




# TOWN OF KILLINGLY

## PLANNING & DEVELOPMENT OFFICE

172 Main Street, Killingly, CT 06239  
Tel: 860-779-5311 Fax: 860-779-5381

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## MEMORANDUM

**TO:** Elizabeth Wilson, Killingly Town Clerk  
**FROM:** Ann-Marie L. Aubrey, Director of Planning and Development   
**DATE:** July 26, 2021  
**SUBJECT:** Zone TEXT Change Application #21-1265; Douglas Construction Company; under Article IX, Section 900 Amendments; added a Special Permitted Use under General Commercial Zone for Distribution Centers for the Town of Killingly Zoning Regulations.

In accordance with Connecticut General Statutes Section 8-3(d) the Killingly Planning and Zoning Commission notifies you that the Commission has **approved – Zone TEXT Change Application #21-1265; Douglas Construction Company; under Article IX, Section 900 Amendments; added a Special Permitted Use under General Commercial Zone for Distribution Centers for the Town of Killingly Zoning Regulations.**

A complete copy of the zone text change, with edits, is attached hereto and incorporated herein for your convenience.

In accordance with CT General Laws the decision legal noticed was published in the Friday, July 23, 2021, edition of the Norwich Bulletin. In accordance with said Executive Order, a fifteen (15) day appeal period commenced on that date. The appeal period will end at the end of the business day on Monday, August 9, 2021. Provided no appeal is taken; **the approved text change will become effective on MONDAY, AUGUST 16, 2021 @ 12:01 AM.**

**If appealed, and there is a positive finding of the court in favor of the Town of Killingly (i.e., the court upholds the zone text change), the Zone text change will become effective immediately upon the publication of the court's decision.**

Any inquiries or questions regarding the zone text change can be directed to my attention at 860-779-5311. Thank you for your consideration.

cc:	Mary T. Calorio, Town Manager (email)	Jill St. Clair, Dir. Economic Dev. (email)
	Jonathan Blake, Planner 1 (email)	Assistant Planner (email)
	Tracy Bragg, Building Official (email)	Randy Burchard, Fire Marshal (email)
	Paul Gazzola, Asst. Bldg. Off. (email)	William Skene, Asst. Fire Marshal (email)
	Diane Guertin, Adm. Secretary (email)	Tammy LaPlante, Adm. Secretary (email)
	David Capacchione, Town Engineer (email)	Gary Martin, Asst. Town Engineer (email)

**NOTE: PLEASE KEEP THIS MEMORANDUM POSTED UNTIL TUESDAY, AUGUST 10, 2021. THANK YOU.**

**Application #21-1265**

**Proposed Special Permit Use – Distribution Center**

**Add to Section 420.2.2 General Commercial Zone (Special Permit Use)**

**Distribution Center:**

**1. Definition (NOTE: Definitions will also be added to Section 310 of the Regulations)**

- a. **Distribution Center:** A building or group of buildings where finished goods are received and / or stored for delivery to the ultimate customer at remote locations. Manufacturing and assembly are not part of the distribution process.

**2. Conditions:**

- a. A distribution center shall have controlled gate access for distribution vehicular traffic, though employee vehicle traffic for parking purposes shall not require gated access.
- b. Outdoor storage of shipping trailers may be provided; however, this area must be landscape screened from abutting uses if they differ in zoning or a use not provided within the General Commercial Zoning Regulation.
- c. A copy of all State of Connecticut Licensing must be submitted to the Planning & Development Office. Copies of the originals of said licensing must be displayed in the office at the location of the distribution center.
- d. Accessory uses such as the field organization of trailers, ancillary trailer or truck repairs, trailer parking and others may be permitted only if they are otherwise permitted uses in the zone in which the distribution center is located and meet the zoning regulations of the zone.
- e. All goods and products stored or packaged in the distribution center shall be indoors except for those items that are stored within a trailer outside of the distribution center. No packaging of goods shall be allowed outside of the distribution center.
- f. Truck loading docks shall not be located on the street facing side of the building or be located on the building side that abuts a residentially zoned parcel without adequate landscape buffer and screening.
- g. All parts of the perimeter which are adjacent to a residential zone shall be screened by a fence or wall with a landscape buffer at least twenty-five (25) feet wide. Additional setback and the reorientation of the buildings may be required to ensure compatibility with surrounding properties.
- h. The maximum height of distribution center shall not exceed 50 feet. Other appurtenances usually required to be above the roof level that are incidental to the permitted use (vents, air handling units, elevator penthouses, or similar) are exempt from this restriction.
- i. All outdoor lighting shall be night sky compliant.

**3. Prohibited Uses:**

- a. Kenneling, storage, or sale of animals or pets.

**Application #21-1265**

**Proposed Special Permit Use – Distribution Center Facility**

**Add to Section 420.2.2 General Commercial Zone (Special Permit Use)**

**Distribution Center Facility:**

**1. Definition (NOTE: Definitions will also be added to Section 310 of the Regulations)**

- a. ~~Distribution Center Facility: A building or group of buildings used to meet the temporary and long-term needs of storage and fulfillment for goods and products between a vendor and end user, owner or leased by businesses, organizations, or logistics operators for the purpose of serving the regional community in processing storage and delivery of goods and products.~~

**Distribution Center:** A building or group of buildings where finished goods are received and / or stored for delivery to the ultimate customer at remote locations. Manufacturing and assembly, are not part of the distribution process.

**2. Conditions:**

- a. ~~The facility~~ A distribution center shall have controlled gate access for distribution vehicular traffic, though employee vehicle traffic for parking purposes shall not require gated access.
- b. Outdoor storage of shipping trailers may be provided; however, this area must be landscape screened from abutting uses if they differ in zoning or a use not provided within the General Commercial Zoning Regulation.
- c. A copy of all State of Connecticut Licensing must be submitted to the Planning & Development Office. Copies of the originals of said licensing must be displayed in the office at the location of the **distribution center facility**.
- d. Accessory uses such as the field organization of trailers, ancillary trailer or truck repairs, trailer parking and others may be permitted only if they are otherwise permitted uses in the zone in which the **distribution center facility** is located and, meet the development standards zoning regulations of the zone ~~or are uses currently being performed within the zone.~~
- e. All goods and products stored or packaged in the Distribution Center Facility shall be indoors contained within the facility except for those items that are contained stored within a trailer stored outside of the distribution center. No packaging of good shall be allowed outside of the distribution center facility.
- f. Truck loading docks shall not be located on the street facing side of the building, if ~~that side of the build is directly opposite of the street with no other landscape or building buffer~~ or be located on the building side that abuts a residentially zoned parcel without adequate landscape buffer and screening.
- g. All parts of the perimeter which are adjacent to a residential zone shall be screened by a fence or wall ~~or~~ with a landscape buffer at least **twenty-five (25)** ~~fifteen (15)~~ feet

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wide. Additional setback and the reorientation of the buildings may be required to ensure compatibility with surrounding properties.

- h. The maximum height of distribution center shall not exceed 50 feet. Other appurtenances usually required to be above the roof level that are incidental to the permitted use (vents, air handling units, elevator penthouses, or similar) are exempt from this restriction.**

~~As an incentive to encourage the more efficient use of land and commercial activity, the Commission may increase the maximum building coverage an additional 10% and building height an additional 10 feet above the underlying zoning requirements for Distribution Center Facility.~~

- ~~i. Existing Distribution Center Facilities may be permitted to expand or construct new buildings on parcels being zoned as General Commercial after the date of adoption of this regulation. The expansion or new construction shall be consistent with and meet the applicable standards of the zoning district in which the facility exists.~~

- j. All outdoor lighting shall be night sky compliant.

**3. Prohibited Uses:**

- ~~a. Sales or auctions by private parties of any goods or products contained at the location.~~
- ~~b. The operation or use of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, or other similar equipment or appliances other than to support the uses and minimal maintenance needs as prescribed above.~~
- ~~c. Any use that is noxious or offensive because of odors, dust, noise, chemicals, gas, fumes, or vibrations.~~
- d. Kenneling, storage, or sale of animals or live pets.
- ~~e. The facility may not be used for any manufacturing or fabrication purposes that fall outside of a Distribution Center Facility.~~
- ~~f. The facility may not be used for the storage or fulfillment of any goods or products that are considered unstable, hazardous, or extra hazardous by any government agency or responsible insurance company.~~
- ~~g. Repair or service work on motorized vehicles other than minimal or modest repairs to trucks or trailers in an emergency capacity.~~
- ~~h. No outdoor storage of storage pods or shipping containers.~~