

DRAFT MINUTES
BROOKFIELD ZONING COMMISSION
SPECIAL MEETING: BROOKFIELD PLANNING COMMISSION
Thursday, July 26, 2012 – 7:00 p.m.
MEETING ROOM #133 – TOWN HALL, 100 POCONO ROAD

1. Convene Meeting

Chairman W. Mercer convened the meeting at 7:00 p.m. and established a quorum of members.

Present for the Zoning Commission: Chairman W. Mercer, C. Lynch, M. Grimes, R. Cordisco (Alternate and Voting Member), R. Ziembicki (Alternate and Voting Member), Alternate J. Varda

Absent: Vice Chairman R. Blessey, Secretary F. Lollie

Present for the Planning Commission: A. Kerley, D. Frankel, P. Conlon

Also Present: Community Development Director K. Daniel, Zoning Enforcement Officer A. Dew, Recording Secretary D. Cioffi

Commissioner Grimes moved to go to Agenda Item 5.b. Commissioner Lynch seconded the motion, and it carried unanimously.

5. New Business

b. 13 Surrey Drive #201200629: Single Family Conversion (dec date 9/29/12)

1. “Zoning Location Survey” prepared by Bunney Assoc. Land Surveyors dated 6/20/12 revised 7/17/12 - *No one present.*

c. 204 Candlewood Lake Road #201200635: Site Plan Modification – Demolish existing building, re-build new addition, new septic system, parking, and pool (dec date 09/29/12)

1. Development Report for Candlewood East Marina prepared by CCA, LLC dated 07/19/12
2. Preliminary Drawings Candlewood East Marina prepared by Tasos Kokoris dated 04/20/12:
 - Preliminary Specifications – West Elevation Detail
 - Preliminary Floor Plan – 3,360 square feet dated 03/31/12
 - Preliminary Floor Plan – 2,816 square feet dated 03/31/12
 - Preliminary East Elevation dated 04/20/12
 - Preliminary West (Lake) Elevation dated 03/31/12
 - Preliminary North Elevation, Section dated 03/31/12
3. Site Development Plans – Candlewood East Marina prepared by CCA, LLC dated 07/03/12 revised 07/19/12:
 - Sheet N1 – General Legend, Notes and Abbreviations dated 06/12
 - Sheet 1 of 1 – Property & Topographic Survey dated 03/09/12; revised through 05/10/12
 - Sheet C1 – Layout and Materials Plan dated 06/14/12; revised through 07/19/12
 - Sheet C2 – Grading & Drainage Plan dated 06/14/12; revised through 07/19/12
 - Sheet C3 – Landscape Plan dated 06/14/12; revised through 07/19/12
 - Sheet C4 – Septic System Design dated 06/14/12; revised through 07/19/12
 - Sheet C5 – Septic System Details dated 06/14/12
 - Sheet C6 – Notes & Details dated 06/14/12
 - Sheet E1 – Sedimentation and Erosion Control Plan dated 12/07/05

M. O’Hara, Sr., 204 Candlewood Lake Rd., was present.

Commissioner Grimes moved to set a Public Hearing for 204 Candlewood Lake Road, #201200635, for 7:30 p.m. on August 23, 2012. Commissioner Lynch seconded the motion, and it carried unanimously.

ZEO Dew and CDC Daniel advised the Commission that the applicants for 13 Surrey Dr. (Item 5.b) and 57 Laurel Hill Rd. (Item 5.d.) would be arriving after the discussion of Item 5.a., Presentation by Fitzgerald and Halliday, Inc. on Four Corners Revitalization Plan.

Planning Commission Member A. Kerley advised that the Chairman, J. VanHise, is unable to attend tonight's meeting because he is out of the state.

5. New Business:

a. Presentation by Fitzgerald & Halliday Inc. on the Four Corners Revitalization Plan

Community Development Director K. Daniel thanked Dave Hannon, HVCEO, and L. Overland, Architect, for their assistance over this multi-month process, as well as P. Peterson, J. VanHise, and Zoning Commissioner C. Lynch, H. Lasser, Board of Selectmen, L. Wagner, Chamber of Commerce, M. Frankel, Economic Development Commission, Major J. Purcell, Police Department, R. Tedesco, Public Works, L. Mancuso, the Town Historian, and B. McIlvane of the Facilities Planning Committee. She advised the audience of the availability of copies of the proposal both on disc and paper ("Four Corners Brookfield Town Center Revitalization Plan, July 2012, Draft").

Carol Gould of Fitzgerald & Halliday, Inc. was present. She reviewed the study area of Town Center District Goals, and advised that the plan is also on the Town website. Ms. Gould went over the considerations of the plan: the concept performance (what the market allows, physical capacity, and vision). She further demonstrated examples of 15,000 square footage, and discussed the development capacity of the area, as well as the current and potential transportation services in the area. Ms. Gould the lack of sidewalks in the area at this time.

Ms. Gould advised that the plan incorporated the over 1,000 responses from the on-line survey; and the four-day planning meetings held earlier this year. Overall, the results showed a desire to make the area more oriented to human activity while retaining its historic character. Ms. Gould reviewed the components of the four-day charette: a community workshop, focus groups (transportation, community character and economic goals); the development of a steering committee and a final presentation including the master land use plan. She indicated that the area was divided into four quadrants, and noted that the proposal has to consider the gas stations currently located in the area regardless of whether they stay or go.

Ms. Gould then reviewed the incorporation of new buildings among the current buildings with plans for pedestrian access and auto circulation patterns and parking.

M. Morehouse, Fitzgerald & Halliday, Inc. was present, and reviewed the details of the transportation infrastructure, incorporating sidewalks, parking and trails. He noted that three of four quadrants in the area can accommodate sidewalks. Mr. Morehouse discussed a proposal for a safer crosswalk near the Craft Center on Whisconier Road.

Ms. Gould then reviewed four implementation initiatives: the community form initiative (encourages redevelopment to create downtown development); the marketing initiative (putting together marketing plan to attract investors/branding program, utilizing area's history); the cultural/civic enhancement initiative (locating gathering destinations, i.e., library, theatre); and the complete streets initiative (sidewalks, bike lanes, to develop pedestrian environment)

Ms. Gould recommended incorporating the plan as an amendment to the current Plan of Conservation and Development, supplementing the current design standards, parking, sign and incentive housing regulations,

along with establishing a design review committee. She encouraged public/private partnerships with developers, including regulatory incentives. Other recommendations included: pre-application review, hiring an economic development coordinator or getting technical assistance from existing organizations, such as the Connecticut Main Street Program; developing a business retention program and tax incentive program.

Mr. Morehouse reviewed more details related to the complete streets initiative, regarding parking, sidewalks, and bridging gaps on the existing facilities.

A member of the audience inquired if the development would be entitled, “Four Corners” and was advised that it has been called that, interchangeably with the “Town Center District”. There was discussion regarding the hurdles in the northeast quadrant of the development with regard to the sidewalk network. Mr. Morehouse noted that the connection between businesses would likely be behind the buildings. Another member of the audience inquired regarding the redevelopment of existing buildings and there was discussion regarding the involvement of the design review committee and other improvement programs.

A member of the audience discussed the current diversity of the buildings and the lack of incentive for current owners to rebuild and redevelop those sites. Selectman G. Walker inquired regarding the role of the Zoning regulations, and Ms. Gould reviewed that the plan contains a list of recommended zoning modifications. H. Kurfels, Economic Development Commission, pointed out the difficulties in upgrading the buildings, and encouraged the Town to work with developers toward successful implementation of the proposal. Mr. Morehouse discussed possible stages in the development. Ms. Gould indicated that the Community Development Director has been provided with a “pro forma” sheet with recommendations for the quadrants. Zoning Commissioner R. Ziembicki inquired regarding the lack of development along side of the river. Mr. Morehouse indicated that the slopes in the northeast quadrant make it difficult and there is more potential in the southeast quadrant.

Another member of the audience that works with senior citizens spoke in favor of the complete streets initiative to increase physical activity among residents.

It was pointed out that the four gas stations do pose a challenge to development of the area.

There was additional discussion regarding the timing of the development, possibly quadrant by quadrant. It was clarified for a member of the audience that the proposal is not to eliminate auto traffic from the area, but to slow it down and make it more pedestrian friendly.

First Selectman B. Davidson was present, and thanked Ms. Gould and Mr. Morehouse, as well as the other individuals that participated in the development of the plan. CDC Daniel then welcomed others to continue the discussion in the lobby so that the Zoning Commission could conclude its regular business.

3. Review Correspondence

- a. Minutes of other Boards and Commissions: Inland Wetlands Commission 7/9/12, 7/7/12 special; Zoning Board of Appeals 7/9/12; Planning Commission; Zoning Sub-Committee**

No discussion/no motions.

4. Old Business:

No agenda items.

2. Land Use Enforcement

- a. Enforcement Officer’s Report**

ZEO Dew reported on the following.

Requests for Voluntary Compliance

273 Whisconier Rd., #201200123 – This matter is on the Zoning Board of Appeals agenda for August 6, 2012.

14 Knollcrest, #201200493 – The property owner has reported that the house is being foreclosed upon, however, it is still in his name, and the debris has not been moved. **Commissioner Grimes moved to issue a Cease and Desist to 14 Knollcrest Dr., #201200493. Chairman Mercer seconded the motion, and it carried unanimously.**

85 Ironworks Hill Rd., #201200509 – The tires have been removed. This matter will remain on the report until the next meeting.

53 Huckleberry Hill Rd. #201200554, – The property owner will appear before the Commission at its next meeting for an elderly conversion application. The history of uses on the property was reviewed.

6 Lillinonah Drive, #201200578 – ZEO Dew noted the presence of temporary structures and many vehicles. The property owner has advised he will be getting rid of the vehicles soon, noting that he and his wife just had a baby. It was noted that the property has been this way for ten to fifteen years. ZEO Dew will inspect on August 20, 2012.

37 Huckleberry Hill Road, #201200628 – ZEO Dew advised that while she was investigating an unfounded complaint regarding chickens, she noted the presence of a cherry picker. She sent a RVC by August 20, 2012.

Cease and Desist Orders

28 Del Mar Dr., #201200421 – ZEO Dew reported that the site has been cleaned up, but one truck and two trailers remain. **Commissioner Grimes moved to issue a Citation if the property at 28 Del Mar Dr., #20120041, is not in compliance by August 7, 2012. Commissioner Lynch seconded the motion, and it carried unanimously.**

Citation

227 Federal Road, #201200521 – Payment has been received.

Town Counsel Action

11 Nicole’s Court, #201200331 – ZEO Dew advised that Cohen & Wolf sent a letter for compliance for the commercial vehicles and trailer. Chairman Mercer inquired if Town Counsel advised ZEO Dew if she was allowed to use the easement to access the property, and ZEO Dew indicated she could access the site in a similar manner that a UPS delivery would be made.

20 Station Road, #200101116 – Town Counsel has suggested removal of this item as the building has become less nonconforming since partial demolition. **Commissioner Grimes moved to strike 20 Station Road, #200101116, from the Enforcement Report. Chairman Mercer seconded the motion, and it carried unanimously.**

533 Federal Road, #2012000122 – An Order for Temporary Injunction has been filed for the zoning and wetlands violations on this property.

1 High Ridge Road, #201000315– Dr. Zaky has not paid his fine. He is going back to the Zoning Board of Appeals related to the violations for his property, that he is appealing. ZEO Dew will speak with Special Town Counsel regarding this matter.

9 Stoney Farm Lane, #201100095 – ZEO Dew has inquired of Special Town Counsel regarding the status of the agreement with D. Moss, and will follow up.

54 Ironworks Rd., #201100755 – There was discussion regarding whether the Town should expend the funds to pursue this matter. The bank has been paying the mortgage, and the property owners have been paying the real property taxes. No one has lived at the house for a long time, nor has there been any water or electricity. ZEO Dew will speak with Town Counsel to get an approximate cost of how much it would cost to pursue this matter.

- c. **204 Candlewood Lake Road #201200635: Site Plan Modification – Demolish existing building, re-build new addition, new septic system, parking, and pool**
(dec date 09/29/12) – (continued)

Mr. O’Hara, Jr., and S. Sullivan, were present. Commissioner Grimes advised that them that a public hearing date was sent earlier tonight. There was discussion regarding whether a public hearing was necessary for a site plan modification. The age of the building was also discussed. The regulations were reviewed.

No motions.

d. 57 Laurel Hill Road #201200636: Design Review – Proposed Incentive Housing “Laurel Hill Townhomes” (dec date 09/29/12)

1. Letter from A. Adams of CCA, LLC dated 07/19/12 Re: Laurel Hill Townhomes Incentive Housing Development
2. Development Report for Laurel Hill Townhomes prepared by CCA, LLC dated 06/20/12; revised 07/05/12
3. Incentive Housing Restriction
4. Sheet DA1 – Pre-Development Drainage Area Map prepared by CCA, LLC dated 06/06/12
5. Sheet DA2 – Post-Development Drainage Area Map prepared by CCA, LLC dated 06/06/12
6. Sheet DA3 – Catch Basin Drainage Area Map prepared by CCA, LLC dated 06/22/12
7. Laurel Hill Townhomes Proposed Incentive Housing Development prepared by CCA, LLC:
 - Cover Sheet dated 06/20/12; revised through 07/19/12
 - Sheet N1 – General Legend, Notes and Abbreviations dated 06/12
 - Sheet 1 of 1 – Boundary Survey dated 05/10/12; revised through 06/06/12
 - Sheet 1 of 1 – Existing Conditions Plan dated 06/06/12
 - Sheet C1 – Layout and Materials Plan dated 06/06/12; revised through 07/19/12
 - Sheet C2 – Grading and Drainage Plan dated 06/06/12; revised through 07/19/12
 - Sheet C3 – Utilities Plan dated 06/06/12; revised through 07/19/12
 - Sheet C4 – Erosion Control Plan dated 06/06/12; revised through 07/19/12
 - Sheet C5 – Notes and Details dated 06/06/12; revised through 07/19/12
 - Sheet C6 – Notes and Details dated 06/06/12; revised through 07/19/12
 - Sheet C7 – Notes and Details dated 06/06/12; revised through 07/19/12
 - Sheet C8 – Notes and Details dated 06/06/12; revised through 07/19/12
 - Sheet E1 – Sedimentation and Erosion Control Plan dated 12/07/05
8. Sheet A1.0 – Typical Townhouse Plans prepared by LaFreniere Architects Inc. dated 07/12/12
9. Sheet A2.0 – Typical Townhouse Elevations prepared by LaFreniere Architects Inc. dated 07/12/12
10. Sheet A3.0 – Roof Plan/Exterior Details prepared by LaFreniere Architects Inc. dated 07/12/12

Chairman Mercer moved to set a Public Hearing for 57 Laurel Hill Road, #201200636: for August 23, 2012, for 7:30 p.m. Commissioner Ziembicki seconded the motion, and it carried unanimously.

1. Convene Meeting

b. Review Minutes of Previous Meetings:

7/12/12 – Commissioner Lynch moved to approve the Minutes of the July 12, 2012 meeting. Commissioner Cordisco seconded the motion, and it carried, 4-0-2, with Chairman Mercer and Commissioner Grimes abstaining.

6/28/12 – Commissioner Varda moved to approve the Minutes of the June 28, 2012 meeting. Chairman Mercer seconded the motion, and it carried, 3-0-3, with Commissioners Lynch, Grimes and Cordisco abstaining.

5. New Business (continued)

b. 13 Surrey Drive #201200629: Single Family Conversion (dec date 9/29/12) – (continued)

1. “Zoning Location Survey” prepared by Bunney Assoc. Land Surveyors dated 6/20/12 revised 7/17/12

Commissioner Grimes moved to continue 13 Surrey Dr., #201200629, to the next regularly scheduled meeting. Chairman Mercer seconded the motion, and it carried unanimously.

6. Tabled Items: None.

7. Informal Discussion: On behalf of the Commission, Commissioner Grimes thanked Chairman Mercer for his service and presented him with a gift. Chairman Mercer expressed his gratitude for the opportunity to serve on the Commission.

Commissioner Grimes moved, on behalf of the Commission, in anticipation of Commissioner Mercer’s resignation, that it supports the elevation of Alternate Commissioner Cordisco to a regular member on the Commission. Commissioner Lynch inquired regarding the process, and Commissioner Grimes advised that because the Commission does not fill its vacancies, it is making a non-binding recommendation to the Board of Selectmen. Commissioner Ziembicki seconded the motion, and it carried unanimously.

8. Comments of Commissioners: None.

9. Adjourn: Commissioner Cordisco moved to adjourn the meeting at 8:51 p.m. Commissioner Lynch seconded the motion, and it carried unanimously.

****Next Regular Zoning Commission Meeting Scheduled for August 9, 2012****
****Next Regular Planning Commission Meeting Scheduled for August 2, 2012****