

**ZONING COMMISSION  
PUBLIC HEARING MEETING AUGUST 17, 2011  
REGARDING SPECIAL PERMIT FOR A GAS STATION/CONVENIENCE  
STORE LOCATED ON RT 68, 909 PROSPECT ST  
APPLICANT: FULLING MILLS DEVELOPMENT/  
ATTORNEY MICHAEL MCVERRY**

Joe Savarese opened the Public Hearing Meeting at 6:10 P.M. with the following in attendance:

**MEMBERS:**

Joe Savarese, Chair,  
Diana Raczkowski, Vice Chair  
Neil Mascola  
Richard Cool  
Sally Brouillet, Alternate

**OTHERS:**

Public: 3  
Sheryl Kimiecik, Asst. CZEO  
Steve Macary, CZEO  
Wayne Zirolli, Boro Eng.

Attorney Michael McVerry explained the special permit application to the Commission. He said that they received notes from Mr. Zirolli. He said that when they had the proposal for the Industrial Park behind it they received a letter from the DEP which stated based on the size of the water quality ponds that no water damage safety permit would be required and they are assuming that it would not be required for this permit, but if it is they will get it from the DEP. He said that they would meet whatever the handicap parking requirements are. Mr. McVerry questioned the bond. Diana read the regulation regarding bonding and said that the bond will be in a form and amount that is acceptable to the board and the Borough Attorney. Mr. McVerry said that this is a site plan approval and not a gravel operation and questioned paragraph 13 in Wayne's report. Wayne replied that it was carried over from the approval for the PED and it can be taken out. Diana asked about the testing of wells, and said that it should be stated that it should be done prior to construction and the results should be sent to the Borough Engineer. Mr. McVerry agreed. Mr. Benevolich, Engineer, of Land Data Engineers, Waterbury, Ct., said that he wanted to expand on getting the traffic study done. He said that he submitted copies to the Commission of letters from the state from 2010, regarding the PDD, that are somewhat overlapping the projects. He said that they wanted to know the actual areas of buildings and parking that they were trying to get approval for, and they deemed that a traffic study wasn't necessary. Wayne said that the comments from the state could be submitted with the application and would be acceptable. Joe asked if sharing an access road would cause any concerns. Mr. Benevolich said that the state doesn't like multiple ins and outs on a highway where there are adequate site lines. Mr. McVerry said that one of the conditions on the Industrial Park when it was approved from the Fire Commission was that the existing dirt road was maintained for emergency access. James Warren, Fulling Mills Development, said that he researched the Connecticut Department of Environmental Protection's website and there are stages that they require for safety of underground gas tanks. He explained the requirements to the Commission. He said it's a lengthy process and the DEP and the EPA have to inspect it. Joe said that the point of any type of potential hazard would emanate from where that gas tank is located, and we

now have three alarms, the steel barrier, fiberglass barrier, and concrete barrier to ensure nothing gets out according to the state DEP and is probably as good as it's going to get. He said the brook is an obvious concern and that the DEP is monitoring many areas such as the brooks. Joe asked for public comment. Ken Mcclenithan, 783 Prospect St, said he does have some concerns about leaking gas as well but feels the gas station will bring a lot of convenience and extra jobs to the area. Jennifer Regan, 966 Prospect St, asked if the DOT had approved the traffic light or any permits to do with the gas station because she didn't know of any that had been approved. Diana said that one of the conditions if they got approved would be that they have to obtain all state and local permits that are required. Attorney McVerry explained further that the plans are submitted to DOT, they review it and give feedback of anything that needs to be changed and they don't issue a final permit until they are ready to break ground. Jennifer said that in the long run no one really knows how the traffic is going to be affected until you have DOT's ideas. Steve said that they get DOT approval after the Zoning Commission gives their approval. Bill Allison, 912 Prospect St, said he had concerns about the traffic and noise pollution and the tractor trailer trucks coming in and out at all hours of the night and he will be hearing all of this all night long. He also said he assumes it will be a well lit area and that the lights will be coming into his living room twenty four hours a day. Joe said that those concerns will be addressed later on in this meeting after the public hearing is over. A discussion took place regarding the lighting, signs and elevations. Diana asked Wayne about #2 on his engineering report and asked what he meant regarding continuing site work, and asked what it meant regarding not being able to disturb more than half an acre at a time. Wayne said that the main thing is to make sure that the soil and erosion controls are in place and if an area is disturbed that they work as quickly as possible to stabilize it. Joe Savarese asked for any other public comment. There was no further public comment. Mr. Savarese declared the public hearing closed.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary/sk

**ZONING COMMISSION  
PUBLIC HEARING MEETING AUGUST 17, 2011  
REGARDING AMENDMENTS INVOLVING SECTION 61/  
PLANNED DESIGN DISTRICT PDD #2  
APPLICANT: BOROUGH OF NAUGATUCK**

Joe Savarese opened the Public Hearing Meeting at 7:28 P.M. with the following in attendance:

**MEMBERS:**

Joe Savarese, Chair  
Diana Raczkowski, Vice Chair  
Neil Mascola  
Richard Cool  
Sally Brouillet, Alternate

**OTHERS:**

Public: 0  
Sheryl Kimiecik, Asst. CZEO  
Steve Macary, CZEO  
Wayne Zirolli, Boro Eng.  
Attorney Edward Fitzpatrick

Dave Pendergast said that at the last meeting there were two issues that had come up. He said one was the question of bringing a professional engineer to talk about site work and the other thing was that there should be a limitation on the site work. He said that Keith, Wayne and the Town Attorney have gotten together to talk about writing in the ability to seek professional assistance at the discretion of the commission and also that there could be a limitation on the excavation. Diana said that she wants the applicants to be aware that plans need to be submitted ahead of time if they want an approval in a timely fashion. Joe said the object of the PDD #2 is to accelerate the process and divide up the bigger lots that are up there and streamline it to minimize the impact. Keith Rosenfeld, Town Planner, said that they have also made an attempt to open up the park to other uses that are not the traditional industrial uses. He said they also tried to eliminate the false boundaries and the entire park is now open and allowed to be subdivided in a manner that the Plan of Development Commission sees fit. Joe asked if a check list could be made. A discussion took place regarding creating an appropriate check list. Diana suggested that a few changes be made to the wording of the amendments. The Public Hearing was continued to the September 21, 2011 meeting.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary/sk

**ZONING COMMISSION  
MEETING AUGUST 17, 2011**

Joe Savarese opened the Regular Meeting at 6:02 P.M. with the following in attendance:

**MEMBERS:**

Joe Savarese, Chair  
Diana Raczkowski, Vice Chair  
Neil Mascola  
Richard Cool  
Sally Brouillet, Alternate

**OTHERS:**

Public: 0  
Sheryl Kimiecik, Asst. CZEO  
Steve Macary, CZEO, Absent  
Wayne Zirolli, Boro Eng.

**REGULAR MEETING**

1. Joe Savarese opened the meeting with the Pledge of Allegiance, took Attendance, and noted there was a quorum. He appointed Sally Brouillet as a regular voting member in place of Thomas Mariano.
2. A moment of silence was observed in remembrance of Thomas Mariano
3. Commission Chair Joe Savarese called for Executive Session with Borough Attorney Edward Fitzpatrick regarding Alec Wargo VS. Naugatuck Zoning Commission, inviting in staff.
4. Approval of May and July Meeting and Public Hearing meeting minutes and the secretary will sign previously approved minutes.

**VOTED:** Unanimously on a motion by Neil Mascola and seconded by Sally Brouillet to Approve the July Meeting and Public Hearing meeting minutes.

The May and June Meeting Minutes and Special Meeting Minutes were tabled to the September 21, 2011 meeting.

5. **OLD BUSINESS:**

- A. Commission Discussion/Decision Special Permit for a Gas station and Convenience store located on RT.68, 909 Prospect St. Applicant: Fulling Mill Development/Attorney Michael McVerry.

**VOTED:** Unanimously on a motion by Diana Raczkowski and seconded by Sally Brouillet to Approve the Special Permit application for a Gas Station/Convenience store located on Rt. 68, 909 Prospect St, Applicant: Fulling Mill Development/Attorney Michael McVerry with the following

conditions as written in the engineering report submitted by Wayne Zirolli dated August 9, 2011 and revised August 15, 2011 and additionally revised today August 17, 2011 with the following additions and deletions;

#2 shall read: Proper soil and erosion control shall be maintained and graded areas shall be stabilized as soon as practical.

#3 shall read: For Building A the required number of handicap spaces is 3 for the ADA requirements, only one space is depicted as handicap space on the plans, the additional two spaces shall be added to the plan and submitted to the engineer.

Site Plan Approval Conditions, #4: A bond or letter of credit shall be applied to the town, and shall be in a form and amount acceptable to the Naugatuck Zoning Commission and the Borough Attorney that will include the following: Sanitary sewer work and public roads, sediment and erosion controls, landscaping and buffer planting, storm water controls and detention structures and site restoration.

#11 shall read: If no blasting is required, wells within 200 ft of the property shall be tested for water quality, flow rate and static water level. Testing is to be performed by a licensed environmental professional, and the results of such tests shall be submitted to the Borough Engineer prior to any disturbance.

#13: Any local, state and Federal permits that may be required shall be obtained by the applicant when required and submitted to the Borough Engineer.

#14: All DEP regulations and recommendations for gas stations shall be adhered to.

A discussion took place regarding the question of the hours of operation.

**B. Commission Discussion/ Decision regarding Amendments involving Section 61/Planned Design District PDD# 2. Applicant: Borough of Naugatuck**

There was no discussion.

**C. Commission Discussion Review of Sections 58 and 33 relative to age restricted housing for R-65 & 45 zones inclusive of property line set-backs from abutting owners, access roads, building heights, recreational areas pertinent to 55+, other considerations.**

Joe said that Sally had visited a few other adult communities that are successful such as The Gardens in Shelton, and he read Sally's conclusions to the Commission. Sally said that they were all beautiful but all very different and she doesn't see how they could make the same plan for all of them. She suggested that that full site plans be submitted. Joe agreed and said that they are given a set of parameters to begin with and go from there.

**D. Commission Discussion for a recycling/ scrap metal business located in a**

B2 zone, Frank Buick Bldg on North Main St. Applicant: The Kershner Co.

Rick Cool said that he went down last week to look at it and it is in a truly industrial zone, it was clean, but for the location on South Main with the current zoning he had some reservations. Joe said that he thought that the land would be better for some other type of operation. Dianna said that it is not allowed in Schedule A.

**6. NEW BUSINESS:**

- A. Commission Accept/Set Public Hearing/Refer to Planning Commission for a special permit application for community facilities and services run by Well Path, use funded by government grant money located at 170 Fairview Ave  
Applicant : Hillside Covenant Church / Earl Lindgren, Architect

**VOTED:** Unanimously on a motion by Diana Raczkowski and seconded by Neil Mascola to accept the application for a special permit application for a community facilities and services run by Well Path, use funded by government grant money located at 170 Fairview Ave., Applicant Hillside Covenant Church/Earl Lindgren, Architect, REFER to the Planning Commission for the meeting on September 2, 2011, and set a Public Hearing for 6:15 P.M. on September 21, 2011.

6. Commission Discussion for Change of Use applications.  
There was no discussion.
7. Commission discussion regarding Follow-up of monthly ZEO Report and updates on any outstanding current zoning complaints.  
Steve said there have been a lot of calls on blight.
8. Chairman Report.  
A discussion took place regarding a letter concerning the age restricted housing.
9. Adjournment.

**VOTED:** Unanimously on a motion by Richard Cool and seconded by Sally Brouillet to adjourn the meeting at 8:30 P.M, and reconvene on September 21, 2011 at 6:00 P.M. for a regular meeting.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary/sk