

**ZONING COMMISSION  
MEETING November 14, 2012**

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

**MEMBERS:**

Joe Savarese, Chair  
Diana Raczkowski, Vice Chair  
Neil Mascola  
Richard Cool, Absent  
Sally Brouillet, Alternate  
William Stopper, Alternate  
April Slauson, Alternate

**OTHERS:**

Public: 1  
Steve Macary, ZEO  
Sue Goggin  
Attorney Ned Fitzpatrick

**PUBLIC HEARINGS**

**6:00 PM CONTINUED PUBLIC HEARING** – for an application for a Zone Change from R-15 to NHRDD for a portion of 848 New Haven Road. Applicant: Dean Rotatori

At 6:25 P.M. Joe Savarese opened the Public Hearing. Joe said that on November 7<sup>th</sup> they received a letter from the Planning Commission. Attorney Kevin McSherry explained that it went before the Zoning Commission last month and was waiting on a referral from the Planning Commission. He also said the Planning Commission was complaining that they didn't receive a written referral from the Zoning Commission. He said that maybe in the future they could give the Planning Commission a written referral. The commission agreed. Attorney McSherry explained that they are asking for a zone change but they are not yet sure what they are going to do with the property. Joe asked if there was any public that wanted to speak. There was no one from the public present. Diana said granting the zone change would make it more viable for development. Joe closed the public hearing.

**REGULAR MEETING**

1. At 6:00 P.M., Joe Savarese opened the meeting with the Pledge of Allegiance and then took attendance.
2. No Executive Session.
3. Approval of the October 17, 2012 Regular Meeting Minutes.

**VOTED:** Unanimously on a motion by Sally Brouillet and seconded by Neil Mascola to **ACCEPT** the October 17, 2012 Regular Meeting Minutes as written.

4. **OLD BUSINESS:**

- A. Commission discussion/decision for property located at 848 New Haven Road. Applicant: Dean Rotatori

Joe asked the commission if there were any comments on this. There were none.

**VOTED:** Unanimously on a motion by Diana Raczkowski and seconded by Sally Brouillet to **APPROVE** a zone change at 848 New Haven Road.

- B. Commission Discussion on revising the zoning regulations regarding playhouses, playscapes, gazebos and tree houses.**

Joe Savarese said they need to come up with some regulations regarding these types of structures. Diana asked to have Keith Rosenfeld write something up because he presented some good ideas at the last meeting. She asked that he write up a couple of sentence draft for the December meeting. A discussion ensued regarding permitting them like sheds and the liability to the Borough. The commission agreed that they need to be in the rear setback and be no higher than 15 feet. Joe asked that the 25' setback requirement be written into the new regulation. Diana asked that Keith draft the regulation as discussed with no permit, entertain the 25' setback all around in the rear, none in the front or side yard, the height requirement of 15' from the top to the ground. The commission clarified that playscapes and swing sets are not included in this. There was no further discussion.

- C. Commission Discussion regarding Sign Regulations, Adopt a Spot, Giuseppes, New Haven Road observations**

Joe thanked all who worked on revising the sign regulations to this point. Sally Brouillet said they still need to review some of the sign regulations. The commission had some questions for the Borough Attorney. A meeting was set for December 5<sup>th</sup> at 6:00 PM at Attorney Fitzpatrick's office.

Joe said that Guisepe's was allowed to keep their sign up due to a misunderstanding. He has had conversations with Mr. Miele since and they are going to try to have the sign condensed to the adopt-a-spot size.

- D. Resignation Joseph Savarese, Commission discussion, nomination(s), vote new Chair and, if applicable, other Officers effective November 15, 2012.**

Joe said that Sally's appointment to regular member would be effective on November 15<sup>th</sup> and that Bill Stopper's would be effective in December.

- E. Commission review/discussion and schedule public hearing for amendment of Section 42, Naugatuck Zoning Regulations**

The commission had a discussion on how they would like these regulations to be amended. This matter was tabled until Diana Raczkowski meets with Attorney Fitzpatrick and Attorney Hess to discuss.

**5. NEW BUSINESS:**

- A. Commission discussion/decision for a site plan located at 147 Quinn Street Plaza to open a Pizza Restaurant. Applicant: Tanis, LLC**

Steve explained that he gave the commission a site plan and a picture of where it is going. He said it was a pizza place prior to. He said they knocked down a wall and added some parking. He said there is plenty of parking. A discussion

ensued regarding the parking. The applicant clarified that the footprint will stay the same. No further discussion took place.

**VOTED:** Unanimously on a motion by Neil Mascola and seconded by Diana Raczkowski to **APPROVE** the site plan located at 147 Quinn Street to open a pizza restaurant.

**B. Approval of 2013 Meeting Dates**

**VOTED:** Unanimously on a motion by Diana Raczkowski and seconded by Sally Brouillet to **ACCEPT** the 2013 Meeting Dates as submitted.

**6. Commission discussion for Change of Use applications.**

There were no Change of Use applications.

**7. Commission discussion/ ZEO permits and various complaints.**

Steve explained that he just gave Mr. Wasserback another notice granting 120 days to clean up his property. If nothing is done, Steve will fine him and send it to legal counsel and they will take it from there. Diana asked Steve to keep them updated as to what the attorney is doing. Steve showed the commission recent pictures of the property.

Steve said that he needed to discuss a site plan approved by the Zoning Commission in 2008 for Autohaus. Steve explained that he has some trailers on his property near the wetlands but they're not leaking. Steve said the addition was built to take a lot of the stuff out of the trailers and put it in the addition. Steve showed the commission some photos and said the addition is not done on the inside - he is waiting for some special shelving to go in there. Steve said he spoke to Attorney Fitzpatrick, and there is a State Statute now, P.A. #11-5, which says that if it's an approved site plan, he has up to 9 years to complete it. This gives him until 2017 to complete it. Diana said to bring it to the Borough Attorney. Steve said Attorney Fitzpatrick told him to bring it before the commission. Steve said Ned told him Autohaus has until 2017. Steve said the owner of Autohaus gave him a letter for an extension on his site plan. Diana said they should not extend it. Steve said they've done it for other people and that's the problem. Diana said they don't have to do it- there's no rules that say they have to extend a site plan. Steve said he assumed the owner of Autohaus got the State Statutes from Attorney McVerry on this, so he knows what's going on. Steve said he saw some of the trailers before he got kicked off the property. He said there are three of them and two of them are empty. Steve said the owner of Autohaus showed him where they are for sale in the Bargain News and on Craig' List. Diana asked why he wants an extension on the site plan if it's good until 2017. Steve said he doesn't know but that the owner of Autohaus gave him a letter for an extension. Joe Savarese asked what Mary Davis' issue is. Steve said the issue is that the trailers were too close to the wetlands. Joe asked if the ones that are close to the wetlands are empty. Steve said that one has stuff in it and two are empty. Joe asked what's in them. Steve said car parts, fenders, no gas or anything like that. Steve said it got kicked over to him because he wasn't adhering to the site plan. Joe suggested that Steve try to get some type of certification that the components that are in the trailer do not pose a hazard to wetlands. Steve said he can't go on the property. He said he was asked to

get off the property. The commission said that Keith can. Steve said that Ned told him that if they are not invited, they cannot just walk on property. Joe said for Steve to tell him that he is just trying to help him out. Explain that if he can confirm that there are no materials that can cause hazards to the wetlands, then they don't have a problem with that. Steve said he would do that. Steve said he still has to do some drainage, install a rain garden for wetlands. He said he has been getting a lot of heat from wetlands about the trailers. Joe asked why the wetlands commission isn't doing anything about this. Steve said Keith passed it on to him because it wasn't adhering to the site plan. On the site plan it says he has to remove the trailers once the addition is complete. The commission all agreed that the addition is not complete. Diana asked what else he has to complete. Steve said he has to build a rain garden and install some drainage. The commission agreed that Autohaus has until 2013 to complete their project, so they are going to wait until then to see what gets done. Joe said the Zoning Commission will stand behind Steve on this. Diana asked Steve to get a time frame for when he is going to finish.

Joe asked Steve what was happening with the tent on Osborn Road. Steve said there is a handicapped person living at the house who is working on a Jeep under the tent. He said he contacted the mother and she said she would take it down, but she hasn't yet. Joe said he needs to start doing something about this.

Diana asked about the road that was to be built on Chemtura property for trucks to go through. Steve left the room to get Jim Stewart to ask him for a status. Jim said that the road was put in some time ago. It was not paved because they only had the funding for gravel. He said he could not get money from the town to pave it, so most recently they put down millings to try to stop the rutting. Diana asked who is using the road. Jim said the trucks from the treatment plant. Jim said they will probably have to go back there every year and put more millings down and grade the road, until they can get some money to pave it. Diana asked if the machines are out of there that are crushing and sifting. Jim said he didn't know, but Chemtura is going to be coming before the commission with a proposal to install solar panels in that location. Diana asked if they had any idea when they would be coming. Joe Savarese said he thinks March. Joe explained to the commission he and Bill Stopper went to Chemtura and they are proposing to put solar panels to allow them to draw power on 5 acres of vacant land. He said about 75-80% of their existing power will be drawn from the solar panels. Joe said they will be coming before the Zoning Commission in due time.

## 8. Chairman Report

Joe had nothing to report.

## 9. Adjournment.

**VOTED:** Unanimously on a motion by Neil Mascola and seconded by Sally Brouillet to adjourn the meeting at 8:15 P.M.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary/sg