

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
REVISED Regular Meeting Agenda  
Tuesday, July 19, 2022 6:30 p.m.**

**3 WAYS TO ATTEND: IN-PERSON, ONLINE, AND BY PHONE**

|   |           |  |
|---|-----------|--|
| <b>Clifford B. Green Meeting Center, Suite 24, 69 South Main Street, Brooklyn, CT</b>                                 |           |  |
| <b>Click link below:</b><br><a href="https://us06web.zoom.us/j/84765564828">https://us06web.zoom.us/j/84765564828</a> | <b>or</b> | <b>Go to</b> <a href="https://www.zoom.us/join">https://www.zoom.us/join</a><br><b>Enter meeting ID: 847 6556 4828</b> |
| <b>Dial: 1-646-558-8656</b>   |           |  |
| <b>Enter meeting number: 847 6556 4828, then press #, Press # again to enter meeting</b>                              |           |  |

- I. Call to Order**
- II. Roll Call**
- III. Seating of Alternates**
- IV. Adoption of Minutes:** Special Meeting June 23, 2022
- V. Public Commentary**
- VI. Unfinished Business:**
  - a. **Reading of Legal Notices**
  - b. **New Public Hearings:**
    - 1. **SP 22-002:** Special Permit Application for a 6,000 s.f. storage/maintenance building with associated driveway, septic, well, drainage, and grading at 170 South St., Applicant: Country View Restaurant, LLC, R-30/Golf Course Overlay Zone.
    - 2. **ZRC 22-005:** Proposal to add Zoning Regulations Sec. 4.D.2.3.18 and 6.S to require a 6,000 linear foot separating distance between retail cannabis establishments.
  - a. **Continued Public Hearings: None.**
  - b. **Other Unfinished Business:**
    - 1. **SP 22-002:** Special Permit Application for a 6,000 s.f. storage/maintenance building with associated driveway, septic, well, drainage, and grading at 170 South St., Applicant: Country View Restaurant, LLC, R-30/Golf Course Overlay Zone.
    - 2. **ZRC 22-005:** Proposal to add Zoning Regulations Sec. 4.D.2.3.18 and 6.S to require a 6,000 linear foot separating distance between retail cannabis establishments.
    - 3. **GBR 22-003:** Renewal of Gravel Special Permit SPG 19-002, Brooklyn Sand & Gravel, LLC, 64+- acres, 530 Wauregan Road, Removal of approximately 112,000 cubic yards of material.
    - 4. **SPG 22-001:** Gravel Special Permit, Brooklyn Sand & Gravel, LLC, 64+- Acres, 530 Wauregan Road, Removal of approximately 208,000 cubic yards of material.  
**\*Public hearing moved to August 3, 2022\***
- VII. New Business:**
  - a. **Applications:** None.
  - b. **Other New Business:** Affordable Housing Plan/POCD, Letter re: Planned Development Zones.
- VIII. Reports of Officers and Committees:** Margaret Washburn, Zoning/Wetlands/Blight
- IX. Public Commentary**
- X. Adjourn**

Michelle Sigfridson, Chairman

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
Special Meeting  
Thursday, June 23, 2022 6:30 p.m.**

**3 WAYS TO ATTEND: IN-PERSON, ONLINE, AND BY PHONE**

|   |           |  |
|---|-----------|--|
| <b>Brooklyn Middle School Auditorium, 119 Gorman Road, Brooklyn, CT</b>   |           |  |
| <b>Click link below:</b><br><a href="https://us06web.zoom.us/j/85473027214">https://us06web.zoom.us/j/85473027214</a> | <b>or</b> | <b>Go to <a href="https://www.zoom.us/join">https://www.zoom.us/join</a><br/>Enter meeting ID: 854 7302 7214</b> |
| <b>Dial: 1-646-558-8656<br/>Enter meeting number: 854 7302 7214, then press #, Press # again to enter meeting</b>     |           |  |

**MINUTES**

- I. Call to Order** – Carlene Kelleher, Vice Chair, called the meeting to order at 6:37 p.m.
- II. Roll Call** – Carlene Kelleher, Allen Fitzgerald, John Haefele, Lisa Herring, and Gill Maiato (all were present in person). Sara Deshaies was present via Zoom. Michelle Sigfridson was absent with notice. Seth Pember and J.R. Thayer were absent.

**Staff Present (in person):** Jana Roberson, Director of Community Development; Austin Tanner, First Selectman.

**Also Present in Person:** Pete Parent, Professional Engineer with CHA (formerly CME Associates) and Steve Townsend. There were 2 additional people in the audience.

**Present via Zoom:** Debbie Cornman; Sharon Loughlin; Ed Homonoff; William Cummings; and J.S. Perreault, Recording Secretary.

**III. Seating of Alternates**

Motion was made by J. Haefele to seat Gill Maiato a Voting Member for this meeting (June 23, 2022).

Second by A. Fitzgerald. No discussion.

Motion carried unanimously by voice vote (5-0-0).

**IV. Adoption of Minutes:** Meeting June 1, 2022

Motion was made by A. Fitzgerald to approve the Minutes of the Regular Meeting of June 1, 2022, as presented.

Second by J. Haefele. No discussion.

Motion carried unanimously by voice vote (6-0-0).

**V. Public Commentary** – None.

**VI. Unfinished Business:**

- a. **Reading of Legal Notices:** Read aloud by J. Roberson.

b. **New Public Hearings:**

1. Hearing regarding “opt-out” provisions in Public Act 21-29, Sections 3, 5, and 6.

J. Roberson gave a brief overview (a two-page synopsis was included in packets to Commission Members). She explained how Public Act 21-29, a lengthy piece of legislation passed in 2021, made bold changes to Planning & Zoning

Commissions' authorizing statutes. Ms. Roberson recommended that the PZC opt-out.

A gentleman, whose name was inaudible, who lives on Wolf Den Road, asked about detached ADU's. Ms. Kelleher and Ms. Roberson explained that it is already allowed under the Zoning Regulations by special permit and if the PZC opts-out of the provisions of the Public Act, it will continue to be allowed to do that.

There was discussion regarding Air B&B. PA 21-29 does authorize the PZC to regulate ADU's as short-term rentals and she explained that opting-out does not have an impact on any rental properties. Ms. Roberson advised that the PZC may want to consider discussing short-term rentals. There was a consensus of the Commission for Ms. Roberson to prepare draft language.

There was agreement expressed among Commission Members to opt-out. Discussion continued. Ms. Roberson explained that there needs to be a 2/3 vote of both the PZC and the Selectmen to opt-out to be relieved of this extra jurisdiction.

There were no further comments from the public either in person or via Zoom.

Motion was made by A. Fitzgerald to close the public hearing regarding "opt-out" provisions in Public Act 21-29, Sections 3, 5, and 6.

Second by Gill Maiato. No discussion.

Motion carried unanimously by voice vote (6-0-0).

**c. Continued Public Hearings: None.**

**d. Other Unfinished Business:**

1. Potential action regarding "opt-out" provisions in Public Act 21-29, Sections 3, 5, and 6.

Motion was made by J. Haefele to take the following action in the form of a Resolution:

WHEREAS, Public Act 21-29 allows municipalities to opt out of certain requirements of that Act; and

WHEREAS, the Brooklyn Planning & Zoning Commission published notices of the public hearing date on June 8, 2022, and June 15, 2022 in the Turnpike Buyer; and

WHEREAS, the Brooklyn Planning & Zoning Commission held a public hearing on June 23, 2022;

NOW, THEREFORE, BE IT RESOLVED, that the Brooklyn Planning and Zoning Commission does hereby affirmatively opt out of the provisions of Sections 3, 5 and 6 of Public Act 21-29 for the following reasons: 1) that temporary health care structures are extremely limited in their application, no temporary health care structures have been installed since the provision became effective in 2017, and the community has been better served by the accessory dwelling unit regulations already included in the Town of Brooklyn Zoning Regulations, 2) that the Town of Brooklyn Zoning Regulations require two parking spaces per dwelling unit regardless of the type of structure it is in and finds this standard appropriate for the community, and 3) that the Town of Brooklyn Zoning Regulations already permit attached accessory dwelling units to a single-family dwelling in all residential zones by Zoning Permit and such regulations do not restrict the floor area of the accessory dwelling unit, do not require dimensional standards, landscaping, or design standards different from single family dwellings, do not require an exterior door or passageway to the primary unit, and do not require homeownership or familial status as a condition of occupancy; and

BE IT FURTHER RESOLVED that the notice of this action is forwarded to the Brooklyn Board of Selectmen to continue the process of opting out; and  
BE IT FURTHER RESOLVED that the effective date of this action is July 22, 2022.  
Second by A. Fitzgerald. No discussion.  
Motion carried unanimously by voice vote (6-0-0 a 2/3 majority was needed).

C. Kelleher asked A. Tanner to take this item to go before the Board of Selectmen.

2. **GBR 22-003:** Renewal of Gravel Special Permit SPG 19-002, Brooklyn Sand & Gravel, LLC, 64+- acres, 530 Wauregan Road, Removal of approximately 112,000 cubic yards of material.

Ms. Roberson explained that GBR 22-003 and SPG 22-001 were moved to the regularly scheduled meeting of July 6, 2022, and will be discussed together.

3. **SPG 22-001:** Gravel Special Permit, Brooklyn Sand & Gravel, LLC, 64+- Acres, 530 Wauregan Road, Removal of approximately 208,000 cubic yards of material.  
**\*Awaiting July 6 Public Hearing\***

## **VII. New Business:**

### **a. Applications:**

1. **SP 22-002:** Special Permit Application for a 6,000 s.f. storage/maintenance building with associated driveway, septic, well, drainage, and grading at 170 South St., Applicant: Country View Restaurant, LLC, R-30/Golf Course Overlay Zone.

Ms. Roberson explained that Paul Terwilleger, P.C. Surveying will represent the Applicant at the public hearing.

Motion was made by A. Fitzgerald to schedule the public hearing for **SP 22-002:** a Special Permit Application for a 6,000 s.f. storage/maintenance building with associated driveway, septic, well, drainage, and grading at 170 South St., Applicant: Country View Restaurant, LLC, R-30/Golf Course Overlay Zone for the regular meeting of the Planning and Zoning Commission to be held on July 19, 2022 at 6:30 p.m. in the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by L. Herring. No discussion.

Motion carried unanimously by voice vote (6-0-0).

2. **MI 22-001:** Disposition of 0.3 acres of Town-owned land located on the east side of Wauregan Road, behind VFW (Assessor's Map 30, Lot 86).

