

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Annual Organizational and Regular Meeting
Tuesday, February 15, 2022 6:30 p.m.**

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

Clifford B. Green Meeting Center, Suite 24, 69 South Main Street, Brooklyn, CT Masks are optional for vaccinated individuals.		
Click link below: https://us06web.zoom.us/j/84765564828	or	Go to https://www.zoom.us/join Enter meeting ID: 847 6556 4828
Dial: 1-646-558-8656		
Enter meeting number: 847 6556 4828, then press #, Press # again to enter meeting		

MINUTES

- I. Call to Order** – Michelle Sigfridson, Chair, called the meeting to order at 6:32 p.m.
- II. Roll Call** – Michelle Sigfridson, Carlene Kelleher, Allen Fitzgerald, John Haefele, Seth Pember (all present in person). J.R. Thayer was absent.
- Staff Present:** Jana Roberson, Director of Community Development; Austin Tanner, First Selectman (both were present in person).
- Also Present in Person:** David Held, Provost & Rovero; Keith Green; Jesse and Rachel Trinque; Lorraine Blake; Paul Sansoucy; Paul Archer, Archer Surveying and KWP Associates; Jake Kausch; Lisa Herring. There was one additional person present in the audience.
- Present via Zoom:** Norm Thibeault, Killingly Engineering Associates; Mary Ellen Green; Spiro and Christa; Bob.
- III. Seating/Appointment of Alternates** – None.
- IV. Election of Officers**
J. Roberson opened nominations for the position of Chair.

Motion was made by J. Haefele to nominate Michelle Sigfridson for the position of Chair of the Planning and Zoning Commission.
Second by C. Kelleher. Discussion: M. Sigfridson accepted the nomination.

Motion was made by C. Kelleher to close nominations.
Second by J. Haefele. No discussion.
Motion #2 to close nominations carried unanimously by voice vote (5-0-0).
Motion #1 to elect M. Sigfridson for the position of Chair carried unanimously by voice vote (5-0-0).

Ms. Sigfridson, Chair, opened nominations for Vice Chair.

Motion was made by A. Fitzgerald to nominate Carleen Kelleher for the position of Vice Chair of the Planning and Zoning Commission.
Second by S. Pember. Discussion: C. Kelleher accepted the nomination.

Motion was made by A. Fitzgerald to close nominations.
Second by S. Pember. No discussion.
Motion #4 to close nominations carried unanimously by voice vote (5-0-0).
Motion #3 to elect C. Kelleher for the position of Vice Chair carried unanimously by voice vote (5-0-0).

V. Adoption of Minutes: Special Meeting January 18, 2022

Motion was made by A. Fitzgerald to approve the Minutes of the Special Meeting of January 18, 2022, as presented.

Second by J. Haefele. No discussion.

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

VI. Public Commentary – None.

VII. Unfinished Business:

a. Reading of Legal Notices:

J. Roberson read aloud the Legal Notices for ZRC 21-002 (which had been rescheduled) published January 19 and 26, 2022; SP 21-003, SP 21-004, and ZRC 21-003 published on February 2 and 9, 2022.

b. New Public Hearings:

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

Ms. Roberson explained that this Application is in response to Public Act 21-01 concerning the Town's authority to either authorize specific uses related to adult-use cannabis or to prohibit them. As discussed by the PZC, the purpose for this proposal is to introduce definitions for the retail sale of adult-use cannabis, hybrid retail (combination of the sale of adult-use cannabis and medical marijuana), and micro-cultivator. The result of previous discussion, by the Commission, was to allow a cannabis retailer or a hybrid retailer in the PC Zone and to allow micro-cultivation in the Industrial Zone. There was discussion regarding Medical Marijuana Dispensary which is not included in this proposal, as it would fall under Licensed Health Service, which is a permitted use (subject to special permit review) in the PC Zone. The proposal is not in response to any particular applicant or interest. There was discussion regarding the maximum allowed in Town which is State regulated (based on population).

COMMENTS FROM COMMISSION MEMBERS:

A. Fitzgerald feels that passing this proposal will help with the tax base in Town and that it would not be detrimental to the Town in any way.

S. Pember commented about the Town's ability to charge up to a 3% municipal tax on all retail sales.

M. Sigfridson stated that the proposed draft regulations (dated November 1, 2021, included in packets) reflected what had been discussed in the Commission's preliminary discussion. She stated agreement with Mr. Fitzgerald.

