

**Zoning Board of Appeals**  
**APPROVED MINUTES**  
**7:00 PM Monday, May 02, 2016**  
**Brookfield Town Hall - Room 135**

**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 R. Marconi, G. Meyerle, S. Villodas (arrived at 7:10 p.m.), Alternate and Voting Member L. Ruschmeyer (for Agenda Item 4.a.)

**Absent:** None.

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

**2) Review Minutes:**

7:03 p.m.

**4/11/16 – Secretary Marconi moved to accept the Minutes of the April 11, 2016 meeting. G. Meyerle seconded the motion, with Vice Chairman Coppola and L. Ruschmeyer abstaining.**

**3) Review Correspondence:**

- a) Minutes of other Boards and Commissions:  
No discussion/no motions.
- b) Legal Briefings for Building Inspectors:  
No discussion/no motions.

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

- a) 49 Meadow Brook Rd #201600209:

7:04 p.m.

*J. and K. Vitale, 49 Meadow Brook Rd., were present.* Mrs. Vitale advised she and her husband are requesting an increase in a previously-approved variance. Chairman Timmerman stated that this information is not listed on the materials he has. Mr. Vitale explained that the request is to put in a larger shed. It was noted that there is a smaller shed currently to the right of the house. Chairman Timmerman noted that the house is in an affordable housing subdivision, so standard setbacks do not apply. He inquired if there is other land owned by subdivision, such as a conservation easement. The applicants stated there was some property but it was sold to a water company recently. G. Meyerle inquired if the shed could be moved about 5 feet because the request is very close to the property line. Chairman Timmerman explained that the hardship must be unique to land.

*S. Villodas arrived at 7:10 p.m.*

The presence of 2 four-foot gates was noted on the map.

After discussion, the applicants agreed to move the shed to be more in the middle of the property. Mr. Vitale stated that the proposed shed is 16 feet long. Chairman Timmerman noted that there is 114 feet in the rear. Vice Chairman Coppola suggested turning the shed. G. Meyerle reiterated the need for a hardship. Mr. Vitale

pointed out that all of his neighbors have the same shed, and there was discussion regarding inspection personnel for those properties, which may not have included Zoning officials. Chairman Timmerman advised that he did see these other sheds upon inspecting the Vitale's property.

Mrs. Vitale noted that a copy of the plans for the shed were included in the application.

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

*Alternate L. Ruschmeyer was a Voting Member for this item.*

**Secretary Marconi moved to close the Public Hearing for 49 Meadow Brook Rd., #201600209, at 7:16 p.m.** Mr. Vitale stated he does not believe that the second shed is "on anything". Chairman Timmerman stated that when he inspected the property, he saw it. **Vice Chairman Coppola seconded the motion, and it carried unanimously.**

**7:33 p.m.**

### **DELIBERATIONS**

**Secretary Marconi moved to approve #201600209, 49 Meadow Brook Rd. Vice Chairman Coppola seconded the motion. G. Meyerle suggested that the applicant move the proposed shed location five feet. It was noted that the removal of the other shed will reduce the nonconformity on the lot. Mr. Vitale advised that the new shed is bigger than the existing shed. G. Meyerle moved to amend the motion to approve the structure to the rear lot line and the coverage. Vice Chairman Coppola seconded the motion to amend. Motion to amend carried unanimously. Motion to approve the amended motion also carried unanimously. Variance (amended) approved. Reason: Reduces the nonconformity to make the property more conforming, and the presence of open land behind it.**

b) 20 Federal Rd (Indian Motorcycles) #201600216:

7:17 p.m.

*C. Nehring, Architect, R. and E. Gaulin, Indian Motorcycles, were present.* The applicants are requesting two side variances. It was noted that the main building sign overlooks Federal Road and is 50' above the road. There is an existing sign for the previous businesses, and the applicants would like to put the Indian Motorcycle brand on the sign in that location.

Mr. Nehring advised that the property was granted a variance in 1999 for 75 square foot sign on the side of the building, and the applicants would like to increase that by 11.68 square feet. He stated that the hardship is the lot shape. He also noted the small frontage at the bottom of the driveway. Mr. Nehring discussed the ongoing issues of visibility for businesses at this site.

Mr. Nehring stated that the second variance is for roadside signage. He explained that Polaris is the "mother company" of Indian Motorcycles, and the proposed sign is one of their smaller pre-manufactured styles. The applicants are looking for a 19 square foot increase from the permitted 45 square feet.

Mr. Nehring reiterated that the hardship is the lot shape, and the elevation above the road. Chairman Timmerman agreed.

*R. Gaulin was present.* He pointed out that he did not choose the signs, and he could go larger, and would be in favor of that if possible. Chairman Timmerman noted that the Board can only rule on the application that was advertised.

L. Ruschmeyer inquired regarding the dimensions of the lower sign near the road, and Mr. Nehring stated it is 10' 4" tall base, from the ground, and 9' 9" width. It was noted that the sign will be mounted on the retaining wall, and that would be reviewed by the Zoning Commission.

There was discussion regarding the sign for a nearby tile shop. The other options of manufactured brand signs were reviewed.

R. Gaulin noted that there are a number of trees below that block the view from the road.

Mr. Nehring inquired if the applicant could return should it decide to install a larger sign, and Chairman Timmerman stated it could, and suggested the Informal Discussion option first.

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

**Secretary Marconi moved to close the Public Hearing for 20 Federal Rd. (Indian Motorcycles), #201600216, at 7:31 p.m. S. Villodas seconded the motion, and it carried unanimously.**

**7:35 p.m.**

**Secretary Marconi moved to approve #201600216, Indian Motorcycles, 20 Federal Rd. S. Villodas seconded the motion. Chairman Timmerman noted the difficulty of the topography, and that a larger sign down near the front would not block sight line. Motion carried unanimously. *Variance approved.* Reason: Topography.**

c) 112 Obtuse Rd So. #201600221:

7:32 p.m.

*No one present.*

**Secretary Marconi moved to put 112 Obtuse Rd. So., #201600221, on the next agenda for the June meeting. Vice Chairman Coppola seconded the motion, and it carried unanimously.**

**5) Tabled Items:**

None.

**6) New Business:**

None.

**7) Informal Discussion:**

None.

**8) Adjourn**

**Secretary Marconi moved to adjourn the meeting at 7:36 p.m. Vice Chairman Coppola seconded the motion, and it carried unanimously.**