

**APPROVED MINUTES
REGULAR MEETING
BROOKFIELD ZONING BOARD OF APPEALS
Monday, September 10, 2012- 7:00 p.m.
MEETING ROOM 135 – TOWN HALL 100 POCONO RD**

1. CONVENE MEETING

Present: Chairman M. Flynn, Vice Chairman C. Timmerman, N. Coppola and Alternate and Voting Member J. Brown

Absent: Secretary S. Wallman, P. Donohue, G. Meyerle

Also Present: Recording Secretary D. Cioffi

Chairman Flynn convened the meeting at 7:07 p.m. and established a quorum of members. He then reviewed the policies and procedures that govern public hearings.

- 2. REVIEW MINUTES - 8/6/12 – Vice Chairman Timmerman moved to approve the Minutes of the August 6, 2012 meeting. N. Coppola seconded the motion. Vice Chairman Timmerman noted the following corrections, on Page 6 and Page 9, re: 366 Federal Road, in the variance listing, in the eleventh line in both of the paragraphs, to change the lot area to 12,355 square feet, as was correctly noted on the application during the meeting.**

Vice Chairman Timmerman moved to amend the Minutes as noted above. N. Coppola seconded the motion to amend, and it carried unanimously.

The motion to approve the amended Minutes also carried unanimously.

3. REVIEW CORRESPONDENCE:

- a. Minutes of other Boards and Commissions: Zoning Commission 8/9/12; Inland Wetlands Commission 7/23/12, 8/13/12; Planning Commission 7/26/12 special, 8/2/12, 8/16/12; Zoning Sub-Committee**
- b. Letter from Dan and Jane Storrs, Phoenix Custom Builders to Zoning Board of Appeals dated August 2012**
- c. Legal Briefings for Building Inspectors Bulletin: August 2012**

No discussion/no motions.

4. PUBLIC HEARINGS – 7:00 p.m.

- a. 24 Junction Road #201200747: Variance requested: §242-402A – 25’ structure to right side line for a shed (PH close date 10/15/12)**
 - 1. Site Map handed into Land Use 8/7/12 showing location of proposed shed**

J. Neary, 24 Junction Rd., was present. Chairman Flynn and N. Coppola noted that they visited the site today. Mr. Neary explained that he would like to install a shed on the property. The proposed location has been chosen because there are no other alternatives due to a stone wall and sloping on the property. The shed will be no larger than 14’ X 14’. Chairman Flynn noted a row of trees that are on the neighbor’s property, five feet from the property line. He also pointed out the narrowness of the lot. N. Coppola added that another restriction to the location is the location of wetlands.

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: 24 Junction Road #201200747: Variance requested: §242-402A – 25’ structure, to right side line for a shed, at 7:14 p.m. N. Coppola seconded the motion, and it carried unanimously.

b. 2 Belden Hill Road #201200763: Variance requested: §242-402A – 30’ structure to center of road (PH close date 10/15/12)

1. Site Map handed into Land Use 8/7/12 showing location of proposed shed

P. Vitti, 2 Belden Hill Road, was present. He submitted photographs of the 12’ X 16’ shed, which will be transported to this property from his previous residence. Mr. Vitti explained that the difficulty with the property relates to the two front yards. He reviewed the existing landscaping on the site, and proposes to either add evergreens for a buffer or continue the hedgerow on the abutting property in Danbury. Chairman Flynn noted his concern that the shed can be seen from the road, and that a hardship must be demonstrated. There was discussion regarding other possible locations. Chairman Flynn suggested that the applicant propose screening. Mr. Vitti referenced correspondence in support of the proposal from another abutting neighbor, J. Clancy.

Vice Chairman Timmerman inquired regarding the possibility of lining up the shed with an existing vinyl fence. Mr. Vitti explained that he plans on replacing the fence with a natural buffer of trees. Chairman Flynn advised that proposal for the buffer must include the number of trees. It was noted that the shed is 15 feet tall.

Chairman Flynn pointed out the need for a hardship that relates to the land. Mr. Vitti replied that it is the two front yards.

There was additional discussion regarding the possible species of trees and number of trees that would be installed.

No one was present to speak in favor of the application, nor was anyone present to speak in opposition.

N. Coppola inquired regarding the possibility of moving the shed 45 feet from the center of the road, and there was discussion regarding the need to allow for the growth of trees.

A letter from J. Clancy, 4 Belden Hill Road, dated 9/6/12, in support of the application, was read into the record.

Vice Chairman Timmerman moved to close the Public Hearing re: 2 Belden Hill Road, #201200763: Variance requested: §242-402A – 30’ structure to center of road. Motion carried unanimously.

DELIBERATIONS

a. 24 Junction Road #201200747: Variance requested: §242-402A – 25’ structure to right side line for a shed (PH close date 10/15/12)

1. Site Map handed into Land Use 8/7/12 showing location of proposed shed

Vice Chairman Timmerman moved to approve 24 Junction Road, #201200747: Variance #201200747: Variance requested: §242-402A – 25’ structure, to right side line for a shed. N. Coppola seconded the motion, and it carried unanimously. *Variance approved.* Reason: Lot shape, topography and upzoning.

- b. 2 Belden Hill Road #201200763: Variance requested: §242-402A – 30’ structure to center of road (PH close date 10/15/12)**
 - 2. Site Map handed into Land Use 8/7/12 showing location of proposed shed

Vice Chairman C. Timmerman moved to approve 2 Belden Hill Road, #201200763: Variance requested: §242-402A – 30’ structure to center of road. N. Coppola seconded the motion.

There was additional discussion regarding the need to shield the shed from the road.

Chairman Flynn moved to amend the motion to approve to include five 8’ high evergreens of choice to shield from the road. Vice Chairman Timmerman seconded the motion.

The vote on the amended motion was also unanimous. *Variance approved.* Reason: Two front yards and odd-shaped lot.

Chairman Flynn moved to go into Executive Session at 7:35 p.m. for the purposes of discussing a legal matter. N. Coppola seconded the motion, and it carried unanimously.

EXECUTIVE SESSION

Chairman Flynn moved to come out of Executive Session at 7:50 p.m., noting that no motions were made. Vice Chairman Timmerman seconded the motion, and it carried unanimously.

- 5. TABLED ITEMS: None.**
- 6. NEW BUSINESS: None.**
- 7. INFORMAL DISCUSSION: None.**
- 8. ADJOURN**

Vice Chairman Timmerman moved to adjourn the meeting at 7:50 p.m. N. Coppola seconded the motion, and it carried unanimously.