



# The Planning Commission

Town of New Fairfield  
New Fairfield, Connecticut 06812

**Regular Meeting**  
**Monday, July 23, 2007**  
**Town Hall Conference Room**

## MINUTES

**Commissioners Present:** Phil Nelson, Chairman, Tom Corbett, Mike Daood and Roger Wise

**Commissioners Absent:** Susan Chapman

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

### APPROVAL OF MINUTES:

Mike Daood made a motion to accept the Minutes to the June 25, 2007 meeting, 2<sup>nd</sup> by Tom Corbett, all in favor.

### CORRESPONDENCE/ANNOUNCEMENTS

- A letter addressed to the Zoning Commission from Tony Iadarola, Town Engineer regarding Proposed Development, Creative Corners, Unit C located at 84 Route 37.

**PUBLIC COMMENT**—None Heard

### OLD BUSINESS

#### **Red Fox Crossing, Short Woods Road, Gary Mead:**

Phil Nelson read correspondence into the meeting from Gary Mead requesting his bond of \$525,996.00 be reduced by \$420,796.00 and from Tony Iadarola, Town Engineer, stating due to the amount of work that remains to be completed, the bond should be reduced by \$386,496.00 with \$139,500.00 remaining. Discussion followed.

Roger Wise made a motion to reduce the existing bond of \$525,996.00 {five hundred twenty five thousand, nine hundred ninety six dollars} by \$386,496.00 {three hundred eighty six thousand four hundred ninety six dollars} with \$139,000.00 {one hundred thirty nine thousand dollars} to remain, 2<sup>nd</sup> by Tom Corbett, all in favor. Vote 4-0.

A letter recommending this bond reduction will be sent to the Board of Selectmen as well as Gary Mead.

**Cathmere Estates, John Hogan, 89 and 97 Route 37, Map 13, Block 5 Lots 2.1 & 2.4:**

Phil Nelson read a letter dated 6/23/07 from Tony Iadarola. This letter stated the Town Engineer would be able to support the relocation of the accessway 9' to the east at station 9+20. There is also an easement involved in this and the Commission is not sure where it fits in. The Commission discussed the driveway's having already been moved without first requesting permission from the Planning Commission or from the Zoning Board of Appeals, from whom they received a variance from in August 2004 and 2003. The original variance was for four homes to be served by a single 20' wide accessway and the 2<sup>nd</sup> variance was to modify the original variance to have the accessway widened to 25' with a 30' right of way. The Commission discussed the accessway's being moved because they hit an unexpected amount of rock and ledge, which is not uncommon; however, the applicants should have sought proper approval from the land use boards and commissions prior to moving the accessway. Maria Haussherr-Hughes, Zoning Enforcement Officer, gave the applicant the Zoning Board of Appeals application back in April or May 2007 and he still has not filed the Zoning Board of Appeals application. The applicant's attorney will meet with Tim Simpkins this week because by moving the accessway they may have violated their Inlands/Wetlands permit. The variance and Inlands/Wetlands issues are not in front of the Planning Commission; however the Mylar cannot be signed unless the applicant has received all proper land use permits and variances.

Further discussion included delaying the progress of the subdivision by having a Cease and Desist Order issued and the Planning Commission cannot act on this until they have a request from the applicant as well as

Mike Daood made a motion to table Cathmere Estates and leave it on future agendas until proper documentation has been received by the developer, 2<sup>nd</sup> by Tom Corbett, all in favor. Vote 4-0

**NEW BUSINESS**

**Spruce Ridge Subdivision, 57, 65, and 83 Short Woods Road, HH & P, LLC and Diana Browne**

Applicant Peter Joram of HH & P, LLC along with his engineer, Ralph Gallagher approached the Commission requesting the Commission accept their application for Spruce Ridge Subdivision. The applicants outlined the application as follows:

- They requested an Informal Preliminary Discussion in November 2005 from the Planning Commission.
- They are requesting a waiver to the Subdivision Regulations regarding a 2<sup>nd</sup> radius be put on the other side of the road, so as to match the 1<sup>st</sup> side of the road.
- The applicant must put their waiver request in writing as well as state their hardship.
- There are 2 parcels totaling 41.7 acres

- They propose a total 14 lots. Lots # 1 and 6 have existing homes, therefore 12 additional homes will be constructed.
- The proposed minimum lot size is 2.011 acres and the proposed maximum lot size is 4.67 acres.
- The property is located on the west side of Short Woods Road and abuts Mountain View Cemetery over by Public Works.
- The proposed road will become a Town owned road and will be a 1,800' long cul-de-sac.
- The subdivision will affect the 2 ridgelines by the cemetery, and there will be conservation easements.
- The plans have changed noting the fire tank will be located in front of Lot # 3 so that it will be more centrally located with an easement to the Town.
- The applicant's propose Open Space. Discussion followed linking the proposed Open Space to existing Open Space.
- The property appraisals were reviewed. The Browne lot located at 83 Short Woods Road has 13.67 acres and was appraised at \$400,000. The Joram lots located at 57 and 65 Short Woods Road has 28.04 acres and was also appraised at \$400,000.
- The Commission requested the applicants get a letter of explanation from the appraiser prior to the public hearing.

The Commission discussed Open Space. The maximum amount of Open Space is 20% of the combined lots and the fee in lieu of Open Space is 10% of the combined appraisals. The Commission can request a combination of Open Space and fee in lieu of. The Commission discussed their concerns that both pieces of property are clearly different sizes and yet the appraisals were the same exact amount. The Commission may request a 2<sup>nd</sup> appraisal be done by an appraiser of the Commission's choice at the applicant's expense. The applicants noted they were also surprised that both pieces of property were appraised for the same amount. The Commission reviewed the appraisals noting the appraiser marked everything the same except for the property size.

Roger Wise made a motion to accept the application for Spruce Ridge Subdivision located at 57, 65, and 83 Short Woods Road totaling 14 lots on approximately 41 acres. The applicants are HH & P, LLC and Diana Browne, 2<sup>nd</sup> by Mike Daood, all in favor. Vote 4-0.

Tom Corbett made a motion to set the public hearing for Spruce Ridge Subdivision at the next regularly scheduled meeting of the Planning Commission on Monday August 27, 2007, which will be held in the Senior Center, all in favor. Vote 4-0

### **ADJOURN**

Roger Wise made a motion to adjourn at 9:10pm, 2<sup>nd</sup> by Roger Wise, all in favor.