

Minutes of Regular Meeting No. 1104 of the Killingworth Planning & Zoning Commission Held Tuesday, October 20, 2015, at the Killingworth Town Office Building, 323 Route 81, Killingworth, Connecticut
Page 1 of 3

Present: T. Lentz, Chairman
J. O'Brien
S. Morgan
D. Gross
S. Warren
P. McGuinness (seated for G. Cook)
J. Gay (non-seated alternate)
T. Hogarty (non-seated alternate)

1. Call to Order

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

2. Minutes of Regular Meeting No. 1103 Held October 6, 2015

Motion by Gross, second by Warren, to approve October 6, 2015 Minutes amended by adding Attorney Jane Marsh as being present for the Gargiulo application. PASSED UNANIMOUSLY.

3. Visitors

Chip Morgan was present, just observing.

4. Communications and Bills

(1) Letter from Attorney David M. Royston to Cathie Jefferson, Zoning Enforcement Officer, dated October 15, 2015, Re Redlich Subdivision, Chestnut Hill Road, Killingworth.

(2) Inland Wetlands & Watercourses Commission Minutes from October 13, 2015 Re Old Coach Road Subdivision.

(3) Memorandum from Linda M. Dudek, Town Clerk, dated October 1, 2015, Re 2016 Meeting Schedules.

(4) Letter from Bruce E. Dodson, President of Killingworth Land Conservation Trust, Inc., dated October 16, 2015, Re Old Coach Road Subdivision.

(5) Original copy of letter from First Selectwoman Catherine Iino to Planning & Zoning Commission, dated August 5, 2015, Re Killingworth Garage, 319 Route 81.

5. Old Business – none.

6. Zoning Enforcement Officer's Report – none.

7. New Business

(a) Subdivision Application #318 "Old Coach Road", 13 Lot Subdivision on land of Karen & Michael Milano, 140 Roast Meat Hill Road

Chuck Mandel from Thomas Stevens & Associates, Inc. was present representing the applicant, Mike Milano, who was also present. He submitted for the record a letter from Connecticut Department of Transportation, dated October 21, 2015, for encroachment on to Route 81.

Mr. Mandel explained this was a 13 Lot Subdivision of 86 acres located on the east side of Route 81 about 1 mile north of Roast Meat Hill Road in a Rural Residence zone. Soil testing was done last year and was suitable for development. A letter from the Sanitarian will be forthcoming. He also noted a letter was received from the State Archaeologist, Brian D. Jones, Ph.D., indicating there were no areas of special concern. Every effort has been made to incorporate stone walls as property boundaries. The proposed road is 732 linear feet. There are 3 driveways as noted on the plans. Mandel further noted all comments from the D.O.T. will be incorporated into the next set of plans.

Mr. Mandel stated there is no advantage to do phasing so Phase 1 has been eliminated. That will also be removed from the next set of plans.

Two waivers are being requested. Section 485-56.2 D.(5) as there is zero increase in runoff. Section 485-49B.4 to allow Lots 7 and 8 to share a driveway split to lessen the impact on inland wetlands.

Mr. Mandel noted the area has been pre-staked.

Chairman Lentz noted there are two rear lots – Lots 5 and 8.

Stephanie Warren inquired about the Conservation Restriction on Lot 11. Mike Milano explained at the last Inland Wetlands meeting there was a request the Land Trust put a Conservation Restriction over Lot 11. The Land Trust did not want to do that because they would have to police it. It could, however, be done in a deed and plaques set. This will go back to Wetlands at their next meeting.

It was noted there will be a separate driveway for Lot 9 and Lots 7 and 8 will share a driveway. There will be 2 wetlands crossings. The hatched area is an agricultural restriction. Lot 12 will not be a building lot. Part of Lot 13 is agriculturally restricted. A 20,000 gallon fire tank is being proposed.

Chairman Lentz noted the following will be needed at the next meeting – sanitarian letter, Inland Wetlands Memo, Fire Protection Plan and Report from Town Engineer. A sitewalk was scheduled for Saturday, October 24, 2015 at 10:00 AM.

(b) Redlich Resubdivision, Letter from Attorney Royston

Chairman Lentz read into the record a letter from Attorney David M. Royston, dated October 15, 2015, regarding conveyance of open space to the Killingworth Land Trust having to do

with the Redlich Resubdivision. Attorney Royston was asking the Commission to confirm this would not constitute a subdivision or resubdivision. Following a brief discussion, the following motion was approved. **Motion by O'Brien, second by Morgan, that in the opinion of the Commission, the proposed division does not constitute a subdivision or resubdivision regarding the Redlich Resubdivision, Chestnut Hill Road, Killingworth (letter from Attorney David M. Royston, dated October 15, 2015). PASSED UNANIMOUSLY. (it is noted for the record Tom Hogarty recused himself from any discussion on this matter.)**

8. Report of Officers and Subcommittees

Chairman Lentz noted Stephanie Warren will be representative to RiverCOG appointed by the Selectmen starting November 17th. There is still an alternate position open. The Planning & Zoning Commission will make this appointment at the December meeting. **Motion by Gay, second by Gross, to endorse the appointment of Stephanie Warren to RiverCOG. PASSED UNANIMOUSLY.**

Chairman Lentz noted for the new members that in order to approve something, a majority of 4 votes is required. If there is an abstention, that is essentially a no vote. If there is a motion and only 4 members are present, all 4 members must vote yes in order to approve.

9. Executive Session – Pending Litigation – nothing further.

Motion by Gross, second by Warren, to thank Sue Morgan and Jim O'Brien for their many years of service on the Planning & Zoning Commission. PASSED UNANIMOUSLY.

10. 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