

**ZONING BOARD OF APPEALS
REGULAR MEETING AGENDA**

The Brooklyn Zoning Board of Appeals Commission will hold a regularly scheduled meeting on January 5, 2023, at 6:30 p.m. at the Clifford B. Green Memorial Meeting Center, 69 South Main Street, Brooklyn, CT on the following:

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

In-Person: Clifford B. Green Meeting Center, Suite 24, 69 South Main Street, Brooklyn, CT	
Online: Click link below: https://us06web.zoom.us/j/5075752217	OR Go to Zoom.us , click Sign In On the top right, click Join a Meeting Enter meeting ID: 507 575 2217 Enter meeting password:
Phone: Dial 1 646 558 8656 US Toll Enter meeting number: 507 575 2217 Enter meeting password: You can bypass attendee number by pressing #	

Call to Order:

Seating of Alternates:

Approval of Minutes: Special Meeting December 1, 2022

Election of Officers:

Public Hearing:

ZBA 22-006 316 Allen Hill Road – Map 33 Lot 91-2- Kevin Wilder. Section 3.C.5.2.2:
Setback standards for minimum side yard setback. Reduce side yard setback from 40 feet to 20 feet for an after-the fact in-ground swimming pool.

Public Hearing Closes

Unfinished Business:

New Applications Received:

Other Business:

Adjourn

Bruce Parsons, Chairman

**TOWN OF BROOKLYN
ZONING BOARD OF APPEALS
SPECIAL MEETING MINUTES**

The Brooklyn Zoning Board of Appeals held a special meeting and public hearing on Thursday, December 1, 2022 at 6:30 p.m. at the Clifford B. Green Memorial Center, 69 South Main Street, Brooklyn, CT in-person and via Zoom, on the following:

Members Present: Bruce Parsons, Lucien Brodeur, William Macnamara and Adam Brindamour.

Members Absent: Stephen Mylly with notice.

Staff Present: Lisa Lindia, Recording Secretary, Margaret Washburn, Zoning Enforcement Officer.

Also Present: Nicole Wineland-Thomson Fisher and Gregory Fisher present. Jackie Igliazzi and Joseph Igliazzi via Zoom

Call to Order: The meeting was called to order at 6:30 p.m.

Seating of Alternates: None

Approval of Minutes: Regular meeting Minutes September 9th, 2022.

Public Hearing

Reading of Legal Notice: 6:32 pm

Chairman Parsons read the legal notice into the record.

1. **ZBA 22-005** – Applicants: Nicole Wineland-Thomson Fisher and Gregory Fisher, Map 18, Lot 18B, 93.4 Acres, RA Zone, proposed variance of Zoning Regulations Section 6.J.3.3 to use an existing building as an Events Facility by reducing the property line setbacks from 200 ft to 175 ft to an abutter's property line, and from 200 ft to 77 ft to a property line of other property owned by the applicants.

Nicole Wineland-Thomson Fisher and Gregory Fisher were there to represent the project. A letter of support for the project submitted by Jaqueline & James Booth of 529 Wolf Den Road was reviewed by the Board members.

Nicole Wineland-Thomson Fisher explained that the deadline for PZC was 12/1/22 and that they submitted their application that morning for a Special Permit. She also mentioned that more people are writing letters of support for their request for an Events Facility. These letters will be presented to the PZC.

Lucien Brodeur-Inquired about adding additional access to the barn without having to utilize the home's driveway.

Nicole Wineland-Thomson Fisher – They are planning on a parking area near the barn. A separate driveway will be installed from the road which will not be paved. Trees and shrubs will be planted to mask the parking so it won't be seen from the street.

Chairman Parsons – Inquired does it have a well and septic?

Nicole Wineland-Thomson Fisher – The previous owner built the barn with the second floor furnished with two bedrooms, two bathrooms and a full kitchen. On the first floor the previous owners had held a few events.

Jackie Iglizozzi – Asked if they would be living in the house?

Nicole Wineland-Thomson Fisher – Yes, however not full time. They live elsewhere now. They will reside in Brooklyn more once the kids are out of school.

Jackie Iglizozzi – Will you be Brooklyn residents?

Nicole Wineland-Thomson Fisher – No, they will continue to be MA residents. They have children and do not want to have them to transition to new schools at this time.

Jackie Iglizozzi – Will you be in the residence while the events are going on?

Nicole Wineland-Thomson Fisher & Greg Fischer – Yes.

Public Discussion: None.

Public Hearing Closes: 6:45 pm

Chairman Parsons read the legal notice into the record.

Unfinished Business:

1. **ZBA 22-005** – Applicants: Nicole Wineland-Thomson Fisher and Gregory Fisher, Map 18, Lot 18B, 93.4 Acres, RA Zone, proposed variance of Zoning Regulations Section 6.J.3.3 to use an existing building as an Events Facility by reducing the property line setbacks from 200 ft to 175 ft to an abutter's property line, and from 200 ft to 77 ft to a property line of other property owned by the applicants.

Adam Brindamour – There are no objections from the neighbors, the barn has been previously used for functions. It is pretty straight forward.

