

Minutes of Regular Meeting No. 1020 of the Killingworth Planning & Zoning Commission Held on Tuesday, January 17, 2012, at the Killingworth Town Office Building, 323 Route 81, Killingworth, Connecticut

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It is noted for the record a Public Hearing was held prior to the Regular Meeting for Special Exception #274 – Robert & Catherine Chase, 61 Spencer Hill Road – Boarding Stable (Map 40, Lot 01). The public hearing commenced at 7:00 PM and was closed at 7:45 PM.

Present: T. Lentz, Chairman C. Jefferson, ZEO
 J. O'Brien
 S. Morgan
 D. Gross
 G. Cook (seated for R. Davis)
 J. Reisman (seated for E. Hayash)

1. Call to Order

Chairman Lentz called the meeting to order at 7:46 PM.

2. Minutes of Regular Meeting No. 1019 Held January 3, 2012

Motion by Morgan, second by Gross, to approve January 3, 2012 Minutes as written.
PASSED UNANIMOUSLY.

3. Visitors – none.

4. Communications and Bills

(1) Affidavit of Publication for Notice of Public Hearing for Special Exception #274
Robert & Catherine Chase.

(2) Letter submitted by James V. and Constance G. Bombaci during public hearing for
Special Exception #274.

(3) Letter submitted by Tom and Debby Lowell during public hearing for Special

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Exception #274.

(4) Memo from Inland Wetlands & Watercourses Commission to Planning & Zoning Commission dated December 13, 2011 Re Robert & Catherine Chase, 61 Spencer Hill Road, Horse Boarding Stable, indicating that no regulated activities are proposed.

(5) Letter from Cathie S. Jefferson to Catherine Benton dated 1/10/12 Re Notice of Violation – Illegal Apartments.

(6) Comprehensive Statement of Use for Boarding Stable at Spencer Hill Farm, Applicant: Catherine H. Chase dated 12/21/2011 (revised 1/12/2012).

5. Old Business

(a) Special Exception #274 – Robert & Catherine Chase, 61 Spencer Hill Road – Boarding Stable (Map 40, Lot 01)

Chairman Lentz noted a public hearing had been held immediately prior to this meeting. Testimony was received from the applicant and two neighbors. It was pointed out this was a permitted use in a residential area in Killingworth and if it meets all the requirements, then it should be approved. Chairman Lentz noted the only question in his mind was should there be any kind of limitations. Some things are beyond the Commission's control. Does the Commission think traffic will have an adverse effect on the neighborhood? Geoff Cook noted the applicant already has two horses and only looking for an additional 4.

C. Jefferson noted the applicant had originally proposed a roof structure over a concrete pad for the manure plan. She was a little concerned that it has now been changed and the applicant will have to go out and cover the pile every time it rains. Jim O'Brien noted the applicant modified the application tonight regarding the manure pile. Perhaps it should be recommended he use the HEAP system with only two horses, but go back to the original roof

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structure with concrete pad if more than two horses. C. Jefferson noted if there is a problem, the neighbors will certainly let her know. There was discussion regarding silt fence and hay bales.

David Gross noted based on what the applicant has said, what's contained in the application and what the Wetlands Commission has said, he didn't see any issue and felt this was straight forward to him.

Sue Morgan asked if the applicant should put something on the plan that says there is no new building or construction. It was noted this was covered in the narrative and was being amended.

Chairman Lentz noted everything in the neighbors' letters was brought up during the public hearing. There were a number of things the Commission can't control, such as increased number of horses riding on the road.

Geoff Cook suggested putting a "quonset hoop" over the manure pile. Chairman Lentz noted the Commission would like to eliminate quonset hoops. C. Jefferson noted the odor was actually coming from the urine, not the manure pile.

Chairman Lentz suggested a condition that measures be taken to mitigate the odor of urine. He further noted that the applicant could have a dozen horses himself and not have to come before the Commission.

Motion by O'Brien, second by Morgan, to approve Special Exception #274, Robert & Catherine Chase for Boarding Stable with the following conditions – 1) measures be taken to mitigate the smell of urine, and 2) care be taken to cover manure piles during periods of rainfall. PASSED UNANIMOUSLY.

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6. Zoning Enforcement Officer's Report

C. Jefferson reviewed the letter to Catherine Benton regarding the Notice of Violation for Illegal apartments. The property owner stopped by the Zoning Office after receiving the letter. She was given a copy of the Accessory Apartment regulations and told she could only have one legal apartment. Ms. Jefferson noted she didn't think anyone was currently living in the apartments, but she would check the Assessor's records.

C. Jefferson noted she read through the information provided by Attorney Howard relative to Public Act 11-79 and Maintenance Bonding. Some changes will need to be made to the Regulations. Once the road is approved as a town road, there is no more maintenance bonding. There is also a time limit on when the Commission can act to a request. The Commission only has 65 days to respond in writing.

7. New Business – none.

8. Report of Officers and Subcommittees

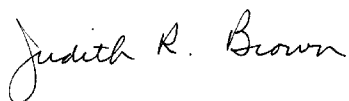
(a) Proposed Zoning Regulations – public hearing scheduled for February 21, 2012

Chairman Lentz reminded everyone there will be a public hearing on February 21, 2012 for proposed Zoning Regulations. He has also started to work on a new package of regulations.

9. Adjournment

There being no further business, the meeting adjourned at 8:25 PM.

Respectfully submitted,

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

