

APPLICATION OR APEAL#: 23-23

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

Please check appropriate box(es)  Variance  Appeal of Cease & Desist

1) Applicant: <sup>(PDA)</sup> Jennifer L. Melton "The Johnson Family Irrevocable Trust"  
Mailing Address: 58 Sawmill Road New Fairfield CT 06812  
Phone#: 203 512 6566  
Email: jljbfm@gmail.com

2) Premises located at: 60 Saw Mill Rd on the (N S E W) side of the street  
at approx. 50 feet (N S E W) from RT 39 (nearest intersecting road).

3) Property Owner Name: <sup>(PDA) \* Trustee</sup> Jennifer Lynn Melton ; Richard T. Johnson  
Interest in Property:  OWNER  CONTRACT PURCHASER  LEASEE  AGENT

4) Tax Assessor Map No.: 19 Block No.: 12 Lot No.: 21.1

5) Zone in which property is located: B/C Business/commercial Area of Lot: 1.120 AC

6) Dimensions of Lot: Frontage: 269.3' Average Depth: 297'

7) Do you have any Right of Ways or Easements on the property? NO

8) Is the property within 500 feet of Danbury, Sherman or New York State? NO

9) Have any previous applications been filed with ZBA on this property? NO

If so, give dates and application numbers: \_\_\_\_\_

10) Proposal for which variance is requested: Expansion of parking area which abuts residential R-44 properties.

Hardship: Due to current restrictive regulations and limitations therefor put on this property.

11) Date of Zoning Commission Denial: June 27<sup>th</sup>, 2023

12) Variance(s) Requested:  USE  DIMENSIONAL

Zoning Regulations (sections): See attached Non-Compliance Letter

Setbacks Requested: Front to: NR Rear to: 75ft to 5'ft  
Side to: NR Side to: 35ft to 5'ft

13) Use to be made of property if variance is granted: Business/Commercial

14) If this Application relates to a Cease and Desist Order then this application must be made within 30 Days of the issue date of that Cease and Desist Order. CEASE & DESIST ORDER DATE: \_\_\_\_\_

SIGNATURE OF OWNER OR AGENT: Cecilia Melton DATE: 6-19-23

ZONING BOARD OF APPEALS  
JUL 2 2023  
PROPOSAL

#14

Received  
6-21-23

**TOWN OF NEW FAIRFIELD  
ZONING REPORT**

**SUBJECT: VERIFICATION OF NON-COMPLIANCE**

**FROM: Evan White, Zoning Enforcement Officer**

**DATE: June 27, 2023**

**PROPERTY OWNER: Jennifer L. Milton**

**PROPERTY ADDRESS: 60 Saw Mill Road**

**APPLICANT/AGENT: Jennifer L. Milton**

**MAILING ADDRESS: 58 Saw Mill Road**

**ZONING DISTRICT: B/C    MAP: 19                    BLOCK: 12                    LOT: 21.1**

Please be advised that Jennifer L. Milton has requested to expand her current parking lot that abuts residential R-44 property for the allowable Use of a Parking Lot Expansion Abutting a Residential District; as well as with Site Plan and or Special Permit Approval on behalf of the Zoning Commission For Future Use If Granted In This Expanded Area.

Review of the New Fairfield Zoning Regulations indicated that the above proposal fails to meet the following Zoning Requirements:

Sections:

4.1.4-Minimum Building and Structure Setbacks (B+C+D)

**THE INFORMATION ON THIS REPORT IS TO GUIDE THE APPLICANT/PETITIONER AND THE ZONING BOARD OF APPEALS TO APPLY FOR VARIANCES AND/OR OTHER RELIEF, AND IS BASED ON REPRESENTATIONS MADE BY THE PROPERTY OWNER/APPLICANT.**

**THE OWNER/APPLICANT SHALL BE RESPONSIBLE FOR ANY DECISION MADE FROM RELIANCE ON THIS FORM AND IT SHALL NOT CREATE LIABILITY ON THE PART OF ANY OFFICER OR THE TOWN OF NEW FAIRFIELD.**

**IN COMPLEX MATTERS, THE OWNER/APPLICANT MAY WISH TO SECURE THE SERVICES OF AN ATTORNEY.**



Evan White, Zoning Enforcement Officer  
Town of New Fairfield



LOCATION MAP  
not to scale

**PROPOSED ADDITION**  
(50' x 60' = 3,000 s.f.)  
Note: Existing building recently had a fire and will be razed to the foundation prior to the construction of the Proposed Addition. Further, variance of Building Sideline Setback of 4.3' is required prior to building permit.

--- NOTES ---

- This map has been prepared pursuant to the Regulations of Connecticut State Agencies sections 20b-300b-1 thru 20b-300b-20 and the "Standards for Surveys and Maps in the State of Connecticut" as adapted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996. This survey conforms to horizontal Class A-2.
- The type of survey performed is a Limited Property/Boundary Survey, conforming to an **Zoning Location Survey**, which depicts or notes the position, horizontally & where required, vertically, between particular existing or proposed improvements with respect to the applicable municipal or statutory requirements.
- The boundary determination is based upon the **dependent resurvey** and is intended to depict a parcel of land acquired by Richard T. Johnson, et al as recorded in v. 380 p. 490, March 3, 2006 on file in the New Fairfield Town Clerk's Office.
- No attempt has been made as part of this boundary survey to obtain or show data concerning existence (other than what is shown hereon), size, depth, condition, capacity, or location of any utility or municipal/public service facility. For information regarding these utilities or facilities, please contact the appropriate agencies.
- This parcel is subject to utility easements, if any, for overhead and/or underground service. Substructures and/or their encroachments below grade, if any, not shown.
- Lot lines depicted hereon established according to record maps & deeds as they exist as well as physical features such as stone walls, wire fences, monuments, iron pins, or pipes, etc. all taken under consideration to establish said lot lines.
- MAP REFERENCES: 1154, 1664, 2059, 2720 & 3293 on file in the New Fairfield Town Clerk's Office.  
Connecticut State Highway Department, Right of Way Map, Town of New Fairfield, Candewood Lake Road from Danbury - Sherman Road, RI, 39, no. 90-12, sht. 2 of 3, 1"-40', 12-31-37. Lot served by private sewer system & well.  
Subject parcel is also depicted as Map 19, Block 12, Lot 21.1 on file in the New Fairfield Assessor's Office.  
Subject parcel is in Flood Zone "X" (area of minimal flooding) as per FEMA MAP no. 09001C0128F, New Fairfield, CT, effective date June 18, 2010.

**Owner of Record**

Richard T. Johnson, et al. V. 380, P. 490  
Total Lot Area: 49,173<sup>2</sup> s.f. = 1.1289 ac.<sup>2</sup>

**Zoning Coverage**

Existing building Coverage: 12,287<sup>2</sup> = 6,000<sup>2</sup> s.f. (garage)  
(max. 25%)  
Existing Impervious Coverage: 55.12% = 27,103<sup>2</sup> s.f. (garage, concrete & asphalt pavement)  
(max. 75%)  
Proposed Impervious Coverage: 61.2% = 30,103 s.f. (Proposed & Rebuilt Gar. & asp. conc. pavement)  
(max. 50%)  
NOTE: Maximum Effective Impervious Coverage shall not exceed more than 50% of the lot area. To comply with the Maximum Effective Impervious Coverage requirement a Stormwater Management Plan must be completed in accordance with Section 4.1.10, Section 6.7 and Section 8.1.

**Zoning Location Survey**

(showing Proposed Addition)  
prepared for

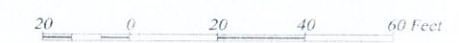
**Richard T. Johnson**

situate

60 Saw Mill Road, New Fairfield, Connecticut

Zone: "C"

