

**TOWN PLAN AND ZONING COMMISSION  
TOWN OF FAIRFIELD  
MINUTES OF MEETING – JUNE 22, 2010**

The Town Plan and Zoning Commission held a meeting at 7:30 p.m., on Tuesday, June 22, 2010, in Fairfield Ludlowe High School, 785 Unquowa Road, Fairfield, CT.

Members Present: Seth Baratz, Chairman; Bryan LeClerc, Vice Chairman; Richard Jacobs, Secretary, Don D’Andrea, Jim Kennelly, Deb Owens, Doug Soutar

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

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

**Meeting Minutes** Motion was made by Ms. Parker, seconded by Mr. Valera and the members present unanimously **VOTED TO APPROVE** the meeting minutes of June 8, 2010.

Ms. Owens recused herself and Ms. Parker voted in her place.  
Mr. D’Andrea recused himself and Mr. Valera voted in his place.

**2633 Black Rock Turnpike** Motion was made by Mr. D’Andrea, seconded by Mr. Soutar to approve the request of Atty. John Fallon to waive construction of a sidewalk along Samp Mortar Drive in the A Zone.

For motion: No one

Against motion: Mr. D’Andrea, Mr. Soutar, Mr. Baratz, Mr. LeClerc, Mr. Jacobs, Mr. Kennelly, Ms. Owens

Therefore, this motion failed and the request is denied.

**Zoning Regulation Amendment** Motion was made by Mr. Kennelly, seconded by Mr. LeClerc and the members present unanimously **VOTED TO TABLE** the application of the Town Plan and Zoning Commission to amend Section 2.23 (Public Hearing and Decision).

**720 Pequot Avenue** Motion was made by Ms. Owens, seconded by Ms. Parker and the members present unanimously **VOTED TO APPROVE** the Special Exception and Coastal Site Plan application of the Pequot Library Association pertaining to additions to an existing library subject to the following conditions:

1. The stone lined channel of Horse Tavern Creek shall be repaired and stabilized.
2. The landscaping plan shall be revised indicating a buffer as required by Section 25.7.6 between the subject parcel and the adjacent Trinity Episcopal Church parcel. The applicant shall demonstrate that Trinity Church is in concurrence with the plan as offered by the applicant. Such plan shall be submitted to the Commission for review.
3. A bond shall be posted to secure site improvements.

Mr. Soutar and Mr. Wagner recused themselves and Ms. Parker sat in place of Mr. Soutar.

**3266 Post Road** Motion was made by Mr. Kennelly, seconded by Mr. D'Andrea to approve the Special Permit Application of Richard Raskin to modify a condition of approval dated July 13, 1999, regarding access to Kings Highway West.

Ms. Owens recused herself and Ms. Parker sat in her place. Mr. Kennelly listened to the tape of the public hearing and voted on this application.

For the motion: No one

Against the motion: Mr. Kennelly, Mr. D'Andrea, Mr. Baratz, Mr. LeClerc, Mr. Jacobs, Mr. Soutar, Ms. Parker

Therefore, this motion failed and the application is denied as there has been no change in circumstances to warrant the requested change.

**2180 Kings Highway** Motion was made by Mr. Kennelly, seconded by Mr. LeClerc and the members present **VOTED TO APPROVE** the Zone Change Application of 2180 Kings Highway DE, LLC to establish a Designed Residence District on land presently zoned Residence B and Designed Industrial District bound and described as follows:

**RESIDENCE B PORTION TO BE CHANGED TO DESIGNED RESIDENCE DISTRICT**

beginning at a point on the Westerly Street line of Kings Highway, said point being the southeasterly corner of land now or formerly (n/f) of Robert Johnston, said point also being the northeast corner of the parcel herein described:

Thence S 09° 07' 22" E, along the westerly street line of Kings Highway, a distance of 193.13 feet to a point;

Thence N 82° 49' 42" W, bounded southerly by "Lease Parcel One", as depicted on said map, a distance of 104.18 feet to a point;

Thence N 09° 07' 22" W, along a line parallel to and 100.00 feet westerly of the westerly street line of Kings Highway, a distance of 193.13 feet to a point;

Thence S 82° 49' 42" E, bounded northeasterly by land now or formerly of Robert Johnston, a distance of 104.18 feet to the point of commencement.

Said above described parcel of land contains 19,313 square feet/0.4434 acres.

### **DESIGNED INDUSTRIAL DISTRICT TO BE CHANGED TO DESIGNED RESIDENCE DISTRICT**

Commencing at a point on the easterly highway line of Kings Highway Cutoff, said point being the southwesterly corner of land now or formerly of Stanley Buckmir, said point also northwesterly corner of the parcel herein described:

Thence S 82° 49' 42" E, bounded northeasterly by land now or formerly of Stanley Buckmir and Robert Johnston, each in part, a distance of 214.64 feet to a point;

Thence S 09° 07' 22" E, along a line parallel to and 100.00 feet westerly of the westerly street line of Kings Highway, a distance of 193.13 feet to a point;

Thence in a southeasterly and southwesterly direction, bounded southerly by "Lease Parcel One", as depicted on said map, the following two courses:

S 82° 49' 42" E, 161.90 feet and S 81° 04' 43" W, 43.80 to a point;

Thence in a northwesterly direction along the easterly street line of Kings Highway Cut-Off, the following four courses:

A curve to the left having a radius of 1020.37 feet, an interior angle of 05° 46' 22", and an arc length of 102.81 feet, S 82° 30' 42" E, 10.74 feet,

A curve to the left having a radius of 1030.37 feet, an interior angle of 03° 24' 47", and an arc length of 61.38 feet and N 17° 14' 02" W, 47.63 feet to the point of commencement.

Said above described parcel of land contains 38,787 square feet or 0.8904 acres.

The application is approved for the following reasons:

1. The application is consistent with the Plan of Conservation and Development.
2. Time, experience and responsible planning for contemporary or future conditions indicate the need for the proposed zone change.
3. Circumstances in the neighborhood have changed substantially enough to merit the requested zone change.
4. It has been demonstrated that this proposed zone change is warranted and would serve the general health, welfare and safety of the Town of Fairfield.
5. The proposed zone change promotes a level of development that would serve to protect property values in the neighborhood and enhance the community.
6. The proposed zone change would not permit a level of development that would increase undue traffic congestion.

Ms. Owens recused herself and Ms. Parker sat in her place. Mr. Kennelly listened to the tape of the public hearing and voted on this application.

For motion: Mr. LeClerc, Mr. Baratz, Mr. D'Andrea, Mr. Soutar, Ms. Parker  
Against motion: Mr. Kennelly, Mr. Jacobs

Therefore, this motion is approved and the zone change is granted.

**2180 Kings Highway** Motion was made by Mr. Kennelly, seconded by Mr. LeClerc and the members present **VOTED TO APPROVE** the Special Permit and Coastal Site Plan Application of 2180 Kings Highway DE, LLC pertaining to a residential development subject to the following conditions:

1. A drainage easement shall be recorded to allow the drainage from parcel two on the plan to drain to structures on parcel one on the plan. Such easement shall establish a schedule of maintenance of the drainage structures. A copy of the recorded easement shall be submitted.
2. Pursuant to Section 10.9.2, the Commission approves more than four units in a single building as shown on the plans.
3. A bond shall be posted to secure site improvements.

Mr. Kennelly listened to the tape of the public hearing and voted on this application.

For motion: Mr. LeClerc, Mr. Baratz, Mr. D'Andrea, Mr. Soutar, Ms. Parker  
Against motion: Mr. Kennelly, Mr. Jacobs

Therefore, this motion is approved and the application is granted.

**525 Tunxis Hill Cutoff** Motion was made by Mr. LeClerc, seconded by Ms. Parker to table the Compliance Application of Alfred Lenoci, Sr., for façade modifications in the Des. Comm. 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. LeClerc, Mr. Jacobs, Mr. D'Andrea, Mr. Kennelly, Ms. Owens, Mr. Soutar, Ms. Parker, Mr. Valera, Mr. Wagner.

**295 – 355 Cedar Road** Request of Hollydale Associates, LLC for 100% release of a \$26,310 bond pertaining to subdivision improvements in a AA Zone.

Atty. Peter Ambrose presented this application to the Commission.

**85 Mill Plain Road** Zoning Compliance Application of 85 Pond Mill, LLC pertaining to indoor recreational use (squash) with request for reduced parking. Des. Ind. Dist.

Mr. Jon Eckman presented this application to the Commission.

**Zoning Regulation Amendment** Application of the Jewish Home for the Elderly of Fairfield County to amend Sections 5.2.2 (height) and 5.2.5 (coverage and bulk).

Atty. Austin Wolf presented this application to the Commission.

Mr. Jacobs recused himself from hearing this application.

This matter will be continued to July 13, 2010.

This meeting adjourned at 11:02 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”.

