**Planning & Zoning Commission**

**Town of Brooklyn**

**Regular Meeting**

**Wednesday, October 1, 2014**

**Clifford B. Green Meeting Center**

**69 South Main Street**

**7 p.m.**

**MINUTES**

1. **Call to Order** - Chair, Carlene Kelleher, called the meeting to order at 7:05 p.m.
2. **Roll Call** - Carlene Kelleher, Michelle Sigfridson, Craig Dunlop, Donald Francis, David Fuss, A. Kerouace, Derek Wesolowski.

**Staff Present** – Jana Roberson, AICP, Land Use Administrator.

1. **Seating of Alternates** – None.
2. **Adoption of Minutes:**
3. Regular Meeting Minutes September 3, 2014.

Motion by D. Francis to accept the Regular Meeting Minutes September 3, 2014. Second by A. Kerouack. Motion carried unanimously.

1. Special Meeting Minutes September 16, 2014.

Motion by D. Francis to accept the Special Meeting Minutes September 16, 2014. Second by D. Wesolowski. Motion carried 6-0. C. Dunlop abstained.

1. **Public Commentary**

**Ron Ventura,** Brooklyn,stated that his comments are not directed at any particular application. He complimented the Commission for their decisions which are in keeping with the POCD and addressing the concerns of the residents of Brooklyn. He spoke favorably of the build-out and re-write of the regulations and stated that he is hopeful that conditions for curb appeal would be included to keep the character of Brooklyn. He urged the Commission to table any consideration for zone changes in the Commercial District until the re-write results are complete.

1. **Unfinished Business:**
2. **Reading of Legal Notice** – Read by A. Kerouack.
3. **Continued Public Hearings:**
4. SP14-007 The Citizen’s National Bank, 13 Canterbury Road, Map 24, Lot 105, VCD Zone; Install a back-up generator, propane tank 16 ft.by 5 ft. and 6 ft. white Freeport Lattice fence placed around the generator and propane tank.

Jo-Ann Chenail, Vice President, The Citizens’ National Bank, submitted the certificate of mailing for the record and offered to answer any questions.

A.Kerouack stated that he would like to revise his comments from the last meeting, because after researching and finding other examples of similar work done in Town, he sees no problem with this application.

J. Roberson did a Power Point presentation and a review the Application. She stated that a waiver had been requested from ordinary site plan requirements. The generator would be located in what is currently a parking space and the propane tank would be located next to the generator in what is currently a lawn area. It was noted that the fence was originally proposed as 8-foot white vinyl, but the height had been changed to 6 foot.

C. Dunlop asked if specifications were available for the noise attenuation on the muffler and what time of the day would the testing be done. Ms. Chenail stated that testing would be done in the middle of the day when it would not be an issue, as in their Putnam office. She read that sound levels were taken from the front of the generator ranging from 67/66 at a distance of 23 feet. C. Dunlop stated that there should not be an issue.

M. Sigfridson asked if any other material had been considered for the fence. She stated concern regarding the white color. J. Roberson stated that beige would match the building and help to blend better with the landscape scheme. Ms. Chenail agreed.

A.Kerouack asked if the generator would be enclosed on all four sides. Ms. Chenail stated yes.

J. Roberson asked if any alternate locations had been considered, possibly further from the road. Ms. Chenail stated that there are only parking spaces on the other side of the building, no room in back where drive-thru facility is, and wouldn’t want it on the front lawn.

M. Sigfridson asked if a wooden fence would be an option. Ms. Chenail was agreeable to a wooden fence painted to match the color of the building.

Motion by D. Fuss to close the public hearing on SP14-007 The Citizen’s National Bank, 13 Canterbury Road, Map 24, Lot 105, VCD Zone; Install a back-up generator, propane tank 16 ft.by 5 ft. and 6 ft. white Freeport Lattice fence placed around the generator and propane tank. Second by D. Wesolowski. Motion carried unanimously.

1. **New Public Hearings** – None.
2. **Other Unfinished Business:**
3. SP14-007 The Citizens National Bank, 13 Canterbury Road, Map 24, Lot 105, VCD Zone; Install a back-up generator, propane tank 16 ft. by 5 ft. and 6 ft. white Freeport Lattice fence placed around the generator and propane tank.

Motion by M. Sigfridson to approve the application SP14-007 The Citizen’s National Bank, 13 Canterbury Road, Map 24, Lot 105, VCD Zone; Install a back-up generator, propane tank 16 ft.by 5 ft. and 6 ft. fence placed around the generator and propane tank with the following condition:

1. The fence to be constructed of wood and be painted to match the building.

…on the grounds that it is in harmony with the character of the Village Center District and will not hinder or discourage the appropriate development and use of adjacent property or impair the value thereof.

Second by D. Fuss.

D. Francis commented that this is a critical piece of property located in the center of Town and he felt that all alternative locations had not been explored regarding physical appearance. He stated that he will not support the motion. Discussion ensued. Ms. Chenail stated that if it distracts from the look of the building, they will do whatever they can to hide it.

Motion carried 6-1. D. Francis was opposed.

1. ZRC14-002 (Thomas Dziki) Request to amend Article 3 Section 3.4.8.2 to allow multi-family dwellings in accordance with Article 7 of the zoning regulations by special permit in the planned commercial zone.

Request to amend Article 3 Section 3.4.8.6.6 to except multi-family dwellings from a regulation prohibiting three story buildings within 200’ feet of a property boundary.

Request to amend Article 7 Section 7.2.3 to allow a maximum height of 45 feet and 3 stories for multi-family dwellings in the planned commercial zone.

Tom Dziki, Day Street, stated that he had sent a note earlier in the day requesting an extension to the December 3, 2014 meeting to open the public hearing, and he stated that this would give the Commission time to conduct studies and research information.

Motion by M. Sigfridson to accept the request for an extension as submitted and to schedule the public hearing on application ZRC 14-002 Thomas Dziki, Request to amend Art. 3.4.8.2 – Add Multi-family Dwellings as a Special Permit Use in the PC Zone, Art. 3.4.8.6.6 - Height exception for Multi-family Dwellings, and Art. 7.2.3 - Height exception for Multi-family Dwellings in the PC Zone for the regular meeting of the Planning and Zoning Commission to be held on December 3, 2014 at 7:00 pm at the Clifford B. Green Memorial Building located at 69 South Main Street, Brooklyn, CT. Second by D. Fuss. Motion carried 6-1. A. Kerouack was opposed.

C. Kelleher asked if there was any objection to moving up Items VIII. b. 2 and 3 on the Agenda. There was no objection from the Commission.

1. **New Business:**
2. **Applications:**
3. **Other New Business:**

2. Our Lady of LaSalette, 25 Providence Road, Map 24, Lot 139, VCD Zone; Sign Permit, 63” wide x 74” high x 3 ½” thick, 11.53 sq. ft., in ground posts.

Al Messore, Almada Drive, represented the Church. He stated that they would like to move the sign (presently located in the front yard of the Church near the driveway entrance) to their own side of the driveway entrance. He referred to the marked-up photo that was included in the packets to the Commissioners.

Mr. Messore stated that the sign would be perpendicular to Route 6 and parallel to the driveway, 24 feet from the curb of Route 6 and 12 feet into the grassy area of the side yard. He explained that they tried to find the best line of sight coming from both sides of Route 6. The sign, as it exists, is 74 inches high, 63 inches long, with (2) 3 ½ inch thick posts. It meets the under 12 square-foot maximum requirement at 11.49 s.f.

Motion by D. Francis to approve the Village Center District Sign Permit application of Our Lady of LaSalette, 25 Providence Road, Brooklyn, CT, dated September 15, 2014. Second by A. Kerouack. Motion carried unanimously.

3. Federated Church of Christ, Route 169, Map 24, Lot 102, VCD Zone; Sign Permit 33” x 25/19” x 25” (9.5 sq. ft.) – Federated Church of Christ/The Thrift Shoppe; and 15 Hartford Road, Map 24, Lot 110, VCD Zone; Sign Permit 3’ x 4’ (12 sq. ft.) Federated Church of Christ.

Hope Barton, Allen Hill Road, and Earl McWilliams, Dayville, represented the Applicant. Mr. McWilliams stated that they are proposing two signs: one on Route 6 (which would contain the name of the Church and the Pastor, Mary L. Apicella); and a smaller one on Route 169 (which would have another sign attached to the bottom for their thrift shop). He noted a change: they would also like to add (a third sign) to the Route 169 sign between the Federated Church of Christ and The Thrift Shoppe, a small sign with Reverend Mary L. Apicella, Pastor. He stated that the size requirements would be met, they would be constructed of wood, not to be illuminated, to be double-sided to be seen by traffic going in both directions on Routes 6 and 169. He explained the need to better identify the Church.

J. Roberson clarified that only one sign is allowed per lot, but the Church owns five lots. These two signs are on their two longest frontages and meet the Zoning standards.

J. Roberson did a Power Point presentation and showed photos that she had taken of their existing signs, some of which may not have been properly permitted. She pointed out the five parcels owned by the Church and indicated where existing signs are and where the proposed signs would be placed. Mr. McWilliams stated that one of the signs (which he feels is totally inadequate because it can't be read by passersby) would be removed. There was discussion regarding the A-frame signs and the preschool sign. Ms. Barton explained that the preschool (tenant) is a separate business from the Church and that the Church really needs advertising on Route 169 (which seems like a back driveway into the property).

Mr. McWilliams stated that they would get rid of the current thrift shop sign (green and pink) if allowed to add “Thrift Shoppe Entrance” to the Route 169 sign (making it 11.5 s.f.). and that they would have to reduce the Route 6 main sign (to 1 foot by 2 feet) to meet the size requirement. He stated that color would be black and white.

Motion by D. Wesolowski to approve the Village Center District Sign Permit application of the Federated Church of Christ, 15 Hartford Road, Brooklyn, CT dated September 29, 2014, as amended and with the square footage of the sign changes still being under 12 feet. Second by A. Kerouack. Motion carried unanimously.

1. Discussion of Limited Business Enterprise.

C. Kelleher suggested removing the concept of Limited Business Enterprise until clearly defined. M. Sigfridson stated that the Subcommittee had tried to come up with a definition and was unsuccessful.

J. Roberson recommended removing Limited Business Enterprise and explained that is currently allowed by special permit on any property in the RA Zone with frontage on State highway. She stated that there is no specific criteria for Limited Business Enterprise.

C. Kelleher stated that the way it is now does not allow for fairness and consistency. She mentioned that a lot of the properties along Routes 6, 169 and 205 are residences and not a good mix with commercial when trying to keep the rural character.

Discussion ensued.

It was decided to continue the discussion at the next planning meeting on October 21, 2014. The Commission Members will bring their thoughts regarding definition and specific special permit criteria for consideration.

1. Discussion of Regulations Rewrite.

C. Kelleher stated that this is on the agenda for the next planning meeting on October 21, 2014.

1. Build-out update.

J. Roberson provided copies (for review by the Commission) of a draft of a contract agreement with Stahl & Associates, LLC for the PC Zone Build-Out Analysis. D. Francis asked about completion time. J. Roberson stated that it would be included in the final contract agreement. She explained that Ms. Stahl is a professor at UCONN, but would be doing this analysis as part of her private consulting business. Ms. Stahl has experience in economic impact analysis and is a landscape architect.

J. Roberson gave an overview of the areas outlined in the draft contract agreement that would be included and asked the Commission if it accurately represents what was discussed at the last meeting. The Commission was in agreement that it does.

D. Francis asked if the agreement would be on the agenda for the next Selectmen’s meeting for approval. J. Roberson stated that when the contract is finalized, it would go to the Board of Selectmen for approval.

D. Francis suggested setting a deadline of January 15th. J. Roberson explained that another proposal is needed to follow Town Ordinance.

1. **New Business:**
2. **Applications** – None.
3. **Other New Business:**
4. Authorize Assistant Zoning Enforcement Officer Martha Fraenkel.

Motion by M. Sigfridson to authorize Assistant ZEO Martha Fraenkel to enforce the Brooklyn Zoning Regulations. Second by A. Kerouack. Motion carried unanimously.

D. Francis asked if a brief report could be supplied at meetings to show accomplishments. J. Roberson stated that could be done.

1. Our Lady of LaSalette, 25 Providence Road, Map 24, Lot 139, VCD Zone; Sign Permit, 63” wide x 74” high x 3 ½” thick, 11.53 sq. ft., in ground posts. See above.
2. Federated Church of Christ, Route 169, Map 24, Lot 102, VCD Zone; Sign Permit 33” x 25/19” x 25” (9.5 sq. ft.) – Federated Church of Christ/The Thrift Shoppe; and 15 Hartford Road, Map 24, Lot 110, VCD Zone; Sign Permit 3’ x 4’ (12 sq. ft.) Federated Church of Christ. See above.
3. **Reports of Officers and Committees:**
4. Zoning Enforcement Officer’s Report September 2014.

* J. Roberson stated that she had issued a Cease and Desist Order regarding noise for rock quarrying at 10 Hickory Lane. The owner wants to know what he can do.
* Discussion ensued regarding the Mortlake Fire Department Flagpole Area changes to honor late Chief Guari. There was a consensus among the Commission Members to allow this to move forward.
* C. Kelleher asked about the Requests for Voluntary Compliance issued regarding vehicles for sale. Discussion ensued. J. Roberson stated that there is no mention of any allowable retail sales in the RA Zone.

1. Wal-Mart Update.

J. Roberson stated that mucking out of the basin was to take place, but had not been done yet.

1. Correspondence.

A.Kerouack asked about Courtesey Ford. J. Roberson referred to her letter dated September 24, 2014, in which she lists what needs to be done for her to rescind the order. She stated that she has not heard from them.

1. Chairman’s Report – None.
2. **Public Commentary** – None.
3. **Adjourn**

Motion by D. Francis to adjourn at 9:02 pm. Second by M. Sigfridson, Motion carried unanimously.

Respectfully submitted,

J.S. Perreault

Recording Clerk