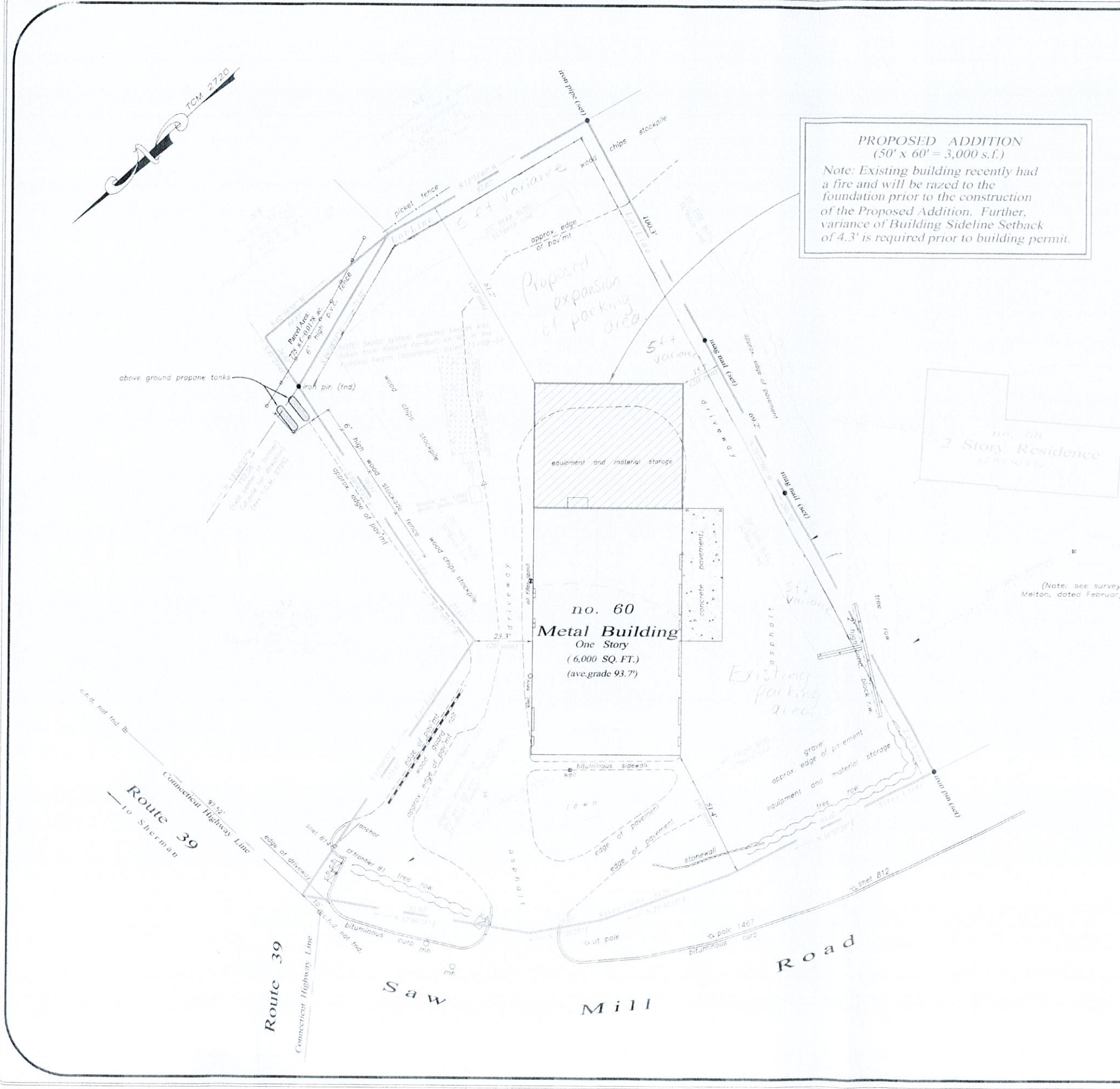
Scale: 1" = 20' February 20, 2021.



To the best of my knowledge and belief, this is substantially correct as stated hereon.  
This document & copies thereof are valid only if they are signed in red ink & bear the signature & embossed seal of the surveyor noted below. Unauthorized alterations render any declaration hereon null and void.

*Robert C. Baluba*  
Robert C. Baluba  
Connecticut Professional Land Surveyor  
License No. 14656

prepared by  
**Precision Land Surveys, LLC**  
45 Rock Ridge Road, Huntington, Connecticut 06484, 203-944-0394



(Note: see survey map for Benjamin & Jennifer Melton, dated February 22, 2021 for detailed information)