

Zoning Board of Appeals
APPROVED MINUTES
7:00 PM Monday, September 12, 2016
Brookfield Town Hall - Room 135

1) Convene Meeting

Chairperson 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, Secretary R. Marconi, G. Meyerle, Alternate and Voting Member L. Ruschmeyer.

Absent: Vice Chairman N. Coppola and S. Villodas.

2) Review Minutes:

Secretary Marconi moved to accept the Minutes of the August 1, 2016 meeting. G. Meyerle seconded the motion, and it carried unanimously.

Chairman Timmerman made a motion to move Item 4D up to the first application. Secretary Marconi seconded the motion, and it motion carried unanimously.

3) Review Correspondence:

- a) Minutes of other Boards and Commissions:
No discussion.
- b) Connecticut Federation of Planning & Zoning Agencies: Summer 2016
No discussion.
- c) Legal Briefings for Building Inspectors: August 2016
No discussion.

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

- a) 147 Long Meadow Hill Rd #Z-16-20:
Steven Orlando, 147 Long Meadow Hill Rd was present. He informed the Commission that he is seeking a variance to install a shed on the front yard of his property and that he is also requesting addition lot coverage. The Applicant stated that he has a corner lot constrained by two front yards.

The Commission discussed alternate locations for the shed. The Commission stated that they would amend the request for variance to accommodate the new agreed upon placement of the shed.

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 re: 147 Long Meadow Hill Road, #Z-16-20, Variance requested §242-402A - 35' to the center of road, §242-401A(5) - Accessory structure in front yard for a shed. G. Meyerle seconded the motion, and it carried unanimously.

Chairman Timmerman advised the applicant that he needed to consent to the Commission's decision since there were only four members present. The applicant signed the consent.

Chairman Timmerman moved to accept as advertised the application for 147 Long Meadow Hill Rd, #Z-16-20, variance requested §242-402A - 35' to the center of road, §242-401A(5) - Accessory

structure in front yard for a shed. Secretary Marconi noted that the Commission had discussed with the applicant moving the shed to a more appropriate location on the lot. Secretary Marconi moved to amend the variance by reducing the variance from 35' to 25' to the center of the road. G. Meyerle moved to second the motion. It was noted that there was no other suitable location to place the shed. L. Ruschmeyer seconded the motion. *Variance approved. Reason: Topography, corner lot.*

b) 1 Carriage Drive #Z-16-22:

Edward Klish, 1 Carriage Drive, was present. Mr. Klish informed the Commission that he has a corner lot and that he is short on lot coverage.

The Commission discussed that fact that the applicant has two front yards and septic galleries on the land. The Applicant stated that the galleries were required when the house was built to prove that there was future reserve area. The area is not currently being used for septic.

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 re: 1 Carriage Drive, #Z-16-22, Variance requested: §242-402A - 18.5' structure to right side line, §242-402A - 4.84% of lot coverage for a tool shed. L. Ruschmeyer seconded the motion, and it carried unanimously.

The applicant consented to the Commission making its decision with only four members present by signing the consent.

Secretary Marconi moved to approve the variance for 1 Carriage Drive as advertised. G. Meyerle seconded the motion. Chairman Timmerman stated that in looking at the constraints on the property, he was not sure it was a good idea to put the shed over the reserve area. The proposed location will not be seen from Happy Landings. The proposed site is probably the best location for the placement of the shed. Motion carried unanimously. Variance Approved. Reason: two front yards, topography of lot.

c) 19 Gereg Glen Rd #Z-16-23:

Donald Mace, 19 Gereg Glen Rd. and Tom Nejame, Nejame & Sons were present.

Mr. Nejame stated that they were here this evening to request a variance for an in-ground pool. The proposed pool is approximately 15' off the property line. There is a 3' existing retaining wall on the property. Open space is located behind the applicant's property.

Chairman Timmerman stated that the Commission had received an email from neighbor Dorothy & Michael Perrone of 19 Gereg Glen Rd requesting that they do not want to see the pool and that they want to insure that pine trees between the lots are not disturbed. The applicant thought this was not a problem since he believed the trees belong to the neighbor. The applicant agreed to plant more trees if necessary.

Discussion continued with regard to an alternate location for the pool. It was determined that this was the best location for the proposed pool.

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

Chairman Timmerman moved to close the Public Hearing re: 19 Gereg Glen Rd., #Z-16-23, Variance requested §242-402A - 15' structure to rear lot line for an in-ground pool. L. Ruschmeyer moved to second and the motion.

Chairman Timmerman advised the applicant the he would need to consent to the Commission's decision since

there were only four members present. The applicant signed the consent.

Secretary Marconi moved to accept as advertised the application for 19 Gereg Glen Rd. L. Ruschmeyer seconded the motion. Discussion regarding location of the pool and visibility by neighboring properties. Motion carried unanimously. Variance approved. Reason: Topography, steep lot, odd shape of lot.

d) 474 Candlewood Lake Rd (Brookfield Bay Marina) Z-16-24:

Dainius Virbickas, Artel Engineering Group, LLC was present on behalf of the applicant. He stated that the property serves as a marina on Candlewood Lake Road. The Applicant is looking to replace an in-ground gasoline storage tank with an above-ground gasoline storage tank. The Applicant has a specific time frame to remove the tank under federal regulation. The location of the tank meets NFPA standards.

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 re: 474 Candlewood Lake Rd (Brookfield Bay Marina), Z-16-24, Variance requested §242-501E(1)(b) - 38.5' structure to the center of the road for a storage tank. L. Ruschmeyer seconded the motion, and it carried unanimously.

Chairman Timmerman informed the applicant that since there were only four members present tonight, the applicant would need to consent to their decision. The applicant signed the consent.

Discussion ensued noting that this is a small lot. The topography of the lot makes it difficult to place the tank. The Applicant has discussed this matter with First Light as well. The proposed tank will be protected by a retaining wall and bollards, and a possible fence.

Secretary Marconi moved to approve the variance for 474 Candlewood Lake Rd as advertised. G. Meyerle seconded the motion. There was discussion regarding environmental concerns and no visual impact on a commercial property. Variance Approved. Reason: non-conforming lot, environmental concerns.

5) New Business:

None.

6) Tabled Items:

None.

7) Informal Discussion:

None.

8) Adjourn

Secretary Marconi moved to adjourn the meeting at 8:00 p.m. G. Meyerle seconded the motion, and it carried unanimously.