

Minutes of Regular Meeting No. 1127 of the Killingworth Planning & Zoning Commission
Held on Tuesday, November 1, 2016, at the Killingworth Town Office Building, 323 Route 81,
Killingworth, Connecticut
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Present: T. Lentz, Chairman C. Jefferson, ZEO
D. Gross
S. Warren
G. Cook
P. McGuinness
T. Hogarty
J. Gay (non-seated alternate)
A. Martin (non-seated alternate)

It is noted for the record a public hearing was held for proposed Amendments to the Killingworth Zoning and Subdivision Regulations prior to the regular meeting. Hearing commenced at 7:00 PM and concluded at 7:45 PM.

1. Call to Order

Chairman Lentz called the meeting to order at 7:47 PM.

2. Minutes of Regular Meeting No. 1126 Held October 18, 2016

**Motion by Gross, second by Cook, to approve October 18, 2016 Minutes as written.
PASSED UNANIMOUSLY.**

3. Visitors – none.

4. Communications and Bills

(1) Letter from Connecticut Farm Bureau dated November 1, 2016 to Killingworth Planning & Zoning Commission.

(2) Letter from Lower Connecticut River Valley Regional Planning Committee dated October 24, 2016 to Killingworth Planning & Zoning Commission.

(3) Letter from South Central Connecticut Regional Water Authority dated October 5, 2016 to Killingworth Planning & Zoning Commission.

(4) Planning & Zoning Commission Budget As of 11/1/16.

(5) Letter from Cathie S. Jefferson to Kazmierz Aleksiejuk dated 10/20/16 Re Motor Vehicle Junk at 119 Burr Hill Road.

(6) Letter from Cathie S. Jefferson to Troy Early dated 10/28/16 Re RV Storage.

5. Old Business

(a) A comprehensive review of the Killingworth Zoning Regulations was undertaken by the Planning and Zoning Commission and Commission Counsel to clarify wording and ensure conformity with current Connecticut State Statutes. Many parts of the regulations were written in 1968 and required editing and updating. This resulted in addition of definitions and amendment, adoption, repeal, and renumbering of regulations in the following Articles of the Zoning Regulations. The great majority of changes are amendments to existing regulations.

Zoning Regulations. ARTICLE II, Definitions; ARTICLE III, Division Into Districts; ARTICLE IV, General Prohibitions; ARTICLE V, Nonconforming Uses and Improvements; ARTICLE VI, Rural Residence District; ARTICLE VII, Affordable Housing; ARTICLE VIII, Conservation Subdivision; ARTICLE IX, Accessory Apartments; ARTICLE X, Two-Family Dwellings; ARTICLE XII, Commercial Districts; ARTICLE XIII, Industrial Districts; ARTICLE XV, Floodplain District; ARTICLE XVI, Off-Street Parking and Truck Loading Space; ARTICLE XVII, Signs; ARTICLE XX, Removal of Earth Products; ARTICLE XXI, Waste Material; ARTICLE XXV, Communications Towers, Antennas and Facilities; ARTICLE XXVI, Special Exception Procedure; ARTICLE XXVII, Zoning Permits; ARTICLE XXVIII, Certificates of Compliance; ARTICLE XXIX, Amendment of Regulations and District Boundaries; ARTICLE XXXI, Zoning Board of Appeals; ARTICLE XXXIII, General Provisions; ARTICLE XXXIV, Retirement Housing Subdivision; ARTICLE XXXV, Tree Preservation Plan; ARTICLE XXXVII, Medical Marijuana.

Adopt Zoning Regulations. ARTICLE XII Commercial Districts §500-69 Uses permitted (13) Microbrewery, Microwinery. ARTICLE XVII Signs §500-106 B. General limitations; prohibited signs. §500-111 Summary of required characteristics for signs. ARTICLE XXX Solar Energy Systems.

Repeal Zoning Regulations. ARTICLE XXX Conditions of Certain Special Exceptions. The wording of this article moved to ARTICLE XXVI Special Exception Procedure and ARTICLE III changed to new regulation on Solar Energy Systems.

Subdivision Regulations. Amend §485-26 Performance and maintenance bonds; map endorsement, §485-26 Dedication of open space, §485-49. Building sites, §485-56.1 Tree preservation plan.

Chairman Lentz noted the Commission held a public hearing prior to this meeting. One concern was agriculture and farming. He noted when this was being discussed with Attorney Branse he had some reservations that this might be a concern. The definition is largely based on the State Statute. Attorney Branse had noted the State Statute is too broad and allows things this town doesn't have. Chairman Lentz referenced what is currently in the Zoning

Regulations for agriculture and farming. He suggested deleting the new definitions for agriculture and farming and letting it fall back on what is currently in the regulations. Alec Martin asked if the State Statute takes precedence. Chairman Lentz replied the Town can have more restrictive regulations than the State but not less restrictive. It was decided to delete the definitions of agriculture and farming.

The barn definition was reviewed. It was decided to change the definition to “A building accessory to a farm and used primarily for agricultural purposes but not used for human habitation.”

Section 500-43A. Was reviewed. It was decided to delete the following in the first sentence, “...requires a Zoning Administrative Permit.” Also, delete 500-43A(4) in its entirety.

Also, Section 500-111 Summary of required characteristics for signs should be 500-110a and 485-26 Dedication of Open Space should be 485-52.C.

Motion by Gross, second by Warren, to adopt the Amendments to the Zoning and Subdivision Regulations as modified, adopted as of November 1, 2016 and effective December 1, 2016. PASSED UNANIMOUSLY.

6. Zoning Enforcement Officer's Report
ZEO Jefferson reported on the following -

- Spoke to Scott Papoosha to be sure he realized he was supposed to do the bins which he hasn't done yet. When he processes the wood it needs to go in the bins. Says he will do that in December.
- Spoke to Francesco at LaForesta about lighting. He agreed to do what has to be done. His electrician is working up a plan. He has to have the lighting for insurance purposes.
- Had horrifying experience last week when found out voice mail hasn't worked right since July, had 55 messages didn't get.
- Spent time talking to Carla Feroni from DEEP discussing the issue at Frick's Pond Dam. They have big concerns about the proposal. At some point the property owner will come in with a lot line change. The Commission should have Attorney Branse put something on the Land Records regarding this matter. DEEP is also not certain whether they actually put the original Order on the Land Records.

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7. New Business – none.

8. Report of Officers and Subcommittees

Stephanie Warren noted she met with First Selectwoman Iino who indicated the Town has a bulk mailing permit at Pages in Deep River to send out the hard copies of the survey. It will be done as a bulk mailing without envelopes. Chairman Lentz authorized doing the bulk mailing.

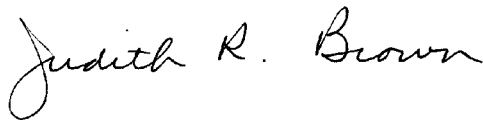
Stephanie Warren noted nothing further to report from RiverCOG as the meeting was cancelled.

Chairman Lentz noted the Commission needs to start working on the Town Plan. Stephanie Warren noted the survey is still online and there will be another notice in the Krier. There have been 350 responses as of 3 weeks ago.

9. Adjournment

There being no further business, the meeting adjourned at 8:40 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