

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Regular Meeting
Wednesday, March 2, 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/87925438541	Go to https://www.zoom.us/join or Enter meeting ID: 879 2543 8541
Dial: 1-646-558-8656 Enter meeting number: 879 2543 8541, then press #, Press # again to enter meeting	

MINUTES

- I. Call to Order** – Michelle Sigfridson, Chair, called the meeting to order at 6:35 p.m.
- II. Roll Call** – Michelle Sigfridson, Carlene Kelleher, Allen Fitzgerald, Lisa Herring (all present in person). Sara Deshaies (present via Zoom). John Haele and Seth Pember were absent with notice. J.R. Thayer was absent.

Staff Present: Jana Roberson, Director of Community Development; Austin Tanner, First Selectman; Margaret Washburn, ZEO (all were present in person).

Also Present in Person: Zack Labonte, Core Holdings, LLC; James Adams; J.S. Perreault, Recording Secretary.

Present via Zoom: Dan Sullivan, Brooklyn Self Storage, LLC.; Bob.

III. Seating of Alternates

Motion was made by C. Kelleher to seat Lisa Herring and Sara Deshaies as Voting Members for this meeting (March 2, 2022).

Second by A. Fitzgerald. No discussion.

Motion carried unanimously by voice vote (3-0-0).

IV. Adoption of Minutes: Meeting February 15, 2022

Motion was made by A. Fitzgerald to approve the Minutes of the Regular Meeting of February 15, 2022, as presented.

Second by C. Kelleher. No discussion.

Motion carried unanimously by voice vote (5-0-0). L. Herring and S. Deshaies voted. Ms. Herring stated that she had attended the February 15, 2022 meeting.

V. Public Commentary – None.

Motion was made by C. Kelleher to add Item VIII.b.1 – Informal Discussion with Zack Labonte, Core Holdings, LLC, re: 600 Wauregan Road and renumber subsequent items accordingly.

Second by A. Fitzgerald. No discussion.

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

VI. ZEO Report with Margaret Washburn (Report dated February 23, 2022, was included in packets to Commission Members.)

Margaret Washburn answered questions from the Commission:

There was discussion regarding contractors who repeatedly do not get permits for work that they perform in Town. Without a permit we do not know if the work is done to code. There should be an avenue to ensure that this does not happen. Ms. Washburn stated that there is a great deal of work being done in Town without permits. Ms. Roberson explained the process for obtaining a building permit. The licensing organization is the Department of Consumer Protection. Ms. Roberson suggested some education, perhaps on the website, to warn homeowners that they should independently verify contractors' license, insurance and that they have applied for a permit. There was a suggestion to have the contractor tear it down and rebuild it, at their own expense, with a permit. Ms. Washburn stated that John Berard's viewpoint is that we are looking for compliance more than being punitive. Ms. Washburn said that is a frustrating situation.

There was discussion regarding the need for a Citation Officer. Ms. Washburn explained that there are some serious situations coming up that warrant citations.

There was discussion regarding the Overlay Zone at Paradise Lake. Ms. Washburn explained that someone wants to take a lot that has a trailer on it and subdivide it into three smaller lots, knock down the trailer and put up three houses. Ms. Washburn said that she get calls about it, but hasn't seen a single house in that Overlay Zone since she has been here. There was discussion regarding Ms. Roberson's question about expansions or improvements of existing houses or any other zoning permit. Ms. Washburn explained that there hasn't been any real action.

There was discussion regarding some items on Ms. Washburn's last report that went to ZBA.

VII. Unfinished Business:

- a. **Reading of Legal Notices: None.**
- b. **New Public Hearings: None.**
- c. **Continued Public Hearings:**
 1. **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.

Dan Sullivan, Owner of Brooklyn Self Storage, was present via Zoom. He stated that he reviewed the Minutes of the last meeting and understands the general reluctance to expand the business in a residential area.

- Mr. Sullivan commented that he may not have put the proper restrictions in his proposed language. He referred to the site plan for what he would like to propose should this change to the Zoning Regulations be approved.
- He said that they want to replace a building that is falling down and add on to the side of an existing building and he asked what the impacts would be regarding his site plan.

Ms. Sigfridson explained that, when considering the proposal for the change to the Zoning Regulations, the Commission is not considering Mr. Sullivan's site plan for a particular property, but rather the impact that it would have on the Town as a whole regarding adaptive re-use of agricultural properties.

- Mr. Sullivan spoke about possibly adding the following to the language he would like to propose: that the expansion would be limited to the confines of the existing building.

Ms. Sigfridson explained that the replacement portion was not as concerning to the Commission as was the erection of new buildings. Mr. Sullivan asked what the specific concerns are. He described his site plan that he would like to propose, a traffic study that had been done, and he spoke of the need for self-storage in the area.

Mr. Tanner explained that the intent of the regulation for Adaptive Re-Use of Agricultural Buildings was to keep dilapidated buildings from falling down and that they could then be used for something else.

Ms. Sigfridson reminded Mr. Sullivan that the Commission cannot consider his site plan and that he would need to discuss his proposal for the zone change to allow businesses that have been established as adaptive re-use businesses to expand with new buildings. She explained that it was a narrow exception to the Regulations that allowed for a storage facility to be allowed on that property and that the discussion of the Commission at the last meeting indicated that the Commission wants to keep that exception narrow.

Ms. Roberson commented that Mr. Sullivan has a plan and has gone through the cost and effort of preparing a zone change application because he has something in mind. She said that the Commission is familiar with Mr. Sullivan's site plan and she explained that the purpose of the original regulation was merely to re-use buildings and that the concern is that adding buildings is not a re-use and, therefore, is inconsistent with the overall tone. She said that replacing agricultural buildings had been discussed at the last meeting. She read aloud and suggested that the Commission consider the following conditions that she had drafted under Section 6.B.3.4 – Post-Approval Modification (dated 2/8/2022, included in packets to Commission Members):

6.B.3.4.1

- An approved Special Permit for Adaptive Reuse of an Agricultural Building may be amended or modified in accordance with Section 9.D.8.6.

6.B.3.4.2

- Such amendment or modification may include the replacement of an agricultural building(s) existing February 7, 2002, provided such replacement building has the same (or smaller) footprint as the building being replaced or is similar to the architectural style of other agricultural buildings in the vicinity, as determined by the Commission.

There was discussion:

Ms. Roberson commented that Mr. Sullivan's site plan shows two additional buildings that can't be considered replacements, not visible from the road and pretty integral to the whole development, meaning it is not really outside the original footprint. She does not know how tall they would be, but it appears that, if they match the building heights, they would not be visible from the road. She said that the Commission's concern is that a sweeping change to this Regulation to allow any new structures isn't really consistent with the original stated purpose.

- Ms. Deshaies asked if this would require a ZBA variance. Ms. Roberson explained that it is not appropriate to discuss it in that context as the topic of discussion is this public hearing. However, it is within Mr. Sullivan's rights to pursue a variance.
- Ms. Kelleher noted that the language establishes the size of the footprint, but there was no mention of whether or not a second level could be added. She stated that she would prefer that it be limited to the same square footage of the building that was there before. Mr. Fitzgerald mentioned that there is language in the Regulations that would address this. Ms. Roberson offered to add that language.
- There was discussion regarding a building that has existed on February 7, 2002, but had been removed before the time of application.
C. Kelleher suggested the following: Existing on February 7, 2002 and at the time of application and is not in very good shape. Ms. Kelleher reminded Mr. Sullivan, again, that his particular site plan is not being discussed during this public hearing and that, if this change to the Regulations is approved, his site plan could still not get approved (which is a separate process).
- There was discussion regarding restoration of an existing building and whether it would expand the use. Ms. Roberson explained that if an application for Adaptive Reuse were approved and an agricultural building not included in the original application were to be restored, they would have to seek a modification of the original special permit.

Ms. Roberson will add the following to the draft language: building height; massing; existing square footage; footprint; and architectural style. She suggested that the public hearing be continued to allow her to draft the language for review by the Commission at the next meeting. There was more discussion regarding building height.

COMMENTS FROM THE PUBLIC:

Jim Adams, abutter to the property, wanted to know, if the zone change were approved, would Brooklyn Self Storage be allowed to expand beyond the fenced area that is there now. He asked about an additional building in front.

Ms. Sigfridson explained that the Commission is considering a text change in the Adaptive Reuse Section, not a zone boundary change. She explained that the change being considered tonight by the Commission would only be to allow changes where there are already existing agricultural buildings. Ms. Kelleher stated that an additional building in front would not be allowed.

Ms. Sigfridson asked Mr. Adams how he feels about the Regulations being changed to allow new buildings to be built for a use where they had utilized old agricultural buildings. Mr. Adams stated that this doesn't bother him as long as it is within the confines of the area that is already there.

Ms. Roberson stated that she understands the concern regarding building height and she will draft language to address it. She will provide draft language to the Commission before the next meeting. Mr. Fitzgerald said it should be proportional to the surroundings. Ms. Sigfridson suggested that it not be any bigger than it was before. Mr. Fitzgerald agreed and suggested "previous

agricultural-use structure” rather than “dwelling.” It was decided to wait to see the draft language that Ms. Roberson comes up with.

Motion was made by A. Fitzgerald to continue **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**, to the next regularly scheduled meeting of the Planning and Zoning Commission on Tuesday, 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 (5-0-0).

d. **Other Unfinished Business:**

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

J. Roberson explained that they are still waiting for the survey which she is expecting any day. When the survey is received, they will schedule a site walk and she hopes to be able to report to the PZC at the March 15th meeting. The extension that has already been granted will take us to the April meeting if necessary. This Agenda Item was tabled.

2. **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 15, 2022.**
3. **SP 22-001: Special Permit for Accessory Apartment at 190 Wolf Den Rd., Applicant: JP Rimoczy. *Public Hearing scheduled for March 15***

VIII. New Business:

a. **Applications: None.**

b. **Other New Business:**

1. Informal Discussion with Zack Labonte, Core Holdings, LLC, re: 600 Wauregan Road and renumber subsequent items accordingly.

Zack Labonte represented himself and provided information (including photos) regarding plans for the property (the American Legion building) that he is in the process of purchasing:

- 5.4 acres (mostly clear-cut) in the RB Zone, a busy part of Town.
- He would like to build a mini-storage.
- It would require Town resources such as water.
- It needs electrical system upgrades.
- There is quite a bit of space.
- It would not be an eye sore. He would make sure that it is kept clean.
- Yard sales would be prohibited.

He asked how the Zoning Regulations could accommodate his goal.

J. Roberson stated that self-storage facility is not currently a permitted use in the RB Zones, but she said that there are some pretty similar ones like bulk storage of landscaping products.

Mr. Labonte referred to Section 4.C.2.5 – Industrial Related Uses and he said that there are some parallels there.

Ms. Roberson stated that Mr. Labonte had also contemplated housing, but has recently changed toward a different use and she suggested that he come before the Commission for informal discussion to get some feedback.

Ms. Roberson asked about the NECCOG map that Mr. Labonte had provided that includes an extra parcel. Mr. Labonte stated that the deed shows a right-of-way easement, which he said he would not encroach upon that. Ms. Roberson commented that he could still have that legal right-of-access.

Mr. Labonte stated that the property is not in a flood zone.

There was discussion regarding the VFW with Ms. Herring who lives across the street.

Mr. Labonte stated that he would use the existing driveway by the VFW. He would like to put multiple buildings in the back, but he has not done a site plan yet to see how many buildings he could put in. He wants to understand the feasibility of the project and what the best avenue is for doing it.

Mr. Labonte said that it would not be visible from the road. He feels that it would work and have minimal impact on the area. If anything, it would be an improvement.

Ms. Sigfridson commented that she feels that this area seems more appropriate for this type of use than the VCD. Mr. Tanner commented that you would want a low impact/low traffic business in this location. Ms. Sigfridson agreed. Ms. Roberson stated that it would require a Zoning Regulation change to add the use. This would also affect the small RB Zone on Route 6. Discussion continued. Mr. Fitzgerald commented that he would have to go through the State DOT regarding the driveway.

Ms. Roberson commented that the two RB Zones are very different from each other. The one in West Wauregan is much more residential and has lower traffic volumes. She suggested that the PZC may want to consider splitting them up into RB1 and RB2. She also suggested that the PZC may want to consider this text change in only one and not the other and she explained that the PZC may want to limit it further by narrowing/defining where uses are permitted. Ms. Herring expressed concern about the number of houses in the area and if the major building looks like a big commercial building. Mr. Labonte stated that he is not sure what he would do with that building (maybe just an office) and he explained that he would make it look nice.

There was discussion regarding the VFW use and Ms. Roberson stated that grandfathered use could be continued.

There was discussion regarding that this could be a lengthy process as it would require two public hearings: one for the zone text change and one for special permit. Ms. Sigfridson explained the PUD, but Ms. Roberson stated that she does not recommend that. Ms. Herring and A. Fitzgerald expressed positive feedback for this project. Ms. Sigfridson commented that she thinks that the project received a warm reception by the Commission. Ms. Kelleher commented that she had not heard any strong objections from the Commission. Ms. Sigfridson

commented that she doesn't feel that the idea of a multi-family development there would have received icy reception. Discussion continued regarding that this area has mostly multi-family housing. There was discussion regarding self-storage being clean and gated and the need of contractors (who don't have their own facility) to have a place to store their equipment/materials.

Mr. Labonte thanked the Commission.

2. Affordable Housing Plan Survey Results

There were two surveys: Visual Preference Survey (which had 36 results) and a Big Survey (which had 107 results) at the end. Mr. Roberson explained that the Big Survey contained some personal information which had to be redacted before it gets posted. She hopes to get it to the PZC before the next meeting. She explained that there is a lot of commentary that she wants to categorized. Most of the respondents were residents of Brooklyn.

Ms. Roberson reviewed the educational segment of "What Does Affordable Housing Look Like" which is available on the website (included in packets to Commission Members). She spoke of the different types of multi-family housing in Town.

Ms. Roberson discussed the results of the Visual Preference Survey: single-family detached had the highest preference score; second highest was duplex or two-family; third highest was single-family attached (also known as townhouse-style units); lowest score was the larger multi-family building containing 3 or more dwelling units with units located one over the other.

The goal for the draft of the Affordable Housing Plan is to have it ready for the next PZC meeting (March 15th). There was discussion regarding the approval process.

There was discussion regarding the POCD. Ms. Roberson explained that the Affordable Housing Plan will be adopted as an amendment to the POCD and she will be meeting with A. Tanner on March 3rd. Ms. Roberson explained that projects need to be identified to help qualify them for funding.

An explanation of the POCD was given for new Members, L. Herring and S. Sara Deshaies.

Ms. Roberson explained the strategy and who she has spoken with and her plans for contacting the remainder of the people she needs to speak with and for completing the process. She explained that there is a distinct trend that it is better to keep things moving more quickly by breaking things down more topically than trying to address everything in a comprehensive way. Discussion continued.

IX. Reports of Officers and Committees:

a. Staff Reports

Ms. Roberson provided copies of the Quarterly Newsletter from the Connecticut Federation of Planning and Zoning Agencies. She explained that there is legislation that requires 4 hours of training every two years for PZC and ZBA Members. There was discussion regarding the Annual Conference/Training on March 24th which would qualify

toward the training requirement. Ms. Sigfridson spoke about online basic training from CLEAR (Center for Land Use Education And Research) which she will do and report back to the rest of the Commission Members. Ms. Roberson will send the link to CLEAR.

There was discussion regarding Air B&B/short-term rentals. Ms. Roberson suggested that the Commission may want to consider adding language to the Regulations to address this. Discussion continued. Ms. Sigfridson does not feel that this is a high priority at this time. Ms. Roberson will keep an eye on it.

- b. Budget Update (included in packets).
Ms. Roberson explained that Revenues has been corrected.
- c. Correspondence
Quarterly Newsletter from the Connecticut Federation of Planning and Zoning Agencies
– See discussion above under Staff Reports.
- d. Chairman's Report – None.

There was more discussion regarding training. Ms. Roberson will provide information to Commission Members.

There was more discussion regarding affordable housing and 8-30G. Ms. Roberson explained that she does not feel that it resonated with our community and we did not adopt that approach with the Affordable Housing Plan. Discussion continued. Brooklyn has fallen off the exempt list and is vulnerable to 8-30G.

Ms. Roberson and the Commission welcomed new Alternate Members, Lisa Herring and Sara Deshaies.

X. Public Commentary – None.

There was more discussion regarding the need for a Citation Officer.

XI. Adjourn

M. Sigfridson adjourned the meeting at 9:05 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary