

**ZONING COMMISSION
PUBLIC HEARINGS
November 18, 2015**

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

MEMBERS:

William Stopper, Chair
April Slauson, Secretary
Richard Cool
Neil Mascola
Wendyann Fowler, Alternate
Matthew DeBarber, Alternate - absent

OTHERS:

Sue Goggin, Town Planner, ZEO, WEO
Lori Rotella, Assistant ZEO
Wayne Zirolli, Borough Engineer
Public - 1

6:15 P.M. - PUBLIC HEARING: for proposed text change to Section 44 of the Naugatuck Zoning Regulations, Applicant: Borough of Naugatuck

Susan Goggin sent out revised regulations based on the measurements taken of the sidewalks on Church Street. The revision calls for a 5 foot walking path instead of the original 4 feet. Sue informed the commission that we do not have a referral from the Planning Commission as of yet. The Zoning Commission discussed some of their concerns and requested that Susan review the regulations in other area towns to see how their regulations are written. William Stopper asked if there was any public comment. There was none.

Public Hearing continued until December 16, 2016 at 7:00 P.M.

6:30 P.M. PUBLIC HEARING: for proposed zone change from I-1 & I-2 to B-1 for property at 195 Water Street, Applicant: Naugatuck Train Station, LLC.

Attorney Michael McVerry, 35 Porter Avenue, Naugatuck and Carlos Santos, one of the Principals of Naugatuck Train Station, LLC, explained to the commission the reason they are seeking a zone change at 195 Water Street which is 2.37 acres. They are proposing a change to a B-1 zone which allows for restaurants and other food and beverage service establishments. Attorney McVerry summarized why it was originally zoned industrial. A change to a B-1 zone will also fit in with the POCD, which encourages development of downtown. He also noted that the Planning Commission gave a favorable referral at a Special Meeting on November 17, 2015. There was no further discussion from the commission. William Stopper asked for any public comments. There was none. William closed the public hearing.

6:45 P.M. CONTINUED PUBLIC HEARING for special permit application for proposed auto park on Lots 18 & 30 Raytkwich Road, Applicant: A Better Way Auto, LLC. **Public hearing opened 8/19/2015; extension granted to the 11/26/2015 meeting – no more extension allowed; decision must be made by 1/30/2016.**

Attorney Kevin McSherry, 38 Fairview Avenue, Naugatuck noted he has nothing new to add at this time. He requested to continue the public hearing until 11/30/2015. Public

hearing is set to expire on 11/26/2015 but due to the holiday, it can be continued until the next business day which is 11/30/2015. The extension will give the applicant time to address any comments from Roman Mrozinski with Southwest Conservation and the Inland Wetlands Commission. Susan will provide the revised plans to the commission as soon as she receives them. William Stopper asked if the applicant is addressing the parking lot issues. Attorney McSherry summarized for the commission the area of the conservation easement on the southerly side of the parking area and they will be asking to keep the parking as is on the northerly side. They will be referring to a soil scientist to see if this is actually needed. The Inland Wetlands Commission is waiting on a report from Southwest Conservation before making further comments.

Public Hearing continued until Special Meeting on November 30, 2015 at 6:00 P.M.

**NAUGATUCK ZONING COMMISSION
REGULAR MEETING
November 18, 2015**

William Stopper opened the meeting with the following in attendance:

MEMBERS:

William Stopper, Chair
April Slauson, Secretary
Richard Cool
Neil Mascola
Wendyann Fowler, Alternate - absent
Matthew DeBarber, Alternate - absent

OTHERS:

Sue Goggin, Town Planner, ZEO, WEO
Lori Rotella, Assistant ZEO
Wayne Zirolli, Borough Engineer
Public - 1

1. At 6:06 p.m., William Stopper opened the meeting with the Pledge of Allegiance and then took attendance and noted there was a quorum.

Wendyann Fowler was made a regular voting member for the vacant position.

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

There was no executive session.

3. Approval of the October 21, 2015 Public Hearing and Meeting Minutes. The secretary will sign previously approved minutes as written.

The commission did not vote on the October 21, 2015 Minutes. They will review and vote on them at the December 16, 2015 meeting.

4. **OLD BUSINESS:**

- A. Commission discussion/decision for proposed text amendments to allow for the creation of Prospect Street Design District and a zone change to the current zoning map for properties along Prospect Street, Applicant: Borough of Naugatuck. **Public hearing continued to 1/20/16 at 6:15 p.m.**

There was no discussion.

- B. Commission discussion/decision regarding special permit application for proposed auto park on Lots 18 & 30 Raytkwich Road, Applicant: A Better Way Auto, LLC

There was no discussion.

