

TOWN OF KILLINGLY, CT
PLANNING AND ZONING COMMISSION
Tuesday, March 30, 2010

Special Meeting
Town Meeting Room
Killingly Town Hall
172 Main St., Danielson
MINUTES

I. CALL TO ORDER – Chairman, Keith Thurlow, called the meeting to order at 7:00 p.m.

II. ROLL CALL

Present were members: John Larkin, Virge Lorents, Keith Thurlow and Sarah Nathans. Absent with notification, Brian Card, Mark Horvath and Joseph Couture.

Staff attendance: Linda Walden, Director of Planning and Development, Bruce Chimento, Town Engineer and Eric Rumsey, Planner I, Elsie Bisset, Economic and Development Coordinator
Town Council Liaison – Joyce Ricci and John Hallbergh.

Linda Walden announced that she had received an email from Commissioner Joseph Couture, regarding his resignation effective immediately. No other notification has been received by the Chair or Town Council.

III. PUBLIC HEARINGS

Adoption of the 2010-2020 Town of Killingly, CT Plan of Conservation and Development.

Keith Thurlow read the public hearing notice into the record.

Linda Walden gave an overview of the history of the Plan of Conservation and Development. She reviewed the process that was undertaken in developing the 2010-2020 plan. The Committee tried to keep consistency with the State Plan of Conservation and Development.

Linda Walden asked the Planning and Zoning Commission to consider substituting the Town of Killingly Locational Guide Map for the C&D Policies Plan for CT with the Locational Guide Map which is from the Office of Policy and Management website.

NECCOG has received and accepted the PoCD, with a unanimous approval, on January 22, 2010.

The Killingly Town Council received and endorsed the plan by resolution on March 9, 2010.

Linda Walden next reviewed the process for the public hearing. Public Comments will be heard; changes can be made to the plan; a majority vote is required; a single resolution or it can be done section by section; effective date will be set (suggested date is 12:01 am, Wednesday, May 19, 2010.

Peter Deary is a business owner in Town does not want to see the Light Industrial zone changed to General Commercial. He outlined why this would have an effect on his properties.

Al Weiss of Dayville. He reviewed some of the changes that will have an impact on the community. Open Space – what the town wants for open space and what they have should be considered. Taxes have impacted many neighborhoods, especially subdivisions. He questioned how these changes will impact businesses in town. He reviewed the proposed sewer avoidance map and feels that the WPCA should make the decision of this, not Planning and Zoning. Mr. Weiss expressed his concern regarding the housing economy vs. developers gaining a quick buck. He asked the Planning & Zoning not to overlook their planning duties. He also stated that block grants were not part of the PoCD and feels this should be an integral part of it. This could create plantings, street walks, sidewalks etc. along the Route 101 corridor.

John Hallbergh of Hartford Pike would like the sewer use map reconsidered and use the map presented by the WPCA. He feels they are more qualified for this. Regarding cluster housing, he is not in favor of it and would like to see some sort of change.

Janice Thurlow of Chestnut Hill. She was on the Town Council when there was a joint meeting with the Town Council and WPCA, regarding the sewer avoidance map. This map was approved six years ago. She feels the WPCA map should be used. She also feels that there should be no change to the Light Industrial zone.

Randy Joly would like to have the Light Industrial zone remain the same and not changed to General Commercial. The aquifer will be changing in the future from Level B to Level A in this area; however no one knows when this will happen. He proposed that the zone stay the same until this change, and the Commission can reconsider changing the zone once the aquifer change has been made.

Wayne Jolley would like the Light Industrial to remain the same. He would like to expand his business, however with this change he does not know how his business will be affected.

Dale Desmarias Member of the Economic Development Commission. A letter was sent to the Planning & Zoning Commission with the proposed changes and additions from the EDC. They would like to add an additional map entitled Eastern CT Enterprise Corridor. This map shows designated districts in Killingly where economic benefits are available for eligible manufacturers' and wholesale distribution companies. The sewer avoidance map of the WPCA should be put into the PoCD in place of the proposed map. They would like the Light Industrial zone along Route 12, in the southern part of town, to remain as it currently is designated. He further asked that the PZC to clarify the language in Objective One under Strategies on page 14 regarding Open Space percentages.

Elsie Bisset, Economic Development Coordinator, next reviewed the Eastern CT Enterprise Corridor Map which shows the current GIS. She feels that this is a good tool to show the area of economic benefits.

She next reviewed the proposed grammatical errors and changes to the plan. Some of the

changes are listed below:

Page 6 – 4th paragraph. “Killingly is home to two **excellent regional** schools...”

Page 14 – **Objectives** - “1. Increase **protected** open space...”; **Strategies** – “Objective 1: Increase **protected** open space ...”

Page 19 – f. “...Shetucket National Rivers Heritage Corridor in the form of public outreach **through the means of the Last Green Valley Institute, and any other future** means to assist...”

Bruce Chimento, Town Engineer, on behalf of the WPCA. The Chair of the Authority could not be at the meeting. Mr. Chimento reviewed the two sewer avoidance maps proposed, WPCA and PZC. The WPCA’s map has been presented to the Office of Policy and Management and has been tentatively approved. The WPCA is adamant that they do not want their map changed. This map is before the DEP for approval. Mr. Chimento read into the record CGS Chapter 103 Section 7-246(b) which states the duties of the WPCA. Specifically areas where sewer is to be avoided etc. Mr. Chimento feels this map prevails according to state statute.

Linda Walden clarified some discrepancies between these maps and outlined specifically these changes. She further pointed at that forced main service was discussed at length between the WPCA, EDC and PZC, regarding these maps.

Linda Walden read into the record a portion of the Conservation and Development Policies from the Office of Policy and Management which also states the PZC has authority. She further pointed out that the PZC has statutory authority which is consistent with the State Plan. The PZC is working in the planning capacity, not the zoning capacity.

Ms. Walden next read into the record, excerpts from Growth Management Principle #4 page 76 and 77. This outlines the Rural Lands and referral to sewer infrastructure; Cluster subdivisions and the technique in which they protect rural environment; and a statement on sewer avoidance. She next reviewed CGS § 8-24 Municipal Improvements.

Ms. Walden added to the record that the plan was duly noted in the Town Hall; advertised in the Newspaper and on the website. She further read for the record the NECCOG minutes which approved the PoCD and Resolution 10-26 from the Town Council dated March 9, 2010 signed by Chairman, Robert Young.

Linda Walden further pointed out that any projects that would like to be developed with sewer would need the approval of the Town Council, PZC and WPCA. However, if the area is in the sewer avoidance area, it does not mean they will not be able to get sewer, some developers are willing to pay to have sewer brought into their project. This will need approval.

Bruce Chimento feels that there should be a choice where sewer can be put in. He feels that Nauset Acres and Route 101 should have a choice.

Linda Walden feels the sewer avoidance has been addressed with a lot of discussion and several votes.

Further discussion regarding this matter was heard.

Discussion regarding the Light Industrial zone was heard. Virge Lorents stated she was involved in the creation of the zone. A workshop was held in preparation of the PoCD and Land Use Maps. There were concerns regarding the southern portion Route 12 and the future change of the aquifer. Once the change was made to Level A aquifer, there would be an extensive area of businesses that would have to go through the registration process.

Peter Deary feels that if Light Industrial remains in this area, he can double his workforce and size. If it is changed, he will not be able to do this.

Linda Walden next reviewed her memo which had suggested revisions/recommendations. This memo was provided to the Commission.

Virge Lorents asked how the Commission should act on the issues regarding the maps. Linda Walden said they may take action on each issue or table the meeting for another date.

Joyce Ricci, Town Council Liaison, would like to see the Light Industrial issue settled this evening.

Keith Thurlow felt that the WPCA was in agreement with the PZC regarding the sewer avoidance map. However, he feels that the WPCA maps should replace the PZC's map. Virge Lorents feels that if they change the map, it will disagree with the State's vision and the Borderlands vision. She disagrees with Mr. Thurlow.

Keith Thurlow next reviewed the workshop that Randy Joly attended and felt that he was in favor of changing the zone from Light Industrial to General Commercial and stated some reasons. Mr. Joly was an advocate for this change. Mr. Thurlow feels that this is a reversal to what has been discussed and voted on at meetings. However, he does feel that this will impact owners and their businesses. Virge Lorents feels that Light Industrial is an incubator zone where small businesses can start and then move on. Discussion regarding the aquifer and how it would affect businesses in this area and other areas of the Light Industrial zone in Town.

Randy Joly said he did attend the meeting and was in favor of the change. He initially thought the aquifer change would happen pretty quickly, however, he has had further time to think about it and the process of a special permit. He felt that he did not have all the information in front of him at the time of his initial decision. He would like his proposal to leave the Light Industrial zone the way it is and when the aquifer change happens, review this issue again.

Wayne Jolley stated that they are thinking of changing their manufacturing business and does not feel that commercial would not allow this.

Virge Lorents made reference to Route 2 in Warwick Rhode Island. Killingly Commons has been successful and the zone may expand east. She feels that there should be an area where this will stop or else the Town will lose control of the expansion.

Al Weiss does not feel that this will happen as there are a lot of wetlands in East Killingly, which is roughly 100 acres. He feels that consideration should be taken to local businesses to allow improvement.

He further pointed out the natural buffer from his property along Owen Bell Park has been destroyed. He feels this needs to be addressed. He questioned the blighting that is going on. He would like the architectural design to be addressed. The ground water in this area is also be contaminated by Shell and Chucky's gas station. He feels Route 101 should be on well water.

MOTION by John Larkin to close the public hearing of Adoption of the 2010-2020 Town of Killingly, CT Plan of Conservation and Development. SECOND by Virge Lorents. Motion carried unanimously.

Hearing segment closes

Meeting Business continues

IV. CITIZENS' PARTICIPATION – Virge Lorents asked, as a citizen, what happened to the buffer at the skate park. What has the Town done to comply with the Planning & Zoning regulations regarding the skate park. (Owen Bell Park)

V. BUSINESS - None

A. Discussion/action on Adoption of the 2010-2020 Town of Killingly, CT Plan of Conservation and Development.

Keith Thurlow asked the how the Commission would like to handle the process of adopting the Plan. Linda Walden stated that they can adopt the whole resolution or they can act on succession of resolutions. She further pointed out that the zoning maps will need some minor work to show the accurate reflection of the parcels along with the future land use maps and Enterprise Corridor maps. Eric Rumsey said this is more for consistency.

MOTION by John Larkin to postpone the adoption of the resolution of 2010-2020 Town of Killingly, CT Plan of Conservation and Development, until April 19, 2010 with the discussion, regarding the PoCD, to remain open. SECOND by Virge Lorents. Roll Call: John Larkin, Virge Lorents, and Sarah Nathans – aye/in favor. Keith Thurlow – nay/against. Motion carries 3 to 1.

Keith Thurlow asked for a motion to adjourn. John Larkin felt that discussion should be heard regarding the plan. Keith Thurlow said that the discussion is to find out which way we want to move forward on this. John Larkin feels that there is a fair amount of issues that need to be corrected. He would like to discuss the other issues of the Plan that can be voted on. Keith Thurlow feels that an adjournment is needed because of his original motion. Linda Walden said that normally a discussion would be part of the motion. There would be a motion on the floor and then discussion to act on it.

MOTION by John Larkin to rescind the motion to postpone. SECOND by Sarah Nathans. Roll Call: John Larkin, Keith Thurlow, and Sarah Nathans – aye/in favor. Virge Lorents – nay/against. Motion carries 3 to 1.

John Larkin called a point of order. He asked if there is a motion to adopt, can they discuss the plan. if they make a motion to table, can discussion be heard? Bruce Chimento said if a motion to table is made,

the only discussion would be tabling the motion.

MOTION by Virge Lorents to approve the resolution with the formatting of the maps to be completed by Staff. SECOND by Sarah Nathans.

John Larkin asked if they should make a list of what issues need to be done. Virge Lorents asked if she could make suggestions to the items that need to be worked on within the plan. Linda Walden explained that a motion has been made to accept the plan as presented, with the exception of the maps. An amendment can be made to the motion, the issues of discussion can be put forward toward the main motion and then a vote will be done on the amended motion and final vote on the main motion.

Discussion ensued regarding the process which needs to be taken to continue the motion on the floor.

MOTION by Virge Lorents to rescind the motion to approve. SECOND by Sarah Nathans. Motion carried unanimously.

Keith Thurlow asked again how the Commission would like to approach the approval of the plan.

MOTION by John Larkin to adopt the Plan of Conservation and Development with the following conditions: 1.) Light Industrial zone will be remain along Route 12 and will be changed to General Commercial, as per the PoCD, on Lake Road; 2.) Correct grammatical errors, as pointed out by the Economic and Development Commission; 3.) Add the Eastern CT Enterprise Corridor Map to the PoCD; 4.) Suggested revisions/recommendations received from Town Planner, Linda Walden, specifically: #1, #2, #3, #5, #7, and #8, as written; 5.) Formatting of maps to be completed by Staff ; 6.) Replace Map L, Sewer Avoidance Map, as adopted by the Planning and Zoning Commission with the WPCA Sewer Avoidance Map. SECOND by Sarah Nathans. Roll Call: John Larkin, Keith Thurlow, and Sarah Nathans – aye/in favor. Virge Lorents – nay/against. Motion carries 3 to 1.

MOTION by John Larkin to set the effective date for the PoCD to May 19, 2010 at 12:01 a.m. SECOND by Sarah Nathans. Roll Call: John Larkin, Keith Thurlow, and Sarah Nathans – aye/in favor. Virge Lorents did not give a response to the motion. Motion carries by majority vote.

Linda Walden explained that she will need to write a report which shows the inconsistencies between the Towns's PoCD and the State PoCD. She suggests that the PZC review the report before it is submitted. The Commission would like the report sent to them individually for review with the vote on the report to be done at a later time.

VI. ADJOURNMENT – MOTION by Virge Lorents to adjourn the meeting at 8:30 p.m. SECOND by Sarah Nathans. Motion carried.

Respectfully submitted,

Karen M. Desrosier, Clerk