

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

MINUTES

**Regular Meeting**  
Thursday, January 6, 2011

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

PRESENT: John Moran, Chairman, Joe Letizia, Fred Zering, Kevin Van Vlack, Patrick Hearty, Maria Horowitz, Zoning Enforcement Officer, Lyn Sheaffer, Commission Secretary.

1. Call to Order

Meeting called to order by Chairman John Moran at 7:45 p.m.

2. Public Comment

Mr. Steven Roe approached the Commission. He explained he wanted to request a change to the Zoning Regulations. The ZEO explained the procedure; Mr. Row will see Ms. Horowitz in the Zoning Office.

**Public Hearing**

**1. Continued Outdoor Wood Furnaces / OWF – Should the Zoning Commission enact a regulation to ban outdoor wood furnaces / OWF or should they be allowed.**

Mr. Van Vlack explained that Mr. Cassavechia submitted information indicating the state of Connecticut is working on legislation for OWF's. He felt it would be prudent to wait and see what the state does. Mr. Zering questioned why they should wait.

Mr. Letizia suggested a moratorium for 1 year and see what the state ruling is and revisit in 1 year. He also suggested adding restrictions listing the months the furnace could be burned.

Public Hearing Continued.

**2. Petition to Amend the Zoning Regulations – P10-01 – 132 Route 37 – Amendment to Zoning Regulations from Residence R-88 District, 2-Acre Zone to Neighborhood Business District / ND. Kevin Hart, owner; Peter Young, agent.**

Mr. Peter Young approached the Commission. Mr. Moran verified Mr. Young's letter to act as the applicant's agent. Mr. Moran read Zoning regulation 8.9 into the record and reviewed the list of requirements. . Mr. Young reviewed the petition. He distributed copies of the A2 survey as well as the storm water management plan.

Mr. Moran explained the Neighborhood Business District has a lot of restrictions. The Commission discussed. Mr. Moran asked the ZEO to verify all the paperwork. Public Hearing continued to 2/3/11

## **Business Item**

### **1. Continued Outdoor Wood Furnaces / OWF – Should the Zoning Commission enact a regulation to ban outdoor wood furnaces / OWF or should they be allowed.**

Public Hearing Continued

### **2. Petition to Amend the Zoning Regulations – P10-01 – 132 Route 37 – Amendment to Zoning Regulations from Residence R-88 District, 2-Acre Zone to Neighborhood Business District / ND. Kevin Hart, owner; Peter Young, agent.**

Public Hearing Continued

### **3. Site Plan 11-01 – 11 Route 37 – New Fairfield Commons – Building B, first floor: Proposed Business Office. Demo Drougas & Peter Young, applicants. 11 Route 37 LLC, property owner.**

Mr. Peter Young approached the Commission. He reviewed the application. He explained it was formerly the Silver Shop and they wanted a business office

The ZEO reported all letters from the New Fairfield Fire Marshall and Health Dept had been received with no objections. She also reported they would need 4 parking spaces and 53 were available, and the sign complies with regulations.

#### **MOTION**

Mr. Van Vlack motioned to approve Site Plan Application 11-01 for a business office as presented. Mr. Hearty seconded the motion. Vote taken:

Kevin Van Vlack	Yes
Fred Zering	Yes
Joe Letizia	Yes
John Moran	Yes
Patrick Hearty	Yes

Motion carried unanimously.

### **5. Site Plan 11-03 – 88 Route 37 – Fieldstone Plaza – Unit 11: Proposed Computer sales & repair shop and Graphic Art Studio. HPRATA LLC, applicant. Frank Magliocco, Unit Owner.**

Mr. Helder Prata approached the Commission. Mr. Prata reviewed his application; he explained there was no signage yet. He explained he would start with 1 employee, hoping to expand to 3. Retail hours would be Friday 9:00 a.m. – 5:00 p.m. & Saturday 9:00 a.m. – noon. Computer design & studio would be open M-TH 9:00 a.m. – 5:00 p.m.

The ZEO reported he would need 6 parking spaces and 8 were available.

MOTION

Mr. Letizia motioned to approve Site Plan Application 11-03 for a business office as presented. Mr. Hearty seconded the motion. Vote taken:

- Kevin Van Vlack      Yes
- Fred Zering            Yes
- Joe Letizia            Yes
- John Moran            Yes
- Patrick Hearty        Yes

Motion carried unanimously

**4. Site Plan 11-02 – 14 Great Meadow Rd. Storm Water Management Plan: Proposed Rain Garden. Peder W. Scott, P.E., R.A., applicant. Curtis Beck, property owner.**

Mr. Peder Scott approached the Commission. Mr. Scott reviewed his Storm Water Management Plan. The Zoning Enforcement officer requested he notify her when the garden was installed so she can inspect.

The Commission discussed.

MOTION

Mr. Zering motioned to approve Site Plan Application 11-02 Storm Water Management Plan. Mr. Hearty seconded the motion. Vote taken:

- Kevin Van Vlack      Yes
- Fred Zering            Yes
- Joe Letizia            Yes
- John Moran            Yes
- Patrick Hearty        Yes

Motion carried unanimously

**6. Site Plan 11-04 – 11 Route 37 – New Fairfield Commons – Unit 3LL – Dance Studio – Sas School of Dance Inc., applicant. 11 Route 37 LLC, owner.**

Mr. Peter Young approached the Commission. Mr. Young reviewed the plan. Hours are M-F 4:00-9:00 p.m. Saturday until 11:30 a.m. Only 1 class at a time, only 1 teacher. The ZEO reported she had letters from the New Fairfield Fire Marshall & Board of Health with no objections.

Mr. Young distributed pictures of the new sign, and the ZEO reported they were within regulations. She also reported they would need 4 parking spaces, and they were available.

The Commission discussed.

MOTION

Mr. Letizia motioned to approve Site Plan Application 11-04 Dance Studio, as presented. Mr. Zering seconded the motion. Vote taken:

- Kevin Van Vlack      Yes
- Fred Zering            Yes
- Joe Letizia            Yes
- John Moran            Yes
- Patrick Hearty        Yes

Motion carried unanimously.

## **8. Correspondence / Communication / Minutes**

Minutes – December 2, 2010

Mr. Van Vlack motioned to accept the minutes of 12/2/10. Mr. Letizia seconded the motion. Vote taken:

Kevin Van Vlack	Yes
Fred Zering	Yes
Joe Letizia	Yes
John Moran	Yes
Patrick Hearty	Abstain

Motion carried.

## **7. Executive Session: Legal Issues.**

Minutes – December 2, 2010

Mr. Van Vlack motioned to go into Executive Session. Mr. Hearty seconded the motion. Vote taken:

Kevin Van Vlack	Yes
Fred Zering	Yes
Joe Letizia	Yes
John Moran	Yes
Patrick Hearty	Yes

Motion carried unanimously.

Meeting entered Executive Session at 8:30 p.m.

Meeting returned on record at 9:10 p.m.

## **9. Adjournment.**

Mr. Van Vlack motioned to adjourn the meeting. Mr. Hearty seconded the motion. Vote taken:

Kevin Van Vlack	Yes
Fred Zering	Yes
Joe Letizia	Yes
John Moran	Yes
Patrick Hearty	Yes

Meeting adjourned at 9:25 p.m.

Respectfully submitted

Lyn Sheaffer

Zoning Commission Secretary