

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Regular Meeting
Tuesday, May 17, 2022 6:30 p.m.**

PLEASE NOTE: LOCATION CHANGE

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

Brooklyn Middle School Auditorium, 119 Gorman Road, Brooklyn, CT Masks are optional for vaccinated individuals.	
Click link below: https://us06web.zoom.us/j/84765564828	or Go to https://www.zoom.us/join Enter meeting ID: 847 6556 4828
Dial: 1-646-558-8656 Enter meeting number: 847 6556 4828, then press #, Press # again to enter meeting	

MINUTES

- I. Call to Order** – Michelle Sigfridson, Chair, called the meeting to order at 6:39 p.m.
- II. Roll Call** – Michelle Sigfridson, Carlene Kelleher, John Haefele, Lisa Herring, Sara Deshaies and Gill Maiato (all were present in person).
Allen Fitzgerald, Seth Pember, J.R. Thayer were all absent with notice.

Staff Present (in person): Jana Roberson, Director of Community Development.

Also Present in Person: Lori Corriveau, Partner, Little Dipper Farm; Venus Corriveau, Managing Partner, Little Dipper Farm; Attorney Kate Cerrone, Northeast Law Center; Pedro Marmolejos, Project Architect with Shelter Design Architecture; Robert Deluca, CLA Engineers; Kermit Hua, Traffic Engineer with KWH Enterprise, LLC, Arian Foldan, Facilities Manager, Little Dipper Farm; Sara Anderson Mooney, Farm Director, Little Dipper Farm; Paul Archer; J.S. Perreault, Recording Secretary.

There were approximately 100 people present in the audience. The following commented: Keith Ainsworth; Norman Berman; David Loughlin; Debbie Cornman; Sheri Abrams; Michelle Cole; Jack Hogan; Todd Clark; Lisa Leider; Vaidis & Betty Mongirdas; Jim Doherty; Ed Harmonoff; Amy Clark; Cheryl Kapelner; Amy Sterling; Scott Winslow; Irene Tan; Catie Brin; and Seth Park.

Present via Zoom: Approximately 24 people. The following commented: Brian Miller; and Sharon Loughlin.

III. Seating of Alternates

Motion was made by J. Haefele to seat Gill Maiato a Voting Member for this meeting (May 17, 2022).

Second by S. Deshaies. No discussion.

Motion carried unanimously by voice vote (5-0-0).

IV. Adoption of Minutes: Meeting May 4, 2022

Motion was made by C. Kelleher to accept the Minutes of the Regular Meeting of April 4, 2022, as presented.

Second by G. Maiato. No discussion.

Motion carried unanimously by voice vote (6-0-0).

V. Public Commentary – None.

VI. Unfinished Business:

a. Reading of Legal Notices:

J. Roberson read aloud the Legal Notice for **PDZ 22-001, ZRC 22-003, ZC 22-001**. She noted that the public hearing was originally scheduled for May 4th, but was re-scheduled due to size constraints.

Ms. Roberson also read the Legal Notice for Potential action regarding “opt-out” provisions in Public Act 21-29, Sections 3, 5, and 6.

b. New Public Hearings:

1. **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.

M. Sigfridson read aloud the Rules for Public Hearing.

Venus Corriveau, Managing Partner, and Lori Corriveau, Partner, spoke of their history/experiences with the property and this area. Photos were displayed as discussed/explained. There is an operating greenhouse, a hops tent, a pumpkin patch, an assortment of vegetables planted around the shed, an orchard of 1,500 elderberry trees, mushrooms growing in the forest, they hold educational programs, the barn (from the mid 1800's) has been restored, they have been working with local businesses. They want to bring the hospitality that the Booth's created, in this special space, back to the local community as well as tourists. They stressed that the roadside view will remain the same. They indicated the portion of the 534 acres where the low-impact development is proposed.

Attorney Kate Cerrone, Northeast Law Center, Putnam, CT, gave explanations for the following:

- Planned Development Zone which is for a specific area only, in accordance with an overall conceptual master plan, and has to be in accordance with the POCD. It allows innovation.
- Conceptual Plan and Master Plan
She explained that the reason that the Conceptual Plan includes any proposed use that you possibly may see within the next ten years, is because once the PDZ is approved, the Applicant has two years to put their detailed site plan together and present it to the Commission for review/approval.
- History of the property (Hillendale Farm/Golden Lamb) - this Application would continue that spirit. Little Dipper Farm, LLC purchased the property in September 2021 and their plans are historically complimentary to the location, providing both conservation of the

farmland and celebration of the scenic nature of the property to be enjoyed by visitors to the Farm. The property is well-suited and perfectly in-line with the purpose of a PDZ because it is careful, planned use of land. It must be in accordance with the Master Plan or it won't be approved.

- Non-conforming Uses/Grandfathered In – The right to continue a non-conforming use is protected by Statute. Case Law holds that a non-conforming use is a vested right which runs with the land. The Golden Lamb Buttery was operating as a restaurant before the Zoning Regulations came into effect on May 24, 1972. There are events and non-conforming uses being proposed in the Master Plan tonight. The property had a continuing, running restaurant on the property, it was marketed and sold as a restaurant. The building, where the restaurant was located, was never changed to a different use. It is ready as a non-conforming use as a restaurant.
- Development Rights exist on the property – Correspondence from the State of CT Department of Agriculture has been submitted. The State of CT purchased the development rights to a portion of the property in 1993 (she indicated the seven areas from the lower part of the property along Wolf Den Road and along Bush Hill Road which are identified on the Master Plan). Construction in the protected areas must be pre-approved by the Commissioner of the Department of Agriculture. The activities contained in the Master Plan have been carefully proposed to be in-line with what the State of CT Department of Agriculture allows in these protected areas. What is proposed in those areas: loafing sheds; silvopasture sheds; a farm pavilion; a ruminant barn for animals; two barns; hoop houses; an elderberry orchard; landscape buffer; and farm member and staff parking (all are subject to Section 422a of the CT General Statutes which governs what can be done in that protected area). No changes are proposed on this Master Plan for Lots 18-19b, 18-19.7, and 18-19.6.
- She explained the need for the Text Amendment Application and the Zone Change Application, in the event that the PDZ Application gets approved. The Commission would need to act on all three.
- The proposal is in accordance with the POCD. This Application will support the viability and preservation of Brooklyn farmland. It will sustain the economic and environmental use of agriculture in Brooklyn. It blends agricultural and non-agricultural land uses while safeguarding the aesthetic of the land. She indicated the area on the plan that this PDZ leaves untouched. She explained how this proposal is in keeping with Section 16 (the agricultural section of the POCD):
 - The use of silvopasture as an agri-forestry practice to integrate livestock in forest production. The management of trees will be intentionally integrated into livestock grazing to improve farm production.
 - By encouraging educational and outreach programs to promote a better understanding of the benefits of locally produced foods, local farm operations and how agriculture can be continued to be supported in Brooklyn.

Attorney Cerrone stated that the proposal is intended to support horticulture, sustainable agriculture in an environment that facilitates public participation, agri-tourism and non-motorized outdoor recreation. It is also intended for general agricultural uses, low-density residential uses, office use and agri-tourism uses.

The Little Dipper Farm will incorporate all uses permitted in the residential agricultural zone and allow other uses governed by the Master Plan, as approved by the PZC.

Pedro Marmolejos, Shelter Design Architecture – Project Architect gave an overview:

- He spoke about the uses being proposed in the Master Plan indicating and explaining about the locations of proposed and existing uses and protected areas on the map of the area. There are approximately 55 acres of development area, which includes either existing or a continuation of the agricultural use. He also indicated and explained the locations for the 50 tent sites and surrounding areas on an aerial map.
- All new/proposed structures will meet the setback requirements and the required heights.
- Proposed Building Square Footage:
 - 10,000 s.f. - Agri-tourism (not including existing buildings);
 - 78,000 s.f - Tent Sites/Retreat Area;
 - Number of Parking Spaces: Farm Members & Staff – 30 spaces; Agri-Tourism – 139 spaces; Retreat Area – 133 spaces.
- Mr. Marmolejos reviewed the Architectural Imagery submitted as part of the Application.
- Mr. Marmolejos spoke about the following proposed items: Star Gazing Silo; outdoor pizza ovens; store; forest education; outdoor meditation spaces; tents; event spaces; bath-house spaces; boat houses and docks by the pond; support buildings; staff housing; mobile guest units.

