

**DRAFT MINUTES**  
**BROOKFIELD ZONING COMMISSION**  
**Thursday, November 20, 2014 – 7:00 p.m.**  
**MEETING ROOM #133 – TOWN HALL, 100 POCONO ROAD**

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**1. Convene Meeting**

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

**Present:** Acting and Vice Chairman M. Grimes (until Chairman Blessey's arrival at 7:04 p.m.), Chairman R. Blessey, Secretary F. Lollie, Alternate and Voting Commissioner M. Frankel

**Absent:** J. Cordisco, J. D'Entremont, E. Kukk

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

**a. Review Minutes of Previous Meetings: 11/13/14 – Continue to December 11, 2014.**

**2. Land Use Enforcement**

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

*Chairman Blessey arrived at 7:04 p.m.*

*ZEO Dew reported on the following:*

**Requests for Voluntary Compliance**

**33 White Pine Dr., #201400991** – The property owner was sent a Request for Voluntary Compliance, and he/she has until November 27, 2014 to comply. ZEO Dew has not yet heard from the property owner. The complaint originated from a tenant who was evicted. **Commissioner Frankel moved to issue a Cease and Desist Order to 33 White Pine Dr., #201400991, if no compliance by November 27, 2014. Secretary Lollie seconded the motion.**

**Town Counsel Action**

**101 Laurel Hill Rd., #201300758** – ZEO Dew spoke with Town Counsel, who inquired what the potential date of sale is on this site. ZEO Dew does not know what the date is, and Town Counsel is willing to write a letter to the property owner. There is proposed development for the site. The Commission requested that Attorney Beecher send a letter with a request for a response within fourteen (14) days.

**34 Stony Hill Rd., #201000274** – ZEO Dew advised that a property swap was to occur with this owner and the owner of 38 Stony Hill Rd., but it was withdrawn by the latter. The property owner at 34 Stony Hill Rd. has cut back the roof of the cabana to put the structure in compliance with the setback regulations, but the work is not yet completed. Another construction and A2 survey are outstanding.

**51 Junction Rd., #201400580** – The property owner is in agreement about having Town Counsel send letter to the tenant.

**44 Old Middle Rd., #201301041** – Town Counsel has requested an additional document that ZEO Dew will send to him to finalize the Superior Court paperwork.

**1 High Ridge Rd., #201000315** – No change.

**14 Oak Grove Rd., #201300832** – ZEO Dew advised that the court entered a judgment for the property to be sold at auction, but the judgment was vacated and the case was reopened.

**148 North Lake Shore, #20131115** – The property owner is unable to attend tonight's meeting. ZEO Dew reported that while he was using a backhoe to create the driveway, the septic system was cracked. He began to replace the septic system, but was stopped because he did not have a permit. The property owner has advised that the driveway will be asphalted prior to December 14, 2014. Acting and Vice Chairman Grimes noted that the previously agreed upon completion date was December 5, 2014.

**Vice Chairman Grimes moved to reinstate 148 North Lake Shore, #20131115 to Town Counsel if no completion by December 5, 2014. Secretary Lollie seconded the motion, and it carried unanimously.**

**3. Review Correspondence**

a. **Minutes of other Boards and Commissions: Inland Wetlands Commission; Zoning Board of Appeals; Planning Commission 10/16/14, 11/6/14; Zoning Sub-Committee**  
No discussion/no motion.

4. **Public Hearing: No Public Hearings**

5. **Continued Public Hearing: No Continued Public Hearings**

6. **Old Business:**

a. **857-857A Federal Road (Green Acres Luxury Apartments) #201400966: Site Plan Modification for proposed changes to building elevations, windows, Fenestration, trim and architectural features (dec date 12/26/14)**

1. **Map Architectural Cover Sheet prepared by Do H. Chung and Partners dated 11/13/14 – sheet CS-1**

- Bldg. 1 (Basement & 1<sup>st</sup> Floor Plans) dated 10/16/14 revised 11/13/14 – sheet A-101
- Bldg. 1 (2<sup>nd</sup> & 3<sup>rd</sup> Floor Plans) dated 6/25/14 revised thru 11/13/14 – sheet A-102
- Bldg. 1 (4<sup>th</sup> Fl & Roof Plans) dated 10/10/14 revised 11/13/14 – sheet A-103
- Bldg II (Basement & 1<sup>st</sup> Floor Plans) dated 10/10/14 revised 11/13/14 – sheet A-104
- Bldg II (2<sup>nd</sup> & 3<sup>rd</sup> Floor Plans) dated 10/16/14 revised 11/13/14 – sheet A-105
- Bldg II (4<sup>th</sup> Fl & Roof Plans) dated 10/16/14 revised 11/13/14 – sheet A-106
- Bldg III (Basement & 1<sup>st</sup> Floor Plans) dated 10/16/14 revised 11/13/14 – sheet A-107
- Bldg III (2<sup>nd</sup> & 3<sup>rd</sup> Floor Plans) dated 10/16/14 revised 11/13/14 – sheet A-108
- Bldg III (Roof Plan) dated 10/16/14 revised 11/13/14 – sheet A-109
- Bldg IV (Basement & 1<sup>st</sup> Floor Plans) dated 10/16/14 – revised 11/13/14 – sheet A-110
- Bldg IV (2<sup>nd</sup> & 3<sup>rd</sup> Floor Plans) dated 10/24/14 revised 11/13/14 – sheet A-111
- Bldg IV (Roof Plan) dated 10/24/14 revised 11/13/14 – sheet A-112
- Building I & II Elevations dated 10/24/14 revised 11/13/14 – sheet A-201
- Building III Elevations dated 10/24/14 revised 11/13/14 – sheet A-204
- Building IV Elevations dated 10/24/14 revised 11/13/14 – sheet A-207

2. **“Site Layout Plan” – Green Acres Luxury Apartments prepared by CCA, LLC dated 1/18/13 revised thru 10/16/14 – sheet C1**

- Landscaping Plan dated 9/19/12 revised thru 10/16/14 – sheet C4
- Luminaire Schedule Site (revised) prepared by Reflexlighting dated 11/12/14 – page 1 of 1

*Commissioner Frankel recused herself from this matter.*

*Mr. Mike Roberts, JCS Corporation, was present.* Chairman Blessey advised him that he could present to the Commission members present tonight, but noted that he could also wait until the members in attendant at the previous hearings are present. **Continued to December 11, 2014.**

b. **Proposed Regulation Change #201401012: Section 242-405 A-G – Apartment Units within Single Family Dwellings (Public Hearing scheduled for 12/11/14)**

c. **Medical Marijuana Moratorium: moratorium expiring**

There was discussion whether the Commission wished to draft regulations at this time. It was noted that the State has not written regulations around the Statute as of yet. The Commission agreed to wait until that happens. **Vice Chairman Grimes moved to extend the Medical Marijuana Moratorium retroactive to November 16, 2014, until May 15, 2015.** There was discussion regarding whether the item is on the agenda. **Secretary Lollie seconded the motion.** Commissioner Frankel stated she felt the action on this item would be “cleaner” if this was added as an item. Vice Chairman Grimes notes it is already on. **Motion carried unanimously.**

Vice Chairman Grimes suggested that this item be put on the agendas for the meetings on April 28, 2015, and May 15, 2015. Chairman Blessey requested that any interested Commissioner draft regulation language for this item, after the State provides a model.

**7. New Business:**

**a. 48 Deer Run Road #201401051: Single Family Conversion for a 600 sq. ft. apartment addition (dec date 1/24/15)**

1. Layout of proposed apartment – handed into Land Use 11/10/14

*D. Foulds, 48 Deer Run Rd., was present.* He advised that he wishes to construct a three-bay garage attached to the house. There is currently a two-bay garage that will be torn down. Mr. Foulds pointed out to the Commissioners where the connector to the house is. He also noted the location of a two-story apartment with a kitchenette. **Vice Chairman Grimes moved to approve #201401051, single-family dwelling at 48 Deer Run Road, as submitted. Secretary Lollie seconded the motion. Commissioner Frankel noted that under the old regulations, she would rather have the special permit language. Motion carried, 3-0-1, with Commissioner Frankel abstaining.**

**b. 871 Federal Road (Riverview at Brookfield) #200700243: Request for final Bond Release \$7,993.00**

ZEO Dew advised that she inspected this site, and the catch basins are clean. She recommended withholding \$1,000 for potential landscaping. **Vice Chairman Grimes moved to recommend to the Board of Selectmen a bond release of \$6,993.00, for #200700243, 871 Federal Road. Secretary Lollie seconded the motion, and it carried unanimously.**

**c. 215 Federal Road (Rite Aid) #201401062: Illuminated roadside sign with reader board**

*No one present.*

**d. 19 Gereg Glen Road #201100344: Request for final bond release of \$1060.00**

ZEO Dew advised that she inspected the site. **Vice Chairman Grimes moved to recommend to the Board of Selectmen a final bond release of \$1,060.00 for 19 Gereg Glen Rd., #201100344. Secretary Lollie seconded the motion, and it carried unanimously.**

**Vice Chairman Grimes moved to add to the agenda, as Item 7.e., 200 Federal Rd., Bond Release. Secretary Lollie seconded the motion, and it carried unanimously.**

**e. 200 Federal Road -** ZEO Dew explained that the bond for this site expires on December 6, 2014. The engineering work that needed to be done was completed; however, property representatives did not request a bond release. There are also some landscaping issues at the site. The Land Use Office sent Costco a letter advising that the bond expired, and that it must request a release. Attorney Beecher has advised that because there is not enough time before the expiration date of the bond, the Commission must call the entire bond, or call the bond with the intention of releasing \$210,000. The Director of Public Works, R. Tedesco, is “fine with everything”. ZEO Dew advised that when she spoke with Graham Construction, she told them the Town would withhold \$40,000 for landscaping. The bonding company is Traveler’s. **Vice Chairman Grimes moved to call the bond in its entirety with respect to 200 Federal Rd. Commissioner Frankel seconded the motion, and it carried unanimously.**

**Vice Chairman Grimes moved to amend the agenda to add as Item 7.f., Incentive Housing for 57 Laurel Hill Rd. Secretary Lollie seconded the motion, and it carried unanimously.**

**f. Incentive Housing, 57 Laurel Hill Rd.** – *A. Tarlton, 25 Plumtree’s Rd., was present on behalf of 57 Laurel Hill Rd.* He advised that he purchased this as an approved project from Dakota Partners. M. Nolan and Mr. Tarlton reviewed the incentive housing agreement, and made a few changes, that were submitted to Attorney Beecher, who also made some changes. The Commission must approve the changes. Mr. Tarlton noted that most of the changes relate to having a professional administer the program rather than Townhouse Board. Commissioner Frankel inquired which units are designated as incentive housing, and Mr. Tarlton advised they are Units 3, 7 and 11.

*Chairman Blessey left the room for a brief time at 7:27 p.m.*

**Vice Chairman Grimes suggested that this matter be continued to the December 11, 2014 meeting to have the benefit of a full Commission.**

Mr. Tarlton advised the Commission to forward any questions regarding the application before the meeting.

**8. Tabled Items:           None.**

**9. Informal Discussion:           None.**

**10. Comments of Commissioners:           None.**

**11. Adjourn:           Commissioner Frankel moved to adjourn the meeting at 7:28 p.m. Secretary Lollie seconded the motion, and it carried unanimously.**

**\*\*Next Regular Meeting Scheduled for December 11, 2014\*\***