

**TOWN OF BROOKLYN
ZONING BOARD OF APPEALS
REGULAR MEETING AGENDA**

The Brooklyn Zoning Board of Appeals Commission will hold a public hearing and meeting on Monday, January 24, 2022 at 6:30 p.m.

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

In-Person: Clifford B. Green Memorial Center, Suite 24, 69 South Main Street, Brooklyn, CT For fully vaccinated persons attending, masks are optional. For persons not fully vaccinated, masks are required.		
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: change
Phone: Dial 1 646 558 8656 US Toll Enter meeting number: 507 575 2217 Enter meeting password: change You can bypass attendee number by pressing #		

Call to Order:

Seating of Alternates:

Approval of Minutes: Regular meeting Minutes January 4, 2022.

Public Hearing

Reading of Legal Notice:

- 1. ZBA 21-009 Galliehue Blevins, 58 Juniper Way, Map 40, Lot 88-36, 1.24 Acres, RA Zone, for a variance of the Zoning Regulations, Section 3.C.5.2, to reduce the minimum side yard setback from 40 ft to 10 ft to install an in-ground swimming pool, patio and pool shed.**
- 2. ZBA 22-002 Gregory Weisenberger, 141 Laurel Hill Road, Map 17, Lot 1A, 1.5 Acres, RA Zone, for a variance of the Zoning Regulations, Requesting variance of section 3.C.5.2.1 from the minimum front yard setback of 50 feet to 40 feet to construct 20-foot x 30-foot garage with loft for storage.**

Public Hearing Closes

Unfinished Business:

- 1. ZBA 21-009 Galliehue Blevins, 58 Juniper Way, Map 40, Lot 88-36, 1.24 Acres, RA Zone, for a variance of the Zoning Regulations, Section 3.C.5.2, to reduce the minimum side yard setback from 40 ft to 10 ft to install an in-ground swimming pool, patio and pool shed.**
- 2. ZBA 22-002 Gregory Weisenberger, 141 Laurel Hill Road, Map 17, Lot 1A, 1.5 Acres, RA Zone, for a variance of the Zoning Regulations, Requesting variance of section 3.C.5.2.1 from the minimum front yard setback of 50 feet to 40 feet to construct 20-foot x 30 foot garage with loft for storage.**

Other Business:

- 1. ZBA 22-003 Stephanie Hynes, 20 Franklin Drive, Map 3, Lot 16, Acres 0.49, R-30 Zone, Appeal of an order, requirement, or decision of the ZEO under Sec. 17.2 of the Brooklyn Zoning Regulations.**

Adjourn:

Bruce Parsons, Chairman

BROOKLYN ZONING BOARD OF APPEALS
APPLICATION

FEE: \$250.00 / STATE FEE: \$60 / PUBLICATION FEE: \$150.00 CK# 1043
CHECK# 1043

APPLICATION # ZBA22-001 DATE SUBMITTED 3/29/22

APPLICANT: GALLIEHUE BLEVINS

MAILING ADDRESS: 58 Juniper Way Brooklyn, CT 06234

PROPERTY OWNER: (if different) same

MAILING ADDRESS: same

PROPERTY LOCATION: 58 Juniper Way

MAP: 40 LOT: 88-36 ACRES: 1.24 +/-

ZONE: (RA) R-30 VCD R-10 NC PC RB I-1 (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.
The variance being requested is Minimum side yard setback
reduced from 40ft to 10ft.

Appeal of an order, requirement or decision of the ZEO under Sec. 17.2 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):

Install 16' x 32' in-ground pool and patio with
pool shed and fence. Relocate foundation drain.

Specify the hardship if applying for a variance. A hardship cannot be strictly financial and must be related to the condition of the land.

In order to be in compliance
as written, the only other area we could put
the pool would be much closer to the
trees in the back, further from our house
and closer to the wetlands.

BROOKLYN ZONING BOARD OF APPEALS

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. Confirmation that Notices to Abutters have been sent as follows:
 - The applicant shall, at his own expense, send notice of the application at least 15 days prior to the date of the public hearing. Form will be provided by the Town.
 - Notice shall be sent to all property owners of any abutting properties as well as to property owners that lie opposite the parcel across any street or thoroughfare.
 - Notice shall be sent with a Certificate of Mailing receipt obtained from the US Post Office.
 - Copies of the list of abutters and Certificates of Mailings shall be submitted no later than at the public hearing.
 - Abutting owners are the owners that are listed in the Brooklyn Tax Assessor's records.
5. 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:

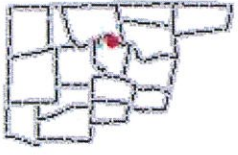
- It is the responsibility of the applicant to contact the Building Inspector, Inland Wetlands and Watercourses Agent and Fire Marshal to determine if other permits are required.
- See Article 17 of the Brooklyn Zoning Regulations for the powers and duties of the Board and the criteria for decision-making regarding variances. All criteria must be addressed in the information provided to the Board.
- **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.

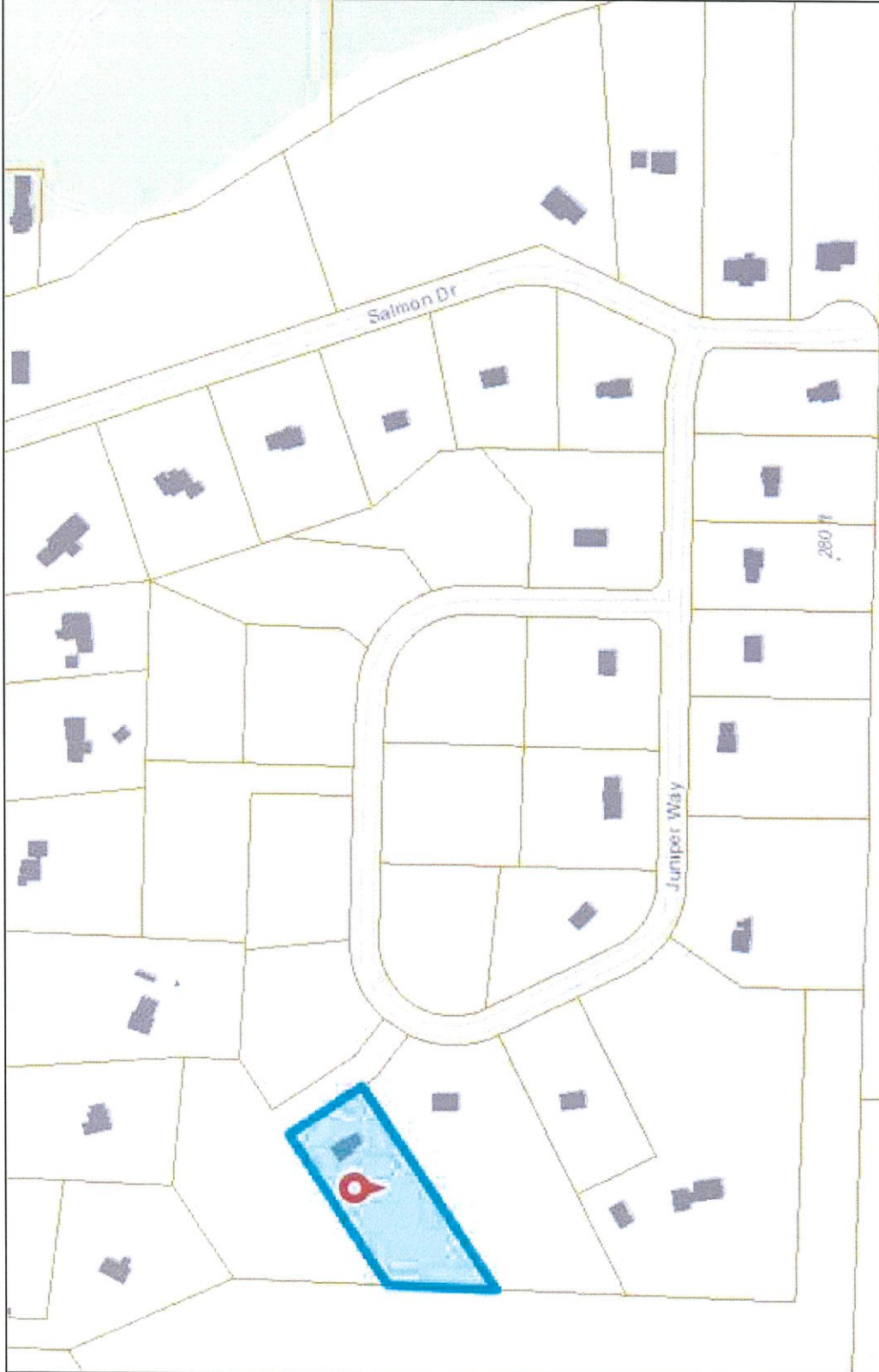
The undersigned applicant(s) and owner(s) hereby state that the information contained in this application and in all documentation provided is complete, true and accurate to the best of my/our knowledge.

same
Applicant _____ Date _____

[Signature] 3/29/22
Property Owner _____ Date _____



- Legend**
- Town
 - Buildings 2012
 - Parcels



1:4,514

Notes

58 Juniper Way

0.1 Miles

0.07

0

0.1

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

CONSTRUCTION DETAIL

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description	Element	Cd	Description
Style: 04	01	Cape Cod Residential			
Model: 05	B-				
Grade: 1.75					
Stories: 1					
Occupancy: 25		Vinyl Siding			
Exterior Wall 1					
Exterior Wall 2					
Roof Structure: 03		Gable/Hip			
Roof Cover: 03		Asph/F Gls/Cmp			
Interior Wall 1		Drywall/Sheet			
Interior Wall 2					
Interior Fir 1	12	Hardwood			
Interior Fir 2	14	Carpet			
Heat Fuel: 09		Propane			
Heat Type: 05		Hot Water			
AC Type: 01		None			
Total Bedrooms: 03		3 Bedrooms			
Total Bathrooms: 2					
Total Half Baths: 1					
Total Xtra Fixtrs: 6					
Total Rooms: 03		Modern			
Bath Style: 02		Modern			
Kitchen Style:					

CONDO DATA

Parcel Id		C	Owne	IS
Adjust Type				
Condo Fir				
Condo Unit				

COST / MARKET VALUATION

Building Value New	249,663
Year Built	2012
Effective Year Built	2013
Depreciation Code	A
Remodel Rating	
Year Remodeled	
Depreciation %	7
Functional Obsol	
External Obsol	
Trend Factor	1
Condition	
Condition %	
Percent Good	93
RCNLLD	232,200
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	LB	Units	Unit Price	Yr Bit	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprc Value
BAS	First Floor	802	802	802	116,722	93,609
FGR	Garage	0	484	194	46,788	22,644
FOP	Porch, Open	0	168	34	23,622	3,968
TQS	Three Quarter Story	714	952	714	87,544	83,338
UBM	Basement, Unfinished	0	802	201	29,255	23,461
UQS	Unfin Three Quarter Story	0	484	194	46,788	22,644
Ttl Gross Liv/Lease Area		1,516	3,692	2,139		249,664

UQS	22									
FGR										
TQS										
BAS										
UBM										
TQS										
FOP										



CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT	
BLEVINS GALLIEHUE	58 JUNIPER WAY	1 Level	5 Well 6 Septic	1 Paved	3 Rural	Description	Code
						RES LAND	1-1
						DWELLING	1-3
SUPPLEMENTAL DATA						Appraised	Assessed
ALT Prcl ID 40/088-36						43,600	30,500
OVERLAY						232,200	162,500
DEVRIGH							
SUBDIV. BELMONT HOME							
SURVEY # 19/4							
DEVLDT 14							
Census # 9051							
FIRE DIST							
SEWER							
VISION							

RECORD OF OWNERSHIP				BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)			
BLEVINS GALLIEHUE	0511	0232	08-31-2012	U	V	238,366	0	Year	Code	Assessed	Year	Code	Assessed
JUNIPER HILLS INVESTMENTS LLC	0405	0231	12-29-2006					2020	1-1	30,500	2019	1-1	36,000
									1-3	162,500		1-3	117,000
Total								193000	Total	153000	Total		153000

EXEMPTIONS				OTHER ASSESSMENTS			
Year	Code	Description	Amount	Code	Description	Number	Amount
Total				0.00			

ASSESSING NEIGHBORHOOD				NOTES			
Nbhd		Nbhd Name	B	Tracing	Batch	2015	
0001							
YELLOW				Special Land Value			
UNFINISHED BONUS ROOM				Total Appraised Parcel Value			
SHARED DRIVEWAY				Valuation Method			

BUILDING PERMIT RECORD									
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	SFD W/GARAGE	Comments
8844	01-23-2012	NC	New Construct	197,000	09-27-2012	100	08-28-2012		

LAND LINE VALUATION SECTION															
Use Code	Description	Zone	LA	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Location Adjustmen	Adj Unit P	Land Value
1	1010	Single Fam MDL	RA		1.240	AC	36,000	0.84946	5	1.00	0060	1.150	SD		43,600

Total Card Land Units		1.240		AC		Parcel Total Land Area		1.2400		Total Land Value		43,600	
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NORTHEAST DISTRICT DEPARTMENT OF HEALTH

69 SOUTH MAIN STREET, UNIT 4, BROOKLYN, CT 06234

860-774-7350/FAX 860-774-1308 WWW.NDDH.ORG

March 29, 2022

Galliehue Blevins
58 Juniper Way
Brooklyn, CT 06234

B100/APPLICATION

SUBJECT: FILE #12000140 -- JUNIPER WAY #58, MAP #40, LOT #88-36, BROOKLYN, CT

Dear Galliehue Blevins:

On September 30, 2021, this department received an application proposing the addition of a 16' x 32' inground pool to your property.

Based on the additional information provided 03/29/2022 and paperwork in our files this request has been approved under the following conditions:

1. Maintain a minimum of 25 feet from the existing septic system with the proposed inground pool.
2. Owner to verify exact location of septic.
3. Septic system to be taped off during construction to ensure proper separating distance is maintained and to protect from heavy traffic or storage of building materials in this area.

Approval is being granted under Section 19-13-B100a of the CT Public Health Code. This approval is given with the understanding that you will provide proper care and maintenance of the existing system (the septic tank is to be pumped every 3 years).

THE OWNER IS RESPONSIBLE TO SEEK PROPER AUTHORIZATION FROM ALL TOWN AGENCIES PRIOR TO START OF CONSTRUCTION.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

Donovan Moe, EHS
Environmental Health Specialist ~ NDDH

cc: Brooklyn Building Official

15

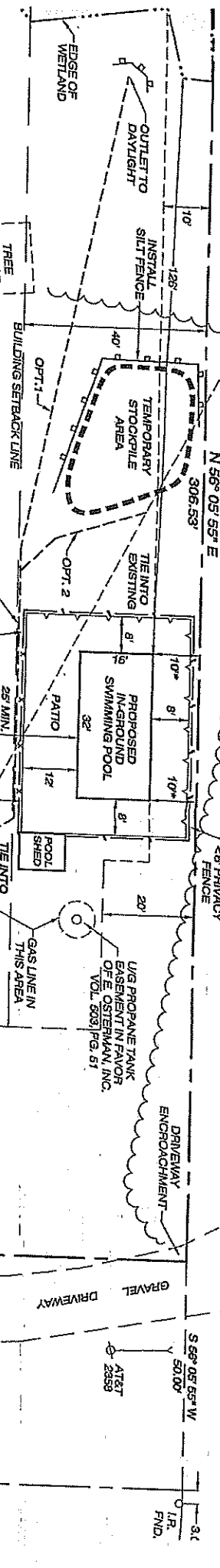
JASON C. MATTIA
REBECCA A. CREE
VOL. 515, PG. 230

FINDN. DRAIN
ENCR. ENCROACHMENT
(APPROX. LOCATION
BASED ON OUTLET)

DRAINAGE RIGHTS TO BE
GRANTED BY MATTIA & CREE TO
BLENVIN IF OPT. 2 UTILIZED
N 56° 05' 55" E
306.53'

PROPOSED
<6' PRIVACY
FENCE

S 58° 05' 55" W
50.00'

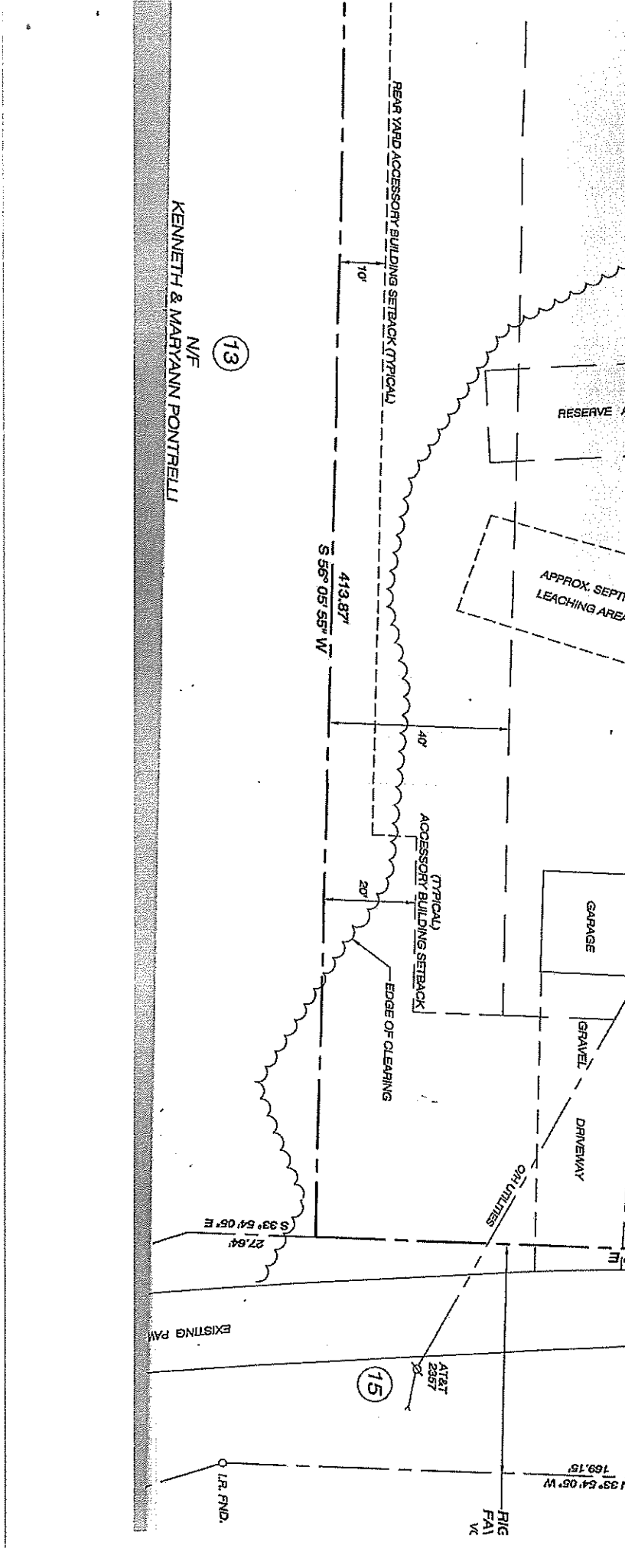


EA = 1.24± ACRES

14

13

N/E
KENNETH & MARYANN PONTRELLI



1. THIS MAP AND SURVEY HAVE BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT", AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. IT IS A ZONING LOCATION SURVEY BASED ON A DEPENDENT RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS "A2". THE PURPOSE OF THIS SURVEY AND MAP IS TO DEPICT THE LOCATION OF A PROPOSED POOL FOR PERMITTING.

2. REFERENCE IS MADE TO THE FOLLOWING MAP:
SUBDIVISION PLAN - PHASE II PREPARED FOR BELMONT HOMES, LLC, off SOUTH STREET, BROOKLYN, CT - BOUNDARY SURVEY & LOT LAYOUT - SCALE: 1"=100' - DATE: 9/06/05 - REVISED AUGUST 26, 2009 - SHEET NO. 3 - BY: CLA ENGINEERS, INC.

3. ASSESSOR'S MAP 40, LOT 88-36, DEVELOPMENT LOT 14

4. ZONE: RA

5. REFERENCE DEED: VOL. 511, PG. 232

6. DIMENSIONS SHOWN WITH * INDICATES A ZONING VARIANCE WILL BE REQUIRED.

7. SEPTIC SYSTEM LOCATION IS BASED ON AS-BUILT INFORMATION ON FILE WITH THE NORTHEAST DISTRICT DEPARTMENT OF HEALTH AND VISIBLE FIELD EVIDENCE.

CO.

8. THE FOUNDATION DRAIN OUTLET PIPE SERVING THE SUBJECT PROPERTY WILL NEED TO BE RELOCATED AS INDICATED OR RIGHTS TO DRAIN WILL NEED TO BE GRANTED OVER LAND NOW OR FORMERLY OF MATTIA AND CREE.

ZONING SETBACKS

ZONE: RA

FRONT SETBACK	50'
SIDE SETBACK	40'
REAR SETBACK	50'
ACCESSORY BUILDING SETBACK	GREATER OF 20' OR $\frac{1}{2}$ HEIGHT OF BUILDING OVER 20'
ACCESSORY BUILDING IN REAR YARD	10'

REFERENCE IS MADE TO SECTIONS 3.C.5.2 AND 8.A.4 OF THE BROOKLYN ZONING REGULATIONS.

PP

NORTHEAST DISTRICT
DEPT OF HEALTH

2022 MAR 29 A 10: 05

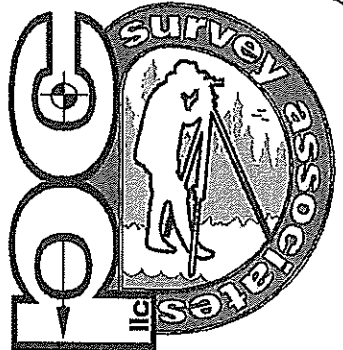

Blossa

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EARS HEREON.

ZONING LOCATION SURVEY		SURVEYING • MAPPING • PLOT PLANS	
PLAN OF PROPOSED SWIMMING POOL PREPARED FOR GALLIHUE BLEVINS			LAND RECORD RESEARCH • TOPOGRAPHY • SUBDIVISION
58 JUNIPER WAY			
BROOKLYN, CONNECTICUT		SHEET NO: 1 OF 1	
DATE: NOVEMBER 2021		REVISED:	
SCALE: 1" = 20'			
			
JOB NO: 21043	F.B. NO: 228	DRAWN BY: P.A.T.	MAP NO:

U.S. POSTAL SERVICE CERTIFICATE OF MAILING
 MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL. DOES NOT PROVIDE FOR INSURANCE—POSTMASTER

Received From:
Galliehue Blevins
58 Suniper Way
Brooklyn, CT 06234

One piece of ordinary mail addressed to:
Susan + Rebecca Motta
60 Suniper Way
Brooklyn, CT 06234

PS Form 3817, Mar. 1989 GPO : 1993 O - 151-051

Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee.

DANIELSON CT
 MAY 07 2022
 8666-93290

U.S. POSTAL SERVICE CERTIFICATE OF MAILING
 MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL. DOES NOT PROVIDE FOR INSURANCE—POSTMASTER

Received From:
Galliehue Blevins
58 Suniper Way
Brooklyn, CT 06234

One piece of ordinary mail addressed to:
Greg + Nancy Parr
62 Suniper Way
Brooklyn, CT 06234

PS Form 3817, Mar. 1989 GPO : 1993 O - 151-051

Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee.

DANIELSON CT
 MAY 07 2022
 8666-93290

U.S. POSTAL SERVICE CERTIFICATE OF MAILING
 MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL. DOES NOT PROVIDE FOR INSURANCE—POSTMASTER

Received From:
Galliehue Blevins
58 Suniper Way
Brooklyn, CT 06234

One piece of ordinary mail addressed to:
Kenneth + Maryann Portelli
56 Suniper Way
Brooklyn, CT 06234

PS Form 3817, Mar. 1989 GPO : 1993 O - 151-051

Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee.

DANIELSON CT
 MAY 07 2022
 8666-93290



1000

U.S. POSTAGE PAID
 FCM LETTER
 DANIELSON, CT
 06239
 MAY 07 22
 AMOUNT
\$1.65
 R2305M1436B1-21



1000

U.S. POSTAGE PAID
 FCM LETTER
 DANIELSON, CT
 06239
 MAY 07 22
 AMOUNT
\$1.65
 R2305M1436B1-21



1000

U.S. POSTAGE PAID
 FCM LETTER
 DANIELSON, CT
 06239
 MAY 07 22
 AMOUNT
\$1.65
 R2305M1436B1-21



DANIELSON
 70 WATER ST
 DANIELSON, CT 06239-9998
 (800) 275-8777

05/07/2022 11:48 AM

Product	Qty	Unit Price	Price
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First-Class Mail® Letter	1		\$0.58
Brooklyn, CT 06234			
Weight: 0 lb 0.40 oz			
Estimated Delivery Date			
Mon 05/09/2022			
Cert of Mailing			\$1.65
Total			\$2.23

First-Class Mail® Letter	1		\$0.58
Brooklyn, CT 06234			
Weight: 0 lb 0.40 oz			
Estimated Delivery Date			
Mon 05/09/2022			
Cert of Mailing			\$1.65
Total			\$2.23

First-Class Mail® Letter	1		\$0.58
Brooklyn, CT 06234			
Weight: 0 lb 0.40 oz			
Estimated Delivery Date			
Mon 05/09/2022			
Cert of Mailing			\$1.65
Total			\$2.23

Grand Total: \$6.69

Debit Card Remitted \$6.69
 Card Name: MasterCard
 Account #: XXXXXXXXXXXX1268
 Approval #: 004828
 Transaction #: 543
 Receipt #: 024605
 Debit Card Purchase: \$6.69
 AID: A0000000042203 Chip
 AL: Debit
 PIN: Verified

 Every household in the U.S. is now eligible to receive a second set of 4 free test kits
 Go to www.covidtests.gov

Preview your Mail
 Track your Packages
 Sign up for FREE @
<https://informeddelivery.usps.com>

All sales final on stamps and postage.
 Refunds for guaranteed services only.
 Thank you for your business.

Tell us about your experience.
 Go to: <https://postalexperience.com/Pos>
 or scan this code with your mobile device.



or call 1-800-410-7420.

UFN: 081700-0239
 Receipt #: 840-50600091-2-4190305-1
 Clerk: 21

N/F
TOWN OF BROOKLYN
VOL. 410, PG. 171

15
N/F
JASON C. MATTIA
REBECCA A. CREE
VOL. 515, PG. 230

13
N/F
KENNETH & MARYANN PONTELLI
VOL. 583, PG. 89

14
AREA = 1.24± ACRES

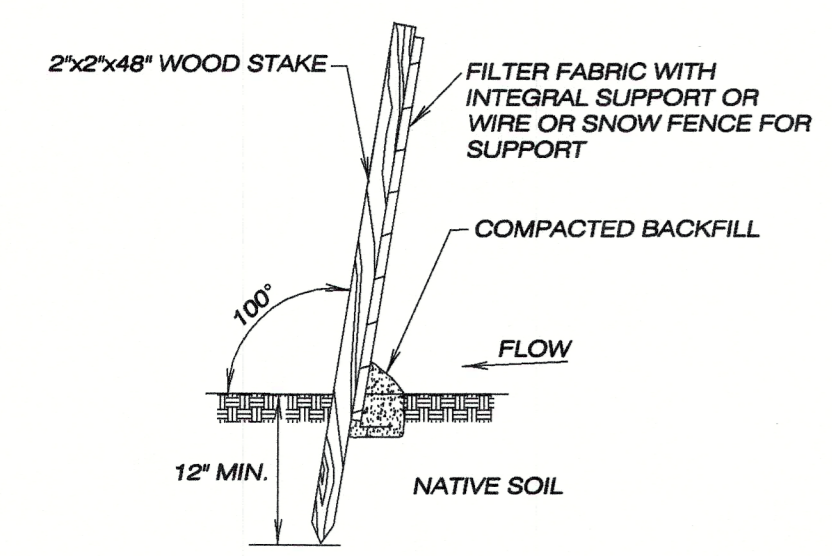
- NOTES:**
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 8. THE FOUNDATION DRAIN OUTLET PIPE SERVING THE SUBJECT PROPERTY WILL NEED TO BE RELOCATED AS INDICATED OR RIGHTS TO DRAIN WILL NEED TO BE GRANTED OVER LAND NOW OR FORMERLY OF MATTIA AND CREE.

