

**TOWN PLAN AND ZONING COMMISSION  
TOWN OF FAIRFIELD  
MINUTES OF MEETING – APRIL 27, 2010**

The Town Plan and Zoning Commission held a meeting at 7:30 p.m., on Tuesday, April 27, 2010, in McKinley Elementary School, 60 Thompson Street, Fairfield, CT.

Members Present: Seth Baratz, Chairman; Richard Jacobs, Secretary, Jim Kennelly, Deb Owens, Doug Soutar

Alternate Members Present: Sally Parker, Marc Valera

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

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

**2180 Kings Highway** Motion was made by Mr. Kennelly, seconded by Mr. Valera and the members present unanimously **VOTED TO ACCEPT** the applicant’s request to postpone the public hearing for a Zone Change Application and a Special Permit and Coastal Site Plan Application due to the unavailability of an expert.

**Meeting Minutes** Motion was made by Ms. Owens, seconded by Mr. Kennelly and the members present unanimously **VOTED TO APPROVE** the meeting minutes of April 13, 2010.

Mr. Valera recused himself from voting on the meeting minutes.

**1221 Post Road** Motion was made by Mr. Soutar, seconded by Mr. Kennelly and the members present unanimously **VOTED TO APPROVE** the request of Atty. John Fallon for recertification of outdoor display of merchandise in accordance with the July 28, 2009, approval. No further recertification will be required.

**90 Howard Street** Motion was made by Mr. Jacobs, seconded by Mr. Valera to deny the request to waiver the sidewalks.

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

Motion was made by Ms. Owens, seconded by Ms. Parker and the members present unanimously **VOTED TO APPROVE** the Resubdivision and Coastal Site Plan Application of Martin Simmons for two (2) lots in a B Zone subject to the following conditions:

1. Concrete curbs, sidewalk and driveway aprons are required. Sidewalk should be shown at a four foot width.
2. Location of proposed driveways should be reconsidered to avoid existing street trees.
3. The final subdivision map must indicate monuments or pins at all property corners.
4. No fill is called for on the lots due to excavation for the footings. The grading plan will be strictly adhered to.
5. A yard drain and curbing should be installed on the east side of the driveway on Lot B not the westerly side as shown.
6. Drainage plan will be reviewed for the construction of individual lots.
7. Compliance with the following numbered items on the attached Subdivision Condition of Final Approval List: 1, 2, 3, 4, 6, 8, 9, 10, 11, 12, 14, 15, 16, 19, 21, 22, 23, 24, 25.

**Pansy Circle** Motion was made by Mr. Jacobs, seconded by Mr. Soutar and the members present unanimously **VOTED TO APPROVE** the request of Dean Kardamis for 100% release of a \$89,050.50 bond pertaining to subdivision improvements. A Zone

Ms. Owens and Mr. Kennelly listened to the tape of April 13, 2010.

**2000 Black Rock Turnpike** Motion was made by Mr. Soutar, seconded by Ms. Parker to table the Special Permit Application of Pasquale and Pietrina Santangeli pertaining to the construction of a second floor on an existing commercial building.

Ms. Owens and Mr. Kennelly listened to the tape of April 13, 2010.

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

Therefore, this motion did not carry and a new motion to table was made by Ms. Owens, seconded by Mr. Soutar.

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

This motion passed and the Special Permit Application of Pasquale and Pietrina Santangeli is **TABLED**.

**1410 Post Road** Motion was made by Ms. Owens, seconded by Mr. Valera and the members present unanimously **VOTED TO APPROVE** the Compliance Application of Artqtech Signs for a new sign plan. Cent. Des. Dist.

## PUBLIC HEARING

The following public hearing is recorded on tape and is available in the TP&Z office. Present for the hearing were members Mr. Baratz, Mr. Jacobs, Mr. Kennelly, Ms. Owens, Mr. Soutar, Ms. Parker, Mr. Wagner.

**2633 Black Rock Turnpike** Subdivision Application of Edith Haller for two (2) lots in an A Zone.

Atty. John Fallon presented this application to the Commission.

**Zoning Regulation Amendment** Application of Christine Orlando and Priscilla Igram to amend Section 12.5.1 to permit “Art Studio” as a permitted use in the Neighborhood Designed Business District and Zoning Compliance to permit an art studio at 136 Fairfield Woods Road.

Ms. Orlando and Ms. Igram presented this application to the Commission.

It was the consensus of the Commission to enter into Executive Session and vote on the following:

**2633 Black Rock Turnpike** Motion was made by Mr. Kennelly, seconded by Mr. Valera and the members present unanimously **VOTED TO APPROVE** the Subdivision application of Edith Haller for two (2) lots in an A Zone.

1. There shall be a note on the final subdivision map indicating that the Town is not responsible for the portion of the common driveway within the right of way at Old Black Rock Turnpike.
2. Sample deed language shall be submitted indicating who is responsible for maintenance of the common portion of the driveway.
3. Concrete curbs and sidewalks shall be required and shown on the final plan.
4. A tree planting/removal plan shall be submitted and reviewed by the Tree Warden.
5. Final map must indicate monuments or iron pins at all property corners.
6. Compliance with the following numbered items on the attached Subdivision Conditions of Final Approval: 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16,17, 19, 21, 22, 24, 25.

**Zoning Regulation Amendment** Motion was made by Mr. Kennelly, seconded by Mr. Jacobs and the members present unanimously **VOTED TO AMEND** Section 12.5.1 to permit “Art Studio” as a permitted use in the Neighborhood Designed Business District.

The Commission finds that the proposed use is consistent with the Plan of Conservation and Development. Furthermore, time, experience and responsible planning for contemporary and future conditions reasonably indicates the need for the proposed amendment.

**136 Fairfield Woods Road** Motion was made by Mr. Kennelly, seconded by Mr. Jacobs and the members present unanimously **VOTED TO APPROVE** the Zoning Compliance Application of Christine Orlando and Priscilla Igram for an art studio.

This meeting adjourned at 9:45 p.m.

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Richard B. Jacobs  
Secretary

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James R. Wendt, AICP  
Assistant Director

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