Mr. Marmolejos said that special care will be taken to ensure that the aesthetics, scale and character of the design are appropriate to the site.

Robert Deluca, Professional Civil Engineer with CLA Engineers, reviewed/summarized the Utility Report dated April 1, 2022 (in accordance with Section 5.G.5 Subsection 5.b and which had been submitted for the record and included in packets to Commission Members) regarding the adequacy of the proposed utility services. He explained that the Report generally determines if the site can support the proposed development. He noted that the final design can only be determined definitively after the land use approvals are obtained. They are looking at the property in a very general way to determine if it is feasible to support this size development. The Study focuses on two main areas which will require the proposed infrastructure upgrade: the existing Barn/Restaurant location; and the proposed camping area.

- Existing Utilities: Electricity – Eversource; Communications – Frontier; Cable – Spectrum; Drainage – Cross Culverts in Town Roads.
- Proposed On-Site Utilities: There is no public water and sewer, so it will be Private Septic Systems and Wells.
- Storm Water – They have concluded that it can be handled effectively with the resources available (approximately 40 acres of proposed low-impact development – ten percent of the land). There are minimal impervious areas in comparison to the amount of land.
- Sewer:
 - Flow Rates:
Farm Core = Existing Restaurant (currently permitted for 75 seats and event seating of 150) – a 25 percent increase in seating is

proposed which would require 3,000 gallons of water per day per the Health Department (equivalent to 5 or 6 houses).

50 Camp Sites Proposed – 4,500 gallons of water per day (equivalent to 10 houses).

Total of 7,500 gallons of water per day which would be in the jurisdiction of the State and Local Health Department.

- He explained that they determined approximate sizes for the Septic System based on investigation of the soils on site: the 3-acre piece (restaurant area) will need an additional 15,000 s.f. of leaching area and the 40-acre piece (camping area) will need an additional 30,000 s.f. of leaching area. Total of an additional 45,000 s.f. The soils are a little better in the proposed camping area. He indicated the areas on the plans which were displayed.
- Water:
 - The Farm Core (restaurant) is classified by the Department of Health as a Transient Non-Community System which means it services more than 25 people. It is similar to a church. The existing well yields 10 gallons per minute which is a good yield.
 - The northeast would need a similar system and they do not see an issue with obtaining the yield needed.

Mr. Deluca stated that the proposed developed can adequately be serviced by the existing or proposed utilities.

Kermit Hua, KWH Enterprise, LLC, Professional Engineer with 25 years of experience in Traffic Engineering, reviewed/explained the Traffic Impact Study dated April 2022 (included in packets to Commission Members):

- He ordered traffic counts in three locations: Wolf Den Road North of Bush Hill Road; Wolf Den Road South of Bush Hill Road; and Bush Hill Road.
- He explained that the data was obtained during January and that he used the seasonal adjustment factor from the CT DOT to inflate the numbers to peak summer months (July/August).
- Mr. Hua explained about the Roadway Capacity which is currently less than ten percent. He has determined that the Roadway Capacity on the adjacent roadways is more than adequate even during the busiest hours on weekdays and Saturdays.
- The difference with these two, two-way roadways is the width – 16 feet+/. He noted that when two vehicles travel in opposing directions, they have to slow down to pass by each other.
- He explained how he estimated Peak-Hour Trips: 23 – Weekday Morning Peak Hours; 53 – Weekday Afternoon Peak Hours; 92 – Saturday Midday Peak Hours.
- He explained about Level of Service – Determination - LOS “A” with minimal delays for all peak hours.
- Because of comments received regarding fatal traffic accidents, Mr. Hua explained that he searched the University of Connecticut Data Base for traffic accident records over the past four years (2018-2021). He said that

the Data Base reported no accidents on Bush Hill Road during that time. At this time, people in the audience voiced disagreement. Mr. Hua continued with his report and explained about the accidents that he learned of and indicated their locations. He explained that the Data Base recorded about a dozen accidents in the area, one of them being a fatal accident on Wolf Den Road involving a single vehicle hitting a tree and the record indicated influence of medicine/drugs/alcohol. Mr. Hua stated that, in his professional opinion, that fatal accident is not an indication as to the safety of the roadway in the area.

Ms. Sigfridson asked Mr. Hua to explain how an accident comes to be reported in the Data Base and if every accident is included. Mr. Hua stated that he does not know if every accident gets included. He explained that each Town would submit their records to the State. He explained how to use the Data Base to do a search.

Attorney Cerrone encouraged the Commission to compare the Master Plan with the POCD. She expressed confidence that they are aligned. She said that it will be flexible to allow for innovative design techniques, accommodate unique uses and encourage creative approaches to development which is what a Planned Development Zone is designed to do. It promotes economic development in appropriate locations which helps meet Community needs. It will be compatible with the Community and uses that are already present on this beautiful property. The design is compatible with the historic, cultural and geographic qualities of Brooklyn. The location is appropriate. The Plan is consistent with the objectives and recommendations of the POCD.

M. Sigfridson called for a break at 7:55 p.m.
M. Sigfridson called the meeting back to order at 8:08 p.m.

QUESTIONS/COMMENTS FROM COMMISSION MEMBERS:

- **J. Haefele** asked if the portion of the property not developed under the Master Plan could still be developable under its current Zoning. **Attorney Cerrone** stated that it would and that all of the Regulations current application under the RA Zone would still apply. Approximately eight percent of the property that is in the Town of Brooklyn is proposed to be developed. Mr. Haefele asked some questions regarding procedures for PDZ which were answered by Attorney Cerrone. Mr. Haefele asked about the traffic increase. Mr. Hua explained that a rough estimate would be the 25-30 percent range which is still a low number.
- **M. Sigfridson** asked if the PZC were to approve the Application as submitted, would the Applicant then be able to propose a site plan for camp sites to the north of Bush Hill Road, for example. **Attorney Cerrone** stated that if there were any change in the location, they would have to explain why on the site plan. Ms. Sigfridson asked about the camping season. Lori Corriveau stated that it is May through October.
- **L. Herring** asked what other types of events are anticipated. **Lori Corriveau** explained that the general event area near the barn could also be used for weddings. The 40-acre camping area could also be used for graduations, etc.

QUESTIONS/COMMENTS FROM THE PUBLIC:

Keith Ainsworth, Environmental Land Use Litigation Attorney, New Haven, CT, representing 23 residents from Wolf Den Road and Bush Hill Road, said that this is the least controlled PDZ that he has ever seen and that it is the de-regulation of this area, not adding regulation. He spoke of how small towns are under pressure to develop. He cautioned about how something can look good, but could change the character of the Community forever. He asked that the public hearing be continued and asked that he be allowed to speak for more than 5 minutes or to be allowed to speak last. He introduced Brian Miller, Professional Planner, present via Zoom, and stated that Mr. Miller will discuss his concerns at the next meeting should the public hearing be continued.

Ms. Sigfridson explained that she expects that the public hearing will be continued and that Attorney Ainsworth and Mr. Miller would be allowed time to speak at the next public hearing.

Norman Berman, 98 Bush Hill Road, spoke in opposition. He submitted, for the record, some photos of two of the three driveways that are on the Master Plan. He likes to walk and bicycle on Bush Hill Road which is only 16-feet wide and he doesn't feel that he will be able to do that anymore. He is concerned about a "concept" being approved, a lot of pavement, the high water table, the infrastructure that would be needed for what he feels is really a resort. He feels the site is not suitable for this intense of a development. He said that they are developing a high percentage of the buildable land. He said it is without restrictions or limitations and it is vague. He said that the neighbors share the sentiment that the quality of life has already gone down because of the anxiety that has been generated by this nightmare of a plan. They love the rural character of the Town and don't want to see it change.

Attorney Cerrone was allowed to rebut. She explained that the Plan was put together to honor the land, a lot of the uses had already been enjoyed, that any change would have to go through site plan approval and it is in the Regulations that this type of zoning be conceptual.

Vaidis Mongirdas, 41 Woodward Road and **Sheri Abrams** (letter submitted), 98 Bush Hill Road, both complained about the Applicant's team being allowed to rebut.

Ms. Sigfridson explained that the best way to handle this is concern by concern.

David Loughlin, 601 Wolf Den Road, spoke in opposition (letter submitted). He is concerned about changing from RA to Commercial. He feels that it will disrupt nature and wildlife. He asked that the Application be denied or at least continue the public hearing.

Debbie Cornman, 66 Bush Hill Road, spoke in opposition (letter submitted). She feels this development will destroy the land. She voiced concern about the event tent(s) and barns (noise, drinking/drugs, traffic, potential fires).

