

**PLANNING COMMISSION
REGULAR MEETING JUNE 6, 2011**

Robert Pease opened the Special Meeting at 6:05 P.M. with the following in attendance:

MEMBERS:

Anthony Whelan, Chair, Arrived at 6:15
Robert Pease, Vice-Chair
Harry Jancis
Lois E. Braziel, Secretary, Absent
Deanna Krzykowski, Arrived at 6:20
Katherine Gabrielson, Alternate
Robert Urbano, alternate, Absent

OTHERS:

Public: 0
Sheryl Kimiecik, Asst. CZEO
Keith Rosenfeld, Town Planner

1. Vice-Chair Robert Pease led with the Pledge of Allegiance. He then took attendance and determined a quorum was present. He then appointed Katherine Gabrielson a regular voting member in place of Anthony Whelan.
2. No Executive Session.
3. Review /Approval of the April Meeting Minutes.
April Meeting Minutes were tabled to the July 11, 2011 meeting.

Upon the arrival of Chair Anthony Whelan, Mr. Whelan reappointed Katherine Gabrielson a regular voting member in place of Lois Braziel.

4. OLD BUSINESS:

- A. Discussion regarding the Update to the 2001 Plan of Conservation and Development.
Keith said the he would like to put things on hold for a month or so, that he would be meeting with Jim Stewart, and will conduct the interviews after Labor Day. Chair Whelan asked for volunteers to be involved in the interview process. Deanna Krzykowski and Robert Pease volunteered. Deanna said that she would like to make a rule that an application cannot be on the agenda if the plans are not submitted to the commission before the night of the meeting. Robert Pease said he had the same frustration, and recommended that the plans be submitted by the 15th of the preceding month. Keith said that it is more restrictive than what the law requires. A discussion continued regarding the timing of the submission of plans. Katherine said that just to clarify, for the July 11th meeting, Attorney Ned Fitzpatrick will be asked to be present for the Executive Session regarding the May 23rd letter, possible tax issue with Fulling Mills Development. A discussion took place regarding the agenda items for the July meeting.
- B. Referral request from the Zoning Commission regarding amendments to the PDD#2, Section 61 of the Naugatuck Zoning Regulations, Applicant: Borough of Naugatuck.

Mr. Jancis explained that the old language has several zones within the Industrial Park, some with large lots and some with smaller lots, and a lot of the people with the large properties may be very unhappy if small lots were developed near them, so to keep the peace and unity they decided to keep the legal language. Keith said that they are keeping the A, B, C zones and allowing properties in those zones to be allowed to be divided with the sizes they were originally designed to go for. He said that if there was a change or some sort of variance, then it would be handled on a case by case basis. Mr. Whelan asked if they would be voting on it today. Keith replied that he just edited it today, and he did the two things that were asked before, under regulation 61.1.2A the 1978 Industrial Park Plan was referenced and all the innocuous language was taken out. He said that they have kept the various A, B and C zones, so that the large property areas would be surrounded by large properties, and the smaller zoned areas of the Industrial park would be kept as well, so the sizes and shapes of the lots will remain the same, and the zoning commission will be the park's site development review body. Katherine asked if there was a timeline. Keith replied that there is no timeline, because this commission has presented it, and zoning will be opening a hearing, but they have no time limit to make a decision. Deanna Krzykowski asked if the EDC is the final say. Keith replied that no plans will get to the zoning commission unless EDC gives the referral, so they really don't have the final say, but are the ones to open the gate. Chester Cornacchia, Economic Development Com., Naugatuck, said that they have been adopting a hybrid model in the last five or six years in order to fast track applications, and often what they will do is take an application into the EDC office, review it, give it a conditional approval subject to final review. He said that they just don't want to create another layer in the process. Keith said that what they have done is opened up not only uses that are allowed for now, but uses in the I2 zone which are technically Industrial Park zones. Chester said that years ago the idea of industry was a little different than it is now, and there are certainly different challenges going forward, so they are trying to lay the framework without destructing the look of the park, they want to allow for additional uses. Deanna asked if the EDC is comfortable then with what's going forward. Chester replied that in their previous meetings, one of the things that has come up over and over again is that each application needs to be handled on a case by case basis. Keith suggested that the discussion be tabled tonight. Mr. Whelan asked if Chester was happy with the documents or did he envision there to be some minor edits. Chester replied that other than the mechanics the contents are perfectly acceptable. Chair Whelan said that he thought the commission was in agreement with him in that something had to be done with the Industrial Park to make it more business friendly and make the applications a little easier. Chester said that the issues currently center around topography. Katherine said that they should wait and see the final draft before voting and the Commission agreed.

5. **NEW BUSINESS:**

- A. Referral request from the Zoning Commission regarding a Special Permit for the removal/importation of more than 350 cubic yards of earth material, 108 Rado Drive, Applicant Electric Cable Compounds. Gary Capitanio, Borghesi Building, explained the site plans to the Commission. He said that it is a free standing facility built approximately five years ago, and they are here because they will be importing more than 350 cubic yards of material to fill the site and build up the floor of the building. Mr. Jancis said that he went out there and was duly impressed. Keith said that this is a special permit that requires a referral to the zoning commission based on the amount of material that is being brought in.

VOTED: Unanimously on a motion by Katherine Gabrielson and seconded by Harry Jancis to provide a positive referral to the zoning commission regarding the special permit of importation of more than 350 cubic yards of earth material for 108 Rado Drive, applicant Electric Cable Compounds.

- B. Referral request from the Zoning Commission regarding Section 67.4.2 PDD #8 Height Allowance Request, 108 Rado Drive, Applicant Electric Cable Compounds. Gary Capitanio said that the grade outside the foundation wall will be down about 6 ft lower than the finished floor of the building. Keith suggested that he ask for a little more than what he thought he wanted. Katherine suggested that the referral reads something to the point of making the addition uniform with the existing roof. Mr. Capitanio said that it should read not to exceed 45 feet. Chair Whelan asked how many employees are in the company and how many additional employees would they hire. Mr. Capitanio said that they are not looking to hire any more employees. Chair Whelan asked if they don't get the approval, what that would mean. Mr. Jancis said that if they wanted to hire more people they wouldn't have any more room, but if they expand, then they would have the room to put more people. A discussion took place regarding the vegetation. Deanna asked Keith if the amount of trees and vegetation to be taken out would require another special permit. Keith replied that it is part of the site plan and would be presented to the Zoning Commission.

VOTED: Unanimously on a motion by Deanna Krzykowski and seconded by Katherine Gabrielson to send a positive referral to the Zoning Commission regarding a height allowance not to exceed 45 feet of the maximum peak from the minimum exterior grade at 108 Rado Drive, applicant Electrical Cable Compounds.

C. Referral request from the Zoning Commission regarding a Special Permit for a Gas Station/Convenience Store/Retail Commercial Building located on 909 Prospect Street, Applicant Fulling Mills Development LLC. Attorney Mike McVerry explained the plans to the Commission. He said they are seeking a referral from the Planning Commission for a Special Permit to allow the construction of a gas station and convenient store. He said that he disputes the letter that was submitted from the tax collector, that it states the tax collectors opinion, and the legal basis will be addressed with the town Attorney. Chair Whelan said that the commission will need to have a conversation with the town attorney themselves regarding the letter. He asked if they had received the zone change. Attorney McVerry said that they got the zone change at the September 15, 2010 meeting. He said as a result of that zone change they are now seeking to install a gas station on the prospect side about 3.16 acres, 52 X 30 ft convenient store and gas station of approximately 1740 sq feet with 10 parking spaces, and 150 X 30 ft retail building with second floor offices, 4500 sq ft on first floor and 3000 sq ft. on the second floor and 45 parking spaces. Harry Jancis said that it is next to Fulling Mill brook and asked if it needed wetland approval. Keith replied that they already approved it. Robert Pease asked if there was any analysis that backs up the sizing of the drain pipes. Attorney McVerry said that it was all done with the zoning commission and the engineering office, but obviously with the site plan issues the other thing to do is a further study on this. Chair Whelan asked how long they had on this. Keith replied that the public hearing opens in July and the commission has 65 days to render a referral. Chair Whelan said that they need to talk to the town attorney and would need Wayne's engineering report also, and he wants to make sure there is enough time. A discussion took place regarding the timeline of the hearing and for the referral. Katherine asked Keith to check when the 65 days starts. Chair Whelan asked Keith to submit a copy of the wetlands report. The discussion was tabled to the July 11, 2011 meeting.

D. Additional Items require a 2/3 vote. There were no additional items.

6. No Correspondences. There was no correspondence.

7. No Report of Burgess Liaison.

8. Adjournment.

VOTED: Unanimously on a motion by Katherine Gabrielson and seconded by Deanna Kzykowski to adjourn the meeting at 7:11 P.M.

RESPECTFULLY SUBMITTED:

Deanna Krzykowski, Acting Secretary/sk