

**APPROVED MINUTES  
REGULAR MEETING  
BROOKFIELD ZONING BOARD OF APPEALS  
Monday, June 2, 2014- 7:00 p.m.  
MEETING ROOM 133 – TOWN HALL 100 POCONO RD**

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**1. Convene meeting**

Chairman C. Timmerman convened the meeting at 7:02 p.m. and established a quorum of members. He then reviewed the policies and procedures that govern public hearings.

**Present:** Chairman C. Timmerman, Vice Chairman N. Coppola, Secretary J. Eagan, G. Meyerle

**Absent:** Alternate Members L. Bibbo and P. Murphy

**Also Present:** Recording Secretary D. Cioffi

**2. Review Minutes – 5/5/14 – Vice Chairman N. Coppola moved to approve the Minutes of the May 5, 2014 meeting. G. Meyerle seconded the motion, and it carried unanimously.**

**3. Review Correspondence:**

- a. Minutes of other Boards and Commissions: Zoning Commission 4/24/14, 5/8/14; Inland Wetlands Commission 5/12/14; Planning Commission 4/17/14, 5/1/14, 5/15/14; Zoning Sub-Committee**

**No discussion/no motions.**

**4. PUBLIC HEARINGS – 7:00 p.m.**

- a. 127 Pocono Road #201400361: Variance requested: §242-402A – 25’ structure to left side line for a 12’ x 16’ shed.**

1. GIS property map with shed drawn in – handed into Land Use 5/7/14

*P. Pnacek, 127 Pocono Rd., was present, and signed the consent to be heard before a four-person Board.* He discussed plans for a storage shed that he will construct himself. The proposed location was chosen due to wetlands and septic at other possible areas. Chairman Timmerman noted that there are many trees bordering his property. The shed will be made of similar material to the house. Vice Chairman Coppola advised Mr. Pnacek that he must consider the overhangs of the structure when calculating the measurements. The distances to trees on the property were reviewed. There was discussion regarding moving the shed location closer to the driveway. G. Meyerle and Chairman Timmerman explained the requirements of hardship and having minimal impact to the neighbor’s property. There was discussion regarding building separation requirements. Mr. Pnacek stated that a pool that was on the property was removed, but will be replaced in the same location. Chairman Timmerman explained that putting the shed closer to the driveway will reduce the setback issue. There was discussion regarding cutting down a tree to accommodate the shed in another location. Mr. Pnacek advised he would be willing to cut down the tree.

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

**N. Coppola moved to close the Public Hearing re: 127 Pocono Road, #201400361: Variance requested: §242-402A – 25’ structure to left side line for a 12’ x 16’ shed, at 7:19 p.m. J. Eagan seconded the motion, and it carried unanimously.**

- b. **115 Federal Road #201400373**: Variance requested: §242-306C(2)(b) – 6’ structure to center of road for a roadside sign, §242-306F(4) – an additional building sign for a “Contractors Entrance”
1. Map titled “Tile America Signage” prepared by DyMar Engineering dated 4/25/14 – sheet C-1

*A. Moran, was present, on behalf of Tile America, 115 Federal Rd.* The business would like to install a new sign. Mr. Moran advised that if the sign is placed pursuant to the regulation, it would interfere with traffic. The site plan was reviewed, and receipt of a letter from the Department of Transportation was acknowledged. Mr. Moran noted that there would be an overhang of one foot, which requires the base to be moved in one foot. The location of the old sign was noted, and Mr. Moran indicated it will be removed, as was requested by the Zoning Enforcement Officer. The location of the sign will not put the property out of compliance with parking requirements.

The other sign being requested is a directional sign for “Contractors Entrance”. The Board members agreed that this particular sign will make the site safer by keeping trucks out of the driveway and parking lot.

*Dr. Steven Reiss, 109 Federal Rd., was present, and inquired where the new sign was going. Mr. Moran explained it is in the middle of the grassy area. Dr. Reiss expressed his satisfaction with the plan. No one was present to speak in opposition to the application.*

**N. Coppola moved to close the Public Hearing re: 115 Federal Road #201400373: Variance requested: §242-306C(2)(b) – 6’ structure to center of road for a roadside sign, §242-306F(4) – an additional building sign for a “Contractors Entrance”, at 7:27 p.m. J. Eagan seconded the motion, and it carried unanimously.**

*Mr. Moran signed the consent form for being heard before a four-person Board.*

- c. **15 Cottontail Lane #201400372**: Variance requested: §242-402A – 2.7% lot coverage for a patio and walkways
1. Map of proposed patios and walkway received in Land Use 5/14/14

*S. Keaney, Keaney & Co, Candlewood Heights, New Milford, and homeowner J. Sanborn, were present.* Ms. Keaney reviewed a plot plan showing the existing conditions, and discussed the addition of a patio and walkways. The variance request is for 2.7% lot coverage. An earlier variance granted in 2010 to 11.8 % lot coverage. Ms. Keaney explained that the driveway and parking will be graded, and the proposal will allow access to the back of the house. She shared a photograph of the back of the house. The material being used will be beige, pervious pavers that will match the existing house. Upon inquiry from Chairman Timmerman, there was discussion regarding the deck. Chairman Timmerman also noted that the lot is undersized in an R40 zone. Ms. Keaney noted the presence of a row of arborvitae and the amount of room that will easily accommodate the proposed patio. N. Coppola inquired if the walkway and patio would serve as wheelchair access and Ms. Keaney indicated it would.

Secretary Eagan read a letter from J. and S. Murphy, neighbors, in favor of the application.

*H. and J. Hopper, 14 Cottontail Ln., were present, and also spoke in favor of the application. No one was present to speak in opposition to the application.*

*Mrs. Sanborn signed the consent form for being heard before a four-person Board.*

**N. Coppola moved to close the Public Hearing re: 15 Cottontail Lane #201400372: Variance requested: §242-402A – 2.7% lot coverage for a patio and walkways at 7:35 p.m. G. Meyerle seconded the motion, and it carried unanimously.**

**d. 315 Candlewood Lake Road #201301166: Amendment to the proposed project for the approved variance for an accessory apartment.**

*J. Mooney, 315 Candlewood Lake Rd., was present. A previous variance was granted for a garage with a loft, and now the applicant wishes to build an accessory apartment. Mr. Mooney has talked with the Building and Health Departments regarding their requirements. The same hardships apply from the prior variance.*

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

*Mr. Mooney signed the consent form for being heard before a four-person Board.*

**N. Coppola moved to close the Public Hearing re: 315 Candlewood Lake Road #201301166: Amendment to the proposed project for the approved variance for an accessory apartment, at 7:39 p.m. G. Meyerle seconded the motion, and it carried unanimously.**

### **DELIBERATIONS**

**a. 127 Pocono Road #201400361: Variance requested: §242-402A – 25’ structure to left side line for a 12’ x 16’ shed.**  
1. GIS property map with shed drawn in – handed into Land Use 5/7/14

**J. Eagan moved to approve the variance for 127 Pocono Road, #201400361, as advertised. N. Coppola seconded the motion. There was discussion regarding the proximity to the neighboring property, and maintaining the landscaping border between the two lots. It was noted that the building separation requirement is 20 feet.**

**G. Meyerle moved to amend the variance for 127 Pocono Road, #201400361, to 10’ away from the property line, and with the stipulation that the privacy bushes must be maintained by the property owner. N. Coppola seconded the amended motion, and it carried unanimously. Variance approved as amended. Reason: Wetlands in the rear, building location and septic location.**

**b. 115 Federal Road #201400373: Variance requested: §242-306C(2)(b) – 6’ structure to center of road for a roadside sign, §242-306F(4) – an additional building sign for a “Contractors Entrance”**  
1. Map titled “Tile America Signage” prepared by DyMar Engineering dated 4/25/14 – sheet C-1

**J. Eagan moved to approve 115 Federal Road, #201400373, as advertised. G. Meyerle seconded the motion. There was discussion regarding the proposed sign not affecting sight lines and approval by the State Department of Transportation. The sign will also make for safer traffic in the area. With regard to the second sign, it was noted it is only directional, for the contractors’ entrance only. Motion carried unanimously. Variance approved.**

**Reason: For safety; has approval of State DOT; and the second sign is directional as depicted only.**

c. **15 Cottontail Lane #201400372**: Variance requested: §242-402A – 2.7% lot coverage for a patio and walkways

1. Map of proposed patios and walkway received in Land Use 5/14/14

**J. Eagan moved to approve 15 Cottontail Lane, #201400372, as advertised. N. Coppola seconded the motion. It was noted that this is an undersized lot, the area is open; and the need to provide handicapped access is a valid hardship. Motion carried unanimously. Variance approved. Reason: Undersized lot, and safety for Americans with Disabilities Act compliance.**

d. **315 Candlewood Lake Road #201301166**: Amendment to the proposed project for the approved variance for an accessory apartment

**J. Eagan moved to approve 315 Candlewood Lake Road, #201301166, as advertised. N. Coppola seconded the motion. It was noted that the application records the change of use of a previously approved accessory building. The hardships remain the same as with the previously approved variance. Variance approved. Reason: Same hardship as previous approval; change in use only.**

5. **Tabled Items: None.**

6. **New Business: None**

7. **Informal Discussion: None.**

8. **Adjourn**

**G. Meyerle moved to adjourn the meeting at 7:49 p.m. N. Coppola seconded the motion, and it carried unanimously.**

*\*\*\*Next meeting Scheduled for July 7 2014\*\*\**