Sheri Abrams, opposed. She spoke about the tranquility of the area.

Michelle Cole, 90 Bush Hill Road, (letter submitted), concerned about traffic, wildlife, vagueness of this vast project, supports what her neighbors have said.

Jack Hogan, 53 Bush Hill Road, (letter submitted) said that the accident report given by Mr. Hua earlier was incorrect and told of three accidents (two fatalities). He was not certain if the motorcycle accident he spoke of was within the last four years. He spoke of the tasks of the PZC. The RA Zone works very well and there is no reason to change it.

Todd Clark, 454 Wolf Den Road, (letter submitted) spoke in opposition. Some of his concerns are about the entertainment aspect, noise, traffic light pollution, infrastructure, EMS responses, habitat, tiny houses and other mobile structures which, he said, could lead to a mobile home park, cluster housing, or apartment buildings on this historic property.

Attorney Cerrone explained about future development again and also about the approval process for a site development plan.

Lisa Lieder, 409 Pomfret Road, spoke in favor of the Application and about what the Planned Development Zone includes, which, she said, are relatively less scary than apartment buildings which are allowed in the RA Zone. She said that while we all love Brooklyn the way that it is today, nobody purchased that property because just farming alone could not support a market for that property. So, we have to be open to something being there. That something, ideally, would be something that is respectful to the property and something that all of us can use. She feels that Little Dipper did a good job evaluating what is something that can be a public service, what is something that can accommodate the commercial uses that will allow someone to manage this area and allow it to remain being used the way that it is and not become apartment buildings or little farm-ettes. She stated that having a PDZ does not take away our ability to evaluate what the plans are going forward. She asked, do we approve something for people who are attempting to make sure that we have something that is sustainable, that is hidden from the roads, discreet, that does not use the majority of the land or do we allow whomever might buy it in the future to make a decision that might not be as effective?

Vaidis Mongirdas, spoke about how he feels this development is huge and he feels that it could lead to a Brooklyn Disney World.

Jim Doherty, 44 Bush Hill Road, (letter submitted) said that he has a lot of the same concerns that others have spoken of. He feels that the PDZ puts the cart before the horse because it is conceptual and you get the details later. He said that a lot of what is proposed is allowed in the RA Zone and he feels that the rest could be handled by special permit which would give the Commission more control to protect what happens on that property. He feels that the special permit approach should be looked at. His hope is that the Application be denied.

Ed Harmonoff, 66 Bush Hill Road, (letter submitted) spoke in opposition. He is concerned about unintended consequences and if the property transfers with the Master Plan being so broad and undefined. He asked about the financial advantage to the Town of Brooklyn. He is concerned about how this could affect his property value (he spoke about the possibility of mobile homes). He agrees with Mr. Doherty regarding the RA Zone and the rest being handled by special permit.

Ms. Sigfridson reiterated that the Applicant and any successor owner would be bound by the same rules.

Amy Clark, 454 Wolf Den Road, (letter submitted) is concerned about the change in zoning, traffic, environmental issues, noise, water and light pollution, high water table, increased safety risks/crime and having only one Resident Trooper in Town, alcohol consumption on the property, etc. She is opposed to a change in zoning as she feels that their endeavor can be met under the current RA Zone. She said that if this Application is approved, Little Dipper Farm would, potentially, be able to sell off the property in individual commercial parcels. She feels that this development would have a negative impact on the pristine agricultural setting and quality of life.

Cheryl Kapelner, Pomfret Center, spoke in opposition. She cycles on Bush Hill Road and is skeptical of the PDZ. She said that there is a risky precedent for the Community and people who live nearby. She wishes the Applicant success regarding the farming and education, but not the rest of it. She said that it sounds like a lovely, interesting idea, but please, not in our backyard.

Amy Sterling, Upper Maple Street, Dayville, CT, said that her biggest concern is about the water run-off and asked that Engineering experts address it.

Robert Deluca and Pedro Marmolejos explained that the surface proposed for parking is gravel and that there will be a more compact gravel, for ease of wheelchairs, in the handicap spaces.

Scott Winslow, 233 Herrick Road, (his wife Maria submitted a letter) has hiked in the woods for 30 years and he said that he is in favor of sustainable farming and what they are proposing on that level, but he voiced concern about wildlife, infrastructure needed, gravel and trucks, utility lines, traffic accidents involving wildlife, Native American Archeological Sites. He said there was no mention about an archeological survey.

Irene Tan, 32 Oak Ridge Drive, (letter submitted) a former co-owner of Northeast Wine & Spirits in Brooklyn and current business owner in Canterbury, spoke in favor. She has customers that come from all over the country and is excited that they would be able to camp there for a day or two and spend some time and money in Town. She has organized a dinner/whiskey tasting event with the Golden Lamb (nobody got intoxicated) and hopes to also work with The Little Dipper Farm. She said that change is going to happen. She feels that it is important for businesses to help each other out. She spoke of a three-hour charity event (nobody got intoxicated) that she did in Canterbury last year which yielded a \$15,000 donation to area food banks as well as the school, library and fire department.

Catie Brin, 89 Phasset Road, Putnam, CT, (letter submitted) spoke in favor. We must shape the future and not let someone else shape it. She stressed the importance of details and said that it is the responsibility of the Community and the Commission to make sure that whatever is put in place is at the scale and level that is sustainable for the people and the area.

Betsey Mongirdas, 41 Woodward Road, asked for signage improvements for future meetings.

Seth Park, Wolf Den Road, spoke in opposition. He spoke about the outdoor activities that he enjoys and asked that younger generations be kept in mind who

may not have the opportunity to enjoy a beautiful property like this which, he feels, deserves to stay as it is. He spoke of his concern regarding about traffic and animals.

QUESTIONS/COMMENTS FROM PEOPLE VIA ZOOM

Brian Miller, Planning Consultant with Miller Planning Group, Wallingford, CT, said that this Application is suffering from a lack of information. He feels that the required items for the conceptual plan have not been adequately addressed. He explained his many concerns, some of them being: He feels that Agri-tourism should be defined more: No design for waste water disposal; No architectural renderings; The Plan is hard to analyze - he suggests 24 x 36 with layers of maps: Data page is illegible. There are many questions that need to be answered.

Sharon Loughlin, 601 Wolf Den Road, (letter submitted), spoke about accidents.

There were no other comments via Zoom at this time.

Lori Corriveau clarified that she and Venus Corriveau had never heard of a Planned Development Zone and that the Town had suggested that this project was a perfect use for the PDZ which is why they followed that to come up with this Plan.

Attorney Cerrone stated that, if the public hearing is to be continued, she would like to reserve her comments for the next meeting.

J. Roberson stated that her comments were informative regarding the PDZ. She explained that the PDZ was adopted by the PZC in 2019 in anticipation of projects that they could not anticipate coming down the pike. It is a zone to address ideas that had not been anticipated/conceived by conventional zoning. This is an entrepreneurial concept that would not have been anticipated by anybody. The way to address that and to allow more flexibility in zoning, which historically very ridged, is to use alternative techniques like a PDZ. It is intended to be conceptual, but the point is well-taken that there could be more detail in the proposal.

Ms. Roberson, for the record, addressed some misinformation that was shared tonight, initially by Attorney Ainsworth and repeated by several members of the public, regarding the idea that everything in this proposal could be allowed by special permit. Not under our current Zoning Regulations. She explained that there are aspects of this proposal (campground and tiny houses) that would not be supported under any portion of our Zoning Regulations other than the PDZ.

Regarding a statement that was made that there have been no mobile homes permitted in Town since 1972, Ms. Roberson explained that the Regulation prohibiting new mobile homes was adopted in 1992 and since then, every mobile home that was in existence was and is allowed to be replaced on a one-time basis and is allowed to be expanded on a one-time basis. This is what our Regulations currently provide for mobile homes.

Regarding tiny homes, Ms. Roberson explained that they are not currently permitted by our Zoning Regulations and that they could be allowed in any application as part of a PDZ.

There was discussion regarding the State Statute for tiny homes/mobile homes. The Application states tiny homes and Ms. Roberson suggested that, perhaps, the Applicant could amend the Application to clarify it further to specify exactly what they need and what they do not need (maximum square footage for each of the five staff housing units).

ADDITIONAL COMMENTS FROM THE PUBLIC

Jim Doherty (in person and letter was received), suggested a text amendment change and to make some of the accessory uses under a conditional special permit.

Ms. Sigfridson stated that the development of the PDZ was very time consuming (years) and that Mr. Doherty point is well taken.

Vaidis Mongirdas (in person) stated agreement with Mr. Doherty.

Catie Brin commented again, however, her statement was inaudible.

Sharon Loughlin (via Zoom) again commented about accidents. She had information from the CT Crash Data Recovery Website: The accident on Wolf Den Road occurred three years ago. The accident on Bush Hill Road was prior to that one, but she did not have the date.

Ms. Loughlin also commented that the integrity of the dam at the pond on the property was in question at one time.

PUBLIC COMMENTS RECEIVED IN THE OFFICE VIA MAIL/E-MAIL:

Hans H. Koehl, 5 Bush Hill Road

Jim and Kathy Doherty, 44 Bush Hill Road, opposed.

Sheri Abrams, 98 Bush Hill Road, opposed.

Norman Berman, 98 Bush Hill Road, opposed.

David Vidich, abutting property owner, Wolf Den Road, in favor.

Karl F. Acimovic, P.E. & L.S., abutter east side (Map 26, Lot 6B), opposed.

Gretchen F. LaHaie, 599 Wolf Den Road, expressed concerns.

Catie Brin, 89 Phasset Road, Pomfret, opposed.

Michelle Cole, 90 Bush Hill Road, opposed.

Deborah H. Cornman and Edward C. Homonoff, 66 Bush Hill Road, opposed.

John G. & Jean K. Hogan, 53 Bush Hill Road, opposed.

Jim & Jacqueline Booth, 549 Wolf Den Road, opposed to zoning change.

Amy & Todd Clark, 454 Wolf Den Road, opposed.

Jamie Kania, 650 Wolf Den Road, in favor.

Sharon & David Loughlin, 601 Wolf Den Road, expressed concerns.

Maria Gandy-Winslow, Herrick Road, opposed.

Unknown, list of questions.

Steven & Kathryn Stellitano, 88 Gorman Road, opposed.

Sandy Brodeur, 63 Creamery Brook Road, in favor.

Motion was made by C. Kelleher to continue the public hearing for 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., to the next regularly scheduled 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 G. Maiato. No discussion.

Motion carried unanimously by voice vote (6-0-0).

2. Hearing regarding “opt-out” provisions in Public Act 21-29, Sections 3, 5, and 6.

Ms. Roberson recommended that this be tabled indefinitely because there is no pressure to act on it at this time. There was discussion and it was decided to schedule the public hearing for June 21, 2022, because it is not expected to take very long.

Motion was made by J. Haefele to re-schedule the public hearing regarding “opt-out” provisions in Public Act 21-29, Sections 3, 5, and 6, to the meeting of the Planning and Zoning Commission to be held on June 21, 2022, at 6:30 p.m., in the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by C. Kelleher. No discussion.

Motion carried unanimously by voice vote (6-0-0).

c. **Continued Public Hearings: None.**

d. **Other Unfinished Business:**

1. **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. – **Continued.**
2. Potential action regarding “opt-out” provisions in Public Act 21-29, Sections 3, 5, and 6. – **Rescheduled.**
3. **SD 22-001:** A proposal for a one-lot subdivision on Woodward Road (Map 10, Lot 25-5), Applicant: Gary McMahon.

Ms. Roberson explained that it is a one-lot subdivision. During the previous discussion a property history was not available, but one was provided afterward. It was reviewed by Ms. Roberson and the Town Attorney and they determined that it is a subdivision, not a re-subdivision. The IWWC has acted on the proposal as a subdivision.

Paul Archer, Archer Surveying, represented the Applicant. He provided copies of a plan to Commission Members and gave an overview:

- The lot was purchased by the Applicant in 1985 and has paid taxes on it.
- When he tried to get a building permit, there was confusion as to whether it was a buildable lot or a lot of record.
- It has been before the IWWC and the Health Department.
- He asked that it be approved as a one-lot subdivision.
- Fee-in-Lieu of Open Space: They propose to pay 10 percent of the Town’s appraisal of \$13,900 which would be \$1,390 at the time that the property transfers.

Ms. Sigfridson recalled that this had been discussed as an option with Mr. Archer at a previous meeting.

- Mr. Archer explained that the 25 feet off the center of the road has already been given back in 1985. The deed has been submitted for the record.

Ms. Roberson confirmed that the Town's appraisal is \$13,900. Ms. Roberson stated that it is addressed by our standard Subdivision Regulations.

Mr. Archer gave an explanation of the parcel history map.

Motion was made by C. Kelleher to approve the subdivision application of Gary McMahon, identified in the files of the Brooklyn Land Use Office as SD 22-001, to create one residential lot on Woodward Road, (Map 10, Lot 25-5) in the RA Zone in accordance with all final plans, documents and testimony submitted with the application and including the following conditions:

1. Prior to the endorsement by the Commission of the Final Subdivision Plan(s) for filing in the office of the Town Clerk:
 - a. The Department of Health Approval, the Inland Wetlands and Watercourses Commission approval with conditions and the Planning and Zoning Commission approval with conditions must be included on the final recorded subdivision plans. Draft final approved plans shall be submitted to town staff for review prior to printing on archival material. The final approved plans bearing the seal and signature of the appropriate professionals, signed by Commission Chairs, and shall be recorded in the office of the Town Clerk.
 - b. All boundary pins and monuments shall be set and field verified by the surveyor.
2. At the time of sale of the lot, a payment in lieu of open space dedication shall be paid by the applicant to the Town in the amount of \$1,390 in accordance with the requirements of CT General Statutes 8-25 and Brooklyn Subdivision Regulation Sec. 8. An open space lien may be placed on the building lot to ensure that the fee-in-lieu of open space is paid at the time of sale.
3. Prior to the issuance of a Zoning Permit for the lot:
 - a. The developer shall notify the Zoning Enforcement Office and Town Planner at least seven days in advance of any site work to schedule a pre-construction meeting.
 - b. Vegetative clearing limits depicted on the plans shall be clearly marked in the field by the surveyor.
 - c. A driveway permit must be obtained from the Road Foreman in accordance with the adopted policy concerning driveways.
 - d. The applicant and/or individual lot developers shall minimize impacts to natural features both on private lots and in the Town of Brooklyn r.o.w. to the greatest extent possible. This shall include but is not limited to the preservation of stonewalls, the protection of mature trees lining any public road, and the minimization of clearing and grading.
 - e. No stonewalls, mature trees, or ledge within the r.o.w. shall be removed or modified unless necessary for safety. The responsibility of clearing, grubbing, blasting, and earthmoving within the Town of Brooklyn r.o.w. shall be the responsibility of the individual lot developer.
 - f. Any cutting of trees greater than 30" d.b.h. for sightlines shall require prior approval by the Town of Brooklyn Tree Warden upon finding that the removal of trees is unavoidable to guarantee adequate driveway sightlines.
4. Any stonewall that has been breached as part of the development must be finished on the edges prior to the issuance of a Certificate of Zoning Compliance on any lot containing a stone wall.

Second by G. Maiato.

Discussion: M. Sigfridson commented about Fee-in-Lieu vs. Open Space Dedication. Since the lot is small and mostly a pond, therefore, a dedication would not be appropriate. She said that it makes sense to use the pre-existing Town's appraisal.

Motion carried unanimously (6-0-0).

4. **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. ***Awaiting June 1 public hearing***

5. **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 agent for the Applicant has requested that their two Applications (GBR 22-003 and SPG 22-001) be discussed together.

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

M. Sigfridson recused herself. Vice Chair, C. Kelleher assumed the Position of Chair.

Motion was made by L. Herring to schedule a public hearing on **SPG 22-001:** Gravel Special Permit, Brooklyn Sand & Gravel, LLC, 64+- Acres, 530 Wauregan Road, Removal of approximately 208,000 cubic yards of material for the meeting of the Planning and Zoning Commission to be held on June 21, 2022, at 6:30 p.m. in the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by S. Deshaies. No discussion.

Motion carried unanimously (5-0-0). M. Sigfridson had recused herself.

Ms. Sigfridson returned and resumed the position of Chair.

VII. New Business:

- a. **Applications: None.**
- b. **Other New Business: None.**

VIII. Reports of Officers and Committees

Ms. Sigfridson stated that she does not have a report tonight.

IX. Public Commentary – None.

X. Adjourn

M. Sigfridson adjourned the meeting at 10:33 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary