

**ZONING COMMISSION
PUBLIC HEARINGS October 16, 2013**

Bill Stopper opened the Public Hearing at 6:00 P.M. with the following in attendance:

MEMBERS:

William Stopper, Acting Chair
Neil Mascola
Richard Cool
Sally Brouillet
April Slauson, Alternate
Matthew DeBarber, Alternate

OTHERS:

Steve Macary, ZEO
Sue Goggin
Public - 4
Attorney Stephen Savarese

PUBLIC HEARINGS

6:00 P.M. CONTINUED PUBLIC HEARING – For wholesale auto sales at 38 Cherry Street; Applicant: 38 Cherry Street, LLC

Attorney McVerry, office at 35 Porter Avenue, Naugatuck, on behalf of 38 Cherry Street, LLC, and its principle, Mr. Tom Baranowski. He showed the commission a new plan showing the dumpster enclosed on the plan. There was a discussion on the sign and its size and location. It was clarified that they will be outsourcing all washing and repair work. The business will be by appointment only. Sally asked if the white cinderblock could be cleaned. Mr. Baranowski said he has already scheduled the cleaning. There was no public comment. The public hearing was closed.

6:25 P.M. VOTED: Unanimously on a motion by April Slauson and seconded by Sally Brouillet to take a 5 minute recess.

6:30 P.M. PUBLIC HEARING – Special Permit for 6 apartments located on 100 Church Street; Applicant: Kevin McSherry

Attorney McSherry, 38 Fairview Avenue, said that they obtained their variances for the parking and the area. He said they submitted their application but it hasn't been referred to Planning yet. He gave an overview of the project and showed the commission pictures of the outside and the inside of the building. He said Earl Lindgren, the architect, will be bringing diagrams next month. He said there will be 4 parking spaces on site and they also have access to the municipal lot across the street. The neighbors on Church Street are encouraged to have the foot traffic. There was a discussion on having a site walk. Attorney McSherry said the current businesses on the first floor will remain. He said there is a dumpster on the property. Sally said that they are now requiring that dumpsters be enclosed. Kevin said he thinks that they would like to do that. Bill Stopper asked for public comment. There was none. There was no more discussion. The public hearing was continued to November 20th at 6:45 P.M.

REGULAR MEETING
OCTOBER 16, 2013

1. At 6:00 P.M., Bill Stopper opened the meeting with the Pledge of Allegiance and then took attendance and noted there was a quorum. He made April Slauson a regular voting member.
2. There was no executive session.
3. Approval of the September 18, 2013 Regular Meeting Minutes. The secretary will sign previously approved minutes.

VOTED: Unanimously on a motion by April Slauson and seconded by Rick Cool to **APPROVE** the September 18, 2013 Regular Meeting Minutes as written.

4. **OLD BUSINESS:**

- A. Commission discussion/decision for wholesale auto sales at 38 Cherry Street;
Applicant: 38 Cherry Street, LLC

VOTED: Unanimously on a motion by Neil Mascola and seconded by April Slauson to **ACCEPT** the application for wholesale auto sales at 38 Cherry Street, including the painting of the bottom of the building and all conditions based on the Wetlands Commission's comments.

- B. Commission discussion/decision for 6 apartments located on 100 Church Street;
Applicant: Attorney Kevin McSherry

The public hearing was continued to November 20th at 6:45 P.M.

5. **NEW BUSINESS:**

- A. Update regarding Finlay/Bronko work.

Steve Macary left the room at 6:45 P.M.

Attorney Savarese gave a background of the complaints between the property owners. He said the commission is not required to act on every violation. Bill Stopper said this item was tabled last month due to confusion amongst the commission members. Attorney Savarese offered to go into greater detail beginning in 2002. The commission did not feel the need to do that. Sally said she feels sympathy for both parties in this case, however, because of the sufficient time and expense that was given to this, over 12 years, she said she wished to propose that no further action be taken.

VOTED: 5-0-1 on a motion by Sally Brouillet and seconded by Neil Mascola that no further action be taken on past and present complaints regarding the compliance with the Naugatuck Zoning Regulations and investigations into the conditions at either the Bronko property located at 34 Fairfield Court or the

Finlay property located at 30 Fairfield Court, except the usual procedures shall apply as to any further improvements requiring a zoning permit application or regulated activities on either property.

FOR

William Stopper
Neil Mascola
Sally Brouillet
Richard Cool
Matthew DeBarber

AGAINST

ABSTAIN

April Slauson

Eileen Bronko, 34 Fairfield Court, commented that she wasn't happy with the commission's decision. She complained about the Land Use staff and their record keeping.

Mike Bronko, 34 Fairfield Court, read a letter from Attorney Hess to Attorney Fitzpatrick from 2007. He said he was sad that the commission took the vote to not enforce the town's regulations.

There were no further comments.

B. Additional items require a 2/3 vote of the Commission.

6. Commission discussion/ZEO permits and various complaints at 73 & 89 Locust St.

Steve said he had to give Tamara's Tailor Shop a notice to pull a zoning permit. Steve seems to think the owner of the building owes taxes so they would not be able to get a zoning permit until they are up to date. Steve is anticipating his attorney may come to the next zoning meeting.

Steve said the owners of 73 & 89 Locust Street will be in. They are having a lighting war. The discussion will occur later on in the meeting.

Steve Macary returned to the meeting at 7:24 P.M.

Mrs. O'Bernier, 73 Locust Street, said she was there to discuss zoning regulation 24.2.13, which is regarding glare. She passed out booklets with pictures. She explained that her neighbor, Mr. Gallagher, is unhappy with her outside lights shining into his windows. He is shining a strobe light at her house at night. There was a discussion on options to reduce the amount of light that shines on Mr. Gallagher's house. Joe Gallagher, 89 Locust Street, showed the commission pictures of the light from 15 years ago. He said the O'Bernier's cut down his landlord's trees 15 years ago without their permission. Steve and the commissioners will drive by in the dark to get a better idea of what's happening. Steve will e-mail Mrs. O'Bernier's phone number so they can call before they go.

7. There was no Chairman Report.

8. There was no Public Comment.

9. Adjournment

VOTED: Unanimously on a motion by Rick Cool and seconded by Sally Brouillet to adjourn the meeting at 7:51 P.M.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary/sg