

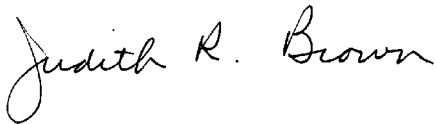
**Town of Killingworth  
Planning & Zoning Commission  
323 Route 81  
Killingworth, Connecticut 06419**

Planning & Zoning Commission  
Notice of Vote  
October 7, 2014

Members Present – Lentz, O'Brien, Morgan, Gross, Warren, McGuinness (seated for Cook) and Naiman (non-seated alternate).

Motion by Gross, second by Warren, to approve September 16, 2014 Minutes as written.  
PASSED UNANIMOUSLY.

Respectfully submitted,

A handwritten signature in cursive script that reads "Judith R. Brown". The signature is written in black ink and is positioned below the "Respectfully submitted," text.

Judith R. Brown, Recording Secretary

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

1. Call to Order

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

2. Minutes of Regular Meeting No. 1080 Held September 16, 2014

**Motion by Gross, second by Warren, to approve September 16, 2014 Minutes as written.  
PASSED UNANIMOUSLY.**

3. Visitors

(a) Gene Gargiulo – large commercial district

Gene Gargiulo and Attorney Jane Marsh were present. Attorney Marsh noted they were present to discuss the former Pharmedica building that abuts Route 81. She explained the Commission graciously permitted a certain number of apartments in that building, but has been unable to find occupants for the remainder of the building. They would like to know if the Commission would be receptive to rezoning that building all residential by special permit. That would accommodate six new units. The septic is already sized for it. Attorney Marsh noted they would rather not do affordable housing units and are looking for other options. The zone already runs through that building so they would just change the line and draft a regulation pertaining to that building. Chairman Lentz noted if that was zoned residential, there would also have to be a regulation change to allow apartments. Attorney Marsh agreed they would do a new regulation. She reiterated they would just like to find a way to make use of that building. Chairman Lentz noted the concern several years ago was that it would take away half the commercial base in that zone.

There was discussion regarding the other building. Chairman Lentz noted there could be apartments in the upper floor of that building as the regulation allows it. Attorney Marsh noted the owner wants to leave it commercial.

Gene Gargiulo noted he has been looking for tenants for 10 years now. Commercial users don't want to be in the back, they want high visibility. The best use would be apartments.

Chairman Lentz noted this was something the Commission would have to discuss. Jim O'Brien asked if the property would allow a trade from commercial to residential. Mr. Gargiulo noted

the 3<sup>rd</sup> lot is commercial, but there are no intentions for that lot right now. O'Brien noted there is so little commercial property in town. Mr. Gargiulo noted he would like to see his children live in this town, but they can't afford it.

Chairman Lentz reiterated the intent was to have activity on the upper floor which would attract some commercial ventures on the lower floor.

#### 4. Communications and Bills

(1) Application #292, Special Principal Use, 565 N Roast Meat Hill Road, Accessory Apartment.

(2) Application #293, Municipal Improvement, 323 Route 81, Emergency Operations Center.

(3) Supplemental Application for Killingworth Garage, addition of diesel fuel station.

(4) Notice from Town Clerk's Office Re 2015 Meeting Schedule.

(5) Copy of Planning & Zoning Commission Budget as of 9/30/14.

(6) Memo from Paul Hutcheon, Director of Health, dated October 7, 2014 Re Emergency Operations Center (well and septic).

(7) Memo from Paul Hutcheon, Director of Health, dated October 2, 2014 Re Addition to existing service repair garage.

#### 5. Old Business

(a) Special Exception #291 – Paul Griswold (owner), Kevin Albrecht (applicant), Killingworth Garage, 319 Route 81, Map 24, Lot 7A – for 2 bay expansion to existing commercial garage building and addition of diesel fuel station – public hearing scheduled for October 21, 2014

Chairman Lentz noted a public hearing has been scheduled for October 21, 2014.

Roger Nemergut noted a revised plan was submitted to include an above ground 1000 gallon diesel tank. He reviewed the location between the existing building and the new addition. The tank is encased in a concrete box so it can be located closer to the buildings. Nemergut noted the Fire Marshal is currently reviewing this and they are having detailed discussions with the Sanitarian regarding septic. There are no wetlands issues.

There was discussion regarding the driveway being on town property and the driveway to the

transfer station being on the garage property. It was noted this is usually the time to try and correct those issues. The Historical Society was also concerned about where the boundary was located. Mr. Nemergut noted he will contact First Selectwoman Iino relative to the property boundary issues.

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

Cathie Jefferson gave a brief summary of the new proposed Clinton Zoning Regulations received at the last meeting.

Cathie Jefferson noted she will visit the Petrucelli property next week. November 10<sup>th</sup> is the last date to appear in Court for this matter.

