

**ZONING COMMISSION  
PUBLIC HEARING MEETING AUGUST 18, 2010  
FOR TEXT AMENDMENT to SECTION 44 (ALCOHOLIC BEVERAGES) of  
the NAUGATUCK ZONING REGULATIONS.  
APPLICANT: NAUGATUCK ZONING COMMISSION**

Joe Savarese reconvened the Public Hearing Meeting at 6:15 P.M. with the following in attendance:

**MEMBERS:**

Joe Savarese, Chair  
Diana Raczkowski, Vice Chair  
Neil Mascola  
Stanley Jaroneczyk  
Richard Cool  
Sally Brouillet, alternate

**OTHERS:**

Public: 11  
Allison Hurley, Asst. CZEO  
Steve Macary, CZEO  
Mike Ciacciarrella, Burgess Liaison

Joe Savarese asked if there was any one from the Public that would like to comment on this application. No public spoke. Joe Savarese stated that Keith Rosenfeld submitted a proposed draft of the amendments in the Commissioner's packets. Diana Raczkowski stated there was not a lot of text in it and suggests the commission tell him what they would like to see in the draft. Joe Savarese said the definitions should be redefined; also keep some of the text from the current regulations. Diana Raczkowski suggests for it to be drafted in a way where this commission can look at each situation and then the commission would consider it. She suggested defining the different types of establishments. She asked Mr. Macary to put together a packet with the state liquor statutes and other town alcoholic regulations that are similar to Naugatucks. Joe Savarese would like to consult the Borough Attorney on this issue. Steve Macary said Middletown just makes them submit a site plan for the Commission to review. Diana Raczkowski said it has to meet the Special Permit objectives. This way the Commission would have the flexibility. The Commission continued the Public Hearing for September 15, 2010 at 6:15 P.M.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah

**ZONING COMMISSION**  
**PUBLIC HEARING MEETING AUGUST 18, 2010**  
**For a ZONE CHANGE APPLICATION FROM I-2 AND R-15 TO B-2**  
**COMMERCIAL ZONE, LOCATED ON 0 PROSPECT ST. AKA ROUTE 68.**  
**APPLICANT: FULLING MILL DEVELOPMENT LLC.**

Joe Savarese opened the Public Hearing Meeting at 6:36 P.M. with the following in attendance:

**MEMBERS:**

Joe Savarese, Chair  
Diana Raczkowski, Vice Chair  
Neil Mascola  
Stanley Jaroneczyk  
Richard Cool  
Sally Brouillet, alternate

**OTHERS:**

Public: 13  
Allison Hurley, Asst. CZEO  
Steve Macary, CZEO  
Mike Ciacciarrella, Burgess Liaison

Attorney Mike McVerry, representing the applicant stated the application is to rezone a parcel of land containing approximately 3 acres on the southerly side of Prospect Street from I-2 zone and a R-15 zone to a B-2 zone. Mr. McVerry stated the traffic studies done in this area show in 1988, 7800 cars a day, 1998, 9800 cars a day and in 2007 show 10,800 cars a day. He said the records show the Planning Commission gave an unfavorable recommendation based on the Plan of Conservation and Development which is almost 10 years old, which calls for Prospect St. to be rezoned into residential. Attorney McVerry would like to point out there is inconsistency with the POCD and submitted a copy of the goals from the POCD reading #4 which pertains to Prospect Street.

Paul Benevich, Land Surveyor stated the area is self contained with its own drainage area, its own water quality pond and rain gardens for each proposed building per the Wetland Commission approval received in 2009. He said the sewer and force main will go up Great Hill Rd. Mr. Benevich stated he has not received final approval from DOT. The DOT faxed more comments asking a pole be moved and a couple other minor changes. Paul Benevich said he has not had time to get the plans back to them for the final approval.

Public Comment: Bill Allison of 912 Prospect St. stated the residents on the north side of the street will be looking at uses that are allowed in a b-2 zone such as a strip mall and a gas station which will increase traffic, loud noise and bright lights. He feels this will depreciate the homes. Mr. Allison submitted a police report of over 200 accidents that occurred on Prospect St. in the past 5 years. He stated the entrance is proposed directly across from his driveway making it very difficult to enter and exist. Jay Candy of Prospect St had concerns regarding respond time for emergency vehicles if there is a fire. Carl Mattson of Maple Hill Rd stated no matter what concerns the public has this commission is going to satisfy one man. He feels this is political football and is fed up with what is going on. Mr. Mattson stated we don't want the zone change. Brian Prentise of Maple Hill Rd stated the land should stay the current zone and that there is enough failed development already in the town. Marlene Parker of 150 Maple Hill Rd. said she agrees with Mr. Mattson and stated why not stop it at the rezoning level and not let it get to the next level. The Commission will reconvene at a scheduled Site walk on Sunday, August 29, 2010 at 6:00 P.M. with a rain date of Monday, August 30, 2010 at 6:00 P.M.

