

Public Hearing & Minutes of Meeting No. 12146
Killingworth Planning & Zoning Commission
Tuesday, April 15, 2025 at 7:00 PM
Killingworth Town Office Building
323 Route 81, Killingworth/Remote Access

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

Commission Members Not in Attendance: Brice McLaughlin, Julie Phelps (Alternate)

Visitors: Linda Kieft-Robitaille (ZEO), Jonathan Norton and Scott Kasper (Via Remote)

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

Public Hearing and Consideration of Application #392, Jack B. Coy, LLC. The property location is: M.28 L.59A Roast Meat Hill Road, Killingworth, a 2-Lot Conservation Subdivision.

The Secretary, Geoffrey Cook, read the Legal Notice of the Public Hearing into the record.

Chairman McGuinness reviewed the Public Hearing application process and steps with the public in attendance.

Jonathan Norton, resident of Killingworth, was in attendance tonight acting on behalf of Jack B. Coy LLC, specifically Mike Birkin, in consideration of his application for a 2-lot subdivision with a proposed conservation easement of 9.18 acres. Bob Doane (Surveyor) and Mr. Norton's Attorney, Beth Grassette, were not present. Mr. Norton explained that the 2023 easement template from a previously approved 5-lot plan was reused for this Application. The updated map and easement were submitted this afternoon just prior to the start of the meeting. Attorney Beth Grassette (representing the applicant) and Attorney Karen Perry (representing the Killingworth Land Conservation Trust) are currently reviewing and revising easement language and final terms are not yet settled. The Killingworth Land Conservation Trust has requested an on-site walk-through next week in order to inspect the proposed open space area, and to ensure alignment and clarity with the property owner on use limitations, with final approval expected in early May. Mr. Norton further confirmed that a Phase 1 Archaeological Survey had been conducted noting 75 test pits revealed with only minor artifacts, with no evidence of significant Native American activity found.

The Commission noted the inconsistency between the map approved by the Inland Wetlands Commission (8.96 acres) and the newly submitted map (9.18-acres) version. Mr. Norton clarified that the discrepancy was due to CAD adjustments made after overlaying the old easement on the new 2-lot layout. The Commission stressed the importance of consistency, that identical maps are required across the Planning & Zoning Commission, the Inlands Wetlands Commission, and the Land Trust.

The Commission raised questions regarding the following:

- The Commission asked for clarification on restrictions proposed in the conservation easement.
- Concerns were raised on whether the easement permits passive recreation (e.g. walking paths); ensuring development is restricted, especially if the land is sold in the future; protection of cultural/historical artifacts.

Commission's Requested Actions:

- The Commission requested a revised map reflecting the correct easement size and boundaries matching the version the Wetlands Commission approved;
- The updated plans will be distributed to all Commission members in advance of the May Public Hearing so they can give a thorough review ahead of time.

Chair McGuinness read a letter from the Killingworth Land Conservation Trust into the record where they acknowledged ongoing confusion over easement boundaries and use restrictions. The Killingworth Land Conservation Trust has not yet voted due to lack of finalized documents and cited the need for site walk-through before making a final decision.

In Support of the Application: Jonathan Norton, speaking in favor of the Application, shared that a family has purchased his home on a Hubbard clause with plans to move to Killingworth in 8 months or so. He noted that his house design is completed and his family selecting Sean Davis, from Davis Construction out of Killingworth to build his home, and Dan Dingus from D&O Excavating, LLC, who is also local to do the evacuation work. Mr. Norton expressed eagerness to start as soon as approvals and permits are in place.

Lastly, Chair McGuinness raised a question regarding the timeline for the Farm Pond Project, specifically on behalf of Mr. Birken, who had previously inquired about progress and next steps. Mr. Norton acknowledged that he still owes the Inland Wetlands Commission a formal project timeline which would be submitted soon to satisfy the Inland Wetlands Commission's requirements.

In Opposition of the Application: None.

Geoffrey Cook *Moved* and Bill Tobelman *Seconded* a motion to continue the Public Hearing for Consideration of Application #392, Jack B. Coy, LLC, until the next Planning and Zoning Commission meeting scheduled for Tuesday, May 20, 2025 at 7:00 p.m.

Motion unanimously passed [6-0-0].

Called to Order: The Hybrid Regular Meeting was Called to Order at 7:35 p.m. by Paul McGuinness, Chair.

Seating of Alternates: Alec Martin seated for Brice McLaughlin.

Brief Public Comments: None.

Approval of Minutes of March 18, 2025:

Mike Drew *Moved* and Geoffrey Cook *Seconded* a motion to approve the Minutes from the Regular Meeting of the Planning and Zoning Commission dated March 18, 2025 with the following amendment made by Geoffrey Cook:

1. On Page 3, Under b. OWFs Regulation, in the first sentence replace “OWWs” with “OWFs”

Motion unanimously passed [6-0-0].

Communications and Bills:

a. March 24th email from CT Planning Professionals-L@listserv.uconn.edu Re: Upcoming Training Opportunities by CLEAR

Chair McGuinness reported that the Commission Members can pay upfront to attend the training sessions, submit receipts and be reimbursed through Director of Finance Regolo.

b. Clerk’s Invoice

Chair McGuinness reported that Clerk Sciascia submitted an invoice for services which he reviewed, approved and forwarded to Director of Finance Regolo for processing. Clerk Sciascia will send Chair McGuinness an email on expected frequency of future invoices, either quarterly or monthly (Clerk Sciascia was having technical difficulties and was unable to respond with her microphone during the meeting.)

Old Business:

a. Application #392 2-Lot Conservation Subdivision at M.28 L.59A Roast Meat Hill Rd., Jack B. Coy, LLC Applicant

- The Public Hearing has been continued to May 20, 2025;
- The Commission had a brief follow up discussion;
- No action taken yet; item remains open.

b. Active Adult Regulation

Ms. Kieft-Robitaille reported on the following:

- Draft Regulation has been sent to both RiverCOG and South Central Regional Council Governments;
- Public Hearing will be scheduled for May 2025;
- Ms. Kieft-Robitaille will work with Clerk Sciascia on the language in order to post the Legal Notice Publication in the papers for dates of May 8th and May 15th;
- Draft Amendment wording to be finalized.

c. OWFs Regulation

Ms. Kieft-Robitaille reported on the following:

- Potential to bundle OWFs revisions with other proposed changes are expected in June.
- Draft Regulations are awaiting the “green light” from Town Counsel in order to proceed.

d. Definitions

Ms. Kieft-Robitaille reported on the following:

- Ongoing review of zoning definitions;
- The Commission reviewed “floor area” definition during last meeting;
- The Commission was asked to email suggestions of any unclear or outdated definitions directly to her.

Zoning Enforcement Officer’s Report:

Ms. Kieft-Robitaille reported that there has been a continued increase in inquiries about Accessory Dwelling Units with most applicants seeking a 1000 square foot single-bedroom units. The goal is to update the Accessory Apartment Regulations to better align with State Guidelines and Community needs.

Ms. Kieft-Robitaille briefly reported on the State Housing Allocation Results that Alec Martin circulated to the Commission. These results relate to the State of Connecticut's push for increased affordable housing across municipalities, likely tied to proposed legislative changes and future grant opportunities. Ms. Kieft-Robitaille shared the following information:

- Proposing approximately 382 new housing units for Killingworth under the State’s preliminary allocation model;
- No new housing bills have yet passed as of the meeting date, however, the Commission is anticipating movement in the legislature that may formalize.

Ms. Kieft-Robitaille reported that the Town of Killingworth has strict requirements for duplexes:

- Owner occupancy required;
- Minimum lot size (4 acres);
- Garage required.

Ms. Kieft-Robitaille further shared a comparison with the Town of Marlborough (similar characteristics to Killingworth):

- Roughly equivalent in population and land use;
- Only partial sewer availability;

- Now allows duplexes by right with only 150 ft of frontage (vs. Killingworth's 200 ft);
- Recently reduced zoning minimum lot size from 2 acres to 1 acre;
- Allowed duplexes “as of right”;
- The changes were passed without public opposition.

The Commission reviewed Accessory Apartments specifically the following information:

- Not currently counted toward State affordable housing quota, unless it's deed-restricted (rare, since owners don't want to lock in pricing);
- Discussion of potential for Accessory Dwelling Units to be counted if state laws change;
- Even with the housing demand being high, options are limited. There are properties for sale in the Town of Killingworth:
 - 1 unsold unit at Jensen’s;
 - 1 lot of land for sale;
 - 2 homes for sale under \$1M;
 - 2 homes for sale over \$1M.

New Business: No Report.

Report of Officers and Subcommittees

Alec Martin reported more on the State’s Housing Allocation Report which was a Preliminary draft report shared with the Commission via email.

- Killingworth’s projected housing obligation reflects between approximately 279-382 new units; existing housing is 2,713 units;
- These numbers come from preliminary estimates tied to Statewide housing production goals (ranging from 120,000 to 310,000 units);
- State allocations are expected to consider several variables, including:
 - Transportation Access Proximity to:
 - Train Lines (e.g. Shoreline East)
 - Bus Routes or Transit Corridors
 - Economic Growth Zones
 - Areas designated for future economic development
 - Potential employment hubs
 - Land Availability and Infrastructure Capacity
 - Available buildable land
 - Access to sewer and water infrastructure

- Current Zoning Flexibility
- Due to limited transportation infrastructure and rural zoning:
 - Killingworth is unlikely to receive a mandatory housing quota;
 - Higher expectations will likely be placed on nearby towns like Clinton, which have direct access to transit lines and regional amenities.
- The Commission raised concerns about location of the 279 new units; The Town may need to consider allowing multi-family housing (e.g. duplexes or apartments); and significant changes to current zoning would be required.
- Final report expected around May/June and Towns with transit infrastructure will carry more obligations. No action required yet, but the Commission is monitoring the report closely.

The Hybrid Regular Meeting Ended at approximately 7:57 p.m.

The Planning and Zoning Commission went into Executive Session at approximately 8:00 p.m.

Executive Session, Update on Running Brook Farms, Pending Litigation:

The Commission was provided an update regarding Running Brook Farms.

Adjournment:

Chairman McGuinness adjourned the meeting at approximately 8:13 p.m.

Respectfully Submitted,

Jamie Sciascia
Clerk