



**TOWN OF KILLINGLY, CT  
PLANNING AND ZONING COMMISSION**

**TUESDAY – FEBRUARY 21, 2023**

**Workshop Meeting - In Person  
6:00 PM**

**TOWN MEETING ROOM – 2<sup>ND</sup> FLOOR  
Killingly Town Hall  
172 Main Street  
Killingly, CT**

**WORKSHOP AGENDA**

- I. **CALL TO ORDER/ROLL CALL**
  - \* PLANNING ZONING COMMISSION
- II. **WORKSHOP DISCUSSION**
  - \* Review / Discussion / Action
  - \* Proposed Table of Contents the overall re-write of regulations
  - \* Draft #2 Use Table for Business Park – Long and Short Versions
  - \* Draft #2 Proposed Zoning Regulations for Business Park
  - \* Draft #2 Proposed Revisions to the Definitions
  - \* Staff requests ability to send to Legal Counsel for Review and Input
  - \* Staff requests Commission schedule a hearing for April 17, 2023
- III. **MOTION TO ADJOURN**

**NOTE: Must end meeting before 7:00 pm – so Planning Zoning Commission can start their regular meeting.**

RECEIVED  
TOWN CLERK, KILLINGLY, CT  
2023 FEB 16 PM 3:44  
*Elizabeth M. Guinan*

# Town of Killingly Zoning Regulations

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- B) Suggested Paragraph on First Split / Free Split
- C) Suggested Paragraph on Family Subdivisions
- D) Suggested Best Practices on First Split / Free Split
- E) Decision / Recording Notice – To Be Recorded
- F) Decision / Recording Notice on First Page of Plans / Mylars
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## **SECTION 436. BUSINESS PARK DISTRICT**

### **Section 436.1 Intent**

The intent of the Business Park District is to provide facilities for businesses consistent with the creation of a physical environment that promotes consistency with the plan of conservation and development, community goals, efficient business operations, human scale and values, and compatibility with the natural environment. A Business Park District may be located adjacent to, or nearby, residential districts.

Business Park District is a development on a tract of land that may contain several separate businesses, offices, manufacturing facilities, accessory and supporting uses, and common open space designed, planned, and constructed on an integrated and coordinated basis.

### **Section 436.2 General Requirements**

1. **Enclosed Structures** – In addition, all uses, including any related storage, shall be operated entirely within enclosed structures. Except docking or other areas necessary for receipt of multiple deliveries, storage of the trucks, trailers used in the daily course of business, and uses that are permitted that require outdoor elements (ex: automobile / recreational vehicle / truck dealerships / light vehicle maintenance)
2. **Provide Access** – Any parcel in the Business Park District to be used must provide a direct access way to a road or street, including through, but not limited to, an easement. Such access way shall have a minimum width of sixty (60) feet, the commission may, in its sole discretion increase the width to accommodate utility installation. Said access way may permit the future installation of all utilities including, but not limited to, sanitary sewer lines, public water, electric, natural gas, communication cables and storm water drainage structures and lines.
3. **Location of Access** – The location of said access described above shall be approved by the commission. The location of the access shall be clearly defined on the site plan submitted to the commission, and/or designated staff, and the access shall be clearly described by a metes and bound description. In the case of access on state roads, approval from the Connecticut Department of Transportation (CT-DOT) is required.
4. **Utilities** – Said access shall permit the future installation of all utilities including, but not limited to, sanitary sewer lines, public water, electric, natural gas, communication cables and storm water drainage structures. All utilities shall be designed for underground construction, unless otherwise specified by the commission.
5. **Interior Circulation** – Interior Circulation shall provide for the safe movement of vehicles, delivery trucks and pedestrians. Truck delivery routes shall be indicated by signage, pavement markings or other method. Access to commercial delivery points shall be segregated from

public traffic where possible. Provisions for the safe movement of pedestrians between buildings and from buildings to parking areas shall be provided.

6. Bicycle/Pedestrian Pathways – Bicycle/Pedestrian pathways a minimum of six (6) feet in width may be provided along the interior roadway system. Said width may be expanded by the commission to ten (10) feet in the commission's sole discretion.
  - a. Sidewalks and bicycle/pedestrian pathways shall be constructed simultaneously with the roadways and should provide continuous circulation from one lot to another.
  - b. Sidewalks and bicycle/pedestrian pathways shall be illuminated to provide safety and security for their users. Such lighting shall be shielded or diffused to reflect light away from abutting traffic and to prevent skyward glare (i.e.: night sky compliance).
7. Truck Parking – Truck parking associated with light manufacturing, warehouses and distribution centers shall have a minimum setback of fifty (50) feet from any residential district boundary or from any residential use boundary. Said truck parking shall be one-hundred fifty (150) feet from any game farm/private shooting/hunting preserve. Said setbacks shall include buffering and screening to minimize visual intrusion. Such screening shall be subject to the approval of the Planning Zoning Commission or its designated agents.
8. Landscaping – Landscaping shall provide transitions between buildings of different size, scale, architecture or use and to provide continuity of design. Landscaping shall provide shade and visual interest. All landscaping shall be subject to the approval of the Planning Zoning Commission or its designated agents.
  - a. Landscaping may include, but not be limited to, pavement materials, fountains, ponds, street furniture, outdoor seating areas, lighting, and the planting of grass, ground cover, flower beds, shrubs, hedges, planted earthworks (mounding, grading, etc.), or trees.
  - b. All planted areas shall be maintained in healthy growing condition, neat and orderly in appearance, and free of refuse and debris.
  - c. All planted areas shall be arranged and maintained so as not to obscure the vision of traffic. Unless so specified in an approved site plan, there shall be no parking of vehicles in landscaped areas.
  - d. Street trees at a minimum rate of one tree for every one hundred (100) feet or part thereof of street frontage shall be provided in all front yard areas to provide shade and visual interest. Trees may be planted as intervals and/or in groups to assure the desired effect is achieved subject to the approval of the Commission. Street trees, whether deciduous shade trees, flowering trees, or evergreen trees, shall be a minimum of three (3) inches caliper measured at twelve (12) inches above ground, and selected for hardiness and appropriateness of use and soil conditions.
9. Buffering / Screening – All sites, including all accessory uses, shall be screened to minimize visual intrusion, and landscaped to integrate these elements into the site. The buffering / screening may consist of a vegetated buffer, or stone wall, or screened fencing, or any combination

thereof. All buffering and screening shall be subject to the approval of the Planning Zoning Commission or its designated agents.

- a. If chain link fencing is proposed, it shall be black PVC dipped material, with either black or dark green privacy slats.
10. Refuse Enclosures, Etc. – All waste materials, debris, refuse or garbage shall be kept in an enclosed building or properly contained in a closed container area designed for such purpose.
  - a. Refuse enclosures are to be constructed of material in such a way that they would be at least seventy-five (75) percent solid (for example: 3 sides made of brick, cement, chain link fence with privacy slats and bollards) and shall have a concrete floor.
  - b. Refuse enclosures shall be in rear yards only and shall be properly screened to a height of seven (7) feet in accordance with Planning Zoning Commission requirements.
11. Concept Plan – The concept plan is intended to illustrate the general development plan and expected land uses without requiring the detail and expense of the site plan required as part of the approval process. A concept plan may be submitted by an applicant who seeks to develop all, or a portion of, the property within the entire Business Park. A concept plan is meant to help the applicant receive feedback from the commission, or staff, prior to a formal application being submitted.
12. Parking Requirements – See T.O.K. Zoning Regulations Section 530 (Off Street Parking and Loading)
13. Sign Requirements – See T.O.K. Zoning Regulations Section 540 (Signs)
14. Site Plan Review Requirements – See T.O.K. Zoning Regulations Section 470 (Site Plan Review)
15. Special Permit Requirements – See T.O.K. Zoning Regulations Section 700 (Special Permits)
16. Dimensional Requirements – See T.O.K. Zoning Regulations Section 450 (Dimensional Requirements and Table A)

#### **Section 436.3 Permitted Uses Requiring Only a Site Plan Review**

The following allowed uses will require a site plan review prior to development of the site. Once the site is developed if the original use changes from one allowed use to another allowed use, and there is no further construction (no change in footprint) on the site then the change in use will require a zoning permit only. However, if there is further construction on the site, or the allowed use changes to a special permitted use then another site plan review will be required as part of the special permit application process.

All requirements listed under the T.O.K. Zoning Regulations Section 470 (Site Plan Review) shall be followed and adhered to.

- a. **Motels / Hotels / Conference & Convention Centers**
- b. **Specialty Food Service**

- c. **Restaurants / Cafes / Taverns**
- d. **Earth Filling and Excavation**
- e. **Outpatient Ambulatory Health Care Services**
- f. **Offices of Various Health Care Practices**
- g. **Vocational Rehabilitation Services**
- h. **Offices Social Assistance Agencies**
- i. **Light Manufacturing < 15,000 sq feet**
- j. **Machines & Machine Shop - <15,000 sq feet**
- k. **Parking Garages**
- l. **Personal Services Establishments**
- m. **Professional Offices**
- n. **Business Support Services**
- o. **General Business Office Space**
- p. **Retail Sales Establishment**
- q. **Financial Institutions**
- r. **Copy Shop**
- s. **Warehousing & Distribution Centers** – All warehouses, and distribution centers shall conform to the following design standards; however, the commission may, in its sole discretion, determine that a standard or standards, need not apply to a particular site location due to relevancy.
  - 1. Location of all warehouses, and distribution centers shall have a 50-foot set back from the boundary of any residential district.
  - 2. Location of all warehouses, and distribution centers shall have a 150-foot set back from the boundary of any game farm/private shooting/hunting preserve.
  - 3. All warehouses, and distribution centers shall have a controlled gate access for warehouse and distribution vehicular traffic, though employee traffic for parking purposes shall not require gate access.
  - 4. The outdoor storage of trailers may be provided; however, this area must be buffered and screened to minimize visual intrusion, and landscaped to integrate these elements into the site, in accordance with these regulations, from abutting uses. This shall apply only if the use differs due to zoning or is a use not provided within the Business Park district.

5. Permitted accessory uses include the overnight parking and/or storage of trailers and vehicles used in conduct of the business; ancillary maintenance and refueling of vehicles used in the conduct of the business; customer pick-up; and retail sales area not to exceed 20% of the total gross floor area of the primary use.
6. All storage items, goods and/or products stored or package in the warehouse and distribution center shall be indoors except for those items that are stored within a trailer outside of the warehouse and /or distribution center. No packaging of goods shall be allowed outside of the warehouse and /or distribution center.
7. Truck loading docks shall not be located on the street facing side of the building, nor be located on the building side that abuts a residentially zoned parcel without adequate landscape buffering and screening to minimize visual intrusion in accordance with these regulations.
8. All outdoor lighting shall be night sky compliant.
9. The Commission may, in its sole discretion, hire a third-party consultant, acceptable to the applicant, to aid the Commission in its review of any proposed facility. The fees charged by the third-party consultant shall be borne by the applicant.

**t. Self-Service Storage Facility**

**Section 436.4 Special Permitted Uses**

The following uses shall require special permit approval, which includes a site plan review, prior to the development of the site.

Once the site is developed, if the original use changes from the approved special permit to one of the allowed uses listed above, and there is no further construction (no change in footprint) on the site then the change to an allowed use will require a zoning permit only. However, even if the change in use is for an allowed use but there is an enlargement of the footprint (new construction) a zoning permit and site plan review will be required.

Once the site is developed, if the original use changes from a special permitted use to another special permitted use, the applicant will be required to obtain another special permit approval from the commission.

All requirements listed under the T.O.K. Zoning Regulations Section 700. Special Permitted Uses, and Section 470 (Site Plan Review) shall be followed and adhered to.

- a. **Crop Production, Processing and Sale** – All growing facilities must be completely contained within a structure.
- b. **Hydroponics** – All growing facilities must be completely contained within a structure.
- c. **Aquaculture** – All growing facilities must be completely contained within a structure.
- d. **Greenhouse / Nursery / Horticultural Bldgs.**
- e. **Forest Nurseries and Gathering of Forest Products**

- f. Performing Arts Companies**
- g. Dance / Art / Music Schools**
- h. Art Galleries / Photo Studios**
- i. Commercial Recreational Facilities** – Must be completely contained within a structure.
- j. Radio / TV/ Motion Picture Facilities**
- k. Early Childhood Care Facilities** – Must be operated in conjunction with a business established in the park.
- l. Training Facilities**
- m. Medical and Diagnostic Laboratories**
- n. Adult Daycare – No Overnight**
- o. Electronic & Precision Equipment Repair**
- p. Pharmacy**
- q. Breweries / Wineries** – This use includes breweries, wineries, distilleries and cideries.
- r. Cannabis Establishment**
- s. Municipal Services**
- t. Libraries**
- u. Recycling / Collection Center**
- v. Funeral Homes & Funeral Services**
- w. Pet Grooming / Pet Day Care**
- x. Veterinary Services / Hospitals**
- y. Publishing / Printing Establishment**
- z. Analytical Laboratories / Research and Development Facilities** – The following standards and nuisance avoidance criteria are met. If the following standards are in conflict with other local, state, or federal regulations including the accepted industry standards regarding same then the more stringent of the regulations shall be followed.
  - 1. In the establishment, operation, and design of medical and biological research laboratories and facilities, the standards and procedures, as amended, of the National Institutes of Health, and Centers for Disease Control will apply.
  - 2. No facility may contain or conduct research involving biological safety level-3 (or the equivalent term risk group-3) classification or higher.
  - 3. All noise levels shall adhere to the Town of Killingly Noise Ordinance in its Code of Ordinances and all Connecticut Department of Environmental Protection regulations

promulgated in accordance with Chapter 42 of the Connecticut General Statutes shall apply.

