

**PLANNING COMMISSION
REGULAR MEETING FEBRUARY 2, 2009**

James Jordan opened the Regular Meeting at 6:04 P.M. with the following in attendance:

MEMBERS:

James Jordan, Chair
Patricia Marino, absent
E. Harry Jancis, absent
Anthony Whelan
Robert Pease arrived at 6:45 P.M.
Katherine Gabrielson, Alternate
Robert Urbano, Alternate

OTHERS:

Public: 4
Jim Stewart, Boro PE
Keith Rosenfeld, Town Planner
Allison Hurley, Asst. CZEO
Attorney Robert Fuller

1. James Jordan took attendance and it was determined a quorum was present. James Jordan appointed Katherine Gabrielson a regular voting member in place of Harry Jancis.
2. Executive Session
VOTED: Unanimously on a motion by Katherine Gabrielson and seconded by Anthony Whelan to go into executive session at 6:06 P.M. inviting in Keith Rosenfeld, Jim Stewart, Allison Hurley and Attorney Robert Fuller. The Commission exited its executive session at 6:20 P.M. and resumed the regular meeting.
3. Review /Approval of Minutes.
VOTED: Unanimously on a motion by Katherine Gabrielson and seconded by Anthony Whelan to **APPROVE** the January Regular Meeting Minutes.
4. **OLD BUSINESS:**
 - A. Discussion with Borough Attorney Robert Fuller regarding Stipulation for Judgment for Primrose Companies, LLC vs. the Naugatuck Planning Commission concerning phase bonding of subdivisions. (Next mediation session scheduled for February 11, 2009).
James Jordan stated that this discussion would take place in an open meeting as stated on the agenda. Attorney Pilicy representing the applicant stated he would like to take questions. Attorney Fuller stated that their were two outstanding concerns Number 1 is regarding the other lots that may or may not be allowed. The applicant would have to demonstrate whether the lots that initially were off the table but may be back on the table that they conform to the Zoning regulations. Number 2, in terms of the ten phases at \$10,000 per phase for the LEP. If in fact there are other areas where problems may be uncovered there has to be provisions for additional funds. Joe Periera, Engineer for the applicant stated the lots as they stand and are lay out do conform to the Zoning Regulations. Jim Stewart, asked Mr. Periera to make a set of 8 1/2 x 11 plot plans for each lot

showing the building setbacks and contours this way the commission and staff can review them. James Jordan asked staff to review and report on the lots. Attorney Pilicy said the second issue is the potential of discovering additional sites that would need remediation. Attorney Pilicy said there were six phases and there would be six payments of what is proposed right now. Attorney Fuller asked what if you get number 7, what will you do. John Guedes, Applicant stated the proposal is that the project be built in six phases of construction. If there are any additional needs and the environmental company needs to spend more time, there would be additional stages. A discussion ensued in regards to the scope and mechanism for LEP services. Robert Pease asked the applicant to confirm with Jim Stewart who the applicant will select for its environmental person. James Jordan stated he would like every point that was brought up in the appeal that has been addressed to show in the resolution and not be deleted. Attorney Fuller noted the mediation session scheduled for February 11th at 9:30 A.M. has been changed to 2:00 P.M.

- B. Commission discussion/decision for a referral to the Zoning Commission regarding updated Naugatuck Zoning Map. Applicant: Steve Macary, ZEO. Jim Stewart presented a new zoning map showing the amendments. A discussion ensued regarding the amendments.

VOTED: Unanimously on a motion by Katherine Gabrielson and seconded by Anthony Whelan to send a **POSITIVE** referral to the Zoning Commission regarding updated Naugatuck Zoning Map. Applicant: The Naugatuck Zoning Commission.

5. NEW BUSINESS:

- A. Request for a 90 day extension to file the Mylar for Country Hollow Estates Section 5. Applicant: City Hill Associates. (This is the second extension).

VOTED: Unanimously on a motion by Katherine Gabrielson and seconded by Anthony Whelan to **GRANT** a 90 day extension to file the Mylar for Country Hollow Estates Section 5. Applicant: City Hill Associates.

- B. Request of Bond Release and road acceptance for Country Hollow Estates Subdivision, Applicant City Hill Associates, Inc.

After a brief discussion the Commission agreed to table this item until next month's meeting.

- C. Referral from Naugatuck Zoning Commission regarding amendments to the Sign Regulation, Section 27 of the Naugatuck Zoning Regulation. Applicant: The Naugatuck Zoning Commission. (ZC PH is set for March 18, 2009).

The Commission tabled this item until next month's meeting.

- D. Referral from Naugatuck Zoning Commission regarding amendments to the NHRDD and RADD, Two and Multi-Family Residential Dwelling Units Section 23.1 Schedule A of the Naugatuck Zoning Regulation. Applicant: Attorney Edward Fitzpatrick. (ZC PH is set for February 18, 2009).

The Commission tabled this item until next month's meeting.

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

A. **VOTED:** Unanimously on a motion by Anthony Whelan and seconded by Katherine Gabrielson to **ADD** on a Commission discussion regarding Open Space in the Fawn Meadow Subdivision, Applicant: Northeastern Development LLC.

Bill Beatte owner of Northeastern Development stated that this was the last remaining piece of Open Space to be accepted by the Town. James Jordan asked Keith Rosenfeld what action the commission needs to take tonight. Keith Rosenfeld stated that Jim Stewart and he need to do a report and then get a report from the Open Space Committee and the Borough Board. Then refer it to the Borough Attorney for comment. Keith Rosenfeld stated then it can come back to this Commission for discussion and possible decision. The Commission agreed to table this until the April meeting.

B. **VOTED:** Unanimously on a motion by Anthony Whelan and seconded by Katherine Gabrielson to **ADD** on a Commission discussion regarding a request for a 90 day extension to file the Mylar for Country Farms Estates Subdivision. Applicant: Cerignola Associates. (This is the first extension).

VOTED: Unanimously on a motion by Katherine Gabrielson and seconded by Anthony Whelan to **GRANT** a 90 day extension to file the Mylar for Country Farms Estates Subdivision. Applicant: Cerignola Associates.

6. No Correspondences

7. No Report of Burgess Liaison

8. **VOTED:** Unanimously on a motion by Katherine Gabrielson and seconded Anthony Whelan to adjourn the meeting at 8:00 P.M.

RESPECTFULLY SUBMITTED

Anthony Whelan, Secretary, ah