

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
Special Meeting  
Tuesday, April 25, 2023 6:30 p.m.**

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

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

**MINUTES**

- I. Call to Order** – Michelle Sigfridson, Chair, called the meeting to order at 6:31 p.m.
- II. Roll Call** – Michelle Sigfridson, Carlene Kelleher, Lisa Herring, John Haefele, Gil Maiato; Brian Simmons (all were present in person). Sara Deshaies (present via Zoom). Seth Pember and Karl Avanecean were absent with notice. Allen Fitzgerald was absent.

**Staff Present (in person):** Jana Roberson, Town Planner and Director of Community Development; Austin Tanner, First Selectman.

**Also Present in Person:** Kelsey Hare; Mindy Delp; Jonathan Lisee.  
There were two additional people present in the audience.

**Present via Zoom online:** Attorney Madilyn Smith; J.S. Perreault, Recording Secretary (via telephone).

**III. Seating of Alternates**

Motion was made by G. Maiato to seat Brian Simmons as a Voting Member for this meeting in the absence of Seth Pember.

Second by C. Kelleher. No discussion.

Motion carried unanimously by voice vote (6-0-0).

**IV. Adoption of Minutes:** Meeting March 21, 2023

Motion was made by G. Maiato to accept the Minutes of the Regular Meeting of March 32, 2023, as presented.

Second by J. Haefele. No discussion.

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

**V. Public Commentary** – None.

**VI. Unfinished Business:**

**a. Reading of Legal Notices:**

Ms. Roberson read aloud the Legal Notice for **ZRC 23-002, SP 23-001, ZRC 23-003 and ZC 23-001.**

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

c. **New Public Hearings:**

1. **ZRC 23-002:** Addition to the Zoning Regulations re: Site Plan application submission requirements, Sec. 9.C.3.6.

Ms. Roberson summarized that the this would allow for relief from any submission requirement when the PZC finds it to be unnecessary/inappropriate, by  $\frac{3}{4}$  vote of the Commission.

There were no comments from the public.

Motion was made by C. Kelleher to close the public hearing for **ZRC 23-002:** Addition to the Zoning Regulations re: Site Plan application submission requirements, Sec. 9.C.3.6.

Second by J. Haefele. No discussion.

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

2. **SP 23-001:** Special Permit Application for the Adaptive Reuse of an Agricultural Building, 59 North Society Road, Applicant: Kelsey Hare.

Kelsey Hare represented herself, provided packets of information to Commission Members and gave an overview:

- She will only have one or two dogs at a time for grooming only.
- Not a lot of traffic.
- No daycare.
- Not a lot of noise.
- To use environmentally friendly, non-toxic, organic products.
- To compost the dog fur and use in in the landscaping.
- Signage information was included in the information she provided.

Ms. Hare answered questions, regarding the building, from the Commission:

- No structural changes to the building which was originally a chicken coop. She will be utilizing 10' x 12' of the building.
- Her mother-in-law had used the building for business before.

There were no comments from the public.

Motion was made by C. Kelleher to close the public hearing for **SP 23-001:** Special Permit Application for the Adaptive Reuse of an Agricultural Building, 59 North Society Road, Applicant: Kelsey Hare.

Second by B. Simmons. No discussion.

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

3. **ZRC 23-003:** Multiple revisions concerning State Route Business Enterprises and wall signage for businesses in the RA Zone, Secs. 6.B.2.1.2.d., 6.B.2.3.3., and 7.A.3.1.1.

Ms. Roberson explained that this proposal was in response to a particular proposal (Mindy Delpo was seated in the audience). Currently, the Regulations require that sales of craft items be created by the craftsperson and that this proposal would change “the” to “a” so that any craftsperson’s products could be sold at a craftsperson permitted State Route Business Enterprise. She explained that the rest of the changes relate to signage permitted for particular types of businesses in residential zones as there was nothing included for State Route Business Enterprise.

It uses the same criteria used for other zones. She noted that it has a maximum of 25 square feet.

**QUESTIONS/COMMENTS FROM THE COMMISSION:**

- **B. Simmons** asked about the definition of a wall.  
Ms. Roberson explained that it is the outside wall of the building, where the sign is, with the length of the façade measured from corner to corner.
- **C. Kelleher** asked that “a” craftsperson be changed to “any” craftsperson.  
Ms. Roberson stated that it can be changed. There was agreement expressed by Commission Members. Ms. Sigfridson explained that it would be accessory.
- Ms. Sigfridson asked if the proposed changes accomplish what they are supposed to accomplish.  
Ms. Delpé stated that they do and she explained that she wants to help other crafters in the area to have a venue.

There were no comments from the public.

Motion was made by C. Kelleher to close the public hearing for **ZRC 23-003**: Multiple revisions concerning State Route Business Enterprises and wall signage for businesses in the RA Zone, Secs. 6.B.2.1.2.d., 6.B.2.3.3., and 7.A.3.1.1.

Second by J. Haefele. No discussion.

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

4. **ZC 23-001**: Zone Boundary Change from R-10 and R-30 to MMUD for parcels identified as Assessor’s Map 46, Lots 26A and 81, Applicant: DMP Palmer Associates. **\*Request to reschedule public hearing\***

d. **Other Unfinished Business:**

1. **ZRC 23-002**: Addition to the Zoning Regulations re: Site Plan application submission requirements, Sec. 9.C.3.6.

Motion was made by L. Herring to approve the proposal to revise Section 9.C.3.6 of the Zoning Regulations concerning Site Plan application submission requirements as proposed with the finding that the changes will aid in the protection of public health, safety, welfare, and property values and are consistent with the Plan of Conservation and Development and the intent of the Zoning Regulations. The regulations shall become effective 15 days from the date of publication.

Second by G. Maiato. No discussion.

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

2. **SP 23-001**: Special Permit Application for the Adaptive Reuse of an Agricultural Building, 59 North Society Road, Applicant: Kelsey Hare.

Ms. Roberson explained that waiving the requirement of the submission of a site plan would require a  $\frac{3}{4}$  vote of the Commission. She stated that an aerial photo was included in the packets.

Motion was made by C. Kelleher to waive the submission of a site plan (**SP 23-001**) in accordance with Section 9.D.3.5 of the Zoning Regulations.

Second by L. Herring. No discussion.

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

Motion was made by J. Haefele to approve the Special Permit application of Kelsey Hare for the Adaptive Reuse of an Agricultural Building as a dog groomer (craftsperson) at 59 North Society Road, identified in the files of the Brooklyn Land Use Office as SP 23-001, 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 and Sec. 9.D.5 of the Zoning Regulations. Such approval includes the following conditions;

1. No site work is proposed.
2. Prior to the commencement of the use, the Applicant shall apply for a Zoning Permit from the Zoning Enforcement Officer and, if a sign is proposed, the Applicant shall also apply for a Sign Permit.

Second by L. Herring. No discussion.

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

3. **ZRC 23-003:** Multiple revisions concerning State Route Business Enterprises and wall signage for businesses in the RA Zone, Secs. 6.B.2.1.2.d., 6.B.2.3.3., and 7.A.3.1.1.

Motion was made by L. Herring to approve the proposal to revise Secs. 6.B.2.1.2.d., 6.B.2.3.3., and 7.A.3.1.1 of the Zoning Regulations concerning State Route Business Enterprises and wall signage for businesses in the RA Zone as proposed with the finding that the changes will aid in the protection of public health, safety, welfare, and property values and are consistent with the Plan of Conservation and Development and the intent of the Zoning Regulations. The regulations shall become effective 15 days from the date of publication.

Second by G. Maiato. No discussion.

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

4. **ZC 23-001:** Zone Boundary Change from R-10 and R-30 to MMUD for parcels identified as Assessor's Map 46, Lots 26A and 81, Applicant: DMP Palmer Associates. **\*Request to reschedule public hearing\***

Motion was made by J. Haefele to reschedule the public hearing for **ZC 23-001:** Zone Boundary Change from R-10 and R-30 to MMUD for parcels identified as Assessor's Map 46, Lots 26A and 81, Applicant: DMP Palmer Associates, for the regular meeting of the Planning and Zoning Commission to be held on May 16, 2023, at 6:30 p.m., at the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by C. Kelleher. No discussion.

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

5. **ZRC 23-004:** Zoning Regulation Change to define breweries and to allow breweries in the RB Zone, Applicant: Shelley Boisvert. **\*Withdrawn\***

## **VII. New Business:**

### **a. Applications:**

1. **SPR 23-002:** Site Plan Review for exterior rehabilitation at 5 Tatnic Road, Village Center Zone, Applicant: Ivo Jorge.

Ms. Roberson suggested postponing this item until later in the meeting as Mr. Jorge may be running late.

The Commission revisited this item at approximately 7:35 p.m. There was still no word from Mr. Jorge.

This item was tabled to the next meeting.

2. **GBR 23-001:** Renewal of Gravel Special Permit SPG 19-004, 206 acres on south side of Rukstela Road (Assessor's Map 21, Lot 7; Map 30, Lot 16), removal of 1,945,000 cubic yards of material, Applicant: Strategic Commercial Realty d/b/a Rawson Materials.

Ms. Roberson explained that this is a simple renewal as it has been documented that no work has been done to date. She referred to a letter (dated April 6, 2023) from David Held, Engineer with Provost & Rovero, and aerial photo which were included in packets. She explained that the bond amount is on auto renew and that the old bond is not expired.

Motion was made by B. Simmons to renew for one year the existing Gravel Special Permit SPG 19-004 issued on June 3, 2020. The next permit renewal date is June 3, 2024. The renewal procedure shall be as specified in Section 6.O.7 of the Brooklyn Zoning Regulations.

Second by G. Maiato. No discussion.

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

3. **GBR 23-002:** Renewal of Gravel Special Permit SPG 19-003, 30 acres on south side of Maynard Road (Assessor's Map 29, Lot 5), removal of 1,200,000 cubic yards of material, Applicant: Strategic Commercial Realty d/b/a Rawson Materials.

Ms. Roberson explained that this Special Permit SPG 19-003 (originally for 1.05 million cubic yards of material) was the subject of a Court case and there was a Court Order to revise the Permit and increase the volume of material to 1.2 million cubic yards. She explained that the plans and the volume have changed and she suggested filing a new recorded Special Permit so that the documents on record in the Town Clerk's Office will reflect the new numbers. She said that the Applicant is amenable to this.

There was discussion regarding whether the bond covers the new numbers. Ms. Roberson stated that we do not have a new bond estimate.

Attorney Madilyn Smith (via Zoom) explained that there was not a stipulation, to revise the bond numbers, in the settlement agreement. The bond numbers are based on the amount of material. Ms. Roberson stated that the original bond was not based on volume, it was based on the impact area and the cost of restoring it. Attorney Smith stated that she feels that the bond is sufficient because it's not that much more area. The current bond amount is \$180,500. Discussion continued. Ms. Sigfridson suggested giving the Applicant the option of providing an updated bond estimate to include the additional 15 percent. Attorney Smith offered to have their Engineer update the bond estimate for the next meeting (before the Permit expires).

There were no further comments/concerns and this item was tabled to the next meeting of the PZC.

4. **SP 23-002:** Special Permit for Self-Storage Facility at 8 Wauregan Road, Village Center Zone, Applicant: A. Kausch & Sons, LLC.

Motion was made by J. Haefele to schedule the public hearing for **SP 23-002:** Special Permit for Self-Storage Facility at 8 Wauregan Road, Village Center Zone, Applicant: A. Kausch & Sons, LLC for the regular meeting of the Planning and Zoning Commission to be held on May 16, 2023, at 6:30 p.m., at the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by L. Herring. No discussion.

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

5. **SPR 23-003:** Site Plan Review for Small Solar Energy Systems at 70 Pomfret Road, Village Center Zone, Applicant: Trinity Solar, Owner: C. & A. Leveille.

Jonathan Lisee, Trinity Solar, represented the Owner and gave an overview.

- He explained that the original plan for panels on the back of the house would only provide approximately 53 percent of their usage. Therefore, per the Owner's request, Mr. Lisee submitted an application to install panels on the front and back of the house (would provide 99 percent of their usage) and would be visible to traffic on Route 169.
- To ensure as little visible conduit/equipment as possible, they use a low-profile, black-on-black panel and the conduit will be run through the attic to the side of the house closest to the Eversource meter.

Ms. Roberson stated that it is a non-contributing structure. There was discussion and Mr. Haefele was concerned that there may be a conflict of interest as his residence is across the street. It was determined that there was not a conflict of interest, so Mr. Haefele did not need to recuse himself.

**QUESTIONS/COMMENTS FROM THE COMMISSION:**

- C. Kelleher asked for photos of the panels.  
Mr. Lisee showed photos from his cell phone.  
Ms. Roberson referred to the layout plan which shows the panel arrangement. She explained that the panels would be visible on the side that faces Route 169.  
Regarding the utility panel, Mr. Lisee explained that there is national electric code that prevents the inverter and the meter from being too close to natural gas services and other things. He said that they will do their best to accommodate that. He said that they may put it on the backside of the house if there is a violation of electrical code. He explained that it should meet code as proposed.  
Ms. Roberson referred to the Village Center design standards for small solar energy systems and site plan objectives.  
Regarding fencing/shrubbery, Mr. Lisee explained that Eversource has a say in how the systems are installed. He said that if anything is within three feet of the meter, they will refuse to service that meter in the future. He said that after the system is energized with Eversource approvals, the homeowner could plant something or put something in the way, for visibility purposes. Or, he could request that the electrical team to install the meter on the backside of the house where it would be less visible.
- B. Simmons asked about shingles that may need to be replaced.  
Mr. Lisee explained that if shingles needed to be replaced, they would be, but the roof is approximately eight years old and has plenty of life left, so they should be able to install without any issues.
- G. Maiato commented that Eversource has strict safety guidelines.
- M. Sigfridson commented that the Commission could impose a condition regarding visibility from the road.

Motion was made by B. Simmons to approve the Site Plan Review Application **SPR 23-003** for Small Solar Energy Systems (roof-mount solar panels visible from the road) at 70 Pomfret Road, Village Center Zone, in accordance with all final documents and testimony submitted with the application with the finding that the proposal complies with Section 4.A.5 Village Center Design Standards, Section 6.N Small Solar Energy Systems, and Section 9.C Site Plan Objectives of the Brooklyn Zoning Regulations, with no other conditions.

Second by J. Haefele.

Discussion: M. Sigfridson stated, for the Record, that there are some structures in the District where we need to put a little more consideration into the aesthetics. But, with the circumstances of this particular property, she will vote in favor of the Application.  
Motion carried unanimously by voice vote (7-0-0).

6. **GBR 23-003:** Renewal of Gravel Special Permit SPG 19-001, 291 Canterbury Road, Road (Assessor's Map 23, Lot 1; Map 22, Lot 1-2; Map 22, Lot 1-4), 120 acres, Phased excavation of approximately 20,000 cubic yards of rock, Applicant: HM & E Co., LLC, Owner: E. Arters.

Ms. Roberson explained that she and Margaret Washburn had met with the Operator at the property and there were some small issues. She recommended that this item be tabled. The Applicant and the Engineer are both aware of what corrective measures need to be taken. She explained that there is a problem with erosion and sedimentation. She said that they are willing to make the changes.

This item was tabled to the next meeting.

b. **Other New Business:**

1. New FEMA Flood Zone Update.

Ms. Roberson explained that changes need to be made to the Town Flood Prevention Ordinance and the Zoning Map.

VIII. **Reports of Officers and Committees**

Margaret Washburn's ZEO Report dated April 3, 2023 (included in packets and attached to these minutes).

There was discussion regarding the next meeting and it was decided to cancel the regular meeting of May 3<sup>rd</sup>. The next meeting of the PZC will be the regular meeting of May 16<sup>th</sup>.

There was discussion regarding what could be done to try to keep meetings from going too long.

There was discussion regarding the shortage of members for the various Boards and Commissions and trying to recruit new members.

IX. **Public Commentary** – None.

X. **Adjourn**

**M. Sigfridson adjourned the meeting at 7:59 p.m.**

Respectfully submitted,

J.S. Perreault  
Recording Secretary

**Attachment:** Margaret Washburn's ZEO Report (dated 4/3/2023)