

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION**

**Special Meeting  
Tuesday, January 17, 2017  
Clifford B. Green Meeting Center  
69 South Main Street  
6:30 p.m.**

**MINUTES**

**I. Call to Order** - Chair, Michelle Sigfridson, called the meeting to order at 6:31 p.m.

**II. Roll Call** – M. Sigfridson; C. Kelleher; Craig Dunlop; David Fuss; A. Kerouac; Jeryl Mohn; Alan Carpenter and Jules D’Agostino were absent.

**Staff Present** – Jana Roberson, Director of Community Development.

**III. Seating of Alternates** – None.

**IV. Public Commentary** – None.

**V. Unfinished Business:**

**a. Continued Applications:**

1. SD16-002 Paul Sansoucy, Pomfret Road, Map 25, Lot 19, RA Zone; 1 lot subdivision.

Bruce Woodis, KWP Associates, represented the Applicant, Mr. Sansoucy, who was seated in the audience. Mr. Woodis stated that the appraisal had been obtained in the amount of \$60,000.00 (included in the packets to Commission Members). He explained that there would be a 60-foot by 125-foot access easement so that Mr. Sansoucy could grant an easement to himself for access (it is identified on page 2 of the plan set).

J. Roberson explained the process that the Commission Members had previously expressed that they would like to be followed:

- Fee-in-lieu of open space (to be paid at time of sale) which would be \$6,000.00 based on the appraisal. The Applicant would have an attorney would prepare a fee-in-lieu of open space lien to be reviewed by the Town Land Use Attorney to be filed on the land records simultaneously with the filing of the subdivision plans.
- This above procedure would also be followed for the driveway access easement/maintenance agreement (unless the right of entry permit is obtained prior to the subdivision plans being filed).

J. Roberson asked about a gravel drive that was originally labeled as “existing path.” Mr. Woodis explained that with improvements that had been made, it had been approved as an actual driveway.

Motion was made by C. Dunlop to approve the subdivision application of Paul Sansoucy for the property located on the east side of Pomfret Road, Assessor’s Map 26, Lot 19, identified in the files of the Brooklyn Land Use Office as SD 16-002, in accordance with all final plans, documents and testimony submitted with the application and including the following conditions:

- The driveway entrance onto Route 169/Pomfret Road shall not be utilized without the granting of a right of entry permit from CT DOT. Alternate access is currently available via a shared driveway with the adjacent lot (#248 Pomfret Road).

Prior to the endorsement by the Commission of the Final Subdivision Plan(s) for filing in the office of the Town Clerk:

- The approval letters from the Inland Wetlands and Watercourses Commission and the Planning and Zoning Commission shall be added to the Final Subdivision Plan(s).
- The surveyor shall provide written documentation that all boundary pins and monuments have been set and field verified.
- A 60' x 125' access easement in favor of the development lot and a driveway maintenance agreement for such easement area shall be submitted by the applicant for approval by Town Staff. Such agreement shall be filed simultaneously with the Final Subdivision Plans, unless the CT DOT right of entry permit for the Route 169/Pomfret Road entrance is obtained prior to the filing of the Final Subdivision Plans.
- Because the undeveloped land is not identified as a conservation priority in the Plan of Conservation and Development, a municipal fee-in-lieu of open space lien shall be prepared for the development parcel requiring that, at the time of sale of the 10.5 acre lot, a fee-in-lieu of open space shall be paid to the Town in the amount of \$6,000.00 for the 10.5 acre development parcel in accordance with the requirements of CT General Statutes 8-25 and Brooklyn Subdivision Regulation Section 8. Said lien shall be filed simultaneously with the Final Subdivision Plans.
- In the future, the remaining 154-acre parcel shall be subject to the open space requirement outlined in Section 8 of the Brooklyn Subdivision Regulations if it is further subdivided/re-subdivided.

Second was made by D. Fuss. Motion carried unanimously (6-0-0).

2. SP16-006 KCTT Properties, LLS, 520 Providence Road, Map 41, Lot 15, PC Zone;  
Construction of a drive-thru lane (relocation from current).

M. Sigfridson stated, for the record, that she is employed by a firm that leases space on this property and that she does not believe that there is a conflict of interest, and therefore, would like to participate in the discussion. There were no objections.

Paul Terwilleger, PC Survey Associates, represented the Applicant. Trevor Cardinal was seated in the audience. Mr. Terwilleger stated that IWWC approval had been received.

J. Roberson stated that Syl Pauley (NECCOG) had reviewed the plans and had no additional concerns after working with the design engineer.

#### Plan Deficiencies:

- There are less stacking spaces than the fourteen that Mr. Terwilleger stated that there are. It does not meet the required eleven stacking in the queue and another five between the window and the ordering station. However, it is a grandfathered situation with an existing (very short) drive-thru and this is an improvement because it allows for more spaces in the queue. This does not set a precedent.
- Dumpster/grease container were located in the area where the proposed drive-thru entrance would be located. Mr. Terwilleger explained that the current location is also the proposed location. J. Roberson brought the property up on Google Earth and indicated locations. She suggested that a better treatment for the dumpster/grease container area be provided than what is there now. Mr. Cardinal stated that the debris in the photo was from a sign that had been replaced and that it would be cleaned up. J. Roberson stated concern for the nearby wetlands and she stated that Martha Fraenkel has also expressed concern. She suggested that the Engineer be consulted on how to design something for this area. Discussion ensued. Mr. Terwilleger stated

that the proposed pavement could be extended to incorporate an area under the dumpsters if needed and that Mr. Cardinal plans to install a fence (chain link with slats) between the wetland and that area. Mr. Cardinal stated that he prefers gravel to paving for the dumpster location. Discussion continued regarding spill containment. Additional pavement could nullify the IWWC approval.

The Commission Members were polled and they were all in favor of continuing to the next regular meeting and for J. Roberson to consult with Syl Pauley.

Motion was made by A. Kerouac to table Application SPR17-001 KCTT Properties LLC to construct a re-located drive-through lane at 520 Providence Road (Sweet Peas) to the next Regular Meeting of the Brooklyn Planning and Zoning Commission to be held on Wednesday, February 1, 2017, at 6:30 p.m., at the Clifford B. Green Memorial Center located at 69 South Main Street Brooklyn, CT. Second by C. Dunlop. Motion carried unanimously (6-0-0).

**b. Other Business:**

1. Review/Discussion Draft of the Regulations Re-Write.

The Commission worked from the draft dated July 29, 2016.

5.C Golf Course Overlay Zone

J. Roberson provided a sheet showing the existing golf course (RA Zone) and restaurant (R-30 Zone) and she brought it up on Google Earth.

- There was a consensus of the Commission in favor of an overlay zone, but that it be named to make it clear that it is a zone with a location and finite boundaries.
- Keep scenic and maintain character.
- The Commission was in favor of minor, reasonable enhancements of use to be handled by site plan review.
- Special Permit for uses not customary and coincidental (no mini golf).
- Include the lot with the shed.

5.B Paradise Lake Overlay Zone

J. Roberson provided a sheet showing the area and she brought it up on Google Earth. She explained that lots are very small and people are prevented from investing in their properties due to setbacks.

- Eliminate/limit some of the more intense uses.
- Revisit agriculture (e.g. goats).
- New Zone or Overlay Zone? J. Roberson to work on a new zone for the draft unless it is found that it would not work.
- Something other than RA.
- J. Roberson can prepare owner map with statistics.

5.D Floodplain Overlay Zone

- There is a Floodplain Overlay Zone currently (by Ordinance), it just isn't shown on a map or in the Regulations.
- The Ordinance will be put into the zone with a map. New FEMA mapping to be used.

#### 5.E Aquifer Protection Overlay Zone

- Mandated by DEEP. Waiting for mapping and the Commission will need to adopt it.
- It is really a public wellhead protection overlay zone.

#### 5.F Groundwater Protection Overlay Zone

- Based on the Source Water Protection Plan.
- J. Roberson will get clarification on the map.
- There was discussion regarding uses on page 86 and the household hazardous waste collection (short-term storage) at the Transfer Station. There are ways to mitigate risk.
- There was discussion regarding pesticide use. A flyer with recommendations had been provided to residents at Family Day.
- New uses by special permit (e.g. gravel processing).
- No changes.

#### 5.G Planned Development District

- J. Roberson explained that this is more like a floating zone and is very flexible. More for a housing project.
- Remove public sewer and add community well and community septic.
- Remove Section 5.G.2. Fill in missing section headers.
- J. Roberson will ask Glenn Chalder to provide examples showing how it has been applied in other small towns in Connecticut.

There was discussion regarding a large project that gets approved and then gets scaled down. How does it relate to the original approval?

There was discussion regarding the following:

- Dunkin Donuts - J. Roberson will ask Martha Fraenkel why work has stopped.
- The Townsend project sitework – J. Roberson stated the swale is completed and the sitework for the smaller building will be able to stand alone and will drain into the serpentine swale. All landscaping will be installed along the north property line (two rows of trees, a berm and a fence). This was not proposed as a phased project. Discussion continued.

D. Fuss left at 8:35 p.m.

#### 5.A Scenic Corridor Overlay Zone

- Could be similar to the Village District Statute 8-2.j. (Village District that is not a village). The Commission would have very broad control over things publicly visible from the road. There was discussion. Distance – center point from the road?
- Exclude the VCD.
- J. Roberson to get an update from Jim Larkin (NECCOG).
- There was discussion regarding the need to have a public hearing to build a house. J. Roberson explained that the Commission could retain the design review authority without a special permit in a Village District. The public will provide feedback.
- J. Roberson will prepare a drive-along Route 169 demonstration to aid in the next discussion.

- Discussion regarding setting a limit. Scenic vistas need more examination.
- Village Standards which were accidentally put in Section 8.C. and have been moved back to the Village Center Zone. J. Roberson will work on language to change, “Village Center declared...” and also soften the first heading of the section.
- Page 79, last item, change to “Subdivisions shall be designed to preserve the cultural and natural resources to the extent possible.”
- Address a plan for open space with the next POCD – properties for acquisition.
- To what extend does the Commission want to promote conservation subdivisions – too big of a designation? Come up with a list of priorities for acquisition.

C. Kelleher reminded the Commission that the purpose of the re-write, originally, was to make the Regulations simpler and more user-friendly, not more restrictive. M. Sigfridson agreed, but stated that she would like to see how it is received by the public.

#### **VI. Public Commentary – None.**

#### **VII. Adjourn**

The meeting adjourned at 9:24 p.m.

Respectfully submitted,

J.S. Perreault  
Recording Secretary