

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Regular Meeting
Wednesday, May 4, 2022 6:30 p.m.**

3 WAYS TO ATTEND: IN-PERSON, ONLINE, AND BY PHONE

Clifford B. Green Meeting Center, Suite 24, 69 South Main Street, Brooklyn, CT Masks are optional for vaccinated individuals.	
Click link below: https://us06web.zoom.us/j/87925438541	Go to https://www.zoom.us/join Enter meeting ID: 879 2543 8541
Dial: 1-646-558-8656 Enter meeting number: 879 2543 8541, then press #, Press # again to enter meeting	

MINUTES

- I. Call to Order** – Michelle Sigfridson, Chair, called the meeting to order at 6:33 p.m.
- II. Roll Call** – Michelle Sigfridson, John Haefele, Lisa Herring, Sara Deshaies and Gill Maiato (all were present in person).
Carlene Kelleher, Allen Fitzgerald, Seth Pember, J.R. Thayer were all absent with notice.
- Staff Present (in person):** Jana Roberson, Director of Community Development; Austin Tanner, First Selectman (arrived at 6:38 p.m.).
- Also Present in Person:** Matt Nemeth; Jenn Nemeth; Lori Corrveau; J.S. Perreault, Recording Secretary.
There were 7 additional people present in the audience.
- Present via Zoom:** Diane Wimmer; Melanie Griffin; Sandra Brodeur; Susann; Paul Archer; Rawson Materials; and WINY Radio.
- III. Seating of Alternates**
- Motion was made by Sara Deshaies to seat Gill Maiato a Voting Member for this meeting (May 4, 2022).
Second by J. Haefele. No discussion.
Motion carried unanimously (4-0-0).
- IV. Adoption of Minutes:** Meeting April 19, 2022
- Motion was made by J. Haefele to accept the Minutes of the Regular Meeting of April 19, 2022, as presented.
Second by G. Maiato.
Discussion – The following correction was noted by J. Roberson:
There had been an error in the appointment of Gill Maiato to the PZC and, therefore, he was not an official seated Member at the meeting of April 19, 2022.
Motion, with the noted correction, carried unanimously (5-0-0).
- V. Public Commentary** – None.

VI. Unfinished Business:

a. Reading of Legal Notices:

J. Roberson read the Legal Notices for ZRC 22-002, PDZ 22-001, and ZRC 22-003, ZC 22-001.

b. New Public Hearings:

1. **ZRC 22-002:** Request to amend Zoning Regulations Sec. 7.A.3.4. to allow hanging signs in the Planned Commercial (PC) Zone, Applicant: The Ice Box (Matt & Jenn Nemeth).

Matt Nemeth gave an overview:

- Add existing language from the VC District of the Zoning Regulations to Section 7.A.3.4 (PC Zone) to allow hanging signs which are allowed in other parts of Town, including on South Main Street.
- The building is a 1920 Cape Cod style and he feels it will look proper.

Ms. Roberson stated that the size is the same as allowed in the VC District. She stated that hanging signs are permitted in other business zones in Town, but not currently in Planned Commercial.

Ms. Sigfridson noted that the sign is already there and that the Nemeths want to bring it into compliance. She said that she does not see why it should not be allowed. Mr. Tanner said that he doesn't think that it would create any issue.

COMMENTS FROM THE PUBLIC:

Gene Flemming, 567 Wauregan Road, asked about the approval process.

Ms. Roberson explained the process and Ms. Sigfridson read aloud, the proposed language.

Lori Corriveau, 499 Wolf Den Road, commented that she feels that it would be beneficial to see the business from the highway.

There were no questions from the Commission.

Motion was made by G. Maiato close the public hearing for ZRC 22-002: Request to amend Zoning Regulations Sec. 7.A.3.4. to allow hanging signs in the Planned Commercial (PC) Zone, Applicant: The Ice Box (Matt & Jenn Nemeth).

Second by J. Haefele. No discussion.

Motion carried unanimously (5-0-0).

2. **PDZ 22-001, ZRC 22-003, ZC 22-001:** A proposal for a Planned Development Zone near and around the intersection of Wolf Den Road and Bush Hill Road, including 538 Wolf Den Road and totaling 13 parcels on 534 acres, Applicant/Owner: Little Dipper Farm, LLC.

Ms. Sigfridson announced that the opening of the public hearing would be tabled to the next regular meeting of the Planning and Zoning Commission scheduled for Tuesday, May 17, 2022, since there was not enough room to accommodate all of the members of the public that were present tonight. The Brooklyn Middle School Auditorium has been reserved for the May 17th meeting.

c. Continued Public Hearings: None.

d. **Other Unfinished Business:**

1. **ZRC 22-002:** Request to amend Zoning Regulations Sec. 7.A.3.4. to allow hanging signs in the Planned Commercial (PC) Zone, Applicant: The Ice Box (Matt & Jenn Nemeth).

Motion was made by G. Maiato to approve the proposal to change Sec. 7.A.3.4. to allow hanging signs in the Planned Commercial (PC) Zone with the finding that the changes will aid in the protection of public health, safety, welfare, and property values and are consistent with the Plan of Conservation and Development and the intent of the Zoning Regulations. The regulations shall become effective 15 days from the date of publication.

Second by J. Haefele. No discussion.

Motion carried unanimously (5-0-0).

Motion was made by J. Haefele to add the following items to the agenda under item VII.a. (New applications):

1. **ZRC 22-004:** Proposal to add Zoning Regulations Sec. 4.A.2.3.13 and 6.R to allow Self-Storage Facilities by Special Permit in qualifying locations in the Village Center Zone.
2. **GBR 22-001:** Renewal of Gravel Special Permit SPG 19-004, Strategic Commercial Realty d/b/a Rawson Materials, 206 acres on south side of Rukstela Road, removal of 1,945,000 cubic yards of material.
3. **GBR 22-002:** Renewal of Gravel Special Permit SPG 19-003, Strategic Commercial Realty d/b/a Rawson Materials, 30 acres on south side of Maynard Road, removal of 1,205,000 cubic yards of material.
4. **GBR 22-003:** Renewal of Gravel Special Permit SPG 19-002, Brooklyn Sand & Gravel, LLC, 64+- acres, 530 Wauregan Road, Removal of approximately 112,000 cubic yards of material.
5. **SPG 22-001:** Gravel Special Permit, Brooklyn Sand & Gravel, LLC, 64+- Acres, 530 Wauregan Road, Removal of approximately 208,000 cubic yards of material.

Second by G. Maiato. No discussion.

Motion carried unanimously (5-0-0).

2. **SD 22-001:** A proposal for a one-lot subdivision on Woodward Road (Map 10, Lot 25-5), Applicant: Gary McMahon. ***Awaiting parcel history***

No discussion.

3. **PDZ 22-001, ZRC 22-003, ZC 22-001:** A proposal for a Planned Development Zone near and around the intersection of Wolf Den Road and Bush Hill Road, including 538 Wolf Den Road and totaling 13 parcels on 534 acres, Applicant/Owner: Little Dipper Farm, LLC.

Tabled to Tuesday, May 17, 2022, at the Brooklyn Middle School auditorium.

4. Potential action re: “opt-out” provisions in Public Act 21-29. ***Awaiting May 17th public hearing.***

No discussion.

VII. New Business:

a. Applications: None.

1.ZRC 22-004: Proposal to add Zoning Regulations Sec. 4.A.2.3.13 and 6.R to allow Self-Storage Facilities by Special Permit in qualifying locations in the Village Center Zone.

Ms. Roberson explained that Mr. Kausch is pursuing this zone change and he has narrowly defined the Zoning Regulations to, essentially, only apply to his property (regional building on the corner of Vina Lane/Wauregan Road). Mr. Kauch's son and Paul Archer had been before the PZC for a pre-application meeting.

Motion was made by G. Maiato to schedule a public hearing on **ZRC 22-004:** Proposal to add Zoning Regulations Sec. 4.A.2.3.13 and 6.R to allow Self-Storage Facilities by Special Permit in qualifying locations in the Village Center Zone, Applicant: A. Kausch and Sons, for the meeting of the Planning and Zoning Commission to be held on June 1, 2022, at 6:30 p.m. in the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by J. Haeefe. No discussion.

Motion carried unanimously (5-0-0).

2.GBR 22-001: Renewal of Gravel Special Permit SPG 19-004, Strategic Commercial Realty d/b/a Rawson Materials, 206 acres on south side of Rukstela Road, removal of 1,945,000 cubic yards of material.

Ms. Roberson explained that a letter from David Held, agent for the Applicant, had been received stating that he had visited the site and that no work has been done. An updated bond certificate has been submitted verifying that the bond is good for another year (into June 2023). Ms. Roberson explained that last year, even though the renewal period can be for two years, the PZC chose to renew for only one year. She said that everything is in order and she is satisfied that we have everything needed to renew the gravel special permit for another year.

Ms. Roberson explained that this property is in the middle of the solar farm which is under construction at this time. She will find out when the solar farm construction will be completed. She explained that if the Commission Members would like to review the above-mentioned documentation, they could wait to take action.

Motion was made by J. Haeefe to renew for one year the existing Gravel Special Permit SPG 19-004 issued on June 3, 2020. The next permit renewal date is June 3, 2023. The renewal procedure shall be as specified in Section 6.O.7 of the Brooklyn Zoning Regulations.

Second by G. Maiato.

There was discussion regarding monitoring the amount of gravel being removed.

Ms. Herring asked if there have been any complaints. Ms. Sigfridson and Ms. Roberson stated that they are not aware of any complaints.

Ms. Sigfridson stated that although the Commission does not have to approve the renewal tonight, she is comfortable doing so.

Motion carried unanimously (5-0-0).

3.GBR 22-002: Renewal of Gravel Special Permit SPG 19-003, Strategic Commercial Realty d/b/a Rawson Materials, 30 acres on south side of Maynard Road, removal of 1,205,000 cubic yards of material.

Ms. Roberson stated that this is the same situation as above (GBR 22-001: Renewal of Gravel Special Permit SPG 19-004), but there is no solar farm at this location. They have not commenced any activity. She has all of the documentation on file, including extension of the bond certificate.

Motion was made by J. Haebele to renew for one year the existing Gravel Special Permit SPG 19-003 issued on June 3, 2020. The next permit renewal date is June 3, 2023. The renewal procedure shall be as specified in Section 6.O.7 of the Brooklyn Zoning Regulations.

Second by G. Maiato. No discussion.

Motion carried unanimously (5-0-0).

4.GBR 22-003: Renewal of Gravel Special Permit SPG 19-002, Brooklyn Sand & Gravel, LLC, 64+- acres, 530 Wauregan Road, Removal of approximately 112,000 cubic yards of material.

Ms. Roberson explained that the Revised Gravel Special Permit was issued about this time last year by Order of the Court. When a survey was done, it was confirmed that they had exceeded their scope of work by over two acres. There were meetings. They could not modify the existing permit to include an extended area. They need to apply for a new special permit. David Held, is the agent for Brooklyn Sand & Gravel and he has requested that both Applications (GBR 22-003 and SPG 22-001), because they are so intertwined, be addressed together on the night of the public hearing. Mr. Held has offered to grant any necessary extensions to make the timing work out.

Ms. Sigfridson recused herself and left the room at this time (7:11 p.m.). There was no longer a quorum, no action was taken.

There was discussion. These items (GBR 22-003 and SPG 22-001) will be scheduled on the May 17, 2022 agenda.

Ms. Sigfridson returned at 7:14 p.m.

5.SPG 22-001: Gravel Special Permit, Brooklyn Sand & Gravel, LLC, 64+- Acres, 530 Wauregan Road, Removal of approximately 208,000 cubic yards of material.

See discussion above under Item VII.a.4.

b. Other New Business: None.

VIII. Reports of Officers and Committees:

a. Staff Reports

Margaret Washburn's (ZEO) Report was included in packets to Commission Members.

Ms. Washburn was attending four days of training.

Ms. Deshaies asked about a Citation Officer. The position is occupied by Bob Kelleher. However, they are looking for a second Citation Officer.

b. Budget Update (included in packets to Commission Members).

Ms. Roberson explained that they are a lot closer to the anticipated Revenue.

c. Correspondence

Ms. Sigfridson stated that, prior to the meeting tonight, she had received documentation, to be made part of the record, regarding the Little Dipper Farm. She submitted it to Ms.

Roberson. Mr. Tanner stated that he had also received information today. Ms. Roberson will provide copies of everything to Commission Members.

d. **Chairman's Report**

Ms. Sigfridson stated that she had spoken with J.R. Thayer and he told her that, due to changes in his job, he is unable to attend meetings. Ms. Sigfridson will let him know that he will need to provide a letter of resignation to the Town Clerk.

Ms. Herring asked for information regarding Brooklyn Sand & Gravel so that she can review the history. Ms. Roberson will provide the links to the recording files to Members and the minutes are available on the website. Ms. Roberson gave a brief synopsis: In 2019, the permit was approved with a condition that they could not import material, they appealed that decision and they won in Court. About a year ago, the PZC was ordered to re-approve it with a modification that allowed them to import material.

IX. Public Commentary – None.

X. Adjourn

M. Sigfridson adjourned the meeting at 7:27 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary