

PLANNING AND ZONING COMMISSION
Town of Brooklyn
Special Meeting
Wednesday, February 17, 2015
Clifford B. Green Meeting Center
69 South Main Street
7:00 p.m.

MINUTES

- I. Call to Order** - Chair, Carlene Kelleher, called the meeting to order at 7:03 p.m.
- II. Roll Call** - Carlene Kelleher, Michelle Sigfridson, A. Kerouack, Alan Carpenter, Craig Dunlop, Donald Francis, David Fuss, and Derek Wesolowski were absent with notice.

Staff Present – Jana Roberson, AICP, Land Use Administrator.

III. Seating of Alternates – None.

IV. Public Commentary – None.

V. New Business

Motion by A. Carpenter to move Agenda Item:

V. New Business:

4. Discussion of Potential Aquifer Protection Plan.

to above

V. New Business:

1. Discussion of draft revised Limited Business Enterprise.

Second by M. Sigfridson. Motion carried unanimously.

4. Discussion of Potential Aquifer Protection Plan.

J. Roberson stated that she was approached by Mark Cohen who works for USDA in a grant-funded position by the Atlantic States Rural Water Association (covering CT and RI) which is a non-profit organization dedicated to source water protection (stratified drift aquifers which don't fall under the aquifer protection areas regulated by the DEEP). She explained that Brooklyn, being in the Quinebaug River Valley there are some expansive areas (on the eastern side of Town) thought to have the potential to provide large quantities of drinking water someday if needed. Mr. Cohen is available beginning in March (at no charge) to work with committees to come up with a source water protection plan which could be adopted as an amendment to the POCD and, potentially, a zoning regulation (aquifer overlay zone). She referred to the one recently adopted by the Town of Salem.

J. Roberson stated that the Town Garage, former Town dump, and the current Transfer Station are all over a potential stratified drift aquifer. There is a gravel permit before the Wetlands Commission right now for that same area.

Discussion ensued. The Members of the Commission were in agreement to meet with Mr. Cohen (workshop). A. Carpenter suggested finding out who the biggest land owner is in the area to see if they would want to be part of it. C. Kelleher suggested that the Conservation and Wetlands Commissions also be involved, as well as the Board of Selectmen. She also suggested that

Commission Members attend training on the subject if possible. J. Roberson will get information to the Commission Members regarding what was adopted by the Town of Salem.

1. Discussion of draft revised Limited Business Enterprise.

J. Roberson stated that she incorporated the changes decided upon at the last meeting:

- Definition now just a list of uses
- Article 3 Changes (same)
- Instead of adding Special Permit Criteria in Article 5, she added a new 6.B - **LIMITED BUSINESS ENTERPRISES** which mimics Article 6.A – Adaptive Re-Use of An Agricultural Building.
- Took out frontage and minimum lot size and instead “having frontage on a state highway.”
- “a buffer of 50 feet shall be required for any outside storage or parking associated with the use and must meet the Screening and Buffering Area Standards.”

It has not been reviewed by the Town Attorney yet.

A.Kerouack asked for a way to clarify that it is the gross floor area for the business. J. Roberson stated that she is counting storage area, if it is dedicated to the business, as part of the business.

C. Kelleher asked if more than one limited business enterprise could be located in the same building. The Commission Members were in agreement that more than one business could be located in the same building as long as they are within the 2400 square feet. J. Roberson will change **6B.3.2** - A Limited Business Enterprise is limited to a gross floor area not to exceed 2,400 s.f. per lot. And she will add (s) to enterprise in each instance.

C. Kelleher mentioned that, after the last meeting that she and J. Roberson had spoken and she read Section 3.4.1 which states ...it is recognized that it is not possible to list every conceivable use that might be considered in a given zone...shall be permitted subject to interpretation and approval by the Planning and Zoning Commission.” All Commission Member present were in agreement that this should stay in the Regulations. J. Roberson is going to get the Town Attorney’s opinion. J. Roberson stated that this was taken out of Limited Business Enterprise, but is in the general part of the Zoning Regulations.

C. Kelleher pointed out that Limited Business Enterprises (in accordance with Sec. 6B) should say Article 6B instead of Sec. 6B. And Adaptive Reuse Article 6A should say Adaptive Reuse of an Agricultural Building (in accordance with Article 6A).

C. Kelleher stated that 6B.2 and 6B.3 could be combined to avoid being redundant. J. Roberson will renumber, i.e. 6B.2.1, 6B.2.2.

The Commission agreed that, with the discussed changes, the draft is ready to be sent to the Town Attorney for review and receiving it as an application at the March meeting.

2. Discussion of 2015 Planning Priorities.

J. Roberson stated that she and C. Kelleher went over last year’s priorities and drafted an update. The wording for the Route 169 Item was changed (Consider and determine strategy for Rte. 169) as there is not a clear consensus on adopting a new zone for that corridor. C. Kelleher stated that she needs to read through the report from the Subcommittee, but her position right now is that she doesn’t know if the P&Z Commission needs to do anything else. M. Sigfridson agreed.

A.Kerouack stated that four or five of the Items fall under the Regulations Re-write and some fall under Review/Revise Zoning Map (re-write). He also pointed out that the By-Laws lay it out

clearly – if they are not all made one item, it will get very expensive because each needs a separate hearing and notice. J. Roberson stated that they do not need to be notified, only private petitioners. A. Carpenter noted that the meetings could be big meetings with a lot of discussion. J. Roberson stated that there may be a need for a subcommittee.

A. Kerouack asked if Economic Development should be added back in to Review Zoning on South Main Street (POCD Matrix). J. Roberson will check.

Discussion ensued regarding South Main Street.

J. Roberson stated that the Commission should think about a Zoning Map Subcommittee to look at all of the zone boundaries. C. Kelleher feels that Plan Design Guidelines and the PC Zone should both be included on the list of priorities.

J. Roberson stated that she can combine Review Zoning on South Main Street and Review Zoning on Paradise Lake. C. Kelleher stated that South Main Street is a higher priority.

Discussion ensued regarding Paradise Lake. J. Roberson stated that something needs to be done to address the non-conformities there.

3. Discussion regarding Zoning Regulation Re-Write RFQ/RFP.

J. Roberson stated that she met with C. Kelleher and M. Sigfridson to review the six proposals and they chose three. They talked about a rough scope of work which was outlined on a sheet provided to the Commission Members. She wants to give those three finalists a revised scope of work along with a description of the number of meetings (six with the Commission) to use to estimate the cost of their services.

The three finalists:

- Branson Willis (Law Firm)
- CME
- Planner Metrics (Planning Consultant)

4. Discussion of Potential Aquifer Protection Plan – See Above.

5. Discussion and brainstorming of zoning regulation rewrite.

J. Roberson stated that she had hoped to have a re-organized list for discussion, but had not had time to get it together to present at this meeting.

C. Kelleher stated that the Commission could use this time to make suggestions. J. Roberson made copies of what she had and distributed them to the Commission.

Suggestions:

- To look at the work that the final consultants have done in other towns.
- Decide what kind of town Brooklyn is. The re-write may help bring this out.
- Should home business be allowed in the R30 and the R10?
- MMUDD not listed in the list of dimensional standards or establishment of districts.
- Look into change in height requirement (3.2).
- The Build-Out may address mixing uses.
- Take VCD off the list.
- Pervious surfaces for non-residential uses should be allowed.
- Consideration for reduction of the parking ratio in commercial zones. Incorporate low-impact techniques.

- Promote affordable housing. Stay on the right side of the ten percent. Planned Unit Development (PUD).
- Temporary housing for calamities.
- Contractors' yards not mentioned in zoning regulations outside of home enterprise.
- Home enterprise requirement of everything being made on-site too tight.
- Class 2 License – Home Business - Article 6.3.11.
- Horse Trailer Sales
- Re-use of agricultural buildings – Apply 3.4.1 and consider on a case-by-case basis. J. Roberson to go over criteria.
- Farmers' Markets are changing and they want to include entertainment and food trucks. Different location?
- Roadside stands
- Pop-up use / vacant store fronts.
- Flood Zone Regulations.
- Procedural issues should be uniform.
- Procedures for modifications.
- Procedures for first cuts prior to subdivision (free split). Town official name on it and property history on the map.
- Replace a non-conforming structure that has been taken down. Clarify the non-conforming use regulation.
- No site plan review for a house, but do require it for a family daycare home – 8-3.j says you can't do that – fix it.
- 3.4.7.5 – J. Roberson to take another look.
- Dimensional requirements – no minimum lot size for residential uses in the Commercial and RB Zone.
- Buildable area is 30,000 s.f. and the minimum lot size is also 30,000 s.f. in the R-30 zone. The policy has been not to include setbacks in the buildable area. Tweak numbers.
- Change land requirement for engineered vs. non-engineered septic systems.
- Two different standards for minimum lot size in the PC Zone – fix it.
- Fix Christian Hill Road – R-30 on one side and R-A on the other side.
- Not much for Performance Standards.
- Requirements not clear for clean fill – no issues.
- Gravel Banks - cubic volume.
- Setback modifications – Special rule for bump add-ons and bump-outs. Re-examine setbacks in general.
- Survey Requirements – Add clear language to spell out.
- Signs – 30-day temp signs. Martha would like this to be looked at.
- Drop Boxes are not covered by the Regulations. It was suggested to handle the same as dumpsters as far as protecting from vision.
- Parking for Churches – no issues.
- To update ZBA powers to be sure consistent with current statutes.
- Subdivision Regulations – Maybe large subdivisions should have a second access road and maybe there should be a limit on the number of houses on a road with a cul-de-sac (fire safety/emergency access). Should also look at flag lot driveway length for safety issues.
- Look at/update three houses per driveway. Some towns prohibit shared driveways.

VI. Public Commentary – None.

VII. Adjourn – The meeting adjourned at 9:53 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary