

Minutes of Regular Meeting No. 12151
Killingworth Planning & Zoning Commission
Tuesday, August 19, 2025 at 7:00 PM
Killingworth Town Office Building
323 Route 81, Killingworth/Remote Access

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

Commission Members Not in Attendance: Brice McLaughlin

Visitors: Linda Kieft-Robitaille (ZEO), Jim Lally, Matthew Nunzianto, Laurel Poletti, Robert Rimmer, Esq, Michael Harkin, Richard Pleines (Via Remote), MLP (Via Remote) and Jamie Sciascia (Via Remote)

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

Thomas Hogarty *Moved* and Geoffrey Cook *Seconded* a motion to revise the order of Agenda items 5A & 5B Under Old Business: SE #394: 250 Rock Ledge KW LLC (Michael Harkin) applicant; for mixed use building at 250 Rt.81. now be placed at 5B and SE #395: 14 Route 80. Jim Lally, applicant for 40x60 addition to existing building in Industrial Zone now be placed at 5A as well as move Agenda Item 7 Under New Business: Application #399: Matthew Nunzianto, Applicant - Lot Line Revision between 128 and 130 Little City Road located above Old Business, Item C - Regulations.

Motion unanimously passed [5-0-0].

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.

Michael Harkin, a professional engineer and principal of Harkin Engineering, presented on behalf of the Harkin Commons Phase Two project at 250 Route 81 (Map 27, Lot 8) in Killingworth. He explained that the building had previously been approved and that an apartment above the structure was planned primarily for personal or family use, not rental. Mr. Harkin outlined regulatory requirements for mixed-use dwellings, including shared entry points and compliance with fire and health codes. The upper level will feature a simple two-bedroom layout, though its immediate use will be limited to dry storage until occupancy is finalized. He noted that the project began with a request to install a utility pole, requiring submission of a full building plan to State authorities. Pending Commission approval and coordination with Eversource, installation is expected to take about two months.

Commission Questions: Commission members asked Mr. Harkin about the potential use of the same construction company that built his ice cream shop and he noted that a decision had not yet been made but that prefabrication was likely due to its efficiency. Questions were also raised about the placement of utility lines, which will be overhead until reaching the property, then underground as determined by Eversource. The Commission briefly discussed site conditions, including the steep driveway (due to ledge), existing fencing (planned to be relocated when grading is complete), and landscaping considerations.

In Support of the Application: None.

In Opposition of the Application: None.

Summary: Mr. Harkin emphasized that the project is intended for his family's use and not as a rental property. He further highlighted the efforts and attention to detail already demonstrated in his family's ice cream shop and surrounding property, noting plans to carry the same level of landscaping and design quality to this new development.

Chair McGuinness closed the Public Hearing at approximately 7:33 p.m.

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

Jim Lally discussed his application, explaining that a 40x60 addition to an existing industrial garage had originally been approved by the Planning and Zoning Commission about eight years ago but was never completed due to financial constraints. He further noted that the current proposal matches the original plan in both size and scope.

Stephanie Warren excused herself as a Commission member due to being Mr. Lally's neighbor.

Commission Questions: Ms. Kieft-Robitaille noted that revised plans would be required to show the location of the handicap parking.

Stephanie Warren, a visitor and a neighbor of Mr. Lally's, raised concerns regarding the proposed addition, noting that the available site map was outdated. Ms. Warren addressed her focus on the intended use of the addition, more specifically whether fuel or hazardous materials would be stored and the adequacy of a 12ft road for emergency vehicle access to the cell tower at the back of the property. Mr. Lally responded that the addition would serve as a woodworking shop and storage for raw materials or overflow, with no fuel stored on-site aside from propane used for heating.

In Support of: None.

In Opposition: None.

In Summary: Mr. Lally added that the property is one of the few industrial parcels in Killingworth, and the goal is to maximize its use while remaining within zoning regulations. The proposed addition would add additional square feet, maintaining the same footprint and tenant as the original plan.

Chairman McGuinness closed the Public Hearing at approximately 7:43 p.m.

Hybrid Regular Planning and Zoning Commission Meeting

Called to Order: The Hybrid Regular Meeting was Called to Order at 7:44 p.m. by Paul McGuinness, Chair.

Seating of Alternates: Julie Phelps seated for Brice McLaughlin.

Visitors – Brief Public Comments: None.

Minutes of July 15, 2025:

Thomas Hogarty *Moved* and Geoffrey Cook *Seconded* a motion to approve the Minutes of the July 15, 2025 Regular Meeting of the Planning and Zoning Commission Meeting as presented.

Motion unanimously passed [5-0-0].

Chair McGuinness reminded Clerk Sciascia that, with Bill Tobelman no longer on the Commission, there are currently five regular members. He noted that Lisa D'Angelo, appointed at the special meeting, will be sworn in by Town Clerk Dawn Mooney as soon as possible.

Communications and Bills:

a. Clerk's Invoice

Chair McGuinness reported that the Clerk's invoice was submitted today and noted that he had received additional bills from their attorney, which will be addressed at next month's meeting.

Old Business:

A. SE #395: 14 Route 80. Jim Lally, applicant for 40x60 addition to existing building in Industrial Zone.

Mike Drew *Moved* Thomas Hogarty *Seconded* a motion to approve Application SE #395: 14 Route 80, Jim Lally, applicant for a 40x60 addition to existing building in an industrial zone with the condition that the applicant must submit a revised plan showing the relocation of the handicap parking.

Motion unanimously passed [5-0-0].

Discussion - The Commission had discussion that this application appears to have already been approved and is effectively expired. The Commission also noted that it remains unchanged, and spoke how there is limited industrial space in Killingworth.

B. SE #394: 250 Rock Ledge KW LLC (Michael Harkin) applicant; for mixed use building at 250 Rt.81.

Thomas Hogarty *Moved* and Mike Drew *Seconded* a motion to approve Application #394, Special Exception, Michael Harkin, (Owner/Applicant), 78 Wolf Hollow Lane, Killingworth, CT 06419: 250 Rock Ledge KW LLC; for mixed use building at 250 Route 81.

Motion unanimously passed [5-0-0].

Discussion - The Commission discussed that everything Mr. Harkin has done around his Ice Cream Shop has been first-rate, and no issues are expected. They noted while him, his wife or his son may become the residents, occupancy is not a concern. Construction timing will depend on economic conditions, with the metal building already underway, and the foundation potentially starting this Fall.

New Business:

A. Application #399: Matthew Nunzianto, Applicant - Lot Line Revision between 128 and 130 Little City Road

Attorney Rob Rimmer appeared on behalf of Mr. Nunizanto, addressing his adverse possession claim on a narrow strip of land used as a driveway. He explained that the case went to court and was ultimately settled by splitting the disputed land evenly (50/50). The contested area included a section of the driveway that extended into the neighbor's deeded property. Surveys were conducted to clearly establish the exact boundaries.

Julie Phelps *Moved* and Geoffrey Cook *Seconded* a motion to approve Application #399, submitted by applicant Matthew Nunzianto, for a lot line revision between 128 and 130 Little City Road, as presented.

Motion unanimously passed [5-0-0].

Ms. Kieft-Robitaille reminded Attorney Rimmer to submit the Mylar Map for Chairman McGuinness' signature.

Regulations:

a. Commercial District

Ms. Kieft-Robitaille reported on the draft Commercial District Regulations advising that she sent the draft to Attorney Branse and met with him to review it thoroughly. Attorney Branse provided comments and revisions, including adding definitions that were previously missing, specifically "cottage cluster" and "three-family" dwellings. Ms. Kieft-Robitaille is currently consolidating all comments and preparing to share the marked-up draft with the Commission for review.

b. Accessory Apartments

Ms. Kieft-Robitaille reported that she incorporated the changes discussed at the last meeting into the draft Accessory Apartment Regulations, including a new definition for "kitchen" and several minor clarifications. Ms. Kieft-Robitaille will send the draft to Attorney Branse for review in the coming weeks. The Commission also reviewed how floor area should be calculated, confirming that only spaces with a minimum 7-foot headroom and permanent interior access are included, consistent with ANSI standards. Once Attorney Branse completes his review, the draft will be ready for further consideration.

Zoning Enforcement Officer's Report:

Ms. Kieft-Robitaille reported a high volume of permit applications, including those for pools, heaters, propane tanks, and generators. She noted several ongoing complaints, including one involving a potential wetlands issue related to a property with an unusually high number of animals for its acreage.

Ms. Kieft-Robitaille also reported about an inquiry regarding 184 Route 81, where a driving school may lease existing office space, and she will gather more information for the Commission.

Lastly, Ms. Kieft-Robitaille gave an update on 308 Route 81 property, where she noted that she is clarifying boundaries, obtaining a survey, and investigating concerns raised by neighbors about noise and tree cutting. The property owner, who holds 18 acres, is clearing trees to build a permitted 30x40 ft storage structure for personal use, with no wetlands violations confirmed. A follow-up meeting with the owner is planned in the coming weeks.

Report of Officers and Subcommittees:

Chair McGuinness reported that Brice McLaughlin is resigning from the Commission due to personal reasons noting that he has not been attending meetings for the past nine months. His resignation will be formally submitted to Town Clerk Dawn Mooney. Chair McGuinness noted that next month nominations will be sought to fill his position, similar to the recent appointment for Bill and a special meeting will be scheduled in order to review those and fill the vacancy thereafter.

Adjournment:

Chairman McGuinness adjourned the meeting at approximately 8:14 p.m.

Respectfully Submitted,

Jamie Sciascia
Clerk