

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

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

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

MINUTES

- I. Call to Order** – Michelle Sigfridson, Chair, called the meeting to order at 6:33 p.m.
- II. Roll Call** – Michelle Sigfridson, Carlene Kelleher, Allen Fitzgerald, Seth Pember, Gil Maiato. (all present in person).
John Haefele (present via online, then arrived in person at 6:43 p.m.).
Lisa Herring (absent with notice).
Brian Simmons and Karl Avanecean were absent.
- Staff Present (in person):** Jana Roberson, Town Planner and Director of Community Development; Austin Tanner, First Selectman (arrived at 6:41 p.m.).
- Also Present in Person:** Julie MacCormack; Steven MacCormack; J.S. Perreault, Recording Secretary.
There were four additional people seated in the audience.
- III. Seating of Alternates** – None.
- IV. Adoption of Minutes:** Meeting September 19, 2023
- Motion was made by C. Kelleher to approve the Minutes of the Special Meeting of September 19, 2023, as presented.
Second by G. Maiato. No discussion.
Motion carried unanimously by voice vote (6-0-0).
- V. Public Commentary** – None.
- VI. Unfinished Business:**
- a. **Reading of Legal Notices:**
J. Roberson read aloud the Legal Notice for SP 23-005 which was published in the *Turnpike Buyer* on September 20 and 27, 2023.
 - b. **Continued Public Hearings: None.**
 - c. **New Public Hearings:**
 1. **SP 23-005:** Special Permit for sit-down café and restaurant (tea, beverages, ice cream, baked goods) and retail gift shop at 8 Wolf Den Road, Applicant: Creamery Tea House, Owner: Julie MacCormack.

Julie MacCormack represented herself and gave an overview:

- Eighteen Seats – Reservations Only.
- Three Café Seats – First-come, first-served.
- Elegant, relaxing, slow-paced atmosphere.
- Bakery items for sale.
- Soft music.

- Hours of Operation: Four days per week, beginning from about noon to about 8 p.m. 9 p.m.
 - No changes to the building.
 - She explained the history of uses in the building: nursing home; wine shop; cigar shop; antique shop; beauty salon. Now, she wants to do something with it to enhance the Town.
 - Parking is adequate for the amount of square footage: Retail – 219 s.f. (3 spaces required per 1,000 s.f.). Restaurant 18 seats – 681 s.f. (1 space required per 3 seats). Total parking spaces required is seven.
- Ms. Roberson explained that in 1997 a site plan (for the cigar shop) had been approved which showed a parking easement (recorded) and a shared parking agreement with the Town Hall property. The first seven spaces on the site plan are Ms. MacCormack’s proposed parking spaces which go onto the Town Hall property containing the easement. Ms. Roberson noted that the parking requirement is met completely on the western side of the building and that the site plan shows four additional spaces at the north western corner of the building (which she is not proposing to use). Ms. Roberson also noted that this brings the activity away from the residential neighbor on the other side.
- Ms. Roberson displayed Google street-view photos. Some of the parking spots have grown over and may need to be re-established/re-marked.
- Ms. MacCormack stated agreement.
- Ms. MacCormack explained that the Town Hall won’t be affected on Fridays, Saturdays and Sundays. The only day would be Thursdays. She said that there won’t be noise or traffic buildup.
- Public access is to be from the Town Hall side of the building.

COMMENTS FROM THE PUBLIC:

- **Charles E. Larkin**, 85 Costello Road, voiced concern regarding the following:
 - He found that there are two establishments in Texas of the same name. He asked if this proposed café is related to those businesses.
 - Signage.
 - Traffic patterns need to be seriously considered.
 - Parking overflow.
 - Further commercialization of the Town Center.
 - Is this property in the Historic District?
 - Are catered events to be people coming in or expanding to the business to bring food to off-site venues?
 - He does not feel that this is an appropriate commercial use in that particular location.

Ms. MacCormack explained her business is not related to the businesses in Texas with the same name and she explained that she is planning to change the name of her business, but she has not decided on a name as of this time. Ms. MacCormack explained that the traffic flow and parking were addressed and she explained that she has to follow the Regulations that are in place for the Village Center District. Ms. MacCormack noted that there were businesses in that location previously. She explained that she understands that she would need to come back before the PZC for approval should she want to expand her business at some point. Ms. MacCormack explained that there is signage to help with traffic flow. Regarding catering, she explained that she will have a limited amount of product.

COMMENTS FROM THE COMMISSION AND FROM STAFF:

- Mr. Fitzgerald suggested a sign leading out of the Town Hall parking lot, stating “Exit to Route 169 Only.” Ms. Roberson noted that, on the site plan, signage had been required at that time, but it may need to be refreshed.

- Ms. Roberson explained about the traffic circulation: Wolf Den Road is a one-way road, the entrance is off of Wolf Den Road, the exit is through the Town Hall parking lot and out to Route 169. The Town Hall parking lot is partly one-way. Customers to the tea house would need to enter from Route 6 onto Wolf Den Road, turn right into the entrance and park. When they are ready to leave, they would go through the Town Hall parking lot to Route 169. Ms. Roberson stated that the ingress/egress and parking easement has been in place since 1997. Ms. Roberson explained that we don't want people entering via the wrong way on Wolf Den Road and we don't want people exiting the wrong way on Wolf Den Road.
- Ms. Sigfridson explained that she is not too concerned about the traffic that this proposed use may add to that area. She feels that this will be a minimal additional impact on those roads in that area.
- Mr. Pember feels that the whole corner is a traffic disaster and he recommended a refresh of the signs on both sides of the driveway for the Town Hall, regardless of whether or not the café is approved. He asked that First Selectman, Austin Tanner take that into consideration.
- Ms. Roberson stated that this would be an improvement for clarity, so people will know where to go.
Discussion continued.
- Ms. Roberson commented that it is the Town Green and it is a National Register Historic District and, in our Zoning Regulations, it is also a Village Center District and we do encourage business uses in this location. She feels that the tea house is a wonderful use for our Town Green area. There was discussion regarding the history of the Town which Ms. MacCormack explained she would like to use to bring the Community together.
- Regarding the Historic District, Ms. Sigfridson stated that the house is a contributing structure. The addition dates back to 1950. There was discussion regarding the history.

ADDITIONAL COMMENTS FROM THE PUBLIC:

- **Charles E. Larkin** commented that Israel Putnam went to the tavern riding a horse, not the kinds of vehicles that now pass through that intersection. He stated that the Board seems to be inclined to alter traffic patterns in order to approve this request. He suggested that the PZC think about that quite seriously because that one-way street is already being ignored quite a bit, which he feels is dangerous.
Mr. Larkin said that once this starts, it's expansion and then, more expansion.
- **Steven MacCormack**, 8 Wolf Den Road, explained about the traffic pattern which he feels will alleviate traffic congestion as well as the hours of operation while the Town Hall is closed. He explained how some people cut through the Town Hall parking lot to avoid the traffic light.
Mr. MacCormack spoke about how there are a lot of activities in East Brooklyn and that this use of the property would be an activity that would bring people to the Town Center.
Mr. MacCormack spoke about how the servers will help to revive the history by telling stories.
Mr. MacCormack spoke of improvements he would eventually like to make, such as pave the parking lot and planting more flowers to make it more aesthetically pleasing.

Ms. MacCormack commented that she recently had an opportunity to move to another town and start her business in a Victorian mansion, but she chose to stay in Brooklyn because she feels at home in Brooklyn.

CONTINUED COMMENTS FROM THE COMMISSION:

- J. Haeferle asked Ms. MacCormack if there are any proposed changes to existing traffic patterns.

Ms. MacCormack stated that there is no change, everything is existing. She added that there is also no change to the building and that she has no plans to expand.

- Ms. Sigfridson asked about signage.
Ms. Roberson explained that it hasn't been designed yet.
Ms. MacCormack explained that she wanted to be sure that her Application would be approved and she is not sure of the name of the business yet. Once decided, she understands the procedure.

There were no further questions or comments.

Motion was made by C. Kelleher to close the public hearing for **SP 23-005**: Special Permit for sit-down café and restaurant (tea, beverages, ice cream, baked goods) and retail gift shop at 8 Wolf Den Road, Applicant: Creamery Tea House, Owner: Julie MacCormack.

Second by J. Haefele. No discussion.

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

d. Other Unfinished Business:

1. **SP 23-005**: Special Permit for sit-down café and restaurant (tea, beverages, ice cream, baked goods) and retail gift shop at 8 Wolf Den Road, Applicant: Creamery Tea House, Owner: Julie MacCormack.

Motion was made by S. Pember to approve the Special Permit application for a sit-down café and restaurant, retail gift shop and catering at 8 Wolf Den Road in the Village Center Zone, identified in the files of the Brooklyn Land Use Office as **SP 23-005**, in accordance with all final documents and testimony submitted with the application with the finding that the proposal is consistent with Sec. 4.A (Village Center Zone), and Sec. 9.D.5 (Special Permit Criteria) of the Zoning Regulations. Such approval includes the following conditions and modifications:

1. The new Record of Special Permit shall be recorded in the office of the Town Clerk. The approved Site Plan is already recorded as Map Volume 12, Page 28.
2. Prior to conducting any site work or installing any signage, the applicant shall apply for a Zoning Permit from the Zoning Enforcement Officer.

Second by G. Maiato.

Discussion:

- A. Fitzgerald suggested that there be a third condition regarding refreshing the on-site signage to clarify the flow of traffic, prior to a Certificate of Zoning Compliance being issued.

Mr. Pember amended his motion to include the following condition:

3. On-site directional signage shall be refreshed prior to the issuance of a Certificate of Zoning Compliance.

Amendment to the original motion was seconded by C. Kelleher.

Discussion:

- C. Kelleher questioned whether there is a need for additional clarifying directional signage not already at the site. Ms. Roberson stated that it would be needed on Town Property.
Ms. Kelleher requested this of Mr. Tanner who stated that he would speak with the Road Foreman about it.

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

2. **ZRC 23-006**: Modification to Appendix 10.D: Floodplain Management Regulations of the Floodplain Overlay Zone/ (FEMA/NFIP), Applicant: PZC. ***awaiting Oct. 17 public hearing***

Ms. Roberson explained that it is very important to have a quorum of the Commission for the October 17th meeting, so that the Town's participation in the National Flood Insurance Program is not jeopardized.

VII. New Business:

a. Applications:

1. **SPR 23-006:** Site Plan Review (pending determination) for a 25'x25' building addition at 512 Providence Road, Applicant: Vachon Brooklyn, LLC.

Ms. Roberson explained that the Applicant's Representative from Killingly Engineering was unable to attend this meeting.

Ms. Roberson explained the following:

- They have already started construction without obtaining any permits, this is a retroactive Application.
- The addition is to be used for detailing cars.
- Ms. Roberson explained there are three instances where the PZC could approve a waiver of special permit requirements, one of them being that the building addition for a commercial building is 500 feet or less. This addition (625 square feet) is just above the Special Permit criteria for a waiver.
- Ms. Roberson explained that, to grant the waiver, the Commission would need to find that it is thought to be minor or have no more than negligible impact on traffic, character of the neighborhood or the environment. Ms. Roberson explained that she had spoken with Norm Thibeault of Killingly Engineering, who has officially (verbally over the phone) requested that determination.
- Mr. Roberson stated that it is already an impervious surface, so they are not changing that. They are satisfied with how it impacts their circulation. It cuts off two of their parking spaces (which she said she is not concerned about), but they are starting to do work on their rear parking lot, where they will have many parking spaces.

There was discussion. Mr. Fitzgerald stated that he was opposed to granting the waiver. S. Pember, G. Maiato, and C. Kelleher expressed agreement with Mr. Fitzgerald. Mr. Tanner asked if they obtained a Building Permit. Ms. Roberson stated that she does not believe that they were issued a Building Permit. Mr. Tanner stated that we are coordinating Zoning and Building so that this would not happen.

Ms. Roberson read aloud from Section 4.D.6.4 – Waiver of Special Permit Requirements for the Planned Commercial Zone. Mr. Pember stated that the Commission is choosing not to waive the special permit requirements – it is over 500 s.f., and they don't know what the impact would be because there is nobody present to discuss it.

No action was taken. There was a consensus that the Applicant should come before the PZC to make the request for the waiver at the next meeting. Mr. Fitzgerald would like them to explain why work was started and then, he said that the Commission may possibly be inclined to grant the waiver. Mr. Fitzgerald suggested that a Cease & Desist Order be issued because they do not have a Building Permit.

There was discussion regarding whether it would need to go before the IWWC. Mr. Pember noted that the cars need to be washed before they are detailed. Ms. Roberson said that the water would be going into the sewer. Water can be discussed when they come before the PZC to request the waiver.

b. Other New Business:

1. Discussion of potential subdivision on Old Tatnic Hill Road.

Ms. Roberson explained that this Agenda Item is also postponed as Killingly Engineering is the Representative and they are unable to attend this evening.

Ms. Roberson explained that she believes that this was to be Phase One of a previous 78-lot subdivision application.

VIII. Reports of Officers and Committees

a. Staff Reports

Margaret Washburn's Report (dated 9/28/2023) was included in packets to Commission Members.

Ms. Roberson explained about a slight design change to the 8 Wauregan Road self-storage facility (fka the Regional Building). She does not feel that it is the level of any kind of modification. The Applicant is asking for feedback from the Commission.

Ms. Roberson displayed and explained drawings. They are asking if would be okay to install a smaller cargo door than the one that had been approved with a passage door next to it. This would be at the south elevation (side facing Vina Lane).

There was discussion and consensus was that it is okay with the Commission Members.

b. Budget Update

Ms. Sigfridson stated that everything looks to be in order.

c. Correspondence

Ms. Roberson stated that she forwarded training information to Commission Members and she encouraged them to go to the Advanced Land Use Academy tab which is free and can be accessed at any time. There was discussion regarding required training. Ms. Sigfridson suggested a new policy, for next year, allowing Commission Members to miss a meeting in order to complete training requirements (this would need to be coordinated to ensure a quorum).

d. Chairman's Report – None.

IX. Public Commentary

Mr. Tanner explained that he met with Jana Roberson and Margaret Washburn regarding the situation with the Regional Building and the trailers. Mr. Tanner suggested that the Regulations be changed to allow trailers in other areas in Town, other than the Industrial Zone which you can't get to. He, personally, does not have a problem with trailers in Town,

Ms. Sigfridson stated that it could be put on an agenda to discuss. She suggested that Ms. Roberson and Ms. Washburn may have ideas based on their discussion with Mr. Tanner. Ms. Roberson will research and prepare information to provide at the next meeting to start the discussion. Mr. Fitzgerald doesn't feel that trailers should be allowed in R-30 because some streets are close together. Discussion continued.

X. Adjourn

M. Sigfridson adjourned the meeting at 7:52 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary