



**TOWN OF KILLINGLY, CT
ZONING BOARD OF APPEALS
Thursday – February 8, 2024**

Regular Meeting – Hybrid

7:00 PM

Town Meeting Room – 2nd Floor

Killingly Town Hall

172 Main Street

Killingly, CT

The public can also view this meeting on Facebook Live.

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RECEIVED
TOWN OF KILLINGLY, CT
2024 FEB 12 AM 8:11
Elizabeth M. Quisenberry

MINUTES

I. CALL TO ORDER CALL TO ORDER – Chair, Andrew Farner called the meeting to order at 7:03 p.m.

II. ROLL CALL – Andrew Farner (Chair) and Lynn LaBerge (Vice-Chair) were present in person.
William Menghi and David Izzo, Sr. were present via online.

Staff Present – Jonathan Blake, Planner I and Zoning Enforcement Officer (present in person).

Others Present – Greg Glaude, Killingly Engineering Associates; Christopher Fallon; Beth Fallon; and J.S. Perreault, Recording Secretary.

Others Present via Online – None.

III. CITIZEN PARTICIPATION -- Public comment can be emailed to publiccomment@killinglyct.gov or mailed to Town of Killingly, 172 Main Street, Killingly, CT 06239 on or before the meeting. All public comments received prior to 2:00 PM on the day of the meeting will be posted on the Town's website www.killingly.org.

Andrew Farner read aloud the above information.

Jonathan Blake stated that no public comments had been received.

IV. PUBLIC HEARINGS – (Review/Discussion/Action)

To participate in the Public Hearing – the public may join the meeting via WebEx.

<https://townofkillingly.my.webex.com/townofkillingly.my/j.php?MTID=mf227b71dae56bca7eb870a7d8adb282b>

Meeting #: 2631 949 0131 Password: Zoning Join by phone: 1-415-655-0001

Andrew Farner read aloud the above call-in information.

- 1. Application #23-835 of Christopher & Beth Fallon;** to vary the Town of Killingly Zoning Regulations Section 450; Dimensional Requirements – Table A; Min. setback from street line from 50' to 48' and min. setback from sideline from 25' to 8', for additions for a garage, screen porch & studio. Property located at 23 Wauregan Rd; GIS MAP 217, LOT 70; IND Zone.

Greg Glaude, Licensed Land Surveyor with Killingly Engineering Associates, represented the Applicants and gave an overview (maps were displayed as discussed).

- Mr. Glaude orientated the property and surroundings.

- There are wetlands behind the property (Quinebaug River). There is also a flood zone in the backyard of the property (shown on the plan). There is also a drainage pipe that comes down from Route 6, with an easement that was granted to the State of CT (crosses the property to the north side where the house is).
- Mr. Glaude gave a summary of the history of the property. In the 1950's, when Route 6/Route 12 interchange was created, the State did a taking on this property and relocated the house to its present location (taking map is recorded in the Killingly Land Records). Also with the taking, Mr. Glaude explained that the present-day street line of Route 12/Wauregan Road is 95 percent non-access, which means that the Fallons cannot cross it with a driveway. They only have a twenty-foot section where the driveway comes in.
- They are proposing an addition with a screened porch on the north side of the house and a two-car garage on the south side of the house. It makes sense to put the garage on the side where the existing gravel driveway is.
- They are not able to build in the areas to the back and to the north because of the easement restriction.
- The existing house and porch are already over the front yard setback. Mr. Glaude explained that since they are proposing an addition that would be a little bit over, they have to apply because they can't create any more non-conformities.
- Hardship: Flood zone and wetland restrictions create a hardship for building elsewhere on the property. The State of CT did a taking in 1950 for the Route 12 and Route 6 rotary project that created the front property line as it exists today. The house was relocated to its present position at that time. Home and porch are currently closer than 50 feet to the front yard. They are asking for a reduction in the front yard from 50 feet down to 48 feet and, for the side yard from 25 feet down to 8 feet along the side where the Water Pollution Control Facility is.

