

# The Zoning Commission

Town of New Fairfield  
New Fairfield, CT 06812

## MINUTES

### Regular Meeting

Thursday, January 8, 2014

New Fairfield Public Library Community Room

New Fairfield, CT 06812

**Present:** John Moran, Chair; Joe Letizia, Steve Hanrahan, John Brown, Alternate; Lee Scott, Alternate; Evan White, Zoning Enforcement Officer; Lyn Sheaffer, Zoning Commission Secretary

1. **Call to Order:** Meeting called to order by Chair John Moran at 7:30 pm

2. **Public Comment**

None

## BUSINESS ITEMS

### MOTION

Mr. Hanrahan motioned to add application for Aquarion Water; 1 Ball Pond Road onto the agenda. Mr. Scott seconded the motion. Vote taken:

Joe Letizia	Yes
Steve Hanrahan	Yes
Lee Scott	Yes
John Brown	Yes
John Moran	Yes

Motion carried unanimously.

Ms. Colleen Dougherty, Wright & Pierce approached the Commission. Ms. Dougherty explained the Wetlands Commission had asked them to make some changes. They asked to eliminate a separate access for CL&P. Ms. Dougherty explained she had met with CL&P and moved the utility pole as shown on the plans. The Commission reviewed.

### MOTION

Mr. Letizia motioned to approve Site Plan Revision moving the utility pole as presented by Wright Pierce for Aquarion Water. Mr. Scott seconded the motion. Vote taken:

Joe Letizia	Yes
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Steve Hanrahan	Yes
Lee Scott	Yes
John Brown	Yes
John Moran	Yes

Motion carried unanimously.

## **PUBLIC HEARING**

Mr. Moran explained he would like the changes to be published in the Citizen News, and ask the business community to attend next month's meeting for comment. He explained the Commission also had to send the changes to the Planning Commission for a referral.

### **1. Proposed changes to the Zoning Regulations relative to signage**

The Commission discussed and made the following changes:

## **WINDOW SIGNS**

G. Temporary Window Signs - Window signs are permitted on a temporary basis without a zoning permit for a maximum of twenty-one (21) consecutive days provided that:

**1. The total area of such sign shall not exceed twenty-five (25) percent of the window surface to which is applied;**

Remove verbiage:

~~2. Such sign shall not be affixed to the same window to which a permanent window sign is affixed, except that in the event of stores or premises with only one window, such temporary sign may be affixed to the same window as the permanent sign so long as the temporary sign shall not exceed fifteen (15) percent of the total window surface; and,~~

2. If an owner displays signs in violation of this Section, the Zoning Enforcement Officer or the Zoning Commission may require the removal of such signs and the owner may be required to receive a zoning permit prior to the subsequent display of such temporary signs.

**3. Total Window Signage (Permanent + Temporary) shall not exceed 25% of total window surface.**

H. Permanent Window Signs - Permanent window signs may be displayed provided that:

1. A zoning permit has been issued for a permanent window sign;

2. Such sign(s) **occupy no more than** ~~[remove verbiage] is the smaller of fifteen (15) percent of the [remove verbiage] window surface in which it is displayed or six (6) square feet in area~~ TOTAL **window area**; and,

[Remove verbiage] 3. ~~Not more than two (2) window surfaces are utilized.~~

**4. One (1) “open” neon sign in window per business, not to exceed 2.0 Square feet. The neon “open” sign is permitted provided such is not of the flashing or intermittent type, do not have changing degrees of intensity. Sign shall be lit only during business hours.**

**5. Hours of Signs – 6:00 a.m. to 10:00 p.m., unless you are open 24 hours a day.**

**6. Total Window Signage (Permanent + Temporary) shall not exceed 25% of total window surface.**

I. Directional Signs. Signs solely for the control of traffic and parking, excluding State and Town traffic control signs. These signs shall have a maximum area per sign of two (2) square feet per side.

J. Agricultural Signs. Signs to identify the location of a farm are limited to one (1) sign per farm and nine (9) square feet per side.

**K. OPEN FLAG – One (1) Open” flag not to exceed 3” x 5” (fifteen (15) square feet displayed outside on a pole. Flag must be removed when the business is closed. Open signs and flags are limited to identifying the business is “Open” and shall not display the business name, hours of operation or any other information, including pictures of logos.**

## **DEFINITIONS:**

SIGN: Any awning, [Remove Verbiage] **banner**, device, display, fixture, object, placard, structure, window valance, or part thereof, visible from a public street, whether situated indoors or outdoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including colors, design, figures, illumination, letters, projected images, logo, symbols, or words, but excluding the flag or insignia of any nation, state, town or recognized religious organization.

## **2. Proposed changes to the Zoning Regulations relative to Accessory Structures / Barns**

The Commission discussed and made the following changes:

### **3.0 GENERAL PROVISIONS**

#### **Add Verbiage**

##### **3.0.10 Barns**

- A. Barns will be permitted in the Residential Zones providing the lot is equal to or greater than 5 acres and does not contain kitchens, bedrooms or any primary living space.**
- B. One (1) Barn shall be permitted on a minimum of 5 acres, not to exceed 5,000 Square Feet.**
- C. The Front Setback shall have a minimum of 150’; the Side Setback shall have a minimum of 70’ and the Rear Setback shall have minimum of 120’**

DEFINITIONS - Add Verbiage

***BARNS – An agricultural building constructed of wood where hay, tools and/or equipment are kept and livestock may be sheltered. Barns shall not contain kitchens, bedrooms or any primary living space. If used solely for agricultural use construction material may be varied at the discretion of the Zoning Commission.***

## **BUSINESS ITEMS**

### **1. Sp-014-11, Relocate Dunkin Donuts to Brush Hill Road, ECB Realty, LLC Applicant.**

Applicant not in attendance.

Mr. Moran stated that the New Fairfield Health Department had received a letter from the State Health Department dated 12/4/14 stating they were not to issue permits for the relocation of the Dunkin Donuts until changes had been received by the State.

The letter stated:

*No permits or approvals shall be issued by the New Fairfield Health Department until floor plans are submitted for the proposed drive-thru ONLY for Dunkin Donuts that support this basis of design. The basis of design for the Dunkin Donuts is strictly for drive-thru only with no public access within the structure that would allow any kind of retail or seating. In addition no on-site prep of donuts is permitted.*

### **2. Special Permit Application = Barn Brook Estates; Installation of 5' x 6' Signage, Elwell Road, Bill Ditullio Applicant**

The Commission discussed a directory sign for Barn Brook Estates.

### **3. Proposed changes to Zoning Regulations relative to signage**

Continued to next meeting

### **4. Proposed changes to Zoning Regulations relative to Minor Accessory Structure - Barns**

Continued to next meeting

### **5. Violations Report – ZEO**

None

### **6. Correspondence and Communications**

None

## 7. Minutes

*October 23, 2014*

Mr. Letizia Motioned to approve minutes of October 23, 2014 as presented. Mr. Scott seconded the motion.

Vote taken:

Joe Letizia	Yes
Steve Hanrahan	Abstain
Lee Scott	Yes
John Brown	Abstain
John Moran	Yes

Motion carried.

*December 9, 2014*

Mr. Letizia Motioned to approve minutes of December 9, 2014 with the following correction: Change the size of proposed barns to 5,000 square feet .Mr. Scott seconded the motion. Vote taken:

Joe Letizia	Yes
Steve Hanrahan	Yes
Lee Scott	Yes
John Brown	Yes
John Moran	Yes

Motion carried unanimously.

Meeting adjourned at 8:40 p.m.

Respectfully submitted

Lyn Sheaffer  
Zoning Commission Secretary