

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, February 21, 2012, took the following action:

Approved proposed Amendments to the Killingworth Zoning Regulations with an amendment to Section 500-43.A. General Principal Uses (10) Outdoor Wood-Burning Furnaces (d), with an effective date of March 20, 2012.

Thomas Lentz, Chairman

Dated at Killingworth, Connecticut this 27<sup>th</sup> day of February 2012.

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It is noted for the record a public hearing was held at 7:00 PM prior to the regular meeting to hear proposed Amendments to the Killingworth Zoning Regulations relative to Sections 500-69B.(13) Mixed Uses in Large Commercial District, 500-111. General Prohibitions C. Gift Basket/Wine Permit, 500-43A. General Principal Uses (10) Outdoor Wood-Burning Furnaces, 500-60. Site Plan Approval, Article XXVI Special exception Procedure 500-151. Supporting Information and Article XXVII Zoning Permits 500-169. Supporting Information.

Present: T. Lentz, Chairman  
J. O'Brien  
S. Morgan  
D. Gross  
P. McGuinness (seated for E. Hayash)  
J. Reisman (seated for R. Davis)  
G. Cook (non-seated alternate arrived at 7:10 PM)  
C. Jefferson, ZEO

1. Call to Order

Chairman Lentz called the meeting to order at 7:17 PM immediately following the above noted public hearing.

2. Minutes of Regular Meeting No. 1021 Held February 7, 2012

Motion by Gross, second by Morgan, to approve February 7, 2012 Minutes as written.  
**PASSED UNANIMOUSLY.**

3. Visitors – None.

4. Communications and Bills

(1) Invoice from Nathan L. Jacobson & Associates dated 2/16/2012 in the amount of \$389.00 for bond estimates master list.

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(2) Correspondence from FEMA to Linda Dudek, Town Clerk, dated February 13, 2012 upcoming Risk Mapping, Assessment and Planning Discovery Meetings for the Quinnipiac Watershed.

(3) Copy of letter from Richard E. Leighton, Code Official, to Kathryn L. Benton dated February 18, 2012 Re Secondary Apartment, Comments/Life Safety/Code Issues.

(4) Copy of letter from R. E. Leighton, Code Official, to Steven Rickman dated February 4, 2012 Re Damaged Barn, Notice of Unsafe Structure/Demolition Notice.

(5) Copy of Notice of Tentative Determination, Dam Repair from Connecticut Department of Energy & Environmental Protection dated February 6, 2012 Re Fricks Pond Dam.

(6) Copy of Timber Cutting Site Plan Approval for Hammonasset Fishing Association, Emanuel Church Road.

(7) Letter from Clinton Planning & Zoning Commission to Planning & Zoning Commission dated February 15, 2012 Re Proposed Amendments to Killingworth Zoning Regulations.

(8) Letter from Connecticut River Estuary Regional Planning Agency to Killingworth Planning & Zoning Commission dated February 7, 2012 Re Proposed Amendments to Killingworth Zoning Regulations.

(9) Letter from Midstate Regional Planning Agency to Killingworth Planning & Zoning Commission dated February 8, 2012 Re Proposed Amendments to Killingworth Zoning

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Regulations.

(10) Affidavit of Publication for Notice of Public Hearing Re Proposed Amendments to Killingworth Zoning Regulations.

(11) Letter from Connecticut Farm Bureau to Killingworth Planning & Zoning Commission dated February 16, 2011 (s/b 2012) Re Amendment to Zoning Regulations.

Motion by O'Brien, second by Gross, to adjust order of the Agenda and take Item 7 – New Business at this time. **PASSED UNANIMOUSLY.**

#### 7. New Business

(a) Timber Harvest Application – Hammonasset Fishing Assoc., Emmanuel Church Road (Map 10, Lot 2)

Stanley Burr was present and explained the applicant would like to harvest about 57,000 square feet of timber. There is an existing skid trail from a previous harvest which comes out on to Emmanuel Church Road. An apron will be put on the landing with crushed stone. Cathie Jefferson noted this has already gone before the Wetlands Commission and no regulated activity was found. It was determined to be an as of right activity. The applicant was before Planning & Zoning to get its approval and to set the bond in the amount of \$1500. They would be harvesting about 12 acres, with a 4 acre wildlife improvement clearing area in the middle to improve habitat. Motion by O'Brien, second by Gross, to approve Timber Harvest Application for Hammonasset Fishing Assoc., Emmanuel Church Road (Map 10, Lot 2) contingent upon the posting of a bond. **PASSED UNANIMOUSLY.**

#### 5. Old Business

(a) Proposed Amendments to the Killingworth Zoning Regulations as follows – Adopt Zoning Regulations, Sections 500-69B.(13) Mixed Uses in Large Commercial District, 500-111.

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General Prohibitions C. Gift Basket/Wine Permit.

Amend Zoning Regulations, Section 500-43.A. General Principal Uses (10) Outdoor Wood-Burning Furnaces, 500-60. Site Plan Approval, Article XXVI Special Exception Procedure 500-151. Supporting Information and Article XXVII Zoning Permits 500-169. Supporting Information.

Chairman Lentz noted a public hearing was held prior to this meeting. There was no opposition. There was discussion regarding proposed wording from the Connecticut Farm Bureau. Geoff Cook noted he has been doing some research on Outdoor Wood-Burning Furnaces and explained wood gasification. There is no smoke with this process and the ash generated is extremely small. Chairman Lentz noted the new furnaces are much more efficient. All new units have to be Type 2. Walter Adametz noted there is a moratorium on selling old units. Most of the new ones are of the gasification type.

Motion by Gross, second by Morgan, to amend proposed Zoning Regulation 500-43.A. General Principal Uses (10) Outdoor Wood-Burning Furnaces (d) by substituting the following – “No materials may be burned in outdoor wood-burning furnaces other than clean untreated wood, wood pellets made from clean untreated wood, or other EPA/DEEP approved forms of biomass. Wood that has chemical contaminants, paint, stains, or other types of coatings, or has been treated with, including, but not limited to, copper chromium arsenate, creosote, or pentachlorophenol is prohibited.” PASSED UNANIMOUSLY.

Motion by O'Brien, second by Reisman, to approve the proposed Zoning Regulations as amended with an effective date of March 20, 2012. PASSED UNANIMOUSLY.

#### 6. Zoning Enforcement Officer's Report

C. Jefferson reviewed the letter from the Building Official re illegal apartment at 55 Bar Gate Trail. She noted she and Mr. Leighton did an inspection of the premises. The property is listed as single family. The property owner is in the process of filling out the paperwork and making this a one bedroom apartment. A public hearing shouldn't be scheduled for this until

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sanitarian and building approvals are received.

C. Jefferson explained Running Brook Farms has received a grant for putting in an underground water storage tank for his wood-burning stove. Ms. Jefferson noted site plan approval was received a long time ago for 5 greenhouses. He has only put up 2 greenhouses. The water storage tank would be underground and wouldn't alter the site plan as it wouldn't show. It is a minor modification. Running Brook Farms is getting a Government Grant to do this because it is more efficient. Motion by Gross, second by O'Brien, to add to the Agenda "Modification to Special Exception #225 Running Brook Farms, Underground Water Storage Tank, as it is a minor modification of a construction feature rather than a site feature. PASSED UNANIMOUSLY. Motion by Gross, second by O'Brien, to approve Modification to Special Exception #225, Running Brook Farms, to permit Underground Water Storage Tank as presented. PASSED UNANIMOUSLY.

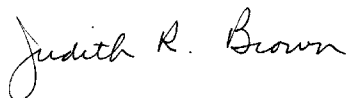
C. Jefferson noted she had a meeting with someone who is in the process of negotiating with the owners of the old True Value Hardware building for a small country store/meat market.

8. Report of Officers and Subcommittees – none.

9. Adjournment

There being no further business, the meeting adjourned at 7:58 PM.

Respectfully submitted,

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

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Judith R. Brown, Recording Secretary

cc:	Town Clerk	Conservation Commission
	Board of Selectmen	Inland Wetlands & Watercourses Commission
	Commission Members	Public Works
	C. Jefferson	William Howard, Esq., Commission Attorney
	R. Leighton	Joseph Dillon, Town Engineer
	D. Shanoff	