

Minutes of Regular Meeting No. 1036 of the Killingworth Planning & Zoning Commission Held Tuesday, September 18, 2012, at the Killingworth Town Office Building, 323 Route 81, Killingworth, Connecticut
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Present: T. Lentz, Chairman C. Jefferson, ZEO
J. O'Brien
S. Morgan
D. Gross
J. Reisman (seated for G. Cook)

1. Call to Order

Chairman Lentz called the meeting to order at 7:00 PM.

2. Minutes of Regular Meeting No. 1035 Held September 4, 2012

Motion by Gross, second by Morgan, to approve September 4, 2012 Minutes as written. PASSED UNANIMOUSLY.

3. Visitors

(a) Al Twarowski, Old Deep River Turnpike

Mr. Twarowski noted he has a unique situation. He has been to see C. Jefferson many times, but feels the need to speak to the Commission. His neighbor houses dump trucks and works on them weekends. He has no regard for his neighbors. Mr. Twarowski noted Old Deep River Turnpike is completely destroyed by the trucks. He further noted his wife is on a liver transplant list and needs to get a lot of rest which she is not getting. Chairman Lentz asked exactly what the problem was. Mr. Twarowski noted it is the fact his neighbor is housing and working on a big dump truck on his property. He pressure washes the truck on weekends and there is wetlands back there. He continuously slams the tailgate of the dump truck. Chairman Lentz asked if Mr. Twarowski had talked with the neighbor. He replied no, he won't approach him.

C. Jefferson explained the Commission has seen this before. The Commission has taken Mr. Edwards to Court before, this is the second time. He is in foreclosure and his trucks are in the process of being repossessed. Attorney Howard had previously stated there wasn't much that could be done if the trucks are going to be taken away. One truck was repossessed, but apparently one truck has returned. C. Jefferson noted she researched the records and Mr. Edwards is still the owner of that property. The only thing she can do at this point is to tell Attorney Howard to start the process again and move forward. C. Jefferson also noted she researched the roadway back there to make sure it is a town road, being maintained by the town and being plowed by the town. She noted she would be happy to pass

this along to the Selectmen and the Public Works Foreman as the road is not a zoning issue. Mr. Twarowski noted he has opened up the entrance of the road to about 45' just by driving on it and packing it down. Chairman Lentz suggested Mr. Twarowski talk to the Selectmen about the road and the Zoning Enforcement Officer will pursue the issue of the truck which is a commercial vehicle in a residential district. Chairman Lentz assured Mr. Twarowski the Commission will work on this. Mr. Twarowski thanked the Commission members for their time. Chairman Lentz also asked Mr. Twarowski to keep in touch with the ZEO because if he doesn't, she doesn't know there is a problem.

4. Communications and Bills

(1) Two invoices from Howard and McMillan for legal services in the amounts of \$34.00 and \$34.00.

(2) Two invoices from Nathan L. Jacobson & Associates in the amounts of \$321.65 and \$91.90.

(3) Letter from Killingworth Health Department dated September 19, 2012 Re 167 River Road Subdivision.

(4) Letter from Richard E. Leighton, Code Official, dated September 9, 2012 Re Subdivision Application #315, Fire Protection Review.

(5) Memo from Inland Wetlands Commission dated 9/11/12 Re 167 River Road Proposed Subdivision.

(6) Copy of Planning & Zoning Commission Budget as of 9/4/12.

(7) Copy of Notice of Public Hearing from Clinton Planning & Zoning Commission dated September 13, 2012 Re Proposed Amendment to Subdivision Regulations.

(8) Subdivision Application #315, 167 River Road.

(9) Preliminary Layout (Conservation Subdivision) and (Conventional Subdivision) Revised Plans - Micacci, Parker Hill Road Ext.

5. Old Business - none.

6. Zoning Enforcement Officer's Report

C. Jefferson noted she reviewed the new proposed Sign Regulations from the Town of Clinton received at the last meeting. She indicated the one thing she particularly noticed was that temporary signs less than 4 square feet are as of right.

7. New Business

(a) Subdivision Application #315 - 167 River Road, Jesus Villegas, owner, 2 Lots

Angus McDonald was representing the applicant. He noted this is a 14.3 acre parcel that backs up to the Hamonnaset River. At one point this was two lots, but the owner joined them to create one lot. Subsequently, he decided he would like to build a house on the property and since he can't have two residences on the same property, he must subdivide it.

Chairman Lentz read the following correspondence into the record -

Memo from Inland Wetlands Commission dated 9/11/12 indicating there are no regulated activities.

Letter from Killingworth Health Department dated September 19, 2012 indicating the plans have been reviewed and approved with the following two conditions. The existing house lot meets Public Health Code 19-13-b100a(e) for lot line revision and a code complying septic system has been identified and will be designated as a future repair area. The new lot meets Public Health Code standards for installation of a sub-surface septic system and private well. The separating distances of the well to the leaching system shall be doubled (from 75' to 150') due to percolation rate of faster than one inch per minute. The percolation rate also mandates this lot as an area of special concern and will require the new sub-surface system to be prepared by a professional engineer in the State of Connecticut.

Letter from Richard E. Leighton, Code Official, dated September 9, 2012 indicating Fire Protection approval with the condition that due to the length of the proposed driveway, if the residential building is ever constructed, the driveway must maintain a width of not less than twelve (12) feet. In addition, at the terminus of the driveway, an adequate turn-around for emergency apparatus must be provided.

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Mr. McDonald noted there will be an engineered septic system once the applicant has final plans for the house, etc. The purpose of this application is just for the subdivision. The appropriate plans will be submitted for the building and zoning permits for the house.

Mr. McDonald noted there will be raw acreage in the back of 9.6 acres and the new lot would be 4.7 acres. He reviewed minimum buildable land. The new lot would have 2.1 acres of equivalent buildable land and the remaining would have 3.4 acres of equivalent buildable land.

Mr. McDonald noted there are no public structures being proposed, just a driveway coming up to the house. There will be very little grading.

Mr. McDonald noted they meet all the regulations.

Chairman Lentz asked if there would be any timber cutting. Mr. McDonald replied yes, wasn't sure how much, but the only clearing would be for the driveway, house and septic area.

Jim O'Brien asked if there was a reason for the access on the left side of the property. Mr. McDonald noted that will allow the applicant to continue farming in the back and to get there without going through the wetlands.

Chairman Lentz noted this is pretty straight forward. The Commission usually doesn't walk a 2 lot subdivision. All the necessary approvals have been received.

Motion by Gross, second by O'Brien, to approve Subdivision Application #315 subject to the conditions as stated in the Fire Protection Review letter dated September 9, 2012 and the Health Department Review letter dated September 19, 2012. PASSED UNANIMOUSLY.

(b) Tony Tranquillo, Preliminary Discussion re possible Conservation Subdivision on Parker Hill Road Ext.

C. Jefferson noted Mr. Tranquillo advised he would not be coming in this evening. She indicated she reviewed the revised plans and found the entire Lot 6 is within the 100 foot wetland review area. Jefferson further noted our regulations are very specific in that the conventional subdivision has to have lots that meet approval

and all our requirements. When she advised Mr. Tranquillo of this fact he stated they are giving so much open space, he thought they would get some concessions from the Commission. Jefferson explained they are already getting smaller lots, shorter road, etc. Sue Morgan asked how many acres are in this parcel. Jefferson noted there are 47 acres, but the back space is useless because it is all wetlands. Jim O'Brien noted perhaps there could be 5 conventional lots and 5 conservation lots and the flag lot. Chairman Lentz asked if this was an application. Jefferson replied no, it was just preliminary discussion. Mr. Tranquillo has advised he will be discussing this further with his client and return at a later date.

8. Report of Officers and Subcommittees

(a) Draft Regulations

Chairman Lentz noted he went to the Selectmen's meeting and presented the Sign Ordinance. They were very receptive to it and have sent it to Attorney Howard for review. If it comes back okay, they will most likely approve it and send it to Town Meeting.

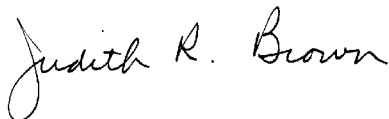
Chairman Lentz noted the Housing Partnership would like to make a presentation to this Commission. C. Jefferson will ask Glenn Johnson to send the Commission an Agenda of the items to be discussed prior to the meeting.

J. O'Brien noted there will be an Open House on October 1, 2012 for the new Lower Connecticut River Valley Council of Governments (formerly CRERPA) for anyone who wishes to attend.

9. Adjournment

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

Respectfully submitted,



Judith R. Brown, Recording Secretary

cc: Town Clerk Conservation Commission
Board of Selectmen Inland Wetlands & Watercourses Commission
Commission Members Public Works

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C. Jefferson
R. Leighton

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