

PLANNING AND ZONING COMMISSION
TOWN OF BROOKLYN

P.O. BOX 356
CONNECTICUT 06234

PLANNING AND ZONING COMMISSION
TOWN OF BROOKLYN
REGULAR MEETING MINUTES
August 3, 2011
Clifford B. Green Memorial Center
69 South Main Street
7:00 p.m.

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

II. Roll Call: Barbara Repko, Don Francis, Tom Doherty, Dave Fuss, Deane Rettig, Carlene Kelleher, Craig Dunlop, Henry Moses, Al Sandholm.

Absent: Paul Camara with notice.

Staff Present: Chuck Dobrowski, ZEO, Audrey Cross-Lussier, Secretary, Austin Tanner, First Selectman, Robert Kelleher, Selectman.

Also Present: Attorney Ernest Cotnoir, Terry Chambers, KWP Associates, Norman Thibeault, Killingly Engineering Associates, Frank Dziki, Dziki and Associates, and public in attendance.

III. Seating of Alternates: None.

IV. Adoption of Minutes:

1. Regular meeting minutes July 6, 2011.

A motion was made by Dave Fuss to accept the July 6, 2011 meeting minutes as presented. Tom Doherty seconds this motion. Discussion on the motion. Barbara Repko asked a correction be made that she voted against granting the 5-year extension of Site Plan SP06-009 Townsend Development. All in favor with the noted correction. The motion passes. Deane Rettig and Henry Moses abstains.

V. Public Commentary:

First Selectman Austin Tanner spoke with regards to the Town of Brooklyn being more "business friendly." Mr. Tanner suggests forming a group consisting of commission members and business owners to meet and give input as to how the Town may become more "business friendly."

Mr. Tanner also commented on the Special Events Regulations. Mr. Tanner feels that the required engineers stamped approval for a site plan review is not user friendly and feels that this detail is not necessary to get through the process.

Chairman Kelleher commented that the current draft of the Special Events Regulation is going to be rewritten.

Chairman Kelleher asked which Commission members may be interested in participating in such a group. Ms. Kelleher, Henry Moses and Al Sandholm indicated they would be interested in participating.

Paul Damiani, Westview Drive, comments with regards to the Special Events Draft- penalties (\$500). Mr. Damiani makes note that according to the General Statutes of Connecticut under Title 8 Section 8-12a Establishment of municipal penalties for violations of regulations – “No fine imposed under this section may exceed (\$150) one hundred fifty dollars for each day a violation continues.”

VI. Unfinished Business:

a. Reading of Legal Notice: Al Sandholm reads the legal notices into the record.

b. Continued Public Hearings: None.

c. New Public Hearings:

1. SP11-003 Courtesy Ford; 455 Providence Rd; Map 41, Lot 114, PC Zone; Proposed building addition to existing automobile sales facility.

Al Sandholm recuses himself as he is an abutter.

Attorney Ernest Cotnoir, 163 Providence Street, Putnam, CT represents application SP11-003 Courtesy Ford. Attorney Cotnoir submits for the record an appearance document as well as the abutters list with certified mail receipts. Attorney Cotnoir also submitted notification to the Department of Public Health dated July 25, 2011. Attorney Cotnoir stated that the proposed is for an approval of a site plan for a proposed modification of an existing building located at 455 Providence Road; Map 41, Lot 114 in the PC Zone. Attorney Cotnoir commented that the parcel has been the site of a car dealership with no proposal to change that. The proposal calls for the construction of a modest addition with cosmetic improvements to the site as well as drainage improvements.

Frank Dziki, Dziki and Associates comments with regards to the architecture of the proposed addition. Mr. Dziki submitted plans and pictures of the existing building, façade and proposed addition for Commission members to view.

Mr. Dziki stated that the addition will extend the existing showroom and house financing offices and a coffee area. A small addition will be for the customer lounge. The drive through bay will be extended. The supplemental service garage is not being used at the current time and will stay this way. Mr. Dziki discussed the interior renovation; removing half of the second floor and the remainder will house conference rooms and offices. Mr. Dziki discussed the handicap bathrooms as well as handicap entrances.

Mr. Dziki discussed the façade to be located straight across the front of the building. The front entrance design will be the Ford signature. The height of the building will not change. Mr. Dziki discussed the ribbed metal panels and corrugated metal panels as well as the windows to be placed on the building.

