

**TOWN OF BROOKLYN  
PLANNING AND ZONING COMMISSION  
Regular Meeting  
Tuesday, March 21, 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
Dial: 1-646-558-8656	
Enter meeting number: 847 6556 4828, then press #, Press # again to enter meeting	

**MINUTES**

- I. Call to Order** – Michelle Sigfridson, Chair, called the meeting to order at 6:35 p.m.
- II. Roll Call** – Michelle Sigfridson, Allen Fitzgerald, Lisa Herring, Seth Pember, Gil Maiato; (all were present in person). Carlene Kelleher (present via Zoom).  
John Haefele, Sara Deshaies, Brian Simmons and Karl Avanecean were absent with notice.

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

**Also Present in Person:** Norm Thibeault, P.E., Killingly Engineering Associates; Nicole Wineland-Thompson Fisher; Greg Fisher; Daniel Blanchette, J & D Civil Engineers; Tony Marcotte, Engineer, Realtor and Project Manager for DMP Palmer Associates; J.S. Perreault, Recording Secretary.  
There were approximately four additional people present in the audience.

**Present via Zoom online:** Attorney Nicholas; Erin Mancuso; Sharon Loughlin; Norman Berman; WINY Radio; Stephanie Hynes; G. Lahaie; A; Bob; Marie; Mr. Clark.

- III. Seating of Alternates** – None.

- IV. Adoption of Minutes:** Meeting March 1, 2023

Motion was made by G. Maiato to approve the Minutes of the Regular Meeting of March 1, 2023, as presented.  
Second by S. Pember. 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 **ZRC 22-009**.

- b. **Continued Public Hearings:**

1. **SP 22-008:** Special Permit Application for Multi-Family Development (50 Condominium units) on south side of Louise Berry Drive (Assessor's Map 33, Lot 19), 13.5 acres, R-30 Zone, Applicant: Shane Pollack and Erin Mancuso.

**Norm Thibeault**, Killingly Engineering Associates, represented the Applicant and gave an overview of the 5-Phase Project which, he said, has received approvals from the IWWC, the Brooklyn WPCA and Connecticut Water Company.

They are proposing to construct approximately 1,000 feet of public roadway with access off of Louise Berry Drive.

Ms. Roberson corrected Mr. Thibeault stating that it is "Driveway."

Mr. Thibeault stated "Access Driveway."

Mr. Thibeault addressed the items left open from the last public hearing:

- Calculations for Story vs. Not a Story - Section 2.B (spreadsheet included in packets). He explained that he had met and reviewed this with Ms. Roberson and they are in agreement that they comply with the definition as written in the Regulations. It gives the opportunity to adjust grades around the building to meet that criteria. He explained that they are proposing retaining walls on the sides of the buildings in order to be able to build up the grades on the side and, therefore, create the condition that meets the Regulatory requirements. The computations demonstrate that from 52-56 percent of the living space is below grade, so by the definition, it is not considered a story.
- Provided Detail for the Playscape and Recreation Area. Located in the northwestern portion of the site and has a portion of the trail system (existing easement in place). Proposed playscape area is 40' x 65' and a ½ basketball court in that area as well. They are providing access to the trail system and have agreed to clear and improve approximately 250 feet of the trail system in that area to make it more accessible. They will smooth out the contours down toward the bottom of the trail and put down a gravel base. Ms. Roberson displayed the plan and orientated the area.
- Mr. Thibeault explained that they provided identification detail for the buildings (Sheet 13 of 16). He said that he will select a dark-sky compliant, ground-mounted side light. A row of LED lights, with a shield over the top, could be put at the top of the signs, as, he said, Ms. Roberson had suggested. They could be solar powered.
- Mr. Thibeault explained that he had received an e-mail earlier in the day from Patricia Buell, School Superintendent, in which she states  
Mr. Thibeault explained that he had provided some drawings and reviewed them with her, but she decided not to go with the potential alterations to the rear of the School for the pick-up, as suggested in the drawings. Mr. Thibeault said that Ms. Buell's opinion is that what they have there right now works pretty well and that she explained that they can get 90-100 cars out of there in 15-20 minutes, on a daily basis. She doesn't feel that any re-configuration will help make it any quicker. Mr. Thibeault said that Ms. Buell is happy about the location of the proposed crosswalk which is past the entrance road, so any traffic that might be coming using Louise Berry Drive to enter the site will not reach the crosswalk and anyone who may be utilizing the crosswalk from the Facility will not meet traffic there.  
Mr. Thibeault stated that Ms. Roberson had received the e-mail as well and he it read aloud. He said that he will continue to communicate with Ms. Buell on this issue and if the Application is approved, they intend to keep the lines of communication open.
- Regarding Construction Traffic, Mr. Thibeault explained that he spoke with Mr. Pollock earlier in the day and Mr. Pollock will be constructing this private driveway as he does any of his single-family homes. John Albrick is his excavator and he and his son will be doing all of the work. It is a two-man operation and he will bring an excavator, a backhoe, a bulldozer and a roller and that's it. They have no intention of hiring a huge contracting company. Mr. Thibeault explained that Mr. Pollock also has a very small crew for the construction of the buildings (2-3 framers, plumber and assistant, electrician and assistant). There will not be significant traffic associated with the construction portion.
- Regarding the timing of the pick-up and drop-off of students, Mr. Pollock is happy to delay deliveries so they won't conflict. He said that none of the suppliers of gravel in this area could indicate any more than two or three trucks to do this. He said that the worst-case scenario would be two or three trucks per hour for delivery of processed gravel.  
Mr. Thibeault stated that Mr. Pollock does not see any conflicts with the pick-up or drop-off of students and he said that Ms. Buell also agrees with that.
- Mr. Thibeault explained that Scott Hesketh, P.E., F. A. Hesketh & Associates, was supposed to attend this meeting.

- Mr. Thibeault demonstrated compliance with POCD Sections that he feels apply to this Application:
  - Expansion of Housing Opportunities and Choices.
  - Conservation of Land and Clustering of Developments - this development will disturb approximately 7.5 acres to put in 50 units.
  - Concentration of development along or adjacent to major transportation corridors – ½ mile from Route 6.
  - Conservation of Natural Resources – no disturbance of the wetlands. They presented a plan to plant white pine seedlings (24-36 inch) adjacent to the wetlands and up to it in order to establish a canopy that is not there now.
  - The POCD recommendations are for clustered housing and suggests that the Commissions review densities where water and sewer are available.
  - Promote development for young professionals, first-time homebuyers and critical sectors of the workforce.
  - Efforts should be taken to ensure an adequate, sustainable mix of housing. There is very little of this type/style of housing in Brooklyn right now.

