

**ZONING COMMISSION
PUBLIC HEARING MEETING JANUARY 31, 2011
SPECIAL PERMIT APPLICATION FOR A COMMERCIAL ADDITION
FOR A SUPER WAL-MART LOCATED AT 1100 NEW HAVEN ROAD.
APPLICANT: WAL MART.**

Diana Raczkowski reconvened the Public Hearing Meeting at 6:20 P.M. with the following in attendance:

MEMBERS:

Joe Savarese, Chair, absent
Diana Raczkowski, Vice Chair
Neil Mascola
Stanley Jaroneczyk
Richard Cool
Sally Brouillet, alternate

OTHERS:

Public: 6
Allison Hurley, Asst. CZEO
Steve Macary, CZEO
Edward Fitzpatrick, Boro Attorney
Wayne Zirolli, Boro Eng.

Attorney John Knuff, representing the Applicant thanked the Commission and Staff for all their help. He stated they have received an approval from the Police Commission and certification from the Borough Engineer regarding the Soil and Erosion Control (SEC) plan. Attorney Knuff said the Applicant has added more trees to the plans so they will now have 65 trees, 226 shrubs and with the perennials the total is a little under 500. Attorney Knuff stated a traffic report was sent to Commissioner Raczkowski. John Brodner, Engineer for the Applicant, reviewed the final plans showing four larger islands that were added and the landscaping. Diana Raczkowski asked what kind of trees they would be and the size. Mr. Brodner said they will be using the same type that is there already because they have held up very well, which are greenspire and blood good. The size will be 3 in caliber which is approximately 10 to 12 feet. He stated they removed the three pine trees blocking the line of site per the request of the Borough Engineer and will be adding nicer landscaping at the entrance below. Attorney Knuff stated the hours of operation are 7am to midnight but the applicant would like to extend them to 24 hours at some point. Diana Raczkowski asked if this was addressed at the Police Commission meeting. Attorney Knuff said no. Diana Raczkowski would like to make it a condition to have the 24 hours of operation reviewed by the Police Commission. Wayne Zirolli said he is very satisfied with the plans. Diana Raczkowski stated the applicant is to contact the Land Use office when any inspections are due regarding the SEC. There was no public Comment. The Commission closed the Public Hearing.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary/ah

**ZONING COMMISSION
PUBLIC HEARING MEETING JANUARY 31, 2011
SPECIAL PERMIT APPLICATION FOR REMOVAL OF 1200 CUBIC
YARDS OF MATERIAL REGARDING A COMMERCIAL ADDITION FOR
A SUPER WAL-MART LOCATED AT 1100 NEW HAVEN ROAD.**

Diana Raczkowski reconvened the Public Hearing Meeting at 6:41 P.M. with the following in attendance:

MEMBERS:

Joe Savarese, Chair, absent
Diana Raczkowski, Vice Chair
Neil Mascola
Stanley Jaroneczyk
Richard Cool
Sally Brouillet, alternate

OTHERS:

Public: 7
Allison Hurley, Asst. CZEO
Steve Macary, CZEO
Edward Fitzpatrick, Boro Attorney
Wayne Zirolli, Boro Eng.

Attorney John Knuff, representing the Applicant stated they have received an approval from the Police Commission and certification from the Borough Engineer regarding the Soil and Erosion Control (SEC) plan. Diana Raczkowski had concerns with the trucks entering and exiting onto New Haven Road during the 2 to 3 months of construction. Attorney Knuff said you had suggested a flag man and if the Commission would like to make that a condition as part of their approval they would be fine with that. Diana Raczkowski asked if the 6 foot safety fence was shown on the plans. John Brodner said yes. There was no public comment. The Commission closed the Public Hearing.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary/ah

**ZONING COMMISSION
CONTINUED PUBLIC HEARING MEETING JANUARY 31, 2011
FOR TEXT AMENDMENT to SECTION 44 (ALCOHOLIC BEVERAGES) of the
NAUGATUCK ZONING REGULATIONS.
APPLICANT: NAUGATUCK ZONING COMMISSION**

Diana Raczkowski reconvened the Public Hearing Meeting at 7:21 P.M. with the following in attendance:

MEMBERS:

Joe Savarese, Chair, absent
Diana Raczkowski, Vice Chair
Neil Mascola
Stanley Jaroneczyk
Richard Cool
Sally Brouillet, alternate

OTHERS:

Public: 3
Allison Hurley, Asst. CZEO
Steve Macary, CZEO
Edward Fitzpatrick, Boro Attorney
Wayne Zirolli, Boro Eng.

Attorney Ned Fitzpatrick said that Keith Rosenfeld has taken this Commission's comments and implemented them into the draft for section 44. He asked Mr. Macary if he had any comments on the draft. Mr. Macary said he has been getting calls regarding proposed package stores in the town and the distance between other package stores. Attorney Fitzpatrick said it is up to the Commission how and if they are spaced out. Diana Raczkowski feels we should have a distance between them because a package store is different from a restaurant. Sally Brouillet is not in agreement with having a distance between stores because Naugatuck is so small and package stores have enough regulations on them. She also asked who would measure the distance. Rick Cool agrees with having a 300 to 500 foot distance. He feels people will buy alcohol where they want to and that it is not necessarily how close it is. A discussion ensued regarding new construction and how the distance will be measured. Diana Raczkowski asked about maintaining the right to look at each individual application with no automatic approval by a change of use. Attorney Fitzpatrick has concerns with blending special permit type revisions into a site plan approval process. The Commission decided to have a 500 foot distance from door to door and add a definition for door to door. There was no public Comment.

