

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

MINUTES

Regular Meeting
Thursday, February 7, 2013

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

PRESENT: Joe Letizia, Patrick Hearty, Kevin VanVlack, Vice Chairman, Steve Hanrahan, Alternate, Tom Gormley
Acting Zoning Enforcement Officer, Lyn Sheaffer, Commission Secretary.

1. Call to Order

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

Mr. Van Vlack elevated alternate Steve Hanrahan to full voting status.

2. Public Comment

None

BUSINESS ITEMS

1. Application for Site Plan Approval for 28 Route 39 Units 9+10 Heritage Plaza. The scope of work will consist of expansion of the current nail salon to include tanning rooms and 1 nail station and 3 new signs each 1' X 10' Map 19 Block 13 Lot 14.

Peter Young representing Lordae Realty, Heritage Plaza, approached the Commission. Mr. Young reviewed the application. They are currently in 6, 7, and 8 and now expanding to units 9 & 10 and are proposing 1 more nail station and 6 tanning booths. They also want 2 additional nail signs and 1 tanning signs. 5 spaces exist, all 10 x 1 to match existing signs.

Mr. Hanrahan asked how much frontage there was. The Commission discussed.

Mr. VanVlack asked if there was a letter from the Fire Marshall & Health Dept. Mr. Young stated he hadn't received the reply yet, he would check in the morning.

MOTION

Mr. VanVlack motioned to approve Site Plan Application for 28 Route 39 Units 9 & 10 Heritage Plaza contingent upon receiving approval letters from the New Fairfield Fire Marshal and Health Dept.

Mr. Letizia seconded the motion. Vote taken

Joe Letizia	Yes
Kevin VanVlack	Yes
Patrick Hearty	Yes
Steve Hanrahan	Yes

Motion carried unanimously.

2. DISCUSSION - 74 Route 37 LLC Village Green – A site Plan for this facility was previously approved by the Commission however do to a formal complaint which was filed by a resident with this office it was discovered that one of the Islands in front of the current Dunkin Donuts was never installed. See ZEO letter 12-19-12 to Lordae Management Briarcliff Manor N.Y. Owner of this facility.

Mr. Young representing Lordae Realty approached the Commission. The Commission reviewed the sight plan.

Mr. Young reported he stated the island was taken out twice by the snow plow, so it wasn't replaced a third time. He said he would come in with a revised site plan with a modification if the Commission wanted one. The Commission discussed.

Margaret Bolanger, 7 Curtis Drive, Sherman, CT approached the commission, she had made the complaint. She explained she is a nurse and she got a 3rd degree sprain because of the service ramp. If the island was there she would have stepped out on level ground, if she was elderly she could have fractured a hip. When you get out of the passenger side of the car in that parking space open the door into drive-thru traffic. The Commission discussed. Mr. Hanrahan suggested make that space the handicapped spot with a striped area and a new ramp. She also stated there weren't any handicapped signs in the plaza. Mr. Young stated it was lined on the pavement. Mr. VanVlack stated he was in favor of the idea of the handicapped spot, and make a new ramp. He said they must remove the service ramp. March 7th is the next regular meeting; Mr. Young will bring the modifications.

Mr. Gormley stated the next regular meeting would NOT be able to meet at the library in March, meeting location TBD.

3. DISCUSSION - Under prior violations Mr. Lee Scott of 9 Eastview, modifications that he has done to his CB Antenna and lighting concerns which were issues before the Commission during the January meeting.

Mr. Lee Scott approached the Commission. Mr. Scott reviewed the history of the concerns. Mr. VanVlack asked if there was a modification to the tower. Mr. Gormley Acting ZEO stated Mr. Scott had removed the extension to the tower. Issues remaining are a camera on the antenna and lights shining on the neighbors. Last e-mail a neighbor stated the lighting was substantially better, only on once or twice. Mr. Gormley stated Mr. Scott had modified the lighting. Mr. VanVlack asked if the camera that received the complaint was gone. Mr. Scott stated that camera had been removed the one camera that remains is a fixed camera pointing down the lake. It's a 24/7 camera you can access on his website to view current weather. Mr. Scott stated the lighting had not been on since 12/28. Mr. Van Vlack wanted to note for the record that they had correspondence from the ZEO to Mr. Scott dated 12/21, 1/11, 1/4 and from Mr. Scott to the ZEO dated 1/17 & 1/10.

4. VIOLATIONS REPORT – ZEO

- **Candlewood Pharmacy**
Mr. Gormley reported he had sent a letter of violation. Mr. Young approached the Commission. He explained the pharmacy had put poster stickers on the outside of the window. They are removing them now they will put something on the inside to prevent merchandise from fading.

Mr. Young stated the other complaint was about the color of the sign. He stated other was about the size of the sign. He stated there is 55' of frontage the sign is 30" by 20' = 50 sq. ft. Mr. Letizia stated he did not feel all the extra writing on the sign was permitted. Mr. VanVlack asked about the additional signs on the building for the Orthodontist. Mr. Gormley stated there was nothing in the file approving those signs. Mr. VanVlack asked the ZEO to follow up on the Orthodontist's signs. Mr. VanVlack would like to see what was approved for that sign. Mr. Young will report next month.

- **Warwick Road Subdivision**
Mr. Gormley reported the sign was not in violation.
- **Zerrener Property**
Mr. Gormley reviewed the property file. He didn't see anything in there about storage of boats or trailers. He felt it was an expansion of a non-conforming use. He will send a formal notice of violation.

- 4 Clark Road
Mr. Gormley ordered Cease & desist, property. He reported he went out and inspect and the property has been cleaned up, cease & desist has been closed.

5. Minutes

December 6, 2012

Postponed to next meeting

January 3, 2013

MOTION

Mr. Letizia motioned to approve the minutes of the January 3, 2013 as presented. Mr. Hearty seconded the motion.

Vote taken

Kevin VanVlack Yes

Patrick Hearty Yes

Steve Hanrahan Yes

Joe Letizia Yes

Motion carried unanimously.

6. Correspondence & Communications

Mr. VanVlack read into the record information on a conference on legal liabilities on decisions made by Commission members.

Mr. VanVlack stated we had a Referral from Brookfield on a zone change. No action necessary.

Meeting adjourned at 8:43 p.m.

Respectfully submitted

Lyn Sheaffer
Zoning Commission Secretary