Minutes of Public Hearings & Special Meeting of the Killingworth Zoning Board of Appeals
Tuesday, June 23, 2026 at 7:00 PM - Killingworth Town Office Building

323 Route 81, Killingworth/Remote Access

Commission Members in Attendance: Mark McCormick (Chair), Ben Charney, Bill Joyce, Cheryl Fine (Arrived 7:06 p.m.) and Cinny MacGonagle - All present

Visitors: Alan Gemmell, Kimberly Gemmell, Troy Antoniewicz (and wife), Attorney Genevieve Park-Taylor (Sound Legal, LLC), Linda Kieft-Robitaille (ZEO), Jamie Sciascia (Clerk/Via Remote)

Called to Order: The Meeting was Called to Order at 7:00 PM by Mark McCormick, Chairman.

Chairman McCormick read the Legal Notice of Public Hearing into the record and reviewed the public hearing process with those in attendance.

A Public Hearing and Consideration of Application #02-26 regarding a side yard variance at 123 Chittenden Road, Alan Gemmell - Applicant.
Mr. and Mrs. Gemmell were in attendance to present their application. Mr. Gemmell stated they reside on a small retirement-type lot in Killingworth and proposed construction of a 24' x 24' garage for additional storage. They described existing site constraints, including a semi-circular driveway and the location of septic and drainage systems on one side of the property, and indicated the garage would be placed on the opposite side of the house. It was further noted that the proposal would require a setback of approximately 20 feet.

The Board reviewed the zoning hardship standard, noting that hardship must be based on a physical characteristic or constraint of the property rather than personal preference, convenience, or cost. Examples discussed included wetlands, steep slopes, and other immovable site conditions.

The Gemmells inquired how the proposal compared to current zoning standards and whether alternative configurations would be acceptable. The Board advised that multiple design alternatives should be explored to reduce or eliminate setback encroachment, including shifting, resizing, or reorienting the structure. The Board further noted that proximity to existing structures, lot configuration, and orientation to property lines could be adjusted. Discussion also included the location of the existing well and driveway circulation in relation to the proposed garage. It was noted that relocating or reconfiguring the garage may help minimize encroachment; however, compliance with zoning and building code requirements must be maintained. The Board reiterated that code limitations alone do not constitute a hardship. The Gemmells indicated they would review alternative designs based on the Board's feedback. No additional comments were received from the public.

Motion #1 - Ben Charney ***Moved*** and Bill Joyce ***Seconded*** a motion to close the Public Hearing at approximately 7:27 p.m. Motion unanimously passed [5-0-0].

A Public Hearing and Consideration of Application #01-26 regarding an appeal of the decision on Application #405: Home Occupation Permit, 45 Stevens Road, Killingworth, CT 06419, filed by Christopher Parkington and Victoria Parkington v. Troy Antoniewicz, appealing the decision of the Zoning Enforcement Officer.

Chairman McCormick read the Legal Notice of Public Hearing into the record.

Motion #2 - Ben Charney ***Moved*** to open the Public Hearing at approximately 7:29 p.m.

Motion #3 - Ben Charney ***Moved*** and Cinny MacGonagle ***Seconded*** a motion to continue discussion of Application #01-26 pending legal guidance within the allotted timeframe and further move the item to Monday, July 20, 2026, at 7:00 p.m. Motion unanimously passed [5-0-0].

The Board confirmed the continuance falls within required statutory timeframes. Mrs. Antoniewicz inquired about the reason for the postponement; the Board did not provide comment, noting the public hearing had been continued.

Chairman McCormick opened the Zoning Board of Appeals Special Meeting.

Approval of Minutes from the May 18, 2026 and November 17, 2025 Meetings:
Motion #4 - Ben Charney ***Moved*** and Bill Joyce ***Seconded*** a motion to approve the Minutes from the Regular Meetings of November 17, 2025 and May 18, 2026 as presented. Motion passed [4-0-1].

M. McCormick, B. Charney, B. Joyce, C. Fine - [Yes] C. MacGonagle - [Abstain] (*Note - The Notice of Vote filed incorrectly reported Ms. MacGonagle's vote. The correct vote was Abstain.)*

Old Business:

A. Application #02-26 (Alan Gemmell, Applicant)

The Board reviewed a scaled site plan and confirmed that two existing structures remain on the property, including a frame shed located within the setback. Existing conditions reflect multiple pre-existing setback encroachments on the Gemmells small lot. The Board discussed that the proposed garage would replace existing nonconforming coverage within the setback, resulting in a net-neutral impact by consolidating existing shed coverage into a single garage structure, thereby improving site organization without increasing overall setback encroachment.

Motion #5 - Ben Charney ***Moved*** and Cinny MacGonagle ***Seconded*** a motion to grant a four-foot variance from the right side yard setback for construction of a new garage, conditioned upon the existing frame shed being relocated entirely outside the setback area. The variance was granted in consideration of the property's existing setback encroachments, with the proposed changes improving overall conformity with setback requirements. Motion unanimously passed [5-0-0].

The Board advised that any future revised application should include a scaled site plan showing structure placement and driveway configuration, and should clearly depict all existing and proposed improvements for review. The Board further noted that driveway layout should be clearly identified to avoid prior issues seen in similar applications. Clerk Sciascia confirmed that the motions and votes would be available within 48 hours, with the full set of minutes available within approximately seven days, followed by issuance of a notice of decision within the statutory timeframe.

B. Application #01-26 (Parkington v. Troy Antoniewicz)

This agenda item was continued for a Public Hearing on July 20th at 7:00 p.m.

New Business: A. Discussion on Procedures - Due to timing, this agenda item will be discussed at the next ZBA meeting.

Adjournment: Motion #6 - Ben Charney ***Moved*** and William Joyce ***Seconded*** a motion to adjourn the meeting at approximately 8:03 p.m. Motion unanimously passed [5-0-0].

Respectfully Submitted,

Jamie Sciascia

Jamie Sciascia, Clerk