

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
Regular Meeting  
Wednesday, January 6, 2021  
6:30 p.m.**

To join this hearing via the web or phone, follow the below instructions:	
<b>Web</b> Go to <a href="https://zoom.us">https://zoom.us</a> Click sign in On top right, click Join a Meeting Enter meeting ID: 933 8478 0570 Enter meeting password: f25ztt	<b>Phone - Not Available</b>

**MINUTES**

**I. Call to Order** – Michelle Sigfridson, Chair, called the meeting to order at 6:40 p.m.

**II. Roll Call** –Carlene Kelleher, Austin Tanner, Earl Starks, Allen Fitzgerald, Michelle Sigfridson. Charles Sczuroski was absent with notice.

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

**Also Present:** Peter Alter, Town Attorney; Paul Archer, Archer Surveying; Robert Deluca, of CLA Engineers; Paul Terwilliger, PC Survey Associates

**III. Seating of Alternates** – None.

**IV. Election of Officers**

J. Roberson opened the floor for nominations for the position of Chair.

Motion was made by C. Kelleher to nominate Michelle Sigfridson for the position of Chair. Second by A. Tanner.

There were no other nominations. No vote taken.

Motion was made by A. Tanner to close nominations for the position of Chair. Second by C. Kelleher. No vote taken.

J. Roberson opened the floor for nominations for the position of Vice Chair.

Motion was made by A. Tanner to nominate Carlene Kelleher for the position of Vice Chair. Second by E. Starks.

There were no other nominations. No vote taken.

Motion was made by A. Fitzgerald to close nominations for the position of Vice Chair. Second by A. Tanner. No vote taken.

**VOTE TAKEN ON THE ABOVE FOUR MOTIONS:**

A vote was taken for Michelle Sigfridson for the position of Chair and Carlene Kelleher for the position of Vice Chair.

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

## **V. Review of Bylaws**

There were no suggestions for changes to the Bylaws.

## **VI. Adoption of Minutes:** Regular Meeting December 15, 2020

Motion was made by C. Kelleher to approve the Minutes of the Regular Meeting of December 15, 2020. Second by A. Tanner. No discussion.

Motion carried unanimously by voice vote (5-0-0).

## **VII. Public Commentary – None.**

## **VIII. Unfinished Business:**

**a. Reading of Legal Notice:** None.

**b. New Public Hearings:** None.

**c. Continued Public Hearings:** None.

**d. Other Unfinished Business:**

Motion was made by C. Kelleher to move **Agenda Item VIII.d.1. (Executive Session regarding potential litigation with Atty. Peter Alter)** to be **Item X.** and to renumber the remaining items on the Agenda accordingly. Second by A. Fitzgerald.

Discussion:

Mr. Ives made the Commission Members aware that there have been some issues with previous Zoom meetings where they get cut off after 40 minutes.

Motion carried unanimously by voice vote (5-0-0).

1. Proposed modification of open space dedication for SD 20-002 – 3-lot Subdivision on Church Street.

Ms. Roberson explained that the subdivision had been previously approved and that the owners (Mr. and Mrs. Bell) would like to modify the open space as previously approved as part of that subdivision.

Paul Terwilliger, PC Survey Associates, represented Mr. and Mrs. Bell. Mr. Terwilliger explained that the open-space covenant dedication, as proposed, bisected the 16-acre lot and they would like to reconfigure it to two smaller open-space areas. The way it is currently configured makes it difficult to market.

Ms. Roberson displayed the mark-up plan submitted by Mr. Terwilliger as he explained the proposal and orientated the property. He explained that the proposal would make the body of the lot more open and although it would reduce the amount of open space to 16 percent, it would still exceed the 15-percent requirement.

Ms. Sigfridson commented that it may be appropriate to have the Conservation Commission (which will meet in early February) review this proposal. Ms. Roberson agreed and asked if Mr. and Mrs. Bell would be in agreement with extending the deadline to file the subdivision plans (if needed). Mr. Terwilliger questioned what the Conservation Commission had originally recommended (open space or fee-in-lieu?). Ms. Roberson said that they supported the open space as originally proposed. She displayed and referred to the table on the plan showing that the relative area of wetlands on this open-space proposal is considerably higher than that of the original parcel. She offered that she could refer the proposal to the

Conservation Commission. Ms. Roberson displayed the full plan and explained that the two proposed open-space areas were connected as a continuous conservation easement in the original approved proposal. She commented that, typically, the area of wetlands in the open-space easement is usually an equal ratio to that of the original parcel.

There was discussion and Mr. Ives questioned why not be more inclined to fee-in-lieu rather than ending up with pieces of useless land. Mr. Tanner commented that they like to see contiguous land and he doesn't like to see it separated. Ms. Kelleher asked whether there is a requirement regarding the amount of wetlands. Ms. Roberson stated that it is not a requirement and said that the Commission always has discretion in selecting the most appropriate open space. Ms. Sigfridson commented that fee-in-lieu is an option and asked how the Applicant would feel about that. Mr. Terwilliger stated that Mr. Bell does not want to bisect the property in any way and Mr. Terwilliger explained that he does not see a way to connect the two areas very effectively without running some kind of easement through the property. Mr. Terwilliger said that if the Commission is not amenable to this proposal, which is what the Applicant prefers, then the Applicant would go for the fee-in-lieu and they would have to get an appraisal. Ms. Kelleher asked whether the proposal should be referred to the Conservation Commission for their recommendation. Ms. Sigfridson commented that she feels that it would be good to get their input.

Motion was made by C. Kelleher to refer the proposed modification of open space dedication for SD 20-002 – 3-lot Subdivision on Church Street to the Brooklyn Conservation Commission for their recommendation regarding fee-in-lieu of open space vs. the proposed open space.

Second by A. Fitzgerald. No discussion.

Motion carried unanimously by voice vote (5-0-0).

## **IX. New Business:**

### **a. Applications:**

- 1. SD 21-001 – 4-lot Subdivision,** Applicant: Square One Building Associates; 23 acres on the west side of Tripp Hollow Road (Map 7, Lot 121) in the RA Zone; Proposed creation of 4 residential building lots.

Paul Archer, Archer Surveying, represented the Applicant. Robert DeLuca, CLA Engineers, was also present. Mr. Archer gave an overview:

- Property is located on the westerly side of Tripp Hollow Road, along the southerly line of Brooklyn and the northerly line of Canterbury.
- A six-lot conservation subdivision, previously approved approximately a year ago, is to the north and east of this property.
- Proposing an open-space easement which will abut the conservation easement on the above-referenced six-lot conservation subdivision. They will submit the proposal to the Conservation Commission.
- It has been approved by the IWWC.
- It has been approved by the Health Department.
- Syl Pauley has reviewed it and Mr. Archer stated that all of Mr. Pauley's comments have been answered.
- Mr. Archer asked if a public hearing would be scheduled or if there are any questions for himself or for Mr. DeLuca.

There were no questions from the Commission and no desire for a public hearing or a site walk was expressed. Ms. Roberson explained where the property is and

stated that the proposal is for one frontage lot and three rear lots served by a common driveway.

Mr. DeLuca displayed plans as he orientated and gave an overview:

- He indicated how the topography all slopes away from Tripp Hollow Road to a wetland that runs through near the rear of the middle of one of the four lots.
- He indicated the location of the proposed open space and where it is in relation to the conservation easement in the previously approved six-lot conservation subdivision (which has no access).
- He indicated the location of the shared driveway.
- He indicated the location where the wetland crosses.

There was discussion regarding the open space and Mr. Archer explained that the proposed open space would be a conservation easement as in the previously approved six-lot conservation subdivision which is also owned by the Applicant, Square One Building Associates. He said that, if accepted by the Conservation Commission, it would be one, large open space easement.

Ms. Roberson will notify neighboring towns since it is within 500 feet of the town lines.

Ms. Sigfridson asked if the Commission would like a site visit. No desire for a site visit was expressed.

Ms. Roberson stated that the PZC would be looking at this proposal again in the future. Ms. Roberson will present this proposal to the Conservation Commission at its meeting on the first Monday in February.

**b. Other New Business: None.**

**X. Executive Session regarding potential litigation with Atty. Peter Alter**

Motion was made by A. Tanner to enter into Executive Session at 7:19 p.m. to discuss a legal matter. Invited into Executive Session: M. Sigfridson, C. Kelleher, A. Tanner, E. Starks, A. Fitzgerald, Attorney Peter Alter, Richard Ives, Jana Roberson. Second by A. Fitzgerald. No discussion. Motion carried unanimously by voice vote (5-0-0).

The Executive Session ended at 8:37 p.m. The Commission waited for the Recording Secretary to log back into the meeting.

At 8:43 p.m., due to the Court's Memorandum of Decision on the Appeal, M. Sigfridson recused herself from discussion/action regarding Brooklyn Sand and Gravel.

Acting Chair, C. Kelleher stated that there was no longer a quorum and she stated that any action of the Commission would be deferred until the next meeting.

M. Sigfridson returned at 8:44 p.m. and resumed the position of Chair.

**XI. Reports of Officers and Committees:**

a. Staff Reports

Ms. Roberson stated that she did not have anything further to report, but that ZEO, Margaret Washburn's report was included in packets to Commission Members.

b. Budget Update

Ms. Roberson stated that she did not have an update other than what she had provided at the last meeting. She stated that the Finance Department is working on revenues.

c. Correspondence – None.

d. Chairman's Report – None.

**XII. Public Commentary – None.**

**XIII. Adjourn**

The meeting adjourned at 8:47 p.m.

Respectfully submitted,

J.S. Perreault  
Recording Secretary