

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

MINUTES

Regular Meeting
Thursday, July 7, 2011

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

PRESENT: John Moran, Chairman, Joe Letizia, Kevin VanVlack, Maria Horowitz, Zoning Enforcement Officer.

1. Call to Order

Meeting called to order by Chairman John Moran at 7:40 PM

2. Public Comment

None

Public Hearing

1. Continued, Special Permit 11-10 – New application for The Woods at Dunham Pond – The original and revised original special permits for the Condominium project will expire in 2012. The Special Permit does not have any more extension time. Therefore, the present owners are reapplying for a new permit. Somers Development Inc., owner, Stephen Rodgers, Charter Residential Dev. LLC, applicant.

Stephen Rogers approached the Commission. Mr. Rogers stated at the last hearing the name was changed to Bancroft Holding Inc. He explained the hearing was kept open so a storm water management plan could be developed.

He explained since the last meeting the state legislature has a new public act signed by the governor allowing an additional 4 years on the maximum length of a project approved prior to July 1, 2011.

The Commission reviewed the new public act. The new act will allow a maximum of 14 years. Mr. Moran to ask the Town Attorney if he reads it the same way. If that is true, Mr. Rogers would withdraw the current application, and ask for another extension. The Commission asked the ZEO to confirm with Atty. Keating and let Mr. Rogers know. The Applicant would also have until next Fall to ask for an extension.

The ZEO stated the public hearing could be left open, ask for an extension, ask for confirmation from Atty. Keating and then it would just be an approval at the next meeting.

The ZEO asked for a letter of extension for the file, after comments are made from Atty. Keating.

The ZEO asked about the fence installed behind the first building built. She felt the permit called for the black coated vinyl fencing, however it's chain link with black pieces weaving thru. She asked if the pieces could be removed because it comes out when the wind blows.

Mr. VanVlack asked about the buffer mentioned last meeting. The Commission discussed.

Business Items

1. Continued, Special Permit 11-10 – New application for The Woods at Dunham Pond – The original and revised original special permits for the Condominium project will expire in 2012. The Special Permit does not have any more extension time. Therefore, the present owners are reapplying for a new permit. Somers Development Inc., owner, Stephen Rodgers, Charter Residential Dev. LLC, applicant.

Public Hearing Continued.

2. Discussion / Question Regarding Temporary Sign “Rotation” – 88 Route 37 – Unit 11 / 12, Frank Magliocco, applicant.

Mr. Frank Magliocco approached the Commission. Mr. Magliocco explained Superior Cleaners moved from Heritage Plaza to Fieldstone Plaza. They installed a temporary sign at the entrance. He asked if they come to the end of their 30 day extension for the temporary sign can he put up a different temporary sign for 30 days. The ZEO reviewed the regulation for Temporary Sign.

Mr. VanVlack expressed concern that a temporary sign doesn't become a permanent sign.

Mr. Magliocco explained the different signs may have different content. The posts are permanent, but the sign can be changed. The ZEO explained the first sign is for the “Grand Opening” for 30 days, with an extension for 30 days. Can he then change the sign for another 30 days? The Commission discussed, and decided no, only one temporary sign for up to 60 days max.

3. Discussion on Revisions to the Zoning Regulations, Schedule Public Hearing. Revisions Initiated by New Fairfield Zoning Commission.

The Commission discussed setting a date for the Public Hearing. Public Hearing set for August 18, 2011.

Mr. Moran stated August 4th is the regular meeting. If nothing is pressing meeting will be cancelled.

The ZEO asked about the regulation for chickens. At the present time someone who wants chickens they have to apply for a site plan. The Commission discussed. Mr. Moran felt a letter from the applicant saying 3-4 chickens are pets would be sufficient.

Mr. VanVlack stated most places sell minimum of 6, a few sell 4 at a time. The Commission discussed and decided 4 chickens, no roosters max as pets.

The ZEO asked about Guinea Hens. The Commission decided they were fine max of 4 as pets.

4. Continued from May Meeting: Complaint by neighbor regarding 3 Milltown Road – Boyajian, Approved Home Occupation: Tutoring for Sculpture Classes and private showings of work being created on site by the owner or his students. In violation for showing works of others who are not students, retail sales of goods not manufactured on site; Tee shirts, mugs, hats. Fabrication services for all your metal needs: Custom furniture, interior/exterior railings, gates.

The ZEO distributed Atty. Keating's comments & letter on the sculpture barn. ZEO will e-mail to the Commission, and discuss at the next meeting. Mr. Moran felt they had enough evidence to revoke the permit. The Commission discussed. Mr. Letizia felt he abused the permit. Mr. Moran cautioned the Commission, he felt it was going to be a difficult situation.

Mr. VanVlack felt we were at the point to send a cease & desist. The ZEO felt it would be best to go talk with him and let him know we have a statement from the Town Attorney and he is in danger of losing his Special permit. She will ask him to come in and discuss it with the Commission before any enforcement action is taken.

Mr. Moran asked that the ZEO give him a copy of Atty Keating's document, and explain we are going to revoke his special permit.

The Commission discussed when to ask Mr. Boyajian to come in to the next regular meeting, August 4th.

3. Correspondence & Communication

The ZEO reported the Planning Commission is having a workshop July 25, 2011 to gather & review existing information for the Plan of Conservation and Development for New Fairfield. She stated it was recommended 1 or 2 members of each Commission be in attendance. Location is the Community Room of the Senior Center after the Planning Commission meeting at approximately 8:00 P.M. Mr. Moran and Mr. Letizia to attend.

Mr. VanVlack asked about a noise ordinance in New Fairfield. The ZEO reported no there is not. She explained to do it correctly you have to measure decibels etc. The Commission discussed.

The ZEO reported she received a bill for Attorney's fees for \$2500.00 for Pine Island.

MOTION

Mr. VanVlack motioned to move to Executive Session. Mr. Letizia seconded the motion. Vote taken

Kevin VanVlack	Yes
Joe Letizia	Yes
John Moran	Yes

Executive session at 8:40

4. Adjournment

Meeting adjourned.

Respectfully submitted

Lyn Sheaffer
Zoning Commission Secretary