

**ZONING COMMISSION  
PUBLIC HEARINGS  
July 15, 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 – 6:18 p.m.  
Kathleen Donovan – absent  
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 - 15

**6:15 P.M. PUBLIC HEARING:** for proposed zone change from R-15 to B-1 for property located at 100 School Street, Applicant: Polish Falcons/Crystal Room. **Public hearing opens 7/15/15; must close by 8/19/15; decision must be made by 10/23/15.**

Michael McVerry, an attorney with an office at 35 Porter Avenue, Naugatuck on behalf of the Crystal Room, LLC and the Polish Falcons 65 United – presented the commission with an affidavit of mailing and copy of certified letters sent to 98 property owners within 500 feet of the property. The Crystal Room / Polish Falcons located at 100 School Street, with an 11.4 acre parcel, is seeking a zone change. The property was built in 1950 and has been on site in one form or another since 1950. Zoning came into play in Naugatuck in 1958. Attorney McVerry had several older maps showing the different zones dating back to 1936. When zoning was implemented this property was located in a business zone. It appeared that when zoning came into place, they took existing uses and put those zones on those uses. There was business, residential and rural. Attorney McVerry gave a history of revisions to the zoning map through the years. In 1971 the zoning map indicates the property is zoned I-2. In 2005 this area was still zoned I-2. In 2013 this commission rezoned this area to the current configuration of R-15 as a result of the latest Plan of Conservation and Development. Mr. DeCampos, Principal of the Crystal Room, came to talk to Attorney McVerry approximately 1 year ago to discuss an addition to the property of a non-denominational wedding chapel in the rear of the property. In accordance with regulations Section 51.4 the Zoning Board of Appeals does not allow for this and they could not acquire a variance. The best way to handle this is a zone change. They felt a B-1 zone would be the least intrusive of uses. Many of the uses in the B-1 zone are already allowed in the R-15 zone. They did receive a positive referral from the Planning Commission on July 6, 2015. The property is located in the middle of mixed uses.

William Stopper asked if the zone is changed to B-1 and the Crystal Room closes, what could go in then?

Neil Mascola asked if the little factory was still on School Street. Someone replied yes but no longer in use.

April Slauson asked what the applicant's plans were.

Attorney McVerry explained his initial plans were to build a non-denomination chapel in the rear of the property.

Sally Brouillet asked for a rendering of what is going there.

Attorney McVerry replied they are not there yet. This is just the initial step of several steps if the commission sees fit to grant the application.

Susan Goggin submitted to the record the Planning Commission's positive referral for the zone change.

William Stopper is concerned with what can go into the location if the property closes.

Attorney McVerry went over some of the uses and that most would require a special permit.

Susan Goggin wants to research a little more how this zone change to R-15 came about in 2013.

William Stopper asked the public if they had any comments or questions:

Angela Rovinelli – 109 School Street, lives directly down from the Crystal Room.

Angela looked up that in 1983 it became the Crystal Room. Angela went around the neighborhood and took a poll and has a list of over 30 names, property owners and some residents who are opposed to the business change. The business has been in existence through the RA-1 through R-15 for several years. They do not object to the business as say. They do not object to having a church, but they do object to the zone change for fear if the business goes under, what would go there. The current business has changed hands many times. She would like to keep the R-15 zone since it is a tiny neighborhood. More traffic with a different type of business would harm their neighborhood. Let them build their church but leave the zone alone.

Holly Major – 137 School Street, a resident for 22 years is happy to have the Crystal Room there. She has no problem with the church being there. She wants to keep the area residential.

Harvel Brooks – 150 School Street, he agrees with his two neighbors that just spoke.

They love what is going on there now. The neighborhood is already too small. It is a dead end street. He would like to see the neighborhood remain as it is now.

William Stopper – asked Attorney McVerry if the change was for a chapel only and an extension to the building?

Attorney McVerry – explained that at this point, the applicant is planning on building only a non-denominational chapel in the back, not a church. The commission and Attorney McVerry discussed the difference between a church and a chapel and what is allowed. Currently there is a gazebo there.

Harvel Brooks – also concerned if the business grows there will be more noise.

Debra Mackin – 125 School Street, does not want zone changed because she believes her taxes will go up and she is already under water.

Chester Walkuski – 113 School Street Ext., felt notice was received very late and did not give the neighbors enough time to discuss this. Received notice on July 6, 2015. He was also concerned if the zone change went through, one side of street would be B-1 zone and the other side would be residential.

The commission does not feel comfortable voting on this tonight. They would like to do a site walk. William Stopper would like the commission to review the application further and the various options made available by changing the zone to B-1. A site walk is scheduled for Wednesday, July 22, 2015 at 6:30 P.M. Continue the Public Hearing to 8/19/2015 at 7:00 P.M.

William Stopper asked for a 5 minute recess.

Recess at 7:00 P.M.

Reconvene at 7:05 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.**

Joe Migani – stated he has been continuing to working on the Art 6 initiative through the processes. Last week he received a favorable referral from the Inland Wetlands commission. Previously he received a favorable referral from all of the other commissions. Last Tuesday night he received his favorable referral and then on Wednesday he was advised by Mayor Mezzo that the option for Art 6 had not been renewed. Joe is not sure what status this creates for him to pursue this application. He is here tonight to ask for an extension until that decision can be finalized as to whether or not the option for Art 6 in the General DataComm warehouse is in effect or not in effect. If it is, he will continue with the funding phase which can take approximately a year to a year and a half. If it is not renewed, then he will withdraw his application. He is not aware of any formal vote or discussion by the NEDC or the Board of Burgesses recording this decision. As it stands, he had an extension last month with a hearing closing by the 29th and a final decision by the 10<sup>th</sup> and is requesting another month extension. He believes he has satisfied all of the review requirements. William Stopper stated we have not received any official notification of the cancellation of the application. April Slauson wants to know how you grant an extension of something that has not been renewed. Susan Goggin said we have not received anything that the option has expired. April Slauson asked if the Mayor said anything else besides it is not renewed. The commission and Sue Goggin went over the rules of requesting an extension. Joe Migani officially requested an extension. Sue Goggin asked Joe Magini to put it in writing. William Stopper asked the public for comments or questions. There was none. Ron Pugliese, president and CEO of the Naugatuck Economic Corporation, wants to correct something Mr. Magani said. He explained that the option for Art 6 has expired and is very clear that it is expired. Joe suggested he would like an extension. The position that the NEDC and the Board of Mayor and Burgesses took is the initial option has expired. No action was required by the NEDC and the Board of Mayor and Burgesses because the initial option has expired. There will be no further option. William Stopper said the commission was not privy to the dates and time frames. Ron said he personally and the NEDC have the greatest respect for Mr. Migani and for all his efforts he put into this project. It was an immense project but the funding is not there. The NEDC is moving on and has other ideas for that project. The NECD will come to the commission when the time is appropriate. William Stopper stated the only thing the commission did was extend the Public Hearing for one month. April Slauson asked is it definite there is no funding for this project. The Public Hearing was continued until August 19, 2015.

**6:45 P.M. CONTINUED PUBLIC HEARING-** for request to grant a one year extension for PDD#11 at 909 Prospect Street, Applicant: Fulling Mills Development, LLC.

James Warren, Fulling Mills Development Corp. – explained to commission he had to redesign the bridge crossing. After removing 30-40 thousand yards of materials which James provided Wayne Zirolli with all of this information and had Susan Goggin and Wayne out to the site to see where the bridge cuts would be going, he found out that the soils were not from this site but brought in from various locations. O & G Quarry at the

end of the road, dumped their silt here, close to the brook area. After the soils were removed and the test borings were done from the first bridge company, they found out that the ground was unstable and would not support the original bridge design. The test borings were done on January 27, 2015. He then received approval from the Wetlands Commission after doing new engineering and working with Wayne to come up with a new design. The Wetlands approval was received in May 2015. James had Lane Industries design a new bridge. The plans were then sent to Wayne and James's engineers for approval. He is ready to place the order, but needs an extension first. Sally Brouillet asked Wayne Zirolli if he has inspected everything. Wayne explained that he did inspect the area. Mr. Warrens engineer submitted new calculations. Inland Wetlands reviewed the new design and approved also, along with James' engineers. James explained once the bridge is ordered, it will take approximately 6 weeks to receive it and 6-8 weeks to construct it. From the date the bridge is installed to the time vehicular traffic goes over the bridge is probably 6 – 8 months total. William Stopper asked James what is the next phase after the bridge goes in? He has a little bit more grading to do for the first phase and has some trees to be planted and then he will have to send registered letters to area home owners to test their water, free of charge, for a water sample and to give them a yield on how many gallons a minute they are getting. There were no public comments.

**VOTED:** Unanimously on a motion by April Slauson and seconded by Neil Mascola to **GRANT** a one year extension for PDD#11 at 909 Prospect Street, Applicant: Fulling Mills Development, LLC.

Mr. Warren stated he will order the bridge immediately.

**7:00 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.**

Susan Goggin asked the commission if they received revised regulations.

William Stopper confirmed that they did receive them. He asked if anyone had any comments

April Slauson made comment about the traffic study. She felt it did not shed any light and would like an updated one to be done. Neil Mascola felt the same.

William Stopper noted there were quite a bit of changes and additions made.

April had a question on #4, design review. April wants to know why the Zoning Commission was not included. It mentions Land Use, Borough Engineer, etc.

Susan Goggin explained those were the additional advisory board reviews, the Zoning Commission is the Board.

April mentions it does not say that it will be reviewed by the Zoning Commission and would like that added to the list of commissions who will be reviewing.

Susan Goggin added that the Zoning Commission does review through the Special Permit and Site Plan process.

April Slauson also had a comment on the last page regarding waivers, needs to be changed to read a minimum from 4/5 to 3/5.

Francisco Gomes explained the idea of 4/5 majority is to hold a waiver to a higher bar. The lower the threshold is, the easier to grant waivers.

Francisco Gomes with Fitzgerald & Halliday, consulting planners for the Borough, assisted in drafting the zoning guidelines for Prospect Street Design District (PSDD).

April Slauson questioned the reason for changing the whole corridor. Was it mainly for the use of Prospect Street School? Was this brought up by Zoning?

Francisco Gomes explained that his firm has been a consultant planner for the Borough for several months. They were asked by the Borough to assist in drafting this change. The Land Use Department asked to draft this plan based on the 2013 Plan of Conservation and Development.

Susan Goggin explained that the POCD was written by the consultants based on comments from the Planning Commission and the public and approved by the Board of Mayor and Burgesses and the Planning Commission as written.

William Stopper read the opening paragraph of the design district to help explain the purpose for this Public Hearing.

April Slauson lives off of Route 68 and believes it is already a mixed use environment. She feels a few items are a little stringent. Her big contention is requiring people to put in sidewalks. She does not feel it is a walking corridor due to the topography with creeks on both sides of corridor and also slopes, etc. It will not look uniform with the current houses with no sidewalks and then the new development will have sidewalks.

Sally Brouillet feels you need to look down the road and what will be there in the future. Sally wants to consider the pedestrians, joggers and walkers along these roads.

Francisco explained what would require a special permit and what would only require a site plan.

James Warren, Fulling Mills Development – owns property on Prospect Street. James questioned Susan Goggin if she made the decision on her own to make this change and why now and not back in 2013 when the POCD was done.

Susan Goggin wants to make note to James that his property was taken out of the PSDD. James Warren would like to see this change done section by section as people want to sell their homes or develop or redevelop their piece of property.

William Stopper explained that part of the 2013 POCD was to establish uniformity which is not there now. There is a different zone every couple of lots.

James Warren stated this is already mixed use why change.

Pat Scully - 21 Lines Hill Road, owns property at 236 Prospect Street and a couple of lots at 0 Prospect St. Pat stated that last month's meeting had 50-60 home owners out of 600 here opposing this plan that are not here tonight. He repeated that the street is narrow and traffic is a hazardous. Prospect St (Rt 68) is a state road but is mostly a residential road along with many other uses. If the Board of Mayor and Burgesses would like to rezone Prospect Street School, then only change that piece, which would not impede the traffic.

William Stopper wanted to clarify that last month several attendees asked why not develop the downtown or other areas of town. The Zoning Commission does not have a say in that. He also stated that the Zoning Commission invited Mr. Pugliese of the Naugatuck Economic Development Corporation (NEDC) here tonight to answer those questions.

Pat Scully – Asked the commission what is the cost of this development. The question was asked at last meeting also.

Susan Goggin – stated we did not receive an invoice at this time.

Pat Scully – he is against this change and feels it is not fair to him. They do not want any more businesses. He also stated the traffic study done in 2012 is not an accurate picture of the current traffic situation on Prospect Street. Pat also mentioned he was on the Planning Commission that helped write the 2001 POCD. He was concerned about the 3/5 and not 4/5 vote. He also stated that the 2013 POCD is a guide only and not law that it has to be changed.

Ron Pugliese, NEDC – Ron wanted to state this is not his plan. The main goal is to sell the Prospect Street School. The biggest issue is to make this a commercial area. He

would like to have someone buy the property and put it on the Grand List. There has never been a plan to put a gas station there. There has been discussion about a fitness center going in there. Ron does support this Prospect St. corridor but does believe the concerns being raised to need to be addressed. His effort is not to change the entire area but to sell the school.

April Slauson – Why is it a secret as to who put this plan of action into place?

Ron – This comes from the 2013 POCD. Burgess Scully is correct in saying that the POCD is a recommendation and not a law. Now is the time to make the decisions on how you would like the town to look in 10 – 15 years from now. It is based on the POCD. Ron supports the idea to discuss these items in a friendly manner. Ron is concerned with Burgess Scully not wanting any more businesses. That is how you stabilize your tax rate and grand list. Ron believes Pat may have meant he does not want any new businesses on Prospect Street.

Kristen Kulp, 274 Wooster Street – asked when there are so many vacant properties in Naugatuck, why create a new zone? If in 5 – 10 years' time Naugatuck is thriving and in need of that space, she would be happy to discuss a zone change. We should not be discussing the fine details at this time.

Steve Green – He thinks if you want to expand a road for more business, it should be the Peter Paul location. He also thinks we should be focusing on the river area. He said we do not need to be knocking down trees on Rt 68 to develop more land.

Pat Scully, 21 Lines Hill Road – part of the plan to put in sidewalks is good for new homes on a new street but lower Prospect St. has approximately 15 houses that the State owns up to the front door. There is no room for sidewalks. There are also a lot of wetlands that cannot be developed. The sidewalk thing is outrageous.

Kevin Tulp, 274 Wooster Street – is there anyone here who was involved with writing the 2013 POCD? He apologized for his behavior at the last meeting. He believes developing Rt 68 would create more cost to the town. Develop what we already have. It's great to have vision but right now the town is dying.

Wayne Zirolli, Borough Engineer – there seems to be a climate that this is a preordained action. The administration is working to serve the public as best as possible. As an adjunct to the Land Use Department, this was not a unilateral decision to throw on the public. The Plan of Conservation and Development is updated every 10 years and is a requirement by the State. We called on the consultants to help with this process. The last update to the POCD was in 2013 and went through all of the necessary commissions to adopt it. There were some changes and modifications but the basics were already there. Together with all of the town departments we are working to foster development in the town to help make all of the zones compatible. The PSDD is not set in stone. That is the reason for the Public Hearing to discuss this with the commission and the public can have their input. This is the democratic process. We are not trying to push something down someone's throat. It can move ahead or be decided to be extinguished. This is not the administration saying that this is necessary or what has to occur. Everyone has been working very hard to make this a better community. Everybody has the best goals of this community in mind.

William Stopper agreed with Wayne.

Continue the Public Hearing until August 19, 2015 at 7:15 P.M.

**NAUGATUCK ZONING COMMISSION  
REGULAR MEETING  
July 15, 2015**

William Stopper opened the meeting with the following in attendance:

**MEMBERS:**

William Stopper, Chair  
Sally Brouillet, Vice Chair  
April Slauson, Secretary  
Kathy Donovan – absent  
Richard Cool – 6:18 p.m.  
Matthew DeBarber, Alternate - 6:05 p.m.  
Neil Mascola, Alternate  
Wendyann Fowler, Alternate

**OTHERS:**

Wayne Zirolli, Borough Engineer  
Sue Goggin  
Lori Rotella  
Public - 15

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. Wendyann Fowler and Neil Mascola were made regular voting members.
2. Executive session with the Borough Attorney and the Zoning Commission. There was no executive session.
3. Approval of the June 17, 2015 Public Hearing and Meeting Minutes. The secretary will sign previously approved minutes as written.

**VOTED:** Unanimously on a motion by April Slauson and seconded by Sally Brouillet to **APPROVE** the June 17, 2015 Public Hearing and Meeting Minutes.

4. **OLD BUSINESS:**

- A. Commission discussion/decision regarding proposed zone change from R-15 – B-1 for property located at 100 School Street, Applicant: Polish Falcons/Crystal Room

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 additional comments or questions from the commission.

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

No additional comments or questions from the commission.

- D.** 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

No additional comments or questions from the commission.

**5. NEW BUSINESS**

- A.** Commission discussion/decision regarding site plan application for addition to existing Comcast building at 1218 New Haven Road; Applicant: Thomas P. Carlone

Thomas Carlone, Architect for Comcast – submitted a site plan for an addition to the existing equipment shelter, which is a pre-cast building that houses electronic gear for Comcast equipment. They are also proposing to remove the existing generator and install 2 standby generators. They are an improvement over the old equipment and this is Comcast’s policy now. William Stopper asked for confirmation that the fence was around the entire property. Tom confirmed there is a fence around the property, the only change they will be making is changing the swinging gate to a sliding one. Susan Goggin explained to the commission the location of the property. She let them know traffic will not increase from this addition. Tom Carlone also wanted to mention that he works for Comcast throughout New England and has to visit a lot of Planning and Zoning Offices and he wanted to pay compliments at how polite and helpful staff is here. It is not that way in all towns.

**VOTED:** Unanimously on a motion by Neil Mascola and seconded by April Slauson to **APPROVE** the site plan application and addition to existing Comcast building at 1218 New Haven Road

- B.** Accept application, refer to planning commission, set public hearing for special permit application for construction of 7,500 square foot commercial building and gas station at 1198, 1202 and 1204 New Haven Road; Applicant: HZM Petroleum Corp

Jesse Justin, Land Surveyor from the office of Michael H. Horbal Land Surveyors - Planners with an office at 52 Main Street, Seymour representing the applicant, HZM Petroleum Corporation. Jesse gave an overview of the site plan they are submitting. They will be merging the 3 parcels located at 1198, 1202 and 1204 New Haven Road. They are submitting a plan for a 7,500 square foot commercial building with three units. The two end units will be used for commercial/retail and the center unit will be used for convenience store/gas station. Sally wanted to confirm they will have sidewalks. William Stopper asked if the current buildings have been demolished. Jesse confirmed that and explained there is only a concrete slab on the property now, no buildings.

**VOTED:** Unanimously on a motion by April Slauson and seconded by Wendyann Fowler to **APPROVE** HZM Petroleum Corp’s application, **REFER** to planning commission, **SET** public hearing for special permit application for construction of 7,500 square foot commercial building and gas station at 1198,

1202 and 1204 New Haven Road. A Public Hearing was set for August 19, 2015 at 6:45 P.M.

**B.** Commission discussion/decision regarding modification to site plan for additional parking at 266 Church Street; Applicant: Earl Lindgren

Wayne Zirolli, on behalf of Earl Lindgren, explained Mr. Lindgren had been before the board a couple of months ago with a layout requesting 6 parking spaces. He has now reworked his layout to depict 9 parking spaces, including 1 handicap parking space. Wayne looked over the layout and supports what Mr. Lindgren is depicting in the revision. Mr. Lindgren would like to make his property as marketable as possible. He would like to be able to present to potential buyers that he has off street parking. William Stopper asked what the property is currently being use for. Wayne explained the property is currently the residence of Mr. and Mrs. Lindgren and is also his architectural practice. Wayne explained where the location of the building is and who the current neighbors are.

**VOTED:** Unanimously on a motion by Sally Brouillet and seconded by April Slauson to **APPROVE** the modification to site plan for additional parking at 266 Church Street, Applicant: Earl Lindgren.

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

**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 Wendyann Fowler to adjourn the meeting at 8:11 P.M.

RESPECTFULLY SUBMITTED:

April Slauson, Secretary/lr