

**ZONING COMMISSION
REGULAR MEETING FEBRUARY 17, 2010**

Joe Savarese opened the Regular Meeting at 6:07 P.M. with the following in attendance:

MEMBERS:

Joe Savarese, Chair
Diana Raczkowski, Vice Chair, absent
Stanley Jaroneczyk, absent
Neil Mascola
Richard Cool
Peg Sheehy, alternate

OTHERS:

Public: 2
Wayne Zirolli, Boro Engineer
Allison Hurley, Asst. CZEO
Steve Macary, CZEO
Mike Ciacciarrella, Burgess Liaison

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 Peg Sheehy a regular voting member in place of Diana Raczkowski.
2. No Executive Session.
3. Approval of minutes and the secretary will sign previously approved minutes.
VOTED: Unanimously on a motion by Neil Mascola and seconded by Rick Cool to **APPROVE** the January 20, 2010 regular and Public Hearing meeting minutes as written.

4. **OLD BUISNESS:**

- A. Commission Discussion/Decision for modification to the Naugatuck Zoning Map, areas that will be changed, R-30 to R-65 located in the area of Rubber Ave to Andrew Mountain Rd., Nichols Rd, Mistywood, Evelyn Dr., Bosco Dr., Krodel Rd. Candee Rd., Kingwoods Dr., Mulberry St., R-15 to R-45 in the area of Maple Hill Rd. May St. I-1 to R-8 Cherry St. Ext.
The Commission closed the Public Hearing.
- B. Commission discussion to form sub-committees regarding the following items:
Signs, Alcohol, Tents.
Joe Savarese asked that the sub-committees start to review the sign, alcohol and tent regulations to see if they can put together a draft for some of the changes that may need to be made.

5. **NEW BUISNESS: None**

6. There were no Change of Use applications.
7. Public Comment.
8. Additional items to be discussed require 2/3 vote to be added to the Agenda.
VOTED: Unanimously on a motion by Rick Cool and seconded by Neil Mascola to add a discussion regarding a right of way to Mr. and Mrs. Ruggiri's property located at 421 Andrew Ave Ext. to see whether or not the Borough of Naugatuck is obligated to maintain it.
Cindy Ruggiri stated that she and her husband Martin have filed a formal complaint and copies have been mailed certified to Steve Macary, Attorney Ned Fitzpatrick and Jim Stewart. Mrs. Ruggiri stated they are in front of the commission because the pass way to get to their home which owned by the Cagno's is in violation of all the zoning regulations and wants to know what can be done to make the Cagno's

correct the violation. Mrs. Rugirri has no right of way to her property. She stated the pass way is treacherous and there is no excess for emergency service vehicle to get to her house. Her oil company will not deliver oil any more and visitor cannot get to her house. Joe Savarese stated he is not clear on if there is any zoning regulations that can be applied to a private pass way. He informed Steve Macary to speak with the Borough Attorney in regards to whether or not the Borough has any responsibility for the maintenance of the passway or the roadway adjacent to the passway.

VOTED: Unanimously on a motion by Rick Cool and seconded by Peg Sheehy to **ADD** a Site Plan Modification for 5 Meadow St. regarding a Donut shop on the first floor with a drive through and two professional offices on the second floor.

Ernie Badas proprietor of Heavenly Donuts handed out to the commission plans of his proposed establishment. Neil Mascola asked Mr. Macary if property owners had to be notified because of the drive through. Mr. Macary stated they did not because there was a Special Permit approval given on that property for a convenient store/ gas station about a year ago.

VOTED: Unanimously on a motion by Neil Mascola and seconded by Rick Cool to **APPROVE** a Site Plan Modification for 5 Meadow St. regarding a Donut Shop on the first floor with a drive through and two professional offices on the second floor. Applicant: Ernie Badas.

VOTED: Unanimously on a motion by Neil Mascola and seconded Rick Cool to **ADD** to the agenda and accept/ refer to the Planning Commission and set a Public Hearing for a Special Permit Application regarding a School bus facility located at 26 Hotchkiss St. Applicant: PAR Holdings, LLC. The Commission set the public hearing for April 21, 2010 at 6:30 P.M.

9. Report of the ZEO regarding the following:

1. Excavation Salem Square located on New Haven Road appears that some of the bank has been removed.

Steve Macary stated the bobcat on the property is just store there and the hill is all ledge. They are not doing any digging.

2. 97 Woodbine Street, they installed a tent before and Mr. Macary made them take it down and now it is back up again.

Mr. Macary stated he has not been out to the property but has sent a letter. Bill Herzman, Building official was out there. He sent them a notice to secure the tent down. Steve said when the people come in to see Bill he will make the pull a zoning permit.

3. Concrete supply, located at 1483 New Haven Rd., requirement to place non deciduous trees along the property of Labriola and Labriola she does not see it. Steve stated the concrete place has until June to finish the site plan. He said he might have bond money but would have to check.

4. Elm St.

Steve stated he received a letter from Attorney McSherry stating he was unable to attend this evenings meeting and requested the Commission table this item until next months meeting. Attorney McSherry also requested the Chairman and ZEO schedule a meeting with him and his client to review issues related to the Elm St. property. Joe Savarese stated that he is looking for legal documentation or proof that the Linewebers have the legal right to be there.

10. No Chairman Report.

11. **VOTED:** Unanimously on a motion by Neil Mascola and seconded by Rick Cool to adjourn the meeting at 7:32 P.M.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah

ZONING COMMISSION
PUBLIC HEARING MEETING FEBRUARY 17, 2010
For MODIFICATION to the NAUGATUCK ZONING MAP, AREAS THAT
WILL BE CHANGED , R-30 TO R-65 LOCATED in the AREA OF RUBBER
AVENUE to ANDREW MOUNTAIN RD., NICHOLS RD, MISTYWOOD LANE,
EVELYN DR., BOSCO DR., KRODEL RD. ,CANDEE RD., KINGWOODS DR.,
MULBERRY ST., R-15 TO R-45 in the AREA OF MAPLE HILL RD. MAY ST.
and I-1 TO R-8 CHERRY ST. EXT.

Joe Savarese reconvened the Public Hearing Meeting at 6:32 P.M. with the following in attendance:

MEMBERS:

Joe Savarese, Chair
Diana Raczkowski, Vice Chair, absent
Neil Mascola
Stanley Jaroneczyk, absent
Richard Cool
Peg Sheehy, alternate

OTHERS:

Public: 0
Allison Hurley, Asst. CZEO
Wayne Zirolli, Boro PE
Steve Macary, CZEO
Mike Ciacciarrella, Burgess Liaison

Wayne Zirolli handed out an updated list of parcels 10 acres or more. He has set up the projector with the new color coded zone map outlining the areas to be rezoned so the Commission could get a better idea due to the map plotter not working yet. In association with WPCA they have prepared mapping for the borough sewer system consisting of six divisions, 1. Currently sewer, 2. sewer expansion areas, 3. Already committed sewer areas, 4. Sub service disposal system areas. 5. Areas sewer systems to be avoided in Laurel Park landfill areas. Wayne Zirolli stated it is Jim Stewart's recommendation that this Commission wait to make the zone changes until WPCA has finished their review. WPCA has assembled plans and sent them to the DEP for comment. Wayne Zirolli said the state mandates limiting sewer expansion to move forward with smart growth policies to reduce the strain on existing infrastructure and also future resources. Jim Stewart would like us to wait until WPCA gets responses from DEP and until WPCA has adopted and modified the changes to the sewer areas. Wayne Zirolli stated the commission could choose to go ahead and make the changes, but what might happen is you would make the lot sizes larger and those areas maybe sewer in the future or they may not. There could be a disparity between what WPCA is saying, what the state is asking for and what our zoning ends up being. A discussion ensued with the commission in regards what they should do. Wayne Zirolli said it does not hurt for the Commission to wait, development is down and we have had no public response at the

past public hearings. Wayne Zirolli would agree to take a precautionary approach. The Commission agreed to close the public hearing and wait for respond from WPCA. Mr. Zirolli said he would put the color coded map on disk for each of the member's top review while they are waiting for WPCA action. Mike Ciacciarrella, Burgess Liaison said the Planning Commission is redoing the subdivision regulations and they might want to make sure they do not conflict with the zoning regulations.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah

The Commission resumed the regular meeting.