

**PLANNING AND ZONING COMMISSION**

**TOWN OF BROOKLYN**

P.O. BOX 356  
CONNECTICUT 06234

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**Planning and Zoning Commission  
Town of Brooklyn  
Regular Meeting Minutes  
December 4, 2013  
Clifford B. Green Memorial Center  
69 South Main Street  
7:00 p.m.**

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*Lena A. Mainville*  
TOWN CLERK, BROOKLYN, CT

- I. Call to Order:** The meeting was called to order at 7:06 p.m.
- II. Roll Call:** Carlene Kelleher, Deane Rettig, David Fuss, Donald Francis, Michelle Sigfridson, Aaron Kerouack and Derek Wesolowski.

**Absent:** Craig Dunlop with notice.

**Staff Present:** Jana Roberson, AICP, Land Use Administrator, Rick Ives, First Selectman and Audrey Cross-Lussier, Interim Recording Secretary.

**Also Present:** Public in attendance.

- III. Seating of Alternates:** None.

- IV. Adoption of Minutes:**

**1. Regular Meeting Minutes of November 6, 2013:**

Motion made by David Fuss to approve the regular meeting minutes of November 6, 2013. Deane Rettig seconds this motion. Discussion ensued. David Fuss withdraws the motion. David Fuss made a motion to table the approval of the regular meeting minutes of November 6, 2013 to next month's meeting. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**2. Special Meeting Minutes of November 19, 2013.**

Motion was made by Deane Rettig to approve the special meeting minutes of November 19, 2013 as presented. David Fuss seconds this motion. No discussion held. All in favor. The motion passes unanimously.

- V. Public Commentary:**

Len Bissonette, 755 Allen Hill Road, addressed the Commission with his opinion regarding the following; an article about the zoning of Route 6 Commercial District that was in "The Bulletin." Mr. Bissonette also addressed lighting, traffic lighting, hours of operation and signage.

Lisa Arends, Allen Hill Road, asked if the minutes from the November meeting could be posted on line. Chairman Kelleher commented there has been a change in the recording secretary. The minutes will be posted.

Ron Ventura, Ventura Drive, supports the sign regulations that are being discussed and should be complied with and hopes that every business in the district gives Jana Roberson their full cooperation.

## **VI. Unfinished Business:**

- a. Reading of Legal Notice:** Michelle Sigfridson read the legal notice into the record. Deane Rettig mentions that the text change amendment was approved at last month's meeting.

- b. Continued Public Hearings:**

- 1. ZRC13-002 Brooklyn Planning and Zoning Commission/Brooklyn Housing Authority, 31 Tiffany Street, Map 47, Lots 57 and 58, 8.4 acres; Request zoning map change from R-10 to MMUDD-Mill Mixed Use Development District.**

Rick Ives commented that the Board of Selectmen feels it is a good change regardless of whether it is leased to anyone on the outside.

Chairman Kelleher opens the floor to the public:

Ron Ventura, Ventura Drive, is in favor of the change. It makes sense for investment in the property and gives more flexible use of the property for the Town and the Housing Authority. Mr. Ventura would like to have the Commission's consideration somewhere in the future to extend up to South Main Street.

Len Bissonette, Allen Hill Road, feels that the Town is not in the rental business. If the Town is to rent it should play by the rules as commercial developers. Mr. Bissonette discusses his concerns with the Commission.

Lisa Arends, Allen Hill Road, questioned if the R-10 zone was part of the Neighborhood Commercial. Chairman Kelleher states they are two separate zones.

Deane Rettig has a concern with Lot 57 and 58 that could be interpreted as spot zoning. Mr. Rettig asks if there is anything else in the area that could be considered for addition to zone change. Ms. Roberson describes and discusses spot zoning with Commission members.

Aaron Kerouack discusses expanding the MMUDD area. Chairman Kelleher commented that this is something that can be considered in the future and that the Commission move forward with the application tonight.

David Fuss, Don Francis, Michelle Sigfridson, Aaron Kerouack and Derek Wesolowski agree with going forward with the application. Don Francis agrees as well and looking at it as a historic district. Discussion ensued.

A motion was made by Don Francis to close the public hearing on ZRC13-002. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes unanimously.

