

**Minutes of Regular Meeting No. 1095 of the Killingworth
Planning & Zoning Commission Held Tuesday, May 19, 2015, 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
D. Gross
S. Warren
P. McGuinness (seated for G. Cook)
J. Gay (seated for S. Morgan)

1. Call to Order

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

2. Minutes of Regular Meeting No. 1094 Held May 5, 2015
**Motion by Gross, second by Gay, to approve May 5, 2015
Minutes as written. PASSED UNANIMOUSLY.**

3. Visitors

Roger Nemergut noted the Killingworth Library wants to replace their sign and turn it rather than face the road. The current sign is 9 square feet. The biggest sign they could have is 12 square feet. The regulations say if you turn the sign sideways the size has to be cut in half. Nemergut further noted one can only see one side of the sign at a time so it really isn't any bigger. Most signs are sideways and don't face the road. Chairman Lentz noted for the Commission to consider that it would have to change the regulations and that would take months. He suggested they go with what they have and it can be discussed in the future. Perhaps they could buy a 2 sided sign but for now put it up facing the road and if the regulation is changed, they could then turn it. Roger noted they will replace it no matter what it is. Chairman Lentz noted he would put this on the list of upcoming regulations to be considered.

4. Communications and Bills

(1) Application for Modification #301 to Approved Special Exception #287, A. Forrest King, 12 Fire Tower Road, to allow larger events to be conducted on a monthly basis as part of agricultural tourism and ag-tivites.

(2) Three referrals to the Regional Planning Commission from Town of Clinton Planning & Zoning Commission - addition of new section to regulate vendors; text

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amendments to Accessory Apartment Regulations; petition submitted by Homeowners Association limiting the size of commercial recreational facility and reinstating language of Section 25.4.3.

(3) Legal Notice of Public Hearing from Clinton Planning & Zoning Commission for June 1, 2015.

(4) Affidavit of Publication for Notice of Decision Application #299.

(5) Letter from Cathie S. Jefferson to Kevin Albrecht Re Killingworth Garage.

5. Old Business - none.

6. Zoning Enforcement Officer's Report

ZEO Jefferson reported on the status of Running Brook Farms. She noted it is getting worse all the time. There are new wood chips and compost. The only thing to do now is turn this over to Attorney Howard. Jefferson noted she will give Scott Papoosha one more call, but this has now been going on forever. He didn't appeal the Cease & Desist Order. By the end of February all that wood had to be either chipped or removed and no more was allowed to be brought in. The chip piles keep growing and wood piles get bigger. Chairman Lentz noted he is processing and that's not allowed. ZEO Jefferson also noted he hasn't applied under the new chip regulation. Jim O'Brien asked if there wasn't a more expedient way to deal with this, perhaps fines. Jefferson explained fines don't really work and it ends up in Court anyway. The consensus was to turn this over to Attorney Bill Howard.

ZEO Jefferson noted the commercial sign on Route 81 was gone as were two sandwich board signs at the Feed & Grain and Hair Salon. She also noted LaForesta will be applying for a new sign.

ZEO Jefferson noted the zoning map is very close to being done. She will be going to a meeting on June 9th to see how it came

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out.

7. New Business

(a) Application #301, Amendment to #287 Special Exception - 12 Fire Tower Road, A. Forrest King applicant
Roger Nemergut and Ken Metz were present. Roger noted this was an application to modify agritourism to allow a number of larger events to take place one a month from May to October. The event would bring in up to 100 people - weddings, wine tasting, antique show, great chef events, etc.

Roger reviewed parking. He noted they would not like to do a formalized paved parking area. He reviewed the site plan and various locations. The located they would like to use has all been cleared (previous horse barn and paddock area). It is flat and would be perfect spot for parking 50 cars (2 to 1 ratio).

Roger noted the events would be next to the log cabin. A tent would go up and taken down the next day. He noted there is no development on 3 sides of the property (State Forest and Killingworth Elementary School). The property next to this property is a separate property owned by Chatfield Hollow Farm. The nearest house would be on Route 81. This application identifies 2 parcels.

Stephanie Warren asked how this fits with agrotourism. Cathie Jefferson noted there are non-agricultural activities in the regulations. Ken Metz noted they are trying to balance their profitability. Metz further noted they had a first grade class come from Madison as well as another 12 to 17 students from Haddam in July. The educational business is starting to pick up.

Chairman Lentz noted Stephanie brings up a point. There are cases with people using agrotourism as a back door way of having outdoor events and very little farming. Killingworth's regulation does seem to allow this. These are non-agricultural related uses. There can be 6 a year with a maximum number of 100. There are a number of requirements - traffic, parking,

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etc.

Roger reviewed the parking area again. He noted they talked about planting a buffer. Ken reviewed the planting of an orchard (apple, cherry, etc.) and some seedling pines in the front of the parking area. He noted the whole property is about minimizing disturbance.

Chairman Lentz asked what the excavation was going on now. Ken noted that is the separate piece. They are building a nursery pond for their black swans. Lentz confirmed that had nothing then to do with the parking for this application.

Ken noted they have had some good press in the Hartford Courant.

It was noted the food will be 100% catered, no cooking on the property. No additional load on the septic. They will be getting a letter from the Health Director.

Chairman Lentz noted the Commission can act on amendments or hold a public hearing. He first thought there should be a public hearing, but all the requirements are spelled out in the regulations. If approved, one condition should be the buffer.

Roger noted they will submit a revised site plan at the next meeting showing the buffer. They will also address hours and lighting and get sanitarian approval.

There was a concern about noise. It was noted this is way in the back of the property.

8. Report of Officers and Subcommittees

Jim O'Brien noted he learned last night at the RiverCOG meeting that it took Durham two years to re-write their sign regulations.

Joan Gay noted the grant application for the Route 81 Project was submitted to D.O.T. along with all the testimony.

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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., Comm. Attorney
Joseph Dillon, Town Engineer