

APPROVED Minutes
BROOKFIELD PLANNING COMMISSION
THURSDAY, October 20, 2011 7:30 PM
MEETING ROOM #133 – TOWN HALL, 100 POCONO ROAD

1. **Convene Meeting** : Chairman J. Van Hise convened the meeting at 7:30 p.m. and established a quorum of members: Chairman J. Van Hise; Vice Chairman W. Conner; Secretary A. Kerley; Regular Members R. Baiad and P. Conlon, and alternate D. Frankel. Also present: Town Director of Public Works R. Tedesco.

2. **Review Minutes of Previous Meetings**:
 - **10/06/11**: The Commission reviewed the Minutes and a motion was made by P. Conlon, seconded by R. Baiad, to approve the minutes as presented. The motion carried 4-0-1 with W. Conner abstaining (not present at this meeting).

3. **Old Business**: There was none at this meeting.

4. **New Business**:
 - a. **Draft – 2012 Land Use Commission Regular Meeting Schedule**: The Commission reviewed the proposed calendar and made the following notations:
 - July 5: delete this meeting and keep only one meeting in July (19th);
 - December 20: this is typically the night of the Commission's Holiday party, so please delete. A motion was made by W. Conner to strike the meetings of 7/5/12 and 12/20/12, and accept the remaining schedule as is. R. Baiad seconded the motion which carried unanimously.

 - b. **Proposed Zoning Regulation Changes: Section 242-305C(11) #201100827 and Section 242-501 #201100838**
 1. **Memo from the Zoning Commission to the Planning Commission dated 10/17/11**
 2. **Application for Zone Regulation Change: Section 242-305C(11) Application #201100827** The Chairman outlined the proposed regulation changes: Handicapped Parking is being brought to State code. A motion was made to send a memo to the Zoning Commission stating that the Planning Commission has reviewed this proposed change and has no problem with the proposed regulation change for Section 242-305C(11) , application #201100827, was made by W. Conner, seconded by A. Kerley and carried unanimously.

 3. **Application for Zone Regulation Change 242-501, Application #201100838**:
Correction on Town Center District Table of Permitted Uses: A motion was made by W. Conner to send a memo to the Zoning Commission stating that the Planning Commission has reviewed proposed regulation change for Section 242-501, Application #201100838, and looks favorably on this proposal. P. Conlon seconded the motion which carried unanimously.

- c. **56A & 56B Stony Hill Road #201100338: Mylar Signing**: Chairman Van Hise noted that the surety bond has been sent to Attorney Marcus's office for review. There has not yet been a response, so the bond is not in house, so this needs to be on the next agenda. The last date to file the

bond is November 9, 2011. *Please send a reminder to Attorney Marcus, reminding him of this bond, asking that it be submitted to the Commission no later than the next meeting on November 3, 2011. Please add to the next meeting's agenda.*

5. Minutes of Other Boards & Commissions:

- **10/03/11 Zoning Board of Appeals:** No comments or matters pertaining to this Commission.
- **10/13/11 Zoning:** No comments or matters pertaining to this Commission.

6. Correspondence

a) E-mail received from K. Daniel, Land Use Office Manager, asking for Commission's help to promote the work being done when consultants are approved. She is requesting names and contact information of people who may be interested in encouraging public participation in the planning of our town. The Chairman asked the Commissioners to contact anyone they know who may be interested.

7. Informal Discussion:

a. Peter Young – Lot Approval Whispering Glen: *P. Young, present as agent for Finmarc Custom Homes.* Mr. Young asked for clarification on whether this is a re-subdivision or a new one, and the Chairman concluded that this would be treated as a new subdivision. Mr. Young now wants to include lots 1 and 14, which have been transferred through foreclosure to Finmarc Custom Homes, as is some specific open space (which was not yet conveyed to the Town). A new map was reviewed. He is seeking to come in with just one application, called "Whispering Glen Section II" Subdivision. This would allow both the Commission and Mr. Young to include all of the road, facilitating this matter in terms of maintenance of catch basins. Mr. Young emphasized that they want to "do this right." This will also eliminate the need for more than one public hearing and multiple notifications to abutting property owners. Chairman Van Hise stated that the fire retention system needs to be located on this "Phase II" section of the subdivision. Mr. Young believes it is, and stated that if there are any upgrades needed, they would take care of it. R. Tedesco had done a preliminary review of the plan. Chairman Van Hise reminded Mr. Young that he also needs a Wetlands Commission review.

b. Jason Sivo – Brookfield Heights Subdivision: *J. Sivo and P. Scalzo, property owners, and Attorney P. Scalzo present.* Attorney Scalzo noted that the property owners have secured a construction loan to be able to put the final touches on Granite Drive, so that the Town can, if it chooses, maintain the road. Per the original approval, the road and common driveway are both part of the project. Final paving of the road is slated to be done within two weeks. However, the common driveways will not be done at that time, per Mr. Sivo. R. Tedesco said that since this was raised around the same time last year, "Nothing's changed." Attorney Scalzo said he would go back to the Town Attorney to see where things stand. Paul Scalzo believed that by finishing the roads and putting a maintenance bond in place that the Town would then assume responsibility for plowing the road. In the meantime, the common driveways would be done at a later date, and an amended approval would have to be sought since this would be done in two phases. R. Tedesco had listed his concerns before the Town Attorney months ago, and he wasn't sure what has been done since then. Attorney Scalzo said the loan would allow the property owners to finish both the road and the common driveways. They can finish Granite

Road but can't finish the common driveways in time before the winter sets in. R. Tedesco said he was leaving this matter in the Town Attorney's hands since he did not want to set a precedent. Paul Scalzo asked if it was feasible that the paving be done, and then seek an amendment to the approval. Attorney Scalzo asked for something in writing from Ralph outlining what is being requested of the applicant through the approval of Town Counsel. R. Tedesco agreed to find his original letter and forward a copy to Attorney Scalzo. There are dozens of stipulations, he noted. Attorney Scalzo stated that Attorney Marcus has already rendered an opinion on this. Attorney Scalzo will contact Attorney Marcus tomorrow. A homeowner presently living on the road asked about school bus access once the street is paved. He also asked about the status of a street sign, which Mr. Tedesco said is up to the developer.

c. **Old New Milford Road:** R. Tedesco stated that there will be a permanent patch, but no paving is planned until spring, the earliest. A water main has been installed.

8. **Tabled Items: There were none at this meeting.**

9. **Adjourn: A motion was made by A. Kerley to adjourn at 8:13 p.m. Motion was seconded by W. Conner and carried unanimously.**

J. Van Hise, Chairman