

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Special Meeting
Tuesday, August 22, 2017
Clifford B. Green Meeting Center
69 South Main Street
6:30 p.m.**

MINUTES

I. Call to Order – Chair, Michelle Sigfridson called the meeting to order at 6:31 p.m.

II. Roll Call – Michelle Sigfridson; Carlene Kelleher; Craig Dunlop; David Fuss; A. Kerouac; J. D’Agostino.

Alan Carpenter and Jeryl Mohn were absent.

Staff Present – Jana Roberson, Director of Community Development

III. Seating of Alternates

Motion was made by C. Kelleher to seat J. D’Agostino as a voting Member in the absence of A. Carpenter and Jeryl Mohn. Second by C. Dunlop. Motion carried unanimously (5-0-0).

IV. Public Commentary – None.

V. New Business

a. Discussion re: Quinebaug Solar Project

The public hearing regarding Quinebaug Solar, LLC’s petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for a fifty megawatt AC (MW AC) solar generating facility on 561 acres (29 distinct parcels) will be held on September 19, 2017, and the Brooklyn Planning & Zoning Commission may choose to submit comments to the Connecticut Siting Council for consideration.

J. Roberson explained that the process is similar to the Declaratory Ruling for a Wetlands Permit. Copies of a letter (dated April 28, 2016) regarding a similar situation that had been submitted to the CSC from the Town of Hampton PCZ were included in packets to the Commission Members (as an example) as well as the response from the CSC (dated May 2, 2016). Copies of a map for the proposed project in Brooklyn were also included the packets. There is a binder which includes more information on the project and it is available for viewing at the Town Hall.

Ms. Roberson went through the POCD to find references to the location or to solar energy/energy assisting ability. She found the following information/results from a survey: green concerns/energy assisting abilities/environmental technologies were rated as very important (46.8%); 52.7 % strongly supported the use of Town funds and resources to promote green initiatives (renewable energy/solar/wind/water). She stated that renewable energy was one of the things that the Green Team Subcommittee had wanted to promote.

Ms. Roberson also looked at the Maps and the proposed location is identified as having resource value on several Maps in the POCD:

- Active agricultural cluster;
- High and moderate resource value;

- Black Well Brook shoreline habitat corridor is identified as a significant wetland complex;
- Cold Spring Brook which runs on the southwestern corner of the property is identified as a wild trout stream;
- State Archeologist database has identified numerous archeological sites on the property including the old cemetery;
- Scenic vista on Rukstella Road (left side) which she indicated on the map. There was discussion as to whether this would be in the area of the project.

M. Sigfridson took a poll of the Commission to see if the Commission is in favor of taking a position one way or the other:

- J. D'Agostino is opposed: There are 12 statements in the POCD where it spoke of preserving the character of Route 169. He stated that he is in favor of the beauty of the view shed. He feels this property should have been preserved as agricultural land. He feels that the PZC should take a position of not in favor due to the effect on the view shed which is on a State and federally designated scenic by-way.
- D. Fuss is in favor of the project (it is better than fossil fuel) and stated that the Commission can't do much regarding that it is in the view shed. He did not state whether or not he is in favor of submitting a letter to the CSC.
- C. Kelleher is in favor of the project and in favor of submitting a letter including concerns that the Commission may have. Her concerns are: the view from Route 169; and adequate buffering for the closest neighbors. She also suggested including language regarding stonewall preservation (similar to what Hampton did). She asked that Staff determine if there are concerns regarding stormwater management and erosion controls. There was discussion regarding concern for water temperature at Cold Spring Brook which is a wild trout stream.
- C. Dunlop agrees with sending a letter and making concerns known such as buffers and vegetation for the stream. D. Fuss stated that he agrees.
- A. Kerouac stated that, in general, the Commission should be in favor of the project because the Zoning Regulations are met. However, he feels that it should be formalized that the Commission came to that decision based on the developer's willingness to do the things that they stated they would do at the hearing (such as buffers for neighbors, etc.). Mr. Kerouac is concerned for traffic and safety and he has questions regarding the main access point and also about fencing in the whole property with a wildlife fence.
- M. Sigfridson is concerned about the fact that the CSC is just deciding whether they are going to require a bigger permit or not.

J. D'Agostino suggested that J. Roberson draft a letter addressing the concerns of the Commission (as stated above) for review at the next meeting. He also suggested that the concerns of the residents of Almada Drive be included. D. Fuss voiced agreement.

There was discussion regarding loss of the agricultural use of the land and there was a question of whether there is a possibility that livestock (goats/sheep) could be grazed in or around the area. The Agriculture Commission is doing pollinator plants. It was suggested that the letter contain language that the PZC would be supportive of their allowing agricultural uses on the property.

A. Kerouac asked who would be managing the project. There was no answer.

There was discussion regarding gravel banks.

M. Sigfridson noted that there were differing opinions on whether or not the Commission is in support of the project. But, the Commission was unified regarding the concerns. She suggested that the letter be drafted stating the concerns, but without taking a position.

J. Roberson will draft a letter.

VI. Unfinished Business

- a. **Discussion of Zoning Regulation Rewrite:** Planned Development Zone, Scenic Corridor Overlay Zone, Parking Standards, etc.

There was discussion regarding duplexes vs. accessory apartments. If you are allowed to have a duplex, it doesn't matter if the units are the same size, or if one is more of an apartment, and one is more of the primary dwelling. It would only be called accessory apartment if it is in a detached structure. If it is in the main building, it will be called a duplex.

There was discussion whether people will start wanting to put tiny houses/mobile homes in their backyards. This (22-foot limit) will be discussed further in the future.

5.G. PLANNED DEVELOPMENT ZONE

J. Roberson explained that this would replace the Planned Recreational Development Zone and she suggested that it also replace the MMUDD Zone. The Planned Development Zone is more versatile. D. Fuss agreed. It does not have to be on public water and sewer. There was discussion regarding amending the POCD.

J. Roberson stated the areas in Town that have public water and sewer. There was discussion. Public water and sewer will not be required (J. D'Agostino was opposed). Not to be tied to the development corridor (PC Zone).

5.G.2. Eligible Areas – J. Roberson will revise the language to more vaguely state that it must be generally consistent with the POCD.

1. J. Roberson to revise the language and add a catch-all.
2. J. Roberson to revise the language
3. Delete

5.G.5. Requirements for Master Plan Submittal

- 3.a. Delete

There was discussion regarding PUD and PC Zones.

5.G.9. Site Plan Review / Construction

J. D'Agostino suggested 2 changes: votes by the Commission be by 2/3 majority, not majority; Page 96, 5.G.9.2 – He recommends that 2 years be changed to 1 year.

1. J. Roberson will specify that approval is by the PZC.

There was discussion and J. Roberson asked how the Commission Members feel about 2/3 vote (as suggested by Mr. D'Agostino):

- D. Fuss stated that he'd go with it and that he is always for majority rules.
- C. Kelleher stated that she would agree with it. It's stricter.
- A. Kerouac stated that it would be good.
- M. Sigfridson stated that she doesn't think it is necessary, but she won't argue against it if everyone else is okay with it.
- C. Dunlop – The recording secretary did not hear a response from Mr. Dunlop.

There was discussion regarding the title of the Section (Planned Development Zone) as A. Kerouac feels it sounds like it is a zone being created in Town and there would be more than one and each one could have different regulations.

5.G.6.3.4. &5. “may” is problematic. J. Roberson will consult with Glenn Chalder. There was discussion regarding Master Plan. J. Roberson will provide examples. “See Master Plan” will be on the application. Discussion continued. J. Roberson will add language that the Master Plan becomes the zoning.

5. SPECIAL ZONES

5.A SCENIC CORRIDOR OVERLAY ZONE

J. Roberson displayed a map and indicated Route 169 including a buffer of 500 feet on either side selecting every parcel within that line plus one extra parcel (which is every parcel with frontage on Route 169 or part of the parcel is within the 500-foot buffer). She also indicated the locations of the Paradise Lake Zone and the Golf Course Zone.

There was discussion regarding the boundary line. The Village Center Zone would not be included in the Scenic Corridor Overlay Zone. J. Roberson explained that, as in the VC Zone, there is one criteria for things that you can see from a public road and a separate criteria for things that you can’t see from a public road. If you can’t see it from a public road you are not held to all of the strict design standards, only the regular standards. This will affect the RA Zone, exclusively, when it is visible from Route 169.

J. Roberson asked if the Commission wants to include those areas that are beyond 500 feet that possibly are still visible. M. Sigfridson and A. Kerouac answered yes. There was discussion regarding how vegetation can change and make visibility change. A. Kerouac suggested having “as of this date” on the map to determine the visibility of each property at that time. Commission Members were agreeable with this.

There was discussion regarding what the width of the buffer would need to be as some areas could be more than a mile. J. D’Agostino feels that Section 5.A.4 Provisions - #’s 2 and 3 cover this, however, he stated that he feels that the ZEO should not have singular responsibility. M. Sigfridson cautioned against including too many parcels.

J. Roberson asked the Commission to think about what they think needs to be done to preserve the visual integrity of Route 169:

- A. Kerouac would start with protecting the views from pull-offs
- J. D’Agostino stated that the Subcommittee would like to see what is allowed under Limited Business Enterprises, they had concern with light industry, does not want to see a lot of trucks parked on properties, would like to see the old gas station cleaned up, no trailers selling ice cream, no gravel banks.

J. Roberson stated that the lower Connecticut River Valley is the biggest example of a scenic corridor overlay zone in the State. She referred to a list of land use recommendations from NECCOG (some options: mandatory cluster subdivision, reverse frontage, no earth operations, prohibiting or screening ground-mount solar panels, no attached garages). D. Fuss offered information retrieved from his phone regarding 1963 California benefits of a scenic highway designation. M. Sigfridson stated that, for Route 169, it is national scenic by-way with cultural and historical aspects to protect as well as protecting the vegetated view shed.

J. Roberson referred to Section 5.A.5 Design Considerations (page 85). A. Kerouac asked if the end of the stone quarry (2 miles) is included. J. Roberson explained that the parcel is included because a portion of the parcel is visible from Route 169, but the portions that are not visible would not trigger any additional requirements (it has to be in green on the map and visible from

Route 169). There was discussion. C. Kelleher stated that she objects to individual houses being required to have a public hearing (architectural review) as there is no real overlaying characteristic to the buildings there (they are eclectic). D. Fuss agreed. J. Roberson mentioned concern for creeping normalcy (little changes that happen over time). J. D'Agostino agreed for residential, but is concerned regarding businesses. C. Kelleher agreed, but feels the businesses are address by Limited Business Enterprise. There was discussion.

There was discussion regarding Section 5.A.4 Provisions, #3 (page 84). J. Roberson stated that she feels that ZEO, Martha Fraenkel, would have a problem with this. M. Sigfridson agreed.

There was discussion. Subdivisions to be decided on a case by case basis as to whether it would be conservation or conventional.

M. Sigfridson asked why design considerations would be applied to homes being built as part of a subdivision, but not to homes that are being built on a single lot. There was discussion about creeping normalcy, whether to even go forward with this Zone at all, added cost, buyer beware. J. Roberson stated that she feels that there is some value in having the design considerations added to as additional site plan criteria for the cases that trigger it. C. Kelleher stated that she does not mind site plan review (with consideration of placement of the house and stonewall protection), but objects to stating what kind of house you can build or architectural features. J. Roberson referred to Section 5.A.5 Design Considerations. J. D'Agostino suggested replacing special permit with site plan review. There was discussion regarding architectural review. J. Roberson explained that there is a lot of wiggle room.

There was discussion regarding Section 5.A.5.7 regarding theme. Discussion ensued regarding a theme for signs on Route 169.

Section 5.A.4 Provisions

Site Plan Review with Design Considerations when in view of Route 169 regardless of the use for:

- New Construction
- Substantial Reconstruction
- Reconstruction
- Rehabilitations

M. Sigfridson suggested going with the draft of Section 5.A.5 Design Considerations as written and, if needed, the Commission could reconsider if the public is not receptive. There was discussion regarding how to screen satellite dishes and antennas (#11). There was discussion regarding stone walls (#12).

M. Sigfridson asked if the Commission Members are okay with the Provisions triggering the Design Consideration as discussed above:

- D. Fuss stated yes
- J. D'Agostino stated #1 to #13
- C. Kelleher stated except for the special permit.

J. Roberson is going to re-write Section 5.A.4 Provisions and will provide a revised draft to the Commission Members for review.

There was discussion regarding gravel operations.

Prohibition:

- No Gravel Operations within view of the public roadway

D. Fuss left at 9:07 p.m.

7.B PARKING AND LOADING

J. Roberson made up parking spaces required for multi-family development, elderly housing development, convalescent/nursing home because 2 spaces per dwelling unit does not really work there. There was discussion and it was suggested to have one space per bedroom, but with a maximum. J. Roberson read a catch-all from Page 152 of the draft, under Section 7.B.3.2.7. Uses not listed, "The Commission will establish an appropriate parking standard based on best available sources."

She asked if the Commission would like to do what Hebron does. In Hebron, they call all of their parking requirement minimums (impervious). Anything above the minimum has to be a pervious surface (any optional parking has to be pervious). There was discussion regarding requiring too many spaces as at WalMart and Job Lot and whether this would address that issue. J. Roberson explained that they knocked down the standards quite a bit. For drive-thrus, she suggested 9 to 12 stacking spaces rather than 16. There was discussion regarding the drive-thru queue getting in the way of people trying to back out of parking spaces. There was a suggestion to go with 9 spaces.

C. Dunlop left at 9:15 p.m. and there was no longer a quorum.

Discussion continued. Glenn Chalder suggested that it is better to put everything terms of 1,000 square feet. There was discussion. There were no objections from the Commission Members present and it was also suggested to go with whole numbers. J. Roberson noted that Martha Fraenkel likes the Section 7.B.3. Reduction of Parking Requirements. There was discussion regarding the size of parking spaces.

VII. Public Commentary – None.

VIII. Adjourn

The meeting adjourned at 9:27 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary