

ZONING COMMISSION TOWN OF NEW FAIRFIELD

4 BRUSH HILL ROAD NEW FAIRFIELD, CT 06812

PHONE: 203-312-5646

MINUTES

Regular Meeting

Thursday, November 6, 2014

New Fairfield Library Community Room

7:00 p.m.

Present: John Moran, Chair; Steve Hanrahan, Kevin VanVlack, Joe Letizia, Lee Scott, Alternate, John Brown, Alternate; Lyn Sheaffer, Zoning Commission Secretary

Guest: Susan Chapman, First Selectman

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

2. Public Comment

None

Mr. Moran elevated Alternate Lee Scott to full voting status.

PUBLIC HEARING

1. Special Permit – SP14-016; Regulation 3.1.2 K; Construct an Accessory Apartment, 28 Saw Mill Road, New Fairfield, CT; Daniel & Donna Kelso, Applicant.

Daniel & Donna Kelso approached the Commission. Mr. Moran stated they had not received letters from the Town Agencies, Fire Marshal and Sanitarian.

Mr. Moran felt the Commission could review the application and make a conditional approval. The Commission reviewed the proposed Accessory Apartment. Mr. Moran stated the ZEO Tom Gormley visited the site with no objections before he retired.

MOTION

Mr. Letizia motioned to close the Public Hearing. Mr. VanVlack seconded the motion. Vote taken:

Joseph Letizia	Yes
Steve Hanrahan	Yes
John Moran	Yes
Kevin VanVlack	Yes
Lee Scott	Yes

Motion Carried Unanimously

BUSINESS ITEM

- 2. Special Permit – SP14-016; Regulation 3.1.2 K; Construct an Accessory Apartment, 28 Saw Mill Road, New Fairfield, CT; Daniel & Donna Kelso, Applicant.

MOTION

Mr. Letizia motioned to approve the Special Permit SP14-016 as presented, subject to the receipt of approval letters from the New Fairfield Fire Marshall and Sanitarian. Mr. Scott seconded the motion. Vote taken:

Joseph Letizia	Yes
Steve Hanrahan	Yes
John Moran	Yes
Kevin VanVlack	Yes
Lee Scott	Yes

Motion Carried Unanimously.

PUBLIC HEARING

- 3. Special Permit – SP-14-011, Relocate Dunkin Doughnuts to Brush Hill Road, ECB Realty, LLC Applicant

Mr. Dinus Verbicus, Artel Engineering approached the Commission. He reviewed the Special Permit to relocate Dunkin Donuts to Brush Hill Road.

Mr. Verbicus reported he had received a call from the ZEO to try to preserve the existing trees. Mr. Verbicus reviewed the modification since last meeting.

1. Inclusion of sidewalk across front of property
2. Request for another crosswalk – District 4 DOT responded and will NOT allow. (The State would consider moving existing crosswalk). He explained the State DOT felt it wasn't good practice to have a crosswalk midway in the road not at the corner. They will only allow one.

Mr. Verbicus explained they were proposing a bend in the water line in order to save the trees.

Mr. Verbicus explained the Health Dept. made special requirements for the Septic. He said they were now in compliance with the requirements that the local and State Health Dept. have requested.

Mr. Verbicus reviewed the building elevations and reviewed pictures of existing Dunkin Donuts in Danbury to show proposed colors.

Mr. Verbicus discussed signage. He reviewed the proposal for a free standing sign. Colonial look 30Sq. Ft in size (6 1/2 x 4 1/2). He showed the sign installed in Bethel, no internal illumination.

The Commission discussed the existing trees and widening the road. Mr. Hanrahan asked if there was a rendition of the proposed Post Office. Mr. Verbicus responded it was similar to the Dunkin Donuts, except they are raising the roof. Mr. Hanrahan read sign regulation stating the signs on business complex should show uniformity. He felt that the sign & colors did not fit with the character of the town right next to the cemetery and Town Hall.

Mr. Moran stated the Commission would need to have drawings for the Post Office including elevations, colors, etc. Mr. Hanrahan asked why there was no mention of the Post office on the proposed free standing sign. The Commission discussed the colonial look.

Mr. Scott expressed concern with safety with no additional cross walk. Atty Marcus suggested some towns set out cones when the ball fields are busy.

PUBLIC COMMENT

Mr. Robert Miller, Barnum Road approached the Commission. He expressed concern about public safety. He explained he drives down that hill 2-3 times a day, and felt it was an accident waiting to happen.

Peter Viola expressed concern. He didn't feel that the building didn't fit into the character of the town, and concerned about public safety

Mr. Moran asked if a 6-8 foot fence forcing people to cross at town hall would work.

Roger Flocke, New Fairfield was in agreement with the previous public comment. He was concerned about traffic & safety. He asked why move they would move locations at all.

Bob Jano, New Fairfield reviewed the proposed site. Mr. Verbicus reviewed the drive-thru for Mr. Jano.

Wesley Marsh, New Fairfield. Mr. Marsh objected to the proposal. He felt that widening the road would impact the existing trees. Mr. Moran stated there should be no roots under the road. There is no air & water to grow and the soil is to compact.

Mr. Moran requested an ISA certified person be there to protect the trees. If they find roots they can be cut properly so the trees won't die.

Mr. Marsh also felt this would change the complexion of the town. He felt a fast food restaurant doesn't belong in the center of town.

Attorney Marcus explained he wants the town to know the applicant made accommodations. The applicant cannot stay in the current location, the lease is up. They have chased the post office to stay because the residents want a one in town. He also stated they would put up a fence for safety if that's what the town wants. Atty. Marcus stated they would go back and change the color scheme to give the Commission something to choose from. He also stated they would return with a rendering for the Post Office and look at signage as well.

Mr. Verbicus submitted a letter of extension.

PUBLIC HEARING CONTINUED

BUSINESS ITEM:

1. Special Permit – SP-14-011, Relocate Dunkin Doughnuts to Brush Hill Road, ECB Realty, LLC Applicant.

Continued to next regular meeting.

2. Landscaping Approval Site Plan Application SI-14-013, 1 Ball Pond Road East, Aquarion Water Company

Mr. Moran stated they had submitted a drawing of the placement of the Norway spruce.

MOTION

Mr. VanVlack motioned to approve SI-14 RE: Placement of Norway Spruce. Mr. Letizia seconded the motion. Vote taken:

Joseph Letizia	Yes
Steve Hanrahan	Yes
John Moran	Yes
Kevin VanVlack	Yes
Lee Scott	Yes

Motion Carried Unanimously.

3. Discussion of Signage and Trees for 100 Route 37, Allan Rothman Applicant

Mr. Allan Rothman approached the Commission. Mr. Hanrahan commented the location was looking good.

Mr. Rothman explained the tree is blocking the existing sign, he asked to remove the tree and plant another. Mr. Rothman reviewed the signs for individual tenants. Mr. Rothman also explained the Danbury Savings Bank is asking for lower growing trees for safety. Mr. Moran will help come up with a list of lower shrubs & trees that are winter & salt resistant.

4. SP-14-017 Site plan Application - 1 Saw Mill RD Unit #2 – Personal Training

Ms. Adrian Corrigan approached the Commission. Mr Moran stated he had met with the ZEO Tom Gormley and MS. Corrigan would require 2 parking spaces, he felt there was more than enough. NO signage application at this time.

MOTION

Mr. Scott motioned to approve Site Plan Application SP-14-017 as presented with no signage. Mr. Letizia seconded the motion. Vote taken:

Joseph Letizia	Yes
Steve Hanrahan	Yes
John Moran	Yes
Kevin VanVlack	Yes
Lee Scott	Yes

Motion Carried Unanimously.

5. Communication/ Correspondence

None

6. Minutes

October 2, 2014

MOTION

Mr. Letizia motioned to approve the minutes of 10/2/14 as presented. Mr. Scott seconded the motion. Vote taken:

Joseph Letizia	Yes
Steve Hanrahan	Yes
John Moran	Yes
Kevin VanVlack	Yes
Lee Scott	Yes

Motion Carried Unanimously

October 23, 2014

Postponed to next meeting.

The Commission set a Public Hearing for the next regular meeting 12/4 for a zone change for barns.

7. Adjournment

Meeting adjourned at 9:40 p.m.

Respectfully submitted

Lyn Sheaffer

Zoning Commission Secretary