

**TOWN PLAN AND ZONING COMMISSION  
TOWN OF FAIRFIELD  
MINUTES OF MEETING – FEBRUARY 14, 2023**

The Town Plan and Zoning Commission held a Meeting at 6:30 p.m., Tuesday, February 14, 2023. The Town conducted its meeting at the Fairfield Fire School, 205 Richard White Way, Fairfield, Connecticut, and via WebEx.

Members Present: Tommy Noonan, Chairman; Lenny Braman, Vice Chairman; Meg Francis, Secretary; Kathy Braun; Steve Levy; Dan Ford; Alexis Harrison.

Alternate Members Present: Tom Corsillo and Jeanine Pocoski

Town Department Members Present: Jim Wendt, Planning Director  
Emmeline Harrigan, Asst. Planning Director  
Matthew Decker, ZEO  
Josephine Keogh, Clerk

**Meeting Minutes** Motion was made by Ms. Francis, seconded by Mr. Braman and members present unanimously **VOTED TO APPROVE** the Meeting Minutes of January 24, 2023, January 25, 2023, and February 1, 2023.

**Closed Executive Session** Discussion of litigation re 4185 Black Rock Turnpike

Motion was made by Ms. Braun, seconded by Ms. Harrison and the members present voted unanimously **VOTED TO ENTER** into closed Executive Session to discuss pending litigation regarding 4185 Black Rock Turnpike.

Joining the Commission in Executive Session were Atty. James Baldwin and Atty. Catherine Creager.

The Commission returned from Executive Session at 7:44 to begin its regular meeting. No motions were made and no decision was rendered.

**4185 black Rock Turnpike** Motion was made by Mr. Levy, seconded by Ms. Harrison and members present **VOTED TO ACCEPT** the terms and conditions of the Stipulated Judgement, and Defendant Fairfield Medical’s revocation and voiding of the Section 8-30g site plan approval, as provided by Section 14-7B of the Connecticut Rules of Court and applicable law.

**Zoning Regulation Amendment** Motion was made by Mr. Ford, seconded by Mr. Levy and the members present unanimously **VOTED TO RECOMMEND TO PUBLIC HEARING** the application of Post Road Residential, Inc to amend Section 13.14 (Transit Oriented Development Park).

**Zoning Regulation Amendment** Motion was made by Mr. Braman, seconded by Ms. Braun and members present unanimously **VOTED TO APPROVE** the application of the Town Plan and Zoning Commission to amend Section 2.4 of the Zoning Regulations to extend the existing Prohibition of Cannabis Establishments an additional year as follows:

2.4.1 Cannabis Establishments, including any related buildings, structures and uses, are prohibited in all zones in the Town of Fairfield. Cannabis establishments are defined as a producer, dispensary facility (including a Medical Marijuana Dispensary), cultivator, micro-cultivator, retailer, hybrid retailer (i.e., licensed to sell both recreational cannabis and medical marijuana), cannabis food and beverage manufacturer, cannabis product manufacturer, and/or cannabis product packager. Notwithstanding the foregoing, the prohibition of Cannabis Establishments will expire and terminate on February 28, 2024, unless otherwise extended by the Plan and Zoning Commission.

**40 Gould Avenue** Motion was made by Ms. Braun seconded by Mr. Braman and members present **VOTED TO TABLE** the Coastal Site Plan application of RTB Fairfield, LLC pertaining to the construction of a 2-family dwelling. B Zone

For Motion: Braun, Francis, Harrison  
Against motion: Noonan, Braman, Levy, Ford

Therefore, the motion did not carry.

Motion was then made by Mr. Braman seconded by Mr. Ford and members present **VOTED TO APPROVE** the Coastal Site Plan application of RTB Fairfield, LLC pertaining to the construction of a 2-family dwelling, subject to the following conditions:

1. Native plantings to be installed and maintained in accordance with the Coastal Planting Plan with invasives removed below and above the 1-year tidal line. All new plantings shall be above the 1-year tidal line.
2. Should future sea level rise cause additional seasonal yard flooding, future flood protection controls such as seawalls or revetments are prohibited on-site.
3. Architectural Plans to be in conformance with Fairfield's Flood Protection Regulations (Section 32) and all Zoning Regulation requirements.
4. Soil erosion and sedimentation controls installed and maintained during the entirety of the construction project at the subject site.
5. Revise the Site Development Plan per the Engineering Department comments to add inspection/hi-level overflows to the detention system at the rear of the site and ensure that the side are graded such that run-off does not affect adjacent

For motion: Noonan, Braman, Francis, Levy, Ford, Harrison  
Against motion: Braun

**PUBLIC HEARING**

**Zoning Regulation Amendment** Application of Spot On Fairfield, LLC to amend Section 12.4.12 of the Zoning Regulations. (continued 1/10/23, 1/24/23, 2/14/23)

**2269 Post Road** Special Permit application of Spot On Fairfield, LLC to establish a Veterinary Hospital including dog boarding and day care. Des. Comm. Dist. (continued from 1/10/23, 1/24/23, 2/14/23)

The proposed application was not heard and was continued to February 28, 2023

Meeting adjourned at 8:20 p.m.

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Meg Francis, Secretary

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Josephine M. Keogh, Clerk