

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Regular Meeting
Wednesday, August 7, 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, Carlene Kelleher, J. D’Agostino, Earl Starks, Austin Tanner. Alan Fitzgerald was absent with notice.

Richard Ives, First Selectman and ex Officio Member was also present (left at approximately 7:35 p.m.).

- III. Seating of Alternates** – None.

- IV. Adoption of Minutes:** Regular Meeting July 2, 2019

Motion was made by C. Kelleher to approve the Minutes of the Regular Meeting of July 2, 2019. Second by J. D’Agostino. There was discussion regarding a suggested change to the wording of the first sentence of the second paragraph on page 2. There was agreement that no change was needed. Motion carried unanimously (5-0-0).

Regular Meeting July 16, 2019

Motion was made by C. Kelleher to approve the Minutes of the Regular Meeting of July 16, 2019. Second by A. Tanner. There was discussion.

Correction Noted:

- J. D’Agostino had arrived late, but it was not noted in the Minutes. Roll Call should note that he arrived late.

Motion carried (4-0-1). M. Sigfridson abstained as she had not attended that meeting.

- V. Public Commentary**

Brenda Bernier, Darby Road, asked whether semi-trucks are allowed to park on streets and driveways in residential areas. There is an issue on her road with truck noise early in the morning. She stated that she was speaking on behalf of an elderly neighbor as well.

Ms. Roberson explained that they are explicitly prohibited in residential zones in the Draft Zoning Regulations (agricultural vehicles are excluded). Mr. Ives explained that the truck was not allowed to stay on the road due to safety issues and he questioned whether it would be allowed to park in the driveway. Ms. Kelleher stated that this had been addressed in the Draft and that it would not be allowed. Ms. Roberson read from the Draft Regulations RA and R-30 Zones which state that it would not be allowed. Discussion continued. Ms. Roberson will research to see if more clarifying language needs to be added regarding the tractor/cab itself vs. the trailer and also what on-street parking jurisdiction the Town may have.

VI. Unfinished Business:

a. Reading of Legal Notice: None.

b. Continued Public Hearings:

1. ZRC 19-001 – Draft Town of Brooklyn Zoning Regulations Text Change

Ms. Roberson offered that she could display Glenn Chalder's PowerPoint presentation, but there was no interest expressed. Ms. Roberson commented that she had reached out to several media sources and mentioned that there had been an article in the Hartford Courant (Community Edition) and that it is on the Town's website (Home Page). Copies are also available for review in the Town Clerk's Office and in the Land Use Office.

There was discussion regarding the question of a 15-percent maximum grade on driveways/roads as had been requested by Paul Archer. Both, the former and the current, ZEO's are not in favor of this for either roads or driveways. They feel that 12 percent is a better maximum. Ms. Roberson researched and received feedback from towns who allow the 15 percent and also from towns who allow 12 percent or less. She consulted with an engineer (who does a lot of work for municipalities) and he did not think 15 percent is a good idea, but he conceded that for short sections (up to 50 feet), up to 15 percent may be acceptable if it were to avoid what would otherwise be excessive grading. Ms. Roberson stated that she consulted with the ZEO who did not seem to agree with it. Ms. Roberson explained that it is a way to give some flexibility to a Regulation, which she feels is a good idea. She noted that short sections of 15-percent grade are better than long sections. She suggested that the PZC revisit the 15-percent driveway grade.

Bruce Woodis, KWP Associates, recommends allowing a grade greater than 12 percent in short sections as long as the overall driveway grade is less than 12 percent (trying to avoid too many switchbacks). He explained that not allowing a little extra grade (in a short section) in some instances can create a potentially dangerous situation.

Discussion continued. A. Tanner, C. Kelleher, M. Sigfridson and Mr. Ives expressed agreement with up to a 15-percent grade for short distances of a long driveway with an overall grade of less than 12 percent. Ms. Roberson will draft language for review by the PZC at the next meeting.

Joe Voccio, 60 Fairway Drive, expressed concern that the PZC consider provisions for inclusionary zoning in the re-write of the Zoning Regulations. He feels that every community should have a balance of various housing styles, types and affordable levels as this balance brings value to a community. He stressed the importance that ten percent of the Town's housing stock be designated and retained as affordable housing to avoid overly dense, poorly designed development. He suggests an inclusionary zoning provision that allows for density bonuses to allow more housing to be built when there is an affordable component (to be fair to the builders who provide it). He explained that

inclusionary zoning would allow the PZC to “turn the tap on or off” regarding when to allow density bonuses.

Discussion included the following:

- Incentive housing zone
- Explanation of 8-30g Statute
- The PZC had tried to address this issue, but a lot of time had been spent and no solution was decided upon. So, in order to not hold up the re-write of the Zoning Regulations, it had been decided that the Commission would revisit the issue of affordable housing after the adoption of the new Zoning Regulations. The re-write was not intended to include new/big changes, but rather changes that would make the Regulations more organized and user friendly. Because this would be a big change, the PZC would like to seek as much public input as possible. Mr. Ives suggested that a subcommittee be formed to start the process, noting that the re-write has been in the works for five years. Ms. Kelleher agrees with the idea of a subcommittee. Mr. D’Agostino suggests a sub-committee with POCD. Mr. Tanner suggests workshops rather than a subcommittee.
- There was a suggestion to try to offer moderate-priced housing to attract people to Town. It was suggested that experts be brought in to help address the issues of moderate-priced and affordable housing.
- Ms. Roberson spoke of some of the research she has done with regard to what is done in communities in other areas of the country. She agrees that there is an unmet need in this Town for more options. She suggested that a simple, ten-percent inclusionary zoning with a density bonus be included in the Draft of the Zoning Regulations, and try it out.
- Discussion continued and taking away 2-acre zoning was mentioned. Ms. Sigfridson commented that, in the current POCD, maintaining the rural character is of great importance to many people in Town. She said that the PZC needs to identify the areas where development would be appropriate.
- It was decided that Ms. Roberson will draft language for a simple, ten-percent inclusionary zoning with a density bonus using Bethel as a model (for review by the Commission).
There was discussion regarding how the density bonus in this provision would mesh with the Conservation Subdivision Regulations.

There was discussion regarding a suggestion, by J. D’Agostino, to remove Section 6.P.3 – Earth Materials Processing. Ms. Kelleher suggested that it be restricted to material mined on site. Mr. D’Agostino agrees. Mr. Tanner agrees, but he feels that gravel may need to be mixed with something else to sell it, so some importation may be needed for the business to be viable (50 percent not needed). Bruce Woodis agreed with Mr. Tanner. Mr. D’Agostino disagreed because he feels that there is no way to control it, monitor it, or manage it. Ms. Kelleher is concerned about the affect of the people in the residential zone and also the value of their properties. However, Ms. Kelleher stated that if there is a

legitimate need to mix other material, it would be nice to find a way to allow that. Mr. Ives commented that they had been given the opportunity to make that claim on several occasions and no one responded that it was an issue. He said that maybe the question should be asked again. Ms. Sigfridson suggested that the language be tweaked to make it clear that allowing a certain percentage of importation is at the discretion of the PZC and only if it is not going to be a nuisance to the neighborhood. Discussion continued and it was decided that Ms. Roberson would draft language that the Applicant would have to demonstrate that importation is necessary to the business (no ratios to be included).

There were no further comments.

Motion was made by J. D'Agostino to table ZRC 19-001 - Draft Town of Brooklyn Zoning Regulations – Text Change and ZC 19-001 – Draft Town of Brooklyn Zoning Map – Map Change to the next regular meeting of the Brooklyn Planning and Zoning Commission on Tuesday, August 20, 2019, at 6:30 p.m. at the Clifford B. Green Memorial Building located at 69 South Main Street, Brooklyn, CT. Ms. Kelleher stated that she would not be able to attend. There was no second to the motion and no vote had been taken.

C. Kelleher stated that she will not be able to attend the meeting on August 20th.

2. ZC 19-001 – Draft Town of Brooklyn Zoning Map-Map Change

There was no discussion regarding the Draft of the Zoning Map. Tabled to August 20, 2019, at 6:30 p.m. at the Clifford B. Green Memorial Building located at 69 South Main Street, Brooklyn, CT.

c. **New Public Hearings:** None.

d. **Other Unfinished Business:** None.

VII. New Business:

a. Applications:

1. **SPR 19-005 Site Plan Review** – Gary Smith, 81 Hartford Road, Roof-mounted solar panels in Village Center District.

The Applicant was not present.

Motion was made by C. Kelleher to table **SPR 19-005 Site Plan Review** – Gary Smith, 81 Hartford Road, Roof-mounted solar panels in Village Center District to the next regular meeting of the Brooklyn Planning and Zoning Commission on Tuesday, August 20, 2019, at 6:30 p.m. at the Clifford B. Green Memorial Building located at 69 South Main Street, Brooklyn, CT. Second by A. Tanner. Motion carried unanimously (5-0-0).

Motion was made by A. Tanner to add “Request for Waiver of Special Permit under Sec. 3.4.8.8 of the Brooklyn Zoning Regulations for Proposed Garage in the sideyard setback at 48 Allen Hill Road” to the Agenda as Item VII.a.2 and add “Request for Waiver of sideyard setback under Sec. 3.2 of the Brooklyn Zoning Regulations for Proposed Garage at 48 Allen Hill Road” to the Agenda as Item VII.a.3. Second by E. Starks. Motion carried unanimously (5-0-0).

2. Request for Waiver of Special Permit under Sec. 3.4.8.8 of the Brooklyn Zoning Regulations for Proposed Garage in the sideyard setback at 48 Allen Hill Road

Bruce Woodis, KWP Associates, represented the Applicants, Kyle Hunton and Mark Hunton, who were seated in the audience. Mr. Woodis provided full-size plans, GIS photos, and a ground-level photo for viewing by Commission Members. Mr. Woodis gave an overview:

- In PC Zone
 - Fire Truck/ Emergency Vehicle access located on the westerly side of the home (photo provided)
- J. Roberson commented that the whole neighborhood (well-established, pre-dates Zoning) is residential in a PC Zone.

3. Request for Waiver of sideyard setback under Sec. 3.2 of the Brooklyn Zoning Regulations for Proposed Garage at 48 Allen Hill Road

Mr. Woodis read from the Regulations regarding the waiver of sideyard setbacks. Steven C. Carroll, abutting property owner, signed in approval of the proposed addition and its location (copies included in packets to Commission Members).

The sideyard would be 6.9 feet at its closest point and 8.8 feet at the other corner (the Regulations require 20 feet).

Mr. Woodis and Ms. Roberson noted on the map displayed that other residences and garages go very close to the property lines. They indicated the location of the house and proposed garage and where vehicles/trailer are being parked. Mr. Woodis commented that this would likely enhance how it appears to the neighbors.

It was discovered that the required number of Members needed to vote (3/4 of authorized members to vote) were not present. There was discussion as to whether this could be put on the agenda for the regular meeting of September 4, 2019, since Ms. Kelleher will not be present at the August 20th meeting, Ms. Roberson explained that the procedure needs to be followed.

M. Sigfridson expressed that she doesn't feel that it would require a special permit. E. Starks expressed that he doesn't see a problem with the sideyard issue.

b. Other New Business: None.

VIII. Reports of Officers and Committees:

1. Budget. (Included in packets to Commission Members.)
There was discussion as to whether litigation comes out of the PZC budget..
2. ZEO's Report. (Included in packets to Commission Members.)
There was discussion regarding the following:
 - A revoked permit (River Farm Drive). It needs to be determined as to whether the property can be built upon under Zoning. The property owner is working with an attorney.
 - Kerouac ZBA Application (no decision from ZBA yet).
3. Correspondence.
 - Articles regarding the Draft Zoning Regulations were included in packets to Commission Members.
 - There was discussion regarding an article about the growth in Brooklyn (86 more units since the 2010 Census). Ms. Roberson will check the accuracy..
4. Chairman's Report.
Ms. Sigfridson commented that a petition had been received from Linda Trahan regarding the Jolly Application. It has been referred to the Town Attorney.

There was discussion about the vote regarding the Application for roof-mounted solar panels at 52 Wolf Den Road. Ms. Roberson stated the motion failed.

There was discussion regarding a building near the Town Hall that has solar panels. Ms. Fraenkel (former ZEO) had determined that it was minor because it was on an accessory building.

IX. Public Commentary – None.

X. Adjourn

M. Sigfridson adjourned the meeting at 9:03 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary