

**Minutes of Meeting No. 12143**  
**Killingworth Planning & Zoning Commission**  
**Tuesday, January 21, 2025 at 7:00 PM**  
**Killingworth Town Office Building**  
**323 Route 81, Killingworth/Remote Access**

**Commission Members in Attendance (Voting):** Paul McGuinness (Chair), Thomas Hogarty, Bill Tobelman, Geoffrey Cook, Julie Phelps (Seated for Mike Drew), Stephanie Warren (Seated for Brice McLaughlin/Via Remote), Alec Martin (Seated as Alternate/Via Remote)

**Commission Members Not in Attendance:** Brice McLaughlin, Mike Drew

**Visitors:** Linda Kieft-Robitaille (ZEO), Mark Barnse, Esq. (Halloran & Sage), Eileen Ungeer-Pleines (Via Remote), Jon Berardino (Via Remote), Jamie Sciascia (Via Remote)

**Call to Order:** The meeting was called to order at 7:00 PM. by Paul McGuinness, Chair.

**Visitors – Brief Public Comments:** None.

**Minutes of December 17, 2024 Meeting:**

The following edits to the Minutes were made:

1. On Page 3, Under Brief Public Comments - change Stephanie Warren’s comment to: “thought the plan being presented was for a driveway and a house and she couldn't put it together because the area in the photographs seems much larger.”
2. Paul McGuinness had multiple redline edits (mostly clarifying and correcting names of speakers) and passed it around for commission members review and then to Judy Brown.

Thomas Cook *Moved* and Geoffrey Cook *Seconded* a motion to approve the Minutes with Amendments made by Stephanie Warren and Chairman McGuinness.

Motion Unanimously Approved [6-0-0-].

**Communications and Bills:**

- Chairman McGuinness reported receiving multiple invoices from Halloran and Sage which will appear on next month’s Agenda.
- Received CT River Coastal Conservation District Letter, December 13, 2024 regarding advertising.

**Old Business: Discussion on site work occurring at 99 River Road (at Green Hill Road Intersection)**

- The Commission reviewed the site work at 99 River Road (Intersection of Green Hill), including grading, construction status, and potential encroachment on Wetlands;

- Town’s Attorney, Mark Branse, provided an overview of Zoning Regulations, stating that the excavation work was deemed incidental to home construction and not a commercial gravel pit;
- The Commission noted minor encroachment into the Wetland areas, but no major violations were found;
- Multiple public concerns and land use formal complaints filed, including traffic disruptions from construction trucks, which the site owner resolved;
- The Commission determined that the work was within Zoning compliance and saw no reason to take further action;
- Wetlands ZEO sent a letter to the owner for a Springtime remediation. Progress Update - Front half of the property has been final graded, most topsoil has been spread, the house foundation hole has been excavated, top back half of the lot has been mostly graded, and screening materials are finished; The amount of earth moving equipment has been reduced, noting a few stockpiles in the back that need to be spread;
- The Commission and Town’s Attorney discussed the issue of the November 19, 2024, meeting minutes not being filed within the required seven-day period under FOIA. However, since the motions were properly filed within the required 48 hours period under FOIA and no complaints were raised, the minutes remain valid, and no revisions are necessary.

**Outdoor Wood-Burning Furnace (OWF) Regulations:**

- The Commission discussed prohibiting new Outdoor Wood-Burning Furnaces while allowing existing ones to continue under strict regulations;
- Clarifications were made to the language to ensure that Fire Pits, Barbecues, and Chimineas were not affected by the ban;
- Commission Members discussed their concerns about how to enforce the ban and monitor prohibited materials being burned;
- Next Steps: Chairman McGuinness will finalize and clean up the document before distributing it to the full Commission, since Council has already completed his review;
- Discussed allocation of funds in this year’s Budget for a part-time hire or consultant to assist in reviewing and updating zoning regulations, with any proposed changes being reviewed by the council before implementation and to possibly assist with starting the Plan of Conservation and Development.

**Active Adult Community Housing Proposal:**

The Commission proposed a New Zoning Regulation for 55+ Active Adult Housing Development to address the lack of downsizing options in Town. Hogarty reviewed regulations from other Towns, choosing what he thought was applicable as a first draft. The Commission reviewed the following:

- Minimum Lot Size: 10 acres
- Maximum Building Height: 35 feet (two stories)
- Units Ranging from 1,000 to 3,000 square feet
- A limit of two bedrooms per unit
- Residents be 55+/No residents under 18 years old

- 60% impervious coverage, with 40% left as open space
- Well or Septic System
- Compliance with State Statute 55830 G Affordable and Solutions for 55+, 10% should be affordable
- Options from Developer in terms of cost/square footage of house
- Discussed reduction of the suggested maximum unit size to 1,500–2,000 square feet to keep costs reasonable
- Ensuring units were accessible for aging, but active residents
- Whether roads in these developments should meet Town road standards or remain private HOA, maintained roads
- Hogarty suggested the Commission visit existing Active Adult Communities in nearby Towns for reference
- Mark will look at other projects similar to this one referencing New Hartford

**Zoning Officers Report** - No Report.

**New Business:**

**Special Exception, 249 Route 81, Schedule Public Hearing**

- The applicant seeks to modify the special exception permits granted in April of 2001 to convert the building from having three hotel guest rooms to having three hotel guest suites to accommodate traveling nurses and medical technicians and other longer-term tenants. Each suite would have its own private bathroom, kitchenette, and private living area;
- Traveling nurse's typical stay is 92 days but could be extended.

Thomas Hogarty *Moved* and Geoffrey Cook *Seconded* a motion to schedule a Public Hearing for Tuesday, February 18, 2025 at 7:00 p.m.

Motions Unanimously Approved [6-0-0].

**Reports of Officers and Subcommittees:** No Reports.

**Update on Running Brook Farms Litigation:**

- Chairman McGuinness provided an update on the ongoing lawsuit concerning Running Brook Farms noting three days of testimony have occurred, with further hearings scheduled into February.

**Adjournment:** Chairman McGuinness adjourned the meeting at approximately 8:45 p.m.