

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Regular Meeting Agenda
Tuesday, January 17, 2023 6:30 p.m.**

3 WAYS TO ATTEND: IN-PERSON, ONLINE, AND BY PHONE

MEETING LOCATION:		
Clifford B. Green Meeting Center, Suite 24, 69 South Main Street, Brooklyn, CT		
Click link below: https://us06web.zoom.us/j/84765564828	or	Go to https://www.zoom.us/join Enter meeting ID: 847 6556 4828
Dial: 1-646-558-8656		
Enter meeting number: 847 6556 4828, then press #, Press # again to enter meeting		

- I. Call to Order
- II. Roll Call
- III. Seating of Alternates
- IV. Adoption of Minutes: Meeting January 4, 2023
- V. Public Commentary
- VI. Unfinished Business:
 - a. Reading of Legal Notices: None.
 - b. Continued Public Hearings:
 - 1. **ZRC 22-008:** Revisions to the Planned Commercial Zone to allow self-storage facilities as a Special Permit Use with specific standards, including Sec. 4.D.2.3.19 Permitted Uses in the PC Zone, and Section 6.T Standards for Self-Storage Facilities, Applicant: Townsend Development.
 - c. New Public Hearings: None.
 - d. Other Unfinished Business:
 - 1. **ZRC 22-008:** Revisions to the Planned Commercial Zone to allow self-storage facilities as a Special Permit Use with specific standards, including Sec. 4.D.2.3.19 Permitted Uses in the PC Zone, and Section 6.T Standards for Self-Storage Facilities, Applicant: Townsend Development.
 - 2. **ZRC 22-007:** Revisions to the Residential-Agricultural Zone to allow Glamping as a Special Permit Use with specific standards, including Section 2.B Definitions, Section 3.C.2.4. Permitted Uses in the RA Zone, and Section 6.T Standards for Glamping.
 - 3. **SP 22-007:** Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher. ***Public Hearing 2/21/2023***
 - 4. **SP 22-008:** Special Permit Application for Multi-Family Development (50 Condominium units) on south side of Louise Berry Drive (Assessor's Map 33, Lot 19), 13.5 acres, R-30 Zone, Applicant: Shane Pollack and Erin Mancuso. ***Public Hearing 2/1/2023***
 - 5. **SD 22-004:** One lot Resubdivision including 2 acres on Allen Hill Road/Wauregan Road (Map 31, Lot 97C), Applicant: Wayne Jolley/Lori Pike. ***Public Hearing 2/21/2023***
 - 6. **ZRC 22-009:** Multiple revisions to Section 4.F Mill Mixed Use Development Zone, Applicant: DMP Palmer Associates. ***Public Hearing to be Rescheduled***
- VII. New Business:
 - a. Applications: None.
 - b. Other New Business: None.
- VIII. Reports of Officers and Committees
- IX. Public Commentary
- X. Adjourn

Michelle Sigfridson, Chairman

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Regular Meeting
Wednesday, January 4, 2023 6:30 p.m.**

MEETING LOCATION:		
Clifford B. Green Meeting Center, Suite 24, 69 South Main Street, Brooklyn, CT		
Click link below: https://us06web.zoom.us/j/87925438541	or	Go to https://www.zoom.us/join Enter meeting ID: 879 2543 8541
Dial: 1-646-558-8656		
Enter meeting number: 879 2543 8541, then press #, Press # again to enter meeting		

MINUTES

- I. Call to Order** – Carlene Kelleher, Acting Chair, called the meeting to order at 6:34 p.m.
- II. Roll Call** – Carlene Kelleher, Allen Fitzgerald, Lisa Herring, Sara Deshaies, J. Haefele; Gil Maiato; (all were present in person).
Michelle Sigfridson was present via Zoom.
Seth Pember, Brian Simmons and Karl Avanecean were absent with notice.
- Staff Present:** Jana Roberson, Town Planner and Director of Community Development; Austin Tanner, First Selectman (both present in person).
- Also Present in Person:** Pete Parent, P.E. with CHA; Steve Townsend, Townsend Development; Attorney Kathleen Cerrone, The Northeast Law Center; J.S. Perreault, Recording Secretary.
There were approximately fifteen additional people present in the audience.
- Present via Zoom:** Rick Ives; Scott, J; Jackie; Lori Corriveau; Amy Fleming; WINY Radio; Sharon Loughlin; Arian; Bob; Mark Olivo, Scott Winslow.

III. Seating of Alternates – None.

IV. Election of Officers

Acting Chair C. Kelleher opened the floor to nominations for the position of Chairperson.

Motion was made by C. Kelleher to nominate M. Sigfridson for the position of Chairperson of the Brooklyn Planning and Zoning Commission.

Second by S. Deshaies. No discussion. There were no further nominations.
Motion carried unanimously by voice vote (6-0-0). M. Sigfridson abstained.

Motion was made by J. Haefele to close nominations for the position of Chairperson.

Second by G. Maiato. No discussion.
Motion #2, to close nominations, carried (6-0-1). M. Sigfridson abstained.
Motion #1 carried by voice vote (6-0-1). M. Sigfridson abstained.

Motion was made by J. Haefele to open nominations for the position of Vice Chairperson of the Brooklyn Planning and Zoning Commission.

Second by S. Deshaies. No discussion.
Motion carried unanimously by voice vote (7-0-0).

Motion was made by G. Maiato to nominate C. Kelleher for the position of Vice Chairperson of the Brooklyn Planning and Zoning Commission.

Second by A. Fitzgerald. No discussion. There were no further nominations.
Motion carried unanimously by voice vote (7-0-0).

V. Adoption of Minutes: Meeting December 20, 2022

Motion was made by L. Herring to adopt the Minutes of the Regular Meeting of December 20, 2022, as presented.

Second by G. Maiato. No discussion.

Motion carried by voice vote (6-0-1). J. Haeefele abstained as he had not been sworn in as a Voting Member of the Commission for that meeting.

VI. Public Commentary

Jim Doherty commented that he had concerns regarding the minutes of the December 20, 2022 meeting. There were some comments that had been made at the meeting, during discussion of ZRC 22-007 (Applicant: Little Dipper Farm), that he felt should have been either included or taken out of the minutes. He said that he would submit a written copy of his concerns to Staff.

M. Sigfridson and C. Kelleher expressed that suggestions for corrections to the minutes (omissions to be added or deletions) could be brought to the attention of the Commission, however, the Commission could not hear or receive any additional testimony because the public hearing has been closed.

Ms. Roberson suggested that if there are corrections, that they be put in a track changes version of the document and be submitted to her so that the Commission can review them.

Ed Homonoff, 66 Bush Hill Road, asked for clarification regarding whether the public can ask questions on how the Commission will make its decision due to two applications are now open that impact that section of the Town (one on Wolf Den Road and one at the intersection of Wolf Den Road and Bush Hill Road).

Ms. Roberson stated that traffic had been discussed at the last meeting and that the best time to address it would be during the public hearing. She stated that one is for a Zoning Regulation Change and one is for a Special Permit.

VII. Unfinished Business:

a. **Reading of Legal Notices:** Legal Notice for ZRC 22-008 was aloud by J. Roberson. Published in the *Turnpike Buyer* on December 21st and December 28th.

b. **Continued Public Hearings:** None.

c. **New Public Hearings:**

1. **ZRC 22-008:** Revisions to the Planned Commercial Zone to allow self-storage facilities as a Special Permit Use with specific standards, including Sec. 4.D.2.3.19 Permitted Uses in the PC Zone, and Section 6.T Standards for Self-Storage Facilities, Applicant: Townsend Development.

Pete Parent, P.E. with CHA, represented the Applicant, Steve Townsend. Mr. Townsend was seated in the audience. Mr. Parent gave an overview:

- They feel that self-storage meets the definition of a service use within the PC Zone.
- Self-storage facilities would be located a minimum of 150 feet from any street line, which gives plenty of buffer.
- There is a need for this use.
- There are a number of undeveloped and underutilized parcels within the PC Zone.

Steve Townsend spoke of his plan:

- It is part of a commercial development and it fits into what is already on the site (CVS/Spa).
- Low impact, very little traffic, little or no public safety issues, little noise (they have concern for their relationship with neighbors), positive impact on the Grand List, no impact to schools.
- They plan to build a 15,000 sq. ft storage facility and a second 19,000 s. ft. retail building in which they hope to house a restaurant and other retail units.
- He feels that this project would spur some development along Route 6 and he has someone who is prepared to move forward with the storage facility upon approval.

COMMENTS FROM STAFF:

J. Roberson reminded the Commission that they have approved self-storage under very tightly defined circumstances in the VC Zone and that they are also allowed by special permit under Adaptive Re-Use of an Agricultural Building. She noted that self-storage is not specifically mentioned in the POCD. She

commented that the Commission needs to decide if it is consistent with the purpose of the Zone and the spirit of the POCD.

COMMENTS FROM THE COMMISSION:

- **J. Haefele** asked if it would be internal storage with one or two entrances. Mr. Townsend stated that is correct and that they would be approximately 150 sq. ft. units.
- **A. Fitzgerald** asked about the language for Standards and explained that he would like language added regarding no outside storage/campers.

There was discussion regarding the proposed language. Ms. Roberson explained that there had been a slight modification to proposed Section 6.T.2 and that it had been provided in the revised packet. She read the Section aloud (it was also displayed):

Notwithstanding any other Section of these Regulations, self-storage facilities may be allowed as a Special Permit use in accordance with the provisions of Sec. 9-D, and the following provisions:

1. Self-storage facilities shall only be allowed on rear lots and shall be located a minimum of 150 feet from any street line.

Mr. Townsend explained that he has no problem with adding no outside storage as that was his intent all along.

COMMENTS FROM THE PUBLIC:

- **Rick Ives** (via Zoom) stated that he is very much in favor. He agrees that it should be inside storage only. The property has been a bit problematic and he feels that this is a use that is complementary/supplementary to the property.
- **David Loughlin**, 601 Wolf Den Road, spoke in favor of self-storage in a Commercial Zone and agrees with no outside storage.
- **Jacqueline Booth** spoke in favor and stated agreement with Mr. Ives.

MORE COMMENTS FROM THE COMMISSION:

- **L. Herring** stated that although the Commission has been conservative with self-storage facilities, this seems like a good place for it. She commented about a building that she had seen that is no longer being used, but could easily be used by another industry. She asked how many storage facilities are suitable for the Town.

Austin Tanner spoke in favor of this commercial development, but mentioned that this Application is for a Zone Change.

MORE COMMENTS FROM THE COMMISSION:

- **C. Kelleher** commented that self-storage facilities have historically not been permitted in the Commercial Zone because they are kind of dead buildings. She has never seen one in the middle of a shopping plaza. She referred to the Economic Development Section of the POCD where it talks about emphasizing local small businesses. She feels, in general, that self-storage units would not attract other businesses. She said that although she was not present when the Commission rejected Mr. Townsend's condominium application (for which representatives from local businesses expressed that they were in favor), she feels that it would have better benefitted the Town and the businesses located there by bringing in more people. She explained that that area was designated as the place for commercial development. She doesn't feel that this would be good for the Town as a whole. She feels that the Town needs more vibrant businesses and needs to protect the businesses that we already have.
Ms. Kelleher spoke about previous approvals for storage facilities that are in existing buildings that had been used for agriculture and it seemed to her that it was reasonable that these buildings be put to use.
She expressed concern for Mr. Townsend.
She stated that the Commission has previously denied an application for a storage facility on Route 6.

Mr. Townsend commented that he does developments across the country and has seen combinations of storage and retail and he explained that he feels that this is the perfect location behind CVS and McDonalds and it won't really be seen from the road. He said that he is trying to find something that will work with the neighbors.

Ms. Kelleher reminded Mr. Townsend that we are not only talking about his property as this would open the door to the whole district.

- **M. Sigfridson** stated that she is in total agreement with Ms. Kelleher. Ms. Sigfridson explained concern regarding the need for vibrant businesses and she explained that we have to look beyond the broad categories of Commercial and Residential and look at the impact of specific uses. Ms. Sigfridson explained that she may be in favor of allowing some storage in that Zone, being careful to make it work for Brooklyn.

MORE COMMENTS FROM STAFF:

J. Roberson explained/clarified, for the record, that there are two Zoning Regulations proposals at this time, both proposing to add Section 6.T. In this situation, depending on approval, it will be first come, first served. If both applications are approved, headings 6.T and 6.U would be assigned in the order approved.

There was discussion regarding more specific language for Standards/Conditions of Approval that would restrict the number of properties that could be developed in this manner: separating distance; mandatory mixed use. Ms. Roberson will research further. Ms. Sigfridson stated that the requirement that it be a rear lot narrows it down. Ms. Kelleher suggested that the public hearing be left open to address the comments made. Mr. Tanner commented about building height and how he feels it would fit in with the character of the area. Ms. Herring expressed concern regarding someone who may propose a very large facility.

Motion was made by J. Haeefe to table **ZRC 22-008**: Revisions to the Planned Commercial Zone to allow self-storage facilities as a Special Permit Use with specific standards, including Sec. 4.D.2.3.19 Permitted Uses in the PC Zone, and Section 6.T Standards for Self-Storage Facilities, Applicant: Townsend Development.

Second by S. Deshaies.

There was discussion regarding the date.

J. Haeefe amended his motion to include that ZRC 22-008 would be tabled to the next regular meeting of the Planning and Zoning Commission to be held on January 17, 2023, at 6:30 p.m., at the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Amendment Seconded by G. Maiato. No further discussion.

Motion carried unanimously by voice vote (7-0-0).

Ms. Roberson stated that she will make sure that the most up-to-date version is made available.

d. Other Unfinished Business:

1. **ZRC 22-008**: Revisions to the Planned Commercial Zone to allow self-storage facilities as a Special Permit Use with specific standards, including Sec. 4.D.2.3.19 Permitted Uses in the PC Zone, and Section 6.T Standards for Self-Storage Facilities, Applicant: Townsend Development.

Tabled to January 17, 2023 (see above Item VII.c.1).

2. **ZRC 22-007**: Revisions to the Residential-Agricultural Zone to allow Glamping as a Special Permit Use with specific standards, including Section 2.B Definitions, Section 3.C.2.4. Permitted Uses in the RA Zone, and Section 6.T Standards for Glamping, Applicant: Little Dipper Farm.

Ms. Roberson explained that there was a mistake and the modifications (dated December 22, 2022) that were included in the packet of information provided to the Commission Members was not the most current. The most current modifications (dated January 3, 2023) had been e-mailed to Commission Members and were also posted on the website. Ms. Roberson advised that, since the Commission did not have the most current information in front of them, it would not be inappropriate to take action at this meeting. She also stated that Seth Pember, although not present at this meeting, has been reappointed to the Commission, but has not yet been sworn in. She relayed that Mr. Pember has requested that he have an opportunity to have more discussion regarding this Application with the Commission.

Ms. Roberson encouraged discussion and displayed the information. She reviewed the modifications that had been discussed by the Commission:

- Limit of number of people
- Limit of number of sites/units
 - There was discussion regarding Section 6.T.2.5, last sentence: “The maximum number of Glamping **Units? or Sites?** in a Glamp-ground shall be fifty (50).” Ms. Roberson asked for clarification as to whether the Commission wants a limit of 50 sites or 50 units. Ms. Kelleher stated that she meant unit. There was further discussion and it was decided to remove the last sentence.
 - There was discussion regarding Section 6.T.2.5, first sentence: “The maximum density of Glamp-grounds shall be one Glamping Site per suitable acre.” It was decided to add to the end of the sentence, “up to a maximum of 50 units.”
- There was discussion regarding 6.T.2.6. Ms. Kelleher suggested it be changed from 25 percent to 20 percent of sites that could have up to three units.
- Prohibiting hard-sided structures.
Ms. Roberson explained that language regarding hard-sided structures has been removed.
- Ms. Roberson noted that she had made a number of grammatical/clerical corrections that do not change the character of the Regulation (e.g. she noticed another correction that needs to be made under 6.T.2.1 “not more than” appears twice).

