

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Regular Meeting
Tuesday, September 20, 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		
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 6:37 p.m.
- II. Roll Call** – Michelle Sigfridson, Allen Fitzgerald, Lisa Herring, and Brian Simmons (all were present in person). Sara Deshaies was present via Zoom.
John Haeefe and Gill Maiato and Seth Pember were absent with notice.
Carlene Kelleher and J.R. Thayer were absent.
- Staff Present:** Jana Roberson, Director of Community Development; Austin Tanner, First Selectman (present in person).
- Also Present in Person:** Keith Parent, Professional Engineer with CHA; Steve Townsend, Townsend Development Associates, LLC; Attorney Cerrone; Jesse Trinique; Mrs. Trinique; Tony Marcotte, Professional Engineer and Realtor; J.S. Perreault, Recording Secretary.
There were 12 additional people in the audience.
- Present via Zoom:** WINY Radio; Bob; Jackie; Marlene; Lori; Sharon Loughlin.
- III. Seating of Alternates**
- Motion was made by L. Herring to seat Brian Simmons as a Regular Member for this meeting (September 20, 2022).
Second by A. Fitzgerald. No discussion.
Motion carried unanimously by voice vote (4-0-0).
- IV. Adoption of Minutes:** Meeting September 7, 2022
- Motion was made by L. Herring to accept the Minutes of the Regular Meeting of September 7, 2022, as presented.
Second by A. Fitzgerald. No discussion.
Motion carried unanimously by voice vote (5-0-0).
- V. Public Commentary** – None.
- VI. Unfinished Business:**
- a. **Reading of Legal Notices:** No Legal Notice was read.
- b. **Continued Public Hearings:**
1. **ZC 22-001:** Proposal to rezone 5.5 acres from PC (Planned Commercial) to R-10 in the vicinity of 538 Providence Road (Map 41, Lot 16), Applicant: Townsend Development Associates, LLC.

Keith Parent, Professional Engineer with CHA, represented the Applicant, Steve Townsend, who was also present. Mr. Parent gave an overview (maps were displayed as discussed):

- They are proposing that the rear 5.5 acres be re-zoned to the adjacent R-10 Zone.
- He noted two corrections from his previous testimony: 1) Conceptual proposal is for apartment-style units with 1 and 2 bedrooms only. Currently, there is no intent to do three bedroom units; 2) Total area of commercial space currently approved for the rear building is 35,600 s.f.
- Residential development would be less impact than any commercial development they could do from a noise, traffic, pervious area standpoint He explained how it would fit into the fabric of the neighborhood as there is an existing residential neighborhood in the back. They would be extending it down.
- Regarding traffic, when it was originally developed, it was classified as a major traffic generator through the State Traffic Commission which led to the design of the signal and the realignment of the intersection. He explained that, to crossover into a major traffic generator for a residential development, you need over 100 units and they are only proposing 20-30 units with a total of 50-60 bedrooms.

Ms. Sigfridson asked if there were any questions or comments from the Commission at this time. There were none.

Ms. Sigfridson asked if there were any questions or comments from the public at this time. There were none.

Steve Townsend, Townsend Development Associates, clarified that they were looking at studio, 1 bedroom and 2 bedroom apartments, and that they never contemplated 3 bedrooms. He spoke of his history in the area and how he served on the Board of the Northeast Connecticut Chamber of Commerce for 15 years and as President for 2 years where polls of the members consistently indicated the need for housing, specifically mentioning professionals and young professionals who can't find suitable housing in this area. He feels that this proposal takes a step to address that. He explained that he feels that Brooklyn has more than enough commercial space available. He referred to a study done by the National Apartment Association which indicates that, nationally, 4 million apartments will be needed by 2030. He referred to the Brooklyn Housing Plan where it identifies that housing is a critical concern in Town. He noted that the Town has fallen below the ten-percent threshold for affordable housing and spoke about statistics found in the Town's Housing Plan which, he said, point to the need for more rental choices in this area. He believes that the focus has to shift and that the Town has to look at housing and how it will fit into Brooklyn's development.

Mr. Townsend said that this proposed development backs up to residential and quieter, generates less traffic, and will generate less drainage issues. The new residents would support the businesses along Route 6. This development would have a positive impact on the Town's Grand List and he feels that it will have a minimal impact on the School. He feels that this is a really good option for this site and needs to be considered by the Town at this stage.

QUESTIONS/COMMENTS FROM COMMISSION MEMBERS/STAFF:

- **Brian Simmons** asked about the number of units, about green space and about the distance from the residents' property lines.
Mr. Townsend stated that they are looking at approximately 24 buildings with 2 units in each (a configuration of one or two bedrooms per unit). He explained that there are 5.5 acres and this development would be about 30,000 s.f. He indicated an area near the spa building where nothing is proposed which would be in addition to the green space around the units that will be built.
Mr. Parent explained about 115-120 feet.

- **J. Roberson** explained about a way to look at the vacancies in the PC Zone which is one reason that the public hearing was continued. She displayed the tax parcel map, as coded by the Tax Assessor, showing all of the parcels (color coded by land uses) in the PC Zone (Route 6 runs through it). Copies of this map had been provided to Commission Members. She explained that Mr. Townsend's property is shown as all commercial because it is based on parcel-level data. She explained that there are 75 parcels in the PC Zone, 35 of them are commercial (total of 163 acres). Subtracting wetland soils delineated in the soils survey and flood plain areas, it drops to 145 acres. There are 10 vacant parcels comprising 94 acres. Subtracting wetland soils from the soils survey and the FEMA flood plain, it drops to 74 acres. She said that this is more of a spatial analysis than the more practical analysis that Mr. Townsend had described. L. Herring stated that this had satisfied her question on this subject from the previous meeting.
- **M. Sigfridson** asked Mr. Townsend what plan he had, what type of tenant he had anticipated for the commercial development at the time that it had been approved years ago, and why it has not come to fruition. Mr. Townsend answered that, at the time, they were looking at a traditional strip center with restaurants and different types of retail. He stated that COVID changed the landscape of retail and he commented that on his drive in from the airport, he noticed three strip centers in Ashford that are 2/3 to 3/4 vacant. He explained that more people are buying things online and they are being shipped to their homes. He said that the nature of retail has changed and they don't see this changing. It has become a more service-driven world. He explained that personal touch businesses work, like a spa. He explained that development has moved more toward residential units (apartments) because it is what is needed.
- **L. Herring** commented that she often hears from people in Town that they want big chain restaurants in Town. Mr. Townsend explained that, if that were going to happen, there would be one in front of Walmart. There is not enough population or spendable dollars in northeast Connecticut to bring them in. **L. Herring** commented that no matter what goes on the property, the drainage issue would need to be addressed. Mr. Townsend explained that the Town owns the drainage ponds and that the Town is responsible for the drainage and maintaining the swale that goes around the property. He said that, as part of that agreement, he can drain into it.
- **A. Fitzgerald** asked if access would be on Day Street. Mr. Parent explained that they are not, but had used it as an example as a similar experience during discussion at the previous meeting.

QUESTIONS/COMMENTS FROM THE PUBLIC:

- **Michael Veit**, 30 Plaza Street, asked Mr. Townsend if he feels that there would be a public safety issue. He feels that it would be more interpersonal public safety as Brooklyn does not have a police department. Mr. Townsend explained that he does not because he feels that there would be substantially less traffic vs. a retail center. He said that many people now work from home. He did not respond to Mr. Veit's interpersonal public safety comment.
- **Morgan Finnegan** commented that most people who live around here are traveling out to go to work, so she does not feel that there is a need for housing for young professionals in this area. Mr. Townsend explained about concerns that had come up over the years with the Northeast Chamber of Commerce from businesses, for example, people living in other places like Worcester and traveling to places like Woodstock to work.
- **Theresa Ross**, 24 Plaza Street, commented that people don't want to live in apartments, they buy single-family houses in rural areas and travel to work. She said that the neighbors on Plaza Street are tax payers and they keep their street

clean and quiet and they respect each other as neighbors and help each other out. She does not agree with putting in another 80-100 people in that little area. She spoke about drainage problems that they don't call the Town about. She said that her husband goes out and cleans the swale because the Town doesn't maintain it. She said that they can take the apartments in their backyards, but it's how many people? She asked, "Where are they going to go? Do you think they are going to stay in their courtyard?"

- **Robert Ross**, 24 Plaza Street, commented about the shortage of apartments in Town, but Quebec Square was redone in the 1990's and there is now a bunch of vacant buildings back there which could be redone. He spoke of others areas in Town where he feels would be a better location for apartments. He commented that there aren't any Ruby Tuesday's with any Walmart in the State of CT. He feels that it is not a good location for apartments and he said that drainage will still be a problem. He doesn't understand why what they want to do there cannot be spoken about during the hearing on the zone change.
- **Michelle Marquis**, Westview Drive, commented that this would be in her back yard where she has been for 13 years and they have not been able to fill it with commercial. She asked how putting all of these people in would be quieter than commercial. Residents are 24/7 and commercial would have set hours. Mr. Townsend explained that residential tends to be quieter. Ms. Sigfridson explained that there is a plan for commercial development that has already been approved.
- **Theresa Ross** commented on how they have learned to live with the noises that come with commercial like dumpsters and trucks breaking and now they are being asked to have all of that and also another 80-100 people, 24/7, who will have fires and kids. She said that she doesn't have a problem with kids and explained that her kids used to play at the bike track at the empty lot near Baker's Dozen. She asked if all of the commercial in Brooklyn is going to be turned to residential. She said that she is opposed.
- **Robert Ross** commented that this is not the first time the Mr. Townsend has thought about putting apartments in this location. He explained that, prior to Pet Value going in, Mr. Townsend had called him and asked why he is against high-end apartments going in there. He said that the Town should reach out to different businesses to try to get them to come to Brooklyn (like the Town of Killingly does). He feels that the tax base from commercial would give relief to the homeowners in Town.
- **Paul Manocchio** commented that he doesn't have an opinion one way or the other. He owns a good portion of the commercial properties in the PC Zone that are for sale. He explained that there is a lot of difficulty moving those properties because we don't have the demographic, we don't have the people. He agrees that we need more tax base to be taken up by commercial, but we need more people to bring in more businesses. He said that the Industrial Zone offers the greenest space this Town has and he feels it should be utilized for green space (e.g. park, walking trails). We don't have a walkable downtown, just parking lots. He feels that if we don't give people an opportunity, this Town will sit stagnant.
- **Michelle Marquis** asked if they were going to build into the woods that surround that area. Mr. Parent explained, on a conceptual level, that current intent is that the drive is the same drive that is included in the approved commercial plan and they would not encroach any closer to the property line than in the previous plan. He indicated a landscape berm that was constructed as part of the prior approval. Mr. Parent described the surrounding area so that Ms. Marquis could identify the location of her 9-acre property. Mr. Parent explained that there wouldn't be any work in the area that abuts her property, it would remain as is due to being a wetlands/storm drainage area.
- **A woman in the audience** commented that it is really small, congested space and asked the Commission to consider the people who live there already.

- **Michelle Marquis** commented that everyone that she knows in Brooklyn go elsewhere to go to restaurants. She feels that one good restaurant would bring people in. She disagrees with the thought that more people would bring businesses to Town.

There were no questions or comments from the public via Zoom.

ADDITIONAL QUESTIONS/COMMENTS FROM COMMISSION MEMBERS:

- **A. Fitzgerald** asked about the difference in sewer flow between the commercial space and the 48 units.
Mr. Parent explained that sewer is based on bedrooms and they are looking at 50-60 bedrooms. It is roughly about 1,500 gallons per day more for the residential than it would be for the commercial which they assumed would have been about 6,000 gallons per day. Fifty bedrooms is 7,500 gallons per day. He said that they would be happy to go before the WPCA with a site plan.
Mr. Tanner stated that the capacity is there.

Motion was made by L. Herring to close the public hearing for **ZC 22-001**: Proposal to rezone 5.5 acres from PC (Planned Commercial) to R-10 in the vicinity of 538 Providence Road (Map 41, Lot 16), Applicant: Townsend Development Associates, LLC.
Second by A. Fitzgerald. No discussion.
Motion carried unanimously by voice vote (5-0-0).

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

d. **Other Unfinished Business:**

1. **ZC 22-001**: Proposal to rezone 5.5 acres from PC (Planned Commercial) to R-10 in the vicinity of 538 Providence Road (Map 41, Lot 16), Applicant: Townsend Development Associates, LLC.

L. Herring feels that if a large restaurant were coming here, they would be here already because they would be here to make money. There is so much vacant commercial land. She said that it is evident that we need housing.

A. Fitzgerald stated that he fears “going from famine to feast.” He commented about other residential applications expected. This one is in commercial space. He said that he can’t go for it. He said that he has heard from other people in Town that don’t think it is a good idea, not just those abutting the property. He said that he is inclined not to vote for it.

A. Tanner commented that it is a difficult decision because it is commercial space that has been open for years. The Housing Plan says that we need housing and there are other options. It would be nice to have a downtown where people could walk. We don’t have a lot of commercial space, but there is a lot open. Fifty years from now, are we going to wish we had commercial space? It is a tough decision. He doesn’t see a problem with traffic. He thinks the development may create a community-type atmosphere there, which would be good for the Town. He sees pros and cons.

A. Fitzgerald commented that he doesn’t feel a walkable downtown is needed as Brooklyn is a rural town.

M. Sigfridson commented that she comes back to the guidance documents: POCD and the Housing Plan. She explained that the POCD speaks to both sides of this issue. It says that if we’re going to develop commercially, you should try to focus on the PC Zone because that is where we decided we want the commercial development to be. This Application is not a choice of where we want to put commercial development. The POCD also says that, if we are going to be doing higher density residential development, we might consider that area because it is an area that we have identified for higher density development of any type with water and sewer being located there. She said that we don’t need a walkable downtown, but that is for us as a Planning Board to decide. She

said that this is a tough decision. She agrees with Mr. Townsend's comment regarding how retail has changed. She noted that there are many vacancies in malls. She said that she doesn't see a huge need for retail which is being replaced with service businesses and, maybe, restaurants which would be different setting in Brooklyn than in Putnam where there is a vibrant downtown area. She explained that the PZC, or even Town Officials, cannot hand pick the exact business, or even the type of business, that chooses to locate there. It is all numbers and economics. The POCD says that we should be working toward seeing that land is used to its highest and best use, not just being content with it sitting vacant. She said right now it is quiet there because it's empty and that may be what is best for the eleven houses on Plaza Street, but it's not necessarily what is best for Brooklyn as a town. She said that we may have thought a few years ago that the highest and best use there was commercial, but we may have been proven wrong if it is just sitting empty all this time. She added that it is not necessarily for us to decide for a developer whether the development is going to be financially successful or not. An experienced developer, like Mr. Townsend, would have done their research. Regarding people not wanting to live in apartments, she said that the apartments in Putnam would not have a waiting list. Regarding the buildings in Quebec Square that are sitting vacant, we have developers who are interested in filling them. She also mentioned that there is another property owner coming back before the PZC to modify a plan to change from commercial to residential because that is what the market is telling them to do.

A. Tanner stated that Riverside Park isn't that far away (nature walks, the River).

S. Deshaies stated that any questions or comments that she would have made have been addressed during the discussion.

Motion was made by A. Fitzgerald to deny the zone boundary change with the finding that it is not suitable for the location, will not aid in the protection of protect public health, safety, welfare, and property values.

Second by B. Simmons.

Discussion:

M. Sigfridson stated that she does not plan on voting to approve the motion to deny because she does think that residential development there would protect public health, safety, welfare, and property values in that area.

L. Herring expressed that she concurs with M. Sigfridson.

A. Fitzgerald clarified further his reason to deny: He feels that Brooklyn would end up with too much housing. We have the potential of having 350 units going in in the next year-and-a-half. It is zoned commercial and it should stay commercial.

Motion to deny carried by voice vote (3-2-0). M. Sigfridson and L. Herring were opposed.

2. Plan of Conservation and Development Update – Housing Chapter. ***Public hearing October 18, 2022***

3. **ZRC 22-007:** Revisions to the Residential-Agricultural Zone to allow Glamping as a Special Permit Use with specific standards, including Section 2.B Definitions, Section 3.C.2.4. Permitted Uses in the RA Zone, and Section 6.T Standards for Glamping.
Public hearing to be determined.

Ms. Roberson read aloud a letter from Attorney Cerrone requesting that the public hearing be scheduled for November 2, 2022. Ms. Roberson reserved both November 2nd and 15th at the Brooklyn Middle School. Attorney Cerrone explained the timeline.

Motion was made by B. Simmons to schedule the public hearing for ZRC 22-007: Revisions to the Residential-Agricultural Zone to allow Glamping as a Special Permit Use with specific standards, including Section 2.B Definitions, Section 3.C.2.4. Permitted Uses in the RA Zone, and Section 6.T Standards for Glamping, Applicant: Little Dipper Farm, LLC for the regular meeting of the Planning and Zoning Commission to be held on November 2, 2022 at 6:30 p.m. at the Brooklyn Middle School Auditorium, 119 Gorman Road, Brooklyn, CT and via Zoom.

Second by A. Fitzgerald. No discussion.

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

4. **SP 22-003:** Special Permit for Accessory Apartment at 57 LaSalette Drive, Applicant: Craig and Sandra Dunlop. ***Public hearing October 5, 2022***
5. **SP 22-004:** Special Permit for Accessory Apartment at 330 Day Street, Applicant: Jesse Trinique.

Jesse Trinique represented himself and displayed a Google Earth photo, a photo of the building and the plan. He gave an overview:

- He orientated the property.
- Had received previous approval for commercial space, but are now proposing a 700 s.f., one bedroom, one bath accessory apartment in that space.
- To remove the two front doors and create an entryway and a window. Conditioning to bring it up to residential code.
- They have NDDH approval to tie into the existing septic system which is more than enough.

M. Sigfridson explained that the Commission had previously decided that there was not a need to schedule a public hearing for this Application and that the Commission would make the determination.

J. Roberson explained that there were multiple iterations of the plans and that she had stated before that there were no site improvements. Connecting to the septic system is going to be a hole in the ground that gets filled in afterwards. She stated that there are a proposed concrete patio and a privacy fence (on the roadside) as part of the entrance to the garage structure which is on the street side. She displayed, and provided to Commission Members, a street-view photo (from the northeast looking to the southwest). Ms. Roberson described the surroundings. It looks more like a little cottage than a garage. Mr. Trinique explained that the patio was not part of their initial plan, but they felt it would add to it.

