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ANSONIA PLANNING & ZONING COMMISSION  
PUBLIC HEARING IN RE: 26 GARDNERS LANE  
CASTLE LANE DEVELOPMENT  
JOSEPH JAUMANN, CHAIRMAN  
NOVEMBER 16, 2015

ANSONIA TOWN HALL  
253 MAIN STREET  
ANSONIA, CONNECTICUT

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HEARING RE: CASTLE LANE DEVELOPMENT  
NOVEMBER 16, 2015

1 . . . Verbatim Proceedings of a public  
2 hearing before the Ansonia Planning & Zoning Commission,  
3 in re: 26 Gardners Lane, Castle Lane Development, held on  
4 November 16, 2015 at 6:04 p.m., at Ansonia Town Hall, 253  
5 Main Street, Ansonia Connecticut. . .  
6  
7  
8  
9

10 CHAIRMAN JOSEPH JAUMANN: Please rise for  
11 the Pledge of Allegiance.

12 (Whereupon, the Pledge of Allegiance was  
13 recited.)

14 CHAIRMAN JAUMANN: Would you call the roll  
15 please?

16 (Whereupon, roll call was taken.)

17 CHAIRMAN JAUMANN: We have a quorum. Item  
18 No. 3 is, we are here for a public hearing on Castle Lane  
19 also known as Gardners Lane. Can we have a motion to  
20 open the public hearing?

21 MR. MICHAEL BETTINI: I move we open the  
22 public hearing.

23 CHAIRMAN JAUMANN: Is there a second?

24 MR. WILLIAM MALERBA: Second.

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1 CHAIRMAN JAUMANN: All those in favor?

2 VOICES: Aye.

3 CHAIRMAN JAUMANN: Any opposed? Abstain?

4 Okay, we will open the public hearing.

5 Item 3A on the agenda is the presentation  
6 by the applicant. The applicant is not here. We did  
7 receive correspondence from the applicant I'd like to  
8 read into the record. It's dated November 16, 2015  
9 addressed to myself and the Ansonia Planning & Zoning  
10 Commission.

11 Dear Chairman Jaumann, in an effort to  
12 address all comments from your staff and to continue  
13 discussions with Corporation Counsel, on behalf of client  
14 I am consenting to a 65-day extension of the time to  
15 complete the public hearing on the above application.

16 With the public hearing commencing this  
17 evening, the initial 35-day period to complete the public  
18 hearing expires on December 21, 2015. The additional 65-  
19 day extension to which my client consents, will extend  
20 the time period to complete the public hearing until  
21 February 24, 2016. The statutory time remaining to  
22 decide the application will be 65 days thereafter.

23 My client and our team will not be at the  
24 commencement of the hearing this evening and we will

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1 waive the Commission's decision on the continuation date  
2 for the public hearing while we address staff comments  
3 and continue discussion. Thank you for your attention.  
4 Very truly yours, Cohen & Thomas, Dominick Thomas, Jr.

5 So obviously at this point in time we're  
6 not going to hear a presentation from the applicant.  
7 What that letter does do is it gives the Commission the  
8 extension to continue this public hearing to a date in  
9 the future to get a presentation from the applicant.

10 That being said, everyone is here tonight  
11 gathered for public comments on this application and you  
12 guys -- everyone from the public can feel free to step  
13 forward and make their comments. But before we do that,  
14 everyone should be aware of the fact that there will be  
15 another date.

16 There will be a presentation from the  
17 applicant on that date in favor of the application, and  
18 at that point in time the public will then again also be  
19 afforded an opportunity to address the applicant and the  
20 applicant would have the opportunity at that meeting to  
21 respond.

22 That being said, if your comments tonight  
23 -- if anyone chooses to make comments tonight those  
24 comments are obviously going to be recorded, they're

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1 going to be dictated, and they're going to be  
2 memorialized. Those comments will be sent to the  
3 applicant for his comment. Obviously in-person comments  
4 tend to get a quicker response.

5 That being said, there'll be no limitation  
6 on public input tonight. I don't think any staff or  
7 Commission member are going to be making comments tonight  
8 without a presentation from the applicant.

9 But that being said, any member of the  
10 public that wishes to speak is certainly able to come  
11 forward tonight, sign in on a sign-up sheet, state your  
12 name for the record and then make any of the comments  
13 that you want.

14 What we would do, if many members of the  
15 public -- and this is what we were anticipating doing, is  
16 that if there were multiple people, which I assume there  
17 would be that were going to be making comments tonight,  
18 we're going to limit the first comments to three minutes  
19 each. That makes sure everybody gets an opportunity to  
20 do that.

21 Thereafter, say round two, you would be  
22 unlimited in the amount of time that you would be  
23 allocated to make comments just to make sure that every  
24 member of the public gets to make those comments. So I'm

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1 going to put this -- pass this forward and just ask that  
2 if there are members of the public that want to speak  
3 this evening, they can write their names down and also  
4 state their names for the record so the Secretary can  
5 write the names down, and spell them please.

6 So while everybody is sign -- while the  
7 members of the public are signing up I will just read  
8 into the record, notice of public hearing was made of  
9 this hearing this evening.

10 Notice was hereby given that the Ansonia  
11 Planning & Zoning Commission will hold a public hearing  
12 Monday, November 16th at 6:00 p.m. in Ansonia City Hall  
13 at 253 Main Street, Ansonia, Connecticut, for the  
14 following, which is the subdivision application for the  
15 Castle Lane Developers, 26 Gardners Lane, MLB 59-4-2B.

