

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

MINUTES  
**Regular Meeting**  
October 7, 2008

New Fairfield Town Hall Conference Room  
7:30 p.m.

PRESENT: Faline Schniederma Fox, Chairperson, Joe Letizia, Fred Zering, Maria Horowitz, Zoning Enforcement Officer, Lyn Sheaffer, Secretary

**1. Call to Order**

Meeting called to order at 7:40 p.m. by Faline Schniederma Fox, Chairperson

**2. Public Comment**

Mr. Tino Punturiero approached the Commission. Mr. Punturiero explained they lived behind the Richard Johnson Property at 60 Sawmill Road. He expressed concern about the condition of the property. Ms. Fox explained the Commission did a site walk on 9/27 of the property and the ZEO was told to order a Cease & Desist and call the DEP.

Ms. Horowitz explained Mr. Johnson and his attorney were in her office today to figure out a timeline to evict the tenants and put together a site plan for the existing businesses.

Ms. Fox was still concerned about the chemicals on the property.

Mr. Punturiero stated the owner had timelines in the past and he did not do anything.

Ms. Fox assured him the Commission would pursue the matter.

Ms. Cheryl Reedy approached the commission and spoke in favor of the proposed commuter parking lot.

**Business Item**

**1. Continued Modification to Special Permit -08-16 – Memorial Field Upper Parking Lot, Ball Pond Fire Dept. and Squantz Pond Fire Dept. – Proposed Weekday Commuter Parking. Town of New Fairfield, applicant**

Mr. Steve Merullo, NF Building & Grounds, Mr. John Hodge, First Selectman and Mr. Mike Ellenberg, President NFFD and Richard Shriner, HART approached the Commission.

Mr. Hodge explained they were withdrawing the application for the Squantz lot tonight but wanted to move forward on the Ball Pond lot and Memorial field lot.

Mr. Merullo submitted 2 drawings. 1. Ball Pond FD site plan and 2. lighting schedule. Mr. Merullo reviewed the lighting plan.

#### MEMORIAL FIELD LOT

Mr. Merullo explained there would be 20 spaces, the island would be 9' with a 4' radius. Ms. Fox asked about the island border. Mr. Hodge stated they would burm it up. Mr. Merullo asked about a dip with tree mulch. Ms. Fox felt it should be delineated. Mr. Merullo will work something out with ZEO.

Ms. Fox asked for signage stating *no commuter parking in lower lot*.

Mr. Zering was concerned about lighting in the lower lot. Mr. Merullo explained the bus would turn around at the entrance.

#### BALL POND FIRE DEPT LOT

Mr. Merullo reviewed the existing lighting. The Commission reviewed the plans.

Mr. Hodge asked for approval contingent upon approval from the CT dot to use spaces F2 and F3. Mr. Ellenberg felt 3 spots for the Fire Dept during the day were ample.

Ms. Fox asked about handicapped access. Mr. Shriner explained all busses are accessible. Mr. Merullo felt spaces 14 & 15 could be changed if needed.

Mr. Merullo explained he had a request from the fire dept not to cut up their new pavement. Ms. Fox reviewed regulations and felt a 3" caliper pear could be planted behind the island and the island would be a burm with low growing coverage.

Mr. Merullo made modifications to the plans and signed.

#### MOTIONI

Mr. Zering motioned to approve modifications to Special Permit 08-16 with the following contingents

1. Ball Pond FD remove parking space 1
2. F2 & F3 spaces are contingent on DOT approval
3. Island & trees & coverage between sections 6 & 7 based upon plan A map
4. Memorial Field lot no modifications

Mr. Letizia seconded the motion. Vote taken:

Joe Letizia	Yes
Fred Zering	Yes
Faline Schneiderman Fox	Yes

Motion carried unanimously.

#### **2. Continued Site Plan Permit 08-17 – 1 Hillview Drive West –Internet based business of health related products. Owner/applicant.**

#### **Debbie Gasber, President of Hillview Drive Association would also like to comment on application.**

Ms. Keiser and Ms. Gasper, president Hillview Tax District approached the commission.

Ms. Fox asked Ms. Gasper to comment. Ms. Gasper stated she had no problem with the business, she was concerned about the parking.

Ms. Keiser explained she has 1 full time and 4 part time employees. She has a 2-car garage and a driveway that can park 3 cars.

Ms. Fox expressed concern about access for emergency vehicles and traffic backing out. She also felt there was a violation because the regulations stated not more than 3 employees, and there was keeping of stock and trade.

The Commission discussed.

Mr. Zering felt the part timers could be considered as 1 employee. Ms. Fox felt the regulations do not differentiate “overlapping” She felt it was a violation.

Mr. Letizia asked if we could give them more time, Ms. Fox stated the Commission had to act within 65 days.

#### MOTION

Mr. Zering motioned to approve Site Plan Permit 08-17 with 1 full time employee, 4 part time employees at no more than 4 hours per day. The shifts for part time employees do not overlap, with no more than 3 employees on the premises at a time. No more than 1 car on West Side parking lot. No keeping of stock and trade. Mr. Letizia seconded the motion.

Ms. Fox asked the applicant if she accepted the motion. Mrs. Keiser stated yes. Vote taken:

Joe Letizia	Yes
Fred Zering	Yes
Faline Schneiderman Fox	No

Motion carried.

### **3. Petition for Zone Change and Special Permit 08-18 – 130 RT 37 – David Willis, owner, Atty. Ray Lubus, applicant.**

Atty. Ray Lubus and Mr. David Willis approached the commission.

The Commission accepted the application and scheduled the Public Hearing for the November 6, 2008 regular meeting.

### **4. Executive Session – Atty. Jack Keating.**

Atty. Keating not in attendance.

### **5. Discussion - Update on 60 Saw Mill Rd. Richard Johnson, owner**

Ms. Horowitz stated she had contacted the DEP and they will send someone out. She will follow up.

Ms. Fox asked how long does the property owner have to come into compliance. The ZEO stated 30 days from receipt of the C&D.

### **4. Discussion/Status – Dunham Pond Condominiums**

Mr. Hodge explained the town drew down on the letter of credit and they were going to finish the infrastructure. He also stated they were going to try to finish the lighting and install the water tanks.

## **5. Discussion on Proposed Regulations**

Ms. Fox explained the regulations were now in Atty McTaggart's office for review, she will send another note asking for a return date.

The Commission discussed

Meeting adjourned at 9:10 p.m.

Respectfully Submitted

Lyn Sheaffer, Zoning Commission Secretary.