

Present: T. Lentz, Chairman C. Jefferson, ZEO
D. Gross
S. Warren
P. McGuinness
T. Hogarty
A. Martin (seated for G. Cook)
R. Drew (non-seated alternate)

1. Call to Order

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

2. Minutes of Regular Meeting No. 1124 Held September 20, 2016 and Special Meeting Minutes September 20, 2016

Motion by Gross, second by Hogarty, to approve Regular Meeting Minutes of September 20, 2016 as written. PASSED UNANIMOUSLY.

Motion by Gross, second by Martin, to approve Special Meeting Minutes of September 20, 2016 as written. PASSED UNANIMOUSLY.

3. Visitors

(a) Roger Nemergut – preliminary discussion, 22 Hunter's Ridge

Roger Nemergut noted he has a client at the end of Hunter's Ridge Road looking at resubdividing his lot. He reviewed a preliminary layout noting there is enough minimum buildable lot area, but it lacks the frontage. Nemergut noted the road could be extended to provide the necessary frontage, but the issue would be the section between the new cul-de-sac and the old cul-de-sac. He reviewed the location of the new cul-de-sac. He indicated they could leave 24' of pavement, remove the rest of the cul-de-sac, topsoil and seed it. The question is if they did that, do the 2 lots on either side become nonconforming or do they require 200' of frontage which they do not have. Chairman Lentz felt those lots would require 200' of frontage if the cul-de-sac is removed. Mr. Nemergut noted they would be taking the cul-de-sac away but not the right-of-way. There are 4 cul-de-sac lots which all have 150'. Chairman Lentz noted if the cul-de-sac is removed, their frontage would now be on this road. Mr. Nemergut argued 13' from the edge of pavement to the right-of-way line is still right-of-way. Chairman Lentz noted the lots got reduced frontage because they were on the cul-de-sac and now another lot is being squeezed in there. Lentz felt there were too many problems with this. It is already an approved subdivision with a cul-de-sac. Mr. Nemergut thought he could investigate leaving the cul-de-sac and continuing the road which would need to meet town standards. Chairman Lentz again stated he felt there were too many problems trying to squeeze in another lot. It was bad planning. The consensus of members was this was a bad idea.

4. Communications and Bills

(1) Letter from Cathie S. Jefferson to Richard Jordan & Lisa Polson dated 9/23/16

regarding a private property sign posted on Town property.

(2) Memorandum from Dawn Mooney, Town Clerk, dated 10/1/16 regarding 2017 Meeting Schedules.

5. Old Business – none.

6. Zoning Enforcement Officer's Report

C. Jefferson noted Mobilitie recently gave a presentation to RiverCOG regarding their installations. There would be 120' tall poles 20' into the ground and 40'-60' wooden towers with canisters on top that act as relays to the main pole. There currently are no locations proposed in Killingworth. These would handle the 5g cell service and driverless cars.

C. Jefferson reviewed in detail the Frick's Pond issue. The previous owner of this property was under Order to repair the dam and this was not disclosed to the purchaser. Roger Nemergut noted he prepared repair plans for the dam and got approval for it. When the previous owner found out how much it would cost, he sold the property and the new owner had no idea of the dam repair Order. The new owner is under Order now to fix the dam from DEEP. There is an approved permit, but the work hasn't been done. The idea is to take the dam out of the house property and put it in an LLC. It would be a lot line change. The concern is the LLC could be dissolved and maybe the Commission might have some liability. Mr. Nemergut noted the road to the other 4 houses is downgradient from the dam about 6 to 8 feet. If the dam goes, the private road goes. The question is who would be responsible to fix the dam if its an LLC. For them to cut out the dam, it needs a lot line revision. It would then become Frick's Pond LLC, Not for Buildable Purposes. Commission members felt it couldn't consider an application if information was lacking regarding the other 4 lots that use the driveway next to the dam. It was suggested if an application is received, the Commission should get a legal opinion from Attorney Branse.

Permit Log for September was distributed.

7. New Business

(a) Chatfield Farm – Agro-tourism – request for extension

Roger Nemergut noted Chatfield Farm was granted a Special Exception in 2014 for bus tours and in 2015 approval was given to allow larger events. Both Roger Nemergut and Cathie Jefferson recollect there was discussion about a 2 year period which is just about up, although there is no mention of this in either the Minutes or the Memorandum of Decision. The applicant would like to request a 5 year extension of that Special Exception. ZEO Jefferson noted there hasn't been any complaints. Chairman Lentz noted the applicant has always come in for permits and there haven't been any problems. Mr. Nemergut submitted a letter dated October 4, 2016 requesting a 5 year extension of the Special Exception that was amended on June 2, 2015. Copies of the Memorandum of Decision and the Minutes from the June 2nd meeting were submitted for the record. Stephanie

Warren noted they have brought a lot to the community and the area and the operation is very professional.

Motion by Warren, second by Hogarty, to grant Chatfield Hollow Farms a 5 year extension for Agro-tourism from the June 2, 2015 approval date. PASSED UNANIMOUSLY.

8. Report of Officers and Subcommittees

Stephanie Warren noted there has been 334 responses to the survey online. She met with Torrance Downes last week to review some of the data. First Selectwoman Iino still wants something put in the October Krier about paper copies coming out. Warren noted one interesting fact is that 60% of people are in favor of having a permanent town hall. The majority of people moved here because they liked the quiet rural nature of the town. The survey should be left on survey monkey as long as possible.

Stephanie Warren noted there had been discussion a few weeks ago about a proposal from Secretary Foxx of the U. S. Department of Transportation. Responses were sent in from 43 states with 89% not in favor of the proposal. Alaska said it was a terribly bad process. Joe Courtney said the people in the CT DOT are all for this idea because all they are looking at is consolidation of DOT.

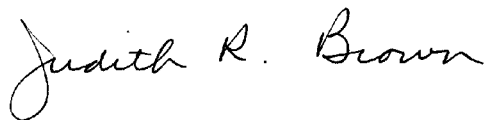
Stephanie Warren noted the CT Department of Health is proposing 8 county wide Departments of Health in Connecticut. Each town would be required to contribute 1½% of its town budget to these regional Departments of Health.

Stephanie Warren noted she will again attempt to email the newest draft of the MPO Housing template that was sent to the RPC members protesting Foxx's idea for regional areas.

9. Adjournment

There being no further business, the meeting adjourned at 7:55 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 Mark Branse, Esq., Comm. Attorney