

**Minutes of Regular Meeting No. 1046 of the Killingworth Planning & Zoning Commission
Held Tuesday, March 19, 2013, at the Killingworth Town Office Building, 323 Route 81,
Killingworth, Connecticut**

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Present: T. Lentz, Chairman
J. O'Brien
S. Morgan
D. Gross
R. Davis
G. Cook
P. McGuinness (non-seated alternate)
J. Reisman (non-seated alternate)
B. Fitzsimmons (non-seated alternate)
C. Jefferson, ZEO

1. Call to Order

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

2. Minutes of Regular Meeting No. 1045 Held March 5, 2013

Motion by Gross, second by Morgan, to approve March 5, 2013 Minutes amended as follows -

▲ **It is noted Paul McGuinness was seated for Randy Davis.**

▲ **Under Visitors (a) Sharlene & Karl Kieslich, 4th paragraph, change first sentence to read, "...number of non-agricultural related uses which is currently 12 per year."**

PASSED UNANIMOUSLY.

3. Visitors – none.

4. Communications and Bills

(a) Letter from Cathie S. Jefferson, ZEO, to Joseph Castelli dated 3/14/13 Re Construction of unpermitted driveway.

(b) Letter from Town of Madison Land Use Office to Town Clerk dated March 12, 2013 Re Regulation Amendment to Sections 10.2 d. and 11.6 of Town of Madison Inland Wetlands Regulations to conform to State Public Act 12-151.

(c) Letter from Town of Clinton Planning & Zoning Commission to Town Clerk dated March 1, 2013 Re Proposed Amendment to Zoning Regulations, Section 17.4.5: Use of Other Base Flood Data.

5. Old Business

Paul McGuinness noted he looked at the berm at Running Brook. It was about 15 feet high.

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He felt it was a little too high especially if he was going to plant trees. Chairman Lentz urged all members to ride by and take a look.

6. Zoning Enforcement Officer's Report

C. Jefferson briefly reviewed correspondence from the Land Use Academy for a one day "advanced overview" for commissioners on Saturday, April 20, 2013 from 8:30 AM to 3:00 PM being held at the Cooperative Extension Center in Haddam. Chairman Lentz urged new members to attend.

C. Jefferson briefly reviewed a document called Zoning Regulations and Ordinances for Livestock which she gave to Chairman Lentz for future reference.

C. Jefferson briefly reviewed a list of Bills that are coming up in the Legislature this session related to Land Use. Two interesting ones pertain to outdoor furnaces. There are also several pertaining to Affordable Housing.

C. Jefferson noted the RSD #17 Amendment to Special Exception Application is in the office but they are still discussing this with Health Department. They went to the Wetlands Agency who indicated this would not require a wetlands permit because everything they are proposing to do is within areas that has already been disturbed under the last permit. There were no new disturbances. Jefferson asked if the Commission wanted to have the Town Engineer look at this. It is basically an underground fire tank being used for irrigation. Chairman Lentz suggested the Commission listen to their presentation and look at the plans. If the plans are thorough, perhaps the Town Engineer doesn't need to look at them. David Gross asked if there wasn't a concern in the original application for the Middle School about Jensen's water supply. C. Jefferson noted there are 3 wells servicing the school that are by the wetlands right on the Jensen's property line. This is located at the opposite end. She further noted RSD #17 is currently working with Maura Esposito to obtain State approval regarding the public water supply. Chairman Lentz asked if Richard Leighton had any issues. C. Jefferson noted he had some concerns and is meeting with them to work it out, nothing big.

C. Jefferson noted she has not turned the matter at Old Deep River Turnpike over to Attorney Howard yet as the neighbor came in and said things were much better.

C. Jefferson noted she spoke to Mr. Gargiulo about whether or not he is going to do Affordable Housing. Mr. Gargiulo's attorney has indicated he wants to go to the Zoning Board of Appeals to ask for a variance of the Zoning Regulation specifying a certain number

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of apartments in a building and on certain floors. If a variance was granted, then they could apply to the Planning & Zoning Commission. If a variance is not granted, they would then probably apply for "set aside housing." It was noted in order to get a variance, there would have to be a hardship of the land. Chairman Lentz noted a use variance cannot be asked for. He felt this was a use variance changing from commercial to residential. Lentz further noted if in fact a variance is requested, the Planning & Zoning Commission should discuss this with its attorney.

7. New Business – none.

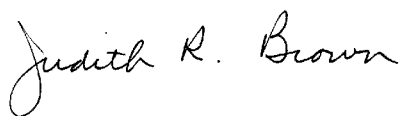
8. Report of Officers and Subcommittees

Chairman Lentz noted he emailed the entire package to everyone. He briefly reviewed the numbering sequence and a couple minor changes that were discussed at the last meeting. The difference between wholesale versus retail sales at a farm was briefly reviewed. A public hearing was scheduled for Tuesday, May 21, 2013. Chairman Lentz noted the package should be sent to the new Regional Planning Agency, adjoining municipalities and the Water Companies. Lentz briefly reviewed the process for adopting amendments to the Zoning Regulations.

9. Adjournment

There being no further business, the meeting adjourned at 7:47 PM.

Respectfully submitted,



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