4. No activities involving bulk storage or manufacture of materials or products that could decompose by detonation shall be permitted. Utilization of the materials included in this section shall be limited to the minimum quantities necessary for specific research and only after the procurement of all local, state and federal permits. Material type, quantity, storage, handling procedures, and location in the facility shall also be registered with the respective fire district, ambulance corps, the Killingly Planning Department and the Fire Marshal. (List is long...)
5. No activities shall be permitted that emit dangerous radioactivity beyond enclosed areas as specified by the regulations of the United States Nuclear Regulatory Commission.
6. Any electrical radiation shall not adversely affect at any point any operations or any equipment, including not only professional research equipment but also equipment reserved for personal uses such as reception of public radio transmissions, use of cellular phones, etc., except equipment belonging to the creator of the electrical radiation.
7. Operations shall cause no inherent and/or recurring generated vibration perceptible without instruments at any point along the property line. Temporary construction is excluding from this restriction.
8. No operation shall cause or allow emission of any odorous air contaminant, smoke, particulate matter or any emission into the air which is a nuisance, hazard or exceeds appropriate federal or state regulations.
9. All applicable standards, ordinances, rules, statutes, and regulations issued by either the industry, municipality, state, or federal government shall apply to the treatment, storage, transportation, and disposal of any hazardous materials, hazardous wastes, solid wastes or fire hazards.
10. The commission may, at its discretion, hire a third-party consultant, also acceptable to the applicant, to aid the commission in its review of any proposed facility design and/or program of research and development. The fees charged by the third-party consultant shall be borne by the applicant.

**aa. Data Centers / Internet Server Farm / Computing Infrastructure Provider**

**bb. Automotive Vehicle Dealers (Sales)**

**cc. Automotive Vehicle Service / Repair**

**dd. Automotive and/or Truck Rentals**

**ee. Trucks & Recreational Vehicle Dealers**

**ff. Trucks & Recreational Vehicles Service / Repair**



**gg. Auctions / Sales**

**hh. Cannabis Establishments**

**ii. Battery Storage / Battery Energy Storage Systems (BESS)**

**jj. Freight Material / Trucking Business / Trucking Terminal**

**SECTION 300 – DEFINITIONS**  
**TOWN OF KILLINGLY ZONING REGULATIONS**

The following definitions will be added to Section 300 of the Town of Killingly Zoning Regulations.

**General Definitions:**

**Game Farm / Private Shooting / Hunting Preserve** – An area licensed by the Connecticut Department of Energy and Environmental Protection (CT DEEP) that must meet certain requirements for the area and operating purposes, and which is granted special hunting privileges for either the public or private hunting of propagated game birds, and the accessory structures in support of those activities.

**Traveler Accommodations** – Any facility consisting of either a singular or group of buildings that provides a variety of services designed to predominately serve the needs of the transient population, and for convention purposes. Said accommodations shall include motels, hotels, conference & convention space. It may also provide such facilities as restaurants, lounges, meeting rooms, and similar related retail uses.

**Food Manufacturing** - Manufacturing establishments producing or processing foods for human consumption and certain related products. This includes but is not limited to 1) bakery products, 2) dairy products processing, 3) fruit and vegetable canning, preserving, and related processing, 4) mill grain products and by-products.

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**Various Allowed Uses under the Business Park Zone.**

**Motels** – A building or group of buildings in which lodging is provided to transient guests, offered to the public for compensation, and in which access to and from each room or unit is through an exterior door.

**Hotels** – A building or group of buildings in which lodging is provided to transient guests, offered to the public for compensation, and in which access to and from each room or unit is through interior lobbies, courts, or halls.

**Conference & Convention Centers** – A commercial facility used for assemblies or meeting of members or representatives of various groups, service organizations for business and professional conferences and seminars, often includes exhibition space.

**Specialty Food Service** – Any specialty food service that includes, but not limited to, caterers (both private and industrial), food service contractors, food trucks, and mobile food services.

**Restaurants** – A commercial establishment where food and beverages are prepared, served, and consumed usually within the principal building, an outside patio, or taken as carry-out orders, and where food sales constitute more than 75% of the gross sales receipts. Various types of restaurants shall include, but not be limited to, cafeterias, carry-out, drive-in, drive-thru, entertainment, fast food, fine & specialty dining.

**Cafes / Small Restaurants** – Is a building containing no more than 2, 000 gross square feet. Typical uses include cafes, coffee shops, and fast-food.

**Taverns** – Any place in which fermented malt beverages or intoxicating liquors are sold for consumption to the public and where food or packaged alcoholic beverages may be served or sold only as an accessory use.

**Outpatient Ambulatory Health Care Services** – Any facility, place, or building maintained and operated to provide medical care on an outpatient, or single day (no overnight care) basis. Said facility, place or building may be publicly or privately owned, and principally engaged in providing services for health maintenance, diagnosis or single day treatment of humans' diseases, pain, injury, deformity, or physical condition. This includes diagnostic center, treatment center, rehabilitation center, outpatient laboratory, etc.

**Medical Office (s) of Various Health Care Practices** – Shall include doctors, dentists, physical therapists, chiropractors, ophthalmologists, optometrists, psychologists, psychiatrists, nurse practitioners, physician assistants, registered nurses, licensed practical nurses, home health services and other licensed medical professionals of a similar nature as determined by the commission or its agent.

**Offices Social Assistance Agencies** - A service or activity undertaken to advance the welfare of citizens in need. Such facility may provide services such as training, counseling, or the distribution of food or clothing. The facility may aid persons with limited ability for self-care, but for whom medical care is not a major element.

**Light Manufacturing < 15,000 square feet** - The manufacture, predominantly from previously prepared materials, of finished products or parts, including processing fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding the basic industrial processing. Where no process involved will produce noise, vibration, air pollution, fire hazard, or noxious emissions which will disturb or endanger neighboring properties.

**Machines & Machine Shop < 15,000 square feet** - Shops where lathes, presses, grinders, shapers, and other wood – and metal-working machines are used. Related storage and warehousing buildings are not included in the 15,000 square foot calculations.

**Parking Garages** - Parking spaces and adjacent access drives, aisles, and ramps that are in a structure with two or more levels used for parking of motor vehicles. This term includes both public and commercial parking operations.

**Personal Services Establishments** - An establishment which offers specialized goods and services purchased by consumers. This includes hair, nail, and skin services; barber shops, diet & weight reducing centers, massage centers, laundry services, tailoring services, and other non-medical personal care services.

**Professional Offices** - The office of a member of recognized profession maintained for the conduct of that profession. A profession usually requires advanced study or training in specialized field; any occupation requiring licensing by the state and maintenance of professional standards applicable to the field. This shall include accounting, architecture, engineering, financial services, law, surveying, or other similarly licensed or certified practitioners.

**Business Support Services** - A commercial establishment primarily engaged in providing services to other business establishments on a fee or contract basis. This includes, but is not limited to, computer systems and related services; bookkeeping; tax preparation; payroll; advertising; building maintenance; personnel and employment services; office equipment rental and leasing.

**General Office Space** - Establishments providing direct services to its consumers. This includes such offices as insurance agencies; real estate office; travel agencies, or any other services similar in nature to those listed herein. It is a characteristic of a business office that retail or wholesale goods are not shown on the premises to customer.

**Retail Sales Establishment** - A commercial enterprise that provides goods or services directly to the consumer, and where such goods are available for immediate purchase and removal from the premises by the purchaser.

**Financial Institutions** – A bank, savings and loan, credit union, mortgage office, or automated teller machine (ATM).

**Copy Shop** - A facility for the reproduction and copying of printed material or drawings. This does NOT include sign shops, printing publishing establishments, or similar-large-scale operations.

**Warehouse** - A warehouse is a building for storing goods. Stored goods can include any raw materials, packing materials, spare parts, components, or finished goods. Warehouses are used by manufacturers, importers, exporters, wholesalers, transport businesses, etc. as an accessory use to their main manufacturing.

**Distribution Center** - A distribution center, is a type of warehouse, and is a building or a group of buildings where finished goods (end products) are received and/or stored for the delivery to the ultimate customer at remote locations. Manufacturing and assembly are not part of the distribution process.

**Self-Service Storage Facility** - A building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers and other residential uses. Leased to individuals, organizations, or businesses; surrounded by security fencing with controlled access to both the area and individual units.

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#### **Special Permitted Uses under the Business Park Zone.**

**Crop Production, Processing and Sale** – All growing facilities must be completely contained within a structure.

**Hydroponics** - A type of horticulture and a subset of hydroculture which involves growing plants, usually crops or medicinal plants, without soil, by using water-based mineral nutrient solution in aqueous solvents. (Refer to the Agricultural Section of the Zoning Regulations)

**Aquaculture** - The farming of the waters of the state and tidal wetlands and manmade tanks both above and in-ground and the production of protein food, including fish, oysters, clams, mussels, and other molluscan shellfish, on leased, franchised and public underwater farmlands; and as may be further

defined and described in CT General Statutes Sec. 1-1(q) as may be amended from time to time. (Refer to the Agricultural Section of the Zoning Regulations)

**Greenhouse / Nursery / Horticultural Buildings** - An establishment for the growth, display, and/or sale of vegetables, fruits, plants, shrubs, trees, and other nursery items grown on site or established in the ground prior to sale, and for related accessory sales and uses.

**Forest** – Already defined in TOK zoning regulations.

**Forest Nurseries** – Any land used to raise, and display trees for sale or transplant.

**Forest Products** – Already defined in TOK zoning regulations.

**Commercial Recreational Facilities** - May be either an inside or outside facility, dependent upon the zone, and may be either a private or public facility. Typical examples include, but are not limited to, driving ranges, miniature golf, swimming pools, tennis courts, racquetball courts, other court games, and climbing facilities.

**Radio / TV / Motion Picture Facilities** - Uses related to the production of radio, tv, and motion pictures. This includes, but is not limited to, sound, editing, filming equipment, interior sets.

**Rock Quarry** – Already defined in TOK zoning regulations.

**Early Childhood Care Facilities** - A commercial or nonprofit child day care facility not operated as a small or large family day care home. Includes infant centers, preschools, and extended day care facilities. These may be operated in conjunction with a business, school, or religious facility, or as an independent land use.

**Training Facility** – A training facility means any building used primarily for vocational training, a general course of instruction and / or training programs offered that have been approved or licensed by a state agency or board.

**Medical and Diagnostic Laboratories** - A facility offering diagnostic or pathological testing and analysis of blood, blood fluids, pathological specimens, DNA sampling and analysis, and any other diagnostic test generally recognized in the healthcare industry.

**Adult Daycare – No Overnight** – Adult Daycare centers meet the needs of cognitively and physically impaired adults through a structured, comprehensive program that furnishes a variety of health, social, and related support services, including but not limited to socialization, supervision and monitoring, personal care, and nutrition, in a protective setting during any part of a day.

**Electronic & Precision Equipment Repair** – Establishments primarily engaged in repairing and maintaining electronic equipment and precision instruments.

**Pharmacy** – A business establishment where drugs are sold or dispensed at retail or displayed for sale at retail, the primary business of which is the compounding and dispensing of medicine according to prescriptions written by physicians, and a pharmacist who is licensed under the laws of the State of Connecticut will be on duty at all times while such establishment is open for business.

**Breweries** - A commercial business which conducts the retail sale of beer (malt beverages with alcohol content as defined by Federal law), and the tasting facilities for same, which is brewed on the premises in compliance with applicable state and federal laws. Breweries includes wholesale sales, fermenting,

aging, storage, bottling, administrative office functions for the brewery and warehousing. Such establishments may also include restaurants as an accessory use. Live entertainment is subject to the use requirements of the district in which the establishment is located.

**Wineries** - An agricultural processing plant used for the commercial purpose of processing grapes, other fruit products, or vegetables to produce wine or similar spirits. Winery includes wholesale sales, crushing, fermenting, blending, aging, storage, bottling, administrative office functions for the winery and warehousing. Retail sales and tasting facilities of wine and related promotional items may be permitted as part of winery operations.

**Cannabis Establishment** - A producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager and or delivery service. (T.O.K. Sect. 567)

**Funeral Homes & Funeral Services** - Establishment engaged in undertaking services such as preparing the dead for viewing, burial and or cremation, and arranging and managing funerals. A funeral home, as defined for purposes of these regulations, includes a funeral chapel.

**Pet Grooming / Pet Daycare** - A facility providing such services as pet grooming and pet day care for all or part of a day. No overnight boarding will be allowed. Any place or establishment, public or private, where animals are bathed, clipped, or combed and for which a fee is charged.

**Veterinary Services / Hospitals** - -- Any facility maintained by or for the use of licensed veterinarian in the diagnosis, treatment, or prevention of animal diseases wherein the animals are limited to dogs, cats, or other comparable household pets and wherein the overnight care of said animals is prohibited except, when necessary, in the medical treatment of the animal.

**Publishing / Printing Establishment** - A commercial printing operation involving a process that is considered printing, imprinting, reproducing, or duplicating images and using printing methods including but not limited to, offset printing, lithography, web offset, flexographic, and screen process printing.

**Analytical Laboratories** -- A building or a group of buildings in which are located facilities for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

**Research & Development Facilities** - A structure or group of structures used primarily for applied and developmental research, where product testing is an integral part of the operation and goods or products may be manufactured as necessary for testing, evaluation, and test marketing. Such uses shall not violate any odor, dust, smoke, gas, noise, radiation, vibration, or similar pollution standard.

**Data Centers / Internet Server Farm / Computing Infrastructure Provider** - (1) An establishment primarily involved in the compiling, storage, and maintenance of documents, records, and other types of information in digital form utilizing a mainframe computer. This term does not include general business offices, computer-related sales establishments, and business or personal services; and (2) A telecommunication carrier facility containing equipment for telecommunications use including switches, routers, operation centers, and other infrastructure critical for dot-com companies, internet servers, data firms, fiber-optic cable, other technology providers.

**Battery Storage / Battery Energy Storage Systems (BESS)** - -- Battery storage, or battery energy storage systems (BESS), are devices that enable energy from renewables, like solar and wind, to be stored and

then released when customers need power the most. BESS fill those gaps by taking electricity from the grid when demand is low, and power is plentiful. Then they return electricity to the system when renewables have reduced output or during power spikes such as heat waves and cold snaps. Since BESS require no deliveries of fuel, are compact compared to generating stations and have no chimneys or large cooling systems, they can rapidly be installed, and placed, if necessary, within urban areas, close to the customer load.

**Freight Material** - Goods, merchandise, materials, and commodities of any kind that may be transported or transferred from one place to another by air, rail, or motor-carrier, truck.

**Freight Container** - A standardized, reusable shipping vessel used in the transportation of freight and capable of being mounted and moved on a rail car or mounted on a chassis for movement by truck trailer.

**Trucking Business** - A facility for the receipt, transfer, (short-term storage) and dispatching of goods transported by truck. Said trucking business shall involve light, medium, and heavy trucks.

**Trucking Terminal** – (1) Storage and distribution facilities having more than five heavy trucks (having a rating of more than 10,000 pounds or an unladen weight of more than 6,000 pounds) on the premises at any one time but excluding trucking accessory to another industrial use on the site; and / or (2) The premises used for loading or unloading of trucks upon which storage of cargo is incidental to the primary function of motor freight shipment or shipment point and which is designed to accommodate the simultaneous loading or unloading of five or more trucks.

Permitted Use = (P)

Special Permit Required = SP

Not Allowed = NA

Yellow – Classification Code

Green – New Use Added to Business Park

Blue – Existing Use in Business Park

02.Feb.21.2023.Draft.2.Use.Table.BUS.PRK

USE CLASSIFICATIONS	SEE SECTION	BUSINESS PARK
<b>RESIDENTIAL USES</b>		
1. Single Family Dwelling / Residence		NA
2. Two Family Dwelling / Residence		NA
3. Three Family Dwelling / Residence		NA
4. Multi-Family (>3) Dwelling / Residence		NA
5. Secondary Dwelling Unit		NA
6. Planned Residential Development		NA
7. Cluster Development		NA
8. Trailers /Manufactured Mobile Homes		NA
9. Trailer Parks / Manufactured Mobile Home Parks		NA
<b>ACCOMMODATION &amp; FOOD SERVICES</b>		
1. Motels / Hotels / Conf. & Conv. Center		(P)
2. Bed and Breakfast		NA
3. Seasonal Campgrounds / RV Parks		NA
4. Rooming & Boarding Houses		NA
5. Dormitories (School Related)		NA
6. Workers' Residences' Agricultural		NA
7. Specialty Food Services		(P)
8. Restaurants / Cafes / Taverns		(P)
<b>AGRICULTURAL – FORESTRY</b>		
1. Crop Production / Processing / Sales		SP (INS)
2. Hydroponics		SP
3. Raising / Processing / Sales Livestock and Livestock Products		NA
4. Hog and Pig Farming		NA
5. Large Scale /Commercial Poultry		NA
6. Backyard Chickens / Poultry		NA
7. 4H / FFA / Student Projects		NA
8. Riding Stables/Academies/Equine		NA
9. Support Activities to Agriculture		NA
10. Adaptive RE-Use of Agricultural Buildings		NA
11. Farm Stand / Seasonal / Non-Perm.		NA
12. Farm Store / Retail		NA
13. Agritourism / Periodic / Seasonal, etc.		NA
14. Aquaculture		SP
15. Greenhouse/Nursery /Horticultural Bldgs.		SP
16. Keeping of Bees		NA
17. Forestry		NA
18. Forest Nurseries and Gathering Of Forest Products		SP
19. Portable Sawmills		NA



Permitted Use = (P)

Special Permit Required = SP

Not Allowed = NA

**Yellow** – Classification Code

**Green** – New Use Added to Business Park

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<b>ARTS, ENTERTAINMENT &amp; RECREATION</b>		
1. Performing Art Companies		SP
2. Dance / Art / Music Schools		SP
3. Art Galleries / Photo Studios		SP
4. Museums, Historical Sites, etc.		NA
5. Zoos		NA
6. Nature Parks / Botanical Gardens		NA
7. Children Playgrounds		NA
8. Amusement Parks		NA
9. Arcades (as an accessory use)		NA
10. Movie Theaters / Drive-Ins		NA
11. Commercial Recreational Facility (INS)		SP
12. Commercial Recreational Facility (OUT)		NA
13. Camps (Children) – Day and Boarding		NA
14. Radio / TV / Motion Picture Facilities		SP
15. Adult Oriented Establishments		NA
<b>CONSTRUCTION BUSINESSES</b>		
1. Contractor's Yard		NA
2. Utility System Construction		NA
3. Heavy Equipment / Industrial & Manufacturing - Sale/Rental/Repair		NA
<b>EDUCATIONAL SERVICES</b>		
1. Early Childhood Care Facilities		SP
2. Elementary and Secondary Schools		NA
3. Junior Colleges		NA
4. Colleges / Universities / Prof. Schools		NA
5. Technical and Trade Schools and Vocational Training Programs		NA
6. Educational Support Services		NA
7. Training Facilities		SP
<b>HEALTH CARE AND SOCIAL ASSISTANCE</b>		
1. Outpatient Ambulatory Health Care Services		(P)
2. Office(s) Various Health Care Practices		(P)
3. Medical and Diagnostic Laboratories		SP
4. Hospitals		NA
5. Continuing Care Retirement Community / Ind./Asst./Skilled Nursing		NA
6. Assisted Living Facility		NA
7. Skilled Nursing & Residential Care Facility		NA
8. Adult Daycare – No Overnight		SP
9. Vocational Rehabilitation Services		(P)
10. Social Assistance Agencies		(P)
<b>MANUFACTURING / INDUSTRIAL</b>		
1. Light Industrial		SP
2. Industrial		NA
3. Manufacturing		NA
4. Machines and Machine Shops		(P)

Permitted Use = (P)

Special Permit Required = SP

Not Allowed = NA

**Yellow** – Classification Code

**Green** – New Use Added to Business Park

**Blue** – Existing Use in Business Park

5. Electronic & Precision Equipment Repair		SP
6. Medical / Pharmaceuticals		SP
7. Breweries / Wineries		SP
8. Cannabis Establishments		SP
9. Dry Cleaning Plants		NA
10. Bulk Storage of Cement / Petroleum		NA
<b>MUNICIPAL SERVICES</b>		
1. Municipal Services		SP
2. Libraries		SP
3. Parking Garages		(P)
4. Recycling / Collection Center		SP
<b>OTHER SERVICES</b>		
1. Personal Services Establishments		(P)
2. Funeral Homes & Funeral Services		SP
3. Cemeteries		NA
4. Religious/Church Organizations		NA
5. Pet Grooming / Pet Daycare		SP
6. Dog Kennels / Commercial Kennels		NA
7. Veterinary Services / Hospitals		SP
<b>PROFESSIONAL &amp; BUSINESS SERVICES</b>		
1. Professional Offices		(P)
2. Business Support Services		(P)
3. General Office Space		(P)
4. Home Occupation		NA
5. Publishing / Printing Establishment		SP
6. Analytical Facility / Research & Development Facility		SP
7. Data Centers / Internet Server Farms		SP
8. Computing Infrastructure Providers		SP
<b>PUBLIC USES</b>		
1. Outdoor Events		Town Ordinance
2. Amateur Radio Antenna		NA
<b>RETAIL TRADE</b>		
1. Retail Sales Establishment		(P)
3. Automotive Vehicle Dealers / Sales		SP
4. Automotive Vehicle Service / Repairs		SP
5. Automotive and/or Truck Rentals		SP
6. Trucks / Recreational Vehicle Dealers		SP
7. Truck / Recreational Vehicle Service/Repairs		SP
8. Financial Institutions / Banks / Credit Unions/ ATMs.		(P)
10. Auctions / Sales		SP
11. Copy Shop		(P)
12. Commercial Storage / Sale of Fuel / Sale of Propane & Bottled Gas		NA
13. Gasoline Stations / No Repairs		NA
14. Electric Vehicle Charging Stations		Acc Use

Permitted Use = (P)

Special Permit Required = SP

Not Allowed = NA

Yellow – Classification Code

Green – New Use Added to Business Park

Blue – Existing Use in Business Park

15. Cannabis Establishments		SP
<b>UTILITIES</b>		
1. Electric Power Generation		NA
2. Solar Electric Power Generation		NA
3. Wind Electric Power Generation		NA
4. Sewage Treatment Facilities {WPCA}	??????	NA
5. Battery Storage Facilities		SP
<b>WAREHOUSING / DISTRIBUTION CENTER</b>		
1. Warehousing		(P)
2. Distribution Centers		(P)
3. Self-Service Storage Units		(P)
4. Freight Materials / Trucking Business / Trucking Terminal		(SP)



TOWN OF KILLINGLY, CT  
PLANNING AND ZONING COMMISSION

**TUESDAY – FEBRUARY 21, 2023**

**Regular Meeting – HYBRID MEETING  
7:00 PM**

**TOWN MEETING ROOM – 2<sup>ND</sup> FLOOR**

**Killingly Town Hall**

**172 Main Street**

**Killingly, CT**

THE PUBLIC IS ALLOWED TO ATTEND THE MEETING IN PERSON  
OR THE PUBLIC MAY VIEW THIS MEETING AS DESCRIBED BELOW

**AGENDA**

THE PUBLIC CAN VIEW THIS MEETING ON FACEBOOK LIVE.

GO TO [www.killinglyct.gov](http://www.killinglyct.gov) AND CLICK ON FACEBOOK LIVE AT THE BOTTOM OF THE PAGE.

I. CALL TO ORDER/ROLL CALL

II. SEATING OF ALTERNATES

III. AGENDA ADDENDUM

IV. CITIZENS' COMMENTS ON ITEMS **NOT SUBJECT TO PUBLIC HEARING** (Individual presentations not to exceed 3 minutes; limited to an aggregate of 21 minutes unless otherwise indicated by a majority vote of the Commission)

**NOTE:** Public comments can be emailed to [publiccomment@killinglyct.gov](mailto:publiccomment@killinglyct.gov) or mailed to the Town of Killingly, 172 Main Street, Killingly, CT 06239. All public comment must be received prior to 2:00 PM the day of the meeting. Public comment received will be posted on the Town's website [www.killinglyct.gov](http://www.killinglyct.gov).

**NOTE:** To participate in the CITIZENS' COMMENTS– the public may join the meeting via telephone while viewing the meeting on Facebook live.

To join by phone please dial 1-415-655-0001; and use the access code 2631 569 7907 when prompted.

V. COMMISSION/STAFF RESPONSES TO CITIZENS' COMMENTS

VI. PUBLIC HEARINGS – (review / discussion / action)

**NOTE:** PUBLIC HEARING comments can be emailed to [publiccomment@killinglyct.gov](mailto:publiccomment@killinglyct.gov) or mailed to the Town of Killingly, 172 Main Street, Killingly, CT 06239. All public comment must be received prior to 2:00 PM the day of the meeting. Public Hearing comments received will be posted on the Town's website [www.killinglyct.gov](http://www.killinglyct.gov).

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To join by phone please dial 1-415-655-0001; and use the access code 2631 569 7907 when prompted.

NO PUBLIC HEARINGS FOR FEBRUARY 21, 2023

RECEIVED  
TOWN CLERK, KILLINGLY, CT  
2023 FEB 16 PM 3:44  
*Elizabeth M. Wilson*

Hearings' segment closes.  
Meeting Business will continue.

**VII. UNFINISHED BUSINESS – (review / discussion / action)**

NONE FOR FEBRUARY 21, 2023

**VIII. NEW BUSINESS – (review/discussion/action)**

1) Presentation by Desegregate CT regarding their Work, Live and Ride proposal.

(\*) Applications submitted prior to 5:00 PM on MONDAY, FEBRUARY 13, 2023 - will be on the agenda as New Business, with a "date of receipt" of TUESDAY, FEBRUARY 21, 2023, and may be scheduled for action during the next regularly scheduled meeting of **MONDAY, MARCH 20, 2023**.  
(\*) Applications submitted by 11:30 AM on FRIDAY, FEBRUARY 17, 2023 will be received by the Commission ("date of receipt") on TUESDAY, FEBRUARY 21, 2023. However, these applications may not be scheduled for action on MONDAY, MARCH 20, 2023, as they were submitted after the Commission's deadline. This is in accordance with Commission policy to administer Public Act 03-177, effective October 1, 2003.

**IX. ADOPTION OF MINUTES – (review/discussion/action)**

1) Regular Meeting Minutes – January 17, 2023

**X. OTHER / MISCELLANEOUS – (review / discussion / action)**

1) WORKSHOP (if needed) – PROPOSED ZONE TEXT CHANGE – RE: BUSINESS PARK ZONE

**XI. CORRESPONDENCE**

**XII. DEPARTMENTAL REPORTS – (review/discussion/action)**

- A. Zoning Enforcement Officer's & Zoning Board of Appeal's Report(s)
- B. Inland Wetlands and Watercourses Agent's Report

**XIII. ECONOMIC DEVELOPMENT DIRECTOR REPORT**

**XIV. TOWN COUNCIL LIAISON REPORT**

**XV. ADJOURNMENT**





TOWN OF KILLINGLY, CT  
PLANNING AND ZONING COMMISSION

**TUESDAY – JANUARY 17, 2023**

**Regular Meeting – HYBRID MEETING  
7:00 PM**

**TOWN MEETING ROOM – 2<sup>ND</sup> FLOOR**

**Killingly Town Hall**

**172 Main Street**

**Killingly, CT**

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OR THE PUBLIC MAY VIEW THIS MEETING AS DESCRIBED BELOW

**MINUTES**

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RECEIVED  
TOWN CLERK, KILLINGLY, CT  
2023 JAN 24 AM 9:32  
*Elizabeth M. Wilson*

I. **CALL TO ORDER** – Chair, Keith Thurlow, called the meeting to order at 7: p.m.

**ROLL CALL - PLANNING & ZONING COMMISSION:**

Brian Card; Michael Hewko; Virge Lorents; John Sarantopoulos; Matthew Wendorf; Keith Thurlow.

