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ZONING COMMISSION
REGULAR MEETING NOVEMBER 19, 2008

Mike Ciacciarella opened the Regular Meeting at 6:00 P.M. with the following in attendance:

MEMBERS:

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

OTHERS:

Public: 11
Steve Macary, CZEO
Jim Stewart, Boro PE

1. Mike Ciacciarella opened the meeting and took attendance. At this point, it was determined that a quorum was present. He appointed Joseph Savarese as a regular voting member in place of Diana Raczkowski.
2. Executive Session with Borough Attorney Pete Hess regarding pending litigation for Lorusso vs. the Naugatuck Zoning Commission.
VOTED: Unanimously on a motion by Matthew Katra and seconded by Neil Mascola to enter into executive session at 6:04 P.M. inviting in Attorney Hess, Jim Stewart, and Steve Macary.
The Commission exited executive session at 6:51 P.M. and reconvened the Regular meeting.
3. Approval of minutes and the secretary will sign previously approved minutes.
VOTED: **4-0-1** on a motion by Joseph Savarese and seconded by Matthew Katra to **APPROVE** the October 15, 2008 Regular and Public Hearing meeting minutes.
4. **OLD BUSINESS:**
 - A. Commission Discussion/Decision for a Zone Change Application from an R-15 and RA-1 to a B-2 zone located on 573 North Main St. Applicant: Frank Savignano.
Mike Ciacciarella stated that a petition was signed and received at last months meeting. Steve Macary said the GIS department has determined that the petition did not meet the requirements. There was a total of 8.9 acres needed, (20% of the total acreage), and they only received 4.7. Mike Ciacciarella said they do not need a 4/5th vote then. He also noted the Commission had some issues with the width of the street. Joseph Savarese was asked if when the site is developed the applicant would be required to install a sidewalk or consider eliminating the back entrance in order to put some of the neighbors concerns at ease. Mike Ciacciarella stated that would all be discussed when a site plan application is filed. Steve Macary noted a lot of the residences were concerned about the access to the property, but when a site plan is received they can discuss it and take a good look at the site.
VOTED: Unanimously on a motion by Matthew Katra and seconded by Stanley Jaroneczyk to **APPROVE** the zone change from an R-15 and RA-1 to a B-2 zone for property located on 573 North Main Street.

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B. Commission Discussion/Decision regarding Zoning Map with Borough Engineering.

Jim Stewart handed the Commission copies of the revised zoning map. Steve Macary handed the Commission a copy of a letter from Mrs. Dwy on Clark Road. He told them that the Zoning Commission had changed her property to a business zone and she wants to go back to a residential zone. She is having difficulty selling her home because the Commission had changed her zone a long time ago. Mr. Macary stated that Mrs. Dwy wanted her property to be included in the New Haven Road Design District. Matthew Katra noted she is exactly where they stopped the NHRDD. The house is located directly behind the factory. He asked to add 25 Clark Road to NHRDD. Matthew Katra suggested taking the whole I-2 zone and changing it as well. Jim Stewart said that was one of his questions for them. There was discussion over their lot size and what was required for each zone. Jim Stewart reminded them that they would need to have a Public Hearing but could tentatively decide this tonight. The Commission decided it would most likely be NHRDD in that area. Jim Stewart stated he will have a final map for them and if they want to set their Public Hearing for next month that would be fine. Mike Ciacciarella asked Mr. Stewart to send the maps out to the Commission because Steve Macary did not send them out this month. Jim Stewart said he could email Mike Ciacciarella the colored map and give the physical maps to Steve. Jim Stewart stated they have done everything that was discussed at the last meeting. He noted there was a little jog in the NHRDD and they couldn't figure out why it was there so they took it out because it is part of the condo area. Now the entire condo area is a PDD-6.

The next item was Hanes gravel pit and Fox Hill Condo's area which they decided should be the Design District as well. It is a gravel pit and wooded area. He and Steve went out and checked on it.

Jim Stewart said the other issue was on Rubber Avenue the area next Western School and the congregational housing. The boundary line is going through the middle of the property, Jim Stewart suggested they follow the property lines. Matthew Katra and Mike Ciacciarella suggested removing it.

C. Commission Discussion Zoning Regulation modifications as prepared by Milone & MacBroom.

This item was tabled until next month's meeting.

D. Commission Discussion/Decision regarding Sign Regulations.

Steve Macary handed the Commission a report of changes which he said some unknown resident had mailed to him. The resident suggests allowing illuminated signs such as the one at A Better Way Auto on Rubber Ave.. Mike Ciacciarella suggested going over Jim Stewart's list first which consisted of wording corrections. Steve Macary suggested taking out #27.4.6 of the regulations. He feels it shouldn't require a Special Permit approval for a sign over 25 feet. Mike Ciacciarella suggested keeping it in and just raising the height. There was discussion over banner signs and flags in the design districts. Matthew Katra and Mike Ciacciarella agreed they wanted to keep 27.5.1 in the regulations which concerns billboards. Mike Ciacciarella brought up Section 27.6, temporary signs. Mr. Macary stated he spoke with SNET and it is their jurisdiction to remove the signs off the telephone poles. All he has to do is give them a call when there is a

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large amount on a pole. There was discussion over political signs that are allowed, but with a time limit. Mike Ciacciarella noted that the placement of temporary signs is always an issue. He also pointed out that 27.6.3.5 is an important existing regulation. There was a discussion over the placement of temporary signs not allowing them on Borough, State, or right of ways and would be numbered 27.6.3.6. Chairman Ciacciarella said he would like to get feed back from Attorney Hess on the draft sign regulations and then possibly set a Public Hearing at next months meeting.

5. **NEW BUSINESS:**

- A. Accept Application/Refer to the Planning Commission/Set Public Hearing for a Special Permit Application for an Auto Sales and Repairs located on 628 Prospect Street. Applicant: Gary Santarsiere.

Steve Macary stated this is the property that was previously owned by Capital Heavy Hauling. He noted there is a building existing on the site now and it has already been before this Commission. He stated he had the same plans, but the parking has been modified a bit. He said it has already been before Inland Wetlands and is a pending application with them. He has to submit the plans to the Engineering Department for more parking.

VOTED: Unanimously on a motion by Matthew Katra and seconded by Joseph Savarese to **ACCEPT**/Refer to the Planning Commission and Set a Public Hearing for January 21st at 6:30 P.M. regarding a Special Permit Application for an Auto Sales and Repairs located on 628 Prospect Street. Applicant: Gary Santarsier.

- B. Steve Macary said he had a site plan for an addition/storage area for 393 Rubber Avenue. Applicant: Maggy Kozlowski.

VOTED: Unanimously on a motion by Matthew Katra and seconded by Joseph Savarese to **ADD** this item to the agenda.

Steve Macary stated it is basically a storage area. Attorney Michael McVerry, representing the applicant, Kozlowski LLC, said the site is currently an auto repair and sale shop. The addition they are requesting is 40 x 82 feet and will be in the back of the property. There will be no repairs done in this building. The Applicant received IW approval at the beginning of the month. Matthew Katra noted the application states automotive repair and sales. Attorney McVerry said the use of the whole property is for sales and repairs, but this is for a storage building. The applicant received a variance for the side line of the property. They are looking for site plan approval. Attorney McVerry stated he spoke with Jim Stewart about the water pollution control. He noted they are not adding any sewers or drains with this purposed use. There was a discussion over the building location. Attorney McVerry noted the wetlands commission has required them to put in rain gardens. He stated once the addition is put in the trailers will be gone. Matthew Katra asked if the applicant had a clearer drawing wit the height of the addition on it. Steve Macary stated they can go up to 40 ft in that zone, but they can make it a condition if he would like. Mike Ciacciarella asked what kind of site work would be done. Attorney McVerry said it would just be excavating slightly for the slab foundation. There was discussion over the height of the addition. Mike Ciacciarella asked if they were proposing any additional lighting on the site. Attorney McVerry answered no, their hours of operation are Monday

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through Friday until 5:00 P.M. and Saturday until 3:00 P.M. Joseph Savarese stated his only concern was the height of the building and asked why it would need to be so high if it is only intended for storage. Attorney McVerry said the applicant may want to double deck the cars inside.

VOTED: Unanimously on a motion by Stanley Jaroneczyk and seconded by Joseph Savarese to **APPROVE** Site Plan Application for an addition/storage area at Auto Haus located 393 Rubber Avenue. Applicant: Maggy Kozlowski, with the following condition:

1. The vertical height of the building will not exceed 30 ft. from grade.

- C. Steve Macary said he has a Special Permit to add to the agenda, accept, refer to Planning Commission, and set a Public Hearing for a concession stand for Breen Field South, Applicant: Borough of Naugatuck.

VOTED: Unanimously on a motion by Matthew Katra and seconded by Neil Mascola to **ADD** a Special Permit Application for proposed field house concession stand located on Rotary Field #2, Applicant: Borough of Naugatuck to the agenda.

Steve Macary stated there are volunteers that will be doing the work and the plans will be prepared by the engineering department.

VOTED: Unanimously on a motion by Matthew Katra and seconded by Stanley Jaroneczyk to **ACCEPT/Refer** to Planning and Set a Public Hearing for December 17th at 6:30 P.M. for a Special Permit regarding a proposed field house concession stand located on Rotary Field #2, Applicant: Borough of Naugatuck.

6. Commission Discussion for Change of Use applications.

Steve Macary stated this Change of Use is for a hair salon on Rubber Avenue that used to be Lusso Travel Agency. He noted there are 8 parking spaces and spots in front of the building.

VOTED: Unanimously a motion by Matthew Katra and seconded by Stanley Jaroneczyk. to **RATIFY** the Change of Use with a motion by Matthew Katra and seconded by Stanley Jaroneczyk.

Steve Macary stated this Change of Use is for an entertainment center/arcade on Rubber Avenue that used to be Naugy Daugy. There was a discussion over parking and the hours of operation.

VOTED: **4-0-1** on a motion by Matthew Katra and seconded by Neil Mascola to **RATIFY** the Change of Use Application regarding an entertainment center/arcade on Rubber Avenue that used to be Naugy Daugy.

7. No Public Comment.

8. No Report of the ZEO.

9. Unanimously on a motion by Matthew Katra and seconded by Stanley Jaroneczyk to adjourn the meeting at 8:35 P.M.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah