

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

MINUTES

**Regular Meeting**

May 6, 2010

Library Community Room  
7:30 p.m.

PRESENT: Jon Moran Chairperson, Joe Letizia, Kevin Van Vlack, Fred Zering, Maria Horowitz, Zoning Enforcement Officer; Lyn Sheaffer Zoning Commission Secretary

**1. Call to Order**

Meeting called to order at 7:35 p.m. by Chair, John Moran

**2. Public Comment**

None

**Public Hearing**

1. **Special Permit 04-10 – 34 Musket Ridge Rd. Legalize Accessory Apartment. Wayne & Stephanie Van Treuren, Applicant.**

Mr. Tony Freitas, 25 Musket Ridge Road spoke to the Commission. He submitted a petition last month with 20 signatures against the legalization. He would also like to verify if the permit for the accessory kitchen was legal.

Mr. & Mrs. Van Treuren approached the Commission.

Mr. Moran read the regulations. The Zoning Enforcement Officer stated the addition was done years ago and they had permits. It meets regulations. The Commission discussed.

**MOTION**

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

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

Motion carried unanimously. Public Hearing Closed.

**2. Special Permit 10-10 – 77 Pine Hill Rd. – Accessory Apartment – Heidi & Greg Romans, owner.**

Greg & Heidi Romans Approached the Commission and reviewed their application.

The ZEO reported their application meets all zoning regulations for an accessory apartment. The house is over 1 year old, plenty of parking.

**MOTION**

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

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

Motion carried unanimously. Public Hearing Closed.

**Business Items**

**1. Special Permit 04-10 – 34 Musket Ridge Rd. Legalize Accessory Apartment. Wayne & Stephanie Van Treuren, Applicant.**

Mr. Moran stated the application meets regulations and the ZEO has been there to inspect.

**MOTION**

Mr. Zering motioned to approve Special Permit 04-10 as it meets all regulations for an accessory apartment. Mr. Van Vlack seconded the motion. Vote taken:

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

Motion carried unanimously.

**2. Special Permit 10-10 – 77 Pine Hill Rd. – Accessory Apartment – Heidi & Greg Romans, owner.**

**MOTION**

Mr. Letizia motioned to approve Special Permit 10-10 as it meets all regulations for accessory apartment. Mr. VanVlack seconded the motion. Vote taken:

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

Motion carried unanimously.

**3. Original Application Number:22-09, Now Special Permit 10-13 – 52A Route 39 – Multi Purpose Country Club – 52A Route 39 LLC by Steve Merullo it's Member/Manager, Represented by Attorney Ray Lubus.**

Steve Merullo and Atty Ray Lubus approached the Commission. Mr. Moran explained this application is being heard under the old regulations. The Commission discussed when to hold the Public Hearing and decided the next regular meeting, June 3<sup>rd</sup>.

Mr. Moran reviewed the regulations. The Commission asked Atty. Lubus to submit a traffic study. Mr. Lubus reported they have already secured Wetlands approvals.

**4. Site Plan 10-14 – 13 Candlewood Rd., Hollywyle – Storm Water Management Plan - Bob & Donna Frichette, owner, Solimine Contracting, LLC, Applicant.**

Bob & Donna Frichette approached the Commission. Mr. Frichette explained they are proposing rain gardens. Mr. Moran asked how much the existing vs. the proposed runoff was. The Commission asked that Tony Iadorola review the Storm Water Management Plan and make a determination. Mr. Van Vlack asked what the percentage of coverage was. It was now at 16% going up to 21%.

**MOTION**

Mr. Zering motioned to approve Site Plan Application 10-14, with the stipulation the ZEO receive a letter of approval from Tony Iadorola. Mr. VanVlack seconded the motion. Vote taken:

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

Motion carried unanimously.

**5. Site Plan Application 10-15 – 1 Saw Mill Rd. – Units 7, 8 & 9 – Photography Studio – Eve Papa, Applicant. Pete Young, Agent.**

Mr. Peter Young approached the Commission and reviewed the application. He explained it was a by appointment only studio, digital camera, no chemicals and printing done elsewhere. The plan was to take all 3 units.

The ZEO received letters from the New Fairfield Fire Marshall and the New Fairfield Health Dept. with no objections.

The commission discussed parking. Under regulation 6.29 they would need 1 space for each 200 sq. ft. They have 1200 sq. ft. so 6 spaces are needed. Adequate parking is available.

Signage is same as existing.

**MOTION**

Mr. VanVlack motioned to approve Site Plan Application 10-15. Mr. Zering seconded the motion. Vote taken:

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

Motion carried unanimously.

**6. Site Plan 10-16 – 17 Middleton Dr. – Storm Water Management Plan – Vincent Nunziata, Applicant.**

Moved to the end of the agenda.

**7. Modification to Site Plan 10-17 – 100 Route 37 – Prime Time Fitness – Expansion of Gym. Patrick Toth, owner.**

Patrick Toth approached the commission and reviewed the application. He explained they were proposing to expand the aerobics area. 915 sq. ft. were available in the building; however they would have to remove the partitions.

The ZEO reported she has not received letters from the New Fairfield Fire Marshall or Health Dept.

The ZEO needs to review the parking.

MOTION

Mr. Letizia motioned to approve Modification to Site Plan 10-17 with the stipulation letters of approval are received from the New Fairfield Fire Marshall and Health Dept and the ZEO approves the parking. Mr. Zering seconded the motion.

Vote taken:

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

Motion carried unanimously.

**8. Site Plan – 10-18 – 28 Route 39 – Unit 24 – Doggie Day Care – Jessica Cardinal, Applicant.**

Jessica & Chris Cardinal approached the Commission. Ms. Cardinal explained they have a dog grooming & wash open and they want to expand into the next unit and have a doggie day care. The hours would be Monday – Saturday 7:00 a.m. – 7:00 p.m.

The ZEO reported they had not received letters of approval from the New Fairfield Health Dept or Fire Marshall and she has to review the parking.

Ms. Cardinal explained they received approval from the landlord to fence of a grassy area for the dogs to be shared with the Veterinarian.

There was no signage proposed, if they want a sign they must apply with the ZEO.

MOTION

Mr. VanVlack Motioned to approve Site Plan Application 10-18 with the stipulation the ZEO validates the parking and receives letters of approval from the New Fairfield Fire Marshall and Health Dept. Mr. Letizia seconded the motion.

Vote taken:

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

Motion carried unanimously

**9. Site Plan – 10-19 – 9 North Dr. – Storm Water Management Plan – Thomas Gammarano, Owner/Applicant.**

Mr. Gammarano approached the Commission and reviewed the application. He explained the total impervious surface including the deck is 14.9% without the deck it's a little over 10%. The Commission discussed. Mr. Moran recommended Tony Iadorolo review the plan.

MOTION

Mr. VanVlack motioned to approve Site Plan Application 10-19 with the provision the plan is reviewed and approved by Tony Iadorolo. Mr. Letizia seconded the motion. Vote taken:

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

Motion carried unanimously

**6. Site Plan 10-16 – 17 Middleton Dr. – Storm Water Management Plan – Vincent Nunziata, Applicant.**

The ZEO explained the addition and the deck were built on the house in the 70's. The deck was less than 500 sq. ft. The applicant completed the Storm Water Mgmt plan before the Commission decided to exempt decks from the impervious surface calculation.

**MOTION**

Mr. VanVlack motioned to approve Site Plan Application 10-16 based on the validation the deck is structurally sound and meets criteria of slotted deck with planks no more than 6" wide. Mr. Zering seconded the motion.

Vote taken:

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

Motion carried unanimously

**10. Minutes**

March 15, 2010

Mr. VanVlack motioned to approve the minutes of March 15, 2010. Mr. Letizia seconded the motion. Vote taken:

John Moran	Yes
Joe Letizia	Yes
Fred Zering	abstain
Kevin Van Vlack	Yes

Motion carried unanimously

March 22, 2010

Mr. Letizia motioned to approve the minutes of March 22, 2010. Mr. VanVlack seconded the motion. Vote taken:

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

Motion carried unanimously

April 8, 2010

Mr. Zering motioned to approve the minutes of April 8, 2010. Mr. Letizia seconded the motion. Vote taken:

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

Motion carried unanimously

April 29, 2010

Mr. Zering motioned to approve the minutes of April 29, 2010 with the following corrections.

1. Maria Horowitz ZEO was in attendance
2. change verbiage to read "Jane" McGowan

Mr. Letizia seconded the motion. Vote taken:

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

Motion carried unanimously

**11. Correspondence / Communication**

The ZEO reported she received a letter requesting a waiver on impervious surface regulation for 57 Knollcrest. They want to add a small addition over an existing patio. The Commission discussed. Mr. Moran felt this was exactly the reason this regulation was adopted.

The Commission decided NO waiver.

The ZEO asked the commission if an accessory apartment above an unattached garage was permitted. The Commission discussed and decided yes.

**12. Adjournment.**

Meeting adjourned at 9:33.

Respectfully Submitted

Lyn Sheaffer  
Zoning Commission Secretary