillside Ave. and Terrace Ave., Naugatuck, CT. Applicant: AT&T Connecticut.

Robert Pasek representing AT&T made a presentation. Tom DeLorenzo, Engineer for AT&T was there to answer any questions. Robert Pease wanted to know what the service cabinet would look like the location and that there was no shrubbery shown on the plans. The Commission questioned if the easement was going over only Borough property. Attorney Fitzpatrick said he will research the right of way to have answers for the Borough Board but does not think we need to have another meeting in planning for this.

VOTED: Unanimously on a motion by Harry Jancis and seconded by Deanna Krzykowski to send a **POSITIVE** referral to the Borough Board for Easement located on Hillside Ave. and Terrace Ave., Naugatuck, CT.

Applicant: AT&T Connecticut subject to the following:

1. A title search is done of the properties to assure the easement does not trespass on any private property.
2. The property is screened as approved by the Borough Engineer.
3. This matter is referred to the Zoning Commission for any possible needed input.

E. Commission Discussion/Decision regarding Amendments to the Naugatuck Subdivision Regulations, Sections 3-6. Applicant: Borough of Naugatuck.

The Commission continued the Public Hearing to January 3, 2011 at 6:15 P.M.

F. Commission Discussion/Decision regarding a request for a proposed Easement from the Borough of Naugatuck to Chemtura Corporation to extend a sanitary sewer line from the Chemtura Facility on Elm Street to the Borough's waste water treatment facility.

Harry Jancis recused himself. Holly Robinson introduced the plans. Borough Attorney Ned Fitzpatrick introduced the process and suggested the conditions of the WPCA Commission be adopted. Borough Attorney Warren Hess stated he will meet with Chemtura to work out final issues. A discussion ensued between the Borough Attorney and Staff regarding the sewer system. Steve Kohlhas, representing applicant spoke about updates to the building and staffing.

VOTED: Unanimously on a motion by Robert Pease and seconded by Deanna Krzykowski to send a **POSITIVE** referral to the Borough Board regarding an Easement from the Borough of Naugatuck to Chemtura Corporation to extend a sanitary sewer line from the Chemtura Facility on Elm Street to the Borough's waste water treatment facility incorporating the conditions of the WPCA approval and contention on the satisfactory resolution of any issues on the master easement between the Borough and Chemtura.

5. Additional items to be discussed require a 2/3 vote to be added to the agenda.

6. Correspondences.

7. Report of Burgess Liaison

8. Adjournment

VOTED: Unanimously on a motion by Deanna Krzykowski and seconded by Harry Jancis to adjourn the meeting at 9:38 P.M.

RESPECTFULLY SUBMITTED:

Deanna Krzykowski, Acting Secretary/ah