

Planning & Zoning Commission  
Special Meeting Minutes  
Monday June 3, 2013 at 7pm  
Clifford B. Green Meeting Center  
69 South Main Street

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In Attendance: Carlene Kelleher, Michelle Sigfridson, Deane Rettig, Jana Roberson, AICP (Land Use Administrator), Craig Dunlop, Aaron Kerouack, Derek Wesolowski, David Fuss, Don Francis  
Also in Attendance: Members of the public

- I. **Call to Order:** Carlene Kelleher called the meeting to order at 7:02pm
- II. **Roll Call:** Roll call shows nine members present
- III. **Seating of Alternates:** none
- IV. **Adoption of Minutes:**

1. Regular Meeting Minutes May 1, 2013

Deane Rettig made a motion to accept the minutes from May 1, 2013 as presented. Don Francis seconds this motion. Discussion: Carlene Kelleher would like to see the following changes reflected:

- Page 3, Item VII.b.2. Zoning Regulation of Article 16 - The sentence reads P&Z would delegate the responsibility for the enforcement of the regulations to the ZEO under the direction of the First Selectman rather than under the direction of the P&Z commission as is currently regulated under regulation statues. Carlene Kelleher advised that this sentence is backwards.
- Page 3, Item VIII.4 Reports of Officers Regulations Subcommittee - Discussion of Gravel Bank Regulations, this is not going to be done by the Regulation Subcommittee, this will be done by the full Planning and Zoning Commission.
- Page 3, Item VIII.7 Chairman's Report - John Filchak interviewed the chairman of various boards and commission to report to the Board of Selectman, not for the purpose of changing the number on the commission as the minutes state.

David Fuss made a motion to amend the minutes as discussed. Deane Rettig seconds this motion. All in favor. Motion passed.

2. Special Meeting Minutes May 21, 2013

Deane Rettig made a motion to accept the minutes from May 21, 2013 as presented. Craig Dunlop seconds this motion. Discussion:

- Page 3, Item VI.1 - Deane Rettig mentioned that the last page should read David Fuss made a motion to approve the application SP13-004 Kenneth Loisel, not accept the application, as the minutes state.
- Page 3, Item VI.1 - Carlene Kelleher would like the minutes to reflect that David Fuss asked about the progress of the sidewalks at the WalMart project, not the site walks as the minutes state.
- Page 2, Item V.d.2 - Carlene Kelleher says the second sentence should read that some of the riprap will be removed and supplemented with planters. The minutes make it sound like none of the rip rap will be removed.

Deane Rettig made a motion to accept the minutes as amended. Craig Dunlop seconds this motion. All in favor. Deane Rettig abstains (absent). Motion passed.

**V. Public Commentary: none**

**VI. Unfinished Business:**

- a. **Reading of Legal Notice:** none
- b. **Continued Public Hearings:** none
- c. **New Public Hearings:** none

**d. Other Unfinished Business:**

1. SD13-001 Carol Bard, Hyde Road, Map 25, Lot 45A, VCD Zone, 2-lot Subdivision.

Normand Thibeault, P.E. of Killingly Engineer Assoc. representing Carol Bard addressed the Commission regarding a lot line adjustment to the existing house on the property. He explained the layout of the property. Two new lots with a shared driveway will be created from this subdivision. It has been approved by Inland and Wetlands Committee. He also showed the proposed conservation set-aside for this property. The subdivision has been approved by the Health Department. Syl Pauley, P.E. for NECCOG has also viewed the property. Issues being addressed were Open Space, Conservation Easement, or possibly fee in lieu. Jana Roberson asked if the Conservation Commission has gotten a chance to review this. Carlene Kelleher questioned how capable is the land of being developed in the conservation set-aside. She would also like to know what the fee in lieu of open space would be. Jana Roberson reviewed the plans before the meeting and had some additional questions regarding archeology and habitat value. She asked questions about the three (3) wetlands systems and what body of water they are connected to. Aaron Kerouack asked if existing driveway connects to rear driveway. Norm Thibeault stated there were boulders in place blocking usage of that driveway. This topic was referred to the Conservation Committee.

2. Douglas and Marybeth Leonard 117 Pomfret Road, Map 25, Lot 29, VCD Zone-Sign Permit-The Barn at Gray Mare Hill.

Marybeth Leonard addressed the Commission stating it would cost \$500 and then \$40 monthly to have the sign on state property. She decided to place the sign on her land. Jana Roberson confirmed that the placement of the sign in regards to height, area and location are in compliance with town zoning regulations.

Deane Rettig made a motion to approve the sign permit application. David Fuss seconds this motion. All in favor. Motion passed.

**VII. New Business:**

**a. Applications:**

1. SD13-002 Rene Barbeau, 263 Allen Hill Road, Map 33, Lot 35-4, RA Zone, 1 Lot Resubdivision.

Deane Rettig made a motion to accept application and schedule for public hearing to be held on July 3, 2013. David Fuss seconds this motion. All in favor. Motion passed.

2. **ZRC13-001 Zoning Text Revision to Article 18 Administration and Enforcement.**

The proposal is to change the regulations back to the way it was with respect to enforcement of zoning regulations. The enforcement will be under P&Z rather than the first selectmen and the penalty will refer back to the town ordinance. Deane Rettig referred to the section regarding penalties (section 18.2) stating he does not think that this should be removed. His explanation was that if an application is presented to the Commission with a site plan and then the applicant deviates from this plan, there is no recourse in assessing a fine. Carlene Kelleher stated the proper way to handle this is to amend the ordinance. Discussion as to the best way to handle this situation.

Deane Rettig made a motion to bring the Text Amendment ZRC13-001 Zoning Text Revision to Article 18 Administration and Enforcement to a Public Hearing to be set for August 7, 2013. Craig Dunlop seconds this motion. All in favor. Motion passed.

**b. Other New Business:**

1. **SP13-002 The Learning Clinic, 464 Pomfret Road, Map 27, Lot 7, RA Zone, Construct an 18x24 Art Studio-Requesting Amendment of Condition of Approval.**

Don Francis recused himself from this discussion. The following concerns with conditions were discussed. Steve Goulter, Facilities Director of The Learning Clinic, addressed the Commission regarding the notice of decision letter from Planning & Zoning on May 9, 2013 stating the lights will go off at 10pm and the south driveway does not become a second or main entrance. He is asking to amend the condition that he agreed upon. The minutes state second or main entrance which is what he agreed to. Carlene Kelleher asked Jana Roberson to contact Attorney Fitzgerald and have both parties be in agreement of condition before there are any amendments. This topic will be tabled until the meeting next month.

2. **Size of Planning and Zoning Commission.**

Jana Roberson read statute 8-1 which states there shall be no more than 9 members and no less than 5 members. Don Francis asked Jana Roberson if she could see if there have been any amendments to that statute, he tends to think it has been amended. The final decision of the Commission was to have eight (8) members and two (2) alternates, with eight (8) four year terms. Carlene Kelleher will send a letter to the First Selectman.

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

1. **Zoning Enforcement Officer's Report May 2013**

Jana Roberson will be working on creating a more detailed report to include such things as Enforcement Action and Zoning Permits. Jana Roberson informed the Commission Members that there will be new occupants in the old Day Drug building and Tailored Kitchens building which is behind No.1 Kitchen Restaurant. Jana Roberson also suggested the dumpsters behind Classic Pizza get fenced in. She went on to inform the Commission that the Day Drug occupant

who will be a package store is looking to put a shipping container on the lot for Recycling Center, but was informed that this is not in compliance with set-back regulations and will have to be removed.

**2. Wal Mart Update**

Ms. Roberson walked the property and reported that the retention basins and plantings in the rear are fully installed. She will ensure the plantings count is accurate according to the plans. Discussion ensued regarding the stone wall. The wall looks to be made out of cut rock which is not the look that was agreed upon. Jana Roberson will ask if this change can be made so the walls match the other walls that are in Brooklyn. Deane Rettig stated there is a partial wall built on one side of the entrance now and suggested that they complete the other walls with the stone that was on the property. Jana Roberson asked about the wall sample and verified with Commission Members that the facade material should be made of a material with a "clapboard look."

- 3. Regulations Subcommittee- Has not met.
- 4. Route 169 Recommendations Follow-up subcommittee.- Has not met
- 5. Budget- A copy of the budget is in the packet for review by the Commission Members.
- 6. Chairman's Report

Carlene Kelleher asked Jana Roberson about the corner lot issue. Jana Roberson stated the issue has been fixed by the property owners. They will put in a smaller above ground pool closer to the house and Ms. Roberson has approved their permit. The Commission would still like to pursue changes to the regulations concerning corner lots.

Jana Roberson also advised the Commission Members that she will check the town files plans regarding Brooklyn Farm & Feed and conduct a site visit. She will prepare a list of compliance issues and report back to P&Z.

**IX. Public Commentary: None.**

Next special meeting will be on July 16, 2013-place to be determined.

- X. Adjourn:** Deane Rettig made a motion to adjourn. David Fuss seconds that motion. All in favor. Meeting adjourns at 9:42pm

Respectfully Submitted,

Lisa Scribner  
Recording Secretary

**BROOKLYN PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING OF**

**ROLL CALL VOTES:** June 03, 2013

Board Members:	Attendance	1	2	3	4	5	6	7
Kelleher	X	+	+	+	+	+	+	+
Rettig, Vice Chair	X	+	+	abs	+	+	+	+
Sigfridson, Secretary	X	+	+	+	+	+	+	+
Dunlop	X	+	+	+	+	+	+	+
Francis	X	+	+	+	+	+	+	+
Fuss	X	+	+	+	+	+	+	+
Kerouack	X	+	+	+	+	+	+	+
Wesolowski	X	+	+	+	+	+	+	+
Alternate								

- Motion 1 mm was made by Deane Rettig to accept the minutes from May 1, 2013 as presented. Don Francis seconds this motion. Discussion: Carlene Kelleher would like to see the following changes reflected:  
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Page 3 VIII Reports of Officers Item 4 Regulations Subcommittee discussion of Gravel Bank Regulations, this is not going to be done by the Regulation Subcommittee, this will be done by the Gravel Bank Subcommittee.  
Chairman's Report John Filchac interviewed the chairman of various boards and commission to report to the Board of Selectman, not for the purpose of changing the number on the commission as the minutes state.
- Motion 2 mm was made by David Fuss to amend the minutes as discussed. Deane Rettig seconds this motion. All in favor. Motion passed.
- Motion 3 mm was made by Deane Rettig to accept the minutes from May 21, 2013 as presented. Craig Dunlop seconds this motion. Discussion: Deane Rettig mentioned that the last page should read David Fuss made a motion to approve the application SP13-004 Kenneth Loiselle, not accept the application, as the minutes state. Carlene Kelleher also would like the minutes to reflect that David Fuss asked about the progress of the sidewalks at the Wal Mart project not the site walks as the minutes state. On the previous page, it should read that some of the riprap will be removed and supplemented with planters. The minutes make it sound like none of the rip rap will be removed.
- Motion 4 mm was made by Deane Rettig to approve the sign permit application. David Fuss seconds this motion. All in favor. Motion passed.
- Motion 5 mm was made by Deane Rettig to accept application and schedule for public hearing to be held on July 3, 2013. David Fuss seconds this motion. All in favor. Motion passed.
- Motion 6 mm was made by Deane Rettig to bring the Text Amendment ZRC13-001 Zoning Text Revision to Article 18 Administration and Enforcement to a Public Hearing to be set for August 7, 2013. Craig Dunlop seconds this motion. All in favor. Motion passed.
- Motion 7 mm was made by Deane Rettig to adjourn. David Fuss seconds that motion. All in favor. Meeting adjourns at 9:42pm