

**ZONING COMMISSION
PUBLIC HEARING MEETING MARCH 19, 2008
FOR TEXT CHANGE TO SECTION 25.6.5 OF THE NAUGATUCK ZONING
REGULATIONS. APPLICANT: NAUGATUCK ZONING COMMISSION.**

Mike Ciacciarella opened the Public Hearing Meeting at 6:30 P.M. with the following in attendance:

MEMBERS:

Mike Ciacciarella, Chair
Diana Raczkowski
Stanley Jaroneczyk
Neil Mascola
Matthew Katra, absent
Jeffrey Litke, alternate
Joseph Savarese, alternate
Walter Bertotti, alternate, absent

OTHERS:

Public: 8
Steve Macary, CZEO
Allison Hurley, Asst. CZEO
N.Warren Hess, Boro Attorney

Mike Ciacciarella thanked Joe Savarese for drafting a proposed amendment to Section 25.6.5. Mike Ciacciarella and Diana Raczkowski thought it was written very well. Stanley Jaroneczyk had some concerns regarding the restrictions for the size and setbacks especially on the east side of town where the lots are very small and the houses are very close to the road already. A discussion ensued between the Commissioners. Mike Ciacciarella asked if Steve Macary had researched these types of structures in other surrounding towns. Mr. Macary said he did not. Mike Ciacciarella asked Steve to research this and bring back some information to the next meeting. There was no Public Comment.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah

**ZONING COMMISSION
CONTINUED PUBLIC HEARING MEETING MARCH 19, 2008
AMENDMENT TO SECTION 43.9 OF THE NAUGATUCK ZONING
REGULATIONS. APPLICANT: NAUGATUCK ZONING COMMISSION.**

Mike Ciacciarella reconvened the Public Hearing Meeting at 7:09 P.M. with the following in attendance:

MEMBERS:

Mike Ciacciarella, Chair
Diana Raczkowski
Stanley Jaroneczyk
Neil Mascola
Matthew Katra, absent
Jeffrey Litke, alternate
Joseph Savarese, alternate
Walter Bertotti, alternate, absent

OTHERS:

Public: 3
Steve Macary, CZEO
Allison Hurley, Asst. CZEO
N.Warren Hess, Boro Attorney

Attorney Hess recommended to the Commission to table this item until next months meeting. The Commission agreed to continue it to April 16, 2008 at 7:00 P.M.
No Public comment.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah

**ZONING COMMISSION
REGULAR MEETING MARCH 19, 2008**

Mike Ciacciarella opened the Regular Meeting at 7:29 P.M. with the following in attendance:

MEMBERS:

Mike Ciacciarella, Chair
Diana Raczkowski
Stanley Jaroneczyk
Neil Mascola
Matthew Katra, absent
Jeffrey Litke, alternate
Joseph Savarese, alternate
Walter Bertotti, alternate, absent

OTHERS:

Public: 4
Steve Macary, CZEO
Allison Hurley, Asst. CZEO
N.Warren Hess, Borough Attorney

1. Mike Ciacciarella took attendance. At this point, it was determined that a quorum was present. Mike Ciacciarella appointed Joseph Savarese a regular voting member in place of Matthew Katra.
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 February's Regular Meeting and Public Hearing Meeting Minutes.
VOTED: Unanimously on a motion by Diana Raczkowski and seconded by Neil Mascola to **APPROVE** the March 6th and the March 19th Special Meeting and Public Hearing Meeting Minutes.

4. **OLD BUSINESS:**

- A. Commission Discussion/Decision for text change to section 25.6.5 of the Zoning Regulations. Applicant: Naugatuck Zoning Commission.
The Commission tabled their decision until next month's meeting.
- B. Commission Discussion/Decision for an Amendment to Section 43.9 of the Naugatuck Zoning Regulations. Applicant: Naugatuck Zoning Commission.
The Commission tabled their decision until next month's meeting.

5. **NEW BUSINESS:**

- A. Commission Discussion/ Decision regarding consideration of settlement of II CV 08-4014902, Hershey Foods Corp. v. Naugatuck Zoning Commission pursuant to the Connecticut General Statute concerning the possible amendment to the Zoning Map of the Borough of Naugatuck to include the Hershey Foods Corp. Real property on New Haven Rd. (_____ acres +/-) to be within the New Haven Road Design District Zone.
- Attorney Hess explained that there is an appeal pending in court. Attorney Hess says he has no concerns about the appeal but said that the question remains what the Commission feels should be done with the 39 acres on New Haven Rd. He said that the Commission has the authority to do what it feels is appropriate and right. Attorney Hess said that there are various ways to approach the problem, one being they could come in and re-apply. He stated that it is legally proper to resolve this by a process that is authorized by the General Statutes which essentially is this Commission would have to notice a Public Meeting, not a Public Hearing. If the Commission chooses, it can agree to modify their decision and include the property in the NHRDD and vote and publish the vote in the paper. Attorney Hess stated subject to any appeal filed in the Superior Court the Commissions actions would have to be approved by the Superior Courts. If those two happen and are not challenged the decision would stand without having a Public Hearing. Attorney Hess suggested that the Commission have a discussion tonight on what they feel the future of the land should be. Joseph Savarese asked what the time line for the courts would be. Attorney Hess said two weeks to thirty days vs a zone change application would be approximately 6 months. A discussion ensued between the members. Diana Raczkowski commented that it would be beneficial to the community to include the property and utilize it in the commercial zone. Joe Savarese stated that commercial is the best use for the land. Stanley Jaroneczyk said he feels it is inevitable. Mike Ciacciarella would like

gather more information through Steve Macary and continue this to next month's meeting for more discussion and a possible decision.

- B. Accept Application/ refer to Planning Commission/ set Public Hearing for a Masonary Supply Store located on 1483 New Haven Rd. Applicant: Mirjand and Genti Mulla

VOTED: Unanimously on a motion by Diana Raczkowski and seconded by Stanley Jaroneczyk to Accept Application, refer to Planning Commission and set Public Hearing for April 16, 2008 at 6:30 P.M. regarding a Special Permit application for a Masonry Supply Store located on 1483 New Haven Rd. Applicant: Mirjand and Genti Mulla

- C. Commission Discussion for a Bottling company to be located at the Industrial Park Applicant: C.W Resource
Mike Ciacciarella stated that this was a pre application discussion. Dave Prendergast, NEDC stated that he has been working with Sandra Lavoy, Vice President of Community Services for CW Resources which is a bottle and can redemption center that is interested in moving into the building where Miracle Industries was. Sandra Lavoy explained to the Commission that they have trucks that go to area bars and restaurants picking up bottles and cans. The product is then returned to the CW center and sorted by workers with disabilities and then picked up by distributors. They have out grown their current space due to the growth of services. They employ over 85 individuals with disabilities and have 25 staff members. After a discussion between the Commission members, Mike Ciacciarella asked that Steve Macary check the regulations for permitted uses in the Industrial Park to determine what application will be needed, but believes it will require a Site Plan Application.

- D. Commission Discussion for a special permit located on Spring Rd and Rt. 68 Applicant: Capitol Heavy Hauling.
James Warren, Capitol Heavy Hauling submitted in writing a request to withdraw a Special Permit application dated 2/20/08 Applicant Capitol Heavy Hauling. Mike Ciacciarella stated that the fees that were paid for this application can be used toward any future application.

Mike Ciacciarella stated that Mr. Warren could now review a pre application. James Warren explained that he is proposing to do an I-2 Condo like Industrial Park and the larger buildings would get sold off in different pieces as condos. The condos would vary from 20,000 sq.ft. through 1000 sq.ft. this would help get some of the smaller businesses out of their back yards. Mr. Warren explained that he would have to go for a zone change for a piece of the property that abuts the Town of Prospect from a R-15 to I-2 and would also like to change a piece of land that fronts the street on Prospect St. (Rt.68) to a B-2 from an I-2 zone. Diana Raczkowski questioned the parking and the traffic flow entering and exiting onto Rt. 68. Jim Warren stated that this is a necessity for the Town. Diana Raczkowski wants Steve Macary to call Bob Hurst at DEP regarding the aquifer regulations and if this requires a permit or not. Mike Ciacciarella stated that this might qualify

for a PDD which would be a good solution because you could write your own zone.

- E. Commission Discussion for a site plan modification located on 49 Bowmen Dr.
Applicant: Kingdom Hall / Grew Design
After a brief discussion regarding the site plan modification to construct a carport the Commission made a decision.

VOTED: Unanimously on a motion by Diana Raczkowski and seconded by Stanley Jaroneczyk to **APPROVE** a site plan modification located on 49 Bowmen Dr. Applicant: Kingdom Hall / Grew Design

- F. Commission Discussion possible decision to approve an Agreement Municipal Regulation Review regarding Subdivision Regulations of the Borough of Naugatuck, per the Borough Engineer.
Jim Stewart reviewed an agreement for Milone and MacBroom to be contracted to review the Naugatuck Zoning Regulations. The Commission said that they were all in agreement with it.

6. Public Comment:

Keith Rosenfeld the Town Planner addressed the Commission. He stated that Jim Stewart and himself met with the DEP and OPM regarding the discrepancy found between the State and Regional Plan with the Boroughs Plan of Conservation and Development concerning zones reflecting sewer and water services.

7. No Additional items to be added to the Agenda.

8. Report of the ZEO:

Steve Macary asked the Commission how to treat an application for a change of use regarding a dollar store moving into a location on Rubber Avenue where there previously was a retail store. Mike Ciacciarella asked if there was an existing site plan for this property. Steve Macary stated that he could not find one. Diana Raczkowski had some concerns regarding the parking because she feels a dollar store would generate a lot of people. A discussion ensued between the Commission members and Staff. Mike Ciacciarella and Steve Macary agreed that it would require a special permit.

- 9. VOTED:** Unanimously on a motion by Neil Mascola and seconded by Stanley Jaroneczyk to adjourn this meeting at 8:55 P.M.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah