

**TOWN PLAN AND ZONING COMMISSION
TOWN OF FAIRFIELD
MINUTES OF MEETING – AUGUST 24, 2010**

The Town Plan and Zoning Commission held a meeting at 7:30 p.m., on Tuesday, August 24, 2010, in McKinley Elementary School, 60 Thompson Street, Fairfield, CT.

Members Present: Seth Baratz, Chairman; Richard Jacobs, Secretary; Deborah Owens, Doug Soutar

Alternate Members Present: Sally Parker, Marc Valera, Matthew Wagner

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

Mr. Valera sat in place for Mr. LeClerc, Ms. Parker sat in place for Mr. D’Andrea and Mr. Wagner sat in place for Mr. Kennelly.

Meeting Minutes Motion was made by Mr. Jacobs, seconded by Ms. Parker and the members present unanimously **VOTED TO APPROVE** the Meeting Minutes of July 27, 2010.

Pent Court (adjacent to 2316 Post Road) Motion was made by Mr. Wagner, seconded by Mr. Soutar and the members present unanimously **VOTED TO TABLE** the request of the Town Attorney for an 8-24 review of proposed resolution of a disputed claim.

Zoning Regulation Amendment Motion was made by Mr. Valera, seconded by Mr. Wagner and the members present unanimously **VOTED TO RECOMMEND TO PUBLIC HEARING** the Zoning Regulation Amendment Application of The Jewish Home for the Elderly of Fairfield County to amend Section 27.4.6 (conditions of approval for Special Exceptions)

Mr. Jacobs recused himself and Mr. Wagner sat in his place.

Mr. Kennelly arrived and voted on the following applications.

5545 Park Avenue Motion was made by Ms. Owens, seconded by Mr. Soutar and the members present unanimously **VOTED TO RECOMMEND TO PUBLIC HEARING** the Special Exception Application of RDR 5520, LLC pertaining to the construction of a hospital. R-3Zone

2047 Post Road Motion was made by Mr. Kennelly, seconded by Mr. Valera and the members present unanimously **VOTED TO RECOMMEND TO PUBLIC HEARING** the Special Exception and Special Permit Application of Consumers Petroleum of CT, Inc., pertaining to the reconstruction of a gasoline station and convenience store. Des. Comm. Dist.

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 AAA Zone.

291 Mill Hill Road Motion was made by Mr. Soutar, seconded by Ms. Parker to approve the subdivision application of Nicole M. Paul for four (4) lots in an R-3 Zone.

For motion: Mr. Soutar

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

Therefore, this motion failed and the application is **DENIED** for the following reason:

1. The applicant has not demonstrated that the proposed subdivision complies with Section 1.1.15 and 2.1.5 of the Subdivision Regulations. Of particular concern is the limited sight line to the east for vehicles entering the new street from the south. It has not been demonstrated that this traffic movement for the proposed intersection achieves the 335 foot sight distance recommended in the applicant's traffic report.

131 Commerce Drive Motion was made by Mr. Kennelly, seconded by Ms. Parker to approve the Compliance Application of Nolan Redding for UAG Fairfield CM, LLC for an amendment to a sign plan. Des. Ind. Dist.

For motion: No one

Against motion: Mr. Kennelly, Ms. Parker, Mr. Baratz, Mr. Jacobs, Ms. Owens, Mr. Soutar, Mr. Valera

Therefore, this motion failed and the application is **DENIED** for the following reason:

1. The proposed sign does not meet the streetline setback pursuant to Section 29.8.1. The Commission denies the request for a lesser setback.

530 Kings Highway Cutoff Motion was made by Mr. Jacobs, seconded by Mr. Valera and the members present unanimously **VOTED TO APPROVE** the Compliance Application of Roger Denton to establish an indoor recreational facility (martial arts studio) in a portion of an existing building. Des. Comm. Dist.

3232 Post Road Motion was made by Ms. Owens, seconded by Mr. Valera and the members present unanimously **VOTED TO APPROVE** the Compliance Application of Mark Smith to amend an overall sign plan. Des. Comm. Dist.

1139 Post Road Motion was made by Mr. Jacobs, seconded by Mr. Kennelly and the members present unanimously **VOTED TO APPROVE** the Compliance Application of Kleban Holding Company II, LLC for change of use from retail sales to office and residential use subject to the following condition:

1. The Commission denies the requested reduction in parking spaces for the residential apartment. Two spaces shall be attributed to this unit.

PUBLIC HEARING

520 Hoydens Lane Special Exception Application of the Town of Fairfield pertaining to the establishment of a softball field. AAA Zone

The applicant requested that this application be postponed to September 14, 2010.

This meeting adjourned at 8:55 p.m.

Richard B. Jacobs
Secretary

Dolores Sansonetti
Clerk

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