Ms. Roberson referred to and explained Section 8-24 of the Connecticut General Statutes (included in packets to Commission Members). The property was acquired by the Town in 2002 due to failure to pay taxes. She referred to a map from 1907, entitled Maynard Park (included in packets). She referred to an aerial map (included in packets) showing that the .3 acres is very integral to the VFW property, which is listed for sale.

Mr. Haefele commented that he doesn't see that it has any particular use and is not accessible except through the VFW property.

Motion was made by J. Haefele to recommend the disposition of 0.3 acres of Town-owned land located on the east side of Wauregan Road, behind VFW (Assessor's Map 30, Lot 86) because it is of no apparent use to the Town of Brooklyn.  
Second by A. Fitzgerald. No discussion.  
Motion carried unanimously by voice vote (6-0-0).

3. **ZRC 22-005:** Proposal to add Zoning Regulations Sec. 4.D.2.3.18 and 6.S to require a 6,000 linear foot separating distance between retail cannabis establishments.

C. Kelleher explained that the State has removed the cap and that this proposed language would allow only one in Town which is the same that would have been allowed under the State's original cap.

There was discussion. Ms. Roberson explained that she measured/verified that with the 6,000 linear foot separating distance there can be only one. She explained that Town Land Use Attorney, Peter Alter, has reviewed this Regulation and has determined this to be a legitimate approach.

There were no comments from Commission Members.

There were no comments from the public either in person or via Zoom.

Motion was made by L. Herring to schedule the public hearing for ZRC 22-005: Proposal to add Zoning Regulations Sec. 4.D.2.3.18 and 6.S to require a 6,000 linear foot separating distance between retail cannabis establishments, Applicant: Brooklyn PZC, PC Zone for the regular meeting of the Planning and Zoning Commission to be held on July 19, 2022 at 6:30 p.m. in the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.  
Second by J. Haefele. No discussion.  
Motion carried unanimously by voice vote (6-0-0).

**b. Other New Business:**

1. Discussion of Groundwater Protection Overlay Zone as it relates to propane storage.

J. Roberson referred to the Zoning Map (which was displayed) and indicated the Overlay Zone which covers approximately 1/4 to 1/3 of the entire Town. Ms. Roberson explained that a proposal has come up for a bulk propane storage facility in the RB Zone and that propane is not a threat to groundwater. She advised that this is something that the Commission should know and may want to take action on. Why would something that is not a threat to groundwater be prohibited? She referred to a publication from Texas Extension, entitled "Reducing the Risk of Ground Water Contamination by Improving Petroleum Product Storage" (included in packets to Commission Members).

There was discussion. Ms. Roberson explained that the current regulations would prohibit even above-ground tanks if it is the primary use. She referred to page 102 of the Zoning Regulations. There was agreement among the Commission for Ms. Roberson to draft language to propose a revision to the Regulations.

2. Discussion of development opportunity at 538 Providence Road.

Pete Parent, Professional Engineer with CHA (formerly CME Associates) and Steve Townsend, Owner of the property, were present in person and gave a poster board presentation:

- There was a previously approved plan for commercial space behind the currently developed areas.
- Mr. Townsend would like to pursue residential townhouses in this area for which they would need either a change to the Zoning Regulations or a Planned Development designation.
- They asked for feedback from the Commission.
- Mr. Parent described the plan for the property for approximately 24 units (depending on how many bedrooms) including sidewalks and parking.
- Mr. Townsend explained that he hears that there is not enough quality housing for young professionals in this area. He said that there is residential behind this property so it would be consistent with that and he said that they could tie sidewalks together for shopping at local businesses.

There was discussion. Ms. Roberson noted that the Affordable Housing Plan was recently completed and this is one of the highest ranking locations for sustainable development (proximity to water & sewer, transit access and walkability). Another option would be a boundary change. They have had a permit for commercial development for nearly 20 years, which has not happened, and they are trying other options.

Ms. Kelleher commented that it looks like it could fit because of the proximity to other residences. However, allowing it throughout the entire PC Zone does not appeal to her. Mr. Haefele agreed. Mr. Haefele, Mr. Fitzgerald and Ms. Kelleher expressed agreement that a boundary change would be the easiest way to go. Mr. Parent expressed agreement. There was discussion about parking and what the back would look like. Ms. Roberson referred to the Route 6 Corridor Design Guidelines (copies were provided to Commission Members). Discussion continued. Mr. Parent explained about the drainage. Ms. Roberson explained that this proposal would have a much smaller footprint than the previously approved Commercial development.

#### **VIII. Reports of Officers and Committees**

There were no reports.

Ms. Roberson provided updates to the Zoning Regulations to Commission Members.

C. Kelleher stated that she would like to have, on a future agenda, discussion regarding Planned Development Zone as she feels that the Commission is not prepared to review an application. There was discussion.

#### **IX. Public Commentary – None.**

#### **X. Adjourn**

C. Kelleher adjourned the meeting at 8:00 p.m.

Respectfully submitted,

J.S. Perreault  
Recording Secretary

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
NOTICE OF PUBLIC HEARING**

The Planning and Zoning Commission will hold a public hearing on Tuesday July 19, 2022, at 6:30 p.m. via Zoom and in-person at the Clifford B. Green Memorial Center, 69 South Main Street Brooklyn, CT on the following:

1. **SP 22-002:** Special Permit Application for a 6,000 sq ft storage/maintenance building with associated driveway, septic, well, drainage, and grading at 170 South St., Applicant: Country View Restaurant, LLC, R-30/Golf Course Overlay Zone.
2. **ZRC 22-005:** Proposal to add Zoning Regulations Sec. 4.D.2.3.18 and 6.S to require a 6,000 linear foot separating distance between retail cannabis establishments.
3. **SPG 22-001:** Gravel Special Permit, Brooklyn Sand & Gravel, LLC, 64+- Acres, 530 Wauregan Road, Removal of approximately 208,000 cubic yards of material. (Hearing will additionally discuss **GBR 22-003:** Renewal of Gravel Special Permit SPG 19-002, Brooklyn Sand & Gravel, LLC, 64+- acres, 530 Wauregan Road, Removal of approximately 112,000 cubic yards of material.)

A copy of these applications will be available for review on the Town of Brooklyn website, Town Clerk office and at the Land Use office. All interested parties may attend the meeting, be heard and written correspondence received. Written correspondence may be submitted in advance of the meeting to the Town Planner at [j.roberson@brooklynct.org](mailto:j.roberson@brooklynct.org) or at 69 South Main Street Brooklyn, CT 06234.

**\*Please publish July 6<sup>th</sup> and July 13<sup>th</sup>\***



PLANNING AND ZONING COMMISSION  
TOWN OF BROOKLYN  
CONNECTICUT

Received Date \_\_\_\_\_

Application #SP 22-002  
Check # 1035

APPLICATION FOR SPECIAL PERMIT

Name of Applicant BROOKLYNS COUNTRYVIEW RESTAURANT, LLC Phone 860 230 6848  
Mailing Address 170 SOUTH STREET, BROOKLYN, CT 06234 Phone \_\_\_\_\_

Name of Engineer/Surveyor PC SUREVY ASSOCIATES, LLC , (KILLINGLY ENGINEERING ASSOCIATES)  
Address 63 SNAKE MEADOW ROAD, KILLINGLY, CT 06239  
Contact Person PAUL TERWILLIGER, LS Phone 860 774 6230 Fax \_\_\_\_\_  
NORMAND THIBEAULT, PE 860 779 7299

Name of Attorney \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_

Property location/address 170 SOUTH STREET, BROOKLYN, CT 06234  
Map# 40 Lot# 11 Zone R30 GCO Total Acres 11.58  
Sewage Disposal: Private X Public \_\_\_\_\_ Existing X Proposed X  
Water: Private X Public \_\_\_\_\_ Existing X Proposed X

Proposed Activity CONSTRUCTION OF 6000 S.F. STORAGE/MAINTENANCE BUILDING WITH ASSOCIATED DRIVEWAY,  
SEPTIC SYSTEM, WELL, DRAINAGE AND SITE GRADING (EXPANSION OF EXISTING USE)

Compliance with Article 4, Site Plan Requirements

Is parcel located within 500 feet of an adjoining Town? NO

The following shall accompany the application when required:

Fee \$445 State Fee (\$60.00) \$60 + \$150 3 copies of plans 3 Sanitary Report \_\_\_\_\_  
4.5.5 Application/ Report of Decision from the Inland Wetlands Commission  
4.5.5 Applications filed with other Agencies  
12.1 Erosion and Sediment Control Plans

The owner and applicant hereby grant the Brooklyn Planning and Zoning Commission, the Board of Selectman, Authorized Agents of the Planning and Zoning Commission or Board of Selectman, permission to enter the property to which the application is requested for the purpose of inspection and enforcement of the Zoning regulations and the Subdivision regulations of the Town of Brooklyn

Applicant: X [Signature] Date 6/6/22

Owner: X [Signature] Date 6/6/22

\*Note: All consulting fees shall be paid by the applicant

**ABUTTERS LIST – MAP 40 , LOT 11 - 170 SOUTH STREET, BROOKLYN, CT**

MAP 40 , LOT 9

PETER WOLAK, TRUSTEE – EVERGREEN WILDLIFE FOUNDATION LAND TRUST  
134 SOUTH STREET, BROOKLYN, CT 06234

MAP 40 , LOT 12

KA&G DEVELOPMENT, LLC  
15 WOODLAND AVENUE, BALTIC, CT 06330

MAP 40 , LOT 12-1

ADVANTA IRA SERVICES, LLC  
15 WOODLAND AVENUE, BALTIC, CT 06330

MAP 40 , LOT 13

ROBERT HARRY PERRY, SR.  
202 SOUTH STREET, BROOKLYN, CT 06234

MAP 40 , LOT 14

RACHEL MARIE FORTIN  
23 FORTIN DRIVE, BROOKLYN, CT 06234

MAP 41 , LOT 129

PINEDALE FARM, LLP  
278 SPERRY ROAD, BETHANY, CT 06524

**PC survey associates, llc****63 Snake Meadow Road, Killingly, CT 06239**

June 8, 2022

Brooklyn Planning & Zoning Commission  
69 South Main Street Suite 2  
Brooklyn, CT 06234

Dear Chairman,

Attached please find an application for a special permit for my client's property located at 170 South Street. This is the site of the Countryview Restaurant and driving range, which is situated in the Golf Course Overlay Zone within the R-30 zone. The current uses on the property are a 75 seat restaurant and a golf driving range, which were existing at the time of the creation of the Golf Course Overlay Zone, and were actually the reason that the zone was created in the first place.

My client, Jeff Fontaine, is looking to expand the current use by building a 6000 square foot storage and maintenance building at the rear of the property. This building will be used primarily for the storage of various tractors and equipment used in the upkeep of the driving range and will give them a place to perform any routine maintenance this equipment may need. It will also allow for storage space for the various groundskeeping items needed to maintain the driving range as well as supplies for its use (golf balls, clubs, etc.). Some storage of restaurant equipment or supplies may also take place within the building, as needed. Any proposed use will be in connection with the existing uses on the property, no additional separate commercial use is proposed.

The building will be a steel structure on slab with vehicular entrance doors located to the rear and right side. It will have the appearance of a large barn-like structure. The location of the building is such that it should not be obvious from the road. The adjacent properties are currently undeveloped in the area adjacent to this proposal, with the property to the west being owned by a trust in the R-30 zone and the property to rear being zoned Industrial. Visual impacts to neighboring properties should be minimal. Note that we are proposing planting arborvitae along the boundary with the R-30 zone.

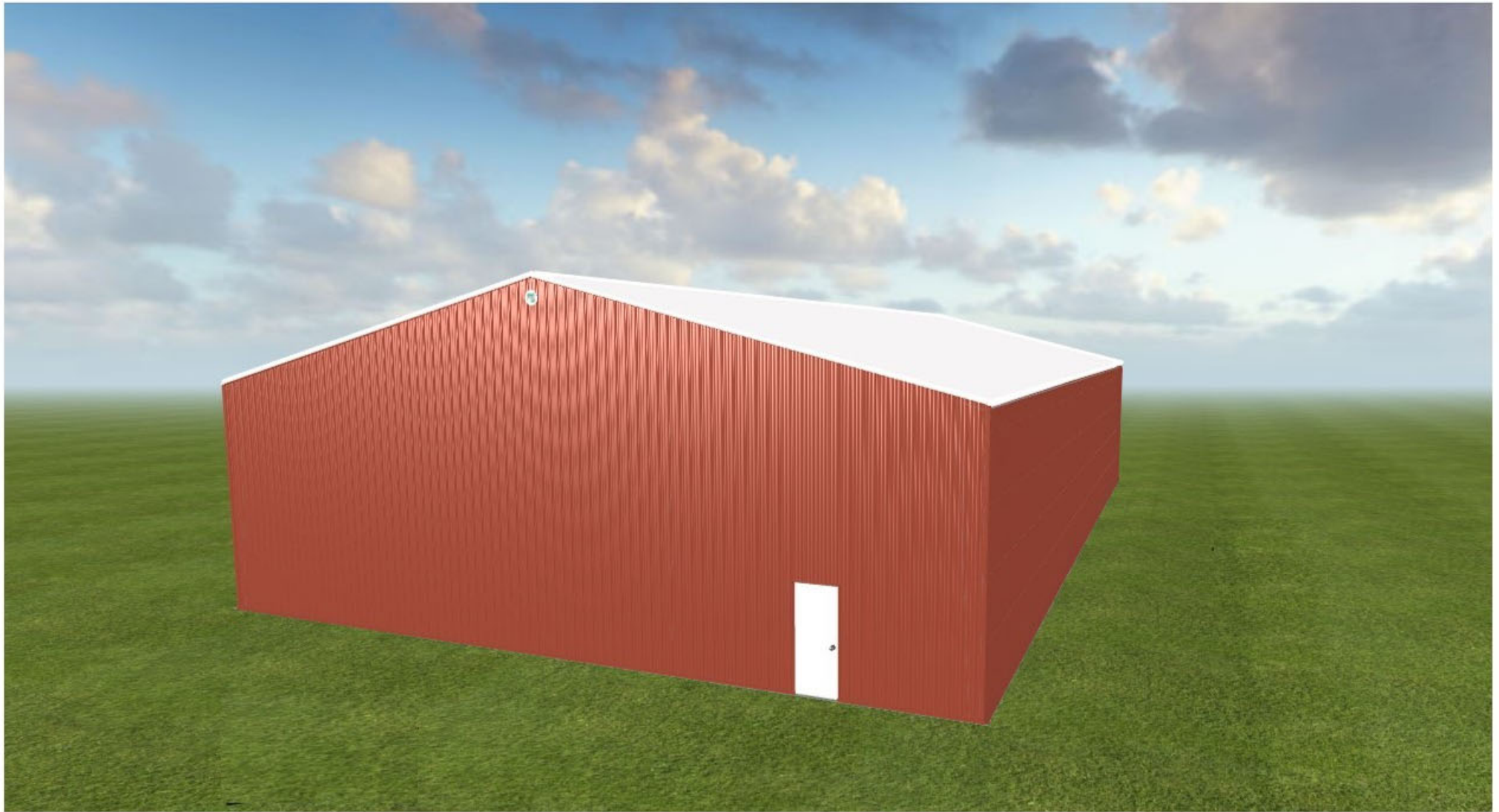
We do not anticipate any substantial increase in traffic as a result of this proposal. The building is not open to the public and no new employees will be added. There may be an increase in traffic activity during construction, but that will be temporary and on site traffic patterns will be altered if necessary to minimize impact to the existing businesses.

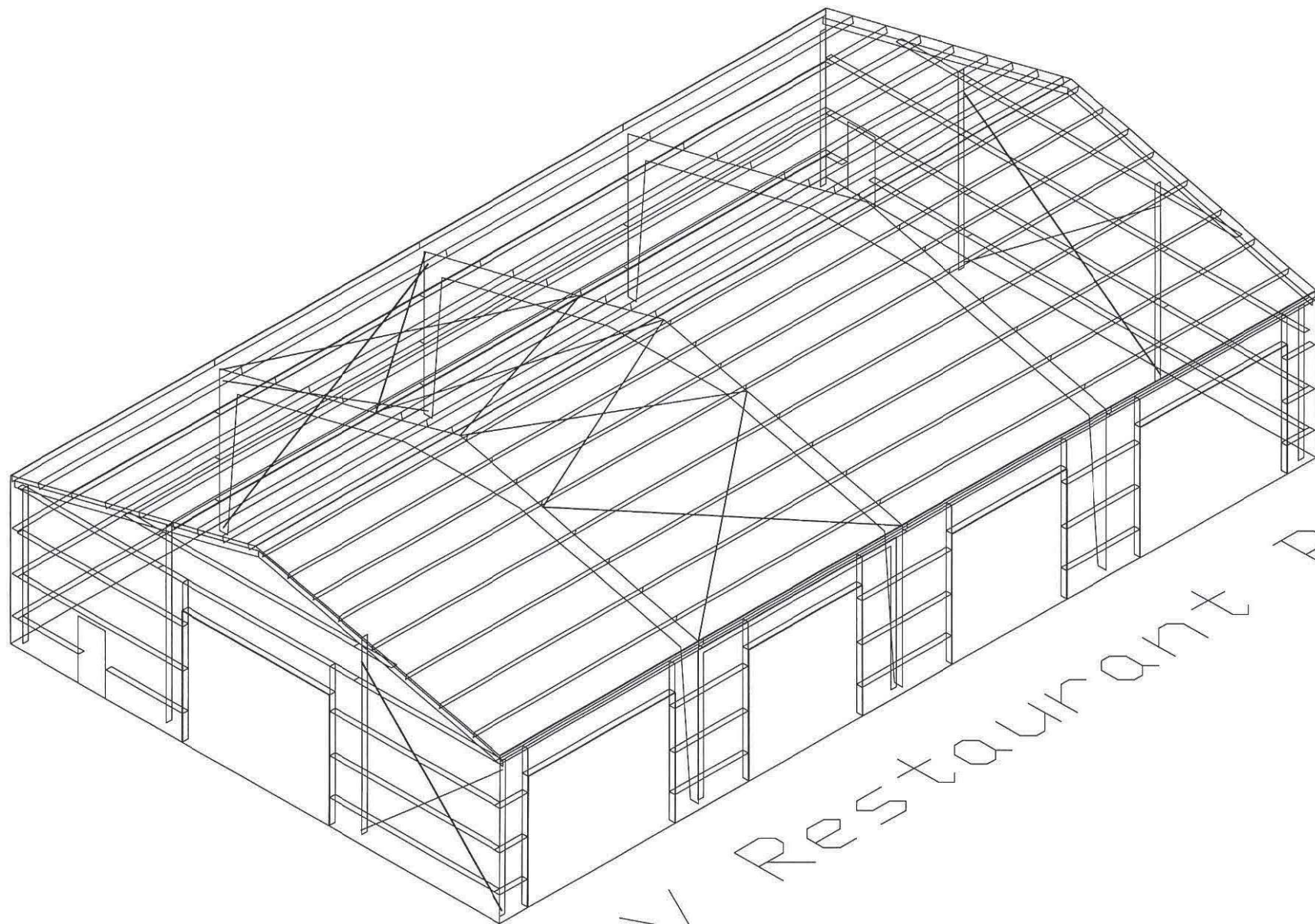
This application has been submitted to the Brooklyn Inland Wetlands and Watercourses Commission and the Northeast District Department of Health for their review and approval. Results are pending as of the date of this writing.

Thank You,

Paul A. Terwilliger, LS

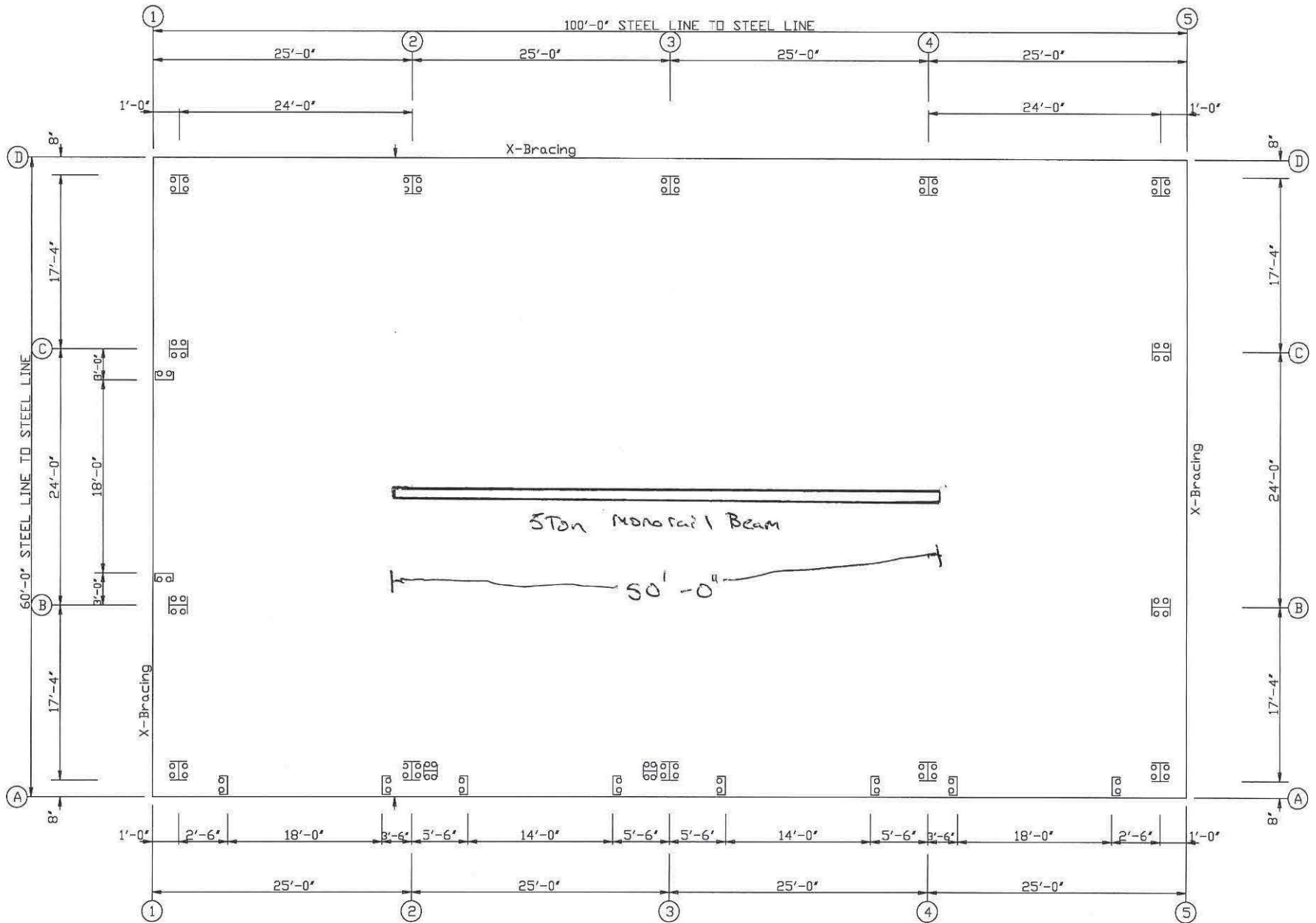






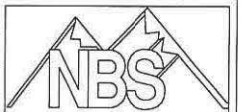
BCV Restaurant Bldg

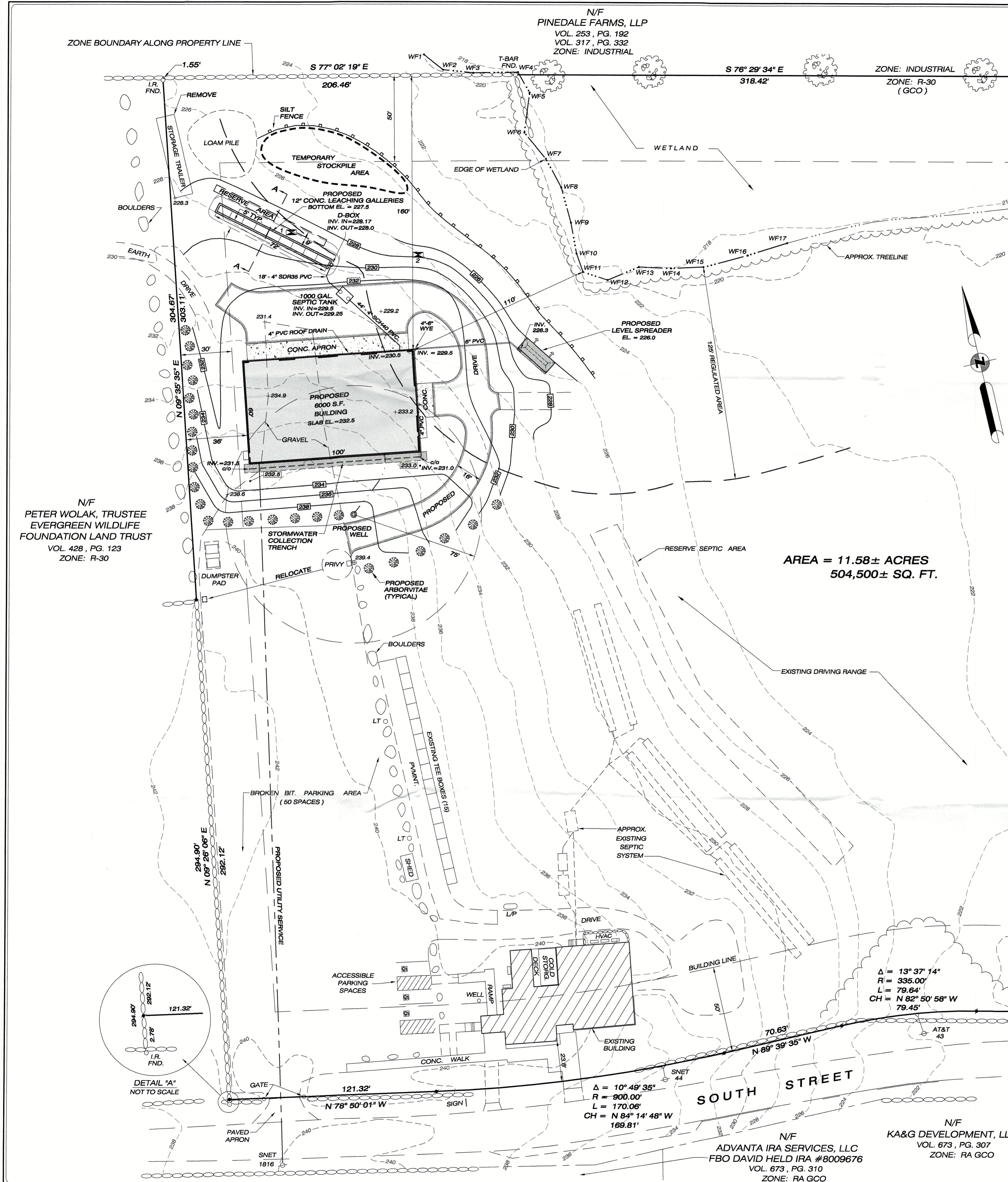




ANCHOR BOLT PLAN  
NOTE: All Base Plates @ 100'-0" (U.N.)

|                           |                     |                                |                 |
|---------------------------|---------------------|--------------------------------|-----------------|
| NORTHERN BUILDING SYSTEMS |                     | Fontaine Real Estate LLC       |                 |
| PROJECT                   | BCV Restaurant Bldg | ANCHOR BOLT PLAN               |                 |
| ID                        | 2205-003            | PRELIM. - NOT FOR CONSTRUCTION |                 |
| PROJECT                   | 170 South Street    | CSR:TMZ                        |                 |
| ADDRESS                   | Brooklyn, CT 06351  | DATE: 5/17/22                  | DRAWING: ABLT-1 |





ZONE: R-30 GOLF COURSE OVERLAY DISTRICT

|               | REQUIRED    | EXISTING      | PROPOSED      |
|---------------|-------------|---------------|---------------|
| AREA          | 30,000 S.F. | 504,500± S.F. | 504,500± S.F. |
| FRONTAGE      | 110'        | 881'±         | 881'±         |
| FRONT SETBACK | 50'         | 23.8' *       | 369.5'±       |
| SIDE SETBACK  | 30'         | 150'±         | 36'           |
| REAR SETBACK  | 50'         | >500'         | 160'          |

\* EXISTING NON-CONFORMING SETBACK

EXISTING USE: RESTAURANT / DRIVING RANGE

PROPOSED ADDITIONAL USE: EQUIPMENT STORAGE AND MAINTENANCE (NOT FOR PUBLIC USE)

PARKING:

RESTAURANT: 1 SPACE / 3 SEATS = 75 SEATS / 3 = 25 SPACES

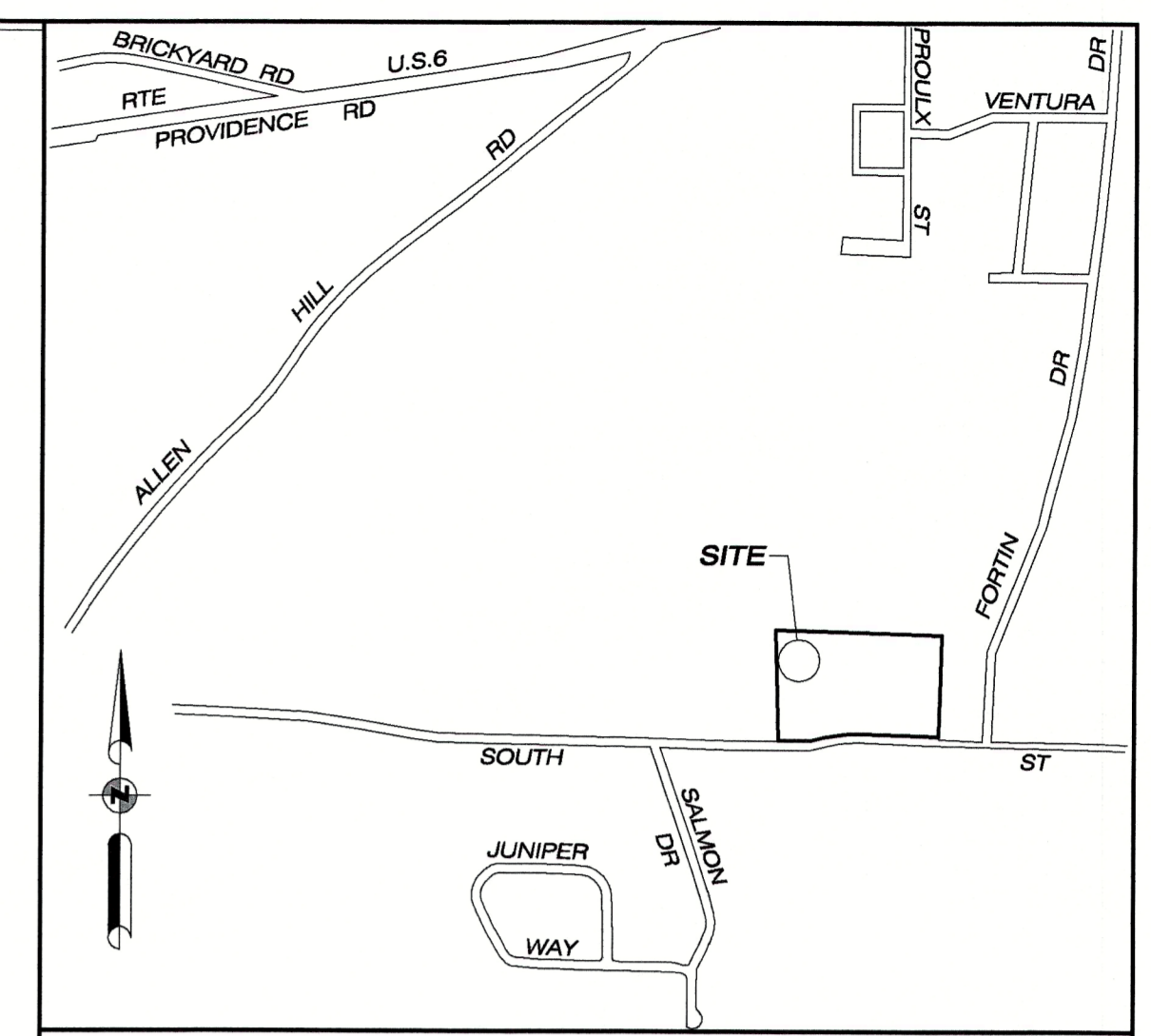
DRIVING RANGE: 1 SPACE / TEE BOX = 15 TEEBOXES = 15 SPACES

EMPLOYEE SPACES: 7

ACCESSIBLE SPACES: 3

TOTAL SPACES PROVIDED: 50

NOTE: PROPOSED ADDITIONAL USE REQUIRES NO ADDITIONAL SPACES



LOCATION MAP 1" = 1000'

- NOTES:
1. THIS MAP AND SURVEY HAVE BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT", AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. IT IS A GENERAL LOCATION SURVEY BASED ON A DEPENDENT RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS "B". TOPOGRAPHIC FEATURES WITHIN THE AREA OF DEVELOPMENT WERE DERIVED FROM FIELD SURVEY AND CONFORM TO TOPOGRAPHIC ACCURACY CLASS "T-2". TOPOGRAPHIC FEATURES OUTSIDE THE AREA OF DEVELOPMENT WERE TAKEN FROM NOAA LIDAR DATA AND CONFORM TO TOPOGRAPHIC ACCURACY CLASS "T-0". CONTOUR INTERVAL = 2 FEET. VERTICAL DATUM = APPROX. NAVD88. THE PURPOSE OF THIS MAP AND SURVEY IS FOR USE IN THE PERMITTING PROCESS FOR THE PROPOSED IMPROVEMENTS DEPICTED.
  2. REFERENCE MAPS:
    - A. PROPERTY SURVEY PLAN PREPARED FOR JOHN M. BOYLE - ALLEN HILL ROAD & SOUTH STREET, BROOKLYN, CONNECTICUT - SCALE: 1"=150' - DATE: 6/15/1999 - REVISED 10/25/2001 - BY: KWP ASSOCIATES
    - B. PERIMETER SURVEY PREPARED FOR ROLAND FORTIN - FORTIN DRIVE, BROOKLYN, CONNECTICUT - DATE: JULY 2003 - SCALE: 1"=80' - BY: ARCHER SURVEYING, LLC
    - C. PERIMETER SURVEY PREPARED FOR 170 SOUTH STREET, LLC - SOUTH STREET, BROOKLYN, CONNECTICUT - DATE: NOVEMBER 2017 - SCALE: 1"=40' - BY: PC SURVEY ASSOCIATES, LLC
  3. REFERENCE IS MADE TO A DEED TO BROOKLYN'S COUNTRYVIEW RESTAURANT, LLC RECORDED IN VOL. 604, PG. 240 OF THE BROOKLYN LAND RECORDS.
  4. AREA FROM THE STREET LINE DEPICTED TO THE CENTERLINE OF SOUTH STREET WAS GRANTED TO THE TOWN OF BROOKLYN FOR ROADWAY PURPOSES, AS OF THE DATE OF THIS SURVEY, THE DEED OF CONVEYANCE HAS NOT BEEN RECORDED IN THE BROOKLYN LAND RECORDS AND IS IN THE POSSESSION OF THE TOWN OF BROOKLYN LAND USE OFFICE.
  5. SUBJECT PROPERTY IS SHOWN AS MAP 40, LOT 11 OF THE BROOKLYN ASSESSOR'S RECORDS.
  6. INLAND WETLANDS WERE FIELD DELINEATED BY JOSEPH R. THEROUX IN APRIL 2022.

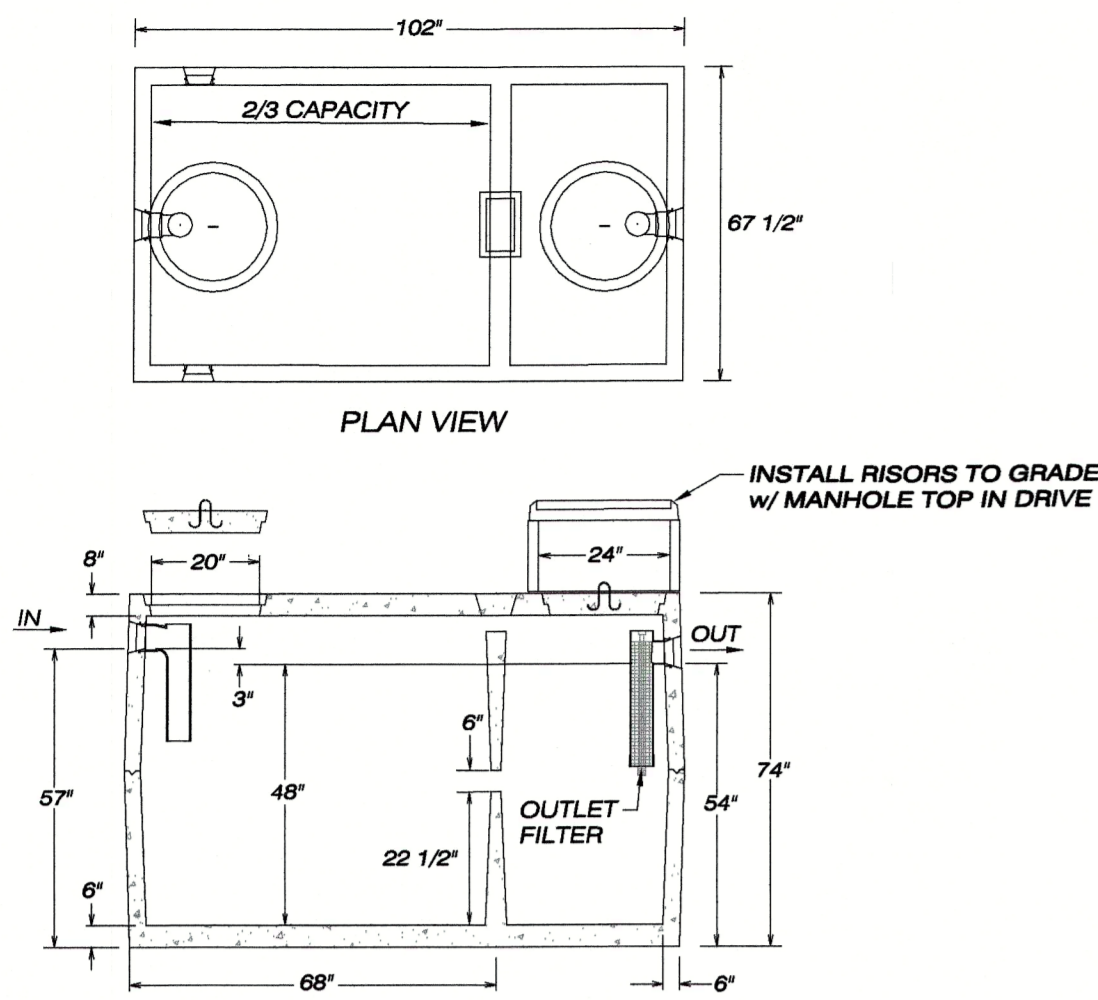
- LEGEND
- STONE WALL
  - WIRE FENCE
  - FENCE REMAINS IN TREE
  - EXISTING SPOT GRADE
  - PROPOSED SPOT GRADE
  - EXISTING CONTOUR
  - PROPOSED CONTOUR
  - EROSION CONTROL BARRIER
  - TEST PIT



**Killingly Engineering Associates**  
114 Westcott Road  
P.O. Box 421  
Dayville, Connecticut 06241  
860 779 7299

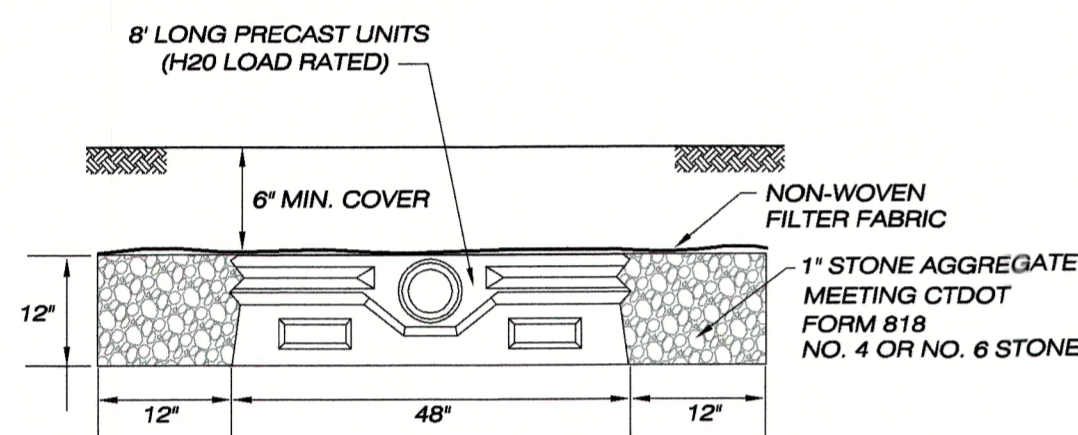
*Norman Thibault, Jr.* 6/6/2022  
NORMAN THIBAUT, JR., P.E. No. 22834 DATE

|  |              |                                  |         |
|--|--------------|----------------------------------|---------|
| <b>GENERAL LOCATION SURVEY</b>                                 |              | SURVEYING • MAPPING • PLOT PLANS |         |
| <b>SITE PLAN OF PROPOSED BUILDING TO BE LOCATED ON LAND OF</b> |              | TOPOGRAPHY • SUBDIVISION         |         |
| <b>BROOKLYN'S COUNTRYVIEW RESTAURANT, LLC</b>                  |              |                                  |         |
| 170 SOUTH STREET   |              | 63 SNAKE MEADOW RD               |         |
| BROOKLYN, CONNECTICUT  |              | KILLINGLY, CT 06230              |         |
| DATE: MAY 2022   |              | SHEET NO: 1 OF 2                 |         |
| SCALE: 1" = 30'  |              | REVISED:                         |         |
|  |              |                                  |         |
| JOB NO: 22016  | F.B. NO: 229 | DRAWN BY: P.A.T.                 | MAP NO: |

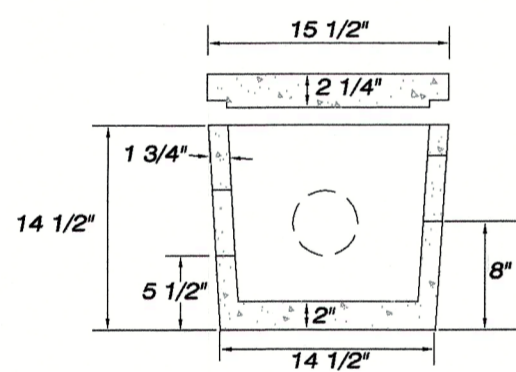


- DESIGN NOTES
- 1) JOINTS TO BE SEALED WITH BUTYL RUBBER SEALANT
  - 2) INLETS AND OUTLETS TO HAVE STATE-APPROVED SEALS.
  - 3) MEETS H2O WHEEL LOAD REQUIREMENTS.
  - 4) MUST MEET ASTM 1227
  - 5) CONCRETE STRENGTH SHALL BE 5000 PSI. MIN. 28 DAYS

**1000 GALLON - H2O  
TWO-COMPARTMENT SEPTIC TANK**  
N.T.S.



**FLOWDIFFUSOR TRENCH SECTION**  
N.T.S.



**DISTRIBUTION BOX**  
N.T.S.

**SOIL TEST DATA - 4/26/2022 BY N.D.D.H.**

TP1  
0-8" TOPSOIL  
8-32" REDDISH BROWN FINE LOAMY SAND  
32-88" GRAY COMPACT FINE LOAMY SAND, PAN  
MOTTLING AT 32"  
NO WATER  
NO LEDGE

TP2  
0-12" TOPSOIL  
12-32" REDDISH BROWN FINE LOAMY SAND  
32-52" MOTTLED TAN FINE LOAMY SAND  
52-88" GRAY COMPACT LOAMY SAND w/ ROCKS  
MOTTLING AT 32"  
LEDGE AT 88"

**PERCOLATION TEST B:**

| TIME  | READING |
|-------|---------|
| 10:33 | 3"      |
| 10:40 | 6"      |
| 10:42 | 9"      |
| 10:44 | 11"     |
| 10:46 | 12.5"   |
| 10:48 | DRY     |

PERCOLATION RATE: 1.33 MIN./INCH @ 32" DEPTH

**SEPTIC SYSTEM NOTES**

PERC RATE: 1.33 MIN./INCH

DESIGN FLOW: 600 GPD (0.1 GPD/S.F. x 6000 S.F.)

SEPTIC TANK: 1000 GALLON (H2O)

LEACHING AREA REQUIRED: 600 GPD/1.5 = 400 SQ. FT. ELA

LEACHING AREA PROVIDED: 72' OF 12" CONC. LEACHING GALLERIES @ 5.9 S.F./L.F. = 424.8 SQUARE FEET.

MOTTLING: 32", LEDGE: 88", WATER: N/A

MLSS CALCULATION: HF = 26 (6.1-8% SLOPE, 32" TO RESTRICTIVE)  
FF = 600/300 = 2.0  
PF = 1.0 (UP TO 10 MIN./INCH)  
MLSS = HF x FF x PF = 26 x 2.0 x 1.0 = 52 L.F. MLSS

MLSS PROVIDED: 72 L.F.

MAXIMUM DEPTH INTO EXISTING GRADE: 8"

**SPECIFICATIONS**

SEPTIC SYSTEM INSTALLATION SHALL BE IN ACCORDANCE WITH THE "CONNECTICUT PUBLIC HEALTH CODE REGULATIONS AND TECHNICAL STANDARDS FOR SUBSURFACE SEWAGE DISPOSAL SYSTEMS".

SEPTIC TANK: JOLLEY PRECAST, INC. OR EQUAL TWO-COMPARTMENT H2O LOAD RATED TANK WITH OUTLET FILTER. INSTALL RISERS OVER TANK CLEANOUTS IF COVER OVER TANK EXCEEDS 1'.

DISTRIBUTION BOX: JOLLEY OR EQUAL 4 HOLE D-BOX

HOUSE AND EFFLUENT SEWER PIPE: 4" PVC ASTM D 1785 OR ASTM D 2685 SCHEDULE 40 WITH RUBBER COMPRESSION GASKETS OR PVC AWWA C-900 WITH RUBBER COMPRESSION GASKETS.

DISTRIBUTION: 12" HIGH FLOWDIFFUSOR CONCRETE LEACHING GALLERIES

POLYLOK PIPE SEAL AS MANUFACTURED BY SUPERIOR SEPTIC TANKS (OR EQUAL) SHALL BE USED TO SEAL SEPTIC TANK AND D-BOX INLETS AND OUTLETS.

BOTTOM OF TRENCHES TO BE LEVEL.

ALL FILL SHALL BE CLEAN BANK RUN GRAVEL, MEETING THE FOLLOWING REQUIREMENTS OF THE CT DEPT. OF PUBLIC HEALTH.:  
MAX. PERCENT GRAVEL (PLUS NO. 4 SIEVE MATERIAL) - 45%  
GRADATION ON FILL LESS GRAVEL:

| SIEVE   | DRY PERCENT PASSING | WET PERCENT PASSING |
|---------|---------------------|---------------------|
| NO. 4   | 100                 | 100                 |
| NO. 10  | 70-100              | 70-100              |
| NO. 40  | 10-75               | 10-50*              |
| NO. 100 | 0-5                 | 0-20                |
| NO. 200 | 0-2.5               | 0-5                 |

\* PERCENT PASSING THE #40 SIEVE CAN BE INCREASED TO NO GREATER THAN 75% IF THE PERCENT PASSING THE #100 SIEVE DOES NOT EXCEED 10% AND THE #200 SIEVE DOES NOT EXCEED 5%

FILL MUST PERC AT A RATE EQUAL TO OR FASTER THAN THE UNDERLYING SOIL.

**TEMPORARY VEGETATIVE COVER**

A TEMPORARY SEEDING OF RYE GRASS WILL BE COMPLETED WITHIN 15 DAYS OF THE FORMATION OF STOCKPILES. IF THE SOIL HAS BEEN COMPACTED BY CONSTRUCTION OPERATIONS IT SHALL BE LOOSENEED TO A DEPTH OF 2 INCHES BEFORE THE FERTILIZER, LIME AND SEED IS APPLIED. 10-10-10 FERTILIZER AT A RATE OF 7.5 POUNDS PER 1000 S.F. LIMESTONE AT A RATE OF 90 LBS. PER 1000 S.F. SHALL BE USED. RYE GRASS APPLIED AT A RATE OF 1 LB. PER 1000 S.F. SHALL PROVIDE THE TEMPORARY VEGETATIVE COVER. STRAW FREE FROM WEEDS AND COARSE MATTER SHALL BE USED AT A RATE OF 70-90 LBS. PER 1000 S.F. AS A TEMPORARY MULCH. APPLY A JUTE NETTING COVER TO SLOPES OF 3:1 OR GREATER SLOPE.

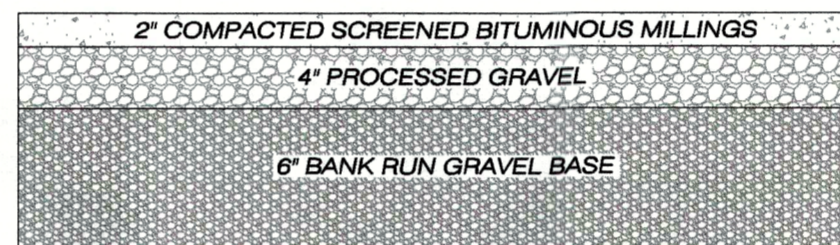
**PERMANENT VEGETATIVE COVER**

TOPSOIL WILL BE REPLACED ONCE THE EXCAVATION AND FILL PLACEMENT HAS BEEN COMPLETED AND THE SLOPES ARE GRADED TO A SLOPE NO GREATER THAN 2 TO 1. PROVIDE SLOPE PROTECTION ON ALL CUT SLOPES. TOPSOIL WILL BE SPREAD AT A MINIMUM COMPACTED DEPTH OF 4 INCHES. ONCE THE TOPSOIL HAS BEEN SPREAD, ALL STONES TWO INCHES OR LARGER IN ANY DIMENSION WILL BE REMOVED AS WELL AS DEBRIS. APPLY AGRICULTURAL GROUND LIMESTONE AT THE RATE OF TWO TONS PER ACRE OR 100 LBS. PER 1000 S.F. APPLY 10-10-10 FERTILIZER OR EQUIVALENT AT A RATE OF 300 LBS. PER ACRE OR 7.5 LBS. PER S.F. WORK LIMESTONE INTO THE SOIL TO A DEPTH OF 4 INCHES. INSPECT SEEDBED BEFORE SEEDING. IF TRAFFIC HAS COMPACTED THE SOIL, RETILL COMPACTED AREAS. APPLY THE FOLLOWING GRASS SEED MIX:

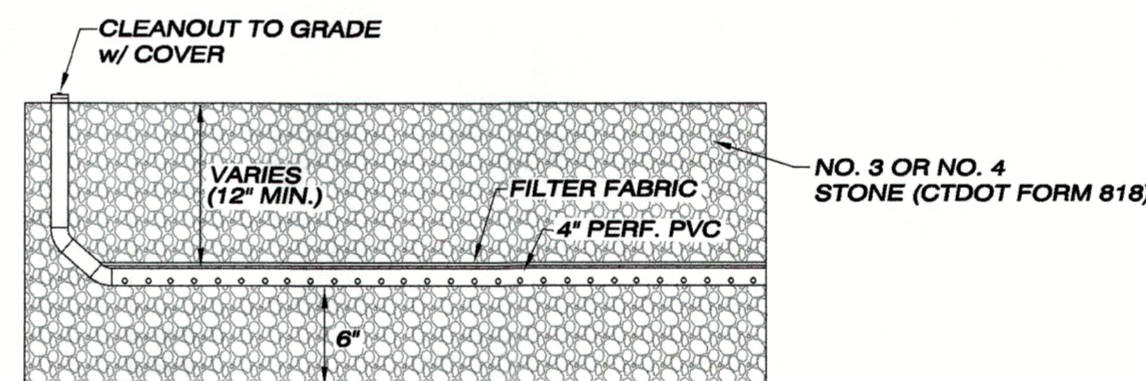
| SEED MIXTURE        | LBS./ACRE | LBS./1000 S.F. |
|---------------------|-----------|----------------|
| KENTUCKY BLUEGRASS  | 20        | 0.45           |
| CREeping RED FESCUE | 20        | 0.45           |
| PERENNIAL RYEGRASS  | 5         | 0.10           |
|                     | 45        | 1.00           |

THE RECOMMENDED SEEDING DATES ARE: APRIL 1 - JUNE 15 AND AUGUST 30 - OCTOBER 1

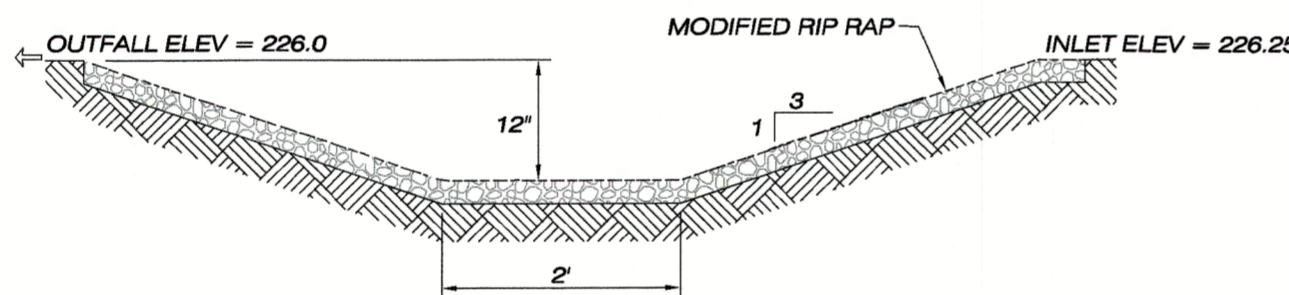
FOLLOWING SEEDING MULCH WITH WEED FREE STRAW AND APPLY A JUTE NETTING COVER TO AREAS OF 3:1 OR GREATER SLOPE



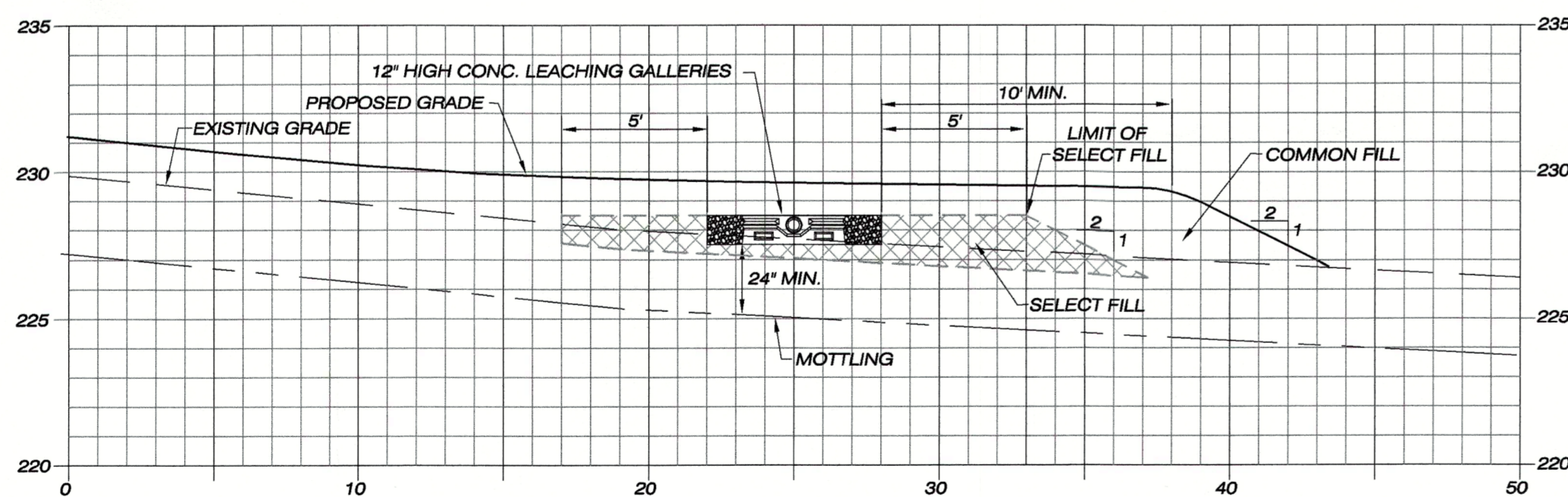
**DRIVEWAY SECTION**  
NOT TO SCALE



**STORMWATER COLLECTION TRENCH**  
NOT TO SCALE



**LEVEL SPREADER**  
NOT TO SCALE



**LEACHFIELD CROSS-SECTION A-A**  
SCALE: 1"=5'

**EROSION & SEDIMENT CONTROL PLAN**

REFERENCE IS MADE TO:

1. CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL, MAY 2002.
2. SOIL SURVEY OF WINDHAM COUNTY CONNECTICUT, U.S.D.A. SOIL CONSERVATION SERVICE 1983.

**DEVELOPMENT**

PROPOSED DEVELOPMENT CONSISTS OF THE CONSTRUCTION OF A 6000 S.F. MAINTENANCE/STORAGE BUILDING WITH APPURTENANT SEPTIC SYSTEM, WELL, DRIVEWAY, UTILITIES AND SITE GRADING.

**CONSTRUCTION SEQUENCE:**

1. INSTALL EROSION AND SEDIMENT CONTROL STRUCTURES ALONG THE PROPOSED LIMITS OF DISTURBANCE.
2. REMOVE AND STOCKPILE TOPSOIL AND INSTALL SEDIMENT BARRIER.
3. ROUGH GRADING AND DRIVEWAY INSTALLATION.
4. EXCAVATE FOUNDATION SITE AND BEGIN BUILDING CONSTRUCTION.
5. INSTALL SEPTIC SYSTEM AND WELL.
6. INSTALL UTILITIES TO THE BUILDING.
7. FINAL DRIVEWAY GRADING AND SURFACING.
8. LOAM, SEED & MULCH DISTURBED AREAS AND LANDSCAPING.
9. REMOVE EROSION AND SEDIMENT CONTROL.

**GENERAL DEVELOPMENT PLAN**

PRIOR TO THE COMMENCEMENT OF OPERATIONS IN ACCORDANCE WITH ANY PERMIT ISSUED BY THE TOWN OF BROOKLYN, THE CONTRACTOR SHALL INSTALL ALL EROSION AND SEDIMENT CONTROL DEVICES.

THE CONTRACTOR SHALL OBTAIN A SITE INSPECTION FROM THE TOWN OF BROOKLYN ZONING ENFORCEMENT OFFICER OR WETLANDS AGENT TO ENSURE THAT ALL EROSION AND SEDIMENT CONTROL MEASURES HAVE BEEN INSTALLED IN ACCORDANCE WITH THIS NARRATIVE. UPON APPROVAL WITH RESPECT TO THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES, THE CONTRACTOR MAY COMMENCE OPERATIONS PURSUANT TO THE PERMIT. EROSION AND SEDIMENT CONTROL DEVICES SHALL BE INSTALLED IN ACCORDANCE WITH THE "SILT FENCE INSTALLATION & MAINTENANCE" SECTION OF THIS NARRATIVE.

ALL STRIPPING IS TO BE CONFINED TO THE IMMEDIATE CONSTRUCTION AREA. TOPSOIL SHALL BE STOCKPILED SO THAT SLOPES DO NOT EXCEED 2 TO 1. THERE SHALL BE NO BURIAL OF STUMPS. A SILT FENCE SEDIMENT BARRIER IS TO SURROUND EACH STOCKPILE AND A TEMPORARY VEGETATIVE COVER PROVIDED IF NECESSARY.

DUST CONTROL WILL BE ACCOMPLISHED BY SPRAYING WITH WATER.

FINAL STABILIZATION OF THE SITE IS TO FOLLOW THE PROCEDURES OUTLINED IN PERMANENT VEGETATIVE COVER. IF NECESSARY A TEMPORARY VEGETATIVE COVER IS TO BE PROVIDED UNTIL A PERMANENT COVER CAN BE APPLIED.

DURING THE STABILIZATION PERIOD, ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED IN PROPER WORKING ORDER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING ALL EROSION AND SEDIMENT CONTROL ON A TWICE-WEEKLY BASIS DURING THE STABILIZATION PERIOD AND AFTER EACH STORM EVENT. DURING THE STABILIZATION PERIOD WITH RESPECT TO THE SITE, ANY EROSION WHICH OCCURS WITHIN DISTURBED AREAS SHALL BE IMMEDIATELY REPAIRED, RESEEDED AND RE-ESTABLISHED.

ALL DISTURBED SLOPES SHALL BE STABILIZED WITHIN ONE SEASON (SPRING OR FALL) OF THE COMPLETION OF THE PROJECT.

ONCE STABILIZATION HAS BEEN COMPLETED AND APPROVED BY THE TOWN OF BROOKLYN ZONING ENFORCEMENT OFFICER, EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED BY THE CONTRACTOR.

**SILT FENCE INSTALLATION AND MAINTENANCE:**

1. DIG A 6" DEEP TRENCH ON THE UPHILL SIDE OF THE BARRIER LOCATION.
2. POSITION THE POSTS ON THE DOWNHILL SIDE OF THE BARRIER AND DRIVE THE POSTS 1 FOOT INTO THE GROUND.
3. LAY THE BOTTOM 6" OF THE FABRIC IN THE TRENCH TO PREVENT UNDERMINING AND BACKFILL.
4. INSPECT AND REPAIR BARRIER AFTER HEAVY RAINFALL.
5. INSPECTIONS WILL BE MADE AT LEAST ONCE PER WEEK AND WITHIN 24 HOURS OF THE END OF A STORM WITH A RAINFALL AMOUNT OF 0.5 INCH OR GREATER TO DETERMINE MAINTENANCE NEEDS.
6. SEDIMENT DEPOSITS ARE TO BE REMOVED WHEN THEY REACH A HEIGHT OF 1 FOOT BEHIND THE BARRIER OR HALF THE HEIGHT OF THE BARRIER AND ARE TO BE DEPOSITED IN AN AREA WHICH IS NOT REGULATED BY THE INLAND WETLANDS COMMISSION.
7. REPLACE OR REPAIR THE FENCE WITHIN 24 HOURS OF OBSERVED FAILURE. FAILURE OF THE FENCE HAS OCCURRED WHEN SEDIMENT FAILS TO BE RETAINED BY THE FENCE BECAUSE:
  - THE FENCE HAS BEEN OVERTOPPED, UNDERCUT OR BYPASSED BY RUNOFF WATER,
  - THE FENCE HAS BEEN MOVED OUT OF POSITION, OR
  - THE GEOTEXTILE HAS DECOMPOSED OR BEEN DAMAGED.



**Killingly Engineering Associates**

114 Westcott Road  
P.O. Box 421  
Dayville, Connecticut 06241  
860 779 7299

*Norman Thibault, Jr.*  
NORMAND THIBAUT, JR., P.E. No. 22834 DATE

**E&S CONTROL & DETAIL SHEET**

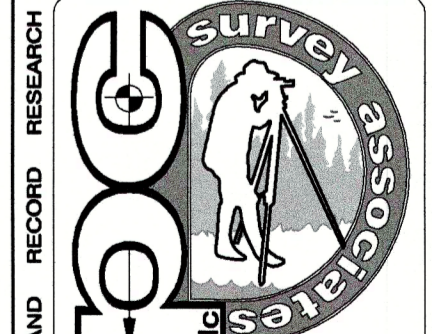
FOR SITE PLAN  
OF PROPOSED BUILDING  
TO BE LOCATED ON LAND OF  
**BROOKLYN'S  
COUNTRYVIEW  
RESTAURANT, LLC**

170 SOUTH STREET  
BROOKLYN, CONNECTICUT

DATE: MAY 2022  
SCALE: 1" = AS NOTED

JOB NO: 22016 F.B. NO: N/A DRAWN BY: P.A.T. MAP NO:

**SURVEYING • MAPPING • PLOT PLANS**



63 SNAKE MEADOW RD  
KILLINGLY, CT 06239  
860 774 6230

SHEET NO: 2 OF 2  
REVISED:

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION**

**REQUEST FOR CHANGE  
IN  
ZONING REGULATIONS**

Date 6/16/2022 Check # \_\_\_\_\_ Application #ZRC 22-005

Application Fee: \$250 \_\_\_\_\_ State Fee: \$60 \_\_\_\_\_ Publication Fee: \$600 \_\_\_\_\_

Public Hearing Date \_\_\_\_\_ Commission Action \_\_\_\_\_ Effective Date \_\_\_\_\_

Name of Applicant TOWN OF BROOKLYN PZC Phone \_\_\_\_\_

Mailing Address 69 S. MAIN ST. SUITE 22 BROOKLYN, CT

REQUEST TO AMEND ARTICLE(S) \_\_\_\_\_ SECTION(S) 4.D.2,3.18, 6.S

If more than one Article is requested please attach separate sheet for each one

PARAGRAPH TO CHANGE \_\_\_\_\_ OF THE ZONING REGULATIONS

REQUEST TO CHANGE:

SEE ATTACHED.

REASON FOR REQUEST:

Note: A petition may be filed at the Hearing by 20% or more of the area lots included in such a change within 500 ft of the property under Section 16.5 of the Zoning Regulations

1) *Explanation: The purpose of this change is to control the number and proximity of retail cannabis outlets in a rural community of our population as a matter of public safety, convenience and to preserve property values and as a means of promoting health and the general welfare of the community and to preserve the community's quality of life.*  
Pg. 71 and Pg. 151

Proposed: Retail sale of cannabis by a Cannabis Retailer, or  
Retail sale of cannabis and medical marijuana by a Hybrid Retailer, **in**  
**accordance with Section 6.S** Special Permit (PZC)

**The intent of this regulation is to control the number and proximity of retail cannabis outlets in a rural community of our population as a matter of public safety and convenience, to preserve property values, as a means of promoting health and the general welfare of the community, and to preserve the community's quality of life.**

**Notwithstanding any other Section of these Regulations, retail sale of cannabis by a cannabis retailer or a hybrid retailer may be allowed as a Special Permit use in accordance with the provisions of Sec. 9.D. and further subject to the following provision: that any cannabis retailer shall be located not less than 6,000 linear feet from another cannabis retailer or hybrid retailer. The separating distance between any two cannabis retail outlets (whether a cannabis retailer or a hybrid retailer) shall be measured from the nearest property line of the lot upon which the use is located to the nearest property line of the lot upon which another retail sale of cannabis use is proposed. No variance shall be issued by the Zoning Board of Appeals to reduce this separating distance.**

July 5, 2022  
By Hand

Town of Brooklyn  
Planning and Zoning Commission  
Brooklyn, CT

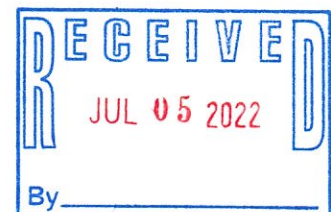
Dear Commissioners,

Please find enclosed an original and eight copies of a memorandum entitled **Planned Development Zones – A Discussion of Benefits and Risks**. This memorandum is submitted on behalf of twenty-nine residents of Brooklyn who are associated with Preserve Brooklyn and who wish to share their thoughts and those of the professionals with whom they have consulted.

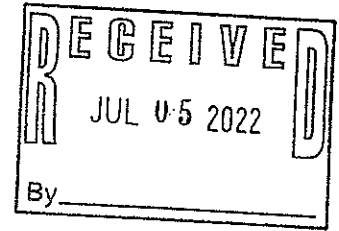
Kindly provide the enclosed copies to members of the Commission.

Respectfully submitted,

Preserve Brooklyn



June 29, 2022



**RE: Planned Development Zones - A Discussion of Benefits and Risks**

Dear Planning and Zoning Commissioners,

We are residents of Brooklyn who are concerned about maintaining the unique history and character of this special town. We write because we realize that the Commission will be considering the utilization of Planned Development Zones (PDZ) in connection with future development in the Town of Brooklyn. We are members of a group that has worked with a lawyer and a land planning professional, both of whom have extensive experience over many years in this area, and wish to share what we have learned with the Commission.

The following are excerpts from a letter brief prepared by Keith R. Ainsworth, Esq of New Haven, CT, the aforementioned land use attorney:

"The zoning concept of a PDZ was created by developers looking for an easier way to get an approval. PDZs create uses that are approved by only a site plan review. Site plan review is less rigorous than a special permit."

"Once the Commission passes a PDZ, it has declared that the uses in the PDZ are as of right, and they must be approved under a site plan review if the minimal requirements of a site plan have been submitted."

Without a PDZ, under the current zoning regulations, an applicant has to apply for special permits to develop the land in ways that are not consistent with existing zoning. Special permits give the Planning and Zoning Commission meaningful control over what gets built and how the land gets used, with the ability to set reasonable limits on size, volume, and impact.

**A PDZ eliminates special permits.** Once a PDZ is approved, the Commission has limited ability to regulate what happens on the land as long as it is consistent with the overall conceptual plan of the PDZ. Only a "site review" which has a much lower standard would be necessary to build. This means much less control by the town over what gets built or how the land is used.

**"The difference in control between a special permit and site plan review is significant.**

Under BZR §5.G.4.2, once a PDZ has been established, **the only Commission review** for a site plan 'is to determine if the proposed development is consistent with the approved Master Plan and to document the proposed improvements.'

In contrast, under BZR §59.D, the applicant must submit much more detail including:

- a. Architectural design data, including architectural profiles and identification of texture, color and type of building materials to be used.
- b. Environmental Impact Statement: If the scale of nature of the development warrants, the Commission may require, by a majority vote of the members of the commission present and voting, the applicant to provide additional environmental information for the purpose of compiling a complete environmental impact analysis.'

The criteria for a special permit grants the Commission far more control over the application and include the following considerations:

### **Environmental Protection and Conservation**

#### **Appropriate Improvements**

Whether the design elements of the proposed development (such as location, type, size and height of structures, parking, access, landscaping, screening, lighting, signage, etc.) will be attractive and suitable in relation to the neighborhood in which the use is located.

#### **Suitable Transportation Conditions**

Whether the streets, driveways and other traveled ways are or will be of such size, condition and capacity (width, grade, alignment, sight lines, and visibility) to adequately accommodate the traffic

**Adequate Public Utilities and Services** including water supply, sewage disposal, waste management, storm water drainage, and emergency access and the project will not unduly burden the capacity of the facilities

#### **Long Term Viability**

**Nuisance Avoidance** – whether the proposed activities will unreasonably impact nearby properties

**Mitigation** – including, without limitation, such considerations as the area devoted to the use, the number of people involved in the use, the number of events or activities proposed, the hours of operation, etc.)."

In conclusion, the advantage of a PDZ – its simplicity and ease of creation - is also its greatest liability. Unless it is designed with thoughtful and detailed safeguards that take into account not only currently envisioned uses, but potential future uses, a PDZ can be a recipe for serious problems down the road. A Planned Development Zone that allows too much flexibility and insufficient oversight is a detriment to the community and, once established, there is no going back.

As a planning tool, use of a PDZ is like a surgeon using a blunt kitchen knife rather than a scalpel. Special permits are designed to provide precise and detailed control over land use. A PDZ, while convenient to create, provides much less control and can ultimately lead to unfettered and uncontrolled development. It is an especially dangerous tool to use in historically or environmentally sensitive settings.

Respectfully,

Kathy Doherty  
Jim Doherty  
Jean Hogan  
Jack Hogan  
Sheri Abrams  
Norman Berman  
Deborah Cornman  
Edward Homonoff  
Sharon Loughlin  
David Loughlin  
Jacqueline Booth  
Jim Booth  
Joe Igliozi  
Jackie Igliozi  
Kristine Erickson  
Greg Michaelidis  
Sondra Stone  
Joshua Stone  
Hans Koehl  
Scott Winslow  
Summer Winslow  
Maria Gandy-Winslow  
Paul Gandy  
Matt Paul  
Todd Clark  
Amy Clark  
Don Francis  
Michelle Cole  
William Cole