The Commission Continued the Public Hearing to February 16, 2011 at 6:30 P.M

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary/ah

**ZONING COMMISSION
SPECIAL MEETING JANUARY 31, 2011**

Diana Raczkowski reconvened the Special Meeting at 6:11 P.M. with the following in attendance:

MEMBERS:

Joe Savarese, Chair, absent
Diana Raczkowski, Vice Chair
Neil Mascola
Stanley Jaroneczyk
Richard Cool,
Sally Brouillet, alternate

OTHERS:

Public: 7
Allison Hurley, Asst. CZEO
Steve Macary, CZEO
Edward Fitzpatrick, Boro Attorney
Wayne Zirolli, Boro Eng.

SPECIAL MEETING

1. Diana Raczkowski chaired the meeting. She opened the meeting with the Pledge of Allegiance and then took attendance. At this point, it was determined that a quorum was present. Diana Raczkowski appointed Sally Brouillet a regular voting member in place of Joe Savarese.
2. No Executive Session with Borough Attorney.
3. Approval of December Regular and Public Hearing meeting minutes and the Secretary will sign previously approved minutes.

VOTED: Unanimously on a motion by Neil Mascola and seconded by Stanley Jaroneczyk to **APPROVE** the December Regular and Public Hearing meeting minutes as written.

4. **OLD BUSINESS:**

- A. Commission Discussion/ Decision for a Special Permit Application for a Commercial addition for a Super Wal-mart located at 1100 New Haven Road. Applicant: Wal-Mart.

VOTED: Unanimously on a motion by Diana Raczkowski and seconded by Neil Mascola to **APPROVE** a Special Permit Application for a Commercial addition for a Super Wal-mart located at 1100 New Haven Road. Applicant: Wal-Mart with the following condition: 1. In the future the hours of operation may be extended to 24 hours of operation, if approved by the Naugatuck Police Commission.

- B. Commission Discussion/ Decision for a Text Amendment to Section 44 (Alcoholic Beverages) of the Naugatuck Zoning Regulation. Applicant: Naugatuck Zoning Commission.

The Commission continued the Public Hearing until February 16, 2011 at 6:30 P.M.

- C. Commission Discussion/ Decision for a Special Permit Application for removal of 1200 cubic yards of material regarding a Commercial addition for a Super Wal-Mart located at 1100 New Haven Road.

VOTED: Unanimously on a motion by Diana Raczkowski and seconded by Rick Cool to **APPROVE** a Special Permit Application for removal of 1200 cubic yards of material regarding a Commercial addition for a Super Wal-Mart located at 1100 New Haven Road with the following conditions:

1. When trucks are hauling sand and gravel and exiting they shall be directed by a flag man provided by Walmart to ensure a safe exit onto New Haven Road aka Route 63.
2. A six foot safety fence shall be maintained for the duration of any construction around the disturbed areas.
3. If blasting is necessary the Applicant shall include a pre blast survey exactly like the one this Commission required for Warren Avenue, Milone & MacBroom Ted Crawford project, which includes but is not limited to testing wells within a 1500 foot radius of quality and yield before and after any construction blasting.

- D. Commission Discussion/ Decision for a commercial addition located at 562 Rubber Ave. (Naugatuck Veterinary Hospital) Applicant: Attorney Kevin McSherry.

VOTED: Unanimously on a motion by Diana Raczkowski and seconded by Stanley Jaroneczyk for a commercial addition located at 562 Rubber Ave. (Naugatuck Veterinary Hospital) Applicant: Attorney Kevin McSherry with the following conditions:

1. The report of the Borough Engineer dated January 13, 2011 shall be made part of the conditions.
2. Building lighting shall be added to the sides of the building and to the front if necessary to adequately and safely light entrance, exits and parking lot. This shall be determined by the Borough Engineer.
3. All existing vegetation shall be preserved to provide privacy screening. If any vegetation is damaged or destroyed during construction it shall be replaced to the satisfaction of the Borough Engineer.

5. NEW BUSINESS:

- A. Commission Accept/Set Public Hearing/Refer to Planning Commission for a Special Permit Application for a lumber yard, storage facility located on lot 35 Great Hill Rd. Applicant: Randy Bushka/ Meyers Associates.
The Commission Accept/ set a Public Hearing and Refer to Planning Commission for a Special Permit Application regarding a lumber yard, storage facility located on lot 35 Great Hill Rd. Applicant: Randy Bushka/ Meyers Associates. The Public Hearing was set for March 16, 2011 at 6:15 P.M.

6. There were no Change of Use applications.
7. Commission discussion regarding Follow-up of monthly ZEO Report and updates on any outstanding current zoning complaints.
Diana Raczkowski requested the Commission direct Steve Macary to discuss with

the Mayor a request for a Hearing Officer. She said she is concerned with the time limits regarding violation cease and desist orders. Steve Macary stated he has the following violations that will need hearings. 1. Woodbine St.- tent, 2. Quinn St.- carport, 3. Andrew Mtn. Rd., and another coming up on Quinn St. Diana Raczkowski asked how long they have. Steve Macary said he believes they have a year from the violation date.

8. There was no Chairman Report.
9. **VOTED:** Unanimously on a motion by Stanley Jaroneczyk and seconded by Diana Raczkowski to adjourn the meeting at 7:45 P.M.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary/ah