**QUESTIONS/COMMENTS FROM STAFF:**

**J. Roberson** commented on the following:

- The issue of story vs. not a story has been addressed. She agrees that criteria are met.
- Bond estimate was included in packets to Commission Members (includes work within Louise Berry Drove and E&S).
- Samples of materials were reviewed.
- Ms. Roberson explained that she is satisfied with the plan for improving the trail. She feels that the half-court is not necessary and the design would be better without it. Recreational area requirement is met. She recommended modifying the Application to tie recreation to an earlier phase (before any Certificate of Occupancy is issued for Phase 2).

Mr. Thibeault stated that they have no objection to that and that he thinks it is a good idea.

- Ms. Roberson asked how the homeowners or the Association will be maintaining the stormwater system.

Mr. Thibeault explained that it would be included in the documents of the Homeowners’ or Condominium Association. Typically, the maintenance would be described within the documents of the Association. He stated, for the Record, that there would definitely be an Association because it is a private driveway and it needs to be maintained, as well as cleaning the stormwater system, plowing in the winter, mowing the grass, maintaining the landscaping, etc. He read aloud Note #1 on the cover sheet of the plans where it is stated that the stormwater system will be maintained in perpetuity (required by the IWWC).

Mr. Thibeault explained that when the documents are developed, they are, typically, reviewed by the Town’s Legal Counsel.

Ms. Roberson suggested that a condition of approval could be added that they submit an early draft of the Homeowners’ Association document be submitted.

There was discussion regarding cleaning of the stormwater system to ensure that it functions properly.

**QUESTIONS/COMMENTS FROM THE COMMISSION:**

- **L. Herring** asked about charging stations and she stated that she is still concerned about the safety of the children due to traffic during construction. She would like to hear from the School Superintendent again. Ms. Sigfridson explained that it the electric charging stations is a State Regulation and it is not the PZC job to enforce all of the State Laws and Regulations. Ms. Roberson explained that it was not incorporated into the Planning and Zoning Statute.

Mr. Fitzgerald suggested establishing hours to limit access to the site by construction vehicles.

Mr. Thibeault explained that it is easily addressed and that the Applicant will make adjustments so as not to interfere with pick-up and drop-off. Mr. Thibeault stated, for the Record, that they are going to be conscious of it and will put it in writing. He said that it could be a condition of approval. He also said that they will probably put a gate at the construction site as well.

- **S. Pember** asked if Mr. Hesketh will be available to speak with again.

Mr. Thibeault stated that if the Commission would like to speak with Mr. Hesketh again, he would have no problem with continuing for one more meeting to answer questions.

Mr. Pember explained that he has concerns that go beyond the construction period regarding the parking lot along the side next to the crosswalk (across from the proposed private driveway). He explained that he still has concern regarding how everything is laid-out in that very congested corner (where the back parking lot meets the side parking lot, meets Louise Berry Drive, meets the proposed private driveway, meets the crosswalk to the Condo complex). He feels that it will never be safe the way it is currently constituted. He asked if there is any area where additional parking could be incorporated.

Mr. Thibeault stated that the morning peak and the afternoon peak associated with this development do not coincide with the pick-up and drop-off of the School. He explained that the bulk of it is on private property and if there are safety issues on the private property, he offered that he could discuss this again with the School Superintendent to try to come up with something. He explained that as far as what is happening right here, he feels that they have the best condition that they can have right where they intersect with Louise Berry Drive, just by virtue of where they are positioning the crosswalk.

Mr. Pember feels that thing could get lax over time and he feels that it is a dangerous spot. Mr. Pember stated that he knows there is very little frontage, but he feels that there are options that could be handled by the Applicant to make it a little safer.

Ms. Sigfridson asked Mr. Pember where he feels that the Applicant could create additional parking.

Mr. Pember does not have a solution, but suggested that people go stand at the bottom sidewalk at 2:30 p.m. and determine if you could put a driveway in with 150 people on the other side.

Discussion continued.

Ms. Sigfridson commented that she has concern that if we created another half-dozen more parking spaces people could fill up those spaces and still park there.

Ms. Roberson commented that it would be more congested than it is currently, but the Traffic Engineer's analysis states that it would not become so congested that it would work anymore.

Mr. Pember said that the Traffic Study was done for the intersection of Louise Berry Drive and Gorman Road, not location of the potential driveway. He would like to ask Mr. Hesketh what he foresees for that area.

Mr. Fitzgerald suggested a traffic monitor or a crossing guard. This would need to come out of the School budget. Mr. Pember liked the idea of a crossing guard.

Mr. Thibeault commented that eliminating the parking spaces when there is already a shortage of parking spaces is probably not a feasible thing to do.

Ms. Sigfridson commented that part of the playground could be paved. She spoke of how needs have changed since the School was designed.

There was a suggestion to try to apply for grant money to expand the parking lot. Mr. Tanner will look into it.

Mr. Thibeault stated that he thinks there is room in the back along the wood line.

Ms. Roberson and Ms. Sigfridson commented about the rights of the property owner and how the Commission cannot require conditions because of off-site issues.

Mr. Pember stated that understands, but he wanted to be sure that his concerns were on the Record.

Mr. Tanner asked if the turn-around is fairly level or if it is sloped.  
Mr. Thibeault explained that it is a gentle slope.

A.Fitzgerald stated, for the Record, that he had reviewed the material from the previous public hearing and he feels that he is prepared for this public hearing.

Mr. Fitzgerald asked if they are going to do final grade/pave as they go.  
Mr. Thibeault stated “yes” and stated that it is in the description for each phase.

There were no comments from the public that were pertinent to this Application.

Motion was made by A. Fitzgerald to close the public hearing for **SP 22-008: Special Permit Application for Multi-Family Development (50 Condominium units) on south side of Louise Berry Drive (Assessor’s Map 33, Lot 19), 13.5 acres, R-30 Zone, Applicant: Shane Pollack and Erin Mancuso.**

Second by G. Maiato.

Discussion:

C. Kelleher commented that, because of the scope of the project, she has concern regarding keeping an eye on the construction to make sure that everything is done according to plan. She asked who will do this should this project get approved. Ms. Sigfridson stated that we could rely on the Applicant to do this himself. Mr. Thibeault stated that the ZEO would be out there as well and he offered that the Commission could require stormwater inspection reports, after rain events of ½-inch or more, from the Engineer during construction. Ms. Sigfridson asked if the Engineer could provide reports after the completion of each phase. Mr. Thibeault stated that they could do that by punch list to make sure that everything is done. Ms. Kelleher stated that this addresses her concern.

