



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

Monday, April 18, 2016
Regular Meeting
7:00 PM

RECEIVED
10 APR 20 2016
City of Killingly

Town Meeting Room, Second Floor
Killingly Town Hall
172 Main St., Killingly

MINUTES

I. CALL TO ORDER – Chair, Keith Thurlow, called the meeting to order at 7:05 pm.

ROLL CALL – Todd Nelson; Sheila Roddy; Milburn Stone; Virge Lorents; Keith Thurlow. Brian Card and William Ritter were absent with notice.

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

Also Present – Joyce Ricci, Town Council Liaison.

II. SEATING OF ALTERNATES

In the absence of Brian Card, Keith Thurlow stated that Virge Lorents would be seated as a voting member.

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)

Jim Rivers, Searles Road in Pomfret Center, CT, owns property on Main Street and a Business at 156 Main Street, spoke regarding the application for a special permit for specific types of clinics that he had brought forward last year. He stated that there are rumors about a methadone clinic coming to Danielson, but he cannot find any evidence of this.

Mr. Rivers began to explain that Community Health Resources had spent a lot of time and money investigating his building on Main Street and was going to make application if the opportunity presented itself. He had plans showing the rooms they would use for group therapy. Keith Thurlow and Ann-Marie Aubrey explained to Mr. Rivers that this should be discussed during public hearing if there will be an application. Mr. Rivers stated that there is no application in front of the Commission and there is no hearing planned. He feels that he will not be given a chance to present this because testimony given in the past was false and he did not reply to it because he was following the direction of the Chair.

Ann-Marie Aubrey explained that they are not sure if it would be an allowed use or a special permitted use, (which would need a hearing). Mr. Rivers feels that he should be able to make general comments about a use that wants to come to Main Street. He stated that he hopes that the Chair will stop the public from making statements regarding 400 heroin addicts and methadone and other things that are not true. He mentioned a photo of people loitering. Those people were standing in the fenced-in area because there was no waiting area

for group therapy. He stated that this should be done in a professional office building (there is 50 percent vacancy on Main Street). He asked for guidance on when discussion can take place and for feedback as to what he should do next.

V. COMMISSION/STAFF RESPONSES TO CITIZENS' COMMENTS

Virge Lorents stated that part of the job of Staff and the Chair is to protect Mr. Rivers' rights. Mr. Rivers stated that he is well protected.

Keith Thurlow suggested meeting with Staff on how to proceed. Mr. Rivers stated that he would do that.

VI. PUBLIC HEARINGS

A. Zone Change Applications

1. Planning and Zoning Commission – initiated Zone (Map) Change – Application #16-1127; Section 900; to change various parcels along Rte. 101 a/k/a Hartford Pike from Village Commercial to Medium Density (3 parcels); Low Density to Medium Density (13 parcels); and from Milled Mix Use Development to Medium Density (1 parcel) – said parcels are listed below as follows:

The properties under consideration for rezoning from Village Commercial to Medium Density are as follows:

ADDRESS	OWNER(S)	MAP & LOT	ACREAGE +/-
1296 Hartford Pike	Martin, Michelle A. & Peter J.	101/14	~1.30
1302 Hartford Pike	Stockford, David R. & Pamela M.	101/15	~0.60
1370 Hartford Pike	Miller, Francis J.	100/19	Portion of ~1.07

The properties under consideration for rezoning from Low Density to Medium Density are as follows:

ADDRESS	OWNER(S)	MAP & LOT	ACREAGE +/-
1293 Hartford Pike	Norgren, Robert W. & Paula J.	101/42	~0.69
1301 Hartford Pike	St. Martin, Brian P. & Tammy L.	101/41	~0.87
1305 Hartford Pike	Krogul, John P. & Mildred E.	101/40	~0.60
1306 Hartford Pike	Austin, Dawn & William	101/16	~0.37
1309 Hartford Pike	Merrill, Martin	101/39	~0.41
1310 Hartford Pike	Jeffs, Lindsay A. & William H.	101/17	~0.75
1315 Hartford Pike	Bourgait, John	101/38	~0.31
1316 Hartford Pike	Graff, Barbara A.	101/18	~0.22
1322 Hartford Pike	Shekleton, James	101/19	~0.65
1357 Hartford Pike	Union Baptist Church	100/72	~0.22
11 Chestnut Hill Road	Paquin, Kenneth A. & Lynn A.	101/20	~5.4
19 Chestnut Hill Road	Shekleton, James A.	101/21 (portion of)	~6.0 acres out of ~11.3 acres
628 Valley Road	Kruckas, Mary B. & Lamont, Robin	101/37	~1.10

The property under consideration for rezoning from Mill Mixed Use Development to Medium Density is as follows:

ADDRESS	OWNER(S)	MAP & LOT	ACREAGE +/-
963 Bailey Hill Road	Bailey Hill Management, LLC	100/66 (portion of)	~3.6 acres out of ~53 acres

Ann-Marie Aubrey read the rules for Conducting a Public Hearing.

Keith Thurlow stated that there had been workshops regarding this application to clean-up zones.

Peter Martin, 1296 Hartford Pike, stated that he and his wife had submitted a letter (dated March 24, 2016 and read into the record by Ann-Marie Aubrey) because they feel that the change does not fit the circumstances around their property.

Virge Lorents asked if decisions made with the Borderlands Project (Route 101 corridor) in 2009 had been incorporated. Keith Thurlow explained that the intent was to make the Regulations conform to it but it just never happened. Elsie Bisset explained that the Master Plan for the Village Center (including all the development around the intersection) was finished.

Ann-Marie Aubrey also read into the record a letter (via e-mail) from **Edward Eramian**, dated February 12, 2016, in which he explains that he prefers that his property at 963 Bailey Hill Road remain MMUD as it would create non-conforming and other situations for his past approved plan.

Ann-Marie Aubrey explained that **Mary B. Kruckas** (seated in the audience), 628 Valley Road, had come in to the office and spoke with her. Ann-Marie Aubrey expressed the concerns of Ms. Kruckas:

- She would like her parcel removed from the zone change and to remain Medium Density;
- She does not consider herself as part of the Hartford Pike neighborhood;
- Her access is off of Valley Road and her parcel is twice as big as the parcels being re-zoned;
- Considers herself off of the beaten path.

The locations of the three properties were indicated.

Virge Lorents recused herself as Mr. Eramian is a friend of hers and she has done business with him. She left the room.

Keith Thurlow stated that, in his opinion, the three properties are on the edge if Village Commercial and he does not see any harm in excluding them.

Sheila Roddy stated that she agrees as it does not defeat the contiguous nature of the zoning.

Milburn Stone also agreed.

Motion by Todd Nelson to close the public hearing for Planning and Zoning Commission – initiated Zone (Map) Change – Application #16-1127; Section 900; to change various parcels along Rte. 101 a/k/a Hartford Pike from Village Commercial to Medium Density (3 parcels); Low Density to Medium Density (13 parcels); and from Mill Mixed Use Development to Medium Density (1 parcel) – said parcels are listed below as follows:

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ADDRESS	OWNER(S)	MAP & LOT	ACREAGE +/-
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1301 Hartford Pike	St. Martin, Brian P. & Tammy L.	101/41	~0.87
1305 Hartford Pike	Krogul, John P. & Mildred E.	101/40	~0.60
1306 Hartford Pike	Austin, Dawn & William	101/16	~0.37
1309 Hartford Pike	Merrill, Martin	101/39	~0.41
1310 Hartford Pike	Jeffs, Lindsay A. & William H.	101/17	~0.75
1315 Hartford Pike	Bourgalt, John	101/38	~0.31
1316 Hartford Pike	Graff, Barbara A.	101/18	~0.22
1322 Hartford Pike	Shekleton, James	101/19	~0.65
1357 Hartford Pike	Union Baptist Church	100/72	~0.22
11 Chestnut Hill Road	Paquin, Kenneth A. & Lynn A.	101/20	~5.4

19 Chestnut Hill Road	Shekleton, James A.	101/21 (portion of)	~6.0 acres out of ~11.3 acres
628 Valley Road	Kruckas, Mary B. & Lamont, Robin	101/37	~1.10

The property under consideration for rezoning from Mill Mixed Use Development to Medium Density is as follows:

ADDRESS	OWNER(S)	MAP & LOT	ACREAGE +/-
963 Bailey Hill Road	Bailey Hill Management, LLC	100/66 (portion of)	~3.6 acres out of ~53 acres

Second by Milburn Stone.

Ann-Marie Aubrey stated, for the record, that proper notifications did go out.

Motion carried unanimously (5-0). Virge Lorents had returned to the room.

- B. Special Permits - None
- C. Site Plan Reviews - None
- D. Subdivisions - None
- E. Other/Various - None

VII. UNFINISHED BUSINESS

A. Zone Change Applications

1. Planning and Zoning Commission – initiated Zone (Map) Change – Application #16-1127; Section.900; to change various parcels along Rte. 101 a/k/a Hartford Pike from Village Commercial to Medium Density (3 parcels); Low Density to Medium Density (13 parcels); and from Milled Mix Use Development to Medium Density (1 parcel) – said parcels are listed below as follows:

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ADDRESS	OWNER(S)	MAP & LOT	ACREAGE +/-
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1305 Hartford Pike	Krogul, John P. & Mildred E.	101/40	~0.60
1306 Hartford Pike	Austin, Dawn & William	101/16	~0.37
1309 Hartford Pike	Merrill, Martin	101/39	~0.41
1310 Hartford Pike	Jeffs, Lindsay A. & William H.	101/17	~0.75
1315 Hartford Pike	Bourgalt, John	101/38	~0.31
1316 Hartford Pike	Graff, Barbara A.	101/18	~0.22
1322 Hartford Pike	Shekleton, James	101/19	~0.65
1357 Hartford Pike	Union Baptist Church	100/72	~0.22
11 Chestnut Hill Road	Paquin, Kenneth A. & Lynn A.	101/20	~5.4
19 Chestnut Hill Road	Shekleton, James A.	101/21 (portion of)	~6.0 acres out of ~11.3 acres
628 Valley Road	Kruckas, Mary B. & Lamont, Robin	101/37	~1.10

The property under consideration for rezoning from Mill Mixed Use Development to Medium Density is as follows:

ADDRESS	OWNER(S)	MAP & LOT	ACREAGE +/-
963 Bailey Hill Road	Bailey Hill Management, LLC	100/66 (portion of)	~3.6 acres out of ~53 acres

Motion by Sheila Roddy to update Planning and Zoning Commission – initiated Zone (Map) Change – Application #16-1127; Section 900; to change various parcels along Rte. 101 a/k/a Hartford Pike from Village Commercial to Medium Density (3 parcels); Low Density to Medium Density (13 parcels); and from Mill Mixed Use Development to Medium Density (1 parcel) – said parcels as read into the record previously with the following exclusions:

From the properties under consideration for rezoning from Village Commercial to Medium Density:

1296 Hartford Pike	Martin, Michelle A. & Peter J.	101/14	~1.30
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From the properties under consideration for rezoning from Low Density to Medium Density:

628 Valley Road	Kruckas, Mary B. & Lamont, Robin	101/37	~1.10
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The property under consideration for rezoning from Mill Mixed Use Development to Medium Density:

963 Bailey Hill Road	Bailey Hill Management, LLC	100/66 (portion of)	~3.6 acres out of ~53 acres
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Second by Milburn Stone.

Roll Call Vote: Todd Nelson – yes; Sheila Roddy – yes; Milburn Stone – yes; Keith Thurlow – yes. Motion carried (4-0). Virge Lorents had recused herself, but stayed in the room.

Motion by Sheila Roddy to approve Planning and Zoning Commission – initiated Zone (Map) Change – Application #16-1127; Section 900; to change various parcels along Rte. 101 a/k/a Hartford Pike from Village Commercial to Medium Density (3 parcels); Low Density to Medium Density (13 parcels); and from Mill Mixed Use Development to Medium Density (1 parcel) – said parcels as read into the record previously with the following exclusions:

Excluding from the properties under consideration for rezoning from Village Commercial to Medium Density and approving the balance of the properties listed:

1296 Hartford Pike	Martin, Michelle A. & Peter J.	101/14	~1.30
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Excluding from the properties under consideration for rezoning from Low Density to Medium Density and approving the balance of the properties listed:

628 Valley Road	Kruckas, Mary B. & Lamont, Robin	101/37	~1.10
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Excluding the property under consideration for rezoning from Mill Mixed Use Development to Medium Density:

963 Bailey Hill Road	Bailey Hill Management, LLC	100/66 (portion of)	~3.6 acres out of ~53 acres
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Second by Milburn Stone.

Roll Call Vote: Sheila Roddy – yes; Milburn Stone – yes; Todd Nelson – yes; Keith Thurlow – yes. Motion carried (4-0). Virge Lorents had recused herself, but stayed in the room.

B. Special Permits - None

C. Site Plan Reviews - None

D. Subdivisions - None

E. Other/Various

1. Reconsideration of Motions Made on March 28, 2016 for the following:

- a. Request of Robert Uva, (of 299 Bear Hill Road, Killingly, CT) – requesting partial return of bond on work completed on the common driveway of lots 2, 3 and 4 on Cindy Way, Killingly, CT.

Motion by Sheila Roddy to deny the Request of Robert Uva, of 299 Bear Hill Road, Killingly, CT – requesting partial return of bond on work completed on the common driveway of lots 2, 3 and 4 on Cindy Way because they did not meet the conditions stated last time. The Town of Killingly shall retain \$20,000.00 of the bond funds until the work is fully completed on Cindy Way and the Town shall also retain funds for E&S Control for Lots 5 and 6. Second by Milburn Stone.

Roll Call Vote: Milburn Stone – yes; Virge Lorents – yes; Todd Nelson – yes; Sheila Roddy – yes; Keith Thurlow – yes. Motion carried unanimously (5-0).

- b. Request of 333 Valley Road, LLC, (of 5048 Hartford Pike Extension, Killingly, CT 06241) – to extend the time to complete work on subdivision #07-427 for 55 lots, on property located at 333 Valley Road (now known as 317 Valley Road according to Tax Assessor records) known as Eastwood Hills; original approval on May 21, 2007, request extension of time to complete project to May 21, 2020.

Motion by Todd Nelson to grant the extension to extend the time to complete work on Subdivision #07-427 for 333 Valley Road, LLC. Subdivision #07-427, subject to this approval, the Subdivision occurred on May 21, 2007 (so that is before July 1, 2011). The original expiration date would have been May 11, 2012 (so that is after the May 9, 2011, date that is in the statute). Therefore, the “statutory expiration” (according to the statute) would be May 21, 2016, (which is nine years after). Furthermore, the statute allows us to grant additional waivers, however, waivers cannot extend beyond fourteen years from the original approval date. Granting the waiver to May 21, 2021, acknowledging that he requested that we acknowledge the statute, but we are granting a waiver assuming that his request was made. Second by Milburn Stone.

Roll Call Vote: Todd Nelson – yes; Sheila Roddy – yes; Milburn Stone – yes; Keith Thurlow – yes. Motion carried (4-0). Virge Lorents had recused herself, but stayed in the room.

2. Killingly Zoning Regulations Section 560 “Earth Filling and Excavation” –Schedule Workshop Meeting (prior meeting canceled due to lack of quorum).

There was a consensus to reschedule the Workshop on Monday, May 9, 2016; at 6:00 p.m. Dave Capacchione stated that he would attend, if available.

3. An accessory structure on a parcel of real estate when a primary structure has not been built – director’s update - no further workshops scheduled.

Ann-Marie Aubrey researched some local Towns (included in the packets to the Commission Members). Some towns have definitions of accessory uses, but none allowed an accessory use without a primary structure unless it is an agricultural base (as in Killingly). She explained that it comes down to having non-residential uses in residential areas. Some Members of the Commission had previously expressed that the Commission not only protects the landowners, but also the abutters. She explained that if it is an agricultural purpose, there is a definition of agriculture in the State Statutes, there is a definition of agriculture in the Town’s Regulations, and that the State Statute is followed very closely.

Discussion ensued.

Keith Thurlow disagrees and stated that there are laws in place and that Staff may have to use enforcement procedures if someone were to abuse the zoning laws. He feels there should be a logical explanation as to why people can’t use their property as the zone allows without having to live there.

Sheila Roddy stated that her position is that if you have property in a residential zone, you expect the aesthetics of residences, not just random buildings. If there is not a residence there could be less of an inclination to maintain the property.

Virge Lorents stated that if you are paying taxes on something, you have the right to use it in a way that the Zoning Regulations allow. The Commission is here to smooth out the interactions between various kinds of uses. Eliminate the problem from the start. There is no guarantee that the way that it will be used won't become a nuisance for the neighborhood.

Milburn Stone doesn't see how a structure that is legitimately used for storage of some legal item constitutes an offense to the property values of an abutter.

Todd Nelson does not have an objection. He feels potential violations are already covered in the Zoning Regulations.

4. Definition of Medical Office or Clinic for both Town and Borough Zoning Regulations – director's update – no further workshops scheduled.

Office Staff researched definitions from other towns (included in the packets to Commission Members) as Brian Card had requested.

Keith Thurlow stated that he prefers that the Town Attorney be present if a workshop is scheduled. He stated that, without input from the Town Attorney to help with the definition, he would prefer to carry over the existing definition into the Borough of Danielson Regulations, so there would, at least, be something.

Discussion ensued. Ann-Marie Aubrey will schedule with the Town Attorney.

VIII. NEW BUSINESS

A. Zone Change Applications – None

B. Special Permits

1. Article VII - Special Permit Application #16-1128 of Keystone Novelties Distributors, LLC. (of 201 Seymour Street, Lancaster, PA 17603); for a special permit for temporary tent sale of CT legal sparkler products from 06/23/16 through 07/05/16; location 1050-1078 North Main Street, Killingly Plaza, Killingly, CT, GIS 130-006; General Commercial Zone; - Receive application and determine if application is complete, if complete then schedule a public hearing for May 16, 2016.

Ann-Marie Aubrey stated that the Application is complete.

Motion by Todd Nelson to receive Article VII - Special Permit Application #16-1128 of Keystone Novelties Distributors, LLC (of 201 Seymour Street, Lancaster, PA 17603); for a special permit for temporary tent sale of CT legal sparkler products from 06/23/16 through 07/05/16; location 1050-1078 North Main Street, Killingly Plaza, Killingly, CT, GIS 130-006; General Commercial Zone and schedule a public hearing for May 16, 2016. Second by Sheila Roddy.

There was discussion. There was no request for a site walk. Ann-Marie Aubrey stated that she received a request today to extend to July 15, 2016. The location will be in the Kohl's Plaza parking lot.

Motion carried unanimously (5-0).

2. Article VII – Special Permit Application #16-1132 of United We Stand, LLC (of 49 Orleans Avenue, Killingly); for a special permit for proposed use of a contractor's office/showroom, and a proposed 40' x 50' contractors storage garage; change of one non-conforming use to another non-conforming use under Article V (General

Provisions), Section 520.7 Change; location 26 Soap Street, GIS Map Number 106, Lot 15 ~0.68 acres, Village Commercial Zone; - Receive application and determine if application is complete, if complete then schedule a public hearing for May 16, 2016.

Ann-Marie Aubrey stated that the Application is complete.

Norm Thibeault, Killingly Engineering Associates, represented the Applicant and did a poster board presentation.

Mr. Thibeault gave an overview:

- Currently unoccupied building on Soap Street;
- Modification to Special Permit issued in April 1999;
- Office with a showroom (cabinets) in existing building and a 40' x 50' garage to park vehicles;
- No retail;
- Will be unoccupied most of the time;
- They do roofing, gutters, material finishes, building new homes;
- Approximately 12 employees;
- To fence in the area with privacy fencing,
- They will show landscaping in front and will have a defined entrance and defined parking;
- Continued non-conforming use.

Motion by Sheila Roddy to receive Article VII – Special Permit Application #16-1132 of United We Stand, LLC (of 49 Orleans Avenue, Killingly); for a special permit for proposed use of a contractor's office/showroom, and a proposed 40' x 50' contractors storage garage; change of one non-conforming use to another non-conforming use under Article V (General Provisions), Section 520.7 Change; location 26 Soap Street, GIS Map Number 106, Lot 15 ~0.68 acres, Village Commercial Zone and schedule a public hearing for May 16, 2016. Second by Todd Nelson. Motion carried unanimously (5-0).

