

**NAUGATUCK ZONING COMMISSION
PUBLIC HEARING
May 21, 2025**

MEMBERS:

Rick Cool, Chair
Eileen Bronko, Vice-Chair
Neil Mascola, Secretary-Left at 9:35pm
Tom Kiernan
Attila (AJ) Bordas
Kevin Gendron, Alternate
Joseph Pascucci, Alternate-Left at 8:52pm

OTHERS:

Ed Carter, ZEO
Lori Rotella, Town Planner
Jim Stewart, Director of Public Works and Borough Engineer
Attorney Ned Fitzpatrick, Borough Attorney
Michelle Healy, Assistant to Land Use
Public – 24 +/- in person and * 6 via ZOOM

Members of the commission, staff and applicants as well as public had the option to be present at

* Present for the meeting via ZOOM

Members of the commission, staff and applicants as well as public had the option to be present at the Naugatuck Town Hall in the Hall of Burgesses 4th Floor Town Hall, 229 Church Street. The meeting was also held virtually via ZOOM.

* Present for the meeting via ZOOM

Rick Cool opened the meeting at 6:00 p.m. with the Pledge of Allegiance, took attendance.

PUBLIC HEARING

CONT'D PUBLIC HEARING: 6:05 P.M. – Special Permit Application for a proposed addition to a commercial building with more than 2 residential units located above for the property located at 1419 New Haven Rd., Applicant; MNA Property Holdings, LLC.

Public hearing opens 4/16/25 must close by 5/20/25 unless an ext. is requested 1 Day Used

Rick Cool, Chairman opened the Public hearing at 6:05 pm.

Kyle Pustola, L.P.E. with Pustola Engineering was present in person on behalf of the applicant. He reviewed the comments received at the last meeting including the plantings and the fence and the changes made to comply with those comments. The trees in the back will be changed to evergreens. Also reviewed was the fence along the side property, they plan to repair the fence once all the work is completed.

Rick Cool opened to the public for comments:

George Bartlett 1435 New Haven Road – Opposed to this project. Has concerns because he hasn't received anything regarding this project. He also has issues with his lawn and the work that was done that is causing all trees to grow in his front yard. He wants to see the original permit that was approved. He has no issues with the first-floor businesses but has concerns with the second-floor apartments. He asked how to find out about the sewer project.

Ed Carter explained originally there was a project that was approved 11 years ago, the file is not here it is in with the old files in the office and is available for review in the office. The digging of the sewer approval was done by WPCA not this commission, but with the latest only people within a certain distance receive certified mailing, but it is posted in the newspaper that there is

a public hearing. Jim Stewart, Borough Engineer explained the sewer project is not completed yet but once completed the applicant is required to restore the properties affected. If there are issues after completion of the work on the properties they will be addressed. Also noted was the work on the sewer was done in the state right of way. Kyle Pustola explained the holdup on the sewer is that when the work was in progress they found that there were several utilities in the way that were not marked on the plans and it needed to be addressed, they are working on a fix and plan to move forward.

Annette Amaya owner of 1429 New Haven Road was present in person. She is opposed of this project. She clarified that the fence is not hers it is the applicants fence and it is not fixed and there is supposed to be a new 6 ft. fence installed per conversations with their representatives Karen Buell. She has trees growing up in the front yard where they replaced the sewer line and she wants this corrected.

Q) Jim Stewart asked what kind of fence she is looking for?

A) It is supposed to be 4 panels of 4-feet and the rest all the way down the property line 6-feet privacy vinyl fence closed to not see through it.

Q) What does she do about the grass in the front of the house with all the trees growing?

A) Jim explained once project is complete it will be restored. If there are issues she needs to come to see him and if that does not make her happy she can go to the WPCA Board. This will not be completed until the sewer is completed.

Ken Pollock owner of 59 Margaret Circle, Naugatuck present in person. He asked for clarification on the site plan and the trees. The size of trees was clarified at 3-inch caliper and 10-foot-high evergreens and fir trees.

Q) Mr. Pollock asked if they could fill in some more bushes or shrubs to help fill it in.

