

**APPROVED MINUTES  
REGULAR MEETING  
BROOKFIELD ZONING BOARD OF APPEALS**

**Monday, November 7, 2011- 7:00 p.m.**

**MEETING ROOM 133 – TOWN HALL 100 POCONO RD**

**1. CONVENE MEETING**

Chairman Flynn convened the meeting at 7:14 p.m. and established a quorum of members. He then reviewed the policies and procedures that govern public hearings.

**Present:** Chairman M. Flynn, Vice Chairman C. Timmerman, G. Meyerle, P. Donohue, Alternate and Voting Member N. Coppola

**Absent:** Secretary S. Wallman, Alternate J. Brown

**2. REVIEW MINUTES - 10/3/11**

**Vice Chairman Timmerman moved to approve the Minutes of the October 3, 2011 meeting as submitted. G. Meyerle seconded the motion, and it carried, 3-0-2 with P. Donohue and N. Coppola abstaining.**

**3. REVIEW CORRESPONDENCE:**

**a. Minutes of other Boards and Commissions: Zoning Commission 9/22/11, 10/13/11; Inland Wetlands Commission 9/26/11, 10/17/11; Planning Commission 9/15/11, 10/6/11, 10/20/11; Zoning Sub-Committee**

**b. Building Permits Law Bulletin: October 2011**

No discussion/no motions.

**4. PUBLIC HEARINGS – 7:00 p.m.**

**a. 763 Federal Road (The Community's Bank) #201100852: Variance requested: §242-305D – Parking Space Schedule: 7 spaces (*PH close date 12/12/11*)**

1. Letter from Kathy Castagnetta, AICP, Howland & Associates dated 9/28/11  
Re: The Community's Bank – Application for Variance 763 Federal Road

2. Map titled "Existing Conditions Map" prepared by Arthur H. Howland & Associates, dated 5/7/10 revised 7/22/10 – sheet EC.1

- "Site Development Plan" dated 7/1/10 revised 10/26/10 – sheet SD.1
- "Vehicle Turning Template Diagrams" dated 7/1/10 revised 10/26/10 – sheet TT.1
- "Landscaping Plan" dated 7/1/10 revised 10/26/10 – sheet LA.1

*P. Simanski, A. Howland & Associates, and O. Aarons, Executive Vice President, The Community Bank, Owner of the property, were present.* The location of the property was explained. There was brief discussion regarding previous variances on the property, as well as prior issues with building materials utilized by another owner. Mr. Aarons advised that the water and erosion issues have been resolved, and the property is being regularly maintained. The property is currently for sale. Mr. Simanski advised that a small Danbury company is interested in purchasing the site. He referenced the above letter dated September 28, 2011 from Howland & Associates, and indicated that the square footage of the basement, first floor and second floor were utilized in calculating the required parking spaces of nineteen spots. He also noted that twelve parking spaces were approved in 2004 by the Zoning Commission, which is an

insufficient number. Vice Chairman Timmerman inquired what type of use the building would be, and Mr. Simanski indicated it would be as originally approved: retail on the first floor, and professional offices upstairs. He reviewed the current parking configuration. In response to an inquiry from Vice Chairman Timmerman regarding the odd shape of the lot, Mr. Simanski advised that the lot has always been that shape. He added that there is no other place on the site to add any additional spaces. Mr. Simanski further pointed out an 8' X 32' loading space in the rear for occasional deliveries.

There was additional discussion regarding the odd shape of the lot. Mr. Simanski stated that the proposed tenant finds that the parking spaces that are being proposed are sufficient for its intended use. He discussed the ways that various municipalities calculate parking requirements in relation to square footage.

It was noted that there was no correspondence related to this application. *No one was present to speak in favor of the application, nor was anyone present to speak in opposition.*

**Vice Chairman Timmerman moved to close the Public Hearing re: 763 Federal Road (The Community's Bank) #201100852: Variance requested: §242-305D – Parking Space Schedule: 7 spaces, at 7:30 p.m. N. Coppola seconded the motion, and it carried unanimously.**

#### **DELIBERATIONS**

- a. **763 Federal Road (The Community's Bank) #201100852:** Variance requested: §242-305D – Parking Space Schedule: 7 spaces (*PH close date 12/12/11*)
1. Letter from Kathy Castagnetta, AICP, Howland & Associates dated 9/28/11  
Re: The Community's Bank – Application for Variance 763 Federal Road
  2. Map titled "Existing Conditions Map" prepared by Arthur H. Howland & Associates, dated 5/7/10 revised 7/22/10 – sheet EC.1
    - "Site Development Plan" dated 7/1/10 revised 10/26/10 – sheet SD.1
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    - "Landscaping Plan" dated 7/1/10 revised 10/26/10 – sheet LA.1

**Vice Chairman Timmerman moved to approve 763 Federal Road (The Community's Bank) #201100852: Variance requested: §242-305D – Parking Space Schedule: 7 spaces. G. Meyerle seconded the motion. Vice Chairman Timmerman pointed out the difficulty with the shape of the lot. Chairman Flynn noted that the proposed use has already been approved. Motion carried unanimously. *Variance approved. Reason: Odd lot shape, and the proposal is no different than what was previously approved.***

5. **TABLED ITEMS: None.**

6. **NEW BUSINESS:**

- a. **Land Use Commission Regular Meeting Schedule for 2012 "Draft":**  
Review for Approval of ZBA meetings

It was noted that the July meeting is two days before the July 4<sup>th</sup> holiday. **Vice Chairman Timmerman moved to change the July 2, 2012 meeting proposed on the 2012 Draft ZBA Calendar to July 9, 2012. Chairman Flynn seconded the motion, and it carried**

**unanimously.**

**7. INFORMAL DISCUSSION: None.**

**8. ADJOURN**

**Vice Chairman Timmerman moved to adjourn the meeting at 7:34 p.m. N. Coppola seconded the motion, and it carried unanimously.**

*\*\*\*Next meeting Scheduled for December 5, 2011\*\*\**