



TOWN OF BROOKFIELD

BROOKFIELD, CT 06804

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

NOTICE OF APPLICATION FOR REGULATION CHANGE

12/15/14

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 Zone Change

The Brookfield Zoning Commission will have a Public Hearing concerning a proposed Zone change has been submitted by Unicorn Contracting Corp. This Zone change proposal is for 19 Station Road (in Town Center District) to change to Incentive Housing District Overlay; Central Core sub-zone.

The Public Hearing on this Application will be on January 22, 2014 at 7:30 in Town Hall.

Please provide your opinion of this Application at your earliest convenience

A copy of the Proposed Zone change is attached.

Very truly yours,

Nina Mack
Land Use and Zoning Commission Secretary

#201401130

TOWN OF BROOKFIELD

ZONING COMMISSION

APPLICATION FOR ZONE OR REGULATION CHANGE

Applicant:

Unicorn Contracting Corp.
3102 Route 9
Cold Spring, NY 10516

Phone #: ~~914-358-9722~~ 845-809-5969

Contact Person: Allan Rothman

Phone #: 845-809-5969

Land Owner of Record: (if for specific parcel)

48 Wheeler Avenue, LLC
3102 Route 9
Cold Spring, NY 10516

Phone #: ~~914-358-9722~~ 845-809-5969

Contact Person: Allan Rothman

Phone #: 845-809-5969

Boundary Change:

- A. Two (2) copies of an official zoning map are attached hereto indicating:
 - (i) The area for which the change is requested.
 - (ii) The proposed boundary lines and narrative description of the boundaries.
- B. The current Zone Designation is: Town Center District
- C. The proposed Zone Designation is: Incentive Housing District Overlay; Central Core sub-zone
- D. Rationale for the requested change is attached.
- E. A list of adjacent property owners is attached.

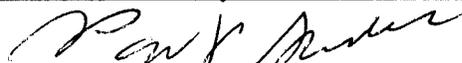
Regulation Change: N/A

- A. The current Section Number is: _____ The current text reads:
- B. The Proposed Section Number is: _____. The proposed text or deletion is:
- C. Rationale for the requested change is attached.

Applicant 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: 

Land Owner's Signature: 
(For Zone Change Applications)

Revised 3/20/13

RECEIVED

2014 DEC 22 A 11: 56

TOWN OF BETHEL
TOWN CLERK

MEMORANDUM

TO: Brookfield Zoning Commission
RE: 19 Station Road, Application for Incentive Housing Overlay Zone
DATE: December 3, 2014

In accordance with Subsection (1) of Section 242-404K of the Town of Brookfield Zoning Regulations governing the Purposes of Incentive Housing developments, this site offers the following:

- (a) In order to promote the revitalization of the commercial districts of Brookfield by encouraging mixed-use development that will provide for a variety of housing and business opportunities, this site, when combined with the Brookfield Village development will provide a variety of housing and retail commercial opportunities.
- (b) In order to promote the development of a transit oriented, pedestrian friendly town center area, the site will provide an integrated sidewalk system that connects pedestrian to the greater TCD.
- (c) The benefit of financial incentives provided by CT General Statutes Section 8-13 m., et sequitur.
- (d) It fosters housing opportunities for Town employees and moderate income residents.
- (e) It complies with the recommendations of the Plan of conservation and Development, which provides a map indicating the subject parcel to be included in the expansion of the Village District (now known as the Town Center District). Although this site is already Zoned Town Center District, we consider the proposed Incentive Housing Central Core Sub-Zone Overlay as a compliment to the TCD and the expansion of the "Village Center" concept.

As required under Subsection (3) of the Incentive Housing Regulations, Designation of Overlay Districts, this site offers the following:

- (a) Reasonable accessibility to and integration with various modes of transportation.
- (b) It is capable of supporting a pedestrian friendly streetscape and parking needs.
- (c) It is nearby retail commercial activities. It is the intent to combine this parcel with the currently approved Brookfield Village which offers both retail space and apartment style residential units.
- (d) It is suitable for the construction of public congregation areas and parks. Discussions have already occurred with the town in retaining a large piece of the property as a public park or conservation area..
- (e) The historical attributes of the area will be investigated during design development phase.

By proposing an Incentive Housing Restriction on the subject parcels, the Applicant ensures compliance with the Incentive Housing Regulations and the Incentive Housing Statute, if an Incentive housing development were to move forward. As required by Subsection (6) of the Incentive Housing Regulations, the Incentive Housing Restriction provides that:

1. 20% of the residential dwelling units of the development will be designated as Incentive Housing Units;
2. For at least 30 years after their initial occupancy, the Incentive Housing Units shall only be rented or sold at, or below, prices which will preserve the units as housing for which persons pay thirty percent (30%) or less of their annual income where such income is less than or equal to eighty percent (80%) of the area median income as determined by the United States Department of Housing and Urban Development for the Brookfield area; and

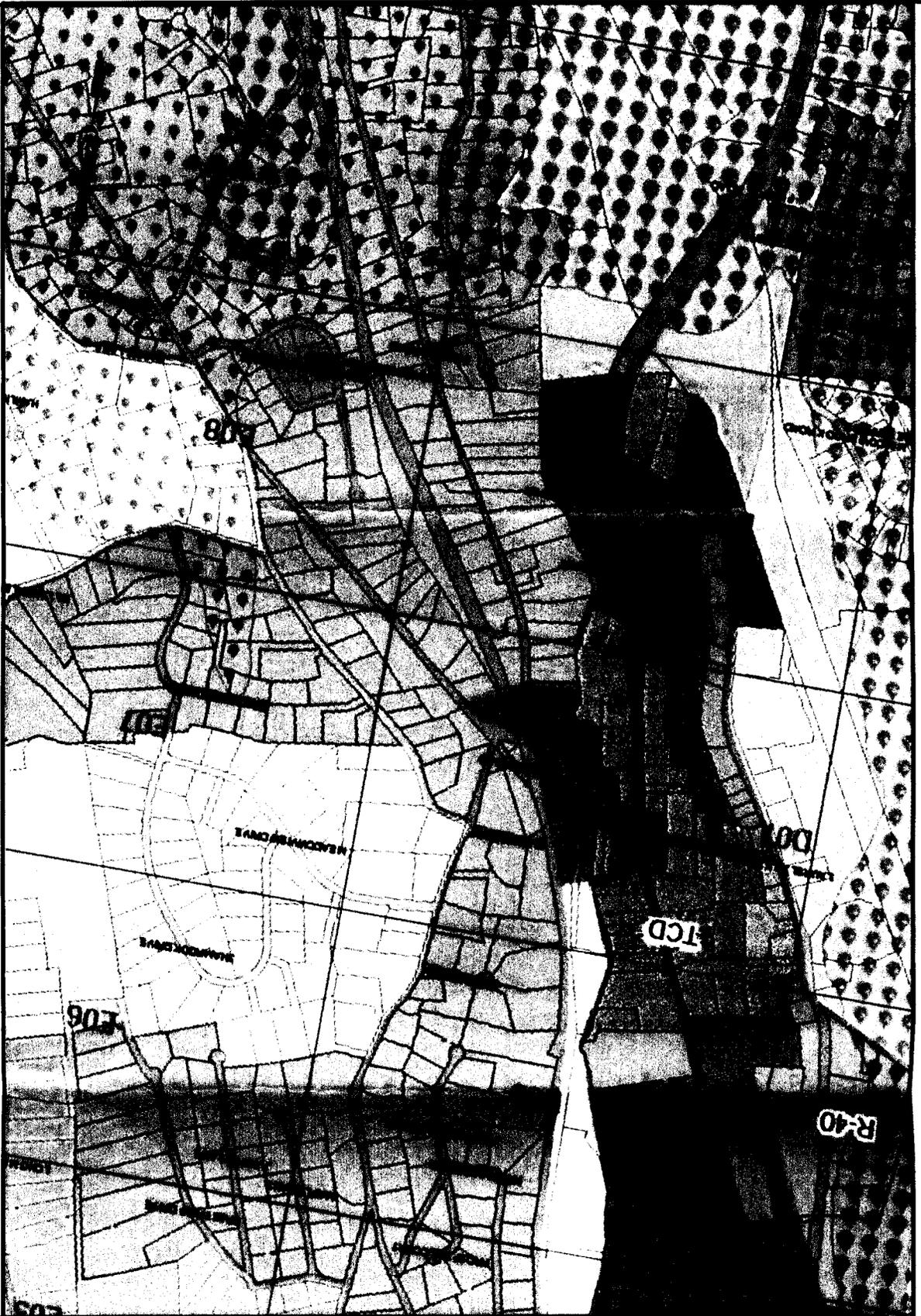
It is understood that plans that may be submitted in connection with an Applicant's future Design Review Application shall abide by the Design and Technical Standards set forth in Subsection (8) of the Incentive Housing Regulations.

REASON FOR ZONING DISTRICT CHANGE REQUEST
19 STATION ROAD
BROOKFIELD, CONNECTICUT

1. a.) Do you consider a mistake was made in the initial zoning of the property in question?
No.
- b.) If your answer to the above is affirmative, what is the nature of said mistake? **N/A**
2. Do you consider there has been a substantial change in circumstances or conditions affecting the property in question or its immediate surroundings? **Yes, the Town of Brookfield has recently revised the boundaries of the established Incentive Housing District overlay. In addition, sub-zones have been established as part of the Incentive Housing regulations.**
3. Refer to the stated purposes of the zone in question.
 - a.) How does each aspect of this stated purpose relate to your proposal? **See attached Memorandum.**
 - b.) Has the WPCA rendered an opinion as to the possible extension of the sewer line to service your project? **No, however the WPCA has assessed this property, but it is not currently connected to the municipal system.**
 - c.) Are you aware that since this would be an expansion of a municipal service, it requires the approval of the Planning commission? **N/A**
4. Relative to your proposal, state why you consider the benefit to the Town at large is greater than the benefit to the applicant? **The proposed change would reinstate an overlay zone that was previously placed over the entire TCD. By allowing this change, these parcels could be combined with the recently approved Brookfield Village project to create a vibrant mixed-used project providing a combination of retail/commercial uses and apartment style units. In addition, this overlay zone could potentially benefit the Town of Brookfield financially as provided by Connecticut General Statute Section 8-13m., et sequitur.**
5. How would you offset any adverse impact on the surrounding residential property owners, especially any potential for the diminution of property values? **In our opinion, there would be no adverse impact on the surrounding residential property owners. As this request proposes to obtain the Central Core sub-zone within the Incentive Housing District, the proposal would allow for stand alone residential units. By providing residential units on these parcels, we can create a transition from the single family residential units to the commercial district along the Federal Road corridor.**
6. Is the applicant fully aware that although a use within a zone is permitted by the regulations, there is no guarantee that this particular use will meet all the requirements of the Design Review Process? **Yes.**
7. If the Commission were to approve your application, what reasons would you consider appropriate for rendering such as decision?
The reasons could include the following:
 - a.) **Potentially benefit the Town of Brookfield financially as provided by Connecticut General Statute Section 8-13m., et sequitur.**
 - b.) **Provides additional local populations to support the surrounding businesses.**
 - c.) **Provides affordable housing opportunities for town employees and moderate-income for professionals.**



40 Old New Milford Road
 Brookfield, CT 06804
 (203) 775-6207



Date	2-4-14
Scale	1"=400'
Proj. No.	06-0913D
File No.	364
Acad. No.	06061-ZC
Sheet	1 of 2

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ATTACHMENT A

EXISTING ZONE MAP

SCALE: 1"=400'

Legend

- HZ Central Core sub-zone
- HZ Perimeter Sub-zone

Brookfield Zoning 03-21-2013

Zoning District

- L-90
- L-90N
- L-90SE
- LC-90SE
- RR-90SE
- RC-9040
- TCD
- RC-41
- RS-40
- R-100
- R-40
- R-40
- R-40
- R-7

Other Symbols:

- Assessor's Tax Map Grid
- Brookfield Town Line
- Street
- Brookfield Parais
- Primary Perceage
- Secondary Perceage
- R-90SE

Russell T. Posthauer, Jr., P.E., *President*
Michael J. Lillis, P.E., *Vice President*
Steven C. Sullivan, P.E., *Vice President*
Richard A. Bunnell, R.L.S.
Abigail Adams, R.L.A.
Ralph A. Klass, P.E., L.E.P.
Paul J. Connelly, L.E.P.
Nancy Levesque, P.E.
C.J. Osborne, III, R.L.S.
Joseph W. Whynott, R.L.S.
Richard W. Howard, Jr., P.E. *in memoriam*



40 Old New Milford Road
Brookfield, CT 06804
tel 203-775-6207
fax 203-775-3628
www.ccaengineering.com
mail@ccaengineering.com



MEMO
December 3, 2014

To: To Whom It May Concern

From: Abigail Adams, RLA

Re: Zone Change Application
19 Station Road

This is to notify you that an application for a zone change has been filed by 48 Wheeler Avenue, LLC for property located at 19 Station Road, Brookfield, CT. The requested change is to apply the Incentive Housing District, Central Core sub-zone, overlay to the above mentioned property. An application is on file in the Town of Brookfield Land Use Office for review.

CC: Town of Brookfield Zoning Commission

ADJOINING PROPERTY OWNERS
PREPARED FOR
48 WHEELER AVENUE, LLC
BROOKFIELD, CT

ASSESSOR'S #	OWNER'S ADDRESS
D07052	CRETE REALTY 220 DELHI ROAD SCARSDALE, NY 10583
D07053	EDWARD J. MCCARTY PO BOX 419 GEORGETOWN, CT 06829
D07067	KEITH C. BURDICK 71 LAUREL HILL ROAD BROOKFIELD, CT 06804
D07069	JEREMY C POETKER 81 LAUREL HILL ROAD BROOKFIELD, CT 06804
D07070	LISA & RICHARD & LOUIS ALVES 83 LAUREL HILL ROAD BROOKFIELD, CT 06804
D07071	IVALDO BARROSO 38 PARK LANE WEST NEW MILFORD, CT 06804
D07072	ROBERT R. SR & NANCY E. MARDEN 87 LAUREL HILL ROAD BROOKFIELD, CT 06804
D07073	BERNARD E. MARDEN TRUSTEES OF THE MARDEN FAMILY TRUST 89 LAUREL HILL ROAD BROOKFIELD, CT 06804
D07075	RYAN BRUCE, LLC C/O RYAN B. BLESSEY 91 LAUREL HILL ROAD BROOKFIELD, CT 06804
D07076	48 WHEELER AVENUE, LLC C/O ALLAN ROTHMAN 3102 ROUTE 9 COLD SPRING, NY 10516

D07077 ATHOS B. CATTARUZZA
 C/O JIM DEFRANCESCO
 23 MARION AVENUE
 HAMDEN, CT 06518

D07078 BROOKFIELD VILLAGE, LLC
 PO BOX 170
 GARRISON, NY 10524

D07080 PDM REALTY LLC
 PO BOX 170
 GARRISON, NY 10524

D07082 BROOKFIELD VILLAGE LLC
 PO BOX 170
 GARRISON, NY 10524

D07083 CHARLES & LYNN DIMON
 794 FEDERAL ROAD
 BROOKFIELD, CT 06804

D07084 BOURDEAU PORTA PROPERTIES, LLC
 247 WHITE STREET
 DANBURY, CT 06810

D07086 E W BATISTA FAMILY LIMITED PARTNERSHIP
 21 EQUESTRIAN RIDGE ROAD
 NEWTOWN, CT 06470

D08012 J A R ASSOCIATES
 64 TRIANGLE STREET
 DANBURY, CT 06810