Motion was made by A. Fitzgerald to approve the Special Permit application of Jesse Trinique for an accessory apartment in the existing, two-car, detached garage at 330 Day Street, identified in the files of the Brooklyn Land Use Office as SP 22-004 (a modification of SP 21-003), in accordance with all final documents and testimony submitted with the application with the finding that the proposal is consistent with Sec. 6.C.2. of the Zoning Regulations and is consistent with the Special Permit criteria outlined in Sec. 9.D.5 of the Zoning Regulations. Such approval includes the following conditions:

1. Prior to the issuance of the Zoning Permit, the modified Record of Special Permit shall be recorded on the Brooklyn Land Records.
2. Prior to the commencement of a residential use, the owner shall apply for a Zoning Permit from the Zoning Enforcement Officer for the Accessory Apartment. Other applicable permits may be required.

Second by B. Simmons. No discussion.

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

VII. New Business:

a. Applications: None.

b. Other New Business:

1. Pre-Application Discussion re: 50 Tiffany St. (former mill property) Owner: DMP Palmer Associates, Agent: Tony Marcotte, PE Realtor.

Tony Marcotte, PE Realtor, represented the Owner and gave an overview/update:

- They have done some modifications to the Mill Mixed-Use District.
- They had the architect do some conceptual plans for the new building. He explained that because of the width of the building, they needed to make it narrower and build within the existing footprint.
- They also looked into what they would need to do for the concrete structure to create residential units and almost none of the windows work for egress. Although they were, initially, going to try to save the concrete building (almost

100 feet wide), they would like to create a five-story, “L” shape building, about 75-80 feet wide.

- He explained the benefits of this plan which would allow them to utilize more space for parking (1.5 spaces per unit and a reserve area).
- He explained that although they are losing the historic structures, they could recreate some of the look on the facades.
- Number of units reduced to 200 maximum of 1 and 2 bedroom units in the “L” shape building which provides a better layout for the units. They cannot not make the building longer because it is now in the revised Hundred Year Flood Plain.
- Existing structures would be removed completely.
- He spoke with the Town Engineer who told him that there is not adequate sewer capacity. However, he said, that the sewer treatment plant is only at 25 percent capacity. There would be a fee to increase it. He would work with the Town Engineer.
- Due to the number of units, they can have on-site staff living there which helps with the security. He said that the number of units is important to make it successful.
- He stated that it would be a year before construction could start.

There was discussion about the previously approved development (which has expired) and about whether preserving 15 percent of the structures is a requirement of the MMUD Zone. Ms. Roberson explained that they intend to propose a new MMUD Zone that will match their new intentions for development. Discussion continued.

There was discussion regarding other projects that they have done and about affordable housing. Mr. Marcotte said that 20 percent of the units would be reserved for affordable housing.

VIII. Reports of Officers and Committees

There were no reports.

There was discussion about the number of votes needed to pass an application.

There was discussion regarding the Town Ordinance for filling vacancies (copies provided). Mr. Tanner suggested the following changes:

- 2-16.3.a: First sentence – Remove “during the month of December of each year”
- 2-16.3.a: Last sentence – Add “from Alternate Members”

Mr. Tanner would like to schedule the revisions for the next Town Meeting.

There was discussion regarding J. R. Thayer who has not attended a meeting in some time, has not communicated with Staff or the Commission and has not provided a letter of resignation.

Ms. Sigfridson commented that she had run into Mr. Thayer a while back and encouraged him to submit his letter of resignation, but it has not been received as of this date. Ms. Sigfridson does not think he would be offended if the Commission were to vote to remove him. She suggested that it be put on a future agenda.

IX. Public Commentary

J.S. Perreault asked about why applicants for a zone change show their plans for the project that they plan to apply for (if their zone change gets approved) during the public hearing for the zone change, since that project is not to be considered at that time. She feels that it is confusing to the public and sometimes to the Commission Members.

Ms. Sigfridson explained that she never tells people that they can’t talk about it, just not to go into specific detail and questions about specific plans. She said that it is appropriate for the applicant to

present an example of what they would like to do or of something that would be allowed there if the zone change were approved. She feels that, on a conceptual level, it is appropriate and helpful to know what the implications of the zone change are. Discussion continued.

X. Adjourn

M. Sigfridson adjourned the meeting at 8:47 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary