

**TOWN PLAN AND ZONING COMMISSION
TOWN OF FAIRFIELD
MINUTES OF MEETING – JULY 24, 2012**

The Town Plan and Zoning Commission held a meeting at 7:30 p.m., on Tuesday, July 24, 2012 in McKinley Elementary School, 60 Thompson Street, Fairfield, CT.

Members Present: Bryan LeClerc, Chairman; Seth Baratz, Vice Chairman; Rich Jacobs, Secretary; Pat Jacobson, Jim Kennelly, Doug Soutar, Matt Wagner

Alternate Members Present: Gerry Alessi, Joan Neiley, Sally Parker

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

Meeting Minutes Motion was made by Mr. Baratz, seconded by Ms. Jacobson and the members present unanimously **VOTED TO TABLE** the Meeting Minutes of June 26, 2012.

Meeting Minutes Motion was made by Mr. Baratz, seconded by Mr. Alessi and the members present unanimously **VOTED TO APPROVE** the Meeting Minutes of July 10, 2012.

Mr. Kennelly recused himself from voting and Mr. Alessi voted in his place.

Closed Executive Session Motion was made by Mr. Jacobs, seconded by Ms. Jacobson and the members present unanimously **VOTED TO ENTER** into closed executive session regarding pending litigation regarding 130 Fairchild Avenue.

No motion was made, no action was taken.

Motion was made by Mr. Kennelly, seconded by Mr. Jacobs and the members present unanimously **VOTED TO RETURN** into public executive session to hear the following applications:

1215 Post Road After a discussion of enforcement regarding a violation of approved plans for an outdoor patio at Molto Wine Bar, a motion was made by Mr. Jacobs, seconded by Mr. Kennelly and the members present unanimously **VOTED TO RESCIND** the approval for the outdoor dining patio. This action was taken due to the continued use of space beyond that which was originally approved and the failure to comply with repeated warnings not to do so. Continued use of any of the outdoor patio will be considered a willful zoning violation.

In order to re-establish outdoor seating, the Commission requires an appearance with a new application to be brought before them.

PUBLIC HEARING

Motion was made by Mr. Kennelly, seconded by Ms. Jacobson and the members present unanimously **VOTED TO ENTER** into public hearing on the following applications:

50/92 Chatham Road Resubdivision of 50 Development, LLC and Patricia Sheehy for three (3) lots in an R-3 Zone.

Atty. James Walsh presented this application to the Commission.

This application was continued from June 26, 2012 and July 24, 2012 and it was the consensus of the Commission to continue this public hearing on August 14, 2012.

85 Mill Plain Road Application of Fischel Properties to establish an indoor recreational facility (boxing) in a portion of an existing building with request for reduced parking in a Des. Ind. Dist.

Jon Eckman presented this application to the Commission.

85 Mill Plain Road Application of Fischel Properties to establish two “enrichment” uses with a request for reduced parking in a Des. Ind. Dist.

Jon Eckman presented this application to the Commission.

5545 Park Avenue Zone Change application of St. Vincent’s Medical Center to establish a Designed Commercial District on land presently zoned R-3.

Atty. John Fallon requested to have this hearing take place on July 31, 2012.

5545 Park Avenue Special Permit application of St. Vincent’s Medical Center for a two-story medical office building.

Atty. John Fallon requested to have this hearing take place on July 31, 2012.

Motion was made by Mr. Wagner, seconded by Mr. Kennelly and the members present unanimously **VOTED TO RETURN** to the Executive Session and vote on the following applications:

220 Pansy Road Motion was made by Mr. Jacobs, seconded by Ms. Jacobson and the members present unanimously **VOTED TO APPROVE** the request of Ray Panigutti for 50% release of a \$15,630.00 bond pertaining to subdivision improvements in an A Zone.

1770 Kings Highway Motion was made by Mr. Kennelly, seconded by Mr. Soutar and the members present unanimously **VOTED TO APPROVE** the request of HH East Parcel, LLC for 100% release of a \$351,662.50 bond pertaining to Special Permit improvements in a Des. Comm. Dist.

206 Homeland Street Motion was made by Mr. Wagner, seconded by Mr. Kennelly and the members present unanimously **VOTED TO RECOMMEND TO PUBLIC HEARING** the modified 8-30g application of James and Brian Sakonchick for an affordable housing application.

960 Mill Hill Terrace Motion was made by Mr. Jacobs, seconded by Mr. Wagner and the members present unanimously **VOTED TO RECOMMEND TO PUBLIC HEARING** the Subdivision application of Round Hill Road Associates, LLC for three (3) lots in an R-3 Zone.

145 Brookside Drive Motion was made by Mr. Baratz, seconded by Mr. Soutar and the members present unanimously **VOTED TO RECOMMEND TO PUBLIC HEARING** the Subdivision application of Brookside Acres, LLC for three (3) lots in an A Zone.

17 Sanford Street Motion was made by Mr. Kennelly, seconded by Mr. Jacobs and the members present **VOTED TO APPROVE** the Compliance application of John Karageorge to establish an expanded use in a portion of an existing building subject to the following condition:

1. There shall be no internally illuminated signage inside the building visible to the outside.

For motion: Kennelly, Jacobs, LeClerc, Jacobson, Soutar, Wagner

Against motion: Baratz

48 Sanford Street Motion was made by Mr. Wagner, seconded by Mr. Soutar and the members present unanimously **VOTED TO APPROVE** the Compliance application of Todd Ressler to establish a seasonal outdoor dining area in the Cent. Des. Dist. subject to the following conditions:

1. Subject to annual recertification.
2. Season runs from April 1st through October 30th .
3. No outside music or sound system.
4. No additional signage permitted.
5. Tables and chairs to be removed in the off season.

808 Post Road Motion was made by Mr. Kennelly, seconded by Ms. Jacobson and the members present **VOTED TO APPROVE** the Compliance application of Peter Wiehl to establish a seasonal outdoor dining area in the Des. Comm. Dist., subject to the following conditions:

1. Due to concerns about vehicular/pedestrian safety, the only area of outdoor seating approved is the 5' – 5" x 27' area between the handicapped spaces and the building. The handicap spaces must be provided with wheel stops.
2. Subject to annual recertification.
3. Season runs from April 1st through October 30th.
4. No outside music or sound system.
5. No additional signage permitted.

For motion: Kennelly, LeClerc, Baratz, Jacobs, Soutar, Wagner
Against: Jacobson

1326 Post Road (a.k.a. 12 Unquowa Place) Motion was made by Mr. Wagner, seconded by Mr. Baratz and the members present **VOTED TO APPROVE** the Compliance application of Irish Hound, LLC to establish a seasonal outdoor dining area in the Cent. Des. Dist., subject to the following conditions:

1. Subject to annual recertification.
2. Season runs from April 1st through October 30th .
3. No outside music or sound system.
4. No additional signage permitted.
5. Tables and chairs to be removed in the off season.

For motion: Wagner, Baratz, LeClerc, Jacobson, Kennelly, Soutar
Against motion: Jacobs

620 Villa Avenue Motion was made by Mr. Wagner, seconded by Mr. Jacobs and the members present unanimously **VOTED TO TABLE** the Compliance application of Brian Lafo for a revised sign plan.

This meeting adjourned at 10:59 p.m.

Richard B. Jacobs, Secretary

Dolores Sansonetti, Clerk

