

**Zoning Board of Appeals**  
**MINUTES**  
**7:00 PM Monday, January 04, 2016**  
**Brookfield Town Hall - Room 135**

**1) Convene Meeting**

Chairman C. Timmerman convened the meeting at 7:06 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, R. Marconi, G. Meyerle, S. Villodas

**Absent:**

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

**2) Review Minutes:**

**12/7/15**– R. Marconi moved to accept the Minutes of the December 7, 2015 meeting, G. Meyerle seconded the motion, and it carried unanimously.

**3) Review Correspondence:**

[no item]

a) Minutes of other Boards and Commissions:  
[no item]

b) Legal Briefings for Building Inspectors: December 2015  
[no item]

c) Letter and Report from Robinson + Cole to Stephen Dunn, First Selectman dated 12/16/15 Re: Submission of Technical Information Concerning a Proposal to Construct a Wireless Telecommunications Facility at 100 Pocono Rd, Brookfield CT (report on cart)  
Noted.

**4) PUBLIC HEARINGS - 7:00 p.m.**

[no item]

a) 134 North Lakeshore Drive #201501173:

Variance requested: §242-402A - 1.5' structure to right side line for stairs to a deck (*ph close date 2/8/16*)

"Property Survey" prepared by Paul Hiro, L.S. dated 6/28/13 revised thru 11/12/15 –  
*R. Logan, 134 North Lakeshore Dr., was present.* He advised that he previously received a variance for this property to construct a deck. Upon completion of the project, it was discovered that the stairway to the deck, which was planned to be three feet wide, was actually 42 inches wide. Mr. Logan stated that the contractor incorrectly measured from the tree line rather than the property line. He further indicated that when the as-built survey was done, it was determined that the finished construction was 6 inches more than the originally approved variance. Chairman Timmerman noted his correction on the application before the Board tonight for the additional 6 inches. Mr. Logan pointed out that the larger width of the stairway makes it safer. Further, he spoke with the neighbor on the affected side, and she had no objection. Vice Chairman Coppola inquired if there was access to the kitchen from the stairway, and Mr. Logan indicated there is. There was discussion regarding the property line's path from the front of the house to the rear, as well as the distance from the stairway. S. Villodas noted that upon inspection, he observed the presence of a "pin" placed on the site by the contractor, and Mr. Logan ascertained it was put there over a month.

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

**Vice Chairman Coppola moved to close the Public Hearing re: 134 North Lakeshore Drive, #201501173, at 7:15 p.m. G. Meyerle seconded the motion, and it carried unanimously.**

**DELIBERATIONS**

**R. Marconi moved to approve of 134 North Lakeshore Dr., #201501173, as advertised, Vice Chairman Coppola seconded the motion. Mr. Marconi noted that the deviation from the originally granted variance was not intentional. He stated it would be a hardship for the neighbor to remove the staircase, and Mr. Meyerle pointed out that financial hardships are not considered. Chairman Timmerman reviewed that professional builders should have knowledge of measurement standards, however, the wider stairway is safer. Mr. Marconi pointed out it could assist in making the site handicapped accessible if needed in the future. There was discussion regarding the safer egress on the site. It was pointed out that there was no objection from the affected neighbor, and they were provided notification. Motion carried unanimously. *Variance approved.* Reason: Safety access in the back.**

b) 43 Silvermine Rd #201501174:

Variance requested: 242-311A (3) - Use Variances Prohibited for an accessory apartment in an Industrial/Commercial Zone (*ph close date 2/8/16*)

"Property Map" prepared by New England Land Surveying, P.C. dated 5/26/15 –

*M. Joseph. Grimes, 6 Horse Hill Rd., and property owner of 43 Silvermine Rd., was present.* He explained that the property is zoned Industrial, and reviewed the zoning history of the area. He advised that the property does have some pre-existing, non-conforming uses that have been allowed. The house on the site is rented and he has used the garage to store equipment. Mr. Grimes indicated that he could utilize the garage for an industrial use, however, he stated that he believes the residential use is more in keeping with the area. He pointed out that due to a recent change in zoning law, there is a height limitation. He does not plan on increasing the height. Mr. Grimes discussed the utilities present on the site, and stated he was advised by the Sanitarian that he has to add four feet to the separate sanitary sewer line. He indicated that he included copies of the aforementioned zoning law in the Board members' packets, pointing out that the third exception listed applies to this application.

Upon inquiry from Chairman Timmerman, Mr. Grimes advised he would rent the two structures on the site separately. He will continue to keep equipment outside there, and rent out the garage structure as a one-bedroom apartment.

There were no questions of clarification for Mr. Grimes from the Board.

Vice Chairman Coppola read a letter from B. Muro, 42 Silvermine Hill Rd., who resides directly across street from the site, indicating that she had no objection to the application.

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

**R. Marconi moved to close the Public Hearing re: 43 Silvermine Rd., #201501174, at 7:23 p.m. S. Villodas seconded the motion, and it carried unanimously.**

#### DELIBERATIONS

**R. Marconi moved to approve 43 Silvermine Rd., #201501174, as advertised. Vice Chairman Coppola seconded the motion. Chairman Timmerman noted that the accessory apartment under 1,200 square feet in an industrial zone is allowed. He further pointed out that it creates more of a buffer. Motion carried unanimously. Variance approved. Reason: It is a satisfactory transition to the residential zone next door.**

#### 5) Tabled Items:

None.

#### 6) New Business:

[no item]

a) Draft ZBA Meeting Dates for 2016 calendar year:

**R. Marconi moved to change the October 2016 meeting date from October 3, 2016 to Wednesday, October 5, 2016, due to the Rosh Hashanah holiday. S. Villodas seconded the motion, and it carried unanimously.**

b) Nomination and Election of Commission Officers for the 2016 Calendar Year:

**R. Marconi moved to re-nominate C. Timmerman as Chairman. G. Meyerle seconded the motion, and it carried unanimously.**

**Chairman Timmerman re-nominated N. Coppola as Vice Chairman. R. Marconi seconded the motion, and it carried unanimously.**

**Chairman Timmerman nominated R. Marconi as Secretary. S. Villodas seconded the motion, and it carried unanimously.**

#### 7) Informal Discussion:

None.

#### 8) Adjourn

**G. Meyerle moved to adjourn at 7:33 p.m. S. Villodas seconded the motion and it carried unanimously.**