

**APPROVED MINUTES
BROOKFIELD ZONING COMMISSION
Thursday, August 14, 2014 – 7:00 p.m.
MEETING ROOM #133 – TOWN HALL, 100 POCONO ROAD**

1. Convene Meeting

Chairman R. Blessey convened by the meeting at 7:00 p.m. and established a quorum of members.

Present: Chairman R. Blessey, Vice Chairman M. Grimes (arrived at 7:06 p.m.), Secretary F. Lollie, E. Kukk

Absent: J. Cordisco, J. D'Entremont, M. Frankel

Also Present: Zoning Enforcement Officer A. Dew, Recording Secretary D. Cioffi

a. **Review Minutes of Previous Meetings:** 6/12/14, 6/26/14, 7/10/14, 7/24/14 – Not a sufficient quorum.

2. Land Use Enforcement

a. **Enforcement Officer's Report:**

Requests for Voluntary Compliance

16 Pleasant Rise, #2013001172 – A Certificate of Zoning Compliance has been received. No violation exists at this time. ZEO Dew will remove this item from the report.

457 Federal Road, #201400443 – The van has been moved, and the violation will be cleared from the report.

256 Whisconier Road, #201400558 – The site was re-inspected, and all of the work has been completed. This item will be removed from the report.

132 Federal Road, #201400566 – The applicants have requested rescheduling to the next meeting for a site plan modification.

177 Federal Road – Vice Chairman Grimes advised ZEO Dew regarding some caving in of the pavement at this gas station. ZEO Dew inspected the site and the property owner has advised the necessary work will be done. ZEO Dew will re-inspect tomorrow.

Cease and Desist Order

44 Mist Hill Road, #201400521 – ZEO Dew has re-inspected the site on several occasions. She has not seen the flatbed parked in driveway. Due to the consistent nature of the complaints, Assistant ZEO Lollie requested that this item be left on the report for one more meeting.

1087 Federal Road, #201400562 – An application for a tenant fit up has been completed. ZEO Dew will remove this item.

34 Stony Hill Road, #201000274 – A Cease and Desist was sent via regular and certified mail. **Secretary Lollie moved to issue a Citation to 34 Stony Hill Rd., #201000274, if no response by August 15, 2014. Chairman Blessey seconded the motion, and it carried unanimously.**

Citation

44 Old Middle Road, #201301041 – Attorney Beecher offered to send letter to the property owner regarding non-payment of the fine. The violation has been cleared. ZEO Dew will contact Attorney Beecher for his advisement regarding the fine.

101 Laurel Hill Road, #201300758 – The property owner has filed maps to clarify the property lines with another property owner. This matter will remain on the report.

51 Junction Road, #201400580 – ZEO Dew has spoken with the tenant regarding the five unregistered vehicles. The tenant received the citation, and has until August 22 to set hearing date or remove the violation.

Vice Chairman Grimes arrived at 7:06 p.m.

Town Counsel Action

1 High Ridge Road, #201000315 – Nothing new to report.

14 Oak Grove Road, #201300832 – Attorney Beecher is going to check on the status of the foreclosure.

148 North Lakeshore, #20131115 – The property owner was to be present tonight but is not. ZEO Dew referenced the plan that was provided for additional parking. She recommended giving the property owner a limited amount of

time to provide an approved plan. The matter will be revisited at the next meeting if no action has been taken by the property owner.

439 Candlewood Lake Rd., #201400006 – No discussion/no motions.

3. Review Correspondence

- a. **Minutes of other Boards and Commissions: Inland Wetlands Commission 7/14/14, 7/28/14; Zoning Board of Appeals 8/4/14; Planning Commission 7/17/14; Aquifer Protection Agency 7/10/14**
- b. Letter from Linda Brunza of DEEP to R. Tedesco, Dir. Of Public Works received 7/30/14 in Land Use – Re: Flood Relief Storm Sewers
 - Attachment of Permit Application
- c. Memo from N. Mack, Zoning Secretary to Zoning Commission dated 7/25/14: Requested amendment to Zoning minutes of 7/24/14
- d. CT Federation of Planning & Zoning Agencies Quarterly Newsletter: Summer 2014
- e. E-mail from Judy Johnson to Zoning Commission dated 8/1/14 Re: Graffiti Bridge Signage – Sunset Sizzler Sign Removal
 - Response e-mail from A. Dew dated 8/1/14
- f. Letter from Water Source dated 8/6/14 Re: 1084 Federal Rd #201400602

No discussion/no motions.

Vice Chairman Grimes moved to go to Agenda Item 6.g. Secretary Lollie seconded the motion, and it carried unanimously.

6. New Business

- g. **265 Federal Rd. (The Pottery Factory) #201400691**: 33 sq. ft. illuminated building sign (four gooseneck lights) and 6.2 sq. ft. roadside sign (non-illuminated)

D. Healy, 265 Federal Rd., was present. He reviewed the wattage for the sign, and ZEO Dew advised that the specifications meet the regulation requirements. **Vice Chairman Grimes moved to approve #201400691, illuminated building sign at 265 Federal Road, as recommended by the Zoning Enforcement Officer. Secretary Lollie seconded the motion. Vice Chairman Grimes advised that the non-illuminated sign is also included in the motion, and Secretary Lollie reiterated his second. Motion carried unanimously.**

- f. **328 Federal Rd. (Magic Touch Grooming) #201400697**: 16.25 sq. ft. illuminated building sign (29 watts total – 1.78 watts per sq. ft.) and a 6 sq. ft. roadside sign (non- illuminated) - C. Collier, 328 Federal Rd., was present. Magic Touch Grooming

C. Collier, 328 Federal Rd., was present. The two signs were reviewed. One is the same as what is at the current location at 640 Federal Road. The second will be a roadside sign and drawings were reviewed. The roadside sign will be on Federal Road, and not on Old New Milford Road. ZEO Dew advised she has no issues with either sign. **Chairman Blessey moved to approve #201400697, for a roadside sign and building sign at 328 Federal Rd., for Magic Touch Grooming, LLC. Commissioner Kukk seconded the motion, and it carried unanimously.**

- h. **893, 891, Still Water Circle – Federal Road, #201400705: Design Review for 9 New Townhomes for Newbury Village PARC Development (PH can be scheduled for 9/11/14)**

- **Application #201400705 (included) for Natural Resources Removal**
 - 1. Development Report prepared by CCA, LLC dated 8/5/14
 - 2. **Bond Estimate** for Erosion Control in the amount of \$42,207.00
 - 3. **Map Cover Sheet Titled “Revised Site Development Plans Additional Townhouse Units Newbury Village”** prepared by CCA, LLC dated 7/10/14 revised thru 8/5/14

- “General Legend, Notes And Abbreviations” dated 6/2012 – sheet N1
 - “Perimeter Survey Showing Revised Property Lines & Areas to be Conveyed Between Ceasar V. & Ursula V. Dambrowski, Estate of Helen B. Gereg & Newbury Village, LLC 883, 891 & 901 Federal Road” – dated 8/5/14 – sheet 1 of 1
 - “Existing Conditions” dated 7/10/14 – sheet C1
 - “Layout & Materials Plan” dated 7/10/14 revised thru 8/5/14 – sheet C2
 - “Grading & Drainage Plan” dated 7/10/14 revised thru 8/5/14 – sheet C3
 - “Utilities Plan” dated 7/10/14 revised thru 8/5/14 – sheet C4
 - “Landscape Plan” dated 7/10/14 revised thru 8/5/14 – sheet C5
 - “Notes & Details” dated 7/10/14 revised thru 8/5/14 – sheets C6 – C9
 - “Sedimentation And Erosion Control Plan” dated 12/7/05 – sheet E1
4. **Architectural Plans:**
- “Foundation Plan” prepared by The Sullivan Architectural Group dated 5/15/14 – sheet A-100
 - “First Floor Plan” dated 4/7/14 – sheet A-101
 - “Second Floor Plan” dated 4/7/14 – sheet A-102
 - “Roof Plan” dated 4/7/14 – sheet A-103
 - “Elevations” dated 8/6/14 – sheet A-200 and A-201

Vice Chairman Grimes moved to schedule a Public Hearing for 893, 891, Still Water Circle – Federal Road, #201400705, for September 11, 2014, at 7:30 p.m. Secretary Lollie seconded the motion, and it carried unanimously.

Vice Chairman Grimes moved to go to Agenda Item 6.a. Secretary Lollie seconded the motion, and it carried unanimously.

6. **New Business:**
- a. **140 Federal Road (Chick-fil-A) #201400681:** Site Plan Modification to remove one (1) pine tree and two (2) deciduous trees on the site and replace them with shrubs (*dec date 10/17/14*)
1. Letter to A. Dew (ZEO) from Daniel Pedersen of the Lauro Group dated 7/29/14 Re: Application for Site Plan / Design Review Modification – Proposed Chick-fil-A Restaurant.
 2. Map titled “Landscape Plan” prepared by Lauro Group dated 1/10/13 revised thru 7/23/14 – sheet L-1

D. Peveraro, Laurel Group, 1601 Veteran’s Memorial Highway, Highlandia, NY, was present. The plans were reviewed. **Chairman Blessey moved to approve #201400681, Site Plan Modification to remove one (1) pine tree and two (2) deciduous trees on the site and replace them with shrubs, after careful review of the file. Vice Chairman Grimes seconded the motion, and it carried, 3-0-1, with Secretary Lollie abstaining.**

Secretary Lollie moved to go to Item 8, Informal Discussion. Commissioner Kukk seconded the motion, and it carried unanimously.

8. Informal Discussion

Chairman Blessey moved to add as Agenda Item 8.b., 79 Long Meadow Hill Road. Secretary Lollie seconded the motion, and it carried unanimously.

b. 79 Long Meadow Hill Road – Discussion/no motions.

G. Highlander, 79 Long Meadow Hill Road, was present. He reviewed the current plot plan for the existing residence. He would like to modify a studio on the site, which currently has no plumbing, to an elderly conversion.

The space is 480 square feet. Chairman Blessey advised Mr. Highlander of the affidavit requirements. It was suggested that Mr. Highlander see the Land Use Office for assistance with the application.

Vice Chairman Grimes moved to go to Agenda Item 6.d. Secretary Lollie seconded the motion, and it carried unanimously.

6. New Business (continued)

d. 227 Federal Road (Interstate Batteries) #201400683: 29 square foot Illuminated Building Sign

1. “Sign Elevation Exhibit” prepared by US Signs dated 3/24/14 revised 6/23/14 – sheet 2:3 and 3:3

A. Burtoccio, 227 Federal Road, was present. ZEO Dew advised that she measured the sign and it meets the regulations. **Chairman Blessey moved to approve #201400683, for a sign located at 227 Federal Road, for applicant Brusco Signs, for Interstate Batteries. Vice Chairman Grimes seconded the motion. Motion carried unanimously.**

**c. 901 Federal Road (Newbury Village): Letter from A. Dew to Zoning Commission dated 7/30/14
Re: Newbury Village Additional Units - Noted.**

Chairman Blessey moved to go to Agenda Item 6.e. Secretary Lollie seconded the motion, and it carried unanimously.

e. 138 Candlewood Lake Rd (St. Marguerite Church) #200800944: Request for final bond release of \$2,700.00

Chairman Blessey moved to recommend to the Board of Selectmen the release of the final bond of \$2,700.00, #200800944, 138 Candlewood Lake Road. Vice Chairman Grimes seconded the motion, and it carried unanimously.

A two-minute recess was taken at 7:28 p.m.

4. Public Hearing 7:30 p.m.

a. The Meadowbrook Aquifer Protection District #201400650: Add the Meadowbrook Aquifer Protection Area to the Zoning Map.

Chairman Blessey opened the public hearing and introduced the Commission members. Secretary Lollie read the legal notice which was published in the Pennysaver on July 31, 2014 and August 7, 2014. Chairman Blessey noted that the application was received on July 24, 2014, and then reviewed the policies and procedures that govern public hearings.

Vice Chairman Grimes discussed the directive issued from the State, as well as the Commission’s decision to hold a public hearing on this matter. Secretary Lollie read a memo from the Planning Commission, dated August 8, 2014, in favor of the application, and noted receipt of a response from HVCEO dated August 4, 2014.

Vice Chairman Grimes noted that the application relates to a change in the boundaries of aquifer protection zone. It was precipitated by the fact that Aquarion Water Company services over one thousand customers in Brookfield, and the State requires establishment of an aquifer protection district when that number is reached. ZEO Dew added that in the district, there is stratified drift, necessitating regulations to protect residents from pollution of the water.

W. Meekle, 58 Tower Rd., was present. He inquired if the change was associated with flooding issues, and Chairman Blessey reiterated that it related to the service of over one thousand customers by Aquarion.

T. Dunkerten, 2 Meadowbrook Rd, was present. He indicated he did not receive a notification, and inquired if the aquifer in the application is the one over his property, which he claims was already polluted by a nearby landscaping business. *M. Dunkerten, 2 Meadowbrook Rd., was present,* and shared the notification letter received by her neighbors from the Commission. Chairman Blessey explained the difference between the protection of the public water supply and what occurred with the pollution from the landscaping company, and advised that it was unrelated to this application and that there are other means of pursuing corrective action for that site.

D. Sedleck, 11 Hillside Circle, was present. She inquired if Elbow Hill was part of the public water supply being discussed in this application, and Chairman Blessey advised that it is not. He explained that the application is to monitor the water supply that services the water company.

D. Burdick, 72 Laurel Hill Road, was present, and inquired why he was the only property owner on his street to receive a letter, and Chairman Blessey advised that it is because his property is above the aquifer.

K. Visaria, 53 Meadowbrook Rd., was present, and inquired if the application would call for any changes on lawn maintenance, and was advised by Chairman Blessey that it does not; rather, it addresses potential risks with commercial enterprises.

L. Samuel, Meadowbrook Rd., was present, and inquired if there was a better map available. He was advised to contact the Land Use Office if there was a question regarding a specific piece of property.

J. Christos, 1 Hollis Dr., was present, and inquired if his property was over the aquifer, and after review of the list, was advised it is.

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

Vice Chairman Grimes moved to close the Public Hearing for The Meadowbrook Aquifer Protection District #201400650: Add the Meadowbrook Aquifer Protection Area to the Zoning Map. Secretary Lollie seconded the motion, and it carried unanimously.

Vice Chairman Grimes moved to approve #201400650, for the Meadowbrook Aquifer Protection District, as recommended by the Brookfield Zoning Commission. Secretary Lollie seconded the motion, and it carried unanimously.

5. Old Business:

a. Proposed Zone Change for 19 & 23 Station Road #201400370: Request for 19 & 23 Station Road which is currently in the Town Center District to include Incentive Housing District Overlay: Perimeter sub-zone (dec date 10/17/14)

Chairman Blessey recused himself from this matter.

Secretary Lollie moved to continue Item 5.a., Old Business, Proposed Zone Change for 19 & 23 Station Road, #201400370, until the next regularly scheduled meeting on August 28, 2014. Vice Chairman Grimes seconded the motion, and it carried unanimously.

6. New Business

- b. 132 Federal Road (Straightline Home Improvement) #201400642: Site Plan Modification for warehousing of materials in unmarked parking area (dec date 10/17/14)**
1. Drawing on a Site Plan map dated 3/4/14 of area to be used for storage
 2. Letter from Water Source dated 8/6/14

The applicant was unable to make it to tonight's meeting.

7. **Tabled Items:** None.

8. **Informal Discussion:**

a. **Accessory Apartments:** Requested by Bob Novak of Echo Cottages – *No one present.*

9. **Comments of Commissioners:**

10. **Adjourn:** Chairman Blessey moved to adjourn the meeting at 8:01 p.m. Vice Chairman Grimes seconded the motion, and it carried unanimously.

****Next Regular Meeting Scheduled for August 28, 2014****