

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
Regular Meeting  
Wednesday, November 3, 2021 6:30 p.m.**

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

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

**MINUTES**

- I. Call to Order** – Michelle Sigfridson, Chair, called the meeting to order at 6:33 p.m.
- II. Roll Call** – Michelle Sigfridson, Carlene Kelleher, Earl Starks, Allen Fitzgerald, Seth Pember. Austin Tanner arrived at 6:35 p.m. (all were present in person). Charles Sczuroski and John Haefele were absent with notice. J.R. Thayer was absent.

**Staff Present:** Jana Roberson, Director of Community Development.

**Also Present in Person:** David Held, Provost & Rovero.

**Present Via Webex:** J.S. Perreault, Recording Secretary.

**III. Seating of Alternates**

Motion was made by C. Kelleher to seat Alternate S. Pember as a Voting Member for this meeting. Second by A. Fitzgerald. No discussion.  
Motion carried unanimously by voice vote (4-0-0). A. Tanner was not present for this Motion.

**IV. Adoption of Minutes:** Regular Meeting October 19, 2021

Motion was made by A. Fitzgerald to approve the Minutes of the Regular Meeting of October 19, 2021, as presented.  
Second by E. Starks. No discussion:  
Motion carried unanimously by voice vote (5-0-0). A. Tanner was not present for this Motion.

**V. Public Commentary** – None.

**VI. Unfinished Business:**

- a. **Reading of Legal Notices:** Jana Roberson read aloud the Legal Notice for ZRC 21-001 and SRC 21-001 which was published in the Villager and posted on the Town website.

b. **New Public Hearings:**

1. **ZRC 21-001:** Request to change Zoning Regulations concerning Conservation Subdivisions, Applicant: David Held.

**David Held**, Professional Engineer and Land Surveyor, was present (in person) and he explained that he finds that there are a lot of inconsistencies between the new Zoning Regulations and the old Subdivision Regulations. He feels that the changes would make the Zoning Regulations more user friendly and may encourage conservation subdivisions. Mr. Held reviewed his proposed amendments regarding Section 6G of the Zoning Regulations outlined in his letter to the PZC dated October 4, 2021 (included in packets to Commission Members):

**6.G.2 OVERALL STANDARDS AND DESIGN PROCESS**

- 6.G.2.1.b – Add duplexes as a use in conservation subdivisions as applicable technical and dimensional requirements would need to be met.
- 6.G.2.5 – Remove item “n” regarding trees (DBH).
- 6.G.2.6 – Regarding the word “shall.” This item to read as follows, “Areas of the site which are not considered Primary Conservation Areas or Secondary Conservation Areas will generally be the preferred potential development areas for the siting of buildings, streets and other improvements.”
- 6.G.2.7 – Regarding the word “shall.” This will give more flexibility when evaluating properties with one or more resources. First sentence of this item to read as follows, “Areas of the site which are considered Primary Conservation Areas or Secondary Conservation Areas will generally be the preferred potential areas considered for the permanent protection by one of the following means:”
- 6.G.2.8 – Delete. He explained that the density in a conservation subdivision is already spelled out in very strict terms (built-in density cap). He feels this would greatly encourage conservation subdivisions.
- 6.G.2.9 – Delete. He explained that the requirement to meet conventional setback standards at the perimeter of the property which he feels includes the street line (so it is already build-in). He asked, what is less aesthetic about development in a conservation subdivision vs a conventional subdivision? Why fifty additional feet?

**6.G.3 DIMENSIONAL STANDARDS**

- 6.G.3.5.a – Reduce access strip width from 50 feet to 25 feet. He said that it works well in other towns.
- 6.G.3.5.b – To read as follows, “There shall be no more than two access strips within 300 feet of frontage on the same side of the street.” He said some people don’t want a shared driveway and he explained how to allow some flexibility (front lot, rear lot, front lot, rear lot).
- 6.G.3.5.c – Delete maximum length of an access strip to allow more flexibility.

