

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

MINUTES

Regular Meeting
Thursday, March 7, 2013

New Fairfield Town Hall Conference Room
7:30 p.m.

PRESENT: Joe Letizia, Fred Zering, John Brown, Kevin VanVlack, Vice Chairman, Steve Hanrahan, Alternate, Tom Gormley Acting Zoning Enforcement Officer.

1. Call to Order

Meeting called to order by Vice Chairman Kevin VanVlack at 7:32 p.m.

Mr. Van Vlack elevated alternates Steve Hanrahan and John Brown to full voting status.

2. Public Comment

None

BUSINESS ITEMS:

1. Application for Site Plan Approval for 25 Route 37. The scope of work will consist of replacing an existing restaurant with another restaurant. Map 24 Block 18 and Lot 9.

Karl Eubin, Gaylordsville CT approached the Commission. Mr. Eubin reviewed his application. He purchased the property that was previously The Dog House; they want to make it a gourmet hamburger restaurant. Existing patio will be used in the summer.

Mr. VanVlack asked about the signage. Mr. Eubin stated he had permission to be on Richard Smith's sign, and he wanted to put on a roof sign. Mr. Letizia said roof signs aren't permitted. The Commission discussed. Mr. Hanrahan suggested they separate the sign application from the usage application. Mr. Eubin agreed.

Mr. Gormley stated he received letters with no objection from the Fire Dept. & Health Dept.

MOTION

Mr. Zering motioned to approve the application for Site Plan Approval for 25 Route 37 based on business usage only, not for signage. Mr. Letizia seconded the motion. Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Fred Zering	Yes
Steve Hanrahan	Yes
John Brown	Yes

Motion carried unanimously.

MOTION

Mr. Letizia motioned to add Modification to existing Site Plan, for 132 RT 37. Mr. seconded the motion. Vote taken:

- Joe Letizia Yes
- Kevin VanVlack Yes
- Fred Zering Yes
- Steve Hanrahan Yes
- John Brown Yes

Motion carried unanimously.

Mr. John McGuirk approached the Commission. He explained they received their Site Plan approval in December, and they are finishing up the construction drawings and meeting with the building inspector they felt it was best to add an exterior stair on the rear of the building as an independent means of egress for the office space & apartment.

MOTION

Mr. Zering motioned to approve the modification to the site plan for 132 Rt. 37 for the addition of a rear stair case as described on the drawing dated 2/7/13 for Kevin Hart. Mr. Letizia seconded the motion Vote taken:

- Joe Letizia Yes
- Kevin VanVlack Yes
- Fred Zering Yes
- Steve Hanrahan Yes
- John Brown Yes

Motion carried unanimously.

2. Continued application: 7 Rt. 37; Gils Gulf gas station; installation of outside lift.

Mr. Gilbert Hicks, New Fairfield approached the Commission. Mr. VanVlack explained to the Commission that Mr. Hicks was approved by the Zoning Board of Appeals 2/21/13, Mr. VanVlack asked him to please be careful with the oil & hydraulic fluid because he is so close to the reservoir.

3. DISCUSSION – 54 Rte 37; Greenfield Properties, Map 24 Block 1 Lot 21. Storage of vehicles.

Atty Francis J. Collins & Linda Zerrenner approached the Commission. Atty. Collins asked the Commission what the concern was. Mr. Gormley reported there was nothing in the file allowing storage of boats. He felt it was an expansion of a non-conforming use.

Mr. VanVlack stated it was originally approved as a garage, but now it has expanded to storage.

Atty. Collins reported in the mid 90s with the Town Atty, ZEO Mara Porwitzki, and 1st Selectman Cheryl Ready. The non-conformity was discussed then. He stated the property was used as “storage” he didn’t feel you had to state what was being stored. Atty. Collins stated there was a letter in the file dated June 1980 mentioning the storage of boats.

Atty. Collins reviewed the Site Plan; he felt the storage use of the property was going on since before zoning regulations. Mrs. Zerrenner showed photos of the property.

Mr. Hanrahan felt he remembered there was an area that was designated as storage, Atty Collins disagreed. The Commission discussed.

It’s not her intent to argue with the Commission. She has worked toward cleaning up the property. Mr. VanVlack felt the Commission needs to do more research. Mr. Gormley asked if he could do a site visit, Mrs. Zerrenner said yes.

4. DISCUSSION – Review of Approved Zoning Regulations.

Mr. Gormley stated we were ready to go to print. The Commission agreed.

Mr. Peter Young approached the Commission to give follow up on previous issues.

1. DISCUSSION - 74 Route 37 LLC Village Green – Reconfiguration of parking lot with no island. Follow up Mr. Peter Young representing 74 Rt. 37. He said the owners had no problem with putting the handicapped spot at the end. Margaret Boulanger stated the service ramp also needed to be leveled off. The Commission discussed. Mr. Young agreed to bring up the level of that area so there is no ramp or uneven area.
2. DISCUSSION - Candlewood Pharmacy – Content of Pharmacy sign and Orthodontist sign-Follow up Mr. Young saw the orthodontist, and gave him an application for a sign permit.

5. MINUTES

December 6, 2012

MOTION

Mr. Letizia motioned to accept the minutes of December 6, 2012 as presented. Mr. Zering seconded the motion. Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Fred Zering	Yes
Steve Hanrahan	Abstain
John Brown	Yes

Motion carried unanimously.

February 7, 2013

Correction needed: Kevin VanVlack chaired the meeting. Minutes will be voted on next month.

6. VIOLATIONS REPORT – ZEO

Continuation of 20 Cloverleaf, going to court on the 25th, Town counsel suggested the Commission send another Cease & Desist. Mr. Gormley sent the Cease & Desist due to be delivered to him tomorrow.

Karate studio sent second letter. Applicant asked for additional time a while ago.

Mr. Gormley reviewed some other sign violations.

7. CORRESPONDENCE & COMMUNICATIONS

Mr. VanVlack reported we received a Notification of Public Hearing for Sherman. The Commission discussed.

8. ADJOURNMENT

Mr. Letizia motioned to adjourn. Mr. Zering seconded the motion Meeting adjourned at 8:37 p.m.

Respectfully submitted

Lyn Sheaffer
Zoning Commission Secretary