

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

MINUTES

Regular Meeting
Thursday, June 5, 2014

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

PRESENT: John Moran, Chairman; Kevin VanVlack, Vice Chairman, Joe Letizia, Nicole Sanches; Lee Scott, Alternate; John Brown, Alternate; Tom Gormley, Zoning Enforcement Officer;

1. Call to Order

Meeting called to order at 7:35 p.m. by Chair John Moran

PUBLIC COMMENT

Shawn Hart owner of Earth fit in town approached the Commission. She wanted to discuss the sign issue going on in town. She was unaware of the ruling when she put the decals in her windows. She spoke with the company that installed the decals. She reported they would not install a regular sign without a permit but they had never had heard of anything needed for decals. She explained after she installed the signs she had additional business.

Mr. Moran explained the regulations have been on the books for a long time. Unfortunately they have not been enforced. He explained we cannot vary the regulations, we are bound by state statutes. Mr. Moran explained the process to change the regulations.

Brian Marshall, checking on the change in regulations for Pool Houses. Referred back to Planning Commission because we changed the verbiage slightly. Next step is to record it with the Town Clerk.

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

PUBLIC HEARING

1. Application # SI-14-006 Hearth Home Builders – Elwell RD Map 13 Block 2 Lot 1 - Special Permit per Section 1.5.9 G Corner Lots

Mr. Moran read a decision into the record, showing this decision would Violates state statute 8-2.

Mr. Wayne Skelly & Mr. William Ditullio, Hearth Home Builders approached the Commission. Mr. Skelly stated they were in front of the Commission to try and get relief from Zoning regulation section 1.5.9 G.

Mr. Skelly stated they are not asking for a change to a zoning boundary zone.

Mr. Skelly explained there is a corner lot with a pre-existing not conforming barn. He explained they are seeking relief using one of the regulations that permits a reduction on one of the front yard requirements of a corner lot. One of the existing setback is now 5.3 feet off the property line, we are seeking relief of one of the new roads

Mr. Skelly stated yes, they were before ZBA, however they were not aware of this Zoning regulation.

Mr. Skelly reviewed phase 2 plans. The Commission reviewed. Originally Phase 2 was developed with the idea to take the barn down. The owners of the 1739 house asked to purchase the barn. If that doesn't happen, or hinders the permit it will be taken down. If the barn is sold it becomes part of the house property. The Commission discussed the history of the barn. The Commission reviewed the plans again.

Karen Carpenter approached the Commission. She lives in the house next to the barn, she will be using the barn as a garage. She stated she is a preservation architect, she explained she is trying to preserve the house & barn.

Mr. Moran opened a letter from the NF Historic Property Commission. He read the letter into the record in favor of keeping the barn at its current location. Mr. Letizia reported Preserve New Fairfield is also in favor of keeping the barn.

MOTION

Mr. VanVlack motion to close the Public Hearing for Application SI-1-006. Mr. Letizia seconded the motion. Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Lee Scott	Yes
Nicole Sanches	Yes
John Moran	Yes

Motion carried unanimously. Public Hearing closed

BUSINESS ITEM:

1. Application # SI-14-006 Hearth Home Builders – Elwell RD Map 13 Block 2 Lot 1 - Special Permit per Section 1.5.9 G Corner Lots

The Commission asked for comment or discussion. Mr. VanVlack asked about the decision Mr. Moran read into the record earlier. The Commission discussed. Mr. VanVlack stated our regulations gives us the latitude to allow the change if we chose to.

Mr. VanVlack motioned to approve Application SI-14-06 to reduce the corner lot requirement a presented down to 36.4 ft. Mr. Letizia seconded the motion. Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Lee Scott	Yes
Nicole Sanches	Yes
John Moran	Yes

Motion carried unanimously.

2. DISCUSSION - 25 Old Route 37 - use of property

Attorney Richard Smith approached the Commission. Mr. Moran recused himself from the Commission, Mr. VanVlack took over Chairperson at 8:04 p.m. Currently Attorney Smith uses 2 floors in his building for his law practice. Before he purchased the building it was used as residential, he is asking for the option to use the 2nd floor as residential again and leave his commercial practice on the first floor.

The Commission discussed.

Mr. Gormley stated Atty. Smith is before the Commission because he is in the Commercial zone. Mr. VanVlack felt there were no issues, use is pre-existing.

3. DISCUSSION – Chickens

Mr. Gormley stated there isn't anything official on the books. The Commission discussed and agreed maximum of 6 chickens with no roosters are permitted.

Mr. VanVlack reported we came up with 6 because most farms won't ship more than 6. No roosters allowed, must be contained on the property.

4. DISCUSSION – Malls

Mr. Moran asked to discuss murals. He reported there was an article in the Citizen News. He explained he directed Tom to send a letter to all the business owners in town stating the regulations. The Commission discussed the hamburger etc. painted on the fence. He stated we have a regulation on the board now that will not permit this. He felt we did not have any options and need to send a cease & desist.

The Commission agreed and asked Mr. Gormley to enforce the regulation.

Mr. Letizia reported they had a similar situation in town in the past and the owner was made to paint over the fence.

Ms. Sanches asked if he had followed thru with any of the Commission's suggestions. Mr. Moran said that was 60 days ago.

5. Violations Report – ZEO

11 Jewel Lane

Built a structure in back, excavation equip, boats etc. Permit needed. Sent Cease & Desist.

34 Windmill Road

During Inspection, found an added stairway was built. Issued notice of violation.

1 Dick Finn Drive

Garbage everywhere. A loop tent, looks like a junkyard. Sending Cease & Desist.

5 Bogus Hill Road

Sent violation notices. Stopped at house & talked with wife. Waited a few weeks no cleanup. Town Counsel sending a letter.

16 Oswego Drive

Garbage bags everywhere. Pool full of water & stagnant. Law firm handling the property. No change. Owner of property called Tom, no changes. Water from Pool has been removed. Tom found correct contact sent all notices of violation.

6. Communication/ Correspondence

Mr. Moran John reviewed a letter into the record from the Town of Brookfield with regard to changes in their regulations.

7. Minutes

May 1, 2014;

MOTION

Mr. VanVlack motioned to approve the minutes of May 1, 201 as presented. Mr. Letizia seconded the motion. Vote taken:

Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Lee Scott	Yes
Nicole Sanches	Yes
John Moran	Yes

Motion carried unanimously.

8. Adjournment

Meeting adjourned at 8:32 P.M.

Respectfully submitted

Lyn Sheaffer
Zoning Commission Secretary