

Minutes of Regular Meeting No. 1200 of the Killingworth Planning & Zoning Commission held on Tuesday, August 17, 2021 at 7:00 PM by Go-To-Meeting
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Planning & Zoning 8-17-21
Tue, Aug 17, 2021 7:00 PM- 9:00 PM (EDT)

To join from your computer, tablet, or smartphone:
<https://global.gotomeeting.com/join/295220685>

To dial in using your phone:
[\(571\) 317-3112](tel:(571)317-3112)

Access Code: 295-220-685

PUBLIC HEARING - Special Exception Application #364, submitted by 177 Clinton Street, LLC, for Addition of Drive-through window with Order Board as accessory use to existing restaurant, Article XII Section 500-69.C.(7) at 177 Route 81, Killingworth, CT.

It is noted a public hearing commenced at 7:00 PM. Notice of Public Hearing was read into the record. A letter was read into the record from Joseph Dillon regarding changes requested by the engineer. No objection to changes. The Wetlands Commission also submitted its approval. No one spoke in favor or opposition. The Hearing concluded at 7:30 PM.

MEETING AGENDA

1. Call to Order

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

Those in attendance by Go-To-Meeting were Tom Lentz, Dave Gross, Geoff Cook, Paul McGuinness and Mike Drew seated for T. Hogarty. Mike Harkin and Marjorie Shansky were also present.

2. Minutes of July 20, 2021

Motion by Gross, second by Cook, to approve Minutes amended as follows – correct typo of “Duncan Donuts” to “Dunkin Donuts” under 6. New Business. Passed unanimously.

3. Visitors

Michael Harkin and Attorney Marjorie Shansky were also present.

4. Communications and Bills

(1) Federation of Planning & Zoning Quarterly.

5. Old Business

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(a) Special Exception Application #364, submitted by 177 Clinton Street, LLC, for Addition of Drive-through window with Order Board as accessory use to existing restaurant, Article XII Section 500-69.C.(7) at 177 Route 81, Killingworth, CT.

Chairman Lentz noted a public hearing was held and there was a description of the project. The project appears to adhere to the regulations. Geoff Cook noted he felt the design would cut down on the amount of congestion. **Motion by Cook, second by McGuinness, to approve application as presented and clarified to the Commission.** Chairman Lentz asked if there was a trash can in the vicinity. Mike Harkin noted he has designed many Dunkin Donuts and there has always been trash cans next to the order board. Mr. Harkin noted he is a resident of the Town of Killingworth.

PASSED UNANIMOUSLY.

6. New Business

(a) Lot line change at 200/206 Pond Meadow Rd. Map 9 lots 7 & 7-1

Jason Nemergut from Nemergut Consulting was present representing the applicant. He reviewed the location and size of the properties. It was noted in order to increase the side line setback, the size of the lot has to be increased. Chairman Lentz asked if the original boundary was the stone wall. The applicant replied only about 20' is stone wall. Lentz noted the Commission tries to preserve stone walls. He asked if the applicant owned both properties. He indicated everything seemed to be straight forward and the drawing of the properties was reviewed. **Motion by Gross, second by Cook, to approve application as submitted.** ZEO Jefferson noted a letter has been received from the Health Department noting approval. **PASSED UNANIMOUSLY.**

7. Zoning Enforcement Officer's Report

ZEO Jefferson reviewed the following items:

(1) Comcast property - a new site plan was received showing the addition of a couple trees and a fence. Plan was reviewed. Mike Drew noted there should be some type of deer resistant arbor vitae. ZEO Jefferson noted she will talk to the applicant and ask how tall the fence is.

(2) Shed on Route 81 – ZEO Jefferson noted the shed should be gone shortly. Hopefully that will be within the next week.

(3) Got the Quarterly Newsletter highlighting all the zoning changes in the legislature.

(a) Accessory Apartments – our new regulation meets all these requirements.

(b) Cannabis – still need to deal with this.

(c) Special Exceptions – cannot be decided on character only, must be on physical site characteristics of the district.

(d) Parking – one bedroom requires 1 parking space, two bedroom requires 1 or 2 spaces.

(e) If town has an Affordable Housing Plan it can be incorporated into the POCD but needs to be updated every five years.

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(f) Outdoor Dining – still allowed in parking lots and sidewalks as long as it goes into a district that allows restaurants. The new patio at LaForesta has no permit and as of May of next year it will be in violation. ZEO sent the owner letters but he has done nothing about it.

(g) Permit Expiration – previously was 14 years, they have just added another 5 years.

(h) Land Use Training – as of January 2023, it will be a requirement that all zoning officials must take that training.

(i) Application Fees – consultant fees have to be separate from the application fees. Town of Killingworth is already in compliance with that.

(j) Remote Meetings – remote meetings can continue as long as the Commission want to do it.

4. Scott Papoosha wants to get a license for a micro cultivator. The State isn't taking applications until 2022. The Town has time to look at this.

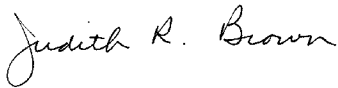
8. Report of Officers and Subcommittees

Chairman Lentz noted the Preservation of Historic Buildings and Structures has been sent to RiverCog for comment. Public hearing was scheduled for September 21, 2021. There was discussion as to whether this regulation applies to primary structures.

9. Adjournment

There being no further business, the meeting adjourned at 8:00 PM.

Respectfully submitted,



Judith R. Brown, Recording Secretary