

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

**PLANNING AND ZONING COMMISSION
TOWN OF BROOKLYN
REGULAR MEETING MINUTES
October 5, 2011
Clifford B. Green Memorial Center
69 South Main Street
7:00 p.m.**

RECEIVED
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Serial 2-11-11-100
TOWN OF BROOKLYN

I. Call to Order: The meeting was called to order at 7:02 p.m.

II. Roll Call: Don Francis, Carlene Kelleher, Henry Moses, Al Sandholm, David Fuss and Deane Rettig.

Absent: Craig Dunlop, Paul Camara and Barbara Repko with notice. Tom Doherty without notice.

Staff Present: Chuck Dobrowski, ZEO, Jim Larkin, NECCOG Planner, Syl Pauley, Jr., NECCOG Regional Engineer, and Audrey Cross-Lussier, Recording Secretary.

Also Present: Norm Thibeault, Killingly Engineering Associates, Michelle Fleming Sigfridson and public in attendance.

III. Seating of Alternates: None.

IV. Adoption of Minutes:

A motion was made by David Fuss to approve the meeting minutes of September 7, 2011. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes. Al Sandholm abstains.

V. Public Commentary: None.

VI. Unfinished Business:

a. Reading of Legal Notice: Al Sandholm read the legal notice into the record.

b. Continued Public Hearings:

1. SP11-004 Gregory Michaelidis, Harris Avenue, Map 24, Lot 67/73/74, VCD Zone, Construction of two (2) duplex residences. (continued from August 3, 2011, 35 day extension granted September 7, 2011).

Norm Thibeault from Killingly Engineering Associates represents application SP11-004. Mr. Thibeault stated that the plans were revised due to review comments received from Syl Pauley, NECCOG Regional Engineer as well as comments received from Jim Larkin, NECCOG Planner and the Commission.

Mr. Thibeault reviews the configuration and the lay out of the three lots 67/73/74. After deed research Mr. Thibeault found the delineation on the Assessor's map to be incorrect, however, the deed was correct. Mr. Thibeault discusses the lot line adjustment for lot 73 and 74. Lot 67 is where the proposed project is to be built.

Mr. Thibeault discussed the adjustment made to the parking in the rear of the building where there will be two parking spaces for each unit.

Mr. Thibeault reads into the record a letter dated October 5, 2011 from Evelyn Cole Smith from CME Architecture with regards to the Architectural Review of the project. A copy of the letter is available for review by the public in the Planning Office.

Chairman Kelleher commented that Ms. Smith's review seems to be favorable to the project.

Syl Pauley, Jr., Regional Engineer from NECCOG reviews his letter dated September 27, 2011 with Commission members and comments that everything has been resolved to his satisfaction. Mr. Pauley also highlights his comment with regards to parking in the rear of the building; #15 – "According to Article 3.4.5.9, Parking Requirements of the Brooklyn Zoning Regulations, no parking is allowed within 8' of a building in the VCD Zone. No distinction is made between residential and commercial uses. Parking areas shown on the plan, which are adjacent to the rear of the proposed buildings, appear to be less than 8' (they scale 2')."

Mr. Pauley feels that there is no harm in allowing the parking close to the building. There are curb stops placed. Mr. Pauley feels that this regulation is more towards commercial development and protecting the building and public that would be traversing that property.

David Fuss asked Mr. Thibeault where snow removal would be placed. Mr. Thibeault demonstrated this on the site map to Mr. Fuss. Discussion held.

Don Francis asked why a cul-de-sac entrance is proposed. Mr. Thibeault stated that there is a telephone/transmission pole in this area which cannot be moved.

Mr. Thibeault discussed the landscaping to be placed in the front and rear of the property.

David Fuss discussed the elevation of the road with regards to water run off. Mr. Thibeault detailed this on the site plan. Discussion held.

Don Francis asked Mr. Dobrowski if the plans have been reviewed by the Fire Marshal and the Highway Foreman. Discussion held. Chairman Kelleher suggests putting the reviews by the Fire Marshal and Highway Foreman on the checklist as part of the standard procedure for future applications.

A motion was made by Deane Rettig to close the public hearing on application SP11-004. Al Sandholm seconds this motion. No discussion held. All in favor. The motion passes unanimously.

c. New Public Hearings: None.

d. Other Unfinished Business:

1. SP11-004 Gregory Michaelidis, Harris Avenue, Map 24, Lot 67/73/74, VCD Zone, Construction of two (2) duplex residences. (continued from August 3, 2011, 35 day extension granted September 7, 2011).

A motion was made by Deane Rettig to approve application SP11-004 with the condition that the fence to the north be vinyl recommended by Evelyn Cole Smith, CME Architectural reviewer. Henry Moses seconds this motion. No discussion held. All in favor. The motion passes unanimously.

2. HB11-001 Michelle Fleming Sigfridson; 90 Fitzgerald Road, Map 7, Lot 11, RA Zone; Home Business Permit-Massage Therapy.

Ms. Sigfridson property owner represents HB11-001. Ms. Sigfridson commented that the previously approved home business permit for the law office fell through. Ms. Sigfridson's younger sister is a massage therapist who would like to open a new age wellness studio in the same space.

Mr. Dobrowski has reviewed the site plan and presented this to Commission members.

Chairman Kelleher asked how many clients would be serviced at a time. Ms. Sigfridson commented there would be 1-2 clients at a time.

Deane Rettig asked if this would be more a 1 on 1 session or couples. Ms. Sigfridson commented she is anticipating mostly a 1 on 1 session with maybe a group of 2 or 3 at the most.

A motion was made by Henry Moses to approve application HB11-001. Al Sandholm seconds this motion. Discussion held.

Deane Rettig inquires about the signage. Ms. Sigfridson commented that the sign would be on the building itself. Mr. Dobrowski commented that this will be handled through a sign permit.

Vote was taken. All in favor. The motion passes unanimously.

VII. New Business:

a. Applications:

1. SPG11-001 Brooklyn Sand and Gravel, 574 Wauregan Road, Map 30, Lot 97, RA Zone, Expansion of gravel removal operation.

A motion was made by David Fuss to accept application SPG11-001 and set for a public hearing November 2, 2011. Al Sandholm seconds this motion. No discussion held. All in favor. The motion passes unanimously.

b. Other New Business:

1. Review of Green Energy Draft:

Commission members discussed the Green Energy Draft which pertains to On-site Solar Energy Facilities and Small Wind Energy Systems. The following was discussed at length: Intent; Permitted Zones; General Conditions; Definitions. Jim Larkin will clarify the questions and note changes made by the Commission.

VIII. Reports of Officers and Committees:

1. Zoning Enforcement Officer's Report September 2011.

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

1. Letter dated September 28, 2011 from Syl Pauley, NECCOG Regional Engineer regarding the Townsend Project "The Shoppes at Brooklyn Commons."

Mr. Dobrowski commented that Mr. Pauley made a final inspection approximately 1 week ago. Mr. Pauley made the following observations:

- Replacement silt fences are functioning properly.
- Grass is growing on slopes under a protective mat of open straw mulch-no significant erosion was observed.
- Trees planted in the traffic islands are anchored firmly to the ground, are cold to the touch and appear to be very healthy.
- Several large boulders are in place across the end of the paved driveway and are placed close enough to stop small passenger vehicles from entering the undeveloped property.

Mr. Pauley's opinion is that Mr. Townsend has satisfactorily completed the remedial work on his property that he was asked to do by the Brooklyn Planning and Zoning Commission.

Al Sandholm asked Mr. Dobrowski if any bond was required. Mr. Dobrowski stated no as the conditions were completed within 6 months time.

2. Site visit to Brooklyn Oil with Assessor Kathleen Thornton.

Mr. Dobrowski and Assessor Ms. Thornton visited Brooklyn Oil and took an inventory of the vehicles on the premises – unregistered and registered (out of State). Taxes will be implemented on these vehicles. Mr. Dobrowski stated that with this added tax incentive it may prompt the owner to move the clean up process along more quickly.

2. Regulations Subcommittee:

Chairman Kelleher has nothing new to report and a Subcommittee meeting needs to be scheduled.

Al Sandholm asked when the next sign subcommittee meeting will be held. Ms. Kelleher stated it has not been scheduled yet and will keep Mr. Sandholm posted.

Al Sandholm asked where the VCD Regulations are at the present time. Chairman Kelleher stated they have been passed along to the Regulation Subcommittee.

Don Francis asked Mr. Dobrowski for the status on Saveway Petroleum parking area. Mr. Dobrowski commented that the vehicles were moved out of that parking area, however, over the last week or so it has been being used for employee parking.

Don Francis asked Mr. Dobrowski what the status is on the gravel removal on the Masse Property. Mr. Dobrowski stated that he spoke with Mr. Masse and he would like to put this project off until the spring. Once Mr. Masse chooses a contractor for the project he will bring a plan forward to Mr. Dobrowski for review.

Don Francis asked about the status on the “Business Friendly” Committee that is to be formed between P and Z and Economic Development. Chairman Kelleher has not heard of any meeting that has been scheduled as of yet and will contact First Selectman Austin Tanner regarding this issue.

Don Francis asked about the status on Special Events Regulations. Chairman Kelleher stated that they are awaiting comments from Attorney Peter Alter on this issue.

Don Francis asked Mr. Dobrowski if an as-built is done on approved plans. Mr. Dobrowski stated that an as-built is only done when it is required by the Department of Health which is mainly for the location of the septic system relative to the house. Mr. Dobrowski also stated that an as-built is done when a Town road has been approved. Discussion held.

3. Budget: The budget information was provided in the packet for Commission members to review.

4. Chairman’s Report:

Chairman Kelleher commented that the final draft of the POCD is ready. Corrections have been received from Ms. Kelleher and Mr. Doherty.

Mr. Sandholm has reviewed the map and agrees that it is correct. Mr. Rettig will review for any further corrections and submit to Ms. Cross-Lussier.

Chairman Kelleher commented that Mr. Doherty was to speak with Holly Drinkuth to invite her to come to a Commission meeting and review all of the POCD map presentations. Ms. Kelleher will speak with Mr. Doherty regarding this.

Chairman Kelleher commented that the Board of Selectmen has been asked to consider a blight ordinance in Town by a few residents. Ms. Kelleher commented that she has attended a couple of informational meetings with regards to this issue.

Chairman Kelleher would like to establish the second PZC meeting a month now that the summer months are over. Ms. Kelleher commented that the POCD has a lot of recommendations that Planning and Zoning has responsibility for and suggests that the Commission have a meeting to review these recommendations. Jim Larkin will also like to do a build-out presentation. Discussion held. Commission members tentatively agreed to have a second meeting on Tuesday, November 15, 2011 and another second meeting on January 17, 2012.

Rawson Materials/Discussion of Rukstela Road: Commission members further discussed the upkeep of Rukstela Road and the paving of Rukstela Road versus the "T" Intersection at Beecher Road and Route 169.

Jim Larkin and Chuck Dobrowski investigated the original permit approval which was in 2002. In 2007 the application was amended and the condition was added for the Beecher Road "T" intersection.

Mr. Larkin spoke with Attorney Alter on what the process should be if the Commission wanted to review the condition. Attorney Alter's feeling was that if it is the consensus of the Commission to review the condition, a public hearing would need to be held noticing that the condition of approval is being reviewed. Once the public hearing was held and if it was the mind of the Commission to amend the condition, than this could be done but be applied to the yearly renewal.

Chairman Kelleher asked Mr. Dobrowski when the permit was last renewed. Mr. Dobrowski stated that it was within the past 3-4 months. The next renewal would be next year early summer.

Commission members further discussed this issue and voiced their concerns.

IX. Public Commentary:

Lisa Arends asked Mr. Dobrowski for an update on the Friendship Valley property. Mr. Dobrowski commented that Ms. Knust is still living there; however, the mortgage company has taken the property over.

Ms. Arends comments that the Town of Sprague partnered with the Historical Society and a grant was obtained for \$680K to rehab a historical building, perhaps this could happen with Friendship Valley.

Ms. Arends commented on section 19.2.1 accessory building language-definition.

Ms. Arends commented on the solar leasing program and how very cost prohibitive it is for residents.

Ms. Arends commented that the EDC/PZC partnership for creating a business friendly committee may be a conflict of interest for commission members. Chairman Kelleher addressed this concern with Ms. Arends.

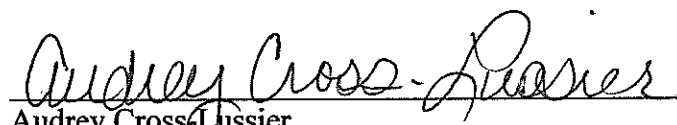
Ms. Arends commented on the Land Use Academy has a very interesting training agenda coming up at Central Connecticut State University on November 5th, dealing with conflicts, conditions, and modifications. Chairman Kelleher stated that Commission members have been notified of the meeting date.

Ms. Arends commented that when conditions are placed on applications that they should be adhered to and not be waived after approval. Chairman Kelleher addressed this concern with Ms. Arends.

Al Sandholm commented with regards to the EDC/PCZ meeting. Mr. Sandholm feels that part of the initiative Selectman Tanner was trying to achieve was to bring EDC (a non-regulatory commission) together with PZC a (regulatory commission) so that each Commission understands what they are doing and are well informed.

Ms. Arends felt that when Selectman Tanner held the meeting with all of the Commissions, this showed great leadership and a good example of minimizing any conflicts between Commissions.

X. Adjourn: A motion was made by Henry Moses to adjourn the meeting at 9:30 p.m. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes unanimously.


Audrey Cross-Lussier
Recording Secretary