

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

MINUTES

**Regular Meeting**

June 3, 2010

New Fairfield Library Conference Room  
7:00 p.m.

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

**1. Call to Order**

Meeting called to order at 7:33 p.m. by Chair, John Moran

**2. Public Comment**

Mr. Jean Cassavechia approached the Commission. He asked the Commission to protect New Fairfield citizens against Outdoor Wood furnaces (OWF's). Mr. Cassavechia submitted documentation against allowing the OWF's in New Fairfield.

Mr. Moran explained the Commission was going to move Business Item 2 ahead on the agenda.

**Business Item**

**2. Site Plan 10-20 – 24 Route 37 – Storm Water Management Plan - In ground Pool, Michael & Lisa Bollacke, owner. Tom Nejame, Nejame & Sons, agent.**

Michael. Bollacke and Tom Negame approached the Commission. Mr. Negame reviewed the plan for an in ground pool with patio.

The Zoning Enforcement Officer explained the Town Engineer had the plans and she was waiting for a response. She explained the Commission could approve the application but a Certificate of Occupancy would not be issued until she received an approval from the Town Engineer.

The Commission discussed.

MOTION

Mr. Hearty motioned to approve Site Plan application 10-20 pending an approval from Tony Iadorola, Town Engineer. The applicant can start work but NO Certificate of Occupancy will be issued without approval. Mr. VanVlack seconded the motion. Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Patrick Hearty	Yes
John Moran	Yes

Motion carried unanimously.

**Public Hearing**

1. 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.

Mr. Moran explained the Commission was going to hear this application under the old regulations.

Attorney Ray Lubus, Mr. Steve Merullo and Ms. Ann Pachenyk approached the Commission.

Atty. Lubus reviewed the application for a country club. He explained the hours of operation for inside would be 7:00 a.m. – 11:00 p.m. 7 days a week. Outside the hours would be 8:00 a.m. – 10:00 p.m., with the lights turned off at 10:00 p.m. He explained there would be 3 basketball courts and an interior track. He also explained there would be different levels of membership available.

Atty. Lubus submitted the formal notice of approval from the Inland/Wetlands Commission.

Mr. Merullo explained they planned to stagger the inside court times. He expected over 100 cars per day.

Atty Lubus submitted and reviewed the bonding issues. He explained this was a steel fabricated building. He stated they added a tree buffer row because the residents at the Birches were concerned about the view. He felt there would be no affect on Mr. Santomero’s easement.

Atty. Lubus submitted a sight distance map and Mr. Merullo explained the traffic analysis.

Mr. Moran asked if they had a traffic study done, they had not and he stated they have to do a full study.

Mr. Moran reviewed the regulations. He asked the ZEO to ask for comments from the Planning Commission re: Plan of Development. Mr. Moran also would like comments from the Board of Selectmen. He would like to ask the Town Attorney if this application for a sports facility would fall under a “country club”.

Mr. Moran read regulation2.2 into the record.

Atty. Lubus submitted a copy of the special permit for Sail Harbor club association.

### **Public Comment**

Mr. Hugh Billecki submitted a letter and photos outlining his concerns and requested the Commission not approve the proposal for several reasons.

Ms. Karen Hanley, New Fairfield Youth Lacrosse approached the Commission and spoke in favor of the application. She submitted a statement for the record.

Ms. Ellen Moore, 42 Rt. 39 approached the commission objecting to the proposal stating it was denied once it should be denied again.

Mr. Walter Wolyniec spoke against the proposal because it is a dangerous road.

Mr. Greg Bontempo, NF Soccer club spoke in favor of the proposal.

Ms. Linda Fox, 43 Rt. 39 lives across the street from the project. She is concerned about the traffic, lights noise in a residential neighborhood. She asked if the bridge was going to be widened, she felt only one car could safely pass.

Mr. Mike Evans, President NF Soccer explained the 500 participants would benefit with this facility in town.

Mr. Mike Dapolite felt the soccer players could be more competitive if they were able to practice year round.

Mr. Merullo explained this was more than just for basketball, lacrosse and soccer. This would be a multi-sports venue for old and young.

The Commission discussed the outside of the building.

Public Hearing continued to the July 1, 2010 regular meeting.

### **Business Items**

1. 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.

Continued to July 1, 2010 regular meeting.

### **3. Site Plan – 9 Brush Hill Road, Ice Cream Shop, Ka Yi Ho applicant.**

Ka Yi Ho approached the Commission. She reviewed her proposal for an Ice Cream shop at 9 Brush Hill road. Mr. Moran expressed concern about the parking. The ZEO reviewed the parking for that plaza. The Ice Cream shop would need 6 spaces which are available.

MOTION

Mr. Hearty motioned to approve Site Plan Application for an Ice Cream Shop at 9 Brush Hill Road with 6 parking spaces, sign similar as existing to be approved by the ZEO. Mr. Letizia seconded the motion. Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Patrick Hearty	Yes
John Moran	Yes

Motion carried unanimously.

The Zoning Enforcement Officer stated she had an application for a sports bar in Fieldstone Plaza, however, the applicant was not in attendance. The Commission discussed and will not hear an application without applicant in attendance.

**3. Impervious Surfaces – Commission to discuss and write revised regulation of existing definition of impervious surfaces.**

The Commission discussed the written regulation and decided on the following verbiage.

1. Remove “unpaved”
2. After structures add verbiage “not including sheds or slotted decks less than 500 square feet with boards no wider than 6”.
3. Under Wavier exemption on page 121 add verbiage “not including sheds or slotted decks less than 500 square feet with boards no wider than 6”.
4. Under regulation 6.7.5 add verbiage “not including sheds or slotted decks less than 500 square feet with boards no wider than 6”.

**4. Minutes**

MOTION

Mr. Letizia motioned to accept the minutes for May 24, 2010. Mr. Van Vlack seconded the motion. Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Patrick Hearty	Abstain
John Moran	Yes

Motion carried unanimously.

MOTION

Mr. Letizia motioned to accept the minutes for May 6, 2010. Mr. Van Vlack seconded the motion. Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Patrick Hearty	Abstain
John Moran	Yes

Motion carried unanimously.

**5. Adjournment.**

Meeting adjourned at 9:45 p.m.

Respectfully Submitted

Lyn Sheaffer  
Zoning Commission Secretary