

**PLANNING COMMISSION
REGULAR MEETING AUGUST 3, 2009**

Anthony Whelan opened the Regular Meeting at 6:23 P.M. with the following in attendance:

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| Anthony Whelan, Chair | Katherine Gabrielson, alternate,absent |
| Robert Pease, Vice-Chair | Robert Urbano, alternate |
| Harry Jancis, absent | Keith Rosenfeld, Town Planner |
| Lois E. Braziel, Secretary-absent | James Stewart, Boro Engineer |
| Deanna Krzykowski, absent | Allison Hurley, Asst. ZEO |

REGULAR MEETING AGENDA

1. Anthony Whelan took attendance and it was determined a quorum was present. Commissioner Whelan appointed Robert Urbano as a regular voting member in place of Harry Jancis.
2. Executive Session with Borough Attorney regarding pending litigation on Realrock Associates vs. Naugatuck Planning Commission.
VOTED: Unanimously on a motion by Robert Pease and seconded by Robert Urbano to go into executive session at 6:30 P.M inviting in the Attorney Hess and staff.
The Commission resumed the regular meeting at 6:54 P.M.
3. Review /Approval of the July Meeting Minutes.
The Commission tabled the review/approval of the July meeting minutes to the September meeting.
4. **OLD BUSINESS:**
 - A. Commission Discussion/Decision regarding pending litigation on Realrock Associates vs. Naugatuck Planning Commission.
Attorney Hess stated after concurring in executive session, the plans submitted were reviewed and there were two comments the Commission had regarding the plans. 1) The location of the fence. 2) Commission felt there should be more ornamental fencing. Robert Pease stated there was nothing on the plans addressing the grading around the pond. Attorney Barry Knott representing the Applicant noted in court the items were discussed. Rocco Marciano, Applicant stated the chain link fencing was to address the safety issues and it was decided to take the rock down 4 feet where it was higher than 4 feet. Mr. Marciano said the ornamental fence was to be installed to please the neighbors. A discussion ensued in regards to the fence location, type and the slopes in one certain area. Attorney Hess stated the item will have to be placed on the agenda for the next meeting for the public to be eligible to comment. Attorney Hess stated there are other issues in the subdivision that are not part of this subdivision proposal. He believes it would be helpful if the applicant would look at those issues and address them with the Engineering staff prior to the next meeting.

5. **NEW BUSINESS:**

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

VOTED: Unanimously on a motion by Robert Pease and seconded by Robert Urbano to **ADD** a Bond reduction request regarding Fawn Meadow Subdivision.

Jim Stewart reviewed the request and submitted to the Commission his report.

VOTED: Unanimously on a motion by Robert Pease and seconded by Robert Urbano to **APPROVE** a Bond reduction for Fawn Meadow Subdivision, Applicant: Northeastern Development in the sum of \$ 150,000.00 of the existing \$850,000.00 with a retention of \$700,000.00.

6. Correspondences:

Jim Stewart, Borough Engineer submitted a report on Olde Farms Estates Subdivision, Applicant: R.Z. Enterprises, LLC for the Commission for further review and discussion.

7. No Report of Burgess Liaison

8. Voted unanimously by Robert Urbano and seconded by Robert Pease to adjourn the meeting at 7:10 P.M.

RESPECTFULLY SUBMITTED:

Lois E. Braziel, Secretary/ah

REMINDER: The September meeting will be on the 14th not the 7th because of Labor Day weekend.

Enjoy!

Allison