

**ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES**

The Brooklyn Zoning Board of Appeals held a regularly scheduled meeting and public hearings on Thursday, September 1st, 2022, at 6:30 p.m. at the Clifford B. Green Memorial Center, 69 South Main Street, Brooklyn, CT in-person and via Zoom, on the following:

Members Present: Bruce Parsons, Lucien Brodeur, Stephen Mylly, Adam Brindamour and Ryan Cheverie (Alternate/Resigned).

Members Absent: William Macnamara with notice.

Staff Present: Lisa Lindia, Recording Secretary, Margaret Washburn, Zoning Enforcement Officer.

Also Present: Paul Archer, Stephanie Hynes, Megan Bein, Loni Decelles, James Rand, Andrew Clark and Mark Putnam.

Call to Order: The meeting was called to order at 6:30 p.m.

Seating of Alternates: None

Approval of Minutes: Regular meeting Minutes July 7th, 2022.

Reading of the Legal Notice:

Chairman Parsons read the legal notice into the record.

Public Hearings:

1. **ZBA 22-003 Stephanie Hynes, 20 Franklin Drive, Map 33, Lot 16, .49 Acres, R30, for a variance of the Zoning Regulations**, requesting variance of section 3.B.5.2 to reduce the minimum rear yard setback from 50 feet to 36.2 feet to construct a pool.

Public Discussion:

Paul Archer from Archer Surveying, along with homeowner Stephanie Hynes.

Paul Archer – Stated that back in October Stephanie hired a pool contractor and thought they pulled all the permits.

Paul Archer – Surveyed the pool, property lines Archer believes pool meets regs. Margaret Washburn disagrees. Paul asked that Margaret Washburn deny the application. She would not do this. Paul stated that minutes from the last meeting mention that the regulations need to be clarified.

Lucien Brodeur – The commission did ask for clarification.

Paul Archer – Thinks that the pool is an accessory structure. There are no regs for accessory structures. This is the easiest way to ask for a variance from the rear setback. From 50' to 36.2'.

Bruce Parson – You have this down Paul, but it is not Margaret's fault. Margaret has to enforce based on what she has been told and what is in the regs.

Lucien Brodeur – Feels being here was a waste of time.

Paul Archer – Submitted the certificates of mailings to Margaret Washburn.

Megan Bein of 12 Franklin Dr has no objections to the pool's location.

Public Hearing closed at 6:39pm

Public Hearing opened at 6:40pm

2. ZBA 22-004 Loni Decelles, 143 South Street, Map 40, Lot 88-11, 3.22 Acres. RA.

Construction of a horse barn and turnout area. Variance being requested is 12 ft in lieu of 50 ft required.

Public Discussion:

To build an accessory structure in a front yard according to Town definition. Loni Decelles refers to it as a side yard.

Lucien Brodeur – The wetlands is a constraint on the location of the barn.

Bruce Parson – Asked how big is the barn?

Loni Decelles – The barn will be 34' x 42' with the height of 24'. It is located 24' off the curb.

Mark Putnam - 25 Salmon Drive. Has an issue with wetlands committee where the manure ends up. If the wetlands committee has a problem, then they will have to address it.

Loni Decelles – Spoke to two companies today regarding containerized manure removal due to the river being at the edge of the property.

James Rand – 42 Salmon Drive – James has spoken to Loni several times regarding future use. Currently Loni has two of her own horses and boards two horses. If she was to sell her home and someone else was to take over what happens then?

Margaret Washburn – It is exempt as an as-of right of use. Loni wants a larger area giving her more control. Also, further away from the wetlands. As well as selective tree harvesting. The boulders and stumps will be removed off site. The shelters that are currently there will be removed.

Lucien Brodeur – Have you received any negative intentions from the neighbors?

Loni Decelles – No, I have received mostly questions regarding the project.

Mark Putnam – Commented it smells.

Loni Decelles – It is agriculture.

Andrew Clark – If the horses are already there, they will have a better place to rest at night.

Loni Decelles – Explained that she had to move the horses in an emergency situation now they are here to stay and wants to make the necessary improvements. The project is going to cost around \$150K - \$200K and wants to be able to better manage it.

Bruce Parsons – This would be better protection for the horses. Are you planning on clearing between the barn and the road?

Loni Decelles – Stated that I am still working on that with the highway foreman.

Loni Decelles – Showed the plan to Mr. Putnam.

Mark Putnam – Response I have the First Selectman's phone number.

Public Hearing Closes: 6:57 PM

Unfinished Business:

- 1. ZBA 22-003 Stephanie Hynes, 20 Franklin Drive, Map 33, Lot 16, .49 Acres, R30, for a variance of the Zoning Regulations,** requesting variance of section 3.B.5.2 to reduce the minimum rear yard setback from 50 feet to 36.2 feet to construct a pool.

Motion:

Adam Brindamour – Doesn't think it should be a variance and it should be allowed.

Lucien Brodeur – motioned to approve the variance for **ZBA 22-003 Stephanie Hynes, 20 Franklin Drive, Map 33, Lot 16, .49 Acres, R30, for a variance of the Zoning Regulations**, requesting variance of section 3.B.5.2 to reduce the minimum rear yard setback from 50 feet to 36.2 feet to construct a pool. Believes it meets requirements of the regulations. Seconded by Adam Brindamour. No discussion held. All in favor. The motion passed unanimously.

Margaret Washburn – explained that the decision has to be recorded at the Town Clerks Office, proof submitted to the Land Use Office before a zoning permit can be issued.

3. ZBA 22-004 Loni Decelles, 143 South Street, Map 40, Lot 88-11, 3.22 Acres. RA.

Construction of a horse barn and turnout area. Variance being requested is 12 ft in lieu of 50 ft required.

Motion:

Adam Brindamour – Asked are AG barns exempt?

Margaret Washburn – The use of the barn may be exempt, but the structures must meet regulations.

Lucien Brodeur – motioned to approve the variance for **ZBA 22-004 Loni Decelles, 143 South Street, Map 40, Lot 88-11, 3.22 Acres. RA.** Construction of a horse barn and turnout area. To reduce setback from 50ft to 12 ft off of Salmon Drive. Seconded by Steve Mylly. No discussion held. All in favor. The motion passed unanimously. Hardship is wetlands.

Other Business:

Adjourn: Meeting closed at 7:07 pm, motioned by Stephen Mylly, seconded by Adam Brindamour. No discussion held. All in favor. The motion passed unanimously.



Lisa M. Lindia, Recording Secretary