

PLANNING AND ZONING COMMISSION  
TOWN OF BROOKLYN  
P.O. BOX 356  
CONNECTICUT 06234

PLANNING AND ZONING COMMISSION  
TOWN OF BROOKLYN  
REGULAR MEETING MINUTES  
January 4, 2012  
Clifford B. Green Memorial Center  
69 South Main Street  
7:00 p.m.

RECEIVED  
TOWN CLERK'S OFFICE  
2012 JAN 11 A 11:54  
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- I. **Call to Order:** The meeting was called to order at 7:00 p.m.
- II. **Roll Call:** Carlene Kelleher, Deane Rettig, Al Sandholm, Tom Doherty, Craig Dunlop, David Fuss, Don Francis, Henry Moses, Michelle Sigfridson and Paul Camara.
- III. **Seating of Alternates:** None.

A motion was made by Al Sandholm to send a letter to Barbara Repko thanking her for 5 year service on the Planning and Zoning Commission. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes unanimously. Ms. Sigfridson abstains.

IV. **Adoption of Minutes:**

1. Regular Meeting Minutes November 2, 2011. A motion was made by Deane Rettig to approve the meeting minutes from November 2, 2011 as presented. Paul Camara seconds this motion. Craig Dunlop would like the Roll Call to reflect that he was present. No discussion held. All in favor. The motion passes unanimously. David Fuss and Ms. Sigfridson abstain.
2. Special Meeting Minutes November 15, 2011. Motion was made by Deane Rettig to approve the Special Meeting Minutes of November 15, 2011 as presented. Don Francis seconds this motion. No discussion held. All in favor. The motion passes unanimously. David Fuss, Paul Camara, Don Francis, Henry Moses and Ms. Sigfridson abstains.

V. **Public Commentary:** None.

VI. **Unfinished Business:**

- a. **Reading of Legal Notice:** Al Sandholm reads the legal notice into the record.
- b. **Continued Public Hearings:**

**1. SPG11-001 Brooklyn Sand and Gravel, 574 Wauregan Road, Map 30, Lot 97, RA Zone; Expansion of gravel removal operation. (Continued from November 2, 2011).**

Terry Chambers, Engineer from KWP Associates represents application SPG11-001. Mr. Chambers stated that certified mailings were sent again to the abutters as suggested by Attorney Peter Alter. A placard notifying the public hearing date was placed at the site.

Brooklyn Sand and Gravel operates a mining and processing facility on Route 205-Wauregan Road which is adjacent to the Quinebaug River. An abutting property owner is the Sacred Heart Church. Mr. Chambers demonstrated on the plan where the existing siltation ponds were located. The siltation ponds are used to discharge the silt laden water after the washing operation. Mr. Chambers demonstrates on the plan where the scale house is located. An application has been submitted to the Wetlands Commission pending approval.

The original proposal was for the excavation from 50 feet from the river. Through site walks and discussion with the IWWC and input from Town Staff and Town Planner of the abutting Town of Killingly-Linda Walden, the proposed excavation was pulled out of the wetland soils and is not contemplating or proposing disturbance to any wetlands. Also the previously proposed excavation that was proposed in the non-wetlands soils have been pulled back to maintain 100 feet of undisturbed riparian buffer from the river's edge. The excavation consists of approximately 109,800 sq. ft. a little over 2 ½ acres, with approximately 50,000 cubic yards of material-sand and gravel. Monitoring wells were established and ground water levels were monitored over the past 4 months. Mr. Chambers discussed ground water levels and the creation of a small pond in this area. Mr. Chambers referred to page 2 of the plan which details deep test hole evaluations from August and November of 2011; traffic generation based on 3 years of life 9 months per year, 5 days a week, with approximately 9 trucks in and 9 trucks out.

Mr. Chambers discussed the issue of the siltation ponds being a wetland or not. Michael Schaefer, soil scientist was contacted for his review. In a letter dated December 21, 2011, Mr. Schaefer's opinion is that the subject basins, necessary to the gravel processing operation, should not be considered as areas regulated as either wetlands or watercourses. A copy of this letter is available for the public to review in the Planning Office.

Mr. Chambers discussed the recommendations of the Conservation Commission which was to contact the State Historical Preservation Office to determine the archeological sensitivity in the area. Mr. Chambers wrote a letter to SHPO on October 27<sup>th</sup> and had not received any response. Mr. Chambers called the SHPO office and an employee picked up the plans approximately 1 month ago. Mr. Chambers again called the SHPO office looking for their recommendations and to date has not received any response.

Chairman Kelleher asked Mr. Dobrowski if he had any further comments to make. Mr. Dobrowski commented he has been in contact with Mr. Chambers and Mr. Pauley over the last few weeks and feels that everyone is on the same page.

Syl Pauley Jr., PE, Regional Engineer from NECCOG commented on his latest review letter dated January 4, 2012. A copy of Mr. Pauley's letter is available for review by the public in the

Planning Office. Mr. Pauley concurs with the presentation Mr. Chambers made this evening. Mr. Pauley highlighted his opinion with regards to Mr. Schaefer's opinion on the definition of a watercourse with regards to the existing "settling basins." Discussion held.

Deane Rettig asked Mr. Chambers is the proposed a new location is taking place somewhere else on the property. Mr. Chambers commented that this is a new location, an expansion of what is already permitted.

Mr. Rettig asked how much more extraction will take place in the existing area. Mr. Chambers stated approximately 1-3 years left in the existing permitted area. Discussion held.

Mr. Chambers discussed the flood plain soils delineated by the soil scientist. The level of the river is 133.5. This area has been mapped in detail by FEMA and has established the 100 year flood elevation at elevation 145. There is no proposal to operate within the flood plain soils or in the 100 year flood plain itself. As a precaution a berm will be built next to the flood plain that will be built up to elevation 150 approximately 5 feet above the flood stage. The very toe of the berm is protected with rip-wrap for scour protection.

Tom Doherty asks Mr. Chambers if the new regulation with regards to the neighboring buffer is sufficient. Mr. Larkin reads the regulation addressing this. Discussion held.

Don Francis further discussed the existing settling ponds as well as the mining of both properties and additional truck traffic with Mr. Chambers. Discussion held.

Al Sandholm asked Mr. Chambers what the gravel path in the upland review area is presently used for. Mr. Chambers stated that this was created by ATV's. Mr. Sandholm asked if an attempt will be made to block this off and made inaccessible. Mr. Chambers commented that no plans have been made at present to make this inaccessible. Discussion held.

Mr. Dobrowski commented that on the original Brooklyn Sand and Gravel permit there were restrictions regarding truck routes. Mr. Dobrowski asks Mr. Chambers if the same restrictions will be complied with.

Mr. Chambers stated that Brooklyn Sand and Gravel has agreed voluntarily through the renewal process to not use Wauregan Road to bring materials into the site. Brooklyn Sand and Gravel has agreed to use Route 169 to Route 205 to bring the material to the facility. Discussion held with regards to conditions granted on the new application.

Chairman Kelleher opens the floor to public commentary:

Lisa Arends, Allen Hill Road; asked Mr. Chambers questions with regards to the following – the creation of the new pond; the use of the existing silt ponds; rising of the water table in the spring; the 100 foot buffer from the river flood plain; Zoning Regulations Section 13.5.10 with regards to restoration plan; truck traffic 9 in and 9 out; truck traffic on Allen Hill Road. Mr. Chambers addressed all of Ms. Arends questions. Discussion held.

Ms. Arends comments on the truck traffic on Allen Hill Road; Ms. Arends makes a public and official request to the Commission that a traffic review study be performed on Allen Hill Road with regards to the proposed expansion operation by Brooklyn Sand and Gravel. Discussion held.

David Fuss speaks to Ms. Arends request. Mr. Fuss suggests Ms. Arends defer this request to the Board of Selectmen. Mr. Fuss also suggested that a traffic counter be set up by NECCOG. Jim Larkin comments on the function of the traffic counter. Discussion held.

Jennifer Sanderson, Wauregan Road asks for clarification on the truck routes for the existing gravel banks. Mr. Chambers addresses this issue.

Jim Larkin suggested for the Commission to review the existing gravel permit and any conditions that are presently in force and what the recent renewal indicates as to how much gravel is left on the remaining portion of the property. Also, Section 13.5.2 should be revisited.

Deane Rettig asks Mr. Chambers if he could find out what the current condition of the existing pond is whether it has been reclaimed and how long it has to be reclaimed. Mr. Chambers addresses this issue and will research this information. Discussion held.

Mr. Chambers makes a request for a 30 day extension for Application SPG11-001 to continue the public hearing to February 1, 2012.

A motion was made by Henry Moses to continue Application SPG11-001 to the February 1, 2012 meeting. Deane Rettig seconds this motion. No discussion held. All in favor. Motion passes unanimously. Ms. Sigfridson abstains.

**c. New Public Hearings: None.**

**d. Other Unfinished Business:**

**1. SPG11-001 Brooklyn Sand and Gravel, 574 Wauregan Road, Map 30, Lot 97, RA zone; Expansion of gravel removal operation (continued from November 2, 2011).**

A motion was made by Deane Rettig to table application SPG11-001 to February 1, 2012 regular meeting. Henry Moses seconds this motion. No discussion held. All in favor. The motion passes unanimously. Ms. Sigfridson abstains.

**VII. New Business:**

**a. Applications: None.**

**b. Other New Business:**

**1. Discussion and Action of Proposed Town Purchase of Eggs Property.**

Austin Tanner, First Selectman discusses the proposed Town Purchase of the Eggs Property. The Town is interested in purchasing the rear acreage of the property for a price of \$700,000 for 10 years with an interest free loan - \$70,000 a year. Mr. Tanner feels this is a good deal for the Town to buy land within the center of Town bordering the school property. The property could be used for future municipal use. Mr. Tanner stated that the Ross' are negotiating with a client on the purchase of the 4 acres located in the front of the property. The Eggs Property Committee has been working on this project and working out the agreement for purchase which hopefully will be brought to a Town Meeting in the next few months, however, approval/endorsement of this is required from various Boards and Commission prior to setting a Town Meeting. Mr. Tanner stated that a presentation will be held on February 2, 2012. Several Commission Members gave their opinions with regards to the purchase of the property and discussed the following – Open Space, property access, environmental issues and the future development of the front acreage. Discussion held.

A motion was made by Al Sandholm for the Planning and Zoning Commission to endorse the proposed purchase of the Eggs Property and pass it along to the Town for Public Hearing and eventual vote. Deane Rettig seconds this motion. Discussion held. Vote was taken: In favor of: Paul Camara, Don Francis, Deane Rettig, David Fuss, Carlene Kelleher, Craig Dunlop, Henry Moses and Al Sandholm. Opposed: Tom Doherty. Abstains: Ms. Sigfridson. The motion passes.

## **2. Summarization by Tom Doherty of Plan of Conservation and Development Maps.**

Tom Doherty gave a summary highlighting Brooklyn's Plan of Conservation and Development 2011-2021 Report. Discussion held.

## **3. Discussion on Report from South Main Street Subcommittee.**

Don Francis reported that after the Subcommittee's discussion it was recommended that the properties on the South side of South Main Street which is now zoned as R10 be left as R10 and the regulations for a Home Business be changed to allow a home business use when the property is located on a street with a 30 foot minimum width and sidewalks on both sides of the street. Several Commission Members gave their opinions with regards to the report as well as Jim Larkin, NECCOG Planner and Selectman Tanner. Discussion held. Chairman Kelleher suggests sending this to the Regulations Subcommittee.

## **4. Discussion on Kennel Regulations.**

Chairman Kelleher stated that the question was raised to whether or not the Commission would revisit Kennel Regulations in Brooklyn though on a more limited basis, i.e., a training facility for dogs.

Mike Zmayefski and Jennifer Sanderson, residents in Town would be interested in opening a training facility for dogs. Ms. Sanderson is a sole proprietor who travels often to train dogs. Ms. Sanderson's services would consist of training individual dogs for obedience, competition, police dogs and assistance dogs.

Chairman Kelleher voiced her opinion stating that it would not be possible to do this without including a small sound proof facility to confine the dogs for the necessary training.

Deane Rettig commented that the purpose of this agenda item was to make an internal determination if the Commission favors putting together regulations for a kennel and/or a specific dog training facility. Discussion held.

Consensus was taken from the Commission:

Not in favor of revisiting kennel regulations: Deane Rettig, Tom Doherty, Paul Camara, Henry Moses, and Carlene Kelleher.

In favor of seeing how other Towns address kennel regulations: Craig Dunlop, Michelle Sigfridson, Don Francis, David Fuss, and Al Sandholm.

Chairman Kelleher suggests moving this into the Planning Priorities List for further discussion at the January 17, 2012 special meeting.

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

#### **1. Zoning Enforcement Officer's Report November and December 2011:**

Mr. Dobrowski reviewed the Zoning Officer's Reports for November and December in detail with Commission members.

Mr. Dobrowski stated that he renewed Richard Regis' gravel permit effective January 1, 2012. Mr. Dobrowski has visited the site and there are no outstanding problems and everything is running smoothly.

Mr. Dobrowski discussed the acceptance of Juniper Way in the Belmont Homes Subdivision. Mr. Dobrowski read into the record a letter dated November 23, 2011 received from Syl Pauley Jr., P.E., Regional Engineer from NECCOG, stating that Phase II is 100% complete. An as-built plan has been supplied by PC Survey Associates, LLC dated August 31, 2011 and also a copy of the \$214,000 Irrevocable Letter of Credit (effective June 27, 2011) with expiration date of June 27, 2012, that is currently in force for Phase II. Mr. Pauley inspected the Phase II section of Juniper Way on November 21, 2011 and found everything to be satisfactorily met. With respect to reducing the value of the existing Letter of Credit for completing the remaining work on Juniper Way, Mr. Pauley is suggesting that some surety be kept in force for at least 1 year after this portion of the road is officially accepted by the Town. The amount of this guarantee is that which would be reasonable to correct run-of-the-mill unforeseen circumstance is typically 10%, which amounts to \$21,400 for this project. Mr. Dobrowski commented that this needs to be endorsed and acted upon by the Commission so that it may be sent to a Town Meeting to be accepted as a Town Road.

Al Sandholm asked Chairman Kelleher if this would need review by Tom Rukstela, Highway Director. Mr. Dobrowski commented that he, Mr. Pauley and Mr. Rukstela have inspected Juniper Way.

Mr. Dobrowski stated that the original plan called for street trees, due to the winter time trees cannot be planted. The \$21,400 would cover the cost to plant the street trees in favorable weather. A final inspection would then be performed, and the \$21,400 would be released one year after of the date of the meeting.

In summary, two motions are needed, one for the reduction of the bond and secondly an endorsement/action by the Planning and Zoning Commission that the road was done in accordance to the plan.

A motion was made by Deane Rettig to make a reduction in the bond size to \$21,400 for Juniper Way (Phase II) for a period of one year. Al Sandholm seconds this motion. No discussion held. All in favor. The motion passes unanimously. Ms. Sigfridson abstains.

A motion was made by Deane Rettig to endorse the acceptance of Juniper Way as a Town Road, Al Sandholm seconds this motion. Discussion held. All in favor. The motion passes unanimously. Ms. Sigfridson abstains.

Rick O'Keefe, Belmont Homes, commented that there is still an outstanding 10% bond that was posted for Phase I of Juniper Way. Mr. O'Keefe commented that the anniversary date is coming soon. Mr. Dobrowski will speak with Syl Pauley regarding this issue and present it to the Commission.

Mr. Dobrowski presented a plan outlining an easement that Belmont Homes would like to acquire from the Town of Brooklyn. The property location is Lot 4 on South Street of the Belmont Homes Subdivision. Discussion was held and it was determined by the Commission that the responsibility lies with the Board of Selectmen and was referred to them.

## **2. Regulations Subcommittee:**

Chairman Kelleher stated that the Sign Regulations have been completed for the Commission to review. This will be an agenda item for the January 17<sup>th</sup> special meeting.

Chairman Kelleher stated that the Green Energy Regulations are still pending. Mr. Larkin is compiling more information and would like to have a local contractor come in to speak with the Commission at a future date.

## **3. Budget:**

A copy of the budget is in the packet for review by the Commission Members.

## **4. Chairman's Report:**

Chairman Kelleher stated that the next subcommittee meeting will be scheduled for Wednesday, January 11, 2012.

Chairman Kelleher stated that on January 17<sup>th</sup> a special meeting will be held to discuss planning priorities that were included in the POCD; looking at priorities as a Commission; looking at sign regulations; Mr. Larkin will present the Build-Out Analysis. Ms. Kelleher will meet Thursday January 4th with Mr. Larkin, Selectman Tanner and Mr. Dobrowski to revisit the Special Events Regulations and forward this on to Attorney Peter Alter for his legal opinion.

## **IX. Public Commentary:**

Don Francis revisited the discussion on a Traffic Study. Mr. Francis recommends to the Board of Selectman to put some money in next year's budget for a Traffic Study for roads that may be affected by the increased traffic created by Wal-Mart, i.e., Allen Hill Road, Day Street, Church Street (connector roads). Discussion held. Chairman Kelleher recommends to put this as an agenda item for the January 17, 2012 special meeting.

Selectman Tanner gave a summary on the meeting that took place today with the Housing Authority, DECD and CHFA with regards to the low income housing in the Tiffany Street area.

**X. Adjourn:**

A motion as made by Henry Moses to adjourn the meeting at 10:00 p.m. Al Sandholm seconds this meeting. No discussion held. All in favor. The motion passes unanimously. Ms. Sigfridson abstains.

  
Audrey Cross-Lussier  
Recording Secretary



**BROOKLYN PLANNING AND ZONING**  
**REGULAR MEETING OF JANUARY 4, 2012**

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**ROLL CALL VOTES:**

Board Members:	Attendance	1	2	3	4	5	6	7	8	9	PAGE
Kelleher-Chair	X	+	+	+	+	+	+	+	+	+	
Rettig-Vice Chair	X	+	+	+	+	+	+	+	+	+	
Sandholm-Secretary	X	+	+	+	+	+	+	+	+	+	
Doherty	X	+	+	+	+	+	-	+	+	+	
Dunlop	X	+	+	+	+	+	+	+	+	+	
Fuss	X	+	abs	abs	+	+	+	+	+	+	
Francis	X	+	+	abs	+	+	+	+	+	+	
Moses	X	+	+	abs	+	+	+	+	+	+	
Sigfridson	X	abs	abs	abs	abs	abs	abs	abs	abs	abs	
Camara	X	+	+	abs	+	+	+	+	+	+	
- Alternate											
- Alternate											

**Motion 1** mm was made by Al Sandholm to send a letter to Barbara Repko thanking her for 5 year of service on the Planning and Zoning Commission. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes unanimously. Ms. Sigfridson abstains.

**Motion 2** mm was made by Deane Rettig to approve the meeting minutes from November 2, 2011 as presented. Paul Camara seconds this motion. Craig Dunlop would like the Roll Call to reflect that he was present. No discussion held. All in favor. The motion passes unanimously. David Fuss and Ms. Sigfridson abstains.

**Motion 3** mm was made by Deane Rettig to approve the Special Meeting Minutes of November 15, 2011 as presented. Don Francis seconds this motion. No discussion held. All in favor. The motion passes unanimously. David Fuss, Paul Camara, Don Francis, Henry Moses and Ms. Sigfridson abstains.

**Motion 4** mm was made by Henry Moses to continue application SPG11-001 to the February 1, 2012 regular meeting. Deane Rettig seconds this motion. No discussion held. All in favor. Motion passes unanimously. Ms. Sigfridson abstains.

**Motion 5** mm was made by Deane Rettig to table application SPG11-001 to the February 1, 2012 regular meeting. Henry Moses seconds this motion. No discussion held. All in favor. The motion passes unanimously. Ms. Sigfridson abstains.

**Motion 6** mm was made by Al Sandholm for the Planning and Zoning Commission to endorse the proposed purchase of the Eggs Property and pass it along to the Town for Public Hearing and eventual vote. Deane Rettig seconds this motion. Discussion held. Vote was taken: In favor of: Paul Camara, Don Francis, Deane Rettig, David Fuss, Carlene Kelleher, Craig Dunlop, Henry Moses and Al Sandholm. Opposed: Tom Doherty. Abstains: Ms. Sigfridson. The motion passes.

**BROOKLYN PLANNING AND ZONING**  
**REGULAR MEETING OF JANUARY 4, 2012**

- Motion 7**      mm was made by Deane Rettig to make a reduction in the bond size to \$21,400 for Juniper Way (Phase II) for a period of one year. Al Sandholm seconds this motion. No discussion held. All in favor. The motion passes unanimously. Ms. Sigfridson abstains.
- Motion 8**      mm was made by Deane Rettig to endorse the acceptance of Juniper Way as a Town Road. Al Sandholm seconds this motion. Discussion held. All in favor. The motion passes unanimously. Ms. Sigfridson abstains.
- Motion 9**      mm was made by Henry Moses to adjourn the meeting at 10 p.m. Al Sandholm seconds this motion. No discussion held. All in favor. The motion passes unanimously. Ms. Sigfridson abstains.