

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Regular Meeting
Wednesday, August 2, 2017
Clifford B. Green Meeting Center
69 South Main Street
6:30 p.m.**

MINUTES

I. Call to Order – Acting Chair, Carlene Kelleher called the meeting to order at 6:31 p.m.

II. Roll Call – Carlene Kelleher; Craig Dunlop; Aaron Kerouac; J. Mohn; Jules D’Agostino. .

Alan Carpenter and David Fuss were absent with notice.

Michelle Sigfridson arrived at 6:33 p.m.

Staff Present – Jana Roberson, Director of Community Development; Martha Fraenkel, Zoning Enforcement Officer

Richard Ives, First Selectman and ex officio Member of the Planning & Zoning Commission was seated in the audience.

III. Seating of Alternates

Motion was made by C. Dunlop to seat J. D’Agostino as a Voting Member. Second by A. Kerouac. Motion carried (4-0-0).

IV. Adoption of Minutes:

1. Regular Meeting Minutes July 5, 2017.

Motion was made by J. Mohn to adopt the Minutes of the Regular Meeting of July 5, 2017. Second by C. Dunlop. Motion carried (5-0-1). M. Sigfridson abstained.

Michelle Sigfridson arrived at 6:33 p.m. and assumed the position of Chair.

2. Special Meeting Minutes July 18, 2017.

Motion was made by C. Dunlop to adopt the Minutes of the Special Meeting of July 18, 2017. Second by A. Kerouac Motion carried (5-0-1). M. Sigfridson abstained.

A. Kerouac stated, for the record, that he had listened to the recordings and reviewed the minutes for both meetings and was prepared to vote.

V. Public Commentary – None.

VI. Unfinished Business:

- a. **Reading of Legal Notice:** None.

- b. **Continued Public Hearings:** None.
- c. **New Public Hearings:** None.
- d. **Continued Applications:** None.
- e. **Other:** None.

VII. New Business:

a. ZEO's Report

Martha Fraenkel explained to the Commission how she divides the 24 hours per week that she works (10 hours to permitting, 6 hours to Wetlands, 8 hours to zoning and blight, and additionally, she will be coming to P&Z meetings on a quarterly basis). She explained that, when she is on her way to investigate an issue at a particular location, she makes stops/observations at other locations with pending issues along the way. She gave a report on some locations during her explanation to the Commission. Ms. Fraenkel gave an accounting of a drive that she took earlier in the day to investigate a particular location and reported on twelve other locations where she had stopped/made observations along the way.

Ms. Fraenkel explained that not everything is listed on her ZEO Report and that she lists those issues that she feels are more top priority and what she thinks the Commission would be interested in.

There was discussion and the Commission Members communicated their expectations and how they should communicate their concerns to Ms. Fraenkel. Ms. Fraenkel prefers to have requests in writing. Chair, M. Sigfridson will communicate Commission concerns (with the agreement of the Commission) to Ms. Fraenkel and if individual Commission Members have an issue that they feel is not being addressed, they can communicate with Ms. Fraenkel as a concerned citizen of the Town. Individual Commission Members should not act alone on behalf of the Commission.

A.Kerouac asked that all actions taken be listed in the ZEO Report, that there be indication as to what is considered high priority, and indication as to what actions the Commission would be accountable for.

There was discussion regarding 39 Canterbury Road.

Ms. Fraenkel explained her high priority items:

- Illegal dwelling units;
- Commercial site compliance;
- In the fall, she will check for sign compliance and will send out letter to those not in compliance.

There was discussion regarding the Wal-Mart fuel-cell bond.

Commission Members' priorities/questions:

- A. Kerouac – Regarding illegal dwelling units. Would it be better to complete the Zoning part first and then pass to Community Development.
- Signs – Apply the Regulations equally (all across town or zone-to-zone).

There was discussion regarding signs. When the draft is complete, copies will be sent to EDC and the Business Association for feedback. Ms. Fraenkel offered that questions from the public should be passed to her to answer to avoid differences of opinion regarding interpretation of the Regulations.

Mr. Ives left at 7:15 p.m.

- C. Kelleher - Brooklyn Oil.
George Eggers, is mowing this week (weather permitting), He is working on the enclosure at the corner of Church Street and Route 6. At the home base, he has organized the trucks in the back field and, also this year, he will get rid of the propane bottles and will put in some evergreens along Route 6. He has been doing the things that Ms. Fraenkel has asked him to do. She has given him three years to get the site cleaned up.
- J. D'Agostino - Allen Hill Gravel Pit.
Two major areas have been cleared and completely graded. The northerly site is re-vegetated and is done. The southerly site has also been re-vegetated, but some spots still need treatment.
There is small pit that is still active (only in-filling). The area is mapped and to be done this year. They want to remove material for their own use on the site.
The haul road (off of Allen Hill Road) needs an engineer to weigh in on how to correct the erosion as it is not acceptable (for closure) for the eroded material to be going into the woods.

Ms. Fraenkel left at approximately 7:30 p.m.

It was clarified that the Recreation Department should not be posting event signs in some of the locations where they have been. Mr. Ives and J. Roberson will speak with Mr. Lohbush in the Recreation Department.

b. **Applications:** None.

c. **Other:**

1. Discussion of Draft Zoning Regulations.

J. Roberson stated that Sections 1 through 5 are virtually done with a few items that need to be revisited:

- Accessory Apartment / Duplex – She suggested adopting the Regulations in favor of Duplex (to clear up duplicative language).
There was discussion and the decision was to keep both.
- Buildable Area Requirement – M. Sigfridson stated that it had previously been decided to eliminate it.
- Bees and Chickens in the RA? – Decision was no.
- Renewals for Event Facilities? – There was discussion and the decision was for renewals every five years.
- Building Size Cap? – Only in the PC Zone. There was discussion and the decision was for keeping it in the draft and revisiting to discuss the number as the Commission would like to include the number.
- Conversions of Use in the Industrial Zone? – Consensus was to eliminate.

J. Roberson went over a list of future issues to address:

- Re-examine NC Zone boundaries.
- Ask Assessor Re: Impact of Zone Change on South Main Street.
- Review South Main Street Zoning to allow more offices Down Zone north side of Up Zone south side (include EDC for input).

J. Roberson provided copies of edits she has made to the draft from 8/31/2016 to 8/2/2017.

J. Roberson asked that the Commission review the draft of Section 5.G. Planned Development Zone (dated August 2, 2017). It has been re-written by Glenn Chalder. This is to be reviewed/discussed at the next special meeting of the Commission.

J. Roberson asked that the Commission review the draft of Section 5.A. Scenic Corridor Overlay Zone (dated August 2, 2017). It has been re-written by Glenn Chalder.

J. Roberson asked if the Commission Members if they want to revisit the following:

- Parking Standards – to be discussed at the next special meeting.
Home-Based Contractor. There was discussion regarding the difference between Home Enterprise and Limited Business Enterprise. J. Roberson will provide information regarding commercial vehicles. She would like to find a way to allow home contractors with restrictions to avoid negative impact on neighbors. There was discussion regarding commercial vehicles and equipment. J. Roberson suggested revisiting Home Enterprise to see if it needs amendment rather than making a new category.
Decision was to not include this in the public review draft and to revisit later.
- Residential Compound (in the draft Section 60). There was discussion.
A.Kerouac explained that Staff, the P&Z Commission and ZBA are not on the same page.
Five acres – delete,
“in the future” – delete.
J. Roberson will make edits.
Decision was to leave it in the draft.
- Farm Breweries (part of the Liquor Control Act). There was discussion.
Decision was to draft language to include in the Regulations (as a Special Permit).

It was decided that the next Special Meeting of the Planning & Zoning Commission will be held on August 22, 2017.

VIII. Reports of Officers and Committees:

1. Budget.

There was discussion regarding the Expenditure Report dated 7-1-2017 to 7-31-2017 (included in the packets to Commission Members).

There was an unexpected cost for repair of the plotter. Money needs to be set aside for printing and also to have Glenn Chalder present at the public meeting regarding the re-write of the Regulations.

2. Correspondence.

There was discussion regarding a letter/Petition No. 1310 from the CSC (dated 7/24/2017) regarding the Quinebaug Solar, LLC project (provided to Commission Members). The solar company is asking the CSC for a declaratory ruling so that they won't need a permit. J. Roberson will attend the field review and the hearing on Tuesday, September 19th and she asked if the Commission would like to respond by stating any concerns. M. Sigfridson suggested adding discussion regarding this to the agenda for the August Special Meeting. Consensus was for J. Roberson to draft a response. Draft letter to be reviewed at the Special Meeting on August 22nd.

A. Kerouac voiced concern regarding the main (haul) road for the construction as it is not stated as temporary. He also stated that he prefers that the Commission not be in favor of supporting the declaratory ruling as he feels that they should prove the need for the project.

3. Chairman's Report. – None.

IX. Public Commentary

Paul Lehto, 40 Almada Drive, developer/builder, feels that the Zoning Regulations could be cut by half. He stated that they pass on the costs to the customer. He has not built in Brooklyn in eight years. He stated that it should not be necessary to hire an attorney to do a subdivision in Brooklyn.

Mr. Lehto asked, "why a square?" M. Sigfridson informed Mr. Lehto that the Commission had decided to eliminate the Buildable Area Requirement.

Mr. Lehto continued and stated that global warming is a concern and asked the Commission to consider giving incentives for builders and individuals to go green. Mr. Lehto spoke in opposition to silt fences unless absolutely needed. He also spoke in opposition to open space. He said that any road more than 22-feet wide gets more dangerous (e.g. Almada Drive). He stated that curbs/drainage are a nightmare to Town crews and are not good for the environment. He suggested building roads like the back roads in Town as they are pretty, work well, are easy to maintain and cost less.

Mr. Lehto stated that the process should not be so complicated and asked that it be simplified.

Earl Starks, Brooklyn Farm & Pet, 245 Providence Road, stated that he has been working with Martha Fraenkel. He stated that there is a problem with Wal-Mart trucks turning around and tearing up his yard at night. Mr. Starks allows the drivers to park on his property because they can't park at Wal-Mart. Mr. Starks wants to know what he is allowed to do on his property. He said that he had been told in the past that he can do anything that he wants there (Brooklyn Farm and Pet – on the other side of the parking lot) as long as it was seasonal - not year round.

Mr. Starks explained that he is trying to work with the Community.

There was discussion and the Commission Members explained to Mr. Starks that Martha Fraenkel, the Zoning Enforcement Officer, is the person that he should speak with regarding any problems. It was suggested that the site plan be consulted to determine what he can do on the property.

Mr. Starks spoke of disagreement regarding mulch piles (Chuck had signed a paper approving it). C. Dunlop explained that he was on the Commission at the time of the original approval and that barriers for the mulch piles were a condition of approval. J. Roberson stated that Mr. Starks had not received any modified approvals. M. Sigfridson read from Ms. Fraenkel's Enforcement Case Tracking Report (ZEO Report) dated July 27, 2017, and stated that it looks like Ms. Fraenkel is working on it. Mr. Starks will continue to work with Ms. Fraenkel.

X. Adjourn

Motion was made by J. D'Agostino to adjourn at 9:32 p.m. Second by C. Dunlop. Motion carried unanimously (6-0-0).

Respectfully submitted,

J.S. Perreault
Recording Secretary