A) It was explained that currently this is the plan with bushes and shrubs and the change of tree types. They will abide by the commission's requirements.

Mr. Pollocks request to the Board is to better ensure/restore the privacy from the clear cutting that they require more planting and trees in the conservation area.

Jasmine Bartlett of 1435 New Haven Road was present in person. She is opposed of this project and has concerns of the new apartments being built. They bought their first home in this neighborhood and have concerns over the type of changes adding 6 apartments in will bring. She asked the commission to look at the quality of life for the neighbors and neighborhood. Also emphasized was the concern for what the apartments will do to the noise level in the neighborhood and safety. Please consider these factors.

Ed noted that they are outside of the 200-foot state required notification area and that is why they did not receive a letter.

Kyle Pustola explained that there are many moving parts like the conservation zone with wetlands, and WPCA sewer installation and this special permit process.

Rick Cool closed the public hearing at 6:35pm

PUBLIC HEARING: 6:10 P.M. – Petition for a proposed Zone Change from R-15 to RA-2 for the property located at 684 Field St (Acct# 013-2400), 0 Millville Ave (Acct# 013-2510) and 0 Millville

Ave (Acct# 013-2402) 0 Millville Ave (Acct# 013-2403) 684 Millville Ave (Acct# 013-2500), Applicant; JP Connelly, LLC and Seamus Connelly.

Public hearing opens 5/21/25 must close by 6/24/25 unless an extension is requested

Ed Carter, ZEO explained that plans were dropped off to him after packets were sent to the commissioners therefore Attorney McSherry handed out some plans for the commission to follow along.

Attorney Kevin McSherry, 38 Fairview Avenue, Naugatuck was present in person on behalf of the applicant. He reviewed the parcels involved in this application as well as how the zones are split in this area between R-8 and RADD with R-15 down the road. Also noted was how the POCD calls out finding different ways of meeting housing needs. Also discussed was how the Planning Commission noted the need for affordable housing and sent it as a recommendation in their referral. RA-2 Zone allows for duplexes and multi family. Currently there are condominiums as well as 3 duplexes across the street from these parcels.

Meghan Miller, Civil Engineer with Civil-1 was present on behalf of the applicant. She briefly reviewed the properties and acreage involved in this application as well as the zones. It was explained that a few of the parcels are zoned as RADD which is a commercial zone and this change would make more cohesive with the surrounding areas as residential.

Attorney McSherry handed out the possible site plan as reference/rendering, although it was noted that this is not for a special permit on a plan but this is a zone change application.

Q) The commission asked what this property backs up to?

A) This backs up to the stop and shop plaza.

Q) Borough Attorney Fitzpatrick asked if anything could be done in the back of this property?

A) The property goes up about 25 feet from the back, clarification was given that the slope area is actually Mount View Plaza. It was reiterated that they are looking to build market rate units but the town is requesting some of them be affordable. It was also noted by Attorney McSherry that under statute 8-30G someone could come in and do affordable housing project which would require 30% of the units as affordable, this is not their plan but he was explaining that this would be a possibility for someone to come in and request.

Q) It was asked what the public notice read as because the agenda was incorrect stating R-15 not R-8.

A) Ed Carter read the public notice from the paper into the record and it was noted that the legal public notice in the paper was correct.

Ed Carter also noted that he put together a map with a key to explain the zones for reference and on this map, he noted several other parcels that he believes should be included if the commission so chooses to move forward with this zone change.

Attorney Fitzpatrick explained that the commission is looking at a long-term plan, but at this time the other parcels that Ed is suggesting would need to be done at a later time and would not be able to be included because they would need to be noticed for zone change.

Rick Cool, Chairman noted the following sections from the regulations: 54.1.1, 54.1.2, 54.1.3, 54.1.4, 54.1.5 and 54.1.6.

Rick Cool opened for public comment:

Jeff Scanlon of 716 Field Street was present in person – Strongly opposed to this proposed zone change for the following reasons (read a statement into the record with following points):

- When purchasing their home, they looked into the zones and regulations on what would be allowed and decided this was the right neighborhood for them
- Concern over what this type of development could do to life and safety especially with the traffic issues already

- Fear for the character and charm of the neighborhood and town adding so many developments, will the character go from small town feel to large city feel like Waterbury
- Concern for sustainability when it comes to the school system and classroom sizes
- As law enforcement officer he sees the impact that large developments have on areas and crime rates and has major concerns
- Many water issues with Connecticut water currently in this area and fearful this development will intensify these issues

Does not feel it fair to change the rules now and is afraid of what it will do to push all the current residents out because of the changes

Q) The commission asked about the water issues he spoke of

A) Mr. Scanlon explained there have been 2 major issues in the last 10 years with the Water Company and watermain breaks

Q) Attorney Fitzpatrick asked if it is a drainage issue, he noted the commission realize it is not a Borough caused issue

A) No but it has been explained to him that it can be caused by sloping and grading issues

Ray Carey of 723 Field Street was present in person – Opposed

He moved here in 1991 and has strong

- Concerns with the water issues and drainage especially if this area is developed
- Concerns for wildlife
- Will multi family housing help the tax base
- Traffic is already outrageous, what will a development like this do to the neighborhood and Field Street

Q) The commission asked if he is opposed to duplexes

A) He thinks single family homes would fit in better and has concerns over duplexes and how it will affect the neighborhood

Gary Charette of 140 Round Hill Road was present in person – Opposed

- He feels this would be considered spot zoning to change just to develop
- Difficult section to see at night especially for traffic
- Bus stop at Briarwood with no sidewalks is dangerous to walk on Field Street
- Water issues in the area
- Is this area infrastructure capable to handle this type of development if the zone is changed?

Eileen Bronko explained why this application would come before the commission as if applicant has an idea to build something they need to conform to the zone but it does not fit the current zone they have the right to come in to request a zone change they need to present the request to the commission.

Jennifer Capozziello of 750 Field Street was present in person – Opposed

- Has the same concerns that have already been stated and believes if this area was cleared prior to the flooding that occurred this past year there would have been major issues for all the houses.
- The traffic is very bad on Field Street
- Is it really necessary to keep building up the area and changing the quality of life and of the neighborhood?

Commissioner AJ Bordas questioned if anyone wanted to come in and tear down one of the houses that are on the properties deemed RADD currently if they could put in a business with an apartment on top.

It was explained by Ed and Attorney Fitzpatrick that they would have to abide by the bulk standards but yes, it is a possibility. Any type of density is restricted by the area and parking standards and fire and police.

Wendyann Fowler of 361 Field Street and a Wetlands Commissioner – wanted it on record that she is opposed to this change

Gordon Rossi of 5 Westview Drive was present in person – Opposed to this change.

- He agrees with the concerns on traffic impact to the Field Street and overpopulation
- Field Street is a major artery connecting to Route 63
- The High School has had issues in the past with flooding
- School over population

Chris Walsh of 36 Clearview Circle was present in person – Opposed to this zone change.

- Safety with the traffic and the schools; Western elementary and the High school
- Concerns over the traffic it will cause on Field Street and Millville Ave
- Reiterates the same concerns of all those who spoke before him

Teresa Cichosz of 691 Field Street was present via ZOOM – Opposed to this change.

- Just relocated from Long Island because of this very reason, her old neighborhood was changing from single family to multi-family units. She wanted a nice single-family area again
- Crime rates increased with the changes in her old neighborhood and she fears the same here
- It over burdened the schools and increased taxes
- Concerns for the quality of life

Attorney Kevin McSherry spoke on the issue raised such as water issues that would come before the commission with an actual application and plan. All items would be designed to take care of these issues.

Megan Miller explained that stormwater, traffic would all be addressed at the time an actual application and plan is presented. She reviewed the option to sub-divide the large parcel of land and possibly make multiple single-family lots of 8,000 sq. feet where this would be a 5,000 sq. feet per unit. She also explained that the other smaller parcels are in the RADD zone which would allow a business to come in with commercial use and possibly have an apartment or apartments on top this would change to residential development. Traffic is always a big consideration with developments. A zone change is the first step to be able to come back in with an application.

Ed noted the zone change did get a positive referral from the Planning Commission with two recommendations, this can be found in the file. Ed asked Borough Attorney Fitzpatrick if the commission has to approve all of the properties for a zone change or can they decide to change some of the properties?

Attorney Ned Fitzpatrick explained the commission has legislative authority and therefore the commission has broad discretion in a determination for a zone change to approve or deny any portions of a zone change.

The definition clarification from the US Department of Housing and Urban Development for affordable housing was read for clarification also explained was workforce housing, market rate housing. It was also noted that the state is requiring town to be at 10% affordable housing and it was also explained that Naugatuck is close at 9.08 % this year. Lori Rotella provided information on the break down of the affordable housing in town and currently the borough needs another 122 units to meet the 10%. If the Borough is not at 10% it gives someone the right to come in with an affordable housing plan and not have to abide by the town regulations for that project only meeting public health and safety standards.

Commissioner Bronko noted that this is just the zone change, not an application for housing yet and if they change to RA-2 it would be zoned for multiple housing development options, we would not be able to just designate duplexes. She also noted that Naugatuck will get to the 10% but will do it intelligently. A detailed discussion took place on the affordable housing requirements and the mandates the state is putting on towns. It was also noted that Naugatuck is close to the required 10% and there are only 28 towns that have met the 10%. Also noted was a property needs to be deed restricted for 40 years to deem it affordable and it is income based. Commissioner Bordas asked if this property could be split into approximately 25 lots. It was explained you can't just look at the size of a lot and divide it by 8000, you must look at all the bulk standards and setbacks. He calculated that 15 to 20 single family and possibly multiple apartments. So, if nothing is done there could be commercial and residential apartment as well as single family homes, he wanted to put it in perspective. If it is changed then they have the right to stop commercial use on Millville.

A discussion took place regarding how there has been no commercial uses on Millville for obvious reasons and again it would have to meet setback standards and parking requirements and regulations with commercial and residential.

Attorney Fitzpatrick wanted it noted on the record that an applicant such as this can come in with an 8-30G affordable housing application because the Borough is not yet at 10% for affordable housing and the burden would fall on the commission to prove it could not fit in.

It was also noted by Attorney McSherry that this is not their plan but if an 8-30G were to come before the commission it would not have to comply with any zoning.

Rick Cool continued the public hearing until June 18, 2025 at 6:05pm

NAUGATUCK ZONING COMMISSION
REGULAR MEETING
May 21, 2025

MEMBERS:

Rick Cool, Chair
Eileen Bronko, Vice-Chair
Neil Mascola, Secretary-Left at 9:35pm
Tom Kiernan
Attila (AJ) Bordas
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Members of the commission, staff and applicants as well as public had the option to be present at the Naugatuck Town Hall in the Hall of Burgesses 4th Floor Town Hall, 229 Church Street. The meeting was also held in person and available via ZOOM.

* Present for the meeting via ZOOM

1. Rick Cool opened the meeting at 6:00 p.m. with the Pledge of Allegiance, took attendance and noted there is a quorum.
2. Approval of the April 16, 2025 Regular Meeting Minutes and the secretary will sign previously approved minutes.

VOTED: Unanimously on a motion by Eileen Bronko and seconded by Tom Kiernan to **APPROVE** the minutes of the April 16, 2025 Regular Meeting Minutes with spelling corrections.

3. OLD BUSINESS

- A. Commission discussion/decision for a Special Permit Application for a proposed addition to a commercial building with 2 or more residential units located above for the property located at 1419 New Haven Rd., Applicant; MNA Holdings, LLC.

See public hearing for details.

The commission discussed in detail the fence for the side property and adding planting/trees to the conservation area. Noted points of commission discussion:

- The trash will be enclosed but has not been installed yet – there will be two dumpsters
- Detention system has been installed
- Lori and Jim will be going out to check the trees – it was noted that the trees that will be added are not in the upland review area, if they were to plant in that area they would need to go back to the wetlands commission. It was clarified that Mr. Pollock was asked about the trees outside of the upland review area. Jim Stewart suggested added at a minimum of 6 trees staggered, no more than 12 trees but no less than 6 trees in the back area. There is no gate but there is a jog in the fence to get into the back
- The yard area was discussed to have no lawn area for children to play
- The back fence is going to be a 6-foot vinyl privacy fence
- Detailed discussion on a fence between the side property and the applicant and whom the current fence belongs to according to the survey stakes. Attorney Fitzpatrick clarified the

commission's authority in this matter as well as the matter regarding the trees/plantings. The commissioners agreed on no less than 6 additional trees and no more than 12

- The commission agreed that even if the fence is not the applicants there should be a privacy fence in place. If the neighbors can't agree on the replacement of the current fence, a new fence will be installed with 4 sections of 4-ft-high panels and the remainder 6-ft-high panels

VOTED: Unanimously on a motion by AJ Bordas and seconded by Eileen Bronko to **APPROVE** the Special Permit Application for the 2-story addition with 6 residential units on the second floor and 5 storefront units on the first floor for the property located at 1419 New Haven Rd., Applicant; MNA Property Holdings, LLC.

With the following conditions:

1. The existing Bond in the amount of \$15,105.75 is acceptable for this project.
2. The Applicant, contractor and engineer shall attend a pre-construction meeting with the Borough Land Use and Engineering Staff prior to the start of any excavation or construction activities for the project.
3. A final as built plan must be submitted to the Naugatuck Land Use Office for review, acceptance and closure of the construction process prior to a Certificate of Occupancy be approved for this project.
4. No less than 6 additional plantings/trees and no more than 12 additional plantings/trees staggered and keeping the same ratio of tree plantings
5. Extend the proposed rear fence along the east side of New Haven Road from the New Haven Road right of way south, approximately 24 feet of 4-foot-high solid white vinyl fence connecting to a 6-foot-high solid white vinyl fence to adjoin to the rear fencing

- B. Commission discussion/decision for a Site Plan Application for the property located at Lot 12 Elm Street for 2 buildings and associated parking lots, Applicant; Anthony Gallagher, Water St. Management, LLC. **Application Decision required by 5/29/25 unless extension requested.**

Wayne Zirolli, Civil Engineer and Land Surveyor was present in person on behalf of the applicant. Two buildings are proposed on this property -building A/1 is 5200 sq. ft and the larger building is 10,100 sq. ft., the architectural plans have been submitted. They will be metal buildings. The Hydrology calculations and all other requirements have been submitted. Police and Fire have reviewed and WPCA has approved. A bond calculation sheet has not been submitted. Attorney Fitzpatrick stated an approval can be subject to submission of a bond amount and it could be voted on at the next meeting.

Jim Stewart reviewed the requirements on the Engineering report; those conditions have been included into a possible motion. The material was questioned and it was asked if he was bringing in the materials for the commission to review. Mr. Zirolli was unable to bring in the material, he explained they will be steel building with corrugated panels. Colors and styles will mirror what is on their other lot across the street.

VOTED: Unanimously on a motion by Eileen Bronko and seconded by AJ Bordas to **APPROVE** the Site Plan Application and Architectural Rendering for 2 buildings and the associated parking lots for each for the property located at Lot 12 Elm St., Applicant; Anthony Gallagher, Water St. Management LLC. With the following conditions:

1. The applicant, contractor and engineer shall attend a pre-construction meeting with the Borough Land Use and Engineering Staff prior to the start of any excavation or construction activities for the project.
 2. A Bond Calculation for site improvements shall be submitted to the Naugatuck Land Use Office and Town Engineer and approved by the Zoning Commission prior to the pre-construction meeting and any site construction activities. Said Bond shall be in a form acceptable to the Borough Attorney for approval.
 3. The final construction drawings and all future construction shall follow and adhere to the approved site Remedial Action Plan and the Materials Management Plan.
 4. The final drainage report and design shall be submitted to and approved by the Borough Engineering Department prior to the construction that it adheres to the Borough requirements as well as the site Remedial Action Plan and the Material Action Plan.
 5. A final as-built plan must be submitted to the Naugatuck Land Use Office for review, acceptance and closure of the construction process.
- C. Commission discussion/ decision for a proposed Zone Change from R-15 to RA-2 for the property located at 684 Field St (Acct# 013-2400), 0 Millville Ave (Acct# 013-2510) and 0 Millville Ave (Acct# 013-2402) 0 Millville Ave (Acct# 013-2403) 684 Millville Ave (Acct# 013-2500), refer to the Planning Commission and NVCOG and set a Public Hearing Date for Wednesday, May 21, 2025 at 6:20 P.M., Applicant: JP Connelly, LLC and Seamus Connelly.

Rick Cool continued this public hearing to June 18, 2025 at 6:05pm see public hearing minutes.

Rick Cool called a 10-minute recess at 8:55 pm.

Rick Cool called the meeting back to order at 9:04 pm.

4. NEW BUSINESS

- A. Commission discussion/ decision for a Site Plan Approval for Silver Ridge RA-2 Approval, Applicant; Girard Tunney.

Attorney McSherry of 38 Fairview Avenue is present in person. He reviewed the site plan briefly. There was a k-turn around required from the fire department so that has been added. All other items changed per requirements were also reviewed.

Q) Are there changes that have been made to the original plan?

A) Yes, but minor changes and they were explained in detail (see plan)

Attorney Fitzpatrick noted for the record that several of the current owners came to his office to understand the zone change that was passed. They had a better understanding after the meeting. There is still a bond being held of \$43,000.00 for the bio filter and landscaping.

It was also noted that new construction permits must be taken out on each house/unit built. It also was noted that the address must match the assessors address and the plans. Fred Agee assigns the street address.

Mr. Tunney was present via ZOOM and acknowledged the requirement of new construction permits being requested and plans to be submitted.

VOTED: Unanimously on a motion by Eileen Bronko and seconded by AJ Bordas to **APPROVE** the Site Plan Application for the Silver Ridge Fox Hollow Development Parcel Acct # 048-0300 for the 20-lot residential development, Applicant; Girard Tunney.

- B. Accept Special Permit Application, set a Public Hearing for Wednesday June 18, 2025 and refer application to the Planning Commission for the removal of up to 1000 cubic yards of earth material for the property located at 229 City Hill St., Applicant; Maikol Sanchez.

VOTED: Unanimously on a motion by Neil Mascola and seconded by Eileen Bronko to **ACCEPT** the Special Permit Application, **REFER** it to the Planning Commission and **SET** a Public Hearing for Wednesday June 18, 2025 at 6:10 PM for the removal of up to 1000 cubic yards of earth material property located at 229 City Hill St, Applicant; Maikol Sanchez.

Ed Carter, ZEO explained that this is a new construction of a house but requires an excavation permit for more than 350 cubic yards to be removed. The location was discussed.

5. Motion to recess to the Aquafer Protection Agency meeting – There was no APA Meeting
6. Public Comment. – There was no public comment.
7. Chairman Report and Commissioner Comments
8. ZEO Report

Ed updated the commission on 248 South Main Street notification: They have ordered the parts to continue the wall. Jim Stewart and Ed Carter met them on site on Monday. They have received the riprap and also received 9 of the soldier pilings, will receive more as they build. They estimate about two months to complete the wall. There was some concern about a foundation that is up on the top of the hill because it is not sitting on anything. It was noted that it was like this prior to this project. Next 402 Hillside Avenue was discussed and it was noted that attorney Pilicy has gone to court on the Boroughs behalf and is moving forward on this issue.

The post office will no longer deliver to new streets, a common mailbox must be included with new developments. This has been in place with the Post office but just started to get enforced in many towns. Naugatuck has experienced it with the last phase of Fawn Meadow development.

The YMCA is planning on putting a camp in as part of the old Wilmont Property with entrance from Brighton Road.

Amazon has submitted their bond and is moving forward.

Pennrose is moving forward and will be starting this summer.

The downtown project should finish in October.

The Parcel B roads finishing in November and the Rubber Avenue project finishing in December.

They will need to come back in the spring for planting.

9. Executive Session for pending litigation for Oren vs Naugatuck Zoning Commission.

No executive session took place

10. Adjournment

VOTED: Unanimously on a motion by AJ Bordas and seconded by Tom Kiernan to **ADJOURN** the meeting at 9:38 P.M.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary/mlh