



The Planning Commission
Town of New Fairfield
New Fairfield, Connecticut 06812

Regular Meeting Minutes

May 20, 2024 @ 7:30 pm
Community Room @ 33 Route 37
New Fairfield Conference Room
New Fairfield CT

Commissioners: Ms. Cynthia Ross-Zweig, Chair (absent)
Mr. Cory Neumann, Vice Chair/Secretary
Mr. Ernie Lehman
Mr. Gary Reetz
Mr. Keith Landa

Alternates: Ms. Christina McCartney
Mr. Michael Oliva
Mr. Dylan White (absent)

Guests: Anita Brown, Khris Hall, Antonio Iadarola, Evan White, and one member of the public

Call to Order: 7:30 pm
Pledge of Allegiance

Ernie Lehman elevated Christina McCartney to a voting member. Seconded by Cory Neumann. **All in Favor (5-0-0). Motion passed.**

Approve Minutes

Christina McCartney made a motion to approve the March 25, 2024 Regular Meeting minutes as presented. Gary Reetz seconded the motion. **All in Favor. Motion passed.**

Correspondence/ Announcements

Budget – tabled until next meeting

Public Comment

none

New Business

8-24 Referral – adding goats to Zoning Regulations to allow animals on residential property

Evan White stated that horses, dogs, small birds (not including roosters), and cats are currently allowed. The letter from the applicant will be shared with the board member for viewing prior to the next meeting (see enclosure). Gary Reetz suggested that this be tabled until the next meeting due to the applicant not being present and the commission not receiving the information prior to the meeting.

Gary Reetz made a motion to table the 8-24 Referral for adding goats to Zoning Regulations to allow animals on residential property until the next meeting. Keith Landa seconded the motion. All in Favor. Motion Passed.

8-24 Referral – affordable housing

Evan White stated that the petition is on behalf of a client of Neil Marcus. Evan White read a letter/statement (see enclosure). The petition is to request for a change in the lot size. Due to the applicant not being present and the commission not receiving the information prior to the meeting this will be tabled until the next meeting.

Keith Landa made a motion to table the 8-24 Referral for affordable housing until the next meeting. Seconded by Gary Reetz. All in Favor. Motion Passed.

8-24 Referral -- for the purchase, gifting, and securing of private land and easements to/for the Town of New Fairfield

Antonio Iadarola submitted a letter from the Selectman (see enclosure). The parcel in question is at 26 Merlin Avenue which is a 0.1-acre lot in size. The lot is currently assessed at \$2,700. The taxes for this lot last year were \$94. The site is directly across the street from a previous 8-24 referral for a drainage project. The lot will help improve and maintain the drainage system/project. The parcel is unbuildable due to the size and the brook running thru the middle of it.

Ernie Lehman made a motion to recommend a positive 8-24 referral for the purchase, gifting, and security of private land and easements to/for the Town of New Fairfield for the lot at 26 Merlin Avenue. Seconded by Gary Reetz. All in Favor. Motion Passed.

Antonio Iadarola stated that the August 28, 2023 meeting minutes had an incorrect address. The address needs to be corrected from 5 Ore Hill to 15 Ore Hill.

Ernie Lehman made a motion to amend the meeting minutes for August 28, 2023 and correct the address on the 8-24 Referral from 5 Ore Hill to 15 Ore Hill. Seconded by Christina McCartney. All in Favor. Motion Passed.

Old Business

Discussion on the POCD

Keith Landa stated that the Table of Contents has a great framework and organization. Ernie Lehman stated a need to be more concise. Glenn Chalder stated the smallest a chapter could be is four pages and that he is open to suggestions on making the Draft POCD more concise. The four main strategies came directly from feedback from the town survey. The map sizes can be reduced. Gary Reetz stated that rather than forming four new committees these could be adjunct to current committees. The committees or sub-committees would need to report regularly to the Planning Commission.

Section 1 - Glenn Chalder will get the data/background to share with the board regarding owner occupancy, monthly rental figures, and summer rentals on the lake. A discussion was held on how to draw more businesses, patrons, and activity to New Fairfield on a year-round basis. Glenn Chalder stated that some factors that exist in village type settings that are attractive are street level activities. Glenn Chalder suggested increasing the floor area of the town with more business to include activity on the streets/sidewalks. This will take time, a vision, and that New Fairfield has some topographic challenges that will need to be overcome. A study will need to be done to explore this idea further and set the stage for future changes. Ernie Lehman stated that the data from the surveys on pages 8-9 that the writing is impressive and includes a lot of information for anyone reading it.

