

**ZONING COMMISSION
PUBLIC HEARINGS
May 18, 2016**

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

MEMBERS:

William Stopper, Chair
April Slauson, Secretary
Richard Cool
Neil Mascola
Wendyann Fowler
Matthew DeBarber, Alternate – absent
Caroline Hennessey, Alternate
Amanze Williams, Alternate

OTHERS:

Sue Goggin, Town Planner, ZEO, WEO
Lori Rotella, Assistant ZEO
Attorney Fitzpatrick - Borough Attorney
Kathleen Donovan - Burgess Liaison
Public - 25

6:15 P.M. - PUBLIC HEARING: for special permit for proposed church at 195 Rubber Avenue, Applicant: Renewed Living Prayer Ministry, Inc.

Attorney Michael McVerry, 35 Porter Avenue, Naugatuck on behalf of Renewed Living Prayer Ministry, Inc. explained that his client is looking to occupy a storefront located at 195 Rubber Avenue. The property is located in the Rubber Avenue Design District (RADD) which requires a special permit for a church. The store front is approximately 650 square feet with 10 parking spaces in the plaza. According to Naugatuck Zoning Regulation 26.5.4, the regulations require 1 parking spot for every 4 seats. The building is located at least 500 feet in a direct line to a town parking lot to fill the parking requirement. William Stopper asked for any public comments. There was none. Susan Goggin noted for the record that the applicant has received the Fire Commission's approval with conditions. William read the conditions into the record. They have also received WPCA approval, the Planning Commission gave them a positive referral and they have an administrative approval from the Wetlands Commission.

Public Hearing closed.

6:30 P.M. - PUBLIC HEARING: for special permit for proposed mixed use commercial/residential development at 100 Prospect Street, Applicant: Florian Properties/Format, LLC.

Attorney Kevin McSherry, 38 Fairview Avenue, Naugatuck on behalf of the applicant Florian Properties/Format, LLC, explained to the commission that the applicant has submitted a special permit to develop 100 Prospect Street into a mixed use commercial and residential building. Attorney McSherry submitted his notice of certified mailings for the record. He gave the commission a brief overview of the applicant's work. He handed out pictures of other projects that Florian Properties had previously developed in Southington. Michael Lambert, Professional Engineer, Harry E Cole and Son, explained the location of the project and described the storm water management system to the commission. The system was sized for the 100 year storm and with zero increased runoff. Matt Florian, 506 Mount Vernon Road, Southington explained the project. He noted that the large commercial tenant will be a gym. The plans call for between 18 – 20 small apartments geared towards singles or couples on the second floor. They will be between

400 – 600 square feet in size. Ideally he would like the whole building to be commercial with health and wellness tenants. There was a discussion on any environmental issues with the building. Matt Florian noted he would like the gym be completed by the fall. William Stopper requested any public comments. Bill Tripp, 2 Stanley Street, was worried about parking and traffic. Attorney McSherry explained they are proposing an additional 93 parking spaces which will meet zoning regulations. Saskia Zezima, 21 Acushnet Street, had a concern with the parking lot. She stated it is a quiet neighborhood. Saskia was also concerned with the housing component of the project.

Public Hearing continued until the June 15, 2016 meeting at 6:30 P.M.

6:45 P.M. - PUBLIC HEARING: for proposed zone change from RA-1 to B-2 for property at 100 Prospect Street, Applicant: Florian Properties/Format, LLC.

Attorney Kevin McSherry, 38 Fairview Avenue, Naugatuck submitted his notice of certified mailings for the record. He further explained that this project fits in with the POCD. Attorney Fitzpatrick explained that the current zone for 100 Prospect Street is RA-1 and what is allowed in that zone. A B-2 zone will allow for commercial development on the first floor and residential on the second floor. Susan Goggin noted that the Planning Commission sent a positive referral for the zone change to the Zoning Commission. William Stopper asked for any public comments. There was none.

Public Hearing closed.

7:00 P.M. - CONTINUED PUBLIC HEARING: for special permit for proposed 30,000 square foot medical building & mixed commercial use and 5,000 square foot restaurant/mixed use building at 58 Maple Street (Parcel C), Applicant: Heritage Downtown, LLC.

Attorney Kevin McSherry, 38 Fairview Avenue, Naugatuck, for Heritage Downtown, LLC explained that his client is in the process of working on plans to modify parking lot, making the spaces larger. William Stopper read into the record: 1) a letter from the NEDC dated May 17, 2016 addressed to Susan Goggin, William Stopper and the Naugatuck Zoning Commission, 2) a resolution adopted by the Board of Mayor and Burgesses dated May 18, 2016 addressed to Susan Goggin and 3) a letter from Kevin McSherry requesting the public hearing stay open another 30 days until the June 15, 2016 meeting. Attorney McSherry explained the process thus far with his client's application. He gave a brief overview of what the other board's decisions had been. William Stopper explained how the public hearing will work. The commission has two responsibilities: 1) verify that the application meets the zoning regulations and 2) review the landscaping and architectural features of the building. The first part of the public hearing will concentrate on the street signs, parking area, location of the building, etc. and the second part will concentrate on the cosmetic appearance of the building. William requested any public comment regarding the first portion of the public hearing. There was no public comment. William Stopper requested any public comment on the second portion regarding the architectural review. He stated that the main change to the building as stated in a letter dated May 17, 2016 from the NEDC, is that Mr. Lombard presented a new architectural rendering with stone on the first four feet of the building and brick on the next six feet around the entire building. Diana Raczkowski, 1042 May Street, has a concern with the design material. She does not believe it is in harmony with the downtown area and