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

2. **SP 22-007: Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher.**

M. Sigfridson recused herself, turned the position of Chair over to A. Fitzgerald, and took a seat in the audience.

Daniel Blanchette, Civil Engineer with J & D Civil Engineers, represented the Applicants. He stated that a pretty thorough presentation had been done at the last public hearing and he addressed the two items that had been left open as well as additional comments from the Town’s Engineer, Syl Pauley, who attended the site walk that had taken place last Wednesday (Mr. Pauley’s letter dated March 17, 2023 was included in packets). Revised plans were submitted via email to Staff and Mr. Pauley earlier in the day (copies included in packets). Mr. Blanchette acknowledged that Mr. Pauley probably has not yet had a chance to review the revisions. Plans were displayed as discussed.

- A statement was added to the plans regarding total number of parking spaces which is fifty-nine which would be the maximum number of cars that would be on-site.
- Alternative location for the bathroom trailer: For larger events (held in a portable tent outside in the field), Mr. Blanchette indicated that the bathroom trailer would be located below the barn; for smaller events, Mr. Blanchette indicated the alternative location which is above the barn (for the more barn-based events).
- Limit of excavation for the 12-foot retaining wall near the barn: Mr. Blanchette explained that he has not done the final design of the retaining walls, but using a rough calculation he estimates that you would have to go 12-15 feet past the wall to build it again to cut back the slope and for it to be stable and to install the backfill that holds it in place.

A line was added to the plan showing the estimated limit of excavation for that retaining wall and a note was added that they will reconstruct the stone wall if it is disturbed.

- Regarding the new proposed driveway which would be approximately 100 feet north of the existing driveway, Mr. Blanchette stated, for the Record, that the sight distance is adequate with 300-350 feet looking north (then the crest of the hill cuts it off) and 800-900 feet looking south.
- Mr. Blanchette explained that his original design of the proposed driveway was to match the swale that is in place in the shoulder of the road with a paved apron. Mr. Pauley does not feel that is appropriate and recommends that a culvert be put under that driveway, therefore, Mr. Blanchette revised the plans calling for a 15-inch RCP concrete pipe under that driveway, riprap at both ends and flared end sections.

Mr. Blanchette reviewed his responses to address Syl Pauley's comments as outlined in Mr. Blanchette's email (3/21/2023):

- #1 - Different driveway detail was provided on Sheet 6 – added cross sections/dimensions).
- #2 – Sheet 4 was revised to show to existing drainage pipes.
- #3 – He tweaked the contours to show the swale more accurately.  
Mr. Blanchette explained that there was a typo on one of the details which he corrected from 6 feet to 6 inches.
- #4 – This item was addressed above in the fifth bullet.
- #5 – No comment on this item.
- #6 – The existing driveway under the deck is shown more clearly.
- #7 – He explained that the Applicants prefer pea stone and are aware that it will require more periodic maintenance.
- #8 – Regarding clearance under the deck, they are proposing to have the bathroom trailer be towed under that deck. He said that there is approximately 9.5 feet of clearance under that deck. According to research, he said that 10 or 11 feet are required. A note was added stating that they are going to remove a foot of dirt from the south side of the deck to ensure that they have a 10-5-feet of clearance which can, at least, accommodate some bathroom trailers. The deck is at least two feet lower on the north side. He indicated where they added a bollard to protect that corner of the building where trailers would be coming around.  
Regarding Mr. Pauley's comment about a passage door on the west side of the barn at the southwest corner of the barn which is not visible from a vehicle approaching from the south, which Mr. Pauley feels is a safety issue that could possibly be addressed with a sign. Mr. Blanchette asked the Commission what they feel is appropriate. He explained that it would not be used by clients or pedestrians.
- #9 – Regarding the retaining walls, Mr. Blanchette explained that they want to be sure that the Application is approved before incurring the expense to do the final design. Mr. Pauley's recommendation is that the PZC review and approve that design once it is completed. Once the Application is approved, he expects that he would be back within about 4 weeks with the retaining wall design which will need a building permit, so it would be reviewed by the Building Inspector and by Syl Pauley. He said that if the PZC wants to do a third review, they understand.

Nicole Wineland-Thompson Fisher offered that she and Greg Fisher would answer any questions would understand if conditions are needed for approval of the Application. Mr. Blanchette suggested that, since Syl Pauley has not reviewed the revisions, a condition of approval could be that Mr. Pauley sign-off on any final plans.

**COMMENTS/QUESTIONS FROM STAFF AND COMMISSION MEMBERS:**

- There was discussion about the passage door on the southwest corner of the barn.

- There was discussion regarding the detail that was added on Sheet 6. Mr. Blanchette explained that it is covered by the proposed contours. Mr. Fitzgerald stated that, pending approval, he would want to see the detail on the plans.

Ms. Roberson explained that this would not be the PZC's jurisdiction. She explained that, at the site walk, it had been discussed that some of the site features would be impacted by the installation of the wall in a way that wasn't really clear from the plans. She said that a note had been added to the plans stating that the stone wall would be rebuilt. Ms. Roberson commented that Ms. Wineland-Thompson Fisher has expressed how important the wall is to the whole venue and that they are looking at way to make it as aesthetic as possible.

- There was discussion regarding buses. Buses would not be parking on-site. They would drop off guests and come back to pick them up when the event is over.
- Ms. Roberson displayed and explained photos that had been taken during the site walk. She stated that she suggests a condition that all accessways be at minimum of twelve feet. Mr. Blanchette stated agreement.

Photos included: the access drive; the deck; the field where the bathroom trailers would be located which she said that she feels will work; the area where the swale and existing culvert are located; where the existing driveway will be widened slightly; the location of the new driveway and where the pipe will go under the driveway to a catch basin which outlets across the street (Mr. Blanchette noted that there is another catch basin 200 feet uphill on that side of the road, so the length of road discharging to that culvert is pretty minimal as there are catch basins above and below).

There was discussion regarding buses. Mr. Blanchette explained that the buses would be using the existing entrance. Ms. Wineland-Thompson Fisher explained about the second entrance. She said that the existing entrance would be utilized by the buses and the new entrance would be utilized by the clients and their guests because of the beautiful view along the way. Mr. Blanchette explained that the width of the existing driveway, which would be used by buses, deliveries and vendors, is not capable of handling two-way traffic. Ms. Roberson stated that she understands and that the view from the proposed new driveway had been discussed at an earlier meeting.

Mr. Blanchette explained that the Applicants had met several times with neighbors and drafted a list of fifteen items which, he said, have all been included in the site plan in case there are concerns regarding enforcement.

Ms. Roberson explained that they have been included in her Staff Guidance Draft Motion with one exception - Item #15 regarding an annual meeting with neighbors which, she explained, would not be enforceable as it would be a third-party condition. Mr. Blanchette stated that he would remove it from the plans. Ms. Wineland-Thompson Fisher stated that she and Greg Fisher had suggested that they could be kept as a verbal agreement as it is important to them. Ms. Roberson stated that they are free to do that and that she encourages them to.

#### **COMMENTS FROM THE PUBLIC:**

- **Mr. Clark**, who lives across the street and was at the site walk, voiced concern about additional flow from the parking lot that would be entering the roadway which, he said, had been discussed at the site walk. He said that the culvert between the proposed driveway and the existing driveway goes onto the road and empties out onto his front lawn. He doesn't anticipate it being a problem with normal rainfall. He said that it was not a concern of the Town Engineer. He said that he is hoping that this will not create much more drainage. He said, for the Record, that he has a concern, it seems to be addressed and, hopefully, it won't become an issue in the future.

Mr. Blanchette explained that the purpose for having the pipe under the driveway is to convey water that is already coming down the road. He said that it would not affect the amount of water coming to Mr. Clark's property. He

explained that there will be a large swale above the proposed parking lot and the water from the parking lot and the hillside will drain away from the road to the west. He said that he is confident that this design will reduce the amount of water going onto Mr. Clark's property.

- **Jackie Igliazzi**, Woodward Road, said that they had found out just hours earlier that Item #15 had been dropped and they need to understand, adequately, why it is technically illegal. She said that they need time to draft something that would be legal, with Greg and Nicole whom they trust, but they will not always be the owners. Ms. Igliazzi said that they need to be assured that conditions are being followed and, if something comes up, that the Town has the right to address those things. She said that this is a residential neighborhood. She read aloud from a document provided to her by Mr. Blanchette containing the agreement between the neighbors and the Applicants which lists the 15 conditions. She asked what can be done to incorporate this into the special permit to protect their safety and welfare. She made reference to Section 9.D.7. regarding periodic reviews and she asked to be advised on the proper wording to use.

Ms. Roberson explained that all, but that one, were incorporated into the Staff Guidance Sample Motion. She explained that there would be enforcement of everything associated with the special permit by the Town and by Staff of the Town. She explained that the owners can continue to meet with the neighbors and any member of the public can raise issue if they feel that the physical plans and other conditions of approval are not being met. She explained that the PZC has specific authorities and conditioning an approval on future approval by any third party is an illegal condition.

Mr. Fitzgerald suggested a condition where, if the property were to transfer, the new owners would need to come back before the PZC for a special permit.

There was discussion and Ms. Roberson explained that the special permit runs with the land and if the new owners wanted to make modifications to the site plan, they would need to seek approval from the PZC.

Discussion continued and Mr. Blanchette and Mr. Fitzgerald explained that if there are violations tied to the special permit there is an avenue which would be to make a complaint to the ZEO, Margaret Washburn. Ms. Igliazzi is concerned that it could happen again and again under a different owner.

- **Attorney Norman Berman** (via online Zoom), 98 Bush Hill Road, stated that they are aware that they can make a complaint, but he said what was memorable from the last meeting was that quite a few neighbors got together and supported the Application. He said that they had met with addressed concerns with the Fishers. He said that this provision (mandating a meeting) provided them with the foundation for, not only, addressing concerns before we even start, but we can talk about fixing a mechanism that will avoid even having to go to filing complaints and seeking enforcement. Attorney suggested requiring an annual filing that says that we've made an opportunity available to meet with neighbors and any concerns that were raised were resolved. He feels that the Commission has the authority to require an informational filing (letter). He said that leaving out this provision destabilizes the agreement. He said that this could set a precedent as these things should be resolved directly, without recourse to the Commission and, if they can't be resolved, then the Commission is there. Ms. Roberson, explained again, that the Commission cannot make a condition of approval that is dependent upon any action by a third party at any time in the future.

Regarding the suggestion that there be renewal, Ms. Roberson explained that there is one Event Facility currently in Town and, when it was adopted, it had to be renewed every two years. She said that the PZC removed that requirement in 2019 because there were no issues and it was seen as a burden on a business in Town. She said that there may be a capacity to bring it back. She read aloud from Section 6.J.8 regarding Special Events. She said that although the zoning permit expires five years from the date issued, but the use does not have to terminate at that time. She has questions about this.



Regarding Section 9.D, Ms. Roberson explained that we routinely require renewals for gravel pits, but she would need to check with the Town Attorney about requiring renewals for Special Events Facilities considering we eliminated it from the Zoning Regulations. She asked if the Commission would like her to do that.

Attorney Berman clarified that nobody is suggesting that there be periodic renewals/re-applications/reviews/put a limitation on an approval or anything like that. The intent was not to put the burden on the Fishers or anyone else who is operating in this business. He said that this was a dispute avoidance mechanism that was proposed and agreed on. He feels that there is nothing illegal or inappropriate regarding his suggestion of a letter stating that the neighbors had an opportunity to voice their concerns and that there are none. He also does not feel that it is requiring any third party to approve it.

Greg Fisher asked Attorney Berman if they all could have something signed and notarized, outside of the Town. Attorney Berman stated that, of course, they could and that it would not need to be notarized as it is simply a verbal agreement. He said that the concern is not with that, it is that they would like to see something flow with the approval that attaches to the land that says that there is going to be an ongoing concern about how they are doing with respect to the neighbors and he, again, stated that his suggestion is to require an annual letter, if it is okay with the Fishers.

Mr. Pember asked how it would be enforced if they decided not to file a letter.

Attorney Berman stated that it would be a violation of one of the conditions.

Ms. Wineland-Thompson Fisher stated that, if the concern is the future, she feels that the best solution seems to be to have a condition where, if the property transfers, the new owners would have to go through some process before the Commission.

C. Kelleher noted that there is a five-year term for renewal in the Special Events Regulations (Section 6.J.8). Ms. Roberson read aloud from Section 6.J.8. Ms. Roberson stated that she has questions about this and she does not feel that it is going to cover what is being discussed and that she would consider it more of a renewal. Discussion continued.

Ms. Roberson explained that, if the property transferred, the new owner would need to come forward and either stated that they would be doing everything the way the previous owners did or that they would be making changes.

- **David Loughlin**, asked if the approval of the permit would be automatic for the new owner. He asked about grandfathering.

Ms. Roberson explained that the special permit would run with the land and a change in ownership does not negate a zoning approval. If they do not change anything, the PZC would have to approve it.

Mr. Fitzgerald asked why the agreement between the Fishers and the neighbors wouldn't transfer with the sale of the property.

Ms. Wineland-Thompson Fisher explained that all of the points are also incorporated into their contract, so if someone buys their company and the property, they are also buying their contract which, she said, is a legal binding document.

Mr. Fitzgerald stated that it sounds like it is covered.

Ms. Iglizzi stated that it sounds like it to her that it would be part of the seller agreement, but she said that she thinks that the whole neighborhood needs to make sure. She said that the problem is that it is a residential neighborhood and now, lots of commerce is being introduced into their neighborhood and they have a great fear of, all of a sudden, living in a business area.

Discussion continued. There could be a different set of neighbors in years to come and what distance determines neighbors.

Mr. Fitzgerald commented that the Commission cannot do anything about this and he feels confident that the Applicants and the neighbors can handle it between themselves.

Ms. Roberson stated that all of the conditions had been read into the Record at the last meeting and she, again, stated that she had included all, but #15, into the Staff Guidance Draft Motion. She noted that, if approved, the Applicants will need to obtain a Zoning Permit and a Driveway Permit.

Motion was made by G. Maiato to close the public hearing for **SP 22-007: Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher.**

Second by L. Herring.

Discussion:

Ms. Roberson stated that, if the public hearing is closed, no further information can be received and that an extension would be needed to continue the public hearing.

Motion carried unanimously by voice vote (5-0-0). M. Sigfridson had recused herself.

Ms. Sigfridson returned and resumed the Chair position. She explained the Record of the Meeting vs. the Minutes of the Meeting.

3. **ZRC 23-001: Multiple revisions concerning exceptions to the setbacks including Secs. 2.B, 3.A.5.2., 3.B.5.2., 3.C.5.2., 4.B.4.2., 4.C.4.2., and 8.A.4.**

Ms. Roberson explained that this Application is reached its full length of time. Abutting towns and NECCOG have been notified.

There were no questions or comments from the Commission or from the public (either in person or online).

Motion was made by A. Fitzgerald to close the public hearing for **ZRC 23-001: Multiple revisions concerning exceptions to the setbacks including Secs. 2.B, 3.A.5.2., 3.B.5.2., 3.C.5.2., 4.B.4.2., 4.C.4.2., and 8.A.4.**

Second by G. Maiato. No discussion.

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

**c. New Public Hearings:**

1. **ZRC 22-009: Multiple revisions to Section 4.F Mill Mixed Use Development Zone, Applicant: DMP Palmer Associates.**

Tony Marcotte, Engineer, Realtor and Project Manager for DMP Palmer Associates represented the Applicant and gave a posterboard presentation (he provided copies of a plan to Commission Members).

- Mr. Marcotte explained that, after the last presentation to the PZC, he and Ms. Roberson reviewed the MMUD and made modifications as discussed.
- He explained that of the three lots (shown on the plan) owned by the Applicant, only Map 47, Lot 46 is covered by the MMUD. He has filed an application to extend the MMUD to the two adjacent lots. He said that you can't have part of a use in one district cross a lot that has a different use.
- There would be no change in the building, just some parking.
- He explained that they want to do a bio-retention pond to infiltrate the water into the ground. He said that there should be no stormwater flow off the site except very minor in a few spots. He indicated where it could create a bio-diverse environment of wet and uplands.
- Summary of major changes made:
  - Removed the over 55 restriction for residential use.
  - Increased the density to 1 to 4,000 sq. ft. (they don't quite make it on one lot, so they would be using both lots in that number).
  - Increased the building height to 65 feet.
  - Removed the industrial use.
  - Added a requirement for a public access easement and open space along the River.

Ms. Roberson noted that the above was describing the zone boundary change and that this public hearing is regarding the Zoning Regulation Change.

Mr. Marcotte explained that all changes made were shown on the map that he had provided.

Ms. Roberson stated that the original text and what has been added was included in packets. She explained that this is a slight revision to the original MMUD. The issue with the zone boundary was discovered late in the process. A portion of Map 46, Lot 81 is soon to be the new flood zone.

Mr. Marcotte explained that this building will have less than 200 units which is a reduction from the original plan from 20 years ago.

#### **QUESTIONS/COMMENTS FROM THE COMMISSION:**

- **M. Sigfridson** why industrial uses were removed.

Mr. Marcotte explained it was thought to be incompatible with full residential use and that with the parking and the layout, you would have industrial use in the same building as residential. It was originally zoned industrial because it was a mill and the MMUD was an overlay.

Ms. Sigfridson expressed that she was surprised that an Applicant would voluntarily put those kinds of restrictions. She said that she is concerned because the changes that are being proposed really do eviscerate the mill aspect of the MMUD, taking out any intent to preserve the mills, taking out the requirement that it be in existing structures, taking out the ability to have an industrial use. She asked if the project would have commercial aspects.

Mr. Marcotte explained that, on one floor, they could try to do commercial, but he doesn't feel that it makes economic sense to put a commercial use in this area, other than something like a quickie mart.

Ms. Roberson stated that she would still say that it is in the Mixed-Use District because of all the business-related uses that could locate there, understanding that this proposal would eliminate any things that we tend to put under industrial. She referred to a list of business-related uses including retail, laundromat and museum.

Mr. Marcotte explained if the residents want businesses, they have land available and they could use the reserve parking area. He said that they just thought that industrial would not longer be compatible in the zone. He said that all of the mills that have been renovated are either all industrial or no industrial.

Ms. Sigfridson explained that the Commission needs to evaluate it for what it is.

Ms. Roberson explained that she had researched the history of the industrial zone. She explained that it was determined that there is no way to rebuild the building. She clarified that the MMUD was not an overlay, it was an actual zone that was created. It was specialized zoning for a very unique property that had been approved for residential development that did not happen. They have come back with a lot of resources to stabilize the building and to try to make a new development work.

- Mr. Fitzgerald asked about the water tower.

Mr. Marcotte explained that the rights to it was sold separately. He said that the previous owner, Mark Yellin, has an easement to the tower. Ownership has changed a couple of times and they are trying to get them to paint it. There was discussion regarding a hydro-plant.

- Ms. Herring commented that she will be happy to get this area fixed with something more presentable and used for something that we need.
- Ms. Sigfridson commented that she would like to see some businesses to make a walkable neighborhood with some kinds of services.

Mr. Marcotte explained that they will have a lot of space on the first floor that doesn't have window space that won't be residential. He suggested a membership gym and a small convenience store. He explained that they have flexibility. He offered that they could leave the industrial.

He explained that they had spent a lot of money to try to save the building. He said that they have made it safer and that all of the asbestos has been removed and they will be taking the building down at some point in the future. He explained that they get a lot of complaints regarding homeless people there, but once it is a construction site, it will be fenced.

- Ms. Sigfridson asked about buffering and if it would abut any single-family properties.

Mr. Marcotte indicated that on the hill, there are some single-families and that they could either eliminate the smaller lot (Map 46, Lot 26A) and keep it R-10 or they could do a lot-line adjustment.

There was discussion.

Ms. Sigfridson referred to the proposed language for buffering and stated that #1 seems fine. Rather than eliminating any buffering for new residential development, she suggested the following language, “Where the MMUD abuts a single-family property, a buffer strip of 50 feet be required for any new development.”

There was discussion regarding the small lot (Map 46, Lot 26A) which Mr. Marcotte said is wet and has buffer and that it would probably stay the way that it is. He explained that the reason for the pond is to have not run-off going near there. He explained that they would infiltrate the water into the ground and that it would grow over and become new wetlands providing habitat for wildlife.

- **Ms. Kelleher** asked about the height change and if it is one building at that height.

Mr. Marcotte explained that it had been discussed at his last presentation and that it was amenable at that time. The Fire Department has a ladder truck that could reach the top of the roof. He said that it will be five stories, but will be under 65 feet and that it will be one, L-shaped building.

Mr. Maiato confirmed that the ladder can reach 100 feet.

#### **QUESTIONS/COMMENTS FROM THE PUBLIC:**

- David Loughlin asked about the 50-foot buffer. He asked why remove it for multi-family housing and keep it in place for single-family housing.

Ms. Sigfridson stated that, for herself personally, it is because of the unique aspects of this property and the abutting properties. She feels that it doesn’t seem feasible to require a 50-foot planted buffer between this building and the building across the street.

Mr. Fitzgerald commented that this is just for this area.

Ms. Roberson explained that we don’t, typically, require buffering between similar uses.

Ms. Roberson advised the Commission that any language can be revised and to be sure to discuss any potential changes before the public hearing is closed.

Motion was made by A. Fitzgerald to close the public hearing for **ZRC 22-009: Multiple revisions to Section 4.F Mill Mixed Use Development Zone**, Applicant: DMP Palmer Associates.

Second by S. Pember. No discussion.

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

#### **d. Other Unfinished Business:**

1. **SP 22-008:** Special Permit Application for Multi-Family Development (50 Condominium units) on south side of Louise Berry Drive (Assessor’s Map 33, Lot 19), 13.5 acres, R-30 Zone, Applicant: Shane Pollack and Erin Mancuso.

There was discussion:

- **S. Pember** referred to, and read aloud from, Sections 7.D.2.4 and 7.E.1.1 of the Regulations (in basic standards) which, he stated, in his opinion, this Application does not meet those basic standards.

- Section 7.D.2.4 - “Where street geometry, traffic volumes or traffic patterns warrant, the Commission may limit the number of driveways that serve a specific site, designate the location of any driveway, require the use or provision of a shared driveway with associated easements that exist on abutting property in lieu of having a separate curb cut onto a road or a street and/or limit access to a major street and require access from a minor street.”
- Section 7.E.1.1 – “Safe driveway entrances and exits with adequate sight lines for safe vehicle entry onto and exit off of a street shall be required.”

Mr. Pember stated that he does not believe that the driveway entrance and exit is safe nor does he believe that this particular street geometry and traffic pattern warrant it.

Motion was made by G. Maiato to approve the Special Permit application of Shane Pollack and Erin Mancuso to create a 50-unit Multi-Family Development on the south side of Louise Berry Drive (Assessor’s Map 33, Lot 19), identified in the files of the Brooklyn Land Use Office as SP 22-008, in accordance with all final documents and testimony submitted with the application with the finding that the proposal is consistent with Sec. 6.E (Multi-family Development) and Sec. 9.D.5 (Special Permit Criteria) of the Zoning Regulations. Such approval includes the following conditions:

1. The Inland Wetlands and Watercourses Commission approval with conditions and 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 review prior to printing on archival material. The final approved plans bearing the seal and signature of the appropriate professionals and signed by the Commission Chair shall be recorded along with the Record of Special Permit in the office of the Town Clerk.
2. Monuments for the public access trail easement shall be set and field verified by the surveyor. A maintenance agreement for the public access trail allowing future maintenance by the Town of Brooklyn shall be developed and shall be reviewed by the Town Attorney and recorded on the land records at the same time as the Record of Special Permit.
3. Prior to conducting any site work (including, but not limited to, clearing and grubbing), the applicant shall apply for a Zoning Permit from the Zoning Enforcement Officer.
4. Prior to the issuance of a Zoning Permit, a performance bond in favor of the Town of Brooklyn in the amount of \$185,080.50 will be submitted to the Brooklyn Land Use Department. The form and content of the performance bond shall be reviewed and approved by Town staff. No activity shall occur on the site until the performance bond has been approved and provided in final form to the Town. The performance bond shall remain in place for the life of the operation including restoration of the property to the satisfaction of the Town unless this requirement is modified by the Planning and Zoning Commission.
5. The developer shall notify the Zoning Enforcement Officer and Town Planner at least seven days in advance of any site work to schedule a pre-construction meeting.
6. Prior to the issuance of a Zoning Permit, vegetative clearing limits depicted on the plans shall be clearly marked in the field by the surveyor.
7. Prior to the issuance of a Zoning Permit, a driveway permit must be obtained from the Road Foreman in accordance with the adopted policy concerning driveways.
8. Each phase shall be fully completed and inspected by the Town of Brooklyn prior to the issuance of any permits for work on subsequent phases.
9. The installation of recreational amenities shall be included in Phase 2 of the Phasing Plan (sheet 9 of 16) and shall be required to be completed prior to the issuance of any certificate of occupancy for the development.
10. All lighting shall be full cut-off style fixtures. Outdoor lights shall be downward pointing and directed away from abutting properties.

Second by A. Fitzgerald.

**There was discussion and the following additional conditions were suggested:**

Condition #11 – Construction Traffic Signage to address no construction access, including material delivery, during drop-off (8 a.m. to 9 a.m.) and pick-up between (2 p.m. and 3:30 p.m.).

Condition #12 – During construction, the Applicant shall provide inspection reports to Town Staff following rain events of ½ inch or more and following the completion of every Phase.

Condition #13 – Annual reports regarding the maintenance of the stormwater management system shall be provided by the Homeowners’ Association to Town Staff. Reports shall be provided by April 1<sup>st</sup> annually.

If emergency work is required and is not completed by the Homeowners' Association, in the interest of public safety, the Town reserves the right to conduct maintenance work at the Homeowners' Association's expense.

Motion was made by A. Fitzgerald to Amend the Motion (#6) to approve Application SP 22-008 to include Condition #'s 11, 12 and 13, as follows:

- Condition #11 – Construction Traffic Signage to address no construction access, including material delivery, during drop-off (8 a.m. to 9 a.m.) and pick-up between (2 p.m. and 3:30 p.m.).
- Condition #12 – During construction, the Applicant shall provide inspection reports to Town Staff following rain events of ½ inch or more and following the completion of every Phase.
- Condition #13 – Annual reports regarding the maintenance of the stormwater management system shall be provided by the Homeowners' Association to Town Staff. Reports shall be provided by April 1<sup>st</sup> annually. If emergency work is required and is not completed by the Homeowners' Association, in the interest of public safety, the Town reserves the right to conduct maintenance work at the Homeowners' Association's expense.

Amendment seconded by G. Maiato.

Motion to Amend (#7) carried by voice vote (6-0-0).

Main Motion (#6), as Amended, carried by voice vote (5-0-1). S. Pember was opposed.

2. **SP 22-007:** Special Permit for an Events Facility at 459 Wolf Den Road, Applicants: Nicole and Greg Fisher.

M. Sigfridson recused herself, turned the Chair position over to A. Fitzgerald and took a seat in the audience.

Motion was made by S. Pember to approve the Special Permit application of Nicole Wineland-Thomson and Greg Fisher to create a Special Event Facility (Willow Hill) at 459 Wolf Den Road, identified in the files of the Brooklyn Land Use Office as SP 22-007, in accordance with all final documents and testimony submitted with the application with the finding that the proposal is consistent with Sec. 6.J (Special Events) and Sec. 9.D.5 (Special Permit Criteria) of the Zoning Regulations. Such approval includes the following conditions:

1. The Special Event Facility is not approved for overnight accommodations.
2. All access drives shall have a minimum width of 12'.
3. The Department of Health approval, the Inland Wetlands and Watercourses Commission approval with conditions and 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 review prior to printing on archival material. The final approved plans bearing the seal and signature of the appropriate professionals and signed by the Commission Chair shall be recorded along with the Record of Special Permit in the office of the Town Clerk.
4. The following conditions are voluntarily offered by the applicant:
  - a. Limit weekend events to one outdoor event with amplified entertainment (low volume dinner music or spoken word excepted) per weekend, where "weekend" is defined as Friday, Saturday, and Sunday.
  - b. Limit indoor events to 110 attendees.
  - c. Limit outdoor events to 225 persons on the property.
  - d. End amplification for all indoor and outdoor events by 10 pm.
  - e. Per State of Connecticut Statutes 22a-69, noise levels will not exceed 55 dB during the day as measured at the property lines that abut neighbors and run along Wolf Den Road. The State specifies a 55 dB limit until 10 pm with a 45 dB limit after 10 pm.
  - f. On-street parking by guests and vendors will be prohibited.
  - g. There will be no more than two licensed, permitted fireworks displays per calendar year, and they must be run by licensed professional fireworks companies. Fireworks will otherwise not be permitted to be brought onto the premises by renters/guests due to the risks associated with potential misuse and noise.
  - h. Residents within 2,500 feet of the property line in all directions will be notified at least 10 days prior to upcoming fireworks displays to allow for precautionary measures to be taken to protect any people, pets, and livestock who may be sensitive to such displays.

- i. Firearms will be prohibited on the property during all events.
  - j. Outdoor fires will only be allowed in the firepit, which will be started and maintained by the owners or their employees. An outdoor grill will be available for use on the property.
  - k. Renters are responsible for removing all evidence of the event upon completion of the event or as soon as reasonably feasible after the conclusion of the event. This includes trash, tents, furniture, equipment, portable toilets and anything else that is visible from Wolf Den Road that has been brought onto the venue. The venue is to be restored to its condition prior to the event.
  - l. All renters of the property will agree to and sign a contract for usage of the premises, which will include but not be limited to the restrictions listed above. It will ask them to commit to respecting the local residents and the surrounding neighborhoods with respect to noise, trash, and driving speed.
  - m. Outdoor lighting will only be on, when necessary, for an event. All outdoor lighting will be “dark-sky compliant,” which means that it must comply with IDA (international Dark Sky Association) Fixture Seal of Approval but must also comply with Brooklyn and Connecticut state safety requirements. To the extent feasible, outdoor lights shall be downward pointing and directed away from Wolf Den Road and abutting properties.
5. Prior to conducting any site work (including, but not limited to, clearing and grubbing), the applicant shall apply for a Zoning Permit from the Zoning Enforcement Officer.
  6. The developer shall notify the Zoning Enforcement Officer and Town Planner at least seven days in advance of any site work to schedule a pre-construction meeting.
  7. Prior to the issuance of a Zoning Permit, a driveway permit must be obtained from the Road Foreman in accordance with the adopted policy concerning driveways.

Discussion:

Mr. Maiato asked about fireworks. A permit needs to be applied for through the Fire Marshal.

Ms. Kelleher asked about a couple of items requiring Syl Pauley’s signature. Ms. Roberson explained that there were, but the public hearing was closed, so additional information cannot be received. Some items require a Building Permit and the other is that the plans were revised today and Mr. Pauley has not had an opportunity to review and reply back about the revisions. Ms. Roberson explained, for the Record, that Mr. Blanchette had made revisions based on Mr. Pauley’s comments and one thing is not within the scope of the PZC’s jurisdiction.

Ms. Roberson stated that she had drafted another Condition (which she adopted from the Section on Adaptive Re-Use of Agricultural Buildings): “A change in owner or lessee must be reviewed by the Planning and Zoning Commission and the approval may be amended to permit the proposed owner or operator provided the conditions of the previous permit are satisfied.”

There was discussion regarding another condition for Mr. Pauley to sign the plans. Ms. Roberson explained that this would be a third-party condition. Mr. Pauley’s approval is advisory to the PZC.

Motion failed for lack of a second.

Motion was made by S. Pember to approve the Special Permit application of Nicole Wineland-Thomson and Greg Fisher to create a Special Event Facility (Willow Hill) at 459 Wolf Den Road, identified in the files of the Brooklyn Land Use Office as SP 22-007, in accordance with all final documents and testimony submitted with the application with the finding that the proposal is consistent with Sec. 6.J (Special Events) and Sec. 9.D.5 (Special Permit Criteria) of the Zoning Regulations. Such approval includes the following conditions:

1. The Special Event Facility is not approved for overnight accommodations.
2. All access drives shall have a minimum width of 12’.
3. The Department of Health approval, the Inland Wetlands and Watercourses Commission approval with conditions and 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 review prior to printing on archival material. The final approved plans bearing the seal and signature of the appropriate professionals and signed by the Commission Chair shall be recorded along with the Record of Special Permit in the office of the Town Clerk.
4. The following conditions are voluntarily offered by the applicant:
  - a. Limit weekend events to one outdoor event with amplified entertainment (low volume dinner music or spoken word excepted) per weekend, where “weekend” is defined as Friday, Saturday, and Sunday.

