

Minutes of Regular Meeting No. 1061 of the Killingworth Planning & Zoning Commission Held on Tuesday, November 19, 2013, 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
G. Cook
P. McGuinness (seated for S. Warren)

1. Call to Order

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

2. Minutes of Regular Meeting No. 1060 Held October 15, 2013

Motion by Gross, second by Morgan, to approve October 15, 2013 Minutes as written. PASSED UNANIMOUSLY.

3. Visitors – none.

4. Communications and Bills

(1) Invoice from Howard and McMillan for legal services in the amount of \$551.00.

(2) Memo from R. E. Leighton, Code Official, dated 11/16/13, Re Application #285, Sunny Dispositions, Clinical Skin Care Services indicating adequate fire protection.

(3) Memo from Maura Esposito, Director of Health, dated November 18, 2013, Re 235 Route 80 approving the site map dated November 7, 2013.

(4) Memo from Inland Wetlands & Watercourses Commission, dated November 12, 2013, Re 235 Route 80, indicating no new wetland impact is proposed.

(5) Memo from Cathie Jefferson to Mr. Melanson, dated 11/14/13, Re 66 Chittenden Road, inspection of illegal apartment and removal of that apartment.

(6) Correspondence regarding preparation of Commission Budget for the upcoming fiscal year. Chairman Lentz will prepare the budget.

(7) Copy of Planning & Zoning Commission Budget as of 10/31/13.

(8) Special Exception Application #284, Hammonasset Realty, 163 Route 81 – restaurant.

(9) Site Plan Application #285, Sunny Dispositions, 235 Route 80 – Clinical Skin Care Services.

5. Old Business

Paul McGuinness inquired about the recent work at Dunkin Donuts. C. Jefferson noted there was a slight change in the siding and the stone on the bottom. There apparently is a requirement that every so many years the building needs to be updated. Dunkin Donuts has been there since 2002.

6. Zoning Enforcement Officer's Report

C. Jefferson reported on the following.

The illegal apartment at 66 Chittenden Road has been removed.

There was discussion regarding the status of the outstanding Cease & Desist Order to Running Brook Farms. It was agreed enough time has been given to clean up the site. The ZEO was directed by the Commission to enforce the Cease & Desist Order if the property is not brought into compliance by the end of the year. She will so notify the property owner.

The Permit Log for October was distributed.

C. Jefferson noted the Court case for 202 Old Deep River Turnpike is on hold due to foreclosure. She also noted the Spencer Hill Road case will be going to mediation on the first Monday in December and hopefully this will be taken care of at that time.

7. New Business

(a) Special Exception #284, Hammonassett Realty, 163 Route 81 – restaurant Pat Benjamin from Bascom & Benjamin introduced himself as the applicant's representative. He explained they would like to convert the building at the corner of Stevens Road and Route 81 to a restaurant. They would use both parcels. The property was originally subdivided in 1973 when the building was built. Mr. Benjamin reviewed the existing site plan, existing building and existing processed stone parking lot. He noted there are currently 24 parking spaces and they need 30. He reviewed the area for the new 6 spaces. Benjamin indicated there would be no changes to the landscaping or lighting of the building. He reviewed the existing septic system and location of the new system. Documentation for the new system has been submitted to the Health Department and approval is expected shortly.

Mr. Benjamin noted hours would be lunch from 11:30 AM to 2:30 PM and dinner from 4:30 PM to 10:00 PM, seven (7) days a week. The bar would close at 1:00 AM. There would be 9 to 10 employees.

No changes are proposed to the building, except for the addition of a kitchen. They have not designed a sign yet. There would be 73 seats including the bar.

There was a brief discussion regarding tree removal and the 15' tree buffer. Mr. Benjamin will discuss this further with C. Jefferson.

Chairman Lentz noted the application still needs Sanitarian and Wetlands approvals. He suggested the applicant return in December at which time a public hearing will be scheduled if all the paperwork is in order.

(b) Site Plan Approval #285, Sunny Dispositions, 235 Route 80 – Clinical Skin Care

Jason Nemergut introduced himself as the applicant's representative. The applicant, Janine Thurston, was also present. Mr. Nemergut noted the site plan is for use of that space for a skin care business. Janine Thurston will be the only employee. Hours are by appointment. There are no changes to the outside or inside of the building. There is currently six (6) parking spaces including handicap. Group events will be once a quarter and there is ample parking space for overflow in that area. Chairman Lentz noted approvals have been received from the Sanitarian, Fire Protection and Wetlands. **Motion by Gross, second by Cook, to approve Site Plan #285, Sunny Dispositions, 235 Route 80 as presented. PASSED UNANIMOUSLY.**

8. Report of Officers and Subcommittees

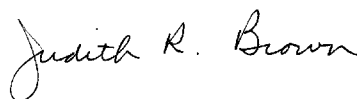
Chairman Lentz noted he distributed and briefly reviewed a draft package of proposed regulation changes and urged everyone to review them. C. Jefferson also noted she received a call from the State inquiring if the Commission had amended the Zoning Regulations to take out the section on Timber Harvest as this was an activity allowed as of right and if over a certain level, it is then handled by the State DEEP. The State wants all the Towns to be consistent in this regard.

Jim O'Brien gave a report on RiverCog. He noted a Regional Agricultural Group has been formed and they would like one member from each of the towns as a member of the regional board.

9. Adjournment

There being no further business, the meeting adjourned at 7:50 PM.

Respectfully submitted,



Judith R. Brown, Recording Secretary

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