



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

MONDAY – APRIL 18, 2022
Regular Meeting – HYBRID MEETING
7:00 PM

TOWN MEETING ROOM – 2ND 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.

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RECEIVED
TOWN CLERK, KILLINGLY, CT
2022 APR 29 AM 10:46
E. J. Slater, Jr., Chairman

I. **CALL TO ORDER** – Chair, Keith Thurlow, called the meeting to order at 7:03 p.m.

ROLL CALL – Brian Card, Virge Lorents, John Sarantopoulos, Michael Hewko, Keith Thurlow (all were present in person).

Matthew Wendorf arrived at 7:37 p.m.

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

Also Present (in person) – Attorney Michael Carey, Law Firm of Suisman Shapiro and Associates; Nicholas Durgarian, Douglas Construction; Jim Rossman, Project Engineer with Stadia Engineering; Norm Thibeault; Killingly Engineering Associates; Wayne Jolley; Representatives from Stantec Consulting Services and Antinozzi Associates; Ulla Tiik-Barclay; Town Council Liaison; J.S. Perreault, Recording Secretary.

There were approximately 10 people in the audience.

Present via Webex – Jaucqueta Santerre

II. **SEATING OF ALTERNATES**

Michael Hewko was seated as a voting Member for this meeting (in the absence of Matthew Wendorf).

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 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.

NOTE: To participate in the CITIZENS' COMMENTS– the public may join the meeting via telephone while viewing the meeting on Facebook live.

To join by phone please dial 1-415-655-0001; and use the access code 2631 755 2865 when prompted.

Ann-Marie Aubrey read aloud the above call-in information. There were no comments from the public received and there were no callers with public comments.

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

VI. PUBLIC HEARING CLOSED MARCH 21, 2022 – (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; request to change zoning from Rural Development to General Commercial.

There was discussion with Town Attorney, Ken Slater regarding whether a motion to approve can be made without giving reasons. Ms. Lorents stated that she was making a motion to approve to open discussion.

Motion was made by Virge Lorents to approve **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.

Second by Brian Card.

Discussion:

- Mr. Sarantopoulos asked about the petition that had been filed by the area property owners. Attorney Ken Slater explained that they are still verifying the number of signers/property owners on the petition. He advised the Commission to vote tonight and he explained that whether the vote passes or fails could be contingent upon the number of valid signers on the petition. At this time, they cannot say whether the petition meets the requirements of the General Statutes. Attorney Slater explained that it is also not clear whether 3 or 4 votes of the Commission Members are needed for the vote to pass until the details of the petition are verified. The Statute requires that people who are owners of at least 20 percent of the area within 500 feet have to petition in order to require the super majority. Attorney Slater explained that, in this instance, the subject property would not be included.
- Mr. Hewko stated his concerns regarding traffic, noise, wells for domestic and fire prevention, the concept plan.
- Mr. Card commented that a lot of flexibility changes have been made over the last six or seven years to allow for development in this Town. He noted that some of the things that are currently allowed under Rural could be more detrimental to the area than GC. He explained that he has some of the same concerns, but he feels that for this particular tract, it would be beneficial to the Town. He agrees with the EDC that we need to be flexible in offering businesses to relocate to this Town. This parcel, which is on a major highway and has limited uses because of no water or sewer, needs to be looked at from a development standpoint. He feels that it fits with the POCD. He feels that it is a potential better use for the Town. He feels that if it went residential it would be more of a draw on taxpayer issues (school systems, roads, conservation areas). Somebody is going to buy the property and develop it (180 potential houses). What do we want to see on that 180 acres?
- Mr. Sarantopoulos expressed disagreement with Mr. Card. He feels that we want a good school system, but want to stop residential building because we're afraid of having to pay to support school children coming into our system. He wants to know what the grade is on the highway (he guessed 4 percent) and he would like to

know what the State thinks about access for industrial off of Route 6. He said it is surrounded by residential and the neighbors don't want it. He referred to Section 902 regarding excavation which states that it should be made so that it does not devalue property and it is to be returned back to its original state. He referred to Sections 120, 402 (GC), 430.2 (Light Industrial), 436.1 (Intent), Village District. He feels that it should not be put within that area and cause property owners to wonder about property value, quality of life, pollution and noise. He feels that Killingly should find another area for this.