ZONING SETBACKS

ZONE: RA

FRONT SETBACK	50'
SIDE SETBACK	40'
REAR SETBACK	50'
ACCESSORY BUILDING SETBACK	GREATER OF 20' OR 1/2 HEIGHT OF BUILDING OVER 20'
ACCESSORY BUILDING IN REAR YARD	10'

REFERENCE IS MADE TO SECTIONS 3.C.5.2 AND 8.A.4 OF THE BROOKLYN ZONING REGULATIONS.



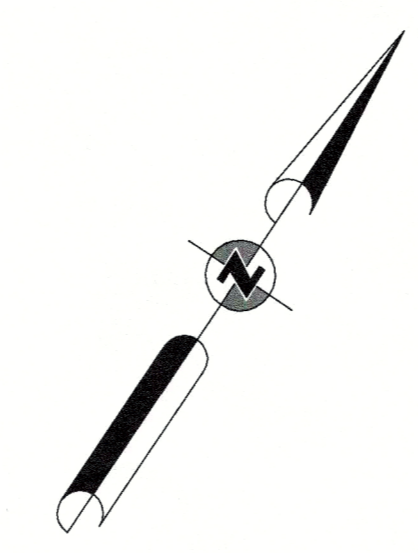
SILT FENCE INSTALLATION
NOT TO SCALE

SOIL EROSION CONTROL

THE PURPOSE OF THIS PROJECT IS THE INSTALLATION OF AN IN-GROUND SWIMMING POOL. PROPOSED ACTIVITIES ARE TO INCLUDE EXCAVATION OF POOL AREA, DRAIN RELOCATION, GRADING OF PATIO AREA, INSTALLATION OF POOL, PATIO AND FENCING INSTALLATION AND FINAL GRADING & LANDSCAPING.

OPERATIONS AND MAINTENANCE

1. ALL PROPOSED WORK SHALL CONFORM TO "2002 CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL" BY THE CONNECTICUT COUNCIL OF SOIL AND WATER CONSERVATION AND TOWN REGULATIONS.
2. THE CONTRACTOR SHALL PLAN ALL LAND DISTURBING ACTIVITIES IN A MANNER AS TO MINIMIZE THE EXTENT OF DISTURBED AREAS.
3. PRIOR TO CONSTRUCTION OR EXCAVATION, SEDIMENT BARRIERS SHALL BE INSTALLED IN LOCATIONS AS SHOWN ON THE PLAN OR AS REQUIRED BY THE TOWN AND MAINTAINED THROUGHOUT CONSTRUCTION.
4. DAILY INSPECTIONS SHALL BE MADE OF EROSION AND SEDIMENT CONTROL MEASURES TO INSURE EFFECTIVENESS AND IMMEDIATE CORRECTIVE ACTION SHALL BE TAKEN IF FAILURE OCCURS.
5. EROSION AND SEDIMENT CONTROL MEASURES SHALL REMAIN IN PLACE UNTIL DISTURBED AREAS HAVE BEEN STABILIZED AND VEGETATIVE COVER HAS BEEN ESTABLISHED.
6. DISTURBED AREAS SHALL BE FINAL GRADED AS SOON AS POSSIBLE AFTER EXCAVATION. FINAL GRADING SHALL INCLUDE REMOVAL OF LARGE ROCKS, STUMPS AND OTHER DEBRIS FROM THE FINISHED SURFACE. UPON FINAL GRADING, DISTURBED AREAS SHALL BE LOAMED WITH A MINIMUM OF 4" LOAM AND SEEDED WITH PERENNIAL FINE TEXTURED GRASSES. IMMEDIATELY AFTER SEEDING, MULCH THE SEEDING AREA WITH HAY OR STRAW.
7. IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY TO IMPLEMENT THIS EROSION AND SEDIMENT CONTROL PLAN.



TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

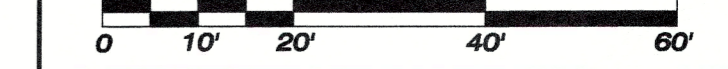
Paul A. Terwilliger
PAUL A. TERWILLIGER, L.S. NO. 70155

11/29/2021
DATE

NO CERTIFICATION IS EXPRESSED OR IMPLIED UNLESS THIS MAP BEARS THE EMBOSSED SEAL OF THE LAND SURVEYOR WHOSE SIGNATURE APPEARS HEREON.



ZONING LOCATION SURVEY		 SURVEYING · MAPPING · PLOT PLANS LAND RECORD RESEARCH email: posurvey@snst.net 63 SNAKE MEADOW RD KILLINGLY, CT 06239 860 774 6230
PLAN OF PROPOSED SWIMMING POOL PREPARED FOR GALLIHUE BLEVINS		
58 JUNIPER WAY BROOKLYN, CONNECTICUT DATE: NOVEMBER 2021 SCALE: 1" = 20'		SHEET NO: 1 OF 1 REVISED:
JOB NO: 21043	F.B. NO: 228	DRAWN BY: P.A.T. MAP NO:

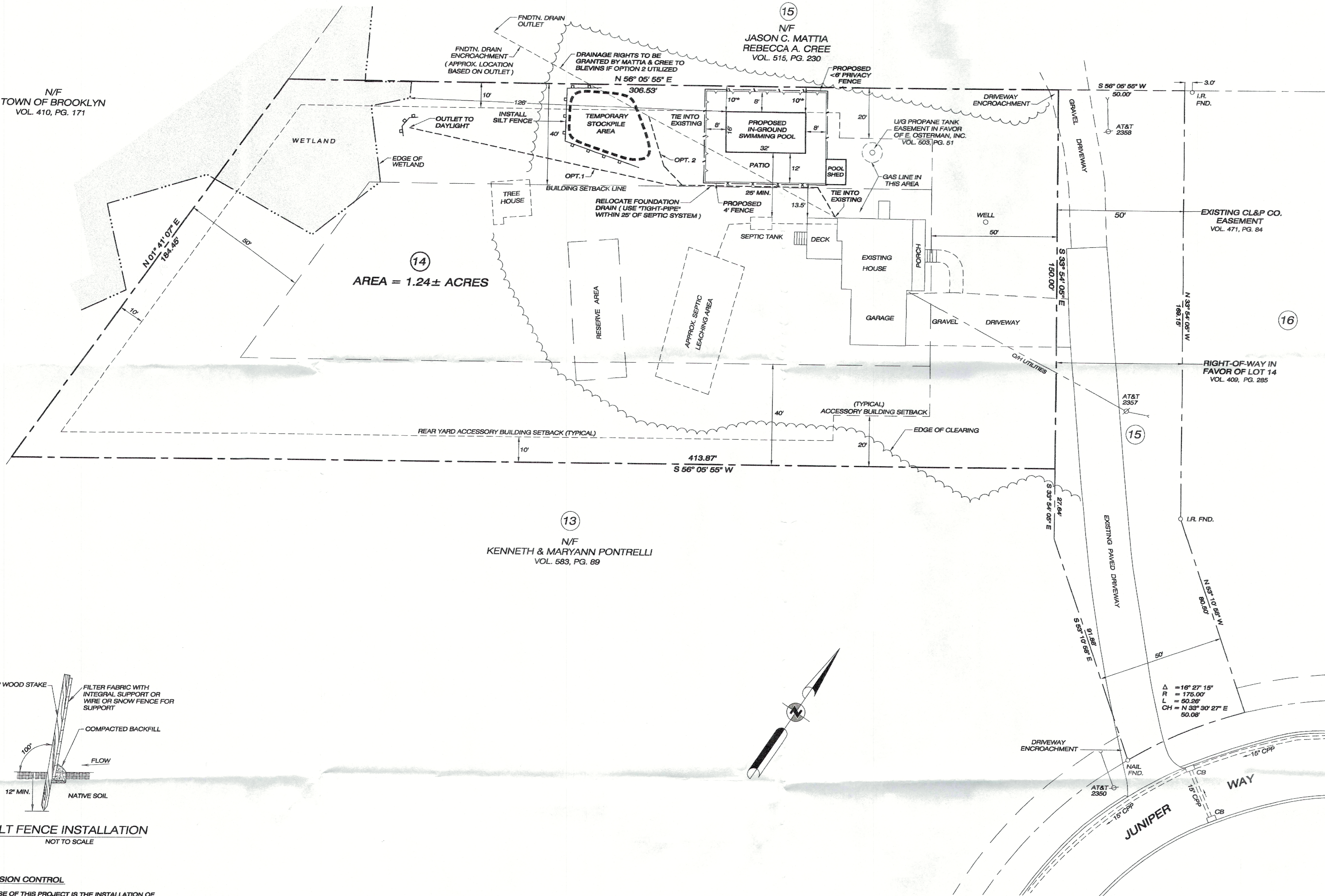


N/F
TOWN OF BROOKLYN
VOL. 410, PG. 171

15
N/F
JASON C. MATTIA
REBECCA A. CREE
VOL. 515, PG. 230

13
N/F
KENNETH & MARYANN PONTRILLI
VOL. 583, PG. 89

16



14
AREA = 1.24± ACRES

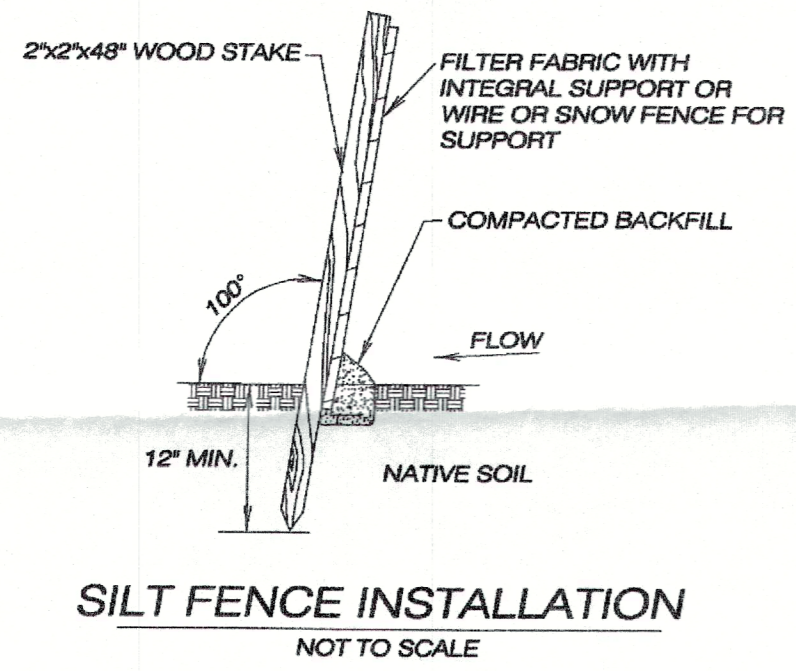
- NOTES:
1. THIS MAP AND SURVEY HAVE BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT, AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. IT IS A ZONING LOCATION SURVEY BASED ON A DEPENDENT RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS "A2". THE PURPOSE OF THIS SURVEY AND MAP IS TO DEPICT THE LOCATION OF A PROPOSED POOL FOR PERMITTING.
 2. REFERENCE IS MADE TO THE FOLLOWING MAP: SUBDIVISION PLAN - PHASE II PREPARED FOR BELMONT HOMES, LLC, off SOUTH STREET, BROOKLYN, CT - BOUNDARY SURVEY & LOT LAYOUT - SCALE: 1"=100' - DATE: 9/06/05 - REVISED AUGUST 26, 2009 - SHEET NO. 3 - BY: CLA ENGINEERS, INC.
 3. ASSESSOR'S MAP 40, LOT 88-36, DEVELOPMENT LOT 14
 4. ZONE: RA
 5. REFERENCE DEED: VOL. 511, PG. 232
 6. DIMENSIONS SHOWN WITH * INDICATES A ZONING VARIANCE WILL BE REQUIRED.
 7. SEPTIC SYSTEM LOCATION IS BASED ON AS-BUILT INFORMATION ON FILE WITH THE NORTHEAST DISTRICT DEPARTMENT OF HEALTH AND VISIBLE FIELD EVIDENCE.
 8. THE FOUNDATION DRAIN OUTLET PIPE SERVING THE SUBJECT PROPERTY WILL NEED TO BE RELOCATED AS INDICATED OR RIGHTS TO DRAIN WILL NEED TO BE GRANTED OVER LAND NOW OR FORMERLY OF MATTIA AND CREE.

ZONING SETBACKS

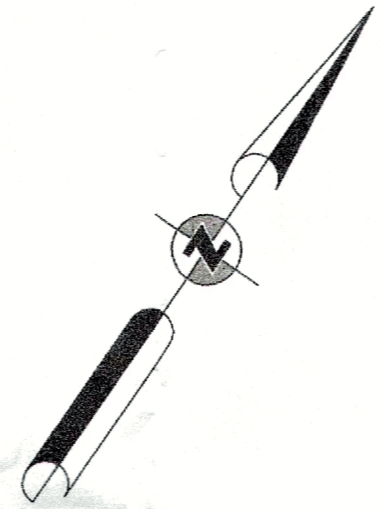
ZONE: RA

FRONT SETBACK	50'
SIDE SETBACK	40'
REAR SETBACK	50'
ACCESSORY BUILDING SETBACK	GREATER OF 20' OR 1/2 HEIGHT OF BUILDING OVER 20'
ACCESSORY BUILDING IN REAR YARD	10'

REFERENCE IS MADE TO SECTIONS 3.C.5.2 AND 8.A.4 OF THE BROOKLYN ZONING REGULATIONS.



- SOIL EROSION CONTROL**
- THE PURPOSE OF THIS PROJECT IS THE INSTALLATION OF AN IN-GROUND SWIMMING POOL. PROPOSED ACTIVITIES ARE TO INCLUDE EXCAVATION OF POOL AREA, DRAIN RELOCATION, GRADING OF PATIO AREA, INSTALLATION OF POOL, PATIO AND FENCING INSTALLATION AND FINAL GRADING & LANDSCAPING.
- OPERATIONS AND MAINTENANCE**
1. ALL PROPOSED WORK SHALL CONFORM TO "2002 CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL" BY THE CONNECTICUT COUNCIL OF SOIL AND WATER CONSERVATION AND TOWN REGULATIONS.
 2. THE CONTRACTOR SHALL PLAN ALL LAND DISTURBING ACTIVITIES IN A MANNER AS TO MINIMIZE THE EXTENT OF DISTURBED AREAS.
 3. PRIOR TO CONSTRUCTION OR EXCAVATION, SEDIMENT BARRIERS SHALL BE INSTALLED IN LOCATIONS AS SHOWN ON THE PLAN OR AS REQUIRED BY THE TOWN AND MAINTAINED THROUGHOUT CONSTRUCTION.
 4. DAILY INSPECTIONS SHALL BE MADE OF EROSION AND SEDIMENT CONTROL MEASURES TO INSURE EFFECTIVENESS AND IMMEDIATE CORRECTIVE ACTION SHALL BE TAKEN IF FAILURE OCCURS.
 5. EROSION AND SEDIMENT CONTROL MEASURES SHALL REMAIN IN PLACE UNTIL DISTURBED AREAS HAVE BEEN STABILIZED AND VEGETATIVE COVER HAS BEEN ESTABLISHED.
 6. DISTURBED AREAS SHALL BE FINAL GRADED AS SOON AS POSSIBLE AFTER EXCAVATION. FINAL GRADING SHALL INCLUDE REMOVAL OF LARGE ROCKS, STUMPS AND OTHER DEBRIS FROM THE FINISHED SURFACE. UPON FINAL GRADING, DISTURBED AREAS SHALL BE LOAMED WITH A MINIMUM OF 4" LOAM AND SEEDED WITH PERENNIAL FINE TEXTURED GRASSES. IMMEDIATELY AFTER SEEDING, MULCH THE SEEDER AREA WITH HAY OR STRAW.
 7. IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY TO IMPLEMENT THIS EROSION AND SEDIMENT CONTROL PLAN.



TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

Paul A. Terwilliger
PAUL A. TERWILLIGER, L.S. NO. 30155

11/29/2021
DATE

NO CERTIFICATION IS EXPRESSED OR IMPLIED UNLESS THIS MAP BEARS THE EMBOSSED SEAL OF THE LAND SURVEYOR WHOSE SIGNATURE APPEARS HEREON.



ZONING LOCATION SURVEY		SURVEYING • MAPPING • PLOT PLANS LAND RECORD RESEARCH GALLIHUE BLEVINS • JUNIPER ROAD email: pbsurvey@net.net 83 SNAKE MEADOW RD KILLINGLY, CT 06239 860 774 6230
PLAN OF PROPOSED SWIMMING POOL PREPARED FOR GALLIHUE BLEVINS		
58 JUNIPER WAY BROOKLYN, CONNECTICUT		SHEET NO: 1 OF 1
DATE: NOVEMBER 2021 SCALE: 1" = 20'		REVISED:
JOB NO: 21043	F.B. NO: 228	DRAWN BY: P.A.T. MAP NO:

BROOKLYN ZONING BOARD OF APPEALS
APPLICATION

FEE: \$250.00/STATE FEE: \$60/PUBLICATION FEE: \$600 ^{\$150 PH & NOA} CHECK# 1291 \$ 460.00

APPLICATION # ZBA-22-002 DATE SUBMITTED 5/5/22

APPLICANT: GREGORY WEISENBERGER

MAILING ADDRESS: 141 LAVER HILL RD

PROPERTY OWNER: (if different) _____

MAILING ADDRESS: _____

PROPERTY LOCATION: 141 LAVER HILL RD

MAP: _____ LOT: _____ ACRES: _____

ZONE: R-30 VCD R-10 NC PC RB I-1 (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, Sections 3.C.5.2.
The variance being requested is 40' in lieu of 50 required.
- Appeal of an order, requirement or decision of the ZEO under Sec. 17.2 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 SITE PLAN
RELIEF FROM FRONT YARD SETBACK FOR PROPOSED
BUILDINGS.


Specify Hardship, if applying for a variance: LIMITED AREA TO PUT
BUILDINGS, DO THE THE LOCATION OF EXISTING HOUSE,
SEWER SYSTEM AND STREETS OF EXISTING GRADING
OF THE SITE

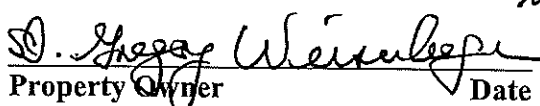
The following information must accompany each application:

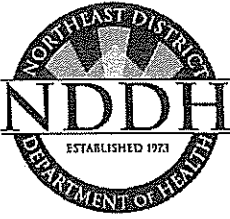
1. A plot plan, prepared by a licensed land surveyor, to A-2 survey standard or at the Board's discretion, a plot plan, prepared from available information, sufficiently accurate to allow the members to reach an informed decision.
2. Enclose a copy of letter of denial from the Zoning Officer.
3. See Article 17, Section 3 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.
4. Please make check payable to the Town of Brooklyn.
5. Applications may be mailed to the Brooklyn Land Use Office, P.O. Box 356, Brooklyn, CT 06234 or delivered in person during regular business hours to the Land Use Office, Suite 22, 69 South Main Street, Brooklyn, CT.
6. Notification: Any application involving a public hearing will require, at the Petitioner's own expense, that the Petitioner send notice of the application at least 15 days prior to the date of the public hearing via certificate of mailing to all owners of record of any abutting properties as well as to owner's of record of those properties that lie opposite the parcel across any street or thoroughfare. Copies of the list of abutters and certificates of mailings are to be provided the day of the public hearing. Abutting owners shall be the owners identified in the tax assessor's records.
7. If the proposed activity is located within a Drinking Water Supply Aquifer Area then the attached Public Water Supply Aquifer Area Project Notification Form must be completed and attached to the application.
8. It is the responsibility of the applicant to contact the Building Inspector, Inland Wetlands and Watercourses Agent and/or Fire Marshal to determine if other permits are required.

NOTE: Lack of accurate information may cause the Board to deem that the application is an incomplete application and may be grounds for denial.

The undersigned applicant(s) and owner(s) hereby depose and 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 and belief.

May 5, 2022

Applicant Date

May 5, 2022

Property Owner Date



NORTHEAST DISTRICT DEPARTMENT OF HEALTH

69 SOUTH MAIN STREET, UNIT 4, BROOKLYN, CT 06234

860-774-7350/FAX 860-774-1308 WWW.NDDH.ORG

October 04, 2021

D. Gregory & Donna Weisenberger
141 Laurel Hill Road
Brooklyn, CT 06234

B100/APPLICATION

SUBJECT: FILE #87002615 -- LAUREL HILL ROAD #141, MAP #17, LOT #1A, BROOKLYN, CT

Dear D. Gregory & Donna Weisenberger:

On September 29, 2021, this department received an application proposing the addition of a 20' x 30' detached garage with loft storage on concrete slab to your property.

Upon review of the information provided by you, prior to further review of your application, this department will require the following:

1. Owner to verify exact location of septic.
2. Please submit a Plot Plan to scale showing location of house, well, septic system, and closest property lines.
3. Must show a code-complying area for future septic repair on plan.

Once this information has been received, this department will be able to review your proposal.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

Donovan Moe

Donovan Moe, EHS
Environmental Health Specialist ~ NDDH

cc: Brooklyn Building Official



Necog GIS Site

Shed can be up to ten ft from a property line if located on this side of the red line (indicating the rear yard).

(Not closer than 10 ft from a property line)

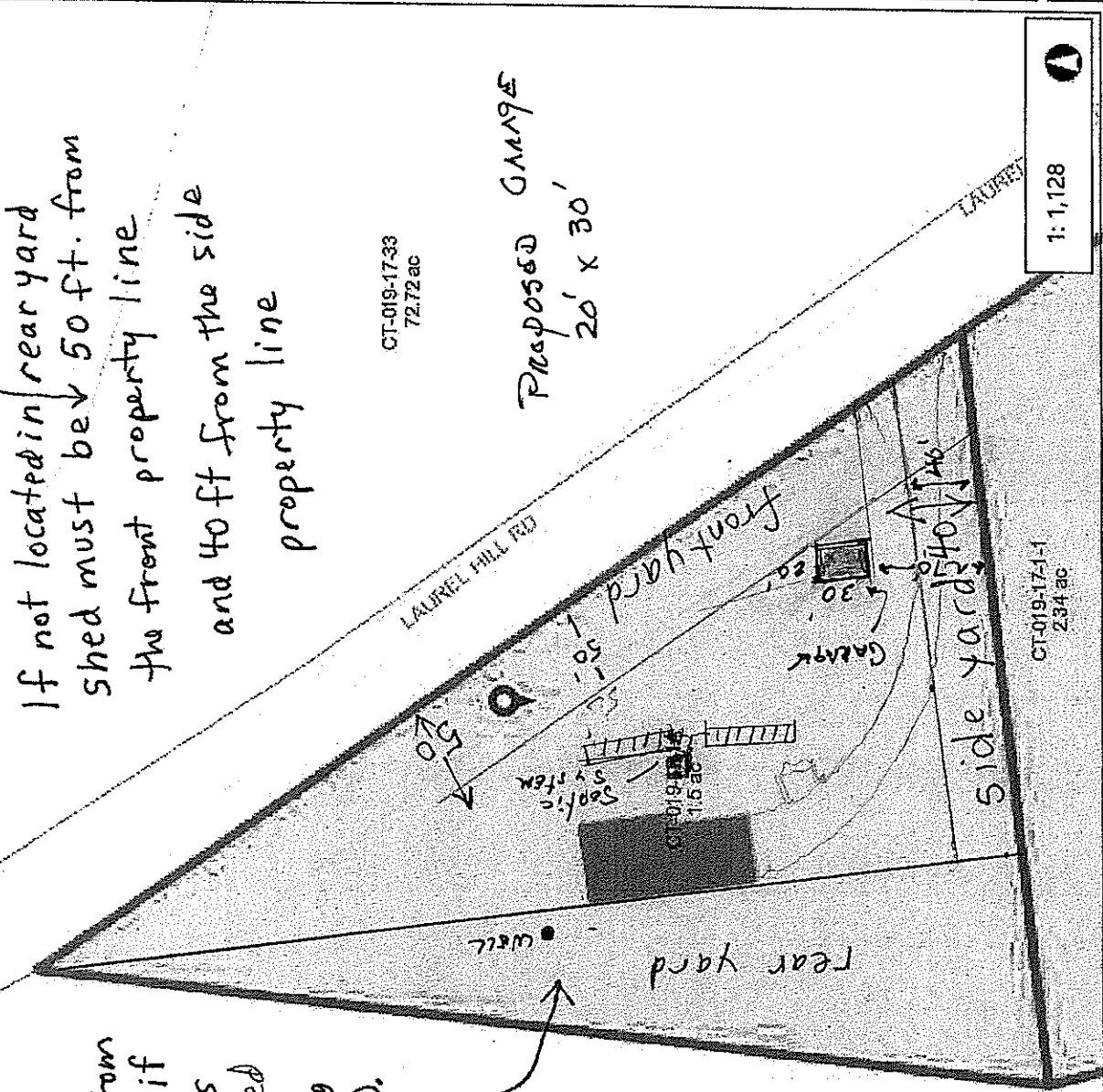
(at least)

If not located in rear yard shed must be 50 ft. from the front property line and 40 ft from the side property line

CT-019-173
7.48 ac

CT-019-17-33
72.72 ac

Proposed Garage
20' x 30'



1: 1,128

CT-019-17-1-1
2.34 ac

- Legend
- Town
- Buildings 2012
- Parcels

Notes

141 Laurel Hill Road
RA Zone

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



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

141 Laurel Hill Road

5/18/22

Address

Date

I met with Gregory Weisenberger,
took photos and inspected for
a variance from the ZBA.

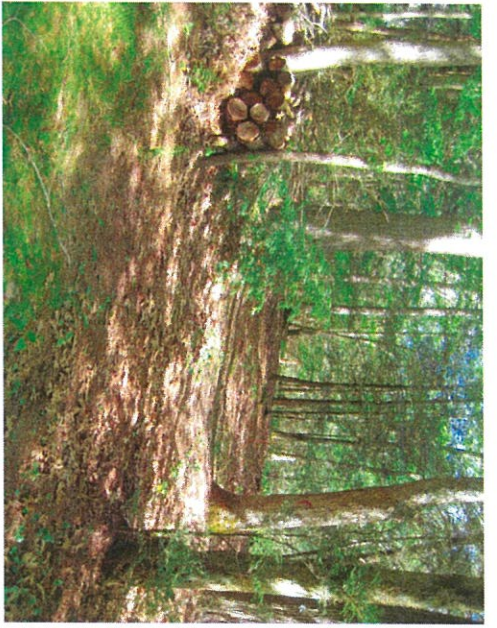
The photographs show the area
where the garage is proposed.

Most of the lot is steeply sloping.

