

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION**

**Regular Meeting
Wednesday, July 6, 2016
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 6:31 p.m.

Roll Call - Carlene Kelleher; David Fuss; Aaron Kerouac; Michelle Sigfridson; Dale Thompson. Alan Carpenter, Craig Dunlop, Jeryl Mohn, and Jules D'Agostino were absent with notice.

Staff Present – Jana Roberson, Director of Community Development; Martha Fraenkel was seated in the audience.

II. Seating of Alternates – None.

C. Kelleher explained that Dale Thompson had submitted a letter of resignation as he has a new job. However, Mr. Thompson will be available to serve as an Alternate. C. Kelleher will ask the Board of Selectmen to appoint him as an Alternate Member.

Motion by D. Fuss to add an item to the Agenda before Item IX. Public Commentary: To accept the letter of resignation from Dale Thompson. Second by A. Kerouac. Motion carried unanimously.

III. Zoning Enforcement Officer Report.

Martha Fraenkel reported:

- As of this week she is only working for the Town of Brooklyn. Her hours have been increased and, so, she will also be working seven hours on Thursdays. She explained that the additional time will be mostly be spent on enforcement. She would like to stay on top of the sand and gravel renewals. She feels that renewals should be (at the most frequent) every other year. She explained that stretching it out further should be handled like the DEEP does with reporting performed by professionals to be submitted by the permittee (for review by Staff). She suggested that it would be a good thing if the Regulations supported a requirement like that.

Ms. Fraenkel stated that the draft of the re-write regarding sand and gravel that she had seen is not sufficient as it does support good monitoring of the operation, does not support Staff well enough, does not allow enough time for Staff review. She stated that it doesn't address renewals at all.

C. Kelleher stated that she wants to be sure that Ms. Fraenkel gets copies of subsequent drafts and that she gets meeting agendas where the Commission will be discussing Regulations so that Ms. Fraenkel would be able to attend or at least give her comments if she cannot attend. Ms. Fraenkel stated that she has given Mr. Chalder many suggestions.

J. Roberson explained that Mr. Chalder is addressing sand and gravel permitting in his latest draft (to be included in a chapter covering all excavation activities from very minor to the most significant). She expects to have the latest draft by July 19th, which would be handed out to Commission Members at the August 3rd meeting, to be discussed at the August 19th special meeting.

Ms. Fraenkel further spoke of shifting the burden of determining compliance to the applicant (not to be limited to only sand and gravel operators).

- Ms. Fraenkel feels that another area of concern for Zoning compliance is Paradise Lake and the junk that is there.

There was discussion regarding using the ticket system (the Statute is applicable to all enforcement actions in the Town). Hoarding was discussed. Ms. Fraenkel stated that how each situation is handled is case specific. C. Kelleher stated that she is comfortable that Ms. Fraenkel can make those judgements.

David Fuss asked if Ms. Fraenkel would now be available to attend meetings when her input is needed. Ms. Fraenkel stated that it is possible.

A. Kerouac asked about signs on Route 6 and noted a particular one that he had seen near Sorel's. Ms. Fraenkel stated that she is familiar with that sign and does not consider it a violation.

D. Fuss asked how Commission Members should notify Ms. Fraenkel of issues. Ms. Fraenkel stated that e-mail is best. C. Kelleher asked that if someone sends an e-mail to Ms. Fraenkel, they also cc the rest of the Commission Members so that Ms. Fraenkel won't get duplicate notifications. Ms. Fraenkel asked that if someone states a complaint to a Commission Member, that the Commission Member have the individual contact Ms. Fraenkel themselves.

D. Fuss asked Paul Archer (seated in the audience) if he feels the system with Ms. Fraenkel is working. Mr. Archer stated that Ms. Fraenkel is very good to work with, but he knows they are short staffed, and he feels the extra time is going to be a big help.

C. Kelleher asked if Ms. Fraenkel should attend meetings for big subdivisions. Ms. Fraenkel stated things that she would have to enforce could be made conditions of approval (e.g. she would like to see driveways required to be certified by an engineer/surveyor (representing the applicant) that they are done according to the Regulations). She would like the right to require that either to be built into the Zoning Regulations and/or in subdivision approvals. Other areas of concern mentioned are line of sight and erosion control.

J. Roberson stated that she and Glenn Chalder have been discussing this issue. She explained that by putting it in the appendix (which includes all application requirements) may enable the Commission to make changes without doing a zone change. The Commission's feedback is needed to determine what the application requirements should be. The A-2 Survey and as-built are in the current draft as a requirement. There needs to be a distinction between the subdivision regulations and the zoning regulations.

Paul Archer stated that he would not have a problem putting Martha Fraenkel on the list of people to receive a copy of subdivision maps.

Ms. Fraenkel stated that her concerns are mostly to do with getting compliance. J. Roberson stated that she is noting to build it into the Regulations that the ZEO needs some flexibility to make minor modifications as necessary during construction (a pre-made list of standard conditions). M. Sigfridson disagreed with having a list tacked on at the end and stated that if the conditions will be for every approval, they should just be in the Regulations. J. Roberson took note.

IV. Adoption of Minutes:

1. Regular Meeting Minutes June 1, 2016.

Motion by A. Kerouac to accept the Minutes of the Regular Meeting of June 1, 2016. Second by D. Fuss.

J. Roberson noted the following corrections:

- Page 2 – Third bullet under V. Public Commentary (Pam Lukin) should read, “She asked if it would be made clear what ‘significant change’ refers to.”
- Page 5 – Item 3. WWIC should be IWWC.

Motion carried unanimously with the noted corrections.

2. Special Meeting Minutes June 21, 2016

Motion by D. Fuss to accept the Minutes of the Special Meeting of June 21, 2016, as presented. Second by A. Kerouac.

J Roberson noted the following corrections:

- Page 1 – Item V. 1. Remove “Power Point” as J. Roberson did not give a Power Point presentation.
- Page 2 – Item V. 2. Remove “Power Point” as J. Roberson did not give a Power Point presentation.
- Page 2 – First paragraph do not capitalize “road network planning.”
- Glenn Chalder’s first name was misspelled.

Motion carried unanimously with the noted corrections.

V. Public Commentary

Paul Archer, Archer Surveying, stated that a property that he is surveying (on Barrett Hill Road) has no road frontage because that 10-foot strip still belongs to the original person (Mr. Townsend) who did the subdivision (approximately 15-20 years ago). Mr. Townsend is willing to deed it over. Mr. Archer asked the Commission by what process this should be handled.

J. Roberson explained the current process and stated that she doesn’t see how this is different. She will review the subdivision plan and refer to it in a letter explaining the situation.

C. Kelleher stated that **Doug Leonard** had left a binder for review by the Commission which contains his concerns and information regarding donation boxes. He refers to Article 19.1 Miscellaneous, Collection Centers, and points out that the Commission does have the authority and ability to enforce these Regulations.

J. Roberson stated that the vast majority of them did not get permits and are illegal. They will be addressed with the zoning regulations update and enforcement action will take place after the new regulations are enacted. Discussion ensued.

VI. Unfinished Business: None.

VII. New Business:

a. Applications: None.

b. Other New Business:

1. Preliminary discussion re: Proposed Condos on School Street.

Paul Archer, Archer Surveying, represented Brooklyn Center Complex. He provided copies of maps and indicated the parcel which is in the RA Zone. Multi-family housing/condominiums are not allowed in the RA Zone. Mr. Archer stated that two condo projects had been approved in the RA Zone in the last eight years. He asked for clarification as to whether the Commission would allow a multi-family condo complex (probably 55 and older similar to Brooklyn Commons) in this location in the RA Zone or whether they should apply for a zone change to either VCD or RA-30.

Mr. Archer explained that the parcel has sewer and water, 600 feet of road frontage on School Street, and (if needed) it has a small piece of property off of Franklin Street (he indicated that it is Map 33/Lot 14 which is a lot of record owned by Mark Benard). He stated that they could tie into the walking trail on the Pierce property. There are some wetlands. Traffic issues with the school would need to be addressed.

J. Roberson had researched the two condo projects that had been approved previously and provided an information sheet with her findings entitled, "History of Condo and Multiple Duplex Developments in the RA Zone." She explained that what was approved were a subdivision and a site plan review for Certification of E&S Controls, not for condos.

J. Roberson stated that the Lot shares boundaries with the R-30 Zone and it also touches the VCT Zone since its most recent zone change a couple months ago.

C. Kelleher stated that maybe, as part of the re-write, allowing multi-families in the RA Zone should be considered. She also would like to look at the possibility of conservation subdivision with duplexes instead of single-family dwellings. She stated that she feels a zone change to RA-30 makes the most sense.

J. Roberson mentioned a Planned Development District (which had been discussed at the April meeting). She explained that with this type of zoning, the applicant tries to convince the Commission to modify the zoning in that spot to allow that site plan.

Mr. Archer stated that they would do a preliminary layout (road, etc.) as part of the zone change application.

Discussion ensued.

Paul Archer will research Brooklyn Commons to create how many units to be allowed. He stated that they have spoken with First Selectman, Rick Ives, and that they may offer a piece of land for the parking area for the Middle School.

J. Roberson read from the definition of multi-family dwelling from the Regulations "...shall also be defined as more than two duplex units on one parcel of land."

C. Kelleher stated that the Commission would consider a change to the R-30 initiated by the applicant or Planned Development District could be incorporated into the re-write of the Regulations. The Commission was in agreement.

Mr. Archer stated that they will come back with a zone change to the R-30.

2. Review draft of the Regulations Re-Write.

The Commission reviewed Section 4 – Business Zones of the draft Regulations (pages 47 through 51).

SECTION 4.A. Village Center Zone

Page 47:

- Village Center District is now Village Center Zone.

Page 48:

- Agriculture not allowed in Neighborhood Commercial Zone.
- Animal units/Best Management Practices to be addressed in the next draft.
- Remove non-commercial agricultural uses.

- 4.A.3.2.3. Increase to 4 dwellings per structure.

At this time, D. Fuss stated that he would need to leave at 8:30 p.m. and that he will review the minutes. C. Kelleher suggested that the acceptance of D. Thompson's resignation be moved up on the Agenda. She read the resignation letter.

Motion by D. Fuss to accept the letter of resignation from Dale Thompson. Second by A. Kerouack. Motion carried unanimously.

Page 48 continued:

- There was discussion regarding 4.A.3.3.6, 7 & 8 and it was decided that Caterer's establishment would be by special permit.
- There was discussion regarding 4.A.3.3.1 – No change.

D. Fuss and D. Thompson left at 8:33 p.m.

Page 49:

- 4.A.3.5.1 Remove (reserved) and replace with No Industrial-Related Uses Allowed.
- There was discussion regarding light assembly. Would this be addressed within the use box at the bottom of the page?

Page 50:

- Add Non-commercial Agricultural Uses under 4.A.4.2 (definition needed).
- There was discussion whether to keep or remove 4.A.4.3.2. Adaptive Re-Use.

Page 51 – No changes.

There will not be a special meeting in July.

VIII. Reports of Officers and Committees:

1. Budget – None.
2. Correspondence – None.
3. Chairman's Report – None.

IX. Public Commentary – None.

X. Adjourn

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary