

Present: T. Lentz, Chairman C. Jefferson, ZEO
J. O'Brien
D. Gross
S. Warren
G. Cook (arrived at 7:05 PM)
P. McGuinness (seated for Cook until 7:05 PM)
R. Naiman
J. Gay

1. Call to Order

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

2. Minutes of Regular Meeting No. 1076 Held July 15, 2014

Motion by O'Brien, second by Warren, to approve July 15, 2014 Minutes amended as follows -

- **Under 7. New Business, 2nd paragraph, last sentence to read, "There will be alternating one way traffic just north of Pond Meadow on Route 81."**

PASSED UNANIMOUSLY.

3. Visitors

(a) Roger Nemergut - preliminary discussion - gas station next to Town Hall

Roger Nemergut and Kevin Albrecht were present. Mr. Nemergut noted the Killingworth Garage would like to add 2 bays at the rear of the building. This is a 2 acre parcel. The building has been there since before Zoning. This is a commercial use in a residential zone. Chairman Lentz noted this is a nonconforming commercial use similar to the situation a couple years ago with Interstate Battery. He reviewed some literature from the CT Bar Association Land Use Law Seminar relative to nonconforming uses. Lentz further noted with a nonconforming use, it can be allowed to grow as long as the use stays the same. What's not allowed is if the use changes. He felt this request would be legal. Roger Nemergut noted Interstate Battery applied for a variance and was denied. They then modified their plan and came back before Zoning.

Kevin Albrecht noted as they grow, they are doing more diesel work. Bigger trucks are being brought inside. The new bays would probably be a couple feet higher with maybe a 14' door. He indicated the new bays would mainly be for storage and working inside. Kevin noted they are not doing anything different. The additional bay might be visible from the highway. Chairman Lentz noted it would be nice if the addition were compatible with the present building which fits in with the residential area. Kevin noted the doors would be on the

south side.

There was discussion regarding the ridge line and the bump out on the building.

Chairman Lentz noted an application should be put together and submitted to the Commission.

4. Communications and Bills

- (1) Letter from Cuddy & Feder LLP Re Proposed Wireless Telecommunications Tower Facility, Spencer Hill Road, Killingworth dated July 24, 2014 indicating "AT&T has no specific timeline for filing an application with Connecticut Siting Council." The letter further stated at such time as AT&T does decide to move forward, the Town would be advised in advance of formal notices to the public.
- (2) Affidavit of Publication for Legal Notice of Decision for Amendments to the Zoning Regulations approved at the July 15, 2014 meeting.
- (3) Special Exception #288, Town of Killingworth (Noah Freeman), Rebouncing Wall at KRP.
- (4) Clinton Petition for Amendment to Zoning Regulations.
- (5) Clinton Planning & Zoning Commission Agenda for August 11, 2014.
- (6) Clinton Planning & Zoning Commission Legal Notice of Public Hearing for August 4, 2014.
- (7) Planning & Zoning Commission Budgets for 2013-2014 and 2014-2015.

5. Old Business - none.

6. Zoning Enforcement Officer's Report

C. Jefferson gave a progress update on the new Zoning Maps. She also contacted Sue Davenport to see if a digital copy of Open Space might be available. Sue advised Cathie to contact Dave Gumbart to see if a digital copy was available.

C. Jefferson noted she contacted Torrance Downes relative to the question of what constitutes a restart of the Plan of Conservation &

Development. Torrance advised there is no set standard as to how much has to be changed, but as long as all the census information is up to date, that would restart the clock. Chairman Lentz noted Killingworth's POCD is good until 2018. C. Jefferson noted Walter Adametz, President of the RPC Agricultural Board, is looking at various POCD's to see if there is anything in them regarding farming.

C. Jefferson briefly reviewed the parking issue at LaForesta Restaurant. There is a concern about people walking across Route 81. It has been suggested a traffic light be installed at the corner of Route 81 and Stevens Road. The restaurant is doing well and is very busy. The owner may come back to do something for parking in the back, but is waiting to see if things settle down after the initial opening.

7. New Business

(a) Municipal Improvement #288, Town of Killingworth - rebounding wall at KRP

Noah Freeman reviewed his Eagle Scout Project of a rebounding wall at KRP. He submitted new sketches indicating the design of the front of the wall had been changed. He noted the wall would provide a structure for both lacrosse and soccer players to practice their skills. The wall will be 9' tall and 20' long located parallel to the football practice field between the field and retaining pond.

Chairman Lentz reviewed the narrative submitted with the application.

Mr. Freeman noted the wall would be painted grass green and outlined with contrasting white.

Geoff Cook noted there were no vertical posts and suggested Mr. Freeman discuss this with the Building Official.

The question was asked if the balls could go into the road. Mr. Freeman replied no.

Motion by Gross, second by O'Brien, to approve Municipal Improvement #288 Town of Killingworth, Rebounding Wall at KRP, as presented. PASSED UNANIMOUSLY.

8. Report of Officers and Subcommittees

Jim O'Brien gave a brief report from RiverCog Regional Planning. He noted the timeline for the Regional Plan of Conservation & Development has been adjusted due to the recent passing of Linda Krause. Within the next two years, RPC will visit each of the 17

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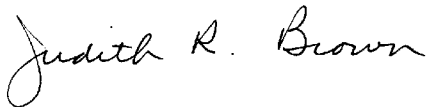
towns to get a better view of what each would like to see addressed regionally in the Plan.

Stephanie Warren gave a brief report regarding the recent proposal in Clinton for a Propane Facility. Three public hearings were held. When asked if anyone was in favor, no one spoke. Several people spoke in opposition. There was much discussion regarding delivery trucks and routes.

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 Com.
Commission Members	Public Works
C. Jefferson	William Howard, Esq., Comm. Attorney
	Joseph Dillon, Town Engineer