The Public Hearing is continued to September 15, 2010 at 6:30 P.M.

The Commission took a 10 minute recess.

At 7:29 P.M the Commission resumed its regular meeting agenda.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah

**ZONING COMMISSION  
REGULAR MEETING AUGUST 18, 2010**

Joe Savarese opened the Regular Meeting at 6:05 P.M. with the following in attendance:

**MEMBERS:**

Joe Savarese, Chair  
Diana Raczkowski, Vice Chair  
Neil Mascola  
Stanley Jaroneczyk, arrived at 6:15  
Richard Cool  
Sally Brouillet, alternate

**OTHERS:**

Public: 6  
Allison Hurley, Asst. CZEO  
Steve Macary, CZEO  
Mike Ciacciarrella, Burgess Liaison

**REGULAR MEETING**

1. Joe Savarese opened the meeting with the Pledge of Allegiance and then took attendance. At this point, it was determined that a quorum was present. Joe Savarese appointed Sally Brouillet a regular voting member in place of Stanley Jaroneczyk.
2. No Executive Session with Borough Attorney.
3. **VOTED:** Unanimously on a motion by Sally Brouillet and seconded by Neil Mascola to **APPROVE** the July Regular and Public Hearing meeting minutes as written.

4. **OLD BUSINESS:**

A. Commission Discussion/ Decision for a PDD #11 Application located on Prospect St. aka Route 68. Applicant: Fulling Mill Development LLC.

**VOTED:** Unanimously on a motion by Diana Raczkowski and seconded by Neil Mascola to **APPROVE** with conditions a PDD #11 Application located on Prospect St. aka Route 68. Applicant: Fulling Mill Development LLC with the following conditions:

Wells of all abutting property owners, including those on Grickis Lane, shall be tested prior to construction for yield and quality. Copies of testing reports shall be submitted to the land use office and to property owners. If blasting is required, the applicant shall perform pre blast surveys of all building and drinking water wells within a minimum of 500' of any blasting activities or additionally, as required by the Fire Marshal. The reports shall be submitted to the ZEO and the Fire Marshal for review and approval. The blasting well survey shall include a flow test and a bacteriological test if located near a septic system.

All Fire Department Conditions shall be followed including:

- a. Submission of a detailed blasting plan to the Fire Marshal.
- b. Entrance to property must have clear site lines and acceleration/deceleration lanes for truck and automobile traffic entering and exiting the site.
- c. Blasting plan to be approved prior to issuing blasting permit.
- d. Applicant to follow all local, state and federal regulations for blasting.

Condo documents shall include reasonable restrictions to control disturbances to surrounding homeowners, such as excessive noise, and unpleasant odors. Uses shall be limited to light industrial uses only.

All units in the development shall have containment areas for the storage of any chemicals or hazardous materials. Standards set by DEP for such containment and storage shall be according to current DEP standards.

All units in the development shall be constructed so as to restrict and contain noise on the property.

Non deciduous trees, a minimum of 6' tall and planted 8' on center shall be planted along the Mattson and Prentice boundary as well as those trees shown on the plan along the Grickas Lane boundary where these properties abut the proposed development. Trees shall be planted at the beginning of the first phase of construction, and shall be guaranteed by the applicant for two full years after planting. Any dead or dying trees shall be replaced during that year. All natural vegetation in the setback areas shall be preserved.

All prior conditions set forth by various land use boards/commissions shall be part of these conditions.

Prior to construction, the CT DEP must be contacted to determine if dam safety permits are required.

All required drainage and engineering calculations, cut/fill quantities, etc. shall be included in the engineering report, if not previously added.

Any land use regulation not covered in the PDD narrative shall be covered by the Naugatuck Zoning Regulations and all other local, state and federal regulations that may apply.

A copy of the condo documents, rules and regulations shall be submitted to the land use office prior to any certificate of occupancy being issued.

All local, state and federal permits that may be required before or during the construction of this project shall be obtained by the applicant at the appropriate time and submitted to the Land Use Dept.

A performance bond with a reputable insurer shall be posted by the applicant for all public improvements, in an amount set by the Zoning Commission at its next meeting.

The applicant shall commence work on the project in phases. As each phased section is brought to finished grade and construction begins, mining operations on that phase shall cease.

Proposed undisturbed buffer areas shall be delineated in the field prior to any tree cutting or earth moving activities, on the current phase under construction, with silt fencing or snow fencing.

Prior to any earth moving activities on the phase under construction, all sediment and erosion control devices shall be installed and made fully functional. The applicant's engineer shall certify that the controls are in place with the submission of monthly reports to the ZEO.

Rain gardens and storm water detention structures shall be installed as required by the CT Soil Erosion Handbook, latest edition, and landscape plantings shall be installed prior to obtaining a Certificate of Occupancy. All soil and erosion measures shall be installed in accordance with the Soil Erosion/Sedimentation Handbook, 2002 or latest edition.

All WPCA conditions of approval shall be met, including:

- a. Sanitary sewers within the development will be private and shall be maintained by the property owner
- b. The sewer construction shall comply with the Borough of Naugatuck ordinances and the WPCA "Standard Conditions for Sanitary Sewer Extensions and Sanitary Sewer Construction"

Prior to the start of construction, the applicant shall obtain an Encroachment Permit from the State of Connecticut Department of Transportation.

During each phase, the drainage and detention system that is required for that phase shall be installed and made functional prior to the construction of any impervious areas. Additional storm water run-off may be confined on-site by such features as the use of depressed islands and the elimination of curbing where practical.

The applicant shall provide the Borough with copies of the submitted DEP Phase I Industrial storm water discharge permit.

The applicant shall provide the Borough with copies of the submitted State Traffic Commission application.

Prior to each building receiving a certificate of occupancy, the applicant shall submit a certification from its professional engineer that the drainage, detention, traffic controls, and other approved site improvements are constructed and functioning as designed.

No calcium chloride shall be used within 100' of a wetland area.

Each phase of construction shall be capable of sustained and independent existence within the standards of this section, without development of subsequent phases.

No phase of construction shall be started until the bonding for that phase is in place.

The recommendations in the Fire Chief's letter of 8/18/10 shall be part of these conditions.

B. Commission Discussion/ Decision for a Text Amendment to Section 44 (Alcoholic Beverages) of the Naugatuck Zoning Regulation. Applicant: Naugatuck Zoning Commission.

The Commission continued this Public Hearing to September 15, 2010 at 6:15 P.M.

C. Commission Discussion/ Decision for a Zone Change Application from I-2 and R-15 to a B-2 Commercial zone, located on 0 Prospect St. Applicant: Fulling Mill Dev., LLC

The Commission will reconvene at a scheduled Site walk on Sunday, August 29, 2010 at 6:00 P.M. with a rain date of Monday, August 30, 2010 at 6:00 P.M.

The Public Hearing is continued to September 15, 2010 at 6:30 P.M.

**5. NEW BUSINESS:**

6.

A. New Business: Commission discussion regarding content, presentation and Follow-up of monthly ZEO Report.

Joe Savarese stated Sheri Kimiecik, Land Use Secretary who takes down all the various complaints that come into the land use office, provided the commission with a spreadsheet. The spreadsheet allows the office, commission and ZEO to keep track of outstanding, on going and repeat complaints. It also lists any action or recommendations to be taken by the ZEO or Asst. ZEO. As the issues are rectified they will be dropped from the spreadsheet.

6. There were no Change of Use applications.

7. No Public Comment.

8. No Report of the ZEO.

9. Chairman Report.

Joe Savarese said he received a letter from Mr. Pat Scully who could not make tonight's meeting. The letter is in reference to Tomo's restaurant regarding it being non-conformity. Joe Savarese said he reviewed the regulations and found that it does not allow you to expand a non conforming use. Diana Raczkowski said Steve Macary spoke with the owner of Tomo and told him he was in violation and should comply otherwise they would have to send a letter.

**VOTED:** Unanimously on a motion by Neil Mascola and seconded by Diana Raczkowski to ADD to the agenda a discussion regarding a wifi application for a

telecommunication facility located on 641 Maple Hill Road. The Applicant is Clear Wireless LLC.

Tom Flynn Site Development Project Manager explained what the applicant is proposing. It will consist of 3 panel antennas, 3 dish antennas and 1 GPS antenna mounted on the roof of Maple Hill School. The base station for the equipment will be mounted on a platform in a 7' by 7' leased area on the roof of the building. The antennas will be concealed behind a RF transparent screen. The Commission agreed to put this on the agenda for next month.

**VOTED:** Unanimously by Diana Raczkowski and seconded by Neil Mascola to ADD a discussion regarding the Blight Ordinance to the agenda.

Mike Ciacciarrella, Burgess explained that the Borough Board passed the Blight Ordinance as presented to them with an effective date of November 1<sup>st</sup>. Burgess Ciacciarrella recommends that the Zoning Commission review the ordinance because it ties in with this commission the most. He would like comments and your input so if changes need to be made there will be time for it to go back in front of the Borough Board to be voted on before the effective date. Burgess Ciacciarrella stated he looked into the State Statute and under section 7-148 gives municipalities the authority to adopt a Blight Ordinance. Joe Savarese asked the Commission members to review it and send him any comments by email so he could draft up a letter for the Borough Board with all the comments on one letter.

**10. VOTED:** Unanimously on a motion by Neil Mascola and seconded by Stanley Jaroneczyk to adjourn the meeting at 8:50 P.M.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah