

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Regular Meeting
Wednesday, March 1, 2023 6:30 p.m.**

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

MEETING LOCATION:	
Brooklyn Middle School Auditorium, 119 Gorman Road, Brooklyn, CT	
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 6:34 p.m.
- II. Roll Call** – Michelle Sigfridson, Carlene Kelleher, Lisa Herring, Seth Pember, John Haefelee; Gil Maiato; (all were present in person).
Allen Fitzgerald, Sara Deshaies, Brian Simmons and Karl Avanecean were absent with notice.

Staff Present (in person): Jana Roberson, Town Planner and Director of Community Development; Austin Tanner, First Selectman (arrived at 8:28 p.m.).

Staff Present (via Zoom online): Margaret Washburn.

Also Present in Person: Norm Thibeault, P.E., Killingly Engineering Associates; Scott Hesketh, P.E., F. A. Hesketh & Associates; Paul Archer, Archer Surveying and KWP Associates; Nicole Wineland-Thompson Fisher; Daniel Blanchette, J & D Civil Engineers; Lou Polseno; J.S. Perreault, Recording Secretary.

There were approximately fourteen additional people present in the audience.

Present via Zoom online: Attorney Nicholas Mancuso; Gregory Fisher; Maria.

- III. Seating of Alternates** – None.

- IV. Adoption of Minutes:** Meeting February 1, 2023

Motion was made by C. Kelleher to approve the Minutes of the Regular Meeting of February 1, 2023, as presented.

Second by J. Haefelee. No discussion.

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

- V. Public Commentary**

There were no comments from the public either in person or online.

- VI. Unfinished Business:**

- a. **Reading of Legal Notices:**

J. Roberson read aloud the Legal Notices for **SD 22-004**, **SP 22-007** and **ZRC 23-001** which were published in the *Turnpike Buyer*.

- b. **Continued Public Hearings:**

1. **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.

Norm Thibeault, P.E., Killingly Engineering Associates, represented the Applicant as well as Attorney Nicholas Mancuso who was present via online (Zoom).

Mr. Thibeault explained that he had given an extensive presentation at the last public hearing. He reviewed comments that he had received from Syl Pauley, NECCOG Engineer (letters from Syl Pauley dated January 25, 2023 and September 12, 2022 were included in packets), and comments from Jana Roberson.

- Mr. Thibeault reviewed his responses to Mr. Pauley's comments which were contained in Mr. Thibeault's letter dated February 24, 2023 (provided at the meeting, however page 2 of 3 was missing. Mr. Thibeault read aloud/explained all of the responses, including those from the missing page.):

16- Sheet Plan Set

#1 - They kept the designation but, they modified the phasing plans in a manner that show the final grading for the phase rather than interim grading during the phase. The only phase where the grading will not be as final is Phase I where they will be cutting in the road and installing utilities.

#2 - This has been corrected accordingly.

#3 - That section of pipe has been removed from the phasing plans.

Architectural Building Plans

#1 - The issue of "qualified professional" had been discussed at length previously and it is his understanding that it was determined that a "qualified professional" does not necessarily mean a "licensed architect." They have proceeded based upon that presumption.

#2 - They do not meet the building code because they are schematic plans at this point. When the final construction plans are completed and are submitted to the Building Official for review, they will, at that point, meet the building code requirements.

Drainage Report dated July 2022

#1 - Was reviewed with no comments. They went through an extensive drainage review and redesign with the previous application that had been withdrawn. Mr. Thibeault stated that he believes that the drainage design that they put together, based upon the input from both Mr. Pauley and the reviewing Consultant, is a very good design and it will result in no increases in the peak run-off rates from the site and will address any water quality issues that may have been a concern of the Commission.

Sheets 8-12 (Phasing Plans)

#1 - They are showing every phase to be paved. The sequence of construction on the Detail Sheet shows that the final course of paving will be installed upon completion of each phase.

#2 - They shaded the sidewalk areas on the phasing plans to make them more visible.

#3 - They added tree plantings to the phasing plans.

#4 - Mr. Thibeault did not comment about this item.

#5 - They added on-street parking to the phasing plans.

#6 - They added road centerline to the phasing plans.

#7 - They added stockpile areas to the phasing plans.

#8 - The proposed contour lines for the phases are a result of the final paving. He explained that there is a transition between phases as those contours have to be tied-into existing grades. He said that, for the most part, the contours are consistent with the overall plan.

#9 - Mr. Thibeault did not comment about this item.

Sheet 13 of 16 - Detail Sheet 1

#10 - Mr. Thibeault said that this note has been added to the sequence of construction that the final course of pavement will be installed at the completion of each phase.

#11 - They have specified a 12-inch compost sock to be used for both applications.

- Mr. Thibeault's responses to Jana Roberson's comments (dated 1/3/2023) regarding Regulations Section 6.E Multi-Family Development:
Sec. 6.E.2.1.a - The zone designation has been corrected on the cover sheet to R-30.

- Sec. 6.E.3.6 - Minimum unit size for a two-bedroom is 800 sq. ft. and for a three-bedroom is 900 sq. ft. Mr. Thibeault said that all units exceed those minimum unit areas.
- Sec. 6.E.3.8 - Mr. Thibeault explained that he had provided a spreadsheet to Staff showing all exterior elevations and floor elevations (this was provided to Commission Members at the meeting). He stated that at the last public hearing he had provided more of a general calculation showing how they met the requirements of “not a story.” Ms. Roberson had requested this for every unit, but has not had an opportunity to do this as of this date, however, he will provide this information as he knows that it is important.
Mr. Thibeault stated that he knows that the public hearing will need to be continued as Mr. Pauley is on vacation and has not had an opportunity to review the revised plans as of this date, nor has Ms. Roberson had an opportunity. Therefore, he will address this issue completely prior to the next meeting.
- Sec. 6.E.3.9 - Mr. Thibeault stated that this goes back to the last explanation. He stated that the buildings do not exceed 35 feet in height and he referred to the architectural plans. He said that he will provide the calculations.
- Sec. 6.E.3.10 - A modification was made moving the dumpsters out of the setback. The mail kiosk remains in its location near the entrance as it is acceptable within the setback.
- Sec. 6.E.3.11 - The distance between units 44 and 32 is 40.1 feet.
- Sec. 6.E.3.13 - The revised architectural plans give a little more information regarding materials. To give a visual for the Commission, Mr. Thibeault will bring in samples of they types of finishes that will be used.
- Sec. 6.E.3.14 - The plans show some ground-mounted signs with a small light to identify the units. The architectural plans show placards on the gable ends of every one of the units as well. Mr. Thibeault will provide the detail for the placard signs.
- Sec. 6.E.3.15 - Mr. Thibeault feels that parking in front of the garage should constitute a parking space and he explained that this is not any different than any individual home.
- Sec. 6.E.3.19 - Mr. Thibeault explained that they are not proposing any home businesses or home enterprises. He suggested that language could be worked into the condominium documents by the Homeowners’ Association.
- Sec. 6.E.3.20 - Mr. Thibeault stated that the 2,400 sq. ft. playscape is shown, but he forgot to send the playscape sketch. He explained that the remainder of that area around the playscape is a 28,000 sq. ft. recreational area. He said that, as he had spoken with Ms. Roberson about, they would be providing clearing of some brush and vegetation in the current trail system where there is an easement through this particular property. They are also providing direct access to the trail system through the cul de sac, which he feels is a nice feature for this site.
Regarding the existing public access easement, Mr. Thibeault explained that they removed “Status Unknown” from the plans and he said that they reference the map on their survey plan.
- Sec.6.E.3.21 - The site has been completely delineated. There are no wetlands in the open space or in the recreational area. The area being developed were delineated by Joseph Theroux, Certified Forester/Soil Scientist. The total area of wetlands on the property is approximately 2.27 acres.
- Sec.6.E.3.22 - Mr. Thibeault explained that he did not show the parking screening because he is looking for guidance as to what the

Commission is looking for. He assumes this is for parking areas or parking lots. He explained that they show various areas of from one-to-three parking spaces along the roadway near the residential units. He asked if those areas are supposed to be screened from the units. If so, he said that they could add some evergreens to the back of those parking spaces.

Ms. Roberson stated that, regarding the wetlands and the open space, she was referring to the delineation of the open space area, not the wetlands.

Regarding the buffering of parking spaces, Ms. Roberson explained that they were looking at the ADA accessible units and the parking for those (northeast corner).

Mr. Thibeault stated that they take no objection to adding some evergreen plantings in that area to screen it from the road.

Sec.6.E.3.23 - Dumpsters have been relocated. They are showing screening around the dumpsters and the mail kiosk.

Sec.6.E.3.24 - They will provide additional screening along the northern property line.

Section 9.D - Regarding the requirement of a licensed architect vs. a design professional, Mr. Thibeault explained, that it is his belief that Mr. Skane is a qualified professional due to the amount of experience he has had over the years doing this type of work.

At this time, Mr. Thibeault introduced Scott Hesketh.

Scott Hesketh, P.E., F. A. Hesketh & Associates, gave a presentation regarding his Revised Traffic Report dated February 23, 2023, on additional traffic counts taken on February 2, 2023, during the hours from 2 p.m. to 4:30 p.m. in consultation with the School Superintendent (included in packets to Commission Members).

- 153 vehicles on Louis Berry Drive (compared to the 133 counted previously).
- They recalculated the Levels of Service at the intersection of Gorman Road and Louise Berry Drive and at the proposed site driveway. Mr. Hesketh explained that the Levels of Service were very similar or better.
- Mr. Hesketh stated that his professional opinion is still that the roadway network can accommodate the traffic volumes of this proposed development.

Since Mr. Thibeault had mentioned about the public hearing being continued, Ms. Sigfridson asked that permission to extend the public hearing be submitted in writing.

QUESTIONS/COMMENTS FROM THE COMMISSION:

- **L. Herring** commented that she feels that it is important that the recreation area meets the requirements so that they would be able to use that area as opposed to going to the School. She also stated that she feels it is important to determine the times of the day that construction vehicles would be prohibited.
- **J. Haefele** stated that he may have questions regarding traffic after he has reviewed the Revised Report.
Mr. Hesketh will be available, either in person or online, at future public hearings to answer questions.
Mr. Thibeault offered that Mr. Hesketh came come up with a plan for traffic during pick-up in back of the School that may be more efficient. He would like to discuss it with the School Superintendent before discussing it with the PZC.

QUESTIONS/COMMENTS FROM STAFF:

J. Roberson reviewed the list of items to be submitted: Story Calculation; Detail of the Playscape; Final Review from Syl Pauley; Building Sign Detail.
Next meeting March 21st.

QUESTIONS/COMMENTS FROM THE PUBLIC:

- **Cynthia Scalzi**, Franklin Drive, voiced concern about traffic and asked how long the development would take. She also was concerned about emergencies during construction.
Mr. Hesketh stated that they believe that would take 2-3 years to complete the development.
Mr. Hesketh explained that they are projecting an increase of 21 trips during afternoon peak hours.
Mr. Hesketh explained that he believes that the Applicant is willing to restrict construction-related activity during certain hours when schooltime traffic is the heaviest. Mr. Thibeault explained that they would need to coordinate with the School.
Ms. Scalzi asked how come they get the School to change the way they do things. Can she do the same thing and subdivide her lot. She asked the price range of the units.
Ms. Sigfridson explained that the School does not have to change anything based on this Application.
Ms. Sigfridson explained that this Application is for a Multi-family housing development.
Mr. Thibeault explained that it would be market-rate housing. It is not an affordable housing project.
 - **David Loughlin**, 601 Wolf Den Road, asked what arrangements would be made for the parking of construction vehicles and storage of materials.
Mr. Thibeault explained that the phases of the development will progress from the top down. Building materials, earth products, etc., will be stored at the next phase on the site. They will not be using Louise Berry Drive.
- Mr. Haefele** asked about project management.
Mr. Thibeault explained that the Owner, who is an experienced builder/contractor is going to be the General Contractor/Project Manager.

Motion was made by C. Kelleher to continue the public hearing for **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, to the next regular meeting of the Planning and Zoning Commission to be held on Tuesday, March 21, 2023, 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 (6-0-0).

At this time, Ms. Roberson stated that there was a message in the Zoom Chat at 7:29 p.m. She stated that the public hearing for **SP 22-008** was continued and that she will copy the comments and include them in the Record of the public hearing.

c. New Public Hearings:

1. **SD 22-004**: One lot Resubdivision including 2 acres on Allen Hill Road/Wauregan Road (Map 31, Lot 97C), Applicant: Wayne Jolley/Lori Pike.

Paul Archer, Archer Surveying and KWP Associates, represented the Applicants and gave a presentation (plans were displayed as discussed).

- This parcel contains 6+ acres of land that has frontage on both Allen Hill Road and Route 205. He indicated the location of a 50-foot access strip.
- They want to cut out a 2-acre portion of the land with frontage on Allen Hill Road.
- Mr. Archer explained that he and Ms. Roberson had gone through many deliberations regarding this parcel and they have determined that the best way to accomplish what they are proposing is to go through the process for a re-subdivision.

- Mr. Archer addressed comments from Ms. Roberson:
#1 - They added that the remaining land is not going to be considered a building lot.
#2 - He indicated that they dedicated 25-feet off the centerline of the road to be donated to the Town.
- They have approval from the IWWC (letter dated 12/15/2022 was included in packets). All of the wetlands are to the north.
- They have approval from the Northeast District Department of Health (letter dated 12/6/2022 was included in packets).
- An appraisal of \$62,000 for the 2-acre parcel of land, done by Northeastern Appraisals LLC, dated February 7, 2023, was included in packets. They are proposing a fee-in-lieu of open space, so the parcel would be \$62,000 at the time of transfer.

Ms. Roberson stated that this Application was forwarded to the Conservation Commission for review. She explained that they are aware of it, but have not been able to act on it yet as a Commission. However, Ms. Roberson stated that she has spoken to the IWWC Chairperson about it and they are amenable to a fee-in-lieu of open space.

Mr. Archer continued with his presentation:

- They are proposing a four-bedroom house.
- Mr. Archer explained that there is a History Plan included which demonstrates everything that has happened over the years, since the Subdivision Regulations, showing how they came to this re-subdivision of Lot 97C.

QUESTIONS/COMMENTS FROM THE COMMISSION:

- **M. Sigfridson** asked commented that it looks strange and asked if there is a reason for the buffer lot.
Mr. Archer explained that there was no real consideration, he indicated the boundaries and said that Mr. Jolley wanted to sell two acres of land, so that is the configuration that they came up with.

At this time, Ms. Roberson explained that the people attending online (Zoom) or by telephone may be experiencing some technical difficulties. She explained that they are allowed to ask questions through the virtual interface. She also typed it into the Chat.

There were no questions or comments from the public either in person or online.

COMMENTS FROM STAFF:

J. Roberson commented on the following:

- Syl Pauley has reviewed the Application and had no comments.
- It is a very developable parcel.
- There is a tiny remnant of the stone wall in the front. She does not think that there is much of anything where the driveway is proposed.

Motion was made by C. Kelleher to close the public hearing for **SD 22-004: One lot Resubdivision including 2 acres on Allen Hill Road/Wauregan Road (Map 31, Lot 97C), Applicant: Wayne Jolley/Lori Pike.**

Second by G. Maiato. No discussion.

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

2. **SP 22-007:** Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher.

Due to personal connections to this property, M. Sigfridson recused herself and took a seat in the audience. C. Kelleher assumed the position of Chair and opened the public hearing.

Nicole Winland-Thompson Fisher commented on the following:

- She and her husband, Greg Fisher, are both in the hospitality industry and their dream is to open an events facility. Their goal is to have their home with a business with the most limited impact to the community as possible.
- She explained that they sent letters to all of the abutters inviting them to come to the property to discuss the project and get feedback which, she said, was a success. She noted that many of them were present at this meeting. She said that, together, as a community, they came up with a list of items (which she referred to as a community agreement) that they want to be incorporated into the Application.
- She stated that the parcel contains 97 acres, the majority of which are completely protected and they plan to keep it that way. They do not plan on building out in the beautiful fields as they see those fields as being utilized for events.
- Regarding the required parking lot, they are working with Mr. Blanchette to create it with the most limited impact, by limiting the number of cars and lights. She explained that the plans show the required amount of parking for the number of people that they plan to have at the facility, but they want it to be small on purpose because they do not want to have a lot of cars. She said that, with 70-100 potential parking spots with endless options of people coming and going, they really want to limit that. She said that they don't want to create traffic. Their marketing goal is to be a high-end facility, so she feels that it would be a dis-service to themselves, from a business standpoint, to impact the beauty.
- The barn that they are proposing as an event facility and the property have been used for events (such as weddings) in the past.

Gregory Fisher explained that he has over ten years of experience in his profession in commercial cinematography and his main background is based in weddings. He also said that it will have little impact. He explained that they have experience, they know what they are looking to do and how to bring it forward.

Nicole Winland-Thompson Fisher continued:

- She explained that they have been thinking about how to ensure the responsibility of the people that are going to be in the community. She and Mr. Fisher have been talking about requiring planners. She explained that they are providing an open-space concept for the use of the facility for events, but are not providing food or alcohol. These would be provided by the teams that the clients would bring in which the Fishers would require that they be contracted with proof of certificate of insurance. She said that planners would be a great way to reduce impact as they would be the responsible party and they would have pre-vetted all of their people.
- For the Record, Ms. Winland-Thompson Fisher read aloud the list which she said they would like to be included in the permit upon approval (submitted to Staff on February 21, 2023, was not included in packets). Topics included: Entertainment on weekend events; indoor events limited to 110 attendees; outdoor events limited to 225 people on the property; amplification; noise levels/decibel limits; on-street parking prohibited; fireworks; notification of fireworks to neighbors; firearms prohibited; outdoor fires; outdoor grill; leave no trace; users to sign contract; outdoor lighting; dark-sky compliant; annual meeting with neighbors.

Daniel Blanchette, Licensed Civil Engineer with J & D Civil Engineers, gave an overview (plans were displayed as discussed):

- Mr. Blanchette stated that they would like the list read by Ms. Nicole Winland-Thompson Fisher to be included on the mylars as conditions of approval.
- Two parcels of land were purchased. They are approximately 200 feet south of the Little Dipper Farm.
Lot 18A – four acres containing a house (circa 1790) and garage. Lot 18B – approximately 90 acres of mostly mature forest, which wraps around the site. About 15 acres are pasture. Located in the R/A Zone.
- The site is fairly steep and drains toward Blackwell Brook on the west side of the property.
- He referenced the POCD maps and said that the site is located in a key agricultural cluster, in significant open space, and in a high critical resource value area. He explained that it is important to try to blend in with the neighborhood and minimize impact to the neighborhood as much as possible for the environment and for the neighbors.
- They are seeking a special permit to hold weddings or other similar events.
- The existing 5-bedroom house will be used as a private residence and will not be part of the events.
- Maximum occupancy of the site will be 225 persons.
- Maximum occupancy of the barn will be 110 persons.
- All food/beverages will be catered off-site. No food will be prepared on-site. The septic systems are not capable of supporting that type of liquid discharge from cooking.
- There will be rented, portable bathroom trailers for each event. The septic systems for the house and the barn are typical residential-size septic systems and are not capable of handling such a large flow.
- He explained that there is not much construction proposed. He indicated the locations of the existing house and driveway north of the house. They are proposing a new driveway about 100 feet north of the existing driveway to a forty-car gravel parking lot. He indicated the location of a proposed 8-foot retaining wall to the north side of the parking lot (because it is a fairly steep site) to make it level for walking comfort.
- Four new lamps are proposed.

Ms. Winland-Thompson Fisher explained that the windows in the barn are quite small, so they will replace them with larger windows to bring the outside in. Regarding the retaining wall and parking lot, she explained that they are working with a landscape architect to make a living wall by incorporating more greenery and beauty to blend in with the environment.

Mr. Fisher explained that it is their hope that with the particular location of the parking lot, from the road, you would see the hill, the trees and the horizon and the parking lot would be tucked away from view.

Mr. Blanchette continued:

- He stated that everything they are proposing is in keeping with the agricultural/rural character of the neighborhood/community.
- He indicated the location where they are proposing a large turn-around area on the east side of the barn. This would be for emergency vehicles and shuttle buses. They are keeping parking at the bare minimum as it is the Applicants hope that most of the guests would be at nearby hotels/motels and would be bused in by a shuttle. Parking would mostly be used by people delivering food. The turn-around will have a 12-foot retaining wall above it.
- He indicated the location of where they are proposing a gravel access drive on the west side of the barn so that they can get the bathroom trailer closer to where the events will be held.

- Smaller events to be held in the barn and for very large events, they would rent temporary outdoor tents which would be set up below the barn.
- Drainage System – Soils on-site are not very pervious (a lot of silt and clay, a lot of high ground water in the area). Being located near the top of a hill works in their favor. The contributing drainage area toward the parking lot is very small (about three acres). They designed a grass swale above the parking lot, so any water coming off the hillside will be intercepted by a swale and, then, shifted to the west and down into one of the fields further to the interior of the site. He said that this should reduce the amount of water headed toward the road.
- Parking lot to be surfaced with gravel or pea stone.
- Two catch basins in the parking lot to intercept water. It will then be distributed into a pipe system which will direct it south toward the interior of the site. Once the water exits to daylight, it will travel across 400 feet of pasture and then about 900 feet of mature forest before it enters Blackwell Brook. This will provide a significant amount of treatment and cleaning.
- He explained that they are confident that noise pollution will not be an issue as the site has a great natural buffer (due to topography and distance). Events are to be held almost 40 feet below the road and about 550 feet from the road.
- Landscape Plan by Verdant Landscape Architecture (included in packets). He explained that a tremendous amount of landscaping is proposed and a lot of screening (mostly native plants) is proposed on the east and south sides.
- He indicated where there would be some stone steps and patios in the lower field.
- Traffic Report produced by Kermit Hua, KWH Enterprise, LLC (included in packets) – determined Level of Service “A” after completion of the project, for all routes, all times, best operating conditions. Mr. Blanchette stated that the events would not impact the neighborhood from a traffic point of view.
- A variance was issued (recorded at Volume 699, Page 168 - included in packets) for this project to reduce the 200-foot property-line setback to an abutter’s property to 175 feet and also to reduce from 200 feet to 77 feet to the other parcel owned by the Applicant.
- Received B100a approval from the Health Department.
- There are wetlands onsite, but they are very far away from any proposed construction. They do not think that a Wetlands permit is required. They submitted a letter from Richard Zulick, Certified Forester and Soil Scientist, Datum Engineering & Surveying, LLC (dated 28/2023 – included in packets).
- Regarding Syl Pauley’s comments in his letter from December, Mr. Blanchette explained that they responded with a letter and revised plans. Mr. Pauley responded in an email to Ms. Roberson (dated February 8, 2023 – included in packets) stating that all of his comments were addressed to his satisfaction.
- Mr. Blanchette stated that he feels that they have addressed all of the concerns of the Town and most of the concerns of the neighbors.
- Mr. Blanchette stated that the proposal is in accordance with the Zoning Regulations and the POCD. He explained that they have made every effort to blend in with the neighboring community and that there would be minimal impacts to the environment and the community.

Ms. Winland-Thompson Fisher explained about “leave no trace” and the full-service catering which means they have to take back out everything that they bring in with them. Therefore, there is no need for huge dumpsters, just regular trash cans. Bathrooms would also get removed.

QUESTIONS/COMMENTS FROM THE COMMISSION:

- **L. Herring** asked if someone will be onsite to oversee vendors, about ADA parking. She asked, when reaching out to the Community, if they received any negative feedback and if all of the concerns were addressed satisfactorily.

Ms. Winland-Thompson Fisher explained that either she or Mr. Fisher would be there or somebody that is working with them. A Planner would be an extra person to ensure that everything is being done according to contracts.

Regarding ADA spaces, she stated that there would be two ADA compliant parking spaces, they have a golf cart and another vehicle that would be utilized to help transport people, and that there would be no steps to get into the house, barn or trailers which are accessible (everything is accessible on the first floor).

Ms. Winland-Thompson Fisher stated that everyone involved from the community is extremely satisfied. If there were additional concerns, she feels that she would have heard about it by now. She said that it is possible that someone with a concern may not have attended those meetings.

- **S. Pember** asked how many total parking spaces on site and about the number of trips that would be shuttling in. Regarding safety concerns, will there be language included that there will only be parking for 50 cars on-site.

Mr. Blanchette stated that they currently have parking for 15 cars, they are proposing an additional 40 cars. Total number of proposed parking spaces will be 59.

Ms. Winland-Thompson Fisher explained that it will be in contracts with guests. She said that they would meet with all Bed & Breakfasts and the Comfort Inn by the highway. She said that people book room blocks at local hotels and have a shuttle bus, for ease and safety, to bring people to the event. For guests, there will only be 40 parking spaces and the others will be for vendors. They did this to encourage the use of shuttle buses. It could potentially be ten trips if it is a small bus or two or three trips if it is a large bus.

Mr. Blanchette stated the following from page 2 of Mr. Hua's Traffic Report regarding future traffic conditions:

The Traffic Report accounts for 20 bus trips (10 entrance and 10 exists = 20 total), and 10 delivery vehicles = 20 trips, and 50 vehicles = 100 trips.

Ms. Winland-Thompson Fisher stated that the Planner would be responsible and that they will tell clients that there are only 40 parking spots and it will also be stated in the contract with the client. She explained that they are pushing for the use of shuttles as this is preferred with high-end weddings as it provides a better experience for the guests.

Mr. Pember suggested that, for the next meeting, the limited number of cars on-site be stated in writing. He voiced concern about people parking on the lawn.

Ms. Winland-Thompson Fisher stated agreement with Mr. Pember and said that it is in the contract and they will put it in the proposal.

- **J. Haefele** asked if the Commission Members were interested in visiting the site. Mr. Maiato and Mr. Pember stated that they are interested.
- **G. Maiato** asked if the transit buses would park in the parking lot and about emergency vehicles (ladder truck) getting to the barn.

Ms. Winland-Thompson Fisher stated that the transit buses would either park in the parking lot or go back to the hotel, depending on the transportation company. She explained how the ladder truck would get to the barn.

Ms. Roberson explained that they designed the driveway as tiers in the side of the hill.

There was discussion regarding the driveway and the parking area.

Mr. Blanchette explained that the 48-foot radius would be able to handle any fire truck or large bus. He explained that they are going to widen the existing driveway slightly to accommodate those larger vehicles. **Ms. Winland-Thompson Fisher** stated that there is no fire truck access currently to the barn.

QUESTIONS/COMMENTS FROM THE STAFF:

- **J. Roberson** stated that she reviewed the plans with the Fire Marshal and his only concern about the site plan was the gravel parking. She asked what the Applicant can do to provide both buses and emergency vehicles are not going to sink or get stuck. There is no requirement that it be paved. She asked about the depth of the material or if it can be reinforced.

Mr. Blanchette stated that this is a question that Syl Pauley had as well. Mr. Blanchette explained that he added a detail to the plan that has minimum requirements for the parking lot. They are proposing 8-inches of process gravel sub-base, 4-inches of process gravel base, and a very small coat of pea stone gravel on top.

Ms. Roberson stated that that would address that item.

- **Ms. Roberson** commented about the location of the bathroom trailer being far away and that people may be tempted to jump the retaining wall.

Ms. Winland-Thompson Fisher explained that the bathroom trailer in that location would not be for indoor events. It would be for outdoor events as it is closer to the tent. For indoor events, she explained that it would be up closer, in the round area on the far side, beyond the vendor parking. She said that it is a trailer, so it could go anywhere.

- **Ms. Roberson** explained that what is presented to the PZC would be binding, if approved. Therefore, if an alternate location for the trailer is proposed, it should be added to the plans. She said that there are no requirements for a bathroom trailer. She said that people tend to take the path of least resistance.

Mr. Blanchette explained that they tried to put it in a central location.

Mr. Fisher asked that it be kept in mind that they are very familiar with this and that the Planners are experts at placing something as simple as a trailer and at making sure that the flow goes seamless and smooth.

- **Ms. Roberson** stated that the initial proposal mentioned overnight accommodations which has been completely removed from the proposal. She stated that our special permit for event facility does not provide for overnight accommodations.

QUESTIONS/COMMENTS FROM THE PUBLIC:

- **Jacqueline Booth**, Wolf Den Road, spoke in favor of this Application and spoke about events that took place under her family's ownership of the Golden Lamb without one complaint about traffic or noise. A letter from Jim and Jacqueline Booth, dated 11/28/2022, was included in packets.
- **Jim Dougherty**, 44 Bush Hill Road, spoke in favor of this Application, reading aloud from a prepared statement which he submitted to the Recording Secretary for the Record. He stated that he took part of the meetings that took place with the Applicant regarding concerns of the community. The letter was given to Ms. Roberson at the end of the meeting.

C. Kelleher stated that she thinks that it is the consensus of the Membership that they would happily incorporate the list as part of conditions of approval.

- **Debbie Cornman**, Bush Hill Road, prefers that the residential agricultural land in her neighborhood remain as it is, but spoke in favor of this Application. She read aloud from a prepared statement which she submitted to the Recording Secretary for the Record. Ms. Cornman took part in the meetings with the Applicant regarding concerns of the community. The letter was given to Ms. Roberson at the end of the meeting.
- **Norman Berman**, 98 Bush Hill Road, spoke in favor of this Application. Mr. Berman took part in the meetings with the Applicant regarding concerns of the community and is happy with the responses.
- **David Loughlan**, stated that he is in agreement with the previous public comments from his neighbors. He spoke in favor of this Application as he feels that the Applicant is sincerely committed to respecting, preserving, appreciating and enhancing the neighborhood and the community.
- **Amy Clark** spoke in favor of this Application.
- **Jackie Igliozi** spoke in favor of this Application. She stated that she agrees with the others who have provided comments. Two e-mails from Ms. Igliozi, dated 2/10/2023 and 2/11/2023, were included in packets.

It was decided to schedule a site visit before the next meeting. Ms. Roberson will coordinate the date and time with Ms. Fisher. J. Haefele and G. Maiato stated that they are interested as well as J. Roberson. She will e-mail information to the Commission Members.

Mr. Blanchette stated that he will add to the site plan, the maximum number of vehicles and an alternate trailer location closer to the barn.

Ms. Roberson stated that Syl Pauley's comment to Mr. Blanchette's responses was that he is satisfied with the responses.

The Applicant will e-mail permission to extend the public hearing to Ms. Roberson, for the Record.

Motion was made by J. Haefele to continue the public hearing for **SP 22-007: Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher, , to the next regular meeting of the Planning and Zoning Commission to be held on Tuesday, March 21, 2023, 6:30 p.m. at the Clifford B.Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.**
Second by G. Maiato. No discussion.
Motion carried unanimously by voice vote (6-0-0).

M. Sigfridson returned to the table and resumed the Position of Chair.

3. **ZRC 23-001: Multiple revisions concerning exceptions to the setbacks including Secs. 2.B, 3.A.5.2., 3.B.5.2., 3.C.5.2., 4.B.4.2., 4.C.4.2., and 8.A.4.**

M. Sigfridson opened the public hearing.

Ms. Roberson explained that the notice to NECCOG and abutting municipalities was missed and she suggested that the public hearing be continued as the Commission should not act on this Application tonight. There was discussion.

QUESTIONS/COMMENTS FROM THE PUBLIC:

Paul Archer asked about changes to pool requirements.

Ms. Roberson read aloud the proposed clarifying language which is available on the website. She explained that the with the revision of the Regulations in 2019 there was a change to the way pools were handled. The situation evolved from a misunderstanding of the difference between a structure and a building. Every building is a structure, but not every structure is a building.

Motion was made by J. Haefele to continue the public hearing for **ZRC 23-001: Multiple revisions concerning exceptions to the setbacks including Secs. 2.B, 3.A.5.2., 3.B.5.2., 3.C.5.2., 4.B.4.2., 4.C.4.2., and 8.A.4, to the next regular meeting of the Planning and Zoning Commission to be held on Tuesday, March 21, 2023, 6:30 p.m. at the Clifford B.Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.**
Second by G. Maiato. No discussion.
Motion carried unanimously by voice vote (6-0-0).

d. Other Unfinished Business:

1. **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. – Continued to March 21, 2023.**
2. **SD 22-004: One lot Resubdivision including 2 acres on Allen Hill Road/Wauregan Road (Map 31, Lot 97C), Applicant: Wayne Jolley/Lori Pike.**

Motion was made by J. Haeefe to approve the application SD 22-004: One-lot resubdivision, Applicant: Wayne Jolley/Lori Pike, 2 acres on Allen Hill Road/Wauregan Road (Map 31, Lot 97C) in the RA Zone, creating one residential building lot with remaining, unbuildable land in accordance with all final plans, documents and testimony submitted with the application and including the following conditions:

- 1) Prior to endorsement by the Commission of the Final Resubdivision Plan(s) for filing in the office of the Town Clerk:
 - a. The approval and/or review letters from the Inland Wetlands and Watercourses Commission, the Northeast District Department of Health, and the Planning and Zoning Commission shall be added to the Final Resubdivision Plan(s).
 - b. All boundary pins and monuments shall be set and field verified by the surveyor.
 - c. All plan sheets shall be revised so that there shall be no reference to the remaining 3.27 acres as a "proposed" lot. It shall only be identified as "not to be considered an approved building lot".
 - d. Land within 50' of the centerline of Allen Hill Road shall be deeded to the town in accordance with the Subdivision Regulations and the Public Improvement Specifications.
- 2) At the time of sale of a building lot:
 - a. At the time of sale of the building lot, a payment in lieu of open space dedication shall be paid by the applicant to the Town in the amount of \$6,200 in accordance with the requirements of CT General Statutes 8-25 and Brooklyn Subdivision Regulation Sec. 8. An open space lien may be placed on the building lots to ensure that the fee-in-lieu of open space is paid at the time of sale.
- 3) Prior to the issuance of a Zoning Permit on any lot:
 - a. The developer shall notify the Zoning Enforcement Office and Town Planner at least seven days in advance of any site work to schedule a pre-construction meeting.
 - b. Prior to any lots being developed, driveway permits must be obtained from the Road Foreman in accordance with the adopted policy concerning driveways. No stonewalls, mature trees, or ledge within the r.o.w. shall be removed or modified unless necessary for safety. The responsibility of clearing, grubbing, blasting, and earthmoving with the Town of Brooklyn r.o.w. shall be the responsibility of the individual lot developer. Any cutting of trees greater than 30" d.b.h. for sightlines shall require prior approval by the Town of Brooklyn Tree Warden upon finding that the removal of trees is unavoidable to guarantee adequate driveway sightlines.
 - c. The applicant and/or individual lot developers shall minimize impacts to natural features both on private lots and in the Town of Brooklyn r.o.w. to the greatest extent possible. This shall include but is not limited to the preservation of stonewalls, the protection of mature trees lining any public road, and the minimization of clearing and grading.
 - d. Stonewalls that have been modified by development activities must be repaired or rebuilt prior to the issuance of a Certificate of Zoning Compliance on any lot containing a stone wall.

Second by S. Pember.

Discussion:

Paul Archer Noted the following correction to Item 1) d., to read as follows:

"Land within 25' off the centerline of Allen Hill Road shall be deeded to the town in accordance with the Subdivision Regulations and the Public Improvement Specifications."

J. Haeefe amended his Motion to include the correction noted by Paul Archer.

S. Pember seconded the Amendment to the Main Motion.

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

3. **SP 22-007:** Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher. – **Continued to March 21, 2023.**
4. **ZRC 23-001:** Multiple revisions concerning exceptions to the setbacks including Secs. 2.B, 3.A.5.2., 3.B.5.2., 3.C.5.2., 4.B.4.2., 4.C.4.2., and 8.A.4. – **Continued to March 21, 2023.**
5. **ZRC 22-009:** Multiple revisions to Section 4.F Mill Mixed Use Development Zone, Applicant: DMP Palmer Associates. ***Public Hearing 3/21/2023***

VII. New Business:

a. Applications:

1. **ZRC 23-002:** Addition to the Zoning Regulations re: Site Plan application submission requirements, Sec. 9.C.3.6.

Ms. Roberson explained that the property is in the VCZ and that the Application wants to have a few animals. She explained that there is no relief from the site plan review requirement. This proposal would give authority to waive those requirements.

Motion was made by S. Pember to schedule the public hearing for ZRC 23-002: Addition to the Zoning Regulations re: Site Plan application submission requirements, Sec. 9.C.3.6., Applicant: Brooklyn PZC for the regular meeting of the Planning and Zoning Commission to be held on **April 5, 2023** at 6:30 p.m. at 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 (6-0-0).

2. **SP 23-001:** Special Permit Application for the Adaptive Reuse of an Agricultural Building, 59 North Society Road, Applicant: Kelsey Hare.

Ms. Roberson stated that the Applicant has described the proposal to the Commission.

Motion was made by C. Kelleher to schedule the public hearing for SP 23-001: Special Permit Application for the Adaptive Reuse of an Agricultural Building, 59 North Society Road, Applicant: Kelsey Hare for the regular meeting of the Planning and Zoning Commission to be held on **April 5, 2023** at 6:30 p.m. at the Clifford B.Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by G. Maiato. No discussion.

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

b. Other New Business:

1. Pre-application review with Norm Thibeault, P.E. re: residential development on South Street.

Norm Thibeault, P.E., Killingly Engineering Associates, represented Lou Polseno, Developer (also present), and did a posterboard presentation. He provided a schematic (showing what the entrance would look like and the style of the homes they are looking to construct) and a conceptual plan for the property (formerly the Brooklyn Golf Course).

- Multi-family housing development (40 duplexes with garages in the middle = 80 units) on the eastern side of the property. A garage space and an additional parking space for each unit. Schematically, they are showing pull-off spaces throughout, but can add more.
- A single building and the vineyard on the western side of the property.
- They would like to utilize the existing barn along the frontage on South Street, possibly for tastings.
- Small parking area on the southern side of the property which could be used to develop a trail to access the existing River Walk Trail which currently has limited access.
- Extensive soil testing has been done with the Department of Health and there are plenty of areas for compliant, on-site septic systems.
- The waterline on Fortin Drive would be extended approximately 550 feet to this site, so it would have public water. From South Street it is about 650-700 feet away.
- Significant landscaping including curved stonewall leading to the entrance with a cedar gate and sign. Some portions of the stonewall along South Street would be rebuilt and, in some other sections, they would put in split-rail fencing.
- The homes at the entrance would be visible from the road, but the bulk of them would probably not be visible from the road.
- These would not be rental units. They would be for sale.

- It would be a private road with a Homeowners' Association.
- There would, potentially, be a ranch home associated with the vineyard.
- Mr. Thibeault explained that each side is approximately 27 acres and the property would be split into two parcels. The vineyard would be owned, operated and managed by the vintner. The intent is to do wine production and sales. The Homeowners' Association would be a separate entity that owns, maintains and pays the condominium fees and all of the things associated with a condo association. Two separate, but related developments.

Ms. Roberson stated that Mr. Polseno currently has an active vineyard and also has experience with multi-family housing. Vineyards are a permitted use in the RA Zone. She explained that there is a distinction between the vineyard, which is agriculture, and the farm winery (wine production and sales) which would require a special permit.

Mr. Polseno explained about use of the existing barn which, structurally, needs to be rebuilt. They would make the wine in the basement (it has a stone foundation) and serve the wine on the first floor. Mr. Haefele indicated that if Mr. Polseno was planning to rent out event space, that would be a different application.

Mr. Polseno explained that he feels that there should be a strong delineation between the winery and the housing development. He said that he would like to put a deer fence along the entire perimeter of the vineyard. He said that they would probably start out as a farm stand, growing wine grapes and trellis apple trees.

Mr. Thibeault said that they would come back to present an application. Ms. Sigfridson explained that public safety and traffic are big concerns of the Commission. She suggested having a more creative, unique design for the duplexes instead of cookie cutter. **Mr. Polseno** stated that he would like some to be stand-alone units and that he would like a mixture of one-level and two-level. Depending on the market, he said that later in the Project, he hopes to be able to build more one-levels.

There was discussion about Brooklyn Commons.

2. Correspondence with ZEO Margaret Washburn re: Brooklyn Sand & Gravel. M. Sigfridson recused herself and took a seat in the audience. C. Kelleher assumed the position of Chair.

Ms. Washburn, via online, reported that she does not want to render a decision, regarding a request from Wayne Jolley for the grandfathering of five uses (she said that these are listed in Mr. Jolley's letter dated December 31, 2022), before the PZC is aware of the situation and has an opportunity to make any recommendations that they may want to make. Ms. Washburn's letter dated February 16, 2023 (and associated documentation) was included in packets to Commission Members. The five items requested:

- Mining of material on the site;
- Processing of material that is mined on-site;
- Importation of material from off-site;
- Processing of material from off-site;
- Selling the processed materials.

There was discussion. J. Roberson explained that Zoning was adopted in Brooklyn in 1972 and she explained about grandfathered uses. Zoning is not meant to extinguish existing uses. She explained that Mr. Jolley's case is a little different in that time has passed since the initial adoption of the Zoning Regulations and there have been many applications over the years and permits were issued under the Zoning Regulations of the day. She explained that if someone can demonstrate that a use pre-existed the Zoning Regulations, one could argue that what happened subsequent to that is not especially relevant. But, they do have to compellingly show that the use existed prior to the adoption of the Zoning Regulations. She explained that Ms. Washburn has complied

correspondence that Mr. Jolley has submitted, along with testimonial letters asserting to the existence of gravel excavation, importation and processing prior to the adoption of the Zoning Regulations (July 1, 1972).

Ms. Washburn explained that the Zoning Regulations are not clear about who is supposed to make the decision and that the Selectmen recommend that she make the decision. She said that she is willing to render her decision soon, but she did not want the PZC to be surprised by it. She said that she is comfortable making the decision. C. Kelleher stated that she is comfortable with Ms. Washburn making the decision and that she appreciates that the Commission is being kept informed which, she said, is the role of the Commission at this point.

Mr. Tanner explained, for clarification, that this has been going on for a few months and Mr. Jolley has been providing letters from people who corroborate/validate that he was operating and processing before Zoning existed. He said that it is hard to document from 50 years ago as there are no invoices, etc. Mr. Tanner stated that he feels that Mr. Jolley has demonstrated, to some extent, that he was operating and processing gravel before Zoning. Mr. Tanner stated that he has discussed this with Ms. Washburn several times. He said that the Town Attorney advised that Ms. Washburn is the one to make the decision.

Ms. Washburn asked if there is a consensus of the PZC to recommend that she render her decision in the immediate future. Ms. Herring explained that, as long as Ms. Washburn is comfortable making the decision, she, herself, prefers to have no part in it. Mr. Haefele stated that he doesn't think anyone on the Commission has a problem. Ms. Kelleher agreed.

Ms. Washburn stated that she will proceed with rendering her decision.

Ms. Sigfridson returned and resumed the position of Chair.

3. Discussion with Town Planner Jana Roberson re: Tattoo Parlor.

Ms. Roberson explained that an existing hair salon in Town would like to convert one room for an ancillary tattoo studio. She asked that the Commission make a determination as to whether tattooing would be of a similar nature to Personal Services. Could it be considered an accessory use to a permitted hair salon? She stated that she is not suggesting a Zoning Regulation change to add tattoo parlors to Personal Services. There was discussion.

The Commission decided that tattoo meets the definition of personal services (related to beauty) interpreted using the "blue box" in the Regulations. Also, that tattoo artists are equivalent to a hairdresser. So, they can apply for a zoning permit to add tattoo.

VIII. Reports of Officers and Committees – None.

IX. Public Commentary – None in person or online.

X. Adjourn

M. Sigfridson adjourned the meeting at 10:19 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary