

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
Regular Meeting  
Wednesday, October 5, 2022 6:30 p.m.**

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

<b>Clifford B. Green Community Center, 69 South Main Street, Brooklyn, CT</b>	
<b>Click link below:</b> <a href="https://us06web.zoom.us/j/87925438541">https://us06web.zoom.us/j/87925438541</a>	<b>or</b> <b>Go to</b> <a href="https://www.zoom.us/join">https://www.zoom.us/join</a> <b>Enter meeting ID: 879 2543 8541</b>
<b>Dial: 1-646-558-8656</b>	
<b>Enter meeting number: 879 2543 8541, then press #, Press # again to enter meeting</b>	

**MINUTES**

- I. Call to Order** – Carlene Kelleher, Vice Chair, called the meeting to order at 6:32 p.m.
- II. Roll Call** – Carleen Kelleher, Allen Fitzgerald, Gill Maiato, and Brian Simmons (all were present in person). Sara Deshaies was present via Zoom.  
John Haeefe, Lisa Herring, Seth Pember and M. Sigfridson were absent with notice.  
J.R. Thayer were absent.

**Staff Present:** Jana Roberson, Director of Community Development/Town Planner; Austin Tanner, First Selectman (present in person). Margaret Washburn, Zoning & Wetlands Enforcement Officer (present via Zoom).

**Also Present in Person:** Craig Dunlop; Janet Bouthillier; Peter Thurlow, Hilltop Contractors; J.S. Perreault, Recording Secretary.  
There was 1 additional person in the audience.

**Present via Zoom:** Laura Hennick.

**III. Seating of Alternates & Removal of Non-attending Members**

Motion was made by A. Fitzgerald to seat Gil Maiato and Brian Simmons as Regular Members for this meeting (October 5, 2022).

Second by C. Kelleher No discussion.

Motion carried unanimously by voice vote (3-0-0).

J. Roberson explained that M. Sigfridson had spoken to J. R. Thayer and he had indicated to her that he was unable to continue. Ms. Roberson explained the protocol which is that a letter of resignation be sent to the Town Clerk, but no letter has been received. She further explained that, in accordance with the By-Laws, when a member is not in attendance, without excuse, for three or more consecutive meetings, they can be expelled (Ordinance language). Mr. Thayer has missed more than three consecutive meetings.

Motion was made by A. Fitzgerald to remove alternate Jimmy Thayer for absence without excuse for more than three consecutive meetings in accordance with Article IV, Section 7 of the Bylaws of the Planning and Zoning Commission.

Second by B. Simmons. No discussion.

Motion carried unanimously by voice vote (5-0-0).

**IV. Adoption of Minutes:** Meeting September 20, 2022

Motion was made by A. Fitzgerald to accept the Minutes of the Regular Meeting of September 20, 2022, as presented.

Second by B. Simmons.

Discussion:

- A. Tanner stated that Paul Manocchio had asked that the following correction be made to page 4, fifth bullet point, second sentence: Replace “owns” with “represents.”

Motion, with the noted correction, carried unanimously by voice vote (5-0-0).

**V. Public Commentary – None.**

**VI. Unfinished Business:**

a. **Reading of Legal Notices:** A. Fitzgerald read aloud the Legal Notice for **SP 22-003** (published September 21, 2022 and September 28, 2022).

b. **Continued Public Hearings – None.**

c. **New Public Hearings:**

1. **SP 22-003:** Special Permit for Accessory Apartment at 57 LaSalette Drive, Applicant: Craig and Sandra Dunlop.

C. Kelleher opened the public hearing.

Craig Dunlop represented himself and gave an overview (plan was displayed):

- Proposing a one-bedroom, accessory apartment near the existing house.
- They have NDDH approval to tie-in to the existing septic system which was designed to be extra large.

**COMMENTS/QUESTIONS FROM THE PUBLIC:**

**Janet Bouthillier**, 30 LaSalette Drive, asked if the 1,500 gallon septic tank would be sufficient for, potentially, 10 people (4-bedroom house and 1-bedroom house); if they would be tapping into the existing well; she referred to a diagram and asked about the space between the house and accessory apartment; about the square footage of the accessory apartment as she feels it should be considered to be a house; if the garage is detached.

Mr. Dunlop explained that it is and that the Board of Health and the State have approved it.

Mr. Dunlop stated that they expect to tap into the existing well.

Mr. Dunlop explained that there is a pipe and underground electric would be in that space.

Mr. Dunlop explained about the layout of the rooms.

J. Roberson explained about the requirements of the Regulations and she agreed that apartment doesn't seem like the right word. It should be thought of as an accessory dwelling unit. She confirmed that the accessory unit is smaller than the primary unit.

Mr. Dunlop confirmed that the garage is detached.

**Ms. Bouthillier** asked the Commission if anyone can buy 10 acres of land in the Town of Brooklyn, have a big enough septic system and sufficient well and build two houses.

Ms. Roberson explained by answering “no,” but what you can have is a duplex. She further explained that some people put the accessory dwelling unit in a detached garage, barn or carriage house. She said that you cannot have two single-family dwellings, at least not that meet those criteria, but you can have two dwelling units on a single parcel in the entire RA Zone.

Ms. Kelleher added that it is not only in Brooklyn, but the State has recently provided that accessory apartments may be built.

**Ms. Bouthillier** commented that the State should come up with a new name for it.

Ms. Roberson stated agreement that the name seems inappropriate in this case.

**COMMENTS/QUESTIONS FROM THE COMMISSION:**

- **A. Fitzgerald** asked about pictures of what the façade will look like and if plans will be submitted.  
Mr. Dunlop stated that it would be similar to the existing house (same color, same vinyl).  
Mr. Dunlop stated that he would submit plans for the next step.  
Mr. Fitzgerald commented that the Commission is supposed to see them per the Regulations.  
Ms. Roberson stated that she has a picture of the house (Assessor’s Field Card) and asked Mr. Dunlop if it was going to mimic it.  
Mr. Dunlop stated, “yes.”  
Ms. Roberson showed the Assessor’s Field Card to Mr. Fitzgerald and said that she could get it in color.  
Mr. Fitzgerald stated that he doesn’t have a problem with it.  
Mr. Dunlop explained that the intent is to have it basically the same (slope, everything), so it looks like it’s part of it.
- **G. Maiato** asked how many bedrooms the septic system is for.  
Mr. Dunlop explained that it is for five.  
There was discussion regarding whether the 8’ x 11’ room could be turned into a bedroom when the property is sold. Approval would be needed and the septic may need to be changed. Ms. Roberson referenced the NDDH letter (dated August 25, 2022) in which reference is made to a 5-bedroom home. She explained that when they review plans, they don’t go by how something is labeled on the plan. If they want to call it a bedroom, they will call it a bedroom. That is how they enforce their code. Ms. Roberson explained that they probably called the room labeled as “office,” a bedroom, and based the calculation on that. Mr. Dunlop explained that they had told him that because it comes off the other bedroom, it would be considered an office, not a bedroom (there are no closets in it).

Motion was made by A. Fitzgerald to close the public hearing for **SP 22-003: Special Permit for Accessory Apartment at 57 LaSalette Drive, Applicant: Craig and Sandra Dunlop.**  
Second by B. Simmons. No discussion.  
Motion carried unanimously by voice vote (5-0-0).

**d. Other Unfinished Business:**

1. **SP 22-003: Special Permit for Accessory Apartment at 57 LaSalette Drive, Applicant: Craig and Sandra Dunlop.**

Motion was made by A. Fitzgerald to approve the Special Permit application of Craig and Sandra Dunlop for an accessory apartment in a 1,300 s.f., single-story, detached structure, identified in the files of the Brooklyn Land Use Office as SP 22-003, in accordance with all final documents and testimony submitted with the application with the finding that the proposal is consistent with Sec. 6.C.2. of the Zoning Regulations and is consistent with the Special Permit criteria outlined in Sec. 9.D.5 of the Zoning Regulations. Such approval includes the following conditions:

1. The Planning and Zoning Commission approval with conditions must be included on the final recorded special permit plans. Draft final approved plans shall be submitted to town staff for checking prior to printing on archival material. The final approved plans bearing the seal and signature of the appropriate professionals shall be printed on archival material, signed by Commission Chairs, and recorded along with the Record of Special Permit in the office of the Town Clerk.
2. Prior to the issuance of the Zoning Permit, the Record of Special Permit shall be recorded on the Brooklyn Land Records.
3. Prior to the commencement of a residential use, the owner shall apply for a Zoning Permit from the Zoning Enforcement Officer for the Accessory Apartment. Other applicable permits may be required.

Second by B. Simmons. No discussion.  
Motion carried unanimously by voice vote (5-0-0).

Ms. Roberson explained to Mr. Dunlop that she will follow-up with him regarding the mylars.

2. Plan of Conservation and Development Update – Housing Chapter. **\*Public hearing October 18, 2022\***
3. **ZRC 22-007:** Revisions to the Residential-Agricultural Zone to allow Glamping as a Special Permit Use with specific standards, including Section 2.B Definitions, Section 3.C.2.4. Permitted Uses in the RA Zone, and Section 6.T Standards for Glamping. **\*Public hearing November 2, 2022\***

**VII. New Business:**

**a. Applications:**

1. **SP 22-005:** Special Permit for Adaptive Reuse of an Agricultural Building (modification of SP 15-002) at 313 Allen Hill Road to replace a 25' x 40' storage building. Applicant: Brooklyn Self Storage.

**Peter Thurlow**, Hilltop Contractors, represented the Applicant and gave an overview:

- Proposing to tear down an existing, open carriage shed and replace it with a four-bay, metal building (same footprint - 25' x 40') for the sole purpose of storage.
- Four Criteria: 1) same or smaller footprint; 2) same or smaller mass; 3) same number of stories; 4) Regarding architectural style, it won't be a carriage shed, it will be a red and white, steel garage to match existing colors on the property. Because the steel manufacturer does not offer red siding, it will be white siding with red accents and doors.

Ms. Roberson commented that the rear of the actual building is white, as well as the backs of the buildings to either side. She explained that, due to the location on the property what the neighbors can see is the backside. Mr. Thurlow explained that the Applicant also owns the field behind, so he is not sure if any neighbor would be able to see it.

- The only door is in the front.

Mr. Fitzgerald commented that because of the size, he thought there would be doors in the back to utilize the space. He said that they must be good sized units. Mr. Thurlow explained that you can only access it from the front. There is no road.

There was discussion regarding what would be visible.

Mr. Thurlow stated that photos had been submitted showing the dilapidated state of the existing structure (included in packets to Commission Members) and that the proposal will improve the property and the view from the street.

Ms. Roberson displayed the site plan and explained that it is a different kind of construction, but it does meet the criteria of the Regulations. She explained that even though it is a special permit, if the Commission finds that it is minor, the Regulations say that the PZC can approve the special permit without a public hearing.

Ms. Kelleher commented that the Commission would need to determine whether to consider it a site plan application, not requiring a public hearing.

Ms. Roberson explained that Mr. Sullivan had recently come before the PZC for a zone change and that she had reviewed all of the criteria. Mr. Fitzgerald stated, "as long as everything matches."

There was discussion regarding the original approval which, Ms. Roberson explained, is the site plan that is on file (reference made in the 10/5/2022 Staff Guidance sample motion) and that it would be redundant to file the same thing again. Discussion continued regarding the Agricultural Re-Use Regulations.

There were no further questions or comments.

Motion was made by A. Fitzgerald to approve the Special Permit application of Brooklyn Self Storage to replace a 25' x 40', single story storage building, identified in the files of the Brooklyn Land Use Office as SP 22-005 (a modification of SP 15-002), in accordance with all final documents and testimony submitted with the application with the finding that the proposal is consistent with Sec. 6.B.3.4.2. of the Zoning Regulations. Such approval includes the following conditions:

1. Prior to the issuance of the Zoning Permit, the Record of Special Permit shall be recorded on the Brooklyn Land Records. A mylar site plan is already recorded as Map Book 21, Pages 147-148.
2. Prior to the commencement of construction, the owner shall apply for a Zoning Permit from the Zoning Enforcement Officer for the storage building. Other applicable permits may be required.

Second by G. Maiato. No discussion.

Motion carried unanimously by voice vote (5-0-0).

J. Roberson stated that she would follow-up with Mr. Thurlow tomorrow regarding what needs to be recorded on the land records.

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

#### **VIII. Reports of Officers and Committees:**

- a. Staff Reports with Margaret Washburn, ZEO  
Ms. Washburn stated that she had submitted her Report (dated September 29, 2022 and included in packets to Commission Members). She offered to answer questions from the Commission.

There was discussion regarding the Olivo property on Route 169. Ms. Roberson explained that they are living in the accessory unit (which has a Certificate of Occupancy) while the main house is being finished.

Ms. Washburn explained that she tries not to discuss ongoing enforcement cases, but she offered that she could talk at the office if there are concerns or questions. She said that most people want to get back into compliance when there is a problem. She explained that Mr. Tanner has been helpful.

- b. Budget Update (included in packets to Commission Members).  
Ms. Roberson reported that there is 76 percent of the budget remaining.
- c. Correspondence  
Ms. Roberson explained that the correspondence included in the packet was actually for an upcoming matter and will be included in the packet at the appropriate time.
- d. Chairman's Report – None.

#### **IX. Public Commentary – None.**

#### **X. Adjourn**

#### **C. Kelleher adjourned the meeting at 7:10 p.m.**

Respectfully submitted,

J.S. Perreault  
Recording Secretary

## **Margaret's Report 9/29/2022**

### **Zoning Permits issued:**

**21 Dawn Drive – Peter Czmyr.** Replace 8' x 20' front porch and the roof over it.

**179 Gorman Road – Bill Purcell.** Increase size of previously permitted shed from 10' x 10' to 12' x 14'.

**13 Canterbury Road – Bank Hometown.** Approved as a minor modification in the VC Zone as per Section 4.A.6.2.2: Renovation/repair of walkway and handicapped ramp, removal and replacement of hand railings and drain, installation of ADA tile.

**14 Mason Hill Road – David and Norma Wickiser.** Addition to enlarge a bedroom and add a bathroom on the rear of the house.

**150 Hartford Road – Geoffrey Westfall.** New 28' x 24' addition to west side of existing building, adding 5 examination rooms and a waiting room.

**61 Lockwood Street Extension – Tyler Benkowski.** New 30' x 30' garage.

**34 Canterbury Road – Sarah Downing.** Demolish an old 15' x 30' carriage shed and construct a new 34' x 36' pole barn. None of this work in the VC zone will be visible from the road.

### **Final Certificates of Zoning Compliance issued:**

**151 Wauregan Road – Heather R. Sica-Leonard.** New 40' x 60' steel out building.

**339 Day Street – Jeffrey Weaver.** New single-family dwelling with attached garage, deck and retaining wall.

**Home Office Permits Issued:** None.

**Sign Permits issued:** None.

### **ZBA Variances Granted:**

**ZBA 22-003 Stephanie Hynes, 20 Franklin Drive, Map 33, Lot 16, 0.49 Acres, R-30 Zone, for a variance of the Zoning Regulations, Section 3.B.5.2.3 to reduce the minimum rear yard setback from 50 ft to 36.2 ft to construct a pool/deck combination. APPROVED.**

**ZBA 22-004 Loni Decelles, 143 South Street, Map 40, Lot 88-11, 3.22 Acres, RA Zone, for variances of the Zoning Regulations, Sections 3.C.5.2.1 and 8.A.4.5, to reduce the minimum front yard setback from 50 ft to 12 ft to construct an accessory structure. APPROVED.**