

Minutes of Regular Meeting No. 1158 of the Killingworth Planning & Zoning Commission Held Tuesday, May 1, 2018, at the Killingworth Town Office Building, 323 Route 81, Killingworth, Connecticut
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Present: T. Lentz, Chairman
D. Gross
G. Cook
T. Hogarty
B. McLaughlin
R. Drew (seated for P. McGuinness) C. Jefferson, ZEO

It is noted for the record a public hearing was held for Special Exception #334 M&M Realty Holdings LLC to allow for 6-one bedroom apartments on third floor of 255 Route 80 existing building. Hearing commenced at 7:00 PM and concluded at 7:30 PM.

Meeting

1. Call to Order

Chairman Lentz called the regular meeting to order at 7:31 PM.

2. Minutes of Regular Meeting No. 1157 Held April 17, 2018

Motion by Gross, second by Cook, to approve April 17, 2018 Minutes as written. PASSED UNANIMOUSLY.

3. Visitors

Gene Gargiulo, Attorney Jane Marsh, Pat Benjamin and Sherry Cumpstone were all present for Special Exception #334. No one offered any comment at this time.

4. Communications and Bills

- (1) Two page handout dated May 1, 2018 from Shelly Cumpstone re Special Exception #334.
- (2) Report from ZEO Cathie Jefferson to Planning & Zoning Commission dated 4/1/18 re Special Exception #334.
- (3) Letter from Jim McDonald, Fire Marshal to Planning & Zoning Commission dated March 9, 2018 re Special Exception #334.
- (4) Invoice from Halloran & Sage for legal services in the amount of \$166.50 dated April 17, 2018.
- (5) Planning & Zoning Budget as of 5/1/2018.

5. Old Business

- (a) Special Exception #334 – M&M Realty Holdings, 255 Route 80 for 6 one bedroom apartments on existing 3rd floor

Chairman Lentz noted this is the building on Route 80 for the 6 apartments on the upper floor. A public hearing was held prior to this meeting. Approvals have been received from the Wetlands

Commission, the Sanitarian and the Fire Marshal. He noted the apartments meet the regulation for mixed use in the Commercial area. The only issue is whether some apartments should be made Affordable. That is ZEO Jefferson's recommendation and Chairman Lentz noted he agreed. Killingworth needs affordable housing and this would benefit the Town.

Geoff Cook asked what other ways could the Commission approach the issue of Affordable Housing without penalizing Mr. Gargiulo. ZEO Jefferson noted at the last meeting Mr. Gargiulo was looking to get \$1300 a month for the apartments. Based on calculations for this area, Affordable Housing would be \$1100 (at 80%) and \$975 (at 60%) which is not a big difference. Affordable in Killingworth is high.

David Gross noted if the back building is 100% residential and the front building can go that way and be 100% residential, that would be beneficial to the Town. Why wouldn't we do that? Tom Hogarty noted in order to make that entire building housing, it would need to have a new septic system. There is very little in our Town for older or single young adults. The Town stands to lose significant population in the next 20 years. No one will rent a commercial space in that back building.

David Gross noted if the back building is going to be Affordable, why not do the front building Affordable too.

Tom Hogarty felt the application should be approved as submitted. Chairman Lentz noted he would add a condition that 2 apartments be Affordable. David Gross noted his opinion was let's do as much Affordable Housing as possible.

Tom Hogarty noted he felt the Commission should take into account the applicant's financial implication. He has been current on all taxes for years and has kept the buildings up. He felt the Commission should do everything it could to help those buildings be successful.

Geoff Cook noted it seems unlikely someone would hang on to an asset of that magnitude for as many years and not put significant effort into renting those properties.

David Gross noted his concern was there are regulations the Commission is supposed to go by and if there are ways to get around them, so be it. The Commission has heard from the applicant, his engineer and his attorney.

Geoff Cook noted if the Commission approves apartments on the 3rd floor, the Commission is still maintaining its objective. ZEO Jefferson noted it still meets the intent of the Regulations and we can have 2 more Affordable Housing units.

Chairman Lentz noted it meets the Regulations. All that is being suggested is that the State Statute

enables the Town to have more Affordable Housing.

Brice McLaughlin noted if there is such a strong push for Affordable Housing, there should be a much broader Town effort to get Affordable Housing. Tom Hogarty noted the Commission should start thinking about cluster development. Chairman Lentz noted the Town has Age Restricted Zoning and Affordable Housing Subdivision. Tom Hogarty reiterated the Town should look at the bigger picture.

Chairman Lentz suggested holding further discussion on this until the Commission sees the other Application #337 Affordable Housing.

Motion by Hogarty, second by McLaughlin, to approve Special Exception #334, M&M Realty Holdings LLC, 255 Route 80, for 6-one bedroom apartments on the third floor of existing building as submitted. Brief discussion followed. Chairman Lentz suggested withdrawing the motion until Commission Counsel could be consulted. Tom Hogarty didn't feel that was necessary as the application meets the regulations. Lentz felt Commission Counsel would like to weigh in on all these issues. Hogarty noted he felt putting it on hold was unfair to the applicant. The other members not in attendance would have to listen to the tape and does anyone really do that. Hogarty and McLaughlin stated their motion stood as is. There was no further discussion. **In favor of the motion – Cook, McLaughlin, Hogarty, Drew. Opposed to the motion – Gross, Lentz. Motion Carried.**

(b) #337 Affordable Housing Application, M&M Realty Holdings, 257 Route 80
Nothing further at this time for #337 Affordable Housing Application.

6. New Business – none.

7. Zoning Enforcement Officer's Report

ZEO Jefferson noted this is the pool, deck, shed season. Pools are counted as coverage. April Permit log was distributed.

ZEO Jefferson noted the Bever Dam and Buel Hill Phase 3 and 4 expire this September. She will be sending Larry Brown a certified letter that he is to complete the roads and if not, the Town will take it over and pave the roads.

ZEO Jefferson noted she met with Chris Salafia to review a couple things he wants to do. The last time he came in to the Commission he talked about being able to transport people around the facility. He has applied to the Wetlands Commission for a covered bridge to use a supersize golf cart. He also wants to be able to have a shack on a concrete slab to serve pre-made sandwiches and Lavender lemonade. The last time the Commission gave him permission for the Lavender lemonade.

Chairman Lentz asked if Chatfield Hollow serves food. ZEO Jefferson replied no.

A lot line application will be coming in from Pattaconk Farms.

8. Report of Officers and Subcommittees

(a) Town Plan of Conservation & Development

Chairman Lentz noted Stephanie Warren emailed everyone the report from CRERPA on the Town Plan.

9. Adjournment

There being no further business, the meeting adjourned at 8:08 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, ZEO Mark Branse, Esq., Commission Attorney