

**ZONING COMMISSION
REGULAR MEETING April 17, 2013**

William Stopper opened the Regular Meeting at 6:00 P.M. with the following in attendance:

MEMBERS:

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

OTHERS:

Steve Macary, ZEO
Sue Goggin
Public - 9

PUBLIC HEARINGS

6:00 P.M. PUBLIC HEARING – Text change to Section 27 (Signs); Applicant: Naugatuck Zoning Commission

Sally wanted it read into the record that the public must be informed that the new regulations have come from the existing Naugatuck Zoning Regulations as well as the Zoning Regulations of surrounding towns. Steve said they have notified the Council of Governments and got a certified e-mail back from them. It also has to be posted in the Borough Clerk and Town Clerk's office, which has already been done. They have not received a positive referral from the Planning Commission yet, because they tabled it. A discussion ensued regarding signs hanging over the street. Bill asked if there was any public comment on the sign regulations. There was no public comment. The Public Hearing was continued to the May 15th meeting at 6:15 P.M.

6:30 P.M. PUBLIC HEARING – for a zone change to the current zoning map so it may adhere to the Plan of Conservation and Development. Applicant: Naugatuck Zoning Commission

I-2 TO R-30

Account No	Location	Owner
046-7202	850 RUBBER AVE	PRETA MANUEL + ILDA
056-2261	0 RUBBER AVE	WARGO ALEC + ILSE G
070-5700	1058 RUBBER AVE	WARGO ALEC + ILSE GERTRUD
070-5710	RUBBER AVE	WARGO ALEC + ILSE G
053-8750	1052 RUBBER AVE	PRETA JOAO V + MARIA C
025-7002	982 RUBBER AVE	LOR MANAGEMENTLLC
025-7001	RUBBER AVE EXT	BOROUGH OF NAUGATUCK
067-6700	0 RUBBER AVE	THURSTON ENERGY INC
046-7201	RUBBER AVE	PRETA MANUEL + ILDA
067-6600	0 RUBBER AVE	THURSTON ENERGY INC
015-3600	50 HILL RD	DANDENEAU ROGER JOSEPH
058-7000	0 WEBB RD	VIEWS AT LONG MEADOW BROOK LLC
001-9500	0 WEBB RD	LANDSMEN SAMUEL G + NOELLE
058-7110	230 WEBB RD	SPINELLI ROGER L
058-7111	0 WEBB RD	LONG MEADOW BROOK LLC
058-6900	0 WEBB RD	VIEWS AT LONG MEADOW BROOK LLC
009-5512	0 SPRING ST	ANTHONY VALENTINO

I-2 TO R-15

Account No	Location	Owner
015-0420	38 CROFUT RD	UHASZ ERIC J + EVANA
038-5500	1075 RUBBER AVE EXT	LIGUORI LUIGI A JR

015-0421
008-4300
015-6520
020-0400

42 CROFUT RD
50 CROFUT RD
70 CROFUT RD
186 WEBB RD

WOODARD STYLIN + LISA
ARCURI JASON
DAIKUS JOHN E + DIANE M
EDWARDS CHERYL

Steve explained that they are changing various areas in Naugatuck to adhere to the Plan of Conservation and Development. There was a discussion about the areas and the changes. Bill asked for public comment. Sam Landsman, of 220 Webb Road and 0 Webb Road, asked if the properties will be voted on individually or altogether. Steve said he thinks they will be voted altogether. A discussion ensued on uses for the property if the zone is changed. Mr. Landsman said he would like his property voted on separately from the others. Steve told him to come down to the Land Use office and they could talk about it. Alec Wargo, of 1056, 1058 & 1060 Rubber Avenue, said he is against the change from I-2 to Residential. He said it is presently being used for industrial purposes. They are also looking into expansion. Steve said they would not make any existing property non-conforming. A discussion ensued regarding the zone change where Mr. Wargo's house is located. Luigi Liguori, of 1075 Rubber Avenue, asked about the tax benefits to the zone change. Steve said he didn't know. Mr. Liguori said there is no benefit to the property owners if the zones are changed. Steve said they are doing this to adhere to the POCD. A discussion ensued regarding the definition of non-conforming. Joe Preta, along with his parents, of 1052 Rubber Avenue Extension, said they are absolutely against the change. They feel that the potential value of the property would be eliminated if the zone is changed. There is currently a construction company being run out of there, which has been there for 30 years. Dave Rogers, of 100 Hill Road, said he is disappointed that the Planning Commission and Zoning Commission have not moved forward with this before now. He encouraged the commission to follow the POCD as much as possible. He does not want to see any existing made non-conforming. He thinks the POCD calling for this change is appropriate. Alec Wargo asked where there is a place for industrial development in town. A discussion ensued regarding businesses in town. Mr. Landsman asked about Long Meadow Views and if this is about them. Steve said not officially but he said they are coming before the commission with an application next month. There was no further public comment. The Public Hearing was continued until May 15, 2013 at 6:30 P.M. Rick Cool asked what the penalty is if they don't comply with the POCD. Steve said he didn't know.

REGULAR MEETING

1. At 6:00 P.M., William Stopper opened the meeting with the Pledge of Allegiance and then took attendance and noted there was a quorum.
2. There was no Executive session.
3. Approval of the March 20, 2013 Regular Meeting Minutes. The secretary will sign previously approved minutes.

The minutes will be voted on at the May meeting.

4. OLD BUSINESS:

- A. Commission discussion regarding a legal opinion on Giuseppe's sign located on town property.

Neil Mascola read a letter from Attorney Hess into the record stating that the sign is non-conforming with the regulations. A discussion ensued on who approved the sign. Steve explained the Adopt-A-Spot procedure. He said he got a letter from Mr. Miele, which explains the procedure he went through for the sign. April read the letter to the commission. The commission asked Steve to send a letter to Giuseppe's to remove the sign within 60 days, with a copy of Attorney Hess' letter attached.

- B. Commission discussion/decision for a zone change to the current zoning map;
Applicant: Borough of Naugatuck

Rick Cool asked what happens if the commission makes changes to certain areas and leave the others. Steve said that would be called spot zoning. He will talk to legal counsel. There was a discussion regarding zones and what is currently there. Steve will invite Sam Gold, from Council of Governments, to the next meeting. There was no further discussion.

- C. Commission discussion/decision for a text change to Section 27 (Signs);
Applicant: Naugatuck Zoning Commission

The commission will read the changes and review them. The Public Hearing was continued to the May 15th meeting at 6:15 P.M.

- D. Commission discussion/decision for a site plan located on New Haven Road;
Applicant: Joe Pisani

Joe Pisani showed the commission new renderings of the proposed building as requested. He explained the changes and showed the commission samples of the materials that are to be used for the building. The commission was happy with the proposed changes.

VOTED: Unanimously on a motion by Neil Mascola and seconded by Sally Brouillet to **ACCEPT** modifications to 1177 New Haven Road, Naugatuck, Hunan Wok Restaurant.

5. **NEW BUSINESS:**

VOTED: Unanimously on a motion by Neil Mascola and seconded by Sally Brouillet to **ADD** Attorney McSherry to this evening's agenda for a Special Permit for the Terrace Avenue garage.

Attorney Kevin McSherry, of 38 Fairview Avenue, explained that his client has begun to do the work that they were approved for. During the course of this, he has found out that the garage that he originally was to tear down, is able to be saved. Attorney McSherry said he is asking for the commission's permission to re-do the garage instead of tearing it down. He explained what exactly would be done to renovate the garage. Sally asked if the setbacks were correct. Steve said the footprint remains the same.

VOTED: Unanimously on a motion by Rick Cool and seconded by Neil Mascola to **MODIFY** the Special Permit for 56 Terrace Avenue to allow the applicant to keep the existing garage and make modifications to the plan dated October 22, 2012.

6. Commission discussion for Change of Use Applications.

There were no new applications.

7. Commission discussion/ZEO permits and various complaints.

A discussion ensued regarding how Steve handles sign violations. Steve said he prefers to go in person to discuss with the business owner. Sally would like Sam Gold at the next meeting. Neil would like the public that spoke at the meeting to be invited back. A discussion ensued regarding the Farmer's Market on Rubber Avenue. April asked about the sign on the awning at Riverside Motors. She said it needs to come down. Steve said he will e-mail the permit to April. Bill said the commission would like Steve to investigate the sign.

8. Chairman Report

There was no report.

9. Adjournment

VOTED: Unanimously on a motion by Sally Brouillet and seconded by Neil Mascola to adjourn the meeting at 7:50 P.M.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary/sg