

**PLANNING COMMISSION  
REGULAR MEETING OCTOBER 5, 2009**

Anthony Whelan opened the Regular Meeting at 6:04 P.M. with the following in attendance:

**MEMBERS:**

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

**OTHERS:**

James Stewart, Boro Engineer  
Keith Rosenfeld, Town Planner  
Allison Hurley, Asst. ZEO  
N.Warren Hess, Boro Attorney  
Edward Fitzpatrick, Boro Attorney  
Pat Scully, Burgess Liaison  
Public: 3

1. Anthony Whelan led the Pledge of Allegiance. He then took attendance and it was determined a quorum was present. Chairmen Whelan appointed Robert Urbano a regular voting member in place of Harry Jancis.

2. There was no Executive Session.

3. Review /Approval of the September Meeting Minutes.

**VOTED:** Unanimously on a motion by Robert Pease and seconded by Robert Urbano to **APPROVE** the September 14, 2009 Meeting Minutes.

**4. NEW BUSINESS:**

A. Public meeting to consider a possible vote for a settlement of pending litigation on Realrock Associates vs. Naugatuck Planning regarding the modification of the detention pond, a portion of Graham Ridge Road from station 48+00 to 50+50 and drainage issues on Lot #58, Graham Ridge Road, Westover Hills Subdivision Sections 6, 7 & 8, Graham Ridge Rd. & Westover Dr. Naugatuck, CT.

After a brief discussion between Attorney Barry Knott, representing the Applicant, Borough Attorney, N.Warren Hess, Staff and the Commission the following transpired:

**VOTED:** Unanimously on a motion by Robert Pease and seconded by Deanna Krzykowski that the Commission settle the matter Realrock Associates vs. Naugatuck Planning Commission now pending in the Superior Court by the Approval of a modified detention pond plan dated 7/18/08 revised thru 8/05/09.

It is further agreed that the only pending items relating to the bond release are as follows:

1. As built for road (Mylar);
2. Completion of modified detention plan improvements;
3. Greenway Walk improvements;
4. Significant cracks in sidewalks excluding driveway aprons, per the Borough Engineer.

5. Easements and Deeds as of record involving provision of the Association documents.
  6. Fill under guard rail as required.
  7. Remove tree stakes and replace street tree at 189 Graham Ridge Road.
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5. Correspondences.  
Keith Rosenfeld submitted to the Commission copies a correspondence letter from Attorney Franklin Pilicy regarding Paddock Ridge Subdivision lawsuit judgement.
  6. No Report of Burgess Liaison
  7. Unanimously on a motion by Robert Pease and seconded by Deanna Krzykowski to adjourn the meeting at 7:50 P.M.