Chairman Kelleher opens the floor for commission and public comments.

Deane Rettig questioned the lighting on the Ford and Courtesy signs on the front of the building. Mr. Dziki addressed this question.

Tom Doherty asked if this the standard Ford car dealership design. Mr. Dziki addressed this question.

Chairman Kelleher asked Mr. Dziki to speak to the Architectural Review done by Ms. Evelyn Cole Smith. Mr. Dziki addressed the Commission with regards to this review. Discussion held.

Henry Moses asked if the lighting will be on for 24 hours. John Martin stated the lights are on a timer.

Tom Doherty addressed his concern with regards to Ms. Cole Smith not having a copy of the site plan for architectural review. Mr. Dobrowski discussed this issue with Mr. Doherty.

Terry Chambers, KWP Associates discussed the engineering aspects of application SP11-003. Mr. Chambers commented that Ms. Cole Smith was asked by the Commission to review the architectural elements/building. The site plan elements were reviewed by Jim Larkin, NECCOG Planner and Syl Pauley the consulting engineer. Mr. Chambers stated a site circulation plan, parking and display area plans were prepared at the request of Mr. Larkin and Mr. Dobrowski. Mr. Chambers discussed these plans with the Commission. Mr. Chambers also discussed the following: the proposed new paving, exterior lighting and landscaping. Mr. Chambers also discussed the reduction of the size of the detention basin and comments received from Syl Pauley, NECCOG Regional Engineer with regards to such.

Mr. Chambers discussed the landscaping in the 15 foot strip setback from the property line which does comply with the Route 6 Guidelines.

Mr. Chambers discussed the exterior lighting plan and photometric plan that was previously approved by the Commission. No change to the plan is being proposed.

Mr. Dobrowski commented that updated plans were supplied to Mr. Larkin last week by Mr. Chambers. Mr. Larkin reviewed the updated plans. Through conversation with Mr. Larkin, Mr. Dobrowski stated that all of the outstanding items were addressed on the new plans.

Deane Rettig commented on the old plan dated 7/13/10 with regards to landscaping on the left and right side of the property. Mr. Rettig asked why this landscaping was eliminated. Mr. Rettig also asked if all of the conditions of the previous approval been met. Mr. Chambers stated the landscaping on the sides and front have not been installed yet. Mr. Chambers commented that the

new site plan would supersede any previously approved site plan. Mr. Rettig asked for the calculations of the new impervious surface. Mr. Chambers commented the existing impervious surface represented 56% and the total new impervious surface coverage would be 63%.

Henry Moses questioned the lighting on the building and its impact on neighboring properties. Mr. Chambers commented that the lights will be visible from Route 6 without light shed on neighboring properties.

Lisa Arends, Allen Hill Road; questioned the lighting and its impact on residents behind Courtesy Ford in the PC Zone. Ms. Arends also questioned why the detention basins were decreased in size and how this will impact the Aquifer. Ms. Arends also questioned with the increase of impervious surface does that that lend itself to need more of a dentition basin. Mr. Chambers addressed each of Ms. Arends questions in detail.

Deane Rettig questioned the lighting plan with Mr. Chambers. Mr. Chambers stated that a separate photometric plan was previously approved by the Commission.

Deane Rettig asked if the applicant feels if they are in compliance with the previous plan with regards to the car display area. Mr. Chambers and Attorney Cotnoir addressed this issue with Mr. Rettig. Discussion held.

Lyn LaCharite, 416 Providence Rd, commented the proposed plan changes will be a wonderful improvement to the property and hopes that the Commission approves such.

Don Taylor, Pheasant Lane; commented that he feels the proposed plan is cold, uninviting and is as far from the goal of the Route 6 Guidelines as it can possibly be. Mr. Taylor suggests that they do not forgo the screening on the church/commercial sides. Chairman Kelleher commented that there is landscaping shown on the church side which Mr. Chambers reiterates.

Ron Ventura, Ventura Drive; commented that it looks as though the applicant has made a serious effort to do a tasteful job in making a state of the art modern car dealership and feels it will be an asset to the commercial district. Mr. Ventura hopes the Commission will look at the application favorably.

A motion was made by Don Francis to close the public hearing on application SP11-003. Henry Moses seconds this motion. All in favor. The motion passes. Al Sandholm recuses.