QUESTIONS FROM THE COMMISSION:

- Lynn LaBerge asked Mr. Blake if the 8-foot setback would impact any plans that the Town would have for the WPCF.
Mr. Blake explained that the Facility is constantly evolving and that he briefed the Town Engineer who had no comment or concern regarding this Application. Mr. Blake also explained that the Notification had also been sent to the Town of Brooklyn due to it being within 500 feet and no feedback had been received regarding the variance request.
Mr. Blake reported that Staff looked at it and made sure that the placard was posted per the Regulations.
Regarding hardship, Mr. Blake stated that it pretty much defines why you would ask for a variance: very peculiar lot, interesting history, and the literal interpretation of the Regulations appears to deprive them of basic use of the property.
- Mr. Farner asked about the setback for the Sewer Facility.
Mr. Blake explained that it would be the same – 25 feet. He said that it does not change the Town setback.

Mr. Blake explained that it is in an aquifer zone, but nothing being proposed triggers any notification
- Ms. LaBerge asked about IWWC.
Mr. Blake explained that the IWWC received the Application earlier this week and that notification will go to Brooklyn, as required by the IWWC. The IWWC will consider the Application next month, but it will not be a public hearing.

Motion was made by David Izzo to close the public hearing for **Application #23-835 of Christopher & Beth Fallon**; to vary the Town of Killingly Zoning Regulations Section 450; Dimensional Requirements – Table A; Min. setback from street line from 50' to 48' and min. setback from sideline from 25' to 8', for additions for a garage, screen porch & studio. Property located at 23 Wauregan Rd; GIS MAP 217, LOT 70; IND Zone.
Second by William Menghi. No discussion.
Roll Call Vote: David Izzo – yes; Lynn LaBerge – yes; William Menghi – yes; Andrew Farner – yes.
Motion carried unanimously (4-0-0).

V. UNFINISHED BUSINESS – (Review/Discussion/Action)

1. **Application #23-835 of Christopher & Beth Fallon**; to vary the Town of Killingly Zoning Regulations Section 450; Dimensional Requirements – Table A; Min. setback from street line from 50' to 48' and min. setback from sideline from 25' to 8', for additions for a garage, screen porch & studio. Property located at 23 Wauregan Rd; GIS MAP 217, LOT 70; IND Zone.

Motion was made by William Menghi to approve **Application #23-835 of Christopher & Beth Fallon**; to vary the Town of Killingly Zoning Regulations Section 450; Dimensional Requirements – Table A; Min. setback from street line from 50' to 48' and min. setback from sideline from 25' to 8', for additions for a garage, screen porch & studio. Property located at 23 Wauregan Rd; GIS MAP 217, LOT 70; IND Zone.

Second by Lynn LaBerge.

Discussion: William Menghi noted that his reason for approval is that they have obvious hardship due to the requirement of where they can go. That made it an easy decision for him.

Roll Call Vote: Lynn LaBerge – yes; David Izzo – yes; William Menghi – yes; Andrew Farner – yes.

Motion carried unanimously (4-0-0).

VI. NEW BUSINESS – None.

VII. ADOPTION OF MINUTES

1. August 10, 2023, Regular Meeting

Motion was made by David Izzo to accept the Minutes of the Regular Meeting of August 10, 2023.

Second by William Menghi. No discussion.

Roll Call Vote: William Menghi – yes; Lynn LaBerge – yes; David Izzo – yes; Andrew Farner – yes.

Motion carried unanimously (4-0-0).

VIII. CORRESPONDENCE TO THE BOARD – None.

Mr. Blake explained that the annual meeting is around June and there will be some training opportunities coming up, for new requirements from the State, in the summer or fall.

IX. COUNCIL LIAISON – No representation.

X. ADJOURNMENT

Motion was made by Lynn LaBerge to adjourn at 7:21 p.m.

Second by Andrew Farner. No discussion.

Motion carried unanimously by voice vote (4-0-0).

Respectfully submitted,

J.S. Perreault
Recording Secretary