

**ZONING COMMISSION  
TOWN OF NEW FAIRFIELD  
PETITION**

We the undersigned, PETITION THE TOWN OF NEW FAIRFIELD 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

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

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

Neil R. Marcus  
Signature Applicant / Agent

[Signature]  
Signature of Owner

158 Deer Hill Avenue, Danbury, CT 06810  
Address

11 Osborn Road, Sherman, CT 06784  
Address

**received**  
4-8-2024 (EJ)



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,