

ZONING COMMISSION TOWN OF NEW FAIRFIELD
4 BRUSH HILL ROAD NEW FAIRFIELD, CT 06812
PHONE: 203-312-5646

MINUTES

Regular Meeting
Thursday, March 6, 2014

New Fairfield Library Community Room
7:30 p.m.

PRESENT: Kevin VanVlack, Vice Chairman, Joe Letizia, Steve Hanrahan, Lee Scott, alternate, Tom Gormley, Zoning Enforcement Officer.

1. Call to Order

Meeting called to order by Vice Chair Kevin VanVlack at 7:35 p.m.

Mr. VanVlack elevated Mr. Scott to full voting status.

2. Public Comment

None

BUSINESS ITEM:

1. P-13-001 - Petition from Kevin Hart for change in the Zoning Regulations.- Change to the size of freestanding sign in the Neighborhood Business District – (continued from last meeting)

Mr. VanVlack asked Mr. Gormley about the language. Mr. VanVlack read the proposed language the Town Counsel crafted into the record to amend the sign regulation section 4.2.8.

Steve Hanrahan recused himself from the vote.

MOTION

Motioned to approve the petition to change the zoning regulations with verbiage as submitted by Town Counsel.

Lee Scott seconded the motion. Vote taken:

Joe Letizia	Yes
Lee Scott	Yes
Kevin VanVlack	Yes

Motion carried unanimously

2. P-13-002 - Petition to modify regulations relative to Pool House; Brian Marshall Applicant

Mr. VanVlack reported they were still waiting for a referral from planning. Continued to April 3, 2014 meeting.

3. Proposed modification to the Woods at Dunham Pond for upper floor Plan – Reference Cohen & Wolf Letter dated April 3, 2014

Attorney Robin Kahn approached the commission on behalf of Dunham Pond development. Atty Kahn explained Tony met with Mr. Gormley and he would like to change some of the floor plans he originally designed in the loft area. They would like to offer a powder room as an option. She reviewed the changes in the floor plans.

Mr. Gormley reported the Health Dept and Fire Marshall didn't have an issue. His concern was if another bedroom were offered the septic would not handle the increase.

The Commission discussed. They were concerned with the plumbing up there it would be easy to use as a bedroom.

Atty Kahn felt someone could still make it a bedroom even without the bathroom. The Commission discussed. Atty Kahn stated her client also wants to offer finished basements and powder rooms in the basement.

MOTION

Mr. Letizia made a motion to approve the petition to modify the site plan for Dunham woods as proposed.

Stipulation: The space would not be used as an additional bedroom, continue to maintain the unit as a one bedroom.

Mr. Hanrahan seconded the motion. Vote taken:'

Joe Letizia	Yes
Lee Scott	Yes
Kevin VanVlack	Yes
Steve Hanrahan	Yes

Motion carried unanimously.

MOTION

Mr. Hanrahan motioned to add the affordable housing discussion to the agenda. Mr. Letizia seconded the motion.

Vote taken:'

Joe Letizia	Yes
Lee Scott	Yes
Kevin VanVlack	Yes
Steve Hanrahan	Yes

Motion carried unanimously

Attorney Kahn proposed some changes to the current affordability plan. She asked there be the following modifications.

1. Modification to include an application fee.
2. Tighten up the application process. How the seller retains a professional to come up with a maximum resale price
3. Naming Mark Nolan's company as the administrator of the plan
4. Clarify when calculating maximum price you assume a 20% down payment. No requirement for 20% can be less or more.

5. Add a central administration fee after you get your resale fee you add 2 ½% to recoup fees and other costs.
6. Calculating resale price based on a formula that takes in account the base price times the percentage change in median income from now until when unit is sold.

Mr. Nolan sent the plan to the state housing dept. for review and received a favorable response on the changes.

Mr. Letizia asked for copies to review. Atty. Kahn forgot to bring the copies for their review; she will have them delivered in the tomorrow.

4. Site Plan Application SI -14-003 132D RTE 37 Construct and Operate an Acupuncture Office in lower Level

Peter Young approached the commission for Kevin Hart. He explained it was the last unit to rent in the building across from the senior center. Mr. Young reviewed the plans. The Commission discussed.

Mr. Hanrahan recused himself from the vote.

MOTION

Mr. Letizia motioned to approved site application SI-14-003 132 Rt. 37. Mr. Scott seconded the motion. Vote taken:

Joe Letizia	Yes
Lee Scott	Yes
Kevin VanVlack	Yes

Motion carried unanimously

5. Site Plan Application SI-14-004 3 Dunham Drive – Cabin Critters, Inc. Operate storage facility in the basement.

David Smith, 3 Karen Drive, New Fairfield approached the Commission. . He is looking to rent the space below Prime Time for storage of his business Cabin Critters.

Mr. Gormley stated for the record he received a formal letter from Mr. Pat Toth owner of the building that Mr. Stoffel is no longer renting the basement. The use is basically the same, storage in the same area. Strictly an internet business. No sales out of the unit. 2 employees. No parking issues.

Mr. Gormley received letters from the NF Health Dept and Fire Marshall with no objections.

Mr. Scott asked if it was the entire basement. Mr. Smith reviewed the space. The Commission discussed the parking at the location.

MOTION

Mr. Scott motioned to approve Site Plan Application 14-004. Mr. Letizia seconded the motion, and added the stipulation exclusively for stuffed animal storage, no retail. Vote taken:

Joe Letizia	Yes
Lee Scott	Yes
Kevin VanVlack	Yes
Steve Hanrahan	Yes

Motion carried unanimously

6. Violations Report – ZEO

1. Candlewood grille is putting banners up again. Mr. Gormley sent cease & desist to the owner for the Mardi gras banner. The Commission discussed.

DISCUSSION - DIGITAL COPY REQUIREMENT FOR A2 SURVEY

Mr. Letizia asked what the cost would be for the applicant. Mr. Gormley talked with a few surveyors and most it wouldn't be an extra cost, some may charge a nominal fee. The Commission discussed and agreed it would be a good idea.

MOTION

Mr. Hanrahan motioned to include the requirement for a digital copy when submitting an A2 survey. Mr. Scott wanted to make sure the requirement is added to the list for the application process. Vote taken:

Joe Letizia	Yes
Lee Scott	Yes
Kevin VanVlack	Yes
Steve Hanrahan	Yes

Motion carried unanimously

DISCUSSION - DETACHED GARAGE VS ACCESSORY BLDG

Mr. Letizia stated there is too much gray area in the regulations. If a person is not approved for an accessory bldg. they can come in for detached garage or barn.

The Commission reviewed the detached garage regulation and discussed.

7. Communication/ Correspondence

Mr. Gormley stated he received the draft from Plan of Conservation & Development if the Commission would like to come in and look at it.

Mr. Gormley reported the CT Federation of Planning & Zoning Agencies announced their annual meeting.

Mr. VanVlack suggested we think about what we are going to decide on the medical marijuana issue.

Mr. Letizia felt we should start a 1 year moratorium on any medical marijuana facilities, farms, distribution points, etc. The Commission decided to discuss next meeting.

8. Adjournment

MOTION

Mr. Scott motioned to adjourn the meeting. Mr. Letizia seconded the motion. Vote taken:

Joe Letizia	Yes
Lee Scott	Yes
Kevin VanVlack	Yes
Steve Hanrahan	Yes

Motion carried unanimously

Meeting adjourned at 8:40 P.M.

Respectfully submitted

Lyn Sheaffer
Zoning Commission Secretary