

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Regular Meeting
Wednesday, February 19, 2019
Clifford B. Green Meeting Center
69 South Main Street
6:30 p.m.**

MINUTES from INFORMAL DISCUSSION

- I. Call to Order** – M. Sigfridson, Chair, called the meeting to order at 6:50 p.m.
- II. Roll Call** - Michelle Sigfridson, Jules D’Agostino, Earl Starks, Alan Fitzgerald – Alternate.
Carleen Kelleher and Austin Tanner were absent with notice.
- III. Seating of Alternates** – None.
- IV. Adoption of Minutes** – None.
- V. Public Commentary**– None.
- VI. Unfinished Business:**
- a. **Reading of Legal Notice:** None.
 - b. **Continued Public Hearings:** None.
 - c. **New Public Hearings:** None.
 - d. **Other Unfinished Business:** None.
- VII. New Business:**
- a. **Applications:** None.
 - b. **Other:**

1. Public Information Session on Draft Zoning Regulations

INFORMAL DISCUSSION

Paul Archer’s Comments:

- Why is family compound not allowed in the R-30 Zone (page 40)?
- Suggests eliminating 90,000 s.f. in Residential Zone. This is not a user friendly number for that area.
- RB and NB Zones do not show setbacks for accessory buildings.
- Village Center Zone (page 54) Draft Regulations do not show a reduction for smaller lot size (with sewer and water). Also no column for accessory buildings.

J. Roberson explained (for clarification) that a change (in Section 6E – Multi-Family) has been made in the Draft since the first Public Information Session regarding allowing greater density (with water and sewer). This was not changed for the VCZ which is limited to three units per existing structure.

Mr. Archer continued with his comments:

- He is happy with Section 5B -Paradise Lake Overlay Zone (page 100), however, he said accessory structures (sheds) are not shown to be allowed.

- Section 6.D – Residential Compound:
 - 1) Why only four dwelling units constructed or occupied when only three dwelling units are allowable off of a private road?
 - 2) Why does it have to be sub-dividable? He suggested 10,000 s.f. per dwelling.
 - 3) He is okay with only four dwelling units. He said that the Health Department allows thirteen bedrooms (per lot) before State approval is needed.
There was discussion regarding septic leaching fields. Four dwellings could each have three bedrooms to stay within the local health code.
- Section 6.E.2.10 – Multi-Family Development (page 122). He suggested in accordance with the Highway Specifications instead of Section 10 of the Subdivision Regulations. He referred to page 129 for language, “Any proposed public roads shall be constructed in accordance with Public Improvement Specifications for the Town of Brooklyn.”
- Section 6.E.2.7 – He asked about window requirements for the side of buildings. He said that this does not match with Family Compound where there would need to be a minimum of 80 feet apart.
There was discussion regarding the parking requirement of 25 feet from a dwelling (Section 6.E.2.8).

A.J. Kerouac brought up discussion regarding Section 6.E.2.1 – Why limiting multi-families to existing?

Ms. Roberson explained that there are a lot of multi-family buildings in the zones that are in East Brooklyn and there are no or very few lots that would qualify for the five-acre minimum. The Tiffany building had seven separate apartments within it, but there were no Zoning Regulations authorizing that. It was proven and it turned into a grandfathering situation. The building is now being renovated. She explained that her intent for drafting this language was to try to address the existing, historically multi-family housing (built in the 1800’s) that are on lots smaller than five acres without requiring that the history be proven for grandfathering (which can be difficult and costly). This would ease the burden and not create non-conformities. She stated that the VCZ has language that overrides this, and when it was discussed by the PZC months ago, her understanding was that the PZC wants to keep it.

Mr. Archer continued with his comments:

- Section 6.F.4.5 – Elderly Housing Development. He stated that there needs to be consistency.
- Section 6.1.1 – Rear Lots. He asked if it is proposed or existing rear lots. Language states existing.
- Section 6.1.2.4 – He compared it to Family Compound where you can have four dwelling units on a rear lot.
- Section 6.Q – He asked why chickens are not allowed in the RA Zone.
Ms. Roberson explained that all forms of agriculture are allowed in the RA Zone, but she offered to add language.
- Section 6.Q.2.2 – He asked what five feet from the property line means (chicken coop/fence?). He asked for consistency with accessory buildings.
- Section 7.A.3.2.3 – Village Center Zone – He suggested language: “One free-standing sign per road frontage.”
- Section 7.B2.1.2&3 – Parking and Loading – He feels that one space for every bedroom is excessive.
- Section 7.B.5.3 – Parking Design Specifications – He feels that the area of the parking spaces should not be reduced (leave at 10’ by 20’).
- Section 7.E.1.9 – Driveways and Intersections – He stated that he had recommended 15 percent grade.
- Section 7.E.2.1 – He said that there is nothing in the Regulations that says that a driveway must go to the house. It is just assumed. He suggested that language be added to

address this such as defining a driveway as a path that leads from the road to the house rather than just getting you off the road.

- Section 7.E.2.2 – He said 50-foot frontage can be the frontage for three lots, but he could give four other people the right to use his driveway. He feels there should not be a limit on how many people can use a private drive. He suggested new language: “No private driveway shall serve more than three (3) lots for frontage use.”
There was discussion and Mr. Kerouac stated that Mr. Archer’s suggestion is more in line with IWWC Regulations.
- Section 8.A.4.2 – Exceptions to Setback Requirements – He asked about steps in the front setback. He feels that they should be allowed in the front.
Ms. Roberson will make sure that reference to Section 8.A.4.5 is incorporated in other zones discussed earlier.
- Section 8.B.4.3 – Lot Merger. He asked if lots can automatically be merged because, as he understands it, the lots get merged at the time of development.
There was discussion and Ms. Roberson explained that, in these cases, the ZEO researches the property history going back to the adoption of Zoning. She explained that, if two non-conforming lots are joined, making them more conforming, they are considered merged for the purposes of Zoning. Discussion continued regarding subdivided lots in the RA Zone where there was a change in Regulations from 40,000 s.f. to 90,000 s.f.
Mr. Archer asked if they would automatically be merged and Ms. Roberson stated that if they were subdivided (as defined by Statute), they would be protected in perpetuity (expired subdivisions are a different situation).
Discussion continued and Ms. Roberson stated that language may need to be adjusted. Discussion continued regarding Paradise Lake. Mr. Archer asked when the merger takes place. Ms. Roberson will research more as it needs further review and clarification.
Mr. Kerouac brought up discussion regarding free splits at Paradise Lake.
There was discussion regarding effective date. Ms. Sigfridson agreed that this needs to be looked into further.
- Section 9.1.6.3.2 – Posting of Sign. He suggests a size of two feet by three feet. He would be able to print this size in his office. He mentioned that 4-inch lettering is difficult. He also suggested adding language as to what the PZC wants on the sign because it is currently not stated in the Regulations.
- He said there is nothing in the Regulations regarding storage containers. He asked if they are considered accessory buildings.
There was discussion. Ms. Roberson explained that the current Regulations don’t address storage containers, therefore, they are being treated as accessory structures. She offered that they could be addressed as part of this Re-Write. Discussion continued and Ms. Sigfridson stated that the PZC will look at this.
- Section 5.A – Scenic Route 169 Overlay Zone - He said that he sees the need, but he feels that the PZC steps out of line on a lot of things such as view from the road, HVAC/similar machinery needing to be screened. He understands protecting the beauty and mentioned Eversource cutting down trees without regard. He is in favor of saving historic stone walls. He mentioned an upcoming subdivision on Beecher Road and asked what would happen to Tyler’s farm (you can see the dump from there).
M. Sigfridson stated that the PZC will take his comments under advisement.

A.J. Kerouac’s Comments:

- Section 6.E - Multi-Family Development and he reminded the PZC that the Draft was done before many comments were received regarding large multi-family not currently allowed. He said that adding a new regulation may make one or two currently not conforming properties to conforming, but it might not in other cases. He referenced Section 8.B.3.3 – Non-Conforming Structures. He stated that if the Tiffany building is the only reason for 6.E.2.1, then it is not a good regulation.

Ms. Roberson stated that it is for all of the multi-family structure in East Brooklyn and she mentioned mill housing on South Main Street on less than an acre. Mr. Kerouac stated that this is a big change that is deciding the course of one neighborhood in Town. Ms. Roberson explained that there are other Regulations (fire and building codes) that apply and that number of dwelling units is limited by the size of the structure.

- Discussion at the last meeting of the PZC regarding Community Center as the use for a proposed indoor children's playplace. He stated that if it is called a Community Center, then Community Center needs to be a use that is allowed in that Zone in the new Regulations.

2. Zoning Regulation Rewrite – Review of comments from Public Information Session, etc. – No Discussion.

VIII. Reports of Officers and Committees:

1. Budget – No Discussion.
2. Correspondence – No Discussion.
3. Chairman's Report – No Discussion.

IX. Public Commentary – None.

X. Adjourn – None.

Discussion ended at 7:54 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary