

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Wednesday, May 1, 2024, 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	
Video call link: https://meet.google.com/ydf-fzsx-ahb	Or dial: (US) +1 518-499-6440 PIN: 321 990 545#
More phone numbers: https://tel.meet/ydf-fzsx-ahb?pin=9730088782536	

MINUTES

- I. Call to Order** – Allen Fitzgerald, Chair, called the meeting to order at 6:30 p.m.
- II. Roll Call** – Allen Fitzgerald, Carlene Kelleher, John Haefele, Lisa Herring, Seth Pember, Gil Maiato. Michelle Sigfridson arrived at 6:31 p.m. (all present in person). Karl Avanecean was absent.

Staff Present: Manuel Medina, Interim Town Planner (present via online).

Also Present in Person: Paul Archer, Archer Surveying; Linda Trahan; J.S. Perreault Recording Secretary.
There were seven additional people present in the audience.

Present via Online: Attorney Madilyn Smith; Ciaran Wilcox; Kayla Burgess; Jessica Solis; Sharon Loughlin.

- III. Seating of Alternates** – None.

- IV. Adoption of Minutes:** Meeting April 3, 2024

Motion was made by G. Maiato to approve the Minutes of the Meeting of April 3, 2024, as presented.
Second by J. Haefele. No discussion.

Motion carried unanimously by voice vote (6-0-0). M. Sigfridson was not present at the time of this vote.

- V. Public Commentary** (*3 minutes maximum per person*) – Public comments as well as the meeting, in their entirety, can be heard by requesting the link to the recording from the First Selectmen's Office.
- Paul Archer, Archer Surveying, asked the Commission for guidance regarding naming the private road for the 7-lot subdivision that had been approved (Tetreault). Mr. Archer explained that Mr. Medina feels that it needs a public hearing, but Mr. Archer feels that is extreme. There was discussion. Reference was made to Section 10.9 of the Regulations. M. Sigfridson suggested a modification of the previously approved plan. There was agreement expressed among Commission Members for Mr. Archer to submit a modification application and come before the PZC with the modification shown on another boundary mylar (for the name to be approved by the Commission) and then, record it on the Land Records.
 - Tom Rukstella commented about the Gorman Road subdivision being required to provide sidewalks. He does not feel that sidewalks should be required in that location

because it would lead to nowhere. There was lengthy discussion.

- Linda Trahan, 26 Maynard Road, read aloud her letter to the PZC (copy provided to A. Fitzgerald) in which she requests the PZC and the Land Use Office to address oversight and enforcement of the Special Permit (August 16, 2022) for Brooklyn Sand and Gravel. She also provided a log of truck traffic and said that she has four videos on her phone that she offered that she could forward to the Land Use Office. There was discussion. Mr. Fitzgerald stated that he and Mr. Medina will look into it. Margaret Washburn will be back from vacation on May 6th. Ms. Trahan feels that the Town Attorney should be consulted to answer what to do in the interim until the Court case is settled (which could take a very long time).

VI. Unfinished Business:

a. **Reading of Legal Notices** – No Legal Notice was read.

b. **Continued Public Hearings: None**

c. **New Public Hearings:**

1. **ZRC 24-001** Zoning Regulation Change regarding signs on Town-owned property (Sec. 7.A), Applicant: The Brooklyn Public Schools.

Patricia Buell, Superintendent of Schools, presented the proposal and explained about the current situation showing photographs.

Ms. Buell explained about the following:

- A \$30,000 donation was received, from a Trust, to put this sign up.
- Ms. Buell read aloud from a letter that she had sent to the PZC on April 15th explaining the communication benefits of having such a 100 percent programmable sign (included in packets to Commission Members). They would be able to post events not only for the Schools, but also for the Town and would have the ability, via computer, to do live updates (e.g. School closings/early dismissals due to weather or emergencies). Safety Feature - the Emergency System would take over to post things like Amber Alerts.
- Ms. Buell explained that they would look for one sign, similar in size to replace the two current signs, that would blend in, encasing it in brick or stone. It would have a cover on it to keep it dry.
- Location of the sign would be at the entrance to the Elementary School that is closest to the Middle School. There is a light pole there (left side of driveway), so they can tie-in to the power there.
- Ms. Buell explained that she had spoken with Mr. Medina regarding current language and alternate language (included in packets to Commission Members).

QUESTIONS/COMMENTS FROM THE COMMISSION:

- L. Herring asked if the sign can be shut off when controlled for an Amber Alert.³

Ms. Buell explained that we would lose control over it during the time when there is an Amber Alert even during nighttime hours. Mr. Haefele read aloud from the proposed language that it would be specifically allowed.

M. Sigfridson noted that the PZC is not being asked tonight to approve/deny this particular sign, but to change the language in the Regulations.

There was discussion regarding the proposed language limiting only to Town-owned property where there is a school, as an accessory structure.

There was discussion between Lance Metzger and Patricia Buell regarding who would be responsible for what events get displayed. Ms. Buell explained that the BOE would develop a policy and that it would be Administration that would be managing the sign.

- J. Haefele asked about the brightness being lowered 30 minutes past sunset and 30 minutes before sunrise and 8 p.m. is significantly past sunset. Ms. Buell explained that she worked with Mr. Medina and that they follow the guidelines. The sign would be shut off at 8 p.m. Ms. Buell also explained that they are still working on adjusting the lighting at the School. Safety is the priority.

There was discussion with Lance Metzger regarding the warranty for the sign. Ms. Buell will provide that information.

There was discussion with Tom Rukstella regarding only allowing one of these signs in Town. He feels that it is not fair that they would not be allowed for business in the Commercial Zone.

Mr. Haefele noted that the argument would be that it would be for the public good. Ms. Sigfridson explained that the Commission could approve a regulation that is more permissive. Mr. Pember explained his opinion that it is important to keep the scope narrow, in this particular instance, and then if someone else wants to, they can apply for a zoning change. Ms. Herring explained that she would not want to change the narrow scope. Ms. Kelleher explained that she feels comfortable making this exception because it is for the public good for a lot of uses. Mr. Fitzgerald also commented that he feels it will be good for the community, but his concern was with the light which can be adjusted for different times of the day.

- C. Kelleher asked about colors. Ms. Buell explained that, while color will be used, for the most part it will not involve a lot of colors for the words that will be displayed. She does not feel that it would be a problem. Ms. Kelleher asked about the eight second dwell time. Ms. Buell explained that the speed limit is 25 mph and that the eight seconds is the recommended time from the Company. We will have the ability to adjust it. She will forward information. Ms. Kelleher asked how the Commission would ensure that Item 7.A.3.6.c in the proposed language (regarding building, safety and electrical codes) would be complied with. Mr. Fitzgerald explained that they would have to get a building permit which would cover electrical and building code. Ms. Kelleher asked who would the licensed, design professional referred to in Item 7.A.3.6.c. Mr. Medina explained that, usually, that information would be provided by an engineer that designed the structure that would hold the sign.
- G. Maiato asked who would control the sign when school is out. Ms. Buell explained that they have Administrators that would manage the sign.

COMMENTS FROM THE PUBLIC:

- Ray Preece, South Main Street, Selectman, spoke in favor of the Application and with making it specific to Town-owned property at the School, for the public.

Motion was made by L. Herring to close the public hearing for **ZRC 24-001** Zoning Regulation Change regarding signs on Town-owned property (Sec. 7.A), Applicant: The Brooklyn Public Schools.
Second by M. Sigfridson. No discussion.
Motion carried unanimously by voice vote (7-0-0).

c. Other Unfinished Business: None

VII. New Business:

a. Applications:

1. **GBR 24-002** Gravel bank renewal on Maynard Road (Map 29, Lot 5), Applicant: Rawson Materials.

Attorney Madilyn Smith, Corporate Counsel for Rawson Materials, represented the Applicant:

- This is a standard renewal.
- They have not started any reclamation at the site.
- Nothing is changing.

COMMENTS FROM THE PUBLIC:

- Linda Trahan asked that Mr. Rawson ensure that contractors (specifically Basley and Houton True Line) coming and going from his facility (Plant 3) with loads, cover their loads. She said that Rawson trucks are covered. She explained that it is a daily problem and that she has tried to make contact with them, but had to leave messages and did not hear back.
Attorney Smith explained that she made note of this, but she has not received notification of this problem. She explained that there are signs that state that loads need to be covered before leaving the site. Rawson makes sure that their trucks do what they need to do, but cannot control what the contractors do. She will bring it up to her team to communicate it. She noted that Mr. Laframboise is still operating out of the rear of that site and bringing things out the driveway.
Discussion continued. This would be a Resident State Trooper or State DOT issue. Ms. Trahan was directed to call Attorney Madilyn Smith to speak with her about the issue. Attorney Smith stated that she was sending an email to the dispatcher at this time.

Ms. Kelleher referred to the Nuisance Avoidance Section of the Excavation Operations Regulations and suggested something be added to address this issue. Mr. Medina stated that a Zoning Regulation amendment would need to be made.

Motion was made by J. Haefele to approve **GBR 24-002** Gravel bank renewal on Maynard Road (Map 29, Lot 5) Applicant: Rawson Materials. Renewal of existing gravel Special Permit SPG 19-003 issued on June 3, 2020. This permit was revisited by the CT Superior Court Order No. 420173 on February 6, 2023. Accordingly, the total volume of the permit is revised to 1.2 million cubic yards of material. The revised plan is on file in the Brooklyn Land Records as Volume 23, Maps 156-172. An updated Special Permit shall be recorded on the Brooklyn Land Records by the applicant to complete the permit renewal. The renewal bond amount was previously set to \$188,100. Said bond amount shall be renewed on June 3, 2024 (#9355572). The next permit renewal date is June 3, 2025. The renewal procedure shall be as specified in Section 6.O.7 of the Town of Brooklyn Zoning Regulations.
Second by G. Maiato. No discussion.
Motion carried unanimously by voice vote (7-0-0).

2. **GBR 24-003** Gravel bank renewal on Rukstella Road (Map 21, Lot 7; Map 30, Lot 16) Applicant: Strategic Commercial Realty, Inc. DBA Rawson Materials.

Attorney Madilyn Smith represented the Applicant:

- They have started taking some material out. As of the end of March 119,000 cubic yards have been taken out.
- They have a private road directly across the street from one of their properties, so they just drive directly across to bring it to Plant 3.
- They have installed the appropriate signage.
- Looking for renewal.

There were no comments.

Motion was made by C. Kelleher to approve **GBR 24-003** Gravel bank renewal on Rukstella Road (Map 21, Lot 7; Map 30, Lot 16) Applicant: Strategic Commercial Realty, Inc. DBA Rawson Materials. Renewal of existing gravel Special Permit SPG 19-004 issued on June 3, 2020. An updated Special Permit shall be recorded on the Brooklyn Land Records by the applicant to complete the permit renewal. The renewal bond amount was previously set to \$24,950. Said bond amount shall be renewed on June 3, 2024 (#9355571). The next permit renewal date is June 3, 2025. The renewal procedure shall be as specified in Section 6.O.7 of the Town of Brooklyn Zoning Regulations.

Discussion: Mr. Fitzgerald clarified that the bond amount was incorrectly stated in the motion as \$24,950 and that the correct amount is \$247,950.

Ms. Kelleher amended her motion as corrected.

Second by G. Maiato.

Motion carried unanimously by voice vote (7-0-0).

3. **ZRC 24-001** Zoning Regulation Change regarding signs on Town-owned property (Sec. 7.A), Applicant: The Brooklyn Public Schools.

Motion was made by S. Pember to approve ZRC 24-001 Zoning Regulation Change regarding signs on Town-owned property (Sec. 7.A), Applicant: The Brooklyn Public Schools, with the finding that it is suitable for the location, will aid in the protection of public health, safety, welfare, and property values and is consistent with the Plan of Conservation and Development and the intent of the Zoning Regulations. The zoning text amendment shall become effective 15 days from the date of the publication of the notice of approval in the newspaper.

Second by C. Kelleher. No discussion.

Motion carried unanimously by voice vote (7-0-0).

b. Other New Business:

1. Appointment of Manuel Medina as backup ZEO.

Motion was made by C. Kelleher to appoint Manuel Medina as backup ZEO.

Second by J. Haefele. No discussion.

Motion carried unanimously by voice vote (7-0-0).

VIII. Reports of Officers and Committees

a. Staff Reports

1. **Report of Margaret Washburn, ZEO.**

Report dated 4/18/2024 was included in packets to Commission Members. No discussion.

2. **Report of Manuel Medina, Interim Town Planner.**

Mr. Medina reported that, earlier in the day, he had spoken with the Architect who is working with the Owners of Little Dipper Farm on their glamping project. They have

questions and would like to come before the PZC for informal discussion at the May 21st meeting.

b. Budget Update – Included in packets to the Commission Members.

c. Correspondence – None.

d. Chairman's Report – None.

e. Commissioner Training Updates – None.

IX. Public Commentary – None.

X. Adjourn

A. Fitzgerald adjourned the meeting at 7:45 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary