

**Town of Killingworth  
Planning & Zoning Commission  
323 Route 81  
Killingworth, Connecticut 06419**

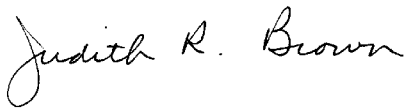
Planning & Zoning Commission  
Notice of Vote  
September 20, 2011

Members Present – Lentz, Annino, Hayash, Gross, O'Brien, McGuinness.

Motion by Annino, second by Gross, to approve September 6, 2011 Minutes as written. PASSED UNANIMOUSLY.

Motion by Gross, second by Hayash, to approve Special Exception #272, Russell Hawkins, 7 Lafata Lane, for accessory apartment as presented. PASSED UNANIMOUSLY.

Respectfully submitted,

A handwritten signature in cursive script that reads "Judith R. Brown".

Judith R. Brown, Recording Secretary

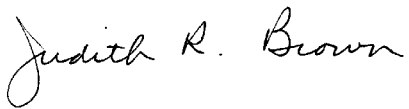
**Town of Killingworth  
Planning & Zoning Commission  
323 Route 81  
Killingworth, Connecticut 06419**

Planning & Zoning Commission  
Notice of Vote  
Special Meeting, September 20, 2011

Members Present – Lentz, Annino, Hayash, Gross, O'Brien, McGuinness.

Motion by Annino, second by Gross, to appoint Randy Davis to fill vacancy created by the recent passing of Jere Adametz to the Planning & Zoning Commission as a full member. PASSED UNANIMOUSLY.

Respectfully submitted,

A handwritten signature in cursive script that reads "Judith R. Brown".

Judith R. Brown, Recording Secretary

Town of Killingworth  
Planning & Zoning Commission  
323 Route 81  
Killingworth, CT 06419

Legal Notice of Decision  
Town of Killingworth  
Planning & Zoning Commission

The Killingworth Planning & Zoning Commission at its meeting of Tuesday, September 20, 2011, took the following action:

Approved, as presented, Special Exception Application #272 submitted by Russell & Eileen Hawkins for Article IX, Sections 500-59, 500-60 and 500-49A for Accessory Apartment on property located at 7 Lafata Lane, Killingworth, Tax Map 41, Parcel 43CF, RR2 Zone.

Thomas Lentz, Chairman

Dated at Killingworth, Connecticut this 30<sup>th</sup> day of September 2011.

Minutes of Special Meeting of Killingworth Planning & Zoning Commission held on Tuesday, September 20, 2011, at the Killingworth Town Office Building, 323 Route 81, Killingworth, Connecticut.

Present - T. Lentz, Chairman  
L. Annino, Jr.  
D. Gross  
E. Hayash  
J. O'Brien (seated)  
P. McGuinness (seated)

C. Jefferson, ZEO

1. Call to Order

Chairman Lentz called the meeting to order at 6:50 PM.

2. Appointment to Fill Planning & Zoning Vacancy

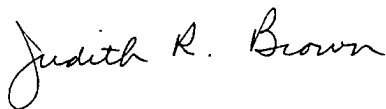
Chairman Lentz noted the purpose of this special meeting was to fill the vacancy created by the passing of Jere Adametz. The Democratic Town Committee has nominated Randy Davis to fill this position.

**Motion by Annino, second by Gross, to appoint Randy Davis to fill vacancy created by the recent passing of Jere Adametz to the Planning & Zoning Commission as a full member. PASSED UNANIMOUSLY.**

3. Adjournment

There being no further business, the meeting adjourned at 6:55 PM.

Respectfully submitted,



Judith R. Brown, Recording Secretary

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2011 September 27, 2011 at 2:30 p  
Ginette M. Duda Town Cl

Minutes of Regular Meeting No. 1012 of the Killingworth Planning & Zoning Commission Held on Tuesday, September 20, 2011, at the Killingworth Town Office Building, 323 Route 81, Killingworth, Connecticut  
Page 1 of 3

PUBLIC HEARING – Special Exception Application #272 submitted by Russell & Eileen Hawkins for Article IX, Sections 500-59, 500-60 and 500-49A for Accessory Apartment on property located at 7 Lafata Lane, Killingworth, Tax Map 41, Parcel 43CF, RR2 Zone.

It is noted for the record a public hearing was held prior to the Regular Meeting commencing at 7:00 PM and closed at 7:05 PM.

Present - T. Lentz, Chairman C. Jefferson, ZEO  
L. Annino, Jr.  
D. Gross  
E. Hayash  
J. O'Brien (seated)  
P. McGuinness (seated)

1. Call to Order

Chairman Lentz called the meeting to order at 7:06 PM.

2. Minutes of Regular Meeting No. 1011 Held September 6, 2011

**Motion by Annino, second by Gross, to approve September 6, 2011 Minutes as written. PASSED UNANIMOUSLY.**

3. Visitors

(a) Preliminary Discussion – Gene Garguilo – Pharmedica Property

Attorney Jane Marsh, Pat Benjamin (Civil Engineer) and Gene Garguilo were present. Attorney Marsh noted they have been before the Commission previously with ideas. Mr. Garguilo has been trying to find occupants for this building. They would like to find out whether there is any different feeling about this property and what could happen to it. Mr. Benjamin has made up some plans which he will present.

Pat Benjamin, Civil Engineer, introduced himself. He noted he has been talking to Mr. Garguilo about this property for the last 4 or 5 years. They have been discussing switching the building over to a residential use. They have had some success in other towns with mixed use (office, commercial, retail) on the first floor and residential on the second floor. It would not change the site at all. Parking would stay essentially the same at 78 spaces which is more than would be needed. The building would have to be modified by placing exterior staircases on the ends for emergency access. The building would have to be extended on the sides and carry the roof line out. The types of individuals attracted to this type of building are young professionals who like to be close to a highway, as well as empty nesters who are single. There is retail across the street and a restaurant next door.

Mr. Benjamin briefly reviewed mixed use in the Towns of Essex and Chester.

Chairman Lentz asked how many apartments would fit. Mr. Benjamin noted he hasn't designed the

septic systems yet, but thinks about 10.

Chairman Lentz asked if they proposed any age 55 and older units. Mr. Benjamin replied not really because they found they attract the young professionals. Lentz asked if there would be children. Benjamin replied there is that possibility, but it is a small apartment. He didn't want to say there it would be impossible to have children in a small apartment.

A layout of one of the apartments was reviewed. He noted these were just preliminary drawings. There is an elevator already there in the middle of the building. The building would look just as it is right now.

Chairman Lentz noted the Town doesn't have any regulations that would allow this. The only apartments currently allowed are accessory apartments in a residential home. In order for the Commission to consider this, it would have to have devise or have some regulations to look at. Mr. Benjamin noted they could discuss this with Attorney Marsh and try to craft some regulations.

Chairman Lentz noted the Commission hates to see the building empty. It would like to find something compatible with zoning and the character of Killingworth.

Chairman Lentz noted amending the Zoning Regulations is not a quick process. There are certain procedural steps and a public hearing must be held. Once the regulation is approved, then the applicant must apply.

Attorney Marsh noted they were here this evening to see if there is any interest on the Commission's part to do this type of development. L. Annino noted the Commission put a lot of planning into walkways and trails in that area and this might start some of that foot traffic.

#### 4. Communications and Bills

(1) Copy of Planning & Zoning Commission Budget as of 9/4/2011.

(2) Town of Haddam Proposed Zoning Regulation Amendments.

#### 5. Old Business

(a) Special Exception #272, Russell Hawkins, 7 Lafata Lane – accessory apartment (Map 41, Lot 43CF)

**Motion by Gross, second by Hayash, to approve Special Exception #272, Russell Hawkins, 7 Lafata Lane, for accessory apartment as presented. PASSED UNANIMOUSLY.**

Under Old Business, there was discussion regarding the Outdoor Wood Burning Furnace Ordinance. Chairman Lentz noted this came up before a Town Meeting. A motion was made to approve it with amendments. It was then tabled. The Board of Selectmen will be discussing this further. There was

discussion regarding compliance of older units. It was noted the majority of units in Town have been brought into compliance. There is still at least one unit that is not compliant. Lou Annino noted there is only so much that the Commission can do within the law and it has done pretty much all it can do. David Gross noted at the last meeting only half the issue was discussed. There was no discussion about what to do if there is a problem. He felt there was a need to look at the nuisance regulations and perhaps that is the avenue to address this situation. C. Jefferson noted the other issue with the Ordinance is enacting the time frame which you can't use the units. The problem is some people are using these units all summer long for heating hot water and to heat their pool. L. Annino noted the issue with the one unit not in compliance is that it's located on a substandard lot. In order to get a permit today, it would have to be a Phase 2 Unit, located 200' from the nearest residence and have a 35 foot stack. Chairman Lentz noted he felt the Commission was caught in the middle of this situation and now has both groups against it. C. Jefferson noted an agreement could be worked out with these individuals but to date no one has been acceptable to that idea. D. Gross asked if the Ordinance were passed, what would happen if it didn't solve the problem. He stated he would still like to look at the nuisance regulations. Jim O'Brien suggested maybe this is a civil matter where one neighbor sues another neighbor. The Commission has a responsibility to the whole Town. C. Jefferson noted the first recourse is to always try to have the Town do something, but there are cases where things are a civil matter between neighbors.

6. Zoning Enforcement Officer's Report

C. Jefferson noted things have been pretty quiet.

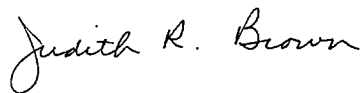
7. New Business – none.

8. Report of Officers and Subcommittees – none.

9. Adjournment

There being no further business, the meeting adjourned at 7:45 PM.

Respectfully submitted,



Judith R. Brown, Recording Secretary

cc: Town Clerk  
Board of Selectmen  
Commission Members  
C. Jefferson  
R. Leighton  
D. Shanoff

Conservation Commission  
Inland Wetlands & Watercourses Commission

Housing Partnership  
William Howard, Esq., Commission Attorney  
Joseph Dillon, Town Engineer

Rec'd September 27, 2011 at 3:30  
by Quinn D. Dudgeon Town Clerk