

Regular Planning Commission Meeting
MINUTES
7:30 PM Thursday, July 02, 2015
Room 133

1) Convene Meeting

Chairman J. Van Hise convened the meeting at 7:30 p.m. and established a quorum of members: J. Van Hise, Chairman; Vice Chairman A. Kerley; Secretary D. Frankel; Regular members L. Taylor and G. Hunton; Alternates

G. Blass and I. Agard. Also present: R. Tedesco, Public Works Director, and Recording Secretary J. Llewellyn.

2) Review Minutes of Previous Meeting

- **Draft Minutes Regular Meeting 06/18/2015**: A motion was made by A. Kerley, seconded by L. Taylor, to accept the Regular Meeting Minutes of 6/18/2015 as submitted. Motion carried unanimously.

A motion was made by G. Hunton, seconded by A. Kerley, to amend the agenda to add the Minutes of the Site Walk/Special Meeting of 6/25/15 at 6:00 p.m. (36 North Mountain Road #201500415). Motion carried 3-0-2 with J. Van Hise and L. Taylor abstaining.

- **Draft Minutes Site Walk 06/25/2015**

Since they were not present at the site walk, J. Van Hise, L. Taylor and G. Hunton did not vote on the following motion, and Alternates I. Agard and G. Blass, present at the Site Walk, were voting members on this agenda item:

A motion to approve the Minutes of the Site Walk/Special Meeting of June 25, 2015, for Application #201500415 – 36 N. Mountain Road, as amended,* was made by I. Agard, seconded by A. Kerley, and carried unanimously.

**Amendment: Third line under #3: add the word “with” after “concur.”*

At this point, all Regular Members resumed voting status:

3) Old Business

a) Plan of Conservation and Development effective date

- Memo from K. Daniel regarding setting effective date of POCD dated 06/26/2015: This memo advised the Commission that they needed to set an effective date for adoption of the Plan of Conservation and Development (POCD).

A motion was made by A. Kerley that stated that since the POCD is finalized and has been signed off on, that the effective date be set for tonight, July 2, 2015. G. Hunton seconded the motion which carried 4-0-1 with D. Frankel abstaining.

A motion was made by D. Frankel to amend the agenda to go to item #5: Minutes of Other Boards and Commissions. G. Hunton seconded the motion which carried unanimously.

PUBLIC HEARING: 7:45 P.M.

Following the introduction of the Commission members, the Chairman noted that due to his recent eye surgery, he will be limited in his participation in the Public Hearing, meaning that he would defer reading of all correspondence to Vice Chairman A. Kerley, but that he would be able to listen to all information and comments presented.

36 N. Mountain Road, #201500415 – North Mountain Hollow: New Affordable Subdivision (Public Hearing date: 7/2/2015 – Public Hearing Close Date: 8/5/2015). Present were applicants J. and D. Sivo, and Engineer N. Lavek, of Carroccio-Covill and Associates.

Acting Chairman Kerley opened the Public Hearing at 7:30 p.m. and Secretary D. Frankel read the legal notice for the record.

The applicant's engineer then outlined this proposal for 12-home development of approximately 17.5 acres. Four of these homes would be designated "affordable" (under the State Statute 8-30G). Mr. Sivo presented two styles of homes, one 2800 sq. feet, similar in style to those in Gereg Glen (a nearby subdivision), and the other, 2,795 sq. ft., similar in style to those on Granite Drive (another nearby subdivision). He estimates their price range to be between \$500,000 and \$600,000. The aforementioned affordable units would be "similar to these" but smaller in square feet. The lots would range in size from .7 to 2.3 acres, and the property is bordered on two sides by open space. Each lot would have its own septic system and well, and three would have a common driveway. A wetlands crossing has been approved. Drainage would be provided with a proposed detention pond, as well as individual roof recharge systems for each dwelling. On the matter of Affordable Housing, Commission Vice Chairman A. Kerley noted for the record that the Town is under a mandate from the State to have 10% of housing designated as "affordable", and presently Brookfield has just under 3%. The applicant said that his Attorney, who was unable to attend tonight's hearing, would be available at the next meeting to give more details on the Affordable Housing Statute, as well as the proposed affordable dwellings proposed with this application. On the matter of fire tanks, which the Commission had sent to the Fire Marshal for his opinion, the applicant's engineer noted that all six 10,000 gallon tanks would be located on Lot 2.

An item of Correspondence from A. Dew, the Chairman of the Conservation Commission, was read into the record. She indicated that that commission would accept this subdivision's proposed 9.2 acres of open space with the stipulation that signs be placed every 20 feet indicating that the land is conserved.

Acting Chairman Kerley then called for questions from the public. C. Slone of Gereg Glen Road expressed concern over the proposed entrance location, indicating that there is a nearby curve, and that last winter, this area saw an abundance of snow and ice with the runoff. The applicant's engineer stated that the entrance location provides sight distances that allow for seeing well downhill, but would check further to be sure the sight lines meet the statutes relative to the road's speed limit. Applicant J. Sivo said that this proposed entrance location is "better than" the one at nearby Gereg Glen. G. Furlong, of Flax Hill Road, echoed the concern of the proposed entrance location. Town Engineer R. Tedesco noted that there would be a stop sign on the subdivision's road, Hollow Drive, where it intersects North Mountain Road. He also said he would inspect the trees and brush that may have to be cut down to improve the sight line. C. Slone asked about the runoff, and Mr. Tedesco stated that there are catch basins on North Mountain Road, and new ones proposed on Hollow Drive. The applicant's engineer added that they will provide catch basins and a proposed culvert to handle water from a brook that flows in front of the property and to keep additional water from the subdivision on site. A. Krosier of Flax Hill Road noted that there are nine signs up, and nine signs down North Mountain Road indicating danger on the road. This, she noted, is without construction and 12 new homes. She concurred that there should be another entrance to the subdivision "other than on a dangerous curve."

Next, Acting Chairman Kerley asked for comments in favor of the subdivision. There were none. There were also no comments opposed to the subdivision. There were no final general comments or questions from the Commission nor the public.

Chairman Van Hise said that the hearing would be continued to allow all of the Commissioners to walk the site in the next two weeks, and to allow the applicant's attorney to be present.

A motion was made by A. Kerley to continue the Public Hearing to July 16, 2015, at 7:45 p.m. D. Frankel seconded the motion which carried unanimously.

A motion was made by G. Hunton to return to Item #4 on the Agenda: New Business. Motion seconded by L. Taylor and carried unanimously.

4) New Business

a) Proposed Amendment to Zoning Regulations #201500518: Section 242-505M: Moratorium on the Acceptance of Applications for Residential Development in the Town Center District

- Memo to Commission from Zoning Commission re: Proposed Zoning Regulation Change dated 04/05/2014
- Proposed Amendment to the zoning Regulations to Establish a Moratorium Concerning Development Applications in the Town Center District received 06/03/2015

Chairman Van Hise noted that the First Selectmen has sent memo inviting the Planning Commission to a webinar which may provide additional information on this topic. Information from this webinar will be restated at the Zoning Commission's Public Hearing on July 9th. The Chairman believes that from a Planning Point of view, the Commission has "spoken" offering affordable and incentive housing in that district, as also indicated in the newly-revised POCD. A. Kerley felt that the First Selectman has been trying to get Town Boards and Commissions to work together, instead of independently, by hosting Tuesday morning meetings. Unfortunately, he added, no one from the Zoning Commission (except the ZEO) has been able to attend. At these meetings, issues relative to the Town have been explored and discussed. Commissioner Kerley expressed concern for developers who were planning to put housing in the new Village Business District, adding that development will inspire business. G. Hunton encouraged the Commission to restate its position on the record, adding that a nine-month moratorium is "too long." Chairman Van Hise also felt the proposed nine month moratorium is "way out of line," and questioned the rationale for this, given that there is no active development in front of the Commission at this time. D. Frankel concurred with the Chairman's statements, but wants to hear the Zoning Commission's rationale behind the proposal, adding that he "wants to do things correctly." Commission Alternate I. Agard asked what a "moratorium" means in this context, and the Chairman explained that during the moratorium, no new applications would be accepted. Those applications already in progress would continue. Commissioner Agard felt that as Brookfield was finally getting the Town Center concept "off the ground," the term "moratorium" may have a "chilling", detrimental effect.

A motion was made by G. Hunton asking that the Planning Commission send comments regarding the Proposed Amendment to Zoning Regulations 201500518: Section 242-505M: Moratorium on the Acceptance of Applications for Residential Development in the Town Center District asking for justification for the proposed moratorium, as well as the rationale for the proposed nine-month length of time. The Planning Commission also asks for consideration of any positive as well as negative ramifications, particularly in light of how this kind of housing fits in with the Town Center plans. The Commission also asks that if a moratorium is indeed enacted, that its length be considered to be shortened to a period of approximately three months.

The motion received a second from A. Kerley and carried 4-0-1 with D. Frankel abstaining.

5) Minutes of Other Boards & Commissions

- **Draft Minutes: Zoning Commission 6/11/2015:** The Commission deemed that this was "business as usual", except for the Proposed Moratorium Regulation Change, 242-505M, which this Commission would discuss later in the meeting (see Item #4: New Business).
- **Draft Minutes: Inland Wetlands Commission: 6/22/2015:** The Commission determined that it was "business as usual" at this meeting.

6) Correspondence

There was none at this meeting.

7) Informal Discussion

There was none at this meeting.

8) Tabled Items

There were none at this meeting.

9) Adjourn

A motion was made by G. Hunton to adjourn the meeting at 8:33 p.m. L. Taylor seconded the motion which carried unanimously.