

**ZONING COMMISSION
PUBLIC HEARINGS
June 17, 2015**

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

MEMBERS:

William Stopper, Chair
Sally Brouillet, Vice Chair
April Slauson, Secretary
Richard Cool
Kathleen Donovan – left at 8:50 p.m.
Matthew DeBarber, Alternate
Neil Mascola, Alternate
Wendyann Fowler, Alternate

OTHERS:

Wayne Zirolli, Borough Engineer
Sue Goggin, Town Planner, ZEO, WEO
Lori Rotella, Assistant ZEO
Public - 35

6:15 P.M. PUBLIC HEARING- for proposed text amendments to allow for the creation of the Prospect Street Design District and a zone change to the current zoning map for properties along Prospect Street, Applicant: Borough of Naugatuck. **No time restrictions because it is a Borough initiated zone change.**

William Stopper explained the zone change is being done in accordance with our 2013 Plan of Conservation and Development.

Susan Goggin noted for the record, we have copies of the original plan and copies of the proposed suggested revisions to the original plan for the public to take. None of the revisions are set in stone and that is the purpose for the Public Hearing to discuss the changes.

Kathleen Donovan asked for confirmation that the text amendment changes would not change current property's existing uses.

William Stopper explained that the draft already went through two revisions. The Planning and Zoning Commissions held a joint workshop on Monday, June 15 to discuss the plan.

Carol Gould with Fitzgerald & Halliday, planning consultants to the Borough, explained how the Prospect Street Design District (PSDD) came about. Carol spoke about the discussion the Economic Development Commission (EDC) had concerning what would happen with Prospect Street School and the opportunities for reusing the school. The EDC recognized the current zoning of the school limited what opportunities the Borough would have to reuse the building. The 2013 Plan of Conservation and Development had made a recommendation to rezone the corridor along Prospect Street. The purpose was to encourage new development and redevelopment that supports the formation of a mixed use environment of commercial and residential uses along Prospect Street. They wanted to create a more welcoming corridor with more flexible uses. They also created a series of design guidelines to help frame the character of the corridor. Carol went over the permitted uses and confirmed the current uses would still be allowed within the Special Design District. The current zones ranged from R8 – B1. After meeting with the commissions they decided to include B2. She also explained they are trying to make it less burdensome.

William Stopper asked for the public's comments:

Paul DeGennaro, Miller Drive – has concern with current traffic situation on Prospect St and will they be addressing this issue.

Debbie Childs, Endogen Street – has concern with traffic, last 12 years there have been 5 accidents. It is very difficult to get out of her street onto Prospect St. The traffic is backed up every day at rush hour.

Bill Tripp, Stanley Street – concerned with the traffic and the speed of the cars. He was one of the crossing guards that got hit on Prospect Street. He believes Prospect Street will be worse than Rubber Avenue. You cannot get out of side streets onto Prospect Street. There needs to be a traffic study done.

Rocky Vitale, 180 East Waterbury Road – will there be a traffic study done and if so, will the results affect us in any way? If someone purchases a house in the design district area, will they be able to do whatever they want with that track of land, once they buy it, ex industrial, residential, etc?

William Stopper – they will be able to do whatever the regulations say within the guidelines.

Carol Gould – the traffic study is not required for the zone change but it will be required for a special permit application.

Rocky Vitale – requests if the zone change goes through, he would like to request one of the requirements be to have a traffic study done and go before the Police Commission.

Attorney Fitzpatrick – confirmed that a special permit automatically is referred to the Police Commission. They do a traffic analysis. Route 68 is a state highway and the DOT determines the level of service, where to put the drive way, entry and exits, what is restrictive, etc. The Police Commission is an advisory commission to the DOT.

Phoebe Drown, 439 Prospect Street – have they taken into consideration the brook?

William Stopper – the brook is protected by the Wetlands Commission

Kevin Tulp, Wooster Street – concerned with light manufacturing and heavy trucks on Wooster Street. Doesn't know how the street can handle more traffic. He is concerned about their property values. He thinks the heavy trucks are using Wooster Street to bypass traffic on Prospect Street. He would rather see downtown re-developed instead.

James Warren, Prospect Street – he has an approved PDD11 and wants to know why they are changing his to the new district zone change?

Richard Cool – will current properties be grandfathered in?

Carol Gould – the commission has not made any decisions yet if properties are grandfathered in or not. This particular property was part of the discussion in Monday night's joint workshop.

William Stopper – the zone change is still in the draft stage.

James Warren – is not in favor of zone change. He spent \$250,000 over past 7 years to get his PDD11 approved. He is not happy he found out by a registered letter of his possible zone change.

Attorney Fitzpatrick – the commission is proposing properties fronting on Prospect Street be changed to PSDD similar to the Rubber Avenue Design District and New Haven Road Design District. No decision yet. The public hearing is one of the steps to make changes, modify proposal or reject proposal. There will not be a decision tonight.

James Warren – why are other properties in the area not being changed and his will be? He does not want his property changed from his current I-2, PDD11, industrial zone.

Crystal Hafford, 119 Prospect Street – has a concern with the pollution and all of the trash that gets thrown on her property from people driving on Prospect Street. She believes a zone change will increase traffic.

Roland Desrosiers, Land Surveyor and Land Use Planner, Surveying in Naugatuck for 41 years and office at 491 N. Main Street, Naugatuck. Roland has a few questions for the

board for the record: Since the change is going to the Prospect Town line, have we gotten any correspondence from the Town of Prospect? Are we still doing things with the Consult of Governments? Was it referred to them, do we have a report from them and has it been read into the record? He has been involved in numerous zone changes in the town. He wants to state for the record, we've been to hearings like this, you do the public hearing to tell everybody what is going on, you take our comments and then do what you want anyway. It affects a lot of people in the present and the future. He is not opposed to changes. He does not believe this consultant firm has looked at everything and how this change will affect everybody's property. He believes there is a conflict in the proposed changes. He doesn't think the zoning commission can change the zone of any PDD already in existence. Roland also has concern with what the Borough is paying the consulting firm. He believes this should be public knowledge.

Joe Oldakowski and Dennis Oldakowski, co-owners of 576 Prospect Street, currently being used as Avenue Auto Body, wanted to thank Susan Goggin for being very responsive to him and his brother's emails. They want to thank commission for taking out auto repair and auto body shop as not be permitted. They are currently zoned B-2 will that be staying?

William Stopper – yes, after the joint workshop, they will be adding in the B-2 zone.

Pat Scully, member of the Board of Burgess and property owner of 21 Lines Hill Street, 236 Prospect Street and 0 Prospect Street – How much is this study costing? He explains all of the current uses on Prospect Street. He believes there is already enough business on this street and doesn't need anymore. This street is mostly residential. He read in the newspaper that the main reason for the change is for Prospect Street School. He believes the chairman of the EDC should have been here tonight to explain this change. This change did not come from the Borough Board. Why are we not looking at North Main Street in Union City, which is already a business district.

Carol Gould – this area (Prospect Street) was raised by the Borough Board and was consistent with the 2013 Plan of Conservation and Development and did include the site of Prospect Street School.

Attorney Fitzpatrick – customarily zone change requests come from staff. Staff was involved with preparing proposed changes consistent with the 2013 Plan of Conservation and Development, which has been adopted. Staff met with the NEDC. The Borough had Land Use Consultants to help with this issue and other projects.

Pat Scully – doesn't want Prospect Street changed when half the stores on North Main and downtown are empty. Can't we just change the zone on Prospect Street School and leave the rest of the street alone.

Attorney Fitzpatrick – North Main Street is already a B-2 zone.

Kathleen Donovan – would like to invite NEDC Chair to the next public hearing.

William Stopper – this Public Hearing will be continued to July 15, 2015 at 7:00 p.m.

Susan Goggin – there will not be notices going out but there will be a posted agenda.

Kristan Tulp, 274 Wooster Street – wanted to confirm the continued Public Hearing will be held in the same place as this one.

Jim Scully, 195 Wooster Street, and owns property of 244 Prospect Street – thinks the part of making this a walkway is not possible. Between Lines Hill and the Glass Company can't put a sidewalk in, never mind a walkway. Concerned that the State of Connecticut sends heavy duty, long length trucks on Rt 68 because they cannot go on the mix master (Rt 8 & 84). Has anyone asked the State if they plan on widening the road? Does this zone change mean their taxes will increase?

Attorney Fitzpatrick – there is no basis for the assessor’s office to change the current assessments on properties due to a zone change. Only change taxes upon error or upon re-evaluation. Next scheduled re-evaluation is 2017.

Marty Warren owns several pieces of property. He is not against development. He said industrial park has plenty of vacant buildings and so does Union City. He also has a concern with the traffic. Fill up the empty buildings first.

Mike Regan, 966 Prospect Street – also concerned with traffic in the last 4-5 years, he says it is intolerable. Question to commission – would you want to live on this road with more traffic, more commercial and more industrial properties?

Anthony Green – believes there are plenty of other places to develop in town.

Anabella Pinto – parents live on 73 Prospect Street also concerned with traffic and accidents. It is very difficult to get in and out of their driveway.

Kevin Tulp – could EDC contact landlords of the empty storefronts on North Main and Church Street and have town help them get occupants for those buildings.

Richard Cool – EDC is lobbying for business to come to Naugatuck, not successful yet.

Kevin Tulp – feels the public’s opinion doesn’t matter.

Richard Cool – everybody’s opinion matters, that is the reason for tonight’s public hearing.

Roland Desrosiers – feels because town is initializing this zone change, they do not have the same time constraints as the public applicants. He would like the public’s comments made tonight taken into consideration when voting. Roland would like to see the final product that is going to be voted on.

Susan Goggin – Sue will put revisions on the Borough website on the home page.

James Warren – has the commission brought any of the maps to the DOT? Route 68 is designated as a heavy haul road by the State of CT. Anyone weighing over 80,000 lbs has to get off of Routes 8 and 84 and go up Route 68. He believes we need to follow protocol and have DOT approval first before any zone change is made.

Richard Cool – reiterated, this is the first process.

Kathleen Donovan – can this design plan be submitted to the DOT for submission and review and comment.

Attorney Fitzpatrick – staff can send a referral to DOT and seek their opinion and he asked the consultant to seek any current study analysis the DOT has done. That information will be made available, hopefully for the next public hearing. DOT may not give us an opinion.

Carol Gould – they will be double checking to see if their design layout is consistent with the State’s design standards.

Wayne Zirolli, Borough Engineer - regarding the letter that will be read into the record, this has been submitted to COG, which is our representative to the State. They have endorsements from the State. They did give us a referral.

Anthony Green – needs to do something to eliminate the traffic.

William Stopper – for the third and last time, is there any additional comments from the public for this proposed change?

Pat Scully, 21 Lines Hill – will the traffic study be back by the July 15th meeting? Can this be published in paper?

Susan Goggin – Public can call Land Use Office to find out if most recent traffic evaluation has been obtained.

William Stopper asked if there were any more comments or questions from the public.

William read a couple of letters into the record, a Staff Referral Report and 2 letters from residents unable to attend - David and Michele Zychowski, 86 Whitney Place and Ferro Development LLC, 360 Prospect Street.

Public Hearing continued until July 15, 2015 at 7:00 p.m.

William Stopper called for a 10 minute break at 8:10 p.m. until 8:20 p.m.

6:30 P.M. CONTINUED PUBLIC HEARING- for special permit application for proposed artist housing, retail, and commercial uses at the former GDC building located at 6 Rubber Avenue, Applicant: Borough of Naugatuck, Joseph Migani, Agent. **Public hearing opened 5/20/15; must close by 6/24/15 unless extension granted by applicant; decision must be made by 8/28/15.**

William Stopper read Joe Magani's letter into the record requesting the Public Hearing be continued. Public Hearing continued until July 15, 2015 at 6:30 p.m.

6:45 P.M. CONTINUED PUBLIC HEARING- for amendments to Sections 24 and 25 of the Naugatuck Zoning Regulations regarding pools and decks, Applicant: Borough of Naugatuck. **No time restrictions because it is a Borough initiated zone change.**

Susan Goggin explained current regulation regarding pool location on a property. There were no public comments. Closed Public Hearing with no action taken.

Susan Goggin also explained to the commission that an effective date was not set last month regarding sheds and garages. They will set the date as of June 17, 2015.

**NAUGATUCK ZONING COMMISSION
REGULAR MEETING
June 17, 2015**

William Stopper opened the meeting with the following in attendance:

MEMBERS:

William Stopper, Chair
Sally Brouillet, Vice Chair
April Slauson, Secretary
Kathy Donovan – left at 8:50 p.m.
Richard Cool
Matthew DeBarber, Alternate
Neil Mascola, Alternate
Wendyann Fowler, Alternate

OTHERS:

Wayne Zirolli, Borough Engineer
Sue Goggin
Lori Rotella
Public - 35

1. At 6:20 p.m., Bill Stopper opened the meeting with the Pledge of Allegiance and then took attendance and noted there was a quorum, no Alternates were needed.
2. Executive session with the Borough Attorney and the Zoning Commission. There was no executive session.
3. Approval of the May 20, 2015 Public Hearing and Meeting Minutes. The secretary will sign previously approved minutes as amended.

VOTED: Unanimously on a motion by Kathy Donovan and seconded by Sally Brouillet to accept the May 20, 2015 Public Hearing and Meeting Minutes.

