



RECEIVED
TOWN CLERK, KILLINGLY, CT
JUL 31 PM 2:38
TOWN OF KILLINGLY, CT
PLANNING AND ZONING COMMISSION
TUESDAY – JULY 18, 2017

SPECIAL MEETING – WORKSHOP MEETING

6:00 PM

Conference Room 102

Killingly Town Hall
172 Main St., Killingly

MINUTES

I. **CALL TO ORDER** – Acting Chair, Brian Card, called the meeting to order at 6:04 pm.

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

Milburn Stone and Keith Thurlow were absent with notice.

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

Others Present – John Lavin, Dave Desmarais, Dale Desmarais (arrived at 6:06 p.m.)
Jim Vance arrived at 6:09 p.m.

II. **WORKSHOP SESSION – (review/discussion/action)**

Motion was made by Todd Nelson to suspend the rules to open the floor for discussion. Second by Sheila Roddy. Motion carried unanimously (5-0-0).

Virge Lorents and Matthew Wendorf were seated as Voting Members.

A) **Town of Killingly Zoning Regulations Section 560 – EARTH FILLING AND EXCAVATION**

The Commission reviewed the revised draft (dated July 17, 2017) with Ann-Marie Aubrey.

Section 560.1 - Intent

Page 1

- Added first paragraph on page 1 – “It is recognized that the Town of Killingly has valuable earth material resources including bedrock, stone, sand and gravel which will be needed in the future for building construction in the Town of Killingly, and the region.”
- Second paragraph, add first word, “Therefore...”
- b.3 – add first word, “Facilitating...”
- b.4 - add first word, “Promoting...”
- Delete “c”
- d - add “industrial” and also at the end - add “or return area to natural conditions.”
- Definitions for this section will have to be added to the Definitions Section of the book and Ann-Marie Aubrey will double check for conflicts.

Section 560.2 - Definitions

Page 2

- d - add “As may be amended from time to time” – Ann-Marie Aubrey will work on language to mean “the latest released version.” She will change throughout the document.
- g - add “crushing”

- l - add “As may be amended from time to time” – Ann-Marie Aubrey will work on language to mean “the latest released version.” She will change throughout the document.
- n - add “suitable for vegetative growth”

Page 3

- q - add “Processing does not include crushing.” Change in excavation – mining is an alternative.
- Research a definition for washing (process vs. material).

Page 4

- dd - change Water Table to Seasonal High Water Table.

Section 560.3 – Existing Operations

- b – Existing operations after 2005, prior to these rules, to submit a three-year term renewal application consistent with these rules. Thirty-year time limit complies with these rules. The older one don’t have a limit. If there are any changes, they must comply with the new rules.

Ann-Marie Aubrey will work on language for the following: Any permit issued after 2005, prior to these rules being effective, will fall under the renewal criteria (reference the Section) provided they submit the renewal application consistent with that Section. If there are any changes, a new application must be submitted.

Section 560.4 – Permitted Activities – Zoning Permit Only

Page 5

- c – No change.
- f – Move to Special Permitted Section (which will be 560.5).
- Move the following (old “g”) to Special Permitted Section.g) ~~Importation of material for sale or processing shall be allowed in Industrial Zones only, except as otherwise stated in these Regulations.~~
- Move the following (new “g”) to Special Permitted Section (which will be 560.5): g) On-site crushing is allowed, **and shall be permitted in all zoning districts:**
 - 1) In conjunction with a project that has received P&Z Commission approval for on=site crushing as part of that project’s required permits;
 - 2) As part of an existing operations performing documented crushing prior to the adoption of these Regulations; or
 - 3) In conjunction with new operations ~~located in the Industrial Zone only~~ and receiving approval for crushing under these Regulations.

(Requested option: “On-site crushing is allowed in all zones with restrictions appropriate for that zone and that site set forth by the commission during the special permit review.)

Page 6

Section 560.5 – Rock Quarries – This Section (Rock Quarries) to come under New Section 560.5 - Activities Permitted with a Special Permit. Section 560.6 to be Application Requirements.

- a – Add language that rock quarries must demonstrate compliance with MSHA rules as applicable.
- b – Change to “Rock Quarries may be allowed in all zoning districts.”

Page 7

- Keep 560.6.b.10 (delete the Note).
- 560.6.b.11 – Add the following: This provision does not apply to blasting (see Section 560.7.t).

Page 8

- 560.7.c – Refer back to 560.6.b.11 for Noise Ordinance.

Page 9

- 560.7.i.1 – Change to “May be below the grade...”
- j – Leave at 2.5:1. Define what an active face is (done within twelve months or less).
- m - Leave at 2.5:1. Every site plan to be reviewed by the Commission to decide what is appropriate. Add language: This may not apply to rock quarries. Rock quarries shall be finished....
- n – Reword language to the effect of: no debris, tree stumps or boulders to be buried on site and no boulder piles left on site at the end of the project.
- o – First sentence to read, “Minimum separation distance between any excavation and **seasonal high groundwater table ...**” Get a definition from DEEP for seasonal high groundwater table.

Page 10

- 560.7.s.2.a – To a depth of not less than six inches of a good growing medium that will sustain a suitable groundcover and be maintained until the area is stabilized unless the applicant can prove otherwise and then they would fall under the bonding provisions.

Page 11

- u – Add language that rock quarries may not exceed more than 10 acres.

Page 12

- No changes.

Page 13

- 560.9.c – Delete the second sentence.
- 560.9.e – It was suggested to add the following, “Continuation after the 30-year period requires a new application.”

Page 14

- It was suggested that at the renewal application, a formal report from a certified engineer (or certification from the owner) be required to confirm that they are complying with their permit as issued (E&S permit, DEEP permit, etc.).

It was decided that a list (including a certification statement that they are complying with the permit) will be made up with items that would need to be submitted with application for renewal. Also a confirmation that nothing has changed in the operation would be required.

III. OTHER

A. Upcoming P&Z Commission Meetings – review/discussion/action

1. Next Regular Meeting – August 21, 2017
2. Next Special /Workshop Meeting – To be scheduled, if needed.

IV. ADJOURNMENT

Motion was made by Matthew Wendorf to adjourn at 8:03 p.m. Second by Todd Nelson. Motion carried unanimously (5-0-0).

Respectfully submitted,

J.S. Perreault
Recording Secretary