

PLANNING AND ZONING COMMISSION
TOWN OF BROOKLYN
CONNECTICUT 06234

PLANNING AND ZONING COMMISSION
TOWN OF BROOKLYN
SPECIAL MEETING MINUTES
NOVEMBER 18, 2010
Clifford B. Green Memorial Center
69 South Main Street
7:00 p.m.

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TOWN OF BROOKLYN
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I. Call to Order: The meeting was called to order at 7:00 p.m.

II. Roll Call: Barbara Repko, Don Francis, Tom Doherty, Deane Rettig, Carlene Kelleher, Craig Dunlop, Henry Moses and Al Sandholm.

Absent: David Fuss with notice, Paul Camara without notice.

Staff Present: Jim Larkin, Audrey Cross-Lussier.

Also Present: Mr. and Mrs. James Combs, Norm Thibeault, Bruce Woodis, Mike Collins, Austin Tanner, and Gregory Cloutier.

III. Seating of Alternates: None.

IV. Public Commentary:

Lisa Arends, Allen Hill Road asks if it is possible to have updated copies of approved regulations placed on the website. Chairman Kelleher acknowledges this request.

Chairman Kelleher read a letter into the record from Jules D'Agostino with regards to an impending group home residency to be located at 6 Barrett Hill Road. Also Mr. D'Agostino commented on the New England Art Center Sign that is located on Route 169 and would like an estimated time of removal for the above mentioned sign. Chairman Kelleher will forward these comments to ZEO Chuck Dobrowski.

V. Reading of Legal Notice: Chairman Kelleher read the continued hearing notice into the record for application SP10-008. Deane Rettig read the public hearing notice into the record for application SP10-009.

VI. Public Hearings:

VII. Continued Public Hearings:

1. SP10-008 James and Suzanne Combs, 112 Fairgrounds Road, Map 24, Lot 61-3, VCD Zone, Construction of Garage 28 x 48. (continued from November 3, 2010).

Mr. Combs stated that agent approval has been granted by the Wetlands Commission. Chairman Kelleher read into the record a letter from Chuck Dobrowski, Inland Wetlands Agent that at the recent November 9, 2010 Inland Wetlands Meeting agent approval was granted by the Commission for construction of a 28 x 48 garage. Discussion held.

A motion was made by Don Francis to close the public hearing on SP10-008. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes unanimously.

VIII. New Public Hearings:

1. SP10-009 MDP Development, Tiffany Street, Map 47/46, Lot 46, 26A and 81, MMUDD Zone and R-30 Zone, 27.9 acres, Proposed 110-unit active adult community in existing mill complex and 11 new multi-family units similar in appearance to nearby existing structure.

Norm Thibeault from Killingly Engineering Associates represents application SP10-009. Mr. Thibeault submits the abutters certified mailings for the record.

The property is located in the Mixed Mill Use Development District and R-30 Zone. The largest of the three buildings has three floors. The bottom floor is halfway below grade and no residential use is being proposed. The second two floors will have up to 110 active adult residential units based upon the square footage available and the minimum size requirements. The mixed mill used development portion is approximately 12 acres with a front yard setback of 50 feet, rear and side yard of 15 feet, building to building separation of 40 feet, maximum building height of 35, impervious area of 50% and a required 150 square feet of recreation area. In the new building there are portions that do exceed 35 feet in height with no proposal to modify. The smaller of the two buildings located on the northern most portion will be used for commercial, retail and professional space. The R-30 zone property is approximately 15.9 acres. The front yard setbacks is 50 feet, rear yard 50 feet, building to building separation 25 feet, maximum building height 35 feet, maximum impervious area is 50%. Sewer service is available with documentation from United Water stating there is capacity in the treatment plant to handle the maximum flows that have been calculated for this development. Plans have been submitted to Connecticut Water and the applicant is awaiting approval. Proper notifications were submitted to the Department of Environmental Protection as this is part of the Level B aquifer protection area.

Mr. Thibeault reads the intent of the MMUDD regulation. Mr. Thibeault presents detailed drawings to the commission members. Mr. Thibeault discusses the mechanism of the storm water rain garden overflow structures. The piping is perforated. For most storm events there will be very little discharge as the bulk of the water is infiltrated back into the soil. During an occasional 50 year and 100 year storm you will have an overflow into the river which is being treated for storm water quality in accordance with the 2004 Erosion Control and Sedimentation Guidelines.

Mr. Thibeault discussed with Commission members winter snow removal in the parking area and agreed to place this on the plan.

Mr. Thibeault gives a detailed summary regarding the units to be built in the R-30 Zone. The intent will be to build as condominiums to sell, they will not be rentals. Units will be built one at a time. Mr. Thibeault submitted a traffic report and discussed this with Commission members. Mr. Thibeault further discussed signs; landscape plantings; calculation for parking; lot coverage and impervious area. Mr. Thibeault is awaiting comments from Connecticut Water and Regional Engineer Syl Pauley.

Deane Rettig asked how many units will be in the R30 Zone. Mr. Thibeault stated 8 to 10 per building with 104 in total. There will be 110 units in the mill building. Mr. Thibeault discussed parking spaces with Mr. Rettig.

Tom Doherty asked what was planned for the first floor below grade on the mill building. Mr. Thibeault stated that it will be a combination of storage and activity/game rooms. There will be no residence there.

Chairman Kelleher opens the floor for public commentary.

Greg Cloutier from Vermont, one of two owners of the hydroelectric plant, addressed a permanent right of way used for heavy equipment; a ledge/cliff area and fencing the area for resident's safety; drainage; voltage lines and noise level from the power station. Mr. Thibeault discussed these issues.

Chairman Kelleher asked what the distance is from the hydroelectric plant to the closest resident. Mr. Thibeault stated it would be approximately 300 feet; the elevation is approximately 22 feet.

Craig Dunlop asked what type of noise is made. Mr. Cloutier stated it is like a gear wind. Discussion held.

Lisa Arends, Allen Hill Road, asked if this is an adult community 55 and older can small children live with their grandparent. Mr. Thibeault discussed the statute that applies to this issue. Mr. Thibeault reviewed the duplex and mill units to be built with Ms. Arends. Ms. Arends is concerned with the ledge area and suggests fencing be used.

Chairman Kelleher asked how many bedrooms would be in the units in the R-30 Zone. Mr. Thibeault stated they will be 2 bedroom units. Ms. Kelleher asked if the developer conducted any market studies as what the need is for over 55 housing. Mr. Thibeault addressed this issue.

Henry Moses commented that on the plan it states wrought iron fence or chain link fence. Mr. Moses suggests that the chain link be removed and the wrought iron fence be used. Mr. Moses would like this extended into the ledge area. Mr. Thibeault further discussed the rain garden function with Mr. Moses. Mr. Moses asked if there has been an archeological study. Mr. Thibeault will provide the Commission with a letter from Nick Bellatoni. Discussion held.

Mr. Thibeault discussed the traffic study; parking spaces; and the storage and activity/game room area in the first floor below grade on the mill building with Al Sandholm.

A motion was made by Deane Rettig to continue the public hearing on application SP10-009 to December 1, 2010. Henry Moses seconds this motion. Discussion held on the motion. Jim Larkin recommends that Public Works and the Safety Committee comment on the application. All in favor. The motion passes unanimously.

Public Hearing Section Closes

Meeting Business Proceeds

IX. Unfinished Business:

1. SP10-008 James and Suzanne Combs, 112 Fairgrounds Road, Map 24, Lot 61-3, VCD Zone, Construction of Garage 28 x 48.

A motion was made by Deane Rettig to approve application SP10-008. Henry Moses seconds this motion. No discussion held. All in favor. The motion passes unanimously.

2. SP10-009 MDP Development, Tiffany Street, Map 47/46, Lot 46, 26A and 81, MMUDD Zone and R-30 Zone, 27.9 acres, Proposed 110-unit active adult community in existing mill complex and 11 new multi-family units similar in appearance to nearby existing structure.

A motion was made by Henry Moses to table application SP10-009 to the December 1, 2010 meeting. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes unanimously.

X. New Applications:

a. Subdivisions: None.

b. Site Plan Review: None.

c. Zone Regulation Change: None.

d. Special Permit: None.

XI. Other Business:

1. Gravel Regulations:

Chairman Kelleher discussed the issue of processing in the Industrial Zone. Ms. Kelleher asked the Commission if they would like to make a modification to take out the processing, crushing, etc., allowed in the Industrial Zone. Discussion held on Section 13.5.5.

A motion was made by Don Francis to move the gravel regulations back to the subcommittee. Henry Moses seconds this motion. Discussion held. The motion fails.

Further discussion was held.

The general consensus of the Commission was to add into Section 13.3.1 “restoration plan is required” and remove all “Industrial” references from Section 13.5.5. Jim Larkin will make the revisions to the gravel regulations.

A motion was made by Henry Moses to schedule the Gravel Regulations for a public hearing on January 5, 2011 with the submitted changes by NECCOG. Tom Doherty seconds this motion. No discussion held. All in favor. The motion passes unanimously.

2. Discussion of Courtesy Ford Variance:

Al Sandholm recuses himself from the table as he is an abutter.

Chairman Kelleher attended the November 15, 2010 Zoning Board of Appeals meeting where a motion was made to grant a variance for a 15 foot buffer reducing down to 5 feet due to the hardship of the taking of the property by eminent domain by the State of Connecticut. The motion included the landscape shrubbery be a maximum of 3 feet high.

Jim Larkin discussed his conversation that he had with Attorney Peter Alter with regards to the variance that was granted by the Zoning Board of Appeals. Discussion held.

Commission members held a lengthy discussion and voiced their opinions with regards to the variance that was granted. First Selectman Austin Tanner voiced his opinion as well.

A motion was made by Don Francis to appeal the decision of the Zoning Board of Appeals in the matter of Courtesy Ford variance. Tom Doherty seconds this motion. A lengthy discussion was held. Vote was taken: In favor of the appeal: Tom Doherty, Don Francis, Deane Rettig and Barbara Repko. Opposed: Carlene Kelleher and Henry Moses. Abstention: Craig Dunlop. Recused Al Sandholm. The motion passes.

A motion was made by Don Francis to approve the Planning and Zoning Chairman be authorized to seek out independent attorneys to carry out the appeal. Deane Rettig seconds this motion. No discussion held. In Favor: Barbara Repko, Don Francis, Tom Doherty, Deane Rettig, Carlene Kelleher, Craig Dunlop. Opposed: Henry Moses. Recused: Al Sandholm.

Al Sandholm returns to the table.

3. Plan of Conservation and Development:

Tom Doherty passed out copies of the current Plan of Conservation and Development. Mr. Doherty stated that a Town Public Hearing will be scheduled for January 6, 2011.

Chairman Kelleher commented that the Commission will reserve their right to make any changes until after the public hearing is held. Discussion held.

4. Village Center District: Deane Rettig commented that no meeting has been held within the last two weeks. Nothing new to report.

5. Regulations Subcommittee: Nothing new to report at this time.

6. Budget: Nothing new to report at this time.

7. Chairman's Report:

Chairman Kelleher reminded Commission members of the upcoming Freedom of Information classes to be held on Monday, November 22, 2010 at the Clifford B. Green Room with two sessions one at 3 p.m. and one at 7 p.m.

Chairman Kelleher would like to set up a future meeting with Deane Rettig and Al Sandholm to update the P & Z Bylaws.

Chairman Kelleher stated there is a workshop that OPM and NECCOG will be conducting seeking input for the revision, adoption amendment and implementation of the State of Connecticut Conservation and Development Policy Plan. The date is Tuesday, December 7, 2010 to be held at NECCOG from 6 p.m. to 8 p.m. Mr. Larkin discusses this and will send an email out to Commission members.

XII. Planning Priorities: None.

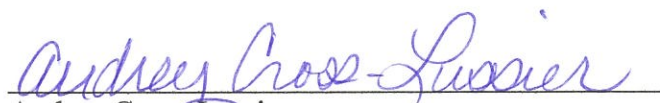
Chairman Kelleher addressed Mr. D'Agostino stating that she read his letter into the record. Mr. D'Agostino commented on the Zoning Enforcement Officer's report which previously had a running list of other activities and recommends getting back to this.

Al Sandholm recuses himself from the table.

Don Francis gave further comments on the ZBA Variance Appeal with regards to Courtesy Ford.

Al Sandholm returns to the table.

XIII. Adjourn: A motion was made by Barbara Repko to adjourn the meeting at 10:15 p.m. Tom Doherty seconds this motion. No discussion held. All in favor. The motion passes unanimously.


Audrey Cross-Lussier
Recording Secretary