

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Special Meeting
Tuesday, November 29, 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 6:30 p.m.
- II. Roll Call** – C. Kelleher; M. Sigfridson; Craig Dunlop; David Fuss; A. Kerouac; Jeryl Mohn; Jules D’Agostino. Alan Carpenter was absent with notice. Dale Thompson was absent.

Staff Present – Jana Roberson, Director of Community Development.

III. Seating of Alternates:

Motion by D. Fuss to seat J. D’Agostino as a voting member in the absence of A. Carpenter and D. Thompson. Second by M. Sigfridson. Motion carried unanimously (6-0-0).

IV. Public Commentary

Glen Voccio, owner of a realty group which is considering purchasing the property at 230 Appell Road, stated that it is an undersized lot with a mobile home and a two-car garage on it. He asked the Commission for guidance as to whether it would be possible to obtain a zoning variance to allow building on the property. He would like to redevelop it for resale. There was discussion. Mr. Voccio will pursue the possibility of converting the garage into a residence with the possibility of commercial.

As a point of order, C. Kelleher stated that the above type of discussion should be on the agenda in the future so that the public will know what is to be discussed.

There was further discussion regarding the Appell Road property.

V. New Business – None.

VI. Old Business

1. Release of final Walmart landscaping bond.

J. Roberson stated that they had repaired the slope which had been eroding on the southern end and that they had removed/replaced some dead plants.

Motion by D. Fuss to release the final remaining 10% of the \$250,000 Performance Bond (#09091441 TR #8378 posted by Wal-Mart Real Estate Business Trust on August 27, 2012) for landscaping improvements required in accordance with Sec. 11.3 of the Brooklyn Zoning Regulations and included as a condition of approval for Application SPR08-006 Wal-Mart Real Estate Business Trust on June 23, 2009. Second by C. Dunlop. Motion carried unanimously (7-0-0).

2. Review/Discussion Draft of the Regulations Re-Write.

There was discussion regarding the work of a Committee (that worked with Jim Larkin) on Route 6 Design Guidelines. J. Roberson explained the approach of turning the current Guidelines into Standards which puts the burden of meeting them on the applicant. It allows flexibility for the Commission as they will decide what is applicable through the special permit process.

4.D.5 ARCHITECTURAL DESIGN/REVIEW

- Change the title to DESIGN STANDARDS
- Include language explaining flexibility and that standards are guidelines for the Commission – Introductory Statements.
There will be references to the Design Guidelines (all photos cannot be included in the Regulations).
- 4.D.3 Suggestion: percentage limit on parking in front of building.
- Terminology should not include “shall,” “encourage,” etc.
- Signage standards should not be in two places.
- 4.D.8.a. – It was suggested to add to the first bullet, second sentence, “excluding portable and temporary signs.” J. Roberson stated that Glenn Chalder is researching regulating sign content regarding issues of “freedom of speech.”
- There was discussion and a consensus to add the following to Events Facilities, to match what had been decided on for theatre: “A building or part of a building which is used for the commercial showing of films; or presentations of live entertainment exclusive of adult-related uses.”
- 4.D.8.b. – “Style” instead of “Type.” J. Roberson stated that all lines need to be reviewed/rephrased to fit with the design standards.
- 4.D.8.e. – Remove the sixth bullet, “Internally illuminated signs are not recommended.”
- Sign Regulations and Sign Standards should be in two separate sections. J. Roberson will work on it.
- 4.D.8.c. – Remove all.
It was stated that in the fourth bullet, it is 30 percent in the current regulations.
Move the second bullet up under 4.D.8.b. – Signs should be scaled appropriately to appeal to both pedestrians and vehicles. J. Roberson stated that it needs to be tweaked to mean that there should be separate signs for pedestrians and vehicles to be sure both are considered in the signage as a design standard.
There was discussion regarding placement of doors at shopping centers so there isn’t so far to walk from the parking lot.
- There was discussion regarding wall signs. There was a consensus that wall signs should not be higher than the wall and that roof signs should not be higher than the peak.
- 4.D.7 – There was discussion regarding outdoor displays/development tenants. Remove Site Plan from 4.D.7.a.
- There was discussion regarding 6.K. Clothing Donation Bins. There was a consensus to remove “Clothing” from the title. J. Roberson will be sure that the definition includes clothing and charitable donations of that sort (books, etc.). This is on the next Resource Recovery Agenda for discussion. J. Roberson will check to see if they are taxed. There was discussion whether they should be regulated and where they could be located (PC Zone, behind building, appropriately screened/concealed or placed to minimize from public view). There was a consensus to pursue whether the bins can be located at the Transfer Station only.

M. Sigfridson left at 8:23 p.m.

4.D.6. ADDITIONAL PROVISIONS

- 4.D.6.3. – Keep in for now, Peter Alter will review and advise whether it should stay or be removed.

- 4.D.6.4. – Fix numbering (should be a, b, c – not f, g, h).

The Commission reviewed items from last month's meeting:

- Mobile Homes – Currently, no new mobile homes are allowed and existing mobile homes that were in existence at the time Zoning was adopted (1972) may be replaced once and may be expanded by 50 percent once (can occur simultaneously). Per the Building Official, the building code does not have a minimum dwelling unit size (must have 120 s.f. living room, 120 s.f. bedroom, 70 s.f. bathroom).
The Commission discussed whether to allow smaller homes and how that would affect the property values of other homes in the neighborhood. J. Roberson stated that ZEO, Martha Fraenkel, feels that mobile homes are not a problem and she would like it to be clear that it is the applicant's burden to prove that existing mobile homes have been in existence prior to the adoption of Zoning in 1972.
It was suggested to allow unlimited replacement and expansion of mobile homes that existed prior to the adoption of Zoning in 1972 as long as setbacks are met (a waiver of setbacks may be necessary as many lots are non-conforming).
J. Roberson will get a list of mobile homes in Town from the Assessor showing the lot sizes and the Commission will continue the discussion.

4.E. – INDUSTRIAL ZONE – Discussion.

- 4.E.2.1.1. – Permitted
- 4.E.2.7.2. - There was discussion regarding adult-related uses.

D. Fuss left at 9:05 p.m.

- 4.E.2.2. – Not permitted.
- 4.E.2.3.1. – There was discussion regarding floor area and a business park where special permit may not be necessary. Include the EDC in discussion regarding where.
- 4.E.2.4. – Not permitted.
- There was discussion regarding what kinds of businesses might be attracted to an Industrial Zone in Brooklyn and also about home enterprises that grow. Put this on a “to do” list for after the Regulations Re-Write is completed.
- 4.E.3.4.3. - There was discussion regarding small wind turbines. J. Roberson reviewed information obtained from the internet and from J. D'Agostino. There is a need for a Green/Clean Energy Section in the Regulations, but it was decided to hold off until the Regulations Re-Write is completed as time is needed to research. J. Roberson will speak with ZEO, Martha Fraenkel. It was mentioned that neighbors should be notified. There was a consensus that they not be permitted and to remove wind turbines. It was suggested to limit accessory structures on a parcel.
There was a consensus that the Commission finds that they do not consider wind turbines to fit the definition of structure and, therefore, are not allowed at this time.
- 4.E.3.4.2. – There was discussion. By Zoning Permit (Staff).

VII. Public Commentary – None.

VIII. Adjourn

Motion by C. Dunlop to adjourn at 10:04 p.m. Second by A. Kerouac. Motion carried unanimously (5-0-0).

Respectfully submitted,

J.S. Perreault
Recording Secretary