16 At said hearing interested parties may  
17 appear and be heard and written communications may be  
18 received. This was dated on November 3, 2015. This was  
19 published twice, both in a local newspaper both on  
20 November 13th as well as November 4th, adequately  
21 notifying the public of the hearing this evening.

22 MR. JARED HEON: I make a motion we accept  
23 the call.

24 CHAIRMAN JAUMANN: Do I hear a second?

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1 MR. MALERBA: Second.

2 CHAIRMAN JAUMANN: All in favor?

3 VOICES: Aye.

4 CHAIRMAN JAUMANN: Any opposed? Abstain?

5 Motion passes.

6 Additionally I just -- I'll make a few  
7 additional comments, that a letter dated October 5th  
8 signed by me was sent to Attorney Thomas notifying him of  
9 the date and time of this meeting this evening.

10 And finally, pursuant to statute we were  
11 required to notify the Naugatuck Valley Council of  
12 Governments. That was done and I believe we have a  
13 return receipt that was in the packet for each of the  
14 Commissioners. So that was adequately done pursuant to  
15 statute.

16 MS. MAUREEN McCORMACK: And Seymour too?

17 CHAIRMAN JAUMANN: I believe Seymour was  
18 notified as well.

19 MR. HERON: And the Town of Seymour.

20 CHAIRMAN JAUMANN: The Town of Seymour was  
21 also notified.

22 MR. HERON: We can add to this but just so  
23 we know who to call on --

24 CHAIRMAN JAUMANN: And just to reassure

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1 everybody once again, there will be another public  
2 hearing. It's anticipated that there will be a motion to  
3 continue this public hearing not close it.

4 At that point in time another one will be  
5 scheduled with a date and time specific and a specific  
6 location, at which point in time we anticipate the  
7 applicant presenting and the public again having another  
8 opportunity to address the Board.

9 Number one on the list is Randy Carroll.

10 MR. RANDY CARROLL: Hi, Randolph Carroll,  
11 40 Fourth Street. I come here as a private citizen and  
12 taxpayer.

13 I see that you have scheduled a site walk.  
14 Could you have the Conservation Commission as well as  
15 Inland Wetlands invited to your site walk?

16 CHAIRMAN JAUMANN: It is as-needed. One  
17 has not been scheduled.

18 MR. CARROLL: When you do.

19 CHAIRMAN JAUMANN: If and when one is  
20 done, we'll send notification to the Conservation  
21 Commission.

22 MR. CARROLL: Thank you.

23 CHAIRMAN JAUMANN: Mr. David Connelly.

24 MR. DAVID CONNELLY: Hi, David Connelly,

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1 53 North Prospect Street Extension, Ansonia.

2 CHAIRMAN JAUMANN: Good evening.

3 MR. CONNELLY: One of my main concerns  
4 with this development is wells. We have wells already in  
5 place and some of them are marginal at best. What we're  
6 talking about is a water table is contained in cracks in  
7 the granite mountain that we live on.

8 An average family of four uses 350 gallons  
9 of water a day. Ten houses of an average family of four  
10 means 3,500 gallons per day is coming out of the water  
11 table. The main issue is there's nothing above us to  
12 resupply that water. We're at the top of the mountain.

13 So what's going to happen is the water  
14 table is going to drop by 3,500 gallons a day. It's  
15 almost imminent that wells are going to run dry above us  
16 and the question is who's responsible? Will it be the  
17 developer who's drilling wells and dropping the water  
18 supply?

19 Will it be the City who, you know,  
20 knowingly let the development take place? The problem  
21 becomes it's a health hazard when you can't flush your  
22 toilets, when you can't wash your face, when you can't  
23 brush your teeth. That becomes a serious concern.

24 I'd like to know who's liable because I'm

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1 sure there's going to be issues. Thank you.

2 CHAIRMAN JAUMANN: Thank you sir.

3 Rosemary Slovik.

4 MS. ROSEMARY SLOVIK: My name is Rosemary  
5 Slovik, I live at 31 Castle Lane, and I want to state  
6 that also I'm very concerned about the wells. And God  
7 forbid brushing our teeth, but if we can't shower because  
8 we don't have enough water it's going to be a lot worse.

9 But I'm worried about the wells, I'm  
10 worried about the roads, I'm worried about any blasting  
11 and an impact on the Town as far as Public Works and the  
12 educational system. I think it will be a hardship.  
13 Thank you.

14 CHAIRMAN JAUMANN: Thank you. Heather  
15 Lee.

16 MS. HEATHER LEE: Heather M. Lee, 102  
17 North Prospect Street Extension. I'm basically going to  
18 say what Dave said, I'm concerned about my well. I'm on  
19 my second well.

20 One, I can think of at least four or five  
21 other people on my street that are on their second well  
22 and I've got a blasting two gallons a minute. I mean,  
23 isn't that wonderful? You're supposed to get like at  
24 least four.

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1                   So this is my concern and I'm going to say  
2                   the same thing that Dave said. Who is going to be held  
3                   liable, the builder or the City for permitting this to  
4                   happen? Think about, I think it was Prospect or  
5                   Cheshire, where all those mines were under the houses and  
6                   they started having sinkholes.

7                   But the Town allowed them to develop to go  
8                   build houses over mines, open mines. So that's my  
9                   question, who's liable? If there is problem, I want to  
10                  know who I'm going to go to because I can't afford -- my  
11                  husband and I both are retired. I can't afford to drill  
12                  another well.

13                  I've been there 33 years, I've invested an  
14                  awful lot of money in my property. So, that's my biggest  
15                  concern right there. And I'd rather see 10 houses on  
16                  bigger lots than 24. But again, my concern is the water.  
17                  And I really -- I'm going to say one more thing.

18                  I think that DellaVolpe missed the lot.  
19                  If he came in and bought that property for \$250,000.00 on  
20                  foreclosure, why didn't the City buy it and add it to Abe  
21                  Stone Park? Who was sleeping at the helm? Thank you.

22                  CHAIRMAN JAUMANN: Thank you Ma'am.  
23                  Edward Musante.

24                  MR. EDWARD MUSANTE: Hi, I'm Edward

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1 Musante, 21 Castle Lane. I have one question to ask you.  
2 If you're going to apply for a permit and you owe taxes,  
3 how could that happen? A builder can go and apply for a  
4 permit for building and he owes taxes, how is that going  
5 to happen -- how does that happen?

6 CHAIRMAN JAUMANN: Again, tonight we're  
7 only taking comments.

8 MR. MUSANTE: Okay, but that can't happen  
9 because I found out from corporate that he owes taxes.  
10 Okay the wells, against that on the wells because the new  
11 houses behind us, when they're out there watering their  
12 grass our water line goes down.

13 And I brought up -- Chief of Eagle Hose in  
14 2000 to make a turn down there, it took him four left-  
15 hand turns to go down. He had to keep backing up. And  
16 you know yourself going to a fire you're not going to  
17 keep playing with a truck, keep backing up and backing up  
18 to turn because that first part of Castle Lane is real  
19 narrow.

20 And back in the 80's I looked up some  
21 stuff in my mother's room. The contractor then was told  
22 to widen the road, put walls up. He just looked away  
23 because that first half is all Seymour. And when a UPS  
24 truck, I was watching, was coming in the other guy had to

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1 go back on his own lawn because it's not wide enough two-  
2 ways going out.

3 And then what's going to happen with a  
4 fire truck, how they going to do that at the end? Is  
5 that going to be a cul-de-sac, is it going -- because a  
6 cul-de-sac, is that going to be wide enough for a U --  
7 for Ladder 7 to make a left-hand turn to come out and  
8 wrap around?

9 CHAIRMAN JAUMANN: Thank you sir. Mr. and  
10 Mrs. Charlie Stowe.

11 MS. DEIDRE STOWE: Good evening.

12 CHAIRMAN JAUMANN: Good evening.

13 MS. STOWE: I'm Deidre Stowe, 23 Granite  
14 Terrace, and I wanted to ask about the report from NVCOG.  
15 Do they have to send you a report back -- oh, you can't  
16 respond, so it -- that's my question.

17 MR. DAVID ELDER: No, we did. We received  
18 comments from them.

19 CHAIRMAN JAUMANN: We did receive comments  
20 from them.

21 MS. STOWE: Oh you did?

22 CHAIRMAN JAUMANN: Yes we did.

23 MS. STOWE: And would you be able to read  
24 them to us?

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1                   CHAIRMAN JAUMANN: Yeah, if I -- assuming  
2 I have the whole -- yes, I can do that sure.

3                   MS. STOWE: Okay. And then I -- did you  
4 get comments from Seymour as well?

5                   MR. ELDER: I don't believe we did.

6                   CHAIRMAN JAUMANN: I don't believe we got  
7 a response from Seymour. I have a return receipt  
8 indicating that they were notified.

9                   MS. STOWE: Okay.

10                  CHAIRMAN JAUMANN: I just don't have any  
11 -- I don't have any comments or notice indicating that  
12 they wanted to comment.

13                  MS. STOWE: And lastly, can you repeat the  
14 dates that you gave us when you first started? The dates  
15 of the, you know --

16                  CHAIRMAN JAUMANN: Of the publication?

17                  MS. STOWE: -- yes.

18                  CHAIRMAN JAUMANN: They were published on  
19 --

20                  MS. STOWE: No, no, no, not the  
21 publication --

22                  MS. McCORMACK: The extension?

23                  MS. STOWE: -- yeah, the extension.

24                  CHAIRMAN JAUMANN: Oh yes, from Attorney

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1 Thomas's letter?

2 MS. STOWE: Ahum.

3 CHAIRMAN JAUMANN: Okay. He indicates --  
4 and again, this is according to Attorney Thomas.

5 MS. STOWE: Okay.

6 CHAIRMAN JAUMANN: It says with the public  
7 hearing commencing this evening, the initial 35-day  
8 period to complete the public hearing would expire on  
9 December 31, 2015.

10 The additional 65-day extension to which  
11 my client consents, will extend the time period to  
12 complete the public hearing until February 24, 2016. The  
13 statutory time remaining to decide the application will  
14 be 65 days thereafter.

15 MS. STOWE: So I don't understand that.

16 CHAIRMAN JAUMANN: Well --

17 MS. STOWE: So the --

18 MR. BETTINI: They have to have a public  
19 hearing by the 24th --

20 CHAIRMAN JAUMANN: -- essentially what it  
21 allows the Commission here to do is extend the public  
22 hearing beyond what the time frame would have been.

23 By consenting to the additional 65 days,  
24 it gives us an additional 65 days to continue the public

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1 hearing --

2 MS. STOWE: Right.

3 CHAIRMAN JAUMANN: -- close the public  
4 hearing, and then make a decision on the subdivision  
5 application.

6 MS. STOWE: Okay so --

7 CHAIRMAN JAUMANN: I'm not making any  
8 representations as to the accuracy of Attorney Thomas's  
9 dates.

10 MS. STOWE: -- oh no, okay.

11 CHAIRMAN JAUMANN: I'll leave that to  
12 counsel to do. But as to whether or not those dates are  
13 correct or incorrect, I don't know.

14 I do know that he's indicating in the  
15 affirmative that he's giving us a 65-day extension which  
16 allows us at that point in time to --

17 MS. STOWE: But does that mean that after  
18 the 24th -- by the 24th -- just to put it in layman's  
19 terms, you have to have a public hearing by the 24th and  
20 then there's an additional 35 days?

21 MR. ELDER: No, so what it does is it  
22 actually -- it doesn't mean that the Commission has to  
23 act prior to that date, but the Commission can after --  
24 the applicant tonight asked for a continuance for

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1 tonight.

2 They can't be here tonight, they're still  
3 responding to our comments. They extended -- the typical  
4 time frame -- this is going to be a lot. But you have 65  
5 days from the time you receive the subdivision  
6 application to set a public hearing if you chose to hold  
7 a public hearing.

8 MS. STOWE: Okay.

9 MR. ELDER: Then you have 35 days from the  
10 date you open the public hearing to close the public  
11 hearing, and then an additional 65 days for the  
12 Commission to deliberate and make a decision.

13 What the applicant just did was that  
14 extend that entire time by 65 days. So we can -- the  
15 Commission --

16 MS. STOWE: Okay, so you just pushed it  
17 out.

18 MR. ELDER: -- that's right.

19 MS. STOWE: Okay.

20 MR. ELDER: But it doesn't necessarily  
21 mean -- what I don't want to set tonight is any false  
22 expectations that the Commission will choose to use all  
23 of that time.

24 MS. STOWE: Okay.

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1                   MR. ELDER: The Commission could very well  
2 hear the applicant at the next public hearing if the  
3 Commission chooses to extend it, and they could act at  
4 the following regular meeting.

5                   MS. STOWE: Very good, thank you.

6                   MR. ELDER: Sure.

7                   MS. STOWE: Did you have something you  
8 wanted to say Charles?

9                   MR. CHARLIE STOWE: Yes, this is my wife.  
10 I'm Charlie Stowe, Alderman in the 1st Ward, and these  
11 people are my neighbors.

12                   When you mentioned Seymour, you requested  
13 a response from them. Do they have to respond?

14                   CHAIRMAN JAUMANN: We didn't request a  
15 response from them, we notified them of the public  
16 hearing.

17                   MR. STOWE: And they don't --

18                   CHAIRMAN JAUMANN: So they're welcome to  
19 comment or respond.

20                   MR. STOWE: -- they don't have to respond  
21 if they don't want to?

22                   MR. ELDER: Correct.

23                   CHAIRMAN JAUMANN: That's correct.

24                   MR. STOWE: So the road that is there,

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1 half of that road belongs to Seymour is that correct?

2 MALE VOICE: Yeah.

3 MR. STOWE: Now one of my issues which  
4 I've brought up before, is there's an 18-foot wide  
5 section there.

6 And I would like to -- I, if it's at all  
7 possible as an Alderman, am requesting this Board to ask  
8 Seymour to come to the -- if there ever is a meeting  
9 about this road, and explain to the people that are here  
10 why is that road 18-foot wide and is it passable safely  
11 at that intersection.

12 And I don't think that's too much to ask  
13 for an answer from them.

14 CHAIRMAN JAUMANN: Alderman, I can make  
15 all the requests of the Town of Seymour I want. I cannot  
16 --

17 MR. STOWE: So you --

18 CHAIRMAN JAUMANN: -- I cannot get them  
19 here if they don't want to be.

20 MR. STOWE: -- so you can make a request.  
21 Will you if this continues on?

22 CHAIRMAN JAUMANN: I mean, we've at this  
23 point in time notified them of the public hearing of the  
24 subdivision application.

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1 MR. STOWE: Well --

2 CHAIRMAN JAUMANN: Having -- requesting  
3 them to comment about the width of the street that I'm  
4 presuming since you're asking Seymour to comment on it,  
5 exists in the Town of Seymour isn't really applicable to  
6 the specifics of the subdivision application.

7 It's applicable to traffic issues that may  
8 amount to the City --

9 MS. STOWE: So doesn't that fall under  
10 VCOG then? Doesn't that issue fall within the District?

11 CHAIRMAN JAUMANN: I think it -- I don't  
12 -- honestly, I think it's a Seymour issue. I think it's  
13 an issue with regards to the Town of Seymour and whether  
14 or not there was -- at the time that that road was  
15 developed, why Seymour chose to make it 18 feet wide.

16 MR. STOWE: Well there's definitely a  
17 safety hazard there because it's so close to the  
18 intersection and it's so narrow there.

19 So what you're leading me to believe is,  
20 is that if that had to be fixed for safety Seymour would  
21 be responsible to do it not the developer?

22 CHAIRMAN JAUMANN: If it's their land. If  
23 it's owned by the Town of Seymour, then yes. I mean, if  
24 it's a public roadway in the Town of Seymour I would

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1 presume that it's owned by the Town of Seymour or the  
2 State of Connecticut.

3 Those are the two -- where the two public  
4 roadways would exist. One of those two entities would  
5 own the property.

6 MR. STOWE: Okay, so if I decided to go to  
7 Seymour's Planning & Zoning meeting, this Board would not  
8 be offended by that, would it?

9 CHAIRMAN JAUMANN: No.

10 MR. STOWE: Okay.

11 CHAIRMAN JAUMANN: I don't want to speak  
12 for the rest of the Commissioners but --

13 MS. McCORMACK: I wouldn't be.

14 MR. STOWE: Well I --

15 CHAIRMAN JAUMANN: -- I don't think  
16 anybody --

17 MR. STOWE: -- I just -- because that's  
18 apparently the next step with that. The health hazard --  
19 one of our neighbors isn't here.

