

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
Tuesday, October 17, 2023 6:30 p.m.**

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

MEETING LOCATION: Clifford B. Green Memorial Center, 69 South Main Street, Brooklyn, CT	
Click link below: <a href="https://us06web.zoom.us/j/84765564828">https://us06web.zoom.us/j/84765564828</a>	or Go to <a href="https://www.zoom.us/join">https://www.zoom.us/join</a> 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 6:30 p.m.

**Roll Call** – Michelle Sigfridson, Carlene Kelleher, Allen Fitzgerald, Seth Pember, John Haefele, Lisa Herring. (all present in person).  
Gil Maiato was absent with notice.  
Brian Simmons and Karl Avanecean were absent.

**Staff Present:** Jana Roberson, Town Planner and Director of Community Development (present in person); Austin Tanner, First Selectman (present via online).

**Also Present in Person:** Norm Thibeault; Killingly Engineering Associates.  
There were three additional people seated in the audience.

**Present via Zoom:** Sharon Hawes.

- II. Seating of Alternates** – None.

- III. Adoption of Minutes:** Meeting October 4, 2023

Motion was made by J. Haefele to approve the Minutes of the Meeting of October 4, 2023, as presented.

Second by C. Kelleher. No discussion.

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

- IV. Public Commentary** – None.

- V. Unfinished Business:**

- a. **Reading of Legal Notices:**

J. Roberson read aloud the Legal Notice for ZRC 23-006.

- b. **Continued Public Hearings:** None.

- c. **New Public Hearings:**

1. **ZRC 23-006:** Modification to Appendix 10.D: Floodplain Management Regulations of the Floodplain Overlay Zone/ (FEMA/NFIP), Applicant: PZC

J. Roberson gave an overview:

- A technical problem was found with the language of the Floodplain Management Regulations. She explained that text in Section 3.2 was missing which is the basis for establishing the flood hazard areas. It was

an accidental oversight. She explained that paragraphs were added to the first draft that the Commission had adopted in August, tying the Regulation to the Maps (provided in packets to Commission Members). Ms. Roberson stated that the language has been reviewed by two other people and it is in accordance with FEMA's Floodplain Management requirements.

- FEMA granted an extension so that the entire Town of Brooklyn wasn't eliminated from the Flood Insurance Program, which would have had serious impacts on the Community.

There were no comments or questions from the Commission or from the public.

Motion was made by A. Fitzgerald to close the public hearing for ZRC 23-006: Modification to Appendix 10.D: Floodplain Management Regulations of the Floodplain Overlay Zone/ (FEMA/NFIP), Applicant: PZC.

Second by S. Pember. No discussion.

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

**d. Other Unfinished Business:**

1. **ZRC 23-006:** Modification to Appendix 10.D: Floodplain Management Regulations of the Floodplain Overlay Zone/ (FEMA/NFIP), Applicant: PZC.

Motion was made by C. Kelleher to approve the changes to the Zoning Regulations with the finding that the changes will aid in the protection of public health, safety, welfare, and property values; are consistent with the Plan of Conservation and Development and the intent of the Zoning Regulations; and are consistent with the requirements of the National Flood Insurance Program. These changes will become effective immediately.

Second by J. Haefele. No discussion.

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

**VI. New Business:**

**a. Applications:**

1. **SPR 23-006:** Site Plan Review (pending determination) for a 25'x25' building addition at 512 Providence Road, Applicant: Vachon Brooklyn, LLC.

Norm Thibeault, Killingly Engineering Associates, represented the Applicant and gave an overview (plans were displayed as discussed):

- Work (in the back of the existing building) was started pre-emptively which he had heard about a couple months ago from ZEO, Margaret Washburn. Mr. Thibeault explained that a parking expansion had been approved before COVID hit, but wasn't built due to not having vehicles to park in it. Ms. Washburn was concerned about whether the work was being done in the regulated area of wetlands. Mr. Thibeault informed her that it was not. Ms. Roberson informed Mr. Thibeault that it would be a modification of the special permit. Mr. Thibeault further explained that Joe Simon, Vachon General Manager, contacted him to take a look at the work that had been done and upon reviewing plans that the architect had provided to him and comparing that to the work performed, there was nothing similar except for the footprint. Mr. Simon was upset about the situation and Mr. Thibeault called the Building Official who informed him that no building permit had been issued for the work. Apparently, Vachon assumed that the contractor that they hired would get the building permit.

- Mr. Thibeault asked that the Commission consider a site plan review rather than the special permit process. He explained that it is a very minor modification to be used for detailing/washing vehicles.
- There would be a floor drain within the building.
- Oil/water separator and connection to sanitary sewer are right outside the edge of the building.
- No plumbing work has been done yet.
- The frost wall has been poured. They framed it and put a roof on it. It is not complete or close to it. Mr. Thibeault stated that he spoke with Mr. Simon earlier in the day and Mr. Simon wants it ripped out and to start from scratch because nothing about it is what they wanted. Nothing looks like the plans that they had designed. It was not inspected.

Mr. Pember explained his feeling that it may be a good idea to have a public hearing.

Ms. Roberson stated that she had received an email earlier in the day from Mr. Thibeault which states that the intention is to connect to the sewer and it is possible. Mr. Thibeault stated agreement and indicated the location of the pipe. He said that there is already an oil/water separator there.

