



TOWN OF KILLINGLY, CT ZONING BOARD OF APPEALS

Thursday – February 10, 2022

Regular Meeting – Hybrid Meeting

7:00 PM

TOWN MEETING ROOM – 2ND FLOOR

Killingly Town Hall

172 Main Street

Killingly, CT

MINUTES

RECEIVED
TOWN CLERK, KILLINGLY, CT
2022 FEB 14 AM 9:17
Elizabeth M. Quisenberry

Public can also view this meeting on Facebook Live.

Go to www.killinglyct.gov and click on Facebook Live at the bottom of the page.

- I. **CALL TO ORDER CALL TO ORDER** – Chair, Andrew Farner called the meeting to order at 7:03 p.m.
- II. **ROLL CALL** - Lynn LaBerge (Vice-Chair); William Menghi; Andrew Farner (Chair) were present (in person). David Izzo, Sr. (by WebEx).

Staff Present – Jonathan Blake, Planner I and Zoning Enforcement Officer (in person).

Others Present – Bashir Muhammad, Owner of 45 Dyer Street (by WebEx); Joseph Boisvert, Contractor (in person); Raymond Wood II, Town Council Member (by WebEx); J.S. Perreault, Recording Secretary (in person).

- III. **CITIZEN PARTICIPATION** – Public comment can be emailed to publiccomment@killinglyct.gov or mailed to Town of Killingly, 172 Main Street, Killingly, CT 06239 on or before the meeting. All public comment received prior to the meeting will be posted on the Town's website www.killinglyct.gov.

Andrew Farner read aloud the above information. Jonathan Blake stated that there was none.

IV. PUBLIC HEARINGS – (Review/Discussion/Action)

If a member of the public would like to comment on the following public hearing during the meeting, please call 1-415-655-0001; Meeting Number (access code): 2631 810 3632.

All calls will be answered as received. Note the meeting is also open to the public.

- a. **Application #22-829 of Bashir Muhammad** to vary the Borough of Danielson Zoning Regulation Section 470, Table A, Min. lot area to allow for change of use from single family property to multi-family property (3 units). Property located at 45 Dyer Street; Map ID# 875, Alt ID 200-174; Residential High Density.

Andrew Farner read aloud the above public call-in information.

Jonathan Blake stated that Staff had reviewed the Application and he referred to his Staff Report and to a Map which shows the number of units per each property in the Dyer Street area, as recorded with the Town Assessor (a total of 70 units). Total land is 4.762 acres (depicted on the Map) which equates to one unit to each 2,963.3 square feet or 14.69 units per acre. Both documents were included in packets to Board Members.

Mr. Blake explained that the Zoning looking to be varied is Section 470, Table A. Under the current Zoning, the minimum area of lot density required would be 14,000 s.f. Mr. Blake explained that the Applicant is looking to vary it to 2,904 s.f. per unit, which, he said, is relatively on par with what is on that Street.

Bashir Muhammad stated agreement with Mr. Blake's explanation of the Application, and he offered to answer questions from the Board:

- David Izzo had no questions or comments.
- Lynn LaBerge asked if there would be adequate parking during parking bans in the winter. Mr. Muhammad stated that the Contractor would be creating off-street parking on the left side of the house. Mr. Blake stated that he had looked at what could be parking area and said that there is grass on the left/south side of the house. Mr. Blake stated that it is possible to develop parking within the Regulations for the Borough. Mr. Muhammad stated that the estimate from the Contractor included sidewalk work as well as rocks/tar/concrete for the grassy area. Ms. LaBerge thanked Mr. Muhammad for stating that something will be done to definitely designate the area.

Joseph Boisvert, Contractor, explained that it is a large house for one family to maintain/heat. He said that it has two stairways (one in front and one in back) and there is plenty of access for two egresses for a 3-family unit, the third one being a single-bedroom unit.

Mr. Blake explained that, in terms of the number of units, if the Application is approved by the ZBA, it would still need to go through checks by the Fire Marshal and the Building Official to make sure that it is feasible.

CONTINUED QUESTIONS/COMMENTS FROM BOARD MEMBERS:

- David Izzo asked about inspections.
Mr. Blake explained that a three-family would be subject to annual inspection by the Fire Marshal or his Deputy for the common area. Also, under the Ordinance, every time each unit is rented, it would require an inspection.

Motion was made by William Menghi to close the public hearing for **Application #22-829 of Bashir Muhammad** to vary the Borough of Danielson Zoning Regulation Section 470, Table A, Min. lot area to allow for change of use from single family property to multi-family property (3 units). Property located at 45 Dyer Street; Map ID# 875, Alt ID 200-174; Residential High Density.

Second by David Izzo. No discussion.

Motion carried unanimously by voice vote (4-0-0).

V. UNFINISHED BUSINESS – (Review/Discussion/Action)

- Application #22-829 of Bashir Muhammad** to vary the Borough of Danielson Zoning Regulation Section 470, Table A, Min. lot area to allow for change of use from single family property to multi-family property (3 units). Property located at 45 Dyer Street; Map ID# 875, Alt ID 200-174; Residential High Density.

Motion was made by David Izzo to accept, as submitted, **Application #22-829 of Bashir Muhammad** to vary the Borough of Danielson Zoning Regulation Section 470, Table A, Min. lot area to allow for change of use from single family property multi-family property (3 units). Property located at 45 Dyer Street; Map ID# 875, Alt ID 200-174; Residential High Density.

Second by Lynn LaBerge. No discussion.

Roll Call Vote: David Izzo – yes; Lynn LaBerge – yes; William Menghi – yes; Andrew Farner – yes.

Motion carried unanimously (4-0-0).

Mr. Blake explained that a legal ad would be posted in the newspaper on Monday which would start the 15-day appeal period. After the appeal period, the Applicant will receive a letter to record the approval on the Land Records.

VI. NEW BUSINESS

Mr. Blake commented that Staff has draft, proposed Regulations relating to the temporary, limited Moratorium on cannabis establishments which was passed by the Town in August 2021. The draft regulations will likely be presented to the PZC in March. The Town could also choose to do an Ordinance. He provided copies of the Moratorium to ZBA Members.

VII. ADOPTION OF MINUTES

- a. September 16, 2021, Special Meeting

Motion was made by David Izzo to adopt the Minutes of the Special Meeting of September 16, 2021.
Second by William Menghi. No discussion.

Roll Call Vote: David Izzo – yes; Lynn LaBerge – yes; William Menghi – yes; Andrew Farner – yes.

Motion carried unanimously (4-0-0).

VIII. CORRESPONDENCE TO THE BOARD – None.

IX. COUNCIL LIAISON

Raymond Wood II reported:

- Jason Anderson - Chair and Kevin Kerttula – Vice Chair of the Town Council.
- Goal-setting session scheduled for January 30th has been postponed due to the snowstorm (date to be determined).
- Dates set for Budget process: April 2nd – Budget to be presented to Town Council; May 2nd – Annual Town Meeting; May 10th – Vote for Budget.

X. ADJOURNMENT

Motion was made by William Menghi to adjourn at 7:22 p.m.

Second by Lynn LaBerge. No discussion.

Roll Call Vote: David Izzo – yes; Lynn LaBerge – yes; William Menghi – yes; Andrew Farner – yes.

Motion carried unanimously (4-0-0).

Respectfully submitted,

J.S. Perreault
Recording Secretary

