

**ZONING COMMISSION  
PUBLIC HEARINGS  
August 20, 2014**

William Stopper opened the Public Hearing with the following in attendance:

**MEMBERS:**

William Stopper, Chair, Absent  
Sally Brouillet, Vice Chair  
Richard Cool, Absent  
April Slauson, Secretary  
Kathy Donovan  
Matthew DeBarber, Alternate, Absent  
Neil Mascola, Alternate  
Wendy Fowler, Alternate

**OTHERS:**

Wayne Zirolli, Borough Engineer  
Sue Goggin, AZEO  
Attorney Edward Fitzpatrick  
Public - 3

**6:15 P.M. CONTINUED PUBLIC HEARING-** for proposed 4500 sq. ft. retail building to house a convenience store, donut shop with drive-thru and gas station, 42-46 Prospect Street; Applicant: Remzi & Vesel Nasufi.

Attorney Michael McVerry reviewed the plans. He noted he received a copy of the consultant's comments today. He stated he didn't have a letter from the Water Co. for tonight, but was told he could get it within the next day or two. He said KWH Enterprise of Meriden did the traffic study.

Steve Pustola, PE reviewed the proposed renderings of the structure. Attorney McVerry stated part of the current retaining wall is going to have to be removed for the driveway entrance. Kathy Donovan asked what the wall would be constructed of. Mr. Pustola answered it will be a block wall. He said they will be planting evergreen trees on the top of the retaining wall.

Wayne Zirolli suggested the exit on Golden Hill Court to be a one way exit. Attorney McVerry noted the Commission's concern with traffic entering from Prospect Street and this lessening one of the potential entrances. He feels that entrance is important to the project.

Kermit Hua, from KWH LLC, traffic engineer, explained that he looked at this project. He stated there will be no adverse impact from it. He said he agreed with Attorney McVerry, and felt the 3 entrances were a good idea. He explained to the Commission how he gathered information for his report. He reviewed his report.

Kathy Donovan questioned whether they could put more plantings in the back near Golden Hill Court for more of a buffer. Francisco Gomes, FHI, pointed out for the record, the Zoning Regulations require those items, and the plans follow the Commission's regulation requirements for having plantings adjacent to residential properties. The plans reflect what is required by the regulations.

April Slauson asked about the signage for the building. Mr. Pustola stated they would need to get a permit for the sign once a company chooses to use the building. Mr. Pustola stated the dimensions on the plans are per the regulations.

There was no Public Comment.

Bill Stopper stated he was concerned because they had no expert input on the traffic issue. Attorney Fitzpatrick said they did have an expert and should take into consideration what he is telling them. As a matter of law it is an expert opinion. Kathy

Donovan wanted to know what the retaining wall was going to be made of; she asked to see design and texture. There was a discussion on the hours of operation of the business. Attorney McVerry requested and agreed to an extension of the Public Hearing to the September 17, 2014 meeting at 6:15 P.M.

**6:30 P.M. CONTINUED PUBLIC HEARING-** for earth excavation of more than 350 cubic yards of material, 42-46 Prospect Street; Applicant: Remzi & Vesel Nasufi.

Attorney McVerry requested and agreed to an extension of the Public Hearing to the September 17, 2014 meeting at 6:30 P.M.

**6:45 PUBLIC HEARING** – for special permit for proposed building addition to existing Metro Mart, 1419 New Haven Road; Applicant: MNA Holding, LLC

Steve Pustola, PE, submitted the return recipes for the Public Hearing. He reviewed the plans. He stated the existing building will remain, and an addition will be added on. There was a discussion over the trailers, and Mr. Pustola stated they will be removed and do not belong to the Metro Mart property. There was discussion on the storm drain. Mr. Pustola stated the Inland Wetland Commission decided it was not significant activity. Kathy Donovan asked if maybe there should be more than 2 handicap parking spots. Mr. Pustola stated it was based on the square footage of the structure and was State mandated. Public Comment:

David Antone, adjacent property owner, stated he bought the property about 10 years ago with the condition he could park the semitrailers there. He stated he obtained a permit from the town hall for the trailers. He said he had no problems with what they have proposed to do with the property as long as it doesn't affect his. He said he could move the trailers closer to the house.

Attorney Fitzpatrick stated the matter of the trailers encroaching on the property is not a matter for this Commission. It is now between the two property owners.

Sally Brouillet asked if there would be any blasting needed for this project. Mr. Pustola said there was not going to be any.

The Public Hearing was continued to the September 17, 2014 at 6:45 P.M.

**NAUGATUCK ZONING COMMISSION  
REGULAR MEETING  
AUGUST 20, 2014**

William Stopper opened the meeting with the following in attendance:

**MEMBERS:**

William Stopper, Chair  
Sally Brouillet, Vice Chair  
Richard Cool, Absent  
Kathy Donovan  
April Slauson, Secretary  
Matthew DeBarber, Alternate, Absent  
Neil Mascola, Alternate  
Wendy Fowler, Alternate

**OTHERS:**

Wayne Zirolli, Borough Engineer  
Sue Goggin, AZEO  
Attorney Edward Fitzpatrick  
Public - 2

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. Neil Mascola was made a regular voting member.

2. Executive session with the Borough Attorney and the Zoning Commission.

There was no executive session.

3. Approval of the July 16, 2014 Meeting Minutes. The secretary will sign previously approved minutes.

**VOTED:** Unanimously on a motion by Kathy Donovan and seconded by Sally Brouillet to **APPROVE** the July 16, 2014 Meeting Minutes as presented.

4. **OLD BUSINESS:**

- A. Commission discussion/decision regarding Special Permit for proposed 4500 sq. ft. retail building to house convenience store, a donut shop with drive-thru and gas station at 42-46 Prospect Street; Applicant Remzi and Vesel Nasufi.

There was no decision.

- B. Commission discussion/decision regarding a Special Permit for the earth excavation of more than 350 cubic yards of material from the rear bank on 42-46 Prospect Street; Applicant: Remzi and Vesel Nasufi.

There was no decision.

- C. Commission discussion with Borough Attorney regarding approved activities for Capital Quarry.

Attorney Fitzpatrick stated he did not have all the information yet for this item, so there will not be discussion on it at this meeting.

## 5. NEW BUSINESS

- A. Commission discussion/decision regarding special permit for proposed building addition to existing Metro Mart, 1419 New Haven Road; Applicant: MNA Property Holding, LLC

There was no decision.

- B. Accept application, refer to planning commission, set public hearing for special permit application for 2 interior lots in a proposed 11 lot subdivision on Field Street; Applicant: Anderson Mills, LLC

Sue Goggin stated the application has been received and all the fees have been paid. She stated it has been given to the consultants to review and report on. Attorney Michael McVerry, reviewed the plan with the Commission. He noted the Zoning Commission approved this application in 2008, and the application has since expired.

**VOTED:** Unanimously on a motion by Kathleen Donovan and seconded by April Slauson to accept application, refer to planning commission, set public hearing for October 15, 2014 at 6:15 P.M. for special permit application for 2 interior lots in a proposed 11 lot subdivision on Field Street Applicant: Anderson Mills, LLC

- C. Accept application, refer to planning commission, set public hearing for an amendment to the zone map from RA-1 to B-2 at 527 North Main Street; Applicant: Cumberland Farms, Inc.

**VOTED:** Unanimously on a motion by Kathleen Donovan and seconded by Sally Brouillet to accept application, refer to planning commission, set public hearing for October 15, 2014 at 6:30 P.M. for an amendment to the zone map from RA-1 to B-2 at 527 North Main Street; Applicant: Cumberland Farms, Inc.

- D. Accept application, refer to planning commission, set public hearing for a special permit application for the expansion and renovation of the existing Cumberland Farms retail gasoline and store at 527 North Main Street; Applicant: Cumberland Farms, Inc.

**VOTED:** Unanimously on a motion by Kathleen Donovan and seconded by Nail Mascola to accept application, refer to planning commission, set public hearing for October 15, 2014 at 6:45 P.M. for a special permit application for the expansion and renovation of the existing Cumberland Farms retail gasoline and store at 527 North Main Street; Applicant: Cumberland Farms, Inc.

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

**VOTED:** Unanimously on a motion by Neil Mascola and seconded by April Slauson to **ADD** discussion on decks and pools to the agenda.

Attorney Fitzpatrick stated he asked to have this added to the agenda due to an issue that came up and is asking there to be a discussion regarding these

regulations. Sue Goggin stated an application was received for a deck and a pool and when she did the final inspection; she found the original deck now had a new attached deck that led to the pool. The pool is within the required setbacks and the new deck is not. She stated the pool has to be 5 ft from the property line but the deck has to be 25 ft from the property line for this zone. Attorney Fitzpatrick suggested to staff to seek the Commission's direction here, but it was his recommendation that the Commission direct staff to come up with a proposed regulation that addresses this issue. He felt the regulation regarding decks attached to pools was not clear.

**VOTED:** Unanimously on a motion by Sally Brouillet and seconded by April Slauson for staff to review Sections 24.4.12 and 25.12 so they can go over with accuracy pool and deck requirements and prepare a proposal for staff to regulate.

Attorney Fitzpatrick asked that the Commission add to the agenda the item Commission discussion with Borough Attorney on meeting procedure with regards to the use of alternates.

**VOTED:** Unanimously on a motion by Kathy Donovan and seconded by Neil Mascola to **ADD** the discussion with the Borough Attorney on procedures regarding Commissioner Members and alternates.

Attorney Fitzpatrick stated this week there was a question regarding alternates and how they are used. When an alternate is put in as a regular member, and the regular member comes to the meeting late, what roll does the alternate then play? It is the Chair that designates the alternate. If the board is in the middle of deliberations the alternate would stay as a regular member until the end of the vote. For the next topic, the Chair would note the regular member has arrived and will resume his duties.

6. Chairman Report  
There was none.
7. ZEO Report  
There was none.
8. Public Comment  
There was none.
9. Adjournment

**VOTED:** Unanimously on a motion by Sally Brouillet and seconded by Kathy Donovan to **ADJOURN** the meeting at 8:23 PM.

RESPECTFULLY SUBMITTED:

April Slauson, Secretary/rp