Ms. Sigfridson noted that the plan shows the building as 26' x 26'. Mr. Thibeault explained that they went and measured and it was 26' x 26'.

Ms. Kelleher commented about the Ordinance that deals with this type of situation, under which, there would be a modest fine. There was discussion regarding how contractors are not held accountable. There was discussion about the timeline and Mr. Thibeault stated that Ms. Washburn had issued a Cease & Desist. Discussion continued.

Ms. Sigfridson expressed agreement with Ms. Kelleher about the Ordinance. She asked if there were any objections.

Mr. Fitzgerald asked if the dumpsters should be screened. Mr. Thibeault stated, "absolutely." Mr. Fitzgerald feels that the site plan is not complete. Mr. Thibeault explained that it is showing what is out there. Ms. Roberson explained that there is a propane tank, dumpsters, tire enclosure, roll-off dumpster which have been there for at least ten years. Ms. Roberson explained that if the PZC grants the exception to the special permit, it would be a site plan review and the Commission could require screening. There was discussion regarding the previously approved site plan review for which, the dumpsters were to be removed. Ms. Roberson stated that the work has started because there was some clearing for the wetlands crossing that had been approved.

Ms. Sigfridson questioned whether the Commission could ask if the dumpsters either be removed or screened. Discussion continued.

Mr. Fitzgerald and Mr. Haefele feel that the parking lot expansion plan should include this proposed change. Ms. Roberson read aloud from a Section of the Regulations regarding things that should be screened from public view. Discussion continued.

At this time (7:35 p.m.), it was discovered that online participants were not able to hear the meeting. Ms. Roberson fixed the problem and explained what had been discussed, so far, on this application.

Ms. Roberson explained that this case would be a modification of a special permit use – an expansion. She feels that the Commission should do a full site plan review which is supported by the Zoning Regulations.

Mr. Thibeault offered to come back showing this addition on the previously approved site plan including some screening. He will have to review regarding the dumpsters because he did not remember. There was discussion regarding the demolition of the partially-built building. Ms. Roberson will relay information to Ms. Washburn.

The Commission will wait to act on the waiver request.

Motion was made by J. Haeefe to table **SPR 23-006**: Site Plan Review (pending determination) for a 25'x25' building addition at 512 Providence Road, Applicant: Vachon Brooklyn, LLC, to the next meeting of the Planning and Zoning Commission to be held on November 1, 2023 at 6:30 p.m. at the Clifford B. Green Community Center, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by L. Herring. No discussion.

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

2. **SP 22-007mod**: Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher. (a modification of the previous application)

Ms. Roberson explained that the revised agenda for this meeting, provided to Commission Members and on the website, contains the full, revised plan set which has significant changes on it. They are moving the parking area to the north of the existing barn. They would like to preserve the view of the property from the road.

Ms. Roberson explained that the Application will be heard by the IWWC first and that they will be referring it to the Regional Engineer.

Motion was made by S. Pember to schedule the public hearing for SP 22-007mod: Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher for the regular meeting of the Planning and Zoning Commission to be held on November 21, 2023 at 6:30 p.m. at the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by L. Herring. No discussion.

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

**b. Other New Business:**

1. Discussion of potential subdivision on Old Tatnic Hill Road.

Ms. Roberson displayed the Google Earth Tax Map of the previously approved subdivision for comparison purposes.

Norm Thibeault, Killingly Engineering Associates, represented the Owner and gave an overview of the two conceptual options (plans were displayed as discussed):

- He asked for the Commission's guidance as to the more appropriate approach: conventional subdivision (they would request fee-in-lieu of open space) vs. conservation subdivision (14.7 acres of open space at the rear of the property).
- He said that he would come back with a full set of plans based on the Commission's recommendation.

There was discussion. Ms. Sigfridson stated that she is in favor of conservation subdivision because there is less forest fragmentation. Ms. Roberson explained about the different approaches. Mr. Pember expressed that he is in favor of

conservation subdivision. There was discussion regarding Ms. Herring's concern about too many houses being visible from the road as she would like the rural character of the Town to be protected. Ms. Herring stated that she is not saying that she is opposed to either way. Ms. Roberson explained about "*Rural by Design*." Ms. Roberson explained about the possibility to change the Regulations for the number of houses allowed on shared driveways (at some point in the future). Ms. Sigfridson commented that it sounds like there is a slight tilt of the Commission in favor of conservation subdivision. Discussion continued. Mr. Thibeault stated that the Owner would prefer the conservation subdivision and he said that the parcel lends itself to it. Ms. Kelleher stated that she leans toward conservation subdivision.

Ms. Roberson commented about getting an opinion from the Conservation Commission. There was discussion. Ms. Roberson displayed a map showing fragmented forest areas and unfragmented forest blocks in Town and explained about it.

Consensus of the Commission Members was for conservation subdivision.

**VII. Reports of Officers and Committees – None.**

**VIII. Public Commentary**

A. Fitzgerald asked how much the PZC would be involved in the Little Dipper Farm possible sale of 300+ acres to the Windham Land Trust. Ms. Roberson explained that there would be a required referral (not regulatory capacity) to the PZC, so the Commission would have a chance to report on that.

**IX. Adjourn**

**M. Sigfridson adjourned the meeting at 7:20 p.m.**

Respectfully submitted,

J.S. Perreault  
Recording Secretary