

**APPROVED MINUTES  
PLANNING COMMISSION  
THURSDAY, June 20, 2013 7:30 PM  
MEETING ROOM #133 – TOWN HALL, 100 POCONO ROAD**

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**1. Convene Meeting:** Chairman Van Hise convened the meeting at 7:30 p.m. and established a quorum of members: J. Van Hise, Chairman; A. Kerley, Vice Chairman; D. Frankel, Secretary; Regular member P. Conlon; and Alternate L. Taylor.\* Also present: K. Daniel, Community Development Director; R. Tedesco, Town Director of Public Works; and Recording Secretary J. Llewellyn.

\*L. Taylor was appointed a voting member.

**Absent:** Alternate N. Tolmoff

**2. Review Minutes of Previous Meetings: 06/06/13: A motion approve minutes of June 6, 2013, as written, was made by P. Conlon, seconded by D. Frankel, and carried unanimously.**

**3. Old Business:**

- a. 101 Obtuse Hill Road: #201200961: “Whispering Glen Section Two” Conservation Easement and Warranty Deeds**
- 1. Email from N. Marcus to E. Cole dated 6/11/13 re: 101 Obtuse Hill Road #201200961: Conservation Easement Documents**

The Commission had contacted Town Attorney for his opinion on these documents, and received the following reply:

*“I have reviewed the easement and deed and I find that they are acceptable. I have not received an updated report on title, but before the deeds and easement are recorded, we need to get a certificate of title to keep on file. I am not sure why there is a discrepancy on the address, but the applicant may have changed its place of business. It would be a good idea to reflect the most current address of the Grantor on the conveyance tax forms as well as the deeds.”*

**A motion was made by A. Kerley for Application #201200961: Whispering Glen II Conservation Easement and Warranty Deeds, that the Planning Commission approves the documents in accordance with the language outlined in the email from Town Attorney Marcus to E. Cole/Land Use Office, dated 6/11/13. P. Conlon seconded the motion, which carried unanimously.**

**A motion was made by A Kerley to send a memo to the Board of Selectmen that the Planning Commission looks favorably upon the open space for 101 Obtuse Hill Road, Application #201200961. P. Conlon seconded the motion which carried unanimously.**

**b. 100 Pocono Road: #201300509: 8-24 Referral: Cell Tower**

*Present was Mr. Vergati of Homeland Towers, Danbury, CT.* This referral had come before the Commission at the last meeting, and since the Commission had questions, Mr. Vergati was present to address any concerns so a decision can be rendered on the 8-24 Referral.

Mr. Vergati submitted a small packet of information which he explained to the Commission, and then outlined the process involved in building a cell tower. Mr. Vergati noted that he has worked with various agencies in choosing the location of the proposed tower (behind the firehouse on Pocono Road). The site has an existing access drive which circles through the back (near the Town's brush disposal site). The project calls for a 75 square foot fenced in compound for the tower which is proposed to be 150 feet high. Protecting its perimeter will be a mesh fence made of anti-climbing weave material.

The profile in the packet featured specifications on a monopole design, and its proposed height is driven by the needs of the Town for its emergency communication services along with those of the commercial entities which will also use it. J. Van Hise asked if that height was adequate to clear both ridges on either side of town, some of which presently experience difficulties in cell phone reception.

Mr. Vergati outlined the process involved in getting this structure built and the leasing details. The Connecticut Siting Council is the legislative authority on this type of structure. There will be a public hearing at which, he added, the Town is generally an Intervenor. While the 150 foot height is not a final height, the Town does have a say in this detail. Once the year-long Siting Council process is complete, there needs to be a building permit secured by the applicant. D. Frankel opined that the height should be as much as needed for it to perform adequately: "Do it right." He also asked how that height is determined, and Mr. Vergati replied that this is done through computer models. Mr. Vergati said that for each monopole, individual carriers come for a building permit for shelters or other proposed add-ons.

Chairman Van Hise asked R. Tedesco about impact on the existing brush dump. R. Tedesco said there would be none, and he's done a site walk on this proposal with the interested parties.

The Commission believes this is a "good area for a tower," so **a motion was made by A. Kerley that the Commission send a note to the Board of Selectmen that they have reviewed this referral and looks favorably upon it. D. Frankel seconded the motion which carried unanimously.**

**4. New Business:****b. 1 North Lake Shore Drive and 32 Candlewood Shores Road:  
#201300508: Lot Line Revision:****1. Property Survey depicting lot line revision and equal area exchange prepared by PAH, Inc. dated 6/3/13**

*Present for Mike Henry was P. Young.* Mr. Young outlined this proposal to change the lot line, involving an “even swap” of land, so that the line is more parallel to the proposed houses, rather than at an angle. The map was designed by Engineer R. Gallagher, and an A-2 survey was presented to and reviewed by the Commission. Each member felt there was no problem with this proposal, and called it a “better solution.” **A motion was made by A. Kerley regarding 1 North Lake Shore Drive #2013000508 to accept the lot line change as presented. D. Frankel seconded the motion which carried unanimously.**

**Mylar was left on the cart.**

**b. Commerce Road: #201300558: 8-24 Referral: Sewer System serving Commerce Road**

1. Memo from K. McPadden, WPCA Executive Administrator to Planning Commission dated 6/17/13 re: 8-24 Referral.
2. Memo from First Selectman W. Davidson to the Water pollution Control Authority dated 6/5/2013 re: Commerce Road

*Present: N. Malwitz, WPCA Chairman.* Mr. Malwitz explained that a sewer line, built in the late 1980’s, already exists along this road. At this time, the developers of the ten properties on Commerce Road formed a group and joined together to maintain this line. This proposal is simply a change “on paper,” with the Town taking over the line, noted the Planning Commission Chairman. Mr. Malwitz outlined the flow which drains down to a pump station. “No construction is going to happen,” according to Mr. Malwitz. The proposal is along a town road and the existing line is simply being adopted into the Town system. **A motion was made by P. Conlon stating that the Planning Commission send a note to the Board of Selectmen saying that this Commission looks favorably on this referral. D. Frankel seconded the motion which carried unanimously.**

On a separate matter, A. Kerley asked about the time frame for the recently (May, 2013) approved sewer extension. Mr. Malwitz said the documents are being prepared and then the bidding process will begin.

**4. Minutes of other Boards and Commissions:**

- 6/3/13 Board of Selectmen;
- 6/14/13 Special Board of Selectmen;

-6/10/13: Inland Wetlands Commission;

-6/6/13: Special Zoning Commission: discussed change of name for Town Center District.

**6. Correspondence:**

- a. Letter from Daniel Plante to Brookfield Zoning Commission dated 6/10/013 re: Zone Change for 20 Elbow Hill Road. The Commissioner complimented the writer and added that the Commission understands his comments. The Commission noted for the record that it thinks this is a thoughtful letter and hopes the Zoning Commission takes the comments into consideration.
- b. Letter from E. Bernard of Water Resources and Infrastructure Planning at Aquarion Water Company to C. Chase dated 6/11/13 re: Request for Authorization Under the General Permit for Diversion of Water for Consumptive Use Candlewood Acres Wells No. 1 and 2 (remainder of information on cart).

This item is informational only for the Commission.

**7. Informal Discussion:**

*Prior to discussing the Plan of Conservation and Development, Chairman Van Hise updated the Commission on the following:*

-He had an informal meeting with the Green Hills representatives still pursuing the Gurski open space. During the discussion, those present (from the Town) made it clear that the proposed applicant would have to conform to Town regulations. The general conclusion is that before it goes too much further, there needs to be a consensus from the Town on whether the project should move forward, especially since there may be the need for modifications to the Planning and Zoning regulations to allow something like this project to come in. The First Selectman is proposing to come before each Commission to present why this is something to consider. There may also be a Town-wide vote on this in August. J. Van Hise strongly considered an 8-24 Referral prior to that Town vote.

**a. Plan of Conservation and Development:**

K. Daniel presented the New Draft Open Space Map dated 6/2/13 along with a hard copy of the properties which area available for development.

K. Daniel also presented a hard copy of the survey results. She stated that she was a little disappointed at the number of responses, but a trend has emerged. Most people feel they have a good quality of life in Brookfield. Williams Park is the most favored open space in town, per this survey, with the “Riverway” another popular choice.

She'd like to compare these results with those from previous surveys, and also delve into open ended responses.

She also recently met with members of HVCEO who recommended that the Town focus on Parks and Recreation aspect of our town and put a piece in the Plan of Conservation and Development that focuses on future development of recreational managed open space. She suggested that D. DiPinto, Director of the town's Parks and Recreation Department, be invited to speak to the Commission.

Ms. Daniel added that at this point, she believes she has enough background and information to draft language for Natural Resources chapters.

***-Subdividable Residential Land Map:***

Ms. Daniel then presented a new map entitled "Potential Subdividable Residential Land" which was color-coded to show available land, including that on which there were no impediments to development (such as wetlands or access issues). The Commission was appreciative of this resource. Ms. Daniel also presented a supplemental list of said properties as an additional reference tool, including addresses of these available lots.

***-Connecticut Aquifer Protection Program:*** Ms. Daniel gave a brief outline of the difference between stratified drift wells and rock wells, and their impact on the Aquifer, noting that when wells are located in stratified drift and have more than 1,000 customers, they must be part of the Aquifer Protection Program. She has received a large binder of information on this which will be reviewed, and any impact it will have on the Plan of Conservation and Development will be discussed. This information can help to provide a more accurate definition of the Aquifer Protection District.

***-Housekeeping issues:***

**-Contacts:** D. Frankel asked for correction on the Land Use Contact Sheet to reflect A. Kerley as Vice Chairman and D. Frankel as Secretary

**-Minutes on line:** Addressing the Commission's access to the Minutes of Other Boards and Commissions, Ms. Daniels said that now that they're on line through the Town's website, she can arrange for all Commissioners' emails to be linked so they are alerted when there is a new posting of these minutes. The Commissioners, with the exception of A. Kerley, prefer to continue to receive hard copies of these minutes as well in their bi-weekly packets.

**-Chairman Van Hise** noted that there will be no meeting on July 4. Instead, the next meeting will be July 11<sup>th</sup>.

8. **Tabled Items:** There were none at this meeting.
9. **ADJOURN:** A motion was made by L. Taylor, seconded by P. Conlon, to adjourn the meeting at 9:00 p.m. Motion carried unanimously.