Motion:

1. Adam Brindamour – motioned to approve the variance for **ZBA 22-005** – Applicants: Nicole Wineland-Thomson Fisher and Gregory Fisher, Map 18, Lot 18B, 93.4 Acres, RA Zone, proposed variance of Zoning Regulations Section 6.J.3.3 to use an existing building as an Events Facility by reducing the property line setbacks from 200 ft to 175 ft to an abutter’s property line, and from 200 ft to 77 ft to a property line of other property owned by the applicants. The hardship is that there are no objections from the neighbors, the barn has been previously used for functions. It is pretty straight forward.

Lucien Brodeur – Seconded the motion.

William Macnamara – Clarified that the hardship is that the current location of the existing building affects the ability to a get Special Permit from PZC.

No discussion held. All in favor. The motion passed unanimously.

Other Business:

Discussion and approval of 2023 meeting dates.

Adjourn:

Meeting closed at 6:57 pm, motioned by William Macnamara, seconded by Lucien Brodeur. No discussion held. All in favor. The motion passed unanimously.



Lisa M. Lindia, Recording Secretary

**TOWN OF BROOKLYN
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE**

The Brooklyn Zoning Board of Appeals will hold a Public Hearing and at their regularly scheduled meeting on Thursday, January 5, 2023 at 6:30 p.m., at the Clifford B. Green Meeting Center, 69 South Main Street Brooklyn, CT, in-person and virtually via Zoom, on the following application:

ZBA 22-006 316 Allen Hill Road – Map 33 Lot 91-2- Kevin Wilder. Section 3.C.5.2.2: Setback standards for minimum side yard setback. Reduce side yard setback from 40 feet to 20 feet for an after-the fact in-ground swimming pool.

Interested persons may appear and be heard. Written communications will be accepted. A copy of the application is available on the Town of Brooklyn Website. Zoom meeting information will be included on the January 5, 2023 Zoning Board of Appeals Commission Agenda.

Bruce Parsons, Chairman
Zoning Board of Appeals



18 Providence Road, Brooklyn CT 06234
Phone: 860-779-2240 / 860-928-1921 Fax: 860-779-2240

December 1, 2022

Brooklyn Zoning Board of Appeals
69 South Main Street
Brooklyn, Connecticut

Re: Variance of Kevin Wilder, 316 Allen Hill Road,

Mr. Wilder has been asked by the Zoning Enforcement Officer to supply the town with an As Built Survey of the pools location, in order for the town to determine if the pool complies with today's zoning regulations. With our past experience we have had dealing with pool and setbacks, we are taking the initiative to apply for a variance reducing the side yard setback from 40 feet to 20 feet. We do not feel this is necessary or needed in order to comply with today's zoning regulations. As stated in the regulations the pool is considered an accessory structure. We feel that the pool is well within the dimensional standards of the Accessory Building in the RA Zone.

We were before the commission in September of this year, dealing with a similar situation, Stephanie Hynes, 20 Franklin Drive in which a variance was granted.

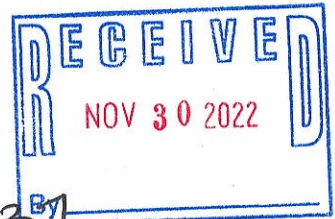
We look forward to discuss whether or not a variance is warranted in this situation

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Archer', is written over the word 'Sincerely,'.

Paul M. Archer
Archer Surveying LLC

BROOKLYN ZONING BOARD OF APPEALS
APPLICATION FORM



FEE: \$250.00 / STATE FEE: \$60 / PUBLICATION FEE: \$180 CHECK# 237

APPLICATION # ZBA 22-006 DATE SUBMITTED 11/30/22

APPLICANT: KEVIN WILDERI

MAILING ADDRESS: 316 ALLEN HILL ROAD

PROPERTY OWNER: (if different) _____

MAILING ADDRESS: _____

PROPERTY LOCATION: 316 ALLEN HILL ROAD

MAP: 33 LOT: 91-2 ACRES: 2.3

ZONE: R-10 R-30 (RA) VC R-10 NB PC RB MMU I (circle one)

Is Property within 500' of a municipal boundary? no

Application is submitted for approval of the following (check all that apply):

Variance of the Zoning Regulations, Section(s) 3.C.5.2. SETBACK STANDARDS
MINIMUM SIDE YARD SETBACKS
The variance being requested is REDUCE SIDE YARD SETBACK
FROM 40' TO 20'

- Appeal of an order, requirement or decision of the ZEO under Sec. 9.G.1. of the Brooklyn Zoning Regulations.
- Locational Approval for the dealing in or repairing motor vehicles (CGS 14-54), motor vehicle recycler's yard or motor vehicle recycler's business (CGS 14-67i), or sale of gasoline or other product intended for use in the propelling of motor vehicles using combustion type engines (CGS 14-321).

Complete Description of Project (attach additional sheets if necessary):
SEE ATTACHED PLAN w/ LOCATION OF POOL

Specify the hardship if applying for a variance. A hardship cannot be strictly financial and must be related to the condition of the land. **HARDSHIP** - As recognized by the law:

- (1) When a property cannot be used in a manner permitted in the zone in which that property is located due to its unique shape, topography, or other inherent condition.
- (2) Being too small or too narrow is not a legal hardship unless it restricts the property from being put to a reasonable permitted use.

