

Minutes of Meeting No. 12133 of the Killingworth Planning & Zoning Commission held on Tuesday, March 19, 2024 at 7:00 PM at the Killingworth Town Office Building, 323 Route 81, Killingworth.

Meeting Agenda

1. Call to Order

P. McGuinness called the meeting to order at 7:00 PM. Commission members present included Chairman McGuinness, Hogarty, Cook (arrived at 7:05 PM), McLaughlin, Tobelman, Drew. Alternates present were Warren (seated for Cook until his arrival at 7:05 PM), Martin and Phelps not seated.

Motion by Hogarty, second by McLaughlin, to add item to the Agenda; Appointment of Martin and Warren as River Cog liaisons. PASSED UNANIMOUSLY.

2. Visitors – brief public comments

Bill Joyce regarding Beechwood. He noted the Sun Corporation has moved septic pumping back to 5 years. Clinton has an Ordinance to be pumped every 3 years. We should consider a regulation change. Hogarty noted this would be a Town Ordinance. Gorski agreed, noting the problem with Beechwood is they are only 1000 gallon tanks, leach fields get saturated. Hogarty noted they should probably talk to the Board of Selectmen.

Scott from Patrick Drive. He noted there has been some discussion about again holding hybrid meetings. Chairman McGuinness noted if there is interest in holding hybrid meetings, we can think about it.

Eileen Unger noted more people should be involved in these meetings. Everything we do is a benefit to the Town.

Dana Cote noted there should be discussion regarding OWF's. Hogarty noted there will be some general discussion about OWF's, but not specific to Running Brook Farms. People living around there are being exposed to health problems. Chairman McGuinness referenced regulations pertaining to OWF's.

3. Minutes of February 20, 2024 Special Meeting

Motion by Hogarty, second by Tobelman, to approve February 20, 2024 Minutes as amended. Towns of Clinton and Durham OWF's were banned entirely in 2022. Chairman McGuinness noted that Outdoor Wood Burning Furnaces should be referred to as OWF's for consistency.

4. Communications and Bills

a. Town of Madison, Land Use Office, Letter dated February 20, 2024 Re Zoning Regulation Text Amendment regarding family and group child care homes

b. Certificate of Publication, Notice of Decision from February 20, 2024 Meeting

c. Various Invoices – Halloran Sage, Invoice No. 11433871 \$3820.00 General Legal; Invoice No. 11433872 \$520.00 Papoosha Real Estate Investors Appeal; Invoice No. 11433873 \$380.00 Papoosha Real Estate Investors, LLC.

d. Notification received from the CT Federation of Planning & Zoning Agencies regarding the 76th Annual Conference for service awards.

e. Letter dated March 11, 2024 from Town of Westbrook regarding Zoning Regs, Section 9A7.

5. Old Business

a. Continued discussion on outdoor wood burning furnaces (OWFs).

Ongoing discussion on OWF's. It was noted there is a lot of borrowed language from the State Statutes – 22A-174K. It is not for fire pits, fireplaces or barbeques. This is for heating associated to the house. There is a list of OWF's prepared by the Building Department. It was noted wood burning furnace regulations should be standardized. Cook reviewed information distributed regarding OWF's, including enforcement. He suggested the Town should be more proactive than reactive. Perhaps a committee should be formed. Permitting was discussed. Question was asked if members preferred modifications or a ban. Discussion followed. Grandfathering and phasing out was also discussed. Hogarty felt new ones should be banned and others enforced. Paul asked Tom to review regulations wording for the next meeting. Grandfathering has to be crystal clear. The Building Official noted the State says you can't pollute your neighbor which means the smoke can't leave your property. Cook will draft some regulation wording for the next meeting. Financial penalties were reviewed. Fines were discussed. It was noted there is no current mechanism to fine.

b. Continued discussion on housing.

There was continued discussion on housing. Chairman McGuinness noted he had nothing specific to say but asked for suggestions on how the Commission can become part of the solution. Affordable housing for seniors was mentioned. It was noted Regional Planning is looking at that. It was also noted this is a very complex problem. Hogarty asked what would be possible with 2 acre zoning. A solution might be a multifamily facility. 10 to 15 percent of that housing would then be affordable. A resident of town who acquired the last affordable housing unit years ago noted the last affordable housing program in town was poorly managed. He asked about accessory apartments. Chairman McGuinness suggested contacting Gene Gargiulo about accessory apartments. It was suggested the Commission should look at what is done in other towns such as Southbury, Morris and Bethlehem to see what they have for affordable housing. McGuinness noted he would check with Gargiulo to see if he has any interest. Soil based zoning and cluster housing were reviewed. It was again noted the Commission should develop regulations for affordable housing. This will continue to be discussed at every meeting.

6. Zoning Enforcement Officer's Report – none.

Chairman McGuinness noted Tom Hogarty has been covering as ZEO. Hogarty noted an application came in from Turnbridge, Parker Hill Road, request for reasonable modifications; can

it have 2 group homes on less than 1000' apart. Former ZEO, Leo signed off on a form granting permission for that, a zoning accommodation form. After talking to attorneys at length, it was noted we are stuck with it. The only out is that Turnbridge never published the decision. The document Leo signed is their zoning permit. Hogarty noted this never came to Planning & Zoning. The Zoning Officer should have said this needs to be reviewed by P&Z. This can be appealed to ZBA.

7. New Business

a. Appointment of Killingworth ZEO

The new ZEO will work 19 hours a week; 1 to 6 Tuesdays and Thursdays and 9 to 4 Wednesdays. Tom, Paul and Robin have been filling in as acting ZEO. Three resumes were collected and 2 interviews were done. Linda Kieft Robitalle has had experience and will redo the CAZEO training. She has had 13 years experience working as investigator and examiner for State real estate. She has also worked for South Windsor and Sommers and was on Colchester Planning and Zoning for 10 years.

Motion by Cook, second by Drew, to appoint Linda Kieft Robitalle as Zoning Enforcement Officer. PASSED UNANIMOUSLY.

Motion by Hogarty, second by McLaughlin, to appoint Stephanie Warren as liaison to River Cog for 2 years. PASSED UNANIMOUSLY.

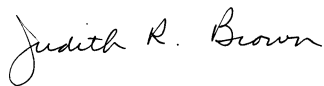
Motion by Hogarty, second by McLaughlin, to appoint Alec Martin as liaison to River Cog for 2 years. PASSED UNANIMOUSLY.

8. Report of Officers and Subcommittees – none.

9. Adjournment

There being no further business, the meeting adjourned at 8:30 PM.

Respectfully submitted,



Judith R. Brown, Recording Secretary