

**THE ZONING COMMISSION**  
**Town of New Fairfield**  
**New, Fairfield, CT 06812**  
**SPECIAL MEETING**  
**MINUTES - revised**  
**June 8, 2022**  
**7:30pm**  
**Virtual meeting via Zoom**

**Present:** John Moran (chairman), Kevin Van Vlack, Stephen, Hanrahan, Jane Landers, Mark Lamanna, Tomas Kavaliasuskas (alternate). Absent: Gary Mummert (alternate).

**Town Officials Present:** Pat Del Monaco (first selectman), Khris Hall (selectman), Tony Iadarola (town engineer), Neil Marcus (legal counsel), Dr Sanzo (BOF-director), Don Kellogg (PBC chair), Lori-Ann Beninson (selectman).

Director of Business and Operations for the BOE Rich Sanzo explained the rules and regulations for virtual meeting.

**Call to Order**

Chairman John Moran called the meeting to order at 7:30 pm and explained the purpose of the continuance meeting was to discuss the SI-22-14-Site Plan for 302 Ball Pond Road for the construction of a new parking lot for school buses with small bus dispatch building and associated site improvements including: parking and vehicle maneuvering areas; grading; storm drainage; utility connections; fencing; with screening. Section 3.1.2 (A+B) pursuant to section 8.5.1 (A+B). Applicant-Town of New Fairfield. John Moran noted that the application was signed by the First Selectman thus she cannot speak on the side of BOE. She can only speak on the opposite side.

**Public Comment**

Thora Perkins requested to have the zoning commission have an independent engineer assess the building to see which parts of the building could be kept. She would also like the appropriate commission to see if the present dog park could be used for the bus lot.

John Moran reminded that this special meeting is specifically for the site plan for the parking of the busses.

Mark Beninson stated that the proposed location of the bus lot will take away all of consolidated, the gym, the playground. He stated that the present dog park is on the high school grounds which is a security issue. He stated that switching those locations would make more sense. Due to space constraints in town leaving the new portion of the school up there would be space for town documents. He is concerned about traffic due to the busses.

Eileen Haasi questioned how the dog park is a security issue. John Moran reminded her that we are here to discuss the bus lot and that the dog park security is a separate issue. Eileen addressed the traffic and went over the bus schedule for the day. She stated that the traffic will not increase it will be the busses in and out in the morning and then again in the afternoon.

Wesley Marsh stated he is for putting the bus lot at 302 Ball Pond. He stated that the planning commission has done their due diligence in finding a bus lot as well as looking at alternate locations.

Don Kellogg, chair of the PBC and resident of New Fairfield, stated that with the options available the lot at 302 Ball Pond Road is the appropriate location for the bus lot. He went over the previous options and stated why the 302 Ball Pond Road location is the best location.

Julie Stange, 249 Ball Pond Road, stated that there have not been official reports with line-by-line pricing for any of the additional options except for the high school location. She stated that she thought that the best bus location would be out of town. She stated a concern of the effect of the bus lot on property values.

Thomas Perkins stated that the dog park is not a practice field therefore it would not take practice field space. He stated that he feels that the busses should be parked closer to the high school and sees no valid reason for putting the busses out of town due to rising fuel prices.

Chris Rome vote in favor of PBC's due diligence on the consolidated site.

Kevin Van Vlack read in some emails that had been received

- Jennifer Huron stated that she is concerned about the lack of transparency in the process. She inquired about the costs and pros of 302 Ball Pond Road. She is concerned about the loss of the well-used playground and for the homes that are around the proposed bus lot. She would like research on other possible sites.

- Ken Huwer stated that he wants the special permit to be voted down. He questioned if this is a suitable use for the consolidated property.

Thora Perkins stated that elected officials should be present at all town commissions and work groups as they offer a different viewpoint.

Don Kellogg responded to the first letter. He stated that the “lack of transparency” was a blatant misrepresentation. He stated that in previous memo’s the costs have been fully transparent, read into record, and presented in previous memos. He went over the decision-making process. Don stated that in response to the second letter that all decisions made at the PBC take into account all residents of the town. Don also stated that more than town officials can offer a different viewpoint on town related issues.

Julie Stange stated a concern about an error that was not corrected in a previous meeting when she felt it should have been at that time.

Antonio Iadarola stated that the design engineer has provided revised drawings for comments that he had put on the record and they seem to be all addressed. John Moran requested for Antonio to submit the revised drawings.

Kevin Van Vlack made a motion to close public comment SI-22-14-Site Plan for 302 Ball Pond Road-For the construction of a new parking lot for school buses with small bus dispatch building and associated site improvements including: parking and vehicle maneuvering areas; grading; storm drainage; utility connections; fencing; with screening. Section 3.1.2 (A+B) pursuant to section 8.5.1 (A+B). Applicant-Town of New Fairfield. Jane Landers seconded the motion.

John Moran	Yes
Kevin Van Vlack	Yes
Stephen Hanrahan	Yes
Jane Landers	Yes
Mark Lamanna	Yes

**Business Items**

SI-22-14-Site Plan for 302 Ball Pond Road-For the construction of a new parking lot for school buses with small bus dispatch building and associated site improvements including: parking and vehicle maneuvering areas; grading; storm drainage; utility connections; fencing; with screening. Section 3.1.2 (A+B) pursuant to section 8.5.1 (A+B). Applicant- Town of New Fairfield.

Neil Marcus outlined the process for approving, denying, or modifying a motion.

Jane Landers stated that the application for the site plan is premature, and/or not right, or flawed for the following reasons vote taken on or about August 11, 2021 to decline the special permit was not fatally flawed, in her opinion. She believes that the town counsel had a duty to immediately notify the commission in a timely manner to ruminate any defects and at a minimum if it was not done it shows a conflict of interest in which case the commission should be having their own counsel. John Moran stated that a letter was received from Neil Marcus and was not put into the record, as he thought it was a separate issue. Jane Landers stated that she feels that the town deserves their own counsel. She believes that any actions taken now should be done with a reservation right that we are not in any way waiving the right to question the procedure and process taken to get us to this point.

Kevin Van Vlack stated that the letter received from the first selectman declined the use. The letter gave the rationale from Neil Marcus. John Moran stated that the zoning commission has not given a bonified reason for independent counsel which can be time consuming and expensive. The letter was reviewed, it was not signed by the first selectman.

Stephen Hanrahan stated a previous similar motion was denied. Due to proper procedure not being followed the decision was nullified. This is a similar motion. He stated that based on zoning regulations that the 302 Ball Pond site is not best site for the bus lot. He cited 1.1 (B), 1.5.2 (B), 1.5.2 (C), 1.5.2 (D). He stated that the adjacent neighbors would be impacted by the bus lot. He feels the site is more suitable for additional recreational usage. Stephen Hanrahan stated he will vote no.

Mark Lamanna recused himself. Tomas Kavaliasuskas was elevated to a voting member.

Jane Landers references all her prior comments as to why this issue should not be before the commission at this time. She agrees with Mr. Hanrahan's statements. She stated that there is a propensity to create a traffic issue that would decrease the appeal and cause irreparable damage to the town's business district. Jane Landers stated she will vote no.

Tomas Kavaliasuskas stated that he agrees with all statements made previously by Dr Hanrahan and Jane Landers. Tomas Kavaliasuskas stated he will vote no.

Kevin Van Vlack commends the efforts made in all areas to bring this special permit forward. He agrees with the comments of Mr. Hanrahan. He talked with people around town to solicit community feedback. He stated that he wants to protect the value of properties. Kevin Van Vlack stated that he will vote no.

John Moran stated that the commission must give reasonable consideration to the character of the district and its particular suitable for a particular use. He cited 8.24. He stated that the bus lot at 302 Ball Pond Road is not a suitable location and does not have neighborhood compatibility. John Moran stated that he will vote no.

Kevin Van Vlack made a motion to approve SI-22-14-Site Plan for 302 Ball Pond Road-For the construction of a new parking lot for school buses with small bus dispatch building and associated site improvements including: parking and vehicle maneuvering areas; grading; storm drainage; utility connections; fencing; with screening. Section 3.1.2 (A+B) pursuant to section 8.5.1 (A+B). Applicant- Town of New Fairfield provided additional modifications cited by the town engineer. Stephen Hanrahan seconded the motion.

John Moran	No
Kevin Van Vlack	No
Stephen Hanrahan	No
Jane Landers	No
Mark Lamanna	recused himself
Tomas Kavaliasuskas	No

**Adjournment**

Kevin Van Vlack made a motion to adjourn the meeting at approximately 8:48 pm. Jane Landers seconded the motion. **All in favor**

John Moran	Yes
Kevin Van Vlack	Yes
Stephen Hanrahan	Yes
Jane Landers	Yes
Mark Lamanna	Yes