2. SP11-004 Gregory Michaelidis, Harris Avenue, Map 24, Lot 67/73/74, VCD Zone, Construction of two (2) duplex residences.

Al Sandholm returns to the table.

Norm Thibeault, Killingly Engineering, represents application SP11-004. Mr. Thibeault submits the certified mailings and abutter list for the record.

The proposed is a 31,000 square foot land parcel on Harris Avenue/VCD Zone in the rear of Brooklyn Pizza. Approval has been granted from the IWWC on June 14, 2011. The activity towards the wetlands is in the rear of the building. The lot drops off approximately 2-3 feet off the road and continues to slope back towards the wetlands. The wetlands are fed and supported by a large drain pipe which comes down Harris Avenue taking drainage from Route 6. The property is served by public sewer. The buildings are approximately 35 feet off the property line. The side yard is 13 feet and the rear yard setback is 10 feet. The proposed impervious area is 24%. The proposed is two (2) duplex residential family units. There will be two (2) parking spaces in the front and pull off parking to the back in the rear. The sanitary sewer will be a low pressure force main system with individual grinder pumps for each of the units. J and D Civil engineers have reviewed the plan with regards to the sewer connection. Mr. Thibeault read into the record a letter by Dennis Blanchette dated August 2, 2011. A copy is available for review by the public in the Planning Office. Mr. Thibeault addressed storm water management.

Mr. Thibeault stated that the structures were reviewed by Evelyn Cole Smith of CME Architecture. Mr. Thibeault discusses Ms. Cole Smith's comments in a letter dated July 28, 2011 with Commission members. A copy is available for review by the public in the Planning Office.

Chairman Kelleher commented with regards to #5 page 2 of Ms. Cole Smith's letter with regards to the building orientation. Mr. Thibeault addressed this issue with Chairman Kelleher and handed out a rendering to Commission members. Also Ms. Kelleher commented on Ms. Cole Smith letter with regards to garages. Mr. Thibeault addressed this issue with Chairman Kelleher and commented that below grade garages would be in the back of the building and not visible from the street. Lastly Ms. Kelleher commented on Ms. Cole Smith's letter with regards to a species of plants. Mr. Thibeault addressed this with Ms. Kelleher and stated that this has been removed from the plan and referred members to page 2 which depicts the landscaping plan.

Tom Doherty reiterated his concern with regards to Ms. Cole Smith not having a copy of the site plan for architectural review. Mr. Thibeault addressed this issue with Mr. Doherty. Discussion held.

A motion was made by Don Francis to continue the public hearing on application SP11-004. Deane Rettig seconds this motion. A lengthy discussion held. Don Francis withdraws the motion.

Mr. Thibeault continued his presentation on Application SP11-004.

Don Francis commented that per VCD regulations parking is not permitted in front yards. Mr. Thibeault addresses this issue with Mr. Francis.

Mr. Thibeault discusses the recommendation made by the Conservation Commission regarding an archaeological review. Mr. Thibeault contacted Nicholas Bellantoni, State Archaeologist with regards to this issue. Mr. Thibeault read into the record an e-mail dated August 1, 2011 received from Mr. Bellantoni. In summary, Mr. Bellantoni commented that a review of State archaeological files and maps show no known archaeological resource in the project area. While the area is historically sensitive, past disturbances at the site have already disturbed any archaeological sites which may have existed on the parcel.

Mr. Bellantoni commented that he would be pleased to conduct a field review if necessary. A copy is available for review by the public in the Planning Office.

Darlene Otto, Gunnar Drive, asks how residents will access the garages. Mr. Thibeault addressed this issue with Ms. Otto.

Michael Pfennig, Harris Avenue, adjacent property owner, is not happy about the project. Mr. Thibeault discussed the lot size/lot line adjustment with Mr. Pfennig.

Mr. Thibeault discussed with Mr. Pfennig the distance between the proposed project and his property line. Mr. Pfennig would like to see a privacy fence installed between the two properties.

Ron Ventura, Ventura Drive encourages the Commission to require sidewalks to provide a safe pedestrian area.

Kelly Young, 29 Harris Ave. Ms. Young commented that Harris Avenue is a small street with six family homes. Ms. Young does not feel the lot can support two duplexes. Ms. Young is concerned with the maintenance of the duplexes if they are rental properties. Ms. Young would support a single family home or one duplex on this lot.

Chairman Kelleher commented that multi-family dwellings up to 3 units per structure are allowed in the VCD District per the zoning regulations.

Terry Chambers, KWP Associates, commented on the Architectural Review process and the Commission's policy at this point.

Norm Thibeault stated the project was reviewed by Syl Pauley, NECCOG Regional Engineer. Mr. Thibeault discusses Mr. Pauley's comments made in a letter dated July 14, 2011 with Commission members. A copy is available for review by the public in the Planning Office. Mr. Thibeault stated that he has reviewed the plans with Jim Larkin, NECCOG Planner.

Kelly Young, Harris Avenue, questioned if there are two driveways that will exit onto Harris Avenue. Mr. Thibeault stated it is one common driveway that will exit onto Harris Avenue.

Don Francis asked Mr. Thibeault for the dimensions of the parking area. Mr. Thibeault addressed Mr. Francis's question. Discussion held. Mr. Francis feels that the application should go back to the architect with a site plan for further review. Discussion held.

Darlene Otto, Gunnar Drive, asked where the telephone substation is located on the plan. Mr. Thibeault demonstrated this to Ms. Otto.

Michael Pfennig, Harris Avenue, asked if there is a posted schedule for next month's meeting. Chairman Kelleher stated the public hearing will be continued to next month's regularly scheduled meeting which is the first Wednesday of the month and is posted at the Town Hall and on the Town Website. The public has the opportunity to come and comment.

Al Sandholm commented that he is all for being thorough, but feels the Commission is wrong to ask the architect to review the site plan as far as an engineering aspect when the application is before the Commission in a public hearing.

A motion was made by Deane Rettig to continue the public hearing on application SP11-004 to September 7, 2011 to obtain further clarity from Norm Thibeault-Killingly Engineering Associates with regards to the front parking and to also obtain further clarity from Architect Evelyn Cole Smith based upon receiving a copy of the site plan outline. Tom Doherty seconds this motion. No discussion held. All in favor. The motion passes unanimously.

d. Other Unfinished Business:

1. SP11-003 Courtesy Ford; 455 Providence Rd; Map 41, Lot 114, PC Zone; Proposed building addition to existing automobile sales facility.

Al Sandholm recues himself from the table as he is an abutter.

A motion was made by Henry Moses to approve application SP11-003 as presented. Craig Dunlop seconds this motion. Discussion held. Henry Moses amends his motion to approve application SP11-003 with the condition of returning the vegetative screening on both sides east and west. Craig Dunlop seconds the amended motion. All in favor. The motion passes Al Sandholm recuses.

2. SP11-004 Gregory Michaelidis, Harris Avenue, Map 24, Lot 67/73/74, VCD Zone, Construction of two (2) duplex residences.

Al Sandholm returns to the table.

A motion was made by Deane Rettig to continue application SP11-004 to the September 7, 2011 meeting. Dave Fuss seconds this motion. All in favor. The motion passes unanimously.

3. Special Events Draft Regulations:

Chairman Kelleher stated that she and Jim Larkin had a telephone conference with Attorney Peter Alter one and a half weeks ago regarding the Special Events Draft Regulations. Ms. Kelleher is awaiting a new draft from Attorney Alter for future discussion.

VII. New Business:

a. Applications: None.

b. Other New Business:

1. Discussion of agenda placement of Public Commentary:

Chairman Kelleher commented that the Commission agreed to give a trial run to having it at both beginning and the end of the agenda.

Deane Rettig feels that the placement of public commentary at the beginning and end of the agenda is working out well.

A motion was made by Deane Rettig to keep "Public Commentary" as a regular agenda item at the beginning and end of the meeting. Barbara Repko seconds this motion. No discussion held. All in favor. The motion passes unanimously.

2. Discussion of Herrick Road-placement of millings (crushed asphalt).

Chairman Kelleher stated that this item was placed on the agenda with the understanding that Herrick Road was a scenic road. It has since been advised by Austin Tanner per Chuck Dobrowski that Herrick Road is not a scenic road; therefore the Commission has no authority in this matter or action to be taken.

Mr. Dobrowski stated there are only three scenic roads in Town – Spaulding Road, Bush Hill Road and Old Tatnic Road.

VIII. Reports of Officers and Committees:

1. Zoning Enforcement Officer's Report July 2011:

Mr. Dobrowski discussed in length the Zoning Enforcement Officer's Report for the month of July 2011 with Commission members.

1. Herrick Road: There was an ad placed in the Turnpike Buyer that millings are to be placed on Herrick Road. Mr. Dobrowski stated that no one to date has responded to this.

2. Gravel Renewal Jolley Gravel: Mr. Dobrowski approved the renewal. Linda Trahan was informed of this renewal and a copy was sent to her. Ms. Trahan wanted assurance that Maynard Road was not being used as part of the approval.

3. Sears Appliance Store: A Sears Appliance store is moving into the former NAPA location. Mr. Dobrowski approved sign permits for Sears.

4. Brooklyn Oil and Junk Cars: Mr. Dobrowski will be meeting with Assessor, Kathy Thornton and will make a sweep of the Town and obtain a list of cars. Mr. Dobrowski discussed the timeline on this project with Commission members.

5. Knust Property 60 Pomfret Road: Mr. Dobrowski stated that the property has been foreclosed on by RBF Associates out of Avon, CT. Mr. Dobrowski has spoken to a representative from the RBF Company and they will cooperate with the Town and are aware of the problems that exist with the property. As soon as RBF Associates take possession a meeting will take place with the Town to discuss what needs to be done to bring the property back into conformance.

Mr. Dobrowski stated that any legal action that was started has ended because Mr. and Mr. Knust are no longer the owners.

Don Francis suggested getting an agreement/commitment with the new owner to work with the Town and Historic Commission to restore the property and maintain its historic value. Discussion held.

6. Brooklyn Farm and Pet: The owner wanted to do an occasional flea market and farmer's market. Mr. Dobrowski discussed this issue with the Commission members and feels that a change in the regulations may be necessary to accommodate these events. Discussion held.

2. Village Center District:

Deane Rettig commented that a meeting was not held due to lack of quorum. Mr. Rettig suggests handing the Village Center District regulation to the Commission and have the Commission submit it to the Regulations Subcommittee. Al Sandholm and Dave Fuss are in agreement with this suggestion.

3. Regulations Subcommittee:

Chairman Kelleher commented that minor changes were made to the Green Energy draft regulation. The subcommittee is also looking at the sign regulation. Mr. Rettig suggests that under the sign regulation the subcommittee consider advertisement flags, balloons or any kind of attention grabbing devices.

4. Budget:

Chairman Kelleher suggests to Commission members to review the budget information that has been provided in the packet.

5. Chairman's Report: Nothing new to report.

IX. Public Commentary:

Don Taylor, Pheasant Lane, voiced his concerns with regards to signs being a horrible distraction. Mr. Taylor asked if the standing Ford sign is grandfathered. Chairman Kelleher stated that the sign is grandfathered. Mr. Taylor commented on the Dunkin Donuts signs at the entrance/exit are at eye level and create a site line problem. Mr. Taylor suggests reaching out to area Towns as to how they deal with flea markets. Mr. Taylor is perplexed and disappointed at the time the Commission spent on the Special Events Regulations and not making the Route 6 Guidelines regulatory.

Chairman Kelleher commented that she does not believe it was discussed that the Route 6 Guidelines should be made regulatory. Ms. Kelleher commented that at the Sign regulation subcommittee meeting they did refer to the Route 6 Guidelines with respect to signs. Discussion held.

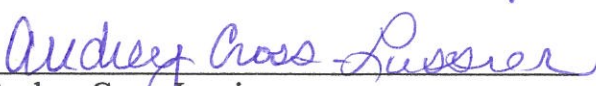
Lisa Arends, Allen Hill Road voiced her concern with regards to the multiple signs that are in the window at the convenience store located at the corner of Day Street and Route 6. Ms. Arends feels that this is a safety hazard. Discussion held.

Ms. Arends voiced her concerns with regards to residential property values in the PC Zone. Ms. Arends feels there should be a balance with being business friendly and residential friendly.

Chairman Kelleher received a letter from Brooklyn Correctional Institute with regards to putting up a new fence. This will be turned over to Staff.

Chairman Kelleher received a pamphlet with regards to the 2011 Northeast Private Well Water Symposium to be held at the Heritage Hotel in Southbury, CT on November 14-15th.

X. Adjourn: A motion was made by Deane Rettig to adjourn the meeting at 10:15 p.m. Al Sandholm seconded this motion. No discussion held. All in favor. The motion passes unanimously.


Audrey Cross-Lussier
Recording Secretary