

**PLANNING COMMISSION
SPECIAL MEETING MARCH 16, 2009**

James Jordan opened the Special Meeting at 6:05 P.M. with the following in attendance:

MEMBERS:

James Jordan, Chair
Patricia Marino, absent
E. Harry Jancis
Anthony Whelan
Robert Pease
Katherine Gabrielson, Alternate, absent
Robert Urbano, Alternate, absent

OTHERS:

Public: 7
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.
2. No Executive Session:
3. Review /Approval of Minutes.
VOTED: Unanimously on a motion by Anthony Whelan and seconded by Robert Pease to **APPROVE** the February Regular Meeting Minutes.
4. **OLD BUSINESS:**
 - A. Discussion with Commission regarding Stipulation for Judgment for Primrose Companies, LLC vs. the Naugatuck Planning Commission. (Next mediation session scheduled for April 9, 2009).
James Jordan asked the Commission and Attorney Fuller where we stand in regards to the scope of service and the cost. Robert Pease said he would like to see the insertion of the reopener clause that is in Draft #6. He said it is 95% of what he is looking for. Mr. Pease is reluctant, adamant that the approval for the bills or work done for the town, by the town employee resides with the Borough Engineer. James Jordan asked if the scope has been established to eliminate the redundancy of services. Attorney Fuller commented all of that has been taken care of. Robert Pease answered yes. Attorney Pilicy answered yes, he and his client agree. James Jordan stated the amount in effect for the LEP is \$60,000 right now. The Commission, Attorney Pilicy and his client were all in agreement with this amount. A discussion ensued regarding the lots that were declared unbuildable by the Planning Commission. Attorney Pilicy stated that he would like to discuss phase bonding. James Jordan stated he was not going to discuss phase bonding. Attorney Fuller stated that Attorney Pilicy would like in put from the Commission regarding there concerns so that if the have to change the regulations they know what to write. Jim Stewart said he and Keith Rosenfeld would put together a draft on phase bonding for the commission. The Commission agreed to change the regular schedule meeting for April 13th to a special meeting on April 6th.

- B. Request of Bond Release and road acceptance for Country Hollow Estates Subdivision, Applicant City Hill Associates, Inc.
 A discussion ensued regarding Section 3A and the amounts of the bonds. James Jordan asked that it be tabled until next months meeting so Mr. Stewart could check the dollar amounts, if all these bonds are tied together and to pull the information from the last meeting concerning Skyview Circle so that the Commission can determine if there is an alternative and discuss it at the next meeting. Jim Stewart said he would like to have this resolved before the Borough Board meets next month. James Jordan said this Commission meets the night before the next Borough Board meeting. This Item was tabled to the April 6th 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.
 The Commission took **NO ACTION** on this item.
- 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.
 Attorney Ned Fitzpatrick stated the applicant is Scott Dudas and he is representing him. Attorney Fitzpatrick explained to the Commission that Mr. Dudas is proposing a text amendment to Section 23.1- Schedule A, Residential, adding a Special Permit to dwellings units of 2 or more in the Rubber Ave. Design District and the New Haven Rd. Design District, permitted subject to a Special Permit. The use would be limited to the 2nd story and above. This would allow a business to have apartments on the second floor. Harry Jancis noted adequate parking for the residents be added to the text change. Attorney Fitzpatrick stated that it is already in the regulation under the Design District which states that the Commission will provide for adequate parking.
VOTED: Unanimously on a motion by Harry Jancis and seconded by Anthony Whelan to **GRANT** a positive referral to the 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: Scott Dudas.
- E. Commission discussion regarding Open Space in the Fawn Meadow Subdivision, Applicant: Northeastern Development LLC.
 Bill Beatte, representing Northeastern Development LLC explained to the commission that this was the last piece of open space in the subdivision and wanted to know if the town wanted it. Keith Rosenfeld stated that he had brought this to the Open Space Committee and they saw no use for it, Mr. Beatte did ask the water company if they would be interested in it and they said no. Keith Rosenfeld said that he wanted to bring it to the commission for there opinion. The

Commission discussed adding the open space area to lots located adjacent to it and designating the areas as conservation easement.

VOTED: Unanimously on a motion by Harry Jancis and seconded by Robert Pease to **APPROVE** a final disposition and related lot line revision for Open Space in the Fawn Meadow Subdivision, that land on Fawn Meadow Dr. adjoining the Town of Prospect be subdivided and added to the existing lots. The pieces of land added to the lots are designated as conservation easement, so that it will never be broken up. Applicant: Northeastern Development LLC.

5. No New Business.
6. No Correspondences
7. No Report of Burgess Liaison
8. **VOTED:** Unanimously on a motion by Robert Pease and seconded by Harry Jancis to adjourn the meeting at 7:46 P.M.

RESPECTFULLY SUBMITTED

Anthony Whelan, Secretary, ah