

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION**

**Special Meeting
Tuesday, November 14, 2017
Clifford B. Green Meeting Center
69 South Main Street
6:30 p.m.**

MINUTES

I. Call to Order – Chair, Michelle Sigfridson called the meeting to order at 6:34 p.m.

II. Roll Call – Michelle Sigfridson; Carlene Kelleher; Craig Dunlop; A. Kerouac; J. Mohn; Jules D’Agostino.

Alan Carpenter was absent. D. Fuss resigned.

Staff Present – Jana Roberson, Director of Community Development.

Also Present – Lou and Sandra Brodeur.

III. Seating of Alternates

Motion was made by C. Kelleher to seat J. D’Agostino as a Voting Member. Second by C. Dunlop. Motion carried unanimously (5-0-0).

IV. Public Commentary – None.

V. New Business

a. Informal discussion with Butch Brodeur regarding gravel removal for agricultural improvement.

J. Roberson explained that Mr. Brodeur has a plan to improve the agricultural potential of one of the fields on his farm on Creamery Brook Road. The project will require gravel removal.

A handout (dated November 14, 2017, outlining the work and including a topographical map of the property) was provided to the Commission Members. J. Roberson had provided the definitions of farm and agricultural use (Article 2 of the Regulations).

Mr. Brodeur explained that the field had previously been used by Kingston Turf to plant turf grass, but in 2012 the company determined that the land was too hilly which made the process difficult to perform and, therefore, relinquished the land to Mr. Brodeur (which is a financial burden to him). He gave a brief history of the farm which was a truck farm since the 1930’s/1940’s. He explained that the valleys have plenty of loam, but the knolls in the field have none. He seeded alfalfa in 2013, but it diminished over the past five years to nothing but weeds. He opened the gravel pit last May after speaking with Martha Fraenkel. He needed gravel because he had obtained a grant from the NRCS to put in 300 feet of langway. The gravel was tested by engineers and it meets government specs. He removed approximately 250 yards for the langway. He then, traded 150 yards of gravel for loam (which he intends to use to cover over the field along with some from the valleys at the end of the proposed project). The intent is to return to using the land for turf as Kingston Turf has offered to do if the knolls are lowered. He estimates the duration to be approximately a year. He will not be doing any processing. He does not think erosion and

sedimentation control would be needed. Mr. Brodeur stated that if he cannot market the gravel, he may just level it off where gravel was taken out and seed it. Three years ago, he tried to sell the development rights to the government, but was turned down. He may try again in the future.

There was discussion. J. Roberson stated that she looked at the soil survey and there are no wetlands delineated in this part of the farm. She read from the definitions of Agricultural Use and Farm. Discussion continued.

There was a consensus of the Commission that no action was required as it had been determined that the work proposed is improvement to agricultural land.

J. Roberson stated that this is now public information and anyone can have 1-foot contours.

J. Mohn suggested that truck traffic use the State Highway. Mr. Brodeur indicated the route to be used on the map (20-foot wide blacktop entryway to the field). He intends to dig out the field in front of it and install riprap (anti-tracking pad).

VI. Unfinished Business:

- a. Discussion of Zoning Regulation Rewrite: Scenic Corridor Overlay Zone, Farm Stands, etc.**

5 SPECIAL ZONES

5.A. SCENIC ROUTE 169 OVERLAY ZONE – Draft dated October 25, 2017

Changes Noted:

- All uses allowed in the RA Zone are allowed in this Zone under the same permit type that that they are allowed in the RA Zone with the exception of the two prohibited uses (Earth Operations and Earth Materials Processing). Special permits may be subject to the additional special permit criteria.

J. Roberson and the Commission reviewed the list of permitted uses in the RA Zone (copies were provided to Commission Members).

- 5.A.6. Title was changed to Additional Special Permit Criteria.

There was discussion. Mr. D'Agostino feels the draft is too lenient/weak and he feels that decisions should not be made solely by the ZEO. He referred to adopting A-2J regarding an area of distinction (village district). Discussion continued regarding the possibility of making the area a Village District to allow single-family homes by site plan review rather than public hearing, but still being able to use the design criteria (or not, if not visible).

Discussion continued. J. Roberson suggested adding the following wording, "an area of special character, landscape or historic value," then it could be by site plan review using the Scenic Compatibility Objectives. C. Kelleher feels that it is getting too complicated. M. Sigfridson stated that maybe it would be better to take care of it while doing the re-write rather than going back to it later on. Ms. Sigfridson suggested seeing what the public has to say. Discussion continued regarding whether to make it a Village District.

Additional Changes Noted:

- 5.A.6.1. – Change the words "similar in" to "compatible with."

Discussion continued.

Additional Changes Noted:

- 5.A.6.11. – Change "similarly screened" to "screened to the extent possible."

There was discussion regarding uses. It was noted that a day care center (3.C.3.4.9) as an accessory to an established institutional use is not a permitted use in the RA Zone (as it is written), but it can be changed if the Commission chooses.

There was discussion regarding 3.C.3.2. Accessory Parking and Storage.

Additional Changes Noted:

- 3.C.3.2.4. - Remove side yard (for both the RA Zone and the Scenic Overlay Zone).
- 3.C.2.2. - Residential Related Uses in the RA Zone. Remove Conservation Subdivision. To remain in 6.G.

There was discussion regarding 5.A.1.3. Purpose - encouraging economic development that is compatible with the preservation of the view shed. It was decided to keep it in.

There was discussion regarding 3.C.3.2

Additional Changes Noted:

- 3.C.3.2.3 - Add (Semi-trailers and tractor trailers are not permitted.) as in 3.C..2.2.

There was discussion regarding whether to call it an Overlay Zone or Village District. M. Sigfridson asked each Commissioner to give his/her opinion:

- M. Sigfridson – Village District
- A. Kerouac – Village District
- C. Kelleher – Does not like Village District.
There was discussion and J. Roberson explained that the Village District is different from conventional zoning because it authorizes the Commission to review design criteria outside of the special permit. It can be by site plan review at the Commission level.
- J. Mohn agrees with C. Kelleher, but likes J. Roberson's suggestion above.
- J. D'Agostino stated earlier that he prefers Village District.
- C. Dunlop does not agree with Route 169 being called a Village District, but also likes J. Roberson's suggestion above.
There was discussion and J. Roberson stated that she can bring back the language that established an 8-2.J Zone.

Additional Changes Noted:

- Split the list of additional criteria (commercial vs. non-commercial uses) and to clarify which would require site plan review vs. special permit. The Commission does not want it to be overly burdensome for someone who is building a single-family or duplex dwelling.
- 5.A.6.3. and 5.A.3.12. apply more to subdivisions.
- 5.A.6.6. - Remove agricultural fields.

J. Roberson will remove ultimatum-type language and will draft new language. She may take some language from the Village Center District Regulations.

There was discussion regarding whether the recommendations from the NECCOG report had been incorporated. J. Roberson stated that the report suggests requiring conservation subdivisions. She will re-send the report to the Commission Members for review.

Additional Changes Noted:

- Add construction, reconstruction and substantial rehabilitation to Scenic Overlay Zone.
- Remove Section 5.A.5. Exempt Activities.

J. Roberson will call Jeff Rawson to inform him of changes involving excavation operations.

3.C RA RESIDENTIAL-AGRICULTURAL ZONE – Draft dated November 8, 2017

- There was discussion and it was decided to remove conservation subdivision and this will apply to the Scenic Overlay Zone also (but will be kept under 6.G).

6.L. VENDORS AND AGRICULTURAL BUSINESS – Draft dated November 8, 2017.

6.L.5. FARM STANDS

J. Roberson explained that there are two kinds of farm stands: removable and permanent. She suggested that removable farm stands should have a time limit so that they don't become permanent. There were no objections. J. Roberson will add language.

There was discussion and the following chart represents decisions made:

	<u>Removable (produce & goods)</u>	<u>Permanent</u>
R-10	Accessory to a House – No Permit	X
R-30	Accessory to a House – No Permit	X
RA	Anywhere – No Permit	Accessory to a Farm – Zoning Permit
VCZ	Anywhere – No Permit	Accessory to a Farm – Zoning Permit
All Other Zones (PC, I)	X	X
RB, NC	Anywhere - No Permit	X
PC	X	X

There was discussion regarding Section 6.L.2. - Itinerant Vendors and Section 6.L.3. – Seasonal Vendors. No changes were made.

J. Roberson stated that a change had been made to Section 6.L.4. - Farmers' Markets. Zoning Permits for Farmers' Markets are now valid for three years instead of one year.

6.L.6. FARM WINERIES AND BREWERIES

There was discussion. J. Roberson will send information (CT General Statute 30-16) to the Commission Members for their review. The Commission may want to add or make changes to this Section.

6.D. RESIDENTIAL COMPOUND – Draft dated November 14, 2017.

There was discussion regarding where it should be allowed. Suggestions included:

- Anywhere residential construction is permitted.
- RA only.

There was discussion regarding how condominium associations (multiple structures on a lot) fit into the RA Zone in the new Regulations (no need for a requirement that it be subdivided). C. Kelleher would like it to be in the Regulations as allowed in the RA Zone. J. Roberson referred to Section 6.E. Multi-Family Development.

J. Roberson will provide copies of the entire draft (including the latest revisions) to Commission Members at the next meeting.

There was discussion regarding Planned Development District.

VII. Public Commentary – None.

VIII. Adjourn

The meeting was adjourned at 9:26 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary