



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

TUESDAY – FEBRUARY 20, 2018

Regular Meeting

7:00 PM

Town Meeting Room, Second Floor

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

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Elizabeth M. Wilson

MINUTES

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

ROLL CALL – Brian Card, Virge Lorents, Milburn Stone, Keith Thurlow.
Matthew Wendorf and Sheila Roddy were absent with notice.

Staff Present – Ann-Marie Aubrey, Director of Planning and Development; Elsie Bisset, Economic Development Director.

Also Present – Lynn LaBerge, Town Council Liaison Alternate.

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) – None.

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

Motion was made by Brian Card to move the following item:

VI. PUBLIC HEARINGS

D. Subdivisions – (review/discussion/action)

1. Subdivision Application #17-1184; Jill Marquardt, Trustee; proposed 7 lot residential subdivision & open space; extension of Cardinal Drive; GIS Map 112; Lot 30; ~16.0 acres; Low Density Zone. **CONT FROM 01/16/2018 & 12/18/2017.**

To above item:

VI. PUBLIC HEARINGS

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

1. Special Permit Application #18-1186; Country Living at Westview Commons, LLC; construction of a 73 unit residential life care community (one bldg.); 117 Ware Road; GIS Map 32; Lot 41; ~4.8 acres; Low Density Zone.

Second by Virge Lorents. Motion carried unanimously (4-0-0).

VI. PUBLIC HEARINGS

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

None

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D. Subdivisions – (review/discussion/action)

1. Subdivision Application #17-1184; Jill Marquardt, Trustee; proposed 7 lot residential subdivision & open space; extension of Cardinal Drive; GIS Map 112; Lot 30; ~16.0 acres; Low Density Zone. **CONT FROM 01/16/2018 & 12/18/2017.**

Norm Thibeault, Killingly Engineering Associates, represented the Applicant and gave an overview of the project. He provided three full-size sets of revised plans for viewing by the Commission Members.

The Applicant is requesting a seven-lot subdivision including a slight extension of Cardinal Drive to a cul-de-sac and to create seven new building lots.

Items to be addressed from the previous meeting:

- Banking of Open Space for potential development of an adjacent parcel at some time in the future. The total area of the parcel they are subdividing is 15.991 acres. Minimum open space requirement of 20 percent is 3.2 acres. They are proposing 9.166 acres. The area of slopes greater than 20 percent in the open space parcel is 4.55 acres which is approximately half. Mr. Thibeault referred to Article 4, Section 5.e.1. of the Killingly Subdivision Regulations, the Applicant is seeking approval from the Commission to utilize this open space area in the seven-lot subdivision to bank for future development of Map 108, Lot 4 owned by Patriot Homes, LLC. The total area of open space to be banked is 5.966 acres. Total area of Lot 4, Map 108 is 20.769 acres. The future requirement of open space, if that lot were to be developed in the future, would be 4.154 acres. Approximately 1.8 acres in excess.
Mr. Thibeault referred to a map (copies were included in packets to Commission Members) that shows the subdivision with the topography in the remaining land (20.789 acres). Mr. Thibeault explained that the remaining parcel is defined by a high ridge along the center of the property and the terrain drops off in both directions. There is a small wetland pocket in the southeast corner of the parcel on the south side of Route 101. For the remainder of the land, the broadest, flattest area is at the top with an appendage that juts out to the west that has a gentler slope than the area proposed for open space.
- Documentation needed from Connecticut Water regarding adequate pressure for residents and fire suppression. E-mail from Connecticut Water was forwarded to Ann-Marie Aubrey.
- Documentation that the local Fire District was contacted. Ann-Marie Aubrey confirmed that copies of the letter verifying that Randy Burchard, Fire Marshal, had spoken with the Fire District, from all of the Fire Chiefs, was included in packets to Commission Members.
- Access to the Open Space. Mr. Thibeault referred to Sheet 4 of the Plans. They are providing a 20-foot wide easement between Lots 3 and 4 (40 feet total). Legal descriptions had been provided to Ms. Aubrey for review. The description states that the lots are subject to a 20-foot wide, open-space access easement in favor of the Town of Killingly. They are proposing to construct a path with an impermeable surface (gravel/wood chips). They will clear brush and create a defined path to the open-space area.
- Draft Documents regarding the open space: elimination of cul-de-sac and transfer of said land to the abutters. They prepared a map showing the portion of the land (existing cul-de-sac) that would be transferred to the abutting properties. Parcel A (larger parcel of approximately 6,000 s.f.) to be deeded to the Cole A. Whitehead property. Parcel B (slightly over 1000 s.f) to be deeded to the Anto Faisal Dwiary property. Mr. Thibeault tried, on two occasions, to contact the two property owners, but was unable to contact them directly. Mr. Thibeault stated that if, for some reason, a property owner objects to receiving the land, the Applicant would propose to still restore the area, remove the pavement, create the proposed sidewalks, and keep the remainder of that land in the Town's ownership.
There are easements through there already for water/sewer/utilities that go around the perimeter of the cul-de-sac that have to remain in place (they would just be a little further off the edge of the pavement).
The Quit Claim Deed was provided deeding the open space to the Town of Killingly. Exceptions for the property: no construction or placing of buildings, camping accommodations, mobile homes, sanitary waste disposals; no billboards, advertising; no active recreation like quads, 4-wheel drives, motorcycles, applications of pesticides, change of the natural habitat, alteration of natural resources; no dumping of trash, ashes, leaves, waste, rubbish, things of that nature; no removal or destruction of trees, shrubs, or natural vegetation; no other construction of roads or driveways with the exception of such roads or driveways required to access and maintain storm water detention, water quality and adjacent structures (which there are not any on this particular lot).
Mr. Thibeault explained that this Quit Claim Deed would preserve the property in the stated that it currently resides in. He stated that they would be willing to incorporate other items/conditions, if required by the Town/Town Attorney.