20 And there was a law that he brought to the  
21 attention of this Board many times about water within a  
22 certain distance of property. If there's city water,  
23 public water within a certain distance to the property,  
24 that that development has to hook up to it. Did VCOG

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1 look into that?

2 CHAIRMAN JAUMANN: Well I can -- as your  
3 wife had requested, I mean I can read the description of  
4 the proposal and the staff recommendations that we  
5 received from VCOG.

6 MS. STOWE: Okay, why don't we do that?

7 MR. STOWE: Alright, well the only thing I  
8 have to add is -- well two things is one, the health  
9 issue about the water is definitely a real -- it's not  
10 fantasy, that's real.

11 And when DellaVolpe was Mayor, it was  
12 brought up to try to buy that parcel of land before it  
13 went for sale, whatever or however it went. And what we  
14 determined is we looked up to get a grant and the grant  
15 money -- I think you had to come up with 50 percent of  
16 the total.

17 And we determined that the citizens of the  
18 City didn't really have the money to pay for that at the  
19 time. I think that's what -- okay, thank you.

20 MS. STOWE: Alright, thank you.

21 CHAIRMAN JAUMANN: Those are all the names  
22 that we have on the sign-in sheet. Is there anybody else  
23 who -- yes, you can come forward and just state your  
24 name.

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1 MR. TOM WALDRON: Tom Waldron.

2 CHAIRMAN JAUMANN: Waldron?

3 MR. WALDRON: W-A-L-D-R-O-N. So I grew up  
4 on Old Ansonia Road --

5 CHAIRMAN JAUMANN: I'm sorry, can you just  
6 state your address as well for the record?

7 MR. WALDRON: I'm in Woodbridge, 17 Burnt  
8 Swamp Road --

9 CHAIRMAN JAUMANN: Thank you.

10 MR. WALDRON: -- and I own property off  
11 Castle Lane right now currently.

12 So about three years ago I came here --  
13 and the only reason I even showed up, I don't even know  
14 if it will be relevant or not. But hearing a couple of  
15 comments about the Town having an option to buy land to  
16 keep open space, I did -- I went through the process.

17 And you guys did not -- you said we're not  
18 interested in the land. So here we are today in a  
19 situation, you're trying to accommodate citizens and they  
20 could have been solved back then for a little bit of  
21 money. So I guess my point is I had an appraisal done  
22 and it came in at \$48,000.00 for six acres actually  
23 adjoining Abe Stone Park.

24 Literally I used to be able to cast a

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1 fishing rod from my property into the pond itself, so I  
2 wanted to expand Abe Stone to be double the size. I have  
3 5.4 acres, I think that's like six. And I was willing to  
4 go through a payment plan to budget over three years.

5 And you said we're not interested, we  
6 don't have the funds, which I find that hard to believe.  
7 So I'm here today just to let you guys know it's still  
8 available. I want it to go to the Town of Ansonia to  
9 expand the park, but if I have -- my only option  
10 available, I'm going to go to the developer.

11 I'm going to have him buy the land or  
12 possibly buy the land, and do something with it. So I'm  
13 just saying there's an opportunity for Ansonia to still  
14 do the right thing. And I'm not looking for what I'm  
15 paying taxes on. I'm paying taxes on \$125,000.00.

16 You guys have it appraised at \$48,000.00,  
17 so I'm paying a lot of taxes. You think the value is  
18 \$48,000.00, you still said no. So it's kind of -- I'm in  
19 a tough spot.

20 So I guess my question is what do I do  
21 next? Do I have you guys reach out to me, do I reach out  
22 to you? You're not interested?

23 CHAIRMAN JAUMANN: Well, this is a public  
24 hearing on Castle Lane and 26 Gardners Lane with regards

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1 to the subdivision application. You can feel free to go  
2 to the --

3 MR. WALDRON: No, I know. But my point is  
4 if there's no interest I'm making a phone call to the  
5 developer and I'm going to talk to him about adding my  
6 six acres which abuts up against his, which is right  
7 between his property and Abe Stone Park.

8 I don't want to go to him --

9 CHAIRMAN JAUMANN: I understand but --

10 MR. WALDRON: -- so that's why it's  
11 relevant to that property over the development --

12 CHAIRMAN JAUMANN: -- there's an  
13 application you can fill out in the Planning & Zoning  
14 Department downstairs that would bring the proposal that  
15 you're proposing to this Board and we would make a  
16 recommendation --

17 MR. WALDRON: -- so you want me to be  
18 proactive --

19 CHAIRMAN JAUMANN: -- to the Board  
20 Alderman. We don't --

21 MR. WALDRON: -- I already went to the  
22 Board of Alderman once.

23 CHAIRMAN JAUMANN: -- okay.

24 MS. MAUREEN McCORMACK: When was that?

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1 MR. WALDRON: Um --

2 MS. McCORMACK: About, just --

3 MR. WALDRON: -- 2012, June or April.

4 MS. McCORMACK: -- I mean, would be  
5 interested in hearing about it.

6 MR. WALDRON: I mean, I just -- because  
7 I'm trying to be proactive. It's the second time around  
8 for me. I'm not trying to steer this off in one  
9 direction and make it like selfish for myself, it's not  
10 about that. I just see now that people are upset.

11 I would give the land at a reasonable  
12 cost, I mean way under fair market value. And I'm  
13 flexible and now that I know this is -- this has sparked  
14 up again, this interest in Castle Lane, I have an out. I  
15 don't want the land anymore. I don't want to pay taxes.

16 I'm going to get out of this one way or  
17 the other. I'd rather go to Ansonia and that's why I'm  
18 here. So again, I don't know -- I'll fill out an  
19 application again, whatever I have to do. But again, I  
20 also think there needs to be something on your side, you  
21 have to show some interest.

22 CHAIRMAN JAUMANN: Well, that's the -- I  
23 guess until we hear the application, we can't make a  
24 referral. We make a recommendation to the Board of

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1 Alderman whether or not this is a piece of property to  
2 consider or not to consider.

3 So if you go downstairs and fill out that  
4 application, we can have it put on our agenda. We can  
5 hear your proposal, we can hear your comments rather than  
6 at a public hearing for a different subdivision  
7 application.

8 MR. WALDRON: Fine.

9 CHAIRMAN JAUMANN: And we can address  
10 them, we can ask you questions, and then we can make a  
11 recommendation to the Board of Alderman.

12 MR. WALDRON: Okay. And the second thing  
13 Kurt Miller, First Selectman of Seymour, just told me --  
14 he said that this meeting he thought was extended for 35  
15 days.

16 No public comment and he's not for the  
17 project. He was my best man at my wedding. Thank you,  
18 have a nice day.

19 CHAIRMAN JAUMANN: Thank you.

20 MR. DAVID LYON: My name is David Lyon, I  
21 live at 28 Castle Lane right at the end. I'd like to  
22 make three comments.

23 MR. HEON: Could you just spell your last  
24 name please?

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1 MR. LYON: Lyon, L-Y-O-N.

2 MR. HEON: Thank you.

3 MR. LYON: First, I've been there five to  
4 six years. In that amount of time the two houses next to  
5 me have been vacant up until last year. You couldn't  
6 give the houses away, in foreclosure.

7 Finally there's somebody who has moved in,  
8 bought them very cheap. My concern is you build new  
9 houses, what's the market for them at this time? There  
10 seems to be more houses for sale now than there are need.

11 Which leads to the next point, the length  
12 of time this project will be in process. Is this a two-  
13 year, five-year, 10-year, 20-year? Am I going to build a  
14 house, if it sells good build another one, if it doesn't  
15 sell maybe I'll build another one three years from now?  
16 The subject -- the residence to that does not seem right.

17 Another point I'd like to make is about  
18 two weeks ago the Fire Department came down to do a boot  
19 collection. They couldn't get down my street. They  
20 parked four houses down from my house and walked up  
21 because a couple of people park in the road. No way for  
22 the Fire Department to get through.

23 So it's either going to have to be a no-  
24 parking or you're going to have to absorb people's land,

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1       which everyone's yard is -- I don't know, mine is a  
2       quarter of an acre. Most people's yards are pretty small  
3       in the front, so you're going to be -- to widen up the  
4       road you're going to be eating up a lot of people's front  
5       yards.

6                       I had one more point, I can't seem to  
7       remember it at the moment. If I think of it I'll come  
8       back, thank you.

9                       CHAIRMAN JAUMANN: Thank you sir. Is  
10      there anybody else from the public that wishes to come  
11      forward and speak?

12                      MR. MUSANTE: Can I say something else?

13                      CHAIRMAN JAUMANN: Sure.

14                      MR. MUSANTE: State my name again or not?

15                      CHAIRMAN JAUMANN: Yes please.

16                      MR. MUSANTE: Edward A. Musante, 21 Castle  
17      Lane. That property originally going back, going way  
18      back, was my grandparents. She said it was unbuildable.

19                      Her and her grandfather made that road  
20      down towards the end where it's Seymour because that road  
21      -- it was maintained by Ansonia. The Ansonia contractor  
22      -- I didn't bring that paperwork, put the sewer in and  
23      they were told to widen the road and everything in the  
24      contract, I'm not mentioning the contractor's name.

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1                   And he was told to widen the road and he  
2                   just walked away because there's sewer all the way up  
3                   from Gardners Lane right up to -- right up behind me  
4                   still is sewer and the rest is nothing. There's no sewer  
5                   behind there.

6                   And then the nearest fire hydrant is up on  
7                   Maple Street and down by East Side Greenhouse, those are  
8                   the two nearest fire hydrants. And that turnabout for a  
9                   fire truck, I still don't understand how that's going to  
10                  happen. There's a cul-de-sac, how's Ladder 7 going to  
11                  make a U-turn on a cul-de-sac?

12                  CHAIRMAN JAUMANN: Thank you sir.

13                  MR. LYON: I just thought of my last  
14                  point. Again David Lyon, 28 Castle Lane.

15                  I believe the last time when the project  
16                  was turned down there was a basic statement that for the  
17                  good of the residents of Ansonia, for the health and  
18                  welfare of the citizens of Ansonia the project was  
19                  denied.

20                  I'd like to know when it comes to light  
21                  what's changed? I don't see that anything has changed as  
22                  far as the residents of Ansonia go and their welfare.  
23                  The size and density of the project doesn't change that  
24                  basic statement whether it's 10 houses, 24 houses or five

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1 houses.

2 I don't understand the difference when you  
3 use such a basic broad reason for the denial the first  
4 time. It sounds to me like you could use the same denial  
5 again. Thank you.

6 CHAIRMAN JAUMANN: Thank you sir. Yes  
7 sir, state your name and spell your last name please?

8 MR. GREG MARTIN: My name is Greg Martin,  
9 M-A-R-T-I-N.

10 CHAIRMAN JAUMANN: Thank you, and your  
11 address?

12 MR. MARTIN: 13 Granite Terrace.

13 CHAIRMAN JAUMANN: Thank you sir.

14 MR. MARTIN: The question -- just a couple  
15 of points, but the question would be for the follow-up  
16 hearing, would that also be open for public discussion?

17 CHAIRMAN JAUMANN: Yes, absolutely sir.

18 MR. MARTIN: Okay, I just wanted to  
19 double-check on that. Just to make an illustration, I'm  
20 also very concerned about the well issue.

21 There's probably within a radius -- I'm  
22 not sure exactly what the radius would be, but it's  
23 probably at least 50 homes that are working off of wells  
24 in that entire area. This Castle Lane Development --

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1 Castle Lane currently now has about 10 or 11 residences.

2 This proposal will more than double the  
3 size of Castle lane, that's just an illustration. And  
4 the last point is I believe the last resident on Granite  
5 Terrace whose property would be abutting the last  
6 property on this proposed development, he's on his second  
7 well.

8 His first well was about 100 feet. His  
9 second well which he just installed, was over 300 feet.  
10 So I think for the next follow-up hearing -- he wanted to  
11 be here this evening. He was unable to attend but if  
12 he's not able to attend next time, we'll have some type  
13 of a letter notarized from him stating such.

14 Okay, thank you.

15 CHAIRMAN JAUMANN: Thank you sir. Is  
16 there anybody else from the public that wishes to speak  
17 at this time? Okay.

18 Just before I read the staff referral  
19 report from the Naugatuck Valley Council of Governments,  
20 I just want to state for anybody that wasn't here earlier  
21 we did receive a letter from counsel for the applicant  
22 indicating that he was not going to be here and asking --  
23 and granting -- or indicating that he would grant an  
24 extension to this Board for a public hearing.

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1                   What we did is we opened the public  
2 hearing. The public hearing is going to be continued  
3 it's not going to be closed, for another date, at which  
4 time we anticipate that the applicant would make a  
5 presentation about the subdivision application at which  
6 point in time the public would once again be allowed to  
7 comment on the application, on the presentation and ask  
8 -- and bring these questions to light in the presence of  
9 the applicant and the applicant's engineer and attorney.

10                   So anybody who didn't speak tonight will  
11 have an opportunity at another public hearing, okay. The  
12 staff referral report is from Joanna V. Rogalski, the  
13 Regional Planner at the Naugatuck Valley Council of  
14 Governments, which is located in Waterbury. It's dated  
15 November 3, 2015. It indicates -- it goes through a  
16 description of the proposal and it makes the following  
17 staff recommendations.

18                   Staff finds the proposed residential  
19 subdivision to have minimal inter-municipal impact.  
20 General and specific comments of the Naugatuck Valley  
21 Council of Government staff are as follows:

22                   Staff questions the ability of public  
23 safety units to serve residents at the dead-end section  
24 of the proposed subdivision roadway should Castle Lane be

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1 blocked near its origin;

2 Article 3, Section 325 (i), access states  
3 that the rear lot access way cannot exceed 250 feet.  
4 This maximum length appears to have been exceeded for Lot  
5 8 per the site plan submitted with the subdivision  
6 application;

7 Ansonia zoning regulations do not describe  
8 a procedure for considering waivers as has been requested  
9 by the applicant;

10 And finally, record subdivision map sheet  
11 SM-2 is missing callouts for notes 4C and 4D. And those  
12 are the staff recommendations and comments made by the  
13 Naugatuck Valley Council of Government.

14 Unless there's anyone else from the public  
15 who wishes to speak this evening I will -- Alderman?

16 MR. STOWE: Joseph, I think Jared probably  
17 could --

18 COURT REPORTER: I'm sorry, you need to be  
19 on a microphone.

20 MR. STOWE: -- I think there was a fellow  
21 here that brought up what the last time that this Board  
22 denied the application, and it was for slopes if I  
23 remember correctly is that right?

24 MR. MICHAEL BETTINI: Length of the road I

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1 think -- it was a number of things actually. It was  
2 slope, it was length of the road, it was ability that the  
3 fire trucks to reach in there.

4 It was safety of the back yards on the  
5 right side of Castle Lane. There were numerous number of  
6 reasons.

7 MR. ELDER: Yeah, that general statement  
8 was backup by specific citations within the zoning  
9 regulations, which was why it was -- why it held up in  
10 litigation.

11 MR. STOWE: Thank you.

12 CHAIRMAN JAUMANN: Thank you. Is there  
13 anybody else that wishes to speak tonight? Okay, I would  
14 take a motion to continue this public hearing. We should  
15 probably have a discussion about the date.

16 I know that I -- I believe that we had  
17 been talking -- I've been talking with Mr. Elder about  
18 potentially December 17th, which is a Thursday. I didn't  
19 want to go much beyond the 30 days.

20 I don't know if that works for the  
21 Commission's schedule. We would start -- I would  
22 recommend starting at 6:00 p.m. again and having it here  
23 in the Aldermanic Chambers.

24 MR. ELDER: I'm sorry, could you say that

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1 --

2 CHAIRMAN JAUMANN: It would be a -- the  
3 continuation of the public hearing until December 17,  
4 2015 at 6:00 p.m. in the Aldermanic Chambers here in  
5 Ansonia City Hall. So if there's a motion --

6 MR. ELDER: Mr. Chairman, so I can attend  
7 that but I will be a few minutes late.

8 MR. MALERBA: I'll make a motion to make  
9 it December 17th at 6:00.

10 MR. BETTINI: Second.

11 CHAIRMAN JAUMANN: So all those in favor  
12 of the motion -- just so -- I'm going to state it very  
13 specifically for the record.

14 The continuation of the public hearing  
15 would be December 17, 2015 at 6:00 p.m. in the Aldermanic  
16 Chambers of Ansonia City Hall. That's the motion, all  
17 those in favor?

18 VOICES: Aye.

19 CHAIRMAN JAUMANN: Any opposed? Abstain?  
20 Motion passes. A notice will be published in the local  
21 newspaper as well. But so everybody that is here is  
22 aware, that will be date and time of the next public  
23 hearing.

24 Again, it will be open to the public for

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1 further comment. It's anticipated that there will be a  
2 presentation by the applicant on this date and he can  
3 further make comments and reply to some of the public  
4 comments, so.

5 MR. HEON: Can I just ask a question?

6 CHAIRMAN JAUMANN: Yeah.

7 MR. HEON: Do we have to formally accept  
8 all of the communications handed to this public hearing  
9 so they can be available from like COG --

10 MR. ELDER: So you could certainly read it  
11 into the record but they are on file as part of the  
12 record with the Land Use office. So you could do that,  
13 but you don't have to do that. And they're dated. It  
14 wouldn't hurt -- I mean --

15 CHAIRMAN JAUMANN: I would probably want a  
16 label on those exhibits specifically so that they can be  
17 addressed.

18 MR. ELDER: -- yeah. I think -- I mean, I  
19 have a pretty good tally. I could just quickly say who  
20 we did and --

21 CHAIRMAN JAUMANN: Okay.

22 MR. ELDER: -- unless you want to -- if  
23 you want to do the dates and letters. I mean, we have  
24 three letters from the Fire Marshal but --

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1                   MR. HEON: I just know in the past  
2 typically we've accepted them in as formal communications  
3 into the public hearing to make them available for  
4 anybody who wants -- because I mean sitting here, you're  
5 not going to remember sections and --

6                   MR. ELDER: -- right.

7                   MR. HEON: -- and everything else like  
8 that.

9                   MR. ELDER: Alright, so the only one I  
10 don't have is from the Council of Governments --

11                   CHAIRMAN JAUMANN: Just one second

12                   MR. ELDER: -- WMC, from myself, from the  
13 Fire Marshal, from the COG, and from the City engineer.

14                   Alright, so to date I'll just say who  
15 we've requested comments from. We've requested comments  
16 from the Department of Public Works, from the Building  
17 Official, from the Naugatuck Valley Council of  
18 Governments, the Fire Marshal, the Police Department,  
19 City engineer and the Naugatuck Valley Health Department  
20 and the Town of Seymour.

21                   And we have received comments from the  
22 City engineer, the Naugatuck Valley Council of  
23 Governments, myself, the Fire Marshal, the Naugatuck  
24 Valley Council of Governments and an independent reviewer

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1 in the WMC Consulting Engineers.

2 So those comments were all sent -- those  
3 three sets of comments were sent to -- actually four  
4 sets, Fire Marshal, City engineer, WMC Engineers, mine,  
5 were all sent to the applicant, which I presume is why  
6 they requested additional time so they could respond to  
7 all those comments.

8 MR. HEON: Is Public Works different from  
9 Fred's or is that the same?

10 CHAIRMAN JAUMANN: No, they're different.

11 MR. HEON: Because we did get  
12 communication from Public Works too right -- I did.

13 CHAIRMAN JAUMANN: We did. Did you?

14 MR. ELDER: I didn't see them.

15 CHAIRMAN JAUMANN: No, we did.

16 MR. ELDER: From Doug?

17 CHAIRMAN JAUMANN: From Doug, yeah.

18 MR. ELDER: Are they in the packet? Maybe  
19 I missed them. Oh yes, and we also received comments  
20 from Doug Novak from the Department of Public Works --  
21 Board of Public Works.

22 And again, these will all be on file in  
23 the Land Use Office. If anyone wants to see the comments  
24 they should go to the Land Use Office, it's downstairs,

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1 and they can be inspected. And you can make copies too.

2 I think they charge a fee for copies, but  
3 you could look at them at the counter.

4 CHAIRMAN JAUMANN: Mr. Musante, just state  
5 your name again please for the record.

6 MR. MUSANTE: Edward A. Musante, 21 Castle  
7 Lane. Come December unless his taxes is paid you cannot  
8 give him a permit correct? If his property tax is not  
9 paid he cannot get a permit to apply correct?

10 CHAIRMAN JAUMANN: Well, I believe that's  
11 probably a comment that's directed toward the applicant,  
12 so.

13 MR. MUSANTE: No, it's a City question.  
14 I'm asking you. If his property taxes aren't paid he  
15 can't get a permit to go and do anything?

16 CHAIRMAN JAUMANN: Well again, that's a  
17 question I would direct towards our counsel. I can  
18 address that --

19 MR. MUSANTE: I already was told that.

20 CHAIRMAN JAUMANN: -- okay, well we  
21 haven't as a Board been told that quite yet. So as soon  
22 as -- if Corporation counsel can address that question as  
23 to whether or not a permit can issued under those  
24 circumstances --

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1 MR. MUSANTE: At 12:00 noon today I found  
2 out that he had back taxes.

3 CHAIRMAN JAUMANN: -- okay. Well again,  
4 that's -- and the applicant address this, whether or not  
5 the accuracy of that statement as well, so.

6 MR. MUSANTE: Alright.

7 CHAIRMAN JAUMANN: Thank you very much sir  
8 for your comments. So I guess we just need a motion to  
9 continue until the December date.

10 MR. BETTINI: I move we continue until  
11 December 17th.

12 MR. MALERBA: Second.

13 CHAIRMAN JAUMANN: All those in favor?

14 VOICES: Aye.

15 CHAIRMAN JAUMANN: Any opposed? Continued  
16 until December 17th. Thank you everyone.

17 (Whereupon, the hearing was adjourned at  
18 6:48 p.m.)

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