



**TOWN OF BROOKFIELD**

BROOKFIELD, CT 06804

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**NOTICE OF APPLICATION FOR REGULATION CHANGE**

**02/06/15**

Town Clerk  
City of Danbury  
115 Deer Hill Ave.  
Danbury, Ct 06811

Town Clerk  
Town of Newtown  
45 Main Street  
Newtown, CT 06470

Town Clerk ✓  
Town of Bethel  
1 School Street  
Bethel, CT 06801

Town Clerk  
Town of Bridgewater  
P.O. Box 216  
Bridgewater, CT 06752

Town Clerk  
Town of New Milford  
10 Main Street  
New Milford, CT 06776

Town Clerk  
Town of New Fairfield  
4 Bush Hill Road  
New Fairfield, CT 06812

**Re: Application for Brookfield Zoning Regulation Changes**

On February 26, 2015 the Zoning Commission will hold a Public Hearing in Town Hall at 7:30 pm, on the following Applications for regulation changes:

Application #201500050: Section 242-202 and Section 242-501 – Brewpubs

Application #201500052: Section 242-202 and Section 242-501 – Drive-Through Restaurants

Application #201500053: Section 242-309C(2) – Vertical Expansion of a non-conforming building or structure

Copies of the proposed regulation changes are attached.

Very truly yours,

Nina Mack  
Land Use and Zoning Commission Secretary

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TOWN CLERK



**TOWN OF BROOKFIELD  
ZONING COMMISSION**

# 2015-0000

**APPLICATION FOR ZONE OR REGULATION CHANGE**

**Applicant:**

Zoning Commission  
Brookfield Town Hall  
Brookfield, CT 06804  
Phone #: 203-775-7316  
Contact Person: Ryan Blessey  
Phone #: 203-775-7316

**Land Owner of Record:** (if for specific parcel)

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\_\_\_\_\_  
\_\_\_\_\_  
Phone #: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Phone #: \_\_\_\_\_

**Regulation Change:**

A. The current Section Numbers are: 242-202 & 242-501.

Currently, there is no definition, nor use in the Table of Permitted Uses concerning breweries, brewpubs, etc.

B. The proposed text is:

**Section 242-202:**

Brewery – a facility where beer can be manufactured, stored, bottled and sold at wholesale or at retail in sealed containers for consumption off premises or offered for on the premises tastings.

Brewpub/restaurant – a facility where beer can be manufactured, stored, bottled, sold at wholesale or at retail 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.

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**Section 242-501: Table of Permitted Uses – Industrial and Commercial Districts:**

PERMITTED USE:	IR80 SE	IR80N	IL80	ILC80 SE	IRC 80/40	RC 41	RS 40	TCD
Manufacturing/Production: includes, but not necessarily limited to: raw material processing, fabrication, stamping, extruding, assembly, testing & finishing of the following commodities:								
Casting, concrete only			80		80			
Instruments, scientific, medical, musical	80R	80R	80R	80R	80R			
Machinery & tools	80R	80R	80R	80R	80R			
<b>Products/Supplies/Equipment:</b>								
Automotive	80R	80R	80R	80R	80R			
Beer (brewery or brewpub)	40	40	40	40	40			10
Building Materials	80R	80R	80R	80R	80R			
Chemical Compounds, non-hazardous	80R	80R	80R	80R	80R			
Pharmaceuticals, non hazardous materials	80R	80R	80R	80R	80R			
Electronic	80R	80R	80R	80R	80R			
Food, Candy	80R	80R	80R	80R	80R			
Hardware	80R	80R	80R	80R	80R			
Household	80R	80R	80R	80R	80R			
Marine	80R	80R	80R	80R	80R			
Office/Business	80R	80R	80R	80R	80R			
Optical	80R	80R	80R	80R	80R			
Sporting Goods	80R	80R	80R	80R	80R			
Textile	80R	80R	80R	80R	80R			

PERMITTED USE:	IR80 SE	IR80N	IL80	ILC80 SE	IRC 80/40	RC 41	RS 40	TCD
<b>Research Laboratories:</b>								
Note: Requires HAZMAT control plan	80	80	80	80	80			
<b>Restaurants &amp; Taverns:</b>								
Cocktail Lounges/Cabarets				40C	40C			10
Diners/Coffee Shops			80C	40C	40C	40C		10
Drive-Thru Restaurants				40C	40C	40C		
Full Service -tables, liquor, takeout			40C	40C	40C	40C	40C	10
Taverns, Brew pub with food			40	40	40	40		10

C. Rationale for the requested change is: There is currently no definition nor use that describes a brewery or brewpub and it does not appear in the Table of Permitted Uses.

**Signature and Representation:**

I apply herewith for a change in the Zoning Regulation of the Town of Brookfield in accordance with Chapter 124, Section 8-3 of the Connecticut General Statutes.

Applicant's Signature: Ryan Blasing / [Signature]



# TOWN OF BROOKFIELD ZONING COMMISSION

#201500052

## APPLICATION FOR ZONE OR REGULATION CHANGE

**Applicant:**

**Land Owner of Record:** (if for specific parcel)

Zoning Commission  
Brookfield Town Hall  
Brookfield, CT 06804  
Phone #: 203-775-7316  
Contact Person: Fran Lollie  
Phone #: 203-775-7316

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 Phone #: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_  
 Phone #: \_\_\_\_\_

**Regulation Change:**

**A. The current Section Numbers 242-202 & 242-501:**

**§242-202:**

**DRIVE-THROUGH RESTAURANT**

A drive-through facility is defined as one at which a patron, remaining in his or her car at all times, places, receives and pays for the order via a service window and continues driving through the order aisle and out into the existing lanes of traffic. *[added 11/8/82, revised eff. 11/1/12]*

**§242-501: Table of Permitted Uses – Industrial and Commercial Districts:**

PERMITTED USE:	IR80 SE	IR80N	IL80	ILC80S E	IRC 80/40	RC 41	RS 40	TCD
<b>Research Laboratories:</b>								
Note: Requires HAZMAT control plan	80	80	80	80	80			
<b>Restaurants &amp; Taverns:</b>								
Cocktail Lounges/Cabarets				40C	40C			10
Diners/Coffee Shops			80C	40C	40C	40C		10
Drive-Thru Restaurants				40C	40C	40C		
Full Service -tables, liquor, takeout			40C	40C	40C	40C	40C	10
Taverns			40	40	40	40		10
<b>Sales:</b>								
Adult Oriented Business					40C			
General Retail, products, supplies, equipment				40	40	40		10
Flower, Nursery, Garden Centers				40C	40C	40C		10
Food Products				40	40	40		10

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PERMITTED USE:	IR80 SE	IR80N	IL80	ILC80S E	IRC 80/40	RC 41	RS 40	TCD
Alcoholic Beverages				40C	40C	40C		10
Supermarkets					80			10
Major Shopping Centers			C	C	C	C		
Salesrooms with outdoor displays: Auto/boats/trailers					80			
Wholesale Establishments		80	80	80	80			

## B. The proposed text for Section Numbers: 242-202 & 242-501

### §242-202:

#### **DRIVE-THROUGH RESTAURANT FACILITY**

A drive-through facility is defined as one at which a patron, remaining in his or her car at all times, places, receives and pays for ~~the~~ an order via a service window and continues driving through the order aisle and out into the existing lanes of traffic. *[added 11/8/82, revised eff. 11/1/12]*

### §242-501: Table of Permitted Uses – Industrial and Commercial Districts:

PERMITTED USE:	IR80 SE	IR80N	IL80	ILC80S E	IRC 80/40	RC 41	RS 40	TCD
<b>Research Laboratories:</b>								
Note: Requires HAZMAT control plan	80	80	80	80	80			
<b>Restaurants &amp; Taverns:</b>								
Cocktail Lounges/Cabarets				40C	40C			10
Diners/Coffee Shops			80C	40C	40C	40C		10
<del>Drive Thru Restaurants</del>				<del>40C</del>	<del>40C</del>	<del>40C</del>		
Full Service -tables, liquor, takeout			40C	40C	40C	40C	40C	10
Taverns			40	40	40	40		10
<b>Sales:</b>								
Adult Oriented Business					40C			
Drive Thru Facility				40C	40C	40C		
General Retail, products, supplies, equipment				40	40	40		10
Flower, Nursery, Garden Centers				40C	40C	40C		10
Food Products				40	40	40		10
Alcoholic Beverages				40C	40C	40C		10
Supermarkets					80			10
Major Shopping Centers			C	C	C	C		
Salesrooms with outdoor displays: Auto/boats/trailers					80			
Wholesale Establishments		80	80	80	80			

**C. Rationale for the requested change is:** There is currently a regulation that defines and allows drive-through restaurants; however, there are also inquiries for other drive-through facilities, such as banks, pharmacies, etc. This regulation would allow for other drive-through facilities. See the letter from Cohen & Wolf, dated October 10, 2012 in the application file.

**Signature and Representation:**

I apply herewith for a change in the Zoning Regulation of the Town of Brookfield in accordance with Chapter 124, Section 8-3 of the Connecticut General Statutes.

Applicant's Signature: Fran Lollie / awd



**TOWN OF BROOKFIELD  
ZONING COMMISSION**

#201500053

**APPLICATION FOR ZONE OR REGULATION CHANGE**

**Applicant:**

Zoning Commission  
Brookfield Town Hall  
Brookfield, CT 06804  
Phone #: 203-775-7316  
Contact Person: FRANCIS LOLLIE  
Phone #: 203-775-7316

**Land Owner of Record:** (if for specific parcel)

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\_\_\_\_\_  
\_\_\_\_\_  
Phone #: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Phone #: \_\_\_\_\_

**Regulation Change:**

**A. The current Section Number is: 242 - 309C(2). This Section currently reads:**

**(2) An addition to a nonconforming building or structure:**  
whereby the added portion conforms in all respects to the regulations AND whereby the addition does not cause the use, building or lot to become more nonconforming: may be permitted subject to the issuance of a Certificate of Zoning Compliance.

**B. The proposed text is:**

**(2) An addition to a nonconforming building or structure:**  
whereby the added portion conforms in all respects to the regulations AND whereby the addition does not cause the use, building or lot to become more nonconforming: may be permitted subject to the issuance of a Certificate of Zoning Compliance. A vertical expansion of a nonconforming building or structure which is legally nonconforming as to one or more setback requirements is a prohibited expansion of that nonconformity to the extent that the proposed vertical expansion, in and of itself, violates applicable setback requirements.

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**Signature and Representation:**

I apply herewith for a change in the Zoning Regulation of the Town of Brookfield in accordance with Chapter 124, Section 8-3 of the Connecticut General Statutes.

Applicant's Signature: Ann Lalli