

**ZONING COMMISSION  
PUBLIC HEARINGS  
January 21, 2015**

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

**MEMBERS:**

William Stopper, Chair  
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, ZEO  
Attorney Edward Fitzpatrick  
Public - 0

**6:15 P.M. CONTINUED PUBLIC HEARING** – for special permit for removal of oil tanks and proposed propane facility at 406 Rubber Avenue, Applicant: Thurston Energy  
Bill said the commission has received a new set of prints. Sue said the applicant has requested to be heard at the next wetlands meeting because the plan dated 12/22/14 did not get seen by the commission and they voted on the plan dated 11/28/14. They made a minor modification to the rain garden.

Carl LeFevre, Thurston Energy, showed the commission a sample of the material he would like to use to re-face the planter. Sally asked what plantings they are going to use in the planter. It was clarified that the plantings are on the plan. There was a discussion over the fence, the type of material and if slats would be used. It was determined that the fence would be 6 feet high, black chain-link. Sally asked if the garbage will be enclosed. Carl said it will be behind the chain-link fence. There was a discussion over the sidewalk requirement for the RADD. Neil noted that at last month's meeting Attorney Fitzpatrick said the commission has the authority to waive the sidewalks and landscaping. Attorney Fitzpatrick said they would need a super-majority (4 out of 5 votes) to waive any requirements of the RADD. There was a discussion over the location of the rain garden and the planter in relation to truck traffic. Attorney Fitzpatrick asked if the size of the planter could be reduced. Carl said it helps with the traffic flow. Bill said essentially with the rain garden, the plan will not work and the wetlands commission wants the rain garden. Bill said they should wait for the new plan to go through wetlands to see what they are going to decide. Attorney Fitzpatrick said if the applicant wishes this plan to be taken as the final plan, the applicant should let the commission know that. He should also let the commission know if he wants to make revisions and then he can come back before the commission at the next meeting because they are running out of time. Carl said the only revision he would make would be to remove the rain garden. There was a discussion over the rain garden versus gabions. There was no public comment. The public hearing was closed.

**6:30 P.M. PUBLIC HEARING** – for amendments to Sections 24.4.12 and 25.12.1 of the Naugatuck Zoning Regulations, Applicant: Borough of Naugatuck  
Bill opened the public hearing. Sue explained that the reason for the proposed text change is because the regulations are not clear regarding decks and pools. She read the current setbacks for pools and decks and explained the issues. Section 25.6 also needs to be addressed. Attorney Fitzpatrick said the public hearing should be re-noticed. The public hearing was continued to the February 18, 2015 meeting at 6:45 P.M.

**NAUGATUCK ZONING COMMISSION  
REGULAR MEETING  
JANUARY 21, 2015**

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, ZEO  
Attorney Edward Fitzpatrick  
Public - 0

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 December 17, 2014 Public Hearing and Meeting Minutes. The secretary will sign previously approved minutes.

**VOTED:** Unanimously on a motion by April Slauson and seconded by Sally Brouillet to **APPROVE** the December 17, 2014 Public Hearing and Meeting Minutes as written.

4. **OLD BUSINESS:**

- A. Commission discussion/decision regarding special permit for removal of oil tanks and proposed propane facility at 406 Rubber Avenue, Applicant: Thurston Energy

**VOTED:** Unanimously on a motion by Sally Brouillet and seconded by April Slauson to **APPROVE** the request for a waiver of the landscaping as required in Section 33 of the Naugatuck Zoning Regulations in the RADD at 406 Rubber Avenue.

**VOTED: 2-3-0** on a motion by Kathleen Donovan and seconded by Neil Mascola to **DENY** the request for a waiver of the sidewalks as required in Section 33 of the Naugatuck Zoning Regulations in the RADD at 406 Rubber Avenue as shown on the plan stamped January 2, 2015.

**FOR**

Neil Mascola  
April Slauson

**AGAINST**

William Stopper  
Sally Brouillet  
Kathleen Donovan

**ABSTAIN**

Kathleen said since they don't know what is going to happen with the rain garden, she thinks that the sidewalks may be necessary.

**VOTED:** Unanimously on a motion by Kathleen Donovan and seconded by Neil Mascola to **APPROVE** the special permit for the removal of oil tanks and proposed propane facility at 406 Rubber Avenue.

- B.** Commission discussion/decision regarding amendments to Sections 24.4.12 and 25.12.1 of the Naugatuck Zoning Regulations, Applicant: Borough of Naugatuck

There was no further discussion on the item.

- C.** Discussion over use of property located at 909 Prospect Street.

Sue said she spoke with Ned regarding the property and their uses. Sue will be drafting a letter to send to Mr. Warren. He will be invited to the next meeting.

## **5. NEW BUSINESS**

- A.** Accept application, refer to Planning Commission, set public hearing for text amendments to Section 59, Section 23.1, Schedule A, Section 24.1, Schedule B of the Naugatuck Zoning Regulations, Applicant: Joseph Migani, Agent for the Borough of Naugatuck

Joe Migani, architect with O'Riordan & Migani, said they are going through the steps necessary in order to renovate the GDC building to housing, office space, retail convenience, art space and galleries. They would also like to put a surface parking lot on a portion of Parcel B. He said in order to do this they will need to revise Article 59 of the zoning regulations. Attorney Fitzpatrick explained the locations of Parcels A, B & C in relation to the project. He said there are many moving parts to this project. He explained that the train station may be moved in the future close to the GDC building. He said in order for the project to move forward the current zone of I-2 would have to be changed to allow for more uses. The SDD was written for this purpose. He explained that they would like to develop the downtown properties a piece at a time. Joe Migani explained the overall vision. He explained that the project will be done in phases. He said they spoke with Western CT State University, who just built a new performing arts center, and asked if they would like to be a part of what they are proposing. He said they are interested. Joe said they are hoping to have their first funding application in by June. He said the first phase would be the elevator service and one floor with between 40-45 units. He said there is a corporate entity interested in occupying the second floor. He explained the different loans and grants and the requirements that they must submit. He said they have had a very positive response from the NEDC, the Mayor, and the State of CT. April asked why Joe referenced market rate housing but yet has it crossed out in the proposed text change for section 59. Joe said there are many different types of housing. The funding source that they've chosen for the artists collaborative is income restricted housing. He said the occupants will be artists who will be required to have portfolios and they can't make more than a certain amount. There was a discussion over market rate housing. Joe described the type of artists that will be

living there. There was a discussion over low-income housing. The commission decided to hold discussion until the public hearing opens at the next meeting. The commission scheduled a site walk for February 7, 2015 at 10:00 AM. Sue will reach out to Ron Pugliese for access to the building.

**VOTED:** Unanimously on a motion by Sally Brouillet and seconded by Neil Mascola to **ACCEPT** the application, **REFER** it to the Planning Commission and **SET** a public hearing for February 18, 2015 at 6:15 P.M. for text amendments to Section 59, Section 23.1, Section 24.1, Schedule B of the Naugatuck Zoning Regulations.

- B.** Accept application, refer to Planning Commission, set public hearing for zone map change from I-1 to Special Development District (SDD) for Parcels A & B located at 6 Rubber Avenue and 0 Maple Street, Applicant: Joseph Migani, Agent for the Borough of Naugatuck

**VOTED:** Unanimously on a motion by Sally Brouillet and seconded by Neil Mascola to **ACCEPT** the application, **REFER** it to the Planning Commission and **SET** a public hearing for February 18, 2015 at 6:30 P.M. for zone map change from I-1 to Special Development District (SDD) for Parcels A & B located at 6 Rubber Avenue and 0 Maple Street.

- C.** Commission discussion/decision regarding modifications to site plan for 42-46 Prospect Street & 0 Golden Hill Street, Applicant: Remzi Nasufi

Steve Pustola, representing the applicant, showed the commission the old site plan and the new one and explained the changes. He said the basis for the changes was to eliminate the drive-thru. This will bring the retaining wall closer to the building and reduces the height of the retaining wall from 21' to about 15' high. Steve said instead of a donut shop the pizzeria will remain in that location. April asked why they are reducing the height of the wall. Steve said as the wall gets pushed further in the northern direction, you're cutting further into the hill. There was a discussion over the pizzeria and the number of parking spaces which would be required. It was explained that the same number of spaces would be required whether it was a donut shop or pizzeria. There was a discussion over the change in the wall material. Sue explained that the picture the commission was given was an example of a stucco finish over a concrete wall that had been done a few years ago. They were also shown pictures of what the applicant is proposing for wall materials. Kathleen clarified that what was approved on the previous plan were smaller blocks, not what the applicant is currently proposing. Sally asked why they are changing the wall material. Steve said the higher the wall, a geo-grid would be needed, which goes deep into the bank. As he lowers the wall, the less he would need to cut into the bank. April asked Wayne for his opinion on the height being changed. Wayne said the gravity blocks would work fine. There was a discussion over the stucco finish that the applicant would like to put over the gravity blocks. Kathleen asked what the reason was for not going with the donut shop. The applicant said they did not strike a deal with them. The commission asked again about reducing the height of the wall. Wayne said it makes sense to reduce the height and bring it closer to the building. He said they do make the large block with different faces on them rather than plain. Kathleen said she prefers the other style of wall for

aesthetic reasons. John Nasufi, the applicant, commented that the building is about 16' high and the wall will be lower than the building, so you won't see it. He said they can make the 8100 pound blocks whatever color they want. He said they can design whatever the commission would like. Neil said they are trying to do away with the block look. John said they will paint it. Neil questioned whether the sealant will fill in the cracks between the blocks so it will look a solid wall. An unidentified person in the audience said the cracks will be filled in and it will look like a solid wall. Kathleen said her experience is that over time stucco will crack. She said a pre-cast wall will be set in her personal opinion is that the longevity of it is greater. There was a discussion over fire department access to the back of the building. Attorney Fitzpatrick said if the commission deems that the changes are substantial, the commission can send this to a public hearing. However, if the commission deems that the revisions are modest, they do not have to send it to public hearing. He said the Fire Commission should review the new plan for modifications to the back of the building. Staff should also review the changes for compliance to the regulations. The applicant should get a copy of the agreement with the State of Connecticut for the strip of land for the file. Neil asked about the variances that are noted on the plan. Steve Pustola said that the variances are not affected by the site changes.

**VOTED:** Unanimously on a motion by Kathleen Donovan and seconded by Sally Brouillet to **ACCEPT** the new site plan application for 42-46 Prospect St & 0 Golden Hill Ct and continue to the February 18, 2015 meeting.

The commission recessed at 7:47 P.M.

The commission reconvened at 7:55 P.M.

- D.** Commission discussion/decision regarding fee waivers for temporary sign permits for non-profits, schools & churches.

Sue explained that she had a request by the Naugatuck YMCA to put up temporary signs for their 120<sup>th</sup> anniversary. They will follow the regulations for temporary signs. Sue wondered if the sign fees could be waived for schools, non-profits and churches for temporary signs. There was a discussion over whether or not the state fee must be paid regardless of if the administrative fee were paid. Bill asked if the zoning commission could waive fees. There was a discussion over where the fees go. Sue will find out if the zoning commission has the authority to waive fees. She will also clarify the wording for non-profits. Kathleen asked if the YMCA pays taxes. Sue will find that answer also. This will stay on the agenda for the next meeting.

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

There were no new items.

- 6.** Chairman Report  
There was none.

7. ZEO Report

Sue told the commission about a land use workshop on March 21<sup>st</sup> at Wesleyan. She had been told that it is a very informative day.

8. Public Comment

Attorney Fitzpatrick noted that the commission should set performance bonds for public improvements on site plans such as sidewalks, landscaping, etc. The approvals can be with the condition that the bond will be set by the Borough Engineer.

9. Adjournment

**VOTED:** Unanimously on a motion by Kathleen Donovan and seconded by April Slauson to **ADJOURN** the meeting at 9:20 PM.

RESPECTFULLY SUBMITTED:

April Slauson, Secretary/sg