

THE ZONING COMMISSION
Town of New Fairfield
New, Fairfield, CT 06812
SPECIAL MEETING MINUTES
DATE: June 9, 2021
TIME: 7:30 pm
Virtual Meeting Via Zoom

Call to Order

John Moran called the meeting to order at 7:32 pm.

Present

John Moran, Kevin VanVlack, Stephan Hanrahan, Tomas Kavaliauskas, Gary Mummert and Town Official Zoning Enforcement Officer, Evan White.

Tomas Kavaliauskas and Gary Mummert were elevated to a voting member.

Public Comment

Public Hearing

1) SP-21-004 Special Permit for 302 Ball Pond Road (Consolidated School Site) under section 3.1.2 Special Permit Uses (A). Applicant – Town of New Fairfield.

John Moran stated that today he received a letter from George Martinetti, the chairman of the PBC, dated June 8, 2021. George Martinetti stated that the PBC is fully engaged in the project and it had been pushed back due to the countless hours of meetings, hours, and additional services needed. He stated that the option #2, 302 Ball Pond Road, parking for the bus lot is the most appropriate location. John Moran questioned if the school was being completely torn down. George Martinetti stated that the entire school will be torn down. John Moran raised concerns regarding the regulation to avoid further litigation based on a final decision. Stephen Hanrahan stated that in the zoning regulations under purposes 1.1(D) it is to preserve. If the bus lot is approved then it changes the area for the residences in the area. Stephen Hanrahan referred to 1.5.2 and 1.5.2(C) went over other parts of the regulations that had to do with emissions and dust. Stephen Hanrahan also questioned the regulations and the size of vehicles allowed in a residential area. Kevin VanVlack questioned if the school is a complete tear down would the property revert to the R-88 regulations. John Moran would need to clarify with an outside attorney. Debra Mangini, 251 Ball Pond Road, stated that she is against the bus parking lot. Mr. Syme, 257 Ball Pond Road, stated he is concerned about the number of busses in and out of one driveway. He is concerned about the residents that are directly across from the driveway. He is against the bus parking lot at 302 Ball Pond Road. First Selectman Pat Del Monaco requested that the letter be read into the record. John Moran stated that the letter needs to be read by all the board members. After a discussion John Moran stated that the letter would be read into the record after hearing from all the residents. Don Kellogg clarified that there are 19 busses and 3 vans per run. Rich Sanzo stated that there are a total of 24 busses and 10 vans that are not all operating at the same time. On an average day 19 busses and 3 vans are run in-district, there are other vans that can be used to transport students out-of-district, and the number of athletic busses

varies but not more than 3 per afternoon. Peggy Katkocin, chairman of the BOE, stated that those living across from proposed bus lot will have changes. She stated that having an open conversation will help the abutting property owners with changes and considerations to make the project move forward. John Moran stated that the abutting homeowners did not purchase with a bus lot already being there so having a bus lot would be a big change for them. Attorney Raymond Lubus stated that a package was received from the PBC by the Zoning Commission on June 9, 2021. Attorney Lubus stated that the concerns of those the abutting property owners that he represents is that the use of the property is not that of a residential zoned area. He went over option 3 that was given by the PBC that included an option for a separate entrance and a separate exit so the traffic would go down by 50%, as well as option 4 that was on the other side of rebel turf at the high school. He went over all the concerns of his clients and asked that it is taken into consideration the impact of all the options before deciding. He stated that in his opinion option 4 is the best site for the bus lot. Don Kellogg stated that the course of the discussion was because the PBC had a week to review the choices and documentation. John Moran stated that the PBC had a week and the Zoning Commission was given a day. George Martinetti stated that the motion was made on June 8, 2021. John Moran asked for a continuance due to the paperwork being received on June 9, 2021 and that a special meeting be called for the following week. Evan White stated that he had a continuance letter ready with signatures. Don Kellogg continued with stating that while the financial ramifications may not be taken into the consideration by the Zoning Commission the PBC has to take it into account. The financial aspect is not the whole of the decision, the PBC must take into consideration the best interest of the town, the school, and the children. Julie Stange, 249 Ball Pond Road, stated that if she had known that the bus lot was going in across from her home, she would not have purchased her home. Colleen Cox, homeowner directly across from the access to Consolidated, stated that she is against the bus lot. Kimberly Lodrick, a resident who lives across from the current bus lot. She stated that her and her family do not even notice the sounds of the busses, the chain link fence, nor does she have health concerns. She stated that nobody has reached out to her or her family regarding the current bus lot. She stated that she is in favor of option 2. Stephen Hanrahan questioned the money, the need for two schools, and the total cost of the project. He stated a concern for future costs. The letter from the PBC was read into the record (see enclosure).

Kevin VanVlack made a motion to continue the public hearing for SP-21-004 Special Permit for 302 Ball Pond Road (Consolidated School Site) under section 3.1.2 Special Permit Uses (A). Applicant – Town of New Fairfield for June 21, 2021. Tomas Kavaliauskas seconded the motion.

John Moran	Yes
Kevin VanVlack	Yes
Stephen Hanrahan	Yes
Gary Mummert	Yes
Tomas Kavaliauskas	Yes

- 2) **SP-21-008 Special Permit for 31 Madeline Drive regrading and re-sloping of building lot prior to obtaining building and zoning permits- Section 6.44. Applicant – Asim Alimi.**

Kevin VanVlack made a motion to continue the public hearing for SP-21-008 Special Permit for 31 Madeline Drive regrading and re-sloping of building lot prior to obtaining building and zoning permits- Section 6.44. Applicant – Asim Alimi. Tomas Kavaliauskas seconded the motion.

John Moran	Yes
Kevin VanVlack	Yes
Stephen Hanrahan	Yes
Gary Mummert	Yes
Tomas Kavaliauskas	Yes

3) SP-21-010 Special Permit for 14 Erin Drive for an Accessory Apartment under section Special Permit Uses 3.1.2(K). Applicant Cristiano Coste (C&C Home Finishing LLC).

Jessica Coste is representing the homeowners. Evan White stated that the apartment is 995 square feet and meets all requirements for an accessory apartment. The homeowner must reside onsite. Jessica Coste showed the plans for accessory apartment and parking. John Moran stated that once the parking is put in then the need for a buffer will be addressed. The homeowner will submit every two years a notice that all permits and requirements are in effect.

Kevin VanVlack made a motion to close the public hearing for SP-21-010 Special Permit for 14 Erin Drive for an Accessory Apartment under section Special Permit Uses 3.1.2(K). Applicant Cristiano Coste (C&C Home Finishing LLC). Tomas Kavaliauskas seconded the motion.

John Moran	Yes
Kevin VanVlack	Yes
Stephen Hanrahan	Yes
Gary Mummert	Yes
Tomas Kavaliauskas	Yes

4) SP-21-011 Special Permit for 1 Brush Hill Road for demolishing hardware store, replace pavement, lighting, landscaping, and additional site improvements under section 4.1.2 Special Permit Uses or Buildings (A&B). Applicant-SLR Consulting Inc.

Kevin VanVlack made a motion to move the public hearing for SP-21-011 Special Permit for 1 Brush Hill Road for demolishing hardware store, replace pavement, lighting, landscaping, and additional site improvements under section 4.1.2 Special Permit Uses or Buildings (A&B). Applicant-SLR Consulting Inc to the next regular meeting. Tomas Kavaliauskas seconded the motion.

John Moran	Yes
Kevin VanVlack	Yes
Stephen Hanrahan	Yes
Gary Mummert	Yes
Tomas Kavaliauskas	Yes

Business Items

- 1) **SP-21-004 Special Permit for 302 Ball Pond Road (Consolidated School Site) under section 3.1.2 Special Permit Uses (A). Applicant – Town of New Fairfield.** Continued to the June 21, 2021 special meeting.
- 2) **SP-21-008 Special Permit for 31 Madeline Drive regrading and re-sloping of building lot prior to obtaining building and zoning permits- Section 6.44. Applicant – Asim Alimi.** Continued to next regular meeting due to not all information from the applicant received
- 3) **SP-21-010 Special Permit for 14 Erin Drive for an Accessory Apartment under section Special Permit Uses 3.1.2(K). Applicant Cristiano Coste (C&C Home Finishing LLC).**

Kevin VanVlack made a motion to approve SP-21-010 Special Permit for 14 Erin Drive for an Accessory Apartment under section Special Permit Uses 3.1.2(K). Applicant Cristiano Coste (C&C Home Finishing LLC) with the following stipulations that the parking spot is moved over by the garage, once the parking spot is moved a decision will be made on the possible need of a buffer, a sworn statement every two years that the ZEO has access to the resident and the apartment, and that the owner will occupy the resident or the accessory apartment, and with the stipulation that they receive all the necessary approvals and permits for fire, sanitation, health etc...

John Moran	Yes
Kevin VanVlack	Yes
Stephen Hanrahan	Yes
Gary Mummert	Yes
Tomas Kavaliauskas	Yes

Additional Items

John Moran stated that the July meeting will be back in-person. Evan White stated that the meeting will be at the senior center.

Adjournment

Stephen Hanrahan made a motion to adjourn the meeting at 9:28 pm. Tomas Kavaliauskas seconded the motion. **All in favor.**

Enclosure

June 8, 2021 Letter/Memo from the PBC

Received by email on 05/26/2023 @ 8:30 a.m.
by Chrystie M. Bontempo, Asst. Town Clerk, New Fairfield

June 8, 2021

Town of New Fairfield
Zoning Commission
4 Brush Hill Road
New Fairfield, CT 06812-2619

RE: Consolidated Early Learning Academy Project
Special Permit Application SP21-004
302 Ball Pond Road
New Fairfield, CT 06812

Dear Chairman and Commission Members:

The Town of New Fairfield, through the Permanent Building Committee, would like to provide the Zoning Commission with additional information in response to public comments made regarding the location of the proposed school bus lot. Over the past three months, the Permanent Building Committee has engaged the design and construction teams to develop conceptual designs and cost estimates for two possible alternatives to the original proposal. In addition, the Permanent Building Committee reviewed information previously received related to school bus lot operations and other possible sites that were considered during earlier design phases.

School Bus Operations

Currently, there are 24 school buses and 10 vans utilized by the district for in-district routes as well as out of district transportation, sports, and field trips. The district operates a total of 22 daily in-district routes consisting of 19 school buses and 3 vans. Other school buses and vans are utilized for transporting New Fairfield students out of the district to magnet, agricultural, and special education schools in addition to athletic and field trip transportation.

In 2019, as part of the district's contract renewal with First Student, a majority of the school bus fleet was replaced, completing a multi-year upgrade to all new buses. At this time, all school buses are clean burning diesel and comply with Tier 4 emissions standards. Engines are equipped with SCR/DEF technology which also produces a low decibel exhaust tone. Quiet exhaust manifolds are installed on all school buses. No maintenance or fueling occurs on the school buses at the school bus lot. School buses currently fuel at the town fueling station adjacent to the Company A Firehouse. Each summer, once per year, an outside contractor is hired to wash the school buses in the school bus lot.

School Bus Parking Lot Location

As part of the design process, various locations for the school bus lot were explored including locations within the Town of New Fairfield and in other neighboring communities. Each of the locations explored presented financial, logistical, or operational challenges that led to the current conclusion that the most viable location for the school bus lot is on the site of the existing Consolidated School. The table below summarizes sites explored that were not considered for further design or estimating:

Location	Advantages	Disadvantages
Drop Off Center	Current town owned land	Landfill restricts constructible area

		<p>Requires improvement to access driveway</p> <p>Increase trips compared to current conditions</p> <p>Bigelow Road is not conducive to higher volumes of bus traffic</p> <p>Not eligible for state grant reimbursement</p>
Adjacent to MHHS on 302 Ball Pond Road	<p>Located in general proximity of current location</p> <p>Current town owned land</p>	<p>Increases proposed traffic on MHHS site</p> <p>Bus movement on and around site requires rerouting onto road adjacent to Gillotti Rd</p> <p>Requires significant earthwork due to slopes</p> <p>Added cost of approximately \$500,000 in design and construction costs</p>
HS Practice Fields	Current town owned land	<p>Increased trips in and out of west driveway</p> <p>Located within upland review area</p> <p>Loss of practice field for youth sports</p>
Privately Owned Lot at bottom of Dunham Drive	Approved by Zoning Commission for vehicle storage	<p>Steep grade of entry driveway is unsafe</p> <p>Requires further development</p> <p>Additional operating costs to the Town / Board of Education</p> <p>Not eligible for state grant reimbursement</p>
Out of Town	Does not require the construction of a bus lot	<p>Loss of approximately \$35,000 in annual tax revenue</p> <p>Additional operating costs as</p>

		<p>part of Board of Education bus contract</p> <p>Contractor does not have available space in neighboring bus depots</p>
--	--	--

Options For Which Formal Cost Estimates Were Developed By The PBC

The Permanent Building Committee authorized \$26,500 in additional design and estimating fees in order to fully explore two alternative options to our original proposal. In authorizing these additional design and estimating fees, the Permanent Building Committee was committed to selecting an option which was in the best interest of all New Fairfield residents and did not require the reduction of educational programming or educational space in order to fund an alternative option.

Location	Advantages	Disadvantages
Consolidated School (Northwest Orientation)	<p>Developed site on state road</p> <p>Reduction in the number of vehicle trips made on-site</p> <p>State grant reimbursement equal to 38.22% of eligible costs</p>	<p>Requires additional \$94,000 in vegetative screening and fencing to maintain character of site</p>
Consolidated School (North - South Orientation)	<p>Current town owned land</p> <p>Reduction in the number of vehicle trips made on-site</p> <p>State grant reimbursement equal to 38.22% of eligible costs</p>	<p>Added cost of approximately \$37,750 in design and \$653,741 in construction costs</p> <p>Added cost requires reduction in educational space and programming</p>
High School (Adjacent to Rebel Turf)	<p>Current town owned land</p>	<p>Increases proposed traffic on MS/HS site in an area heavily used for athletics</p> <p>Added cost of approximately \$54,500 in design and \$413,165 in construction costs</p> <p>State grant reimbursement equal to 19.11% of eligible costs</p>

		Added cost requires reduction in educational space and programming
--	--	--

As a result of the above analysis, the Permanent Building Committee reaffirmed its selection of the northwest corner of the Consolidated School site for the placement of the school bus lot. In doing so, it authorized the design team to add additional measures to the original plan to provide further visual screening to maintain the aesthetic of the site

Vehicle Trip Comparison For Location of Special Permit Application

On a typical day, approximately 18 vehicles will leave the school bus lot between 6:15-6:30am for in-district and out-of-district runs. Between 7:15-7:30am, ten more vehicles will leave the school bus lot for in-district and out-of-district runs. While the return of some vehicles is spread throughout the morning, most vehicles return to the school bus lot between 8:45-9:00am in the morning. At mid-day, 3 vans are utilized for preschool bus runs. The afternoon runs begin at approximately 1:45pm with 17 vehicles leaving the school bus lot at that time. Seven more vehicles leave around 2:30pm and four vehicles leave around 3:00pm each day. With the exception of after school buses at the secondary level, all vehicles return to the bus lot between 3:45-4:00pm. After school and athletic buses will vary in their return time due to travel and scheduling considerations. The table below summarizes the decrease in peak traffic at the proposed school bus lot:

Consolidated School Northeast Driveway Vehicle Trips Summary			
Existing			
	Enter*	Exit**	Total
AM Peak (8 AM - 9 AM)	13	119	132
PM Peak (3 PM - 4 PM)	0	106	106
* enter trips do not include entry at the southwest driveway which exits at the northeast driveway **exit trips include 22 buses			
Proposed			
	Enter*	Exit**	Total
AM Peak (8 AM - 9 AM)	28	28	56
PM Peak (3 PM - 4 PM)	28	32	60
*enter trips include 28 buses **exit trips include 4 buses			

Conceptual Special Permit Modifications

Changes to the original plan for the bus lot on the site of the existing Consolidated School were made by the PBC. The modifications include adding additional rows of vegetative screening and a wooden fence in order to provide a solid visual barrier. Additional renderings of the proposed bus lot with the proposed screening are provided below:



Conceptual plan rendering indicating additional screening on the northern, southern, and eastern sides of the school bus lot.



Rendering of proposed school bus lot located in the northwest corner of the Consolidated School site.



Close-up rendering of proposed school bus lot located in the northwest corner of the Consolidated site.

Conclusion

I look forward to discussing this information with the Zoning Commission at your June 9, 2021 meeting. I further request approval of our special permit application to construct the school bus lot in the northwest corner of the current Consolidated School site. The PBC strongly feels that it has conducted its full due diligence in being responsive to neighbors of the proposed school bus lot as well as concerns of the residents and taxpayers of New Fairfield by proposing the school bus lot at this site.

Sincerely,

George Martignetti
Chairman
Permanent Building Committee

CC: Patricia Del Monaco, First Selectman
Peggy Katkocin, Chairman, Board of Education
Dr. Patricia Cosentino, Superintendent of Schools