Brian Card questioned the calculations for the banking of open space. Mr. Card explained his own calculations which show 2.5 to 3 acres of bankable open space. Mr. Thibeault stated that he concurs with that. Mr. Thibeault noted that, when the time comes for future development on the other property, there is some area adjacent and contiguous that could be suitable to amend this particular open space. Brian Card clarified that the bankable open space does not have to go with that parcel, it can go with any parcel that this developer owns. Mr. Thibeault agreed and said that the intention is to bank it for the adjacent parcel that is owned by the Applicant.

Brian Card stated that another of his questions had been answered because the tracking pad had been added to the detail. Mr. Card asked about the bond calculation would be \$150,000 as requested by the Engineer. Mr. Thibeault stated that is correct.

Virge Lorents asked about open space steep slopes. She asked for an estimate of how many lots could come out of that parcel. Mr. Thibeault guessed 20 noting that there would have to be onsite septic systems and wells.

Keith Thurlow questioned whether the Fire Chief is authorized to accept the financial impact. Ms. Aubrey explained that the Fire Marshal has been designated as the representative to speak on the behalf of the Fire Chiefs. There is communication between the Fire Chiefs and the Fire Marshal and the Fire Marshal does not do anything without first consulting with the Fire Chiefs (who consult with their Boards). Mr. Thurlow was concerned that there was nothing from the Fire District or the Board of Directors of the Fire District.

Randy Burchard, Fire Marshal, spoke to the assumability of financing for a fire hydrant. He explained that Fire Districts do handle the cost for fire hydrants. Code states that in certain developments (cul-de-sacs especially) within a certain distance, there has to be a hydrant. He explained the situation at Cardinal Drive. Mr. Burchard stated that, when he spoke with, Chief Cooper of the Williamsville Fire District, Chief Cooper was happy to have a hydrant in that area. Mr. Burchard confirmed that he does not incur any costs without first contacting the Fire Chief. However, by code, there are certain circumstances that warrant the placement of a hydrant regardless of the cost.

Ms. Aubrey stated that all of the previous questions had been answered.

There was no comment from the public.

Motion was made by Virge Lorents to close the public hearing for Subdivision Application #17-1184; Jill Marquardt, Trustee; proposed 7 lot residential subdivision & open space; extension of Cardinal Drive; GIS Map 112; Lot 30; ~16.0 acres; Low Density Zone. **CONT FROM 01/16/2018 & 12/18/2017.** Second by Milburn Stone. Motion carried unanimously (4-0-0).

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

1. Special Permit Application #18-1186; Country Living at Westview Commons, LLC; construction of a 73 unit residential life care community (one bldg.); 117 Ware Road; GIS Map 32; Lot 41; ~4.8 acres; Low Density Zone.

David Panteleakos, Westview Healthcare Center, provided brochures and copies of the presentation information. The classification for this submission is under the Residential Life Care Community Section.

Mr. Panteleakos did a presentation on the following:

- History of Westview
- Affiliations – Westview Corporate Family
- Activities
- Investments
- National Ratings
- Indicated the Properties on an Aerial Photo
- Country Living History
 - Previous approval was received in 2004 (the project has since been modified). However, the project was delayed due to a \$10 million renovation to Westview Healthcare Center (for which they received approval from the State).
- Demand for Elderly Housing and Services
 - Most local facilities have waiting lists and many local residents are traveling out of State for independent living. Westview inpatient discharges for independent living to out-of-state facilities increased 48 percent since 2004.
- Demand and Population to be Served
- CT's over 65 population to grow by 43 percent over the next 20 years and Windham County's over 65 population is already above the national average.
- Overview of the Facility: 73 units with senior apartment amenities (44 single units @ 739 s.f. and 29 double units @ 1029 s.f.); 2 stories; Community Amenities including dining/recreation areas, entertainment, indoor and outdoor parking, walking trail, dining services, life enrichment features/programs, support services (laundry/housekeeping/maintenance/security).
- Benefits to the community.

Rick Rovero, Licensed Professional Engineer, Provost & Rovero, read from the Development Summary which details each of the particular Sections of the new Regulations which they complied/designed to (included in packets to Commission Members). Mr. Rovero gave an overview of the technical aspects:

Section 570.5.1 - Common Open Areas

- RLCC – 10 percent is required; proposing a little over 11 percent.
- Common Open Area – Proposing just under 14 percent active (walking trails).
- Three Common Open Areas on the parcel to be left in their natural passive state.

Section 570.5.2 – Roadways

- Proposed access driveway and all parking facilities to be privately owned and have been designed to work with the existing topography on the site.
- New driveway to enter the site from Route 21 which provided the safest sight lines.

Section 570.5.3 – Common Driveways

- No common driveways proposed within the project.

Section 570.5.4 – Pavements

- The bituminous concrete pavement structure for the access driveway and parking areas is in accordance with the Killingly Subdivision Regulations. In keeping with the recently-adopted MS-4 requirements, there are areas of pervious pavers proposed which will provide a stable, traffic-bound surface while meeting stormwater quality requirements and enhancing site aesthetics in the front of the building.

Section 570.5.5 – Storm Drainage

- Storm drainage has been designed to convey flows from a 25-year storm. The stormwater detention basin has been designed to accommodate a 100-year storm. An emergency spillway has been included for events beyond a 100-year storm.
Treatment for stormwater quality will be provided by a hydrodynamic separator and retention/filtration of the water quality volume from the entire developed site area. Additionally, areas of pervious pavement structure have been incorporated into the design to enhance stormwater quality and minimize increases in runoff.

Section 570.5.6 – Parking

- The project has been designed to provide the required 1.75 spaces per unit with a phased approach as allowed by the Zoning Regulations. The phased parking provision allows an applicant to request the initial construction of at least 50 percent of the required parking spaces. The Applicant is proposing to construct 60.1 percent of the required parking spaces (77 spaces of the 128 required). This will include 57 parking spaces inside the structure. Based on the applicant's research, the 77 parking spaces proposed will provide all necessary parking for the residents, staff and site visitors.
The project includes a significant area of reinforced turf which can be utilized for overflow parking if necessary. The reinforced turf comprises a significant portion of the additional phased parking area which could be constructed with minimal site modification if deemed necessary. A phased parking plan has been provided to demonstrate that the required 128 parking spaces can be constructed if deemed necessary (copies had been provided to Ms. Aubrey and the Commission Members). All storm drainage design and lot coverage calculations assume fill build-out of the 128 parking spaces.
The Applicant proposes to provide a bond in an amount sufficient to cover the construction of all future phased parking spaces to provide assurance to the Town that adequate parking will be available.
Their demographic studies show that they do not need all of the spaces, however, if the Town, or Mr. Panteleakos feel they are needed, provisions have been made to add them.

David Panteleakos explained that the motivation is to help preserve green, grassy area.

Virge Lorents asked if the inside parking spaces are accounted for in the numbers. Mr. Rovero confirmed that they are included in the total number and he explained that all of their coverage calculations, parking calculations and drainage calculations have taken into account the development of all 128 spaces. Ms. Lorents asked which are for residents and which are for staff. Mr. Panteleakos indicated the location where staff would park.

Section 570.5.7 – Public Transportation

- Transportation for residents that cannot drive will be provided in conjunction with Westview Health Care Center which provides a shuttle service. The porte cochere at the main building entrance will provide the required shelter for this transportation service as well as being tall enough and working with the Fire Marshal to house any type of fire apparatus and/or ambulances.

Section 570.5.8 - Fire Safety

- A fire hydrant is proposed near the main building entrance, however, this may change with Siamese connections once the sprinkler design is reviewed with the Fire Marshal. The water will be coming from the fire pumps and the on-site fire suppression system. Specific details of the fire protection system will be coordinated with the Building Department and the Fire Marshal during the development of the detailed building plans. They have discussed sprinklers, vehicles and access with the Fire Marshal and may have some minor details to work out once calculations are done. Code requirements need to be met.

Section 570.5.9 – Lighting

- Site lighting is proposed at a minimal level for basic safety. Lighting is confined to parking and sidewalk areas and will consist of dark-sky compliant, low, full cutoff, pole-mounted, LED fixtures (details of fixtures included in packets to Commission Members). Mr. Rovero described the fixtures as 8-foot high, residential type in keeping with the landscaping and the neighborhood.

Section 570.5.10 – Sidewalks

- Handicapped accessible concrete sidewalks are proposed to connect all exterior spaces with the building entrance and the walking path network.

Section 570.5.11 – Lot Coverage

- The maximum proposed lot coverage is 39.8 percent which includes complete build-out of phased parking and complete build-out of sidewalks. The maximum allowable coverage in the LD Zone is 40 percent.

Section 570.5.12 – Utilities

- The project will be served by the municipal sanitary sewer system and public water. No easements are required for either service at this time.

Section 570.5.13 – Landscaping

- A comprehensive landscaping plan is included with the application. The plan includes a mix of trees, shrubs and herbaceous plantings to enhance the proposed site features. Street trees are included along Ware Road to blend the new building into the landscape. The proposed site grading adjacent to Ware Road and Thompson Pike will also reduce the visual scale of the building within the overall landscape. Fast-growing, evergreen screening trees will be provided to enhance visual buffers to the surrounding residential land use. Lawn areas are proposed to be low-maintenance grass.
Mr. Rovero noted the buffering between the Mayhew Drive subdivision and the Westview property line.

Section 570.5.14 – Architecturals

- Floor Plan and elevation drawings for the proposed building have been included with the application. The overall building design and exterior features are in keeping with the surrounding residential land uses and traditional New England architectural styling.

Section 570.5.15 – Soil Erosion and Sediment Control

- Page 7, Civil Design Set. The plan includes a comprehensive erosion and sediment control plan. Upon project approval, they anticipate the development of a more detailed construction sequencing and erosion control sequencing plan prior to construction.

Section 570.5.16 – Densities

- Overview – RLCC Maximum Allowable Density: 4.887 acres @ 15 units per acre = 73 units
Proposed Density = 73 units

Section 570.5.17 – Structures

- Maximum Allowable Height = 35 feet
Proposed Height = 34.8 feet
- Minimum Allowable Front Yard = 40 feet
Proposed Front Yard = 42.7 feet
- Minimum Allowable Side Yard = 20 feet
Proposed Side Yard = 41.5 feet

- Minimum Allowable Rear Yard = 20 feet
Proposed Rear Yard = 22.6 feet

Section 570.5.18– Frontage and Lot Area

- Minimum Required Frontage = 100 feet
Proposed Frontage = 1,171.53 feet
- Minimum Required Lot Area = 30,000 S.F.
Proposed Lot Area = 212,881 S.F. (4.887 acres)

Section 570.5.19 – Easements and Rights-of-Way

- The project property is not currently subject to any easements or rights-of-way. The project property is benefitted by several well radius and drainage easements on the adjacent Silvia property. These easements are currently filed in the Land Records and are noted on the project plans. These easements were incorporated prior to the previous approval.

Mr. Rovero stated that, after multiple meetings with Staff (Ms. Aubrey, the ZEO, Town Engineer and his Staff), he would like to think that all major technical and Zoning compliance issues have been complied with to the comfort level of Staff. At this time, Mr. Rovero offered to answer questions from the Commission and Staff.

Brian Card referenced Sheet 4 and asked about what looks like three wells. Mr. Rovero explained that they are three proposed wells for this development. It will be part of the public water system. Mr. Card asked what approvals are needed for the wells.

David Held, Professional Engineer and Land Surveyor, Provost & Rovero, explained that the three wells would require well site approval from the Connecticut Department of Public Health (DPH). After approval, the wells would be drilled and tested for yield and quality of the water. Then, they would do a Phase 2 application at DPH, where you design the distribution and treatment system with the known values from the wells after they are drilled. They are now in the process of applying for and receiving those approvals from the DPH. Mr. Panteleakos noted that expansion of the water was a condition of the 2004 approval. Mr. Held clarified that the well radius easements previously mentioned are not being utilized for this project (they exist from the 2004 project). All sanitary radiuses are being kept within the property boundaries for this project. They are confident that the three proposed wells will produce what will be needed.

Keith Thurlow asked about massive water storage on site. Mr. Rovero stated that, before hydraulic calculations are done for the sprinkler system, they are proposing roughly 40,000 gallons of storage in the lower level adjacent to where the vehicle storage is. Preliminary hydraulic calculations, assuming the well yield of 10 gallons per minute for each of the three wells, it may go down to 15,000 to 20,000 gallons of storage. Mr. Panteleakos stated that there is a Conditional Operator on staff who would be in charge of the wells.

Keith Thurlow asked about public transportation. Mr. Panteleakos explained that they would have a facility vehicle for excursions and trips for shopping, etc. They will coordinate/work with the Northeast Transit District also. There will be benches.

Keith Thurlow asked about a letter from the State regarding the entrance. David Held stated that the plans have been submitted to the DOT and they have received some preliminary feedback, but do not have final approval yet. They have provided a sightline demonstration in the plan set showing that they exceed the sightlines for the designed speeds on that road. The work they are doing is fairly minimal: they have to clear a few trees for sightline purposes; and, at the request of the Town Engineer, they are doing some additional grading on the shoulder to increase the sightline even more heading toward Mayhew Drive. No grading easements are needed as all work is within the rights-of-way. There will also be some work for sewer connection (some minor pavement repair and trenching work). Although it is not relevant to this application, they have been talking about improving the sightline for people who stop at the intersection when leaving Westview looking north up Route 21. Mr. Panteleakos explained some of the cleanup that they have already done. Ms. Lorents suggested that maybe the Town should install a sign for those travelling south on Route 21.

Ann-Marie Aubrey stated that there are DOT review comments dated 1/17/2018 on the plans. Mr. Held explained that the revision note reflects that they had added some clarifications regarding square footage for the building and the breakdown of the square footage.

Keith Thurlow asked about driveway to property line separation. Mr. Held verified it is 10 feet from the property line to the back of the curb.

Mr. Thurlow asked about existing buffers on the southerly border of the subdivision and he asked if they would be adding to it. Mr. Rovero referred to page 5 of the plans. Mr. Panteleakos commented that there is a substantial amount of woods in that corner. Mr. Held explained that there isn't anything elevated that you would see close to the property line there, but if you go about ten feet out from the property line, you drop down approximately 16 feet into the stormwater basin. Mr. Thurlow said that he is talking about along parallel to the driveway. Mr. Held stated that they are relying on existing vegetation there which is pretty dense. Mr. Panteleakos stated that there is plenty of buffer there, but they have no problem planting more trees. They looked at the aerial photo and map and indicated the buffering in that area of the houses on Mayhew Drive.

Mr. Thurlow asked if there is an easement for the spillway onto the neighboring property. Mr. Held explained that there is a drainage easement across the driveway and they will be installing a pipe within that easement for the primary discharge from the stormwater basin and anything that goes over that emergency spillway would be directed through that easement (this easement was developed in the 2004 approval). Ms. Aubrey stated that it was recorded on the Land Records and that she has a copy on file.

Mr. Thurlow asked about the 40,000 gallons of water storage and if they are providing any hookups for water for fire protection. Mr. Rovero stated that it has all been taken into account and that there will be multiple Siamese connections. It is the same way that Westview is designed currently.

Mr. Thurlow asked about the phased parking (structurally). Mr. Held referenced Sheet 11 of the plans and explained reinforced turf parking (cross-section detail in plans): they are putting down gravel sub-base; process gravel base; lay geotextile on top of that; put down 4 inches of topsoil and plant grass on it. In the event that this is needed for parking, you strip off the topsoil, peel off the filter fabric and pave it. He indicated the phased parking areas on the Map. Mr. Panteleakos stated that, although it costs more, they are doing this to preserve the green/grass.

Mr. Thurlow asked if foot traffic crossing between Westview properties has been addressed. Mr. Held explained that this was discussed with Staff during the pre-application review. He stated that they did have an initial design with sidewalks and a handicapped-accessible ramp out to Route 21, but Staff did not want it because they did not want to encourage pedestrian traffic out to the State highway. Mr. Rovero explained that there wouldn't be any need for Staff to walk from Westview to Country Living.

Milburn Stone asked about the number of Staff to operate. Mr. Panteleakos stated four people in the building at peak during the week, otherwise, there is a security guard 24/7.

Virge Lorents recapped the comments and concerns of Staff:

- Entrance to site will need State DOT approval – Addressed.
- Bonding and insurance – Ms. Aubrey explained that the mylars are not recorded until after consulting with the Town Engineer.
- Drainage – Same as above.
- Review of the Zoning Regulations – Ms. Aubrey stated that this was addressed as they went through their Project Summary.

Additional comments from Ann-Marie Aubrey:

- If the Commission approves the phased approach parking, it needs to be part of the motion.
- Proposed bond for the additional parking spaces (to cover the construction) should be part of the motion.
- Subject to CT DOT approval and DPH approval.

Brian Card asked if any consideration had been given to safety at the section of the walking path which is fairly close to the entrance. Mr. Held explained that they don't think that it would be very highly utilized and that, more likely, people would be making the loop from the main front entry of the building along the northerly side, adjacent to Ware Road, to the rear entry of the building. With the grading and clearing that they are doing for the sightlines, if someone is walking across there, they will be able to see someone turning in there well before they are into the curb cut. Mr. Card asked if any signage is proposed there to warn people who are crossing. Mr. Held stated that there isn't, but they can add something.

Mr. Thurlow asked if the wells are considered public water supply wells. Mr. Held stated that they are and he explained that the radius depends upon what the withdrawal rate is.

Mr. Thurlow asked about a section that looks like a roadway from the southwest corner off of Route 21. Mr. Held stated that it is the clearing corridor for the sewer connection.

For the record, Ms. Aubrey stated that she had received seven letters of support (included in packets to Commission Members) and named who they came from: Joseph J. Botta M.D. and Associates, LLC; Donna Copeland, Director of Westcott Wilcox Elderly Residential Housing, Inc.; Anne Dauphinais, State of Connecticut, House of Representatives; David Grassini (an abutter, 124 Ware Road); Lynn Kennedy, Brooklyn, CT; Dee Richardson, 39 Thompson Pike; and Aaron Woodman, 29 Thompson Pike. Ms. Aubrey also stated that she had received an e-mail earlier in the day, containing a petition in support of the project which was signed by approximately 179 people (53 of which were from the Town of Killingly and the others were from the towns of Putnam, Woodstock, Plainfield).

Keith Thurlow asked if there were any comments from Town Engineer, David Capacchione. Ms. Aubrey referred to a Memorandum from Mr. Capacchione (dated February 2, 2018) which contains his comments (included in the packets to Commission Members). Mr. Held stated that every one of the Engineering Department's comments have been addressed.

Mr. Thurlow as about bonding. Ms. Aubrey stated that she had not received anything yet, but that is not unusual. Mr. Rovero stated that the Applicant would be receptive to whatever provisions Mr. Capacchione may bring forth regarding bonding.

COMMENTS FROM THE PUBLIC:

Kerri Sauer, 32 King Street, spoke in favor of the proposed project.
Cindy Olson, 570 Cook Hill Road, spoke in favor of the proposed project.
Donna LaHaie, 349 Wauregan Road, spoke in favor of the proposed project.

Steve Randolph, 103 Ware Road, spoke in opposition to the project. He asked for the aerial photo to be displayed and he indicated his property location in relation to the project (less than 100 feet from his building). He said that it will be a wicked eyesore. He asked if it is guaranteed that the wells will not be drilled and he indicated where his own well is located. He is concerned for his water supply. He said that he lives on a low density road (for 25 years) because he does not want to live next to this. He stated that they should look for somewhere that is not low density. Mr. Randolph spoke of concern regarding traffic at the intersection as he has had an accident there and he stated that there have been fatalities there. He feels it will be a traffic nightmare and that injuries are guaranteed to happen. He asked if there will be lighting in the back of the building.

Mr. Rovero stated that there will be landscaping lighting (8-foot tall). Mr. Panteleakos stated that there won't be any lighting in the area indicated by Mr. Randolph.

Mr. Randolph asked if the rooms will have windows and stated that he does not want people watching him from their rooms. He lives in the country for a reason and it is low density for a reason.

Mr. Held stated that they are not proposing to use the well radius easements and that, in order to utilize them, they would have to drill wells inside of the footprint of the building (a physical impossibility with this particular proposal). Mr. Held explained that low density is actually a fairly high density zoning district when you look at the overall scheme of districts in Killingly. Mr. Held addressed the lighting question and indicated where exterior lighting is proposed at the glass facade area of the building. There will only be required emergency lighting at the back of the building.

Mr. Randolph asked what the process is to make this project not happen.

Ann-Marie Aubrey explained that, if the Applicant meets the requirements of the Zoning Regulations, the Commission has to approve it. She stated that Mr. Randolph has the right to appeal the decision (to the Court within a 15-day timeframe).

Linda Paradis, 753 Cook Hill Road, spoke in favor of the proposed project.

Rudolph Silvia, 109 Ware Road, owner of the driveway that abuts the whole length of the east side of the proposed project. He asked if, where they are proposing to build, will be level with Ware Road and his driveway. Mr. Held indicated on the landscape plan and explained that the property drops about 20 feet (from the high point on Route 21 to the back along Mr. Silvia's property boundary). Near Route 21 they would be cutting into the grade a little (about 6 feet at the highest point). He indicated a corner of the building where they are at existing grade. Further to the south, they are proposing a retaining wall and they will match into the grades of the property line without having to replace a lot of fill. He explained that Mr. Silvia will be looking at an earth berm and some landscaping.

Mr. Silvia asked if the parking garage will be dug down into the garage. **Mr. Held** explained that the parking garage is the lower level of the building. He explained the grade and stated that they will not be digging down into the ground. At the entry point of the garage, it will be about 15 – 20 feet higher than **Mr. Silvia's** driveway (they will be filling). **Brian Card** stated that on the southerly side of the building the existing grade is about 408 feet elevation, basement is about 415, so on the southerly end they will be filling in about 5-6 feet. On the northerly end they will be digging in about 8-9 feet into the grade.

Mr. Silvia explained that there are wetlands on the other side of his driveway which is totally wet, so he is concerned that anything that will be either even or lower than his driveway will cause him to have even more water being directed there. He already has water crossing his driveway. He voiced concern regarding runoffs and drainage from the roof. **Mr. Card** explained that all of the drainage from this property is being directed to the sedimentation pond located on the southerly side. It drains off the easement that is already in existence and has been recorded on the Land Records for years. **Mr. Silvia** stated it is on his land and that it was before he owned the property and he said that he will see what he can do about it.

Mr. Silvia asked about where they cleared the road and stated that it is a blind road and he spoke of it being very dangerous there. He said when pulls out of Ware Road going toward Killingly, he has to floor it just in case somebody is coming.

Keith Thurlow asked if test pits were done in the area of the detention basin. **Mr. Held** stated that, based on the work that they have done with this property with the prior approvals, they are aware that there are areas, particularly in this portion of the property, where this is probably shallow bedrock that they will have to deal with. As far as elevations and water tables, he explained that they are well-above the wetlands on the opposite side of the driveway that **Mr. Silvia** was speaking of. **Mr. Thurlow** stated that they are building a spillway in the direction of **Mr. Silvia's** driveway. **Mr. Held** stated that they will be installing a pipe (15-inch RCP) underneath **Mr. Silvia's** driveway to discharge the water on the other side of his driveway (Sheet 5 of the plans). **Mr. Held** stated that the only thing that would discharge over the surface is the emergency spillway, in the event of catastrophic rainfall greater than a 100-year storm.

There was discussion regarding 100-year storm.

Steve Ranoldph, 103 Ware Road, asked how far down **Mr. Silvia's** driveway the drainpipe will be (how far down from the road). **Mr. Held** indicated the location on the map and stated that it is at the back of the property corner of the proposed project (**Mr. Held** guessed 600 or 700 feet).

Tom Weaver, 34 Raymond Road, spoke in favor of the proposed project.

Donna Copeland, 17 Decubellas Court, Putnam, CT, spoke in favor of the proposed project.

Jill DeRusso, 103 Ware Road, spoke in opposition to the project although she understands the need. She feels this will change her life and spoke of concern regarding traffic, runoff/rainwater (the back of her yard is swampy like **Mr. Silvia's**), wells, the dangerous intersection. She does not want this in her backyard.

Rick Williams, 6 Mayhew Drive, voiced concern regarding lighting at the entrance near his property.

It was stated that there will not be lighting at the entrance.

Mr. Williams also voiced concern regarding the dangerous roadway as previously stated. He feels that there will be pedestrians.

David Held addressed comments regarding the intersection. He indicated the location on the map (Ware Road and Route 21). He indicated where the proposed entrance would be which is 250-300 feet south of a poor intersection (he indicated the location) and stated that the blind, vertical curve is not too far north from that. He explained that they purposely placed the entrance where they did to maximize the sightline in the northerly direction. They exceed the sightlines that the DOT typically require for the design speeds there because they realize that, if they came out closer to the existing public road intersection, it would be dangerous. He stated that the DOT takes a very careful look at all of this and will be concerned if there is a potential for pedestrians to cross that road (that is why they are not encouraging it by not installing sidewalks all the way out to Route 21). They also look at traffic safety as they are charged with maintaining safe roads and intersections. Under no circumstances will they allow someone to receive an encroachment permit and install a new curb cut if there are dangerous sightlines. They have to satisfy some very stringent criteria to get DOT's approval. **Mr. Panteleakos** commented that this is a self-contained facility and that there will be no reason for any residents or visitors to walk across the street and he added that staff member will be driving there.

Keith Thurlow asked if the Applicant would consider adding more tree buffer to the easterly edge. Mr. Panteleakos stated that he would be willing to plant more buffer. Mr. Held stated, regarding buffering along the easterly property line, one of the site features there is a retaining wall and he stated that they are willing to work with Staff to make it blend in (architectural details such as surface textures) to make people happier with the way it looks. He also offered that they could do plantings on the lower side of the retaining wall and they could do plantings between the wall and the building (adjacent to Mr. Silvia's driveway).

Ann-Marie Aubrey asked if there is a stone wall along the driveway. Mr. Held indicated where there is an existing stone wall which traverses the site. They are calling out on the site plans for the stones from that wall to be stockpiled and re-used and supplemented as necessary. They are going to build a perimeter stone wall along the entire road frontage which will be a nice landscape feature along the road.

Mr. Thurlow asked if there is a stone wall parallel to the retaining wall. Mr. Held stated that there is not.

Kyle Zadora, 6 Cranberry Bog Road, spoke in favor of the proposed project.

Nathan Mitchell, 35 Hawkins Street, spoke in favor of the proposed project.

Christine Zadora, 6 Cranberry Bog Road, spoke in favor of the proposed project.

Elsie Bisset, Economic Development Director, stated that in April of 1999 the Economic Development Commission supported the project which, at that time, was called Country Living at the Commons (which was substantially the same project). In August of 1999, Town Council approved an ordinance fixing the assessments for the project (7-year abatement at 30 percent). It is an Economic Development project that will impact our community. She stated that the Economic Development Commission supports the project from that realm. The ordinance is already in place and she assumes that it will continue.

Virge Lorents discussed her experience with dark sky regulations (which she helped to put in place). She stated that the higher the pole the wider the cone is and when light from the cones hits the sidewalk it bounces light up into the sky. She asked how short the poles can be made and still be safe for people walking around the building at night. Mr. stated that it could be incorporated, but the proposed lighting is more in keeping with the architectural style (Colonial-style fixture). The landscape plan was displayed. Mr. Rovero stated that there a total of 13 of the 8-foot, dark-sky compliant fixtures proposed on the entire 5-acre site. Mr. Held explained that it is an LED fixture so there is no bulb. Mr. Held indicated the locations of the lights. He also indicated an area where landscaping/trees are proposed that will grow taller than the poles. He stated that the light is surrounded by the building so nothing from that area would be able to shine out beyond the face of the building and off the property. Mr. Panteleakos stated that the lights on the interior of the building where the glass wall is would be turned off at night.

Keith Thurlow asked about bonding. Ms. Aubrey explained that the contractors usually work with the Town Engineer regarding bonding.

There were no further questions from Commission Members or Staff.

Motion was made by Brian Card to close the public hearing for Special Permit Application #18-1186; Country Living at Westview Commons, LLC; construction of a 73 unit residential life care community (one bldg.); 117 Ware Road; GIS Map 32; Lot 41; ~4.8 acres; Low Density Zone. Second by Milburn Stone. Motion carried unanimously (4-0-0).

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

None

D. Subdivisions – (review/discussion/action)

1. Subdivision Application #17-1184; Jill Marquardt, Trustee; proposed 7 lot residential subdivision & open space; extension of Cardinal Drive; GIS Map 112; Lot 30; ~16.0 acres; Low Density Zone. **CONT FROM JAN 16, 2018 – See Above.**

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

None

VII. UNFINISHED BUSINESS

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

None

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

1. Special Permit Application #18-1186; Country Living at Westview Commons, LLC; construction of a 73 unit residential life care community (one bldg.); 117 Ware Road; GIS Map 32; Lot 41; ~4.8 acres; Low Density Zone.

Motion was made by Brian Card to approve Special Permit Application #18-1186; Country Living at Westview Commons, LLC; construction of a 73 unit residential life care community (one bldg.); 117 Ware Road; GIS Map 32; Lot 41; ~4.8 acres; Low Density Zone with the following conditions:

- Phased approach to parking with roughly 60 percent (77 of the 128 spaces) be done in stage one;
- Town Engineer to work with the Applicant to finalize the bonding questions for landscaping, parking bond as offered by the Applicant, and any E & S controls that the Town Engineer deems required in the bond;
- Water well approval required from DPH is received prior to construction and submitted to the Town;
- CT DOT approval required for the entrance way is received prior to construction and submitted to the Town;
- Retaining wall on the eastern side: the Applicant work with Staff on the architectural design for blending into the landscape and add additional plantings along the eastern side specifically focusing on the northeast corner of the property;
- At the completion of construction, the required professional certifications be submitted to the Town as per the Regulations.

Second by Milburn Stone.

Roll Call Vote: Brian Card – yes; Virge Lorents – yes; Milburn Stone – yes; Keith Thurlow – yes. Motion carried unanimously (4-0-0).

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

None

D. Subdivisions – (review/discussion/action)

1. Subdivision Application #17-1184; Jill Marquardt, Trustee; proposed 7 lot residential subdivision & open space; extension of Cardinal Drive; GIS Map 112; Lot 30; ~16.0 acres; Low Density Zone. **CONT. FROM DEC. 18, 2017**

Motion was made by Brian Card to approve Subdivision Application #17-1184; Jill Marquardt, Trustee; proposed 7 lot residential subdivision & open space; extension of Cardinal Drive; GIS Map 112; Lot 30; ~16.0 acres; Low Density Zone, **CONT FROM 01/16/2018 & 12/18/2017**, with the following conditions:

- Easements that have been submitted to Town Staff be reviewed and accepted and finalized with the Applicant with any comments addressed;
- The bond be submitted in the amount of \$150,000.00 as previously agreed to at the January 16, 2018, PZC meeting.
- Recommending three acres for the banking of open space (based on the calculations that Mr. Card did for the subdivision).

Second by Virge Lorents.

Roll Call Vote: Virge Lorents – yes; Milburn Stone – yes; Brian Card – yes; Keith Thurlow – yes. Motion carried unanimously (4-0-0).

2. Subdivision Application #17-1185; 40 Airport Road, LLC; proposed 7 lot residential subdivision (fee-in-lieu); 40 Airport Road; GIS Map 158; Lot 4 (portion of); ~9.5 acres; Low Density Zone. **REPORT/UPDATE ON DRAINAGE RESOLUTION PER ENGINEERING DEPARTMENT**

Ann-Marie Aubrey explained that the Applicant had wanted swales along the side of the road. The Town Engineer had suggested drainage pipes and storm drains. They have found that swales will not work the way that they thought it would, so they have gone back to drainage pipes and storm drains. This will protect the fields at Ellis Tech. Storm water will be leaving the site, but it will not be going across the street into Ellis Tech. It will be going to the community sewer.

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

None

VIII. NEW BUSINESS

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

None

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

None

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

None

D. Subdivisions – (review/discussion/action)

None

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

1. Extension Request for Special Permit #15-1110; Snake Meadow Club, Inc.; for restoration and permitting of a gravel operation; location 377 Snake Meadow Road; GIS Map 267; Lot 1; ~51.0 acres; expiration of permit Nov. 16, 2018. **Receive at this meeting;**

and instruct Engineering Dept. and Planning & Development to verify compliance with special permit and report back to the Commission at the next regularly scheduled meeting of Monday, March 19, 2018.

Ann-Marie Aubrey explained that there was not time to follow the usual procedure and that the information will be ready for the Commission for the March 19, 2018 meeting.

2. Scenic Road Application # 18-1187; Adam Griffiths, request to designate Griffiths Road as a Scenic Road under Killingly Code of Ordinances Article IV. Scenic Roads; Sections 12.5-61 (Short Title) through and including Section 12.5-68 (Rescindment) Receive at this meeting, and if the application is complete, schedule a hearing for Monday, March 19, 2018. If not complete, request applicant to agree to schedule a hearing for Monday, April 23, 2018 which will give applicant the time to complete the required documentation.

The Application is not complete. Ann-Marie Aubrey explained that maps are needed. Also needed are signatures from a percentage of other property owners on the road that are in agreement.

Motion was made by Virge Lorents to schedule a public hearing (contingent upon the Application being complete by the PZC's March 19, 2018 meeting) for Scenic Road Application # 18-1187; Adam Griffiths, request to designate Griffiths Road as a Scenic Road under Killingly Code of Ordinances Article IV. Scenic Roads; Sections 12.5-61 (Short Title) through and including Section 12.5-68 (Rescindment) for Monday, April 23, 2018, Town Meeting Room, Second Floor, Killingly Town Hall, 172 Main Street, 7:00 p.m. Second by Milburn Stone. There was discussion. Motion carried unanimously (4-0-0).

3. Possible Zone Text Change (#18-1190); Town of Killingly; amendments to Section 566. Accessory Dwelling Unit to become Secondary Dwelling Unit. Receive at this meeting; to start discussion regarding the proposed amendments; and to schedule a proposed workshop or public hearing. (Staff suggests workshop during March 19, 2018, and then determine public hearing date.)

Ann-Marie Aubrey explained that this Secondary Dwelling Unit will replace the current Accessory Dwelling Unit. Research was done and compared with Wisconsin which is very similar to what we have here to help/assist with in-law apartments (allowing it to be interior, attached or detached). It can be taxed as an in-law apartment. Ms. Aubrey asked that Commission Members review the proposed draft (included in packets) to have discussion at the March 19, 2018 meeting. There was discussion. Mr. Thurlow questioned whether an accessory dwelling unit on an existing foundation is still needed in the Regulations. Ms. Aubrey explained that it (and the Ordinance) is included in the proposed draft (Section 566 was renamed and some things were added to it.)

Motion was made by Virge Lorents to schedule a workshop (to be held during the March 19, 2018 PZC Regular Meeting) Possible Zone Text Change (#18-1190); Town of Killingly; amendments to Section 566. Accessory Dwelling Unit to become Secondary Dwelling Unit. Second by Brian Card. Motion carried unanimously (4-0-0).

IX. ADOPTION OF MINUTES – (review/discussion/action)
Regular Meeting of Tuesday, January 16, 2018.

Motion was made by Virge Lorents to adopt the Minutes of the Regular Meeting of Tuesday, January 16, 2018. Second by Brian Card. Motion carried unanimously (4-0-0).

X. OTHER – (review/discussion/action)
A. CGS 8-24 Referrals

1. CGS 8-24 Referral Application #18-1188; Town of Killingly, boundary line correction between Town of Killingly and Westcott Wilcox Elderly Residential Housing; to correct encroachments between abutting parcels.

Ann-Marie Aubrey explained that this is to straighten out the property line.

2. CGS 8-24 Referral Application #18-1189; Town of Killingly, for the sale of "first split" parcel (to be called 163-1) located at 43 Westcott Road; ~.58 acres; to A&S Real Estate Enterprises, LLC.

Ann-Marie Aubrey explained that a portion of the property will be sold from the Town to the person who owns the business (lease). There are encroachment issues.

There was discussion.

Motion was made by Virge Lorents to approve of both: (part A of motion) CGS 8-24 Referral Application #18-1188; Town of Killingly, boundary line correction between Town of Killingly and Westcott Wilcox Elderly Residential Housing; to correct encroachments between abutting parcels; and (part B of motion) CGS 8-24 Referral Application #18-1189; Town of Killingly, for the sale of "first split" parcel (to be called 163-1) located at 43 Westcott Road; ~.58 acres; to A&S Real Estate Enterprises, LLC. Second by Milburn Stone. Motion carried unanimously (4-0-0).

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

Enclosed

C. Inland Wetlands and Watercourses Agent's Report

Enclosed

D. Building Office Report

Enclosed

E. Bond Releases / Reductions / Calls

None

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

None

G. Requests to Allow Overhead Utilities / Wireless Telecommunications Facility

None

H. Upcoming P&Z Commission Meetings

1. Next Regular Meeting – Monday, March 19, 2018.

2. Next Special/Workshop Meeting – POCD Monday, March 19, 2018 at 6:00 p.m.

3. Reschedule the Regular Meeting of Monday, April 16, 2018 to Monday, April 23, 2018. This meeting must be rescheduled due to the Municipal Budget Process.

Keith Thurlow suggested not having a meeting and Virge Lorents voiced agreement. No vote was taken.

XI. CORRESPONDENCE – (review/discussion/action)

None

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

No workshops are scheduled for this evening.

XIII. ECONOMIC DEVELOPMENT DIRECTOR REPORT

Elsie Bisset reported:

- KBA has a new domain: KillinglyBA.org
They are working on a membership guide because they have a lot of new members.
They will have a brochure printed regarding activities for the year. Coming Events: Earth Day Cleanup - Wednesday, April 18, 2018; Harmonies & Hops – Saturday, May 19, 2018; Springfest – also on Saturday, May 19, 2018.
- EDC is working on an update to the restaurant and shopping guide: New York Pizza and Railside Tavern.
- Consultant is working on the bid packet for the facades to hire a general contractor who will hire the subs. They have to review it with the insurance carrier (CIRMA) and the Finance Office.

XIV. TOWN COUNCIL LIAISON REPORT

Lynn LaBerge reported:

- Proclamations: Killingly High School Football Team; National FFA Week
- Danielson Lions were recognized as Volunteers of the Year by the Recreation Department
- Accepted Murtha Cullina as the new Town Attorney
- Paul Hopkins was appointed as Assistant Town Manager, but will also continue to work for the Assessor's Office
- Accepted the Town's Financial Audit (clean) and Board of Education (also clean)
- Scheduled Public Hearings: Town-wide trash pickup – March 15, 2018, 7 p.m. at Killingly High School; Town of Killingly, boundary line correction between Town of Killingly and Westcott Wilcox Elderly Residential Housing; to correct encroachments between abutting parcels; and Town of Killingly, for the sale of "first split" parcel (to be called 163-1) located at 43 Westcott Road; ~.58 acres; to A&S Real Estate Enterprises, LLC.

There was discussion regarding the town-wide trash pick-up.

Virge Lorents commented that Peeptoad Road (designated scenic road) accumulates a lot of sand and now the stone walls are below grade. She asked what the Town road crews can do about it.

XV. ADJOURNMENT

Motion was made by Brian Card to adjourn at 9:35 p.m. Second by Virge Lorents. Motion carried unanimously (4-0-0).

Respectfully submitted,

J.S. Perreault
Recording Clerk