

**PLANNING AND ZONING COMMISSION**  
**TOWN OF BROOKLYN**  
CONNECTICUT 06234

**PLANNING AND ZONING COMMISSION**  
**TOWN OF BROOKLYN**  
**CONNECTICUT**  
**REGULAR MEETING MINUTES**  
**February 3, 2010**  
**Clifford B. Green Memorial Center**

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TOWN OF BROOKLYN CT

**I. Call to Order:** The meeting was called to order by Chairman Kelleher at 7:00 p.m.

**II. Roll Call:** Carlene Kelleher, Deane Rettig, Barbara Repko, Donald Francis, David Fuss, Craig Dunlop, Henry Moses, Albert Sandholm, Paul Camara and Tom Doherty. Harry Arters absent with notice.

**Staff Present:** Jim Larkin NECCOG Planner, Chuck Dobrowski, ZEO and Audrey Cross Lussier Recording Secretary.

**Public in Attendance:** Attorney John Knuff, Bob Eberts, Paul Archer and public in attendance.

**III. Seating of Alternates:** None.

**IV. Adoption of Minutes:**

1. Regular meeting Minutes of January 6, 2010: A motion was made by David Fuss to approve the regular meeting minutes of January 6, 2010 as presented. Craig Dunlop seconded this motion. No discussion held. All in favor. The motion carries.

2. Special Meeting Minutes January 19, 2010: A motion was made by Don Francis to approve the special meeting minutes of January 19, 2010 as presented. David Fuss seconded the motion. Discussion on the motion. Vote was taken, all in favor with the changes outlined by Deane Rettig and Carlene Kelleher. The motion carries.

Changes: Deane Rettig asked that on the 3<sup>rd</sup> page B. Open Space Section 8, second line 8.4.3 "natural state by the sub divider should be changed to applicant."

Changes: Carlene Kelleher asked that the Last paragraph of the first page the reference to fire commissioners should be "fire marshal."

Henry Moses requested that all pages be numbered on all material.

A motion was made by Deane Rettig to add Section XIII 3a MMUDD Regulation and to have this on each month's agenda. Henry Moses seconded this motion. No discussion held. All in favor. The motion carries.

A motion was made by Deane Rettig to add two items onto Other Business: #1 the setting of a Bond for Belmont Homes road construction Phase II. #2 Information about the Last Green Valley Grant. Al Sandholm seconded this motion. No discussion held. All in favor. The motion carries.

**V. Reading of Legal Notice:** Al Sandholm read the public hearing notice into the record.

**VI. Public Hearings:**

**VII. New Public Hearings:**

**1. SPR10-001 245 Providence Road LLC, Map 34, Lot 6, Renovation of existing building for proposed machine shop, feed and grain store and bulk storage.**

Paul Archer from Archer Surveying represents Earl Starks for application SPR10-001. The proposed is the former Brooklyn General Repair/BGR Radiator which sits on about 1.5 acres of land located in the Restricted Business Zone. There is sewer running on Route 6 but is not accessed as it is a force main and not accessible. The building will be set up into three phases. Area #1 is proposed to be the Brooklyn Farm and Pet Center. Area #2 is an upper floor and lower floor. On the bottom half of Area #2 is where the machine shop will be located. In the upper floor of Area #2 is where the office will be housed. The building characteristics will not be changed. The reason for the public hearing is for a special permit for the bulk storage area. The bulk storage will be mainly used for crushed stone and mulch. A 10 x 20 dumpster pad will be added. There will be a 12 x 50 loading area where a flat bed could be brought in to store hay.

Don asked if the loading area would be behind the building. Mr. Archer stated yes.

The square footage of the building is approximately 7,500 square feet. It has been broken down to four categories. #1 being a 2,600 square foot retail area where the farm and pet center will be located. The machine shop will be located in the lower area of level #2 consisting of approximately 1,100 square feet. Offices upstairs will be approximately 350 square feet. The remaining area will be approximately 3,400 square feet for storage and products. With regards to the parking scheme in the machine shop two people will be employed there. The office and retail areas will work simultaneously together with about 4 employees. There will roughly be 19 designated parking places; however, the scheme is showing 22 parking areas on the plan. Plenty more parking can fit if required. The hours of operation in the retail and office will be 7 days a week, Monday through Saturday 8 a.m.-6 p.m. and Sunday 9 a.m.-1 p.m. The machine shop will run from 8 a.m.-6 p.m. Monday through Friday, not open on Saturday or Sunday. There is an existing sign that will be used as well as the existing entry. The exterior will be changed in the future.

Deane Rettig asked if the office is acting as the manager of the facility and part of the farm and pet center. Mr. Archer stated yes. Mr. Rettig asked if the owner will be painting the exterior of the building. Owner Mr. Starks stated yes money will be put into the outside and fixing the place up once it starts getting warmer.

Mr. Archer stated the building is still currently owned by the Davis' and a closing is scheduled for tomorrow, February 4, 2010 at 3 p.m. where Mr. Starks will take ownership of the business.

Chairman Kelleher asked if there were any plans for landscaping to provide some buffer between the parking area and Route 6. Mr. Archer stated there is really no place to put a buffer. There is existing black top and to put actual buffer between the building and Route 6 would be difficult to do as it is in the State's right of way. Mr. Archer stated that there is shrubbery in the front of the building which the owner will maintain.

Deane Rettig asked if the farm and pet center is just for feed and the like or will there be live animals there. Mr. Starks will have a pet store with aquariums, parakeets, cockatiels, baby chicks and ducks.

Don Francis asked if there is any proposed outside storage area except for bulk storage area. Mr. Archer stated that is correct. At this time the only plan is bulk storage, crush stone and mulch. Mr. Francis would like no outside storage other than what is on the plan, if so than come before the commission with a proposed plan.

Dave Fuss asked Mr. Archer if the dumpster will be screened. Mr. Archer stated yes with a fence around it.

Barbara Repko asked if any upgrades are done to the building will the Commission approve these. Chairman Kelleher asked Ms. Repko what she meant by upgrades. Ms. Repko was concerned with the color of the building. Dave Fuss stated that we cannot control the paint color. Carlene replied that it is in the Restricted Business zone. Discussion held.

Chairman Kelleher asked if any members of the public would like to comment at this time. Ms. Lyn LaCharite, EDC Chairman stated the EDC Board unanimously voted to approve Mr. Archer's presentation. Ms. LaCharite is excited over the prospect of this empty building being filled up with a prosperous business and being a great addition to the Town.

Dave Fuss echoed the sentiments of the Economic Development Commission and stated that this is a perfect fit for the building.

Mr. Archer stated he sat with Tom Rukstela, Public Works Director and showed him the plan. Mr. Archer stated that Mr. Rukstela had no problem with the proposed plan.

A motion was made by Henry Moses to close the public hearing at 7:22 p.m. Al Sandholm seconded this motion. No discussion held. All in favor. Motion carries.

### **Public Hearing Section Closes**

## **Meeting Business Proceeds**

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

#### **1. SPR10-001 245 Providence Road LLC, Map 34, Lot 6, Renovation of existing building for proposed machine shop, feed and grain store and bulk storage.**

A motion was made by David Fuss to approve application SPR10-001 because it is a good fit and it meets the regulations and will add to Route 6. Al Sandholm seconded this motion. No discussion held. All in favor. The motion carries.

#### **2. SPR09-001 Wal-Mart Real Estate Business Trust, Revisions to Approved Elevations Pursuant to Section 3.4.8.5 and Condition 2 of the June 23, 2009 Approval. Continued from January 6, 2010.**

Al Sandholm recuses himself from the table at this time.

Attorney John Knuff from Milford, CT represents Application SPR09-001. Attorney Knuff reminded the Commission that this is a site plan application to respond to the condition of approval #2 of the June 23, 2009 Approval regarding the placement of precast concrete with cementitious clapboard. Architect Bob Eberts came up with a solution that was approved by the Town's Architect Michael Stein that met the commission's desire of a clapboard look, but also satisfied Wal-Mart's need for durability.

Attorney Knuff addressed the height issue. The Top of the arch is 37-feet; the question was whether this was taller or shorter than what was approved back in June. Attorney Knuff stated that in actuality it is 1 foot shorter. The approval was for an arch at 38 feet, this arch will be at 37 feet.

Bob Eberts of Cross River Architects presented to the Commission the sample of the precast concrete that forms a clapboard look.

Deane Rettig asked if the height is representative of what would be on the building. Mr. Eberts stated yes, it is 6 inches.

Mr. Eberts also presented a sample of Hardie Plank cement clapboard panel that will be used up higher on the building. It comes smooth or textured. The textured will be used. This clapboard is much more durable than cedar and will have to be painted every 8 to 10 years. This same product will be used with the battens to cover the joints.

Don Francis asked what size the panels are and Mr. Eberts answered they are in 8 foot widths.

Discussion was held with regards to the cement clapboard, the expansion joints, and the battens that cover the joints, the color of the caulking, the durability and aesthetics of the product.

Dave Fuss asked how much how many square feet of the precast are being replaced. Attorney Knuff stated it is the entire left side, the entire right side and portions of the front, at the base there is brick.

After a lengthy discussion Chairman Kelleher stated the choices are either no battens, battens at 8 foot, 16 foot or 24 foot intervals.

A motion was made by Henry Moses to accept the revisions as presented and that battens are used every 24 feet attached to one side to cover the expansion. Craig Dunlop seconded this motion.

Discussion on the motion. Selectman Tanner made a suggestion that the Town's architect be consulted on using the batten's every 24 feet.

Henry Moses revised the motion to include a consultation with the Town's Architect on the approval that battens are used every 24 feet. Craig Dunlop seconded the revised motion. Al Sandholm recused and left the table. All in favor. The motion carries.

Al Sandholm returns to the meeting at 7:50 p.m.

#### **IX. New Applications:**

- a. Subdivisions:** None.
- b. Site Plan Review:** None.
- c. Zone Regulation Change:** None
- d. Special Permit:** None.

#### **X. Regulation Drafts:**

##### **a. Conservation Subdivision – Zoning Section 15, Subdivision Section 5A.**

Chairman Kelleher stated that there was a concern that the Conservation Subdivision regulations appear both in the Zoning Regulations and the Subdivision Regulations. There are now two sections, Article 15 will be in the Zoning Regulations, Article 5a will be in the Subdivision Regulations.

The following corrections were made to Article 5A – Conservation Subdivision Regulations:

5A2.6 “there shall be no non-resident employees visiting or conducting business at the residence” to “there shall be no non-resident employees.”

15.2.6 “there shall be no non-resident employees visiting or conducting business at the residence” to “there shall be no non-resident employees.

5A.7.1 fifteen (5A%) to fifteen (15%).

5A.6.9 take out the “for example” in italics.

Chairman Kelleher stated that these regulations cannot yet be moved to a public hearing as the commission is awaiting the comments from the safety committee. ZEO Chuck Dobrowski will be meeting tomorrow with the two fire chiefs and Jeffrey Otto with regards to their recommendations which should be ready by the February 16, 2010 P and Z special meeting.

**b. Open Space (Section 8)**

Chairman Kelleher stated that there has been no change in content or intent. It was rearranged primarily to better match the Statute on which it is based.

The following changes were made to Open Space (Section 8)

8.4.1 “the example” will be placed back into the Conservation Subdivision Regulations.

8.6.1 “Restricts” to “restrictions.”

**c. Procedures (Section 4)**

Chairman Kelleher stated that Procedures (Section 4) will go with Conservation Subdivision.

**d. Parking**

The following changes were made to Parking

Deane Rettig asked that 3.6.1.2 and 3.6.1.3 have a space put between them and that 3.7.1 and 3.7.2 Driveway be listed under one another on the draft.

3.6.1.1 Retail uses including shopping centers to retail uses including shopping centers “and showrooms.”

**e. Section 4.4.2 Site Plan Approval**

There have been no changes made to this section.

**f. Change in VCD add Section 3.4.5.5.1**

The following changes were made to the VCD add section 3.4.5.5.1

The Zoning Enforcement Officer or designated agent to “The Zoning Enforcement Officer or the agent designated by the Commission.”

A motion was made by Henry Moses to schedule a public hearing for Regulations 8 Open Space, 3.6 On Site Parking Requirements, 4.4.2 Application for Site plan Approval, and Section 3.4.5.5.1 on March 3, 2010. Al Sandholm seconded this motion.

Discussion on the motion.

Henry Moses revised his motion to schedule the public hearing to March 16, 2010, 7:00 p.m. at the Clifford B. Green Meeting Center. Al Sandholm seconded this motion. No discussion held. All in favor. The motion carries.

**Scheduling of the next Special Meeting:** Commission agreed to schedule the next special meeting to Tuesday, February 16, 2010, 7 p.m. at the Clifford B. Green Memorial Center.

#### **Other Business:**

##### **1. Belmont Homes Setting Bond for Road Construction Phase II:**

Chuck Dobrowski, ZEO received two estimates from Rick O'Keefe; one for \$485,000 and another one for \$548,800. These were reviewed by Syl Pauley, NECCOG Regional Engineer and a letter received from Mr. Pauley suggests the Bond should be \$720,000. Mr. Pauley's position is that once the road construction is done it will come out to \$260 square foot. The low bid from Belmont Homes comes down to \$160 a square foot. Mr. Pauley feels the bond is a little bit low and is sticking with the \$720,000.

Rick O'Keefe stated his actual contract cost is \$485,000 exclusive of some costs i.e., engineering, as built plan, etc., which \$100,000 has been allowed in the budget. This will bring the cost up to \$585,000. Mr. O'Keefe stated that engineers tend to go to the high side in these situations versus actual. The subdivision has over head utilities. The quotes on catch basins are lower than Mr. Pauley's.

Don Francis asked what the cost per foot was of the existing road accepted by the Town. Mr. Okeefe stated it is in language with the numbers presented. Mr. Dobrowski stated Coit Excavation did the first road Salmon Drive which came out at \$549,000.

Discussion held.

A motion was made by Henry Moses to set the Bond for Belmont Homes road construction Phase II at \$600,000. David Fuss seconded this motion. No discussion held. All in favor. The motion carries.

Mr. O'Keefe handed out to the Commission members a Phase II subdivision plan proposing the phasing plan of a road construction.

Discussion held.

## **2. Last Green Valley Grant:**

Don Francis spoke on behalf of the Last Green Valley Grant. Each year grant applications open up for various kind of activities and they range from \$500 to \$25,000. Mr. Francis stated from the town's standpoint an application could be submitted to update the Village Center District regulations and at the same time get some recommendations how the district could be expanded and how far. The grant deadline is March 31, 2010. Discussion held. Don Francis, Deane Rettig, David Fuss and Al Sandholm agreed to work on the grant.

## **XII. Public Commentary:**

Lisa Arends commented on New England Grass Roots and Environmental Funds offer grants which are small grants. The Woodstock Conservation Commission applied for a grant through the Grass Roots funds to study vernal pools. There was another town in Connecticut who did something with bike paths. The maximum is \$2,500 to 3,000 but can provide some leveraging resources. The deadline is coming up on February 15, 2010.

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

**1. Zoning Enforcement Officer's Report:** Mr. Dobrowski outlined the ZEO Report for January 2010, i.e. zoning permits that were issued over the month and other activities.

At the last meeting at request of Tom Doherty, Mr. Dobrowski reviewed the special permits that were issued with conditions. The only one that was not completed was Belmont Homes which was addressed this evening. All other applications with conditions have been met.

Mr. Doherty brought to the attention of the commission a couple of other violations, i.e., the junk yard/auto repair business adjacent to the gym. Mr. Dobrowski stated that a letter has been issued to the owner. Mr. Doherty would like Mr. Dobrowski to include this in his monthly report. Mr. Doherty also brought attention to Mr. Dobrowski about at junk yard at Brooklyn Oil. Mr. Dobrowski stated he is presently working on this.

Mr. Moses asked if letters have been sent out to these property owners and if there is a time limitation on the letters. Mr. Dobrowski stated he is not sure if a time limitation was placed on the letters sent. Mr. Doherty again asked that this be included in Mr. Dobrowski's report next month.

Mr. Moses asked if the ice cream stand has been removed yet. Chuck stated yes it has been removed and unfortunately fell apart upon removal.

Al Sandholm stated that he prepares the Zoning Officer's Report each meeting for Mr. Dobrowski and would request that he gets copies of all letters to support the ZEO's report.

**2. Plan of Conservation and Development:** Tom Doherty stated that there are a couple of reports missing. Everything should be wrapped up before June.



**3. Gravel:** Tom Doherty stated that things are going smoothly. They are working on getting this done and will be meeting next month to put it in the new regulations and to make it more comprehensive and make the fee official.

**3a. MMUDD:** Henry Moses stated that they are in the middle of a few last changes. They have gone to Attorney Peter Alter for review. A subcommittee meeting will be set to finalize the changes and then be presented to the P and Z Commission in March to set a public hearing.

**4. Route 6 Guidelines:** Chairman Kelleher asked commission members to review the Route 6 Guidelines so questions and changes may be addressed. Ms. Kelleher stated although it does not require a public hearing, it would be a good thing to get the public involved and set a public hearing to adopt the Route 6 Guidelines. The next scheduled subcommittee meeting will be February 11, 2010. Discussion held.

A motion was made by Henry Moses to schedule a public hearing for the Route 6 Corridor Design Guidelines to March 16, 2010, 7:00 p.m. at the Clifford B. Green Meeting Center. Deane Rettig seconded the motion. No discussion held. All in favor. Motion carries.

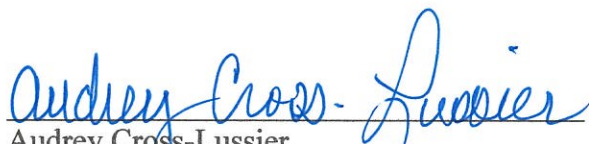
**5. Budget:** Chairman Kelleher stated a letter has been received from Selectman Tanner concerning this year's budget asking where line items in the P and Z budget may be cut 10-15%.

Selectman Tanner stated he would like the commission to have input on their budget. Depending on what monies the State is giving, the Board of Selectmen will be looking for places to cut.

Discussion held on Budget matters. Al Sandholm would like a more detailed breakdown of the budget. Selectman Tanner will work with Sherri Soucy to provide a detailed breakdown.

Chairman Kelleher asked to move the Budget along with Planning Priorities as items on the next special meeting agenda which will be held on February 16, 2010.

**Adjourn:** A motion was made by David Fuss to adjourn the meeting at 9:27 p.m. Henry Moses seconded this motion. No discussion held. All in favor. The motion carries.

  
Audrey Cross-Lussier  
Recording Secretary