

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
Regular Meeting  
Tuesday, December 20, 2022 6:30 p.m.**

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

MEETING LOCATION:	
Clifford B. Green Meeting Center, Suite 24, 69 South Main Street, Brooklyn, CT	
Click link below: <a href="https://us06web.zoom.us/j/84765564828">https://us06web.zoom.us/j/84765564828</a>	Go to <a href="https://www.zoom.us/join">https://www.zoom.us/join</a> or 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 6:38 p.m.
- II. Roll Call** – Michelle Sigfridson, Carlene Kelleher, Allen Fitzgerald, Lisa Herring, Seth Pember, Gill Maiato; Brian Simmons and (all were present in person).  
Sara Deshaies was present via Zoom.  
**\*NOTE: Due to not being sworn in as a Regular Member, John Haeefe is not listed in the roll call. He did attend the meeting as a member of the public.**

**Staff Present:** Jana Roberson, Town Planner and Director of Community Development; Austin Tanner, First Selectman (both present in person).

**Also Present in Person:** Attorney Kathleen Cerrone, The Northeast Law Center; J.S. Perreault, Recording Secretary.

There were approximately ten additional people present in the audience.

**Present via Zoom:** Jackie; Nolan Spradlin; Joe; Lori Johnston; WINY Radio; Peter Alter.

**III. Seating of Alternates**

Motion was made by A. Fitzgerald to seat Brian Simmons as a Regular Member for this meeting (December 20, 2022), in the absence of J. Haeefe.

Second by G. Maiato. No discussion.

Motion carried unanimously by voice vote (7-0-0).

**IV. Adoption of Minutes:** Meeting December 7, 2022

Motion was made by C. Kelleher to approve the Minutes of the Regular Meeting of December 7, 2022, as presented.

Second by G. Maiato.

Discussion:

J.S. Perreault, Recording Secretary noted that she had forgotten to put her name at the end of the minutes.

Motion carried unanimously by voice vote (8-0-0).

**V. Public Commentary** – There were no comments from the public either in person or via Zoom.

**VI. Unfinished Business:**

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

d. **Other Unfinished Business:**

1. **ZRC 22-007:** Revisions to the Residential-Agricultural Zone to allow Glamping as a Special Permit Use with specific standards, including Section 2.B Definitions, Section 3.C.2.4. Permitted Uses in the RA Zone, and Section 6.T Standards for Glamping.

M. Sigfridson explained that the public hearing was closed at the last meeting of the PZC and that the Commission could take action at this meeting, although not required to do so if not ready.

G. Maiato stated that although he was not present at the November 15<sup>th</sup> meeting, he had listened to the recording and is prepared to participate this evening. Ms. Sigfridson stated that all of the Members present had been present for all of the public hearing meetings and that B. Simmons was seated as a Regular Member for all of those meetings.

**The Commission Members stated their individual thoughts on the Application.**

- **A. Fitzgerald** stated that he cannot see any benefit to the Town or property owners. He has reviewed everything multiple times and can't see a reason to change the Zone. He feels that it would put a strain on the Town's resources that are already strained. He daily hears stories of things being stolen and he feels that it is a lot of territory for one Resident Trooper to cover. He has not heard any comments from the Fire Marshal.  
M. Sigfridson noted that the Fire Marshal would weigh in on a special permit application rather than a zone change application.
- **G. Maiato** stated that if it is going to affect 85 percent of the Townspeople, he is not in favor.
- **L. Herring** commented that, although she understands the commercial aspects, she feels that putting in a large private school on a parcel of this size would be less conservative of the land than putting up some temporary shelters. She voiced concern about being able to put so many event facilities in much smaller parcels in Town and that is felt to be more conservative than this Application. She feels that other alternative options could also put a burden on fire and EMS services. She commented that agriculture on large parcels is no longer, necessarily, sustainable without some other alternative to match with it. She feels that it is a balancing act. She doesn't understand why it wouldn't benefit the Town.  
There was discussion regarding tax revenue.
- **B. Simmons** commented about the Brooklyn Fair being a campground. He stated that campers are allowed there and he sees open fires there all the time. He said that we don't know who is going to show up there because carnival people come in, other events come in and campers are allowed. He asked what limit is on campers at the Brooklyn Fairgrounds. He asked how it is zoned.  
G. Maiato stated that there is no limit there that he knows of.  
J. Roberson stated that, because it is the longest running agricultural fair, it is grandfathered under Zoning and we allow any events at the Fairground.  
Mr. Maiato stated that they have to go under the Event Ordinance.  
Mr. Simmons stated that is the same as the Applicant and they would be going through permitting to allow 220 people on their site at any one time and the Fairground could have 5,000 people a day.
- **Ms. Sigfridson** stated agreement with Ms. Herring and B. Simmons regarding the concept of impact/intensity of the potential uses rather than commercial vs. non-commercial (which she feels is an arbitrary distinction). She feels that the potential impact with all of the conditions that were discussed seems much less for potential strain on Town resources for 220 glampers vs. the possibility of a single-family home or duplex dwelling on every two acres or multi-family housing. She noted that you could have a condo application on any parcel over five acres. She feels that the potential impact from a glamp-ground seems much less than from some of the other things, that we may already allow on similar parcels, like schools, electrical substations and gravel pits. Ms. Sigfridson stated,

for the Record, that she does not like the words “glamping” and “glamp-ground.” She feels that it would be a benefit to give owners the opportunity to engage in a use that is less intense than some of the other options they may have for their land.

Ms. Sigfridson also mentioned the potential for recreation and economic development. She stated that there wasn’t much expert testimony on the issue of economic development. There were conflicting concerns as some feel that it would be a dismal failure, while others feel that every large parcel in Town would be purchased by some out-of-State glamping conglomerate and we would suddenly be overrun with glampers. She feels that the truth is probably somewhere in the middle. She feels that actors would compile their demographic information and make wise investments. Her hope is that, if we do allow this and eventually have an application, the Commission would give careful consideration to the applications as they come before us and that we would have successful businesses, which the POCD states is important. She said that she would like to encourage this and she thinks it would be good for the Town.

- **L. Herring** stated that she has reservations for multiple cabins being built. She feels that, if not successful, it would be more conservative to the land to dismantle platforms and tents rather than dismantling 15 or 20 cabins and then, putting it back to open land.  
C. Kelleher stated that it could be addressed by an actual application.
- **C. Kelleher** stated agreement with Ms. Sigfridson with the exception of the number of units as she still feels that 125 units for 125 acres (density of 1 per acre) is too much, especially with a maximum of 225 people. She feels that this allows a capacity or units that far exceeds the number of people allowed. She stated that she would be more inclined to approve the Application with a much smaller number of units which would give a chance to see the real impact. If too little, it can always be changed. She suggested lowering to 50 units as she recalled Dr. Poland’s statement, in response to her question at the last meeting, that you would probably see more like 30 or 40. She said that this was not in the minutes, but can be heard on the recording of the meeting. She feels that this would be a reasonable thing to do.
- A. Fitzgerald asked if the Town Attorney had reviewed the ambiguous language. Ms. Sigfridson stated that, as far as she knows, it has not been referred to the Town Attorney. A. Tanner explained that some of the terms cannot be defined as they are relative terms. Ms. Kelleher stated that it has been standard procedure to refer to the Land Use Attorney for review. Ms. Roberson stated that it has been referred to the Land Use Attorney and he has reviewed it and he defers to the PZC’s legislative authority.  
Ms. Sigfridson commented that, although she does not agree with everything that Dr. Poland said, she feels that he succinctly stated that our Regulations already say that any terms not defined in the Regulation, should be given their usual meanings (dictionary) and beyond that, it is up to the Commission to interpret the Regulations.
- **Seth Pember** commented that he has a few problems with the proposal in its current state:
  - The three biggest survey answers in the POCD: maintains character of neighborhood; quiet and inconspicuous; minimize traffic impacts. He feels that a couple hundred people coming down Wolf Den Road on check in and check out day is not minimum traffic impact and is not quiet and inconspicuous. He likes the idea of preserving agricultural land with something like a glamp-ground, but he does not think that this is the particular area for it. He thinks that it is back roads in the country where you could have 225 people coming in and out on the same day, which would be traffic of 450 people on check in/check out day, all at once on Wolf Den Road, which is not a big street and it is made for that kind of traffic. While he likes the idea of glamping, he feels that the scale, that we would be allowing if approved, is too large, especially for that particular

area. He explained that he knows that the Commission is not supposed to be looking at a particular area, but if you look at all of the areas that would be approved for this, none of them are on Route 6 or Route 169. They are all back areas where this scale of campground he feels is not feasible. He feels that it would put duress on the Town.

F.Fitzgerald commented that although we can't talk about a specific place, it is almost the only place that it could go.

- **S. Deshaies** commented that the reason why the Commission keeps coming back to the glamp-grounds and the sites is because we've already seen this Application, so we kind of know what is coming at us. She asked what happens the next time when something is presented that our Regulations haven't addressed and they've got their shoe in and we've got glamp-grounds all over Brooklyn. She said that she is not a fan. Her opinion is that she does not think it is right for Brooklyn. She stated agreement with Mr. Pember. She stated that she does not see a financial upside for the Town, she feels that it strains our resources and she said that if she lived on Wolf Den Road or Bush Hill Road she would be really upset. It is a sleepy, little scenic part of Brooklyn that wouldn't be that way anymore.

Mr. Simmons stated that it wouldn't be that way with 50 houses. Mr. Fitzgerald stated that that putting 50 houses in is allowed right now and he explained/clarified that he is not in favor of changing zones as he has never been a proponent of changing zones. Mr. Fitzgerald also commented that nobody would be putting a substation there because there are no transmission line. Mr. Tanner explained that having one more use doesn't mean that everybody is going to jump into it.

Ms. Roberson stated that, if approved, it would still be the RA Zone and residences would still be allowed there. The only four parcels that meet the criteria, as lot lines currently exist, are: a parcel own by Sansoucy; a parcel owned by the Learning Clinic; and the two Little Dipper parcels.

M. Sigfridson explained that if the Regulations don't specifically say that something is allowed, then you can't do it, which is why we get applications like this one.

Mr. Tanner explained that, if approved, it would be permissible, but not feasible, in 85 percent of Town. He said that change is always hard, but we have to be open-minded. He commented that it may make Brooklyn more of a destination, like Putnam is for antiques. He said that he doesn't think anyone would put in the 125 units, but it would be theoretically possible. Ms. Kelleher, again, stated that she would like it to be reduced. Mr. Tanner stated that a lot of good points had been brought up, during the public hearing, which could be addressed by experts if application is submitted.

- L. Herring feels that Event Facilities needs to be addressed in the Regulations, although she understands about the traffic. She again mentioned that it is a balancing act and that we are not making farming any easier for farmers.
- Ms. Sigfridson commented that change is hard and that if we keep doing what we've been doing, we will get more of what we've got which is little residential subdivisions everywhere which are not a financial net gain for the Town, they are a financial strain on the Town. Residential development costs the Town money. She commented about a concern that had been raised during the public hearing about Brooklyn being a test case. She thinks it's great that Brooklyn, a little town, was not afraid to be the first Town in the State to have Village District Regulations. You don't have to take a wait and see approach.

#### **The Commission Members discussed possible conditions of approval:**

- Mr. Pember stated that we all have some concerns regarding the number of people and number of units. He feels that, if we are going to be experimental, it should be scaled down to the point where everybody is comfortable. He said that he is not ready to approve it at this size.

- Ms. Sigfridson stated that she is in favor of the change, but she is also okay with it being limited to 50 units.
- Ms. Herring agreed and she stated that she understands that it needs to be sustainable, but she also understands that this is something new and we are looking to make sure that it works well for residential areas in our little Town. She, again, stated that she is not a fan of multiple stay-forever structures.
- Mr. Simmons explained that he has done some research and found that that they are not permanent fixtures. Ms. Herring feels that there should be no individual cabins for individual stays.

Mr. Simmons brought up the Fairgrounds again and there was discussion about year round. There may not be as many people during wintertime.

- Ms. Kelleher stated that there are controls. She referred to gravel banks in the RA Zone and talked about allowing people to use their property in a way that is beneficial to them as long as it doesn't impinge on the rights of others. She spoke of how it is difficult for farmers to just farm.  
Ms. Sigfridson agreed and commented that farms these days don't look like bucolic rolling fields, but they are metal buildings full of swine (which would be currently allowed).
- Mr. Pember stated that the Commission needs to look at the four parcels and decide what we want in those particular areas because that is all we have to judge by at the moment. He does not feel that this scale works in those four areas. He doesn't think that being cautious is a bad thing.
- Ms. Sigfridson stated that she feels that most of the Commission Members agrees with Mr. Pember. She suggested that the Commission give thought to make some changes that could be agreed upon as much as possible to draft a motion to approve. She explained that if anyone was not in favor of glamping to any degree, they would not vote in favor of the proposal. All Members will need to state their reasons whichever way they vote.

J. Roberson referred to her Staff Guidance dated 12/20/2022. The Commission has until its first meeting in February to act. Ms. Sigfridson suggested that the Commission not act at this meeting as modifications are to be made to the proposal.

- There was discussion regarding revisions to the total number of glamp sites, glamping units and maximum occupancy. Ms. Roberson explained about suitable acres, and glamp sites vs. glamping units (she referred to proposed Sections 6.T.2.5 & 6).
  - Ms. Kelleher suggested a maximum number of people of whatever is decided upon and she suggested for events, it could be increased by going through the Special Event Application Process.
  - It was suggested to have separate maximum occupancy limits for lodging and event guests. Ms. Roberson read aloud proposed Section 6.T.2.15. Mr. Pember noted that this is addressed under proposed Section 6.T.2.23. Mr. Pember suggested no change to 6.T.2.23 and that 6.T.2.15 be changed to read as follows, "Maximum lodging occupancy for the Glamp-ground shall be a total of 110 persons." Discussion continued.
  - Ms. Herring suggested removing cabins/permanent structures altogether for actual glampers. She also feels that there should not be mobile structures in and out, campers should not be allowed to come and set up and take them off their wheels. They should be tents.  
Discussion continued. Nobody would be bringing in their own trailer. Ms. Roberson read aloud from the definition of glamping unit from the proposed modifications dated 11/29/2022. She also read aloud Section 6.T.2.9 and suggested that the Commission may want to change the second sentence. Ms. Kelleher suggested that language be added about keeping with the natural characteristics of the surrounding area and that it needs to be determined by the Commission.
  - S. Deshaies stated that she likes what is being discussed and agrees with campers being removed altogether and she likes more nature driven.

- There was discussion regarding the maximum size of sites and size and height of structures. Ms. Roberson noted that the size of the deck may be included with square footage of the structure, so it is not necessarily all interior space. Mr. Fitzgerald suggested that there be a total square footage and a total living space. Ms. Sigfridson suggested a maximum of 400 or 500 sq. ft. Ms. Kelleher stated that the Applicant had expressed that they would like flexibility for the units. Regarding a question about ensuring that structures of different sizes would be used, Ms. Roberson encouraged the Commission to include as many standards that they feel are appropriate.
- There was discussion regarding enforcement for violations. Ms. Roberson explained that the appropriate response to an enforcement problem would be with our Zoning Enforcement Officer, our Citation Ordinance and a process that we have of fining violators.
- Ms. Sigfridson suggested that the Commission Members go over the changes discussed before the next meeting to see if there are further changes to be made. Ms. Roberson stated that the changes discussed would not cause a need to republish. She explained that it is within the Commission's authority to approve, modify and approve or deny the proposal. Eliminating language and modifying numbers are a completely acceptable type of modification. Ms. Roberson will draft modifications to language based on the discussion: eliminating total number of people; potential different number on the total number of glamping units; eliminating hard-sided structures and things that can be brought in on wheels.
- There was discussion regarding staff housing and Ms. Roberson read aloud proposed Section 6.T.2.13 – no change to this language. There was discussion regarding proposed Section 6.T.2.7. Mr. Pember would like to do more research on sizes of safari tents and yurts to get a better understanding. Ms. Sigfridson stated no change to this item at this time, but could be considered by Commission Members between now and the next meeting.
- There was more discussion regarding hard-sided structures. Ms. Roberson suggested that the following sentence in the definition of Glamping Unit, "Such structures may include, but are not limited to, safari tents, yurts, teepees, hart-sided structures, small cabins, and other similar structures" be replaced with "Such structures may include, but are not limited to, safari tents, yurts and teepees." Ms. Sigfridson read aloud proposed Section 6.T.2.24. If applicants have a specific idea that is not allowed, they can ask for it to be changed.

Motion was made by C. Kelleher to table **ZRC 22-007: Revisions to the Residential-Agricultural Zone to allow Glamping as a Special Permit Use with specific standards, including Section 2.B Definitions, Section 3.C.2.4. Permitted Uses in the RA Zone, and Section 6.T Standards for Glamping, to the next regular meeting of the Planning and Zoning Commission to be held on January 4, 2023, at 6:30 p.m., at the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.**

Second by S. Pember. No discussion.

Motion carried unanimously by voice vote (8-0-0).

2. **ZRC 22-008: Revisions to the Planned Commercial Zone to allow self-storage facilities as a Special Permit Use with specific standards, including Sec. 4.D.2.3.19 Permitted Uses in the PC Zone, and Section 6.T Standards for Self-Storage Facilities, Applicant: Townsend Development. \*Public Hearing 1/4/2023 \***
3. **SD 22-003: Two-lot Subdivision including 26 acres at 430 Allen Hill Road (Map 32, Lot 128), Applicant: Naomi Regis.**

J. Roberson explained that the PZC had referred this Application to the Conservation Commission which will be meeting before the PZC's January 4<sup>th</sup> meeting. Therefore, their report on their suggested method for open space dedication should be available then.

4. **SP 22-007:** Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher. **\*Public Hearing 1/17/2023 \***
5. **SP 22-008:** Special Permit Application for Multi-Family Development (50 Condominium units) on south side of Louise Berry Drive (Assessor's Map 33, Lot 19), 13.5 acres, R-30 Zone, Applicant: Shane Pollack and Erin Mancuso. **\*Public Hearing 2/1/2023\***

**VII. New Business:**

- a. **Applications:** None.
- b. **Other New Business:**
  1. Pre-application discussion with Brooklyn 405, LLC.

Nolan Spradlin, via Zoom, provided a brief PowerPoint presentation, Patriot Properties, which was displayed. He explained that they are interested in applying to put self-storage at 405 and 423 Providence Road. He explained their preliminary plans. All units to be interior.

Dana Barnes, Brooklyn 405, LLC, property owner, was present in person. Mr. Barnes explained that they have been trying to develop the site for 10 or 15 years and are continuing to look for ways to develop it. He provided an aerial photo showing that the lot lines had been redrawn (it was also displayed as part of the PowerPoint presentation).

Ms. Roberson explained that there is an existing house on the property and she explained about a powerline upgrade that had happened on the property.

Mr. Barnes explained that there would be two pads sites proposed in front of the self-storage. He explained about the two entrances. He explained that there would be no additional curb cuts on Route 6 under this plan. He asked for direction from the Commission as to whether they would be amenable to this type of application.

Ms. Roberson explained that there is a very similar proposal currently in the system.

There was discussion regarding self-storage not currently being allowed in the PC Zone. Ms. Roberson explained that if it could be hidden on the rear acreage, it could be consistent with the design guidelines for the Route corridor. Discussion continued.

Mr. Barnes stated that the Commission was receptive with reservations. Ms. Sigfridson stated "yes."

Motion was made by S. Pember to move Agenda Item IX. Public Commentary to between Items VII.b.1 and VII.b.2.

Second by C. Kelleher. No discussion.

Motion carried unanimously by voice vote (8-0-0).

**Public Commentary (moved up on the Agenda).**

Scott Winslow, Herrick Road, asked a procedural question: "When making a decision on one application, does the Commission take into account the impact from another application that is in front of the Commission?" For example, traffic from the other application on Wolf Den Road for an event facility. He is concerned that there could be three events going on simultaneously involving 750 people within a short distance from one another.

Ms. Sigfridson explained that the Commission takes into account the present circumstances. Ms. Roberson stated that a traffic engineer predicts traffic volumes based on the use being proposed for that application.

Mr. Winslow said that he struggles with one having a better economic viability to the Town than the other, as one is self-contained and the other is a business generating income for the Town. There was discussion regarding how a traffic study is done.

Mr. Winslow asked that his comments be recorded in the minutes. He said that his comments in the past were not accurately recorded in the minutes. Ms. Sigfridson explained to Mr. Winslow that if he feels that his comments are misrepresented, he can ask for correction during public comment.

2. Potential Executive Session to discuss ongoing litigation

Ms. Roberson gave a brief overview to Executive Session.

Motion was made by C. Kelleher to enter into Executive Session at 9:34 p.m.

Second by G. Maiato. No discussion.

Motion carried unanimously by voice vote (8-0-0).

Included in Executive Session: M. Sigfridson; C. Kelleher; A. Fitzgerald; J. Haeefe; S. Pember; L. Herring; S. Deshaies; G. Maiato; B. Simmons; J. Roberson; A. Tanner; Peter Alter, Town Attorney.

Executive Session was closed at 9:45 p.m.

The Meeting was re-opened.

3. Possible action regarding ongoing litigation

Motion was made by S. Pember: Move that the Brooklyn Planning and Zoning Commission authorizes the Town Counsel to enter into a settlement agreement in the presently pending matter. WWM-CV20-6020529- Strategic Commercial Realty, Inc. D/B/A Rawson Materials v. Town of Brooklyn Planning and Zoning Commission, by which the applicant has agreed to increase the protective buffer area of non-disturbance from its original proposal in order to further address the concerns of the Brooklyn Inland Wetlands and Watercourses Commission in protecting the kettle pond located on the site as well as the Quinebaug River. The area of non-disturbance related to the kettle pond shall be 100' and the non-disturbance area related to the Quinebaug River shall be 125', all as shown on map titled "Key Map & Phasing Plan prepared for Strategic Commercial Realty, Inc. d/b/a Rawson Materials, Proposed Gravel Excavation Land N/F The Potvin Family Trust, Maynard Road, Brooklyn, CT," sheet 3 of 17, last revised 12/9/2022. The settlement of a related pending appeal pending against the IWWA utilizing the identical proposed increase in the area of non-disturbance has been reviewed and approved by the Brooklyn Inland Wetland and Watercourses Commission at its last meeting thereby rendering the prior condition imposed by the Planning and Zoning Commission of no further force or effect. The agreed upon separating distances shall be a condition of approval of the excavation permit granted by the Planning and Zoning Commission."

Second by A. Fitzgerald. No discussion.

Motion carried unanimously by voice vote (8-0-0).

**VIII. Reports of Officers and Committees – No discussion.**

**IX. Public Commentary – See Above.**

**X. Adjourn**

The Meeting was adjourned at 9:50 p.m.

Respectfully submitted,

J.S. Perreault  
Recording Secretary