There was no public comment in person or on-line.

A. Tanner stated that some residents had voiced concerns to him about allowing it. M. Sigfridson stated that she found that some people's concerns were alleviated, once learning about how highly regulated it will be.

Motion was made by A. Fitzgerald to close the public hearing for **ZRC 21-002:** Request to change Zoning Regulations concerning retail sale of cannabis and micro-cultivation, Applicant: PZC.

Second by C. Kelleher. No discussion.

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

2. **SP 21-003:** Special Permit for Adaptive Reuse of an Agricultural Building at 330 Day Street, Applicant: Jesse Trinque.

Jesse and Rachel Trinque represented themselves and gave an overview. They had submitted a Power Point presentation which was displayed as well as a poster board display.

- They purchased the property in 2012. Mr. Trinque described it as being decrepit/overgrown/not lived in/falling down at that time. He explained that they did a lot of cleaning up of the property over the next few years.
- They lived there for a while and when they moved out, they started renting the middle building (the tenant is still there). This tenant, Peregrine Manufacturing) has grown and has taken over the whole building.
- In 2019, he spoke with the Town and got a permit, regarding renovating another of the buildings to, potentially, rent it out. There is now a car detailer (Show Shine Solutions, LLC) in that building.
- Mr. Trinque explained that the two tenants had applied for a sign permit which is why they submitted this Application to be approved for a special permit.
- Mr. Trinque explained the former uses at the property and he said that the former use was greenhouse/farm supply. He explained that the original plan regarding locations/sizes of greenhouses and buildings on the property were not followed. He explained that later on, plans were found that more accurately reflect what was there (UCONN used it for an agricultural/greenhouse based high school for 30 students). He said that a special zoning permit had been issued for building a house which was a non-compliant use on the property (he referred to the deed which explains conditions of the variance that had been obtained).
- They had provided photos and Mr. Trinque spoke of how much better the property looks now.
- Mr. Trinque spoke about the two current tenants. He said that the car detailer is licensed as a detailing craftsman.
- They do not have specific plans for the front building which Mr. Trinque described as a two-car garage which had been a farm stand. He asked for guidance from the Commission as to whether this building is something that he should or should not move forward on. If it is, he hopes to bring in another good business to the Town when it is financially feasible for them.

There was discussion regarding the building permit that had been issued, to build the house, in 2001, and whether they should've applied for the agricultural re-use back then. Ms. Roberson explained that we became aware of it when they applied for the signs and that there are two established businesses occupying former agricultural buildings and the Trinques are seeking the special permit to come into compliance. Ms. Roberson explained that you can have a house and adaptive re-use of an agricultural building on the same lot. She said that there isn't anything on file of it ever being approved as adaptive re-use of an agricultural building for a non-agricultural use. Discussion continued about how well-maintained the property is. There was discussion and Ms. Roberson explained about the process once a new tenant is identified and applies for a zoning permit, as long as they are on the list of approved uses. The ZEO will rely on this approval, making sure that all of the conditions are met as well as all of the standards for adaptive re-use. So, it would not need to come back to the PZC.

Ms. Roberson explained that, if this Application is approved, applications for the two existing businesses would need to be submitted. Mr. Trinique stated that they are already aware of that.

Ms. Kelleher commented that she had noticed the huge improvement to the property. Ms. Sigfridson commented that it is exciting to have these businesses in Town. Mr. Trinique explained that had he known about the need for going through this process in the beginning, he may not have proceeded and he may have been scared off.

There was no public comment in person or on-line.

Motion was made by A. Fitzgerald to close the public hearing for **SP 21-003: Special Permit for Adaptive Reuse of an Agricultural Building at 330 Day Street, Applicant: Jesse Trinique.**

Second by S. Pember. No discussion.

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

3. **SP 21-004: Special Permit for Accessory Apartment at 26 Herrick Road, Applicant: Michael Bunning.**

Norm Thibeault, Killingly Engineering Associates, represented the Applicant and gave an overview:

- Plans were displayed as discussed.
- Proposing an accessory apartment above an existing 3-car garage.
- Reference was made to Section 3.C.3.3 which allows accessory uses in the RA Zone, in accordance with Section 6.C (special permit requirements).
- They have approval from NDDH. 1,000 gallon septic tank and a two-bedroom system. The apartment will be a two-bedroom with an open floor plan for kitchen, living room and dining room. The space is currently unfinished, but has plumbing to the garage (running water from the existing high-yielding well – excess of 25 gpm).
- Mr. Thibeault orientated the property on the map and indicated locations of the existing house, existing 3-car garage, and exterior deck with stairs (access to the accessory apartment).
- Sanitary Report (per Special Permit Requirements) – Pretty good soil test results: Restrictive layers at 32” to 34” with percolation rates of less than 10 minutes per inch, and moderately sloped, which allow for a relatively small footprint.
- The very, high-yielding well is going to be shared with the main house. Numerous wells in the area yield in excess of 20 gpm.
- To be constructed in the existing space above the garage.
- He does not believe that it will have impacts to existing properties. It is already developed.
- The septic system is being located in an area that has previously cleared and is currently a grassed area.
- The only improvement to the site is that there may be a small sidewalk going to the stairs. He said that the existing gravel driveway that leads up to the garage is pretty flat. To the left, as approaching the garage, there is a grassed area where the stairs lead up to the deck.

There were no further questions or comments from the Commission or Staff.

PUBLIC COMMENT:

Lorraine Blake, Route 169, asked about driveway access from Route 169.

Mr. Thibeault explained that there was an incorrect statement on the notification and that they would be utilizing the existing driveway off of Herrick Road.

Ms. Sigfridson asked if a new access is proposed.

Mr. Thibeault confirmed that the property has frontage on both Herrick Road and Route 169 and that no new access is proposed.

There were no further questions or comments.

Motion was made by A. Fitzgerald to close the public hearing for **SP 21-004: Special Permit for Accessory Apartment at 26 Herrick Road, Applicant: Michael Bunning.**

Second by C. Kelleher. No discussion.

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

4. **ZRC 21-003: Request to change Zoning Regulations concerning Adaptive Re-Use of an Agricultural Building, Sec. 6.B.3.1., Applicant: Brooklyn Self Storage, LLC.**

There was no one present to represent the Applicant. J. Roberson explained that she had spoken with Dan Sullivan, Owner/Manager of Brooklyn Self Storage. Ms. Roberson referred to a drawing, from Mr. Sullivan that she had e-mailed to Commission Members earlier in the day. The drawing shows the buildings that the Applicant is interested in building (just as an FYI). The intent of the proposed change to the Zoning Regulations is to allow Mr. Sullivan to do what he wants to do. Ms. Roberson noted that, if adopted, the change would have to be applied to every case of adaptive re-use of an agricultural building. The proposal would have impacts beyond just Mr. Sullivan's property, in ways that he may not have anticipated. Copies of the proposed language and the current Regulation (pages 115 & 116) were included in packets. Mr. Sullivan would like to add his proposed language to Section 6.B.3.1.1 – Location and Use.

Ms. Roberson drafted some language for review by the Commission and she suggested that the public hearing could be left open and continued to the next meeting to give Mr. Sullivan an opportunity to participate in the discussion.

There was discussion.

- Mr. Fitzgerald expressed that it is not out of the realm of possibility.
- Mr. Haefele voiced objection to Item “c” of the proposed language.
- Ms. Kelleher explained that she objects to proposed Item “b” as well. She explained that the intent of the Regulation was to address a problem that was occurring regarding a change in agriculture in situations where farms were no longer in use as farms, but, the property owner had a perfectly usable building. She said that she is not suggesting that the Commission always has to stay within the intent of the original Regulation, but, in this case, she feels that we should because it is in a residential zone. She said that she would not be in favor of any of the proposed changes.
- Mr. Pember agreed with Ms. Kelleher regarding proposed Item “c” as he does not feel that it is the intent of adaptive re-use at all. He feels that Item “b” would be okay with some revised language. Ms. Sigfridson referred to the language that Mr. Roberson had drafted in the Staff Guidance dated 2-15-2022. Ms. Roberson explained that it

would be better to create a new section for the location of the new language (6.B.3.4), using the modification procedure that is already written into special permits for post-approval, minor or major modifications (Section 9.D.8.6).

- Mr. Fitzgerald feels that a happy medium needs to be found because he would rather have something that fits the surrounding area, than to not allow someone to replace an aging building that could, potentially, fall down. He expressed that he does not agree with letting them expand.

There was discussion about Mr. Roberson's draft language regarding post-approval modification and Ms. Kelleher stated agreement with that language. There was agreement among Commission Members that Mr. Sullivan's Item "c" is out. Discussion continued and Ms. Roberson commented that when businesses move into former agricultural buildings and are successful, there is often a need to expand and this is something that the Commission should take into consideration as part of this proposal.

There were no comments from the public.

The public hearing was left open and was continued to the March 2, 2022 meeting of the PZC.

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

d. **Other Unfinished Business:**

1. **ZRC 21-001:** Request to change Zoning Regulations concerning Conservation Subdivisions, Applicant: KA&G Development, LLC, c/o David Held.

David Held was present. There was no discussion.

Motion was made by A. Fitzgerald to approve Application **ZRC 21-001:** Proposal, as revised dated November 23, 2021, to amend portions of Sec. 6.G of the Zoning Regulations concerning conservation subdivisions with the finding that the changes will aid in the protection of public health, safety, welfare, and property values and are consistent with the Plan of Conservation and Development and the intent of the Zoning Regulations. The regulations shall become effective 15 days from the date of publication.

Second by C. Kelleher.

Discussion:

- It was clarified that 5 votes in the affirmative are needed for the Motion to pass.
- J. Haefele stated, for the record, that he had reviewed the Minutes and the Audio of the public hearing regarding this Application, and he is prepared to vote on this Application.

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

2. **SRC 21-001:** Request to change Subdivision Regulations concerning Conservation Subdivisions, Applicant: KA&G Development, LLC, c/o David Held.

David Held was present. There was no discussion.

Motion was made by A. Fitzgerald to approve Application **SRC 21-001:** Proposal, as revised dated November 23, 2021, to amend portions of Article 5A of the Subdivision Regulations concerning conservation subdivisions with the finding that the changes will aid in the protection of public health, safety, welfare, and property values and are consistent with the Plan of Conservation and

Development and the intent of the Zoning Regulations. The regulations shall become effective 15 days from the date of publication.

Second by S. Pember.

Discussion: J. Haefele stated, for the record, that he had reviewed the Minutes and the Audio of the public hearing regarding this Application, and he is prepared to vote on this Application.

Results of Voice Vote: (4-0-1). J. Haefele abstained as there were things that he would have spoken about at the public hearing had he been present.

There was discussion: Mr. Haefele withdrew his abstention and it was decided to take another vote.

Roll Call Vote: S. Pember – yes; A. Fitzgerald – yes; C. Kelleher – yes; M. Sigfridson – yes; J. Haefele – yes.

Motion carried unanimously (5-0-0).

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

Motion was made by S. Pember to approve Application **ZRC 21-002:** Proposal to amend portions of Sec. 2.B, Sec. 4.D.2.3.18, and Sec. 4.E.2.5.3 of the Zoning Regulations concerning retail sale and micro-cultivation of cannabis with the finding that the changes will aid in the protection of public health, safety, welfare, and property values and are consistent with the Plan of Conservation and Development and the intent of the Zoning Regulations. The regulations shall become effective 15 days from the date of publication.

Second by J. Haefele. No discussion.

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

4. **GBR 21-004:** Gravel Bank Renewal for Sansoucy Quarries, 248 Pomfret Road, Assessor's Map 26, Lots 19 & 19A, Applicant: Paul Sansoucy.

Paul Sansoucy was present and offered to answer questions. Ms. Roberson explained that she is still waiting for the updated survey and that she has recently spoken with Bruce Woodis, KWP Engineering Associates, who has granted an extension on Mr. Sansoucy's behalf. She said that we are still within that timeframe. There were no questions from the Commission. No action was taken and this was tabled to the March 2, 2022 meeting of the PZC.

5. **GBR 21-005:** Gravel Bank Renewal for FCR Realty LLC, 200 acres north of Brickyard Road and west of Day Street (Assessor's Map 35, Lot 7; Map 41, Lot 6; Map 42, Lot 43), Applicant: FCR Realty, LLC.

J. Roberson explained that, in November 2021, FCR Realty LLC had submitted a renewal application for their gravel special permit (which is required every two years). Based on the information in the renewal application, it had been made clear that work had been done outside of the approved area. Margaret Washburn visited the site which lead to a Wetlands Cease & Desist Order, followed by a Zoning Cease & Desist Order. Ms. Roberson explained that the Zoning Regulations are clear that, when an Applicant does work outside of an approved area, they cannot modify their existing permit to include the expansion. They have to apply for a new permit. There was a meeting attended by representatives from FCR Realty, David Held, J. Roberson, M. Washburn and Austin Tanner to discuss options going forward. At that time, Mr. Green expressed that they would rather shut down, they are not seeking renewal, they would like to start restoring the property and are not interested in continuing the gravel operation. Ms. Roberson contacted Land Use Attorney, Peter Alter, for his opinion on how to handle the situation because she did not feel that action by the PZC was

necessary, but Attorney Alter felt otherwise. Ms. Roberson read aloud a letter (dated February 11, 2022) submitted by David Held on behalf of FCR Realty (copies had been provided to Commission Members). Mr. Held provided the signed version of the letter to Ms. Roberson. Ms. Roberson summarized the Sample Motion provided in the Staff Guidance (dated February 15, 2022). The recommendation is that the restoration be complete 30 prior to the expiration of the bond or, if not possible, the bonding be extended to account for any additional time needed. Ms. Roberson asked Mr. Green if he feels that her explanation fairly reflects what was discussed at the meeting. Keith Green, representing FCR Realty, stated agreement. Ms. Roberson stated that the action would remove the renewal application and initiate restoration of the site.

David Held explained that the reason that they would like to do this as an enforcement order is to speed up the process so that it is something that is worked out directly between the Applicant and Staff, not having to come before the PZC or the IWWC, to have approval of an updated restoration plan. He explained that it will have to be changed from what was approved through the Court Appeal process because the work extended outside of the area. Mr. Held explained that, according to the sample motion, they would only need to come back before the PZC if an extension of the time/bond is needed. Ms. Roberson confirmed that Attorney Alter has reviewed the sample motion. Mr. Held requested, for the record, that the sample motion be read aloud word-for-word. Ms. Roberson read aloud the sample motion.

Motion was made by C. Kelleher to accept the withdrawal of the Gravel Bank Renewal application (GBR 21-005) with the acknowledgement by the applicant and owner that:

- a. The existing Gravel Special Permit (SPG 18-002) expired on December 5, 2021,
- b. No more excavated material will leave the site (namely tax parcels Map 35, Lot 7 and Map 41, Lot 6) starting immediately,
- c. The existing Wetlands and Zoning Cease and Desist Orders issued by the ZEO/Wetlands Agent will be rescinded and replaced with Enforcement Orders to commence site restoration utilizing the existing restoration plan and other necessary measures as directed by the ZEO/Wetlands Agent,
- d. Only gravel bank restoration activities will be conducted on the property until such time in the future that other activities are permitted in accordance with the Inland Wetlands and Watercourses and Zoning Regulations of the Town of Brooklyn, and
- e. Restoration in accordance with the restoration plan and other necessary measures as directed by the ZEO/Wetlands Agent must be substantially complete by December 15, 2022 or the \$55,000 performance bond identified as GM201301 issued by the Great Midwest Insurance Co. and expiring January 15, 2023 will be called in order to substantially complete the restoration. The Commission will consider an extension of time to complete the restoration only if adequate bonding remains in place to assure performance after December 15, 2022.

Second by A. Fitzgerald.

Discussion: A. Tanner asked if Map 35, Lot 7 and Map 41, Lot 6 are the areas where the restoration will take place. Ms. Roberson explained that it includes both parcels that have the actual gravel pit on them, not the parcel with the haul road.

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

6. **SP 21-003:** Special Permit for Adaptive Reuse of an Agricultural Building at 330 Day Street, Applicant: Jesse Trinque.

M. Sigfridson read aloud the sample motion.

Motion was made by C. Kelleher to approve the Special Permit application of Jesse Trinquere for Adaptive Reuse of Agricultural Buildings at 330 Day Street, identified in the files of the Brooklyn Land Use Office as SP 21-003, for the three former agricultural buildings and uses identified in the Statement of Use and in accordance with all final documents and testimony submitted with the application with the finding that the proposal is consistent with Sec. 6.B.3.3. of the Zoning Regulations and is consistent with the Special Permit criteria outlined in Sec. 9.D.5 with the following conditions:

1. 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 and signed by the Commission Chair shall be recorded along with the Record of Special Permit in the office of the Town Clerk.
2. Each existing business occupant of the former agricultural buildings shall apply for a Zoning Permit from the Zoning Enforcement Officer within 90 days of approval of the Special Permit for Adaptive Reuse of an Agricultural Building. For the currently unoccupied Building #3, a future business occupant must apply for and receive a Zoning Permit from the Zoning Enforcement Officer prior to the commencement of a business use. Future changes of business uses within all of the former agricultural buildings must be reviewed by the Planning and Zoning Commission as a modification to the Special Permit. If approved as a modification of the Special Permit, future business uses must subsequently apply for and receive a Zoning Permit from the Zoning Enforcement Officer.

Second by S. Pember.

There was discussion regarding the role of the ZEO in this process and whether future changes would need to come before the PZC. Per discussion, the following revised language was proposed for Condition #2:

2. Each existing business occupant of the former agricultural buildings shall apply for a Zoning Permit from the Zoning Enforcement Officer within 90 days of approval of the Special Permit for Adaptive Reuse of an Agricultural Building. Future changes of business uses within all of the former agricultural buildings must comply with Sec. 6.B.3.2.5 of the Brooklyn Zoning Regulations. If approved as a modification of the Special Permit, future business uses must subsequently apply for and receive a Zoning Permit from the Zoning Enforcement Officer.

C. Kelleher amended her Motion to include the revised language for Condition #2.

Mr. Pember seconded the amendment to the Motion.

There was more discussion regarding Sec. 6.B.3.3 and Sec. 7.C. Ms. Roberson stated that, based on her knowledge of the location, she feels that the landscaping is very appropriate and there is no additional need for buffering. The Application meets all standards and criteria, except possibly buffering. Ms. Roberson explained that there are not 50 feet of unobstructed vegetation, but they have very nice landscaping and the property to the east is a field (active agriculture) and the whole eastern property line is, basically, wetlands. Section 7.C states that the PZC can modify the buffer, based on site conditions. Ms. Roberson advised that the PZC be clear that they are authorizing the reduction of the 50-foot landscape buffer. Ms. Sigfridson stated agreement, noting that, for as long as they have been there, none of the neighbors have made complaints. There were no objections voiced.

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

7. SP 21-004: Special Permit for Accessory Apartment at 26 Herrick Road, Applicant: Michael Bunning.

Motion was made by A. Fitzgerald to approve the Special Permit application of Michael Bunning for an Accessory Apartment above the existing, three-car, detached garage at 26 Herrick Road, identified in the files of the Brooklyn Land Use Office as SP 21-004, in accordance with all final documents and testimony submitted with the application with the finding that the proposal is consistent with Sec. 6.C.2. of the Zoning Regulations and is consistent with the Special Permit criteria outlined in Sec. 9.D.5 of the Zoning Regulations. Such approval includes the following conditions:

1. 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 and signed by the Commission Chair shall be recorded along with the Record of Special Permit in the office of the Town Clerk.

Second by C. Kelleher. No discussion.

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

8. **ZRC 21-003:** Request to change Zoning Regulations concerning Adaptive Re-Use of an Agricultural Building, Sec. 6.B.3.1., Applicant: Brooklyn Self Storage, LLC.

Continued to March 2, 2022.

VIII. New Business:

a. Applications:

1. **SP 22-001:** Special Permit for Accessory Apartment at 190 Wolf Den Road, Applicant: JP Rimoczy.

Paul Archer, Archer Surveying and KWP Associates, was present. There was no discussion.

Motion was made by S. Pember to schedule a public hearing for SP 22-001: Special Permit for Accessory Apartment at 190 Wolf Den Road, Applicant: JP Rimoczy for the regular meeting of the Planning and Zoning Commission to be held on March 15, 2022 at 6:30 p.m. in the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by C. Kelleher. No discussion.

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

b. Other New Business:

1. Pre-application Review for 8 Wauregan Road and abutting parcel, A. Kausch & Sons.

Paul Archer, Archer Surveying and KWP Associates, represented the Applicant. Jake Kausch was also present. Copies of a Property Survey and Existing Conditions Plan had been included in packets. Mr. Archer did a pre-application review:

- The property is the Regional building/old Eggs, Inc. white building which was a hatchery in the past. So he feels it would fall under the Adaptive Re-Use because it was an agricultural building.
- They would like to add Adaptive Re-use of an Agricultural Building into the VCD which is currently only allowed in the RA Zone.
- One Idea: One apartment has already been approved to go in there and he would like to put two more apartments in there and then, partition it out to be used as self-storage units.
- Another Idea: On the parcel to the north, Mr. Kausch would like to call it Contractors' Suite. They have discussed with Mr. Roberson, Ms. Washburn and Mr. Tanner that they would like to give homeowners/contractors a place to put their cars/trucks/wares, etc. Bays could include office, bathroom, and storage facility. Not only for contractors but, also for personal use. No outside storage.

Mr. Archer asked the Commission Members for feedback. He spoke about Mr. Tanner's suggestion of making it look like a barn yet, Mr. Kausch doesn't want to be limited to just the red barn look. Mr. Archer suggest tan/green to make it blend in more. He said there would be limited visibility.

There was discussion. Mr. Archer noted that they would not only be looking to allow Adaptive Re-Use of an Agricultural Building in the VCD but, would also

need a change in the Regulations regarding the requirement for three acres as the parcel is only 2.5 acres.

M. Sigfridson commented that a more straightforward way to go about it would be to consider allowing self-storage as a use in the VCD. She asked Mr. Archer if he anticipates the need for a Regulation change in order to be able to build the bays. Mr. Archer referred to a use in the Regulations called Professional and Personal Services. Ms. Roberson referred to the list of permitted uses in the Village Center Zone: Services - Personal or Business. She explained that Personal Services is defined by the Regulations. She explained that Business Services was defined by the old Regulations but, it was not carried over to the new Regulations because we got rid of Business Services. She said it is a typo, but it is part of our Regulations and we do not have a definition for Business Services. She explained that the definition under the old Regulations is nothing like a contractor's storage space.

Ms. Roberson commented that their challenge is to find a way to make the zone change palatable to the Commission and the Commission's role is to make sure that any change is consistent with the PZC's vision for that area and, the vision, as it is laid out in the POCD. Ms. Roberson noted that the Commission has often discussed the issue of contractors needing spaces and, although the VCD is the not the place where we would have thought to put it, the Regional building is under-utilized space (9,000 s.f.).

There was discussion regarding office space. Mr. Archer explained that the intent is for contractors' suites which includes office space. Mr. Archer stated that sewer and water are right there. He also spoke about putting solar panels across the top. Discussion continued.

Mr. Fitzgerald stated that he would have no problem with a change to the VCD Zoning Regulations for something like this as, in his opinion, it fits the character of the area. They are perpendicular to the road, not very visible and it looks like a barn. Discussion continued.

M. Sigfridson stated that she does not dispute that there is a need for this type of thing but, she disagreed as she does not feel that this is the spot for it. She does not feel that it looks like a barn. She said that she has concerns. Mr. Fitzgerald stated that there are three different things: apartments, storage and garages.

There was discussion regarding a conservation easement which is the beginning of the Town trail. Ms. Roberson stated that it would be great to have some parking near there.

Mr. Archer commented that the white building has been vacant for years and they are trying to find a way to make it useable and to look good. M. Sigfridson commented that part of the reason that it has been vacant for years and nobody wants to move in there is because no one has invested in its needed upkeep. She feels that this would be degrading it even more.

Ms. Roberson commented that she does not have any photos of the current conditions and that the asphalt is really broken up. She said that the high garage doors in the rear of the building are suitable for trucks. She feels that the interior of the building does not lend itself to offices. Mr. Archer stated that it is multi-

level and has housed offices and they are trying to get the best use out of the building. Mr. Archer spoke of how the lot is about 60-feet wide and about 400-feet long and he said that it lends itself to a building like this. He said that, if it is tastefully done, it would fit perfectly with what is there.

Mr. Tanner commented that it will continue to be an eyesore unless somebody has a reason to fix it up. He said we aren't going to see the inside, so if they can make an economical use out of the inside and give them a reason to fix it up, maybe we can have a decent building out of it.

Ms. Kelleher asked about how much truck traffic there would be. Mr. Archer stated that, for a contractor's yard, a truck would come in the morning and leave in the evening. For storage units in the Regional building, he said that the hours would be limited by the PZC (special permit). Ms. Kelleher asked if heavy equipment (e.g. pay loaders) would be included. Mr. Archer explained that it would be more like an electrician's van. He does not feel that there would be a lot of traffic and he explained that the traffic would be coming off of Vina Lana, not the Route 205 connector. Ms. Roberson commented that she does not think that traffic volume would be an issue, but she said that outside storage of vehicles or construction trailers/equipment could be an issue if not inside of the building. Mr. Archer explained that there would be no outside storage and that there would be very limited parking.

Mr. Tanner suggested that there should be two separate applications. Mr. Tanner commented that he disagrees with Mr. Archer about the visibility of the three buildings and he feels that the first building will be completely visible. Mr. Archer stated agreement and spoke about his discussion with Ms. Roberson about ways to decorate the gable end to make this work.

M. Sigfridson asked if this had been considered in light of the POCD and from a Planning perspective for we'd like to see in the VCD. She said that businesses like these are not making vibrant contributions to the neighborhood or the community. Mr. Archer asked how they would not be contributing if you might be getting twelve new businesses in there. He said a goal would be getting them out of the residential neighborhoods.

Ms. Roberson commented that they would like direction on how best to proceed with a Zoning Regulation Change and none of this is relevant to a future application. She explained that she had suggested merging the long skinny lot with the bigger lot as Mr. Kausch owns both lots.

Mr. Archer stated that they feel that the Regulations (Business Services) allow them to put those units in. Ms. Roberson commented that she would love to see the Regional building renovated and the site work redone and have part of the curbing closed on the corner of Vina Lane.

Mr. Pember commented that the existing driveway plan (following from Vina Lane to Route 205) would probably be a disaster if there is a significant amount of traffic. He feels that the building is currently an eyesore and agrees with Ms. Sigfridson that storage units is not the best use of the building but, he'd rather have something than nothing at this point. Ms. Sigfridson stated that there is a reason why they did not include storage as a permitted use in the VCD. Ms.

Kelleher stated that her concern is that the Commission consider how whatever is done to accommodate this would impact the rest of the VCD.

There was discussion regarding the apartments. The property is in the Historic District, but it is a non-contributing structure.

Jake Kausch commented that another option would have been an automotive garage. Ms. Roberson stated that automotive service station is a permitted use by special permit.

Mr. Haefele commented that he is more likely to support the contractors' units, but the storage is a tough sell for him. Mr. Archer spoke of there being a great need for storage units. Ms. Roberson explained that a narrowly-crafted regulation is a completely legitimate way to change zoning. She said not to worry about spot zoning. Discussion continued.

Mr. Archer asked the Commission Members if they would be in favor of adding Agricultural Re-Use to be allowed in the VCD. Discussion continued.

- C. Kelleher stated that she would need to know how many other structures there are in the VCD in order to make that decision. There was more discussion and Ms. Roberson commented that she had done an economic development analysis of Brooklyn a while ago and she said that the strongest industry in Brooklyn is elder services and healthcare.
- Mr. Pember commented that "self-storage" is a deterrent. It feels like you're giving up on that piece of property. Discussion continued about the façade.

Mr. Archer stated that they will work on it some more and he and Andrew Kausch will come back with more ideas.

2. Second Subdivision Filing Extension of SD 21-004.

Motion was made by J. Haefele to extend the filing deadline an additional 90 days for SD 21-004. Second by C. Kelleher.

Discussion: Ms. Roberson explained that things have been dragged out. It is authorized by Statute. It is virtually ready to go.

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

IX. Reports of Officers and Committees:

a. Staff Reports – None.

b. Budget Update

Ms. Roberson stated that she had submitted a proposed budget on behalf of the Commission (included in packets).

Mr. Tanner asked about Other Professional Services. Ms. Roberson said that something may have been merged into it.

Ms. Roberson explained that she had gone over all of the expenditures with Shelley in the Finance Department. There was discussion regarding legal notices in the Norwich Bulletin. There was discussion regarding Zoning Fees. Ms. Roberson explained that they are trying to get things put under the proper budget line items. She will check into 2603 and will provide a breakdown.

There was discussion regarding dropping the number of PZC Members down from eight to seven. There was no opposition voiced among the Commission Members. This would mean that only four would be needed for a quorum. Mr. Tanner will put this on the agenda for the Town Meeting to change the Ordinance. Then the By-Laws will need to be changed. Ms. Roberson will try to contact J.R. Thayer to see if he is still interested in being a Member of the Commission.

c. Correspondence

Ms. Roberson stated that there was a letter regarding replacement of some antennas on a tower.

Ms. Roberson provided copies of the updated Zoning Regulations (effective July 30, 2020) and the Zoning Map (effective March 23, 2021) to those who needed them.

Ms. Kelleher asked for a copy of the By-Laws.

There was discussion regarding the possible municipal tax on cannabis.

d. Chairman's Report – None.

X. Public Commentary

Lisa Herring, Church Street, commented that she came to get educated about the Regulations because she will be applying for an accessory apartment. She also stated that she may be interested in becoming a Member of the PZC. There was discussion.

XI. Adjourn

M. Sigfridson adjourned the meeting at 10:10 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary