

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
Regular Meeting  
Tuesday, January 15, 2019  
Clifford B. Green Meeting Center  
69 South Main Street  
6:30 p.m.**

**MINUTES**

**I. Call to Order** – M. Sigfridson, Chair, called the meeting to order at 6:33 p.m.

**II. Roll Call** - Michelle Sigfridson, Carleen Kelleher, Jules D’Agostino, Austin Tanner, Earl Starks;  
Alan Fitzgerald – New Alternate Member.

Aaron Kerouac had not been re-appointed.

**III. Seating of Alternates**

Motion was made by C. Kelleher to seat Alternate Allen Fitzgerald as a Voting Member for this meeting. Second by E. Starks. Motion carried unanimously (5-0-0).

**IV. Election of Officers.**

**Jana Roberson opened nominations for the Chair position.**

Motion was made by A. Tanner to nominate M. Sigfridson for the Chair position. Second by C. Kelleher. There were no other nominations. For results see below Motion 5.

Motion was made by J. D’Agostino to close nominations for the Chair position. Second by E. Starks. Motion to close nominations for the Chair position carried (5-0-1). M. Sigfridson abstained.

**Jana Roberson opened nominations for the Chair position.**

Motion was made by A. Tanner to nominate C. Kelleher for the Vice Chair position. Second by J. D’Agostino. There were no other nominations. For results see below Motion 5.

Motion was made by J. D’Agostino to close nominations for the Vice Chair position. Second by M. Sigfridson. Motion to close nominations for the Vice Chair position carried unanimously (6-0-0).

A vote was taken for both M. Sigfridson for Chair and C. Kelleher for Vice Chair. The results were in favor unanimously 6-0-0.

There was discussion regarding the elimination of the Secretary position a few years ago.

**V. Review of Bylaws.**

There were no proposed changes to the current By-Laws (last revision April 6, 2016). Copies were included in packets to the Commission Members.

Motion was made by J. D’Agostino to adopt the By-Laws as presented for 2019.

Discussion:

- Page 3, there was discussion regarding regular meetings/special meetings and the date of receipt of applications being tied to the next regular meeting. Having two regular meetings (as decided at a previous meeting) staggers application receipt dates which may or may not be a problem. Ms. Roberson explained the semi-monthly cycle. It was decided to try the two regular meetings per month, temporarily, until after the re-write is complete and until some planning is caught-up.
- The procedure for nominating Officers (Page 3, #2) was noted.

- No change in language for Article VIII – Regular Meetings.

Second by A. Tanner.

Further discussion:

- There was discussion as to whether the Commission must adopt the By-Laws if no changes are made. It is a duty of the Commission to review the By-Laws annually at the first meeting of the year.

Motion carried unanimously (6-0-0).

#### **VI. Adoption of Minutes:** Regular Meeting Minutes December 5, 2018

Motion was made by C. Kelleher to approve the Minutes of the Regular Meeting of December 5, 2018. Second by J. D'Agostino. Motion carried unanimously (6-0-0).

#### **VII. Public Commentary**

**Stacey Ohlmann Leitch**, 62 Creamery Brook Road, asked for clarification regarding Public Commentary. M. Sigfridson explained that comments regarding a public hearing should be made after that public hearing has been opened.

**A.J. Kerouac**, 282 Windham Road, requested that the Minutes of the Regular Meeting of December 5, 2018 be amended:

- Page 4, last paragraph, first bullet, regarding his comments relating to the land that the Town owns – He said that he was suggesting that the proper drainage could be considered a public good. So, if it did become an issue down the road, it could fall under that category. He was suggesting to reserve that area for something.

**Mr. Kerouac**, regarding SD 18-004 and SD 18-003, asked that the Commission be cognizant of the required number of voting members and which members were seated and present for the hearings and the closing of the public hearings and also for re-opening of the public hearing.

**Mr. Kerouac**, spoke about inconsistencies regarding terms/appointments of Members. He noted that, currently, there is a vacant Regular position and a vacant Alternate position on the Board and that, according to the Ordinance, both of those positions can be appointed by the PZC. He noted that there are two Regular vacancies and 1 Alternate vacancy. He cautioned the Commission to be aware when  $\frac{3}{4}$  votes are needed to be sure that applications are being approved properly.

#### **VIII. Unfinished Business:**

##### **a. Reading of Legal Notice:**

J. Roberson read the legal notice for SD 18-004 which was published in the "Villager" on Friday, December 21, 2018 and Friday, December 28, 2018. Since the meeting of January 2, 2019 was cancelled (due to lack of quorum), a notice was posted with the Town Clerk stating that the opening of public hearing would be tabled to January 15, 2019. She confirmed that the proper protocols were followed.

##### **b. Continued Public Hearings:** None.

##### **c. New Public Hearings:**

1. **SD 18-004 One-lot Resubdivision** - Dennis Beausoleil, 1.08 acres, north side of Creamery Brook Road near intersection with Purvis Road (Assessor's Map 32, Lot 120).

A.Tanner recused himself because he is an abutting land owner and he took a seat in the audience.

Paul Archer, Archer Surveying, represented Dennis Beausoleil and gave an overview of the proposal. Mr. Archer provided copies of information to the Commission Members that had not been previously provided: Assessor's Cards; Assessor's Map; and approval records.

- In 2002, the exact 2-lot subdivision had been approved by the PZC. Two weeks after approval, the surveyor was in a car accident and, due to an oversight, the mylars were never recorded. Mr. Archer indicated that one of the lots had been sold to Dennis

Beausoleil in 2002 (4 months after the approval). He has paid taxes on this lot for 16 years.

- The Beausoleil (Dennis Beausoleil's deceased parents) house lot was sold in September 2018. The person who bought this lot discovered that his legal description refers to a subdivision map (which was never recorded).
- Therefore per State Statute it is still all one lot, so the purpose of this new Application for a 1-lot re-subdivision is to make Dennis Beausoleil's lot a viable lot according to the current Regulations.
- They have received approval from the IWWC.
- Mr. Archer oriented the Map and stated that it meets all of the current Zoning Regulations and it is in the R-30 Zone and meets the Health Code. They submitted it to the NDDH and received re-approval.
- Syl Pauley has reviewed it and they have addressed his comment regarding a sightline issue on Creamery Brook Road: They moved the driveway to where Tommy Rukstela was satisfied with the sightlines (as far west as possible). Mr. Archer provided a copy of a letter from Mr. Rukstela stating that he is "all set with where the drive is placed" to J. Roberson (for the record).

Ms. Roberson agreed that this is the best sightline that they could get and she noted that the Subdivision Regulations do not include a specific linear distance requirement. She explained Mr. Pauley's comment regarding sightline.

- Mr. Archer provided a copy of the original subdivision by Lou Sawyer that had been approved which shows the small section of road (25' off the centerline of the road) to be deeded to the Town (part of the Application).
- One Lot is 1.92 acres and the other Lot is 1.07 acres.
- Syl Pauley commented regarding a stockpile, but it was not stated whether this had been addressed.
- Syl Pauley had a comment regarding putting a more specific seed mix on the Detail Sheet, but they did not address it because it is a relatively flat lawn (hay field) and they do not feel that it needs any sort of grass seed for stabilization. Mr. Archer said that he had spoken with the Engineer (who chuckled) and that he had spoken with Ms. Roberson about it.
- Mr. Archer stated that the back page is a standard page that they use regarding E&S.
- Mr. Archer referred to and explained the Parcel History Map.
- Mr. Archer explained that until this correction is made, a house cannot be built on the vacant lot. It is not, technically, a legal lot.

**Stacey Ohlmann Leitch**, 62 Creamery Brook Road, submitted a letter from another neighbor who was not able to attend due the rescheduling.

**Ms. Ohlmann Leitch** explained that the Beausoleil property is a hill and she stated her concerns:

- She explained how the water drains and she is concerned regarding the house footing drain tying into a culvert on the roadway. She said that the plans for 70 Creamery Brook Road show that there is supposed to be a footing drain also, but there is none, so one of the owners put in a sump pump and there is an exorbitant amount of water, at times, that impacts all of the properties to the west and floods out septic systems. She is concerned that this would add more of an issue.
- Placement of the driveway: She is concerned about the turning radius because it is next to a culvert that is a hole (it is not a catch basin).
- She explained that the sightline is horrible. She asked if the Town would be intending to grade the roadway down since a portion is being deeded to the Town, or, if the PZC would require the current property owner to do it. If graded, you would be losing the aesthetics of the stone wall.

Mr. Archer explained that the driveway placement is Mr. Rukstela's idea and the Engineer agrees that it is the best viable option and it meets the Code. Regarding tying the footing drain into the culvert, he stated that is what they need to do as it gets the water back into the Town's system. Regarding deeding the road, he explained that the purpose is for future highway work.

He explained that when the portion of the road is deeded, the stone wall will then belong to the Town.

**Ms. Ohlmann Leitch** asked if Mr. Rukstela is aware that the footing drain will be tied into the Town system. Mr. Archer explained that Mr. Rukstela, in the past, has expressed that he likes footing drains being tied into the Town system so it is under control and it goes where it is supposed to go. Ms. Ohlmann noted that it is just a culvert and that the next catch basin is 600-700 feet down the road.

Ms. Roberson reiterated that the Town Engineer, Syl Pauley, agrees that this is the best driveway location. She asked about the stone wall. Mr. Archer indicated on the map and he explained that, at that point, it is more like remains of a stone wall. Ms. Roberson agreed as she had seen it. Regarding the water, she is aware of the significant water problem from the heavy flow from the sump pump at 70 Creamery Brook Road, however, she feels comfortable that the footing drain for this proposal will be installed per the plans. She noted that all of the development has changed the flow of water and this development will create its own changes to the rate of runoff. She explained that it would divert the storm water in an appropriate way for the rural road and a footing drain will constantly trickle as opposed to a sump pump. She confirmed that the Town Engineer did not have any further recommendations other than that the driveway was as far west as possible. She said that the Engineer and the Road Foreman are in agreement. Mr. Archer stated that he believes that it is the best scenario.

**A.J. Kerouac** asked if about the radius for the well. Mr. Archer indicated the existing and proposed wells/radius. Mr. Kerouac asked that the Commission to stress to the agent the importance of making sure of locations because things change during construction (e.g. if you hit ledge). He said that there is a dug well in the basement of the existing house. Mr. Archer agreed and indicated the existing septic system that is being used and the neighbor's well on the map and he stated that they meet the current Health Department separation distance.

**Mr. Kerouac** asked if there is a letter from homeowner agreeing about the property boundary. Ms. Roberson confirmed that she does have a statement from the owner of the house and they approve of the Application.

Ms. Roberson read, into the record, the letter that Ms. Ohlmann Leitch had submitted from neighboring property owners, Lynn and Charles Hart which states concerns regarding drainage.

There was discussion regarding drainage/soils/grading. Alan Fitzgerald gave his opinion that if the footing drain is installed correctly, the property will drain toward the culvert and there should not be an issue.

M. Sigfridson stated that there isn't anything more that the Commission can ask for regarding addressing the mitigation of the water issue. Ms. Roberson explained that the PZC only had jurisdiction over the lot being subdivided which does include the road.

There was a question as to whether there was a seal from the Engineer on the plans. It was determined that there was. There was discussion regarding whether the record copy of the plans contains an original signature. It was determined that it was a PDF signature.

Ms. Roberson stressed the importance of making sure that all issues have been addressed to the satisfaction of the PZC before closing the public hearing.

Motion was made by J. D'Agostino to close the public hearing for **SD 18-004 One-lot Resubdivision - Dennis Beausoleil**, 1.08 acres, north side of Creamery Brook Road near intersection with Purvis Road (Assessor's Map 32, Lot 120). Second by E. Starks. Motion carried (5-0-0). A. Tanner had recused himself.

C. Kelleher stated that the issue of open space had not been discussed. There was discussion regarding re-opening the public hearing for SD 18-004.

Motion was made by J. D'Agostino to re-open the public hearing for **SD 18-004 One-lot Resubdivision** - Dennis Beausoleil, 1.08 acres, north side of Creamery Brook Road near intersection with Purvis Road (Assessor's Map 32, Lot 120) to receive new information. Second by C. Kelleher. Motion carried (5-0-0). A. Tanner had recused himself.

Paul Archer stated that one of the letters that he had submitted (for the record) from 2002 stated (by the PZC) that all of the requirements had been met. He stated that an open-space fee of \$250 per lot had been charged in the past, but he was not sure of the date. He has no way of proving whether it had been paid or not, but he offered that Mr. Beausoleil paying 16 years of taxes should constitute open space fee. He stated that the land has already been transferred and open space fees are collected at the time of transfer. He asked that the Commission not apply open space fee due to the error that occurred in 2002. Discussion ensued. Mr. Roberson explained that she did an informal accounting of open space fees from the beginning of the Open Space Fund in December 2001 through 2007 and nothing was found under the Beausoleil family. It had been determined that there was no error on the part of the Town. Mr. Archer remembered that it had been a family transfer. The Assessor's Field Card indicates a \$0 sales price. The Statute authorizes from zero to ten percent at the time of conveyance. M. Sigfridson noted that the time of conveyance was in the past and that evidence suggests that it was conveyed to a family member for no consideration and for those reason she has no objections to collecting a zero percent open space fee. C. Kelleher stated agreement.

Motion was made by C. Kelleher to close the public hearing for **SD 18-004 One-lot Resubdivision** - Dennis Beausoleil, 1.08 acres, north side of Creamery Brook Road near intersection with Purvis Road (Assessor's Map 32, Lot 120). Second by A. Fitzgerald. Motion carried (5-0-0). A. Tanner had recused himself.

A. Tanner returned to the table.

**d. Other Unfinished Business:**

1. **SD 18-003 Resubdivision of Grand View Acres** - Brooklyn Builders, LLC and Charlotte Larrow, Trustee, 8.22 acres, westerly end of Grand View Terrace (Assessor's Map 33, Lot 36-1 through 36-6), Proposed reduction from 6 to 3 lots.

J. Roberson reported that the public hearing had been closed at the December 5, 2018 meeting of the PZC. She discussed the issue of the driveway (paving at some time in the future) with Peter Alter. Ms. Roberson explained that it would not be acceptable to re-open the public hearing after time has passed. Attorney Alter confirmed that it would be inappropriate to re-open the public hearing for this Application and then ask for drainage calculations and it would be unenforceable to expect the owners to submit drainage calculations at some future time should they ever decide to pave the driveway. The Town has no jurisdiction as to whether they pave their driveway or not. It is a fairly flat driveway. Ms. Roberson explained the procedure regarding timing for public hearings.

Ms. Roberson stated that she removed that language from the draft motion and she explained that you have to look at the whole basin and how development changes the water runoff. She explained that it had been requested that the stone breaker strip be extended an additional 40 feet, in one direction, to meet a particular contour. She explained that she added to the draft motion that it be installed after site stabilization (as had been suggested by the Engineer).

There was discussion regarding the required number of votes. Ms. Roberson stated that the Members in attendance at the opening of the public hearing (which are still currently Members) were: M. Sigfridson; C. Kelleher; J. D'Agostino; A. Tanner; and E. Starks. All of those Members may vote on this Application and they are all in attendance. It was noted that New Alternate Member, Alan Fitzgerald would not be voting on this Application.

Motion was made by J. D'Agostino to approve the application SD 18-003 3-Lot Resubdivision, owners Brooklyn Builders, LLC and Charlotte Larrow, Trustee, 8.22 acres on the westerly end of Grand View Terrace (Assessor's Map 33, Lot 36-1 through 36-6) in the R-30 Zone in accordance with all final plans, documents and testimony submitted with the application and including the following conditions:

The following items shall be corrected on the Final Subdivision Plans which will be submitted in paper for checking to the Land Use Office prior to being printed on archival material (mylar):

- The stone breaker strip shall be extended an additional 40'  $\pm$  to the south to meet the existing elevation 220 in order to cover the entire low point of the driveway.
- The "construction sequence" notes on sheet 5 shall be revised to show the installation of the breaker strip after the disturbed areas have been stabilized.

Prior to the endorsement by the Commission of the Final Subdivision Plan(s) for filing in the office of the Town Clerk:

- The approval and/or review letters from the Inland Wetlands and Watercourses Commission, the Northeast District Department of Health, and the Planning and Zoning Commission shall be added to the Final Subdivision Plan(s).
- The Common Driveway Use and Maintenance Agreement (in a form acceptable to the Town Attorney) shall be filed simultaneously with the recording of the subdivision mylars in the office of the Town Clerk.

Prior to the issuance of a Zoning Permit on any lot:

- All boundary pins and monuments shall be set and field verified by the surveyor.
- The developer shall notify the Zoning Enforcement Officer and Town Planner at least seven days in advance of any site work to schedule a pre-construction meeting.
- Prior to any lots being developed, a driveway permit must be obtained from the Road Foreman in accordance with the adopted policy concerning driveways.

Second by A. Tanner. Motion carried (5-0-1). A. Fitzgerald abstained.

2. **SD 18-004 One-lot Resubdivision** - Dennis Beausoleil, 1.08 acres, north side of Creamery Brook Road near intersection with Purvis Road (Assessor's Map 32, Lot 120).

A.Tanner recused himself and took a seat in the audience.

Motion was made by J. D'Agostino to approve the application SD 18-004 One Lot Resubdivision, owner Dennis Beausoleil, 1.08 acres on the north side of Creamery Brook Road near intersection with Purvis Road (Assessor's Map 32, Lot 120) in the R-30 Zone in accordance with all final plans, documents and testimony submitted with the application and including the following conditions:

- The driveway location must remain on the far western side of the lot due to sightline limitations looking east.

Prior to the endorsement by the Commission of the Final Subdivision Plan(s) for filing in the office of the Town Clerk:

- The approval and/or review letters from the Inland Wetlands and Watercourses Commission, the Northeast District Department of Health, and the Planning and Zoning Commission shall be added to the Final Subdivision Plan(s).

Prior to the issuance of a Zoning Permit on any lot:

- All boundary pins and monuments shall be set and field verified by the surveyor.
- The developer shall notify the Zoning Enforcement Officer and Town Planner at least seven days in advance of any site work to schedule a pre-construction meeting.
- Prior to any lots being developed, a driveway permit must be obtained from the Road Foreman in accordance with the adopted policy concerning driveways.

Second by C. Kelleher.

Discussion:

Paul Archer suggested that another condition of approval be added regarding granting the strip of land to the Town. The Commission and Ms. Roberson discussed it and since it says that "it is to be granted" on the plans, they did not add it as a condition of approval.

Motion carried (5-0-0). A. Tanner had recused himself.

A.Tanner returned to the table.

Motion was made by C. Kelleher to move the following Agenda Item:

### **VIII. Unfinished Business:**

e. **Other Unfinished Business:**

3. **Zoning Regulation Rewrite** – Review of Comments from Public Information Session, text and zone boundary revisions (including the RB zone), etc.

to

**IX.**

**New Business:**

b. **Other:**

2. **Zoning Regulation Rewrite** – Review of Comments from Public Information Session, text and zone boundary revisions (including the RB zone), etc.

Second by J. D’Agostino. Motion carried unanimously (6-0-0).

3. **Zoning Regulation Rewrite** – Review of Comments from Public Information Session, text and zone boundary revisions (including the RB zone), etc.

**IX. New Business:**

a. **Applications:**

1. **GBR 18-002 Gravel Special Permit Renewal** - Paul Sansoucy & Sansoucy Quarries, 45 acres, east side of Route 169 south of Barrett Hill Road (Assessor’s Map 26, Lot 19A) Gravel Bank Renewal for 2018.

J. Roberson stated that Mr. Sansoucy has been very cooperative and that his bond is in order. Martha Fraenkel (ZEO) has reviewed this Application and the only concern that she has is regarding a growing pile of by-product (junk stone). Ms. Fraenkel has suggested that, if Mr. Sansoucy had a marketable purpose for the by-product (such as riprap), it is authorized under the existing permit. However, under the original Application, he is limited to two truck trips per day. In order to help facilitate the removal of the by-product (which is needed) without changing the impact, a modification to increase the number of allowable truck trips per day from two to six was suggested.

J. D’Agostino recused himself and took a seat in the audience.

Ms. Roberson stated that there were some slight modifications to the plans (as requested by Ms. Fraenkel). The changes were:

- More labeling identifying the active face, the future active face, and the by-product areas.

There was discussion with Paul Sansoucy, 266 Pomfret Road. Mr. Sansoucy explained that the most of the spoil stone that they generate in a year is 1,000 to 1,200 tons which amounts to approximately 50 truckloads in a year. He explained that they may do six loads in a day and not have any more for a couple weeks (it is market based). Currently, they average about 8 loads per week. He said it would be nice to have the option to do six loads per day once in a while. Ms. Roberson and Ms. Fraenkel had discussed this and their opinion is that going from two to six trips per day would not change the impact.

M. Sigfridson stated concern that there could be six everyday, however, if two have been sufficient, that alleviates her concern. Mr. Sansoucy explained that it is a hand-worked stone, so to produce more than two loads a day would be a big increase which he has not done in fifteen years.

There was discussion regarding impact and that the trucks would be coming out onto Route 169. A. Fitzgerald, A. Tanner, and C. Kelleher stated that they don’t have an issue with it.

Motion was made by A. Tanner to approve the gravel bank renewal application of Sansoucy Quarries for the property located on the east side of Route 169 south of Barrett Hill Road (Assessor’s Map 26, Lot 19A) identified in the files

of the Brooklyn Land Use Office as GBR 18-002, in accordance with all final plans, documents and testimony submitted with the renewal application and including the following conditions:

- Allowable truck trips per day are limited to six.

Second by E. Starks. Motion carried (5-0-0). J. D'Agostino had recused himself.

D. D'Agostino returned to the table.

Ms. Roberson explained the 5-year extension with yearly review (until Regulations change) for Mr. Sansoucy.

**b. Other:**

1. **MI 19-001 CGS 8-24 Referral:** Purchase of Community Center at 31 Tiffany Street from Brooklyn Housing Authority (Assessor's Map 47, Lots 57 & 58), ~ 6 acres.

J. Roberson explained that when a town is considering acquiring or disposing of property or conducting major road work, it must be referred to the PZC for recommendation (or not). She explained that the POCD does not offer any guidance. The Housing Authority is not interested in owning the property and would transfer it to the Town for \$1.

Motion was made by C. Kelleher to recommend the acquisition of the Community Center at 31 Tiffany Street and associated properties by the Town of Brooklyn from the Brooklyn Housing Authority. Second by E. Starks.

Discussion:

It will have to go to Town Meeting. A. Tanner would like more details before making a decision and suggested asking that someone (a Selectman) come to a PZC meeting to give details. Ms. Roberson stated that there are two lots involved: one containing the Community Center; and the other is a field (some wooded areas). It is approximately six acres. There is a discrepancy between the GIS System and the Assessor's Records. She could not find a accurate boundary survey showing the specific acreage. Ms. Sigfridson stated that she also cannot form an opinion.

Motion was made by A. Tanner to table discussion regarding MI 19-001 CGS 8-24 Referral: Purchase of Community Center at 31 Tiffany Street from Brooklyn Housing Authority (Assessor's Map 47, Lots 57 & 58), ~ 6 acres to the next regular meeting of the Planning and Zoning Commission on February 6, 2019, at 6:30 p.m. in the Clifford B. Green Meeting Center, 69 South Main Street, Brooklyn, CT, to get more information.

C. Kelleher withdrew her Motion (#15 above) and E. Starks withdrew his Second to Motion (#15 above).

Discussion: Some details that the Commission would like:

- Building and Land Details;
- Why the Town would want to own it;
- Why the Housing Authority wants to get rid of it;
- What other options exist.

Discussion continued and C. Kelleher commented that the Town has been maintaining the property. Second by A. Fitzgerald. Motion carried unanimously (6-0-0).

The following had been moved from above on the Agenda:

2. **Zoning Regulation Rewrite** – Review of Comments from Public Information Session, text and zone boundary revisions (including the RB zone), etc.

The Public Information Session is scheduled for Wednesday, January 30, 2019, at 6:30 p.m. at the Clifford B. Green Meeting Center, 69 South Main Street, Brooklyn, CT.

J. Roberson explained the revisions that she had made to the Summary of Major Changes to the Draft Zoning Regulations (since the first Public Information Session on July 3, 2018). She provided copies to the Commission Members.

It was suggested to make it more clear to the public (what has changed since the first Public Information Session), to add the following statement: Suggested revisions from the previous meeting (July 3, 2018). Ms. Roberson will integrate them with the previous items and use \* to identify what is new.



There was discussion regarding income verification for affordable housing. The Housing Authority (Putnam) will do it for the Town of Brooklyn. Ms. Roberson stated that Mr. Ives is comfortable with income verification being a requirement of the Brooklyn Zoning Regulations. This will help ensure that the occupants of affordable housing are the people who need affordable housing. It will also help meet the requirements of the Affordable Housing Statute 8-40G.

Ms. Roberson reviewed the revisions that she made to the Draft Regulations: 6.E. – Multi-Family Development; 6.R – Second Dwelling Units to be Affordable; 6.S – Inclusionary Zoning.

#### **6.R. - Second Dwelling Units to be Affordable**

- M. Sigfridson stated concern regarding “requiring that all second dwelling units on a parcel be affordable” because this may be burdensome to developers and, therefore, may reduce the amount of affordable housing in Town.
- C. Kelleher stated concern that second dwelling units are often for family members which may not income qualify. This may also hinder resale.

J. D’Agostino stated two levels of concerns:

Level 1 - #1 Route 169 (and/or issue that has not been resolved). He is concerned about losing the Scenic Route; and #2 He does not feel that there should be an access to the Industrial Zone. Level 2 – He feels that the Commission hasn’t had an opportunity to discuss Affordable Housing enough for him to express his views on this subject.

Discussion resumed regarding Affordable Housing/accessory apartments and Ms. Roberson stressed the importance of deciding how to move forward. She explained that if you don’t do income verification, you lose the numbers on the Affordable Housing Appeals List. She discussed the various options that had been explored.

#### **6.E. – Multi-Family Development**

There was discussion regarding Darien where they have mandatory set-aside of ten percent for affordable housing in larger developments of six or more units (Inclusionary Zoning).

There was discussion regarding the 5-acre minimum lot size for multi-family developments.

M. Sigfridson suggested and there was discussion regarding offering an incentive or area reduction for developments that are willing to do a twenty percent set-aside (density bonus).

There was discussion regarding Draft Item 6.E.2.1. “Multi-family developments may be permitted for a residential building existing on DATE OF REGULATION ADOPTION provided public sewer service is available and used.” – No minimum lot size. There was discussion regarding why there should be a minimum lot size for new development. J. Roberson suggested decreasing the minimum lot size partnered with a decrease in density (RA Zone). J. D’Agostino read from an article regarding Affordable Housing that appeared in the Hartford Current on December 20<sup>th</sup>. Discussion continued. J. D’Agostino offered to go to UCONN to get help regarding affordable housing. M. Sigfridson suggested not addressing the affordable housing issue much more than in the way of incentive housing and working on affordable housing afterwards. E. Starks suggested talking with area builders: Jeff Weaver feels affordable housing is not feasible; J. Roberson will speak with Andrew Kauch. J. Roberson stated that accessory apartments tend to be affordable and discussion followed regarding living space area. There was discussion regarding possibly waiving fees.

M. Sigfridson suggested a density bonus in any zone for developers who are willing to set-aside twenty percent to be income-verified, affordable units in developments of five or more units.

Discussion regarding the Summary Sheet:

- Consensus was to remove the first bullet regarding second dwelling unit must be affordable on the Summary Sheet.
- Second bullet – change “public utilities” to “sewer configured on fill in date.”
- J. Roberson to look into “20% set-aside with income verification for five or more units.

There was discussion regarding whether an existing building can be expanded.

Still working on Affordable Housing.

There was discussion regarding the created access to the Industrial Zone. J. Roberson explained and indicated the four lots involved on the Map. J. D’Agostino disagrees with the Attorney’s opinion and feels that a second opinion should be obtained. Discussion continued regarding the property owners. J. Roberson explained that if there were an Industrial Use, it could access from any of the four properties. There was discussion regarding wetlands. J. D’Agostino suggested that it could be a very attractive piece of property for multi-family homes.

#### **X. Reports of Officers and Committees:**

1. Budget: Review of FY 19-20 Budget

There was discussion. Martha Fraenkel requested that a line item for Enforcement Support Services be added. This to be discussed next month as Ms. Fraenkel will be in attendance.

The PZC will need to do a Capital Request of \$15,000 for the POCD (for each of two years – total of \$30,000).

2. Correspondence.

Connecticut Land Use Law Seminar at Wesleyann University on Saturday, March 23, 2019.

J. Roberson will check on where/when the Land Use Academy will be held as this is better for new Members to attend (it is geared toward the basics).

3. Chairman’s Report. – No Report.

A. Tanner brought up discussion regarding the fact that Mr. Kerouac was not re-appointed to the PZC when there are vacancies. He said that Mr. Kerouac is knowledgeable and active and that the Commission should ask for an explanation as to why Mr. Kerouac was not re-appointed.

There was discussion regarding the legal issue with the Day Street gravel bank. J. Roberson will keep the PZC updated.

#### **XI. Public Commentary**

**A.J. Kerouac** spoke of his not being re-appointed to the PZC and about the vacancies that the PZC can fill a Regular position and an Alternate position for their unexpired portions. He asked if the members of the Commission would like him to fill out an application to be on the PZC. M. Sigfridson stated that filling those positions would need to be discussed as a Commission and she encouraged him to fill out an application.

Mr. Kerouac reminded the Commission that they are the ones who would begin a POCD Committee. M. Sigfridson stated that she has spoken with Mr. Ives and J. Roberson about that.

Mr. Kerouac stated that the Housing Authority is a Statutory Authority they would need to be reached out to regarding income verification.

There was discussion regarding terms of PZC Members and procedure for filling vacancies.

J. D’Agostino left at 10:12 p.m. Discussion continued. Mr. Kerouac thanked the Commission and stated that he had enjoyed being on the PZC.

#### **XII. Adjourn**

The meeting was adjourned at 10:15 p.m.

Respectfully submitted,

J.S. Perreault

Recording Secretary