

**ZONING COMMISSION
MEETING, NOVEMBER 16, 2011**

Joe Savarese opened the Regular Meeting at 6:00 P.M. with the following in attendance:

MEMBERS:

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

OTHERS:

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

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 Diana Raczkowski.
2. There was no Executive Session.
3. Approval of August and October Meeting and Public Hearing meeting minutes and the secretary will sign previously approved minutes.

The August meeting minutes were tabled to the December 21, 2011 meeting.

VOTED: Unanimously on a motion by Richard Cool and seconded by Sally Brouillet to accept the October Regular Meeting Minutes as written.

4. **NEW BUSINESS:**

- A. Commission Discussion/111 and 430 Rubber Ave. / storage containers Located on the Property.

Joe Savarese said that they are applying for a Change of Use application. Steve said that there is also a Change of Use Application for his property located across the street from A Better Way Auto. He said that there have been complaints regarding storage containers on these properties. Steve said that according to Keith Rosenfeld they are allowed to have them there through a special permit through Planning and Zoning, and he checked with Attorney Ned Fitzpatrick on this. Steve said that he noticed the property on October 6, 2011 and he has cleaned up some stuff but there are still some complaints and he doesn't have a regulation to keep them there. He said he looked through Schedule 23 of the Naugatuck Zoning Regulations and he can't find anything, and if he were to do a special permit it would cost \$5,000 - \$7,000 to go through

the whole permit process. Mr. Lumani, owner of property located at 111 and 430 Rubber Ave, said he is willing to move the one behind John's Pizza. Joe asked how long the complaints have been going on. Steve said over the past few years. Rick asked what the complaints were. Steve read a few of the complaints to the Commission. Rick asked what the violation is. Steve said that there is no regulation to keep the trailers. Joe said that as a commission they need to address these issues to incorporate a regulation into the existing format. He asked what some of the alternatives could be instead of the trailers. Joe said there needs to be some clarification on the regulations and that he understands it will take some time and money to get something done. Joe said he would like to go down and see the property. He said that there are a lot of improvements that need to be looked at up and down Rubber Avenue. He asked Mr. Lumani to make a list of things that are in the trailer and what is critical that needs to be stored on site versus things that could be stored off site. Mr. Lumani said that if he could get the trailer moved the problem would go away, but if he can't do that then he has to find an alternative. Joe asked for the discussion to remain on the Agenda for the December 21, 2011 meeting.

- B. Accept special permit application refers to planning commission set public hearing for the deportation of more than 350 cubic yards of earth material. Applicant: Donham Craft.

Steve said they are coming in for a commercial addition which will require a Site Plan and a Special Permit, and they can be done together such as was done with Walmart. Joe explained that Donham Craft is a plating company and they are located in a neighborhood, they are very environmentally conscious and one of the few businesses doing very well. The Commission set the Public Hearing for January 18, 2012 at 6:15 P.M.

- C. Additional items require 2/3 vote.

VOTED: Unanimously on a motion by Sally Brouillet and seconded by Neil Mascola to add to the Agenda commission discussion regarding Adopt-A-Spot.

Joe said that the potential issue with Adopt-A-Spot is that the Commission was over stepped with regard to it. He said he feels that it still needs to come before the Commission. Steve said he talked to Jim Stewart two weeks ago regarding Guiseppe's sign and Jim is supposed to be sending him a letter to remove it. Joe said that the Commission should draft a letter and send it to the Borough Board, Connecticut Sign Craft, and the Beautification Committee. Sally said that the Beautification Committee has said that they knew nothing about the sign. Joe said he would draft a letter and give the Commission copies.

5. Commission Discussion for Change of Use applications.

Change of use discussion for Roll Your Own Tobacco Shop, property located at 436 Rubber Ave., Applicant: You Me Chen

Mr. Lumani, owner 436 Rubber Ave., will have two machines that will be displays in the Tobacco Shop, there will be a couple of chairs and a couch, but there will be no smoking on the premises. Joe said the business itself is not a problem. He explained the change of use process. He asked if there was an application for them. Steve said that he had it, but that the fees were not collected because he had not received a site plan. He said because of the small stores a lot of site plans were not generated and that's why he brought it to the Commission. Joe said it is a change of use from a Package Store to a Tobacco Shop.

VOTED: Unanimously on a motion by Neil Mascola and seconded by Sally Brouillet to Accept the change of use application for Roll Your Own Tobacco Shop located at 436 Rubber Avenue.

Steve asked the applicant to submit two checks to the office tomorrow, one for the change of use for \$150.00 and one for the Zoning Permit for \$120.00.

6. Commission discussion regarding Follow-up of monthly ZEO Report and updates on any outstanding current zoning complaints.
There was no report.
7. Chairman Report.
There was no report.
8. Adjournment.

VOTED: Unanimously on a motion by Neil Mascola and seconded by Sally Brouillet to adjourn the meeting at 7:06 P.M. and reconvene on December 21, 2011 at 6:00 P.M. for a regular meeting.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary/sk