

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
Regular Meeting  
Wednesday, October 4, 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 6:30 p.m.

**II. Roll Call** – Carlene Kelleher; Craig Dunlop; David Fuss; Aaron Kerouac; Jeryl Mohn; Jules D’Agostino. .

Michelle Sigfridson and Alan Carpenter were absent with notice.

**Staff Present** – Jana Roberson, Director of Community Development; Richard Ives, First Selectman and ex officio Member of the Planning & Zoning Commission.

**III. Seating of Alternates**

Motion was made by C. Dunlop to seat J. D’Agostino as a Voting Member. Second by J. Mohn. Motion carried unanimously (5-0-0).

**IV. Adoption of Minutes:**

1. Regular Meeting Minutes September 6, 2017.

Motion was made by J. D’Agostino to accept the Minutes of the Regular Meeting of September 6, 2017. Second by C. Dunlop. Motion carried (6-0-0).

2. Special Meeting Minutes September 19, 2017.

Motion was made by J. D’Agostino to adopt the Minutes of the Special Meeting of September 19, 2017. Second by A. Kerouac.

Discussion: J. Roberson commented that C. Dunlop had sent her a message letting her know that he was unable to attend that meeting.

Motion carried (4-0-2). J. Mohn and C. Dunlop abstained.

**V. Public Commentary**

**Barbara Jensen**, 110 Darby Road, read from a prepared statement regarding her complaint about a tractor trailer truck being parked in front of a residence with 100 feet of frontage (114 Darby Road). The truck starts up between 2:30 a.m. and 5:30 a.m. and often returns between 10:00 p.m. to 12:30 a.m. She said it is like living near a truck stop. She also had the following complaints about the same property: two derelict vehicles, a small trailer, a pile of tires and a Jeep that is parked on the road. She has spoken with the property owner. She asked that the Commission give consideration to the noise pollution and blight being caused to the residential neighborhood. She stated that other neighbors feel the same way. Ms. Jensen provided a map of the property showing the frontage and five photographs.

Mr. Ives commented that there have been numerous complaints (mostly when the truck was parking on the street) and that the police have gone there on several different occasions. There was a safety hazard and the focus was to get it off the road. Mr. Ives commented that the police are dealing with the derelict cars, but there is nothing to stop him from parking in his driveway. He stated that the noise is difficult to live near.

A.Kerouac commented that there had been an issues with wetlands/elevations on that property. He asked if anyone had done a certificate of elevation. There was discussion.

J. Roberson mentioned that the Commission has attempted to address this type of issue (for the future) with the draft regulations. She suggested that there may be another avenue to address this existing situation and she suggested deferring to the ZEO, Martha Fraenkel.

C. Kelleher stated she concurs that there is a problem and that the Commission should do whatever it can to address this situation. She suggested that J. Roberson and M. Fraenkel work together to see if they can work something out and also to determine if there is a way that the new regulations would be able to be applied to address this situation.

Motion was made by D. Fuss to amend the Agenda as follows:

**VI. Unfinished Business:**

a. **Other:**

1. Review/Discussion of the Draft Regulations Re-Write, Topic: Scenic Route 169 Overlay Zone, Farm Stands, etc.

To follow:

**VII. New Business:**

a. **Applications:**

1. SD17-003 Barry Builders, Inc; South Street, Map 46, Lot 38, R-30 Zone, 3 Lot Subdivision.

b. **Other:**

1. SD 17-001 Tripp Hollow Road 6-lot Conservation Subdivision, Review of provisions for open space restrictive covenant

Second by A. Kerouac. Motion carried unanimously (6-0-0).

**VII. New Business: RE-ORDERED AGENDA**

a. **Applications:**

1. SD17-003 Barry Builders, Inc; South Street, Map 46, Lot 38, R-30 Zone, 3 Lot Subdivision.

Paul Terwilliger, P.C. Survey Associates, represented the Applicant and gave an overview of the project:

- The Application is before IWWC and, therefore, cannot be acted upon tonight.
- All of the review comments from the Town Engineer have been addressed on revised plans.
- They are requesting a waiver regarding the open space requirement. Open Space Regulations require that open-space lots have road access. This property is along the River and adjacent to another open space area.
- Open Space Easement Area – The Selectmen saw no reason to accept it as a parcel.
- Included in packets to Commission Members: Letter (dated September 13, 2017) from the Conservation Commission; review letter(dated September 22, 2017) from Town Engineer, Syl Pauley; confirmation e-mails that the property is not under the jurisdiction of the Brooklyn WPCA; referral notices (dated September 5, 2017) to NECCOG and the Town of Killingly; Minutes from Board of Selectmen’s Meeting of September 14, 2014; Draft Legal Documents for the Common Driveway and Maintenance Agreement, and Grant of Open Space Agreement.

There was discussion about the open space and whether it would be possibility to have a structure there at some time in the future and also about possible dumping.

**b. Other:**

2. SD 17-001 Tripp Hollow Road 6-lot Conservation Subdivision, Review of provisions for open space restrictive covenant

Paul Archer, Archer Surveying, represented Shane Pollock (owner of the property) and explained that the owner is asking that the restrictive covenant be changed to allow hunting on the 9 acres of open space (which he owns) so that he can continue to use the property (which adjoins with another 30 acres of his property) as he has been. It is felt that there had been a miscommunication. Mr. Archer indicated the location of the properties on a map that he provided for viewing by the Commission Members.

Motion was made by D. Fuss to remove “No Hunting, Trapping, etc.” from the covenants that were a part of the approval regarding SD17-001 Square 1 Building Associates, Lot Subdivision on Tripp Hollow Road. Second by C. Dunlop.

Discussion: J. Roberson stated that the following two items had been added (which were not part of the Conservation Commission’s recommendation letter dated April 3, 2017):

- No livestock or clearing of land for agricultural purposes;
- At any point in the future, if land in the general vicinity of said Lot is protected as public open space and public access is needed over this Lot, then this Lot may be utilized for non-vehicular access by the public to access interior open space. If necessary, the stone wall located parallel with Tripp Hollow Road on said Lot may need to be opened to allow for pedestrian access.

Mr. Archer explained that this would allow for future potential for public access. There were no objections to these items being added.

J. Roberson stated that the following two items had been omitted from the Conservation Commission’s recommendation letter dated April 3, 2017:

- Town reserves the right to inspect the property.

Mr. Archer stated that this is fair.

- Ownership of the property would be retained by the current owners.

Mr. Archer explained that the covenant will stay with the land forever. J. Roberson agreed that she thinks that is what the Conservation Commission meant.

There was discussion regarding the purpose of open space and also about distances required for hunting near residences.

Motion carried (5-1-0). J. D’Agostino indicated his opposition by raising his hand.

## **VI. Unfinished Business:**

**a. Other:**

1. Review/Discussion of the Draft Regulations Re-Write, Topic: Scenic Route 169 Overlay Zone, Farm Stands, etc.

The Commission discussed the Draft Regulations for Scenic Route 169 Overlay Zone (dated September 27, 2017) regarding whether or not to include all of the permitted uses in the RA Zone. At this point, there was consensus to not add any additional permitted uses. The Commission will review the provisions and think about what the triggers should be and who will review (Commission or Staff?). The discussion will be continued at the next special meeting.

The Commission discussed Article 7.A. – Signs (draft dated October 3, 2017).

Change to the following:

- 7.A.2.6. – Add language to include stands.

There was discussion regarding Section 6.L.5. Farm Stands with/without a farm. J. Roberson referred to the “Planning for Agriculture” guide (2016 Edition) that was included in the packets to the Commission Members.

Changes to the following:

- 6.L.5.2.d. – J. Roberson to add language regarding safety when backing out.

There was discussion regarding farm breweries/wineries. J. Roberson will provide some examples.

R. Ives left at 8:25 p.m.

J. Roberson provided copies of a “Parking Space Inventory.” There was discussion. Consensus was for no parking spaces smaller than 9’ x 18’.

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

1. ZEO’s Report

There was discussion regarding several items:

- Day Street – unpermitted gravel operation.
- Vina Lane – Signs
- Vina Lane – Boxing Club

Martha Fraenkel will attend the next regular meeting on November 1, 2017.

2. Budget – No Discussion.

3. Correspondence.

J. Roberson reviewed correspondence regarding the following:

- Referral from Plainfield – Making changes to sign regulations.
- Response received regarding the Quinebaug Solar Project (J. Roberson will forward the e-mail to the Commission Members) – There was discussion regarding stone walls.
- Information regarding a Cellular Antenna (South Main Street). There was discussion.

There will be a special meeting of the Planning and Zoning Commission on October 17, 2017.

Motion was made by J. D’Agostino to adjourn at 8:46 p.m. Second by D. Fuss. No vote.

4. Chairman’s Report – No Report.

#### **IX. Public Commentary**

A.Kerouac noted the following:

- Comments were made regarding the PZC during a debate on WINY Radio. There was discussion.

There was discussion regarding the Regulations Re-Write and lot size.

#### **X. Adjourn**

Motion was made by J. D’Agostino to adjourn at 9:56 p.m. Second by C. Dunlop. Approved by consensus.

Respectfully submitted,

J.S. Perreault  
Recording Secretary