C. Site Plan Reviews - None

D. Subdivisions

1. Subdivision Application #16-1129 of Etienne L. LaBelle, for a two-lot residential subdivision, one lot with a pre-existing house, and one new lot for residential construction; 500 Chestnut Hill Road, Killingly, GIS Map 66, Lot 13; ~19.276 acres total; Rural Development Zone; - Receive application and determine if application is complete, if complete then schedule a public hearing for May 16, 2016.

Ann-Marie Aubrey stated that the Application is complete.

Motion by Virge Lorents to receive Subdivision Application #16-1129 of Etienne L. LaBelle, for a two lot residential subdivision, one lot with a pre-existing house, and one new lot for residential construction; 500 Chestnut Hill Road, Killingly, GIS Map 66, Lot 13; ~19.276 acres total; Rural Development Zone and schedule a public hearing for May 16, 2016. Second by Milburn Stone. There was no vote. Keith Thurlow had recused himself, but stayed in the room.

2. Subdivision Application #16-1130 of James V. Dandeneau, for a two lot residential subdivision, one lot with a pre-existing house, and one new lot for residential construction; 80 Chase Road, Killingly, GIS Map 13, Lot 2; ~148 acres total; Five Mile River Overlay Zone; - Receive application and determine if application is complete, if complete then schedule a public hearing for June 20, 2016 (as this will require notice to NECCOG).

Ann-Marie Aubrey stated that the Application is complete.

Norm Thibeault, Killingly Engineering Associates, asked why a public hearing is required for these two one-lot subdivisions to give to family members. Ann-Marie Aubrey stated that it is determined by the Commission.

There was discussion.

Norm Thibeault, Killingly Engineering Associates, explained that, regarding Mr. LaBelle's Subdivision Application #16-1129, it was a separate lot at one point. He had combined the lots years ago to put the land into forest management and has decided to recreate this lot again. He is not eligible for the free split because there was a parcel taken out after the inception of the subdivision/zoning regulations.

There was discussion regarding whether to require public hearings for these applications.

Motion by Todd Nelson to receive the application and waive the public hearing as it appears to be very straightforward and is re-establishing a previous subdivision. There was no second.

Motion by Virge Lorents to rescind her Motion for Subdivision Application #16-1129 of Etienne L. LaBelle. Milburn rescinded his second. There was no vote. Keith Thurlow had recused himself, but stayed in the room.

Motion by Virge Lorents to put Subdivision Application #16-1129 of Etienne L. LaBelle on the agenda for the next meeting of the P&Z Commission. Second by Todd Nelson. Motion carried (4-0). Keith Thurlow had recused himself, but stayed in the room.

Norm Thibeault, Killingly Engineering Associates, represented the Applicant and gave an overview:

- Proposing to subdivide 10 acres of land so that his son can build a house on it;
- The remainder of the land (138 acres) will be retained by Mr. Dandeneau.

Motion by Todd Nelson to receive and schedule on next month's agenda Subdivision Application #16-1130 of James V. Dandeneau, for a two-lot residential subdivision, one lot with a pre-existing house, and one new lot for residential construction; 80 Chase Road, Killingly, GIS Map 13, Lot 2; ~148 acres total; Five Mile River Overlay Zone. Second by Virge Lorents. Motion carried (4-0). Keith Thurlow had recused himself, but stayed in the room.

3. Subdivision Application #16-1131 of George M. Lenth & Starlet M. Lenth Revocable Trust, to dissolve a prior approved nine (9) lot subdivision ("Ledge Road Estates" prepared for Smith Pond Realty, LLC #08-439) and to return it to two (2) lots, one lot to contain an existing residence and ~ 1.878 acres (n/k/a as recorded Lot 9); and one lot to contain an existing residence and ~42.21 acres (n/k/a as recorded lots 1, 2, 3, 4, 5, 6, 7, and 8) for a total of ~44.088 acres; Rural Development Zone; - Receive application and determine if application is complete, if complete then schedule a public hearing for June 20, 2016 (as this will require notice to NECCOG).

Ann-Marie Aubrey stated that the Application is complete. She explained that the two recorded plat maps of what it was originally and what it is now were submitted with the Application. Originally, there were two large lots, one with a restaurant and a house on it (legal, non-conforming). This lot has to go off on its own (Lot 9). The others will be combined into one lot.

Keith Thurlow asked if there were any easements for the Town involved. Norm Thibeault stated that there were some shared driveway access easements that would be dissolved. Keith Thurlow wants to be sure that there aren't any land issues that will have to go back before Council. They will double check.

Motion by Virge Lorents to receive Subdivision Application #16-1131 of George M. Lenth & Starlet M. Lenth Revocable Trust, to dissolve a prior approved nine (9) lot subdivision ("Ledge Road Estates" prepared for Smith Pond Realty, LLC #08-439) and to return it to two (2) lots, one lot to contain an existing residence and ~ 1.878 acres (n/k/a as recorded Lot 9); and one lot to contain an existing residence and ~42.21 acres (n/k/a as recorded lots 1, 2, 3, 4, 5, 6, 7, and 8) for a

total of ~44.088 acres; Rural Development Zone and schedule for the May agenda without a public hearing as what is being proposed is less upsetting to the neighbors than an actual subdivision. Second by Sheila Roddy. Motion carried unanimously (5-0).

E. Other/Various -- review/discussion/action

1. Zone (Text) Change Application #16-1133 – of Dana K. Warren, AIA, (18 Maple Ave #119, Barrington, RI); Zone text change to add “Dog and Cat Kennels and Veterinary Hospitals” as a special use permit in the General Commercial Zone; - Receive application and determine if application is complete, if complete, then schedule a public hearing for June 20, 2016 (as this will require notice to NECCOG).

Ann-Marie Aubrey stated that the Application is complete.

Motion by Todd Nelson to accept Zone (Text) Change Application #16-1133 – of Dana K. Warren, AIA, (18 Maple Ave #119, Barrington, RI); Zone text change to add “Dog and Cat Kennels and Veterinary Hospitals” as a special use permit in the General Commercial Zone and schedule a public hearing for June 20, 2016 (as this will require notice to NECCOG). Second by Milburn Stone. Motion carried unanimously (5-0).

2. Discussion of Siting Council Procedures – handout for board members.

(NOTE: NO application(s) have been received at this time.)

Ann-Marie Aubrey advised the Commission Members to read and become familiar with the information provided because there could be an application put before the Siting Council that the Commission may need to hold a meeting on.

Virge Lorents asked if this is regarding solar energy in Pomfret. Ann-Marie Aubrey stated that it is not, but it wouldn't hurt to know about that also.

Virge Lorents asked if it has to do with another “old-style,” carbon-based, power plant. Ann-Marie stated that if NTE Energy makes an application to the Siting Council, it will, eventually, come before this Commission.

Virge Lorents spoke of her previous experience of sitting through four power plant proposals that zipped through the Siting Council which the P&Z had almost no opportunity to say anything about it. She is happy to know that, now, municipalities have more opportunity to raise issues over a longer period of time. She had photos of what power plants look like at night. She showed a photo of light pollution.

IX. ADOPTION OF MINUTES

Regular Meeting of March 21, 2016.

Virge Lorents noted a correction: Milled Mix Use Development should be Mill Mixed Use Development.

Motion by Todd Nelson to adopt the Minutes of Regular Meeting of March 21, 2016. Second by Sheila Roddy.

Motion carried (3-0) with the noted correction. Virge Lorents and Milburn Stone abstained.

X. CORRESPONDENCE

See enclosed – various articles, etc. at end of packet.

XI. OTHER

A. CGS 8-24 Referrals

1. Review of Town of Killingly Capital Improvement Program and Budget for Fiscal Years 2017 – 2021.

Virge Lorents pointed out that Peeptoad Road is a designated scenic road.

Dave Capacchione, Town Engineer, gave an overview (copies included in the packets to Commission Members):

- Work for the bridges that are identified have been approved for the grant portion, but we don't have our matching share at this time;
- Some roads to be chip-sealed, some reclaiming, some re-paving, some overlay;
- Upgrades to Town Hall facilities;
- Larger projects will have to be bond issued: HVAC piping

There was discussion.

Motion by Virge Lorents to rubber stamp the proposed (capitol) improvements for the Town for the next Fiscal Year. Second by Milburn Stone. Motion carried unanimously (5-0).

B. Zoning Enforcement Officer's Report - Enclosed

C. Inland Wetlands and Watercourses Agent's Report - Enclosed

D. Building Office Report - Enclosed

E. Bond Releases / Reductions / Calls

F. Project Completion / Mylar Filing Extension / Site Plan Extension Requests

1. Request for 90 day Extension of Mylar Filing – Applicant John Burke, through his representative is requesting a 90 day extension to file the mylars for subdivision application #15-1123 for a two lot subdivision on 3 Lawton lane, GIS Map 87, Lot 30; Alexander's Lake Zone Overlay District; original deadline was May 6, 2016 new deadline requested is Thursday, August 4, 2016.

Motion by Todd Nelson to approve Request for 90-day Extension of Mylar Filing – Applicant John Burke, for his Subdivision Application #15-1123 for a two-lot subdivision on 3 Lawton Lane, GIS Map 87, Lot 30, Alexander's Lake Zone Overlay District to Thursday, August 4, 2016. Second by Milburn Stone. Motion carried unanimously (5-0).

2. Request for 4 year extension of Site Plan – Jim DiNoia, member of Upper Maple, LLC requests a 4 year extension of the approved site plans until April 18, 2019 (original site plans were approved in 2005 as part of a special use permit #05-862 which has already been extended by the commission); for a 34 Unit Planned Elderly Housing; property located at 1034 Upper Maple Street; ~6.57 acres; Low Density Zone.

Ann-Marie Aubrey explained that although Mr. DiNoia requested the full 4-year extension, the Special Permit itself was only extended for one year. She stated that the Commission may want to consider extending the site plan for only one year at this time so that they would both be extended at the same time.

Motion by Virge Lorents to approve an extension on the site plan associated Permit #05-862 for an additional year. Second by Sheila Roddy. Motion carried unanimously (5-0).

G. Requests to Allow Overhead Utilities - None

H. Upcoming P&Z Commission Meetings

1. Next Regular Meeting – May 16, 2016 – public hearings

Sheila Roddy stated that she will not be able to attend the May 16, 2016 meeting.

2. Next Workshop Meeting – Was Scheduled for May 9, 2015 – RE: "Earth Filling and Excavation"

3. Next Special Meeting – None

XII. ECONOMIC DEVELOPMENT DIRECTOR REPORT

Elsie Bisset reported:

- The Community Conversation with the CT Main Street Center was attended by 64 people. EDC and the KBA will consider comments collected at a meeting;
- Main Street needs to be clean, safe, and fun;
- Tunk City Revival moving to 100 Main Street (former Gill's Shoe Barn);
- KBA having Earth Day clean-up on Wednesday, April 20th at 9 a.m. There are 40+ volunteers. Renee's Working Girl Catering will provide breakfast afterward;
- EDC Rap Cards - #Make It Killingly;
- Mother Nature's Gardens has offered to plant the planters on Main Street - \$200.00 in donations needed;
- Working with Fuel Cell Energy and NTE Energy.

XIII. TOWN COUNCIL LIAISON REPORT

Joyce Ricci reported:

- New Assessor hired – from Ledyard. He did his own evaluation in Ledyard – no need to hire an outside firm;
- Safety Commission met twice and the consensus is that we need police, that the community needs to be safer (not just Danielson).

Keith Thurlow suggested to the Commission Members that they bring their copies of the Zoning and Subdivision Regulations to meetings.

Ann-Marie Aubrey also mentioned that you cannot be perceived as having a pre-conceived notion about anything that may be coming before the Commission. You need to keep your personal opinions to yourself. This is different than a pre-application meeting.

XIV. ADJOURNMENT

Motion by Sheila Roddy to adjourn at 9:22 p.m. Second by Todd Nelson. Motion carried unanimously (5-0).

Respectfully submitted,

J.S. Perreault
Recording Clerk