

**PLANNING COMMISSION  
PUBLIC HEARING MARCH 3, 2008  
AMENDMENT to the NAUGATUCK SUBDIVISION REGULATION  
Pertaining to the creation of (NEW) SECTION 3.5.2.C, CONDITIONAL  
APPROVAL. APPLICANT: ATTORNEY FRANKLIN G. PILICY.**

James Jordan reconvened the Public Hearing at 7:44 P.M. with the following in attendance:

**MEMBERS:**

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

**OTHERS:**

Public: 3  
Keith Rosenfeld, Town Planner  
Jim Stewart, Boro PE  
Pat Scully, Burgess Liaison  
Allison Hurley, Asst. ZEO

Attorney Franklin Pilicy stated to the Commission that he had no additional information other than answering any questions the Commission may have. Attorney Hess stated that he has been busy reviewing another town wide amendment and has not completely reviewed this one, but started the discussion process with himself, Jim Stewart and Keith Rosenfeld. Attorney Hess said he would consider some modifications to the regulation and that it may require a little refinement and would deal primarily with bonding, phasing and things to that nature. He would like to hear the thoughts and concerns of the commission members so when this was modified he can take them into consideration. Harry Jancis stated that he is not against phasing but does not understand the language in the proposed regulation. Robert Pease said that if an Applicant plans to utilize this regulation it should be stated at the beginning of the application process. James Jordan asked what the advantages to the commission and to this town are and what is the overview as to how it would enhance the commissions' ability to perform the duties as a Commission. Attorney Hess said he does not think it would benefit the commission. The benefit is that if you apply this on a case by case basis and the regulation is broad enough to do, it enables the commission to regulate this on a case to case and make it work. It might prevent people coming back to the Commission on multiple applications. Attorney Hess said that this basically would be allowing people to develop larger pieces of property in phases. Keith Rosenfeld said that the Commission basic job is to approve, deny or modify subdivisions. The Commission can use this to its advantage or deny if they do not feel it is advantageous to the Borough. The Commission agreed to continue this Public Hearing to May 5, 2008 at 6:30 P.M.

RESPECTFULLY SUBMITTED:

Anthony Whelan, Secretary, ah

**PLANNING COMMISSION  
PUBLIC HEARING MARCH 3, 2008  
CHEMTURA CORPORATION SUBDIVISION, LOCATED ON SPENCER ST. &  
ELM ST. APPLICANT: ALAN FLECTCHER.**

James Jordan reconvened the Public Hearing at 8:35 P.M. with the following in attendance:

**MEMBERS:**

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

**OTHERS:**

Public: 3  
Keith Rosenfeld, Town Planner  
Jim Stewart, Boro PE  
Pat Scully, Burgess Liaison  
Allison Hurley, Asst. ZEO

James Jordan stated that during the site walk, there were some comments concerning some agreements that needed to be discussed with the town. He wants to make sure the Commission has all the necessary information to close the Public Hearing to make a decision. Attorney Hess stated that now they have an agreement and the Open Space Committee is recommending the proposed 8 acres. If this is acceptable to the Commission then after the Applicant completes their presentation the public hearing can close and at the time of the vote the Commission can incorporate into the motion language that will work for both the town and the applicant. Attorney Greg Weaver, representing the applicant stated that nothing on this term sheet has changed from the last one, with the exception of items removed related to the five acre parcel. Attorney Weaver said the purpose of this is unspecified use to the Borough of Naugatuck. He said he would like the Commission to formally waive in writing the requirement for the reservation of land for Open Space, parks, playgrounds, public purpose not only for this subdivision but for all future subdivisions and re-subdivisions of this property. Attorney Hess said that would not be a problem. Attorney Hess asked for the timing for item #8 (Environmental Conditions). Attorney Weaver said that they are still working on it with DEP regarding the remediation on the site. Greg Weaver stated that he and the applicant are comfortable closing the Public Hearing if Attorney Hess can work out the terms and structure of the actual grant to the town and the terms can be incorporated into the motion if that agreeable. James Jordan asked the members if there were any more questions or comments. Attorney Weaver stated that the applicant wanted to make it clear that they are not willing to give Old Plant Rd or aka Town Rd. as part of this. They are not willing to make a town road or grant an easement for Borough vehicles. Attorney Weaver does not believe the sidewalk waiver and street trees are applicable. He stated that Chris Conklin the Engineer has made revised plans as Jim Stewart request. There was no public comment. The Commission agreed to close the Public Hearing.

RESPECTFULLY SUBMITTED:

Anthony Whelan, Secretary, ah

**PLANNING COMMISSION  
REGULAR MEETING MARCH 3, 2008**

James Jordan opened the Regular Meeting at 6:00 P.M. with the following in attendance:

**MEMBERS:**

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

**OTHERS:**

Public: 10  
Jim Stewart, Boro PE  
Keith Rosenfeld, Town Planner  
N.Warren Hess, Boro Attorney  
Allison Hurley, Asst. ZEO  
Steve Macary, ZEO

1. James Jordan took attendance, it was determined a quorum was present.
2. Executive Session with the Borough Attorney regarding pending litigation for Country Hollow Estates, Section Five located on Country Hollow Rd. and Donovan Ct. Applicant: City Hill Associates, Inc.  
**VOTED:** Unanimously on a motion by Patricia Marino and seconded by Harry Jancis to go into executive session inviting in Attorney Hess, Jim Stewart, Keith Rosenfeld and Allison Hurley regarding pending litigation for Country Hollow Estates, Section Five located on Country Hollow Rd. and Donovan Ct. Applicant: City Hill Associates, Inc.
3. Approval of Minutes:  
**VOTED:** Unanimously on a motion by Anthony Whelan and seconded by Patricia Marino to **APPROVE** the February Regular and Public Hearing Meeting Minutes.
4. **OLD BUSINESS:**
  - A. Commission discussion/decision regarding Chemtura Corporation Subdivision, located on Spencer St. & Elm St. Applicant: Alan Flectcher.  
The Commission tabled any decision until next month's meeting.
  - B. Commission discussion/decision regarding Amendment to the Naugatuck Subdivision Regulation pertaining to the creation of (New) Section 3.5.2.c, Conditional Approval. Applicant: Attorney Franklin G. Pilicy.  
The Commission continued this Public Hearing to May 5, 2008 at 6:30 P.M.
  - C. Commission discussion/decision regarding Melbourne Estates Subdivision.  
Applicant: J.P.W. Management Corp.  
The Borough Engineer stated that there was nothing new to report.

- D. Commission discussion/decision regarding the revised plans of Country Farms Estates Subdivision, located on Rubber Ave. Extension. Applicant: Cerignola LLC as per the court ordered mediation.  
The Commission tabled this item until next month's meeting.
- E. Commission discussion/decision regarding Country Hollow Estates, Section Five located on Country Hollow Rd. and Donovan Ct. Applicant: City Hill Associates, Inc.  
This item was tabled until next month's meeting.

5. **NEW BUSINESS:**

- A. Request a 90 day extension of filing the Mylar for Fieldstone Woods Subdivision, located on Field St. Applicant: Robert Cyr.  
**VOTED:** Unanimously on a motion by Anthony Whelan and seconded by Robert Pease to **APPROVE** a 90 day extension of filing the Mylar for Fieldstone Woods Subdivision, located on Field St. Applicant: Robert Cyr.
- B. Accept/ Set Public Hearing regarding Westview Estates, 8 lot subdivision located at 869 Andrew Mountain Rd. Applicant: Albert, Susan & Kenneth Yuravich.  
The Commission agreed to accept and set the Public Hearing for April 7, 2008 at 6:30 P.M. regarding Westview Estates, an 8 lot subdivision, located at 869 Andrew Mountain Rd. Applicant: Albert, Susan & Kenneth Yuravich.
- C. 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 Patricia Marino to **ADD** a discussion regarding Westover Hills Subdivision. James Jordan stated that he had received a letter from Steven Cote on behalf of the residents of the Westover Hills Subdivision regarding unresolved issues with the subdivision. Attorney Barry Knott, representing the Developer stated that he had spoken with the Borough Engineer. Attorney Knott asked him for a final list of outstanding issues if any so that the Bond could be release in full. Jim Stewart, the Borough Engineer reviewed the issues in the letter and said none of them had true merit. He encouraged the Commissioners to walk the site to determine for themselves if there were issues or not and agreed to visit the site individually.  
**VOTED:** Unanimously on a motion by Harry Jancis and seconded by Anthony Whelan to **ADD** a discussion on Fawn Meadow Subdivision. Applicant: Northeastern Dev. LLC.  
William Bette stated that he was requesting a modification for the Open Space and Soccer Field in the Fawn Meadow Subdivision. A discussion ensued between the Commission and Staff.  
**VOTED:** Unanimously on a motion by Anthony Whelan and seconded by Robert Pease to **ELIMINATE** the required fencing for the Open Space and Soccer Field in the Fawn Meadow Subdivision.

**VOTED:** Unanimously on a motion by Patricia Marino and seconded by Robert Pease to **ELIMINATE** the required bollards for the Open Space and Soccer Field in the Fawn Meadow Subdivision.

**VOTED:** **1-4-0** on a motion by Patricia Marino and seconded for discussion by Robert Pease to **ELIMINATE** the required trees for the Open Space and Soccer Field in the Fawn Meadow Subdivision. Harry Jancis thought they should stay. Anthony Whelan said they would act as a sound barrier. The Motion was denied.

**FOR**

Patricia Marino

**AGAINST**

James Jordan

Harry Jancis

Anthony Whelan

Robert Pease

**ABSTAINED**

6. No Correspondences
7. No Report of Burgess Liaison
8. Unanimously a motion was made by Anthony Whelan and seconded by Robert Pease to adjourn the meeting at 8:55 P.M.

RESPECTFULLY SUBMITTED:

Anthony Whelan, Secretary, ah