Section 2 – Glenn Chalder stated that this area is a transition into the organization of the plan. Gary Reetz stated a caution of using DEI wordage due to it not promoting diversity. He encouraged the use of different language/wording. Glenn Chalder asked for suggestions on different wording. Gary Reetz stated that a plan like this is to bring a town together with a shared vision. Keith Landa agreed with the statement by Gary Reetz. Glenn Chalder will take a look at the wording and incorporate the concepts in the livability section. Gary Reetz mentioned an interconnected walking path that connect with other towns. He suggested bringing all the land trusts to a meeting in one room to discuss how the land trusts and towns can work together on forming an interconnected walking trail.

Section 3 (up to page 25) – Glenn Chalder stated that the challenge is that there is more desire than there are resources, thus the needs will need to be prioritized. The prioritized list could become the basis for town capital planning. This would be a more measured program. Keith Landa stated that the middle of the prioritization process should take into account items such as a community center and that the PBC should not be the only input on these types of items. Glenn Chalder stated that the capital planning will need to have flexibility to adjust to current unforeseen items. Glenn Chalder stated that the capital plan would have to be a working document. The document is a first step in making the public aware of projects. Ernie Lehman stated that this section is strong section with minimal changes needing to be made. Gary Reetz stated that the approach makes sense.

Glenn Chalder went over the projected timeline with the plans for a public information meeting in September and adoption in November.

Standing Items

Subdivision Log - none

FOIA

3113766 – An inquiry on self-storage facilities that have been on the agenda in the last two years. A response was sent stating that self-storage facilities have not been on the Planning Commission agenda in the last two years.

3098723 – An inquiry regarding a project in Manchester CT. A response was sent stating that the inquiry was in regards to Manchester, CT and that the email was sent to the wrong town.

49 & 50 Ball Pond East – An inquiry was received regarding any/all copies of the subdivision approvals and/or any documents relating to the original subdivision. A response was sent for clarification on address/subdivision and requested the date of the minutes for the subdivision approval. The applicant was given the information on how to access past meeting minutes as well as the files in the Land Use section of the town website. Dana Ulibarri, clerk, looked thru the files and could not find any additional files that are not available online.

Adjournment

Gary Reetz made a motion to adjourn the meeting at 9:06 pm. Christina McCartney seconded the motion. **All in favor. Motion Passes.**

Respectfully submitted
Dana Ulibarri, clerk

Enclosures

8-24 Referral – adding goats to Zoning Regulations to allow animals on residential property

8-24 Referral – affordable housing

8-24 Referral -- for the purchase, gifting, and securing of private land and easements to/for the Town of New Fairfield

FOIA 3113766

FOIA 3098723

FOIA 49 & 50 Ball Pond East

Received by email on 05/21/2024 @ 10:11 a.m.
by Chrystie M. Bontempo, Asst. Town Clerk, New Fairfield



THE TOWN OF NEW FAIRFIELD

First Selectman
4 Brush Hill Road, New Fairfield, CT 06812
PH: 203-312-5600 FAX: 203-312-5612
www.newfairfield.org

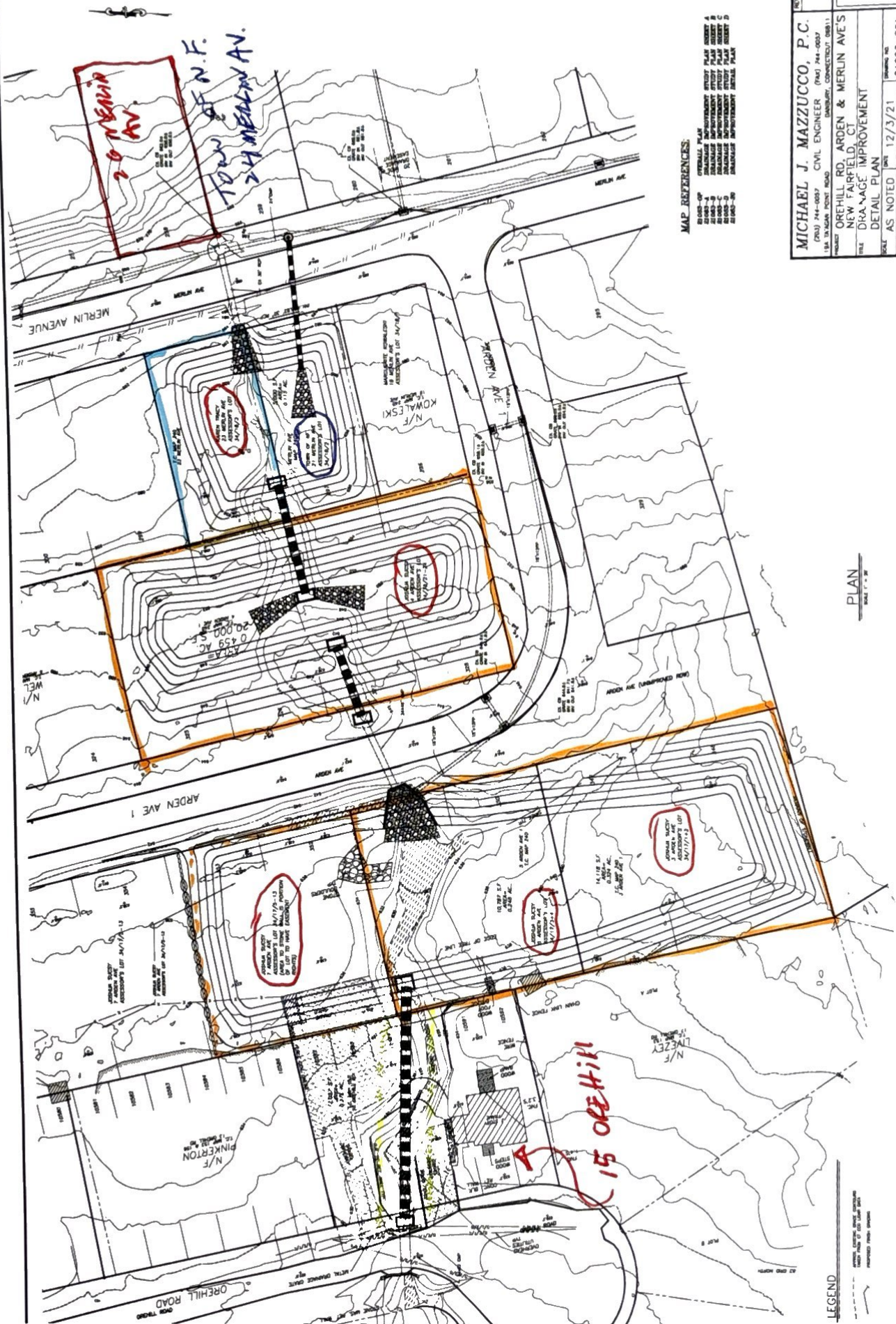
May 20, 2024

To Whom it May Concern,

Antonio Iadarola, P.E., acting in his capacity as Town Engineer, has the authority to act on behalf of the Town of New Fairfield as its Agent, at the Planning Commission meeting to be held on Monday, May 20, 2024.

Respectfully submitted,

Melissa Lindsey
First Selectman



MAP REFERENCES:
 BOARD-UP
 BOARD-1
 BOARD-2
 BOARD-3
 BOARD-4
 BOARD-5
 BOARD-6
 BOARD-7
 BOARD-8
 BOARD-9

MICHAEL J. MAZZUCCO, P.C.
 (TEL) 744-0037 CIVIL ENGINEER (FAX) 744-0037
 118 W. TRUMAN POINT ROAD DANBURY, CONNECTICUT 06811
 PROJECT ORCHILL RD, ARDEN & MERLIN AVE'S
 NEW FAIRFIELD, CT
 TITLE DRAINAGE IMPROVEMENT
 DETAIL PLAN
 DATE AS NOTED DATE 12/3/21 DRAWING NO. 21063-20A
 CHECKED BY ACAD APPROVED BY M.M.

PLAN
 SCALE 1" = 30'

LEGEND

--- OPEN DRAINAGE
 --- EXISTING DRAINAGE
 --- PROPOSED DRAINAGE
 --- EXISTING PROPERTY LINE
 --- PROPOSED PROPERTY LINE



26 Merlin Av. Gifted Parcel

5/20/2024 1:44:08 PM

Scale: 1"=50'

Scale is approximate

The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.



Tighe & Bond



NEIL R. MARCUS
Please Reply To Danbury
E-mail: nmarcus@cohenandwolf.com

March 26, 2024

Via Hand Delivery

John T. Moran, Chairman
New Fairfield Zoning Board of Appeals
4 Brush Hill Road
New Fairfield, CT 06812

Re: Petition for Zoning Text Amendments

Dear Chairman Moran:

I am enclosing herewith a Petition to Amend the Zoning Regulation of the Town of New Fairfield in accordance with our informal discussions concerning the October House property. These minor revisions will allow the creation of affordable senior housing at a location which is better suited for much needed multiple family use in the Town of New Fairfield. We will submit concept drawings to demonstrate this prior to the Public Hearing.

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

Yours Truly,

Neil R. Marcus

NRM:pld
Enclosure
cc: Christian DaCunha

AMENDMENT TO ZONING REGULATIONS

Amendment to Sections 3.5.5.B., 3.5.5.C.1., 3.5.5.I., & 3.5.5.M., and 3.5.8.A. of The Zoning Regulations of the Town of New Fairfield as follows:

3.5.5. Development Standards and Control

B. Maximum Density

Not more than TWELVE (12) [six (6)] bedrooms per gross acre of land.

