

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

**MINUTES  
Regular Meeting  
August 8, 2008**

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

PRESENT: Faline Schniederma Fox, Chairperson, Joe Letizia, Kevin Van Vlack, Patrick Hearty, Fred Zering, John Moran, Vice Chairperson, Maria Horowitz, Zoning Enforcement Officer, Lyn Sheaffer, Secretary.

**1. Call to Order**

Meeting called to order at 7:31 p.m. by Faline Schniderman Fox, Chairperson

**2. Public Comment**

None

**Business Items**

**1. Site Plan Application 08-14 – 11 Saw Mill Rd. - Carpets to You – Carpet and Flooring Retail, Warehouse, Sales. Mike Chamoures, applicant.**

Mr. Chamoures approached the Commission. The Zoning Enforcement Officer explained Mr. Chamoures is proposing moving his business to 11 Sawmill Road temporarily, as new building is constructed. He is proposing a temporary sign longer than the permit allows, however he meets regulations for wall signs.

The Commission reviewed sign regulations. Parking requirements were for 3 spaces. The ZEO reported on the site plan approved in 2004 there were 6 spaces.

**MOTION**

Mr. Moran motioned to approve Site Plan Application 08-14 as presented because it meets regulations with 3 parking spaces allotted and signage as presented. Mr. Letizia seconded the motion. Vote taken:

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

Motion carried unanimously

**2. Violation of Site Plan Permit 08-11A – 1 Hillview Drive West – Approved Internet based business with direct shipment of orders to customers, owner only employee to whole sale /shipping business of stock with multiple employees.**

Mr. & Mrs. Keiser approached the Commission.

The ZEO stated she became aware of the violation when Tim Simpkins, NFHD reported he had seen multiple employees when he made an inspection. He explained they had only been approved for 1 employee based on their septic tank.

The ZEO visited home in June 2008 to inform the property owners of the violation. She stated there were 3-6 employees on the premises at that time.

The ZEO reported the owners had submitted approved septic plans and can bring the septic up to code compliance for the home occupation. She also reported while she was at site there were a lot of returns and she felt that was “handling of stock & trade” which was against regulations. She explained the Home Occupation was approved as an upstairs bedroom, they had now moved the business into the basement. She spoke with town council and he felt the best way to handle the situation is have the owner come in with a new site plan application .

Ms. Fox reviewed the issues.

1. No handling of stock and trade permitted
2. No more than 3 employees that are not residents employed on the premises.

Mrs. Keiser asked the Commission to permit samples. The Commission discussed.

Mrs. Keiser asked the Commission for more time. Ms. Fox was not comfortable allowing all the employees at a time in the house, she felt that was a blatant violation. The Commission discussed Part time vs. full time. They agreed no more than 3 people + occupants at a time and they must apply at the Sept. meeting.

**3. Discussion on Regulations**

**MOTION**

Mr. Zering motioned to clarify line item 3 on the agenda to *Discussion of “proposed” regulations*. Mr. Moran seconded the motion. Vote taken:

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

Motion carried unanimously

Ms. Fox reported Mr. McGowan had forwarded her a copy of the proposed draft of Salisbury, CT regulations and the proposed tables for our regulations.

The Commission reviewed and discussed revisions.

Ms. Fox reported some Attorney’s feel vertical expansions should be an as of right and not come before ZBA, or Zoning. He suggested adding to the proposed regulations “*Subject to approval by Zoning Board of Appeals*” The Commission agreed.

Ms. Fox reported the Board of Selectmen had given permission for Mr. McGowan to work with Atty Gail McTaggart. She felt they needed to consider withdrawing and starting the process again.

#### **4. Correspondence/Communication**

The ZEO reported due to Public Act 05227 Outdoor wood burning furnaces permits are controlled by the building office and DEP. ZEO to make copies of act. She reported most of the surrounding towns are adding regulations that ban them, the Commission discussed and decided to see what would happen with the law suit in Groton, CT.

#### **5. Minutes**

Mr. Letizia motioned to approve the minutes of July 1, 2008. Mr. VanVlack seconded the motion. Vote taken:

Joe Letizia Yes

Kevin VanVlack Yes

Faline Schneiderman Fox Yes

Motion carried unanimously.

#### **6. Adjournment**

Meeting adjourned at 8:56.

Respectfully Submitted

Lyn Sheaffer, Zoning Commission Secretary.