

TOWN OF BROOKLYN

Land Use Department
69 South Main Street • Suite 22
BROOKLYN, CONNECTICUT 06234
860-779-3411 Ext. 12

The Brooklyn Zoning Board of Appeals will hold a Public Hearing and Meeting on Tuesday, January 4, 2022 at 6:30 p.m. held at the Clifford B Green Meeting Center 69 South Main Street Brooklyn, CT and via WebEx on the following applications:

ZBA 21-008 Sherry and Gary Greene, 215 Stetson Road, Map 2 Lot 6, RA Zone, proposal to vary the Zoning Regulations Sections 1.D.2.1-4 and 3.A.3.2.4 in order to use a camping trailer as a dwelling in a front yard until the issuance of a Certificate of Occupancy for the new permitted house.

Interested persons may appear and be heard. Written communications will be accepted. A copy of the application is available on the Town of Brooklyn Website. WebEx meeting information will be included on the January 4, 2022 Zoning Board of Appeals Agenda.

Bruce Parsons, Chairman
Zoning Board of Appeals

BROOKLYN ZONING BOARD OF APPEALS
APPLICATION

RECEIVED

NOV 17 2021

FEE: \$250.00 / STATE FEE: \$60 / PUBLICATION FEE: \$450

CHECK# 5928

APPLICATION # ZBA21-008 DATE SUBMITTED 11/17/21

APPLICANT: Gary C & Sherry A. Greene

MAILING ADDRESS: 215 Stetson Road

PROPERTY OWNER: (if different) same

MAILING ADDRESS: 215 Stetson Road

PROPERTY LOCATION: 215 Stetson Road

MAP: 2 LOT: 6 ACRES: 74.0

ZONE: RA R-30 VCD R-10 NC PC RB I-1 (circle one)

Is Property within 500' of a municipal boundary? yes

Application is submitted for approval of the following (check all that apply):

- ☒ Variance of the Zoning Regulations, Section(s) 1.D.2.1, 1.D.2.2, 1.D.2.4 and 3.A.3.2.4
The variance being requested is to be allowed to use a camping trailer as a dwelling at 215 Stetson Rd. until Certificate of Occupancy for the new permitted house has been issued,
- ☐ Appeal of an order, requirement or decision of the ZEO under Sec. 17.2 of the Brooklyn Zoning Regulations.
- ☐ Locational Approval for the dealing in or repairing motor vehicles (CGS 14-54), motor vehicle recycler's yard or motor vehicle recycler's business (CGS 14-67i), or sale of gasoline or other product intended for use in the propelling of motor vehicles using combustion type engines (CGS 14-321).

Complete Description of Project (attach additional sheets if necessary):

Please see attached hardship letter

Specify the hardship if applying for a variance. A hardship cannot be strictly financial and must be related to the condition of the land.

Please see attached hardship letter

Please accept this letter of hardship as an explanation as to why we are requesting a variance:

We were supposed to close on our land at 215 Stetson Road on 05/24/2021 but due to a probate issue that was delayed until 9/27/2021. Once we closed on 9/27 we moved our camper from the campground that we had been at since 5/21/2021 to our land so we could be on site during construction of our new home. We were not aware at that time that that was not allowed. We now know and are requesting your permission to temporarily stay in our camper until our home is complete. By not being on the property for our project puts us in an extremely difficult situation and creates an unusual hardship that would further delay to construction of our new home.

We have looked into renting but are not able to find any rentals nearby or that will take our cats. We have heard of several instances of theft at construction sites and we feel that in order to protect our building materials that are here on the property we need to be here. Our roofing shingles are being delivered to the job site Friday 11/19/21 and our windows and doors are expected to be in the first week of December and the supplier will not house the order it has to be delivered to the job site. Another reason that we need to be here at the property to protect our investment. The time to reorder materials if it were stolen would be 10 to 15 weeks. We are going to be doing the finish work ourselves and need to be here to get things completed quickly and not lose time traveling back and forth to the job site. We want to be in our home as soon as possible and not have any delays for stolen material.

We have received NDDH approval, Zoning and building permits and are making every effort to get this house built as quickly as we can. Our footings are in, the foundation will be going in this week, the framer is coming next week, and the roof will be going up the following week. As you can see we are actively working to get this project to an end and are only asking for 6 months to stay here temporarily. If we can get our C/O before the 6 months, we will absolutely vacate the camper immediately.

If all went as planned back in May when we sold our home, we would likely already have our C/O and be in our new home. Unfortunately, there was a very long delay and we are in this current situation.

If you could please find it in your hearts to allow us the special request for a short period (6 months at the most) we would be eternally grateful.

Thank you in advance for your consideration and we look forward to working with you to resolve this issue.

Best regards,

 11/16/2021
Gary & Sherry Greene

BROOKLYN ZONING BOARD OF APPEALS

The following information must accompany each application at the time of submittal:

1. A plot plan prepared as determined by the ZBA, either:
 - by a licensed land surveyor, to A-2 survey standard OR
 - not an A2 survey but sufficiently accurate to allow the members to reach an informed decision.
2. A copy of the permit denial from the Zoning Officer.
3. Check payable to the Town of Brooklyn.
4. Confirmation that Notices to Abutters have been sent as follows:
 - The applicant shall, at his own expense, send notice of the application at least 15 days prior to the date of the public hearing. Form will be provided by the Town.
 - Notice shall be sent to all property owners of any abutting properties as well as to property owners that lie opposite the parcel across any street or thoroughfare.
 - Notice shall be sent with a Certificate of Mailing receipt obtained from the US Post Office.
 - Copies of the list of abutters and Certificates of Mailings shall be submitted no later than at the public hearing.
 - Abutting owners are the owners that are listed in the Brooklyn Tax Assessor's records.
5. If the proposed activity is located within a Drinking Water Supply Aquifer Area (see attached map) then the Public Water Supply Aquifer Area Project Notification Form must be completed and attached to the application.

NOTE:

- It is the responsibility of the applicant to contact the Building Inspector, Inland Wetlands and Watercourses Agent and Fire Marshal to determine if other permits are required.
- See Article 17 of the Brooklyn Zoning Regulations for the powers and duties of the Board and the criteria for decision-making regarding variances. All criteria must be addressed in the information provided to the Board.
- **Lack of accurate information may cause the Board to deem that the application is an incomplete application and may be grounds for denial.**

**SUBMIT APPLICATIONS TO THE BROOKLYN LAND USE OFFICE, 69 SOUTH MAIN STREET,
SUITE 23 BROOKLYN, CT 06234.**

The undersigned applicant(s) and owner(s) hereby state that the information contained in this application and in all documentation provided is complete, true and accurate to the best of my/our knowledge.

<u>Darryl Greene</u>	<u>11/16/21</u>	<u>Darryl Greene</u>	<u>11/16/21</u>
Applicant	Date	Property Owner	Date
<u>Sherry A. Greene</u>		<u>Sherry A. Greene</u>	

[illegible]

CONSTRUCTION DETAIL										CONSTRUCTION DETAIL (CONTINUED)									
Element	Cd	Description	Element	Cd	Description														
Style: Model Grade: Stories: Occupancy Exterior Wall 1 Exterior Wall 2 Roof Structure: Roof Cover Interior Wall 1 Interior Wall 2 Interior Flr 1 Interior Flr 2 Heat Fuel Heat Type: AC Type: Total Bedrooms Total Bthrms: Total Half Baths Total Xtra Fixtrs Total Rooms: Bath Style: Kitchen Style:	20 02 02 1 1 27 01 01 04 14 05 02 04 01 01 0 3 02 02	Mobile Home Mobile Home C- Pre-finish Metl Flat Metal/Tin Plywood Panel Carpet Vinyl/Asphalt Oil Forced Air-Duc None 1 Bedroom Average Modern																	
CONDO DATA																			
Parcel Id			C		Owne														
Adjust Type			B	S	Factor%														
Condo Flr																			
Condo Unit																			
COST / MARKET VALUATION																			
Building Value New					29,118														
Year Built					1963														
Effective Year Built					1950														
Depreciation Code					VP														
Remocel Rating																			
Year Remodeled					70														
Depreciation %																			
Functional Obsol					1														
External Obsol																			
Trend Factor																			
Condition					30														
Condition %					8,700														
Percent Good																			
RCNLD																			
Dep % Ovr																			
Misc Imp Ovr																			
Misc Imp Ovr Comment																			
Cost to Cure Ovr																			
Cost to Cure Ovr Comment																			
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)																			
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond.	Cd	% Gd	Grade	Adj.	Appr. Value								
BUILDING SUB-AREA SUMMARY SECTION																			
Code	Description	Living Area	Floor Area	Eiff Area	Unit Cost	Undeprec Value													
BAS	First Floor	430	430	430	54.94	23,624													
UBM	Basement, Unfinished	0	400	100	13.73	5,494													
Ttl Gross Liv / Lease Area 430 830 530 29,118																			

SHD1-NV

3	EAS	40	10	10	10	10
3						



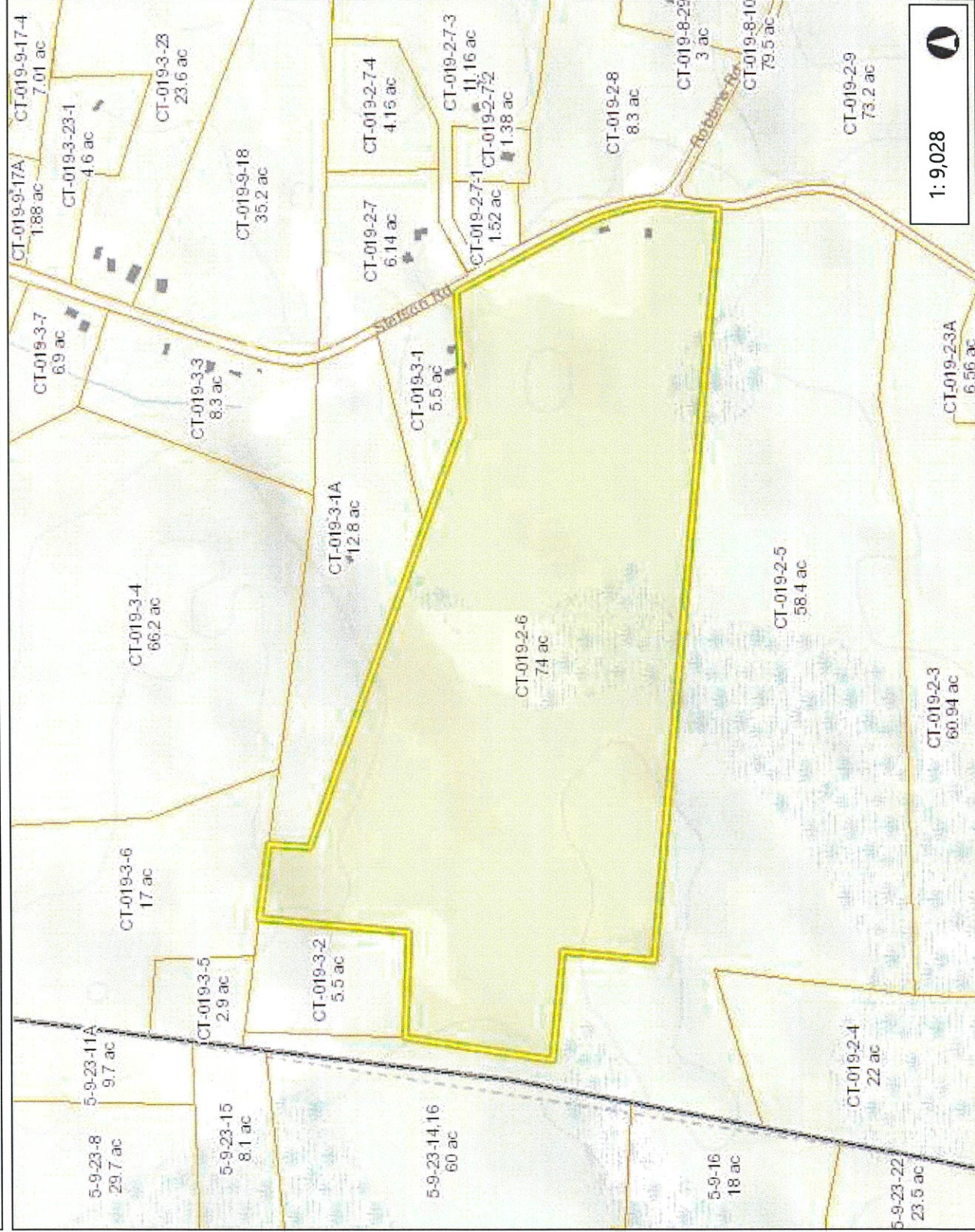
NeccoG GIS Site



- Legend**
- Town
 - Buildings 2012
 - Parcels

Notes

215 Stetson Road NECCOG Map



1: 9,028

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

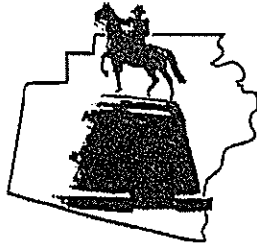
0.3 Miles

0.14

0

0.3

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.



Brooklyn Land Use Department

69 South Main Street
Brooklyn CT 06234
(860) 779-3411 x 31

Inland Wetlands ☒

Zoning Enforcement ☒

Blight Enforcement ☐

SITE INSPECTION NUMBER

1 2 3 4 5

215 Stetson Rd

10-12-21

Address

Date

I inspected + took photos w/ Bruce Woodis. There is Joe Pye weed, a wetlands indicator plant, on the edge of the field where the house is proposed. Only the septic system will be in the upland review area.

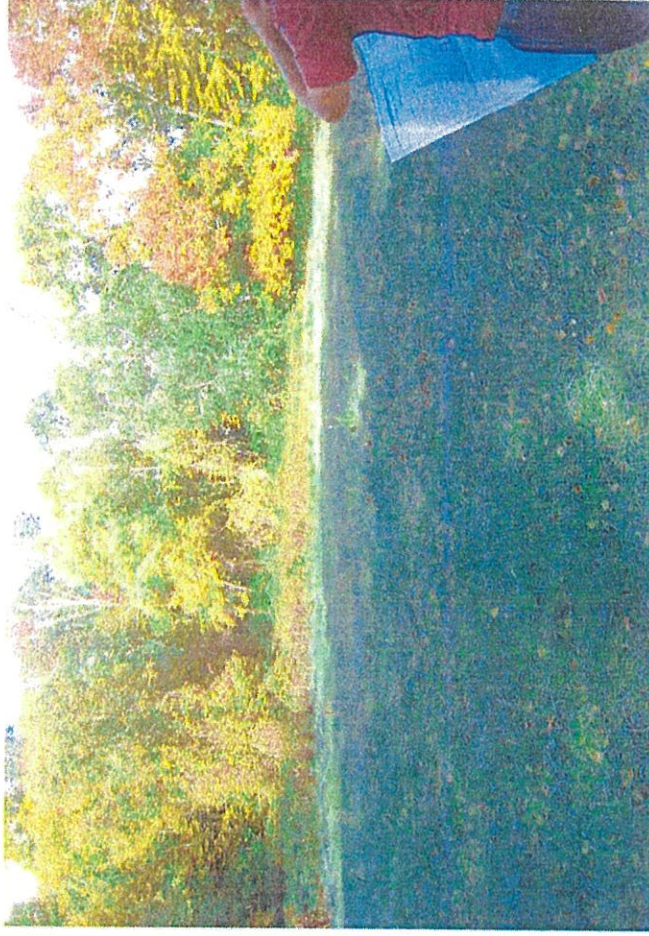
The Greenes are living in a camping trailer they placed in front of the e. trailer (circa 1968) on site. Gary + Sherry tied the trailer into the e. septic system at the old trailer w/out NDDH approval.

Commission Representative

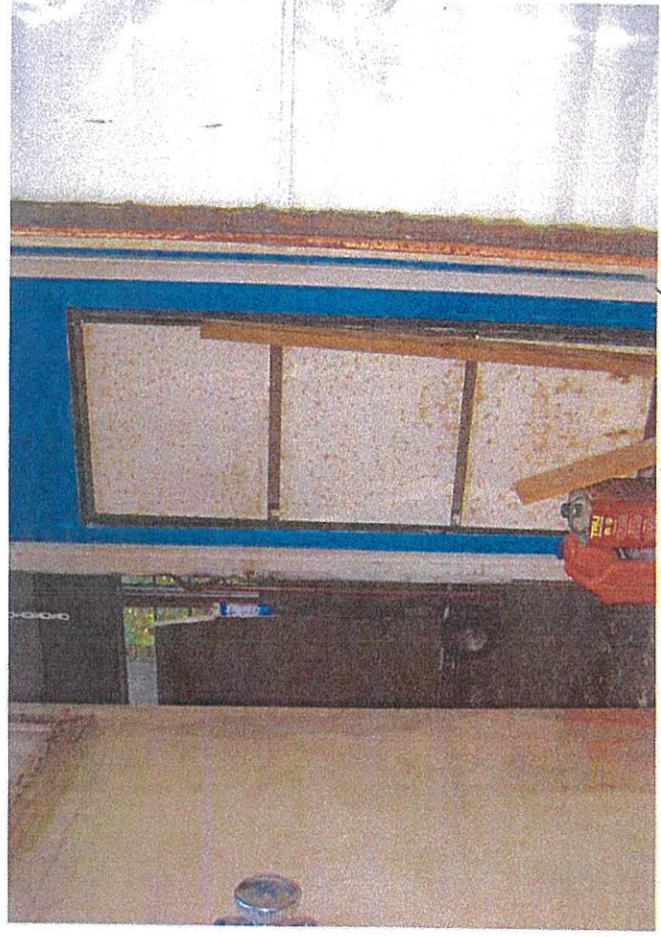
M Washburn

Owner or Authorized Signature

Existing 1968 +/- trailer

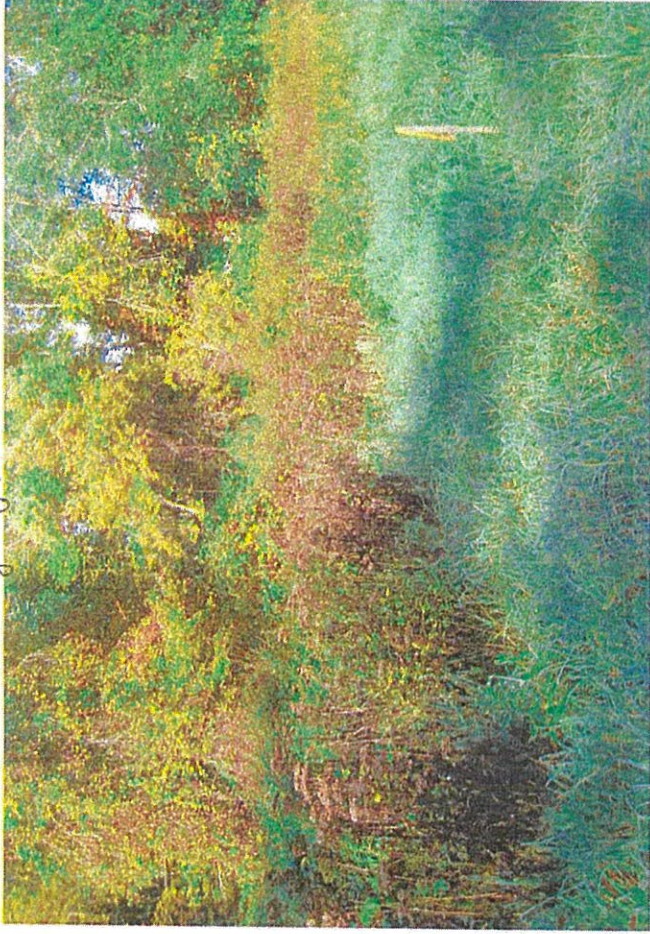


Recently placed camping trailer cannot be used as dwelling during house construction.

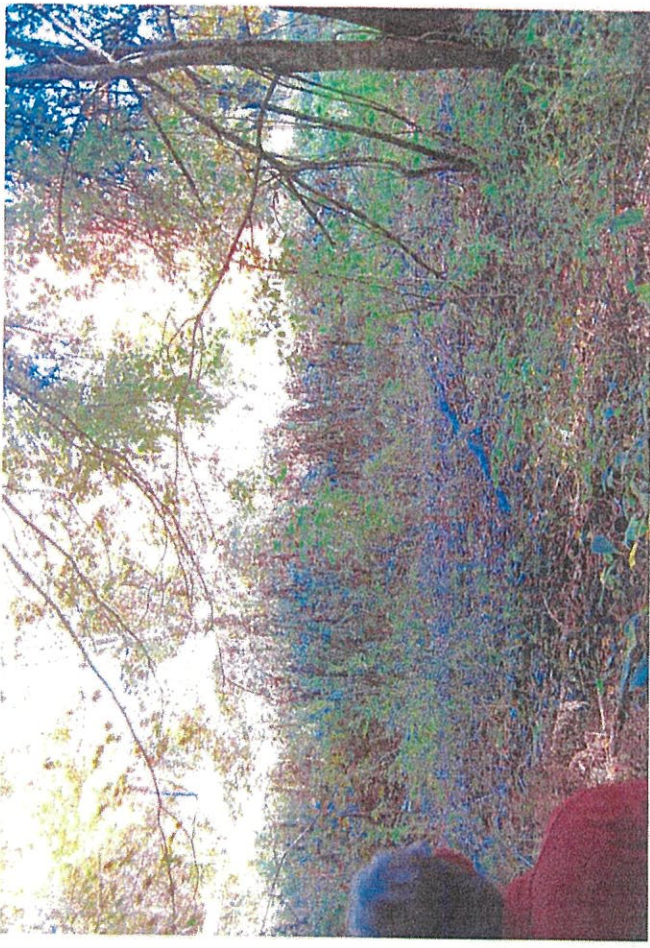


Entrance to 1968 trailer.

Joe pye weed outside flagged
wetland on edge of mowed field



Looking from wetland toward house location



Field where house and septic system are proposed



near Wetland Flag 9



Brooklyn Inland Wetlands
Commission

P.O. Box 356
Brooklyn, Connecticut 06234



DULY AUTHORIZED AGENT APPROVAL

Gary and Sherry Greene
215 Stetson Road
Brooklyn, CT 06234

October 13, 2021

Re: IWWC Application #100421B

Dear Mr. and Mrs. Greene,

On October 13, 2021, your application #100421B, Gary and Sherry Greene, 215 Stetson Road, Map 2, Lot 6, new single-family home with attached garage, front porch, rear deck, a driveway, a septic system and a well, was approved by the Inland Wetlands Agent, Margaret Washburn, as an action by a duly authorized agent with the following conditions:

1. Prior to starting any soil disturbance, install silt fence as shown on the plan.
2. The silt fence is to remain in place until all areas have been stabilized by vegetation or landscaping.

All work is to be completed in accordance with all materials submitted with the application.

You are required within **ten days** of the date of such approval to publish at your expense, the attached notice of approval in a newspaper having a general circulation in the Town of Brooklyn **and to provide proof of publication the authorized agent.**

If you have any questions, please contact Inland Wetlands Agent Margaret Washburn at (860) 779-3411 extension 31.

Sincerely,

Margaret Washburn

Margaret Washburn
Wetlands Enforcement Officer

MW/LL
CC: File

Town of Brooklyn
Public Notice

On October 13, 2021, the duly Authorized Agent of the Brooklyn Inland Wetlands and Watercourses Commission approved a new single-family home with attached garage, front porch, rear deck, a driveway, a septic system and a well, at 215 Stetson Road (Map 2, Lot 6), Brooklyn, CT with the following conditions:

1. Prior to starting any soil disturbance, install silt fence as shown on the plan.
2. The silt fence is to remain in place until all areas have been stabilized by vegetation or landscaping.



ZONING PERMIT

Fee Paid: \$ 200.00
 Received By:
 Date Granted: 10/13/2021
 Numerical Code:
 Permit Number: 21-82ZP

Sherry & Gary Greene _____:

The Town of Brooklyn, CT _____ has approved the zoning permit application you submitted, with final revisions as applicable.

This permit authorizes the following activity(ies) for the purpose(s) stated within your application:

1300 SQ FOOT NEW HOME WITH ATTACHED GARAGE

Located at 215 STETSON RD _____

Plat/Map 2 _____

Lot/Block 06 _____

Parcel 206 _____

This is to certify that the building, structure, or use identified in your application referenced above is in compliance with the Local Zoning Regulations. Any other necessary approvals must be obtained.

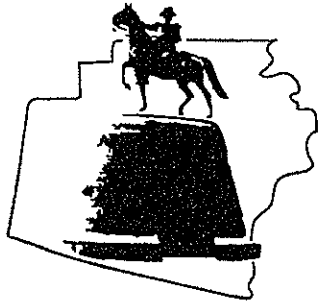
No building permit or certificate of occupancy shall be issued for a building, use or structure subject to the zoning regulations of a municipality without certification in writing by the official charged with the enforcement of such regulations that such building, use or structure is in conformity with such regulations or is a valid nonconforming use under such regulations. Such official shall inform the applicant for any such certification that such applicant may provide notice of such certification by either (1) publication in a newspaper having substantial circulation in such municipality stating that the certification has been issued, or (2) any other method provided for by local ordinance. Any such notice shall contain (A) a description of the building, use or structure, (B) the location of the building, use or structure, (C) the identity of the applicant, and (D) a statement that an aggrieved person may appeal to the zoning board of appeals in accordance with the provisions of section 8-7. (Connecticut General Statutes)

M Washburn _____

Margaret Washburn, Zoning Enforcement Officer

CONDITIONS/STIPULATIONS

New 1300-sf single-family dwelling with attached garage, front porch and rear deck. See attached page 2 for conditions. This is page 1 of a 2-page zoning permit.



TOWN OF BROOKLYN
P.O. Box 356 • Route 6 and 169
BROOKLYN, CONNECTICUT 06234

Town Offices
860-779-3411

CONDITIONS FOR ZONING PERMIT FOR 215 STETSON ROAD
ISSUED 10/13/2021

1. Erosion control measures and anti-tracking pad shall be maintained until ZEO authorizes their removal when lot is fully stabilized.
2. Prior to Certificate of Zoning Compliance and Occupancy:
 - a) Submit an as-built survey at A2 level showing all structures, footing drain outlet(s), and front, rear and side yard setbacks. The as-built survey must clearly indicate the distances from all structures and the footing drain outlet to property lines.
 - b) Finish grade, seed and mulch all disturbed areas.
 - c) Stonewall ends shall be repaired at driveway cut.

POST THIS CARD SO IT IS VISIBLE FROM STREET

BUILDING PERMIT

Fee Paid: \$ 1,608.03

Received By:

Date Granted: 11/03/2021

Numerical Code:

Permit Number: 21-242B

THIS CERTIFIES THAT Gary & Sherry Greene

has permission to:

1300 square foot new home with attached garage

Located at 215 STETSON RD

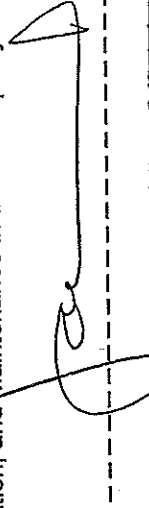
Plat/Map

Lot/Block

Parcel 206

Provided that the person accepting this Permit shall in every respect conform to the terms of the application on file in this office and to the provisions of the Statutes and Ordinances relating to Zoning, Construction, Alteration and Maintenance of Buildings in the municipality and shall begin work on said building within 6 MONTHS from the date hereof and prosecute the work thereon to a speedy Completion.

Any person who shall violate any of the Statutes and Ordinances relating to Zoning, Construction, Alteration, and Maintenance in the municipality shall be punished by penalties imposed by the State Building Code and Local Zoning Ordinances.



John Berard, Building Official

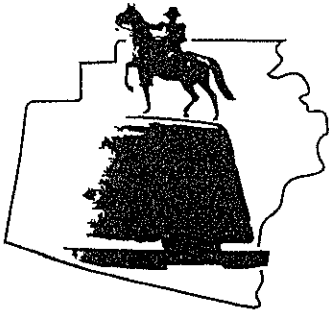
Work shall not proceed until the inspector has approved the various stages of construction.

BUILDING INSPECTION APPROVALS:

- | | | | |
|----|-----|-----|-----|
| 1. | 7. | 13. | 19. |
| 2. | 8. | 14. | 20. |
| 3. | 9. | 15. | 21. |
| 4. | 10. | 16. | 22. |
| 5. | 11. | 17. | 23. |
| 6. | 12. | 18. | 24. |

This Permit must be returned for Certificate of Occupancy.

On-remote sites: this card may be kept within the contractor's vehicle, readily available for inspection.



TOWN OF BROOKLYN
P.O. Box 356 • Route 6 and 169
BROOKLYN, CONNECTICUT 06234

Town Offices
860-779-3411

CEASE AND DESIST ORDER

Gary and Sherry Greene
215 Stetson Road
Brooklyn, CT 06234

October 13, 2021

9489 0090 0027 6215 8988 03

Gary and Sherry Greene:

On October 12, 2021 I conducted an inspection in response to an application for an Inland Wetlands and Watercourses permit on **your property at 215 Stetson Road, Map 2/Lot 6, in the RA Zone**. Refer the attached photographs taken at 215 Stetson Road on October 12, 2021.

VIOLATIONS OF THE BROOKLYN ZONING REGULATIONS

Using a Camping Trailer as a Dwelling Unit in the RA Zone

This letter serves as a NOTICE OF VIOLATION that you, as owner of **215 Stetson Road** are in violation of the following sections of the Brooklyn Zoning Regulations as follows:

Section 1.D.2.1: Application of Regulations; Conformity Required. "No building, structure or land shall be used or occupied, in whole or in part, except in conformity with all applicable Sections of these Regulations." Occupying a camping trailer as a dwelling unit at **215 Stetson Road** is a violation of the Brooklyn Zoning Regulations as such use is not permitted. Refer to the attached page 3 of the Brooklyn Zoning Regulations, effective 7/30/2020.

Section 1.D.2.2: Application of Regulations; Conformity Required. "No building or structure shall be built, erected, moved or altered except in conformity with all applicable Sections of these Regulations." **Moving a camping trailer to use as a dwelling unit at 215 Stetson Road is a violation of the Zoning Regulations in the RA Zone.** Refer to the attached page 3 of the Brooklyn Zoning Regulations, effective 7/30/2020.

Section 1.D.2.4: Application of Regulations; Conformity Required. "It shall be unlawful to alter the use of land, to commence construction or alteration of any building or structure, or to excavate for any building or structure or use until the application and plans therefore have been approved by the Zoning Enforcement Officer, and a building permit issued by the Building Official." Altering the use of land by moving a camping trailer to **215 Stetson Road** to use as a dwelling unit constitutes a violation of the Zoning Regulations. Refer to the attached page 3 of the Brooklyn Zoning Regulations, effective 7/30/2020.

Section 3.A.3.2.4: Permitted Accessory Uses; Accessory Parking and Storage: "Storage of registered recreational vehicles, boat trailers, camping trailers, animal trailers, and utility trailers in a side yard or a rear yard." Storing a registered camping trailer in a side or rear yard of a

permitted dwelling unit is permitted in the RA Zone. However, using a camping trailer as a dwelling unit is a violation of the Zoning Regulations in the RA Zone.

Refer to the attached page 45 of the Brooklyn Zoning Regulations, effective 7/30/2020.

Using a camping trailer as a dwelling unit anywhere in the RA Zone is not a permitted use. To review trailer-related terms, refer to the attached page 32 of the Brooklyn Zoning Regulations, effective 7/30/2020.

YOU ARE HEREBY REQUIRED TO:

1. Remove the camping trailer from 215 Stetson Road within twenty-one (21) days of receipt of this Order.
2. Cease and desist from using the camping trailer 215 Stetson Road as a dwelling unit within twenty-one (21) days of receipt of this Order.
3. Contact me at (860) 779-3411 ext. 31 within twenty-one (21) days of receipt of this Order to schedule an inspection of the corrective actions.

FAILURE TO COMPLY MAY SUBJECT YOU TO CITATIONS AND FINES OF \$150.00 PER DAY. REFER TO THE ATTACHED SECTION 20-2 OF THE BROOKLYN TOWN ORDINANCE REGARDING CITATION PROCEDURES AND FINES FOR ZONING VIOLATIONS. THE CITATION FOR CONDUCTING AN UNAUTHORIZED USE IS \$150.00 PER DAY. IN THE CASE OF A CONTINUING VIOLATION, EACH DAY'S CONTINUATION OF THE VIOLATION SHALL BE DEEMED A SEPARATE AND DISTINCT VIOLATION.

Issued by:

Margaret Washburn

Margaret Washburn
Brooklyn Zoning Enforcement Officer

CC: Rick Ives, First Selectman; Jana Roberson, Town Planner; Peter Alter, Town Council;
John Berard, Building Official; Officer S. Corradi, Resident State Trooper

1.D. APPLICATION OF REGULATIONS

1.D.1. PROHIBITED IF NOT PERMITTED

1. Any use or activity within a zone which is not clearly permitted by these Regulations shall be deemed to be prohibited within such zone.
2. While uses not listed are prohibited, the Commission recognizes that it is not always possible to list every conceivable use that might be considered appropriate in each zone. Uses not listed as a permitted use in a zone that are related or equivalent to a listed use and meet the stated intent may be permitted subject to interpretation and approval by the Planning and Zoning Commission.

1.D.2. CONFORMITY REQUIRED

1. No building, structure or land shall be used or occupied, in whole or in part, except in conformity with all applicable Sections of these Regulations.
2. No building or structure shall be built, erected, moved or altered except in conformity with all applicable Sections of these Regulations.
3. No lot shall be reduced, divided, or created such that the area, width or other dimensions of the lot or any of its required yards or required open areas shall be less than prescribed by these Regulations.
4. It shall be unlawful to alter the use of land, to commence construction or alteration of any building or structure, or to excavate for any building or structure or use until the application and plans therefore have been approved by the Zoning Enforcement Officer, and a building permit issued by the Building Official.

1.D.3. MINIMUM REQUIREMENT

1. In their interpretation and application, these Regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety, convenience and general welfare unless the context clearly indicates that the provision is intended to be a maximum limitation.

1.D.4. RELATIONSHIP TO OTHER REGULATIONS

1. These Regulations are not intended to repeal, abrogate, annul or in any way impair or interfere with any existing provisions of law or ordinance.
2. These Regulations are not intended to interfere with, abrogate or annul any easements, covenants or other agreement between parties.
3. Where these Regulations impose a greater restriction on the use of buildings or land or on the height of buildings or require larger yards or setbacks, or a greater percentage of lot not to be built upon, or impose other higher standards than are imposed by any law, ordinance, regulation, or private agreement, these Regulations shall control.
4. When any law, ordinance, regulation, or private agreement imposes greater restrictions than are required by these Regulations, such greater restrictions shall not be diminished by these Regulations.

3.C.3. PERMITTED ACCESSORY USES

3.C.3.1. GENERAL ACCESSORY USES	
1. Accessory uses that are customary, subordinate, and incidental to a principal use permitted by Section 3.C.2.	No Permit Required
2. Keeping of dogs, cats, or domestic household pets of the type normally kept within the home.	No Permit Required
3. Agriculture in accordance with best management practices as promulgated by the Connecticut Department of Agriculture.	No Permit Required
3.C.3.2. ACCESSORY PARKING AND STORAGE	
1. Off-street parking facilities for the use of the occupants of the premises and their guests.	No Permit Required
2. Parking of one commercial vehicle used by the occupants of the premises or their guests. (Semi-trailers and tractor trailers or their components are not permitted.)	No Permit Required
3. Parking of two commercial vehicles provided any such vehicle is parked in a side yard or a rear yard and is visually shielded from the street and from adjacent property. (Semi-trailers and tractor trailers or their components are not permitted.)	Zoning Permit (Staff)
4. Storage of registered recreational vehicles, boat trailers, camping trailers, animal trailers, and utility trailers in a rear yard.	No Permit Required
3.C.3.3. ACCESSORY RESIDENTIAL USES	
1. An accessory apartment in accordance with Section 6.C.	Special Permit (PZC)
2. A non-commercial kennel provided that any buildings, structures or runs shall be at least double the required yard setback from any property lines and shall be buffered from adjacent uses.	Special Permit (PZC)

(continued on next page)

2.B

WORDS AND TERMS DEFINITIONS

BROOKLYN ZONING REGULATIONS
Effective July 30, 2020

SUBORDINATE - See *"Principal versus Accessory"*.

SUBSTANTIAL RECONSTRUCTION - Building or construction which is considerable in importance, value, degree, amount or extent relating to the replacement of pre-existing structures or parts thereof of such scope that a building permit is required.

THEATER - A building or part of a building which is used for the commercial showing of films or presentations of live entertainment but specifically excluding any adult-related uses.

TOPSOIL - Earth materials, including loam, which are arable and constitute the surface layer of earth material.

TOWN - The Town of Brooklyn, Connecticut.

TOWN CLERK - The Town Clerk of the Town of Brooklyn, Connecticut.

Trailer-Related Terms

TRAILER - A non-motorized structure built, designed, intended, or configured to be towed or hauled by another vehicle.

ANIMAL TRAILER - A trailer designed, intended, or used for carrying horses, livestock, or similar animals.

BOAT TRAILER - A trailer designed, intended, or used for carrying one or more boats.

CAMPING TRAILER - A trailer designed, intended, or used for recreational camping on an occasional basis.

CONSTRUCTION TRAILER - A trailer on a construction site which is designed, intended, or used as temporary office space, storage space, or both.

COMMERCIAL TRAILER - A trailer used for commercial purposes including but not limited to a trailer used in a tractor-trailer configuration.

EMERGENCY TRAILER - A trailer authorized for use for temporary housing whenever a dwelling unit has been involuntarily destroyed so as to become uninhabitable by one or more of the following - fire, flood, tornado, hurricane, wind storm, lightening, earthquake, vandalism, or other catastrophe.

MOBILE HOME - A trailer used for residential purposes which is less than 22 feet wide. See *"Manufactured Home"*.

UTILITY TRAILER - A trailer designed, intended, or used for carrying brush, motorcycles, snowmobiles, and similar activities accessory to a residential use.

Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than 15 days not more than 30 days from the date of the mailing of the notice, provided the Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original certified copy of the initial notice of violation issued by the Land Use Officer or Police Officer shall be filed and retained by the Town of Brooklyn, and shall be deemed to be a business record within the scope of CGS 52-180 and evidence of the facts contained therein. The presence of the Land Use Officer or Police Officer shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. The Land Use Officer may present evidence on behalf of the Town of Brooklyn. If such person fails to appear, the Hearing Officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The Hearing Officer may accept from such person copies of Police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof, as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Hearing Officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the Town of Brooklyn.

§ 20-2.6. Notice of Assessment Which is Unpaid.

[Ord. No. 06-3 § 7]

If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of assessment to the person found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice of assessment with the Clerk of a Superior Court facility designated by the Chief Court Administrator together with an entry fee of \$8.00. The certified copy of notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The Clerk shall enter judgment, in the amount of such record of assessment and court costs of \$8.00, against such person in favor of the Town of Brooklyn. Notwithstanding any provision of the General Statutes, the Hearing Officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

§ 20-2.7. Appeal.

[Ord. No. 06-3 § 8]

A person against whom an assessment has been made pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within 30 days of the mailing of the notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for small claims case pursuant to Connecticut General Statutes (Revision of 1958) 52-259, at a Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the Judges of the Supreme Court.

§ 20-3. PUBLIC IMPROVEMENT SPECIFICATIONS.

[Ord. 6/28/89 § 1]

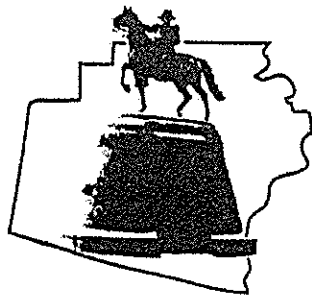
- a. It is hereby found that rapid growth and development within the Town of Brooklyn are placing unprecedented strain upon Town roads and appurtenant drainage systems, culverts, and catch-

b. To alleviate that siltation, and as empowered by Section 7-148 (c) of the General Statutes, the Board of Selectmen are hereby authorized to develop such regulations as they may deem appropriate to carry out the following purposes:

1. To provide the proper alignment, width, and grades and pavements of existing Town roads serving as a right of way to any proposed subdivision, to ensure that such existing Town roads remain safe and continue to conform to the plan of development of the Town;
 2. To provide adequate and sufficient storm drainage systems for carrying off increased storm drainage created by any proposed subdivision and associated access road improvements, whether such additional drainage would impact upon existing Town improvements or private lands;
 3. To provide that adequate and sufficient culverts, manholes, and catch-basins be installed to carry run-off water from the road surface and to divert road water from the proposed subdivision beneath or around existing roads without causing significant increases in erosion or sedimentation.
- c. Compliance with the regulations adopted by the Board of Selectmen shall be a condition precedent to any application for subdivision of property within the Town of Brooklyn. Failure to comply shall be adequate cause for denial of any such application.

If any portion of this section is deemed by a court of competent jurisdiction to be impermissible, its remaining sections shall continue to be valid and enforceable.





TOWN OF BROOKLYN

Land Use Department
69 South Main Street • Suite 22
BROOKLYN, CONNECTICUT 06234
860-779-3411 Ext. 12

REVISED CEASE AND DESIST ORDER

CERTIFIED # 9489 0090 0027 6215 8988 72

Gary and Sherry Greene
215 Stetson Road
Brooklyn, CT 06234

November 8, 2021

Gary and Sherry Greene:

On October 12, 2021 I conducted an inspection in response to an application for an Inland Wetlands and Watercourses permit on **your property at 215 Stetson Road, Map 2/Lot 6, in the RA Zone**. Refer the attached photographs taken at 215 Stetson Road on October 12, 2021.

On October 28, 2021 I received and granted your request for a 21-day extension. The new deadline for the required actions is November 24, 2021.

VIOLATIONS OF THE BROOKLYN ZONING REGULATIONS

Using a Camping Trailer as a Dwelling Unit in the RA Zone

This letter serves as a NOTICE OF VIOLATION that you, as owner of **215 Stetson Road** are in violation of the following sections of the Brooklyn Zoning Regulations as follows:

Section 1.D.2.1: Application of Regulations; Conformity Required. "No building, structure or land shall be used or occupied, in whole or in part, except in conformity with all applicable Sections of these Regulations." Occupying a camping trailer as a dwelling unit at **215 Stetson Road** is a violation of the Brooklyn Zoning Regulations as such use is not permitted. Refer to the attached page 3 of the Brooklyn Zoning Regulations, effective 7/30/2020.

Section 1.D.2.2: Application of Regulations; Conformity Required. "No building or structure shall be built, erected, moved or altered except in conformity with all applicable Sections of these Regulations." **Moving a camping trailer to use as a dwelling unit at 215 Stetson Road is a violation of the Zoning Regulations in the RA Zone.** Refer to the attached page 3 of the Brooklyn Zoning Regulations, effective 7/30/2020.

Section 1.D.2.4: Application of Regulations; Conformity Required. "It shall be unlawful to alter the use of land, to commence construction or alteration of any building or structure, or to excavate for any building or structure or use until the application and plans therefore have been approved by the Zoning Enforcement Officer, and a building permit issued by the Building

Section 3.A.3.2.4: Permitted Accessory Uses; Accessory Parking and Storage: "Storage of registered recreational vehicles, boat trailers, camping trailers, animal trailers, and utility trailers in a side yard or a rear yard." Storing a registered camping trailer in a side or rear yard of a permitted dwelling unit is permitted in the RA Zone. However, using a camping trailer as a dwelling unit is a violation of the Zoning Regulations in the RA Zone.

Refer to the attached page 45 of the Brooklyn Zoning Regulations, effective 7/30/2020.

Using a camping trailer as a dwelling unit anywhere in the RA Zone is not a permitted use. To review trailer-related terms, refer to the attached page 32 of the Brooklyn Zoning Regulations, effective 7/30/2020.

YOU ARE HEREBY REQUIRED TO:

- 1. Remove the camping trailer from 215 Stetson Road by November 24, 2021.**
- 2. Cease and desist from using the camping trailer 215 Stetson Road as a dwelling unit by November 24, 2021.**
- 3. Contact me at (860) 779-3411 ext. 31 by November 24, 2021 to schedule an inspection of the corrective actions.**

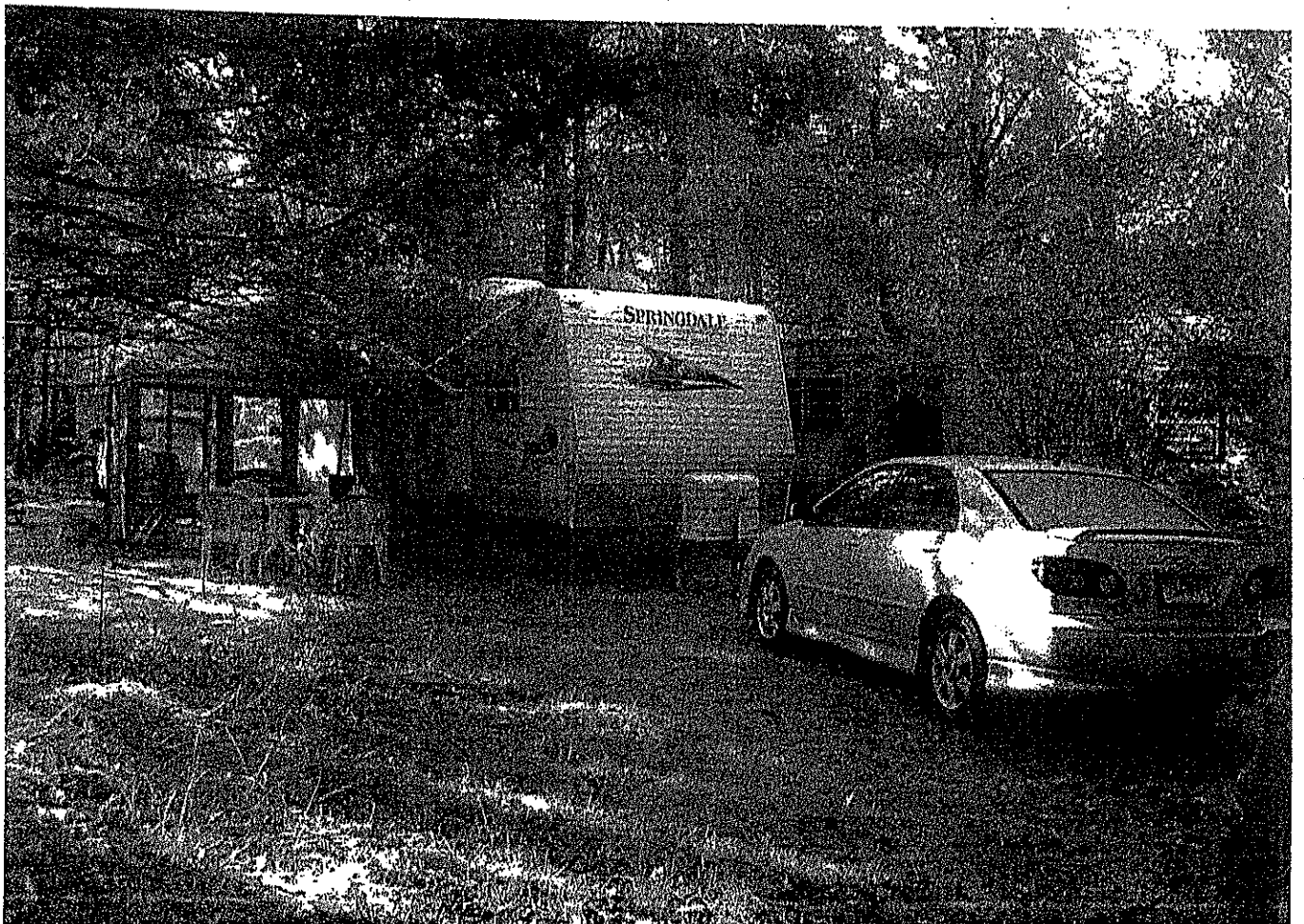
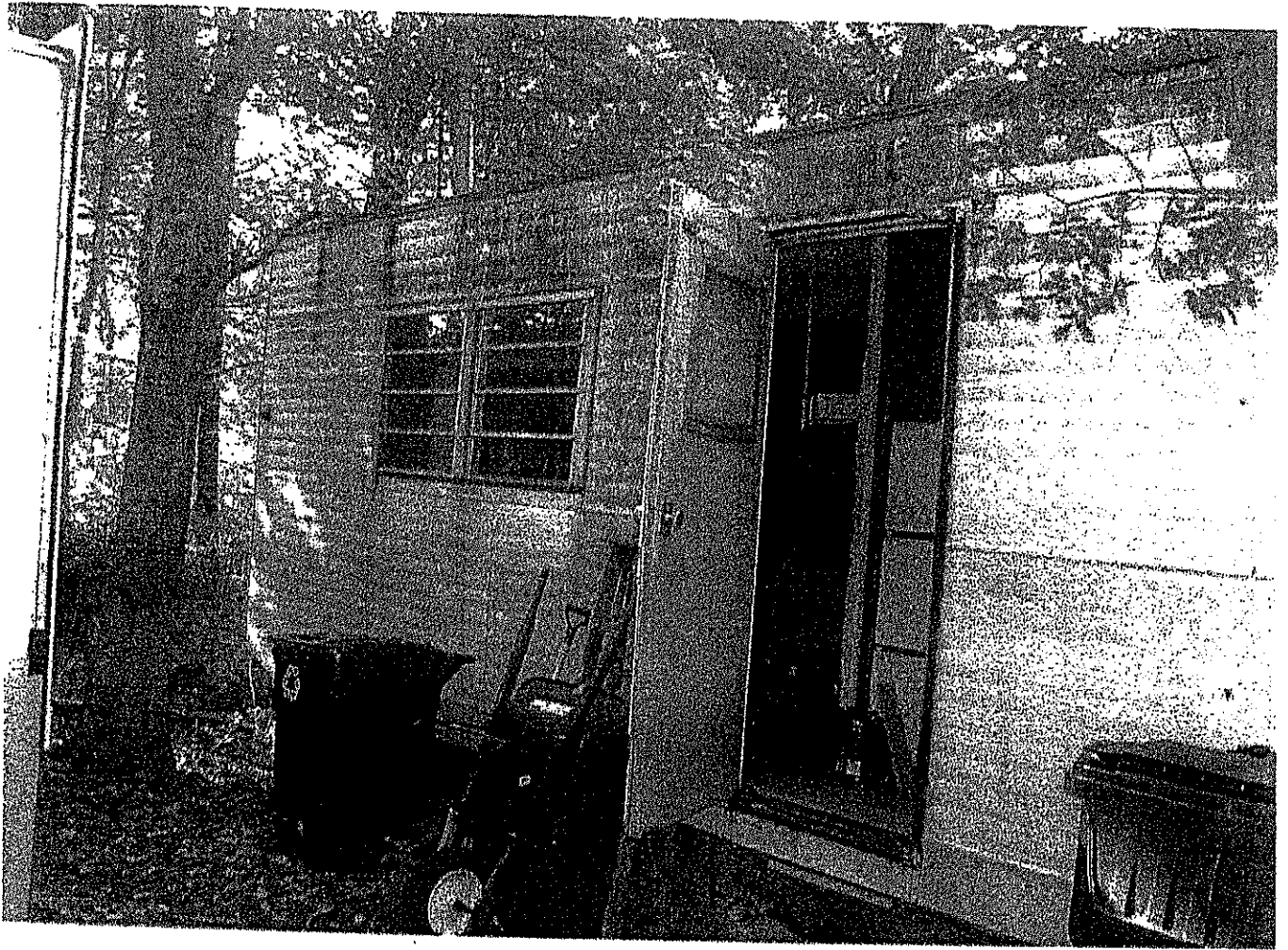
FAILURE TO COMPLY MAY SUBJECT YOU TO CITATIONS AND FINES OF \$150.00 PER DAY. REFER TO THE ATTACHED SECTION 20-2 OF THE BROOKLYN TOWN ORDINANCE REGARDING CITATION PROCEDURES AND FINES FOR ZONING VIOLATIONS. THE CITATION FOR CONDUCTING AN UNAUTHORIZED USE IS \$150.00 PER DAY. IN THE CASE OF A CONTINUING VIOLATION, EACH DAY'S CONTINUATION OF THE VIOLATION SHALL BE DEEMED A SEPARATE AND DISTINCT VIOLATION.

Issued by:

Margaret Washburn

Margaret Washburn
Brooklyn Zoning Enforcement Officer

CC: Rick Ives, First Selectman; Jana Roberson, Town Planner; Peter Alter, Town Council;
John Berard, Building Official; Officer S. Corradi, Resident State Trooper



1.D. APPLICATION OF REGULATIONS

1.D.1. PROHIBITED IF NOT PERMITTED

1. Any use or activity within a zone which is not clearly permitted by these Regulations shall be deemed to be prohibited within such zone.
2. While uses not listed are prohibited, the Commission recognizes that it is not always possible to list every conceivable use that might be considered appropriate in each zone. Uses not listed as a permitted use in a zone that are related or equivalent to a listed use and meet the stated intent may be permitted subject to interpretation and approval by the Planning and Zoning Commission.

1.D.2. CONFORMITY REQUIRED

1. No building, structure or land shall be used or occupied, in whole or in part, except in conformity with all applicable Sections of these Regulations.
2. No building or structure shall be built, erected, moved or altered except in conformity with all applicable Sections of these Regulations.
3. No lot shall be reduced, divided, or created such that the area, width or other dimensions of the lot or any of its required yards or required open areas shall be less than prescribed by these Regulations.
4. It shall be unlawful to alter the use of land, to commence construction or alteration of any building or structure, or to excavate for any building or structure or use until the application and plans therefore have been approved by the Zoning Enforcement Officer, and a building permit issued by the Building Official.

1.D.3. MINIMUM REQUIREMENT

1. In their interpretation and application, these Regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety, convenience and general welfare unless the context clearly indicates that the provision is intended to be a maximum limitation.

1.D.4. RELATIONSHIP TO OTHER REGULATIONS

1. These Regulations are not intended to repeal, abrogate, annul or in any way impair or interfere with any existing provisions of law or ordinance.
2. These Regulations are not intended to interfere with, abrogate or annul any easements, covenants or other agreement between parties.
3. Where these Regulations impose a greater restriction on the use of buildings or land or on the height of buildings or require larger yards or setbacks, or a greater percentage of lot not to be built upon, or impose other higher standards than are imposed by any law, ordinance, regulation, or private agreement, these Regulations shall control.
4. When any law, ordinance, regulation, or private agreement imposes greater restrictions than are required by these Regulations, such greater restrictions shall not be diminished by these Regulations.

3.C.3. PERMITTED ACCESSORY USES

3.C.3.1. GENERAL ACCESSORY USES	
1. Accessory uses that are customary, subordinate, and incidental to a principal use permitted by Section 3.C.2.	No Permit Required
2. Keeping of dogs, cats, or domestic household pets of the type normally kept within the home.	No Permit Required
3. Agriculture in accordance with best management practices as promulgated by the Connecticut Department of Agriculture.	No Permit Required
3.C.3.2. ACCESSORY PARKING AND STORAGE	
1. Off-street parking facilities for the use of the occupants of the premises and their guests.	No Permit Required
2. Parking of one commercial vehicle used by the occupants of the premises or their guests. (Semi-trailers and tractor trailers or their components are not permitted.)	No Permit Required
3. Parking of two commercial vehicles provided any such vehicle is parked in a side yard or a rear yard and is visually shielded from the street and from adjacent property. (Semi-trailers and tractor trailers or their components are not permitted.)	Zoning Permit (Staff)
4. Storage of registered recreational vehicles, boat trailers, camping trailers, animal trailers, and utility trailers in a rear yard.	No Permit Required
3.C.3.3. ACCESSORY RESIDENTIAL USES	
1. An accessory apartment in accordance with Section 6.C.	Special Permit (PZC)
2. A non-commercial kennel provided that any buildings, structures or runs shall be at least double the required yard setback from any property lines and shall be buffered from adjacent uses.	Special Permit (PZC)

(continued on next page)

2.B

WORDS AND TERMS DEFINITIONS

BROOKLYN ZONING REGULATIONS Effective July 30, 2020

SUBORDINATE - See *"Principal versus Accessory"*.

SUBSTANTIAL RECONSTRUCTION - Building or construction which is considerable in importance, value, degree, amount or extent relating to the replacement of pre-existing structures or parts thereof of such scope that a building permit is required.

THEATER - A building or part of a building which is used for the commercial showing of films or presentations of live entertainment but specifically excluding any adult-related uses.

TOPSOIL - Earth materials, including loam, which are arable and constitute the surface layer of earth material.

TOWN - The Town of Brooklyn, Connecticut.

TOWN CLERK - The Town Clerk of the Town of Brooklyn, Connecticut.

Trailer-Related Terms

TRAILER - A non-motorized structure built, designed, intended, or configured to be towed or hauled by another vehicle.

ANIMAL TRAILER - A trailer designed, intended, or used for carrying horses, livestock, or similar animals.

BOAT TRAILER - A trailer designed, intended, or used for carrying one or more boats.

CAMPING TRAILER - A trailer designed, intended, or used for recreational camping on an occasional basis.

CONSTRUCTION TRAILER - A trailer on a construction site which is designed, intended, or used as temporary office space, storage space, or both.

COMMERCIAL TRAILER - A trailer used for commercial purposes including but not limited to a trailer used in a tractor-trailer configuration.

EMERGENCY TRAILER - A trailer authorized for use for temporary housing whenever a dwelling unit has been involuntarily destroyed so as to become uninhabitable by one or more of the following - fire, flood, tornado, hurricane, wind storm, lightening, earthquake, vandalism, or other catastrophe.

MOBILE HOME - A trailer used for residential purposes which is less than 22 feet wide. See *"Manufactured Home"*.

UTILITY TRAILER - A trailer designed, intended, or used for carrying brush, motorcycles, snowmobiles, and similar activities accessory to a residential use.

Chapter 20. Fees for Land Use Applications

§ 20-1. ESTABLISHING LAND USE APPLICATION FEES.

[Prior ordinance history includes portions of Ordinances 3/1/88, 8/15/88, 91-2, 04-5 and 06-4]

§ 20-1.1. Purpose.

[Ord. 5/3/10]

The purpose of this chapter is to establish a reasonable and equitable Schedule of Fees, pursuant to Section 8-1c and 22a-42a of the Connecticut General Statutes, to defray the administrative costs and any additional costs, including professional consulting fees, incurred by the Planning and Zoning Commission, Inland Wetlands Agency and Zoning Board of Appeals of the Town of Brooklyn (each a "Land Use Agency") for the processing and subsequent monitoring of Land Use applications.

§ 20-1.2. Definitions.

[Ord. 5/3/10]

LAND USE APPLICATION

Shall mean an application for (1) any permit(s) or approval(s) required by any Land Use Agency regulations for the use of any land, building or structure; (2) proposed amendments to such regulations or the zoning map; (3) a request for a zoning variance; (4) an appeal of a decision of the Zoning Enforcement Officer or (5) a certificate of location approval and or appropriateness pursuant to Section 14-67 and/or Section 14-321 of the Connecticut General Statutes, submitted by any person, organization or corporation (the applicant).

STAFF

Shall mean any employee or appointee of the Town of Brooklyn or employees of the Northeast Connecticut Council of Governments "NECCOG" who, as part of his or her duties, render advice or assistance to any land use agency. Planning Staff shall be the Zoning Enforcement Officer, Town Planner or employees of NECCOG.

§ 20-1.3. Determination of Fees Charged for Land Use Applications.

[Ord. 5/3/10]

- a. **Base Fees.** The base fees established hereby are based on a reasonable estimate of the direct and indirect costs for time spent by staff in reviewing and evaluating each type of land use application and, except as noted, the cost of any public hearing. The base fee plus the estimated costs for advertising and required legal notices shall be paid at the time the land use application is filed.
- b. **Additional Fees.**

1. In addition to the base fees set forth herein, a Land Use Agency may require the applicant to pay an "additional fee" to defray other costs and expenses incurred by the Land Use Agency. Such additional fee shall be assessed to the applicant when the Planning Staff and/or the Land Use Agency determines that there is a need for the assistance of one or more third party consultants for review, evaluation or processing the land use application (consultation services). Consultants may be engaged to render engineering, architectural, environmental and planning services including traffic studies. Consultation services may include, but not be limited to, consultation with Town staff or the Town Attorney, discussions with the applicant or its agents, rendering such information and research that the Land Use Agency may request, the preparation of written findings and recommendations, written or oral testimony at any public hearing and post-approval inspections to ascertain that all terms and conditions of any permit have been met.
 2. The additional fee shall be equal to the reasonable cost incurred by the Land Use Agency for such consultation services.
 3. Upon the determination by the Town staff and/or Land Use Agency that consultation services are necessary, the Town Staff shall provide to the Land Use Agency, for its approval, a reasonable estimate of the cost based on the nature and the extent of the consultation services deemed necessary. Such determination shall be made as soon as practicable after the receipt (filing) of the land use application by the Land Use Agency and, upon approval by the Land Use Agency, the applicant shall be billed an additional fee in an amount equal to 125% of such estimate. Such additional fee shall be due and payable 10 days after receipt.
 4. Upon receipt of an additional fee from the applicant, the Land Use Agency shall create an application specific account and shall document the amount of the additional fee and all payments made for consultation services. The Land Use Agency shall render periodic accounting to the applicant. Any balance remaining after the land use application has been acted upon shall be refunded to the applicant, provided there has been a determination by the Staff that all terms and conditions of the permit have been met.
 5. Upon the failure of the applicant to pay such additional fee when due, the land use application shall be deemed to be incomplete and may be denied by the Land Use Agency for that reason with or without prejudice. No land use application shall be approved until the base fee, the additional fee, if any, and costs of advertising and legal notices have been paid in full.
- c. No fees shall be required for any land use application submitted by the Town of Brooklyn or any of its municipal agencies.

§ 20-1.4. Effective Date; Validity.

[Ord. 5/3/10]

In accordance with Connecticut General Statutes Section 8-1c, upon its effective date the fee structure set forth in this chapter shall supersede any fee schedule adopted by any Land Use Agency (this schedule was adopted May 3, 2010). If any provision or fee imposed by this chapter is, for any reason, found to be invalid by a court of competent jurisdiction, such invalidation shall not affect the validity of the remaining portions of this chapter and the fees imposed.

§ 20-1.5. Amendment of Schedule.

[Ord. 5/3/10]

The Board of Selectmen, acting pursuant to the provisions of Connecticut General Statutes Section 7-157(a), may, by ordinance, amend the Schedule of Base Fees from time to time after consultation with the Land Use Agency(ies).

§ 20-1.6. Fee Schedule.

Base Land Use Application Fees

ZONING FEES

Text Amendment to Regulations	\$250.00
Zoning Map Change	\$250.00
Home Occupation	\$50.00
Special Permit	\$100.00 plus site plan review
Site Plan Review	
2,500 sq. ft. or less	\$300.00
Over 2,500 sq. ft.	\$300.00 plus \$15.00 per each additional 1,000 sq. ft.
Site Plan Review (multi-family/active adult or elderly)	\$300.00 plus \$20.00 per unit
Amendment to Site Plan After Submission	\$150.00
Special Permit (Sand and Gravel)	\$250.00 +
< 1,000 cu. yds.	\$200.00
1,000 to 20,000 cu. yds.	\$300.00
21,000 to 50,000 cu. yds.	\$750.00
51,000 to 100,000 cu. yds.	\$2,500.00
> 100,000 cu. yds.	\$5,000.00
Annual Sand and Gravel Renewal	\$100.00

ZONING PERMITS

New Residential Dwelling	\$200.00
Residential Accessory Uses/Additions	\$50.00
Addition/Modification of a Nonresidential Building	\$75.00
New Commercial Building	\$250.00
Change of Use in Existing Commercial Building	\$75.00
Sign Permit	\$20.00

SUBDIVISION APPROVAL

Basic Application	\$250.00
Subdivision Plan Review	\$250.00 per lot
Engineering Review for New Road(s) and Drainage	*
Inspection and Supervision of Road Construction and Utilities	*
Text Amendment to Subdivision Regulations	\$250.00

*Included in Plan Review Fee but may be subject to the payment of additional fees as set forth in this chapter.

ZONING BOARD OF APPEALS

All Applications	\$250.00
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INLAND WETLANDS APPLICATION FEES

INLAND WETLANDS APPLICATION FEES

Residential (Single Lot)	\$150.00
Subdivision Application	\$150.00 plus \$150.00 per lot in the regulated area
Commercial/Industrial	\$200.00
Additional fee based on total impervious surface included in commercial/industrial application	
< 20,000 sq. ft.	\$400.00
20,001—50,000 sq. ft.	\$1,200.00
> 50,000 sq. ft.	\$800.00
Additional Fee for Significant Activity Requiring Public Hearing	\$250.00

All fees payable pursuant to this chapter are nonrefundable.

In addition to any other remedies permitted by law, any land use application submitted after work has started on a project shall be subject to a surcharge of \$500.00.

In addition to the fees set forth above payable to the Town of Brooklyn, each application is subject to an additional charge payable to the State of Connecticut, which, as of the effective date of this chapter is \$60.00.

§ 20-2. CITATION PROCEDURES AND FINES FOR ZONING AND WETLANDS VIOLATIONS.

§ 20-2.1. Issuance of Citations; Schedule of Fines.

[Ord. 8/1/13]

The Brooklyn Land Use Officer is authorized to issue citations for violations of the Zoning Regulations and the Wetlands Regulations of the Town of Brooklyn to the extent and manner provided by this section and the Connecticut General Statutes 7-152c. Any such citation may be served either by hand or by certified mail, return receipt requested, to the person named in such citation. If the person(s) named in the citation sent by certified mail refuses to accept such mail, the citation may be sent by regular United States mail. The Land Use Officer shall file and retain an original or certified copy of the citation, as served.

- a Citations may be issued for those types of zoning and wetlands violations specified in paragraph b below.
- b. The fine for each citation shall be in accordance with this schedule:

ZONING REGULATIONS	
Nature of Violation	Amount of Fine
Construction of any building without Zoning approval	\$150.00
Alteration of any building without Zoning approval	\$100.00
Conducting an unauthorized use	\$150.00
Illegal Sign	\$100.00
Building beyond foundation without prior Foundation as-built or erosion control approval	\$150.00
Failure to comply with an approved Site Plan, Special Permit, Subdivision or Re-subdivision including any conditions of approval	\$150.00

ZONING REGULATIONS

Nature of Violation	Amount of Fine
Any other violation of the Zoning Regulations	\$100.00

INLAND WETLAND REGULATIONS

Nature of Violation	Amount of Fine
For each violation	\$1,000.00

* In the case of a continuing violation, each day's continuation of the violation shall be deemed a separate and distinct violation.

§ 20-2.2. Citation Hearing Officers.

[Ord. No. 06-3 § 3]

The Chief Executive Officer shall appoint one or more Citation Hearing Officers, other than Police Officers or employees or persons who issue citations, to conduct the hearings authorized by this section.

§ 20-2.3. Notice.

[Ord. No. 06-3 § 4]

At any time within 12 months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 or section 22a-226d, for an alleged violation thereof, shall send notice to the person cited:

- a. Of the allegations against him and the amount of the fines, penalties, costs or fees due;
- b. That he may contest his liability before a Citation Hearing Officer by delivering in person or by mail written notice within 10 days of the date thereof;
- c. That if he does not demand such hearing, an assessment and judgment shall be entered against him; and
- d. That such judgment may issue without further notice.

§ 20-2.4. Liability; Payment of Fines; Costs.

[Ord. No. 06-3 § 5]

If the person who is sent notice pursuant to subsection **20-2.3** wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to the Land Use Officer. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within 10 days of the date of the first notice provided for in subsection **20-2.3** shall be deemed to have admitted liability, and the Land Use Officer shall certify such person's failure to respond to the Hearing Officer. The Hearing Officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection **20-2.5**.

§ 20-2.5. Hearing.

[Ord. No. 06-3 § 6]

Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than 15 days not more than 30 days from the date of the mailing of the notice, provided the Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original certified copy of the initial notice of violation issued by the Land Use Officer or Police Officer shall be filed and retained by the Town of Brooklyn, and shall be deemed to be a business record within the scope of CGS 52-180 and evidence of the facts contained therein. The presence of the Land Use Officer or Police Officer shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. The Land Use Officer may present evidence on behalf of the Town of Brooklyn. If such person fails to appear, the Hearing Officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The Hearing Officer may accept from such person copies of Police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof, as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Hearing Officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the Town of Brooklyn.

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[Ord. No. 06-3 § 7]

If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of assessment to the person found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice of assessment with the Clerk of a Superior Court facility designated by the Chief Court Administrator together with an entry fee of \$8.00. The certified copy of notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The Clerk shall enter judgment, in the amount of such record of assessment and court costs of \$8.00, against such person in favor of the Town of Brooklyn. Notwithstanding any provision of the General Statutes, the Hearing Officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

§ 20-2.7. Appeal.

[Ord. No. 06-3 § 8]

A person against whom an assessment has been made pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within 30 days of the mailing of the notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for small claims case pursuant to Connecticut General Statutes (Revision of 1958) 52-259, at a Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the Judges of the Supreme Court.

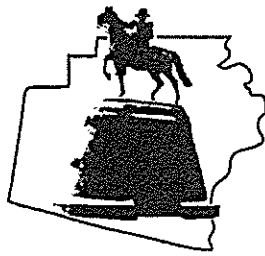
§ 20-3. PUBLIC IMPROVEMENT SPECIFICATIONS.

[Ord. 6/28/89 § 1]

- a. It is hereby found that rapid growth and development within the Town of Brooklyn are placing unprecedented strain upon Town roads and appurtenant drainage systems, culverts, and catch-basins.

- b. To alleviate that siltation, and as empowered by Section 7-148 (c) of the General Statutes, the Board of Selectmen are hereby authorized to develop such regulations as they may deem appropriate to carry out the following purposes:
1. To provide the proper alignment, width, and grades and pavements of existing Town roads serving as a right of way to any proposed subdivision, to ensure that such existing Town roads remain safe and continue to conform to the plan of development of the Town;
 2. To provide adequate and sufficient storm drainage systems for carrying off increased storm drainage created by any proposed subdivision and associated access road improvements, whether such additional drainage would impact upon existing Town improvements or private lands;
 3. To provide that adequate and sufficient culverts, manholes, and catch-basins be installed to carry run-off water from the road surface and to divert road water from the proposed subdivision beneath or around existing roads without causing significant increases in erosion or sedimentation.
- c. Compliance with the regulations adopted by the Board of Selectmen shall be a condition precedent to any application for subdivision of property within the Town of Brooklyn. Failure to comply shall be adequate cause for denial of any such application.

If any portion of this section is deemed by a court of competent jurisdiction to be impermissible, its remaining sections shall continue to be valid and enforceable.



I added 2
notes on to the
sketch prepared
by R. Desrochers
on 10-8-2021.

Brooklyn Land Use Department

69 South Main Street
Brooklyn CT 06234
(860) 779-3411 x 31

Inland Wetlands _____

Zoning Enforcement ☒

Blight Enforcement _____

SITE INSPECTION NUMBER

1 2 3 4 5

215 Stetson Rd.

11-16-21

Address

Date

I met Sherry and Gary Greene, inspected and took photographs. Using a 200-ft surveyor's tape, Sherry and I measured the distance from the camping trailer to the front property line, which appears to be the centerline of the stone wall between the camping trailer and the road. The camping trailer appears to be approximately 32.5 feet from the front property line. The camping trailer measures 32' x 8'.

I warned the Greenses that if one of the nearby large trees falls on the camping trailer, it could be crushed and people inside could be hurt or killed.

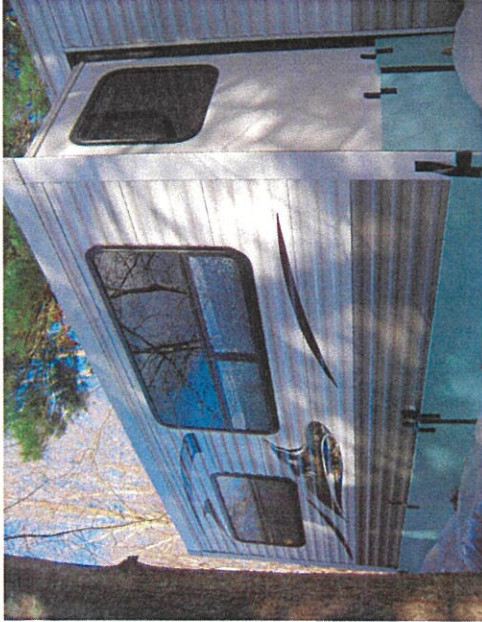
Commission Representative M. Washburn

Owner or Authorized Signature _____



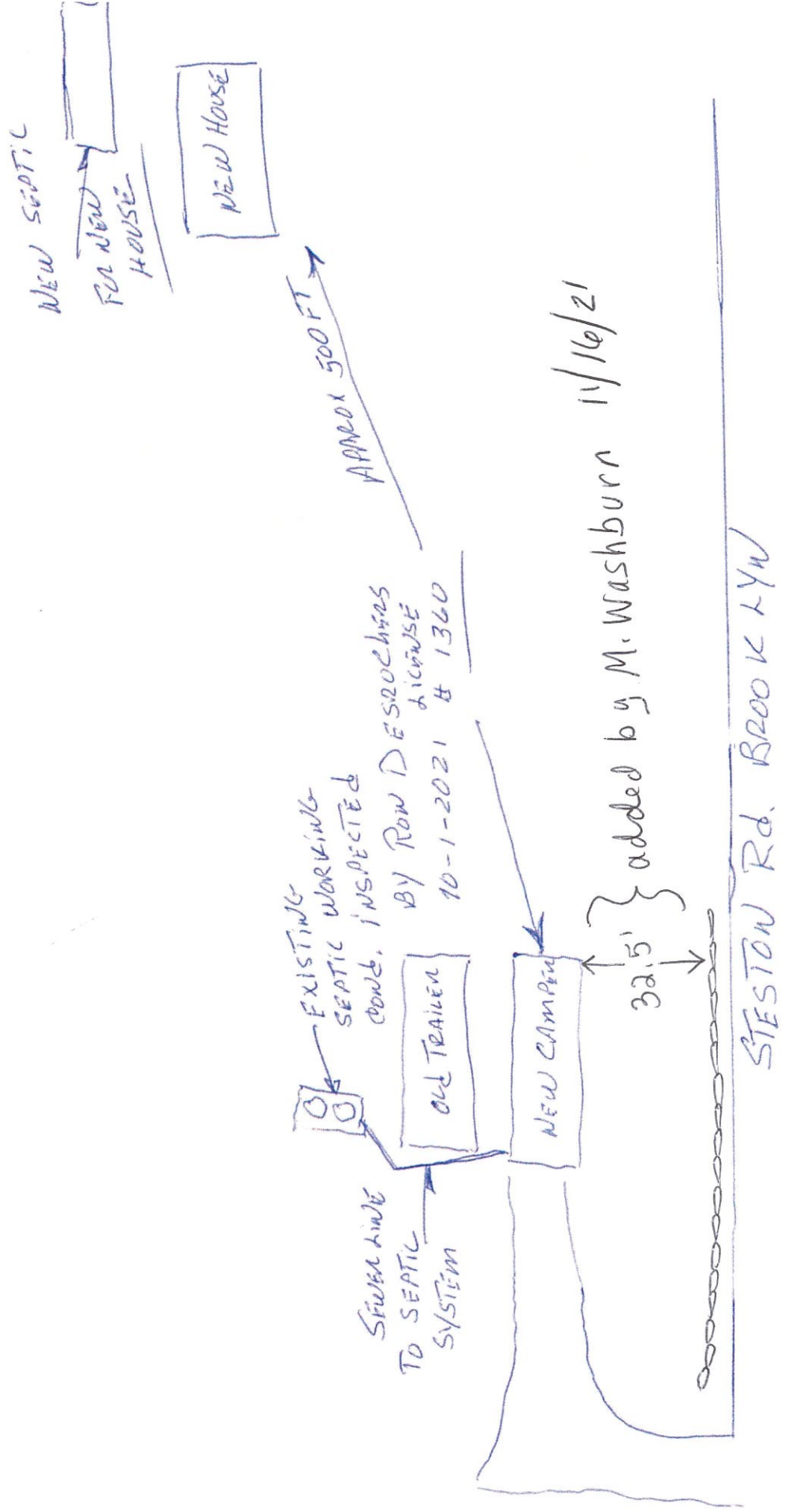
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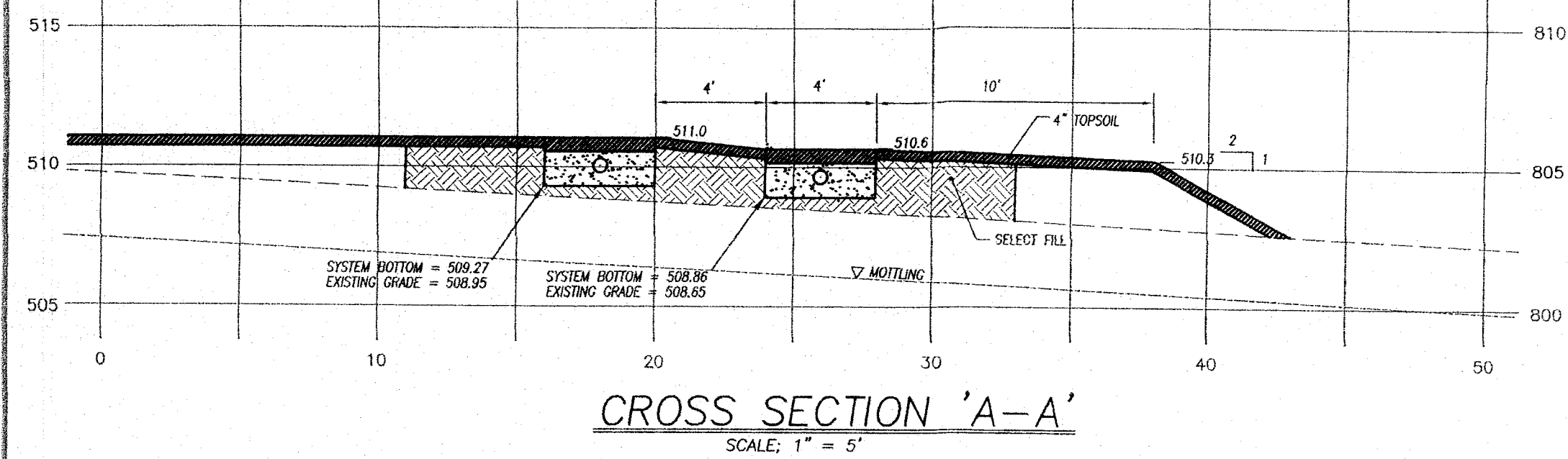
11/16/21



215 STESTON Rd. Brooklyn CT,
Drawing For M.D.P.H. To Show
EXISTING SEPTIC BEING USED
DRAWN BY R. DESROCHERS 10-8-2021

Camping trailer is 32' x 8', } added by M. Washburn
11/16/21





EROSION & SEDIMENTATION NOTES AND SEQUENCE OF OPERATIONS

- The proposed activity consists of the construction of a 3 bedroom house, driveway, septic system and well.
- Prior to any construction, excavation or filling, all improvements shall be accurately staked in the field by a land surveyor registered in the State of Connecticut.
- After field staking all erosion sedimentation control devices as shown on the plan and as detailed shall be installed. Properly installed haybales may be used in lieu of silt fences.
- All trees and brush within the areas of disturbance shall be removed. All limbs and saplings less than 4" in caliper shall be chipped and stockpiled for later reuse as slope stabilization and mulch material. All trees in excess of 4" in caliper shall be removed from the site and disposed of in a manner consistent with State, Federal, and local regulations. Stumps shall be excavated from the area of disturbance and likewise disposed of in a manner consistent with all applicable laws.
- Final grades shall be achieved as quickly as possible, and immediately thereafter, sideslopes shall be stabilized with 4" of topsoil. The area shall be seeded and mulched with straw mulch in accordance with the specifications contained herein.
- All erosion and sedimentation control measures shall be constructed in accordance with standards and specifications of the "Connecticut Guidelines for Soil Erosion and Sedimentation Control (1985)", as amended.
- All control measures shall be maintained in effective conditions throughout the construction period and shall be inspected periodically but not less than once per month, and after a total rainfall in one storm event of 1 inch in 24 hours. Sediment shall be promptly removed from control structures and disposed of on-site in upland areas outside the buffer zone of wetlands. Any silt fence or hay bales damaged as a result of a storm event or construction activities, shall be immediately repaired.
- The Town of Brooklyn shall be notified prior to commencement of construction and at key point during construction so that inspections of erosion and sedimentation control measures can be scheduled.
- The responsibility for implementation of this plan shall rest with Gary Greene & Sherry Greene, 215 Stetson Road, Brooklyn, CT 06234, Telephone: (860) 428-9250
- Seed Mixture:

SEED	LBS./1000 S.F.
CREeping RED FESCUE	0.45
REDTOP	0.05
PERENNIAL RYEGRASS	0.20
KENTUCKY BLUEGRASS	0.15
TOTAL:	0.85
AFTER SEEDING IS COMPLETE SPREAD MULCH AT THE RATE OF 1 HAYBALE/500 S.F.	

11. Schedule of construction activities:

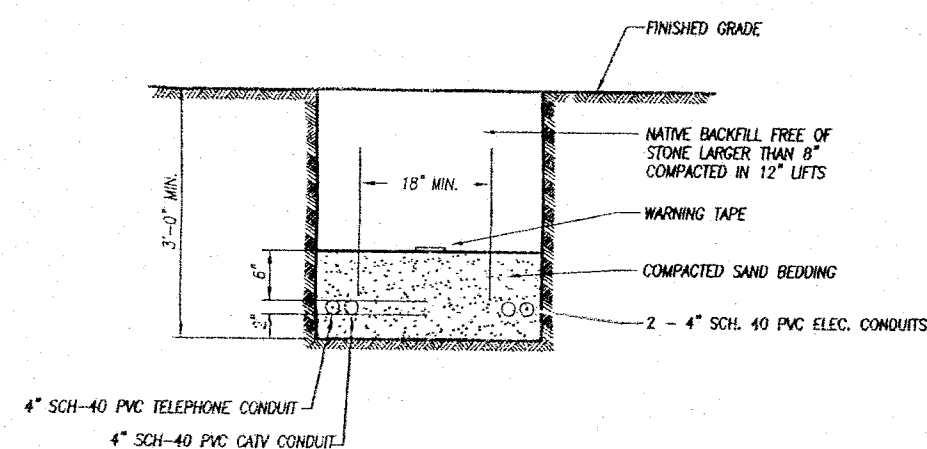
Lot Clearing:	Sep 1 - Oct 1
Site Grading and Foundation Construction:	Oct 1 - Oct 15
Driveway and Septic System Installation:	Oct 15 - Nov 1
Building Construction:	Nov 1 - Jun 1, 2022
Lawn and Seeding:	Apr 1 - April 15, 2022

NOTES:

- This survey has been prepared pursuant to the Regulations of Connecticut State Agencies Sections 20-300b-1 through 20-300b-20 and the "Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1998;
 - Boundary lines shown conform to a Class "A-2" horizontal accuracy.
 - Survey Type: Topographic Survey
 - Topographic features conform to a Class "T-2", "V-3" vertical accuracy.
- Applicant: Gary Greene & Sherry Greene Owner: Marie Grundy et al
215 Stetson Rd. P.O. Box 74
Brooklyn, CT 06234 Brooklyn, CT 06234
- Parcel is shown as Lot #6, on Assessors Tax Map #2.
- Northeast District Department of Health File number: 22000010
- Elevations based on National Geodetic Vertical Datum of 1929. Contours taken from actual field survey. Contour interval = 2'.
- Parcel is located in Flood Hazard Zone C on FIRM (Flood Insurance Rate Map) 090164 0007A, January 3, 1995
- Wetlands shown were flagged in the field by Rick Zulick, Certified Soil Scientists.

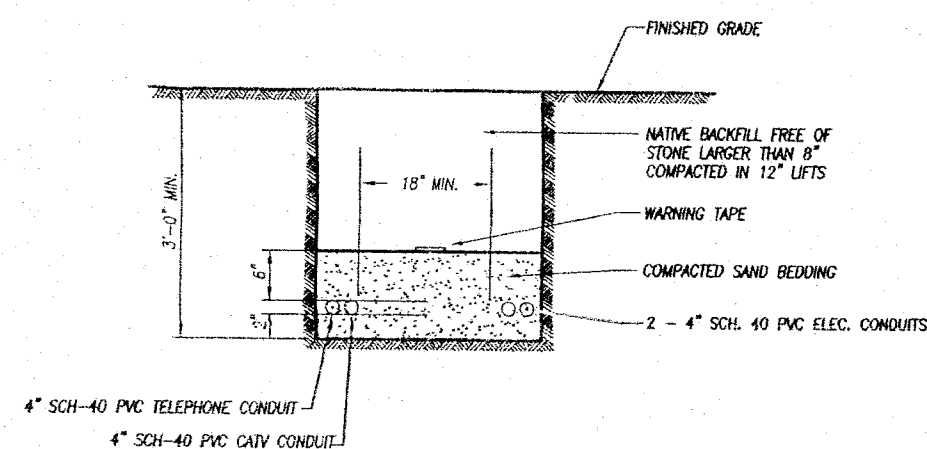
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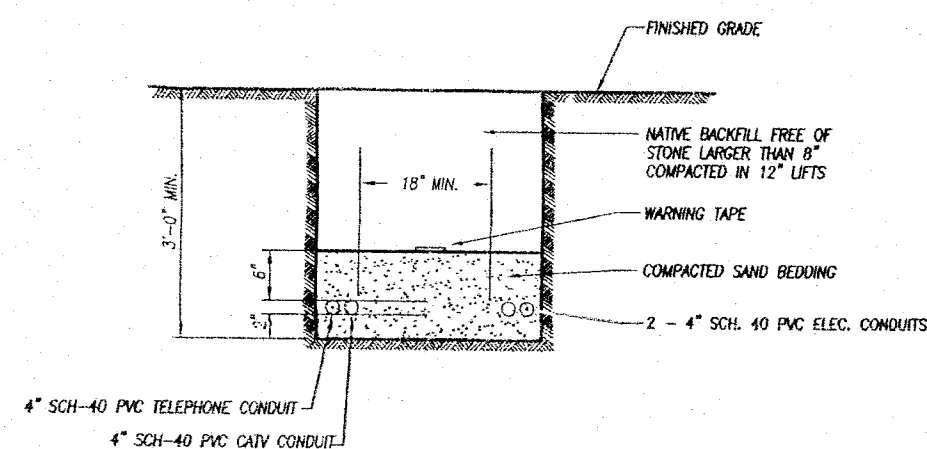
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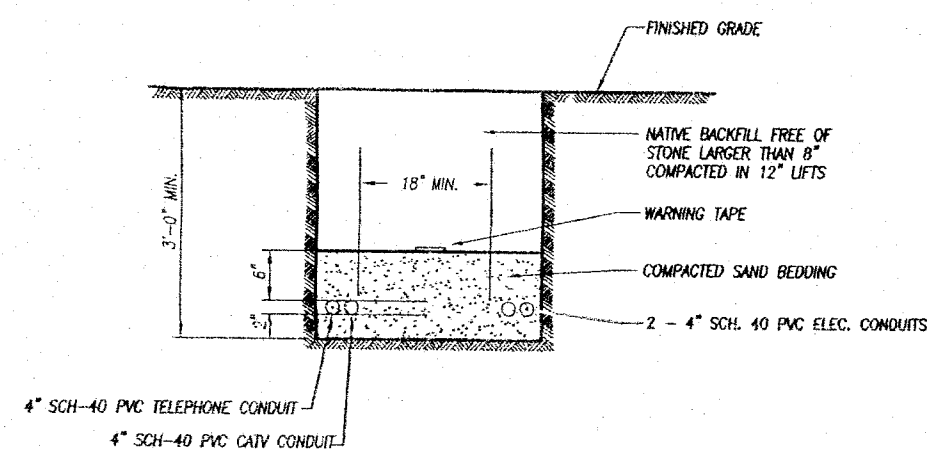
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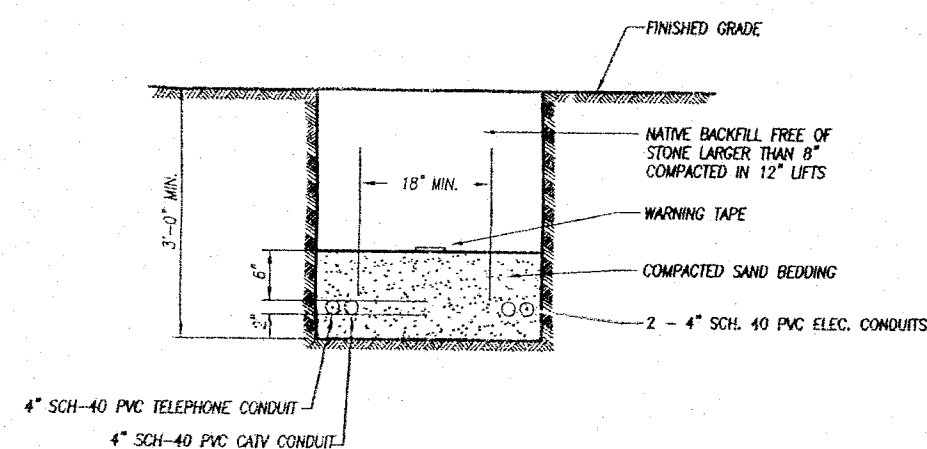
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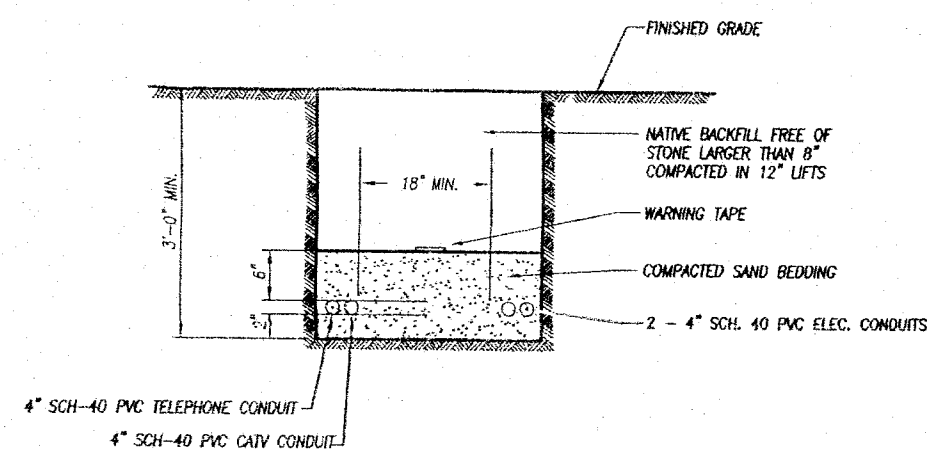
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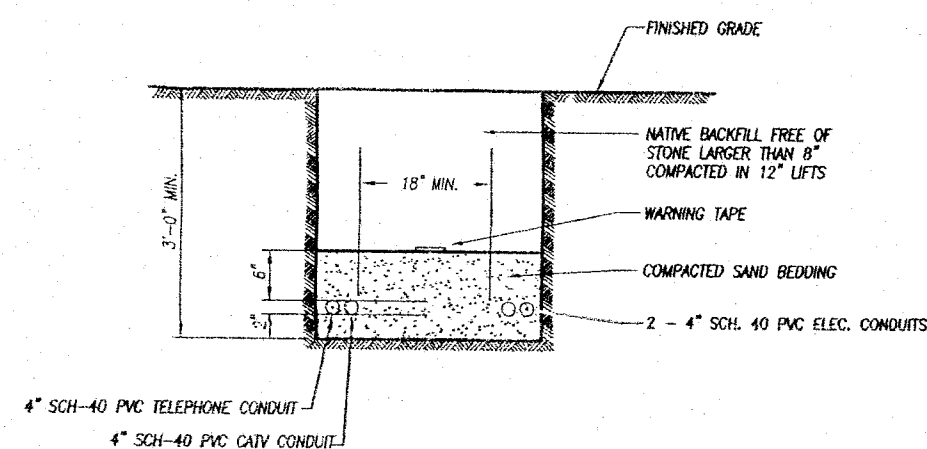
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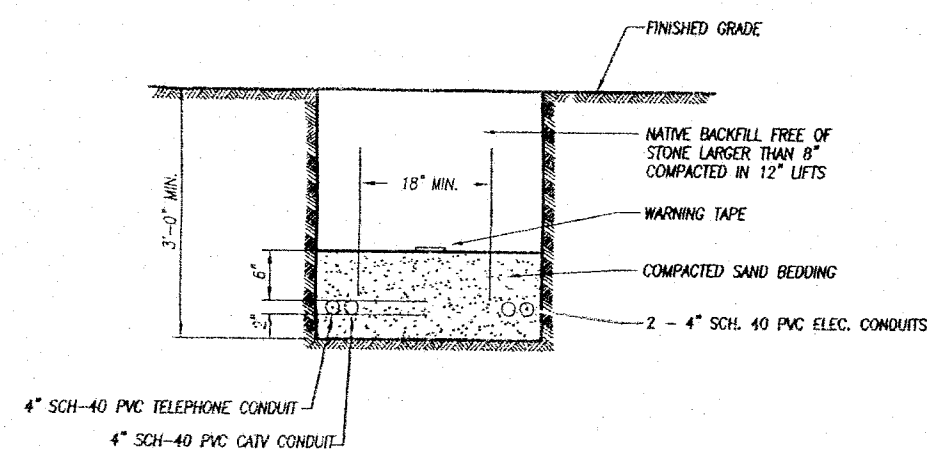
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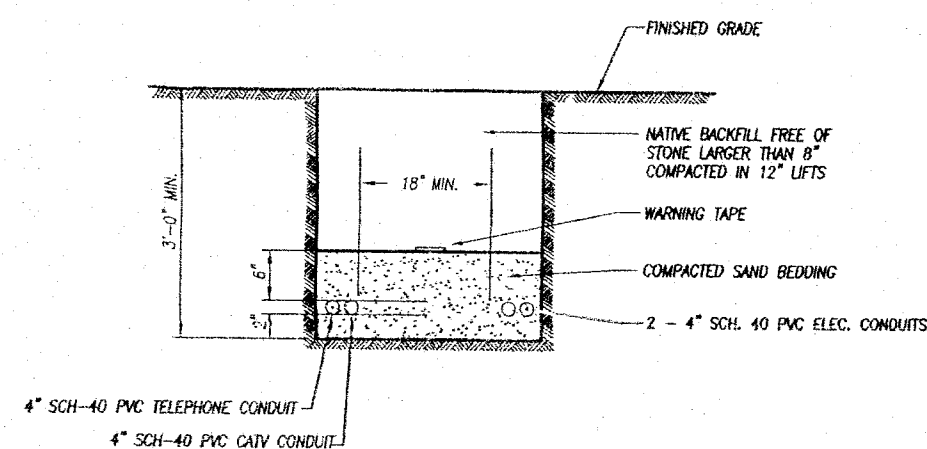
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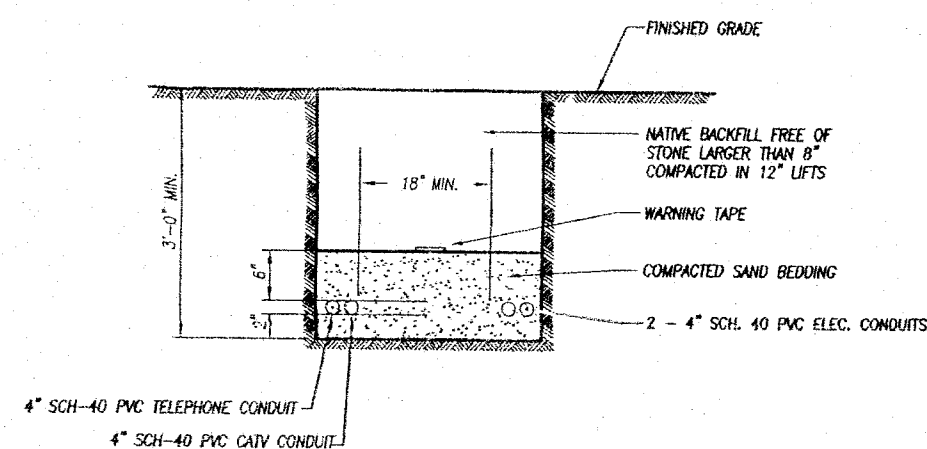
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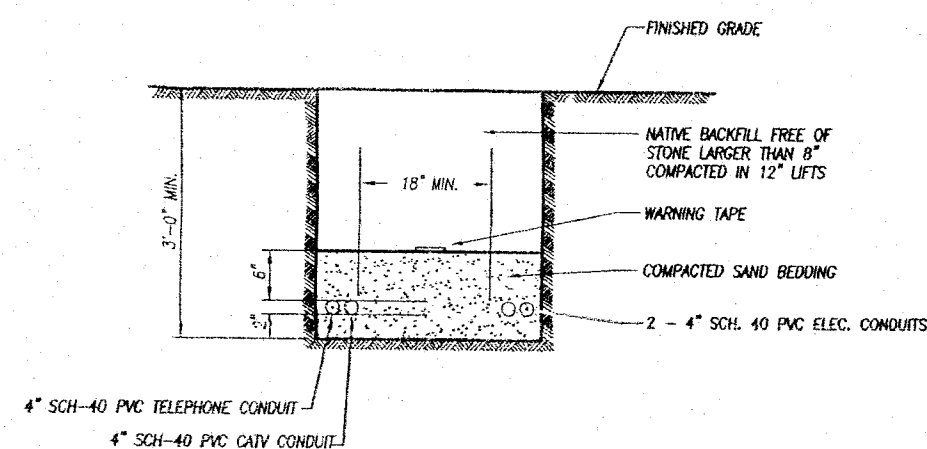
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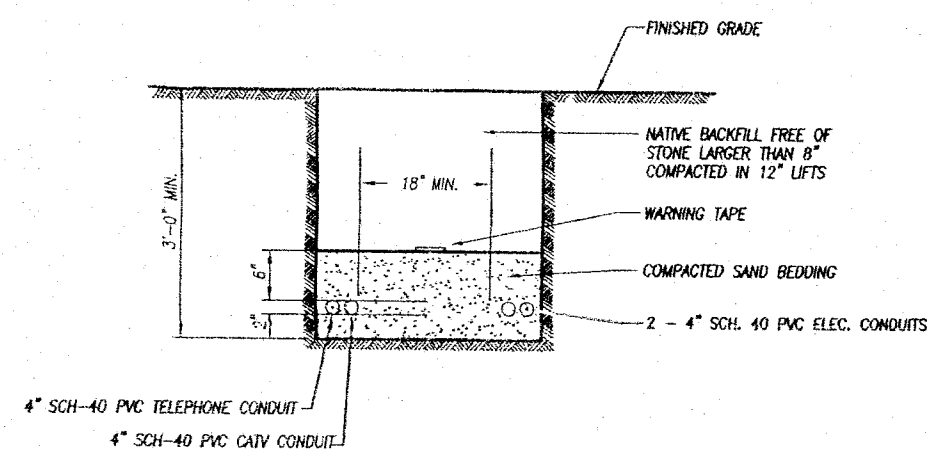
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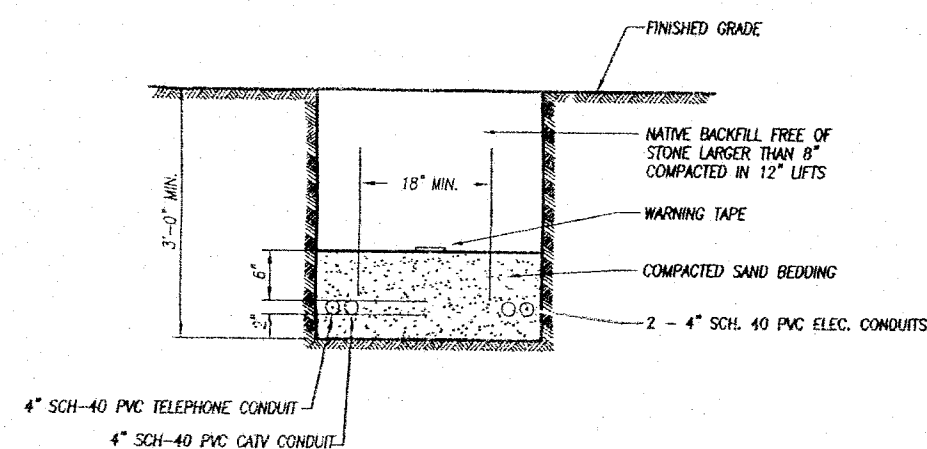
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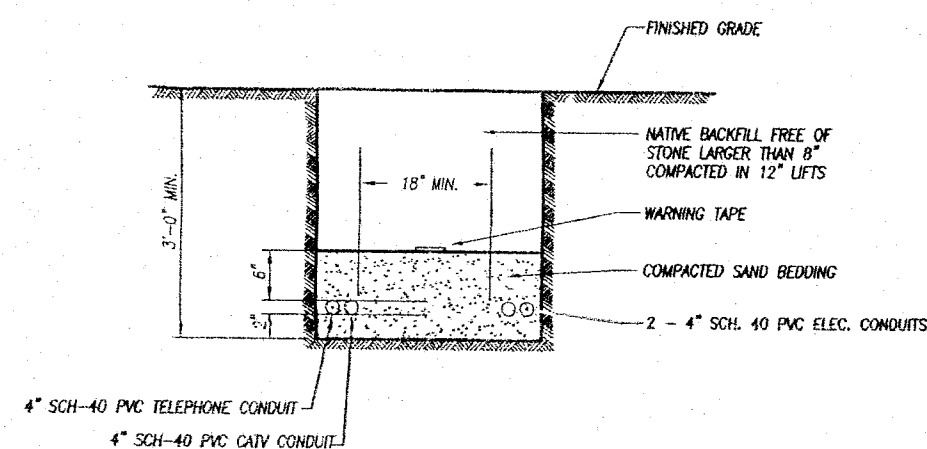
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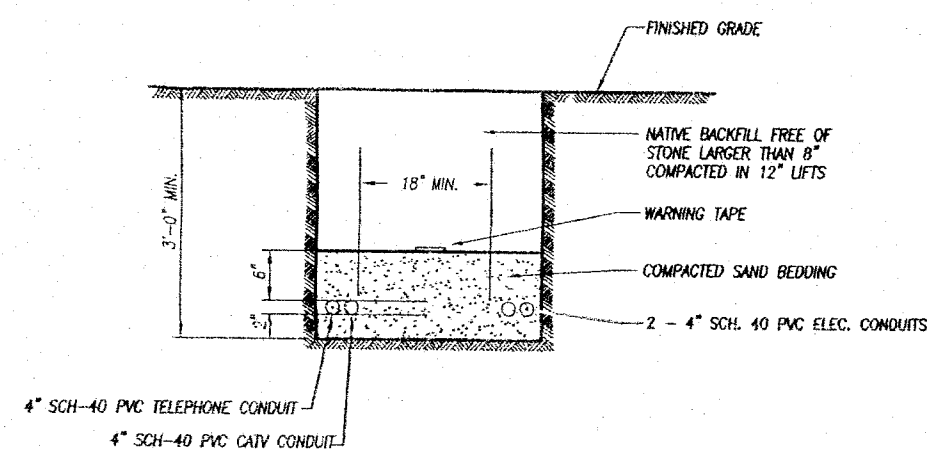
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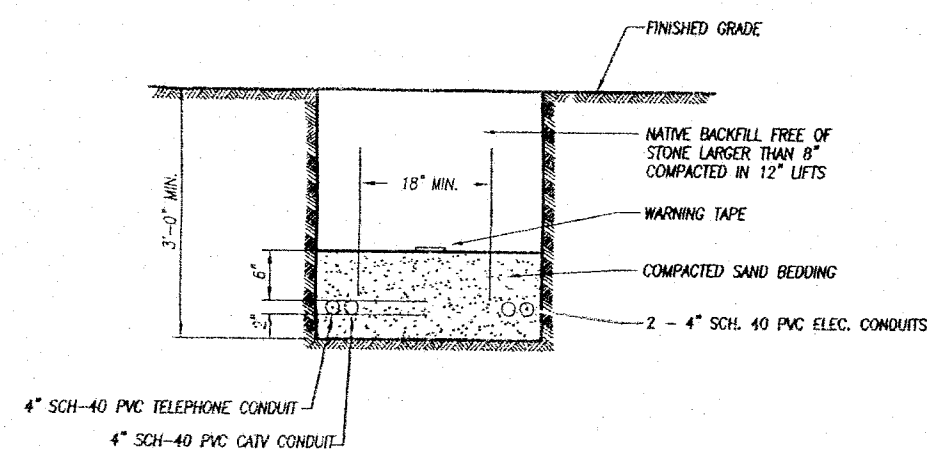
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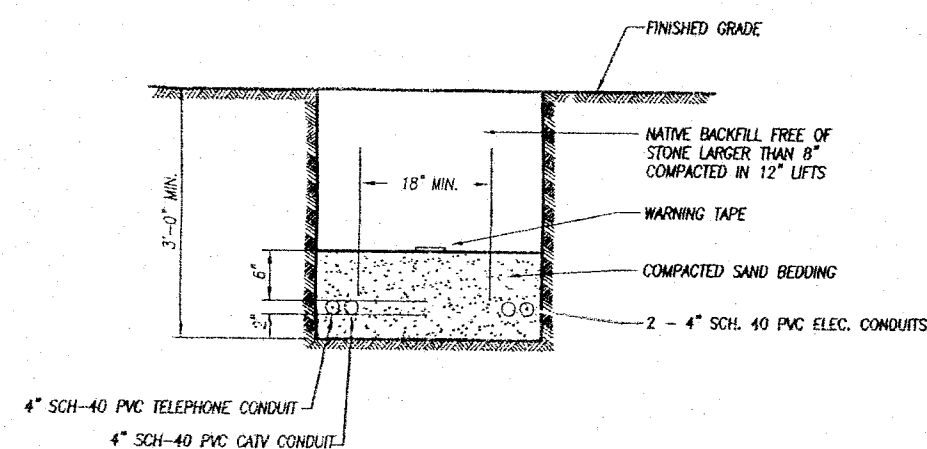
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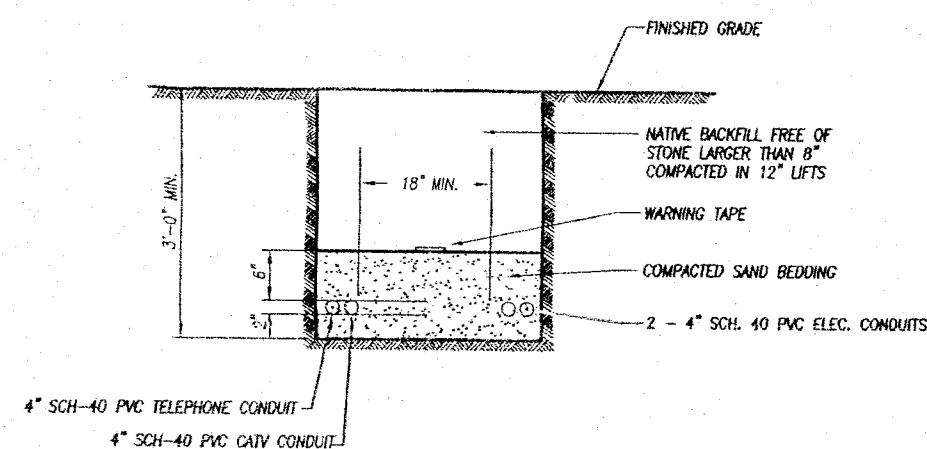
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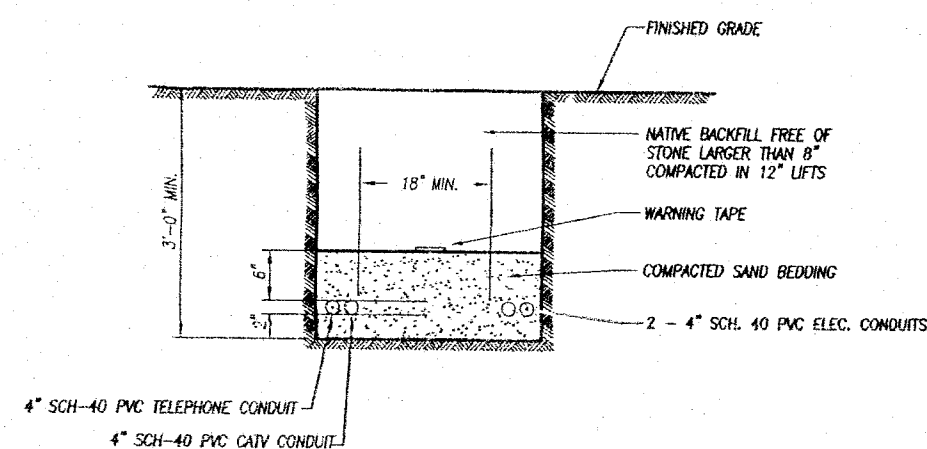
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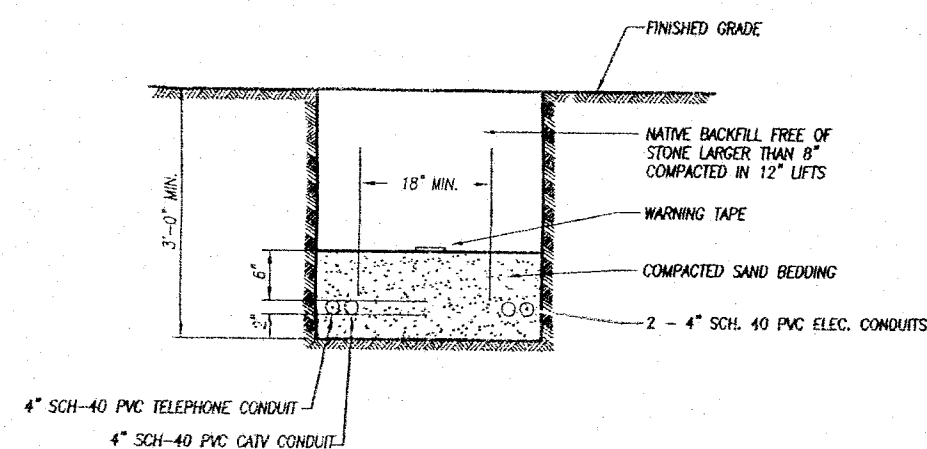
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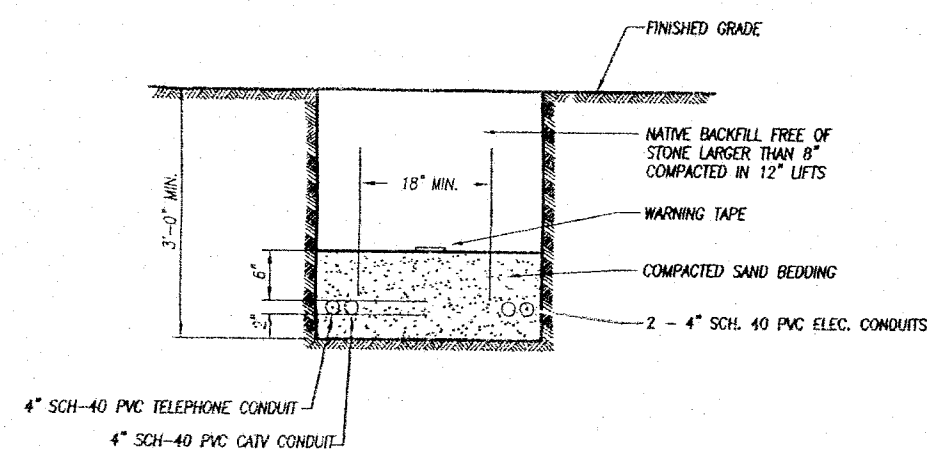
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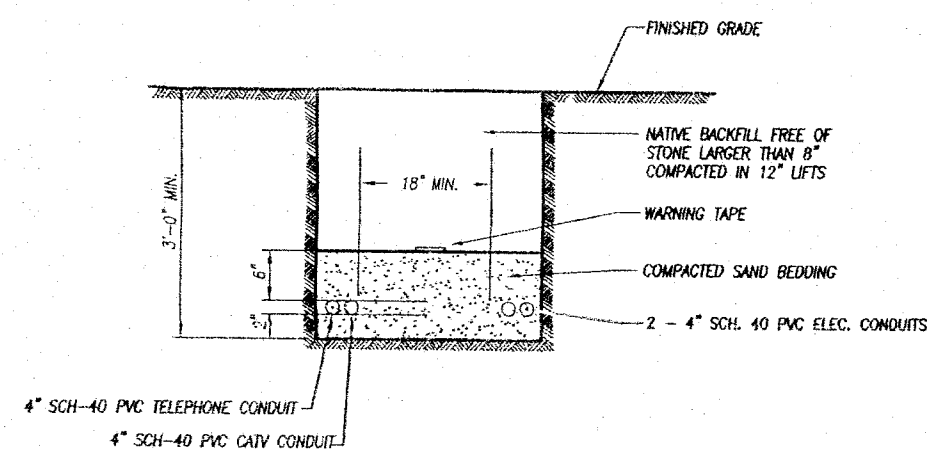
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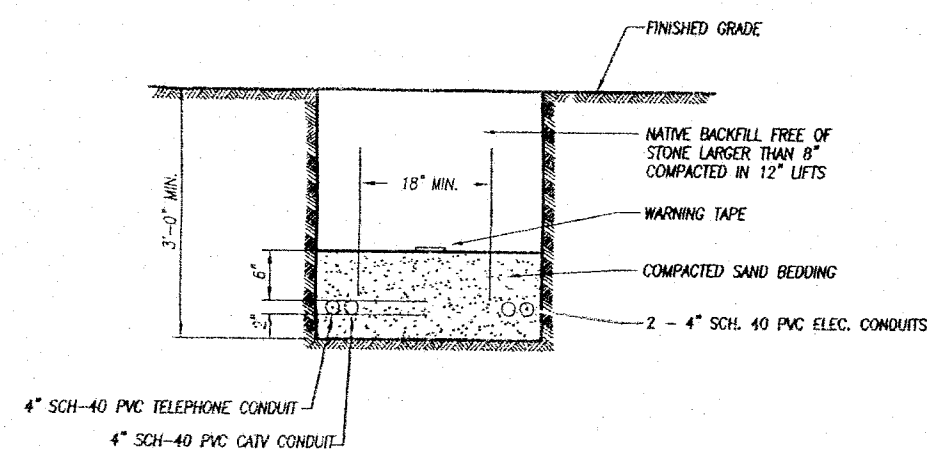
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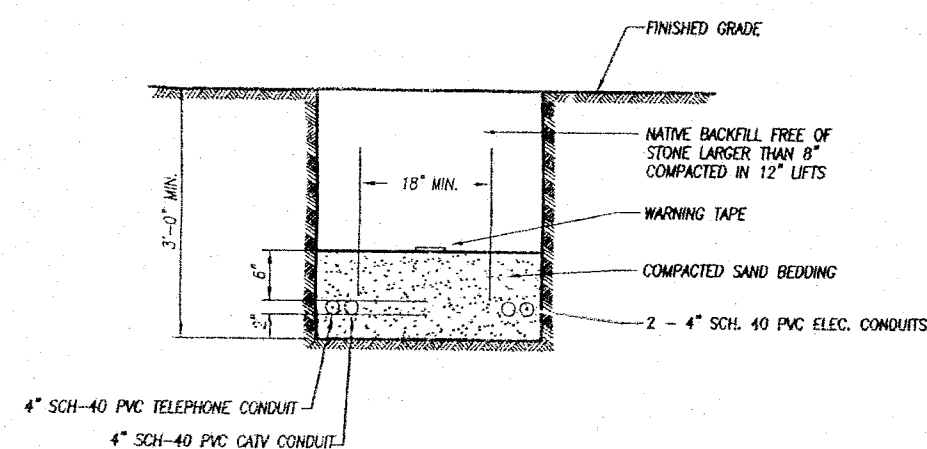
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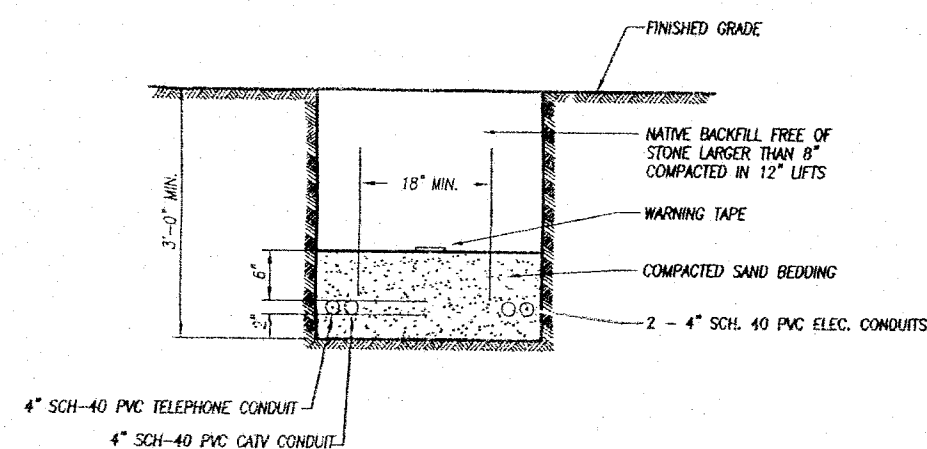
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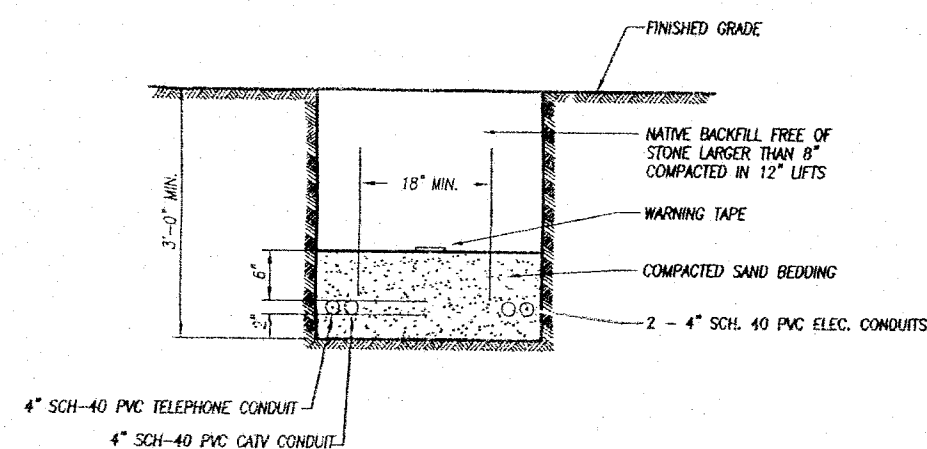
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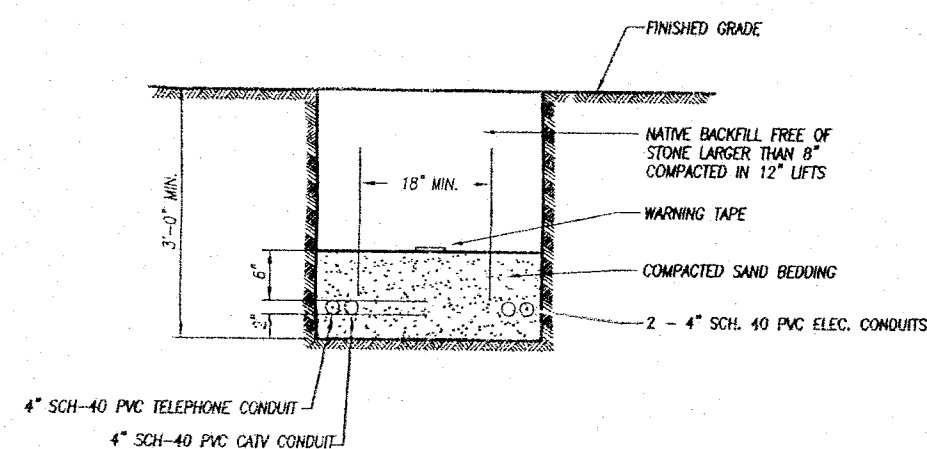
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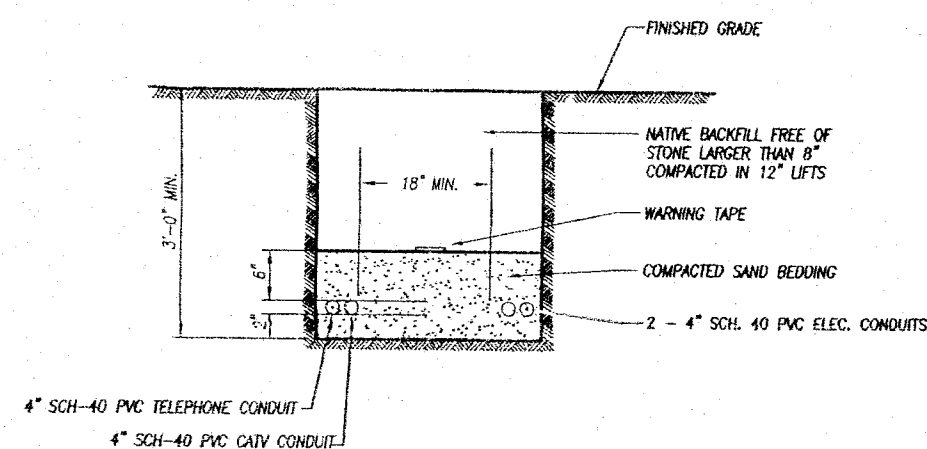
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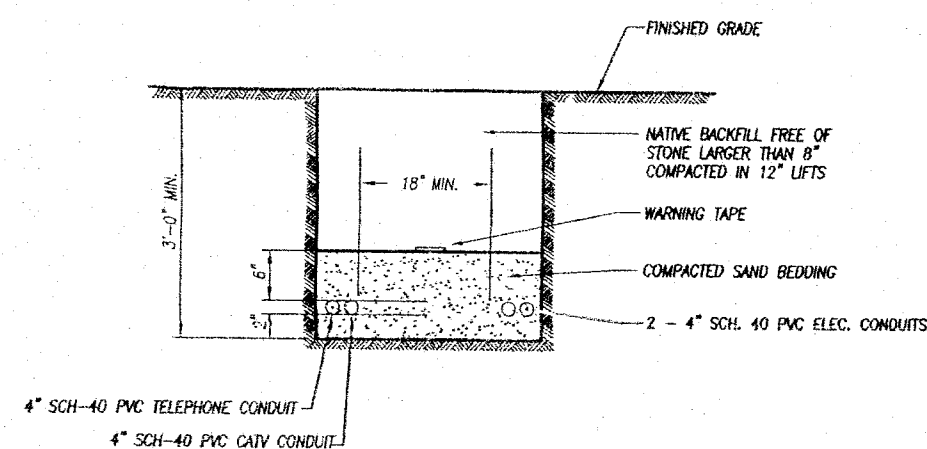
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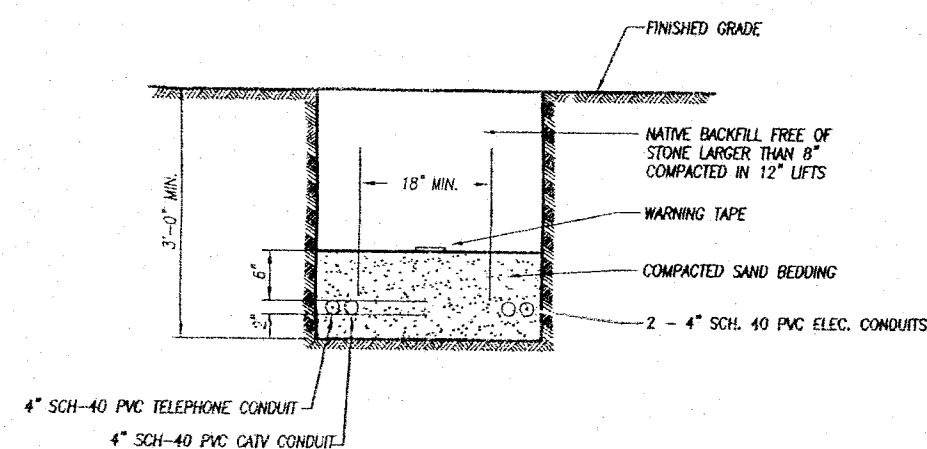
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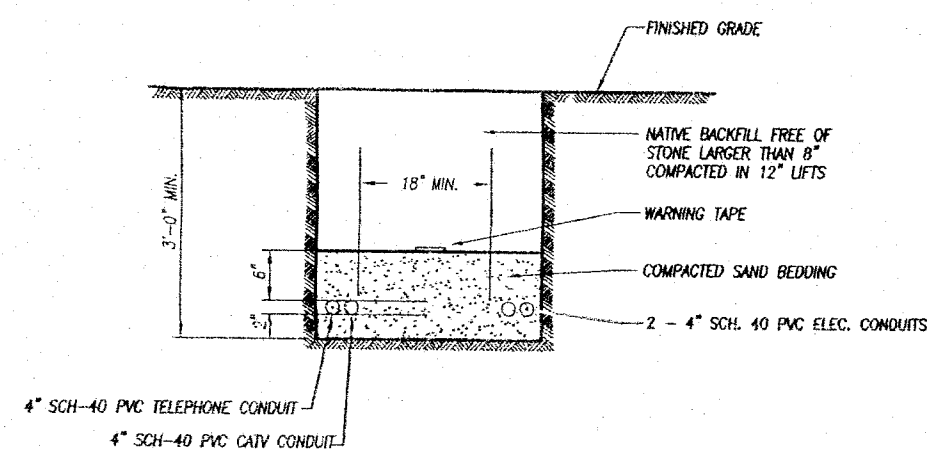
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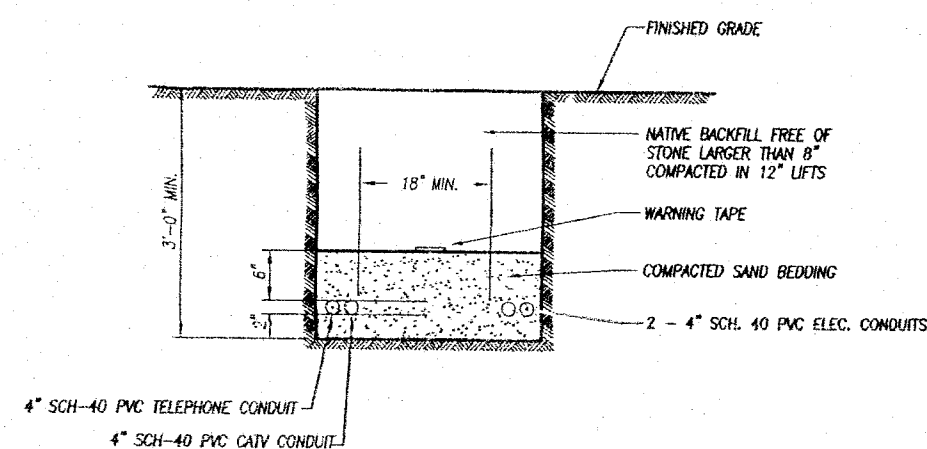
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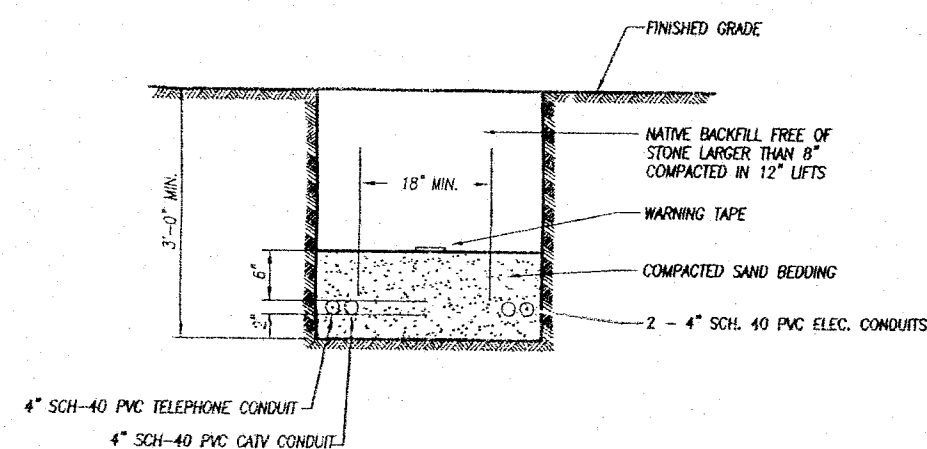
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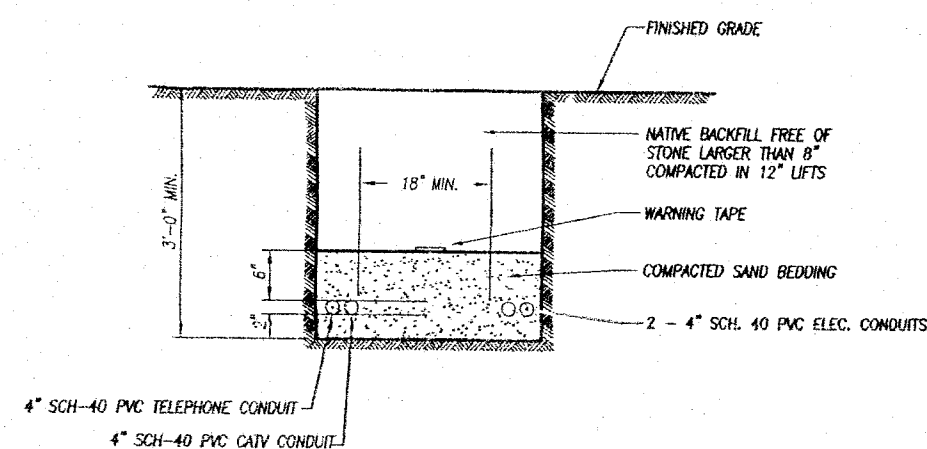
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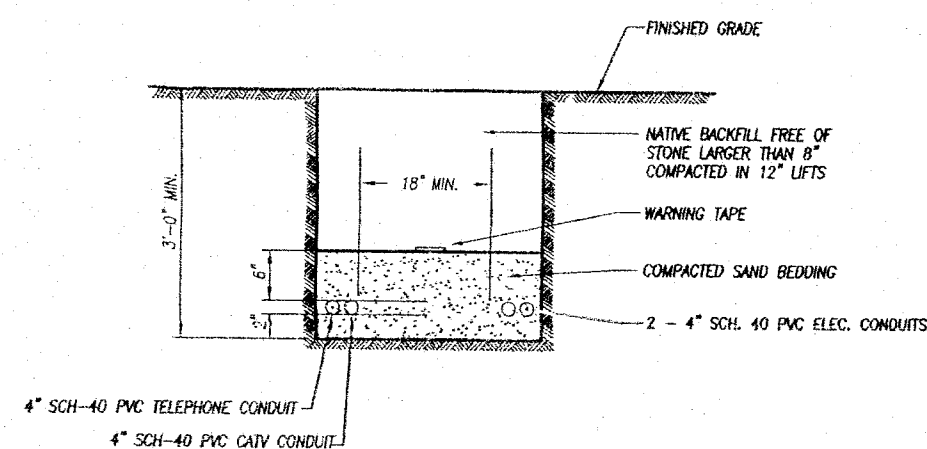
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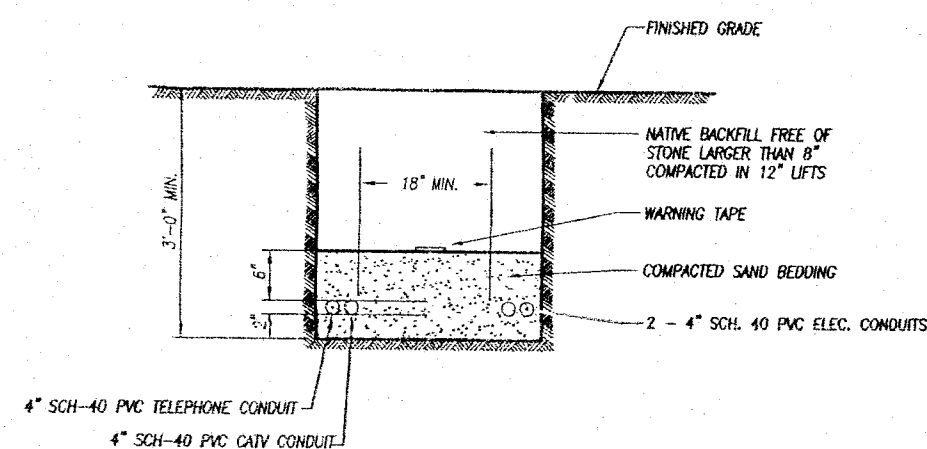
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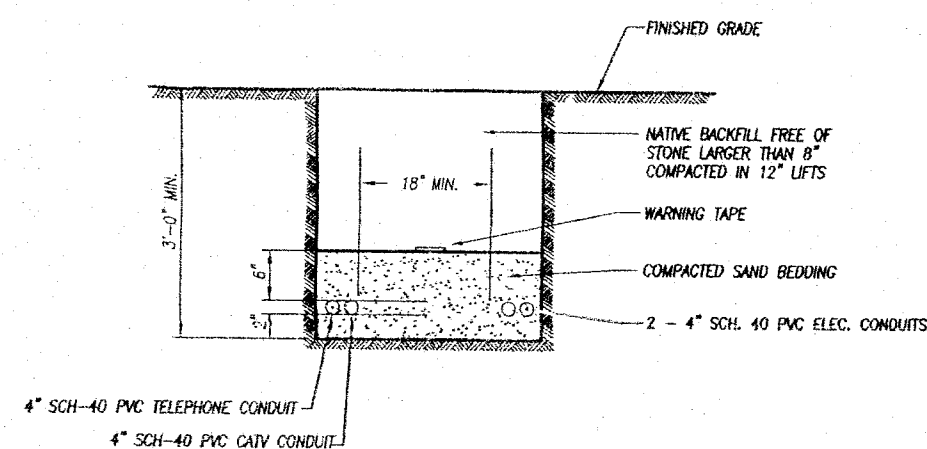
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