A motion was made by Deane Rettig to approve ZRC13-002 Zoning Map Change for 31 Tiffany Street (Map 47, Lots 57-58) from R-10 to MMUDD in order to allow day care centers and an appropriate mix of uses in a manner consistent with the goals of the Brooklyn Plan of Conservation and Development. Aaron Kerouack seconds this motion. Discussion ensued. Deane Rettig amends the motion to be effective two weeks from publication of the approval. Aaron Kerouack seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**c. New Public Hearing: None.**

**d. Other Unfinished Business:**

- 1. ZRC13-002 Brooklyn Planning and Zoning Commission/Brooklyn Housing Authority, 31 Tiffany Street, Map 47, Lots 57 and 58, 8.4 acres; Request zoning map change from R-10 to MMUDD-Mill Mixed Use Development District.**

Approval motion as stated above.

- 2. MI13-004 Sale of 7.3 acre land-locked parcel located between Tripp Hollow Road and Windham Road, Map 7, Lot 19.**

Don Francis commented that the map provided in the packets is not the map of the property. The map provided is a map of the intersection of Tripp Hollow Road and Paradise Drive. Ms. Roberson clarifies this issue with Mr. Francis and the Commission.

Aaron Kerouack recuses himself from the application.

Don Francis suggests looking at the maps at Town Hall for better clarification of the property location. Mr. Francis would like to see the map that shows the abutting properties on Windham Road.

Motion made by Don Francis to table MI13-004 sale of 7.3 acre land-locked parcel located between Tripp Hollow Road and Windham Road, Map 7, Lot 19 to next month's meeting.

David Fuss seconds this motion. Discussion ensued. All in favor. The motion passes. Derek Wesolowski abstains. Aaron Kerouack recused himself.

Aaron Kerouack returns to the table.

**3. MI13-005 Lease of approximately 3,000 sq. ft. of space at 31 Tiffany Street to Carelot Children's Center, LLC.**

Jana Roberson reported that the referral to the Board of Selectmen has been rescinded.

**VII. New Business:**

**a. Applications:**

**1. HB13-001 Steve Powers, 250 Wolf Den Road, Map 17, Lot 28, RA Zone-Home Business-Yoga Studio in Finished Basement of Existing House.**

Ms. Roberson gives a brief overview of the application. Mr. Powers would like to open a Home Business-Yoga Studio inside of his home at 250 Wolf Den Road, which happens to have an unused driveway onto Wolf Den Road. This driveway is not used due to a dangerous site line issue. There is a better driveway that was constructed and is used on Costello Road. Ms. Roberson discusses with the Commission what is depicted in packet photographs-parking for no more than 6 students; natural buffer; unused driveway off of Wolf Den Road and the used driveway off of Costello Road. Ms. Roberson commented that there is no driveway permit for the currently used Costello Road driveway; there is erosion with no driveway apron.

Steve Powers, 250 Wolf Den Road addressed the Commission with regards to application HB13-001. The proposed is a Home Business in the existing home with a walk-out basement. Mr. Powers would like to use this space for the Yoga Studio. There will be approximately 6 students with parking located in front of the house.

Chairman Kelleher asked how many classes would there be. Mr. Powers stated starting out would be one night per week with the potential to expand to 2-3 nights per week. The classes are approximately 1 ½ hours long.

Chairman Kelleher asked Ms. Roberson if the parking is adequate. Ms. Roberson agrees it is adequate for 6 cars. There is no need for buffering of the parking area. Ms. Roberson discusses this with Commission members. Ms. Roberson's only concern is the driveway apron be installed.

David Fuss asked if the primary driveway with this change will be on Costello Road and asked what the hours of operation would be. Mr. Powers stated the Costello Road driveway is what will be used and the hours of operation will be 6:00 p.m. to 7:30 p.m. or 7 p.m. to 8:30 p.m. in the evening.

Deane Rettig asked Mr. Powers if he was the only instructor. Mr. Powers stated that he is the only instructor.

Mr. Powers would like to place a small sign to advertise the business. Ms. Roberson will advise with regards to this. Don Francis recommends the sign to be placed on Wolf Den Road. Discussion ensued.

Motion was made by Deane Rettig to approve application HB13-001 Home Business at 250 Wolf Den Road-Yoga Studio proposed by Steve Powers with the condition that a driveway permit be obtained for the driveway onto Costello Road. Derek Wesolowski seconds this motion. Discussion ensued. Motion withdrawn.

A motion was made by Deane Rettig to accept the waivers as noted on the site plan review worksheet as being accepted by the Commission for HB13-001 Steve Powers, 250 Wolf Den Road, Map 17, Lot 28, RA Zone, Home Business-Yoga Studio. David Fuss seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Motion was made by Deane Rettig to approve application HB13-001 Home Business at 250 Wolf Den Road-Yoga Studio proposed by Steve Powers with the condition that a driveway permit be obtained for the driveway onto Costello Road. Derek Wesolowski seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**b. Other New Business:**

Motion was made by Deane Rettig to add to the Agenda under Other New Business #2 the scheduling of the 2014 meeting schedule, in particular the first meeting of January 2014, as well as the special meeting that proceeds that in order for elections. David Fuss seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**1. Scheduling of the next planning meeting.**

No meeting was scheduled due to the Christmas Holiday.

**2. Scheduling of the regular meeting schedule for 2014.**

Motion was made by Deane Rettig to approve the 2014 meeting schedule. Aaron Kerouack seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Motion was made by Deane Rettig to hold a special meeting at 6:30 p.m., Thursday, January 2, 2014, in order to review the bylaws and election of officers. David Fuss seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**VIII. Reports of Officers and Committees:**

**1. Zoning Enforcement Officer's Report November 2013.**

The Zoning Enforcement Officer Report for November 2013 was included in Commission member packets.

Ms. Roberson spoke today with John Martins, Owner of Courtesy Ford. Ms. Roberson asked why the parking lot has not been striped. Mr. Martin explained that he was having difficulty with his contractor. A date was set 2 weeks from today for the final striping of the parking lot.

Ms. Roberson spoke with the owner of Brooklyn Farm and Pet about the recent pet adoption event as well as some site plan modifications they have made. Ms. Roberson informed them of the ordinance requiring a permit for large gathering through the Board of Selectmen. The pet adoption event was not organized by Brooklyn Farm and Pet, it was organized by an adoption agency who advised Brooklyn Farm and Pet that all permits were obtained. Ms. Roberson will speak with the adoption agency with regards to this issue.

In regards to the site plan modifications, the owner agreed to speak with her husband regarding this. They were under the impression that this had already been done. Ms. Roberson informed them in order for this to be done correctly it had to come to the Commission, not something that could be done internally by staff. Ms. Roberson will work with the Brooklyn Farm and Pet owners on this site plan modification. Discussion ensued.

David Fuss asked Ms. Roberson about all of the signs that are at Courtesy Ford. Ms. Roberson spoke with the owner with regards to portable signs, flag signs and temporary signs. Discussion ensued.

2. Wal-Mart Update: Ms. Roberson stated that Wal-Mart has received a portion of their performance bond back. They have been returned \$33,000 from the \$75,000. There are four things that needed to be done; two have been finished. Specifically the chain link fence was installed and placing permanent conservation easement signs along the boundary.

Ms. Roberson had a phone conference call with people in Arkansas and the project engineer with regards to the lighting plan. They must certify that the lighting meets the approved plan which needs to be done by a lighting professional. Wal-Mart will follow through with the lighting certification prepared by a lighting design professional.

Lastly, there was some maintenance required on the detention pond in the rear of the building. A letter from the Town Engineer, Syl Pauley, stating he feels the infiltration problems were caused by materials introduced during construction-silt from the heavy rains during the time period when this was an open pit. This can be addressed through maintenance and the site contractor is working on this.

3. Correspondence: Ms. Roberson discusses with Commission members the Connecticut Federation of Planning and Zoning Agency Newsletter.
4. Regulations Subcommittee. Deane Rettig stated there was a recent meeting with focus primarily on defining limited business enterprise. There will be one more meeting and a

proposed definition will be brought to the full Commission for their review and discussion.

5. Route 169 Recommendations Follow-up Subcommittee. No discussion.
6. Budget. A copy of the recent budget is in the packet for review by Commission members.
7. Chairman's Report. Chairman Kelleher reminded Commission members of the Forum to be held with the Board of Selectmen and Commission Members on December 7, 2013 at 9:00 a.m. at the Clifford B. Green Meeting Center.

#### **IX. Public Commentary:**

Len Bissonnette, Allen Hill Road, spoke with regards to the following - \$5,000 that was spent for the contract engineer to supervise the Wal-Mart project; years ago in the Town Hall there was a plan board that held all areas of Brooklyn on it; there used to be a hard copy of wetlands maps at the Town Hall; traffic on Route 6; feeder roads; banks being an office-the meaning should be changed; no approval of conditions should be granted-the regulations should be rewritten.

Lisa Arends, Allen Hill Road, spoke with regards to having a digital newsletter; recordings being placed on line and televised meetings. Ms. Arends asked if the Saturday forum is opened to the public. Selectman Ives will check into this. Ms. Arends spoke with regards to the Wal-Mart sidewalks and pedestrian traffic is a cause of concern.

Selectman Ives stated that they are trying to get the sidewalks done, however, it will not be done for this winter. Mr. Ives recommends being more aware of the pedestrian traffic within the area of Wal-Mart. Discussion ensued.

Aaron Kerouack asked if clarification has been sought whether a Commission member can speak during Public Commentary. Chairman Kelleher commented that Commission members are free to speak at the end of a meeting, however, you cannot recuse yourself because you are involved in a particular issue and then come back to discuss that issue as a member of the public or a Commissioner.

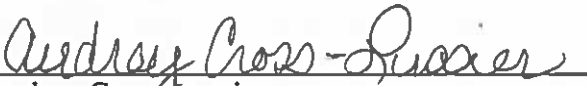
Lisa Arends, Allen Hill Road, asked if there has been any thought to increase safety patrol or other assistance during busy shopping times at Wal-Mart.

Len Bissonnette, Allen Hill Road, voices his concerns with regards to drivers paying better attention to pedestrians by driving more responsibly.

Austin Tanner, commented that Milone and MacBroom was hired for \$5,000 and what we got out of them is exactly what we asked; to oversee the project to make sure things were done properly and put where they belong. They were not in charge of engineering or catch basins. They were hired to oversee the operation and make sure things were done the way they were supposed to be.

**X. Adjourn:**

A motion was made by David Fuss to adjourn the meeting at 8:42 p.m. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes unanimously.

  
Audrey Cross-Lussier  
Interim Recording Secretary



**PLANNING AND ZONING COMMISSION**

**TOWN OF BROOKLYN**

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*Lena A. Mainville*  
TOWN CLERK, BROOKLYN, CT

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
NOTICE OF ACTION**

At the regular meeting of the Planning and Zoning Commission on December 4, 2013, the following action was taken:

1. ZRC13-002 Brooklyn Planning and Zoning Commission/Brooklyn Housing Authority, 31 Tiffany Street, Map 47, Lots 57 and 58, 8.4 acres; Requesting zoning map change from R-10 to MMUDD-Mill Mixed Use Development District-APPROVED.
2. HB13-001 Steve Powers, 250 Wolf Den Road, Map 17, Lot 28, RA Zone-Home Business-Yoga Studio in Finished Basement of Existing House-APPROVED WITH CONDITION.

Any appeals are to be filed with the superior court 15 days from the date of the legal notice appearing in the paper.

Dated this 9<sup>th</sup> day of December 2013.

Carlene Kelleher  
Chairman

Please publish Tuesday, December 10, 2013 in the legal section of the Bulletin. Use Account Number 10089300. Call Audrey with any questions at 860-779-3411.

**BROOKLYN PLANNING AND ZONING**  
**REGULAR MEETING OF DECEMBER 4, 2013**

**ROLL CALL VOTES:**

Board Members:	Attendance	1	2	3	4	5	6	7	8	9
Carlene Kelleher-Chairman	X	+	+	+	+	+	+	+	+	+
Deane Rettig-Vice Chairman	X	+	+	+	+	+	+	+	+	+
Michelle Sigfridson-Secretary	X	+	+	+	+	+	+	+	+	+
Craig Dunlop	Absent with notice									
Donald Francis	X	+	+	+	+	+	+	+	+	+
David Fuss	X	+	+	+	+	+	+	+	+	+
Aaron Kerouack	X	+	+	+	+	rec	+	+	+	+
Derek Wesolowski	X	+	+	+	+	abs	+	+	+	+
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Deane Q. Thumville

TOWN CLERK, BROOKLYN, CT

- Motion 1** Motion made by David Fuss to approve the regular meeting minutes of November 6, 2013. Deane Rettig seconds this motion. Discussion ensued. David Fuss withdraws the motion. David Fuss made a motion to table the approval of the regular meeting minutes of November 6, 2013 to next month's meeting. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes unanimously.
- Motion 2** Motion was made by Deane Rettig to approve the special meeting minutes of November 19, 2013 as presented. David Fuss seconds this motion. No discussion held. All in favor. The motion passes unanimously.
- Motion 3** Motion was made by Don Francis to close the public hearing on ZRC13-002. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes unanimously.
- Motion 4** A motion was made by Deane Rettig to approve ZRC13-002 Zoning Map Change for 31 Tiffany Street (Map 47, Lots 57-58) from R-10 to MMUDD in order to allow day care centers and an appropriate mix of uses in a manner consistent with the goals of the Brooklyn Plan of Conservation and Development. Aaron Kerouack seconds this motion. Discussion ensued. Deane Rettig amends the motion to be effective two weeks from publication of the approval. Aaron Kerouack seconds this motion. No discussion held. All in favor. The motion passes unanimously.
- Motion 5** Motion made by Don Francis to table M113-004 Sale of 7.3 acre land-locked parcel located between Trip Hollow Road and Windham Road, Map 7, Lot 19 to next month's meeting. David Fuss seconds this motion. Discussion ensued. All in favor. The motion passes. Derek Wesolowski abstains. Aaron Kerouack recused himself.
- Motion 6** Motion was made by Deane Rettig to approve application HB13-001 Home Business at 250 Wolf Den Road-Yoga Studio proposed by Steve Powers with the condition that a driveway permit be obtained for the driveway onto Costello Road. Derek Wesolowski seconds this motion. Discussion ensued. Motion withdrawn.

A motion was made by Deane Rettig to accept the waivers as noted on the site plan review worksheet as being accepted by the Commission for HB13-001 Steve Powers 250 Wolf Den Road, Map 17, Lot 28 RA Zone, Home Business-Yoga Studio. David Fuss seconds this motion. No discussion held. All in favor.

**Motion 7** Motion was made by Deane Rettig to approve application HB13-001 Home Business at 250 Wolf Den Road-Yoga Studio proposed by Steve Powers with the condition that a driveway permit be obtained for the driveway onto Costello Road. Derek Wesolowski seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**Motion 8** Motion was made by Deane Rettig to add to the Agenda under Other New Business #2 the scheduling of the 2014 meeting schedule, in particular the first meeting of January 2014, as well as the special meeting that proceeds that in order for elections. David Fuss seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**Motion 9** Motion was made Deane Rettig to approve the 2014 meeting schedule. Aaron Kerouack seconds this motion. No discussion held. All in favor. The motion passes unanimously.

### **BROOKLYN PLANNING AND ZONING** **REGULAR MEETING OF DECEMBER 4, 2013 (continued)**

#### **ROLL CALL VOTES:**

Board Members:		Attendance	10	11															
Carlene Kelleher-Chairman	X		+	+															
Deane Rettig-Vice Chairman	X		+	+															
Michelle Sigfridson-Secretary	X		+	+															
Craig Dunlop	Absent with notice																		
Donald Francis	X		+	+															
David Fuss	X		+	+															
Aaron Kerouack	X		+	+															
Derek Wesolowski	X		+	+															
- Alternate																			
- Alternate																			

**Motion 10** Motion was made by Deane Rettig to hold a special meeting at 6:30 p.m. Thursday, January 2, 2014 in order to review the bylaws and election of officers. David Fuss seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**Motion 11** Motion was made by David Fuss to adjourn the meeting at 8:42 p.m. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes unanimously.