

THE ZONING COMMISSION
Town of New Fairfield
New, Fairfield, CT 06812
SPECIAL MEETING MINUTES
DATE: August 21, 2024
TIME: 7:00 pm
New Fairfield Library Community Room
2 Brush Hill Rd

Call to Order

John Moran called the meeting to order at 7:02 pm.

Present

John Moran, Kevin VanVlack, Mark Lamanna (absent), Jane Landers(absent), Gabriel Gouveia, Tomas Kavaliauskas (alternate), Ken Huwer (alternate), Town Official Zoning Enforcement Officer Evan White, Glenn Chalder, and three members of the public.

Business Items

Discussion on Zoning Regulations with Glenn Chalder from Planimetrics

Glenn Chalder stated that there will be a quick start guide to orient users to the Zoning Regulations. Business Districts & Uses – no comments. Principal – Uses & Structures – no comments. Glenn Chalder asked if the commission was in favor of allowing banks in the town center. The commission agreed. Under Section 4.0 Offices corporations will be changed to operations. Glenn Chalder went over the difference between bonds and financial guarantee. Ken Huwer asked for clarification on section 4.d. The commission will maintain some measure of control over these types of areas. Glenn Chalder stated that currently the business zone is a little confusing. The business uses have been clarified to avoid future confusion. Glenn Chalder stated that a drive-in window is only permissible with a site plan approval. Kevin VanVlack asked if it should be specific to financial institutions only. The consensus was to expand the drive thru language to include all types of businesses without specifics to the number of stacking car space as these would be considered on a case-by-case basis and would require a special permit. Area & Dimensional Standards updates/additions were agreed upon by the commission. Glenn Chalder stated that the maximum coverage in the LI district of 15% is quite low. The commission decided to consider raising the percentage. Glenn Chalder stated that in the Zone Related Section there are areas that may need a separate section. A question was raised on what is considered as an “approved” container. Glenn Chalder stated changing the wording from approved container to enclosed container. Glenn Chalder will work on updated language. Evan White asked to include barriers that meet health code when having to do with septic in the barrier section. Glenn Chalder questioned if this section is needed. The section will remain and language update including a provision stating unless otherwise approved by the commission. Neighborhood Business District no additional updates or changes. Design guidelines will remain in place. Light Industrial District modifications will mirror the business district changes. Use-Related Provisions – no additional updates or changes. Glenn Chalder clarified the different types of child care facilities and when the Zoning Commission has authority or not. The wording at the bottom of page 41 was approved by the commission *the standards for maximum footprint, maximum lot coverage, maximum impervious coverage, and minimum landscaped area may be modified by the Commission as part of the Special Permit when the Commission finds that that preservation, restoration, and maintenance of buildings of historical and/or architectural significance will occur.* A discussion was held about the time of outdoor dining being changed from 11:00 pm to 10:00 pm. Kevin VanVlack questioned if there should be a blockade between the parking/street and the diners to ensure safety of the diners. Special Districts – Floodplain Overlay District – the state updates the model flood plain regulations regularly. Glenn Chalder suggested the town follow the state and federal models. He suggested putting it into an appendix to

maintain their number system. The flood plain regulations/ordinance will have to be worked on with the Board of Selectmen as the current regulations are not up to date. Aquifer Protection Overlay District – according to the state DEEP regulations there are not any state designated aquifers in town. There are areas that the town has defined as aquifers. Evan White will confirm with the DEEP the criteria for the state to designate an area as a state designated aquifer. Multi-Family District For Elderly – Glenn Chalder suggested removing possible impediments within the regulation. John Moran stated that the 1500 feet requirement should be removed and that applications will be addressed on a case-by-case basis. The steps for a zone change have been clarified with specifics as to what is required. John Moran stated that the number of units allowed needs to be specified and to keep in mind that with affordable housing more units are allowed. Glenn Chalder clarified that the way the statue is set up there is a provision for what is called assisted housing and this could be housing by a housing authority or non-profit where 100% of the units are affordable but to meet the criteria for an 830G 30% of the units have to be affordable to households earning less than 80% of area median income. which is the median income for the Danbury area this is published on the state website, and of those units' half, or 15%, of the total number of units have to be available at 60% of area median income. If an applicant agrees to do that then they have a statutory compliant 830G and now the questions come down to the design, the access, the affordability plan and other things like that. The units must be able to be supported by the available septic systems. Development Standards and Control – Glenn Chalder questioned the 6 bedrooms per acre as it could become three 2-bedroom units. Glenn Chalder going the unit path vs the bedroom path. Glenn Chalder stated that the current regulations require 25% of the units be set aside for 40 years be set aside as affordable housing and are not consistent with the state guidelines. Glenn Chalder will put together examples of communities that are similar to New Fairfield. The specifications for dwelling unit breakdown will be removed. John Moran stated that with a special permit then the requirement to see exactly what the developer is going to do is necessary. Glenn Chalder shared a concept of a PDD. This type of district has strict specifications. He stated that it with a PDD the Zoning Commission has full discretion. Glenn Chalder will move forward with the PDD concept.

Adjournment

John Moran made a motion to adjourn the meeting at 8:37 pm. Kevin VanVlack seconded the motion. **All in favor.**

Respectfully Submitted
Dana Ulibarri, clerk

Received by email on 08/26/2024 @ 11:47 a.m.
by Chrystie M. Bontempo, Asst. Town Clerk, New Fairfield