J. Haefele stated, for the record, that he had not attended the three public hearings, but has reviewed all of the testimony and is up-to-date and prepared for discussion at this meeting. He feels that some suggestions from Norm Berman could be applied. He explained that this is a very difficult decision for the Planning and Zoning Commission and that the Commission is not only allowed to change Zoning, but is obliged to change it when it is required. Mr. Haefele stated that he is in favor of tabling taking action and made the following suggestions:

- Add periodic reviews, having the Application reconsidered every 24 months (at a minimum).
- Further limit eligible properties to the four that currently exist to eliminate the possibility of amalgamation. He suggested using the date of approval (if approved).
There was discussion and Ms. Roberson referred to Section 6.T.2.22 regarding separating distance from one Glamp-ground to another (5,280 feet or 1 mile). She explained that the four properties are all clustered in the northwestern quadrant of Town. Therefore, only one of the properties on Bush Hill Road could qualify as they are within a mile of each other. The other two properties, both on Route 169, are also within a mile of each other. This would not eliminate the concern for amalgamation. Commission Members voiced agreement with Mr. Haefele’s suggestion. Mr. Tanner commented that he does not think that there would be a large influx of people buying land to do this and he feels that some options should be left open for property owners. Ms. Sigfridson stated that she agrees with both Mr. Haefele and Mr. Tanner, but she does not object to including that language. She said that this is a big change and it is possible to be too careful, but that language would still allow for that use to happen on certain parcels. There was a consensus of the Commission to include the language to eliminate the possibility of amalgamation of parcels.
- Mr. Haefele asked about total number of people.
Ms. Roberson referred to Section 6.T.2.15 regarding the maximum lodging occupancy for the Glamp-ground of 150 occupants. There was discussion and Mr. Fitzgerald explained that the Commission had discussed limiting it to 2.1 people for a total of 110. (NOTE: It is unclear to the Recording Secretary whether Mr. Fitzgerald meant units or sites as he used both terms during his explanation.)
Ms. Kelleher explained that she would be in agreement with 150 persons. She feels that the number of units far exceeds the maximum number of people. Mr. Fitzgerald stated that the Applicant had originally set the occupancy of 250 people for 125 sites. Ms. Kelleher expressed that she disagrees with because she is concerned that you don’t want to make it so small that it is not feasible to even exist. She wondered if the number should vary with the size of the parcel. Mr. Haefele stated that this Regulation limits that, it is not a per acre limit.
- Mr. Haefele referred to 6.T.2.17 and said that the Commission had discussed adding standards for dark-sky compliance. He asked if it would be in special permit or would it be included here. S. Deschaies explained that it would be addressed within the special permit.
- Mr. Haefele referred to 6.T.2.19 regarding removing the language about photographs. There was discussion. It was decided to remove “or photographs of similar buildings.” Mr. Haefele suggested

further modifying item 6.T.d.19 so that it will be in agreement with the special permit requirements for site plan, so there won't be a conflict. There was agreement expressed for this change by other Commission Members.

- Mr. Haefele referred to 6.T.2.21 regarding quiet time.

There was discussion regarding whether to specify standards in two places. Ms. Roberson explained that it is okay sometimes to duplicate (e.g. gravel special permits) and she referred to Section 9.D – Special Permit Criteria. Mr. Haefele also asked about defining quiet time. He said that during the special permit process, he wants to be sure that the Commission is in control of what that means (e.g. decibels at the property line).

Ms. Roberson referred to 6.T.2.13 regarding staff accommodations. Ms. Roberson explained that there had been a mistake on the previous modification. After reviewing with the Applicant, she rewrote the last sentence to read, "Staff accommodations shall not be considered a glamping unit." She suggested, for clarity, the Commission may add, "nor a dwelling." Ms. Roberson also suggested that the Commission may want to be more specific about what the staff accommodations look like. Ms. Roberson read aloud the new definition of Glamping Unit and stated that language regarding hard-sided structures was removed. She asked what kind of structure for staff accommodations. There was discussion. Clarifying language is needed for 6.T.2.13 to define seasonal temporary living quarters.

Ms. Roberson will take the latest version for modifications from the Applicant and will make track changes to present to the Commission for review. Ms. Kelleher and Ms. Sigfridson agreed with this.

Motion was made by J. Haefele to table **ZRC 22-007**: Revisions to the Residential-Agricultural Zone to allow Glamping as a Special Permit Use with specific standards, including Section 2.B Definitions, Section 3.C.2.4. Permitted Uses in the RA Zone, and Section 6.T Standards for Glamping, Applicant: Little Dipper Farm, to the next regular meeting of the Planning and Zoning Commission to be held on January 17, 2023, at 6:30 p.m., at the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by G. Maiato. No discussion.

Motion carried unanimously by voice vote (7-0-0).

Point of Order: There was discussion regarding the number of votes needed to pass which would be five.

3. **SD 22-003**: Two-lot Subdivision including 26 acres at 430 Allen Hill Road (Map 32, Lot 128), Applicant: Naomi Regis.

Paul Terwilleger, Licensed Land Surveyor with P.C. Associates, represented the Applicant and gave an overview (plans were displayed as discussed):

- There is a large open field area with a large barn in the wooded area in back.
- The whole property is close to 195 acres.
- They are proposing to cut out a 12-acre lot to be conveyed to a friend of the family and a 14-acre lot which will contain the barn to be conveyed to the Applicant's son. This would make three parcels from a single parcel.
- He explained about the history of the parcel. A one-acre parcel had been cut out between the two lots in the 1980's which has been sold.
- The majority of the parcel has a high water table, so there are a lot of wetlands on the property.
- For the 14-acre parcel, they are proposing to locate a dwelling unit in front of or attach to the barn.
- They are proposing widening of the street line to bring it back to 25 feet off the centerline of the road, as is typical with a subdivision.
- The IWWC has approved.
- The Health Department has reviewed and approved (letter dated November 30, 2022). A septic system designed by an engineer is needed due to the high water table. He indicated the locations of the wetlands, the 125-foot regulated area (IWWC), septic, existing barn, addition to the barn, new well to be drilled, existing u-shaped driveway and entrances which they will be utilizing.
- For the 12-acre parcel, they are proposing a house to be located on the high part of the field, the septic system will be between the house and the road. He said that they would probably have a barn given the nature of the property. He indicated the driveway coming in from the existing entrance into the field. They are proposing curtain drains to bring the water table down around the uphill septic system. Water will drain out to the north side of the lot, then run to the rear.

Mr. Terwilleger explained that the property slopes to the north. The original house that was cut out in the 1980's. He indicated where they are proposing a berm to raise up the grade so that water runs to the back and not toward the original house. He indicated where it may pond a little bit, but then run to the back of the property. Mr. Terwilleger explained that he and the design engineer had visited the site to see what was contributing to the water run-off and he explained and indicated that they found that in the area of the driveway entrance into the site, the water run downs the gutter line in the road and, in that area, it seems to run across the field. Ms. Roberson provided a photo submitted by the neighbor and she stated that she disagrees. She said that the photo matches with exactly with the conditions that she saw during a rain event which she explained and indicated on the map. Water runs directly through vegetation and ponds in the neighbor's side yard. She said that it was not road run-off at all. She said that the water was going into the catch basin as it should. Ms. Roberson stated that she had explained to the neighbor how the berm would work as he is concerned about ponding behind the berm. She said that it might, but water is self-leveling. Mr. Fitzgerald noted that, in that area, there is a clay layer down about 18 inches that traps the water. Mr. Terwilleger explained about the curtain drain that they will be installing that will alleviate at least some of it. Ms. Roberson stated that Syl Pauley (letter dated December 6, 2022) acknowledged that this is an appropriate way to handle the existing run-off. Mr. Terwilleger explained that the berm will be about a two-foot high mound with maybe a slight cut on the uphill side to direct the water. Ms. Roberson explained that it is important that the berm be installed properly as inches will matter. She explained that there is going to be an interest to the Town in terms of protecting the neighbor's property from run-off to ensure during construction that this is done accurately. An as-built survey could be done to confirm it.