- Ms. Lorents explained she has found that it is possible to have a commercial development that works out in an area that looks unpromising (e.g. Killingly Commons).
- Mr. Thurlow asked how wide the gap is where it appears that it has access to Snake Meadow. Matthew Wendorf arrived at 7:37 p.m. He recused himself and left the room. Jon Blake displayed the GIS map and explained that there is at least 25 feet on that one, particular portion.
- Mr. Sarantopoulos voiced disagreement with Ms. Lorents' statement about Killingly Commons.

Roll Call Vote: Brian Card – yes; Virge Lorents – yes; John Sarantopoulos – no; Michael Hewko – yes; Keith Thurlow – yes.

Ms. Lorents noted the following reasons for approval:

- The property is located on Route 6 which is an underutilized highway.
- The ability to access Route 6 is a plus for a commercial operation.

Attorney Slater explained that he was able to verify that, for the petition, all owners would have been needed (husband and wife joint owners would both need to protest), but it is irrelevant, in this case, because the vote was 4 out of 5 in favor, therefore, it passes. Attorney Slater explained that other Members could suggest others reasons for approval and then the group, by consensus, could adopt them, or they could state individual reasons.

our Members of the Commission (Brian Card, Virge Lorents, Michael Hewko and Keith Thurlow) were in agreement with Ms. Lorents' reasons for approval and Mr. Card added the following:

- The POCD requires that we identify areas for potential commercial development which is what we did on areas of major highways.
- It is enhancing small businesses and commercial enterprises.

Motion #1 carried (4-1-0)

John Sarantopoulos was opposed. Matthew Wendorf had recused himself.

Matthew Wendorf resumed his position of Regular Voting Member and Michael Hewko resumed his position as Alternate Member.

VII. PUBLIC HEARINGS – (review / discussion / action)

NOTE: To participate in THE PUBLIC HEARINGS – the public may join the meeting via telephone while viewing the meeting on Facebook live.

To join by phone please dial 1-415-655-0001; and use the access code 2631 755 2865 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.

Norm Thibeault, Killingly Engineering Associates, represented the Applicant and gave an overview. Wayne Jolley was also present in person. Maps were displayed as discussed.

- Numerous businesses are located on the parcel in strip plaza fashion.
- They are proposing to excavate slightly over 65,000 c.y. of material from the site which will produce a flatter site which could be developed at some point in the future.
- They are not proposing any buildings or particular use for the property at this time.

- A copy of the approval letter from the CT DOT (dated April 12, 2022) had been submitted to Staff earlier in the day and was provided to Commission Members along with copies of the most current maps. Mr. Thibeault read aloud from the letter and stated that the two notes were added to Sheet 5 of the Plans (Sight Line Demonstration).
- They are proposing a temporary entrance at the far norther end. He indicated a small plateau area along Route 12 which is where they would be working the face, working toward the east and toward the south. He stated that as they work in that direction, they would move the materials out.
- Mr. Jolley has two trucks to transport the material. They anticipate 2 or 3 truckloads per hour. On any given day during the excavation, there would be no more than 25 truckloads per day leaving the site. Using 25 truckloads per day, they estimate 175 working days (not necessarily continuous) to remove the proposed amount of material.
- The intention is to complete this entire project and restore the site within a year, which he thinks is a reasonable expectation. Permits issued are good for a three year period and he anticipates that the site would be completed well within that period.
- Comments from Town Engineer, David Capacchione have been addressed:
Plans have been modified to include comments from CT DOT.
Anti-tracking pad will be removed, the area will be restored and curbing will be put back in as well.
The comment regarding pavement marking details is irrelevant. Existing conditions are shown on Page 2 of the Plans. He has spoken with Mr. Capacchione about this.
Detail for earthen or wood chip berm has been included on Page 4 of the Plans. It will be constructed parallel to Route 12 with the intent to keep any storm water that might be generated or sediment from being transported onto Route 12. He explained that they don't feel that there will be a lot of storm water generation as these are excessively well-drained soils.
He indicated where they have modified the plan to include staked hay bale check dams along both cut slopes.
- The site will be excavated in a down-cutting method.
- The excavation is on less than 2 acres of the 6.4 acre parcel. It is minor in nature than some of the larger projects that have been approved in Town.
- Mr. Thibeault read aloud and addressed concerns raised in the letter received on April 18, 2022, from members of the public, Charles and Jaucqueta Santerre of 147 Wauregan Road:
The Santerre's property is across from the furthest southern portion of the parcel.
Regarding their concern for erosion/run-off, Mr. Thibeault explained that they would be creating a berm along the front and the area where the loading is will be slightly depressed. The DOT has reviewed the plan and did not have any concerns. The Drainage Engineer did not have any comment on the plan.
Regarding their concern for dust/airborne debris, Mr. Thibeault explained that Mr. Jolley as a lot of experience in the sand and gravel business and it would behoove him to utilize application of water. They do not propose utilizing calcium chloride on the site (from an environmental standpoint). He emphasized that it is a small-scale operation.
Regarding their concern for the entrance/exit, Mr. Thibeault explained that the driveway is at the far northern end of the proposed excavation site, as far from their driveway as it could be. They have well over 700 feet of sight line distance in both directions from the proposed driveway. The trucks will be able to access and egress the site safely.
Regarding their concern for blasting, Mr. Thibeault explained that they do not anticipate ledge on the site at all. He said that there was no ledge when the Jolley Commons side was excavated in a similar fashion to what is being proposed here. It is very well-drained sand and gravels on the site.
Mr. Thibeault stated that Mr. Jolley has had a business in this community for a couple of generations and has respect for his neighbors and the other property owners. He said that this is a short-term operation and, hopefully, there will be some additional building done there and Jolley Commons might be expanded. This is preparing the property in a manner so that it could be developed at some point in the future.

QUESTIONS/COMMENTS FROM COMMISSION MEMBERS:

- **Brian Card** asked about the phasing plan for the 2.5 acres of cutting area, storm water control and calculations, revegetation plan, topsoil stockpile,
Mr. Thibeault referred to Sheet 3 of the Plans which shows the first phase which is the bulk (2/3) of the cut.
Mr. Thibeault explained about, and indicated on the plan, the staked hay bales and silt fence. The intention is to keep as much of the storm water from entering where they will be doing the excavation. As the excavation proceeds from north to south (as the areas get stabilized), a line of staked hay bales will be put in place at that time. Portions of the phase will be stabilized as they work down that face. He said that since this is not a large operation, it will be easy to keep things stabilized and restored as they work their way south down that face. He indicated and explained about where they are proposing a berm and an 8-10 foot wide, storm water infiltration swale along the front of the site. That area is not going to be compacted and it is a pretty small drainage area.
Mr. Thibeault explained that he had not provided drainage calculations, but he had spoken with Town Engineer, David Capacchione and he did not request that they be provided. Mr. Card asked that they be provided, for the record, to show that the Applicant is comfortable that the storm water is going to infiltrate and that there is a mechanism/system in place and if it does not, what is going to happen (flooding potentially on Route 12). Mr. Card flow is from south to north and 4 percent is a pretty good slope for a swale.
Mr. Thibeault reviewed the sequence of operations on Sheet 6 of the Plans.
Mr. Thibeault indicated where the topsoil would be stockpiled. He explained that he probably scaled it incorrectly and that it would probably be twice the size shown on the Plan. The material excavated won't be stockpiled. There will be no processing. It will be taken off the face, loaded onto a truck and taken off the site.
- **John Sarantopoulos** asked about how the railroad track would be handled.
Mr. Thibeault explained that the closest point to the railroad track is a little over 70 feet away. They have not notified the railroad because they are not proposing any work within their right-of-way.
- **Keith Thurlow** asked how far out from the property to the final cut.
Mr. Thibeault explained and indicated on the Plan that it is about 25 feet. Mr. Thurlow stated that it is supposed to be 50 feet. Ann-Marie Aubrey referred to Page 9 of 15, (she read from Section 560.7.i.2).
Mr. Thibeault explained that they would have to fill to be even at that property line. He said that it makes sense that you can't be below grade at the road. Mr. Thurlow stated that he thinks that the intent is that there is supposed to be 50 feet from a property line before cutting takes place to keep it stable to protect the neighbor's property rights. Ms. Aubrey suggested doing a site walk with the Town Engineer. Mr. Thibeault offered to discuss that portion of the Regulations with Staff.
Keith Thurlow asked what they would do if ledge is encountered.
Mr. Thibeault stated that Mr. Jolley says that he is pretty sure that there is no ledge there, but if they did encounter ledge, they would not blast it.
- **Brian Card** - Regarding Item 560.7.i.3 regarding anything within 150 feet of an existing dwelling. He asked that this be verified on the Plans. Mr. Thibeault agreed.
Mr. Card asked if there are any issues on the hill and he asked if the land to the east, across the road, goes up in topography.
Mr. Thibeault stated that yes, the land continues to go up from the property line to the railroad tracks, it is 16-18 feet higher. He did not note any issues on the hill when he was out there.
- **John Sarantopoulos** asked about the drop from the railroad.
Mr. Thibeault explained that the drop-off from the railroad to the property line is much steeper than what the final grades on the site are going to be. He indicated that they have 2.5 to 1 slopes on the final grades on the property. There are 1 to 1, or even steeper, slopes coming off the railroad tracks to the

property line. Mr. Thurlow requested that Mr. Thibeault send a letter to the railroad and Mr. Thibeault agreed to do that and he will provide a copy to Staff.

There were no questions from Staff.

Wayne Jolley, Owner of Jolley Commons, indicated an area where they will fill to make it level with the parking lot. Mr. Thibeault stated that this was shown on the Plans.

QUESTIONS/COMMENTS FROM COMMISSION MEMBERS:

- **Keith Thurlow** asked about lighting, equipment or fuel being stored on site, hours of operation. Mr. Jolley stated that there may be a pay loader there during daytime, not at night; no fuel – they have their own fuel truck; no lights. Mr. Thibeault stated that hours of operation are on the Plans and are per the Regulations. Maximum of 7 a.m. – 6 p.m. Monday – Friday, 8 a.m. – 12 p.m. Saturday, no Sundays, no holidays.

There were no questions or comments from the public.

QUESTIONS/COMMENTS FROM STAFF and COMMISSION:

- **Ann-Marie Aubrey** stated that she will do a site walk with the Town Engineer.
- **Jonathan Blake** asked if the Plans show new or existing wire (guardrail) at the roadway. Mr. Thibeault stated that there is no guardrail. They are showing silt fence.
- **Brian Card** asked if a bond is being proposed. Mr. Thibeault explained that they had not prepared one, but if they are coming back, they would do that. He will review Section 560.8 with the Town Engineer.
- **Keith Thurlow** asked about the overall estimate for completion. Mr. Thibeault explained that they hope to be complete in a year, but it depends on demand. He does not believe that they would need to renew the permit.

Open items noted: Performance Bond; E&S storm water calculations; letter to the railroad; Section 560.7.i items; site visit.

There were no further questions or comments.

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., to Monday, May 16, 2022, Town Meeting Room, 2nd Floor, 172 Main Street, at 7:00 p.m. Second by John Sarantopoulos. No discussion. Motion carried unanimously by voice vote (5-0-0).

2) **Spec Perm Ap # 22-1286** – American Storage Centers, LLC, (American Sports Centers, Inc./Landowner); 551 Westcott Rd; GIS MAP 214; LOT 5; ~3.8 acres; GC; request to construct 6 new buildings & convert 1 existing building to establish a self-service storage facility; under TOK Zoning Regs Section 420.2.2[q].

Ann-Marie Aubrey stated that new Plans had been provided to Commission Members.

Norm Thibeault, Killingly Engineering Associates, represented the Applicant and gave an overview (plans were displayed as discussed):

- Mr. Thibeault stated that the Owner is looking to do a mini storage facility which seems to be a sufficient use for the property.

- The Applicant had come before the PZC previously and the problematic items were: millings that were unacceptable for the site; concerns regarding crushed stone surfaces; moving around the site; snow storage. They took another look at it and made some modifications based upon concerns of the Commission and based upon Staff review.
- They are proposing six buildings a couple, of which, have been slightly reduced in size. The large building to the south is slightly narrower to provide a little more travel width between the property line and the building and the building to the west is also narrower.
- Regarding millings between the buildings which would be problematic for snow removal and maintaining the site, to stay below the 65 percent for impervious surfaces (they are at 64.1 percent), there are two storm water basins and perimeter landscaping which are pervious surface. Along the center of the property along Westcott Road, there is a large area of pavement which is unnecessary and they are removing a good portion of it in order to provide the pervious surfaces needed to meet the Zoning requirements. This also give a lot more area for snow storage. They also have the grass area out front. He explained that they modified the fencing along Westcott Road and the storm water infiltration basin could also be used in the winter months for snow storage. So, they have quite a substantial area now for snow storage that they did not have previously, giving the opportunity to melt in place and infiltrate into the soil which, he said, are very well drained.
- They provided storm water calculations to Engineering and they have approved them.
- They provided turning templates on the site to show that vehicles could move around the buildings. Around the larger building, they were able to get a 30-foot truck around the perimeter of the building in the center of the lot. Around the perimeter, it works well for cars or trucks with trailers as they have 24-foot travel widths for most of the aisles. They have a 20-foot, one-way travel lane along the southern property line. He indicated where they have 21 feet to the west.
- Regarding traffic patterns, they have 4-foot, painted traffic arrows to show traffic going in a counter-clockwise motion.
- Site entrance is off of Westcott Road with a kiosk entry. There will be a gate. Per request of the Engineer, they moved the kiosk in deeper, so it is about 60 feet off of Westcott Road. This will allow a pickup truck pulling a trailer to pull completely into the site.
- There is a dedicated entrance and a dedicated egress and the traffic patterns will allow the configuration to work pretty well.
- Steel bollards around the corners of all of the buildings.
- Lighting on the buildings will be dark-sky compliant, motion-sensor lighting.
- They have not received approval from the CT DOT yet, but Mr. Thibeault spoke with Gary Brigham, from DOT District 2, who said that they just haven't had time to get to it yet as they are backed-up right now. Mr. Thibeault suggested that a condition of approval could be that no building permits are issued until final approval is received from the DOT. He said that the Town Engineer does not have a problem with that since we are using the existing curb cuts for the site (not modifying them in any way). Ann-Marie Aubrey verified that Town Engineer, David Capacchione has reviewed storm water and the curb cuts.

QUESTIONS/COMMENTS FROM COMMISSION MEMBERS and STAFF:

- **Keith Thurlow** asked about recharge areas, fencing to the south to the inside, a gate and pushing snow down the alleyway.
Mr. Thibeault explained where they are and also the 25-foot landscape buffer around the perimeter of the site.
Mr. Thibeault confirmed that the fencing to the south goes to the inside.
Mr. Thibeault agreed with Mr. Thurlow's suggestion about pushing snow down the alleyway to push it straight through and said he can do that.

- **Matthew Wendorf** commented that the modifications regarding the overall width of the road are a good improvement, but he explained that he feels that snow storage may still be difficult in some areas (corners). He asked about the 20-foot wide roadway on the southern side.
Mr. Thibeault explained that the 20-foot wide roadway is a one-way. He explained that these are very low-traffic uses.
- **Keith Thurlow** asked about slope/pitch from the back of the lot (no catch basin).
Mr. Thibeault explained that there are two infiltration basins on the northern side. Total amount of slope – about four feet of pitch going from the back to the front. He said it's pretty flat. It is one percent and he said that these buildings can be built on a one-percent grade.
Mr. Thurlow voiced concern regarding stagnant water.
Mr. Thibeault explained that these types of sites are pretty flat and in the areas where they think may be problematic, they have basins with infiltrators built into them. He explained that there are very well-drained soils on this site and that they had done some ground-water monitoring on the site in the past.
Mr. Thurlow asked if would be necessary to put one in the middle of the two long runs on the western end.
Mr. Thibeault explained that the center of the building is the high point and they have one percent grading in both directions from that building. There are extensive spot grades. It will be driven by the foundation. The slabs of the foundation will have to be set pretty specifically.
Mr. Thurlow asked about signage.
Mr. Thibeault indicated the location for the proposed sign near the entrance.
Mr. Thurlow asked about designated parking other than in the front, if all access to the building is through the front and number of units inside the building.
Mr. Thibeault stated just in the front and that all access is through the front. He stated that, ultimately, that will be a climate-controlled storage. Mr. Thibeault did not know how many units.
- **Virge Lorents** asked about plantings around the perimeter. She stated concern for the plantings getting overgrown and protruding out into the roadways. She suggested some tall evergreens.
Mr. Thibeault explained that they are calling for dwarf ornamental trees and ornamental grasses. He explained that it is mostly heavily wooded.
Ms. Aubrey stated that they will have privacy slats in the chain-link fence.
- **Mr. Sarantopoulos** commented that he is not concerned about snow because a snow-blower could be used in tight areas rather than pushing it.
Mr. Thibeault explained that the Owner has a truck with a plow and he will be doing his own snow plowing.
- **Jonathan Blake** asked about the well cover in the southeastern corner.
Mr. Thibeault stated that it is in a paved area and has been driven over forever. It is not an exposed well. It is below grade.
Mr. Blake stated that he agrees with Mr. Thurlow regarding the smaller infiltration basin on the south end and running the fence along Westcott Road and go up instead of jogging it in.
Mr. Thibeault agrees and thinks it is a good idea because he said that it makes a lot more sense for snow removal.
- **Matthew Wendorf** asked if he could drive around the site in a pickup truck with 6-foot trailer.
Mr. Thibeault stated that you could.
- **Brian Card** asked about bollards to protect the oil and propane tanks around the existing building.
Mr. Thibeault agreed that they should and he and stated that he would do that.

There were no further questions or comments.

Motion was made by Virge Lorents to close the public hearing for **Spec Perm Ap # 22-1286** – American Storage Centers, LLC, (American Sports Centers, Inc./Landowner); 551 Westcott Rd; GIS MAP 214; LOT 5; ~3.8 acres; GC; request to construct 6 new buildings & convert 1 existing building to establish a self-service storage facility; under TOK Zoning Regs Section 420.2.2[q].

Second by Matthew Wendorf. No discussion.

Motion carried unanimously (5-0-0).

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

VIII. 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 to May 16, 2022.

2) **Spec Perm Ap # 22-1286** – American Storage Centers, LLC, (American Sports Centers, Inc./Landowner); 551 Westcott Rd; GIS MAP 214; LOT 5; ~3.8 acres; GC; request to construct 6 new buildings & convert 1 existing building to establish a self-service storage facility; under TOK Zoning Regs Section 420.2.2[q].

Motion was made by Brian Card to approve **Spec Perm Ap # 22-1286** – American Storage Centers, LLC, (American Sports Centers, Inc./Landowner); 551 Westcott Rd; GIS MAP 214; LOT 5; ~3.8 acres; GC; request to construct 6 new buildings & convert 1 existing building to establish a self-service storage facility; under TOK Zoning Regs Section 420.2.2[q], with the following conditions:

- DOT approval must be received prior to building permit issuance.
- Fencing at the southeast corner be moved to the road side of the basin.
- Lighting be dark-sky compliant with timer based no longer than 30 minutes.
- Proposed site sign at the entrance dimensional requirements be verified with Staff.
- Safety bollards where needed around the building structure, where the utility tanks are, for protection purposes.

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).

IX. NEW BUSINESS – (review/discussion/action)

1) **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. **Schedule for Public Hearing on May 16, 2022.**

Motion was made by Virge Lorents to schedule a 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, for Monday, May 16, 2022, Town Meeting Room, 2nd Floor, 172 Main Street, at 7:00 p.m.

Second by John Sarantopoulos. No discussion.

Motion carried unanimously (5-0-0).

2) **Site Plan Ap # 22-1288** – Noah Janetatos (AK Real Estate, LLC / Owner); 162 Main Street, GIS MAP 198, LOT 126, Central Business District (Borough of Danielson Zoning Regulations), ~0.28 acres, for location of new retail business (liquor store) in pre-existing building. **Receive, and assign staff to do site plan, as the retail store will be one tenant, in a multi-tenant pre-existing building.**

Motion was made by Virge Lorents to receive and assign to Staff **Site Plan Ap # 22-1288** – Noah Janetatos (AK Real Estate, LLC / Owner); 162 Main Street, GIS MAP 198, LOT 126, Central Business District (Borough of Danielson Zoning Regulations), ~0.28 acres, for location of new retail business (liquor store) in pre-existing building.

Second by Matthew Wendorf.

There was discussion regarding the location and also about State licensing for liquor.

Motion carried unanimously (5-0-0).

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 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). **Receive, and schedule for Public Hearing on May 16, 2022.**

Motion was made by Virge Lorents to receive and schedule a public hearing for **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), for Monday, May 16, 2022, Town Meeting Room, 2nd Floor, 172 Main Street, at 7:00 p.m.

Second by John Sarantopoulos.

There was discussion regarding that there is only one liquor license available.

Motion carried unanimously (5-0-0).

4) **Section 8-24 Review Ap # 22-1290** – Town of Killingly (Applicant/Owner); 339 Main Street, GIS MAP 181, LOT 142, Borough High Residential Zone, ~10.5 acres, for expansion and renovation of the Killingly Memorial School. **Review, discussion, action.**

Representatives from Stantec Consulting Services and Antinozzi Associates gave a presentation of the project and answered questions (plans were displayed as discussed):

- Demolition of the western modular is Phase One.
- Eventually the eastern modular will also be demolished.
- 18,000 s.f. addition to be added to the existing building (in the location of the western modular building).
- Existing building to be completely renovated. Adding mechanical, HVAC, electrical, plumbing, fire protection (fully sprinkled system), security/technology systems throughout the existing building.
- Site development work: Bus Loop in front of the building; entrances from Main Street, Hutchins Street and the entrance to the Westfield Avenue property. Circulation pattern is similar, but improved around the entire building.
- The original solar panel project (Green Skies) was put on hold when the Town pursued the expansion and renovation project. The Town still plans to implement the solar project. There are no existing panels on this KMS site.
- State funding has been committed for the project. An explanation was given about the specifics for the funding, the issue of the square footage, and how the State wanted it to be renovated as new. The funding for KMS has been granted in the amount of \$34.
- Ulla Tiik-Barclay explained that this project was approved by Town Council. She explained that they did not have to appropriate much more funding due to the need for replacement of the HVAC system. Mr. Sarantopoulos feels that it should have gone to referendum.

- It was explained that the HVAC system is a high-performance system that will meet the high-performance code requirements and will be certified to last 20 years (State minimum), but based on what they are specifying, it will last well beyond the 20 years.
- The tunnel (steam piping) insulated with asbestos will be abated as part of this project. The steam piping will be replaced and the boilers will be replaced with high-efficiency boilers.

Motion was made by Brian Card to move the Section 8-24 Referral forward - **Ap # 22-1290** – Town of Killingly (Applicant/Owner); 339 Main Street, GIS MAP 181, LOT 142, Borough High Residential Zone, ~10.5 acres, for expansion and renovation of the Killingly Memorial School.

Second by Virge Lorents. No discussion.

Motion carried (4-1-0). John Sarantopoulos was opposed.

5) **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). **Review, and schedule for Public Hearing on May 16, 2022.**

Ann-Marie Aubrey stated that it is ready for public hearing.

Motion was made by Virge Lorents to schedule a public hearing for **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), for Monday, May 16, 2022, Town Meeting Room, 2nd Floor, 172 Main Street, at 7:00 p.m.

Second by John Sarantopoulos. No discussion.

Motion carried unanimously (5-0-0).

6) **Zone TEXT Change Ap #22-1292** – Town of Killingly, allowing garages as a primary use in in rural development and low-density-zones only. **Schedule for Public Hearing on May 16, 2022.**

Motion was made by Matthew Wendorf to schedule a 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, for Monday, May 16, 2022, Town Meeting Room, 2nd Floor, 172 Main Street, at 7:00 p.m.

Second by Virge Lorents. No discussion.

Motion carried unanimously (5-0-0).

7) **Section 8-24 Review Ap #22-1293**, Town of Killingly, review and comment on the Affordable Housing Plan. **Review, discussion, action.**

Ann-Marie Aubrey explained that, per State Statute, every Town has to submit in writing by June 1, 2022. Staff went through the housing section of the POCD, the public response for POCD, they went out to the public, they went out to affordable housing in Town (Maple Courts) and spoke to residents there (through a survey) and they spoke with the people who run it. They also spoke with individual contractors. They adopted the goals from Section 3.4 our housing section and adopted most of those action plans. She explained that they revised the goals a little, due to what the State requirements were, to include all ages and inclusive of those with handicaps. She said the big thing in this plan that was not in the POCD is the housing assessment of what we have right now (meaning how many people are cost burdened by housing). Town Council needs to approve the Affordable Housing Plan.

Ms. Aubrey explained that this is regarding CT State Statute 8-30g exempt status. She explained that, right now, Killingly's exempt status is just above the required 10 percent (10.35 percent) affordable housing within the community. There was discussion regarding inclusionary housing. Ms. Aubrey explained about how she has been

researching alternatives. Affordable is 30 percent of a median income that is only up to 80 percent of our median income. Discussion continued. The elderly and disabled individuals need more options. There are waiting lists for elderly affordable housing. Ms. Aubrey explained that the Census results for 2020 have not come out yet due to COVID, but when that is available, it could change our percentage. They do not count naturally occurring affordable housing (e.g. an in-law apartment) because they can't keep a record of it. Mr. Blake referred to Page 4 of the Plan which shows the trends and how the numbers have gone down over the last ten years. He said that we are still trending downward and we are now at more like 10.3 percent. Discussion continued. Mr. Thurlow spoke about how in cluster subdivision, bonus lots can be earned for including affordable housing. Ms. Aubrey explained the importance of having an Affordable Housing Plan and maintaining the ten percent. There was discussion regarding the downtown area and walkability.

It is a live document, so changes can be made.

Motion was made by John Sarantopoulos to move the Section 8-24 Referral forward to Town Council - **Ap #22-1293**, Town of Killingly, review and comment on the Affordable Housing Plan.

Second by Virge Lorents. No discussion.

Motion carried unanimously (5-0-0).

X. ADOPTION OF MINUTES – (review/discussion/action)

1) Regular Meeting Minutes – MARCH 21, 2022

Motion was made by Brian Card to approve the Minutes of the Regular Meeting of Monday, March 21, 2022.

Second by John Sarantopoulos. No discussion.

Motion carried unanimously (4-0-1). Matthew Wendorf abstained.

2) Special Meeting Minutes – MARCH 28, 2022

Motion was made by Brian Card to approve the Minutes of the Special Meeting of Monday, March 28, 2022.

Second by Virge Lorents. No discussion.

Motion carried unanimously (5-0-0).

XI. OTHER / MISCELLANEOUS – (review / discussion / action)

1) Five Mile River Overlay District – staff review still in process

No discussion.

XII. CORRESPONDENCE – None.

XIII. 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.

At this time, Mr. Thurlow asked that a By-Law change regarding time (for permission to continue past 10:30 p.m.) be added to next month's Agenda.

XIV. ECONOMIC DEVELOPMENT DIRECTOR REPORT

Jill St. Clair reported on new businesses in Town, the recent activities of the EDC and grant activity.

XV. TOWN COUNCIL LIAISON REPORT

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

XVI. ADJOURNMENT

Motion was made by Matthew Wendorf to adjourn at 9:49 p.m.

Second by Virge Lorents. No discussion.

Motion carried unanimously (5-0-0).

Respectfully submitted,

J.S. Perreault
Recording Secretary

