

**ZONING COMMISSION  
CONTINUED PUBLIC HEARING MEETING JUNE 17, 2009  
FOR AMENDMENTS TO THE SIGN REGULATION, SECTION 27 OF THE  
NAUGATUCK ZONING REGULATIONS.  
APPLICANT: THE NAUGATUCK ZONING COMMISSION.**

Joe Savarese reconvened the Public Hearing Meeting at 6:46 P.M. with the following in attendance:

**MEMBERS:**

Joe Savarese, Chair  
Diana Raczkowski, Vice Chair  
Stanley Jaroneczyk  
Neil Mascola  
Jeffrey Litke

**OTHERS:**

Public: 1  
Jim Stewart, Boro PE  
Allison Hurley, Asst. CZEO  
Steve Macary, CZEO  
Mike Ciacciarella, Burgess Liaison  
Keith Rosenfeld, Town Planner

Joe Savarese has invited Bob Neth owner of Signcraft, to come to July's meeting and give a presentation on what the latest technology in signs is. Diana Raczkowski has concerns with people who have little cottage industries and have a lot of friends in town and all those or her friends allow them to put signs on their lawns. We need to address if signs are allowed on other people's property or are limited to where the business is located. Joe Savarese stated the cottage industries running out of residential properties should be licensed. If they are not, then they would not receive a sign permit. Diana Raczkowski said the commission should ask the Borough Attorney if this would be legal to enforce. Diana Raczkowski asked Steve Macary to have revised copies for the Commission with Matt Katra's comments in it so that they will have it to review at the next meeting. The Commission continued the Public Hearing to July 15, 2009 at 6:45 P.M.

Public Comment: Mike Ciacciarella, Burgess Liaison explained to the Commission the reason why the sign regulations came about. It was because Steve Macary was having a problem enforcing them about a year ago. He said they need to update them and make them clearer to understand. Mike said with the help of Dick Harrall a draft was drawn up which modeled the town of Prospect's. He thinks the Commission should take their time and do it right.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah

**ZONING COMMISSION  
REGULAR MEETING JUNE 17, 2009**

Joe Savarese opened the Regular Meeting at 6:19 P.M. with the following in attendance:

**MEMBERS:**

Joe Savarese, Chair  
Diana Raczkowski, Vice Chair  
Stanley Jaroneczyk  
Neil Mascola  
Jeffrey Litke

**OTHERS:**

Public: 3  
Jim Stewart, Boro PE  
Allison Hurley, Asst. CZEO  
Steve Macary, CZEO  
Keith Rosenfeld, Town Planner  
Mike Ciacciarella, 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. He stated Jeffrey Litke was appointed a regular voting member filling the vacancy of Matt Ktra.
2. No Executive Session.
3. Approval of minutes and the secretary will sign previously approved minutes.  
**VOTED:** Unanimously on a motion by Diana Raczkowski and seconded by Neil Mascola to **APPROVE** the May 20, 2009 Regular and Public Hearing meeting minutes.
4. **OLD BUSINESS:**
  - A. Commission Discussion/Decision for Amendment to the Sign Regulation, Section 27 of the Naugatuck Zoning Regulations. Applicant: The Naugatuck Zoning Commission.  
The Commission continued this item to the July 15, 2009 meeting at 6:45 P.M.
  - B. Commission Discussion for Modification to Section 44 of the Naugatuck Zoning Regulations.  
Joe Savarese handed out copies of definitions he came up with on how to identify the different types of establishment to serve alcohol. He has shown these to Borough Attorney Fitzpatrick and he was comfortable with them. Joe Savarese said now the Commission would have to review them and decide how to apply them to the regulations. A discussion ensued regarding the definitions. Jim Stewart asked how the regulations would apply to a liquor store being next to churches. Joe said right now the regulations say they cannot go within 1500 feet of a church. The Commission agreed that was too much but did not come up with a different amount. Diana Raczkowski stated concerns on how close the establishments can be to a school. A discussion ensued regarding the distance away alcohol could be sold or served from certain properties. The Commission will continue this discussion to next month's meeting.
5. **NEW BUSINESS:**
  - A. Commission Discussion/Review for a Soil and Erosion Plan for Woodcrest Drive. Applicant: Progressive Business Development LLC.  
Attorney Fred Dluglekecki representing the applicant gave a brief explanation of the Soil and Erosion Control Plan. This is a property that is pre zoning/non conforming subdivision that this commission recognized as a lot line revision about two years ago. The commission sent it to Borough Attorney Hess for further

