

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

MINUTES

Regular Meeting

July 1, 2010

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

PRESENT: Jon Moran Chairperson, Joe Letizia, Kevin Van Vlack, Fred Zering, Patrick Hearty, 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. Gary Mead approached the Commission. Mr. Mead explained he was exploring the idea of remodeling his house into a Bed and Breakfast. He explained where his property was, and asked the Commission if they had any strong objections. Mr. Mead reviewed the regulation. There were no strong objections from the Commission.

Mr. Moran reviewed 3.6B and the Commission decided because the verbiage read "or" the house did not have to be 50 years old.

Business Items

1. Special Permit 10-24 – Town of New Fairfield – 24 Gillotti Rd. – Meeting House Hill School-Additions & Renovations. Set Public Hearing Date – Town of New Fairfield , applicant.

Public Hearing date set for July 19, 2010. Location to be determined.

2. Special Permit 10-23 – Edward & Caren Silva – 11 Sunset Dr. Bogus Hill – Accessory Apartment – Set Public Hearing Date – Edward & Caren Silva, applicants.

Ed & Karen Silva approached the Commission. Mr. Silva explained they were requesting a Special Permit to add an accessory apartment.

Public Hearing date set for August 5, 2010, the next regular meeting.

Public Hearing

1. Continued Special Permit 10-13 - Original Application Number:22-09 – 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 reviewed the history of the application. He Moran explained he spoke with the Town Attorney, and he expressed some concern whether this permit would fall under a Special Permit process. Mr. Moran read the Webster’s dictionary definition of a “Country Club” into the record. Mr. Moran felt this application did not fall under Country Club and asked the Commission how they felt.

Mr. Moran stated for the record he did not speak to any board member to discuss this matter.

Mr. Lubus distributed a “Memorandum of Law” and reviewed the definition of a “country club” The commission discussed.

MOTION

Mr. VanVlack motioned to proceed with Special Permit Application 10-13. Mr. Zering seconded the motion. Vote taken:

Joe Letizia	Yes
Kevin VanVlack	Yes
Fred Zering	Yes
Patrick Hearty	No
John Moran	No

Motion carried.

Attorney Ray Lubus, Ralph Gallagher and Richard Pearson, traffic engineer approached the Commission.

Mr. Pearson reviewed his qualifications. He then reviewed the traffic study and concluded there was no significant impact.

Mr. Letizia asked if they considered Squantz Pond traffic and summer traffic. They had not but he was willing to look at the Saturday numbers.

Mr. Gallagher reviewed the site plan. He explained the lighting of the field. There would be less luminers on 15’ poles., less light would migrate off the site. Mr. Gallagher discussed parking. 37 spaces were required, 80 were proposed. He pointed out the proper islands and plantings.

Mr. Steve Merullo approached the Commission.

Mr. Letizia asked if there was overflow parking. Mr. Merullo stated no.

Mr. VanVlack stated when he feels a country club should have a club house, no club house is shown on the plans.

Atty. Lubus distributed a section from the New Fairfield Plan of Development that included the need for more gymnasiums and fields.

Atty Lubus submitted the most updated maps.

PUBLIC COMMENT

Mr. Tim Murphy, New Fairfield High School track coach spoke in favor of the application.

Mr. Camillo Santomero & Peter Young expressed concern over the right-of-way to their piece of property. Mr. Santomero stated he was not opposed to the project. Mr. Gallaher pointed out the right of way on the maps. The commission discussed.

Mr. Hugh Bilecki, owner of adjacent property expressed concern about flooding with a major concern about the bridge. Mr. Gallagher commented all flooding issues were addressed in Wetlands.

Ms. Ellen Moore, 42 Rt. 39 read a letter into the record opposing the location of the sports complex.

Ms. Linda Fox 43 Rt. 39 submitted a letter opposing the application.

Public Hearing continued.

Business Items

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

Public Hearing Continued.

2. Site Plan 10-26 – Vizer Hoda – 88 RT 37 – Fieldstone Plaza – Upscale Sports Bar - Vizer Hoda, Applicant.

Mr. Vizer Hoda approached the commission. Mr. Hoda explained he was proposing a sports bar at the end unit of Fieldstone Plaza, formerly Lou's butcher.

Mr. Moran expressed concern about additional parking in that plaza.

Mr. Hoda explained he was planning to build a walkway around the right side of the building to the back parking lot.

Ms. Horowitz, Zoning Enforcement Officer reviewed the application. She explained there were 13 spaces required. The Commission discussed.

