

THE ZONING COMMISSION

Town of New Fairfield

New, Fairfield, CT 06812

REGULAR MEETING

MINUTES

Wednesday, November 6, 2019

7:30pm

New Fairfield Public Library Community Room

Present: Chairman John Moran, John Brown, Tomas Kavaliauskas (Alternate), Gary Mummert (Alternate), Kevin Van Vlack and Town of New Fairfield Zoning Enforcement Officer Evan White. Steve Hanrahan and Joe Letizia were not in attendance.

Call to Order: Chairman John Moran called the meeting to order to at 7:36 pm. He noted that all members will be voting for purposes of this meeting.

Public Comment: None

PUBLIC HEARING

1. Special Permit SP-19-013-3 Hillside Drive- Section 3.1.2-Special Permit Uses (K) Accessory Apartment. Applicant would like to construct an addition to the right of their existing dwelling to incorporate a 995 sq ft. accessory apartment for in-laws. Applicant Joseph and Meredith Yorio.

Zoning Enforcement Officer Evan White spoke of the lot for this property and noted that a variance was needed since it is not a two acre lot. A variance was granted for this property from the Zoning Board of Appeals. This apartment will be less than 1000 sq. feet and will be homeowner occupied. There will be access from interior and exterior. A certified letter was sent to all the abutters. The commission reviewed plans and permits for just the accessory apartment and not the addition to the house that is considered a separate issue.

Kevin Van Vlack made a motion to close the Public Hearing for Special Permit SP-19-013- 3 Hillside Drive Section 3.1.2-Special Permit Uses (K) Accessory Apartment for a 995 square foot accessory apartment- Applicants Joseph and Meredith Yorio. Gary Mummert seconded the motion.

John Brown	Yes
Tomas Kavaliauskas	Yes
John Moran	Yes
Gary Mummert	Yes
Kevin Van Vlack	Yes

BUSINESS ITEMS

1. Special Permit SP-19-013-3 Hillside Drive- Section 3.1.2-Special Permit Uses (K) Accessory Apartment. Applicant would like to construct an addition to the right of their existing dwelling to incorporate a 995 sq ft. accessory apartment for in-laws. Applicant Joseph and Meredith Yorio.

Kevin Van Vlack made a motion to approve Special Permit SP-19-013-3 Hillside Drive- Section 3.1.2-Special Permit Uses (K) Accessory Apartment. Applicant would like to construct an addition to the right of their existing dwelling to incorporate a 995 sq ft. accessory apartment for in-laws with the stipulation that they get the storm water management plan updated once the impact of the additional square footage of the house is understood. John Brown seconded the motion.

John Brown	Yes
Tomas Kavaliauskas	Yes
John Moran	Yes
Gary Mummert	Yes
Kevin Van Vlack	Yes

2. Site Plan Application SI-19-014-13 Gillotti Road- Section 3.1.1.-Uses Permitted As of Right (C) Minor Home Occupation-Whole Sale Cheesecake Business. Applicant-Fred J. Tauro.

John Moran noted that there will be no food trucks to the home. There will be no employees with this business. It is a wholesale business only and there will be no customers coming to the business. There will be no signage and no distribution of good that were not produced at the premises. Evan White noted that the Health Inspector cannot do the final official sign off on this business until the commercial kitchen is in place. There will be no commercial hood applications so there is no need for Fire Marshal approval needed.

Kevin Van Vlack made a motion to approve Site Plan Application SI-19-014-13 Gillotti Road- Section 3.1.1.-Uses Permitted As of Right (C) Minor Home Occupation-Whole Sale Cheesecake Business. Applicant-Fred J. Tauro with the stipulation that the homeowner gets the final sign off by the Health Director and the Building Department once the building is complete at the location. John Brown seconded the motion.

John Brown	Yes
Tomas Kavaliauskas	Yes
John Moran	Yes
Gary Mummert	Yes
Kevin Van Vlack	Yes

3. Site Plan Application SI-19-015-90 State Route 39-Section 4.0 Business/Commercial & Section 4.1.14-Outdoor Eating. Applicant David Bernardini- Withdrawn

Addition to the agenda

Kevin Van Vlack made a motion to add to the agenda “Discussion of the Short-Term rentals”. John Brown seconded the motion.

John Brown	Yes
Tomas Kavaliauskas	Yes
John Moran	Yes
Gary Mummert	Yes
Kevin Van Vlack	Yes

Short-Term rentals

John Moran spoke of the vote for short-term rentals which will take place at the December Zoning Commission meeting. It was noted that the meeting will need to be moved from the original meeting date of Wednesday, December 4th since there needs to be 35 days to send to the Planning Commission and regional counsel. This meeting will include public comment and a vote on short-term rentals. It was decided that this meeting will be held on Monday, December 23, 2019. The regular meeting of the Zoning Commission scheduled for Wednesday, December 4th will be cancelled unless it is absolutely necessary.

Kevin Van Vlack made a motion to schedule a meeting for short-term rentals for Monday, December 23, 2019 which will include public comment regarding short-term rentals and a vote. John Brown seconded the motion.

John Brown	Yes
Tomas Kavaliauskas	Yes
John Moran	Yes
Gary Mummert	Yes
Kevin Van Vlack	Yes

Regulation updates and future possible regulations changes

Evan White noted that he has been researching regulations for surrounding towns regarding generator cabinets. It was noted that these cabinets are considered a minor accessory structure. There was a discussion of whether or not this should be regulated. There was a lengthy discussion as to the types of regulations that would be most fair to the homeowners and the neighbors. It was decided that unit must be within 10 feet from the property line and will not affect any impervious coverage.

Approval of minutes

Kevin Van Vlack made a motion to approve the minutes of the October 2, 2019 meeting as amended with the addition of including a yes vote next to Tomas Kavaliauskas’ name under the voting section. Gary Mummert seconded the motion.

Tomas Kavaliauskas	Yes
Gary Mummert	Yes
Kevin Van Vlack	Yes

Enforcement Actions

- 20 Cloverleaf
- 14 Great Meadow
- 222 Route 37
- 6 Darien Road

Chairman John Moran noted that John Brown's term is up and he will not be seeking reelection. The Commission thanked him for his service.

Adjournment- Kevin Van Vlack made a motion to adjourn the meeting at 8:43 pm. Gary Mummert seconded the motion-**All in favor**