

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

3 WAYS TO ATTEND: IN-PERSON, ONLINE, AND BY PHONE

In-Person: Clifford B. Green Meeting Center, Suite 24, 69 South Main Street, Brooklyn, CT All attending in person are required to wear masks.	
Online: Click link below: https://townofbrooklyn.my.webex.com/townofbrooklyn.my/j.php?MTID=m03cff485e32a4158afe905fc971a3c27	Go to www.webex.com, click Sign In OR On the top right, click Join a Meeting Enter meeting ID: 126 815 8731 Enter meeting password: First
Phone: Dial 1-415-655-0001 Enter meeting number: 126 815 8731 Enter meeting password: 34778 You can bypass attendee number by pressing #	

MINUTES

- I. Call to Order** – Michelle Sigfridson, Chair, called the meeting to order at 6:34 p.m.
- II. Roll Call** – Michelle Sigfridson, Carlene Kelleher, Earl Starks, Allen Fitzgerald, Seth Pember (all present in person).
Charles Sczuroski, John Haefele and J.R. Thayer were absent with notice.
Austin Tanner was absent.
- Staff Present:** Jana Roberson, Director of Community Development; Rick Ives, First Selectman and ex officio Member of the Planning & Zoning Commission; Town Attorney, Peter Alter (all present in person).
- Also Present in Person:** David Held, Provost & Rovero; Lori Corriveau and Sara Mooney, both of Little Dipper Farm.
- Present Via Webex:** Jim Olimpiere, Consolidated Edison Solutions, Inc.; Michael Licamele, CHIP Fund 6 LLC & CHIP Fund 8 LLC; Amaris Jattan; J.S. Perreault, Recording Secretary.
- III. Seating of Alternates**
- Motion was made by A. Fitzgerald to seat Alternate S. Pember as a Voting Member for this meeting. Second by C. Kelleher. No discussion.
Motion carried unanimously by voice vote (5-0-0).
- IV. Adoption of Minutes:** Regular Meeting September 21, 2021
- Motion was made by C. Kelleher to approve the Minutes of the Regular Meeting of September 21, 2021. Second by A. Fitzgerald. No discussion.
Motion carried unanimously by voice vote (5-0-0).
- V. Public Commentary** – None.

VI. Executive Session re: pending litigation

Motion was made by A. Fitzgerald to go into executive session at 6:39 p.m.
Second by C. Kelleher. No discussion.
Motion carried unanimously by voice vote (5-0-0).

Included in Executive Session:

Michelle Sigfridson; Carlene Kelleher; Earl Starks; Allen Fitzgerald; Seth Pember; Attorney Peter Alter; Rick Ives; Jana Roberson.

Motion was made by A. Fitzgerald to come out of executive session at 7:13 p.m.
Second by S. Pember.
Motion carried unanimously by voice vote (5-0-0).

VII. Unfinished Business:

- a. **Reading of Legal Notices: None.**
- b. **New Public Hearings: None.**
- c. **Continued Public Hearings: See below.**
- d. **Other Unfinished Business:**
 1. **SP 21-002:** Special Permit Application for Multi-Family Development (51 Condominium units) on south side of Louise Berry Drive (Assessor's Map 33, Lot 19), 13.5 acres, R-30 Zone, Applicant: Shane Pollack. ***Public Hearing continued to October 19, 2021. Need to reschedule site walk.***

Ms. Roberson gave an explanation of the rules that would need to be followed for a site walk and explained that a site walk is not mandatory.

There was discussion and it was decided to reschedule a site walk (October 12, 2021, 5 p.m.).

2. **SPR 21-003:** Site Plan Review Application for ground-mounted solar panels at 80 South Street, 8.6 acres, RA Zone, Applicant: Consolidated Edison Solutions, Inc.

Jim Olimpiere represented the Applicant and gave an overview (plans and photos were displayed as they were discussed):

- Roughly 45' long x 20' deep x 10' tall.
- In the side yard.
- Not visible from the road.
- There will be a trench from the array to the exiting home.
- Locations were indicated for the array, the home, the driveway, pine trees/landscaping, and the path of the trench.
- The highest end of the array is 10'9" on the back end and on the front it is roughly 3 feet (2.5 feet from the grid).
- Mr. Olimpiere explained that there are no footings. There are large earth screws that are screwed into the ground with a Bobcat logger.

J. Roberson stated that all materials submitted by the Applicant are in the packets including her questions.

Ms. Roberson asked/commented regarding the following:

- What kind of screening are they planning?
They are not planning any because it is far from the road with no visibility from the road.

- Ms. Roberson stated that she drove by the site and that she included a photo of the view from the road in the packets. She explained that the 10-foot panels would be virtually invisible as it would be shielded by the terrain and existing vegetation.
- Ms. Roberson explained that they submitted information regarding glare for solar panels which are designed and coated for minimum glare.
- Ms. Roberson explained that Staff looked at the location in light of the Regulations that prohibit ground-mounted solar in the front yard. She said that the location, in proximity to the house, it is actually in the defined side yard.
- Ms. Roberson stated that it meets the setbacks of the zone.
- Ms. Roberson stated that, in her opinion, it meets the requirements of Section 6.N of the Zoning Regulations, in particular, for ground-mount solar panels.

There were no questions or comments from the Commission.

Motion was made by C. Kelleher to approve Site Plan Review Application SPR 21-003 for ground-mounted solar panels at 80 South Street with the finding that the proposal complies with Section 6.N of the Brooklyn Zoning Regulations.

Second by E. Starks. No discussion.

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

3. **SPR 21-004:** Site Plan Review Application for ground-mounted solar panels at 5 Front Street and 29 Tiffany Street, 1.8 acres, R-10 Zone, Applicant: CHIP Fund 6 LLC & CHIP Fund 8 LLC.

David Held, Professional Engineer and Land Surveyor with Provost & Rovero, represented the Applicant and gave an overview. He displayed plans as they were discussed (not visible via webex).

- The two properties, previously owned by the Town of Brooklyn, were transferred to the current owners several years ago. A multi-family building on Front Street was in serious disrepair and the Applicant has started rehabilitation of the building and wants to incorporate solar to offset some of the electricity usage.
- The buildings on Front Street (15 units) and Tiffany Street (12 Units) are both served by a single transformer and the electrical lines will go back and forth between both properties and will offset the load for both properties.
- The Tiffany Street property is currently in use (rented out). The Front Street property is undergoing renovations and they would like to incorporate solar at the same time.
- The array itself is two parts and there are three separate ground mount arrays. The upper one is a carport structure with solar modules on the roof. They are providing some covered parking spaces for the apartment building.
- He indicated a lot owned by the Town of Brooklyn and a paved parking lot for that building and upper-level and lower-level parking lots on the Quebec Square side. He indicated property boundaries how they cut across the parking lot for the Tiffany Street apartment building. He explained that not much attention was paid to the property boundaries at the time of transfer and he mentioned that they could work with the Town at some time in the future to correct this situation.

Mr. Ives clarified that the Housing Authority had owned one of the properties and sold it to the Town of Brooklyn, so the lower section is now owned by the Town of Brooklyn.

- The ground-mount array is sitting on a southerly-facing grass slope. They are requesting a waiver of one of the setback requirements in the accessory structure setback requirements. He said that Ms. Roberson had informed him that it was not intent of the Regulation – it was to meet the primary building setback requirements. He indicated the boundary line where they do not meet the requirement (facing the large paved parking lot). They feel that the waiver would be appropriate.
- Mr. Held addressed Ms. Roberson's question regarding screening. He said that, from Front Street, it is essentially invisible with the exception of a small area on a down-facing slope, which he indicated on the plan. (Ms. Roberson explained views of photos that she had included in packets to Commission Members.) She said that, in her opinion, the most visible location would be from south of Tiffany Street driveway. Mr. Held explained that they have to install a perimeter fence around it for safety reasons and he offered that they could put wood slats in to reduce the visibility, if this is a concern of the Commission. Mr. Ives expressed concern regarding visibility and glare.
- Mr. Held referred to the information that the Staff and Commission had received regarding glare for Application **SPR 21-003** (approved above) and he explained that solar panels are designed to absorb energy, not reflect it. He explained that this is a fixed tilt (tilted 25 degrees up from horizontal) and any light that does bounce off, will bounce off at the same angle that it comes in. It would be reflected well over the top of the building. The lower grade helps also.
- He said that it will be visible from the building, but the Regulations do not speak to screening from anything other than the public right-of-way (the street). He said that they would be happy to address it by installing the wood slats in the fence.
- For the ground-mount portion, the maximum height at the back of the panels would be about 12 feet where the grade drops off a little from east to west. But, for the most part, it will be a little less than 12 feet.
- The fence is a 6-foot fence.
- The required setback for rear yard is 15 feet and they are at 10.2 for a difference of 4.8 feet. Mr. Held stated that if the Commission does not feel that the waiver is appropriate, they can shorten the distance between the sections to comply with the 15 feet. He explained that they can push them a little closer together (2 ½ feet) because it is a south-facing slope. There was discussion. Ms. Roberson read from the Regulations regarding setback requirements.
- There was discussion regarding the wood slats in the chain-link fence and it was decided that vinyl inserts are preferred rather than wood. Ms. Roberson suggested a green color.
- Maximum height of the ground-mount structure would be about 12 feet above grade and the maximum height of the carport structure would be 14 feet above grade.

There was discussion. Mr. Held stated that they could provide the slats in the fencing and he specified that the southerly and easterly sides is where it would make sense.

Motion was made by S. Pember to approve Site Plan Review Application SPR 21-004 for ground-mounted solar panels at 5 Front Street and 29 Tiffany Street with the following conditions in accordance with Section 6.N of the Brooklyn Zoning Regulations:

- 1) That screening shall be required.
- 2) That all standard zoning setback requirements shall be met.

There was no second to the motion.

There was discussion.

Motion was made by S. Pember to amend his motion as follows:

To approve Site Plan Review Application SPR 21-004 for ground-mounted solar panels at 5 Front Street and 29 Tiffany Street with the following conditions in accordance with Section 6.N of the Brooklyn Zoning Regulations:

- 1) That screening shall be required on the southerly and easterly sides with vinyl slats in chain-link fence.
- 2) That all standard zoning setback requirements shall be met.

The Amended Motion was seconded by E. Starks. No discussion.

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

VIII. New Business:

a. Applications: None.

b. Other New Business:

1. Preliminary Discussion with Lori Corriveau and Sara Mooney of Little Dipper Farm (formerly the Golden Lamb).

Ms. Corriveau and Ms. Mooney gave a slide presentation entitled, “Where Sustainable Agriculture Meets Outdoor Adventure” and explained their vision for the property including the following:

- They intend to keep the vista/view.
- They have planned fall farm activities including: plantings; rebuilding the greenhouse; compost bunker installation.
- A Last Green Valley Walktober event – Tours from 10 am to 2 pm.
- Little Dipper Holiday Bazaar Events: November 26-27; December 3-4; December 10-11.
- Spring 2022 – They plan to plant 3 acres of elderberry bushes.
- Outdoor Programs: Mountain Bike Trails (NEMBA); Firelight Camps upscale camping.
- There will be a restaurant component.

J. Roberson explained some of the uses are not agricultural and that they will be looking for zoning under the Planned Development Zone Regulations.

Mr. Ives expressed that this is a wonderful opportunity for Brooklyn. There was discussion regarding memberships which they explained are geared toward bringing in people from outside this community (e.g. Boston, Providence) and they will also have activities for local the community.

Motion was made by C. Kelleher to amend the agenda to add the following items under “Other New Business”:

VIII.b.2 – **ZRC 21-001:** Request to change Zoning Regulations, and

VIII.b.3 - **SRC 21-001:** Request to change Subdivision Regulations.

Second by A. Fitzgerald. No discussion.

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

2. **ZRC 21-001:** Request to change Zoning Regulations.

David Held explained that he is going to be working on a Conservation Subdivision design and the Subdivision Regulations have not been updated to coincide with the Zoning Regulations. He said there a lot of inconsistencies that could create potential conflicts and there are some housekeeping things that make it more difficult to apply the Regulations. He said these changes are relatively straightforward.

Ms. Roberson suggested November 3rd for the public hearings.

Motion was made by C. Kelleher to schedule a public hearing for **ZRC 21-001:** Request to change Zoning Regulations, Applicant: David Held, to the regular meeting of the Planning and Zoning Commission to be held on November 3, 2021, at 6:30 p.m., in the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT.

Second by A. Fitzgerald. No discussion.

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

3. **SRC 21-001:** Request to change Subdivision Regulations. (See discussion above Item VIII.b.2).

Motion was made by A. Fitzgerald to schedule a public hearing for **SRC 21-001:** Request to change Subdivision Regulations, Applicant: David Held, to the regular meeting of the Planning and Zoning Commission to be held on November 3, 2021, at 6:30 p.m., in the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT.

Second by S. Pember. No discussion.

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

Ms. Roberson noted that it is not very often that there are private petitions for the above type of changes. Discussion continued.

IX. Reports of Officers and Committees:

a. Staff Reports

J. Roberson gave an update on the Housing Plan for Brooklyn.

Margaret Washburn's Report was included in packets to Commission Members.

Ms. Roberson spoke about regular meeting dates to know when applications are received.

b. Budget Update – No discussion.

c. Correspondence – None.

d. Chairman's Report – Inaudible.

X. Public Commentary – None.

XI. Adjourn

The meeting adjourned at 8:38 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary