

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

MINUTES

**Special Meeting**  
Wednesday, September 2, 2009

New Fairfield Senior Center  
Community Room  
7:30 p.m.

PRESENT: Faline Schniederma Fox, Chairperson (7:44 p.m.), Joe Letizia, Fred Zering, Patrick Hearty, Kevin Van Vlack, Alternate, Maria Horowitz, Zoning Enforcement Officer, Lyn Sheaffer, Zoning Commission Secretary

**Call to Order**

Meeting called to order at 7:37 p.m. by Commission Member Joe Letizia

Mr. Letizia elevated Alternate Kevin Van Vlack to full voting status. Mr. Van Vlack took chairman position.

**2. Public Comment**

Mr. Manny Fry, 1 Indian Hill Lane, New Fairfield spoke in opposition of continued site plan application 17-09. He read a letter into the record, and submitted comments to Zoning Enforcement Officer.

**Public Hearing**

1. Continued Special Permit Application 13-09, 73 Lake Dr. South, Conversion to Two Family Dwelling. Iraj Rahmati, owner, Edward Janus, applicant.

**MOTION**

Mr. Letizia motioned to move the Public Hearing to later in the agenda. Mr. Zering seconded the motion. Vote taken:

Joe Letizia	yes
Fred Zering	yes
Patrick Hearty	yes
Kevin Van Vlack	Yes

Motion carried unanimously.

**Business Items**

1. Special Permit Application 13-09, 73 Lake Dr. South, Conversion to Two Family Dwelling. Iraj Rahmati, owner, Edward Janus, applicant.  
Moved down the agenda.

2. Continued Site Plan Application 17-09 – 14 Williams Rd.- Vincent Zackeo – Home Occupation – Remodeling Business and storing of one box truck and one excavator. Vincent Zackeo, owner.

Mr. Zackeo approached the Commission. The ZEO reviewed the vehicle registrations. He explained his wife's vehicle was not included.

Ms. Fox entered the meeting at 7:44 p.m.

MOTION

Mr. Letizia motioned to turn the meeting over to Ms. Fox, Chairman. Mr. Hearty seconded the motion. Vote taken:

Joe Letizia	yes
Fred Zering	yes
Patrick Hearty	yes
Kevin Van Vlack	Yes

Motion carried unanimously.

Ms. Fox asked what the status of the Inland Wetlands concerns. Mr. Zackeo explained he has a permit to maintain river, the addition was approved, however, his application to plant trees was denied.

The ZEO read the minutes for the Inland Wetlands Commission into the record. She explained they require Mr. Zackeo park his construction equipment on the existing paved area, and she stated that does not meet setbacks. Mr. Zackeo felt he did if he re-located his driveway. The ZEO explained she would need to see the wetlands approval, and he is permitted to have either the truck or the excavator, not both.

Mr. Zackeo agreed to sell the box truck. The Commission discussed and decided he would have until 1/1/2010.

MOTION

Mr. Zering motioned to approve the continued site plan application 17-09. With the provision Mr. Zackeo must reduce the number of commercial vehicles by 1/1/2010. No business operating out of his garage. He must prove a copy of his wife's registration for the record. Mr. VanVlack seconded the motion. Vote taken:

Joe Letizia	no
Fred Zering	yes
Patrick Hearty	yes
Kevin Van Vlack	Yes
Faline Schniederma fox	Yes

Motion carried.

3. Site Plan Application 18-09 – 54 Gillotti Rd. (Community Park) – Establishment of a Dog Park – Joe & Sue Garufi, NFDOG.

Mr. John Hodge, First Selectman and Mr. Joe Garufi, New Fairfield approached the Commission.

The commission reviewed the application.

Mr. Merullo, Parks & Recreation Director arrived at 8:15 p.m.

Mr. Hearty expressed concern about being next the softball field. Mr. Merullo felt the hours could be restricted to not use the dog park when softball is playing.

The commission expressed several concerns. The amount of existing traffic in that parking lot; Noise; Fencing.

Mr. Garufi distributed a sheet of rules that would cover the dog park.

The Commission discussed a six foot fence around the entire park.

Ms. Fox expressed concern over 3 items. A. parking issues, B. are all dogs on leash the entire time; C. the height of the fence.

The Commission discussed locations.

Mr. VanVlack expressed concern about adequate parking to support the additional use. Mr. Merullo explained there were some safety concerns from some members on Parks & Recreation Commission.

The Commission discussed their concerns:

1. Location because of parking
2. Proximity to activity areas
3. Safety for people in and around park
4. Height of fence.

Mr. Merullo will post someone there and get a car count at different times of day. The commission asked for more information on dog parks in other towns.

Application continued to October 6, 2009 meeting.

4. Site Plan Application 19-09 – 100 Route 37 – Changing of Sign – New Fairfield Physical Medicine & Rehabilitation – Paul Ciatto, applicant

Attorney David Nagle and Paul Ciatta approached the commission.

Mr. Ciatta explained he had terminated his relationship with Prime Time Fitness, and they took down their combined sign and replaced it with another stating only their name.

The Size originally permitted was 24' x 30" for both businesses. Ms. Fox explained it was permitted because of the linear footage of the building.

Atty. Nagle explained Mr. Ciatta wants to replace the lens on the existing sign. The commission discussed. Ms. Fox explained the Commission is bound by state statutes, and they cannot approve a sign location other than in front of your facility.

Ms. Fox explained you have now made a formal complained the ZEO can take appropriate action. Ms. Horowitz asked for a formal complaint in writing.

The Commission took a 5 minute recess.

Meeting resumed at 9:48 p.m.

Ms. Fox read a letter regarding the termination of the contract between New Fairfield Physical Medicine and Prime Time Fitness into the record.

Applicant withdrew current application, Atty. Nagle will e-mail formal complaint to ZEO.

Ms. Fox asked when they received the permit to move into the new space. Mr. Ciatta felt it was months ago, ZEO to check.

**Public Hearing**

- 1. Continued Special Permit Application 13-09, 73 Lake Dr. South, Conversion to Two Family Dwelling. Iraj Rahmati, owner, Edward Janus, applicant.

Applicant did not show up

**MOTION**

Mr. Letizia motioned to close the Public Hearing. Mr. Hearty seconded the motion. Vote taken:

Joe Letizia	yes
Fred Zering	yes
Patrick Hearty	yes
Kevin Van Vlack	Yes
Faline Schniederma fox	Yes

Motion carried unanimously. Public hearing closed.

**Business Item**

- 1. Special Permit Application 13-09, 73 Lake Dr. South, Conversion to Two Family Dwelling. Iraj Rahmati, owner, Edward Janus, applicant.

**MOTION**

Mr. Zering motioned to continue the application to the next regular meeting, 10/6/09. Vote taken:

Joe Letizia	yes
Fred Zering	yes
Patrick Hearty	yes
Kevin Van Vlack	Yes
Faline Schniederma fox	Yes

Motion carried unanimously.

**5. Communication / Correspondence**

The ZEO explained she received a complaint from a gentleman that lives at the Birches. He was upset because the handicapped signs keep being torn down. The ZEO explained the regulations state they can be painted on the ground or posted.

The Commission discussed and felt as long as the spaces were adequately marked as per regulations he would have to go to the Homeowners Association.

**6. Discussion on Proposed Regulations**

The ZEO reported the Public Hearing was scheduled for October 1, 2009 at the NF High School 7:00 p.m. All Commission members must be in attendance.

**7. Minutes**

7/7/09

Tabled to next meeting due to lack of quorum.

8/13/09

Tabled to next meeting due to lack of quorum.

8. Adjournment

Meeting adjourned at 10:08 p.m.

Respectfully Submitted

Lyn Sheaffer, Zoning Commission Secretary