

ZONING COMMISSION
SPECIAL MEETING August 14, 2014

Commission Chair Bill Stopper called the meeting to order at 6:05 P.M. with the following in attendance:

MEMBERS:

William Stopper, Chair
Sally Brouillet, Vice Chair
April Slauson, Secretary
Richard Cool
Kathleen Donovan, Arrived at 6:08PM
Neil Mascola, Alternate
Matthew DeBarber, Alternate, Absent

OTHERS:

Public: 5
Sue Goggin, Asst. ZEO
Jim Stewart, Director of Public Works

VOTED: Unanimously on a motion by April Slauson and seconded by Richard Cool to **APPOINT** Neil Mascola as a regular voting member.

6:00 P.M. PUBLIC HEARING - regarding applicant's proposal for extension of time to complete the proposed development outlined in PDD #11, Prospect St, Applicant: Fulling Mills Development, LLC

Attorney Bill Ryan, representing the applicant stated they are here tonight under Section 34.8 of the Zoning Regulations, requesting a one year extension of a PPD application that was granted in 2010. He noted the Inland Wetlands Application will have an automatic extension. He submitted a letter into the record from the Inland Wetlands Commission which states the applicant is automatically extended. He read Wayne Zirolli's report on the improvements made to the site. He stated the next step for improvements to the site is the construction of a culvert bridge across the brook, which Mr. Warren has stated he is ready to go to contract on. He noted they have provided written notice to abutting property owners.

James Warren, applicant, reviewed the plans with the Commission. There was a discussion over the approval of the entire plan and of Phase I. Attorney Ryan noted they are seeking an extension for the entire project. Kathy Donovan questioned whether Mr. Warren felt he could complete the entire project in a year's time. Mr. Warren felt it was unlikely. Attorney Ryan noted that the regulations allow for multiple extensions to be granted.

There was a discussion regarding bonding. Sue Goggin stated she spoke with Attorney Fitzpatrick and was told bonds are not collected until the construction begins. She stated once the construction of the bridge begins, they will be responsible for the Inland Wetland bond at that time. Mr. Warren asked the town to look at legislation, because he feels this requirement has been changed. He understands he will need to bond for soil and erosion, but not for construction. Attorney Ryan said he would provide the Commission with further information regarding this.

Mr. Warren explained the project would be for light industrial business condos. Kathy Donovan asked how Mr. Warren was anticipating the funding for this project. Mr. Warren stated they are using the money received from the sale of leveling the lot. He noted he has a meeting on the 26th and is looking into getting a small business grant. He stated for the record that when this application was originally going through approval it was mentioned they might try to extend the Enterprise Zone from the Naugatuck Industrial Park to this location.

Bill Stopper asked if they would be using the bridge to remove material from the quarry. Mr. Warren said yes. James Stewart asked if he felt he would have the bridge built this year. Mr. Warren answered yes. Mr. Stewart asked if he would also provide the bonding that is determined and required by the town engineer. Mr. Warren answered no, he doesn't plan on it, unless there is a law that states he absolutely has to; then he will. James Warren said if a judge says he has to provide a bond; then he will, otherwise he feels it is a financial strain on this project. Mr. Stewart stated there are certain public safety issues that the town has to guarantee. Mr. Warren agreed that counsel could discuss this matter.

Public Comment:

Brian Prentiss, 50 Maple Hill Rd, stated 50% of his property is adjacent to this property. He strongly urged that an environmental bond be placed on the construction of the bridge or any other development. He stated the required 2 to 1 slope is not there. Mr. Prentiss said he made several calls to the town about sediment flowing down Fulling Mill Brook from the applicant's site. Nothing has been done about it. He stated all the abutting properties have wells. He feels the town needs to make sure the industrial development meets the requirements. He feels the town needs to make sure that the sediment and control is taken care of. Mr. Prentiss said he hears trucks being loaded at 4:30 A.M. Mr. Warren stated the police department is aware and there are no laws or regulations regarding the time he can work on his site. Bill Stopper noted this application is regarding the PDD not the operation of the quarry. Sue Goggin said she and Wayne went out to look at the property last week, but did not walk the site. James Warren said the sediment is not coming from his quarry, and that his site was inspected by DEEP. Sue Goggin stated Wayne Zirolli went to the site after a complaint of cloudy water was called in. While he was inspecting he spoke with someone from DEEP and it was determined that someone had dumped something into the sewer drain. They were not able to track where it came from. Mr. Warren and Mr. Prentiss said the staff is welcome to access their property.

Bob Chatfield, 25 Cornwall Ave Prospect, Mayor of Prospect. He stated he is here tonight to urge the Commission on extending this permit because he wants the trucks to get off of Spring Rd and get them back into Naugatuck where they belong.

Bill Donovan, Land Use Official for Prospect, said he submitted a letter in April under correspondence concerning the quarry operation. He said they have some concerns about the traffic effect on Prospect. He too is urging the Commission to extend the permit. He feels that if the bridge is installed as stated it will relieve a lot of concerns of safety for the neighboring properties. He feels the project will be wonderful for Naugatuck, but asks they keep in mind the neighboring property owners. Mr. Warren stated for the record they only drive by 2 homes. He noted

there is another quarry further down the road that at times has excessive traffic. Mr. Donovan said the Fire Marshall had suggested using Spring Rd as an emergency access only. He is asking that all business use for the property use the entrance from Prospect St.

There was no more public comment.

Bill Stopper closed the Public Hearing.

VOTED: Unanimously on a motion by Sally Brouillet and seconded by Kathleen Donovan to **GRANT** an extension of the approval of PDD #11 for one year to bring the new expiration date to August 18, 2015.

1. New Business

- A. Commission discussion regarding applicant's proposal for extension of time to complete the proposed development outlined in PDD #11, Prospect St, Applicant: Fulling Mills Development, LLC

2. Adjournment.

VOTED: Unanimously on a motion by Neil Mascola and seconded by Rick Cool to adjourn at 7:15 P.M.

RESPECTFULLY SUBMITTED:

April Slauson, Secretary/rp