

**Minutes of Regular Meeting No. 1138 of the Killingworth Planning & Zoning Commission  
Held Tuesday, May 2, 2017 at Killingworth Town Office Building, 323 Route 81,  
Killingworth, Connecticut  
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It is noted for the record a continued public hearing was held for Application #322 Special Exception, Michael Cassella, 157 Route 81 – Hot Dog Cart (Food Service Shop). Hearing commenced at 7:00 PM and concluded at 7:07 PM.

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)  
R. Drew (non-seated alternate)

1. Call to Order

Chairman Lentz called the meeting to order at 7:08 PM immediately following the above noted public hearing.

2. Minutes of Regular Meeting No. 1137 Held April 18, 2017

**Motion by McGuinness, second by Warren, to approve April 18, 2017 Minutes amended as follows – Under 6. Zoning Enforcement Officer's Report, end of 1<sup>st</sup> paragraph correct “ZCO” to “ZEO”. PASSED UNANIMOUSLY.**

3. Visitors

(a) Amanda Brackett – preliminary discussion of extension of Large Commercial District

Michael Harkin introduced himself as well as Amanda Brackett. He noted Ms. Brackett was looking at buying Bob Dowler's property at the 80/81 Circle. This is the last piece of Dowler's property to sell. It is split zoned – commercial and residential. He reviewed exposed ledge rock, existing garage and pond on the property. Harkin also noted the only real place to put a building is where Mr. Dowler wanted to put it originally as shown on the plan. The parcel would have to be rezoned to commercial to get access from Route 80. It just doesn't work to come off of Route 81. Soils on the site will support the septic system. The office building will be about 5,000 square feet.

Amanda Brackett gave a brief overview of her business. They started seeking a manufacturer's license about 3 years ago. They were classified as a manufacturer of liquor and have a Federal micro-winery license. Ms. Brackett noted since getting their license they do wine tastings. They are not open past 8 PM. They have music Friday nights and Saturday afternoons which is

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very low key. Their current location is in Wallingford, about 3,500 square feet.

Amanda Brackett noted they contribute to the community. Every Friday night they showcase an artist, have music with no cover charge. Its a cultural event. Dave Gross noted it sounds like this is much smaller and low key. Amanda Brackett replied yes, its very casual.

Chairman Lentz noted there is a minimum size of building, 5,000 square feet.

Michael Harkin noted there will be a small amount of blasting.

Tom Hogarty asked if there were any plans for the existing garage. Mr. Harkin noted although it is not historic, they will try to keep it. Right now it has a bad lean to it. They would like people like the Lions Club to continue to utilize it for community space.

Michael Harkin noted the main thing right now is to see if they can get the zone line changed to have access off of Route 80 (Old Deep River Turnpike). If it's commercial, there can be access from the town road. ZEO Jefferson noted to come in from the other side makes more sense for safety reasons.

Michael Harkin noted the actual usage of water for this type of use is not that great. The building will fit into the community. It was also noted the Fire Department does not use the well there because of stagnant water.

Chairman Lentz noted this would require a zone change and public hearing.

#### 4. Communications and Bills

- (1) Revised Statement of Use for #322 Special Exception, dated 4/26/17.
- (2) Revised Site Plan for #322 Special Exception, Revision Date of 4/5/17.
- (3) Memo from Paul Hutcheon, Director of Health, to Planning & Zoning Commission dated April 26, 2017 Re Special Exception #322.
- (4) Letter from Cathie S. Jefferson to Frank D'Andrea, Dunkin Donuts dated 4/21/17 Re Drainage.
- (5) Affidavit of Publication, Notice of Decision from April 4, 2017 Meeting.
- (6) Planning & Zoning Budget As Of 5/1/17.
- (7) Proposed Fee Schedule 5/1/17.
- (8) #328 Special Exception Application, Comcast Cable Co.

#### 5. Old Business

- (A) #322 Special Exception, Michael Cassella, 157 Route 81 – Hot Dog Cart (Food

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Service Shop)

Chairman Lentz noted a public hearing had been held on this application. Everything seemed to be in order. The Commission was just waiting for the Health Director's report which was received and approved.

**Motion by Hogarty, second by Warren, to approve #322 Special Exception, Michael Cassella, 157 Route 81 for Food Service Shop as amended with recent documents and as it's an appropriate use for the property and fits the Zoning Regulations. PASSED UNANIMOUSLY.**

6. Zoning Enforcement Officer's Report

ZEO Cathie Jefferson reported on the following -

(a) Dunkin Donuts needs to correct the issue of water runoff on the site and clean out the drainage culvert.

(b) Permit Log for April was distributed.

(c) Formal written complaint form was distributed. ZEO Jefferson explained its difficult to go to Court on a case without a written complaint. The form needs to be signed by the person making the complaint.

(d) Received a note from First Selectwoman Iino regarding proposed new Fee Schedule. The Board of Selectmen have not acted on it as they want more information regarding the road fees and legal advertising fees. Jefferson has supplied the requested information to the Selectmen.

7. New Business

(a) #328 Special Exception, Comcast Cable Co., 171 Route 81 – field office (Map 33, Lot 69C)

Thomas Carlone was present representing Comcast. He noted he has done work for Comcast throughout New England. They are proposing a 1,500 square foot field office. There will be no sanitary service, just portable toilets. It will not be permanently occupied. They have gone through Inland Wetlands and received approval. ZEO Jefferson noted because this is new construction, it will require a public hearing. Tom Hogarty asked if this was the same design used elsewhere. Mr. Carlone replied yes. He further noted Comcast has very rigid standards as the building needs to be security proof. He also noted he will bring samples of the materials to the hearing as well as different designs. Chairman Lentz suggested Mr. Carlone read the applicable Zoning regulation and that there should be a pitched roof.

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A public hearing was scheduled for Tuesday, June 6, 2017, at 7:00 PM.

(b) P&Z Appointment of Matthew Richards to the IWWC

**Motion by Hogarty, second by Cook, to endorse the appointment of Matthew Richards to the Inland Wetlands & Watercourses Commission. PASSED UNANIMOUSLY.**

8. Report of Officers and Subcommittees

Chairman Lentz noted he would like to review the Plan and was postponing Stephanie Warren's report on the questionnaire until June. He also noted there should be a new Agenda item each month for Plan of Conservation & Development.

Stephanie Warren noted there was discussion at RiverCog regarding quorum requirements because meetings have been canceled due to the lack of a quorum.

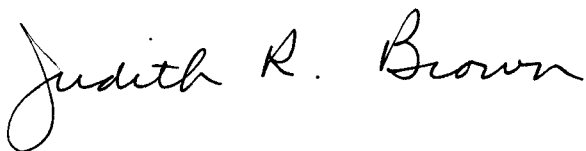
Stephanie Warren noted Fitzgerald and Holiday were employed to come up with a way to obtain public opinion on the Regional Plan by holding mobile pop up events. They only want to go to 4 towns. Questions were brought up by Fitzgerald and Holiday and RiverCog staff. There are some serious issues with the questions as they were not very useful. The Selectmen have agreed the mobile pop up events should be at all towns, not just 4.

Stephanie Warren noted just brought up an issue about a year ago regarding changing the MPO's. That was passed and then repealed. It passed again and probably will be repealed again.

9. Adjournment

There being no further business, the meeting adjourned at 8:10 PM.

Respectfully submitted,



Judith R. Brown, Recording Secretary

Cc: Town Clerk Conservation Commission  
Board of Selectmen Inland Wetlands & Watercourses Com.  
Commission Members Public Works

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C. Jefferson, ZEO

Mark Branse, Esq., Commission Attorney