

**APPROVED MINUTES
REGULAR MEETING
BROOKFIELD ZONING BOARD OF APPEALS
Monday, November 3, 2014- 7:00 p.m.
MEETING ROOM 135 – TOWN HALL 100 POCONO RD**

1. Convene meeting

Chairman C. Timmerman convened the meeting at 7:00 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, Alternate and Voting Member P. Murphy (Also present in the audience was prospective new member L. Ruschmeyer, as well as Selectman M. Flynn (until 7:05 p.m.))

Absent: Alternate L. Bibbo

Also Present: Recording Secretary D. Cioffi

2. Review Minutes – 10/6/14 – G. Meyerele moved to approve the Minutes of the October 6, 2014 meeting. P. Murphy seconded the motion, and it carried, 4-0-1, with Vice Chairman Coppola abstaining.

3. Review Correspondence:

- a. **Minutes of other Boards and Commissions: Zoning Commission 9/11/14, 9/25/14, 10/9/14; Inland Wetlands Commission 9/22/14, 10/6/14; Planning Commission 9/18/14, 10/2/14; Aquifer Protection Agency 9/25/14**
- b. **Legal Briefings for Building Inspectors: October 2014**
- c. **Letter from Mark Vacirca to Zoning Board of Appeals dated 9/22/14 Re: Sokol Club Variance – ZBA Meeting 9/8/14**

No discussion/no motions.

4. CONTINUED PUBLIC HEARINGS – 7:00 p.m.

- a. **6 Galloping Hill Road #201400689: Variance requested: §242-402A – 31' structure to rear lot line; §242-402A – 35' structure to right side line; §242-402A – 1' building separation for a 24' x 36' detached garage (ph close date was 10/12/14 – 65 ext days granted, 25 ext. days used [40 ext days left]**
 1. E-mail from Rick Hardin to ZBA Commission dated 10/16/14 Re: 65 Extension days granted for application

Mrs. K. Hardin, 6 Galloping Hill Rd., was present. She presented a map with a revised plan showing an attached structure, which resolves the earlier issue regarding building separation. The Board reviewed the following on the map: Distance A is now 34 feet away, reducing the variance to 16 feet. Distance C is 14 feet away, which increases the variance to 36'. Chairman Timmerman explained that the variance cannot be increased over what was advertised. There was additional discussion regarding Distance C. Chairman Timmerman estimated that Distance C is closer to 19 feet. He noted that there is no extension time left for the review of this application. Vice Chairman Coppola recommended that Mrs. Hardin provide a better, more detailed drawing. Upon inquiry from Chairman Timmerman, Mrs. Hardin indicated that the measurements came from Jason at The Barnyard. The new plan was submitted for the record.

The Board continued to review the revised plan, but remained unclear about the angle from the driveway to the property line, and from the building to the property line. There was discussion

regarding squaring the building to the back of the lot and pivoting it. Chairman Timmerman reiterated that the maximum variance that could be granted for the right side line is 35 feet. Distance C remains the area of concern, and after discussion, the Board surmised that Distance C should be “19 feet” rather than “14 feet”. Mrs. Hardin advised that all of the pins were marked by the surveyor.

Vice Chairman Coppola advised the applicant to obtain an A2 survey. Secretary Eagan inquired how the garage would be attached to the home, and Mrs. Harkin advised it would be done by a breezeway.

Mrs. Hardin spoke in favor of the application. No one was present to speak in opposition to the application.

Vice Chairman Coppola moved to close the Public Hearing for 6 Galloping Hill Road, #201400689. Variance requested: §242-402A – 31’ structure to rear lot line; §242-402A – 35’ structure to right side line; §242-402A – 1’ building separation for a 24’ x 36’ detached garage. Secretary Eagan seconded the motion, and it carried unanimously.

DELIBERATIONS

Secretary Eagan moved to approve 6 Galloping Hill Road, #201400689, as advertised. Vice Chairman Coppola seconded the motion.

Vice Chairman Coppola moved to amend the motion to remove building separation (§242-402A – 1’ building separation for a 24’ x 36’ detached garage), and reduce the rear lot line variance to 20 feet rather than 31 feet. Chairman Timmerman noted that the representatives from The Barnyard are likely aware of the Town’s requirements. He proposed leaving the right side line variance the same.

Vice Chairman Coppola amended the amended motion above to remove the building separation, and to change the setback on the rear lot line variance request to 20 feet. P. Murphy seconded the amended motion. Motion on the amendment to the motion carried unanimously. Amended motion carried unanimously.

Variance granted as amended. Reason: Odd lot shape; septic and wetlands present in the back.

5. Public Hearings – Following Continued Public Hearing:
a. No new applications

7. Informal Discussion: Chairman Timmerman advised that Mr. Ruschmeyer’s appointment to the Board will be voted on tonight by the Board of Selectmen.

Chairman Timmerman advised he spoke with Attorney Beecher regarding a lawsuit. Attorney Beecher indicated he filed a Motion to Dismiss on the grounds of the time deadline, and that the roads cannot be considered abutters.

6. New Business:

a. Draft Meeting Calendar for the 2015 year - There was discussion regarding whether the January meeting should be cancelled due to advertising constraints. The Board will inquire if a meeting could be held on the second Monday in January without timing concerns for advertising. **This matter will be tabled until the next meeting on December 1, 2014.**

8. Adjourn

Vice Chairman Timmerman moved to adjourn the meeting at 7:31 p.m. G. Meyerle seconded the motion, and it carried unanimously.

****Next meeting Scheduled for December 1, 2014****