Commission Representative

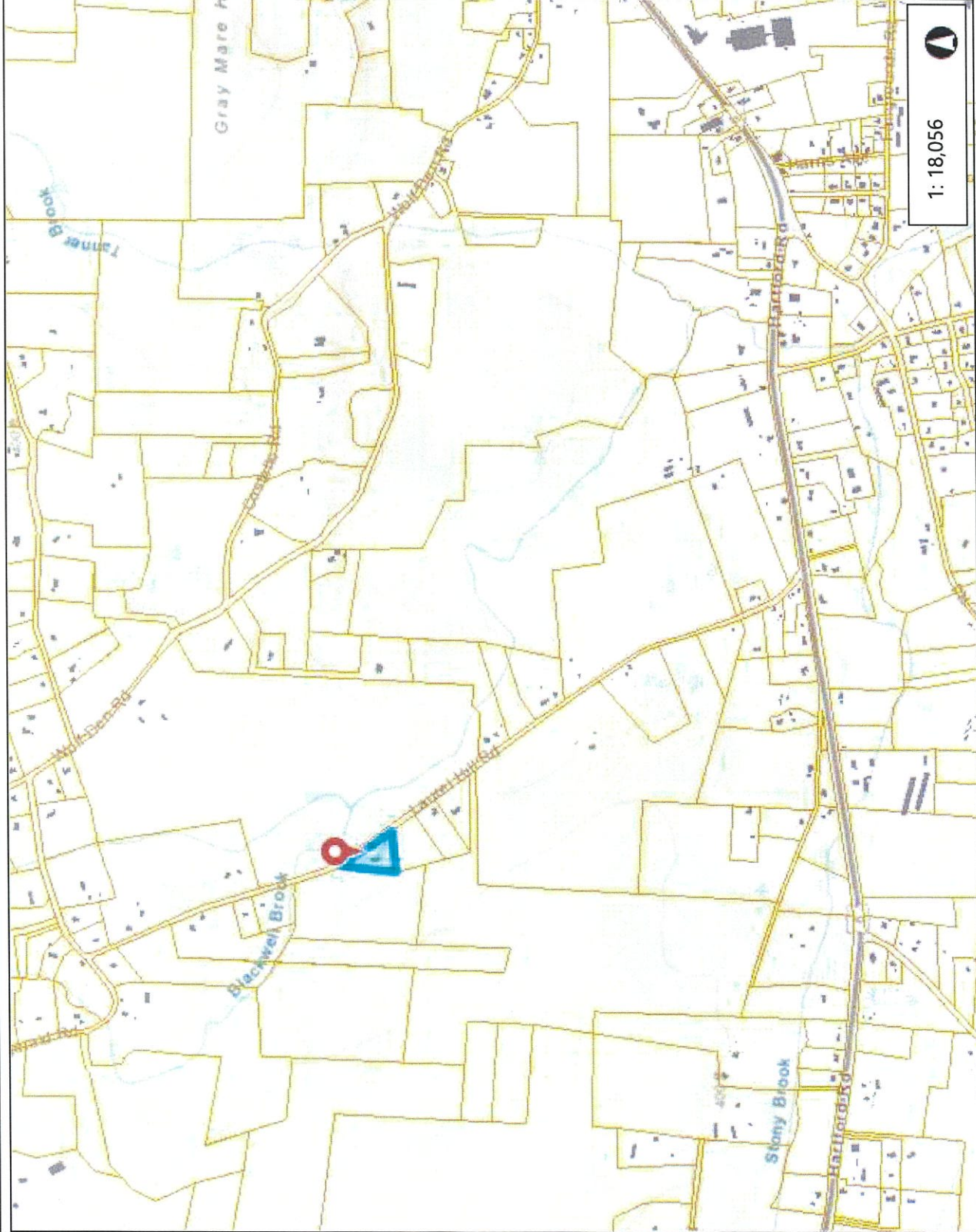
M. Washburn

Owner or Authorized Signature _____





- Legend**
- Town
 - Buildings 2012
 - Parcels



1: 18,056

Notes
141 Laurel Hill Rd.

0.6 Miles



0.6

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

CURRENT OWNER	TOPO	UTILITIES	STRT/ROAD	LOCATION
WEISENBERGER D GREGORY & DO				
141 LAUREL HILL RD	Alt Prcl ID 17/001A	SUPPLEMENTAL DATA		
BROOKLYN CT 06234-1615	OVERLAY	490 PEN DEVRIGH WOLCHESKY SUBDIV. SURVEY # 9/30 DEV LOT Census # 9051		
	FIRE DIST SEWER			

RECORD OF OWNERSHIP	BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC
WEISENBERGER D GREGORY & DONNA J	0092 0106	07-18-1988	U	I	230,000	
WOLCHESKY MICHAEL W & MILLER ROBE	0089 0579	12-23-1987			15,000	
Total						

EXEMPTIONS		OTHER ASSESSMENTS	
Year	Code	Description	Amount

ASSESSING NEIGHBORHOOD	
Nbhd	Tracing
0001	B

NOTES

BEIGE IA

APPRaised VALUE SUMMARY

Appraised Bldg. Value (Card)	240,500
Appraised Xf (B) Value (Bldg)	2,200
Appraised Ob (B) Value (Bldg)	0
Appraised Land Value (Bldg)	44,000
Special Land Value	0
Total Appraised Parcel Value	286,700
Valuation Method	C

BUILDING PERMIT RECORD		VISIT / CHANGE HISTORY	
Permit Id	Issue Date	Date	Purpose/Result

1597	11-18-1987	NC	New Construct	100,000	% Comp 100	Date Comp 12-18-1987	SFD	Comments
------	------------	----	---------------	---------	------------	----------------------	-----	----------

LAND LINE VALUATION SECTION											
B Use Code	Description	Zone	LA	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj

1	1010	Single Fam MDL	RA		1.500	AC	36,000	0.74074	5	1.00	0050	1.100				
Total Card Land Units											1.500	AC	Parcel Total Land Area	1.5000	Total Land Value	44,000

PREVIOUS ASSESSMENTS (HISTORY)		
Year	Code	Assessed V
2020	1-1	30,800
	1-3	169,900
Total		200,700

CURRENT ASSESSMENT		
Code	Assessed	Year
1-1	44,000	2019
1-3	242,700	2018
Total	286,700	200,700

ASSESSMENTS (HISTORY)		
Year	Code	Assessed
2019	1-1	37,900
	1-3	136,500
Total		174,400

CURRENT ASSESSMENT		
Code	Assessed	Year
1-1	44,000	2018
1-3	242,700	2018
Total	286,700	200,700

ASSESSMENTS (HISTORY)		
Year	Code	Assessed
2018	1-1	37,900
	1-3	136,500
Total		174,400

ASSESSMENTS (HISTORY)		
Year	Code	Assessed
2018	1-1	37,900
	1-3	136,500
Total		174,400

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Element	Description	Element	Description
03	Colonial		
01	Residential		
05	B-		
2	Stories:		
1	Occupancy		
11	Exterior Wall 1		
11	Exterior Wall 2		
03	Roof Structure:		
03	Roof Cover		
05	Interior Wall 1		
12	Interior Wall 2		
14	Interior Fir 1		
14	Interior Fir 2		
02	Heat Fuel		
05	Hot Water		
03	Central		
04	4 Bedrooms		
2	Total Bedrooms		
1	Total Half Baths		
8	Total Rooms:		
02	Bath Style:		
02	Kitchen Style:		

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Element	Description	Element	Description
CONDO DATA			
Parcel Id	C	Owne	
Adjust Type	Code	Description	Factor%
Condo Fir		B	S
Condo Unit			
COST / MARKET VALUATION			
Building Value New		300,618	
Year Built		1987	
Effective Year Built		2000	
Depreciation Code		A	
Remodel Rating		20	
Year Remodeled		1	
Depreciation %		80	
Functional Obsol		240,500	
External Obsol			
Trend Factor			
Condition			
Condition %			
Percent Good			
RCNLD			
Dep % Ovr			
Dep Ovr Comment			
Misc Imp Ovr			
Misc Imp Ovr Comment			
Cost to Cure Ovr			
Cost to Cure Ovr Comment			

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Code	Description	Unit Price	Yr Blt
FPL3	FIREPLACE 2	1	2800.00
		1	1995
		Cond. Cd	% Gd
		80	0.00
		Grade	Appr. Value
			2,200



CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Code	Description	Living Area	Floor Area
BAS	First Floor	1,120	1,120
FGR	Garage	0	672
FUS	Upper Story, Finished	1,120	1,120
UBM	Basement, Unfinished	0	1,120
WDK	Deck, Wood	0	238
			24
			106.87
			42.78
			106.87
			26.72
			10.78
			2,565
			29,923
			119,691
			28,747
			119,691
			2,240
			4,270
			2,813
			300,617

BROOKLYN ZONING BOARD OF APPEALS
APPLICATION

FEE: \$250.00/STATE FEE: \$60/PUBLICATION FEE: ~~\$600~~ ^{600 N/A} CHECK# 569 \$360⁰⁰

APPLICATION # ZBA 22-003 DATE SUBMITTED 5/5/22

APPLICANT: STEPHANIE HINES

MAILING ADDRESS: 20 FRANKLIN DRIVE

PROPERTY OWNER: (if different) _____

MAILING ADDRESS: _____

PROPERTY LOCATION: 20 FRANKLIN DRIVE

MAP: 3 LOT: 16 ACRES: .49

ZONE: RA (R-30) VCD R-10 NC PC RB I-1 (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, Sections _____
The variance being requested is _____ in lieu of _____ required.
- Appeal of an order, requirement or decision of the ZEO under Sec. 17.2 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 SITE PLAN

* LOCATION OF POOL

Specify Hardship, if applying for a variance: _____

The following information must accompany each application:

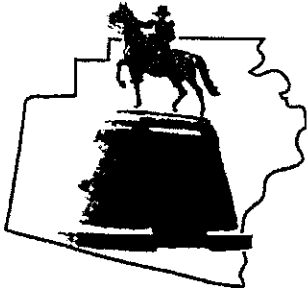
1. A plot plan, prepared by a licensed land surveyor, to A-2 survey standard **or** at the Board's discretion, a plot plan, prepared from available information, sufficiently accurate to allow the members to reach an informed decision.
2. Enclose a copy of letter of denial from the Zoning Officer.
3. See Article 17, Section 3 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.
4. Please make check payable to the Town of Brooklyn.
5. Applications may be mailed to the Brooklyn Land Use Office, P.O. Box 356, Brooklyn, CT 06234 or delivered in person during regular business hours to the Land Use Office, Suite 22, 69 South Main Street, Brooklyn, CT.
6. Notification: Any application involving a public hearing will require, at the Petitioner's own expense, that the Petitioner send notice of the application at least 15 days prior to the date of the public hearing via certificate of mailing to all owners of record of any abutting properties as well as to owner's of record of those properties that lie opposite the parcel across any street or thoroughfare. Copies of the list of abutters and certificates of mailings are to be provided the day of the public hearing. Abutting owners shall be the owners identified in the tax assessor's records.
7. If the proposed activity is located within a Drinking Water Supply Aquifer Area then the attached Public Water Supply Aquifer Area Project Notification Form must be completed and attached to the application.
8. It is the responsibility of the applicant to contact the Building Inspector, Inland Wetlands and Watercourses Agent and/or Fire Marshal to determine if other permits are required.

NOTE: Lack of accurate information may cause the Board to deem that the application is an incomplete application and may be grounds for denial.

The undersigned applicant(s) and owner(s) hereby depose and 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 and belief.

Stephanie Hynes 5/5/22
Applicant Date

Stephanie Hynes 5/5/22
Property Owner Date



TOWN OF BROOKLYN
Land Use Department
69 South Main Street • Suite 22
BROOKLYN, CONNECTICUT 06234
860-779-3411 Ext. 12

Date Notice of Violation was Issued

Date Appeal Period Expired

1/31/2022

2/15/2022

2/2/2022

2/17/2022

3/8/2022

3/23/2022

Margaret Washburn

From: Peter Alter <palter@alterpearson.com>
Sent: Tuesday, May 17, 2022 4:06 AM
To: Margaret Washburn
Cc: Lisa Lindia; washburnwetland@gmail.com; Austin Tanner; Jana Roberson
Subject: Re: 20 Franklin Dr

Margaret: Yes, I suggest that you provide a copy of each NOV to the board with an attachment stating the date the appeal period expired on each one. All documents you supply should be made part of the record as well as going to the ZBA members. Be well. Peter

Sent from my iPhone

On May 16, 2022, at 8:08 PM, Margaret Washburn <M.Washburn@brooklynct.org> wrote:

Hi Peter,

Thanks for this response. I have updated the ZBA application form accordingly. I am sorry to bother you on vacation. There is a ZBA meeting on 5/23.

My email in regard to 20 Franklin Drive was followed by three Notices of Violation: on 1/3/22, 2/2/22 and 3/8/22.

This may be a moot point, but each of the NOV's had appeal periods that have also expired. You did not mention any of these in your email. Should I give copies of all these to the ZBA as well?

Margaret Washburn
ZEO/WEO/Blight Enforcement Officer
69 South Main Street, Suite 23
Brooklyn, CT 06234
(860) 779-3411 ext. 31
Mon. – Thurs. 8:00 am – 3:30 pm
m.washburn@brooklynct.org

From: Peter Alter <palter@alterpearson.com>
Sent: Saturday, May 07, 2022 12:24 PM
To: Lisa Lindia <L.Lindia@Brooklynct.org>; washburnwetland@gmail.com
Cc: Margaret Washburn <M.Washburn@Brooklynct.org>; Austin Tanner <A.Tanner@Brooklynct.org>; Jana Roberson <J.Roberson@Brooklynct.org>
Subject: RE: 20 Franklin Dr

Margaret: First of all, the application that was filed does not reference the proper section of the present zoning regulations. I recognize that the town's form has not been updated to reflect the new regulations, but it should be revised for future applications.

As an initial matter, pursuant to **Section 9.G.2. APPEALS OF ORDER**, the property owner had 15 days from January 4, 2022 to file an appeal of that “decision.” Filing an appeal outside of that very specific time limit, deprives the zoning board of appeals of jurisdiction. It is my opinion that the Zoning Board of Appeals lacks jurisdiction to hear this appeal due to the fact that it was filed well-outside of the timeframe provided in Section 9.G.2 of the Regulations. The Board could place the matter on its agenda and dismiss the appeal as untimely filed. No evidence pertaining to the substance of the appeal should be heard by the Board. The board should receive from you into the record the application and a copy of the email of January 4, 2022 that is claimed to be the decision appealed from. If so inclined, then a member of the board would make a motion to dismiss the appeal on the basis that the Board lacks jurisdiction due to the untimely filing of the appeal. If the Board is so inclined following the motion, it should then be seconded and voted upon. If the motion to dismiss the appeal is approved, then the Board should clearly state on the record that the reason for the dismissal of the appeal as untimely is that: “The appeal by the property owner of the January 4, 2022 email which the applicant considers a decision was not filed in accordance with the limited time of 15 days as provided in Section 9.G.2 of the Zoning Regulations and therefore the Zoning Board of Appeals lacks jurisdiction to hear the appeal. The Board makes no finding as to whether or not the email from Margaret Washburn of January 4, 2022 was a “decision” as contemplated by the regulation and by state statute.”

If the motion to dismiss fails and the board wishes to proceed, then the next issue it must address is whether or not your email constitutes a decision. I question whether the email that you sent to the property owner dated January 4, 2022, is actually a “decision” as is contemplated by the statute by which an appeal to the zoning board of appeals is authorized. In the string of emails attached to the information you provided to me, you were not asked to make a determination, nor were you asked to issue a zoning permit. You indicate to the property owner what a possible path forward would be by way of seeing a variance. If your email of January 4, 2022 is not a “decision” but is merely an advisory letter, then the zoning board of appeals does not have jurisdiction to hear an appeal.

A determination as to what constitutes a “decision” depends on the particular facts and circumstances of each case. *Holt v. Zoning Board of Appeals of the Town of Stonington 114 Conn. App. 13,(2009)*. The burden to sustain the claim that your email represents a decision should be on the applicant-appellant. A letter that is merely advisory and without binding effect has been held to not be a “decision” from which an appeal can be taken. (*Holt,22-23*). The email of January 4, 2022 does not appear to be a final determination that would constitute a decision as it suggests other possible remedies for the property owner. No actual request for a zoning permit had been made of the ZEO as of that time. Again, this is a matter for the ZBA to decide, the determination of the final facts is not up to you or to me. The applicant must present the particular facts and circumstances of the case to satisfy the board. It is not up to you to make that case at such a hearing that your email is not a “decision”.

Placing the matter on the agenda for a determination as to jurisdiction does not mean that the Board has decided to allow the appeal to proceed.

If you have further questions or comments please feel free to contact me. Best regards. Peter

Peter Jay Alter
Member

Alter & Pearson, LLC
Attorneys at Law
701 Hebron Avenue
P.O. Box 1530
Glastonbury, CT 06033
860.652.4020 telephone
860.652.4022 fax
palter@alterpearson.com

ALTER
PEARSON, LLC

ATTORNEYS AT LAW

From: Lisa Lindia <L.Lindia@Brooklynct.org>
Sent: Thursday, May 5, 2022 5:59 PM
To: palter@alterpearson.com; washburnwetland@gmail.com
Cc: Margaret Washburn <M.Washburn@Brooklynct.org>
Subject: 20 Franklin Dr

Hi,

This came in today. Please let me know how I should proceed.

Thank you,
Lisa M. Lindia ☺
Building/Land Use Office
Administrative Assistant
860-779-3411 Ext 12



NORTHEAST DISTRICT DEPARTMENT OF HEALTH

69 SOUTH MAIN STREET, UNIT 4, BROOKLYN, CT 06234

860-774-7350/FAX 860-774-1308 WWW.NDDH.ORG

RECEIVED

AUG 17 2021

August 17, 2021

Brennan & Stephanie Hynes
20 Franklin Drive
Brooklyn, CT 06234

B100/APPLICATION

SUBJECT: FILE #86002614 -- FRANKLIN DRIVE #20, MAP #33, LOT #16, BROOKLYN, CT

Dear Brennan & Stephanie Hynes:

On August 12, 2021 this department received an application proposing the addition of a 12' x 20' above ground pool to your property.

Based on the information provided and paperwork in our files this request has been approved under the following conditions:

1. Maintain a minimum of 10 feet from the existing septic system with the proposed above ground pool.
2. In the event that area is needed for future septic repair, the existing structure may need to be relocated to different location on the property.
3. Owner to verify exact location of septic.
4. Septic system to be taped off during construction to ensure proper separating distance is maintained and to protect from heavy traffic or storage of building materials in this area.

Approval is being granted under Section 19-13-B100a of the CT Public Health Code. This approval is given with the understanding that you will provide proper care and maintenance of the existing system (the septic tank is to be pumped every 3 years).

THE OWNER IS RESPONSIBLE TO SEEK PROPER AUTHORIZATION FROM ALL TOWN AGENCIES PRIOR TO START OF CONSTRUCTION.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

Donovan Moe

Donovan Moe, EHS
Environmental Health Specialist-NDDH

cc: Brooklyn Building Official; Gibraltar Pools Corp.

17/11/11

11/11/11

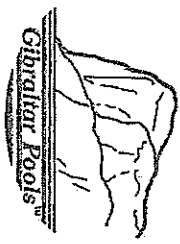
FINULLI PLACEMENT I

S.A. _____ O.D. _____

ADDRESS 20 Franklin Dr.
Brooklyn CT 06024



SURVEYOR _____



GRADE _____

OBSTRUCTIONS _____
NORTHEAST DISTRICT
DEPT OF PLANNING & ADDRESS _____

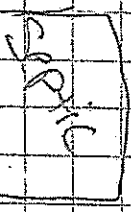
UNDERGROUND LINES _____

Well front yard
100' away

100' away

HOUSE

2021 AUG 12 12:39



23'

410'

410'

POOL

DECK

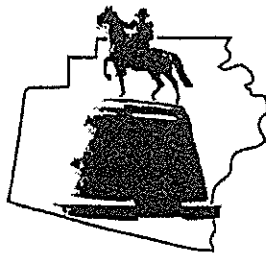
75'

BARN

Driveway line

Property line

Buyer 1 _____ Date _____
Buyer 2 _____ Date _____



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

20 Franklin Drive

1/3/22

Address

Date

I met Stephanie Hynes, inspected and took photos. We pulled a tape from the side of the pool deck closest to the garage to the existing garage. The deck is 13 ft from the garage.

The pool deck reaches to almost exactly the middle of the wall of the side of the garage closest to the pool/deck. From the point we measured from, it is 12 ft 6" to the N. end of the garage and it is 12 ft 4" to the south end of the garage.

We were unable to measure to the north property line because of the fence the Hynes put up for the dogs. I am unable to determine how close the pool is to any of the property lines. The (pool) are clearly within the rear yard zoning setback. (deck)

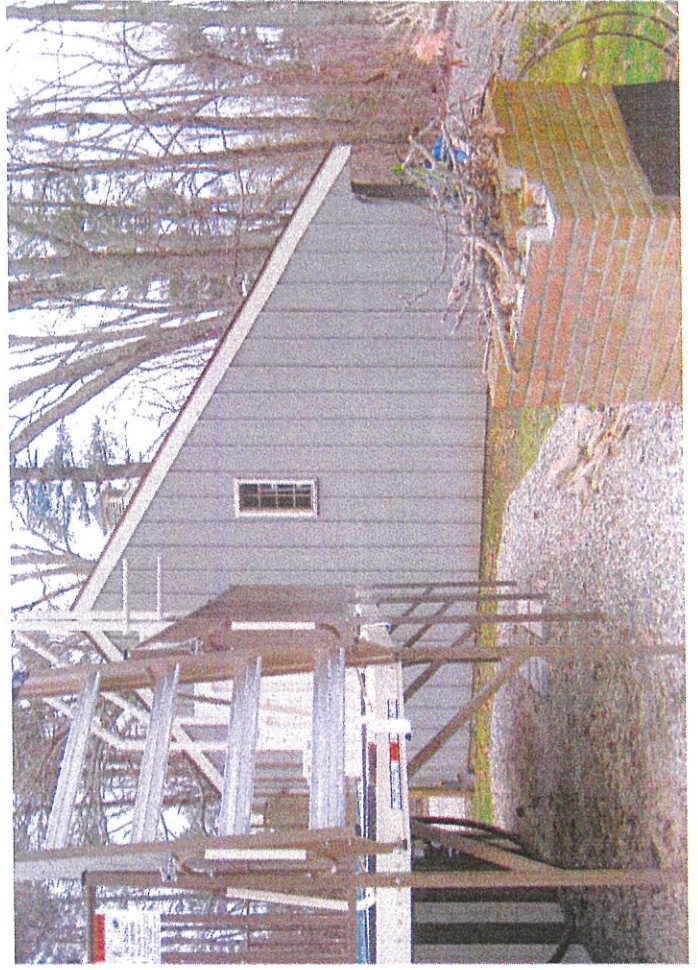
Commission Representative M. Washburn

Owner or Authorized Signature _____

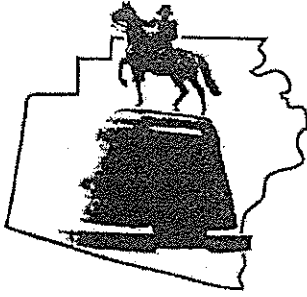
Stephanie gave me a copy of a boundary line adjustment plan from Messier dated 11/03. The Town Clerk said it was never recorded.



We measured from this point to the
line



We pulled a tape from this joint of the deck to the existing garage.



TOWN OF BROOKLYN

Building Department
69 South Main Street • Suite 22
BROOKLYN, CONNECTICUT 06234
860-779-3411 Ext. 12

Date: 12/15/21

To: Brennan & Stephanie Hynes
20 Franklin Dr.
Brooklyn, CT 06234

RE: Pool Installation - Permits Required

Permit #: NDDH # 86002614

This letter pertains to permit (s) issued at the above referenced property.

This office would like to know the progress of the project:

- a. 100% done and ready for final inspection.
- b. Project is still in progress.
- c. Project was never started.

Please call the building official's office at 779-3411 ext.12 to inform us on the status of your project as listed above. If the project is 100% completed than a final inspection will need to be set up.

If the project has not been completed and is still in progress, then a renewal of the building permit is necessary at a fee of \$20.00.

Sincerely,

John Berard
Building Official

JB/lml
CC: File

APPLICATION FOR A ZONING PERMIT

Town of Brooklyn, CT



69 South Main Street, Suite 22 Brooklyn, CT 06234 Phone 860-779-3411

APPLICATION DATE: 12/28/2021 FEE RCVD.: 50.00 BY: ISSUED: PERMIT #: Draft

PERMIT PURPOSE: Accessory Structure

EXPANSION OF EXISTING USE/CHANGE OF USE: 12.x20 swim area Rectangular pool 16x32 with deck

STREET LOCATION: 20 FRANKLIN DR MAP: 33 BLK: 0 LOT: 16

PROPERTY TYPE: Residential STRUCTURE DIMENSIONS:

APPLICANT'S NAME: Stephanie Hynes ADDRESS: 20 Franklin Drive Brooklyn CT 06234

PRIMARY CONTACT NAME: PHONE NUMBER: 8602307496

PROPERTY OWNER'S NAME: HYNES STEPHANIE A & BRENNAN ADDRESS: 20 FRANKLIN DR

APPROVED: HYNES STEPHANIE A & BRENNAN DATE: 12/28/2021 ACKNOWLEDGED: Stephanie Hynes DATE: 12/28/2021
Property Owner Applicant

LOT DESCRIPTION AND LOCATION OF STRUCTURE

LOT SIZE: FRONTAGE ON ROAD: ROAD IS:

ZONE: PROPERTY USE: Residential

IF PROPOSED DEVELOPMENT IS LOCATED ON APPROVED OR CONDITIONALLY APPROVED SUBDIVISION:

COPY OF MYLAR SUBMITTED:

SETBACKS OF PROPOSED STRUCTURE

FRONT: LEFT SIDE:
REAR: RIGHT SIDE:

Town Fee =	\$ 50.00
State Fee =	\$ 0.00
TOTAL PERMIT FEE =	\$ 50.00

OTHER NECESSARY APPROVALS

WETLANDS PERMIT: DATE APPROVED: 12/31/1840

APPROVAL FROM HEALTH DEPARTMENT: PLEASE ATTACH WRITTEN APPROVAL

DRIVEWAY PERMIT: IF YES, DATE SUBMITTED TO HIGHWAY FOREMAN:

By signing this form, you agree to allow members of the commission and the agent access to the property to evaluate the application or conditions of the application.

If the information provided by the applicant subsequently proves to be false, deceptive, incomplete and/or inaccurate, this permit may be modified, suspended or revoked.

ZONING ENFORCEMENT OFFICER COMMENTS:

See page 2.

PERMIT ISSUED BY: NAME: DATE:
Zoning Enforcement Officer

Town of Brooklyn Zoning Permit Application

Requirements

A Plot Plan signed and stamped by a surveyor may be required.

- Use the as-built survey signed and stamped by a surveyor as a base map if the as-built survey exists.
- An existing survey signed and stamped by a surveyor or a drawing to scale may be acceptable if no as-built survey exists.
- For simple projects, an aerial photograph may be used as a base map.

On the Plot Plan, provide the following:

- Location and size of all proposed and existing buildings, structures and driveways
- Property lines, lot dimensions and zoning setbacks
- Indicate the distance between proposed buildings/structures and property lines.
 - An A2 Survey is required for new construction.
 - An A2 Survey may be required for major additions and other structures if compliance cannot be otherwise determined.
- Well and septic system locations
- Wetlands and watercourses. Wetlands review is required for every proposed activity.

Erosion control: Prior to commencement of soil disturbance, erosion and sediment control measures are to be installed as required to protect property and resources.

Certificate of Zoning Compliance: A Certificate of Zoning Compliance must be obtained from the Zoning Official BEFORE A NEW USE commences and before the Building Official can issue a Certificate of Occupancy. A Certificate of Zoning Compliance will be issued after the Zoning Official has inspected the property and found that the work has been completed in compliance with the Zoning Permit including any conditions and the Zoning Regulations.

I hereby attest that the submitted information is true and correct to the best of my knowledge. Inaccurate information will void the Permit.

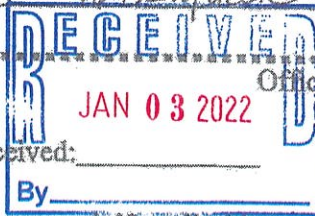
I understand that:

I am responsible for ensuring that all structures are built in conformance with the issued Zoning Permit and the Zoning Regulations in effect on the date the Zoning Permit is issued.

I grant permission for the Zoning Official to enter the property for purposes of inspection.

NOTE: THIS IS NOT A BUILDING PERMIT. A building permit may be required before construction begins.

Applicant: Stephanie + Brennan Hynes Phone: 860 2307496
Project Address: 20 Franklin Drive Brooklyn Email: 59rocki@hotmail.com
Work proposed: Swimming pool 12x20.5 swimming area 16x32 w/deck Date: 12/30/2021



Permit # _____ Date received: _____
NDDH Approval _____ Driveway permit if applicable _____ IWWC approval _____

Fees \$ 50⁰⁰ Cash/Check # Credit Card

3/25/21

OVER

CURRENT ASSESSMENT		CURRENT ASSESSMENT		CURRENT ASSESSMENT	
Code	Description	Code	Appraised	Code	Assessed
1-1	RES LAND	1-1	36,800	1-1	25,800
1-3	DWELLING	1-3	136,600	1-3	95,600
1-4	RES OUTBL	1-4	4,700	1-4	3,300
Total		178,100		124,700	

RECORD OF OWNERSHIP		BK-VOL/PAGE		SALE DATE		QU		VI		SALE PRICE		VC	
Year	Description	Amount	Code	Description	Number	Amount	Code	Description	Number	Amount	Code	Description	Number
0585	0230	11-07-2016	Q	I	218,000	00	00	00	00	218,000	00	00	00
0496	0049	10-03-2011	Q	I	197,000	00	00	00	00	197,000	00	00	00
0287	0304	03-14-2003	U	I	0	00	00	00	00	0	00	00	00
0132	0096	12-10-1992	U	I	95,000	00	00	00	00	95,000	00	00	00
0078	0524	11-27-1984	U	I	65,000	00	00	00	00	65,000	00	00	00
Total		0.00											

EXEMPTIONS		OTHER ASSESSMENTS	
Year	Description	Amount	Comm Int
Total		124,700	117,700

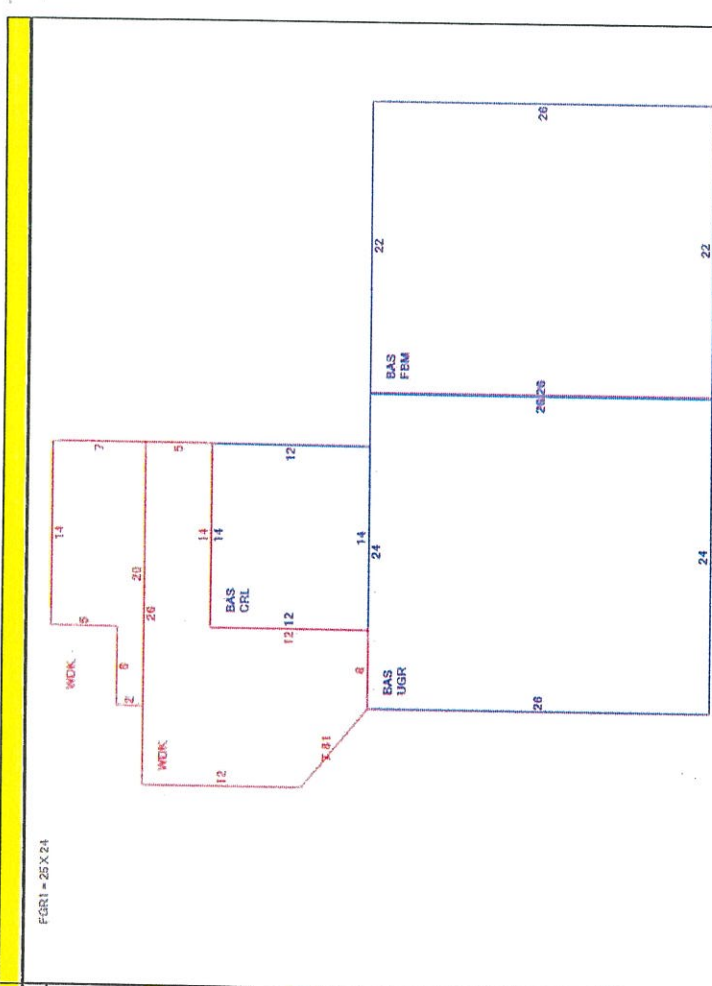
ASSESSING NEIGHBORHOOD	
Nbhd	Nbhd Name
0001	B
	Tracing
	Batch 2015

BUILDING PERMIT RECORD		VISIT / CHANGE HISTORY	
Permit Id	Issue Date	Date	Purpose/Result
377	11-12-2014	07-31-2020	58 Data mailer no chge
354	11-20-1997	07-07-2020	13 Field Review
451	03-21-1995	11-21-2016	47 Change Legal Owner
440	03-03-1995	09-11-2014	00 Measure+Listed
		08-08-2014	01 Measure+1Visit
		10-19-2011	47 Change Legal Owner
		02-24-2009	00 Measure+Listed
Total Appraised Parcel Value		178,100	

LAND LINE VALUATION SECTION															
Use Code	Description	Zone	LA	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Location Adjustment	Adj Unit P	Land Value
1010	Single Fam MDL	R30			0.480	36,000	1.85163	5	1.00	0060	1.150			1.0000	36,800
Total Card Land Units 0.480 AC															
Parcel Total Land Area 0.4800															
Total Land Value 36,800															

APPRaised VALUE SUMMARY	
Appraised Bldg. Value (Card)	136,600
Appraised Xf (B) Value (Bldg)	0
Appraised Ob (B) Value (Bldg)	4,700
Appraised Land Value (Bldg)	36,800
Special Land Value	0
Total Appraised Parcel Value	178,100
Valuation Method	C

This signature acknowledges a visit by a Data Collector or Assessor

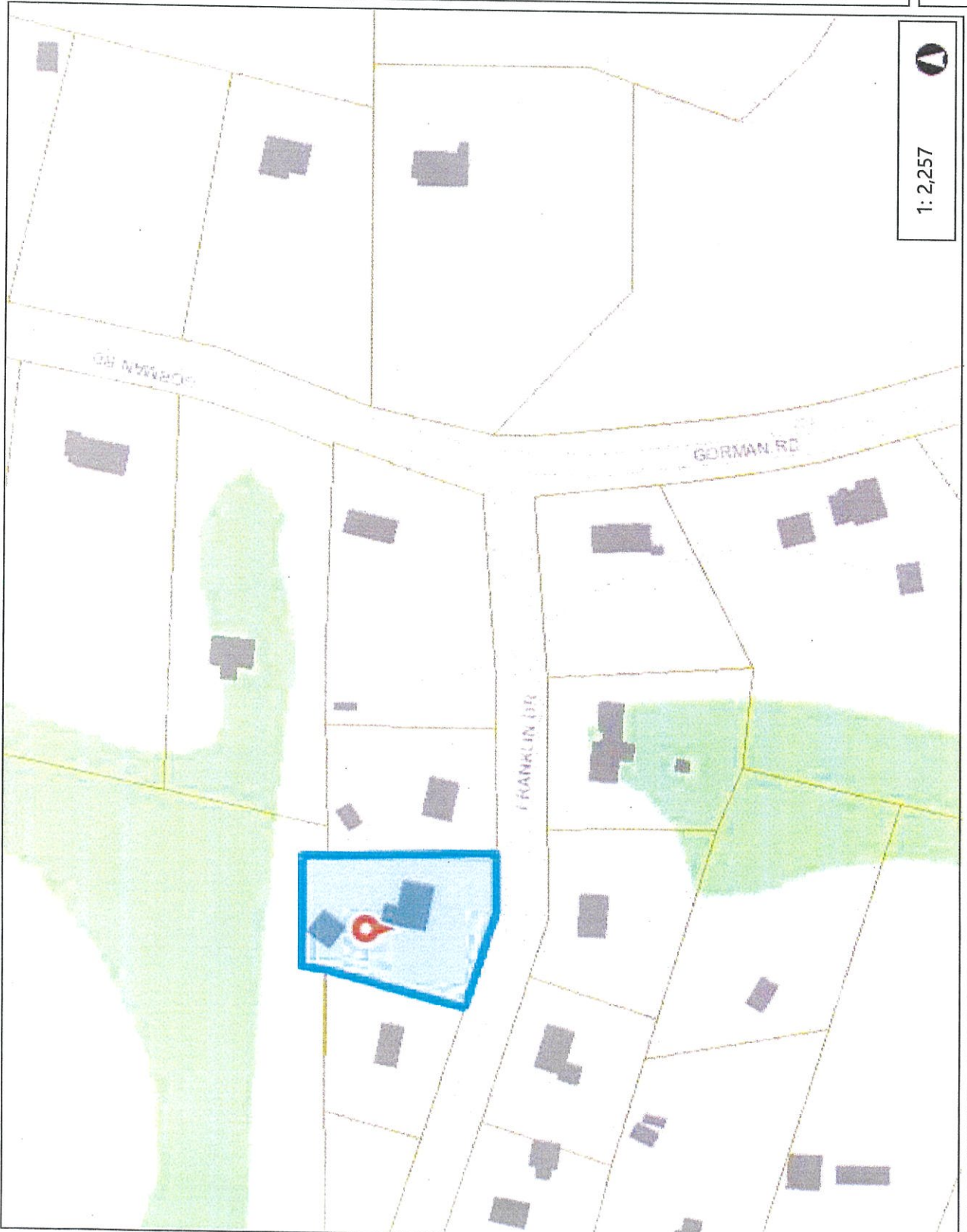


Element	Cd	Description	Element	Cd	Description
Style:	01	Ranch Residential			
Grade:	03	C			
Stories:	1				
Occupancy	14	Wood Shingle			
Exterior Wall 1	03	Gable/Hip			
Exterior Wall 2	03	Asph/F Gls/Cmp			
Roof Structure:	05	Drywall/Sheet			
Interior Wall 1	12	Hardwood			
Interior Wall 2	14	Carpet			
Interior Flr 1	02	Oil			
Interior Flr 2	05	Hot Water			
Heat Fuel	01	None			
A/C Type:	03	3 Bedrooms			
Total Bedrooms:	0				
Total Half Baths:	1				
Total Xtra Fixtrs:	6				
Total Rooms:	02				
Arch Style:	02	Average Modern			
Kitchen Style:					

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)																																																																				
Code	Description	L/B	Units	Unit Price	Yr Bilt	Cond.	Cd	% Gd	Grade	Appr. Value																																																										
3R1	GARAGE-AVE	L	600	26.00	1998			30	0.00	4,700																																																										
WD	WOODSTOVE	B	1	0.00				65	0.00	0																																																										
<table border="1"> <thead> <tr> <th colspan="10">BUILDING SUB-AREA SUMMARY SECTION</th> </tr> <tr> <th>Code</th> <th>Description</th> <th>Living Area</th> <th>Floor Area</th> <th>Eff Area</th> <th>Unit Cost</th> <th>Undeprec Value</th> </tr> </thead> <tbody> <tr> <td>1S</td> <td>First Floor</td> <td>1,364</td> <td>1,364</td> <td>1,364</td> <td>115.67</td> <td>157,770</td> </tr> <tr> <td>2L</td> <td>Crawl Space</td> <td>0</td> <td>168</td> <td>0</td> <td>0.00</td> <td>0</td> </tr> <tr> <td>3M</td> <td>Basement, Finished</td> <td>0</td> <td>572</td> <td>229</td> <td>46.31</td> <td>26,488</td> </tr> <tr> <td>3R</td> <td>Garage, Under</td> <td>0</td> <td>624</td> <td>187</td> <td>34.66</td> <td>21,630</td> </tr> <tr> <td>DK</td> <td>Deck, Wood</td> <td>0</td> <td>369</td> <td>37</td> <td>11.60</td> <td>4,280</td> </tr> <tr> <td colspan="2">Totl Gross Liv / Lease Area</td> <td>1,364</td> <td>3,097</td> <td>1,817</td> <td></td> <td>210,168</td> </tr> </tbody> </table>										BUILDING SUB-AREA SUMMARY SECTION										Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value	1S	First Floor	1,364	1,364	1,364	115.67	157,770	2L	Crawl Space	0	168	0	0.00	0	3M	Basement, Finished	0	572	229	46.31	26,488	3R	Garage, Under	0	624	187	34.66	21,630	DK	Deck, Wood	0	369	37	11.60	4,280	Totl Gross Liv / Lease Area		1,364	3,097	1,817		210,168
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necog GIS Site



1: 2,257



Legend

- Town
- Buildings 2012
- Parcels
- Wetlands
- Alluvial and Floodplain Soils
- Poorly Drained and Very Poorly Dre

R-30
50-30-50

Notes

20 Franklin Dr. Stephanie Hynes

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

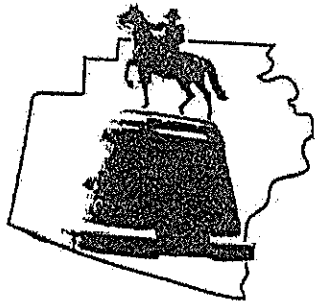
0.1 Miles

0.04

0

0.1

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.



TOWN OF BROOKLYN
Land Use Department
69 South Main Street • Suite 22
BROOKLYN, CONNECTICUT 06234
860-779-3411 Ext. 12

NOTICE OF VIOLATION AND
REQUEST FOR VOLUNTARY COMPLIANCE

Stephanie and Brennan Hynes
20 Franklin Drive
Brooklyn, CT 06234

January 26, 2022

Re: Above-ground swimming pool and deck at **20 Franklin Drive** – Map 33,
Lot 16, R-30 Zone

Dear Stephanie and Brennan,

This office is aware that an above-ground swimming pool and deck have been constructed at the subject property without a zoning permit.

You applied for an after-the fact zoning permit on 12/28/21.

I conducted an inspection on 1/3/22, and we measured from the pool/deck combination to the garage. You indicated that you did not have an as-built plan showing the location of the house and other structures on the subject property in relation to the property lines.

On 1/3/22, you gave me a copy of a boundary line adjustment plan prepared by Messier & Associates, Inc. According to the Town Clerk, that plan has never been recorded.

VIOLATIONS OF THE BROOKLYN ZONING REGULATIONS

This letter serves as a NOTICE OF VIOLATION that you, as owner of **20 Franklin Drive** are in violation of the following sections of the Brooklyn Zoning Regulations as follows:

Section 1.D.2.1: Application of Regulations; Conformity Required. “No building, structure or land shall be used or occupied, in whole or in part, except in conformity with all applicable Sections of these Regulations.”

Section 1.D.2.2: Application of Regulations; Conformity Required. "No building or structure shall be built, erected, moved or altered except in conformity with all applicable Sections of these Regulations."

Section 1.D.2.4: Application of Regulations; Conformity Required. "It shall be unlawful to alter the use of land, to commence construction or alteration of any building or structure, or to excavate for any building or structure or use until the application and plans therefore have been approved by the Zoning Enforcement Officer, and a building permit issued by the Building Official."

Section 9.A.1: Until the Zoning Enforcement Officer has issued a Zoning Permit:

- a. no site development shall commence except for agricultural purposes or maintenance of existing landscape; and
 - b. no building, structure or part thereof shall be constructed, reconstructed, altered, extended, enlarged, moved, gutted, or occupied; and
 - c. no new uses or changes of use shall commence; and
2. in accordance with CGS Section 8-3(f), no Building Permit including a permit for a building foundation shall be issued.

I hereby request that by Wednesday, 2/16/22, you submit an as-built plan, signed and stamped by a surveyor licensed to practice in CT, showing the location of the pool/deck combination and other structures on the subject property in relation to the property lines and zoning setbacks. If the plan is not received by that date, a denial of the zoning permit application, and citations for zoning violations will follow, as provided for in Connecticut Statutes and Chapter 20, Section 20-2 (see attached).

Your cooperation in this matter would be greatly appreciated.

Issued by:

Margaret Washburn

Margaret Washburn
ZEO/WEO/Blight Enforcement Officer
69 South Main Street, Suite 23
Brooklyn, CT 06234
(860) 779-3411 ext. 31

Mon. – Thurs. 8:00 am – 3:30 pm

m.washburn@brooklynct.org

CC: Austin Tanner, Jana Roberson, Peter Alter (Town Counsel)

Chapter 20. Fees for Land Use Applications

§ 20-1. ESTABLISHING LAND USE APPLICATION FEES.

[Prior ordinance history includes portions of Ordinances 3/1/88, 8/15/88, 91-2, 04-5 and 06-4]

§ 20-1.1. Purpose.

[Ord. 5/3/10]

The purpose of this chapter is to establish a reasonable and equitable Schedule of Fees, pursuant to Section 8-1c and 22a-42a of the Connecticut General Statutes, to defray the administrative costs and any additional costs, including professional consulting fees, incurred by the Planning and Zoning Commission, Inland Wetlands Agency and Zoning Board of Appeals of the Town of Brooklyn (each a "Land Use Agency") for the processing and subsequent monitoring of Land Use applications.

§ 20-1.2. Definitions.

[Ord. 5/3/10]

LAND USE APPLICATION

Shall mean an application for (1) any permit(s) or approval(s) required by any Land Use Agency regulations for the use of any land, building or structure; (2) proposed amendments to such regulations or the zoning map; (3) a request for a zoning variance; (4) an appeal of a decision of the Zoning Enforcement Officer or (5) a certificate of location approval and or appropriateness pursuant to Section 14-67 and/or Section 14-321 of the Connecticut General Statutes, submitted by any person, organization or corporation (the applicant).

STAFF

Shall mean any employee or appointee of the Town of Brooklyn or employees of the Northeast Connecticut Council of Governments "NECCOG" who, as part of his or her duties, render advice or assistance to any land use agency. Planning Staff shall be the Zoning Enforcement Officer, Town Planner or employees of NECCOG.

§ 20-1.3. Determination of Fees Charged for Land Use Applications.

[Ord. 5/3/10]

- a. Base Fees. The base fees established hereby are based on a reasonable estimate of the direct and indirect costs for time spent by staff in reviewing and evaluating each type of land use application and, except as noted, the cost of any public hearing. The base fee plus the estimated costs for advertising and required legal notices shall be paid at the time the land use application is filed.
- b. Additional Fees.

1. In addition to the base fees set forth herein, a Land Use Agency may require the applicant to pay an "additional fee" to defray other costs and expenses incurred by the Land Use Agency. Such additional fee shall be assessed to the applicant when the Planning Staff and/or the Land Use Agency determines that there is a need for the assistance of one or more third party consultants for review, evaluation or processing the land use application (consultation services). Consultants may be engaged to render engineering, architectural, environmental and planning services including traffic studies. Consultation services may include, but not be limited to, consultation with Town staff or the Town Attorney, discussions with the applicant or its agents, rendering such information and research that the Land Use Agency may request, the preparation of written findings and recommendations, written or oral testimony at any public hearing and post-approval inspections to ascertain that all terms and conditions of any permit have been met.
 2. The additional fee shall be equal to the reasonable cost incurred by the Land Use Agency for such consultation services.
 3. Upon the determination by the Town staff and/or Land Use Agency that consultation services are necessary, the Town Staff shall provide to the Land Use Agency, for its approval, a reasonable estimate of the cost based on the nature and the extent of the consultation services deemed necessary. Such determination shall be made as soon as practicable after the receipt (filing) of the land use application by the Land Use Agency and, upon approval by the Land Use Agency, the applicant shall be billed an additional fee in an amount equal to 125% of such estimate. Such additional fee shall be due and payable 10 days after receipt.
 4. Upon receipt of an additional fee from the applicant, the Land Use Agency shall create an application specific account and shall document the amount of the additional fee and all payments made for consultation services. The Land Use Agency shall render periodic accounting to the applicant. Any balance remaining after the land use application has been acted upon shall be refunded to the applicant, provided there has been a determination by the Staff that all terms and conditions of the permit have been met.
 5. Upon the failure of the applicant to pay such additional fee when due, the land use application shall be deemed to be incomplete and may be denied by the Land Use Agency for that reason with or without prejudice. No land use application shall be approved until the base fee, the additional fee, if any, and costs of advertising and legal notices have been paid in full.
- c. No fees shall be required for any land use application submitted by the Town of Brooklyn or any of its municipal agencies.

§ 20-1.4. Effective Date; Validity.

[Ord. 5/3/10]

In accordance with Connecticut General Statutes Section 8-1c, upon its effective date the fee structure set forth in this chapter shall supersede any fee schedule adopted by any Land Use Agency (this schedule was adopted May 3, 2010). If any provision or fee imposed by this chapter is, for any reason, found to be invalid by a court of competent jurisdiction, such invalidation shall not affect the validity of the remaining portions of this chapter and the fees imposed.

§ 20-1.5. Amendment of Schedule.

[Ord. 5/3/10]

The Board of Selectmen, acting pursuant to the provisions of Connecticut General Statutes Section 7-157(a), may, by ordinance, amend the Schedule of Base Fees from time to time after consultation with the Land Use Agency(ies).

§ 20-1.6. Fee Schedule.

[Ord. 5/3/10; Ord. 11/2/11]

Base Land Use Application Fees	
ZONING FEES	
Text Amendment to Regulations	\$250.00
Zoning Map Change	\$250.00
Home Occupation	\$50.00
Special Permit	\$100.00 plus site plan review
Site Plan Review	
2,500 sq. ft. or less	\$300.00
Over 2,500 sq. ft.	\$300.00 plus \$15.00 per each additional 1,000 sq. ft.
Site Plan Review (multi-family/active adult or elderly)	\$300.00 plus \$20.00 per unit
Amendment to Site Plan After Submission	\$150.00
Special Permit (Sand and Gravel)	
< 1,000 cu. yds.	\$250.00 +
1,000 to 20,000 cu. yds.	\$200.00
21,000 to 50,000 cu. yds.	\$300.00
51,000 to 100,000 cu. yds.	\$750.00
> 100,000 cu. yds.	\$2,500.00
Annual Sand and Gravel Renewal	\$5,000.00
	\$100.00

ZONING PERMITS	
New Residential Dwelling	\$200.00
Residential Accessory Uses/Additions	\$50.00
Addition/Modification of a Nonresidential Building	\$75.00
New Commercial Building	\$250.00
Change of Use in Existing Commercial Building	\$75.00
Sign Permit	\$20.00

SUBDIVISION APPROVAL	
Basic Application	\$250.00
Subdivision Plan Review	\$250.00 per lot
Engineering Review for New Road(s) and Drainage	*
Inspection and Supervision of Road Construction and Utilities	*
Text Amendment to Subdivision Regulations	\$250.00

*Included in Plan Review Fee but may be subject to the payment of additional fees as set forth in this chapter.

ZONING BOARD OF APPEALS	
All Applications	\$250.00

INLAND WETLANDS APPLICATION FEES

INLAND WETLANDS APPLICATION FEES	
Residential (Single Lot)	\$150.00
Subdivision Application	\$150.00 plus \$150.00 per lot in the regulated area
Commercial/Industrial	\$200.00
Additional fee based on total impervious surface included in commercial/industrial application	
< 20,000 sq. ft.	\$400.00
20,001—50,000 sq. ft.	\$1,200.00
> 50,000 sq. ft.	\$800.00
Additional Fee for Significant Activity Requiring Public Hearing	\$250.00

All fees payable pursuant to this chapter are nonrefundable. In addition to any other remedies permitted by law, any land use application submitted after work has started on a project shall be subject to a surcharge of \$500.00. In addition to the fees set forth above payable to the Town of Brooklyn, each application is subject to an additional charge payable to the State of Connecticut, which, as of the effective date of this chapter is \$60.00.

§ 20-2. CITATION PROCEDURES AND FINES FOR ZONING AND WETLANDS VIOLATIONS.

§ 20-2.1. Issuance of Citations; Schedule of Fines.

[Ord. 8/1/13]

The Brooklyn Land Use Officer is authorized to issue citations for violations of the Zoning Regulations and the Wetlands Regulations of the Town of Brooklyn to the extent and manner provided by this section and the Connecticut General Statutes 7-152c. Any such citation may be served either by hand or by certified mail, return receipt requested, to the person named in such citation. If the person(s) named in the citation sent by certified mail refuses to accept such mail, the citation may be sent by regular United States mail. The Land Use Officer shall file and retain an original or certified copy of the citation, as served.

- a. Citations may be issued for those types of zoning and wetlands violations specified in paragraph b below.
- b. The fine for each citation shall be in accordance with this schedule:

ZONING REGULATIONS	
Nature of Violation	Amount of Fine
Construction of any building without Zoning approval	\$150.00
Alteration of any building without Zoning approval	\$100.00
Conducting an unauthorized use	\$150.00
Illegal Sign	\$100.00
Building beyond foundation without prior Foundation as-built or erosion control approval	\$150.00
Failure to comply with an approved Site Plan, Special Permit, Subdivision or Re-subdivision including any conditions of approval	\$150.00

ZONING REGULATIONS	
Nature of Violation	Amount of Fine
Any other violation of the Zoning Regulations	\$100.00

INLAND WETLAND REGULATIONS	
Nature of Violation	Amount of Fine
For each violation	\$1,000.00

* In the case of a continuing violation, each day's continuation of the violation shall be deemed a separate and distinct violation.

§ 20-2.2. Citation Hearing Officers.

[Ord. No. 06-3 § 3]

The Chief Executive Officer shall appoint one or more Citation Hearing Officers, other than Police Officers or employees or persons who issue citations, to conduct the hearings authorized by this section.

§ 20-2.3. Notice.

[Ord. No. 06-3 § 4]

At any time within 12 months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 or section 22a-226d, for an alleged violation thereof, shall send notice to the person cited:

- a. Of the allegations against him and the amount of the fines, penalties, costs or fees due;
- b. That he may contest his liability before a Citation Hearing Officer by delivering in person or by mail written notice within 10 days of the date thereof;
- c. That if he does not demand such hearing, an assessment and judgment shall be entered against him; and
- d. That such judgment may issue without further notice.

§ 20-2.4. Liability; Payment of Fines; Costs.

[Ord. No. 06-3 § 5]

If the person who is sent notice pursuant to subsection 20-2.3 wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to the Land Use Officer. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within 10 days of the date of the first notice provided for in subsection 20-2.3 shall be deemed to have admitted liability, and the Land Use Officer shall certify such person's failure to respond to the Hearing Officer. The Hearing Officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection 20-2.5.

§ 20-2.5. Hearing.

[Ord. No. 06-3 § 6]

Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than 15 days not more than 30 days from the date of the mailing of the notice, provided the Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original certified copy of the initial notice of violation issued by the Land Use Officer or Police Officer shall be filed and retained by the Town of Brooklyn, and shall be deemed to be a business record within the scope of CGS 52-180 and evidence of the facts contained therein. The presence of the Land Use Officer or Police Officer shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. The Land Use Officer may present evidence on behalf of the Town of Brooklyn. If such person fails to appear, the Hearing Officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The Hearing Officer may accept from such person copies of Police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof, as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Hearing Officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the Town of Brooklyn.

§ 20-2.6. Notice of Assessment Which is Unpaid.

[Ord. No. 06-3 § 7]

If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of assessment to the person found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice of assessment with the Clerk of a Superior Court facility designated by the Chief Court Administrator together with an entry fee of \$8.00. The certified copy of notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The Clerk shall enter judgment, in the amount of such record of assessment and court costs of \$8.00, against such person in favor of the Town of Brooklyn. Notwithstanding any provision of the General Statutes, the Hearing Officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

§ 20-2.7. Appeal.

[Ord. No. 06-3 § 8]

A person against whom an assessment has been made pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within 30 days of the mailing of the notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for small claims case pursuant to Connecticut General Statutes (Revision of 1958) 52-259, at a Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the Judges of the Supreme Court.

§ 20-3. PUBLIC IMPROVEMENT SPECIFICATIONS.

[Ord. 6/28/89 § 1]

- a. It is hereby found that rapid growth and development within the Town of Brooklyn are placing unprecedented strain upon Town roads and appurtenant drainage systems, culverts, and catch-basins.

- b. To alleviate that siltation, and as empowered by Section 7-148 (c) of the General Statutes, the Board of Selectmen are hereby authorized to develop such regulations as they may deem appropriate to carry out the following purposes:
1. To provide the proper alignment, width, and grades and pavements of existing Town roads serving as a right of way to any proposed subdivision, to ensure that such existing Town roads remain safe and continue to conform to the plan of development of the Town;
 2. To provide adequate and sufficient storm drainage systems for carrying off increased storm drainage created by any proposed subdivision and associated access road improvements, whether such additional drainage would impact upon existing Town improvements or private lands;
 3. To provide that adequate and sufficient culverts, manholes, and catch-basins be installed to carry run-off water from the road surface and to divert road water from the proposed subdivision beneath or around existing roads without causing significant increases in erosion or sedimentation.
- c. Compliance with the regulations adopted by the Board of Selectmen shall be a condition precedent to any application for subdivision of property within the Town of Brooklyn. Failure to comply shall be adequate cause for denial of any such application.
- If any portion of this section is deemed by a court of competent jurisdiction to be impermissible, its remaining sections shall continue to be valid and enforceable.

2012 Connecticut General Statutes
Title 7 - Municipalities
Chapter 98 - Municipal Powers
Section 7-152c - Hearing procedure for citations.

Universal Citation: Universal Citation: CT Gen Stat § 7-152c (2012)

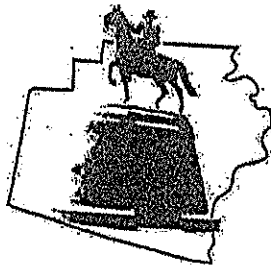
- (a) Any municipality as defined in subsection (a) of section 7-148 may establish by ordinance a citation hearing procedure in accordance with this section. The Superior Court shall be authorized to enforce the assessments and judgments provided for under this section.
- (b) The chief executive officer of any such municipality shall appoint one or more citation hearing officers, other than police officers or employees or persons who issue citations, to conduct the hearings authorized by this section.
- (c) Any such municipality, at any time within twelve months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 or section 22a-226d, for an alleged violation thereof, shall send notice to the person cited. Such notice shall inform the person cited: (1) Of the allegations against him and the amount of the fines, penalties, costs or fees due; (2) that he may contest his liability before a citation hearing officer by delivering in person or by mail written notice within ten days of the date thereof; (3) that if he does not demand such a hearing, an assessment and judgment shall be entered against him; and (4) that such judgment may issue without further notice. If the person to whom such notice is issued is a registrant, the municipality may deliver such notice in accordance with section 7-148ii, provided nothing in this section shall preclude a municipality from providing notice in another manner permitted by applicable law.
- (d) If the person who is sent notice pursuant to subsection (c) of this section wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to an official designated by such municipality. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten days of the date of the first notice provided for in subsection (c) of this section shall be deemed to have admitted liability, and the designated municipal official shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection (f) of this section.

(e) Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing official or policeman shall be filed and retained by the municipality, and shall be deemed to be a business record within the scope of section 52-180 and evidence of the facts contained therein. The presence of the issuing official or policeman shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. A designated municipal official, other than the hearing officer, may present evidence on behalf of the municipality. If such person fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the municipality.

(f) If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty days or more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of a superior court facility designated by the Chief Court Administrator together with an entry fee of eight dollars. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and court costs of eight dollars, against such person in favor of the municipality. Notwithstanding any provision of the general statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

(g) A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to section 52-259, at a superior court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.

(P.A. 88-221, S. 2; P.A. 94-200, S. 2; P.A. 00-191, S. 4, 16; P.A. 02-132, S. 63; P.A. 03-278, S. 13; P.A. 09-144, S. 4.)



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

20 Franklin Drive

1/3/22

Address

Date

I met Stephanie Hynes, inspected and took photos. We pulled a tape from the side of the pool deck closest to the garage to the existing garage. The deck is 13 ft from the garage.

The pool deck reaches to almost exactly the middle of the wall of the side of the garage closest to the pool/deck. From the point we measured from, it is 12 ft 6" to the N. end of the garage and it is 12 ft 4" to the south end of the garage.

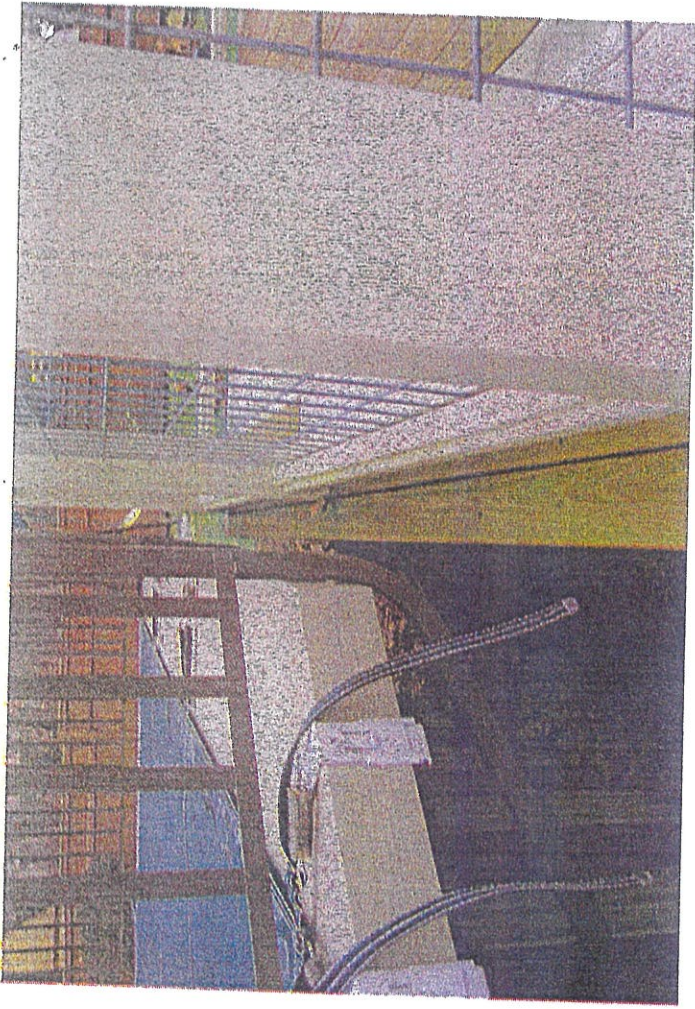
We were unable to measure to the north property line because of the fence the Hynes put up for the dogs. I am unable to determine how close the pool is to any of the property lines. The (pool) are clearly

within the rear yard zoning setback. (deck)

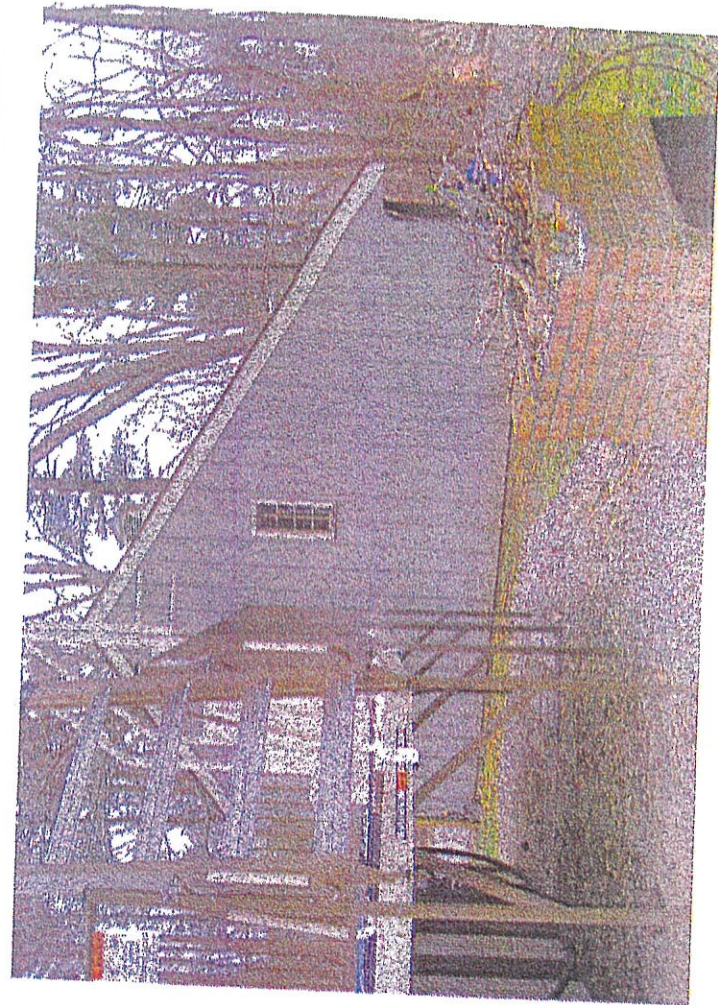
Commission Representative M. Washburn

Owner or Authorized Signature _____

Stephanie gave me a copy of a boundary line adjustment plan from Messier dated 11/03. The Town



We measured from this point to the
victim's location



We pulled a tape from this point of the deck to the existing garage.





TOWN OF BROOKLYN
Land Use Department
69 South Main Street • Suite 22
BROOKLYN, CONNECTICUT 06234
860-779-3411 Ext. 12

NOTICE OF VIOLATION AND
REQUEST FOR VOLUNTARY COMPLIANCE

CERTIFIED # 7020 0640 0001 7600 4876

Stephanie and Brennan Hynes
20 Franklin Drive
Brooklyn, CT 06234

January 31, 2022

Re: Above-ground swimming pool and deck at **20 Franklin Drive** – Map 33,
Lot 16, R-30 Zone

Dear Stephanie and Brennan,

This office is aware that an above-ground swimming pool and deck have been constructed at the subject property without a zoning permit.

You applied for an after-the fact zoning permit on 12/28/21.

I conducted an inspection on 1/3/22, and we measured from the pool/deck combination to the garage. You indicated that you did not have an as-built plan showing the location of the house and other structures on the subject property in relation to the property lines.

On 1/3/22, you gave me a copy of a boundary line adjustment plan prepared by Messier & Associates, Inc. According to the Town Clerk, that plan has never been recorded.

VIOLATIONS OF THE BROOKLYN ZONING REGULATIONS

This letter serves as a NOTICE OF VIOLATION that you, as owner of **20 Franklin Drive** are in violation of the following sections of the Brooklyn Zoning Regulations as follows:

Section 1.D.2.1: Application of Regulations; Conformity Required. “No building, structure or land shall be used or occupied, in whole or in part, except in conformity with all applicable Sections of these Regulations.”

Section 1.D.2.2: Application of Regulations; Conformity Required. “No building or structure shall be built, erected, moved or altered except in conformity with all applicable Sections of these Regulations.”

Section 1.D.2.4: Application of Regulations; Conformity Required. "It shall be unlawful to alter the use of land, to commence construction or alteration of any building or structure, or to excavate for any building or structure or use until the application and plans therefore have been approved by the Zoning Enforcement Officer, and a building permit issued by the Building Official."

Section 9.A.1: Until the Zoning Enforcement Officer has issued a Zoning Permit:

- a. no site development shall commence except for agricultural purposes or maintenance of existing landscape; and
 - b. no building, structure or part thereof shall be constructed, reconstructed, altered, extended, enlarged, moved, gutted, or occupied; and
 - c. no new uses or changes of use shall commence; and
2. in accordance with CGS Section 8-3(f), no Building Permit including a permit for a building foundation shall be issued.

I hereby request that by Wednesday, 2/16/22, you submit an as-built plan, signed and stamped by a surveyor licensed to practice in CT, showing the location of the pool/deck combination and other structures on the subject property in relation to the property lines and zoning setbacks. If the plan is not received by that date, a denial of the zoning permit application, and citations for zoning violations will follow, as provided for in Connecticut Statutes and Chapter 20, Section 20-2 (see attached).

Your cooperation in this matter would be greatly appreciated.

Issued by:



Margaret Washburn
ZEO/WEO/Blight Enforcement Officer
69 South Main Street, Suite 23
Brooklyn, CT 06234
(860) 779-3411 ext. 31
Mon. – Thurs. 8:00 am – 3:30 pm
m.washburn@brooklynct.org

CC: Austin Tanner, Jana Roberson, Peter Alter (Town Counsel)

Chapter 20. Fees for Land Use Applications

§ 20-1. ESTABLISHING LAND USE APPLICATION FEES.

[Prior ordinance history includes portions of Ordinances 3/1/88, 8/15/88, 91-2, 04-5 and 06-4]

§ 20-1.1. Purpose.

[Ord. 5/3/10]

The purpose of this chapter is to establish a reasonable and equitable Schedule of Fees, pursuant to Section 8-1c and 22a-42a of the Connecticut General Statutes, to defray the administrative costs and any additional costs, including professional consulting fees, incurred by the Planning and Zoning Commission, Inland Wetlands Agency and Zoning Board of Appeals of the Town of Brooklyn (each a "Land Use Agency") for the processing and subsequent monitoring of Land Use applications.

§ 20-1.2. Definitions.

[Ord. 5/3/10]

LAND USE APPLICATION

Shall mean an application for (1) any permit(s) or approval(s) required by any Land Use Agency regulations for the use of any land, building or structure; (2) proposed amendments to such regulations or the zoning map; (3) a request for a zoning variance; (4) an appeal of a decision of the Zoning Enforcement Officer or (5) a certificate of location approval and or appropriateness pursuant to Section 14-67 and/or Section 14-321 of the Connecticut General Statutes, submitted by any person, organization or corporation (the applicant).

STAFF

Shall mean any employee or appointee of the Town of Brooklyn or employees of the Northeast Connecticut Council of Governments "NECCOG" who, as part of his or her duties, render advice or assistance to any land use agency. Planning Staff shall be the Zoning Enforcement Officer, Town Planner or employees of NECCOG.

§ 20-1.3. Determination of Fees Charged for Land Use Applications.

[Ord. 5/3/10]

- a. **Base Fees.** The base fees established hereby are based on a reasonable estimate of the direct and indirect costs for time spent by staff in reviewing and evaluating each type of land use application and, except as noted, the cost of any public hearing. The base fee plus the estimated costs for advertising and required legal notices shall be paid at the time the land use application is filed.
- b. **Additional Fees.**

1. In addition to the base fees set forth herein, a Land Use Agency may require the applicant to pay an "additional fee" to defray other costs and expenses incurred by the Land Use Agency. Such additional fee shall be assessed to the applicant when the Planning Staff and/or the Land Use Agency determines that there is a need for the assistance of one or more third party consultants for review, evaluation or processing the land use application (consultation services). Consultants may be engaged to render engineering, architectural, environmental and planning services including traffic studies. Consultation services may include, but not be limited to, consultation with Town staff or the Town Attorney, discussions with the applicant or its agents, rendering such information and research that the Land Use Agency may request, the preparation of written findings and recommendations, written or oral testimony at any public hearing and post-approval inspections to ascertain that all terms and conditions of any permit have been met.
 2. The additional fee shall be equal to the reasonable cost incurred by the Land Use Agency for such consultation services.
 3. Upon the determination by the Town staff and/or Land Use Agency that consultation services are necessary, the Town Staff shall provide to the Land Use Agency, for its approval, a reasonable estimate of the cost based on the nature and the extent of the consultation services deemed necessary. Such determination shall be made as soon as practicable after the receipt (filing) of the land use application by the Land Use Agency and, upon approval by the Land Use Agency, the applicant shall be billed an additional fee in an amount equal to 125% of such estimate. Such additional fee shall be due and payable 10 days after receipt.
 4. Upon receipt of an additional fee from the applicant, the Land Use Agency shall create an application specific account and shall document the amount of the additional fee and all payments made for consultation services. The Land Use Agency shall render periodic accounting to the applicant. Any balance remaining after the land use application has been acted upon shall be refunded to the applicant, provided there has been a determination by the Staff that all terms and conditions of the permit have been met.
 5. Upon the failure of the applicant to pay such additional fee when due, the land use application shall be deemed to be incomplete and may be denied by the Land Use Agency for that reason with or without prejudice. No land use application shall be approved until the base fee, the additional fee, if any, and costs of advertising and legal notices have been paid in full.
- c. No fees shall be required for any land use application submitted by the Town of Brooklyn or any of its municipal agencies.

§ 20-1.4. Effective Date; Validity.

[Ord. 5/3/10]

In accordance with Connecticut General Statutes Section 8-1c, upon its effective date the fee structure set forth in this chapter shall supersede any fee schedule adopted by any Land Use Agency (this schedule was adopted May 3, 2010). If any provision or fee imposed by this chapter is, for any reason, found to be invalid by a court of competent jurisdiction, such invalidation shall not affect the validity of the remaining portions of this chapter and the fees imposed.

§ 20-1.5. Amendment of Schedule.

[Ord. 5/3/10]

The Board of Selectmen, acting pursuant to the provisions of Connecticut General Statutes Section 7-157(a), may, by ordinance, amend the Schedule of Base Fees from time to time after consultation with the Land Use Agency(ies).

§ 20-1.6. Fee Schedule.

[Ord. 5/3/10; Ord. 11/2/11]

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21,000 to 50,000 cu. yds.	\$750.00
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Basic Application	\$250.00
Subdivision Plan Review	\$250.00 per lot
Engineering Review for New Road(s) and Drainage	*
Inspection and Supervision of Road Construction and Utilities	*
Text Amendment to Subdivision Regulations	\$250.00

*Included in Plan Review Fee but may be subject to the payment of additional fees as set forth in this chapter.

ZONING BOARD OF APPEALS	
All Applications	\$250.00
INLAND WETLANDS APPLICATION FEES	

INLAND WETLANDS APPLICATION FEES	
Residential (Single Lot)	\$150.00
Subdivision Application	\$150.00 plus \$150.00 per lot in the regulated area
Commercial/Industrial	\$200.00
Additional fee based on total impervious surface included in commercial/industrial application	
< 20,000 sq. ft.	\$400.00
20,001—50,000 sq. ft.	\$1,200.00
> 50,000 sq. ft.	\$800.00
Additional Fee for Significant Activity Requiring Public Hearing	\$250.00

All fees payable pursuant to this chapter are nonrefundable.

In addition to any other remedies permitted by law, any land use application submitted after work has started on a project shall be subject to a surcharge of \$500.00.

In addition to the fees set forth above payable to the Town of Brooklyn, each application is subject to an additional charge payable to the State of Connecticut, which, as of the effective date of this chapter is \$60.00.

§ 20-2. CITATION PROCEDURES AND FINES FOR ZONING AND WETLANDS VIOLATIONS.

§ 20-2.1. Issuance of Citations; Schedule of Fines.

[Ord. 8/1/13]

The Brooklyn Land Use Officer is authorized to issue citations for violations of the Zoning Regulations and the Wetlands Regulations of the Town of Brooklyn to the extent and manner provided by this section and the Connecticut General Statutes 7-152c. Any such citation may be served either by hand or by certified mail, return receipt requested, to the person named in such citation. If the person(s) named in the citation sent by certified mail refuses to accept such mail, the citation may be sent by regular United States mail. The Land Use Officer shall file and retain an original or certified copy of the citation, as served.

- Citations may be issued for those types of zoning and wetlands violations specified in paragraph b below.
- The fine for each citation shall be in accordance with this schedule:

ZONING REGULATIONS	
Nature of Violation	Amount of Fine
Construction of any building without Zoning approval	\$150.00
Alteration of any building without Zoning approval	\$100.00
Conducting an unauthorized use	\$150.00
Illegal Sign	\$100.00
Building beyond foundation without prior Foundation as-built or erosion control approval	\$150.00
Failure to comply with an approved Site Plan, Special Permit, Subdivision or Re-subdivision including any conditions of approval	\$150.00

ZONING REGULATIONS	
Nature of Violation	Amount of Fine
Any other violation of the Zoning Regulations	\$100.00

INLAND WETLAND REGULATIONS	
Nature of Violation	Amount of Fine
For each violation	\$1,000.00

* In the case of a continuing violation, each day's continuation of the violation shall be deemed a separate and distinct violation.

§ 20-2.2. Citation Hearing Officers.

[Ord. No. 06-3 § 3]

The Chief Executive Officer shall appoint one or more Citation Hearing Officers, other than Police Officers or employees or persons who issue citations, to conduct the hearings authorized by this section.

§ 20-2.3. Notice.

[Ord. No. 06-3 § 4]

At any time within 12 months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 or section 22a-226d, for an alleged violation thereof, shall send notice to the person cited:

- a. Of the allegations against him and the amount of the fines, penalties, costs or fees due;
- b. That he may contest his liability before a Citation Hearing Officer by delivering in person or by mail written notice within 10 days of the date thereof;
- c. That if he does not demand such hearing, an assessment and judgment shall be entered against him; and
- d. That such judgment may issue without further notice.

§ 20-2.4. Liability; Payment of Fines; Costs.

[Ord. No. 06-3 § 5]

If the person who is sent notice pursuant to subsection 20-2.3 wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to the Land Use Officer. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within 10 days of the date of the first notice provided for in subsection 20-2.3 shall be deemed to have admitted liability, and the Land Use Officer shall certify such person's failure to respond to the Hearing Officer. The Hearing Officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection 20-2.5.

§ 20-2.5. Hearing.

[Ord. No. 06-3 § 6]

Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than 15 days not more than 30 days from the date of the mailing of the notice, provided the Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original certified copy of the initial notice of violation issued by the Land Use Officer or Police Officer shall be filed and retained by the Town of Brooklyn, and shall be deemed to be a business record within the scope of CGS 52-180 and evidence of the facts contained therein. The presence of the Land Use Officer or Police Officer shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. The Land Use Officer may present evidence on behalf of the Town of Brooklyn. If such person fails to appear, the Hearing Officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The Hearing Officer may accept from such person copies of Police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof, as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Hearing Officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the Town of Brooklyn.

§ 20-2.6. Notice of Assessment Which is Unpaid.

[Ord. No. 06-3 § 7]

If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of assessment to the person found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice of assessment with the Clerk of a Superior Court facility designated by the Chief Court Administrator together with an entry fee of \$8.00. The certified copy of notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The Clerk shall enter judgment, in the amount of such record of assessment and court costs of \$8.00, against such person in favor of the Town of Brooklyn. Notwithstanding any provision of the General Statutes, the Hearing Officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

§ 20-2.7. Appeal.

[Ord. No. 06-3 § 8]

A person against whom an assessment has been made pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within 30 days of the mailing of the notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for small claims case pursuant to Connecticut General Statutes (Revision of 1958) 52-259, at a Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the Judges of the Supreme Court.

§ 20-3. PUBLIC IMPROVEMENT SPECIFICATIONS.

[Ord. 6/28/89 § 1]

- a. It is hereby found that rapid growth and development within the Town of Brooklyn are placing unprecedented strain upon Town roads and appurtenant drainage systems, culverts, and catch-basins.

b. To alleviate that siltation, and as empowered by Section 7-148 (c) of the General Statutes, the Board of Selectmen are hereby authorized to develop such regulations as they may deem appropriate to carry out the following purposes:

1. To provide the proper alignment, width, and grades and pavements of existing Town roads serving as a right of way to any proposed subdivision, to ensure that such existing Town roads remain safe and continue to conform to the plan of development of the Town;
2. To provide adequate and sufficient storm drainage systems for carrying off increased storm drainage created by any proposed subdivision and associated access road improvements, whether such additional drainage would impact upon existing Town improvements or private lands;
3. To provide that adequate and sufficient culverts, manholes, and catch-basins be installed to carry run-off water from the road surface and to divert road water from the proposed subdivision beneath or around existing roads without causing significant increases in erosion or sedimentation.

c. Compliance with the regulations adopted by the Board of Selectmen shall be a condition precedent to any application for subdivision of property within the Town of Brooklyn. Failure to comply shall be adequate cause for denial of any such application.

If any portion of this section is deemed by a court of competent jurisdiction to be impermissible, its remaining sections shall continue to be valid and enforceable.

2012 Connecticut General Statutes
Title 7 - Municipalities
Chapter 98 - Municipal Powers
Section 7-152c - Hearing procedure for citations.

Universal Citation: Universal Citation: CT Gen Stat § 7-152c (2012)

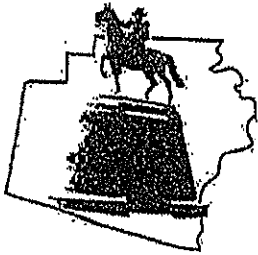
- (a) Any municipality as defined in subsection (a) of section 7-148 may establish by ordinance a citation hearing procedure in accordance with this section. The Superior Court shall be authorized to enforce the assessments and judgments provided for under this section.
- (b) The chief executive officer of any such municipality shall appoint one or more citation hearing officers, other than police officers or employees or persons who issue citations, to conduct the hearings authorized by this section.
- (c) Any such municipality, at any time within twelve months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 or section 22a-226d, for an alleged violation thereof, shall send notice to the person cited. Such notice shall inform the person cited: (1) Of the allegations against him and the amount of the fines, penalties, costs or fees due; (2) that he may contest his liability before a citation hearing officer by delivering in person or by mail written notice within ten days of the date thereof; (3) that if he does not demand such a hearing, an assessment and judgment shall be entered against him; and (4) that such judgment may issue without further notice. If the person to whom such notice is issued is a registrant, the municipality may deliver such notice in accordance with section 7-148ii, provided nothing in this section shall preclude a municipality from providing notice in another manner permitted by applicable law.
- (d) If the person who is sent notice pursuant to subsection (c) of this section wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to an official designated by such municipality. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten days of the date of the first notice provided for in subsection (c) of this section shall be deemed to have admitted liability, and the designated municipal official shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection (f) of this section.

(e) Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing official or policeman shall be filed and retained by the municipality, and shall be deemed to be a business record within the scope of section 52-180 and evidence of the facts contained therein. The presence of the issuing official or policeman shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. A designated municipal official, other than the hearing officer, may present evidence on behalf of the municipality. If such person fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the municipality.

(f) If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty days or more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of a superior court facility designated by the Chief Court Administrator together with an entry fee of eight dollars. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and court costs of eight dollars, against such person in favor of the municipality. Notwithstanding any provision of the general statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

(g) A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to section 52-259, at a superior court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.

(P.A. 88-221, S. 2; P.A. 94-200, S. 2; P.A. 00-191, S. 4, 16; P.A. 02-132, S. 63; P.A. 03-278, S. 13; P.A. 09-144, S. 4.)