- (3) A hardship must be unique to the property, in that it is a characteristic that is not exhibited by other properties in the area or in the zone, and one that makes it appropriate for special treatment.
- (4) A hardship must not be merely financial, which is personal and not inherent in the property itself, nor is the personal hardship of the owner, such as age or family condition, a legal hardship.
- (5) A hardship must not have been created by the owner or the predecessor in title, such as by dividing a parcel to create lots which cannot support the desired use; by creating a topographic condition by excavation, fill, or other measures which render the property unusable for its highest use without a variance; or by building a structure which, for whatever reason, violates a current zoning regulation.

INCONSISTENCIES WITH THE ZONING REGULATIONS
AS THEY PERTAIN TO ACCESSORY STRUCTURES "POOLS"

The following information must accompany each application at the time of submittal:

1. A plot plan prepared as determined by the ZBA, either:
 - by a licensed land surveyor, to A-2 survey standard OR
 - not an A2 survey but sufficiently accurate to allow the members to reach an informed decision.
2. A copy of the permit denial from the Zoning Officer.
3. Check payable to the Town of Brooklyn.
4. If the proposed activity is located within a Drinking Water Supply Aquifer Area (see attached map) then the Public Water Supply Aquifer Area Project Notification Form must be completed and attached to the application.

NOTE:

- It is the responsibility of the applicant to contact the Building Inspector, Inland Wetlands and Watercourses Agent and Fire Marshal to determine if other permits are required.
- See Sec. 9.G.1. of the Brooklyn Zoning Regulations for the powers and duties of the Board and the criteria for decision-making regarding variances. All criteria must be addressed in the information provided to the Board.
- Posting of the property with signs and notifying abutters 15 days prior to hearings for variances is not required but may be done voluntarily in the interest of transparency.
- **Lack of accurate information may cause the Board to deem that the application is an incomplete application and may be grounds for denial.**

SUBMIT APPLICATIONS TO THE BROOKLYN LAND USE OFFICE, 69 SOUTH MAIN STREET,
 SUITE 23 BROOKLYN, CT 06234.

The undersigned applicant(s) and owner(s) hereby state that the information contained in this application and in all documentation provided is complete, true and accurate to the best of my/our knowledge.

Kenn Wilder 11/30/2022 [Signature] 11/30/2022
 Applicant Date Property Owner Date

N/F
Kelly King
Map 33 // Lot 91-1

To My Knowledge and Belief This Map is substantially
Correct as noted hereon.
Paul M. Archer LLS #10091
11.30.22 Date

NOTES:

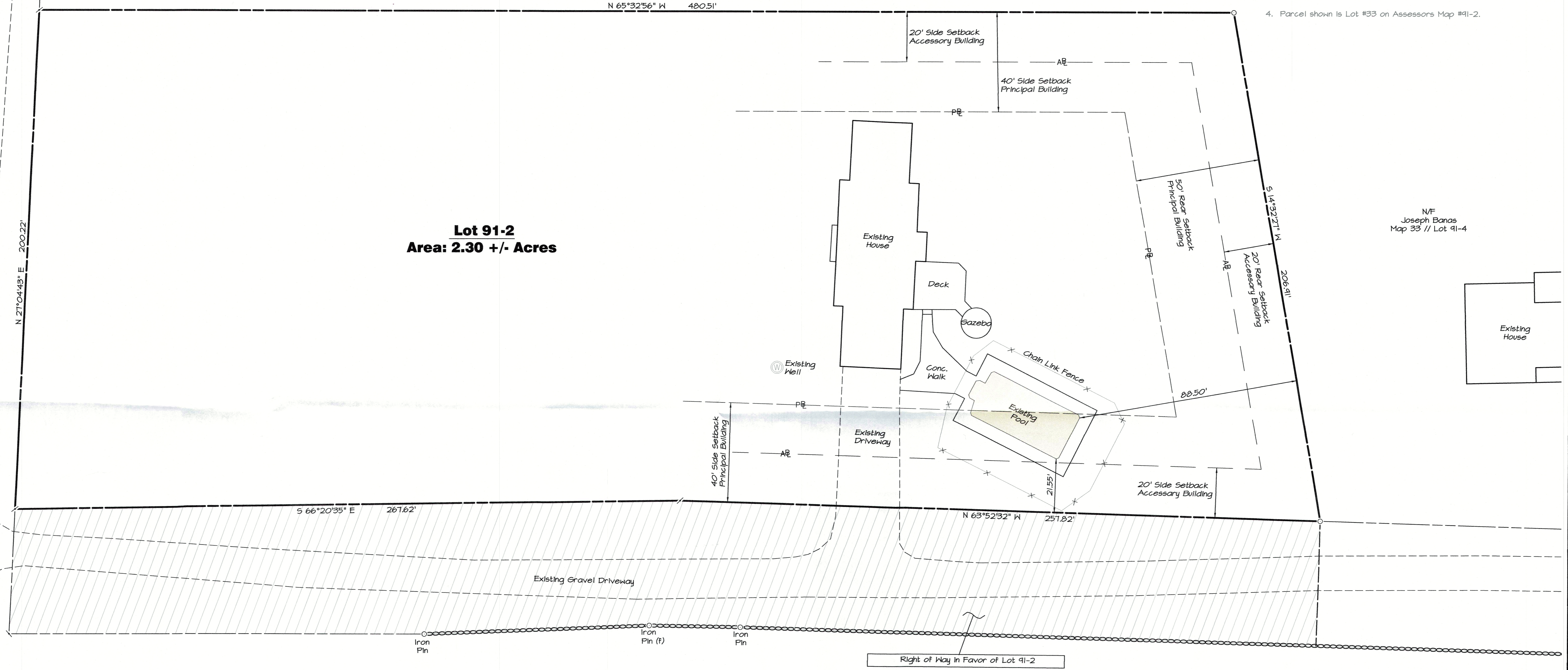
- This survey has been prepared pursuant to the Regulations of Connecticut State Agencies Sections 20-300b-1 through 20-300b-20 and the "Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996;
 - This survey conforms to a Class "A-2" horizontal accuracy.
 - Survey Type: Zoning Location Survey.
 - Boundary Determination Category: Resurvey.
 - Intent: Variance for Pool location.
- Zone = RA
- Owner of record: Kevin Wilder
316 Allen Hill Rd, Brooklyn, CT 06234
- Parcel shown is Lot #33 on Assessors Map #91-2.

Allen Hill Road

N 27°04'43" E 200.22'

Lot 91-2
Area: 2.30 +/- Acres

N/F
Joseph Bonas
Map 33 // Lot 91-4



Zoning Compliance Chart : RA Zone

	Required	New Pool
Parcel Area;	2 Acres	2.3 Acres
Front Setback	50'	382.2'
Side Setback	*40' Principal 20' Accessory	North South 144.0' 21.55'
Rear Setback	*50' Principal 20' Accessory	88.5'

* Accessory Building: Half the height of the accessory building or 20', whichever is greater (Section 3.C.5.2)

** Section: B.A.4. Exceptions to Setback Requirements
5. Sheds, garages, and similar accessory buildings may be located up to ten (10) feet from a property line provided they are located in a rear yard. Otherwise, an accessory building shall comply with standard setbacks.

LEGEND

- PROPERTY LINE
- - - EASEMENT
- ⊘ STONEWALL
- ⊘ BUILDING SETBACK
- IRON PIN
- DRILL HOLE
- MONUMENT
- PROPERTY POINT
- UTILITY POLE



Zoning Location Survey

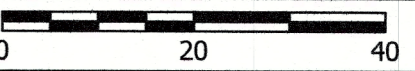
"Pool As-Built"

Prepared For:

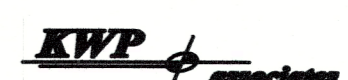
Kevin Wilder
316 Allen Hill Road
Brooklyn, Connecticut



DRAWING SCALE: 1"=20'



ARCHER Surveying LLC.
18 Providence Road, Brooklyn, CT
(860) 779-2240 / (860) 928-1921



LOUIS J. SOJA, JR.
LAND SURVEYOR-LEAD PLANNER

REVISIONS	
DATE	DESCRIPTION

Sheet No. 1 OF 1 Project No. 2173 Date: November 17, 2022

WILDER KEVIN	TOPO	UTILITIES	STRT / ROAD	LOCATION	DESCRIPTION	CODE	ASSESSED	ASSESSED	ASSESSED	ASSESSED	ASSESSED	ASSESSED	ASSESSED
316 ALLEN HILL RD					RES LAND	1-1	47,100	33,000	800	2018	1-1	41,000	41,000
					RES EXCES	1-2	1,100	800	400	2018	1-2	400	400
					RES OUTBL	1-3	523,700	366,600	400	2018	1-3	327,300	327,300
						1-4	1,000	700	700	2018	1-4	700	700
<p>Supplemental Data</p> <p>490 PEN DEVRIGH SUBDIV. SURVEY # DEV LOT Census # 9051</p>													
<p>Supplemental Data</p> <p>AI# Prj ID 331091-02 OVERLAY</p>													
<p>Supplemental Data</p> <p>FIRE DIST SEWER</p>													

VISION

RECORD OF OWNERSHIP

WILDER KEVIN	648	1	08-05-2020	Q	I	540,000	00	Year	Code	Assessed	Year	Code	Assessed
GIBEAULT DAVID	0281	0068	12-26-2002	U	V	0	0	2020	1-1	33,000	2019	1-1	41,000
NIEMANN KENNETH	0071	0279	01-05-1981	U	V	0	0		1-2	800		1-2	400
SEARS ROBERT H & FOREST J	0041	0136	05-26-1966	U	V	0	0		1-3	366,600		1-3	327,300
<p>Total</p> <p>401100 572,900 401,100</p>													

EXEMPTIONS

Year	Code	Description	Amount	Code	Description	Number	Amount
<p>OTHER ASSESSMENTS</p>							
<p>ASSESSING NEIGHBORHOOD</p>							
	Nbhd	Nbhd Name			Tracing		
	0001			B			
<p>NOTES</p>							
<p>GRAY</p>							
<p>CEMENT BOARD</p>							
<p>HYDRO-AIR</p>							
<p>FOR SALE 10/2/2018 \$599,000</p>							

BUILDING PERMIT RECORD

Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments
6637	05-06-2004	NC	New Construct	178,000	09-18-2009	100	10-27-2008	SFD + GARAGE

LAND LINE VALUATION SECTION

B	Use Code	Description	Zone	LA	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Location	Adj Unit P	Land Value
1	1010	Single Fam MDL	RA			2,000	36,000	0.56895	5	1.00	0055	1,150				47,100
1	1010	Single Fam MDL	AC			0.300	3,600	1.00000	0	1.00		1,000				1,100
<p>Total Card Land Units 2.300 AC Parcel Total Land Area 2.3000</p> <p>Total Land Value 48,200</p>																

APPRaised Bldg. Value (Card) 518,600
 APPRaised Xf (B) Value (Bldg) 5,100
 APPRaised Ob (B) Value (Bldg) 1,000
 APPRaised Land Value (Bldg) 48,200
 Special Land Value 0
 Total APPRaised Parcel Value 572,900
 Valuation Method C

VISIT / CHANGE HISTORY

Date	ID	Type	Is	Cd	Parpost/Result
10-05-2020	KT			43	Change Review by As
08-10-2020	KT			47	Change Legal Owner
07-01-2020	MM			13	Field Review
10-01-2018	KT			43	Change Review by As
09-18-2009	DK			26	Building Permit
02-10-2009	DK			00	Measure-Listed
02-09-2009	DK			01	Measure-1/Visit

CONSTRUCTION DETAIL

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description	Element	Cd	Description
Style: 03		Colonial			
Model: 01		Residential			
Grade: 07		B+			
Stories: 2.75					
Occupancy: 1					
Exterior Wall 1: 12		Cedar or Redwd			
Exterior Wall 2: 14		Wood Shingle			
Roof Structure: 06		Mansard			
Roof Cover: 03		Asph/F Gls/Cmp			
Interior Wall 1: 05		Drywall/Sheet			
Interior Wall 2: 12		Hardwood			
Interior Fir 1: 14		Carpet			
Interior Fir 2: 02		Oil			
Heat Fuel: 10		Hydro-air			
Heat Type: 03		Central			
AC Type: 04		4 Bedrooms			
Total Bedrooms: 04					
Total Bathrooms: 3					
Total Half Baths: 1					
Total Xtra Fixtrs: 2					
Total Rooms: 8					
Bath Style: 02		Average			
Kitchen Style: 03		Good			

CONDO DATA			
Parcel Id	C	Ownr	
Adjust Type		Code	
Condo Fil		Description	
Condo Unit		Factor%	

COST / MARKET VALUATION

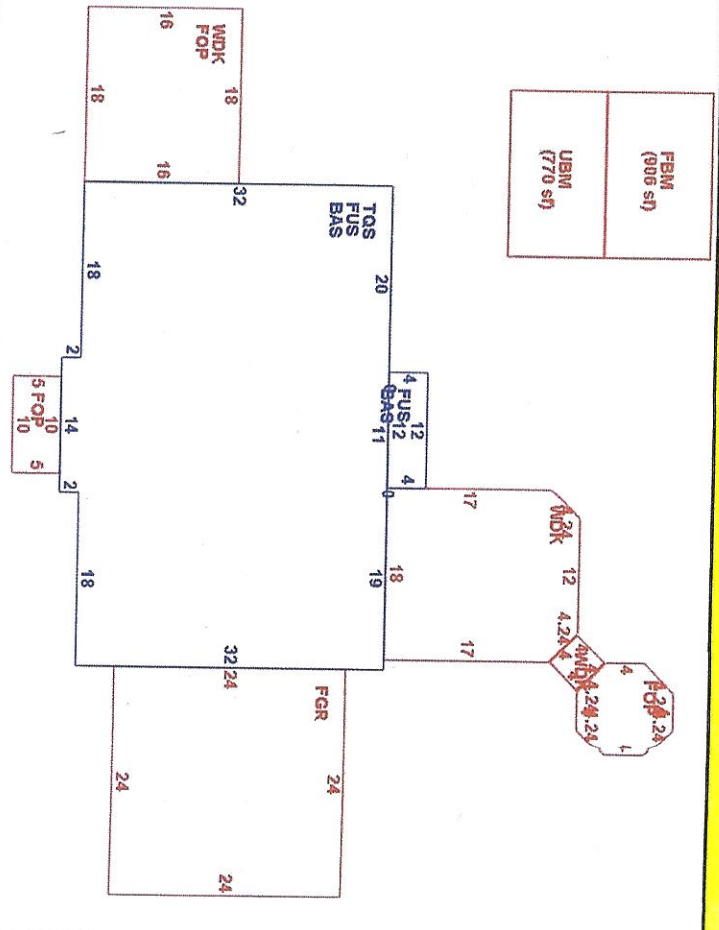
Building Value New	610,154
Year Built	2005
Effective Year Built	2005
Depreciation Code	A
Remodel Rating	
Year Remodeled	
Depreciation %	15
Functional Obsol	
External Obsol	
Trend Factor	1
Condition	
Condition %	
Percent Good	85
RCNLD	
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Units	Unit Price	Yr Bilt	Cond.	Cd	% Gd	Grade	Grade Adj.	Appr. Value
WHL	WHIRLPOOL	B	24	35.00	2005			85			700
SHD1	SHED FRAME	L	140	14.00	2009			50			1,000
FPL3	FIREPLACE2	B	1	2800.00	2005			85			2,400
FPO	EXTRA FPL O	B	1	800.00	2005			85			700
KIT2	GALLEY KITC	B	1	1500.00	2005			85			1,300

BUILDING SUB-AREA SUMMARY SECTION

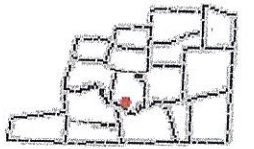
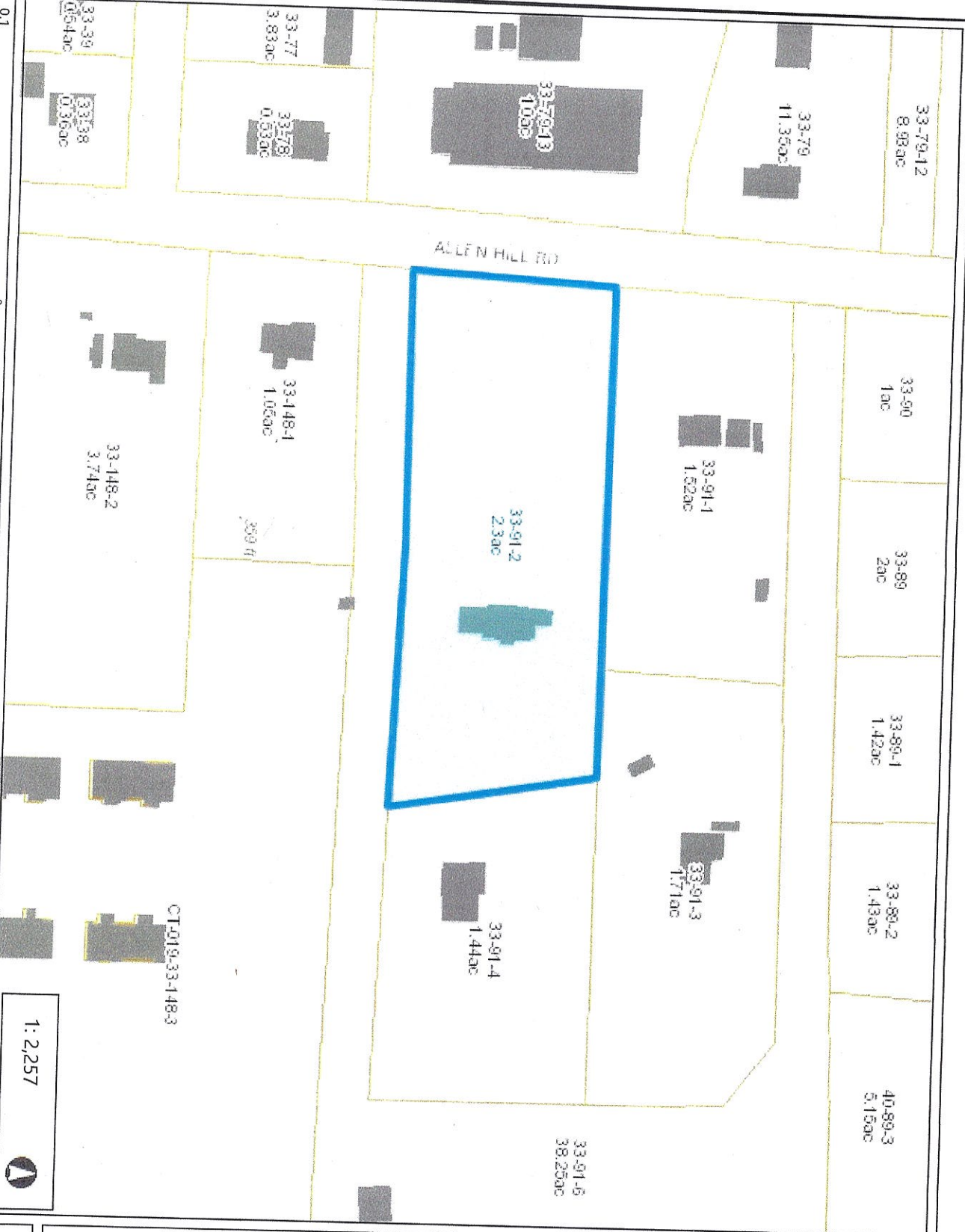
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	1,676	1,676	1,676	110.78	185,661
FBM	Basement, Finished	0	906	362	44.26	40,101
FGR	Garage	0	576	230	44.23	25,478
FOP	Porch, Open	0	420	84	22.16	9,305
FUS	Upper Story, Finished	1,676	1,676	1,676	110.78	185,661
TQS	Three Quarter Story	1,221	1,628	1,221	83.08	135,257
UBM	Basement, Unfinished	0	770	193	27.77	21,380
WDK	Deck, Wood	0	655	66	11.16	7,311
Ttl Gross Livr / Lease Area		4,573	8,307	5,508		610,154





necog

Necog GIS Site



- Legend**
- Town
 - Buildings 2012
 - Parcels

Notes

Enter Map Description

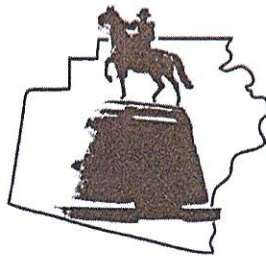
1:2257

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.



Brooklyn Land Use Department

69 South Main Street
Brooklyn CT 06234
(860) 779-3411 x 31

Inland Wetlands _____

Zoning Enforcement _____

Blight Enforcement _____

SITE INSPECTION NUMBER

1 2 3 4 5

316 Allen Hill Rd.

6/3/21

Address

Date

I inspected + took photos for the pool.
The revised sketch received 6/3/21 is approved.

issue permit + record in PZC report.

Commission Representative _____

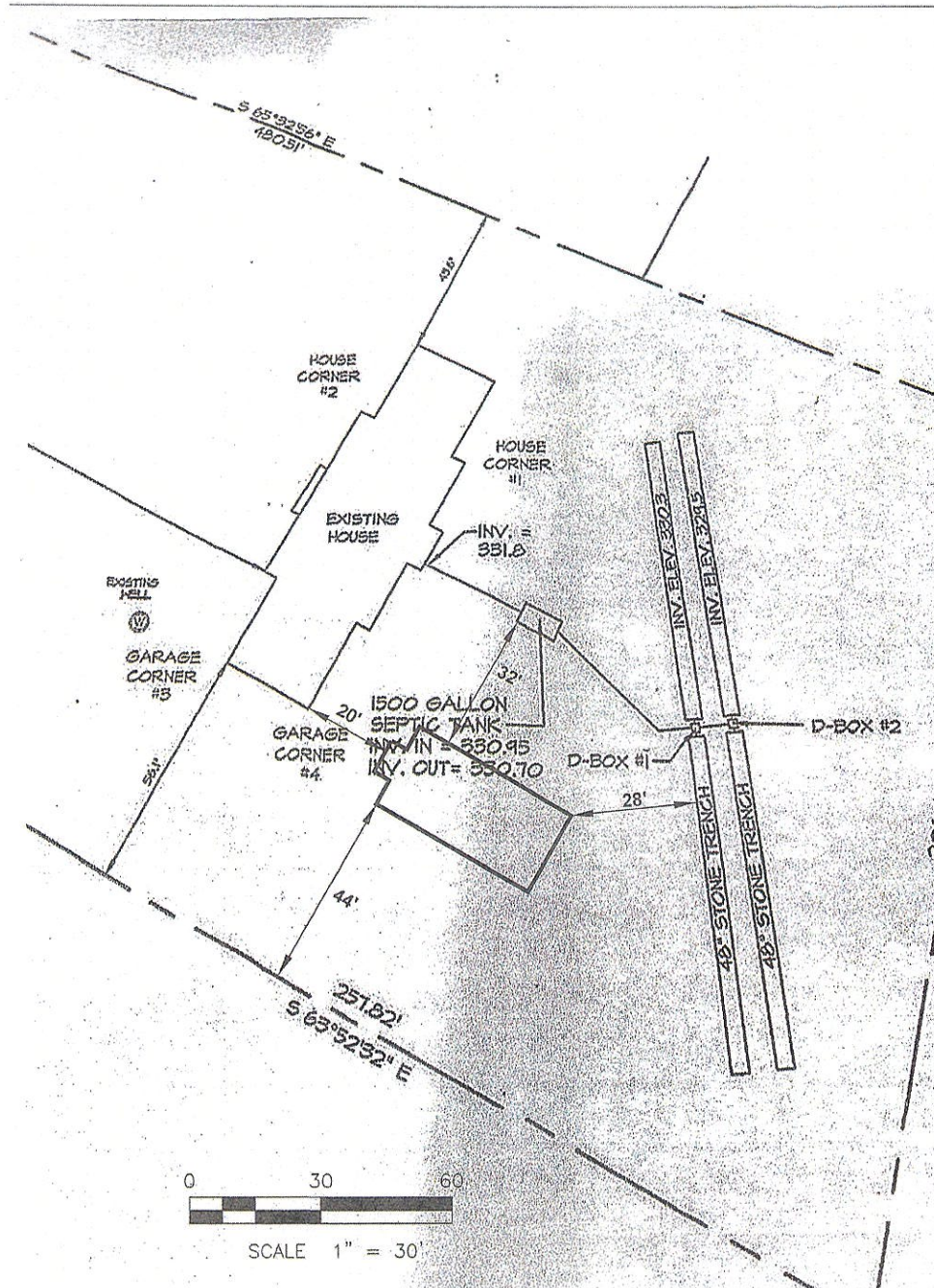
M Washburn

Owner or Authorized Signature _____



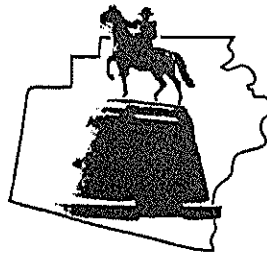
316 Allen Hill

Revised pool sketch



Approved for
pool zoning
permit
6-3-21
M.L.





Brooklyn Land Use Department

69 South Main Street
Brooklyn CT 06234
(860) 779-3411 x 31

Inland Wetlands _____

Zoning Enforcement

Blight Enforcement _____

SITE INSPECTION NUMBER

1 2 3 4 5

316 Allen Hill Rd

11-10-22

Address

Date

I inspected + took photos for the final zoning sign off for an inground pool.

The approved pool sketch showed the pool as being perpendicular to the garage + driveway. The pool was not installed as per the sketch. It was installed at an angle. The southeast corner of the pool appears to be closer than the sketch portrayed to the southern property line.

Require plot plan.

Commission Representative m. Washburn

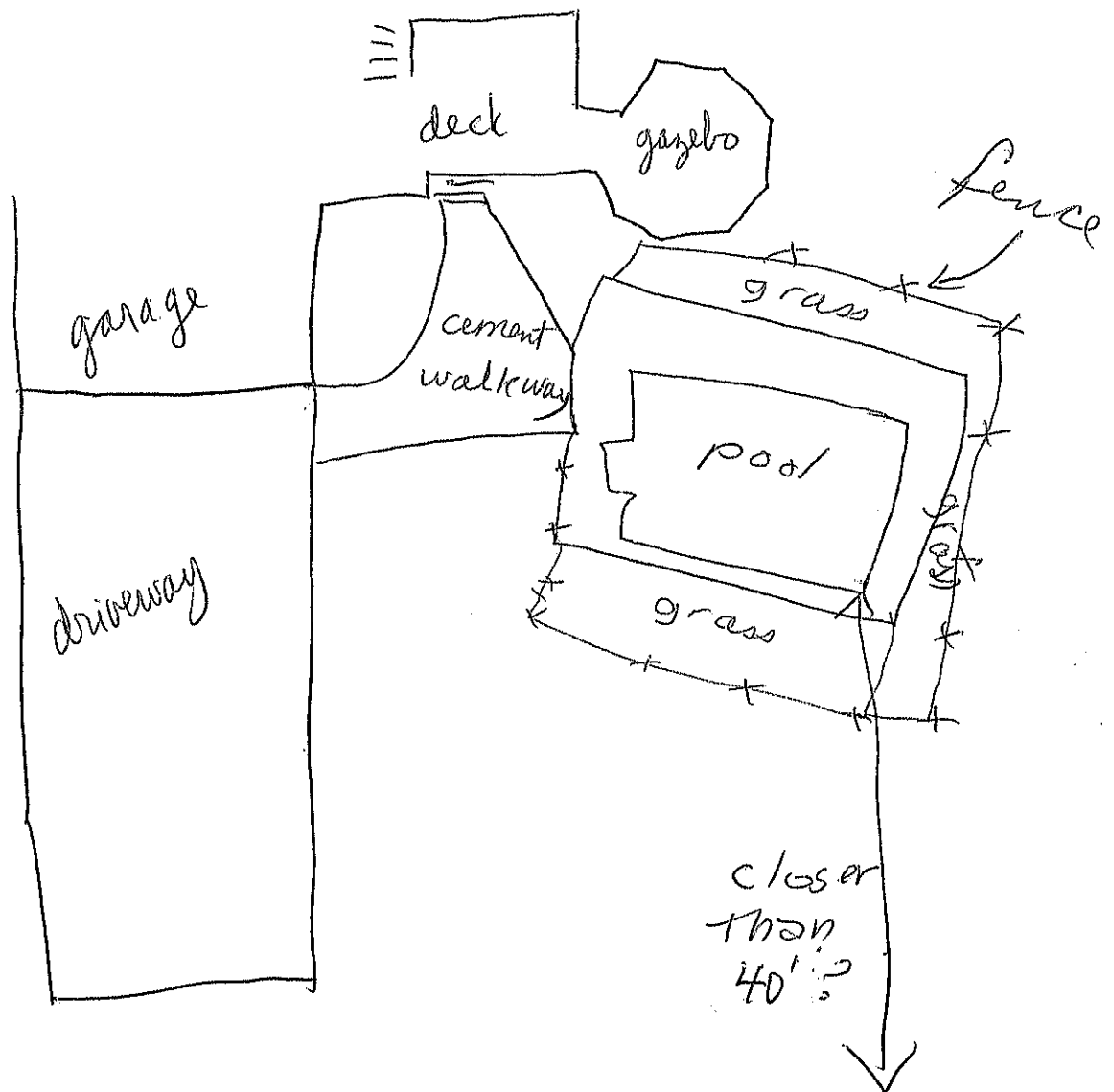
Owner or Authorized Signature _____

see drawing on reverse.

The pool is not perpendicular to the driveway and garage.

The pool was not installed as per the revised pool sketch received on 6-3-21.

It appears that the pool is closer to the property line. It was installed at an angle.



Photos taken
11-10-22



