

September 22, 2022

Evan White, Zoning Enforcement Officer  
New Fairfield Planning & Zoning Dept.  
4 Brush Hill Road  
New Fairfield, CT 06812

Re: Property of Holzmaier – 45 Knollcrest Road

Dear Evan:

This letter will memorialize our discussion concerning a 25 foot well access easement shown on the easterly side of the above referenced property on a map that is currently before the New Fairfield ZBA as part of a zoning variance request. You have shown me an Agreement from July of 1964 when the easement was first reserved over the subject property in connection with a community water system. Paragraph 2 of the Agreement precludes the current property owner from planting trees or shrubs within the 25' right-of-way which would obstruct the entrance by vehicles if required. Essentially, it appears that the property owner can plant whatever he or she wants in the 25' right-of-way provided that vehicular access is not precluded. The survey shows that there are some plants and shrubs located along the easterly line of the easement, but they appear to allow approximately 15' of passage. The easement does not preclude the construction of any buildings or sheds within the easement, but it would be prudent to place those structures in a position on the easement which would still allow vehicular access to the well. The construction of a shed in the easement would not appear to create any zoning violation as long as it is properly located with respect to side and rear yard setbacks.

Should you have any questions concerning this, please do not hesitate to contact me.

Yours Truly,



Neil R. Marcus

NRM:pld