

**Killingworth P&Z Commission Meeting**  
**Tue, May 17, 2022 7:00 PM - 9:00 PM (EDT)**

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**MEETING AGENDA**

1. Call to Order

Chairman Lentz called the meeting to order at 7:04 PM. Members in attendance and seated were Lentz, McGuinness, Hogarty, Cook, Tobelman. Warren (seated alternate for McLaughlin), Alternates Drew and Martin were present but not seated. ZEO Talbot was also present.

**Motion by Hogarty, second by Cook, to add the following item to the Agenda under Report of Officers and Subcommittees – Affordable Housing Plan. Unanimously Approved.**

2. Minutes of Regular Meeting April 19, 2022

**Motion by Cook, second by McGuinness, to approve April 19, 2022 Minutes as written. Unanimously Approved.**

3. Visitors

Lou Annino was present. He noted he was at this meeting because he couldn't attend the Affordable Housing meeting tomorrow night.

4. Communications and Bills – none.

5. Old Business – none.

6. Zoning Enforcement Officer's Report

ZEO Talbot reported on the following 2 items.

52 Burr Hill – ongoing zoning violation regarding construction equipment and vehicles on the property. Back in Court. Town's attorney has reached a negotiated settlement which gives them until November to move equipment off site. Anything after that date, it will go directly to Court.

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Running Brook Farm – ZEO noted he is sending a letter to Running Brook within the next day or two. He visited the site again. RBF will be sited for the chips that should be in bins. The bins aren't even there. Cook noted they also have huge trees. Warren noted the last time she saw the bins was in December. They may still be there but buried under all the chipped wood. There will be a spontaneous combustion possibility during the summer. Chairman Lentz noted the Commission is aware of the problem and it is being pursued. Talbot noted he reviewed the site plan and there is supposed to be a wood chip berm. They have problems. Warren noted they have huge problems and it's going to get worse. The location of the wood chip berm was reviewed. Talbot noted the letter will advise them to either stop or come in and ask to do whatever is being done. Chairman Lentz noted right now we need to pursue the violations and send the letter. The bins should be there and anything that doesn't fit in the bins should go. Drew noted there was a mutual agreement in the beginning of the year. Cook noted there have been many mutual agreements. Lentz noted we should try to get them into compliance. McGuinness noted this is a year to year thing.

7. New Business – none.

8. Report of Officers and Subcommittees

a. Marijuana Moratorium

Chairman Lentz noted he had sent out a sample moratorium regulation that Halloran and Sage had sent. Judy has sent everything to RiverCog and surrounding municipalities advising of public hearing at meeting in June. While the moratorium is in effect, the Commission can decide what it wants to do.

b. Affordable Housing Plan

Affordable Housing Plan – Hogarty noted he sent out a copy of the Affordable Housing Plan. The Commission hasn't had an opportunity to see or discuss it before. Does anyone have any comments about the Plan?

Cook asked if Hogarty could give a brief 30 second overview. Hogarty reviewed CT Statute 8-30J which requires every town to have an Affordable Housing Plan to be updated every 5 years and every town adopt a plan by June 1<sup>st</sup> of this year. The Committee has been working closely with RiverCog. The Plan has no legal binding on the Town. These are just ideas, concepts and things to consider. The Town doesn't have to do anything with the Plan. It's a blueprint to consider and talk about moving forward. Warren asked if that document is meant to be advisory only? Hogarty replied yes advisory only. It doesn't take place of the Town's Plan of Conservation and Development. Hogarty noted Planning & Zoning should endorse the Plan before the Selectmen adopt it.

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Lou Annino noted he was looking for a tie back on the Plan with Planning & Zoning. Need to know P&Z agrees with this Plan. He also noted if it's advisory only, it should say that in the report. The Selectmen could choose to put this on the shelf.

Hogarty noted the Statute is non-specific as to whether the Commission needs to adopt it. Annino noted that was odd since the Board of Selectmen are not in the business of Land Use. Selectmen are in the business perhaps of affordable housing administration. Cook noted since the Statute is non-specific, the Commission should get some clarification or agreement between the BOS and P&Z as to who is going to take the lead on this situation.

Drew noted the Town itself has a responsibility for compliance with 8-30J. The BOS started the Affordable Housing Committee with that in mind. This was to go back to the originator which was the BOS. Annino noted he didn't disagree with that but would expect an endorsement from P&Z with comments on soil based zoning and open space set aside.

Lentz noted some Commission members attended the hearing and made comments. That was the extent of P&ZC. Based on what Drew said it sounds like it's the BOS responsibility. Cook noted he has not read the actual Statute. Hogarty noted the Statute says the Town has to do a Plan. There was much discussion as to responsibility of P&Z, BOS and AFC. It was suggested it could be endorsed tonight in its current form with the understanding it needs more work collaborative with the BOS, P&Z and AFC. Annino noted that could be an approach but it also has to be presented to the BOS who appointed the AFC. This would get it in a place where the Town is compliant with the mandate, but that it stills needs to be massaged a little more. Martin noted it's not demanding anything. It's not a final document but its calling for the Town to be more proactive in affordable housing and to adopt certain measures to meet the mandate. Annino suggested this language be put in before this goes to the BOS as this language is not in the State Statute. Hogarty asked if this could be done before next Monday. Annino replied that would be okay.

Discussion followed as to what the language should be. It was agreed this is a work in progress and will be refined as it goes forward.

**Motion by Cook, second by Warren, to endorse the Town of Killingworth Affordable Housing Plan Annex from the Alternative Housing Committee with the understanding that this is an advisory only document.** Brief discussion followed that this is an advisory document only and it's important to get it to the BOS before the deadline. And that it can be updated at any time.  
**In favor – Cook, Tobelman, McGuinness, Warren, Hogarty. Opposed – Lentz. Motion Carried.**

Annino thanked Hogarty and Drew for all their hard work. It was also noted RiverCog has been a tremendous asset.

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9. Adjournment

There being no further business, the meeting adjourned at 8:07 PM.

Respectfully submitted,

A handwritten signature in cursive script that reads "Judith R. Brown".

Judith R. Brown, Recording Secretary