

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Regular Meeting Minutes
Tuesday, May 19, 2020
Clifford B. Green Meeting Center
69 South Main Street
6:30 p.m.**

To join this meeting via the web or phone, follow the below instructions:	
Web Go to www.webex.com On the top right, click Join Enter meeting information: 714902827 Enter meeting password: MoNEy5687 Click join meeting	Phone Dial 1-408-418-9388 Enter meeting number: 714902827 You can bypass attendee number by pressing #

The two Gravel Special Permit applications (SPG 19-003 & SPG 19-004) have been continued by request of the Applicant to the June 3, 2020 regular meeting of the Planning and Zoning Commission.

- I. Call to Order** – Michelle Sigfridson, Chair, called the meeting to order at 6:40 p.m.
- II. Roll Call** – Michelle Sigfridson, Carlene Kelleher, Earl Starks, Alan Fitzgerald, Austin Tanner. Charles Sczuroski was absent with notice.

Staff Present: Jana Roberson, Director of Community Development; Richard Ives, First Selectman and ex officio Member of the PZC.

Also Present: Evan Sigfridson; Jason Donahey; Elizabeth Hall Hecker

- III. Seating of Alternates** – None.
- IV. Adoption of Minutes:** Regular Meeting March 4, 2020

Motion was made by A. Tanner to approve the Minutes of the Regular Meeting of March 4, 2020. Second by E. Starks. No discussion.

Roll Call Vote: A. Tanner – yes; E. Starks – yes; A. Fitzgerald – yes; C. Kelleher – yes; M. Sigfridson – yes. Motion carried (5-0-0).

- V. Public Commentary** – None.
- VI. Unfinished Business:**
- a. **Reading of Legal Notice:** None.
 - b. **New Public Hearings:** None.
 - c. **Continued Public Hearings:**

1. **SP 20-001** – Special Permit for Business-Related Uses at 15 Hyde Road, 1.55 acres in Village Center Zone (Map 25, Lot 58), Applicant: Evan Sigfridson.

M. Sigfridson recused herself and turned the position of Chair over to C. Kelleher.

Applicant was present.

Plans and documents were displayed as discussed.

Jana Roberson gave a summary/overview of the project:

- There have been a couple of modifications to the initial proposal.
- Proposed uses have been revised – Bank, Daycare Centers and Restaurant have been removed. The remaining uses (Retail Services, Office, Health Services,

Catering, Indoor Sports and Entertainment, Health Club) are all permitted uses within the Zone either by site plan review or special permit.

- Revised plan was displayed.
- Details/photos for light specifications/fixtures (all full cut-off, LED fixtures which should not cast light beyond the property boundary), color scheme, and stone wall were displayed and Ms. Roberson indicated locations. A photo of the house next door was also displayed.
- IWWC approval letter, dated February 20, 2020, was displayed.
- Letter from Syl Pauley, Town Engineer, dated March 4, 2020, was displayed.
- The most recent changes to the Site Plan were reviewed:
Reduction of parking spaces. Ms. Roberson explained where spaces were removed. Where there were five spaces on either side, there are now four spaces on either side. In the upper parking area, an area has been reserved for overflow parking which can be added in the future (if necessary). There are thirteen parking spaces proposed (which is in excess of what is required).
- The boulders (which were intended to protect the septic system) have been removed and there is now curbside at the end of the parking spaces.
- Some landscaping elements were added. Regarding the eastern side, Ms. Roberson noted that vegetation, shrubs and stone walls are potential types of landscaping and buffering. Regarding the northern property boundary, Ms. Roberson noted that there is significant natural vegetation providing a buffer to the closest property to the north. To the west, there is a big swamp and the nearest house is 159 Friendship Valley.
- There has been some concern from neighbors regarding their view across Hyde Road. Ms. Roberson feels that, by retaining the stone walls and providing landscaping, the Applicant has tried to address those concerns. They are also retaining significant vegetation on the site. She noted that retaining stone walls and existing vegetation are both design standards that the Village Center Zone call for.
- Detail Sheet was displayed.
- Elevations Sheet was displayed. The southern elevation faces the road. It will look like a one-story building from most of the vantage points. From the west façade, it will look like two stories.

From approximately 6:56 p.m. until 7:04 p.m. Ms. Roberson experienced technical difficulties. During this time:

- Ms. Kelleher asked if the Commission Members had any comments or questions on what had been discussed. Mr. Fitzgerald stated that he had no problems so far.
- Ms. Kelleher asked if Syl Pauley's comments that are relevant had been addressed. Evan Sigfridson stated that he thinks that they had been.

When Ms. Roberson returned, Ms. Kelleher filled her in on what had taken place during her absence. Ms. Roberson had no further comments. There were no comments from the Commission Members.

There were more technical difficulties at approximately 7:06 p.m. to 7:09 p.m.

Motion was made by A. Fitzgerald to close the public hearing for SP 20-001 – Special Permit for Business-Related Uses at 15 Hyde Road, 1.55 acres in Village Center Zone (Map 25, Lot 58), Applicant: Evan Sigfridson. Second by Earl Starks. No discussion.

Roll Call Vote: E. Starks – yes; A. Fitzgerald – yes; A. Tanner – yes; C. Kelleher – yes. Motion carried (4-0-0). M. Sigfridson had recused herself.

d. Other Unfinished Business:

1. **SP 20-001** – Special Permit for Business-Related Uses at 15 Hyde Road, 1.55 acres in Village Center Zone (Map 25, Lot 58), Applicant: Evan Sigfridson.

Motion was made by A. Fitzgerald to approve the Special Permit application of Evan Sigfridson for new construction and business-related uses at 15 Hyde Road (Map 25, Lot 58), identified in the files of the Brooklyn Land Use Office as SP 20-001, in accordance with all final documents and testimony submitted with the

application with the finding that the design is consistent with the design standards for the Village Center Zone and with the following conditions:

- 1) The Inland Wetlands and Watercourses Commission approval with conditions and the Planning and Zoning Commission approval with conditions must be included on the final recorded special permit plans. Draft final approved plans shall be printed on paper and submitted to Town Staff for review prior to printing on archival material. The final approved plans bearing the seal and signature of the appropriate professionals, signed by Commission Chairs, and shall be recorded along with the Special Permit in the office of the Town Clerk.
- 2) In accordance with Sec. 4.A.5.3 of the Brooklyn Zoning Regulations, the Planning and Zoning Commission authorizes the use of the front yard for parking on a corner lot with the finding that the standards of Sec. 9.D.5 have been met.
- 3) In accordance with Sec. 7.C.3.3 of the Brooklyn Zoning Regulations, the Planning and Zoning Commission finds that the proposed landscaping plan is necessary, reasonable, and in compliance with the intent of the Regulations.

Second by E. Starks. No discussion.

Roll Call Vote: A. Fitzgerald – yes; A. Tanner – yes; E. Starks – yes; C. Kelleher – yes. Motion carried (4-0-0). M. Sigfridson had recused herself.

VII. New Business:

a. Applications:

1. **SP 20-001** – Site Plan Review for Health Club at 208 Providence Road, 1.29 acres in Restricted Business Zone (Map 34, Lot 26), Applicant: Jason Donahey.

M. Sigfridson returned and resumed the position of Chair.

Applicant was present.

Ms. Sigfridson explained that this is for a change of use at this location.

Plans and documents were displayed as discussed.

Jana Roberson gave an overview:

- Crossfit Aisling is currently located in the Ocean State Job Lot Plaza. The business is growing, therefore, the Applicant would like to move to 208 Providence Road. They are interested in purchasing the building, but are currently planning on leasing the eastern side which was most recently occupied by Tractors and Trimmers. The use, Health Club, is permitted in the Zone by site plan review. Ms. Roberson explained that the owner of the property is currently in a nursing home and, therefore, although amenable to this, is inaccessible to obtain signature. The cancelled purchase and sale agreement, which had been signed by Mr. Langevin recently, did not go through due to COVID-19. So, they are working on a lease.
- The building was constructed in 1978 and has had many occupants over the years.
- Maximum parking needs, throughout the day, would be under 15 spaces.
- Total vehicular traffic during the day would be under 40.
- Current State of Connecticut Health Club License was displayed.
- Property survey showing boundary lines was displayed:
 - Not proposing any exterior site changes.
 - Western side is occupied by Windham Interiors.
 - Two entrances were indicated.
 - Parking spaces are not striped, but there is ample space for parking. The Application was amended to include a parking layout plan which was displayed (received today, so not included in packets to Commission Members). This Plan, which includes a handicap space, demonstrates that they are capable of meeting the parking requirements (3 spaces for every 1,000 s.f. of floor area) both for Windham Interiors and for Crossfit Aisling. Ms. Roberson explained how she calculated that 18 spaces would be needed for Crossfit Aisling and 12 are needed for Windham Interiors. She said that they would all fit on the existing paved surface. Ms. Roberson feels that the parking requirements have been met.

- Ms. Sigfridson commented that she feels that there would be plenty of parking.
- Ms. Roberson commented that the Applicant would like to stay in Brooklyn and would like to utilize a currently vacant space.

Mr. Ives commented that the Health Club has been a terrific addition to the Town and he extended congratulations that the business has grown and needs a bigger space.

Mr. Donahey stated that they had looked for another location for a while and they are happy to have found a permanent home in Brooklyn.

COMMENTS FROM THE COMMISSION

Earl Starks asked about hours of operation.

Mr. Donahey stated that the first class starts at 5:00 a.m. and the last class finishes at 7:00 p.m. Monday through Friday. They close for lunch in the middle of the day. On Saturdays, they only are open in the morning.

Motion was made by C. Kelleher to approve Site Plan Review Application of Jason Donahey for a Health Club at 208 Providence Road (Map 34, Lot 26), identified in the files of the Brooklyn Land Use Office as SPR 20-001, in accordance with all final documents and testimony submitted with the Application with the finding that it is consistent with the Zoning Regulations and the site plan objectives. Second by A. Tanner. No discussion. Roll Call Vote: A. Tanner – yes; E. Starks – yes; C. Kelleher – yes; A. Fitzgerald – yes; M. Sigfridson – yes. Motion carried (5-0-0).

b. Other New Business:

1. Potential amendment to Zoning Regulations re: \$500 financial guarantee for donation bins (Sec. 6.K.2.2 of the Zoning Regulations).

Mr. Ives spoke in favor of waiving the fee for non-profits or at least the ability to waive it. Ms. Sigfridson clarified that it would be for the owner of the bin. She asked if the bin located at the Transfer Station are charged the fee. Ms. Roberson noted that the two locations where they can be permitted are the Planned Commercial Zone and the Transfer Station. When the PZC originally adopted this, the \$500 was for anybody. The rationale is that sometimes the bins get abandoned and there are costs involved in disposing of them. She stated that the PZC could take this on as a text regulation change. She suggested the following possible language to be added to the end of the existing language: “The \$500 financial guarantee shall not be collected from an organization that is tax-exempt under Section 501(c)(3) of Title 2 of the United States Code.” Mr. Ives stated that it doesn’t cost much to get rid of them (scrap iron).

Discussion continued. There was discussion regarding whether they should all be located at the Transfer Station. Mr. Tanner voiced opposition to this because there would be no access when the Transfer Station is closed. Mr. Kelleher agreed with Mr. Tanner.

Motion was made by A. Tanner to pursue a change in the Zoning Regulations to waive the fee for donation bins of not-for-profit organizations. Second by C. Kelleher. No discussion.

Roll Call Vote: E. Starks – yes; C. Kelleher – yes; A. Fitzgerald – yes; A. Tanner – yes; M. Sigfridson – yes. Motion carried (5-0-0).

2. Discussion re: temporary outdoor seating at restaurants, etc.

Ms. Roberson explained that Executive Order 7mm from the Governor authorizes restaurants to have outdoor seating and it also authorizes outdoor retail. Safety is the #1 concern. Within the context of social distancing and worker safety, the Zoning Regulations are, in a sense, by-passed to allow temporary approval to allow outdoor dining and curbside retail. It authorizes certain individuals to issue the temporary approvals (Mr. Ives and Ms. Sigfridson). Mr. Ives noted that the Fire Marshal and

Building Inspector look at it also. The Health Department says that if they have an inside license, they have an outside license. Country View will be open tomorrow morning. Ms. Roberson explained that it is not necessary to amend the Zoning Regulations to accommodate the Executive Order. She said there is a process in place for the temporary approval. She explained that it is a temporary approval with a temporary use, so it does not cover things like permanent structures. It does allow putting up picnic tables in a parking lot. It wouldn't allow building a deck for outdoor seating. The date of termination is September, but it may be continued. The PZC may authorize those uses to continue even after the state of emergency is passed.

Ms. Sigfridson commented that it's great news that there is a streamlined procedure that is already working.

VIII. Reports of Officers and Committees:

a. Staff Reports

Ms. Roberson stated that Margaret Washburn's ZEO Report (dated May 1, 2020) was included in packets to Commission Members. She stated that she had e-mailed the Connecticut Federation of Planning and Zoning Agencies Newsletter. She stated that the Governor's Executive Order has taken up some of her time. The gravel applications will be revisited at the meeting of June 3, 2020.

b. Budget Update – Included in packets to Commission Members.

Ms. Sigfridson stated that there were no surprises.

c. Correspondence. (Addressed under Staff Reports).

d. Chairman's Report. – None.

IX. Public Commentary – None.

X. Adjourn

M. Sigfridson adjourned the meeting at 7:49 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary