

**Regular Meeting Agenda**  
**Wednesday, August 1, 2012**  
**Clifford B. Green Meeting Center**  
**69 South Main Street**  
**7:00 p.m.**

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**MINUTES**

**I. Call to Order:** Carlene Kelleher, Chair, called the meeting to order at 7:15 pm.

**II. Roll Call:** Michelle Sigfridson, Don Francis, Tom Doherty, David Fuss, Deane Rettig, Carlene Kelleher, Paul Camara, Craig Dunlop, Henry Moses and Aaron Kerouack. All 10 members present.

Others Present: Jim Larkin – NECCOG, Planner; Chuck Dombrowski – ZEO.

**III. Seating of Alternates:** None

**IV. Adoption of Minutes:**

1. Special Meeting Minutes of July 11, 2012. – David Fuss made a motion to accept the Special Meeting Minutes of July 11, 2012. Second by Aaron Kerouack with corrections: Tom Doherty would like it corrected that there are 10 Members; Henry Moses would to make sure his letter referenced in last month's minutes under IX. Reports of Officers and Committees; 5. a. - is downloaded to the website. (See attached). Deane Rettig – X. Public Commentary; last sentence "Carlene brought to the commission correspondence from CT Environmental Renewal Team" He would like it corrected to say – Deane Rettig commented that there were some procedural issues that took place. At that meeting a motion was made to suspend the rules in order to allow Carlene Kelleher permission to discuss correspondence from the CT Environmental Review Team. The motion was second and unanimous. He would like this to be added. Carlene Kelleher would like the following corrected – X. Public Commentary – Austin Tanner advised there will be a Town Meeting on July 16<sup>th</sup>... d. Unfinished Business; 3. Remove "Site plan is not needed because it will fall under grandfather clause.; IX. Reports of Officers and Committees; 4. Change from Attorney Arters to Attorney Alter; X. Public Commentary; Page 3 – Fourth sentence from the bottom: "Carlene said no." change to "yes".

Motion carried unanimously with changes.

Deane Rettig made a motion to add Application SPR12-005 The Learning Clinic under VII. **New Business: a Applications:** to the Agenda. Second by Tom Doherty. Motion carried unanimously.

**V. Public Commentary:**

Carlene Kelleher explained the procedure to the public in attendance.

James Rand, Salmon Drive. Opposed to the proposed disc golf at Davis Park. He has the following concerns would like them addressed: Site plan; Parking and overflow parking design for the project; concerns for the type of activity that would be generated from this proposal; buffer between the park and abutting residential area; signs which would regulate the park; hours of operation; plan for emergency should one arise. There have been many ATVs in this area, which are currently against the rules, how are these and other rules going to be enforced.

Hans Koehl of 5 Bush Hill Road – He is concerned about the lights on the new building at The Learning Clinic. They are shining into his house. He has been to the Commission about this issue. The plans filed in the Town Clerk's office do not reflect any design or condition for the lights. He commented that these are usually a part of the site plan. He has sent Carlene Kelleher a letter regarding this matter and spoke with ZEO, Chuck Dombrowski who stated he has been to the facility and they have met the requirements. Mr. Koehl stated that Mr. Dombrowski had hand written the lighting specifications on the plans himself. Mr. Koehl has concerns about this type of municipal practice. He wanted the Commission to be aware of this situation. David Fuss asked Mr. Koehl if the lights were still bothering him. Mr. Koehl stated yes, however he will speak to the Director of The Learning Clinic himself regarding the current situation. Carlene Kelleher stated to Mr. Koehl that the Planning and Zoning Commission do not supervise the Zoning Enforcement Officer.

Steven Goulter (sp), 476 Pomfret Road. Facility Director of The Learning Clinic. He invited Mr. Koehl to come over and speak with him regarding the lighting situation. Currently there are spotlights on the front of the building that are LED and reduce to 35% in the evening.

Rozana Keith, 15 Juniper Way. Opposed to the proposed disc golf course at Davis Park. She would like to see traffic signs posted.

Wendy Barrow, 62 Salmon Drive. She is an abutter to Davis Park and is in favor of the proposed disc golf course. She feels it would good activity for her teenage kids and the community.

Robin Regine, 10 Juniper Way. Her property abuts Davis Park and one of the proposed disc golf holes will be directly behind her property. She would like to know who will be paying for the maintenance of this property. She asked the Commission why the abutters weren't notified by the Town of the proposed activity. Chair, Carlene Kelleher, stated this item was posted on the Agenda for the Town Budget meeting and discussed at that meeting.

Felix Ramos, 16 Juniper Way. His property may have two proposed disc golf holes abutting his property. He has two small children. He fears that if something does happen to his children due to this activity the Town will be liable. This area was marketed to him as the Preserve as Juniper Hill and it was suppose to be a quiet area for him to move to raise his children.

Mark Putnam, 25 Salmon Drive. He is concerned about the direct affect on the value of real estate. He feels the forest needs to be preserved.

Derrick Wesolowski, 38 Juniper Way. Concerned about the following: Future use of the park turning into a regular golf course; parking regulations; response time for EMS; access for EMS (cul-de-sac); bathroom facilities.

Thomas Doherty made a motion to move item **VII. New Business: b. Other New Business: 2. Discussion of Disc Golf – Davis Property before VI. Unfinished Business:.** Motion second by Henry Moses. Motion carried.

Deane Rettig would like to clarify that the Commission has the same information that the public has been given.

James Rand, Salmon Road. He was given the information from Bucky Lohbusch. He was told by Chuck Dombrowski there would be three to four parking spaces. Mr. Lohbusch said about 10 maximum.

Mr. Rand next read a letter in to the record given to him by Shawn Lizzee of 45 Salmon Drive. He is voting against the disc golf. He would like to know how much this will cost the Town. He had questions regarding the parking, maintenance, rules of the facility, how much of the property will be cleared and will there be a hole by hole design available for preview.

Diane Wimmer, Wauregan Road, Conservation Commission Member. She explained the procedure of the Timber Harvest, which happens roughly every 10 years. This is expected to take place at Davis Park. It will provide room and growth for the forest to keep healthy. The money from the harvest of the timber will go into the Open Space Fund.

David Seles, 143 South Street. He is concerned about the harvesting of trees and if there is a select choice of trees mapped out to put in a golf course. He would also like to have addressed the issue of police control; what will the town do to attract people to this area (this is a passive recreation area which should have no revenue for the town);

Wendy Barrow, 62 Salmon Drive. She feels the forest area is Davis Park is overgrown and is a potential fire hazard. Something needs to be done.

Carlene Kelleher asked the Commission if they would like to have this issue brought before a public hearing. Further discussion was heard. - Consensus

Lisa Arends, Allen Hill Road. Her comments in the Regular Meeting Minutes of Wednesday July 11, 2012 regarding Wal-Mart were not accurately reflected. She did not say that Wal-Mart would take the property of the struggling businesses. Her corrected comment is other businesses like Wal-Mart (big box) would be interested in these businesses.

## DAVIS PROPERTY -

Buck Lohbusch- Park and Recreation Director gave a brief history of the Davis Property. The Recreation Department and Conservation Commission have been working together for the

purchase of property for open space of active or passive recreational activities. This is part of the PoCD. This is a Priority Level One. They have worked on many ideas and a presentation by Mike Oatley was given to the Sub-Committee on the disc golf for Davis Park.

Mike Oatley, Conservation Commission, member, gave a brief presentation to the Planning and Zoning Commission and members of the general public in attendance. Mr. Oatley stated there are other courses in the area, Thompson Dam and also another course in Pomfret, which is private. However, there aren't any courses towards the southern area. He further pointed out that disc golf is played on a natural environment with little installation or maintenance and a very low environmental impact. There will be very little change to Davis Park as it is currently. A site walk was done by the Selectman, who are supportive of the proposed project.

Mr. Oatley next reviewed his paper PowerPoint presentation. A Kiosk will be placed at the entrance of the park which will give guidelines, rules, regulations and hours (dawn to dusk); placement of the tees will be such that no walking trails will be disturbed; disc tees will not be set in the areas towards residential homes so they will not be thrown towards homes; further discussion with the Conservation Commission regarding the Timber Harvest for the removal of trees to expand parking area. Mr. Oatley reviewed the current plan for the disc course with the Commission.

Chuck Dombrowski stated there will be a buffer at the initial cul-de-sac and parking spaces will allow for 12 vehicles. Further discussion ensued regarding this issue.

David Fuss would like to see the actual distance between the disc golf tee, residential homes and the buffer. Craig Dunlop would like to review a site plan of this project.

They have not done a study regarding the parking or traffic at this time.

Henry Moses asked about the ATVs accessing the property and going over the bridge at David Park. Mr. Lohbusch addressed this matter and stated the bridge is in disrepair, however he would like to approach the Boy Scouts to have them build a 3' wide bridge. ATVs would not be able to access the bridge at that point.

Tom Doherty asked Mr. Oatley to provide a sample of the heaviest disc that could be used on this course.

Don Francis would like to see the developer extend the cul-de-sac, hours of operation, and who is responsible for cleaning the property. He also feels a site walk of the property would be very helpful.

Mark Putnam would like to know if the Assessor should be involved regarding property values.

Mark Gadreau, Sunset Drive, Director of Recreation will bring these issues to the attention of the Chairman of the Recreation Commission at the August 6th meeting. He will also speak with the Selectmen and the Assessor regarding property values. He invited everyone at the meeting to attend the August 6th meeting.

Deane Rettig made a motion to accept Application for Site Plan Review SPR12-004 Town of Brooklyn Davis Forest Disc Golf. Second by Thomas Doherty.

Discussion - Deane Rettig does not feel waivers should be given regarding location map, parking and signs.

Motion withdrawn

Deane Rettig made a motion to place Application for Site Plan Review SPR12-004 Town of Brooklyn Davis Forest Disc Golf under Item VII. New Business a. Applications. Second by Henry Moses. Motion approved.

Jim Larkin explained to the applicant the time line for the application. The applicant gave a proposed dated of August 15, 2012.

Brief break.

Returned at 9:06 pm

#### **VI. Unfinished Business:**

##### **a. Reading of Legal Notice:**

##### **b. Continued Public Hearings:**

1. Sign Regulations. - Carlene Kelleher asked if there were any further comments regarding sign regulations. No Comments.

Jim Larkin reviewed the additional corrections from the last meeting. 10.6.1. One permanent, free standing, primary business sign shall be permitted for each lot.; 10.6.1.1 - ... Maximum height of free standing sign 25'.; 10.6.4. - ... Portable sign are do not need to be removed during non-business hours; 10.8.3. 10.8.13 - ... further authorization by the Commission will be needed to allow more than 30% coverage of signs in a business window. Discussion regarding these issues ensued.

Don Francis made a motion to close the public hearing

Jules D'Agostino, Barrett Hill Road. He asked the Commission if the sign attached to the tractor on Route 6 is in accordance to the regulations. Further discussion was heard regarding advertising for an offsite business. The Commission felt it was an illegal sign.

Deane Rettig second the motion to close the public hearing. Motion was unanimous.

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

##### **d. Other Unfinished Business:**

1. Sign Regulations. - Thomas Doherty made a motion to approve the sign regulations with corrections that have been brought forward. Second by Michelle Sigfridson. Motion carried.

2. SPR12-003 Rodney Shaw, 401B Wauregan Road/Route 205 (Rick Demarco-Owner) Map 31, Lot 6-8, RA Zone; Furniture Repair and Touch Ups.

Rodney Shaw, 916 N. Main Street, Danielson, Applicant, presented his application to the Commission. He would like to open a small furniture repair shop at the 410B Wauregan Road/Route 205 Property. This business is eco friendly. Caning, rushing upholstery, and repair framing will be done at this site. Everything is water based. Disposal will be done off site at their Taftville property. No retail and no traffic at this property.

Henry Moses made a motion to approve the application. Craig Dunlop Second

Discussion - Deane Rettig discussed the waivers with ZEO, Chuck Dombrowski easements, signs, lighting, utility, topo, wetlands and DOT, landscaping, Inland Wetlands, Hazardous Materials.

Motion withdrawn

Deane Rettig made a motion to approve Application SPR12-003 Rodney Shaw, 401B Wauregan Road/Route 205 without waiving the following 4.5.1. Survey; 4.5.2.3 Location Map; 4.5.2.5 Proposed Buildings/Uses; 4.5.2.6 Parking Second - Henry Motion.

Jim Larkin explained the granting of the waiver procedure regarding application by the Planning and Zoning Commission.

Motion carried unanimously.

## **VII. New Business:**

### **a. Applications:**

1. SPR12-005 The Learning Clinic, 464 Pomfret Road (Route 169) Map 27, RA Zone; Construct Art Studio 18x24 out-building behind new classroom building

Deane Rettig made a motion to accept the SPR12-005 The Learning Clinic, 464 Pomfret Road (Route 169). Thomas Doherty second.

Carlene Kelleher stated Jim Larkin explained to her that until the Commission approves the regulations for private schools, they cannot act on this application. This is a private school, it is a grandfathered nonconforming use, which was conforming when it was built, however it is technically an expansion of a nonconforming use, which is currently not permitted in the RA zone. Private school were deleted from the permitted uses in the regulations and will need to be added back, which will require a public hearing.

Hans Koehl asked why it wouldn't fit under the limited business enterprise, Section 3.4.4.2.1. Michelle Sigfridson feels that a business who employs 85 people would not be considered a limited business enterprise. Discussion was heard.

2. SPR12-004 Town of Brooklyn Davis Forest Disc Golf Map # 45 Lot #1

Motion by Deane Rettig to accept Application SPR12-004 Town of Brooklyn Davis Forest Disc Golf Map # 45 Lot #1. Second by Henry Moses. Motion carried unanimously

**b. Other New Business:**

1. Route 169 Subcommittee Report-Presentation. -

Jules D'Agostino gave a brief outline and history of the Subcommittee report from the 15 hours and meetings they had regarding the preservation of Route 169. He would like the Commission to review the final report that the Committee worked on. He would also like to have this report put on the Town Website.

Hans Koehl, member of the Subcommittee felt that if something were to be done on Route 169 it should be done jointly with other towns in the community.

The Subcommittee report will be reviewed at the October 2012 meeting.

2. Discussion of Disc Golf – Davis Property.

3. Information from the Agricultural and Conservation Commission concerning application for funding under the Community Farms Preservation Program. -

Diane Wimmer of the Conservation Commission and Agricultural Commission, gave a history of the pilot program. Barrett Hill Farm applied for a grant for farms under 100 acres. The Town of Brooklyn has been prequalified for the program and will have to pay for some of the money before the state will fund the remaining portion. This will fall under regulation 2-43 Brooklyn Land Acquisition Fund. They will need to be heard before the Planning and Zoning Commission on Mandatory Referral/Recommendation from the First Selectmen CGS8-24. David Fuss would like to see plans of the land when they come back for the referral.

4. Initial Discussion of Zoning Regulation proposed by Don Francis – 19.4 Sale of Alcoholic Beverages. - Continued

5. Discussion of Gravel Bank Zoning Regulation 13.5.3- "No slope shall exceed ten percent (10%) in the area twenty-five (25) feet to two-hundred (200) feet from a highway, and thirty percent (30%) elsewhere. Loaming, seeding, planting of trees or other ground cover may be required, depending on the location and possible future uses." - Carlene Kelleher asked the Subcommittee to review a give a proposal regarding the language of this item. It needs to be clarified. Tom Doherty and the committee will work on this.

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

1. Zoning Enforcement Officer's Report July 2012. - Chuck Dombrowski reviewed his report with the Commission. KWP is in discussions with the Lutheran Church regarding the landscaping at Courtesy Ford.

Deane Rettig stated he has reviewed the history of this application with Courtesy Ford regarding the landscaping and vegetation in front. He has also had discussions with the ZEO. He reviewed the design plans with the Commission and feels the Commission has been disrespected by this company. They have come in for more approvals and have not completed the initial conditions of application which the Commission has signed off on. He would like to have the attorney send a letter.

Carlene Kelleher stated she will suggest Mr. Tanner that they have not met up with the conditions of approval and would like to have the Town Attorney involved.

Don Francis would like a formal recommendation to the First Selectman. Carlene Kelleher will convey the suggestion. Further discussion was heard regarding this issue.

Mr. Dombrowski continued with his report.

2. Regulations Subcommittee.

3. Budget.

4. Chairman's Report - . Carlene Kelleher stated by Town Ordinance states the Aquifer Protection Agency is heard through the Planning and Zoning Commission. They will need to schedule meetings to accommodate this Agency. Discussion was heard.

#### **XI. Public Commentary:**

Derrick Wesolowski, 38 Juniper Way - Thanked the Commission for their time.

#### **X. Adjourn:**

Henry Moses made a motion to adjourn the meeting at 11:01 pm. Second by Michelle Sigfridson. Motion carried.

Respectfully Submitted,

Karen M. Desrosier

# *(Preface To Next Time)*

1

Please include this address in the written minutes of this meeting dated July 11, 2012 as most citizens read the minutes and do not listen to the tapes. A copy will be provided to our recording secretary.

To:

Madam Chairperson, my fellow commission members, Town Fathers and Citizens of Brooklyn,

We, Planning and Zoning, are quite a diversified group. Very opinionated and all from different backgrounds, but we all have a number of things in common:

1. our love for the town of Brooklyn.
2. our desire to make correct decisions according to our regulations
3. and our strong desire to pay back Brooklyn for a quality of Life that we can not find anywhere else.

We do this by volunteering our time and expertise to find a proactive way to keep Brooklyn the best town in the state. We try to reach this goal by protecting all of our citizens no matter who they are or in what zone they may live, and by following the legal intent of our regulations and laws. These fluid regulations, which are not cut in stone, are amended as necessary thru input by citizens that look to us to make land use decisions.

Over the many years working as a non-paid volunteer, independent of politics, I am very proud of the way we as a commission work. Laws, regulations, ethics, credibility, and honesty are the basis of our decisions. This is the reason why I feel this need to address every one of us tonight.

Over the past few years there has been a lot of dissension in Brooklyn. There is a mistrust that commission members are making land use decisions and regulation changes thru hidden agendas and as I now hear by graft. May I remind everyone, decisions are made by this commission according to our regulations. When decisions are made some citizens will be pleased and some upset, we can not appease everyone. This is the reality of ethical land use decisions and regulations. All citizens expect the best decision making using the process and procedures we have.

These rumors come from a handful of citizens with no fact or knowledge of parliamentary procedure. These same individuals attend town meetings and commissions meetings and play the game of "gottcha."

"Gottcha" is not healthy, especially when those playing this game are usually found to be wrong by an attorney's decision which is based on parliamentary procedure, Roberts rules, and laws. Myself, like many of us do not condone this negative way of doing business and undermining of the good intention of those of us serving. We have lost important well meaning members and staff by these unsubstantiated accusations. I can not trust those who do not trust in return.

*Made* I find this way of conduct appalling. They have an ignorance of past accomplishments by these commissions, and of the excellent job done over the many years protecting Brooklyn and its citizens.

One step forward and two steps back due to ignorance and mistrust is counter productive and furthermore counter intuitive.

Attending meetings and picking apart every word is not proactive. I would really love to see these citizens volunteer their time and become involved by joining a commission of choice, learning details and intent of the law, and becoming proactive on behalf of Brooklyn.

Enough is enough, It is time to stop the innuendos, and start working together with honesty, integrity, and the love for Brooklyn that commission members hold so high on their priorities list.

The issues are common ground, putting our differences aside and working together to better Brooklyn. Tearing people apart and personal attacks will only destroy the good we have done thus far.

If you can not enjoy and appreciate this town and work to better it, you have chosen the wrong place to live. Brooklyn is a community of like minded individuals who work towards a common goal which is the good of all.

To our elected officials, "cow towing" to the few individuals that are disruptive has to stop. Stand strong, support and protect your staff and commissions who are found to be correct when it comes to their skills and knowledge of town regulations. When a member of the public questions our procedures, it is just that a question. It does not mean they are correct and the commission is wrong. Such past actions does nothing but to hurt morale and uphold rumors.

Those of us who have been volunteering on the commissions have attended school and learned what is legal and know how to arrive at good decisions. We know the difference between land use conflicts and administrative correction. We know when to abstain if there is a conflict of interest and we all have the confidence that a decision will be made with honesty, integrity, ethics and credibility.

It is time for everyone to stop the juvenile games and behavior, and to put that energy into bettering the town of Brooklyn.

This I say to all <sup>residents</sup> ~~commission~~ members. We are appointed to commit one night a month to be present at a meeting. Missing four to five meetings through out the year does nothing but hurt the goal we are all trying to reach. Such actions as reading minutes and listening to tapes does not substitute for your presence, knowledge, expertise, and input during scheduled meetings and deliberations. If you can not commit to at least 10 scheduled meetings a year please step aside so our selectman may appoint citizens who can put together a team who can be proactive.

All of us here love the town of Brooklyn, otherwise we would not dedicate our time to protecting it. Brooklyn has given us a quality of life we could not find anywhere else in the world. I beg all of us to at last come together and move forward to a better future as friends and colleagues who respect one another and want the best as well as the trust we so dearly miss.

Thank you,



Henry Moses

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

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
NOTICE OF ACTION**

At the recent regular meeting of the Planning and Zoning Commission on August 1, 2012 the following action was taken:

1. Sign Regulations-APPROVED.
2. SPR12-003 Rodney Shaw, 401B Wauregan Road/Route 205 (Rick Demarco, Owner)  
Map 31, Lot 6-8, RA Zone; Furniture Repair and Touch Ups-APPROVED.

Any appeals are to be filed with the superior court within 15 days from the date of the legal notice appearing in the paper.

Dated this 2<sup>nd</sup> day of August 2012.

Carlene Kelleher  
Chairman

Please publish Friday August 3, 2012 in the legal section of the Bulletin. Use Account Number 10089300. Call Audrey with any questions at 860-779-3411.

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