

**ZONING COMMISSION  
PUBLIC HEARINGS  
February 17, 2016**

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

**MEMBERS:**

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

**OTHERS:**

Sue Goggin, Town Planner, ZEO, WEO  
Lori Rotella, Assistant ZEO  
Wayne Zirolli - Borough Engineer  
Attorney Fitzpatrick - Borough Attorney  
Kathleen Donovan - Burgess Liaison  
Public - 1

**6:15 P.M. – CONTINUED PUBLIC HEARING:** for special proposed text amendments to allow for the creation of the Prospect Street Design District and a zone change to the current map for properties along Prospect Street, Applicant: Borough of Naugatuck

Susan Goggin had a meeting with the Mayor to discuss the proposed Prospect Street Design District. They discussed possibly changing only certain properties to a B-2 zone depicted on the Revised PSDD Map dated February 12, 2016. The proposed changes are outlined in red. The owner of 783 Prospect Street is included in this new proposed change. Her property is not I-2 but, in fact, it is R-30. The reason behind changing to a B-2 zone is that it is a little less restrictive than the proposed PSDD. The commission had a discussion regarding the new map. Susan explained to the commission that they need to read through the materials and make suggestions on what they feel would be a better use for these properties. April would like to know what the proposed changes are. Susan stated it was suggested that the outlined areas be changed to a B-2 zone but it is up to the Zoning Commission to decide how they would like to move forward with the whole zone change. April proposed that all of the commissioners need to go through all of the documents, make their comments and suggestions before the March 16, 2016 meeting. William Stopper asked for any public comment.

Pat Scully, 21 Lines Hill Street, with property on Prospect Street, explained this is only a proposed map. He is still against the zone change. He feels this change is only being done to allow Prospect Street School to be redeveloped. He wants to know why you can't change only the school zone and leave the rest of the street zoned as is. Pat would like to have the public hearing continued and published in the paper to have more residents come to the next meeting to give their comments.

Public Hearing continued until the March 16, 2016 meeting at 7:00 P.M.

**6:30 P.M. – CONTINUED PUBLIC HEARING:** for special permit for athletic field on Open Space in Apple Hill Estates Subdivision at the end of Wisteria Drive, Applicant: Borough of Naugatuck

Susan Goggin informed the commission that at the last meeting, the neighbors requested a speed bump at the end of Osborn Road and Wisteria. The Police Commission denied a

speed bump. They do not like to put them on main roads. It is detrimental to the cars driving over them as well as the plows. People also tend to speed up after going over the speed bump. The Police Commission did approve the project but without a speed bump. Susan also stated they have received all of their other approvals. William Stopper asked for any public comment. There was none. William asked what the cost of the project will be and who is funding it. Jim Stewart, Director of Public Works, explained the Borough will be paying for the improvements. William Stopper closed the public hearing.

Attorney Fitzpatrick returned to the meeting at 6:57 P.M.

**6:30 P.M. – CONTINUED PUBLIC HEARING:** for special permit for hair salon and parking lot at 24 Golden Hill Court & 451 North Main Street, Applicant: Vesel Nasufi

Susan Goggin noted she received a letter from the applicant, who could not be here tonight. William Stopper read a letter into the record from Pustola & Associates, dated February 17, 2016, granting the commission a 35 day extension for this application. Susan explained to the commissioners that someone from the public at the Planning Commission meeting questioned if the applicant had to join the two lots. His concern was that the parcel which will be used for parking could be sold and would leave no parking for the hair salon or multifamily dwelling. Attorney Fitzpatrick advised Susan that we do not have anything in our ordinances that mandates properties be joined. He did further explain that a title search for a commercial property needs to also look at the site plan with the approval showing the parking. If the parking lot was sold off, the property with the hair salon would become unmarketable. It was also suggested to Susan to put up signs stating parking for hair salon and multifamily home which included the address on it. Susan explained exactly where the building was located on the parcel. William Stopper asked for public comment. There was none.

Public Hearing continued to March 16, 2016 at 6:30 p.m.

**NAUGATUCK ZONING COMMISSION  
REGULAR MEETING  
February 17, 2016**

William Stopper opened the meeting with the following in attendance:

**MEMBERS:**

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

**OTHERS:**

Sue Goggin, Town Planner, ZEO, WEO  
Lori Rotella, Assistant ZEO  
Wayne Zirolli - Borough Engineer  
Attorney Fitzpatrick - Borough Attorney  
Kathleen Donovan - Burgess Liaison  
Public - 1

1. At 6:00 P.M., William Stopper opened the meeting with the Pledge of Allegiance, took attendance and noted there was a quorum. William made Matthew DeBarber a regular voting member in place of Richard Cool.
2. Executive session with the Borough Attorney to discuss Nichols Realty, LoRusso et al v. Naugatuck Zoning Commission.

There was no executive session.

3. Approval of the January 20, 2016 Public Hearing and Meeting Minutes. The secretary will sign previously approved minutes as written.

**VOTED: 4-0-1** on a motion by Neil Mascola and seconded by April Slauson to **APPROVE** the January 20, 2016 Public Hearing and Meeting Minutes.

**FOR**

Neil Mascola  
April Slauson  
Wendyann Fowler  
William Stopper

**AGAINST**

**ABSTAIN**

Matthew DeBarber

**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.

There was no discussion.

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

Attorney Fitzpatrick explained that this item was discussed at the last zoning meeting in January 2016. Several of the residents of Silver Ridge (formerly Fox Hollow) are inquiring as to how they should proceed and what happens to their over 55 community. There are 7 units built, 5 are owner occupied and 2 are rentals. There are 12 or 13 units left to be built. Attorney Fitzpatrick met with counsel for the developer. He went over the possibilities that could be done with the community that would comply with our regulations. It is a possibility they could submit a subdivision application for the remaining parcels, or create a PDD or possibly remove the age restriction. The Borough is waiting to hear back from the developer as to what his plans are. Originally the developer planned on remarketing the property in the spring and removing the sign. For any change to happen, they would have to come before the zoning commission. Susan explained to one of the current owners that in order to remove the age restriction, all of the owners would have to agree to that change. The original application was approved on December 14, 2005. Susan also explained to the owners that the bond money being held is for plantings after the development is finished. The residents would like to see the road finished with the bond money, but the money cannot be used for that.

**C. Commission discussion/decision regarding special permit for proposed open space recreation field at Apple Hill Estates, Applicant: Borough of Naugatuck**

Wayne Zirolli stated that Apple Hill Estates completed their responsibility to install the field surface and access drive to the field. He explained what improvements the town is looking to do (install field lighting, expand the field, install extra access drive, restrooms and concessions stand). They would be done over a period of time. Currently the field is ready for practice and pickup games.

**VOTED: 4-0-1** on a motion by Neil Mascola and seconded by William Stopper to **APPROVE** the special permit for open space recreation field at Apple Hill Estates, Applicant: Borough of Naugatuck

**FOR**

Neil Mascola  
William Stopper

**AGAINST**

April Slauson  
Wendann Fowler

**ABSTAIN**

Matthew DeBarber

The Motion was **NOT APPROVED**.

There was a discussion informing the commissioners that they need to state their reasons as to why they are voting against a motion. The commission opted to reconsidered their previous vote.

**VOTED: 4-0-1** on a motion by Wendyann Fowler and seconded by Neil Mascola to **RECONSIDER** item 4C under Old Business for special permit for open space recreation field at Apple Hill Estates, Applicant: Borough of Naugatuck

**FOR**

Wendyann Fowler

**AGAINST**

**ABSTAIN**

Matthew DeBarber

Neil Mascola  
William Stopper  
April Slauson

**VOTED: 3-0-2** on a motion by Neil Mascola and seconded by Wendyann Fowler to **APPROVE** a special permit for open space recreation field at Apple Hill Estates, Applicant: Borough of Naugatuck

**FOR**

Neil Mascola  
Wendyann Fowler  
William Stopper

**AGAINST**

**ABSTAIN**

Matthew DeBarber  
April Slauson

- D.** Commission discussion/decision regarding approval of settlement and effective date of special permit for Self-Storage facility and earth excavation activities at 1480 New Haven Road

Attorney Fitzpatrick did not feel it was necessary to go into executive session for this item. There is no strategy or tactics being discussed. This is all public record. This item is regarding the settlement of two outstanding cases pending against the Borough of Naugatuck. Attorney Fitzpatrick explained to the Commission that the court directed the Borough to reverse their decision and approve the project. The decision was made in May 2008. It was left open in case the developer might have any outstanding claims for costs and fees. This remedy will release the Borough and its employees from any and all claims related to the two cases. Attorney Fitzpatrick, Wayne Zirolli and Susan Goggin compiled a list of conditions that should be approved and associated with the special permit. The applicant will sign a general release that was drafted by Attorney Fitzpatrick. A May 1, 2016 effective approval date was suggested in order to have time to seek the approval from the judge. The Borough approved the final site plan dated October 18, 2013 which was revised from the site plan from December 2004. Attorney Fitzpatrick went over the conditions drafted by Wayne Zirolli. The bond estimate will be sent to the applicant then voted on at a later meeting. Attorney Fitzpatrick is seeking an approval of the settlement of these litigations subject to the conditions and set an effective date.

**VOTED:** Unanimously on a motion by April Slauson and seconded by Wendyann Fowler to **APPROVE** the settlement and effective date of special permit for Self-Storage facility and earth excavation activities at 1480 New Haven Road, Nichols Realty and including and incorporating the conditions set forth in a document dated February 17, 2016 in the Resolution and superseding the conditions set forth by the Zoning Commission March 18, 2009 and as depicted by the final site plan dated December 17, 2004 and revised to October 18, 2013 with an effective date of May 1, 2016.

- E.** Commission discussion/decision regarding proposed hair salon and parking lot at 24 Golden Court & 451 North Main Street, Applicant: Vesel Nasufi

There was no discussion.

## 5. NEW BUSINESS

Attorney Fitzpatrick left the room at 6:11 P.M.

- A. Commission discussion/decision regarding site plan application for proposed restaurant at 195 Water Street, Applicant: Naugatuck Train Station, LLC

Attorney Michael McVerry, 35 Porter Avenue, Naugatuck described the application for the site plan approval for Naugatuck Train Station, LLC. The applicant is in the process of purchasing the Train Station from the Borough of Naugatuck. Attorney McVerry gave the chairman of the commission, for the record, a copy of the minutes from the November 18, 2015 Regular Zoning Commission meeting when the commission rezoned the property from I-1 & I-2 to B-1 and the minutes from the Special Meeting of the Naugatuck Zoning Commission from November 30, 2015, when they set the effective date of the zone change for this property for December 16, 2015. Attorney McVerry described the history of the building. The applicant is looking to convert the current train station building into a restaurant. They received a variance for additional seating for the outdoor patio dining in January 2016 and an administrative approval from Inland Wetlands Commission at their February 3, 2016 meeting. There are no wetlands on the property. Attorney McVerry went into detail regarding the number of seats there will be throughout the building. He also noted that there will be sufficient parking on site. There is no place in the rear of the building for anything to be done due to the railroad tracks. They also cannot add on to the building. It is located in a B-1 zone which is limited to the downtown area. He also mentioned that there has been talk about the train platform being relocated down towards the GDC building. The only building to happen is a vestibule in the front of the building and it will match architecture of the rest of the building. Attorney McVerry noted that any outdoor dining is subject to the liquor commission's approval. A question regarding if there were plans to install a fence to eliminate access to the railroad tracks arose. Carlos Santos stated it is his intent to install a fence but he needs to seek approval from Metro North first.

**VOTED:** Unanimously on a motion by April Slauson and seconded by Neil Mascola to **APPROVE** site plan application for restaurant at 195 Water Street, Applicant: Naugatuck Train Station, LLC

- B. Commission discussion/decision regarding site plan application for proposed addition to storage building at 0 Valentine Street/1236 New Haven Road, Applicant: Haynes Aggregates

Susan Goggin informed the commission that the applicant has received Wetland approval at the Inland Wetlands February 3, 2016 meeting. Luke Mauro with Langan Engineering summarized the project for the commission. He pointed out on an aerial view map where the 43 acres was located on the north side of New Haven Road, next door to Planet Fitness. The application is for a site plan approval of a 6,500 square foot expansion to the existing maintenance building. Luke had a pre-application meeting with Susan Goggin and Wayne Zirolli. There will be some utility work done for public water, sewer and some electrical. Luke has addressed all of Wayne Zirolli's comments. He explained

the topography of the location and stated they will not be doing any new grading to the site. There is an existing gravel pad that they will be swapping out with a concrete pad. He explained their proposed storm water management plan. There is no proposed bathroom in the building. Luke also stated what erosion control systems they will be using which includes silt fence with staked hay bales on both sides of gravel access drive. The site is accessed from New Haven Road, the current quarry entrance. There is no access to the quarry from Valentine Street. Luke clarified for the commissioners that there is an existing 6,000 square foot building already at the location and they are just expanding the building. It will be used for the quarry only. There will be no public parking and there will be no sale of supplies at the building. Susan stated they will go before WPCA tomorrow night.

**VOTED:** Unanimously on a motion by Wendyann Fowler and seconded by Neil Mascola to **APPROVE** the site plan application for an addition to storage building at 0 Valentine Street/1236 New Haven Road, Applicant: Haynes Aggregates

- C. Accept application, refer to planning commission, set public hearing for special permit for proposed 30,000 square foot medical building and mixed commercial use and 5,000 square foot restaurant/mixed use building at 58 Maple Street (Parcel C), Applicant: Meridian Atlantic Properties, LLC

Attorney Kevin McSherry for the applicant requested that the commission set the public hearing.

**VOTED:** Unanimously on a motion by April Slauson and seconded by Neil Mascola to **ACCEPT** the application, **REFER** to the Planning Commission and **SET** for a public hearing for special permit for proposed 30,000 square foot medical building and mixed commercial use and 5,000 square foot restaurant/mixed use building at 58 Maple Street (Parcel C), Applicant: Meridian Atlantic Properties, LLC. A public hearing was set for March 16, 2016 at 6:15 P.M.

- D. Accept application, refer to planning commission, set public hearing for proposed dog park and community garden at open space parcel on Andrew Mountain Road, Applicant: Borough of Naugatuck

**VOTED:** Unanimously on a motion by Neil Mascola and seconded by Wendyann Fowler to **ACCEPT** the application, **REFER** to the Planning Commission and **SET** a public hearing for proposed dog park and community garden at open space parcel on Andrew Mountain Road, Applicant: Borough of Naugatuck. A public hearing was set for March 16, 2016 at 6:45 P.M.

- E. Commission discussion/decision to set bond for plantings, etc. at Planet Fitness, 1188 New Haven Road

William Stopper stated that the commission received a letter dated February 9, 2016 from Wayne Zirolli identifying the plantings that Planet Fitness agreed to

plant according to their site plan. The list of plantings was verbatim from what was on their site plan.

**VOTED:** Unanimously on a motion by Neil Mascola and seconded by April Slauson to **APPROVE** and **SET** the bond in the amount of \$60,000 for Planet Fitness, 1188 New Haven Road, for landscaping bond per the Borough Engineer.

**F.** Nomination of Officers to elect Vice Chairmain.

Susan Goggin explained to the commission that they have not elected a Vice-Chairman to replace Sally Brouillet. April Slauson suggested they wait to have nomination of officers until Richard Cool is present.  
Continued until the March 16, 2016 meeting.

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

There was none.

**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 7:59 P.M.

RESPECTFULLY SUBMITTED:

April Slauson, Secretary/lr