

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

MINUTES

Regular Meeting
Thursday, February 3, 2011

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

PRESENT: Joe Letizia, Kevin Van Vlack, Vice Chairman; Patrick Hearty, Maria Horowitz, Zoning Enforcement Officer, Lyn Sheaffer, Commission Secretary.

1. Call to Order

Meeting called to order by Vice Chairman Kevin Van Vlack at 7:36 p.m.

2. Public Comment

Mr. Michael Morrissey, Environment & Human Health, Inc., Glastonbury, CT approached the commission. He explained N. Haven and W. Hartford were also working on banning outdoor wood furnaces. He submitted a list of reasons to ban them. Mr. Van Vlack explained the Commission's plan was to impose a Moratorium for 1 year and see where the state is going on the matter.

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.

The Commission discussed the moratorium.

MOTION

Mr. Letizia motioned to close the Public Hearing on Outdoor Wood Furnaces. Mr. Hearty seconded the motion.
Vote taken:

Kevin Van Vlack	Yes
Joe Letizia	Yes
Patrick Hearty	Yes

Motion carried unanimously.

PUBLIC HEARING

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 representing Kevin Hart approached the Commission. . He reviewed his proposal to change 132 Route 37 from R-88 to Neighborhood Business District. He submitted all green cards showing the neighbors had been notified.

Ms. Horowitz, ZEO, reported she had read & reviewed the cards. The Commission read and reviewed NBD regulation 4.2.1 – Uses permitted by Special Permit.

MOTION

Mr. Hearty motioned to close the Public Hearing on Petition to Amend Zoning Regulations P10-01. Mr. Letizia seconded the motion. Vote taken:

Kevin Van Vlack	Yes
Joe Letizia	Yes
Patrick Hearty	Yes

Motion carried unanimously.

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.

Mr. Van Vlack read Atty. Keating’s amendment into the record. Public Hearing set for 3/3/11.

MOTION

Mr. Hearty motioned to close the Business Item on Outdoor Wood Furnaces. Mr. Letizia seconded the motion. Vote taken:

Kevin Van Vlack	Yes
Joe Letizia	Yes
Patrick Hearty	Yes

Motion carried unanimously.

Business item closed and moved to Public Hearing as recommended by Atty. Keating because the State of CT is moving this issue and the Commission wants to wait and see what they do.

All existing OWF’s with permits are still permitted.

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.

The ZEO reported she received a positive referral on this application from the Planning Commission. She also reported HVECO deemed it of local concern.

MOTION

Mr. Letizia motioned to approve the Petition to amend the Zoning Regulations P10-01 as presented. Mr. Hearty seconded the motion.

Mr. Letizia stated he felt the NBD should not move any farther North.

Mr. Van Vlack stated he felt the petition would protect the historical building and the NBD is a very restrictive zone.

Vote taken:

Kevin Van Vlack	Yes
Joe Letizia	Yes
Patrick Hearty	Yes

Motion carried unanimously.

The ZEO explained to Mr. Young he would have to update the Zoning Map.

3. Petition to Change the Zoning Regulations – Application: P11-01 – Sections: 7.5 – Telecommunication Facilities, 7.5.1 – Purpose, 7.5.3 – Permitted by Zoning or Other Permits. Sections: 9.2 - Telecommunications Policy Preferences and 9.2.4 – Specific Policy Preferences for Towers – A – Location. Steven Roe, applicant.

Mr. Roe was not in attendance. Mr. Van Vlack felt the Commission should wait to set the Public Hearing at a time when the Chairman John Moran returns from vacation.

Public Hearing set for Mid-March at a date to be determined.

Mr. Letizia requested a Workshop to reviews. Mr. Van Vlack agreed and felt they could also include any other changes they want to review including impervious surfaces and Telecommunication towers. Workshop set tentatively for the 3rd week in March.

MOTION

Mr. Hearty motioned to set the Public Hearing for application p11-01 for a date in March to include Chair John Moran at a date to be determined, and also a workshop to review any changes to the regulations. Mr. Letizia seconded the motion. Vote taken:

Kevin Van Vlack	Yes
Joe Letizia	Yes
Patrick Hearty	Yes

Motion carried unanimously.

MOTION

Mr. Hearty motioned to add to the agenda a discussion to order a Cease & Desist to all the property owners on Pine Island. Mr. Letizia seconded the motion. Vote taken:

Kevin Van Vlack	Yes
Joe Letizia	Yes
Patrick Hearty	Yes

Motion carried unanimously.

The ZEO read the letter and violations into the record. She is sending the Cease & Desist along with a letter from the Health Dept. and Building Dept. The Commission discussed.

MOTION

Mr. Hearty motioned to move ahead on the Cease & Desist for the property owners on Pine Island. Mr. Letizia seconded the motion. Vote taken:

Kevin Van Vlack	Yes
Joe Letizia	Yes
Patrick Hearty	Yes

Motion carried unanimously.

4. Correspondence / Communication / Minutes

No Correspondence & Communications

Minutes – January 6, 2011.

MOTION

Mr. Letizia motion to approve the minutes as submitted. Mr. Hearty seconded the motion. 4. Correspondence / Communication / Minutes

5. Adjournment.

Mr. Letizia motioned to adjourn. Mr. Hearty seconded the motion. Vote taken:

Kevin Van Vlack	Yes
Joe Letizia	Yes
Patrick Hearty	Yes

Motion carried unanimously.

Meeting adjourned at 8:30 p.m.

Respectfully submitted

Lyn Sheaffer

Zoning Commission Secretary