

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

MINUTES

Special Meeting

September 2, 2010

New Fairfield Town Hall Conference Room

7:30 p.m.

PRESENT: Jon Moran Chairperson, Joe Letizia, Kevin Van Vlack, Fred Zering, Patrick Hearty, 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 10-23 – Edward & Caren Silva – 11 Sunset Dr. Bogus Hill – Accessory Apartment – Set Public Hearing Date – Edward & Caren Silva, applicants.

Edward & Caren Silva approached the Commission. The Zoning Enforcement Officer reported the application was in order. She had received approval from the New Fairfield Health Dept. and the application complies with the regulations.

Mr. Silva explained they were proposing an apartment above the garage. The ZEO reported the parking was adequate and no screening was needed. The property is in an R44 zone and they have 1.08 acres, so they meet the acreage requirements.

MOTION

Mr. Hearty motioned the close the Public Hearing on Special Permit 10-23. Mr. VanVlack seconded the motion. Vote taken:

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

Motion carried unanimously.

2. 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 stated for the record this application started on May 6, 2010. The Commission discussed timing.

Attorney Lubus approached the Commission. He explained at the last meeting Opposing Counsel distributed a report from Tighe & Bond with several issues. He explained there were several issues that they want to address, and asked for additional time for their Engineer to review. Atty. Lubus offered to submit everything 1 week in advance for ample time to review.

Mr. Moran stated he had not heard from the Town Attorney on how to handle the motion to intervene.

Attorney Dan Cassagrande and Mr. Joe Canas, Tighe & Bond spoke. Atty Cassagrande reviewed the timing. He stated the 65 day extention started July 8, 2010. He also stated the applicant had 30 days to respond to their issues, he did not feel 1 week was enough. Mr. Moran did not want to move forward without a ruling on the intervention from the Town Attorney.

Public Hearing continued to September 9, 2010 at the New Fairfield Community Room, 7:30 p.m.

3. Discussion – Outdoor Wood Furnaces.

Mr. Moran felt the Commission should have an open discussion on this at the next meeting. He asked the ZEO to invite someone from the CT Dept. of Environmental Protection. He expected they would hear from both sides of the issue.

Mr. Moran reported he had a discussion with John Day, Chairperson of the ZBA. He felt the regulations were not clear on what the ZBA could and couldn’t vary. He would prefer they were not able to vary the storm water management numbers.

Mr. VanVlack felt the Commission should revisit the issue if a person reduces existing coverage but is still not approved. That would consider pre-existing non conforming issues. The Commission agreed to have a discussion and invite the Town Engineer.

4. Minutes

None

5. Correspondence/Communication

Mr. Moran reported he had a discussion with John Day, Chairperson of the ZBA. He felt the regulations were not clear on what the ZBA could and couldn't vary. He would prefer they were not able to vary the storm water management numbers.

Mr. VanVlack felt the Commission should revisit the issue if a person reduces existing coverage but is still not approved. That would consider pre-existing non conforming issues. The Commission agreed to have a discussion and invite the Town Engineer.

Meeting adjourned at 9:00 p.m.

Respectfully Submitted

Lyn Sheaffer
Zoning Commission Secretary