



The Planning Commission

Town of New Fairfield
New Fairfield, Connecticut 06812

**Joint Workshop of the
Planning and Zoning Commissions
Thursday May 28, 2009
New Fairfield Public Library, Community Room**

MINUTES

Planning Commissioners Present: Susan Chapman, Mike Daood, Vice Chair, Gregory Porpora, and Bob Murtha

Zoning Commissioners Present: Faline Fox, Chair, John Moran, Patrick Hearty, Joe Letizia, Kevin Van Vlack

Inland/Wetlands Commissioners Present: Patricia Del Monaco, Chairman, (until 7:58pm) Gerry Schwalbe, Thomas Quigley, and Jennifer Licht (until 7:58pm)

Call to Order: Faline Fox called the meeting to order at 7:07pm stating the purpose of this workshop was to discuss with the Planning and Inland Wetlands Commissions the proposed new zoning regulations. Introductions were made. Minutes were taken by secretaries Laurie Busse and Lyn Sheaffer.

Pat Del Monaco discussed procedural issues with proposed zoning regulations 6.5 and 6.7. Storm Water Management and Erosion Control issues should be the burden of the Inland/Wetlands Commission and it is inefficient for two commissions to review the same issues. She would like to see applications that need to go before her commission excluded from these proposed zoning regulations. Pat Del Monaco is willing to expand the Inland/Wetlands Regulations to include language that is agreeable to the Zoning Commission. Faline Fox discussed adding language to the proposed zoning regulations that it is up to the Zoning Commission to request a review of the Inland/Wetlands Commission. Further discussion followed.

Gerry Schwalbe discussed consolidating redundancies and strengthening some of the definitions of the proposed zoning regulations and handed out a document with revised definitions.

Ground Water Protection Permit

Susan Chapman discussed zoning regulation 5.2.7, Ground Water Protection Permit. It was determined that the Zoning Commission will issue the permit, however if the proposed zoning regulations are adopted, the Planning Commission will have to add this requirement to their Subdivision Application Check List, noting it is only for subdivisions that are in the Aquifer Protection Overlay District.

Open Space and Open Space District

The Planning Commission would like to see a general definition of Open Space added to the definitions portion of the proposed zoning regulations. Discussion followed, the Zoning Commission did not want to add this because they are afraid it may cause confusion with the Open Space District.

On Pages 21 and 22 the Table of Zoning Requirements regarding The Open Space District (Vaughn's Neck) states the minimum lot requirement is ten (10) acres. The table states the maximum building area can be 6%. This would mean the footprint of the building would be twenty six thousand square feet (26,000sqft). If this building was 35' tall- the square footage would approximately seventy five thousand square feet (75,000), the foot note states the Planning Commission can decrease or increase this square footage. This is a huge building and can lead to hotels being constructed. Discussion followed the shallow bedrock and the septic that would have to be built to serve a facility that size, may limit the size of the building. However the Zoning Commission can revisit this.

On Page 35 Open Space District Section 3.4.1 Intent and Purpose of the Open Space District was discussed and a 75,000sqft building seems to go against this entire section. The Zoning Commission discussed one of the issues they had with this is finding something that is reasonable to impose on a district that will hold up in court because if they limit the use of somebody's land so much that it is considered unreasonable it will not hold up in court. Discussion followed.

Conservation Subdivisions

If the proposed zoning regulations are passed then the Planning Commission will have to update their Regulations to include Conservation Subdivisions.

Section 3.7 Conservation Subdivisions on the top of page 47. If a parcel has 10 or more acres of *buildable* land, and they are proposing to build 5 or more lots the Zoning Commission wants the builder to build a Conservation Subdivision only. Discussion followed, Conservation Subdivisions are a great idea, and it is something the Planning Commission can actively pursue from a developer; however to strictly enforce that defeats the purpose of having the Planning Commission in regards to that matter. Discussion followed, if a developer had a choice they will only present a traditional subdivision and not a conservation subdivision. Further discussion followed. The Commissions agreed that if there is 10 or more *buildable acres* with 5 or more lots a developer will be required to submit both types of subdivisions and it will be at the discretion of the Planning Commission to choose which one the developer will build. The language will be changed to reflect this.

The Commissions discussed the definition of *Buildable Area*. This does not include ridgelines unless they are ledge. The Planning Commission would like to see some kind of regulation that protects the ridgelines.

Density Based Zoning Calculations

The Planning Commission discussed Section 9.3 Density Based Zoning Calculations. The Planning Commission would like the term “mandatory 20% Open Space” removed, as the existing Planning Regulations state open space is at the discretion of the Planning Commission. Discussion followed. The language will be changed to say “*any* mandatory open space...and for this example 20% is used”. The definition of the word *any* is the amount of Open Space the Planning Commission has determined the open space will be.

The workshop was adjourned at 8:50pm.