- C. Commission discussion/decision regarding proposed zone change from I-1 & I-2 to B-1 for property at 195 Water Street, Applicant: Naugatuck Train Station, LLC

VOTED: Unanimously on a motion by April Slauson and seconded by Neil Mascola to **APPROVE** the zone change from I-1 & I-2 to B-1 for property at 195 Water Street, Applicant: Naugatuck Train Station, LLC

5. **NEW BUSINESS**

- A. Accept application, refer to planning commission, set public hearing for proposed open space recreation field at Apple Hill Estates, Applicant: Borough of Naugatuck

VOTED: Unanimously on a motion by Richard Cool and seconded by April Slauson to **ACCEPT** the application, **REFER** it to the planning commission and to **SET** a Public Hearing for December 16, 2015 at 6:15 p.m. for proposed open space recreation field at Apple Hill Estates, Applicant: Borough of Naugatuck.

- B. Commission discussion/decision regarding special permit for Fox Hollow Adult Community, Mill Street

Susan Goggin explained to the commission that Attorney Fitzpatrick, Borough Attorney, had a conflict with schedule for tonight's meeting. Attorney Fitzpatrick, Susan Goggin and Wayne Zirolli will be meeting with the home owners next week. Susan will report back to the commission at the December 16, 2016 meeting the outcome of that meeting. Susan also brought the commission up to date on this development. The developer stopped building due to the economy. His special permit is set to expire in December 2015. There is still bond money left. There are currently 5 units in the development – 3 sold and 2 rented.

- C. Accept application, refer to planning commission, set public hearing for special permit for proposed daycare at 202 Water Street, Applicant: Susan Gallagher/Spark, LLC.

Attorney Kevin McSherry, 28 Fairview Avenue, Naugatuck and Susan Gallagher submitted a special permit application with several waivers and is here to explain why this should be a change of use instead of a special permit. Attorney McVerry explained after receiving the title search back he discovered that in 1985 the property was granted a variance for a 1 bedroom apartment and office building. They are proposing to use this property as a commercial use which would make this property more conforming. He also explained that there will be no changes to the outside of the building, only on the inside. The day care will be open from 6:30 a.m. – 6:30 p.m. The children will be dropped off in shifts and then picked up sporadically throughout the day. This will be used for younger children. The doctor's office will remain in the other part of building. For that reason, he believes this should be a change of use.

VOTED: Unanimously on a motion by Wendyann Fowler and seconded by Neil Mascola to **ALLOW** for the change of use for 202 Water Street, Applicant: Susan Gallagher/Spark, LLC.

- D.** Ratify change of use application for dental and medical clinic at 30 Church Street.

Susan Goggin explained to the commission the current use of this location is a Church and they would like to make a dental and medical clinic in the unit on the left. There will be no changes to the outside of the building.

VOTED: Unanimously on a motion by April Slauson and seconded by Neil Mascola to **RATIFY** the change of use application for dental and medical clinic located at 30 Church Street.

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

VOTED: Unanimously on a motion by April Slauson and seconded by Neil Mascola to **add** to the agenda the discussion of the text change for Borough Regulation 59.2 requirements for an area to qualify as an SDD#1 zone.

April Slauson asked the chair to add an item to the agenda regarding Section 59.2 of the Regulations to have the wording revised to the original wording prior to Art Space. It currently reads "An SDD#1 zone shall have a significant mixed-use component and such mixed-use components shall include a balance of development consisting of **housing** and retail (inclusive of merchandise marts) April is requesting the wording change back to the original working of **market rate housing**. The commission had a discussion as to why it was changed and now that Art 6 is no longer going forward, should it be changed back. William Stopper would like to get the Borough attorney to review the request and let the commission know how to proceed.

VOTED: Unanimously on a motion by Neil Mascola and seconded by Wendyann Fowler to **REFER** the proposed text change of Section 59.2 to the Planning Commission and **SET** the Public Hearing for December 16, 2015 at 6:45 p.m.

6. Chairman Report

There was none.

7. ZEO Report

Susan Goggin noted for the record the HZM's applications for the earth excavation and the proposed building has been withdrawn. No new application has been submitted as of yet.

8. Public Comment

Susan Goggin read a letter from Jim Miele dated November 9, 2015 into the record. Jim Miele takes care of the area across from the Tuttle Building. Jim would like to see a central location for all signs. There has been discussion about the Town

Green, but that property is owned by St. Michael's Church. Susan Goggin explained that signs are allowed with a temporary permit. It is still unclear who has authority to allow signs to be put up on Borough property. Jim Miele also suggested having the signs put up across the street from Al's Hot Dog. Susan will try and talk to the new mayor to see if he has any suggestions. She will also contact Prospect's ZEO to see how they handle their signs.

9. Adjournment

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

RESPECTFULLY SUBMITTED:

April Slauson, Secretary/lr