

APPLICATION OR APEAL#: 44-23

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: Town of New Fairfield, Town Engineer
Mailing Address: 4 Branch Hill Rd. New Fairfield, CT. 06812
Phone#: 203-948-5718
Email: TONY.LADAO@AOL.COM

2) Premises located at: 180 RT 39, New Fairfield, CT on the (N S E W) side of the street
at approx. 2204 feet (N S E W) from CANDELWOOD ISLE CAUSEWAY (nearest intersecting road).

3) Property Owner Name: Town of New Fairfield
Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 14 Block No.: 4 Lot No.: 5

5) Zone in which property is located: R-44 Area of Lot: 1.454

6) Dimensions of Lot: Frontage: 1302 LF Average Depth: 85 LF

7) Do you have any Right of Ways or Easements on the property? YES, SEVERAL DRAINAGE EASEMENTS IN FAVOR OF STATE OF CT. DOT

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? YES

If so, give dates and application numbers: 7/23/1976, ZBA 72-87, ZBA 29-87, ZBA 35-95, ZBA 01-94

10) Proposal for which variance is requested: SEE ATTACHED

Hardship: SEE ATTACHED

11) Date of Zoning Commission Denial: September 26, 2023

12) Variance(s) Requested: () USE () DIMENSIONAL

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

Setbacks Requested: Front to: N/A Rear to: 50' TO 002'
Side to: N/A Side to: N/A

13) Use to be made of property if variance is granted: SAME USE AS EXISTING. PARK & RCI EXISTING PUBLIC BUILDING SERVING THE PUBLIC BEACH AND RELATED FUNCTIONS.

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: N/A

SIGNATURE OF OWNER OR AGENT: [Signature] DATE: 9/18/23
Town Engineer



**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE

FROM: Evan G. White, Zoning Enforcement Officer

DATE: September 26, 2023

PROPERTY OWNER: Town of New Fairfield

PROPERTY ADDRESS: 180 State Route 39

APPLICANT/AGENT: Town of New Fairfield & Town Engineer (Mr. Tony Iadarola, P.E.)

MAILING ADDRESS: 4 Brush Hill Road

ZONING DISTRICT: R-44 **MAP:** 14 **BLOCK:** 4 **LOT:** 5

Please be advised that the applicant would like to (See Application for Description).

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

Sections:

3.2.6-Minimum Building & Structure Setbacks (C)

3.2.11-Minimum Lot Dimensions

7.1.12-Improved Lots Not In a Validated or Approved Subdivision (A+B)

7.2.3-Nonconforming Use of Building or Structure; Nonconforming Buildings or Structures (A+B+E)

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



TOWN OF NEW FAIRFIELD

PUBLIC WORKS DEPARTMENT

ENGINEERING DIVISION

4 Brush Hill Road
New Fairfield, CT
06812-2619

TOWN ENGINEER

Antonio Iadarola, P.E.

September 13, 2023

ZONING BOARD OF APPEALS – SUPPLEMENTAL INFORMATION SHEET FOR SECTION 10 OF APPLICATION

10. Proposal for which variance is requested: The existing Park and Recreation beach house structure is in a state of disrepair and there are numerous issues with the building some are structurally significant. The Town voters allocated funds to replace this old dilapidated structure which we are in the process of doing now and the variances requested are for that purpose. Please note that the new building will be built predominately in the same footprint as the existing and it will not be any more non-compliant than the existing (which several past variances have been granted for). The new building will bring the structure more in compliance than the existing one is currently. The existing building has significant structural issues and other more complicated building issues and needs to be replaced with a new structure. This current building is also in violation of and non-compliant with all applicable ADA laws and requirements which the new building will resolve. The existing building is also experiencing several roof issues mostly due to shallow pitch shed dormers that exist which will also be remediated with the new building design.

Hardship: The existing dwelling is a Non-Conforming dwelling that has had several previous variances issued. There are several hardships that come into play with the rebuilding of the existing structure. The existing dwelling sits on an odd shape lot that is a very very shallow in depth, and based on where the 440 line was found and where the State ROW is located, there is no way to secure appropriate rear setbacks. In addition, the lot also has significant slopes and ledge throughout. The lot becomes even more restricted and impacted by several State of CT DOT Drainage Easements which cut this lot into small pieces extremely limiting available opportunity for a building envelope.



Antonio Iadarola

Antonio Iadarola, P.E.
Town Engineer

TOWN OF NEW FAIRFIELD

NEW FAIRFIELD BEACH HOUSE RENOVATION

ZONING BOARD OF APPEALS
OCT 19 2023
PROPOSAL

180 RT. 39 TOWN PARK
CANDLEWOOD LAKE, NEW FAIRFIELD, CT 06812

FRIAR PROJECT NO. 2023-015A
PLANNING & ZONING SET
SEPTEMBER 15, 2023

ARCHITECT

FRIAR ARCHITECTURE
21 TALCOTT NOTCH ROAD
FARMINGTON, CT 06032

MEP / FP ENGINEER

RZ DESIGN ASSOCIATES, INC.
750 OLD MAIN STREET, SUITE 202
ROCKY HILL, CT 06457



CIVIL ENGINEER

ARTEL ENGINEERING GROUP, LLC
304 FEDERAL RD STE 308
BROOKFIELD, CT 06804

ENVIRONMENTAL ENGINEER

EAGLE ENVIRONMENTAL, INC.
8 SOUTH MAIN STREET, SUITE 3
TERRYVILLE, CT 06786



NEW FAIRFIELD
BEACH HOUSE
REPLACEMENT

180 RT. 39 TOWN PARK
CANDLEWOOD LAKE,
NEW FAIRFIELD, CT
06812

PLANNING AND
ZONING SET

PLANNING &
ZONING SET
COVER SHEET

DATE:
09/15/23

REV:

SHEET NO.

PZO.0



ZONING DATA - R-44 (SEC.3.0.2.A)

GENERAL PROVISIONS	PERMITTED	EXISTING	PROPOSED
a. MINIMUM LOT AREA	43,560 Sq. Ft.	63,316 Sq. Ft.	63,316 Sq. Ft.
b. MINIMUM ROAD FRONTAGE	125.0'	>125'	>125'
c. MINIMUM FRONT YARD	40.0'	51.0±	40.7'
d. MINIMUM SIDE YARD	20.0'	NA	NA
e. MINIMUM REAR YARD	50.0'	-0.3± (O.H.) -11.3± (deck)	0.2' (O.H.) 0.0' (deck)
f. MAXIMUM HEIGHT	35.0'	<35'	33.7±
g. MAXIMUM BUILDING AREA	20% (12,663 Sq. Ft.)	1.9% (1,190 Sq. Ft.)	2.6% (1,640 Sq. Ft.)
h. MAXIMUM IMPERVIOUS SURFACES	25% (15,829 Sq. Ft.)	30% (31,646 Sq. Ft.)	48.9% (31,017 Sq. Ft.)



LEGEND

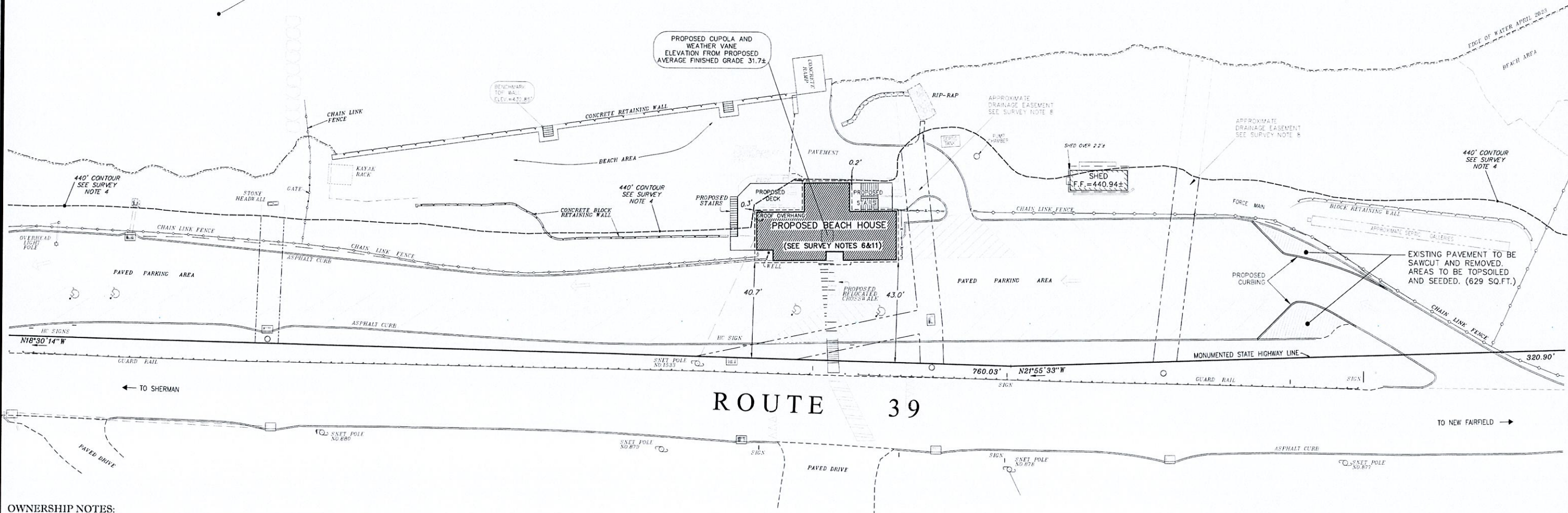
[Symbol]	CATCH BASIN
[Symbol]	UTILITY POLE
[Symbol]	FIRE HYDRANT
[Symbol]	STORM MANHOLE
[Symbol]	UTILITY BOX (SIZE & USE VARIES)
[Symbol]	OVERHEAD SERVICE WIRES
[Symbol]	EDGE OF PAVEMENT
[Symbol]	CURBING (TYPE VARIES)
[Symbol]	WATER VALVE
[Symbol]	LIGHT POLE
[Symbol]	WOOD FENCE
[Symbol]	CHAIN LINK FENCE
[Symbol]	TRAFFIC/PARKING SIGN
[Symbol]	TITLE 44G CONTOUR (see survey note 4)

ZONING BOARD OF APPEALS
OCT 19 2023

PROPOSAL

NOW OR FORMERLY
FIRSTLIGHT CT HOUSATONIC LLC
VOL.537 PG.1295 - OF THE N.F.L.R.
MAP NO.3577

LAKE CANDLEWOOD



OWNERSHIP NOTES:

1. OWNER OF RECORD: **TOWN OF NEW FAIRFIELD** - VOL.70 PG.71-74 OF THE N.F.L.R. (FIRST PARCEL)

SURVEY NOTES:

1. THIS SURVEY AND MAP HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THROUGH 20-300b-20 AND THE "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. ON AUGUST 29, 2019. IT IS AN IMPROVEMENT LOCATION SURVEY BASED ON A DEPENDENT RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS A-2(SEE SURVEY NOTE 10)
2. MONUMENTATION FOUND OR SET DEPICTED HEREON.
3. REFERENCE MADE TO MAP NOS. 803, 1005, 1006, 1007, 1033 AND 1207 OF THE DANBURY LAND RECORDS.
4. 440' CONTOUR DEPICTED HEREON ESTABLISHED FROM MAP NO.1033 AND VOL.70 PG.71 OF THE NEW FAIRFIELD LAND RECORDS.
5. REFERENCE MADE TO VOL.12 PG.60 AND VOL.13 PG.106 OF THE NEW FAIRFIELD LAND RECORDS.
6. PROPOSED IMPROVEMENTS DEPICTED HEREON TAKEN FROM PLANS PREPARED BY ARTEL ENGINEERING.
7. ELEVATIONS DEPICTED HEREON REFER TO ROCK RIVER DATUM.
8. SUBJECT TO DRAINAGE EASEMENTS IN FAVOR OF THE STATE OF CONNECTICUT RECORDED IN VOL.52 PG.137 AND MAP 803 OF THE NEW FAIRFIELD LAND RECORDS.
9. UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED AND NOTED HEREON HAVE BEEN COMPILED, IN PART FROM RECORD MAPPING SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENTAL AGENCIES, FROM PAROLE TESTIMONY AND FROM OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST WITHIN THE AREA DEPICTED. THE EXISTENCE OF WHICH ARE UNKNOWN TO SYDNEY A. RAPP LAND SURVEYING, P.C. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 811 or 1-800-922-4455
10. REFERENCE MADE TO EXISTING IMPROVEMENT LOCATION SURVEY PREPARED BY THIS OFFICE DATED MAY 8, 2023 AND REVISED AUGUST 18, 2023.
11. REFERENCE MADE TO PLANS ENTITLED "TOWN OF NEW FAIRFIELD NEW FAIRFIELD BEACH HOUSE RENOVATION 180 RT. 39 TOWN PARK CANDLEWOOD LAKE, NEW FAIRFIELD, CT 06812 PRIAR PROJECT NO. 2023-015A PLANNING & ZONING SET SEPTEMBER 15, 2023" PREPARED BY PRIAR ARCHITECTURE.
12. THE INTENTION OF THIS SURVEY IS TO DEPICT THE PROPOSED BEACH HOUSE REPLACEMENT STRUCTURE AND APPURTENANCES.

PROPOSED BEACH HOUSE REPLACEMENT

IMPROVEMENT LOCATION SURVEY

PREPARED FOR
THE TOWN OF NEW FAIRFIELD
DEPICTING A PORTION OF PROPERTY SITUATED AT
180 ROUTE 39
NEW FAIRFIELD, CONNECTICUT
TAX ASSESSOR MAP 14 BLOCK 4 LOT 5 (portion)

SCALE: 1"=20'
AREA: 1.454± Acres
DATE: SEPT. 15, 2023

SCALE: 1"=20'
AREA: 1.454± Acres
DATE: SEPT. 15, 2023
DRAWN BY: Z.S.R./JDF
DRAWING NAME: 23023-ILS-EP
Sydney A. Rapp Land Surveying, P.C.
39 Lindcrest Drive, Danbury, Connecticut 06811
1-B Grand Street, Bethel, Connecticut 06801
email: maps@rapplandsurveying.com - Phone: (203)744-6261

TO MY KNOWLEDGE AND BELIEF
THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON
ZACHARY S. RAPP, PLS. LICENSE NO. 70420
NOT VALID WITHOUT DATE SIGNATURE AND CROSSED SEAL

'IMPORTANT'
LOCATION OF UNDERGROUND UTILITIES DEPICTED HEREON ARE APPROXIMATE. NO WARRANTY NOR GUARANTEE OF LOCATION MADE PRIOR TO ANY CONSTRUCTION OR EXCAVATION CONTACT "CALL BEFORE YOU DIG" 811 or 1(800)922-4455



NEW FAIRFIELD BEACH HOUSE REPLACEMENT

180 RT. 39 TOWN PARK
 CANDLEWOOD LAKE,
 NEW FAIRFIELD, CT
 06812

PLANNING AND
 ZONING SET

EXISTING FLOOR PLANS

DATE:
09/15/23

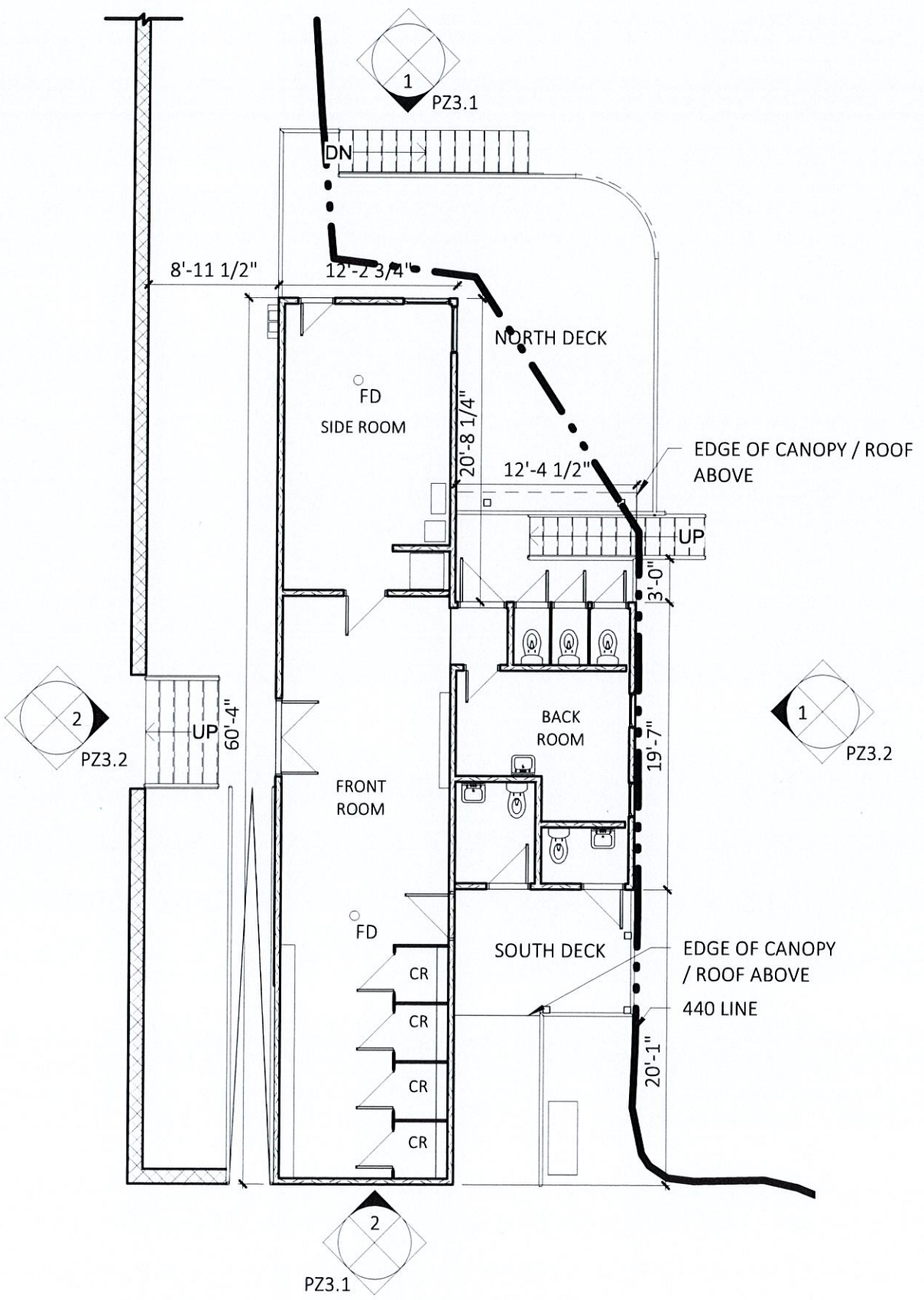
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SHEET NO.

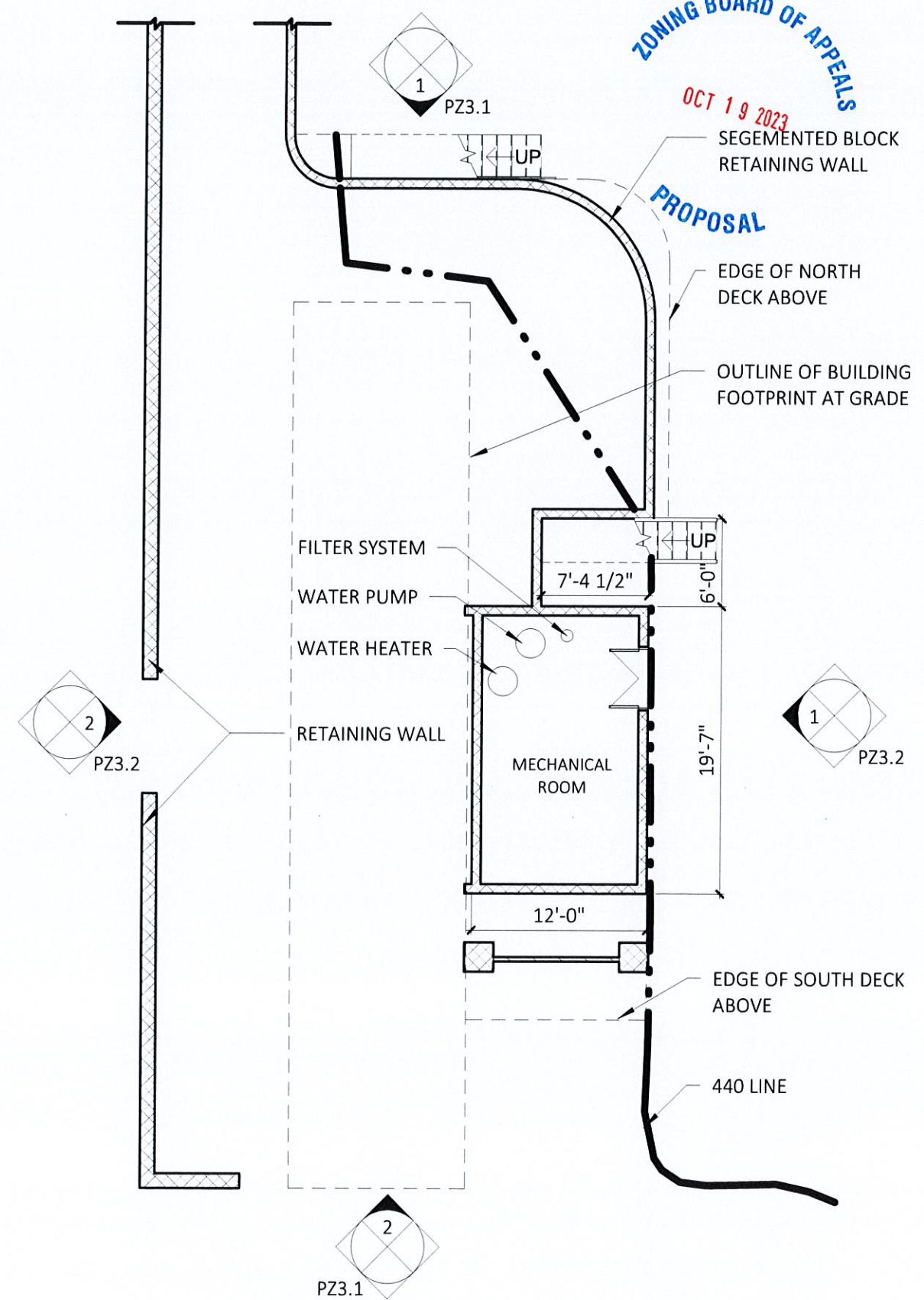
PZ1.1

ZONING BOARD OF APPEALS
 OCT 19 2023

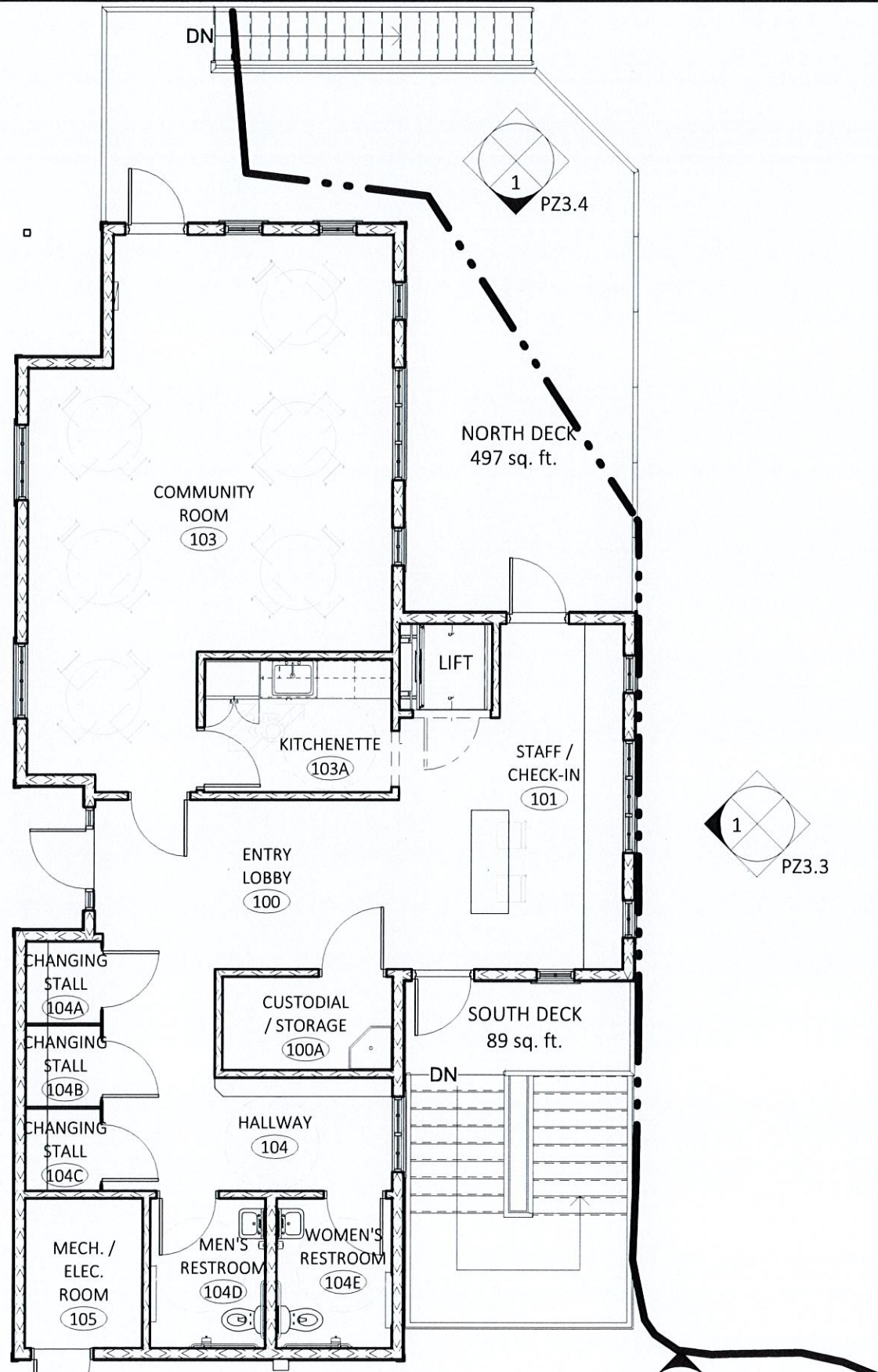
PROPOSAL



2 FIRST FLOOR PLAN
 SCALE: 1" = 10'-0"



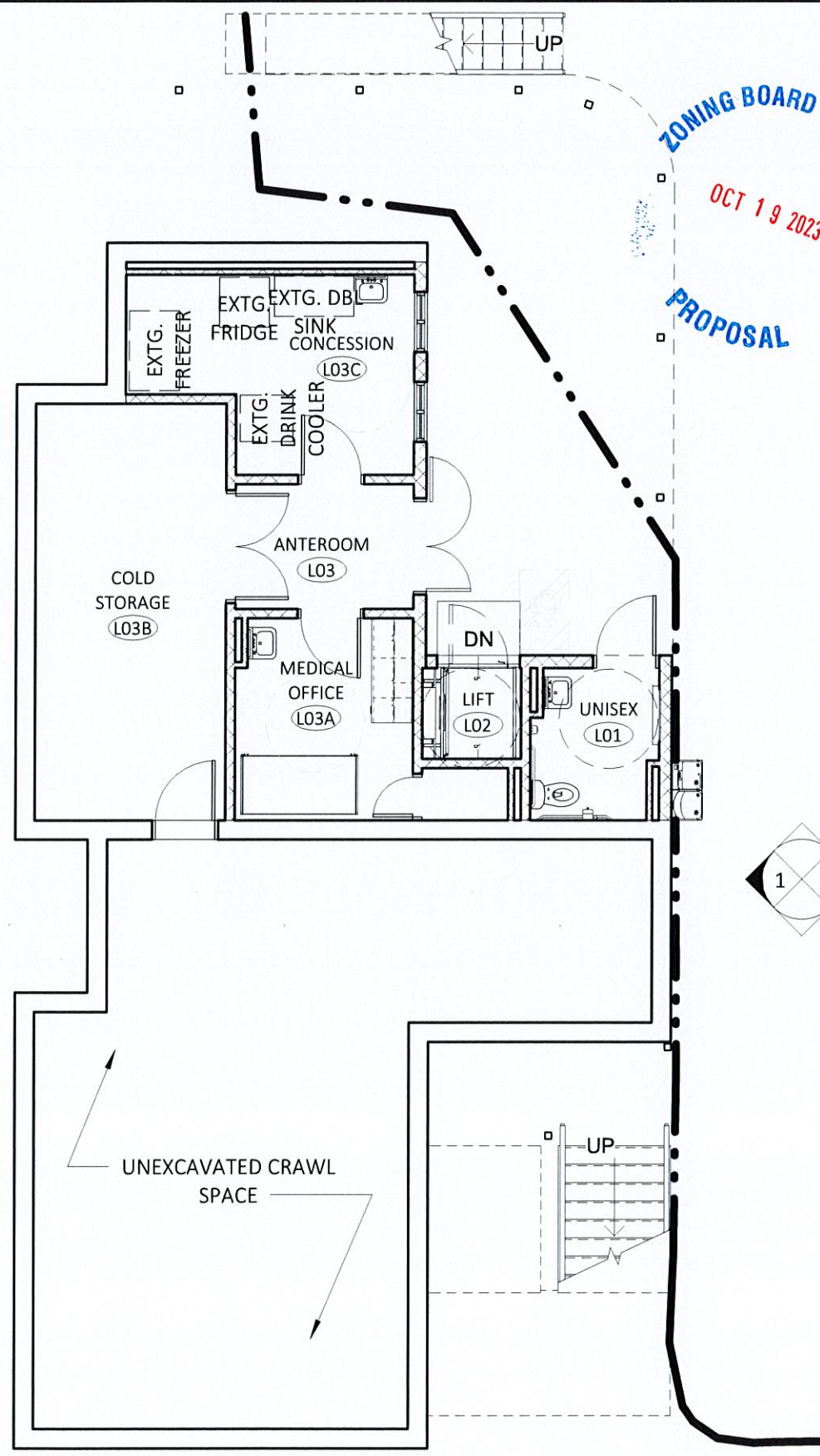
1 LOWER LEVEL FLOOR PLAN
 SCALE: 1" = 10'-0"



FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"

2



LOWER LEVEL FLOOR PLAN

SCALE: 1/8" = 1'-0"

1



NEW FAIRFIELD BEACH HOUSE REPLACEMENT

180 RT. 39 TOWN PARK
CANDLEWOOD LAKE,
NEW FAIRFIELD, CT
06812

PLANNING AND
ZONING SET

PROPOSED FLOOR PLANS

DATE:
09/15/23

REV:

SHEET NO.

PZ1.2



NEW FAIRFIELD BEACH HOUSE REPLACEMENT

180 RT. 39 TOWN PARK
 CANDLEWOOD LAKE,
 NEW FAIRFIELD, CT
 06812

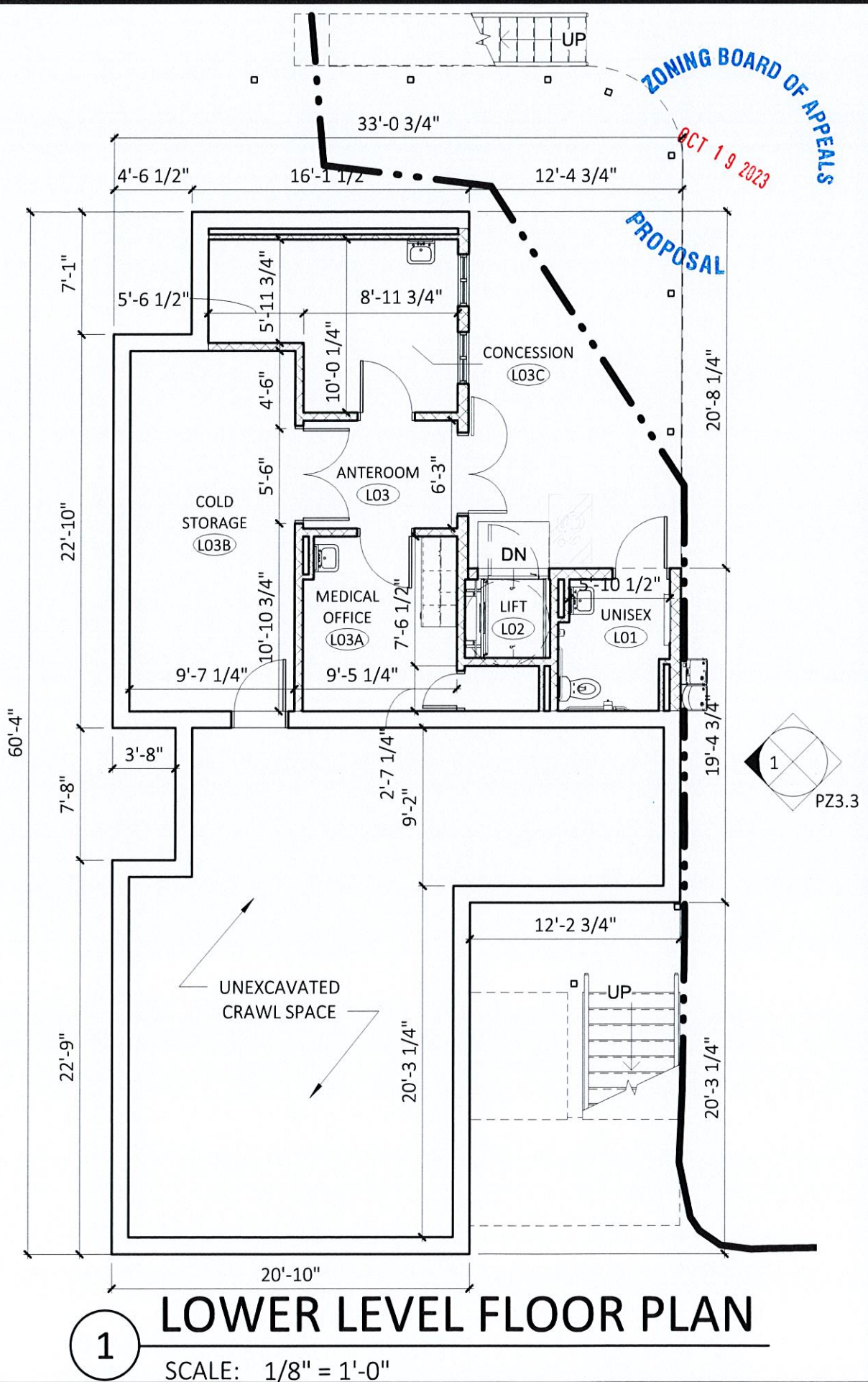
PLANNING AND
 ZONING SET

**PROPOSED
 DIMENSIONAL
 FLOOR PLANS**

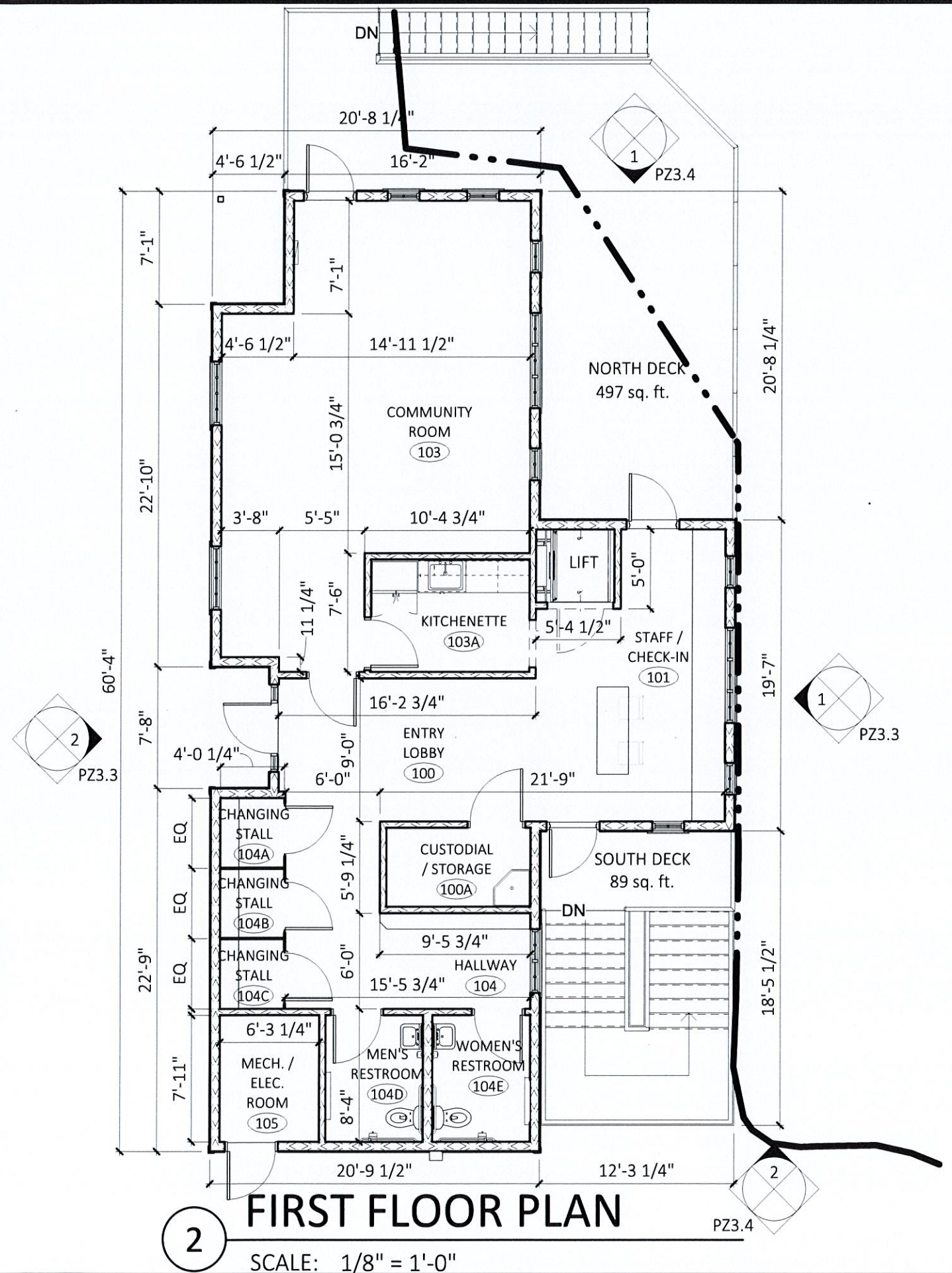
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REV:	

ZONING BOARD OF APPEALS
 OCT 19 2023

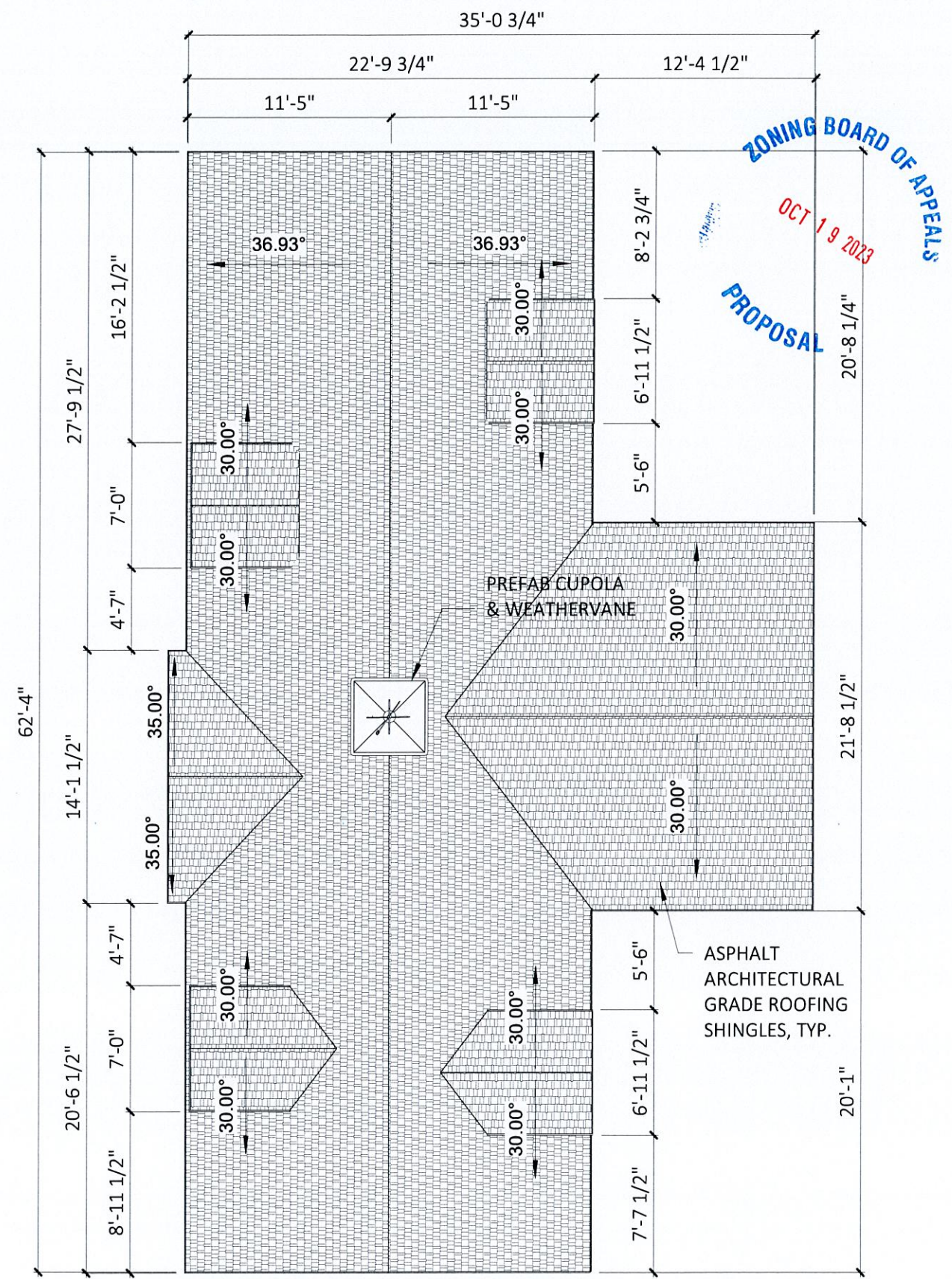
PROPOSAL



1 LOWER LEVEL FLOOR PLAN
 SCALE: 1/8" = 1'-0"



2 FIRST FLOOR PLAN
 SCALE: 1/8" = 1'-0"



ZONING BOARD OF APPEALS

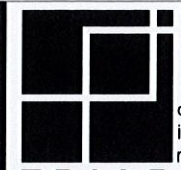
OCT 19 2023

PROPOSAL

1

PROPOSED ROOF PLAN P&Z

SCALE: 1/8" = 1'-0"



FRIAR
 architecture
 interior design
 master planning
 21 Talcott Notch Road
 Farmington, CT 06032
 friar.com
 860.678.1291



NEW FAIRFIELD BEACH HOUSE REPLACEMENT

180 RT. 39 TOWN PARK
 CANDLEWOOD LAKE,
 NEW FAIRFIELD, CT
 06812

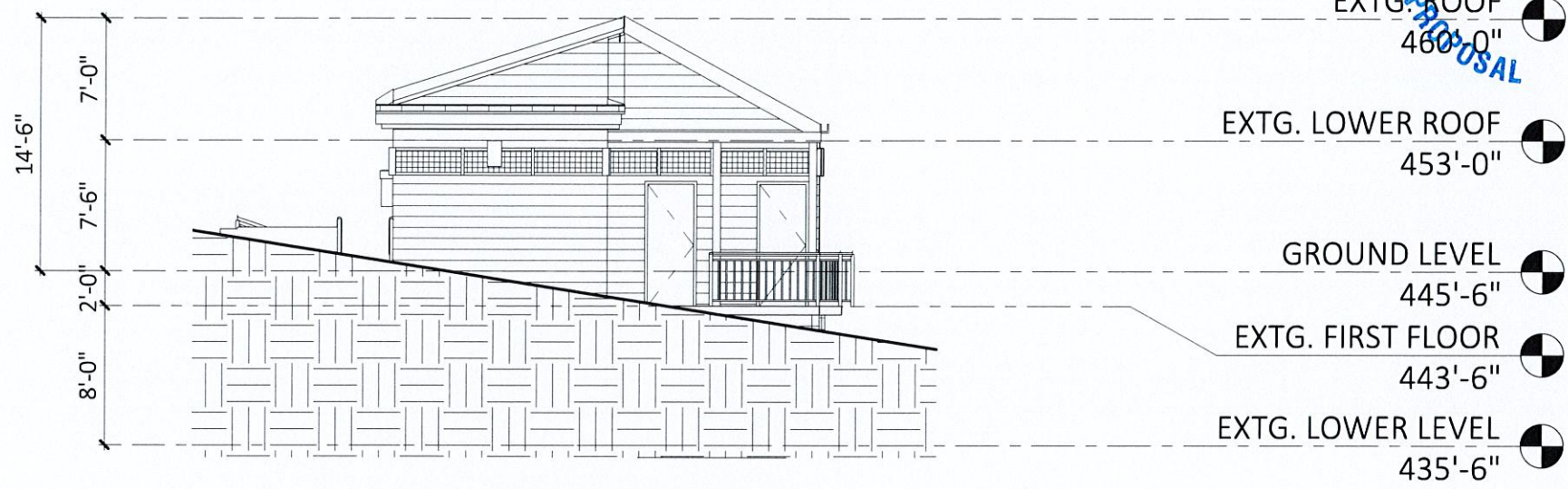
PLANNING AND
 ZONING SET

PROPOSED ROOF PLAN

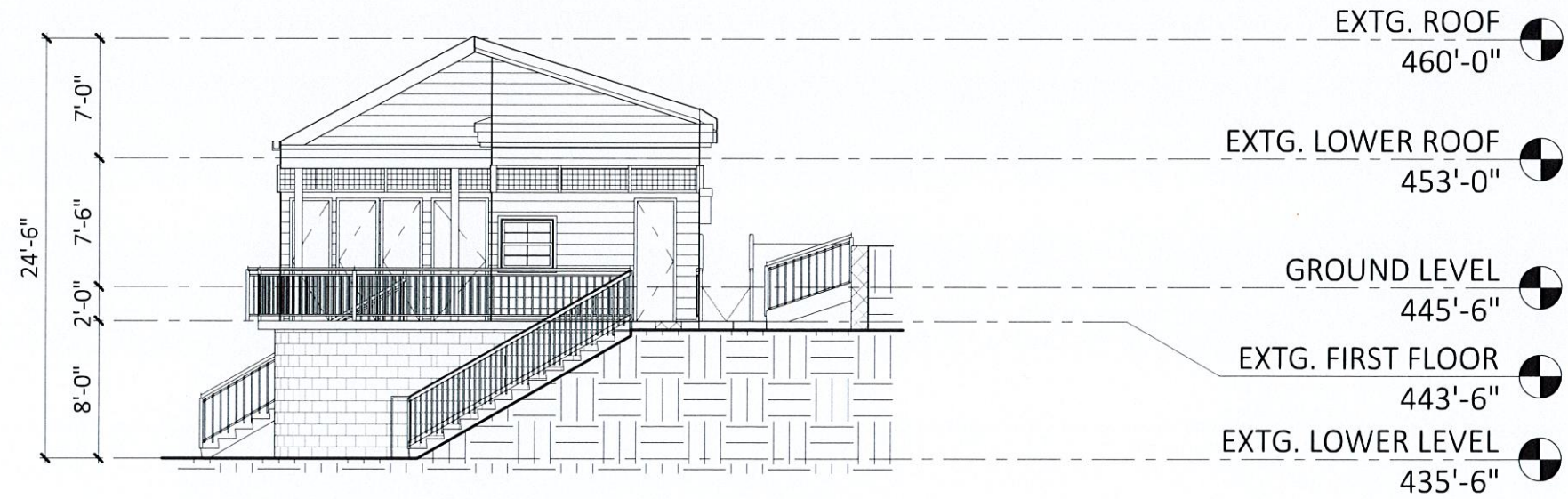
DATE: 09/15/23	SHEET NO. PZ1.4
REV:	

ZONING BOARD OF APPEALS
 OCT 19 2023
 PROPOSAL

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2 SOUTH ELEVATION
 SCALE: 1" = 10'-0"
 TOP OF CUPOLA 472'-1 7/8"



1 NORTH ELEVATION
 SCALE: 1" = 10'-0"

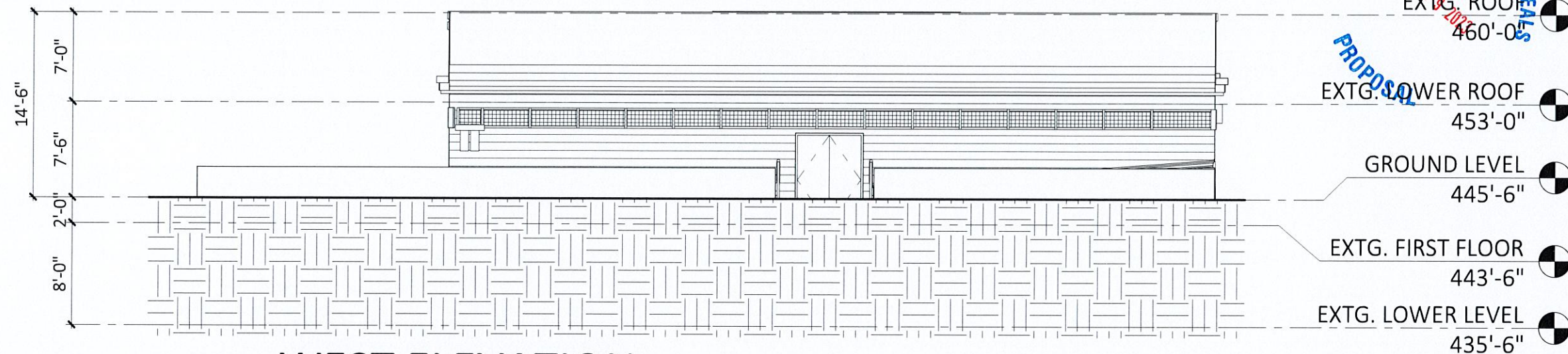


**NEW FAIRFIELD
 BEACH HOUSE
 REPLACEMENT**
 180 RT. 39 TOWN PARK
 CANDLEWOOD LAKE,
 NEW FAIRFIELD, CT
 06812

PLANNING AND
 ZONING SET

**EXISTING
 ELEVATIONS**

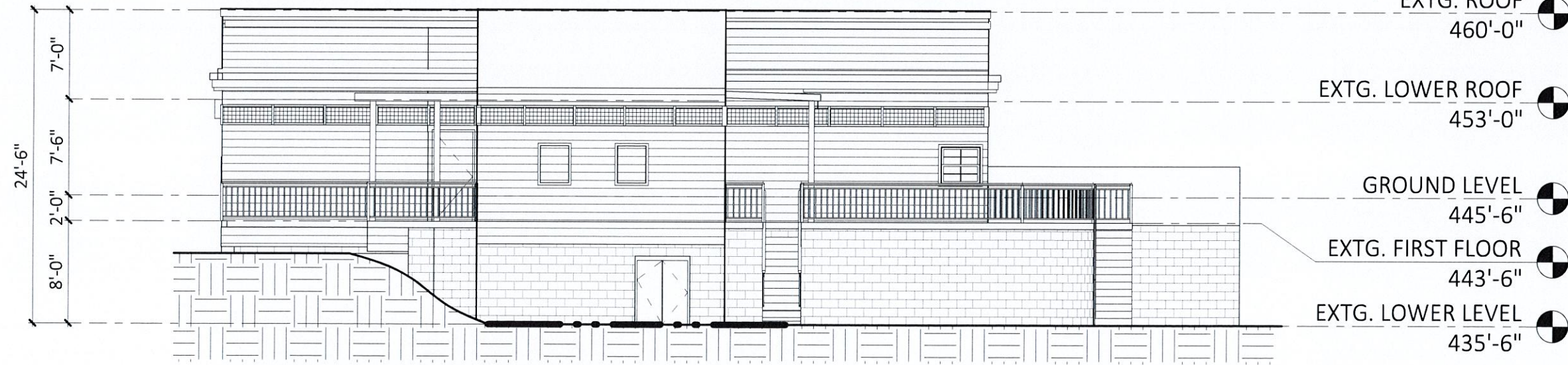
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REV:	



2

WEST ELEVATION

SCALE: 1" = 10'-0"



1

EAST ELEVATION

SCALE: 1" = 10'-0"

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master planning

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Farmington, CT 06032

friar.com
860.678.1291



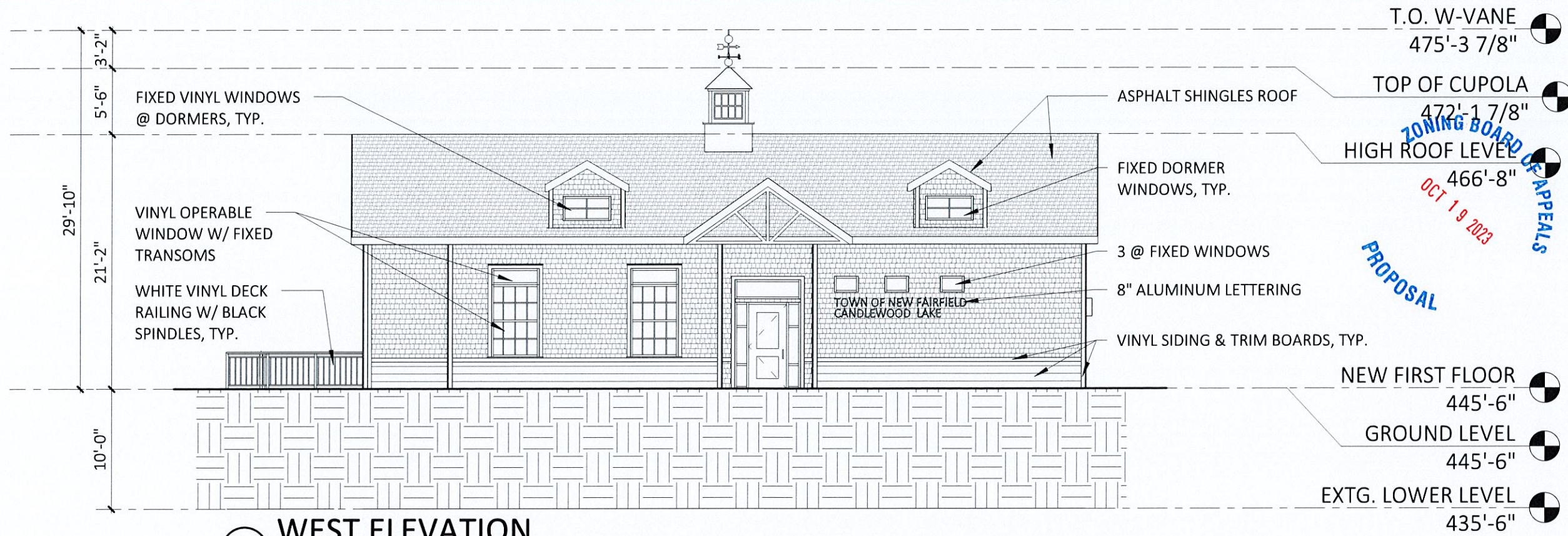
**NEW FAIRFIELD
BEACH HOUSE
REPLACEMENT**

180 RT. 39 TOWN PARK
CANDLEWOOD LAKE,
NEW FAIRFIELD, CT
06812

PLANNING AND
ZONING SET

**EXISTING
ELEVATIONS**

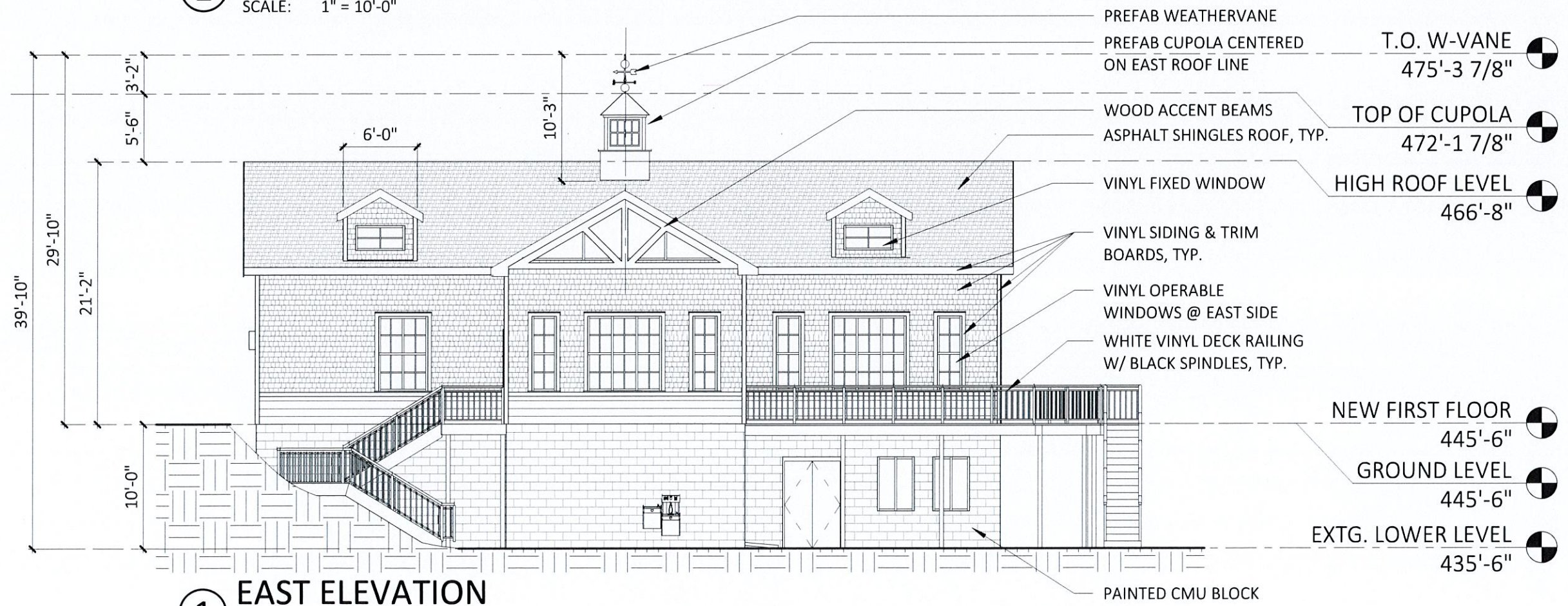
DATE: 09/15/23	SHEET NO. PZ3.2
REV:	



2 WEST ELEVATION
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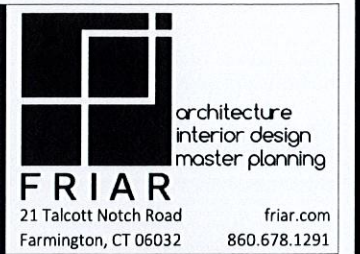
T.O. W-VANE 475'-3 7/8"
 TOP OF CUPOLA 472'-1 7/8"
 HIGH ROOF LEVEL 466'-8"
 NEW FIRST FLOOR 445'-6"
 GROUND LEVEL 445'-6"
 EXTG. LOWER LEVEL 435'-6"

ZONING BOARD OF APPEALS
 OCT 19 2023
 PROPOSAL



1 EAST ELEVATION
SCALE: 1" = 10'-0"

T.O. W-VANE 475'-3 7/8"
 TOP OF CUPOLA 472'-1 7/8"
 HIGH ROOF LEVEL 466'-8"
 NEW FIRST FLOOR 445'-6"
 GROUND LEVEL 445'-6"
 EXTG. LOWER LEVEL 435'-6"

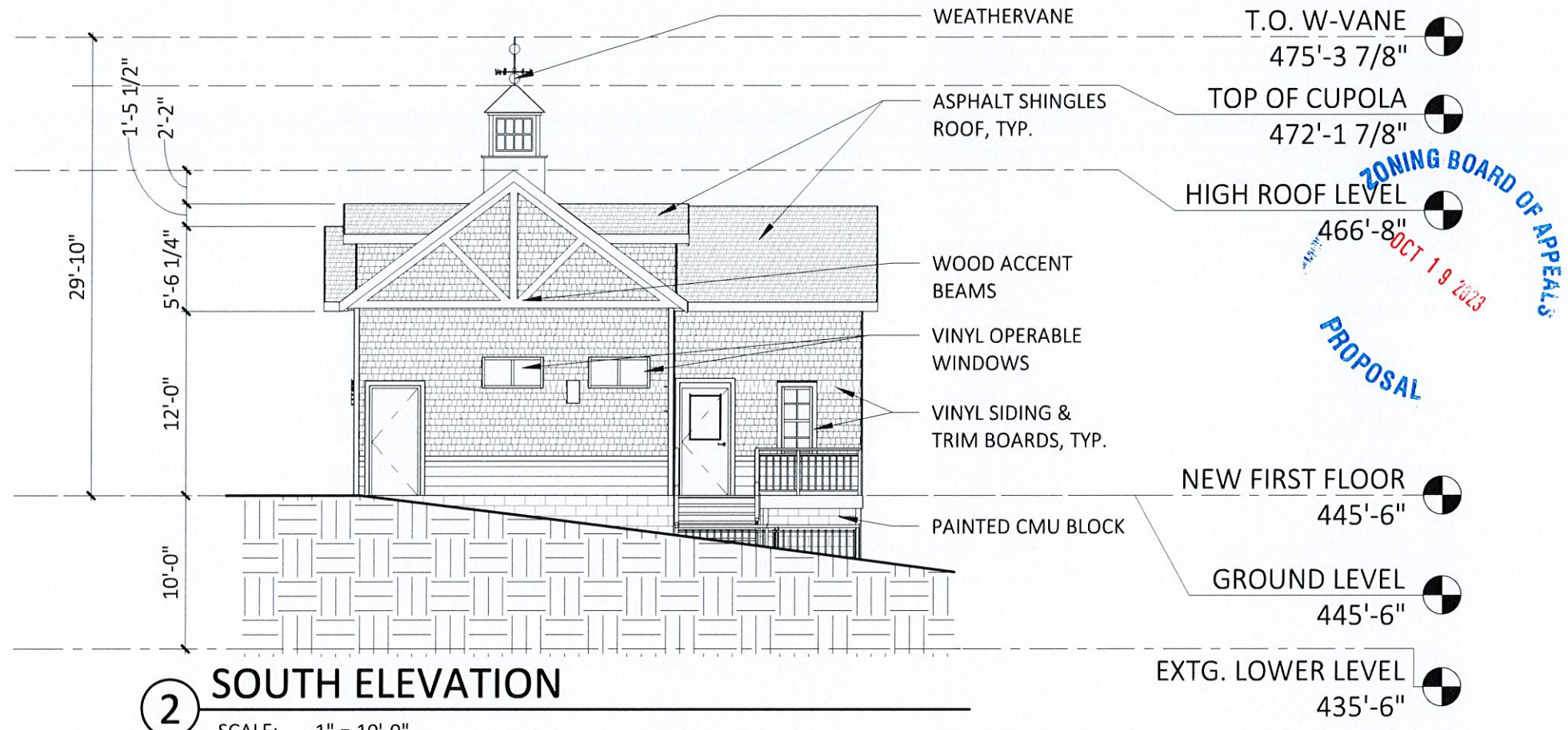


NEW FAIRFIELD BEACH HOUSE REPLACEMENT
 180 RT. 39 TOWN PARK
 CANDLEWOOD LAKE,
 NEW FAIRFIELD, CT
 06812

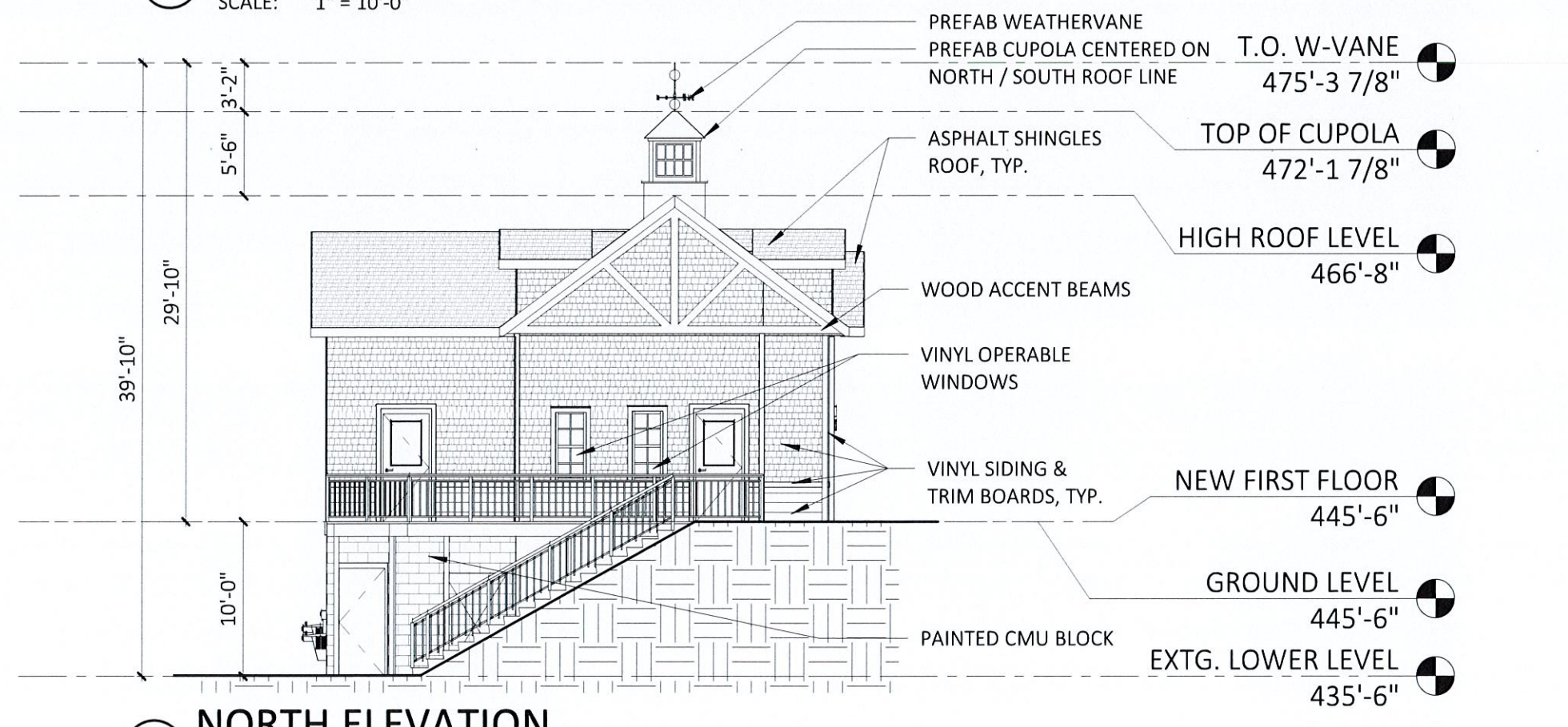
PLANNING AND ZONING SET

PROPOSED ELEVATIONS

DATE: 09/15/23	SHEET NO. PZ3.3
REV:	



2 SOUTH ELEVATION
SCALE: 1" = 10'-0"



1 NORTH ELEVATION
SCALE: 1" = 10'-0"

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interior design
master planning

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PLANNING AND
ZONING SET

**PROPOSED
ELEVATIONS**

DATE: 09/15/23	SHEET NO. PZ3.4
REV:	



**NEW FAIRFIELD
BEACH HOUSE
REPLACEMENT**

180 RT. 39 TOWN PARK
CANDLEWOOD LAKE,
NEW FAIRFIELD, CT
06812

PLANNING AND
ZONING SET

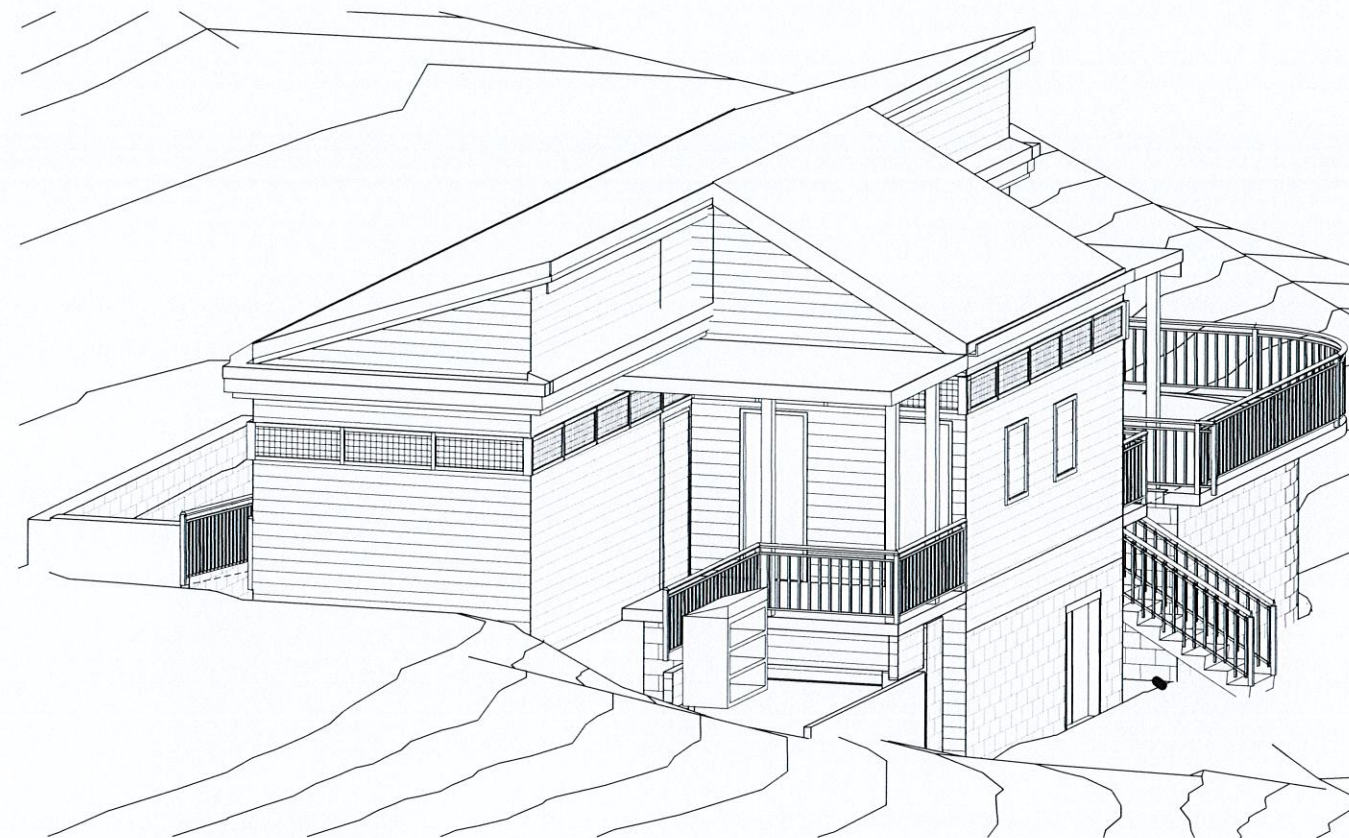
**EXISTING 3D
VIEWS**

DATE:
09/15/23

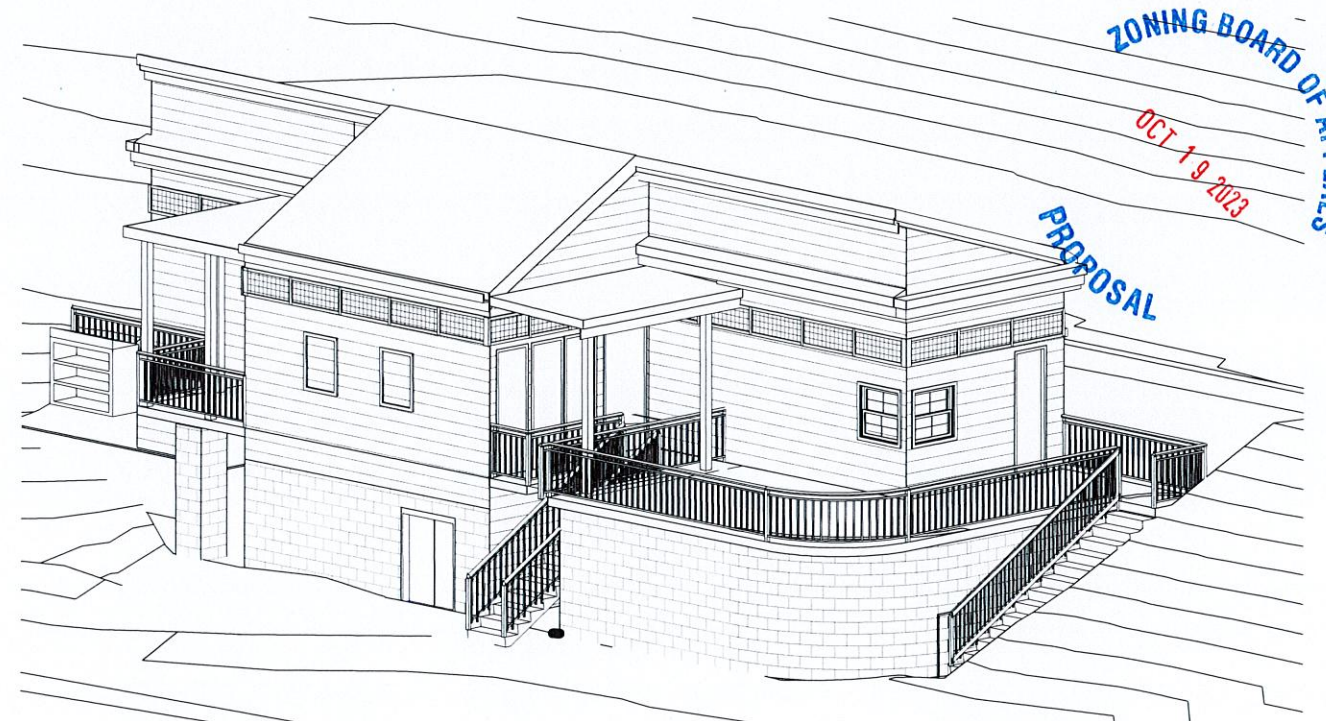
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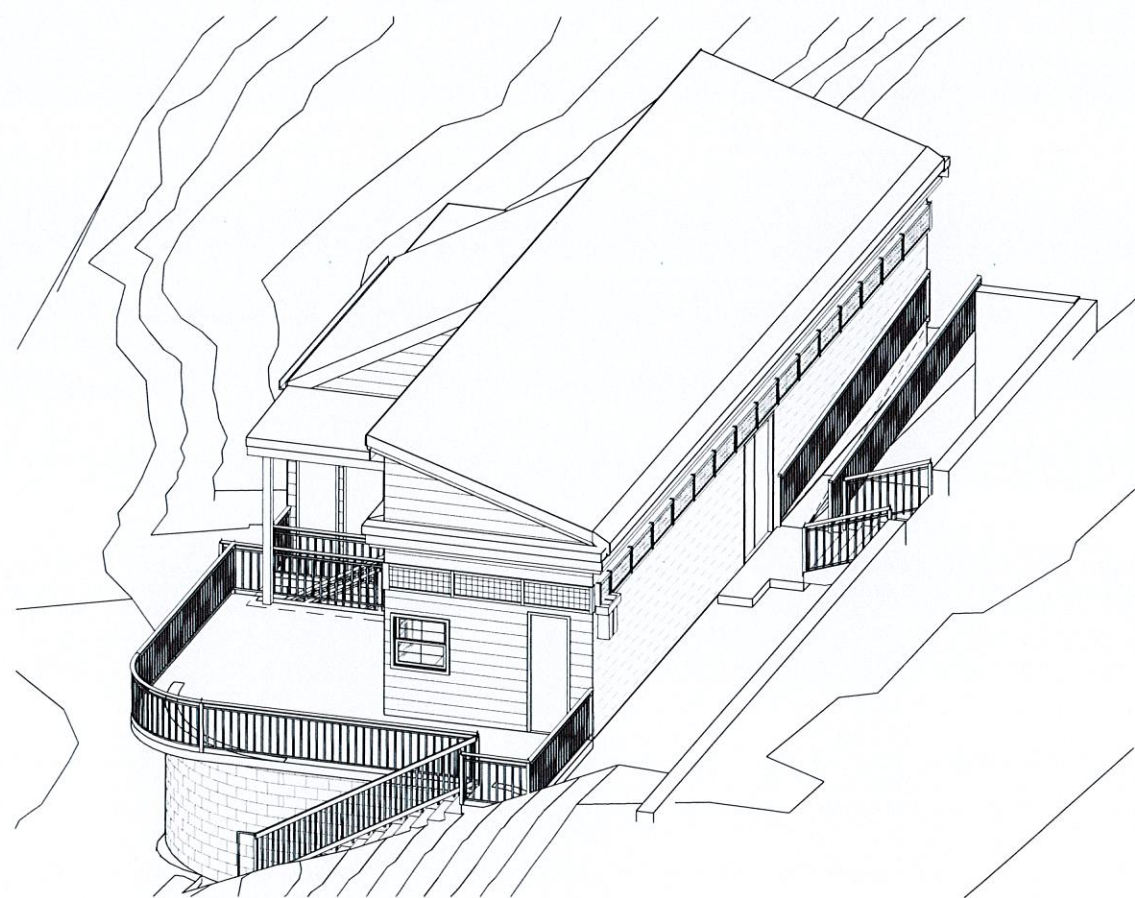
PZ3.5



3 3D VIEW
SCALE: NTS



1 3D VIEW
SCALE: NTS



2 3D VIEW
SCALE: NTS



**NEW FAIRFIELD
BEACH HOUSE
REPLACEMENT**

180 RT. 39 TOWN PARK
CANDLEWOOD LAKE,
NEW FAIRFIELD, CT
06812

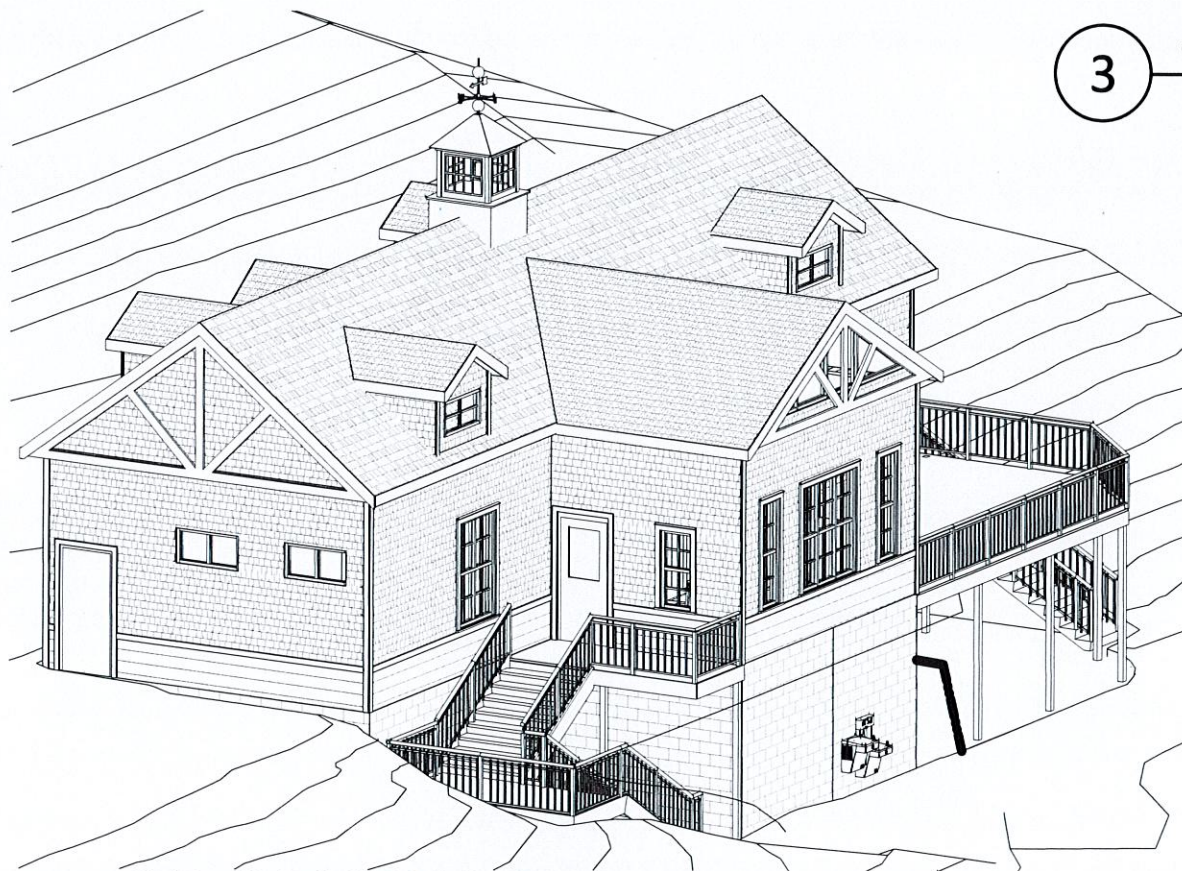
PLANNING AND
ZONING SET

**PROPOSED 3D
VIEWS**

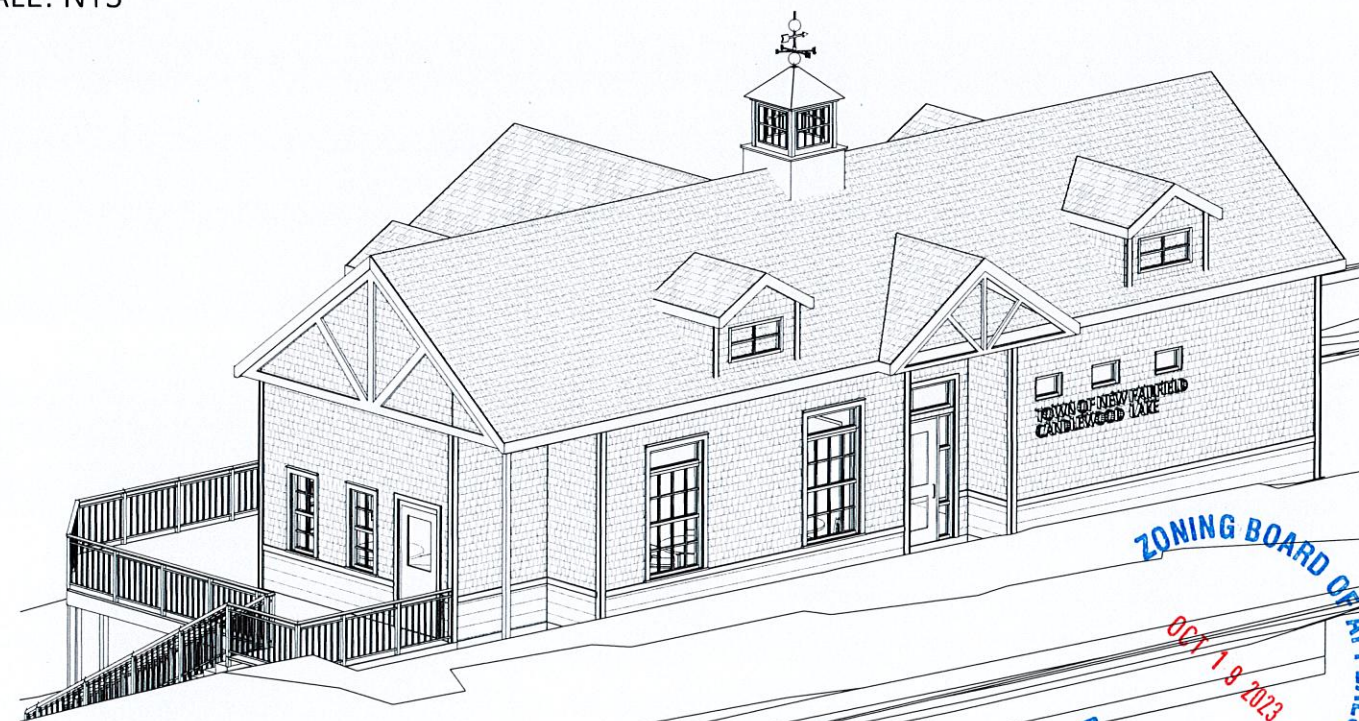
DATE: 09/15/23	SHEET NO. PZ3.6
REV:	



3 3D WEST VIEW
SCALE: NTS



2 3D SOUTH VIEW
SCALE: NTS



1 3D VIEW
SCALE: NTS