



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

**MONDAY – OCTOBER 18, 2021**

**Regular Meeting – HYBRID MEETING**

**7:00 PM**

**TOWN MEETING ROOM – 2<sup>ND</sup> FLOOR**

**Killingly Town Hall**

**172 Main Street**

**Killingly, CT**

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2021 OCT 26 AM 9:44

*Elizabeth M. Wilson*

**THE PUBLIC IS ALLOWED TO ATTEND THE MEETING IN PERSON**

**OR**

**THE PUBLIC MAY VIEW THIS MEETING AS DESCRIBED BELOW**

**MINUTES**

**THE PUBLIC CAN VIEW THIS MEETING ON FACEBOOK LIVE.**

**GO TO [www.killinglyct.gov](http://www.killinglyct.gov) AND CLICK ON FACEBOOK LIVE AT THE BOTTOM OF THE PAGE.**

**I. CALL TO ORDER** – Chair, Keith Thurlow, called the meeting to order at 7:01 p.m.

**ROLL CALL** – Brian Card, Virge Lorents, John Sarantopoulos and Keith Thurlow (all were present in person).  
Matthew Wendorf was absent.

**Staff Present** – Ann-Marie Aubrey, Director of Planning & Development; Jonathan Blake, Planner I/ZEO; Richard Roberts, Town Attorney (all were present in person).  
Jill St. Clair, Director of Economic Development (present via Webex).

**Also Present** – Nicholas Durgarian, Douglas Construction; Attorney Timothy D. Bleasdale, Waller, Smith & Palmer, P.C.; Brian Caya, President of Melting Point Welding & Fabrication, LLC; Joanna Burgess, Vice President of Melting Point Welding & Fabrication, LLC; Patti Larrow, Town Council Liaison (all were present in person).  
J.S. Perreault, Recording Secretary (present via Webex).

**Citizens Comments Participants (all were present in person):** Bruce Aiken, 785 South Frontage Road; Jason Anderson, 125 Lake Road; Linda Lamoreux, 175 Snake Meadow Road; Randall Simmons, 107 Snake Meadow Road; Steve Sevarino, 84 Snake Meadow Road; Rob Cortoia, 137 Snake Meadow Road, Leo Simmons, Snake Meadow Road; Peter Deary, 17 Lucienne Avenue; Barbara Laliberte, 31 Carol Avenue.

**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](mailto: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](http://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 2631-202-8049 when prompted.**

There were no comments from the public.

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

**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 2631-202-8049 when prompted**

Ann-Marie Aubrey stated that no public comments had been received as of 4:15 p.m. today. She read the above call-in information above for those who may wish to participate.

1) **Zone Map Change Ap # 21-1271** – Douglas Const Co (J. Vance/Landowner); 605 Providence Pike & 200 Hubbard Hill Rd; GIS MAP 224, LOT 14; & GIS MAP 245, Lot 001; RD; change zone from RD to General Commercial on both parcels.

Nicholas Durgarian, Douglas Construction, represented the Applicant and summarized their responses, addressing concerns from the Commission and from the public during the previous meeting which are outlined in a letter dated October 14, 2021 (packet information, including the referenced letter and maps, is available on the Killingly PZC website). Maps were displayed as discussed.

At 7:35 p.m., Mr. Thurlow asked to speak privately with Town Attorney Roberts and called a recess. They returned to the table approximately one minute later and the meeting resumed.

**QUESTIONS/COMMENTS FROM THE COMMISSION and STAFF:**

John Sarantopoulos asked if Staff had inspected this site regarding remediation.

Mr. Thurlow asked for Attorney Roberts' opinion as this subject comes up later on the agenda.

Attorney Roberts explained that it would be more relevant to ask what the conditions of the site is.

Ms. Aubrey explained that the property is still owned by Mr. Vance and that the remediation has to be done no matter who owns it. She doesn't believe one involves the other.

Attorney Roberts explained that the bond stays in place until it is released regardless of how it is zoned and what it is used for or who owns it.

Mr. Durgarian explained about their Purchase and Sale Agreement.

Mr. Sarantopoulos commented that the Applicant has identified that they would continue mining as long as there is material there.

Mr. Durgarian explained the he expects that there would be exported material.

There were no further questions.

**PUBLIC COMMENTS:**

Bruce Aiken, 785 South Frontage Road, asked about setbacks for the properties to the rear and adjacent to the north. Mr. Durgarian said that it is 404 feet to the nearest structure on Mr. Aiken's property and about 100 feet to the property line.

Mr. Aiken stated that the western side is like a lake after a significant rain. Mr. Durgarian explained how wetlands are classified in Connecticut and he said that setbacks for GC would be followed.

Mr. Thurlow explained that there are standards for buffers within the zones.

**Jason Anderson**, 125 Lake Road, commented about Mr. Durgarian's statement regarding that commercial properties increase property values of the surrounding properties and that industrial properties decrease the surrounding property values. Mr. Anderson said that NTE had made a statement that industrial properties do not decrease surrounding property values which conflicts with Mr. Durgarian's statement. NTE had put forth a property value guarantee agreement for property owners within 1500 feet of the facility and Mr. Anderson asked if Douglas Construction would offer a property value guarantee to the abutting property owners.

Mr. Durgarian explained that he could not comment at this point and he explained his statement regarding property values.

**Linda Lamoreux**, 175 Snake Meadow Road, expected that specifics would be presented tonight about what they would do with the site. She said that it is being mined now, so it doesn't need a zone change for that. She referred to the POCD: Policy 2; Policy 3; Policy 4; Questions of the Survey; Zoning Map shows South Killingly zoned as Rural with no commercial development planned there. She has concern about a distribution center being in her backyard and referred to Section 420.2.1 of the Regulations.

Mr. Durgarian responded and explained that they cannot specify, at this time, what they plan to put on the property because they do not have a specific plan yet.

**Randall Simmons**, 107 Snake Meadow Road, commented that the reason they live in South Killingly is because it is a rural area and they want to keep it that way. He voiced concern about traffic safety.

**Steve Sevarino**, 84 Snake Meadow Road, voiced concern regarding traffic safety and possible truck traffic on Snake Meadow Road which is 18 feet wide in front of this house.

Mr. Durgarian's response was inaudible.

Mr. Thurlow asked Jill St. Clair, Director of Economic Development if the EDC had comments regarding this Application.

Ms. St. Clair stated that, she cannot speak on behalf of the EDC, but she explained that stakeholders are running out of space for places to fill and having diversification in our zoning is always a positive thing. The EDC has not discussed this Application.

#### **QUESTIONS/COMMENTS FROM THE COMMISSION and STAFF:**

**John Sarantopoulos** commented that he agrees with Mr. Anderson's statement regarding NTE's agreement with surrounding property owners. Mr. Sarantopoulos referred to a statement that had been made in the past by former PZC Member, Milburn Stone, regarding that the PZC creates the Zoning Regulations and the POCD and then does the opposite. He said that he looked at both Sections for RD and GC and he referred to the opening statement in Section 590 and stated that a special permit had to have been granted for this property, within this rural area, in the past. He referred to Sections 410 and 420 and said that if you're not on a major highway, you don't have public utilities, and it's in a residential area, you shouldn't stick something like this in the middle of it. He said that Planning & Zoning has tried to limit the size of those areas, allowing them to remain, but not allow them to expand and here we are, looking to put something different in a residential area. Mr. Sarantopoulos suggested that Douglas Construction could continue under the existing zoning to mine the gravel and when they decide what they want to do with the property, they can apply for a special permit. He feels this is fair to the people who property in the area.

**Ann-Marie Aubrey** stated that Mr. Sarantopoulos was referring to GC Section 420.2. She read, "Commercial establishments which generate large amounts of traffic and/or require large sites and frontage on major highways are not suited in location in residential areas."

#### **PUBLIC COMMENTS:**

**Rob Cortoia**, 137 Snake Meadow Road, voiced concern regarding boundary buffers. He said it is a big "what if" and it is changing people's way of life.

Mr. Sarantopoulos referred to GC and that it states that there is to be a 25-foot buffer zone to the boundary line. He compared that Route 101 and Route 6 are like night and day.

Mr. Durgarian's response was inaudible.

**Leo Simmons**, Snake Meadow Road, commented about transparency and that there is no signage on Route 6 to make people aware of this Application. He said you have to trespass onto the property to see the sign. He said that nobody is saying that they are definitely not going to use the three accesses on Snake Meadow Road. He said that the people on Snake Meadow Road want to "keep it country."

**Patti George**, 156 Country Club Road, Town Council, commented that we have zoning for a reason and we have development areas for commercial, but when you start changing zoning to accommodate businesses that you don't even know what business would be coming in, that's not fair. She stated agreement with Mr. Sarantopoulos that they can mine under the current zone and when they have a specific plan, come back before the Commission to apply for a special permit.

There were no further comments.

Motion was made by Virge Lorents to close the public hearing for **Zone Map Change Ap # 21-1271** – Douglas Const Co (J. Vance/Landowner); 605 Providence Pike & 200 Hubbard Hill Rd; GIS MAP 224, LOT 14; & GIS MAP 245, Lot 001; RD; change zone from RD to General Commercial on both parcels.

Second by Brian Card. No discussion.

Roll Call Vote: Brian Card – yes; Virge Lorents – yes; John Sarantopoulos – yes; Keith Thurlow – yes.

Motion carried unanimously (4-0-0).

2) **Zone MAP Change Ap#21-1274**; Weld, LLC (CGCT Killingly LLC/Landowner); 543 Wauregan Road: GIS MAP 262, LOT 20: General Commercial Zone; application seeks to change the zone of the subject real estate from General Commercial Zone to Light Industrial Zone.

Attorney Timothy Bleasdale, Waller, Smith & Palmer, P.C., represented the Applicant. He stated that Brian Caya (President of Melting Point Welding & Fabrication, LLC) and Joanna Burgess (Vice President of Melting Point Welding & Fabrication, LLC) were present in the audience. Attorney Bleasdale gave an overview following the contents of his letter to the PZC dated September 13, 2021 (maps were displayed as discussed):

- He explained about the acreage (approximately 2.1 acres) proposed to be added to the LI Zone (making a total of approximately 11.47 acres) which would bring the LI Zone into compliance with the goal set in Section 902.3 of the Zoning Regulations.
- He explained that, in that area, there are interwoven pockets of residential, GC and Light Industrial zones.
- The purpose of this Application is to allow a welding and metal fabrication company to relocate to Killingly.
- He spoke of how the site is fully developed.
- He spoke of the grassy strips along Wauregan Road and Lucienne Avenue which don't provide screening and how future industrial use of this property would result in improved screening for neighboring properties due to special permit requirements for vegetative buffering in the Industrial Zone.

Keith Thurlow asked if Lot 22 is part of the same parcel that the former Benny's is on.

Attorney Bleasdale stated that it is not and he referred to the last Map that had been provided to Commission Members which shows the addresses of abutting properties and the names of the property owners. He explained that it is a heavily forested lot and its primary use appears to be a driveway that services the building owned by Deary Bros II, LLC.

Mr. Thurlow asked if there is a reason why it was not being included as Light Industrial as well, so as not to isolate a portion of a GC lot.

Ms. Aubrey explained that the right-of-way was owned by a different party and it was recently purchased by Deary Bros. a few years ago because they did not want to lose the right-of-way.

Brian Card noted that this Application would be creating two isolated GC lots (one to the left and one across the street). He said that while solving one problem, it would be creating two problems inconsistent with the POCD and our plans.

Attorney Bleasdale spoke about the property across the street (a former auto repair shop under tax sale). He said there wasn't time to coordinate the re-zoning and that the Commission would have the discretion to re-zone the two lots in the future. He said that it is beyond the scope of what they are trying to do with this Application.

Mr. Card explained that other applicants have contacted their neighbors to ask if they would like to be part of the re-zoning so that it would be a consistent re-zoning.

Attorney Bleasdale explained that, while they could have taken that approach, they had to move quickly and they feel that they would be helping to improve the LI Zone.

Mr. Card stated that, when working on the POCD, they had tried to minimize light industrial and expand general commercial in that area. This would be opposite of that and he, again, stated that he is concerned about the creating of the isolated lots because they had cleaned up a lot of that.

Ms. Aubrey explained that the Town Attorney is being consulted about that because, on the first map, it looks like the zones go to the middle of the road.

Attorney Roberts stated that usually in the beginning of the Regulations, it talks about whether you treat the zoning as going to the middle of the road or just up to the edge of the right-of-way.

Mr. Thurlow stated that, in his years on the Commission, this will be the first time that he can remember, discussion taking place of one of the zones being delineated by the middle of the road.

Ms. Lorents agreed.

Mr. Card stated that the zone would be contiguous because the road brings it there, but they would no longer be contiguous lots.

Attorney Bleasdale continued with his presentation:

- He spoke about Criteria (Sections 902.1, 902.2 and 902.3):
  - It is in keeping with what is already happening in this area.
  - Well suited for LI use.
  - Fully developed, underutilized site that has been vacant for a while. They are looking to revitalize it and put it back into use.
  - It has a large parking lot.
  - It is adjacent to other Light Industrial.
  - Due to the size of the building, when they come back, it would be for a special permit.
  - They do not feel that there will be any problems with traffic, noise or odors. But, if there were concerns, it could be addressed through the special permit process.
  - They feel that impact to the surround area will be minimal based on the type of they business. Business will be inside, so there will not be a lot of noise. There are protections for neighbors built into the regulations regarding hazardous, objectionable elements such as noise, odor, dust, smoke, etc. He said that they would not be producing those things.
  - They feel that it would have a positive impact on the area as it is a redevelopment opportunity helping to revitalize and bring new life to the area.
  - Currently, the property is highly visible from Lucienne Avenue and Wauregan Road. Special permit under LI would require vegetative buffers which would be a benefit to neighbors.
  - He referred to Map 5 of 8 and stated that he had measured the grassy strip area (about 15 feet on average) and he said that the minimum 25-foot setback requirement would cause a reduction in imperious surface since some of the parking lot would need to be pulled out.
- Attorney Bleasdale summarized five letters of support to be entered into the Record. The letters were included in packets to Commission Members).
- Attorney Bleasdale addressed concerns regarding traffic, noise and odors from two people that Ms. Aubrey informed him that had called in:
  - The property is currently zoned GC, therefore, any big retail would generate far more traffic than the use that they would eventually be proposing.

- This office would not be open to the public.
- Their hours are typically from 6 a.m. to about 2:30 p.m. Monday through Friday.
- They have thirteen employees.
- A salesperson comes in about once per month.
- A steel delivery once per week and other consumables come in on a separate truck also once per week.
- Weekend work is limited to office work and routine maintenance-type activities on the equipment.
- He does not expect that there would be a great deal of noise being generated as activities are indoors. Most of what will be heard would be from a limited number of vehicles and loading and unloading.
- Odors are not a concern since welding does not generate any kind of noxious odors.
- Attorney Bleasdale stated that Section 902.1 which requires that the POCD be addressed. He stated that one way that this proposal furthers the goal of the POCD is that they are not seeking to expand industrial or commercial activity into rural areas. They are taking an abandoned lot and redeveloping/revitalizing it and putting it back into use which benefits the Town in general.
- POCD
  - Section 3.2 Economic Issues – He said that they are trying to increase the quantity, quality and diversity of employers in Town.
  - Section 3.5 Land Use Issues – This Application speaks for itself regarding encouraging redevelopment/revitalization.
  - Section 3.6 Natural Resources – They feel that they are making an important contribution to the goals by redeveloping an abandoned site rather than seeking out a fresh piece of land to build a building on.
- Attorney Bleasdale addressed Criteria Section 902.2 which requires that the Commission consider the legality of the proposed change:
  - This proposal is in line with the Regulations.
- Attorney Bleasdale addressed Criteria Section 902.3 which requires that the Commission consider the size of the property and the resulting whole contiguous zone.
  - By adding 2.1 acres to the Light Industrial Zone, would make the LI Zone conforming to the Regulations as it will consist of just shy of eleven acres.

**QUESTIONS/COMMENTS FROM THE COMMISSION and STAFF:**

**Virge Lorents** asked for a brief description of how the welding business would operate (materials used and what would need to be disposed of carefully).

Attorney Bleasdale referred Ms. Lorents to Exhibit 2 attached to his letter dated September 13, 2021.

**Brian Card** gave a reminder that, as part of this Application for Zone Change, all uses in LI need to be considered, not just this particular use.

**Ann-Marie Aubrey** brought up the earlier question regarding the Zoning Map (under Section 460.1.1 of the Zoning Regulations) "Boundaries indicated as approximately following lot lines, the center lines of right-of-way, Town limits, shore lines or stream center lines, shall be construed as following such lines or limits." There was discussion. Mr. Card stated that center line to center line would still be creating two isolated lots because there is residential on both sides of this lot.

**Brian Card** gave his opinion that they presented a very good case for changing to the LI zone and he feels that this area is applicable for that. He does not feel that the Commission should be creating two isolated lots that they would have to go back and fix later. He suggested that the other property owners be contacted to see if they would be willing to be included in the zone change.

**PUBLIC COMMENTS:**

**Peter Deary**, 17 Lucienne Avenue, owner of Deary's Gymnastics and Deary Bros. II, LLC, has three abutting properties (two GC and one LI) and he is in favor of the zone change. He said that they had applied for the same change and it has helped their business tremendously. He feels that it would improve the area and it would be nice to see that property used. He feels they will be great neighbors. He said that he would not be averse to speaking with them about changing their two GC parcels.

**Barbara Laliberte**, 31 Carol Avenue, spoke in favor. She said it would not be much different than what went on at the body shop. She said that she would love to see the property use because, right now, it is used by people who do donuts in the parking lot at all hours of the night.

**Keith Thurlow** asked the Town Attorney to comment on concerns of the Commission regarding the Regulations and creating two isolated lots.

Attorney Bleasdale commented that it is kind of like trading off one 10 acres for another. If the other Deary lot on Lucienne Avenue were changed, then you would have a more contiguous block of Light Industrial then you would only have one outlier rather than two outliers of Industrial. He said that you probably have flexibility to go in either direction. It depends on what your preference is and what the Regulations specifically say, because you're either creating a new block of ten or creating a new block of less than ten. At the end of the day, it comes back more to what your vision is of this immediate area and what the appropriate zoning is. If the other GC property is an auto body shop and it fits into the LI, then, even if the zoning is not changed right now, it probably fits more appropriately in LI than GC. It is up to the Commission to decide which is more appropriate and more consistent with the POCD and which might lead to more viable uses of the properties.

**Brian Card** noted that the lot to the west is a vacant lot, so even though it is zoned GC, it is not currently used as GC. So, if this Application were approved, and created an isolated lot there, it wouldn't be so much of an issue because it is unused at the moment. The auto body shop across the street is the only one that would be isolated and could go back to the same use, from a GC point of view.

**Ann-Marie Aubrey** suggested that the public hearing be continued to next month to allow Mr. Deary and Attorney Bleasdale to discuss the possibility of including Mr. Deary's property in the zone change and to also give time for Attorney Bleasdale to contact the auto body shop.

Attorney Bleasdale stated that they are happy to do that and he explained that the auto body property may take some investigation and will make every effort that he can.

There were no further comments.

Motion was made by Virge Lorents to continue the public hearing for **Zone MAP Change Ap#21-1274**; Weld, LLC (CGCT Killingly LLC/Landowner); 543 Wauregan Road: GIS MAP 262, LOT 20: General Commercial Zone; application seeks to change the zone of the subject real estate from General Commercial Zone to Light Industrial Zone, to Monday, November 15, 2021, Town Meeting Room, 2<sup>nd</sup> Floor, 172 Main Street, at 7:00 p.m.

Second by John Sarantopoulos. No discussion.

Roll Call Vote: Virge Lorents – yes; John Sarantopoulos – yes; Brian Card – yes; Keith Thurlow – yes.

Motion carried unanimously (4-0-0).

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

1) **Zone Map Change Ap # 21-1271** – Douglas Const Co (J. Vance/Landowner); 605 Providence Pike & 200 Hubbard Hill Rd; GIS MAP 224, LOT 14; & GIS MAP 245, Lot 001; RD; change zone from RD to General Commercial on both parcels.

Motion was made by Brian Card to deny **Zone Map Change Ap # 21-1271** – Douglas Const Co (J. Vance/Landowner); 605 Providence Pike & 200 Hubbard Hill Rd; GIS MAP 224, LOT 14; & GIS MAP 245, Lot 001; RD; change zone from RD to General Commercial on both parcels.

Second by John Sarantopoulos.

Discussion:

Brian Card stated, for the record, that he does not feel that enough was put forth in front of the PZC to convince him that this zone change is consistent with the POCD and in trying to revitalize areas and changing/reusing commercial areas that we have in place in Town already. This is an area that the Commission had discussed a lot while reviewing the POCD and it is not consistent with what we are trying to do in that particular area, at this time (trying to keep development isolated to a certain strip in Town).

John Sarantopoulos stated that there is language in the beginning of both Rural Development and Commercial that states that you should have access to public utilities, adequate transportation and, furthermore, you would be putting it in an area that is residential. Obviously, the people in that area don't want it.

Roll Call Vote: John Sarantopoulos – yes; Brian Card – yes; Virge Lorents – yes; Keith Thurlow – yes.

Motion carried unanimously (4-0-0).

2) **Zone MAP Change Ap#21-1274**; Weld, LLC (CGCT Killingly LLC/Landowner); 543 Wauregan Road: GIS MAP 262, LOT 20: General Commercial Zone; application seeks to change the zone of the subject real estate from General Commercial Zone to Light Industrial Zone. Continued to November 15, 2021.

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

1) **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. **Review, and if application is complete, schedule for commission review on November 15, 2021.**

Ann-Marie Aubrey stated that the Application is complete and she explained that this is to separate their special permitted buildings (height) away from those buildings that do not need the additional height. If they need to redesign, they would like to have the opportunity to start building the regular buildings first.

Motion was made by Virge Lorents to receive and schedule for Commission review **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 for Monday, November 15, 2021, Town Meeting Room, 2<sup>nd</sup> Floor, 172 Main Street, at 7:00 p.m.

Second by Brian Card.

Discussion:

Brian Card asked if the Commission would be able to request to see the entire site development plan.

Ms. Aubrey stated that the Commission will have the site development plan, but they are not requesting the height variance with this Application.

Attorney Roberts explained that some parts of it don't require the special permit approval. So, they would look to get the site plan approval on those things and do them while they figure out whether to reapply for the special permit if it is denied or just reconfigure it in some other way.

Mr. Card said that he would request that they word it that way when they present it, so the Commission can have a bigger picture/idea. Ms. Aubrey stated that the hearing for the special permit is scheduled for the same night (site plan will be first).

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

2) **Special Permit Application #09-961**; Request to extent the special permit for an additional 3 years; Tilcon Connecticut / Tilcon Inc.; 548 Wauregan Road, Killingly, GIS MAP 263, Lot 22; ~112 acres; rural development; last extension granted September 2018. **Review/discussion/action.**

Bruce Woodis, KWP Associates, represented the Applicant. Mr. Woodis stated that the original permit was granted in 1975 and has been renewed every three years since 2009. There has been no activity on the site for the last three renewals and there is none planned for the near future. They just want to keep their options open by renewing every three years. In 2018, he said that they presented the original maps and topographic plans and he said that nothing had changed since 2009.

Motion was made by Brian Card to renew **Special Permit Application #09-961**; Request to extend the special permit for an additional 3 years; Tilcon Connecticut / Tilcon Inc.; 548 Wauregan Road, Killingly, GIS MAP 263, Lot 22; ~112 acres; rural development; last extension granted September 2018.

Second by Virge Lorents. No discussion.

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



3) **Special Permit Application #05-868**; Request for Release of Bond; Ernest Joly & Son, Inc.; for 605 Providence Pike, Killingly, GIS MAP 224; Lot 14; `170 acres; Rural Development Zone; all phases of work completed.

**Review/discussion/action.**

Ann-Marie Aubrey read aloud from a letter from Ernest Joly & Sons dated September 14, 2021 (included in packets to Commission Members). She said that, due to understaffing issues, they have not been able to verify this at the site. They will try to get out there this week with the Town Engineer and the land owner. Ms. Aubrey suggested two options: continue; or once the site has been seen. There was discussion.

Motion was made by Brian Card to continue **Special Permit Application #05-868**; Request for Release of Bond; Ernest Joly & Son, Inc.; for 605 Providence Pike, Killingly, GIS MAP 224; Lot 14; `170 acres; Rural Development Zone; all phases of work completed, to Monday, November 15, 2021, Town Meeting Room, 2<sup>nd</sup> Floor, 172 Main Street, at 7:00 p.m.

Second by John Sarantopoulos. No discussion.

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

4) **Special Permit Application #13-1068 & Site Plan Application #13-1069**; Request from Enfield Builders to lower Surety Bond to \$18,356.00 as the Women's Institute never came in with the \$18,356.00 cash bond approved by PZC on December 21, 2020. **Review/discussion/action.**

Ann-Marie Aubrey explained that the request for a bond reduction to a cash bond of \$18,356 that had been approved in December 2020, was supposed to have been paid by the Women's Institute which is now defunct. The people who took over for the Women's Institute are in the process of doing what is supposed to be done. Enfield Builders would like to lower their Surety Bond from \$60,000 to \$18,356, or the Commission could request another cash bond from Enfield Builders. There was discussion. The bonding is for landscaping on the hillside. The other items have been addressed. Ms. Aubrey stated that the request came via e-mail.

Motion was made by Brian Card to approve **Special Permit Application #13-1068 & Site Plan Application #13-1069**; Request from Enfield Builders to lower Surety Bond to \$18,356.00 as the Women's Institute never came in with the \$18,356.00 cash bond approved by PZC on December 21, 2020.

Second by Virge Lorents. No discussion.

Roll Call Vote: Brian Card – yes; Virge Lorents – yes; John Sarantopoulos – yes; Keith Thurlow – yes.

Motion carried unanimously (4-0-0).

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

1) Regular Meeting Minutes – SEPTEMBER 20, 2021.

Motion was made by John Sarantopoulos to approve the Minutes of the Regular Meeting of September 20, 2021.

Second by Virge Lorents. No discussion.

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

The Minutes of the Regular Meeting of August 16, 2021, will be on the November agenda for review/discussion/action.

Keith Thurlow commented about information that Matthew Wendorf had provided via e-mail regarding Low-Impact Development Standards. There was discussion. Ms. Aubrey will provide this information to those who did not receive it.

**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 Nov. 15, 2021.

2) **WORKSHOP – Discussion** – Five Mile River Overlay District. Discussion continued to Nov. 15, 2021

**XI. CORRESPONDENCE – None.**

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

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

Jon Blake reported that the ZBA did not meet this month (no applications).

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

Jon Blake reported that the IWWC is having a special meeting tonight.

**C. Building Office Report – None.**

**XIII. ECONOMIC DEVELOPMENT DIRECTOR REPORT**

Jill St. Clair reported on the recent activities of the EDC.

Mr. Thurlow commented that he feels that it is important to have input from the EDC, as in the past, for text changes/zone changes to be able to take into consideration how the EDC feels in these matters.

Brian Card suggested that EDC Members get a packet for PZC meetings that have an item on the agenda that would have an economic impact to the Town (positive or negative). They could choose to weigh in on it. There was discussion.

**XIV. TOWN COUNCIL LIAISON REPORT**

Patti Larrow reported on the recent actions of the Town Council.

**XV. ADJOURNMENT**

Motion was made by John Sarantopoulos to adjourn @ 9:30 p.m.

Second by Virge Lorents. No discussion.

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

Respectfully submitted,

J.S. Perreault  
Recording Clerk