

**TOWN PLAN AND ZONING COMMISSION  
TOWN OF FAIRFIELD  
MINUTES OF MEETING – SEPTEMBER 28, 2010**

The Town Plan and Zoning Commission held a meeting at 7:30 p.m., on Tuesday, September 28, 2010, in McKinley Elementary School, 60 Thompson Street, Fairfield, CT.

Members Present: Seth Baratz, Chairman; Bryan LeClerc, Vice Chairman; Richard Jacobs, Secretary; Jim Kennelly, Doug Soutar

Alternate Members Present: Sally Parker, Matthew Wagner

Town Department Members Present: Joseph Devonshuk, Planning Director  
James Wendt, Assistant Planning Director  
Dolores Sansonetti, Clerk

Mr. Wagner sat in place for Ms. Owens and Ms. Parker sat in place for Mr. D'Andrea.

**Meeting Minutes** Motion was made by Mr. LeClerc, seconded by Mr. Kennelly and the members present unanimously **VOTED TO APPROVE** the Meeting Minutes of September 14, 2010.

**85 Mill Plain Road** Motion was made by Mr. Soutar, seconded by Ms. Parker to approve the request of Fischel Properties for 100% release of a \$7,560 bond pertaining to site improvements.

For motion: Mr. Soutar

Against motion: Ms. Parker, Mr. Baratz, Mr. LeClerc, Mr. Jacobs, Mr. Kennelly, Mr. Wagner

Therefore, this motion failed and the bond release is denied due to concerns about the angle of the egress drive onto North Pine Creek Road.

**1648 – 1649 Fairfield Beach Road** Motion was made by Mr. Wagner, seconded by Ms. Parker and the members present unanimously **VOTED TO APPROVE** the request of Atty. William Fitzpatrick for a one-year extension of a Special Exception to October 28, 2011.

**1610, 1636, 1654 North Benson Road** Motion was made by Mr. Wagner, seconded by Mr. LeClerc and the members present unanimously **VOTED TO RECOMMEND** acceptance of a fee in lieu of open space for the subdivision of the above captioned property. This is based on review of the preliminary map submitted pursuant to Section 2.3.9 of the Subdivision Regulations.

**479 Westway Road** Motion was made by Mr. Wagner, seconded by Ms. Parker and the members present unanimously **VOTED TO APPROVE** the request of Whitecap Advisors for a one-year extension of the Special Permit pertaining to a 16-unit residential development to October 10, 2011.

**1901 – 2009 Black Rock Turnpike** Motion was made by Ms. Parker, seconded by Mr. LeClerc and the members present unanimously **VOTED TO RECOMMEND TO PUBLIC HEARING** the Special Permit Application of Turnpike Shopping Center, LLC for an addition to an existing bank.

**3685 Black Rock Turnpike** Motion was made by Mr. LeClerc, seconded by Mr. Jacobs and the members present unanimously **VOTED TO RECOMMEND TO PUBLIC HEARING** the Special Exception Application of Black Rock Congregational Church pertaining to the construction of a new church.

**Zoning Regulation Amendment** Motion was made by Mr. Wagner, seconded by Mr. Soutar and the members present unanimously **VOTED TO RECOMMEND TO PUBLIC HEARING** the application of the Town of Fairfield to amend Section 5.2.5 coverage and bulk, (proposed new section 5.2.5.3).

**1115 Fairfield Woods Road** Motion was made by Mr. Wagner, seconded by Mr. Soutar and the members present unanimously **VOTED TO RECOMMEND TO PUBLIC HEARING** the Special Exception Application of the Town of Fairfield pertaining to additions and alterations to Fairfield Woods Middle School. R-3 Zone

**295 – 355 Cedar Road** It was the consensus of the Commission **TO TABLE** the request of Hollydale Assoc., LLC for 100% release of a \$26,310 bond pertaining to subdivision improvements in a AA Zone.

**131 Commerce Drive** Motion was made by Mr. Jacobs, seconded by Ms. Parker and the members present unanimously **VOTED TO APPROVE** the Compliance application of Nolan Redding for a ground sign. D.I.D.

**1770 Kings Highway** Motion was made by Mr. Kennelly, seconded by Ms. Parker and the members present unanimously **VOTED TO APPROVE** the Compliance application of HH East Parcel, LLC to establish a restaurant in an approved building subject to the following conditions:

1. The Commission approves the parking pursuant to Section 28.9.1 of the Regulations, finding that the requisite spaces would be otherwise available in the absence of the shared access with Home Depot.
2. The outdoor dining component shall be subject to annual recertification.
3. No outside music or sound system is permitted.
4. Outdoor dining is approved for May 1<sup>st</sup> through October 31<sup>st</sup>.
5. Tables and chairs are to be removed in the off season.

**1902 Post Road** Motion was made by Mr. LeClerc, seconded by Ms. Parker and the members present unanimously **VOTED TO APPROVE** the Compliance application of Nicholas Frattaroli for façade revision and sign plan. Des. Comm. Dist.

**1275 Post Road** Motion was made by Mr. LeClerc, seconded by Ms. Parker and the members present unanimously **VOTED TO APPROVE** the Compliance application of Ken Kleban for modification of a sign plan. Cent. Des. Dist.

### **PUBLIC HEARING**

**1107 – 1111 Sasco Hill Road** Request of Molly McGrath for 100% release of a \$21,025 bond pertaining to subdivision improvements. AAA Zone

Ms. McGrath presented this application to the Commission.

**234 Pine Creek Avenue** Special Exception and Coastal Site Plan Application of Peter Cummings on behalf of James Bennett for construction of a new dwelling with a rooftop deck. Beach Dist.

Mr. Cummings presented this application to the Commission.

**5545 Park Avenue** Special Exception Application of RDR 5520, LLC pertaining to the construction of a two-story 25,000 square foot hospital. R-3 Zone

Atty. Raymond Rizio presented this application to the Commission.

This application is continued to October 12, 2010.

This meeting adjourned at 10:13 p.m.

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Richard B. Jacobs  
Secretary

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Dolores Sansonetti  
Clerk

“Draft subject to review, correction and approval by the Town Plan & Zoning Commission”.