MOTION

Mr. VanVlack motioned to approve Site Plan Application 10-26 as presented, with a properly lit walkway to the back parking lot installed. Mr. Letizia seconded the motion. Vote taken:

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

Motion carried unanimously.

3. Site Plan 10-21 – Thomas & Victoria Shantz – 31 Knollcrest Rd. – Waiver Storm Water Management Plan (SWMP) for a 55 sq. ft. deck, Thomas & Victoria Shantz, applicant.

Thomas & Victoria Shantz approached the commission.

Mr. Moran reviewed the application. The Commission discussed the percent of lot coverage. Mr. Shantz explained they have a large rain garden on the property.

MOTION

Mr. Zering motioned to approve Site Plan 10-21 with the contingency that the additional 55 sq. ft. deck is a properly spaced slotted deck and the existing rain garden is kept in place. Mr. Letizia seconded the motion. Vote taken:

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

Motion carried unanimously.

4. Site Plan 10-22 – Roger & Phyllis Morin - 13 Hemlock Trail CI – Waiver SWMP, for a New Single Family Dwelling. Roger & Phyllis Morin, applicants.

Roger & Phyllis Morin approached the Commission. Mr. Moran reviewed the application to build a 3 bedroom house, garage and deck. The Commission discussed the need for a storm water mgmt plan.

MOTION

Mr. Zering motioned to approve Site Plan 10-22 contingent on securing an approval of their SWMP from the Town Engineer. Mr. VanVlack seconded the motion. Vote taken:

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

Motion carried unanimously.

5. Site Plan 10-27 – James Levitas – 28 Route 39, Heritage Plaza – Unit 1 – Business Office. James Levitas, applicant.

Mr. Peter Young approached the Commission. Mr. Young submitted a letter permitting him to act as agent for the applicant.

Mr. Young reviewed the application. The ZEO stated the application meets regulations.

MOTION

Mr. Zering motioned to approve Site Plan 10-27. Mr. Hearty seconded the motion. Vote taken:

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

Motion carried unanimously.

6. Site Plan 10-28 – Kelly DeMarco – 28 Route 39, Heritage Plaza – Unit 9 – Art Studio. Kelly DeMarco, applicant.

Mr. Young submitted a letter permitting him to act as agent for the applicant.

Mr. Young reviewed the application. The ZEO stated the application meets regulations.

MOTION

Mr. Zering motioned to approve Site Plan 10-28. Mr. Hearty seconded the motion. Vote taken:

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

Motion carried unanimously.

7. Site Plan 10-29 – Camillo Santomero – 28 Route 39, Heritage Plaza – Freestanding Directory Sign. Peter Young, applicant.

Mr. Peter Young approached the Commission. Mr. Young submitted a letter permitting him to act as agent for the applicant.

Mr. Young reviewed the application. The ZEO stated the application meets regulations.

MOTION

Mr. Zering motioned to approve Site Plan 10-29. Mr. Hearty seconded the motion. Vote taken:

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

Motion carried unanimously.

8. Site Plan 10-30 – Vincent & Bridgette Murphy – 40 Lake Drive South – Waiver SWMP, for construction of driveways, walls, terraces. Studer Design Associate, Inc., applicants.

Mr. Craig Studer, Studer Design and Mr. Joe Mira, Custom Homes approached the Commission.

Mr. Studer reviewed the application. He explained they were proposing building a 2 bay garage. The Commission reviewed the plans.

Mr. Studer explained Frank Fowler, Fowler & Assoc Engineer did a Storm Water Management Plan.

The ZEO asked for a certified document stating everything was installed as shown.

MOTION

Mr. Zering motioned to approve Site Plan Application 10-30 contingent upon the ZEO receiving the approval of Storm Water Management Plan by Town Engineer. Vote taken:

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

Motion carried unanimously.

9. Discussion – Outdoor Wood Furnaces.

Postponed to next meeting

10. Correspondence/Communication

Mr. Moran explained he received an e-mail from a committee that is putting placards on drainage areas and culverts. They have asked for the Commission’s support in this project.

The Commission discussed and agreed to support the project.

11. Minutes

MOTION

Mr. VanVlack motioned to accept the minutes for June 3, 2010. Mr. Letizia seconded the motion. Vote taken:

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

Motion carried unanimously.

5. Adjournment.

Meeting adjourned at 10:35 p.m.

Respectfully Submitted

Lyn Sheaffer
Zoning Commission Secretary