



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

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**MONDAY – MAY 16, 2022**  
**Regular Meeting – HYBRID MEETING**  
**7:00 PM**

*Elizabeth M. Wilson*

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

**Killingly Town Hall**

**172 Main Street**

**Killingly, CT**

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** – Acting Chair, Brian Card, called the meeting to order at 7:00 p.m.

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

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

**Also Present (in person)** – Norm Thibeault; Killingly Engineering Associates; Attorney Tim Bleasdale, Law Firm of  
Waller, Smith & Palmer; Brian Caya, Stuart Peaslee, Peaslee Architect, PC; Ulla Tiik-Barclay; Town  
Council Liaison; J.S. Perreault, Recording Secretary.  
There were 2 additional people in the audience.

**Present via WebEx** – There were two call-in users that did not comment.

II. **ELECTION OF OFFICERS FOR THIS YEAR - ORGANIZATIONAL**

- 1) Chair
- 2) Vice-Chair
- 3) Secretary

Since Keith Thurlow was not present, it was decided to table the Election of Officers.

Motion was made by Virge Lorents to table the Election of Officers to next meeting of Monday, June 20, 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 (4-0-0)

III. **SEATING OF ALTERNATES** – None.

**IV. AGENDA ADDENDUM – None.**

**V. 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. 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.killinglyct.gov](http://www.killinglyct.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 871 0662 when prompted.

There were no comments from the public either in person or via WebEx.

Ann-Marie Aubrey stated that the only citizen's comment received in the office was regarding the public hearing for which the Applicant is requesting continuance until June.

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

**VII. SET EFFECTIVE DATE FOR ZONE MAP CHANGE – (review / discussion / action)**

1) 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. Said Zone MAP Change was approved on Monday, April 18, 2022 – however, must schedule an effective date for the Zone Map Change. Suggested effective date – Monday, June 13, 2022, at 12:01 am.

Motion was made by Virge Lorents to set the effective date of Monday, June 13, 2022, at 12:01 am. 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. Said Zone MAP Change was approved on Monday, April 18, 2022.

Second by John Sarantopoulos. No discussion.

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

**VIII. 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 871 0662 when prompted

1) Spec Perm Ap #22-1282; Jolley Commons, LLC (Applicant/Owner); 120 Wauregan Rd; GIS MAP 220, LOT 21; ~6.4 acres; Gen Comm Zone; excavation & removal of gravel products; under Sect 560, et seq (Earth Filling & Excavation); Sect 700 et seq (Spec Perm); & Sect 470 et Seq (Site Plan) of the TOK Zoning Regs. CONT FROM 4/18/22.

Norm Thibeault, Killingly Engineering Associates, represented the Applicant. Revised plans, based upon his meeting earlier in the day with Town Engineer, David Capacchione, were submitted to Staff and provided to the Commission Members.

Mr. Thibeault reviewed the revisions (plans were displayed as discussed):

- Drainage – He submitted drainage computations, for the record, as requested last month. There were no significant changes due to the well-drained soils on the site. For the 50-year and 100-year storms, he explained that a series of berms were added within the broad infiltration swale along the front of the site that runs parallel to the roadway.  
They added a New England wildflower mix within the swale for the first 15-20 feet before you get to the cut slopes.  
Virge Lorents voiced concern for the seed getting washed away before getting established. Mr. Thibeault explained that this is a mix used frequently by the CT DOT and that he feels confident that it will establish a nice wildflower area in front of the site. He said that they will make sure that it establishes itself.  
Ms. Aubrey stated that she and Mr. Blake had spoken with Mr. Capacchione and she verified that Mr. Capacchione agrees with revision to the plan and also the wildflower mix.
- Mr. Thibeault stated that he reviewed an Erosion & Sedimentation Control and Restoration Bond with Mr. Capacchione (which he submitted for the record). Silt fence, staked hay bales, anti-tracking construction entrance, spreading loam and seed on disturbed areas, and jube netting have been included. Mr. Capacchione concurs with the Bond Estimate of \$71,075. Ms. Aubrey stated that she had also received that e-mail.
- Regarding the grading near the railroad (because concern had been expressed about the proximity of excavation near the tracks) – Mr. Thibeault had sent plans and a letter (dated May 6, 2022 and submitted for the record) to Tom Kresnowski, Area Manager, for the Providence & Worcester Railroad. He heard back from Mr. Kresnowski earlier in the day.

Mr. Thibeault explained that on the far right of the profile, you can see the elevation of the railroad tracks which is 16-18 feet lower than the top of the hill to the site and the existing grade where they are proposing to cut. He discussed, today with Mr. Kresnowski, the issue regarding the grading being within 50 feet of the property line and was directed to contact Tom Ferris who is the Director of Safety & Compliance. Mr. Thibeault left a message for Mr. Ferris, but has not heard back from him. Mr. Thibeault stated the following for the record: "We are not at the level of the railroad tracks itself until we are about 125 feet into the site. We are maintaining and preserving that large berm that resides between the railroad property and the tracks and our property." Mr. Thibeault offered that he could continue to pursue correspondence from the railroad in order to keep this grading. He feels that Mr. Ferris would probably want to see plans or meet to review it. Mr. Thibeault referred to, and read aloud from, Sections 560.7.i.1, 2 & 3 of the Regulations. Mr. Thibeault explained his interpretation that "unless approved by the Commission" doesn't carry over to Item 2. He said that if the Commission wants to interpret that differently, he would not object to that. Ms. Aubrey commented that the concern was that there wasn't going to be any undermining of the railroad, especially with a freight railroad. Mr. Blake asked if a temporary easement to match the grade would be the intention. Mr. Thibeault stated that he does not want to match the grade, he wants to keep it like it is. Mr. Thibeault explained that the only way to not be lower than the property line would be that they would have to fill there. They are at about 35 feet before that grading begins. The slope from the railroad to the property line is pretty steep. Mr. Blake commented about "as proposed" maintaining the berm for sound from the train. Discussion continued.

Mr. Blake and Ms. Aubrey were in agreement that it sounds like it is within the intention of the Regulation. Discussion continued. Mr. Thibeault explained that there will be no water going in the opposite direction and nothing will be affected in the right-of-way for the rail line. There was discussion regarding Section 560.6.c (under Application Process) which Mr. Thibeault read aloud and it was displayed. Mr. Card commented that it gives the ability to waive, given the fact that it is not undermining at the property line or the property on the other side of the railroad tracks. The intent was

to make sure we have somewhat of a buffer from the cut to the property line and that we are not undercutting the property line. In this case, the berm remains. Ms. Aubrey advised that this should be stated in the motion (if approving). The motion should state why the Commission would be granting a waiver, for what reasons, and cite the Regulation.

- Mr. Card asked if the 150-foot setback to residential structures was marked on the plans. Mr. Thibeault stated that he had not. This needs to be verified/demonstrated from the three residences.
- The revised plans show an update to the stockpile of topsoil. Mr. Jolley will remove what he feels is necessary.

There were no comments from the public.

Mr. Card stated that the following updates are needed: verify the 150-foot setback; he recommended to put the distances in the cross section from the property line over and from the railroad tracks.

Mr. Thibeault agreed to an extension to continue the public hearing.

Motion was made by Virge Lorents to continue the public hearing for **Spec Perm Ap #22-1282**; Jolley Commons, LLC (Applicant/Owner); 120 Wauregan Rd; GIS MAP 220, LOT 21; ~6.4 acres; Gen Comm Zone; excavation & removal of gravel products; under Sect 560, et seq (Earth Filling & Excavation); Sect 700 et seq (Spec Perm); & Sect 470 et Seq (Site Plan) of the TOK Zoning Regs. (**CONT FROM 4/18/22**), to Monday, June 20, 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 (4-0-0)

2) **Zone TEXT Change Ap # 22-1287** – Town of Killingly, special permitted use under Business Park, General Commercial, Light Industrial, Mill Mixed Use and Mixed-Use Interchange Zones for the creation of cannabis establishments.

Ann-Marie Aubrey explained that public comments had been received regarding Section 1.b. of the Draft (dated March 17, 2022). The following language was suggested to replace Section 1.b. of the Draft:

- 1.b. Where the proposed use abuts the residential district, a buffer strip of at least 25' wide, containing planted screening may be required by the Commission. Permanent structures such as wooded fences, stone walls and the like may be approved in lieu of part or all of the required planting where, in the opinion of the Commission, the intended buffering purpose is served by such a substitution.

Jonathan Blake explained that it had been brought to Staff's attention that the original Draft language may be problematic given the zones that are proposed in the Regulation. They got the suggested language from the Regulations as there is similar language in other zones for other uses. He explained that this allows the Commission to require at least 25 feet of a buffer where the zone, for the use, meets a residential zone. It also allows the Commission to allow substitution at the property line (e.g. wood fence, stone walls or a combination). He said that the 200-foot buffer would be more in line if the RD Zone was included. Ms. Aubrey explained that the 200-foot buffer could eliminate large portions of the zones and it could be appealed, which would not be good for the Town.

Staff explained that this covers retail and grow facilities. Grow facilities would be indoors which would mitigate nuisance such as odor. It can be better controlled and it helps with security. In New England, indoor growing seems more common sense due to winter. OPM may make changes to their policies in their 300+ page Bill that was passed.

There was discussion. John Sarantopoulos referred to Drug Free Zone Law published by the Office of Legal Research, dated December 1, 2016 (which he had found on-line) and stated that he had spoken with one of their Attorneys regarding whether there had been any changes since it had been published. The Attorney advised him that the legislature that has been passed did not address existing law. Mr. Sarantopoulos stated that, regarding retail, he, himself, feels that the 500-foot setback is too low and he said that it presently stands at 1500 feet which is what he feels it should be. He said that the Attorney's opinion was that the Communities will each decide what their limits are going to be. Mr. Sarantopoulos provided Ms. Aubrey with a copy of the publication.

Mr. Blake explained that his understanding is that this is exempt from the Drug Free Zone which is 1500 feet. Mr. Blake explained that the 500 feet comes directly from the passed Bill for certain types of locations (churches and schools) and that other items listed in Section 1.a of the Draft (which other municipalities have included) are in addition to churches and schools. Mr. Blake stated that the Town Attorney had reviewed the Draft language as it is submitted. Discussion continued. Ms. Aubrey went to her office to get her copy of the legislation.

Motion was made by Virge Lorents to have a recess at 7:42 p.m.

Second by Matthew Wendorf. No discussion.

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

Ms. Aubrey returned and Mr. Card called the meeting back to order at 7:47 p.m.

Discussion continued. Ms. Aubrey stated that Staff had asked the same question - 500 feet vs. 1500 feet and were advised that it is 500 feet. But, she will research the facts.

Ms. Lorents voiced concern, for the record, regarding the sale of cannabis which, by its very nature, brings up the issue of what is going to happen with the sold product that puts others at risk (e.g. driving in an altered state). Ms. Aubrey explained that there are ongoing discussions among the authorities that would have that jurisdiction.

Mr. Wendorf commented about the 25-foot wide strip (based on the Commercial Zoning Regulations). He spoke of the odor from a grow facility in Rhode Island, that he drives by, which is approximately 25 feet off of the street. He said that he would be concerned if this were going near a residential district. Mr. Blake explained that odor control measures are one of the requirements, but policies regarding acceptable projection or design in terms of emission have not been established for Connecticut yet. He believes that they would have to show consideration for those elements and have to meet all of the State requirements. The State would act on air quality complaints. He compared it to night-sky compliant lighting (lumen levels are not regulated, we do not have a way of measuring). Mr. Wendorf stated that distance is the ultimate buffer in dissipating odor/sound/light. Mr. Card stated that, under the Special Permit Regulations, 25-feet is the minimum and the PZC can require more.

Mr. Card suggested the following:

- Language regarding permanent structures say, "in conjunction with or in lieu or part of all the required plantings" depending on what the adjacent property is.  
Discussion continued regarding odor and Mr. Sarantopoulos commented that he feels that the PZC has an opportunity to put it at a distance to give some protection, not only school children, but to someone who has a business that does not want this next door. He, again, stated that it should go from 500 feet to 1500 feet for all of items listed under Drug Free Zone in the Draft language.
- A bullet be added under Item 2 to address waste management. Mr. Card feels that a Waste Management Control Strategy should be included as part of the application.

Mr. Blake noted that it is regulated by the State, but it can be included as well. Ms. Aubrey suggested that a copy of what was submitted to the State could be submitted to the Town with proof that it had been submitted to the State for approval.

Mr. Wendorf stated that he would, potentially, be in favor of leaving the Drug Free Zones, as written in the previous law, at 1500 feet. But, he suggested that the additional items listed by the Town, could be set at 500 feet. He feels that this compromise would address Mr. Sarantopoulos' concerns, which are valid, and it also allows for enough space within the Town that could still allow for feasible locations for a facility.

Ms. Aubrey asked if the Members of the Commission were happy with the following:

- Within 1500 feet of the property comprising an elementary or secondary school or a licensed day care center and the remaining will be at 500 feet.

No opposition was expressed.

There were no comments from the public either in person or on-line.

Mr. Card recommended that the public hearing be continued so that the Town Attorney could be consulted for an opinion regarding the Drug Free Zone – Minimum of 500 feet or Consistent with State Law.

Motion was made by Matthew Wendorf to continue the public hearing for **Zone TEXT Change Ap # 22-1287** – Town of Killingly, special permitted use under Business Park, General Commercial, Light Industrial, Mill Mixed Use and Mixed-Use Interchange Zones for the creation of cannabis establishments, to Monday, June 20, 2022, Town Meeting Room, 2<sup>nd</sup> Floor, 172 Main Street, at 7:00 p.m.

Second by Virge Lorents. No discussion.

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

3) **Special Permit Ap # 22-1289** – Dayville Four Corners, LLC (Applicant/Owner); 730 (736) Hartford Turnpike, GIS MAP 115, LOT 6, General Commercial Zone, ~7.07 acres, request use of existing space in building for liquor, beer & wine sales, under TOK Zoning Regs under 420.2.1(a) with reference to 420.1.2(i).

Ms. Aubrey explained that she received an email from the Applicant requested that the public hearing be tabled to the next regularly scheduled meeting of Monday, June 20, 2022, Town Meeting Room, 2<sup>nd</sup> Floor, 172 Main Street, at 7:00 p.m.

4) **Special Permit Ap# 22-1291** – Melting Point Welding & Fabrication, LLC (Weld, LLC / Owner), 543 Wauregan Road, GIS MAP 262, LOT 20, Light Industrial, ~2.1 acres; to conduct manufacturing activities pursuant to TOK Zoning Regs. Sec. 430.2.2(b).

Representing the Applicant: Attorney Tim Bleasdale, Law Firm of Waller, Smith & Palmer, New London, CT; Brian Caya, Owner; and Stuart Peaslee, Engineer.

Attorney Bleasdale noted a correction, for the record, that the Applicant is Inc, not LLC. He gave an overview (plans were displayed as discussed):

- The Applicant was previously before the PZC for a zone change for this property.
- The welding and metal products fabrication business (Classification Code #332323) would like to relocate from Plainfield to Killingly which requires a special permit.
- They plan to revitalize and re-use the building, putting it back into productive use as a manufacturing use which is an as-of-right use in the Zone. He referenced Sections 430.2.1.a & b of the Regulations. The building is approximately 22,000 s.f.

- He stated that, when the Applicant was previously before the PZC, a neighbor from Carol Avenue had voiced concern regarding the property being vacant and nuisance behaviors that were taking place there. Having this business there will stop those behaviors.
- The property is fully developed. Improvements were approved by this Commission when they were first constructed several decades ago. It has a large parking lot, private well and septic.
- They are proposing very minimal changes to the site and will try to re-use, as much as possible, what is already there.

**Two Proposed Changes:**

- Creation of a vegetated buffer along Wauregan Road and Lucienne Avenue, in part, to bring the property into compliance with the LI Regulations (Section 430.2.5). Existing bushes do not provide much screening.
- Two Alternative Proposals, pertaining to the loading dock, that they would like to be able to do sometime within the next five years, if they become feasible:  
Regarding steel deliveries – they would like to move the deliveries entirely indoors for the off-loading (which takes approximately 20 minutes), for convenience and for sound mitigation.
- All manufacturing activities to occur indoors which they anticipate will prevent from producing any kind of noise, odor, dust, smoke and glare that would emanate from the property.
- There are no hazardous materials used in the manufacturing process.
- The goal is to implement the process of quality throughout all aspects of their business to minimize impact on the neighbors and put the building back into productive use which would be beneficial to the Town.
- They currently have 15 employees: 3 office employees; 5 workshop employees; and 7 field employees which primarily work off-site installing the finished products. They expect that the maximum increase in the total number of employees would be to 25 which, he said, would not generate a lot of traffic.
- It would not be open to the general public (like when it was a Benny's store). The only regular traffic, other than the eight that work on-site, would be: steel deliveries – generally 1-3 per week, but varies based by project; consumables – once per week; UPS/FedEx – once per day.
- Office Hours: Monday through Friday - 7:00 am to 5:30 pm;  
Workshop Hours: Monday through Friday - 6:00 am to 4:30 pm;  
Field Workers' Hours: 7:00 am to 4:30 pm
- No outdoor storage is proposed for the large parking lot. However, as products are finished indoors they come outdoors and are loaded onto a truck or a trailer. They may sit there up to 24 hours or so until they are taken off the site for delivery or installation. As the vegetative buffer grows, it will provide a lot of screening for the neighbors.

**QUESTIONS/COMMENTS FROM COMMISSION MEMBERS:**

- **Matthew Wendorf** asked about the increase in the number of employees (current or future). Brian Caya stated that they are currently understaffed, so they are looking for 3 or 4 additional employees with the potential of an additional 10 based on future workload.
- **John Sarantopoulos** asked about unloading material with a crane outside of the dock area. Mr. Caya explained that, as part of their immediate proposal, they would like to construct a concrete ramp so that the trucks can come inside because they intend to put overhead cranes inside the building for all off-loading. If unable to build the concrete ramp, they would off-load with fork trucks. He explained that the plans call for either the ramp or a fully-enclosed addition (which they are not sure is feasible right now).
- **Brian Card** asked if this is the proposal now.  
Mr. Caya said that their intent for this approval is for the ramp.  
Attorney Bleasdale referred to Exhibit 3 (General Floor Plan) of his letter dated April 11, 2022 (included in packets to Commission Members) and stated that it is one of two alternatives.

Ms. Aubrey explained that Applicant had told Staff about this and she had told them that to show us you plans and, if approved, Staff would work with them.

Mr. Card asked if employee parking would be in front of the building on the right side. He asked about employee access and if the entrances are gated. He asked about proposed venting.

Mr. Caya stated yes regarding the employee parking being in front on the right side. He said that, currently, there are no gates, but they do intend to put gates at the access from Route 12 and Lucienne Avenue.

Mr. Caya said that there is a plan for a full-circulation, 16-unit, overhead system that changes the volume of air, inside the facility, five times per hour and keeps it OSHA compliant. It does not extract anything. No exhaust.

Mr. Card asked about excessive noise during the workshop hours.

Mr. Caya said that it is tough to say, but it is a CMU (Concrete Masonry Unit) building, so he thinks that any noise would be minimal. He said that letters from neighbors in Plainfield have been submitted stating that they have had no complaints about noise.

Stuart Peaslee, Peaslee Architect, PC, explained that any of the possible noises would not be consistent to be annoying to neighbors. If there were to become such an annoyance, there would acoustical measures to address that.

Attorney Bleasdale referred to sections of his letter (dated April 11, 2022) pertaining to the Special Permit Criteria and the POCD (Sections 3.2, 3.5 and 3.6).

Stuart Peaslee, Peaslee Architect, referred to Section 430.2.5 regarding the 25-foot buffering width and height. He said that they are willing to accommodate and be as least intrusive as possible. He said to accommodate the 25-foot buffer, they would have to remove a significant amount of paving and re-landscape. He asked if there would be flexibility on the buffering requirement located at the boundary line or within the existing green area. At the steepest part, it is about a 10-11 foot differential in elevation from the road height to the parking lot finish grade. The planting/fencing requirement is only 6-feet. Arborvitaes won't grow fast like a white pines would. White pines would grow fast, but in 20 years there would be a maintenance issue. He asked what is best to accommodate the Regulations, but also be sensible with that location.

- Expense to modify the parking lot to accommodate the 25-foot wedge;
- Can they extend into the existing green area?
- What are the expectations regarding planting and/or fencing?

Mr. Wendorf clarified that there is an existing parking lot that goes within the 25-foot buffer. So, the existing parking lot goes closer than 25 feet to the property line. The side setback for a buffer zone is 25 feet, but there is existing pavement there.

There was discussion. Mr. Wendorf asked what measures would be proposed if it were to remain as is.

Mr. Peaslee explained that, ideally, they would like to put more plantings in that area without a significant modification to the existing parking lot.

Ms. Aubrey commented that the definition and what is required of a buffer gives the Commission leeway on what they would require as a condition of the Special Permit. However, she stated that a State permit would be needed because the area is a State Highway (Route 12) right-of-road.

Mr. Blake stated that the Commission also does not have the authority to grant permission for an easement on the Town road. Mr. Blake added that he agrees with Ms. Aubrey that the Commission has leeway to allow substitution provided there are alternatives presented. Mr. Caya stated that he feels it would be reasonable, with the setbacks, to say just clear enough of the parking lot to put a solid row of arborvitaes and include the existing green space as part of it. He said that he measured 27 feet from curb-to-curb. Mr. Peaslee stated that it would need to be shown in the drawing.



Virge Lorents voiced concern that an arborvitae wouldn't be tall enough. Mr. Peaslee stated that they would over time.

Brian Card suggested the following:

- Look over whether there any changes to the front of the building? Look over the landscaping – what is appropriate there?
- North side of the building where deliveries come in and out, as well as headlights and noise issues (adjacent to residential area) – what landscaping is appropriate there? Present something to handle the potential nuisance to protect the neighbors.
- Look at the definition and try to meet the intent of the definition.

Mr. Peaslee stated that they will create something that will enhance the character and make improvement to the existing conditions and come back to present it. Ms. Aubrey suggested that Mr. Peaslee call Staff, who would go to the site with him, to discuss at that time.

Mr. Peaslee commented regarding that there is a full basement which will be good for storage. He feels this is a great opportunity for everyone.

Mr. Blake commented about the recently updated Parking Regulations which allow an Applicant to propose parking based on the need of the use, not just per the defined Table. He asked if the 97 parking spots are needed. The answer was no. Mr. Blake explained that they could show an alternative based off of need.

Mr. Wendorf commented that he is happy that this proposal uses something that is currently vacant.

Attorney Bleasdale asked about lighting concerns.

Virge Lorents explained about dark-sky compliant lighting fixtures that aim the light downward.

Brian Card suggested that they look at what the lighting that they will be putting on the outside of the building and present details at the next meeting.

Mr. Caya stated that he does not see any need for upward lighting.

Ms. Aubrey offered that they could reach out to Staff.

There were no comments from the public either in person or on-line.

Motion was made by Virge Lorents to continue the public hearing for **Special Permit Ap# 22-1291** – Melting Point Welding & Fabrication, Inc. (Weld, LLC / Owner), 543 Wauregan Road, GIS MAP 262, LOT 20, Light Industrial, ~2.1 acres; to conduct manufacturing activities pursuant to TOK Zoning Regs. Sec. 430.2.2(b), to Monday, June 20, 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 (4-0-0)

5) **Zone TEXT Change Ap #22-1292** – Town of Killingly, allowing garages as a primary use in in rural development and low-density-zones only.

Jonathan Blake explained that the only language that has changed between the Work Shop until now is as follows:

Item 3 – The total square footage of the structure shall not exceed 1200 square feet.

Brian Card stated that changes were made to make it more consistent with what is out there because of primary use in those zones. It is not a special permit. He said there was agreement on the language changes at the last meeting.

There were no comments from Commission Members.

Mr. Blake stated that no comments had been received.

There were no comments from the public either in person or on-line.

Motion was made by Matthew Wendorf to close the public hearing for **Zone TEXT Change Ap #22-1292** – Town of Killingly, allowing garages as a primary use in in rural development and low-density-zones only.

Second by John Sarantopoulos. No discussion.

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

**IX. UNFINISHED BUSINESS – (review / discussion / action)**

1) **Spec Perm Ap #22-1282**; Jolley Commons, LLC (Applicant/Owner); 120 Wauregan Rd; GIS MAP 220, LOT 21; ~6.4 acres; Gen Comm Zone; excavation & removal of gravel products; under Sect 560, et seq (Earth Filling & Excavation); Sect 700 et seq (Spec Perm); & Sect 470 et Seq (Site Plan) of the TOK Zoning Regs. – **Continued.**

2) **Zone TEXT Change Ap # 22-1287** – Town of Killingly, special permitted use under Business Park, General Commercial, Light Industrial, Mill Mixed Use and Mixed-Use Interchange Zones for the creation of cannabis establishments. – **Continued.**

3) **Special Permit Ap # 22-1289** – Dayville Four Corners, LLC (Applicant/Owner); 730 (736) Hartford Turnpike, GIS MAP 115, LOT 6, General Commercial Zone, ~7.07 aces, request use of existing space in building for liquor, beer & wine sales, under TOK Zoning Regs under 420.2.1(a) with reference to 420.1.2(i). – **Tabled.**

4) **Special Permit Ap# 22-1291** – Melting Point Welding & Fabrication, LLC (Weld, LLC / Owner), 543 Wauregan Road, GIS MAP 262, LOT 20, Light Industrial, ~2.1 acres; to conduct manufacturing activities pursuant to TOK Zoning Regs. Sec. 430.2.2(b). – **Continued.**

5) **Zone TEXT Change Ap # 22-1292** – Town of Killingly, allowing garages as a primary use in in rural development and low-density-zones only.

Motion was made by Matthew Wendorf to approve **Zone TEXT Change Ap #22-1292** – Town of Killingly, allowing garages as a primary use in in rural development and low-density-zones only, as presented. Effective date of June 13, 2022, 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. Motion carried unanimously (4-0-0)

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

1) **BY-LAWS** – Does the Commission want to schedule a time limit for meetings? Do they want to allow the meeting to continue for an additional hour, provided someone makes a motion at least 15 minutes prior to the scheduled closing of meeting? Review / discussion this meeting – any formal action to be taken on June 20, 2022.

Ann-Marie Aubrey explained that the By-Laws do not state an end time. It was proposed to end meetings by 10:00 p.m. There was discussion and there was agreement among the Commission Members, for end of meeting at 10:00 p.m. and then, a motion would need to be made at 9:45 p.m. to extend for either an hour or to the end of the end of the Agenda.

Ms. Aubrey will draft the revision language for review next month.

2) **OPT OUT** – Accessory Dwelling Units State Statute vs. Secondary Dwelling Units Town of Killingly Zoning Regulations – prepare to opt out of the state statute requirements.

Ms. Aubrey explained that we already have a secondary dwelling unit regulation which is much more encompassing than the accessory dwelling unit that is required in the State Statute, so we can opt out of the State Statute, but there is a formal process to follow. She will prepare draft language for review next month.

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

1) Regular Meeting Minutes – APRIL 18, 2022

Ms. Aubrey explained that the last three pages of the Minutes were missing from the packets to Commission Members. Therefore, the adoption will need to be tabled to next month.

Motion was made by Virge Lorents to table adoption of the Regular Meeting Minutes of APRIL 18, 2022, to Monday, June 20, 2022, Town Meeting Room, 2<sup>nd</sup> Floor, 172 Main Street, at 7:00 p.m.

Second by Matthew Wendorf. No discussion.

Roll Call Vote: Virge Lorents – yes; John Sarantopoulos – yes; Matthew Wendorf – yes; Brian Card – yes. Motion carried unanimously (4-0-0)

**XII. OTHER / MISCELLANEOUS – (review / discussion / action)**

1) Five Mile River Overlay District – staff review still in process  
No discussion.

**XIII. CORRESPONDENCE – None.**

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

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

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

**C. Building Office Report – No report.**

**XV. ECONOMIC DEVELOPMENT DIRECTOR REPORT**

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

**XVI. TOWN COUNCIL LIAISON REPORT**

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

**XVII. ADJOURNMENT**

Motion was made by Matthew Wendorf to adjourn at 9:05 p.m.

Second by Virge Lorents. No discussion.

Motion carried unanimously (4-0-0).

Respectfully submitted,

J.S. Perreault  
Recording Secretary