

THE ZONING COMMISSION

**Town of New Fairfield
New, Fairfield, CT 06812**

SPECIAL MEETING MINUTES

DATE: November 9, 2022

TIME: 7:30 pm Via Zoom

Call to Order

John Moran called the meeting to order at 7:31 pm.

Present

John Moran, Kevin VanVlack, Stephen Hanrahan (absent), Mark Lamanna, Jane Landers, Tomas Kavaliauskas (alternate), Gary Mummert (alternate-absent), and Town Official, Zoning Enforcement Officer Evan White.

John Moran elevated Tomas Kavaliauskas to a voting member.

Public Comment

Claudia Thiel stated a concern of where the affordable housing would be located in the Town of New Fairfield.

John Moran stated that the location of affordable housing is not currently known. He stated that the actual zoning plans will be addressed in the future. John Moran stated that tonight's meeting purpose is to vote on the two opt-out items listed on the agenda.

Jim Lalime stated that this issue is about sovereignty and that he is against this legislation.

Thomas Perkins urges the board to opt-out and retain local zoning control for the future. He stated that public input will be needed for the entirety of the process.

Mark Beninson stated that the people of the town should have control over what happens in their town. He stated that he is in favor of the opt-out.

Julie Stange requested an update on the bus lot situation. John Moran advised her that the lawyers are currently reviewing all of the documents and an update will be given at the beginning of the next regular scheduled Zoning Commission meeting.

John Moran went over the plans for sewers. He explained the difference between sewers and septic systems and how it can impact zoning and units that can be put in per acre.

Amy Johnson urges the board to opt-out. She stated she loves the small-town feel. She stated a concern of sewer vs septic.

Representative Pat Callahan urges the town to opt-out and will represent these interests.

A resident, who declined giving her name, stated a concern regarding the sewer study. She named a few towns and gave examples of high-density housing as examples of what the Town of New Fairfield does not want.

A 30-year resident of New Fairfield stated that as a small town the rights of the town are being taken away by the State of Connecticut. He stated that the town should draw a line in the sand and stand firm and just say No,

A 25-year resident of New Fairfield stated concerns about the expansion of the downtown area. She stated that residents need to consider sewers for the downtown area for small business owners.

Public Hearing none

Business Items

- 1) Public Act No. 21-29 – An Act Concerning The Zoning Enabling Act, Accessory Apartments, And Municipal Affordable Housing Plans. Opting out of Substitute House Bill No. 6107 and Public Act No. 21-29.

Kevin VanVlack made a motion to opt-out of pursuant to Section 5 of Public Act 21-29 (P.A. 21-29), the Town of New Fairfield Zoning Commission opts out of Subdivision (9) of Subsection (d) of Section 8-2 of the Connecticut General Statutes as amended by P.A. 21-29 for the following reasons:

- a) The Commission is in the process of reviewing its regulations and rewriting them and needs additional time to consider the changes required by Public Act 21-29.
- b) Modifying parking without proper consideration of its implications in a predominantly rural town with narrow roads without proper studies and time for consideration will result in potential public safety hazards.
- c) These alterations go very strongly against what the people of this town want.

Jane Landers seconded the motion.

John Moran	yes
Kevin VanVlack	yes
Tomas Kavaliauskas	yes
Jane Landers	yes
Mark Lamanna	yes

With the addition of item c, Town Counsel, Neil Marcus stated that the addition was done correctly and did not need an amendment.

Kevin VanVlack made a motion to opt-out of pursuant to Subsection (f) of Section 6, the New Fairfield Zoning Commission opts out of Subsection (a) – (d) of Section 6 of Public Act 21-29 for the following reasons:

- a) The Commission is in the process of reviewing its regulations and rewriting them and needs additional time to consider the changes required by P.A. 21-29.

- b) More public input will be necessary in making the types of revisions suggested by P.A. 21-29.
- c) These changes do not seem to reflect the passionate wishes of the citizens of this town.

Jane Landers seconded the motion.

John Moran	yes
Kevin VanVlack	yes
Tomas Kavaliauskas	yes
Jane Landers	yes
Mark Lamanna	yes

John Moran stated that both motions were approved by the Zoning Commission. This motion shall be forwarded to the New Fairfield Board of Selectman for further action in accordance with the aforesaid Subsection (f).

Adjournment

Kevin VanVlack made a motion to adjourn the meeting at 8:02 pm. Jane Landers seconded the motion. **All in favor**

Received by email on 11/16/2022 @ 8:59 a.m.
by Chrystie M. Bontempo, Asst. Town Clerk, New Fairfield