



**HOMELAND TOWERS, LLC (HOMELAND)
NEW CINGULAR WIRELESS PCS, LLC (AT&T)**

**Application to the
State of Connecticut Siting Council**

**For a Certificate of
Environmental Compatibility and Public Need**

–BROOKFIELD SOUTH FACILITY–

Docket No. _____

Bulk Filing

**HOMELAND TOWERS, LLC (HOMELAND)
9 HARMONY STREET
DANBURY, CONNECTICUT 06810**

**NEW CINGULAR WIRELESS PCS, LLC (AT&T)
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BULK FILING CONTENTS

- Section 1: Brookfield 2015 Plan of Conservation and Development, Effective July 2, 2015, Amended March 17, 2016
- Section 2: Zoning Regulations, Town of Brookfield, Connecticut, Effective December 21, 2018, Amended January 20, 2021
- Section 3: Zoning Map, Town of Brookfield, Connecticut, Effective December 21, 2018, Last Revised January 8, 2019
- Section 4: Inland Wetlands and Watercourses Regulations, The Inland Wetlands Commission of the Town of Brookfield, Connecticut, Adopted June 24, 1974, Revised through December 22, 2012
- Section 5: Technical Report

Section 1

Brookfield, Connecticut

2015 Plan of Conservation and Development

Effective July 2, 2015,
Amended Effective March 17, 2016



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website.

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I. Executive Summary

The 2015 Brookfield Plan of Conservation and Development (POCD) was prepared in compliance with Section 8-23 of the *Connecticut General Statutes*, which requires that each municipality in the State prepare, amend and adopt a plan of conservation and development every ten years. Although the previous POCD was developed in 2002, the Office of Policy and Management and the state legislature extended the timeframe for updating such plans in recognition of the potential adverse influence on data collection and analysis associated with the protracted economic downturn that occurred during the period.

The intended readers and users of the POCD include land use commission members (Planning, Zoning, Inland Wetlands and the Zoning Board of Appeals), government officials (Board of Selectmen, Board of Finance and Board of Education), and other agencies and groups involved in responsible and sustainable development, such as the Conservation Commission, Economic Development Commission, Historic District Commission, Park & Recreation Commission, and the Water Pollution Control Authority. In addition to state planning and development agencies, other external organizations and groups will likely find the POCD useful, and include the Western Connecticut Council of Governments, the Brookfield Chamber of Commerce, realtors, developers and prospective residents and businesses.

The POCD is positioned as an advisory document for Town officials and agencies and, as such, is subject to ongoing reviews and amendments. Examples of this process include a 2008 review in light of a Federal Road/Central Corridor study that essentially confirmed the land use objectives for that area as outlined in the 2002 plan. In 2012, the Planning Commission intended to amend POCD to reflect the Four Corners Town Center Revitalization Plan, which stipulated the development of a master plan for the realization of a pedestrian-friendly central business district—a long held goal of the Brookfield community.

The 2015 document represents a holistic and comprehensive examination of Brookfield's conservation and development plans for the 2015-2025 period. It looks back to the 2002 POCD to review where stated goals and objectives were met and where additional work

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remains to be done. It looks forward to the future by integrating the expressed interests, concerns and aspirations of a broad array of stakeholders whose actively solicited input had a significant impact on this Plan with regard to the kind of town residents envision over the next ten years. Community input was augmented by detailed studies on housing, school enrollment, environmental issues, and a blueprint for the development of a defined central business district.

While Brookfield continues to be recognized as a vibrant and progressive community, the Town faces a number of demographic changes and economic realities that will significantly influence both its near and long-term future. While the overall population grew by 11 percent in the 1990-2000 period, it slowed to just 5 percent in the first ten years of the 21st century. Like much of Connecticut and the New England region, Brookfield is getting older with residents in the 65+ age group accounting for 15.2 percent of the 2013 population—up from 10.7 percent in 2000. During the same time frame the school age (5-19) population has slipped from 22.4 percent to 20.4 percent.

A corollary of the changing population dynamic is a shift in the composition of Brookfield households. In 2000, 41 percent of Brookfield households had children under age 18. By 2011, the number of such households declined to 35 percent. In contrast, the number of households with someone over age 65 increased from 21 percent in 2000 to 26 percent in 2011. This document addresses population and demographic trends and their implications for planning and development over the next ten years.

Brookfield's estimated median household income of \$112,400 for a family of four in 2015 represents an increase of 3.8 percent over the 2010 estimate of \$108,210. Consistent with relatively high incomes, 51 percent of adult residents have a college degree, and the Town's owner-occupied housing rate of 85 percent is well above both state (67 percent) and national (64 percent) levels. Assuming modest growth estimates, the 2015 POCD projects the demand for 1,200 additional housing units over the next fifteen years. Yet, in contrast to the current inventory of housing types, the POCD projects a notable increase in the number of rental units. A detailed housing market study cited in this document, estimates that 60 percent of the housing demand over the next ten years will be for rental units.

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Demand for the increased availability of rental housing, will likely be driven by two groups: seniors wanting to remain in the area while divesting themselves of the responsibilities of home ownership, and young professionals who are now largely priced out of Brookfield's single-family housing market. Members of the latter demographic group are particularly attractive to planners as it is believed that after renting and becoming established in Brookfield, they will likely want to remain in Town and eventually become moving-up prospects for owner-occupied housing—thereby assuring the continued viability of a dynamic, inter-generational community with a broad appeal to all ages.

A fixed factor in Brookfield's population and housing market growth is the amount of available land for development. Only 9 percent of the Town's land is vacant or undeveloped. Currently, residential properties account for 48.8 percent of the town's land; business and light industrial use accounts for 4.8 percent; public and institutional land use represents 2.4 percent; and 24.4 percent is public land—with 17.5 percent designated as open space. Rounding out the land use composite is the 10.5 percent of Brookfield's area that is used by utilities and transportation infrastructure, as well as bodies of water.

Brookfield is committed to managing and enhancing its parks, recreation facilities, open space areas and natural resources. Goals include opening more hiking trails with trail interconnection where possible, and improved access to the Still River, Candlewood Lake and Lake Lillinonah. Extending designated bike lanes, safeguarding water quality, raising environmental awareness, anti-pollution efforts, and habitat conservation are all top priorities.

Recognizing Brookfield's rich past, the Town seeks to further identify and review historical resources while developing a historic preservation plan that in addition to reviewing currently designated areas will explore the potential of an additional historic district in the Four Corners/Town Center area. The Gurski Homestead property will also be a major focus. On a related front, the Town, largely through the Zoning Commission, seeks to be actively involved in the architectural character of commercial buildings.

The POCD looks at Town facilities and notes the need for an expanded library to better serve the community. This document reviews potential

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sites while noting that many residents—as well as prospective developers—believe that the ideal location for the new library would be in the Town Center District. The need for a community center is also a discussion point.

Since the previous POCD was released in 2002, there has been an increasing recognition among Town residents, government officials and a host of supporting organizations and groups that Brookfield can rigorously safeguard and maintain its essential residential character and “country charm” while developing its long-ago defined central business corridor to its “highest and best use”. This recognition has enabled many developments that often met with resistance in the past to now be accepted and largely welcomed across a broad spectrum of the community.

The Town now has public water and sewer service along the central business corridor, which will greatly facilitate planned commercial, light industrial and mixed-use development. Apartments—that are limited to the commercial corridor—are not only recognized as a way to attract a broader demographic of residents, but are also deemed essential to the economic success of the Town Center District. Integrating incentive with market rate units in these developments, will also assist the Town in meeting state mandated affordable housing goals. These rental apartments will have direct access to public transportation as provided by Housatonic Area Regional Transport (HART). The POCD also recognizes and endorses the addition of the tentatively proposed Metro North commuter rail service from the Town Center District.

Brookfield residents have expressed considerable support of current development plans since they know the playing field and are assured that residential zoning will remain intact, as the long held dream of a central business district along with the “filling in” of orderly development of the Federal Road corridor comes closer to fruition. Fulfilling the dream of a pedestrian-friendly central business district will not only make Brookfield a more attractive community, but will also increase the tax base enabling the Town to support its current range of services and to provide programs and resources to better accommodate the changing needs of Brookfield going forward.

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The 2015 POCD presents a series of specific issues to be considered in achieving the goals and objectives of this plan. Each issue is accompanied by detailed action strategies and the appropriate board(s), commission(s), non-profit organizations, and other groups that have been designated as leaders in implementing the plan. The issues and strategies are presented in context throughout the POCD. They are also presented in summary form in Appendix 1 for easy reference.

II. Introduction to Brookfield and Plan Objectives

Brookfield is located in Fairfield County in southwest Connecticut. The town is bounded by New Milford to the north, Bridgewater to the east, Newtown and Bethel to the south, and Danbury and New Fairfield to the west. Brookfield is located about 55 miles west of Hartford, the State capitol.

According to the U.S. Census Bureau, Brookfield had a 2010 population of 16,452 people within its land area of about 20.4 square miles (13,040 acres). This is an increase of 788 people (5 percent) from the 2000 Census.

The pace of population growth, housing growth, and economic growth in Brookfield has slowed over the past decade compared to the 11 percent growth in the previous decade and the demographics of those growth sectors is changing. This Plan has been prepared to help evaluate growth and progress since 2002 and to recommend the most desirable avenues for both conservation efforts and development opportunities as we look toward the future.

The intended readers and users of this document include Land Use commission members (Zoning, Planning, Inland Wetlands & Zoning Board of Appeals), development and conservation commissions or organizations (Conservation Commission, Historic District Commission, Economic Development Commission, Chamber of Commerce), other elected officials (Board of Selectmen, Board of Finance, Board of Education). Developers and real estate professionals are also a potential audience.

Brookfield residents have participated via multiple formats in the creation of this planning document. This document is intended to update progress in key areas from the 2002 Plan of Conservation and Development (2002 Plan), reflect the consensus opinion of Brookfield residents on the direction for future conservation and development goals and present a set of strategies for reaching these goals.

Brookfield's History and Regional Role

While Brookfield's landscape was formed over millions of years, human settlement of this area is believed to only have occurred within the past 10,000 years. After 1630, the Dutch and English began trading with Native Americans and this led to the eventual colonization of New England. The area we now know as Brookfield was first settled by Europeans shortly before 1700.

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A separate ecclesiastical society (called “Newbury Parish” from a combination of the names of Danbury, New Milford and Newtown) was established in 1754 to shorten travel distances to church for the growing population. In 1788, the General Assembly authorized the Newbury Ecclesiastical Society to establish a new town called Brookfield after its first pastor Rev. Thomas Brooks. The first “meetinghouse” (church) and “town house” (Town Hall) were established in the geographic center of the community (at the present day intersection of Route 25 and Route 133).

Brookfield had very limited regional role while it was primarily a farming community. With establishment of a grist mill, saw mill, paper mill, an ironworks, cotton mills, lime and granite mines, and a few hat factories, Brookfield became more economically integrated with the region. This regional, and even national, integration continued with the arrival of railroads in the 1800s and the advent of the automobile in the early 1900s.

After 1950, Brookfield evolved into a community with the two regional roles we recognize today. First, social trends that made suburban living a desirable option for many people after World War Two resulted in Brookfield’s development as a residential suburb. The construction of I-84 along the southern part of Brookfield in the 1960s accelerated this growth. Brookfield’s role as a residential suburb is evidenced by the fact that, in 1990, 78 percent of Brookfield workers commuted to other areas for employment.

The second regional role (that of a business and employment center) evolved in response to local and regional population growth and Brookfield’s strategic location at the confluence of I-84 and CT Route 7. In 1990, Brookfield had almost 1.25 jobs for every housing unit in Brookfield, the highest jobs-housing ratio in the region after Danbury. Brookfield’s regional integration is also evidenced by the fact that about 60 percent of people who work in Brookfield come from other communities.

These regional roles continue to define Brookfield in 2015, as a residential suburb housing families whose wage earners largely commute from Brookfield to work. Brookfield’s role as a business and employment center also continues to draw people from other towns to travel here for work.

Principles and Objectives of the Plan of Conservation and Development

The **basic principles** that formed the foundation of the 2002 Plan of Conservation and Development are

Enhance Community Character through preservation of important resources including natural resources, open space, historic resources, and community character.

Grow Smarter through improving the quality of development and managing the quantity of development

Meet Community Needs through improvement of community facilities and resolution of transportation and utility issues.

The 2015 revision to the Brookfield Plan of Conservation and Development retains these basic principles. Town's people have echoed these principles in comments made through EnvisionBrookfield* and during regular meetings and public hearings held on the revision to the document and the way forward for the town.

The **strategies** identified for focus subsequent to the adoption of the 2002 Plan were as follows:

- Establish a Village Center
- Establish Greenbelt System with Trails
- Promote Open Space Development Patterns
- Modify Zoning in the Federal Road Corridor
- Establish an Advisory Design Committee
- Address Infrastructure Issues
- Address Staffing Issues

Progress on these strategies is addressed in the body of this document.

III. Conditions and Trends

Demographic conditions and trends

Millennial, Gen X'ers and Baby Boomers – Age distribution

The terms used to describe generations reflect the changing nature of our population. As the Baby Boomers begin to enter their 70's, Brookfield's population of "Empty Nesters" is growing. Like many New England small towns, population growth is most notable in the age groups 55-64 and 65 and older. The following data from the US Census and 2009-2013 American Community Survey 5-year estimates shows that this growth is also reflected in the proportion of Brookfield residents who are in the 55+ age groups. In the year 2000, 22% of Brookfield residents were 55 or older, whereas in 2010 28% of the total population comprised this age group. The 2002 POCD predicted that almost a third of all Brookfield residents would be elders by the year 2020.

The 2002 Plan of Conservation and Development predicted modest growth in school aged children, which was born out in the 2010 census data; however as a proportion of the population the greater growth of the older population segments overshadows these increases. The overall percentage of this youngest portion of the population has decreased from 29% in 2000 to 27% in 2010.

Table 1. Population Changes in Brookfield 1970-2013

Age groups	1970	1980	1990	2000	2010	2013 Estimate
0-4	967	786	958	1,023	813	799
5-19	3,231	3,911	2,921	3,511	3,614	3,392
20-34	1,885	2,610	3,087	2,086	2,037	2,568
35-54	2,369	3,754	4,724	5,662	5,388	5,058
55-64	663	962	1,275	1,698	2,279	2,266
65+	573	849	1,148	1,684	2,321	2,531
Total	9,688	12,872	14,113	15,664	16,452	16,614
Growth rate over previous decade		32.8%	9.6%	10.9%	5.03%	

Source: 2009-2013 American Community Survey 5-year estimates

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Table 2. Age groups as a percentage of total population 1970-2013

Age groups	1970	1980	1990	2000	2010	2013 Estimate
0-19	43%	37%	28%	29%	27%	25%
20-54	44%	49%	55%	49%	45%	46%
55+	13%	14%	17%	22%	28%	29%
Total	100%	100%	100%	100%	100%	100%

Source: 2009-2013 American Community Survey 5-year estimates

The data discussed below is represented in a graphic drawn from the Housing Study prepared by 4ward Planning for this POCD update. It compares population change by age cohort from 2000 to 2010 for a three county area, the Town of Brookfield and a 10-minute driving contour around Brookfield.

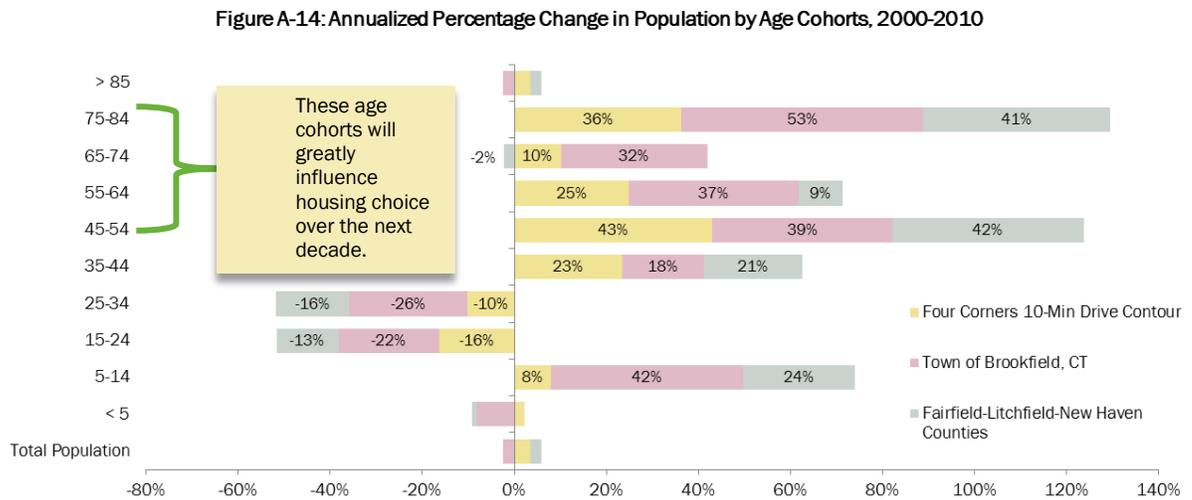


Figure 1. Annualized Percentage Change in Population by Age Cohorts, 2000-2010

Notably within the 65-74 year age cohort, there has been a 32% increase in this age group in the Town of Brookfield. The 75-84 year cohort also increased more in Brookfield from 2000-2010 than in the surrounding counties growing 53%.

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By contrast, the growth of the sector of the population aged 20-34, the young adults, also termed Millennials having come of age at the turn of the 21st century, has remained essentially flat over the period 2000 to 2010 and the middle aged population dipped by several hundred in the same period. Overall the proportion of the population of Brookfield comprised of adults 20-55 declined from 49% of the total population in 2000 to 45% in 2010.

Household growth and income

4ward Planning's market and real estate analysis for the Brookfield Four Corners Town Center Revitalization Study yielded the following key findings.

- Brookfield's median household income in 2010 was estimated at \$108,210, notably higher than median incomes in the 10-minute drive contour (\$81,274) and the region (\$74,314). Growth in upper-income households is projected to increase through 2015.
- A high owner-occupancy rate is consistent with high incomes and educational attainment levels. Single-family housing in Brookfield has consistently stayed among the highest priced in the immediate region.
- Brookfield is experiencing greater growth in non-family households*, due to lower fertility rates and the overall increase of married couples choosing to have fewer children. *This term, non-family household, may appear to be a contradiction; however it means single person households or households of people unrelated by blood or marriage. These smaller households will influence housing choice (smaller units), as well as school budgets (fewer pupils).

The nature of households is changing in Brookfield, as it is in the rest of Connecticut. The number of households with children under 18 years old is decreasing from 41% of households in 2000 to 35% of households in 2011. In contrast, the number of households with someone over age 65 has increased over the last decade from 21% of household in 2000 to 26% of households in 2011.

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Table 3. Changes in household composition from 2000-2013

Year	2000	2010	2013 Estimate
Housing units – Owner occupied	4,960	5,349	5,041
Housing units- Renter occupied	612	780	864
Total occupied units	5572	6129	5,905
Vacant	209	433	585
Total	5,781	6,562	6,490
Household size- owner occupied	2.88	2.77	2.83
Household size- renter occupied	2.16	2.06	2.67

Impact of demographic shift on community services

These trends have implications for future services and community culture. As the population ages there is greater demand for smaller homes or condominiums that alleviate the need for yard and garden maintenance. The demand for programs for the elderly and the services provided by the relatively new Brookfield Senior Center are likely to increase in the next decade.

Similarly decreases in the school-aged population have implications for community facilities such as schools as well as services such as parks and recreation programs. The following graph illustrates the data from Table 1.

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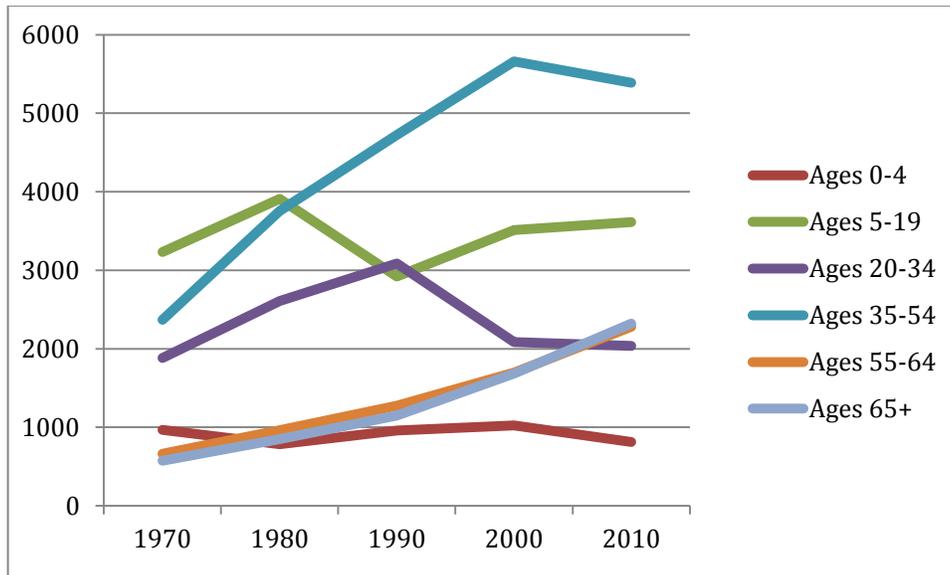


Figure 2. Population Changes in Brookfield 1970-2010

Source: US Census

A study conducted for the Board of Education to assist in educational facilities planning used a build out analysis and review of the housing market to conclude that Brookfield Public Schools may continue to face enrollment declines in the coming decade. Milone and MacBroom, the consulting planning and engineering firm from Cheshire, CT, concluded that due to population and housing trends, enrollment yields from recent developments, and limited build-out potential, there will be fewer new enrollments in Brookfield schools than there will be graduates.

Although housing permit activity decreased in 2008, it began to rebound in 2011 and 2012, causing housing sales to rebound in 2012 as well. However, in Brookfield single-family housing has consistently stayed among the highest priced in the immediate region.

Milone and MacBroom estimated the rate of new school enrollments for each new housing unit, including single-family homes, townhouses and apartments. Newly constructed single-family housing is not currently in high demand, but there is potential for turnover of existing homes in the next ten years. These three- and four-bedroom homes generate the most school enrollment. Rental housing, which in Brookfield is concentrated on the western side of town, tend to have smaller student yields than single-family detached dwelling units. Using recent new housing construction as a metric (including age-restricted units at Newbury Village), one student was added to the school district in 2013-14 for every 13 new housing units.

Housing Conditions and Trends

Relative Cost of Housing in Brookfield

Socio-economic trends that influence housing availability and cost were evaluated in the 4ward Planning Housing Study. The study found that while growth in population and household formation has remained relatively flat and is forecasted to remain so into the near future, a number of demographic indicators suggest *there is a need to increase the supply of affordable housing stock in Brookfield*. The relevant demographic indicators include the following:

- Nearly half of all renter households are cost burdened, spending more than 30 percent of their income on housing.
- Strong growth in non-family households (typically, these are small one- and two-person households which opt to rent, rather than own their homes) suggests a likely increasing demand for small, affordable rental units.
- The fast-growing segment of Brookfield's population 55 years of age and older, retired or near to it, that there is a need for affordable housing choice attractive to those who want to downsize within their home community – again, a demand driver for smaller housing units, a good portion of which are rental
- The age groups under 55 are declining as a percentage of total population, suggesting that the supply of housing for these age groups may be inadequate or too expensive for young persons and families establishing households. Employer interviews indicate most younger, single and/or new professionals hired cannot, or choose not to, live in Brookfield – a possible affordability issue.

Balanced age demographics and housing that is affordable to a variety of income earners are two factors that contribute to the vitality of any community. Having a disproportionate population of any one group (classified by age or income), can impact the perception of a community and adequate provision of public services.

Future Demand in the Housing Market

In the near term (the next seven years) and long term (beyond the next seven years), housing demand in the 15-minute drive contour and Brookfield area will likely come from within the demographic groups highlighted here. The 55-to-74 age cohort (empty nesters) will exert considerable influence on the type of housing developed, specifically smaller housing units, as they downsize from traditional single-family

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units. As previously highlighted, this group is increasing as a share of the total county population.

To a lesser extent, young professionals (ages 25 to 34) may also influence the county's housing market over the coming years. While this age group is forecasted to decline slightly as a percent of the total population through 2018, they also typically seek small, affordable, rental units with convenient commutes to jobs or school, and thus, may be more likely to locate to a town that has such housing types.

Changes in numbers and types of housing units

The number of total housing units has increased over the last decade; however the composition of households and household size is changing to reflect the changing demographics of our town. From the year 2000 to the year 2010 housing units increased by 10 percent, however rental units as a proportion of the total number of housing units has increased from 11% in 2000 to 13% in 2010 through 2012 based on estimates for those non-census years. This trend is likely to continue given the recent increase in multi-family, mixed-use projects approved for construction in the Four Corners area.

Affordable Housing

Brookfield has been adding affordable housing units in the last three years through both the Affordable Housing statute and through the Incentive Housing provisions of the Connecticut General Statutes (CGS) as modified by the Brookfield Zoning Commission. A recent study commissioned for this Plan of Conservation and Development has added to understanding about the place of affordable housing in the residential market place and about what exactly "affordable" means.

Affordability is a relative term. The median income of a family of four in Brookfield in 2014 was \$110,800. Incentive Housing regulations calculate affordable rents or sales prices and eligibility of families based on the Area Median Income. Our area includes Danbury, Ridgefield, Bethel and parts of Newtown. In 2014 the AMI was \$113,600 for a family of four. Developers are required to price 20% of the total units to be affordable to families who earn no more than 80% of the AMI.

Affordable Housing as outlined in CGS 8-30g bases affordability on the State Median Income (SMI) (\$86,600/year for a family of four in 2014) and requires that 30% of the total units be affordable to families who earn no more than 80% of the SMI. The Housing Study conducted by 4ward Planning puts these numbers in perspective with the market rate for housing, particularly the rental market.

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The Incentive Housing statute also allows the town to locate affordable housing through the use of an overlay zone. Affordable housing statutes do not permit the town to designate the location for multi-family projects and they place a high bar allowing only safety and health as valid bases for denial by Zoning Commissions for zoning permits.

In 2015, Brookfield contains 1231 multi-family dwelling units of which 991 are condominiums, 88 are townhomes and 132 are apartments. In the last three years 416 apartments and 104 townhomes have been approved through the Land Use commissions predominantly through Incentive Housing overlay regulations. To date 236 of those apartments and approximately 90 of those townhomes have been substantially completed or have received Certificates of Occupancy.

Of the previously constructed multi-family units, only 35 apartments and 7 condominium units are affordable under the Affordable Housing, CGS8-30g method of calculation based on the State Median Income. There are also 10 single family homes constructed in an Affordable Housing (CGS 8-30g) development on Meadowbrook Road.

The State of Connecticut mandate for provision of affordable housing requires towns to work toward making 10% of the town's housing stock affordable using deed restrictions that last 30 years. The most recent Affordable Housing Appeals list is from 2014; it indicates that Brookfield contained a total of 6,562 housing units of which 2.44% were deed restricted as affordable units (70 units) or qualified based on mortgage type CHFA/USDA mortgages) or governmentally supported (Brooks Quarry elderly housing).

Brookfield is positioned to increase the number of affordable units through the construction of approved Incentive Housing projects. The multi-family units that have not yet been constructed are approved to contain 103 apartments and 3 townhomes designated as affordable based on the Incentive Housing units. Although this will nearly double the number of affordable units in Brookfield, the town will still fall short of the 10% threshold for exemption from the Affordable Housing Appeals list.

Employment Conditions and Trends

Brookfield became a suburb for many during the development of residential suburbs in the 1960's. The view of the town as a suburb suggests that many Brookfield residents leave town to work. In 1990, 78% of Brookfield workers commuted to other areas to work. This continues to be the case for many today reaching 87% in 2011. In 2009, an

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estimated 34,000 people worked within a 10-minute drive of the Four Corners of these 31,000 lived outside that 10-minute drive contour.

4ward Planning's housing study found that in 2011 a greater number of workers are commuting to jobs outside of Brookfield while fewer people are commuting into Brookfield, causing the overall net job inflow to decrease by over two percent. This trend suggests there are fewer employment opportunities in Brookfield.

In the last decade some employers in Brookfield have consolidated and reduced the number of jobs in Brookfield, while other new employers have moved in. The American Community Survey 5 year estimates for 2011 indicate that Brookfield is home to 2,541 firms of which 672 had paid employees. Changes since this data was collected include a major reduction in Brookfield based Siemens employees and the construction of a new facility for Eastern Account System in Berkshire Corporate Park.

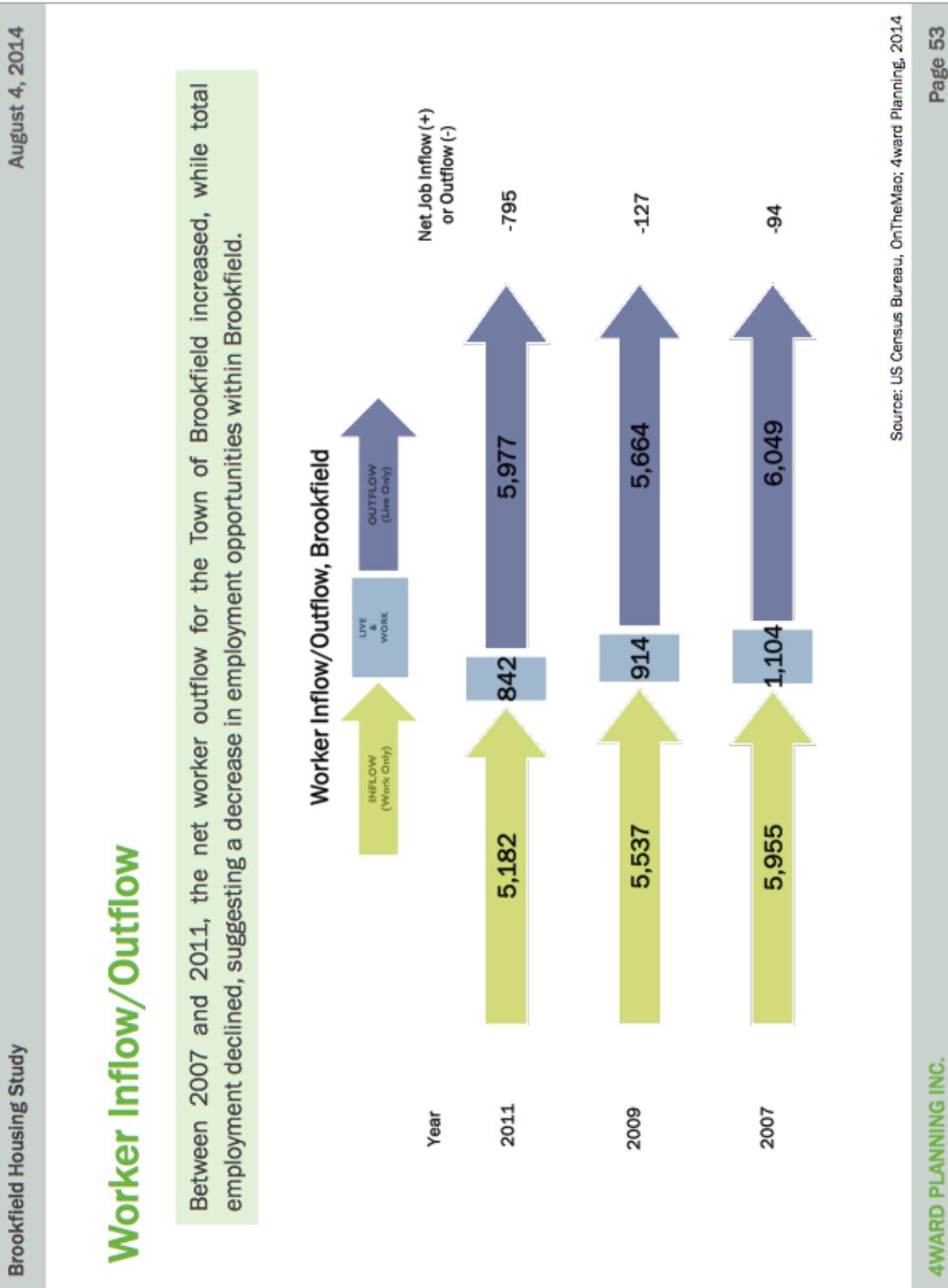


Figure 3. Worker Inflow and Outflow in Brookfield

Labor and Industry Trends

While the Tri-County Region surrounding Brookfield has recovered some employment losses resulting from the 2007-2009 recession, there are still 37,000 fewer jobs than before the economic crisis. Further, unemployment within the region, though down in 2013, remains persistently higher than pre-crisis levels. The regional trends, below, also impact demand for housing in Brookfield:

Between 2007 and 2012, a majority of industries (12 out of 20) within the Tri-County Region saw inflation-adjusted earnings decline. Representing more than 60 percent of regional workers, this decline in earnings equates to less spending power for housing, as well as other consumer expenditures.

The greatest employment growth is projected to occur within industries which, traditionally, offer relatively lower wages (e.g., Healthcare and Social Assistance, Retail, and Accommodation and Food Services), and whose employees are particularly in need of affordable housing.

Real Estate Trends

The residential market within Brookfield and the surrounding area exhibits a tight supply of housing, with signs of growing demand over the coming years. With such strong demand and a shortage of inventory, the multifamily market, particularly for apartment-style units, is robust. This market potential suggests that concentrating this growth in the Four Corners will allow both the maximum absorption of this potential growth while maintaining the less dense suburban developments that attracted many to Brookfield to retain their character.

Based on modest household growth estimates, the housing market study forecasts Brookfield will be able to support demand for nearly 1,200 units over the next 15 years. Even with no growth, the Town could support more than 600 units over the next 15 years. Many of these 1,200 units are likely to be one- and two-bedroom units. Local real estate professionals confirm that 1,200 units is a reasonable, if not low, estimate for new housing construction in Brookfield, particularly rental product. This rationale is based on very high occupancy rates in existing multifamily rental properties (98 to 99 percent) and long waitlists; the age (30+ years) and quality of much of the rental housing stock; and demographic trends and preferences.

Based on population and employment trends, the study estimates 60 percent of the demand will be for rental units. Introducing more of this type of residential product to Brookfield will help balance Brookfield's aging population, by making it more attractive and more affordable to

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singles and young couples just starting out. Without providing reasonable options to attract this segment of the population - through housing, jobs, retail, and leisure - Brookfield's population will continue to skew heavily toward the empty nester and retiree populations.

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Land Use Conditions and Trends

Table 4. 2015 Brookfield Land Use/Development Potential

Use	Acres	No. of Parcels	Percent of Developed Land	Percent of Total Land
Residential	6,590.74	5061	53.7%	48.8%
Single Family	6,494.55	5012		
Multi-family	96.19	49		
Business	649.95	251	5.3%	4.8%
Retail/Service/Office	361.80	144		
Mixed use	38.14	32		
Industrial	250.01	75		
Public & Institutional Uses	326.01	59	2.7%	2.4%
Public	222.72	19		
Private	103.29	40		
Public Land and Open Space	3,289.85	161	26.8%	24.4%
Dedicated Open Space	2,365.22	114	19.3%	17.5%
TOB Open Space	1,875.33	75		
Land Trust Open Space	322.23	12		
Conserved Land/Private Open Space	167.66	27		
Managed Open Space	924.63	47	7.5%	6.9%
State of CT Lands	683.77	17		
Managed Land	99.84	14		
PL490 Lands	141.02	16		
Other	1,423.61	29	11.6%	10.5%
Utility Land	545.75	25		
Transportation	73.00	1		
Water	804.86	3		
Vacant	1,217.54	488		
Residential land	852.51	414		
Commercial zones Total	147.44	25		
Industrial Zones Total	184.75	33		
Unbuildable Land	32.84	16		
Developed/Committed	12,280.16		100.0%	91.0%
Vacant/Underdeveloped	1,217.54			9.0%
Total Land Area	13,497.70			

IV. Updating the Plan

The Town of Brookfield Planning Commission and Community Development Director have been working steadily toward updating the Plan of Conservation and Development over the last two years using an in-house approach. Until 2010, the commission alone had taken on the tasks of plan updates. Prior to 2010 a corridor study of the central portion of Federal Road was undertaken and after the role of town planner was established, a master planning effort focused on the village center development concept was completed. These two efforts mark the progress toward this more comprehensive updated 2015 Plan of Conservation and Development.

The 2002 POCD contained a large number of strategies, many of which have been accomplished. There are a number of significant strategies that have not been acted upon, but which are discussed in this 2015 Plan of Conservation and Development.

Central Federal Road Corridor Study

In April 2008 Oswald Inglese completed a study of the roadway extending north from Route 133 (Junction Road) to the Route 7 interchange.

A review of the 2002 Plan of Conservation and Development was conducted to determine whether an amendment to the Plan was necessary to maintain viable and realistic development options and remain in accordance with the plan for properties south of the Route 7 interchange but north of the intersection of Federal Road with Route 133. The study reviewed land development criteria and standards in light of the physiographic characteristics of the parcels within the study area and did not recommend an amendment to the Plan in order to promote the transitional uses indicated in the Plan. The study concluded that the combined effect of land characteristics including factors limiting their development together with close adherence to existing land use controls will result in development that will closely approximate the goals and objectives of the 2002 POCD.

2012 Amendment of 2002 POCD: Four Corners Town Center Revitalization Plan

The Four Corners Town Center Revitalization Plan (the Revitalization Plan) represents an intensive planning effort intended to address one of the principle strategies of the 2002 Plan, the establishment of a village center. The Revitalization Plan developed a future scenario for the Four Corners and associated implementation steps to realize the master plan.

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The Revitalization Plan outlines the goals and guiding principles that frame the overall study process for the Four Corners and articulate the community vision for the Four Corners and associated community input to the design of the Revitalization Plan concepts. The Revitalization Plan includes an overview of current physical and market conditions informing the design outcomes, a master plan and an implementation program. The Revitalization Plan was reviewed in public hearings in the Planning Commission and adopted as an amendment to the 2002 Plan of Conservation and Development by the Planning Commission. Although the 2002 Plan was not formally amended at that time, this updated plan formally includes the findings and master plan for developing a village center in the Four Corners/Town Center District based on the Revitalization Plan.

Current Update Efforts

This update to the Plan of Conservation and Development has addressed the progress made since the 2002 Plan and addresses the changing face of the Town of Brookfield. The current update is intended to be more comprehensive in scope than the previous two targeted updates mentioned above.

The Planning Commission has led this effort utilizing resources available within our town rather than hiring an outside consultant to accomplish this. One rationale for conducting an in-house update to the POCD is based on the observation that a number of large-scale changes proposed by the 2002 Plan have been completed and an internal review of our progress on these strategies is in order. Secondly, particularly in the area of natural resource management and conservation objectives, the 2002 Plan set out a range of strategies to be employed and the past decade has allowed the town's residents and members of town government to evaluate which of these directions best suits the town residents moving forward into the next decade.

The Planning Commission has employed a number of strategies to incorporate the point of view held by residents and business owners into this new plan. The increase in online and social media to gather public opinion is noteworthy as a method for updating this plan with respect to public perception and objectives of residents. In developing this POCD, online surveys, workshops and focus group discussions were used as well as the traditional public meeting forum. Another tool available to the Planning Commission and the Community Development Director now is the up-to-date geographic information system or GIS, which has made the development of maps by town staff and the evaluation of geo-located data possible in-house.

V. Vision Statement

Residents' vision of Brookfield in 2025 includes "maintain[ing] the ...country charm while modernizing" and protecting the quiet residential districts where Brookfield residents enjoy wide, well maintained streets that can accommodate neighborhood walks and bike riding. Brookfield has ten named open space properties apart from the more managed open space properties like the Town Beach and Cadigan Park or Kid's Kingdom and the sports fields at Town Hall. The vision includes enhancing recreational opportunities at Brookfield's parks and open spaces with open space planning for maintenance and trail establishment. In 2025 Brookfield residents envision better access to, enjoyment of and water quality in the Still River, Candlewood Lake and Lake Lillinonah.

The vision for the future of Brookfield also includes economic growth centered on filling out existing mixed-use, commercially and industrially zoned properties. Increasing the tax base is important to Brookfield residents' view of the future. Making the most of our highly educated workforce to promote new economy industry is important to our residents. Brookfield residents are aware of the gradual greying of our townspeople and understand that attracting young families and young professionals to live in Brookfield is as important as providing suitable housing for aging residents who would like to stay in town without having to maintain a single family home and yard.

Focusing development in areas with public infrastructure will allow the town to prosper while maintaining spacious single family home districts. The commercial corridor has been served by a comprehensive sewer plan that facilitates development and anticipates a reasonable growth rate. Public water service has been unified under a primary water supply company. Brookfield residents envision the addition of sidewalks, bike paths, commuter rail service and improved bus service to complete the multi-modal transportation system residents imagine in 2025.

The advances in public water and sewer service, in addition to the transportation improvements that have occurred since the last Plan of Conservation and Development in 2002, have paved the way for creating a pedestrian friendly village in Brookfield at the intersection of Whisconier Road and Federal Road. Brookfield residents envision this area developing differently than the convenience of large format shopping centers, wholesale establishments and light industrial uses on Federal Road south of Junction Road. The section of the corridor between Junction Road and the Route 7 interchange will be defined during the course of this planning period, but working together to finally accomplish the rebirth of a village in Brookfield at the Four Corners is central to Brookfield residents' vision for 2025.

VI. Achieving the Vision

Community Character

ASPECTS OF BROOKFIELD'S CHARACTER

Of those who responded to the question “What sort of a town is Brookfield?” on the EnvisionBrookfield.com website, small town and suburb were the most common answers. Brookfield’s history reflects these descriptors.

Farming history

Brookfield’s farming history underpins the values of open space preservation and conservation of structures that supported farm families. The motivation for restoring and utilizing the barn, forge and other farm buildings on the Gurski farm, although some of them were relocated there from other farms during the active period of the homestead, stems from a sense of Brookfield’s farming past. Dairy farms in particular were a going concern for farmers here.

Religious origins

Brookfield’s Congregational Parish established by forbearers whose homes still stand in Brookfield Center formed the kernel of the town’s origins. The importance of Brookfield’s religious communities continues to influence the social fabric of the town.

Two small towns

Brookfield Center and Ironworks were two small town centers that formed the hubs of community life in the 1800’s to early 1900’s. The power of the Still River at the Four Corners fueled mills and manufacturing, while the freight trains that provided rapid transportation for perishable farm products like milk and durable products like thread and scissors, made Ironworks the commercial center of Brookfield at that time.

Both Brookfield Center and the Four Corners area formerly called Ironworks continue to impart their unique characteristics to life in Brookfield.

Suburban growth

As Danbury’s economy grew, so grew residential subdivisions of Brookfield and surrounding bedroom communities. Two hundred and seventy-five subdivisions were developed between 1960 and 1990 with the greatest number of subdivisions (115) created in the 1980’s.

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The rapid residential growth that peaked in the 1980's supported rapid commercial growth extending the commercial corridor of Federal Road in Danbury. The infrastructure for sewer service to allow protection of groundwater resources took place after a good portion of the development had occurred. The delivery of public water to the commercial corridor has similarly lagged behind commercial development.

Centers of Culture and Celebrations

A wide array of cultural events take place in Brookfield some long-time traditions, such as the Memorial Day Parade, and some more recent but equally well received, such as FarmFest and the Four Corners Block Party. There are theater events and art shows as well as centers for making art.

These celebrations and traditions help form the culture and character of Brookfield. Bringing the various groups of people in Brookfield together at these events can help strengthen the unique features of our town that both newcomers and families with deep roots here can appreciate.

Brookfield's Physical Character

The historic buildings that remain in Brookfield lend character to our town. In particular the historic district in Brookfield Center is a focus of town pride. These primarily residential buildings centered on the several churches at the intersection of Whisconier Road (Route 25), Silvermine Road and Obtuse Hill Road (Route 133) exhibit the physical character of Brookfield's history.

The commercial buildings constructed in the southern Federal Road corridor represent franchise and big box architectural style. This contrasts starkly with the traditional New England architecture of many residential buildings both historic and modern and some buildings mixing commercial and residential uses in the Four Corners area. The Zoning Commission has addressed architectural style in three primary ways since 2002.

The Zoning Commission attempted to encourage traditional styling in commercial structures through architectural standards. An extensive technical section of the zoning regulations addresses architectural standards, nevertheless industrial and warehouse type buildings continue to dot the Federal Road corridor.

An Architectural Advisory Committee was established and applications for commercial development were referred to this committee for review for Special Permit applications. Due partly to time constraints experienced during the review/revision process, the committee was

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sidelined in 2010. The ability of a developer to revise architectural elements of the proposal on occasion caused delays in the statutory time allotment for Zoning Commission decisions to be rendered. Committee positions were not filled effectively rendering the committee non-functional.

The most recent strategy for encouraging and commercial building design that supports Brookfield's New England character is focused on developments in the Four Corners area (the Town Center District and Incentive Housing sub-zones). Mixed-use development combining residential uses with commercial or office uses was made permissible in the Town Center District in 2010, but the form of these developments were not yet defined.

The advisory committee strategy is being re-employed by the Zoning Commission for consideration of projects in the Four Corners area and for Incentive Housing projects. A Design Guidelines and Standards manual was developed and made part of the zoning regulations to guide the architectural and landscape design in the Four Corners area. The process also includes a mandatory pre-application evaluation that includes an architect and a landscape architect as well as other relevant town officials (building, zoning, wetlands, health, sewer, fire)

This sort of review has become mandatory for Incentive Housing Zone (IHZ) projects or projects in the Town Center District, but a second, less formal Design Services Team was launched by the First Selectman in 2014. These pre-application reviews are flexible and may be conducted for any projects at the discretion of the applicant.

COMMUNITY CHARACTER – ISSUES, GOALS AND ACTION AGENDA

Defining and promoting Brookfield's character, especially as relates to the Four Corners area, is important to attracting the middle and upper-middle class echelons of newcomers, both corporate and residential.

Issue: SUPPORTING BROOKFIELD'S CULTURAL INSTITUTIONS

- Cultural institutions require community support to be viable enterprises.
- Volunteers are valuable resources and many of Brookfield's volunteers support multiple community endeavors, both governmental and not for profit.
- Supporting and promoting our cultural institutions requires new energy from newcomers, young people and those who might reconsider volunteering for a local organization whether civic or cultural.

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Goal: Channel the many talents of Brookfield’s residents into endeavors to improve our community through volunteer efforts.

Strategies:

Section/Issue	No.	Strategy	Leader	Supporting Resources
ComChar1	1	Encourage participation in town volunteer commissions.	BOS	
ComChar1	2a	Study the potential for and roadblocks to increased public participation in government boards and commissions.	BOS	
ComChar1	2b	Solicit participation from community residents for both governmental and not for profit community boards.	BOS	
ComChar1	3	Integrate training and professional development opportunities for volunteers into the support functions for all commissions.	CDD	
ComChar1	4	Designate a point person who will coordinate volunteerism for Brookfield governmental boards and commissions, and who will support volunteerism of community non-profits.	BOS	

AO Assessor’s Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CoC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association

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Issue: ARCHITECTURAL CHARACTER

Many of Brookfield's historic structures have been demolished as the town's economic engine along southern Federal Road grew. Easy access to this commercial corridor occupied by successful large-scale businesses is also one of the reasons people like living in Brookfield. On the other hand, residents comment that the appearance of new development is becoming increasingly important to them. Some residents as well as some real estate professionals express the opinion that Brookfield's reputation as the location of big box retailers must be balanced with the development of a quaint New England aesthetic in the Four Corners and perhaps throughout the remainder of the undeveloped commercial core.

- The convenience and economical nature of large-scale retail businesses such as those on southern Federal Road in Brookfield is balanced by the franchise architecture most of these businesses are housed in.
- The architectural standards that apply to commercial and industrial zones in general in the Zoning Regulations and the newly developed Design Guidelines and Standards found in Appendix 3 of the Zoning Regulations are at odds. The Design Guidelines and Standards apply to the Four Corners area and Incentive Housing subzones, while the separate Technical Standards section on Architecture applies to all other commercial and industrial zones.
- Reconciling these can help define the physical character of future commercial construction throughout the commercial corridor. Clear expectations in terms of architectural features may improve developers' confidence about what type and quality of architecture is required for zoning special permit approval.

Goal: Make Brookfield's commercial corridor an architecturally appealing destination through continued attention to architectural character. Encourage consistent application of architectural standards for commercial projects that results in enhancement of Brookfield's architectural character.

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Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
ComChar2	1a	Evaluate the use of a form-based code for new commercial construction and site plan modifications involving facades to achieve the goal.	ZC	ZEO, CDD
ComChar2	1b	Evaluate the revision of the existing zoning regulations for architectural standards in the commercial and industrial zones to achieve the goal.	ZC	ZEO, CDD
ComChar2	1c	Evaluate the applicability of the Design Guidelines and Standards for the TCD and IHZ zones to achieve the goal.	ZC	ZEO, CDD
ComChar2	1d	Reach a consensus on the role of architectural considerations in the approval of commercial projects.	ZC	ZEO, CDD
ComChar2	1e	Modify zoning regulations to define the architectural elements required to achieve the goal.	ZC	ZEO, CDD
ComChar2	2	Encourage consolidated development with shared access, parking and circulation.	ZC	ZEO, CDD
<p>AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CofC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association</p>				

Natural Resources

INTRODUCTION

Protecting water quality is basic to the town's environmental health and to the health of many of Brookfield's residents. Water quality protection and improvement involves understanding the sources of pollution to both surface and ground water. The cumulative effects of our efforts to protect the water resources of our town are evidenced by the quality of water in the receiving waters, such as Candlewood Lake, the Still River and Lake Lillinonah and the ground water that supplies drinking water wells, both private and public.

Watershed based environmental planning supports both the appropriate use of the land and the effect of construction on the both surface waters and groundwater.

INVENTORY OF BROOKFIELD'S NATURAL RESOURCES

One of the principle features of Brookfield that residents name when asked why they like living here is the landscape. Fields and streams, wooded space on large residential lots and open spaces of both upland and wetland, Brookfield's open space, public and private, contain all of these types of landscape.

Watersheds

Brookfield is part of four principal watersheds, areas defined by topography that drain into surface waters. Upland areas drain to lower lying wetlands and watercourses. The principle watersheds in Brookfield are the Candlewood Lake watershed, the Still River watershed, the Housatonic River watershed and the Pond Brook watershed. These are depicted in Physical Conditions Map 2 titled Watershed Map.

The water quality of Candlewood Lake is affected by the dense residential development in the watershed. The Candlewood lake watershed in Brookfield is occupied by very dense residential neighborhoods that rely on septic systems for sanitary treatment of wastewaters. Due to the small lot sizes, increased impervious surface has the potential to negatively impact neighboring properties as well as the quality of the water in Candlewood Lake.

Brookfield has had in place for ten years zoning regulations designed to minimize additional run off from new construction in the Candlewood Lake Watershed District. These regulations had not been consistently utilized to limit the impact of new impervious surfaces to lake water quality or to neighboring property until 2010. Current enforcement

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requires the use of best management practices in a storm water management plan to reduce run off volumes and to improve infiltration of storm water protect septic systems in the area.

Surface Water Resources

Candlewood Lake and Lake Lillinonah Water Quality

Recent toxic algal blooms in Candlewood Lake and Lake Lillinonah have grabbed the attention of Brookfield's leaders, the Director of Health and lake side residents. Another water quality concern in both lakes is the presence of Eurasian milfoil, an aquatic invasive plant species. Eurasian milfoil covers hundreds of acres of lake bottom and hampers the ability of swimmers and boaters to enjoy this natural resource. Algal blooms have periodically reached toxic concentrations putting recreation on Candlewood Lake and Lake Lillinonah beaches, among Brookfield's most important cultural and economic features, at risk.

The declining water quality in these lakes and rivers has been the focus of study and the object of efforts to mitigate the impact to those who swim or boat on these water bodies. The Northeast Environmental study commissioned by the towns surrounding Candlewood Lake evaluated previously collected data and drew conclusions regarding causes of algal blooms and effects of lake drawdowns on the control of Eurasian milfoil. This study found that water quality trends in Candlewood Lake are a result of in-lake phosphorus being released from sediments.

Concerns about another invasive species, the Zebra mussel, have prompted the institution of a test program to wash boats before launching. Zebra mussels are not a serious problem in Candlewood Lake at the moment, but they have been found in limited locations in the lake.

The Still River

The impact of pollutants carried in surface run off is a concern both in the lakes and in the Still River. The Housatonic Valley Association is engaged in evaluating non-point source pollution impacting the water quality of the Still River. Non-point source pollution refers to eroded sediments, toxic contaminants, nutrients and debris that originate from diffuse sources such as storm water runoff. The US EPA has reported non-point source pollution to be the number one threat to surface water quality nationwide. Numerous studies have established a direct relationship between the amount of impervious surface within a watershed and pollution of its surface waters.

The Inland Wetlands Commission (IWC) cooperates closely with the owners of Candlewood Lake and Lake Lillinonah, First Light Power

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Resources, to coordinate permitting for activities within 200 feet of these water bodies. The federally mandated Shoreline Management Plan has become a primary source for management of the lands adjacent to the lake. The IWC also regulates activities 200 feet from the Still River in order to avoid both short-term and long-term detrimental effects of soil disturbance to the river and associated wetlands.

The Zoning regulations currently require the incorporation of best management, green infrastructure practices such as vegetated swales, bio-retention structures such as rain gardens and groundwater infiltration systems to protect Candlewood Lake from nutrient enrichment or contamination with excess fertilizers or suspended oils from driveways. These regulations currently pertain only to the Candlewood Lake watershed. The two other primary watersheds in Brookfield, the Still River watershed and the Housatonic (Lake Lillinonah) watershed are also impaired. Green infrastructure measures to provide primary water treatment for residential improvements will help protect surface water quality throughout our town.

Aquifers and Groundwater Resources

Brookfield's groundwater resources are the source for both individual residential wells in addition to wells contributing to public water service. At the time of the 2002 POCD, no major water companies served Brookfield's businesses or residences. Aquarion Water Company has now acquired the larger water companies that previously split the town into the northern and southern service areas as well as many of the smaller ones. This change has resulted in better protection of highly productive wells located south of the Quarry. Further improvements in the application of existing zoning regulations for properties within the 1980's era Aquifer Protection District have strengthened protection of groundwater resources.

As a result of Aquarion Water Company's acquisition of Brookfield's smaller water companies, the productive Meadowbrook wells located in stratified drift (layers of sand and gravel deposited as the Ice Age receded) have come under the requirements of the State Department of Energy and Environmental Protection's Aquifer Protection Program. As mandated, Brookfield has created an Aquifer Protection Agency (APA) to register and regulate uses that have the potential for contamination of this vital source of water. The APA has adopted mapping of the watershed that flows toward these wellheads and adopted model regulations vetted by the CT DEEP that restrict uses of hazardous materials and outline best management practices for other uses.

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This separate regulation of the 1980's era Aquifer Protection District by the Zoning Commission and the recent CT DEEP Aquifer Protection Area by the Aquifer Protection Agency may create some confusion for business. Bringing these two sets of regulations under one umbrella with one set of best management practices and prohibited uses is a further step to be taken for the protection of Brookfield's precious groundwater resources.

The quality of Brookfield's groundwater is generally quite good; however the presence of high levels of radium in some wells and the small water systems that serve multifamily developments has been a concern to the Brookfield Director of Health. Recent progress through the extension of the public water lines to these locations has alleviated this hazard for the residents of Sandy Lane Village and what other condo complex

Floodplains

The Federal Emergency Management Agency (FEMA) updated the Federal Insurance Rate Maps (FIRM) in 2010 and required updates to the floodplain regulations. These regulation changes now require compensatory storage for floodplain areas impacted by development to ensure the storage function of floodplains will remain intact.

The concurrent map amendment updated the Brookfield Zoning Map to reflect the Federal Insurance Rate Map changes. Brookfield's GIS maps also display the features and data included in FEMA flood maps. The FIRM is presented on Physical Conditions Map 4 titled FEMA Floodplain Map superimposed on Brookfield's parcels and streets.

Soils and Habitats

Soils

Brookfield enjoys a wide array of soils and habitats from wetland swamps such as the Hop Brook swamp and those wetlands around the Still River to upland stands of hardwood forest. These features have been mapped with the GIS in order to promote development that suits the soils it is supported by and to conserve the soil resources adjacent to developed land. Broad soil characteristics formed the basis of Brookfield's residential zoning in order to require larger lots on rocky, thin soils or wet and poorly drained soils.

The Inland Wetlands Commission has jurisdiction over activities that affect wetland soils and watercourses. This commission has improved the process by which significant projects are reviewed. The practice of requiring a third party review of engineering for drainage and environmental reviews to ensure quality project design protective of

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inland wetlands and watercourses has become standard practice. The Inland Wetland Commission has also revised their regulations to expand the jurisdiction of these regulations through the incorporation of the element of slope. These changes further protect Brookfield's sensitive wetland soil resources.

Natural Diversity Database and Habitat Mapping

The State of Connecticut maintains a database that tracks rare and endangered plant and animal species across our state. This database is built from confirmed sightings of such species. Confirmation of many more sightings of State Listed Threatened or Endangered species was recorded during the construction of the Route 7 Bypass in the Still River basin. The Still River basin also contains forested floodplain habitat that the State of Connecticut recognizes as warranting particular protection. This recognition of the quality of the habitats still present in Brookfield reinforces the value of these natural landscapes, especially as they are in close proximity to development and major transportation arteries.

NATURAL RESOURCES – ISSUES, GOALS AND ACTION AGENDA

Issue: SURFACE WATER QUALITY NEEDS TO BE IMPROVED.

Surface waters become turbid or overloaded with nutrients when sediments or dissolved nutrients leach from residential lawns or discharge in storm water to streams and ponds. The 2002 POCD noted that sediments were entering surface waters when catch basins on public roads became filled with eroded materials that are not removed. The Department of Public Works prepared a Storm Water Management Plan in 2004 as required by the CT DEEP General Permit for Discharge of Storm Water from Small Municipal Storm Sewer Systems the goal of which is to improve surface water quality particularly in storm water runoff.

Goal: Improve surface water quality in Brookfield's lakes and streams so that toxic algal blooms or excessive growth of invasive aquatic plants does not inhibit recreational use.

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Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
NatRes1	1a.	Require primary storm water treatment for new commercial, multifamily and mixed-use developments to minimize pollutants in post construction runoff from discharging into surface waters.	ZC, IWC	HD, WPCA
NatRes1	1b.	Consider requirements for “green infrastructure” techniques to treat storm water runoff for new residential projects adjacent to wetlands and watercourses throughout the town.	IWC	
NatRes1	2.	Consider the impediments to annual cleaning 1/3 of the catch basins along town roads; evaluate the means for overcoming them.	DPW	
NatRes1	3.	Conduct public education campaign to inform residents about lawn care practices and pet waste removal practices that protect water quality.	HD	
NatRes1	4.	Evaluate the Storm Water Management Plan and update practices related to storm water quality.	DPW	
NatRes1	5	Collaborate with the Housatonic Valley Association in its Still River Watershed project focused on non-point source pollution.	BOS	HD, CDD
NatRes1	6	Explore appropriate actions to ameliorate water quality in Lake Lillinonah and Candlewood Lake as discussed in the Northeast Environmental Study.	CLA, LLA	

AO Assessor’s Office; **BCC** Brookfield Craft Center; **BHSM** Brookfield Historical Society and Museum; **BL** Brookfield Librarian; **BOE** Board of Education; **BOF** Board of Finance; **BOS** Board of Selectmen; **BOSLI** Brookfield Open Space Legacy; **CC** Conservation Commission; **CoC** Chamber of Commerce; **CDD** Community Development Director; **CLA** Candlewood Lake Authority; **CNL** Committee for a New Library; **DPW** Department of Public Works; **EDC** Economic Development Commission; **FOL** Friends of the Library; **FS** First Selectman; **HD** Health Department; **HDC** Historic District Commission; **IWC** Inland Wetlands Commission; **LBT** Library Board of Trustees; **LF** Library Foundation; **LLA** Lake Lillinonah Authority; **PC** Planning Commission; **PRD** Parks and Recreation Department; **TW** Tree Warden; **WEO** Wetlands Enforcement Officer; **WHLT** Weantinoge Heritage Land Trust; **WPCA** Water Pollution Control Authority; **ZC** Zoning Commission; **ZEO** Zoning Enforcement Officer; **4CA** 4 Corners Association

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Issue: HABITAT CONSERVATION AND RAISING AWARENESS ABOUT ENVIRONMENTAL ISSUES

The conservation of natural habitat and increasing awareness of the variety of ecological communities in Brookfield is a worthy endeavor.

Brookfield residents support the maintenance and improvement of our many open space properties providing a basis from which to improve understanding and appreciation for the wildlife and ecological systems in our back yards. An example is the transformation of the once closed canopy wooded wetland south of Brookfield High School. In the last seven years or so, this wooded swamp has become inhabited with a number of beavers, which are transforming this ecology before our eyes. This is both a challenge for the DPW, which has a maintenance garage adjacent to the swamp, and also a potential outdoor classroom for science classes.

The Still River Greenway plans include educational kiosks to inform walkers and bikers of the biology and ecology of the vernal pool wetlands and streamside areas the trails will travers. The understanding of our environment will improve support for conservation allowing Brookfield to build on its reputation for wonderful natural spaces. Supporting our commission members with educational opportunities in this area will help them apply the regulations and statutes with which they are charged, such as the review of the Natural Diversity Database, FEMA floodplain regulations and the Connecticut Wetlands Act.

Goal: Build awareness of the environment both through educational programs for students as well as educational programs for volunteer commission members.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
NatRes2	1	Develop a public education strategy perhaps in conjunction with the Brookfield Library for adults and children that addresses a wide range of environmental topics.	WEO	BL
NatRes2	2	Consider extending the opening hours and services of the Town Brush Dump.	DPW	

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<p>NatRes2</p>	<p>3</p>	<p>Collaborate on development of informational signage for Still River Greenway in a manner that contributes students' awareness of environmental topics.</p>	<p>PRD, WEO</p>	<p>DPW</p>
<p>AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CoC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association</p>				

Open Space Conservation and Preservation

INTRODUCTION

Brookfield has focused recent decisions about open space on availability for passive recreation. There has been a focus on the provision of access for walking trails when open space parcels are donated to the town through the subdivision process. This interest for access has recently been balanced by open space acquisitions designated predominantly for conservation such as the designation of Old Bridge open space as a bird sanctuary and the designation of Erickson Farm Open Space as particularly focused on open field bird habitat.

PROGRESS SINCE 2002

Among the principal accomplishments in natural resource planning in Brookfield since 2002 are the completion of the design and the securing of funding to construct the Still River Greenway. The Greenway will be a multi-modal trail connecting the existing trails south of the Town Hall across the Still River just north of Silvermine Road along a system of paved and boardwalk trails up to the Four Corners area. This trail will join with the sidewalk network in the Four Corners. (For more on the sidewalk network see Chapter 8 and Chapter 13)

Brookfield has more than doubled the amount of acreage held in permanently preserved open space since the completion of the 2002 POCD. The 2002 Plan reported 773 acres of Town owned dedicated open space and in 2015 the Town owns 1875 acres of dedicated open space. The Town has utilized the “fee in lieu of open space” provision in subdivision regulations to acquire key parcels. In addition the donation of some difficult to develop parcels has allowed the Town of Brookfield and the two private land trusts, Brookfield Open Space Legacy (BOSLI) and Weantinoge Land Trust to protect 114 parcels with a total acreage of 2,365 acres of dedicated open space.

OPEN SPACE PLAN – ISSUES, GOALS AND ACTION AGENDA

Issue: GREENBELT TRAIL SYSTEM

The development of the what the 2002 Plan calls the “Riverway” began as the inspiration of Arthur Harris who proposed the establishment of trails near the Still River in the 1960’s. Trails were established in 1987-88 and by the mid-1990’s the concept of a trail heading north to the Four Corners was discussed and endorsed by the town. In the 2002 Plan the extension of the trail system to the north after the Route 7 by-pass is reaffirmed.

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One of the big accomplishments of the Parks and Recreation Department during the years since the 2002 Plan has been to fund the design and permitting process for a multi-modal trail called the Still River Greenway. The greenway plan connects the existing trails south of the Town Hall to a paved fully accessible trail to the Four Corners. The trail goes north bridging the Still River just north of Silvermine Road and continues along a system of paved and boardwalk trails up to the Four Corners area. The town received its first funds for the project from a State DOT grant in 2003, a grant that has grown into a project worth \$2.2 million dollars of combined local and State funds.

The Still River Greenway will add 1.6 miles of trail suitable for bikes, inline skates and wheelchairs to the current 2.2 miles of woodchip paths. The Four Corners Sidewalk and Access Management plan connects the Still River Greenway to a network of sidewalks throughout the Four Corners area. Further development of walking paths along the Still River to take advantage of river views has yet to be developed.

The public outreach to develop this Plan of Conservation and Development included a survey about open space use and a workshop on the greenbelt system of trails presented in the 2002 POCD as the Open Space Plan. Consultation with Conservation Commission members and land trust representatives inform the re-evaluation of the ambitious greenbelt system and propose the development of an Open Space Improvement and Maintenance Plan as a central strategy for this planning period.

The Greenbelt Trail Workshop held in November 2014 had as its objective the evaluation of the connectivity, practicality and desirability of the greenbelt system of trails presented in the 2002 POCD.

Residents who took the online survey on this topic prioritized the “Riverway” trail, in part perhaps because of the visibility of the plans for the Still River Greenway over the course of the last decade. The workshop participants noted the difficulty of creating walking trails south of Junction road along the Still River, but noted the possibility of working with Danbury’s Still River Commission to improve a “Blueway” trail on the river. There are currently several kayak put in or take out locations along the Still River in Brookfield including an improved location at 777 Federal Road, and improved kayak ramps and steps at Newbury Village and near the New Milford town line.

The “Lakeway” trail beside Lake Lillinonah and southwest toward Burr Farm involves property owned by both local land trusts, the Town of Brookfield and a utility company. Completing the section from Burr Farm

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to the Lillinonah Woods Open Space would require access across currently unsubdivided 25+ acre privately owned parcels.

The “Eastway” trail leading from the Municipal Center toward Lake Lillinonah through the extensive, long established much used trails through Williams Park might be established with the cooperation of the two condominium complexes. The connection from Williams Park to the “Lakeway” trails also appeared to be feasible.

Goal: Develop feasible set of trails some of which connect places people want to go and others that serve more recreational purposes.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
OSPlan1	1	Prioritize trail desirability based on feasibility for completion, opportunities for small parking areas, variation in terrain and difficulty of trails	CC	WHLT, BOSLI
OSPlan1	2	Create a Trail Plan by evaluating input from Greenbelt Trail Workshop and other forums to plot connections along greenbelt system trails and connections by water.	CC	WHLT, BOSLI
OSPlan1	3	Map conservation easements for all subdivisions using GIS and use this resource to further refine Trail Plan.	CDD	PC
<p>AO Assessor’s Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CofC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association</p>				

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Issue: *USE OF OPEN SPACE PROPERTIES*

Brookfield's open space and managed open space land is extensive; however there has been disagreement about how some properties should be used.

Brookfield has open space lands for every type of outdoor lover. Conservation properties frequented for the abundant bird life and fields of former farms perfect for a leash walk with the dog; wetland habitat and river gorge views. A kayak paddler's paradise and a place for a brisk walk with the kids in the stroller, a bike ride or inline skating. Despite this variety there has been difficulty siting a small dog park, a fenced in acre or two for dogs to be off-leash with other dogs.

Goal: Determine whether a dog park or a dog play space is needed in Brookfield and select an appropriate location for it.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
OSPlan2	1	Inventory open space properties and clarify the purposes and uses that are appropriate on all open space properties, both town and land trust-owned	CC	WHLT, BOSLI
OSPlan2	2a	Define characteristics of an off-leash park area for dogs.	PRD, residents	CDD
OSPlan2	2b	Review potential locations for an off-leash park are for dogs and discover drawbacks and negative consequences along with positive features of each potential location	PC	CDD
OSPlan2	2c	Select and promote the most advantageous location.	BOS	CDD
OSPlan2	3	Develop funding sources for this project.	BOS	CDD

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Issue: COLLABORATION

Goal: Promote coordinated management of open space land through the Conservation Commission and private land trusts, Brookfield Open Space Legacy and Weantinoge Land Trust.

Strategies:

Section/ Issue	No.	Strategy	Leader	Support Resources
OSPlan3	1.	Improve communications and collaboration with land trusts.	CC	WHLT, BOSLI, CDD
OSPlan3	2	Establish a forum for exchanging information about planned improvements and issues that need to be addressed in maintaining open space properties throughout the town.	PC	
OSPlan3	3.	Collaborate with Brookfield Open Space Legacy Inc. and Weantinoge Land Trust to re-establish parking facilities for Birch Rocks Open Space.	CDD	DPW

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Issue: MAINTENANCE AND IMPROVEMENT OF TRAILS AND OPEN SPACE PROPERTY

Maintenance and improvement of trails and open space requires regular annual expenditures as well as project-based expenditures.

There are only a few remaining large lots that represent potential residential subdivisions. The development of the Open Space Plan should consider the potential for extending desirable greenbelt system trails using easements through these parcels. In addition the judicious placement of these easements will allow for contributions in lieu of open space parcels donated to the town when subdividing the land. In this way the Town can grow the Open Space Fund for use in improving and maintaining Brookfield's open space and trail plan. Grant funding could support project-based improvements.

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Goal: Develop an administrative structure, capital investment plan and funding sources to permit the improvement and maintenance of trails and town-owned lands.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
OSPlan4	1	Identify key portions of the last remaining large residential parcels that could feasibly connect trails identified in OSPlan1, Strategy 2 via conservation easements.	PC	CC
OSPlan4	2	Identify strategic open space parcel acquisitions where easements would not allow trail connection.	PC	
OSPlan4	3	Identify priority areas of open space for application of forest management practices in order to remove invasive species and encourage native plants.	CC	TW
OSPlan4	4	Develop capital improvement plan to finance trail improvement and operating budget for annual maintenance.	CC, PRD	
OSPlan4	5	Identify sources of funding such as grants for project-based initiatives.	CC, PRD	
OSPlan4	6	Consider whether staffing or consulting services would be required to develop the Trail Plan, define forestry management projects, and provide GIS mapping skills, administrative and grant writing support.	PRD, CC, CDD	

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Protecting Historic Resources

HISTORY OF BROOKFIELD'S PROTECTION OF HISTORIC RESOURCES

The protection of Brookfield's historic resources was among the considerations for granting Certified Local Government status in 1992. Resources were allocated for the 1997 Architectural Survey and resulted in a survey that satisfied the basic requirements of the CLG designation, but missed resources considered by the Brookfield Historical Society to be significant to the town's character. Maintaining Brookfield's status in this program was in question as described in the 2002 POCD. The advantage of maintaining this status is that it makes Brookfield eligible to receive funds from the Department of Economic and Community Development, State Historic Preservation Office.

Brookfield's Historic District Commission and members have dedicated significant volunteer time to the protection of historic resources in the first (and to date, only) Historic District. The members of the Brookfield Historical Society also supported historical preservation by sustaining the museum and hosting educational and informational presentations; however, there is a perception on the part of advocates for historic preservation that insufficient political capital - not to mention governmental resources both human and financial - has been brought to bear to preserve what remains of Brookfield's historic resources.

Residents responding to requests for comment during in this planning process stated that retaining what historical buildings can feasibly be restored is important for retaining local character in Brookfield. Concentrations of historic residential and mixed-use buildings outside the Historic District can be found in the Four Corners area (formerly a commercial and industrial center called Ironworks, or the Ironworks District) and dispersed throughout town along Obtuse Road South and North and Obtuse Hill Road as well as in the northern section of Long Meadow Hill Road.

The concept of a second historic district including the Brookfield Craft Center campus may help further the artistic and educational goals of this venerable Brookfield institution. The former hotel building and the market building along with the train station and the mill buildings form a cohesive area with plenty of New England charm. Several other buildings on the western side of the Still River continue this aesthetic and may also benefit from being in a second historic district.

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Gurski Homestead

The Gurski Homestead is an open space property that joins Williams Park to create Brookfield's largest park. Many people use these properties and some people say their favorite natural spot in Brookfield is in one of these two properties.

The Town of Brookfield purchased the Gurski Homestead property, (18.49 acres) from Stanley Gurski and Frank Gurski, Jr. in 2002. Buildings included a front farmhouse, and farmhouse towards the rear (which is currently rented by a Brookfield Town employee) dairy barn, chicken coop, root cellar, blacksmith shop and other outbuildings. A tobacco barn, once located behind the blacksmith shop and next to the Merwin Brook Cemetery, was taken down years ago. The rear rental house and the blacksmith shop which is leased by the Brookfield Museum and Historical Society are in good condition. All other structures need renovation.

The Gurski Homestead Committee was established to manage the property. In 2009 a state grant of \$50,000 was received for repairs to the barn and the town approved matching funds. This grant was for re-roofing the barn and installing temporary shoring to maintain stability until a second grant could be secured. Remediation of the front farmhouse basement was paid for through a state grant of \$27,500 and matching funds from the town, for a total of \$55,000. This was for the foundation of the front farmhouse to prevent flooding in the basement. These grants were received from the State Historic Preservation Office (SHPO) with the condition that a conservation easement lasting ten years would be placed on the property. This easement was filed in April 2011 and will expire in 2021. No additional improvements can be made to the structures without the approval of SHPO while the easement is in place.

Gurski Homestead has recently come under the care of Conservation Commission. They applied for and received a grant for \$5,000 from SHPO and used matching funds for a total of \$10,000 to develop an engineered structural assessment and stabilization plan. Plan was completed by Conlon Engineering of Brookfield, CT and is currently under review by CT SHPO.

Village District designation for Four Corners area

Public Act 00-145 provides a means for providing significant protection of historic resources that is particularly suited to business areas. The Brookfield Zoning Commission utilized this designation for the current Town Center District centered in the Four Corners area with limited success. Balancing the requirement for architectural review with the time

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constraints placed on zoning commissions to make well considered decisions on applications for development became difficult, so the designation was removed.

Demolition Delay implemented

Delaying demolition of structures 50 years old or more allows time for historic preservation efforts. Although the delay is only for a period of up to 90 days, the implementation of this statutory protection had not been routinely practiced in the processing building applications in the Land Use office until 2010. The administrative workflow was revised to better integrate this provision. The Historic District now comprises a layer in the GIS mapping tool and the HDC continues to be integrated into the sign off process for building and demolition permits town wide.

Design Guidelines address historic resources in the Four Corners now

Recent efforts to provide predictable, measurable standards for design in the Town Center District and Incentive Housing Zones have resulted in Design Guidelines and Standards. This document expresses the importance of preservation of historic structures that support the fabric and desired character of the Four Corners area. The guidelines state that site design should consider preservation and context sensitive design that incorporates buildings and features on state or national registers of historic places or those listed in the 1997 local survey titled "Historical & Architectural Resource Survey of the Town of Brookfield. 1996-1997" (1997 Architectural Survey).

The Zoning Commission and the Land Use staff worked with Fitzgerald & Halliday to develop the Design Guidelines and Standards and incorporate them into the Zoning Regulations applicable in the Town Center District and Incentive Housing Overlay sub-zones. The commitment of the Zoning Commission to the spirit of these regulations is evident in the Residences at Laurel Hill project where one of Brookfield's oldest houses was relocated and reincorporated into the site.

HISTORIC RESOURCES – ISSUES, GOALS AND ACTION AGENDA

Among the strategies proposed in the 2002 POCD for preservation of historic resources that have not been implemented are the development of a Historic Preservation Plan, the establishment of additional historic districts, and the adoption of tax abatement programs to allow for deferred tax assessment increases resulting from property rehabilitation. In addition to pursuing these strategies, Brookfield would benefit from joining the Connecticut Main Street Program, a non-profit that promotes mixed-use development while utilizing context sensitive design.

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Issue: **BROOKFIELD HISTORIC PRESERVATION PLAN**

The development of a community Historic Preservation Plan for preservation of Brookfield's historic resources would support the town's planning process and begin to restore confidence with the State Historic Preservation Office (SHPO) of Brookfield's commitment to the values and goals of the Certified Local Government program the program.

The use of SHPO sponsored grants for historic preservation in Brookfield has become complicated due to a lack of shared objectives.

Goal: Develop a town-wide Historic Preservation Plan

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
HIST1	1a	Define the objectives of a Town Historic Plan to include the issues surrounding Gurski Homestead and the State Historic Preservation Office (SHPO) Conservation Easement.	CDD	HDC, BHSM
HIST1	1b	Allocate sufficient human and capital resources to develop an Historic Preservation Plan with broad community support and which satisfies the standards of local and state historic preservationists.	BOF	HDC, BHSM
HIST1	2	Evaluate how tax abatement may provide incentives for owners of historic properties to improve or restore these buildings.	CDD	AO, BOS

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Issue: HISTORIC RESOURCES OUTSIDE HISTORIC DISTRICT #1

Many of Brookfield’s remaining clustered historic resources are unprotected to the extent that a historic district designation can provide. Historic properties may be protected with single property historic designations.

Interest in creating a second historic district has been expressed by the members of the Board of Directors for the Brookfield Craft Center, which occupies a number of State Historic Register buildings built in the 1700’s and 1800’s in the Ironworks District that currently serve as the campus of the arts and cultural center. Participation of adjacent historic properties may add to the significance of this second district and will help to retain the charm of the remaining historic buildings in the Four Corners area.

Goal: Retain the charm of Brookfield’s mill buildings and historic commercial hub as well as specimen properties, those properties representative of a particular architectural style, in residential districts.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
HIST2	1	Work with property owners to develop a concept for the historic district and purpose for the designation.	BCC	CDD
HIST2	2a	Develop a proposal for a second historic district to be considered by the BOS	BCC	CDD, HDC, BHSM
HIST2	2b	Assemble a study group whose task it is to evaluate the feasibility, desirability and objectives of a second historic district.	BOS	CDD
HIST2	3	Promote the research required and support the application for designation of specimen properties with appropriate recognition of historic status.	HDC	

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Issue: GURSKI HOMESTEAD

The Gurski Homestead property has the potential to be a wonderful community space. The Lion's Club community garden is located there along with a small orchard planted by the Girl Scouts. The soon to be three-year tradition of FarmFest, a harvest festival put on by the Conservation Commission, has introduced newcomers and old timers alike to Brookfield's farming and forging history.

Many of the structures were transported to this property when the farm was active; however, time has claimed the viability of several of them making them difficult to restore.

Residents who commented on what the Town of Brookfield should do with the Gurski Homestead buildings felt that preservation should be attempted, salvaging what was useable and focusing on the house by the road, the barn and the forge. In order to keep expenditures low, one resident suggested a volunteer-backed, donor-funded project. Another suggested constructing a storage building for the community garden.

Goal: Make the Gurski Homestead a welcoming, safe community space.

Strategies:

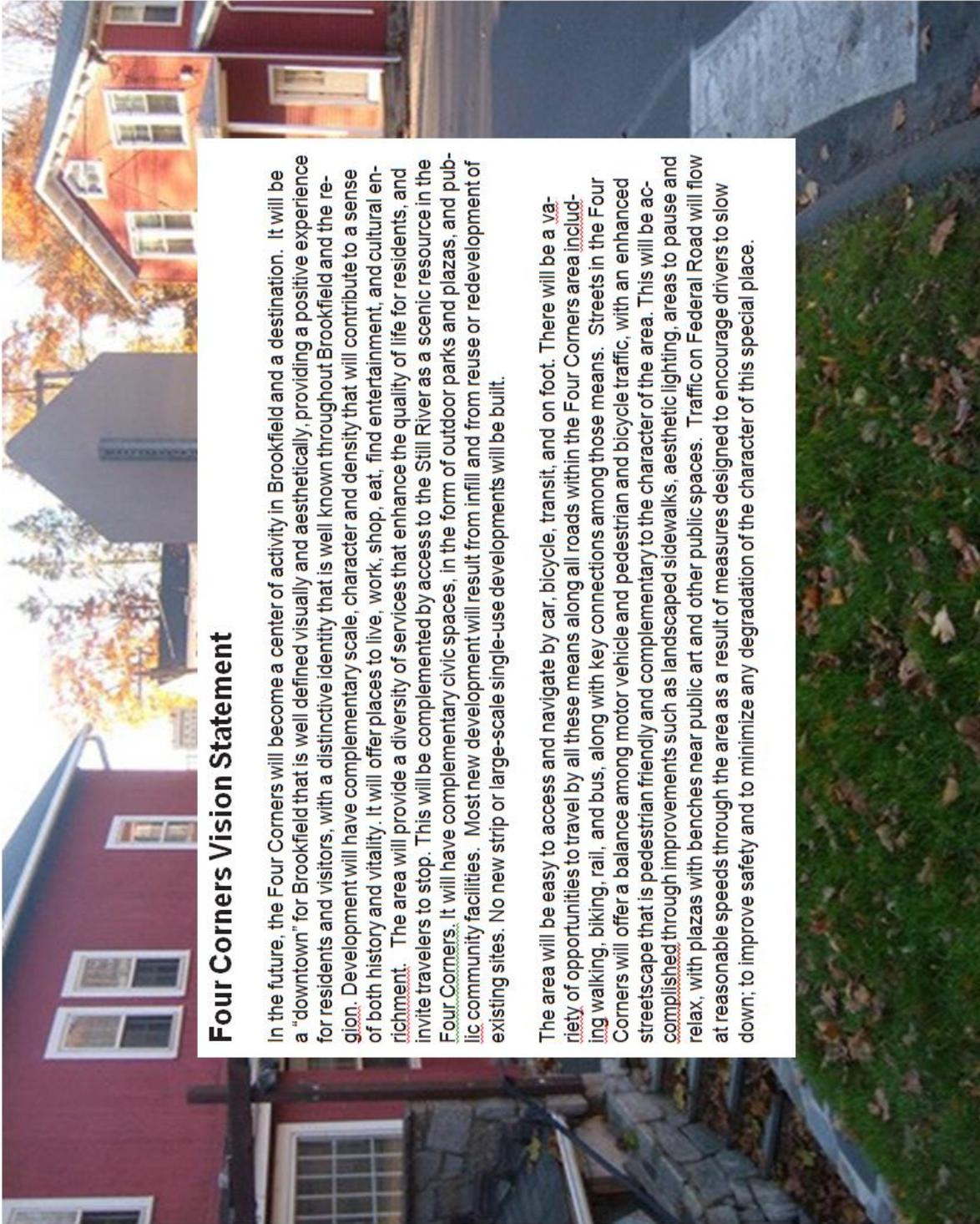
Section/ Issue	No.	Strategy	Leader	Supporting Resources
HIST3	1a	Negotiate appropriate steps with SHPO to improve the Gurski Homestead and develop a master plan for improvement of the Gurski Homestead property.	FS	BOS, CC, CDD
HIST3	1b	Work with SHPO to clarify the process for proposing and gaining approval for improvements or actions that will increase the safety of these buildings.	FS	BOS, CC, CDD
HIST3	1c	Define priority actions or projects and work with SHPO to identify funding sources	FS	BOS, CC, CDD
HIST3	2	Develop a private fund raising campaign and gather volunteer supporters who are willing to work on improvement projects.	CC	CDD

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Revitalizing the Four Corners: Creating a new downtown



Four Corners Vision Statement

In the future, the Four Corners will become a center of activity in Brookfield and a destination. It will be a "downtown" for Brookfield that is well defined visually and aesthetically, providing a positive experience for residents and visitors, with a distinctive identity that is well known throughout Brookfield and the region. Development will have complementary scale, character and density that will contribute to a sense of both history and vitality. It will offer places to live, work, shop, eat, find entertainment, and cultural enrichment. The area will provide a diversity of services that enhance the quality of life for residents, and invite travelers to stop. This will be complemented by access to the Still River as a scenic resource in the Four Corners. It will have complementary civic spaces, in the form of outdoor parks and plazas, and public community facilities. Most new development will result from infill and from reuse or redevelopment of existing sites. No new strip or large-scale single-use developments will be built.

The area will be easy to access and navigate by car, bicycle, transit, and on foot. There will be a variety of opportunities to travel by all these means along all roads within the Four Corners area including walking, biking, rail, and bus, along with key connections among those means. Streets in the Four Corners will offer a balance among motor vehicle and pedestrian and bicycle traffic, with an enhanced streetscape that is pedestrian friendly and complementary to the character of the area. This will be accomplished through improvements such as landscaped sidewalks, aesthetic lighting, areas to pause and relax, with plazas with benches near public art and other public spaces. Traffic on Federal Road will flow at reasonable speeds through the area as a result of measures designed to encourage drivers to slow down; to improve safety and to minimize any degradation of the character of this special place.

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ESTABLISH A VILLAGE CENTER IN THE FOUR CORNERS

Several efforts were made over the last 10 years to encourage development like that in a village center through zoning regulation text and zone designation changes. The Zoning Commission and the Economic Development Commission made the first strides toward a comprehensive plan by making changes to zoning regulations and engaging consultants to evaluate the redesign of the streetscape to include on street parking. A video was created to give a sense of the transformation being contemplated.

In 2011 another effort was undertaken to create a comprehensive plan for the revitalization of the Town Center District. The Four Corners Town Center Revitalization Plan (the Revitalization Plan) was the culminating document laying out a district-wide plan for new development and redevelopment of underutilized properties and laying out pedestrian and bicycle routes along the main roads of the district along with paths along the Still River, a wetland park, and connectivity among parcels to limit curb cuts onto main roads. It was developed with wide community participation through an online survey and a four-day charrette. The Revitalization Plan was made an addendum to the 2002 POCD by the Planning Commission in September 2012 and comprises Chapter 8 of this plan.

The Four Corners Revitalization study was undertaken to establish the economic base for and the master plan to accomplish the revitalization of a historically important downtown area that was obscured. The study evaluated the general market and real estate conditions in Brookfield, a 15-minute drive contour around the Four Corners or Town Center District and the Tri-county region. These details are covered in Chapter 2 Trends and Conditions. 4ward Planning assumed that about five percent (155 workers) of workers who currently live outside Four Corners desire to live closer to work, and they concluded that they could be captured in residential or mixed-use projects in Four Corners.

FOUR CORNERS FUTURE CONCEPT PLANS

The concept plans which follow were developed through the technical analysis and community input and guidance described in the complete document which is available as an appendix to this plan. The plans start at the 'big picture' level covering the Four Corners as a whole and then focus in on each of four subareas represented by four quadrants of the area and then emanating from the Four Corners intersection. An additional concept plan is presented with a recommended concept for heart of the area right at the Four Corners intersection itself. This is complemented by concepts for Federal Road with streetscape

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improvements and a complete streets approach under which the design for Federal Road balances the goals for the Four Corners character with ease of access for all means of travel and with an emphasis on pedestrian access. Recommended enhancements in the area of the Craft Center are also presented.

The 'big picture' view is that of an overall future land use plan with broad categories of land use for the Town Center District as a whole. The quadrant plans then each show a proposed mixed-use environment that blends existing viable businesses and residences with redevelopment and infill development.

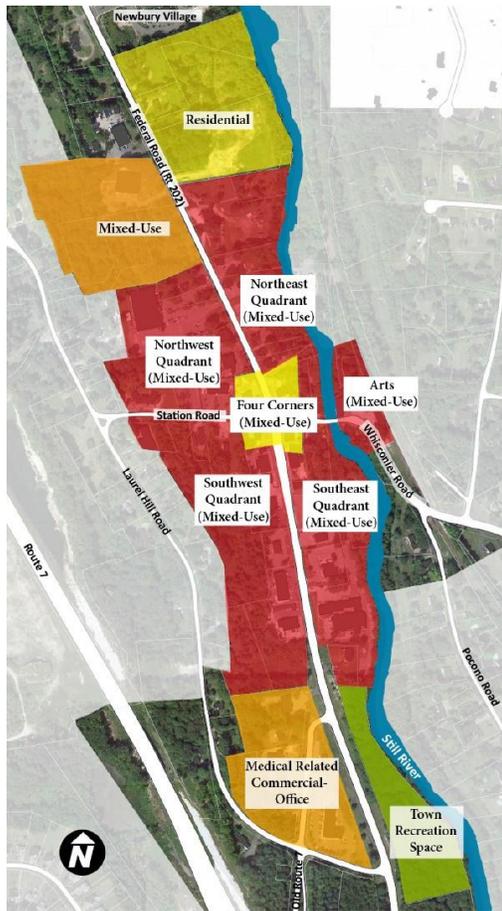
The quadrant concept plans and 'core intersection' concept plan show potential building locations, parking, walking routes, internal vehicle circulation routes within properties, civic use, and public spaces such as plazas. Where proposed vehicle access routes occur across properties, they are envisioned on the scale of a driveway that would be integrated with the pedestrian-oriented intent of the development.

The overarching concept for the Four Corners area is one of a cohesive development node centered on the four corners intersection. Development would be most dense and intense at the Four Corners intersection and become less dense moving outward from the core area. The intersection and concentration of development at the core would be the heart of the envisioned 'downtown' for Brookfield.

The design principles that guided the development of the concept plans are listed below. It is intended that these design principles also serve as a guide to site design, density, and scale of all future development throughout the Town Center District.

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Guiding Design Principles:

- Public preference is for buildings to be up to two-stories in height
- Primary buildings should be oriented to the street and meet the sidewalk there; sidewalks should be provided as part of site design
- Building design should be 'traditional' for New England; not uniformly New England Colonial - some diversity of architecture is desirable but all should be complementary to traditional New England themes
- Separation of buildings along the street may be minimized to achieve a sense of neighborhood and place
- Parking should be located behind buildings
- Sites should have internal pedestrian ways, pedestrian respite areas, and bicycle access as well as pedestrian and bicycle connections to adjoining parcels

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- Sites should have no more than one curb-cut onto Federal Road with shared access among adjoining parcels; alternate or primary access to Station Road is encouraged
- Sites design should include some green/public spaces and access ways to trails and greenways
- Site design should include both interior and perimeter landscaping, including shade trees; notable existing natural features such as mature trees should be preserved
- Impervious surface area should be minimized

The concept plans were created with the idea in mind that the four gas stations are currently active businesses that are not available today for reuse. There should be a future development concept that can occur if those gas stations remain in place.

Yet, the Town Center District zoning classifies this use as non-conforming with the intent of the zone and conflicting with the vision for the area. Therefore, if one or more of those gas station properties becomes available for redevelopment, there should be a preferred concept for those sites, which includes an alternative use and layout for them.

Finally, it should be noted that the concept plans are focused on the desired character of development for the Four Corners in the future. The approximate square footage of new development shown in the quadrant plans for the core does not directly correlate to the market potential. It is assumed that additional new development, in particular residential development, could and will create additional infill in the remainder of the Town Center District outside the core quadrants over time. It is also assumed that as the vision for the Four Corners begins to take form, the dynamic nature of the new downtown will have potential to generate more market demand above that which today's market conditions reflect. All new development throughout the TCD should incorporate the core design principles and be organized as shown on the Master Land Use Plan.

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Northwest Quadrant

The northwest quadrant of the Four Corners area possesses several strong occupants in addition to relatively new structures that if connected properly, could create a very engaging area for shopping and entertainment. Existing assets include Brookfield Lanes, Alexander's Restaurant, and the Union Savings Plaza, an example of one of the more agreeable styles of building form in the Four Corners area.

Parking in this area is ample although disjointed and pedestrian walkways are all but absent between developments.



The existing Union Savings Bank plaza and Alexander's Restaurant can provide a core around which infill development and redevelopment could occur.

By connecting the various parking areas internally and adding pedestrian walkways between businesses, this area could become more inviting to those shopping on foot. Vacant space on Federal Road where the bowling alley parking access is located may provide

an ideal location for a civic building such as a library or theater. The existing parking area could then be expanded and serve as municipal parking for the Four Corners area. Additional opportunities include the development of public plazas between buildings, residential redevelopment along Station Road, and the construction of sidewalks on Federal and Station Roads. In this scenario the Union Savings Bank drive-through would be redirected directly to Federal Road with the pavement in front of the building reclaimed as public space.



Recommended improvements within the northwest quadrant include:

- Improving pedestrian circulation within and between the various businesses.
- Improving auto connections between various parking lots
- A municipal parking lot with 150 spaces

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- A plaza between the Union Savings Bank and Alexander's Restaurant.
- Redesigned access to Brookfield Plaza from Federal Road
- A civic building (approximately 30,000 square feet) such as a library or theater on Federal Road with an adjoining public plaza.
- Residential redevelopment (20-30 units) on Station Road.

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Northeast Quadrant

The northeast quadrant of the Four Corners area holds considerable potential for infill development. A large property at the northern end of this area is a prime candidate for locating a medium scaled grocer. This would potentially act as an anchor for infill development along

Federal Road. This potential infill could resemble the existing historic buildings in use and function. The capacity for infill development of this scale is approximately 20,000 square feet. There is additional potential for a shared parking agreement amongst the various property owners on Federal Road that would allow for auto circulation and a pedestrian walkway at the rear of the properties.



Historic structures on Federal Road are already used for office, retail and residential space. Infill development with similar building form and use would create a more dynamic environment



Recommended improvements for the northeast quadrant include:

- Soliciting a grocery store to develop a site and build a store
- Infill development between existing buildings
- Continuous walkway at the rear of buildings
- Develop a shared parking arrangement between property owners
- Develop internal auto circulation between Whisconier Road and the proposed grocery location.
- Create a multiuse path along the top of the bank along the Still River

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Southeast Quadrant

Improvements for the southeast quadrant are focused upon pedestrian conditions recommended along Federal Road and thereby producing a more favorable environment for businesses and shopping. The east side of Federal Road is also the proposed location for a multi-use pathway that would ultimately connect to the Town's existing trail system along the Still River. In creating a safe and hospitable environment for pedestrians and bicyclists, curb cuts onto Federal Road should also be reduced. This reduction becomes feasible if an internal circulation system is created between properties. Additionally, the reduction of curb cuts creates the opportunity for infill development along Federal Road. Approximately 30,000 square feet of this is feasible within the existing development



Summarizing the recommendations for this area, they include:

- Construction of multi-use pathway on Federal Road
- Sidewalk and streetscape improvements on Federal and Whisconier Roads
- Reducing curb cuts and creating internal circulation between parking
- Infill development
- Creating a trail along the Still River

Empty storefronts, lack of sidewalks, frequent curb cuts, and a lack of connectivity between parking diminish the potential for shopping from business to business.



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Southwest Quadrant

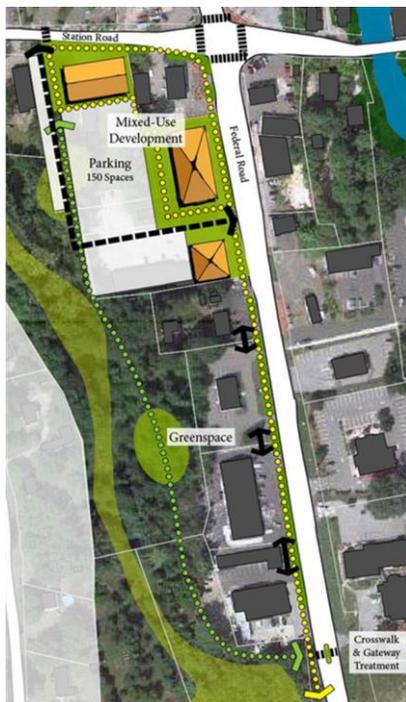
Improvements to southwest quadrant are focused upon a collection of properties off Federal and Station Roads that is actively being considered for redevelopment. This area could prove to be the catalyst for redevelopment within the Four Corners. The potential development would include street level retail and upper level residences. Total square footage of development could be in the magnitude of 30-40,000 sq. ft. The redevelopment of this site would also allow for the inclusion of public spaces between and adjacent to buildings and off- street pedestrian circulation.



Aging strip malls with multiple vacancies allows the potential for a complete redevelopment of this area at the southwest corner of the Four Corners.

Additional improvements within this area could include:

- Sidewalk construction of Federal and Station Roads
- Reduction of curb cuts along Federal Road and connectivity between adjacent parking lots and businesses.
- Development of a trail system and green space in the wooded area to the rear of the properties



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Four Corners

The Four Corners intersection is currently dominated by gas stations on all four corners. Ultimately market forces may create the opportunity for redevelopment of one, or all, of these sites. In a redevelopment scenario, the four corners could be occupied by new buildings at each corner. This development could be retail, entertainment, office, and residential or mixed use in nature. The total building area that these sites could accommodate is constrained primarily by parking and would likely range between 30-40,000 square feet. Parking would be located at the rear of the businesses so as to allow for a pedestrian scale environment along Federal, Station and Whisconier Roads.



Gas stations occupy each of the Four Corners locations. Ultimately a higher and better use of these properties may become a market reality.

Summary of potential improvements to the Four Corners intersection area:

- Redevelopment of gas station sites into retail, entertainment, office, residential or mixed use development
- Off-street parking at the rear of properties
- Parking connectivity between adjacent parking lots and parcels
- Public spaces between and adjacent to new development

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A comprehensive Implementation Plan is also part of the complete document and outlines four initiatives to bring the vision of the Four Corners to reality. They are the Community Form Initiative, a Marketing Initiative to brand and promote the Four Corners, a Complete Streets Initiative to connect roadways with pedestrian and bicycle ways, and a Cultural/Civic Enhancement Initiative to promote the location of at least two community gathering destinations in the Four Corners area to enliven the neighborhood.

NEW DOWNTOWN AT THE FOUR CORNERS – ISSUES, GOALS AND ACTION AGENDA

Issue: *FOUR CORNERS REVITALIZATION PLAN IMPLEMENTATION STRATEGIES ARE NOT FULLY EVALUATED AND UTILIZED.*

Goal: Assess implementation plan for the Four Corners Town Center Revitalization Plan and complete remaining strategies to support developments both public and private to create a new downtown from an historic commercial hub.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
4C1	1	Assess Community Form Initiative	ZC	CDD, EDC
4C1	1a	Critique how the implementation of this initiative has supported development in the Town Center District and Incentive Housing Zones and which strategies should be further utilized.	ZC	CDD
4C1	1b	Implement remaining strategies	ZC	CDD
4C1	2	Assess Marketing Initiative	EDC	BOS
4C1	2a	Evaluate the implementation strategies of this initiative and determine which strategies should be further utilized or which other strategies should be employed.	EDC	
4C1	2b	Implement these strategies	EDC	
4C1	3	Assess Complete Streets Initiative and Town Center District Sidewalk and Access Management Plan and adopt as an appendix to the Zoning Regulations	CDD, ZC	DPW

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4C1	3a	Ensure that STEAP funds available to the town currently are utilized to begin construction of the plan.	CDD	DPW
4C1	3b	Secure funding for the completion of the central sidewalks as illustrated in the Sidewalk and Access Management Plan.	CDD	FS
4C1	3c	Coordinate the completion of engineering for the remaining phase of the Sidewalk and Access Management Plan.	CDD	DPW
4C1	3d	Construct final phase of Sidewalk and Access Management Plan	DPW	CDD
4C1	4	Assess Cultural/Civic Enhancement Initiative	CDD	4CA
4C1	4a	Consider the development of a Four Corners Civic Spaces Plan	ZC	4CA
4C1	4b	Partner with relevant organizations in order to promote the Civic Spaces Plan.	CDD	4CA
4C1	5	Join the Connecticut Main Street Program for support with technical assistance grants and resources for creating economically successful downtowns while preserving historic character.	BOS	CDD
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Promoting Economic Development

Some of the strategies of the 2002 Plan have been implemented, but the many remain only partly explored or unaddressed.

Promoting economic development through simplification of zoning was partly addressed. The Zoning Commission extended the IRC 80/40 zone throughout the mid-section of town removing persistent non-conformity issues there. Regulations were modified to address particular incongruities in the Permitted Use Table, but a thorough review to broaden classes of uses has not been undertaken. The Zoning Commission has fully explored the definition of Mixed Use through the revision of the definition of the Central Core Incentive Housing sub-zone. The designation of the Perimeter Incentive Housing sub-zone allowing exclusively residential uses has begun to define the northern most transitional area illustrated in the 2002 POCD. The Transitional Use Areas illustrated between Old New Milford Road and Silvermine Road has been the site of two new residential developments and a shopping center. The opportunity presented by vacant land in this area urges the consideration of development in clusters or nodes encouraging small offices, institutional uses, multi-family developments all within reach of daily needs and transit options.

The 2002 Plan encouraged supporting variety in the scale of retail establishments, from big-box to boutique, well-located industrial and manufacturing uses and recognition for the need to encourage mixed use development by locating multi-family residential uses in close proximity to transit, retail, commercial and certain light industrial uses. Central Federal Road between Junction Road and Silvermine Road remains a jumble of development forms. A wide array of uses are currently made of these properties, from wholesale businesses to put-put golf and barbeque to older single family homes, and new townhomes and apartments that will number about 290 units when fully constructed. The proximity of the Town Hall, Kid's Kingdom, sports fields, the Senior Center and a possible location for a new library is key in evaluating how to plan for development in this area.

Tax Assessment Deferral Program

The Board of Selectmen passed an ordinance in 2014 that allows for deferred tax assessment increases for mixed use development projects in the Town Center District. This ordinance was aimed at jump starting development in the Four Corners area. The ordinance does not deal directly with historic rehabilitation or restoration of buildings in the district, but may provide a springboard for discussion of tax abatement programs to support historic preservation efforts.

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Business development

There are two primary groups that promote Brookfield businesses and some innovative ideas for incubating good business ideas. The Brookfield Chamber of Commerce continues to be active in presenting periodic workshops and informal settings for making business connections. The Brookfield Economic Development Commission has launched a new website aimed at promoting Brookfield as a place to relocate and have become members of the Connecticut Economic Resource Center (CERC) in order to better market available commercial properties in Brookfield. An initiative of the First Selectman involved the concept of creating a town-sponsored facility for incubating young business or budding ideas that might become businesses. Resources devoted to economic development have historically been extremely limited. Making the most of the existing resources and targeting needed additional resources will improve these groups' effectiveness in promoting Brookfield and will help retain more of our existing businesses.

Issue: *SUPPORT BROOKFIELD BUSINESSES THROUGH COORDINATED APPROACH*

Goal: Coordinate the efforts of groups focused on promoting Brookfield business and promote our town through coordinated efforts to bring in new businesses and employers as well as helping existing businesses to grow.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
EconDev1	1	Encourage collaboration between Brookfield Chamber of Commerce and the Economic Development Commission when implementing informational programs, workshops and training classes to maximize the effectiveness of these groups to promote growth of existing businesses and to attract new businesses.	CofC, EDC	
EconDev1	2	Develop a strategy, action plans, resources and performance metrics with a goal of maximizing economic growth.	EDC	PC

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EconDev1	3	Collect contact and business information for all businesses and add that information into the EDC website Business Directory and email distribution list.	EDC	CDD, ZEO
EconDev1	4	Provide additional resources to assist the Economic Development Commission in achieving the economic development action items.	BOF	

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Issue: FOCUS DEVELOPMENT ON EXISTING COMMERCIAL CORRIDOR

Goal: Fully develop Brookfield’s commercial corridor in a balanced manner that both broadens the tax base and protects the quiet residential districts that Brookfield is known for.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
EconDev2	1a	Consider how to best develop the area bounded by Federal Road, Junction Road, Silvermine Road and Pocono Road to incorporate transitional zones and development in a nodal pattern to protect adjacent residential neighborhoods and support alternative transportation modes.	PC	ZC, ZEO, EDC, CDD
EconDev2	1b	Revise zoning regulations to require the desired development pattern in this area.	ZC	ZEO, CDD
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Housing

RESIDENTIAL DEVELOPMENT PATTERNS

Housing in Brookfield is predominantly in single family homes. Multi-family condominium developments built in the 1980's are predominantly centrally located. Zoning changes in the Town Center District, the zone including the Four Corners intersection of Route 25 and Route 202, defined parameters for the development of Planned Age Restricted Communities. Subsequently more zoning regulation changes permitted apartments on the second and third floors of mixed use buildings. A further zoning regulation change created an Incentive Housing Overlay based on Connecticut General Statute 8-13m that further promote a mixed use residential development pattern.

These recent zoning regulation changes have spurred more multi-family developments. They have taken the form of residential communities, townhouses and apartments with some units set aside for rental or sale to families making 80% of the area median income, and mixed-use projects that include a retail, restaurant or office component.

Single family homes

The majority of Brookfield's single family homes are on lots of 1 acre or more, many on 2 acres or more. This low density residential development provides the quiet, private suburban character that many residents value. There are only a few large parcels remaining in the residential zones. Refer to Land Use Map 4 titled Subdividable Residential Land.

The 2002 Plan addressed methods for conserving greater land area within the context of subdivision layouts. During the past planning period the Zoning Commission changed the definition of lot area to remove any area of wetlands and watercourses, steep slopes and floodplains.

The other technique discussed in the 2002 Plan to maximize land conservation while retaining that large-lot suburban character was to consider residential density of subdivisions rather than requiring a minimum lot size. In this way the residential lots could be clustered in such a way as to maximize the open space. This strategy was not acted on. Minimum lot size in Conservation Subdivisions is 20,000 sq. ft., however the number of lots permitted may not exceed the number of lots permitted for a conventional subdivision. The motivation for a developer to consider a Conservation Subdivision is reduced, if no more lots can be developed than with a standard subdivision.

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More than eight of ten housing units within Brookfield are single-family, detached units, which is significantly higher than Fairfield County and the Tri-County Region. Such high concentration of this housing type may contribute to lower housing affordability, as single-family homes are typically less affordable than multifamily units.

Multi-family Development

Brookfield has a low availability of listed multifamily properties for rent, suggesting a tight multifamily market relative to the surrounding area. The majority of Brookfield's multifamily structures hold condominiums and townhomes, however recent zoning approvals for five separate projects could add over 350 rental units to Brookfield.

The Housing Study conducted by 4ward Planning found that the projected demand for new housing units within the Town of Brookfield through 2028 is just under 1,200 units, using a modest growth scenario.

Publicly Assisted Elderly Housing

Brooks Quarry is supported by the Brookfield Housing Authority and provides affordable housing for the elderly and disabled. The Housing Authority has completed plans for upgrading the sanitary system to improve conditions in the current apartments and to allow expansion of the facility to address the demand for low cost housing dedicated to seniors. They are seeking funding through the Community Development Block Grant program.

HOUSING NEEDS

Empty nesters and Millennials

According to the Housing Study conducted by 4ward Planning, in the near term (the next seven years) and long term (beyond the next seven years), housing demand in the 15-minute drive contour and Brookfield area will likely come from within the following demographic groups: The 55-to-74 age cohort (Empty Nesters) will exert considerable influence on the type of housing developed, specifically smaller housing units, as they downsize from traditional single-family units. This group is increasing as a share of the total county population.

To a lesser extent, young professionals aged 25 to 34 (the Millennials) may also influence the county's housing market over the coming years. While this age group is forecasted to decline slightly as a percent of the total population through 2018, they also typically seek small, affordable, rental units with convenient commutes to jobs or school, and thus, may be more likely to locate to a town, which has such housing types.

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Increasing the diversity of housing options available in Brookfield will enable our town to provide appropriate housing options as the economics of our aging population change. Providing diverse housing options along with a mix of leisure, restaurant, convenience and boutique retail may also attract young professionals.

The telephone survey conducted for the 2002 Plan highlighted the viewpoint that housing for elderly people, first-time home buyers and households of moderate income are too few. In 2015 these demographic groups continue to lack sufficient housing options, both due to the growth of the older segments of the population and the paucity of lower-cost, lower-maintenance housing options.

The majority of Brookfield's residential units are owner-occupied. The proportion of owner-occupied housing is greater in Brookfield than it is in the surrounding area. The figure below was part of the study conducted for the Four Corners Revitalization Plan and shows the percentage of renter-occupied units in Brookfield, a 10-minute drive contour from the Four Corners and the tri-county region including Fairfield, Litchfield and New Haven counties.

Renter-Occupied Housing Trends

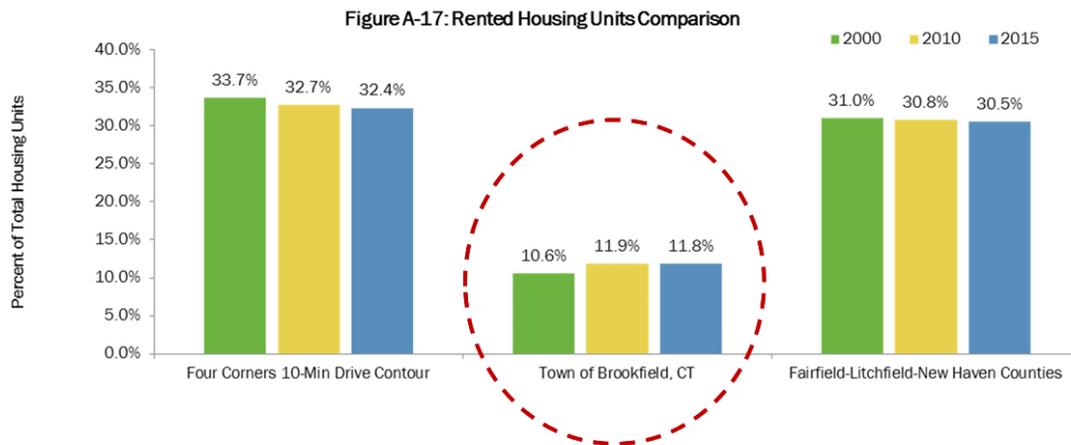


Figure 4. Rented Housing Units Comparison

This analysis indicates a market potential for renter-occupied housing in Brookfield.

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The observation made in the 2002 Plan, that Brookfield could improve the diversity of housing opportunities in order to better provide for an economically diverse population, continues to be true. A diverse housing stock provides housing opportunities for a diverse population and this can provide a variety of benefits for a community. A diverse housing stock engenders a more diverse social, cultural and economic environment. Diverse housing options also providing opportunities for local employees (teachers, administrators, clerical staff) to live in Brookfield as well as the flexibility for elders to adapt to changing housing needs while remaining close to friends and family members.

Issue: ATTRACTING THE YOUNG PROFESSIONALS

Our town needs to encourage diverse housing options that will attract young professionals and young families. Brookfield’s population is aging; a vibrant town needs young families and young professionals to keep the school system from shrinking and to support healthy community development.

Goal: Encourage developers to build housing that is affordable to young families and young professionals just beginning their careers.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
HOUS1	1	Evaluate the current Incentive Housing restrictions and the level of affordability required by the IHZ overlay sub-zones. Compare housing options with starting salaries in the area’s growing employment sectors.	CDD	ZC
HOUS1	2	Develop a Housing Plan to guide development of housing that includes developments tailored to young mobile professionals and young families.	CDD	ZC

AO Assessor’s Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CoC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association

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Effective July 2, 2015, Amended Effective March 17, 2016

Issue: KEEPING THE EMPTY NESTERS IN BROOKFIELD

Our town should promote housing options for elders who no longer want the responsibilities for maintenance of a single family home or who need increased support to live independently, but who want to remain in Brookfield near friends and family.

Goal: Encourage developers to build a wide array of housing, in particular housing designed for older, less mobile residents with associated amenities favored by seniors.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
HOUS2	1	Consider revision of zoning regulations regarding Planned Age Restricted developments to allow these sorts of developments in specific zoning districts targeted for higher residential densities such as the Town Center District.	ZC	
HOUS2	2	Promote design of residential structures and public spaces that accommodates the needs of older residents.	ZC	

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Issue: HOUSING DEVELOPMENT SHOULD NOT PUSH OUT CURRENT RESIDENTS DUE TO “LUXURY” PRICING

Our town should strive to retain residents on fixed or lower incomes by promoting a wide range of housing prices. Housing priced affordably will serve current residents whose incomes become fixed as they age as well as young families just getting started.

Goal: Residents of all income levels will be able to find suitable housing in Brookfield whether they are a young family, a newly divorced or widowed individual, a young professional or a couple downsizing while remaining in their home community.

Strategies:

Section/ Issue	No.	Strategy	Leader	Required Support
HOUS3	1	Evaluate the affordability of Incentive Housing priced units; Affordable Housing priced units, requirements of state CHFA loans to developers for affordability and the market rate for both rentals and condominiums or townhomes for purchase.	CDD	

AO Assessor’s Office; **BCC** Brookfield Craft Center; **BHSM** Brookfield Historical Society and Museum; **BL** Brookfield Librarian; **BOE** Board of Education; **BOF** Board of Finance; **BOS** Board of Selectmen; **BOSLI** Brookfield Open Space Legacy; **CC** Conservation Commission; **CoC** Chamber of Commerce; **CDD** Community Development Director; **CLA** Candlewood Lake Authority; **CNL** Committee for a New Library; **DPW** Department of Public Works; **EDC** Economic Development Commission; **FOL** Friends of the Library; **FS** First Selectman; **HD** Health Department; **HDC** Historic District Commission; **IWC** Inland Wetlands Commission; **LBT** Library Board of Trustees; **LF** Library Foundation; **LLA** Lake Lillinonah Authority; **PC** Planning Commission; **PRD** Parks and Recreation Department; **TW** Tree Warden; **WEO** Wetlands Enforcement Officer; **WHLT** Weantinoge Heritage Land Trust; **WPCA** Water Pollution Control Authority; **ZC** Zoning Commission; **ZEO** Zoning Enforcement Officer; **4CA** 4 Corners Association

Facilities

COMMUNITY FACILITIES

Senior Center

The addition to the Senior Center was completed in 2007 creating a center for a wide range of activities for Brookfield residents over 55. Activities range from knitting and book clubs to yoga and wellness classes. The Social Services department runs the Senior Center and is also housed in this building. The Senior Center parking lot is the location for weekly donations of fruits and vegetables by Stew Leonard's, a local grocer, and in the summer, a budding Farmer's Market.

Food Pantry

The Brookfield Food Pantry serves residents who need a helping hand to put food on the table. The Town Hall facilities house the pantry, the donation box and the patron pick-up location. A 2010 shuffling of Town Hall office locations provided the Food Pantry with a more appropriate location for recipients that are closer to the Social Services office in the Senior Center.

Library

The Brookfield Library is small library facility built in the mid-1970s to meet the community's needs for library service; it replaced a 1500 square foot building. At the time the library was built, its size was more than adequate to support library services. Since that time, population growth in Brookfield, the widespread use of technology, and the community's changing expectations about the use of libraries have resulted in a library facility that is inadequate for a community the size of Brookfield.

The Brookfield Library is a center of community activity. Recent comments by residents via the website EnvisionBrookfield.com noted that the library is used for concerts and musical performances outside as well as indoors. The library is seen by respondents as a community space to meet and share with neighbors, a place to learn about and access technology, a place to join a book group and a place to take a class. Many people also come to the library to enjoy a movie or to attend a children's program.

The Library Board of Trustees commissioned a study in 2002 by Leslie Burger and Kevin McCarthy of Library Development Solutions, Princeton Junction, NJ. This study was updated by a committee formed in order to plan for a new library and approved by the Library Board in June 2009 and subsequently in February 2015.

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The philosophy of the consultants is that the library is one of the few community spaces where people from all ethnic, racial and economic backgrounds can gather together in a neutral, comfortable, safe, and welcoming environment to enjoy the written word, find information, socialize, become technologically proficient and celebrate what it means to be part of a community. The early 21st century library in many suburban communities is a community hub – a magnet for community life and culture. This is a particularly important role in communities that lack a well-defined town center, such as Brookfield. The library plays an important role in providing the “social capital” needed to maintain a healthy and vibrant community.

The document initially prepared by the consultants, the Brookfield Library Building Program last revised in February 2015 by the Committee for a New Library represents a substantial amount of preparation and design effort. The study concludes that for the materials already held by the library and for the services that a community of our size should expect from a library, our library is too small. Expansion on the current property was explored and construction of a two story building on the municipal center grounds was also considered.

Since those site options were explored, the Ptak property adjacent to the Town Hall has become a possible additional parcel for expansion and the concept of locating the library in the Four Corners area has also been discussed. The small Cape Cod style house at 108 Pocono Road will be demolished and add 1 acre to the municipal center property that currently houses the Town Hall, the Senior Center, the Police Department and the recreational facilities. Alternatively, the location of the library in the Four Corners area would address the 2012 Revitalization Plan suggestion that locating a civic use in the Four Corners area would help draw people to the area. The Town of Brookfield does not own any centrally located property of sufficient size near the Four Corners. Nonetheless, several developers have discussed the possibility of donating land to the Town for the library in the expectation that it would be an amenity to their developments and the area as a whole.

Issue: *THE CURRENT BROOKFIELD LIBRARY FACILITIES ARE TOO CONSTRAINED TO MEET THE PATRONS’ NEEDS.*

Our library needs to be able to grow and adapt to meet the new role of libraries in our society. Among the most significant findings from focus group interviews were the following:

- Newer residents have high expectations for service.
- The library is seen as being an important part of the community’s identity.

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- Residents commented that they use other area libraries for information or materials.
- Nevertheless, these libraries cannot provide the sense of community, belonging and social identity that the Brookfield Library can provide.

Since the time of the original report, The Brookfield Library has substantially increased the number and variety of programs offered to the public, making the lack of meeting space even more severe, but also drawing more (and new) people to the library.

Using space-planning guidelines developed by the Connecticut State Library, the amount of space recommended for a community the size of Brookfield was calculated as part of the plan. This calculation resulted in a recommendation for a library of 27,000 - 32,000 square feet, roughly three times the library's current size. The new building should emphasize additional space for children, teens, community events, and more shelf space to increase the ability to browse the collection.

Goal: Develop a plan for serving the library's current patrons with the current slate of activities as well as expansions to meet growing patron needs and 21st century library functions. Construct a new library that the community will consider as a cultural center of Brookfield, the community's living room, and a destination for cultural, educational and recreational programs.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
FAC1	1	Support the work of the Committee for a New Library as they selecting a proposed location for a new library; vet that selection through the 8-24 referral process.	CNL	LBT, PC
FAC1	2a	Evaluate the attributes to include in a new library building and grounds along with the associated costs and potential benefits of desirable features.	CNL	LBT
FAC1	2b	Develop a Library Site and Building plan for meeting the library's needs, both current and future anticipated needs for indoor and outdoor space.	CNL	CDD

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FAC1	3	Develop a funding strategy including municipal bonding, grants and a fundraising campaign.	BOS	FOL, LF
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GOVERNMENT FACILITIES

Town Hall

Since the 2002 Plan several improvements to the Town Hall have been accomplished. A secure deep storage facility was built and improvements to the Town Clerk vault and the Land Use office vault were completed. When the probate court offices were relocated to New Milford, space was freed to allow the relocation of some offices. The Parks and Recreation offices and equipment were relocated from their extremely cramped quarters to second floor offices, the Food Pantry relocated to provide a more convenient entry point and adequate storage for food and supplies. The building windows were upgraded to conserve energy, original carpeting was replaced and the building interior was painted.

Town Hall meeting rooms are commonly used for community uses in addition to commission meetings. School buildings and the library also contain some rooms that are used for community group meetings. There are a few spaces that fit groups of 50-150 people and larger meeting rooms and auditoriums designed for school use and commission or board meetings with audience seating. Meeting spaces that suit smaller community groups (10-50 people) are in short supply.

Issue: APPROPRIATE SPACES FOR SMALL MEETINGS OF COMMUNITY GROUPS CONTINUES TO BE INADEQUATE

The Housatonic Valley Council of Elected Officials (HVCEO, now Western Connecticut Council of Governments, WestCOG) has been joined with the South West Regional Planning Agency (SWRPA) and is currently housed in

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Old Town Hall. The new regional planning organization, WCCOG, will establish their offices in another town leaving the Old Town Hall vacant.

Goal: Meet the needs of community groups for free public space to use.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
FAC2	1a	Review the Facilities Planning group report and re-evaluate conclusions reached by that group.	PC	
FAC2	1b	Consider how the Old Town Hall, which currently houses Housatonic Valley Council of Elected Officials, and the current library - should a new library be built - can be used to fill community needs.	PC	
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Public Works: Town garage

The Town garage has been identified by the Hazard Mitigation Plan as being located in the Still River Floodplain. The Public Works Garage, located on Gray's Bridge Road was found to lie within the 1% annual chance floodplains. While this building is not known to have experienced serious flooding damage in recent years, its proximity to the Still River makes it at risk to flooding and the town would eventually like to relocate the facility to an area with lower flood risk. Potential measures for mitigating future flooding damage at this critical facility include the construction of a berm or floodproofing of the structure.

EDUCATIONAL FACILITIES

A principle concern about Brookfield's educational facilities is that they are aging. Established in 1938, Center School is the oldest wooden school building still in use in Connecticut. It holds pre-school, kindergarten and first grade classes. Maintenance of this building is key to continued use.

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The roof of Huckleberry Hill School was replaced recently; however, the exclusive use of electricity to heat and cool this building is a substantial annual expense. Upgraded windows are needed to reduce heating and cooling energy losses.

Brookfield High School completed a major addition during the prior planning period including classroom space and science facilities addressing the issues presented in the 2002 Plan. The gymnasium floor was refinished but upgrades to the auditorium continue to be a need.

At both Huckleberry Hill Elementary and Whisconier Middle School portable classrooms have been used to accommodate the need for more classroom space. A Space Utilization Study is underway by the consulting firm Milone and MacBroom to project the need for more permanent solutions to space requirements in light of projected demographic shifts and limited potential for addition of significant numbers of single family homes.

Issue: Aging middle and elementary school facilities

Goal: Upgrade our educational facilities, in particular Huckleberry Hill School and Whisconier Middle School, which have been utilizing portable classrooms, in order to provide high quality education facilities.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
FAC3	1	Complete the Space Utilization Study and use it to develop a plan for providing necessary classroom space to serve Brookfield’s elementary and middle school students.	BOE	
FAC2	2	Ensure sufficient funding for capital improvements to Huckleberry Hill Elementary and Whisconier Middle School.	BOS	BOF

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RECREATIONAL FACILITIES

Progress on Brookfield's recreational facilities during the prior planning period has included upgrades to Cadigan Field and Town Beach, and replacement of Kid's Kingdom play structures. The Department of Parks and Recreation has also shepherded the plans for new a new paved fully accessible bike path through the design and permitting processes and secured the funding to complete the first and second phases of the Still River Greenway Project. The Still River Greenway will connect the municipal center with the Four Corners through a 2-mile multi-use path that bridges the Still River and meanders along its shores.

Among the projects the Parks and Recreation Department hopes to undertake in the next decade include the following:

- Plans for field replacements/upgrades
- BHS will need new lighting on stadium field (\$300K)
- Complete renovation of tennis courts
- Replacement of the BHS turf field
- Cadigan Field lighting project
- Proposed Field House
- Recrowning of grass fields
- Splash pad at Town Park
- Development of underutilized Town property
- BHS facilities (such as restrooms and locker rooms)
- Grounds Department facility presently at BHS will need to be replaced

Transportation System

A number of factors are at play in the consideration of Brookfield's transportation system and ways for improving it. Among these factors, the facilities for pedestrians and cyclists have risen in ranking of importance. The individual health benefits and the twin environmental benefits have influenced state public policy on this matter. Respondents to surveys and invitations for comment on EnvisionBrookfield.com contributed comments and suggestions for improvements to all modes of transportation in Brookfield. This plan integrates improvements for all modes of transportation into consideration for resolving transportation issues during the coming decade.

Both commercial and residential growth in the Federal Road corridor necessitates the implementation of policies that include all modes of transportation. These Complete Streets policies plan for the safe use of the roadway by all users. Inclusion of mass transit options, in particular bus and commuter rail, will address the full range of transportation options.

Brookfield residents responding to a survey about walking, biking and getting around town by car note the need for facilities for pedestrians, improvements to Federal Road. This is particularly important in connecting shopping areas and multifamily developments along southern Federal Road and throughout the Four Corners area.

Sidewalks have been planned for the Four Corners area Town Center District and a portion of that plan has been funded for construction in 2015. However, these are essentially the first sidewalks in Brookfield. Zoning Commission regulations permit inclusion of sidewalks and roadway improvements for Special Permit approvals. The Zoning Commission is responding to public interest in completing streets for all users by requiring sidewalks for new developments with the expectation that connections will be made to a wider network as the town grows.

A roadway improvement plan for southern Federal Road prepared by Milone and MacBroom for HVCEO (now WestCOG) comprises a portion of the following section. It includes improvements for pedestrians, cyclists, bus riders and drivers. A transportation plan for the central section of Federal Road has not been prepared, but new residential projects in this area are a significant reason to develop a complete street approach to the section of Federal Road between Junction Road (Route 133) and the Route 7 interchange.

The low-density pattern of residential development has not included requirements for sidewalks in subdivisions, but Brookfield residents report that they walk comfortably in their neighborhoods when shoulders

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are wide and vehicles travel at slower speeds. Improvements to local roads that include considerations for pedestrians and cyclists are part of this section.

ROUTE 7 BYPASS

Traffic congestion dramatically reduced

US Route 7 is a limited-access expressway that enters Brookfield from Danbury and provides access to Brookfield from both the north and south. It is a major north-south route for Western Connecticut bringing significant numbers of shoppers to southern Federal Road. It previously terminated in Brookfield near the Four Corners area. Traffic volumes from the limited-access highway caused considerable congestion in that area until the bypass was completed.

The planning and permitting for the Route 7 bypass involved environmental approvals from the Army Corps of Engineers and the Federal Highway Administration. Construction began in 2006 and was completed and open in 2009. The impacts have included reduced congestion with traffic volumes dropping dramatically and reduced commercial activity in the Four Corners area.

Impacts to Four Corners area

The dramatic reduction in traffic volumes north of the Route 7 Interchange has had mixed economic effects. Reports in the Danbury News Times quoted merchants whose loyal customers were glad to be able to turn left easily to reach their businesses. Other established Four Corners businesses built new facilities on lower volume roads in the Four Corners and invested in the area.

The reduction in traffic has added to the changes that support the development of a revitalized downtown node around the intersection of Route 202 and Route 25. The provision of public water and sewer to the area were also necessary changes to facilitate the development of a village. This intersection of Federal Road (Route 202) and Whisconier Road (Route 25) was the location where commerce was traditionally thriving in 19th and early 20th century Brookfield fueled by the railroad, an old fashioned Transit Oriented District, a development pattern this area may revisit once again in the decade ahead.

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Issue: THE VISIBILITY OF THE FOUR CORNERS

- Commuters who used to pass through the Four Corners area now utilize the Route 7 bypass reducing the commute related traffic to the Four Corners.
- Signage on Route 7 does not highlight the location of the Brookfield Craft Center, a significant cultural resource, or convenience shopping close to the exit 11 ramps.

Goal: To improve the visibility of the Four Corners to travelers on Route 7 from both directions to promote businesses in the Four Corners.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
TRANS1	1a	Work with Four Corners businesses and CT DOT to locate signage for commercial and non-profit entities in the Four Corners	CDD	
TRANS1	1b	Identify funding sources, design and install signage on Route 7 directing drivers to Four Corners businesses	BOS	

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STATE ROUTE 202 IMPROVEMENTS

Northern Portion

For the portion of Federal Road (Route 202) north of the Route 7 Interchange a conceptual plan for sidewalks and a continuation of the bike path entering the area via the Still River Greenway are planned. A portion of this plan has been developed into the Four Corners Sidewalk and Access Management Plan prepared by URS Corporation for which construction funds are partially secured.

This complete street plan has been developed to facilitate the creation of Brookfield's new downtown at the Four Corners. The plan includes 8' wide sidewalks, lighting, street furniture and a bi-directional bike path on

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the western side of Route 202, Federal Road that brings cyclists to the center of the district.

Town staff and elected officials collaborated with CT DOT to secure approval of these facilities. Both parallel and angled on-street parking was central to the discussion with the CT DOT.

Another feature of the downtown streetscape design is a short section of Route 25 from the Four Corners intersection east to the Brookfield Craft Center. Although the location of the crosswalk to the Brookfield Craft Center would not be approved there today based on the CT DOT Highway Design Manual, improvements to the intersection will make this location safer for pedestrians to cross. Slowing traffic for pedestrian crossing is important at this location because of the lack of parking adjacent to the central Brookfield Craft Center building.

Central Portion

The portion of Route 202 between Route 133, Junction Road, and the Route 7 interchange carries much lighter traffic than the southern part of the corridor. The effect of two large housing projects and an approved, but as yet unconstructed, shopping center in this section of roadway is unclear.

The 2002 Plan refers to the creation of a half interchange for Route 7 at Route 133. The concept discussed in the plan was for a northbound off ramp and southbound on ramp. There are currently no plans to move forward on this idea.

Southern Portion

Due to the intensity of land uses and traffic volumes south of Route 133, widening was considered desirable in the 2002 Plan as part of new developments. The CT DOT plan prepared in 1990 consisted of a three-lane roadway (two north-bound lanes) from the southern end of Old New Milford Road to Route 133 and a five-lane roadway south of Old New Milford Road with a center lane for left turns at intersections and a two-way left-turn lane at selected locations between intersections. The roadway is currently two lanes each north- and south-bound with additional left turn lanes at some intersections.

Brookfield has seen redevelopment in this section of Federal Road during the last decade along with the commensurate traffic congestion. Portions of this section carry 30,000 vehicles per day. A long vacant property at 106 Federal Road was redeveloped for BJ's Wholesale Club along with the sale of gasoline. Costco, a long established wholesale club location, made a significant addition to its principle building and added the sale of

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gasoline. New construction and new tenancy at several retail and restaurant uses has stoked the economic engine of Brookfield in this section of Federal Road.

The WestCOG sponsored Route 202 study conducted by Milone and MacBroom provides proposals for Driveway Management, Complete Streets facilities and roadway improvements. The Complete Streets facilities include sidewalks, crosswalks and wide shoulders for bikes. The Transportation Plan for Lower Route 202 dated July 20, 2015, proposed to add some dedicated turn lanes, new traffic signals and improved circulation at both ends of Old New Milford Road.

The ideal road cross section provides five foot wide shoulders for safe biking, a two foot grass shelf for winter snow storage and five foot wide sidewalks. The location of crosswalks at key intersections is part of the improved roadway plan. Fitting all of these features into both sides of the roadway is challenging when the addition of turn lanes is also needed to facilitate the movement of vehicles. This is not feasible throughout the entire corridor. Current conditions throughout the corridor lack both wide shoulders and sidewalks, so making the most of the existing roadway will be challenging.

Vehicular circulation must be improved through traffic control devices at key locations and roadway design that provides for smooth merging. The following are the three primary issues addressed by this portion of the Route 202 study: Old Gray's Bridge Road and Federal Road intersection does not provide means for southbound traffic; left turn lanes in both directions at Shoprite/Chick-fil-A/Savings Bank of Danbury; Old New Milford Road and Federal Road.

After review of this study, Safety Improvements Project 1 - (Shop Rite to Beverly Drive) and Safety Improvement Project 2 - (Route 202 and Old New Milford Road Intersection) should receive special emphasis and priority for planning, engineering, funding and construction by CTDOT.

Issue: *THE PEDESTRIAN-FRIENDLY VILLAGE IN THE FOUR CORNERS AREA*

The Revitalization Plan outlines a Complete Streets initiative that has been acted on by developing construction level documents for the building sidewalks and the continuation of a bike path. The Four Corners Sidewalk and Access Management Plan was completed by URS in January 2015 and the encroachment permit from the CT DOT will likely be issued in 2015. Partial funding is secured and construction of the central portion of the plan is slated to be completed by November 2015.

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Goal: Complete the improvements necessary to make the Four Corners area a pedestrian and bike friendly district.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
TRANS2	1	Identify funding sources to complete the conceptual layout for sidewalks extending along Federal Road, Station Road and Whisconier Road	CDD, BOS	
TRANS2	2a	Develop a conceptual layout for complete street features on Laurel Hill Road and Old Route 7.	DPW	
TRANS2	2b	Develop a conceptual layout for interior connections among adjacent lots	ZC	
TRANS2	2c	Identify funding to complete the sidewalk and non-motorized access throughout the Four Corners area	CDD, BOS	
TRANS2	3a	Develop a public spaces plan for the Four Corners including amenities in lands donated to the Town for park use and foot paths along the Still River on lands granted in easement to the Town.	PC	ZC
TRANS2	3b	Identify funding sources for public spaces plan.	CDD	BOS
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Issue: *CENTRAL FEDERAL ROAD*

- The addendum to the 2002 Plan that addressed this section of roadway did not recommend any changes to the plan at that time.

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In light of recent approvals for developments that will increase residential density in this area and zoning regulation changes affecting this area, a review of long-term goals for this area is recommended.

- Zoning regulation changes extended the IRC 80/40 zone to include all of this portion of the corridor, an incentive overlay zone was placed in two locations in this area allowing multi-family development outside the CGS 8-30g Affordable Housing framework and regulation text changes permitting indoor boat storage in this zone were adopted.
- Improvements for bikes and pedestrians to the central portion of Federal Road between Route 133, Junction Road and the Route 7 Interchange may be necessary due to two multifamily housing projects comprising 290 new residential units and other large scale commercial and industrial uses that have yet to be constructed.

Goal: To develop a master plan and strategies for addressing the needs of this section of Federal Road rather than allowing uncoordinated growth.

Strategies:

Section/ Issue	No.	Strategy	Leader	Required Support
TRANS3	1	Define the transportation needs of this section of the Federal Road corridor.	CDD	DPW, ZC, BOS
TRANS3	2	Develop a master plan for roadway improvements to accommodate the anticipated uses along the roadway.	PC	
TRANS3	3	Consider zoning regulation changes to accomplish the master plan objectives.	ZC	ZEO, CDD

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Issue: *SOUTHERN FEDERAL ROAD CONTINUES TO BE DIFFICULT TO NAVIGATE AND AT TIMES CONGESTED.*

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- The CT DOT project focused on lower Federal Road has been on hold for a number of years. The revision to this plan for HVCEO (now WestCOG) by Milone and MacBroom updates this plan with complete street principles in mind.
- The success of Brookfield’s commercial corridor on Federal Road south of Route 133 will be influenced by the ease and safety with which visitors to the area can navigate the roads and sidewalks.
- The ability to get around with other means than cars is important for Brookfield to remain attractive to new residents and retain current residents as they age. There is a significant overlap in the roadway features preferred by those in wheelchairs, those using walkers or strollers and those using bikes.

Goal: Alleviate areas of vehicular congestion and address safety issues for pedestrians and cyclists on southern Federal Road.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
TRANS4	1a	Enlist the support of WCCOG for the Route 202 Improvement Plans.	FS	
TRANS4	1b	Identify funding opportunities for complete street plan improvements.	CDD	
TRANS4	1c	Implement the curb cut management plans as new tenants move into vacant commercial spaces or when property owners redevelop property.	ZC	

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LOCAL ROAD ISSUES

Intersection site lines and geometry

The accident rate on Brookfield's town roads is very low in general with few difficult and dangerous intersections. Those intersections with Federal Road are an exception to that statement.

Among the local road intersections reviewed, several intersections were identified as warranting review.

Long Meadow Hill and Whisconier Road (Route 25) - The geometry of this intersection makes visibility difficult.

Rabbit Lane and Whisconier Road (Route 25) - Turning left to go south at this intersection is difficult.

Silvermine Road and Pocono Road - The turning radius for the truck traffic given the commercial locations on Pocono Road. Another possible place to consider is each end of Whisconier Road.

Stony Hill Road and Ironworks Hill Road- Both of these are narrow road with narrow shoulders that is often traveled in excess of the 25 mph speed limit and is also designated with a sign alerting drivers to share the road with bicycles.

Huckleberry Hill Road and Rocky Road and Huckleberry Hill Road and Old New Milford Road are both three point intersections with only two-way stops may hold potential for accidents.

Pavement management

In April 2010, the Town of Brookfield began a five-year road paving and restoration program to bring our streets up to an acceptable level. At the beginning of the program the overall system Pavement Condition Index (PCI) rating is 39 out of 100. Through the approval of a Town Referendum the Department of Public Works has available \$10 million to be spent in no more than five years for the purpose of road restoration and reconstruction. In the initial years the Department of Public Works concentrated most of the funding on more heavily used main arteries and collector roads. In the last year we are turning our attention to residential roads aiming to repair a large percentage of those with the funds available. Apart from funds for repairs, funds for maintenance must continually be allocated in the town budget so that these good conditions can be retained for as long as possible.

The Town is using a variety of restoration and reconstruction methods. Some of these include crack sealing and micro-surfacing, milling and paving, cold in place recycling, overlays and reclamation and paving. To make the program work the correct restoration or reconstruction method

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must be selected that best matches the current condition of the road being addressed. Each road will be re-evaluated on a yearly basis. The goal of this phase of the program is to raise our system PCI rating of 65, an acceptable level that we have attained in 2015.

The Department of Public Works will continue to improve local roads as funds allow, however after this phase the town should allocate funds annually to maintain and reconstruct roads as part of its capital investment program. The roads that were reconstructed at the beginning of the program will be five years old, a third of their normal lifespan.

Bike Routes

Brookfield residents report that they bike both for recreation and to get from one place to another, however, until recently there has been little awareness about biking in Brookfield. Bicycle advocates have assisted the town in designing and locating signage to alert motorists about making room for cyclists on three principle cycling routes, Pocono Road.

The Housatonic Valley Council of Elected Officials (HVCEO, now WestCOG) completed a report on biking in the region called The Greater Danbury Regional Bike Plan in December 2014 (Report 160) to update an earlier effort on this topic. The plan outlines general considerations as well as specific recommendations for each town in the region and should be a guide to Brookfield on this topic.

Issues: *BIKING*

- Biking has become a principle alternative for a small but influential group of citizens. Facilities for bike commuting are one of the factors that can make Brookfield a desirable place to live.
- Residents who are comfortable biking on most roads in Brookfield state that they don't feel comfortable biking on Federal Road and Stony Hill Road, or where vehicles travel at 45 miles per hour and shoulders are narrow.
- Other residents, who are comfortable riding on back roads and in their neighborhoods, see a place for bike paths in public parks.
- The Complete Streets Plan in the Route 202 Improvement Plan ends approximately 1,000 feet from the intersection of Candlewood Lake Road and Federal Road. This is a dangerous intersection for bikes, but a crucial point en route to or from Danbury.

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Goal: Improve safety and accessibility for bikers in Brookfield, both recreational users and bike commuters.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
TRANS5	1	Collaborate with CT DOT, bike advocates and DPW to improve safety for bikes in the vicinity of Federal Road, White Turkey Road and Candlewood Lake Road.	PRD	BOS, CDD, DPW
TRANS5	2	Develop a town-wide Bike Plan.	PRD	PC, CDD
TRANS5	3	Consider how to work with the Bike Friendly Communities network to improve bike safety in Brookfield	PRD	DPW, CDD

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TRANSIT OPTIONS

Commuter Rail Service

The CT DOT project evaluating the Danbury Branch and possible extension of commuter rail service from Danbury to New Milford is continuing. The Danbury Branch Study maintains a website at www.danburybranchstudy.com where the documents and maps for this CT DOT project (# 302-008) can be found. The Federal Transportation Environmental Assessment was published in May 2013 and the State of Connecticut launched a public engagement platform to develop ideas to transform transportation in Connecticut. The current governor has expressed support for this extension of commuter rail service to New Milford via Brookfield.

Other potential rail connections may be feasible if ridership continues to rise. The CT DOT efforts to generate good ideas to improve transit in

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Connecticut can be seen on their website <http://www.transformct.org/> where ideas can be mapped.

During the Danbury Branch Study community outreach of the CT DOT in 2010 representatives of the Town of Brookfield indicated a preference for the location of a station stop in Brookfield at the Four Corners. A conceptual drawing of the required parking for this proposed station stop was developed. In the preferred conceptual layout, the historic train station would be relocated to accommodate this plan, but the historic hotel adjacent to the train tracks would be retained.

Issue: COMMUTER RAIL SERVICE

The extension of commuter rail service to Brookfield and north to New Milford is an improvement the decisions about which rest primarily at the state level. Towns are consulted, but are not the primary decision makers in this area. Nonetheless, local feedback and changing local circumstances can contribute to the state level decision making process.

Goal: Provide support and community feedback to state level decision makers to support extension of commuter rail service to Brookfield and New Milford as priority projects and promote the allocation of state funds for this purpose.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
TRANS6	1	Work with local proponents and state representatives from our region who support improving and extending commuter rail service.	FS	CDD
TRANS6	2	Advocate with CT DOT and their consulting engineers for the re-evaluation of ridership models to get a truer view of ridership potential.	WCCOG	CDD

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Bus Service

The Housatonic Area Regional Transit District (HART) operates both fixed route buses and SweetHart, a dial-a-ride program for seniors and the disabled. Both of these transportation options continue to run with anticipated additions to hours of operation for SweetHart and possible modifications to the fixed route buses for greater efficiency as funding permits.

A 2009 survey of seniors conducted by the Commission on Aging revealed seniors' number one concern is the dependence on cars for transportation. Creative solutions to permit our seniors to age in place while still being able to get around may include increased town contribution to the SweetHart, dial-a-ride program or support for the FISH program run by volunteers from the Commission on Aging to drive seniors to medical appointments.

Utility Services

SEWER SERVICE

The Brookfield sewer system is comprised of a collection system that has over 18 miles of gravity and force main piping and ten pumping stations. The collection system conveys all the sewerage to a single pump station, known as the "Caldor Pump Station" at the intersection of Federal Road and Candlewood Lake Road.

In 2009 a major expansion of the sewer system was completed and during this same time the Brookfield WPCA transitioned from a Special Revenue Fund in the Town to an Enterprise Fund with finances separate from the Town. Consequently, the Brookfield WPCA is responsible and accountable to run the sewer operation as a stand-alone entity with a long-term view. The Brookfield WPCA has operated since 1975. The analysis conducted as part of this report shows average daily flows over the last 30 years generally follow economic growth as measured by the Grand List of Values of town properties.

2012 Sewer Study

A study titled 20 Year Sanitary Sewer Flow Projections (the Sewer Study) was conducted in 2012 to insure that the Town of Brookfield reserves adequate wastewater treatment capacity in the regional Danbury treatment plant to accommodate future growth. Birdsall Services Group was retained by the Water Pollution Control Authority (WPCA) to present data and estimate future sanitary sewer flows in Brookfield over twenty

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years. The Town of Brookfield utilized this study to make decisions in 2012 when renegotiation of the 1992 Interlocal Agreement with the City of Danbury that permits the town to discharge up to 500,000 gallons per day (GPD) to the Danbury wastewater treatment plant.

The Sewer Service Area map (Physical Conditions Map 8) in the study represents all properties that are currently within the existing sewer service areas that are eligible to connect but are not currently connected, future projects and other properties with potential to build. Properties in the Four Corners area are included in these categories and will be a part of the 2017 review of the projections for future sewage flows to the Danbury plant.

The result of the analysis of historical flow data, identification of future anticipated sewer service areas and an evaluation of the economic growth potential concluded that 10-year flow projections range from 80-95% of current allocation. The analysis projects flow based on Connecticut Public Health Code and then compares these projections with actual flow to increase the accuracy of the flow projections.

The study recommended that the WPCA maintain the current capacity commitment for the next 10 years, but re-evaluate the projection of sewer flows every five years. This recommendation would have the reassessment completed in 2017 as some of the approved mixed use and residential projects in the Four Corners area are completed and occupied.

Further Expansion

The future sewer limit areas used in the sewer study aimed to insure that there is adequate infrastructure and reserved plant capacity to support the desired land use patterns rather than have the availability or unavailability of sewerage capacity dictate land use and future growth in the town. Several factors were reviewed including current growth patterns, current zoning and environmentally sensitive areas.

Among those properties that are eligible to connect, or are buildable some have been constructed and are producing sewage flows. These include BJ's Wholesale Club, The Residences at Laurel Hill, 871 Federal Road (Riverview Townhomes) and the High Meadow, Ledgewood and Newbury Crossing condominium complexes.

Among the planned future connection projects are areas zoned more densely than 80,000 square feet (~1.8 acres) per lot such as Candlewood Shores, Arrowhead Point, Candlewood Lake Road, Meadowbrook Manor, Greenridge, Dean Road, Pleasant Rise, and Vale Road. Whisconier School and Center School line expansion are also on the list of planned future connection projects (Tables 4, 5 and 6 in the study).

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The continued growth of the Four Corners area could be enhanced with the addition of sewer and water service to the properties on the east side of the river. This historic section of the area would benefit from these services in order to permit more intensive land uses perhaps including a train station stop or changes of use in existing historic structures. This extension was considered previously and has recently been approved by the Planning Commission through an “8-24 referral” as a project meeting the intent of the Plan of Conservation and Development and therefore recommended for investment of town resources.

Issue: SEWER CAPACITY FOR GROWTH

Brookfield has been successful in accomplishing a number of the strategies laid out in the 2002 Plan. This achievement will help the town accommodate increased residential density in the limited area where both zoning regulations and infrastructure allow. The Incentive Overlay zone in the Four Corners area allows residential densities up to 24 dwelling units per developable acre are permitted along with retail, restaurant, office uses or other non-residential uses on the street front buildings. Periodic re-evaluations of the sewer capacity calculations will help control growth in Brookfield.

Goal: Plan mixed-use village style development and older residential neighborhood upgrades to sanitary systems in a manner that allows future planning for sewage plant capacity.

Strategies:

Section/ Issue	No.	Strategy	Leader	Required Support
UTIL1	1	Evaluate projections for future flows as outlined in the Sewer Study every 5 years.	WPCA	CDD
UTIL1	2	Promote low impact development and storm water infiltration techniques to protect aging residential septic systems	HD	ZEO, WEO
UTIL1	3a	Evaluate the impact on the sewer flow projections of a project to extend sewer and water service across the bridge crossing the Still River at the Four Corners.	WPCA	
UTIL1	3b	Identify the resources that could fund this project including Small Town Economic Assistance Program (STEAP) and Transit Oriented Development grants	WPCA	CDD

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PUBLIC WATER

The previous division of the town into two service areas has been replaced by the purchase of Brookfield's small community water systems by Aquarion Water Company. This change has created the requirement for the Town of Brookfield to protect the Meadowbrook well fields which now serve more than 1,000 residential customers. This was done by establishing a DEEP approved Aquifer Protection Area Program.

NATURAL GAS

Natural gas is available along Federal Road in some other adjacent locations in Brookfield. Iroquios Gas Company constructed a gas compressor station on High Meadow Road to improve natural gas service in the area.

WIRELESS COMMUNICATION

Improvements in wireless communication have been made over the course of the last decade under the jurisdiction of the Connecticut Siting Council. The Planning Commission has approved the placement of a cellular tower behind the Pocono Road Fire House.

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VII. Management of the Plan

The plan should be reviewed annually by the Planning Commission. This will involve an annual update from all boards, commissions and staff who have contributed to the plan. The results of this update will be presented to the Board of Selectmen annually on a date to be determined upon prior to adoption of this plan.

VIII. Supporting Documents

1. Four Corners Brookfield Town Center District Revitalization Plan, prepared by Fitzgerald and Halliday, Inc., dated September 2012
2. Brookfield Housing Study, prepared by 4ward Planning, dated August 4, 2014
3. Demographic Study and Population Growth Analysis, prepared by Milone and MacBroom, dated March 19, 2014
4. Four Corners Sidewalk and Access Management Plan, prepared by URS/AECOM
5. Draft Route 202 Complete Streets Evaluation and Driveway Management Plans, prepared by Milone and MacBroom, current draft dated November 2014
6. 20 Year Sanitary Sewer Flow Projections, prepared by Birdall Services Group, Inc., dated June 2012
7. Candlewood Lake - 30 Year Water Quality and Drawdown Efficacy Analyses, prepared by New England Environmental, Inc., dated May 27, 2014
8. Still River Watershed Plan, conducted by Housatonic Valley Association, ongoing
9. Town of Brookfield Hazard Mitigation Plan, prepared by Milone and MacBroom, adopted November 2014
10. Public comment and survey data collected through EnvisionBrookfield.com, a website hosted by Urban Interactive Studios
11. GIS System developed for the Town of Brookfield
12. Transportation Plan for Lower Route 202 prepared by Milone and MacBroom dated September, 2015

IX. Tables and Figures

Tables

1. **Table 1.** *Population Changes in Brookfield 1970-2013*
2. **Table 2.** *Age groups as a percentage of total population 1970-2013*
3. **Table 3.** *Changes in household composition from 2000-2013*
4. **Table 4.** *2015 Brookfield Land Use/Development Potential*

Figures

1. **Figure 1.** *Annualized Percentage Change in Population by Age Cohorts, 2000-2010*
2. **Figure 2.** *Population Changes in Brookfield 1970-2010*
3. **Figure 3.** *Worker Inflow and Outflow in Brookfield*
4. **Figure 4.** *Rented Housing Units Comparison*

X. Supporting Maps

Physical Conditions Maps

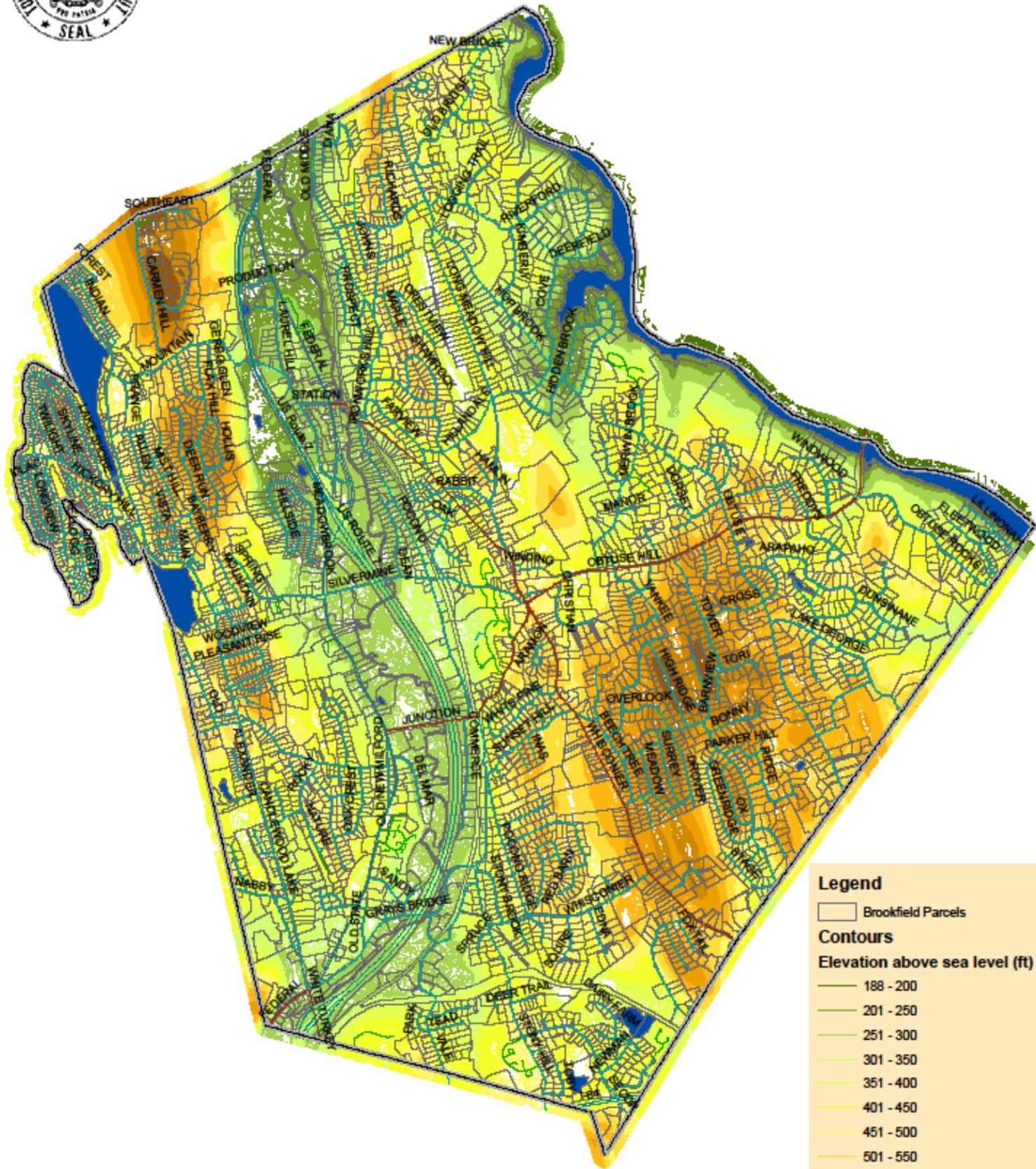
- 1. Topography Map**
- 2. Watershed Map**
- 3. Wetland Soils and Watercourses Map**
- 4. FEMA Floodplain**
- 5. Critical Habitat and Natural Diversity Database Map**
- 6. Surface Water Quality Map**
- 7. Ground Water Quality Map**
- 8. Sewer Service Map**
- 9. Public Water System Map**

Land Use Maps

- 1. Current Land Use Map**
- 2. Current Zoning Map**
- 3. Subdividable Residential Land Map**
- 4. Residential Density Map**
- 5. Open Space Map**
- 6. Historic Resources Map**



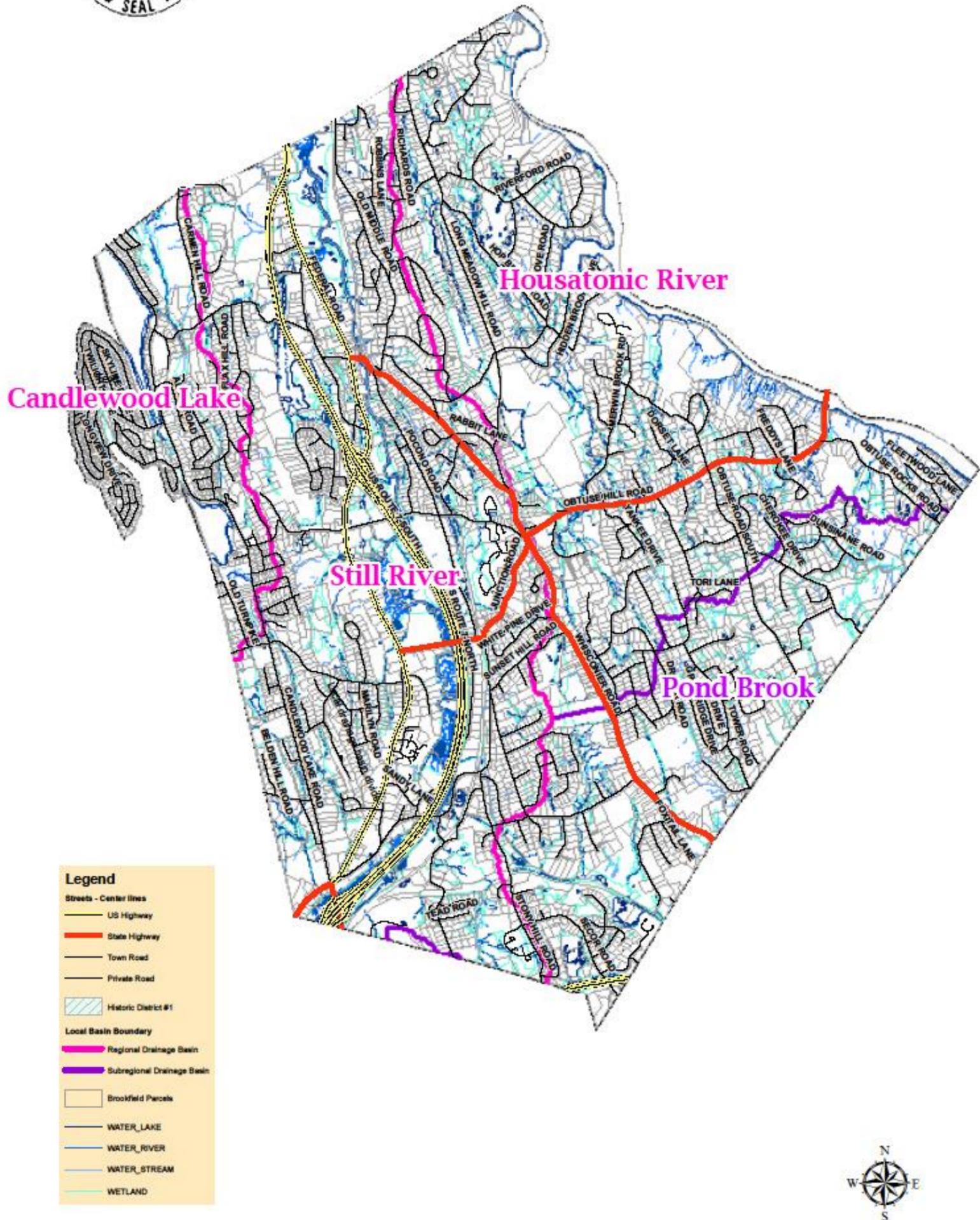
Town of Brookfield, CT - GIS Map



Topography Map 2015 Plan of Conservation and Development



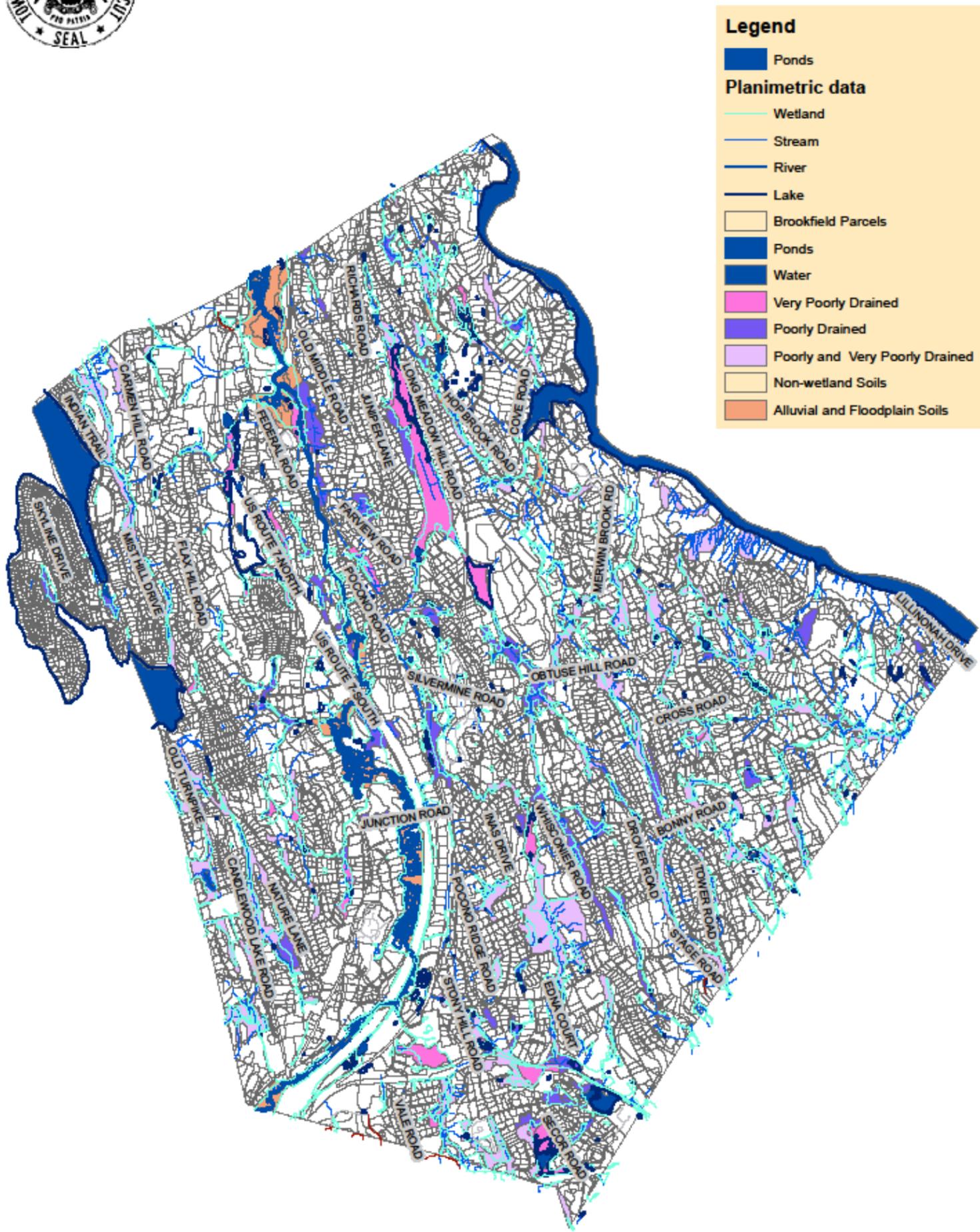
Town of Brookfield, CT - GIS Map



Watershed Map 2015 Plan of Conservation and Development



Town of Brookfield, CT - GIS Map

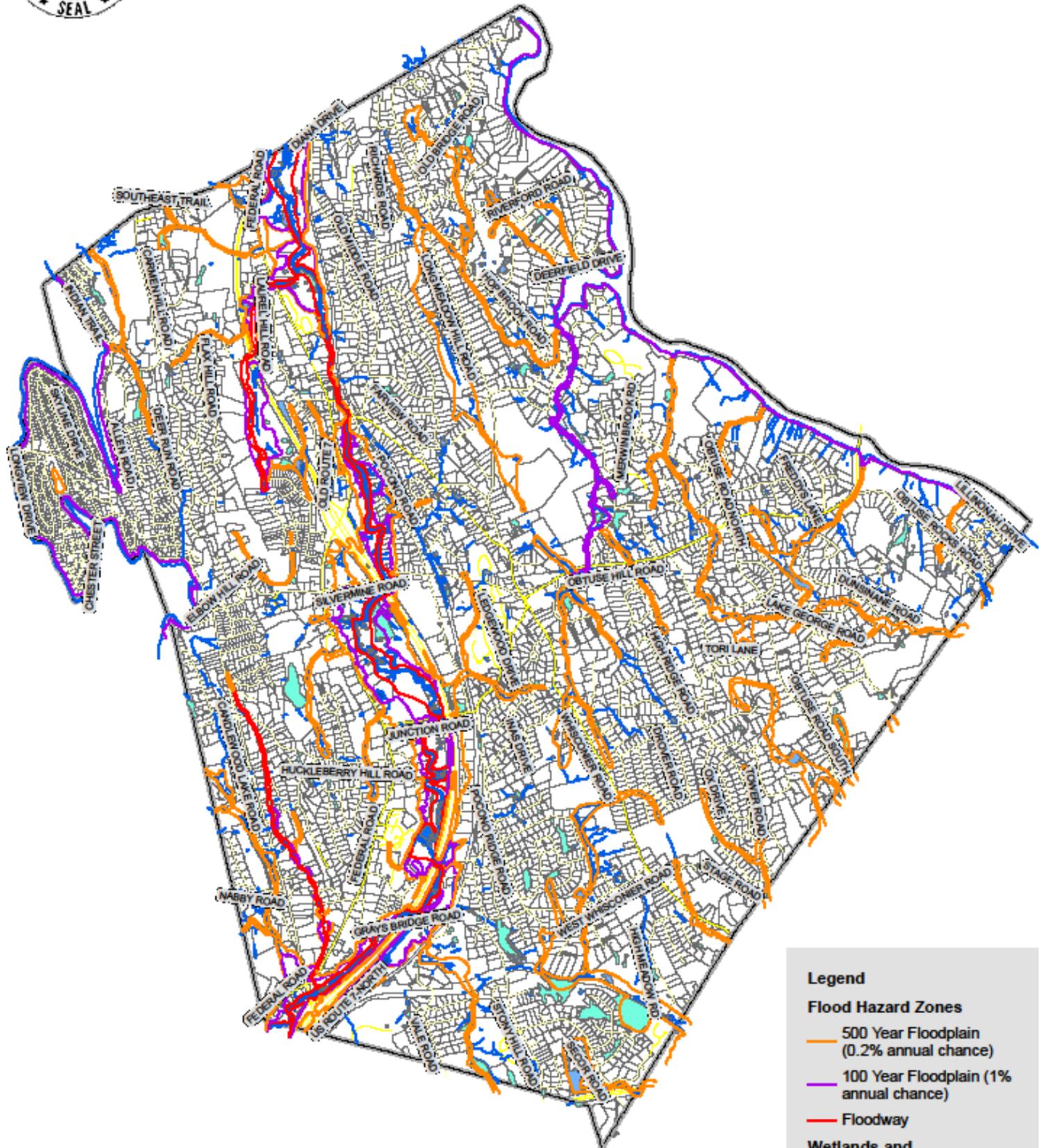


Wetland Soils and Watercourses Map 2015 Plan of Conservation and Development





Town of Brookfield, CT - GIS Map



Legend

Flood Hazard Zones

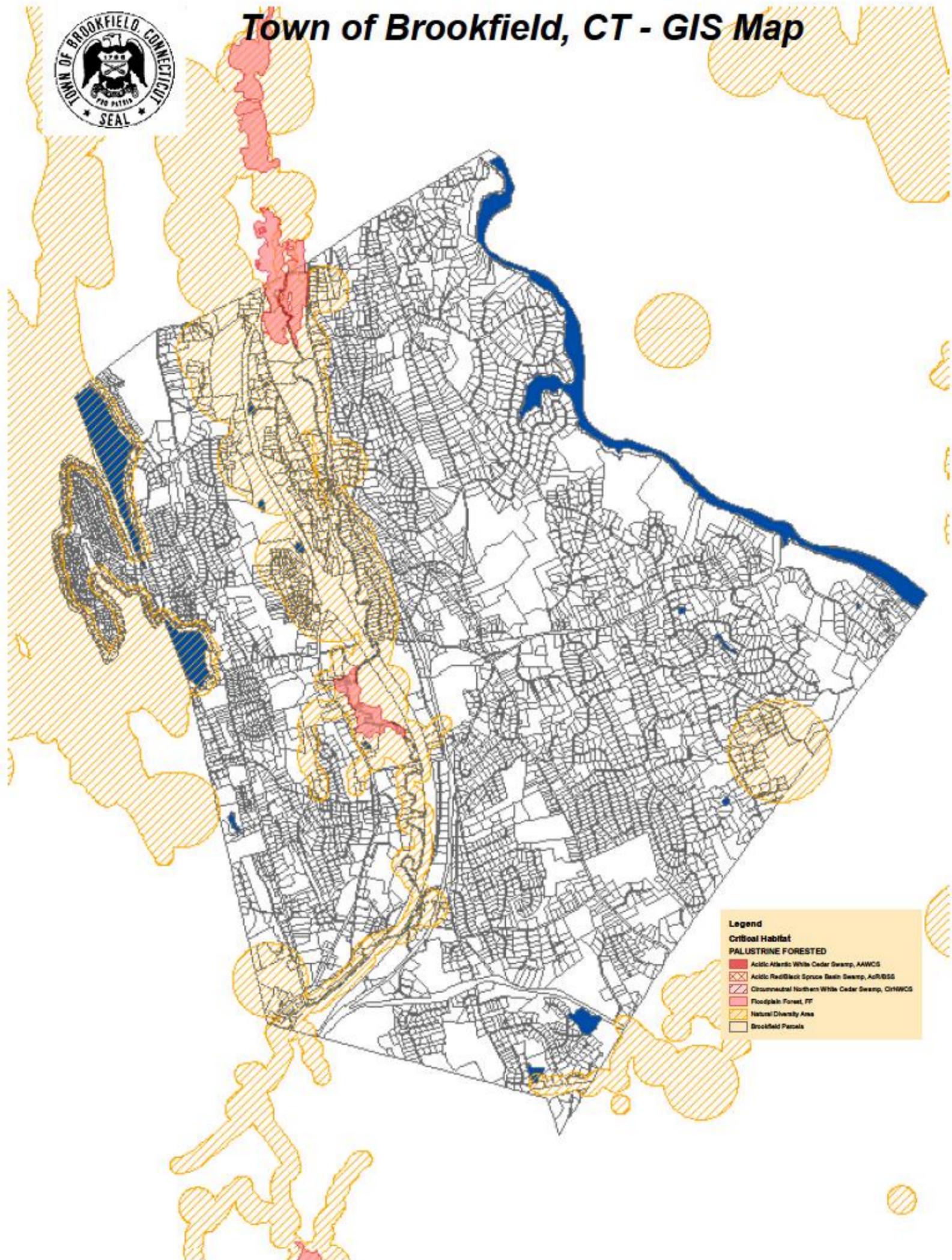
- 500 Year Floodplain (0.2% annual chance)
- 100 Year Floodplain (1% annual chance)
- Floodway

Wetlands and Watercourses

- Lake
- River
- Stream
- Wetland
- Brookfield Parcels

FEMA Floodplain 2015 Plan of Conservation and Development



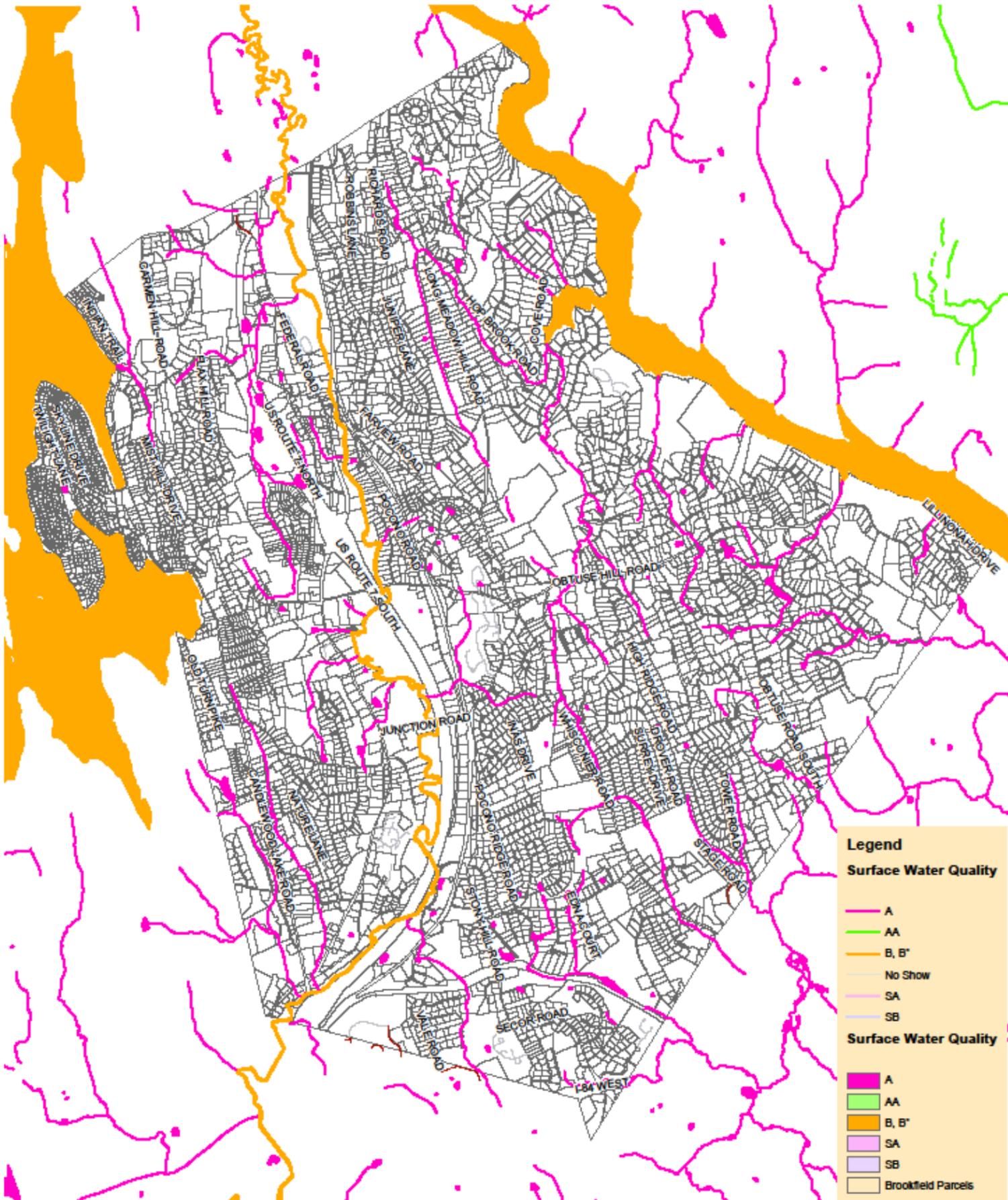


Critical Habitat and Natural Diversity Database Map
2015 Plan of Conservation and Development





Town of Brookfield, CT - GIS Map

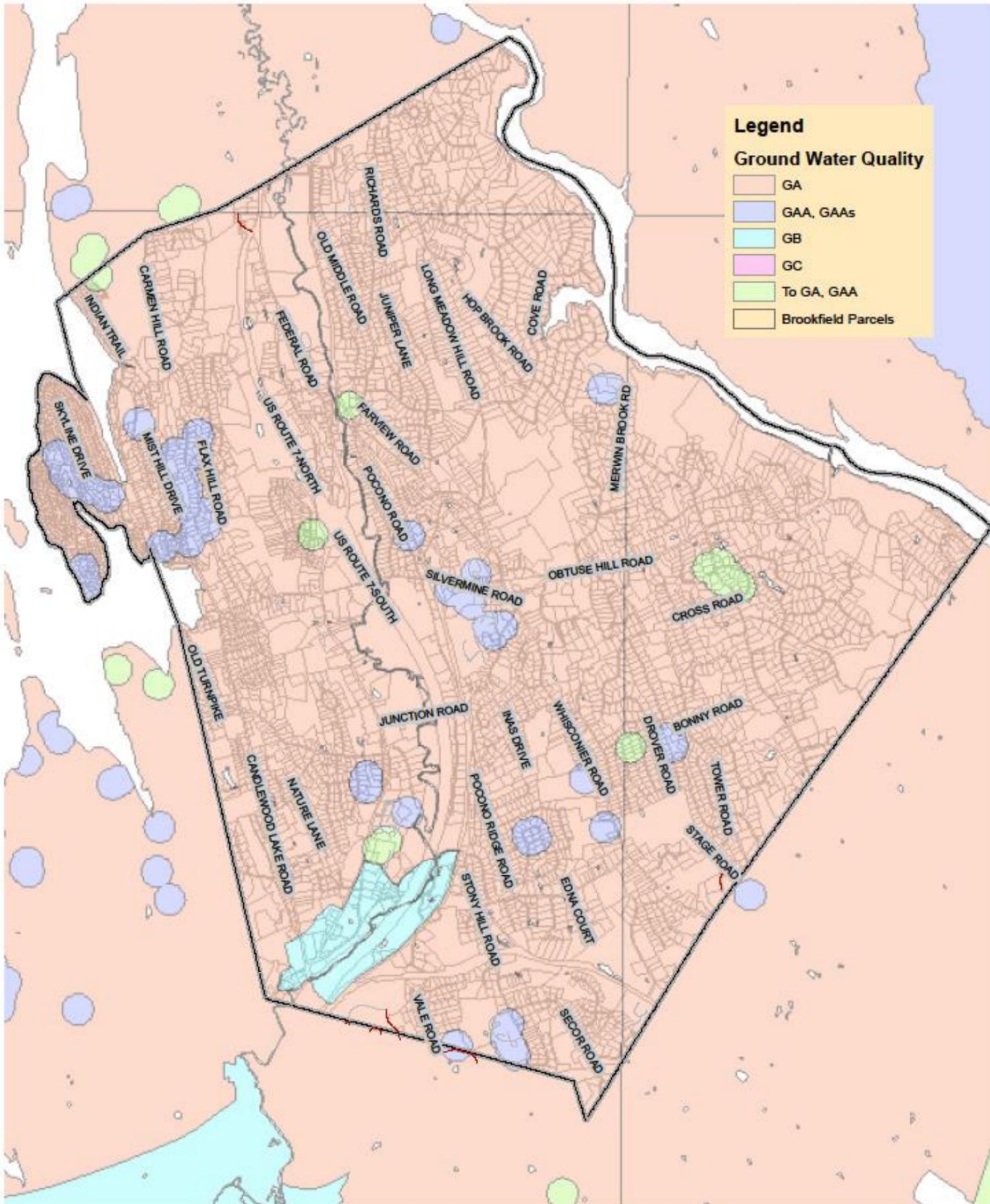


Surface Water Quality Map 2015 Plan of Conservation and Development



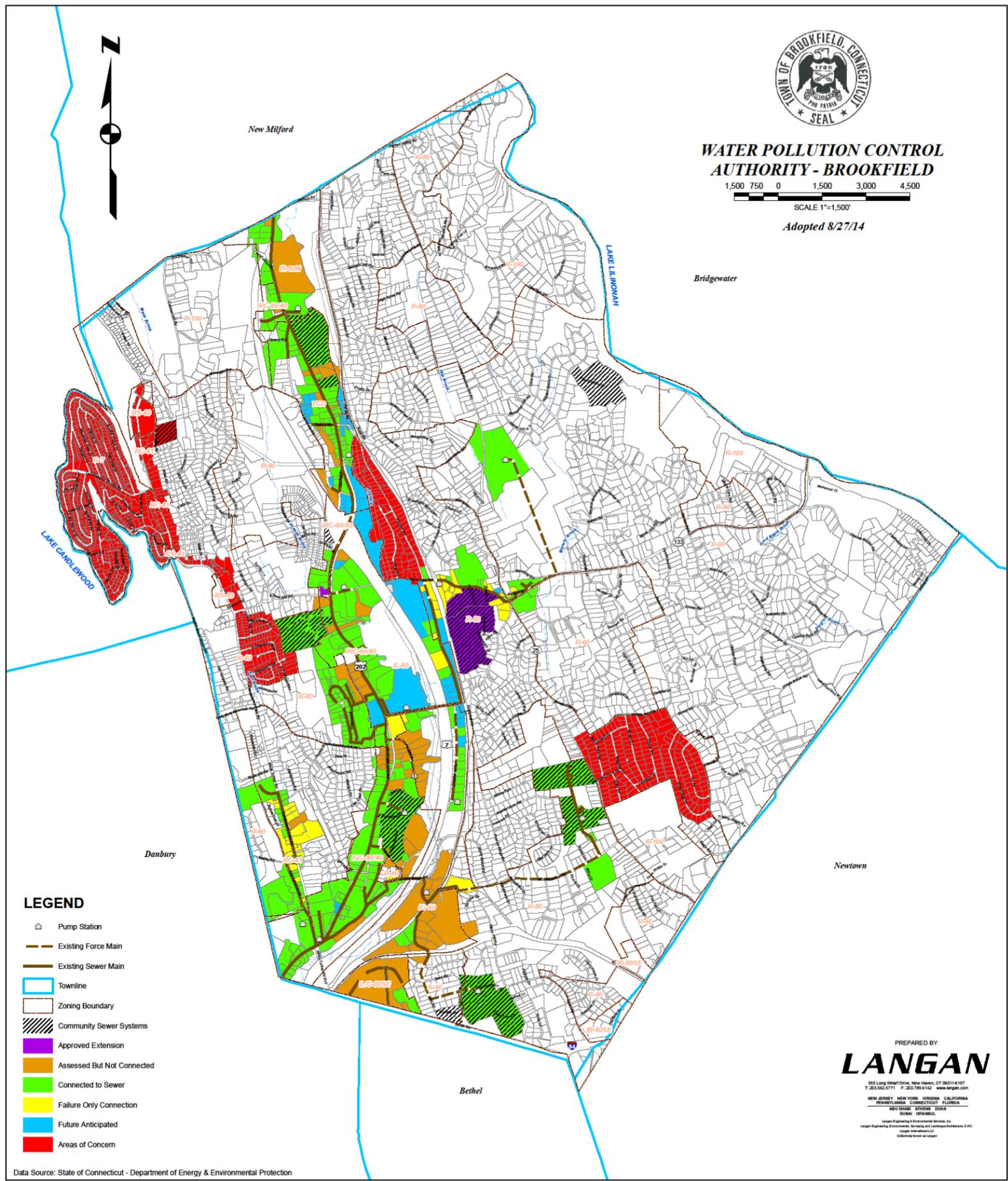


Town of Brookfield, CT - GIS Map



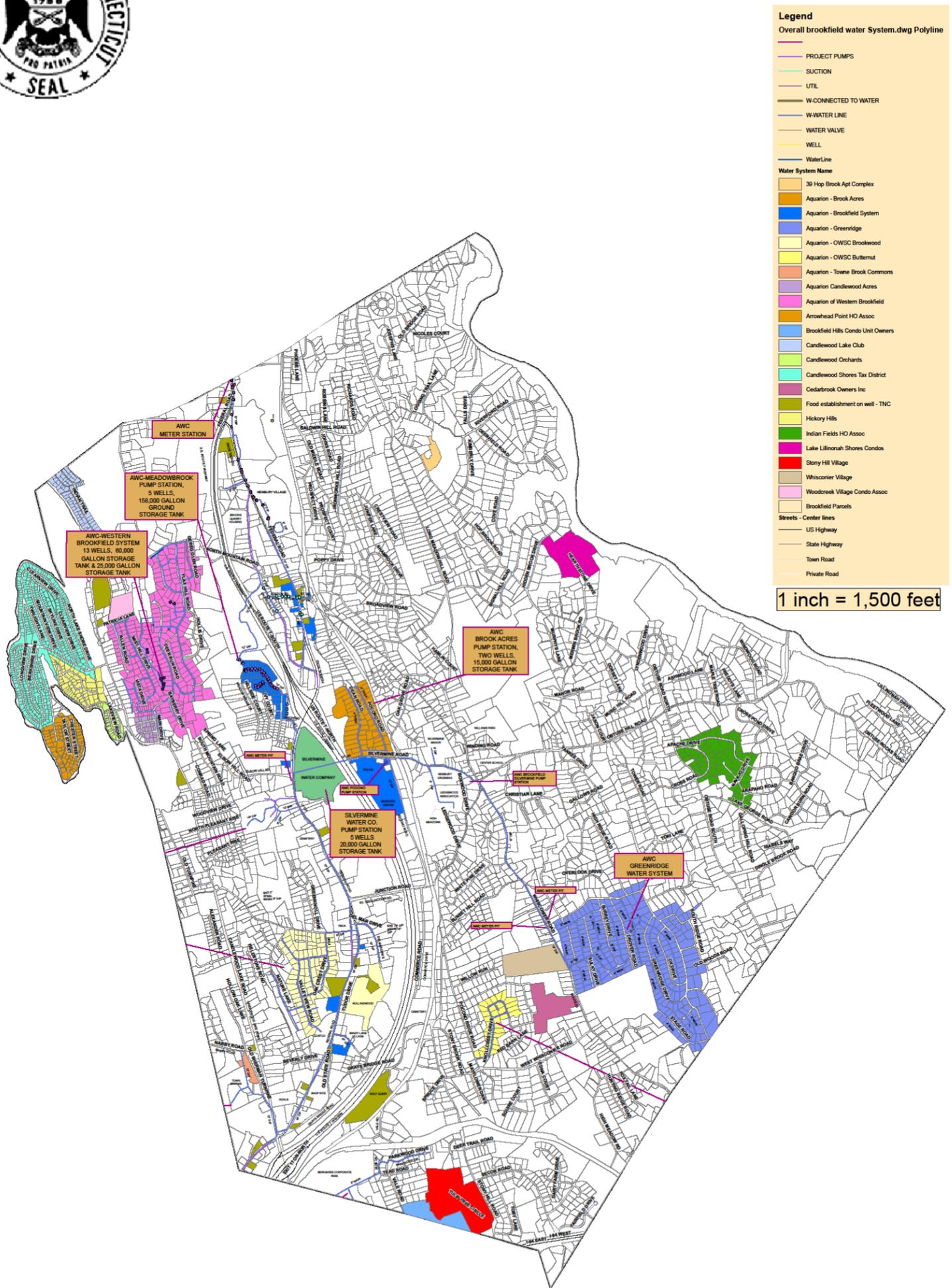
Ground Water Quality Map
2015 Plan of Conservation and Development







Town of Brookfield, CT - GIS Map



Legend
 Overall brookfield water System.dwg Polyline

- PROJECT PUMPS
- SUCTION
- UTIL
- W-CONNECTED TO WATER
- W-WATER LINE
- WATER VALVE
- WELL
- WaterLine

Water System Name

- 36 Hop Brook Apt Complex
- Aquarion - Brook Acres
- Aquarion - Brookfield System
- Aquarion - Greenridge
- Aquarion - OWSC Brookwood
- Aquarion - OWSC Butternut
- Aquarion - Towne Brook Commons
- Aquarion Candlewood Acres
- Aquarion of Western Brookfield
- Arrowhead Point HO Assoc
- Brookfield Hills Condo Unit Owners
- Candlewood Lake Club
- Candlewood Orchards
- Candlewood Shores Tax District
- Cedarbrook Owners Inc
- Food establishment on well - TNC
- Hickory Hills
- Indian Fields HO Assoc
- Lake Lillinonah Shores Condos
- Stony Hill Village
- Whisperer Village
- Woodcreek Village Condo Assoc
- Brookfield Parcels

Streets - Center lines

- US Highway
- State Highway
- Town Road
- Private Road

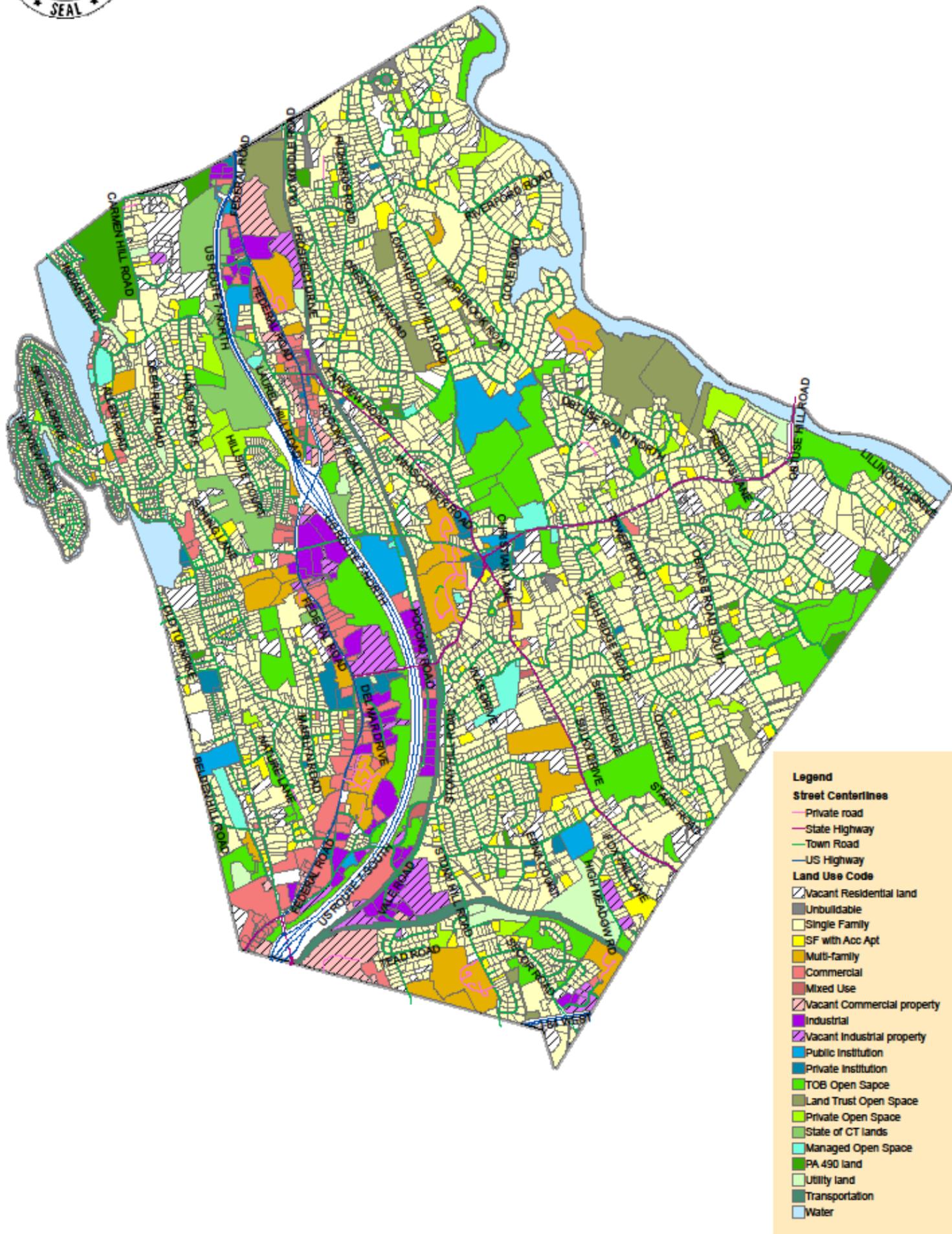
1 inch = 1,500 feet

Brookfield Public Water Systems





Town of Brookfield, CT - GIS Map



Legend

Street Centerlines

- Private road
- State Highway
- Town Road
- US Highway

Land Use Code

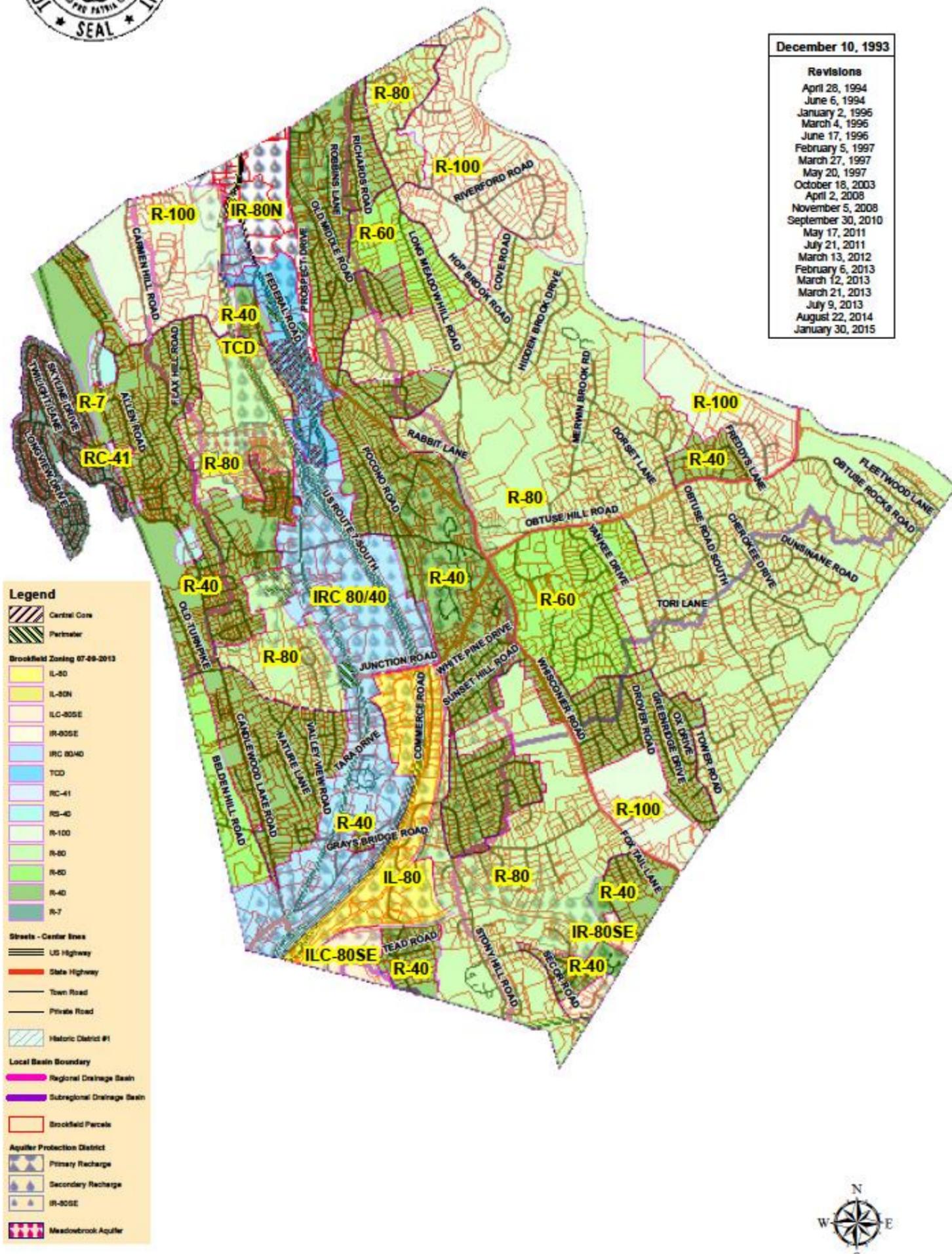
- Vacant Residential land
- Unbuildable
- Single Family
- SF with Acc Apt
- Multi-family
- Commercial
- Mixed Use
- Vacant Commercial property
- Industrial
- Vacant Industrial property
- Public Institution
- Private Institution
- TOB Open Sapce
- Land Trust Open Space
- Private Open Space
- State of CT lands
- Managed Open Space
- PA 490 land
- Utility land
- Transportation
- Water

Current Land Use Map 2015 Plan of Conservation and Development





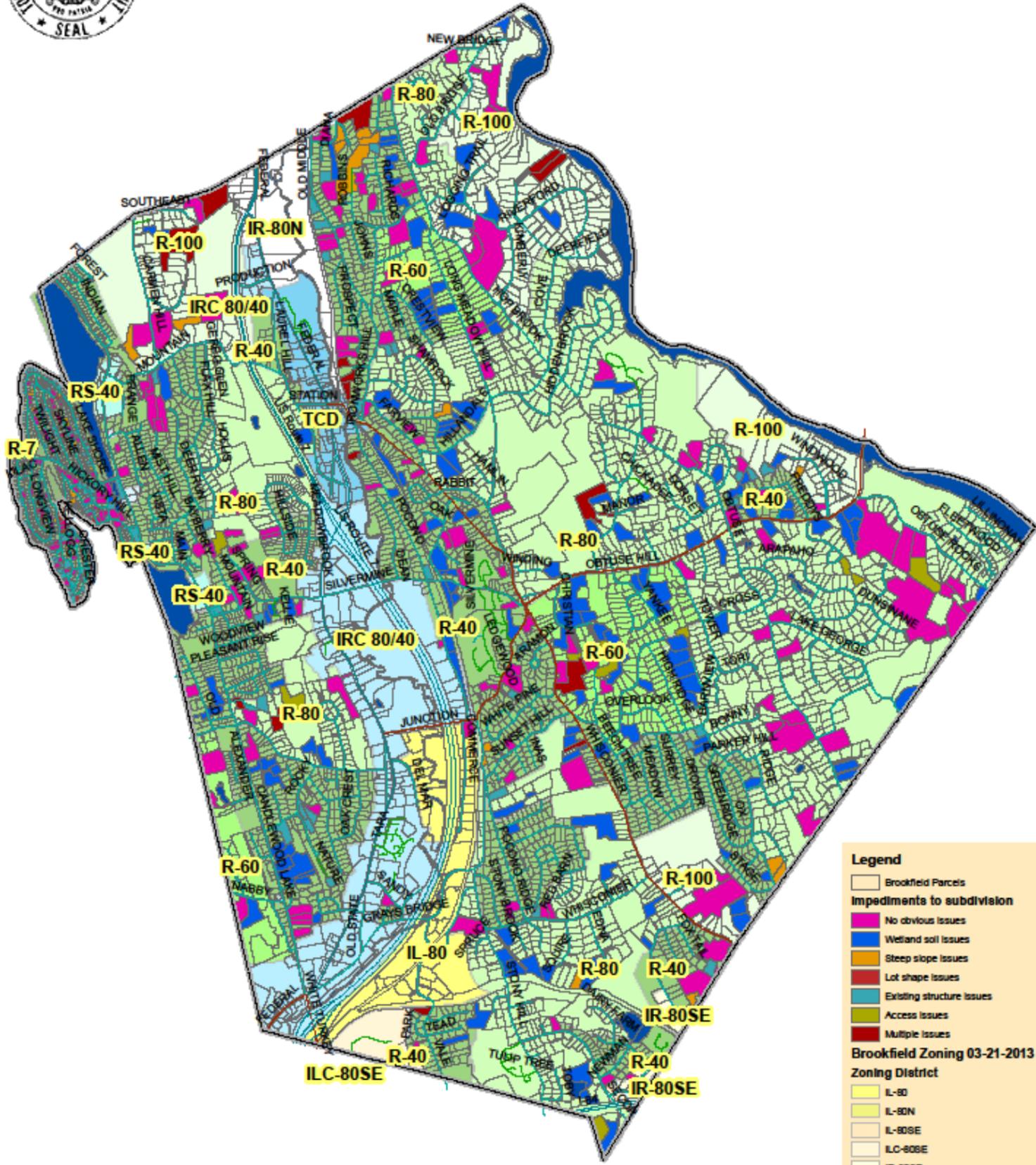
Town of Brookfield, CT - GIS Map



Current Zoning District Map 2015 Plan of Conservation and Development



Town of Brookfield, CT - GIS Map



Legend

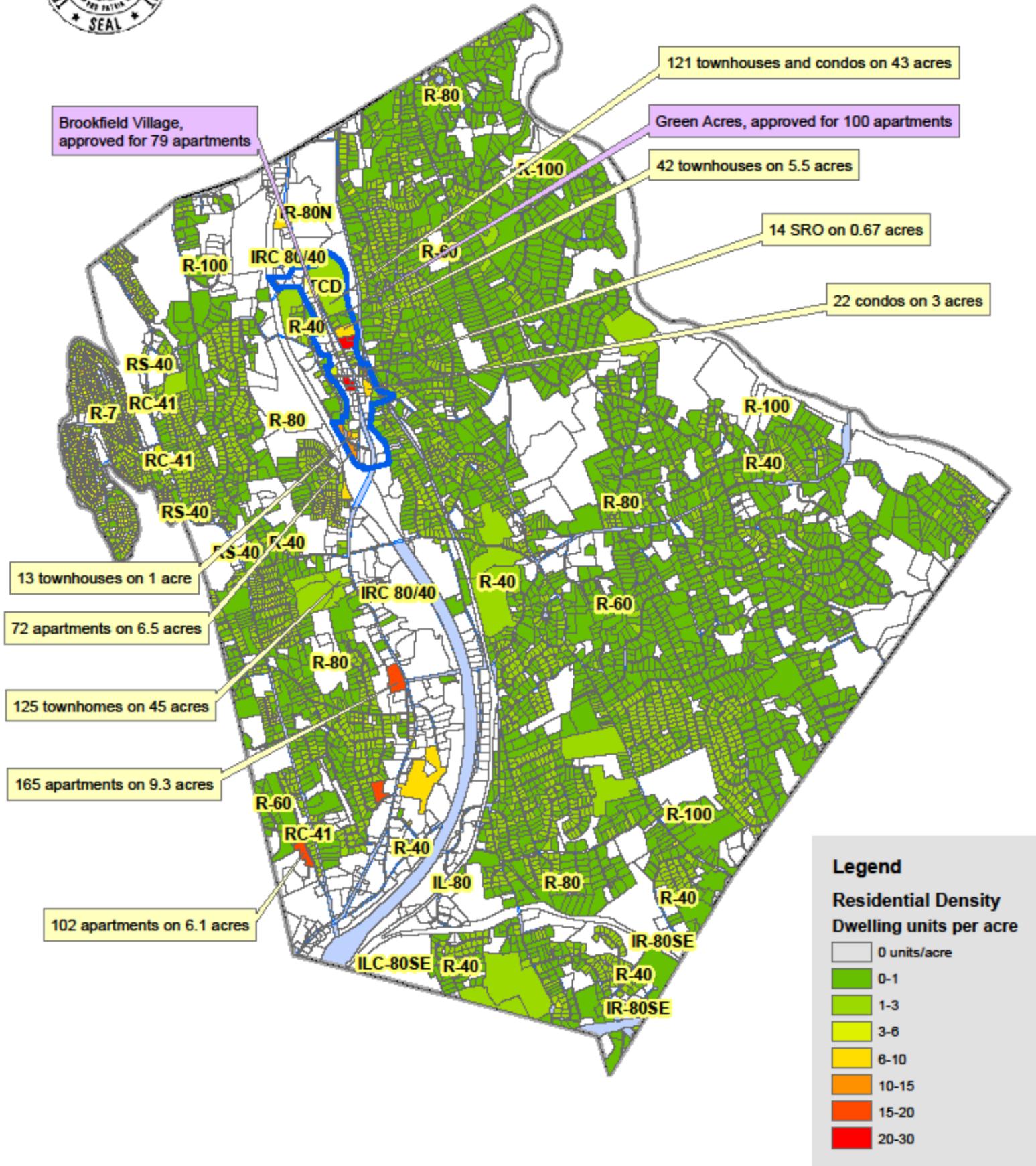
- Brookfield Parcels
- Impediments to subdivision**
 - No obvious issues
 - Wetland soil issues
 - Steep slope issues
 - Lot shape issues
 - Existing structure issues
 - Access issues
 - Multiple issues
- Brookfield Zoning 03-21-2013**
- Zoning District**
 - IL-80
 - IL-80N
 - IL-80SE
 - ILC-80SE
 - IR-80SE
 - IRC 80/40
 - TCD
 - RC-41
 - RS-40
 - R-100
 - R-80
 - R-60
 - R-40
 - R-7

Subdividable Residential Land Map 2015 Plan of Conservation and Development





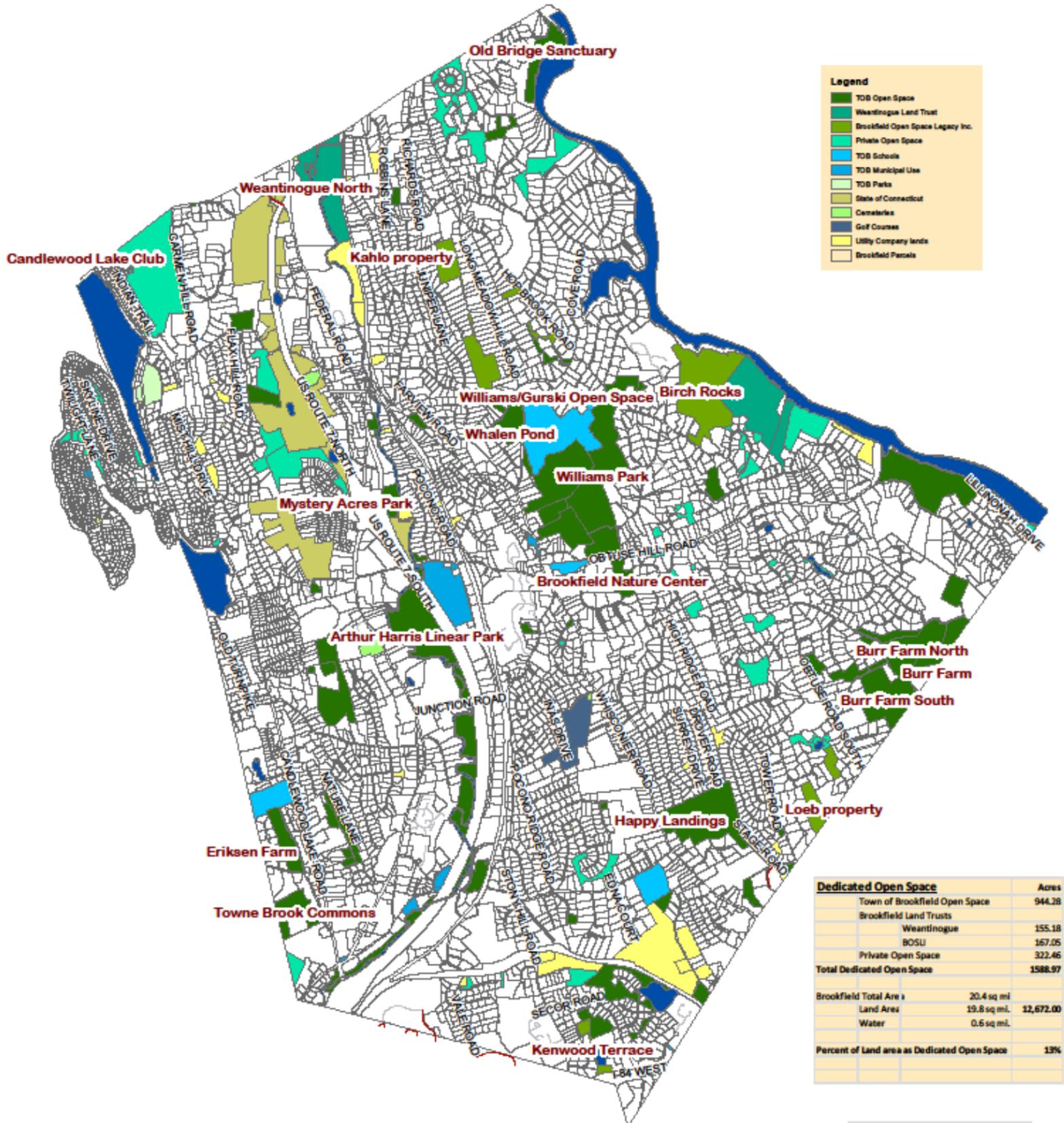
Town of Brookfield, CT - GIS Map



Residential Density Current Occupancy and Approved Projects



Town of Brookfield, CT - GIS Map



Legend

- Town of Brookfield Open Space
- Weantinogue Land Trust
- Brookfield Open Space Legacy Inc.
- Private Open Space
- Town of Brookfield Schools
- Town of Brookfield Municipal Use
- Town of Brookfield Parks
- State of Connecticut
- Cemeteries
- Golf Courses
- Utility Company lands
- Brookfield Parcels

Dedicated Open Space		Acres
Town of Brookfield Open Space		944.28
Brookfield Land Trusts		
Weantinogue		155.18
BOSU		167.05
Private Open Space		322.46
Total Dedicated Open Space		1588.97
Brookfield Total Area	20.4 sq mi	
Land Area	19.8 sq mi	12,672.00
Water	0.6 sq mi	
Percent of land area as Dedicated Open Space		13%

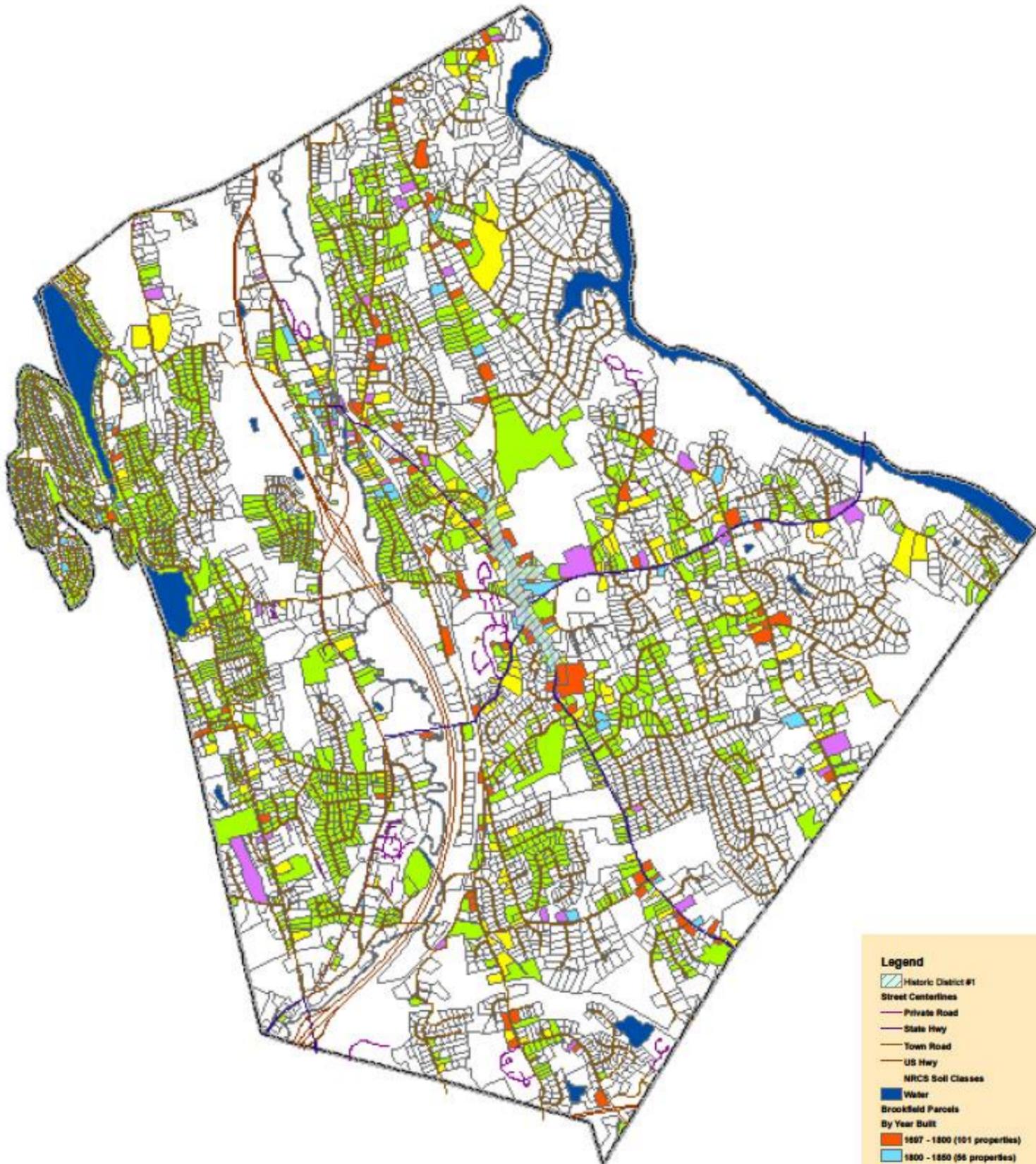
Managed Open Space		Acres
State of CT lands		285.23
Golf Courses		37.97
Cemeteries		11.94
Town of Brookfield Municipal Use		56.94
Town of Brookfield Parks		16.55
Town of Brookfield Schools		108.71
Utility Land		182.81
Total Managed Open Space		700.15

Open Space Map 2015 Plan of Conservation and Development





Town of Brookfield, CT - GIS Map



Historic Resources Map 2015 Plan of Conservation and Development



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XI. Appendix – Goals and Strategies

Goal: Channel the many talents of Brookfield’s residents into endeavors to improve our community through volunteer efforts.

Strategies:

Section/Issue	No.	Strategy	Leader	Supporting Resources
ComChar1	1	Encourage participation in town volunteer commissions.	BOS	
ComChar1	2a	Study the potential for and roadblocks to increased public participation in government boards and commissions.	BOS	
ComChar1	2b	Solicit participation from community residents for both governmental and not for profit community boards.	BOS	
ComChar1	3	Integrate training and professional development opportunities for volunteers into the support functions for all commissions.	CDD	
ComChar1	4	Designate a point person who will coordinate volunteerism for Brookfield governmental boards and commissions, and who will support volunteerism of community non-profits.	BOS	

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Goal: Make Brookfield’s commercial corridor an architecturally appealing destination through continued attention to architectural character.

Encourage consistent application of architectural standards for commercial projects that results in enhancement of Brookfield’s architectural character.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
ComChar2	1a	Evaluate the use of a form-based code for new commercial construction and site plan modifications involving facades to achieve the goal.	ZC	ZEO, CDD
ComChar2	1b	Evaluate the revision of the existing zoning regulations for architectural standards in the commercial and industrial zones to achieve the goal.	ZC	ZEO, CDD
ComChar2	1c	Evaluate the applicability of the Design Guidelines and Standards for the TCD and IHZ zones to achieve the goal.	ZC	ZEO, CDD
ComChar2	1d	Reach a consensus on the role of architectural considerations in the approval of commercial projects.	ZC	ZEO, CDD
ComChar2	1e	Modify zoning regulations to define the architectural elements required to achieve the goal.	ZC	ZEO, CDD
ComChar2	2	Encourage consolidated development with shared access, parking and circulation.	ZC	ZEO, CDD

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Goal: Improve surface water quality in Brookfield’s lakes and streams so that toxic algal blooms or excessive growth of invasive aquatic plants does not inhibit recreational use.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
NatRes1	1a.	Require primary storm water treatment for new commercial, multifamily and mixed-use developments to minimize pollutants in post construction runoff from discharging into surface waters.	ZC, IWC	HD, WPCA
NatRes1	1b.	Consider requirements for “green infrastructure” techniques to treat storm water runoff for new residential projects adjacent to wetlands and watercourses throughout the town.	IWC	
NatRes1	2.	Consider the impediments to annual cleaning 1/3 of the catch basins along town roads; evaluate the means for overcoming them.	DPW	
NatRes1	3.	Conduct public education campaign to inform residents about lawn care practices and pet waste removal practices that protect water quality.	HD	
NatRes1	4.	Evaluate the Storm Water Management Plan and update practices related to storm water quality.	DPW	
NatRes1	5	Collaborate with the Housatonic Valley Association in its Still River Watershed project focused on non-point source pollution.	BOS	HD, CDD
NatRes1	6	Explore appropriate actions to ameliorate water quality in Lake Lillinonah and Candlewood Lake as discussed in the Northeast Environmental Study.	CLA, LLA	

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Goal: Build awareness of the environment both through educational programs for students as well as educational programs for volunteer commission members.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
NatRes2	1	Develop a public education strategy perhaps in conjunction with the Brookfield Library for adults and children that addresses a wide range of environmental topics.	WEO	BL
NatRes2	2	Consider extending the opening hours and services of the Town Brush Dump.	DPW	
NatRes2	3	Collaborate on development of informational signage for Still River Greenway in a manner that contributes students' awareness of environmental topics.	DPW, WEO	PRD
<small>AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CofC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association</small>				

Goal: Develop feasible set of trails some of which connect places people want to go and others that serve more recreational purposes.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
OSPlan1	1	Prioritize trail desirability based on feasibility for completion, opportunities for small parking areas, variation in terrain and difficulty of trails	CC	WHLT, BOSLI

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OSPlan1	2	Create a Trail Plan by evaluating input from Greenbelt Trail Workshop and other forums to plot connections along greenbelt system trails and connections by water.	CC	WHLT, BOSLI
OSPlan1	3	Map conservation easements for all subdivisions using GIS and use this resource to further refine Trail Plan.	CDD	PC
<p>AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CoFC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association</p>				

Goal: Determine whether a dog park or a dog play space is needed in Brookfield and select an appropriate location for it.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
OSPlan2	1	Inventory open space properties and clarify the purposes and uses that are appropriate on all open space properties, both town and land trust-owned	CC	WHLT, BOSLI
OSPlan2	2a	Define characteristics of an off-leash park area for dogs.	PRD, residents	CDD
OSPlan2	2b	Review potential locations for an off-leash park are for dogs and discover drawbacks and negative consequences along with positive features of each potential location	PC	CDD
OSPlan2	2c	Select and promote the most advantageous location.	BOS	CDD
OSPlan2	3	Develop funding sources for this project.	BOS	CDD
<p>AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CoFC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association</p>				

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Goal: Promote coordinated management of open space land through the Conservation Commission and private land trusts, Brookfield Open Space Legacy and Weantinoge Land Trust.

Strategies:

Section/ Issue	No.	Strategy	Leader	Support Resources
OSPlan3	1.	Improve communications and collaboration with land trusts.	CC	WHLT, BOSLI, CDD
OSPlan3	2	Establish a forum for exchanging information about planned improvements and issues that need to be addressed in maintaining open space properties throughout the town.	PC	
OSPlan3	3.	Collaborate with Brookfield Open Space Legacy Inc. and Weantinoge Land Trust to re-establish parking facilities for Birch Rocks Open Space.	CDD	DPW

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Goal: Develop an administrative structure, capital investment plan and funding sources to permit the improvement and maintenance of trails and town-owned lands.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
OSPlan4	1	Identify key portions of the last remaining large residential parcels that could feasibly connect trails identified in OSPlan1, Strategy 2 via conservation easements.	PC	CC
OSPlan4	2	Identify strategic open space parcel acquisitions where easements would not allow trail connection.	PC	

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OSPlan4	3	Identify priority areas of open space for application of forest management practices in order to remove invasive species and encourage native plants.	CC	TW
OSPlan4	4	Develop capital improvement plan to finance trail improvement and operating budget for annual maintenance.	CC, PRD	
OSPlan4	5	Identify sources of funding such as grants for project-based initiatives.	CC, PRD	
OSPlan4	6	Consider whether staffing or consulting services would be required to develop the Trail Plan, define forestry management projects, and provide GIS mapping skills, administrative and grant writing support.	PRD, CC, CDD	
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Goal: Develop a town-wide Historic Preservation Plan

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
HIST1	1a	Define the objectives of a Town Historic Plan to include the issues surrounding Gurski Homestead and the State Historic Preservation Office (SHPO) Conservation Easement.	CDD	HDC, BHSM
HIST1	1b	Allocate sufficient human and capital resources to develop an Historic Preservation Plan with broad community support and which satisfies the standards of local and state historic preservationists.	BOF	HDC, BHSM

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HIST1	2	Evaluate how tax abatement may provide incentives for owners of historic properties to improve or restore these buildings.	CDD	AO, BOS
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Goal: Retain the charm of Brookfield's mill buildings and historic commercial hub as well as specimen properties, those properties representative of a particular architectural style, in residential districts.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
HIST2	1	Work with property owners to develop a concept for the historic district and purpose for the designation.	BCC	CDD
HIST2	2a	Develop a proposal for a second historic district to be considered by the BOS	BCC	CDD, HDC, BHSM
HIST2	2b	Assemble a study group whose task it is to evaluate the feasibility, desirability and objectives of a second historic district.	BOS	CDD
HIST2	3	Promote the research required and support the application for designation of specimen properties with appropriate recognition of historic status.	HDC	
<p>AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CofC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinog Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association</p>				

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Goal: Make the Gurski Homestead a welcoming, safe community space.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
HIST3	1a	Negotiate appropriate steps with SHPO to improve the Gurski Homestead and develop a master plan for improvement of the Gurski Homestead property.	FS	BOS, CC, CDD
HIST3	1b	Work with SHPO to clarify the process for proposing and gaining approval for improvements or actions that will increase the safety of these buildings.	FS	BOS, CC, CDD
HIST3	1c	Define priority actions or projects and work with SHPO to identify funding sources	FS	BOS, CC, CDD
HIST3	2	Develop a private fund raising campaign and gather volunteer supporters who are willing to work on improvement projects.	CC	CDD

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Goal: Assess implementation plan for the Four Corners Town Center Revitalization Plan and complete remaining strategies to support developments both public and private to create a new downtown from an historic commercial hub.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
4C1	1	Assess Community Form Initiative	ZC	CDD, EDC
4C1	1a	Critique how the implementation of this initiative has supported development in the Town Center District and Incentive Housing Zones and which strategies should be further utilized.	ZC	CDD

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4C1	1b	Implement remaining strategies	ZC	CDD
4C1	2	Assess Marketing Initiative	EDC	BOS
4C1	2a	Evaluate the implementation strategies of this initiative and determine which strategies should be further utilized or which other strategies should be employed.	EDC	
4C1	2b	Implement these strategies	EDC	
4C1	3	Assess Complete Streets Initiative and Town Center District Sidewalk and Access Management Plan and adopt as an appendix to the Zoning Regulations	DPW, ZC	CDD
4C1	3a	Ensure that STEAP funds available to the town currently are utilized to begin construction of the plan.	CDD	DPW
4C1	3b	Secure funding for the completion of the central sidewalks as illustrated in the Sidewalk and Access Management Plan.	CDD	FS
4C1	3c	Complete engineering for the remaining phase of the Sidewalk and Access Management Plan.	DPW	CDD
4C1	3d	Construct final phase of Sidewalk and Access Management Plan	DPW	CDD
4C1	4	Assess Cultural/Civic Enhancement Initiative	CDD	4CA
4C1	4a	Consider the development of a Four Corners Civic Spaces Plan	ZC	4CA
4C1	4b	Partner with relevant organizations in order to promote the Civic Spaces Plan.	CDD	4CA
4C1	5	Join the Connecticut Main Street Program for support with technical assistance grants and resources for creating economically successful downtowns while preserving historic character.	BOS	CDD

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Goal: Coordinate the efforts of groups focused on promoting Brookfield business and promote our town through coordinated efforts to bring in new businesses and employers as well as helping existing businesses to grow.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
EconDev1	1	Encourage collaboration between Brookfield Chamber of Commerce and the Economic Development Commission when implementing informational programs, workshops and training classes to maximize the effectiveness of these groups to promote growth of existing businesses and to attract new businesses.	CofC, EDC	
EconDev1	2	Develop a strategy, action plans, resources and performance metrics with a goal of maximizing economic growth.	EDC	PC
EconDev1	3	Collect contact and business information for all businesses and add that information into the EDC website Business Directory and email distribution list.	EDC	CDD, ZEO
EconDev1	4	Provide additional resources to assist the Economic Development Commission in achieving the economic development action items.	BOF	

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Goal: Fully develop Brookfield’s commercial corridor in a balanced manner that both broadens the tax base and protects the quiet residential districts that Brookfield is known for.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
EconDev2	1a	Consider how to best develop the area bounded by Federal Road, Junction Road, Silvermine Road and Pocono Road to incorporate transitional zones and development in a nodal pattern to protect adjacent residential neighborhoods and support alternative transportation modes.	PC	ZC, ZEO, EDC, CDD
EconDev2	1b	Revise zoning regulations to require the desired development pattern in this area.	ZC	ZEO, CDD

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Goal: Encourage developers to build housing that is affordable to young families and young professionals just beginning their careers.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
HOUS1	1	Evaluate the current Incentive Housing restrictions and the level of affordability required by the IHZ overlay sub-zones. Compare housing options with starting salaries in the area’s growing employment sectors.	CDD	ZC
HOUS1	2	Develop a Housing Plan to guide development of housing that includes developments tailored to young mobile professionals and young families.	CDD	ZC

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Department; **HDC** Historic District Commission; **IWC** Inland Wetlands Commission; **LBT** Library Board of Trustees; **LF** Library Foundation; **LLA** Lake Lillinonah Authority; **PC** Planning Commission; **PRD** Parks and Recreation Department; **TW** Tree Warden; **WEO** Wetlands Enforcement Officer; **WHLT** Weantinoge Heritage Land Trust; **WPCA** Water Pollution Control Authority; **ZC** Zoning Commission; **ZEO** Zoning Enforcement Officer; **4CA** 4 Corners Association

Goal: Encourage developers to build a wide array of housing, in particular housing designed for older, less mobile residents with associated amenities favored by seniors.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
HOUS2	1	Consider revision of zoning regulations regarding Planned Age Restricted developments to allow these sorts of developments in specific zoning districts targeted for higher residential densities such as the Town Center District.	ZC	
HOUS2	2	Promote design of residential structures and public spaces that accommodates the needs of older residents.	ZC	

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Goal: Residents of all income levels will be able to find suitable housing in Brookfield whether they are a young family, a newly divorced or widowed individual, a young professional or a couple downsizing while remaining in their home community.

Strategies:

Section/ Issue	No.	Strategy	Leader	Required Support
HOUS3	1	Evaluate the affordability of Incentive Housing priced units; Affordable Housing priced units, requirements of state CHFA loans to developers for affordability and the market rate for both rentals and condominiums or townhomes for purchase.	CDD	

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Goal: Develop a plan for serving the library's current patrons with the current slate of activities as well as expansions to meet growing patron needs and 21st century library functions. Construct a new library that the community will consider as a cultural center of Brookfield, the community's living room, and a destination for cultural, educational and recreational programs.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
FAC1	1	Support the work of the Committee for a New Library as they selecting a proposed location for a new library; vet that selection through the 8-24 referral process.	CNL	LBT, PC
FAC1	2a	Evaluate the attributes to include in a new library building and grounds along with the associated costs and potential benefits of desirable features.	CNL	LBT
FAC1	2b	Develop a Library Site and Building plan for meeting the library's needs, both current and future anticipated needs for indoor and outdoor space.	CNL	CDD
FAC1	3	Develop a funding strategy including municipal bonding, grants and a fundraising campaign.	BOS	FOL, LF

AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CofC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association

2015 Brookfield Plan of Conservation and Development

Effective July 2, 2015, Amended Effective March 17, 2016

Goal: Meet the needs of community groups for free public space to use.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
FAC2	1a	Review the Facilities Planning group report and re-evaluate conclusions reached by that group.	PC	
FAC2	1b	Consider how the Old Town Hall, which currently houses Housatonic Valley Council of Elected Officials, and the current library - should a new library be built - can be used to fill community needs.	PC	
<p>AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CofC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association</p>				

Goal: Upgrade our educational facilities, in particular Huckleberry Hill School and Whisconier Middle School, which have been utilizing portable classrooms, in order to provide high quality education facilities.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
FAC3	1	Complete the Space Utilization Study and use it to develop a plan for providing necessary classroom space to serve Brookfield's elementary and middle school students.	BOE	
FAC2	2	Ensure sufficient funding for capital improvements to Huckleberry Hill Elementary and Whisconier Middle School.	BOS	BOF
<p>AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CofC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association</p>				

2015 Brookfield Plan of Conservation and Development

Effective July 2, 2015, Amended Effective March 17, 2016

Goal: To improve the visibility of the Four Corners to travelers on Route 7 from both directions to promote businesses in the Four Corners.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
TRANS1	1a	Work with Four Corners businesses and CT DOT to locate signage for commercial and non-profit entities in the Four Corners	CDD	
TRANS1	1b	Identify funding sources, design and install signage on Route 7 directing drivers to Four Corners businesses	BOS	
<small>AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CoFC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association</small>				

Goal: Complete the improvements necessary to make the Four Corners area a pedestrian and bike friendly district.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
TRANS2	1	Identify funding sources to complete the conceptual layout for sidewalks extending along Federal Road, Station Road and Whisconier Road	CDD, BOS	
TRANS2	2a	Develop a conceptual layout for complete street features on Laurel Hill Road and Old Route 7.	DPW	
TRANS2	2b	Develop a conceptual layout for interior connections among adjacent lots	ZC	
TRANS2	2c	Identify funding to complete the sidewalk and non-motorized access throughout the Four Corners area	CDD, BOS	

2015 Brookfield Plan of Conservation and Development

Effective July 2, 2015, Amended Effective March 17, 2016

TRANS2	3a	Develop a public spaces plan for the Four Corners including amenities in lands donated to the Town for park use and foot paths along the Still River on lands granted in easement to the Town.	PC	ZC
TRANS2	3b	Identify funding sources for public spaces plan.	CDD	BOS
<p>AO Assessor's Office; BCC Brookfield Craft Center; BHSB Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CofC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association</p>				

Goal: To develop a master plan and strategies for addressing the needs of this section of Federal Road rather than allowing uncoordinated growth.

Strategies:

Section/ Issue	No.	Strategy	Leader	Required Support
TRANS3	1	Define the transportation needs of this section of the Federal Road corridor.	CDD	DPW, ZC, BOS
TRANS3	2	Develop a master plan for roadway improvements to accommodate the anticipated uses along the roadway.	PC	
TRANS3	3	Consider zoning regulation changes to accomplish the master plan objectives.	ZC	ZEO, CDD
<p>AO Assessor's Office; BCC Brookfield Craft Center; BHSB Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CofC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association</p>				

2015 Brookfield Plan of Conservation and Development

Effective July 2, 2015, Amended Effective March 17, 2016

Goal: Alleviate areas of vehicular congestion and address safety issues for pedestrians and cyclists on southern Federal Road.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
TRANS4	1a	Enlist the support of WCCOG for the Route 202 Improvement Plans.	FS	
TRANS4	1b	Identify funding opportunities for complete street plan improvements.	CDD	
TRANS4	1c	Implement the curb cut management plans as new tenants move into vacant commercial spaces or when property owners redevelop property.	ZC	

AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CoFC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association

Goal: Improve safety and accessibility for bikers in Brookfield, both recreational users and bike commuters.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
TRANS5	1	Collaborate with CT DOT, bike advocates and DPW to improve safety for bikes in the vicinity of Federal Road, White Turkey Road and Candlewood Lake Road.	PRD	BOS, CDD, DPW
TRANS5	2	Develop a town-wide Bike Plan.	PRD	PC, CDD
TRANS5	3	Consider how to work with the Bike Friendly Communities network to improve bike safety in Brookfield	PRD	DPW, CDD

AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CoFC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association

2015 Brookfield Plan of Conservation and Development

Effective July 2, 2015, Amended Effective March 17, 2016

Goal: Provide support and community feedback to state level decision makers to support extension of commuter rail service to Brookfield and New Milford as priority projects and promote the allocation of state funds for this purpose.

Strategies:

Section/ Issue	No.	Strategy	Leader	Supporting Resources
TRANS6	1	Work with local proponents and state representatives from our region who support improving and extending commuter rail service.	FS	CDD
TRANS6	2	Advocate with CT DOT and their consulting engineers for the re-evaluation of ridership models to get a truer view of ridership potential.	WCCOG	CDD

AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CofC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association

2015 Brookfield Plan of Conservation and Development

Effective July 2, 2015, Amended Effective March 17, 2016

Goal: Plan mixed-use village style development and older residential neighborhood upgrades to sanitary systems in a manner that allows future planning for sewage plant capacity.

Strategies:

Section/ Issue	No.	Strategy	Leader	Required Support
UTIL1	1	Evaluate projections for future flows as outlined in the Sewer Study every 5 years.	WPCA	CDD
UTIL1	2	Promote low impact development and storm water infiltration techniques to protect aging residential septic systems	HD	ZEO, WEO
UTIL1	3a	Evaluate the impact on the sewer flow projections of a project to extend sewer and water service across the bridge crossing the Still River at the Four Corners.	WPCA	
UTIL1	3b	Identify the resources that could fund this project including Small Town Economic Assistance Program (STEAP) and Transit Oriented Development grants	WPCA	CDD

AO Assessor's Office; BCC Brookfield Craft Center; BHSM Brookfield Historical Society and Museum; BL Brookfield Librarian; BOE Board of Education; BOF Board of Finance; BOS Board of Selectmen; BOSLI Brookfield Open Space Legacy; CC Conservation Commission; CofC Chamber of Commerce; CDD Community Development Director; CLA Candlewood Lake Authority; CNL Committee for a New Library; DPW Department of Public Works; EDC Economic Development Commission; FOL Friends of the Library; FS First Selectman; HD Health Department; HDC Historic District Commission; IWC Inland Wetlands Commission; LBT Library Board of Trustees; LF Library Foundation; LLA Lake Lillinonah Authority; PC Planning Commission; PRD Parks and Recreation Department; TW Tree Warden; WEO Wetlands Enforcement Officer; WHLT Weantinoge Heritage Land Trust; WPCA Water Pollution Control Authority; ZC Zoning Commission; ZEO Zoning Enforcement Officer; 4CA 4 Corners Association

Section 2

Zoning Regulations

Town of Brookfield, Connecticut



Adopted by the Brookfield Zoning Commission

Effective: 2018-December-21

Revised Through: 2021-January-20

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Article 1 – Introduction

1.1 Authority

These Regulations are adopted under the authority of Chapter 124 of the Connecticut General Statutes (CGS), as amended (Section 8-1 et seq).

1.2 Purpose

These Regulations are adopted for the purposes set forth in CGS 8-2, including:

- A. To guide the future growth and development of the Town of Brookfield in accordance with the adopted Plan of Conservation and Development
- B. To promote the health, safety, and general welfare of the community; lessen congestion in the streets; prevent the overcrowding of land; avoid undue concentration of population; provide adequate light and air; and facilitate the adequate provision for transportation, water, sewerage, schools, parks, and other public improvements.
- C. To divide the Town into districts with considerations as to the character of each district and its suitability for particular uses so as to conserve the value of property and buildings and promote the most appropriate use of land throughout the Town
- D. To protect historic features and existing and potential groundwater and drinking water supplies of the Town
- E. To assure that proper provision is made for sedimentation control and the control of erosion caused by wind or water
- F. To encourage the development of housing opportunities, including opportunities for multiple dwelling units, consistent with soil types, terrain, and infrastructure capacity
- G. To promote housing choice and economic diversity in housing, including housing for both low and moderate income households, and identified housing needs
- H. To encourage energy efficient patterns of development; the use of solar and other renewable forms of energy; and energy conservation in such a way as to preserve the integrity, stability, and value of land and buildings

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1.3 Zoning Map

A. Zoning Districts

1. To accomplish the purposes of these Regulations, the Town of Brookfield is divided into different districts as enumerated within these Regulations.
2. The location and boundaries of zoning districts shall be as shown on the official Zoning Map, as may be amended from time to time, which is on file in the Office of the Town Clerk.
3. The official Zoning Map is hereby declared to be a part of these Zoning Regulations.
4. Any facsimile of the official map is intended for the convenience of the public and shall not be considered to be the official Zoning Map of the Town.

B. Boundary Interpretation

If not clearly delineated on the official Zoning Map identified above, district boundaries shall be construed in the following sequence:

1. Following the centerline of a street, railroad, right of way, or easement;
2. Following the property lines of record at the time of adoption of these Regulations or relevant amendments hereto;
3. Where district boundaries are set back from street lines, they shall be considered as running parallel thereto at distances shown or measured; or
4. Following the lines of a particular physical feature including brooks, streams, or ridgelines

In case of any remaining uncertainty regarding zone boundaries on the Zoning Map, the zone boundary shall be determined by the Zoning Commission (Commission).

1.4 Interpretation of Regulations

A. General

1. Should any doubt exist as to the meaning of any provision of these Regulations, the decision and interpretation of the Zoning Commission shall prevail.
2. To assist in the uniform application of the regulations in future cases, a written record of all interpretations rendered by the Commission, or decided by the courts, shall be maintained by the Zoning Enforcement Officer.

B. Prohibited if Not Permitted

1. Any principal use of land, buildings, or structures not expressly permitted by these Regulations in a particular zoning district is prohibited in that district.
2. Any activity not expressly permitted in the Regulations is prohibited.

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3. Accessory uses that are not specifically permitted by these Regulations but which are customarily incidental and subordinate to a permitted principal use shall be permitted unless specifically identified as prohibited elsewhere in these regulations, subject to any conditions as may be imposed by these Regulations.

4. In the event of uncertainty as to whether a use or activity is permitted, the Commission shall be responsible for interpreting these Regulations.

C. Minimum Requirements

In their interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare unless the context clearly indicates that such provision is intended to be a maximum limitation.

D. Strictest Standards Control

1. In the event that there are found to be conflicting requirements within these Regulations, the most restrictive provision shall be applied.

2. The provisions of these Regulations may be superseded by other local, state, or federal laws or regulations.

3. These Regulations do not release a person from compliance with a more restrictive law, ordinance, easement, covenant, rule, regulation, or permit.

1.5 Conformity

A. Conformity Required

Except as may be otherwise provided in these Regulations (such as for a lawfully existing nonconforming lot or similar circumstance):

1. No building, structure, or land shall be used or occupied except in conformity with these Regulations for the zone in which the land, building, or structure is located.

2. No building or other structure or part thereof shall be erected, moved, replaced, reconstructed, extended, enlarged, or altered except in conformity with these Regulations for the zone in which the building, structure, or land is located.

3. No land shall be sold or divided in a manner that results in a dimensional standard or any other standard that does not conform to the requirements of these Regulations.

4. No lot shall be diminished in area except in conformity with the provisions of these Regulations.

5. No yard, setback, or other minimum requirement shall be reduced except in conformity with the provisions of these Regulations.

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6. No height, building coverage, or other maximum requirement shall be increased except in conformity with the provisions of these Regulations.

7. No land shall be sold or divided in a manner that results in a use of all or a part thereof ceasing to conform to these Regulations.

B. Valid Permits

Nothing in these Regulations shall require any change in the plans, construction, or designated use of a building for which a building permit has been issued in accordance with regulations which were in effect on the date the permit was applied for.

1. 6 Nonconformities

A. Non-Conforming Uses

1. Continuance

Any non-conforming use of buildings, structures or land may be continued.

2. Extension, Expansion or Relocation

No non-conforming use of buildings, structures or land shall hereinafter be extended, expanded or relocated on the same lot.

3. Change of Non-Conforming Uses

No non-conforming use of buildings, structures or land shall hereinafter be changed into a new or different non-conforming use, except the Commission, by Special Permit in accordance with Section 8.5, may allow a change from one non-conforming use to another non-conforming use where:

- a. those parts of an existing building site are manifestly designed or arranged for such new or different use.
- b. such new use is not precisely the same as the old use, but the new use is generally similar to the old use;
- c. where the transfer or change does not involve replacing existing non-conforming structures with new non-conforming structures in whole or in part; and
- d. where the new or different use does not constitute the extension or expansion of an old use, or part thereof on the same lot.

4. Discontinuance

No non-conforming use of buildings, structures or land which shall have been voluntarily discontinued with an intent not to reestablish such use or building or structure shall be resumed or replaced by the same or any other non-conforming use. Any building, structure or portion thereof containing a non-conforming use

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which has been destroyed or damaged by fire, explosion, act of God or other casualty may be restored and continued as a non-conforming use to the same extent as said use existing before such destruction, provided that such non-conforming use shall not be extended, expanded, or transformed into a different non-conforming use.

5. Use Permitted by Variance

A use of land or of a structure which is not a permitted use in the district in which it is located but which is permitted by variance shall be deemed to be a nonconforming use.

B. Non-Conforming Buildings and Structures

A non-conforming building or structure may not be expanded, extended, relocated or altered if such expansion, extension, relocation or alteration would increase the degree of any nonconformity. Specifically as listed below:

1. Expansion, Extension, Alteration, or Replacement

a. No non-conforming building or structure shall be relocated on the lot.

b. No portion of any non-conforming building coverage on a lot shall be transferred from one location to another location on the lot.

c. No portion of any non-conforming building coverage that is attributable to an open structure without a roof, such as a deck, roof garden, balcony, open entry, handicapped ramp, swimming pool, tennis court, paddle tennis court, etc., shall be roofed over, enclosed or otherwise expanded, extended or altered in any vertical or horizontal direction from a structure into a building.

d. Any non-conforming building or structure can be strengthened, restored or replaced; however, no portion of an existing building or structure that is nonconforming as to setback shall have the portion of the building or structure within the setback roofed over, enclosed, extended, expanded or altered in any vertical or horizontal direction.

e. A building or structure which is prohibited by these regulations but which is permitted by variance shall be deemed to be a non-conforming building or structure.

f. The replacement of entry steps or platforms projecting into the setbacks or in excess of coverage and no larger in area than the existing entry steps and/or platform are not considered an expansion, extension, or alteration.

2. Restoration

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Any non-conforming building or structure or non-conforming portion of a building or structure which has been destroyed or damaged by fire, explosion, act of God, or by other casualty may be restored or reconstructed to the same non-conforming building or structure as existed before such damage; provided that

- a. such restoration or reconstruction shall be limited to the damaged portion of the building or structure;
- b. such restoration or reconstruction shall adhere to all procedures necessary to obtain a proper Zoning Permit. The owner of such damaged building or structure may replace and reorganize the same amount of gross interior floor space in a manner to more nearly conform to these regulations.
- c. such restoration or reconstruction of any structure within the Special Flood Hazard Area as defined herein shall comply with Section 5.5.

3. Unsafe Conditions

Nothing herein shall prevent the strengthening or restoring to a safe condition of any existing non-conforming building, structure or any part thereof which shall have become unsafe as determined by the Building Inspector or Fire Marshal.

C. Non-Conforming Lots

1. New buildings or Structures

A new building, structure or use, or an addition to an existing structure on a non-conforming lot shall comply with all applicable requirements of the zoning district in which it is located.

2. Adjoining Lots

If two or more adjoining lots of record, one or more of which are undeveloped and fail to meet the requirements of these regulations with regard to lot area and/or lot shape, were in the same ownership on June 15, 1960 or subsequent date, and if such lots taken together would form one or more lots, each more nearly meeting the requirements of these regulations with regard to lot area and lot shape, such lot or lots shall merge and shall no longer be considered legally existing as separate lots and must be combined and used in compliance with the present lot area and lot shape requirements irrespective of subsequent changes in ownership.

1.7 Validity, Separability, and Effective Date

A. Provisions Severable

If any provision of these Regulations is ruled by a court of competent jurisdiction to be invalid, the effect of such decision shall be limited to the provision expressly stated in the decision to be invalid, and all other provisions of these Regulations shall continue to be valid and fully effective.

B. Effective Date

These Regulations and any amendment or change hereto shall be in full force and effect from the date established by the Commission in accordance with the CGS.

The effective date of these Regulations is **2018-December-21**.

Article 2 - Definitions

2.1 Introduction

For the purposes of these Regulations, the terms, phrases, and words used in these Regulations shall be construed as defined in this section unless the Commission finds that the term, phrase, or word is otherwise clearly qualified by its context.

A. General Terminology and Use of Words

When consistent with the context, the following rules apply:

1. The word "shall" is mandatory.
2. The word "may" is permissive.
3. Words used in the present tense include the future and vice versa.
4. Words in the singular include the plural and vice versa.
5. Words in the masculine include the feminine, neuter, and vice versa.
6. The words "parcel," "property," "lot," "plot," and "premises" have the same meaning.
7. The words "occupied" or "used" include the words "designed, arranged, or intended to be occupied or used."
8. The words "zone," "zoning district," and "district" have the same meaning.
9. The word "person" also includes a partnership, association, trust, corporation, or other legal entity.
10. The word "lot" includes the word "plot."
11. The word "built" includes the words "erected, constructed, reconstructed, altered, enlarged, and moved."

B. Terms Not Defined

In the interpretation and enforcement of these Regulations, words not defined in this Article shall be interpreted by the Commission after consulting one or more of the following:

1. The State Building Code, as amended
2. The CGS, as amended
3. A comprehensive general dictionary

C. Text to Control

In the case of any difference of meaning between the text of a Regulation and any caption, illustration, or table, the text shall prevail.

D. Acronyms

For the purposes of these Regulations, the following terms are abbreviated as follows:

- Connecticut Department of Energy and Environmental Protection - DEEP
- Connecticut Department of Public Health – DPH
- Connecticut Department of Transportation – DOT
- Connecticut General Statutes – CGS

2.2 Defined Terms

ACTIVE RECREATIONAL AREA

An area containing appropriate structures and facilities for recreational purposes.

ADULT ORIENTED BUSINESS

A business related to adult oriented entertainment, which includes, but is not limited to, adult bookstores, adult mini-motion picture theaters, adult cabaret, novelty businesses or other personal service businesses.

ADULT AMUSEMENT MACHINE

An Adult Amusement Machine includes any amusement machine that is regularly used for presenting materials distinguished or characterized by its emphasis on matters depicting, describing, or relating to sexual activities or anatomical areas of the human body for viewing by adults 18 years or older.

ADULT CABARET

An Adult Cabaret is a public or private establishment that is licensed to serve food and/or alcoholic beverages and that features nude or partially nude dancers, go-go dancers, exotic dancers, strippers, or similar entertainers where the emphasis is on depicting sexual activities or anatomical areas of the human body consisting of male and female genitalia or female breasts.

ADULT MINI-MOTION PICTURE THEATER

Adult Mini-Motion Picture Theater is an enclosed building with a capacity of less than 50 persons used regularly or routinely for presenting materials that have as a dominant theme an emphasis on sexual activities or sexual anatomical areas of the human body for observation by adults wherein minors are excluded by virtue of age.

ADULT MOTION PICTURE THEATER

An Adult Motion Picture Theater is an enclosed building with a capacity of 50 or more persons used regularly or routinely for the presentation of motion pictures, films, video cassettes, and similar visual media characterized by an emphasis on matters depicting, describing, or relating to sexual activities or sexual anatomical areas of the human body for observation by adults wherein minors are excluded by virtue of age.

AGE RESTRICTED COMMUNITY

A residential community consisting of dwellings supporting features and amenities for the exclusive use of senior citizens planned and designed to meet the criteria set forth at §42 USC 3607 (b)(2) as amended.

ANTENNA

A device used to collect, transmit, and/or receive telecommunications or radio signals. Examples include panels, microwave dishes, and single pole devices. The use of these facilities is **not** considered a public utility.

APARTMENT

Any building or any integrated group of buildings under the same ownership arranged, intended, or designed to be occupied by two or more families living independently of each other.

AQUIFER

A geologic formation composed of rock or sand and gravel capable of yielding usable amounts of water.

AQUIFER PROTECTION ZONE (BROOKFIELD)

Recharge areas of designated aquifers. The "aquifer protection zones" are shown on an overlay to the official Zoning Map entitled Aquifer Protection District, Town of Brookfield effective January 1, 2000.

AREA OF SPECIAL FLOOD HAZARD

The land in the floodplain within a community subject to a one-percent-or-greater chance of flooding in any given year.

AVERAGE GROUND LEVEL

See Height

BASE FLOOD

The flood having a one-percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION

The elevation of the crest of the base flood (100-year flood). The height in relation to mean sea level (NAVD of 1988) expected to be reached by the waters of the base flood at pertinent points in the floodplain of coastal and riverine areas.

BASEMENT

Any area of the building having its floor subgrade below the average exterior finished ground level when measured within ten feet of the front wall on all sides. For floodplain management purposes, a "basement" is any area of the building having its floor subgrade (below ground level) on all sides.

BEDROOM

An area within a residential building having the potential to be utilized as a sleeping area on a consistent basis and which provides privacy to the occupant. Entry is through a door from a common area, not through a room already deemed a bedroom. It normally contains at least one egress window and a closet. Dens, home offices, libraries, and the like are not considered bedrooms.

BOAT DOCK/MOORING, PRIVATE

A structure or anchored device used for the mooring of not more than two boats or yachts of more than 12 feet in length registered only to the landowner/resident of the property adjacent to such boat dock/mooring.

BREWERY

A manufacturing facility as defined in CGS § 30-16 (b) where beer can be manufactured, stored, bottled, and sold at either wholesale or at retail prices in sealed bottles or other sealed containers for consumption off premises or offered for sale on the premises. Free samples or tastings may be offered, all in accordance with state permitting requirements.

BREW PUB

A brewery or microbrewery with a restaurant and/or a tasting room; a facility as defined in the CGS § 30-16(f) and (g) including brewery or microbrewery operations as permitted in these Regulations where beer can be manufactured, stored, bottled, and sold at wholesale or at retail prices in sealed bottles or other sealed containers for consumption off premises or sold to be consumed on the premises in a room that is ancillary to the production of beer, with or without the sale of food, all in accordance with state permitting requirements.

BUFFER STRIP

A suitable open space, unoccupied except for plant materials, left in its natural state (or) having additional landscaping provided at locations deemed appropriate by the Commission in order to screen the project from adjacent properties, such additional screen to produce within three years a visual barrier. No roads or drives (except for street access across such "buffer strips"), parking areas, buildings, structures, or facilities shall be constructed within such "buffer strips." For safety purposes, lighting devices and traffic signs immediately adjacent to any parking or driveway area may be constructed within such buffers at such locations and height deemed appropriate by the Commission.

BUILDING

Any structure that has a roof and is supported by walls on all sides.

BUILDING, ACCESSORY

Any building that is subordinate to and whose use is customarily incidental and accessory to the use of the principal building on the same lot including, but not limited to, a shed, detached garage, or cabana or poolhouse. *[amended eff. 2019-Apr-19]*

BUILDING AREA

This term is commonly known as “building footprint.” The term means the ground area enclosed by the walls of a building, together with the area of all covered porches and roofed sections and is expressed in “square feet.” It is chiefly used in connection with the calculation of “building coverage” as defined elsewhere herein. Calculations include the width of the exterior walls.

BUILDING COVERAGE

See Coverage

BUILDING HEIGHT

See Height

BUILDING LINE

A line parallel to a street at a distance equal to the required front yard or at a greater distance when otherwise legally established by the municipality or by private covenant. Within an interior lot, the building line may be any line approximately parallel to any interior property line set at not less than the prescribed side or rear yard setback distances for the applicable zoning district.

BUILDING MATERIALS

“Building Materials” shall mean lumber, bricks, concrete, cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, motors, concrete or cement, nails, screws, or any other materials used in constructing any structure.

BUILDING, NONCONFORMING

A building, the size or location of which is not permitted by any provision of these Regulations for the district in which such building is located but which was legally in existence at the effective date of these Regulations or the applicable provision which resulted in the nonconformity, or was subject to variance approval.

BUILDING SQUARE FOOTAGE

This term shall mean the cumulative total of all areas of a building, calculated in square feet. It is differentiated from “building area” as defined elsewhere herein, which pertains solely to “footprint.” It is measured from the exterior dimensions of perimeter walls. It includes the area of each story, basement, and all covered

areas. It excludes porticos and colonnades; uncovered courtyards, decks, and patios; and other facilities considered by the Commission not to be a useable part of the building (e.g. mechanical rooms). This term is often used in the calculation of required parking, the determination as to whether a Special Permit is required, building size limitations, and similar "size" calculations.

COMMERCIAL

Sale or exchange of goods, commodities, and/or personal or professional services.

COMMERCIAL USE

Activity involving the sale of goods, commodities and/or personal or professional services carried out for profit.

COMMISSION

The Zoning Commission of the Town of Brookfield, Connecticut.

COMMUNITY SERVICE FACILITY

A noncommercial establishment intended primarily for the benefit and service of the community in which it is located. Such facilities may include, but are not limited to, community centers, community health clinics, senior centers, WMCA or YWCA facilities, and boys and girls clubs.

CONDOMINIUM

Any building or any integrated group of buildings in a common interest community (as defined by CGS Chapter 828) arranged, intended, or designed to be occupied by three or more families living independently of each other and so designed as to give the maximum amount of open land areas per family.

CONSERVED LAND AREA

A parcel of land designated for open space use or conservation by the Commission. Uses shall be limited to those that will maintain or enhance the open natural state of the land, including but not limited to agriculture, forestry, wildlife or wetland area, greenbelts, parks, or similar areas.

CONTRACTOR'S YARD

A commercially or industrially zoned lot, with or without support structures and buildings, limited to the storage and maintenance of equipment commonly used in the construction industry, including but not necessarily limited to dump trucks, bucket loaders, excavators, bulldozers, and the like. The lot may also store construction materials acquired in anticipation of their use at remote locations.

COURTYARD

An open space, other than a yard, on the same lot with a building, which space is bounded on three sides by the walls of the building.

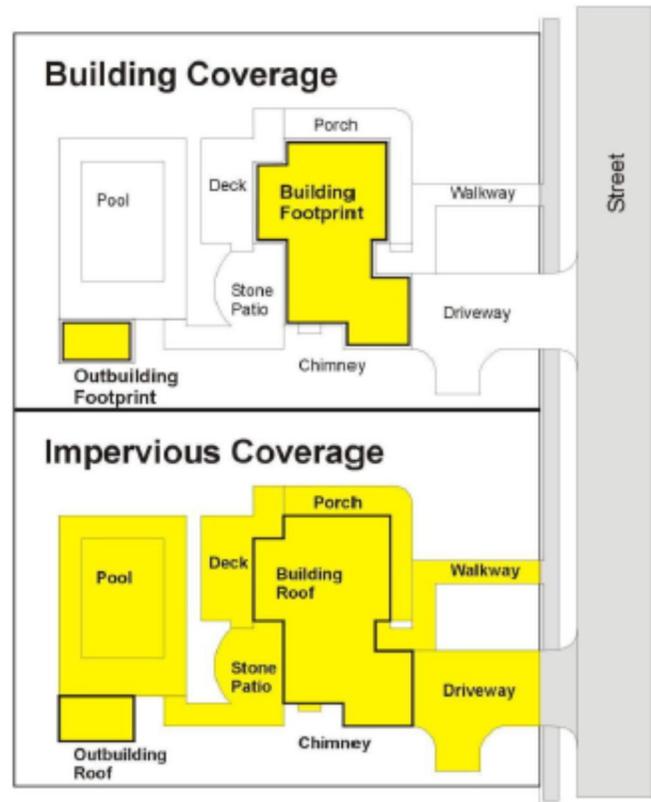
COVERAGE

Building Coverage – The total area of a parcel covered by buildings or roofed areas as measured along the outside wall at ground level.

Impervious Coverage – Total area of a parcel covered by impervious surface.

Impervious Surface – A hard, man-made surface that prevents the percolation of stormwater into the soil including building roofs, driveways, parking lots, sidewalks and other paved surfaces, swimming pools, and other impenetrable surfaces.

Pervious Surface - A surface area that consists of porous or noncompacted loose material that allows water to pass through and infiltrate the underlying soil. Examples are manufactured pervious pavers and parking spaces, loose gravel, rocks, and sand. It can be a monolithic slab of porous material if installed and maintained per manufacturer's specifications.



CUL-DE-SAC

A street open at only one end.

CUSTOMARY USES

Accessory uses and structures that are customarily and reasonably incidental to a permitted principal use on the same premises (such as tool and storage sheds, garages, a swing set, child play structure, doghouse, or birdbath on residential lots).

CUSTOMARY HOME OCCUPATION

A low-impact business or service use conducted entirely within a dwelling by the permanent resident or owner of a residential site where the primary use of the site is for residential dwelling purposes. Typical of the types of permissible uses are offices of medical, engineering, musical, educational, and financial professionals; home craftsmen; administrative, computer, or clerical offices; and

the like, as determined by the Commission. The conducting of a clinic, tearoom, antique shop, or similar uses is not permitted under this section.

DAY CARE (as per CCGS §19a-77(b) and as may be amended)

Child Day Care – Provider of supplementary care to more than twelve related or unrelated children outside their own home on a regular basis.

Family Day Care – Private family homes caring for not more than six children, including the provider’s own children not in school full time, where the children are cared for not less than three, nor more than twelve hours during a twenty-four hour period and where care is given on a regularly recurring basis.

Group Day Care – Provider of a program of supplementary care (A) to not less than seven or more than twelve related or unrelated children on a regular basis, or (B) that meets the definition of a family day care home except that it operates in a facility other than a private home.

DENSITY

The total number of dwelling units permitted.

DEVELOPMENT

Any man-made change to improved or unimproved real estate, including but not limited to the construction of buildings or other structures; placement of building or structures; mining, dredging, filling, grading, paving, excavation, or drilling operations or the storage of related equipment or materials; the storage, deposition, or extractions of materials; and the installation, repair, or removal of public or private sewage disposal systems or water supply facilities located within the area of special flood hazard.

DISCHARGE

Any accidental or intentional disposal, deposit, injection, dumping, spilling, leaking, incineration, or placing of any material into or on any land or water.

DISTURBED AREA

An area where the ground cover is destroyed or removed, leaving the land subject to accelerated erosion.

DOMESTIC ANIMAL

An animal normally adapted to live and breed in a tame condition.

DRAINAGE STRUCTURE

Any structure (culvert, pipe, swale, etc.), including both naturally occurring and man-made, that conducts drainage.

DRIVE, LOCAL ACCESS

Any drive or roadway that services less than the proposed project as a whole or the majority of residents.

DRIVE, MAIN ACCESS

Any drive or roadway that serves the proposed project as a whole or the majority of residents.

DRIVE-THRU FACILITY

A drive-thru facility is, and is limited to, a use that is accessory to a principal permitted or specially permitted use and such drive-thru facility allows a restaurant or retail business to dispense food, beverages, products, goods, or services from within a building to patrons or customers who remain in motor vehicles.

DUPLEX

A residential building containing two dwelling units. See also Dwelling, Two-Family.

DWELLINGS

Dwelling, Attached

A dwelling unit separated from other dwelling units in the same building by a continuous vertical party wall which extends from foundation to roof, without openings except for utilities.

Dwelling, Detached

A dwelling unit surrounded on all sides by yards.

Dwelling, Multiple

A group of dwelling units on one lot containing separate dwelling units for three or more families, having separate or joint entrances, services, or facilities.

Dwelling, One-Family

A detached dwelling unit designed for or occupied solely as a dwelling for one family.

Dwelling, Two-Family

A detached building designated or occupied solely as dwelling units for two families living independently of each other.

Dwelling Unit

One or more rooms in a residential structure, which room or rooms is (are) arranged, designed, used, or altered for use by one family, said room or rooms containing kitchen or kitchen area and a bathroom with bathtub and/or shower, a toilet and sink. The term shall not be deemed to include units in a hotel, motel, or rooming house.

ELDERLY

A status attained by a resident beyond the age of 55.

EROSION

The wearing away of the land surface by running water, wind, ice, or other geological agents, including processes such as gravitational creep.

FALL ZONE

The potential fall area for a small wind energy system. It is measured by using 120 percent of the total height as the radius around the center point of the base of the tower.

FAMILY

Any number of individuals related by blood, marriage, or adoption, living together as a single housekeeping unit provided that a nonprofit group of not more than five persons keeping house together but not necessarily related by blood or marriage may be considered a "family."

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

The federal agency that administers the national flood insurance program.

FENCE

A physical barrier to separate or enclose a specific portion or portions of a lot.
See Fence Height, under Height

FIREARM

See CGS and State Regulations

FIREARM ACTIVITIES

The discharge of firearms for any purpose other than hunting with a valid permit. Firearm activities include, but are not limited to, the use of property for a firing range or for target shooting purposes.

FIREWORKS

See CGS § 29-356. For the purposes of these Zoning Regulations, fireworks shall specifically include both "sparklers" and "fountains" as both of these terms are defined in CGS § 29-356.

FLICKER

See Small Wind Energy Systems

FLOODING-RELATED TERMS

Flood or Flooding

A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters and/or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Boundary and Floodway Map (Floodway)

The official map on which FEMA has delineated the boundaries of the floodway.

Flood Insurance Rate Map (FIRM)

The official map on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study

The official report from FEMA which contains examination, evaluation, and the determination of flood hazards and if appropriate, the corresponding water surface elevations.

Floodplain

The area adjacent to a river or stream that is flooded in the regulatory flood. The "Floodplain" includes the floodway and is bounded by the limits of the regulatory flood (100-year floodplain).

Floodproofing

A combination of structural provisions, changes, or adjustment to properties and structures subject to flooding primarily for the reduction or elimination of flood damages to properties, water and sanitary facilities, structures, and contents of buildings in a flood hazard area.

Floodway

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

New Construction

Structures for which the "Start of Construction" commenced on or after the effective date of the FIRM, June 15, 1979, and including any subsequent improvements to such structures.

Regulatory Flood

A flood that is representative of large floods known to have occurred in the area and which is reasonably characteristic of what can be expected to occur on a particular stream. The "regulatory flood" for each stream and

river subject to the provisions of the Regulations in Section 5.5 of these Regulations.

Regulatory Flood Protection Elevation

The elevation to which uses regulated by these Regulations are required to be elevated or floodproofed.

Water Surface Elevation

Height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum where specified), of water within the floodplain areas of coastal or riverine areas.

FLOOR

The top surface of an enclosed area in a building, including basement, i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for the parking of vehicles.

GENERAL SOIL TYPE

The predominant soil type in a zoning district and its accompanying characteristics.

GROUNDWATER

Water in the subsurface zone beneath the water table in which all pore spaces are filled with water.

GROSS VEHICLE WEIGHT (GVW)

GVW shall mean the total vehicle weight including vehicle, body, passengers, cargo, accessories, etc.

HAZARDOUS MATERIALS

Hazardous or contaminant material shall mean any substance or mixture of physical, chemical, or infectious characteristics posing a significant actual or potential hazard to water supplies or other hazards to human health if such substances or mixtures were discharged to land or water. Toxic or hazardous materials include, without limitation, synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious wastes, acids and alkalis, and all substances defined as toxic or hazardous under CGS and CT DEEP, and also includes such products and solvents and thinners in quantities greater than normal household use.

HEALTH AND FITNESS CENTER

Indoor facilities for providing physical exercise, gymnastics, weight control and diet programs, physical rehabilitation, individual sports training, and similar activities but not including sports events reserved for indoor sports courts.

HEIGHT

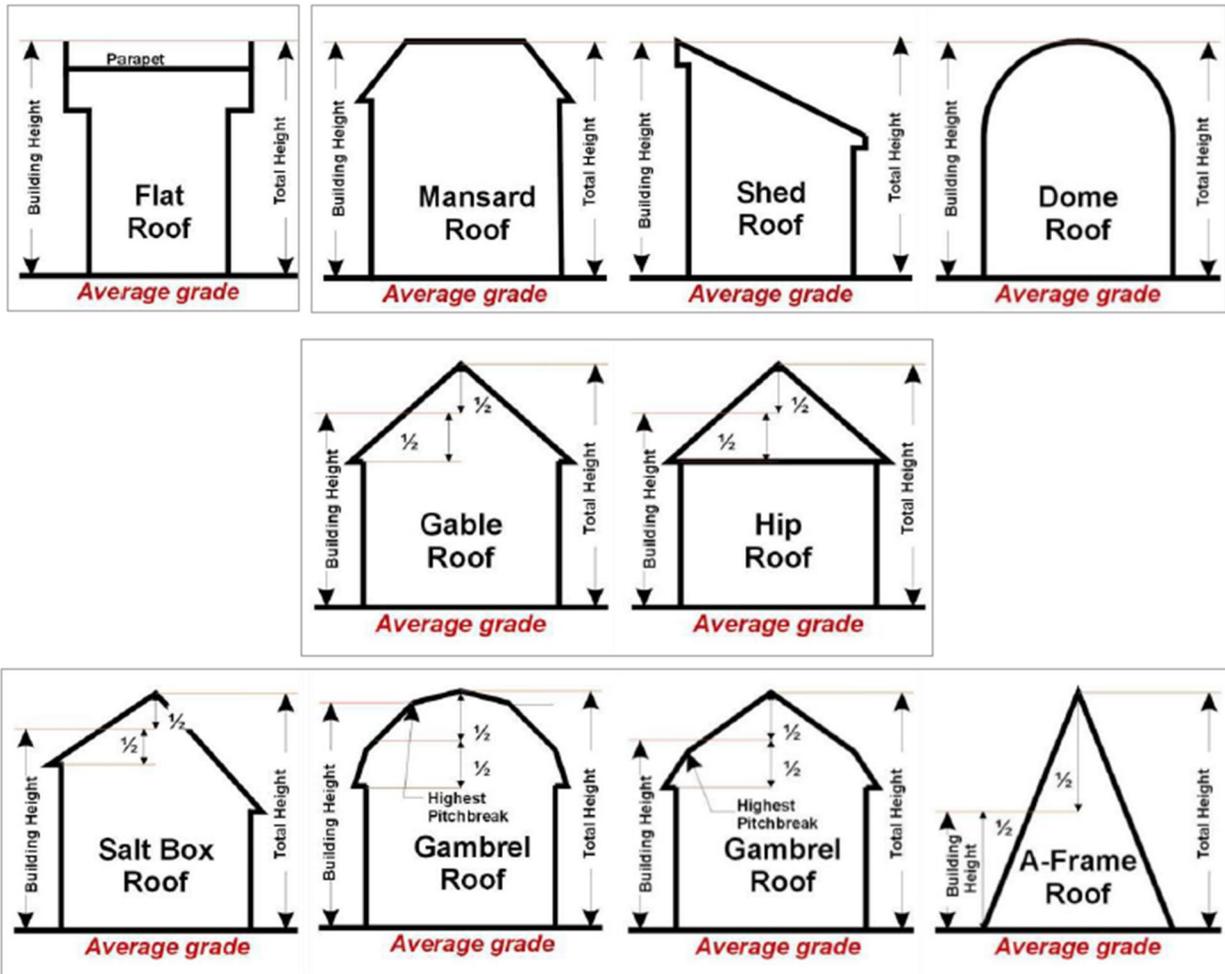
Average Ground Level

A reference plane established by the average of the ground level as measured at the base of all of the exterior walls. Measurements shall be taken at intervals of ten feet around the perimeter of the building or structure.

Building Height

In measuring the height of a building or other structure to determine compliance with maximum height provisions, measurements shall be taken from the lower of either the pre-existing average ground level or the finished average ground level at the base of the building or structure to the:

- highest point of mansard, dome (curvilinear), shed, or flat roofs, including any parapets; or,
- the mean level between the eaves and ridge of gable, hip, or A-frame roofs; or,
- the mean level between the highest eave and the ridge of a saltbox, or the highest pitch break for a gambrel roof.



Fence Height

The vertical distance measured from the side of the fence that is interior to the property from the ground directly below the fence to the top of the fence panel excluding support posts and ornamental features that do not extend more than 8 inches above the fence panel. Where the grade below the fence has been altered for the sole purpose of elevating the fence, the measurement shall be taken from the original grade. Allowance may be made for variations in height along the length of the fence due to uneven terrain so long as the majority of the fence sections do not exceed the maximum height requirement and the panel itself does not exceed eight feet in height. In the case of a fence on or within three feet of a retaining wall, fence height shall be measured including the height of the retaining wall, unless the fence shall be deemed necessary for safety by the Zoning Enforcement Officer. If a fence is setback at least three feet from the face of the retaining wall, the fence height shall be measured from the base of the fence.

HISTORIC DISTRICT

A historic district established pursuant to CGS Chapter 97a.

HISTORIC STRUCTURE

Any structure that is (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior (SI) as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the SI as contributing to the historic significance of a registered historic district or a district preliminarily determined by the SI to qualify as a registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the SI; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by either: (1) a state program as determined by the SI or (2) directly by the SI in states without an approved program.

HOTEL

See Lodging

HOTEL, EXTENDED STAY

See Lodging

HOUSEHOLD PET

An animal customarily housed within the confines of a dwelling.

IMPERVIOUS COVERAGE/ SURFACE

See Coverage

INDOOR SPORTS COURTS

Indoor facilities for the playing of such sporting activities and games as basketball, volleyball, racquetball, handball, tennis, soccer, batting practice games, swimming and other similar events requiring group participation. The courts/pool shall be of such size and dimensions as specified by the rules governing the playing of such sports.

INSTITUTIONAL USE

A public or quasi-public use or facility incorporated as a public benefit not-for-profit corporation and which qualifies for exemption under the Internal Revenue Code, typically including houses of worship, libraries, public or private schools, or hospitals. The term shall exclude those institutions which are penal or correctional institutions, domiciliary care facilities, community residences, or institutions owned or operated by a government agency.

JUNKYARD

Any junkyard, motor vehicle junk business, and motor vehicle junkyard as defined by CGS. The term shall also include any place of outside storage or deposit, whether in connection with a business or not, for two or more motor vehicles which are no longer intended or in condition for legal use on the public highways and shall also include any place of outside storage or deposit of used parts of motor vehicles which on any lot have an aggregate bulk equal to one automobile. In residential districts and recreational districts, however, the term shall also include the outside storage of more than one unregistered motor vehicle in any lot in such manner as to be visible from any street or any other lot. "Junkyard" shall also mean any place in or on which discarded metal, glass, plastic, paper, cordage, or other waste or secondhand material that has not been a part or is not intended to be a part of any motor vehicle is stored or deposited.

KENNEL

Any premises on which four or more dogs, four months old or older are kept.

LAND TREATMENT

Any groundwork, including filling, grading, and draining, necessary to comply with Section 6.5 of these Regulations.

LANDSCAPING AND RELATED TERMS

Berm

A raised, sloped landscape device made of earthen material designed to provide visual separation between areas and which may contain planted materials and such natural landscape architectural features as boulders, sculptures, timbers, or stone walls, and arranged to the satisfaction of the Commission.

Evergreen Tree

A coniferous species of tree with an expected mature height greater than 20 feet.

Ground Cover

Plant materials generally not in excess of ten inches in height and used for decorative purposes or for their soil stabilization characteristics. Such materials include but are not necessarily limited to ivy, pachysandra, crown vetch, ground pine, and similar materials.

Lawn

An area planted and maintained in perennial grass. The selection of soils, sod, or grass seeds and maintenance practices shall result in lawn areas typical of lawn areas in adjacent residential zones.

Shade Tree

A deciduous tree with an expected mature height of 35 feet or greater.

Shrub

A deciduous or coniferous species of plant with a mature height of at least six feet.

Understory Tree

A deciduous tree with an expected mature height of 12 feet.

LIMITED ENTERTAINMENT AREA

See Restaurant-Related Terms

LIVESTOCK/POULTRY FARMING, COMMERCIAL

Horses, cows, ponies, sheep, or similar-type grazing animals and including chickens, hens, turkeys, or similar-type poultry raised/kept for the purpose of conducting a business, industry, trade, or similar type of farming venture.

LIVESTOCK/POULTRY, NONCOMMERCIAL

Horses, cows, ponies, sheep or similar-type grazing animals and including chickens, hens, turkeys or similar-type poultry raised/kept for the purpose of a hobby, diversion, distraction, or similar pursuit. This shall include the raising of animals for competition or show, such as in fairs, 4-H programs, or similarly sponsored matches.

LITTER

“Litter, junk, trash, rubbish, refuse, or debris of any kind” shall mean garbage, scrap, and waste materials including metals, boxes, cartons, bottles, cans, rope, rubber, rags, plastic, paper, glass, wood and wooden sticks or pallets or parts therefrom (excluding those stored and used in connection with an industrial or

commercial operation on the site), yard trimmings, cut tree branches, appliances, televisions or furniture not usable for the purpose for which they were manufactured, or any other scrap or waste material of any kind, including parts or components of any of the above.

LODGING

Hotel

A building providing lodging for persons with or without meals and intended for the accommodation of transients and so designed that normal access and egress are controlled from a central point.

Hotel, Extended Stay

A building designed as a hotel, generally intended to accommodate longer lengths of stay, where all guest rooms are fully furnished and have a full kitchen.

Motel

A building or group of buildings providing lodging for persons intended primarily for the accommodation of transients, having a private outside entrance for each room or suite of rooms and for each of which rooms or suites of rooms automobile space is provided on the premises and which do not have cooking facilities within lodging rooms.

Short-Term Rental

The temporary rental of a dwelling unit or part of a property for occupancy by someone other than the unit's owner or permanent resident for no more than 14 consecutive days during any six-month period, with no property being used for such temporary rental more than three times during any six-month period.

LOT AND RELATED TERMS

Lot

A plot or parcel of land occupied or capable of being occupied by one or more permitted buildings, including such open spaces as are required by this chapter. In the case of public, institutional, commercial, or industrial buildings, a group of buildings under the same ownership may be considered as occupying the same "lot;" a "lot" may or may not be the land shown as a "lot" on a recorded deed or plat.

Lot Area

The area of land contained within the property lines of a lot.

Lot, Corner

A lot at the intersection of an abutting on two or more streets where the angle of intersection is not more than 135 degrees or where the intersection

Article 2 - Definitions

is rounded by a curve having a radius of less than 100 feet. A corner lot shall be deemed to have two front yards and two side yards but no rear yard.

Lot Coverage

See Impervious Coverage in Coverage

Lot, Frontage

The distance measured along the street line(s) of a parcel of land.

Lot, Interior

A lot other than a "street side," "through," or "corner" lot, where the method of access from a public street(s) is via a 50-foot-wide right-of-way which is either an integral portion of the lot itself, or an unobstructed easement, or private right-of-way. Setbacks from all lot lines shall be the distance designated for "front yard," "side yards" and "rear yards" for the applicable zoning district provided.

Lot Line

The established division line between lots or between a lot and a street.

Lot Line, Front

The street lot line, the lot line located adjacent to the accessway providing access to the lot, or the lot line most parallel to the street that provides access to the lot.

Lot Line, Rear The lot line located most directly opposite and at a maximum distance from the front lot line.

Lot Line, Side

A lot line that is not a front lot line or a rear lot line. In the case of corner lots or through lots, all lines extending from streets shall be considered "side lot lines."

Lot Line, Street

A lot line separating a lot from a street right-of-way boundary.

Lot, Nonconforming

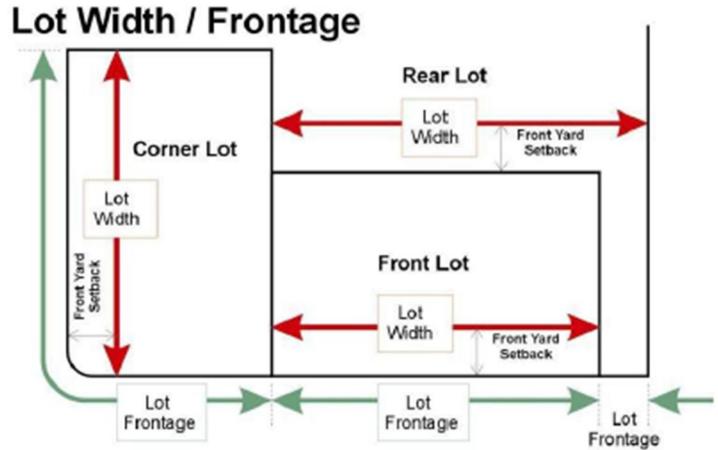
A lot, the size and location of which is not permitted by any provision of these Regulations for the district in which such lot is located, but which was legally in existence at the effective date of these Regulations, or subject to variance approval.

Lot, Through

A lot other than a corner lot which abuts two or more streets which do not intersect at the lot.

Lot Width

The distance in a straight line between the side lot lines measured at the front setback.



LOWEST FLOOR

The lowest floor of the lowest enclosed area, including basement. An unenclosed area, usable solely for parking of vehicles, is not considered a building's lowest floor. Specifically prohibited are any enclosed areas that are below base flood elevation.

MANUFACTURED HOMES

Existing Manufactured Home Park or Subdivision

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including as a minimum the installation of utilities, the construction of streets, and either final site grading or pouring of concrete pads) is completed before June 15, 1979, the effective date of the initial floodplain management ordinance adopted by the community.

Manufactured Home

A residential structure transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle," but recreational vehicles will be considered manufactured homes if they remain on the site for 180 consecutive days or longer.

Manufactured Home Park or Subdivision

A parcel or contiguous parcels of land divided into two or more manufactured home lots for rent or sale.

MARINA

An area of a waterway, lake, or pond and associated shoreline used for the commercial mooring of boats and yachts and/or support facilities thereof. A “marina” shall not include private mooring facilities wherein the facilities are used only for the mooring of a boat(s) registered to the resident of the property at which the mooring is located.

MARKET VALUE

The value of a structure shall be determined by the appraised value of the structure using the cost approach to value method, prior to the start of the initial repair or improvement of the structure, or in the case of damage the value of the structure prior to the damage occurring.

MEAN SEA LEVEL

For purposes of the National Flood Insurance Program, the NAVD of 1988 or other datum to which base flood elevations shown on the FIRM are referenced.

MEDICAL MARIJUANA DISPENSARY

A facility which is a place of business where marijuana, as defined by CGS, may be dispensed or sold at retail to qualifying patients and primary caregivers and for which the Connecticut Department of Consumer Protection has issued a dispensary facility permit to an applicant under CGS § 21a-408 et seq. and § 21a-408-1 to 21a-408-70, inclusive, of the Regulations of the Connecticut State Agencies.

METEOROLOGICAL TOWER

Includes the tower, base plate, anchors, guy wires and hardware, anemometers (wind speed indicators), wind direction vanes, booms to hold equipment for anemometers and vanes, data loggers, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.

MICROBREWERY

A manufacturing facility as defined in CGS § 30-16 (b) where annually up to 15,000 barrels of beer can be manufactured, stored, bottled, and sold at either wholesale or at retail prices in sealed bottles or other sealed containers for consumption off premises or offered for sale on the premises. Free samples or tastings may be offered, all in accordance with state permitting requirements.

MIXED-USE DEVELOPMENT

A development containing one or more multifamily or single-family dwelling units and one or more commercial, public, institutional, retail, office, or industrial uses.

MOTEL

See Lodging

NATURAL RESOURCE REMOVAL

Activities that involve withdrawing materials from the natural environment. Such materials may include, but are not limited to, trees, soil, sand, gravel, oil and water.

NEIGHBORHOOD

A group of adjoining properties and/or buildings having similar predominant characteristics and qualities.

NIGHTCLUB

A place of entertainment open at night, usually serving food and liquor, having a floor show and providing music and space for dancing, including establishments referred to as "Discotheques."

OPEN SPACE

A space, not occupied by a building or other structure, on the same lot as the principal building.

PARKING-RELATED TERMS

Gross Parking Lot Area

The cumulative total square footage of all areas dedicated for vehicle parking or loading, including all individual parking spaces, loading spaces, end and intermediate islands, and building separation buffers adjacent to parking spaces but excluding aisles, internal drives, and building separation buffers not adjacent to parking spaces.

Parking Area

An open space used for parking motor vehicles exclusively and in which no gasoline or motor vehicle accessories are sold and no other business is conducted.

Parking Space

An off-street space available for the parking of one motor vehicle. (See Table 6.1 of these Regulations for required dimensions.)

PERSONAL SERVICE BUSINESS

A service business whose principal use is the provision of services of a personal or domestic nature relating to the repair, adjustment, alteration, cleaning, or servicing of items owned by or being provided to an individual customer, including, but not limited to, barbershops, beauty salons, nail salons, day spas, clothing rental, photographic studios, garment repair, shoe repair, and tailoring.

Personal service businesses are primarily engaged in the provision of services rather than the sale of products.

PERVIOUS SURFACE

See Coverage

POWER GRID

The transmission system created to balance the supply and demand of electricity for consumers.

PREMISES

A lot as defined in this section or that portion of a lot, structure, or building that is actually in use for the specific purpose or use under consideration.

PUBLIC TRANSPORTATION

A use or structure that facilitates the transportation of the general public, including but not limited to bus depots, bus stops, train stations, railroad yards, railroad crossings, and the like.

RECREATIONAL VEHICLE

Recreational vehicle (a.k.a. park trailers, travel trailers, and similar transportable structures) means a vehicle which is:

- (1) built on a single chassis,
- (2) 400 square feet or less when measured at the longest horizontal projections,
- (3) designed to be self-propelled or permanently towable by a truck,
- (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use; and
- (5) maintained fully licensed and ready for highway use. If recreational vehicle remains on the site for 180 consecutive days or longer, it shall be considered a manufactured home.

RESTAURANT-RELATED TERMS

Limited Entertainment Area

Restaurant floor area devoted at any time to the combined uses of cocktail lounge, bar, dance floor, stage, or standing room for the viewing of entertainment, not to exceed 25 percent of the gross floor area (including storage areas) of the restaurant.

Restaurant

A business establishment where prepared food is served and sold.

Restaurant, Fast Food

A restaurant characterized by high customer turnover; payment upon order or receipt of food; sales of foods and nonalcoholic beverages for on- or off-

Article 2 - Definitions

premises consumption; and foods and beverages preprepared or available after a short waiting period and primarily served in or on disposable wrappers, containers, or plates.

Restaurant, Sit-Down

A restaurant characterized by low customer turnover, sales of hot meals and alcoholic beverages for on-premises consumption, generally with table service, and may also include limited entertainment areas (see also Limited Entertainment Area).

Restaurant, Limited Service

A restaurant characterized by low to moderate customer turnover; sales of food and beverages that may include alcoholic beverages limited to beer and/or wine only; and no limited entertainment areas. Limited-service restaurants shall include but not be limited to cafeterias, caterers serving a la carte meals, coffee shops, delicatessens, donut shops, ice-cream parlors, snack bars, and other similar food service establishments.

SEASONAL BUSINESS

A business in operation at intervals and affected by or depending on a season.

SEDIMENT

Fragmental material transported by, suspended in, or deposited by water or air or accumulated in beds by other natural agents.

SETBACK

The shortest distance between any part of the building or structure and the nearest property line. Excepted from setback calculations are utility pads (including equipment located thereon, e.g., HVAC, generators, gas tanks etc.) enclosed in a space not more than five feet in height, not more than five feet from the outside perimeter wall, and not more than six feet in length. The above exclusions do not apply in the R-7 district.

SHORT-TERM RENTAL

See Lodging

SIGHT DISTANCE/SIGHT LINE

That distance at which a vehicle traveling in an opposing or perpendicular direction first becomes visible.

SIGN

A display device of any material concerned with the sale of goods or performance of services or existence of facilities; any device for visual communication used for the purpose of bringing the subject thereof to the attention of the public but not including any flag or insignia of any government or governmental agency or of any fraternal, civic, charitable or religious organization.

See also Window Sign

SITE PLAN

A scale drawing of the subject property which depicts those items which are pertinent to zoning review and approval, including but not limited to those items indicated in Section 8.4. Such drawing shall meet the accuracy of a Class A-2 survey.

SITE PLAN, LANDSCAPED

A detailed landscaping plan showing all grading, drainage, fences, walls, shrub and tree plantings, and other landscape features.

SMALL WIND ENERGY SYSTEM RELATED TERMS

Flicker

The moving shadow created by the sun shining on the rotating blades of the wind turbine.

Net Metering

The difference between the electricity supplied over the electric distribution system and the electricity generated by the small wind energy system which is fed back into the electric distribution system over a billing period.

Shadow

The outline created on the surrounding area by the sun shining on the small wind energy system.

Small Wind Energy System

A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of 60 kilowatts or less and will be used primarily for on-site consumption.

Total Height

The vertical distance from ground level to the tip of the wind turbine blade when it is at its highest point.

Tower

The monopole or guyed monopole structure that supports a wind turbine.

Tower Height

The height above grade of the fixed portion of the tower, excluding the wind turbine.

Wind Turbine

The blades and associated mechanical and electrical conversion components mounted on top of the tower whose purpose is to convert kinetic energy of the wind into rotational energy used to generate electricity.

SOLID WASTE

Unwanted or discarded materials, including solids and containerized liquid or gaseous materials.

START OF CONSTRUCTION

Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

STORY

See the State Building Code

STORY, HALF

See the State Building Code

STRATIFIED DRIFT

Unconsolidated, sorted sediment composed of layers of sand, gravel, silt, or clay, deposited by meltwaters from glaciers.

STREET

Any road, highway, avenue, land, or right-of-way providing access to one or lots.

STREET LINE

The line dividing the street and the lot.

STRUCTURE

Anything constructed or erected that requires location on the ground or which is attached to something having location on the ground, including signs, billboards, a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures. Fences and walls equal to or less than eight feet in height shall not be considered a structure under this definition.

SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its predamaged condition would exceed 50 percent of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT

Any combination of repairs, reconstruction, alterations, or improvements to a structure taking place over a five-year period, in which the cumulative costs equal or exceed 50 percent of the market value of the structure. The market value of the structure should be:

- (1) The appraised value of the structure using the cost approach to value, prior to the start of the initial repair or improvement, or
- (2) In case of damage the value of the structure prior to the damage occurring.
- (3) For the purposes of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or the structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any improvement project required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living, working, and learning conditions.

TAVERN

An establishment where liquor is sold to be consumed on the premises, including cocktail lounges but not including nightclubs and discotheques.

TOURIST CABIN

A furnished residential structure with or without kitchen facilities containing not more than two bedrooms and primarily intended for the accommodation of transients.

TOWER or ANTENNA TOWER

A structure, whether freestanding or attached to a building or another structure, that is used to support equipment used to collect, transmit, and/or receive telecommunications or radio signals. The use of these facilities is **not** considered a "utility."

TRAILER COACH

Any vehicle or object on wheels and having no motive power of its own but which is drawn by or used in connection with a motor vehicle and which is so designed and constructed or added to by means of such accessories as to permit use and occupancy thereof for human habitation, whether resting on wheels, jacks, or other foundation, and shall include the type of vehicle known as a "mobile home."

USE, ACCESSORY

A land use customarily incidental and clearly subordinate to the principal use or building and located on the same lot as such principal use or building.

USE, NONCONFORMING

Any use of land or building that is not permitted by these Regulations in the district in which such use is located but which was legally in existence at the effective date of this chapter or any pertinent amendment thereto.

VARIANCE

A grant in relief from the terms of the Zoning Regulations in accordance CGS §8-6 and § 8-7.

VIOLATION

A failure of any use, structure or lot to be fully compliant with the community's zoning, building, health, fire protection, or similar municipal codes and ordinances including floodplain management regulations. All projects initiated without the required approvals and permits are deemed to be in violation until such time as all required documentation is reviewed and all required approvals obtained.

WALKWAY/SIDEWALK

An unobstructed paved walkway for pedestrians at the side of a street, or adjacent to a building, or within a parking area, or between buildings, which is at least four feet in width and otherwise compatible with Americans with Disabilities Act (ADA) requirements.

WINDOW SIGN

A sign that is attached to the inside of a window or placed in a manner that the primary view is through a window. Signs attached to the outside of a window are considered wall signs.

YARD-RELATED TERMS

Yard, Depth or Width

The depth of front and rear yards and the width of side yards shall be measured perpendicularly to the respective lot lines.

Yard, Front

An open space between the building and the front lot line, extending the full width of the lot or, in the case of a corner lot, extending along all streets.

Yard, Rear

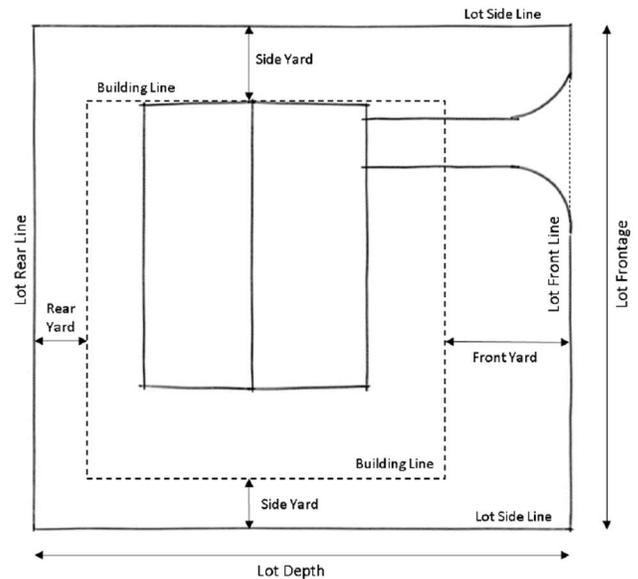
An open space between the building and the rear lot line, extending the full width of the lot.

Yard, Required Front, Side or Rear

So much of the front, side, or rear yard as is required by the applicable provisions of these Regulations.

Yard, Side

An open space between the building and a side lot line, extending from the front yard to the rear yard. Any yard not a rear yard or a front yard shall be deemed a "side."



Article 3 – Residential Districts and Uses

3.1 Purpose

The Residential Districts (R) are intended to provide suitable areas primarily for residential uses and development appropriate to the environmental characteristics of the land and character of the neighborhood. The primary difference between the various Residential districts is to provide a variety in the size and density of residential neighborhoods and a diversity of housing opportunities after consideration of soil types, terrain, and infrastructure capacity.

Certain nonresidential uses may be allowed in Residential districts when it can be demonstrated that such uses are compatible with nearby residential uses and preserve neighborhood character and property values.

3.2 Residential Districts (R)

The following zoning districts constitute the (R) districts, intended primarily for single-family residential development and accessory uses.

- R-7
- R-15
- R-40
- R-60
- R-80
- R-100

3.3 Principal Uses and Structures

A. Permitted As of Right	Additional Requirements (Section)
1. Conservation Uses - open space, natural areas, and preserved lands including wildlife sanctuaries, flood protection facilities, conservation areas, pedestrian or bicycle greenway trails, and other lands in natural conditions	
2. Agricultural uses	3.8

Article 3 – Residential Districts and Uses

B. Permitted by Zoning Permit	Additional Requirements (Section)
1. One single-family dwelling per parcel	
2. The letting of rooms or furnishing of board in a dwelling unit by the resident of the premises to not more than two persons, except that more than two persons may be permitted with the approval of the Commission	
3. Short-Term Rentals	3.19

C. Permitted by Special Permit	Additional Requirements (Section)
<i>Residential Type Uses</i>	
1. Conservation Subdivisions	3.13
2. Multi Family Dwellings	3.14
3. Planned Age Restricted Community (PARC)	3.15
4. Group day care home licensed by the State of Connecticut	3.18
<i>Community/ Institutional-Type Uses</i>	
1. Schools and colleges operated by a government unit or nonprofit corporation	3.3D
2. Private schools for pupils below high school grade, whether operated for profit or not	3.3D
3. Private nursery schools	3.3D
4. Child care centers licensed by the State of Connecticut	3.3D
5. Churches, parish houses, convents and similar religious buildings	3.3D
6. Clubs, lodges, and community houses, except those of which a chief activity is a gainful service or activity carried on as a business	3.3D
7. Libraries, museums, and auditoriums operated by a governmental unit or nonprofit corporation	3.3D
8. Hospitals, sanatoriums, and similar philanthropic institutions operated by a governmental unit or nonprofit corporation	3.3D
9. Privately operated sanatoriums, convalescent homes, or homes for the aged	3.3D
10. Fire or police stations and other municipal buildings, such as a post office	3.3D
11. Electric transformer station, water or sewer pumping stations	3.3D
12. Public parks, public playgrounds, or public recreational areas operated by a governmental unit or nonprofit corporation	3.3D
13. A cemetery of a church corporation located in the Town of Brookfield	3.3D
14. Antenna(s) and antenna towers and associated facilities	3.3D

Article 3 – Residential Districts and Uses

D. Community/Institutional-Type Uses

The community/institutional-type uses permitted in this section are subject to the following property conditions:

- There shall be a minimum lot area of 120,000 square feet;
- a minimum lot width of 300 feet;
- two side yards of 75 feet each in width;
- a rear yard of 50 feet in depth;
- a front yard setback of at least 75 feet from the front lot line;
- not more than ten percent of the area of the lot shall be covered by buildings; and,
- No parking or recreation equipment shall be located in any required front or side yard.

In permitting these Community/Institutional-Type Uses, the Commission shall find that:

- The proposed use will have no detrimental effect on the property value of present and future dwellings in the vicinity;
- the proposed site planning and landscaping are in harmony with the character of the neighborhood;
- no conditions will be created which adversely affect traffic safety or the normal movement of traffic;
- adequate provisions will be made for off-street parking; and
- provisions for water supply and sanitary sewage disposal will be adequate.

3.4 Accessory Uses and Structures

A. General Limitations

1. Accessory buildings, structures, and uses shall be located on the same lot as the principal building, structure, or use to which they are accessory.
2. Accessory buildings, structures, and uses shall not be located on a lot without the establishment of a permitted principal use, nor shall any new lot be created that has an accessory building, structure, or use without a principal use.
3. Accessory uses are permitted as provided in this section provided that:
 - a. Accessory buildings shall be included in the maximum building coverage specified in Section 3.5.
 - b. Accessory structures shall comply with the minimum rear and side yard setbacks specified in Section 3.5 and shall not be located in the front yard. *[amended eff. 2020-Apr-27]*

Article 3 – Residential Districts and Uses

4. Proposals for accessory structures and buildings requiring a permit under this section shall obtain prior approval of the proposed location from the Town Sanitarian.

B. Permitted As of Right	Additional Requirements (Section)
1. Customary uses - accessory uses and structures less than eight feet in height and not more than 75 square feet in area	3.6
2. Parking of up to six automobiles is permitted outside in the residential driveway, but not otherwise within the front yard or on the town right-of-way or any easement giving access to the property. All such vehicles shall be owned or operated by a permanent resident or owner of the property on which parked. Parked vehicles shall be registered, except up to one unregistered vehicle may be allowed.	
3. Limited farm stands	3.8
4. The keeping of farm animals for personal use and enjoyment	3.8
5. Domestic animals kept as pets by residents for their personal enjoyment, excluding hoofed animals or poultry	
6. Recreational equipment storage	3.1

Article 3 – Residential Districts and Uses

C. Permitted by Zoning Permit	Additional Requirements (Section)
1. Customary uses: <i>[amended eff. 2019-Apr-19]</i>	
a. Accessory uses and structures.	
b. Buildings with an area not more than:	
1: 300 square feet for an Accessory building (such as a shed),	3.6
2: 900 square feet for a Detached Garage or Pool House,	
3: 1,200 square feet for a Barn,	
except that buildings with areas greater than the above may be permitted with the approval of the Commission with submission of a Site Plan.	
2. Commercial Vehicle Parking - Only one commercial vehicle not exceeding 13,000 pounds gross vehicle weight (GVW) may be parked or garaged on a residential lot	3.11
3. Farm stands	3.8
4. The keeping of poultry on lots of less than one acre	3.8
5. Customary home occupation	3.12
6. Family Day Care licensed by the State of Connecticut	
7. Solar panels	3.7
8. Swimming pools	3.9
9. Guest house	3.17

D. Permitted by Special Permit	Additional Requirements (Section)
1. (deleted) <i>[amended eff. 2019-Apr-19]</i>	--
2. Commercial Vehicle Parking - Only one commercial vehicle not exceeding 26,000 pounds gross vehicle weight (GVW) may be parked or garaged on a residential lot	3.11
3. Commercial livestock or poultry operation	3.8
4. Accessory apartments	3.16

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3.5 Area, Dimensional and Building Height Requirements

	R-100	R-80	R-60	R-40	R-15	R-7
Minimum Lot Area* (square feet)	100,00	80,000	60,000	40,000	15,000	7,000
Minimum Lot Width (square feet)	200		150		100	50
Minimum Side Yard (feet)	50		30		15	10
Minimum Rear Yard (feet)	50		30		15	10
Minimum Front Yard (feet)	50		40		30	20
Minimum Building Separation (1-2 floors)	20					
Minimum Building Separation (> 2 floors)	50					
Maximum Building Coverage (%)	10				20	25
Maximum Impervious Coverage (%)	30		40		50	65

*Minimum Lot Area excludes wetlands, watercourses, slopes in excess of 25° (46.6%, 2.15:1 slope), portions of the lot less than 50 feet wide, or the private right-of-way leading to interior lots. The area is to be calculated using the existing, prior-to-development conditions.

No building or structure shall exceed 30 feet in building height. Excluded from the building height calculations is any space resulting from design seeking to achieve the goals and objectives of Section 6.11 (Architectural Guidelines) of these regulations.

3.6 Customary Uses

- A. Accessory customary uses and structures shall comply with the side yard setbacks of the Residential District and shall not be located in the front yard.
- B. Customary uses shall be set back from the rear yard line at least 50 percent of the required rear yard for the Residential District.
- C. The maximum height of customary use structures shall be:
 - 30 feet in R-100 and R-80 zones;
 - 25 feet in R-60 and R-40 zones; and,
 - 20 feet in R-15 and R-7 zones.
- D. The Zoning Enforcement Officer in consultation with the Commission shall determine which uses shall be permitted as customary uses.
- E. Accessory buildings or structures that require a permit from the Town Building Official shall be included in calculating impervious coverage.

3.7 Solar Panels

Solar panels whose primary purpose is to provide energy for the home on the lot are permitted by Zoning Permit provided that:

- A. Roof-mounted solar panels shall not be included in the maximum building height regulations.
- B. Solar panels are to be considered as a structure when located at ground level and are allowed provided that:
 - 1. Supporting documentation proves that no suitable location is available on the building due to exposed surfaces not facing the appropriate direction.

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2. No glare will be created.
3. The optimum location of the panels is at ground level.
4. The Commission may at its discretion establish a 10-foot or greater setback requirement.

C. In no case are solar panels permitted whose primary purpose is to supply power for commercial purposes.

3.8 Agricultural and Animal Related Uses in Residential Zones

The purpose of this Regulation is to promote Brookfield's agricultural heritage and protect existing neighborhoods.

A. Limited Farm Stand

Limited farm stands are permitted as of right in Residential Districts provided:

1. The farm stand structure occupies no more than 40 square feet in area for the sale of agricultural products.
2. The farm stand structure is located at least 20 feet from the street line to provide off-street parking.
3. All agricultural products offered for sale must be grown on the premises.

B. Farm Stand

Farm stands are permitted by Zoning Permit provided:

1. The farm stand structure occupies between 40 square feet and 200 square feet in area for the sale of agricultural products.
2. The property shall contain not less than three acres of land devoted to growing edible crops and agricultural produce that is available for sale at the farm stand.
3. Seventy percent of gross sales shall be from agricultural goods produced on the premises.
4. Such farm stand may be located in the front yard and shall be a minimum of 25 feet from any adjacent parcels.
5. The extent and type of any products to be sold, any activities to be conducted, and any classes to be offered on the lot shall be clearly stated in the application or shall be considered to be prohibited.
6. To ensure public safety, such farm stands are required to provide parking with adequate ingress and egress not in a public right-of-way (permeable parking surface is preferred).

C. Farm Animals

Hoofed animals, poultry, and livestock are permitted as follows:

1. Hoofed Animals - The keeping of hoofed animals by the residents of the residential lot for their personal use and enjoyment provided that:

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- a. For horses, ponies, mules, donkeys, and cattle, the property lot shall contain two acres of land for the first such animal and an additional one acre of land for each additional animal.
 - b. For llamas, alpacas, sheep, goats, swine or similar animals, the lot shall contain two acres of land for the first such animal and an additional 20,000 square feet of land for each additional animal.
2. Poultry – The keeping of poultry by the residents of the residential lot for their personal use and enjoyment provided that:
- a. The lot shall contain at least one acre for the first 12 fowl, and there shall be no more than six fowl per every additional 20,000 square feet.
 - b. The keeping of one or more roosters requires a minimum of three acres.
 - c. The keeping of poultry on lots of less than one acre may be permitted by Zoning Permit.
3. Commercial Livestock/Poultry Farming – The keeping of hoofed animals and/ or poultry for commercial purposes requires a minimum of five acres.
4. For all farm animals, suitable areas of at least 20,000 square feet will be established exclusively for housing, feeding, and buffer area. Approximately one-half of this area will be actively used while the other half is left fallow to rejuvenate and reseed. This area must be maintained so as to prevent soil erosion or the contamination of adjoining properties, watercourses, or water supplies.
5. Adequate fencing shall be installed and maintained to contain farm animals.
6. A 50-foot buffer, either in its natural state or landscaped as required elsewhere herein, shall be maintained between the property line and all fencing, corrals, feeding areas, etc. Animals shall not be left unattended within the buffer, and any droppings shall be promptly removed from the buffer strip.
7. An appropriate building shall be provided for the keeping of farm animals. This building shall be well maintained, periodically cleaned, and shall not be unsightly or degrading to the neighborhood. The building shall be centrally located in the rear yard of the premises, and rear and side lot line setback shall be maximized. In no event shall the building be closer than 75 feet from any adjacent property line. Temporary animal shelters shall be permitted only for a maximum period of 30 days. All food, supplies, and tools shall be stored within the animal building.
8. All fencing, corrals, feeding areas, etc. and buildings used for farm animal shelters will have reasonable foliage screening, natural or planted, so as to

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minimize the visual impact of the farm animals' habitat from neighboring dwellings.

9. All properties, building, and manure-droppings storage areas used for animals shall be maintained in a clean and healthy manner and shall conform to Public Health codes, State of Connecticut, and any additional Town health requirements as determined from time to time.

10. No condition shall be created that will adversely affect the performance of sewage disposal systems located on the property or adjacent properties.

11. No noticeable offensive odor shall be detected off the premises. Manure and other waste material must be removed from the housing, grazing, and feeding areas on a regular basis.

12. No external floodlighting will be allowed that transmits beyond the owner's property.

13. All farm animal properties shall be subject to inspection by this Commission or the Zoning Enforcement Office or representatives selected by the Commission for the purpose of determining compliance with reasonable sanitation/health practices, as well as with this regulation.

3.9 Swimming Pools

A. Residential swimming pools, including in-ground, aboveground, and semi-in-ground pools, shall be permitted in any zoning district provided that all of the applicable regulations of the State of Connecticut Building Code and any amendment thereto are complied with.

B. Swimming pools shall not be located in the Front Yard.

C. Minimum setbacks for swimming pools and their related decking/apron area shall comply with the following minimum requirements:

	R-100	R-80	R-60	R-40	R-15	R-7	MC
Minimum Side Yards (feet)	30	30	20	20	15	10	10
Minimum Rear Yard (feet)	30	30	20	20	15	10	10
Minimum Front Yard (feet)	50	50	40	40	30	20	20

D. For the purposes of calculating building coverage and impervious coverage, swimming pools and related impervious decks or aprons increase impervious coverage only.

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3.10 Recreational Equipment Storage in Residential Zones

Storage of camping or recreational equipment such as a recreational boat, travel trailer, a tent trailer, campers, pick-up camper, or a recreational vehicle shall be permitted as of right in any residential district provided that:

1. At no time shall such equipment be occupied or used for living, sleeping, or housekeeping purposes.
2. There shall be no connections to any utility service, including electrical, heat, water, and sewage disposal service.
3. If such equipment is parked or stored outside of a garage, it shall only be parked or stored in a neat and orderly manner in a designated drive and shall only be parked in a location that conforms to the minimum yard setbacks for the Residential District.
4. Parking or storage of any such equipment on any lot shall be limited to one such piece of equipment, except that one additional utility trailer may be parked or stored per additional acre of lot area above the minimum required by the Residential District. Said trailers shall be registered in the name of and be the legal property of an occupant of the principal dwelling.
5. Notwithstanding the provisions of these Regulations, any such trailers may be parked anywhere on the lot for servicing, cleaning, loading, or unloading purposes for a period not to exceed three days.

3.11 Commercial Vehicle Parking in Residential Zones

- A. Regardless of GVW, all commercial vehicles parked in residential zones shall meet the following standards:
 1. No vehicle shall be parked so as to obstruct the view of traffic from adjacent driveways or streets.
 2. No vehicle containing hazardous materials or waste may be parked on a residential lot.
 3. No tanker trucks or similar type vehicles used for hauling liquids including, but not limited to, oil trucks, septic cleanout trucks, etc. shall be allowed.
 4. There shall be no loading or unloading of commercial vehicles between the hours of 9 p.m. and 7 a.m.
 5. No trucks that haul cargo that emits objectionable odors shall be permitted.
 6. All vehicles allowed under this Regulation are also subject to the Town's Noise Ordinance.
 7. All commercial vehicles under operation may not exceed 55 dB between the hours of 7:30 a.m. to 7:30 p.m. for a duration of more than five minutes and not to exceed 45 dB for a duration of three minutes between 7:30 p.m. and 7:30 a.m. Monday - Saturday and Sunday and holidays between 10 a.m. to 7:30 p.m.

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- B. Nothing herein shall be construed to permit a home occupation that is not otherwise permitted under the Regulations.
- C. Nothing herein shall be construed so as to prohibit commercial vehicles parked temporarily while engaged in providing products or services to the owner of the property.
- D. Nothing herein shall be construed to prohibit commercial vehicles that are used as part of (1) a use of facility operated by the Town of Brookfield, a fire department, State of Connecticut, or federal government; or (2) a maintenance facility in support of a multiple dwelling project on the lot, or in support of a Special Permit use if authorized under such Special Permit.
- E. Commercial vehicles - Unless otherwise approved by the Commission, overnight (8:00 p.m. through 6 a.m.) parking of commercial-type vehicles is prohibited in all residential districts.

3.12 Customary Home Occupations

- A. Zoning permit applications for Customary Home Occupations shall give due consideration to:
 - The nature and magnitude of the business operation,
 - The intensity and hours of operations,
 - Neighborhood traffic considerations,
 - Adequacy of off-street parking and screening thereof,
 - Frequency of deliveries or site visitations by clients or outside employees,
 - Required infrastructure, and
 - The number of personnel involved.
- B. The overriding consideration in issuing a Zoning Permit is the Zoning Enforcement Officer's perception of the use as not affecting the residential appearance, character, and nature of the site and adjacent neighborhood.
- C. Customary Home Occupations shall:
 1. Not employ more than two individuals within the dwelling in addition to the resident
 2. Occupy a floor area not in excess of 25 percent of the total floor area of the dwelling
 3. Conduct all operations within the dwelling
 4. Provide that all business-related parking is "off-street" and within designated driveways/turnarounds
 5. Create no objectionable noise, odor, vibrations; unsightly site conditions; electromagnetic interference in the immediate vicinity; and hazards to neighborhood health, safety, and general welfare

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6. Result in visitations to the site of not more than three vehicle trips per hour, day care centers excluded
7. Change the residential character or nature of the dwelling, site, or adjacent properties
8. Not permit exterior storage of contractor's materials or exterior parking of contractor's equipment of any kind

3.13 Conservation Subdivisions

A. Purposes

1. It is the objective of this section to encourage the conservation of existing undeveloped land in the Town within the current zoning density framework through the utilization of more flexible standards and requirements that permit a more creative, attractive, and efficient use of land in such a way as to achieve the following purposes:
 - a. The maximum preservation of natural open space within new residential developments so as to establish a more desirable living environment and help to assure the maintenance and/or enhancement of the appearance, character, and natural beauty of an area
 - b. The protection of the local ecology and the underground water table, the minimization of flood hazards in downstream areas, and the prevention of soil erosion, by preserving water bodies, wetlands, watercourses, a major stands of trees, steep slopes, ridge lines, significant geological features, and other areas of environmental value
2. And one or more of the following additional purposes:
 - a. To preserve the character and property values of existing residential development
 - b. To preserve land for scenic, park, recreational, and educational purposes
 - c. To encourage the development of community water supply systems within new residential developments so as to promote greater safety and efficiency

B. Eligibility

The provisions of this subsection are applicable only to properties located within the Residence R-40, R-60, R-80, and R-100 Districts and only if a subdivision plan for such a development is approved by the Planning Commission upon a determination that the purposes as set forth in Subsection A will be achieved.

C. Permitted Uses

The permitted uses within a conservation subdivision shall be the same as those otherwise permitted in the zoning district in which it is located and shall be subject to the same procedures and restrictions as would otherwise be applicable thereto.

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D. Development Standards and Controls

Except as specified in this section, all development standards and controls applicable to other residential subdivisions shall be applicable to conservation subdivisions. The following standards are to be considered minimums that may be increased in specific instances where determined necessary or appropriate by the Planning Commission:

1. Density: The maximum permitted number of one-family building lots within a conservation subdivision shall be determined by dividing the land area of the subject property by the normal minimum required lot area for one-family dwellings for the district or districts in which the property is located, except that the Planning Commission may reduce the permitted number of lots so calculated if, in the Commission's opinion, such reduction is warranted based upon the presence of substantial areas of poor soils and/or other severe topographic limitations of the subject property that would tend to inhibit development at such a density.
2. Minimum required lot area: The minimum required lot area for one-family dwellings in a conservation subdivision shall be 20,000 square feet, except that larger minimums may be required in specific instances where determined necessary or appropriate by the Planning Commission or by the Health Director of the Town of Brookfield.
3. Minimum required lot width: The minimum required lot width for a one-family building lot in a conservation subdivision shall be 100 feet.
4. Minimum required yards: The minimum required yards for a one-family building lot in a conservation subdivision shall be as follows, except that where such building lots adjoin private property not included within the conservation subdivision the minimum yard requirements normally applicable to buildings within the zoning district in which the property is located shall apply to setbacks from such adjoining property lines:
 - a. Front yard: 30 feet from the front lot line.
 - b. Side yards: 15 feet minimum; the aggregate of both side yards shall not be less than 45 feet.
 - c. Rear yard: 25 feet.

E. Conserved Land Areas

1. All land within a conservation subdivision which is not included with a one-family building lot or designated to serve as roads or for other public purposes shall be designated "conserved land area(s)" on the final subdivision plan. The conserved land areas shall be in such location and/or such size and shape and shall have such access as may be approved by the Planning Commission as being appropriate to satisfy the purposes set forth in this section.

2. Ownership of conserved land areas:

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a. The ownership of conserved land areas shall be divided equally among all owners of one-family building lots within the conservation subdivision, except where all or an appropriate portion of the conserved land areas are:

- i. Deeded to a recognized conservation organization dedicated to the preservation of open space, and such dedication is acceptable to the conservation organization and to the Town Planning Commission; or
- ii. Offered for dedication to the Town of Brookfield, and the Town Meeting has voted to accept such offer.

b. Except in those cases where the ownership of the conserved land areas is to be vested in the Town of Brookfield or an approved conservation organization, the subdividers shall execute and file with the Planning Commission documents that are sufficient to create a property owner's association responsible for the continued ownership, use, and maintenance of all conserved land areas in accordance with the following requirements:

- i. Membership in the association shall be mandatory for each property owner within the subdivision and for any successive lot owners.
- ii. The association must be responsible for liability insurance, local taxes, and the maintenance of the conserved land areas, including any active recreation areas and related facilities.
- iii. Each lot owner within the subdivision shall be made responsible for paying his proportionate share of the association costs, and the assessment levied by the association shall become a lien on the property if not paid.
- iv. The association shall have the power to adjust assessments to meet changing needs.
- v. In the event that the maintenance, preservation, and/or use of the conserved land area(s) ceases to be in compliance with any of the above requirements or any other requirements specified by the Planning Commission when approving the subdivision plan, the Town shall be granted the right to take all necessary action to assure such compliance and to assess against the association and/or each individual property owner within the subdivision all costs incurred by the Town for such purposes.
- vi. The establishment of such an association shall be required prior to the sale of any lots within the subdivision.

3. Permitted uses in conserved land areas:

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Except where otherwise approved by the Planning Commission, conserved land areas shall be preserved in their natural state, and the use of such areas shall be limited to appropriate conservation, open space, and recreation purposes as determined by the Planning Commission. Suitable legal agreements, including conservation easements, in form and content approved by the Town Attorney may be required by the Planning Commission to assure such continued preservation and use of conserved land areas. A portion of the conserved land area(s) may be designated "active recreation area" on the subdivision plan, in a location approved by the Planning Commission, provided that such designated area remains in the ownership of a homeowner's association. Within such area, structures and facilities for active recreational purposes, including playground equipment, swimming pools, tennis courts, and so forth, may be constructed and operated for the use of the property owners in the conservation subdivision and their guests. Such active recreation area shall not exceed ten percent of the total area of the proposed subdivision.

F. Application Procedure

Subject to compliance with any special standards, requirements, and procedures as set forth in this section, the Planning Commission may approve conservation subdivisions in accordance with the approved procedures applicable to a conventional subdivision containing three or more lots.

3.14 Multifamily Dwellings

A. Intent

It is the intent of this section to:

- Enable the establishment of multifamily dwellings, including apartments, garden apartments, townhouses, row houses, condominiums, and cooperative apartment buildings, in appropriate locations of the Town so as to respond effectively to diverse housing needs.
- Provide guidelines, standards, and controls for the development of multiple family dwelling projects that are compatible with the intent of this regulation;
- Provide for affordable housing; and
- Meet the planning goals and objectives of the Town of Brookfield.

B. Purpose

The purpose of this section is to guide in achieving the stated intents while providing for:

- The protection of the environmental character of the area and the particular suitability for the specific use;
- The protection against congestion in the streets;
- Protection against undue concentration of population and overcrowding of land;

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- Preservation of buildings and property values;
- Adequate access of light and air;
- Adequate vehicular access and off-street parking;
- Adequate disposition of buildings upon the land;
- Freedom for site layout and building design that will enable to achieve, to the extent practicable, construction efficiency and economic building forms while assisting in establishing a compatible and attractive living environment; and
- The pursuance of economic development while meeting the housing needs of diverse households.

C. Site Eligibility

1. The minimum total contiguous land area required for a multifamily dwellings project site is as follows:
 - a. In Residential (R) Zones: ten acres
 - b. In the TCD Perimeter Overlay: one acre
 - c. In the Commercial Gateway North (CG-N) District: four acres *[amended eff. 2020-Sep-15]*
 - d. In other permitted zones: five acres
2. The site shall have a minimum frontage of 200 feet on a collector, principal, or minor arterial street as defined by the Connecticut Department of Transportation (CT DOT) in its Functional Road Classification, as may be amended, unless located in the TCD Perimeter Overlay Zone, where the minimum frontage is 100 feet on any street, or unless the site has frontage on a state highway, in which case the site shall have a minimum lot width of 200 feet.
3. The site topography shall be able to accommodate the buildings, roads, development features, and amenities as well as other requirements of this Section;
4. The site shall be served by public sewer systems capable of handling the effluent that may be generated by the development;
5. The site shall be served with adequate water to meet the development's potable and firefighting water demands;
6. The site shall be so situated, consist of topography, and is furnished with natural features that can accommodate the development; and
7. The development shall not exert a detrimental impact on nearby properties or values thereof.

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D. Applications

Concurrently with the submission of an application and all required data to the Zoning Commission, the applicant shall submit one duplicate application form and data package to the Brookfield Planning Commission. The Planning Commission shall formally receive a copy of the application and data package at its first scheduled meeting following receipt of such data in the office of the Planning Commission and determine its findings on the proposal per CGS § 8-3a.

E. Design and Technical Requirements

In addition to the requirements set forth in Section 8.5, the proposed project shall conform to the following:

1. The site planning, landscaping, and architectural theme shall be in harmony with the character of the neighborhood. Existing features of the site which add value to the development or to the Town as a whole, such as trees, watercourses, topographical contour, inland wetlands, and historical and similar irreplaceable assets, shall be preserved through harmonious design and placement of buildings, driveways, walks, and parking facilities.
2. The proposed finished contour map to Class A-2 survey standards shall show all contour lines at two-foot intervals in areas other than those designated as "conserved land areas."
3. Two independent means of access shall be provided for the site. At least one such means of access shall be provided within a frontage containing a minimum of 200 feet on any street, except in the TCD Perimeter Overlay.
4. The proposed project shall conform to the regulations of the Inland Wetlands Commission of the Town of Brookfield with regard to any wetlands contained within the proposed project. Each application shall be accompanied by evidence that an application has been submitted to the Inland Wetlands Commission.
5. Drives that serve the proposed project shall be constructed in accordance with the driveway specifications of the Town of Brookfield and those sections pertaining to driveways, roads, and street improvements found in Architectural Graphic Standards of the latest edition published by the American Institute of Architects.
6. Main access drives shall have the traveled portion thereof not less than 26 feet in width. Local access drives shall have the traveled portion thereof not less than 22 feet in width. Walkways shall be provided to assure safe pedestrian travel between buildings and community facilities.
7. In addition to such requirements as may be set forth in the State Building Code and State Fire Safety Code, as determined by the Building Official, Town of Brookfield, the proposed project shall conform to the following:

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- a. Each multifamily dwelling structure shall be separated a minimum of 20 feet from another building or structure. Multifamily dwelling structures of more than two stories shall be separated by 50 feet.
- b. Sewage treatment facilities shall be in accordance with the requirements set forth by the Water Pollution Control Authority (WPCA), Town of Brookfield. Community water systems shall be in accordance with the requirements of the Connecticut Department of Public Utility Control and such other regulations and requirements of other agencies as may be required by law. The Commission shall be provided with copies of any approvals granted by the WPCA, State Health Department, and/or State DEEP for sewage systems and public water supply approvals from the Connecticut Department of Public Utility Control, Connecticut Department of Health, and Connecticut DEEP, as may be required, before submission and consideration of the Design Review application.
- c. All utilities shall be located underground.
- d. Typical floor plans and elevations depicting the configuration of the dwelling spaces shall be submitted with the application.
- e. If the entire project is not to be constructed within an 18-month period, the application shall contain a detailed construction schedule indicating the start and completion dates for each planned phase. The first construction phase, unless otherwise permitted by the Commission, shall contain all the necessary facilities for the overall project, such as community water system, sewerage facilities, recreational facilities, main access drives, etc. Subsequent phases shall contain only additional dwelling units, connecting utility lines, local access drives, and associated parking.

F. Density and Number of Units

1. No multifamily dwelling project shall contain more than 150 dwelling units.
2. Multifamily dwelling developments shall have no more than 8 dwelling units per gross acre of developable land, unless the development qualifies for a density bonus per subsection G below. For the purposes of this Section, developable land is the total land area minus 50 percent of the area of inland wetlands, utility easements employing aboveground buildings or towers, and natural slopes steeper than one to one (1:1).
3. The maximum number of dwelling units permitted in any one multifamily dwelling structure is as follows, unless the development qualifies for a density bonus per subsection G below:
 - a. Residential (R) zones: four units; provided, however, that if any angular configuration is utilized and a corner unit is feasible, the Commission, in its discretion, may allow a fifth corner unit within the structure.

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- b. Other permitted zones: six units for a one- or two-story structure, or nine units for a three-story structure

G. Density Bonus for Affordable Units

1. Additional units per gross acre and additional units per structure shall be permitted, provided that 20% of the total dwelling units on the site are subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay 30% or less of income, where such income is less than or equal to 80% of the area median income, as defined by CGS Section 8-30g.
2. The number of additional units per gross acre that shall be permitted shall not exceed 10 units per gross acre (for a total of 18), or in the TCD-Overlay zone, 4 units per gross acre (for a total of 12), as defined in subsection F above.
3. The number of additional dwelling units per structure that shall be permitted shall not exceed six units in Residential (R) zones; and 10 units for one- or two-story structures, or 12 units for a three-story structure in all other permitted zones.
4. A development that uses an affordable housing density bonus shall submit an affordability plan that complies with CGS Section 8-30g and regulations adopted pursuant thereto.

H. Development Standards and Controls

1. Permissible Accessory Uses and Buildings – The following uses may be permitted by the Commission after the Commission shall have found that they are an integral part of the overall development to serve primarily the residents thereof:

- Game courts or fields
- Golf courses
- Swimming pools and cabanas
- Meeting halls
- Recreational facilities buildings
- Maintenance, storage, and utility buildings
- Residents' parking garages

2. Minimum Setbacks

- a. (In Residential (R) zones, no principal building, accessory building, or parking area shall be located closer than 100 feet from any side or rear property line.
- b. In the TCD Perimeter Overlay zone, no principal building, accessory building, or parking area shall be located closer than 20 feet from any front, side, or rear property line.

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c. In other permitted zones, no principal building, accessory building, or parking area shall be located closer than 50 feet from any front, side, or rear property line.

d. Such setback yards may be required to be provided with screening as determined by the Commission.

3. Maximum Building Height

No building or structure shall exceed 30 feet in building height. Excluded from the building height calculations is any space resulting from design seeking to achieve the goals and objectives of Section 6.11 of these regulations.

4. Parking

Unless otherwise approved by the Commission, a minimum of one and one-half (1.5) off-street parking spaces for each dwelling unit containing one bedroom, and a minimum of one and one-half (1.5) off-street parking spaces for each dwelling unit containing two or more bedrooms shall be available in a well-planned landscaped configuration except when dwelling units are dedicated to housing for the elderly, when the minimum shall be one (1.0) space per dwelling unit. Parking areas shall be a minimum of ten feet from any unit within the project. They shall be screened from adjacent residential areas and public thoroughfares by dense evergreen plantings, grassed embankments, or similar screening, approved by the Commission. No parking shall be permitted within 100 feet set back from the lot line through which main access to the project is provided.

5. Conserved Land Area

All land that is not dedicated to dwelling units, maintenance, storage and utility buildings, garages, roadway and parking areas, sewer systems, or active recreational areas shall be designated "conserved land areas" in perpetuity. The conserved land area(s) shall be preserved in their natural state or improved at the discretion of the Commission and limited to appropriate passive recreation.

On an individual, case-by-case basis, the Commission may request an easement on certain portions of the conserved land area for public water supply including access thereto. In such instances, a dedicated parking area may be permitted in the conserved land area.

6. Active Recreational Areas

In addition to those areas designated "conserved land area(s)," area(s) shall be designated "active recreational area(s) on the site plan in a location(s) approved by the Commission. Within such area(s), appropriate structures and facilities for recreational purposes, as approved by the Commission, shall be constructed and operated for the use of the residents and their guests. These

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facilities may be used for accessory uses. Such areas must remain in the ownership of a tenants'/owners' association.

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I. Maintenance

1. Maintenance:
 - All common project facilities or systems shall be maintained by the applicant, owner, or residents' association in perpetuity. Such systems and facilities shall include, to the extent such items are included in the original approval, the following:
 - Project utilities, including fuel, lighting, electricity, telephone, and cable television distribution systems and controls
 - Roadways, drives, parking areas, and sidewalks including curbing and paving
 - Drainage systems, including erosion and sedimentation protection, piping, drains, catch basins, manholes, cleanouts and riprap ditching
 - Recreational facilities
 - Landscaping, including maintenance of buffer areas and conserved land areas
 - Other similar common project systems and facilities

J. Inspections

1. In accordance with CGS § 8-12, the Town of Brookfield, acting through its duly appointed officials, may enter onto the premises for the purpose of verifying compliance with state, local, and municipal standards and regulations, including any approvals previously issued and relating to the development. As a condition for granting approval, each applicant, owner, or residents' association shall provide legal documents which shall hold harmless and indemnify the Town of Brookfield and its duly appointed officials from any claims or liability arising from the corrections of violations cited. The form of such documents shall be acceptable to the Commission. The provisions of this subsection shall survive the issuance of any Certificate of Occupancy or Certificate of Zoning Compliance.
2. Should such verification inspections discern that corrective action is necessary to bring the development into conformance with statutes, laws and regulations, the cognizant Town official performing the inspections shall, in writing, cite the violations noted and require corrective action within a reasonable period of time. Failure to perform the required corrective action shall be considered a violation of the Zoning Regulations, Town of Brookfield, and be subject to such fines or penalties as prescribed by statute, ordinance, or regulation.

3.15 Planned Age-Restricted Community – PARC

A. General

The Commission may, pursuant to an application hereunder, establish PARCs on sites and within areas deemed suitable for such purposes and provided that the sites comply in general with the eligibility criteria, standards, and other requirements of this section. Following the designation of an eligible site, a special permit application for development meeting the requirements of this Section shall be submitted within six months thereafter.

B. Intent and Purpose

1. It is the intent of this Section:

- a. To enable the establishment of age-restricted communities addressing the needs and interests of the elderly in appropriate locations of Town so as to respond effectively to the housing needs of an increasing elderly population;
- b. To provide guidelines, standards and controls for the development of PARCs, which are compatible with the intents of this regulation; and
- c. To meet the planning goals and objectives of the Brookfield development plans.

2. The purpose of this Section is to guide in achieving the stated intents while providing for:

- a. Housing opportunities that are designed to meet the special needs of elderly citizens;
- b. The protection of the environmental character of the area and the particular suitability for the specific use;
- c. The protection against congestion in the streets;
- d. Protection against undue concentration of population and overcrowding of land;
- e. Preservation of buildings and property values;
- f. Adequate access of light and air;
- g. Adequate vehicular access and off-street parking;
- h. Adequate disposition of buildings upon the land;
- i. Freedom for site layout and building design that will enable, to the extent practicable, achievement of construction efficiency and economic building forms while assisting in establishing a compatible and attractive living environment; and

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- j. The pursuance of economic development while meeting the housing needs of elderly residents.

C. Establishment of Community Site

The owner of record of a parcel of land or a contract purchaser may petition for the establishment of a PARC only if the parcel meets the site eligibility criteria of subsection D below.

D. Site Eligibility Criteria

The Commission may at its discretion establish PARC sites providing that the site(s) meets the following criteria:

1. The site consists of no less than five acres and is located within the TCD-Perimeter Overlay, Gateway North, Gateway South, or Industrial zones;
2. The site can be provided with or the site is within close proximity of shopping facilities and services;
3. The site has the required frontage on a state highway and/or a Town road or street which street, road, or highway is improved or will be improved to the extent necessary to adequately accommodate the development traffic;
4. The site topography can accommodate the buildings, roads, development features, and amenities as well as other requirements of this Section;
5. The site has or will be provided with plantings, vegetative cover, or features that will adequately buffer site development from adjacent properties;
6. The site is served by public sewer systems capable of handling the effluent that may be generated by the development;
7. The site can be served with adequate water to meet the development's potable and firefighting water demands;
8. The site is so situated, consists of topography, and is furnished with natural features that can accommodate the development; and
9. The development will not exert a detrimental impact on nearby properties or values thereof.
10. If located in an Industrial Zone, the site must abut a Residential Zone.

E. Application Procedures

1. Following the designation of the property as suitable for a PARC pursuant to the eligibility criteria described under subsection D above, the applicant may submit an application for special permit pursuant to the provisions of Section 8.5 of these Regulations.

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2. Concurrently, with the submission of an application and all required data to the Zoning Commission, the applicant shall submit one duplicate application form and data package to the Brookfield Planning Commission. The Planning Commission shall formally receive a copy of the application and data package at its first scheduled meeting following receipt of such data in the office of the Planning Commission and determine its findings on the proposal per CGS § 8-3a.

F. Design and Technical Requirements

As established for Multifamily Dwellings in 3.14E.

G. Density and Number of Units

1. No PARC project shall contain more than 150 dwelling units.
2. Not more than 8 units per developable acre of land. For the purposes of this Section, developable land is the total land area minus 50 percent of the area of inland wetlands, utility easements employing aboveground buildings or towers, and natural slopes steeper than one to one (1:1).

H. Development Standards and Controls

1. Permissible Uses:
 - a. Planned age-restricted structures consisting of dwellings not to exceed three bedrooms each designed for use as elderly housing exclusively.
 - b. Accessory uses, buildings, and structures including parking areas and garages; maintenance buildings; and recreational uses, buildings, and facilities when said uses are built and maintained for the exclusive use of residents within the project and their guests. At the Commission's discretion, accessory uses may include a retail/service store not to exceed 4,000 square feet in total floor area designed to service the immediate needs of community residents.
 - c. All structures and uses under this section shall meet the definition of "Housing for Older Persons" set forth at §42 USC 3607 (b)[2] as amended.
3. Minimum Lot Area and Frontage:
 - a. The minimum lot area shall be five acres.
 - b. The lot shall have a minimum frontage of 200 feet on a public highway having a right-of-way no less than 50 feet.
4. Minimum Setbacks:
 - a. No principal building, accessory building, or parking area shall be located closer than 50 feet from any front, side, or rear property line.
 - b. No building in a townhome-style PARC shall be located closer than 25 feet from the edge of pavement of any road, internal drive, or cul-de-sac.

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c. If abutting a residential district, no building, structure, or parking area pursuant to this Section shall be closer than the minimum side or rear building setback required in the residential district which it abuts. Such setback yards may be required to be provided with screening as determined by the Commission.

5. Maximum Building Height:

No building or structure shall exceed 30 feet in building height. Excluded from the building height calculations is any space resulting from design seeking to achieve the goals and objectives of Section 6.11 of these Regulations.

6. Building Separation:

For the purpose of emergency vehicular access, buildings or structures shall be separated as may be prescribed by prevailing local fire or building codes and regulations but in no event shall they be closer than 20 feet from another building or structure. Exempted from this requirement are buildings not designed for human occupancy.

7. Off-Street Parking:

A minimum of one and one-half (1.5) spaces per dwelling unit is required. The Commission may require additional off-street parking spaces for visitors and guests.

8. Landscaping:

Landscaping shall be provided in accordance with the intent and spirit described under Section 6.3 of these Regulations.

I. Miscellaneous Provisions

1. Conserved Land Area:

a. All land that is not dedicated to dwelling units, maintenance, storage and utility buildings, garages, roadway and parking areas, sewer systems, or active recreational areas shall be designated "conserved land areas" in perpetuity. The conserved land area(s) shall be preserved in their natural state or improved at the discretion of the Commission and limited to appropriate passive recreation.

b. On an individual case-by-case basis, the Commission may request an easement on certain portions of the conserved land area for public water supply including access thereto. In such instances, a dedicated parking area may be permitted in the conserved land area.

2. Active Recreational Areas:

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In addition to those areas designated "conserved land area(s)," area(s) shall be designated "active recreational area(s) on the site plan in a location(s) approved by the Commission. Within such area(s), appropriate structures and facilities for recreational purposes as approved by the Commission shall be constructed and operated for the use of the residents and their guests. These facilities may be used for accessory uses. Such areas must remain in the ownership of a tenants'/owners' association.

J. Maintenance

As established for Multifamily Dwellings in 3.14I.

K. Elderly Occupancy

The applicant shall submit for final approval of the Commission documentation that dedicates and restricts the units to elderly persons in perpetuity. Such documentation shall be in the form of a deed restriction or such other form as may be acceptable to Commission Counsel.

3.16 Accessory Apartments

A. Purpose

The Commission may allow the development of one accessory apartment in a single-family dwelling or on a single-family property by Special Permit in order to provide for affordable housing options within Brookfield.

B. Intent

The intent of this section is to:

- Enable property owners desiring to meet the housing and social needs of Brookfield;
- Provide an alternate housing arrangement that can adequately and comfortably house residents requiring lower cost housing;
- Reduce the necessity for public agencies to provide housing and support services; and
- Establish a procedure to minimize potential impacts from accessory apartments on abutting single-family uses.

C. Occupancy

The owner of the property shall occupy either the single-family dwelling unit or the apartment unit.

D. Standards

1. No single-family dwelling unit shall qualify under these regulations unless such unit shall have been on the Assessor's list on October 1, 1975, or a dwelling constructed after October 1, 1975, for which a building permit for a single-family dwelling was issued.

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2. The lot shall be a minimum of 40,000 square feet, and shall otherwise conform to the minimum yard, area and bulk requirements of the underlying zone.

3. Conversion of an existing outbuilding into an accessory apartment, where in the opinion of the Commission it is not feasible to connect the outbuilding to the main house, will be allowed subject to the provisions of this section and the existing outbuilding proposed for the apartment must have been constructed and assessed as an accessory building by the Town Assessor for seven (7) years prior to application. Whether the “apartment unit” is within an existing dwelling, or a proposed newly constructed dwelling, or within an existing outbuilding, there shall be only one “apartment unit” allowed per lot. [\[amended eff. 2020-Apr-27\]](#)

4. An apartment unit shall not be occupied by more than two unrelated persons and no more than four persons in total.

5. An apartment unit shall contain not less than **480 square feet** nor more than **800 square feet** of the building footprint.

6. All parking shall be on the premises and the apartment shall be provided with two (2) parking spaces. [\[amended eff. 2020-Apr-27\]](#)

7. Where located within or attached to a single-family dwelling, the accessory apartment shall have:

- a. one means of egress separate from that of the main dwelling, and
- b. at least one operable door on a common wall connecting the main dwelling to the apartment.

8. The applicant shall provide a site plan and layout for exterior and interior modifications showing all proposed changes of sufficient detail for the Commission to evaluate compliance of the proposal with the Regulations.

9. The owner must reside in either the main part of the house or in the apartment. The other occupant must be a direct family member, elderly or disabled person or a caregiver for an elderly or disabled person who lives on the premises.

In lieu of the above requirement, the owner of the property instead shall file an affordable housing deed restriction which requires that such accessory apartment be rented at, or below, prices which will preserve the unit as housing for which persons and families pay 30% or less of income, where such income is less than or equal to 80% of the area or state median income, whichever is less, as defined by CGS Section 8-30g-8(a). The deed restriction shall be in effect for a period of not less than ten years from the date of recording these Deed Restriction and continuing until expiration upon the filing of a Notice of Expiration upon the Land Records with a copy to the Town of Brookfield-Land Use Office, by the property owner. The deed restriction shall also provide that the

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municipality may recover its reasonable fees and expenses in enforcing the terms of any deed restriction.

10. For Accessory Apartments that are NOT deeded affordable, an Affidavit of Status shall be presented to the Zoning Commission at the time of application and each year thereafter as to the ownership and elderly/disabled occupancy of the particular dwelling unit as a requirement of the continuance of the Zoning Compliance Certificate for a Single Family Conversion. The Affidavit of Status must be notarized. *[amended eff. 2020-Apr-27]*

11. Zoning Compliance Certificates for a Single Family Conversion are issued for an initial period of one (1) year with a provision to renew the Certificate annually thereafter upon presentation of an Affidavit of Status by the permit holder certifying that the occupancy provisions remain valid and any other requested information. An Affidavit of Status, as called for in subsection 10 above, shall be submitted by the Certificate holder prior to the expiration date of the Certificate. If the status of either the occupant or owner changes, the permit holder must file a new Affidavit of Status within thirty (30) days of the effective date of the change. Failure to provide such affidavits when required shall cause the Certificate to lapse. A lapsed Certificate may only be reinstated by the Zoning Enforcement Officer, without a public hearing, when a properly executed Affidavit of Status is accepted by him/her. The Zoning Enforcement Officer may require an inspection of the premises as a condition of renewal. For the **Certificate Renewal**, the Affidavit of Status does **NOT** have to be notarized. *[amended eff. 2020-Apr-27]*

12. The letting of rooms or furnishing of board, normally permitted by Zoning Permit, shall not be allowed for any lot that has an Accessory Apartment. *[amended eff. 2020-Apr-27]*

E. Termination of Special Permit

Upon written notice of termination of the Special Permit by the Zoning Enforcement Officer due to failure to comply with these Regulations, the accessory apartment shall be removed within 120 days. The removal of all kitchen appliances and fixtures and the safe cutting and/or capping of the utility lines and pipes servicing them to the satisfaction of the Building Official shall constitute removal of the accessory apartment. The Building Official may allow the removal of the pre-existing kitchen instead of the kitchen in the accessory apartment.

3.17 Guest House

A. Purpose

A guest house intended solely for the accommodation of guests of the family occupying the principal dwelling and for which no rental or other charge is made or received, either directly or indirectly, in cash, kind, or services, may be permitted.

B. Standards

1. One guest house apartment may be constructed on the same lot provided all setback, yard, coverage, and height requirements for the specific zoning district are adhered to.
2. The guest house shall not exceed 15 percent of the floor area of the principal dwelling.
3. The guest house structure shall not provide kitchen facilities.

3.18 Group Day Care Homes

A. Purpose

To allow state licensed group day care homes in residential districts by Special Permit.

B. Standards

1. All state licensure requirements are met; including those pertaining to building, fire safety and health codes;
2. All minimum lot, yard and coverage requirements for the residential zoning district are met;
3. Signage, if any, conforms to the zoning district regulations;
4. There shall be safe and adequate provision for boarding and off-boarding children from vehicles without hazards to pedestrians; off-street parking and loading must comply with Section 6.2
5. A safe on-site vehicle turnaround, or separate entrance and exit points must be provided;
6. No area for active play or play structures may be located in a front yard or within 10 feet of a property line. A sight-obscuring and childproof wall or fence of at least five feet shall be installed along the entire perimeter of all play areas. In addition to such walls or fences, an exterior buffer of at least five feet in height shall be planted and maintained along the entire perimeter of any play areas;
7. The site must be landscaped in a manner compatible with adjacent residences;
8. No structural or decorative alteration that will alter the residential character of

Article 3 – Residential Districts and Uses

an existing residential structure used for a group day care home is permitted. Any new or remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood;

9. If the proposed group day care home is within 2,500 feet of another currently operating group day care home, the Commission may approve the application only if the application shows that the cumulative effects will not have an adverse effect on the neighborhood due to traffic, noise and other safety factors;

10. No group day care home shall be located on a shared or common driveway used by two or more residences including the residence of the applicant;

11. The applicant must show that there will be no traffic congestion resulting from the operation of the group day care home.

3.19 Short-Term Rental

A. Purpose

To allow short-term rental of dwelling units as an accessory use in residential districts by Zoning Permit.

B. Standards

1. No more than 2 adult guests per bedroom, and any associated children, are permitted for the duration of the short-term rental.
2. Accessory buildings and structures may be used for short-term rental, provided the owner or permanent resident of the principal dwelling unit remains on the premises for the duration of the short-term rental.
3. The short-term rental shall not materially disrupt the residential character of the neighborhood.
4. No signs are permitted in association with the short-term rental.

Article 4 – Commercial and Industrial Districts

4.1 Purposes

A. Regional Commercial (C-1)

The purpose of the Regional Commercial (C-1) District is to allow for commercial and professional activities that have regional draw, especially the retail sale of goods and services.

B. Neighborhood Commercial (C-2)

The purpose of the Neighborhood Commercial District is to allow smaller-scale commercial and professional activities primarily serving local residents.

C. Commercial Gateway North (CG-N)

The purpose of the Commercial Gateway North District (CG-N) is to provide an attractive entrance into Brookfield and a transition to the Town Center District along Federal Road that allows for a variety of commercial and higher-density residential uses that have high-quality site and building design with interconnected vehicular and pedestrian systems.

D. Commercial Gateway South (CG-S)

The purpose of the Commercial Gateway South District (CG-S) is to provide an attractive transition to the Town Center District along Federal Road that allows for a variety of commercial and higher-density residential uses that have high-quality site and building design with interconnected vehicular and pedestrian systems.

E. Marine Commercial (MC)

The purpose of the Marine Commercial District (MC) is to allow for certain residential, institutional, recreational and marine commercial uses in select, concentrated locations that are primarily residential.

F. Industrial (I-1)

The purpose of the Industrial District (I) is to allow and protect industrial development opportunities that are adequately supported by the land and contribute to the Town's economic base.

G. Corporate Park (CP)

The purpose of the Corporate Park District (CP) is to allow industrial development opportunities in a park-type environment.

H. Town Center District (TCD)

See Section 5.1 of these Regulations for details on the Town Center District.

Article 4 – Commercial and Industrial Districts

4.2 Permitted Uses

A. Permitted Uses Table

ZP = Zoning Permit Site = Site Plan SP = Special Permit, public hearing required

Table of Permitted Commercial and Industrial Uses

1. Community Services	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
a. Community service facility	Site	Site	Site	Site	SP	SP	SP	SP

2. Institutional Uses	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
a. Cemetery	SP	SP	SP	SP				
b. Daycare (child and adult)	SP	SP	SP	SP		SP	SP	SP
c. Places of worship/parish houses and centers, provided a minimum lot area of 120,000 square feet	SP	SP		SP	SP			SP
d. Public buildings (state or federal)	SP	SP	SP	SP	SP	SP	SP	SP
e. Schools – public, private, preschools, training schools	SP	SP	SP	SP	SP	SP	SP	SP
f. Town of Brookfield buildings	Site	Site	Site	Site	Site	Site	SP	SP

3. Dwellings and Residential Care	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
a. One-family dwellings	ZP	ZP		Site	ZP			Site*
b. Multi-family dwellings (see Section 3.14)	SP	SP	SP	SP				SP*
c. Planned Age Restricted Community (PARC) (see Section 3.15)	SP	SP	SP	SP		SP †		SP*
d. Assisted living facility, congregate housing, continuing life care community, or nursing facility	SP	SP	SP	SP		SP †	SP	SP
e. Residential dwelling units on floors other than the first floor in mixed-used buildings.	Site	Site	SP	SP	SP			Site

* See Section 5.1 for limitations on one-family homes, PARCs, and Multi-Family Dwellings in the TCD Overlay Zone.
 † Must abut a Residential district.

4. Agriculture and Animals	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
a. Kennels (see 4.4I)	SP	SP	SP	SP		SP		
b. Agriculture/farm stand (see 4.4B)	ZP	ZP	ZP	ZP		ZP	Site	
c. Commercial livestock or poultry (4.4B)	ZP	ZP	ZP	ZP		ZP		
d. Greenhouses	Site	Site	Site	Site		Site	Site	
e. Veterinary offices and animal hospitals (see 4.4I)	Site	Site	SP	Site		SP	Site	SP
f. Riding stables, Boarding, & Livery	Site	Site	SP	Site		SP	Site	SP

5. Lodging	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
a. Hotels/motels/inns, provided a minimum lot area of 80,000 square feet plus 2,000 square feet for each room	SP	SP	SP	SP	SP	SP	SP	SP
b. Bed and Breakfast	SP	SP		SP	SP			SP
c. Conference centers as accessory uses to hotels/motels/inns	SP	SP	SP	SP		SP	SP	SP

Article 4 – Commercial and Industrial Districts

ZP = Zoning Permit Site = Site Plan SP = Special Permit, public hearing required

6. Retail Sales and Service	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
a. General retail (building footprint < 7,500 sq ft)	Site	Site	Site	Site		Site		SP*
b. General retail (building footprint ≥ 7,500 sq ft)	SP	SP	Site	SP		SP		SP*
c. Drive-thru facilities	SP	SP	SP	SP	SP			SP*
d. Outside storage or display of merchandise	SP	SP	SP	SP	SP	SP		SP
e. Retail sale limited to commodities that are manufactured, processed, fabricated, or warehoused on the premises provided that the total floor area devoted to retail sales does not exceed 50% of gross floor area of all building on the premises.	SP	SP	SP	SP		Site	SP	
f. Sale at wholesale of an commodity except live animals and commercial explosives.	SP	SP	Site	Site		Site	Site	
g. Adult-oriented business (see 4.4A)			SP					
h. Alcohol (see 4.4C)	Site	Site	Site	Site				Site
i. Medical Marijuana Dispensary (see 4.4xx)						SP		
j. Artisan/Craftsman studio/shop	SP	SP	SP	SP	SP	SP	SP	SP
k. Automobile/boat/motorcycle/equipment sales and rental	SP	SP	Site	SP	SP			
l. Automobile and boat service (limited or general motor vehicle repair license) (see 4.4D)	SP	SP	SP	SP	SP	SP	SP	
m. Car wash, provided that all building and equipment is set back a minimum of 100 feet from the front lot line	SP	SP	SP	SP	SP	SP		
n. Dry cleaner/laundry	SP	SP	SP	SP		SP	SP	SP
o. Flower, nursery, garden centers	SP	SP	SP	SP				SP
p. Gasoline sales/filling station	SP	SP	SP	SP				
q. Parking garage (freestanding whether or not connected to another building)	SP	SP	SP	SP		SP	SP	SP
r. Parking garage (under building)	SP	SP	SP	SP	SP	SP	SP	SP
s. Personal service business	Site	Site	Site	Site	SP			Site
t. Rental, equipment and supplies	Site	Site	Site	Site	SP	SP	Site	SP
u. Undertaking and funeral homes	SP	SP	SP	SP		SP		SP

* See Section 5.1 for special provisions regarding building footprints and Drive-Thrus in the TCD

7. Offices	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
a. Banks and financial institutions (bldg footprint < 5,000 sq ft)	Site	Site	Site	Site		Site	Site	Site
a. Banks and financial institutions (bldg footprint ≥ 5,000 sq ft)	SP	SP	SP	SP		SP	SP	SP
b. Medical and dental offices and laboratories (bldg footprint < 5,000 sq ft)	Site	Site	Site	Site		Site	Site	Site
b. Medical and dental offices and laboratories (bldg footprint ≥ 5,000 sq ft)	SP	SP	SP	SP		SP	SP	SP
c. Professional and business offices (bldg footprint < 5,000 sq ft)	Site	Site	Site	Site		Site	Site	Site
c. Professional and business offices (bldg footprint ≥ 5,000 sq ft)	SP	SP	SP	SP		SP	SP	SP

8. Food and Beverage Establishments	CG-N	CG-S	C-1	C-2	MC*	I-1	CP	TCD
a. Fast-food restaurant	SP	SP	Site	Site		SP		SP
b. Sit-down restaurant	Site	Site	Site	Site	Site		Site	Site
c. Limited-service restaurant	Site	Site	Site	Site	SP	SP	Site	Site
d. Outdoor dining accessory to a sit-down restaurant (see Section 6.9) [amended eff. 2020-Sep-15]	Site	Site	Site	Site	SP		SP	SP
e. Tavern with a permit	Site	Site	Site	Site	SP		SP	SP
f. Bar/café with a permit	SP	SP	Site	Site	SP		SP	SP
g. Brewpub with brewery	SP	SP	SP	SP		SP	SP	SP
h. Brewpub with microbrewery, microdistillery	SP	SP	SP	SP	SP	SP	SP	SP
i. Catering establishment where food is prepared for delivery and consumption off the premises	Site	Site	Site	Site	SP	SP	SP	SP

* See Section 5.1 for special provisions regarding building footprints in the TCD

Article 4 – Commercial and Industrial Districts

ZP = Zoning Permit Site = Site Plan SP = Special Permit, public hearing required

9. Industrial	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
a. Assembling, manufacturing, and processing of products, supplies, and/or equipment	SP	SP	SP	SP		Site	Site	
b. Publishing and printing	SP	SP	SP	SP		Site	Site	
c. Research laboratories (excluding medical laboratories)	SP	SP	SP	SP		Site	Site	
d. Truck and bus terminals						SP		
e. Warehousing and distribution	SP	SP	SP	SP		Site	Site	
f. Wholesale	SP	SP	SP	SP		Site	Site	

10. Recreation	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
a. Assembly halls and theaters	SP	SP	SP	SP		Site	SP	SP
b. Gymnasiums	Site	Site	Site	Site		Site	SP	
c. Health and fitness centers	Site	Site	Site	Site		Site	SP	Site
d. Indoor courts, pools, sporting areas (see 4.4F)	Site	Site	Site	Site		Site	SP	SP
e. Marinas, docks and slips (see 4.4E)					SP			
f. Outdoor courts, pools, play areas (see 4.4F)	SP	SP	SP	SP	SP	Site	SP	

11. Storage	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
a. Bulk storage of materials	SP	SP	SP	SP		SP	SP	
b. Motor vehicles, indoor	SP	SP	SP		SP	Site	SP	
c. Motor vehicles, outdoor						SP	SP	
d. Boats, indoor	SP	SP			SP	Site	SP	
e. Boats, outdoor					SP	SP	SP	
f. Contractor's equipment, indoor	SP	SP	SP			Site	SP	
g. Contractor's yard and outdoor equipment storage (see 4.4E)			SP			Site	SP	
h. Self-storage facilities			SP			Site	SP	

12. Energy and Utilities	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
a. Utilities (electric, water, natural gas, public, sewer)	SP	SP	SP	SP		Site	SP	SP
b. Solar energy as an accessory to a principal use (see 4.4I)	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
c. Telecommunications towers and antennae (see 7.2)	SP	SP	SP	SP		SP	SP	
d. TV and data facilities	SP	SP	Site	Site		Site	SP	

13. Mix or Combination of Uses	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
a. The combination or mixture of Commercial and Industrial uses that are permitted within the District on the same parcel (see 4.4K)	SP	SP	SP	SP		SP	SP	SP
b. The combination or mixture of Commercial and Residential uses that are permitted within the District on the same parcel (see 4.4L)	SP	SP		SP				SP

Article 4 – Commercial and Industrial Districts

ZP = Zoning Permit Site = Site Plan SP = Special Permit, public hearing required

A. Occupancy of Existing Space	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
a. *MINOR Modifications to a valid approved use where: <ul style="list-style-type: none"> The existing number of trees or shrubs is NOT reduced; Erosion and sedimentation controls are NOT required; NO conditions will occur which affect traffic safety; Existing outdoor lighting fixtures are NOT modified; The number of parking spaces are NOT reduced NOR increased by more than 10% of existing; <u>AND</u> Building or structures as initially constructed are NOT enlarged by more than 2,500 square feet or 25%, whichever is less (such enlargements are limited to a one-time expansion) 	ZP				Site	ZP	Site	
b. *MAJOR Modifications to a valid approved use where: <ul style="list-style-type: none"> The existing number of trees or shrubs IS reduced; Erosion and sedimentation controls ARE required; Conditions will occur which WILL affect traffic safety; Existing outdoor lighting fixtures ARE modified; The number of parking spaces ARE reduced OR increased by more than 10% of existing; <u>OR</u> Building or structures as initially constructed ARE enlarged by more than 2,500 square feet or 25%, whichever is less. 	Site				SP	Site	SP	
c. Subsections a. & b. above shall not apply to the following uses: kennels; hotels, motels, or inns; bed and breakfasts; drive-thru facilities; adult-oriented business; automobile/boat/motorcycle/equipment sales, rental or repair; car wash; dry cleaner; flower, nursery, garden center; gasolines sales/filling station; undertaking/funeral homes; bar/café; brewpubs with brewery or microbrewery	SP							

*Any modifications permitted under subsections a. & b. above shall be modifications or amendments to the originally approved site plan or special permit.

B. Prohibited Uses

The following uses shall be prohibited in the Industrial & Commercial Districts:

- (a) Any business which includes an adult amusement machine.
- (b) Any business which could be characterized as an adult cabaret.
- (c) Any business containing or consisting of an adult motion picture theatre or adult mini-motion picture theatre.
- (d) Any business which could be characterized as an adult personal service establishment.
- (e) Any use prohibited by **5.4 D(2)** of the Aquifer Protection Regulation.
- (f) Medical Marijuana Production Facilities.

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4.3 Location, Dimensional and Site Requirements

A. Dimensional Requirements Table

	CG-N	CG-S	C-1	C-2	MC	I-1	CP	TCD
Min Lot Area (sq ft)	40,000	20,000	80,000	40,000	10,000	40,000	40,000	10,000
Min Lot Width (ft)	150	75	200	150	50	150	150	50 ^A
Min Front Yard Setback (ft)	25		50		20	50 ^G	50	6 ^B
Min Rear Yard Setback (ft)	30	20	50	30	10	30 ^G	30	10 ^C
Min Side Yard Setback (ft)	30	20	50	30	10	30 ^G	30	0
Max Impervious Coverage (%)	75							80
Max Building Height (ft)	30 ^{F, G}						45	42
Setback from Residential District Line^D	100		100 ^E	100	0	100		0

A: Plus 26 ft wide side yard if rear parking is provided.

B: Minimum from sidewalk or property line, whichever is closer; and a maximum of 25 feet from property line.

C: Plus the width of a rear yard drive.

D: Except when the boundary is contiguous with a railroad right-of-way, the setback may be reduced to 25 feet.

E: Except for multifamily dwellings, which shall comply with the minimum setbacks set forth in Section 3.14(G)(2).

F: Except when in the I-1 Height Overlay Zone where 45' max building heights are allowed.

G: Except in the CG-N district where 45' max building height is allowed on parcels ≥ 25 acres with required setback of 150' from property lines on all sides.

B. Site Requirements – Gateway Districts

1. Buildings

In addition to the area, yard, and height requirements found in 4.3A, the following site development standards shall apply to all uses in the Gateway Districts (CG-N and CG-S).

a. Buildings along a public street shall be oriented to the street. Buildings along an interior access drive shall be oriented toward the access drive.

b. For sites where multiple buildings are proposed, the minimum distance between buildings shall be equal to the height of the tallest adjacent building. In instances where the building has a sprinkler system, the buildings shall have a minimum separation distance of 25 feet.

2. Access and Parking

In addition to the access and parking standards set forth in Section 6.1, the following standards shall apply to all uses in the Gateway Districts (CG-N and CG-S):

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a. Where parking may be visible from a street or internal access drive, the parking lot shall be buffered by existing or proposed topography, the preservation of existing mature vegetation, low walls, or evergreen plant material.

b. Access from Federal Road shall be limited to one driveway per parcel, or site in the case of a unified site development of multiple parcels, in order to reduce the potential of traffic congestion unless the Commission finds that overall traffic circulation and safety will be improved by having more than one point of access.

c. Where practical, the Commission may recommend that internal access drives be connected to adjacent properties in order to facilitate a comprehensive circulation system and avoid congestion along Federal Road to promote shared parking.

d. Loading areas shall not be visible from Federal Road and shall be suitably screened from other streets and internal access drives.

3. Landscaping of Parking and Loading Areas

In addition to the landscaping requirements set forth in Section 6.3, the following landscaping standards shall apply to parking and loading areas in the CG-N District.

a. At least ten percent of a parking and loading area containing more than ten spaces shall be landscaped using landscaped planting islands and planting strips.

b. At least one shade tree shall be provided within the parking lot for every ten spaces.

c. Parking lots shall have landscaped islands at the end of row of parking. The islands shall have a minimum width of ten feet.

4. Where the soils are suitable, planting islands and planting strips may be depressed when designed to serve as rain gardens or to promote infiltration of surface runoff from the parking lot. Depressed areas shall be suitably protected with guardrails or curb stops.

4.4 Commercial and Industrial Uses**A. Adult-Oriented Businesses**

An adult-oriented business may only be located in the specific Zoning Districts found in Section 4.2 as revised. In addition to the general requirements of these Zoning Regulations, site plan approval, parking and other requirements, and notwithstanding any regulation to the contrary, such uses are subject to the following requirements:

1. No such adult-oriented business may be located within 500 feet of any residential structure, public or private school or other educational facility serving individuals under 18 years of age, daycare centers, senior centers, churches, medical marijuana dispensaries, or other adult-oriented business establishments, nor an establishment which sells alcoholic beverages pursuant to a valid State Liquor License. For purposes of compliance with these distance requirements, distances shall be measured in a straight line without regard to intervening structures or objects from the principal interest of the building containing the proposed use to the nearest boundary of the uses identified herein.
2. No such business shall remain open between the hours of 11:00 p.m. and 8:00 a.m. and shall not be open on Sundays.
3. All such business interiors shall be fully lighted and well-lit during operating hours.
4. No such business shall have any enclosed screens or booths or cubicles.
5. No such business may have for rental or usage adult amusement machines for the viewing of materials depicting sexual activities or male or female nudity.
6. No such business shall include the featuring of live entertainment involving the touching or displaying of nude male or female entertainers, the actual or simulation of sexual activities, or the exposure of human genitalia or female breasts.
7. No such business shall be conducted in a manner that permits the observation of any materials or novelties intended for adult viewing from any public way. Accordingly, displays, windows, doorways, and signs shall not be arranged so as to display the adult-oriented business to the exterior of the premises. No such business shall allow partially nude live performances as defined in Town of Brookfield "Adult Oriented Business Establishments Ordinance."
8. All such businesses must post or maintain a sign 24 inches by six inches on the exterior of the building adjacent to its main entranceway indicating "ADULTS ONLY" in capital letters with letters five inches in height.
9. No such adult business shall be allowed if it has not first complied with and obtained any licensing requirements of the Town of Brookfield Ordinance Regarding Adult-Oriented Businesses.

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10. All such establishments must be in compliance with any applicable ordinance of the Town of Brookfield.

B. Agriculture and Animal-Related Uses

1. The purpose of this Regulation is to promote Brookfield's agricultural heritage and protect its economic development interest.
2. Growing edible crops and agricultural produce for wholesale or retail is generally permitted by zoning permit in the CG-N, CG-S, C-1, C-2, and I-1 zones, provided the following:
 - The parcel and any structures meet the minimum dimensional requirements of the District.
 - Seventy percent of gross sales shall be from agricultural goods produced on the premises.
 - The extent and type of any products to be sold, any activities to be conducted, and any classes to be offered on the lot shall be clearly stated in the application or shall be considered to be prohibited.
 - Adequate parking is provided to accommodate farm equipment and customer vehicles.
3. Commercial livestock or poultry farming requires a minimum of five acres. In addition, a 100-foot buffer shall be maintained, in its natural state or landscaped as required to provide visual screening, between the property line and any fence, corral, feeding area, or structure used to house or feed animals.

C. Alcohol Sales

No building or premises shall be used for the sale of alcoholic liquor under a package store permit issued by the State of Connecticut if the principal public entrance to such premises is situated less than 2,000 feet from the principal public entrance of any other premises used for the sale of alcoholic liquor under a package store permit issued by the State of Connecticut. Said 2,000-foot distance requirement shall be measured as follows: beginning at the midpoint of the principal public entrance door of the portion of the structure in which the sale of alcohol is proposed, thence to the center of the closest public street by the shortest distance without intersecting a structure, thence along the centerline of said public street or streets to a point in a public street perpendicular to the nearest portion of any other structure in which alcoholic liquor is sold under a package store permit, thence by the shortest distance without intersecting a structure to the midpoint of the principal public entrance door of the portion of the structure in which alcoholic liquor is sold under a package store permit. In no case shall the portion of any two structures in which alcoholic liquor is sold or proposed to be sold under a package store permit be located within a radius of 1,000 feet as measured from the midpoints of the principal public entrance doors of said portions of said structures. For the purposes of this section, the terms "alcoholic liquor" and "package

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store permit" shall have the same meaning as those terms defined in Chapter 545 of the CGS, as may be amended or re-codified from time to time.

D. Contractor's Yards

Any fuel storage facilities shall be built above ground and provided with a containment berm. The mixing of materials is permitted provided that effective dust control methods are used and that the operations conform to the noise regulations of Section 6.7D.3. Contractor's yards are NOT permitted in any Aquifer Protection District. *[amended eff. 2020-Sep-15]*

E. Marinas, Docks, and Slips

The quantity, construction, lighting, and physical location of docks and mooring spaces and parking spaces pertaining thereto, from the aspect of public safety, shall be subject to approval of the Commission. The sale of fuel and lubricant for marine use is considered an accessory use hereto.

F. Recreation

Mechanical amusement park devices are specifically prohibited. Within the MC District, outdoor recreational uses shall not be operated later than 10:00 p.m.

G. Restaurants

Within the MC District only, food sold for consumption at home is considered an accessory use. Specifically prohibited in this District are ice cream, soda, hot dog, or hamburger stands or outlets or similarly related establishments, except those which may be reasonably considered by the Commission to be an accessory use to a club, beach, or recreational sports area. The Commission may grant a special permit for such accessory use.

H. Solar Energy Generation

Solar panels accessory to a principal use and whose primary purpose is to provide energy for the principal structure are permitted by Zoning Permit provided that:

1. Roof-mounted solar panels shall not be included in the maximum building height regulations.
2. Solar panels are to be considered as a structure when located at ground level and are allowed provided that:
 - a. Supporting documentation proves that no suitable location is available on the building due to exposed surfaces not facing the appropriate direction.
 - b. No glare will be created.
 - c. The optimum location of the panels is at ground level.
 - d. The Commission may at its discretion establish a 10-foot or greater setback requirement.
3. In no case are solar panels permitted whose primary purpose is to supply power for commercial purposes.

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I. Veterinary Offices, Animal Hospitals, and Kennels

Such uses require a minimum lot area of five acres, and no animal may be kept in an enclosure or structure which is located within 150 feet from any property line.

J. Combination/Mix of Commercial and Industrial Uses

Within districts that permit both commercial and industrial uses, the combination or mixture of such types of uses on the same lot shall not generally be permitted. The Commission, in its sole determination, may permit the combination or mixture of such uses only when they are supportive of or accessory to one another, e.g., warehouse/office, manufacture/sales, etc. When incompatible uses are proposed to be combined or mixed or where the risk to pedestrians and property would be increased, the combination or mixture shall not be permitted, e.g., truck terminal/retail shop, motel/contractor's yard, etc.

K. Combination/Mix of Commercial and Residential Uses

Within the CG-N and CG-S Districts, more than one of the permitted uses may be permitted on the same parcel in separate buildings or mixed-use buildings provided that the uses and buildings are planned as a single development.

For sites where multiple buildings are proposed, the minimum distance between buildings shall be equal to the height of the tallest adjacent building. In instances where the building has a sprinkler system, the buildings shall have a minimum separation distance of 25 feet.

L. Medical Marijuana Dispensary

Medical Marijuana Dispensaries are permitted, subject to Special Permit Approval, and the following requirements:

- a. Shall be licensed by the State of Connecticut and must maintain all necessary approvals and permits from the State at all times;
- b. The Gross Leasable Space shall not exceed 4,000 square feet;
- c. The main pedestrian entrance to the proposed dispensary shall be located at least 1,000 linear feet from all public and private schools, nursery schools, daycare facilities, parks and playgrounds, and places of worship. The distance shall be measured by drawing a straight line between: 1) the nearest main pedestrian entrance of any existing facility listed herein, or 2) in the case of a park or playground, from the nearest boundary of the park or playground, and the nearest pedestrian entrance of the proposed dispensary;
- d. Shall be located in the Industrial District (I-1);
- e. Shall not adversely affect health, safety, convenience and welfare of the surrounding neighborhood;
- f. Shall not engage in the sale of recreational marijuana, regardless of Connecticut Laws, without additional approval from the Town of Brookfield;

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- g. Shall not operate within 7,000 linear feet of any other Medical Marijuana Dispensary, measured as set forth in item c above;
- h. Shall not be located in the same building or any portion thereof that is used for residential purposes.

Notwithstanding any other zoning regulation to the contrary, there shall be no outdoor display of marijuana products, packaging, paraphernalia, display boards or pricing information.

Medical Marijuana **Production** Facilities are specifically prohibited in any district/zone.

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5.1 Town Center District (TCD)

A. Purpose

This district encompasses the historical business center of the town. Many business establishments within the district have been in operation prior to the enactment of the Regulations, and physical conditions exist which limit their compliance with regulatory requirements and/or good planning principles. It is considered in the best economic interest of the Town to foster business development of both new and existing establishments in a planned, integrated, and orderly manner and in such a way as to complement the historic character and traditions of the district.

In the future, the Four Corners will become a center of activity in Brookfield and a destination. It will be a “downtown” for Brookfield that is well defined visually and aesthetically, providing a positive experience for residents and visitors, with a distinctive identity that is well known throughout Brookfield and the region. Development will have complementary scale, character, and density that will contribute to a sense of both history and vitality. It will offer places to live, work, shop, eat, and find entertainment and cultural enrichment. The area will provide a diversity of services that enhance the quality of life for residents and invite travelers to stop. This will be complemented by access to the Still River as a scenic resource in the Four Corners. It will have complementary civic spaces in the form of outdoor parks and plazas and public community facilities. Most new development will result from infill and from reuse or redevelopment of existing sites. No new strip or large-scale single-use developments will be built.

The area will be easy to access and navigate by car, bicycle, transit, and on foot. There will be a variety of opportunities to travel by all these means along all roads within the Four Corners area including walking, biking, rail, and bus along with key connections among those means. Streets in the Four Corners will offer a balance among motor vehicle and pedestrian and bicycle traffic, with an enhanced streetscape that is pedestrian friendly and complementary to the character of the area. This will be accomplished through improvements such as landscaped sidewalks, aesthetic lighting, and areas to pause and relax such as plazas with benches near public art and other public spaces. Traffic on Route 7 will flow at reasonable speeds through the area as a result of measures designed to encourage drivers to slow down, improve safety, and minimize any degradation of the character of this special place.

B. Plan of Conservation and Development

The Commission shall use the Plan of Conservation and Development as amended to include the Four Corners Revitalization Plan, approved by the Planning Commission, Town of Brookfield, as a guide in reviewing all applications for design review approval within the district. In particular, the Commission shall consider and be guided by the various aspects of the Plan, which may identify historic sites, irreplaceable site features, wetlands, utility concepts, bridges and walkways, service areas, common areas and open space, potential housing sites, access drives, vehicle and pedestrian circulation patterns, and common parking areas in addition to other elements.

C. Common Service Areas

In order to provide for services to the district as a whole, certain areas within the district may be acquired by various business entities and held in common under a condominium association or similar entity. Such service areas may consist of access drives, parking areas, area lighting, utility facilities, walkways, seating, landscaped areas, etc.

D. Permitted Uses

1. Table of Permitted Uses

The permitted uses established for the TCD are as indicated in Table I, "Table of Permitted Uses" appearing in Section 4.2.

2. Residential Apartment or Condominium Dwelling Units

Residential apartment or condominium dwelling units may be permitted on floors other than the first floor of a mixed-use structure, **except:** *[amended eff. 2021-Jan-20]*

- (a) When the structure is located more than three hundred (300) linear feet from Federal Road as measured along the road, such dwelling units may occupy the first floor;

OR

- (b) When a mixed-use structure is on a parcel located with a street address on a road other than Federal Road, the first floor shall contain a minimum of forty (40%) percent commercial with the balance residential. If requested by the property owner pursuant to an application for a modified Special Permit and, upon demonstration by such property owner that, despite a good faith marketing plan, all or a portion of the space designated as commercial could not be sold or rented for such use during the first eighteen (18) months after issuance of the Certificate of Occupancy, the Commission may re-designate all or a portion of that space for additional residential use.

Each such dwelling unit shall not contain more than two bedrooms.

3. One-Family Dwellings/PARCs/Multi-Family Dwellings

One-family dwellings, PARCs, and Multi-Family Dwellings (notwithstanding point 2 above) are permitted only in the TCD Perimeter Overlay Zone (see Section 5.2 of these Regulations).

4. Square Footage Restriction

Each new structure permitted within the district shall not exceed a footprint of 12,000 square feet, except when the new structure is a supermarket/grocery store or municipal building, when the footprint shall not exceed 20,000 square feet.

5. Drive-Thru Facility

- a) The lot shall be a minimum of 40,000 square feet;

- b) The lot must have frontage on a state highway, thus making it subject to state Drive-Thru regulations.

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E. Land Use Standards

Lot Area, Min.	As determined by parking space and building footprint requirements for a particular use or group of uses but not less than 10,000 square feet
Impervious Coverage, Max.	80%
Loading/Refuse area, Min.	250 square feet
Lot width, Min.	50 feet, plus 26-foot-wide side yard driveway if rear parking is required
Side Yard	None
OR, if a Side Yard Driveway is provided, the setback from the inner edge of the drive	None
Rear Yard	10 feet, plus the width of a rear yard driveway
Front Yard Setback, Min.	6 feet from sidewalk or property line, whichever is closer
Front Yard Setback, Max.	25 feet from property line
Height, Max.	Three stories and 42 feet
Sidewalk width, Min.	6 feet wide or as per Town Center District Sidewalk and Access Management Plan
Common or Public Areas	Refuse containers, seating areas, and other pedestrian amenities shall be provided at locations approved by the Commission.

F. Architectural Guidelines

Additional design standards for compliance for site design are set forth in the TCD Design Guidelines in Appendix 2 of these Regulations.

G. Conflicts

Where compliance with the TCD Design Guidelines is required pursuant to this Regulation, to the extent that there is any conflict between a specific provision of this section and the TCD Design Guidelines set forth in Appendix 2, the requirements of the TCD Design Guidelines shall prevail and apply.

H. Application and Permitting

1. In addition to meeting all requirements of Section 8.5, "Special Permit Application," all projects shall demonstrate:

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- a. Preservation of historical sites and irreplaceable site features
- b. Preservation of the architectural design of the original building during renovation or expansion of existing buildings
- c. Continuity of the architectural theme with adjacent structures
- d. Harmony of building material texture and color with other district structures

2. All projects must undergo a preapplication review with the TCD Design Review Team, which shall be chosen by the Commission. The advisory team may be comprised of the following technical specialists: an architect and a landscape architect, the Zoning Enforcement Officer, the Town Historian, Fire Chief or his designee, Fire Marshal, Sanitarian, Building Inspector, WPCA Chief of Maintenance, and Inland/Wetlands, when applicable. A complete site plan must be submitted prior to the preapplication meeting. The team and its members will function in an advisory capacity for the Commission and will provide a report for each project proposed in the TCD.

I. Parking

1. Off-Site Parking - Notwithstanding 6.1, if a business has insufficient parking to meet the regulatory requirements on the site where the business is established, the business may satisfy the requirement by acquiring (lease or purchase) the additional required parking spaces on an off-site location approved by the Commission. In such instances, the distance from the closest perimeter wall of the business establishment to the perimeter of a defined off-site parking location shall not exceed 900 feet, except that parking spaces dedicated for employee use may be at a greater distance.

2. Aesthetic and Pedestrian Considerations - If a business determines that site aesthetics and pedestrian accessibility can be improved by the addition of malls, walkways, landscaping, or similar site elements, or if adequate additional off-street parking is provided, it may apply to the Commission for a special permit that would allow for reduced on-site parking in favor of these design enhancements and the substitution of additional parking spaces within a defined off-site parking location approved by the Commission. In such instances, the distance from the closest perimeter wall of the business establishment to the perimeter of the defined off-site parking shall not exceed 900 feet, except that parking spaces dedicated for employee use may be at a greater distance.

3. Location

- a. With the approval of state and municipal authorities, street-side parking within the right-of-way is permitted.
- b. No street-side berms are required.

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c. Off-street parking shall be located in the side or rear yards of street-front development.

4. Minimum Spaces – Parking shall be provided as required by Section 6.1 of these Regulations.

J. Design Flexibility

1. Assemblages – In order to allow for more practical and conforming development, the assemblage of smaller, contiguous parcels into a legal, consolidated conforming parcel is to be encouraged.

2. Side Yards – Pursuant to Section 5.1E above, the Commission has provided for the “clustering” of buildings, on separate sites, planned in such a manner as to foster pedestrian accessibility and continuity, integrity of architectural design, and the orientation of buildings to the street. In such instances, the adjoining buildings may be connected by covered pedestrian walkways or courtyards. The Commission, however, must give specific consideration to the need to provide emergency passage of vehicles through these yards and fire protection methods.

3. Setbacks from Access Drives – Setbacks from common area access drives shall not be less than ten feet. No parking space may be located closer than ten feet from a building.

4. Parking Areas – Buffers, setbacks, and other distance requirements pertinent to parking areas may be reduced when the Commission finds that such reduction will foster pedestrian accessibility, pedestrian and vehicular safety, and utilization of good design and engineering principles. Pedestrian walkways are permitted within any buffers in setback areas between roads, drives, accessways, and parking area pavement.

5. Signage – Signs within the district shall conform to the requirements of Section 6.2, except as follows:

a. There shall be a common design concept, approved by the Commission, for signs for individual businesses located within a building or grouping of buildings.

b. “Building signs” of the prescribed size shall be allowed on both the front and rear of a building.

c. “Freestanding signs” directing vehicles to the access points or assigned parking area of individual businesses may be erected on the approach to access drives or roadways provided that:

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- i. The location of the signs is consistent with the Plan of Development,
- ii. The sign(s) do not inhibit lines of sight.
- iii. The overall sign shall have lettering and directional arrows that contrast from the background and shall not exceed a size of 20 square feet.
- iv. Individual sign panels, placed on the above sign and indicating the individual business name, shall not exceed six inches x 36 inches.
- v. Signs shall be no more than 10.5 feet in height.
- vi. Sign location shall not interfere with the use of any sidewalks.

d. Signs which identify the district may be erected at the borders of the district with the prior written permission of the landowners of record. These signs shall be uniform in appearance and shall not exceed 20 square feet.

K. Sidewalks

1. Installation

For any new, modified, assembled, or subdivided properties within the District, sidewalks shall be installed as follows:

- a. Along all street frontages, between the road right-of-way and building frontages;
- b. Along all sides of a developed site which abut a public highway;
- c. Adjacent to entrances to buildings at locations deemed appropriate by the Commission;
- d. So as to connect sidewalks on a user's property with parking areas on the same or adjacent properties;
- e. So as to connect any sidewalk on a user's property to adjacent parks, plazas, or other open space and/or recreational areas; and
- f. In the event an adjacent sidewalk is planned but not built, the sidewalk shall be built so as to connect to the proposed sidewalk.

2. Sidewalk Location

- a. Sidewalks shall not be permitted within any area dedicated by either the DOT or the Brookfield Director of Public Works (DPW) for guardrails, fencing, drainage devices, plowed snow storage, and the like.

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b. Sidewalks shall be located parallel to the street at a height six inches above the edge of pavement unless otherwise determined by the Commission so as to adjust to variable site conditions.

c. When located immediately adjacent to street-side parking spaces, they may be located immediately adjacent to the street curb.

d. When not located adjacent to street-side parking spaces, they shall be located no closer than four feet from the curb or edge of pavement. This four-foot area shall be planted with sod or ground cover plant material.

e. With the specific approval of the cognizant state and municipal agencies, sidewalks may be located within the roadway right-of-way.

3. Construction

a. Sidewalks shall be extended to the perpendicular curb at intersections and shall be continuous across driveways.

b. Sidewalks shall meet the requirements of the Americans with Disabilities Act.

c. Sidewalks shall be sloped to prevent the accumulation of water on the surface.

d. Steps shall not be permitted on sidewalks.

e. Minimum Width:

i. When immediately to adjacent diagonal, on-street parking:

A minimum of five feet in width to provide for unencumbered pedestrian passage. An additional paved area of not less than eight feet in width from the sidewalk to the front of a building shall be provided. This area shall include containerized landscaping, tree wells, and street furniture.

ii. When on-street parking is not provided:

A minimum of five feet in width located from either the front lot line or edge of pavement and may be located within any required street-side buffer area.

4. Construction Standards

All sidewalks shall be constructed in accordance with DOT and Brookfield Department of Public Works standards and specifications.

5. Owner Responsibility

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The owner of the private property directly abutting a sidewalk shall be responsible for and have the duty, burden, and expense of the maintenance, repair, snow/ice removal, cleaning, repair, and renewal of such walks.

L. Landscaping

1. Landscape Plan

The landscaping plan shall be developed with the goal of creating a pedestrian friendly environment.

2. Planter Boxes

Street-side areas shall use planter boxes containing deciduous, evergreen, and other similar plants. They shall be located every 20 feet along the front perimeter of the site. The planter boxes shall be not less than three feet in diameter or three feet square and adequate to support the continued and healthy plant life contained therein.

3. Buffer Areas

The Commission may require landscaped buffer areas to shield or enhance the view of the site and the use from adjacent uses, land, or buildings.

M. Street Lighting

Property owners shall provide street lighting from dawn to dusk each day along all sidewalks as follows:

1. Maximum separation distance between poles shall be 50 feet.
2. Maximum pole and fixture height shall be 14 feet.
3. Lighting fixtures and poles shall be uniform in design throughout the district and shall comply with the requirements of Section 6.4.
4. The connection from power source to lighting poles shall be underground.
5. There shall be one in-line cartridge-type fuse per each pole accessible through a covered hand hole.
6. The average level of illumination shall be 12 LUX.
7. Property owners shall be responsible for maintenance and repair including bulb changing.
8. Installation plans shall be specifically approved by the Commission and DPW.

N. Public Utilities

All utilities shall be placed underground unless otherwise authorized by the Commission upon review of plan and finding that unique geographical or complex technical circumstances exist.

O. Road Right-of-Way Improvements *[amended eff. 2019-July-5]*

In the absence of any requirement in these regulations for an adjacent property owner to undertake certain improvements required by these regulations, in accordance with Connecticut General Statutes sections 7-148 and 8-2, as part of any construction or reconstruction within the road right-of-way of any State or Town road located within the Town Center District (TCD), the Town and/or State shall comply with sections 5.1.K, L and M and Appendix 2, subsections 4.8 through 4.10.

5.2 TCD Perimeter Overlay Zone**A. Purpose**

The purpose of this overlay zone is to:

1. Encourage housing in the TCD of sufficient density to support small-scale commercial and transit uses.
2. Enable properties on the perimeter of the underlying TCD to have the flexibility to develop residential uses not otherwise permitted in the TCD zone.

B. Permitted Uses

In addition to all permitted uses allowed in the underlying TCD Zone, multifamily dwellings and PARC developments are permitted by special permit in the TCD Overlay zone in accordance with the requirements of Section 3.14 and Section 3.15, respectively.

5.3 Residential – Rental Housing Opportunity/Workforce Zone (R-RHOW)**A. Purpose**

The purpose of the Residential – Rental Housing Opportunity/Workforce Zone (R-RHOW) is to:

1. Increase the availability of affordable and attainable rental workforce dwellings in the Town of Brookfield where existing and adequate public facilities and services are present.
2. Rehabilitate sites that have become either functionally obsolete or have suffered from significant deterioration or have become derelict.
3. Efficiently utilize existing infrastructure and promote neighborhood planning where such infrastructure is available to create a diversity of housing and mixed commercial uses.

B. Requirements

A mixed commercial/workforce housing use may be permitted within the R-RHOW Zone subject to special permit by Section 8.5, the R-RHOW Zone Regulations, and the following additional requirements:

1. The development shall contain a mix of residential and commercial uses which may include retail, restaurant, and professional and medical offices with associated amenities.
2. The development shall be located on Federal Road and within 1,600 feet of the intersection of Federal Road and Station Road.
3. The development shall be located on a parcel of land or combined parcels of land having a minimum of three acres and a maximum of five acres which are served by public sewer and water.
4. The parcel shall have a minimum width of 500 feet.
5. Impervious coverage shall not exceed 60 percent.
6. Setbacks for buildings shall be as follows:
 - a. Street or front yard minimum of five feet
 - b. Side yard minimum of five feet
 - c. Rear yard minimum of 100 feet
7. Minimum number of parking spaces shall be one and one-half (1.5) per dwelling unit. Spaces shall be a minimum of nine feet by 18 feet. Reasonable accommodations shall be made for commercial uses as shall be determined by the Commission.
8. Maximum building height shall be three stories.
9. Maximum density for residential uses shall not exceed 27 dwelling units per acre.
10. A minimum workforce housing component of 10 percent of the total number of dwelling units shall be provided, which shall be set aside for occupants earning not more than 80 percent of the area median income. An incentive housing plan and deed and/or lease restrictions comparable to those required by C.G.S. §8-30g (as it may be amended) and/or Section 5.1 of the Brookfield Zoning Regulations shall be submitted for approval by the Commission to ensure compliance with this requirement as a condition of any approval.
11. All applications shall meet the requirements of Section 5.1H of the Brookfield Zoning Regulations.

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12. A minimum of 3,000 square feet on the first floor of the buildings located on the site shall be for a commercial use. Notwithstanding the foregoing to the contrary, the Commission may require that additional commercial space on the first floor of any buildings on the site be reserved as a “flex space” and prioritize it for additional commercial use in such buildings prior to allowing the use of such flex space for residential use. The total of such flex space shall not exceed 50 percent of the first floor of the buildings located on the site.

C. Expiration

For any R-RHOW in existence as of the adoption date of these Regulations, the Commission shall no longer accept applications for a mixed commercial/workforce housing use, in accordance with these Regulations, after **July 1, 2021**. In addition, no new R-RHOW zones shall be created after the adoption date of these Regulations.

5.4 Brookfield Aquifer Protection District (APD)

A. Purpose

It is the purpose of the Brookfield APD to protect public health by preventing contamination of the ground and surface water resources providing water supply or potential water supply to the Town of Brookfield. These Regulations intend to provide protections across a larger area of existing or potential water supply sources than the Town of Brookfield's Aquifer Protection Area Regulations, adopted under CGS 22a-354a to 22a-345bb, and administered by the Brookfield Zoning Commission.

B. Applicability

These regulations apply to all land within the boundaries of the APDs delineated on a map on file in the offices of the Commission that shows both primary and secondary recharge areas of the designated aquifer and is entitled "Aquifer Protection District, Town of Brookfield effective January 1, 2000" and that are not serviced by a public water company (e.g. Aquarion, etc.).

C. Compliance

Within Town boundaries, the APDs shall be superimposed on existing zoning districts. The provisions of these regulations shall be in addition to all other requirements of applicable statutes, codes, regulations, or ordinances. In the event of conflict between the provisions of this Regulation and any other Town regulation, the more restrictive requirement shall control.

D. Permitted Uses

1. Permitted uses are all uses permitted within the underlying district except as cited in Subsection D(2) below.
2. The following uses or activities are specifically prohibited:
 - a. Road salt storage and loading facilities
 - b. Manufacture, storage, warehousing, or transportation of toxic, hazardous, or contaminant materials as a primary activity
 - c. On-site disposal of toxic, hazardous, contaminant, or industrial waste into the soil or groundwater regime
 - d. Truck terminals, depots, yards, and servicing facilities of a transportation line or company as a primary activity but excluding warehousing and distribution services
 - e. Sanitary landfills, junkyards, salvage yards, and other solid waste disposal
 - f. Contractor's yards

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- g. Motor vehicle service or washing stations of a commercial nature
- h. Automotive and boat sales, repair or storage. Boat storage may be permitted provided the following precautions are designed, constructed and followed:
 - i. All boat storage shall be within a weather tight building.
 - ii. No repair work on any boat shall be permitted.
 - iii. Internal fire protection walls shall be provided and no area protected by such walls shall exceed 10,000 square feet.
 - iv. A fire alarm system shall be installed and maintained. It shall be connected to a twenty-four (24) hour answering service. Fuel fume detectors shall also be installed on the ground level and shall be connected to the alarm monitoring system.
 - v. The floors shall be Portland cement concrete and depressed a minimum of ten (10) inches with Portland cement concrete “curbs (minimum ten (10) inches high). All concrete shall be sealed against water, oils and fuel. All construction joints shall be sealed.
 - vi. A 20,000 gallon storage tank shall be provided and have a high overflow connected to a catch basin if possible. All floor areas shall drain to this tank.
 - vii. All drain plugs shall be left in any boats on the ground level.
 - viii. All batteries shall be removed from the boats prior to the boat being placed within the building.
 - ix. All personal items containing any flammable materials shall be removed from the boats prior to the boat being placed within the building.
- i. Disposal of snow from Disposal of snow from outside of the district
- j. Uses or processes whereby other than standard domestic wastes generated on the site are discharged into the groundwaters of the Town of Brookfield
- k. Underground storage of fuel and other flammable or hazardous material except that pre-existing underground storage may be continued as a pre-existing, nonconforming use provided that there is evidence that no leakage has occurred.

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l. Etching, plating, coating, finishing, degreasing, chemical cleaning, and the like

m. Unless specifically regulated by the DEEP or prohibited by the state or Brookfield Health Department, the storing of hazardous substances for purposes of retail consumer sale or individual private use is excepted from this prohibition.

E. Aquifer Protection Performance and Design Standards

1. General

All permitted uses shall conform to the standards indicated below. The purpose of these standards is to prevent or minimize potential groundwater pollution from improper waste disposal, releases of hazardous materials, and other sources. An alternative standard or protection method may be approved if it is clearly demonstrated to provide equivalent protection of these standards.

2. Exception

Storage or use of hazardous materials in quantities normally associated with customary residential or office use as determined by the Commission is exempt from these standards.

3. Stormwater Management

a. No wastewater discharges shall be connected to the stormwater system.

b. Stormwater from developed site areas shall be directed to an aboveground outlet point (swales, basins, surface waters). Discharges to drywells or other subsurface leaching structures may be allowed for the recharge of clean stormwater only, such as clean roof drainage.

c. Stormwater contact with sources of pollution shall be prevented by use of roofs, covers, berms, and directing runoff away from such sources.

d. Parking, storage, loading, and other areas where releases can occur shall be an impervious surface.

e. All sites and parking areas shall require the property owner or site operator to prepare, implement and maintain a Stormwater Management Plan as described by DEEP in its "General Permit for the Discharge of Stormwater Associated with Commercial Activity" document of May 15, 2017, as revised. Furthermore, runoff from parking areas shall be collected and contaminants shall be separated therefrom by use of engineered contaminant collection devices, e.g., Vortechs or similar systems. The contaminant materials shall be disposed of in accordance with DEEP

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regulations. Maintenance on the collector system shall be performed at least annually, and collection of contaminant materials shall be performed at least semiannually. A report prepared by a professional engineer shall be submitted to the Commission annually and shall describe the results of the stormwater management system inspection and any required corrective action. A permanent maintenance bond in an amount designated by the Commission shall also be required.

f. The use of sodium chloride as a deicing agent is prohibited.

4. Wastewater Discharges

No wastewater shall discharge to the ground other than approved domestic sewage systems or other certain discharges approved by state wastewater discharge regulations, such as contaminant separator systems.

5. Floor Drains

No floor drains shall discharge into the ground. Floor drain discharges may be connected to public sanitary sewers in accordance with DEEP or WPCA approval. Bathroom and kitchen drains connected to a Health Department approved septic system are excepted from this standard.

6. Storage, Generation, Use, and Handling of Hazardous Materials

All areas and operations where hazardous materials are stored, generated, used, or handled shall be designed and constructed to prevent groundwater contamination including provisions for the control of inadvertent or accidental spills, leaks, or other discharges. The following standards shall apply:

a. Manufacturing, processing, or other activities using hazardous materials shall be conducted only in a building or structure where the flooring is impervious to the material being used. Suitable containment provisions shall also be constructed for areas in which such activities are conducted. If floor drains are present, they shall be made inoperable prior to conducting such activities.

b. Generation of toxic or hazardous materials in excess of 100 kilograms per month shall require a permit issued by the DEEP. Disposal of any material so generated shall be in accordance with DEEP regulations.

c. Pre-existing underground storage tanks may be replaced subject to the following:

i. Tanks shall be double-walled fiberglass-reinforced plastic or a double-walled steel cathodically protected.

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ii. Piping and distribution lines shall be protected against corrosion and constructed of double wall pipe or within a secondary containment pipe or conduit.

iii. A monitoring or failure detection system shall be employed.

iv. An overfill prevention or containment area shall be employed.

d. Aboveground storage tanks, containers, or drums shall be within a building or structure meeting the following requirements:

i. Have an impervious floor and containment area or dike of adequate size to contain the total volume stored

ii. The area shall be protected by a roof and adequate sides to prevent exposure to precipitation.

iii. Tank overfill protection devices shall be designed to prevent release of overfill outside of the storage area.

iv. Storage areas shall be located outside of floodprone areas or be floodproofed.

v. Have no floor drains

e. Venting systems for evaporation or distillation of hazardous materials shall be designed with a control or recovery system to prevent the discharge of contaminated condensate or drippage.

f. Loading or transferring activities shall be conducted on impervious surfaces, roofed and diked to capture and control any spills or leaks.

7. Bulk Material and Solid Waste Storage

a. Bulk storage facilities of nonhazardous materials which may leach into the ground such as deicing salt, sludge, manure, or silage shall have an impervious floor and roof and be raised or designed to prevent surface water runoff from entering.

b. Solid waste dumpsters shall be on a concrete pad, covered and plugged so as to be watertight.

8. Hazardous and Contaminant Materials Control Plan

A control plan and applicable procedures shall be submitted for approval that contains the following elements:

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- a. An inventory of all hazardous or contaminant materials which are or will be generated, stored, or used at the facility and a description of the methods and procedures utilized for the receipt, handling, storage, utilization, treatment, and disposal of such materials. The inventory shall also state the quantities involved and shall be accompanied by the applicable Material Safety Data Sheets (MSDS).
- b. Security and inspection measures to control vandalism or accident
- c. The locations and types of storage containers used to store hazardous and contaminant materials and a description of leak detection and prevention methods and equipment
- d. Procedures for the periodic inspection and maintenance of handling equipment and storage containers
- e. A description of the operations at the site, including service, cleaning, or manufacturing processes which might result in contamination of surface or groundwater
- f. Procedures to contain and clean up spills or leaks of hazardous materials
- g. Procedures for the collection after use and off-site disposal of hazardous and contaminant materials
- h. Procedures for an emergency response to natural or man-made accidents or disasters including notification of local and state officials
- i. Name, address, and phone number of the persons responsible for implementing the above plans and procedures

9. Pesticide and Fertilizer Use

Any use which includes more than five acres of land for crop, lawn, garden, or landscaping requiring regular application of pesticides or fertilizer shall be accompanied by a management plan indicating the types of materials, application schedule, and conformance with DEEP-approved best management practices.

10. Monitoring

If the Commission determines that additional safety measures and monitoring are needed because of hydrological conditions, existing contamination, or a high potential for contamination, then it may require the installation of monitoring wells, periodic sampling, and reporting of analysis of the samples.

F. Permit Review

To ensure compliance with these Regulations, review and determination must be made by the Commission in accordance with Section 8.10 in order to grant a special permit in a Brookfield APD.

G. Inspection

On a periodic basis or for good and sufficient reason at other times, the Commission shall cause inspections and/or tests to be conducted to verify compliance with applicable federal, state, and municipal standards/requirements for drinking water. In the event that such tests indicate noncompliance, the Commission shall require the owner/occupant to immediately cease operations causing such noncompliance and to take timely corrective action at his expense.

5.5 Floodplain Districts (FP)**A. General Provisions**

1. Applicability

In accordance with the official Floodplain Map identified hereinafter, this district is superimposed over any other zoning district. It is subject to all regulations applicable to the underlying district and those additional regulations contained in this section.

2. Administration

All projects to be contained wholly or in part in the Floodplain District shall be submitted by the applicant to the Inland Wetlands Commission, if required by law. The application to the Zoning Commission, pursuant to Section 8.9 of these Regulations, shall not be accepted unless the applicant has submitted an application to the Inland Wetlands Commission previous to or no later than the application submitted to the Zoning Commission, if required by law. If an application was required by law to be submitted to the Inland Wetlands Commission, the Zoning Commission shall not render a decision on such application and site plan until a report has been submitted by the Inland Wetlands Commission with its final decision. This information along with a copy of the Inland Wetlands permit and all other data as prescribed by Section 8.4 or Section 8.5 shall become a criterion to be considered in the approval/ denial of the application and shall be made part of the applicant's design review file.

3. Use Variances

In accordance with the authority granted by CGS § 8-6, no use variances shall be permitted in the Floodplain District.

B. Floodplain District Boundaries

The areas of special flood hazard identified by FEMA in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated June 18, 2010, accompanying Flood Insurance

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Rate Map (FIRM) dated June 18, 2010, other supporting data applicable to the Town of Brookfield, and any subsequent revisions thereto are hereby adopted by reference and declared to be a part of this section. Since mapping is legally adopted by reference into this section, it must take precedence when more restrictive, until such time as a map amendment or map revision is obtained from FEMA. The areas of special flood hazard include any area on the FIRM designated as Zones A and AE, including areas designated as floodway on a FIRM. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the FIS for a community. The BFEs provided on a FIRM are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The FIS is on file at the office of the Town Clerk, Town Hall, Brookfield, Connecticut. The regulatory flood protection elevation for any point in question shall be the governing factor in locating the zoning district boundary of the land.

1. Establishment of Development Permit

A development permit shall be obtained before construction or development begins within any area of special flood hazard as prescribed in Section 8.9 of these Regulations.

2. Designation of the Brookfield Zoning Commission

The Brookfield Zoning Commission is hereby appointed to administer and implement this section by granting or denying development permit applications in accordance with its provisions.

3. Information to be Obtained and Maintained

a. Obtain and record the actual as-built elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures.

b. For all new or substantially improved floodproofed structures:

i. Verify and record the actual as-built elevation (in relation to mean sea level).

ii. Maintain the floodproofing certifications required in Section 8.9 and Appendix 1.

iii. Maintain for public inspection all records pertaining to the provisions of this section.

4. Alteration of Watercourses

Notify adjacent communities and the DEEP prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.

C. Floodway Permitted Uses

Subject to the provisions of and in conformance with Section 8.4 or Section 8.5, the following open space uses may be permitted within the floodway provided that such uses do not require fill, structures, or storage of materials or equipment and are not prohibited by any other regulations:

1. Low-value agricultural uses, including pasture, grazing, wild-crop harvesting, and nonfertilized crops
2. Private and public recreation, such as golf courses; tennis courts; driving ranges; archery ranges; picnic grounds; swimming areas; outdoor ice-skating rinks; parks; wildlife and nature preserves; target ranges; trap and skeet ranges; fishing areas; and bicycle, hiking, and horseback riding trails

D. Floodplain Permitted Uses

Subject to the provisions of and in conformance with Sections 8.4 or 8.5 of these Regulations, the following uses may be permitted within the floodplain to the extent that they are permitted in the underlying district:

1. All uses permitted in the floodway, as described in Subsection C
2. All agricultural uses, including general farming, nurseries, truck farming, and forestry, provided that all structures are located outside the floodway
3. Seasonal commercial uses, including open-air markets and drive-in theaters, provided that all structures are located outside the floodway
4. Parking areas and loading areas, provided that all structures are located outside the floodway
5. Nonstructural residential uses, including lawns, garden, parking area, and play areas, provided that all structures are located outside the floodway
6. Storage of low-cost, nonhazardous materials, provided that all structures are located outside the floodway
7. Nonresidential buildings whose lowest floor is elevated one foot above the 100-year flood or is floodproofed to an elevation one foot above the 100-year flood, provided that all structures are located outside the floodway
8. Residential buildings whose lowest floor, including basement, is elevated one foot above the 100-year flood, provided that all structures are located outside the floodway

E. Other Permitted Uses

The following uses may be permitted in floodplain areas with or without floodways having established BFEs but prohibited in the floodway, provided that no structure (temporary or permanent), fill deposits (including fill for roads, parking, and levees),

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excavations, obstructions, storage of materials or equipment, or other use may be allowed which, acting alone or in combination with existing or future uses, increases flood elevations by one foot or more beyond the BFEs as depicted on the Town's FIS dated June 18, 2010, and in the accompanying FIRM.

1. Circuses, carnivals, and similar transient amusement enterprises
2. Natural resources removal in accordance with Section 6.7
3. Railroads, streets, bridges, utility transmission lines, and pipelines
4. Support for structures, excluding fill, where the floor level of the structure is above the regulatory flood protection elevation but the supports are within the floodplain area
5. Structures constructed on fill, or first floor if there is no basement, provided that the basement floor is above the regulatory flood protection elevation. The fill shall be at a point no lower than one foot below the regulatory flood-protection elevation for the particular area and shall extend at such elevation at least 15 feet beyond the limits of any structure or building erected thereon.
6. Uses or structures accessory to a permitted use

F. Structures (temporary or permanent)

1. Structures shall not be designed for human habitation except as provided in Subsection D(8).
2. Structures shall have a low flood-damage potential.
3. The structures or structure, if permitted, shall be constructed and placed on the building site so as to offer the minimum obstruction to the flow of floodwaters. Whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of flood flow, and so far as practicable, structures shall be placed approximately on the same flood flow lines as those of adjoining structures.
4. Structures shall be firmly anchored to prevent flotation, which may result in damage to other structures or restriction of bridge openings and other narrow sections of the stream or river.
5. Service facilities, such as electrical and heating equipment, shall be constructed at or above the regulatory flood-protection elevation for the particular area.

G. Storage of material and equipment

1. The storage or processing of materials that are buoyant, flammable, or explosive in time of flooding is prohibited.

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2. Storage of other material or equipment may be allowed, if not subject to major damage by floods, if firmly anchored to prevent flotation or if readily removable from the area within the limited time available after flood warning.

H. Provisions for Flood Hazard Reduction

In all areas of special flood hazards, the following standards are required:

1. Anchoring: All new construction, including manufactured and mobile homes, and substantial improvements thereto shall be anchored to prevent flotation, collapse, or lateral movement and to resist hydrostatic and hydrodynamic pressure. Anchoring may include over-the-top or frame ties to ground anchors.

2. Construction materials and methods:

a. All new construction and substantial improvements shall be constructed with materials resistant to flood damage.

b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

3. Utilities:

a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.

c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

d. Electrical heating, ventilation, plumbing, and air-conditioning systems shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

e. Aboveground storage tanks that are located outside or inside of the structure must be elevated above the BFE on a concrete pad or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of floodwater.

I. Specific standards

In all areas of special flood hazards where BFE data has been provided as set forth in Subsection B, Floodplain District Boundaries, and Subsection B(4), Use of Other Base Flood Data, the following provisions are required. If any structure or portion thereof lies

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partially or wholly within one or more flood zones, the entire structure must comply with the most stringent requirements of the zones involved.

1. Residential construction:

New construction and substantial improvements thereto shall be placed on a permanent foundation and shall have the lowest floor, including basement, elevated to or above the BFE. This includes manufactured homes located outside a manufactured home park or subdivision, in an existing manufactured home park or subdivision, or on a site in an existing park in which a manufactured home has incurred substantial damage as a result of a flood. Recreational vehicles placed on sites within the areas of special flood hazard shall either be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, or meet the elevation requirements listed above and anchoring requirement of Section H (1). A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect utilities and security devices, and has no permanent attached additions.

2. Nonresidential construction

New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to a level one foot above the BFE or, together with attendant utility and sanitary facilities, shall:

- a. Be floodproofed from an elevation one foot above the BFE and below so that the structure is watertight with walls and floors substantially impermeable to the passage of water;
- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects on buoyancy; and
- c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certificates shall be provided to the official set forth in Subsection B(5)(b).

3. Floodways

- a. Located within areas of special flood hazard established in Subsection B are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris and potential projectiles and erosion, the following provisions apply:
 - i. Encroachments, including fill, new construction, substantial improvements, and other development, are prohibited unless certification, with supporting technical data, by a registered professional engineer is provided demonstrating through hydrologic

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and hydraulic analyses performed in accordance with standard practice that encroachments shall not result in any (0.00 feet) increase in flood levels during the occurrence of the base flood discharge.

When utilizing data other than that provided by FEMA, the Commission shall select and adopt a regulatory floodway based on the principle that that area chosen for the regulatory floodway shall be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one foot at any one point.

ii. If Subsection I(3)(a)[i] is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Subsection H, Provisions for Flood Hazard Reduction.

iii. Manufactured homes and recreational vehicles, (temporary or permanent) are prohibited within all special flood hazard areas.

b. These requirements are in addition to those requirements of Site Plan or Special Permit Application established in Section 8 of these Regulations.

4. 100-Year Flood Districts

Where BFEs have been determined but before a floodway is designated, no new construction, substantial improvement, or other improvement, including fill, shall be permitted which could increase BFE more than one foot at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.

J. Equal Conveyance, Compensatory Storage, and Associated Prohibitions

1. Equal Conveyance

Within the floodplain, except those areas that are tidally influenced, as designated on the FIRM for the community, encroachment resulting from filling, new construction, or substantial improvements involving an increased footprint of the structure are specifically prohibited unless the applicant provided certification from a registered engineer demonstrating, with supporting hydrological and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (BFE). Work within the floodplain and the land adjacent to the floodplain including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.

2. Compensatory Storage

The water-holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction, or substantial improvements involving an increased footprint to the structure shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on site unless easements have been gained from adjacent property owners. It shall be provided within the same hydraulic reach and a volume not previously used for flood storage. It shall be hydraulically comparable and incrementally equal to the theoretical volume of floodwater at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off site if approved by the Town of Brookfield.

5.6 Watershed Protection District (WPD)

A. Candlewood Lake Watershed District, (CLW)

1. Background

Candlewood Lake, the state's largest lake and one of its most important inland water resources, has experienced a gradual deterioration of water quality since about 1950. Studies of the lake shoreline development area have recommended planning to avoid the need to install a public sewer system.

Brookfield is one of five Connecticut towns that border the lake shore. The lake's watershed area is 26,461 acres, and Brookfield's portion is 1,177 acres or 4 percent of the total. However, the watershed in Brookfield, especially the lake shore area, is generally intensively developed and a primary source of stormwater runoff that can carry nutrients and pollutants that contribute to the eutrophication of the lake and deterioration of lake and groundwater quality.

These regulations are designed to minimize, and where possible reduce, the negative impact of stormwater runoff affecting Candlewood Lake and the watershed area, thereby reducing the rate of lake eutrophication and avoiding the need for a public sewer system.

2. Purpose

The purpose of the Candlewood Lake Watershed District is to prevent nutrient enrichment or contamination of Candlewood Lake and its watershed and to avoid the need for sewers in this densely developed area of Brookfield.

Specifically, the purposes are:

- a. To minimize the impervious surfaces and maximize infiltration of stormwater runoff

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- b. To reduce peak stormwater flow and minimize the likelihood of soil erosion, stream channel instability, flooding, and habitat destruction
- c. To preserve and/or create vegetative buffers of native plantings to control and filter stormwater runoff
- d. To minimize disturbance of natural grades and vegetation and utilize existing topography for natural drainage systems
- e. To contain stormwater runoff on the site wherever possible to reduce the volume of stormwater runoff before it reaches the groundwater or surface water bodies
- f. To prevent and minimize potential groundwater pollution from improper waste disposal, release of hazardous materials, and other sources

3. Land to which these regulations apply

These regulations apply to all land within the boundaries of the Candlewood Lake watershed as delineated on a map on file in the offices of the Commission entitled "Candlewood Watershed District, Town of Brookfield."

4. Compliance

Within Town boundaries, the Candlewood Watershed District shall be superimposed on existing zoning districts. The provisions of these regulations shall be in addition to all other requirements of applicable statutes, codes, regulations, or ordinances. In the event of conflict between the provisions of this Regulation and any other Town regulation, the more restrictive requirement shall apply.

5. Permitted Uses

Permitted uses are all uses permitted in the underlying districts except those cited in Section 5.4D(2).

6. Required Stormwater Management Plan and Data

All new building construction, or an addition, alteration, or enlargement that results in an increase in the amount of impervious surface (paved drives, walks, patios, etc.) on a lot where the total impervious surface is ten percent or greater, shall require a Stormwater Management Plan. In addition to the data required elsewhere in these Regulations, the following data shall be required:

- a. A narrative report prepared by a licensed engineer indicating:
 - Any risk or threat to Candlewood Lake or the water resources in its watershed from site development, site improvements, or on-site operations proposed in the application and measures

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- Methods of assessment and best management practices to prevent and reduce any such risk or threat
- Supporting documentation, including calculations and engineering details, shall be provided to illustrate the existing and proposed development's compliance with these Regulations, which development shall be designed in accordance with the stormwater management design guidelines of the "Connecticut Stormwater Quality Manual" of 2004, as revised.

b. A site plan indicating

- All relevant data required under Section 5.4(F)
- Location and area of all impervious surfaces on the site
- Location and area of turf cover (lawn areas)
- Location and area of all existing woodland areas
- Location and area of all existing and proposed vegetative buffer areas
- Location and description of all potential runoff and pollution sources including erosive soils and steep slopes
- Location and specification of all existing and proposed stormwater best management practices

7. Best Management Practices

The following practices and methods shall be incorporated into all Stormwater Management Plans where practicable:

- Vegetated swales, buffers, filter strips
- Level spreaders
- Grassed drainage swales, wet or dry
- Maintain or restore predevelopment vegetation
- Minimize creation of steep slopes
- Bioretention structures/residential rain gardens
- Rainwater harvesting/rain barrels
- Dry detention ponds
- Underground detention ponds
- Proper location and reduction of impervious surface area on site
- Disconnect flows from multiple impervious surfaces
- Permeable pavement choices
- Groundwater infiltration systems (curtain drains, drywells, galleries, etc.)

8. Approval Considerations

a. Prior to the issuance of Zoning Approval or Certificate of Zoning Compliance, the Commission, acting through its authorized agent, the Zoning Enforcement Officer, shall give consideration to the simplicity,

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reliability, and feasibility of the individual Stormwater Management Plan prepared for the site.

b. The Commission, or its agent, may solicit the opinion of the Health Department, Town Engineer, Inland Wetlands Commission, and the Planning Commission concerning any application involving the Candlewood Lake Watershed District.

c. Approval shall not be granted until the Zoning Enforcement Officer determines that the proposed plan will employ best management practices to substantially reduce and improve the on-site cleansing of stormwater runoff from the site.

Article 6 – General Standards

6.1 Parking, Loading, and Access

A. Off-Street Parking and Loading

1. Purpose:

- a. That all structures and land uses be provided with a sufficient amount of off-street vehicular parking space to meet the needs of the users of such structures and land uses without adversely affecting nearby land uses and surrounding neighborhoods.
- b. Provide safe and convenient pedestrian circulation within the site to be developed, and between the site and adjacent properties.
- c. The following standards and schedules of required parking spaces shall be considered the minimum necessary to accomplish this purpose unless otherwise provided in these Regulations.

2. Applicability:

- a. This section of the Regulations shall apply to any proposed use or development activity that requires Zoning Permit, Site Plan, or Special Permit approval.
- b. Structures and land uses in existence, or for which building and zoning permits have been issued prior to the adoption of these Regulations, shall not be subject to any additional parking or loading space requirements of this Section, provided that any existing parking or loading facilities shall not be reduced below the amounts required by these Regulations.
- c. Any change or expansion of an existing use that requires a larger amount of parking or loading space under these Regulations than is currently provided shall meet the parking and loading requirements of the new or expanded use, unless otherwise specified elsewhere in these Regulations.

3. Location Standards

- a. Off-street parking and loading shall be provided and maintained on the same parcel as the use that the parking serves, except that commercial or industrial establishments may provide and maintain parking facilities on another parcel within a radius of not more than 900 feet from the principal entrance to the building or structure containing the use to be served.
- b. If parking is provided on a separate lot located on another parcel, the following standards shall apply:

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- i. The property owner(s) shall demonstrate that the separate approved lot has excess capacity to support the dedication of spaces to another use;
 - ii. Safe pedestrian walkways must be provided from the separate lot to the building or structure containing the use to be served;
 - iii. An easement in force for as long as the subject use, and in a form acceptable to the Town Attorney, shall be recorded in the land records identifying the number of spaces on the separate lot dedicated to the subject use and requiring Zoning Commission approval for any changes in the easement that would reduce available parking;
 - iv. In no case shall a use located within a nonresidential district be served by a separate parking lot located within a residential district;
- c. All parking and loading spaces shall be provided with adequate dimensions for ingress and egress in accordance with Table 6.1 below.
- d. No parking area of ten or more spaces shall exit or enter onto a road less than 75 feet from the center line of the nearest intersecting street.
- e. No parking space may be closer than twenty-five feet (25') from the front lot line. A separating strip of at least ten feet (10') shall be provided, either in the form of a landscaped bed or a sidewalk, or both, between a building and any parking spaces or drive aisle. Commercial/commercial vehicles supporting a business entity (i.e. trucks, vans, pickup trucks and the like) shall be parked in the rear yard only, except that the Commission may specify another location in unique circumstances dictated by unusual or complex site conditions.

[amended eff. 2020-Apr-27]

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4. Design Standards

- a. Parking and loading spaces and access aisles shall conform to the minimum dimensions specified in Table 6.1.
- b. Parking and loading spaces and access aisles shall be surfaced with concrete, bituminous concrete, or other equivalent dustless-type material and shall be suitably marked.
- c. To ensure adequate drainage and prevent the collection of standing water, all parking spaces shall be sloped at least 1 percent but not more than 10 percent.
- d. Up to 25 percent of parking spaces may be designated for compact car parking. The layout of these spaces shall discourage their use by mid and full size cars. Generally, the compact spaces shall be clustered in the same area. The purpose of this section is to encourage a design which will reduce the amount of impervious surfaces and provide additional landscaped area.
- e. Parking designated for handicapped accessibility shall conform in number of spaces required, location, and dimension to the requirements of the Connecticut State Building Code, as amended.
- f. The perimeter of any parking area for a commercial or industrial use shall be finished with a curb of not less than six inches in height backfilled with earth material.
- g. All artificial lighting used to illuminate any parking area shall be in accordance with Section 6.4.
- h. Fire lanes shall be provided as follows:
 - i. Fire lanes shall be designated by the Zoning Commission in consultation with the Town of Brookfield Fire Marshal.
 - ii. Fire lanes and adjacent curbing shall be suitably marked and painted in traffic yellow

Table 6.1 Parking Dimensions and Aisles

Parking Space Dimensions	Width	Length
90° Parking Space	9'	18'
Diagonal Parking	9'	18'
Parallel Parking	8'	20'
Compact Car Parking Space	8'	16'
Handicap Accessible Parking	as per ADA reqs.	
Loading Space Dimensions	Width	Length
Loading Space	12'	*
Access Aisle	24'	N/A
Minimum Aisle Width	One-Way	Two-Way
Parallel or 30°	14'	24'
45°	16'	24'
60°	16'	24'
75°	23'	26'
90°	26'	26'

** Loading space lengths shall be commensurate with the type of vehicle anticipated to serve the use*

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iii. Immediately adjacent to these fire lanes, appropriate signage indicating a prohibition from parking in fire lanes shall be erected on stanchions or placed on an adjacent building a minimum of 5' high from the pavement surface and at intervals along the fire lanes of not more than 50 feet apart.

5. Minimum Required Parking Spaces

The number of parking spaces shall be determined using Table 6.2 below. For uses not shown in the table, the Commission or Board shall apply the recommendations contained in the Institute of Traffic Engineers "Parking Generation" manual, as may be revised, or a study of parking generation of comparable projects performed by a qualified transportation professional.

a. When the computation of required spaces results in a fractional total, any fraction less than one-half shall be disregarded and any fraction equal to or greater than one-half shall be rounded to one off-street parking space

b. When any land or building is used for two or more distinguishable purposes (i.e. joint or mixed-use development), the minimum total number of parking spaces required to serve the combination of all uses may be determined in the following manner.

i. Multiply the minimum parking requirement for each individual use (as set forth in the Table 6.2) by the appropriate percentage (as set forth in the Table 6.3, Parking Credit Schedule Chart) for each of the five designated time periods and then add the resulting sums from each vertical column. The column total having the highest total value is the minimum shared parking space requirement for that combination of land use.

c. The Zoning Commission may permit the construction of some portion of the required parking spaces to be deferred when it finds that the full number of spaces are not required immediately. However, construction of stormwater management systems designed to accommodate the entire parking area shall not be deferred. The Zoning Enforcement Officer, in consultation with the Zoning Commission, may require the installation of the deferred parking spaces at any time if he determines that the constructed parking is insufficient for the use.

d. The Zoning Commission may permit two or more parcels of land to enter into a shared parking agreement to satisfy the parking requirements per tables 6.2 and 6.3, based on additional study of parking generation of proposed and existing land uses on the parcels. The parcels shall be located within 500 feet of one another and there shall be safe pedestrian access provided between the parcels, and proposed and existing uses. The shared parking agreement shall be in a form acceptable to the Town Attorney and shall be recorded in the Land Records.

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Table 6.2 Parking Space Requirements

Type of Use	Required Spaces	Per Unit of Measurement	Notes
1. Community Services			
a. Community service facility	1	250 SF GBA	
2. Institutional Uses			
a. Cemetery	1	acre	
b. Daycare (child and adult)	1	4 children	Additional drop-off spaces may be required at the Commission's discretion
c. Places of worship/parish houses and centers, provided a minimum lot area of one-hundred-twenty thousand (120,000) sq ft.	1	3 seats	
d. Public Buildings (state or federal)	1	250 SF GBA	
e. Elementary and Middle Schools and Preschools – public, private <i>Plus</i>	1	6 students	Additional drop-off spaces may be required at the Commission's discretion
	1	staff	
f. Secondary Schools – public, private, training schools	1	2 students design capacity	
g. Town of Brookfield buildings	1	300 SF GBA	
3. Dwellings and Residential Care			
a. Single-family dwellings	2	Dwelling unit	
b. Multi-family dwellings, including in mixed-use developments (1 BR) (see Section 3.14)	1.5	Dwelling unit	
c. Multi-family dwellings, including mixed-use developments (2+ BR) (see Section 3.14)	1.5	Dwelling unit	Additional visitor parking may be required at the Commission's discretion.
d. Planned Age Restricted Community (PARC) (see Section 3.15)	1	Dwelling unit	Additional visitor parking may be required at the Commission's discretion.
e. Assisted living facility, congregate housing, continuing life care community, or nursing facility.	1	3 beds	
f. Accessory Dwelling Unit	1	Dwelling unit	Additional to primary residence
g. Home Occupation	1	Employee not residing in the dwelling	Additional to primary residence
4. Agriculture and Animals			
a. Kennels	1	500 SF GBA	
b. Agriculture/Farm Stand	1	Employee	Additional customer parking may be required at the Commission's discretion.
c. Commercial livestock or poultry	1	Employee	
d. Greenhouses	1	Employee	
e. Veterinary offices and animal hospitals	1	250 SF GBA	

Definitions: GBA – Gross Building Area; LF – Linear Feet; SF – Square Feet

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Table 6.2 Parking Space Requirements (continued)

Type of Use	Required Spaces	Per Unit of Measurement	Notes
5. Lodging			
a. Hotels/motels/inns/bed and breakfast	1	Room	
<i>Plus</i>	1	Employee	
<i>Plus</i>	1	4 seats	If hotel includes restaurant and/or bar uses.
b. Conference centers as accessory uses to hotels/motels/inns	1	100 SF gross assembly area	Additional customer parking may be required at the Commission's discretion.
6. Retail Sales and Service			
a. General Retail	1	300 SF GBA	
b. Artisan/craftsman studio/shop	1	300 SF GBA	
c. Furniture or carpet store	1	1,000 SF GBA	
d. Automobile and boat service (limited or general motor vehicle repair license)	3	Service Bay	
e. Dry Cleaner/laundry	1	250 SF GBA	
f. Home Improvement, Hardware, Flower, nursery, garden centers	1	500 SF GBA	
g. Gasoline sales/filling station	1	250 SF GBA	
h. Personal service business	1	250 SF GBA	
i. Rental or sales of autos, equipment, and/or supplies	1	Vehicle or similarly-sized equipment to be stored on premises	
<i>Plus</i>	1	250 SF GBA	
j. Undertaking and funeral homes	1	4 seats	Or 1 per 200 SF gross useable floor area, if no fixed seats
7. Offices			
a. Banks and financial institutions	1	250 SF GBA	
b. Medical and dental offices	1	250 SF GBA	
c. Professional and business offices	1	300 SF GBA	
<i>Plus</i>	1	Company vehicle	
8. Food and Beverage Establishments			
a. Sit-Down Restaurant, Fast Food Restaurant, Limited Service Restaurant, Taverns, Bars, Cocktail Lounges	1	100 SF of public floor area	
<i>Plus</i>	1	200 SF of non-public area	
b. Catering establishment where food is prepared for delivery and consumption off the premises	1	300 SF GBA	

Definitions: GBA – Gross Building Area; LF – Linear Feet; SF – Square Feet

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Table 6.2 Parking Space Requirements (continued)

Type of Use	Required Spaces	Per Unit of Measurement	Notes
9. Industrial			
a. General industrial, publishing, or research facilities	1	1,000 SF GBA	
<i>Plus</i>	1	300 SF gross office area	
<i>Plus</i>	1	Company vehicle	
b. Truck and bus terminals	1	Employee	Plus adequate loading, parking, and/or staging areas to the Commission's satisfaction
c. Warehousing and distribution	1	2,000 SF GBA	
<i>Plus</i>	1	300 SF gross office area	
<i>Plus</i>	1	Company vehicle	
d. Wholesale	1	500 SF GBA	
10. Recreation			
a. Assembly halls, banquet halls, and theaters	1	3 seats	
b. Health and fitness centers	1	250 SF GBA	
c. Indoor courts, pools, sporting areas	1	200 SF GBA	Additional spectator parking may be required at the Commission's discretion
d. Marinas, docks and slips	1	Mooring or slip	
e. Outdoor courts, fields, or play areas	2	acre	Additional spectator parking may be required at the Commission's discretion
f. Pools, skating rinks	1	100 SF rink or pool area	Additional spectator parking may be required at the Commission's discretion
11. Storage			
a. Bulk storage or materials	1	2,000 SF GBA	
b. Motor vehicles or boats, indoors	1	3,000 SF GBA	
c. Contractor's equipment, indoor	1	2,000 SF GBA	
d. Self-storage facilities	1	5,000 SF GBA	
12. Energy and Utilities			
a. Utilities (electric, water, natural gas, public sewer)	1	Employee	
b. TV and data facilities	1	Employee	

Definitions: GBA – Gross Building Area; LF – Linear Feet; SF – Square Feet

Article 6 – General Standards**Table 6.3 Parking Credit Schedule Chart**

	Weekday Night	Weekday Day	Weekday Evening	Weekend Day	Weekend Evening
	Midnight to 7:00 am	7:00 am to 5:00 pm	5:00 pm to Midnight	6:00 am to 6:00 pm	6:00 pm to Midnight
	(percent)	(percent)	(percent)	(percent)	(percent)
Residential	100	60	90	80	90
Office/Industrial	5	100	10	10	5
Commercial/Retail	5	80	90	100	70
Hotel	70	70	100	70	100
Restaurant	10	50	100	50	100
Restaurant associated with hotel	10	50	60	50	60
Entertainment/recreation (theaters, bowling allies, cocktail lounges and similar)	10	40	100	80	100
Day-care facilities	5	100	10	20	5
All other	100	100	100	100	100

B. Outdoor Vehicle Storage

1. Trailer Coaches, Campers, Commercial Trucks, and Storage Trailers

a. Occupancy of trailer coaches and campers is not permitted. This subsection shall not be interpreted to prevent the use of a trailer coach as a temporary office in connection with a construction project, provided that suitable provisions for running water and sanitary sewage disposal are approved in writing by the Town Sanitarian prior to the issuance of a building permit.

b. Interior Storage

i. Except as provided hereinafter, no roadway vehicle, trailer, or other similar device shall be used to store equipment, goods, or materials on premises for an extended period of time.

ii. The Zoning Commission may, in its sole discretion, issue a zoning permit for storage of equipment, goods, or material for a period not to exceed

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60 days once in any given 12-month period. Such a permit shall be issued for a use in a commercial or industrial zone only.

iii. In granting such a permit, the Commission shall have found that the placement of such vehicle or trailer is in conformance with the provisions of this Section, and that no conditions would be created that would adversely affect traffic safety or the general health, safety, and welfare.

c. Storage of commercial trucks should not be observable from the road or from any abutting residential zone.

C. Access

Access from subject lots to public rights of way and, where applicable, adjacent lots shall be in conformance with the following standards.

1. Criteria and Standards

a. No parking or loading space shall be located with direct access to a driveway leading to and from a public street in the area where traffic is expected to queue. A minimum queuing area shall accommodate two vehicles unless otherwise specified in these Regulations.

b. Points of access shall align with opposing streets and driveways unless there is a specific site or safety condition that precludes such alignment.

c. The width of an access drive from the street shall be a minimum of 12 feet for one-way traffic and shall not exceed 24 feet for two-way traffic except in instances where there is a landscaped median or in instances where the width is controlled by a permit issued by the Connecticut DOT.

d. Except for single-family dwellings, traffic controls and pavement markings shall be installed and maintained as determined by the Local Traffic Authority and shall conform to the "Manual on Uniform Traffic Control Devices" (MUTCD).

2. In order to reduce existing and potential traffic congestion and safety issues on the Federal Road corridor, the following standards shall apply to any project or development with frontage or access onto any portion of Federal Road. In addition to the standards and regulations described below, applicants should familiarize themselves with the requirements set forth by the Connecticut Office of the State Traffic Administration (OSTA) with respect to new traffic control devices, modifications to existing traffic control devices, and certification of major traffic generators (pursuant to CGS § 14-311).

a. Vehicle access to a property and circulation thereon shall be arranged in such a manner so as to safeguard against hazards to traffic, property and pedestrians, to avoid congestion on any street and to provide safe and convenient circulation in the street and upon the property.

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- b. Where reasonable alternate access is available, the vehicular access to the lot shall be arranged to avoid traffic use of local residential streets situated in or bordered by residential districts.
- c. Where a property has frontage on two or more streets, the access to the property shall be provided to the property across the frontage and to the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians.
- d. The street giving access to the property shall have traffic-carrying capacity and be suitably improved to accommodate the amount and types of traffic generated by the proposed use.
- e. Where necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, provision shall be made for turning lanes, traffic directional islands, frontage roads, driveways and traffic controls within the streets.
- f. Access driveways shall be of a design and have sufficient capacity to avoid queuing of entering vehicles on any street.
- g. Commercial and industrial entrance driveways shall be a minimum of two 12-foot-wide lanes in each direction of travel. For driveways entering into a town road, the width of the driveway flare at the edge of the roadway where the driveway intersects the roadway shall be a maximum of 30 feet for residential drives and 50 feet for commercial/industrial drives unless the Commission determines that a wider width of driveway flare will facilitate traffic flow and/or is required for overriding considerations of safety. Driveways entering into state highways are under the jurisdiction of the state DOT and/or OSTA.
- h. It is the intent of the Commission to minimize the number of curb cuts and access points along all state highways and Town roads. Provision shall be made for circulation driveway connections to adjoining properties of similar existing or potential use whenever possible, based on physical conditions and ownership agreements.
- i. Existing traffic, access management, and safety plans and studies adopted by the Western Connecticut Council of Governments, its predecessor entities, and the Connecticut DOT shall be considered in the development of traffic mitigation measures relating to any development adjacent to Federal Road. To the extent practicable, improvements and mitigation measures shall implement or complement previously planned improvements.
- j. There shall be no more than one driveway connection from any property to any street, except that separate entrance and exit driveways may be provided where necessary to safeguard against hazard, provide access for emergency

vehicles, and to avoid congestion. Additional driveway connections may be provided particularly for but not limited to large tracts and uses of extensive scope if traffic flow in the street will be facilitated by the additional connection. Driveways shall not exceed 30 feet in width at the street line or such lesser width as will be sufficient to accommodate the traffic to be generated unless a greater width is required by the Town Road Ordinance.

k. Where it is projected that the additional traffic resulting from the project will reduce the level of service to D or below, the Commission shall not approve the project unless and until provision has been made for the improvement of said condition. In all traffic analysis reports, use of a volume/capacity ratio of 1.00 to represent either level of Service C or E is acceptable as long as the selected base is used consistently and clearly indicated.

D. Traffic Impact Analysis

The Commission shall require a traffic impact analysis as part of any application for a multifamily dwelling project of 20 or more units or any other project containing either 50 or more parking spaces in a new or expanded parking lot or generating 100 or more vehicle trips a day.

1. Such analysis shall include, at least, the following information:
 - a. Existing and projected traffic volumes (average daily traffic, peak a.m. and p.m.) and peak-hour traffic generation
 - b. Past and present roadway conditions including location and number of accidents
 - c. Existing roadway capacity and volume and capacity ratios
 - d. Proposed sight lines
 - e. Location of existing and proposed curb cuts, traffic lights, and intersections at the development site and within 300 feet from the development site
 - f. Traffic impact of proposed development, including but not limited to the effect of the proposed development on traffic conditions on abutting streets and any nearby intersections that would have 100 or more vehicle trips in a peak hour
 - g. The patterns of vehicular circulation in relation to the adjoining street system
 - h. Adequacy of:
 - i. Right-of-way and travel way
 - ii. Traffic signalization, traffic channelization, left-turn lanes, and roadway widths of adjoining streets

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- iii. Vehicular stacking lanes and/or distances
 - iv. Pedestrian drop-off areas
 - v. Other traffic or transportation facilities to accommodate the proposed development
 - i. Recommendations for safe pedestrian, bicycle, and vehicular circulation
 - j. Where applicable, the applicant shall include the written recommendations of the Connecticut DOT, the Brookfield Police Commission, and the Commission's engineer
 - k. Whether a significant traffic impact will occur as identified under subsection (2) below
2. In evaluating whether the projected impacts of a proposed project are significant, the Commission shall consider the following factors:
- a. The effect of traffic conditions on abutting streets and nearby intersections that would have 100 or more peak-hour vehicle trips
 - b. The adequacy of traffic signalization, channelization and turn lanes, roadway width, length of queues, traffic drop-off areas, and other transportation facilities
 - c. A reduction of the peak-hour level of service at an intersection below Level D (or a further degradation of the level of service if the intersection is already at or below service D). The Commission may also take into consideration the incremental degradation of service within a particular level of service.

6.2 Signage

A. Purposes

The provisions of this section have been adopted to achieve the following purposes:

1. To preserve property values by preventing unsightly and detrimental development which has a blighting influence upon residential, business, and industrial uses of land.
2. To ensure signs may perform their important functions of identifying and advertising businesses, while preventing signs from reaching such excessive size that they obscure one another to the detriment of adjacent businesses.
3. To promote the maintenance and development of an attractive visual environment and maintain the aesthetic and historic character of the Town of Brookfield and prevent the blighting influence of large signs.
4. To prohibit billboards, defined as signs that promote an activity, business, or product that is unrelated to the site on which it is located, and to prevent the blighting influence of large signs.
5. To foster public safety on streets by assuring that all signs are located and designed in a safe and appropriate manner that prevents the creation of traffic distractions and hazards.
6. Notwithstanding any element of this statement of purposes or any other subsection of these Regulations, any authorized sign may contain non-commercial copy in lieu of any other copy, so long as the other provisions of these Regulations are complied with, it not being the intent of these Regulations to regulate sign content.

B. Severability

1. Should a court of law deem any portion of these Regulations, their subparts, or referring regulations to be Constitutionally infirm, said court may strike or sever such portion it deems inconsistent with the Constitution of the United States of America or the Constitution of the State of Connecticut and leave the unoffending portions of these Regulations intact.

C. Permits

1. Application for a sign permit shall be on an appropriate form provided by the Zoning Commission, in accordance with the requirements of Appendix 1.
2. The fees associated with a Sign Permit shall be in accordance with the Zoning Commission Fee Schedule (Appendix 3).
3. No sign shall be installed, enlarged, or relocated unless it conforms to the provisions of this regulation and a permit has been secured.
4. Permits shall be issued by the ZEO, in accordance with the Zoning Permit procedures established in Section 8.2 of these regulations.

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5. Permits are valid only during the time the business is in operation. Signs and all sign material shall be removed within ten days after the business ceases to be operational. The period shall begin on the day following the last day the business is open.

D. Prohibited Signs

The signs or sign devices are expressly prohibited:

1. Streamers, banners, inflatables, flag-like, or other sign devices not herein defined, unless specifically authorized for grand opening events
2. Flashing, rotating, moving, or blinking signs, or optically projected slide signals which are changed periodically. This provision shall not be construed to prohibit clocks or time and temperature signs that have been approved by the Commission.
3. Signs illuminated by flashing, rotating, moving, or blinking sources of light, or signs having an exposed source of illumination.
4. Signs that are illuminated in a manner or with such intensity or brightness that they may tend to cause glare, distraction, or nuisance to operators of vehicles, pedestrians, or neighboring property owners and/or occupants.
5. Signs including structural elements that obstruct any window, door, fire escape, stairway, or opening intended to provide light, air, ingress, or egress from any building or structure.

E. General Provisions

1. Construction: All signs shall be constructed of strong material which will not warp or contort with weather or age, firmly supported so as to withstand wind conditions normally expected throughout the year, and kept freshly painted or otherwise maintained in good condition and repair.
2. Design and Appearance: All signs shall be compatible in scale, design, color, and construction with the architectural character of the building(s) or premises to which they refer and with the neighborhood within which they are located.
 - a. The structure portions of signs (columns, cross-beams, braces, etc.) shall be proportional to the sign panel they are supporting.
 - b. Freestanding signs shall meet the ground in an attractive manner. The use of appropriate plantings with year-round attractiveness, mulched with a fine stone aggregate or bark surface treatment, shall be required in conjunction with the approval of a new sign if necessary for compliance with this section.
 - c. The following guidelines should be considered in the design of signs to maximize their function as a communication tool:

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- i. Simple fonts and use of a combination of upper and lower-case lettering (compared to all upper-case lettering) are encouraged to promote legibility.
- ii. Open or negative space surrounding lines of type or graphic elements should be greater than the copy space for multiple lines of copy.
- iii. Signs employing light-colored copy on a contrasting, darker-colored background is encouraged to enhance sign visibility, as white or light-colored backgrounds may be more difficult to read due to the competing nature of environmental light sources.
- iv. A well-defined edge or border to a sign enhances its visibility.

3. Window Signs

Window signs shall not exceed **25%** of the total window area for each business, viewable from a public street or from a parking area, provided no such window sign shall be located or maintained so as to be a hazard to traffic or pedestrians, to obstruct any door, ventilation system or cause any other hazard to public health or safety.

4. Location

- a. No sign shall be located closer than **35 feet** from the center of the traveled portion of the road, or closer than **10 feet** from the edge of pavement of the road, in any zone, except names and addresses attached to mailboxes. No sign location shall obstruct any line of sight. Where a paved or traveled portion of any street is widened and the sign obstructs the new lines of sight, it shall be set further back to conform to the requirements.
- b. No sign shall be arranged so that it blocks reasonable sight lines for streets, walks, or driveways. No sign should be confused with a traffic control device by reason of the sign's color, location, shape, and/or other characteristics or through any other means. Glare from the sign shall not interfere with traffic.
- c. All permitted signs must be located on the same lot as the building or use to which said signs apply.
- d. No sign may be attached to a tree.

5. Wording: Descriptive wording may be changed without a permit provided that the area dedicated to changing descriptive wording, commonly called "reader boards," shall not exceed 50 percent of the total sign area and that the coloration and composition of the text are compatible with the remainder of the sign.

6. Dimensional Standards

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- a. The area of a sign shall be considered to be that of the smallest rectangle, triangle, or circle which encompasses all lettering, wording, design, or symbols. If attached to or located on the building, the area of the sign shall include any background different from the balance of the wall if such background is designed as an integral part of, and obviously related to, the sign. When the lettering is placed on a building, the area of the sign shall be computed as the area of the smallest quadrilateral capable of including all lettering or other items comprising the sign.
- b. Building signs shall be limited in total square footage to the amount of "linear building frontage" facing each street, main access drive, or interior courtyard/pedestrian mall. In multioccupant buildings, the allowable signage facing each street, main access drive, or interior courtyard/pedestrian mall shall be proportionally divided according to the percentage of the "linear building frontage" attributable to each occupant on that street, main access drive, or interior courtyard/pedestrian mall, or such other method as may be approved by the Commission in unique or unusual circumstances.
- c. Roadside signs are to be limited to one per building, or three commercial buildings in a group with a maximum size of 50 square feet. If there is more than one establishment, the sign may contain the name of all occupants with each name appearing on a panel. If the establishment is a retail service station, an additional sign or signs denoting prices of fuel only, not to exceed 24 square feet, may be located on the trademark sign stanchion.
- d. Where a double-facing sign is allowed, the maximum permitted sign area shall apply to each face. All framing shall be included in computing the sign area. Where the sign is not contained within the outer dimension of a frame, then the area of the sign shall be computed as the area of the smallest quadrilateral encompassing all lettering and other items comprising the signs. Legs, posts, pedestals, or monuments supporting the sign and below the sign quadrilateral shall not be considered in computing the maximum area of the sign.
- e. If a permitted sign is independent of a building, the top of said sign or support shall be not higher than 18 feet above mean ground level in the immediate area in which the sign is located. If the sign is mounted on a monument or pedestal-type base that is more than one foot wide, the height of the monument type or pedestal base shall not exceed five feet above mean ground level. Support legs or posts shall not exceed 12 inches in diameter or width.
- f. A sign supported by a wall shall not be set out more than 12 inches from said wall and shall not project above the roofline or beyond the side of said wall.
- g. No building sign shall extend above the roofline or parapet wall.

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7. Illumination

- a. Animation, flashing, moving, or festoon lights or any audio advertising devices shall not be permitted.
- b. Where a building fronts on two streets, each frontage is to be considered individually, with the limitations applied as for two separate units.
- c. Illuminated signs may be permitted by the ZEO, subject to the following regulations:
 - i. A drawing showing the general appearance of the proposed illuminated sign from each street from which such sign may be visible shall be provided to the ZEO.
 - ii. A plot plan showing the location of the proposed illuminated sign in relation to existing buildings on the same lot and on all adjacent lots, including lots which would be adjacent but for the existence of a street, shall be provided to the ZEO. The names of the owners of such lots shall be clearly shown thereon.
 - iii. Internally illuminated or back-lit signs shall not exceed 225 lumens of luminous flux for every square foot of signage. Data sheets must be provided with application.
 - iv. Lighting fixtures illuminating signs shall be carefully located, aimed, and shielded so that light is directed only onto the sign façade. Light shall not be aimed toward adjacent streets, roads, or properties, nor shall the light source be visible from any public right-of-way or from outside of the lot lines.
 - v. No LEDs or new internally illuminated signs shall be permitted in the TCD or any residential zone.
 - vi. Externally mounted light fixtures shall be mounted on the top of the sign structure and aimed downward unless it can be demonstrated that alternative designs will not result in light spillover.
 - vii. All ground-mounted fixtures shall be screened by bushes or other appropriate means; all fixtures mounted on the sign itself shall blend in with the background color of the sign or its surroundings as deemed appropriate for the site.
 - viii. Energy-saving and solar lighting are encouraged.
 - ix. Halo-lit signs may be approved by the ZEO provided that white light only shall be used, and light intensity shall be subtle and create a low

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intensity light wash on the sign board or background surface. Colored lighting is not permitted.

x. The ZEO may approve a reduced-size sign if halo lighting is requested.

xi. Internally illuminated signs existing at the date of adoption of these Regulations may remain and may have minor modifications to reflect changing business names, but more significant changes in location, size, or structure shall require compliance with these Regulations.

xii. The ZEO may require readjustment or relocation of a sign in order to prevent glare and to ensure vehicular and pedestrian safety.

8. Sign Types by Zone Categories:

Signs shall be permitted in accordance with Table 6.4, in which the maximum area per sign is listed as square feet (SF).

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Table 6.4 Permitted Signs

Residential Districts		No Permit	By Permit
Sign Type	Name and occupation of occupant		
	Name and occupation of occupant	1 sign, max. 1 SF	
	Advertisement: sale, rental, or lease of same property	1 sign, max. 4 SF	
	Open House signs ** , †	5 signs, max. 4 SF	
	Sign identifying a civic, charitable, religious, patriotic, fraternal, or similar organization and its meeting hours, on a lot where such meetings are regularly held.	1 sign, max. 6 SF	
	Historical markers (placed by a bona fide historical organization or government agency)	1 marker, max. 3 SF	
	Names and addresses required to be placed on mailboxes by the US Post Office	As required	
	Traffic or other directional signs erected by the Town or other government entity	As required	
	Temporary sign indicating owner or resident's political preference and located on premises of such owner or resident (displayed during the period between 60 days before and one week after Election Day)	1 sign per elected office, max. 4 SF	
	Temporary sign advertising produce grown and sold on-premises , displayed during appropriate season only		1 sign, max. 4 SF
	Temporary tag sale signs , as furnished by Zoning Commission (required deposit is \$15, refund is \$9 if returned within 15 days)		3 signs, max. 1.5 SF
	Signs prohibiting trespassing, hunting, fishing, trapping, or picnicking on property likely to be used in such a way by unauthorized persons	4 signs/acre, max. 1 SF	
	Temporary sign advertising a subdivision (displayed up to 6 months; may be extended by Zoning Commission upon request; must be removed after completion of subdivision)		1 sign, max. 12 SF
	Temporary sign listing the contractor, engineer, architect, or other pertinent data associated with a construction project (displayed up to 6 months; may be extended by Zoning Commission upon request; must be removed after completion of construction)		1 sign, max. 12 SF
	Temporary directional signs advertising a not-for-profit special public event (displayed up to 7 days) ***, †		6 signs, max. 12 SF
	Seasonal farmer's market sign advertising a not-for-profit farmer's market (displayed up to 14 days before opening market to 7 days after final market of the season)		1 sign, max. 12 SF
	Municipal Greeting Sign providing a greeting to individuals entering the Town of Brookfield (including a badge, signica, or seal identifying a not-for-profit entity operating within the town, with a design acceptable to the Commission; if located on Town property, Board of Selection must approve). †		1 sign, max. 60 SF
<p><i>* For sale, rent, or lease signs: No sign shall be placed in a state or town right of way, notwithstanding any other provision of these Regulations. No sign shall be placed so as to block lines of sight for streets, drives, and walkways as determined by the Zoning Enforcement Officer. No sign shall be placed within four feet from a property line. Such signs may be added below a permitted roadside sign. The applicable fee for such sign shall be for each premises regardless of the number of signs permitted.</i></p> <p><i>** Open House signs: No more than one sign shall be permitted on any one intersection. For no longer than 36 hours. The signs shall be generic in nature and display no advertising. Violators shall be fined according to a schedule established by the Zoning Commission.</i></p> <p><i>*** Temporary not-for-profit special event signs: An application for such signs shall indicate the time period involved, the proposed design of the sign, and the proposed location of the sign(s). The signs shall be placed in a manner as to not impede lines of sight or otherwise adversely affect traffic safety. Applications for such signs will be processed on a first-come, first-served basis. No more than two independent signs may be placed at the same location within the same time period.</i></p> <p><i>† Any application for a sign to be located off of the premises to which it refers must be accompanied by express written consent of the owner of the property on which it is to be located. Any application for a sign to be located in a Town right of way must be accompanied by express written consent of the abutting property owner. No sign shall be placed in a state right of way.</i></p> <p><i>‡ See additional sign guidelines and standards of Appendix 2 – TCD Design Guidelines</i></p>			

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Table 6.4. Permitted Signs ... continued

Commercial and Industrial Districts

Sign Type	Standards	Commercial (C-1, C-2, CG-N, CG-S)		Town Center District		Marine Commercial		Industrial		Corporate Park	
		By Right	By Permit	By Right	By Permit	By Right	By Permit	By Right	By Permit	By Right	By Permit
Roadside sign identifying one or more permitted use(s) on the premises, bearing the names of all occupants (may be a directory sign).	1 sign, max. 50 SF (height 10.5' in TCD & MC)		X		X		X		X		X
Yard sign in lieu of roadside sign (as described above)	1 sign, max. 50 SF								X		X
Building sign identifying a store, shop, office, or business	1 sign per tenant, max 1 SF per 1 LF building frontage		X		X		X		X		X
Entrance and Exit Signs	1 sign per street opening, max. 3 SF and 2.5 ft height		X		X		X		X		X
Street address sign (only when affixed to an approved road sign, above the context of the roadside sign, with numerals no greater than six inches in height).	1 sign per approved roadside sign	X		X		X		X		X	
Advertisement sales, rental, or lease of same property	1 sign (or 2 signs if fronting on 2+ streets), max. 24 SF*, †	X		X		X		X		X	
Open House signs **; †	5 signs, max. 4 SF	X		X		X		X		X	
Sign identifying a civic, charitable, religious, patriotic, fraternal, or similar organization and its meeting hours, on a lot where such meetings are regularly held.	1 sign, max. 12 SF	X		X		X		X		X	
Historical Markers (placed by a bona fine historical organization or governmental agency)	1 marker, max. 3 SF	X		X		X		X		X	
Names and addresses required to be placed on mailboxes by the US Post Office	As required	X		X		X		X		X	
Traffic or other directional signs erected by the Town or other government entity	As required	X		X		X		X		X	
Temporary sign indicating owner or resident's political preference and located on premises of such owner or resident (displayed during the period between 60 days before and one week after Election Day)	1 sign per elected office, max. 4 SF	X		X		X		X		X	
Temporary sign advertising produce grown and sold on-premises , displayed during the appropriate season only	1 sign, max. 4 SF		X		X		X		X		
Temporary tag sale signs , as furnished by Zoning Commission (required deposit is \$15, refund is \$9 if returned within 15 days)	3 signs, max. 1.5 SF		X		X		X		X		X

* For sale, rent, or lease signs: No sign shall be placed in a state or town right of way, notwithstanding any other provision of these Regulations. No sign shall be placed so as to block lines of sight for streets, drives, and walkways as determined by the Zoning Enforcement Officer. No sign shall be placed within four feet from a property line. Such signs may be added below a permitted roadside sign. The applicable fee for such sign shall be for each premises regardless of the number of signs permitted.

** Open House signs: No more than one sign shall be permitted on any one intersection. For no longer than 36 hours. The signs shall be generic in nature and display no advertising. Violators shall be fined according to a schedule established by the Zoning Commission.

*** Temporary not-for-profit special event signs: An application for such signs shall indicate the time period involved, the proposed design of the sign, and the proposed location of the sign(s). The signs shall be placed in a manner as to not impede lines of sight or otherwise adversely affect traffic safety. Applications for such signs will be processed on a first-come, first-served basis. No more than two independent signs may be placed at the same location within the same time period.

† Any application for a sign to be located off of the premises to which it refers must be accompanied by express written consent of the owner of the property on which it is to be located. Any application for a sign to be located in a Town right of way must be accompanied by express written consent of the abutting property owner. No sign shall be placed in a state right of way.

‡ See additional sign guidelines and standards of Appendix 2 – TCD Design Guidelines

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Table 6.4. Permitted Signs ... continued

Commercial and Industrial Districts

Sign Type	Standards	Commercial (C-1, C-2, CG-N, CG-S)		Town Center District		Marine Commercial		Industrial		Corporate Park	
		By Right	By Permit	By Right	By Permit	By Right	By Permit	By Right	By Permit	By Right	By Permit
Signs prohibiting trespassing, hunting, fishing, trapping, or picnicking on property likely to be used in such a way by unauthorized persons	4 signs/acre, max. 1 SF	X		X		X		X		X	
Temporary sign advertising a subdivision (displayed up to 6 months; may be extended by Zoning Commission upon request; must be removed after completion of subdivision)	1 sign, max. 12 SF		X		X		X		X		X
Temporary sign listing the contractor, engineer, architect, or other pertinent data associated with a construction project (displayed up to 6 months; may be extended by Zoning Commission upon request; must be removed after completion of construction)	1 sign, max. 12 SF		X		X		X		X		X
Temporary directional signs advertising a not-for-profit special public event (displayed up to 7 days) ***†	6 signs, max. 12 SF		X		X		X		X		X
Seasonal farmer's market sign advertising a not-for-profit farmer's market (displayed up to 14 days before opening market to 7 days after final market of the season)	1 sign, max. 12 SF		X		X		X		X		X
Municipal Greeting Sign providing a greeting to individuals entering the Town of Brookfield (including a badge, signia, or seal identifying a not-for-profit entity operating within the town, with a design acceptable to the Commission; if located on Town property, Board of Selection must approve). †	1 sign, max. 60 SF †		X		X		X		X		X
Trademark sign stanchion displaying prices of fuel only (for a retail service station only)	1 sign (single or double faced), max. 24 SF		X		X		X		X		X
Off-premise directional signs †	As permitted, max. 1.5 SF		X		X		X		X		X
Sign advertising a special event, sale, promotion, or opening/closing of business (displayed up to 30 days, not more than twice annually unless otherwise permitted by the Zoning Commission) †	1 single/double faced sign, max. 24 SF		X		X		X		X		
Individual business signs perpendicular to the building line under a covered walkway	1 sign per business, max. 1.5 SF		X		X		X		X		X
Theater marquee signs (for a theater use only; placed flat against the face of such marquee and not extending beyond any edge of such face)	1 sign, max 1 SF per 1 LF building frontage		X		X		X		X		

* For sale, rent, or lease signs: No sign shall be placed in a state or town right of way, notwithstanding any other provision of these Regulations. No sign shall be placed so as to block lines of sight for streets, drives, and walkways as determined by the Zoning Enforcement Officer. No sign shall be placed within four feet from a property line. Such signs may be added below a permitted roadside sign. The applicable fee for such sign shall be for each premises regardless of the number of signs permitted.

** Open House signs: No more than one sign shall be permitted on any one intersection. For no longer than 36 hours. The signs shall be generic in nature and display no advertising. Violators shall be fined according to a schedule established by the Zoning Commission.

*** Temporary not-for-profit special event signs: An application for such signs shall indicate the time period involved, the proposed design of the sign, and the proposed location of the sign(s). The signs shall be placed in a manner as to not impede lines of sight or otherwise adversely affect traffic safety. Applications for such signs will be processed on a first-come, first-served basis. No more than two independent signs may be placed at the same location within the same time period.

† Any application for a sign to be located off of the premises to which it refers must be accompanied by express written consent of the owner of the property on which it is to be located. Any application for a sign to be located in a Town right of way must be accompanied by express written consent of the abutting property owner. No sign shall be placed in a state right of way.

‡ See additional sign guidelines and standards of Appendix 2 – TCD Design Guidelines

6.3 Landscaping

A. Purpose, Applicability, and Design Principles

1. Purpose: These landscaping requirements are adopted for the purpose of protecting property values by:

- a. Preserving existing vegetation, planting of new materials, and use of planters and similar landscape devices that enhance the environmental quality and visual appearance of sites, buildings, and parking
- b. Providing buffers between land uses that enhance privacy and minimize the intrusion of light, dust, and noise
- c. Preventing the erosion of soil
- d. Improving water quality through the reduction of sedimentation and promotion of runoff infiltration
- e. Improving the environmental quality and aesthetic quality of the Town of Brookfield

2. Applicability: These regulations shall apply to any proposed use or development activity that requires Site Plan or Special Permit approval. Additionally, the requirements contained in Section 6.3(B) shall apply to any application requiring subdivision approval. The Commission may approve alternate landscape treatments consistent with the purpose and intent of these standards.

3. Design Principles: to the greatest extent practicable, landscape design and specific treatments shall:

- a. Preserve the existing landscape in its natural state with respect to trees and vegetation, grade changes, and existing landscape features such as stone walls.
- b. Use natural, planted slopes rather than retaining walls.
- c. Retain existing healthy, mature trees and provide protection during construction.
- d. Use native species or cultivars of native species for the majority of the planted area that can survive on the natural rainfall cycle and require minimal or no fertilizers, herbicides, or pesticides.
- e. Incorporate stormwater management systems into the overall landscape plan for the site, including rain gardens, depressed planting islands, permeable pavers, and ponds.

4. Landscape Plan: compliance with all requirements of this Section shall be demonstrated and all plantings and proposed landscape architectural features indicated, on a landscape plan of at least the same scale as the required site plan. Such plan shall include a plant list with plant names, size at planting, and size when mature. It shall also provide planting instructions conforming to good horticultural practice. The plan shall be prepared by a licensed landscape architect.

B. General Landscaping Standards

1. To the extent practicable, the existing landscape shall be preserved in its natural state. Existing mature vegetation shall be maintained insofar as practical and may be credited toward meeting landscape requirements with the approval of the Board or Commission.

2. Where existing large trees have been removed prior to the submission of an application, the installation of additional landscape materials to preplace the removed trees may be required. The number, size, quality of the vegetation, amount of lost shade, and similar factors shall be considered when determining the amount of additional landscape materials to be installed.

3. Steep Slopes

a. Any slope in excess of 20 percent (1:5) shall be considered a steep slope.

b. Steep slopes and other areas subject to erosion shall require improvements and appropriate landscape treatments to ensure the stability of soils and viability of planted materials. Steep slopes shall be planted with shrubbery or ground cover. Riprap and other nonvegetative material may be allowed at the Commission's discretion.

c. No slope extending over 100 feet in length measured in any direction across the contours of a lot may be created with a grade that exceeds 33 percent on average. All site plans shall identify any existing slopes that exceed this criteria.

4. A variety of plant species shall be integrated into a landscaping plan, and the use of monocultures shall be avoided.

5. The use of invasive plant species, as identified by the Connecticut Invasive Plant Council, is prohibited (see <https://cipwg.uconn.edu>).

6. Plant materials used in or adjacent to parking areas shall be salt tolerant and capable of sustaining snow loads. Plant materials used in or adjacent to stormwater areas, including depressed landscape islands in parking lots, shall be tolerant of wet soils.

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7. At the time of planting, plant materials shall meet the following size criteria:

- a. Shade trees: 3" caliber or greater, measured at 6" above ground
- b. Flowering or understory trees: 2.5" caliber or greater, measured at 6" above ground
- c. Evergreen trees: 6' height or greater

C. Landscape Buffers

1. Buffers shall be provided in accordance with the following schedule:

Zone/Use	Front Yard		Side/Rear Yard (Adjacent to R Zone)	
	Buffer	Landscape Requirement	Buffer	Landscape Requirement
Corporate Park (any Use)	25'	25'	150'	25'
TCD Zones (any Non-Residential Use)	6' – 25'	6' – 25'	75'	25'
CG-N Zone (any Use)	25'	25'	50'	25'
CG-S Zone (any Use)	25'	25'	50'	20'
Marine Commercial Zones (any Use)	20'	20'	10'	10'
Other Commercial/Industrial Zones (any Non-Residential Use)	25'	25'	100'	25'
Multi-Family Residential (any Use)	25'	25'	50'	25'

2. Landscaped buffer areas within a front yard shall be planted with lawn and/or ground cover as well as street trees in accordance with the following schedule and standards.

Buffer Type	Trees Required	Other Requirements
Street Frontage Buffer	1 shade tree and 2 understory trees per 50' frontage	6 shrubs per 50' frontage; landscaped berm
Side/Rear Buffer	1 shade tree per 1500 SF area	Lawn, ground cover, flower beds, shrub beds
Side/Rear Buffer (if adjacent to R zone)	2 shade trees per 50' frontage, or alternatives acceptable to Commission	Alternatives include 3 understory trees, 6 evergreen trees, 12 shrubs per 50' frontage, or natural state; landscaped berm
Building Separation Buffer	N/A	1 to 4 shrubs per 10' building perimeter

a. Landscaped buffer areas shall contain only plantings, required berms, driveways and/or accessways, sidewalks, and/or pedestrian walkways as approved by the Commission.

b. If deemed necessary by the Commission to provide a visual and traffic safety barrier between the use and adjacent roadway, a designed landscaped berm of a height and configuration approved by the Commission shall be located in this buffer strip.

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c. No berm, planted material, fencing, or other obstruction located within the buffer area shall be required, installed, or allowed to grow so as to obstruct required lines of sight of vehicle drivers at any intersection.

D. Landscaping for Parking and Loading Areas

1. Any parking lot containing 10 or more spaces shall be provided with an amount of interior landscaped islands or planting strips equivalent to 10% of the total impervious area of the parking lot.

a. Such parking lots shall have landscaped islands at the end of each row of parking spaces.

b. All required landscaped islands shall have a minimum width of 8' exclusive of the curb and any walkway within such island, and a length of 18' in a direction perpendicular to the row. All landscaped islands shall include at least one shade tree.

c. Landscaped "divider islands", a minimum of ten feet (10') in width, separating opposing rows of vehicles. One (1) deciduous shade tree of a minimum of 3.5" in caliper shall be planted every twenty-five feet (25') along the divider island and shrubs every ten feet (10') along the divider island.

2. At least one shade tree shall be provided within the parking lot for every 10 parking spaces or portion thereof, which shall be provided within landscaped islands with an area of at least 150 square feet.

a. A minimum clear branch height of 8' shall be maintained above all parking and loading areas and pedestrian walkways.

3. Where soils are suitable, landscape islands shall be designed to filter runoff from the parking lot as part of the overall stormwater management system. In such cases, the landscape island shall be depressed from the pavement surface and protected with a suitable curb stop or guiderail system. Trees planted in such islands should be tolerant of wet environments.

4. A landscaped buffer shall be provided between any building and parking area or access drive, which may contain a sidewalk with the balance of the buffer planted with trees, shrubbery, or groundcover. This requirement shall not apply to any driveway providing access to an internal garage or loading area.

Schematic Illustrations of Parking Area Terms

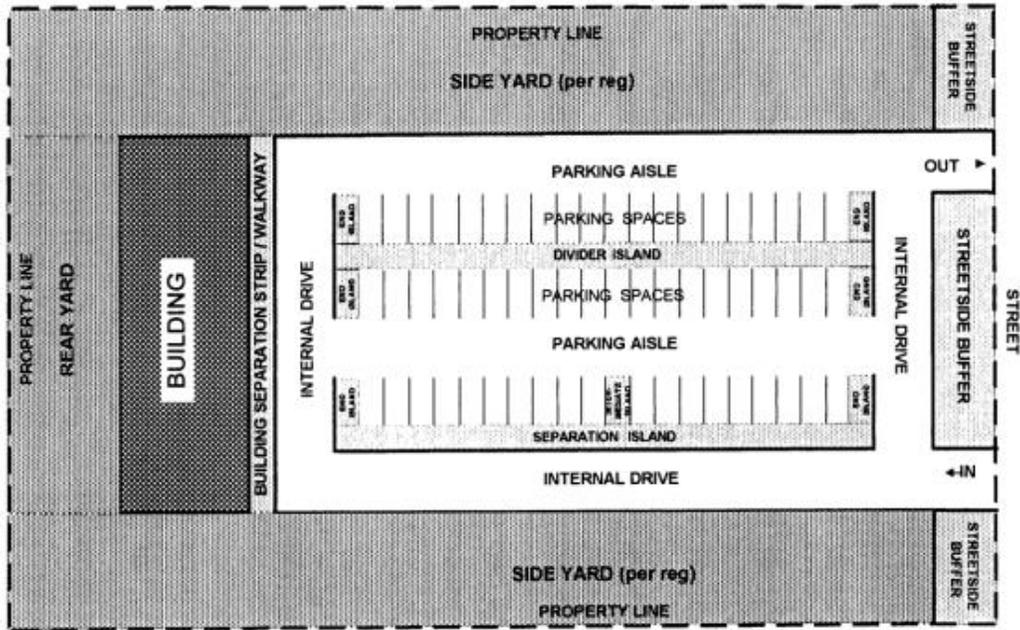


Figure 1.

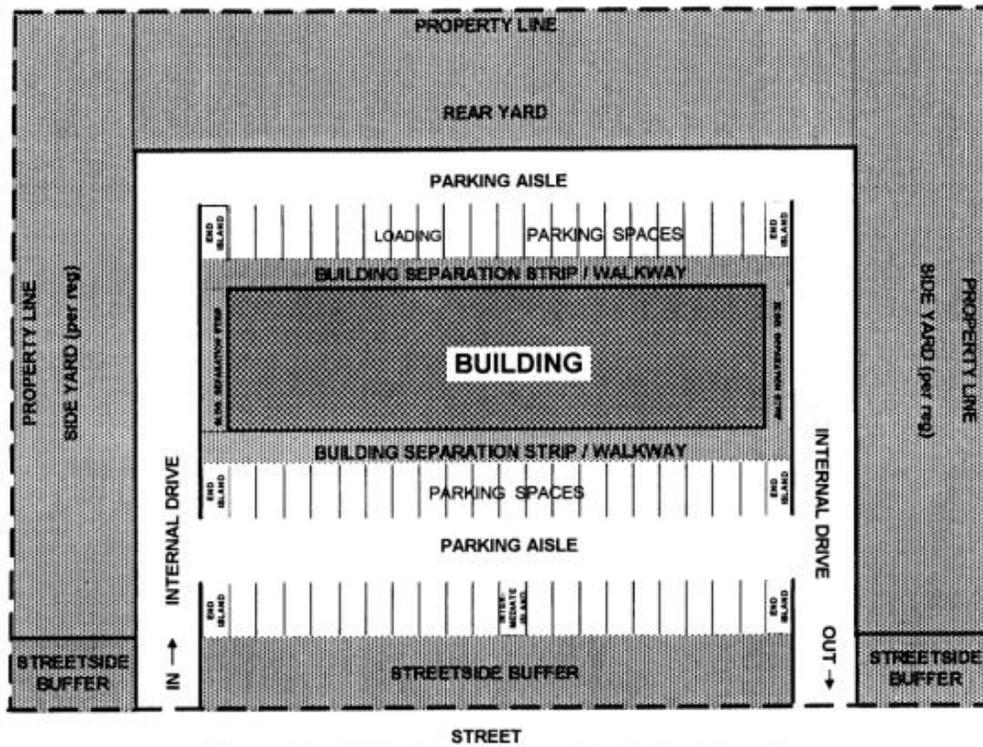


Figure 2.

6.4 Outdoor Lighting

A. Purpose

It is the purpose of this standard to regulate the illumination of land uses in order to avoid unnecessary upward illumination, minimize indirect light trespass onto adjacent properties, and reduce glare so as to eliminate deleterious physical effects and promote public safety.

B. Applicability

1. These Regulations shall apply to any uses requiring Site Plan or Special Permit approval with the exception of agricultural uses.
2. The Zoning Enforcement Officer may require post-construction lighting surveys to demonstrate compliance with these standards.
3. The following types of lighting are exempted from these regulations:
 - a. Temporary lighting used by emergency service personnel.
 - b. Temporary lighting for holiday seasons, displayed between November 20 and January 5 each year.
 - c. Lighting for special events permitted under the provisions of Section 7.1.
 - d. Marina lighting direct at or towards a body of water not visible on other land areas and not presenting a danger to navigation.
 - e. Aircraft warning lights and navigation beacons.

C. Standards

1. General Standards: All exterior light sources shall be directed downward (at an angle of 90 degrees or less from vertical) and the illumination confined to necessary and useful areas. An excessively high level of illumination, spillage of unwanted illumination beyond lot lines and lighting designed or situated in such a manner as to detract from recognition of traffic signals or presenting a hazard to safe driving is prohibited. Improved effectiveness of lighting, rather than higher levels of intensity, is to be achieved wherever possible.
2. Exterior and Interior Lighting: exterior lighting shall be limited to all lights mounted on the exterior of buildings and structures as well as freestanding or ground lights. For the purposes of this regulation, interior lighting visible from the exterior shall be treated as exterior lighting.
3. Prohibited Lighting Types: The following types of lighting are prohibited in all zones.

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- a. Flood, spot, or searchlights directed upwards, except for lights directed upwards towards structures, vegetation, or artistic or decorative features and not exceeding 1000 lumens.
 - b. Illuminated signs and advertising devices, including any animated, flashing, moving, or festooned lighting, or any type of lighting producing changing colors.
 - c. Any unshielded exterior lighting.
4. Shielding: all exterior lighting shall be designed so that the filament, light source or lenses are shielded with opaque material in such a way that they will not be visible at any point five feet or higher above ground level at any property line.
5. Security Lighting: Lighting installed for purposes of security of a building shall be directed toward the building(s).
6. Maximum Luminaire Height
- a. General uses: 20' measured from bottom of source to grade level.
 - b. Parking areas with more than 200 parking spaces: 36' measured from bottom of source to grade level, provided that any lighting fixture mounted at greater than 20' shall not exceed 13,000 lumens.
 - c. Outdoor fields, stadiums, or similar recreational uses: 80' measured from bottom of source to grade level. Sporting event lights shall be scheduled to terminate by 11:00PM.
7. Lighting Fixtures: The following types of fixtures are acceptable:
- a. Fully shielded full cut-off for parking lots
 - b. Fully shielded cut-off for pedestrian areas
 - c. Fully shielded "period" fixtures
 - d. Flush mounted canopy fixtures
8. Approved Sources: The following light sources are acceptable:
- a. Metal halide with a coated lamp and LED
 - b. LED with temperatures 3,500 degrees Kelvin or less for uses located in residential or commercial zones, or temperatures 4,000 degrees Kelvin or less for uses located in industrial zones.
9. Prohibited Sources: The following light sources are prohibited:
- a. Halogen

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- b. Mercury vapor
- c. Non-shielded laser fixtures
- d. High-pressure sodium
- e. LED with temperatures greater than 4,000 degrees Kelvin

10. Lighting Intensity measured above grade:

- a. Industrial and Commercial sites shall not exceed 1.0 foot candles at the property line.
- b. Any use abutting a residential use shall not exceed 0.5 foot candles at the property line. House side shields may be required by the Commission as applicable.
- c. The following light intensity levels are based on the Illumination Engineers Society of America recommendations for lighting based on activity levels.
 - i. Parking spaces shall be maintained at a .5 foot candle minimum.
 - ii. Parking lot aisles shall be maintained at 0.2 foot candles minimum.
 - iii. Building entry surfaces shall be maintained at not less than 0.5 foot candles.
 - iv. Sidewalks shall be maintained at an average of 1.0 foot candles.
 - v. The Zoning Commission reserves the right to restrict excessive light levels under a fixture.

11. Uniformity of Lighting: Parking lot lighting shall be maintained at a uniformity ratio of 4:1 (highest horizontal illuminance point at grade divided by the lowest horizontal illuminance point).

12. Screening: Vegetative screen shall not be used as a means of controlling glare or lighting intensity.

6.5 Earthwork and Grading**A. Purpose and Intent**

The purpose of this subsection is to provide for excavation, filling, grading, and removal of earth materials in a manner that protects the public health, welfare, and safety during the duration of site preparation and construction activities. These Regulations are intended to:

- 1. Protect the Town's natural resources, including soil and ground and surface water supplies, from potential adverse impacts, including erosion, sedimentation,

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the alteration of drainage flows, disruption of on-site sewage disposal systems, and pollution or contamination.

2. Protect neighboring properties from potential adverse impacts of noise, dust, visual impacts, and other nuisances that may result in a lowering of property values.
3. Protect the traveling public from potential vehicular or pedestrian traffic hazards.
4. Promote safe site conditions.
5. Provide for appropriate site restoration and future uses of the subject property.

B. Applicability

1. Any excavation, filling, grading, or soil removal or processing activity associated with development of a proposed or approved site plan or special permit which exceeds 10% of the total lot area shall not commence without the issuance of an excavation permit for such activities in accordance with the provisions of Section 8.14.
2. Necessary excavation grading for a subdivision road for which plans have been approved by the Planning Commission of the Town of Brookfield.
3. The removal or filling by or for the owner from one part of his property to another of topsoil or subsoil when such removal is for the purpose of landscaping, farming or otherwise improving the property to a maximum of one hundred (100) cubic yards of material in a Residential District or two hundred cubic yards of material in a Commercial or Industrial District. Above these maximums will require a Special permit and Excavation Permit.
4. Material that may be otherwise excavated or filled in any one (1) calendar year without the required permit in an amount not to exceed one hundred (100) cubic yards.

C. Standards

1. Scheduling of Work: All earthwork and grading activities shall be completed within one year from the commencement of such activity, and all commercial and earth moving equipment must be promptly removed after such activities are complete. All approved work shall be performed between the hours of 7AM and 6PM, Monday through Friday, except state recognized holidays, unless such hours are specifically modified by the Commission. The Commission shall have the right to modify these time restrictions to more permissive or more restrictive hours, in accordance with potential impacts on adjacent land uses.
2. No slope extending over 100 feet in length measured in any direction across the contours of a lot may be created with a grade that exceeds 25%.

3. No fill material which is reduced in volume by fragmentation or decomposition may be used beneath footings, foundations, structures, walkways, drives or on-site sewer disposal systems. Fill under such areas, when permitted by the Building Official, Town of Brookfield, must be clean earth, loam, humus, sand, gravel, clay, stone, soil, subsoil or other earthen products only and shall be properly compacted in accordance with good engineering practice.
4. Natural or building product wastes or debris which result from construction on the premises only and are not transported from elsewhere may be buried and covered over with a minimum of 12" of clean fill of the types indicated in Subsection C(3) above only with the written approval of the Zoning Enforcement Officer who, after inspection of the site, shall have satisfied himself/herself that adequate provisions have been made to prevent adverse impacts listed in Subsection A above or such other conditions as might adversely affect the public health, safety and welfare. The locations of such materials shall be indicated on the approved plot plan.
5. The burial of material resulting from demolition activity is specifically prohibited.
6. Truck access to site shall be so arranged as to minimize nuisance to surrounding properties, and such access on the premises shall be provided with a dustless surface.
7. Any permittee or agent thereof who shall cause damage to any road or roads in the Town of Brookfield shall immediately be liable to the Town for repairing said damage, which shall be under the supervision of the Board of Selectmen of the Town of Brookfield.
8. No screening, sifting, washing, crushing or other forms of processing shall be conducted upon the premises unless located within an industrial or commercial district where such may be permitted, at the discretion of the Commission. No fixed machinery shall be erected or maintained within three hundred feet (300') of any property line or street line.

6.6 Soil Erosion and Sediment Control

A. Purposes

It is the intention of this subsection to provide guidelines and standards for the control of erosion or sedimentation during or after the execution of any project, development, or mining operation involving excavation, filling, and/or grading activity. The management of erosion and sedimentation shall be undertaken in conjunction with the management of stormwater quality described in Section 6.9 of these Regulations.

B. Applicability

All development requiring a Zoning Permit, Site Plan, or Special Permit approval and which would have a cumulative disturbance of ½ acre of land or more shall receive

approval for an erosion and sedimentation control plan prior to the commencement of work.

C. Standards and Implementation

Minimum measures to control erosion and reduce sedimentation are set forth in the Connecticut DEEP Guidelines for Soil Erosion and Sedimentation Control adopted in 2002, or as amended (hereafter "DEEP guidelines"). Erosion and Sedimentation Control Plans shall employ the best available technologies consistent with DEEP Guidelines, and shall be prepared by a professional engineer or landscape architect. Such Plans shall include, at a minimum, the following information:

1. A narrative describing project elements, nature of the construction, timing and phasing of project elements, sequence of construction, and the installation of the erosion control measures.
2. A site plan at appropriate scale showing the following elements:
 - a. Location of existing and proposed improvements.
 - b. Existing topography, soil types, wetlands, and watercourses.
 - c. Proposed grading and drainage.
 - d. Location of proposed erosion and sediment control measures.
 - e. Sequence for installing such control measures.
 - f. Permanent measures for stabilizing the site including vegetation where appropriate.
 - g. Design criteria for the erosion and sediment control measures.
 - h. Construction details specific to the site.
 - i. Operation and maintenance plan.
3. Implementation of Controls: Site development shall not commence in any area of any site until the appropriate erosion and sedimentation controls have been installed and are functioning. Such controls shall be maintained in good functional order throughout the duration of construction, as dictated by the Plan. The Zoning Enforcement Officer shall have the authority to inspect erosion or sediment control measures for their effectiveness, and may, in his or her sole discretion, require the installation of additional measures to effectively control erosion and sedimentation.
4. Financial Guarantee: The Board or Commission may require the filing of a financial guarantee prior to the issuance of a permit for which an Erosion or Sedimentation Control Plan is required, in an amount securing to the Town the

cost of installing and maintaining the approved erosion and sedimentation controls.

6.7 Performance Standards

A. Purposes

The purpose of these Performance Standards is to protect the health of Brookfield’s residents and the integrity of its natural resources from potential adverse effects that may result from the construction and operation of land use activities.

B. Applicability

The standards of this Section shall apply to all land uses, including those that do not require a specific approval by the Commission. The standards shall constitute continuing obligations of all land uses in the Town.

1. Any existing use which is not in compliance with these performance standards shall not be varied or changed in such a way as to increase the degree of such violation.
2. All land use activities must also comply with all other applicable sections of these Regulations, as well as the requirements of any local, state, or federal agencies with permitting jurisdiction.

C. Measurement and Certification

1. Compliance with each performance standard shall be based on criteria contained or referenced in each regulatory section. Where compliance is unclear, the standards and criteria of pertinent state and federal agencies shall be applied.
2. To determine compliance with the established performance standards, a property owner or developer may be required to provide a written certification of compliance from a licensed engineer, architect, or appropriate qualified professional that all applicable standards have been met. Certifications may be required during the permit review process, prior to the issuance of a Certificate of Zoning Compliance, or after the subject use has begun.

D. Standards

1. Air Pollution: No land use shall create or cause to be created a degradation of air quality which is injurious to human health or property. Emissions of gas, smoke, dust, dirt, fly-ash, and other potential atmospheric contaminants shall comply with all applicable rules, regulations, and standards promulgated by CT DEEP.
2. Odor: With the exception of permitted agricultural uses, no land use shall create or cause to be created offensive odors which are readily discernible or detectable beyond the subject property lines. Detailed plans for the prevention of odors crossing property lines may be required of a property owner or developer.

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3. Noise: Compliance with the Town's noise ordinance is required.
4. Vibrations and Electrical Disturbances: With the exception of temporary construction projects, no land use shall create or cause to be created objectionable vibration or electrical disturbances which are readily discernible or detectable beyond the subject property lines.
5. Radiation: No activity, operation, or use shall create or cause to be created levels of radiation or radioactivity which are in violation of state or federal standards.
6. Fire or Explosive Hazard: All land uses, particularly those involving the storage, use, or manufacture of flammable or explosive substances, shall be conducted with reasonable precautions against fire or explosive hazards, as required by all applicable federal, state, and local fire safety standards.
7. Glare and Heat: Land use activities shall not produce glare or heat which extends beyond a site's property lines and creates a hazard or nuisance to neighboring property owners or on adjacent roadways.
8. Hazardous Materials: All land uses which produce, utilize, or store hazardous materials as identified by state and federal sources, including Section 3001 of the Resource Conservation and Recovery Act of 1976, as may be modified, must safely transport, store, handle, and dispose of all hazardous materials in accordance with current state and federal standards.
9. Liquid or Solid Discharges: No land use shall discharge into the ground, a wetland, a surface water body, or a storm drainage or waste disposal system any liquid or solid matter which endangers the public's health and safety, or is likely to cause detrimental effects on surface or groundwater quality or property values.
10. Waste Disposal and Storage: All wastes created in conjunction with any land use activity shall be properly stored in a screened area and expediently removed to prevent health or safety hazards, visual nuisances, or conditions conducive to the attraction of insects, rodents, or other pests.

6.8 Stormwater Management

A. Purposes

The purposes of these stormwater management regulations are to:

1. Protect public health, safety, and general welfare from threats of runoff on downstream properties, and promote the goals and objectives of the Plan of Conservation and Development with respect to Brookfield's water resources.
2. Preserve the pre-development site hydrology to the extent practical in order to maintain stream base flow conditions, maintain groundwater recharge, and

minimize flooding, erosion, and the effects from runoff on downstream properties.

3. Minimize the sources and amounts of pollution transported by stormwater runoff to wetlands, watercourses, groundwater, and other natural resources, and minimize impacts to downstream properties.
4. Encourage appropriate operation, monitoring, and maintenance of site stormwater conditions and facilities to perpetuate these purposes over time.

B. Applicability

These Regulations shall apply to any new development and to modifications to existing land uses that result in the disturbance of 20,000 square feet or more of land, or any development where stormwater will discharge to a wetland or watercourse. For such uses, a Stormwater Management Plan conforming to the provisions of Section 6.8(C) below.

C. Stormwater Management Plan

1. A Stormwater Management Plan ("SWM Plan") prepared in accordance with these Regulations is required to be include as part of the site plan for all applicable developments.
2. Guiding Principles: The SWM Plan shall be consistent with the purposes of Subsection 6.8(A) above, the principles and guidance set forth in the 2004 Connecticut Stormwater Quality Manual, and sound engineering and site planning practices, including known low impact development (LID) best management practices (BMPs). Bioretention techniques are preferred.
3. The SWM Plan shall include, at a minimum, the following components. All documents included in such Plan shall be signed and sealed by the professional engineer by or under whose direction the SWM Plan was prepared.
 - a. A stormwater management evaluation and design report, as described below.
 - b. A stormwater management system improvement plan, as described below.
 - c. A narrative describing the sequence of construction of stormwater management system improvements.
 - d. A program for operation, monitoring, and maintenance of the stormwater management system, including scheduling of operation, monitoring, and maintenance activities, and observable physical signs of significant inadequate maintenance or function of the stormwater management system.
4. The stormwater management evaluation and design report shall include:

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a. An evaluation of existing site, and relevant off-site, conditions that may affect or be affected by the selection, design, location, and operation of measures and facilities for the proposed SWM system. Such conditions shall include, as applicable:

- i. Wetlands and vernal pools
- ii. Watercourses and drainageways
- iii. Drainage patterns
- iv. Depth to groundwater/ledge
- v. Soils, with special regard to infiltration capacity, erodibility, and runoff computations
- vi. Topography and slopes
- vii. Vegetation

b. An evaluation of existing and proposed post-development site, and relevant off-site, hydrology; such evaluation shall include for all scenarios:

- i. Identification of the location, direction, manner of conveyance, and contributing area for all stormwater runoff within the site, exiting the site, and, where flow characteristics (which include increases in peak flowrates amongst other characteristics) are altered as a result of the subject development, off-site until the runoff will discharge to a receiving watercourse or off-site maintained conveyance system where the applicant has secured appropriate permission accounting for the altered characteristics of the discharge.
- ii. Calculate estimated discharges at all identified locations for the 2-, 10-, 25-, and 100-year storm events.
- iii. Evaluation of the effects (e.g. travel paths, flow and ponding depths, flow velocities, facilities impacted, hydrologic assumptions) of stormwater facilities being overwhelmed during the 100-year storm event.

c. A discussion of the particular stormwater treatment and control measures proposed in association with the subject development. Such discussion shall include the reasoning, in relation to the purposes, requirements, and guidance of these Regulations, for the selection and, as appropriate, design of the particular measures proposed.

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d. Supporting background, observations, assumptions, references, calculations, and other pertinent information regarding the design of the proposed SWM system treatment and control measures.

5. The stormwater management system improvement plan shall:

a. Be designed to provide zero net increase in peak discharge to receiving watercourses and, as may be applicable, onto adjacent properties for the 2-, 10-, 25-, and 100-year storm events unless it is sufficiently demonstrated that there will be no significant deleterious effects downstream as a result of any peak discharge increase.

b. Be designed to treat the Water Quality Volume (runoff from the first inch of rainfall) from the subject developed area.

c. Conveyance systems shall be designed at a minimum in accordance with applicable provisions of the latest edition and amendments of the Connecticut DEEP Drainage Manual.

d. Properly depict and detail the various stormwater management (and related) measures, facilities, and improvements proposed to adequately provide for evaluation for purposes of these Regulations and construction of the same.

e. Incorporate appropriate vegetation in proposed measures wherever practical.

f. Incorporate appropriate erosion and sedimentation control measures in accordance with Section 6.6.

g. Stormwater management facilities which may be visible from streets or other public areas shall appropriately take aesthetics into consideration in their selection and design.

h. Where the proposed development involves modifications or disturbance of existing developed area, as related to the extents of the same, the Commission may take into additional consideration site and project-specific factors such as physical constraints, age and condition of existing stormwater management facilities, and relative project scope in the application of the stormwater management regulations set forth in this Section.

6.9 Outdoor Display, Dining, and Storage Areas

A. Outdoor Sales, Display, and Storage

1. Outdoor display of goods shall be permitted by use and zone as follows:

a. Residential Zones (R-7, R-15, R-40, R-60, R-80, R-100): Nothing may be displayed outside of a house as a result of a home occupation.

b. Commercial establishments: Outdoor sales, display, or storage of goods shall be approved by special permit as a primary or accessory use. Sales, display, and storage activities must occur at least 35' from the shoulder of the road, not in an area dedicated for parking, and may not obstruct walkways or sidewalks.

c. Industrial establishments: Outdoor sales, display, or storage of goods or materials shall be approved by special permit as a primary or accessory use. Storage or display of products or materials used in process or for sale must not be in the front setback or in any area reserved for parking, or walkways or sidewalks, and may not obstruct walkways or sidewalks.

i. Outdoor storage of raw, unfinished, or scrap materials shall not be permitted in any area visible from the lot line or any public right of way. Any storage of such materials shall be screened from public view by means of fencing or evergreen vegetation.

B. Outdoor Dining

1. Outdoor dining areas shall be permitted by use and zone as follows:

a. Residential Zones: outdoor dining areas shall not be permitted in any commercial establishment located in a Residential Zone.

b. Commercial Zones (C-1, C-2, CG-N, CG-S, MC): outdoor dining areas must be located at least 35' from the shoulder of the road, not in any area dedicated for parking, and may not obstruct walkways or sidewalks. Any outdoor dining area shall be enclosed by a fence, velvet rope, or similar barrier. Provision of overhead weather protection above outdoor dining areas is encouraged.

c. Town Center District: outdoor dining areas may be located within the front setback or on sidewalks within public rights of way. Such areas may not be located alongside vehicle accessways, must not obstruct walkways or sidewalks, and must include overhead weather protection. Outdoor dining areas in the Town Center District shall conform to all standards and requirements of Appendix 2 – TCD Design Guidelines.

6.10 Fences and Walls

A. Location and Design Standards

1. Fences under eight feet in height may be constructed in any residential zoning district without Zoning Approval. Fences eight feet or higher in height require Zoning Approval prior to construction and a Certificate of Zoning Compliance after construction. A site plan sketch is required with the application for fences eight feet or higher in height to document that the fence will be located on the subject lot.
2. Fences constructed in such a manner as to inhibit visibility through the fence (e.g., lattice, slats, panels, boards, etc.) shall not exceed eight feet in height. All other fence types shall not exceed 12' in height.
3. If a fence has a "finished" side, (i.e., the side opposite from the horizontal supports to which it is applied), this side must face to the exterior of the lot. Fences may be either a full or partial visual barrier. Their material and color shall be in harmony with the design of buildings on the lot and the surrounding area and dwellings, as determined by the Zoning Enforcement Officer.
4. Fences shall be constructed in such a manner and of such materials as to prevent injury to those coming in contact with said fencing. Barbed wire, razor wire, or other similar types of fencing are specifically prohibited in all zones.
5. Suitable animal fencing may be employed in conjunction with the regulations concerning "noncommercial livestock and poultry" of Section 3.8 when specifically approved by the Zoning Enforcement Officer.
6. Fences shall be kept in good repair or replaced when they become prone to collapse or visual deterioration. Fences shall not be placed in such a manner as to inhibit lines of sight or otherwise effect traffic safety.
7. Stone walls shall be considered a historic and scenic asset and shall be preserved in new development to the maximum extent possible.

6.11 Architectural Guidelines

A. Purpose and Intent

It is the purpose of this section to provide general guidelines on the design of buildings and structures with the objective of promoting development projects that preserve and improve the appearance, beauty and character of the community.

It is the goal of the Commission to foster economic development by encouraging the harmonization of design and appearance across Brookfield's commercial districts and to create welcoming and attractive gateways to the Town Center District.

It is also the goal of the Commission to minimize the impacts of the Town's commercial uses on adjoining residential areas; thereby protecting the property values of both adjoining commercial properties as well as adjoining residential zones.

B. Background

During the preparation of the Plan of Conservation and Development in 2000, surveys and considerable public comment indicated a high degree of dissatisfaction with the physical appearance of many structures within the Town's Commercial and Industrial zoning districts. The public consensus was that building design should follow traditional New England architectural design and style concepts, and that modern, monolithic structures were not compatible with the desire for more historic architectural themes. This consensus was reaffirmed in subsequent plans, studies, including the Four Corners Revitalization Plan prepared in 2012, the establishment of the Brookfield Design Review Team in 2013, and the 2015 update of the Plan of Conservation and Development. This consensus is consistent with the stated zoning purpose of protecting and conserving the character of the town.

C. Applicability and Procedure

Any Site Plan or Special Permit application for a non-residential or mixed-use structure proposed in any zoning district shall conform to the architectural guidelines set forth in Section 6.11 (D - F) below, except if such use is proposed within the Town Center District. Uses or structures proposed in the Town Center District shall instead conform to the standards, guidelines, and procedures of the TCD Design Guideline, presented in Appendix 2 of these Regulations.

1. The Zoning Commission shall make a determination of whether the design of any use or structure(s) conforms with these standards.

2. In the case of any proposed use or structure to be located outside of the Town Center District, the Land Use Department professional staff and/or its designee shall evaluate the application's general conformance with the architectural

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guidelines and standards set forth below. The Zoning Commission may refer to such evaluation in its decision making regarding the application.

3. In the case of a proposed use or structure to be located within the Town Center District, the Design Review Team shall consider the proposed development and make recommendations relative to the conformance of the proposed site plan with the TCD Design Guidelines and Standards Manual, in accordance with the procedure set forth in Section 3.0 of that document.

4. In the case of a proposed use or structure to be located in a Commercial or Industrial zone (including the C-1, C-2, C-GS, C-GN, I-1, CP or MC districts) the applicant shall schedule a pre-application meeting.

a. Land Use Department professional staff and/or its designee will meet with the applicant to discuss the incorporation of the guidelines and standards set forth below. Land Use Department staff will keep notes of the discussion and prepare a summary of the meeting outcomes.

b. Land Use Department staff and/or its designee will submit the summary of meeting outcomes from its pre-application review meeting with the Applicant, and its recommendations relative to the proposed development to the Zoning Commission. Such recommendations are advisory in nature only. The Applicant should make any adjustments he or she deems appropriate to the proposed site plan based on the feedback from the pre-application review meeting in advance of formal submittal to the Zoning Commission.

c. The Zoning Commission will refer to the advisory recommendations of Land Use Department Staff and/or designee in its decision making regarding the application.

D. I-1 and CP Design Standards

The following standards are applicable to Site Plan and Special Permit applications in the I-1 and CP districts.

1. Relationship of buildings to site

a. The site shall be planned to accomplish a desirable transition along the streetscape an adjoining properties, safe pedestrian movement and adequate public parking area;

b. Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings;

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c. Newly installed utility services, and service revisions necessitated by exterior alterations shall be underground.

2. Building design

a. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.

b. Buildings shall be in scale with permanent neighboring development.

c. Predominant exterior building materials on street-facing facades shall be high quality materials, including, but not limited to, brick, wood, stone, or textured concrete masonry units. Building materials shall be selected for suitability to the type of building and the design in which they are used, and shall be of durable quality.

d. Building components, such as windows, doors, eaves and parapets shall have good proportion and relationships to one another and the overall building structure.

e. Building facade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors or fluorescent colors is prohibited.

f. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be located as not to be visible from any public ways.

E. C-1 and C-2 Design Standards

The following standards are applicable to Site Plan and Special permit applications in the C-1 and C-2 districts.

1. Relationship of buildings to site

a. The site shall be planned to accomplish a desirable transition along the streetscape an adjoining properties, safe pedestrian movement and adequate public parking area;

b. Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings;

c. Newly installed utility services, and service revisions necessitated by exterior alterations shall be underground.

2. Building design

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a. Architectural style is not restricted; however, traditional New England architectural themes are preferred. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.

b. Buildings shall be in scale with permanent neighboring development.

c. The main entrance façade shall be designed in a manner to clearly distinguish it from other façades and to define the consumer entry. This faced shall contain some of the following elements to add scale to the entry:

- canopy
- gables and dormers
- pilasters
- display windows
- outdoor seating area
- recesses or projections in keeping with the scale of the building
- peaked roof
- unique architectural details in keeping with the overall building design
- other features designed to add scale and visual interest to this façade

d. Building designs shall not present large, blank, continuous planes of a single material towards primary accessways or public rights of way. Such building walls shall be designed with architectural features and/or varying materials that break up large building volumes and should incorporate fenestration.

e. Selection of building materials and colors shall be compatible with and complement the building design, the appearance of adjacent buildings, and the Town as a whole. The number of different materials on the exterior of the building shall be limited in order to avoid unnecessary visual complexity or a cluttered appearance.

f. The use of traditional building materials and historic Colonial color palettes is preferred; the use of vinyl or aluminum siding or exterior insulation and finish systems is discouraged.

g. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be located as not to be visible from any public ways.

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h. Accessory buildings and functions (e.g. trash containers, storage sheds, and emergency generators) shall be screened from public view with materials harmonious with the building, or they shall be located as not to be visible from any public ways.

i. Garage doors and loading areas shall be screened from view from public ways. If a garage door or entrance facing a public right of way is integral to the building's design and functioning, the garage door shall have a complimentary design to the building's architecture as a whole, and shall use materials compatible with that design and the building's material palette.

F. CG-N and CG-S Design Standards

The following standards are applicable to Site Plan and Special permit applications in the CG-N and CG-S districts. These districts are intended to create an attractive entrance to the Town Center District, while encouraging coordinated development with high design standards. The goal is to promote compact development that has a scale and form consistent with the natural landforms of the site and character of the Town.

1. Relationship of buildings to site

a. The site shall be planned to accomplish a desirable transition with the streetscape and to provide for adequate planting, safe pedestrian movement and parking area;

b. Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings;

c. All buildings shall be oriented to create usable, safe and attractive pedestrian spaces, preserve significant site features and minimize the appearance of parking areas.

d. Newly installed utility services, and service revisions necessitated by exterior alterations shall be underground.

2. Building design

a. Architectural style is not restricted; however, traditional New England architectural themes are preferred. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.

b. Buildings shall be in scale with permanent neighboring development. In the case of the first new structure in an area which has been designed for

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a particular character, the design shall reflect the desired high quality, welcoming gateway

c. The main entrance façade of individual buildings shall be designed in a manner to clearly distinguish it from other facades and to define the consumer entry. This faced shall contain some of the following elements to add scale to the entry:

- canopy
- gables and dormers
- pilasters
- display windows
- outdoor seating area
- recesses or projections in keeping with the scale of the building
- peaked roof
- unique architectural details in keeping with the overall building design
- other features designed to addscale and visual interest to this façade

d. Building designs shall not present large, blank, continuous planes of a single material towards primary accessways, public rights of way, or internal access drives, to the extent practicable. Such building walls shall be designed with architectural features and/or varying materials that break up large building volumes, and should incorporate fenestration.

e. Building materials shall consist of high quality materials, including, but not limited to, brick, wood, stone, or textured concrete masonry units. Building materials shall be selected for suitability to the type of building and the design in which they are used, and shall be of durable quality. The number of different materials on the exterior of the building shall be limited in order to avoid unnecessary visual complexity or a cluttered appearance.

f. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be located as not to be visible from any public ways.

g. Accessory buildings and functions (e.g. trash containers, storage sheds, and emergency generators) shall be screened from public view with materials harmonious with the building, or they shall be located as not to be visible from any public ways or internal access drives.

h. Garage doors and loading areas shall be screened from public view from public ways or internal access drives. If a garage door or entrance facing a public right of way is integral to the building's design and functioning, the garage door shall have a complimentary design to the building's architecture as a whole, and shall use materials compatible with that design and the building's material palette.

6.12 Neighborhood Anti-Blight

A. Purpose

It is the purpose of this regulation to promote and preserve the general health, safety and welfare of the residents and property owners of Brookfield by regulating and preventing, reducing or eliminating litter, junk, trash rubbish, refuse and debris, and other blight or potential blight in the township through the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in the Town. The regulation is also necessary to prevent any detrimental effect upon the property values of neighboring properties.

B. Regulation

1. Unless otherwise determined by the Commission, uses, items, or materials to be specifically prohibited from placement within any residential front yard are:

- a. A "junkyard" as defined in Section 2 of these regulations.
- b. Litter, junk, trash, rubbish, refuse or debris of any kind.
- c. The parking, storage or accumulation of non-motorized vehicles or conveyances not usable for the purposes for which they were manufactured, or parts or components thereof.
- d. The outdoor storage or accumulation of appliances, televisions or furniture, or parts or components thereof.
- e. The parking of any vehicle except within the designated driveways and turn-arounds.
- f. The parking or storage of mobile homes not meeting the minimum standards for inhabitation by humans.
- g. The parking, storage or accumulation of trailers or watercraft not usable for the purposes for which they were manufactured, including parts or components thereof.
- h. The storage or accumulation of:

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- i. building materials as defined in Section 2 of these regulations (except for a project of specified duration for which a valid building permit has been issued),
- ii. home or garden supplies in bulk or containerized; and
- iii. similar materials.

Such items or materials do not include firewood or garbage containers awaiting refuse removal by an authorized waste hauler within fourteen (14) days.

2. Side and Rear Yards

Items and materials indicated in Section 6.12(B)(1) above may be permitted in residential side and rear yards provided that they are screened from adjacent properties or from visible roadways by dense tree/shrubs, fencing, or other appropriate screening devices.

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7.1 Temporary Events

Nothing in these Regulations shall prevent a church, school, civic association, social club, volunteer fire department, or other nonprofit organization located in the Town of Brookfield from holding a fair, carnival, circus, horse show, athletic meet, or similar event on its own premises for a period not to exceed seven consecutive days and the profits of which are for the sole benefit of such organization or its civic, religious, or philanthropic purposes. The Commission may issue a permit to any of the above-named organizations located in the Town of Brookfield to hold an event as described and limited in the preceding sentence upon other premises than those of such organization.

The Commission or the ZEO may grant a permit to conduct an event, sale, or promotion on the commercial/industrial property of an applicant for a period not to exceed 30 consecutive days not more than twice annually without the permission of the Commission. Such event(s) may be temporarily housed within a tent, which may not be located closer than 20 feet from a property line. In the event that a tent is placed within an area dedicated to parking, a corresponding area for parking must be temporarily provided elsewhere. Provisions must also be made for adequate traffic control at the location. For temporary event signs, please refer to Section 6.2.

7.2 Telecommunications Towers and Antennas

A. Intent and Purpose

It is the intent and purpose of these Regulations to accommodate the communication needs of residents and businesses while protecting the public health, safety, and general welfare of the community, subject to jurisdictional limitations imposed by Section 16-50g et seq. of the CGS. These regulations are necessary in order to:

1. Facilitate the provision of wireless communication services to residents and businesses
2. Minimize the adverse visual effects of towers through careful design and siting standards
3. Avoid potential damage to adjacent properties from tower failure through structural standards and setback requirements
4. Minimize any health hazards associated with use of such equipment
5. Reduce the number of towers needed to serve the community by maximizing the use of existing and approved suitable facilities, existing water towers, or similar buildings to accommodate new wireless telecommunication antennas

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6. Minimize the perception of diminution of adjoining property values due to the location of such devices
7. Review the electromagnetic radiation interference to receptor devices on adjoining properties to ensure consistency with the requirements of the Federal Communications Commission
8. Enable the Commission to find that the above purposes are met together with the requirements of Section 8.5 and this Section in approving any Special Permit or Site Plan Modification application

B. Jurisdiction and Applicability

1. The Commission asserts jurisdiction over the siting, construction, and modification of any and all telecommunications towers and telecommunications equipment not designated as exclusive jurisdiction of the Connecticut Siting Council under the authority of 16-50g et seq. and as defined by CFR Title 47, Part 22, as amended.
2. If by any act of the Connecticut General Assembly or any other legislative body or rule-making entity any type of telecommunications tower or telecommunications equipment shall cease to be designated the exclusive jurisdiction of the Connecticut Siting Council, jurisdiction over the siting, design, construction, and modification of such tower or equipment shall henceforth be asserted by the Commission and governed under these Regulations.

C. General Standards

In addition to the requirements for special permit outlined in Section 8.5, the following guidelines, standards, procedures, and considerations shall apply.

1. Location Criteria:
 - a. Distance: Any tower should be constructed a minimum distance of one mile from any existing towers.
 - b. Lot Size and Setbacks: Any site should be the minimum lot size required for the zoning district in which it is located and should be of sufficient size to accommodate a setback from all adjoining property liens equal to the maximum height of the tower and all appendages plus 25 feet.
 - c. Scenic Ridge Lines: Antenna towers should not be sited on any property that may be designated as a scenic ridgeline by the Planning Commission pursuant to the Plan of Conservation and Development.
 - d. Co-Location: Antenna(s) should be located on existing towers where available. If no existing towers are available, antennas may be located

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on new towers or other structures, whichever provides the greatest amount of screening.

e. Building and Roof-Mounted Antennas: Building or rooftop-mounted antenna(e) should be located or screened so as not to be visibly intrusive from abutting public streets or adjoining residences. The area of the equipment enclosures and other structures should not occupy more than 15 percent of the roof area. If the equipment is located on the roof, setbacks from the roof edge should be ten feet or ten percent of the roof depth, whichever is greater. Antenna(s) installed on buildings should be compatible with the underlying structure.

2. Plans and Specifications: Plans and specifications for the antenna and the antenna tower shall be prepared and signed by a Connecticut licensed Professional Engineer and shall be designed to withstand sustained winds of at least 80 miles per hour.

3. Site Simulations: The Commission may require the applicant to provide simulations of tower locations and impacts as part of the review of the special permit application. Such simulations may entail the erection of balloons or other devices necessary to visualize the proposed facility.

4. Consolidation of Facilities: The proposed support structure shall be designed for additional facilities including other wireless communication companies and local police, fire, and ambulance needs unless it is determined to be technically unfeasible. The Commission may require independent outside evaluation of such determination at the applicant’s expense. The applicant shall make payment for such expenditures prior to the decision by the Commission on the application.

5. Distance Requirement: No tower may be constructed within a one-mile radius of an existing tower.

6. Lot Size and Setbacks: The minimum site shall be the minimum lot size required for the zoning district in which it is located, and the site shall be of sufficient size to accommodate a setback from all adjoining property lines equal to the maximum height of the tower and all appendages plus 25 feet.

7. Antenna Size: Directional or panel antenna(s) shall not exceed six feet in height or two feet in width. Omnidirectional antenna(s) shall not exceed 20 feet in height or seven inches in diameter. Satellite and microwave dish antenna(s)

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shall not exceed two feet six inches in diameter in residential districts and six feet in diameter in all other districts.

8. Height Limitations: Any proposed radio or television antenna tower, earth station, dish, or other such device shall not exceed the allowable building height plus 12 feet in residential zones or 100 feet in height, above existing grade, in any other permitted zone.

9. Fencing: A fence with a height of eight feet shall be required around the tower and its ancillary equipment.

10. Landscaping: Landscaping shall be required around the fence, which shall consist of a row of evergreen trees planted not less than ten feet on center. The evergreen plantings shall be a minimum height of six feet at planting and shall reach a minimum height of 15 feet at maturity. Such screening shall be maintained by the owner of the property to ensure its effectiveness.

11. Scenic Ridge Lines: Antenna towers on any property that may be designated as a scenic ridge line by the Planning Commission pursuant to the Plan of Conservation and Development are prohibited.

12. Design Compatibility: Structures shall be designed to be in harmony with the surrounding neighborhood properties and with due consideration for the impact that the tower will have on these properties, i.e., structures in residential districts must have characteristics such as roof lines, siding, fenestration, etc. that are compatible with residential structures in the immediate area as determined by the Commission. The Commission may impose conditions that foster a compatible design of the tower with the site and surrounding environment.

13. New Towers: Only monopole antennas shall be permitted as new towers and only after exhausting co-locations on existing towers or buildings. The economical situation associated with a site should not be a reason for exhausting a site.

14. Existing Towers: Antenna(s) shall be located on existing towers where available. If no existing towers are available, antennas may be located on new towers or other structures, whichever provides the greatest amount of screening.

15. Associated Equipment: The related unmanned equipment areas and/or building shall not contain more than 750 square feet of gross floor area or be more than 12 feet in height. Manned equipment incidental to the business

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office, maintenance depot, and vehicle storage is prohibited. All site utilities shall be provided underground.

16. Building and Roof-Mounted Antennas: Building or rooftop-mounted antenna(s) shall be located or screened so as not to be visibly intrusive from abutting public streets or adjoining residences. The area of the equipment enclosures and other structures shall not occupy more than 15 percent of the roof area. If the equipment is located on the roof, setbacks from the roof edge shall be ten feet or ten percent of the roof depth, whichever is greater. Antenna(s) installed on buildings shall be compatible with the underlying structure.

17. Noise: All operations on site, including the operation of generating equipment, shall comply with all state and local noise regulations.

18. Interference: Subject to Federal Communication Commission regulations and requirements, any communications equipment or devices shall not cause electromagnetic interference with receptor devices located on adjoining or nearby properties, nor shall they interfere with any existing or proposed public safety communications activities.

19. Illumination: Illumination shall not be permitted on the tower unless required by the Federal Communications Commission, the Federal Aviation Agency, or Connecticut Siting Council.

D. Applications

In addition to the requirements for special permit outlined in Section 8.5, the following application requirements shall apply, if required by law.

1. A description of the proposed tower/antenna and associated equipment including height, design features, structural analysis, access roads, and power lines, if any
2. A map showing the extent of planned coverage within the Town of Brookfield and the location of the proposed facilities
3. Plan and elevation drawings showing the proposed tower/antenna, associated equipment, antennas, and other structures on site
4. A topographic profile showing the proposed tower and its associated equipment
5. A description of the slopes, wetlands, watercourses, scenic vista, and other environmental characteristics of the site; any historically designated areas of the site; and the impact that the tower will have on these resources

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- 6. An architectural rendering of the view of the tower/antenna from adjoining properties
- 7. A statement from the applicant shall be required, if appropriate, or a report or certification from the applicant or his engineer shall be required if that is more appropriate, containing a description of the siting criteria and the process by which other possible sites were considered and eliminated.
- 8. A statement from the applicant shall be required, if appropriate, or a report or certification from the applicant or his engineer shall be required if that is more appropriate, of technological alternatives and their costs for the proposed tower and a statement containing the reasons for the choice of the proposed facility.
- 9. A statement from the applicant shall be required, if appropriate, or a report or certification from the applicant or his engineer shall be required if that is more appropriate, describing the impact on human health, if any, of signal frequency and power density at the proposed site to be transmitted and/or received by the proposed facility.
- 10. The Commission may waive any of these requirements for an application for a modification or change to an existing tower if it finds that the modification or addition will not have a significant impact.
- 11. All applications for a Special Permit to construct and operate wireless communications towers in a residential district shall include an inventory of all antenna equipment and apparatus not contained within fully enclosed buildings and the power and frequency of all transmission to be broadcast from the facility.

E. New Antenna

Any proposal within the jurisdiction of the Commission to add an antenna to an existing tower or building shall require a Site Plan Modification as outlined in Section 8.4. In addition to the requirements of the Site Plan Modification, applications shall include the information listed in Sections 7.2(D) 1-3, 6, 8-9, and 11 above. Applications for multiple antenna(s) on an existing tower may be submitted in one Site Plan Modification application.

F. Termination or Nonuse Removal

A facility not in use for more than one year or whose use is terminated shall be removed by the service facility owner. This removal shall be completed within 90 days of the end of the one-year period. Upon removal, the site shall be restored to its previous appearance. The owner shall submit an annual report indicating that the facility is still in use.

G. Bonding

The Commission may require the posting of a bond to:

- secure compliance with the approved installation of all towers and antenna(s); and
- to ensure the timely and proper removal of said tower and/or antenna upon termination or nonuse.

7.3 Firing Ranges, Target Shooting, and the Discharge of Firearms for Recreational Purposes**A. Prohibition**

Firearm activities are prohibited in all zones unless an application for a Firearm Plan is submitted to and approved by the Commission.

B. Firearm Plan Requirement

1. No Firearm Plan shall be approved by the Commission unless the use of the property for firearm activities:

- a. Predates November 8, 2000, the effective date of this section, and;
- b. Constitutes a valid nonconforming use as provided by law.

2. No Firearm Plan shall be approved by the Commission unless it incorporates the following structures:

- a. A sound attenuation enclosure surrounding the firing discharge area, which shall reduce the noise measured at the property lines to the standards outlined in Section 6.7D of these Regulations and any noise regulations provided by local, state, or federal statute or regulation, whichever more restrictive
- b. A target barrier which shall not be less than 12 feet in height and shall be backed by an earthen berm of four feet or more in thickness, which structure shall be set back not less than 30 feet from any property line and shall be sufficient to act as a complete deterrent to any ammunition used on the property from passing onto an adjoining property
- c. An elevation-limiting device, which shall prevent any round from being fired above the target barrier
- d. The area in which firearm activities may take place shall be completely surrounded by means of a fence or wall not less than four feet above the ground at any point, and all openings in the fence or wall shall be secured by a gate or door equipped with a self-closing, self-latching mechanism that is inaccessible from the outside to small children. A natural barrier is not permitted as an enclosure.

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3. An application for approval of a Firearm Plan must contain at a minimum, the following documents:

a. A Firearm Plan, which shall consist of a Class A-2 survey of the property, in recordable form, prepared by a licensed and certified land surveyor. In addition to the standard requirements for a Class A-2 survey, the Firearm Plan shall contain the following information:

- i. The location of all existing and proposed structures on the property;
- ii. The location of all existing and proposed locations of firearm activities;
- iii. The location of all structures required by this Section, particularly those enumerated in subsection B(2) above;
- iv. A written narrative detailing all restrictions imposed by this Section particularly those enumerated in subsection B(3)[b] below;
- v. Elevations of all existing and proposed site structures;
- vi. The distances of the existing and proposed firearm activities from structures on adjoining properties;
- vii. The location of any wetlands, underground aquifers, and underground aquifer wells providing drinking water, including the distances of the existing and proposed firearm activities from such areas and the depth of such aquifer resources; and
- viii. Evidence that the range is constructed in such a manner that all shot, debris, and discharge are confined to the target area and that there is no danger or risk of injury to persons and property.

b. An agreement from the applicant, to be recorded on the Land Records, that firearm activities on the property will be subject to the following limitations:

- i. Firearm activities will be conducted on the property only by the owners and/or occupants thereof and their invited guests;
- ii. There will be no charge or fee for the conduct of firearm activities on the property;
- iii. The property owner must be present during the conduct of firearm activities on the property at all times;
- iv. There shall not be more than four individuals simultaneously conducting firearm activities on the property;

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v. All individuals conducting firearm activities on the property must be duly licensed to carry and discharge firearms in accordance with state and federal law;

vi. No firearm activities shall be conducted on Sundays or on legal holidays;

vii. No firearm activities shall be conducted except between the hours of 9:00 a.m. and 6:00 p.m.; and

viii. No ammunition may be used in connection with any firearm activities except that which can be safely discharged in accordance with state and federal law and the provisions of this Section and be stopped by the target barrier.

c. An enumeration of the specific firearm activities to be conducted on the property, to be detailed on the Firearm Plan

d. A plan of operation for the property, detailed on the Firearm Plan, including an enumeration of the safety precautions and procedures to be implemented

e. A letter report from the Chief of the Brookfield Police Department stating that the Firearm Plan has been reviewed and that the plan incorporates adequate safety measures

f. A plan for the property, detailed on the Firearm Plan, to ensure that no ammunition remains, pellets, spent shells, spent shot, target debris, or other residual material, especially that containing lead, is allowed to enter any watercourse or wetlands or accumulate on the property in violation of any federal, state, or local rule, regulation, or statute

g. If lead shot is to be utilized, a lead discharge permit for the property, issued by the Connecticut DEEP;

h. Copies of all required governmental firearm licenses issued to the applicants for the firearm activities to be conducted on the site

i. A written statement, under oath, from the applicant that the property had frequently and regularly been used for the specific firearm activities to be conducted on the property for at least the one-year period prior to the adoption of these regulations.

7.4 Small Wind Turbines

A. Purpose

The purpose of this section is to accommodate distributed generation/small wind energy systems whose primary purpose is to supply electrical power to the structures or facilities located on the same lot while minimizing any adverse visual, safety, and environmental impacts of the system. Distributed generation/small wind energy systems whose primary purpose is to generate power for commercial purposes or augment the supply of power to utilities are prohibited in the Town of Brookfield.

In addition, this section provides a permitting process for small wind energy systems to ensure compliance with the provisions of the requirements and standards established herein.

The regulations and permitting process are the same for all zones in the Town of Brookfield.

B. Permits Required

1. Special Permit: No small wind energy system or testing apparatus shall be erected, constructed, installed, or modified without first obtaining a Special Permit.
2. Building Permit: After Special Permit approval as stated above, a building permit is required for the installation, construction, or modification of a small wind energy system.

C. Procedure for Review

1. Application: An application for Special Permit shall be in accordance with the requirements of Section 8.5 with the following modifications:
 - a. Property lines and physical dimensions of the applicant's property drawn to scale, including names of adjoining property owners
 - b. Location, dimensions, and types of existing major structures on the property shown to scale
 - c. Location of the proposed small wind energy system, foundations, guy anchors, and associated equipment
 - d. Setback requirements as outlined in this section
 - e. The right-of-way of any public road that is contiguous with the property
 - f. Any overhead utility lines
 - g. Small wind energy system specifications, including manufacturer, model, rotor diameter, tower height, tower type (freestanding or guyed)

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- h. If the small wind energy system will be connected to the power grid, documentation shall be provided regarding the notification of the intent with the utility regarding the applicant's installation of a small wind energy system
- i. System/tower foundation blueprints or drawings
- j. system/tower blueprint or drawings
- k. Sound-level analysis prepared by the wind turbine manufacturer or qualified engineer
- l. Confirmation that the manner of installation will conform to the National Electrical Code (usually provided by the manufacturer)
- m. Estimated costs of physically removing the small wind energy system to comply with surety standards
- n. Evidence of compliance or nonapplicability with Federal Aviation Administration (FAA) requirements
- o. The site plan must be stamped by a professional engineer licensed to practice in the State of Connecticut
- p. Documentation describing the containment plan for ice that may accumulate on the turbine surfaces such that the ice will not become a hazard
- q. Copies of certified mail receipts and copy of the Neighbors/Adjoining Property Owner Notification as provided by Section 8.11E
- r. Documentation from public utility company noting interconnection approval

D. Standards

1. Setbacks

- a. Small wind energy system shall be set back a distance equal to 110 percent of the total height from:
 1. Any public road right-of-way unless written permission is granted by the governmental entity with jurisdiction over the road.
 2. Any overhead utility lines.
 3. All property lines unless the affected landowner provides written permission through a recorded easement allowing the small wind energy system's fall zone to overlap with the abutting property.

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4. Any travel ways to include but not be limited to driveways, parking lots, nature trails, or sidewalks.

b. Small wind energy systems must meet all setbacks for principal structures for the zoning district in which the system is located.

c. The setback shall be measured to the center of the tower's base.

d. Guy wires used to support the tower are exempt from the small wind energy system setback requirements.

2. Tower

a. Wind turbines may only be attached to freestanding or guy-wired monopole towers. Lattice towers are explicitly prohibited.

b. The tower height shall not exceed 15 feet above any structure on the property.

c. The applicant shall provide evidence that the proposed tower height does not exceed the height recommended by the manufacturer of the wind turbine.

3. Sound Level: The small wind energy system shall not exceed 45 decibels using the A scale (dBA), as measured at the property line, except during short-term events such as severe wind storms and utility outages.

4. Shadowing/Flicker: Small wind energy systems shall be sited in a manner that does not result in significant shadowing or flicker impacts on neighboring properties. The applicant has the burden of proving that this effect does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.

5. Signs: All signs, both temporary and permanent, are prohibited on the small wind energy system, except as follows:

a. Appropriate warning signs and placards

b. Signs shall not be more than 2 square feet in size.

6. Code Compliance: The small wind energy system shall comply with all applicable sections of the Connecticut State Building Code.

7. Aviation: The small wind energy system shall be built to comply with all applicable FAA regulations, including but not limited to markings, placement, and detection lighting. Evidence of compliance or nonapplicability shall be submitted with the application.

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8. Visual Impacts: Small wind energy systems may pose some visual impacts due to the tower height needed to access the wind resources. The purpose of this section is to reduce the visual impacts without restricting the owner's access to the wind resources.

a. The applicant shall demonstrate through project site planning and proposed mitigation that the small wind energy system's visual impacts will be minimized for surrounding neighbors and the community. This may include but not be limited to information regarding site selection, turbine design or appearance, buffering, and screening of ground-mounted electrical and control equipment. All electrical conduits shall be underground.

b. The color of the small wind energy system shall either be the stock color from the manufacturer or painted with a nonreflective, unobtrusive color that blends in with the surrounding environment and minimizes ice buildup.

c. A small wind energy system shall not be artificially lit unless such lighting is required by the FAA. If lighting is required, the applicant shall provide a copy of the FAA determination to establish the required markings and/or lights for the small wind energy system.

d. All systems shall be located in the rear yard, side yards, or on rooftops, unless testing clearly demonstrates these locations are not suitable.

9. Utility Connection: A utility connection is necessary if the proposed small wind energy system is to be connected to the power grid through net metering.

10. Access

a. All ground-mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.

b. The tower shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of eight feet above the ground.

c. All connections and cabling shall be underground.

11. Clearing: Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation, and maintenance of the small wind energy system and as otherwise prescribed by applicable laws, regulations, and ordinances.

7.5 Outdoor Wood-Burning Furnaces

No person shall construct, install, modify, operate, or use an outdoor wood-burning furnace unless the outdoor wood-burning furnace complies with the requirements of Section 22a-174k of the CGS, as revised, as well as the following requirements:

- Installation of the outdoor wood-burning furnace is not less than 200 feet from the nearest residence not serviced by the outdoor wood-burning furnace.
- Installation of the chimney of the outdoor wood-burning furnace is at a height that is more than the height of the roof peaks of the residences that are located within 500 feet of the outdoor wood-burning furnace, which residences are not serviced by the outdoor wood-burning furnace, provided the chimney height is not more than 55 feet.
- No other materials are burned in the outdoor wood-burning furnace other than wood that has not been chemically treated.
- Installation and operation of the outdoor wood-burning furnace is in accordance with the manufacturer's written instructions provided such instructions do not conflict with the provisions of this section.
- The outdoor wood-burning furnace shall comply with the 2010 Environmental Protection Agency Phase 2 emission guideline limits or any subsequent revisions thereof.

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The intent of this Section is to provide applicants, commissioners, and staff a clear understanding of the procedures required for the most common zoning applications in order to avoid misunderstandings and unnecessary defects or delays in the application process. The application requirements and fee schedule are included in Appendices 1 and 3 of these Regulations. All appendices are incorporated into these Regulations and are a part thereof.

8.1 Preliminary Concept Plan and Pre-Application Review

A. Purpose and Applicability

Applicants proposing projects of a scale or complexity as to require significant expense in the preparation of Site Plan or Special Permit application materials are encouraged to request staff and/or Commission pre-application review of a Preliminary Concept Plan. This pre-application review process is intended to provide informal guidance to the applicant to:

1. Enhance the applicant's understanding of the submission requirements, standards, and provisions of these Regulations
2. Advise the applicant of any known site or utility difficulties or other major areas of concern that should be addressed in a Site Plan or Special Permit Application
3. Enhance staff and the Commission's understanding of the goals, constraints, and considerations of the applicant
4. Avoid unnecessary delays or expense in the processing of subsequent applications through avoidance of errors, omissions, or misinterpretations of either substantive or procedural provisions of these Regulations
5. Any pre-application review is for informational purposes only.

B. Submission and Procedures

1. A Preliminary Concept Plan may be submitted to the Land Use Department and should be accompanied by plans and/or other information as specified in the Appendix 1. Any omissions in materials submitted with a Preliminary Concept Plan may hinder Staff and/or the Commission's ability to provide guidance to the applicant of potential concerns, conditions, or requirements relevant to any subsequent application.
2. The Commission, a subcommittee thereof, and/or Land Use and other Town staff may informally review the Concept Plan for general conformance with these and other applicable regulations and may request additional information where deemed necessary.

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3. Pre-application review of a Preliminary Concept Plan shall be considered only informational and advisory in nature; no development rights shall attach to the review or consideration of any Preliminary Concept Plan.
4. Such review and any results or information obtained from it may not be appealed under any provision of the CGS and do not imply any final possible action by the Commission.
5. Such preliminary review shall not constitute or be treated as a substitute for complying with all requirements of these Regulations when a final plan is submitted for review as required herein.
6. A Preliminary Concept Plan shall be placed on file in the Land Use Department for reference purposes only for any subsequent application.

8.2 Zoning Permit

A. Applicability

No building or land shall be occupied or used; the use of an existing building or land shall not be changed; site work and site improvements shall not be undertaken; and no building or other structure shall be constructed, reconstructed, altered, extended, or enlarged in whole or in part for any purpose, until a Zoning Permit shall have been issued by the ZEO showing conformance:

1. With these Regulations
2. With all required Zoning, Planning and Inland Wetlands approvals

B. Submission and Procedures

1. An application for a Zoning Permit shall be accompanied by plans and/or information that complies with the requirements in the Appendix 1 of these Regulations.
2. If the submitted application materials document to the satisfaction of the ZEO that the proposed activity or use is in compliance with these Regulations, the ZEO shall issue a Zoning Permit setting forth the date on which the permit was issued.
3. If the ZEO finds a Zoning Permit application meets all of the requirements of these Regulations, the ZEO will make best efforts to issue a Zoning Permit within 30 days of the receipt of the completed application.
4. In the event that any Zoning Permit is issued based on incorrect information or the specific conditions of approval are not adhered to strictly, such Zoning Permit shall be null and void.
5. Approval of an Application for a Zoning Permit or issuance of a Certificate of Zoning Compliance shall not be construed to constitute compliance with any other regulation, ordinance, or law or to relieve the applicant from responsibility to obtain any other required permit thereunder.
6. An application for a Zoning Permit may be withdrawn, in writing, by the applicant at any time prior to final action.

C. Notice Provisions

In accordance with CGS 8-3(f), the recipient, or their authorized agent, of a Zoning Permit may publish notice of issuance of the Zoning Permit in order to establish the appeal period per CGS Section 8-7. Any such notice to be published by the recipient, or authorized agent, shall contain:

1. A description of the building, use, or structure and its location
2. The identity of the applicant

3. A statement that an aggrieved person may appeal to the Zoning Board of Appeals in accordance with the provisions of CGS Section 8-7

D. Foundation Survey Required

The property owner shall notify the ZEO of the completion of the foundation of any new structure or addition thereto within seven days after such completion. It is required that a Class A-2 boundary survey prepared by a Connecticut-licensed land surveyor be filed with the ZEO showing the foundation location of the new building, structure, or addition. Such filing would be beneficial to the landowner in helping to ensure that any errors in location are found at an early time in the construction process.

E. Zoning Permit Expiration

1. Any Zoning Permit issued by the ZEO under the provisions of these Regulations shall become invalid if the authorized work is not commenced within six months after issuance of the Zoning Permit, or if the authorized work is suspended or abandoned for a period of six months after the time of commencing the work.
2. A permit may be renewed up to two times for an additional six months each time, for a total of twelve additional months, upon filing a written request to do so.

8.3 Certificate of Zoning Compliance

A. Applicability

1. No structure, land, or premises shall be occupied for use or converted to a new use until a certificate of zoning compliance has been issued by the ZEO or his designee.
2. The ZEO shall determine whether any use, building, structure, or alteration for which a Zoning Permit has been issued conforms in all respects to the Zoning Regulations.
3. In accordance with CGS 8-3, no certificate of occupancy shall be issued for a building, use, or structure subject to these Regulations without certification in writing by the ZEO that such building, use, or structure is:
 - a. In conformity with these Regulations; or
 - b. Is a valid nonconforming building, use or structure under these Regulations.

B. Procedures

1. An application for a Certificate of Zoning Compliance shall be accompanied by plans and/or other information that complies with the requirements in the Appendix 1 of these Regulations.
2. The ZEO or his designee will inspect the premises.
3. If all requirements of these Regulations are met, including requirements of approved site and plot plans, the ZEO will make best efforts to issue the certificate within 30 days of application.
4. In the event that any permit or certificate is issued based on incorrect information or the specific conditions of approval are not adhered to strictly, such permit or certificate shall be null and void.
5. A certificate of zoning compliance shall remain in effect as long as the specified uses and conditional requirements are properly maintained, but shall cease whenever such conditions and uses are terminated or no longer maintained.

C. Notice Provisions

1. In accordance with CGS Section 8-3(f), the recipient of a certificate of zoning compliance may publish notice of issuance of the certificate of zoning compliance in order to establish the appeal period per CGS Section 8-7.
2. Any such notice to be published by the recipient or authorized agent shall contain:
 - a. A description of the building, use, or structure,

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- b. The location of the building, use, or structure,
- c. The identity of the applicant, and
- d. A statement that an aggrieved person may appeal to the Board of Appeals in accordance with the provisions of CGS Section 8-7.

8.4 Site Plan Application

A. Applicability

A Site Plan application shall be submitted for any activity designated as requiring Site Plan approval in these Regulations.

B. Submission

1. A Site Plan application shall be submitted to the Land Use Department and shall include a completed application form and the appropriate fee.
2. A Site Plan application shall be accompanied by detailed plans, signed and sealed by an appropriate professional, for review by the Commission and its designees that comply with the requirements of Appendix 1 of these Regulations.
3. If a site plan application involves an activity regulated pursuant to CGS 22a-36 to 22a-45, inclusive, the applicant shall submit an application for a permit to the Inland Wetlands Commission not later than the day such application is filed with the Zoning Commission.
4. Upon written request by the applicant, the Commission may waive specific requirements for application, if, in its sole discretion, it finds that the particular information is not required or may be deferred to render a decision on the application.
5. A complete site plan application must be submitted a minimum of ten days before a regular meeting in order to be considered by the Commission at that meeting. Nothing in this section shall be construed to extend the time limits for action as specified in the CGS.

C. Procedures

1. For new construction or other activity considered to be significant in the sole judgment of the Commission, the Commission may hold a public hearing on the application in accordance with the requirements of CGS 8-7 and Section 8.11 (E) of these Regulations.
2. The date of receipt for the site plan application shall be determined in accordance with Section 8.11 (B).
3. An incomplete site plan application may be denied in accordance with Section 8.11 (C).
4. All required notices and referrals by the Commission and/or applicant shall be completed as required by Section 8.11 (E).
5. The Commission may refer any Site Plan Application to any Town department, commission, or other agency in accordance with Section 8.11 (F).

6. Whenever a Site Plan application is required in conjunction with another application requiring a public hearing (such as a Special Permit application or a Zone Change application):

a. The time period for acting on the Site Plan application shall coincide with the time period for acting on the related application, and

b. A decision on the application shall be rendered within 65 days after the close of the public hearing on such other application except that the applicant may consent to one or more extensions of such period provided the total period of any such extension or extensions shall not exceed 65 days.

7. Whenever approval of a Site Plan is the only approval required, a decision on the application shall be rendered within 65 days after the date of receipt of such Site Plan application except that the applicant may consent to one or more extensions of such period provided the total period of any such extension or extensions shall not exceed 65 days, in accordance with CGS 8-7d.

8. The applicant may, at any time prior to action by the Commission, withdraw such application.

D. Approval Considerations

In reviewing any site plan under this Section, the Commission shall find that the application meets all site plan requirements. In addition, the Commission shall consider whether the site plan fulfills the following objectives:

1. To promote the public health, safety, comfort, convenience, prosperity, amenity, and other aspects of the general welfare
2. To ensure that the layout of the proposed use shall be in harmony with the surrounding area and shall contribute to its desirable and orderly development
3. To ensure that traffic generated by the proposed use will not adversely affect the surrounding area or public health, safety and welfare, and will not disrupt the orderly movement of vehicles and pedestrians in the area
4. To protect and preserve the supply of potable drinking water by protecting and preserving subsurface aquifers

E. Commission Action

1. The Commission shall render a decision on such application within the period of time specified in Section 8.11(D).
2. Whenever the Commission acts upon a Site Plan application, it shall state upon the record the reasons for its decision.

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3. The Commission may approve the plan, approve the plan with modifications and/or stipulations, or deny the plan in accordance with CGS §8-3.
3. Written notice of the final decision of the Commission shall be sent by certified mail to the applicant within 15 days of its action.
4. The Commission shall have published in a newspaper with significant circulation in the Town of Brookfield notice of its final decision within 15 days of its action. If such notice is not published within the 15-day period, the applicant may provide for publication of such notice within 10 days of thereafter.

F. Submission of an Approved Plan

When an approval has been granted by the Commission, the applicant shall submit five sets of final plans, on which all modifications imposed by the Commission as part of the approval have been clearly indicated and noted in the revision block for signature by the Chairman of the Commission, within 60 days after approval. One final set of plans and associated documents shall be submitted in PDF digital format.

G. Modifications to an Approved Site Plan

1. Modifications or amendments to an approved site plan are permitted in accordance with Section 4.2 of these Regulations.
2. In addition, for those changes as indicated in Section 4.2 that require coming before the Commission, the ZEO shall have the authority to approve minor changes to an approved Site Plan if in the judgment of the Zoning Commission such changes do not materially or substantially alter the character, quality, density, intensity, types of uses, amenities or other major features of the Site Plan as approved, and such changes are in conformity to the requirements of these Regulations
3. If the Zoning Commission determines that changes in the Site Plan, or any change of use within a building or structure or on a lot, may materially or substantially alter overall character, quality, density, intensity, uses, amenities, traffic generation, parking facilities or other major features of the Site Plan as approved, said modification shall require a new application.

8.5 Special Permit Application

A. Applicability

A Special Permit Application shall be submitted for any activity designated as requiring Special Permit approval in these Regulations.

B. Pre-Application

Prior to the submission of a Special Permit application to the Commission, the applicant may request an informal conference with Land Use Department for a pre-application review with appropriate Town agents and staff. Applicants are encouraged to request an informal conference prior to preparing application materials in order maximize efficiency in the application process.

C. Submission

1. A Special Permit application shall be submitted to the Land Use Department and shall include a completed application form and the appropriate fee.
2. A Special Permit application shall be accompanied by detailed plans, signed and sealed by an appropriate professional, for review by the Commission and its designees that comply with the requirements of Appendix 1 of these Regulations.
3. The Commission may, in accordance with the requirements of these Regulations and its Appendices, require the submission of additional information as deemed necessary to make a reasonable review of the application.
4. Upon written request by the applicant, the Commission may, by resolution determine that the required submission of all or a part of the information required under Appendix 1 is not necessary or may be deferred in order to render a decision on the application, and need not be submitted.
5. The applicant shall bear the burden of demonstrating that the applicable criteria in Subsection 8.5E of these Regulations are addressed to the Commission's satisfaction.
6. The Commission shall not be required to hear an application relating to the same request or substantially the same requests more than twice in a 12-month period.

D. Procedures

1. The date of receipt of the Special Permit application shall be determined in accordance with Section 8.11 (B).
2. An incomplete Special Permit application may be denied in accordance with Section 8.11 (C).
3. All required notices and referrals by the Commission and/or applicant shall be provided as required by Section 8.11 (E).

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- 4. If a Special Permit application involves an activity regulated pursuant to CGS Section 22a-36 to 22a-45, inclusive the applicant shall submit an application for a permit to the Inland Wetlands Commission not later than the day such application is filed with the Commission.
- 5. The Commission shall hold a public hearing on the Special Permit application. The Commission and applicant shall provide all required notices and referrals in accordance with Section 8.11 (E).
- 6. The Commission may refer any Special Permit application to any Town department, commission, or other agency in accordance with Section 8.11 (F).
- 7. The Commission shall process the Special Permit application within the period of time provided by CGS Section 8-7d.
- 8. The applicant may, at any time prior to action by the Commission, withdraw such application.

E. Approval Criteria

The Commission, in determining the acceptability of the proposed project, shall consider and evaluate the following criteria:

- 1. Zoning - Conformance of the proposed project with the Brookfield Zoning Regulations, including such land use standards and design criteria as may be included therein, Brookfield Subdivision Regulations (where applicable), and the Road Ordinance, Town of Brookfield
- 2. Plan of Conservation and Development - Consistency with one or more of the goals, objectives, policies, and recommendations of the Plan of Conservation and Development, as amended
- 3. Environmental Protection and Conservation - Whether appropriate consideration has been given to the protection, preservation, and/or enhancement of natural, scenic, historic, and unique resources including, where appropriate, the use of conservation restrictions to protect and permanently preserve natural, scenic, historic, or unique features that enhance the character and environment of the area
- 4. Neighborhood Compatibility - Whether the proposed use will have a detrimental effect on neighboring property values
- 5. Suitable Location - Whether the location and size of the site, the nature and intensity of the operations involved in or conducted in connection with the use, and the location of the site with respect to streets giving access to it, are such that the use will not adversely impact the public health, safety and welfare of the Town
- 6. Appropriate Improvements -

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a. Whether the design elements of the proposed development will be attractive and suitable in relation to the site characteristics, the style of other buildings in the immediate area, and the existing and probable future character of the neighborhood in which the use is located

b. Whether the location, nature, and height of buildings, walls, and fences; planned activities; and the nature and extent of landscaping on the site will be such that the use shall not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof

c. Whether the proposed use or activity will have an adverse effect upon the neighboring area resulting from the use of signs, exposed artificial lights, colored lights of any nature, flashing lights, loudspeakers, or other noisemaking devices

d. In cases where it is proposed to convert a structure designed and built originally for other uses, whether the structure is adaptable to the proposed use from the point of view of public health and safety

7. Suitable Transportation Conditions -

a. Whether the design, location, and specific details of the proposed use or activity will adversely affect safety in the streets, or unreasonably increase traffic congestion in the area, or interfere with the pattern of vehicular circulation in such a manner as to create or augment unsafe traffic conditions

b. Whether the parking area or areas will be of adequate size for the particular use and suitably screened from adjoining residential uses, and whether entrance and exit drives shall be designed so as to prevent traffic hazards and nuisances

c. Whether the streets and other rights-of-way are or will be of such size, condition, and capacity (in terms of capacity, width, grade, alignment, and visibility) to adequately accommodate the traffic to be generated by the particular proposed use

8. Adequate Public Utilities and Services -

a. Whether the provisions for water supply, sewage disposal, and stormwater drainage conform to accepted engineering practices, comply with all standards of the appropriate regulatory authority, and will not unduly burden the capacity of such proposed and existing facilities

b. Whether the proposed use or activity will provide easy and safe accessibility for fire apparatus, ambulance and police protection and is designed and equipped to further the provision of all emergency services

9. Nuisance Avoidance –

a. Whether the design and use incorporate measures to control noise, light, parking visibility, erosion, water contamination, and stormwater runoff on the site and in relation to the surrounding area

b. Whether the hours of operation need to be regulated in order to protect public health, safety, welfare, convenience, and property values

F. Decision Considerations

1. Before the Commission approves a Special Permit application, in its sole discretion, it shall determine that the application:

a. satisfies the Special Permit criteria in Subsection 8.5(E) of these Regulations

b. is in conformance with other applicable provisions of these Regulations, and

c. is consistent and in harmony with the purposes and intent of these Regulations.

2. When a Special Permit application involves an activity regulated pursuant to CGS Section 22a-36 to 22a-45 inclusive, the Commission shall:

a. wait to render its decision until the Inland Wetlands Commission has submitted a report with its final decision, if required by CGS, and

b. give due consideration to any report of the Inland Wetlands Commission when making its decision.

3. On a Special Permit application involving notice to adjoining municipalities under Subsection 8.11(E) or notice to water companies under Subsection 8.11(E), the Commission shall give due consideration to any report or testimony received.

4. In granting a Special Permit, the Commission may:

a. stipulate such conditions as are reasonable and necessary to protect or promote the public health, safety, and welfare; property values; the environment; sound planning and zoning principles; improved land use, site planning, and land development; or better overall neighborhood compatibility, and

b. impose additional requirements, conditions, or safeguards as a prerequisite to the issuance of the Zoning Permit by the ZEO, if it finds

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necessary to ensure compliance with these Regulations and any decision, and protect the public health, safety and welfare of the Town.

5. Any condition or safeguard attached to the granting of a Special Permit:

a. shall remain in force and effect as long as the Special Permit use is still in operation, and

b. shall continue in force and effect regardless of any change in ownership of the property.

6. The Commission shall not approve any Special Permit for any property on which there exists a zoning violation unless such Special Permit application will remedy or eliminate such violation.

G. Commission Action

1. Decision

a. The Commission shall render a decision on such application within the period of time permitted under CSG Section 8-7d and in Section 8.11 (D).

b. Whenever the Commission acts upon a Special Permit application, it shall state upon the record the reasons for its decision.

2. Final decisions made by the Commission on an application for Special Permit approval in accordance with this section shall be appealed directly to the Superior Court in accordance with CGS §8-8, as amended.

H. Following Approval

1. The applicant shall submit one set of final plans on a reproducible material suitable for filing in the Town Clerk's Office and five copies of the approved plan, on which all modifications imposed by the Commission as part of the approval have been clearly indicated and noted in the revision block for signature by the Chairman of the Commission within 60 days after approval. One final set of plans and associated documents shall be submitted in PDF digital format. A Special Permit granted by the Commission shall only become effective upon the filing of a copy, certified by the Commission, in the land records of the Town, in accordance with the provisions of CGS §8-3d.

2. A Special Permit shall only authorize the particular use or uses specified in the Commission's approval.

3. Failure to strictly adhere to the documents, plans, terms, conditions, and/or safeguards approved by the Commission or its staff shall be a violation of these Regulations, and the Commission shall have the authority to revoke the permit at any time the use is found to be in noncompliance with the approval.

I. Amendments and Modifications to an Existing Special Permit

1. A Special Permit may be amended or modified, in accordance with Section 4.2 of these Regulations.

2. Any other modification or amendment to an approved Special Permit not allowed by Section 4.2 shall meet all requirements of a Special Permit application.

8.6 Zone Text Amendment or Zoning Map Amendment Application

A. Applicability

A Text Amendment Application shall be submitted for any proposal to alter the text of these Regulations.

B. Submission

1. A Text or Zoning Map Amendment application shall be submitted to the Land Use Department and shall include a completed application form and the appropriate fee.

2. A Zone Text Amendment shall be accompanied by the exact wording of the proposed additions and deletions to the text of these Regulations, including reference to relevant section numbers, and shall include all other materials necessary to comply with the requirements of Appendix 1 of these Regulations. A Zone Map Amendment shall be accompanied by two prints of the Zoning Map of the town, indicating, in color, the area for which the change is proposed to be applied, the proposed boundary line, and the proposed zoning district designation and shall include all other materials necessary to comply with the requirements of Appendix 1 of these Regulations.

3. In accordance with CGS Section 8-7(d), an application for a zone change shall be accompanied by documentation confirming that all adjacent property owners affected by the changes have been notified by a certificate of mailing of the proposed changes. This documentation shall include, at minimum, the following information:

a. Name and addresses of all adjacent property owners

b. Graphic representation confirming the inclusion of all the property owners on a Key Map

c. Copy of the letters sent to each owner advising them of the proposed zone change signed by the applicant (or designated agent)

d. Copies of documentation from the US Postal Service confirming the dates the letters were mailed for each property owner.

e. Applications that do not contain the documentation specified in items 2(a-d) above in the initial submission will be considered incomplete. This requirement cannot be waived by the Commission.

4. The Commission may, in accordance with the requirements of these Regulations and its Appendices, require the submission of additional information as deemed necessary to make a reasonable review of the application.

5. The Commission shall not be required to hear any petition or application relating to the same Text or Zoning Map Amendments, or substantially the same

changes, more than once in a period of 12 months unless it finds, on facts presented in writing, that a material or substantial change of circumstances justifies the new petition or application.

C. Procedures

1. The date of receipt of the Text or Zone Map Amendment application shall be determined in accordance with Section 8.11 (B).
2. An incomplete Text or Zone Map Amendment application may be denied in accordance with Section 8.11 (C).
3. The Commission shall hold a public hearing on the Text or Zone Map Amendment application and:
 - a. Shall cause a legal notice to be published in accordance with Section 8.11 (E).
 - b. May publish the full text of the proposed text amendment in full in such notice or may publish reference to the full text of the proposed text amendment as made available elsewhere, such as on the website of the Town of Brookfield.
4. The Commission shall refer the Text or Zone Map Amendment application to the Planning Commission, in accordance with CGS §8-3a.
5. The Commission shall give written notice of the Text or Zone Map Amendment to the regional council of governments, in accordance with CGS §8-3b.
6. The Commission may refer any Text or Zone Map Amendment Application to any Town department, commission, or other agency in accordance with Section 8.11 (F).
7. A copy of the proposed Text and/or Zone Map Amendment shall be filed by the applicant in the office of the Town Clerk for public inspection at least ten days before the public hearing.
8. The Commission shall process the Text or Zone Map Amendment application within the period of time provided pursuant to CGS Section 8-7d as detailed in Section 8.11 (D) of these Regulations.
9. The applicant may, at any time prior to action by the Commission, withdraw such application.

D. Approval Considerations

1. The Commission, in determining whether to act upon the changes requested in a Text of Zone Map Amendment Application, shall consider and evaluate the following criteria:

- a. Any report received from the Planning Commission; regional council of governments; other towns; or other Town department, commission or agency.
- b. The Commission shall state on the record its findings on consistency of a proposed Text or Zone Map Amendment with the Plan of Conservation and Development, as amended.
- c. Whether the proposed Text or Zone Map Amendment will:
 - i. Protect the public health, safety, welfare, or property values
 - ii. Attain the purposes of these Regulations

E. Commission Action

1. Decision

- a. The Commission shall render a decision on such application within the period of time specified in Section 8.11 (D).
- b. Whenever the Commission acts upon a Text or Zone Map Amendment application, it shall state upon the record the reasons for its decision.
- c. A majority vote of all members of the Commission is required.
- d. If a valid protest petition is filed as provided by the CGS, then a two-thirds vote of all members of the Commission is required.
- e. If the Planning Commission, on referral, disapproves a proposed Text or Zone map Amendment, then a two-thirds vote of all members of the Commission is required.

2. As part of approving a Text or Zone Map Amendment application:

- a. The Commission shall establish an effective date for the Regulation change provided that a copy of the approved zone map or regulation has been filed in the Town Clerk's office and notice of the decision has been published in a newspaper having a substantial circulation in Brookfield before such effective date, in accordance with CGS §8-3.
- b. If notice of the Commission's decision is not published in a newspaper within 15 days, any applicant or petitioner may provide for publication of such notice within 10 days thereafter, in accordance with CGS §8-3.
- c. All other notice, publication and filing requirements provided by the CGS, in particular CGS §8-3, shall be complied with.

8.7 Variance Application

A. Purpose and Applicability

1. The Variance Application process allows that the Zoning Board of Appeals (Board) may vary the application of these Regulations, in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of such regulations would result in exceptional difficulty or unusual hardship so that substantial justice would be done and the public safety and welfare secured.

2. A Variance Application shall be submitted for any proposal to vary the application of the Zoning Regulations with regard to any parcel(s) of land or part thereof.

B. Submission

1. A Variance Application shall be submitted to the Land Use Department and shall include a completed application form and the appropriate fee.

2. Such application shall be accompanied by all materials prescribed in Appendix 1 of these Regulations for a Variance Application.

3. The Board shall require the filing of a survey prepared by a licensed land surveyor when the variance is dimensional in nature, or such survey is integral to the understanding of the application.

4. The Board shall not be required to hear any application for the same variance or substantially the same variance for a period of six months after a decision by the Board or by a court on such an earlier application, as provided by CGS Section 8-6.

5. If a Variance Application involves an activity regulated pursuant to CGS Section 22a-36 to 22a-45 inclusive, the applicant shall submit an application for a permit to the Inland Wetlands Commission not later than the day such Variance Application is filed with the Board.

C. Procedures

1. The date of receipt of the Variance Application shall be determined in accordance with Section 8.11 (B).

2. The Board shall hold a public hearing on the Variance Application and:

a. Shall cause a legal notice to be published in accordance with Section 8.11 (E).

b. Shall require that the applicant give notice to property owners in accordance with Section 8.11 (E).

- c. At such hearing, any party may appear in person or may be represented by an agent or attorney.
- 3. All required notices and referrals by the Board and/or applicant shall be completed as provided by Section 8.11(E).
- 4. An incomplete Variance Application may be denied in accordance with Section 8.11(C).
- 5. The Board shall process the Variance Application within the period of time permitted under CGS Section 8-7d, as described in Section 8.11(D) of these Regulations.
- 6. The applicant may, at any time prior to action by the Board, withdraw such Variance application.

D. Decision Considerations

- 1. Before granting a variance, the Board shall find that a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship:
 - a. Solely with respect to the parcel of land that is the subject of the application.
 - b. Owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated.
- 2. The Board shall only grant the minimum variance necessary to alleviate the exceptional difficulty or unusual hardship:
 - a. In harmony with the general purpose and intent of these Regulations.
 - b. With due consideration for conserving the public health, safety, convenience, welfare, and property values.
 - c. So that substantial justice shall be done and the public safety and welfare secured.
- 3. The concurring vote of four members of the Board shall be necessary to approve a Variance application.
- 4. No use variance shall be granted where a dimensional variance would relieve the exceptional difficult or unusual hardship.
- 5. No use variance for a business use or an industrial use shall be granted in a Residential zone.
- 6. A use variance shall only be granted where, without the use variance, the private property would be rendered valueless.

E. Board Action

1. Whenever the Board grants or denies a Variance Application, the Board shall state upon the record:

- a. The reason for its decision
- b. The Regulation which is varied in the decision
- c. A specific description of the exceptional difficulty or unusual hardship upon which its decision is based

2. Notice of the decision of the Board shall be sent by certified mail to the applicant within 15 days after such decision has been rendered. Such notice shall:

- a. State the name of the owner of record.
- b. Contain a description of the premises to which it relates.
- c. State the nature of the hardship claimed.
- d. Specify the nature of such variance including the Regulation which is varied in its application.

3. Notice of the decision of the Board shall be published in a newspaper having a substantial circulation in Brookfield within 15 days after such decision has been rendered.

- a. In any case in which such notice is not published within such 15-day period, the applicant may provide for the publication of such notice within 10 days thereafter.
- b. A variance granted by the Board shall only become effective upon the filing of a copy, certified by the Board, in the land records of the Town in accordance with the provisions of CGS Section 8-3d.

4. A variance shall only authorize the particular activity specified in the Board's approval.

8.8 Certificate of Location Approval Application

A. Purpose

1. In accordance with CGS Section 14-54, an application for a Certificate of Location Approval shall be submitted to the Zoning Board of Appeals by any person who desires to obtain a license for dealing in or repairing motor vehicles in Brookfield, except that this requirement shall not apply to:

- a. A transfer of ownership of a vehicle to a spouse, child, sibling, or parent of a licensee;
- b. A transfer of ownership of a vehicle to or from a corporation in which a spouse, child, sibling, or parent of a licensee has a controlling interest; or,
- c. A change in ownership involving the withdrawal of one or more partners from a partnership.

2. In accordance with CGS Section 14-321, an application for a Certificate of Location Approval shall be submitted to the Commission by any person who desires to obtain a license for the sale of gasoline or any other product, under the provisions of CGS Section 14-319, including the alteration or changing of adjoining physical properties for such purposes, except that this requirement shall not apply:

- a. In the case of a renewal of a license by the holder of the license;
- b. To the transfer of the last issued license from one person to another, provided no more than one year has elapsed since the expiration of such license; or,
- c. In the case of the addition or discontinuance of pumps.

B. Submission

1. An application for a Certificate of Location Approval shall be submitted to the Land Use Department and include a complete Application for Automobile Dealer's or Repairer's License (DMV form K-7) and the appropriate fee.

2. Such application shall be accompanied by all additional information and certifications required by the Connecticut Department of Motor Vehicles publication "Procedure for Obtaining a Connecticut Automotive Dealer's or Repairer's License" (DMV form K-36) and Appendix 1 of these Regulations for a Certificate of Location Approval Application.

C. Procedures

1. In reviewing a Certificate of Location Approval application, the Board and Commission, as applicable, act as agents of the State of Connecticut, and the notice provisions of CGS Section 8-1 et seq. shall not apply.

2. The Board or Commission, as applicable, may hold a public hearing on the Certificate of Location Approval application, and if such hearing is to be held:
 - a. Shall cause a legal notice to be published in accordance with the requirements of Section 8.11 (E).
 - b. May require that the applicant give notice to nearby property owners in accordance with the requirements of Section 8.11 (E).
3. The Commission, in reviewing a Certificate of Location Approval application, may consider such application simultaneously with an application for site plan and/or special permit approval and may consolidate the public hearings for such applications.
4. Whenever it grants or denies a Certificate of Location Approval application, the Board or Commission, as applicable, shall state upon its records the reason for its decision.
5. Notice of the decision of the Board or Commission, as applicable, shall be sent by certified mail to the applicant within 15 days after such decision has been rendered. Such notice shall state the name of the owner of record, contain a description of the premises to which it relates, and state the reason why the application was approved or disapproved.

D. Approval Considerations

As an agent of the State of Connecticut, the Board and Commission serve solely to determine whether a Certificate of Location Approval should be issued based on such considerations as:

1. Whether the use is permitted in the zoning district
2. The suitability of the location in view of traffic, intersecting streets, width of highway, effect on the travelling public, and other considerations
3. The relationship of the proposed use or operation with respect to schools, churches, theaters, playhouses, or other public gathering places
4. Whether the proposed use of the location would imperil the safety and welfare of the public
5. Whether the proposed use of the location would have a detrimental effect on the value of nearby properties or development thereof
6. Whether there has been a material change in conditions which might reverse a decision of granting or denying a previous application

8.9 Floodplain District Development Permit Application

A. Purpose and Applicability

1. A Development Permit provides for review by the Commission of proposed building sites located within flood-prone areas to determine whether building sites will be reasonably safe from flooding.
2. A Development Permit shall be obtained before construction or development begins within any area of special flood hazard established under Section 5.5.

B. Submission

1. A Development Permit application shall be submitted to the Land Use Department and shall include a completed application form and the appropriate fee.
2. Such application shall be accompanied by detailed plans, signed and sealed by an appropriate professional, for review by the Commission and its designees that comply with the requirements of Appendix 1 of these Regulations.

C. Procedures

1. The date of receipt for the Development Permit application shall be determined in accordance with Section 8.11(B).
2. All required notices and referrals by the Commission and/or applicant shall be completed as provided by Section 8.11(E).
3. An incomplete Development Permit application may be denied in accordance with Section 8.11(C).
4. All projects on parcels contained wholly or in part in the Floodplain District, as defined in Section 5.5, shall be submitted by the applicant for a permit to the Inland Wetlands Commission not later than the day such Development Permit application is filed with the Zoning Commission, if required by law.
5. The Zoning Commission shall not render a decision on such application and site plan until a report has been submitted by the Inland Wetlands Commission. This information, along with a copy of the Inland Wetlands permit and all other data as prescribed by Section 5.5, shall become a criterion to be considered in the approval or disapproval of the application and shall be made part of the applicant's site plan approval file.

D. Approval Considerations

In reviewing any Development Permit under this Section, the Commission shall consider:

1. Whether proposed building sites will be reasonably safe from flooding

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2. The conformance of all new construction and improvements proposed within a flood-prone area with the permit requirements of Section 5.5
3. Whether all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required
4. When BFE data has not been provided in accordance with Section 5.5, the Commission shall obtain, review, and reasonably utilize any BFE and floodway data available from a federal, state, or other source in order to administer the standards of Section 5.5.

E. Commission Action

1. The Commission shall render a decision on such application within the period of time specified in Section 8.11(D).
2. Whenever the Commission acts upon a Development Permit application, it shall state upon the record the reasons for its decision.
3. The final decision of the Commission shall be in permit form addressed to the applicant and dated and signed by the Chairman of the Zoning Commission.

8.10 Brookfield Aquifer Protection District Review

A. Purpose and Applicability

1. The Brookfield Aquifer Protection District (APD) provides for review by the Commission of proposed uses located within aquifer areas to determine that existing or potential water supply sources are protected from potential contamination.
2. Additional review under the Brookfield Aquifer Protection District Regulations in Section 5.3 is required for any use permitted by Special Permit on any land within the boundaries of the Brookfield APD delineated on a map on file in the offices of the Commission which shows both primary and secondary recharge areas of the designated aquifer and is entitled "Aquifer Protection District, Town of Brookfield effective January 1, 2000" and that are not serviced by a public water company (e.g. Aquarion, etc.).

B. Submission

In addition to that required by other sections of these Regulations, the following data is required for all applications for Special Permit involving areas within the Brookfield APD:

1. Complete description of the type, size, and intended content of a storage tank and transfer piping, as well as a listing of all other potentially toxic or hazardous materials to be used or stored on the premises
2. Evidence of approval by the cognizant regulatory agency for disposal systems or any wastewater treatment systems over 1,500 gallons per day capacity
3. Analysis certifying compliance with Subsection D(3) of this Section completed by a technically qualified expert acceptable to the Commission
4. Distance to the nearest public or private drinking water supply and nearest watercourses
5. Availability of public sewer and proposed hookup location
6. Location, size, and capacity of septic tank, sewage lift station, force mains, and grease traps
7. Expected types and amounts of discharge to sewers and to ground and surface water
8. Provision for stormwater runoff controls, which must minimize suspended solids and maximize groundwater recharge, including a detailed drainage plan showing the location and points of discharge for building, roof, and floor drains and dry wells and drainage pipes, whether pervious or impervious
9. Location and description of outside storage areas and materials to be stored

C. Procedures

1. The additional information required in Subsection B above shall be submitted at the time the Special Permit application is filed in accordance with Section 8.5.
2. Incomplete information, as required by the Section, may be cause for the Commission to deny a Special Permit application in accordance with Section 8.11(C).

D. Approval Considerations

1. In making a determination under Section 8.5(F), the Commission shall give consideration to the simplicity, reliability, and feasibility of the control measures proposed and the degree of threat to water quality that would result if the control measures fail.
2. The Commission shall solicit the opinion of the Health Department, Town Engineer, Inland Wetlands Commission, and the Planning Commission concerning any application involving the Brookfield APD
3. Approval shall not be granted until the Commission determines that the groundwater quality of the site resulting from proposed on-site operations will not fall below federal or state standards for drinking water quality or if existing groundwater quality is already below those standards that on-site operations will result in no further deterioration.
4. The applicant shall submit a report from a licensed engineer setting forth any risk or threat to water quality or the underlying aquifer from the site development, site improvements, or on-site operations proposed in the application and procedures and steps to prevent any risk or threat.
5. The Commission hereby delegates to the ZEO the following authority: When the application concerns itself with a tenant fit-up where the exterior of the building, the parking lot, and appurtenant facilities, such as drainage, lighting, and utilities, are not being materially or substantially modified or changed from a previously approved Special Permit for the site, the ZEO shall review the application, and he/she may grant a Zoning Permit for the permitted use only.

8.11 Procedural Requirements for Applications

A. Application Submittal Requirements

1. Applications to the Commission and applications or appeals to the Zoning Board of Appeals shall be submitted to the Land Use Department.
2. When an application involves activity regulated by Section 5.5, the Floodplain District, a floodplain development permit application shall be submitted concurrently with any application to the Commission and prior to any application or appeal to the Board.
3. When an application involves activity regulated by the Inland Wetlands and Watercourses Commission (IWWC), an application to the IWWC shall be submitted prior to or concurrently with any application to the Board or Commission, or application or appeal to the Board.
4. Applications and appeals shall be submitted on forms obtained from the Land Use Department for the respective type of application being submitted.
5. Applications shall be accompanied by the appropriate fee(s), except that the Commission and the Town shall be exempt from application fees.
6. Applications shall be submitted with any supporting plans, materials, and other information required by these Regulations and the Appendix 1.
7. Applications shall be signed by the applicant and the owner of the property, where applicable.

B. Receipt of Application

1. The date of receipt of an application to the Board or Commission shall be the day of the next regularly scheduled meeting of the Board or Commission immediately following the day of submission of the application to the Land Use Department, or 35 days after the day of submission, whichever is sooner.
2. Upon receipt, the Board or Commission shall schedule a public hearing, if applicable, within the prescribed time periods described in Section 8.11 (D).

C. Incomplete Applications

1. Each application shall be reviewed by Land Use Department staff to determine whether the application is substantially complete.
2. An application shall not be considered substantially complete until all of the information required by these Regulations and any additional information required by the Board or Commission has been received by the Board or Commission at a regular or special meeting.
3. An incomplete application may be received by the Board or Commission and denied for lack of information or required fee.

D. Statutory Time Frames, Public Hearings and Decisions

1. In any case where a public hearing relative to an application, request, or appeal is required by statute or these Regulations or scheduled by the Commission or the Board, such hearing shall be scheduled in accordance with the following guidelines, in accordance with CGS Section 8-7d. In the case of any conflict between these Regulations and statutory time frames, the state Statutes shall govern.

- a. A public hearing shall commence within 65 days after receipt by the Commission or Board of the associated application or request and shall be completed within 35 days after such hearing commences.
- b. All decisions on applications, requests, or appeals considered during a public hearing shall be rendered no later than 65 days after the completion of such hearing.
- c. The petitioner or applicant may consent to one or more extensions of any statutory period provided the total extension of all such periods shall not be for longer than 65 days.
- d. The petitioner or applicant may withdraw any application, request, or appeal at any time prior to the rendering of a decision by the Commission or Board.

2. Notwithstanding the provisions of subsection D(1) above, any Zone Change or Text Amendment application initiated by the Commission is exempt from the above statutory time lines.

3. For any case in which a proposed development or activity requires multiple applications, the Commission or the Board may conduct any public hearings simultaneously, as a single combined hearing, or in the order the Commission or Board deems appropriate.

4. Notwithstanding the provisions of subsection (C) above, for any application for which the approval of a site plan is the only requirement to be met or remaining to be met under the Zoning Regulations for any building, use, or structure, a decision shall be rendered on such application no later than 65 days after receipt of such site plan application, subject to any extensions provided by CGS §8-7.

E. Notice Requirements

1. When a public hearing is required by these Regulations or scheduled by the Commission or the Board, the Land Use Department shall cause notice of the hearing to be published in a newspaper having a substantial circulation in Brookfield. Such notice shall be published at least twice at intervals of not less

than two days, the first not more than 15 days nor less than ten days and the last not less than two days before the date of the hearing.

2. Personal Notice to Property Owners

a. When required by these Regulations, the applicant shall by certificate of mailing notify owners of property within 100 feet of the subject property (including owners of all condominium units both on and adjacent to the subject property), whether inside or outside Brookfield, of a pending application by mailing a notice at least 15 days prior to the first scheduled hearing.

b. At a minimum, such notice shall consist of:

- i. A description of the proposed activity
- ii. Notification of the date, time, and place of the first scheduled hearing
- iii. A copy of the application form submitted to the Commission or the Board

c. The most recent Assessor's records on file in the Brookfield Assessor's Office shall be utilized to determine the owner of each property for the purpose of this mailing.

d. The applicant shall certify to the Commission or Board 10 days prior to the public hearing that the required notices were mailed to all parties identified in subsection (a) above. This certification shall include the following:

- i. A copy of the complete package of information sent to affected property owners
- ii. A list of the property owners to whom the notices were sent
- iii. Proof of mailing in the form of a certificate of mailing

3. Notification to Abutting Municipalities

a. The Commission or Board shall, in accordance with CGS Section 8-7d, notify the clerk of an adjoining municipality of any application concerning any project on any site in which:

- i. Any portion of the property affected by a decision is within 500 feet of the boundary of the adjoining municipality.
- ii. A significant portion of the traffic to the completed project shall use streets within the adjoining municipality to enter or exit the site.

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iii. A significant portion of the sewer or water drainage from the project shall flow through and significantly impact the drainage or sewerage system within the adjoining municipality.

iv. Water runoff from the improved site shall impact streets or other municipal or private property within the adjoining municipality.

b. Such notice shall be made by certified mail, return receipt requested and shall be mailed within seven days of the day of the submission of the subject application to the Land Use Department of the application, petition, request, or plan.

c. No hearing shall be conducted on any such application unless the adjoining municipality has received the notice required under this Section.

d. Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application, petition, request, or plan.

4. Notification to Water Companies

a. In accordance with CGS Section 8-3i, an applicant shall provide written notice to a water company and the Commissioner of Public Health when an application is filed with the Commission or Board concerning any project on any site that is within:

i. An aquifer protection area, provided such area has been delineated in accordance with CGS Section 22a-354c

ii. The watershed of a water company, provided such water company or said commissioner has filed a map with the Commission or the Board and on the Brookfield land records showing boundaries of the watershed

b. Such notice shall be made by certified mail, return receipt requested and shall be mailed within seven days after the date of the day of the submission of the subject application to the Land Use Department.

c. At least 10 days prior to the first scheduled hearing regarding the application, the applicant shall submit the following to the Land Use Department, or the Commission or Board may determine the application incomplete or require that such notice be resent prior to commencing the public hearing:

i. A copy of the complete package of information sent to the water company and Commissioner of Public Health

ii. Proof of the certified mailing

d. Such water company and the Commissioner of Public Health may, through a representative, appear and be heard at any hearing on any such application, petition, request, or plan.

5. Notification to DEEP

a. If any portion of the property which is the subject of an application is located within a Natural Diversity Data Base Area as depicted on the most recently updated Endangered Species Maps as produced by the DEEP, the applicant shall, by regulation, notify DEEP of the pending project and provide a copy of such notification to the Commission or Board at least 10 days prior to the commencement of the public hearing.

b. A report from DEEP shall be required for any application for a zoning permit, site plan, special permit, variance application, and/or zone change request requiring DEEP notification under subsection (a) above. Any such application submitted without a DEEP report shall be considered incomplete.

6. Notification to Regional Council of Governments

a. The Commission shall give written notice to the regional council of governments when any portion of the land affected by a proposed zone change is located within, or a text amendment affects property located within, 500 feet of the boundary of another municipality.

b. Such notice shall be made by certified mail, return receipt requested.

c. Such notice shall be made not later than 30 days before the public hearing.

d. The regional council of governments may submit its advisory findings and recommendations to the Commission at or before the hearing, but if such report is not submitted, it shall be presumed that such agency does not disapprove of the proposal.

F. Consultation

1. On any application, the Commission may seek the advice and opinion of other officials, boards, agencies, or commissions to assist it in evaluating the application and may request such entity to submit a report to the Commission documenting any concerns such entity may have in connection with its areas of responsibility and/or expertise.

2. On any application, the Commission or Board may retain an architect, landscape architect, professional land use planner, or other consultant to review, comment, and guide its deliberations on any application.

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3. The Planning and Zoning Official may make a preliminary determination of the need for such technical assistance to be provided by non-Town personnel following a review of the application with other Town staff provided that such preliminary determination shall be subject to review by the Commission or the Board.
4. Prior to retaining an outside consultant, the Commission or the Board shall make findings that the nature and intensity of the development may have a significant impact on the Town of Brookfield and that:
 - a. the Town staff will not be able to complete a technical review of the application in a timely fashion, or
 - b. that the project is of such a nature as to require expertise not available from staff.
5. The ZEO shall estimate the cost of such services based upon information received from qualified technical experts.
6. Upon determining the need for such technical assistance, the Commission or the Board shall require that the applicant:
 - a. deposit funds with the Town for 150 percent of the estimated costs of any consulting review fees before review of the application by the Commission or Board, on commencement of the public hearing, if such hearing is necessary, or
 - b. reimburse the Town for the cost of such consulting review.
7. Upon completion of the technical review and final action by the Commission on the application, the Commission shall determine the costs incurred for the review and refund excess funds (if any) to the applicant.
8. The applicant shall not be responsible for costs incurred for technical assistance that exceeds the amount deposited unless the applicant agrees to such additional costs.
9. No application shall be approved and no building permit shall be issued if there are any outstanding fees, bills, invoices, or costs relative to the review of the application.

G. Professional Responsibility for Plans and Designs

1. Drainage: A Professional Engineer, licensed in the State of Connecticut, shall perform all drainage design, except that in order to prevent unnecessary hardship in connection with small alterations or expansions the Town Engineer may determine that professional drainage design is not required.

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2. Survey: A licensed Land Surveyor shall survey all sites to a Class A-2 survey standard, except that when recommended by the Town Engineer or ZEO, the Commission may determine that a survey is not needed for small expansions or alterations.

3. Site Plan: Unless specifically allowed by the Commission, relevant design professionals shall seal all site plans involving new buildings of more than one story or any new building of more than 2,000 square feet as established in the State Statutes, as amended.

4. Landscaping: A landscape architect shall design the landscaping for all site plans involving new construction in excess of 10,000 square feet of floor area. The Commission may determine that such landscape plan is not necessary because of existing conditions associated with the site or that the proposal, as submitted, adequately addresses landscaping requirements provided in these Regulations.

8.12 Bonds

A. Bond Form

1. Where a bond is required by any Section of these Regulations, it shall be in one of the following forms, and the Commission, or its designated agent (e.g. ZEO), shall require evidence of compliance with the following standards before accepting any bond:

a. Cash deposited with the Town

b. Certified bank check to the order of the Town when the amount of the check is fully insured by the FDIC

c. Bank deposit (such as a passbook savings account) assigned irrevocably and solely to the Town when the amount of the deposit is fully insured by the FDIC

d. Irrevocable letter of credit naming the Town as sole beneficiary provided that:

i. such letter of credit shall be issued by, and drafts thereunder presentable at, a branch of a bank in Connecticut provided that;

1. such bank is included in the most recent list issued by the Securities Valuation Office of the National Association of Insurance Commissioners (NAIC) (or any successor office or organization) as a bank meeting NAIC standards for issuing letters of credit for reinsurance purposes; or

2. the long-term unsecured debt of such bank (or the long-term unsecured debt of its holding company) is rated BBB or better by Standard & Poor's rating service or Baa or better by Moody's rating service.

ii. The terms and conditions of such letter of credit shall be acceptable in form and substance to the Town, and

iii. if and when such letter of credit shall, through the passage of time, have less than 30 days remaining until its expiration or lapse date, and such date shall not have been extended, the Town may draw under said letter of credit the full amount thereof, and the proceeds may be retained by the Town as the bond.

e. Other form of bond (such as a performance bond) acceptable in form and substance to the Town.

B. Bond Release

Any required bond shall not be released by the Commission until:

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1. the release has been requested, in writing, by the applicant,
2. the Zoning Enforcement Officer and/or Town Engineer has submitted a letter stating that all required improvements have been satisfactorily completed and that all conditions and requirements of the Commission's approval have been satisfied, and
3. the applicant's licensed engineer or licensed surveyor has certified to the Commission, through submission of a set of detailed "Record" plans on Mylar, that all improvements and other work are in accordance with submitted site plans.

C. Collection Costs

The applicant or provider of the bond shall be responsible for any and all costs and fees associated with collecting a bond, including without limitation attorney, bank, and other collection fees and expenditures. Any such costs and fees may be deducted from amounts released in Subsection 8.12B.

8.13 Excavation Permit

A. Applicability

An Excavation Permit application shall be submitted for any activity designated as requiring Excavation Permit approval in these Regulations.

B. Submission

1. When an Excavation Permit is sought in association with a proposed Site Plan or Special Permit application, the Excavation Permit will be considered a part of the Site Plan or Special Permit approval with no separate Excavation Permit issued. Applicants shall notify the Commission on the appropriate application forms that an Excavation Permit is required, and all additional requirements described below shall be provided.
2. When an Excavation Permit is the sole permit required or is associated with a Zoning Permit, the applicant shall submit a completed application form and the appropriate fee.
3. An Excavation Permit application shall be accompanied by detailed plans, signed and sealed by an appropriate professional, for review by the Commission and its designees that comply with the requirements of Appendix 1 of these Regulations.
4. If the application is approved, the applicants (contractors or owners) shall file a bond in accordance with Section 8.13 of these Regulations.
5. No excavation shall commence until the application is approved and the bond filed with the Commission.
6. The application must be signed by the persons intending to carry out the excavation operations and by the owner of the property, if the excavation is not being carried out by the owner.
7. The Commission may waive in whole or in part the provision of certain documents provided for in this section when they are not deemed necessary for reasonable review of the application, especially when considering the documentation submitted with a related Site Plan or Special Permit application.

C. Procedures

1. The additional information required in Subsection B above shall be submitted at the time the Excavation Permit application is filed in accordance with Section 8.13.
2. Incomplete information, as required by the Section, may be cause for the Commission to deny an Excavation Permit application in accordance with Section 8.11(C).

3. For excavation activities considered to be significant in the sole judgment of the Commission, the Commission may hold a public hearing on the application in accordance with the requirements of CGS 8-7 and Section 8.11 (E) of these Regulations.
4. The date of receipt for the site plan application shall be determined in accordance with Section 8.11 (B).
5. The Commission shall process an Excavation Permit application associated with a Special Permit within the period of time permitted under CGS Section 8-7d, as detailed in Section 8.11 (D)(1) of these Regulations. The Commission shall process an Excavation Permit associated with a Site Plan or Zoning Permit Application or as the sole application within the period of time permitted under CGS 8-7d, as detailed in Section 8.11 (d)(4) of these Regulations.
6. The applicant may, at any time prior to action by the Commission, withdraw such application.

D. Approval Considerations

A permit may be granted or denied by the Commission after consideration of the public health, safety, and general welfare; the comprehensive plan of development; soil erosion; drainage; impact upon the water table; lateral support slopes and grading of abutting streets and land; effect on land values and uses in the area; damage to existing landscape; and traffic access and safety. A permit may be granted only if the Commission finds compliance with the conditions set forth in Section 6.7(D) of these Regulations.

E. Commission Action

1. The Commission shall render a decision on such application within the period of time specified in Section 8.11(D).
2. Whenever the Commission acts upon an Excavation Permit application, it shall state upon the record the reasons for its decision.
3. The final decision of the Commission shall be in permit form addressed to the applicant, dated and signed by the Chairman of the Commission. This decision shall be separate from any associated Zoning Permit, Site Plan, or Special Permit, if applicable.

Article 9 – Administration and Enforcement

A. Enforcement

In accordance with the Connecticut General Statutes, the Commission is solely responsible for enforcement of the Zoning Regulations. In carrying out these responsibilities, the Commission may employ, but shall not be limited to, use of the following techniques:

- Promulgation of required applications forms and appropriate check-lists.
- Review and approval of appropriate permits and certificates, including stipulations or conditions thereupon.
- On-site inspections.
- Investigation of complaints.
- Issuance of: letters of warning, requests for corrective action, summons for appearance before the Commission, Cease and Desist Orders.
- Revocation of permits or approval actions.
- Appropriate legal proceedings.
- Such other techniques as may be authorized by law, regulation, ordinance or statute.

B. Designation of Enforcement Agent(s)

The Commission may delegate specific administrative and enforcement activities to one or more of its membership and to the Zoning Enforcement Officer (ZEO), an individual acting as an "agent" of the Commission. The ZEO so delegated, shall have such credentials as the Commission, in its sole determination, shall deem appropriate and shall otherwise be acceptable to the Commission. The Commission shall present any such candidate(s) to the cognizant authority for appointment as required by Town Charter.

C. Enforcement Actions

The main purpose of an enforcement action is the elimination of a violation. Upon verbal or written complaint and/or inspection, the ZEO shall determine if a violation of the regulations has indeed occurred. If the ZEO determines that a violation has occurred, the ZEO is empowered to immediately take action to cure the violation. Priority action shall be taken in situations where there are overriding concerns of health and safety or where, unless immediate action is taken to halt an activity, an irreversible event may occur which is not in accordance with generally accepted zoning or good environmental practice. The ZEO shall maintain a chronological record of all complaints and subsequent enforcement action and shall prepare summary violation reports for Commission meetings.

1. Issuance of an order

When the ZEO has determined that a violation exists, he/she shall issue a written order to the responsible party to:

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- a. cease and desist in all illegal activity,
- b. perform corrective action to comply with the regulation.

2. Compliance/Show Cause Hearing/Appeal

After receiving an order, the individual receiving the order may either:

- a. comply with the order, or
- b. schedule an informal hearing before the Commission at the next regularly scheduled meeting to show cause why a CITATION should not be issued. If the action of the ZEO is upheld by the commission, the individual in violation shall promptly comply with the compliance order.

3. Issuance of a citation

If an Order is not complied with within the prescribed time period, the Commission may direct the ZEO to issue a citation and impose such fines as are provided for by Town Ordinance (Zoning Violation Penalty Ordinance). The ZEO may NOT initiate this action without the prior consent and direction of the Zoning Commission. The Commission shall insure that the file of the violation is current, accurate and complete prior to directing this action by the ZEO. If the violation continues unabated, despite timely payment of fines, a subsequent Citation or Citations may be issued. Any person who has received a Cease and Desist Order within ten (10) days after receipt of the Order, schedule an informal hearing before the Zoning Commission to show cause why a CITATION should not be issued.

4. Notice of citation

After the expiration of the ten day period, but within one year, as stated in the Citation, the ZEO shall send a notice which restates the rights and appeal period, all of which are cited in the Citation itself.

5. Payment of Fines

Payment of fines normally closes the Citation matter.

- a. If the Respondent fails to pay or file an appeal within the required time frame the following action shall be taken:
 - i. The ZEO shall certify that:
 - The Respondent has failed to pay the fine or file an appeal;
 - That as a consequence of the failure to respond, the Respondent is deemed to have admitted liability for the violation(s) pursuant to CGS §7-152c(d);
 - The total amount of fines accrued as of the date of the certification;

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- A copy of the Citation and Notice of Citation Form if applicable, are true and exact copies and are attached to the certification.
- ii. The Zoning Enforcement Officer shall provide the certification and attachments to the cognizant Hearing Officer.
 - iii. The cognizant Hearing Officer, upon receipt of the ZEO's certification shall:
 - a. Render a “Decision and Notice of Assessment Without Hearing”
 - b. Send the above decision form to the Respondent by first class mail and a copy to the ZEO
 - c. If the amount of the assessment is not paid within 30 days of the mailing of the decision notice, and no petition is filed pursuant to CGS §7-152c(g), then after 30 days (but within one year of the mailing) the cognizant Hearing Officer shall file a “certified” copy of “Decision and Notice of Assessment” with the Clerk of the Danbury Superior Court together with the appropriate filing fee.
 - iv. The Clerk of the Superior Court thereafter shall enter judgment in accordance with the “Decision and Notice of Assessment” in the amount stated therein, plus \$8.00 in Court costs in favor of the Town of Brookfield.
- b. If the Respondent files an appeal, the following action shall be taken:
 - i. The ZEO or other Brookfield Town Official shall:
 - a. Give written notice of the date, time and place of a hearing on the appeal, which shall be a date more than 15 days, but not more than 30 days from the date of the notice.
 - b. File a certified copy of the Citation and Notice of Citation, if applicable, with the cognizant Hearing Officer.
 - ii. The cognizant Hearing Officer shall:
 - a. Conduct a hearing and review in accordance CGS §7-152c(e);
 - b. Render a decision at the end of the hearing in the form of “Decision and Notice of Assessment After Hearing”;
 - c. If the assessment is not paid on the date of the hearing, the Hearing Officer shall follow the procedure in CGS §7-152c(f) and as set forth above in subparagraph (a)[3].

6. Legal Proceedings

Any matter which is not resolved using the above procedures, may be referred to Commission Counsel for appropriate legal proceedings. Payment of attorney fees

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for any subsequent legal action shall be the responsibility of the Respondent Defendant, if allowed by law.

Appendix 1: Application Requirements

1.1 Purpose

Appendix 1 provides a complete listing of materials to be submitted with any application to the Commission or Board.

1.2 Preliminary Concept Plan and Pre-Application Review

Any preliminary concept plan submitted under the provisions of Section 8.1 should include the following materials. Any omissions in materials submitted with a preliminary concept plan may hinder staff and/or the Commission's ability to accurately advise the applicant of concerns, conditions, or requirements relevant to any subsequent application. With the exception of item A. *Completed Application Form*, 9 copies of all items for review shall be provided unless otherwise noted.

- A. Completed application form
- B. A statement describing the intended use(s) and the nature, size, and extent of proposed use(s)
- C. Concept Plans (X copies) illustrating:
 - a. Existing conditions including general topography, existing major features (including wetlands, watercourses, floodplains, and adjacent buildings), and property boundaries
 - b. Proposed improvements such as the location of proposed buildings or structures, parking areas, drives, and other major alterations
 - c. Proposed infrastructure strategies, including water, sewerage, and drainage
- D. Additional information as may be relevant or desirable for the Commission to make a reasonable review of the conceptual development

1.3 Zoning Permit

Any zoning permit application submitted under the provisions of Section 8.2 shall include the following materials. With the exception of items A and B, 3 copies of all items for review shall be provided unless otherwise noted.

- A. Completed application form
- B. Correct application fee (see Land Use Fee Schedule)
- C. A narrative statement describing the proposed project, including the intended use(s) and sufficient data on the nature, size, and extent of proposed uses for the ZEO or their designee to determine compliance with these Regulations
- D. Property identification – copy of the Assessor's card and property deed
- E. Applicable Zoning Section # for the approval being sought
- F. Property survey meeting standards for a Class A-2 survey

Appendix 1 – Application Requirements

- G. Site or plot plans at an acceptable scale incorporating a Class A-2 survey of the premises or parcel of land, stamped with an embossed seal and signed by a professional land surveyor and/or professional engineers/landscape architect showing the following information, as applicable:
- a. The name of the proposed project, developer, and landowner of record
 - b. Zoning classification of the parcel to be built upon or used
 - c. Names of abutting property owners
 - d. North arrow, scale, and date of preparation
 - e. The actual dimensions of the parcel to be built upon or used
 - f. The location of the parcel in relation to public and/or private streets, accessways, and abutting lots
 - g. Locations, dimensions, and types of all existing buildings, structures, and signs
 - i. If deemed necessary by the ZEO to determine compliance with these Regulations, setback distances from the front, side, and rear lot lines
 - h. Proposed location, dimensions, and types of any new buildings, additions, signs, or structures to be built, with proposed setback distances from the front, side, and rear lot lines
 - i. Current and proposed:
 - i. Total building floor area
 - ii. Percent building coverage
 - iii. Percent impervious coverage
 - iv. Current and proposed total disturbed area
 - v. Current and proposed building heights
 - j. The general topography of the site and any proposed area alterations, including areas to be cleared, excavated, filled, or graded
 - k. Wetlands and watercourses as delineated by a professional certified or licensed soil scientist
 - l. Flood hazard zones as delineated by the FIRM and published by FEMA
 - m. The location of any conservation and preservation restrictions, including open space
 - n. Existing and proposed roadways, drives, walkways, malls, paths, curbing, entranceways and exits from and to town and state roads
 - o. Current and proposed location and dimensions of loading, storage, refuse collection, exterior machinery, and equipment
 - p. Current and proposed septic systems, wells, and utility connections
 - q. A parking plan showing the number, dimensions, and location of existing and any proposed parking spaces, demonstrating how needs will be met (for proposed change in or expansion of use)

Appendix 1 – Application Requirements

- r. Location, description, and dimensions of all current and proposed signs
 - s. Location and dimensions of all current and proposed walls and fences, including a description of the type
 - t. Technical data sufficient to demonstrate compliance with performance standards and design criteria as set forth in Section 6 of these Regulations
 - u. For proposals in excess of 80,000 square feet in area, the site plan shall bear the seal of a registered professional engineer licensed to practice in the State of Connecticut.
 - v. The ZEO may waive documentation determined not necessary for the review of such zoning permit, if such waiver is requested, in writing, by the applicant.
- H. An Erosion and Sediment Control Plan in accordance with the requirements of Section 6.6, if applicable.
- I. A written copy of any approval, and any conditions associated with such approval, required by any other applicable local, state, or federal department, bureau, or agency, including but not limited to:
- a. Zoning Board of Appeals variance
 - b. Well/Septic Health Permit and/or Public Water/Sewer Approval
 - c. Driveway Permit
 - d. Inland Wetlands Permit
 - e. Floodplain Permit
 - f. Aquifer Protection Permit
 - g. Town Engineer Approval of Drainage/Sewer Plans
 - h. Connecticut DOT Permit
 - i. OSTA Approval
 - j. Connecticut DEEP Permit
 - k. Army Corp of Engineers Permit
 - l. Planning and Zoning Commission Approval
 - m. Sediment and Erosion Control Plan Certification
 - n. Historic District Certificate of Appropriateness

1.4 Certificate of Zoning Compliance

Any certificate of zoning compliance application submitted under the provisions of Section 8.3 shall include the following materials.

- A. Completed application form
- B. Correct application fee (see Land Use Fee Schedule)
- C. A paper copy of an as-built property survey meeting standards for a Class A-2 survey similar in content and scale to the approved plan, if applicable, and indicating the exact locations of all construction

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- D. An electronic copy in *AutoCAD* format (or other format acceptable to the Town Engineer) of the as-built property survey
- E. Other relevant site plans and plot plans
- F. Sufficient data on the nature, size, and extent of proposed uses for the ZEO to determine compliance with these Regulations
- G. Any other information determined required to confirm compliance with all conditions of approval, if applicable.

1.5 Site Plan

Any site plan application submitted under the provisions of Section 8.3 shall include the following materials. With the exception of items A and B, 14 copies of all items for review shall be provided unless otherwise noted.

- A. Completed application form
- B. Correct application fee (see Land Use Fee Schedule)
- C. A narrative statement describing the proposed project, including the following items:
 - a. A narrative description of the intended use(s) and sufficient data on the nature, size, and extent of proposed uses to determine compliance with these Regulations
 - b. Provisions made for water supply, sewage disposal, solid and liquid waste disposal, drainage, and other utilities
 - c. The basis for determining the parking and loading requirements for the use
 - d. An estimate of the type of vehicular traffic and number of vehicle trips to be generated on a daily basis and at peak hours
- D. Property survey meeting standards for a Class A-2 survey
- E. Copies of draft deeds or easements for any road widening, access, driveways, drainage, conservation, utilities, or other easements, restrictions, or covenants proposed
- F. Site or plot plans (X copies) drawn to scale and displaying the following information, as applicable:
 - a. The name of the proposed project, developer, and landowner of record
 - b. Zoning classification of the parcel to be built upon or used
 - c. Names of abutting property owners
 - d. North arrow, scale, and date of preparation
 - e. The actual dimensions of the parcel to be built upon or used
 - f. The location of the parcel in relation to public and/or private streets, accessways, and abutting lots
 - g. Locations, dimensions, and types of all existing buildings, structures, and signs

Appendix 1 – Application Requirements

- i. If deemed necessary by the ZEO to determine compliance with these Regulations, exact existing setback distances from the front, side, and rear lot lines
- h. Proposed location, dimensions, and types of any new buildings, additions, signs, or structures to be built, with proposed setback distances from the front, side, and rear lot lines
- i. Current and proposed:
 - i. Total building floor area
 - ii. Percent building coverage
 - iii. Percent impervious coverage
 - iv. Current and proposed total disturbed area
 - v. Current and proposed building heights
- j. Existing and proposed topographical contours at intervals of two feet or less and proposed area alterations, including areas to be cleared, excavated, filled, or graded; and other unusual features
- k. Wetlands and watercourses as delineated by the professional licensed or certified soil scientist
- l. Flood hazard zones as delineated by the FIRM and published by FEMA
- m. Identification of areas listed in the Connecticut DEEP Natural Diversity Data Base
- n. Existing trees and shrubs to be retained and proposed trees and shrubs to be located in the project, including type, common name, height, and caliper. Location of existing trees greater than 12" caliber shall be identified.
- o. The location of any conservation and preservation restrictions
- p. Existing and proposed roadways, drives, walkways, malls, paths, curbing, entranceways and exits from and to town and state roads
- q. Location and dimensions of loading, storage, refuse collection, exterior machinery, and equipment
- r. A parking plan showing the number, dimensions, and location of existing and any proposed parking spaces, demonstrating how needs will be met (for proposed change in or expansion of an existing use)
- s. Locations and amount of open space, with type and use described
- t. Location, dimensions, description, and capacity of all proposed utilities and their structures, including water supply, sewage disposal, electricity, gas and drainage, including the location and dimensions of catch basins, manholes, conduits, and grade and elevation of same. Such utilities shall be constructed underground unless otherwise permitted by the Commission and shall be in accordance with the standards contained in Technical Standards – Section 6.

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- i. If septic sewage disposal is proposed, the location and results of soil test pits and percolation tests, accompanied by design computations certified by a professional licensed engineer
 - u. Location, description, and dimensions of all signs in accordance with the Brookfield Sign Regulations as provided in Section 6.2
 - v. Location and dimensions of walls and fences, including a description of the type
 - w. Technical data sufficient to demonstrate compliance with performance standards and design criteria as set forth in Section 6 of these Regulations
 - x. For site plans in excess of 80,000 square feet in area, the site plan shall bear the seal of a registered professional engineer licensed to practice in the State of Connecticut.
 - y. Project start and completion dates, schedule of major construction milestones, sequence or phasing of construction as indicated by supplementary boundary markings
- G. Architectural Plans
 - a. Where applicable, X copies of architectural plans at acceptable scale prepared by a professional architect, including:
 - i. Building elevations
 - ii. Identification of texture, color, and type of building materials
 - iii. Façade and fenestration details
 - iv. Roofscape details
 - v. Wall and screening details
 - vi. Identification of lighting fixtures, including illumination and intensity data regarding outdoor lighting
- H. An Erosion and Sediment Control Plan in accordance with the requirements of Section 6.6
- I. A stormwater management study, if required under Section 6.8, and/or written certification by a professional licensed engineer that the proposed stormwater management system has been designed in accordance with the DEEP 2004 *Stormwater Quality Manual* and complies with the standards of Section 6.8.
- J. A written copy of all approvals, and any conditions associated with such approval, required by any other applicable local, state, or federal department, bureau, or agency, including but not limited to:
 - a. Zoning Board of Appeals variance
 - b. Well/Septic Health Permit and/or Public Water/Sewer Approval
 - c. Driveway Permit
 - d. Inland Wetlands Permit
 - e. Floodplain Permit
 - f. Aquifer Protection Permit

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- g. Town Engineer Approval of Drainage/Sewer Plans
 - h. Connecticut DOT Permit
 - i. OSTA Approval
 - j. Connecticut DEEP Permit
 - k. Army Corp of Engineers Permit
 - l. Planning and Zoning Commission Approval
 - m. Sediment and Erosion Control Plan Certification
 - n. Historic District Certificate of Appropriateness
- K. Evidence of notification of the Site Plan application as may be required by Section 8.11 (E), and, if applicable, to the holders of any easements or restrictions on the property that is the subject of the Site Plan application.

1.6 Special Permit

Any special permit application submitted under the provisions of Section 8.5 shall include the following materials. With the exception of items A and B, 14 copies of all items for review shall be provided unless otherwise noted.

- A. Completed application form
- B. Correct application fee (see Land Use Fee Schedule)
- C. A previously approved site plan filed with the Town of Brookfield Town Clerk or an application submitted for approval of a site plan in conjunction with the application for a special permit
- D. Property survey meeting standards for a Class A-2 survey.
- E. Proof of notification of the Special Permit application of abutting property owners and any other parties required in accordance with Section 8.11 (E)
- F. A statement describing the following:
 - a. The proposed use or uses in detail
 - b. Compliance with the criteria identified for Special Permits under Section 8.5(E)
- G. For any proposed development meeting the criteria set forth in Section 6.1 or which, in the Commission's judgment, could generate high levels of traffic, exacerbate existing traffic conditions, or create a traffic safety issue, the applicant shall provide a traffic impact analysis, in accordance with the Institute of Transportation Engineers' requirements for traffic impact studies. Such analysis shall evaluate traffic generated by a proposed development and its probable impact on existing roads and intersections in the area in accordance with Section 6.1 and shall include the following:
 - a. Existing and projected traffic volumes (average daily traffic, peak a.m. and p.m.) and peak-hour traffic generation
 - b. Past and present roadway conditions including location and number of accidents
 - c. Existing roadway capacity and volume and capacity ratios

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- d. Proposed sight lines
 - e. Location of existing and proposed curb cuts, traffic lights, and intersections at the development site and within 300 feet from the development site
 - f. Traffic impact of proposed development, including but not limited to the effect of the proposed development on traffic conditions on abutting streets and any nearby intersections that would have 100 or more vehicle trips in a peak hour
 - g. The patterns of vehicular circulation in relation to the adjoining street system
 - h. Adequacy of:
 - i. Right-of-way and travel way
 - ii. Traffic signalization, traffic channelization, left-turn lanes, and roadway widths of adjoining streets
 - iii. Vehicular stacking lanes and/or distances
 - iv. Pedestrian drop-off areas
 - v. Other traffic or transportation facilities to accommodate the proposed development
 - i. Recommendations for safe pedestrian, bicycle, and vehicular circulation
 - j. Where applicable, the applicant shall include the written recommendations of the CT DOT, the Brookfield Police Commission, and the Commission's engineer
 - k. Whether a significant traffic impact will occur as identified under Section 6.1
- H. If a multifamily development, 14 copies of a report documenting:
- a. The number of units proposed and breakdown of dwelling unit types
 - b. The density of the proposed development in dwelling units per gross acre
 - c. Anticipated number of persons and school-age children per unit and for the development as a whole
 - d. Projected dwelling-unit floor areas
 - e. A draft of any proposed or required covenants and restrictions
- I. Phasing and Construction Schedule
- a. A narrative describing construction stages
 - b. A statement describing the proposed staging if the development is to be constructed over a period of years
- J. Any other information which in the Commission's judgment will assist in evaluating the proposal
- K. Evidence of notification of the Special Permit application as may be required by Section 8.11 (E), and, if applicable, to the holders of any easements or

Appendix 1 – Application Requirements

restrictions on the property that is the subject of the Special Permit application.

1.7 Text Amendment

Any text amendment application submitted under the provisions of Section 8.6 shall include the following materials. With the exception of items A and B, 30 copies of all items for review shall be provided unless otherwise noted.

- A. Completed application form
- B. Correct application fee (see Land Use Fee Schedule)
- C. The proposed text amendment identifying all sections to be added, removed, or modified by reference to appropriate Article, section, subsection, and paragraph numbers, with the precise wording of existing and proposed text, with deletions and additions clearly marked
- D. A narrative statement describing:
 - a. The reasons for the proposed text amendment
 - b. The effects of the proposed text amendment on the general health, safety, and welfare of the Town of Brookfield
 - c. How the proposed text amendment is consistent with the existing Plan of Conservation and Development
- E. Proof of notification of any parties required in accordance with Section 8.11(E)
- F. A copy of the proposed Regulation shall be filed by the applicant at the office of the Town Clerk for public inspection at least ten days before the public hearing, as required by CGS §8-3.

1.8 Zone Change

Any zone change application submitted under the provisions of Section 8.6 shall include the following materials. With the exception of items A and B, 30 copies of all items for review shall be provided unless otherwise noted.

- A. Completed application form
- B. Correct application fee (see Land Use Fee Schedule)
- C. A map at an appropriate scale showing:
 - a. The property or properties to be rezoned indicating the existing zoning district designation, the proposed boundary line(s), and the proposed zoning district designation
 - b. A key map showing the location of the property in relation to surrounding areas
 - c. Properties within 500 feet in all directions of the property or properties to be rezoned, and the names and addresses of the owners of such parcels as indicated on the most recent Grand List
- D. A narrative statement describing:
 - a. The reasons for the proposed zone change

Appendix 1 – Application Requirements

- b. The effects of the proposed zone change on the general health, safety, and welfare of the Town of Brookfield
- c. How the proposed zone change is consistent with the existing Plan of Conservation and Development
- E. A simple metes and bounds description defining in writing the boundaries of the proposed zoning map change
- F. Proof of notification of abutting property owners and any other parties required in accordance with Section 8.11 (E)
- G. A copy of the proposed zone change, and all support documentation, shall be filed by the applicant at the office of the Town Clerk for public inspection at least ten days before the public hearing, as required by CGS §8-3.

1.9 Certificate of Location Approval Application

Any certificate of location approval application submitted under the provisions of Section 8.8 shall include the following materials. With the exception of items A, B, and C, X copies of all items for review shall be provided unless otherwise noted.

- A. Completed application form
- B. Correct application fee (see Land Use Fee Schedule)
- C. Completed Connecticut Department of Motor Vehicles Form K-7
- D. A narrative describing the nature of the proposed automobile dealer or repairer business, including the type(s) of vehicles to be sold or repaired under the license, and estimated number of employees
- E. Site drawings meeting the requirements of Connecticut Department of Motor Vehicles Form K-93

1.10 Floodplain District Development Permit

Any floodplain district development permit application submitted under the provisions of Section 8.9 shall include the following materials. With the exception of items A and B, X copies of all items for review shall be provided unless otherwise noted. A floodplain district development permit application submitted simultaneously with a site plan or special permit application for the same project may provide item D (Site or Plot Plans) below in place of similar required site or plot plans under Section 1.5 of this Appendix, provided that such plans contain all information required for a complete site plan or special permit application.

- A. Completed application form
- B. Correct application fee (see Land Use Fee Schedule)
- C. Property survey meeting standards for a Class A-2 survey
- D. Site or plot plans (X copies) drawn to scale and displaying the following information, as applicable:
 - a. The name of the proposed project, developer, and landowner of record
 - b. Zoning classification of the plot to be built upon or used

Appendix 1 – Application Requirements

- c. Names of abutting property owners
- d. North arrow, scale, and date of preparation
- e. The actual dimensions of the plot to be built upon or used
- f. The location of the plot in relation to public and/or private streets, accessways, and abutting lots
- g. Locations, dimensions, and types of all existing buildings, structures, and signs
 - i. If deemed necessary by the ZEO to determine compliance with these Regulations, exact existing setback distances from the front, side, and rear lot lines
- h. Proposed location, dimensions, and types of any new buildings, additions, signs, or structures to be built, with proposed setback distances from the front, side, and rear lot lines
- i. Current and proposed:
 - i. Total building floor area
 - ii. Percent building coverage
 - iii. Percent impervious coverage
 - iv. Current and proposed total disturbed area
 - v. Current and proposed building heights
- j. Existing and proposed topographical contours at intervals of two feet or less, and proposed area alterations, including areas to be cleared, excavated, filled, or graded; and other unusual features
- k. Wetlands and watercourses as delineated by the Brookfield Inland Wetland Commission
- l. Flood hazard zones as delineated by the FIRM and published by FEMA
- m. Identification of areas listed in the Connecticut DEEP Natural Diversity Data Base
- n. Existing trees and shrubs to be retained and proposed trees and shrubs to be located in the project, including type, common name, height, and caliper. Location of existing trees greater than 12" caliber shall be identified.
- o. Existing and proposed roadways, drives, walkways, malls, paths, curbing, entranceways and exits from and to town and state roads. The layouts of such drives and interior roadways shall use Town of Brookfield road specifications and §234-22J and § 234-24 through 234-29 of the Brookfield Subdivision Regulations (see Brookfield Code §234) as a design guide.
- p. Location and dimensions of loading, storage, refuse collection, exterior machinery, and equipment
- q. A parking plan showing the number, dimensions, and location of existing and any proposed parking spaces, demonstrating how needs will be met (for proposed change in or expansion of use)

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- r. Locations and amount of open space, with type and use described
 - s. Location, dimensions, description, and capacity of all proposed utilities and their structures, including water supply, sewage disposal, electricity, gas, and drainage, including the location and dimensions of catch basins, manholes, conduits and grade and elevation of same. Such utilities shall be constructed underground unless otherwise permitted by the Commission and shall be in accordance with the standards contained in Technical Standards – Section 6.
 - i. If septic sewage disposal is proposed, the location and results of soil test pits and percolation tests, accompanied by design computations certified by a professional engineer
 - t. Location, description, and dimensions of all signs in accordance with the Brookfield Sign Regulations as provided in Section 6.2.
 - u. Location and dimensions of walls and fences, including a description of the type
 - v. Technical data sufficient to demonstrate compliance with performance standards and design criteria as set forth in Section 6 of these Regulations
 - w. For site plans in excess of 80,000 square feet in area, the site plan shall bear the seal of a registered professional engineer licensed to practice in the State of Connecticut.
 - x. Project start and completion dates, schedule of major construction milestones, sequence or phasing of construction as indicated by supplementary boundary markings
 - y. The location, dimensions, and type of all existing and proposed buildings and structures, including the elevation in relation to mean sea level of the lowest floor, including basement, of all buildings and structures
 - z. The elevation in relation to mean sea level to which any building or structure is to be floodproofed
- E. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 5.5.
- F. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development

1.11 Excavation Permit

Any excavation permit application submitted under the provisions of Section 8.13 shall include the following materials. With the exception of items A and B, X copies of all items for review shall be provided unless otherwise noted. An excavation permit application submitted simultaneously with a site plan or special permit application for the same project may provide item C (Site or Plot Plans) below in place of similar

Appendix 1 – Application Requirements

required site or plot plans under Section 1.5 of this Appendix, provided that such plans contain all information required for a complete site plan or special permit application.

- A. Completed application form
- B. Correct application fee (see Land Use Fee Schedule)
- C. Property survey meeting standards for a Class A-2 survey
- D. A map drawn to scale by an engineer or surveyor registered to practice in the State of Connecticut showing the following:
 - a. The property on which the excavation is to be made
 - b. The location of all buildings on the property
 - c. Adjacent roads and the location of proposed access roads to proposed excavations
 - d. At the option of the Commission, existing and proposed contours in the area to be excavated and in the surrounding area within 20 feet of the excavation, shown on a map drawn to scale containing not more than 100 feet to the inch and with contour lines at intervals of not more than five feet
 - e. Adjacent property ownership within 100 feet indicated
 - f. Existing and proposed drainage on the premises, if any, including the proposed level and area of any impounded water
 - g. The location and design of structural and nonstructural sediment control measures, such as diversions, waterways, grade stabilization structures, debris basins, check dams, water breaks, silt fences, and the like; and the location of temporary and permanent erosion control measures
- E. A written statement with the following information:
 - a. The approximate starting and completion dates, number and types of trucks, machines to be used and hours of operation
 - b. The kind and amount of material to be excavated
 - c. The safety precautions that are to be taken
 - d. The purpose of the excavation or removal
 - e. The types and number of buildings to be erected
 - f. The sequence of operations, including time periods for major development phases, temporary and permanent sediment control measures to be employed, specifications for temporary and permanent vegetative and structural stabilization, and general information relating to the implementation and maintenance of the sediment control measures, including the name of the individual responsible for implementing the plan
 - g. Details regarding any revegetation at the conclusion of the project or at the conclusion of such phases of the project as the Commission may require

Appendix 2: TCD Design Guidelines

Existing Design Guidelines and Standards, Incentive Housing Zone & Town Center District (eff. July 5, 2019) to be appended. *[amended eff. 2019-July-5]*

Appendix 3: Fee Schedule

Appendix 4: Revisions

(including housekeeping corrections that have no material effect on the regs)

Revision List, as of **2019-April-19**

Section #	Title	Effective Date	Page(s)
2.2	Definitions – Building, Accessory	2019-Apr-19	25
3.4 C.1	Permitted by Zoning Permit – Accessory Structures		53
3.4 D.1	Permitted by Special Permit – Accessory Structures		53
Various	Typographic corrections for Appendix references and IP reference (which should have been CP).		various

Revision List, as of **2019-July-5**

Section #	Title	Effective Date	Page(s)
5.1 O	Road Right-of-Way Improvements - added	2019-Jul-5	97
App 2	Housekeeping; references to reg section #s		various
App 2	4.10.1 Standards - amended		16
App 2	4.10.6 Standards – added		16
App 2	TCD Sidewalk and Amenity Specifications – new reference from Appendix 2.		all

Revision List, as of **2020-April-27**

Section #	Title	Effective Date	Page(s)
3.4 A.3.b	Removed the word 'required' pertaining to Front Yard	2020-Apr-27	50
3.16 D.3	Required Accessory Building needs to be at least 7 years old.		74
3.16 D.6	2 parking spaces required for Apartment		74
3.16 D.10	Affidavit of status required.		75
3.16 D.11	Affidavit to be renewed annually, but not notarized for renewal.		75
3.16 D.12	No letting of rooms when Accessory Apartment exists.		75
6.1 A.3.e	Commercial Parking in rear yard only.		119
App 2	TCD Sidewalk and Amenity Specifications – revised bullet points under heading 'DISCUSSION'		1

2021-Jan-20
Appendix 4 - Revisions

Revision List, as of **2020-Sep-15**

Section #	Title	Effective Date	Page(s)
3.14C.1	Pushed point c. to d. and changed point c. to set the required acreage to 4 for CG-N Zone	2020-Sep-15	64
4.2A.8.d	Corrected reference to 6.9 (instead of 6.10)		82
4.4D	Corrected reference to 6.7D.3 (instead of 6.8)		89
MAP	Changed zone of 19A Elbow Hill Rd from R-40 to I-1		MAP

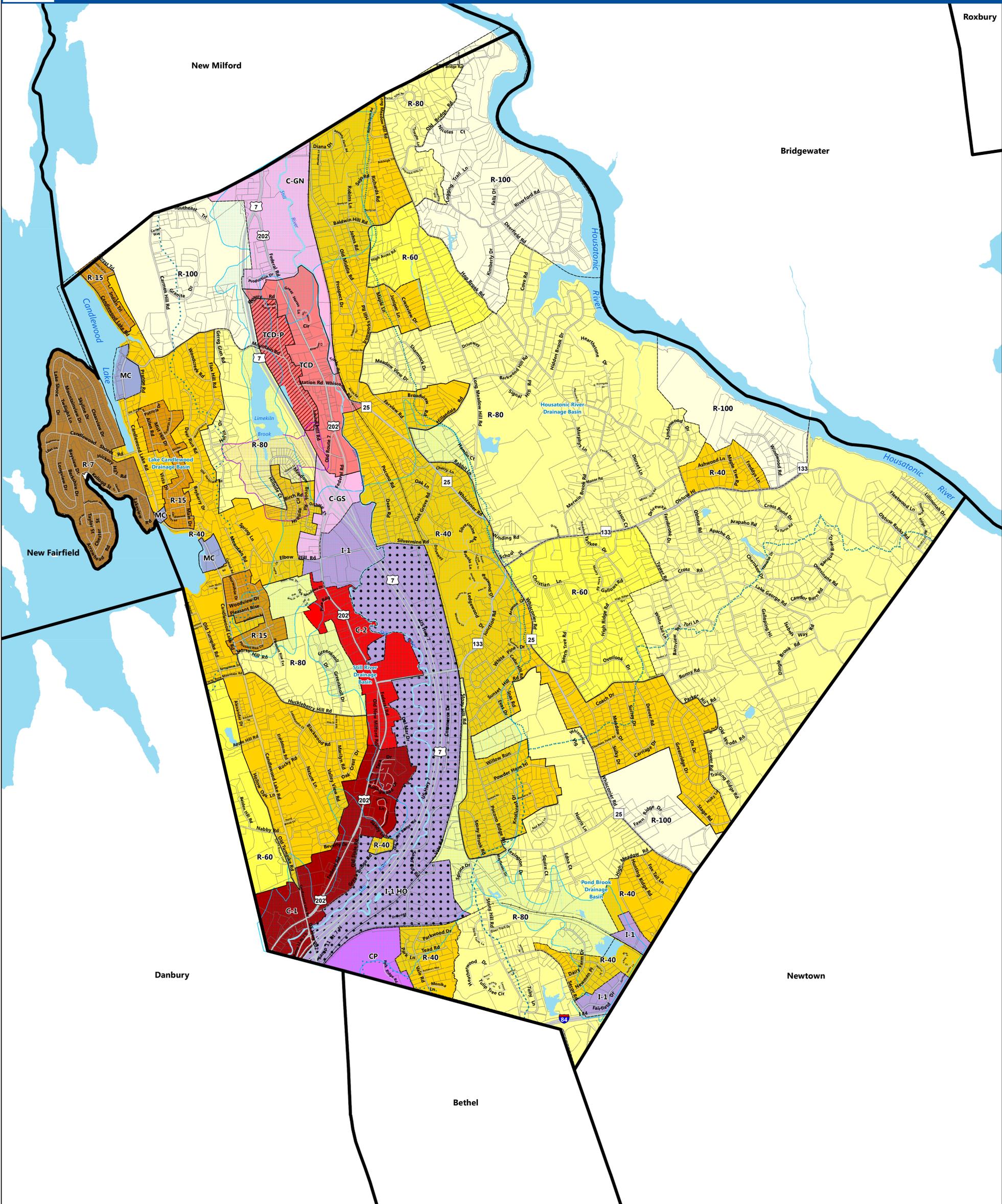
Revision List, as of **2021-Jan-20**

Section #	Title	Effective Date	Page(s)
5.1D.2	Adding exceptions to allow residential on the 1 st floor in the TCD.	2021-Jan-20	93

Section 3



Town of Brookfield Zoning Districts



Zoning Districts

Commercial Districts

- Regional Commercial (C-1)
- Neighborhood Commercial (C-2)
- Gateway North (C-GN)
- Gateway South (C-GS)
- Marine Commercial (MC)
- Town Center District (TCD)
- Town Center Perimeter Overlay (TCD-P)

Residential Districts

- R-100
- R-80
- R-60
- R-40
- R-15
- R-7

Industrial Districts

- Industrial (I-1)
- Industrial Height Overlay (I-1 HO)
- Corporate Park (CP)

Special Districts

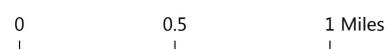
- Brookfield Aquifer Protection Area
- Meadowbrook Aquifer Protection Area
- Drainage Basins

Last Revised: 1/8/2019

Effective Date: 12/21/2018

Sources:
* Basemap Data: CTDEEP, DEMHS
* Parcels: Town of Brookfield

This map was developed for use as a planning document. Delineations may not be exact.



Section 4

**WETLANDS AND WATERCOURSES
TOWN OF BROOKFIELD
CHAPTER 220**

[HISTORY: Adopted by the Inland Wetlands Commission of the Town of Brookfield, 6/24/74, revised 9/2/82, revised 11/13/89, revised 5/1/91, revised 1/197, revised 11/24/08, effective 4/01/09, revised 12/17/12, effective 12/22/12. Subsequent amendments noted where applicable.]

220-1 STATUTORY AUTHORITY

The following, hereinafter referred to as Chapter 220 of the Code of the Town of Brookfield¹, are the Wetlands and Watercourses Regulations adopted by the Inland Wetlands Commission pursuant to ordinance of the Town of Brookfield entitled, "An Ordinance Authorizing the Inland Wetlands Commission to Promulgate Regulations Protecting the Wetlands and Water Courses of the Town" for the purposes therein enunciated and in accordance with the provisions of the Inland Wetlands and Water Courses Act (Sections 22a-36 to 22a-45 of the General Statutes, as amended) and/or Section 7-131a of the General Statutes.

¹ Editor's Note: See Chapter 34, Inland Wetlands Commission

220-2TITLE AND AUTHORITY

- A. The inland wetlands and watercourses of the State of Connecticut are an indispensable and irreplaceable but fragile natural resource with which the citizens of the State have been endowed. The wetlands and watercourses are an interrelated web of nature essential to an adequate supply of surface and underground water; to hydrological stability and control of flooding and erosion; to the recharging and purification of groundwater, and to the existence of many forms of animal, aquatic and plant life. Many inland wetlands and watercourses have been destroyed or are in danger of destruction because of unregulated use by reason of the deposition, filling or removal of material, the diversion or obstruction of water flow, the erection of structures and other uses, all of which have despoiled, polluted and eliminated wetlands and watercourses. Such unregulated activity has had, and will continue to have, a significant, adverse impact on the environment and ecology of the State of Connecticut and has and will continue to imperil the quality of the environment and thus adversely affecting the ecological, scenic, historic and recreational values and benefits of the State for its citizens now and forever more. The preservation and protection of the wetlands and watercourses from random, unnecessary, undesirable and unregulated uses, disturbance or destruction is in the public interest and is essential to the health, welfare and safety of the citizens of the State. It is therefore, the purpose of these regulations to protect the citizens of the State by making provisions for the protection, preservation, maintenance and use of the inland wetlands and watercourses by minimizing their disturbance and pollution; maintaining and improving water quality in accordance with the highest standards set by federal, state or local authority; preventing damage from erosion, turbidity or siltation; preventing loss of fish and other beneficial aquatic organisms, wildlife and vegetation and the destruction of natural habitats thereof, deterring and inhibiting the danger of flood and pollution; protecting the quality of wetlands and watercourses for their conservation, economic, aesthetic, recreational and other public and private uses and values; and protecting the State's potable fresh water supplies from the dangers of drought, overdraft, pollution, misuse and mismanagement by providing an orderly process to balance the need for the economic growth of the State and the use of its land with the need to protect its environment and ecology in order to forever guarantee to the people of the State, the safety of such natural resources for their benefit and enjoyment and for the benefit and enjoyment of generations yet unborn.
- B. These regulations shall be known as the "Inland Wetlands and Watercourses Regulations of the Town of Brookfield."
- C. The Inland Wetlands Commission of the Town of Brookfield was established in accordance with an ordinance adopted June 24, 1974, and shall implement the purposes and provisions of these regulations and the Inland Wetland and Watercourses Act in the Town of Brookfield.
- D. These regulations have been adopted and may be amended, from time to time, in accordance with the provisions of the Inland Wetlands and Watercourses Act and these regulations.
- E. The Commission shall enforce all provisions of the Inland Wetlands and Watercourses Act and shall issue, with terms, conditions, limitations or modifications, or deny permits for all regulated activities in the Town of Brookfield pursuant to sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes, as amended.

220-3DEFINITIONS

A. As used in these regulations:

"**Act**" means the Inland Wetlands and Watercourses Act, Sections 22a-36 through 22a-45, inclusive, of the General Statutes, as amended.

"**Bogs**" are watercourses distinguished by evergreen trees and shrubs underlain by peat deposits, poor or very poor drainage, and highly acidic conditions.

"**Clear-cutting**" means the harvest of timber in a fashion, which removes all trees down to a 2" diameter at breast height.

"**Commission**" means the Inland Wetlands Commission of the Town of Brookfield.

"**Commission member**" means a member of the Inland Wetlands Commission of the Town of Brookfield.

"**Commissioner of Environmental Protection**" means the commissioner of the State of Connecticut Department of Environmental Protection.

"**Continual Flow**" means a flow of water, which persists for an extended period of time; this flow may be interrupted during periods of drought or during the low flow period of the annual hydrological cycle, June through September, but it recurs in prolonged succession.

"**Deposit**" includes, but shall not be limited to, fill, grade, dump, place, discharge or emit.

"**Discharge**" means emission of any water, substance, or material into waters of the state whether or not such substance causes pollution.

"**Essential to the Farming Operation**" means that the proposed activity is necessary and indispensable to sustain farming activities on the farm.

"**Farming**" shall be consistent with the definition as noted in section 1-1(q) of the Connecticut General Statutes. (see Appendix A.)

"**Feasible**" means able to be constructed or implemented consistent with sound engineering principles.

"**License**" means the whole or any part of any permit, certificate or approval or similar form of permission, which may be required of any person by the provisions of sections 22a-36 to 22a-45, inclusive.

"**Management practice**" means a practice, procedure, activity, structure or facility designed to prevent or minimize pollution or other environmental damage or to maintain or enhance existing environmental quality. Such management practices include, but are not limited to: erosion and sedimentation controls; restrictions on land use or development; construction setbacks from wetlands or watercourses; proper disposal of waste materials;

procedures for equipment maintenance to prevent fuel spillage; construction methods to prevent flooding or disturbance of wetlands and watercourses; procedures for maintaining continuous stream flows; confining construction that must take place in watercourses to times when water flows are low and fish and wildlife will not be adversely affected.

"Marshes" are watercourses distinguished by the absence of trees and shrubs and the dominance of soft-stemmed herbaceous plants. The water table in marshes is at or above the surface throughout the year, but seasonal fluctuations are encountered and areas of open water six inches or more in depth are common.

"Material" means any substance, solid or liquid, organic or inorganic, including but not limited to: soil, sediment, aggregate, land, gravel, clay, bog, mud, debris, sand, refuse or waste.

"Municipality" means the Town of Brookfield, Fairfield County, Connecticut.

"Nurseries" means places where plants are grown for sale, transplanting, or experimentation.

"Permit" see license

"Permittee" means the person to who such permit has been issued.

"Person" means any person, firm, partnership, association, corporation, limited liability company, company, organization or legal entity of any kind, including municipal corporations, governmental agencies or subdivisions thereof.

"Pollution" means harmful thermal effect or the contamination or rendering unclean or impure of any waters of the State by reason of any waste or other materials discharged or deposited therein by any public or private sewer or otherwise so as directly or indirectly to come in contact with any waters. This includes, but is not limited to, erosion and sedimentation resulting from any filling, land clearing, or excavation activity.

"Planning Commission" means the Planning Commission of the Town of Brookfield.

"Prudent" means economically and otherwise reasonable in light of the social benefits to be derived from the proposed regulated activity provided cost may be considered in deciding what is prudent and further provided a mere showing of expense will not necessarily mean an alternative is imprudent.

"Regulated activity" means any operation within or use of a wetland or watercourse involving removal or deposition of materials, or any obstruction, construction, alteration or pollution, of the wetlands or watercourses, but shall not include the activities specified in Section 220-5 of these regulations. Furthermore, any operation that may disturb the natural and indigenous character of a wetlands or watercourse and any earth moving, filling, construction, or clear-cutting of trees within two hundred feet (200') of the mean waterline of Candlewood Lake, the Still River, or Lake Lillinonah, within one hundred feet (100') of such waterline of any other watercourse or within seventy-five feet (75') of any wetlands is a regulated activity. Furthermore, any clearing, grubbing, filling, grading, paving, excavating,

construction, depositing or removal of material and discharging of storm water in the following areas is a regulated activity:

- (1) on land within seventy-five feet (75') measured horizontally from the boundary of any wetland or one hundred feet (100') of any watercourse, provided
- (2) if the slope of such land exceeds 5%, within the distance measured horizontally from the boundary of the wetland or watercourse equal to seventy-five (75') feet for a wetland and one hundred (100') feet for a watercourse plus an additional 5 feet for each 1% increase in slope greater than 5%, but not more than two hundred (200') feet;

The Commission may rule that any other activity located within such upland review area or in any other non-wetland or non-watercourse area is likely to impact or affect wetlands or watercourses is a regulated activity.

"Remove" includes, but shall not be limited to, drain, excavate, mine, dig, dredge, suck, bulldoze, dragline or blast.

"Rendering unclean or impure" means any alteration of the physical, chemical or biological properties of any waters of the State, including, but not limited to, change in odor, color, turbidity or taste.

"Significant impact" means any activity, including, but not limited to the following activities which may have a major effect

- a) Any activity involving a deposition or removal of material, which will or may have a substantial effect on the wetland or watercourse or on wetlands or watercourses outside the area for which the activity is proposed.
- b) Any activity that substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system.
- c) Any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to: support aquatic, plant or animal life and habitats; prevent flooding; supply water; assimilate waste, facilitate drainage and/or provide recreation and open space; or perform other functions.
- d) Any activity which is likely to cause or has the potential to cause substantial turbidity, siltation or sedimentation in a wetland or watercourse, or
- e) Any activity that causes a substantial diminution of flow of a natural watercourse or groundwater levels of the wetland or watercourse.
- f) Any activity that is likely to cause or has the potential to cause pollution of a wetland or watercourse.
- g) Any activity that damages or destroys unique wetland or watercourse areas or such areas having demonstrable scientific or educational value.

"**Soil Scientist**" means an individual duly qualified in accordance with standards set by the federal Office of Personnel Management (formerly the U.S. Civil Service Commission).

"**Swamps**" are watercourses that are distinguished by the dominance of wetland trees and shrubs.

"**Submerged lands**" means those lands that are inundated by water on a seasonal or more frequent basis.

"**Town**" means the Town of Brookfield, Fairfield County, in the State of Connecticut.

"**Waste**" means sewage or any substance, liquid, gaseous, solid or radioactive, which may pollute or tend to pollute any of the waters of the Town.

"**Watercourses**" means rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon the Town or any portion thereof not regulated pursuant to sections 221-28 through 22a-35, inclusive, of the Connecticut General Statutes. Intermittent watercourses shall be delineated by a defined permanent channel and bank and the occurrence of two or more of the following characteristics: (a) evidence of scour or deposits of recent alluvium or detritus, (b) the presence of standing or flowing water for a duration longer than a particular storm incident, and (c) the presence of hydrophytic vegetation.

"**Wetlands**" means land, including submerged land as defined in this Section not regulated pursuant to Section 22a-28 through 22a-35 inclusive, of the Connecticut General Statutes, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and flood plain by the National Cooperative Soils Survey, as it may be amended from time to time, of the Natural Resources Conservation Service of the U.S. Department of Agriculture (USDA). Such areas may include filled, graded, or excavated sites that possess an aquatic (saturated) soil moisture regime as defined by the USDA Cooperative Soil Survey.

"**Zoning Board of Appeals**" means the Zoning Board of Appeals of the Town of Brookfield.

"**Zoning Commission**" means the Zoning Commission of the Town of Brookfield.

220-4**INVENTORY OF WETLANDS AND WATERCOURSES**

- A. The map entitled Zoning District Map; Brookfield, Connecticut; Revised May 20, 1997” delineates the general location and boundaries of inland wetlands and the general location of watercourses. Copies of this map are available for inspection in the office of the Town Clerk or the Commission. In all cases, the precise location of wetlands and watercourses shall be determined by the actual character of the land, the distribution of wetland soil types, and locations of watercourses. Such determinations shall be made by field inspection and testing conducted by a soil scientist where soil classifications are required, or where watercourse determinations are required, by any qualified individuals. The Commission may use aerial photography, remote sensing imagery, resource mapping, soils maps, site inspection observations or other information in determining the location of the boundaries of wetlands and watercourses.
- B. Any person may petition the Commission for an amendment of the map. All petitions for a map change shall be submitted in writing and shall include all relevant facts and circumstances that support the change. The petitioner shall bear the burden of proof regarding the proposed map amendment. Such proof may include, but not limited to aerial photography, remote sensing imagery, resource mapping or other available information. The Commission may require such person to provide an accurate delineation of regulated areas in accordance with Section 220-15 of these regulations.
- C. The Commission shall maintain a current inventory of regulated areas within the Town. The Commission may amend its map as more accurate information becomes available.
- D. All map amendments are subject to the public hearing process outlined in Section 220-15 of these regulations.

220-5**PERMITTED USES AS OF RIGHT AND NON-REGULATED USES**

- A. The following operations and uses shall be permitted in land wetlands and watercourses, as of right:
- (1) Grazing, farming, nurseries, gardening and harvesting of crops and farm ponds of three acres or less essential to the farming operation, and activities conducted by, or under the authority of, the Department of Environmental Protection for the purposes of wetland or watercourse restoration or enhancement or mosquito control. The provisions of this subdivision shall not be construed to include: road construction or the erection of buildings not directly related to the farming operation, relocation of watercourses with continual flow, filling or reclamation of wetlands or watercourses with continual flow, clear cutting of timber except for the expansion of agricultural crop land, or the mining of top soil, peat, sand, gravel or similar material from wetlands or watercourses for the purposes of sale;
 - (2) A residential home
 - (a) for which a building permit has been issued or
 - (b) on a subdivision lot, provided the permit has been issued or the subdivision has been approved by a municipal planning, zoning or planning and zoning commission as of the effective date of the promulgation of the municipal regulations pursuant to subsection (b) of section 22a-42a, or as of July 1, 1974, whichever is earlier, and further provided no residential home shall be permitted as of right pursuant to this subdivision unless the building permit was obtained on or before July 1, 1987. The individual claiming a use of wetlands permitted as a right under this subsection shall document the validity of said right by providing a certified copy of the building permit and a site plan showing proposed and existing topographic contours, house and well locations, septic system, driveway, approval dates or other necessary information to document his entitlement.
 - (3) Boat anchorage or mooring; not to include dredging or dock construction;
 - (4) Uses incidental to the enjoyment or maintenance of residential property, such property defined as equal to or smaller than the largest minimum residential lot site permitted anywhere in the municipality (provided that in any town where there are no zoning regulations establishing minimum residential lot sites, the largest minimum lot site shall be two (2) acres). Such incidental uses shall include maintenance of existing structures and landscaping, but shall not include removal or deposition of substantial amounts of material from or into a wetland or watercourse, or diversion or alteration of a watercourse.
 - (5) Construction and operation, by water companies as defined by Section 16-1 of the General Statutes or by municipal water supply systems as provided for in Chapter 102, of the Connecticut General Statutes, of dams, reservoirs and other facilities necessary to the impounding, storage and withdrawal of water in connection with public water supplies except as provided in Sections 22a-401 and 22a-410 of the General Statutes.

- (6). Maintenance relating to any drainage pipe which existed before the effective date of any municipal regulations adopted pursuant to section 22a-42a of the Connecticut General Statutes or July 1, 1974, whichever is earlier, provided such pipe is on property which is zoned as residential but which does not contain hydrophytic vegetation. For purposes of this subdivision, "maintenance" means the removal of accumulated leaves, soil, and other debris whether by hand or machine, while the pipe remains in place.
- B. The following operations and uses shall be permitted as non-regulated uses in wetlands and watercourses, provided they do not disturb the natural and indigenous character of the wetlands or watercourse by removal or deposition of material, alteration or obstruction of water flow or pollution of the wetlands or watercourse:
 - (1) Conservation of soil, vegetation, water, fish, shellfish, and wildlife; and
 - (2) Outdoor recreation including the use of play and sporting areas, golf courses, field trials, nature study, hiking, horseback riding, swimming, skin diving, camping, boating, water-skiing, trapping, hunting, fishing and shell fishing where otherwise legally permitted and regulated.
 - C. All activities in wetlands or watercourses involving filling, excavation, dredging, clear cutting, or grading or any other alteration or use of a wetland or watercourse not specifically permitted by this section shall require a permit from the Commission in accordance with Section 220-7 of these regulations, or for certain regulated activities located outside of wetlands and watercourses from the duly authorized agent in accordance with Section 220-13 of these regulations.
 - D. To carry out the purpose of this section, any person proposing a permitted operation and use or a nonregulated operation and use, shall, prior to commencement of such operation and use, notify the Commission on a form provided by it, and provide the Commission with sufficient information to enable it to properly determine that the proposed operation and use is a permitted or non-regulated use of the wetland or watercourse. The Commission shall rule that the proposed operation or use is a permitted or a non-regulated operation and use or that the proposed operation and use is a regulated activity and a permit is required.

220-6**ACTIVITIES REGULATED EXCLUSIVELY BY THE COMMISSIONER OF ENVIRONMENTAL PROTECTION**

- A. The Commissioner of Environmental Protection shall have exclusive jurisdiction over regulated activities in or affecting wetlands or watercourses, undertaken by any department, Commission or instrumentality of the State of Connecticut, except any local or regional board of education, pursuant to sections 22a-39 or 22a-45a of the Connecticut General Statutes.
- B. The Commissioner of Environmental Protection shall have exclusive jurisdiction over tidal wetlands designated and regulated pursuant to sections 22a-28 through 22a-35 of the Connecticut General Statutes as amended.
- C. The Commissioner of Environmental Protection shall have exclusive jurisdiction over activities authorized under a dam repair or removal order issued by the Commissioner of Environmental Protection under sections 22a-403 of the Connecticut General Statutes. Any person receiving such dam repair or removal order or permit shall not be required to obtain a permit from a municipal wetlands Commission for any action necessary to comply with said dam order or to carry out the activities authorized by said permit.
- D. The Commissioner of Environmental Protection shall have exclusive jurisdiction over the discharge of fill or dredged materials into the wetlands and watercourses of the state pursuant to section 401 of the Federal Clean Water Act, as amended, for activities regulated by the U.S. Army Corps of Engineers under section 404 of the Federal Clean Water Act.

220-7

REGULATED ACTIVITIES TO BE LICENSED

- A. No person shall conduct or maintain a regulated activity without first obtaining a permit for such activity from the Inland Wetland Commission of the Town of Brookfield.

- B. Any person found to be conducting or maintaining a regulated activity without the prior authorization of the Town of Brookfield Inland Wetland Commission, or violating any other provision of these regulations, shall be subject to the enforcement proceedings and penalties prescribed in Section 220-15 of these regulations and any other remedies as provided by law.

220-8 APPLICATION REQUIREMENTS

- A. Any person wishing to undertake a regulated activity or to renew or amend a permit to conduct such activity shall apply for a permit on a form provided by the Land Use Office. An application shall contain the information described in this section and any other information the Commission may reasonably require. Application forms may be obtained in the Land Use office of the Town of Brookfield. An application form is also incorporated herein as "Appendix C".
- B. If an application to the Town of Brookfield Planning Commission, or Zoning Commission for subdivision or resubdivision of land involves land containing a wetland or watercourse, the applicant shall, in accordance with Section 8-3(g), 8-3c, or 8-26, as applicable, of the Connecticut General Statutes, submit an application for a permit to the Commission in accordance with this section, no later than the day the application is filed with such planning, zoning, or planning and zoning commission.
- C. All applications shall contain such information that is necessary for a fair and informed determination of the issues.
- D. A prospective applicant can request that the Commission determine whether or not the proposed activity involves a significant impact.
- E. The applications shall include the following information in writing or on maps or drawings:
- (1) The applicant's name, home and business mailing address and telephone numbers; if the applicant is a Limited Liability Corporation or a Corporation the managing members or responsible corporate officer's name, address and telephone number;
 - (2) The owner's name, mailing address, and telephone number, and written consent of the landowner if the applicant is not the owner of the land upon which the subject activity is proposed;
 - (3) Applicant's interest in the land;
 - (4) The geographical location of the land which is the subject of the proposed activity, and a description of the land in sufficient detail to allow identification of the inland wetlands and watercourses, the area(s) (in acres or square feet) of wetland or watercourse disturbance proposed, soil type(s) and wetland vegetation; identification of designated open space acreage, if any proposed; and the acreage of that entire area which are inland wetlands and/or watercourses.
 - (5) The purpose and a description of the proposed activity and proposed erosion and sedimentation controls; and other management practices and mitigation measures which maybe considered as a condition of issuing a permit for the proposed regulated activity including, but not limited to, measures to (1) prevent or minimize pollution or other environmental damage, (2) maintain or enhance existing environmental quality, or (3) in the following order of priority: restore, enhance and create productive wetland or watercourse resources;

- (6) Alternatives which would cause less or no environmental impact to wetlands or watercourses and why the alternative as set forth in the application was chosen; all such alternatives shall be diagramed on a site plan or drawing;
 - (7) A site plan showing existing and proposed conditions in relation to wetlands and watercourses;
 - (8) Names and addresses of adjacent property owners;
 - (9) Statement that the applicant is familiar with all of the information provided in the application and is aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information;
 - (10) Authorization for the members and agents of the Commission to inspect the subject land, at reasonable times, during the pendency of an application and for the life of the permit
 - (11) Any other information the Commission deems necessary to the understanding of what the applicant is proposing;
 - (12) Submission of the appropriated filing fee based on the fee schedule established in Section 220-17 (A) of these Regulations incorporated herein as Appendix D.
- F. At the discretion of the Commission or its agent, or when the proposed activity involves a significant impact, additional information, based on the nature and anticipated effects of the activity including but not limited to the following, is required:
- (1) Site plans for the proposed use or operation and the land which will be affected; these plans will show existing and proposed conditions, wetland and watercourse boundaries, land contours, boundaries of land ownership, proposed alterations and uses of wetlands and watercourses, and other pertinent features of the development drawn by a licensed surveyor, professional engineer, architect or landscape architect registered in the State of Connecticut or by such other qualified person; in conformance with the site plan checklist provided with the application form.
 - (2) Engineer reports and analyses and additional drawings to fully describe the proposed project and any filling, excavation, drainage or hydraulic modifications to watercourses and the proposed erosion and sedimentation control plan;
 - (3) Mapping of soil types consistent with the categories established by the National Cooperative Soil Survey of the U.S. Natural Resources Conservation Service (the wetlands shall be delineated in the field by a soil scientist and the soil scientist's field delineation shall be depicted on the site plans);
 - (4) Description of the ecological communities and functions of the wetlands or watercourses involved with the application and the effects of the proposed regulated activities on these communities and wetland functions;

- (5) Description of how the applicant will change, diminish, or enhance the ecological communities and functions of the wetlands or watercourses involved in the application, and each alternative which would cause less or no environmental impact to wetlands or watercourses, and a description of why each alternative considered was deemed neither feasible nor prudent;
- (6) Analysis of chemical or physical characteristics of any fill material;
- (7) Management practices and other measures that mitigate the impact of the proposed activity.

Such measures include, but are not limited to, plans or actions which avoid destruction or diminution of wetland or watercourse functions, recreational uses and natural habitats, which prevent flooding, degradation of water quality, erosion and sedimentation and obstruction of drainage, or which otherwise safeguard water resources.

- (8) The applicant shall certify whether:
 - (a) any portion of the property on which the regulated activity is proposed is located within five hundred feet (500') of the boundary of an adjoining municipality;
 - (b) traffic attributable to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
 - (c) sewer or water drainage from the project site will flow through and impact the sewage or drainage system within the adjoining municipality; or
 - (d) water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

G. Thirteen (13) copies of all application materials shall be submitted to comprise a complete application or as is otherwise directed, in writing, by the Inland Wetland Commission.

H. Any application to extend the expiration date of a previously issued permit or amend an existing permit shall be filed with the Commission at least sixty-five (65) days prior to the expiration date for the permit in accordance with §220-9 of these Regulations. Any application for amendment, renewal or extension shall be made in accordance with this Section provided:

- (1) The application may incorporate by reference the documentation and record of the original application
- (2) The application shall describe the extent of work completed at the time of filing and the schedule for completing the activities authorized in the permit;
- (3) The application shall state the reason why the authorized activities were not initiated or completed within the time specified in the permit;

- (4) The application shall describe any changes in facts or circumstances involved with or affecting wetlands or watercourses or the property for which the permit was issued;
 - (5) The Commission may, prior to the expiration of a permit, accept an untimely application to extend the expiration date of a permit if the authorized activity is ongoing and allow the continuation of work beyond the expiration date if in its judgment, the permit is likely to be extended and the public interest or environment will be best served by not interrupting the activity.
- I. Any application to renew a permit shall be granted upon request of the permit holder unless the Commission finds that there has been a substantial change in circumstances which requires a new permit application or an enforcement action has been undertaken with regard to the regulated activity for which the permit was issued provided no permit may be valid for more than ten years.
 - J. A reporting form shall be completed during the application process that provides the Commissioner of the DEP with information necessary to properly monitor the inventory of State wetlands. The reporting form shall be part of the application and specified sections shall be completed by the applicant. These sections shall include the following: name of applicant; location and name of the project; project and site description; area of wetlands and/or lineal feet of watercourse proposed to be altered.

220-9 **APPLICATION PROCEDURES**

- A. All petitions, application, requests or appeals shall be submitted to the Inland Wetlands Commission of the Town of Brookfield.
- B. The Commission shall, in accordance with Connecticut General Statutes Section 8-7 D(f), (See Appendix B) notify the Clerk of any adjoining municipality of the pendency of any application, petition, appeal, request or plan concerning any project on any site in which:
- (1) any portion of the property affected by a decision of the Commission is within five hundred feet (500') of the boundary of an adjoining municipality;
 - (2) a significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
 - (3) a significant portion of the sewer or water drainage from the project site will flow through and significantly impact the sewage or drainage system within the adjoining municipality; or
 - (4) water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

Such notice shall be made by Certified Mail, Return Receipt Requested and shall be mailed within seven (7) days of the date of receipt of the application, petition, appeal, request or plan.

- C. When an application is filed to conduct or cause to be conducted a regulated activity upon an inland wetland or watercourse, any portion of which is within the watershed of a water company as defined in Section 16-1 of the General Statutes, the applicant shall provide written notice of the application to the water company provided such water company has filed a map showing the boundaries of the watershed on the land records of the municipality in which the application is made and with the Inland Wetlands Commission of such municipality. Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven days of the date of the application. The water company, through a representative, may appear and be heard at any hearing on the application. Documentation of such notice shall be provided to the Commission.
- D. The date of receipt of a petition, application, request or appeal shall be the day of the next regularly scheduled meeting of the Commission, immediately following the day of submission to the Commission, or its agent of such petition, application, request or appeal or thirty-five (35) days after such submission, whichever is sooner.
- E. At any time during the review period, the applicant shall provide such additional information as the Commission may reasonably require. Requests for such additional information shall not stay the time limitations as set forth in subsection 220-12 B of these regulations.

- F. All applications shall be open for public inspection.
- G. Incomplete applications may be denied.

220-10**PUBLIC HEARINGS**

- A. The Commission shall not hold a public hearing on an application unless the Commission determines that the proposed activity may have a significant impact on wetlands or watercourses, a petition requesting a hearing signed by at least twenty-five persons who are eighteen years of age or older and who reside in the municipality in which the regulated activity is proposed is filed with the Commission not later than fourteen days after the date of receipt of such application, or the Commission finds that a public hearing regarding such application would be in the public interest. The Commission may issue a permit without a public hearing provided no petition provided for in this section is filed with the Commission on or before the fourteenth day after the date of receipt of the application. Such hearing shall be held no later than sixty-five days after the receipt of such application. All applications and maps and documents relating thereto shall be open for public inspection. At such hearing any person or persons may appear and be heard.
- B. Notice of the public hearing shall be published at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days and not fewer than ten (10) days, and the last not less than two (2) days before the date set for the hearing in a newspaper having a general circulation in each town where the affected wetland and watercourse is located.

220-11 **CONSIDERATION FOR DECISION**

- A. The Commission may consider the following in making its decision on an application:
- (1) The application and its supporting documentation;
 - (2) Reports from other agencies and commissions including but not limited to the Town of Brookfield
 - (a) Conservation Commission
 - (b) Planning, Zoning or Planning & Zoning Commission
 - (c) Building Official
 - (d) Health Officer
 - (3) The Commission may also consider comments on any application from the Northwest Conservation District, or other regional organizations (i.e., Council of Elected Officials); agencies in adjacent municipalities which may be affected by the proposed activity, or other technical agencies or organizations which may undertake additional studies or investigations.
 - (4) Non-receipt of comments from state agencies and commissions listed in subdivision §220-11A (3) and (4) above within the prescribed time shall neither delay nor prejudice the decision of the Commission.
 - (5) For an application for which a public hearing is held, public comments, evidence and testimony.

B. **STANDARDS AND CRITERIA FOR DECISION**

In carrying out the purposes and policies of sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes, including matters relating to regulating, licensing and enforcing of the provisions thereof, the Commission shall consider all relevant facts and circumstances in making its decision on any application for a permit, including but not limited to the following:

- (1) The environmental impact of the proposed activity on wetlands and watercourses;
- (2) The applicant's purpose for, and any feasible and prudent alternatives to, the proposed regulated activity which alternatives would cause less or no environmental impact to wetlands or watercourses.
- (3) The relationship between the short term and long-term impacts of the proposed regulated activity on wetlands or watercourses and the maintenance and enhancement of long-term productivity of such wetlands or watercourses.

- (4) Irreversible and irretrievable loss of wetland or watercourse resources which would be resources which would be caused by the proposed regulated activity, including the extent to which such activity would foreclose a future ability to protect, enhance or restore such resources, and any mitigation measures which may be considered as a condition of issuing a permit for such activity including, but not limited to, measures to (1) prevent or minimize pollution or other environmental damage, (2) maintain or enhance existing environmental quality, or (3) in the following order of priority: restore, enhance and create productive wetland or watercourse resources;
 - (5) The character and degree of injury to, or interference with, safety, health or the reasonable use of property which is caused or threatened by the proposed regulated activity; and
 - (6) Impacts of the proposed regulated activity on wetlands or watercourses outside the area for which the activity is proposed and future activities associated with or reasonably related to, the proposed regulated activity which are made inevitable by the proposed regulated activity and which may have an impact on wetlands and watercourses.
- C. In the case of any application that received a public hearing pursuant to a finding by the Commission that the proposed activity may have a significant impact on wetlands or watercourses, a permit shall not be issued unless the Commission finds on the basis of the record that a feasible and prudent alternative does not exist. In making this finding, the Commission shall consider the facts and circumstances set forth in Section 220-11 of these regulations. The finding and the reasons therefore shall be stated on the record in writing.
- D. In the case of an application which is denied on the basis of a finding that there may be feasible and prudent alternatives to the proposed regulated activity which have less adverse impact on wetlands or watercourses, the Commission may propose on the record in writing the types of alternatives which the applicant may investigate provided this subsection shall not be construed to shift the burden from the applicant to prove that he is entitled to the permit or to present alternatives to the proposed regulated activity.
- E. For purposes of this section, (1) "wetlands and watercourses" includes aquatic, plant or animal life and habitats in wetlands and watercourses, and (2) "habitats" means areas or environments in which an organism or biological population normally lives or occurs.
- F. A municipal inland wetlands Commission shall not deny or condition an application for a regulated activity in an area outside wetlands or watercourses on the basis of an impact or effect on aquatic, plant or animal life unless such activity will likely impact or affect the physical characteristics of such wetlands or watercourses.
- G. In reaching its decision on any application after a public hearing, the Commission shall base its decision on the record of that hearing. Documentary evidence or other material not in the hearing record shall not be considered by the Commission in its decision.

220-12 **DECISION PROCESS AND PERMIT**

- A. The Commission, or its duly authorized agent acting pursuant to Section 220-12 of these regulations, may, in accordance with Section 220-10 of these regulations, grant the application as filed, or grant it upon other terms, conditions, limitations or modifications of the regulated activity designed to carry out the purposes and policies of the Act; or deny the application. Such terms may include any reasonable measures which would mitigate the impacts of the regulated activity and which would (a) prevent or minimize pollution or other environmental damage, (b) maintain or enhance existing environmental quality, or (c) in the following order of priority: restore, enhance and create productive wetland or watercourse resources. Such terms may include restrictions as to the time of year in which a regulated activity may be conducted, provided the Commission, or its agent, determines that such restrictions are necessary to carry out the policy of the Sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes.
- B. No later than sixty-five (65) days after receipt of an application, the Commission may hold a public hearing on such application. At such hearing any person or persons may appear and be heard and may be represented by agent or attorney. The hearing shall be completed within thirty-five (35) days of its commencement and action shall be taken on applications within thirty-five (35) days after completion of a public hearing. In the absence of a public hearing, action shall be taken on applications within sixty-five (65) days from the date of receipt of the application. The applicant may consent to one or more extensions of the periods specified in this subsection, provided the total extension of all such periods shall not be for longer than sixty-five (65) days, or may withdraw such application. The failure of the Commission to act within any time period specified in this subsection, or any extension thereof, shall not be deemed to constitute approval of the application. An application deemed incomplete by the Commission must either be withdrawn by the applicant or denied by the Commission.
- C. The Commission shall state upon its record the reasons and bases for its decision.
- D. The Commission shall notify the applicant and any named parties to the proceeding of its decision within fifteen (15) days of the date of the decision by certified mail, return receipt requested, and the Commission shall cause notice of its order in the issuance or denial of the permit, in a newspaper having general circulation in the Town wherein the inland wetland or watercourse lies. In any case in which such notice is not published within such fifteen day period, the applicant may provide for the publication of such notice within ten days thereafter.
- E. If an activity authorized by the inland wetland permit also involves an activity which requires zoning or subdivision approval, a special zoning permit, variance or special exception, under sections 8-3(g), 8-3c, or 8-26 of the Connecticut General Statutes, the Commission shall file a copy of the decision and report on the application shall be filed with the Town of Brookfield Planning, Zoning or Planning and Zoning Commission within fifteen (15) days of the date of the decision thereon.
- F. Any permit issued by the Commission for the development of land for which an approval is required under chapter 124, 124b, 126 or 126a of the Connecticut General Statutes shall be valid until the approval granted under such chapter expires or for ten years, whichever is

earlier. Any permit issued by the Commission for any activity for which an approval is not required under chapter 124, 124b, 126 or 126a shall be valid for not less than two years and not more than five years.

- G. Notwithstanding the provisions of Section F. of these regulations, any permit issued by the Agency prior to July 1, 2011 that was in effect and did not expire prior to May 9, 2011 shall be valid for a period not less than nine years after the date of such approval.
- H. No permit issued by the Commission shall be assigned or transferred without the written permission of the Commission.
- I. If a bond or insurance is required in accordance with Section 220-14 of these Regulations, no permit shall be issued until such bond or insurance is provided.
- J. General provisions in the issuance of all permits:
 - (1) If the Commission relied in whole or in part on information provided by the applicant and if such information subsequently proves to be false, deceptive, incomplete or inaccurate, the permit may be modified, suspended or revoked
 - (2) All permits issued by the Commission are subject to and do not derogate any present or future rights or powers of the Agency Commission of the Town of Brookfield and convey no rights in real estate or material nor any exclusive privileges, and are further subject to any and all public and private rights and to any federal, state, and municipal laws or regulations pertinent to the property or activity.
 - (3) If the activity authorized by the inland wetlands permit also involves an activity or a project which requires zoning or subdivision approval, special permit, variance or special exception under sections 8-3(g), 8-3(c), or 8-26 of the Connecticut General Statutes, no work pursuant to the wetland permit may begin until such approval is obtained.
 - (4) In constructing the authorized activities, the permittee shall take such necessary steps consistent with the terms and conditions of the permit, to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetland and watercourses.
 - (5) Permits are not transferable without the prior written consent of the Commission.

220-13 **ACTION BY DULY AUTHORIZED AGENT**

- A. The Commission may delegate to its duly authorized agent the authority to approve or extend a license for an activity that is not located in a wetland or watercourse when such agent finds that the conduct of such activity would result in no greater than a minimal impact on any wetlands or watercourses provided such agent has completed the comprehensive training program developed by the Commissioner of Environmental Protection pursuant to section 22a-39 of the Connecticut General Statutes. Requests for such approval shall be made on a form provided by the Commission and shall contain the information listed under Section 220-8 (D) of these regulations and any other information the Commission may reasonably require. Notwithstanding the provisions for receipt and processing applications prescribed in Sections 220-9, 220-10 and 220-11 of these regulations, such agent may approve or extend such an activity at any time.
- B. Any person receiving such approval from such agent shall, within ten (10) days of the date of such approval, publish, at the applicant's expense, notice of the approval in a newspaper having a general circulation in the town wherein the activity is located or will have an effect. Any person may appeal such decision of such agent to the Commission within fifteen (15) days after the publication date of the notice and the Commission shall consider such appeal at the next regularly scheduled meeting provided such meeting is no earlier than three business days after receipt by such Commission or its agent of such appeal. Any person may appear and be heard at the meeting held by the Commission to consider the subject appeal. The Commission shall, at its discretion, sustain, alter, or reject the decision of its agent or require an application for a permit in accordance with Section 220-8 of these regulations.

220-14

BOND AND INSURANCE

- A. The Commission may require as a permit condition the filing of a bond in such amount and in a form approved by the Commission.

- B. The bond or surety shall be conditioned on compliance with the provisions of these regulations and the terms, conditions and limitations established in the permit.

220-15**ENFORCEMENT**

- A. The Commission may appoint an agent or agents to act in its behalf with the authority to issue notices of violations or cease, desist and restore orders and carry out other actions or investigations necessary for the enforcement of these regulations. In carrying out the purposes of this section, the Commission or its duly authorized agent shall take into consideration the criteria for decision under Section 220-11 of these regulations.
- B. The Commission or its agent may make regular inspections, at reasonable hours, of all regulated activities for which permits have been issued with the consent of the property owner or the authorized agent of the owner during the life of the permit
- A. In the case in which a permit has not been issued or a permit has expired, the Commission or its agent may make regular inspections at reasonable hours with the consent of the property owner or the authorized agent of the property owner.
- D. If the Commission or its duly authorized agent finds that a person is conducting or maintaining any activity, facility or condition which is in violation of the Act or these regulations, the Agency or its duly authorized agent may:
1. Issue a written order by certified mail, return receipt requested, to such person conducting such activity or maintaining such facility or condition to immediately cease such activity or to correct such facility or condition. Within ten (10) calendar days of the issuance of such order the Commission shall hold a hearing to provide the person an opportunity to be heard and show cause why the order should not remain in effect. The Commission shall consider the facts presented at the hearing and within ten (10) days of the completion of the hearing notify the person by certified mail that the original order remains in effect, that a revised order is in effect, or that the order has been withdrawn. The Commission shall publish notice of its decision in a newspaper having general circulation in the municipality. The original order shall be effective upon issuance and shall remain in effect until the Commission affirms, revises or withdraws the order. The issuance of an order pursuant to this section shall not delay or bar an action pursuant to Section 22a-44(b) of the General Statutes, as amended. The agency may file a certificate of such order in the office of the town clerk of the town in which the land is located and the town clerk shall record such certificate on the land records of such town. Such certificate shall be released upon compliance with such order.
 2. Issue a notice of violation to such person conducting such activity or maintaining such facility or condition, stating the nature of the violation, the jurisdiction of the Commission, and prescribing the necessary action and steps to correct the violation including, without limitation, halting work in wetlands or watercourses. The Commission may request that the individual appear at the next regularly scheduled meeting of the Commission to discuss the unauthorized activity, and/or provide a written reply to the notice or file an application for the necessary permit. Failure to carry out the action(s) directed in a notice of violation may result in issuance of the order provided in subsection (1) of this Section or other enforcement proceedings as provided by law.
- E. The Commission may suspend or revoke a permit if it finds that the permittee has not

complied with the terms, conditions or limitations set forth in the permit or has exceeded the scope of the work as set forth in the application including application plans. Prior to revoking or suspending any permit, the Commission shall issue notice to the permittee, personally or by certified mail, return receipt requested, setting forth the facts or conduct which warrants the intended action; The Commission shall hold a hearing to provide the permittee an opportunity to show that it is in compliance with its permit and any and all requirements for retention of the permit. The permittee shall be notified of the Commission's decision to suspend, revoke or maintain a permit by certified mail within fifteen (15) days of the date of its decision. The Commission shall publish notice of the suspension or revocation in a newspaper having general circulation in the municipality.

- F. Any person who commits, takes part in, or assists in any violation of any provision of section 22a-36 to 22a-45 of the General Statutes, inclusive, or of these regulations or regulation adopted by the Commissioner of Environmental Protection pursuant to the grant of authority contained in said statutes, shall be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each offense in addition to the penalties provided for in the Brookfield Inland Wetlands Penalty Ordinance. Each violation of said sections shall be a separate and distinct offense, and, in the case of a continuing violation, each day's continuance thereof shall be deemed to be a separate and distinct offense. The superior court, in an action brought by the Commissioner of Environmental Protection, the Town, or any person, shall have jurisdiction to restrain a continuing violation of said sections, to issue orders directing that the violation be corrected or removed and to assess civil penalties pursuant to this section. All costs, fees and expenses in connection with such action shall be assessed as damages against the violator together with reasonable attorney's fees that may be allowed, all of which shall be awarded to the Commissioner of Environmental Protection, the Town, or person who brought such action.
- G. Any person who willfully or knowingly violates any provision of §22a-36 to 22a-45 inclusive, of the General Statutes, or of these regulations or regulations adopted by the Commissioner of Environmental Protection, shall be fined not more than one thousand dollars (\$1,000) for each day during which such violation continues or be imprisoned not more than six months or both as provided for in the Brookfield Inland Wetlands Penalty Ordinance. For a subsequent violation, such person shall be fined not more than two thousand dollars (\$2,000.) for each day during which such violation continues or be imprisoned not more than one year or both. For the purposes of this subsection, "person" shall be construed to include any responsible corporate officer.

220-16AMENDMENTS

- A. These regulations and the map entitled "Zoning District Map; Brookfield, Connecticut; Revised May 20, 1997" that delineates the general location and boundaries of inland wetlands and the general location of watercourses for the Town of Brookfield may be amended, from time to time, by the Commission in accordance with changes in the Connecticut General Statutes or regulations of the State Department of Environmental Protection, or as new information regarding soils and inland wetlands or watercourses becomes available.
- B. An application filed with an Inland Wetlands Commission which is in conformance with the applicable Inland Wetlands Regulations as of the date of the decision of such Commission with respect to such application shall not be required thereafter to comply with any change in Inland Wetlands Regulations (or boundaries) including changes to setbacks and buffers, taking effect on or after the date of such decision and appeal from the decision of such Commission with respect to such application shall not be dismissed by the Superior Court on the grounds that such a change has taken effect on or after the date of such decision.
- C. The provisions of this subdivision shall not be construed to apply (1) to the establishment, amendment or change of boundaries of Inland Wetlands or watercourses or (2) to any change in regulations necessary to make such regulations consistent with the provision of Chapter 440 of the General Statutes as of the date of such decision. These regulations and the Town of Brookfield Inland Wetlands and Watercourses Map entitled "Zoning District Map; Brookfield, Connecticut; Revised May 20, 1997" shall be amended in the manner specified in Section 22a-42a of the Connecticut General Statutes, as amended. The Commission shall provide the commissioner of Environmental Protection with a copy of any proposed regulations and notice of the public hearing to consider any proposed regulations or amendments thereto, except map amendments, at least thirty-five (35) days before the public hearing on their adoption.
- D. Petitions, requesting changes or amendments to the map entitled "Zoning District Map; Brookfield, Connecticut; Revised May 20, 1997" shall contain at least the following information:
- (1) The petitioner's name and address and telephone number;
 - (2) The address, or location, of the land affected by the petition;
 - (3) Petitioner's interest in the land affected by the petition;
 - (4) Map(s) showing the geographic location of the property affected by the petition and the existing and the proposed wetland(s) and watercourse(s) boundaries on such land in accurate detail together with the documentation supporting such proposed boundary locations; and
 - (5) The reasons for the requested action.

-
- E. Any person who submits a petition to amend the map entitled "Zoning District Map; Brookfield, Connecticut; Revised May 20, 1997" shall bear the burden of proof for all requested map amendments. Such proof may include, but is not limited to, professional interpretation of aerial photography and remote sensing imagery, resource mapping, soils mapping, or other information acceptable to the Commission. If such person is the owner, developer or contract purchaser of the land, which is the subject of the petition, or if such person is representing the interests of such an owner, developer or purchaser, in addition to the information required in subsection 220-15D, the petition shall include:
- (1) The name, mailing address and telephone number of the owner(s) of such land and owner(s) agent or other representative;
 - (2) The names and mailing addresses of the owners of abutting land;
 - (3) Documentation by a soil scientist of the distribution of wetland soils on said land. Such documentation shall at a minimum include the report of the soil scientist documenting the location of wetland soils on the land and a map of the said land indicating the flag locations set by the soil scientist and defining the boundaries of wetland soil types; and
 - (4) Map(s) showing any proposed development of the land in relation to existing and proposed wetland and watercourse boundaries.
- F. Watercourses shall be delineated by a soil scientist, geologist, ecologist or other qualified individual.
- G. A public hearing shall be held on petitions to amend the map entitled "Zoning District Map; Brookfield, Connecticut; Revised May 20, 1997". Notice of the hearing shall be published in a newspaper having a general circulation in the municipality where the land that is the subject of the hearing is located at least twice at intervals of not less than two days, the first not more than fifteen (15) days nor less than ten (10) days, and the last not less than two (2) days, before the date set for the hearing. All materials including maps and documents relating to the petition shall be open for public inspection.
- H. The Commission shall hold a public hearing on a petition to amend the regulations and the map entitled "Zoning District Map; Brookfield, Connecticut; Revised May 20, 1997" within sixty-five (65) days after receipt of such petition. The hearing shall be completed within thirty-five (35) days after commencement. The Commission shall act upon the changes requested in such petition within sixty-five (65) days after completion of such hearing. At such hearing, any person or persons may appear and be heard and may be represented by agent or attorney. The petitioner may consent to one or more extensions of any period specified in this subsection, provided the total extension of all such periods shall not be for longer than sixty-five (65) days, or may withdraw such petition. Failure of the Commission to act within any time period specified in this subsection or any extension thereof, shall not be deemed to constitute approval of the petition.
- I. The Commission shall make its decision and state, in writing, the reasons why the change in the map entitled "Zoning District Map; Brookfield, Connecticut; Revised May 20, 1997" was made.

220-17

APPEALS

- A. Appeal on actions of the Commission shall be made in accordance with the provisions of Section 22a-43 of the General Statutes, as amended. (Note: Section 22a-43 was amended by Public Act 89-356).

- B. Notice of such appeal shall be served upon the Commission and the Commissioner of Environmental Protection.

220-18

ADMINISTRATION

In order to defray a portion of the costs of the Commission in enforcing and carrying out the purposes and provisions of the Act and this chapter, including the cost of legal notices, the Commission shall establish and set the amount of filing fees and other charges payable to the Town. Such fees and charges shall be established by town ordinance pursuant to Section 127-6 of the Town Code and are incorporated herein, as "Appendix D," which shall be available for inspection at the offices of the Town Clerk and the Commission.

220-19

CONFLICT AND SEVERANCE

- A. If there is a conflict among the provisions of these regulations, the provision that imposes the most stringent standards for the use of the wetlands and watercourses shall govern. The validity of any word, clause, sentence, section, part, subsection or provision of these regulations shall not affect the validity of any other part which can be given effect without such valid part or parts.

- B. If there is a conflict between the provisions of these regulations and the provisions of the Act, the provisions of the Act shall govern.

220-20

OTHER PERMITS

- A. Nothing in these regulations shall obviate the requirements for the applicant to obtain any other assents, permits, or licenses required by law or regulation by the Town of Brookfield, State of Connecticut and the Government of the United States including any approval required by the Connecticut Department of Environmental Protection and the U.S. Army Corps of Engineers. Obtaining such assents, permits, or licenses is the sole responsibility of the applicant.

Section 220-21

EFFECTIVE DATE OF REGULATIONS

A. These regulations are effective upon filing in the office of the Town Clerk and publication of a notice of such filing in a newspaper having general circulation in the Town of Brookfield.

- 1) Effective date of Regulations: June 24, 1974.
- 2) Effective date of revised Regulations: September 2, 1982.
- 3) Effective date of revised Regulations: November 13, 1989.
- 4) Effective dated of revised Regulations: May 1, 1991.
- 5) Effective dated of revised Regulations: January 1, 1997

(EFFECTIVE DATE OF THESE REGULATIONS: December 21, 2012)

APPENDIX A

Connecticut General Statute section 1-1 (q)

Except as otherwise specifically defined, the words “agriculture” and “farming” shall include cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timbre or cleared land of brush or other debris left by storm as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or direct sale. The term “farm” includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoopouses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The term “aquaculture” means the farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. Nothing herein shall restrict the power of a local zoning authority under Chapter 124.

APPENDIX B

Connecticut General Statute Section 8-7D

Hearings and decisions, Time limits, Day of receipt, Notice to adjoining municipality, Public notice registry.

- (a) In all matters wherein a formal petition, application, request or appeal must be submitted to a zoning commission, planning and zoning commission or zoning board of appeals under this chapter, a planning commission under chapter 126 or an inland wetlands agency under chapter 440 or an aquifer protection agency under chapter 446i and a hearing is required or otherwise held on such petition, application, request or appeal, such hearing shall commence within sixty-five days after receipt of such petition, application, request or appeal and shall be completed within thirty-five days after such hearing commences, unless a shorter period of time is required under this chapter, chapter 126, chapter 440 or chapter 446i. Notice of the hearing shall be published in a newspaper having a general circulation in such municipality where the land that is the subject of the hearing is located at least twice, at intervals of not less than two days, the first not more than fifteen days or less than ten days and the last not less than two days before the date set for the hearing. In addition to such notice, such commission, board or agency may, by regulation, provide for additional notice. Such regulations shall include provisions that the notice be mailed to persons who own land that is adjacent to the land that is the subject of the hearing or be provided by posting a sign on the land that is the subject of the hearing, or both. For purposes of such additional notice, (1) proof of mailing shall be evidenced by a certificate of mailing, and (2) the person who owns land shall be the owner indicated on the property tax map or on the last-completed grand list as of the date such notice is mailed. All applications and maps and documents relating thereto shall be open for public inspection. At such hearing, any person or persons may appear and be heard and may be represented by agent or by attorney. All decisions on such matters shall be rendered not later than sixty-five days after completion of such hearing, unless a shorter period of time is required under this chapter, chapter 126, chapter 440 or chapter 446i. The petitioner or applicant may consent to one or more extensions of any period specified in this subsection, provided the total extension of all such periods shall not be for longer than sixty-five days, or may withdraw such petition, application, request or appeal.
- (b) Notwithstanding the provisions of subsection (a) of this section, whenever the approval of a site plan is the only requirement to be met or remaining to be met under the zoning regulations for any building, use or structure, a decision on an application for approval of such site plan shall be rendered not later than sixty-five days after receipt of such site plan. Whenever a decision is to be made on an application for subdivision approval under chapter 126 on which no hearing is held, such decision shall be rendered not later than sixty-five days after receipt of such application. Whenever a decision is to be made on an inland wetlands and watercourses application under chapter 440 on which no hearing is held, such decision shall be rendered not later than sixty-five days after receipt of such application. Whenever a decision is to be made on an aquifer protection

Town of Brookfield Inland Wetlands Commission Regulations

area application under chapter 446i on which no hearing is held, such decision shall be rendered not later than sixty-five days after receipt of such application. The applicant may consent to one or more extensions of such period, provided the total period of any such extension or extensions shall not exceed sixty-five days or may withdraw such plan or application.

- (c) For purposes of subsection (a) or (b) of this section and section 7-246a, the date of receipt of a petition, application, request or appeal shall be the day of the next regularly scheduled meeting of such commission, board or agency, immediately following the day of submission to such commission, board or agency or its agent of such petition, application, request or appeal or thirty-five days after such submission, whichever is sooner. If the commission, board or agency does not maintain an office with regular office hours, the office of the clerk of the municipality shall act as the agent of such commission, board or agency for the receipt of any petition, application, request or appeal.
- (d) The provisions of subsection (a) of this section shall not apply to any action initiated by any zoning commission, planning commission or planning and zoning commission regarding adoption or change of any zoning regulation or boundary or any subdivision regulation.
- (e) Notwithstanding the provisions of this section, if an application involves an activity regulated pursuant to sections 22a-36 to 22a-45, inclusive, and the time for a decision by a zoning commission or planning and zoning commission established pursuant to this section would elapse prior to the thirty-fifth day after a decision by the inland wetlands agency, the time period for a decision shall be extended to thirty-five days after the decision of such agency. The provisions of this subsection shall not be construed to apply to any extension consented to by an applicant or petitioner.
- (f) The zoning commission, planning commission, zoning and planning commission, zoning board of appeals, inland wetlands agency or aquifer protection agency shall notify the clerk of any adjoining municipality of the pendency of any application, petition, appeal, request or plan concerning any project on any site in which: (1) Any portion of the property affected by a decision of such commission, board or agency is within five hundred feet of the boundary of the adjoining municipality; (2) a significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site; (3) a significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or (4) water runoff from the improved site will impact streets or other municipal or private property within the adjoining municipality. Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven days of the date of receipt of the application, petition, request or plan. Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application, petition, appeal, request or plan.

Town of Brookfield Inland Wetlands Commission Regulations

APPENDIX C – Application Form

APPLICATION # _____

**TOWN OF BROOKFIELD
INLAND WETLANDS COMMISSION APPLICATION**

Application date: _____ Property ID#: _____

(circle one): Jurisdictional Ruling Short Form Long Form Modification to Existing Permit

SITE LOCATION (All applications):

Street Address: _____

Subdivision Name: (if applicable) _____ Subdivision Lot #: _____

APPLICANT/AGENT (All Applications)

Name: _____

Home Address: _____

Business Address: _____

Contact: _____

Phone: _____

LAND OWNER OF RECORD (All applications)

Name: _____

If LLC or Corporation, managing member's name: _____

Address: _____

Phone #: _____

Alternate Phone #: _____

If applicant is an LLC or Corporation,

Managing member name: _____

Address: _____

Phone #: _____

If owner is not applicant, is written consent provided? Yes _____ No _____ (If not, see page 2 for signature line)

Type of Activity (check all that apply): New Construction Addition Deck/shed Pool

Residential Commercial Industrial Other _____

PURPOSE & DESCRIPTION OF PROPOSED ACTIVITY (All applications):

Previous Applications with Wetlands Commission for this property? no yes (dates) _____

SITE DATA (for Short and Long Form applications only):

Town of Brookfield Inland Wetlands Commission Regulations

Total Acreage/square footage of property: _____

Disturbed wetland area: _____ **Total wetland area on property:** _____

Disturbed linear feet of watercourse(s): _____ **Total linear feet of watercourse(s):** _____

Disturbed upland review area: _____

Is slope of upland review area greater than 5%? _____

If so, what is the greatest slope of the upland review area adjacent to the regulated area? _____

Flood Plain Designation: _____

Required information (provided in writing, on drawings or on maps):

- List of adjacent property owner's names and addresses (may be shown on site map)
- Site plan showing existing conditions and proposed work (see site plan checklist)
- Erosion and sediment controls proposed? _____

- Management practices or mitigation measures proposed? _____

- What alternatives causing less or no environmental impact were considered? _____

- Are there site plans showing these alternatives? Yes _____ No _____
- Mapping of soil types and wetland vegetation shown? Yes _____ No _____
- Identification of designated open space, if proposed? Yes _____ No _____
- Check whether any of the following circumstances applies:
 - [] Any portion of the property affected by the decision of the Commission is located within five hundred (500) feet of the boundary of an adjoining municipality.
 - [] Any portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site.
 - [] Any portion of the sewer or water drainage from the project site will flow through and significantly impact the sewage system within the adjoining municipality.
 - [] Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

Town of Brookfield Inland Wetlands Commission Regulations

APPLICANT SIGNATURE & REPRESENTATION: I apply herewith for an Inland Wetlands Permit or Jurisdictional Ruling for the activity described above and represent that I am familiar with the information provided and that it is current, accurate and complete.

I understand that the agent or commission will rely in whole or in part on information provided by the applicant. If such information subsequently proves to be false, deceptive, incomplete or inaccurate, the agent or commission may modify, suspend or revoke the permit.

Permission is hereby granted to the Inland Wetlands Commission members or its agent to inspect the property during reasonable hours, from this date until one year following completion of the proposed activity.

Applicant's Signature: _____ **Date:** _____

I hereby consent to the application for an Inland Wetlands permit on my property by the applicant listed above.

Owner's Signature: _____ **Date:** _____

Rev. 4/04, 8/07, 4/09, 1/11

Town of Brookfield Inland Wetlands Commission Regulations

APPENDIX D - Fee schedule



TOWN OF BROOKFIELD INLAND-WETLANDS FEE SCHEDULE ORDINANCE

Effective Date: January 1, 2013

APPLICATION FEES	JURISDICTIONAL RULING	SHORT FORM	LONG FORM
Single Residence	\$60.00	\$150.00	\$300.00
Agent Approval (minimal impact)		\$ 60.00	
Subdivision -			
Per Lot:	\$60.00	\$150.00	\$300.00
Commercial/Industrial/Multifamily:	\$120.00	\$540 + upland review impact fee from schedule A	\$1040 + fee from Schedule A + wetland impact fees from Schedule B
Watercourse/Water body Impact fee			\$3/linear foot
Modification to an approved plan		50% of original fee up to \$150.00	50% of original fee up to \$150.00

ADMINISTRATIVE FEES

State Fee (all applications)	\$ 60.00
Legal Notice Fee (short & long form applications)	\$ 30.00
Public Hearing Fee (if public hearing scheduled)	\$660.00 payable prior to start of hearing
Permit Extension	\$50.00
Resubmission Fee (if application is denied)	50% of Original Fee

ENFORCEMENT FEES

Show Cause Hearing:	
Residential	\$250.00
Commercial	\$500.00
Corrective Action Permits (as a result of a Cease and Correct order that is upheld, when a restoration permit is required).	2 times fee + \$100.00

Town of Brookfield Inland Wetlands Commission Regulations

The Commission may charge additional fees at any time during the review process, to retain outside consultants to review applications for regulated activities, and to monitor construction to insure compliance with approved plans. Said fees shall be determined by the Commission and/or the Wetland Enforcement Officer from written estimates prepared by the consultants on the basis of the anticipated cost of the review. The additional fees shall pertain to projects whose size, complexity and/or potential impact requires specialized assistance and expertise. The Commission may require that the applicant deposit an amount equal to 150% of the estimated consultant fees. The applicant shall be reimbursed for any unused funds.

Schedule A	
Disturbed upland review area	Upland review Impact Fee
0-1,000 sq ft	\$100
1,001-3,000	\$200 + \$20/1,000 sq ft
3,001-10,000	\$300 + \$20/1,000 sq ft
10,001-20,000	\$500 + \$20/1,000 sq ft
20,001-40,000	\$800 + \$20/1,000 sq ft
Over 40,001	\$1,000 + \$20/1,000 sq ft
Schedule B	
Disturbed Wetland area	Wetland Impact Fee
0-1,000 sq ft	\$200
1,001-3,000	\$300 + \$30/1,000 sq ft
3,001-10,000	\$600 + \$60/1,000 sq ft
10,001-20,000	\$1200 + \$120/1,000 sq ft
Over 20,001	\$3600 + \$360/1,000 sq ft

Section 5



HOMELAND TOWERS



**HOMELAND TOWERS, LLC
&
NEW CINGULAR WIRELESS PCS, LLC (AT&T)**

**TECHNICAL REPORT TO THE TOWN OF BROOKFIELD
PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY**

60 Vale Road, Brookfield, Connecticut

**NEW CINGULAR
WIRELESS PCS, LLC
84 DEER FIELD LANE
MERIDEN, CT 06450**

**HOMELAND TOWERS, LLC
9 HARMONY STREET
DANBURY, CT 06810**

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Introduction

Homeland Towers, LLC (“Homeland Towers”) and New Cingular Wireless PCS, LLC (“AT&T”) respectfully submit this Technical Report to the Town of Brookfield pursuant to Section 16-50*l* of the Connecticut General Statutes. AT&T has contracted with Homeland Towers to assist in the search and development of various facilities in Connecticut for infrastructure to provide reliable wireless services, including one search ring in southern Brookfield. As part of its review of available sites and in coordination with AT&T, Homeland Towers leased a portion of an approximately 3.99-acre parcel of land owned by 70 Vale Road LLC and located at 60 Vale Road (the “Parcel”). Homeland Towers entered into a long-term ground lease with the property owner and would construct, own and operate a wireless telecommunications tower facility on the Parcel. AT&T’s agreement with Homeland Towers includes a long-term lease obligation for AT&T’s use of the proposed tower facility.

The tower component as proposed is a 165’ tall monopole for use by AT&T as well as other FCC licensed wireless carriers to provide reliable wireless services in southern Brookfield and portions of eastern Danbury and northern Bethel. The Town departments will also use the proposed facility for emergency communication needs. The purpose of this Technical Report is to provide the Town with information concerning the need for a new tower in this area of the State (Section 1), the site search history and selection process (Section 2), the facility design (Section 3), and current status of environmental assessments for the project including various information (Section 4) and a Visibility Analysis (Section 5). This information is provided for purposes of technical consultation with the Town and as provided for in Section 16-50*l* of the Connecticut General Statutes.

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SECTION 1

Statement of Public Need

The proposed tower Facility will provide reliable wireless communications services to the southern portion of Brookfield and small areas in the eastern portion of Danbury and northern Bethel. The facility is needed by AT&T in conjunction with other existing and proposed facilities to provide reliable services to the public that are not currently provided in these parts of Brookfield, Danbury and Bethel. In addition to providing reliable wireless service to these areas, AT&T will also provide FirstNet services, which is the first broadband network dedicated to America's police, firefighters and emergency medical services (EMS). AT&T was selected by the First Responder Network Authority ("FirstNet") to build and manage the only broadband network dedicated to unify emergency communications to give first responders the technology they need to communicate and collaborate across agencies and jurisdictions. Thus, rather than relying on commercial networks that can become congested in an emergency, the FirstNet system will allow immediate and dedicated access to a communications network by first responders.¹ AT&T seeks to provide wireless service to key traffic corridors through commercial and residential areas of Brookfield. The proposed tower facility will bring the required coverage to significant portions of U.S. Route 7 and Gray's Bridge Road as well as other roads and areas near the proposed tower location. Attached is a Radio Frequency Engineering Report with coverage plots depicting the "Current Coverage" provided by AT&T's existing facilities in this area of the state and "Proposed Coverage" as predicted from the proposed facility together with existing coverage from adjacent sites. Additional statistics regarding the overall area, population and roadway miles of expanded coverage in the community are included in the attached Radio Frequency Engineering Report.

In addition to FirstNet services, the proposed Facility will support emergency communication services by the Town of Brookfield.

¹ See http://about.att.com/sites/first_net_powered_by_att for more information about FirstNet.

Radio Frequency Analysis Report

CT2354
60 Vale Road, Brookfield, CT



March 7, 2022



C Squared Systems, LLC
65 Dartmouth Drive, A3
Auburn, NH 03032

Phone: (603) 644-2800
Fax: (603) 644-2801
Support@csquaredsystems.com

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1. Overview

C Squared Systems was retained by New Cingular Wireless PCS, LLC (“AT&T”) to evaluate the proposed wireless communications facility at 60 Vale Road, Brookfield, CT at 165 feet AGL.

AT&T is licensed by the FCC to provide wireless communications services throughout the State of Connecticut including the Town of Brookfield where the proposed facility would be located.

This report addresses AT&T’s need for the proposed wireless facility and confirms that there are no other suitable existing structures available that could address the coverage gaps in their wireless communications network.

The coverage analysis completed by C Squared Systems confirms: AT&T has a gap in reliable service in Brookfield, and that the Proposed Facility provides AT&T with coverage in that service gap. Included as attachments in this report are coverage maps detailing the existing network and expected coverage from the proposed facility, pertinent site information, terrain and network layout maps.

2. Technology Advances & Design Evolution

AT&T provides digital voice and data services using 3rd Generation (3G) UMTS technology in the 800 MHz and 1900 MHz frequency band, and advanced 4th Generation (4G) services over LTE technology in the 700 MHz and 1900 MHz frequency bands as allocated by the FCC. These data networks are used by mobile devices for fast web browsing, media streaming, and other applications that require broadband connections. The mobile devices that benefit from these advanced data networks are not limited to basic handheld phones, but also include devices such as smartphones, PDA’s, tablets, and laptop air-cards. 4G LTE services and devices have enabled AT&T customers to have even faster connections to people, information, and entertainment.

AT&T will also deploy FirstNet services from this facility. FirstNet is a federal agency with a mandate to create a nationwide, interoperable public safety broadband network for first responders. First responders across the country currently rely on more than 10,000 separate radio networks which oftentimes do not interoperate with one another. By deploying a nationwide broadband public safety network built specifically to meet the communications needs of first responders, the FirstNet network will provide a solution to the decades-long interoperability and communications challenges first responders have experienced, and which was highlighted by the 9/11 Commission’s 2004 Final Report.

FirstNet selected AT&T to build, manage and operate the National Public Safety Broadband Network (“NPSBN”) using FirstNet’s Band 14 spectrum (Call Sign WQQE234, 20 MHz of the 700 MHz spectrum), together with AT&T’s own wireless network. Using a combination of new and existing wireless facilities, AT&T provides prioritized, preemptive wireless services for first responders across Connecticut, New England and nationwide, while also improving 4G LTE coverage for AT&T customers.

It is important to note that with AT&T’s migration from 3G to 4G services come changes in the base station infrastructure and resultant changes in the operating thresholds required by the LTE network. In the past, AT&T has presented receive signal thresholds of -74 dBm for their in-building coverage threshold and -82 dBm for their in-vehicle coverage threshold. Those thresholds were based on network requirements to support 2G/3G data speeds and past usage demand. Today, customers expect low latency and faster data speeds as evidenced by increasing data usage trends and customer demand.

AT&T's 4G LTE technology is designed to thresholds of -83 dBm and -93 dBm for their 700 MHz LTE and -86 dBm and -96 dBm for their 1900 MHz LTE.¹ The stronger thresholds (-83 dBm and -86 dBm) yield greater throughputs and improved customer experience. The -93 dBm and -96 dBm thresholds are the minimum acceptable levels required to meet customer expectations for 4G service.

¹The threshold range differences between the 700 MHz and 1900 MHz frequency bands directly correlates to the type of branch diversity receivers deployed in AT&T's receiver design.

3. Coverage Objective

There is a significant coverage deficiency in the existing AT&T wireless communications network along US Route 7 and Gray's Bridge Road as well as other roads in the area and in the vicinity of the proposed location, referred to herein as the "targeted area". A deficiency in coverage is evidenced by the inability to adequately and reliably transmit/receive quality calls and/or utilize data services offered by the network. Seamless reliable coverage provides users with the ability to successfully originate, receive, and maintain quality calls and data applications throughout a service area. Appropriate overlapping coverage is required for users to be able to move throughout the service area and reliably "hand-off" between cells to maintain uninterrupted connections.

Due to terrain characteristics and the distance between the targeted area and the existing sites, AT&T's options to provide services in this area are quite limited (maps of the terrain in this area and the distance to neighboring AT&T sites from the proposed site are included as Attachments 1 & 2, respectively). AT&T's network requires deployment of antennas throughout the area to be covered. These antennas are connected to receivers and transmitters that operate in a limited geographic area known as a "cell." AT&T's wireless network, including their wireless handsets and devices, operate by transmitting and receiving low power radio frequency signals to and from these cell sites. The signals are transferred to and from the landline telephone network and routed to their destinations by sophisticated electronic equipment. The size of the area served by each cell site is dependent on several factors, including the number of antennas used, the height at which the antennas are deployed, the topography of the land, vegetative cover and natural or man-made obstructions in the area. As customers move throughout the service area, the transmission from the portable devices is automatically transferred to the AT&T facility with the best connection to the device, without interruption in service provided that there is overlapping coverage from the cells.

In order to define the extent of the coverage gap to be filled, propagation modeling has been conducted in the area of Brookfield. Propagation modeling uses PC software to determine the network coverage based on the specific technical parameters of each site including, but not limited to, location, ground elevation, antenna models, antenna heights, and also databases of terrain and ground cover in the area. Drive testing consists of traveling along area roadways in a vehicle equipped with a sophisticated setup of test devices and receivers that collect a variety of network performance metrics. The data are then processed and mapped in conjunction with the propagation modeling to determine the coverage gaps.

Analysis of the propagation modeling and drive testing in Brookfield reveal that AT&T's network is unreliable throughout much of the area due to gaps in coverage, and that there is a service deficiency as a result. In order to fill in these coverage gaps and improve the network reliability to Brookfield, a new facility is needed in the area.

Included in this report are Attachments 1 through 5, which are explained below to help describe AT&T's 4G network deployment in and around Brookfield, and the need for the proposed facility.

- Attachment 1: “*CT2354 Area Terrain Map*” details the terrain features around the area of deficient service being targeted by the proposed site in Brookfield. These terrain features play a key role in determining site designs and dictating the unique coverage achieved from a given location. This map is included to provide a visual representation of the ridges and valleys that must be considered when siting a wireless facility. The darker green, blue and purple shades correspond to lower elevations, whereas the orange, red and white shades indicate higher elevations.
- Attachment 2: “*CT2354 Neighbor Site Data*” provides site specific information of existing neighboring sites used to perform the coverage analysis provided in Attachments 3 and 4.
- Attachment 3: “*CT2354 Existing 700 MHz LTE Coverage for the Current AT&T Network*” depicts 700 MHz LTE coverage from existing sites and demonstrates that there are currently gaps in 700 MHz LTE coverage effecting service within the targeted area. The coverage shown is where the signal strengths are: > -83 dBm (minimum level required reliable, high quality service and performance at 700 MHz) and, > -93 dBm (minimum required for adequate level of service at 700 MHz). In an effort to provide the required levels of coverage to these areas, AT&T is proposing to install a wireless facility at the Vale Road location.
- Attachment 4: “*CT2354 Existing 700 MHz LTE Coverage with Proposed Site*” shows how this proposed site would fill in the existing coverage gaps and improve AT&T's 700 MHz LTE network.
- Attachment 5: Connecticut DOT Average Annual Daily Traffic Data – Brookfield shows the available vehicular traffic volume data for the subject area from the Connecticut Department of Transportation. These data show as many as 8,400 vehicles per day passing through Gray's Bridge Road in the vicinity of the proposed facility.

Table 1 below lists the coverage statistics compiled for the AT&T's 700 MHz 4G LTE network with the deployment of the Proposed Site.

	Incremental Coverage from Proposed Site (700 MHz)	
Population:²	(≥ -83 dBm)	1702
	(≥ -93 dBm)	1566
Business Pops:³		
Business Pops:³	(≥ -83 dBm)	2099
	(≥ -93 dBm)	1826
Area (mi²):		
Area (mi²):	(≥ -83 dBm)	1.83
	(≥ -93 dBm)	1.42
Roadway (mi):		
Roadway (mi):	Main (-93 dBm):	2.0
	Secondary (-93 dBm):	7.0
	Total (-93 dBm):	9.0

Table 1: Coverage Statistics

² Population figures are based upon 2010 US Census Block Data

³ Employee population counts are based upon the 2011 U.S. Census Bureau LEHD database.

4. Conclusion

AT&T has identified an area of deficient coverage affecting a significant portion of Brookfield CT, including key traffic corridors through the residential and business/retail areas of the Town. The proposed Brookfield facility will bring the needed fill-in coverage to significant portions of US Route 7 and Gray’s Bridge Road as well as other roads in the area and to the vicinity of the proposed location.

No existing structures were identified and available that would be able to satisfy the coverage requirements needed for this area.

As discussed in this report and depicted in the attached plots, the proposed interim AT&T site will provide a substantial portion of the coverage being lost to the “Targeted Area” while maintaining effective connectivity to the rest of AT&T’s existing network and, facilitate the transparent implementation of its 4G network.

5. Statement of Certification

I certify to the best of my knowledge that the statements in this report are true and accurate.

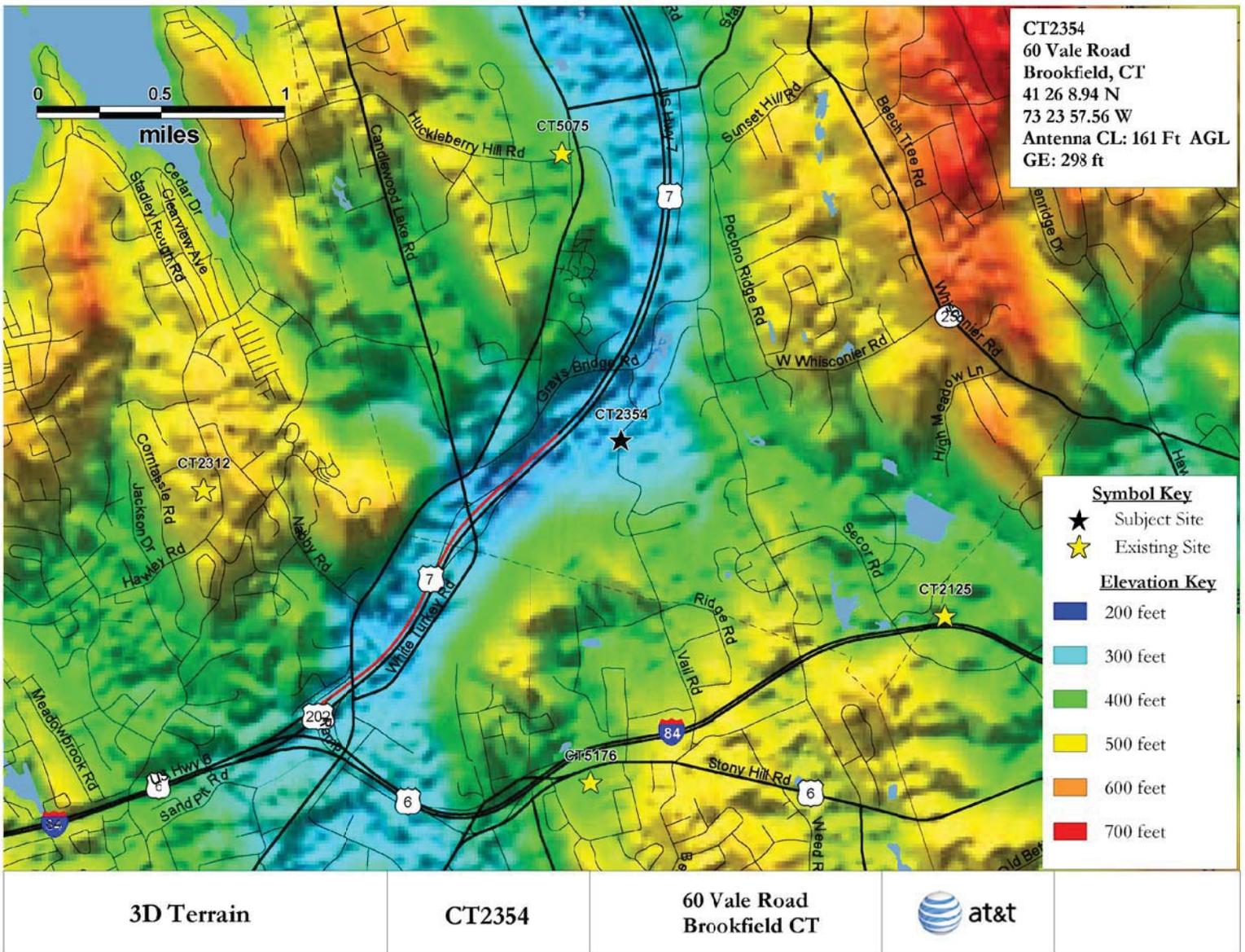


Martin J. Lavin
C Squared Systems, LLC

March 7, 2022

Date

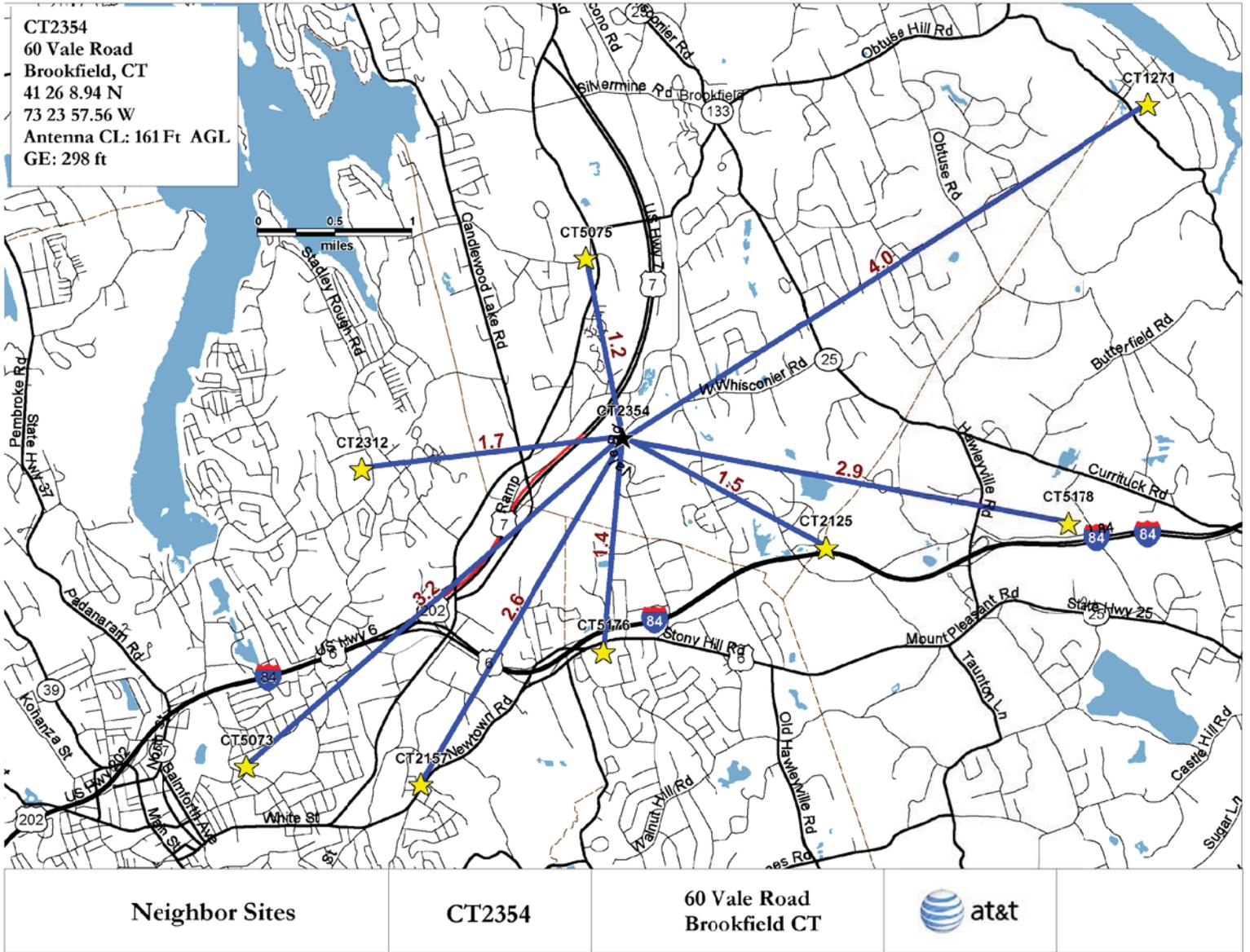
6. Attachments

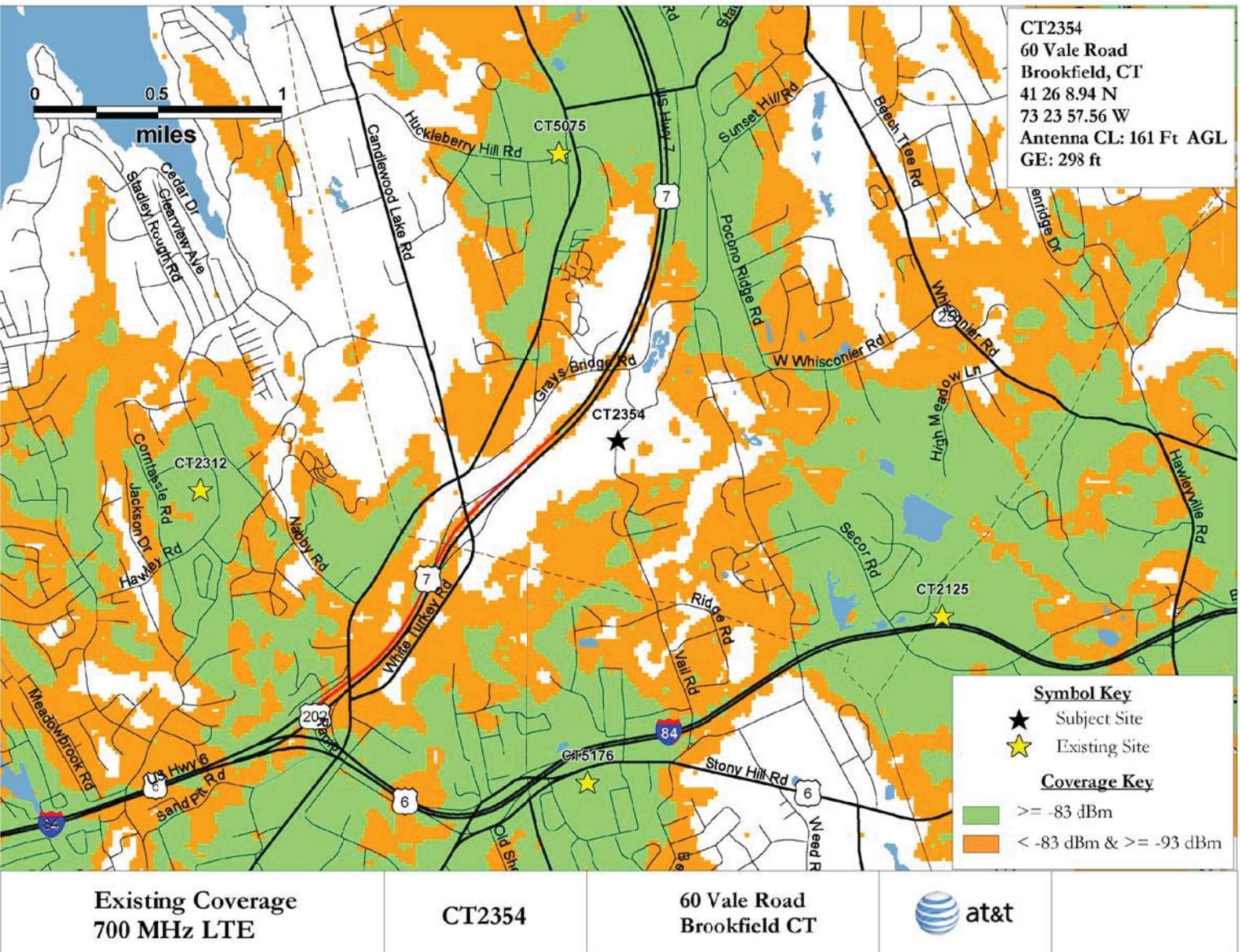


Attachment 1: CT2354 - Area Terrain Map

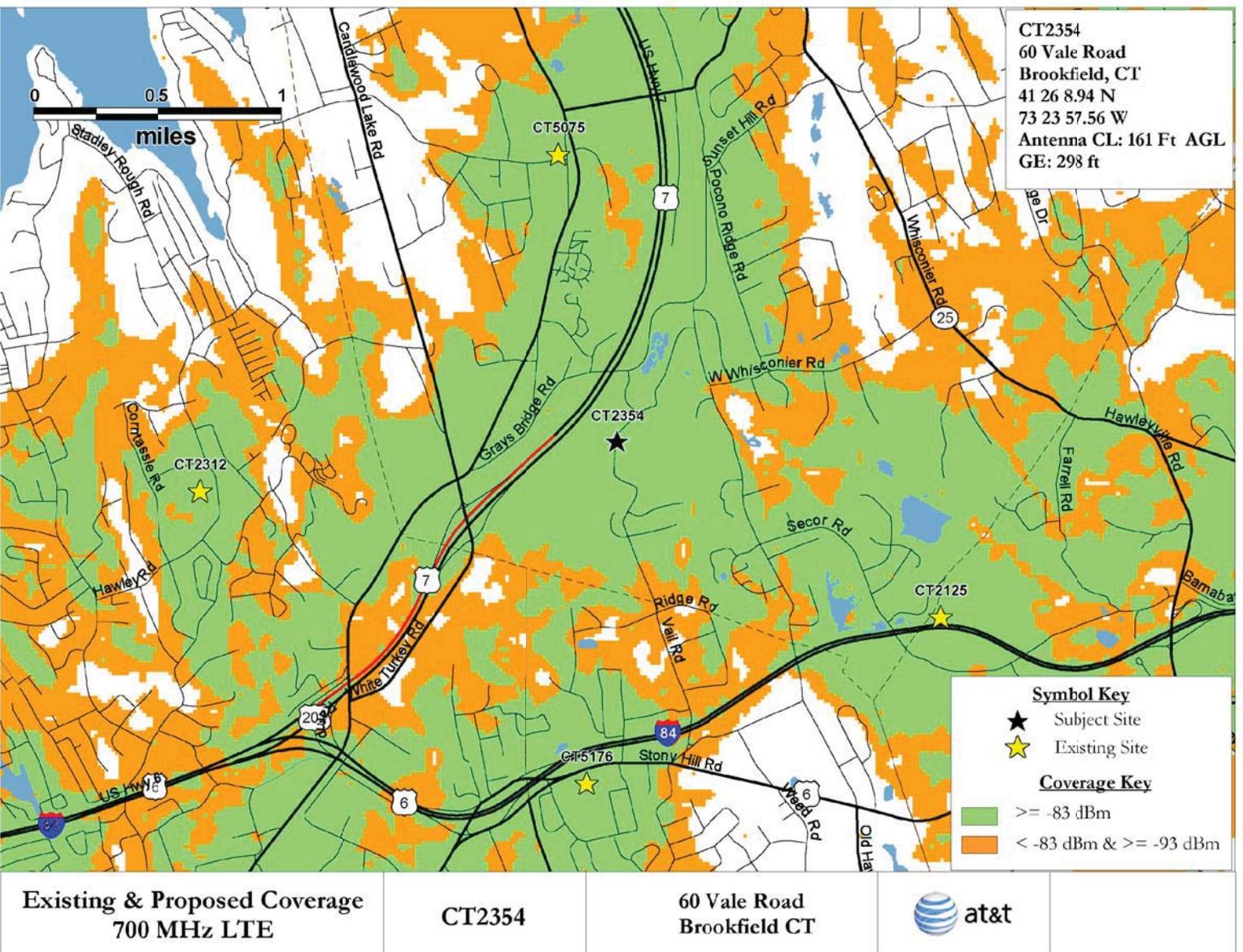
Site Name	Address	City	Latitude	Longitude	Antenna Height (ft AGL)	Ground Elevation	Distance (miles)
CT1271	24 Dinglebrook Lane	Newtown	41.4669	-73.3339	150	430	4.0
CT2125	6 Fairfield Drive	Newtown	41.4255	-73.3741	152	433	1.5
CT2157	48 Newtown Road	Danbury	41.4034	-73.4244	100	371	2.6
CT2312	52 Stadley Rough Road	Danbury	41.4329	-73.4318	107	541	1.7
CT5073	24 Hospital Avenue	Danbury	41.4051	-73.4462	133/137	466	3.2
CT5075	2 Huckleberry Hill Road	Brookfield	41.4526	-73.4039	57	387	1.2
CT5176	7 Stony Hill Road	Bethel	41.4158	-73.4017	145	427	1.4
CT5178	20 Barnabas Road	Newtown	41.4278	-73.3439	135	446	2.9

Attachment 2: CT2354 - Neighbor Site Data

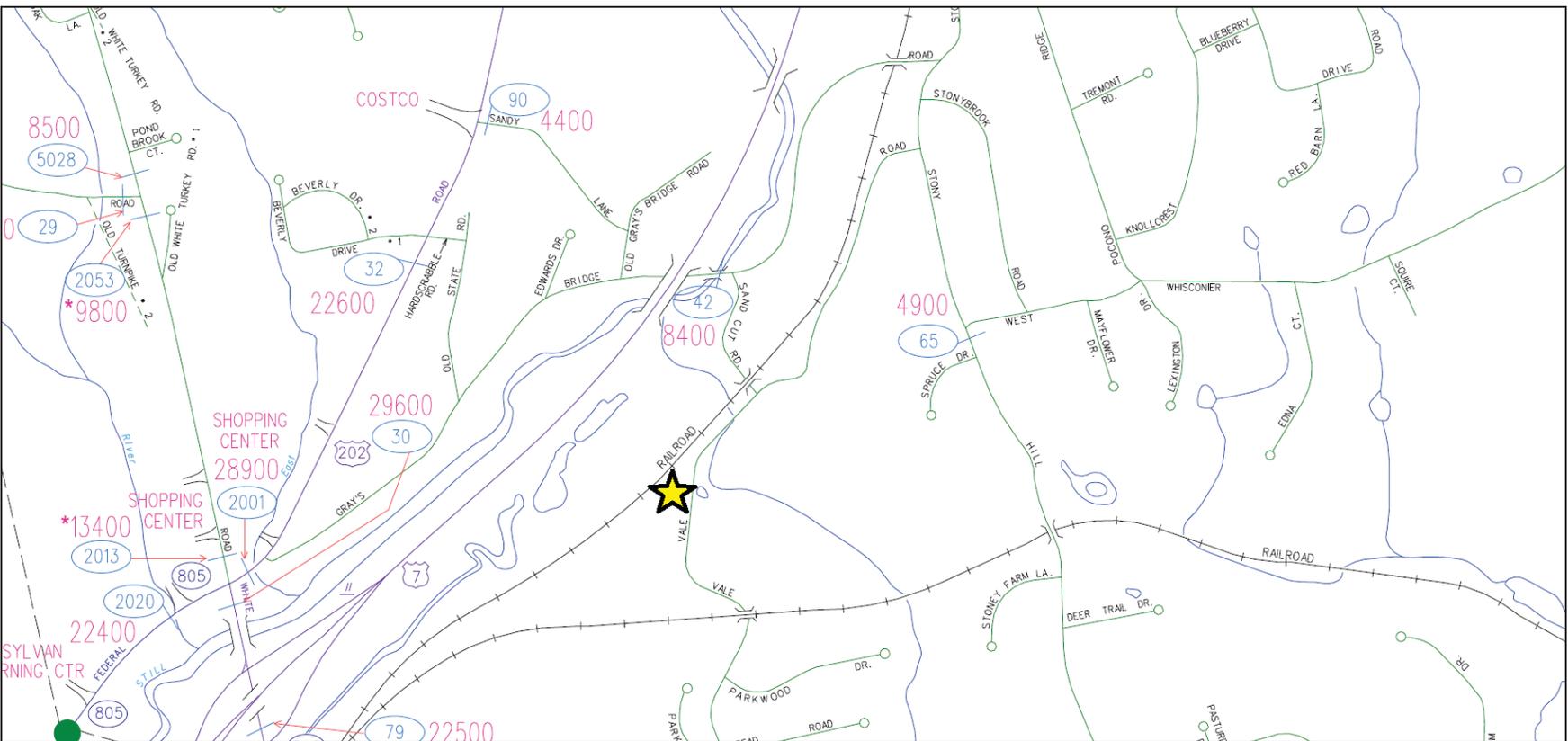




Attachment 3: CT2354 - Existing 700 MHz LTE Coverage” for the Current AT&T Network



Attachment 4: CT2354 - Existing 700 MHz LTE Coverage with Proposed Site' for the AT&T Network



Attachment 5: Connecticut DOT Average Annual Daily Traffic Data – Brookfield

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SECTION 2
Site Search Summary



Site Search Summary

In general, a “site search area” is developed to initiate a site selection process in an area where a coverage need has been identified. The site search area is a general location where the installation of a wireless facility would address an identified coverage need problem while still allowing for orderly integration of the site into a network such as AT&T’s, based on the engineering criteria hand-off, frequency reuse and interference. In any site search area, the Applicants seek to avoid the unnecessary proliferation of towers and to reduce the potential adverse environmental effects of a needed facility, while at the same time ensuring the quality of service provided by the site to users of its network.

The candidate identification process includes reviewing the applicable zoning ordinance to identify areas within which the proposed use is allowed. Viable candidates consist of existing structures of sufficient height from which an antenna installation can provide sufficient coverage, or lacking such a structure, parcels located within the narrowly defined search area upon which a tower may be constructed to a sufficient height. In order to be viable, a candidate must provide adequate coverage to the significant gap in AT&T’s network. In addition, all viable candidates must have a willing landowner with whom commercially reasonable lease terms may be negotiated. Preference is given to locations that closely comply with local zoning ordinances, or in the event no viable candidates are determined to be located within such areas, to identify other potentially suitable locations.

In the case of this particular site search area in Brookfield, no tall, non-tower structures were located within the identified area of need that were available for leasing. The area consists of mainly single story commercial structures within the search area that are inadequate in height and would not meet the coverage requirements of AT&T. Although there are existing Eversource structures in the area that carry a 345 kV transmission line, due to delayed outage windows by Eversource and the need for 24/7 access for emergency maintenance to antennas, these structures are not considered as viable options by both AT&T and Brookfield’s Emergency Planners.

As noted below, Homeland Towers, LLC along with AT&T investigated a number of different parcels of land and structures within and near this area for construction of a new facility. The Applicants found these sites to be adequate and available for the siting of a wireless facility or, for the reasons cited below, unavailable or inappropriate for the siting of a facility or technically inadequate to satisfy AT&T’s coverage requirements in this area of need.

Properties Investigated by Homeland Towers

Homeland Towers and AT&T identified and investigated twenty-one (21) sites in and around the Brookfield site search area where the construction of a new tower might be feasible for radio frequency engineering purposes. Descriptions of Homeland’s and AT&T’s sites investigated are set forth below along as well as a map depicting the approximate location of the sites investigated.

1. 60 Vale Road, Brookfield, CT 06804

Map Block Lot: E16023
Owner: 70 Vale Road LLC
Zoning District: I-1 HO (Industrial Height Overlay Zone)
Parcel Size: 3.99 acres
Lat/Long: 41.435817, -73.399322
Ground Elevation: 298’ +/- AMSL

This property is the Candidate Site where the tower is proposed.



2. Town of Brookfield Highway Department, 93 Grays Bridge Road, Brookfield, CT 06804

Map Block Lot: D15009
Owner: Town of Brookfield
Zoning District: I-1 HO (Industrial Height Overlay Zone)
Parcel Size: 3.77 acres
Lat/Long: 41.437966°, -73.403882°
Ground Elevation: 290' +/- AMSL

The Town of Brookfield showed initial interest in leasing to Homeland Towers. However, the Board of Selectman voted on August 2, 2021 to not move forward on a lease with Homeland. Reasons stated by the Board for not pursuing a ground lease with Homeland were the following: revenue generated from the lease was not sufficient, did not wish to tie up ground space at the Highway Facility potentially limiting future operations and the proposed facility may be too close to residential homes located on Edwards Drive.

3. 35 Old Grays Bridge Road, Brookfield, CT 06804

Map Block Lot: E14022
Owner: Town of Brookfield
Zoning District: I-1 HO (Industrial Height Overlay Zone)
Parcel Size: 4.09 acres
Lat/Long: 41.441915°, -73.399123°
Ground Elevation: 292' +/- AMSL

The Town of Brookfield showed initial interest in leasing to Homeland Towers and a site visit and site plan were completed. The Board of Selectman did not wish to pursue a lease at this location as they use the yard for storage of busses. This parcel was also reviewed by the AT&T Radio Frequency Engineer and was rejected as it did not provide adequate coverage to the intended area.

4. 1 Sand Cut Road, Brookfield, CT 06804

Map Block Lot: E15019
Owner: K/B Enterprises of Brookfield LLC
Zoning District: I-1 HO (Industrial Height Overlay Zone)
Parcel Size: 23.84 acres
Lat/Long: 41.437773°, -73.400194°
Ground Elevation: 282' +/- AMSL

The owner responded to a certified proposal sent to them by Homeland Towers. The owners expressed initial interest but upon further correspondence they decided not to enter into a lease with Homeland towers.

5. 105 Grays Bridge Road, Brookfield, CT 06804

Map Block Lot: E15023
Owner: Virginia Collins and Susan Hager
Zoning District: I-1 HO (Industrial Height Overlay Zone)
Parcel Size: 2.8 acres
Lat/Long: 41.438870°, -73.402471°
Ground Elevation: 282' +/- AMSL

The owner did not respond to a certified proposal sent to them by Homeland Towers.



6. 61 Grays Bridge Road, Brookfield, CT 06804

Map Block Lot: E15011
Owner: 61 Grays Bridge LLC
Zoning District: I-1 HO (Industrial Height Overlay Zone)
Parcel Size: 3.5 acres
Lat/Long: 41.436342°, -73.405224°
Ground Elevation: 280' +/- AMSL

The owner responded to a certified proposal sent to them by Homeland Towers. After a discussion with the owner they were not interested in leasing the amount of ground space needed for the tower and compound.

7. 56 Vale Road, Brookfield, CT 06804

Map Block Lot: E16021
Owner: BDWJ LLC
Zoning District: I-1 HO (Industrial Height Overlay Zone)
Parcel Size: 10.07 acres
Lat/Long: 41.433196°, -73.400810°
Ground Elevation: 300' +/- AMSL

The owner did not respond to a certified proposal sent to them by Homeland Towers.

8. 120 Park Ridge Road, Brookfield, CT 06804

Map Block Lot: D16013
Owner: Branson Ultrasonics Corporation
Zoning District: I-1 HO (Industrial Height Overlay Zone)
Parcel Size: 13.31 acres
Lat/Long: 41.429111°, -73.403293°
Ground Elevation: 414' +/- AMSL

The owner did not respond to a certified proposal sent to them by Homeland Towers.

9. 65 Vale Road, Brookfield, CT 06804

Map Block Lot: E16003
Owner: APBM LLC
Zoning District: I-1 HO (Industrial Height Overlay Zone)
Parcel Size: 1.9 acres
Lat/Long: 41.434680°, -73.398086°
Ground Elevation: 290' +/- AMSL

The owner responded to a certified proposal sent to them by Homeland Towers. Parcel was reviewed by the AT&T Radio Frequency Engineer and was not preferred as it did not provide adequate coverage to the intended area.



HOMELAND TOWERS

10. 93 Vale Road, Brookfield, CT 06804

Map Block Lot: E15018
Owner: CHLOE East LLC
Zoning District: I-1 HO (Industrial Height Overlay Zone)
Parcel Size: 3.67 acres
Lat/Long: 41.436071°, -73.398518°
Ground Elevation: 286' +/- AMSL

The owner responded to a certified proposal sent to them by Homeland Towers. Upon further review Homeland decided not to pursue a ground lease with the owner as the property has wetland/flooding issues and the AT&T RF engineer did not prefer this candidate.

11. 107 Vale Road, Brookfield, CT 06804

Map Block Lot: E16001
Owner: JAR Associates LLC
Zoning District: I-1 HO (Industrial Height Overlay Zone)
Parcel Size: 35.53 acres
Lat/Long: 41.437016°, -73.397273°
Ground Elevation: 288' +/- AMSL

The owner did not respond to a certified proposal sent to them by Homeland Towers.

12. 234 Grays Bridge Road, Brookfield, CT 06804

Map Block Lot: E14019
Owner: United Jewish Cemetery of Danbury Inc.
Zoning District: I-1 HO (Industrial Height Overlay Zone)
Parcel Size: 3.67 acres
Lat/Long: 41.444348°, -73.394856°
Ground Elevation: 298' +/- AMSL

This parcel was reviewed by the AT&T Radio Frequency Engineer and was rejected as it did not provide adequate coverage to the intended area.

13. 86 Candlewood Lake Road, Brookfield, CT 06804

Map Block Lot: C14006
Owner: United Jewish Center
Zoning District: R40
Parcel Size: 5.04 acres
Lat/Long: 41.442430°, -73.415335°
Ground Elevation: 382' +/- AMSL

This parcel was reviewed by the AT&T Radio Frequency Engineer and was rejected as it did not provide adequate coverage to the intended area. In addition, the parcel contains a vast amount of wetlands and is very close to residential homes.



Properties investigated by AT&T

14. 14 Research Drive, Bethel, CT 06801

Map/Block/Lot: 57/115/01
Owner: Duracell
Zoning District: IP Industrial Park
Parcel Size: 43.801 acres
Coordinates: 41.426722°, -73.4045°
Ground Elevation: 476' +/- AMSL

The candidate was rejected due to lack of landlord interest.

15. Stadley Rough Rd &, Rockwell Rd, Danbury, CT 06811

Map/Block/Lot: J10/ /157
Owner: State of Connecticut
Zoning District: RA20 Single-Family Residential
Parcel Size: 9.2 acres
Coordinates: 41.417954°, -73.434505°
Ground Elevation: 390' +/- AMSL

Connecticut Department of Transportation property with 50' self-support tower. This parcel was reviewed by the AT&T Radio Frequency Engineer and was rejected as it did not provide adequate coverage to the intended area.

16. 100 Pocono Road, Brookfield, CT 06804

Map/Block/Lot: E/100/14
Owner: Town of Brookfield
Zoning District: I-1 HO Industrial Height Overlay
Parcel Size: 45.15 acres
Coordinates: 41.462956°, -73.398267°
Ground Elevation: 339' +/- AMSL

130' monopole owned by American Tower at the Brookfield Volunteer Fire Station 1. This tower was reviewed by the AT&T Radio Frequency Engineer and was rejected as it did not provide adequate coverage to the intended area

17. Park Ridge Road, Brookfield, CT 06804

Map/Block/Lot: D/160/13
Owner: Branson Ultrasonics Corporation; Eversource
Zoning District: IL-80 Limited Industrial District
Parcel Size: 13.31 acres
Coordinates: 41.429271°, -73.402449°
Ground Elevation: 420' +/- AMSL

This candidate is the Eversource transmission tower or a potential of new tower build on the parcel for the new headquarters for Branson Ultrasonics Corporation. The candidate was rejected due to lack of landlord interest.



18. Park Lawn Drive, Bethel, CT 06801

Map/Block/Lot: 57/115/69
Owner: Berkshire Industrial Corporation
Zoning District: IP Industrial Park
Parcel Size: 2.96 acres
Coordinates: 41.426539°, -73.398258°
Ground Elevation: 484' +/- AMSL

This candidate is a Water Tank off Park Lawn Drive just over the town line in Bethel abutting the Brookfield Town line. The candidate was also rejected due to lack of landlord interest.

19. Park Ridge Road, Bethel, CT 06801

Map/Block/Lot: 57/115/77
Owner: Steiner, Richard E., Trustee; Eversource
Zoning District: IP Industrial Park
Parcel Size: 3.496 acres
Coordinates: 41.427694°, -73.402222°
Ground Elevation: 424' +/- AMSL

This candidate is an Eversource transmission tower in Bethel with access off Park Ridge Road in Brookfield. This candidate along with the potential for a new tower build was reviewed by the AT&T Radio Frequency Engineer and was rejected as it did not provide adequate coverage to the intended area (westward terrain height blocks the site from covering in that direction). The candidate was rejected due to lack of landlord interest.

20. 111 Park Ridge Road, Brookfield, CT 06804

Map/Block/Lot: D/160/10
Owner: JP Courtney Realty, LLC
Zoning District: IL80 Limited Industrial District
Parcel Size: 8.78 acres
Coordinates: 41.42754°, -73.398885°
Ground Elevation: 504' +/- AMSL

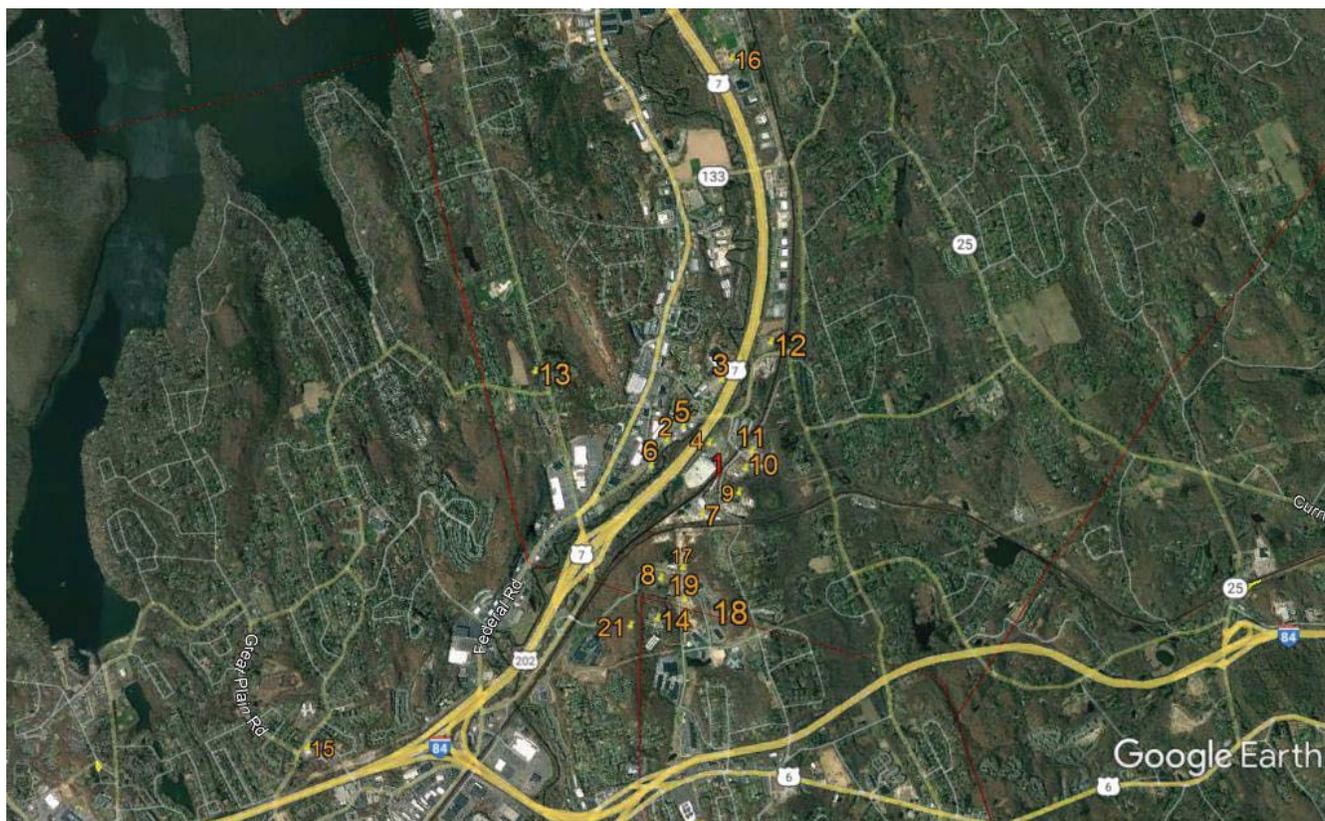
This property is leased by Eastern Account Systems from Berkshire Corporate Park and improved with a low office building with a large parking lot and was considered for a new tower site. The candidate was rejected due to lack of landlord interest.

21. 12 Riverview Drive, Danbury, CT 06810

Map/Block/Lot: M080/12/0000
Owner: Berkshire West, LLC
Zoning District: IL40 Light Industrial
Parcel Size: 18.25 acres
Coordinates: 41.425986°, -73.40693°
Ground Elevation: 512' +/- AMSL

This parcel is unimproved land to the east of the Linde Industrial Gas office building which slopes up to the east abutting the Duracell campus. The candidate was rejected due to lack of landlord interest.

Aerial Image of properties investigated by Homeland Towers and AT&T



3

SECTION 3

General Facility Description

60 Vale Road, Brookfield, Connecticut

Tax/PIN Identification: Map: E16; Lot: 23

3.99 Acre Parcel

The proposed tower site is located on an approximately 3.99-acre parcel owned by 70 Vale Road, LLC and located at 60 Vale Road. It is classified in the I1-HO Industrial Height Overlay Zone and is improved with a one-story office building, detached garage and surface parking. The proposed telecommunications facility includes an approximately 3,600 s.f. lease area located in the northern section of the Parcel.

The facility consists of a new self-supporting monopole that is 165' in height located within a 3,150 s.f. fenced equipment compound. AT&T would install up to twelve (12) panel antennas and related equipment at a centerline height of 161' above grade level (AGL). The tower would be designed for future shared use of the structure by other FCC licensed wireless carriers. The Town of Brookfield will install two (2) whip antennas and one (1) 36" diameter dish antenna at the top of the proposed monopole for emergency communication services. AT&T's walk-in equipment cabinet would be installed on a steel platform within the 3,150 s.f. fenced tower compound area at the base of the monopole. AT&T would also install a separate concrete pad for an emergency backup power generator within the equipment compound.

The tower compound would consist of an approximately 3,150 s.f. area to accommodate AT&T's equipment and provide for future shared use of the facility by other carriers and the Town. The tower compound would be secured by an eight (8) foot high chain link fence. Vehicle access to the facility would be provided from Vale Road over an existing paved driveway/parking area and an existing dirt/gravel access driveway a distance of approximately 640' to the proposed compound. Utility connections would be routed underground along the access easement.

SITE EVALUATION REPORT
Brookfield South CT076

I. LOCATION

- A. COORDINATES: 41° 26' 08.94" N
73° 23' 57.56" W
- B. GROUND ELEVATION: 298.0± AMSL
- C. USGS MAP: USGS 7.5 quadrangle for Danbury
- D. SITE ADDRESS: 60 Vale Road
Brookfield, CT 06804
- E. ZONING WITHIN ¼ MILE OF SITE: Abutting areas to the north, east, and west of the property are zoned I-1 HO (Industrial Height Overlay Zone). Abutting areas to the south of the property are zoned I-1 OH (Industrial Height Overlay Zone), CP (Corporate Park Zone) and R-40 (Residential Zone).

II. DESCRIPTION

- A. SITE SIZE: 3.99 Ac (Vol 422 - Page 0287)
LEASE AREA/COMPOUND AREA: 3,600 SF/3,150 SF
 - B. TOWER TYPE/HEIGHT: A 165' monopole.
 - C. SITE TOPOGRAPHY AND SURFACE: The facility is located in a vacant portion of an industrial property. Site slopes and decreases in elevation from northwest to southeast.
 - D. SURROUNDING TERRAIN, VEGETATION, WETLANDS, OR WATER: The proposed compound is located in the northern area of a 3.99± acre industrial parcel that is currently used as an equipment/material yard. Industrial properties are located north, east and west of the subject site. Industrial, business and residential properties are located south of the subject site. Wetlands are located on property approximately 123'± south of the proposed compound.
-

- E. LAND USE WITHIN ¼ MILE OF SITE: Industrial properties are located north, east and west of the subject site. Industrial, business and residential properties are located south of the subject site.

III. FACILITIES

- A. POWER COMPANY: Eversource
- B. POWER PROXIMITY TO SITE: 100'±
- C. TELEPHONE COMPANY: Frontier
- D. PHONE SERVICE PROXIMITY: 100'±
- E. VEHICLE ACCESS TO SITE: Access to the proposed telecommunication facility will be along existing paved driveway/parking area and an existing dirt/gravel access driveway (approx. 640'±)
- F. OBSTRUCTION: Wetlands are located on site approximately 123'± south of the proposed compound.
- G. CLEARING AND FILL REQUIRED: Total area of disturbance is 15,000± sf. (.34± ac.); 4 trees will need to be removed. The site improvements entail approximately 70 CY of excavation for the construction of the compound. Approximately 70 CY of clean broken stone fill is needed for the compound and driveway construction. The utility trench from the proposed utility pole to the compound will excavate approximately 8 CY of material that will be used to backfill the trench.

IV. LEGAL

- A. PURCHASE [] LEASE [X]
- B. OWNER: 70 Vale Road, LLC
- C. ADDRESS: 60 Vale Road, Brookfield, CT 06804
- D. DEED ON FILE AT: Volume 422 - Page 0287



Site Impact Statement

Site: Brookfield South CT076
Site Address: 60 Vale Road
Brookfield, CT 06804

Access distances:

Existing paved driveway/parking area and an existing dirt/gravel access driveway (approximately 640').

Distance to Nearest Wetlands

Wetlands are located on site approximately 123'± south of the proposed compound.

Distance to Property Lines:

36'+/- to the northwestern property boundary from the tower
61'+/- to the northeastern property boundary from the tower
58'+/- to the eastern property boundary from the tower
475'+/- to the southern property boundary from the tower

9'+/- to the northwestern property boundary from the compound
24'+/- to the northeastern property boundary from the compound
24'+/- to the eastern property boundary from the compound
436'+/- to the southern property boundary from the compound

Residence Information:

There are no residences within 1,000' feet of the compound. The closest off site residence is approximately 1,273 feet to the south and is located at Parcel E16054 (7 Park Lane).

Special Building Information:

Wetlands are located on site approximately 123'± south of the proposed compound.

Tree Removal Count:

4 trees need to be removed to construct the compound area.

6" - 10" dbh	4 trees
10" - 14" dbh	0 trees
14" or greater dbh	0 trees

Cut/Fill: The site improvements shall entail approximately 70 CY of excavation for the construction of the compound. Approximately 70 CY of clean broken stone fill is needed for the compound and driveway construction. The utility trench from the proposed utility pole to the compound will excavate approximately 8 CY of material that will be used to backfill the trench.

Clearing/Grading Necessary: Total area of disturbance = 15,000+/- SF



Tree Inventory

March 23, 2022

Cuddy & Feder, LLP
Attn: Lucia Chiocchio
445 Hamilton Avenue
14th Floor
White Plains, NY 10601

RE: Tree Inventory
Site: Brookfield South CT076
60 Vale Road
Brookfield, CT 06804

Dear Ms. Chiocchio:

A Tree Inventory was completed at the subject site during the month of February 2022 to determine the size and quantity of existing trees that will need to be removed for the installation of the proposed facility. The proposed site has suitable access, but clearing and earthwork will be required to construct the compound area. Installation of the proposed compound area will require the removal of 4 trees.

6" - 10" dbh	4 trees
10" - 14" dbh	0 trees
14" or greater dbh	0 trees

The interior vacant area to be disturbed for construction of the compound area will be approximately 3,600 square feet. An existing access driveway/parking area will be utilized for access and the utilities will run overhead from Vale Road to the proposed compound. The total combined area of disturbance for compound, and utility improvements is 15,000 sf.

Sincerely,

ALL-POINTS TECHNOLOGY CORPORATION, P.C.

Robert C. Burns

Robert C. Burns, P.E.
Program Manager

ALL-POINTS TECHNOLOGY CORPORATION, P.C.

567 VAUXHALL STREET EXTENSION – SUITE 311 · WATERFORD, CT 06385 · PHONE 860-663-1697 · FAX 860-663-0935

Facilities and Equipment Specification

I. TOWER SPECIFICATIONS:

- A. MANUFACTURER: To be determined
- B. TYPE: Self-Supporting monopole tower
- C. HEIGHT: 165' AGL
DIMENSIONS: Tower structure tapered
- D. TOWER LIGHTING: None required.

II. TOWER LOADING:

- A. AT&T – up to 12 panel antennas
 - a. Model – TBD
 - b. Antenna Dimensions – approximately 96”H x 12”W x 9”D
 - c. Position on Tower – 161' centerline AGL
 - d. Transmission Lines – DC and Fiber lines internal to tower.
 - e. (9) Remote Radio Units on proposed antenna mounts
- B. Future Carriers –to be determined
- C. Town emergency communications: (2) 12’ omni antennas; (1) 36” dish antenna

III. ENGINEERING ANALYSIS AND CERTIFICATION:

The tower will be designed in accordance with American National Standards Institute TIA/EIA-222-G “Structural Standards for Steel Antenna Towers and Antenna Support Structures” and the 2012 International Building Code with 2016 Building Code Amendment. The foundation design would be based on soil conditions at the site. The details of the tower and foundation design will be provided as part of the final D&M plan.



Legend

-  Site
-  Municipal Boundary
-  Subject Property
-  Approximate Parcel Boundary

Map Notes:
 Base Map Source: CT ECO 2019 Imagery
 Map Scale: 1 inch = 400 feet
 Map Date: November 2021



Site Location Map

Proposed Wireless
 Telecommunications Facility
 Brookfield South
 60 Vale Road
 Brookfield, Connecticut





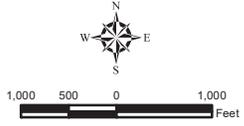
Copyright © 2013 National Geographic Society, I-cubed

- Legend**
- Site
 - ▭ Municipal Boundary

Site Location Map

Proposed Wireless
Telecommunications Facility
Brookfield South
60 Vale Road
Brookfield, Connecticut

Map Notes:
Base Map Source: USGS 7.5 Minute Topographic
Quadrangle Map, Danbury, CT (1984) and Newtown, CT (1984)
Map Scale: 1:24,000
Map Date: November 2021





HOMELAND TOWERS, LLC

WIRELESS TELECOMMUNICATIONS FACILITY

BROOKFIELD SOUTH 60 VALE ROAD BROOKFIELD, CT 06804

HOMELAND TOWERS, LLC
9 HARMONY STREET
2nd FLOOR
DANBURY, CT 06810
(203) 297-6345

at&t
340 MOUNT KEMBLE AVENUE
MORRISTOWN, NEW JERSEY 07960

ALL-POINTS
TECHNOLOGY CORPORATION
567 VAUXHALL STREET EXTENSION - SUITE 311
WATERFORD, CT 06385 PHONE: (860)-663-1697
WWW.ALLPOINTSTECH.COM FAX: (860)-663-0935

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DRAWING INDEX

- T-1 TITLE SHEET
- EX-1 BOUNDARY SURVEY
- SP-1 SITE PLAN & ABUTTERS MAP
- SP-2 PARTIAL SITE PLAN
- CP-1 COMPOUND PLAN & ELEVATION
- C-1 SITE DETAILS
- C-2 EROSION CONTROL DETAILS
- C-3 AT&T EQUIPMENT PLAN & DETAILS

SITE INFORMATION

PROJECT LOCATION: 60 VALE ROAD
BROOKFIELD, CT 06804

PROJECT DESCRIPTION: RAWLAND SITE W/ GROUND EQUIPMENT
WITHIN 3,150± SF TELECOMMUNICATIONS
COMPOUND W/ NEW 165± AGL
GALVANIZED MONOPOLE

PROPERTY DEVELOPER: HOMELAND TOWERS, LLC
9 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810

DEVELOPER CONTACT: RAY VERGATI
(203) 297-6345

ENGINEER CONTACT: ROBERT C. BURNS, P.E.
(860) 552-2036

LATITUDE: 41° 26' 08.94" N (41.435817)
LONGITUDE: 73° 23' 57.56" W (-73.399322)
ELEVATION: 298.0± AMSL

MAP: E16
LOT: 23
ZONE: I-1 HO

DESIGN PROFESSIONALS OF RECORD

PROF: ROBERT C. BURNS, P.E.
COMP: ALL-POINTS TECHNOLOGY
CORPORATION, P.C.
ADD: 567 VAUXHALL STREET EXT.
SUITE 311 WATERFORD, CT 06385

DEVELOPER: HOMELAND TOWERS, LLC
ADDRESS: 9 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810

HOMELAND TOWERS BROOKFIELD SOUTH

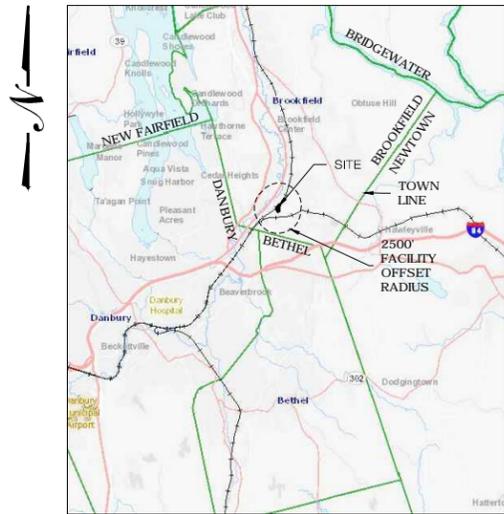
SITE ADDRESS: 60 VALE ROAD
BROOKFIELD, CT 06804

APT FILING NUMBER: CT2831040

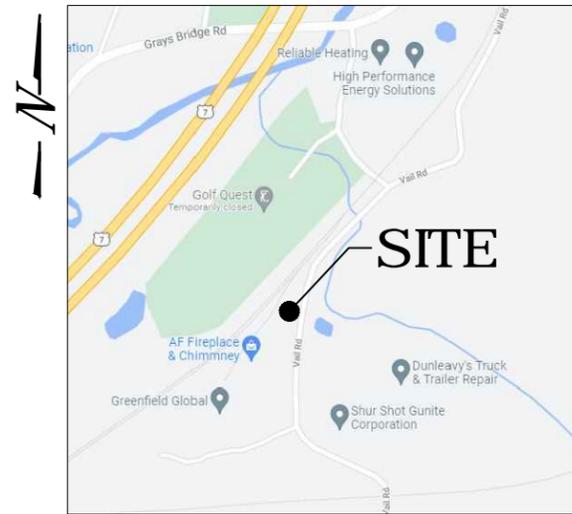
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CHECKED BY: RCB

SHEET TITLE:
TITLE SHEET

SHEET NUMBER:
T-1



MUNICIPAL NOTIFICATION LIMIT MAP
SCALE: 1" = 2 Miles



VICINITY MAP
SCALE: N.T.S.

OWNER: 70 VALE ROAD LLC
70 VALE ROAD
BROOKFIELD, CT 06804

APPLICANTS: HOMELAND TOWERS, LLC
9 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810
RAY VERGATI
(203) 297-6345

AT&T
340 MOUNT KEMBLE AVE.
MORRISTOWN, NJ 07960

HOMELAND PROJECT ATTORNEY: CUDDY & FEDER, LLP
445 HAMILTON AVENUE
14TH FLOOR
WHITE PLAINS, NY 10601
(914) 761-1300

POWER PROVIDER: EVERSOURCE: (800) 286-2000

TELCO PROVIDER: FRONTIER (800) 921-8102

CALL BEFORE YOU DIG: (800) 922-4455

GOVERNING CODES: CONNECTICUT STATE BUILDING CODE, LATEST EDITION
NATIONAL ELECTRIC CODE, LATEST EDITION
TIA-222-H

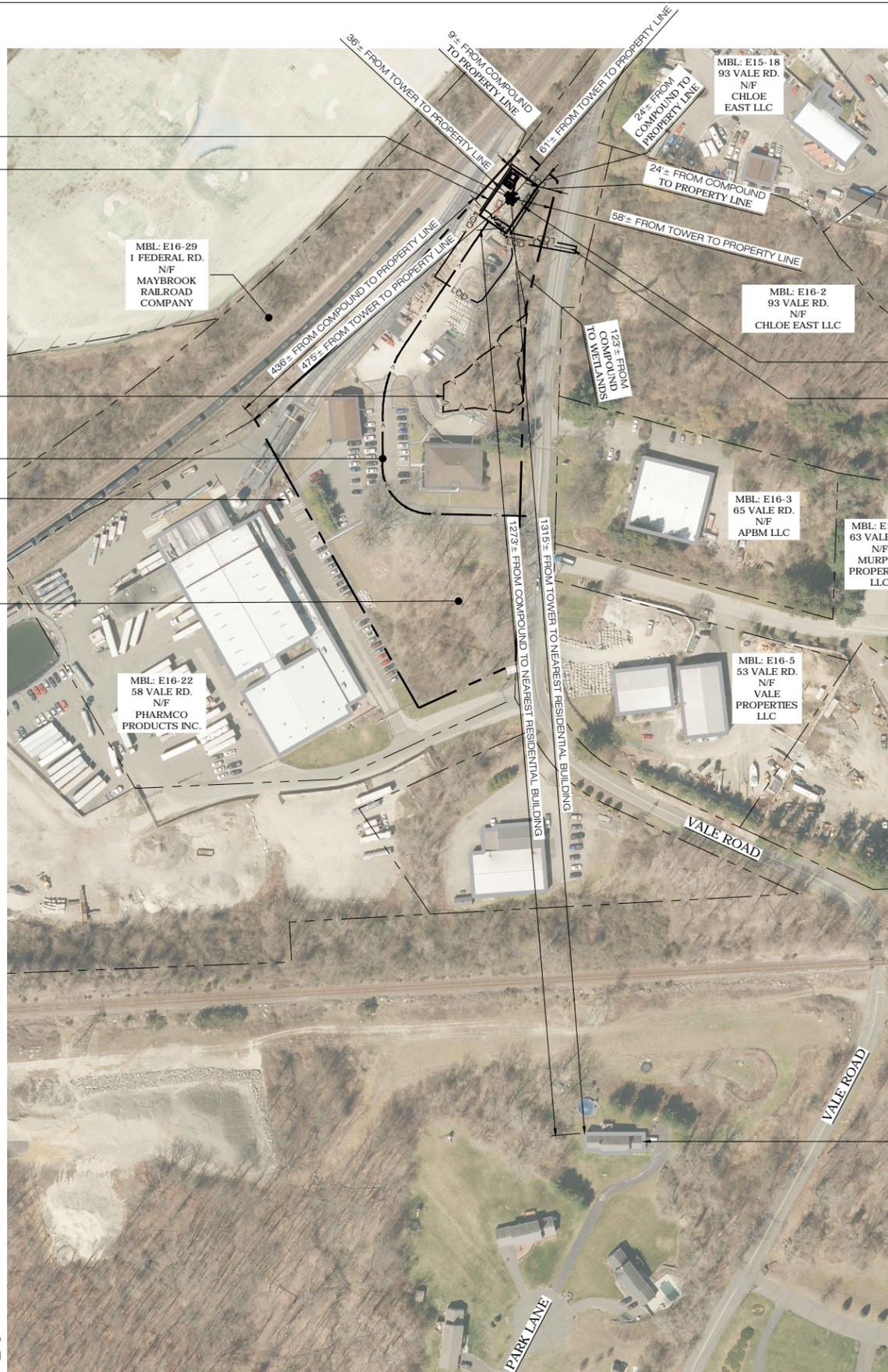
PROP. 165± AGL MONOPOLE W/
YIELD POINT @ 129± AGL
PROJECT LIMITS OF DISTURBANCE
(L.O.D.) = 15,000± SF (0.34± ACRES)

EXIST. WETLANDS DELINEATION BY ALL-POINTS
TECHNOLOGY CORPORATION (TYP.)

COMPOUND ACCESS THROUGH EXIST. PAVED
DRIVEWAY / GRAVEL AREA (APPROX. 640'±)

PROPERTY LINE (TYP.)

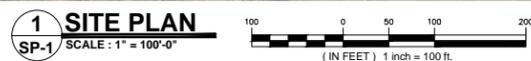
SUBJECT PARCEL:
MAP: E16 LOT: 23
N/F
70 VALE ROAD LLC
60 VALE ROAD
BROOKFIELD, CT 06804
ZONE: 1-1 HO
3.99± ACRES TOTAL



PROP. 45x80' (3,600± SF) LEASE
AREA & 45x70' (3,150± SF) FENCED
GRAVEL COMPOUND AREA

PROP. UTILITY POLE (INSTALLED
BY UTILITY COMPANY)

EXIST. RESIDENCE (TYP.)



1 SITE PLAN
SP-1 SCALE: 1" = 100'-0"

MAP REFERENCES:
1. "EX-1 SITE SURVEY, 60 VALE ROAD, BROOKFIELD, CT 06804, FAIRFIELD COUNTY", 1 OF 1; PREPARED BY NORTHEAST TOWER SURVEYING, INC., 140 WEST MAPLEMERE ROAD, WILLIAMSVILLE, NEW YORK 14221, LATEST REVISION DATED: 02/08/22.



HOMELAND TOWERS, LLC
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2nd FLOOR
DANBURY, CT 06810
(203) 297-6345



340 MOUNT KEMBLE AVENUE
MORRISTOWN, NEW JERSEY 07960



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DESIGN PROFESSIONALS OF RECORD

PROF: ROBERT C. BURNS P.E.
COMP: ALL-POINTS TECHNOLOGY CORPORATION, P.C.
ADD: 567 VAUXHALL STREET EXT. SUITE 311 WATERFORD, CT 06385

DEVELOPER: HOMELAND TOWERS, LLC
ADDRESS: 9 HARMONY STREET 2ND FLOOR DANBURY, CT 06810

HOMELAND TOWERS
BROOKFIELD SOUTH

SITE ADDRESS: 60 VALE ROAD
BROOKFIELD, CT 06804
APT FILING NUMBER: CT2831040
DATE: 03/07/22 DRAWN BY: CSH
CHECKED BY: RCB

SHEET TITLE:
SITE PLAN & ABUTTERS MAP

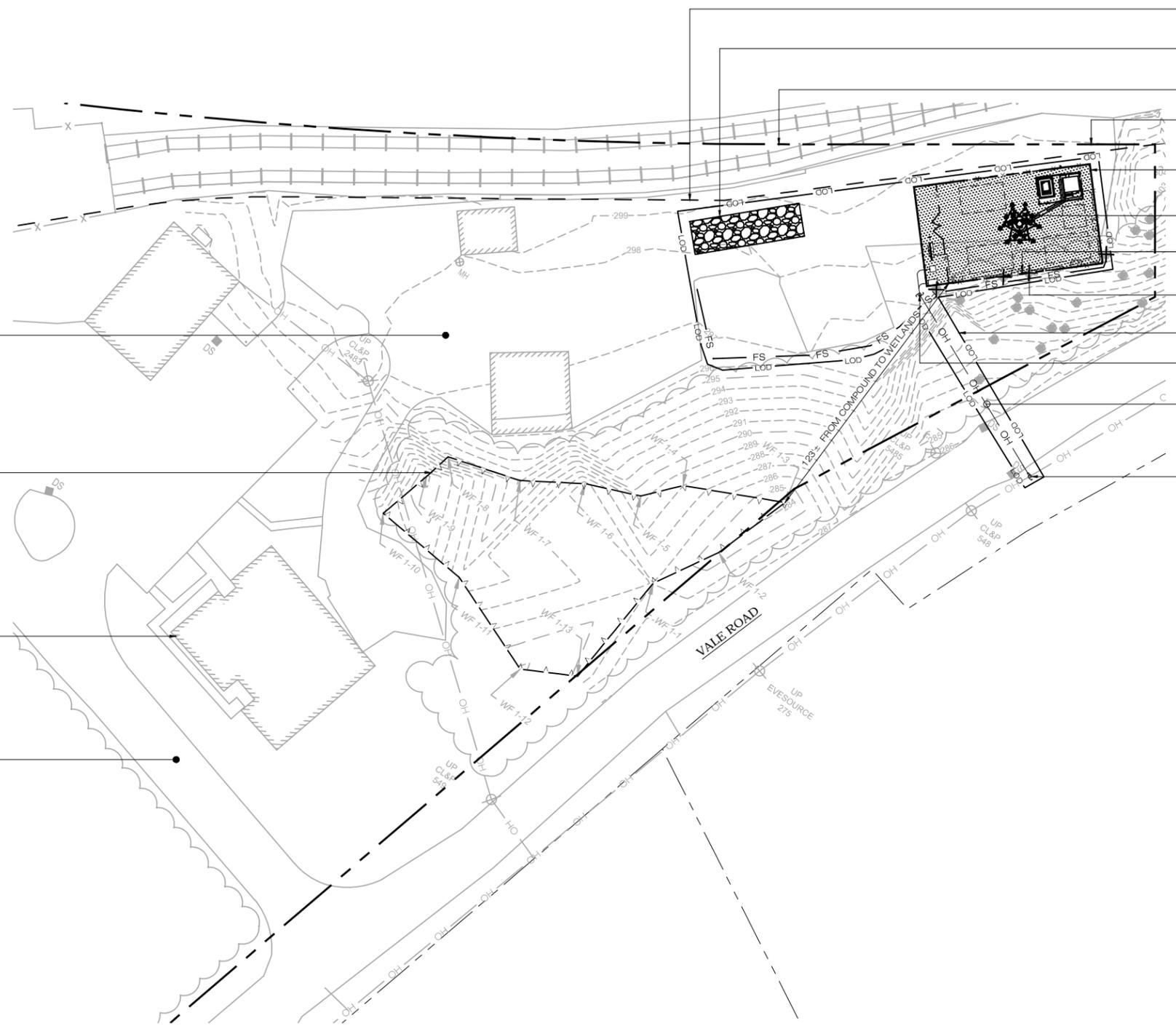
SHEET NUMBER:
SP-1

LEGEND

- PROPERTY LINE
- RAILROAD EASEMENT
- EXIST. WETLAND
- LOD --- LIMIT OF DISTURBANCE
- X-X- PROP. CHAIN LINK FENCE
- E/T --- PROP. ELEC./TELCO LINE
- OH --- PROP. OVERHEAD ELEC./TELCO LINE
- FS --- PROP. FILTER SOCK
- EXIST. TREE TO REMAIN
- ⊗ EXIST. TREE TO BE REMOVED

- EXIST. RAILROAD EASEMENT (TYP.)
- ① C-2 PROP. CONSTRUCTION ENTRANCE
- EXIST. RAILROAD TRACKS (TYP.)
- EXIST. PROPERTY LINE (TYP.)
- ① CP-1 PROP. 45'x80' (3,600± SF) LEASE AREA & 45'x70' (3,150± SF) FENCED GRAVEL COMPOUND AREA
- ② C-2 PROP. 165'± AGL MONOPOLE W/ YIELD POINT @ 129± AGL
- ② C-2 PROP. COMPOST FILTER SOCK (TYP.)
- EXIST. TREE TO BE REMOVED (TYP. 4PL)
- PROJECT LIMITS OF DISTURBANCE = 15,000± SF (0.34± ACRES)
- PROP. UTILITY POLE (FINAL LOCATION TO BE DETERMINED BY UTILITY COMPANY)
- PROP. OVERHEAD ELEC./TELCO SERVICE FROM PROP. UTILITY POLE ON VALE ROAD TO PROP. UTILITY POLE AT PROP. COMPOUND. (APPROX. 100'±)
- PROP. UTILITY POLE (INSTALLED BY UTILITY COMPANY)

- EXIST. GRAVEL PARKING AREA (TYP.)
- EXIST. WETLANDS DELINEATION BY ALL-POINTS TECHNOLOGY CORPORATION (TYP.)
- EXIST. BUILDING (TYP.)
- EXIST. PAVED ACCESS DRIVE (TYP.)



NOTE:
4 TREES WILL NEED TO BE REMOVED IN CONSTRUCTION OF THE FACILITY.

< 10" DIA.	4 TREES
10"-14" DIA.	0 TREES
> 14" DIA.	0 TREES

SITE AREAS & VOLUMES OF EARTHWORK

SITWORK ENTAILS APPROXIMATELY 70 CUBIC YARDS OF EXCAVATION. THE COMPOUND WILL IMPORT APPROXIMATELY 70 CUBIC YARDS OF CLEAN BROKEN STONE. THE UTILITY TRENCH FROM THE PROP. UTILITY POLE AT THE COMPOUND WILL EXCAVATE APPROXIMATELY 8 CUBIC YARDS OF MATERIAL THAT WILL BE USED TO BACKFILL THE TRENCH.

COMPOUND AREA SLOPES:
EXISTING - 0.5%-1.0%
PROPOSED - 0.5%-1.0%

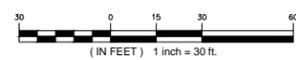
TOTAL AREA OF DISTURBANCE = 15,000± SF

STORMWATER VELOCITY:
PRIOR TO GROUND COVER < 3.0 FT/SEC
FOLLOWING GROUND COVER < 3.0 FT/SEC

STORMWATER VOLUME:
PROPOSED IMPERVIOUS AREA = 3,600 SF
WATER QUALITY STD VOLUME (1") = 300 CF
STORAGE VOLUME (6" DEPTH, 40% VOIDS) = 720 CF

GROUND COVER TO BE ESTABLISHED AS FOLLOWS (U.O.N):
- WHITE CLOVER @ 0.20#/- SF
- TALL FESCUE @ 0.45#/- SF
- RYEGRASS @ 0.10#/- SF

1 PARTIAL SITE PLAN
SP-2 SCALE: 1" = 30'-0"



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HOMELAND TOWERS
BROOKFIELD SOUTH

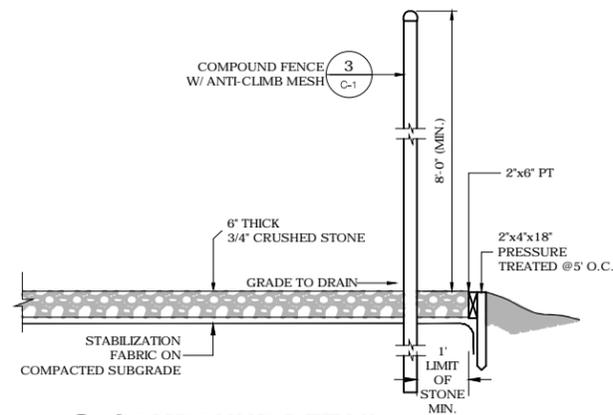
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ADDRESS: BROOKFIELD, CT 06804

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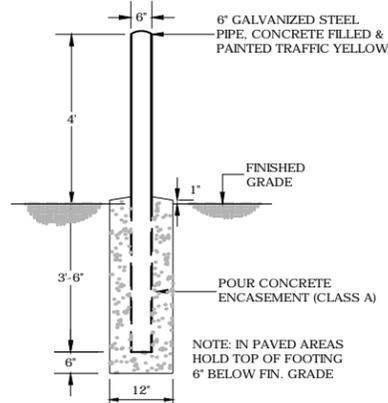
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PARTIAL SITE PLAN

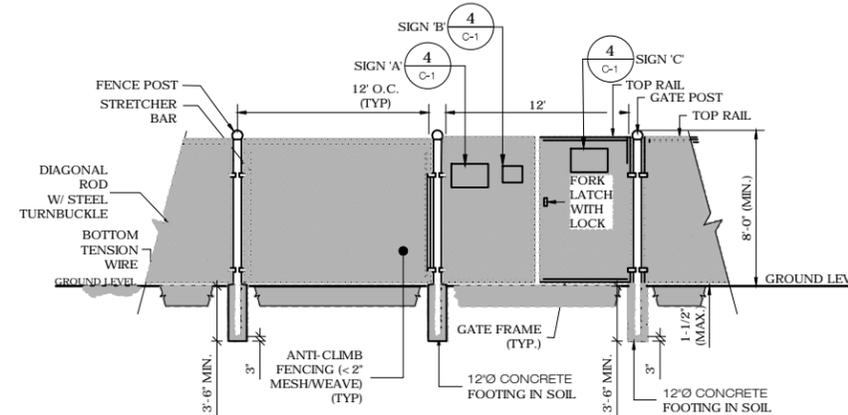
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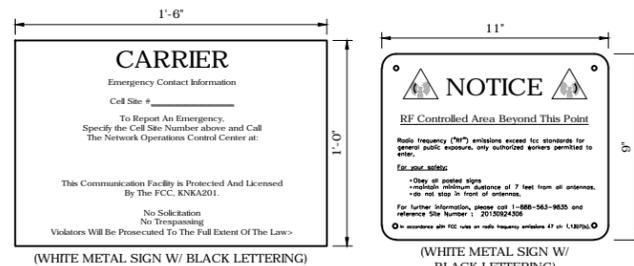
1 COMPOUND DETAIL
C-1 SCALE: N.T.S.



2 BOLLARD DETAIL
C-1 SCALE: N.T.S.



3 CHAIN-LINK FENCING & FENCE GATE DETAIL
C-1 SCALE: N.T.S.



SIGN 'A'

SIGN 'B'



5 UTILITY BACKBOARD FRAME DETAIL
C-1 SCALE: N.T.S.

4 TYPICAL SIGNAGE
C-1 SCALE: N.T.S.

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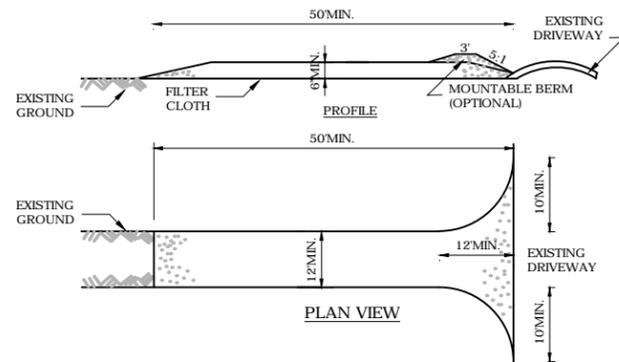
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PROF: ROBERT C. BURNS P.E.
COMP: ALL-POINTS TECHNOLOGY CORPORATION, P.C.
ADD: 567 VAUXHALL STREET EXT. SUITE 311 WATERFORD, CT 06385

DEVELOPER: HOMELAND TOWERS, LLC
ADDRESS: 9 HARMONY STREET 2ND FLOOR DANBURY, CT 06810

HOMELAND TOWERS BROOKFIELD SOUTH
SITE ADDRESS: 60 VALE ROAD BROOKFIELD, CT 06804
APT FILING NUMBER: CT2831040
DATE: 03/07/22 DRAWN BY: CSH
CHECKED BY: RCB

SHEET TITLE:
SITE DETAILS

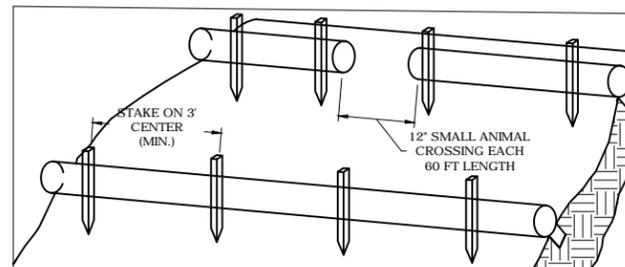
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C-1



CONSTRUCTION ENTRANCE SPECIFICATIONS:

1. STONE SIZE - USE 1-4 INCH STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH - NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS - NOT LESS THAN SIX (6) INCHES.
4. WIDTH - TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
5. GEOTEXTILE - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ACCESS SHALL BE PIPED BENEATH THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

1 CONSTRUCTION ENTRANCE DETAIL
C-2 SCALE : N.T.S.



1. BEGIN AT THE LOCATION WHERE THE SOCK IS TO BE INSTALLED BY EXCAVATING A 2-3' (5-7.5 CM) DEEP X 9' (22.9 CM) WIDE TRENCH ALONG THE CONTOUR OF THE SLOPE. EXCAVATED SOIL SHOULD BE PLACED UP SLOPE FROM THE ANCHOR TRENCH.
2. PLACE THE SOCK IN THE TRENCH SO THAT IT CONTOURS TO THE SOIL SURFACE. COMPACT SOIL FROM THE EXCAVATED TRENCH AGAINST THE SOCK ON THE UPHILL SIDE. SOCKS SHALL BE INSTALLED IN 60 FT CONTINUOUS LENGTHS WITH ADJACENT SOCKS TIGHTLY ABUT. EVERY 60 FT THE SOCK ROW SHALL BE SPACED 12 INCHES CLEAR. END TO END, FOR AMPHIBIAN AND REPTILE TRAVEL. THE OPEN SPACES SHALL BE STAGGERED MID LENGTH OF THE NEXT DOWN GRADIENT SOCK.
3. SECURE THE SOCK WITH 18-24' (45.7-61 CM) STAKES EVERY 3-4' (0.9 -1.2 M) AND WITH A STAKE ON EACH END. STAKES SHOULD BE DRIVEN THROUGH THE MIDDLE OF THE SOCK LEAVING AT LEAST 2-3' (5-7.5 CM) OF STAKE EXTENDING ABOVE THE SOCK. STAKES SHOULD BE DRIVEN PERPENDICULAR TO THE SLOPE FACE.

2 COMPOST FILTER SOCK SEDIMENTATION CONTROL BARRIER
C-2 SCALE : N.T.S.

H
HOMELAND TOWERS, LLC
9 HARMONY STREET
2nd FLOOR
DANBURY, CT 06810
(203) 297-6345

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ADD: 567 VAUXHALL STREET EXT. SUITE 311 WATERFORD, CT 06385

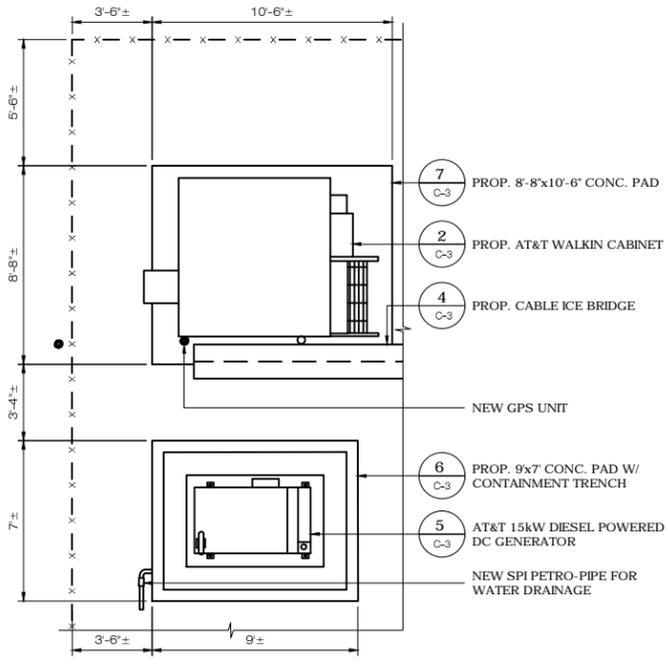
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ADDRESS: 9 HARMONY STREET 2ND FLOOR DANBURY, CT 06810

HOMELAND TOWERS BROOKFIELD SOUTH

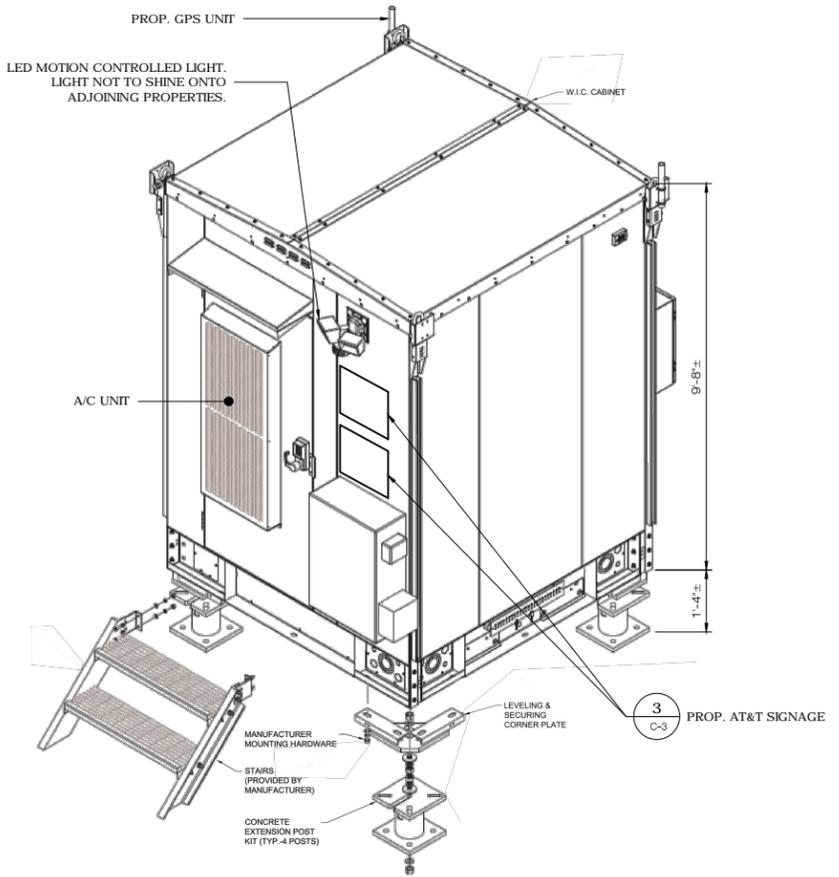
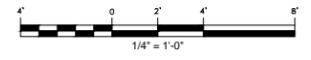
SITE 60 VALE ROAD
ADDRESS: BROOKFIELD, CT 06804
APT FILING NUMBER: CT2831040
DATE: 03/07/22 DRAWN BY: CSH
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SHEET TITLE:
EROSION CONTROL DETAILS

SHEET NUMBER:
C-2



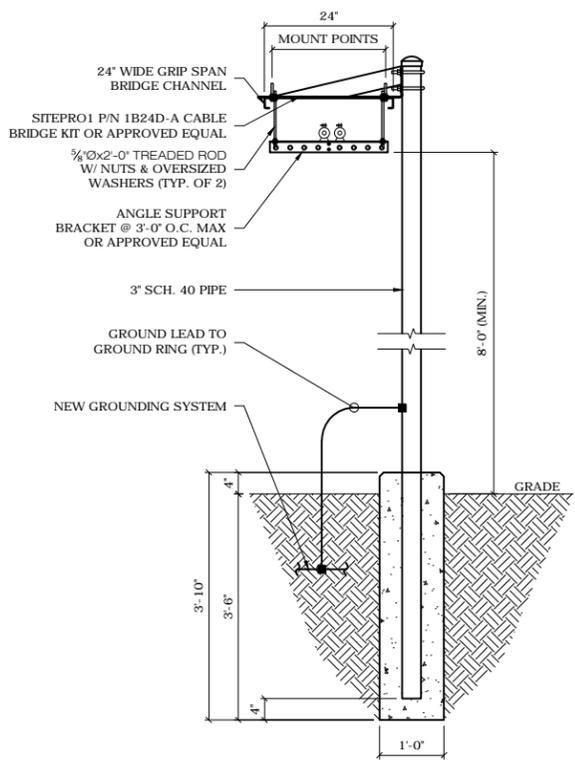
1 AT&T EQUIPMENT AREA
C-3 SCALE: 1/4" = 1'-0"



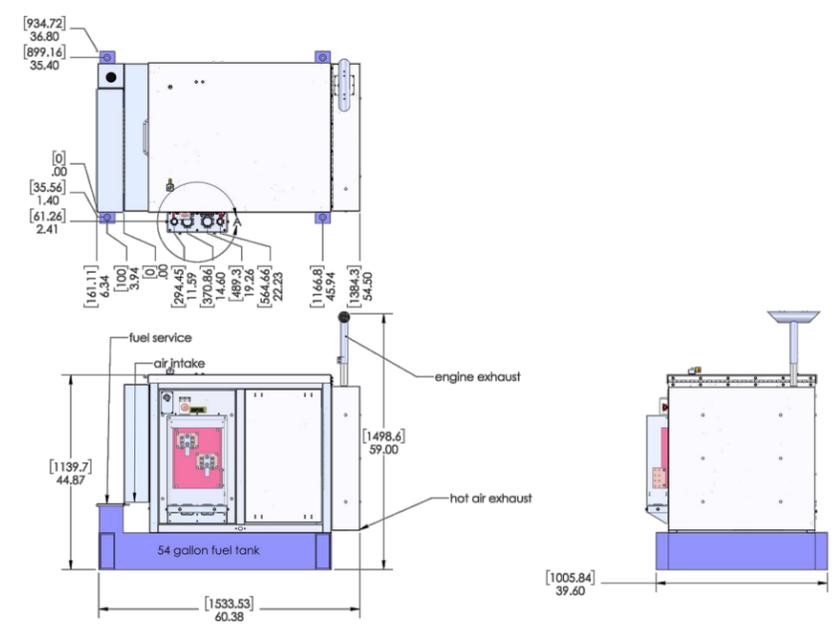
2 AT&T SMARTMOD WALKIN CABINET
C-3 SCALE: N.T.S.



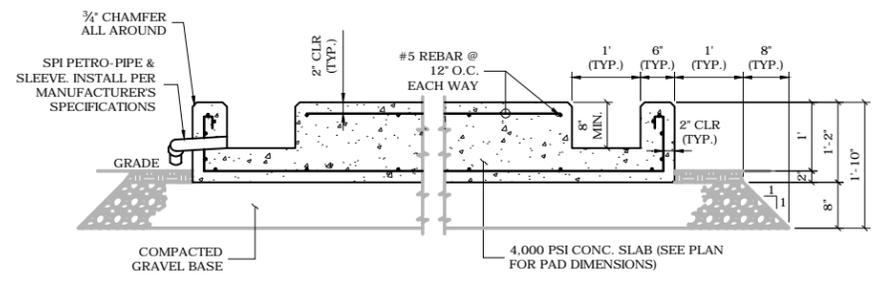
3 TYPICAL SIGNAGE
C-3 SCALE: N.T.S.



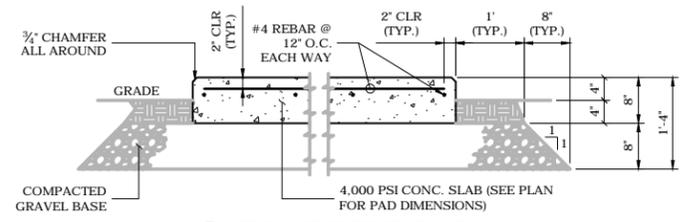
4 CABLE BRIDGE DETAIL
C-3 SCALE: N.T.S.



5 GENERATOR
C-3 SCALE: N.T.S.



6 GENERATOR PAD
C-3 SCALE: N.T.S.



7 EQUIPMENT PAD
C-3 SCALE: N.T.S.

H

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SITE 60 VALE ROAD
ADDRESS: BROOKFIELD, CT 06804

APT FILING NUMBER: CT2831040

DATE: 03/07/22 DRAWN BY: CSH
CHECKED BY: RCB

SHEET TITLE:

**AT&T EQUIPMENT
PLAN & DETAILS**

SHEET NUMBER:

C-3

4

SECTION 4

Environmental Assessment Statement

I. PHYSICAL IMPACT

A. WATER FLOW AND QUALITY

A wetland delineation was conducted at the site and there were no wetlands identified in or immediately adjacent to the proposed access drive or facility compound. The closest wetlands are located approximately 126' south of the proposed compound. Proposed sedimentation and erosion controls will be designed, installed and maintained during construction activities in accordance with the 2002 Connecticut Guidelines For Soil Erosion and Sediment Control which will minimize temporary impacts. No wetlands or inland waterways will be impacted by the proposed Facility.

B. AIR QUALITY

Under ordinary operating conditions, the equipment that would be used at the proposed facility would emit no air pollutants of any kind. An emergency backup power diesel generator would be exercised once a week and comply with the CT DEEP "permit by rule" criteria pursuant to R.C.S.A. §22a-174-3b.

C. LAND

Four (4) trees will need to be removed in order to construct the compound and the access drive. The interior Parcel area to be disturbed for construction is approximately 3,600 s.f. The remaining land of the lessor would remain unchanged by the construction and operation of the facility.

D. NOISE

The equipment to be in operation at the facility would not emit noise other than that provided by the operation of the installed heating, air-conditioning and ventilation system. Some construction related noise would be anticipated during facility construction, which is expected to take approximately four to six weeks. Temporary power outages could involve sound from the emergency generator which is tested weekly.

E. POWER DENSITY

The worst-case calculation of power density from AT&T's operations at the facility would be 14.57% of the federal MPE standard. Attached is a copy of a Radio Frequency Emissions Analysis Report for the facility.

F. SCENIC, NATURAL, HISTORIC & RECREATIONAL VALUES

An evaluation of the proposed Facility's potential effects on historic resources was conducted and concluded that the proposed Facility will have no effect on historic properties listed or eligible for listing on the National Register of Historic Places. Attached is the Preliminary Historic Resources Determination. As noted therein, Homeland Towers will consult with the CT State Historic Preservation Office ("SHPO") to confirm this preliminary finding.

An evaluation of the proposed Facility's potential effects on federally and state listed, threatened, endangered or special concern species was also performed. As set forth in the attached USFWS & NDDDB Compliance report, the proposed Facility is not located within 150' of a known northern long eared bat, a federally-listed threatened species, maternity roost tree or within 0.25 mile of known northern long eared bat hibernaculum. Thus, as determined by the US Fish & Wildlife Service, any take that may occur as a result of the construction of the proposed Facility is not prohibited. Nevertheless, Homeland will consider the protect measures outlined on page 2 of the attached report as the project schedule allows.

A review of the Connecticut Department of Energy & Environmental Protection Wildlife Division Natural Diversity Database ("NDDDB") Map was also conducted. The proposed facility and Parcel are not located within a NDDDB buffer zone as shown in the NDDDB Map included with the USFWS & NDDDB Compliance report attached. As such, consultation with the Department of Energy & Environmental Protection ("DEEP") is not required.

G. SCHOOLS/DAY CARE CENTERS

There are no schools or day care centers located within 250' of the proposed tower site.



C Squared Systems, LLC
65 Dartmouth Drive
Auburn, NH 03032
603-644-2800
support@csquaredsystems.com

Calculated Radio Frequency Exposure



CT2354

60 Vale Road, Brookfield, CT

March 7, 2022

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1. Introduction

The purpose of this report is to investigate compliance with applicable FCC regulations for the proposed installation of the AT&T antenna arrays on a new monopole tower located at 60 Vale Road in Brookfield, CT. The coordinates of the proposed tower are 41° 26' 08.94" N, 73° 23' 57.56" W.

AT&T is proposing the following:

- 1) Install nine (9) multi-band antennas (three (3) per sector) to support its commercial LTE network and the FirstNet National Public Safety Broadband Network ("NPSBN").

This report considers the planned antenna configuration for AT&T¹ to derive the resulting % Maximum Permissible Exposure of its proposed installation.

2. FCC Guidelines for Evaluating RF Radiation Exposure Limits

In 1985, the FCC established rules to regulate radio frequency (RF) exposure from FCC licensed antenna facilities. In 1996, the FCC updated these rules, which were further amended in August 1997 by OET Bulletin 65 Edition 97-01. These new rules include Maximum Permissible Exposure (MPE) limits for transmitters operating between 300 kHz and 100 GHz. The FCC MPE limits are based upon those recommended by the National Council on Radiation Protection and Measurements (NCRP), developed by the Institute of Electrical and Electronics Engineers, Inc., (IEEE) and adopted by the American National Standards Institute (ANSI).

The FCC general population/uncontrolled limits set the maximum exposure to which most people may be subjected. General population/uncontrolled exposures apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or cannot exercise control over their exposure.

Public exposure to radio frequencies is regulated and enforced in units of milliwatts per square centimeter (mW/cm²). The general population exposure limits for the various frequency ranges are defined in the attached "FCC Limits for Maximum Permissible Exposure (MPE)" in Attachment B of this report.

Higher exposure limits are permitted under the occupational/controlled exposure category, but only for persons who are exposed as a consequence of their employment and who have been made fully aware of the potential for exposure, and they must be able to exercise control over their exposure. General population/uncontrolled limits are five times more stringent than the levels that are acceptable for occupational, or radio frequency trained individuals. Attachment B contains excerpts from OET Bulletin 65 and defines the Maximum Exposure Limit.

Finally, it should be noted that the MPE limits adopted by the FCC for both general population/uncontrolled exposure and for occupational/controlled exposure incorporate a substantial margin of safety and have been established to be well below levels generally accepted as having the potential to cause adverse health effects.

¹ As referenced to AT&T's Radio Frequency Design Sheet updated 12/14/2020.

3. RF Exposure Calculation Methods

The power density calculation results were generated using the following formula as outlined in FCC bulletin OET 65, and Connecticut Siting Council recommendations:

$$\text{Power Density} = \left(\frac{1.6^2 \times 1.64 \times \text{ERP}}{4\pi \times R^2} \right) \times \text{Off Beam Loss}$$

Where:

ERP = Effective Radiated Power

R = Radial Distance = $\sqrt{(H^2 + V^2)}$

H = Horizontal Distance from antenna

V = Vertical Distance from radiation center of antenna

Ground reflection factor of 1.6

Off Beam Loss is determined by the selected antenna pattern

These calculations assume that the antennas are operating at 100 percent capacity and power, and that all antenna channels are transmitting simultaneously. Obstructions (trees, buildings, etc.) that would normally attenuate the signal are not taken into account. The calculations assume even terrain in the area of study and do not consider actual terrain elevations which could attenuate the signal. As a result, the predicted signal levels reported below are much higher than the actual signal levels will be from the final installations.

4. Calculation Results

Table 1 below outlines the cumulative power density information for the AT&T installation on the proposed tower and Town of Middletown equipment on the existing tower at the site. The proposed antennas are directional in nature; therefore, the majority of the RF power is focused out towards the horizon. As a result, there will be less RF power directed below the antennas relative to the horizon, and consequently lower power density levels around the base of the tower. Please refer to Attachment C for the vertical pattern of the proposed AT&T antennas. The calculated results for AT&T in Table 1 include a nominal 10 dB off-beam pattern loss to account for the lower relative gain below the antennas.

Carrier	Antenna Height (Feet)	Operating Frequency (MHz)	Number of Trans.	ERP Per Transmitter (Watts)	Power Density (mw/cm ²)	Limit	% MPE
AT&T	161	739	1	3156	0.0047	0.4927	0.96%
AT&T	161	763	1	3541	0.0053	0.5087	1.04%
AT&T	161	885	1	3883	0.0058	0.5900	0.99%
AT&T	161	1900	2	6297	0.0189	1.0000	1.89%
AT&T	161	2100	1	9890	0.0148	1.0000	1.48%
AT&T	161	2300	1	6297	0.0094	1.0000	0.94%
AT&T	161	3500	1	24286	0.0364	1.0000	3.64%
AT&T	161	3500	1	24286	0.0364	1.0000	3.64%
						Total	14.57%

Table 1: Carrier Information

5. Conclusion

The above analysis concludes that RF exposure at ground level from the proposed site will be below the maximum power density levels as outlined by the FCC in the OET Bulletin 65 Ed. 97-01. Using conservative calculation methods, the highest expected percent of Maximum Permissible Exposure at ground level is **14.57% of the FCC General Population/Uncontrolled limit.**

As noted previously, the calculated % MPE levels are more conservative (higher) than the actual signal levels will be from the finished modifications.

6. Statement of Certification

I certify to the best of my knowledge that the statements in this report are true and accurate. The calculations follow guidelines set forth in FCC OET Bulletin 65 Edition 97-01, ANSI/IEEE Std. C95.1 and ANSI/IEEE Std. C95.3.



March 7, 2022
Date

Reviewed/Approved By: Martin J. Lavin
Senior RF Engineer
C Squared Systems, LLC

Attachment A: References

OET Bulletin 65 - Edition 97-01 - August 1997 Federal Communications Commission Office of Engineering & Technology

IEEE C95.1-2005, IEEE Standard Safety Levels With Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz IEEE-SA Standards Board

IEEE C95.3-2002 (R2008), IEEE Recommended Practice for Measurements and Computations of Radio Frequency Electromagnetic Fields With Respect to Human Exposure to Such Fields, 100 kHz-300 GHz IEEE-SA Standards Board

Attachment B: FCC Limits for Maximum Permissible Exposure (MPE)

(A) Limits for Occupational/Controlled Exposure²

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (E) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time E ² , H ² or S (minutes)
0.3-3.0	614	1.63	(100)*	6
3.0-30	1842/f	4.89/f	(900/f ²)*	6
30-300	61.4	0.163	1.0	6
300-1500	-	-	f/300	6
1500-100,000	-	-	5	6

(B) Limits for General Population/Uncontrolled Exposure³

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (E) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time E ² , H ² or S (minutes)
0.3-1.34	614	1.63	(100)*	30
1.34-30	824/f	2.19/f	(180/f ²)*	30
30-300	27.5	0.073	0.2	30
300-1500	-	-	f/1500	30
1500-100,000	-	-	1.0	30

f = frequency in MHz * Plane-wave equivalent power density

Table 2: FCC Limits for Maximum Permissible Exposure (MPE)

² Occupational/controlled limits apply in situations in which persons are exposed as a consequence of their employment provided those persons are fully aware of the potential for exposure and can exercise control over their exposure. Limits for occupational/controlled exposure also apply in situations when an individual is transient through a location where occupational/controlled limits apply provided he or she is made aware of the potential for exposure

³ General population/uncontrolled exposures apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or cannot exercise control over their exposure

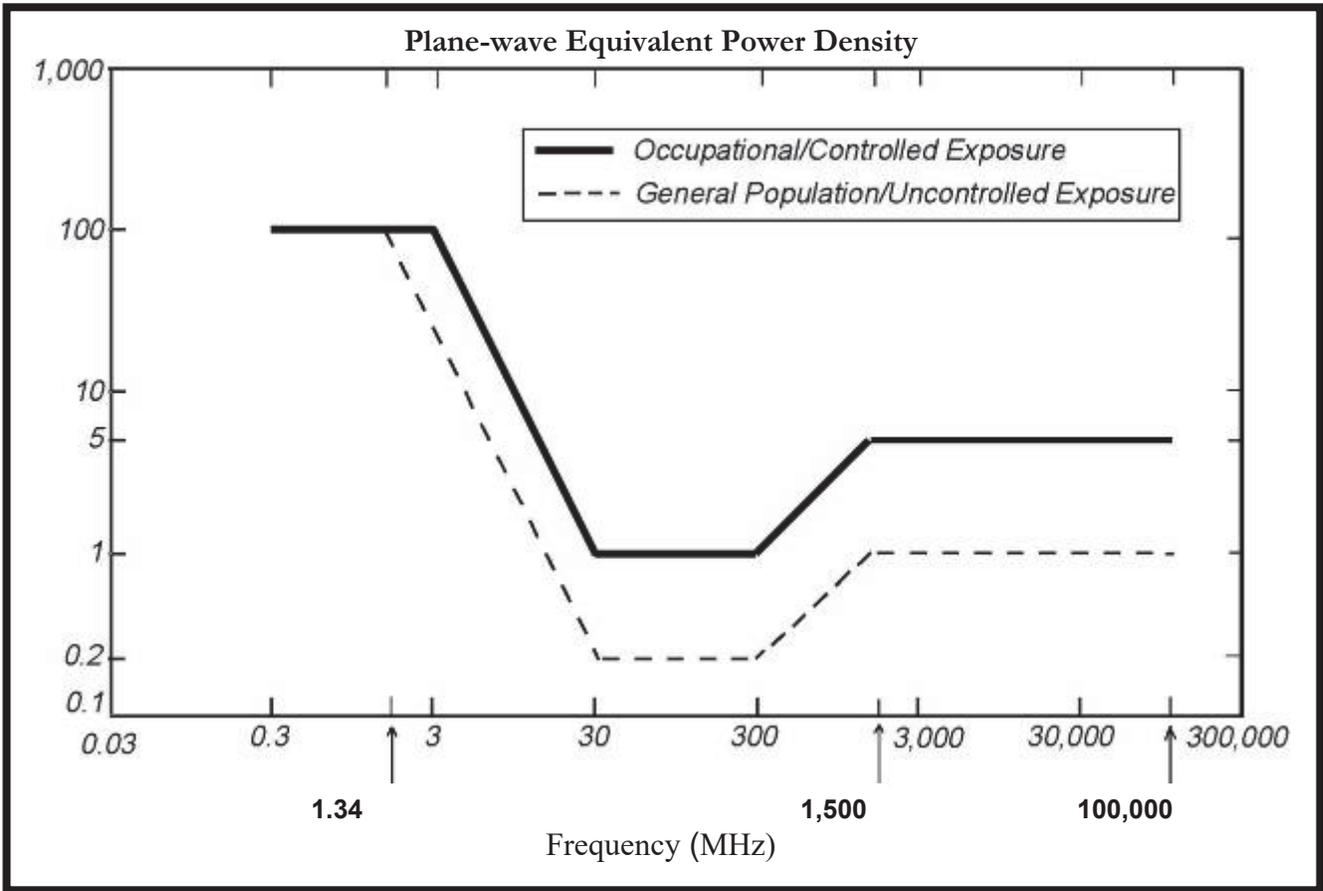
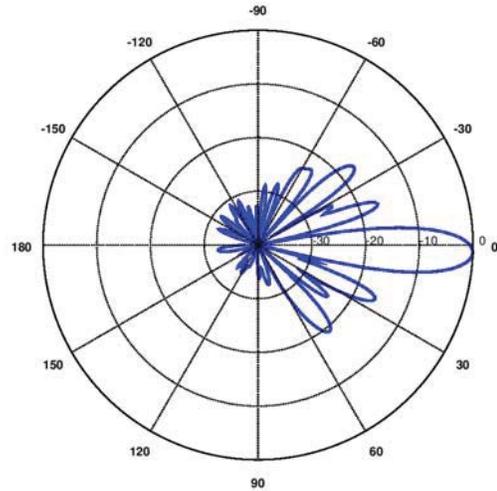


Figure 1: Graph of FCC Limits for Maximum Permissible Exposure (MPE)

Attachment C: AT&T Antenna Data Sheets and Electrical Patterns

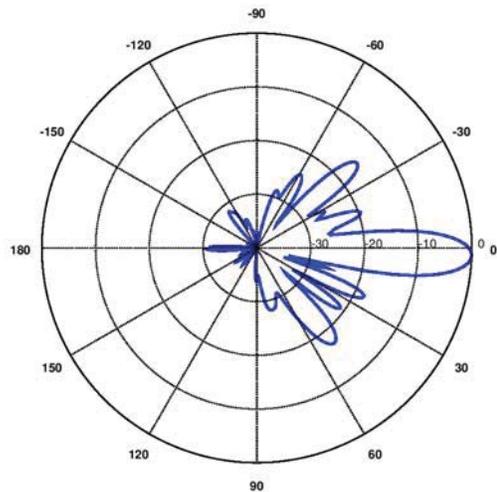
739 MHz

Manufacturer: CCI Products
 Model #: DMP65R-BU8D
 Frequency Band: 698-798 MHz
 Gain: 15.1 dBi
 Vertical Beamwidth: 9.5°
 Horizontal Beamwidth: 75°
 Polarization: Dual Linear 45°
 Size L x W x D: 96.0" x 20.7" x 7.7"



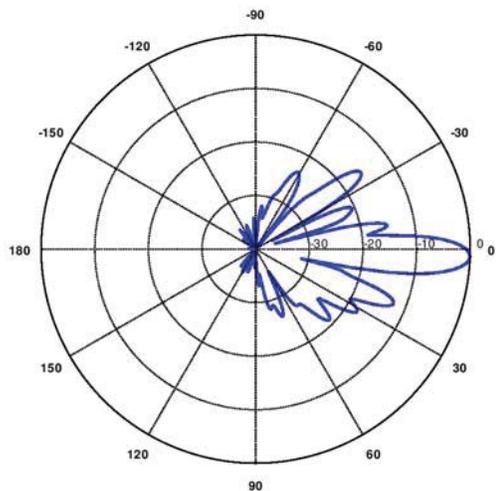
763 MHz

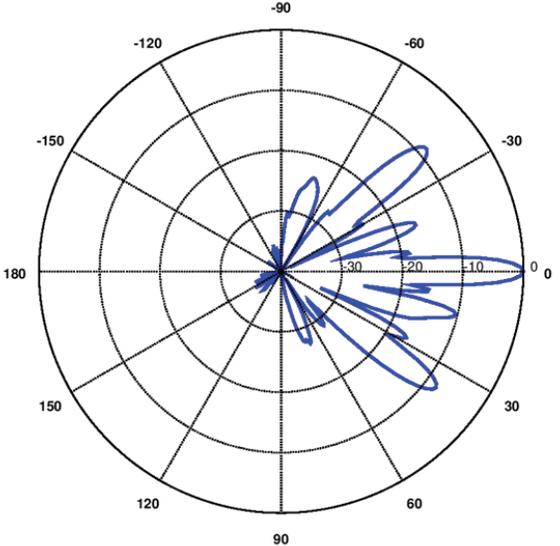
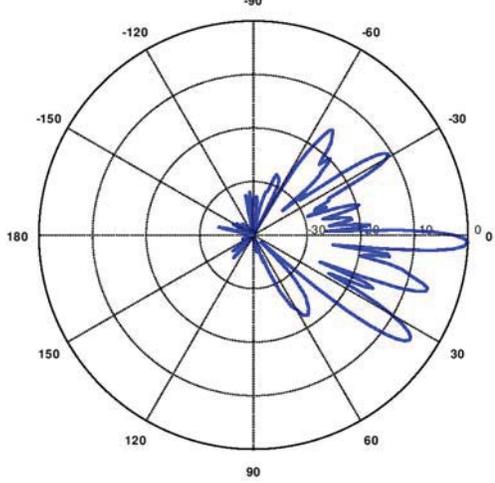
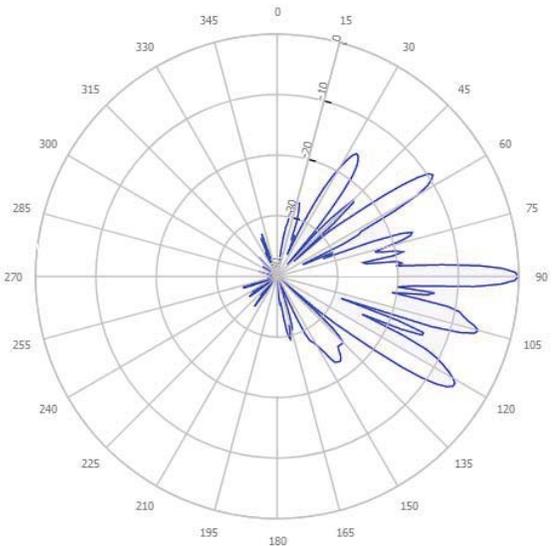
Manufacturer: CCI Products
 Model #: TPA65R-BU8D
 Frequency Band: 698 - 806MHz
 Gain: 15.6 dBi
 Vertical Beamwidth: 9.5°
 Horizontal Beamwidth: 74°
 Polarization: Dual Linear 45°
 Size L x W x D: 96.0" x 20.7" x 7.7"



885 MHz

Manufacturer: CCI Products
 Model #: DMP65R-BU8D
 Frequency Band: 824 - 896 MHz
 Gain: 16.0 dBi
 Vertical Beamwidth: 8.0°
 Horizontal Beamwidth: 64°
 Polarization: Dual Linear 45°
 Size L x W x D: 96.0" x 20.7" x 7.7"



<p>1900 MHz</p> <p>Manufacturer: CCI Products Model #: TPA65R-BU8D Frequency Band: 1920-2180 MHz Gain: 17.1 dBi Vertical Beamwidth: 5.1° Horizontal Beamwidth: 67° Polarization: Dual Linear 45° Size L x W x D: 96.0" x 20.7" x 7.7"</p>	
<p>2100 MHz</p> <p>Manufacturer: CCI Products Model #: TPA65R-BU8D Frequency Band: 1920-2180 MHz Gain: 18.3 dBi Vertical Beamwidth: 4.7° Horizontal Beamwidth: 67° Polarization: Dual Linear 45° Size L x W x D: 96.0" x 20.7" x 7.7"</p>	
<p>2300 MHz</p> <p>Manufacturer: CCI Products Model #: TPA65R-BU8D Frequency Band: 2300 - 2400 MHz Gain: 18.0 dBi Vertical Beamwidth: 4.1° Horizontal Beamwidth: 62° Polarization: Dual Linear 45° Size L x W x D: 96.0" x 20.7" x 7.7"</p>	



**PRELIMINARY HISTORIC
RESOURCES DETERMINATION**

March 4, 2022

**Homeland Towers, LLC
9 Harmony Street, 2nd Floor
Danbury, CT 06810**

**Re: Proposed Telecommunications Facility
60 Vale Road
Brookfield, Connecticut**

On behalf of Homeland Towers, LLC ("Homeland"), All-Points Technology Corporation, P.C. ("APT") performed an evaluation with respect to the proposed Facility's potential effects on historic resources.

APT completed an independent review of the National Register of Historic Places ("NRHP") and SHPO files to determine if any listed sites, or sites eligible for listing, are located proximate to the referenced Site. The results of our review revealed that no such resources are located within a half mile of the Site.¹ Further, no state-registered sites are located proximate to the project Site. Several reported archaeological sites are located within the vicinity of the Project Site; however, they would not be affected by development of the proposed Facility. A cultural resource screening map is provided as an attachment to this memo.

As part of its obligations for compliance with the National Environmental Policy Act ("NEPA"), Homeland has submitted required documentation to the State Historic Preservation Office ("SHPO") for this agency's review and determination. The SHPO submission was prepared by a qualified architectural historian that meets criteria developed by the Secretary of the Interior. This review is still in process.

Based on our research, it is APT's opinion that the proposed Facility would have no effect on historic properties or cultural sites listed or eligible for listing on the NRHP.

Sincerely,

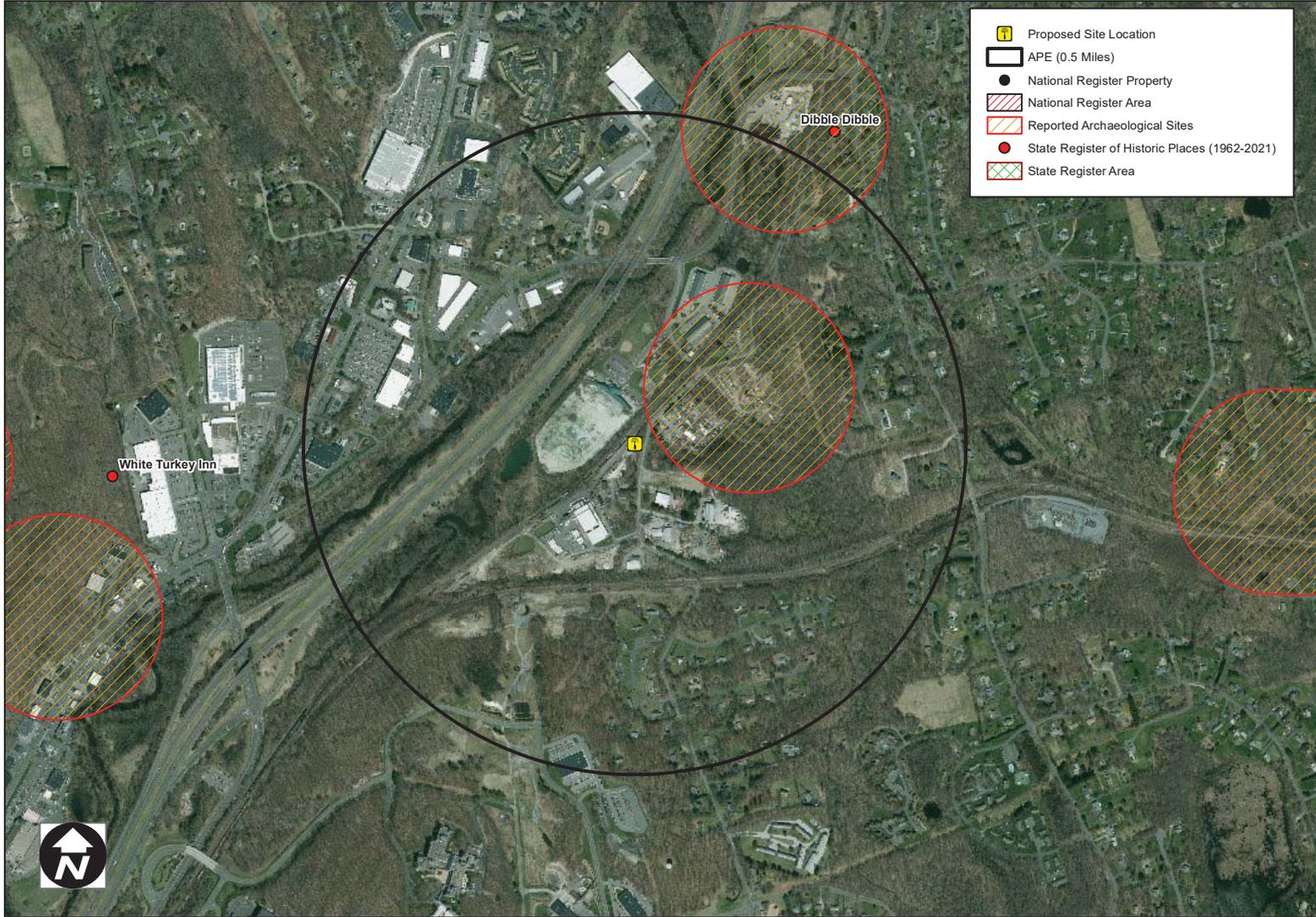
A handwritten signature in black ink that reads "Brian Gaudet".

Brian Gaudet
Project Manager

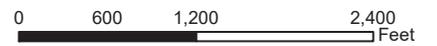
Attachment

¹ For towers under 200 feet tall, the Area of Potential Effect ("APE") has been established at 0.5 mile. This distance represents the APE established cooperatively by the Federal Communications Commission, Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers.

Cultural Resource Screening Map



Cultural Resources Screen
CT2831040 Brookfield 60 Vale Avenue Brookfield, CT
 October 7, 2021 \ USGS QUAD: Danbury



Prepared for All-Points Technology Corp. by Heritage Consultants, 2021



USFWS & NDDB COMPLIANCE

March 2, 2022

Homeland Towers, LLC
9 Harmony Street, 2nd Floor
Danbury, CT 06810

Re: CT076 Brookfield South Facility: 60 Vale Road, Brookfield, Connecticut
APT Job No: CT2831040

On behalf of Homeland Towers, LLC ("Homeland"), All-Points Technology Corporation, P.C. ("APT") performed an evaluation with respect to possible federally- and state-listed, threatened, endangered or special concern species in order to determine if the proposed referenced telecommunications facility ("Facility") would result in a potential adverse effect to listed species.

APT understands that Homeland proposes the construction of a telecommunication facility with a ±165-foot-tall monopole tower within a ±45-foot by ±80-foot lease area that includes a ±45-foot by ±70-foot gravel based fenced equipment compound. An access drive and underground electrical and telephone service will extend from Vale Road to property at 60 Vale Road in Brookfield, Connecticut ("Subject Property").

USFWS

The federal consultation was completed in accordance with Section 7 of the Endangered Species Act through the U.S. Fish and Wildlife Service's ("USFWS") Information, Planning, and Conservation System ("IPaC"). Based on the results of the IPaC review, one federally-listed¹ threatened species are known to occur in the vicinity of the Subject Property documented as the northern long-eared bat ("NLEB"; *Myotis septentrionalis*). As a result of this preliminary finding, APT performed an evaluation to determine if the proposed referenced Facility would result in a likely adverse effect to NLEB.

The proposed Facility would be located within an existing cleared area associated with the industrial development that occupies the Subject Property. Limited tree clearing is anticipated for the proposed Facility and utility interconnection (trees provided potential NLEB habitat). A review of the Connecticut Department of Energy & Environmental Protection ("CTDEEP") Wildlife Division Natural Diversity Data Base ("NDDB") NLEB habitat map² revealed that the proposed Facility is not within 150 feet of a known occupied NLEB maternity roost tree and is not within 0.25 mile of a known NLEB hibernaculum. The nearest NLEB habitat resource to the proposed Facility is located ±8.6 miles to the northeast in Bridgewater, Connecticut.

APT submitted the effects determination using the NLEB key within the IPaC system for the proposed Facility (the "Action"). This IPaC key assists users in determining whether a Federal action is consistent with the activities analyzed in the USFWS's January 5, 2016, intra-Service Programmatic Biological Opinion ("PBO") on the Final 4(d) Rule for the NLEB for Section 7(a)(2) compliance.

¹ Listing under the federal Endangered Species Act

² *Northern long-eared bat areas of concern in Connecticut to assist with Federal Endangered Species Act Compliance* map. February 1, 2016.

Based upon the IPaC submission, the Action is consistent with activities analyzed in the PBO; please refer to the enclosed February 16, 2022, USFWS letter. The Action may affect NLEB; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). If the USFWS does not respond within 30 days from the date of the letter (March 18, 2022), one may presume that the IPaC-assisted determination was correct and that the PBO satisfies and concludes Homeland's responsibilities for this Action under ESA Section 7(a)(2) with respect to NLEB.

In addition, Homeland would consider the following additional recommended voluntary measures for NLEB conservation, as encouraged in the April 29, 2016, FCC Public Notice³, as the project schedule allows.

- Conduct tree removal activities outside of the NLEB pup season (June 1-July 31) and active season (April 1-October 31) to minimize impacts to pups at roosts not yet identified.
- Avoid clearing suitable spring staging and fall swarming habitat within a five-mile radius of known or assumed NLEB hibernacula during the staging and swarming seasons (April 1-May 15 and August 15-November 14, respectively). *Not applicable: site is located > 5 miles from the nearest hibernacula.*
- Maintain dead trees (snags) and large trees when possible.
- Use herbicides and pesticides only if unavoidable. If necessary, spot treatment is preferred over aerial application.
- Minimize exterior lighting, opting for down-shielded, motion-sensor security lights instead of constant illumination.

NDDB

No known areas of state-listed species are currently depicted on the most recent CTDEEP NDDB Maps in the location of the proposed Facility or Subject Property. Please refer to the enclosed NDDB Map which depicts the nearest NDDB buffer ±0.17 mile northwest of the Subject Property. Since the Subject Property is not located within a NDDB buffer area, consultation with DEEP is not required in accordance with their review policy⁴.

Therefore, the proposed Facility is not anticipated to adversely impact any federal or state threatened, endangered or special concern species.

Sincerely,
All-Points Technology Corporation, P.C.



Dean Gustafson
Senior Biologist

Enclosures

³ Federal Communications Commission. *Tower Construction Guidance for Protection of Northern Long-Eared Bat Under the Endangered Species Act*. Public Notice DA 16-476. April 29, 2016.

⁴ DEEP Requests for NDDB State Listed Species Reviews.

http://www.ct.gov/deep/cwp/view.asp?a=2702&q=323466&deepNav_GID=1628%20

USFWS NLEB Letter



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104
<http://www.fws.gov/newengland>

In Reply Refer To:
Project code: 2022-0004252
Project Name: Homeland Brookfield South

February 16, 2022

Subject: Consistency letter for the 'Homeland Brookfield South' project indicating that any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o).

Dear Deborah Gustafson:

The U.S. Fish and Wildlife Service (Service) received on February 16, 2022 your effects determination for the 'Homeland Brookfield South' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. You indicated that no Federal agencies are involved in funding or authorizing this Action. This IPaC key assists users in determining whether a non-Federal action may cause “take”^[1] of the northern long-eared bat that is prohibited under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.

Please report to our office any changes to the information about the Action that you entered into IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation.

If your Action proceeds as described and no additional information about the Action’s effects on species protected under the ESA becomes available, no further coordination with the Service is required with respect to the northern long-eared bat.

The IPaC-assisted determination for the northern long-eared bat **does not** apply to the following ESA-protected species that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species listed above.

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Homeland Brookfield South

2. Description

The following description was provided for the project 'Homeland Brookfield South':

Homeland Towers is proposing a +/-165-foot AGL Monopole within a 45-foot X 70-foot fenced gravel compound area within a proposed 45-foot X 80-foot lease area.

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.43450285,-73.3997548365441,14z>



Determination Key Result

This non-Federal Action may affect the northern long-eared bat; however, any take of this species that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR §17.40(o).

Determination Key Description: Northern Long-eared Bat 4(d) Rule

This key was last updated in IPaC on **May 15, 2017**. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for non-Federal actions is to assist determinations as to whether proposed actions are excepted from take prohibitions under the northern long-eared bat 4(d) rule.

If a non-Federal action may cause prohibited take of northern long-eared bats or other ESA-listed animal species, we recommend that you coordinate with the Service.

Determination Key Result

Based upon your IPaC submission, any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o).

Qualification Interview

1. Is the action authorized, funded, or being carried out by a Federal agency?

No

2. Will your activity purposefully **Take** northern long-eared bats?

No

3. [Semantic] Is the project action area located wholly outside the White-nose Syndrome Zone?

Automatically answered

No

4. Have you contacted the appropriate agency to determine if your project is near a known hibernaculum or maternity roost tree?

Location information for northern long-eared bat hibernacula is generally kept in state Natural Heritage Inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited. A web page with links to state Natural Heritage Inventory databases and other sources of information on the locations of northern long-eared bat roost trees and hibernacula is available at www.fws.gov/midwest/angered/mammals/nleb/nhisites.html.

Yes

5. Will the action affect a cave or mine where northern long-eared bats are known to hibernate (i.e., hibernaculum) or could it alter the entrance or the environment (physical or other alteration) of a hibernaculum?

No

6. Will the action involve Tree Removal?

Yes

7. Will the action only remove hazardous trees for the protection of human life or property?

No

8. Will the action remove trees within 0.25 miles of a known northern long-eared bat hibernaculum at any time of year?

No

9. Will the action remove a known occupied northern long-eared bat maternity roost tree or any trees within 150 feet of a known occupied maternity roost tree from June 1 through July 31?

No

Project Questionnaire

If the project includes forest conversion, report the appropriate acreages below. Otherwise, type '0' in questions 1-3.

1. Estimated total acres of forest conversion:

0.2

2. If known, estimated acres of forest conversion from April 1 to October 31

0.2

3. If known, estimated acres of forest conversion from June 1 to July 31

0.2

If the project includes timber harvest, report the appropriate acreages below. Otherwise, type '0' in questions 4-6.

4. Estimated total acres of timber harvest

0

5. If known, estimated acres of timber harvest from April 1 to October 31

0

6. If known, estimated acres of timber harvest from June 1 to July 31

0

If the project includes prescribed fire, report the appropriate acreages below. Otherwise, type '0' in questions 7-9.

7. Estimated total acres of prescribed fire

0

8. If known, estimated acres of prescribed fire from April 1 to October 31

0

9. If known, estimated acres of prescribed fire from June 1 to July 31

0

If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.

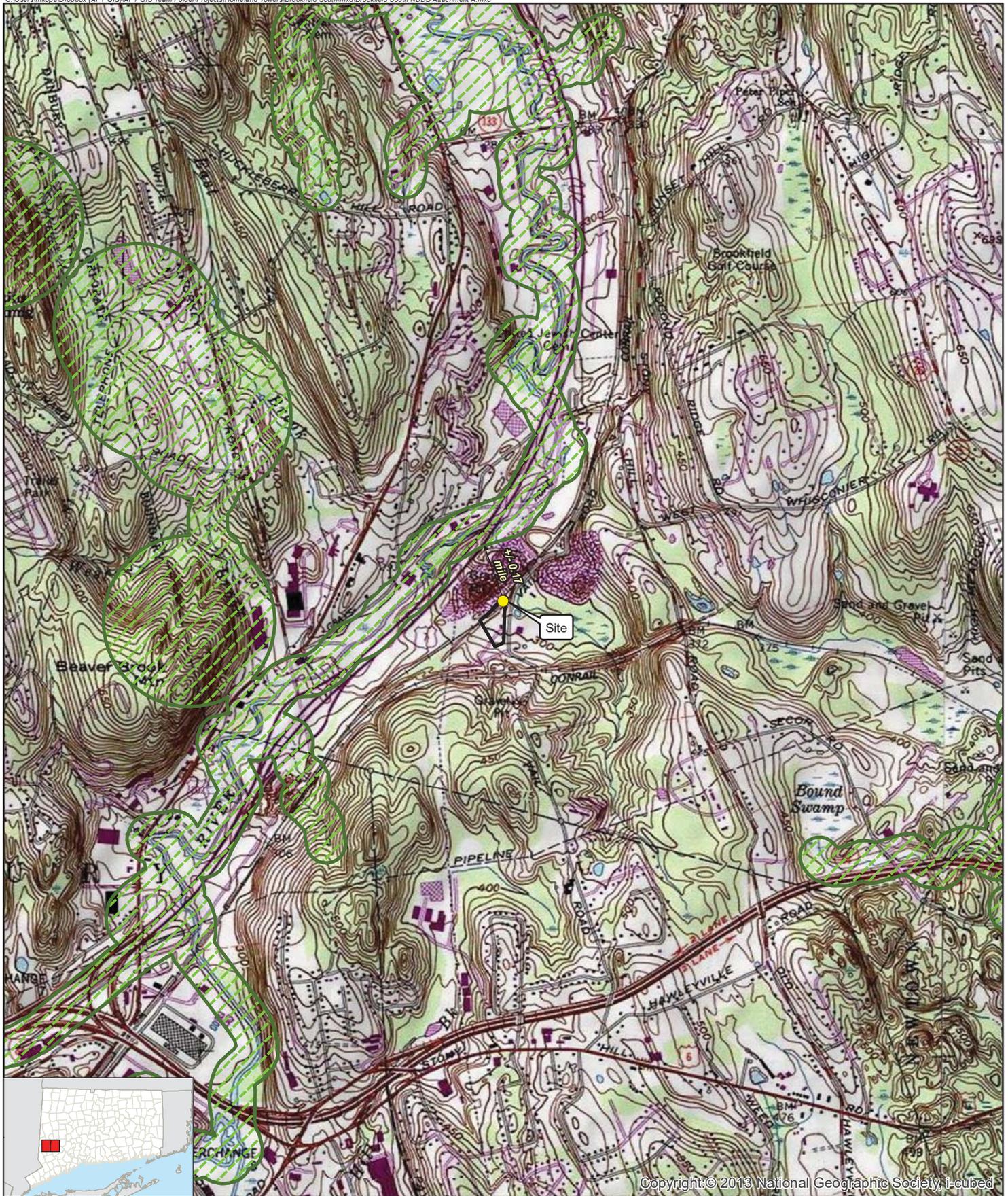
10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?

0

IPaC User Contact Information

Name: Deborah Gustafson
Address: 567 Vauxhall Street Extension
City: Waterford
State: CT
Zip: 06235
Email: dleonardo@allpointstech.com
Phone: 8609849514

NDDDB Map



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NDDB Map

- Legend**
-  Proposed Tower
 -  Subject Property
 -  Natural Diversity Database (updated Dec 2021)

Map Notes:
 Base Map Source: USGS 7.5 Minute Topographic
 Quadrangle Maps, Danbury, CT (1984) and Newtown, CT (1984)
 Map Scale: 1:24,000
 Map Date: February 2022



Proposed Wireless
 Telecommunications Facility
 Brookfield South
 60 Vale Road
 Brookfield, Connecticut



5

SECTION 5

Visibility Analysis

Enclosed is a preliminary evaluation of the visibility associated with the proposed Facility. As set forth in the enclosed Preliminary Visual Assessment, the results are intended to provide a representation of areas where portions of the Facility may be visible without the aid of magnification. However, it is important to note that the proposed Facility may not be visible from all locations identified in the preliminary viewshed analysis map due to predictive model limitations and the fact that the computer model tends to over-predict visibility. The preliminary results will be field-verified and the final visual analysis will be included with Homeland's Siting Council Application.

Based on the enclosed Preliminary Visual Assessment, the proposed Facility could be visible from approximately 35 acres for year-round views and approximately 95 acres of season views (collectively less than 1.2% of the 8,042-acre visibility Study Area). As shown in the Preliminary Viewshed Analysis Map, the majority of year-round visibility occurs within 0.25 mile of the proposed Facility. Seasonal visibility is limited mostly to locations within 0.25 to 0.5 mile surrounding the Facility and to the southwest over Route 7. Based on the preliminary assessment, it is anticipated that the proposed Facility will have a minimal visual impact.

Date: April 1, 2022

To: Homeland Towers, LLC
9 Harmony Street, 2nd Floor
Danbury, CT 06810

From: Brian Gaudet

Re: Proposed Telecommunications Facility
60 Vale Road
Brookfield, Connecticut

Homeland Towers, LLC ("Homeland") has identified a proposed location for development of a wireless telecommunications facility ("Facility") at 60 Vale Road in Brookfield, Connecticut (the "Host Property"). The proposed Facility would include a 165-foot-tall steel monopole, with AT&T antennas top height at 165' above ground level ("AGL"), the Town of Brookfield antennas top height at 191' AGL, and equipment within a ± 45 -foot by ± 70 -foot fenced compound (the "Facility") located in the northern portion of the Host Property.

The Host Property is a ± 19.57 -acre parcel located on the western side of Vale Road. The Host Property is developed with commercial buildings and a storage yard situated immediately southeast of a railroad right-of-way ("ROW"). The rail line splits about 0.5 mile west of the Host Property such that a second, separate railroad ROW extends eastward approximately 900 feet to the south of the Facility location. An electrical transmission line corridor, which includes multiple lattice support structures and overhead wires, shares the southern railroad ROW. Abutting and surrounding land use within the immediate area is primarily commercial and industrial. Route 7 is located to the north and west of the Host Property. Residentially developed properties are located farther to the south, beyond the railroad/electrical ROW, and east beyond the industrial/commercial development.

At the request of Homeland, All-Points Technology Corporation, P.C. ("APT") has prepared initial viewshed mapping to provide a preliminary evaluation of the visibility associated with the proposed Facility. To conduct this assessment, a predictive computer model was developed specifically for this project using ESRI's ArcMap Geographic Information System ("GIS")¹ software and available GIS data. The predictive model provides an initial estimate of potential visibility throughout a pre-defined "Study Area", in this case a two-mile radius surrounding the proposed Facility location.

The predictive model incorporates project and Study Area-specific data, including the Facility location, its ground elevation and the proposed Facility height, as well as the surrounding topography, existing vegetation,

¹ ArcMap is a Geographic Information System desktop application developed by the Environmental Systems Research Institute for creating maps, performing spatial analysis, and managing geographic data.

and structures (the primary features that can block direct lines of sight). The Study Area extends into the neighboring municipalities of Danbury to the west, Bethel to the south, and Newtown to the southeast. A digital surface model ("DSM"), capturing both the natural and built features on the Earth's surface, was generated for the extent of the Study Area utilizing State of Connecticut 2016 LiDAR² LAS³ data points. LiDAR is a remote-sensing technology that develops elevation data by measuring the time it takes for laser light to return from the surface to the instrument's sensors. The varying reflectivity of objects also means that the "returns" can be classified based on the characteristics of the reflected light, normally into categories such as "bare earth," "vegetation," "road," or "building". Derived from the 2016 LiDAR data, the LAS datasets contain the corresponding elevation point data and return classification values. The Study Area DSM incorporates the first return LAS dataset values that are associated with the highest feature in the landscape, typically a treetop, top of a building, and/or the highest point of other tall structures.

Once the DSM was generated, ESRI's Viewshed Tool was utilized to identify locations within the Study Area where the proposed Facility may be visible. ESRI's Viewshed Tool predicts visibility by identifying those cells⁴ within the DSM that can be seen from an observer location. Cells where visibility was indicated were extracted and converted from a raster dataset to a polygon feature which was then overlaid onto an aerial photograph and topographic base map. Since the DSM includes the highest relative feature in the landscape, isolated "visible" cells are often indicated within heavily forested areas (e.g., from the top of the highest tree) or on building rooftops during the initial processing. It is recognized that these areas do not represent typical viewer locations and overstate visibility. As such, the resulting polygon feature is further refined by extracting those areas. The viewshed results are also cross-checked against the most current aerial photographs to assess whether significant changes (a new housing development, for example) have occurred since the time the LiDAR-based LAS datasets were captured.

The results of the preliminary analysis are intended to provide a representation of those areas where portions of the Facility may potentially be visible to the human eye without the aid of magnification, based on a viewer eye-height of five (5) feet above the ground and the combination of intervening topography, trees and other vegetation, and structures. However, the Facility may not necessarily be visible from all locations within those areas identified by the predictive model, which has limitations. For instance, it is important to note that the computer model cannot account for mass density, tree diameters and branching variability of trees, or the degradation of views that occurs with distance. As a result, some areas depicted on the viewshed maps as theoretically offering potential visibility of the Facility may be over-predicted because the quality of those views is not sufficient for the human eye to recognize the Facility or discriminate it from other surrounding or intervening objects.

Visibility also varies seasonally with increased, albeit obstructed, views occurring during "leaf-off" conditions. Beyond the variabilities associated with density of woodland stands found within any given Study Area, each individual tree also has its own unique trunk, pole timber and branching patterns that provide varying degrees of screening in leafless conditions which, as introduced above, cannot be precisely modeled. Seasonal visibility is therefore estimated based on a combination of factors including the type, size, and density of trees within a given area; topographic constraints; and other visual obstructions that may be present. Taking into account these considerations, areas depicting seasonal visibility on the viewshed maps are intended to represent

² Light Detection and Ranging.

³ An LAS file is an industry-standard binary format for storing airborne LiDAR data.

⁴ Each DSM cell size is 1 square meter.

locations from where there is a potential for views through intervening trees, as opposed to indicating that leaf-off views will exist from within an entire seasonally-shaded area.

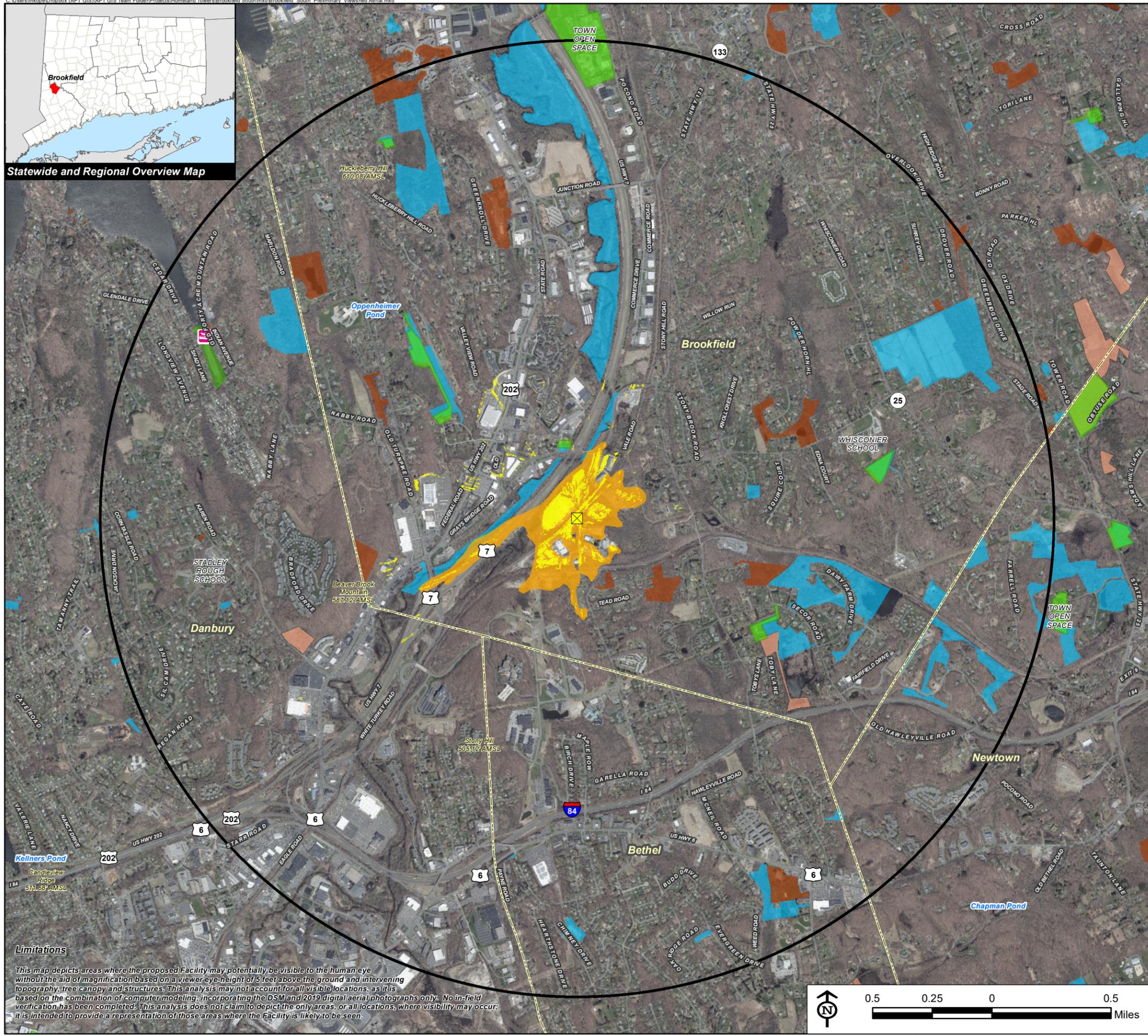
The preliminary viewshed mapping results indicate that the majority of predicted year-round visibility occurs within 0.25 mile of the Facility location. Additional year-round views are predicted at distances approaching 0.75 mile primarily from locations to the north and northwest within commercially developed properties along Federal Road. Similarly, seasonal visibility appears limited primarily to locations within 0.25 to 0.5 mile surrounding the Facility while also extend to the southwest over Route 7. The predictive model suggests that limited, seasonal views may extend slightly into the residential areas to the south and west beyond the industrial/commercial development and shared railroad/electrical ROW.

The results of this initial viewshed mapping indicate the total "footprint" of visibility of the proposed Facility would have a minimal aesthetic impact on the Study Area. Predicted visibility associated with the proposed Facility could include up to approximately 35 acres of year-round views and approximately 95 acres of seasonal views ($\pm 0.43\%$ and $\pm 1.18\%$, respectively, of the 8,042-acre Study Area).

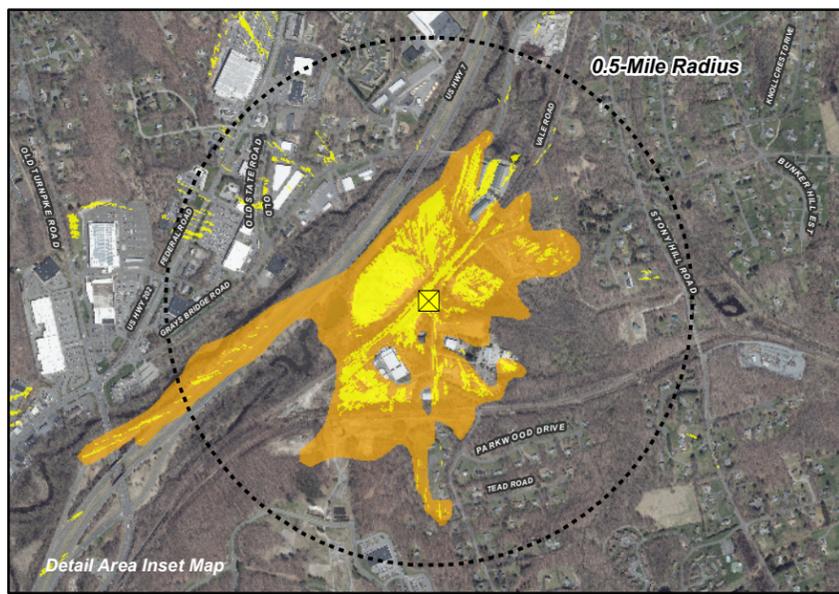
No schools or commercial day care centers are located within 250 feet of the proposed Facility. Montessori Community School is located approximately 1.12 miles northeast of the site at 21 W Whisconier Road. No visibility is predicted at this location. The nearest commercial child care center is Country Kids Child Care, approximately 0.38 mile to the north at 107 Old State Road. Intermittent pockets of year-round visibility are predicted in the vicinity of this location.

The maps provided as attachments offer a preliminary basis for understanding the extent of visibility that may occur throughout the Study Area, but they do not address the character of those potential views. Note also that the results of the computer model have not been field verified. Our experience is that the computer model's sensitivity typically results in the initial mapping being over-predictive of the Facility's viewshed. These initial results will be field-verified and presented in Homeland's application to the Connecticut Siting Council for a Certificate of Environmental Compatibility and Public Need.

Attachments



Statewide and Regional Overview Map



Detail Area Inset Map

Preliminary Viewshed Analysis Map

Proposed Wireless Telecommunications Facility
 Brookfield South
 60 Vale Road
 Brookfield, Connecticut

Proposed facility height is 165 feet AGL.
 Forest canopy height is derived from LIDAR data.
 Study area encompasses a two-mile radius and includes 8,042 acres.
 Information provided on this map has not been field verified
 Base Map Source: 2019 Aerial Photograph (CTECO)
 Map Date: November 2021

Legend

- Proposed Site
- Study Area (2-Mile Radius)
- Predicted Year-Round Visibility (35 Acres)
- Areas of Potential Seasonal Visibility (95 Acres)
- Municipal Boundary
- Trail
- Scenic Highway
- DEEP Boat Launches
- Municipal and Private Open Space Property
- State Forest/Park
- Protected Open Space Property**
- Federal
- Land Trust
- Municipal
- Private
- State

Data Sources:

Physical Geography / Background Data
 A digital surface model (DSM) was created from the State of Connecticut 2016 LiDAR LAS data points. The DSM captures the natural and built features on the Earth's surface.

Municipal Open Space, State Recreation Areas, Trails, County Recreation Areas, and Town Boundary data obtained from CT DEEP. Scenic Roads: CTDOT State Scenic Highways (2015); Municipal Scenic Roads (compiled by APT)

Dedicated Open Space & Recreation Areas
 Connecticut Department of Energy and Environmental Protection (DEEP): DEEP Property (May 2007); Federal Open Space (1997); Municipal and Private Open Space (1997); DEEP Boat Launches (1994)

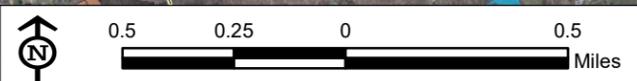
Connecticut Forest & Parks Association, Connecticut Walk Books East & West

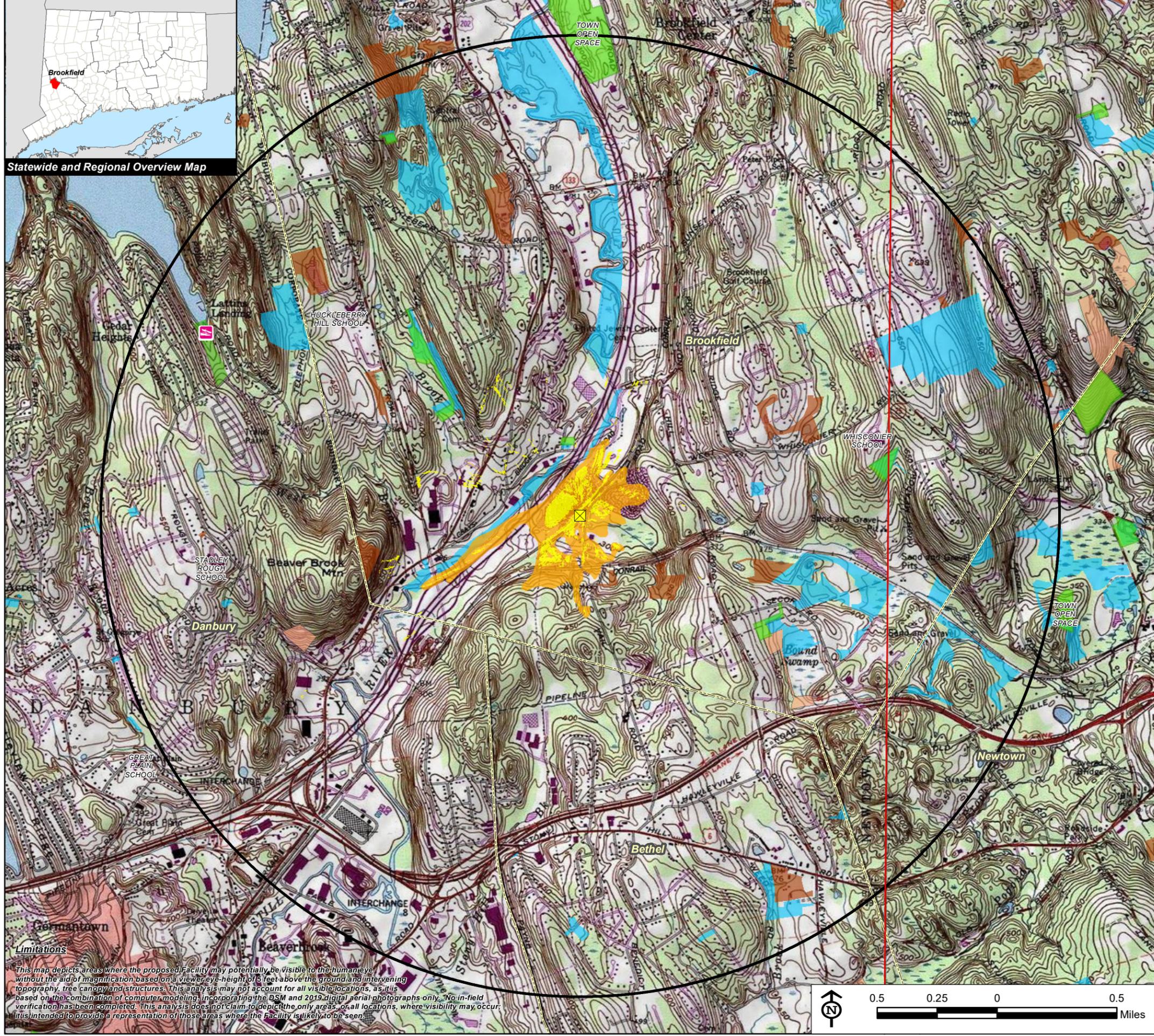
Other
 CTDOT Scenic Strips (based on Department of Transportation data)

Notes

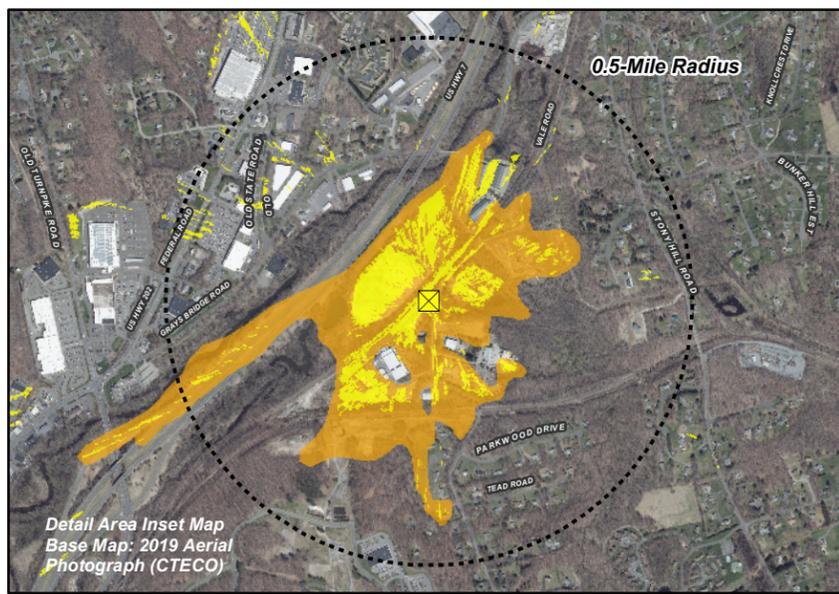
**Not all the sources listed above appear on the Viewshed Maps. Only those features within the scale of the graphic are shown.

Limitations
 This map depicts areas where the proposed Facility may potentially be visible to the human eye without the aid of magnification based on a viewer eye-height of 5 feet above the ground and intervening topography, tree canopy and structures. This analysis may not account for all visible locations, as it is based on the combination of computer modeling, incorporating the DSM and 2019 digital aerial photographs only. No in-field verification has been completed. This analysis does not claim to depict the only areas, or all locations, where visibility may occur; it is intended to provide a representation of those areas where the Facility is likely to be seen.





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Detail Area Inset Map
Base Map: 2019 Aerial
Photograph (CTECO)

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Brookfield, Connecticut

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Study area encompasses a two-mile radius and includes 8,042 acres.
Information provided on this map has not been field verified
Base Map Source: USGS 7.5 Minute Topographic
Quadrangle Map, Danbury, CT (1984) and Newtown, CT (1984)
Map Date: November 2021

Legend

- Proposed Site
- Quads
- Study Area (2-Mile Radius)
- Predicted Year-Round Visibility (35 Acres)
- Areas of Potential Seasonal Visibility (95 Acres)
- Municipal Boundary
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