- b. Limit indoor events to 110 attendees.
  - c. Limit outdoor events to 225 persons on the property.
  - d. End amplification for all indoor and outdoor events by 10 pm.
  - e. Per State of Connecticut Statutes 22a-69, noise levels will not exceed 55 dB during the day as measured at the property lines that abut neighbors and run along Wolf Den Road. The State specifies a 55 dB limit until 10 pm with a 45 dB limit after 10 pm.
  - f. On-street parking by guests and vendors will be prohibited.
  - g. There will be no more than two licensed, permitted fireworks displays per calendar year, and they must be run by licensed professional fireworks companies. Fireworks will otherwise not be permitted to be brought onto the premises by renters/guests due to the risks associated with potential misuse and noise.
  - h. Residents within 2,500 feet of the property line in all directions will be notified at least 10 days prior to upcoming fireworks displays to allow for precautionary measures to be taken to protect any people, pets, and livestock who may be sensitive to such displays.
  - i. Firearms will be prohibited on the property during all events.
  - j. Outdoor fires will only be allowed in the firepit, which will be started and maintained by the owners or their employees. An outdoor grill will be available for use on the property.
  - k. Renters are responsible for removing all evidence of the event upon completion of the event or as soon as reasonably feasible after the conclusion of the event. This includes trash, tents, furniture, equipment, portable toilets and anything else that is visible from Wolf Den Road that has been brought onto the venue. The venue is to be restored to its condition prior to the event.
  - l. All renters of the property will agree to and sign a contract for usage of the premises, which will include but not be limited to the restrictions listed above. It will ask them to commit to respecting the local residents and the surrounding neighborhoods with respect to noise, trash, and driving speed.
  - m. Outdoor lighting will only be on, when necessary, for an event. All outdoor lighting will be “dark-sky compliant,” which means that it must comply with IDA (international Dark Sky Association) Fixture Seal of Approval but must also comply with Brooklyn and Connecticut state safety requirements. To the extent feasible, outdoor lights shall be downward pointing and directed away from Wolf Den Road and abutting properties.
5. Prior to conducting any site work (including, but not limited to, clearing and grubbing), the applicant shall apply for a Zoning Permit from the Zoning Enforcement Officer.
  6. The developer shall notify the Zoning Enforcement Officer and Town Planner at least seven days in advance of any site work to schedule a pre-construction meeting.
  7. Prior to the issuance of a Zoning Permit, a driveway permit must be obtained from the Road Foreman in accordance with the adopted policy concerning driveways.

to include Condition #8 as follows:

- Condition #8 – A change in owner or lessee must be reviewed by the Planning and Zoning Commission and the approval may be amended to permit the proposed owner or operator provided the conditions of the previous permit are satisfied.

Second by L. Herring. No further discussion.

Motion carried unanimously by voice vote (5-0-1). M. Sigfridson had recused herself.

3. **ZRC 23-001:** Multiple revisions concerning exceptions to the setbacks including Secs. 2.B, 3.A.5.2., 3.B.5.2., 3.C.5.2., 4.B.4.2., 4.C.4.2., and 8.A.4.

M. Sigfridson returned and resumed the Chair position.

Motion was made by S. Pember to approve the proposal to revise Sections 2.B, 3.A.5.2., 3.B.5.2., 3.C.5.2., 4.B.4.2., 4.C.4.2., and 8.A.4. of the Zoning Regulations 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 A. Fitzgerald. No discussion.

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



4. **ZRC 22-009:** Multiple revisions to Section 4.F Mill Mixed Use Development Zone, Applicant: DMP Palmer Associates.

There was discussion regarding that the Mr. Marcotte will be coming back as there will be a separate application for a zone boundary change.

Motion was made by G. Maiato to approve the proposal to revise Section 4.F Mill Mixed Use Development Zone of the Zoning Regulations 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 L. Herring.

Discussion:

Ms. Sigfridson stated that the changes, as proposed, would eliminate the buffer, as discussed during the public hearing. She suggested amending the Motion to eliminate the term “new residential” from the first sentence in Section 4.F.5.6.1.

Motion was made by A. Fitzgerald to Amend the Motion to approve the proposal to revise Section 4.F Mill Mixed Use Development Zone of the Zoning Regulations to eliminate from Section 4.F.5.6.1, the term “new residential” from the first sentence.

Second by G. Maiato. No further discussion.

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

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

5. **ZRC 23-002:** Addition to the Zoning Regulations re: Site Plan application submission requirements, Sec. 9.C.3.6. **\*Public Hearing 4/5/2023\***
6. **SP 23-001:** Special Permit Application for the Adaptive Reuse of an Agricultural Building, 59 North Society Road, Applicant: Kelsey Hare. **\*Public Hearing 4/5/2023\***

## **VII. New Business:**

Motion was made by S. Pember to add to the Agenda the following items under New Business-Applications:

VII.a.2.- **ZC 23-001:** Zone Boundary Change from R-10 and R-30 to MMUD.

VII.a.3.- **ZRC 23-004:** Zoning Regulation Change to define breweries and to allow breweries in the RB Zone.

Second by L. Herring. No discussion.

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

### **a. Applications:**

1. **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 reminded the Commission that this involves a quilt shop where the owner would like to sell items made by other crafts persons and other changes involve signs.

Motion was made by L. Herring to schedule 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., Applicant: Brooklyn PZC for the regular meeting of the Planning and Zoning Commission to be held on **April 25, 2023** at 6:30 p.m. at the Clifford B.Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by A. Fitzgerald. No discussion.

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

2. **ZC 23-001:** Zone Boundary Change from R-10 and R-30 to MMUD.

Motion was made by L. Herring to schedule 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 **April 25, 2023** at 6:30 p.m. at the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by S. Pember. No discussion.

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

3. **ZRC 23-004:** Zoning Regulation Change to define breweries and to allow breweries in the RB Zone.

Motion was made by L. Herring to schedule the public hearing for **ZRC 23-004:** Zoning Regulation Change to define breweries and to allow breweries in the RB Zone, Applicant: Shelley Boisvert for the regular meeting of the Planning and Zoning Commission to be held on **April 25, 2023** at 6:30 p.m. at the Clifford B. Green Memorial Building, 69 South Main Street, Brooklyn, CT and via Zoom.

Second by S. Pember. No discussion.

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

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

VIII. **Reports of Officers and Committees**

Ms. Roberson reported that Mr. Jolley is appealing the decision of the Zoning Enforcement Officer which had been published in the *Turnpike Buyer*. There was discussion. Ms. Roberson will e-mail it to the Commission Members.

Margaret Washburn's Report dated March 14, 2023 was included in packets.

IX. **Public Commentary** – None.

X. **Adjourn**

**M. Sigfridson adjourned the meeting at 10:47 p.m.**

Respectfully submitted,

J.S. Perreault  
Recording Secretary

**Attachment:** Margaret Washburn's Report dated (3/14/2023)