Ms. Roberson read aloud the recommendation of the Conservation Commission that the Applicant consider an off-site open space dedication on Quinebaug River front connecting to Davis Park. Mr. Terwilleger stated that the Applicant's decision is for fee-in-lieu. An appraisal from Northeastern Appraisals (dated December 2, 2022) of \$70,000 was included in packets to Commission Members. There was discussion. Mr. Terwilleger explained that the 14-acre lot is exempt from the open space requirement because it is being conveyed to the Applicant's son. Open space fee would be \$7,000.

QUESTIONS/COMMENTS FROM THE COMMISSION:

- **A. Fitzgerald** asked if the Town holds bond money for reclamation on the property. Ms. Roberson stated that we do not. There was discussion and Ms. Roberson explained that there had been an attempt to reclaim, but it was not successful. However, she has been seeing some vegetative growth,
- **C. Kelleher** asked if Syl Pauley's letter had been addressed. Ms. Roberson stated that it has.

A. Tanner asked if the Applicant may be interested in discussing the River property at all, as it would be an asset to the Town to have a trail along the River. Mr. Terwilleger stated that he may at some point and he will ask.

Motion was made by J. Haelele to approve the application SD 22-003: Two-lot Subdivision, Applicant: Naomi Regis, 26 acres at 430 Allen Hill Road (Map 32, Lot 128) in the RA Zone, creating two residential building lots in accordance with all final plans, documents and testimony submitted with the application and including the following conditions:

- 1) Prior to endorsement by the Commission of the Final Subdivision Plan(s) for filing in the office of the Town Clerk:
 - a. The approval and/or review letters from the Inland Wetlands and Watercourses Commission, the Northeast District Department of Health, and the Planning and Zoning Commission shall be added to the Final Subdivision Plan(s).
 - b. All boundary pins and monuments shall be set and field verified by the surveyor.
- 2) At the time of sale of a building lot:
 - a. At the time of sale of the building lot qualifying for an open space dedication, a payment in lieu of open space dedication shall be paid by the applicant to the Town in the amount of \$7,000 in accordance with the requirements of CT General Statutes 8-25 and Brooklyn Subdivision Regulation Sec. 8. An open space lien may be placed on the building lots to ensure that the fee-in-lieu of open space is paid at the time of sale.
- 3) Prior to the issuance of a Zoning Permit on any lot:

- a. The developer shall notify the Zoning Enforcement Office and Town Planner at least seven days in advance of any site work to schedule a pre-construction meeting.
- b. Prior to any lots being developed, driveway permits must be obtained from the Road Foreman in accordance with the adopted policy concerning driveways. No stonewalls, mature trees, or ledge within the r.o.w. shall be removed or modified unless necessary for safety. The responsibility of clearing, grubbing, blasting, and earthmoving with the Town of Brooklyn r.o.w. shall be the responsibility of the individual lot developer. Any cutting of trees greater than 30" d.b.h. for sightlines shall require prior approval by the Town of Brooklyn Tree Warden upon finding that the removal of trees is unavoidable to guarantee adequate driveway sightlines.
- c. The applicant and/or individual lot developers shall minimize impacts to natural features both on private lots and in the Town of Brooklyn r.o.w. to the greatest extent possible. This shall include but is not limited to the preservation of stonewalls, the protection of mature trees lining any public road, and the minimization of clearing and grading.
- d. Stonewalls that have been modified by development activities must be repaired or rebuilt prior to the issuance of a Certificate of Zoning Compliance on any lot containing a stone wall.

Second by G. Maiato. No discussion.

Motion carried unanimously by voice vote (7-0-0).

4. **SP 22-007:** Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher. ***Public Hearing to be rescheduled***

Ms. Roberson explained that the Applicant has agreed to an 11-day extension.

Motion was made by A. Fitzgerald to schedule the public hearing for SP 22-007: Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher for the regular meeting of the Planning and Zoning Commission to be held on February 21, 2023 at 6:30 p.m. at the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by J. Haeefe. No discussion.

Motion carried by voice vote (6-0-1). M. Sigfridson had recused herself.

5. **SP 22-008:** Special Permit Application for Multi-Family Development (50 Condominium units) on south side of Louise Berry Drive (Assessor's Map 33, Lot 19), 13.5 acres, R-30 Zone, Applicant: Shane Pollack and Erin Mancuso. ***Public Hearing 2/1/2023***

Ms. Roberson stated that she had suggested to the Applicant's engineer that they get new traffic data now that school is in session. Ms. Roberson explained that the Commission could hire a third-party consultant. There was discussion. Ms. Roberson explained the changes from the original proposal: school is now in session; it has been redesigned taking into account the recommendations for the stormwater infiltration system; and there is one fewer condo. J. Haeefe, C. Kelleher, M. Sigfridson and A. Fitzgerald stated that they would like to hire a traffic consultant. Ms. Roberson will inform the Applicant of this decision. Discussion continued.

Motion was made by J. Haeefe to hire a Traffic Consultant for **SP 22-008:** Special Permit Application for Multi-Family Development (50 Condominium units) on south side of Louise Berry Drive (Assessor's Map 33, Lot 19), 13.5 acres, R-30 Zone, Applicant: Shane Pollack and Erin Mancuso. ***Public Hearing 2/1/2023***

Second by G. Maiato. No discussion.

Motion carried unanimously by voice vote (7-0-0).

VIII. New Business:

a. Applications:

1. **SD 22-004:** One lot Resubdivision including 2 acres on Allen Hill Road/Wauregan Road (Map 31, Lot 97C), Applicant: Wayne Jolley/Lori Pike.

Ms. Roberson stated that this is pretty cut-and-dry in terms of development. She referred to page 5 of the plans, entitled "History Plan" (included in packets to Commission Members) and explained that it's not a clear history, but they've done their best to supply whatever information there is on the history of this parcel. She researched and said that it appears that this is a re-subdivision, not a subdivision. Re-subdivision requires a public hearing. Although not confirming that she specifically knows that it is a re-

subdivision, she feels that treating it as a re-subdivision is the best way to handle it because the history is not complete. There was discussion.

Motion was made by L. Herring to schedule the public hearing for SD 22-004: One lot Resubdivision including 2 acres on Allen Hill Road/Wauregan Road (Map 31, Lot 97C), Applicant: Wayne Jolley/Lori Pike for the regular meeting of the Planning and Zoning Commission to be held on February 21, 2023 at 6:30 p.m. at the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by A. Fitzgerald. No discussion.

Motion carried unanimously by voice vote (7-0-0).

2. **ZRC 22-009:** Multiple revisions to Section 4.F Mill Mixed Use Development Zone, Applicant: DMP Palmer Associates.

Ms. Roberson stated that the Applicant's agent is Tony Marcotte. There was discussion regarding industrial/light industrial. Ms. Roberson stated that their intention is to have housing and retail. It is two properties. They have done environmental cleanup work (to a degree), structural analysis, and probably some borings. The roof was collapsing, so they made that safe. The work that they have been doing is stabilization and environmental cleanup. There was discussion regarding the water tank, which they do not own.

Motion was made by L. Herring to schedule the public hearing for ZRC 22-009: Multiple revisions to Section 4.F Mill Mixed Use Development Zone, Applicant: DMP Palmer Associates for the regular meeting of the Planning and Zoning Commission to be held on March 1, 2023 at 6:30 p.m. at the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by S. Deshaies. No discussion.

Motion carried unanimously by voice vote (7-0-0).

- b. **Other New Business:** None.

IX. Reports of Officers and Committees:

- a. Staff Reports
Margaret Washburn's Report was included in packets to Commission Members. There was discussion.
- b. Budget Update (included in packets to Commission Members).
- c. Correspondence – None.
- d. Chairman's Report – None.

X. Public Commentary

Scott Winslow, Herrick Road, (via Zoom) asked for an explanation on ZRC 22-007, proposed Section 6.T.2.15 regarding the total number of people (150 vs. 110). Ms. Kelleher stated that the Commission could not answer the question and that it is still subject to discussion.

XI. Adjourn

C. Kelleher adjourned the meeting at 9:03 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary



**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION**

**REQUEST FOR CHANGE
IN
ZONING REGULATIONS**

Date 11/17/2022 Check # _____ Application #ZRC 22-008

Application Fee: \$250 State Fee: \$60 Publication Fee: \$~~600~~¹⁵⁰

Public Hearing Date _____ Commission Action _____ Effective Date _____

Name of Applicant Townsend Development Associates, LLC Phone 860-208-6839

Mailing Address 13309 Palmers Creed Terrace, Lakewood Ranch, FL 34202

REQUEST TO AMEND ARTICLE(S) 4 SECTION(S) D

If more than one Article is requested please attach separate sheet for each one

PARAGRAPH TO CHANGE 4.D.2.3 OF THE ZONING REGULATIONS

REQUEST TO CHANGE:

Add 4.D.2.3.19 Self-Storage Facilities, as a Special Permit Use in the Planned Commercial Zone

REASON FOR REQUEST:

Allow Self-Storage Facilities in the Planned Commercial Zone

Note: A petition may be filed at the Hearing by 20% or more of the area lots included in such a change within 500 ft of the property under Section 16.5 of the Zoning Regulations

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION**

**REQUEST FOR CHANGE
IN
ZONING REGULATIONS**

Date 11/17/2022 Check # _____ Application #ZRC _____

Application Fee: \$250 _____ State Fee: \$60 _____ Publication Fee: \$600 _____

Public Hearing Date _____ Commission Action _____ Effective Date _____

Name of Applicant Townsend Development Associates, LLC Phone 860-208-6839

Mailing Address 13309 Palmers Creed Terrace, Lakewood Ranch, FL 34202

REQUEST TO AMEND ARTICLE(S) 6 SECTION(S) T

If more than one Article is requested please attach separate sheet for each one

PARAGRAPH TO CHANGE 6.T OF THE ZONING REGULATIONS

REQUEST TO CHANGE:

Add Section 6.T Self-Storage Facilities in the Planned Commercial Zone

REASON FOR REQUEST:

Add additional standards for Self-Storage Facilities proposed in the Planned Commercial Zone

Note: A petition may be filed at the Hearing by 20% or more of the area lots included in such a change within 500 ft of the property under Section 16.5 of the Zoning Regulations

4.D. PLANNED COMMERCIAL ZONE

4.D.1. PURPOSE

The Planned Commercial (PC) Zone is intended to provide for those commercial uses which will accommodate the broad range of retail shopping, service and office space that will economically enhance the community while maintaining the sense of community and character of the Town of Brooklyn as outlined in the Town’s Plan of Conservation and Development.

4.D.2. PERMITTED PRINCIPAL USES

4.D.2.1. AGRICULTURAL-RELATED USES	
1. Farmers’ Markets in accordance with Sec. 6.L.4.	Zoning Permit (staff)
4.D.2.2. RESIDENTIAL-RELATED USES	
1. Not permitted	
4.D.2.3. BUSINESS-RELATED USES	
1. Retail Use	Special Permit (PZC)
2. Personal Services	Special Permit (PZC)
3. Restaurant, including fast food restaurant but not drive in restaurant	Special Permit (PZC)
4. Office – Business or Administrative	Special Permit (PZC)
5. Bank	Special Permit (PZC)
6. Licensed Health Service	Special Permit (PZC)
7. Banquet Hall and/or Caterer’s Establishment	Special Permit (PZC)
8. Hotel/Motel	Special Permit (PZC)
9. Child Day Care Center / Adult Day Care Center	Special Permit (PZC)
10. Health Club and/or Membership Club	Special Permit (PZC)
11. Automobile Sales	Special Permit (PZC)
12. Automotive Service Station	Special Permit (PZC)
13. Gas station	Special Permit (PZC)
14. Theater	Special Permit (PZC)
15. Indoor Sports and Recreation	Special Permit (PZC)
16. Itinerant Vendors in accordance with Sec. 6.L.2.	Zoning Permit (staff)
17. Seasonal Vendors in accordance with Sec. 6.L.3.	Special Permit (PZC)
18. Retail sale of cannabis by a Cannabis Retailer, or retail sale of cannabis and medical marijuana by a Hybrid Retailer, in accordance with Sec.6.S.	Special Permit (PZC)
19. Self-storage facility in accordance with Section 6.T.	Special Permit (PZC)

6.S

USE-RELATED PROVISIONS

SEPARATING DISTANCE FOR RETAIL SALE OF CANNABIS

6.S. SEPARATING DISTANCE FOR RETAIL SALE OF CANNABIS

6.S.1. PURPOSES

The intent of this regulation is to control the number and proximity of retail cannabis outlets in a rural community of our population as a matter of public safety and convenience, to preserve property values, as a means of promoting health and the general welfare of the community, and to preserve the community's quality of life.

6.S.2. STANDARDS

Notwithstanding any other Section of these Regulations, retail sale of cannabis by a Cannabis Retailer or a Hybrid Retailer may be allowed as a Special Permit use in accordance with the provisions of Sec. 9.D. and further subject to the following provision: that any Cannabis Retailer shall be located not less than 6,000 linear feet from another Cannabis Retailer or Hybrid Retailer. The separating distance between any two cannabis retail outlets (whether a Cannabis Retailer or a Hybrid Retailer) shall be measured from the nearest property line of the lot upon which the use is located to the nearest property line of the lot upon which another retail sale of cannabis use is proposed. No variance shall be issued by the Zoning Board of Appeals to reduce this separating distance.

6.T. SELF-STORAGE FACILITIES IN THE PLANNED COMMERCIAL ZONE

6.T.1. PURPOSES

The intent of this regulation is to allow self-storage facilities subject to the standards indicated in Section 6.T.2.

6.T.2. STANDARDS

Notwithstanding any other Section of these Regulations, self-storage facilities may be allowed as a Special Permit use in accordance with the provisions of Sec. 9.D. and the following provisions:

1. Self-storage facilities shall only be allowed on rear lots, and shall be located a minimum of 150-feet from any street line.
2. No Outdoor Storage shall be allowed.
3. Maximum allowable density for Self-Storage Facilities shall be 4,000 square feet of Gross Building Area per Acre of Lot Area, with no single building greater than 20,000 square feet.

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION**

REQUEST TO CHANGE:

**Draft modifications made by PZC since last applicant submission on
11/29/22**

I. Proposed Text Amendment - Glamping

[This language in [brackets] shall not be included in the Zoning Regulations and is provided simply to offer context and understanding. All other language shall be included in the respective amendments.]

[The following definitions are proposed to be incorporated into Section 2. Words and Terms, Subsection 2.B. Definitions, of the Town of Brooklyn Zoning Regulations.]

Glamping: Glamping describes luxury camping in unique and well-designed lodging structures located in areas that offer outdoor camping experiences with amenities such as beds, electricity, heat/ac, indoor plumbing, or food and beverage service usually not used when camping traditionally.

Glamping Site: A site or small unit of land not less than 1,250 square feet and not more than 2,500 square feet that consists of one (1) and up to three (3) Glamping Units. Glamping Sites must be associated with and within an approved Glamp-ground.

Glamping Unit: A lodging structure designed to be occupied for transient and recreational lodging. Such structures may include, but are not limited to, safari tents, yurts, teepees, ~~hard-sided structures, small cabins, and other similar structures.~~ Such Glamping Units may not exceed 600 square feet and must be part of the Glamp-ground operation and located on approved Glamping Sites. Glamping Units, like hotels, are not included in the definition of a dwelling, as defined in these Regulations.

Glamp-grounds: An area or facility consisting of two or more Glamping Units, with customary and incidental accessory uses.

Glamp-grounds, Accessory Uses: Customary and incidental uses to Glamp-grounds include, but are not limited to, food and beverage service, events, retreats, classes, passive and active recreation and related facilities, bath houses, maintenance facilities, and staff accommodations.

[Section 3.C. RA Residential-Agricultural Zone, Subsection 3.C.2.4. shall be amended to establish the use by including the following in the table of uses:]

7. Glamp-grounds and Glamping	Special Permit (PZC)
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[Amend Section 6. Use-Related Provisions to include a new subsection as follows:]

6.T. Glamping
6.T.1 Purposes
The intent of this regulation is to allow for Glamp-grounds and Glamping as principal uses in the RA Zone. The aim is to encourage tourism, agritourism, and economic development, while ensuring the Glamp-grounds and Glamping activities and accommodations are of such size and character to protect the public health, safety, and welfare of the community.
6.T.2 Standards
<ol style="list-style-type: none">1. The minimum lot size for a Glamp-ground is 125 acres and not more than 25% of the total parcel area shall be designated as Prime Farmland as determined by the CT DEEP Soil Survey Geographic Database Farmland Soils Connecticut and the USDA, Natural Resource Conservation Service.2. The Glamp-ground parcel shall have 400 feet of street frontage.3. No Glamping Site/Unit shall be located within 300 feet of the fronting street that provides access to the Glamp-ground facility.4. No Glamping Site/Unit or Glamp-ground related building shall be within 200 feet of any property line or 250 feet of a property line of a parcel containing a residential dwelling.5. <u>The maximum number of Glamping Units shall not exceed 50.</u> The maximum density of Glamp-grounds shall be one Glamping Site per suitable acre. A suitable acre is defined by the Connecticut Department of Public Health regulations for Family Campgrounds as dry land available for unit site development—dry land meaning land not designated as wetlands or watercourse. The density of one Glamping Site per acre shall not prevent Glamping Site or Glamping Units from being clustered together.6. Glamping Sites shall be a minimum of 1,250 square feet and a maximum of 2,500 square feet. Glamping Sites designed to accommodate two or three Glamping Units shall provide an additional 250 square feet for each additional unit. No more than 25% of Glamping Sites shall be designed to accommodate more than one Glamping Unit and no Glamping Site shall be designed to accommodate more than 12 persons.7. Glamping Units shall not exceed 15 feet in height, not including the raised permanent platform. No Glamping Unit shall have an occupancy greater than 8 persons or exceed 600 square feet in size.8. All Glamping Units, at a minimum, shall be designed for three-season use and shall be made of high-quality durable materials.9. All Glamping Units shall be installed on raised permanent platforms no less than 6 inches off the ground. Any Glamping Unit that is manufactured on wheels shall be installed on the raised platforms with the wheels removed.10. Glamp-grounds providing food service shall provide menu-style restaurant food service, including a commercial kitchen.11. The primary access driveway to the Glamp-ground shall be 22 feet wide for the first 100 feet to provide adequate turning for emergency vehicle access. Internal drives shall be a minimum 12 feet wide.12. Occupancy for Glamping Units shall be transient, and no Glamping Site or Unit shall be rented to the same guest for more than 14-consecutive nights or a total of 60-nights in a 12-month period.

13. A Glamp-ground may provide on-site staff accommodations for up to 50% of the total staff. The number, size, design, and location of staff accommodations shall be included as part of the application for Site Plan (Section 9.C) and Special Permit (Section 9.D). For the purpose of these regulations, staff accommodations shall not be included in the definition of dwellings.
14. Sufficient solid waste facilities shall be provided. All such solid waste facilities shall be screened and secured from wildlife access.
15. Maximum lodging occupancy for the Glamp-ground shall be a total of ~~225~~110 persons including both lodging and event guests.
16. The parking requirements for a Glamp-ground shall total of 1.50 parking spaces per Glamping Unit. Parking shall be provided in designated areas within 500 feet of Glamping Sites. A minimum of five (5) parking spaces shall be provided at the lobby/check-in facility.
17. All lighting shall be dark sky compliant.
18. As part of food and beverage service, the service of alcohol is permitted in accordance with permitting and service requirements of the Connecticut Department of Consumer Protection, Liquor Control Division.
19. As part of any application for Site Plan (Section 9.C) and Special Permit (Section 9.D), the applicant shall submit architectural information, elevations/renderings (or photographs of similar buildings) of proposed building, including the identification of texture, color, and type of building materials to be used.
20. The application for Site Plan (Section 9.C) and Special Permit (Section 9.D) shall locate each Glamping Site, noting the size of the Site in square feet, the number and size (square feet) of Glamping Units on each Site, and maximum total occupancy for each Site and Unit. In addition, the height of each Glamping Unit shall be provided on the plans.
21. Glamp-grounds shall maintain quiet time between 10:00pm and 8:00am.
22. No Glamp-ground shall be located less than 5,280 feet from another Glamp-ground, as measured from the nearest property lines.
23. A Glamp-ground seeking to host events for more than fifty (50) persons who are not lodgers at the Glamp-ground, shall require a Special Permit in accordance with Section 6.J. (Special Events) of these Zoning Regulations. If events are part of the business plan for the Glamp-ground, the Special Events application shall be submitted at the time of the application for Site Plan (Section 9.C) and Special Permit (Section 9.D) for the Glamp-ground, other said application may be submitted at the time when events may be incorporated into the Glamp-ground.
24. The application for Site Plan (Section 9.C) and Special Permit (Section 9.D), as submitted by the applicant, shall employ a context sensitive design approach for the Glamp-grounds. Such an approach shall give due consideration to the character of the area, the physical character of the proposed site, proximity of neighboring properties and uses, and demonstrate to the Commission that the design of the proposed Glamp-ground and the associated uses, structures, facilities, and infrastructures are designed in accordance with the applicable provisions Chapter 7 (Basic Standards) of these Zoning Regulations and to mitigate off-site impacts.
25. The application for Site Plan (Section 9.C) shall include all buildings, structures, infrastructures, use areas, and activities that are essential and integral to the Glamp-ground and Glamping operation.
26. The design of the Glamp-ground facilities shall comply with ADA requirements.
27. The design and operation of the Glamp-ground shall comply with the Connecticut Department of Public Health regulations for Family Campgrounds (Section 19a-2a-29 of the *Regulations of Connecticut State Agencies*).

28. Wastewater systems shall comply with the Connecticut Public Health Code.
29. Potable Water Systems shall comply with the Connecticut Public Health Code
30. All construction of buildings, structures, and Glamping Units shall comply with the Connecticut State Building Code and Connecticut State Fire Prevention Code.

- Seat alternates as necessary.

ZRC 22-008: Revisions to the Planned Commercial Zone to allow self-storage facilities as a Special Permit Use with specific standards, including Sec. 4.D.2.3.19 Permitted Uses in the PC Zone, and Section 6.T Standards for Self-Storage Facilities, Applicant: Townsend Development.

- Tonight, you are holding the public hearing on this proposed zone change. If you close the public hearing, you may take action or continue to discuss.

Sample motion to approve

Move to approve the proposal to allow self-storage facilities as a Special Permit Use with specific standards, including Sec. 4.D.2.3.19 Permitted Uses in the PC Zone, and Section 6.T Standards for Self-Storage Facilities with the finding that the changes will aid in the protection of public health, safety, welfare, and property values and are consistent with the Plan of Conservation and Development and the intent of the Zoning Regulations. The regulations shall become effective 15 days from the date of publication.

Sample motion to deny – To eliminate confusion, I have not included a motion to deny. If you are not in favor, simply vote “nay” to the preceding motion. Because all reasons for this decision must be documented, you will be asked to state your reasons for voting nay. (Ex. I do not believe the changes will aid in the protection of public health, safety, welfare, and property values and are not consistent with the Plan of Conservation and Development nor with the intent of the Zoning Regulations.)

ZRC 22-007: Revisions to the Residential-Agricultural Zone to allow Glamping as a Special Permit Use with specific standards, including Section 2.B Definitions, Section 3.C.2.4, Permitted Uses in the RA Zone, and Section 6.T Standards for Glamping, Applicant: Little Dipper Farm.

In an effort to make the review easier, I have included one document showing the draft changes the Commission has discussed to the final version submitted by the applicant.

You may continue to make changes if the topic was discussed during the public hearing.

You must consider the factors below in making your decision. You may consider public comments, but you do not have to vote based on public opinion. When it comes to changing the Zoning Regulations, you are the experts!

Below is some guidance on zoning regulation changes (i.e. text amendments):

1. In making its decision the Commission shall:
 - a. consider whether the text amendment will be in accordance with a comprehensive plan (the overall scheme of the zoning map and these Regulations), and
 - b. take into consideration the Plan of Conservation and Development, prepared pursuant to CGS Section 8-23.
2. Before approving any Text Amendment application, the Commission shall determine that the proposed regulation change will aid in:
 - a. protecting the public health, safety, welfare, or property values, and
 - b. attaining the purposes of these Regulations.
3. In accordance with CGS Section 8-3(b), such text change(s) shall be established, changed or repealed only by a majority vote of all the members of the Commission (5 of 8).
4. Whenever the Commission acts upon a Text Amendment application, it shall state upon the record the reason(s) for its decision.
5. In accordance with CGS Section 8-3a(a), the Commission shall state on the record its findings on consistency of a proposed zoning regulation or text change with the Plan of Conservation and Development, as may be amended.

Sample motion to approve

Move to approve the proposal to allow Glamping as a Special Permit Use in the RA Zone with specific standards, including revisions to Section 2.B-Definitions and Section 3.C.2.4.-Permitted Uses in the RA Zone and the addition of Section 6.T-Standards for Glamping to the Zoning Regulations with the finding that the changes will aid in the protection of public health, safety, welfare, and property values and are consistent with the Plan of Conservation and Development and the intent of the Zoning Regulations. The regulations shall become effective 15 days from the date of publication.

Sample motion to deny – To eliminate confusion, I have not included a motion to deny. If you are not in favor, simply vote “nay” to the preceding motion. Because all reasons for this decision must be documented, you will be asked to state your reasons for voting nay. (Ex. I do not believe the changes will aid in the protection of public health, safety, welfare, and property values and are not consistent with the Plan of Conservation and Development nor with the intent of the Zoning Regulations.)

SP 22-007: Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher.

- This proposal is for an existing facility that was originally constructed for personal use.
- A traffic study and a drainage study was submitted with the application. You may wish to consider the need for third party consultants.
- Consider if you want to do a site walk.
- The public hearing was rescheduled for 2/21/23. I have reserved the school auditorium for this date due to another application.

Sample Motion

Move to reschedule the public hearing for SP 22-007: Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher for the regular meeting of the Planning and Zoning Commission to be held on **February 21, 2023** at 6:30 p.m. at the Brooklyn Middle School Auditorium, 119 Gorman Road, Brooklyn, CT and via Zoom.

SP 22-008: Special Permit Application for Multi-Family Development (50 Condominium units) on south side of Louise Berry Drive (Assessor's Map 33, Lot 19), 13.5 acres, R-30 Zone, Applicant: Shane Pollack and Erin Mancuso.

Sample Motion

Move to reschedule the public hearing for SP 22-008: Special Permit Application for Multi-Family Development (50 Condominium units) on south side of Louise Berry Drive (Assessor's Map 33, Lot 19), 13.5 acres, R-30 Zone, Applicant: Shane Pollack and Erin Mancuso for the regular meeting of the Planning and Zoning Commission to be held on **February 1, 2023** at 6:30 p.m. at the Brooklyn Middle School Auditorium, 119 Gorman Road, Brooklyn, CT and via Zoom.

SD 22-004: One lot Resubdivision including 2 acres on Allen Hill Road/Wauregan Road (Map 31, Lot 97C), Applicant: Wayne Jolley/Lori Pike.

Sample Motion

Move to reschedule the public hearing for SD 22-004: One lot Resubdivision including 2 acres on Allen Hill Road/Wauregan Road (Map 31, Lot 97C), Applicant: Wayne Jolley/Lori Pike for the regular meeting of the Planning and Zoning Commission to be held on **February 21, 2023** at 6:30 p.m. at the Brooklyn Middle School Auditorium, 119 Gorman Road, Brooklyn, CT and via Zoom.

ZRC 22-009: Multiple revisions to Section 4.F Mill Mixed Use Development Zone,
Applicant: DMP Palmer Associates.

- Mr. Marcotte cannot attend the meeting on March 1 and has granted an extension to March 21, 2023.

Move to reschedule the public hearing for ZRC 22-009: Multiple revisions to Section 4.F Mill Mixed Use Development Zone, Applicant: DMP Palmer Associates for the regular meeting of the Planning and Zoning Commission to be held on **March 21, 2023** at 6:30 p.m. at the Clifford B.Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

CONNECTICUT LAND USE LAW FOR MUNICIPAL LAND USE AGENCIES, BOARDS, AND COMMISSIONS

**Saturday, March 11, 2023
9:00 a.m. – 4:30 p.m.**

Webinar

This is a virtual meeting and will be accessible via Zoom. Zoom is a cloud-based platform for video and audio conferencing. It can be accessed through a browser on any device, or the Zoom app.

To receive your Webinar Link, you must provide your e-mail address when you register.

To receive your printed course material, in a timely manner, please register by February 15th.

This program conforms to the statutory guidelines for planning and/or zoning commission and zoning board of appeals member training. This program fulfills general training requirements and half of the required one hour of training concerning affordable housing and fair housing policies. Note: the Office of Policy and Management does not certify individual programs.



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Planning and Zoning Section

CONNECTICUT LAND USE LAW FOR MUNICIPAL LAND USE AGENCIES, BOARDS, AND COMMISSIONS

The future of Connecticut's communities will be shaped by its land use laws and regulations. Developers, neighbors, and preservationists all intersect before municipal land use boards and commissions, advocating their particular interests and approaches. Each commission member regularly has to make critical decisions, all within the context of complicated statutory and case law.

This introductory level course will focus on topics of immediate concern to all municipal land use agencies, boards, commissions, and their staffs. The topics reflect both timely and practical situations, confronting participants at every level of the municipal land use process. This course will provide a broad review of the municipal land use process, including zoning, planning, zoning board of appeals, and wetlands issues. Members of municipal land use agencies, boards, and commissions, as well as municipal planners, enforcement officers, and engineers will benefit from this full day course.

SEMINAR PROGRAM

9:00 a.m. – 9:10 a.m.

Welcome

*Atty. Jason A. Klein, Stamford
Chair, CBA Planning and Zoning Section*

9:10 a.m. – 9:40 a.m.

Planning Commissions

Atty. Amy E. Souchuns, Milford

This session will cover powers of the planning commission, plan of development, statutory notice requirements, subdivisions and resubdivisions, multi-agency approvals, reasons for denial, open space, changes in regulations, bonding requirements, conditional approvals, and mandating off-site improvements.

9:40 a.m. – 10:10 a.m.

Zoning Commissions

Atty. Marjorie F. Shansky, New Haven

This session will cover enabling legislation, powers of zoning commissions and proper purposes and goals of zoning, the comprehensive plan, proper notices of hearings, designating and amending zoning districts, spot zoning, floating zones, the uniformity requirement, dependence upon other governmental agency action, rendering decisions, and publications of notices of decisions.

10:10 a.m. – 10:20 a.m.

Break

10:20 a.m. – 10:50 a.m.

Non-Conforming Uses

Atty. Christopher J. Smith, Hartford

This session will entail a general discussion of the origin, scope, and problems of non-conforming uses.



10:50 a.m. – 11:20 a.m.

Special Permit and Site Plan Review

Atty. Brian R. Smith, Hartford

This session will cover statutory requirements and the distinction between special permit and site plan review, and appeals from decisions on applications for special permit and site plan approval.

11:20 a.m. – 11:50 a.m.

Zoning Board of Appeals

Atty. Dorian R. Famiglietti, Vernon

This session will cover functions of zoning boards of appeal, variances, legal requisites for hardship, including issues of confiscation and self-created hardships, other statutory duties of the ZBA, and hearing procedures.

12:00 p.m. – 12:30 p.m.

The 2020 ZiPLeR Awards

Atty. Dwight H. Merriam, FAICP, CRE, Weatogue

12:30 p.m. – 1:00 p.m.

Wetlands Law and Procedure

Atty. Michael A. Zizka, Hartford

This session will cover a review of procedures of municipal inland wetlands and watercourse agencies, and how wetlands law impacts the zoning and planning process.

1:00 p.m. – 1:30 p.m.

Conflict of Interest and Predisposition

Atty. Richard P. Roberts, Hartford

This session will cover statutory provisions on conflict of interest, rules governing predisposition and predetermination, court decisions on conflict of interest, drawing the line between cases where disqualification applies and does not apply, and procedural problems when a question of conflict arises.

1:30 p.m. – 2:00 p.m.

Procedural Issues in the Municipal Land Use Process

Atty. Peter S. Olson, Bethel

This session will cover a review of statutory provisions and case law concerning administrative process, applications; conducting a public hearing; creating the administrative record, and making appropriate findings and conclusions to support decisions.

2:00 p.m. – 2:10 p.m.

Break

2:10 p.m. – 2:40 p.m.

Affordable Housing: The Municipal Perspective

Atty. Ira W. Bloom, Westport

This session will cover a review of an application filed under Section 8-30g of the General Statutes from the Planning & Zoning Commission perspective, including practical advice and a review of the relevant case law.

2:40 p.m. – 3:10 p.m.

Things to Watch out For:

Fair Housing Act, Religious Land Use and Institutionalized Persons Act (RLUIPA)

Atty. Jason A. Klein, Stamford

This session will cover a review of the implications of federal legislation on local zoning, particularly the Fair Housing Act and the Religious Land Use and Institutionalized Persons Act (RLUIPA) as well as state law considerations regarding religious expression and free speech issues.

3:10 p.m. – 3:40 p.m.

Enforcement

Atty. Charles R. Andres, New Haven

This session will cover analysis and discussion of Connecticut law concerning enforcement through the zoning, planning, and wetlands process.

3:40 p.m. – 4:10 p.m.

Environmental Interventions

Atty. Janet P. Brooks, East Berlin

This session will cover interventions under Conn. Gen. Stat. Section 22a-19 for the purpose of raising environmental issues: what they are, what they do, and what you have to do when you get one.

4:10 p.m. - 4:30 p.m.

Q&A

Short Term Rentals (Written material)

Atty. Dwight H. Merriam, FAICP, CRE, Weatogue

Please Note:

This program is available only to members of municipal land use agencies and their support staff.

Refunds of seminar fees will not be granted for cancellations after the course material is mailed out.

To receive your printed course material, in a timely manner, please register by February 15th.

To receive your webinar link, you must provide your e-mail address when you register.

This is a virtual meeting and will be accessible via Zoom. Zoom is a cloud-based platform for video and audio conferencing. It can be accessed through a browser on any device, or the Zoom app.

Registration Form

Connecticut Land Use Law Seminar

Saturday, March 11, 2023

To Register

To receive your printed course material, in a timely manner, please register by February 15th.

To receive your webinar link, you must provide your e-mail address when you register.

- Visit ctbar.org/LandUse2023 to register online
- Mail the completed form to:
Connecticut Bar Association, 30 Bank St, New Britain, CT 06051
- Fax the completed form to (860) 223-4488
- Call (860) 223-4400

Payment must accompany registration.

(Please use a separate registration form for each registrant)

Yes, I will attend the Virtual Connecticut Land Use Law Seminar \$45.00 (includes printed copy of materials)

No, I cannot attend the seminar, but would like to purchase _____ copies of the seminar materials \$45.00 per copy (includes shipping and handling)

Please PRINT full name.

Name: _____

Municipal Agency: _____

E-mail: _____

Shipping Address: _____

City: _____

State: _____ Zip: _____

Phone: _____

Fax: _____

Payment Method

Check (payable to Connecticut Bar Association)

Visa MC Amex Discover Amount: \$ _____

Card #: _____

Exp. Date: _____ CVV: _____

Billing Zip Code: _____

Signature: _____

Meeting code: #SPZ230311

UConn

COLLEGE OF AGRICULTURE, HEALTH, AND NATURAL RESOURCES
Center for Land Use Education and Research



Land Use Commissioner Training

Land Use Commissioner Training

CT DEEP Training / Certificate Courses

UConn CLEAR Training Courses

CLEAR Webinar Library

Connecticut Land Use Commissioner Training Calendar

As of January 1, 2023, planning and zoning commissioners in the State of Connecticut are required to attend **4 hours of training each year**. For more information on these requirements, review the **CT Office of Policy and Management (OPM) guidelines here**.

UConn CLEAR, in collaboration with OPM, has set up a statewide **Land Use Commissioner Training Calendar** (right column) to help towns and commissioners locate training opportunities in line with these requirements. This includes events from providers throughout the state. There are also

ongoing virtual trainings offered by CLEAR & CTDEEP that may meet training requirements (see below).

If you are a **training provider** and would like to add events to this calendar, **please fill out this form** and your event will be added.

Please note: there is no certification process for these trainings. It is left up to individual town commissions to determine which trainings meet the guidelines.

CT Land Use Commissioner Training

Today Friday, January 13 Print Week Month Agenda

Thursday, February 2	
4:00pm	Bias, Predisposition, and Conflict - CLEAR Land Use Academy
Thursday, February 9	
4:00pm	Running a Meeting and Making a Decision - CLEAR Land Use /
Thursday, February 16	
4:00pm	Affordable Housing - CLEAR Land Use Academy Advanced Tra

Events shown in time zone: Eastern Time - New York Calendar

CONTACT

☎ 860-345-4511

✉ clear@uconn.edu

📍 UConn Center for Land Use Education & Research
Middlesex County Extension
PO Box 70, 1066 Saybrook Road
Haddam, CT 06438

STAY IN TOUCH



FUNDERS AND PARTNERS

CLEAR is a partnership of the Department of Extension and the Department of Natural Resources and the Environment at the College of Agriculture, Health and Natural Resources, and the Connecticut Sea Grant College Program. Support for CLEAR comes from UConn and from state and federal grants.

The University of Connecticut supports all state and federal laws that promote equal opportunity and prohibit discrimination.



January 5, 2023

Good Morning Ms. Roberson,

I'm requesting the minute notes to be updated to a more accurate statement that came from my presentation on the evening of the December 7th Planning & Zoning meeting. I am a licensed expert in my field and feel my remarks should be quoted equally in detail from my presentation and submitted statement. As it would appear the current minutes make it sound as though my only statement was lack of proper knowledge therefore the application should be denied. There were very important facts noted before my closing statement.

Prior to me speaking, Dr. Poland "the Expert" went on record and stated to ease the public's mind as to the potential disruption of the camping facility would be kept at a minimum due to the development being "self-contained". As which I later pointed out verbally upon presenting my public statement. There has been no financial viability or economic report presented to show how neither the community, nor the town would benefit from a campground, as Dr. Poland confirmed as being "self-contained unto itself". Dr. Poland, "the Expert" also stated this development would be classified under a campground and would be recognized as such by the State of Connecticut.

Please revise minutes to my presentation on record noting, no financial viability statement has been submitted as to how this development would bring financial gain to our community, as LDF will have its own restaurant, or restaurants, entertainment and potentially a bar, all within a self-contained entity. Also, please note the recent denial of a not so far away 100 unit glamping denial in Becket MA, as well as the multiple town meetings covering at least in some part LDF's interests in mind ie Affordable Housing meeting, Ag Commission and Conservation Commission. Glamping is not a good fit for the Iconic Bush Hill property, the community or the habitat.

Lastly, my husband Scott Winslow didn't get fully into additional detail at the last Dec 20th, P&Z meeting due to process and time; per his remarks not being accurately noted from previous meetings. We attended the Conservation Committee meeting as well. He spoke 2-3 times as to the misleading and threatening comments of swine barns and gravel pits after Mr. Tanner brought up again. The committee agreed not to use such tactics. I highly doubt a business spending thousands to renovate a higher end restaurant facility is looking to build swine barns as they seem to be consistently called, or gravel pits as the town itself would have to approve an application for this land use currently defined in the RA zone. And as it would be, the town is actively

trying at minimum to not promote additional gravel pits, on some consistent level, the ones currently active per past or current litigation.

I myself after the first Town Meeting for which I spoke, out in the parking lot, it was heard from the two LDF supporters noted in the minutes, that I “should have shut my mouth”. I am a Realtor in the public and do not take my safety lightly. I haven’t brought this up at any meeting. I chose to stay to the opposing facts. We are the ones that have been attacked not LDF. Submitting educated, well researched material as to why an idea put forth in an application is not a good one; is not an attack. With all due respect this has been quit an eye opening learning experience and greatly appreciate and respect your time and position.

Maria Gandy-Winslow
Scott Winslow
Brooklyn Residents & Business Owner