

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

MINUTES

**Regular Meeting**  
Thursday, January 7, 2010

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

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

**1. Call to Order**

Meeting called to order at 7:32 p.m. by Chairman John Moran.

**2. Public Comment**

None

**PUBLIC HEARING**

1. Special Permit Application 01-10 /Continued Site Plan Application 19-09 –Dog Park with revised location – Haviland Hollow Rd. – Joe & Sue Garufi, NFD OG.

The Zoning Enforcement Officer read the legal noticed into the record published in the Danbury News times.

The Zoning Enforcement Officer read the following letters into the record.

1. Irene Howard – in support
2. Deborah Santasario – in support

The ZEO also received letters in support from the following:

1. Judith Stephan
2. Averell Manes, Ph.D.
3. Dawn Tied Mann.

Mr. & Mrs. Garufi approached the Commission. Mr. Garufi reviewed the history of the Dog Park applications.

Mr. Moran explained the Commission did not act on the first application within the time limit, so it was automatically approved.

**Public Comment**

Lori McLeod, 87 Gillotti Rd. believed the first site was easier for the town to access.

Brad Thomas felt the first site was more centrally located and felt the town should honor the will and leave the area as a wildlife sanctuary.

Steven Rowe, 10 Mill Pond Rd. felt the first site was better, he was not satisfied the safety issues at the proposed site have been addressed.

Dietrich Simmons preferred the newer site

Mary Beth DaPola a member of the Dog owners group felt all concerns have been addressed and the funding will be the responsibility of the dog owners group.

**MOTION**

Mr. Letizia motioned to close the public hearing. Mr. VanVlack seconded the motion. Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Fred Zering	Yes
John Moran	Yes

Motion carried unanimously, Public Hearing Closed.

**BUSINESS ITEMS**

1. Special Permit Application -01-10 / Continued Site Plan Application 19-09 –Dog Park with revised location – Haviland Hollow Rd. – Joe & Sue Garufi, NFD OG.

Mr. Letizia expressed concern with the entrance of the park. He asked if it could be moved west for safety reasons.

Mr. VanVlack stated he was concerned with the deed restrictions.

Mr. Zering expressed concern over the lighting but felt the second site was better.

Mr. Moran felt the second site was better but was concerned about the site lines. He would ask for the Town Engineer to approve the site lines.

Mr. Hodge, First Selectman stated Mr. Merullo had done the site line calculations and the town would be willing to take back some of the hill to improve the site.

Mr. Merullo, Director Parks & Recreation/Building & Grounds explained the sightline for the eastbound lane was 135'. He felt the removal of trees may help. At 35mph the site lien should be 350'. Mr. Hodge stated the Board of Selectmen set the speed limit so they may be able to reduce.

The Commission discussed.

**MOTION**

Mr. VanVlack motioned to approve Special Permit Application 01-10 With the improvement of Site lines, and a study of the Yield sign and speed limit. An approval by the town Engineer is required. Mr. Letizia seconded the motion. Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Fred Zering	Yes
John Moran	Yes

Motion carried unanimously.

2. Petition to Amend the Zoning Regulations – Amend Section 3.1.2 Special Permit Uses - to add a new text “M Private Athletic Recreational facilities including but not limited uses for Athletic/Recreation Buildings, Athletic Fields, Swimming Pools, Ice Skating Areas and parking areas for facility patrons.” 52A Route 39 LLC, Steven Merullo, member/manager, Applicant. Attorney Raymond C. Lubus, agent

Atty. Raymond Lubus approached the Commission. The Commission accepted the application and set the Public Hearing date for the next regular meeting February 4, 2010.

Mr. Moran stated he had concerns with this application, he felt it was spot zoning.

3. Continued Site Plan Application – 26-09 – 4 Mountain Rd. Candlewood Hills -Storm Water Management Plan for 14’ x 32’ Kitchen and Mud Room addition. Dennis & Christine Daddarria, owner, Murray Contracting, LLC, agent.

Mr. Kevin Murray approached the Commission. Mr. Moran reported The Commission had received a letter from the Town Engineer denying the application, stating it did not meet the intent of the regulation. Mr. Murray explained he had talked to Mr. Iadarola & Mr. Simpkins. The commission discussed.

MOTION

Mr. Letizia motioned to approve Site Plan Application 26-09 with the stipulation the ZEO receive written approval from Tim Simpkins and Tony Iadorola, Town Engineer. Mr. Zering seconded the motion. Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Fred Zering	Yes
John Moran	Yes

Motion carried unanimously.

4. Site Plan Application – 29-09 – 28 Route 39, Unit 9 – Heritage Plaza. Package Store. Timothy J. Jalbert, applicant.

Mr. Peter Young approached the Commission. Mr. Moran read a letter from the owner authorizing Mr. Young to represent the Application.

The Commission reviewed the application. The Commission discussed the fact that the Day Care was not considered a school. The Signage would be like the existing signs in the plaza. 6 spaces approved for parking.

5. Site Plan Application – 30-09 – 28 Route 39, Unit 25 – Heritage Plaza. Pet Grooming & self-service dog wash. Jessica VanWormer-Cardinal, applicant.

Mr. Young reported “The Dirty Dog” would be next to the Veterinarian. The Commission Reviewed the Application. The signage would be like the existing signs in the plaza. 4 spaces approved for parking.

MOTION

Mr. Zering motioned to approve Site Plan Application 29-09 and 30-09 with signage the same as existing based on the information presented as they meet regulations. Mr. Letizia seconded the motion Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Fred Zering	Yes
John Moran	Yes

Motion carried unanimously.

6. Correspondence/Communication – Discussion of Letter from CTDEP Regarding Section 5.1 Comprehensive Review of New Fairfield’s Floodplain Overlay District Regulations.

Mr. Moran felt the Commission should have a special meeting to review and act on the letter. Special meeting scheduled for January 28, 2010. The Commission decided to add the Public hearing so they could also act on the business portion of the matter.

7. Minutes

MOTION

Mr. Letizia motioned to accept the minutes of 12/15/09. Mr. VanVlack seconded the motion. Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Fred Zering	Yes
John Moran	Yes

Motion carried unanimously.

Mr. Letizia asked about the following issues.

1. Contractor sign on Gillotti Road. ZEO to check
2. Williams Road-When is the contractor’s truck to disappear. ZEO reported the deadline was Monday.

8. Adjournment

Meeting adjourned at 8:52.

Respectfully Submitted

Lyn Sheaffer, Zoning Commission Secretary