



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

**MONDAY – DECEMBER 20, 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 DEC 29 AM 10:11

*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.**

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- I. I. CALL TO ORDER** – Chair, Keith Thurlow, called the meeting to order at 7:05 p.m.

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

**Staff Present** – Ann-Marie Aubrey, Director of Planning & Development; Ken Slater, Town Attorney, Halloran & Sage (both were present in person).  
Jill St. Clair, Director of Economic Development (present via Webex).

**Also Present (in person)** – Attorney Joseph Hammer, Day Pitney, LLC; 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); Peter Deary, owner 19 Lucienne Avenue; Ulla Tiik-Barclay, Town Council Liaison.

**(Via Webex)** – Bennett Brooks, President of Brooks Acoustics Corporation; Gregg Hoell, Frito-Lay Supply Chain Senior Engineer; David Kode, Design Director and Architect with Haskell Company (Project Consultant); Steven Cole, Haskell (Civil Engineer); Scott Lyons, Haskell; Yovannia Gamez, Lighting Design Team; Jennifer Suharmadji May; Attorney Timothy D. Bleasdale, Waller, Smith & Palmer, P.C.; 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](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 2630-679-4673 when prompted.

Ann-Marie Aubrey read aloud the above information regarding participation for public comment.

There was no public comment.

Ms. Aubrey stated that she had received three letters in support of Weld, LLC (Zone MAP Change Ap #21-1276) which she said she would provide to Commission Members. She did not know if these supporters were Killingly residents because the letters were signed with no addresses provided. She noted that the Applicant's Attorney, Timothy D. Bleasdale, was present via Webex.

Keith Thurlow if comments were received for the Frito-Lay Application. Ms. Aubrey stated that the letters regarding the Frito-Lay Applications that were included in packets to Commission Members had been read aloud at the previous meeting (public hearing).

Keith Thurlow, for the record, asked Ms. Aubrey about engineers regarding the two Frito-Lay Applications. Ms. Aubrey stated that she had contacted the Town Manager and they contacted four engineering firms, two of which had a conflict. They selected CLA Engineers from Norwich from the remaining two. CLA was provided the information with a request to report back a week before the January 18, 2022, meeting to give Staff time to review. CLA Engineers will be available at the January 18<sup>th</sup> meeting. Mr. Thurlow asked if Frito-Lay would be agreeable to both Applications being continued to the January 18<sup>th</sup> meeting. Attorney Hammer's response was inaudible.

**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 2630-679-4673 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.

Keith Thurlow asked if there was anything new to be added to the previous testimony. The beginning of Attorney Hammer's response was inaudible. He stated that, similar to the previous testimony, for simplicity, testimony presented tonight would apply to both Applications. Attorney Hammer made the following comments:

- They have made some changes, the most significant being that the expanded auto parking lot has been relocated and, as a result, it leaves the treed and bermed area to the west of the existing auto lot undisturbed. It also minimizes visibility from Upper Maple Street. This was in response to a major comment heard from a number of speakers.
- Within the parking lot, they lowered the lighting pole height from 25 feet to 20 feet and are now using a fixture with more control over light spillage.
- The height of the lights on the exterior of the ASRS (Automatic Storage and Retrieval System) warehouse building wall have also been lowered.
- Scott Hesketh, Traffic Engineer with F.A. Hesketh & Associates, who had prepared the Traffic Impact Report (dated October 21, 2021) that had been submitted as part of the record for this Project will address questions and comments, regarding the report, from the previous meeting.
- Sil Quenga, Frito-Lay (Director of Engineering and Maintenance), will describe actions taken by Frito-Lay over the past year-and-a-half in response to concerns raised by area residents regarding sound. Mr. Quenga will also review a chronological history of the resolution of the 2009 CT Department of Environmental Protection Odor NOV (Notice of Violation).
- Bennett Brooks, Sound Acoustics Expert and President of Brooks Acoustics Corporation, will review the sound testing report that he had done at the Plant in the fall of 2020 (dated March 2021) as part of Frito-Lay's discussions with Keith Suchy, a Lake resident and Member of the Lake Association. Mr. Bennett's report had been submitted

to Staff and shared with the Lake Association. Ms. Aubrey had provided copies to Commission Members. Mr. Brooks will also describe the installation of various sound-reduction equipment.

Attorney Hammer noted that in a situation like this, where the use is permitted as of right and subject only to site plan review, the CT courts have indicated that consideration of traffic is limited. It is not an off-site impacts analysis as you might have with different types of applications. It is really focused on traffic circulation on the site as well as at the site entrance, entering and exiting the site. He said that no changes are being proposed for the site entrances or to the circulation within the site.

Scott Hesketh, Traffic Engineer with F.A. Hesketh & Associates, reviewed his letter (dated December 9, 2021) which was prepared to address comments/questions raised during the November 15, 2021 meeting (included in packets to Commission Members):

- The Report has been revised to clarify/correct typographical errors. Revised text of the Traffic Report, dated December 9, 2021, has been re-submitted.
- Mr. Hesketh stated that, several years ago, he had also authored the report regarding the KEC (Killingly Energy Center) for NTE (the developer). He explained that, due to some inconsistencies in the DOT data and due to the COVID crisis, they relied on the combined traffic volumes from the KEC report as the background traffic volumes for the Frito-Lay report. The volumes for the KEC report were significantly higher than the volumes they observed during their recent counting program, and it seemed easier to use those numbers to present to the Commission than to go thru a long, elaborate explanation as to how they grew the traffic volumes during COVID to pre-COVID conditions. Pre-COVID counts were used as the background for the report. He stated that they believe that is an appropriate means for adjusting for traffic and the background conditions. Recent counts were described in the recent report which, when compared, show that the 2021 data is significantly lower than the 2018 data that they relied on. He noted that the DOT's position is that the traffic volume counts done in this day and age will be the new normal moving forward. They believe the traffic volumes presented in the report are conservative and that the analysis presented in the report will be conservative and will over-estimate the background conditions and will, therefore, under-estimate the traffic impacts of this particular development.
- Mr. Hesketh explained about construction-related traffic vs. ongoing, regular operational traffic as described in his letter dated December 9, 2021. He explained that for peak Frito-Lay construction traffic (maximum workforce of 420), they are going to rely on carpooling and shift change to ensure that the traffic volumes do not exceed a maximum of 168 trips. Construction-related traffic to operate off-peak from the employee-related traffic so that those two traffic flows will not occur simultaneously. This will keep the site-generated impacts from the construction to about the same levels of the future traffic volumes for the fully operating Frito-Lay development as described in the Traffic Impact Report. Driveway access to and from this Facility is more than capable of accommodating that volume of traffic safely and efficiently, with good levels of service, during peak hours.
- Regarding concerns for existing operations on Lake Road, Mr. Hesketh explained that the Frito-Lay Facility is located east of Lake Road, and they do not project high volumes of employee traffic on Lake Road and that all truck-related traffic will be directed to access the Facility, to and from Interstate 395, using the Attawaugan Crossing Road access drive. They are not projecting any increase in truck-related traffic, only a minor increase in employee-related traffic on Lake Road.

Mr. Hesketh noted the following operational situations that could occur at the power plant: They operate on natural gas, so they do not have truck traffic going to and from the facility once in operation. If there is an interruption in natural gas to that facility, they are allowed to run on oil for a short period of time. To ensure that oil trucks can pass each other simultaneously on Lake Road, they were required to make roadway improvements on the S-curve of Lake Road to widen that roadway so that trailer trucks could pass each other in two directions if it ever becomes necessary.

- Mr. Hesketh summarized the Report noting that there are no modifications proposed for either of the access points to and from the Frito-Lay Facility on Upper Maple Street or Attawaugan Crossing Road and that, based on the background traffic volumes and the projected site-generated traffic volumes for this proposed development, both access points will operate safely and efficiently at good levels of service. Existing lane arrangements can accommodate the anticipated volumes of traffic without significant delays. He explained that there should be no modifications to on-site traffic circulation which will be shown on a drawing and discussed later in the presentation.

**QUESTIONS/COMMENTS FROM THE COMMISSION:**

- **Keith Thurlow** asked if the gravel road will be paved over and utilized.  
Attorney Hammer stated that this would be discussed later in the presentation, but that, with the parking lot relocation, the gravel road is no longer going to be paved over and will remain as a gravel road.  
Roger Gieseke, Frito-Lay (Senior Project Engineer), clarified the location of the gravel road. It is between the truck entrance and the employee entrance on Attawaugan Crossing Road.  
Mr. Thurlow asked about the carpooling.  
Mr. Hesketh explained about subcontractors meeting at the office/shop and driving to the site together with their equipment. He also stated that there is also the ability to use commuter parking lots throughout the State.  
Mr. Thurlow asked about using out-of-state contractors vs. local.  
Brian Dotolo, Haskell (Project Director), explained that they do have some from out of state, but not the majority. He said that if they come from out of state and are staying at a hotel, they can carpool from the hotel to the job site.
- **John Sarantopoulos** asked if all the contractors would be encouraged to carpool to the site.  
Mr. Hesketh stated that is correct.
- **Brian Card** commented that encouraging and mandating are two different things and he asked how they would mandate the level of 168 cars as in the Report. Otherwise, the analysis should be based on the full 420.  
Mr. Dotolo explained that it would be part of the subcontract agreement with the vendors.  
Mr. Card asked how the PZC would enforce that.  
Ken Slater, Town Attorney, explained about the permitted-by-right use for which the PZC does not have any control over traffic volumes. He explained that, if the Applicant gives permission, there could be a condition of approval for Zoning Enforcement to enter the site and do an inspection.  
Attorney Slater further explained that the PZC does have authority, in ordinary Site Plan Review where a use is established as permissible, is to make sure that the access is safe. In this case, the Applicant has offered to include it in the subcontracts which is something that the Commission cannot specifically require.  
**Mr. Card** asked about the OSTA (Office of the State Traffic Administration) permit process.  
Mr. Hesketh stated that they have made an application to OSTA for the administrative decision, but he has not received any substantial comments from them as of this point. He explained that OSTA has jurisdiction over State highways and that neither Upper Maple Street nor Attawaugan Crossing Road are State highways. However, since the development has an excess of 100,000 square feet, they do regulate it for impacts to State highways, so that is what OSTA will be reviewing. He explained that they generally look at intersections where there is an excess of 50 new vehicle trips. Since they met that threshold, they provided information including the highway ramps on Route 395 down to Route 101. He explained that the Route 395 southbound ramp, if reviewed as a single-lane approach, is service level F, but it operates mainly as a two-lane approach, and they are not proposing any improvements at that location. The DOT may decide that restriping it may be appropriate.  
**Mr. Card** asked about the methodology for the on-site trips counts.  
Mr. Hesketh explained that they did turning movement counts of both site driveways during peak hours. They compared the volumes that they got to the ITE trip generation results based on the number of employees and based on the square footage of the development. The ITE numbers based on the number of employees more closely resembled the traffic volumes counted out in the field. Based on that, they projected the increase of site-generated traffic based on the projected level of employees for the expanded development and they used that projected volume as the total site-generated traffic for the site.  
**Mr. Card** asked if a truck count had been done because the truck count seems low.  
Mr. Hesketh explained that they did not count trucks independently, but they did run the ITE trip generation for trucks based on the square footage of the Facility and the number of employees and they added the peak hour volume of trucks. You would not want a lot of trucks there during peak hours when employees are there.  
**Mr. Card** asked how that compares to actual truck counts. He feels that there are more trucks than what the analysis is showing.  
Mr. Hesketh stated that he did not run through those numbers. He will speak with the team to see if they can get that data.  
**Mr. Card** asked if the existing gravel drive on the west side, spoken of earlier by Mr. Thurlow, would be improved to accommodate raw material deliveries.

Brian Dotolo explained that for the current gravel drive that is east of the railroad tracks that runs north/south past the gravel road, they are considering putting millings on that road to allow potato trucks to run down that area, on a temporary basis, during the construction. He will indicate this gravel drive on the site plan later in the presentation. Attorney Hammer stated that this area is no longer going to be re-seeded based on the revised parking lot location.

- **John Sarantopoulos** asked who would be responsible should the State decide that improvements need to be made off of Route 395.

Mr. Hesketh stated that, if the DOT or OSTA deem that improvements are necessary, it would be the responsibility of the Applicant/Developer.

Mr. Sarantopoulos suggested that the Traffic Manager would be a good source of information as that is who should be responsible to schedule trucking not to conflict with peak hours/shift changes.

Attorney Hammer stated that, although it goes beyond the scope of a Site Plan Review, the report that Mr. Hesketh did for OSTA has been submitted to Staff.

Sil Quenga, Frito-Lay (Director of Engineering and Maintenance), gave a Power Point presentation regarding the chronological history of odor complaints at the Facility beginning in February 2019, when they received a Notice of Violation, and explaining how Frito-Lay worked with the DEEP to get to the resolution to close out the NOV in August 2011 (copies of the NOV and Closure Letter from the State had been submitted to Staff earlier in the day and were provided to Commission Members). Mr. Quenga explained that since then, they received a total of three separate odor complaints which were phoned in directly to Frito-Lay and were responded to.

**QUESTIONS/COMMENTS FROM THE COMMISSION:**

- **Brian Card** asked if the DEEP has come out to the site, for any reason, since 2011.  
Mr. Quenga explained that the DEEP does inspections every year and none of the visits resulted in any odor issues.
- **John Sarantopoulos** asked about a vegetable oil slick on the surface of the Lake and if it has been addressed.  
Mr. Quenga stated that, short of the last PZC meeting (11/15/2021), they do not have any recorded complaints of anything of that nature from the Town, the State or from direct phone in.

Sil Quenga gave a Power Point presentation regarding sound complaints:

- In the summer of 2020, Keith Suchy called in a complaint regarding noise. Mr. Suchy met with Frito-Lay representatives, and he took them out on his boat so that they could hear what his complaint was about. Mr. Quenga explained that Frito-Lay focused on their starch drying equipment (which is part of their resource conservation effort) because they had determined that, primarily, that is where the noise was coming from. They hired Brooks Acoustics Corporation to do a sound survey to identify the source of the higher sound that was reported. Mr. Brooks completed his analysis and found that the sound levels were consistent with applicable sound regulations. They asked Mr. Brooks for recommendations to reduce the sound to make it quieter. He explained that, in the fall of 2020, they installed some sound-absorbing mats. Next, they installed acoustic covering on the starch dryer blowers. Then, they installed some elbows on top of the stacks to divert the sound to the east away from the Lake. A few weeks ago, they installed sound attenuators in addition to the existing ones. Mr. Quenga commented that after this was done, it made an immediate, drastic improvement in what he could hear from the potato receiving yard.

There were no questions or comments from the Commission at this time.

Bennett Brooks, PE, FASA, INCE and President of Brooks Acoustics Corporation, spoke of his credentials/experience in the field of acoustical engineering. He stated that he has been involved in various projects/studies with this Facility for about 12 years. Mr. Brooks summarized the following:

- The first testing done in October 2020, from which they used the data collected to do the Sound Control Design Study.
- The testing done on the west property line (engineering-based study at the Plant dated March 8, 2021) and rooftop-mounted equipment. Mr. Brooks displayed a Google Earth aerial photo of the Facility and surrounding

area as well as other photos depicting the locations where testing was performed. He displayed and explained the test results.

- The most recent testing done last week when the silencers were mounted in the starch recovery stacks. He described/explained results from the various scenarios used for the tests. He said that he feels confident that they are consistent with the Regulations at the property line and will be in better shape in other locations.

**QUESTIONS/COMMENTS FROM THE COMMISSION:**

- **Virge Lorents** asked Mr. Brooks to describe what the sound level would be like (screaming tea kettle vs. a bird cooing).  
Mr. Brooks described that the sound level would be like a very quiet voice (closer to the bird cooing).
- **Matthew Wendorf** asked if the frequency affects the audible perception.  
Mr. Brooks explained that, in general, they use the A weighting system. He explained that the silencers were designed to remove the low hum that was coming from the starch system.
- **John Sarantopoulos** asked what the water (the Lake) does to sound.  
**Mr. Brooks** explained that it will attenuate with distance. There is not much absorption of sound by the water. He explained that sounds drop 6 decibels per doubling of distance.

Attorney Hammer asked Mr. Brooks to speak about the expansion and the efforts that will be taken to ensure that the Plant will comply with the noise standards.

Mr. Brooks explained that they have a list of all equipment potentially being planned for the Facility and how it will be analyzed, by computer modeling, in place on the site. Their intent is to engineer this as part of the design and construction team. So, for example, if a silencer is needed on a stack, it will be included in the equipment specifications, so it will be installed when the Plant is being built. He explained that they are designing and engineering this for sound control from the very beginning. He explained that the storage retrieval system is all indoors and will be quiet on the outside. The air conditioning on the roof will be treated, so their sound levels will be low. He explained that they will do the same thing with the equipment on the production side which is further from the residents and behind the existing Plant which acts like a big sound wall to block the sound. It is their intention to meet all codes and regulations for this addition.

Attorney Hammer asked Mr. Brooks if he is confident that, with his input during the selection of equipment and build process, the expansion will comply with the applicable noise standards.

Mr. Brooks explained that he is very confident.

**QUESTIONS/COMMENTS FROM THE COMMISSION:**

- **Keith Thurlow** asked about the expected decibel levels for the mechanicals on top of the ASRS building.  
Mr. Brooks explained about selecting quiet models over noisier ones and installing barriers, if needed.  
He explained that, in the past, a sound wall had been erected on the roof of the potato chip production area.  
**Mr. Thurlow** asked how tall of a wall it would be.  
Mr. Brooks explained that if the unit is 6-8 feet tall, you would want to have a wall that is in the neighborhood of 10-12 feet tall. They have not run all of the models yet, so he does not have results to show at this time, but he explained that in the end, everything has to be within code at the property line. He explained the process for how they determine the proper sound barrier needed for a piece of equipment. He explained that he is unable to tell, at this time, how high anything will be. He explained about placement, and he said that the noisier equipment should be placed on the east side of the Plant and the quieter equipment should be placed on the west side. Some equipment comes with enclosures.  
Sil Quenga explained that their plan is to ensure that they put the appropriate equipment on the roof so that they don't have to put in secondary sound isolation.  
Mr. Thurlow asked about sound carrying from quiet equipment at 80 feet high and if there will be anything other than a sound wall blocking that noise.  
Mr. Quenga stated that there would not be any trees that tall to block it. He stated that there probably would not be something that tall on top of the ASRS and he spoke about having Mr. Brooks to analyze the system and to determine if mitigation is needed.
- **Virge Lorents** asked about when the calculations would be available.  
Attorney Hammer stated that the actual equipment design specifications and selection has not yet occurred and will come later in the Project given the nature of the Project. Mr. Brooks will be working with them.

Mr. Brooks explained that there is at least a couple dozen pieces of equipment that they are addressing. Some are lower level and won't need anything or just a little sound attenuation and there are others that they know will need a robust, substantial enclosure.

**Mr. Thurlow** spoke of his experience of how sound carries.

Mr. Brooks explained that the State of Connecticut decided that the limit of 51 decibels at night (the sound of a very quiet voice) is the very low limit to impose to protect residences, so that is what they want to meet.

Roger Gieseke asked Mr. Brooks to confirm the measurement from the survey taken, at the property line last week, with both of the starch blowers off.

Mr. Brooks stated that it was somewhere in the neighborhood of 48 decibels.

Mr. Gieseke feels that would give the Commission some level of confidence because he said that would be with the entire Plant running, full production, with all of the rooftop equipment running. He said that is significantly below and would not yield any complaints from the residents. That would be with the ventilation equipment running on both the existing high rise and the new GES high rise that was put in in 2014. He said the equipment, in its current location, is pretty quiet, as measured, at the property line. He said that specific complaints from the Lake residents were about the starch drying system blowers and that is what they were trying to highlight with the report. They have gotten initial indications that it is very quiet since they made the modifications. He said that there is a significant difference and that residents are starting to hear some of the other industry on the other side of the Lake more so than Frito-Lay.

- **John Sarantopoulos** asked about monitoring the climate control in the warehouse and if it is necessary for the product.

Sil Quenga explained about their building management system which started in 2014 with the GES building and is now throughout the entire Facility. He explained that they are a food processing facility, so they work quite a bit with air balance throughout the Facility. The ASRS needs to be maintained with enough heat, so it doesn't freeze, but they don't need to cool it. It is mainly an air circulation-type unit in the ASRS.

**Mr. Sarantopoulos** asked if trailers are used for storage on site.

Mr. Quenga explained that they do put product in the trailers. Typically, about 2.4 days' worth of product on hand and it may sit there for a day until a tractor comes and moves it. He explained that it depends on the supply chain and what they are doing with it. They re-use cartons and they store those in trailers. They prefer not to leave product out in the yard very long.

**Mr. Sarantopoulos** asked how many loads are shipped out per day on average.

Mr. Quenga stated more than 200.

**Mr. Sarantopoulos** asked how many trailer spaces with the new addition.

Mr. Quenga was not sure, but that information had been submitted earlier.

- **Virge Lorents** asked for the percentage of the trailers are just sitting there empty and why.

Mr. Quenga explained that it depends upon their distribution cycle. He explained that they produce over 160 million pounds of product per year, and he also explained that they are a full-mix warehouse.

- **Brian Card** asked Mr. Brooks if they validate the model baseline based on testing done in the field.

Mr. Brooks stated "yes," and he explained that they try to validate the model all through the process.

**Mr. Card** asked Frito-Lay if they are going to proof with testing at the end of construction to validate the model results and provide the report to the Town.

Someone stated, "yes we will." This person did not state his name, but it is assumed that it was someone from Frito-Lay.

Greg Hoell, Frito-Lay, Supply Chain Senior Engineer, Lead of the Warehouse Automation Group, spoke of his background/experience and the proposed ASRS. Photos were displayed as he explained them. He explained that the ASRS was designed with the optimal height to maximize storage capacity and operational efficiency while minimizing the overall building footprint. Mr. Hoell explained that the proposed ASRS has a condensed footprint of 24,600 s.f. A reduction in height below 50-feet tall would require a 93,300 s.f. of conventional warehouse which is almost four times the proposed design. It would also require more employees which would require more parking area. He explained that the Killingly site is extremely space constrained, therefore, a conventional warehouse would not be feasible. They believe that the proposed design is the most desirable and has the least impact to the surrounding community.

**QUESTIONS/COMMENTS FROM THE COMMISSION:**

- **Matthew Wendorf** asked about how a minimal height reduction, due to potential acoustics screening at the top of the building, would impact the overall footprint.  
Mr. Hoell explained that a key design input is the number of pallet storage spaces required. It was determined, for this project, that there is a need for 4,993 pallet areas. The system proposed provides 5,184. If one tier were taken away, 648 pallet areas would get removed and another 27-foot-wide aisle would need to be added closer west to Maple Street.  
Attorney Hammer commented that the PZC has previously approved 77 feet for a portion of the existing ASRS, a 9-foot difference.
- **Brian Card** asked when the standard changed for the building height from the previous ASRS.  
Mr. Quenga stated 2014.
- **Keith Thurlow** asked if the walls for the ASRS would be solid, plain, white walls. He also asked how many people would be in the building.  
Mr. Hoell stated with yes, with lighting. Regarding people in the building, he stated that there may be one or two for maintenance as it is mostly a dark space. Mr. Quenga explained that it is straight storage with three cranes. There was discussion regarding the low bay area. Mr. Quenga indicated different aspects for Mr. Thurlow, however, it was inaudible as he was not at a microphone. Attorney Hammer stated that the next speaker from Haskell would be addressing this.

Keith Thurlow called for a five-minute recess at 9:12 p.m.

Mr. Thurlow called the meeting back to order at 9:19 p.m.

David Kode, Design Director and Architect with Haskell Company (Project Consultant) introduced Steven Cole, Haskell Company (Civil Engineer).

Steven Cole gave a Power Point presentation and orientated the property. He discussed some of the changes made from the previous application/previous hearing:

- Auto Parking Expansion has been rotated down to tuck it in more with the site geometry and to maintain some buffer space.  
Closest point is 291 feet from the right-of-way. Existing auto parking lot is 266 feet from the Upper Maple Street right-of-way. So not encroaching any further with this geometric layout.  
The count for parking stalls remains the same as previously presented. He explained the calculation of 633 spaces needed at the Facility.  
Grading and Drainage – The goal was to recess the parking lot. It is higher than the existing, but there is going to be a four-foot berm all the way around the western edge of the property and into the western edge of the Auto Parking Lot and into the northwest corner of the Auto Parking Lot. No vehicles will be visible from Upper Maple Street because of the berm.  
The entire area to the west, including the gravel roadway, will remain undisturbed.  
They are proposing coniferous trees to be planted to fill in any gaps in existing vegetation.  
He indicated the 5,725 s.f. of green space that they are providing.
- They are proposing an underground detention system as previously described underneath the existing auto parking lot. No changes to run-off, discharge, or location.
- Existing gravel road to remain undisturbed except for a small section of asphalt pavement at the southern end.
- Trailer Parking Expansion is now going to be on the west side of that road.
- Abutting property owners have been added to the plan which has been submitted.
- Internal Traffic Circulation Plan was displayed, and Mr. Cole stated that there would be no improvements to either entrance road and no major changes to onsite circulation for what is previously occurring out there. The entire site has two-way thru traffic. There is a gate that has a Knox Box for emergency access at the auto entrance and at the truck entrance. The one at the truck entrance remains open at all times but, if closed, there is room for emergency access as well.

**QUESTIONS/COMMENTS FROM THE COMMISSION:**

- **Brian Card** asked how drainage is being handled at the trailer parking area since that is now recessed.  
Mr. Cole explained that the trailer parking lot would be part of the master plan drainage area that goes to the Yellin filtration basin. Previously, for the upper lot, they did account for impervious area which is shown

on the Drainage Map as well as the Hydrology Report. He said that all water treatments have already been provided as part of the Master Plan.

**Mr. Card** commented that he thought that it was said that the grade had dropped there.

Mr. Cole stated, "from what we were previously proposing." He explained that the Yellin lot is lower than those trailer stalls, so grade falls from north to south.

**Mr. Card** stated that the Commission does not have a plan that shows the grading or drainage there.

Attorney Hammer stated that they are working to get plans that show more detailed engineering to show the storm water drainage before the next meeting.

**Mr. Card** asked if there would be additional buffer/vegetation since the parking lot is being moved much closer to the Maple Street right-of-way than originally proposed.

Mr. Cole explained that they still have the required buffer distance from the right-of-way. He said that they can show plantings there when they work through what it will look like and will provide those plans.

- **Keith Thurlow** asked about the Forest Management Plan that was part of the 2010 Special Permit.

Attorney Hammer explained that Frito-Lay had looked back in their records to 2009 and could not determine whether a final plan was arrived at, but they believe that they have met the intent of the 10-year-old approval by maintaining with the revised parking lot location that forested area which now is quite mature with 30-35-foot-tall trees. He said that there were comments made that it is an effective buffer/screen and people want it to remain and now it will.

**Mr. Thurlow** asked if there is a railway extension in that same area, between now and then, that eliminated tree buffering.

Mr. Quenga explained that they had put in a small spur for the railway expansion. There were oil tanks in that area, so there was very little vegetation there. He indicated and explained the location on the map. Attorney Hammer stated that they could look at the area to see if they can do some landscaping in that area.

**Mr. Thurlow** commented that it also leads to the new parking lot and the buffering being proposed there. He said that there is a big concern with buffering with Maple Street and the residents across the street. He commented that, for other Industrial Park properties, a manufactured berm had been required to be built, yet here, over the years, trees are diminishing, and buffers are being more and more exposed.

Roger Gieseke explained that, for the parking lot relocation, they have maintained the natural berm that exists between Maple Street and the main spur and the spur and the employee parking lot. He stated that there is almost a 15-foot change in elevation between the employee parking lot and the berm going down to Maple Street and that Staff had walked the property within the last couple of weeks. He explained that you cannot see the employee parking lot. He said that Attorney Hammer has been working with Mary Miller, the Attorney for the Lake Association, in trying to maintain that area which is why they are moving that parking area in order to maintain that buffer in its natural state.

**Mr. Thurlow** asked how that affects the 80-foot building.

Mr. Gieseke referred to photos in different seasons that had been provided to Commission Members and stated that it would be very hard to see.

**Mr. Thurlow** asked about the proposed trailer park.

Mr. Gieseke explained that the trailer park is very similar to the south lot which is about the same location, and they are not opposite any residents. He explained that they had been concentrating on the Anthony Simpson issue, but he said they could take a look at it. There was discussion between Mr. Thurlow and Mr. Gieseke and Mr. Gieseke suggested that Mr. Thurlow take a ride by the area to see it because it is an effective barrier even now with no leaves on the trees.

**Mr. Thurlow** stated that he had just rode by there and noticed how bare it was and he had a view of the buildings (from Maple Street to the south). He said that there was a wide, open gap.

Mr. Gieseke said that they can take a look at it and, perhaps, plant some trees on Frito-Lay owned property. Ann-Marie Aubrey referred to a map, which Mr. Thurlow had provided to her, which she said does not go as far down as the tractor trailer area goes and she explained that the area being spoken of is not Frito-Lay property. Ms. Aubrey stated that, when she walked the site, she had seen that they are maintaining the buffer between the gravel driveway and the railroad, which is what everybody wanted them to maintain.

- **John Sarantopoulos** asked where the adjoining property owner right-of-way is.

Sil Quenga explained it by showing Mr. Sarantopoulos on the map.

Attorney Hammer asked that this same explanation be provided for all to hear and see. Attorney Hammer added that an access right has been added by Mr. Simpson and it is not believed that he has established that. Attorney Hammer said that it is not the role of the Commission. He said to put that entirely to the side,

with this revised plan it is academic because there is no physical blocking. Mr. Sarantopoulos stated agreement with Attorney Hammer. Mr. Quenga provided the explanation again at the microphone with the Overall Site Plan displayed.

A plan entitled; Lighting Design Improvements was displayed.

- **Keith Thurlow** asked if there was an elevation change from the ASRS to the low bay. It was explained that it is not an elevation change. The speaker did not identify himself.

Yovannia Gamez, Lighting Design Team, explained about lighting changes/improvements based on discussion from the last public hearing:

- For the outdoor parking lot: Reduced height to the top of the poles from 25 feet to 20 feet; reoriented lights to minimize number of fixtures visible from the west (Upper Maple Street); changed from aluminum poles to bronze color poles to minimize reflection; changed from shields to backlight cutoff controls for western perimeter. She explained backlight cutoff.
- At the new warehouse: Light fixture mounting height on the wall of the ASRS building has been lowered from 25 feet to 20 feet.

**QUESTIONS/COMMENTS FROM THE COMMISSION:**

- **Virge Lorents** spoke about the importance of dark-sky compliance in the Last Green Valley and how birds are losing their ability to navigate during their migrations. She cannot see constellations that she could see as a child, and she wants this issue to be seriously understood. She said that the 20-foot pole height is remarkably better than 25 feet, but it is still a fairly large cone of light. Attorney Hammer responded that the design team came up with a solution, based on comments received, that they think improved things, but still gives the level of light that is needed for safety in terms of the operation of the lot and Facility.

David Kode, Design Director and Architect with Haskell Company (Project Consultant), reviewed the following:

- Two photos (taken on December 17, 2021) showing the view from Upper Maple Street.
- Three photos showing seasonal views from across the Lake indicating the locations of the 1978 and 2012 ASRS buildings.

Attorney Hammer noted that the proposed ASRS addition would be in the same general location as the 2012 ASRS. Mr. Kode stated and explained that that is correct.

**QUESTIONS/COMMENTS FROM THE COMMISSION:**

- **Keith Thurlow** asked if the new building would be exposed above the tree line. Mr. Kode stated, "no."

There were no further questions.

Attorney Hammer spoke about questions raised at the last meeting regarding the parking space count. He stated that the Regulations express a minimum number of spaces (402 based on floor area). They are proposing 633 which is based on the actual 40-year experience operating the Facility and knowing what the parking needs are. They referenced the ITE Engineering Manual for parking demand ratios and that would yield a substantially higher parking count (739-900 depending on whether it is building square footage or employee headcount).

Attorney Hammer stated that they consent to continue both the Site Plan Application as well as keeping the Special Permit Hearing open to the meeting of Tuesday, January 18, 2022.

Motion was made by Brian Card to continue both:

**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

And

**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

to the next regular meeting to be held on Tuesday, January 18, 2022, 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 (5-0-0).

Motion was made by Brian Card to continue the December 20, 2022, Meeting of the Planning and Zoning Commission past 10:00 p.m.  
Second by Matthew Wendorf. No discussion.  
Motion carried unanimously by voice vote (5-0-0).

2) **Zone MAP Change Ap #21-1276**; Weld, LLC (CGCT Killingly LLC/Landowner); 543 Wauregan Road: GIS MAP 262, LOT 20; And 19 Lucienne Avenue, Killingly, GIS MAP 262, LOT 22; both General Commercial Zone; application seeks to change the zone of the subject real estate (properties) from General Commercial Zone to Light Industrial Zone.

Attorney Timothy D. Bleasdale, Waller, Smith & Palmer, P.C., represented the Applicant and gave an overview. Map 1 of 6 was discussed:

- The existing Light Industrial is just under ten acres in this area and the additional acres that they are proposing to add would bring this to a total contiguous zone of about 12.6 acres. 543 Wauregan Road – 2.1 acres, currently fully developed, 22,000 s.f. building on existing large parking lot. 19 Lucienne Avenue – 1.2 acres, undeveloped except for the driveway, mature trees.
- The remaining General Commercial Zone in that area, after the two lots are removed, exceeds 35 acres. Attorney Bleasdale explained that they were unable to get the consent of the owner of 4 Lucienne Avenue to include that property in this Application. He stated that they had provided Staff with a few draft maps that the Commission could use should they chose to pursue a zone change for 4 Lucienne Avenue in the future.
- The purpose of this Application is to allow light industrial uses (Section 430.2) at the two properties. He noted that traffic impact to the neighborhood would be light because these sorts of uses are generally not open to the public as with retail (like Benny's). They are looking for the ability, subject to further permitting through the PZC, to bring in light industrial manufacturing (specifically metal welding and fabrication – Melting Point Welding & Fabrication) at the 543 Wauregan Road location. This property has been unoccupied for quite some time, and this would revitalize it and get it back in use.
- Regarding 19 Lucienne Avenue, he is not aware of any specific plans that the property owner may have. The only improvement on the property is the driveway that serves 17 Lucienne Avenue, which is already zoned Light Industrial. Attorney Bleasdale stated that he feels that this zone change will bring this property closer to its actual current use.
- Attorney Bleasdale referred to his letter dated November 9, 2021, which details the criteria that the Commission is supposed to consider when making its decision (included in packets to Commission Members).
  - He explained that they feel that this change would be consistent with the patterns of land use and development in the area.
  - He explained that they feel that these two lots are well-suited to light industrial use.
  - Positive impacts: Revitalization of the building at 543 Wauregan Road; future use of the Wauregan Road property would have to require some reduction in impervious surfaces of the parking lot.
  - This Application advances goals and policies contained in the POCD: Section 3.2; Section 3.5 and Section 3.6.

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

- **Matthew Wendorf** asked 19 Lucienne Avenue which is densely wooded. He asked if there is any intent to remove any of that for future development on that property.  
Peter Deary, owner of 19 Lucienne Avenue, (present in person) stated that they owned the property for over 20 years and have no plans to do anything with it.  
Attorney Bleasdale added that, if there were an application for development in the future, assuming that the Regulations still have the vegetative buffering requirement, the mature trees within that buffer zone would likely be retained (or something similar).

Ann-Marie Aubrey summarized the three letters, in support of the Application, that had been received for public comment that she had spoken of earlier. She, again, stated that she does not know if they are Killingly residents: Allison Therrien; Raylette Burcard; and Christian Algeria.

There were no further questions from the Commission.

**PUBLIC COMMENTS:**

**Jill St. Clair**, Director of Economic Development, commented that she is in support of this Application and the change of zoning. The building is well over 40 years old and is no longer suitable for the changing nature of retail, for the scale/size of the building and the way the loading docks are set up.

Keith Thurlow asked Ms. St. Clair if there were any comments from the Economic Development Commission.

Ms. St. Clair stated that they had discussed this parcel and had tried to attract other retailers to that location, but it is too big for current retail. The EDC had no input.

Motion was made by Virge Lorents to close the public hearing for **Zone MAP Change Ap #21-1276**; Weld, LLC (CGCT Killingly LLC/Landowner); 543 Wauregan Road: GIS MAP 262, LOT 20; And 19 Lucienne Avenue, Killingly, GIS MAP 262, LOT 22; both General Commercial Zone; application seeks to change the zone of the subject real estate (properties) from General Commercial Zone to Light Industrial Zone.

Second by John Sarantopoulos. No discussion.

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

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 next regular meeting to be held on Tuesday, January 18, 2022, Town Meeting Room, 2<sup>nd</sup> Floor, 172 Main Street, at 7:00 p.m.

2) **Zone MAP Change Ap #21-1276**; Weld, LLC (CGCT Killingly LLC/Landowner); 543 Wauregan Road: GIS MAP 262, LOT 20; And 19 Lucienne Avenue, Killingly, GIS MAP 262, LOT 22; both General Commercial Zone; application seeks to change the zone of the subject real estate (properties) from General Commercial Zone to Light Industrial Zone.

Motion was made by Brian Card to approve **Zone MAP Change Ap #21-1276**; Weld, LLC (CGCT Killingly LLC/Landowner); 543 Wauregan Road: GIS MAP 262, LOT 20; And 19 Lucienne Avenue, Killingly, GIS MAP 262, LOT 22; both General Commercial Zone; application seeks to change the zone of the subject real estate (properties) from General Commercial Zone to Light Industrial Zone, for the following reasons:

- He believes it revitalizes some abandoned property to be returned to productive economic use.
- He believes it is suitable in this area for development to Light Industrial with minimal impact to the area.
- It provides for a contiguous zone of greater than ten acres which is consistent with our rules.
- It implements responsible redevelopment vs. impacting new, green, undeveloped areas.

Effective date January 18, 2022, at 12:01 a.m.

Second by Virge Lorents. No discussion.

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

Motion carried unanimously (5-0-0).

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.

Ann-Marie Aubrey read aloud from an email from Jonathan Blake explaining that he had visited the site and spoke with Mr. Vance regarding the two pieces of equipment on site which belong to Mr. Vance who is storing them there. The truck on the property had been vandalized along with a piece of equipment from Ernest Joly & Son. The police were involved, and Mr. Vance is working with his insurance company. He reviewed the status of the property with Mr. Vance which was to be returned to its natural state at the end of the operation and he felt that all work had been done. Mr. Vance plans to let the back area grow while maintaining the roadway and keeping a small portion as grass. Recommendation from Staff is to return the bond in full to Ernest Joly & Son, Inc.

Motion was made by Virge Lorents to approve **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. Second by John Sarantopoulos. No discussion.  
Motion carried unanimously by voice vote (5-0-0).

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

4) **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 next regular meeting to be held on Tuesday, January 18, 2022, Town Meeting Room, 2<sup>nd</sup> Floor, 172 Main Street, at 7:00 p.m.

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

1) **Subdivision Ap #17-1185**; Frank Swabby (formerly Belmont Homes); Airport Road; request of bond release as construction of road improvements meets Town standards. – **(review / discussion / action)**.

Ann-Marie Aubrey stated that this has been completed to the satisfaction of the Town.

Motion was made by Virge Lorents to approve **Subdivision Ap #17-1185**; Frank Swabby (formerly Belmont Homes); Airport Road; request of bond release as construction of road improvements meets Town standards.  
Second by Brian Card. No discussion.  
Motion carried unanimously by voice vote (5-0-0).

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]). **Receive and schedule for a public hearing on Tuesday, January 18, 2022.**

Ann-Marie Aubrey stated that it appears to be complete at this time.

Motion was made by Virge Lorents to receive and schedule a 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]), for Tuesday, January 18, 2022, Town Meeting Room, 2<sup>nd</sup> Floor, 172 Main Street, at 7:00 p.m.  
Second by Matthew Wendorf. No discussion.  
Motion carried unanimously by voice vote (5-0-0).

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. **Receive and schedule for a public hearing on Tuesday, January 18, 2022.**

Keith Thurlow explained that it is a different application because they added land to it after the first denial. He asked Ms. Aubrey if it is ready and she stated, "yes."

Motion was made by Virge Lorents to receive and schedule a 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, for Tuesday, January 18, 2022, Town Meeting Room, 2<sup>nd</sup> Floor, 172 Main Street, at 7:00 p.m.  
Second by John Sarantopoulos.  
Discussion:

Brian Card stated that he feels that this is still generally the same application. Mr. Thurlow explained that the Town Attorney's opinion is that it is a different application.

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

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

1) Regular Meeting Minutes – NOVEMBER 15, 2021

Ann-Marie Aubrey stated that the Minutes had not been included in the packets to Commission Members, therefore, approval would need to occur next month. She had copies available.

**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, 2022.
- 2) **WORKSHOP – Discussion** – Five Mile River Overlay District. Discussion continued to FEB. 15, 2022.

**XI. CORRESPONDENCE**

- 1) List of Planning and Zoning Commission Meeting Dates for 2022.

Motion was made by Brian Card to approve the 2022 Schedule of Regular Meetings.

Second by Virge Lorents. No discussion.

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

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

**A. Zoning Enforcement Officer's & Zoning Board of Appeal's Report(s) – None.**

**B. Inland Wetlands and Watercourses Agent's Report – None.**

**C. Building Office Report – None.**

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

**XIV. TOWN COUNCIL LIAISON REPORT**

Ulla Tiik-Barclay reported on recent discussions/actions of the Town Council.

**XV. ADJOURNMENT**

Motion was made by Matthew Wendorf to adjourn at 10:44 p.m.

Second by Brian Card. No discussion.

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

Respectfully submitted,

J.S. Perreault  
Recording Secretary