

**PLANNING COMMISSION  
REGULAR MEETING December 1, 2014**

Anthony Whelan, Chairman, opened the meeting at 6:00 P.M. with the following in attendance:

**MEMBERS:**

Anthony Whelan, Chair, Absent  
Robert Pease, Vice-Chair  
Harry Jancis  
Ray Krzykowski  
Robert Clark, Alternate  
Dave Sletner, Alternate, Absent

**OTHERS:**

Public: 0  
Wayne Zirolli, Borough Engineer  
Sue Goggin, Secretary

1. Bob Pease led with the Pledge of Allegiance. He took attendance, and noted there was a quorum. He appointed Bob Clark a regular voting member.
2. Executive session with Borough Attorney.  
There was no executive session.
3. Review /Approval of the November 3, 2014 Regular Meeting Minutes.

**VOTED:** Unanimously on a motion by Bob Clark and seconded by Ray Krzykowski to **APPROVE** the November 3, 2014 Regular Meeting Minutes as written.

**4. OLD BUSINESS:**

- A. Commission discussion/possible decision regarding status of D'Archangelo Subdivision.

Ned Fitzpatrick, Borough Attorney, said there have been some questions raised regarding the status of D'Archangelo due to various expiration dates. He said the subdivision received approval in 2004 which set the expiration date of 2009. He said all the public improvements have been completed according to the Borough Engineer, but they are still waiting for legal descriptions and maps to be filed. Attorney Fitzpatrick said there has been some discussion over expiring the subdivision. There was a discussion over expiration dates and extensions. Bob Pease said this subdivision was approved in 2005 under the old regulations and he was concerned with future development under the old regulations. Attorney Fitzpatrick cited a Supreme Court ruling which said that when lots are created, they are created and they are grandfathered. He said that currently the building lots are under appeal. The owner of the subdivision does not agree with the assessments. If the commission expires the subdivision, they would not be building lots any longer. The assessed value of the lots would be drastically reduced. It would not be economically sound to expire the subdivision. Harry asked if this item requires any action from the commission. Attorney Fitzpatrick said it does not. Bob Pease clarified that if someone wanted to build a house in this subdivision, they would have to conform to the 2004 subdivision regs as well as the 2004 zoning

regs. Attorney Fitzpatrick said that is correct. There was further discussion about existing lots and their conformity to the regs in regard to building.

## 5. NEW BUSINESS

- A. Memo from Inland Wetlands Commission regarding re-flagging wetland areas at Anderson Mills property.

Sue Goggin explained that a neighbor of the Anderson Mills property had contacted the wetlands chair regarding a possible vernal pool. It was ultimately determined after more testing that there is no vernal pool in that location. The wetlands chair would like the commission aware that the wetlands commission would like the wetland areas re-flagged before any development begins. There was a discussion about a preliminary subdivision meeting.

- B. All new items will require a 2/3 vote.

**VOTED:** Unanimously on a motion by Harry Jancis and seconded by Bob Clark to **ADD** to the agenda discussion regarding a temporary easement and access to property adjacent to Naugatuck High School.

Attorney Fitzpatrick explained that the property in question is partly owned by INA Petroleum as well as the high school. He said that the area in between the high school and the Mobil Station has become a haven for criminal activity. They would like to clear the woods in this area to prevent this activity. There have been discussions between many different parties. They have received signed permission from the property owner. This will be going before the Borough Board the following evening and he would like to be able to present comments from the commission. He said the plan is to take out all the brush, grade it and seed it. There was a discussion about purchasing property from INA Petroleum. Some comments from the commission were:

- Harry suggested that they buy it and clean it up;
- Bob Pease suggested that they clear it toward Rubber Avenue as well;
- Bob Pease suggested that the police install monitoring cameras-not the Board of Ed;
- Bob Clark was concerned that there may be runoff issues, due to the significant slope

Attorney Fitzpatrick said that Wayne will work with Bob Roland to ensure that the drainage is proper. Wayne said they will set up erosion controls.

- Ray Krzykowski would like to see removal of all the trees.

Attorney Fitzpatrick will bring their comments to the Borough Board.

**6. ADJOURNMENT**

**VOTED:** Unanimously on a motion by Ray Krzykowski and seconded by Harry Jancis to adjourn the meeting at 7:06 P.M.

RESPECTFULLY SUBMITTED:

Ray Krzykowski, Secretary/sg