**6.G.4 ROAD REQUIREMENTS**

- 6.G.4.2.c – He no longer proposes to change “Town Counsel” to “Board of Selectmen” because Ms. Roberson had advised him that it is not a typographical error as it refers to the Town’s Legal Counsel.

**COMMENTS FROM STAFF:**

**J. Roberson** explained that it is very useful to get a proposal from someone like Mr. Held who is very familiar with the Regulations and how they work because it lets us see how others are interpreting them. She explained that her comments are

not meant to convince the Commission Members in one way or another, just to provide a different perspective. Ms. Roberson stated that she has consulted with Attorney Peter Alter regarding these proposed amendments and he is not ready with an opinion as of this time. Ms. Roberson reviewed each of the proposed amendments:

#### **6.G.2 OVERALL STANDARDS AND DESIGN PROCESS**

- 6.G.2.1.b – Ms. Roberson stated that there was recent legislation related to accessory dwelling units. She and Attorney Alter are trying to figure out how this impacts the Brooklyn Zoning Regulations as well as this proposal. There is a concern that any duplex could become a “four-plex.”
- 6.G.2.5 – Regarding trees, Ms. Roberson stated that this is a good point as trees are very hard to capture on a survey. It is a lot of extra work.
- 6.G.2.6 – Regarding Primary and Secondary Conservation Areas, Ms. Roberson stated that she has wondered why they need to be separated. She cautioned about changing “shall” to “generally preferred.”
- 6.G.2.8 – Regarding the requirement for open space to have the same qualities as the original parcel, Ms. Roberson explained about the equal ratio clause and she asked if the Commission would want all of the open space to be unusable. She said that the point behind the equal ratio clause, which she said she is not a fan of, is that some of the open space would be functional open space (e.g. to be used for passive recreation).
- 6.G.2.9 – Regarding the buffer from the road, Ms. Roberson explained that making the development essentially invisible from the road preserves the scenery from the road. On the other hand, the development eats up more habitat than it would if it were closer to the road.
- 6.G.3.5.a, 6.G.3.5.b and 6.G.3.5.c regarding access strips: Ms. Roberson said that she has no real comments regarding changing from 50 feet to 25 feet. She said that the section concerning access strips has been a regulation that has been worked on since her employment with the Town and the idea behind this regulation is that you would not want to see stacked driveways. She said that the proposed language would allow the stacking of driveways. Regarding length, Ms. Roberson stated that she thinks it is in there for public health, safety and welfare relating to access for emergency vehicles. So, if the Commission eliminates the length requirement, she suggests that they consider some regulations concerning fire truck access.
- 6.G.4.2.c – Ms. Roberson suggested the following language, “Review by the Planning and Zoning Commission’s attorney.”

#### **COMMENTS FROM COMMISSION MEMBERS:**

##### **M. Sigfridson**

- 6.G.2.1.b – M. Sigfridson explained that she is all for the proposal regarding duplexes.  
There was discussion as S. Pember voiced concern regarding duplex/quad-plex. Mr. Held explained that it would be more of a concern in an area where there is public water and sewer. However, public water and sewer are not typically available in the RA Zone and you that have to meet the public health code.  
There was discussion regarding the new legislation and Ms. Roberson stated that she does not think that it is going to have a huge impact on our Regulations because we already allow duplexes, however, the Town Attorney has concerns and is still reviewing it. C. Kelleher suggested that it could be allowed and then changed, if needed. M. Sigfridson

commented that all of the Regulations regarding duplexes would need to be changed, not just for conservation subdivisions. Discussion continued.

- 6.G.2.5 – No discussion regarding trees.
- 6.G.2.6 – Regarding Primary and Secondary Conservation Areas, Ms. Sigfridson stated that she appreciates having flexibility and discretion, but shares Ms. Roberson’s concern about how it would be implemented. She read aloud from the Regulation and said that it does not explicitly say that development areas cannot be sited in primary and secondary conservation areas.

There was discussion. Ms. Roberson explained that we have been building in some secondary conservation areas.

Mr. Held stated offered that we can forget about this one as he understands that zoning regulations are not supposed to be arbitrary and this does make it a little bit arbitrary. Ms. Roberson referred to the Purpose Section of Conservation Subdivisions where there is a list that she suggested could be used as preferences for the term “generally preferred.” She said that it is important to say whose preference it is. Ms. Sigfridson stated that you could say both. Ms. Kelleher suggested leaving it the way that it is. M. Sigfridson stated agreement with that also.

- 6.G.2.8 – Regarding the requirement for open space to have the same qualities as the original parcel, Ms. Sigfridson stated that it’s supposed to be a give and take and if you’re just setting aside unbuildable land as open space, the developer is not really giving up anything to earn the density bonus. There was discussion. Mr. Held explained that the old Subdivision Regulations (and probably the old Zoning Regulations) included a yield plan where you can’t increase the density beyond what you can get in a conventional subdivision. Discussion continued. Mr. Held explained the 0.6 acre method vs the yield-plan method and how the densities come out to be about the same as the 0.6 factor, which he stated that he feels should be the controlling thing rather than saying that we won’t give you credit for anything other than buildable lot land at the same ratio for the open space. He explained that he wouldn’t have a problem with it if the bulk of what you’re saying is important to you to conserve, is exactly those resources that nobody wants to give credit for. Ms. Sigfridson asked, why should you get credit for setting aside something that you can’t build on anyway? Mr. Held explained that he would understand that if there were no built-in density limitation. Ms. Sigfridson clarified that the Regulation does not say “shall,” it says that the Commission “has the right...” Ms. Roberson read the definition of buildable land from the Regulations.

Mr. Pember noted that there is no “shall” in either 6.G.2.8 or 6.G.2.9. He said they are both open to Commission option/discussion. He does not see the need to delete either. Ms. Sigfridson stated agreement noting that 6.G.2.9 is worded more strongly.

Ms. Roberson clarified and Mr. Held agreed that he was speaking of .6 lots per acre. Ms. Sigfridson stated that it works out to be 75,000 s.f. per lot.

Ms. Roberson explained that it is the overall density and that sets the yield. They would be clustered on smaller lots and the difference goes to the open space.

Mr. Fitzgerald stated that make him not want to get rid of the 100-foot buffer. Ms. Sigfridson stated disagreement and stated her preference that the houses belong on the road, not in the woods because she would not

want to further fragment the forest. There was discussion regarding the current language which states “where at all possible.”

Ms. Kelleher explained that she prefers to avoid things that come out looking like the way the subdivision on Day Street looks. Ms. Sigfridson suggested figuring out what is displeasing about it and try to fix the Subdivision Regulations. There was discussion. Mr. Held explained that, from a developer’s standpoint, it is a balancing act and that there would need to be some sort of compelling reason to choose to do a conservation subdivision over a conventional subdivision. There would need to be some kind of a savings to make it a viable choice. He feels it would come through flexibility and having to build less infrastructure.

Ms. Sigfridson commented about how some people move here because they want to live where they can see wildlife and with a conservation subdivision, you could. Discussion continued. Ms. Sigfridson asked whether the Conservation Commission should be asked for input on this and no one stated that they should be asked.

- 6.G.2.9 – Regarding the 100-foot buffer from the road. Ms. Sigfridson asked if there were any other opinions to removing the requirement of a buffer. There were no comments.
- 6.G.3.5.a, 6.G.3.5.b and 6.G.3.5.c – Ms. Sigfridson asked if there were any questions or comments regarding the request to change the access strip requirements. There was discussion regarding the number of driveways and garages. Mr. Pember commented that whether it is one access strip per 300 feet or two access strips per 300 feet is not a major concern. Ms. Roberson, again, voiced concern regarding driveways being stacked side-by-side. Mr. Held suggested driveway/front lot/driveway/front lot/driveway/front lot. Keeping trees and staggering the buildings also helps.
- 6.G.3.5.a – There was discussion regarding requirements for width of driveways/aprons/access strips. Mr. Held explained that access strip width varies between 25 feet and 50 feet from town to town. He said that 25 feet is a practical minimum and works fine, but, he does not recommend going any less than that. Ms. Sigfridson stated that she would be okay with reducing it to give more flexibility for design in a conservation subdivision. Mr. Fitzgerald stated that he thinks 30 feet is better and Ms. Sigfridson stated agreement with that.

Ms. Sigfridson suggested the following for 6.G.3.5.b, “There shall be no more than two access strips within 300 feet and no two access strips shall be adjacent.” Mr. Pember suggested that, for clarification, there be some kind of parameter of separation such as 50 feet between them. Ms. Sigfridson noted that they would be at least 100 feet apart due to the frontage requirement. Ms. Roberson voiced concern that someone could be creative and get around that (it could be open space/drainage easement/just part of some other lot). Mr. Held suggested that you could say that there must be at least 100 feet separating access strips. Mr. Tanner agreed with that and Ms. Roberson stated that she thinks that handles it. There was discussion regarding that it may need to be more where there is a safety concern.

- 6.G.3.5.c – There was discussion regarding maximum length of an access strip to allow more flexibility.

Mr. Pember stated that he feels it may be a benefit to delete this especially if we reduce the amount of usable land because you may have to go back further to get enough space. Fire safety was discussed and Mr.

Held stated that it would be the same as for a conventional subdivision (which has no such limit). Ms. Roberson read aloud Section 7.E.1.5 from the Regulations for driveways pertaining to public safety (“as determined by the Fire Marshal”), length and width. She suggested that the Commission may, at some point, want to look at the Regulations pertaining to driveways (in general). She said that fire access is definitely a concern.

Ms. Sigfridson commented that the Regulations internally conflict with each other. Ms. Kelleher suggested that we should get rid of it and, if it causes a problem, put it back in. Ms. Sigfridson stated agreement. Mr. Fitzgerald commented that instead of removing it from the Conservations Regulations, maybe it should be added to the Subdivision Regulations. Discussion continued. Mr. Fitzgerald commented that he thinks that a lot of the reason for these amendments has to do with duplexes, which is fine, as it creates housing that is more affordable for younger people to purchase. Ms. Kelleher commented that she likes the Brooklyn Commons concept for buffering. Discussion regarding buffers continued and Ms. Sigfridson suggested the following language be used, “the Commission has the right to require a buffer...” rather than “where at all possible” and then have the discretion to decide on a case-by-case basis whether to conserve the land in the back or preserve the view from the street. Ms. Kelleher suggested deleting the last sentence for the 100-foot buffer. Ms. Sigfridson agreed. There was no interest expressed in referring to the Conservation Commission.

There was no public comment.

Motion was made by A. Fitzgerald to close the public hearing for **ZRC 21-001**: Request to change Zoning Regulations concerning Conservation Subdivisions, Applicant: David Held.

Second by C. Kelleher No discussion.

Motion carried unanimously by voice vote (5-0-0). S. Pember was not present for this Motion.

2. **SRC 21-001**: Request to change Subdivision Regulations concerning Conservation Subdivisions, Applicant: David Held.

**David Held**, Professional Engineer and Land Surveyor, was present (in person) and he explained that the Zoning Regulations had been recently updated which created inconsistencies between the new Zoning Regulations and the Subdivision Regulations. Mr. Held reviewed his proposed amendments regarding Section 5A of the Subdivision Regulations outlined in his letter to the PZC dated October 4, 2021 (included in packets to Commission Members):

**ARTICLE 5A – CONSERVATION SUBDIVISION REGULATIONS:**

**5A.2 General Requirements: Conservation Subdivisions:**

- 5A.2.3 – Add duplex buildings as an allowable use for conservation subdivisions.
- 5A.2.5 – To read as follows (to be consistent with the Zoning Regulations), “Density shall not exceed 0.6 lots per acre of buildable land.”
- Mr. Held stated that the Commission may want to add the definition for buildable land (taken from the Zoning Regulations).

**5A.3 – Applicability Procedure:** To read as follows, “It shall be at the discretion of an applicant whether an application for subdivision of land which

meets the criteria listed in Section 5A.2.1 and 5A.2.2 is proposed as a Conservation or Conventional Subdivision.”

Mr. Held feels that it is important to leave this decision up to the applicant because a lot of people would not want to live in a conservation subdivision and would rather have two acres of land because they want more space. He also feels that the applicant would want to provide a housing product that meets the demand of who they are trying to reach.

- 5A3.1 through 5A.3.5 – Delete because there is no consistency with the Zoning Regulations as written and replace with things that were taken verbatim out of the Zoning Regulations regarding site analysis map, and what that would show, your primary conservation areas, secondary conservation areas, prioritized for conservation and means and methods you would go about conserving them whether it be conservation easements or a simple dedication (this would be new Sections 5A3.1 through 5A.3.6).

#### **5A.4 – Dimensional Standards:**

- 5A.4.1 – Added the definition of buildable land as he feels that it belongs here since it only pertains to conservation subdivisions.
- 5A.4.5.a – Mr. Held stated to change to 30 feet wide to reflect the discussion above under Agenda Item VI.b.1 (ZRC 21-001).
- 5A.4.5.b – Mr. Held stated there must be at least 100 feet separating access strips as discussed above under Agenda Item VI.b.1 (ZRC 21-001).

**5A.5 – Road Requirements:** No changes proposed.

**5A.6 – Legal Requirements:** No changes proposed.

**Old 5A.4 through old 5A.8.11 – Delete/Replace.** Mr. Held said that the only thing the Commission may need to discuss would be Section 5A.6.9 regarding the percentage of buildable land for open space.

#### **COMMENTS FROM STAFF:**

**J. Roberson** again explained that a perspective from an actual user of the Subdivision Regulations is a wonderful insight to have and she stated that she would not try to convince the Commission one way or the other. She said that she has spoken with Land Use Attorney Peter Alter and the main thing regarding this proposal is who decides what kind of subdivision it is. Mr. Held suggests that it be the applicant and Attorney Alter said, “When you have no way to say no, you have to say yes.” Ms. Roberson cautioned that if you give up that authority, you would have to change the Regulations to get it back. She asked the Commission Members to consider if that is what they want.

- Regarding Primary and Secondary Conservation Areas – She said that pulling from the Zoning Regulations is great because when finishing up with the Zoning Regulations, it was the intent to also update the Subdivision Regulations (which has not been done yet).
- 5A.3.1 – Regarding landscape architect/civil engineer/surveyor. Mr. Roberson spoke of the need for qualified individuals such as soil scientist and wildlife biologist. There was discussion. Mr. Fitzgerald suggested adding “not limited to.” Ms. Sigfridson asked if these are, by default, requiring that the applicant hire these qualified individuals/experts. Ms. Roberson spoke of some of the concerns of Attorney Alter although he is not trying to influence the decision of the Commission:
  - Ms. Roberson spoke of preliminary sketch vs a more detailed delineation of primary and secondary conservation areas.

- Attorney Alter also asked why upland review areas are not on the list. Mr. Held stated 125 feet from a wetland and 175 from a watercourse.
- Ms. Roberson said that Attorney Alter was very concerned about the private roads because the natural inclination is for people to eventually petition for it to be a public road. There was discussion and Ms. Sigfridson asked how to address this concern. Ms. Kelleher suggested that private roads be left in. Mr. Pember referred to the Regulations and said that it would be stated in the original deed. Ms. Kelleher stated that she thinks that preliminary review and the preparation of two plans used to be in the Regulations, but it is no longer there. She said that if it is put into the Subdivision Regulations, it should also be put back into the Zoning Regulations.

Ms. Sigfridson explained that she agrees with Attorney Alter that the Commission should decide whether Conservation or Conventional Subdivision. Mr. Pember stated agreement. Mr. Tanner stated agreement and said that there should be incentive. Ms. Sigfridson stated that they should consider the suggestions to make the Regulations more user friendly to give the developers incentive and still maintain the ability to ask for Conservation Subdivision if the Commission feels it is a better use of that land for the Town. Ms. Kelleher suggested that it added that it be applied to subdivisions with at least four or five lots. Discussion continued.

Regarding 5A.3.1, Ms. Sigfridson asked if it is being suggested that it now be required that the application materials be prepared by a professional. Mr. Held explained that the Commission can use common sense discretion depending on the plan because sometimes you don't necessarily need the expert. Ms. Roberson said that it is in the Zoning Regulations and probably needs to be rephrased. There was discussion. Ms. Sigfridson asked the Commission if they want to adopt the language as presented or try to address the issue. Ms. Kelleher suggested that they could match the Zoning Regulations regarding landscape architect. Ms. Sigfridson stated agreement with Ms. Kelleher on that. Ms. Roberson asked if they wanted to lose that discretion. Mr. Pember asked about the preliminary plans in the Subdivision Regulations and Ms. Roberson explained what would be deleted and what would be added under this proposal.

#### **COMMENTS FROM COMMISSION MEMBERS:**

##### **M. Sigfridson**

- 5A.2.3 – Add duplexes. Ms. Sigfridson said it makes sense if it is going to be in the Zoning Regulations.
- 5A.2.5 – Delete the reference to density bonus and add 0.6 lots per acre of buildable land.
- 5A.3 – Commission to keep the discretion.
- Regarding Preliminary Design – If keeping the discretion, Ms. Sigfridson asked if the Commission wants to keep the language regarding the submission of a preliminary plan/preliminary design and maybe add it back in to the Zoning Regulations. Mr. Pember voiced his opinion to keep it. There was discussion and agreement among Commission Members regarding adding this to the Zoning Regulations. Ms. Sigfridson stated that she would like to accomplish this while it is fresh on their minds rather than putting it on a list for some time in the future.



Mr. Held asked if the Commission would be wanting to see the conservation layout and the conventional layout to make their decision or just to have a preliminary discussion with the applicant. Ms. Sigfridson stated, "I think so." Mr. Tanner stated a preliminary discussion would at least give a general layout of both plans. Ms. Kelleher and Mr. Pember voiced their opinions that not all of the current language is required. Mr. Held suggested that the specific requirements be eliminated and each situation stand on its own as the Commission has the right to ask for more information if needed. Discussion continued and it was decided to leave the language in Sections 5A.3.1, 5A.3.2 and 5A.3.3 in the Subdivision Regulations.

Discussion continued and there was agreement among Commission Members to eliminate Sections 5A.4.1, 5A.4.2, 5A.4.3 and 5A.4.4.

There was agreement among the Commission Members that this would be a separate Zone Text Change Proposal at a later date, since that public hearing for ZRC 21-001 has been closed.

- There was discussion regarding the new 5A.3 language Mr. Held asked if the Commission wants to change language regarding steep slopes (5A.3.2.c). There was discussion and it was suggested to change from 15 percent to 25 percent. There was no opposition expressed.

Ms. Sigfridson suggested, if this public hearing is also closed tonight, before taking action, giving Ms. Roberson time to make up a draft incorporating the proposed changes that the Commission chooses to accept. Ms. Roberson explained that she would also draft a sample motion including reference to the POCD.

There was more discussion regarding adding to the Zoning Regulations which will be done with another public hearing.

Motion was made by A. Fitzgerald to close the public hearing for **SRC 21-001**: Request to change Subdivision Regulations concerning Conservation Subdivisions, Applicant: David Held. Second by S. Pember. No discussion.  
Motion carried unanimously by voice vote (6-0-0).

c. **Continued Public Hearings:**

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 November 16, 2021.\*** No discussion.

d. **Other Unfinished Business:**

1. **ZRC 21-001**: Request to change Zoning Regulations concerning Conservation Subdivisions, Applicant: David Held.

Motion was made by A. Tanner to table **ZRC 21-001**: Request to change Zoning Regulations concerning Conservation Subdivisions, Applicant: David Held, to the regular meeting of the Planning and Zoning Commission to be held on December 1, 2021 at 6:30 p.m. in the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT.

Second by C. Kelleher. No discussion.

Motion carried unanimously by voice vote (6-0-0).

2. **SRC 21-001:** Request to change Subdivision Regulations concerning Conservation Subdivisions, Applicant: David Held.

Motion was made by A. Fitzgerald to table **SRC 21-001:** Request to change Subdivision Regulations concerning Conservation Subdivisions, Applicant: David Held, to the regular meeting of the Planning and Zoning Commission to be held on December 1, 2021 at 6:30 p.m. in the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT.

Second by A. Tanner. No discussion.

Motion carried unanimously by voice vote (6-0-0).

## **VII. New Business:**

### **a. Applications:**

1. **ZRC 21-002:** Request to change Zoning Regulations concerning retail sale of cannabis and micro-cultivation.

J. Roberson explained that she had made this an application because she was concerned regarding the timeline. She thought something had to be in place by January 1, 2022. However, she found that people in Town who are interested in cultivating cannabis could start seeking local approval as soon as this Regulation took effect (July 1, 2021).

Draft language (dated 11-1-2021) was included in packets to Commission Members for their review and Ms. Roberson explained the proposed language for the Planned Commercial and Industrial Zones (per suggestion of the PZC in August 2021). Ms. Roberson explained that you would need a special permit to get to the Industrial Zone. Discussion ensued. Ms. Sigfridson will post it on Facebook.

Motion was made by S. Pember to schedule a public hearing for **ZRC 21-002:** Request to change Zoning Regulations concerning retail sale of cannabis and micro-cultivation, Applicant: Planning and Zoning Commission for the regular meeting of the Planning and Zoning Commission to be held on December 1, 2021 at 6:30 p.m.

Second by A. Fitzgerald.

Discussion:

Mr. Pember amended his motion to include that the public hearing would be held in the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT.

A.Fitzgerald seconded the amendment.

Motion, as amended, carried unanimously by voice vote (6-0-0).

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

## **VIII. Reports of Officers and Committees:**

### **a. Staff Reports**

Margaret Washburn, ZEO, Report (dated 10/25/2021) included in packets to Commission Members. Ms. Roberson will ask Ms. Washburn to attend a meeting in December.

Mr. Fitzgerald asked about a metal building that is going up on Route 205. Ms. Roberson will speak with Ms. Washburn about this.

### **b. Budget Update (included in packets to Commission Members – dated 7/1/2021 thru 10/31/2021).**

### **c. Correspondence**

- Letter dated 10/27/2021 from Kenneth C. Baldwin, Robinson and Cole, regarding a modification at 159 Brown Road (included in packets to Commission Members). Ms. Roberson explained that they are swapping out antennas.

d. Chairman's Report

M. Sigfridson congratulated Mr. Tanner on his victory in the election which will leave a vacancy. There will possibly be another vacancy. There was discussion regarding vacancies. Ms. Sigfridson will post on Facebook.

**IX. Public Commentary**

There was discussion regarding the Ice Box. Ms. Roberson explained that all of the building and zoning code stuff has been resolved and now it is between them and the Fire Department regarding right-of-way.

There was discussion regarding possible future prevention regarding what happened at the green massage (Day Street).

**X. Adjourn**

M. Sigfridson adjourned the meeting at 9:39 p.m.

Respectfully submitted,

J.S. Perreault  
Recording Secretary