



**Town of New Fairfield  
Planning Commission  
4 Brush Hill Road  
New Fairfield, CT 06812**

**MINUTES**

**Monday, December 20, 2021 at 7:30 p.m.  
Virtual meeting via Zoom**

**Members Present:** Cynthia Ross-Zweig (Chair), Cory Neumann (Vice Chair), Kirsten Bennett, Patrick Callahan (Alternate), Olivia Micca (Alternate), Dylan White (Alternate)

**Members absent:** Ernie Lehman, Jeff Morrell

**Others Present:**

**Selectman** – Khris Hall

**Town Attorney** – Neil Marcus

**Call to order**

Assistant Broadcast Coordinator Quintin Flowers explained the rules and procedures for virtual meetings. Chairman Cynthia Ross-Zweig called the meeting to order at 7:35 p.m.

**Pledge of Allegiance**

**Appointments**

Cynthia Ross-Zweig made a motion to elevate Pat Callahan. Kirsten Bennett seconded the motion.

**Vote: 3-0-0 (Motion approved)**

Cory Neuman made a motion to elevate Dylan White. Kirsten Bennett seconded the motion.

**Vote: 4-0-0 (Motion approved)**

**Approval of Minutes**

Cory Neumann made a motion to approve the 11/22/21 regular meeting minutes. Pat Callahan seconded the motion. **Vote: 5-0-0 (Motion approved)**

**Correspondence and Announcements**

Cynthia Ross-Zweig reminded the group of a letter from Mrs. Zurzola that was discussed at the regular meeting in November. A new letter from Mrs. Zurzola was received on December 9<sup>th</sup> and read for the record. The letter requested that the new High School driveway be closed. Cynthia reported speaking to the First Selectman about the letter. First Selectman DelMonaco reported meeting with the Zurzolas and discussing options for a privacy fence or plantings to block the high school driveway traffic.

Members briefly discussed providing a response to the Zurzolas. There was a consensus that the Planning commission would provide a response thanking the Zurzolas for their letter and referring them to the selectmans office. Cynthia stated she would email the Zurzolas on behalf of the commission.

## **Public Comment**

Attorney Cava spoke on behalf of Hearth Home Builders LLC the applicants on Barn Brook Estates. Mr. Cava inquired about section 5b of the Barn Brook resolution that required the applicants to submit a plan to deal with future maintenance of the phase III detention system and the portions of phase III that contribute to phase II. He continued that the applicant did submit a plan on November 23<sup>rd</sup> that has not been acted upon. Mr. Cava noted that the commission did not need the town attorney or town engineer to act on the plan.

Seeing no other public comment Ms. Ross-Zweig moved to the Barn Brook discussion under old business.

## **Old Business**

- Discussion of bond reduction request – Barn Brook Estates

New Fairfield town attorney Neil Marcus stated Barn Brook has petitioned for release of its bond and a referral to the BOS for the acceptance of the road that's been built as a public roadway. Mr. Marcus stated he was unclear whether the pins and monuments have been installed. He continued it was not common for the town to hold a 10% bond for the roads that have been accepted in the past and the request is appropriate at this point. Mr. Marcus referenced a letter from Tony Iadarola that stated he began the final inspection but stopped due to an outstanding issue on phase III. He noted that Hearth Homes made a proposal to deal with the condition of approval. Mr. Marcus stated it seems the two issues are separate and that if the road has been completed for phase II, and the purpose of the bond has been accomplished, there is no reason to hold the bond. He advised that typically the commission would approve the road and release the bond at the same time. Mr. Marcus stated he was unaware of any issues Mr. Iadarola has regarding the completion of the phase II road. He concluded that unless there was problem identified with the road construction, there is no reason to delay a decision. Additionally, Mr. Marcus expressed confidence that the issue with the resolution on phase III can be resolved and the two items are not directly connected to phase II. He suggested the commission evaluate the request on its merits.

Vice Chair Cory Neumann read a letter from Paul Hiro, Land Surveyor, October 14, 2021, that stated they completed the Barn Brook Drive as built for phase II along with staking of 12 monuments as well as lot corners.

Mr. Marcus added he didn't think maintaining the detention pond would be a significant expense and a reasonable proposal has been submitted to pay that future expense.

Commissioners continued to discuss the issue noting homeowners paying taxes and needing the road to be maintained with the upcoming winter weather. They additionally noted the 10% maintenance bond should be held after the town accepted the public improvements. The last paving of the subdivision was done in October 2020, more than fourteen months ago.

Mr. Cava stated the town engineer received all the plans, as built, and information required to process this on October 14. The town engineer also received a proposal for the maintenance of the detention pond since November 23<sup>rd</sup>.

Commissioners summarized the developer met all the requirements with receipt of the as built survey, the letter stating pins and monuments are complete, and 14 months since the town accepted the public improvements.

Cory Neumann recused himself from this vote.

Kirsten Bennett made a motion to refer to the BOS the acceptance of Barn Brook Drive and release the remaining bond amount of \$60,000.00. Pat Callahan seconded the motion.

**Vote: 4-0-0 (Motion approved)**

Neil Marcus stated he would be working to resolve the conditions of approval on the resolution for Barn Brook phase III.

## **New Business**

### **Standing Items**

- **Lighting Study** – No update
- **Subdivision Update** – Cory Neumann stated he would partner with Kirsten on the subdivision log.

### **Adjournment**

Cory Neumann made a motion to adjourn the meeting at 8:12pm. Dylan White seconded the motion. **Vote: 5-0-0 (Motion approved)**