

PLANNING AND ZONING COMMISSION
TOWN OF BROOKLYN
P.O. BOX 356
CONNECTICUT 06234

PLANNING AND ZONING COMMISSION
TOWN OF BROOKLYN
REGULAR MEETING MINUTES
APRIL 6, 2011
Clifford B. Green Memorial Center
69 South Main Street
7:00 p.m.

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Deane A. Rettig
TOWN OF BROOKLYN, CT

I. Call to Order: The meeting was called to order at 7:03 p.m.

II. Roll Call: Barbara Repko, Don Francis, Paul Camara, Tom Doherty, Deane Rettig, Carlene Kelleher, Craig Dunlop and Al Sandholm.

Absent: Dave Fuss and Henry Moses with notice.

Staff Present: Jim Larkin , NECCOG Planner, Chuck Dobrowski, Land Use Officer, Austin Tanner, First Selectman, Robert Kelleher, Selectman, and Audrey Cross-Lussier, Secretary.

Also Present: Paul Archer, Archer Surveying, public in attendance.

III. Seating of Alternates: None.

IV. Adoption of Minutes:

1. Workshop Meeting Minutes March 2, 2011:

A motion was made by Deane Rettig to approve the Workshop Minutes of March 2, 2011 as presented. Tom Doherty seconds this motion. No discussion held. All in favor. The motion passes unanimously.

2. Regular Meeting Minutes March 2, 2011:

A motion was made by Al Sandholm to approve the Regular Meeting Minutes of March 2, 2011 as presented. Tom Doherty seconds this motion. No discussion held. All in favor. The motion passes unanimously.

3. Special Meeting Minutes March 15, 2011:

A motion was made by Al Sandholm to approve the Special Meeting Minutes of March 15, 2011 as presented. Don Francis seconds this motion. All in favor. The motion passes. Paul Camara, Barbara Repko and Craig Dunlop abstained.

V. Public Commentary:

Lisa Arends, Allen Hill Road, asked when the appropriate time would be to comment on the Planned Commercial Zone Draft Regulations that is listed on the agenda. Chairman Kelleher stated that tonight the commission will review the draft and with hopes schedule a Public hearing. The appropriate time to comment would be during the Public Hearing.

Ms. Arends asked Chairman Kelleher if she received the two documents she forwarded to her with regards to Good Neighbor Policies and Grass Roots Best Practices. Chairman Kelleher stated she received the documents and forwarded them to the commission members.

VI. Unfinished Business:

a. Reading of Legal Notice: None.

b. Continued Public Hearings: None.

c. New Public Hearings: None.

d. Other Unfinished Business:

1. Plan of Conservation and Development Final Draft:

Chairman Kelleher commented that a public hearing was held on March 15th and revisions were made in response to comments. The subcommittee has provided the Planning and Zoning Commission with a revised draft which will be reviewed at tonight's meeting.

Al Sandholm still has an issue with the zoning map included in the POCD. The Lambert property on Brickyard Road is not Planned Commercial Zone, it is RA Zone. The Town Zoning Map and the Route 6 Guideline Map has the correct map. Mr. Sandholm would like to see the correct map placed in the POCD document. Jim Larkin discusses this issue with Mr. Sandholm. Tom Doherty suggests making this a condition of approval. Mr. Sandholm commented the condition would be acceptable.

Deane Rettig made the following comments:

Page 4 last paragraph, word provided should be changed to "included."

Page 25 recommendation #2 change to "housing, as the state mandated." The exact same change would be reflected on Page 51 under housing #2.

Page 37 bottom of page omit "and Volunteer Field."

Deane Rettig recommends the following changes with regards to State Statutes:

Page 2, Paragraph 3 Conn. Gen. Stat. § 8-23

Page 3, Paragraph 2 Conn. Gen. Stat. § 8-23

Page 7, Paragraph 3 Conn. Gen. Stat. § 1-1(q)

Page 7, Paragraph 4 Conn. Gen. Stat. §§ 12-107a to 12-107f

Page 24, Paragraph 2 (two locations in this paragraph) Conn. Gen. Stat. § 8-30g

Page 25, Recommendation 6 (also on page 52) Conn. Gen. Stat. §§ 8-13m to 8-13x

Page 28, Paragraph 1 Conn. Gen. Stat. §§ 22a-36 to 22a-45

Al Sandholm asked what the highlighted yellow area in brackets on page 4 represents. Deane Rettig commented this is in reference to what page the insertion of the Town Historian Brief History of Brooklyn would be.

Chairman Kelleher asks for a consensus of the commission as to approval of the document.
Discussion held.

Deane Rettig would prefer to see a final copy of the document before approval.

Al Sandholm asked if there is any timeline constraint. Tom Doherty and Jim Larkin address this issue.

Chairman Kelleher stated that Jim Larkin has asked why there is not a section from the Planning and Zoning Commission in the POCD document. Tom Doherty addresses this issue.

Al Sandholm agrees with Deane Rettig and prefers to see a final copy of the document before approval.

Mr. Larkin addresses the Land Use Policy Map and the need for more definition of terms in the Key Conservation Development Areas. Tom Doherty states the Map is used as a guide.
Discussion held.

Chairman Kelleher stated that a conclusion has been made to wait for the document to be corrected and bring to next month's meeting May 4, 2011.

2. Planned Commercial Zone Draft Regulations:

Jim Larkin discussed the changes made to the proposed PC Planned Commercial Zone document dated March 2, 2010.

Mr. Larkin discussed the changes made to 3.4.8.1 Intent; 3.4.8.2 Uses; 3.4.8.3 Waiver of Special Permit Requirement; 3.4.8.4 Dimensional Requirements; 3.4.8.7 Architectural/Design Review.

Mr. Larkin discussed the definitions in the Planned Commercial Zone.

Discussion held with regards to definition of Gasoline Stations and Automotive Services. Definition #1 was chosen and the definition will be changed to Automotive Service Station.

Discussion held with regards to definition of Banquet and Catering Establishments/Banquet Hall. A change will be made to Banquet Hall and Catering Establishment.

Definition #2 was chosen for Banquet Hall with the following changes: “drink to beverages,” and “shall to may.”

Discussion held with regards to definition of Caterer’s Establishment. Mr. Larkin will continue to work on this definition.

Discussion held with regards to definition of Automotive Sales and Rental. Omitting the reference to “premise” will be made.

Discussion held with regards to definition of Theaters. Definition #2 was chosen.

Discussion held with regards to the definition of Limited Outdoor Display of merchandise. Tom Doherty questioned who asked for this. Lyn LaCharite stated that EDC asked for it as it is already being done with seasonal items being placed outside.

Paul Camara suggests removing “storage of merchandise” under the definition.

Jim Larkin suggests adding the “Zoning Enforcement Officer” along with the zoning permit to the definition of Limited Outdoor Display.

Al Sandholm questioned section 3.4.8.4.7 Lot Coverage with impervious surfaces being changed to 65% plus 5%. Discussion held. Commission agreed to change this to 10%.

Deane Rettig recommends the suggested changes be made and bring the document back to the May 4, 2011 meeting.

3. Vendor Permits Draft:

Don Francis discussed the sale of goods/products.

Al Sandholm questioned the fee structure for the seasonal vendors. Discussion held.

Deane Rettig questioned the minimum of eight dedicated parking spaces required. Discussion held.

Tom Doherty suggests that enforcement on weekends for a vendor permit is given to the State Police. Mr. Dobrowski feels that with the current special permit fee for a seasonal vendor of \$1,060 will deter vendors from coming to Town.

Craig Dunlop questioned 20.3.1.1 the definition of “height proportional to size.” Jim Larkin addressed this issue with Mr. Dunlop.

Deane Rettig suggests spelling out “temporary structure.”

Deane Rettig suggests in section 20.3.1.3 to change “drink to beverage” in all areas of the document.

Tom Doherty suggests that EDC review this document.

Craig Dunlop questions 20.3.1.7 “seasonal vendors shall not operate within 200 ft of a permanent business.” Mr. Dunlop questions if this should be further away. Discussion held. Commission members agreed to omit 20.3.1.7.

A motion was made by Deane Rettig to accept the Vendor Permit Draft with the noted corrections and to schedule a public hearing on May 4, 2011. Al Sandholm seconds this motion. No discussion held. All in favor. The motion passes unanimously.

VII. New Business:

a. Applications:

1. ZRC11-001 Pap Incorporated, 392 Providence Road, Map 41, Lot 4, Text Change to Section 10.6.2 Wall Signs.

A motion was made by Deane Rettig to accept application ZRC11-001 and to schedule a public hearing on May 17, 2011. Al Sandholm seconds this motion. No discussion held. All in favor. The motion passes unanimously.

b. Other New Business:

1. Special Events Draft:

Chairman Kelleher discusses the draft with Commission members and asks Members to bring the document home and review it for discussion at the May 4, 2011 meeting.

A member of the public wished to speak with regards to a paintball party event that he holds at his home on a regular basis and whether or not this would qualify as a special event. Jim Larkin suggested the resident be placed on next month’s agenda for discussion of such. Chairman Kelleher feels at this point it is an enforcement issue.

VIII. Reports of Officers and Committees:

1. Zoning Enforcement Officer’s Report March 2011:

Mr. Dobrowski discussed in detail the Zoning Enforcement Officer's Report for the Month of March 2011 with Commission Members.

Mr. Dobrowski discussed the following with Commission Members:

1. Brooklyn Oil: A recent letter was sent. Mr. Dobrowski visited the site and spoke with Mr. Eggers. Chairman Kelleher asked if there is any indication as to what the expectations are as far as how much cleaning up will be done and by when. Mr. Dobrowski stated there has been one specific area on the property that has been targeted and this clean up is a continuation of the original request.

Tom Doherty noted that the trailers are licensed in Maine. Mr. Dobrowski states that the Assessor is aware of this fact.

2. New NAPA Building: Mr. Dobrowski demonstrates to the commission a photometric lighting plan for the light extensions that will be installed. Mr. Dobrowski stated he is approving a sign which meets zoning regulations.

3. Nail Salon at 8B Day Street: Mr. Dobrowski stated that he is approving a sign which meets zoning regulations.

4. Antique Store/Pocketfuls: The business is in the former Lion and Lamb/Bell's Building, Mr. Dobrowski stated that he is approving a sign which meets zoning regulations.

5. Brooklyn Fairgrounds: Mr. Dobrowski stated that they are intending to build a horse barn. Mr. Dobrowski discusses the plan with the Commission. Mr. Dobrowski will approve the zoning permit for a foundation only once Health Department approval is granted as well as approval from the Building Official.

6. Rawson Materials: A meeting will be held with Rawson Materials attorney and the Town Attorney sometime in April 2011 to draw up legal documents with regards to maintenance schedules and their responsibilities.

7. New England Art Sign: Mr. Dobrowski has asked Highway Director Tom Rukstela to remove the sign, however, this is pending at the present time as the sign has not yet been removed.

8. Trinity Episcopal Church: The burning of the building is pending at this time. Don Francis asked if lead paint is involved. Mr. Dobrowski stated that paint scraping samples were taken per the Fire Marshal with no lead found.

Tom Doherty asked Mr. Dobrowski to check on the Rawson Sand and Gravel acreage to be sure they are taxed appropriately. Mr. Dobrowski stated that is 14 acres. He has spoken with Kathy Thornton, Assessor and she is up to date on this issue.

2. Village Center District:

Deane Rettig stated a meeting was held on March 8, 2011. The subcommittee has come up with a lot of ideas and a list of questions and concerns for Attorney Peter Alter. Another meeting shall be scheduled in April to solidify the entire list and then send over to Attorney Alter. Mr. Rettig would like input from Craig Dunlop on potential noise limitations. A preliminary discussion was held on expanding the southern boundaries.

3. Regulations Subcommittee:

Chairman Kelleher commented that Jim Larkin has been busy working on draft regulations.

4. Budget:

Nothing new to report.

5. Chairman's Report:

Chairman Kelleher commented that this past Saturday many Commission members participated in the forum and found it to be an excellent meeting and was pleased with the Planning and Zoning's participation.

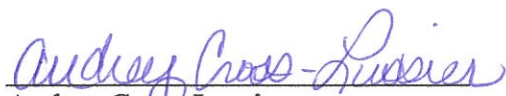
Chairman Kelleher requests a budget report through the end of March 2011 for the May 4, 2011 meeting. Ms. Cross-Lussier will ask Ms. Soucy for this report.

Chairman Kelleher commented that she, Jim Larkin and Deane Rettig went to the Workshop at Wesleyan that was sponsored by the Connecticut Bar Association and found it to be an excellent workshop.

Chairman Kelleher commented there is another basic training session coming up in May 2011.

IX. Adjourn:

A motion was made by Deane Rettig to adjourn the meeting at 9:35 p.m. Tom Doherty seconds this motion. No discussion held. All in favor. The motion passes unanimously.


Audrey Cross-Lussier
Recording Secretary