



**TOWN OF KILLINGLY, CT
PLANNING AND ZONING COMMISSION
MONDAY – APRIL 15, 2019**

**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 – Sheila Roddy, Virge Lorents, Milburn Stone, Keith Thurlow
Brian Card was absent with notice. Mathew Wendorf was absent.

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

Also Present – Frank Anastasio, Byron Martin and Virginia Keith, all Members of the Killingly Agricultural Commission (seated in the audience).

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.

VI. **PUBLIC HEARINGS** – (review / discussion / action)

A. Zone Change Applications

1) **Zone TEXT Change Application #19-1210**; Town of Killingly, Planning & Zoning Commission; under Article IX, Section 900 Amendments; Town of Killingly Zoning Regulations; Section 585 et sec.; Agriculture; amend the Definitions, Permitted Uses, Special Permitted Uses, and Agricultural Use Table; and any minor changes deemed necessary.

Ann-Marie Aubrey explained that this is a re-write of the Agricultural Regulations for the Town of Killingly, not for the Borough of Danielson. All required legal notices were sent out. She gave an overview of the process which began approximately two years ago. She referred to various resources that had been researched/reviewed while working on the draft regulations (list of which was included in packets to Commission Members). Workshops had been held by the Agricultural Commission with the general public and also with the PZC. The proposed Draft was reviewed by the Town's legal counsel who made minor changes which were mostly format in nature, not content. Ms. Aubrey stated that this effort was not taken lightly.

Frank Anastasio, 30 Saw Mill Hill Road, a farmer in Killingly for the past 30 years and Member of the Killingly Agriculture Commission, spoke in support of the proposed changes to the Town's Zoning Regulations. He stated that the Borough of Danielson Agricultural Regulations would be presented and discussed at a future date. Mr. Anastasio's comments included the following:

- The goal of the Agricultural Commission is to support and advocate for farming in the Town of Killingly.
- The proposal is mindful of the interests of non-farm residents: reasonable setbacks; noise ordinances; and pollution control mechanisms are still in place.
- If the need arises, procedures to rectify disputes exist through Killingly Zoning Enforcement and the Connecticut Department of Agriculture.
- He explained that the proposed changes represent a shift away from some of the previous Regulations primarily in that the scope of a farm's operation should not be tied to an exact number of animals or amount of acreage. (E.g. A ten-acre farm with open and well-drained soils can support more farm activity than a ten-acre farm with extensive wetlands.) They want to provide the flexibility for farmers to produce what their land is capable of.

- If a commercial farm cannot make adequate income, they will not farm in Killingly.
- We need to support local agriculture and keep farmland and open spaces intact.
- They want to encourage people with small pieces of land to be involved in agricultural activities because small successful farmers can be our future farmers on a large piece of land.
- The entire document is on the Agricultural Commission web page, it is referenced on their Face Book page, and there is a copy in the Town Clerk's Office.

Byron Martin, 111 North Street, Member of the Killingly Agriculture Commission and also a farmer in Town, spoke in support. He would like to see farming grow in the Town and would like to give young farmers the opportunity.

Hugh Vile, 81 Squaw Rock Road, spoke in favor (although he stated that he has not read the proposed regulations). He is a new farmer in Town and appreciates that he can look to the Agricultural Commission Members for assistance.

Virginia Keith, 314 Margaret Henry Road, Member of the Killingly Agriculture Commission and also a farmer in Town, spoke in favor.

- She noticed that farms meet or, in many respects, often exceed minimum requirements for livestock. She feels that eliminating the number of animals per acreage makes sense.

John Sarantopoulos, 37 Tunk City Road, spoke in opposition. He stated that he is not opposed to agricultural farming, but his issue is with the animals. His comments included:

- He referred to the Right to Farm Act which he stated lists nuisances.
- He feels that the proposed Regulations are the opposite of what the Right to Farm Act was created for. He said that it was created, primarily, to create harmony to prevent conflict between existing farms and adjacent home owners. He said that the Act protects the farmer from complaints from residents that move near a farm. Under the Act, if a farm has not changed substantially within the last year, they are covered under the Right to Farm Act.
- He said that eliminating the number of animals on a property creates an arbitrary and capricious situation. He said that there is no way to enforce the things that are being put into place.
- He referenced a lawsuit.
- He referenced information regarding the Chair of the Woodstock PZC that he had submitted to Brian Card.
- He stated that Regulations had been passed referring to a fictitious document to enable existing people that were farming to increase the number of animals on their property.
- He said that the State and the Council of Governments put out a document that details all issues relating to farming (it refers to the Right to Farm Act) and it does not dictate the number of animals, it is the chartered communities that do that.
- No communities in the surrounding area have anything like this. He feels it is absurd.
- He feels that when issues arise, it will end up in the courts.

Milburn Stone stated that he was not involved in this revision, but he said that he saw the need for the revision.

- He asked why attention was given to forestry. Mr. Anastasio explained that it is part of agriculture and he gave an example of growing trees from seedlings for harvest. He also stated that there are large farms that contain woodland on their property.
- He asked about clear cutting. Mr. Martin stated that there are regulations regarding this. Ms. Aubrey referred to an instance of timber harvest in Town. Mr. Martin explained that trees always come back. He said that clear cutting is not the best way to manage timber. It is a very slow process.
Ms. Aubrey commented regarding an example of a forest management plan involving clear cutting: a certain amount of land keeping a meadow to new growth to old growth (each supports a different type of wildlife).
- Mr. Stone would like a forest management plan, approved by the State, to be included.

Discussion:

Ms. Lorents asked how creating lumber from the trees that are cut down impact the Town.

Mr. Anastasio explained that only the rare occurrence of a farmer having a portable sawmill (owned or brought in for a temporary period of time) is addressed in these Regulations (e.g. to cut logs into lumber to build their own barn). He said that they can probably address clear cutting, but establishing a saw mill operation is not agricultural.

Ms. Lorents commented regarding the 75-foot buffer zone for the use of sawmills.

Mr. Anastasio explained that what Ms. Lorents is speaking about is different than what is addressed in the proposed Agricultural Regulations.

Virge Lorents' comments:

- Agricultural/horticultural products being 51 percent grown by the farmer onsite.
Mr. Anastasio explained that they are looking for the intent of the person selling the produce.
- Aquaculture
Mr. Anastasio explained that the Killingly High School Agriculture Education Department offers an Aquaculture Program. They want to give the opportunity; however, it is very expensive. He stated that this will be a huge industry and we should be ready for it.

Mr. Thurlow asked Mr. Anastasio to address Mr. Sarantopoulos' comments regarding the Right to Farm Act.

- Mr. Anastasio explained that there are two Right to Farm Acts: the State Right to Farm Act; and the Killingly Town Council had voted on and passed a Right to Farm Ordinance (copies were included in packets to Commission Members) for the Town of Killingly which primarily mirrors the State's regulations. He said that the Right to Farm Act is meant to give farmers certain rights above and beyond what some people might complain about. He is not aware of a one-year limitation. He explained that fertilizing (e.g. manure spreading) is necessary. He said that it is not always convenient to have farmers living nearby, but the Right to Farm Act protects the farmers and gives them the opportunity to do what are generally accepted agricultural practices to do what they need to do in order to make a living.

Mr. Thurlow asked Mr. Anastasio about Mr. Sarantopoulos' comment regarding the Right to Farm Act not including animals.

- Mr. Anastasio stated that animals are part of farms.
- Mr. Anastasio explained that farmers have to be mindful of their neighbors and try to do things that are appropriate, but they also have to get their work done.
- He explained that the Generally Accepted Agricultural Practices (which the State Department of Agriculture looks at) change all the time.

Ms. Roddy asked Mr. Anastasio to explain the methodology to determine the number of animals you can have per acre.

- Mr. Anastasio explained that property that is open with good pasture and a good supply of water that is contained can support a lot more animals than land that has a lot of wetlands (it is site specific). Every situation is different. He explained that if there is a complaint regarding too many animals, the Planning and Development Office should be contacted and it would be investigated and it may be determined that the Department of Agriculture may need to get involved to make a determination.

Ms. Aubrey referred to and read from page 11 of a document entitled "Guidance and Recommendations for Connecticut Municipal Zoning Regulations and Ordinances for Livestock." She spoke of instances where her office has followed the procedures in the document and the Department of Agriculture had been responsive.

Mr. Anastasio explained that, to his understanding, the previous reference to one year or more operation is only in the paragraph regarding water pollution. A farm has to be in existence for one year or more in order not to violate the stipulation on water pollution. He explained that they are trying to encourage new farms.

Mr. Stone referred to the Right to Farm Act emphasizing stimulating farms in places where there weren't farms before. He spoke of expanding urbanization complicating the lives of family farmers across the country. He stated that people who move next to established farms don't understand the practices that have been working well for that farm. He stated that he is in favor of what the proposed regulations are doing, but it does give a completely different emphasis to Right to Farm from what the original Right to Farm Act had set forth. Mr. Anastasio stated that he would need to see what the original Right to Farm Act says.

Mr. Anastasio commented that there are rural agricultural areas (RA Zone) in Killingly and people who move into those areas have to realize that farming is permitted in that zone. Mr. Stone commented that there are also areas in moderate and low density areas as well as Village Commercial. Mr. Anastasio stated that they are trying to be as flexible as possible. Mr. Stone stated that he is in support because he feels confident that the PZC and the State will act on complaints to ensure that proper agricultural procedures are followed.

Ms. Roddy stated that the existing Regulations, a lot of times, refer to existing farms and that the proposed regulations are not trying to actively promote new farms, it simply gives some guidelines for someone who wants to start a new farm. She asked Mr. Stone to explain his concern. Mr. Stone stated:

- He did not want Mr. Sarantopoulos' concerns to go unrecognized.
- This makes possible an expansion of agricultural opportunities in the Town (which he feels is a good thing) and it should be recognized.

There was discussion regarding parking spaces (page 9, Item #8). Ms. Aubrey explained that this is covered in Section "c" on pages 7 and 8.

Mr. Sarantopoulos commented regarding piggeries and that the proposed regulation requires only 100 feet from the nearest residence while the Health Department and the State regulate 300 feet from the nearest residence. He asked if the document that he had submitted to Brian Card had been provided to the other Commission Members for their review. It was noted that the document had been provided in packets to all Commission Members. Mr. Sarantopoulos then spoke of the Right to Farm supports a farm that has not substantially changed its operation in the last year which, he said, applies both for the homeowner as well as the farmer. He said that people move next to farms and there is a conflict. He referred to a letter from Dr. Gordon, Chairman of the PZC in Woodstock, which Mr. Sarantopoulos had provided to Mr. Card (included in packets to Commission Members). He said the letter clearly defines why you need numbers regarding animals. He commented that the generally accepted agricultural practices look at things like odor and where waste is kept. He said a neighbor next to a farm with 340 chickens or ten cows on an 80,000-square foot piece of property will not be happy. He said it is common sense. He feels that the Town will end up in court.

There was discussion regarding Item #8 on page 9 (as discussed above). Ms. Aubrey suggested the following language: 8) Adequate off-street parking shall be provided at the rate of one parking space for every 200 sf of store area; with a minimum of two (2) parking spaces. Ms. Lorents agreed.

Ms. Aubrey, to clarify, read language from page 10 (Section g.4) regarding housing of livestock: "However, when the livestock is pigs, the Connecticut Public Health Code Section 19-13-B23 (a), which lists the requirements for the setback distances for pigs, provided it remains greater than 100 feet, shall apply." She said that one rules because it is the stricter of the two.

Mr. Thurlow referred to Dr. Gordon's letter (in which he quotes Health Code) and asked Mr. Anastasio to comment on pig sties. Mr. Anastasio explained that he can neither verify nor not verify a comment from a citizen in another town. He pointed out that there is a difference between property line and a neighbor's residence. Ms. Lorents read from Dr. Gordon's letter which speaks of investment-backed expectations and loss of land values. She gave Mr. Anastasio a copy of the letter. Mr. Anastasio stated that a farmer who wants to raise pigs would have to follow the State's regulations and if he or she does something that disturbs their neighbor, they would have to bring it up with somebody. The letter references an instance where the pig sty is 300 feet from an inhabited residence, not from a property line. He stated that he is not sure if the 300 feet is correct.

Ms. Aubrey noted a correction to be made to page 10 Item g.4. and she and Ms. Roddy clarified the language: It should state that the Connecticut Public Health Code Section applies.

Mr. Thurlow stated that there are three questions that need to be answered:

- The intent of the Right to Farm Act
- The number of animals
- Pig sty 300 feet. He would like to read the Public Health Code.

Ms. Roddy summarized that it appears that, originally, the Right to Farm protected ongoing operations and the proposed regulations include new farms. Mr. Thurlow stated that it had been commented on that it does not apply to new farms being created next to an existing farm or a new residence which causes him question it. Ms. Lorents agreed and commented that she questions the intent of the one year. She would like to have more time to think it through. Mr. Anastasio stated that it is only in paragraph five regarding water pollution.

There was discussion regarding the number of animals and pig sties. Ms. Roddy commented that she feels there should be numbers for animals in place so that it can be enforced and she stated that she feels there is enough oversight by the State Department of Agriculture. Mr. Thurlow would like more time to confirm that the State will come out to inspect and make a determination regarding complaints.

Ms. Aubrey will research and provide information to the Commission Members.

Motion was made by Virge Lorents to continue, to next month, the public hearing for **Zone TEXT Change Application #19-1210**; Town of Killingly, Planning & Zoning Commission; under Article IX, Section 900 Amendments; Town of Killingly Zoning Regulations; Section 585 et sec.; Agriculture; amend the Definitions, Permitted Uses, Special Permitted Uses, and Agricultural Use Table; and any minor changes deemed necessary. Second by Milburn Stone. Motion carried unanimously (3-1-0). Sheila Roddy was opposed.

B. Special Permits

1) **Special Permit Application #19-1209**; Section 410.1.2(b) Dog Kennel; Believe Enterprise Inc.; Angelia & Hugh Viele; 81 Squaw Rock Road; GIS Map 257; Lot 10; ~13.6 acres; Rural Development Zone. **(NOTE: This application went before the IWWC on Monday, April 1, 2019, and was continued to Monday, May 6, 2019. If this hearing is opened; it CANNOT be closed until we have the final decision from the IWWC.)**

There was discussion regarding whether to open the public hearing or to postpone opening it due to the IWWC not having acted yet. This would require written permission by the Applicant.

Lisa Suprenant, 71 Squaw Rock Road, commented that she is concerned regarding what the IWWC decides.

Ms. Aubrey explained about the IWWC needing to make a decision as to whether to make a declaratory judgment vs. doing a full review of the Application (which may happen on May 6, 2019).

Mr. Thurlow explained the timeline once a public hearing is opened and suggested waiting.

Hugh Viele, the Applicant, stated that he would like to open the hearing to allow the public present to speak. Mr. Viele represented himself and gave an overview of his proposal. A map of the property was displayed and he indicated the area where they plan to grow produce, the wetlands (he stated that he does not want to disturb wetlands at all), barn(s), trail, existing house. He plans to fence-in the whole property (approximately 20 feet inside property lines). He indicated the existing (made by kids using ATV's) trail leading to the proposed dog kennel (approximately 12 acres behind his house). He plans to have horse barns near the kennel also (he takes in rescue horses). Copies of maps were provided to Commission Members. Mr. Viele explained that he has a lot of dogs on his property (he has an electric fence and they sometimes get out) and he wants to rehabilitate dogs who don't have homes and give them to people who want to take care of them (they would only have to cover his out of pocket expenses for veterinary bills incurred). He spoke of two beavers living in the pond and migrating ducks. The horses drink from the pond. He plans to stock pond with fish. He offered that the Town could use the water for fire emergencies because there are no hydrants nearby. They decided to use only one path without a crossing due to the beavers. He is proposing a wooden, covered bridge. He is proposing a well near the dog kennel. He expressed concern for odor and explained that he will get portable tanks that will get replaced every couple of days. He said there will be a Port-o-Potty out there also. He has not had this reviewed by the Health Department yet. He stated that the barns have not been constructed yet and that he also indicated where he plans to have another bridge in a dry area (he had gone to the USDA, Wayne Purcell, passed soil testing and has received a report regarding minerals and changes to fertilizer that he needs to make). He said that the previous owner had cleared a lot of land. He said that none of the land is forested. He said that he found out, while he was out there with a surveyor that Tilcon had cut trees down on his property. He said that neighbors (Squaw Rock Extension) are dumping appliances and garbage on his property and that he needs to speak with them. He said that no one will hear noise from the dog kennel because he will have sound-proofing insulation. He will have video surveillance. He knows that there are coyotes and mountain lions out there. He is proposing 24 stalls and each dog will have an 8'x10' stall. All stalls will have separate running fence that can be lifted up. Dogs will be inside at night. Mr. Viele stated that this is not to be a business, only rescue dogs.

There was discussion regarding that there is actually forested area which he indicated that he plans to clear. Mr. Thurlow commented that trees would help to buffer noise. There was discussion regarding the elevation of the kennel/barn being ten feet lower than across the southeast corner across the field. Mr. Viele stated that there is a downslope toward the field. There was discussion regarding elevations. Mr. Thurlow stated that the upslope will help with sound in that direction.

Mr. Viele said that there will be walking trails for horses. The building will be insulated, no electricity (all solar), no heat in horse barn, dog kennel will be heated and air conditioned. Well with grey water and septic (he will submit to the Health Department).

Ms. Aubrey commented that the building (in the back) that they would like to use as the dog kennel does not meet setback requirements and that the only one that meets the setback requirements is the one on the opposite side of the road. A dog kennel has to be at least 150 feet away from any property line. Mr. Viele disagreed. Ms. Aubrey explained that the proposed dog kennel location shown on the plan is 155 feet from the neighbor to the north (Suprenant), 200 feet from Tilcon, 235 feet from the Klines and that this is the only one of the locations that meets the Zoning requirements.

PUBLIC COMMENTS:

Robert Suprenant, 71 Squaw Rock Road, came to get informed. He asked if the IWWC has looked at the property yet.

- Ms. Aubrey explained that two of her Staff Members had visited the site and that IWWC has requested information from the State.
- He commented regarding a vernal pond that runs across his property (for which there is a drainage variance).
- He stated concern regarding the kennel (noise/smell).

Lisa Suprenant, 71 Squaw Rock Road had the following questions/concerns:

- Who will be allowed on the paths?
- ATV's and other vehicle traffic on the paths?
- Increased insects/odor
- Concern regarding her grandchildren
- Will the dogs be secure?
- Noise
- Concern regarding wolves/coyotes

Kenneth Phaiah, 76 Squaw Rock Road, concerns:

- Odor
- Rescue dogs, but can he change his mind and become a commercial kennel? Or, when he sells the property?
- Concern for his seven grandchildren
- Insects

Melody Guilmette, 533 Squaw Rock Road Extension:

- Concern for dogs being so far out into the woods (bears/bobcats/mountain lions), feeding/care
- There are endangered turtles in the area – wetlands needs to be checked for issues
- Run-off (how are they using the stack of tires)
- She said that the previous owners of the property had it clear cut (not Tilcon)
- A beautiful wet brook runs through there and it is never dry. She is concerned that it will be ruined.

Paul Tingle, 61 Squaw Rock Road, spoke in opposition. His concerns:

- Dogs barking outside during day. He said the sound will travel.
- Additional traffic/noise/odor/insects
- Prefers that the dog kennel not be there.

Dinarte Soares, 51 Squaw Rock Road, concerns:

- Biggest concern is noise from 5-20 dogs. He stated that he would like to walk the patch to get a better visual to get a better idea for himself. Mr. Viele was agreeable.

Milburn Stone asked if the same regulations apply to a private, non-commercial dog kennel as for a commercial dog kennel. Ms. Aubrey stated that she believes so. Mr. Stone asked that Mr. Viele research this.

Mr. Viele explained that he will not be making money, but that he will advertise the dogs for adoption when the barn gets full and he will only charge his out of pocket expenses (e.g. veterinary expenses). He explained that he will have two farm hands on the property to help out to catch the dogs that escape. He said that the FDA has been there and that he will not disturb any wetlands. He said that the State Inland Wetlands will be doing a site walk this week. He explained his plans to

use tires (which he intends to move) to hold the tarp down that covers the feces. He explained that a vehicle will be able to be used on the path. He said that he understands the concerns of the neighbors and that everything is negotiable so that everyone will be happy. He said that he does not need the kennel. He is allowed to have up to five dogs which he will let run on the property because it is their home. The other dogs, if he doesn't have the kennel, will just run. He feels that having the kennel will save many lives.

Tom Guilmotte, 533 Squaw Rock Extension, concerns:

- Sight line from the house to the kennel/barns.
- Is there going to be a manure pile?
- Insects/odor

Mr. Viele explained that there will not be a manure pile for the dogs, it will be picked up. He will use some of the horse manure for fertilizer. The wetlands will not be touched. He said there will not be a noise problem because they will be inside. He stated, for the record, that you will not be able to see the kennel or the barns from anywhere, but there will be security out there.

The Commission asked that Mr. Viele contact the Health Department, submit a schedule of time regarding times that the dogs would be outside.

Motion was made by Virge Lorents to continue the public hearing for **Special Permit Application #19-1209**; Section 410.1.2(b) Dog Kennel; Believe Enterprise Inc.; Angelia & Hugh Viele; 81 Squaw Rock Road; GIS Map 257; Lot 10; ~13.6 acres; Rural Development Zone to Monday, May 20, 2019, Town Meeting Room, Second Floor, Killingly Town Hall, 172 Main Street, at 7:00 p.m. Second by Milburn Stone. Motion carried unanimously (4-0-0).

C. Site Plan Reviews

None

D. Subdivisions

None

E. Other/Various

None

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

A. Zone Change Applications

1) **Zone TEXT Change Application #19-1210**; Town of Killingly, Planning & Zoning Commission; under Article IX, Section 900 Amendments; Town of Killingly Zoning Regulations; Section 585 et sec.; Agriculture; amend the Definitions, Permitted Uses, Special Permitted Uses, and Agricultural Use Table; and any minor changes deemed necessary.
THIS WAS CONTINUED TO MAY 20, 2019 – SEE ABOVE.

B. Special Permits

1) **Special Permit Application #19-1209**; Section 410.1.2(b) Dog Kennel; Believe Enterprise Inc.; Angelia & Hugh Viele; 81 Squaw Rock Road; GIS Map 257; Lot 10; ~13.6 acres; Rural Development Zone. **(NOTE: This application went before the IWWC on Monday, April 1, 2019, and was continued to Monday, May 6, 2019. If this hearing is opened; it CANNOT be closed until we have the final decision from the IWWC.)**
THIS WAS CONTINUED TO MAY 20, 2019 – SEE ABOVE.

C. Site Plan Reviews

None

D. Subdivisions

None

E. Other/Various

None

VIII. NEW BUSINESS

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

1) **Zone TEXT Change Application # 19-1211**; Proposed Adaptive Re-Use of an Agricultural Building; under Rural Development, Section 410.1.2.q (Special Permit); under Low Density, Section 410.2.2.o (Special Permit); and under Medium

Density Zone, Section 410.3.2.m (Special Permit); by Pine Hill Farm, LLC. **Receive, and if application is complete, schedule a hearing for Monday, May 20, 2019 at 7:00 pm in the Town Meeting Room, Killingly Town Hall.**

Ann-Marie Aubrey explained that it had been re-written and the Commission was satisfied with the changes that had been made (copies were included in packets to Commission Members). The Application is complete, the fee has been paid, and the Applicant wants to move forward with the public hearing. There was discussion and Ms. Aubrey explained that the intent is that a structure on an old farm that is no longer being farmed can be refurbished (keeping the look of the structure) to be used for something else (allowed use or another special use already approved for that area).

Motion was made by Sheila Roddy to schedule a public hearing for **Zone TEXT Change Application # 19-1211**; Proposed Adaptive Re-Use of an Agricultural Building; under Rural Development, Section 410.1.2.q (Special Permit); under Low Density, Section 410.2.2.o (Special Permit); and under Medium Density Zone, Section 410.3.2.m (Special Permit); by Pine Hill Farm, LLC for Monday, May 20, 2019, Town Meeting Room, Second Floor, Killingly Town Hall, 172 Main Street, at 7:00 p.m. Second by Virge Lorents. Motion carried unanimously (4-0-0).

2) **Zone TEXT Change Application # 19-1212**; Town of Killingly, Planning & Zoning Comm.; under Article IX, Section 900 Amendments, Borough of Danielson Zoning Regulations; Section 580, et sec.; Agriculture; amend the definitions, Permitted Uses, Special Permitted Uses, and Agricultural Use Table; and any minor changes deemed necessary. **Receive, and if the file is complete, schedule a public hearing for Monday, May 20, 2019 at 7:00pm in the Town Meeting Room, Killingly Town Hall.**

There was discussion regarding that it is a Town Application and there is no timeframe pending.

Motion was made by Virge Lorents to receive and to schedule an appropriate hearing for **Zone TEXT Change Application # 19-1212**; Town of Killingly, Planning & Zoning Comm.; under Article IX, Section 900 Amendments, Borough of Danielson Zoning Regulations; Section 580, et sec.; Agriculture; amend the definitions, Permitted Uses, Special Permitted Uses, and Agricultural Use Table; and any minor changes during the May 20, 2019 regular meeting, Town Meeting Room, Second Floor, Killingly Town Hall, 172 Main Street, at 7:00 p.m. Second by Sheila Roddy. Motion carried unanimously (4-0-0).

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

None

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

None

D. Subdivisions – (review/discussion/action)

1) **Re-Subdivision Application #19-1213**; John C. D'Amato, Jr. and Ballouville Road, LLC; 51 lot subdivision; 38 Ballouville Road (GIS Map 63, Lot 50); and 82 Ballouville Road (GIS Map 54, Lot 1.1); ~18.8 acres, Medium Density Zone. **Receive, and if the file is complete, schedule a public hearing for Monday, May 20, 2019 at 7:00pm in the Town Meeting Room, Killingly Town Hall.**

Ann-Marie Aubrey stated that the Application is complete. Keith Thurlow stated, for the record, that he will be recusing himself, from the public hearing for this Application.

Motion was made by Virge Lorents to receive and schedule a public hearing for **Re-Subdivision Application #19-1213**; John C. D'Amato, Jr. and Ballouville Road, LLC; 51 lot subdivision; 38 Ballouville Road (GIS Map 63, Lot 50); and 82 Ballouville Road (GIS Map 54, Lot 1.1); ~18.8 acres, Medium Density Zone for Monday, May 20, 2019, Town Meeting Room, Second Floor, Killingly Town Hall, 172 Main Street, at 7:00 p.m. Second by Sheila Roddy. Motion carried (3-0-1). Keith Thurlow abstained.

E. Other/Various

1) **Scenic Road Application #18-1205**; Article IV., et sec. Scenic Roads; Killingly Code of Ordinances; Richard W. Fedor, et als; designation of the entire unpaved portion of Pratt Road (Between Pettingell Road and Chestnut Hill Road) be designated a scenic road in accordance with the Killingly Code of Ordinances. **Receive, and if the file is complete, schedule a public hearing for Monday, May 20, 2019 at 7:00pm in the Town Meeting Room, Killingly Town Hall.**

Motion was made by Virge Lorents to receive and schedule a public hearing for **Scenic Road Application #18-1205**; Article IV., et sec. Scenic Roads; Killingly Code of Ordinances; Richard W. Fedor, et als; designation of the entire unpaved portion of Pratt Road (Between Pettingell Road and Chestnut Hill Road) be designated a scenic road in accordance with the Killingly Code of Ordinances to

Monday, May 20, 2019, Town Meeting Room, Second Floor, Killingly Town Hall, 172 Main Street, at 7:00 p.m. Second by Sheila Roddy. Motion carried unanimously (4-0-0).

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

- 1) Special Meeting of Monday, March 18, 2019 – Special Meeting POCD

Motion was made by Sheila Roddy to adopt the minutes of the Special Meeting of Monday, March 18, 2019 – POCD. Second by Virge Lorents. Vote: 2-0-2. Milburn Stone and Keith Thurlow abstained as they had not attended. Motion did not pass or fail. Therefore, the vote on both, the Special Meeting and Regular Meeting Minutes for March 18, 2019, will be on the agenda for the Regular Meeting of Monday, May 20, 2019, Town Meeting Room, Second Floor, Killingly Town Hall, 172 Main Street, at 7:00 p.m.

- 2) Regular Meeting of Monday, March 18, 2019 – RE: Regular Meeting

The vote on the minutes will be on the agenda for the Regular Meeting of Monday, May 20, 2019, Town Meeting Room, Second Floor, Killingly Town Hall, 172 Main Street, at 7:00 p.m.

X. OTHER – (review/discussion/action)

A. CGS 8-24 Referrals

None

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

None

C. Bond Releases / Reductions / Calls

None

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

None

E. Requests to Allow Overhead Utilities / Wireless Telecommunications Facility

None

F. Upcoming P&Z Commission Meetings

1. Next Regular Meeting – **MONDAY, MAY 20, 2019**
2. Next Special Meeting – **MONDAY, MAY 20, 2019 (TRAINING AT 6:00 pm)**

XI. CORRESPONDENCE – (review/discussion/action)

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

Enclosed

B. Inland Wetlands and Watercourses Agent's Report

Enclosed

C. Building Office Report

Enclosed

XII. ECONOMIC DEVELOPMENT DIRECTOR REPORT

Elsie Bisset Reported:

- RFQ for 140 Main Street did not receive any proposals.
- Facades work is proceeding.
- Bill Cheng, EDC, has been meeting with realtors and brokers in the region to show them the resources available within the Community focusing on Industrial Commercial.
- Clean up for Earth Week.

XIII. TOWN COUNCIL LIAISON REPORT – No Representation.

XIV. ADJOURNMENT

Motion was made by Virge Lorents to adjourn at 9:38 p.m. Second by Milburn Stone. Motion carried unanimously (4-0-0). Respectfully submitted,

J.S. Perreault
Recording Clerk