



# The Planning Commission

Town of New Fairfield  
New Fairfield, Connecticut 06812

**Regular Meeting**  
**Monday, August 24, 2009**  
**Library Community Room**

## **REVISED MINUTES**

**Commissioners Present:** Susan Chapman, Chair, Mike Daood, Vice Chair, Bob Murtha, Gregory Porpora, and Paul Bruno

**Commissioners Absent:**

**Alternates Present:** Cynthia Ross-Zweig

**Alternates Absent:**

**Call to Order:** 7:30pm

### **Elevation of Alternates:**

### **Approval of Minutes**

Mike Daood made a motion to approve the Minutes for the May 18, 2009 Meeting, 2<sup>nd</sup> by Greg Porpora, vote 5-0. Mike Daood made a motion to approve the Minutes to the July 27, 2009 meeting as presented, 2<sup>nd</sup> by Paul Bruno vote 5-0.

### **Correspondence/Announcements**

- A joint meeting with Planning, Inland Wetlands, Land Trust and Zoning will most likely be at the September 21, 2009 regular meeting.

### **Public Comment**

### **OLD BUSINESS**

### **Request for an Extension on the Subdivision Approval Time for Cathmere Estates, Peder Scott Engineering:**

Peder Scott approached the Commission and explained the subdivision completion time just expired and he is requesting a two year extension. Some of the reasons for the delay

are the common driveway had to be moved over a foot or two because it was in the wrong location. The plantings required by the Inland Wetlands Commission could not be planted this spring and will not be planted before next spring due to paving and surveying. The Town Engineer, Tony Iadarola, has as built maps and they are still defining the language for them. The Commission gave a positive request to the BOS for a bond reduction at the May 18 2009 meeting. The Commission discussed as long as the Town holds a bond, subdivision approvals need to stay in place.

Mike Daood made a motion to approve the 2 year extension on the subdivision completion time as outlined, 2<sup>nd</sup> by Paul Bruno, vote 5-0.

### **8-3a Referral for Changes to the Proposed New Zoning Regulations:**

The Commission discussed they need to vote up or down on the proposed new zoning regulations based on Planning Regulations and on the Plan of Conservation and Development. If the Planning Commission gives a positive referral then the Zoning Commission needs a simple majority vote. If the Planning Commission gives a negative referral then the Zoning Commission needs a 2/3<sup>rd</sup> vote to pass the new zoning regulations. Discussion followed there have been joint meetings between Planning and Zoning to discuss these proposed regulations, however Planning was unsure if their feedback was adopted into the proposed zoning regulations. The Commission would like a redlined version of the proposed zoning regulations to see what changes were made since their last joint meeting. The Commission has 35 days to respond to the 8-3a Referral.

Mike Daood made a motion to table the 8-3a Referral to the September 21, 2009 regular meeting, 2<sup>nd</sup> by Greg Porpora vote 5-0.

### **NEW BUSINESS**

#### **Preliminary Informal Discussion with Peder Scott Engineering Fawn Crest Subdivision, Peder Scott Engineering:**

Susan Chapman stated a preliminary informal discussion is just that and tonight's discussion is not binding in any way. Peder Scott said he understood that.

Peder Scott and H. Louis Bondwell of SDC Builders are here tonight is to get a feel of the Planning Commissions feelings about an access way that is not wide enough and the requirements for road lengths. This lot was not owed by the developer when Fawn Crest Subdivision was developed. There is an 8 acre parcel off of Falcon Crest with a 20' wide Right of Way that was created to serve 2 lots. It can handle becoming a 20' wide access way with a 16' paved width. Regulations state access ways must be 30' wide. The access way was originally on Douglas Lane and in the year 2000 it was moved to Falcon Crest; the entire deal was convoluted and no documents have been filed with the deed to show the access way was moved. The lot is a Flag Pole lot and the properties on both sides of the Falcon Crest access way are owned by different owners. Those owners may not willing to sell their land to widen the access way. If the access way is moved back to Douglas Lane a 30' wide access way could be created, but they would have to blast to do it. The length of the road will be between 219' to 225', which is less than the required minimum length of 250'. Additionally if the access way stays on Falcon Crest the

subdivision will remain 2 lots at over 4 acres each served by an access way. If the access way is moved to Douglas Lane they will create 3 lots at over 2 acres each and there will be a Town Road. The Commission discussed Open Space in the North East portion of the property may abut to existing Open Space.

The Commission discussed they do not recall giving approvals on roads or access ways that do not meet regulations. Subdivision Regulations 7.03 Waiver of Standards was read into the meeting. Discussion followed on procedures. The applicants may go to Zoning and then ZBA.

**Preliminary Informal Discussion with Peder Scott Engineering Lot Line Revisions for Cathmere Estates Subdivision:**

Susan Chapman stated a preliminary informal discussion is just that and tonight's discussion is not binding in any way. Peder Scott said he understood that.

Peder Scott stated Cathmere Estates is a 5 lot subdivision and was approved with an access way on Route 37 for all of the lots except Lot 5. Lot 5 is accessed via Joels Lane and is 5.84 acres. The other lots are 4.33 acres, 4.72 acres, and 2.72 acres. There is demand for the project, but no demand for Lot 5. The concept is to make lot 5 smaller to 4.32 acres and make the other lots slightly bigger and move the houses further away from the road, thus giving a little more privacy to the lots that have frontage on Route 37. There will be no changes to the zoning regularity factor. No changes to the lot widths. No changes to the septic areas, no changes to zoning regulations. The changes to the impervious surface are the driveways will change and the initial house sites will change. There is about 320sqft of impervious surface on the road, and another lot may have 50' more of impervious surface. An application and fee will have to be submitted for all 4 lots involved in the lot line revisions. A map will be filed with the Inland Wetlands Commission and the Planning Commission may request a site walk if an application is submitted.

**Open Subdivisions:**

A list of open subdivisions was distributed. There are a few subdivisions whose completion time is about to expire and these developers must request an extension from us. The Commission discussed as long as the Town holds a bond, then the subdivision approvals need to stay in place.

A letter has been sent to those developers whose subdivisions are about to expire via certified mail and regular mail suggesting they need to be on our September 21, 2009 Agenda. Discussion followed.

**Adjourn**

Mike Daood made a motion to adjourn at 8:17pm, 2<sup>nd</sup> by Bob Murtha vote 5-0.