



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

**MONDAY – OCTOBER 16, 2017**

**Regular Meeting**

**7:00 PM**

**Town Meeting Room, Second Floor**

**Killingly Town Hall  
172 Main St., Killingly**

**MINUTES**

RECEIVED  
TOWN CLERK, KILLINGLY, CT  
2017 OCT 26 AM 9:03  
*Elysebeth M. Wilson*

**I. CALL TO ORDER** – Chair, Keith Thurlow, called the meeting to order at 7:00 pm.

**ROLL CALL** – Sheila Roddy, Milburn Stone, Virge Lorents, Keith Thurlow.

Brian Card and Matthew Wendorf were absent with notice.

**Staff Present** – Ann-Marie Aubrey, Director of Planning and Development; David Capacchione, Director of Engineering and Facilities.

**Also Present** – Joyce Ricci, Town Council Liaison.

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

Keith Thurlow noted that Virge Lorents is now a Regular Voting Member.

**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) – None.

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

**VI. PUBLIC HEARINGS**

**A. Zone Change Applications – (review/discussion/action)**

None

**B. Special Permits – (review/discussion/action)**

1. Special Permit Application #17-1180 – Richard Governale/Virge Lorents; Section 410.2.2.o; and Section 566; Section 700; proposed accessory dwelling unit (free-standing); 50 Peep Toad Road; GIS Map 118, Lot 41.2; ~5.1 acres; Low Density Zone.

Virge Lorents recused herself and took a seat in the audience.

Richard Governale represented himself and Ms. Lorents. He explained that they want to build an apartment as he is retiring and it would provide income.

- The proposed accessory dwelling unit is a new building and is under 1,000 s.f.
- Plans were submitted regarding septic and well earlier this month. Mr. Governale received an e-mail earlier today stating that they meet the requirements, but they are waiting for final approval from Hartford. Individual septic tanks with shared leech field. Copies of the map were included in the packets to the Commission Members.
- Ann-Marie Aubrey received a letter from NDDH earlier today.
- Approximately 70 feet between the apartment and the proposed house.

- Mr. Governale and Ms. Lorents plan to reside in the main house that is proposed on the property.

**Comments from the Public:**

**Donna McDonald**, 54 Peep Toad Road (abutting property owner), is not opposed to the proposed application, but expressed concern that the accessory building be 20+ feet from the property line. Keith Thurlow explained that it will be inspected.

Motion was made by Sheila Roddy to close the public hearing for Special Permit Application #17-1180 – Richard Governale/Virge Lorents; Section 410.2.2.o; and Section 566; Section 700; proposed accessory dwelling unit (free-standing); 50 Peep Toad Road; GIS Map 118, Lot 41.2; ~5.1 acres; Low Density Zone. Second by Milburn Stone. Motion carried unanimously (3-0-0). Virge Lorents had recused herself and took a seat in the audience.

**C. Site Plan Reviews – (review/discussion/action)**

None

**D. Subdivisions – (review/discussion/action)**

None

**E. Other/Various – (review/discussion/action)**

None

**VII. UNFINISHED BUSINESS**

**A. Zone Change Applications – (review/discussion/action)**

None

**B. Special Permits – (review/discussion/action)**

1. Special Permit Application #17-1180 – Richard Governale/Virge Lorents; Section 410.2.2.o; and Section 566; Section 700; proposed accessory dwelling unit (free-standing); 50 Peep Toad Road; GIS Map 118, Lot 41.2; ~5.1 acres; Low Density Zone.

Motion was made by Milburn Stone to approve Special Permit Application #17-1180 – Richard Governale/Virge Lorents; Section 410.2.2.o; and Section 566; Section 700; proposed accessory dwelling unit (free-standing); 50 Peep Toad Road; GIS Map 118, Lot 41.2; ~5.1 acres; Low Density Zone. Second by Sheila Roddy.

Roll Call Vote: Sheila Roddy – yes; Milburn Stone – yes; Keith Thurlow – yes. Motion carried unanimously (3-0-0). Virge Lorents had recused herself and took a seat in the audience.

**C. Site Plan Reviews – (review/discussion/action)**

None

**D. Subdivisions – (review/discussion/action)**

None

**E. Other/Various – (review/discussion/action)**

None

**VIII. NEW BUSINESS**

**A. Zone Change Applications – (review/discussion/action)**

None

**B. Special Permits – (review/discussion/action)**

None

**C. Site Plan Reviews – (review/discussion/action)**

None

**D. Subdivisions – (review/discussion/action)**

None

**E. Other/Various – (review/discussion/action)**

None

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

Regular Meeting of Monday, September 18, 2017.

Motion was made by Milburn Stone to adopt the Minutes of the Regular Meeting of Monday, September 18, 2017. Second by Virge Lorents. Motion carried unanimously (4-0-0).

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

**A. CGS 8-24 Referrals**

1. §8-24 Referral #17-1182 – Town of Killingly; sale of real estate to NECCOG; portion of 125 Putnam Pike; GIS Map 106; Lot 43; ~3.8 acres (total acreage ~5.5 acres); General Commercial Zone.

Ann-Marie Aubrey explained that NECCOG cannot obtain needed government funding to make improvements to the site which they currently lease from the Town of Killingly.

Motion was made by Virge Lorents to approve §8-24 Referral #17-1182 – Town of Killingly; sale of real estate to NECCOG; portion of 125 Putnam Pike; GIS Map 106; Lot 43; ~3.8 acres (total acreage ~5.5 acres); General Commercial Zone. Second by Milburn Stone. Motion carried (4-0-0).

2. §8-24 Referral #17-1183 – Town of Killingly; WPCF Upgrade; 31 Wauregan Road; GIS Map 217; Lot 69; ~22 acres total; Industrial Zone.

David Capacchione introduced Therlin Montgomery and Julie Bjorkman, Design Engineers from Wright-Pierce. Ms. Bjorkman gave a brief presentation:

Overall Plant Modifications include the following:

- Demolition of the incinerator building (building is structurally unstable);
- A couple of new additional buildings;
- Additional parking;
- Slight re-arrangement of entrance (due to one of the building additions);
- Move electrical service;
- Some hydrants;
- Plant, electrical, system upgrades.

Ms. Bjorkman noted the following; they went before IWWC in June and the IWWC unanimously recommended that they go for an Agent approval; they submitted for Agent Approval on October 3<sup>rd</sup> which is the same day they submitted for the 8-24 Referral; site disturbance is just over half an acre; Erosion Sediment and Control notes and details, sequences are on the specs and on the site plans.

There was discussion regarding the capacity of the Facility and the incinerator building. Mr. Capacchione explained where de-watering will take place and that everything will be contained inside which should help improve odors. He is hoping for approval from the State sometime after the first of the year. As soon as approval is received, they will go out to bid and construction could begin in spring 2018. Mr. Capacchione explained that they are planning for no interruption in service. Mr. Capacchione explained that one reason the work was being done, was that the Town received a Notice of Violation from the State and this work should correct the situation that caused the Notice to be issued.

Motion was made by Virge Lorents to approve §8-24 Referral #17-1183 – Town of Killingly; WPCF Upgrade; 31 Wauregan Road; GIS Map 217; Lot 69; ~22 acres total; Industrial Zone. Second by Milburn Stone. Motion carried unanimously (4-0-0).

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

Enclosed

**C. Inland Wetlands and Watercourses Agent's Report**

Enclosed

**D. Building Office Report**

Enclosed

**E. Bond Releases / Reductions / Calls**

None

**F. Extension Requests, ETC. -Project Completion / Subdivision & Site Plan Approvals / Mylar Filings / Site Plan Amendments / Re-Classify Phases**

None

**G. Requests to Allow Overhead Utilities / Wireless Telecommunications Facility**

None

**H. Upcoming P&Z Commission Meetings**

1. Next Regular Meeting – Monday, November 20, 2017
2. Next Special/Workshop Meeting – To Be Determined. No special/workshop meeting scheduled.

**XI. CORRESPONDENCE – (review/discussion/action)**

1. "Conservation & Development Policies: The Plan for Connecticut 2018-2023" – Copy of letter sent to CT OPM is enclosed for reference purposes only.

**XII. WORKSHOP SESSIONS – (review/discussion/action)**

1. Zone (Text) Change – Earth Filling and Excavation (Section 560 TOK Zoning Regulations) – to review proposed amendments to said section; and to discuss next actions.

**a. Discussion of any final revisions (if any);**

Ann-Marie Aubrey provided copies of the latest draft of Section 560 Earth Filling and Excavation dated October 16, 2017.

Keith Thurlow stated that he agrees with a concern that Jim Vance had brought to his attention - that there should be an option to allow rocks to be buried (properly) in the setbacks. There was discussion. Ann-Marie Aubrey read page 11, Item n, of the draft (language that had been derived from workshops). Discussion continued.

There was agreement for Ann-Marie Aubrey to review the Subdivision Regulations and draft language for a secondary Item n (Page 11) to be available for a decision to be made at the public hearing (both versions will be posted). It was suggested that the economic benefit of burying the rocks vs. crushing them be discussed at the public hearing.

**b. Hearing is scheduled for Monday, November 20, 2017**

2. Begin discussion / review / actions on the following:

- a. PA 17-155 – "An Act Concerning Temporary Health Care Structures" – This act took effect on October 1, 2017; the Town of Killingly has the opportunity to "OPT OUT" of this public act/statute. **Do We Want to OPT OUT?**

There was discussion. Some Commission Members were in favor and some were opposed. There was a suggestion that research be done to find out how it is working/not working in towns in the states that have opted in. Ann-Marie Aubrey suggested that opting out and amending/improving upon the existing accessory dwelling-unit regulations to include temporary structures would give control for regulating it to the Town rather than to the State. Discussion continued. The Commission Members were in agreement with what Ms. Aubrey suggested. Ms. Aubrey will discuss the procedure with the Town Manager.

Motion was made by Virge Lorents to opt out of PA 17-155 – "An Act Concerning Temporary Health Care Structures" and that the Commission will amend/improve upon the existing regulations for accessory dwelling units to include temporary structures. Second by Milburn Stone. Motion carried unanimously (4-0-0). {NOTE: THIS VOTE ONLY ALLOWS THE PROCESS OF OPTING OUT TO BEGIN.}

- b. Should an applicant be allowed to construct and maintain an accessory structure on a residentially zoned property without a primary structure (i.e. residence) being in place. There was no discussion.

- c. First Split – Report from Director re: discussion with Town Counsel. There was no discussion.

**XIII. ECONOMIC DEVELOPMENT DIRECTOR REPORT – No representation.**

**XIV. TOWN COUNCIL LIAISON REPORT**

Joyce Ricci reported:

- Gerry Marcheterre, retiring Fire Chief, was given a service plaque.
- Warren Kemp, who has worked for the Town for 40 years, was given a service plaque.
- Teacher of the Year Awards: Killingly – Lisa Vance; Ellis Tech – Brook DiFormato; St. James – Stephanie Arseneault.

- Town Meeting on October 30, 2017, regarding the sale of property at 125 Putnam Pike (NECCOG).
- NTE Agreement.

**XV. ADJOURNMENT**

Motion was made by Virge Lorents to adjourn at 8:07 p.m. Second by Sheila Roddy. Motion carried unanimously (4-0-0).

Respectfully submitted,

J.S. Perreault  
Recording Secretary

## **Ann-Marie Aubrey**

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**From:** Jo-Ann S. Perreault  
**Sent:** Tuesday, October 17, 2017 8:19 AM  
**To:** Ann-Marie Aubrey  
**Subject:** Motions and Minutes PZC RegMtg 10-16-2017  
**Attachments:** Motion Pages P&Z RegMtg 10-16-2017.doc; 10.PZC.Oct.16.2017.Minutes.Reg.Meet.doc

Good Morning!!!

Attached are the motions and minutes for last night's meeting.

Have a GREAT day ☺

Jo-Ann S. Perreault  
Assistant Town Clerk  
Town of Killingly  
172 Main Street  
Killingly, CT 06239

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