

**APPROVED MINUTES
BROOKFIELD ZONING COMMISSION
Thursday, December 12, 2013 – 7:00 p.m.
MEETING ROOM #133 – TOWN HALL, 100 POCONO ROAD**

1. Convene Meeting

Vice Chairman M. Grimes convened the meeting at 7:01 p.m. and established a quorum of members.

Present: Chairman R. Blessey, Vice Chairman M. Grimes, Secretary F. Lollie (present as Assistant Zoning Enforcement Officer), J. Cordisco, E. Kukuk, Alternate and Voting Member M. Frankel

Absent: Alternate J. Varda

Chairman Blessey was not in the room for the commencement of the meeting and returned to the room during the discussion of the “Review Minutes of Previous Meetings”.

- a. **Review Minutes of Previous Meetings:** 11/21/13 – Commissioner Cordisco moved to approve the Minutes of November 21, 2013. Vice Chairman Grimes seconded the motion. Vice Chairman Grimes noted the following corrections: On Page 2, re: Item 7.d., to change “authorize” to “recommend to”; and at the top of the page, in the first complete paragraph/motion, to add “as submitted” after 258 Whisconier Rd. Motion carried, 3-0-2, with Commissioners Kukuk and Frankel abstaining.

11/14/13 (re-approve/amend) – Vice Chairman Grimes moved to approve the Revised Minutes of November 14, 2013, noting that the revision corrects the violation number for 101 Laurel Hill Road, under Enforcement/Requests for Voluntary Compliance, from #201300758 to #201300959. Chairman Blessey seconded the motion, and it carried, 3-0-2, with Commissioners Cordisco and Kukuk abstaining.

Assistant Zoning Enforcement Officer F. Lollie reported on the following:

2. Land Use Enforcement

a. **Enforcement Officer’s Report:**

Requests for Voluntary Compliance

153 Pocono Road, #201301054 – Assistant ZEO Lollie indicated that the vehicle has been removed, and the property owner is in process of cleaning up the site. The property owner has advised the work will be done within thirty days. This matter will be left on the report for the next meeting in January.

270 Federal Road, #2013010148 – Assistant ZEO Lollie reported that the vehicle has not been parked in the front since the RVC. He will continue to reinspect the site.

148 North Lake Shore Drive, #20131115. – An RVC was sent for removal of vehicle and jet ski by December 10, 2013. Assistant ZEO Lollie reinspected the site today, and both vehicles are present. A Cease and Desist will be issued.

99 Federal Road, #201301096 – The rear of the property has been cleaned up. The property owner will be coming before the Commission for a Site Plan Modification for additional storage containers.

Cease and Desist Orders

36 Kellogg Street, #201301003 – Assistant ZEO Lollie indicated that the brother of the property owner has recently added a hearse from a “haunted hay ride” to the debris in the front yard. The property owner has attempted to get the police to remove it, but the police indicated they had no authority. **Vice Chairman Grimes moved to issue a Citation to 36 Kellogg Street, #201301003, if no compliance by 12/31/13. Chairman Blessey seconded the motion, and it carried unanimously.**

594 Federal Road, #2012001125 – Assistant ZEO Lollie indicated that a Cease and Desist Order was issued to Mr. Lavelle. He is in receipt of a letter from an attorney related to the eviction of the tenant. The storage container has been removed. The parking approval is on the agenda for tonight.

Chairman Blessey requested that the issue involving the apartment be added to the Enforcement Report.

101 Laurel Hill Road, #201300758 – Chairman Blessey indicated that Mr. Bacon gave ZEO Dew a memo that outlines the time frame for cleaning up the site.

Citations

849 Federal Road, #201300875 – *M. Sproviero, 44 Stony Hill Rd., and Salvatore Sproviero were present.* Chairman Blessey inquired regarding the status of apartment. Mr. S. Sproviero advised that there is an application for Bob's Tree Service to operate at the site. Chairman Blessey advised that he, ZEO Dew and Assistant ZEO Lollie inspected the site, and observed dogs and several personal vehicles. *B. and M. Thorne, Anderson Cove, Sherman, CT, were present,* and advised that they live and have a lease in Sherman. Mr. Thorne indicated that ZEO Dew inspected the site and saw no evidence of residential living. Assistant ZEO Dew observed kitchen appliances and bathrooms. Mr. Thorne indicated that he had been living at 101 Laurel Hill Road, and cannot have his dogs at the Sherman address. He indicated that some of his wood was left at 101 Laurel Hill Road, and that other people are living there now.

There was discussion regarding scheduling a time for reinspection. Chairman Blessey reiterated that he saw many vehicles, and Mr. S. Sproviero indicated he has two apartments in the front of the site. Chairman Blessey advised Mr. Sproviero that the burden of proving that there is not an apartment at the area in question is on him. He further indicated to him that he would not hear the application for the Site Plan Modification and Certificate of Zoning Compliance for the wood storage, #201301070, this evening. He requested that Mr. Sproviero resubmit the application for the January 2014 meeting.

44 Old Middle Road, #201301041 – Hearing Officers Dr. Jim Sullivan or Mr. E. Nepomuceno will schedule a hearing.

14 Oak Grove Road, #201300832 – The homeowner is continuing eviction proceeds. **Vice Chairman Grimes moved to lift the Citation for 14 Oak Grove Road, #201300832. Commissioner Cordisco seconded the motion, and it carried, 4-0-1, with Commissioner Frankel abstaining.**

Vice Chairman Grimes requested that Assistant ZEO Lollie request the Land Use Office give copies of all Town Counsel Action matters to Attorney Beecher.

3. Review Correspondence

a. Minutes of other Boards and Commissions: Inland Wetlands Commission 11/18/13, 11/25/13; Zoning Board of Appeals 12/2/13; Planning Commission 11/21/13; - No discussion/no motions.

4. Old Business:

a. 849 Federal Road #201301070: Site Plan Modification And Certificate of Zoning Compliance for a wood storage and sales business (*dec date 1/24/14*) – See above discussion.

5. New Business:

a. 594 Federal Road #201301156: Site Plan Modification for additional parking for Landscapers (*dec date 2/14/14*)

1. Map of property handed into Land Use 12/4/13

Mr. W. Lavelle, Property Owner, was present. The container has been removed. Commissioner Frankel suggested that the pertinent zone/regulation be listed on applications. Chairman Blessey indicated that this property sits in the IRC zone. Chairman Blessey reviewed the progress at the site over the past six months. There are tenants in the house and the landlord is attempting to evict them,

and that matter is being handled by the court. Commissioner Frankel reiterated her belief that a survey of the property is needed to verify coverage, before the Site Plan Modification can be approved. She inquired where the additional parking is and Chairman Blessey indicated that it is on the top left corner. **Vice Chairman Grimes moved to approve the Site Plan Modification for 594 Federal Road, #201301156. Chairman Blessey seconded the motion. Chairman’s call of the motion is that the Motion carried, 4-1, with Commissioner Frankel opposing. Commissioner Frankel pointed out that Commissioner Kukk did not vote. Commissioner Kukk requested clarification regarding where the additional parking is. Chairman Blessey explained the location of the site, and where the parking is. Mr. Lavelle provided details regarding the location of the parking. Commissioner Kukk indicated that he votes in favor of the approval, after clarification.**

b. 1 Aldrich Road #200900395: Request for final Bond Release for Erosion & Sediment Control in the amount of \$1,863.00 – The location of the property was clarified, and the inspection report was read noting Ms. Dew’s notes of 12/4/13 indicating “all plantings well established”. Commissioner Frankel inquired why a bond was set for this residential property. Chairman Blessey explained that a variance was obtained on this property, there was a driveway involved, and the work was later affected by a flood. Vice Chairman Grimes moved to recommend to the Board of Selectmen that it approve a final bond release for \$1,863.00 on 1 Aldrich Road, #200900395, as recommended by A. Dew, ZEO. Commissioner Cordisco seconded the motion, and it carried unanimously.

Commissioner Frankel moved to add as Agenda Item 5.c., 138 Candlewood Lake Road, regarding a bond reduction. Commissioner Cordisco seconded the motion, and it carried unanimously.

c. 138 Candlewood Lake Road, #200800944 – Commissioner Frankel read the letter from ZEO Dew dated 12/11/13. This site will be reinspected in 2014. Assistant ZEO Lollie indicated he concurs with ZEO Dew’s recommendation. Vice Chairman Grimes moved to approve the recommendation of the ZEO for a partial bond release of leaving a total of \$2,700, and recommend this partial release to the Board of Selectmen. Commissioner Cordisco seconded the motion, and it carried unanimously.

6. Tabled Items: None.

7. Informal Discussion: None

8. Comments of Commissioners: Chairman Blessey welcomed Mr. Kukk to the Commission.

Commissioner Frankel summarized who was present and what was discussed at the Four Corners discussion at the Library on December 5, 2013.

There was discussion regarding the timing of Citations under Enforcement.

It was noted that the December 26, 2013 meeting was canceled with the Town Clerk’s Office.

9. Adjourn: Commissioner Frankel moved to adjourn the meeting at 7:42 p.m. Commissioner Cordisco seconded the motion, and it carried unanimously.

****Next Regular Meeting Scheduled for December 26, 2013****