

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

MINUTES

Regular Meeting
Thursday, January 12, 2012

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

PRESENT: John Moran, Chairman, Joe Letizia, Kevin Van Vlack, Vice Chairman, Fred Zering, Steve Hanrahan, alternate, John Brown, alternate, Maria Horowitz, Zoning Enforcement Officer, Lyn Sheaffer, Commission Secretary.

1. Call to Order

Chairman John Moran called the meeting to order at 7:35 p.m.

Mr. Moran elevated alternate Steve Hanrahan to full voting status.

Public Hearing

1. Continued P 11-02 – Petition for Zone Change – 48 Route 39 and 52A Route 39. The petition for Zone Change is to change the Zoning District for these two properties from the current R-44, One Acre District to become part of the Three Acre, LI/Light Industrial District. Camillo Santomero, owner. Peter Young, agent. **PUBLIC HEARING CLOSED 12/8/2011.**

Mr. Moran explained a zone change must consider the general health welfare and safety of the community, and also must follow the Plan of Development. He stated the Commission must look and consider what benefit it would be to the community. He said they should also consider the water that runs thru property. He explained the state statues require commission members to state their reasons for a positive vote; however, they are not obligated to state reasons for a denial.

Mr. Moran explained the current Plan of Conservation and development does not call for the change even though Planning sent a positive referral. He stated a traffic study had been done on that area in the past and the intersection of Saw Mill & Route 39 is one of the highest traffic areas on that state road.

Mr. Moran asked for a Commission discussion.

Mr. VanVlack stated the current Plan of Development is under review.

Mr. Zering asked what water is there. Mr. Moran stated Ball Pond Brook that runs into Candlewood Lake. He also stated there are 2 parcels in that area that are not included in this application, and he asked the Commission to consider that as well.

The Commission discussed, Mr. Moran also asked if they felt there was a need for additional light industrial in town. He did not feel there was proof that there was a need. He also felt they should not change a zone to benefit one person, need to consider the entire town.

Mr. Hanrahan stated that .19% of New Fairfield taxes were generated from Light Industrial. He felt that the residents of the town decided long ago to stay residential, and the change could not be a tax boost.

Mr. VanVlack stated that the current Plan of Development is old; however the Commission has been asked to change zones before. He felt the Commission needs to be careful in order to be consistent with the Planning Commission.

Mr. Moran asked the Commission to consider the community as a whole; they have not heard anything about what is planned for this area.

2. SP 11-25 – Special Permit – Major Home Occupation – Psychotherapy Office. 54 Dick Finn Rd. Fred & Monique Goldman, owners, applicants. ****DUE TO THE CITIZEN NEWS CLOSING BETWEEN CHRISTMAS AND NEW YEARS WE DID NOT HAVE THE PROPER AMOUNT OF TIME TO ADVERTIZE THE PUBLIC HEARING. THE PUBLIC HEARING SHALL BE OPENED AT THE FEBRUARY 2, 2012 ZONING COMMISSION MEETING.**

Postponed

BUSINESS ITEMS:

1. P 11-02 – Petition for Zone Change – 48 Route 39 and 52A Route 39. The petition for Zone Change is to change the Zoning District for these two properties from the current R-44, One Acre District to become part of the Three Acre, LI/Light Industrial District. Camillo Santomero, owner. Peter Young, agent.

MOTION

Mr. VanVlack motioned to approve Application P11-2 Petition for Zone Change. Mr. Letizia seconded the motion.

Mr. Zering expressed concern that more information was needed. Mr. Moran stated the Commission has all the information that was submitted, and said he could abstain if he was not sure. Vote taken.

Joe Letizia	no
Kevin VanVlack	no
John Moran	no
Steve Hanrahan	no
Fred Zering	abstain

Motion denied.

2. SP 11-25 – Special Permit – Major Home Occupation – Psychotherapy Office. 54 Dick Finn Rd. Fred & Monique Goldman, owners, applicants.

Postponed

MOTION

Mr. VanVlack motioned to add a discussion of Elwell development to the agenda. Mr. Letizia seconded the motion. Vote taken.

Fred Zering	yes
Steve Hanrahan	yes
Joe Letizia	yes
Kevin VanVlack	yes
John Moran	yes

Motion carried unanimously.

Mr. Wayne Skelly approached the Commission. The ZEO distributed Site Plans. The Commission reviewed. Mr. Skelly explained there were 133 acres, and this was phase 1, an access way into 3 lots. The Commission discussed.

3. Minutes

December 8, 2011.

MOTION

Mr. Zering motion to approve the minutes of 12/8/11 as presented. Mr. VanVlack seconded the motion. Vote taken.

Fred Zering	yes
Joe Letizia	yes
Kevin VanVlack	yes
John Moran	yes
Steve Hanrahan	Abstain-not in attendance

Motion carried unanimously.

November 10, 2011.

MOTION

Mr. VanVlack motion to approve the minutes of 11/10/11 as presented. Mr. Letizia seconded the motion. Vote taken.

Fred Zering	yes
Steve Hanrahan	yes
Joe Letizia	yes
Kevin VanVlack	yes
John Moran	Abstain-not in attendance

Motion carried unanimously.

4. Communication/Correspondence

Next regular meeting is postponed until February 9, 2012

The ZEO reported Mr. Dave Arnold asked the status of the complaint about the Sculptor barn. The ZEO asked for a volunteer to go to the property with her. Mr. Letizia volunteered.

Mr. Moran asked for a Cease & Desist to be issued, for the road opened up at Heritage Plaza. The ZEO asked about the fact the parking lot up on the hill had been roped off. He asked that be added to the C&D

Mr. Letizia asked for clarification on what are Storage Sheds in the commercial zone. The Commission discussed. Mr. Moran asked the ZEO to bring the Special Permit that was granted to the next meeting so they could review.

5. Adjournment

Meeting adjourned at 8:35 p.m.

Respectfully submitted

Lyn Sheaffer
Zoning Commission Secretary