

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

MINUTES

Special Meeting
Thursday, September 15, 2011

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

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

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

Business Items:

1. Discussion: Proposed amendment to the Regulation, Section 4.1 – Business/Commercial District, BC. Proposed addition of a new section titled: Section 4.1.15 – Long-standing Use of Properties for Specified Uses.

Mr. Moran read a letter from Attorney Richard Smith, see attached. He stated this could be considered "spot" zoning. The ZEO reported there was no formal application on file yet.

The Commission discussed ½ acre parcel. Mr. Hanrahan felt it does not meet setback requirements. The Commission discussed how many trucks Mr. Bilecky has proposed.

Atty Smith reported the Cease & Desist issued by the ZEO was appealed to the Zoning Board of Appeals, and they denied the C&D. The ZBA gave him permission for up to 10 vehicles.

Atty. Smith felt the town was in a good position. There was concern about the watercourse, especially with the recent flooding, oil and gas from the vehicles contaminating the water.

The ZEO reported the last permit on the property was for a garage. The building permit reads "building/private garage. The Certificate of Occupancy states "garage/storage building" nothing about a business. The permits do not say "business" at all.

Atty. Smith reported Mr. Bilecky's position is if he cannot store vehicles he can't stay in business. Atty. Smith will speak with Atty. Cassagrande, and inform him based on informal discussion the board is not inclined to change the zone.

2. Discussion: Proposed Regulation Revisions by the Commission.

The Commission made reviewed the proposed changes and made the following modifications.

1. Definition of Impervious Surface, pg. 14 remove the verbiage "unpaved" add verbiage "not including sheds or slotted decks less than 500 square feet with boards no wider than 6 inches.

2. Page 4, section 1.5.4 - Remove verbiage The Zoning Board of Appeals shall not grant a variance from the Effective Impervious Coverage requirements of these Regulations including the particular requirements for each zoning district.

The Commission reviewed several definitions of country club and made the following change:

COUNTRY CLUB: Buildings and facilities owned and operated by a corporation or association of persons for social and recreational purposes, but not operated for a profit. The affairs and management, of such club, are conducted by a board of directors, executive committee, or similar body chosen by the members. It is designed to serve food and alcoholic beverages on such premises to members and their guests provided that the serving of food and alcoholic beverages is secondary to some other principal purpose of the association or corporation. Customary country clubs **MUST** include, but are not limited to: swimming, tennis and/or golf course.

The Commission discussed the sign regulation.

1. **6.3.1. Intent and Purpose**

The intent and purpose of this Section is to provide minimum standards to *preserve [added verbiage: and enhance the] character of the Town* [added verbiage: for new and replacement signs] by regulating the location, size, height, number, illumination, and the overall design of [added verbiage: new and replacement] signs and other graphic displays in order to accomplish the following:

2. **6.3.2**

E. [Repairs, Replacement or Alterations of pre-existing valid or non-conforming] Repairs or alterations to validly pre-existing nonconforming signs are permitted with a permit. [Remove verbiage from the Zoning Enforcement officer provided the nonconformity is not increased or enlarged; and,]

[Added verbiage: H. Replacement signs must meet the standards of the regulations.]

3. **6.3.4**

H. [Internally illuminated] Interior neon signs are prohibited.

[Added verbiage: K. Aside from logos, exterior wall signs & directory signs will only state the name of the business.]

[Added verbiage: L. All signs within the same complex will show uniformity.]

4. **6.3.5**

[Added verbiage: I. Phone numbers, services provided, are not are not permitted on wall or directional signs.]

5. **6.3.6**

[Added verbiage] C. Signs within the same business complex shall show uniformity of color.

6. **6.3.10**

[Remove Verbiage: To reduce glare from permitted internally illuminated signs, the background of the sign face must be opaque and of non-reflective material, illuminating only letters, words, symbols or logos; and,]

The Commission discussed expanding the light industrial zone. He asked the board to consider if the town was in need of more light industrial.

Meeting adjourned at 9:30 p.m.

Respectfully submitted

Lyn Sheaffer

Zoning Commission Secretary