#### 7. New Business

(a) Special Principal Use #292, 565 N Roast Meat Hill Road, Map 17, Lot 7A – accessory apartment

Roger Nemergut noted he represented the applicant, Margo Huebner, who was also present. He noted this application was for an accessory apartment. The 3.9 acre property is in the watershed area. He reviewed the subject property location at the corner of North Roast Meat Hill Road and Farms Road. It is a single family residence, one story structure.

Mr. Nemergut noted the access will be kept within the structure as required, but it will go from 4 bedrooms to 6 bedrooms. Ms. Huebner will occupy the apartment with one bedroom. The rest of the house with 5 bedrooms will be occupied by her son, daughter-in-law and grandchildren.

Mr. Nemergut noted they could have just come in with the existing house and creating an accessory apartment, but that's not the whole story. They are adding a partial second floor, but that's not for the accessory apartment. The accessory apartment will remain on the first floor with the addition on the second floor. They are also proposing a 10' x 10' sunroom on the side of the building which would go with the accessory apartment. Chairman Lentz asked if the sunroom could be built without the accessory apartment. Nemergut replied yes, it's just an addition. The sunroom would be accessed through the accessory apartment.

Chairman Lentz noted the Commission is only looking at the accessory apartment. Mr. Nemergut replied that was correct and that it met all the requirements. Still waiting for letters from the Sanitarian and Fire Marshal. He explained if the number of bedrooms is increased by more than 50%, there has to be a new septic system. 50% or less, a new septic system is not required, but there has to be a designation of a location on the property of where a code compliant system could go. Mr. Nemergut noted they already know they have to replace one of the two septic tanks already on the property.

Paul McGuinness asked if the accessory apartment can be occupied by the owner. The response was yes.

Chairman Lentz noted he didn't see any problem with the accessory apartment, but the Commission just needs the letters of approval from various other departments.

(b) Municipal Improvement #293, 323 Route 81, Killingworth Town Hall Property – Emergency Operations Center  
Michael Harkin introduced himself as the applicant's representative. He noted they are formally submitting this application and the architect was present to answer questions. The proposal is to add a 36' x 24' addition to the existing barn in back. There would be a 14.5' x 24' entry way between the barn structure and the Emergency Operations Center. There would be two floors with the EOC on the upper floor and the Resident Trooper on the bottom floor.

Mr. Harkin noted because of the addition there will be a new code compliant septic system located between the back of the barn building and the existing dog pound. This system would be sufficient if in the future the barn structure is turned into a meeting room.

Mr. Harkin reviewed parking spaces, the handicap parking space and the ADA compliant ramp. He noted there will be 3 visitor parking spaces between the existing garage and the Fire Department. A letter will be forthcoming from the Fire Department approving those parking spaces. Harkin noted the Town does not have municipal parking requirements so he used the medical/emergency use parking requirement. C. Jefferson noted that seemed the most reasonable of everything in the regulations. The EOC doesn't have daily operations there. Three spaces will be striped and signed for EOC parking.

Mr. Harkin reviewed the location of the emergency generator at the northerly side of the building in the back. He also reviewed locations for the underground propane tank to be used solely by the generator, new well location, water service for the EOC building, underground utilities, foundation drainage. He noted there is a letter from the Health Director approving the plan. Harkin next reviewed the grading of the site, the limit of construction, bulk requirements, setbacks, lot coverage, impervious coverage.

Gary Tierney, Architect, introduced himself. He reviewed what was on the first floor. He noted the lower level had a small crawl space area. The EOC was accessible from outside. There was a small vestibule for the Resident Trooper Office. Mr. Tierney reviewed the building materials.

It was noted the 42.5 acre parcel has a little bit of wetlands and although they are not doing

anything within 100' they require submission to the Wetlands Commission. The Wetlands meeting is October 14<sup>th</sup>. It was noted the plans have also been sent to the town engineer for review and comment. The application was officially submitted to the Connecticut Water Company because it is in a watershed area. It was noted everything should be in by the October 21<sup>st</sup> public hearing date.

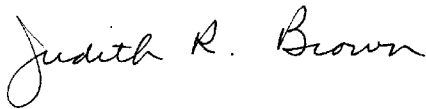
There was a brief discussion regarding the earlier conversation with Attorney Marsh and Gene Gargiulo. Use of existing buildings (adaptive use of buildings over a certain age) was discussed. Merging the two lots and having a cluster was discussed. Spot zoning was discussed. Chairman Lentz noted the Commission's original plan for that building was good and it doesn't have to do anything. He suggested Commission members think about this for a couple weeks and in the meantime ZEO Jefferson will check to see what other towns have for regulations.

8. Report of Officers and Subcommittees – none.

9. Adjournment

There being no further business, the meeting adjourn at 8:20 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., Comm. Attorney
		Joseph Dillon, Town Engineer