review of Woodcrest Drive Extension. Attorney Hess's opinion as stated in a memorandum dated May 28, 2008 gave due recognition it is a non conforming subdivision but in order for the street extension to be considered legal, certain requirements need to be met. Those requirements are the following:

1. Approval of the roadway ext. and the cul da sac area by the Fire, Police Commissions and the Street Department.  
This has been done.
2. Verification that the roadway ext. is within the same 50' area as Woodcrest ext. on the map in order to avoid the necessity of a re-subdivision because of a change in road layout.  
Attorney Dlugokecki said Woodcrest Ext. is exactly where it was pre-zoning and now post zoning.
3. Verification that all other setbacks and zoning requirements are satisfied.  
This has been the case since day 1.
4. Verification that there are no wetlands in the area.  
Attorney Dlugokecki stated there are no wetlands and the applicant has received wetlands approval. Diana Raczkowski asked if the wetlands conditions are on the plans. Jim Stewart said he just received the plans today and has not reviewed them. Diana Raczkowski asked Jim to review and report back to the Commission next month. She asked if there was a narrative on the plans.
5. Verification that the fill importation will not require a special permit.  
Diana Raczkowski had concerns regarding the steep slopes. Jim Stewart stated east of the detention pond and at the bottom of the road the applicant is putting rip rap and a armored stone slope. Attorney Dlugokecki stated the amount of fill to be brought in is about 1700 cubic yards which is under the allowed amount of 350 cubic yards per lot. Diana Raczkowski said the Commission is approving the plans and wants to make sure everything is on the plans that are required. The Commission continued this until next month's meeting.
6. Commission Discussion for Change of Use applications.  
Steve Macary brought to the Commission a permit for 16 Park Place regarding 2 apartments on the first floor. He said the applicant has paid the fees. The Commission stated they had made the decision at last month's meeting it was allowed and would just need a zoning change of use permit.
7. No Public Comment.
8. Additional items to be discussed require 2/3 vote to be added to the Agenda.  
**VOTED:** Unanimously on a motion by Diana Raczkowski and seconded by Stanley Jaroneczyk to **ADD** to the agenda a modification to a Site Plan for an addition located at 928 Waterbury Road.

Ralph Tortora the owner of Wayside Market would like to do a 1000 sq.ft. addition to the existing building. Diana Raczkowski asked Steve Macary if additional parking is needed or if it meets the requirements. Steve said it has enough parking and Mr. Tortora is seeking a to waive Section 32.2.5 of the site plan requirements. Diana Raczkowski asked Keith Rosenfeld if this could be done administratively. Keith Rosenfeld stated it would have to go to the Wetlands Commission, if the Zoning Commission does not waive Section 32.2.5. Diana Raczkowski asked how far away from the river it was. Keith Rosenfeld said about 700 feet. Diana

Raczkowski stated if it is that far away she does not see any reason why it should go in front of Wetlands. Jim Stewart commented he would need DOT approval for the sewer connection because it is a state highway. Diana Raczkowski said the Commission would need to see architectural plans showing the elevations and lighting to show how it will fit into the existing building. The Commission stated they will grant the waiver for Section 32.2.5. The Commission continued this item to next month's meeting.

**VOTED:** Unanimously made by Neil Mascola and seconded by Diana Raczkowski to add to the agenda a discussion regarding the referral to the Planning Commission for Lot 3 Great Hill Rd.

Diana Raczkowski stated she had spoke with Commissioner Harry Jancis and he said he did not understand why this was going to the Planning Commission. Diana Raczkowski feels they did not understand what they were granting a referral on. Jim Stewart said it was explained to the Commission why they were looking at the application. It was for a referral for the special permit regarding the earth removal and if it fits the Plan of Conservation and Development. Diana Raczkowski said she spoke with Harry Jancis and he asked her why they were sending this to them. She told him all the Planning Commission was to do was to see if the sand and gravel operation fit within the Plan of Conservation and Development, which they did not do. Diana Raczkowski also said she spoke with Borough Attorney Fitzpatrick and he said all Planning referrals needed to be in writing and need to state whether the plans comply with the Plan of Conservation and Development and if it does not, why. Diana Raczkowski feels it should be sent back to the Planning Commission to get a proper referral and explain to them in writing to decide whether or not the special permit for the sand and gravel permit complies to the Plan of Conservation and Development and give a statement to the Zoning Commission to that effect. The Commission agreed. ( amended 7/15/09)

9. Report of the ZEO on the following:

- Portable Tents on Prospect St located in a B-2 zone which does not allow accessory structures: Steve Macary and Joe Savarese visited both Avenue Auto Body and Reliable Pools. Steve stated that the owner of Avenue Auto Body said he sells about 15 of the tents a year but it has been slow this past year. He told Steve if he decides to keep selling them he will come in for a Site Plan Permit. Steve said he spoke with the owner of Reliable Pool and told him he has to remove it and recommended to put an overhang onto his building which would require a zoning permit. Diana Raczkowski recommended to sending him a letter stating it has to be removed.

Steve stated he received a letter from Patrick Hayden, President of Donham Craft, Inc. located on East Waterbury Rd. regarding a complaint filed against them for having a storage tent on their property. Stanley Jaroneczyk said the letter states it has been up for 6 years. Diana Raczkowski said it has not been there that long and storage tents are not allowed in this zone and if they need storage they should have to add to the property. Joe Savarese suggested to Steve to go up and speak with them and explain that this is a violation and maybe they can do something else for storage.

- Carl Mattson fence: Diana Raczkowski asked Steve what was happening with this issue. Steve Macary stated that Carl Mattson wants the fence down because Mr. Warren told Carl he would take it down. Diana Raczkowski asked if this was the fence Mr. Mattson wants up. Steve said yes. Diana Raczkowski asked if the fence is

violating any zoning regulation. Steve said no. Diana Raczkowski stated we have no right to make him take it down.

- Brian Prentice 50 Maple Hill Rd. slopes: Steve Macary and Joe Savarese visited the site after a heavy rain and did not see anything wrong.

- 1375 New Haven Rd. this was not discussed.

Diana Raczkowski stated they received a letter from Keith Rosenfeld regarding the proposed Office Building, Lot 3 Great Hill Rd. He said at the last Wetlands Commission meeting the Commission and the interveners asked "what is the intent of the PDD #8 Land Use Plan and how does it play into the development of Lot 3"?

Diana Raczkowski stated the map that is in the plan does apply to the whole park. Joe Savarese said so no matter how many lots you have in the industrial park the same elevation requirements apply to the lots. Diana Raczkowski said her opinion is this plan applies to the entire park and not a specific area. Jim Stewart agreed it means the whole park. Joe Savarese said he would like to speak with Chester Cornacchia and get his opinion on it. Diana Raczkowski told Joe Savarese that Wetlands would like and answer on it for there July 1<sup>st</sup> meeting. The Commission agreed the intent of the PDD#8 Land Use Plan is to preserve the existing topography in developing a industrial site and it applies to the whole park.

**10. Chairman Report.**

Joe Savarese said that Allison Hurley and Rachel Brainard have been working on a complaint form to put on the Land use web site. He had some concerns of it adding to their work load in the office. Diana Raczkowski had concerns with the people not being able to speak with a real person and maybe not getting specifics regarding the complaint. Allison Hurley stated the form would benefit Rachel and herself in regards to the many phone calls received on a daily basis. The form would be emailed to the office and then printed out, a copy would be given to Steve Macary and the original put in the complaint book as all other complaints are processed whether it is taken on the phone or the person coming to the office. The Commission said it was o.k. to put on the web site.

**11. VOTED:** Unanimously on a motion by Stanley Jaroneczyk and seconded by Neil Mascola to adjourn the meeting at 8:51 P.M.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah