



**TOWN OF KILLINGLY, CT
PLANNING AND ZONING COMMISSION
MONDAY – MAY 17, 2021**

**Regular Meeting
7:00 PM
TOWN MEETING ROOM – 2ND FLOOR
Killingly Town Hall
172 Main Street
Killingly, CT**

RECEIVED
TOWN CLERK, KILLINGLY, CT
2021 MAY 25 PM 4:27
Elizabeth M. Quisenberry

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MINUTES

**THE PUBLIC CAN VIEW THIS MEETING ON FACEBOOK LIVE.
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I. **CALL TO ORDER** – Chair, Keith Thurlow, called the meeting to order at 7:01 pm.

ROLL CALL – Brian Card, Virge Lorents (via Webex), John Sarantopoulos, Keith Thurlow.
Matthew Wendorf was absent with notice.

Staff Present – Ann-Marie Aubrey, Director of Planning & Development; Jonathan Blake, Planner I/ZEO.

Also Present – Brian Dotolo, Project Director, Scott Lyons and Steven Cole, Civil Engineers from the Haskell Corporation; Roger Gieseke and Silvino Quenga from Frito-Lay; Carson Mislik; Ryan Lenares; Rob Iacobucci from Green Skies; Bradley Parsons, All Points Technology Corp.; Bob Angeli, Patti Larrow George, Town Council Liaison.

II. **SEATING OF ALTERNATES** – None.

III. **AGENDA ADDENDUM**

Motion was made by Brian Card to add the following to the Agenda under SECTION VIII. NEW BUSINESS:

Section 8-24 Review, Application #21-1266 – Town of Killingly; Killingly High School, 226 Putnam Pike; GIS MAP 79, LOT 2; ~141 acres; Rural Development Zone – Installation of ground mounted solar panel array. (review/discussion/action). Second by John Sarantopoulos. No discussion.

Roll Call Vote: Brian Card – yes; Virge Lorents – yes; John Sarantopoulos – yes; Keith Thurlow – yes.

Motion carried unanimously (4-0-0).

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: Pursuant to Governor's Executive Order 7B, all public comments can be emailed to publiccomment@killinglyct.gov or mailed to the Town of Killingly, 172 Main Street, Killingly, CT 06239 on or

before the meeting. 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.killingct.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 132-433-9226 when prompted.

Ann-Marie Aubrey stated that no comments had been received, noting that the cut-off is now 2 p.m. If any comments were received after 2 p.m., they will be read aloud at the next meeting of the Planning and Zoning Commission. Ms. Aubrey read the above phone number and access code for anyone who wishes to participate during citizens' comments.

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

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

NONE

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 132-433-9226 when prompted.

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

NONE

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

1) Site Plan Review Application #21-1261; SimRay Real Estate Holdings, LLC; 75 Soap Street, Killingly, CT 06241; GIS MAP 80, LOT 2; ~84 acres total, only a 473' x 460' portion to be used for temporary parking of tractor trailers.

Receive, and if the application is complete, the applicant is requesting that the site plan approval be completed by staff.

Ann-Marie Aubrey stated that the Application is complete and explained that the Applicant requested that, since it is only a temporary parking area, the approval be done by Staff so they won't have to wait until next month.

Motion was made by Virge Lorents to receive and allow Staff to complete the review (as requested by the Applicant) for **Site Plan Review Application #21-1261**; SimRay Real Estate Holdings, LLC; 75 Soap Street, Killingly, CT 06241; GIS MAP 80, LOT 2; ~84 acres total, only a 473' x 460' portion to be used for temporary parking of tractor trailers.

Second by John Sarantopoulos.

Discussion:

Brian Card stated that, given the relation of this one to the approved application from last month, he feels that it makes sense to have Staff complete the review and work with the Town Engineer.

Keith Thurlow asked if there was a drawing. Ms. Aubrey will provide him a copy. She explained that the Town Engineer has already been to the site, the area has been cleared off and it will be gravel. It is basically the type of parking area that is there right now. They are just going to be moving the trailers over and improve their parking area and move the trailers back over to the new parking lot.

Mr. Thurlow asked about the duration. Roger Gieseke from Frito-Lay explained that the intent is to lease that property for 24 months with an option to extend to 36 months to support the south lot as well as the construction that is going on in the Application submitted today.

Mr. Thurlow asked about MS-4. Ms. Aubrey stated that the Town Engineer has been looking at that and verifying.

Mr. Thurlow stated concern for dust issues being addressed. Mr. Blake stated that if a dust condition was identified, they would ask for water treatment of that surface.

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

2) Site Plan Review Application #21-1262; Kevin Crump/Frito-Lay; 1886 Upper Maple Street, Killingly, CT 06241; GIS MAP 62, LOT 53; ~79.0 acres; Industrial Zone; the project consists of a new building expansion with storm water and asphalt improvements. **Receive, and if the application is complete, schedule for action at the next regularly scheduled meeting, Monday, June 21, 2021.**

Ann-Marie Aubrey stated that the Application is complete.

Motion was made by Virge Lorents to receive and schedule for action **Site Plan Review Application #21-1262**; Kevin Crump/Frito-Lay; 1886 Upper Maple Street, Killingly, CT 06241; GIS MAP 62, LOT 53; ~79.0 acres; Industrial Zone; the project consists of a new building expansion with storm water and asphalt improvements, for the next regularly scheduled meeting of the Planning and Zoning Commission on Monday, June 21, 2021, Town Meeting Room, 2nd Floor, 172 Main Street, at 7:00 p.m.

Second by John Sarantopoulos. No discussion.

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

3) Special Permit Application #21-1263; Desmarais & Sons, Inc.(Landowner – 145 Alexander Parkway, LLC); 145 Alexander Parkway; GIS MAP 36, LOT 1; ~26.0 acres; Industrial Zone. Applicant proposes to modify grading from Previous Approval. **Receive, and if the application is complete, schedule for a public hearing at the next regularly scheduled meeting, Monday, June 21, 2021.**

Keith Thurlow turned over the Chair position to Brian Card and recused himself. He remained at the table.

Ann-Marie Aubrey stated that the Application is complete.

Motion was made by John Sarantopoulos to receive and schedule a public hearing for **Special Permit Application #21-1263**; Desmarais & Sons, Inc. (Landowner – 145 Alexander Parkway, LLC); 145 Alexander Parkway; GIS MAP 36, LOT 1; ~26.0 acres; Industrial Zone. Applicant proposes to modify grading from Previous Approval, for the next regularly scheduled meeting of the Planning and Zoning Commission on Monday, June 21, 2021, Town Meeting Room, 2nd Floor, 172 Main Street, at 7:00 p.m.

Second by Virge Lorents. No discussion.

Roll Call Vote: Virge Lorents – yes; John Sarantopoulos – yes; Brian Card – yes.

Motion carried unanimously (3-0-0). Keith Thurlow had recused himself.

4) Zone Text Change #21-1264; Town of Killingly; Special Permitted Use; Add Section 420.2.2.p General Commercial Zone; Special Permitted Use; Self-Service Storage Facilities. **Receive, and if the application is complete, schedule for a public hearing at the next regularly scheduled meeting, Monday, June 21, 2021.**

Ann-Marie Aubrey explained that this is being created by Staff as there have been numerous questions. The Regulations are very limited on this subject and they feel it is time to look into it since people are wanting to put storage units in. A draft of proposed language had been provided to Commission Members for review. There was discussion regarding Commission participation in creating the document and it was decided to hold a workshop.

Motion was made by Brian Card to schedule a workshop to add Section 420.2.2.p General Commercial Zone; Special Permitted Use; Self-Service Storage Facilities, for next month (**June 2021**).

Second by John Sarantopoulos.

Discussion:

Ann-Marie Aubrey explained that there is no deadline since it is a Town Application.

Roll Call Vote: Brian Card – yes; Virge Lorents – yes; John Sarantopoulos – yes; Keith Thurlow – yes.

Motion carried unanimously (4-0-0).

5) Zone Text Change #21-1265; Douglas Construction Company; Special Permitted Use; Add Section 420.2.2.q General Commercial Zone; Special Permitted Use; Distribution Center Facility. **Receive, and if the application is complete, schedule for a public hearing at the next regularly scheduled meeting, Monday, June 21, 2021.**

Ann-Marie Aubrey stated that the Application is complete.

Motion was made by John Sarantopoulos to receive and schedule a public hearing for **Zone Text Change #21-1265**; Douglas Construction Company; Special Permitted Use; Add Section 420.2.2.q General Commercial Zone; Special Permitted Use; Distribution Center Facility, for the next regularly scheduled meeting of the Planning and Zoning Commission on Monday, June 21, 2021, Town Meeting Room, 2nd Floor, 172 Main Street, at 7:00 p.m.

Second by John Sarantopoulos.

Discussion:

Ann-Marie Aubrey explained that, right now, it is in the Industrial Zone and Douglas Construction would like to put it in the General Commercial Zone with conditions to protect the people around the area (proposed text was included in the Application). Ms. Aubrey explained that distribution centers are the new brick-and-mortar retails. During COVID a lot of companies went to online sales and they can't compete with Amazon/Amazon Prime, so now they are starting to build their own distribution centers.

Brian Card recommended a workshop to work through any issues. He expressed concern regarding how many modifications could be made to the draft at the public hearing. Ms. Aubrey explained that it would be noticed that it could be changed at the public hearing and that there would be no more notification to the public. Mr. Card stated that he had read the draft and he feels that it is pretty straightforward, so he feels comfortable with scheduling the public hearing and would like to hear comments from the public.

Ms. Aubrey explained that this application for a zone text change is not attached to any particular parcel of land.

However, if this gets approved, it is likely that an Application for a distribution center will be submitted.

Roll Call Vote: John Sarantopoulos – yes; Brian Card – yes; Virge Lorents – yes; Keith Thurlow – yes.

Motion carried unanimously (4-0-0).

6) Section 8-24 Review, Application #21-1266 – Town of Killingly; Killingly High School, 226 Putnam Pike; GIS MAP 79, LOT 2; ~141 acres; Rural Development Zone – Installation of ground mounted solar panel array. (review/discussion/action).

Bradley Parsons, All Points Technology Corp., represented Green Skies. He explained that they had to wait for the rooftop solar to be installed at the High School before they could proceed with this plan. He displayed and orientated the plan:

- Mr. Parsons indicated where the solar array is to be located in the forested area.
- 800 kilowatts of power coming out and interconnecting into the electrical room at the school.
- Mr. Parsons indicated the wetlands on site (along the slope to the north of the array and in the northwest corner). They are avoiding these areas as much as possible – keeping the solar outside 100 feet from the wetlands. The closest disturbance is within 50 feet which is mainly the grading associated with swales and a storm water basin. He explained how the water will flow from the north and head to the south to the basin. The basin itself will outlet toward the smaller wetland area.

Brian Card asked about the clearcutting vs. modified to the parking-type structures for the other projects. Ryan Lenares, All Points Technology Corp., explained that they looked at the parking structures for the High School. The cost to build parking structures is very expensive and the end goal is to build the project and sell the power that is produced at a discounted rate back to the school. Ground-mounted project is cheaper to install than the carport structures. He explained that the utility rates at the other schools in Town are a little bit higher which allowed them to provide savings back to those buildings.

Mr. Card asked how many acres they will be clearcutting. Mr. Parsons stated: 3.3 acres for the array itself; a little over 6 acres for the proposed clearing for the limited disturbance.

Mr. Thurlow asked about the limit for the CT Citing Council to get involved. Mr. Parsons explained that it is 1 megawatt and that this project would not be subject to Citing Council jurisdiction.

Mr. Thurlow asked about whether the power would be sold back to the grid. Mr. Lenares explained that the school itself will be consuming the power. Projected annual savings to the school approximately \$124,000 in energy savings.

Mr. Thurlow asked about life expectancy. Mr. Lenares explained that it is 25 years (which is the length of the contract). After the 25 years, they are required (per the contract) to removed everything from the site, so there is no environmental mess.

Mr. Thurlow asked about restoration of the site. Mr. Parsons explained that restoration would be limited as it would be turned into, more or less, a meadow. Any ground disturbance would be restored and reseeded and the main restoration that would occur would, basically, be the removal, the gravel access and the equipment pad which would be restored, as well, with the seed mix. He said that this is part of Green Skies' contract with the Town.

Ms. Aubrey explained that this goes to Town Council for their approval and it also goes to the IWWC for their approval.

Motion was made by Brian Card to accept **Section 8-24 Review, Application #21-1266** – Town of Killingly; Killingly High School, 226 Putnam Pike; GIS MAP 79, LOT 2; ~141 acres; Rural Development Zone – Installation of ground mounted solar panel array.

Second by John Sarantopoulos. No discussion.

Roll Call Vote: John Sarantopoulos – yes; Brian Card – yes; Keith Thurlow – yes.

Motion carried unanimously (3-0-0). Virge Lorents was having technical difficulties during the vote.

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

1) Regular Meeting Minutes – March 15, 2021 (tabled from last meeting)

Motion was made by Brian Card to accept the Regular Meeting Minutes – March 15, 2021 (tabled from last meeting).

Second by Virge Lorents. No discussion.

Roll Call Vote: John Sarantopoulos – yes; Brian Card – yes; Virge Lorents – yes; Keith Thurlow – yes.

Motion carried unanimously (4-0-0).

2) Regular Meeting Minutes – April 19, 2021

Motion was made by John Sarantopoulos to accept the Regular Meeting Minutes – April 19, 2021. Second by Brian Card. No discussion.

Roll Call Vote: Brian Card – yes; Virge Lorents – yes; John Sarantopoulos – yes; Keith Thurlow – yes.

Motion carried unanimously (4-0-0).

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

Keith Thurlow discussed accessory buildings on a property without a residential structure on it. He would like the Commission to revisit discussion on this issue.

Motion was made by Virge Lorents to revisit discussions regarding Accessory Buildings for the regularly scheduled meeting of the Planning and Zoning Commission on Monday, July 19, 2021, Town Meeting Room, 2nd Floor, 172 Main Street, at 7:00 p.m.

Second by John Sarantopoulos. No Discussion.

Roll Call Vote: Virge Lorents – yes; John Sarantopoulos – yes; Brian Card – yes; Keith Thurlow – yes.

Motion carried unanimously (4-0-0).

Brian Card asked that the Commission revisit Solar also to be sure that environmental benefit is considered. Ms. Aubrey will schedule for July.

XI. CORRESPONDENCE

1) Environmental Land Use Restriction; 30 Rock Avenue, Killingly, CT. Letter received 04/26/2021 from Murtha Cullina Attorneys at Law; regarding same. A full copy of the correspondence and restriction is in the Planning and Development Office if anyone wishes to read it.

There was discussion. Ms. Aubrey stated that the document includes a map.

XII. DEPARTMENTAL REPORTS – (review/discussion/action)

A. Zoning Enforcement Officer's & Zoning Board of Appeal's Report(s) – No ZEO report. ZPB did not meet (no applications).

B. Inland Wetlands and Watercourses Agent's Report – Did not meet (no applications).

C. Building Office Report – Mr. Blake offered to print a copy of the permits for PZC Members who would like one.

XIII. ECONOMIC DEVELOPMENT DIRECTOR REPORT – No representation.

XIV. TOWN COUNCIL LIAISON REPORT

Patti Larrow George reported:

- Proclamation recognizing and supporting the Killingly Constabulary, CT State Police and other law enforcement agencies during the Month of May.
- Referendum: Both the BOE and the Town Government Budgets passed – mill rate 25.14.
- New waterline has been installed at Community Garden.
- Frito-Lay announced a \$235 million expansion bringing approximately 120 new job to the Community.

XV. ADJOURNMENT

Motion was made by Brian Card to adjourn at 7:50 p.m.

Second by Virge Lorents. No discussion. Motion carried unanimously by voice vote (4-0-0).

Respectfully submitted,

J.S. Perreault
Recording Clerk