



TOWN OF KILLINGLY, CT
PLANNING AND ZONING COMMISSION

TUESDAY – JANUARY 18, 2022
Regular Meeting – HYBRID MEETING
7:00 PM

TOWN MEETING ROOM – 2ND FLOOR
Killingly Town Hall
172 Main Street
Killingly, CT

RECEIVED
TOWN CLERK, KILLINGLY, CT
2022 JAN 31 AM 9:52
Elizabeth M. Wilson

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

MINUTES

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I. **CALL TO ORDER** – Chair, Keith Thurlow, called the meeting to order at 7:04 p.m.

ROLL CALL – Virge Lorents, John Sarantopoulos, Matthew Wendorf were present in person.
Brian Card and Keith Thurlow were present via Webex.

Staff Present – Ann-Marie Aubrey, Director of Planning & Development; Jonathan Blake, Planner I & ZEO; Ken Slater, Town Attorney, Halloran & Sage; Jill St. Clair, Director of Economic Development (all were present in person).

Also Present (in person) – Attorney Joseph Hammer, Day Pitney, LLC; David Kode, Design Director and Architect with Haskell Company (Project Consultant); Scott Hesketh, Traffic Engineer with F.A. Hesketh & Associates; Roger Gieseke, Frito-Lay (Senior Project Engineer); Brian Dotolo, Haskell (Project Director); Sil Quenga, Frito-Lay (Director of Engineering and Maintenance); Karen Johnson, 1819 Upper Maple Street; Norm Thibeault, Killingly Engineering Associates; Carol Riley, Cook Hill Road; Attorney Michael P. Carey, Suisman Shapiro; Nicholas Durgarian, Douglas Construction; Ulla Tiik-Barclay, Town Council Liaison.
(via Webex) – Steven Cole, Haskell (Civil Engineer); Bennett Brooks, President of Brooks Acoustics Corporation; Attorney Mary Miller, representing the Alexanders Lake Homeowners Association; Douglas Bell, Acoustics Expert; Robert Deluca; Scott Lyons, Haskell; Kevin Krump, Haskell; J.S. Perreault, Recording Secretary.

II. **SEATING OF ALTERNATES** – None.

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 or mailed to the Town of Killingly, 172 Main Street, Killingly, CT 06239 on or before the meeting. 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.killingct.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 2630-941-0114 when prompted.

Ann-Marie Aubrey read aloud the above public comment/call-in information.

There were no comments from the public.

V. COMMISSION/STAFF RESPONSES TO CITIZENS' COMMENTS

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

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 2630-941-0114 when prompted

1) Special Permit Ap #21-1273: David Kode (Frito-Lay/Landowner); 1886 Upper Maple St; GIS MAP 62, LOT 53; 94 acres; Ind Zone; for portion of proposed building addition that will exceed the maximum height of 50 ft for said zone, with a proposed height of 86 ft, 8.5 inches.

Attorney Joseph Hammer, represented the Applicant. He noted that this is the third meeting that the PZC has considered the Special Permit and the Site Plan applications and he commented that their goal for tonight is provide some additional information and responses to comments from the last meeting and that they hope that the proceedings for both applications will be completed tonight. Attorney Hammer stated that they would address questions, if any, regarding the third-party review by CLA Engineers, Inc. (dated January 12, 2022) or the response letter from Haskell (dated January 14, 2022). Attorney Hammer stated that, after the last meeting, Staff had provided them with a copy of a 2011 Planting Plan. Frito-Lay has prepared slides (submitted to Staff on January 14, 2022) showing existing conditions that show that there were plantings implemented, by Frito-Lay, that are consistent with that plan.

Steven Cole, Civil Engineer with Haskell, reviewed revised designs around the Auto Parking and the Trailer Spaces. Twenty-six revised drawings had been submitted and he reviewed the following (plans were displayed as discussed):

- Overall Site Plan
 - Auto Parking Lot revised design nets 172 added spaces to the site
 - 289-foot separation from Upper Maple Street right-of-way to the closest point on the Auto Parking Lot, exceeding the existing buffer area of 271 feet.
 - 15 Trailer Spaced – There was a reduction in the number of spaces, they went to an angled approach meeting the 25-foot required buffer space (Section 430.2.5).
 - Meet all required setbacks per Table A for the Industrial Classification.
 - Restriping existing ADA spaces to be in compliance with State of CT.
- Enlarged Geometry Plan for the 15 Trailers Spaces on the south side of the site. Contains detail for the ADA spaces.
 - Meets the 25-foot required setback.
 - Currently matches the Yellin Lot trailer parking stall back of curb alignment – 28 feet with a 6-foot shoulder and proposed fence.
 - Improvement for tractor trailer traffic: they will be paving the drive as it extends off of the existing gravel drive. He referred back to the Overall Site Plan and explained that the existing gravel road will remain undisturbed except for paving improvements at the south end. This will remain open.
- Enlarged Geometry Plan for the Employee Auto Lot
 - Indicated snow storage area.
 - Net add of 172 spaces.
 - Will have a sidewalk connection to the existing employee auto lot on the south side.
 - 289-foot separation from Upper Maple Street right-of-way to the closest point of pavement.
 - Fencing to be routed in a manner so as not to disturb any trees.

- Landscaping Plan - Trailer Lot
 - Plan to have standard white spruces with red cedars along the back curb within the 28-foot offset from the property line to the back of the trailer stalls.
 - He explained that they plan to maintain some of the existing berms. He explained that existing grades along the drive would be maintained and that minimal earthwork would be required to promote the flow-thru traffic from the southern lot.
- Landscaping Plan – Auto Parking Lot
 - Indicated where they plan to add white cedars or white spruces and red cedars along the embankment.
 - He explained that a lot of analysis had been done on the elevations for the Auto Parking Lot. He explained and indicated where they are proposing an 11-foot berm to match existing which will tie-in with the existing parking lot as you transition north where there will be a 4-foot high berm (which will be planted) above the proposed Auto Parking Lot which will extend around the perimeter of the Auto Parking Lot around to the existing drive. He said that this method would be the least impact to trees and the existing terrain and to provide adequate screening to limit line of sight to the Auto Parking Lot. He said that Cut & Fill analysis was determined to limit the amount of export material.
 - 5,500 s.f. of provided landscape (5,360 s.f. of green space is required by the Town). He said that they are providing it at the perimeter of the parking lot as well.

QUESTIONS/COMMENTS FROM COMMISSION MEMBERS:

Keith Thurlow questioned Cut & Fill. Mr. Cole explained that they do not have yardage calculations at this time. He said that a full cut analysis would be performed and that it would be provided to CLA Engineers. Attorney Hammer explained that they did their best to respond to the third-party review, but there are a number of items that they need to provide information for and he stated that they are agreeable to impose, as a condition of approval, that all of those items be provided prior to the issuance of a building permit.

Brian Card commented that per the Regulations, the Cut & Fill calculations should be provided to the PZC as part of the decision-making process, not provided to Staff to follow-up on at a later date. Mr. Card asked if anyone would be addressing the 2010 prior approval Forest Management Plan regarding landscaping maintenance or integration of the buffer between the site and the railyard. Attorney Hammer referred to the slides that Sil Quenga of Frito-Lay had prepared that he had previously mentioned. Attorney Hammer stated that they feel that they have met the intent of that Forest Management Plan and that they are maintaining everything out there on the west side of the gravel drive as well. Mr. Cole referred to Sheet 2C-222 of the engineering documents and stated that they had provided Cut for the Auto Parking Lot. Regarding the CLA comment, Mr. Cole said that they cannot speak to what is expected to be hauled off site or truck generation at this time. Mr. Cole stated that Sheet 2C-222 shows 19,000 c.y. volume of cut for the Auto Parking Lot which was specifically requested by Town Engineer, David Capacchione. It does not take into account other areas of the site. Mr. Card noted that the PZC is to evaluate the off-site hauling volume leaving the site. Mr. Cole stated that a full site analysis will be done and they will work with construction team members on trip generation.

Scott Hesketh, Traffic Engineer with F.A. Hesketh & Associates, addressed the question raised at the last meeting regarding volume of truck traffic to and from the Facility and how it would impact the level of service calculations provided:

- Mr. Hesketh explained that ITE projected a total of 24 peak-hour truck trips for the existing Facility and 34 peak-hour truck trips for the expanded Facility. After speaking with the operations staff at the Facility, they were informed that the average peak-hour volume of truck trips currently is 26 (two higher than the ITE projected) and they are projecting a total average of 40 peak-hour trips for the expanded development (six trucks per hour higher than the ITE projected). His opinion is that these are similar numbers in terms of the capacity analysis standpoint. He does not believe that the minor increase in truck traffic would impact the levels of service calculations at the site driveway intersection. Specifically, since they are projecting an overall level of service “B” at the Attawaugan Crossing Road and the site driveway intersection with a westbound level of service “C” for the westbound approach, at that location, under the combined traffic conditions. The minor increase in trucks would not significantly impact the results of that analysis and would not change their opinion as to the ability of the local roadway network to accommodate this proposed expansion.

QUESTIONS/COMMENTS FROM COMMISSION MEMBERS:

Keith Thurlow asked for clarification as to whether these are truck trips for product or construction. Mr. Hesketh stated that it is for post-construction, production operations.

Bennett Brooks, Licensed Engineer and President of Brooks Acoustics Corporation, gave a Power Point presentation:

- Regarding the question raised on December 20, 2021, regarding the rooftop units on the ASRS: Mr. Brooks explained that, based on the current design drawings and equipment specifications for the Project, they modeled the sound generated by the four different types of rooftop equipment (rooftop units/make-up air units/supply fans/exhaust fans) to the west property line and across the right-of-way, Upper Maple Street, and the railroad to the nearest residence.
 - He explained that they applied lab test data from the manufacturers for their mathematical model taking into account any sources (the building/any barriers/distance/atmospheric conditions/terrain/etc.) according to the international standards for this type of calculation. They did ten calculations.
 - He displayed a table and gave a summary of the study which had been submitted with a report. At the nearest house on Upper Maple Street, the highest level obtained through the model was 39 dBA. At the property line, it was 40 dBA (equivalent to a quiet whisper). Supply and Exhaust Fans at the nearest house were 34 dBA. The maximum number of units operating (12) would be 38 dBA. For the high bay only it would be 26 dBA and 32 dBA. He said that it is a fairly quiet system as quiet units were selected for the Project and there is a lot of distance. The criteria they used was nighttime hours (10 p.m. to 7 a.m.) sound level limit of 51 dBA (equivalent to a very quiet voice) mandated by the State of Connecticut. The 39dBA from the ASRS at the house is well below the existing background level. He said it will not significantly increase the existing Plant level. No roof walls, sound screens or parapets will be needed, so there is no height increase proposed. He said that it will be very quiet or, likely, not even audible at the residences in the neighborhood.

QUESTIONS/COMMENTS FROM COMMISSION MEMBERS:

Matthew Wendorf asked that Mr. Brooks compare the current operating dBA rating to what it would be with the equipment added on. Mr. Brooks explained that they did some engineering studies based on the existing configuration. There were recent upgrades made to the starch recovery system toward the south end of the Plant to quiet some of that equipment. They did some before and after studies, but did not do a full compliance study at the residences because the State of CT mandates that you do it at the residences, including the rights-of-way between the sound source and the receiver. He said that they did some estimates based on previous work that they had done with Frito-Lay over the years. The level that they were getting for the full Plant was in the range of 46-48 dBA based on the engineering study (which is below the 51 dBA at night). He said that the upgrade to the starch system was successful in removing some of the sound which gives them a good basis for moving forward.

John Sarantopoulos asked about a statement that had been made at a previous meeting regarding a sheen/residue on the water of the Lake produced by the Facility. Roger Gieseke, Frito-Lay Senior Project Engineer, stated that a comment had been made by a member of the public, but, to his knowledge, Frito-Lay is not aware of any evidence that supports that statement. Mr. Thurlow commented that, if this becomes an issue, a water test would answer that question.

Keith Thurlow stated that he is still concerned about the buffering because, when on Maple Street heading north, you can see the top section of the existing ASRS building and he feels that you will see even more when the new building goes up. He suggested a more permanent buffering to protect the residential/recreational area. Sil Quenga, Director of Engineering and Maintenance with Frito-Lay, responded. The 2011 Forest Management Plan and photos were displayed as Mr. Quenga gave his explanation of the line of trees/ sight line/plantings for each photo. Mr. Quenga explained that the 2010 project to install the Scoops line in the potato receiving area was never completed, so they plan to install a grove of trees there in the spring. Mr. Kode explained that six seasonal views were previously submitted. Attorney Hammer stated that, Frito-Lay, as a condition of approval, would be willing to work with Staff/Commission to define the scope and add some trees. Mr. Thurlow stated that his interpretation is that impacts would need to be minimized year round. Mr. Thurlow referred to a berm behind other businesses in the Industrial Park that also has a heavy tree buffer behind it and he feels that Frito-Lay could do more in this short section to provide more permanent buffering. Sil Quenga referred to Slides #18-#25 which were displayed showing seasonal views and spoke about different trees that have been or could be added. Mr. Thurlow stated that where the spur goes in, there is a wide-open view and he feels that this is an issue that needs to be addressed and that it does not meet the Regulations by not having a year-round buffering. Attorney Hammer, again, offered that it could be handled as a condition of approval, subject to Staff approval. Mr. Thurlow commented that part of it is that the tree management plan was supposed to be implemented as part of the 2010 project.

Brian Card asked Mr. Brooks about follow-up proof testing at the end of Construction to validate the model to ensure that the results are consistent with the modeling to ensure that we do not exceed the noise standard. Mr. Brooks stated that they have been engaged by Frito-Lay to conduct the follow-up testing and it is in the Plan.

Brian Card asked about test pits, to verify bedrock/groundwater, which are to be done at a later date. Mr. Card asked about the method to remove bedrock (Gravel Regulations, Section 560), if needed. Steven Cole explained that it depends on what they find. He does not foresee it as an issue, as he has seen boulders in the area which they can crush. Brian Dotolo, Project Director with Haskell, commented that they had done some blasting of ledge in the past or they could chip and hammer and process it into gravel and use it as fill. Mr. Card stated that the proper information (Cut & Fill), in accordance with Section 560, needs to be presented to the PZC so they can evaluate it appropriately. Mr. Dotolo stated that they will provide the information.

PUBLIC COMMENTS:

Karen Johnson, 1819 Upper Maple Street, had submitted a letter outlining her concerns regarding zoning deficiencies and said that some of them have been addressed, but the majority have not. She feels that the Application is incomplete. She suggested that the public hearing not be closed tonight. She explained her feeling that a good, comprehensive set of baseline information is needed and more time is needed to review what has been recently submitted. She stated that they have hired a consultant, Douglas Bell (report submitted earlier in the day), regarding the noise issue (present via Webex). She feels that this is an opportunity to put in reasonable conditions and reasonable ongoing monitoring. She said that this is an opportunity to correct what was wrong 40 years ago which is a set of plans that don't have enough detail and don't have reasonable considerations for off-site impacts for the neighborhood.

Attorney Mary Miller, represented the Alexanders Lake Homeowners Association, explained that they are concerned with what has been done, to date, regarding noise mitigation. They hired their own expert to do an acoustic analysis to inform the Commission what needs to be done and what kind of parameters should be in place. She explained that the major reason she was hired was that if the noise issue is not properly taken into account, they have the right to appeal. She expects that there will be some recommendations with a post-construction noise study.

Douglas Bell, Senior Principal Consultant and President his Acoustics Company (an Acoustical Consulting Firm from Massachusetts), stated that he had recently reviewed some documents that had been prepared and that he had watched video of previous testimony. Mr. Bell stated that his letter (submitted earlier in the day) outlines his comments. He reviewed his comments from the letter:

- There has not been a definitive statement from Frito-Lay that they comply with State Regulations. There is a requirement for a tonal analysis. He explained that if there are tones that meet that criteria, the limits are not 51 dBA as stated, but would be reduced to 46 dBA which, he said, makes a big difference.
- Mr. Bell stated that, when you review a project like this, it's not the noise source of the various components, but it is still the aggregate of the Facility and the new additional sources that need to be reviewed. He explained that the next step, knowing what your existing impacts are, you would have to do acoustic modeling and goal setting such that, when you add new components to the Facility, the accumulated noise sources first meet the local noise criteria/Regulations and also don't create a noise nuisance.
- Mr. Bell said that there needs to be a comprehensive Facility noise evaluation that looks at the various phases of the project and any other new noise sources and combines them with what is already out there to be able to assert that these limits and goals are not exceeded. He explained that it needs to be comprehensive so that it can be peer reviewed and evaluated in such a way that it shows a site plan showing all of the noise sources that are modeled, showing a table of all the sound power levels of all of the sources so that they can be reviewed to make sure that they fall within what would be expected. If there is noise mitigation in the design, it needs to be included in there so that later, it can be determined whether it was implemented by the contractor. He said that there needs to be a fairly comprehensive report (utilizing ISO 96-13 Standards) that defines acoustic goals at the appropriate receptor locations, mostly the sensitive noise receptors along the east side of Upper Maple Street.
- Finally, post construction (can be on a phase basis), Mr. Bell said that there needs to be acoustic testing at the receptor properties again to determine and demonstrate that the project is still in compliance and has met its acoustic goals. This would require submission of a protocol to be reviewed and accepted by the Town prior to implementation.

- Mr. Bell stated that, based on the data that he reviewed, it is pretty clear that there are acoustic impacts from the Frito-Lay Facility already in the neighborhood and the key is to try to minimize them and keep them in context with the existing acoustic environment and demonstrate that all in advance so that you're not trying to control something that might be very difficult to do at the end.

Attorney Mary Miller requested that the public hearing be continued and she stated that Mr. Bell could be available to answer questions at a future meeting.

QUESTIONS/COMMENTS FROM COMMISSION MEMBERS:

Virge Lorents asked if she had a question after the meeting, could she ask it through Staff. Ann-Marie Aubrey stated Commission Members could forward questions to Staff. Town Attorney, Ken Slater stated that would be okay if the public hearing is not closed.

John Sarantopoulos questioned why the reports are not completed at this point. He feels that all of the information should have been submitted.

Attorney Hammer reviewed the timeline:

- The Application was submitted on August 6, 2021, it was received by the Commission on August 16th.
- Attorney Hammer requested a continuance in September to continue negotiations with the Lake Association.
- There were public hearings on November 15th and December 20th.
- Discussions with the Lake Association began in late August and continued up until the November 15th meeting.
- Prior to the November 15th meeting they provided the Lake Association with a complete copy of the March 2021 Report by Mr. Brooks which summarized his October 2020 Field Sound Test.

Virge Lorents commented that it is a big project with a series of complicated issues and she feels that it is good to take the time to get it done better than it has been done in the past.

John Sarantopoulos stated agreement with Karen Johnson. He feels that it is being drawn out and that both sides have to be responsible to expedite it.

THERE WERE NO COMMENTS FROM THE PUBLIC.

COMMENTS FROM STAFF:

Ann-Marie Aubrey had no comments or questions.

Town Attorney, Ken Slater explained that the Commission needs to evaluate whether they have enough information to set conditions of approval, or denial. He noted that the Applicant has proposed that they have a series of conditions that they would comply with as conditions of approval. He also noted that if the Commission feels that it should see additional information before making a decision, then the public hearing should be kept open. Ms. Lorents explained that she feels that it would be premature to vote on this Application tonight. Attorney Slater asked Attorney Hammer if the Applicant has additional information to present. Attorney Hammer explained that he has additional comments and proposed conditions to review with the Commission, but that they are comfortable with the public hearing be closed tonight. Attorney Hammer stated that if the public hearing is not closed tonight, he feels it should be very narrowly defined and if the intervener is allowed to submit any additional expert testimony/evidence at the next hearing, it would be extremely prejudicial to the Applicant because there are time limits on these proceedings. If they are allowed to present at the next meeting, the Applicant is deprived of a meaningful opportunity to digest it, understand it, question it and possibly, respond to it. He offered to review their proposed conditions of approval.

Attorney Slater asked Attorney Miller if there is particular new information that she needs more time for that she has not had an opportunity to present, so that the Commission could narrowly define should the public hearing be kept open. Attorney Miller explained that there is one thing that they would like to speak to which would be potentially helpful to everyone and that is conditions. She feels that a series of conditions are necessary should the Application be approved. She feels that they would not be prepared to respond to the conditions (with suggestions of their own conditions) when presented by Attorney Hammer. Attorney Miller requested that the public hearing remain open and stated that they would be willing to be limited to that they be permitted to submit their suggestions in response to

Attorney Hammer's proposed conditions. Attorney Slater explained that if the Commission feels that they have enough information to work with Staff to fashion conditions, they could close the public hearing and they would have 65 days to render their decision or, if the Commission feels it is necessary to keep the public hearing open to allow more information to be presented, they could do that, but it should be narrowed to just that information.

Motion was made by John Sarantopoulos to close the public hearing for **Special Permit Ap #21-1273**; David Kode (Frito-Lay/Landowner); 1886 Upper Maple St; GIS MAP 62, LOT 53; 94 acres; Ind Zone; for portion of proposed building addition that will exceed the maximum height of 50 ft for said zone, with a proposed height of 86 ft, 8.5 inches.

There was no second.

Discussion:

Attorney Slater recommended that the motion be withdrawn to give the Applicant an opportunity to close and they wanted to present some proposed conditions.

Mr. Sarantopoulos withdrew his motion.

Discussion continued. Mr. Thurlow stated his reason why he feels the public hearing should be kept open: He would like to see more information regarding Cut & Fill; where the material would be going; counting of truck traffic and direction they would be travelling; and a more comprehensive plan for the buffering.

Steven Cole stated that they will provide a full Cut & Fill Analysis and haul-off volume. He explained that the 19,000 c.y. is only for the auto parking lot, which had been requested by Town Engineer, David Capacchione.

Brian Dotolo stated that the location of the fill is yet to be determined and that no subcontracts have been awarded yet.

Brian Card stated that he does not feel that Section 560 has been adequately addressed, but it may be able to be addressed in conditions. He feels that they have adequate information regarding the other items to address them formally in conditions.

Matthew Wendorf and Virge Lorents both stated agreement with Mr. Thurlow and Mr. Card.

John Sarantopoulos stated that he is good.

Attorney Slater asked Attorney Hammer if the analysis regarding Cut & Fill could be available for the next meeting. Attorney Hammer stated that he thinks it could. Attorney Slater stated that feels that the public hearing could be closed tonight. Attorney Slater also suggested that, if kept open, discussion be narrowed down to presenting information on just the Cut & Fill Analysis and associated truck traffic and proposed conditions from the intervener regarding noise, no further expert testimony submissions. Attorney Hammer agreed. Attorney Miller stated that she feels that is an appropriate way to proceed and she stated that she would be drafting noise conditions with assistance from Mr. Bell. Attorney Slater stated, regarding it being a public hearing, that comments would be limited to just those two items.

Attorney Hammer stated that they hope that the Commission would be comfortable closing the public hearing tonight and he noted that the letters from Mr. Bell and Karen Johnson already laid out the conditions that they are looking for regarding sound.

John Sarantopoulos, again, mentioned the film on the water statement that had been made.

Attorney Hammer stated, again, that if the public hearing is continued, he hopes that it will be limited to the two items agreed upon as there was no specific evidence of a film on the water. Attorney Hammer also commented about the intervener coming under the Environmental Protect Act and he questions whether further contributions they make on noise and sound conditions would be under the Environmental Protection Act. Attorney Miller objected to Attorney Hammer's comment, explaining that she has raised noise issued under this Act a lot all the way up to the Supreme Court.

Attorney Hammer continued:

Regarding the Special Permit Application for the height increase, he referred to testimony by Gregg Hoell, Frito-Lay Supply Chain Senior Engineer, as to the need for the height for the functioning of the automated storage facility. Mr. Hoell testified that a lower height would not only be inefficient, but would require a substantially larger building footprint which would have the effect of pushing parking and other things on this site farther to the west. They feel the proposed height is in keeping with the Industrial Zoning of the property, with the existing developed site and the manufacturing facility and with

the existing height of the ASRS building. Mr. Brooks has testified as to his modeling and has given his opinion that we will be in compliance, not only with the equipment that is on the higher portion of the ASRS, but all of it. Attorney Hammer noted that the ASRS storage facility does not contain any manufacturing operations. They feel that they have demonstrated compliance with the ASRS height request that is the subject of the Special Permit Application.

Regarding the Site Plan Application, Frito-Lay's manufacturing and warehousing use is a use that is permitted by right which narrows the scope of the traffic review. Attorney Hammer stated that they have made significant changes to the Plans in response to things that Commission Members have said, the Lake Association has said, and members of the public have said. They moved the expanded parking lot location more east of the treed area, the gravel drive will remain, they downsized the little pocket of trailer parking and it will be at a lower grade with additional plantings, and the lighting at the employee parking lot has been lowered. Regarding noise, Mr. Brooks did two rounds of testing as a result of discussions that Mr. Gieseke had with Mr. Suchy of the Lake Association: October 2020 and again in December after equipment was installed to further mitigate noise on the starch recovery system and Mr. Bennett's December Report documents that this has had a beneficial effect. Mr. Brooks has indicated that he believes that the Plant is currently in compliance with applicable noise standards and will remain in compliance with those noise standards.

Attorney Hammer stated that, in terms of the request for modeling, etc. in advance, he feels that it goes beyond the scope of the Regulations. He said that Mr. Brooks will be involved every step of the way on the selection and installation locations of the equipment for the manufacturing portion. Regarding the third-party engineering review outstanding comments, they feel that they are all things that can appropriately be handled as a condition of approval.

In terms of the environmental intervention, Attorney Hammer stated that just the filing of the petition doesn't affect how you handle an application any differently than normal and it does not expand the jurisdiction of the Commission over natural resources that you don't have covered in your regulations. The intervening party has the burden of establishing that it is reasonably likely that there will be unreasonable harm to a natural resource that is both within the scope of the CT Environmental Protection Act and within the jurisdiction of this Commission under the particular type of application that you are reviewing. He noted that a lot of the concerns in the petition relate to the location of the employee parking lot going into the treed area to the west of the gravel drive and that has been eliminated. He said that the allegation is that odor and noise could, potentially, have an impact on wildlife in the area of the Lake. He said that there has been no evidence of that at all and it is something that would be very involved and complex and would require expert testimony. He explained that if the Commission agrees that there hasn't been anything there, then they would be operating under their normal standard of review and they don't need to consider feasible or prudent alternatives. Attorney Hammer provided Staff and Commission Members with a copy of a summary of his comments, a copy of his suggested conditions of approval, and a proposed finding that says that the intervenor has not established a likelihood of unreasonable harm.

Attorney Hammer read aloud his five proposed conditions:

- 1) Following construction of the Plant expansion, that is the subject of this Site Plan Application, and the completion of the installation of associated new manufacturing and rooftop equipment, Frito-Lay shall conduct noise testing at up to three residential properties on the west side of Upper Maple Street through a noise consultant to confirm that the Facility is in compliance with noise regulations promulgated by the CT Department of Environmental Protection Act Regulations at CT State Agencies Section 22A-69-1. The testing locations are to be determined in consultation with the Town Engineer. Test results shall be submitted to the Planning and Zoning Commission through the Planning and Development Office of the Town of Killingly.

Attorney Hammer explained that testing of up to three properties on the west side of Upper Maple Street was a suggestion from the Lake Association.

- 2) In connection with the construction of the Plant expansion that is the subject of this Site Plan Application, contracts with construction subcontractors shall include language requiring all of the subcontractors to utilize carpooling measures for their employees travelling to the site during construction to reduce the overall number of vehicles.
- 3) In connection with the Haskell response dated January 14, 2022, to the CLA Engineers review comments dated January 12, 2022, the additional information which Haskell indicates will be provided in response to

CLA review comments #2, #8, #11, #12, #14, #16, #17, #18, #19, #20 and #22 shall be submitted to the Town Engineer for review prior to the issuance of a building permit.

- 4) Regarding Cut & Fill, Attorney Hammer questions whether Section 560 of the Regulations applies in this instance because he feels that those regulations are primarily geared toward sand and gravel operations as the principal activity. He feels that there is an exception for removal in the course of an approved construction project and he questions whether the Cut & Fill information is a requirement. However, he said that if the Commission feels strongly about wanting to see that information and some estimate of the number of trucks and the period of time over which that activity would happen, they would be willing to supply it prior to the issuance of a building permit.
- 5) Regarding the buffering, Attorney Hammer stated that the area of concern needs to be identified, specifically, and he said that the Applicant shall work with Town Staff to develop a plan for the installation of additional landscaping of a reasonable scope (such as fast-growing trees) in that area.

QUESTIONS/COMMENTS FROM COMMISSION MEMBERS:

Virge Lorents stated that she is good.

John Sarantopoulos stated that he is good.

Matthew Wendorf stated that he is good because Commission Members will have time to go over the conditions. Mr. Thurlow stated that Attorney Hammer's proposed conditions seem pretty thorough.

Brian Card referred Attorney Hammer to Section 560.4.b and c. for the Earth Regulations language, "The Commission may require information."

Attorney Hammer submitted copies of Mr. Brooks' presentation to Ann-Marie Aubrey.

THERE WERE NO FURTHER COMMENTS FROM THE PUBLIC.

THERE WERE NO FURTHER COMMENTS FROM COMMISSION MEMBERS.

QUESTIONS/COMMENTS FROM STAFF:

Ms. Aubrey commented that the Commission would decide whether to keep the public hearing open, limited to the items of concern, as suggested by Attorney Slater. She noted that permission from the Applicant would be needed. Attorney Slater explained that a motion to continue would not be necessary, just a consensus of the Commission to keep it open for that limited purpose and stating that Members of the Commission could question that. Attorney Slater stated that Attorney Hammer could, on behalf of his client, consent to the extension of time for the narrow purpose of the intervener to have an opportunity to propose conditions and the additional information regarding Cut & Fill be presented (the only material that can be submitted). Attorney Hammer stated that there would be no testimony by experts or others, it would be only lawyers only offering their opinions on what they would like to see regarding conditions.

Attorney Hammer spoke about timeline and he noted that the time for completing the public hearing for the Special Permit Application will run out prior to the next meeting (on or about January 28th). He also noted that the Site Plan Application will be okay for the next meeting, but not beyond. He voiced concern about, if continued, the Commission possibly not reaching a decision at the February meeting, which, he said, could be very prejudicial to the Applicant. Discussion continued regarding timeline. Attorney Hammer stated that he feels that the February meeting would be the last window for the Commission to make a decision on the Site Plan Application. Attorney Slater stated to Chair, Keith Thurlow that he interprets that there is no consent for an extension and he spoke about timeline and about the risk of an automatic approval of a Site Plan when the two applications are integrated together. Attorney Slater stated that he thought that he and Attorney Hammer were in agreement that the timeframe for the Special Permit would govern (to be acted on before the Site Plan) and he said, if that is true, then, as long as the Applicant consents, even if it has gone beyond the 65 days, the Statute would ordinarily allow the consent and the Applicant could not claim to have an automatic approval. If Attorney Hammer agrees that the Special Permit has to be acted on before the Site Plan and he consents to continue the public hearing to next month, that would start the 65-day clock running. Attorney Hammer stated that they want to work with the Commission and he said that, if the Commission feels strongly about continuing the Special Permit public hearing to the February meeting and tackle both things together, they would agree with that. Attorney Hammer, again, voiced concern regarding timing out on the Site Plan Application and he suggested that if

anyone has any more proposed conditions, they be submitted two weeks prior to the February meeting. Attorney Slater asked Attorney Miller if she would agree to provide her proposed conditions with two weeks. Attorney Miller stated that she could provide them to the Commission within two weeks, but she would like to speak with Attorney Hammer before then in case he will be adding or changing any of his proposed conditions. Attorney Hammer stated agreement with this. There was more discussion regarding timeline. Attorney Slater asked Attorney Hammer if he would agree on the record that the Commission is not statutorily required to decide the Site Plan Application before the next meeting. Attorney Hammer stated that they agree if you are extending so you don't have to make a decision before the February 22nd meeting. Attorney Hammer voiced concern over whether there would be a need for anyone to speak at the next meeting if things are submitted in advance. Attorney Slater stated that the intervener's Attorney would have an opportunity to propose conditions and he asked Attorney Miller if it is acceptable that the only testimony at the February be limited to the Cut & Fill information requested by some Commission Members. Attorney Miller stated that it is acceptable and she asked if she is to submit conditions, specifically, just to noise. Attorney Hammer stated that is his understanding. Attorney Slater asked Attorney Hammer if he had any concerns about that since there isn't going to be any debate. Attorney Hammer stated that if all that is being allowed is submission in writing by the Counsel of proposed conditions, if the Commission deems it appropriate to allow any conditions beyond noise, they won't object to that, but again, it is with the understanding that there is going to be no argument by Counsel, no testimony or evidence. The only new factual material will be the Applicant presenting what happens to 19,000 c.y., number of trucks and there won't be any back-and-forth with the intervener or discussion.

Attorney Slater gave his recommendation, based on the agreement on the record:

- The Intervener and the Applicant will exchange proposed conditions with one another and Staff and will work together to propose conditions to the Commission.
- The public hearing be continued and the only testimony that will be accepted and heard, attorneys or otherwise, will be strictly related to the Cut & Fill information that was requested by the Chairman and Commissioner Card. Attorney Hammer stated that it is only the Applicant that will be presenting on that issue. There was discussion and Attorney Slater stated that the public hearing will still be open and the public cannot be denied an opportunity to speak on this one issue. The Intervener and the Applicant must submit their proposed conditions to Staff by February 1st. Brian Card clarified that he is requesting that Section 560.4.b and 560.4.c of the Zoning Regulations be addressed.

Matthew Wendorf stated that he does not feel that a motion is necessary. Mr. Thurlow asked the Commission if there is a consensus to follow the guidelines as presented by the Town Attorney:

John Sarantopoulos – abstained.

Matthew Wendorf – yes.

Virge Lorents – yes.

Brian Card – yes.

Keith Thurlow – yes.

Consensus Results: 4-0-1

COMMENTS FROM STAFF:

Ann-Marie Aubrey stated that conditions need to be in her office on February 1st.

2) **Special Permit Ap #21-1277**; American Storage Centers, LLC (Landowner same); 551 Westcott Road; GIS MAP 214; LOT 5; ~3.8 acres; General Commercial Zone; construction of 6 new buildings & conversion of existing building to establish a self-service storage facility (420.2.2.[q]).

Norm Thibeault, Killingly Engineering Associates, represented the Applicant and gave an overview (plans were displayed as discussed):

- Existing 12,000 s.f. building currently houses American Sport Centers (indoor soccer fields, batting cage).
- Proposal is construct six new mini-storage buildings with units of various sizes (5'x10' to 10'x15') all individually accessible from the outside.
- Units to be leased/rented.
- Section 420.2.2.q of the Regulations was referenced as an allowed use in the GC Zone.

- Property approximately 3.8 acres and much of the property is currently developed. Some paved surfaces, some compacted gravel surfaces.
- They are providing a 25-foot landscape buffer around the perimeter of the site as well as privacy fencing.
- There will be a gated access to the site and renters will have an access card to gain entry to the facility.
- There are multiple surfaces and, in order to alleviate impervious surface (which are at approximately 53 percent total), he indicated that there will be vegetated areas around the site, there will be some pavement millings and some crushed stone surfaces, as well, to minimize the amount of run-off on the site.
- Regarding drainage, they are not proposing any type of drainage structures. He indicated where there are two infiltration basins in the front of the site. He said that test holes showed that it is all gravel on the site. He said that they have the opportunity to take any kind of drainage from the site and infiltrate it right back into the soils. For frozen ground conditions, there are stand pipes within the basins and he explained that, in the spring when there is melting, they will be able to infiltrate the water down below the frost level. Town Engineer, David Capacchione has reviewed the drainage computations and he has indicated that the storm water design is in compliance with the Town's storm water regulations, as well as, the MS4 regulations that requires minimizing run-off from the site.
- Much of the properties around the perimeter of the site are not developed. They are very heavily wooded/vegetated so, with the 25-foot buffer and the fencing, there is substantial buffer around the perimeter.
- He explained that this is, typically, a very low-impact use (2-4 cars on weekdays and 10-12 cars on weekends).
- The existing building (Sports Center) will, ultimately, be converted to storage, as well, and will be climate-controlled storage.
- The only power to the mini-storage buildings would be for lighting on the exterior. They have specified low-impact, dark-sky compliant sconces (with shades) on the buildings.
- Buildings likely to be constructed one at a time according to demand. There may be some larger units (15'x15' or 15'x20') if there is a demand for it. Total number of units depends on size of units. The configuration they show on the Plan is 260 units total (50 s.f. to 150 s.f.).
- A good use for the site.
- Material left from the former Buy-Rite will be cleaned up as a result of this Application.
- He explained that, currently, all of the storm water runs left to right and sheet flows to the other property. By constructing this project, they will be able to collect and infiltrate the storm water and their computations show a significant reduction in the amount of storm water run-off to the adjacent property.

QUESTIONS/COMMENTS FROM COMMISSION MEMBERS:

Virge Lorents asked about a drainage hole in the center of the parking lot. Mr. Thibeault stated that there are no drainage structures on the property.

Keith Thurlow asked about the fence lines, what the landscaping buffer will be, about rocks/riprap/tailings, about the basins, whether it would be a manned facility, and he asked about the entrance. Mr. Thibeault explained that the fence line is just inside of the property line. Mr. Thibeault stated that there would be a combination of flowering shrubs, ornamental grasses, some grass and mulch. Mr. Thibeault stated that there will be a trap rock mix (a DOT mix) as specified on the Plan. It will be a 3-inch minus mixed with stone dust so it will compact better. He explained that it should be fine for foot traffic. Mr. Thurlow stated concern that it is rather coarse. Mr. Thibeault stated that the basins will be grassed and he explained that they are rather shallow with 4-1 slopes, about two-feet deep and they will look like little depressions in the terrain. Mr. Thibeault stated that there will be an office for one employee because people will have to go in there to reserve units. Mr. Thibeault explained/indicated where the keyed gated entrance and automatic gated egress would be.

Brian Card asked if the main building would be staying recreational, about the parking lot, if the landscaping is at grade level with the millings, about snow storage, and about lighting detail. Mr. Thibeault explained that, eventually, it would be converted to climate-controlled storage which will have a main entrance that people will need to enter to get to their units on the interior. Mr. Thibeault explained/indicated that the front parking lot would be utilized for the climate-controlled storage and to get to the other storage buildings, you would have to go through the gate which will be one-way traffic. Mr. Thibeault will add detail/location for the one-way traffic sign to the Plans. Mr. Thibeault explained that the landscaping beds are slightly raised (approximately 6-inches) from the edge of the millings. Mr. Thibeault offered that they could add curbing, as shown on the Plan along the back and right side of the site, to prevent people from backing up onto it or to prevent mulch from flowing onto the travel ways. Mr. Thibeault explained that snow would likely have to be plowed to the front parking lot and then have it removed from the site. He stated, in reality, there is no reason why they couldn't put it where the front storm water basin is and let it melt in place. Mr. Card voiced concern and suggested that they need to think about snow storage on the corners. Mr. Thibeault explained

that they layout came from the manufacturer and that they have experience with removing snow from these types of developments. He said that they recommend 20 feet between the buildings and the Plan is giving 24 feet. Mr. Card stated that his concern is not between the buildings, but on the ends. Mr. Thibeault explained that the lighting detail for the building-mounted lights is shown on Sheet 4 of the new set of Plans. There is no pole lighting proposed. Mr. Thibeault explained that he thinks, for safety purposes, the lights would be on all of the time, but if the Commission prefers motion-activated, he does not think that would be problematic.

QUESTIONS/COMMENTS FROM STAFF:

Jonathan Blake asked about the responsible party, American Storage Centers, LLC, being the new entity taking over the site. Mr. Thibeault stated "correct."

Mr. Blake asked if a decision had been made regarding the type of fencing. Mr. Thibeault stated that no decision had been made, but he guessed that it would probably be chain link with privacy slats as it is more cost effective.

QUESTIONS/COMMENTS FROM COMMISSION MEMBERS:

Keith Thurlow asked if every building on the Plan will have lights. Mr. Thibeault stated "yes."

John Sarantopoulos asked if this would be completed in one shot. Mr. Thibeault explained that it is his understanding that they will construct one or two at a time according to the demand for the different unit sizes (as needed basis). He explained that they go up quickly as they are premanufactured buildings on a poured concrete slab.

Keith Thurlow stated concern again regarding the 3-inch minus and he stated that he works with it a lot and it is difficult to maintain and keep it down. He feels that there should be something more workable as a surface. Mr. Thibeault offered to modify to use a stone-dust mix or something of that nature. Mr. Thurlow was agreeable to this. Ann-Marie Aubrey noted that Town Engineer, David Capacchione requested that he would like to have the site on asphalt. Mr. Thibeault explained that Mr. Capacchione did not say that he preferred asphalt, he asked if the Commission allows the use of millings. Mr. Thibeault stated that he believes that he has used them in the past, but if the Commission prefers that it be paved, Mr. Thibeault feels that if millings are put down in warmer weather and they are compacted well, they do a nice job. Mr. Thibeault stated concern about corners. Mr. Thibeault explained that they had to work with existing paved surface to not exceed the impervious percentage. The existing pavement around the existing building is going to be replaced with millings.

Brian Card asked how big the ornamental trees will get. Mr. Thibeault stated that they would grow to 10-12 feet tall. The ornamental grasses will grow to 5-6 feet tall. The fence is a six-foot fence. Mr. Thibeault explained that the existing neighboring residence is several hundred feet from the property boundary and there is existing vegetation up to the property line. The fence will be between the existing vegetation and the proposed vegetative buffer. Mr. Card commented that the fence will hide most of the vegetative buffer. Mr. Card stated that he still has concern regarding snow storage.

THERE WERE NO FURTHER COMMENTS FROM COMMISSION MEMBERS OR FROM STAFF

PUBLIC COMMENTS:

Carol Riley, Cook Hill Road, asked if there will be a generator. Mr. Thibeault stated that there would not be a generator. Mr. Blake noted that, typically, the gates have battery backup.

Motion was made by Virge Lorents to close the public hearing for **Special Permit Ap #21-1277**; American Storage Centers, LLC (Landowner same); 551 Westcott Road; GIS MAP 214; LOT 5; ~3.8 acres; General Commercial Zone; construction of 6 new buildings & conversion of existing building to establish a self-service storage facility (420.2.2.[q]).

Second by Matthew Wendorf. No discussion.

Roll Call Vote: Brian Card – no; Virge Lorents – yes; John Sarantopoulos – yes; Matthew Wendorf – yes; Keith Thurlow – yes.

Motion carried (4-1-0).

3) **Zone MAP Change Ap #21-1278**; Douglas Construction (Jim Vance/Landowner) & Laurel A. Horne (Applicant & Landowner); 605 Providence Pike; GIS MAP 224, LOT 14; ~177 acres, RD **AND** 613 Providence Pike; GIS MAP 224, LOT 13, ~4.6 acres, RD; request to change zoning from Rural Development to General Commercial.

Attorney Michael Carey represented the Applicant. Nicholas Durgarian, President of Operations with Douglas Construction, was also present. Attorney Carey stated that, due to the time (10:45 p.m.), the Applicant would prefer to extend the public hearing to the March meeting (Mr. Durgarian will be out of Town in February). Since there were a number of people in the audience, Mr. Thurlow offered to allow the public, if unable to come in March, to comment. Mr. Durgarian explained that a

lot of time and consideration had been put into preparing the Application, based on comments from Staff and the public, and that a lot of the concerns may be addressed in their presentation. Attorney Slater commented that it is appropriate for Chairman Thurlow to give members of the public who may be unable to attend in March an opportunity to speak tonight, however, he noted that, ideally, it would be better to comment after hearing the Application.

PUBLIC COMMENTS:

A woman from the audience asked that this Application be first on the agenda in March since they waited four hours. For the record, the Applicant stated that he is in agreement with that.

Ann-Marie Aubrey confirmed that this Application would be first on the agenda for the March 21st meeting.

Another member of the public, present in the audience who will be unable to attend in March, submitted her comments to Ms. Aubrey in writing.

Motion was made by John Sarantopoulos to continue the public hearing for **Zone MAP Change Ap #21-1278**; Douglas Construction (Jim Vance/Landowner) & Laurel A. Horne (Applicant & Landowner); 605 Providence Pike; GIS MAP 224, LOT 14; ~177 acres, RD **AND** 613 Providence Pike; GIS MAP 224, LOT 13, ~4.6 acres, RD; request to change zoning from Rural Development to General Commercial, to the regularly scheduled meeting of Monday, March 21, 2022, Town Meeting Room, 2nd Floor, 172 Main Street, at 7:00 p.m.

Second by Virge Lorents. No discussion.

Motion carried unanimously (5-0-0).

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

1) **Special Permit Ap #21-1273**; David Kode (Frito-Lay/Landowner); 1886 Upper Maple St; GIS MAP 62, LOT 53; 94 acres; Ind Zone; for portion of proposed building addition that will exceed the maximum height of 50 ft for said zone, with a proposed height of 86 ft, 8.5 inches. - **Continued to the February 22nd Meeting along with Site Plan Application #21-1275.**

2) **Site Plan Application #21-1275**; David Kode (Frito-Lay/Landowner); 1886 Upper Maple St; GIS MAP 62, LOT 53; 94 acres; Ind Zone; for the proposed building additions that will be under the allowed height. - **Continued to the February 22nd Meeting along with Special Permit Application #21-1273.**

3) **Special Permit Ap #21-1277**; American Storage Centers, LLC (Landowner same); 551 Westcott Road; GIS MAP 214; LOT 5; ~3.8 acres; General Commercial Zone; construction of 6 new buildings & conversion of existing building to establish a self-service storage facility (420.2.2.[q]). - **Public hearing closed, action to be taken at the February 22nd Meeting.**

4) **Zone MAP Change Ap #21-1278**; Douglas Construction (Jim Vance/Landowner) & Laurel A. Horne (Applicant & Landowner); 605 Providence Pike; GIS MAP 224, LOT 14; ~177 acres, RD **AND** 613 Providence Pike; GIS MAP 224, LOT 13, ~4.6 acres, RD; request to change zoning from Rural Development to General Commercial. - **Continued to the March 21st Meeting.**

Town Attorney, Ken Slater left the meeting at this time.

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

1) **Site Plan Review Ap #22-1279** – Richard and Nancy Blake (Jonathan and Sarah Blake / Owners); 20 Woodward Street; GIS MAP 159; LOT 18; ~0.49 acres; Medium Density; detached secondary dwelling unit per Section 566.6 and Site Plan Review Section 470, et al; 26' x 26' residence w/ a 6' x 26' front porch, requires demolition of existing 16' x 20' pole barn. **Receive, and refer to staff for review.**

Motion was made by Matthew Wendorf to receive and refer to Staff **Site Plan Review Ap #22-1279** – Richard and Nancy Blake (Jonathan and Sarah Blake / Owners); 20 Woodward Street; GIS MAP 159; LOT 18; ~0.49 acres; Medium Density; detached secondary dwelling unit per Section 566.6 and Site Plan Review Section 470, et al; 26' x 26' residence w/ a 6' x 26' front porch, requires demolition of existing 16' x 20' pole barn.

Second by Virge Lorents. No discussion.

Motion carried unanimously (5-0-0).

2) **Site Plan Review Ap #22-1280** – Tammy Rainville & Robert LaBonte (Tammy Rainville / Owner); 146 Pineville Road; GIS MAP 18, LOT 23, ~7.0 acres; Rural Development; detached secondary dwelling unit per Section 566.6 and Site Plan Review Section 470; construction of a 30' x 50' detached garage w/an attached 18' x 47' attached secondary dwelling unit. **Receive, and refer to staff for review.**

Motion was made by Matthew Wendorf to receive and refer to Staff **Site Plan Review Ap #22-1280** – Tammy Rainville & Robert LaBonte (Tammy Rainville / Owner); 146 Pineville Road; GIS MAP 18, LOT 23, ~7.0 acres; Rural Development; detached secondary dwelling unit per Section 566.6 and Site Plan Review Section 470; construction of a 30' x 50' detached garage w/an attached 18' x 47' attached secondary dwelling unit.

Second by Virge Lorents. No discussion.

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

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

- 1) Regular Meeting Minutes – November 15, 2021
- 2) Special Meeting / Workshop Minutes – December 13, 2021
- 3) Regular Meeting Minutes – December 20, 2021

Motion was made by Virge Lorents to adopt the Regular Meeting Minutes of November 15, 2021; the Special Meeting / Workshop Minutes of December 13, 2021; and the Regular Meeting Minutes of December 20, 2021.

Second by John Sarantopoulos. No discussion.

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

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

- 1) **WORKSHOP – Discussion** – should the zoning regulations allow for an accessory structure to be constructed on a vacant parcel of real estate without the primary structure being in place? Discussion continued to FEB. 15, 2021.
- 2) **WORKSHOP – Discussion** – Five Mile River Overlay District. Discussion continued to FEB.15, 2021.

XI. CORRESPONDENCE

- 1) List of Planning and Zoning Commission Meeting Dates for 2022. – No discussion.

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

A. Zoning Enforcement Officer's & Zoning Board of Appeal's Report(s) – No discussion.

B. Inland Wetlands and Watercourses Agent's Report – No discussion.

C. Building Office Report – No discussion.

XIII. ECONOMIC DEVELOPMENT DIRECTOR REPORT – No representation.

XIV. TOWN COUNCIL LIAISON REPORT

Ulla Tiik-Barclay, Town Council Liaison, reported on recent actions/appointments by the Town Council and the BOE.

XV. ADJOURNMENT

Motion was made by Virge Lorents to adjourn at 10:52 p.m.

Second by Brian Card. No discussion.

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

Respectfully submitted,

J.S. Perreault
Recording Clerk