believes the commission should obtain the opinion of a licensed architect. She explained to the commission that she did research on the proposed material being used on the exterior of the building. It does not hold up if not maintained. It will also pave the way for future developers to use it in the future. Mary Davis, 180 Donovan Road, agrees with Diana Raczkowski. The architectural look of the building should be in harmony with the downtown area. The building should be built to last for many years. She also commended the commission on the good job they are doing. Gil Kirby, will be moving to Naugatuck shortly, he just purchased a home here. He has a concern with Parcel C being empty and also believes the entire building should be brick, stone, etc. He feels that would enhance the look of the downtown area. Earl Lindgren, Architect in Naugatuck and practicing since 1967, 266 Church Street, stated this parcel is the gateway to Naugatuck. This building needs to set the standard for future development in the downtown. He believes the building should be completely brick on all four sides to be in harmony with the downtown and also for durability. Earl also feels there are too many colors in the current proposed building. Mayor Pete Hess, 69 Mistywood Lane, stated the plan being referred to has not been presented to the Zoning Commission by the applicant. The new plan will be presented next month. He noted it is not appropriate to discuss the new plan at this time. Ron Mormile, 150 Evening Star Drive, would like to see all natural materials used to be compatible with the buildings in the downtown area. Charles Wasoka, owns the Odd Fellows building on Maple Street and has been in Naugatuck for 72 ½ years. He believes the building should be made of brick. The Whittemore Bridge is being restored with brick. He feels there will be future issues if you do not require the applicant to use brick. The parcel has been vacant for 30 years and he doesn't feel the commission should hurry up with this project. Attorney McSherry thanked the public for their comments. He will also request his client to get renderings as well as samples for the commission to review.

Public Hearing continued until the June 15, 2016 meeting at 6:45 P.M.

Meeting recessed at 8:08 P.M.

Meeting reconvened at 8:20 P.M.

7:15 P.M. – CONTINUED PUBLIC HEARING: for proposed zone change to B-2 for properties along Prospect Street, Applicant: Borough of Naugatuck.

Susan Goggin explained to the commission that there are 34 properties that are proposed to be changed to B-2. They have been designated for their opportunities to be developed in the future. She explained that Prospect Street is currently a mixed use of zones. The POCD calls for Prospect Street to be an arterial corridor. William Stopper ask for any public comments. George Frigo, Land Data Engineers, here on behalf of his client, Onsi Tawadros, who owns a large parcel of land along Prospect Street. Fulling Mill Brook runs along the entire frontage of his property. His client is in favor of the zone change. Roland Desrosiers, 491 N. Main Street wanted to thank the commission for taking into consideration the public's comments since this public hearing opened. He is in favor of the current zone change. Crystal Hafford, 119 Prospect Street, asked the commission what changes have been made from the original proposal. It was explained that the language in the PSDD was too restrictive. The commission decided to change certain parcels to a B-2 zone. Crystal stated that she doesn't agree with the change to a B-2 zone. She believes it will increase traffic on Prospect Street. She explained it can take up to 15 minutes to get out of her driveway onto Prospect Street. She believes the increased

congestion will cause more problems. Onsi Tawadros explained that he has owned a parcel of land on Prospect Street for 10 years and cannot do anything with it. He wants to be able to develop that parcel and is in favor of the change. William Stopper read a letter from David and Michele Zychowski, 86 Whitney Place dated May 18, 2016, into the record. They are opposed to the change. Attorney Fitzpatrick talked about the POCD and when it became in effect. William Stopper went over the three options the commission has.

Public Hearing closed.

**NAUGATUCK ZONING COMMISSION
REGULAR MEETING
May 18, 2016**

William Stopper opened the meeting with the following in attendance:

MEMBERS:

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

OTHERS:

Sue Goggin, Town Planner, ZEO, WEO
Lori Rotella, Assistant ZEO
Attorney Fitzpatrick - Borough Attorney
Kathleen Donovan - Burgess Liaison
Public - 25

1. At 6:05 P.M., William Stopper opened the meeting with the Pledge of Allegiance, took attendance and noted there was a quorum.
2. Executive session with the Borough Attorney.
There was no executive session.
3. Approval of the April 20, 2016 Public Hearing and Meeting Minutes. The secretary will sign previously approved minutes.

VOTED: Unanimously on a motion by Neil Mascola and seconded by Wendyann Fowler to **APPROVE** the April 20, 2016 Public Hearing and Meeting Minutes with changes.

4. **OLD BUSINESS:**

- A. Commission discussion/decision regarding for special permit for proposed church at 195 Rubber Avenue, Applicant: Renewed Living Prayer Ministry, Inc.

VOTED: Unanimously on a motion by Richard Cool and seconded by Wendyann Fowler to **APPROVE** the special permit for proposed church at 195 Rubber Avenue, Applicant: Renewed Living Prayer Ministry, Inc. with conditions in a letter dated May 3, 2016 by the Fire Commission.

- B. Commission discussion/decision for special permit for proposed mixed use commercial/residential development at 100 Prospect Street, Applicant: Florian Properties/Format,LLC.

There was no discussion.

- C. Commission discussion/decision regarding proposed zone change from RA-1 to B-2 for property located at 100 Prospect Street, Applicant: Florian Properties/Format LLC.

VOTED: Unanimously on a motion by Neil Mascola and seconded by Richard Cool to **APPROVE** the zone change from RA-1 to B-2 for property located at 100 Prospect Street, Applicant: Florian Properties/Format LLC with an effective date of July 1, 2016.

Meeting recessed at 7:04 P.M.

Meeting reconvened at 7:13 P.M.

- D.** Commission discussion/decision regarding 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: Heritage Downtown, LLC.

There was no discussion.

- E.** Commission discussion/decision for proposed zone change to B-2 for properties along Prospect Street, Applicant: Borough of Naugatuck.

VOTED: Unanimously on a motion by Neil Mascola and seconded by Wendyann Fowler to **APPROVE** for zone change on map dated May 18, 2016 for zone change to B-2 for properties along Prospect Street, Applicant: Borough of Naugatuck with an effective date of July 1, 2016.

5. NEW BUSINESS

- A.** Commission discussion/decision regarding waiver of the age restriction at Fox Hollow Active Adult Community, a/k/a Silver Ridge

Attorney Michael McVerry, 35 Porter Avenue, Naugatuck gave a brief history of the development. It was approved with a special permit to build 20 free standing units in an age restricted community. Currently there are 7 units built and 5 are sold. The original developer's family owns the other 2 units. There have been several discussions between the Borough Attorney, the Zoning Office and the property owners to address what is the best course of action to take, at this point, to complete the project. Based on the economy, the current owner of the development would like to remove the age restriction and keep the rest of the plans as originally approved. The declaration states they would need a 2/3 vote to remove the restriction. Five of the seven owners have signed the petition to have the age restriction removed. Attorney Fitzpatrick explained that the goal for this development is to have it built out and finished. There is no market for this type of development as it stands today with the age restriction. There is currently bond money left in the amount of \$41,000 in a passbook account to be used to finish the requirements under the special permit.

VOTED: Unanimously on a motion by Neil Mascola and seconded by April Slauson to **APPROVE** the waiver of the age restriction at Fox Hollow Active Adult Community, a/k/a Silver Ridge.

- B.** Accept application, refer to planning commission, set public hearing for special permit application for earth excavation at 100 Prospect Street, Applicant: Florian Properties/Format, LLC

VOTED: Unanimously on a motion by Wendyann Fowler and seconded by April Slauson to **ACCEPT** the application, **REFER** to the planning commission and **SET** the Public Hearing for June 15, 2016 at 6:15 P.M. for special permit application for earth excavation at 100 Prospect Street, Applicant: Florian Properties/Format, LLC.

- C.** Commission discussion/decision regarding site plan application for proposed storage building at 25 Great Hill Road, Applicant: Ruth Realty, LLC

Susan Goggin explained that Bushka Lumber is proposing to build a cold storage building. Randy from Bushka Lumber passed along to Susan that the building will be the same color as the current building, light gray, and the floor will be either asphalt or concrete.

VOTED: Unanimously on a motion by April Slauson and seconded by Wendyann Fowler to **APPROVE** the site plan application for proposed storage building at 25 Great Hill Road, Applicant: Ruth Realty, LLC.

- D.** Accept application, refer to planning commission, set public hearing for special permit for proposed restaurant at 233 Rubber Avenue, Applicant: Mehmet Yilmaz

VOTED: Unanimously on a motion by Neil Mascola and seconded by April Slauson to **ACCEPT** the application, **REFER** to the planning commission for proposed restaurant at 233 Rubber Avenue, Applicant: Mehmet Yilmaz and **SET** the Public Hearing for June 15, 2016 at 7:00 P.M.

- E.** Ratify change of use application for marble and granite shop/trade shop at 51 Elm Street, Applicant: Amanda Vita

Susan Goggin explained this is a change of use that received an administrative approval. It is located in an industrial zone. The enclosed metal building was previously part of the ICES building and was used for truck repairs. The granite shop is not a retail store; it is a trade shop with all work done indoors.

VOTED: Unanimously on a motion by April Slauson and seconded by Wendyann Fowler to **RATIFY** the change of use application for marble and granite shop/trade shop at 51 Elm Street, Applicant: Amanda Vita.

- E.** 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 Neil Mascola to adjourn the meeting at 8:45 P.M.

RESPECTFULLY SUBMITTED:

April Slauson, Secretary/lr