

THE ZONING COMMISSION
Town of New Fairfield
New, Fairfield, CT 06812
SPECIAL MEETING MINUTES

DATE: July 17, 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 7:03 pm.

Present

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

Business Items

Discussion on Zoning Regulations with Glenn Chalder from Planimetrics

Glenn Chalder stated there will be click links in the regulations for easier navigation. Accessory Dwelling Units had clarification on wording. Glenn Chalder stated that 75% of lots in town are currently non-conforming. If there is a waterfront overlay district then the lots can be addressed and then become conforming. Kevin VanVlack stated that creating a separate district would help. Glenn Chalder will meet with the town engineer and Evan White to talk about the project and get the specifics on the waterfront district and will have the information for the commission by early fall to make a decision at that time. Ken Huwer asked about a map of non-conforming lots. Glenn Chalder stated that a map had been sent out to all commission members. Ken Huwer questioned the comment “may not align with recommendation of housing”. This will be addressed after the housing meeting on August 8, 2024. Accessory Structures – Glenn Chalder gave suggestions on changing the wording to avoid confusion. Kevin VanVlack stated a concern about the location of things on the rear plane of the building as it may not be the best spot on the lot. He suggested giving the ZEO the latitude to make that decision based on the lot. Glenn Chalder stated leaving the decision to staff could cause issues and that the decision should be made by the Zoning Commission. There are limitations in the R88 district that need to be more specific. A discussion was held on the size of accessory structures. Some fence applications have gone to the ZBA, the question comes down to the height of the fence and the height of the post. Glenn Chalder crafted language of “unless otherwise approved by the commission by special permit”. In the shoreline area the topography is such that the way in which the height of the fence is measured can unfairly treat somebody whose property is sloping down to their neighbor. Evan White gave examples of how the grade change can cause issues. Language has been added to address decorative items on a fence. Glenn Chalder stated that there may be an increase in special permits for an increase in fence height. Glenn Chalder asked if detached garages and detached building coverage is an issue. Evan White stated that the biggest issue is the request for three car garages. Glenn Chalder stated that the language could be crafted to garages up to the floor area of the house and no bigger, or it could be capped, or left as is. Glenn Chalder stated that there will be no changes in this section. Glenn Chalder will clarify the gazebo language. A discussion was held on the what defines the front of a property. Glenn Chalder asked why have the limitations at all. Kevin VanVlack asked how other towns define where items can go on a property. Glenn Chalder stated that it is based on the house orientation to the road. The current regulations state from the rear plane of the house. The language will be updated in the barn section. Kevin VanVlack stated that he would rather someone put up a barn rather than a regular building structure as a barn is more in line with the New England look. Glenn Chalder stated that there is a lot of micromanaging of accessory structures and suggested lumping them all in one. The commission agreed and Glenn Chalder will rework these sections. There are three different types of childcare facilities in the state of Connecticut: a family childcare home where someone in their own home cares for up to six children, a group childcare home where someone in their own home cares for seven to twelve children, and then a childcare center cares for 13 or more children. The state changed the statutes so the town now has to allow the first two and zoning can not get in the way. The state will be

responsible for the licensing. The updates to reflect these changes will be made. Glenn Chalder stated that the regulations in the conservation subdivision as it is currently is not beneficial to the town. Glenn Chalder stated that it should be more environmentally focused and suggested modifying for it to be an attractive option. If redevelopment is going to happen then having open space will be beneficial for everyone. This type of development does not increase the development it makes the areas a more viable choice. Glenn Chalder will rework the language. Glenn Chalder stated that the language as who can apply to be a bed and breakfast is confusing. John Moran stated that the language was put in place so someone could not build a house just to operate as a bed and breakfast. Glenn Chalder stated that this would require a special permit and updating some of the current language with all of the controls in place would leave the decision to the Zoning Commission. The boarding section will be updated and the familial links removed. The counting of occupants will be related to the number of rooms as the counting of the occupants would be time consuming. Short term rentals there will be clarification of wording. The keeping of animals was worded poorly. A table will be added to help avoid confusion. Kevin VanVlack stated that the metrics of which animals and how many needs to be clearer. Glenn Chalder stated that he will rework the language to include which animal and how many animals are allowed as compared to the number of acres in question. Parking and storage of commercial vehicles which may be a requirement of a job. Glenn Chalder stated that the current regulation states that all properties can have one commercial vehicle, if there is more than they have to be shielded by a garage, landscaping, or fencing. This should be done in a way to allow them to peacefully coexist with their neighbors. There will be a chart added that shows the requirements for a commercial vehicle. Next section will be Business Zones.

Adjournment

Kevin VanVlack made a motion to adjourn the meeting at 8:17 pm. John Moran 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