

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

MINUTES

**Regular Meeting**  
Tuesday, November 3, 2009

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

PRESENT: Faline Schniederma-Fox, Chairman, John Moran, Vice Chairman, Joe Letizia, Fred Zering, Patrick Hearty, Kevin Van Vlack, Alternate, Lyn Sheaffer, Zoning Commission Secretary

**Call to Order**

Meeting called to order at 7:37 p.m. by Chairman Faline Fox.

**Public Hearing**

1. Special Permit Application 22-09 – Multi-purpose Recreational Building and Outside Field and Sports Complex. 52A RT 39 LLC, Applicant, Steve Merullo, agent/member

Attorney Ray Lubus representing the applicant and Ralph Gallagher approached the Commission. Atty. Lubus confirmed the application would be heard under the old regulations, the Commission agreed.

Ms. Fox read regulation 3.1.2A into the record and asked Atty. Lubus if this was a municipal use. Atty Lubus replied no. Ms. Fox did not feel it fit into the regulation and felt it would be a commercial facility in a private neighborhood. Atty Lubus felt “municipal” should have been stated for each word, so it would be permitted. He asked the Commission to ask the town attorney. Ms. Fox stated they could ask for legal counsel but the Commission was not obligated to follow their advice. Ms. Fox felt this application was not permitted.

Ms. Fox asked the Commission and they all disagreed with the Zoning Enforcement Officer’s interpretation of the regulation.

Atty. Lubus requested a continuance for the Public Hearing.

**2. Public Comment**

1. Special Permit Application 22-09 – Multi-purpose Recreational Building and Outside Field and Sports Complex. 52A RT 39 LLC, Applicant, Steve Merullo, agent/member

Diana Peck, New Fairfield asked Mr. Gallagher to review the proposal. He explained there was a 5.3 acre parcel in R44 zone. Ms. Peck expressed concern over the buffering between the project and The Birches.

Mike Evans, President, New Fairfield Soccer stated there was a need for field space in town. Greg Romans, Varsity Hockey coach felt it would have a positive impact on the town.

Mr. Hugh Balecki, adjacent land owner expressed concern about such a large building in a residential zone. Ms. Linda Fox a neighbor across the street expressed concern about the traffic.

**MOTION**

Mr. Moran motioned to close Public Hearing 22-09. Mr. Hearty seconded the motion. Vote taken:

Joe Letizia	yes
Fred Zering	yes
Patrick Hearty	yes
Faline Fox	Yes
John Moran	yes

Motion carried, Public Hearing Closed.

**Business Items**

1. Special Permit Application 22-09 – Multi-purpose Recreational Building and Outside Field and Sports Complex. 52A RT 39 LLC, Applicant, Steve Merullo, agent/member

**MOTION**

Mr. Moran motioned to approve Special Permit Application 22-09. Mr. Zering seconded them motion. Discussion:

Mr. Moran felt the application was not permitted under the regulations and recommended denial.

Ms. Fox felt it would be a benefit to the community but under 3.1.2 it was not permitted. Vote taken:

Joe Letizia	No
Fred Zering	yes
Patrick Hearty	no
Faline Fox	no
John Moran	no

Motion denied.

2. Continued Site Plan Application 19-09 – 54 Gillotti Rd. (Community Park) – Establishment of a Dog Park – Joe & Sue Garufi, NFD OG.

Application requested continuance, Commission granted.

3. Continued Site Plan Application 18-09 – 100 Route 37 – Changing of Sign – Primetime Fitness. Mike Ford, owner/applicant.

Mike Ford approached the Commission. Ms. Fox read letter into the record re: allowing use of space.

Ms. Fox asked the Zoning Enforcement Officer to speak with the land use attorney. She requested a copy of the original signed application. Ms. Fox explained she felt the Commission was in error when the permitted the sign to be placed on an appurtenance.

The Commission reviewed the sign regulations.

Ms. Fox felt the sign was not attached directly to the wall but instead was attached to the façade. The Commission discussed and felt they could approve with the caveat if the business closed the sign would be removed in it's entirety.

MOTION

Mr. Zering motioned to approve Continued Site Plan Application 18-09 with the provision if Mr. Ford sells or closes the business he would remove the sign in its entirety. Mr. Moran seconded the motion. Vote taken:

Joe Letizia	yes
Fred Zering	yes
Patrick Hearty	yes
Faline Fox	Yes
John Moran	yes

Motion carried unanimously.

4. Continued Site Plan Application 23 -09 – 11 Saw Mill Rd. – Escape Design: Design Studio & Showroom. Alannah McNeil, applicant.

Alanna McNeil approached the Commission. Ms. McNeil explained she leased the big barn at 11 Saw Mill and wanted to open a design studio & showroom.

Ms. Fox read a letter from NF Fire Dept, Mike Crawford with no objections into the record. She also read a letter from NFHD, Tim Simpkins with no objections into the record. Ms. Fox asked if there was any lighting added that she consult with the ZEO

MOTION

Mr. Letizia motioned to approve Continued Site Plan Application 23-09. Mr. Hearty seconded the motion. Vote taken:

Joe Letizia	yes
Fred Zering	yes
Patrick Hearty	yes
Faline Fox	Yes
John Moran	yes

Motion carried unanimously.

5. Site Plan Application 24-09 – Route 37 at Ball Pond Brook, next to 33 Route 37. Pedestrian Bridge and Walkway as part of the larger Streetscape Project. Town of New Fairfield, agent, applicant.

Mr. Keith Beaver, Dadona Associates approached the commission. Mr. Beaver reviewed the application. He explained it was a 50' bridge with steel railings and wood deck.

The Commission discussed timing and buffering.

Ms. Fox asked if they could surround the abutments with planting or use fieldstone forms on the concrete. Mr. Beaver will check and get back to them.

Item 24-09 continued until next meeting.

6. Election of Chairman and Vice Chairman

Postponed

7. Correspondence

None

8. Adjournment

Meeting adjourned at 9:25.

Respectfully Submitted

Lyn Sheaffer, Zoning Commission Secretary