

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
Regular Meeting  
Wednesday, August 20, 2019  
Clifford B. Green Meeting Center  
69 South Main Street  
6:30 p.m.**

**MINUTES**

- I. Call to Order** – Michelle Sigfridson, Chair, called the meeting to order at 6:39 p.m.
- II. Roll Call** – Michelle Sigfridson, Earl Starks, Alan Fitzgerald, Austin Tanner. Carlene Kelleher was absent with notice.  
Rick Ives, First Selectman and ex Officio Member was also present (left at 7:45 p.m.).

Staff Present: Jana Roberson, Director of Community Development.

- III. Seating of Alternates** – None.

- IV. Adoption of Minutes:** Regular Meeting August 7, 2019

Motion was made by J. D'Agostino to approve the Minutes of the Regular Meeting of August 7, 2019. Second by E. Starks. No discussion. Motion carried unanimously (5-0-0).

- V. Public Commentary**

Mark Olivo, Pomfret Road, commented that he is hoping to have his application (house/farm store) ready to submit for the next meeting. He has submitted to IWWC.

- 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

- The Commission discussed, with Mr. Ives and Joe Voccio (who was seated in the audience), the following new language proposed for Section 6.E.3 Multi-Family Development - Standards and Criteria:

5. Density Bonus: Additional dwelling units on a parcel of land shall be permitted, provided that twenty percent (20%) of the total dwelling units on the parcel of land are subjected to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty percent or less of income, where such income is less than or equal to eighty percent of the median income, as defined by CGS Section 8-30g (a) (7). The number of additional dwelling units that shall be permitted on a parcel of land shall not exceed one-half of the number of dwelling units calculated under Sec. 6.E.3.3 above.

J. Roberson explained that a density bonus is a way of offering an incentive to developers in a manner that would make it profitable to build affordable housing. The proposed language was taken from the Town of Bethel, CT, Zoning Regulations (minimum lot size is five acres and density depends on the zone – one is 10,000 s.f. and another is 5,000 s.f. – very little difference from Brooklyn) where it is called Designed Conservation District (which applies to multi-family developments). Mr. Voccio distributed (and explained) copies of a sheet showing a graph with income limits for various housing/rental units for the Windham County area. Mr. Voccio explained and suggests emphasizing the

incentive on the “for sale” side vs. rental because rental does not provide as much incentive. Ms. Roberson explained that Zoning is not able to distinguish between rental properties and ownership properties and she read the definition of multi-family from the Zoning Regulations.

Different percentages were considered for the total number of units and the number of bonus units, as well as possibly changing (decreasing) the minimum square footage requirement for the lot size and also for residential development other than multi-family. There was discussion regarding the information provided by Mr. Voccio. According to the State, Brooklyn’s market rate is considered affordable (e.g. mortgage of approximately \$225,000 with payments of approximately \$1,500 per month). Mr. Ives urged the Commission to consider language to apply a density bonus to other residential units as well. Mr. Voccio feels that a density bonus may not be needed for rentals unless infrastructure is involved and he spoke about the valve that can be opened and closed regarding using the density bonus to get back up to the ten-percent designated affordable housing. Ms. Roberson commented that there are two separate goals (for which there are probably different solutions): the ten-percent designated affordable housing; and truly meeting the needs of the Community. Mr. Voccio stated that his first goal is to get to the ten-percent designated affordable housing (as a defensive measure) and then after the Town is above the ten percent, if a good proposal is presented that will meet the needs of the Community, the affordability requirement could be lowered to provide some density bonus. He encourages this flexibility. Ms. Roberson explained that the flexibility would come in the form of changing the Zoning Regulations. Discussion continued.

M. Sigfridson commented that the language could meet both goals and Mr. Ives agreed. Mr. Voccio stated that it would meet both goals for rentals, but homeownership is where the density bonus would come in to play. Lowering the median income to seventy percent was suggested.

Ms. Roberson offered another option: mandatory inclusionary - twenty percent of the units are deed restricted with no density bonus, everytime there is a multi-family development.

There was discussion regarding Brooklyn vs. Bethel and there is very little difference. Ms. Roberson spoke of the development which is small condos. Ms. Sigfridson spoke of her concern regarding where this type of development would be located in Town and also how this would fit with the POCD and the importance of maintaining the rural character, scenic nature, and agricultural heritage of the Town of Brooklyn. She commented that the Town of Woodstock does it well. Ms. Roberson will research if Bethel offers the density bonus only for multi-family or if they offer it for other residential development as well. Discussion continued regarding reducing the median income to seventy percent.

Motion was made by A. Tanner to add the following language to the Draft of the Brooklyn Zoning Regulations, as Item #5 under Section 6.E.3 Standards and Criteria:

Density Bonus: Additional dwelling units on a parcel of land shall be permitted, provided that twenty percent (20%) of the total dwelling units on the parcel of land are subjected to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty percent or less of income, where such income is less than or equal to eighty percent (80%) of the median income, as defined by CGS Section 8-30g (a) (7). The number of additional dwelling units that shall be permitted on a parcel of land shall not exceed forty percent (40%) of the number of dwelling units calculated under Sec. 6.E.3.3 above.

Second by A. Fitzgerald.

Discussion:

M. Sigfridson suggested reducing the eighty percent median income to seventy percent for multi-family development. She feels this will help increase the affordable housing stock to get back on the exempt list and, at the same time, to try to provide some lower-cost units to provide for a need for lower-income residents.

There was discussion regarding raising the forty percent density bonus back up to fifty percent and lowering the median income to sixty percent. There was discussion regarding rentals and market rates.

A. Tanner withdrew his motion and A. Fitzgerald withdrew his second to the motion.

Motion was made by A. Tanner to add the following language to the Draft of the Brooklyn Zoning Regulations, as Item #5 under Section 6.E.3 Standards and Criteria:

Density Bonus: Additional dwelling units on a parcel of land shall be permitted, provided that twenty percent (20%) of the total dwelling units on the parcel of land are subjected to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty percent or less of income, where such income is less than or equal to sixty percent (60%) of the median income, as defined by CGS Section 8-30g (a) (7). The number of additional dwelling units that shall be permitted on a parcel of land shall not exceed forty percent (40%) of the number of dwelling units calculated under Sec. 6.E.3.3 above.

Second by A. Fitzgerald. Motion carried unanimously (5-0-0).

The Commission will discuss this subject further regarding possible language for other residential properties at the next meeting.

- The Commission discussed tractor trailer parking (on Darby Road) as was brought up during Public Commentary at the August 7, 2019 meeting (clarify language tractor/cab vs. trailer). Ms. Roberson suggested adding clarifying language to the definition of Commercial Vehicle.

Mr. Ives left at 7:45 p.m.

Language for all Residential Zones: Section 3.A.3.2.2 (R-10) and Section 3.B.3.2.2 (R-30) to read as follows:

“Parking of one commercial vehicle used by the occupants of the premises or their guests. (Semi-trailers and tractor trailers or their components are not permitted.)”

Mr. D’Agostino asked that the Minutes reflect that the cab is not permitted in the street, in the driveway or anywhere in the yard in the Residential Zones.

There was discussion because Mr. Tanner feels that there needs to be criteria in the RA Zone to allow it in certain areas if it will not cause a nuisance (e.g. inside a structure or out of view or noise won’t be a problem). There was discussion regarding renting a parking space in a truck yard, however, there aren’t any such places in the Town of Brooklyn. Ms. Roberson read from the Regulations for the RA Zone regarding accessory to a house. Mr. Tanner stated that he understands the reason, but he is not sure that it fits everywhere. Ms. Roberson gave her opinion that she does not feel that they are not compatible with residential areas. M. Sigfridson commented that a distance buffer probably would make the most sense or by special permit. Ms. Roberson cautioned against language “in a building.” Ms. Roberson suggested adopting it and then tweaking it later.

There was discussion regarding the VCD where there is no allowance for commercial vehicles and it does not address home businesses (owner/operator).

- There was discussion regarding allowing importation of material – Section 6.O.5.6 – Excavating Operations – Mr. D’Agostino feels the language is unclear and that it allows material to be brought into the site allowing someone to simultaneously ask for a sand and gravel permit and also ask for a processing permit or when there is no more stone to be mined.  
Ms. Roberson read from Section 6.P.2.3 Earth Materials Processing/Applicability. Discussion continued and Mr. D’Agostino read from the Minutes of the meeting of August 7, 2019, page 3, last paragraph and continuing to page 4. Ms. Roberson will listen to the audio recording and will draft language for the Commission to review.
- There was discussion regarding maximum driveway grade.  
Ms. Roberson suggested changing the maximum driveway grade back to twelve percent (12%) Section 7.E.1.9. No change to the rest of the sentence. She explained that, if there is a situation where fifteen percent is justified, this regulation allows for that flexibility. There was no opposition stated to this change.
- There was discussion regarding solar panels.  
E. Starks would like consistency as he finds it a difficult task to decide who would be approved to install solar panels and who would not be approved to install them, whether permit vs. design review and whether Commission vs. Staff. Mr. Starks is also concerned about the boxes that they have to connect to. A. Fitzgerald stated that there are alternatives that are not so intrusive to the eye (more costly).  
The Commission will review the chart that had been used when the Commission was reviewing solar panels (list of permitted used by zone).
- Ms. Roberson mentioned that the Zoning Enforcement Officer had asked for a table of dimensional standards, however, she has not had time to create it. She suggested that it could be made an appendix.

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

There was no discussion regarding the Draft of the Zoning Map.

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 Wednesday, September 4, 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).

- 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.

There was no representation. Ms. Roberson stated that she had spoken with both Gary Smith and Posigen and she said that someone was supposed to attend. She suggested that the Application be tabled to the next meeting of the PZC.

Motion was made by A. Tanner 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 Wednesday, September 4, 2019, at 6:30 p.m. at the Clifford B. Green Memorial Building located at 69 South Main Street, Brooklyn, CT. Second by E. Starks. Motion carried unanimously (5-0-0).

**b. Other New Business:**

1. 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.
2. Request for Waiver of sideyard setback under Sec. 3.2 of the Brooklyn Zoning Regulations for Proposed Garage at 48 Allen Hill Road.

Ms. Roberson explained that the above two items are placeholders for the next meeting of the PZC and that there is no need to table them as there is not an actual application. Ms. Sigfridson explained that there are not enough Commission Members present to act on these items due to the nature of the requests.

**VIII. Reports of Officers and Committees:**

1. Budget (included in packets to Commission Members) – No discussion.
2. ZEO's Report (included in packets to Commission Members).  
Ms. Roberson explained that the ZEO will submit her report monthly.
3. Correspondence:  
Quarterly Newsletter of the Connecticut Federation of Planning and Zoning Agencies – Ms. Roberson discussed an article in the Newsletter entitled, "Lack of Expert Opinion on Traffic Amounts to Speculation."
4. Chairman's Report – None.

A.Tanner suggested that a Committee be formed to review the By-Laws to possibly make changes. He would be willing to be on the Committee. Ms. Roberson will research (text search) whether it would be a change to Ordinance, By-Laws, or Regulations.

**IX. Public Commentary**

**A.J. Kerouac:**

- He commented that the current and past PZC's have put in too much time to reset to one. He said that there was reference made on the radio to a specific development that the Commission should take another look at (regarding residences going into the PC Zone). He feels that this would be a big change to the Re-Write of the Zoning Regulations.

- Technology regarding truck counting (expert – there are professional photographers in the area that could do it) and solar panels that look like shingles or clear solar panels (design).

There was discussion regarding solar panels.

**X. Adjourn**

M. Sigfridson adjourned the meeting at 8:57 p.m.

Respectfully submitted,

J.S. Perreault  
Recording Secretary