

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION**

**Regular Meeting  
Wednesday, August 3, 2016  
Clifford B. Green Meeting Center  
69 South Main Street  
6:30 p.m.**

**MINUTES**

**I. Call to Order** Chair, Carlene Kelleher, called the meeting to order at 6:33 p.m.

**II. Roll Call** - Carlene Kelleher; Craig Dunlop; Aaron Kerouac; Jeryl Mohn; Michelle Sigfridson; and Jules D'Agostino. Alan Carpenter, David Fuss, and Dale Thompson were absent with notice.

**Staff Present** – Jana Roberson, Director of Community Development; Rick Ives, First Selectman and Ex Officio Member of the P&Z Commission.

**III. Seating of Alternates**

Motion by J. Mohn to seat J. D'Agostino as a voting member in the absence of A. Carpenter. Second by C. Dunlop. Motion carried (5-0).

**IV. Adoption of Minutes:**

1. Regular Meeting Minutes July 6, 2016.

Motion by C. Dunlop to accept the Minutes of the Regular Meeting of July 6, 2016. Second by A. Kerouack.

C. Dunlop noted a correction:

- The Roll Call in the Minutes states that he was present, but he was not present at that meeting.

J. Mohn noted two corrections:

- Page 4, third paragraph – VCD
- Page 4, fourth paragraph, last sentence – R-30 Zone

Motion carried (4-0-2). J. Mohn and C. Dunlop abstained as they were not present at that meeting.

**V. Public Commentary:** None.

Motion by A. Kerouac to add to the Agenda, under VI. New Business, before getting into the Applications, a preliminary discussion regarding a slight change in the Dunkin Donuts already-approved plan design. Second by J. D'Agostino. Motion carried unanimously (6-0).

Motion by C. Dunlop to add to the Agenda, under VII. New Business, a. Applications, 3. Application for designation of Beecher Road as a scenic road. Second by J. D'Agostino. Motion carried unanimously (6-0).

Motion by A. Kerouac to add to Agenda Item, VII. New Business, a. 2. on the southwest-most side of School Street. There was no second.

**VI. Unfinished Business:** None.

**VII. New Business:**

- a. **Preliminary discussion regarding a slight change in the Dunkin Donuts already-approved plan design.**

Norm Thibeault, Killingly Engineering Associates, represented the owner, The Toudis Group (Mr. Moutoudis was seated in the audience). Mr. Thibeault did a poster board presentation and explained that they would like to create an outdoor seating and patio area between the two buildings. Previously, the 20-foot gap

was filled with more building. The patio area would separate the Dunkin Donuts from the rest of the commercial space. The dimensions of the building are exactly the same. This will result in a smaller building (approximately 1,000 s.f. less of building area). No other changes on the site (parking, grading, drainage, landscaping) from what was presented previously.

There was discussion regarding parking requirements and drainage.

J. Roberson stated that she feels this is a site plan modification that doesn't need to have a public hearing. However, it should be submitted in the form of an official application to the Commission and that conformance to the Zoning Regulations should be verified. C. Kelleher and M. Sigfridson agreed. J.

Discussion ensued. It was decided that this will be added to the Agenda for the next Special Meeting on August 16, 2016. J. Roberson informed Mr. Moutoudis that site work could begin because it had been previously approved. Norm Thibeault will submit the Application and will work with J. Roberson.

The Commission will meet at 5:00 p.m. for the Special Meeting instead of 6:30 p.m. due to the Town Meeting that is scheduled the same night at 7:00 p.m. J. Roberson will contact Glenn Chalder to see if he can come earlier than 6:30 p.m. so that the Commission can review the draft regulations.

**b. Applications:**

1. ZRC16-002 Planning & Zoning Commission, Request to Amend Articles 3 and 15, Sections 3.5.3.4, 15.5.4.1; A proposal to modify the Regulations to ensure that the 300-foot separating distance for access ways to interior lots does not impact adjacent properties.

J. Roberson explained that there are some properties on South Street, owned by separate people who are both interested in developing these properties. Both are original parcels (never been subdivided or free cut). One owner was pursuing a subdivision and had already gone to the IWWC with an application. The owner of the adjacent parcel (immediately to the south) realized that the subdivision had a 50-foot access strip (where the driveway goes for a rear lot). The 300-foot separating distance, as currently written, applies to any lots on that side of the road whether or not they are owned by someone else (first come, first served situation). Ms. Roberson discussed this with C. Kelleher and then with Attorney Alter. Attorney Alter reviewed it and stated that there should be a compelling public interest for having a 300-foot separating distance, but he couldn't think of one. Ms. Roberson thinks, maybe the Commission, at the time, wanted to avoid stacking the driveways because it is unattractive, a bad waste of land and probably drops the property values. But, why 300 feet?

Ms. Roberson stated that other towns that have this regulation (Plainfield) have modified it to apply only to the parcel being subdivided, rather than having it affect adjacent parcels. Attorney Alter recommends that the Brooklyn Planning & Zoning Commission seriously consider this regulation change.

A. Kerouac doesn't understand the 300 feet seeing that the minimum for lots is 150 feet. Why have a minimum that is larger than the lot? J. Roberson researched and read from Minutes from 1990. Karen Johnson, the Planner at the time, was on record saying that it may be too stringent. Discussion ensued. A. Kerouac suggested reducing it to 150 feet. Discussion continued.

J. Roberson explained the situation and illustrated the two lots that she spoke of earlier. There is a question of whether they are conforming. She speculated that the 300-foot separating distance may have been put into place to avoid this type of situation. She stated that Zoning does not tell people where to put their driveways, but we can regulate, through the subdivision process and the Zoning Regulations, the placement of the access strip. Discussion ensued.

M. Sigfridson left at 7:29 p.m.

C. Kelleher stated that this needs to be changed. A. Kerouac agreed. J. Roberson stated that the point is not to give one property owner the ability to seriously affect the build ability of their neighbor's land. They would only affect the build ability of their own land.

Paul Archer spoke favorably of J. Roberson's draft language. C. Kelleher is in favor of putting it on the next agenda for a public hearing.

Discussion continued. Paul Archer suggested, two frontage lots in that zone, rather than saying 300 feet. The Commission agreed with this language.

Motion by Jules D'Agostino to accept Application ZRC 16-002 Brooklyn Planning and Zoning Commission, a proposal to modify Sections 3.5.3.4 and 15.5.4.1 of the Brooklyn Zoning Regulations to ensure that the 300-foot separating distance for access-ways to interior lots does not impact adjacent properties and to schedule a public hearing for the next regular meeting of the Planning and Zoning Commission to be held on September 7, 2016, at 6:30 p.m., at the Clifford B. Green Memorial Center located at 69 South Main Street, Brooklyn, CT. Second by J. Mohn. Motion carried unanimously (5-0).

J. Mohn suggested a visual, for the Commission Members and the public, who were not present for this discussion.

J. Roberson will research how many other Towns have this separating distance to discuss with Glenn Chalder.

2. ZC16-002 BLB, LLC, Map 33, Lot 19, 13.5+ acres, Request change from RA Zone to R30 Zone; Coincide with adjoining lots.

Paul Archer, Archer Surveying, represented the Applicant. He stated that the application has been submitted.

Motion by J. D'Agostino to accept Application ZC 16-002 BLB, LLC, request for Zone map Change from RA to R-30 for Map 33, Lot 19, 13.5+ acres on the south side of School Street and to schedule a public hearing for the next regular meeting of the Planning and Zoning Commission to be held on September 7, 2016, at 6:30 p.m., at the Clifford B. Green Memorial Center located at 69 South Main Street, Brooklyn, CT. Second by C. Dunlop.

There was discussion. J. Mohn asked if the intended use of the property to be re-zoned will be a matter of discussion at the public hearing. C.Kelleher stated that would be a separate application, and that discussion would be limited to the zone change. Paul Archer will bring a good map of the parcel.

Motion carried unanimously (5-0).

3. Application for designation of Beecher Road as a scenic road.

J. Roberson had provided copies of the proposal, received by the Brooklyn Town Clerk's Office on July 27, 2016, which included a copy of the ordinance and a map. They are applying for the entire length of Beecher Road: from the west, the intersection with Route 169 to the east, Christian Hill Road (1.2 miles). One criteria is that it be submitted by the majority of land owners with frontage on Beecher Road. She stated that the vast majority of the property owners support it (affidavits), however, there are a few property owners that she has not heard from yet.

C. Kelleher went over the steps that must be taken.

Discussion ensued.

Motion by J. Mohn to accept Application SRD 16-001 Gregory Lyon, application for the designation of Beecher Road (1.2 miles) as a Scenic Road under Brooklyn Town Ordinance 13.5 and to schedule a public hearing for the October 5, 2016 Regular Meeting of the Planning & Zoning Commission, at 6:30 p.m., at the Clifford B. Green Memorial Center located at 69 South Main Street, Brooklyn, CT. Second by A. Kerouac. Motion carried unanimously (5-0).

**c. Other New Business:** None.

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

1. Budget

J. Roberson stated that there is no budget report for this month.

2. Correspondence

J. Roberson stated that there are some magazines from the Realtors' Association for the Commission Members that she will distribute after the meeting.

3. Chairman's Report – None.

At this time, Jules D'Agostino stated that he feels that the people in Town do not have a clear understanding of what the P&Z Commission does. He feels the Commission does not have a vision of what it wants this Community to be. He asked if there is a vision statement in the copy of the new Regulations.

J. Roberson and C. Kelleher stated that it is in the POCD. Mr. D'Agostino stated that he had read that, but it doesn't clearly represent what this Town needs to be. C. Kelleher said that the POCD could be amended. Mr. D'Agostino suggested that the Commission find time to talk about it at some time in the future. One of the things to be discussed is the revised management plan for Route 169. He suggested asking Sam Alexander to attend for the discussion. He provided copies of a photo of what the new signs will look like. C. Kelleher explained that most of the P&Z's responsibility is prescribed by State Statute. P&Z's role could be enhanced in the planning such as with the new Regulations. She referred to the build-out by Paula Stahl. Rick Ives explained that the POCD should be tweaked when needed, but you have to be careful about using it as a way to govern. A. Kerouac brought up creating an Architectural Review Board specifically under P&Z (that could make recommendations to the P&Z Commission). C. Kelleher stated that there had been a draft to establish an Architectural Review Board, but it had not been adopted. Discussion ensued. J. Roberson referred the Commission to new text on Page 69 of the Draft Regulations. Discussion continued.

**IX. Public Commentary:**

Austin Tanner, Purvis Road, commented on the distance between driveways. He stated that if wetlands are involved, you may be making one lot a non-accessible lot (which is illegal). J. Roberson stated that you are allowed to fill in wetlands if you can prove that you do not have an alternative. She explained it is a regulation based on a linear distance which reduces your flexibility of design.

**X. Adjourn**

Motion by A. Kerouac to adjourn at 8:23 p.m. Second by C. Dunlop. Motion carried unanimously (5-0).

Respectfully submitted,

J.S. Perreault  
Recording Secretary