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

20 Franklin Drive

1/3/22

Address

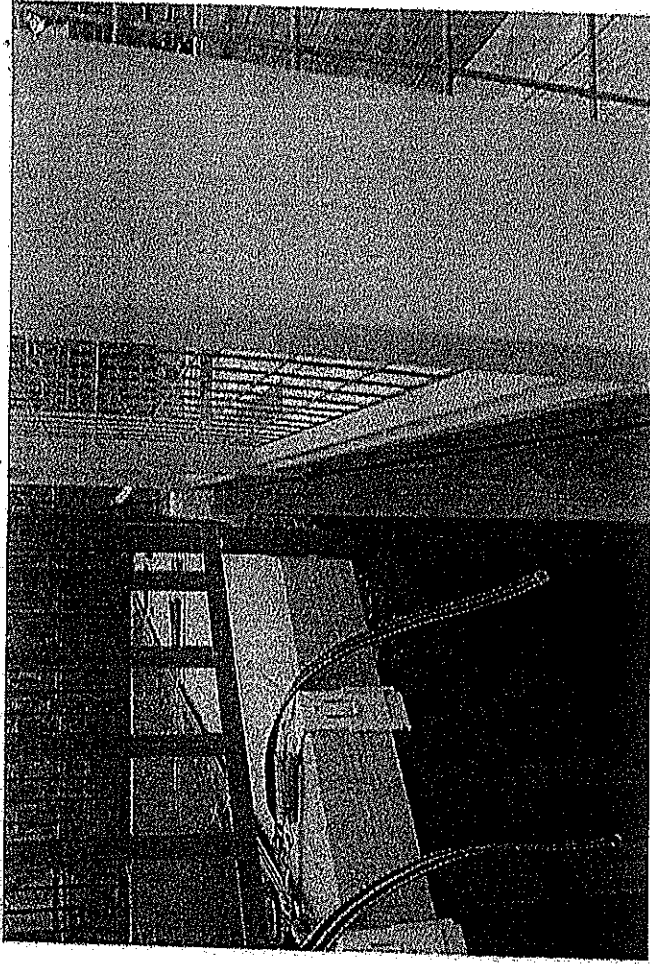
Date

I met Stephanie Hynes, inspected and took photos. We pulled a tape from the side of the pool deck closest to the garage to the existing garage. The deck is 13 ft from the garage. The pool deck reaches to almost exactly the middle of the wall of the side of the garage closest to the pool/deck. From the point we measured from, it is 12 ft 6" to the N. end of the garage and it is 12 ft 4" to the south end of the garage. We were unable to measure to the north property line because of the fence the Hynes put up for the dogs. I am unable to determine how close the pool is to any of the property lines. The (pool) are clearly within the rear yard zoning setback, (deck)

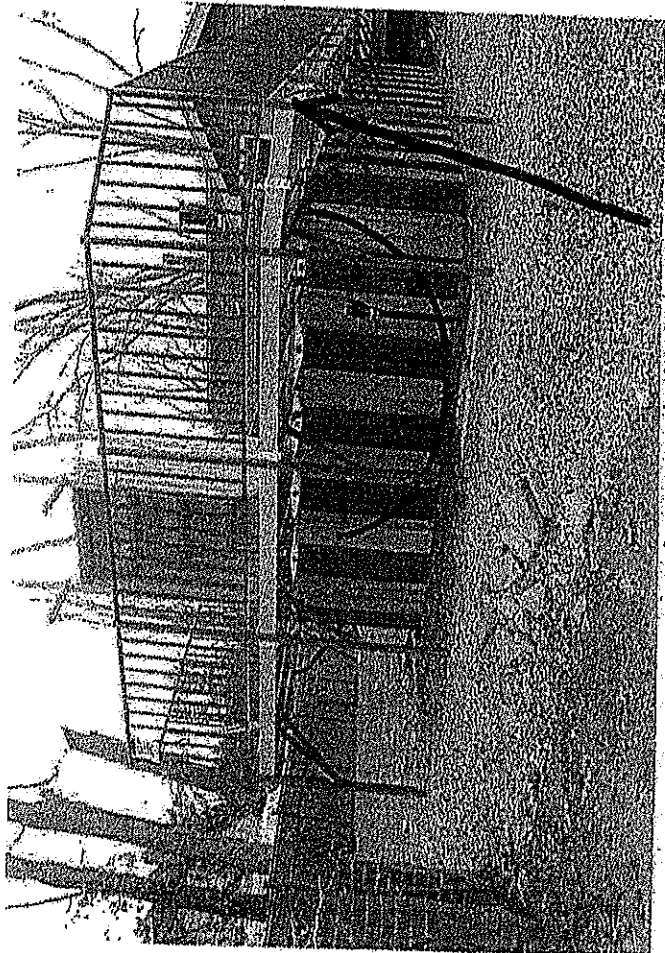
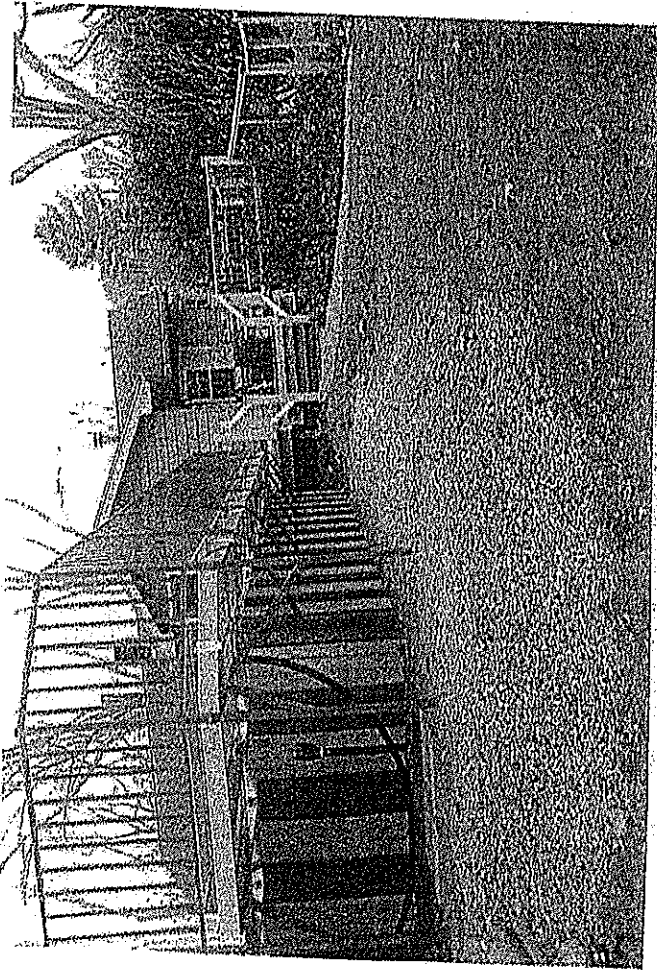
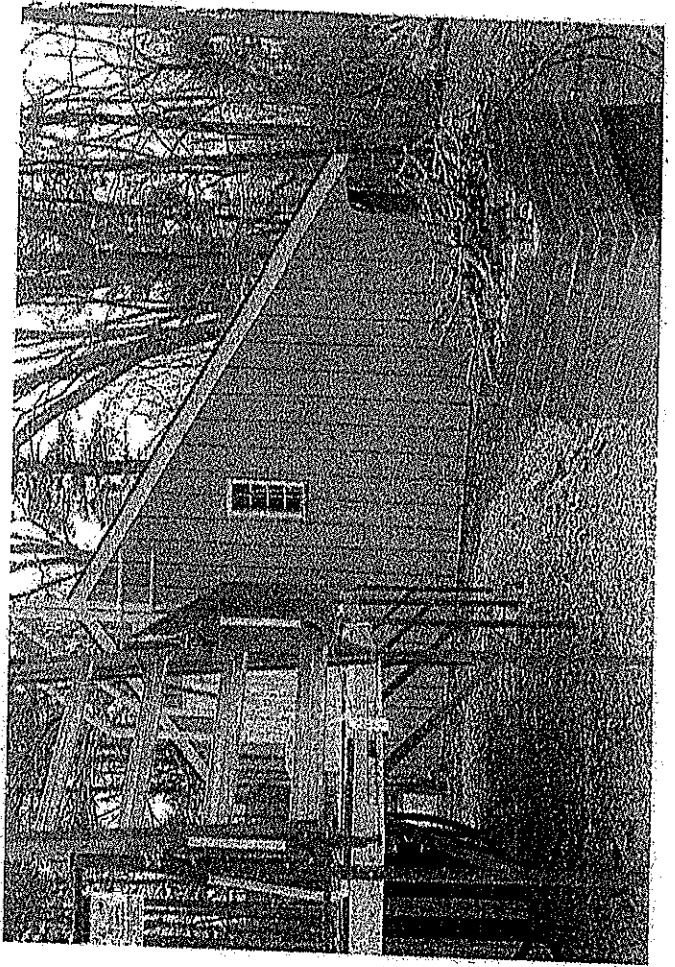
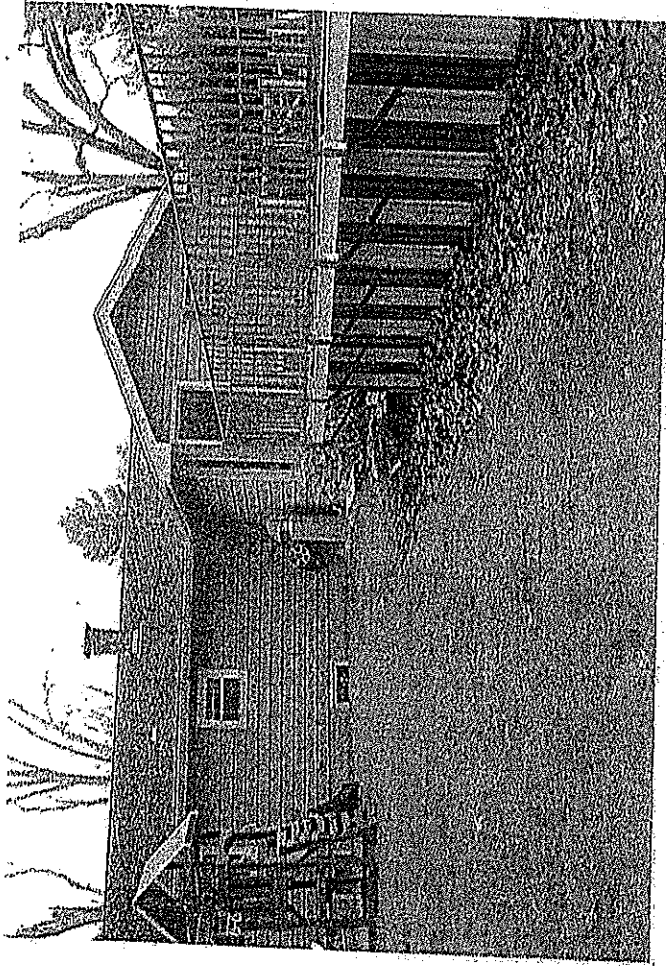
Commission Representative M. Washburn

Owner or Authorized Signature _____

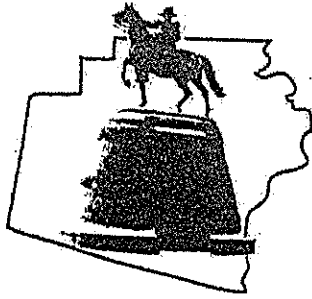
Stephanie gave me a copy of a boundary line adjustment plan from Messier dated 11/03. The Town Clerk said it was never recorded.



We measured from this point to the
a victima a anodo.



We pulled a tape from this point of the deck to the existing garage.



TOWN OF BROOKLYN
Land Use Department
69 South Main Street • Suite 22
BROOKLYN, CONNECTICUT 06234
860-779-3411 Ext. 12

**REVISED NOTICE OF VIOLATION AND
REQUEST FOR VOLUNTARY COMPLIANCE**

Stephanie and Brennan Hynes
20 Franklin Drive
Brooklyn, CT 06234

February 2, 2022

Re: Above-ground swimming pool and deck at **20 Franklin Drive** – Map 33,
Lot 16, R-30 Zone

Dear Stephanie and Brennan,

This office is aware that an above-ground swimming pool and deck have been constructed at the subject property without a zoning permit.

You applied for an after-the fact zoning permit on 12/28/21.

I conducted an inspection on 1/3/22, and we measured from the pool/deck combination to the garage. You indicated that you did not have an as-built plan showing the location of the house and other structures on the subject property in relation to the property lines.

On 1/3/22, you gave me a copy of a boundary line adjustment plan prepared by Messier & Associates, Inc. According to the Town Clerk, that plan has never been recorded.

VIOLATIONS OF THE BROOKLYN ZONING REGULATIONS

This letter serves as a NOTICE OF VIOLATION that you, as owner of **20 Franklin Drive** are in violation of the flowing sections of the Brooklyn Zoning Regulations as follows:

Section 1.D.2.1: Application of Regulations; Conformity Required. “No building, structure or land shall be used or occupied, in whole or in part, except in conformity with all applicable Sections of these Regulations.”

Section 1.D.2.2: Application of Regulations; Conformity Required. "No building or structure shall be built, erected, moved or altered except in conformity with all applicable Sections of these Regulations."

Section 1.D.2.4: Application of Regulations; Conformity Required. "It shall be unlawful to alter the use of land, to commence construction or alteration of any building or structure, or to excavate for any building or structure or use until the application and plans therefore have been approved by the Zoning Enforcement Officer, and a building permit issued by the Building Official."

Section 9.A.1: Until the Zoning Enforcement Officer has issued a Zoning Permit:

- a. no site development shall commence except for agricultural purposes or maintenance of existing landscape; and
 - b. no building, structure or part thereof shall be constructed, reconstructed, altered, extended, enlarged, moved, gutted, or occupied; and
 - c. no new uses or changes of use shall commence; and
2. in accordance with CGS Section 8-3(f), no Building Permit including a permit for a building foundation shall be issued.

I hereby request that by Wednesday, 3/9/22, you submit an as-built plan, signed and stamped by a surveyor licensed to practice in CT, showing the location of the pool/deck combination and other structures on the subject property in relation to the property lines and zoning setbacks. If the plan is not received by that date, a denial of the zoning permit application, and citations for zoning violations will follow, as provided for in Connecticut Statutes and Chapter 20, Section 20-2 (see attached).

Your cooperation in this matter would be greatly appreciated.

Issued by:

Margaret Washburn

Margaret Washburn
ZEO/WEO/Blight Enforcement Officer
69 South Main Street, Suite 23
Brooklyn, CT 06234
(860) 779-3411 ext. 31

Mon. – Thurs. 8:00 am – 3:30 pm

m.washburn@brooklynct.org

CC: Austin Tanner, Jana Roberson, Peter Alter (Town Counsel)

Chapter 20. Fees for Land Use Applications

§ 20-1. ESTABLISHING LAND USE APPLICATION FEES.

[Prior ordinance history includes portions of Ordinances 3/1/88, 8/15/88, 91-2, 04-5 and 06-4]

§ 20-1.1. Purpose.

[Ord. 5/3/10]

The purpose of this chapter is to establish a reasonable and equitable Schedule of Fees, pursuant to Section 8-1c and 22a-42a of the Connecticut General Statutes, to defray the administrative costs and any additional costs, including professional consulting fees, incurred by the Planning and Zoning Commission, Inland Wetlands Agency and Zoning Board of Appeals of the Town of Brooklyn (each a "Land Use Agency") for the processing and subsequent monitoring of Land Use applications.

§ 20-1.2. Definitions.

[Ord. 5/3/10]

LAND USE APPLICATION

Shall mean an application for (1) any permit(s) or approval(s) required by any Land Use Agency regulations for the use of any land, building or structure; (2) proposed amendments to such regulations or the zoning map; (3) a request for a zoning variance; (4) an appeal of a decision of the Zoning Enforcement Officer or (5) a certificate of location approval and or appropriateness pursuant to Section 14-67 and/or Section 14-321 of the Connecticut General Statutes, submitted by any person, organization or corporation (the applicant).

STAFF

Shall mean any employee or appointee of the Town of Brooklyn or employees of the Northeast Connecticut Council of Governments "NECCOG" who, as part of his or her duties, render advice or assistance to any land use agency. Planning Staff shall be the Zoning Enforcement Officer, Town Planner or employees of NECCOG.

§ 20-1.3. Determination of Fees Charged for Land Use Applications.

[Ord. 5/3/10]

- a. Base Fees. The base fees established hereby are based on a reasonable estimate of the direct and indirect costs for time spent by staff in reviewing and evaluating each type of land use application and, except as noted, the cost of any public hearing. The base fee plus the estimated costs for advertising and required legal notices shall be paid at the time the land use application is filed.
- b. Additional Fees.

1. In addition to the base fees set forth herein, a Land Use Agency may require the applicant to pay an "additional fee" to defray other costs and expenses incurred by the Land Use Agency. Such additional fee shall be assessed to the applicant when the Planning Staff and/or the Land Use Agency determines that there is a need for the assistance of one or more third party consultants for review, evaluation or processing the land use application (consultation services). Consultants may be engaged to render engineering, architectural, environmental and planning services including traffic studies. Consultation services may include, but not be limited to, consultation with Town staff or the Town Attorney, discussions with the applicant or its agents, rendering such information and research that the Land Use Agency may request, the preparation of written findings and recommendations, written or oral testimony at any public hearing and post-approval inspections to ascertain that all terms and conditions of any permit have been met.
 2. The additional fee shall be equal to the reasonable cost incurred by the Land Use Agency for such consultation services.
 3. Upon the determination by the Town staff and/or Land Use Agency that consultation services are necessary, the Town Staff shall provide to the Land Use Agency, for its approval, a reasonable estimate of the cost based on the nature and the extent of the consultation services deemed necessary. Such determination shall be made as soon as practicable after the receipt (filing) of the land use application by the Land Use Agency and, upon approval by the Land Use Agency, the applicant shall be billed an additional fee in an amount equal to 125% of such estimate. Such additional fee shall be due and payable 10 days after receipt.
 4. Upon receipt of an additional fee from the applicant, the Land Use Agency shall create an application specific account and shall document the amount of the additional fee and all payments made for consultation services. The Land Use Agency shall render periodic accounting to the applicant. Any balance remaining after the land use application has been acted upon shall be refunded to the applicant, provided there has been a determination by the Staff that all terms and conditions of the permit have been met.
 5. Upon the failure of the applicant to pay such additional fee when due, the land use application shall be deemed to be incomplete and may be denied by the Land Use Agency for that reason with or without prejudice. No land use application shall be approved until the base fee, the additional fee, if any, and costs of advertising and legal notices have been paid in full.
- c. No fees shall be required for any land use application submitted by the Town of Brooklyn or any of its municipal agencies.

§ 20-1.4. Effective Date; Validity.

[Ord. 5/3/10]

In accordance with Connecticut General Statutes Section 8-1c, upon its effective date the fee structure set forth in this chapter shall supersede any fee schedule adopted by any Land Use Agency (this schedule was adopted May 3, 2010). If any provision or fee imposed by this chapter is, for any reason, found to be invalid by a court of competent jurisdiction, such invalidation shall not affect the validity of the remaining portions of this chapter and the fees imposed.

§ 20-1.5. Amendment of Schedule.

[Ord. 5/3/10]

The Board of Selectmen, acting pursuant to the provisions of Connecticut General Statutes Section 7-157(a), may, by ordinance, amend the Schedule of Base Fees from time to time after consultation with the Land Use Agency(ies).

§ 20-1.6. Fee Schedule.

Base Land Use Application Fees	
ZONING FEES	
Text Amendment to Regulations	\$250.00
Zoning Map Change	\$250.00
Home Occupation	\$50.00
Special Permit	\$100.00 plus site plan review
Site Plan Review	
2,500 sq. ft. or less	\$300.00
Over 2,500 sq. ft.	\$300.00 plus \$15.00 per each additional 1,000 sq. ft.
Site Plan Review (multi-family/active adult or elderly)	\$300.00 plus \$20.00 per unit
Amendment to Site Plan After Submission	\$150.00
Special Permit (Sand and Gravel)	\$250.00 +
< 1,000 cu. yds.	\$200.00
1,000 to 20,000 cu. yds.	\$300.00
21,000 to 50,000 cu. yds.	\$750.00
51,000 to 100,000 cu. yds.	\$2,500.00
> 100,000 cu. yds.	\$5,000.00
Annual Sand and Gravel Renewal	\$100.00

ZONING PERMITS	
New Residential Dwelling	\$200.00
Residential Accessory Uses/Additions	\$50.00
Addition/Modification of a Nonresidential Building	\$75.00
New Commercial Building	\$250.00
Change of Use in Existing Commercial Building	\$75.00
Sign Permit	\$20.00

SUBDIVISION APPROVAL	
Basic Application	\$250.00
Subdivision Plan Review	\$250.00 per lot
Engineering Review for New Road(s) and Drainage	*
Inspection and Supervision of Road Construction and Utilities	*
Text Amendment to Subdivision Regulations	\$250.00

*Included in Plan Review Fee but may be subject to the payment of additional fees as set forth in this chapter.

ZONING BOARD OF APPEALS	
All Applications	\$250.00

INLAND WETLANDS APPLICATION FEES

INLAND WETLANDS APPLICATION FEES	
Residential (Single Lot) Subdivision Application	\$150.00
Commercial/Industrial	\$150.00 plus \$150.00 per lot in the regulated area
Additional fee based on total impervious surface included in commercial/industrial application	\$200.00
< 20,000 sq. ft.	\$400.00
20,001—50,000 sq. ft.	\$1,200.00
> 50,000 sq. ft.	\$800.00
Additional Fee for Significant Activity Requiring Public Hearing	\$250.00

All fees payable pursuant to this chapter are nonrefundable. In addition to any other remedies permitted by law, any land use application submitted after work has started on a project shall be subject to a surcharge of \$500.00. In addition to the fees set forth above payable to the Town of Brooklyn, each application is subject to an additional charge payable to the State of Connecticut, which, as of the effective date of this chapter is \$60.00.

§ 20-2. CITATION PROCEDURES AND FINES FOR ZONING AND WETLANDS VIOLATIONS.

§ 20-2.1. Issuance of Citations; Schedule of Fines.

[Ord. 8/1/13]

The Brooklyn Land Use Officer is authorized to issue citations for violations of the Zoning Regulations and the Wetlands Regulations of the Town of Brooklyn to the extent and manner provided by this section and the Connecticut General Statutes 7-152c. Any such citation may be served either by hand or by certified mail, return receipt requested, to the person named in such citation. If the person(s) named in the citation sent by certified mail refuses to accept such mail, the citation may be sent by regular United States mail. The Land Use Officer shall file and retain an original or certified copy of the citation, as served.

- Citations may be issued for those types of zoning and wetlands violations specified in paragraph b below.
- The fine for each citation shall be in accordance with this schedule:

ZONING REGULATIONS	
Nature of Violation	Amount of Fine
Construction of any building without Zoning approval	\$150.00
Alteration of any building without Zoning approval	\$100.00
Conducting an unauthorized use	\$150.00
Illegal Sign	\$100.00
Building beyond foundation without prior Foundation as-built or erosion control approval	\$150.00
Failure to comply with an approved Site Plan, Special Permit, Subdivision or Re-subdivision including any conditions of approval	\$150.00

ZONING REGULATIONS	
Nature of Violation	Amount of Fine
Any other violation of the Zoning Regulations	\$100.00
INLAND WETLAND REGULATIONS	
Nature of Violation	Amount of Fine
For each violation	\$1,000.00

* In the case of a continuing violation, each day's continuation of the violation shall be deemed a separate and distinct violation.

§ 20-2.2. Citation Hearing Officers.

[Ord. No. 06-3 § 3]

The Chief Executive Officer shall appoint one or more Citation Hearing Officers, other than Police Officers or employees or persons who issue citations, to conduct the hearings authorized by this section.

§ 20-2.3. Notice.

[Ord. No. 06-3 § 4]

At any time within 12 months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 or section 22a-226d, for an alleged violation thereof, shall send notice to the person cited:

- a. Of the allegations against him and the amount of the fines, penalties, costs or fees due;
- b. That he may contest his liability before a Citation Hearing Officer by delivering in person or by mail written notice within 10 days of the date thereof;
- c. That if he does not demand such hearing, an assessment and judgment shall be entered against him; and
- d. That such judgment may issue without further notice.

§ 20-2.4. Liability; Payment of Fines; Costs.

[Ord. No. 06-3 § 5]

If the person who is sent notice pursuant to subsection 20-2.3 wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to the Land Use Officer. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within 10 days of the date of the first notice provided for in subsection 20-2.3 shall be deemed to have admitted liability, and the Land Use Officer shall certify such person's failure to respond to the Hearing Officer. The Hearing Officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection 20-2.5.

§ 20-2.5. Hearing.

[Ord. No. 06-3 § 6]

Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than 15 days not more than 30 days from the date of the mailing of the notice, provided the Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original certified copy of the initial notice of violation issued by the Land Use Officer or Police Officer shall be filed and retained by the Town of Brooklyn, and shall be deemed to be a business record within the scope of CGS 52-180 and evidence of the facts contained therein. The presence of the Land Use Officer or Police Officer shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. The Land Use Officer may present evidence on behalf of the Town of Brooklyn. If such person fails to appear, the Hearing Officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The Hearing Officer may accept from such person copies of Police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof, as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Hearing Officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the Town of Brooklyn.

§ 20-2.6. Notice of Assessment Which is Unpaid.

[Ord. No. 06-3 § 7]

If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of assessment to the person found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice of assessment with the Clerk of a Superior Court facility designated by the Chief Court Administrator together with an entry fee of \$8.00. The certified copy of notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The Clerk shall enter judgment, in the amount of such record of assessment and court costs of \$8.00, against such person in favor of the Town of Brooklyn. Notwithstanding any provision of the General Statutes, the Hearing Officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

§ 20-2.7. Appeal.

[Ord. No. 06-3 § 8]

A person against whom an assessment has been made pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within 30 days of the mailing of the notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for small claims case pursuant to Connecticut General Statutes (Revision of 1958) 52-259, at a Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the Judges of the Supreme Court.

§ 20-3. PUBLIC IMPROVEMENT SPECIFICATIONS.

[Ord. 6/28/89 § 1]

- a. It is hereby found that rapid growth and development within the Town of Brooklyn are placing unprecedented strain upon Town roads and appurtenant drainage systems, culverts, and catch-basins.

- b. To alleviate that siltation, and as empowered by Section 7-148 (c) of the General Statutes, the Board of Selectmen are hereby authorized to develop such regulations as they may deem appropriate to carry out the following purposes:
1. To provide the proper alignment, width, and grades and pavements of existing Town roads serving as a right of way to any proposed subdivision, to ensure that such existing Town roads remain safe and continue to conform to the plan of development of the Town;
 2. To provide adequate and sufficient storm drainage systems for carrying off increased storm drainage created by any proposed subdivision and associated access road improvements, whether such additional drainage would impact upon existing Town improvements or private lands;
 3. To provide that adequate and sufficient culverts, manholes, and catch-basins be installed to carry run-off water from the road surface and to divert road water from the proposed subdivision beneath or around existing roads without causing significant increases in erosion or sedimentation.
- c. Compliance with the regulations adopted by the Board of Selectmen shall be a condition precedent to any application for subdivision of property within the Town of Brooklyn. Failure to comply shall be adequate cause for denial of any such application.
- If any portion of this section is deemed by a court of competent jurisdiction to be impermissible, its remaining sections shall continue to be valid and enforceable.

2012 Connecticut General Statutes
Title 7 - Municipalities
Chapter 98 - Municipal Powers
Section 7-152c - Hearing procedure for citations.

Universal Citation: Universal Citation: CT Gen Stat § 7-152c (2012)

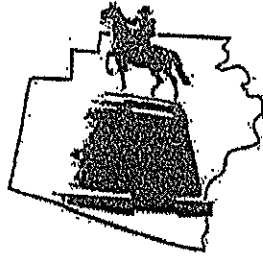
- (a) Any municipality as defined in subsection (a) of section 7-148 may establish by ordinance a citation hearing procedure in accordance with this section. The Superior Court shall be authorized to enforce the assessments and judgments provided for under this section.
- (b) The chief executive officer of any such municipality shall appoint one or more citation hearing officers, other than police officers or employees or persons who issue citations, to conduct the hearings authorized by this section.
- (c) Any such municipality, at any time within twelve months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 or section 22a-226d, for an alleged violation thereof, shall send notice to the person cited. Such notice shall inform the person cited: (1) Of the allegations against him and the amount of the fines, penalties, costs or fees due; (2) that he may contest his liability before a citation hearing officer by delivering in person or by mail written notice within ten days of the date thereof; (3) that if he does not demand such a hearing, an assessment and judgment shall be entered against him; and (4) that such judgment may issue without further notice. If the person to whom such notice is issued is a registrant, the municipality may deliver such notice in accordance with section 7-148ii, provided nothing in this section shall preclude a municipality from providing notice in another manner permitted by applicable law.
- (d) If the person who is sent notice pursuant to subsection (c) of this section wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to an official designated by such municipality. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten days of the date of the first notice provided for in subsection (c) of this section shall be deemed to have admitted liability, and the designated municipal official shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection (f) of this section.

(e) Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing official or policeman shall be filed and retained by the municipality, and shall be deemed to be a business record within the scope of section 52-180 and evidence of the facts contained therein. The presence of the issuing official or policeman shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. A designated municipal official, other than the hearing officer, may present evidence on behalf of the municipality. If such person fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the municipality.

(f) If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty days or more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of a superior court facility designated by the Chief Court Administrator together with an entry fee of eight dollars. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and court costs of eight dollars, against such person in favor of the municipality. Notwithstanding any provision of the general statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

(g) A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to section 52-259, at a superior court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.

(P.A. 88-221, S. 2; P.A. 94-200, S. 2; P.A. 00-191, S. 4, 16; P.A. 02-132, S. 63; P.A. 03-278, S. 13; P.A. 09-144, S. 4.)



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

2:0 Franklin Drive

1/3/22

Address

Date

I met Stephanie Hynes, inspected and took photos. We pulled a tape from the side of the pool deck closest to the garage to the existing garage. The deck is 13 ft from the garage.

The pool deck reaches to almost exactly the middle of the wall of the side of the garage closest to the pool/deck. From the point we measured from, it is 12 ft 6" to the N. end of the garage and it is 12 ft 4" to the south end of the garage.

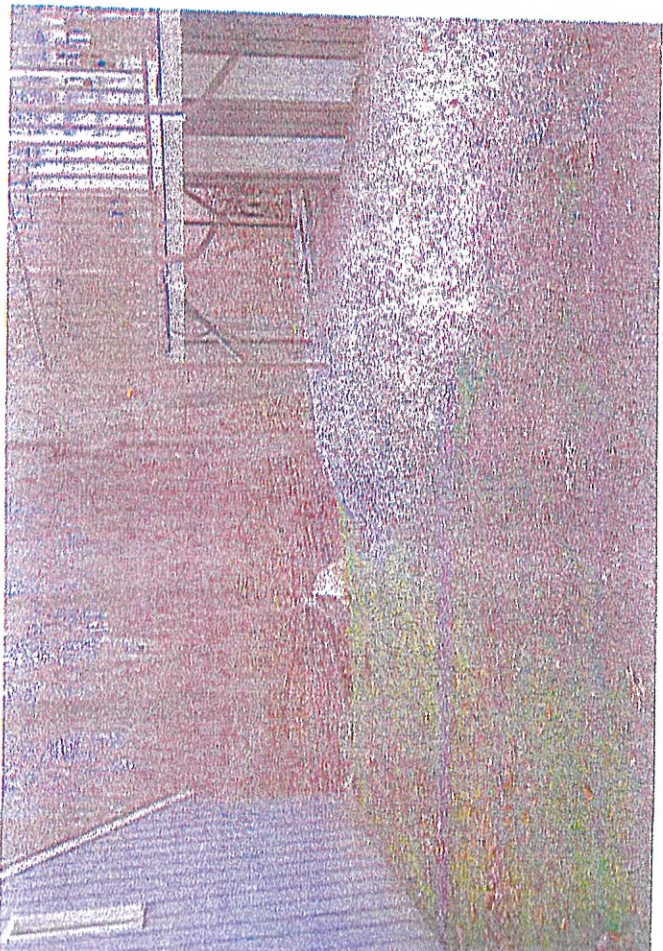
We were unable to measure to the north property line because of the fence the Hynes put up for the dogs. I am unable to determine how close the pool is to any of the property lines. The (pool) are clearly

within the rear yard zoning setback. (deck)

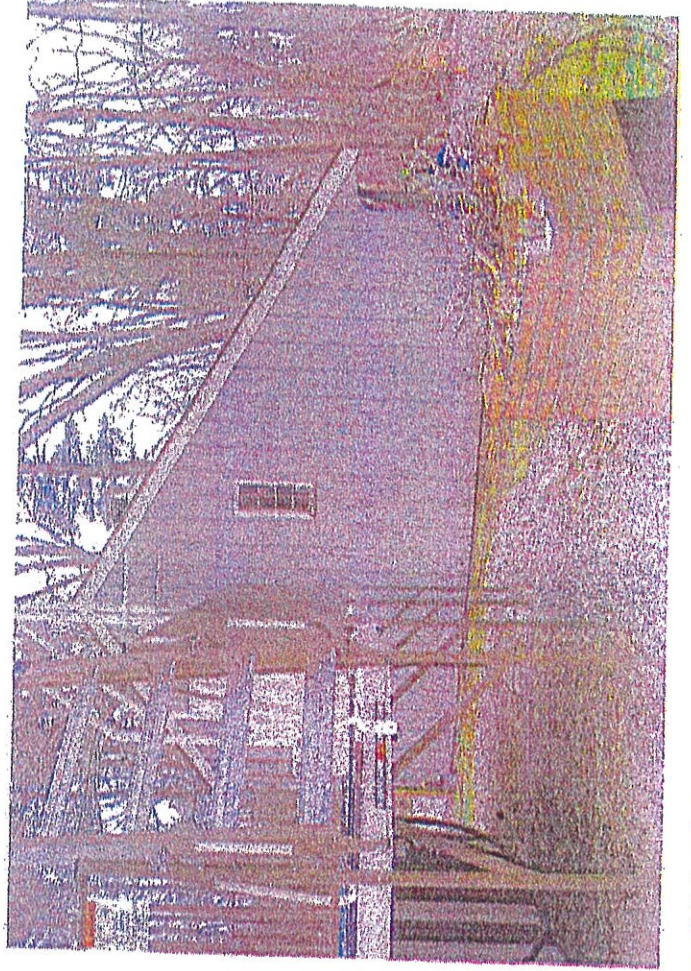
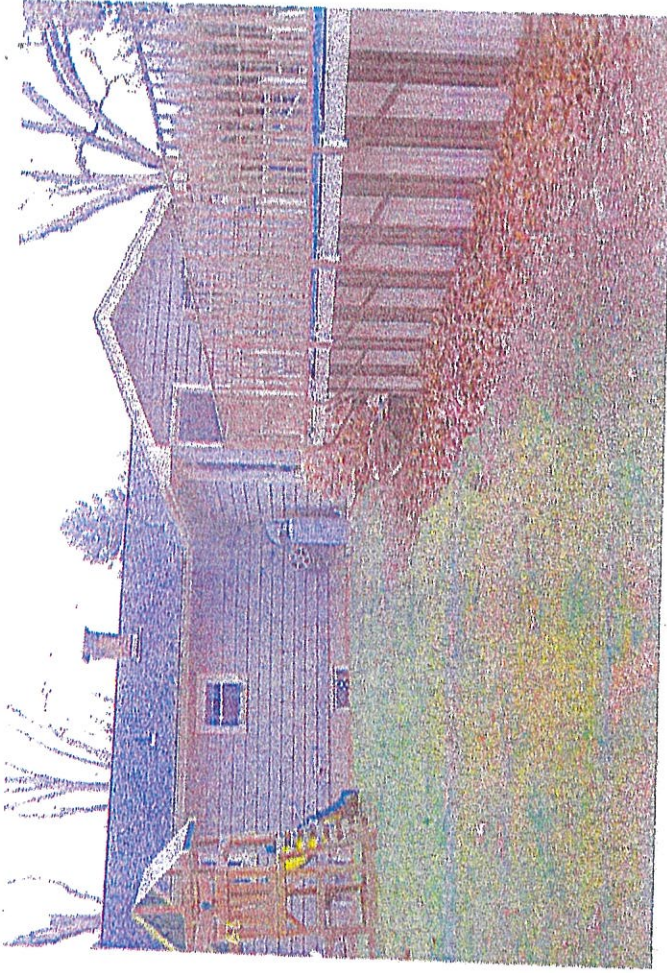
Commission Representative M. Washburn

Owner or Authorized Signature _____

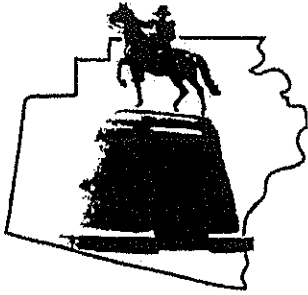
Stephanie gave me a copy of a boundary line adjustment plan from Messier dated 11/03. The Town



We measured from this point to the
a victim's phone.



We pulled a tape from this point of the deck to the existing garage.



TOWN OF BROOKLYN
Land Use Department
69 South Main Street • Suite 22
BROOKLYN, CONNECTICUT 06234
860-779-3411 Ext. 12

**REVISED NOTICE OF VIOLATION AND
REQUEST FOR VOLUNTARY COMPLIANCE**

CERTIFIED # 7021 2720 0001 3206 2177

Stephanie and Brennan Hynes
20 Franklin Drive
Brooklyn, CT 06234

March 8, 2022

Re: Above-ground swimming pool and deck at **20 Franklin Drive** – Map 33,
Lot 16, R-30 Zone

Dear Stephanie and Brennan,

This office is aware that an above-ground swimming pool and deck have been constructed at the subject property without a zoning permit.

You applied for an after-the fact zoning permit on 12/28/21.

I conducted an inspection on 1/3/22, and we measured from the pool/deck combination to the garage. You indicated that you did not have an as-built plan showing the location of the house and other structures on the subject property in relation to the property lines.

On 1/3/22, you gave me a copy of a boundary line adjustment plan prepared by Messier & Associates, Inc. According to the Town Clerk, that plan has never been recorded.

VIOLATIONS OF THE BROOKLYN ZONING REGULATIONS

This letter serves as a NOTICE OF VIOLATION that you, as owner of **20 Franklin Drive** are in violation of the following sections of the Brooklyn Zoning Regulations as follows:

Section 1.D.2.1: Application of Regulations; Conformity Required. “No building, structure or land shall be used or occupied, in whole or in part, except in conformity with all applicable Sections of these Regulations.”

Section 1.D.2.2: Application of Regulations; Conformity Required. “No building or structure shall be built, erected, moved or altered except in conformity with all applicable Sections of these Regulations.”

Section 1.D.2.4: Application of Regulations; Conformity Required. “It shall be unlawful to alter the use of land, to commence construction or alteration of any building or structure, or to excavate for any building or structure or use until the application and plans therefore have been approved by the Zoning Enforcement Officer, and a building permit issued by the Building Official.”

- Section 9.A.1: Until the Zoning Enforcement Officer has issued a Zoning Permit:
- a. no site development shall commence except for agricultural purposes or maintenance of existing landscape; and
 - b. no building, structure or part thereof shall be constructed, reconstructed, altered, extended, enlarged, moved, gutted, or occupied; and
 - c. no new uses or changes of use shall commence; and
2. in accordance with CGS Section 8-3(f), no Building Permit including a permit for a building foundation shall be issued.

I hereby request that by Wednesday, 3/30/22, you submit an as-built plan, signed and stamped by a surveyor licensed to practice in CT, showing the location of the pool/deck combination and other structures on the subject property in relation to the property lines and zoning setbacks. If the plan is not received by that date, a denial of the zoning permit application, and citations for zoning violations will follow, as provided for in Connecticut Statutes and Chapter 20, Section 20-2 (see attached).

Your cooperation in this matter would be greatly appreciated.

Issued by:

Margaret Washburn

Margaret Washburn
ZEO/WEO/Blight Enforcement Officer
69 South Main Street, Suite 23
Brooklyn, CT 06234
(860) 779-3411 ext. 31
Mon. – Thurs. 8:00 am – 3:30 pm
m.washburn@brooklynct.org

CC: Austin Tanner, Jana Roberson, Peter Alter (Town Counsel)

Chapter 20. Fees for Land Use Applications

§ 20-1. ESTABLISHING LAND USE APPLICATION FEES.

[Prior ordinance history includes portions of Ordinances 3/1/88, 8/15/88, 91-2, 04-5 and 06-4]

§ 20-1.1. Purpose.

[Ord. 5/3/10]

The purpose of this chapter is to establish a reasonable and equitable Schedule of Fees, pursuant to Section 8-1c and 22a-42a of the Connecticut General Statutes, to defray the administrative costs and any additional costs, including professional consulting fees, incurred by the Planning and Zoning Commission, Inland Wetlands Agency and Zoning Board of Appeals of the Town of Brooklyn (each a "Land Use Agency") for the processing and subsequent monitoring of Land Use applications.

§ 20-1.2. Definitions.

[Ord. 5/3/10]

LAND USE APPLICATION

Shall mean an application for (1) any permit(s) or approval(s) required by any Land Use Agency regulations for the use of any land, building or structure; (2) proposed amendments to such regulations or the zoning map; (3) a request for a zoning variance; (4) an appeal of a decision of the Zoning Enforcement Officer or (5) a certificate of location approval and or appropriateness pursuant to Section 14-67 and/or Section 14-321 of the Connecticut General Statutes, submitted by any person, organization or corporation (the applicant).

STAFF

Shall mean any employee or appointee of the Town of Brooklyn or employees of the Northeast Connecticut Council of Governments "NECCOG" who, as part of his or her duties, render advice or assistance to any land use agency. Planning Staff shall be the Zoning Enforcement Officer, Town Planner or employees of NECCOG.

§ 20-1.3. Determination of Fees Charged for Land Use Applications.

[Ord. 5/3/10]

- a. **Base Fees.** The base fees established hereby are based on a reasonable estimate of the direct and indirect costs for time spent by staff in reviewing and evaluating each type of land use application and, except as noted, the cost of any public hearing. The base fee plus the estimated costs for advertising and required legal notices shall be paid at the time the land use application is filed.
- b. **Additional Fees.**

1. In addition to the base fees set forth herein, a Land Use Agency may require the applicant to pay an "additional fee" to defray other costs and expenses incurred by the Land Use Agency. Such additional fee shall be assessed to the applicant when the Planning Staff and/or the Land Use Agency determines that there is a need for the assistance of one or more third party consultants for review, evaluation or processing the land use application (consultation services). Consultants may be engaged to render engineering, architectural, environmental and planning services including traffic studies. Consultation services may include, but not be limited to, consultation with Town staff or the Town Attorney, discussions with the applicant or its agents, rendering such information and research that the Land Use Agency may request, the preparation of written findings and recommendations, written or oral testimony at any public hearing and post-approval inspections to ascertain that all terms and conditions of any permit have been met.
 2. The additional fee shall be equal to the reasonable cost incurred by the Land Use Agency for such consultation services.
 3. Upon the determination by the Town staff and/or Land Use Agency that consultation services are necessary, the Town Staff shall provide to the Land Use Agency, for its approval, a reasonable estimate of the cost based on the nature and the extent of the consultation services deemed necessary. Such determination shall be made as soon as practicable after the receipt (filing) of the land use application by the Land Use Agency and, upon approval by the Land Use Agency, the applicant shall be billed an additional fee in an amount equal to 125% of such estimate. Such additional fee shall be due and payable 10 days after receipt.
 4. Upon receipt of an additional fee from the applicant, the Land Use Agency shall create an application specific account and shall document the amount of the additional fee and all payments made for consultation services. The Land Use Agency shall render periodic accounting to the applicant. Any balance remaining after the land use application has been acted upon shall be refunded to the applicant, provided there has been a determination by the Staff that all terms and conditions of the permit have been met.
 5. Upon the failure of the applicant to pay such additional fee when due, the land use application shall be deemed to be incomplete and may be denied by the Land Use Agency for that reason with or without prejudice. No land use application shall be approved until the base fee, the additional fee, if any, and costs of advertising and legal notices have been paid in full.
- c. No fees shall be required for any land use application submitted by the Town of Brooklyn or any of its municipal agencies.

§ 20-1.4. Effective Date; Validity.

[Ord. 5/3/10]

In accordance with Connecticut General Statutes Section 8-1c, upon its effective date the fee structure set forth in this chapter shall supersede any fee schedule adopted by any Land Use Agency (this schedule was adopted May 3, 2010). If any provision or fee imposed by this chapter is, for any reason, found to be invalid by a court of competent jurisdiction, such invalidation shall not affect the validity of the remaining portions of this chapter and the fees imposed.

§ 20-1.5. Amendment of Schedule.

[Ord. 5/3/10]

The Board of Selectmen, acting pursuant to the provisions of Connecticut General Statutes Section 7-157(a), may, by ordinance, amend the Schedule of Base Fees from time to time after consultation with the Land Use Agency(ies).

§ 20-1.6. Fee Schedule.

Base Land Use Application Fees

ZONING FEES

Text Amendment to Regulations	\$250.00
Zoning Map Change	\$250.00
Home Occupation	\$50.00
Special Permit	\$100.00 plus site plan review
Site Plan Review	
2,500 sq. ft. or less	\$300.00
Over 2,500 sq. ft.	\$300.00 plus \$15.00 per each additional 1,000 sq. ft.
Site Plan Review (multi-family/active adult or elderly)	\$300.00 plus \$20.00 per unit
Amendment to Site Plan After Submission	\$150.00
Special Permit (Sand and Gravel)	\$250.00 +
< 1,000 cu. yds.	\$200.00
1,000 to 20,000 cu. yds.	\$300.00
21,000 to 50,000 cu. yds.	\$750.00
51,000 to 100,000 cu. yds.	\$2,500.00
> 100,000 cu. yds.	\$5,000.00
Annual Sand and Gravel Renewal	\$100.00

ZONING PERMITS

New Residential Dwelling	\$200.00
Residential Accessory Uses/Additions	\$50.00
Addition/Modification of a Nonresidential Building	\$75.00
New Commercial Building	\$250.00
Change of Use in Existing Commercial Building	\$75.00
Sign Permit	\$20.00

SUBDIVISION APPROVAL

Basic Application	\$250.00
Subdivision Plan Review	\$250.00 per lot
Engineering Review for New Road(s) and Drainage	*
Inspection and Supervision of Road Construction and Utilities	*
Text Amendment to Subdivision Regulations	\$250.00

*Included in Plan Review Fee but may be subject to the payment of additional fees as set forth in this chapter.

ZONING BOARD OF APPEALS

All Applications	\$250.00
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INLAND WETLANDS APPLICATION FEES

INLAND WETLANDS APPLICATION FEES

Residential (Single Lot)	\$150.00
Subdivision Application	\$150.00 plus \$150.00 per lot in the regulated area
Commercial/Industrial	\$200.00
Additional fee based on total impervious surface included in commercial/industrial application	
< 20,000 sq. ft.	\$400.00
20,001—50,000 sq. ft.	\$1,200.00
> 50,000 sq. ft.	\$800.00
Additional Fee for Significant Activity Requiring Public Hearing	\$250.00

All fees payable pursuant to this chapter are nonrefundable.

In addition to any other remedies permitted by law, any land use application submitted after work has started on a project shall be subject to a surcharge of \$500.00.

In addition to the fees set forth above payable to the Town of Brooklyn, each application is subject to an additional charge payable to the State of Connecticut, which, as of the effective date of this chapter is \$60.00.

§ 20-2. CITATION PROCEDURES AND FINES FOR ZONING AND WETLANDS VIOLATIONS.

§ 20-2.1. Issuance of Citations; Schedule of Fines.

[Ord. 8/1/13]

The Brooklyn Land Use Officer is authorized to issue citations for violations of the Zoning Regulations and the Wetlands Regulations of the Town of Brooklyn to the extent and manner provided by this section and the Connecticut General Statutes 7-152c. Any such citation may be served either by hand or by certified mail, return receipt requested, to the person named in such citation. If the person(s) named in the citation sent by certified mail refuses to accept such mail, the citation may be sent by regular United States mail. The Land Use Officer shall file and retain an original or certified copy of the citation, as served.

- a. Citations may be issued for those types of zoning and wetlands violations specified in paragraph b below.
- b. The fine for each citation shall be in accordance with this schedule:

ZONING REGULATIONS	
Nature of Violation	Amount of Fine
Construction of any building without Zoning approval	\$150.00
Alteration of any building without Zoning approval	\$100.00
Conducting an unauthorized use	\$150.00
Illegal Sign	\$100.00
Building beyond foundation without prior Foundation as-built or erosion control approval	\$150.00
Failure to comply with an approved Site Plan, Special Permit, Subdivision or Re-subdivision including any conditions of approval	\$150.00

ZONING REGULATIONS

Nature of Violation	Amount of Fine
Any other violation of the Zoning Regulations	\$100.00

INLAND WETLAND REGULATIONS

Nature of Violation	Amount of Fine
For each violation	\$1,000.00

* In the case of a continuing violation, each day's continuation of the violation shall be deemed a separate and distinct violation.

§ 20-2.2. Citation Hearing Officers.

[Ord. No. 06-3 § 3]

The Chief Executive Officer shall appoint one or more Citation Hearing Officers, other than Police Officers or employees or persons who issue citations, to conduct the hearings authorized by this section.

§ 20-2.3. Notice.

[Ord. No. 06-3 § 4]

At any time within 12 months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 or section 22a-226d, for an alleged violation thereof, shall send notice to the person cited:

- a. Of the allegations against him and the amount of the fines, penalties, costs or fees due;
- b. That he may contest his liability before a Citation Hearing Officer by delivering in person or by mail written notice within 10 days of the date thereof;
- c. That if he does not demand such hearing, an assessment and judgment shall be entered against him; and
- d. That such judgment may issue without further notice.

§ 20-2.4. Liability; Payment of Fines; Costs.

[Ord. No. 06-3 § 5]

If the person who is sent notice pursuant to subsection 20-2.3 wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to the Land Use Officer. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within 10 days of the date of the first notice provided for in subsection 20-2.3 shall be deemed to have admitted liability, and the Land Use Officer shall certify such person's failure to respond to the Hearing Officer. The Hearing Officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection 20-2.5.

§ 20-2.5. Hearing.

[Ord. No. 06-3 § 6]

Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than 15 days not more than 30 days from the date of the mailing of the notice, provided the Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original certified copy of the initial notice of violation issued by the Land Use Officer or Police Officer shall be filed and retained by the Town of Brooklyn, and shall be deemed to be a business record within the scope of CGS 52-180 and evidence of the facts contained therein. The presence of the Land Use Officer or Police Officer shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. The Land Use Officer may present evidence on behalf of the Town of Brooklyn. If such person fails to appear, the Hearing Officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The Hearing Officer may accept from such person copies of Police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof, as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Hearing Officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the Town of Brooklyn.

§ 20-2.6. Notice of Assessment Which is Unpaid.

[Ord. No. 06-3 § 7]

If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of assessment to the person found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice of assessment with the Clerk of a Superior Court facility designated by the Chief Court Administrator together with an entry fee of \$8.00. The certified copy of notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The Clerk shall enter judgment, in the amount of such record of assessment and court costs of \$8.00, against such person in favor of the Town of Brooklyn. Notwithstanding any provision of the General Statutes, the Hearing Officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

§ 20-2.7. Appeal.

[Ord. No. 06-3 § 8]

A person against whom an assessment has been made pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within 30 days of the mailing of the notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for small claims case pursuant to Connecticut General Statutes (Revision of 1958) 52-259, at a Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the Judges of the Supreme Court.

§ 20-3. PUBLIC IMPROVEMENT SPECIFICATIONS.

[Ord. 6/28/89 § 1]

- a. It is hereby found that rapid growth and development within the Town of Brooklyn are placing unprecedented strain upon Town roads and appurtenant drainage systems, culverts, and catch-basins.

- b. To alleviate that siltation, and as empowered by Section 7-148 (c) of the General Statutes, the Board of Selectmen are hereby authorized to develop such regulations as they may deem appropriate to carry out the following purposes:
1. To provide the proper alignment, width, and grades and pavements of existing Town roads serving as a right of way to any proposed subdivision, to ensure that such existing Town roads remain safe and continue to conform to the plan of development of the Town;
 2. To provide adequate and sufficient storm drainage systems for carrying off increased storm drainage created by any proposed subdivision and associated access road improvements, whether such additional drainage would impact upon existing Town improvements or private lands;
 3. To provide that adequate and sufficient culverts, manholes, and catch-basins be installed to carry run-off water from the road surface and to divert road water from the proposed subdivision beneath or around existing roads without causing significant increases in erosion or sedimentation.
- c. Compliance with the regulations adopted by the Board of Selectmen shall be a condition precedent to any application for subdivision of property within the Town of Brooklyn. Failure to comply shall be adequate cause for denial of any such application.

If any portion of this section is deemed by a court of competent jurisdiction to be impermissible, its remaining sections shall continue to be valid and enforceable.

2012 Connecticut General Statutes

Title 7 - Municipalities

Chapter 98 - Municipal Powers

Section 7-152c - Hearing procedure for citations.

Universal Citation: Universal Citation: CT Gen Stat § 7-152c (2012)

- (a) Any municipality as defined in subsection (a) of section 7-148 may establish by ordinance a citation hearing procedure in accordance with this section. The Superior Court shall be authorized to enforce the assessments and judgments provided for under this section.
- (b) The chief executive officer of any such municipality shall appoint one or more citation hearing officers, other than police officers or employees or persons who issue citations, to conduct the hearings authorized by this section.
- (c) Any such municipality, at any time within twelve months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 or section 22a-226d, for an alleged violation thereof, shall send notice to the person cited. Such notice shall inform the person cited: (1) Of the allegations against him and the amount of the fines, penalties, costs or fees due; (2) that he may contest his liability before a citation hearing officer by delivering in person or by mail written notice within ten days of the date thereof; (3) that if he does not demand such a hearing, an assessment and judgment shall be entered against him; and (4) that such judgment may issue without further notice. If the person to whom such notice is issued is a registrant, the municipality may deliver such notice in accordance with section 7-148ii, provided nothing in this section shall preclude a municipality from providing notice in another manner permitted by applicable law.
- (d) If the person who is sent notice pursuant to subsection (c) of this section wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to an official designated by such municipality. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten days of the date of the first notice provided for in subsection (c) of this section shall be deemed to have admitted liability, and the designated municipal official shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection (f) of this section.

(e) Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing official or policeman shall be filed and retained by the municipality, and shall be deemed to be a business record within the scope of section 52-180 and evidence of the facts contained therein. The presence of the issuing official or policeman shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. A designated municipal official, other than the hearing officer, may present evidence on behalf of the municipality. If such person fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the municipality.

(f) If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty days or more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of a superior court facility designated by the Chief Court Administrator together with an entry fee of eight dollars. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and court costs of eight dollars, against such person in favor of the municipality. Notwithstanding any provision of the general statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

(g) A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to section 52-259, at a superior court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.

(P.A. 88-221, S. 2; P.A. 94-200, S. 2; P.A. 00-191, S. 4, 16; P.A. 02-132, S. 63; P.A. 03-278, S. 13; P.A. 09-144, S. 4.)

History: P.A. 94-200 amended Subsec. (c) to include enforcement of ordinances adopted under Sec. 22a-226d; P.A. 00-191 amended Subsec. (f) by changing provision that copy of notice of assessment be filed with clerk of superior court facility designated by the Chief Court Administrator within boundaries of judicial district instead of superior court for the geographical area, effective September 1, 2000; P.A. 02-132 amended Subsec. (f) by deleting “within the boundaries of the judicial district in which the municipality is located” and making a technical change and amended Subsec. (g) by replacing “in the superior court for the geographical area in which the municipality is located” with “at a superior court facility designated by the Chief Court Administrator”; P.A. 03-278 made a technical change in Subsec. (f), effective July 9, 2003; P.A. 09-144 amended Subsec. (c) by allowing notice to be delivered to a registrant in accordance with Sec. 7-148ii.

Disclaimer: These codes may not be the most recent version. Connecticut may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained on this site or the information linked to on the state site. Please check official sources.



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

20 Franklin Drive

1/3/21

Address

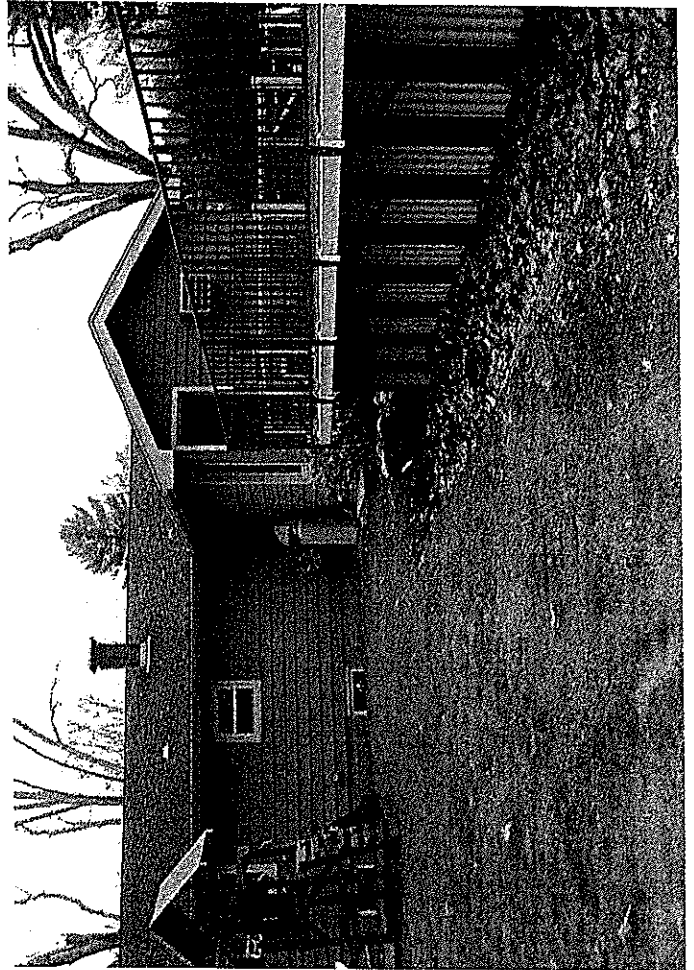
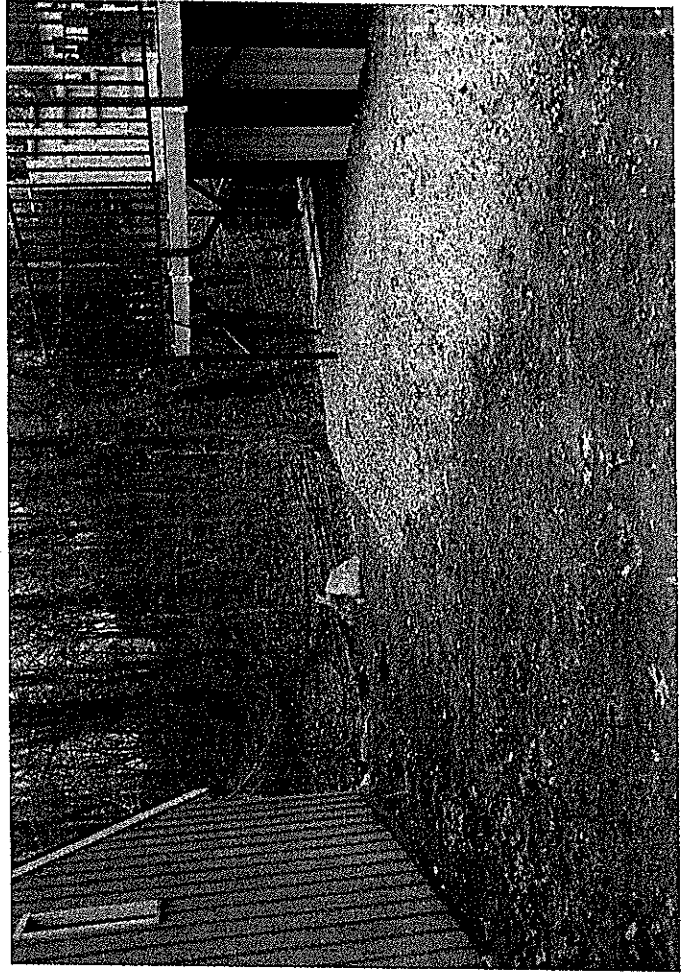
Date

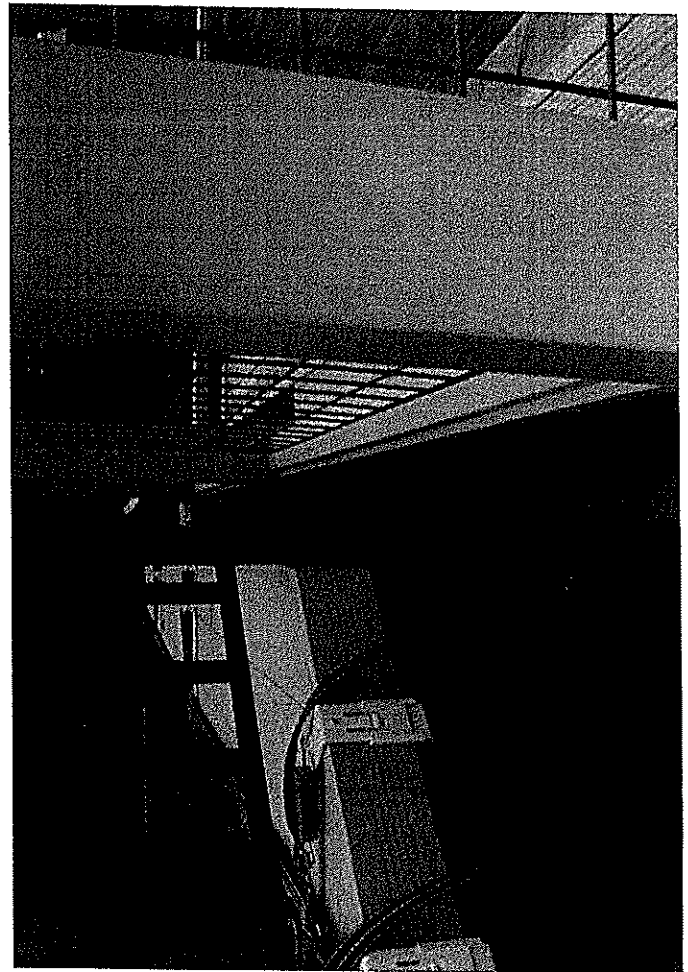
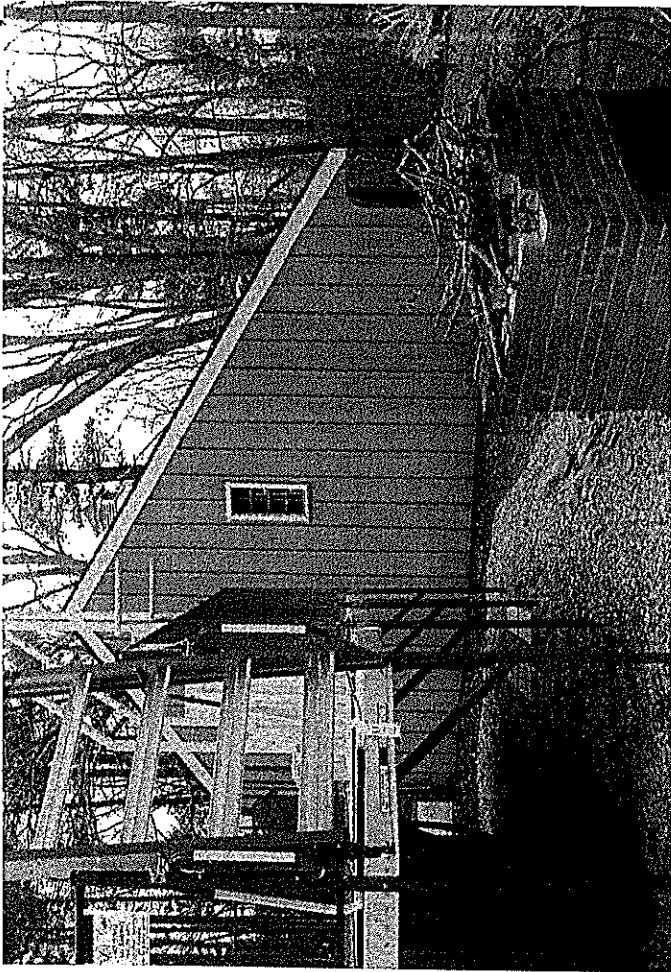
I met Stephanie Hynes, inspected and took photos. We pulled a tape from the side of the pool deck closest to the garage to the existing garage. The deck is 13 ft from the garage. The pool deck reaches to almost exactly the middle of the wall of the side of the garage closest to the pool/deck. From the point we measured from, it is 12 ft 6" to the N. end of the garage and it is 12 ft 4" to the south end of the garage. We were unable to measure to the north property line because of the fence the Hynes put up for the dogs. I am unable to determine how close the pool is to any of the property lines. The pool is clearly

Commission Representative M. Washburn

Owner or Authorized Signature _____

Stephanie gave me a copy of a boundary line adjustment plan from Messier. dated 11/03. The Town Clerk said it was never recorded.





Margaret Washburn

From: Margaret Washburn
Sent: Thursday, March 24, 2022 11:10 AM
To: PAUL ARCHER
Cc: sgrocki@hotmail.com
Subject: RE: Hynes, 20 Franklin Drive
Attachments: swimming pools must meet setbacks.pdf

Hi Paul,

I cannot approve the location of the existing pool and deck. Swimming pools are not accessory buildings. Accessory buildings are roofed structures, according to Town Counsel.

Years ago, swimming pools did not have to meet zoning setbacks in Brooklyn. It is my understanding that my predecessor, Martha Fraenkel, was one of the driving forces behind changing that, so that swimming pools have to meet zoning setbacks, and have done ever since before I started working here.

I have handled every swimming pool zoning permit application consistently in the same way that Marth Fraenkel trained me to do.

If the applicant is not willing to remove the existing pool and deck, there are 2 routes that can be taken. One is to apply for a variance. I do not intend to deny the application before the variance application is submitted. There is no need for me to deny it and then approve it after the variance is granted.

The fees for a variance are not close to \$1,000.00, as you stated on the phone today.

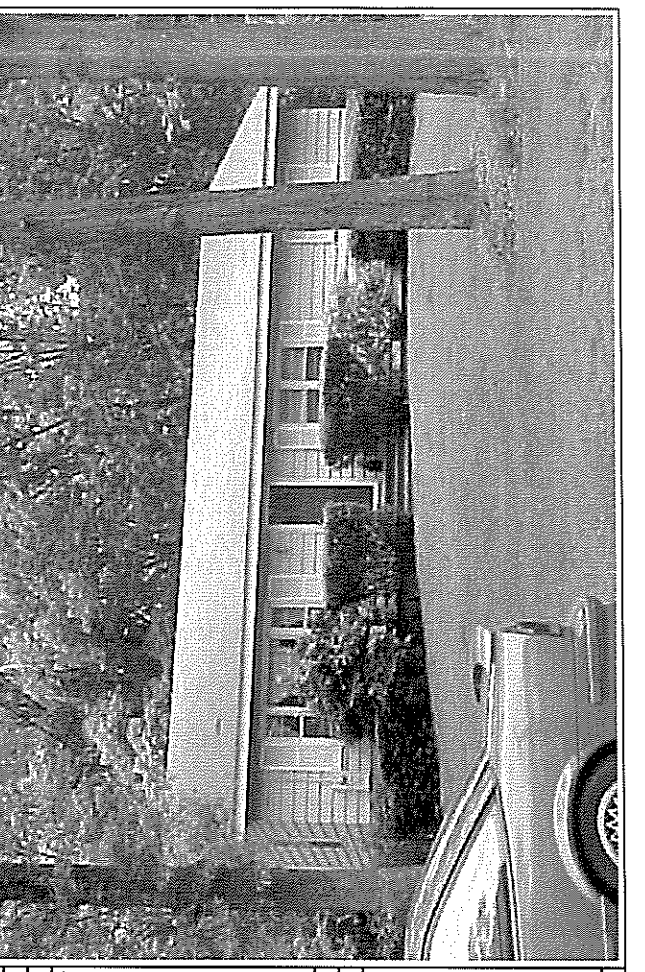
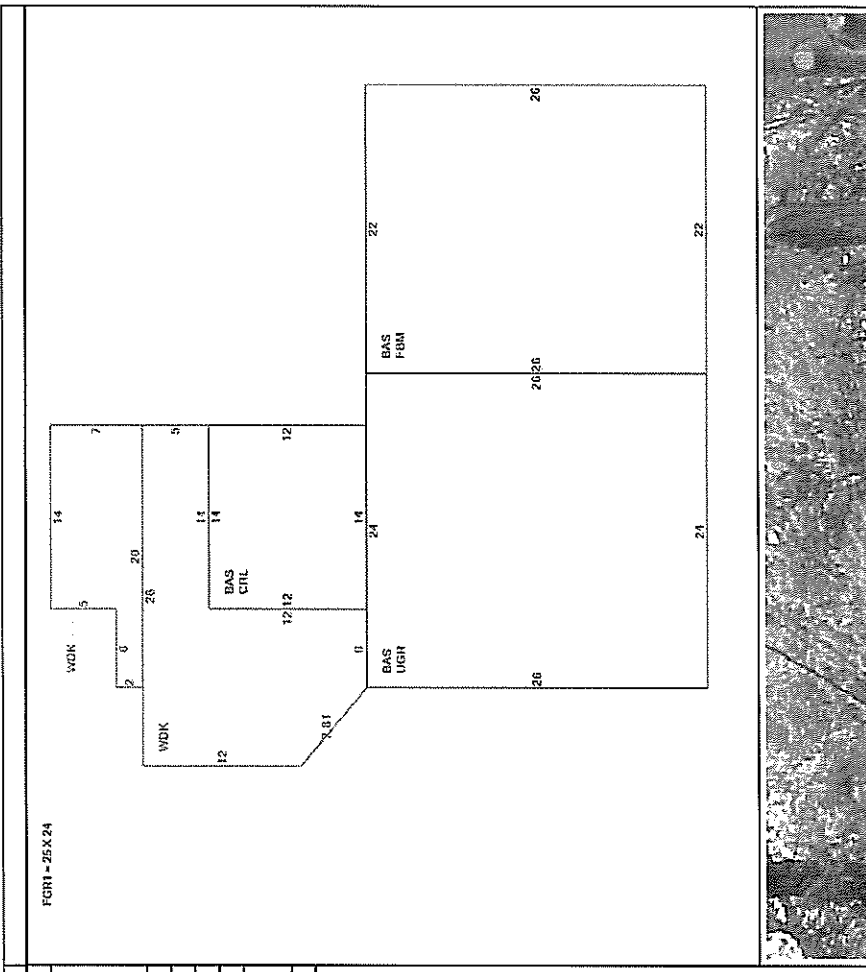
The fees are \$250.00 for the Town, \$60.00 for the State and \$150.00 for the 3 legal notices in the Turnpike Buyer. The total is \$460.00. There are also costs for notifying abutters and putting up a sign.

If the applicant refuses to apply for a variance, I will have no choice but to issue a citation. The citation will be for \$150.00 per day x 7 days = \$1,050.00. The variance request is the less expensive option.

I cannot guarantee how the ZBA will vote.

Margaret Washburn
ZEO/WEO/Blight Enforcement Officer
69 South Main Street, Suite 23
Brooklyn, CT 06234
(860) 779-3411 ext. 31
Mon. – Thurs. 8:00 am – 3:30 pm
m.washburn@brooklynct.org

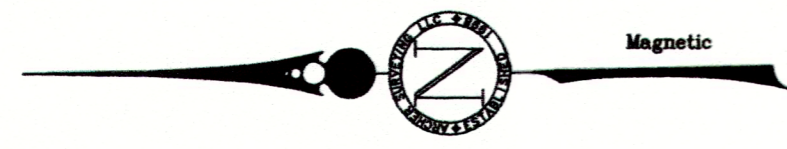
From: PAUL ARCHER <paul@archersurveying.com>
Sent: Thursday, March 24, 2022 9:44 AM
To: Margaret Washburn <M.Washburn@Brooklynct.org>; Stephanie Hynes <sgrocki@hotmail.com>
Subject: Hynes, 20 Franklin Drive



CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Element	Description	Element	Description
01	Ranch		
01	Residential		
03	C		
1	Wood Shingle		
14			
03	Gable/Hip		
03	Asph/F Glis/Cmp		
05	Drywall/Sheet		
12	Hardwood		
14	Carpet		
02	Oil		
05	Hot Water		
01	None		
03	3 Bedrooms		
2	Total Bedrooms		
0	Total Bthrms:		
1	Total Half Baths		
6	Total Xtra Fixtrs		
02	Total Rooms:		
02	Bath Style:		
	Kitchen Style:		

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)									
Code	Description	L/B	Units	Unit Price	Yr Bilt	Cond. Cd	% Gd	Grade	Appr. Value
FGR1	GARAGE-AVE	L	600	26.00	1998		30	0.00	4,700
WDS	WOODSTOVE	B	1	0.00			65	0.00	0
Cost to Cure Ovr Comment									
Building Value New									
Year Built									
Effective Year Built									
Depreciation Code									
Remodel Rating									
Year Remodeled									
Depreciation %									
Functional Obsol									
External Obsol									
Trend Factor									
Condition									
Condition %									
Percent Good									
RCNLD									
Dep % Ovr									
Dep Ovr Comment									
Misc Imp Ovr									
Misc Imp Ovr Comment									
Cost to Cure Ovr									
Cost to Cure Ovr Comment									

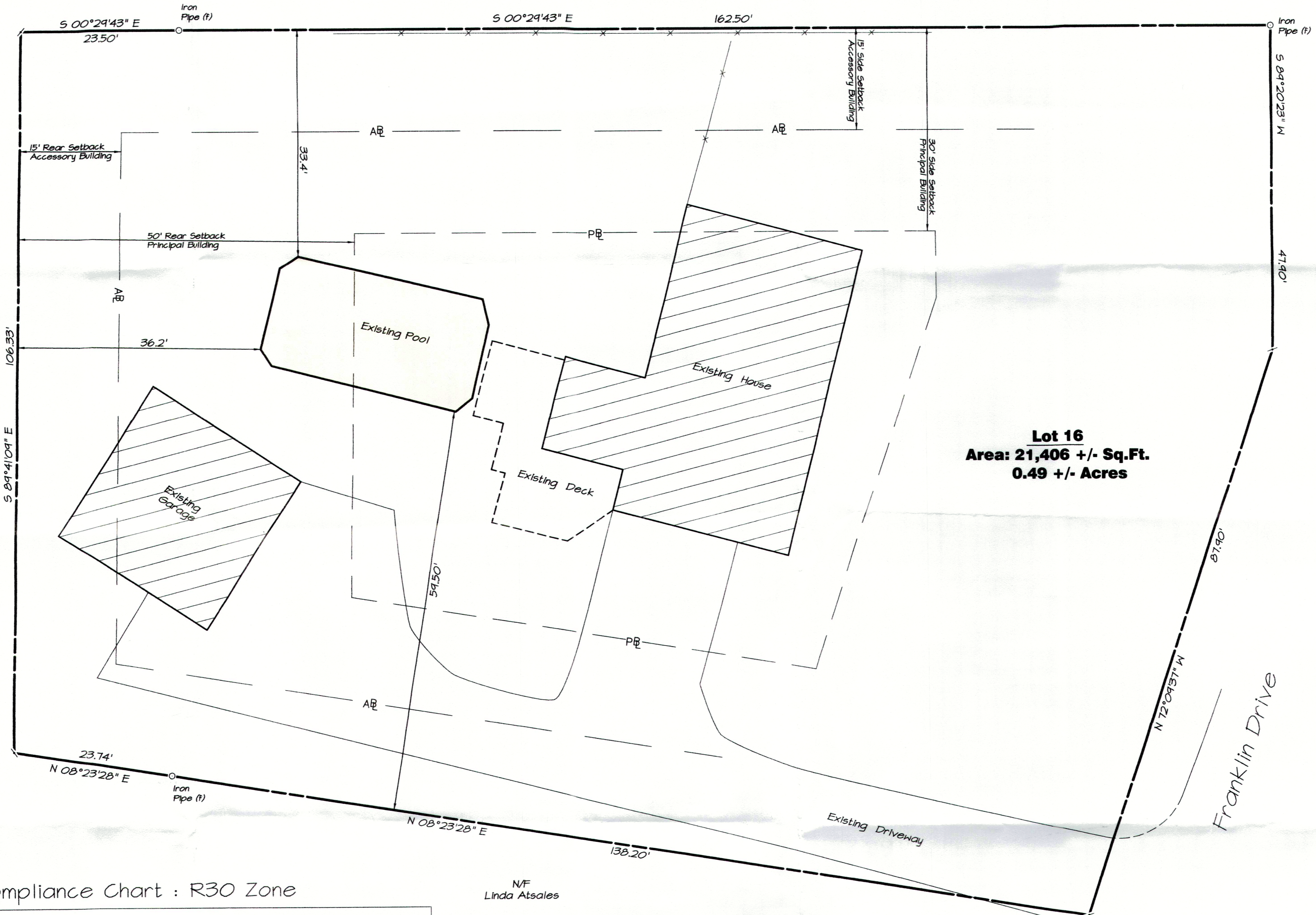
BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	1,364	1,364	1,364	115.67	157,770
CRL	Crawl Space	0	168	0	0.00	0
FBM	Basement, Finished	0	572	229	46.31	26,488
UGR	Garage, Under	0	624	187	34.66	21,630
WDK	Deck, Wood	0	369	37	11.60	4,280
Ttl Gross Liv / Lease Area		1,364	3,097	1,817		210,168



N/F
Richard Bein

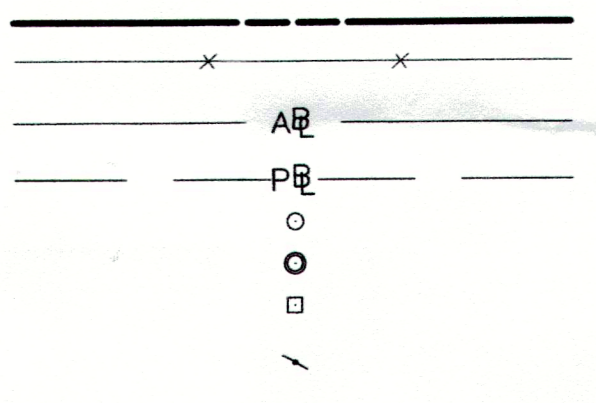
N/F
Shane Pollock

N/F
Linda Absales



Lot 16
Area: 21,406 +/- Sq.Ft.
0.49 +/- Acres

LEGEND



NOTES:

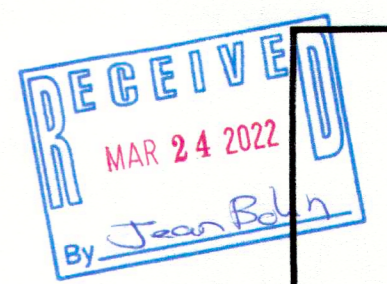
- This survey has been prepared in accordance with the standards of the Connecticut State Agencies and the Standards for Surveying as adopted by the Commission on September 26, 1996.
- This survey conforms to the requirements of the applicable zoning ordinance.
- Survey Type: Zoning Law
- Boundary Determination: As Shown
- Boundary Determination: As Shown
- Zone = R30
- Owner of record: Stephen Pollock, 20 Franklin Drive, Westport, CT 06880
- Parcel shown is Lot #16 of the subdivision.

Zoning Compliance Chart : R30 Zone

	Required	New Pool
Parcel Area:	30,00 SqFt	21,406 SqFt.
Front Setback	50'	112.1'
Side Setback	*30' Principal 15' Accessory	East West 33.4' 59.5'
Rear Setback	*50' Principal 15' Accessory	36.2'

* Accessory Building: Half the height of the accessory building or 15', whichever is greater

** Section: 8.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.



To My Knowledge and Belief this Map is substantially Correct as noted hereon.

Paul M. Archer
Paul M. Archer LLS #10013
3-24-22
Date

KWP associates
SURVEYING ~ ENGINEERING ~ SITE PLANNING
18 Providence Road
Brooklyn, CT 06234

REVISIONS	
DATE	DESCRIPTION
3/23/22	ZEO Comment

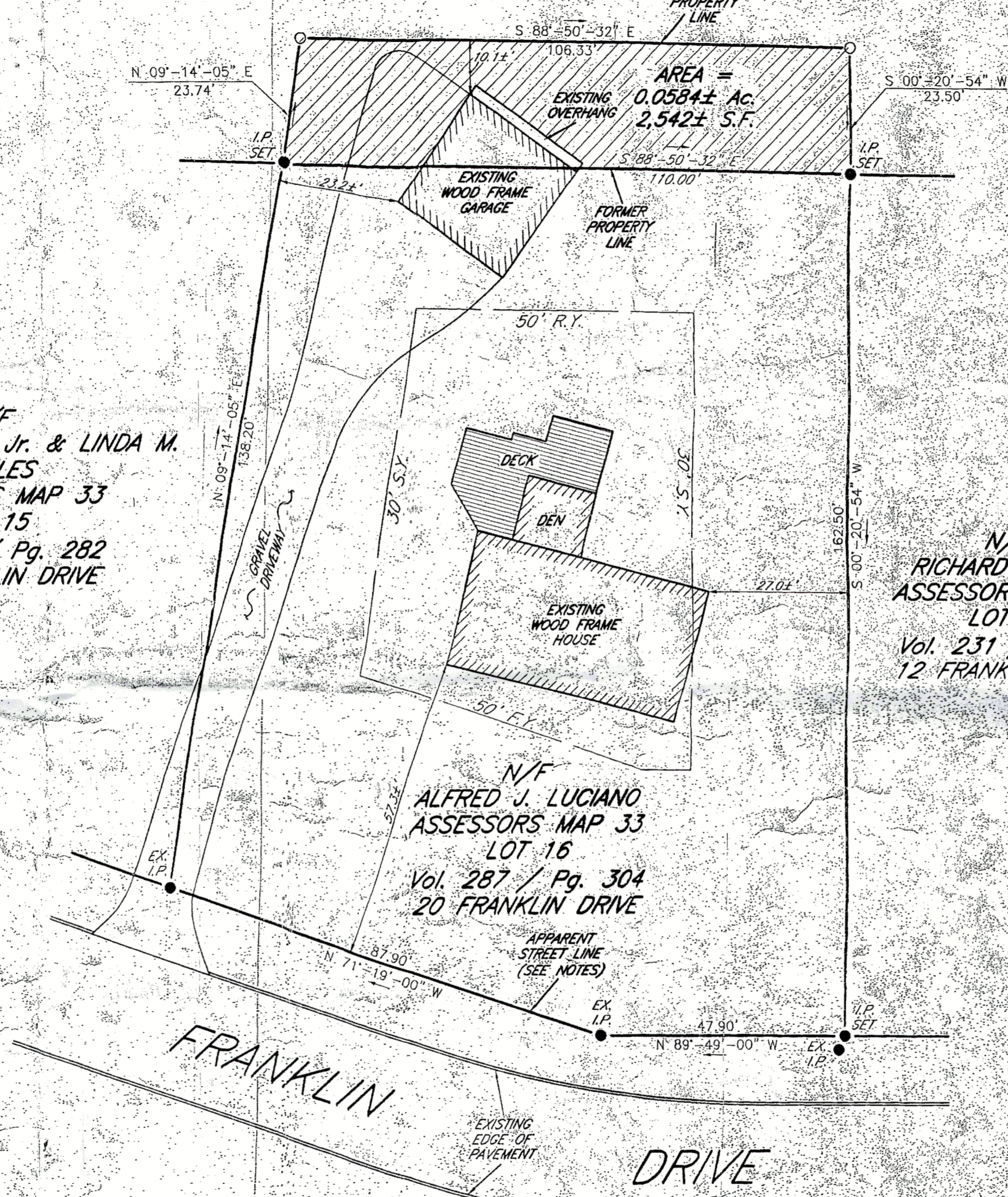
SEE NOTES

N/F
CHRISTOPHER G. Jr. & LINDA M.
ATSALES
ASSESSORS MAP 33
LOT 15
Vol. 117 / Pg. 282
24 FRANKLIN DRIVE

N/F
EGGS INC
ASSESSORS MAP 33
LOT 19
Vol. 49 / Pg. 646

N/F
RICHARD E. BEIN
ASSESSORS MAP 33
LOT 17
Vol. 231 / Pg. 98
12 FRANKLIN DRIVE

N/F
ALFRED J. LUCIANO
ASSESSORS MAP 33
LOT 16
Vol. 287 / Pg. 304
20 FRANKLIN DRIVE



GENERAL NOTES

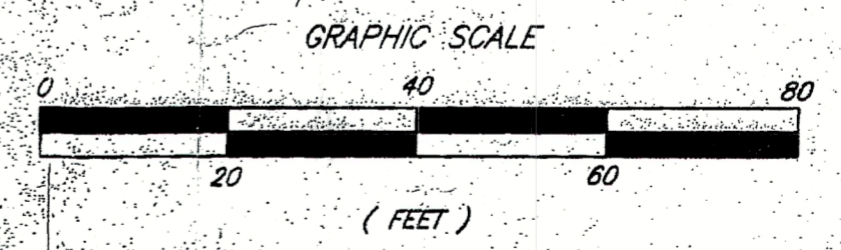
THIS MAP/PLAN HAS BEEN PREPARED FOR THE EXPRESS PURPOSE OF DEPICTING AN ADJUSTMENT OF THE NORTHERLY BOUNDARY LINE FOR THE SUBJECT PREMISES. IT IS BASED ON LIMITED RECORD RESEARCH, DEEDS, MAPS, LIMITED FIELD INVESTIGATION AND OTHER SOURCES.

REFERENCE IS MADE TO MAP ENTITLED:
 "LAYOUT OF FRANKLIN DRIVE IN THE TOWN OF BROOKLYN, CONN., SCALE: 1"=100'; OCT. 15, 1959, WILLIAM W. PIKE, SURVEYOR."

THE STREET LINE AS DEPICTED HEREON IS BASED ON THE ABOVE REFERENCED MAP.

BEARINGS AS DEPICTED HEREON ARE BASED ON A MAGNETIC READING ON 11/03.

PROPERTY IS SUBJECT TO BUILDING AND USE RESTRICTION AS OF RECORD THEY APPEAR AND TO EASEMENTS AND RIGHTS AS OF RECORD THEY MAY APPEAR.



BROOKLYN LAND RECORDS

RECEIVED FOR RECORDING:

TOWN CLERK	DATE	TIME	MAP No.
------------	------	------	---------

TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON AND THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-3009-1 THRU 20-3009-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT AS ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. IT IS A BOUNDARY LINE ADJUSTMENT SURVEY BASED ON A DEPENDENT RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS (SEE NOTES HEREON)

[Signature]
 SURVEYORS SIGNATURE

11/03
 DATE

12056
 LICENSE NUMBER

- LEGEND**
- EXISTING IRON PIN
 - PROPERTY CORNER
 - EXISTING MONUMENT
 - ✱ PROPERTY BOUNDARY ANGLE POINT
 - ⊗ UTILITY POLE

ZONE R-30

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 MESSIER & ASSOCIATES, INC.
 SURVEYORS - ENGINEERS

THESE DRAWINGS ARE THE PROPERTY OF THE ENGINEER/SURVEYOR AND HAVE BEEN PREPARED SPECIFICALLY FOR THE OWNER FOR THIS PROJECT AT THIS SITE AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE, LOCATION OR OWNER WITHOUT WRITTEN CONSENT OF THE ENGINEER/SURVEYOR.

NO DECLARATION IS EXPRESSED OR IMPLIED UNLESS THIS PLAN BEARS THE EMPRESSED SEAL OF THE LAND SURVEYOR AND/OR PROFESSIONAL ENGINEER WHOSE SIGNATURE APPEARS HEREON.

MESSIER & ASSOCIATES, Inc.
 SURVEYORS - ENGINEERS
 PUTNAM, CT. (860) 928-1171
 MANCHESTER, CT. (860) 648-6013

PLANNING - SURVEY - DESIGN - CONSTRUCTION

BOUNDARY LINE ADJUSTMENT PLAN

PREPARED FOR:
ALFRED J. LUCIANO
 20 FRANKLIN DRIVE
 BROOKLYN, CONNECTICUT

REV.	DATE	DESCRIPTION

PROJECT No. 03-090
 PLAN No. 03-089