4. **OLD BUSINESS:**

- A. Commission discussion/decision for proposed text amendments to allow for the creation of the Prospect Street Design District and a zone change to the current zoning map for properties along Prospect Street, Applicant: Borough of Naugatuck

No additional comments or questions from the commission.

- B. Commission discussion/decision regarding the special permit application for proposed artist housing, retail and commercial uses at the former GDC building located at 6 Rubber Avenue and 0 Maple Street, Applicant: Borough of Naugatuck, Joseph Migani, Agent

No comments, the Public Hearing was extended until July 15, 2015 at 6:30 p.m.

- C. Commission discussion/decision regarding amendments to Sections 24 & 25 of the Naugatuck Zoning Regulations regarding pools and decks, Applicant: Borough of Naugatuck

This item will come off the agenda.

- D.** Commission discussion/decision regarding request for extension to PDD#11 located at 909 Prospect Street, Applicant: Fulling Mill Development, James Warren, Agent

James Warren, Fulling Mills Development Corp. explained there was a problem with the original bridge design based on the soil conditions along the brook. The Wetlands Commission approved the new design. James explained the time frame for the bridge to be built and how long it will take to install bridge. The Wetlands would like the project to be done prior to the wet season in the fall. James went over his future plans for the property once the bridge is installed. Attorney Fitzpatrick explained to the commission the regulations for an extension to a PDD. Public Hearing scheduled for July 15, 2015 at 6:45 p.m.

5. NEW BUSINESS

- A.** Accept application, refer to planning commission, set public hearing for special permit application for Lot 18 and Lot 30 Raytkwich Road for proposed development, Applicant: A Better Way Auto

VOTED: Unanimously on a motion by April Slauson and seconded by Sally Brouillet to accept the special permit application and forward to the planning commission. A Public Hearing was set for August 19, 2015 at 6:15 P.M.

- B.** Commission discussion/decision regarding certificate of approval of location for motor vehicle dealer or repairer's license for property located at 49 Raytkwich Road and Lots 18 & 30 Raytkwich Road, Applicant: A Better Way Auto

Attorney McSherry explained the process needed for A Better Way to move up to the industrial park from their current location in the old Risdon property. They need to send an application to motor vehicle in order to conduct business in the industrial park.

VOTED: Unanimously on a motion by Sally Brouillet and seconded by Richard Cool to authorize ZEO Susan Goggin to sign DMV Form K-7 for certificate of approval of location for motor vehicle dealer or repairer's license for property located at Lots 18 & 30 Raytkwich Road and 49 Raytkwich Road.

- C.** Accept application, refer to planning commission, set public hearing for special permit application for proposed construction of 17,100 square foot building at 1188 New Haven Road, Applicant: Haynes Development

VOTED: Unanimously on a motion by Sally Brouillet and seconded by April Slauson to accept the application for proposed construction of 17,100 square foot building at 1188 New Haven Road, refer to the planning commission and to set the Public Hearing for August 19, 2015 at 6:30 p.m.

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

VOTED: Unanimously on a motion by April Slauson and seconded by Richard Cool to add 265 City Hill Street Property to the June 17, 2015 agenda.

- E.** Sandy Ridge, 265 City Hill Street, Applicant: Naugatuck Valley Savings and Loan (NVSL)

Attorney McSherry is representing NVSL. They are looking to remove the over 55 restriction on the property in order to be able to market the 5 remaining units left to be built. Attorney McSherry confirmed they will build the free standing condos as previously approved and only 5 units. The only change would be removing the age restriction with the approval of all 3 current owners in the complex. He already has approval from 2 owners, the third is currently away.

VOTED: Unanimously on a motion by April Slauson and seconded by Richard Cool to approve the removal of the age restriction requirement at 265 City Hill Street conditioned upon the owner (NVSL) providing 3 signed waivers from all current owners.

- F. VOTED:** Unanimously on a motion by Richard Cool and seconded by Sally Brouillet to add to the agenda a discussion on the Borough's Ordinance for alcohol consumption on Borough sidewalks.

Susan Goggin explained Tequila Grill requested Sue to sign a patio extension permit though the State's Liquor Commission to allow alcohol consumption outside. This is currently not allowed through the Borough Ordinances. Attorney Fitzpatrick thought this request should come from the Zoning Commission to the Board of Mayor and Burgesses. There would be restrictions in order to maintain safety. An insurance rider would have to be in place. The Commission agreed to send a positive referral to the Board of Mayor and Burgesses to allow for alcohol consumption of Borough sidewalks.

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 April Slauson and seconded by Richard Cool to adjourn the meeting at 9:30 P.M.

RESPECTFULLY SUBMITTED:

April Slauson, Secretary/lr