

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION**

**Regular Meeting  
Wednesday, November 4, 2015  
Clifford B. Green Meeting Center  
69 South Main Street  
6:30 p.m.**

**MINUTES**

- I. Call to Order** – Chair, Carlene Kelleher called the meeting to order at 6:33 pm.
- II. Roll Call** – Carlene Kelleher, Michelle Sigfridson, Aaron Kerouack, Alan Carpenter, Craig Dunlop, Donald Francis, David Fuss.

Dale Thompson arrived at 6:35 p.m.

**Staff Present** - Jim Larkin, Interim Planner; Rick Ives, First Selectman.

- III. Seating of Alternates** – None.
- IV. Adoption of Minutes:**
1. Regular Meeting Minutes October 7, 2015.

Motion by D. Fuss to accept the Minutes of the meeting of October 7, 2015, as presented. Second by A. Carpenter. Motion carried unanimously (7-0).

- V. Public Commentary** – None.

**VI. Unfinished Business:**

- a. **Reading of Legal Notice** – A. Kerouack stated that it had already been read.
- b. **Continued Public Hearings** - None.
- c. **New Public Hearings:**
  1. SP15-008 Strategic Commercial Realty, Incl., d/b/a Rawson Materials; Off of Rukstela Road, Map 29/30, Lot 1/16, RA Zone, 127 Acres; Gravel Removal.

Attorney, Ernest Cotnoir, 163 Providence Street, Putnam, CT, represented the Applicant and submitted a certificate of mailing showing that notices were mailed to abutting owners (list of abutters and their addresses included). Attorney Cotnoir asked that the public hearing be continued as the Wetlands approval had not yet been received due to no Wetlands meeting being held last month. Wetlands hearing is scheduled for next week.

J. Larkin stated that no extension is needed to continue to the next meeting (December 2<sup>nd</sup>). However, if it does not close at the next meeting, an extension would then be needed to continue.

C. Kelleher stated that she had planned to request a site walk. The Commission was in agreement to do a site walk on a Saturday. Attorney Cotnoir stated that there would be no objection to a site walk. J. Larkin will coordinate with Attorney Cotnoir and Mr. Messier.

A. Carpenter suggested that comments from the public be heard before continuing the public hearing so that the Commission can be mindful of the public's thoughts while walking the site.

**Joy Bachand** spoke for Mildred Lahde whose property is 294 Wauregan Road. She asked where the access road will be. Attorney Cotnoir stated that, in general, the access road would go through Canterbury, over Beecher Road (where the Town Garage is), then entirely on private property until it hooks up with Rukstela Road and Route 169. The Applicant is proposing some modifications/improvements to part of the infrastructure at the intersection with Route 169.

**Peter Rukstela**, 283 Christian Hill Road, stated that he is familiar with the haul roads now and is asked if they will be following the same route that is already established. Attorney Cotnoir stated that he believes the answer is yes, but that Mr. Messier will be able to give more detail next month.

**Len Bissonnette**, 755 Allen Hill Road, commented that he's been following this issue for over two years and he feels it is ridiculous. The residents of Maynard Road and Wauregan Road do not own those roads, they belong to the Town. He stated that those roads were used for hauling for years and now residents are complaining about it. He stated that the road is to be used, they pay road use tax, pay tax on equipment, and they drive carefully on it, and there is no use for this to go on. He sees no harm in what they do.

J. Larkin stated that he had given comments for the Commission, as well and Attorney Cotnoir and Mr. Messier, to review prior to the next meeting. Syl Pauley's comments had been provided earlier.

A. Kerouack asked J. Larkin to supply a background on those roads (when the haul road went in and did it always run from Rukstela Road to Wauregan Road or was it connected afterwards).

D. Francis asked, (should this application be approved) why only widen half of Beecher Road and not make Beecher Road the 26-foot width that is required? He assumes that the Commission will be provided with answers for questions from the meeting of August 13, 2015 to Syl Pauley. He would like to see calculations regarding the number of vehicles on the road (1 trip every 3 minutes). He would like to get a report regarding public improvement from the Board of Selectmen during the public hearing.

A. Kerouack asked if there are any trucks hauling sand or gravel in or out of this site from either Christian Hill or Wauregan Road. Attorney Cotnoir stated not that he is aware of as this particular site is currently inactive.

D. Francis asked if a response had been received from Syl Pauley or the ZEO regarding the condition of the closed gravel operation (original approval). J. Larkin stated that the cease and desist order had been issued because no renewals came forward after the approval in 2011. Discussion ensued regarding whether it is considered a closed gravel operation and does it meet the standards for a closed pit. Attorney Cotnoir stated that it has not been reclaimed because the Applicant is not finished excavating material. He explained that the Regulations had changed requiring more frequent renewals and that Rawson had become delinquent with renewal. They are now coming back with a new application showing what is there, what was done, what they want to do, and how they want to haul. D. Francis stated that high priority is to meet the Town's Regulations on closing an existing gravel operation.

C. Kelleher raised the question -- Was the intent of the Regulation, when you stop working on a pit, it must be reclaimed? Or, is the intent, when you're finished extracting material from a pit, it must be reclaimed? Discussion ensued.

C. Kelleher stated that the site walk enable the Commission to see what is going on and that the Commission should review and discuss the Regulation before asking them to reclaim. D. Francis would like Syl Pauley to review the old application and how much has and has not been completed and what percentage could be restored immediately. C. Kelleher was in agreement, but if they are going to be working on something there is no point in reclaiming it and then opening it up again. D. Francis was in agreement as long as the correct permit procedure was followed.

Rick Ives stated that one regulation that comes into play is that there is an acreage limit that can be left open, and when you come to that limit you need to close.

A. Kerouack stated that the Regulations are clear that if you let your permit expire, it is taken as your intent to close. The applicant is supposed to renew before it expires. He suggested that when the ultimate motion is made it should be noted that it be restored to the condition prior to the previous application.

Motion by M. Sigfridson to continue the public hearing for SP15- Strategic Commercial Realty, Inc., d/b/a Rawson Materials; Off of Rukstela Road, Map 29/30, Lot 1/16, RA Zone, 127 Acres; Gravel Removal to the next regular meeting of the Brooklyn Planning and Zoning Commission to be held on December 2, 2015, 6:30 pm, at the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT. Second by A. Kerouack.

There was discussion regarding concern with compliance for reclamation. A. Carpenter suggested a phasing plan for reclamation.

Motion carried unanimously (8-0).

**VII. Other Unfinished Business:**

1. SP15-008 Strategic Commercial Realty, Incl., d/b/a Rawson Materials; Off of Rukstela Road, Map 29/30, Lot 1/16, RA Zone, 127 Acres; Gravel Removal.

Motion by A. Kerouack to table the application SP15-008 Strategic Commercial Realty, Incl., d/b/a Rawson Materials; Off of Rukstela Road, Map 29/30, Lot 1/16, RA Zone, 127 Acres; Gravel Removal to the next regular meeting of the Brooklyn Planning and Zoning Commission to be held on December 2, 2015, 6:30 pm, at the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT. Second by D. Thompson. Motion carried unanimously (8-0).

**VIII. New Business:**

**a. Applications:**

1. SPR15-004 Robert Labossiere, 468 Allen Hill Road, Map 32, Lot 129, RA Zone; Proposed activity office and storage. (Modification/review of previously approved application).

C. Kelleher explained that this is a modification of a previously approved application. J. Larkin stated that Regulations require a change in lessee to come back to the Commission for review. He stated that the Applicant added on the site plan where a larger, construction dumpster will be located.

Robert Labossiere stated that the dumpster would not be there full time, but he just wanted the option to be able to put one there when needed. He stated that the office and storage uses would be the same.

A. Carpenter advised Mr. Labossier to remove any reference to Paul Archer (name, signature and seal) from the plan as the Commission should not review plans with modifications done after the original was signed and sealed.

Mr. Labossiere stated that it is a part-time construction office, only tools and construction stored inside the building, nothing stored outside with the exception of the dumpster periodically. No traffic. No meetings. No large trucks or excavation equipment, just pickup trucks. Hours of operation: 9 a.m. to 5 p.m.

Motion by A. Carpenter to approve the application SPR15-004 Robert Labossiere, 468 Allen Hill Road, Map 32, Lot 129, RA Zone; Proposed activity office and storage. (Modification of previously approved application) with the following conditions:

- Plan be revised to delete any information regarding Paul Archer Surveying (Title Block, Border, etc.) and resubmit to be on file without reference to Mr. Archer's responsibility to the plan;
- No outside storage of materials or equipment;
- Location of the dumpster as proposed on the site plan.

Second by M. Sigfridson. Motion carried unanimously (8-0).

**b. Other New Business:**

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

1. Zoning Enforcement Officer Report – Included in packets to Commission Members.

C. Kelleher asked if anyone had any questions, comments or concerns for her to convey to Martha.

A.Kerouack:

- Courtesy Ford may need a reminder as he has noticed vehicles for sale outside of the display area for three weeks;
- Signs (5) at the Danielson Glass construction site.

R. Ives mentioned that they have been inundated with “quick cash” signs which get put back up as fast as they are taken down.

A.Carpenter and C. Kelleher asked about the text amendment from Plainfield that was included in the packets. J. Larkin will research and report his findings to the Commission via e-mail. C. Kelleher stated that there is a possibility that it may require the attendance of a Commission Member (November 10<sup>th</sup>).

2. Zoning Permit Report October 2015 – None.
3. Wal-Mart Update.

J. Larkin stated that there is just the issue of closing out the bond.

4. Budget – None.
5. Correspondence – None.
6. Chairman's Report.

C. Kelleher stated that she attended a Water Source Protection Plan Sub-Committee meeting (in operation under the Conservation Commission). Mark Cohen prepared draft recommendations for the Town (public education handouts, addresses aquifers/overlay zone). She offered to send copies of the draft to those interested. She stated that, at some time, there will a report to the P&Z Commission with a suggestion for an overlay zone.

A.Kerouack stated that he would like the Conservation Commission to supply (yearly) a list of parcels with significant conservation value. He stated that they are supposed to keep a running list and supply the P&Z Commission with an updated list yearly. C.Kelleher stated that they can check it out and follow-up.

A.Kerouack supplied the Ordinance Number: 2-14.3 Powers and Duties.

D. Fuss asked about the re-write. J. Larkin stated that the Consultant is supposed to send a draft for the Commission to review prior to J. Roberson returning on December 7<sup>th</sup>. C.Kelleher stated that (per Martha) the Consultant would be meeting with the Commission in December.

A.Kerouack asked if A. Carpenter will be serving on the Zoning Map Sub-Committee. A.Carpenter stated that he will do it.

There was discussion regarding NECCOG public meetings (Route 169).

A.Carpenter asked if the Commission can get a report on the status of Danielson Glass. R. Ives stated that, at the next meeting, he will explain definition of duties and how they can accomplish that.

#### **X. Public Commentary:**

**Mike Zurowski**, 275 Rukstela Road, requested that information on signs that get put up and the letters that go out match. He stated that the certified letter received stated that the public hearing (SP15-008) was at 6:30 p.m. at the Green Building, but the sign at Christian Hill Road and Rukstela Road said 7:00 p.m. at the Community Center, and the sign at the other side didn't have a time on it.

J. Larkin will notify the Applicant to correct.

**Linda Trahan**, 26 Maynard Road, asked what safeguards would be in place for yearly renewals so that they are monitored more closely.

R. Ives stated that they must follow the rules and that the re-write may change some of the rules. He stated that there must be a consequence to not renewing on time and it needs to be reported to the Commission in a timely manner. Discussion ensued.

A.Kerouack stated that, because of secretary duties, he asked Martha for a list of permits and when they are due for renewal. She is working on it. Discussion ensued regarding responsibility in preparing the agenda. A. Kerouack stated that he noticed that an item was missing from the agenda. D. Fuss suggested that he speak with C. Kelleher regarding additions to the agenda to avoid too many people preparing the agenda. A.Kerouack offered that the By-Laws could be changed. C.Kelleher explained that it's not that his willingness to help is not appreciated, it's just trying to make things go smoothly.

**Pam Lukin**, 28 Maynard Road, discussed with Martha whether renewals should be part of the P&Z Commission's meeting so that the public can speak to it. Discussion ensued. R. Ives stated that notification of renewals that come up can be sent through the website for people who subscribe to it.

#### **XI. Adjourn:**

Motion by D. Thompson to adjourn at 8:02 p.m. Second by A. Kerouack. Motion carried unanimously.

Respectfully submitted,

J.S. Perreault  
Recording Secretary