



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

**MONDAY – SEPTEMBER 17, 2018**

**Regular Meeting**

**7:00 PM**

**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 7:09 pm.

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

**Staff Present** – Ann-Marie Aubrey, Director of Planning and Development.

**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**

None

**B. Special Permits**

None

**C. Site Plan Reviews**

None

**D. Subdivisions**

None

**E. Other/Various**

None

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

**A. Zone Change Applications**

None

**B. Special Permits**

None

**C. Site Plan Reviews**

None

**D. Subdivisions**

None

**E. Other/Various**

None

**VIII. NEW BUSINESS**

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

None

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

None

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

None

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

None

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

1) Special Meeting of Monday, August 20, 2018 @ 6:00 pm – RE: POCD

Motion was made by Sheila Roddy to adopt the Minutes of the Special Meeting of Monday, August 20, 2018 @ 6:00 pm – RE: POCD. Second by Virge Lorents. Motion carried unanimously (4-0-0).

2) Regular Meeting of Monday, August 20, 2018 @ 7:00 pm – RE: Regular Meeting

Motion was made by Sheila Roddy to adopt the Minutes of the Regular Meeting of Monday, August 20, 2018 @ 7:00 pm. Second by Virge Lorents.

Discussion: Keith Thurlow feels that his comments and Brian Card's comments were reversed during discussion, page 3, last paragraph. It was decided to continue the vote to the next meeting to verify.

Sheila Roddy withdrew her motion and Virge Lorents withdrew her second.

Motion was made by Virge Lorents to continue the vote regarding the Minutes of the Regular Meeting of Monday, August 20, 2018 @ 7:00 pm. to the next regular meeting of the Planning and Zoning Commission on Monday, October 15, 2018, 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).

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

**A. CGS 8-24 Referrals**

None

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

2. Special Permit #09-961 – Tilcon Connecticut, Inc. / Tilcon Inc. – Wauregan Road, Killingly, CT – renewal of permit under the TOK Earth Filling and Excavation Regulations (original permit prior to 2005). (**CONTINUED FROM AUGUST, 2018**).

Bruce Woodis, Surveyor with KWP Associates, represented the Applicant. Mr. Woodis stated that KWP Associates has represented Tilcon Inc. throughout past renewals for this project.

Mr. Woodis stated that he had not been present for discussion at the last meeting of the Planning & Zoning Commission, but that he had reviewed the minutes. Copies of a letter from Mr. Woodis (dated September 13, 2018) had been provided to Commission Members. Mr. Woodis asked that Ann-Marie Aubrey recap discussion that had taken place between himself and Ms. Aubrey.

Mr. Thurlow questioned whether an in-depth review had been done later than the year 2000 as he recalls reviews of new plans of the gravel portion of the site (Killingly side). Ms. Aubrey stated that there were reviews in 2003 (recorded in 2004), 2006 and 2009. Mr. Woodis stated that he had not found anything later than the 2000 version (electronic or otherwise). Ms. Aubrey explained that some of the files that were stored in the basement got very moldy and that her office had obtained permission from the State to have those files destroyed. The only files she found were from 2006 and 2009 and that these were the same map originally prepared in October 1990, revised three times in December 1990, revised in 1993, revised in 1996, and revised in 2000. She stated that it was the same map that was included the 2006 and 2009 files.

Ms. Aubrey explained that she had met with Mr. Woodis and Frank Lane and that they reviewed the map and compared it to a Google Earth Map (provided to Commission Members) which clearly shows the two areas where they are proposing the work which had not been disturbed. They verified that the site conditions had not changed. Ms. Aubrey stated that the 2000 map accurately portrays the current conditions.

Mr. Thurlow asked whether they would be expanding the sediment ponds area. Mr. Woodis has no knowledge of any proposed enlargement of the sediment ponds.

Mr. Woodis explained that this operation has been operating since the inception of Zoning in Killingly in 1975. In the early 2000's, they prepared a storm water pollution prevention plan and some other statutory requirements. He stated that his review of the files indicate that this is a grandfathered operation that the new Regulations took note of the fact that they were allowed to continue under the original Regulations that went into effect in 1975. He asked if they can continue to be renewed in the same fashion even though the Regulations have changed regarding what is required for earth excavation permitting. Ms. Aubrey explained that the Earth Filling Regulations do allow for those earth filling removal processes that were prior to the 2005 revision to stay under the original Regulations (allowed to go every three years for renewal). She questions the major review that had been done in 2005 which should have been under the original Regulations and not the 2005 Regulations. There was discussion regarding renewal periods. Ms. Aubrey read from the 2005 Regulations, from the latest revision under Section 560.3 – Existing Operations, and Section 560.3.b. She stated that in 2005 they paid a full fee for a permit which would indicate that they should be under the new Regulations, however, they have been operating prior to 2005, so it should have been just a review in 2005. Ms. Aubrey stated that they are now applying for a 3-year renewal and have submitted all of the required information.

There was discussion. Mr. Woodis explained that the site has been dormant for years and that most of the material on site is sand which is not marketable at this time. They don't want to let the permit lapse in case the market changes. Ms. Aubrey suggested that the Commission could make it a condition of approval that a new map is provided before any work begins. Mr. Woodis stated that the Applicant is agreeable to this.

Ms. Aubrey stated that she has not found anything in the files showing how they plan to reclaim the land, so she suggested that this would be needed before any work begins. Prior approvals did not state the amount of cubic yards that were to be removed, nor was there a condition for a reclamation plan. (Ms. Aubrey stated that she had looked up all of the prior recording sheets.) Mr. Woodis stated a sedimentation and erosion control and reclamation plan.

Motion was made by Virge Lorents to extend the approval for 3 years for Special Permit #09-961 – Tilcon Connecticut, Inc. / Tilcon Inc. – Wauregan Road, Killingly, CT – renewal of permit under the TOK Earth Filling and Excavation Regulations (original permit prior to 2005). (**CONTINUED FROM AUGUST, 2018**), with the following condition:

- That a reclamation plan be provided prior to the commencement of any work.

Second by Milburn Stone. Motion carried unanimously (4-0-0).

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

None

#### **H. Other/Various – (review/discussion/action)**

**1. Discussion / Workshop** – Possible accessory storage structure without the currently required primary structure on a parcel of land within the Rural Development and/or Low Density Development Zones Only. – No Discussion – Continued to the next regular meeting of the Planning and Zoning Commission on Monday, October 15, 2018, Town Meeting Room, Second Floor, Killingly Town Hall, 172 Main Street, at 7:00 p.m.

**2. Discussion / Action** – (Continued from POCD Meeting if needed) – Proposal from Connecticut Economic Resource Center 1) facilitated meeting, and 2) formal written plan.

Ann-Marie Aubrey explained that the Connecticut Economic Resource Center is a private entity, but it is on the State's approved list, so it would not need to go out to bid. The Orton Family Foundation does not do charettes, so Ms. Aubrey suggested looking into their "Heart and Soul" program after the charrette.

There was discussion regarding whether there is a need for a charrette and how it had been done for the Borderlands Project (approximately 6-7 years ago) for which there was a lot of input from the public.

There was discussion regarding the visioning process (thinking out-of-the-box with the townspeople regarding priorities), the survey, the cost of the charrette and how to get people to participate. Mr. Thurlow stated that the Borderlands Project was very successful in getting people to participate and suggested replicating the format. Ms. Aubrey will review material from the Borderlands Project.

There was discussion regarding cost. Funds have been put aside (designated for the POCD). The writing is being done in-house. Further cost may be defrayed if, through the APA Association, Ms. Aubrey and another Town Planner offer to do a charrette for the other town. Ms. Aubrey asked the Commission for direction. Discussion continued.

Motion was made by Virge Lorents to authorize Ann-Marie Aubrey to continue discussion with the Connecticut Economic Resource Center (CERC) and invite them to attend the next Special POCD Meeting of the Planning and Zoning Commission on Monday, October 15, 2018, Town Meeting Room, Second Floor, Killingly Town Hall, 172 Main Street, at 6:00 p.m. Second by Milburn Stone. Motion carried unanimously (4-0-0).

**3. Discussion / Action** – (Continued from POCD Meeting if needed) – Orton Family Foundation "Heart and Soul" program. Discussion Above.

#### **I. Upcoming P&Z Commission Meetings**

1. Next Regular Meeting – **Monday, October 15, 2018 at 7:00 p.m.**
2. Next Special Meeting – To be determined.
2. Next Special POCD Meeting – **Monday, October 15, 2018 at 6:00 p.m.**  
Scrivener's error – Should be #3.

To invite the Connecticut Economic Resource Center (CERC) and the Conservation Commission.

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

None

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

None

**XIII. ECONOMIC DEVELOPMENT DIRECTOR REPORT – No Representation.**

**XIV. TOWN COUNCIL LIAISON REPORT**

Lynn LaBerge reported:

- 1.4 acre parcel on Wauregan Road was sold to Hutchinson Precision Sealing Systems for \$1.00. They will demolish the old Borough Sewer Plant, take care of hazardous materials/environmental problems, put up a fence, pave. They will make a parking lot for the little league field and will also allow the little league field to continue to use the water.
- Easement of 121 s.f. granted for a guide wire for the traffic light near KMS.
- Discussed possible solutions regarding the driveway for voting at Westfield Avenue.
- Resolution for Charter Revision Commission. To conduct interviews at the next Special Town Council Meeting.
- Hired new Finance Director, Jennifer Hawkins.
- Discussion to continue with Bond Counsel regarding the Sewer Upgrade.
- There will be a question on the November ballot regarding Town-wide trash pickup. There was discussion.

**XV. ADJOURNMENT**

Motion was made by Virge Lorents to adjourn at 8:07 p.m. Second by Milburn Stone. Motion carried unanimously (4-0-0).

Respectfully submitted,

J.S. Perreault  
Recording Secretary