**Staff Present** – Ann-Marie Aubrey, Director of Planning & Development; Jonathan Blake, Planner I/ZEO;  
Jill St. Clair, Director of Economic Development.

**Also Present** – Attorney Evan J. Seeman; Robinson+Cole; Keith Kumnick, Commercial Real Estate Broker with  
Colliers International; Ulla Tiik-Barclay, Town Council Liaison.

II. **SEATING OF ALTERNATES** – No Alternate seated.

III. **AGENDA ADDENDUM** – None.

IV. **CITIZENS' COMMENTS ON ITEMS NOT SUBJECT TO PUBLIC HEARING** (Individual presentations not to exceed 3 minutes; limited to an aggregate of 21 minutes unless otherwise indicated by a majority vote of the Commission)

**NOTE:** Public comments can be emailed to [publiccomment@killinglyct.gov](mailto:publiccomment@killinglyct.gov) or mailed to the Town of Killingly, 172 Main Street, Killingly, CT 06239. All public comment must be received prior to 2:00 PM the day of the meeting. Public comment received will be posted on the Town's website [www.killinglyct.gov](http://www.killinglyct.gov).

**NOTE:** To participate in the CITIZENS' COMMENTS– the public may join the meeting via telephone while viewing the meeting on Facebook live.

To join by phone please dial 1-415-655-0001; and use the access code 2630 394 3829 when prompted.

There were no comments from the public either in person or online.

**V. COMMISSION/STAFF RESPONSES TO CITIZENS' COMMENTS – None.**

**VI. PUBLIC HEARINGS – (review / discussion / action)**

**NOTE: PUBLIC HEARING comments can be emailed to [publiccomment@killinglyct.gov](mailto:publiccomment@killinglyct.gov) or mailed to the Town of Killingly, 172 Main Street, Killingly, CT 06239. All public comment must be received prior to 2:00 PM the day of the meeting. Public Hearing comments received will be posted on the Town's website [www.killinglyct.gov](http://www.killinglyct.gov). NOTE: To participate in THE PUBLIC HEARINGS – the public may join the meeting via telephone while viewing the meeting on Facebook live.**

**To join by phone please dial 1-415-655-0001; and use the access code 2630 394 3829 when prompted**

NO PUBLIC HEARINGS FOR JANUARY 17, 2023

**VII. UNFINISHED BUSINESS – (review / discussion / action)**

NONE FOR JANUARY 17, 2023

**VIII. NEW BUSINESS – (review/discussion/action)**

NONE FOR JANUARY 17, 2023

**IX. ADOPTION OF MINUTES – (review/discussion/action)**

1) Workshop Meeting Minutes – DECEMBER 19, 2022

Motion was made by Virge Lorents to approve the Workshop Meeting Minutes – DECEMBER 19, 2022, as presented.  
Second by Matthew Wendorf. No discussion.

Motion carried unanimously by voice vote (4-0-1). John Sarantopoulos abstained as he had not attended the meeting.

2) Regular Meeting Minutes – DECEMBER 19, 2022

Motion was made by Virge Lorents to approve the Regular Meeting Minutes – DECEMBER 19, 2022, as presented.  
Second by Matthew Wendorf. No discussion.

Motion carried unanimously by voice vote (4-0-1). John Sarantopoulos abstained as he had not attended the meeting.

**X. OTHER / MISCELLANEOUS – (review / discussion / action)**

1) WORKSHOP – PROPOSED ZONE TEXT CHANGE – RE: BUSINESS PARK ZONE (CONTINUED FROM 12/19/2022)

Ann-Marie Aubrey stated that the Commission Members had been provided copies of the most current Regulations Section 436 – Business Park District (revised November 11, 2022) and also a DRAFT of Section 436 (dated January 17, 2023). Ms. Aubrey explained that both sets were provided for comparison.

Ms. Aubrey also stated that copies of the Draft Use Table (dated January 17, 2023) had also been provided to Commission Members.

Motion was made by Matthew Wendorf to suspend the rules to open the floor to discussion.

Second by John Sarantopoulos. No discussion.

Motion carried unanimously by voice vote (5-0-0).

Ms. Aubrey explained that the goal is to make this District, Business Park Zone, more conducive/similar to the other current Districts in Town. She reviewed the revisions as discussed with Staff and the Commission:

- The Intent Section is much shorter than what it was;  
A definition was added for the Business Park as it was discussed to combine the Business Park District, Light Industrial and Professional Business Office.



A Use Table was created making sure that any use that was allowed in those three Districts would somehow be allowed in the new Business Park District.

The Use Table was simplified using sub-categories as parts of definitions, which are also in the document.

- General Requirements were changed because we would no longer be limited to the area right off of I-395. The minimum area of land of 75 acres would no longer apply.

Ms. Aubrey explained that they looked at the following:

- Compliance
- Enclosed Structures
- Defined Right-of-Way
- Location of the Right-of-Way
- Utilities
- Interior Circulation
- Bicycle/Pedestrian Pathways
- Truck Parking
- Landscaping
- Buffering/Screening
- Waste Materials which was renamed as Refuge Enclosures (Items 11a and 11b)

Ms. Aubrey explained that the above seem to be the highlights of the Business Park that people mainly had concerns about.

Ms. Aubrey referred to the Use Table and explained that every use in the Business Park requires a special permit and no other District in Town requires a special permit for every use. This is something that the Commission had wanted Staff to take a look at. She explained the Use Table will contain all of the uses for all of the Districts. On the 1/7/2023 Draft of the Use Table, the Classifications are highlighted, as well as, whether it is a use being added to the Business Park or an existing use in the Business Park.

Staff went through the uses and determined what they felt are allowed uses requiring only a site plan review and which would require a special permit. Ms. Aubrey is still working on this section.

Ms. Aubrey reviewed the following:

- Parking Requirements have already been re-written/updated in the Regulations.
- Sign Requirements have already been re-written/updated in the Regulations.
- Site Plan Requirements – No changes.
- Special Permit Requirements – No changes.
- Dimensional Requirements – Staff will create a new Dimensional Table as different setbacks had been discussed.

Attorney Evan J. Seeman, Robinson+Cole, said that he feels that they are very good Regulations. He made the following comments/suggestions, the bulk of which are focused on Warehouse & Distribution:

- Page 1, Item 2, Enclosed Structures – Attorney Seeman stated that for some distribution centers and warehouse uses, loading/unloading of delivery vans sometimes occurs in the parking, not necessarily at the dock door.

Mr. Thurlow asked if it would be more acceptable if the word “except” were eliminated.

Attorney Seeman suggested that it could be a special standard for Warehouse & Distribution.

Ms. Aubrey suggested “except docking or other areas necessary for the receipt of multiple deliveries” or “within the Commission’s discretion.”

Light Fleet Vehicle Maintenance - service vehicles are sometimes serviced or refueled on the property.

He suggested clarifying whether outdoors or indoors and he said that more flexibility would be good. He said that sometimes these happen outdoors too and he doesn’t want to prohibit that with this provision.

Ms. Aubrey explained that this could be put strictly under Distribution which would, most likely, be under special permit. There was discussion regarding businesses in the Industrial Park who are allowed to do vehicle maintenance. Ms. Aubrey explained that there is a presence of a Business Park that you want to present because you do want mixed uses. It can be looked at to see if it fits with what the Business Park does. Mr. Sarantopoulos feels that it should fit. Inside or outside?



Ms. Aubrey explained that if it is more disconcerting for a Distribution Center, it could be allowed under Distribution Center under certain conditions. She said that there is a variety of options. Do you want it to become another Industrial Park?

Mr. Thurlow stated that, in the Industrial Park, they all have enclosed facilities for repairs. Discussion continued. He said that, if they have a fleet of vehicles, we could do something to accommodate their need, but not have everyone having to look at it. Attorney Seeman suggested that some kind of screening could be used.

- Page 1, Item 3, Defined Right of Way – He explained that this was changed as part of their text amendment. Mr. Thurlow asked Attorney Seeman how he would propose language to be flexible with the access without causing any properties to be landlocked. Attorney Seeman stated that there are other Regulations in the Code (referenced at the public hearing) that address this type of situation. Jonathan Blake explained that when updating the last changes, they probably didn't carry that language over from Section 436.2.g on page 1 of the most current Regulations Section 436 – Business Park District (revised November 11, 2022). Mr. Blake explained that a good amount of time had been spent in discussions regarding accessway vs. right of way vs. actual easement and everyone was in agreement with the language. He said that instead of "Defined Right of Way," it would probably be called "Defined Access." Ms. Aubrey further explained that it is similar to a prescriptive easement. Mr. Sarantopoulos asked if it can be limited. He asked if it would be an open access for whatever is required of that landowner. Ms. Aubrey explained that it is not an unusual practice in Planning. She explained that they would have to be able to get to a street (e.g., Killingly Commons). There was discussion regarding Rock Avenue/Killingly Commons. Mr. Blake explained that with the first, future application, the PZC will need to pay attention to this with special permit/site plan review. Mr. Thurlow asked if the existing language is good enough to protect the rights of the landlocked parcels in the back. Ms. Aubrey stated that Legal Counsel could be consulted and she noted that this is a Draft and it will be sent there for review before going to public hearing.
- Page 2, Item 8, Truck Parking – Attorney Seeman asked whether game preserves should be defined. Ms. Aubrey stated that she will look up definitions to see what fits and will put a definition in the definitions section.
- Attorney Seeman explained that Warehousing is a use allowed by site plan and a Distribution Center is separate use allowed by special permit. Any warehouse has a distribution component to it. He said that warehouse should be intended for more long-term storage and a distribution center is more temporary which also is similar to trucking freight terminals. He asked how does an applicant determine whether their use is a warehouse with a distribution component or just a distribution center because the permitting would be different. Ms. Aubrey explained that a distribution center is a form of a warehouse, but a warehouse is storage of product for a length of time. A distribution center is finished goods, stored for delivery for the consumer at a remote location. Manufacturing is not part of a distribution center, but at a warehouse you could have parts of your product there. She said that there are manufacturers in Town that need space because of the supply chain. Staff was not sure what to do, so they want the Commission to decide. Mr. Thurlow stated agreement regarding distribution center, but he feels that there could be environmental issues in the process of manufacturing on the warehouse side. Mr. Wendorf suggested a statement something like the following: "The majority of the products are transient within the facility and remain there for less than 60 days without being switched out." Mr. Sarantopoulos suggested larger areas for distribution centers because they have more vehicles incoming and outgoing. Ms. Aubrey referred to pages 5 and 6 of the Draft (dated January 17, 2022) and read aloud the definitions for Warehouse and Distribution Center (which she is still working on). Mr. Thurlow spoke about Myoshi as an example because they store powder in one of their buildings which he feels fits into the definition of warehousing.
- Attorney Seeman asked about the definition of Distribution Center because it is crossed out on the Draft (dated January 17, 2023). Ms. Aubrey stated that she will review it and it may be tweaked a little bit along the way.

- Attorney Seeman's last suggestion was that it may be helpful to have a provision about accessory uses.

Mr. Thurlow asked about timeframe.

Ms. Aubrey stated that she is going to try to have it ready for a final review at the February meeting. She asked if the Commission feels that Staff is heading in the right direction and if the Commission has any suggestions for changes to the Table. She said that she wants to take into consideration, comments made by Jill St. Clair, Director of Economic Development.

Mr. Blake suggested that the Commission focus on the Chart when looking at the uses. He stated that he thinks that the only use that was dropped is cluster developments.

Mr. Thurlow feels that it would be good to get more feedback before it is finalized. Ms. Aubrey stated agreement with Mr. Thurlow. Mr. Blake stated that he could reach out to developers and surveyors.

Mr. Sarantopoulos asked if cluster development is being taken out. Mr. Blake explained that it is in the District right now, but the current Staff version takes it out. It is a residential use only. Discussion continued.

Ms. Aubrey asked if the Commission feels that Staff is heading in the right direction or if there are suggestions for something different.

- Keith Thurlow stated that he likes where Staff is going with it.
- Michael Hewko stated that he likes it also.
- Matthew Wendorf stated that he likes it. He commented about heavy equipment sale/rental not being allowed, but trucks and other things are allowed. He referred to the Draft Use Table, Construction Business, Item 3. Mr. Wendorf commented that under Health Care and Social Assistance, Clinics are not allowed, but there are other health care services are allowed in that particular area. Ms. Aubrey explained that "clinic" needs to be defined.
- Virge Lorents likes it.
- Brian Card likes it.
- John Sarantopoulos likes it.

It was decided to continue discussion at the February meeting. Mr. Blake suggested that, if Commission Members have feedback, they e-mail their thoughts to Ms. Aubrey.

## **XI. CORRESPONDENCE**

Information regarding training and *Zoning Practices* were included in packets to Commission Members. There was discussion. Commission Members and Staff will attend a Zoom training session in the Town Meeting Room on March 11<sup>th</sup>. Ms. Aubrey will forward an e-mail to Commission Members.

Mr. Thurlow asked about consulting the Town Attorney about a question he had raised regarding working with the EDC.

## **XII. DEPARTMENTAL REPORTS – (review/discussion/action)**

### **A. Zoning Enforcement Officer's & Zoning Board of Appeal's Report(s)**

Jonathan Blake reported that the ZBA did not meet.

### **B. Inland Wetlands and Watercourses Agent's Report**

Jonathan Blake reported that they now have a quorum, they have some applications and will meet in February.

## **XIII. ECONOMIC DEVELOPMENT DIRECTOR REPORT**

Jill St. Clair reported on activities/grant submissions of Economic Development.

**XIV. TOWN COUNCIL LIAISON REPORT**

Ulla Tiik-Barclay reported on actions and discussions of the Town Council.

**XV. ADJOURNMENT**

Motion was made by Virge Lorents to adjourn at 8:14 p.m.

Second by Michael Hewko. No discussion.

Motion carried unanimously by voice vote (5-0-0).

Respectfully submitted,

J.S. Perreault  
Recording Secretary