C. Minimum Lot Area and Frontage

1. The minimum Lot Area shall be FOUR (4) [five (5)] acres.

I. Dwelling Unit Breakdown

No less than TWENTY-FIVE (25) [thirty (30)] percent of the total number of dwelling units shall contain either two (2) bedrooms each or one bedroom with finished loft. For the purposes of calculating the dwelling unit breakdown as well as the minimum, the maximum density and the minimum outdoor recreation area, a "studio" or "efficiency" unit shall be construed as a one-bedroom dwelling without a loft, and a one-bedroom unit with a finished loft shall be considered as a two-bedroom dwelling.

M. Maximum Size of Building

Not more than EIGHT (8) [six (6)] dwelling units, regardless of the number of bedrooms in each dwelling, shall be contained within the enclosing walls of a building but this shall not prevent the use of a garage or carport from connecting two (2) buildings. In no event, however, shall the overall horizontal length of a building, excluding connecting garages or carports, be larger than seventy-five (75) feet without a horizontal off-set of at least three (3) feet.

3.5.8. Affordable Housing

A. "Affordable Housing" must be "Assisted Housing" as that term is used in § 8-30g of the General Statutes as amended or alternatively the applicant shall set aside twenty-five (25) percent (INCLUSIVE OF ASSISTED HOUSING) of the total number of dwelling units within the complex which for a period of forty (40) years shall be sold or rented at prices for persons and families with income levels of seventy five (75) percent of the area median income as established by the United States Department of Housing and Urban Development for the area containing the Town of New Fairfield. The affordable housing units shall be conveyed by deeds that contain covenants or restrictions that shall incorporate the qualifications set forth herein and which shall be filed in the Office of the New Fairfield Town Clerk. Other than changing the percentage of dwelling units which must qualify as "Affordable Housing" and the choice of area median income and the percentage of such area median income which will qualify for this Section, all other methods set forth in Section 8-30g for determining the sale price or rental price of any such unit shall be applied as set forth in said statute as amended from time to time and the requirements of Section 3.5.8 B shall apply; or,

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**ZONING COMMISSION
TOWN OF NEW FAIRFIELD
PETITION**

We the undersigned, PETITION THE TOWN OF NEW FARFIELD ZONING COMMISSION pursuant to Sec. 8.9 of the Zoning Regulations for the following:

AMEND REPEAL CHANGE The Zoning boundaries as follows:

This petition is made for the following reason(s): To allow the creation of affordable senior housing at a location which is better suited for much needed multiple family use in the Town of New Fairfield

<u>Signature</u>	<u>Address</u>	<u>Within</u>	<u>AMOUNT OF ACREAGE OWNED</u>	
			<u>Within 500'</u>	<u>Beyond 500'</u>
Neil R. Marcus	158 Deer Hill Avenue Danbury, CT 06810	<u>Affected</u> <u>Area</u>	<u>of Area</u>	<u>of Affected</u> <u>Area</u>

Dated at New Fairfield, CT, This the 4th day of April 2024.



Signature Applicant / Agent

158 Deer Hill Avenue, Danbury, CT 06810

Address



Signature of Owner

11 Osborn Road, Sherman, CT 06784

Address

Proposed New Fairfield, CT Zoning Amendment:

- The keeping of one goat is permitted on a lot of 32,670 square feet or greater. One additional goat may be kept for each 20,000 square feet by which the lot exceeds 32,670 square feet, up to a maximum of 4 goats. Adequate fencing must be installed and maintained. Any building associated with the keeping or stabling of horses or livestock must be located at least 50' to any property line.

Reason for the Amendment:

I am very excited to begin the petition for the change in zoning regulations to allow for ownership of goats in our beautiful town. I have always had a sense of pride from being born and raised in the quaint town of New Fairfield, attending all levels of early education here and going on to purchase my first home here in town as well. I am excited for my growing future and find significant importance in small farm initiatives and the freedom to utilize our land for sustainable, educational, and social benefits. My husband and I have thoroughly enjoyed being chicken owners and have always dreamed of adding to our little livestock family with the addition of 2-3 Pygmy goats. To our surprise, when we began doing our research to make sure everything was properly executed, we found no existing zoning language supporting goat ownership in New Fairfield despite most of our surrounding towns and communities having that in place. Through our research we found that our neighboring towns including Bethel, Brookfield, Newtown, New Milford, Ridgefield, Pawling, Patterson, and Brewster all have existing regulations to allow for the ownership of goats with the parameters being different for each town. We are proposing that the following language be added to the New Fairfield town zoning regulations: "The keeping of one goat is permitted on a lot of 32,670 square feet or greater. One additional goat may be kept for each 20,000 square feet by which the lot exceeds 32,670 square feet, up to a maximum of 4 goats. Adequate fencing must be installed and maintained. Any building associated with the keeping or stabling of horses or livestock must be located at least 50' to any property line".

My hope for this amendment to our zoning regulations is the opportunity to experience the joy, responsibility, and pride that comes along with hobby farming for myself and my fellow New Fairfield residents while also contributing value to our great small town.

Town Zoning Regulations for Neighboring Towns regarding Goats:

- Bethel, Connecticut: for parcels containing at least three (3) acres, one goat or similar small animal for the first 20,000 square feet of parcel area and one additional goat or similar small animal for each additional 10,000 square feet of parcel area.
- Brookfield, Connecticut: Non-commercial livestock and poultry may be kept in residential zones. Hoofed Animals for personal use and enjoyment provided that: for

horses, ponies, mules, donkeys and cattle, the property lot shall contain two acres of land for the first such animal and an additional one acre of land for each additional animal. For llamas, alpacas, sheep, goats, swine or similar animals, the lot shall contain two acres of land for the first such animal and an additional 20,000 square feet of land for each additional animal. **Poultry** - the keeping of poultry for personal use provided that the lot shall contain at least one acre for the first 12 fowl, and there shall be no more than six fowl per every additional 20,000 square feet. The keeping of one or more roosters requires a minimum of three acres. The keeping of poultry on lots of less than one acre may be permitted by Zoning Permit - please refer to the Zoning Regulations Article 3.8C.

- Newtown, Connecticut: Farming- Essential activities on a farm including horticulture, crop raising, and the management of livestock but excluding operating a kennel or the raising of pelt bearing animals or wildlife.
(Added effective 11/25/23) (Amended 02/01/24).
- New Milford, Connecticut: The keeping or stabling of horses and livestock is permitted subject to the following limitations and conditions:
A minimum of three-fourths (3/4) of an acre of land is available for the first unit and one-half (1/2) an acre of land is available for each additional unit. A unit shall be defined as the following: Five (5) goats or sheep.
No limitation with respect to the number of units is imposed on parcels of land containing five (5) acres or more. Adequate fencing must be installed and maintained. Any building associated with the keeping or stabling of horses or livestock must be located at least 50' to any property line.
- Pawling, New York: The minimum lot size shall be one grazing acre for each four sheep, goats, pigs or other similar sized animals which are kept, grazed, fed and cared for on the property;
- Patterson, New York: FARM, HOBBY - A parcel or lot, containing at least five (5) acres on which activities, typically associated with agriculture or farm operations including the raising of farm animals, are conducted for the enjoyment of the property owner and/or where no profit can be shown in any three out of five successive years. It excludes the raising of swine, fur-bearing animals, riding academies, equestrian centers, livery or boarding stables and dog kennels.
- Brewster, New York: The keeping of one pig, goat, sheep, llama, alpaca or similarly sized animal is permitted on a lot of 40,000 square feet or greater. One additional pig, goat, sheep, llama, alpaca, or similar-sized animal may be kept for each 20,000 square feet by which the lot exceeds 40,000 square feet, up to a maximum of 15 pigs, goats, sheeps, llamas, alpacas or similar-sized animals.
- Ridgefield, Connecticut:

Purpose.

The purpose of this article is to:

A.

Regulate the management of hooved animals and their waste on properties of 1.5 acres or less.

B.

Protect, preserve and promote the health, safety, welfare and quality of life of Ridgefield residents.

§ 120-13

Definitions.

As used in this article, the following terms shall have the meanings indicated:

LIVESTOCK

Any hooved animal, such as cattle, bison, swine, goats, sheep, llamas, camels, horses, ponies, donkeys, mules and other hooved animals. When used in the singular, the term in this article shall be referred to as "livestock."

USABLE

The accessible portion of a property that will be used solely for the keeping of hooved animals and that contains no steep slopes or significant rock outcroppings.

§ 120-14

Minimum lot size.

A.

A minimum of 1/2 acre of usable lot area shall be required.

B.

There shall be no more than one hooved animal per 1/2 acre of usable land.

§ 120-15

Enclosures.

A.

All buildings and structures used for housing hooved animals shall require zoning and building permits.

B.

A run-in shed or enclosed building shall be provided that is sized to simultaneously accommodate all hooved animals on the property. (For horses, a 10 foot by 10 foot enclosed area per horse is required.)

C.

Fencing shall be installed and maintained to safely contain the hooved animals within the property. Such fencing must be set back five feet from all adjacent property lines. Alternatively, a solid board fence may be installed on the property line if it is of sufficient height so as to prevent encroachment by the hooved animal(s) onto neighboring properties.

D.

All uses concerning Subsections A, B and C above shall be in compliance with all applicable Wetlands and Watercourses Regulations.^[1]

§ 120-16

Sanitation of enclosures.

A.

Manure shall be collected frequently from all areas and regularly removed from the property to maintain a sanitary condition and minimize odor, dust-producing substances and waste so as to prevent any health hazard, pollutants, disturbance or nuisance conditions with respect to adjacent properties and the neighboring community.

B. The setback for any manure pile shall be a minimum of 15 feet from any property line and in compliance with all local and state environmental regulations

Requirements for Goats:

Goats are active and playful. A miniature goat requires a minimum of approximately 135 square feet of romper room space; a standard goat needs twice that, with the square footage multiplied by the number of goats you have. Goats, whether big or small, need a yard that provides part sun and part shade and is protected from strong winds.

Goats also need an attached and draft-free shed or barn for cover, sleeping and protection from predators and extreme temperatures. Any windows in their enclosure should be higher than the head of the tallest goat when she is standing on her hind feet. If not, the windows should be covered with bars or screens so that a goat can't poke her head through.

Goats like to rub on fences, especially when shedding, or try to stick their heads through any

openings to eat some delectable item just out of reach. Goats are also clever about getting out of their enclosures. All of this means that goats are hard on fencing.

It needs to be reinforced with strong wood posts sunk deep into the ground and needs to be escape-proof with slats close enough to prevent their heads from slipping through. It also needs to be high enough to keep them in (4' high for mini-goats; 5' high for standard).

Support Letters:

- DC Woodworks: NF Resident *
- Wendy: NF Resident & Neighbor *
- Bob & Karen: NF Resident & Neighbor
- The Kaback's: NF Resident *
- Hailey Barbarie: Previous NF Resident, current Southbury resident*
- Elaine & Kevin: Co-workers, previous Goat owners, Pawling, NY residents
- The Segatti's: NF Residents *
- Mary & Dylan: NF Resident's *
- Sam Waruch: Previous Patterson resident & Goat Owner *

In Hand: *

Contact the Planning Commission

Submission #: 3113766
IP Address: 173.72.197.212
Submission Date: 04/04/2024 3:34
Survey Time: 35 seconds

You have a new online form submission.

Note: all answers displaying "*****" are marked as sensitive and must be viewed after your login.

Please fill out the quick form and we will be in touch.

What is your first and last name?

Allison Walton

Where can we email a response?

allison@storagestudy.com

What is your phone number?

(804) 337-6805

Send us a message:

I am inquiring about any self-storage facilities that may be in planning, have been applied for, have been permitted, or are under construction (not yet operational) within the Town of New Fairfield at this time and within the last 2 years. If there are any matching new development projects, please provide the address, status of the project, and size in square footage for each.

Do you have a preferred contact method?

Please reply by email address

Contact the Planning Commission

Submission #: 3098723
IP Address: 73.17.224.193
Submission Date: 03/29/2024 10:02
Survey Time: 3 minutes, 12 seconds

You have a new online form submission.

Note: all answers displaying "*****" are marked as sensitive and must be viewed after your login.

Please fill out the quick form and we will be in touch.

What is your first and last name?

Anne Marie DiScala

Where can we email a response?

amdiscala@planhub.com

What is your phone number?

(561) 726-8490

Send us a message:

I am trying to verify whether an application for a project was submitted for Commerce Road Distribution Warehouse on 71 & 81 Commerce Roads in Manchester Connecticut. Please advise if this project is under review. Thank you!

Do you have a preferred contact method?

Please reply by email address

Thank you,

New Fairfield, CT

Re: FW: FOIA Request

Dana Ulibarri <dulibbarri@newfairfieldct.gov>

Mon 5/13/2024 3:26 PM

To: Nget, Riddar <RNget@cuddyfeder.com>; Planning Commission <pc@newfairfieldct.gov>

Clarification is needed for the exact address.

Is it Lot 49 and 50 or the address off 49 and 50 Ball Pond East?

What is the date of the minutes for the subdivision approval that you are inquiring about?

You can access town records as follows: *Our land records are available on line - dated back to 1756. You can view these records and the images through our online portal. You can access this portal through the Town's website - www.newfairfield.org and under Municipal Departments you will find the Town Clerk Page. On that page you will see a link to RecordHub - you can sign up for RecordHub and find the documents you need. Once you have the dates you can access additional information that is stored in the town vault that is outside the Town Clerk's office.*

Sincerely,

Dana Ulibarri
Town of New Fairfield
Zoning Commission & Planning Commission
Recording Secretary
801-633-6165

From: Nget, Riddar <RNget@cuddyfeder.com>
Sent: Monday, March 4, 2024 2:39 PM
To: Planning Commission <pc@newfairfieldct.gov>
Cc: Nget, Riddar <RNget@cuddyfeder.com>
Subject: RE: FW: FOIA Request

Caution: External (rnget@cuddyfeder.com)

First-Time Sender [Details](#)

[Report This Email](#) [View My Quarantine](#) [Protection by Novus Insight](#)

Good afternoon,
Please provide a status on below.
Thanks,
Riddar

From: Nget, Riddar <RNget@cuddyfeder.com>
Sent: Wednesday, November 8, 2023 2:48 PM
To: Planning Commission <pc@newfairfield.org>; Town Clerk <townclerk@newfairfield.org>
Cc: Nget, Riddar <RNget@cuddyfeder.com>
Subject: RE: FW: FOIA Request

Good afternoon,
Following up on below, please.
Thank you,
Riddar

From: Nget, Riddar <RNget@cuddyfeder.com>
Sent: Friday, October 20, 2023 1:31 PM
To: Planning Commission <pc@newfairfield.org>; Town Clerk <townclerk@newfairfield.org>
Cc: Nget, Riddar <RNget@cuddyfeder.com>
Subject: RE: FW: FOIA Request

Good afternoon,

We are seeking records of any/all copies of the subdivision approvals, and/or any documents relating to the original subdivision. For example:

- Planning/and or Zoning Approval Resolutions from the boards
- Applications relating to the subdivision
- Correspondences and/or any other documents relating to the subdivision

The Town Clerk was able to provide me the maps I requested. I am now looking for land use documents noted above.

Thanks,
Riddar

From: Planning Commission <pc@newfairfield.org>
Sent: Friday, October 20, 2023 11:49 AM
To: Nget, Riddar <RNget@cuddyfeder.com>; Town Clerk <townclerk@newfairfield.org>
Subject: Re: FW: FOIA Request

Riddar,

See below. The request needs to be more specific.

I am in receipt of your email and FOIA request. I am happy to provide you with any information you may need, I just need you to be more specific with your request. Our land records are available on line - dated back to 1756. You can view these records and the images through our online portal. You can access this portal through the Town's website - www.newfairfield.org and under Municipal Departments you will find the Town Clerk Page. On that page you will see a link to RecordHub - you can sign up for RecordHub and find the documents you need. There is no fee to view these indexes and/or images. If you would like me to email or send you copies of documents, I would be happy to do so. Please just send me a list of Volumes and Pages and Map numbers (they are indexed as well) and I will either send you hard copies or email them to you whichever you prefer. The fee for land records is \$1.00 per page and \$3.00 per Map. As for the maps that you have specifically requested; 211, 2029, 2465 and 3163 - I will email them or send hard copies to you whichever you prefer. The fee for each map is \$3.00 for a total of \$12.00. If you are agreeable to this, please send a check made payable to the Town Clerk for \$12.00 and let me know that you have done so and I will forward the maps to you.

If you are looking for information from the New Fairfield Planning Commission, please email them at pc@newfairfield.org; and for the Building/Land Use Department you can reach out to them at (203) 312-5646 - those files are available online as well. If you are on the town's Website - www.newfairfield.org - under Municipal Departments you will find the Building Department and under Land Use Records you can search their records.

I have included the town clerk on this also as the above response was from them.

On Fri, Oct 20, 2023 at 11:04 AM Nget, Riddar <RNget@cuddyfeder.com> wrote:

Good morning,

The Town Clerk only provided the map to me. I have not received anything for ..."any/all copies of the subdivision approvals, and/or any documents relating to the original subdivision".

Thanks,

Riddar

From: Planning Commission <pc@newfairfield.org>
Sent: Friday, October 20, 2023 10:21 AM
To: Nget, Riddar <RNget@cuddyfeder.com>
Subject: Re: FW: FOIA Request

Riddar,

I spoke with the Town Clerk and was advised that the information requested has been sent. If you need further information let us know.

On Mon, Oct 9, 2023 at 4:06 PM Nget, Riddar <RNget@cuddyfeder.com> wrote:

Good afternoon,

In accordance with the Connecticut Freedom of Information Act ("FOIA") and the instructions below, this office respectfully requests any/all copies of the subdivision approvals, and/or any documents relating to the original subdivision that first created the parcels that are presently known as 49 & 50 Ball Pond Road East and Ball Pond Road East (Parcel IDs: 40600, 37300 and 37300 with MBLU #: 22/5/27.1, 22/7/31 and 22/5/27.2) which parcels may have been owned at the time of that original subdivision by M.A. Gallo and/or Weldon, and which are on file in the Town of New Fairfield Planning and/or Building Department.

Please let us know of any fees associated with this request as well as when the documentation will be available. If possible, please email the requested documents to rnget@cuddyfeder.com. Should you require additional information regarding this request, please do not hesitate to contact me. Thank you in advance for your assistance with this request.

Best,
Riddar

From: Holly Smith <hsmith@newfairfield.org>
Sent: Friday, October 6, 2023 1:06 PM
To: Nget, Riddar <RNget@cuddyfeder.com>
Cc: Jean Green <selectadmin@newfairfield.org>
Subject: Re: FOIA Request

Good Afternoon, Riddar -

I am in receipt of your email and FOIA request. I am happy to provide you with any information you may need, I just need you to be more specific with your request. Our land records are available on line - dated back to 1756. You can view these records and the images through our online portal. You can access this portal through the Town's website - www.newfairfield.org and under Municipal Departments you will find the Town Clerk Page. On that page you will see a link to RecordHub - you can sign up for RecordHub and find the documents you need. There is no fee to view these indexes and/or images. If you would like me to email or send you copies of documents, I would be happy to do so. Please just send me a list of Volumes and Pages and Map numbers (they are indexed as well) and I will either send you hard copies or email them to you whichever you prefer. The fee for land records is \$1.00 per page and \$3.00 per Map. As for the maps that you have specifically requested; 211, 2029, 2465 and 3163 - I will email them or send hard copies to you whichever you prefer. The fee for each map is \$3.00 for a total of \$12.00. If you are agreeable to this, please send a check made payable to the Town Clerk for \$12.00 and let me know that you have done so and I will forward the maps to you.

If you are looking for information from the New Fairfield Planning Commission, please email them at pc@newfairfield.org; and for the Building/Land Use Department you can reach out to them at (203) 312-5646 - those files are available online as well. If you are on the town's Website - www.newfairfield.org - under Municipal Departments you will find the Building Department and under Land Use Records you can search their records.

I hope the information I have provided to you is helpful and please feel free to reach out to me either through email or you can call me at the number listed below.

Kind Regards,

Holly Smith

Holly Z. Smith

Town Clerk

Town of New Fairfield

4 Brush Hill Road

New Fairfield, CT 06812

(203) 312-5615

hsmith@newfairfield.org

The documents provided within this email are at the request of the recipient and no liability is taken by the Town Clerk's office as to ownership or searching of the land records. The documents are for informational purposes only.

On Thu, Oct 5, 2023 at 10:54 AM Nget, Riddar <RNget@cuddyfeder.com> wrote:

Good morning,

In accordance with the Connecticut Freedom of Information Act ("FOIA"), this office respectfully requests any/all copies of the subdivision maps, approvals, and/or any documents relating to the original subdivision that first created the parcels that are presently known as 49 & 50 Ball Pond Road East and Ball Pond Road East (Parcel IDs: 40600, 37300 and 37300 with MBLU #: 22/5/27.1, 22/7/31 and 22/5/27.2) which parcels may have been owned at the time of that original subdivision by M.A. Gallo and/or Weldon, and which are on file in the Town of New Fairfield Planning Board and/or Building Department and/or the Town Clerk's Office.

In furtherance of this request, we also respectfully request a copy of the 1948 subdivision map entitled, "Map Showing Property M.A. Gallo, Ball Pond, New Fairfield, Connecticut" dated August 1948 (which map may be number 211, and may be on file in the Town Clerk's Office), as well as copies of Map Numbers: 211, 2029, 2465 and 3163.

Please let us know of any fees associated with this request as well as when the documentation will be available. If possible, please email the requested documents to rnet@cuddyfeder.com. Should you require additional information regarding this request, please do not hesitate to contact me. Thank you in advance for your assistance with this request.

Best,
Riddar

Riddar Nget
Paralegal
Cuddy & Feder LLP

445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
T 914 761 1300 | F 914 761 5372
RNget@cuddyfeder.com
www.cuddyfeder.com

NOTE: The information in this e-mail message and any attachments thereto have been sent by an attorney or his/her agent, and is or are intended to be confidential and for the use of only the individual or entity named above. The information may be protected by attorney/client privilege, work product immunity or other legal rules. If the reader of this message and any attachments thereto is not the intended recipient, you are notified that retention, dissemination, distribution or copying of this e-mail message and any attachments is strictly prohibited. Although this e-mail message (and any attachments) is believed to be free of any virus or other defect that might affect any computer system into which it is received and opened, the intended recipient is responsible to ensure that it is virus free. The sender and Cuddy & Feder LLP shall not have any responsibility for any loss occasioned in any manner by the receipt and use of this e-mail message and any attachments.

Pursuant to Treasury Regulations, any U.S. federal tax advice contained in this communication, unless otherwise stated, is not intended and cannot be used for the purpose of avoiding tax-related penalties.

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Sincerely,

Dana Ulibarri
Town of New Fairfield
Planning Commission
Recording Secretary
(801)633-6165

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Sincerely,

Dana Ulibarri
Town of New Fairfield
Planning Commission
Recording Secretary
(801)633-6165