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TOWN OF KILLINGLY, CT  
PLANNING AND ZONING COMMISSION

**MONDAY – JULY 17, 2017**

*Elizabeth M. Wilson*

**Regular Meeting**

**7:00 PM**

**Town Meeting Room, Second Floor**

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

## **MINUTES**

**I. CALL TO ORDER** – Acting Chair, Brian Card, called the meeting to order at 7:00 pm.

**ROLL CALL** – Brian Card, Todd Nelson, Sheila Roddy, Milburn Stone, Virge Lorents, Matthew Wendorf.

Keith Thurlow was absent with notice.

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

**Also Present** - Joyce Ricci, Town Council Liaison.

**II. SEATING OF ALTERNATES**

Virge Lorents and Matthew Wendorf were seated as Voting Members: Virge Lorents to vote on odd Agenda Items; Matthew Wendorf to vote on even Agenda Items.

**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)

Ann-Marie Aubrey gave an overview of the public commentary process.

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

**VI. PUBLIC HEARINGS**

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

1. Zone (MAP) Change Application #17-1174 – Letter from CT DEEP, dated 04/06/2017; RE: Aquifer Protection Area Program Implementation for the Town of Killingly – Level "A" Mapping Approval for the Connecticut Water Company's Crystal-Brooklyn Well Field.

Ann-Marie Aubrey explained that it is required by the State of Connecticut DEEP that the Planning and Zoning Commission delineate the Aquifer Protection Area Boundary for the Crystal-Brooklyn Well Field on the Town's Official Zoning Map by August 6, 2017. She explained that the proposed Aquifer (now Level "A" – previously Level "B") is more compact than the original/prior Level "B" Aquifer. She explained that the Level "A" classification indicates that the formal study of the area has been completed and the boundaries have changed somewhat. There was discussion.

There were no comments from the public.

Motion was made by Todd Nelson to close the public hearing for Zone (MAP) Change Application #17-1174 – Letter from CT DEEP, dated 04/06/2017; RE: Aquifer Protection Area Program Implementation for the Town of Killingly – Level “A” Mapping Approval for the Connecticut Water Company’s Crystal-Brooklyn Well Field. Second by Milburn Stone. Motion carried unanimously (5-0-0).

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

**1. Special Permit Application #17-1169;** Todd A. Cooke; Sec.566 Accessory Dwelling Unit; allow a 956 sq. ft. accessory dwelling unit / in-law apartment in basement of primary residence; 114 Ross Road; GIS Map 235; Lot 2; ~1.9 acres; Rural Development Zoning District. **(w/drawn w/out prejudice)**

**2. Special Permit Application #17-1171 –** Tracy Donovan; Sec. 410.1.2(b) Dog Kennel; to allow landowner to build a dog kennel for breeding purposes to house approximately 49 adult dogs; 54 Brickhouse Road; GIS MAP192, Lot 19; ~18.3 acres; Rural Development Zone.

Ann-Marie Aubrey explained that, at the request of the Applicant (letter submitted July 13, 2017), the public hearing for this Application was postponed and will open Monday, August 21, 2017.

**3. Special Permit Application #17-1172 –** Bayvest Realty, Inc.; Sec. 430.2F Drive-in restaurant, Fast-food restaurant of the Borough of Danielson Zoning Regulations; to allow 2500 sf retail commercial building with a drive-thru window; 60 Westcott Road; GIS Map 182, Lot 29; ~.58 acres; Borough General Commercial Zone.

Ann-Marie Aubrey noted that this is a conceptual site plan.

Alan Carpenter, Professional Engineer Registered with the State of Connecticut, 520 Hartford Turnpike, Vernon, CT, represented the Applicant and gave an overview of the proposal including a Power Point presentation.

**Existing Site Conditions:**

- Zone was changed last year to Borough Commercial.
- Existing house on the property with parking surrounding it. The site is mostly vegetated to the north and west.
- Elevations approximately 280 in the southeast corner and de-elevates to approximately 264 in the northwest corner (15 to 16 feet of topography across the site).
- He indicated the abutters.

**Overview of the Proposal:**

- 2,500 s.f. restaurant with drive-thru.
- Original proposal shows two separate driveways: one way in and one way out. However, they are expecting that the DOT will require that the driveways be combined (Mr. Carpenter provided, to the Commission Members, a revised plan showing the two driveways connected into one location which allows better access for trucks and maneuvering). They are proposing a two-way driveway into the site. This aligns it more with the Troop D driveway across the street and allows a wider drive for access for service vehicles.
- Handicap parking along the front side of the building.
- Trash enclosure in the northeast corner of the site.
- Circling around, they will have some parking in the back, loading to the drive-thru, then exiting out the front. There will be another eight parking spaces located in the front.
- Front-yard setback is approximately 20 feet. He indicated where they will have landscaping in that area.
- They are requesting a special permit (stated: special exception) for a drive-thru restaurant in the Borough Commercial Zone. They do not know who the tenant will be at this time.

**Floor Plan:**

- Mr. Carpenter indicated the following: service area, seating area in front on the street side in front, refrigeration area in back, entrance along the east side of the site, seeding area wrapped around the service area for the restaurant. Brian Card noted that the building was different than what was on the plan and Mr. Carpenter agreed that the footprint is different.
- Windows in the seating/access areas, service areas.

- Kitchen would be more utilitarian-type area.

Site Dimension Plan:

- 19 parking spaces
- 2,500 s.f. building.

Grading:

- Preliminary grading: Driveway to enter in at a 6-8 percent grade coming down to the finished floor for the building, then continue to slope to the back making sure the accessible parking spaces comply with all grading requirements to provide access to the building. Flat top siting area at the street level.

There was discussion regarding that this is a conceptual plan and that when a tenant is chosen and plans are finalized they would need to either come back before the PZC or Engineering.

- Storm water collection along the west side (lower side) of the site.
- Retaining wall along the north side and west side of the site (lowest area of the site). Storm water collection underground system.
- The site discharges over land to the northwest. They are proposing a stone trench and spreader swale along the north and west side of the site for storm water discharge. They anticipate storing the hundred-year storm on the site.

Mr. Carpenter asked to reserve his right to speak if anyone speaks in opposition to the Project.

Todd Nelson asked about the height of the retaining wall. Mr. Carpenter indicated at the ends 0-2 feet and where the site is the lowest (northwest corner) it will be 7-feet high. He explained that they elevate the top of the wall 6-inches to a foot so that it is above any site grading.

Brian Card asked about railing. Mr. Carpenter stated that there would be protection railing on top.

Brian Card asked how they anticipate storing the hundred-year storm on site. Mr. Carpenter explained that it would be underground and they would do infiltration testing and if they can store it and infiltrate it into the soil they will. If they can't, he explained that they would size the storm water system to hold it and allow it to only discharge the amount of what the pre-developed rate of discharge would be. They apply DEEP storm water management design standards.

Brian Card asked about parking standards: drive-in vs. drive-thru/sit-down restaurants. Mr. Carpenter stated that it is designed to provide parking for what they are anticipating in accordance with the Town's code for this site. Mr. Card stated that he does not believe it is and he read from the Regulations. Mr. Carpenter stated that it can be adjusted.

Mr. Card also asked if there is adequate space in the back where the drive-thru goes around and there is parking near the retaining wall. Will cars be able to get out of parking spaces? Mr. Carpenter stated that those spaces would, typically, be used by employees and could be identified for employees. He guessed that 3 or 4 cars could be stacked before those parking spaces would be impacted.

Mr. Card asked if there would be any issues with neighbor impacts to the west and north. Mr. Carpenter stated that they don't anticipate any. They haven't done a landscape plan, but they could provide landscape plantings below the wall to provide buffering.

Mr. Card asked how retaining wall is defined regarding setback requirements. Is it defined as a manmade structure? He feels that it may not meet the setback requirements. Mr. Carpenter stated that it is 10 feet to the west property line and 5 feet to the north property line. Mr. Card read the definition of "structure" from the Regulations and he stated his concern for possibly not meeting the required setbacks especially being adjacent to a residential neighbor. Mr. Card suggested that Mr. Carpenter take another look at that as well as calculations for parking space requirements.

Sheila Roddy suggested that the Commission require a traffic safety plan as it is in a busy area. She asked about pedestrian traffic. Mr. Carpenter stated that it should not be an issue to add a sidewalk from the street into the building and also along the street frontage.

Mr. Carpenter stated that there is ample sight line looking in either direction from the driveway and that they would provide a traffic study if the Commission requires it.

Ms. Roddy asked about hours of operation. Mr. Carpenter stated whatever other drive-thru restaurants in Town do. They would not be looking for more or less than anyone else.

**Public Comments:**

**Ken Peterson, 25 Stearns Street**, abutter to the north side (to the rear), is concerned about the impact that a drive-thru restaurant could have on his property:

- Retaining wall setback.
- Drainage to the northwest corner (his backyard).
- Trespassers and litter.
- Hours of operation (noise / headlights at night). Is there an ordinance regarding how late a restaurant can stay open?
- Could they put up a fence?
- Storm water coming off of the asphalt?
- Would they actually put in landscaping?
- Bonneville's Pharmacy empty.

Virge Lorents stated, for the record, that a system has to be put in place regarding the materials from the asphalt flowing into his yard (oil/water separator or other such device). Ms. Aubrey explained that the Commission could make that a condition of approval. Ms. Aubrey also explained buffers between uses that aren't compatible and that this could also be a condition of approval. She suggests for this site location fencing and evergreen trees.

Mr. Card explained that the setback for the retaining wall is an issue that still needs to be looked at by the Applicant.

Mr. Card explained that there is not an ordinance regarding hours of operation.

Ms. Roddy asked if Mr. Peterson's property is also zoned Borough Commercial. Ms. Aubrey checked the map, but it is not the most current map. She believes it is residential, but she will verify.

**Mr. Peterson** asked if the dumpster location is within Regulations. Mr. Card stated that it would be looked at with the final site plan approval. Ms. Lorents stated that, per the Commission's request, dumpsters are fenced off/surrounded by plantings, etc. Ms. Roddy voiced concern regarding the dumpster.

Bonneville's Pharmacy now has two tenants.

Mr. Carpenter stated that they would be willing to meet with Mr. Peterson regarding his concerns when they get to the site plan process. They would work with him regarding landscaping in the buffer area. The DEEP has requirements for water quality standards and any pollutants that come off the pavement goes into the unit and gets maintained before going into the storage system, and then gets discharged. He explained that post-developed discharge would be limited to the pre-development discharge amount. If they can store it all and not discharge it, they would try to do that (may have to upsize the system). They can provide landscape buffering regarding noise. They are willing to discuss hours of operation and will consider adjustment to accommodate the residential abutter to the rear. He noted that the property had been changed to Borough Commercial.

Ms. Roddy stated that the Commission would want to see detail regarding lighting and signage (night sky). Mr. Carpenter stated that the fixtures are, typically, full cut-off and mostly LED. Signage would be on the front side of the building, on the street, and would be in compliance with the Regulations.

Todd Nelson recommended a fence rather than plantings regarding noise in the drive-thru area. Mr. Carpenter stated that they are considering a fence with trees behind it.

There was discussion regarding site plan approval by Staff vs. coming back before the Commission.

Mr. Card would like to see the following concerns addressed before the conceptual plan is approved:

- What impact will the grading have on the neighbors to the north, east and to the west especially (raising the back side 7-feet with the retaining wall): Will lighting be higher than the elevations?
- Additional grading.
- Definition of structure.
- Parking calculations need to be looked at.
- Grading for front entrance needs to be looked at. Is there enough room to put both vegetative screening and fencing on the north and west sides to block out noise and light impacts.

Mr. Carpenter clarified that there is only one location where the wall is 7-feet high (on the northwest side).

Matthew Wendorf asked for clarification regarding Section 430 under General Commercial for Borough Zoning. The first line states that a buffer strip of 25 feet is required where any site adjoins a residential zone district. Ann-Marie Aubrey will research.

Sheila Roddy would like more details before making a decision, especially since it abuts a residential property. She feels the public should be given a chance to comment. Brian Card agreed and explained that it is a conceptual site plan and there was not a lot about the operations. Mr. Card stated that the Applicant seems willing to work with the Commission, Staff and the neighbors to address concerns, but once it gets past the Special Permit Application, the Commission is limited on what it can do.

Mr. Wendorf asked if the minimum rear setback includes impervious surfaces. Mr. Card explained that it is a structure setback.

Motion was made by Todd Nelson to continue the public hearing for Special Permit Application #17-1172 – Bayvest Realty, Inc.; Sec. 430.2F Drive-in restaurant, Fast-food restaurant of the Borough of Danielson Zoning Regulations; to allow 2500 sf retail commercial building with a drive-thru window; 60 Westcott Road; GIS Map 182, Lot 29; ~.58 acres; Borough General Commercial Zone to Monday, August 21, 2017, Town Meeting Room, Second Floor, Killingly Town Hall, 172 Main Street, 7:00 p.m. Second by Matthew Wendorf. Motion carried unanimously (5-0-0).

**4. Special Permit Application #17-1173 – Automatic Rolls / Northeast Foods, Inc.; Aquifer Protection Overlay Zone & Sec. 450.3.1 Height in Industrial Zones;** for an approx. 15,600 sf expansion to the existing facility consisting of a -20°F freezer; +34°F cooler docks and ammonia refrigeration equipment room. Additional improvements include site parking and an on-site road way for truck traffic; 328 Lake Road; GIS Map 61, Lot 53; ~8.0 acres; Industrial Zone.

David Held, Professional Engineer and Land Surveyor with Provost & Rovero, represented the Applicant and gave an overview of the proposal including a Power Point presentation. Also present (seated in the audience) were John DeNitti, Plant Engineer for Automatic Rolls; Ken Paradis, Transportation Manager; Eric Perkins, Project Manager with A.M. King who will be managing the construction of this Project.

Background:

- The facility was originally constructed in 1998-1999.

Proposing:

- 15,600 s.f. of storage space for the products that are manufactured there (English muffins and hamburger rolls) - mostly freezer with a small section by the loading docks to be refrigerator (as a buffer between ambient and the freezer section).
- Reconfiguring some parking.
- Reconfiguring some site drainage.
- Additional truck driveway.

Existing Conditions:

- Mr. Held orientated the site indicating the locations of: entrance for employees/visitors; second curb cut for truck traffic; loading docks on the south side of building; large paved parking area for trucks; a small, lined storm water basin that is connected to the existing retention and infiltration basin. He stated that the basin has a rubber membrane liner as it is in the Aquifer Protection Zone.

Proposed Site Plan:

- Mr. Held indicated where existing parking will be taken up by the freezer building addition.
- They will be extending the existing concrete pad at the current loading docks to accommodate three new loading docks on the building addition.
- They will reconfigure the first three docks on the existing building to a 50-inch height to accommodate more modern equipment.
- Storm water basin line will be untouched.
- He indicated where they will be reconfiguring the infiltration and retention basin by lowering the bottom elevation by two feet and revising the side slopes and providing permanent reinforcement on the side slopes. They are retaining and infiltrating up to a one hundred-year storm from this site.
- He indicated where there is an outlet culvert which is tied into the storm drain system on Lake Road. They are extending the existing outlet pipe into the new basin. He indicated two roof drains that come off of the existing building that will be extended out into the revised basin.
- The area is basically stratified drift sand and gravel soils.
- Borings were done as part of the structural evaluation to design the building foundations and they are comfortable with where the ground water level is on the site. There should be no impact to ground water and no ground water intercepted.

Dimensional and Parking Requirements:

- Because this lot is part of the Industrial Park, there are restrictive covenants on the land records which govern the development of all of the sites in the Industrial Park as they are developed (supersede the Zoning Regulations). With the exception of parking requirements, they are exactly the same as what is currently required by the Zoning Regulations for the Industrial Zone. He stated that they are in compliance with all of the dimensional standards for the Zoning Regulations. The dimensional requirements are based on the restrictive covenants. Mr. Held stated that they are supplying in excess of twice the amount of parking spaces required. During a shift change, there may be two shifts of people there at one time.

Proposed Utilities Plan:

- Entire addition will have a sprinkler system for fire protection. Existing fire line comes off of Lake Road on the west side and goes into the building on the west side. They will tap into the 16-inch main in the street and then run a new ten-inch fire line into the addition (pump room designated in the back corner of the building).

Landscaping Plan:

- Will be implicating the current row of Norway Spruce Trees along the property line. They will also screen the retention basin.

E & S Plan

Engineering and Construction Details.

Architectural Plans:

- Provided with the Application.

Generalized Floor Plan:

- Shows the new loading docks, freezers and storage racks.

Colored Elevation View:

- Closely matching the existing colors on the tilt-up concrete panels that form the exterior of the exterior building.
- Exterior of the freezer addition to be constructed of insulated metal panels (an insulated structural member which is attached to the steel framing and actually forms the shelf for the freezer).

Elevation for South End of the Building:

- Shows existing loading docks, the three loading docks that they will be retrofitting for the larger trailers, the three new loading docks to accommodate the addition, rooftop A/C units.

East Elevation:

- Shows the Side of the building where the addition is to be constructed (Production Facility)..

North Elevation:

- View of the building looking from the street.

Site Plan:

- Traffic Circulation from a proposed driveway off of Lake Road (Strictly for Truck Traffic) – Existing truck driveway would become entry only. He indicated where they would exit after loading and stated that they would favor a turn going down Lake Road toward Route 395 (no reason to go to the west).
- Signage provided at the intersection with Lake Road: Stop Sign, Stop Bar and Do Not Enter.
- Mr. Held indicated existing employee/visitor parking to be cut off, re-paved and restriped to accommodate where the building is going.
- Mr. Held indicated where they would be adding two rows of additional employee/visitor parking.
- Mr. Held explained that the parallel spaces against the building would be designated strictly for the truck drivers.
- Mr. Held indicated where some signage was provided.

Sound:

- They are close to the maximum allowed height according to the restrictive covenants in the Industrial Zone. Their biggest concern regarding noise is the rooftop A/C units. As part of the Application, data had been provided by the mechanical engineers for the particular units that are to be installed on that roof. Decibel ratings for each unit is between 65 to 69 (sound measurements taken from 50 feet away – still within the property boundaries).

Sheila Roddy and Virge Lorents asked about noise levels from existing and new combined still being within allowable levels. Mr. Held explained that their assumption is that the site will probably become quieter and referred to the Site Utilities Plan.

Site Utilities Plan (proposed electric line coming out of the southwest corner of the building):

- Mr. Held explained that they currently lack storage space for refrigerated and frozen items so they have to run refrigerated trailers so the product doesn't spoil. Currently, they run a diesel engine to power the refrigerated trailers because there are no electrical hookups there. He indicated the locations where they will be installing electrical hookups. He explained that this will significantly reduce the sound from idling trucks.

There was discussion regarding the loading process and the need for refrigerated trailers/diesel engine.

**Ken Paradis, Transportation Manager**, explained the process and that there would be a short period where the diesel engine (4-cylinder Kabota) would still be used. He confirmed that the trucks would not need to be used for long-term storage any more except in an emergency situation.

- Site Lighting – Cut Sheet shows lighting which are LED full cutoff fixtures. They are using the existing fixtures which will be taken down during construction and then re-install them at the new locations. They are dark sky compliant.

Same number fixtures which they are moving out of the building footprint toward the back where the new parking is going. Moving closer to the abutting industrial lot.

- Property is in the Aquifer Protection Area with an industrial use which is the primary reason for special permit. The primary function of the facility is as a bakery to produce English muffins and hamburger rolls. It does not involve a

lot of hazardous chemicals. They do not store large quantities of hazardous chemicals on the site. They may have some minor quantities of lubricant oils in the existing facility. This proposal would not add to or change that in any way and Mr. Held feels comfortable that they meet all of the requirements of the Aquifer Protection Regulations.

Mr. Held explained that the ammonia refrigeration system is completely self-contained and is no more noxious than a typical Freon system. He also explained that the refrigeration mechanical equipment room has some drain lines for condensate water that will be fed into the sanitary sewer system rather than the storm water system. He referred to the Site Utilities Plan and indicated where they would be providing a small sanitary pump station where the emergency eye wash and shower station.

Eric Perkins, Project Manager, stated that this is the only ammonia refrigeration system on the site. Brian Card asked about safety and maintenance of the system. He explained that they are still working on the calculations, however, they expect it to be a couple thousand pounds of ammonia. Federal regulations come into play when you have 10,000 pounds. Mr. Perkins explained that, even though they will not meet the threshold for Federal regulations (PSM – Process Safety Management), some of their clients still implement the PSM as part of standard practice. Brian Card asked if the client will be implementing some of those standards. John DeNitti, Plant Engineer, stated that they try to meet every standard to make it a safe site. Mr. DiNitti stated that he could not speak for the Company, but he thinks that it is something they would want to look at.

Mr. Perkins explained that if there is ever an ammonia leak in that room (at the compressors), there are louvers that open up and bring in fresh air and there are fans that exhaust the air out of the facility. There are ammonia sensors.

Mr. Held stated that the entire addition would have sprinklers. Sprinklers are built into the racking system.

Sheila Roddy is concerned with noise and is in favor of getting more information regarding cumulative noise levels. Mr. Held stated that the noise level would be the level of conversation and would barely be noticeable at the property line. Mr. Card asked how close the addition is to the property line. Mr. Held checked the Site Plan and stated that the rear yard setback is 186 feet at the closest point to the rear property line. He stated that it is 350 to 400 feet from the nearest residential area from the extreme corner of the building. He stated that it is approximately 550 feet from the nearest residence. Mr. Card asked if the noise from the trucks running in the rear of the building is being eliminated. Mr. Held answered yes.

There were no comments from the public.

Ann-Marie Aubrey explained that they applied for the special permit because of the aquifer and also Section 450.3.1 - Height in Industrial Zones (as a precaution) as it could be argued that the cooling units could be considered as appurtenances because you can't run the refrigeration without the units.

Ann-Marie Aubrey explained that there was a term for the covenants and they were no longer in effect as of March 13, 2006. She could not find anything on record that anyone had re-established the covenants. Brian Card asked about the parking regulations. Ann-Marie Aubrey explained that the parking regulations under the Zoning Regulations are less restrictive than those that were under the covenants.

Motion was made by Milburn Stone to close the public hearing for Special Permit Application #17-1173 – Automatic Rolls / Northeast Foods, Inc.; Aquifer Protection Overlay Zone & Sec. 450.3.1 Height in Industrial Zones; for an approx. 15,600 sf expansion to the existing facility consisting of a -20°F freezer; +34°F cooler docks and ammonia refrigeration equipment room. Additional improvements include site parking and an on-site road way for truck traffic; 328 Lake Road; GIS Map 61, Lot 53; ~8.0 acres; Industrial Zone. Second by Sheila Roddy. Motion carried unanimously (5-0-0).



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

None

**D. Subdivisions – (review/discussion/action)**

None

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

None

**VII. UNFINISHED BUSINESS**

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

1. Zone (MAP) Change Application #17-1174 – Letter from CT DEEP, dated 04/06/2017; RE: Aquifer Protection Area Program Implementation for the Town of Killingly – Level “A” Mapping Approval for the Connecticut Water Company’s Crystal-Brooklyn Well Field.

Motion was made by Milburn Stone to approve Zone (MAP) Change Application #17-1174 – Letter from CT DEEP, dated 04/06/2017; RE: Aquifer Protection Area Program Implementation for the Town of Killingly – Level “A” Mapping Approval for the Connecticut Water Company’s Crystal-Brooklyn Well Field with an effective date of Friday, August 4, 2017, at 12:01 a.m. Second by Todd Nelson. Motion carried unanimously (5-0-0).

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

1. **Special Permit Application #17-1169**; Todd A. Cooke; Sec.566 Accessory Dwelling Unit; allow a 956 sq. ft. accessory dwelling unit / in-law apartment in basement of primary residence; 114 Ross Road; GIS Map 235; Lot 2; ~1.9 acres; Rural Development Zoning District. **(w/drawn w/out prejudice)**

2. **Special Permit Application #17-1171** – Tracy Donovan; Sec. 410.1.2(b) Dog Kennel; to allow landowner to build a dog kennel for breeding purposes to house approximately 49 adult dogs; 54 Brickhouse Road; GIS MAP192, Lot 19; ~18.3 acres; Rural Development Zone. **Public hearing for this Application was postponed and will open Monday, August 21, 2017.**

3. **Special Permit Application #17-1172** – Bayvest Realty, Inc.; Sec. 430.2F Drive-in restaurant, Fast-food restaurant of the Borough of Danielson Zoning Regulations; to allow 2500 sf retail commercial building with a drive-thru window; 60 Westcott Road; GIS Map 182, Lot 29; ~.58 acres; Borough General Commercial Zone. **Continued.**

4. **Special Permit Application #17-1173** – Automatic Rolls / Northeast Foods, Inc.; Aquifer Protection Overlay Zone & Sec. 450.3.1 Height in Industrial Zones; for an approx. 15,600 sf expansion to the existing facility consisting of a -20°F freezer; +34°F cooler docks and ammonia refrigeration equipment room. Additional improvements include site parking and an on-site road way for truck traffic; 328 Lake Road; GIS Map 61, Lot 53; ~8.0 acres; Industrial Zone.

Motion was made by Todd Nelson to approve Special Permit Application #17-1173 – Automatic Rolls / Northeast Foods, Inc.; Aquifer Protection Overlay Zone & Sec. 450.3.1 Height in Industrial Zones; for an approx. 15,600 sf expansion to the existing facility consisting of a -20°F freezer; +34°F cooler docks and ammonia refrigeration equipment room. Additional improvements include site parking and an on-site road way for truck traffic; 328 Lake Road; GIS Map 61, Lot 53; ~8.0 acres; Industrial Zone. Second by Milburn Stone.

Motion was made by Sheila Roddy to amend the motion to approve Special Permit Application #17-1173 – Automatic Rolls / Northeast Foods, Inc.; Aquifer Protection Overlay Zone & Sec. 450.3.1 Height in Industrial Zones; for an approx. 15,600 sf expansion to the existing facility consisting of a -20°F freezer; +34°F cooler docks and ammonia refrigeration equipment room. Additional improvements include site parking and an on-site road way for truck traffic; 328 Lake Road; GIS Map 61, Lot 53; ~8.0 acres; Industrial Zone to include the following condition:

- That the Applicant agree to meet the PSM Safety Management Standards associated with ammonia refrigeration systems even though it is less than the minimum of 10,000 pounds required for employing those standards.

Second by Matthew Wendorf.

Roll Call Vote on the Amendment to the Motion: Todd Nelson – yes; Sheila Roddy – yes; Milburn Stone – yes; Matthew Wendorf – yes; Brian Card – yes. Amendment to the Motion carried unanimously (5-0-0).

Roll Call Vote on the Main Motion as Amended: Sheila Roddy – yes; Milburn Stone – yes; Matthew Wendorf – yes; Todd Nelson – yes; Brian Card – yes. Motion as Amended carried unanimously (5-0-0).

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

None

**D. Subdivisions – (review/discussion/action)**

None

**E. Other/Variou – (review/discussion/action)**

None

**VIII. NEW BUSINESS**

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

1. Zone (MAP) Change Application #17-1176 – Paul J. Gazzola, Jr.; change of zone for three (3) parcels as follows: 12 North Shore Rd.; GIS Map 61, Lot 58; 1883 Upper Maple St; GIS Map 62; Lot 33.1 change both lots from Light Industrial to Medium Density; and 1871 Upper Maple St; GIS Map 62, Lot 33 change from Low Density to Medium Density. Receive and if application is complete, schedule a public hearing for Monday, August 21, 2017.

Ann-Marie Aubrey stated that the Application is complete.

Motion was made by Todd Nelson to receive and schedule a public hearing for Zone (MAP) Change Application #17-1176 – Paul J. Gazzola, Jr.; change of zone for three (3) parcels as follows: 12 North Shore Rd.; GIS Map 61, Lot 58; 1883 Upper Maple St; GIS Map 62; Lot 33.1 change both lots from Light Industrial to Medium Density; and 1871 Upper Maple St; GIS Map 62, Lot 33 change from Low Density to Medium Density for Monday, August 21, 2017. Second by Sheila Roddy. Motion carried unanimously (5-0-0).

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

None

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

None

**D. Subdivisions – (review/discussion/action)**

None

**E. Other/Variou – (review/discussion/action)**

None

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

Special Workshop Meeting of Wednesday, June 14, 2017

Motion was made by Todd Nelson to approve the Minutes of the Special Workshop Meeting of Wednesday, June 14, 2017. Second by Virge Lorents. Motion carried (4-0-1). Sheila Roddy abstained.

Regular Meeting of Monday, June 19, 2017

Motion was made by Milburn Stone to accept the Minutes of the Regular Meeting of Monday, June 19, 2017. Second by Sheila Roddy. Motion carried unanimously (5-0-0).

**X. WORKSHOP SESSIONS – (review/discussion/action)**

NEXT WORKSHOP SESSION IS TUESDAY, JULY 18, 2017 – 6:00 p.m., Killingly Town Hall, Room 102.

WHEREIN THE FOLLOWING WILL BE REVIEWED AND DISCUSSED

1.. Zone (Text) Change – Earth Filling and Excavation (Section 560 TOK Zoning Regulations) – to review proposed amendments to said section; and to discuss next actions. Ann-Marie Aubrey provided copies of the latest draft to the Commission Members.

**XI. CORRESPONDENCE – (review/discussion/action)**

1. Revised Draft – “Conservation & Development Policies: The Plan for Connecticut 2018-2023”.

(Commission Members received this at our last meeting, June 19, 2017 and at that time was asked to review the document and possibly discuss same at their next meeting of Monday, July 17, 2017; as the State will be looking for input from the Town)

The PZC and the EDC will submit separate letters to the State. Ann-Marie Aubrey will provide copies of comments from Virge Lorents to the rest of the Commission.

There was discussion regarding Priority Funding Areas.

**XII. OTHER – (review/discussion/action)**

**A. CGS 8-24 Referrals**

Sale of Town Owned Land – 95 Pratt Road; GIS MAP 93, Lot 3; ~7.2 acres; Rural Development Zone; Sale of Property will be subject to a Conservation Easement in Perpetuity.

Ann-Marie Aubrey explained that the property can only be offered to abutters (per Ordinance). There will be a permanent conservation easement placed on the property and it will be preserved as open space.

Motion was made by Milburn Stone to approve the CGS 8-24 Referral regarding the Sale of Town Owned Land – 95 Pratt Road; GIS MAP 93, Lot 3; ~7.2 acres; Rural Development Zone; Sale of Property will be subject to a Conservation Easement in Perpetuity. Second by Sheila Roddy. Motion carried unanimously (5-0-0).

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

Enclosed

**C. Inland Wetlands and Watercourses Agent's Report**

Enclosed

**D. Building Office Report**

Enclosed

**E. Bond Releases / Reductions / Calls**

None

**F. Project Completion / Mylar Filing Extension / Site Plan Extension Requests / Re-Classify Phases**

None

**G. Requests to Allow Overhead Utilities / Wireless Telecommunications Facility**

None

**H. Upcoming P&Z Commission Meetings**

**1. Next Regular Meeting – Monday, August 21, 2017**

**2. Next Special/Workshop Meeting – TUESDAY, JULY 18, 2017 (TOMORROW – ROOM 102 – 6:00)**

**XIII. ECONOMIC DEVELOPMENT DIRECTOR REPORT**

Elsie Bisset reported:

- Dan Smiley signed the Lease and Development Agreement for 140 Main Street.
- EDC invited the PZC to their mixer at the Imperial Room on July 20<sup>th</sup>.
- EDC is also reviewing the State's POCD and will be on their August Agenda.
- Vape Tech moved across the street. ACT Computers moved into the former Vape Tech space.
- Chop House Barber Shop.
- Lime Light Studios, Beauty Shop and Spa, on Center Street.
- Still awaiting the opening of New York Pizza.

**XIV. TOWN COUNCIL LIAISON REPORT**

Joyce Ricci reported:

- Council voted 5-2 to continue discussions with NTE.
- Evaluation for Town Manager due this week.
- New Officer, Joe Sharkey was sworn in.

**XV. ADJOURNMENT**

Motion was made by Todd Nelson to adjourn at 9:10 p.m. Second by Sheila Roddy. Motion carried unanimously (5-0-0).

Respectfully submitted,

J.S. Perreault  
Recording Clerk