



STATE OF CONNECTICUT – COUNTY OF TOLLAND  
INCORPORATED 1786

# TOWN OF ELLINGTON

55 MAIN STREET – PO BOX 187  
ELLINGTON, CONNECTICUT 06029-0187  
[www.ellington-ct.gov](http://www.ellington-ct.gov)

TEL. (860) 870-3120 TOWN PLANNER'S OFFICE FX (860) 870-3122

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING AGENDA  
MONDAY, JANUARY 25, 2021, 7:00 PM  
TOWN HALL ANNEX MEETING ROOM, 57 MAIN ST, ELLINGTON, CT**

**IN-PERSON PUBLIC ATTENDANCE LIMITED DUE TO COVID19 RESTRICTIONS  
ZOOM ATTENDANCE INSTRUCTIONS PROVIDED**

**I. CALL TO ORDER:**

**II. PUBLIC COMMENTS** (On non-agenda items):

**III. PUBLIC HEARING(S):** (Notice requirements met, hearings may commence)

1. Z202020 - Joseph & Mary Hollay and Heather Hollay-Farr & Christopher Farr, owners/ applicants, pursuant to Section 3.1 of the Ellington Zoning Regulations request for a Special Permit for a dormitory at 154 Crystal Lake Road, APN 095-021-0001, and 156 Crystal Lake Road, APN 095-021-0000, in the RAR (Rural Agricultural Residential) Zone.
2. Z202024 – Schneider Brothers, LLC, owner/ Earthlight Technologies, LLC, applicant, request for Special Permit for business office, warehousing and storage, and storage yard for building materials and a ground mounted solar array pursuant to Section 7.15.7 and Site Plan Modification for the construction of a commercial building, parking, loading area, outdoor storage yard, common driveway and utilities, ground mounted solar array, and associated site improvements on properties located at 124 West Road, APN 037-003-0000 and 128 West Road, APN 037-003-0002 in a PC (Planned Commercial) Zone.
3. Z202025 – Stephen & Melissa Shepler owner/ Proulx Building & Remodeling, LLC, applicant, pursuant to Section 3.1.3 request for Special Permit for garages for more than 3 cars per family unit associated with the construction of an attached garage (30X30) at 11 Woodland Trail, APN 016-012-0006, in a R (Residential) Zone.
4. S202004 – Hastillo Properties, LLC, owner/ TYMAC Holdings, LLC, applicant, request for a re-subdivision of 61.56 acres for eleven (11) lots on west side of Tripp Road, APN 023-001-0000, in a RAR (Rural Agricultural Residential) Zone and request to waive Appendix C 3.13(a) to allow HDPE pipe.

**IV. OLD BUSINESS:**

1. Z201506 – Pursuant to an email from Opportunity Real Estate Equities, LLC, dated December 19, 2020, for Quantum of Ellington II, LLC, request for change in bonding for Windermere Village, a multi-family development on the west side of Windermere Avenue.
2. Discuss a potential zoning amendment for Access Management.

## V. NEW BUSINESS:

1. Z202023 – Town of Ellington, owner/ Ellington Trails Committee, applicant, request for Site Plan Modification to construct an amphitheater at Batz open space parcel, 97 Shenipsit Street, APN 030-005-0000, in the R-Residential Zone.

## VI. ADMINISTRATIVE BUSINESS:

1. Approval of December 21, 2020 Special Meeting Minutes.
2. Correspondence:
  - a. Discussion regarding referral from the Town of East Windsor for a proposed zone change from single-family zoning (R-3) to Multi Family Development District (MFDD) for 40+ acres of land in East Windsor along the Ellington town line on Broad Brook Road and proposed text amendment to the MFDD of the East Windsor Zoning Regulations to remove locational restrictions and increase density from 1 unit per 30,000 sf to 4 units per acre for land formerly approved for a 48 lot single-family development and associated drainage basin in Ellington on Assessor Parcel Number 086-001-0000, in the RAR (Rural Agricultural Residential) Zone.
  - b. Election of Officers.
  - c. Connecticut Land Use Law for Municipal Land Use Agencies, Boards and Commissions Seminar Saturday, March 6, 2021.

## VII. ADJOURNMENT:

Next PZC Regular Meeting is scheduled for February 22, 2021

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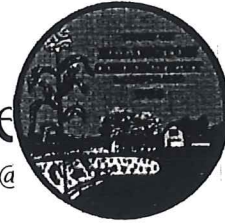
**Join Meeting via ZOOM Communications: Due to COVID-19, in-person attendance is limited to maximum occupancy based on fixed seating arrangements meeting social distancing requirements. Attendance for this meeting is also available using the online video conferencing provider Zoom Meeting.** Details to attend the meeting virtually are provided on the meeting agenda and posted on the Town of Ellington's webpage ([www.ellington-ct.gov](http://www.ellington-ct.gov)) under Agenda & Minutes, Planning & Zoning Commission. For questions and assistance please contact the Ellington Planning Department at 860-870-3120.

**Join Zoom Meeting via link:**  
<https://zoom.us/j/96290356347>  
Meeting ID: 962 9035 6347  
Password: 336339

**Join Zoom Meeting by phone:**  
1-646-558-8656 US (New York)  
Meeting ID: 962 9035 6347  
Password: 336339

# Town of Ellington Planning Department

55 Main ST., PO Box 187, Ellington, CT, 06029/Phone: 860-870-3120/Fax: 860-870-3122/lhoulihan@



## MEMO

DATE: December 22, 2020

TO: Planning and Zoning Commission

FROM: Lisa M. Houlihan, AICP, Town Planner

SUBJECT: Z202020 - Joseph & Mary Holloy and Heather Holloy-Farr & Christopher Farr, owners/applicants, pursuant to Section 3.1 of the Ellington Zoning Regulations request for a Special Permit for a dormitory at 154 Crystal Lake Road, APN 095-021-0001, and 156 Crystal Lake Road, APN 095-021-0000, in the RAR (Rural Agricultural Residential) Zone.

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On July 27, 2020, you discussed a request from Attorney Fader seeking an informal determination if an existing barn with an unpermitted dwelling was eligible for Special Permit for a dormitory for farm help accessory to an agricultural operation. After discussion, you concluded the one-bedroom dwelling did not qualify as a dormitory. Enclosed is a copy of the July meeting minutes for reference.

As detailed in July, the second-story, one-bedroom dwelling within the accessory structure was built without health, zoning and building permits, and subject to enforcement orders. Enclosed you'll find copies of the orders, correspondence from the Fire Marshal's Office, and a letter from Joseph and Mary Teresa Byrne-Holley, owners, for review.

## V. NEW BUSINESS:

1. Pursuant to a letter from Attorney Bruce Fader dated July 20, 2020, request for informal discussion to determine if an existing barn with an unpermitted apartment is eligible for Special Permit for dormitory for farm help accessory to an agricultural operation (Section 3.1.1.6) for property at 156 Crystal Lake Road, Joseph & Mary Hollay, owners, and 154 Crystal Lake Road, Heather Hollay-Farr and Christopher Farr, owners, in a Rural Agricultural Residential (RAR) Zone.

Attorney Bruce Fader, Jacobs, Walker, Rice & Barry, LLC, 146 Main Street, Manchester, CT, was present to discuss 154 and 156 Crystal Lake Road with the commission. He explained there is an existing barn with an unpermitted apartment located at 156 Crystal Lake Road, which is in conjunction with 154 Crystal Lake Road that operates a horseback riding facility. He stated that NCDHD approved the septic system for an apartment over the barn. Attorney Fader said the property is in a Rural Agricultural Residential Zone and the owners would like to utilize the space above the barn under dormitory use for agriculture. The barn is located on 154 Crystal Lake Road, and an indoor riding arena is on the adjacent property which is owned by the Hollay's daughter.

Ms. Houlihan explained discussion with Attorney Fader about Section 7.1 Accessory Apartment and Section 3.1.1.6 for farm dormitories. Accessory apartments require primary and accessory units to be attached and appear as a single family structure, and Section 3.1.1.6 contemplates "dormitories for farm help accessory to an agricultural operation in Ellington". She explained official records were reviewed to locate past approvals for agricultural dormitories, but no past examples could be found. The regulations lack a definition for dormitories and therefore Merriam-Webster dictionary was referred to. A dormitory is more like a bunch of bedrooms with communal kitchen and bathroom facilities. The illegal dwelling aligns more like a second story single family home. She suggested the owners pursue a lot-line adjustment so the two dwellings are on their own parcels.

Commissioner Kelly stated NCDHD recommends a significant upgrade to the septic system to accommodate the dormitory apartment, which is already connected to the original septic system. He asked if the dormitory use is unsafe noting its close proximity to wetlands. He asked if the space above the barn was currently occupied and who would occupy the space. Attorney Fader stated the dormitory is not currently being used. Mr. Fader stated it was originally going to be used nine months of the year for hired help, but due to Covid-19 they would use it themselves. Commissioner Kelly noted the agricultural use will continue without the dormitory. Attorney Fader said the dormitory provides housing for help or themselves.

Vice Chairman Hogan expressed disappointment the apartment was built without permits. He does not support NCDHD allowing the system to be used as is and feels the system should be required to be upgraded now to meet code, not when there's a system failure.

Chairman Hoffman said years ago tobacco workers had seasonal dormitories along Abbott Road. He explained the dorms were deconstructed due to concern about possible conversion into apartments and expressed concern for setting the wrong precedent. Attorney Fader explained that the Special Permit process allows the commission to set limits only allowing it to be used in conjunction with the horse farm and if the farm becomes inoperable the dorm could no longer be used.

Commissioner Francis stated the unpermitted construction only has one bedroom and is not a dormitory, it's an apartment and is bigger than some single family homes. He questioned why permits weren't pulled and noted the owners have not paid taxes on improvements for years.

Commissioners Hirth, Swanson, Sandberg and Alternates Durao and Moser all stated their concerns and agreed with Commissioner Francis.



Chairman Hoffman explained a tax exemption available for farm buildings, noting application for exemption requires an owner to provide a sworn statement that the property is used 100% for agriculture. He suggested the properties be merged.

Attorney Fader said the horse riding facility is an agricultural use, and thought the owners could come up with a lease agreement rather than merging the lots. He will consult with his clients on steps they would like to take pertaining to the matter.

No motions or decisions were made.

## **VI. ADMINISTRATIVE BUSINESS:**

1. Approval of June 22, 2020 Regular Meeting Minutes

**MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE JUNE 22, 2020 REGULAR MEETING MINUTES.**

Commissioner Sandberg asked to discuss when the commission would hold elections. Chairman Hoffman said the item could be added to the agenda. After round table discussion, the commission decided to continue with the nominations and suggested election by ballot at the next regularly scheduled meeting on Monday, August 24, 2020. Commissioner Sandberg informed the group he will be absent from the next meeting. Alternate Moser suggested Commissioner Sandberg be allowed to cast absentee ballot.

2. Nominations of Chairman, Vice-chairman and Secretary Positions

### **a. Chairman Position**

**MOVED (KELLY) SECONDED (SANDBERG) TO NOMINATE COMMISSIONER (HOFFMAN) FOR CHAIRMAN OF THE PLANNING & ZONING COMMISSION FOR THE YEAR OF 2020.**

**COMMISSIONER (HOFFMAN) ACCEPTED THE NOMINATION.**

No more nominations were made, commission to vote at next PZC meeting.

### **b. Vice-Chairman Position**

**MOVED (FRANCIS) SECONDED (HOGAN) TO NOMINATE COMMISSIONER (HOGAN) FOR VICE-CHAIRMAN OF THE PLANNING & ZONING COMMISSION FOR THE YEAR OF 2020.**

**COMMISSIONER (HOGAN) ACCEPTED THE NOMINATION.**

**MOVED (SANDBERG) SECONDED (SWANSON) TO NOMINATE COMMISSIONER (KELLY) FOR VICE-CHAIRMAN OF THE PLANNING & ZONING COMMISSION FOR THE YEAR OF 2020.**

**COMMISSIONER (KELLY) ACCEPTED THE NOMINATION.**

No more nominations were made, commission to vote at next PZC meeting.

### **c. Secretary Position**

**MOVED (KELLY) SECONDED (FRANCIS) TO NOMINATE COMMISSIONER (SANDBERG) FOR SECRETARY OF THE PLANNING & ZONING COMMISSION FOR THE YEAR OF 2020.**

Citation No.:	Regulation / Referenced Standard with Section	Location and Description of Violation; Order to Abate	Specific Time for Compliance *
1	<p>903 903.2 903.2.8 (Amd)</p>	<p>The following Citation is taken from the 2016 Connecticut Fire Safety Code (2012 International Fire Code) as New Construction</p> <p><b>Code Requirements:</b> Automatic Sprinkler System Where Required Use Group R An automatic sprinkler system installed in accordance with Sec. 903.3 shall be provided throughout all existing buildings that have a Group R fire area newly introduced by change of occupancy or occupancy group designation.</p> <p><b>Violation:</b> You have constructed a residential occupancy (Use Group R) upon the second level of a building certified for occupancy only as a horse barn/stable without benefit of Planning &amp; Zoning approvals, Building Department approval and Fire Marshal approval. At a minimum, the applicable Fire Safety Code requires an automatic sprinkler system to protect the entire building (fire area).</p> <p>You are cautioned that there may be additional violations that should make themselves known during the approval processes by the Building Department and this office during your permit application process.</p> <p><b>You are hereby ordered to:</b> 1) Make successful application to the Planning &amp; Zoning Department to add a residential occupancy into the horse barn/stable. 2) If you are successful, you then are required to make successful application to the Building Department for a construction permit to add a residential occupancy into the horse barn/stable. 3) Further, you are ordered to install an automatic sprinkler system compliant with Sec. 903.3 of the Connecticut Fire Safety Code throughout your building. As a part of the approval process for items 2 and 3, above, this office will examine the plans and advise the Building Department as to their conformance to the Connecticut Fire Safety Code.</p>	<p>Within 30 calendar days of your receipt of this Order.</p> <p>Within 30 calendar days of P&amp;Z approval.</p> <p>Concurrent with Item 2, above and within 30 calendar days of P&amp;Z approval.</p>

**From:** James York  
**To:** Lisa Houlihan; Raymond Martin  
**Cc:** John Colonese; Sydney Kern; Carl Dojan  
**Subject:** 156 Crystal Lake Rd Hollay Barn/Apartment  
**Date:** Friday, January 03, 2020 2:31:18 PM

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Lisa & Ray,

I spoke with Heather Hollay today regarding the status of the barn with associated apartment that was initially inspected by my department on October 7, 2016

She advised me that currently no one is living in the barn, the barn is not being used by the public and she is only using it for her and her niece's horses.

Also, she has retained Attorney Bruce Fader, who is in the process of assisting her get through the P&Z process. She advised that Attorney Fader is on vacation but she expects some movement on the process by the end of the month.

Ms. Hollay told me that she wants to gain approval for use of the apartment because she intends to live in it in the future to take care of her elderly parents that reside in the single family home on the property.

At this time I will not be taking any further action based on the representation by Ms. Hollay that:

1. The "apartment" above the barn is not occupied.
2. The barn is not being used for public use.
3. The Ellington Building Official has previously issued a "Notice of Violation & Order to Abate"
4. The Ellington Zoning Enforcement Officer has previously issued a "Cease & Desist Order"
5. The Ellington Fire Marshal's Office has placed a Caveat on the property record with the Town Clerk's Office

Thanks,  
Jim

James S York II, M.S.  
Fire Marshal  
Ellington Fire Marshal's Office  
57 Main St  
Ellington, CT 06029  
860-870-3126  
860-870-3122 Fax

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**Confidentiality Notice:** This electronic message is intended to be used exclusively by the individual or entity to which it is addressed. This message may contain information that is privileged or confidential and thereby exempt and protected from unauthorized disclosure under applicable law. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering the message to the intended recipient, be aware that any disclosure, dissemination, distribution or copying of this communication, or the use of its contents, is not authorized and is strictly prohibited. If you have

156 Crystal Lake Road  
Ellington  
Ct, 06029

January 31, 2017

Dear Mr. Lawrence,

As per Joe's telephone conversation with you yesterday the 30<sup>th</sup> January 2017, we wanted to verify in writing that Christopher Farr our son-in-law has vacated the property in question since December 23, 2016 to live in Miami.

Heather Hollay-Farr has not lived there since October 2016. She lives and works in Florida.

Nobody will ever live there again now that we are aware of the existing law governing 2 dwellings on one site.

Thank you to Mr. John Colonese for his respectful conversations with me, and also to Mr. Raymond Martin.

Respectfully yours,

Joseph Hollay

Mary Teresa Byrne-Hollay

TYPING OF LETTER FOR LEGIBILITY PURPOSES

156 Crystal Lake Rd.  
Washington  
CT 06029

January 31st, 2017.

Dear Mr. Lawrence

As per your telephone conversation with  
me yesterday the 30th January 2017 we wanted  
to verify by writing that Christopher Farn  
our son-in-law has vacated the property  
in question since December 23rd 2016 & lived in  
Massachusetts. Heather Steady-Farn has not lived there  
since October 2016. She lives and works  
in Florida.

Nobody will ever live there again  
now that we are aware of the existing  
law governing 2 dwellings on one site.

I thank you to Mr. John Colonese for  
his very respectful conversations with me, and  
also to Mr. Raymond Martin.

Respectfully Yours,

Joseph Hallay  
Mary Therese Byrne-Hallay

**TOWN OF ELLINGTON, CONNECTICUT**  
**DEPARTMENT OF TOWN FIRE MARSHAL** **CAVEAT**

**NOTICE OF VIOLATION OF THE CONNECTICUT FIRE SAFETY CODE  
 AND / OR RELATED REGULATIONS**

**NOTICE IS HEREBY GIVEN**  
 that the property located at

**156 CRYSTAL LAKE RD  
 Mblu: 095/021/0000**

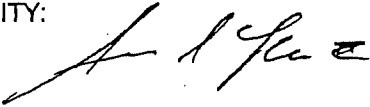
in the TOWN of ELLINGTON,  
 and occupied by / as

**A STORAGE BARN WITH AN UNLAWFULLY OCCUPIED  
 LIVING UNIT ABOVE THE BARN**

in the TOWN of ELLINGTON,  
 and owned by

**JOSEPH E & MARY TERESA HOLLAY**

is in violation of the CONNECTICUT FIRE SAFETY CODE and / or RELATED REGULATIONS.  
 INFORMATION concerning specific violation(s) of the CODE and / or RELATED REGULATIONS  
 may be secured by contacting the FIRE MARSHAL for the TOWN of ELLINGTON,  
 CONNECTICUT.

DATED at ELLINGTON, CONNECTICUT this 31st day of January, 2017.	AUTHORITY:  James S. York II Deputy Fire Marshal
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<b>THIS SPACE RESERVED FOR TOWN CLERK</b>	
RECEIVED:	RECORDED:

<input type="checkbox"/> This CAVEAT was removed from the Town Clerk's records on	See Removal of Caveat form, attached.
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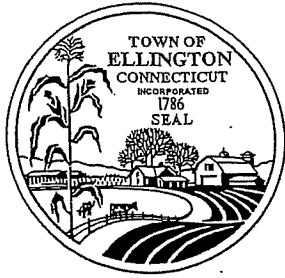
Form: 021

Received for Record at Town of Ellington, CT  
 On 01/31/2017 At 1:03:00 pm

*Constance M. Keegan*



# TOWN OF ELLINGTON



## BUILDING DEPARTMENT

57 MAIN STREET • P. O. BOX 187

ELLINGTON, CONNECTICUT 06029-0187

OFFICE: (860) 870-3124 • FAX: (860) 870-3122

WWW.ELLINGTON-CT.GOV

RAYMOND F. MARTIN, III, BUILDING OFFICIAL

December 13, 2016

Certified mail return receipt # 7013 0600 0001 2476 8708

HAND DELIVERED 12/27/16

To: Joseph E + Mary Teresa Hollay  
156 Crystal Lake Rd  
Ellington, CT 06029

Re: 156 Crystal Lake Road

### STATE BUILDING CODE §114 NOTICE OF VIOLATION AND ORDER TO ABATE

Dear Mary Teresa:

This office was informed of the results of the Fire Marshal and Zoning Enforcement Officer's inspections conducted of the horse barn located at 156 Crystal Lake Road. Based on these inspections and research of prior building permit history, the following items are violation(s) of the State Building Code as amended and the applicable referenced standards, adopted pursuant to the Connecticut General Statutes §29-252. The Code and said standards are available for your inspection at this office.

- 1) There is currently an unpermitted and unapproved occupied apartment on the upper level of the horse barn. Building, electrical, plumbing, and HVAC permits are required for the work performed. In addition, if plans and permits are approved, inspections of all concealed work will be required to confirm adherence with the applicable codes. You will be responsible to remove finishes as required to perform these inspections.
- 2) You are required to obtain Zoning and Health Department approvals prior to building permit approval.

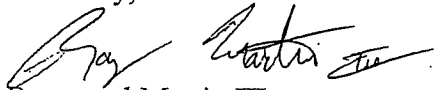
**PURSUANT TO STATE BUILDING CODE §114, YOU ARE HEREBY ORDERED TO TAKE THE PROPER CORRECTIVE ACTION TO ABATE ALL LISTED VIOLATION(S) WITHIN 30 DAYS FROM THE DAY THAT THIS NOTICE IS RECEIVED. FAILURE TO OBTAIN THE NECESSARY PERMITS WILL RESULT IN AN ORDER TO VACATE THE STRUCTURE.** Construction documents for work to be done shall be submitted to this office prior to the commencement of any construction in accordance with State Building Code §106. This review of all construction documents would avoid unnecessary expense that could result from non-complying changes. Please note that the correction of certain violations may require proper permits and approval from the Building Official and other local agencies prior to any construction.

You are hereby notified that you have the right to appeal this order pursuant to Conn. Gen. Statutes §29-266(b) to the municipal board of appeals or Connecticut General Statute §29-266(c) in the absence of a municipal board of appeals. Variations or exemptions from the State Building Code may be granted by the State Building Inspector where strict compliance with the code would entail practical difficulty or unnecessary hardship, or is otherwise adjudged unwarranted pursuant to Connecticut General Statutes §29-254(b), provided that the intent of the law shall be observed and public welfare and safety be assured. Any application for a variation or exemption or equivalent or alternate compliance shall be filed with the local Building Official.

**This is the only order you will receive.** Be advised that the Building Official is authorized to prosecute any violation of this order by requesting that legal counsel of the jurisdiction, or the Office of the State's Attorney, institute the appropriate proceeding at law. Per Connecticut General Statutes §29-254a and §29-394, and State Building Code §114.3, any person who is convicted in a court of law of violating any provision of the State Building Code or for failure to comply with the written order of a building inspector for the provision of additional exit facilities in a building, the repair or alteration of a building or the removal of a building or any portion thereof shall be fined not less than two hundred not more than one thousand dollars or imprisoned not more than six months or both.

This office seeks and anticipates your cooperation, and looks forward to working with you in the interest of building and life safety for a timely resolution of this serious matter. If you have any questions, please feel free to contact this office at (860)870-3124

Sincerely,



Raymond Martin III  
Building Official  
Town of Ellington



STATE OF CONNECTICUT – COUNTY OF TOLLAND  
INCORPORATED 1786

# TOWN OF ELLINGTON

55 MAIN STREET – PO BOX 187  
ELLINGTON, CONNECTICUT 06029-0187

[www.ellington-ct.gov](http://www.ellington-ct.gov)

TEL. (860) 870-3120 TOWN PLANNER'S OFFICE FAX (860) 870-3122

## CEASE AND DESIST ORDER

December 28, 2016

Joseph & Mary Hollay  
156 Crystal Lake Road  
Ellington, CT 06029

Sent Via: Certified Mail R/R 70130600000124764298  
US POSTAL SERVICE

Re: 156 Crystal Lake Road (Assessor Parcel No. 095-021-0000)  
Violation of the Ellington Zoning Regulations

Dear Joseph & Mary Hollay:

On October 11, 2016 an inquiry was forwarded to the Ellington Planning Department from the Fire Marshal regarding an apartment being located above a barn at 156 Crystal Lake Road. In response, an inspection of the property was conducted on October 26, 2016, which found a single-family dwelling located above a barn. Based on this inspection and research of prior zoning permit history, the property referenced above is in violation of the following Ellington Zoning Regulations for having two (2) single-family dwellings on one lot:

- Pursuant to Section 2.1.1(A) – Zoning Compliance: "...every building, structure, premises or land used, rearranged, designed or intended for any use shall be so built or used only as is permitted in the zone in which such building, structure, land or use is located."
- Pursuant to Section 2.1.1(D) – Zoning Compliance: "All uses not specifically permitted are prohibited."
- Pursuant to Section 3.1.2 – Residential Uses: The use of the property for two single-family dwellings is prohibited in the Rural Agricultural Residential (RAR) zone.
- Pursuant to Section 9.2.1 – Zoning Permits: "All changes in use...shall require a zoning permit..."

By the powers vested in me, you are hereby **ORDERED TO CEASE AND DESIST THE ABOVE VIOLATION AND TAKE PROPER CORRECTIVE ACTION TO BRING YOUR PROPERTY INTO COMPLIANCE WITH THE TOWN OF ELLINGTON ZONING REGULATIONS WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS ORDER.** To remedy this situation you can remove the single-family dwelling from above the barn and no longer use this space as a home or

residence, certifying agreement with the Town of Ellington's Zoning Regulations. Removal of the kitchen and all bedrooms shall constitute removal of the single-family dwelling.

Pursuant to Section 8-7 of the Connecticut General Statutes, you may appeal this Order to the Zoning Board of Appeals (hereinafter "ZBA"), specifying the grounds of your appeal, within thirty (30) days of receipt of this Order.

If compliance to this Order is not met or an appeal to the ZBA is not taken within thirty (30) days from the day of receipt of this Order, **A CITATION AND FINE CAN BE ISSUED TO YOU** in accordance with Town of Ellington Code Chapter 48: Citations for Wetland and Zoning Violations in addition to any other legal remedies as prescribed by law. Citations include fines of one hundred and fifty dollars (\$150.00) for each day a zoning violation continues.

Questions regarding this Order may be directed to the Planning Department at (860) 870-3120.

Thank you in advance for your prompt attention to this matter.

Respectfully,



John D. Colonese, CZEO  
Assistant Town Planner/Zoning Enforcement Officer

cc. Heather Hollay-Farr & Christopher Farr (Certified Mail R/R 70130600000124764281)  
Town Planner  
Fire Marshal  
Building Official  
North Central District Health Dept.

# Town of Ellington Planning & Zoning Commission Application

<b>Type of Application:</b> <input type="checkbox"/> Zone Change <input type="checkbox"/> Amendment to Regulation <input type="checkbox"/> Site Plan Approval <input checked="" type="checkbox"/> Special Permit <input type="checkbox"/> Modification <input type="checkbox"/> CGS 8-24	Application # <u>2202020</u> Date Received <u>12-02-2020</u>
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Notices associated with this application will be sent to the applicant, if different than the owner, unless otherwise requested.

**Owner's Information**

Name: JOSEPH & MARY HOLLAY

Mailing Address: c/o ATTORNEY BRUCE FADER, JACOBS, WAIVER, RICE & BANY LLC, 146 MAIN ST, MANCHESTER CT 06042

Email: bfader@jwrba.com

WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU?  Yes  No

Primary Contact Phone #: 860-646-0121

Secondary Contact Phone #: 860-716-1187

Signature: Bruce Fader attorney Date: 11/25/2020  
*For Applicant*

By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Commission have been submitted. Moreover, by signing above I/we expressly provide written consent to the filing of the application and access to the site by the Commission or its staff.

Notices associated with this application will be sent to the applicant, if different than the owner, unless otherwise requested.

**Applicant's Information (if different than owner)**

Name: - SAME -

Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_

WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU?  Yes  No

Primary Contact Phone #: \_\_\_\_\_

Secondary Contact Phone #: \_\_\_\_\_

Signature: Bruce Fader attorney Date: 11/2020  
*For Applicant*

By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Commission have been submitted.

Street Address: 156 CRYSTAL LAKE ROAD + 154 Crystal Lake Rd. 095-021-000

Assessor's Parcel Number (APN): 095 - 021 - 0000 Existing Zone: RAR Proposed Zone: -  
(If unaware of APN, please ask staff for assistance) (If none, insert "N/A")

Public Water:  Yes  No    Public Sewer:  Yes  No    *If not served by public water and sewer, applicant/owner shall make application to North Central District Health Department (Enfield Office).*

Is parcel within 500' to any municipal boundary?  Yes  No

Are there any wetlands/watercourses within 100' of construction activity or within 250' of wetlands/watercourses when located in the Shenipsit Lake Drainage Basin?  Yes  No *If yes, pursuant to state law application must be made to the Inland Wetlands Agency prior to or simultaneously with application to the Planning and Zoning Commission.*

Is the project in a public water supply watershed area?  Yes  No *If yes, applicant shall notify Connecticut Water Company and Commissioner of Public Health about the proposed project by certified mail return receipt within 7 days of application (§8-3i(b)). Copy of application, plans, and supporting documents must accompany notice. Proof of notice and copies of return receipts must be provided to the Planning Department.*

**Description of Request** (if more space is needed, please attach additional sheets)

PLEASE ATTACHED COVER LETTER, dated NOVEMBER 25, 2020, to this Application For The Description OF THE REQUEST

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DEC 02 2020

TOWN OF ELLINGTON  
PLANNING DEPARTMENT

JACOBS, WALKER, RICE & BARRY, LLC

ATTORNEYS AT LAW  
146 MAIN STREET  
MANCHESTER, CONNECTICUT 06042  
TELEPHONE (860) 646-0121  
FAX (860) 645-6229  
www.jwrbcioa.legal

MICHAEL J. RICE  
DAVID M. BARRY, JR.  
MARIA K. TOUGAS  
GREGORY W. MCCRACKEN  
ALEXANDRA B. BOWEN  
BRUCE P. FADER

DEC 02 2020  
LEONARD JACOBS (RETIRED 2017)  
RONALD JACOBS  
1927-2017  
15 NORTH MAIN STREET  
SUITE 100  
WEST HARTFORD, CT 06107

November 25, 2020

SENT VIA EMAIL ([LHoulihan@ELLINGTON-CT.GOV](mailto:LHoulihan@ELLINGTON-CT.GOV); [bgalovich@ELLINGTON-CT.GOV](mailto:bgalovich@ELLINGTON-CT.GOV)) AND US MAIL

Ellington Planning & Zoning Commission  
57 Main Street  
Ellington, CT 06029  
ATTN: Lisa Houlihan, Town Planner

Re: Special Permit for Agricultural Uses (Section 3.1.1)  
156 Crystal Lake Road (Owned by Joseph and Mary Hollay)  
154 Crystal Lake Road (Owned by Heather Hollay-Farr and Christopher Farr)

Dear Chairman Hoffman, Commission Members and Ms. Houlihan:

On behalf of my clients, the property owners of the subject parcels, I wish to submit the attached Special Permit Application for the dormitory use of an existing structure on 156 Crystal Lake Road. This structure is currently being used as a barn boarding horses. The proposed dormitory use and the existing structure are used in conjunction with the operation of the existing riding arena located on 154 Crystal Lake Road. The dormitory use is being proposed pursuant to section 3.1.1, item 6.

In support of the Application, please find enclosed:

1. A check in the amount of \$210 for the application fee and the State mandated fee, paid to the order of the Town of Ellington.
2. The List of Property Owners Within 100' of each of 156 Crystal Lake Road and 154 Crystal Lake Road.
3. A copy of: (i) the Plan Approval of the NorthCentral Health District, dated April 17, 2019, to "add one bedroom apt. in the upper level of a barn," subject to the septic system design criteria that is stated in the approval letter and to satisfying local zoning requirements, (ii) the February 15, 2019, email from CT



JACOBS, WALKER, RICE & BARRY, LLC

November 25, 2020  
Page 2

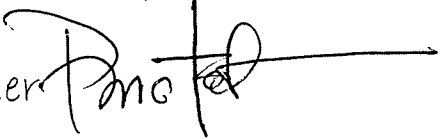
DPH with respect to the NCHD Plan Approval, (iii) the subdivision map filed in the land records as H-844, showing the footprint of the barn, and (iv) a copy of a November 19, 2008 letter from the project engineer, Mark Peterson of Gardner & Peterson, providing background information for the septic system plan designed to service both the home and the barn at 156 Crystal Lake Road.

I would appreciate that you place the Special Permit Application on the agenda of the next available Planning and Zoning Commission meeting.

Please do not hesitate to contact me if you have any questions.

Thank you.

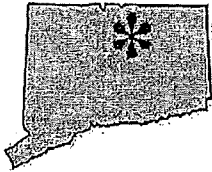
Respectfully,  
JACOBS, WALKER, RICE & BARRY, LLC

Bruce Fader 

Bruce Fader

Attachments

Cc: Joseph and Mary Hollay  
Heather Hollay-Farr and Christopher Farr



### North Central District Health Department

- Enfield - 31 North Main Street - Enfield, CT 06082 - (860) 745-0383 Fax 745-3188
- Vernon - 375 Hatford Turnpike, Room 120 - Vernon-Rockville, CT 06066 - (860) 872-1501 Fax 872-1531
- Windham - Town Hall - 979 Main Street - Willimantic, CT 06226 - (860) 465-3033 Fax 465-3032
- Stafford - Town Hall 1 Main Street - Stafford Springs, CT 06076 - (860) 684-5609 Fax 684-1768

DEC 02 2020

TOWN OF ELLINGTON  
PLANNING DEPARTMENT

# Plan Approval

For

## Building Additions, Conversions, Changes of Use, or Accessory Structures

156	Crystal Lake Road	Ellington	
Street #	Street Name	Town	
Mary Hollay	156 Crystal Lake Road	Ellington	CT 06029
Owner Name	Owner Address	Town	ST Zip

This approval indicates that the proposal has been reviewed by the Health Department and is in compliance with applicable regulations as contained in the Public Health Code for this project. **Permission is hereby granted on 4/17/2019, to construct a add a one bedroom apt. in the upper level of a barn. With the CONDITIONS NOTE BELOW and as shown on plan received 12/13/2018.**

**CONDITIONS OF APPROVAL with Modifications:** This Approval is not to be interpreted that other Town Departments or the State Health Department have granted an Approval for the addition of the Proposed Bedroom to be serviced by a full Bathroom within the existing Barn structure at this time.

Currently the existing barn has an Central Subsurface Sewage Disposal System Exception Approval from the State Health Dept. (dated 6/11/2009) for a bathroom that services the Barn only, where the waste water from that bathroom flows to the existing septic leach field that services the existing residential dwelling located at 156 Crystal Lake Road.

Our Dept. reviewed the information in our files and a Letter, dated November 19, 2019, from Gardner and Peterson, that proposes to amend the State Exception to allow that a Bedroom, located within the barn be utilized, with the flow of the waste water to drain to the existing septic system that services the 3 bedroom residential dwelling on the property.

The review indicates that it appears that the existing septic system can be upgrade to provide a Code Compliant Area with Modifications, where the minimum length of the Leach Field would be 60' (two of the three existing trenches meet or exceed this length). - CONTINUED -

Please Note that the above approval indicates compliance with Connecticut Public Health Requirements. Any other permits required from Zoning, Inland Wetlands or Building Officials are not ensured by this approval.

Approved by:

Michael Garonna, M.P.H., R.S.

Sanitarian

# Plan Approval

For

Building Additions, Conversions, Changes of Use, or Accessory Structures

156      Crystal Lake Road      Ellington  
Street #      Street Name      Town

The Code Compliant Area would require 900 square feet of leach field - where the proposed Bedroom in the Barn would be considered a Multifamily addition thus requiring the addition of 225 sq. ft. of leach field to the existing System.

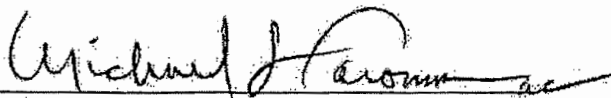
The existing System is currently 675 sq. ft., the size required for the 3 bedroom home. The future addition, of one row of a leach system (minimum length of 60') equal to 225 square feet, to the existing leach field would meet the Code Compliant Area Requirements - but would not have to be constructed at this time.

Our Dept. can endorse the Approval of the proposal to Town Agencies and the State Health Dept. with the following Conditions: 1) A Floor Plan of the proposed living area within the Barn must be submitted for the files. 2) Low flow fixtures be installed to reduce the flow of waste water where ever possible. 3) Where this System is undersized the tanks shall be inspected annually and pumped as needed to determine that the system is functioning properly. 4) The upgrading of the leach field system to the expanded size would only be required if the system is not operating properly. 5) Future desire or need to expand the septic leach field will require confirmation on site soil testing and the submittal of a design plan by a licensed septic contractor or a civil engineer to ensure compliance with the Public Health Code.

6) The Request for an Exception Modification for the Central Sewage Disposal System can only be sent to the State Health Dept. for review if Local Approvals for the proposed bedroom can be granted by the Town Departments.

Please Note that the above approval indicates compliance with Connecticut Public Health Requirements. Any other permits required from Zoning, Inland Wetlands or Building Officials are not ensured by this approval.

Approved by:



Michael Caronna, M.P.H., R.S.

Sanitarian

## Michael Caronna

---

**From:** Merrigan, Sean <Sean.Merrigan@ct.gov>  
**Sent:** Friday, February 15, 2019 11:45 AM  
**To:** Michael Caronna  
**Subject:** 156 Crystal Lake Rd Ellington

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ELLINGTON  
TOWN

Mike – Our office will grant approval for the central system request at 156 Crystal Lake Road in Ellington when it is confirmed P/Z approves the single family structure and detached in-law building on the same property. It is my understanding that this type of proposal is not allowed under Ellington P/Z regulations, however the property owner may be applying for a variance from P/Z. As I'm sure you understand, we avoid issuing approvals to uses or activities that may be in violation of local ordinances or regulations. Let me know the outcome.

Sean Merrigan, SE3  
CT DPH - Environmental Engineering Program  
410 Capitol Avenue, MS#12SEW  
P.O. Box 340308  
Hartford, CT 06134-0308  
Phone # (860)-509-7296 Fax # (860)-509-7295  
Email: [sean.merrigan@ct.gov](mailto:sean.merrigan@ct.gov)  
Website: [www.ct.gov/dph/subsurfacesewage](http://www.ct.gov/dph/subsurfacesewage)





**GARDNER & PETERSON ASSOCIATES, LLC**

PROFESSIONAL ENGINEERS • LAND SURVEYORS

178 HARTFORD TURNPIKE  
TOLLAND, CONNECTICUT 06084

KENNETH R. PETERSON, L.S.  
ERIC R. PETERSON, P.E., L.S.  
MARK A. PETERSON, P.E.  
BARRY D. CLARKE, L.S.

TELEPHONE (860) 871-0808  
FAX (860) 875-2086  
info@GardnerPeterson.com  
www.GardnerPeterson.com

November 19, 2018

DEC 02 2020

Mr. Michael Caronna  
North Central District Health Department-NCDHD  
31 North Main Street  
Enfield, CT 06082

Re: Joseph & Mary Hollay  
156 Crystal Lake Road  
Ellington, CT 06029

Dear Mike,

The referenced parcel contains a three bedroom house and numerous outbuildings. Based on a review of your files, a septic repair was designed and installed in 2004 by Skip's Septic for the existing house. The NCDHD asbuilt dated November 01, 2004 consists of a 1,000 gallon septic tank with an outlet filter and three rows of 12" infiltrators backfilled with stone totaling 182' at 3.7sf/lf or 673sf of leaching area. In addition, J.R. Russo & Associates, LLC prepared a map titled "Septic System Plan Hollywood Equine 154-156 Crystal Lake Road Ellington, Connecticut Assessors #095-021-0000 & #095-021-0000 date 05-28-09 NO. 2004-017" to collect waste from a proposed bathroom in the existing barn, east of the house, with a connection to the existing leachfield. A 1000 gallon septic tank was proposed and this was approved by the State of Connecticut and an asbuilt was received by your office on October 21, 2009.

At this time, I am proposing a code compliant septic area in the same location as the existing leachfield for the three bedroom house and an existing one bedroom located within the barn. The soil testing from March 15, 2004 by NCDHD indicates the two test pits in the area of the existing leachfield have a restrictive soil layer at 33" (infiltrators set 15" into grade) and a percolation test rate of 10.1-20 min/in. The slope in the system area, per the available mapping, is 8.1-10% resulting in a MLSS of:  $24 \times 2 \times 1.25 = 60'$ .



The proposed code compliant area consists of three rows of quick 4 standard infiltrators, each 72 l.f., totaling 799sf of leaching area where 787.5sf is required. The Septic System Plan referenced above and attached shows the "Approx. Location of the Exist. Leaching Fields". This area will be used as the code compliant septic area for the existing three bedroom house and one bedroom apartment.

Please contact me if you have any questions.

Yours truly,

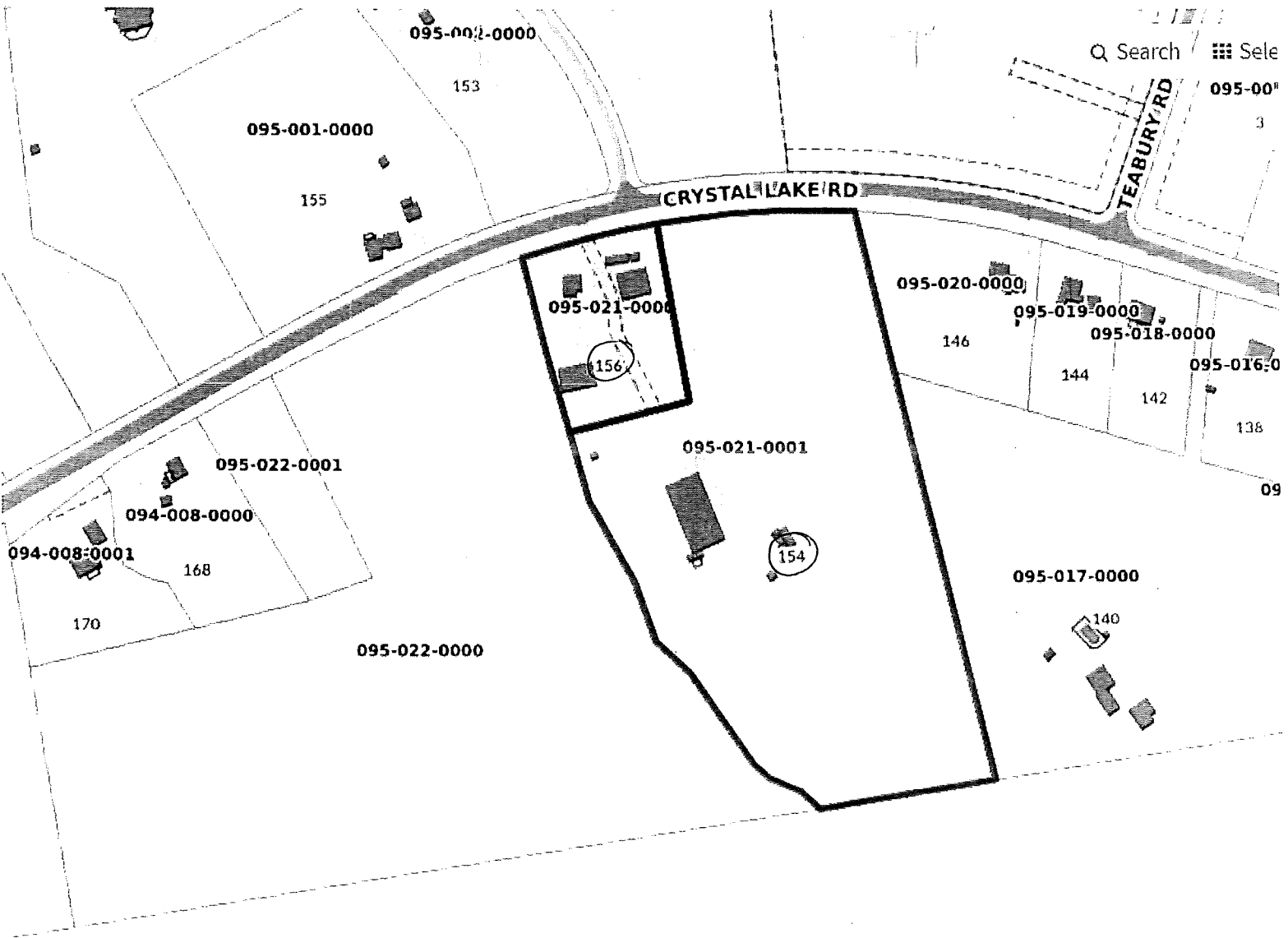


Mark A. Peterson, P.E.

Attachment

10776H.doc

Pg 2 of 2



**ELLINGTON PLANNING DEPARTMENT**  
**STAFF REVIEW SHEET**

**PLANNING & ZONING COMMISSION**

Z202020 - Joseph & Mary Hollay, owners/ Heather Hollay-Farr & Christopher Farr, applicants, pursuant to Section 3.1 of the Ellington Zoning Regulations request for a Special Permit for a dormitory at 154 Crystal Lake Road, APN 095-021-0001, and 156 Crystal Lake Road, APN 095-021-0000, in the RAR (Rural Agricultural Residential) Zone.

**PUBLIC HEARING DATE:** January 25, 2021  
**STAFF REVIEW RETURN DATE:** January 15, 2021

DEPARTMENT	COMMENTS AND/OR REQUIREMENTS
Town Engineer	<p>Compliance with the CT Fire Safety Code/CT Fire Prevention Code will be determined at time of building permit application for use of this building other than as a barn. PZC approval of this as a "dormitory" does not constitute agreement of this office with that use.</p>
Building Official	
North Central District Health Dept	
Fire Marshal <i>[Signature]</i> <i>1/6/2021</i>	
Public Works Director/WPCA	
Assessor	
Traffic Authority	

## Barbra Galovich

---

**From:** Barbra Galovich  
**Sent:** Wednesday, January 06, 2021 1:36 PM  
**To:** Bruce Fader  
**Cc:** Lisa Houlihan; John Colonese  
**Subject:** FW: Staff Review - Z202020 - 154 -156 Crystal Lake Road

Hi Bruce,

Hope you are well. Please see the below comments from the Building Official, Ray Martin, and share with your client.

Thank you,  
Barbra

Barbra Galovich, CZET  
Land Use Assistant  
Town of Ellington  
55 Main Street  
Ellington, CT 06029  
(860) 870-3120

-----Original Message-----

**From:** Raymond Martin  
**Sent:** Wednesday, January 06, 2021 12:52 PM  
**To:** Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>  
**Subject:** Re: Staff Review - Z202020 - 154 -156 Crystal Lake Road

If approved by zoning, the terms of the previous building violation notice will still be in effect. I recommend having a design professional analyze the structure for further guidance.

Sent from my iPad

> On Jan 4, 2021, at 11:19 AM, Barbra Galovich <bgalovich@ellington-ct.gov> wrote:

>

> Hi,

>

> Hope you are doing well. Please see the attached documentation with Staff Review Sheet. This application will be discussed at the PZC meeting on Monday, January 25, 2021.

> Please provide your comments/concerns on or before January 15, 2021.

>

> Thank you in advance for your review.

> Barbra

>

> Barbra Galovich, CZET

> Land Use Assistant

> Town of Ellington

> 55 Main Street

> Ellington, CT 06029

> (860) 870-3120

# Town of Ellington Planning & Zoning Commission Application

<b>Type of Application:</b> <input type="checkbox"/> Zone Change <input type="checkbox"/> Amendment to Regulation <input checked="" type="checkbox"/> Site Plan Approval <input checked="" type="checkbox"/> Special Permit <input checked="" type="checkbox"/> Modification <input type="checkbox"/> CGS 8-24	Application # <div style="background-color: yellow; padding: 2px;">Z 202024</div> Date Received 12/23/2020
---	--

<p>Notices associated with this application will be sent to the applicant, if different than the owner, unless otherwise requested.</p> <p><b>Owner's Information</b></p> <p>Name: <u>Schneider Brothers, LLC</u></p> <p>Mailing Address: <u>92 West Road</u> <u>Ellington, CT 06029</u></p> <p>Email: <u>tim@earthlighttech.com</u></p> <p><b>WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Primary Contact Phone #: <u>860-550-5337</u></p> <p>Secondary Contact Phone #: <u>860-871-9700 x113</u></p> <p>Signature:  Date: <u>12/28/20</u></p> <p><small>By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Commission have been submitted. Moreover, by signing above I/we expressly provide written consent to the filing of the application and access to the site by the Commission or its staff.</small></p>	<p>Notices associated with this application will be sent to the applicant, if different than the owner, unless otherwise requested.</p> <p><b>Applicant's Information</b> (if different than owner)</p> <p>Name: <u>Earthlight Technologies, LLC</u></p> <p>Mailing Address: <u>92 West Road</u> <u>Ellington, CT 06029</u></p> <p>Email: <u>tim@earthlighttech.com</u></p> <p><b>WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Primary Contact Phone #: <u>860-550-5337</u></p> <p>Secondary Contact Phone #: <u>860-871-9700 x113</u></p> <p>Signature:  Date: <u>12/28/20</u></p> <p><small>By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Commission have been submitted.</small></p>
---	---

Street Address: 124 and 128 West Road

Assessor's Parcel Number (APN): 037 - 003 - 002 Existing Zone: PC Proposed Zone: PC  
(If unaware of APN, please ask staff for assistance) (If none, insert "N/A")

Public Water:  Yes  No    Public Sewer:  Yes  No    *If not served by public water and sewer, applicant/owner shall make application to North Central District Health Department (Enfield Office).*

Is parcel within 500' to any municipal boundary?  Yes  No

Are there any wetlands/watercourses within 100' of construction activity or within 250' of wetlands/watercourses when located in the Shenipsit Lake Drainage Basin?  Yes  No *If yes, pursuant to state law application must be made to the Inland Wetlands Agency prior to or simultaneously with application to the Planning and Zoning Commission.*

Is the project in a public water supply watershed area?  Yes  No *If yes, applicant shall notify Connecticut Water Company and Commissioner of Public Health about the proposed project by certified mail return receipt within 7 days of application (§8-3i(b)). Copy of application, plans, and supporting documents must accompany notice. Proof of notice and copies of return receipts must be provided to the Planning Department.*

**Description of Request** (If more space is needed, please attach additional sheets)

Construction of a 20,690 S.F. office and operations building on the 128 West Road lot. The proposal also includes  
construction of 99 paved parking spaces and 38 additional service vehicle parking spaces, a loading area, and  
associated site and utility improvements. The project will also include installation a ground-mounted solar array and an  
outside storage yard for building materials on the 128 West Road Lot. The project also includes improvements  
associated with construction of the common driveway, access transitions, and shared utility improvements that serve  
both the 124 and 128 West Road lots.

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DEC 23 2020







Earthlight Technologies, LLC – 128 West Road

The BarnYard and Great Country Buildings, LLC – 124 West Road

DEC 23 2020

Narrative:

1. Description:

*Application before the Ellington Planning & Zoning Commission include:*

a. *Site Plan & Special Permit*

*The proposal includes development of the north parcel (APN 037-003-003) to facilitate the Earthlight Technologies, LLC Operation. Development includes the construction of a new office/operations building, and associated parking, outside storage and loading areas and the installation of a solar array in the rear of the parcel. Improvements will also include construction of the access drive shared by both 124 and 128 West Road, which is located on both parcels. Authorized representatives of the owners of both parcels, Schneider Brothers, LLC (APN 037-003-003), and 83 North Properties, LLC (APN 037-003-000) are applicants.*

*The proposal is in substantial conformance with the Master Plan submitted and approved as part of the Zone Change Request (Z201923) granted on December 23, 2019. The proposed improvements include development of the middle and rear portions of the north parcel and common drive and utility improvements that will serve both parcels. The development of the front outparcel (retail and restaurant) is not part of the current proposal.*

*The parcel is located in the PC Zone, which allows by Special Permit, the following, for which the Applicant is requesting approval:*

- *Business Office*
- *Warehousing, Storage*
- *Storage yard for building materials*

2. Stormwater Management

*The parcels will be served by conventional storm drain systems comprised of catch basins, manholes and culverts. Runoff will be collected by these systems and discharged into a shared stormwater quality basin. The basin was constructed as part of the site plan proposed for the BarnYard outdoor storage yard. The stormwater quality basin was sized to both mitigate peak rates of runoff and treat the minimum CT DEEP-recommended water quality volume for the ultimate developed condition of the parcels, including the development proposed by Earthlight, under this application. The outflow from the basin will be discharged into the north watercourse where*

Earthlight Technologies, LLC – 128 West Road

The BarnYard and Great Country Buildings, LLC – 124 West Road

*it will flow through a farm road culvert at the northwest corner of the site to the west of the subject parcel.*

*A comprehensive stormwater management report accompanied previous development applications to demonstrate the basin and associated controls are designed for the ultimate developed condition. Under this application, a separate pipe-to-pipe hydraulic analysis is submitted to demonstrate the storm drain systems proposed on the Earthlight portion of the development and in the common drive comply with the town's requirements and account for additional future development of both parcels in conformance with the approved Master Plan.*

### 3. Erosion Control Measures

*Proposed sediment and erosion control measures will follow the guidelines established in the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control (Guidelines). The measures include, but are not limited to the use of silt fence erosion control in areas downgradient of earthen activities, rip rap protection on all stormwater system outlets, a construction exit, erosion control blankets on steep slopes, stabilizing vegetation, use of vegetative swales to direct runoff into the water quality basin and the use of sediment logs (coirs) in the vegetated swales to reduce erosion until the swales are stabilized, etc. The proposed measures are depicted on the Grading, Drainage & Soil Erosion and Sediment Control Plan and related details are shown on the Detail Sheets.*

### 4. Construction Methods/Sequence:

*Methods of construction will include those typical of site development using heavy and light equipment by skilled operators and hand tools and manual labor for: installation of erosion control devices, construction of temporary sediment control measures, stripping and stockpiling of topsoil, rough grading of site, construction of storm drainage systems, construction of pavement subgrades and processed base courses and gravel drives, construction of building foundations and structure, construction of concrete sidewalks, pads and curbing, placement of bituminous pavement section and curbing, installation of plantings and establishment of stabilizing vegetation, pavement markings and signage.*

*It is anticipated that construction would begin in the spring of 2021 and be completed in the fall of 2021.*

*During construction stormwater would be controlled by directing runoff into the water quality basin where additional temporary measures would be employed to*

Earthlight Technologies, LLC – 128 West Road

The BarnYard and Great Country Buildings, LLC – 124 West Road

*settle/filter sediments. As the site becomes stabilized, accumulated sediments would be removed from the basin forebay and restoration of water quality basin would be completed, as required. Once all disturbed areas are adequately vegetated, the temporary erosion control devices would be removed.*

*Equipment used would include excavators, dozers, dump trucks, water trucks, skid steers, compactors, graders, etc.*

**Standards for Granting Special Permit:**

1. The location and size of the proposed structures and intensity of the use in relation to the size of the lot will be in harmony with the orderly development of the area and compatible with other existing uses.

*The location and size of the proposed building are in harmony with buildings in the area in total size and in relative size to the lot area. The operation/use is in harmony with area buildings which include a mix of commercial, retail and similar uses.*

2. The kind, size and height of the structures on the lot will not hinder or discourage the appropriate use of adjoining property or diminish the value thereof.

*The proposed structure meets the minimum setback requirements for the zone and falls within the maximum height requirement for the zone and is in harmony with other buildings in the area in size, height, and relative lot coverage. The building is quite attractive and will not hinder or discourage use of adjoining property or hinder the value therefore.*

3. The proposed use will not adversely alter the essential characteristics of the area or adversely affect the property value of the neighborhood.

*The proposed use is in harmony with other uses in the area and will not adversely alter the essential characteristics of the area nor adversely affect the property values of the neighborhood.*

4. The parking facilities will be adequate and properly located, and the entrance/exit driveways are laid out to achieve maximum safety, and the existing public roadways are adequate in width and condition to handle future traffic.

*The proposed parking facilities comply with town standards and provide for a total number of spaces that meet the minimum required parking for the use. Both access to the parking areas from the shared drive and access of the shared drive to West Road are laid out to achieve maximum safety. Adequate width is provided to handle traffic conditions of the ultimate developed condition of both sites as approved in the Master*

Earthlight Technologies, LLC – 128 West Road

The BarnYard and Great Country Buildings, LLC – 124 West Road

*Plan.*

5. The proposed plans provide for the conservation of natural features, drainage basins and the protection of the environment of the area.

*The proposed plans provide for management of stormwater to protect adjacent and downgradient resources, including natural features. The water quality basin will capture all runoff from the developed area and treat the minimum DEEP-recommended water quality volume of runoff prior to its release, thereby protecting the environment of the area and drainage basin into which the site discharges.*

6. The physical design elements of the proposed development including road patterns shall be attractive and suitable in relation to the site's characteristics and the style of other buildings and development in the immediate area.

*The layout and physical design of the driveway, parking areas and building placement are attractive and in harmony with similar uses in the area.*

7. The proposed building materials and other design aspects of the building's architecture, together with proposed landscaping, lighting, and signage, are appropriate with respect to the surrounding neighborhood.

*The proposed building incorporates handsome architectural features above and beyond most buildings in the area. The site will incorporate landscape features that offer screening of loading and storage areas and provide shade in parking areas and along the driveway. The landscaping is in harmony with similar area developments. Site lighting design will incorporate downlighting to minimize off-site trespass while providing adequate lighting to safely illuminate parking areas, the access drive, and walkways.*

8. The proposed use will not have any detrimental effect on public health, safety, convenience and property values.

*The proposed use will incorporate an attractive building and well-landscaped parking areas. Stormwater runoff from the development will be treated in a large water quality basin. Access to and from the site is designed to meet or exceed traffic safety standards. The proposal will not have a detrimental effect on public health, safety, convenience nor property values.*

9. The proposed use shall have easy accessibility for fire apparatus, ambulances and police vehicles. The Commission may require to have constructed to Town specifications certain thoroughfares in the development for such purposes.

Earthlight Technologies, LLC – 128 West Road

The BarnYard and Great Country Buildings, LLC – 124 West Road

*Driveways, access to the building, and internal access and circulation within parking areas are designed to provide the minimum widths and turning radii to provide easy accessibility for fire, police, ambulances and other emergency vehicles. The driveway and parking areas are proposed to be paved surfaces.*

10. There are adequate utilities, including water supply and sewerage disposal, to support the proposed use.

*The facility will be served by sanitary sewer. The Ellington WPCA has granted an allocation to the parcel sufficient to meet the facility needs. Sewage will be discharged to the sanitary sewer in West Road. Connecticut Water Company has a water main on West Road and this main has capacity to meet the needs of the development. Eversource has adequate gas and electric service in West Road to serve the facility. There is adequate telephone/cable/communications service along West Road.*

## F. A. HESKETH & ASSOCIATES, INC.

3 Creamery Brook  
East Granby, CT 06026  
(860) 653-8000 (860) 844-8600(Fax)  
email: ghesketh@fahesketh.com

DEC 23 2020

PLANNING DEPARTMENT

### MEMORANDUM

---

**To:** Dana Steele, P.E.

**Date:** December 18, 2020

**From:** Guy Hesketh, P.E.

**Subject:** Earthlight – Barnyard – Drainage Calculations

**Our File:**

---

The proposed development will employ storm drain systems, which are depicted on the Grading and Drainage Plan (GR-1 and GR-2, revised 12-18-2020). The storm drain culverts proposed to convey the runoff have been designed to handle the peak flow for a 10-year storm event, in accordance with Town of Ellington requirements. To design and analyze the system, a detailed, pipe-to-pipe analysis was conducted using Hydraflow Storm Sewers 2008 for Windows software. The analysis was limited to the storm drain system within the proposed driveway and those proposed as part of the Earthlight development of the north parcel and the BarnYard storage yard. Detailed design of the storm drain systems for the front development area and their associated adjacent parking/loading areas has yet to be complete. The analysis of the proposed storm drain systems, however, includes areas and runoff coefficients appropriate for future connections based on the projects Concept Master Plan. This software uses the Rational Method and Manning's Formula to compute peak flow to each basin, and to calculate the capacity of individual culverts.

Input data includes the geometry and configuration of the storm drain system, catchment area of the inlet, weighted runoff coefficients, and time to inlet. The catchment area was calculated based on proposed topography utilizing poly-line delineations in AutoCAD. The catchment areas are depicted graphically on Map DA-3.

A weighted runoff coefficient was calculated based on percentages of landscaped and impervious areas within the contributory catchment area. The following runoff coefficients were used in the post-development conditions hydrologic model: For impervious areas, C=0.9 was used, and for landscaped/wooded areas, C=0.3 was used. For lawn areas in the solar array area and adjacent to the Earthlight building, C=0.20 was used.

## MEMORANDUM

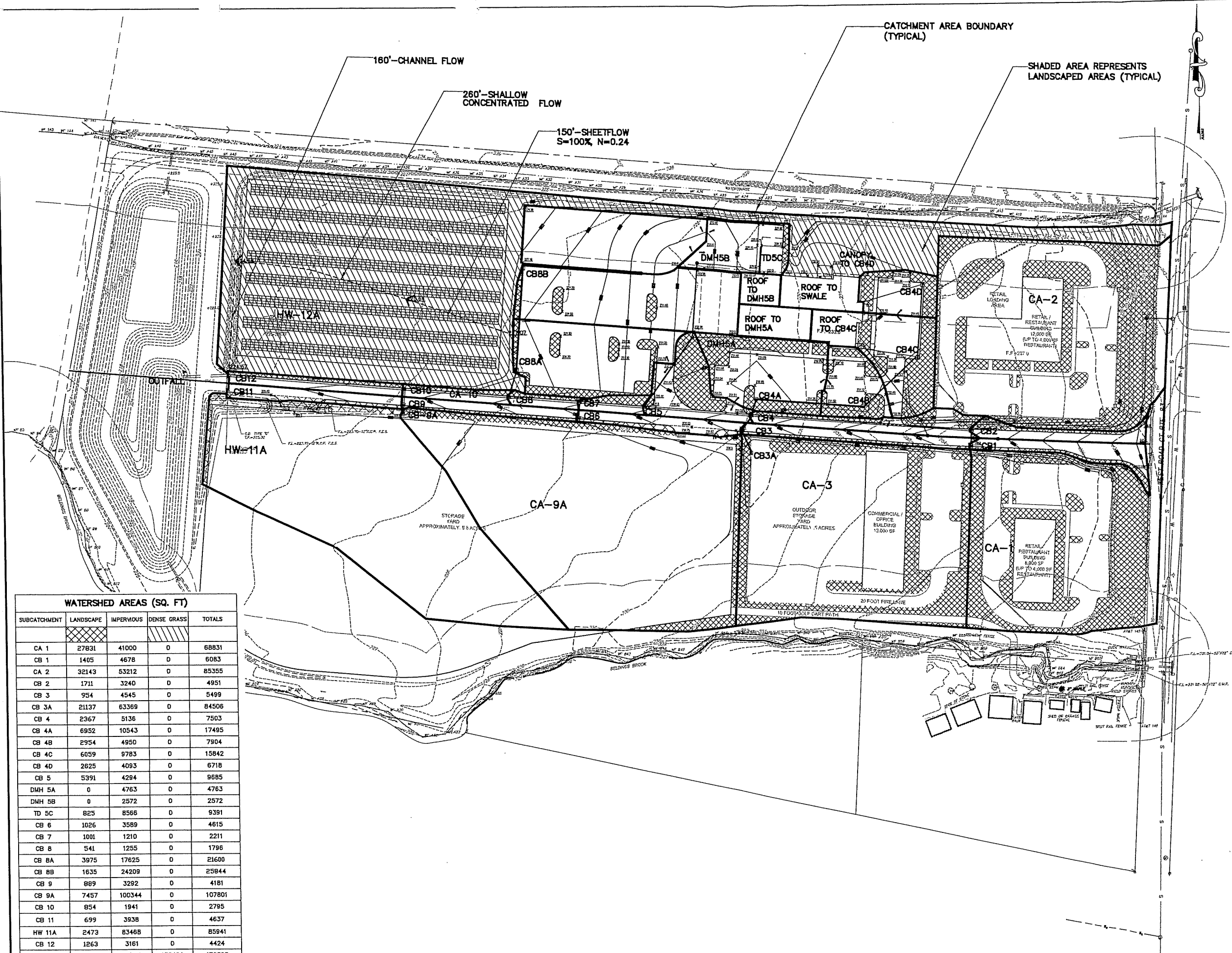
The proposed storm drain systems were modeled to ensure adequate capacity of the proposed drainage improvements. For development of the two front outparcels, the ultimate developed areas are depicted entering the adjacent catch basins on the access drive. The times to inlet are assumed to be five minutes for small drainage areas, ten minutes for larger areas, and for the area under the solar array, the time to inlet was calculated using TR-55 travel time analysis. A Manning roughness coefficient of 0.012 was used for the N-12 pipe and  $n = 0.013$  for RCP. Rainfall intensity data was obtained from NOAA Atlas 14 published rates for the site at the date of the Master Plan Approval. A copy of the Rainfall Intensity Curve is attached.

The model calculates the capacity of the culvert and accounts for loss coefficients at bends and inlet and outlet control, whichever governs. Input data includes basin geometry, longitudinal slope, cross slope, and basin depression. State of CT DOT basins were modeled for the basins, where appropriate.

Results of analysis are attached and include summaries of system design based on CT DOT output formats. Program input and output data reports are attached.

The analysis indicates that the storm drain culvert is designed to adequately convey the 10-year storm event. A minimum of 2 feet of cover is provided for all culverts in the driveway. Minimum culvert slope provided is 0.5%.





WATERSHED AREAS (SQ. FT)

SUBCATCHMENT	LANDSCAPE	IMPERVIOUS	DENSE GRASS	TOTALS
CA 1	27831	41000	0	68831
CB 1	1405	4678	0	6083
CA 2	32143	53212	0	85355
CB 2	1711	3240	0	4951
CB 3	954	4545	0	5499
CB 3A	21137	63369	0	84506
CB 4	2367	5136	0	7503
CB 4A	6952	10543	0	17495
CB 4B	2954	4950	0	7904
CB 4C	6059	9783	0	15842
CB 4D	2625	4093	0	6718
CB 5	5391	4284	0	9685
DMH 5A	0	4763	0	4763
DMH 5B	0	2572	0	2572
TD 5C	825	8566	0	9391
CB 6	1026	3589	0	4615
CB 7	1001	1210	0	2211
CB 8	541	1255	0	1796
CB 8A	3975	17625	0	21600
CB 8B	1635	24209	0	25844
CB 9	889	3292	0	4181
CB 9A	7457	100344	0	107801
CB 10	854	1941	0	2795
CB 11	699	3938	0	4637
HW 11A	2473	83468	0	85941
CB 12	1263	3161	0	4424
HW 12A	26394	152464	178585	

Revisions:  
No. Date Description

DRAINAGE ANALYSIS MAP  
PIPE-TO-PIPE ANALYSIS  
PREPARED FOR  
**SKINNER & SCHNEIDER PARTIES**  
130 WEST ROAD  
ELLINGTON, CONNECTICUT  
Date: 12-11-2019 Drawn by: DRT Job no: 19171  
Scale: 1" = 60' Checked by: GAH Sheet no: 1 OF 1

DA-3



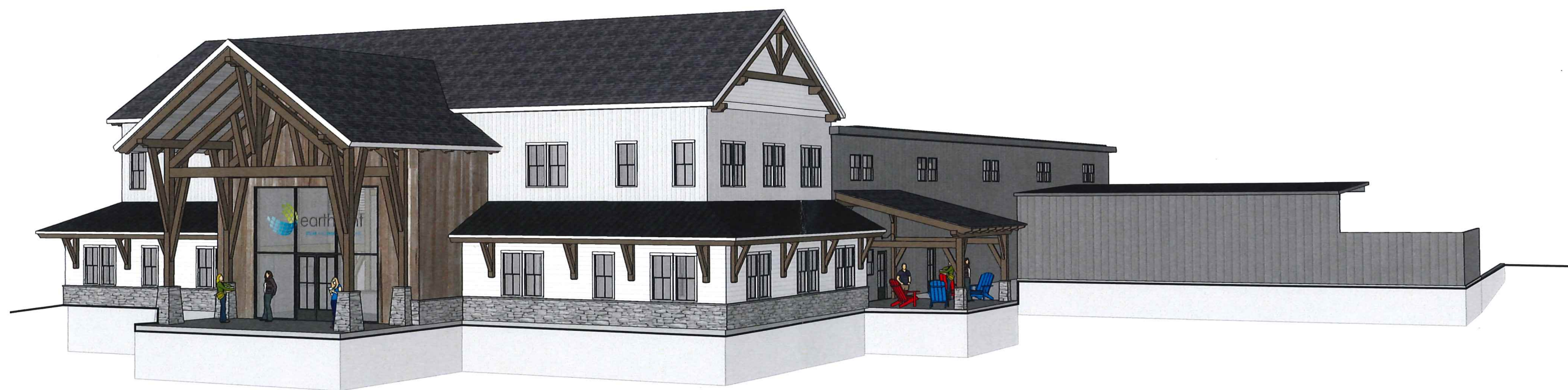
F. A. Hesketh & Associates, Inc.  
3 Creamery Brook, East Granby, CT 06028  
Phone (860) 653-8000 Fax (860) 844-8600  
www.fahsketh.com · Landscape Architects  
Civil & Traffic Engineers · Surveyors · Planners · Landscape Architects

3:2019\19171 - Barn Yard Ellington\Submittal\2020-12-11\VERT DA-3 2020-12-11.dwg, DAI, Dec. 15, 2020 - 12:35:44 PM

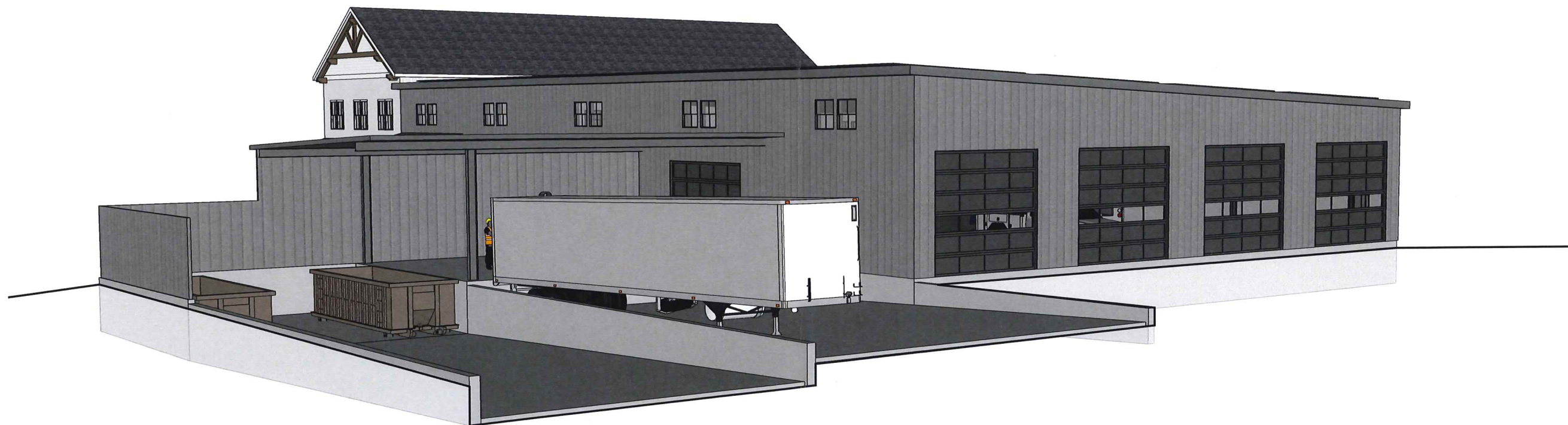


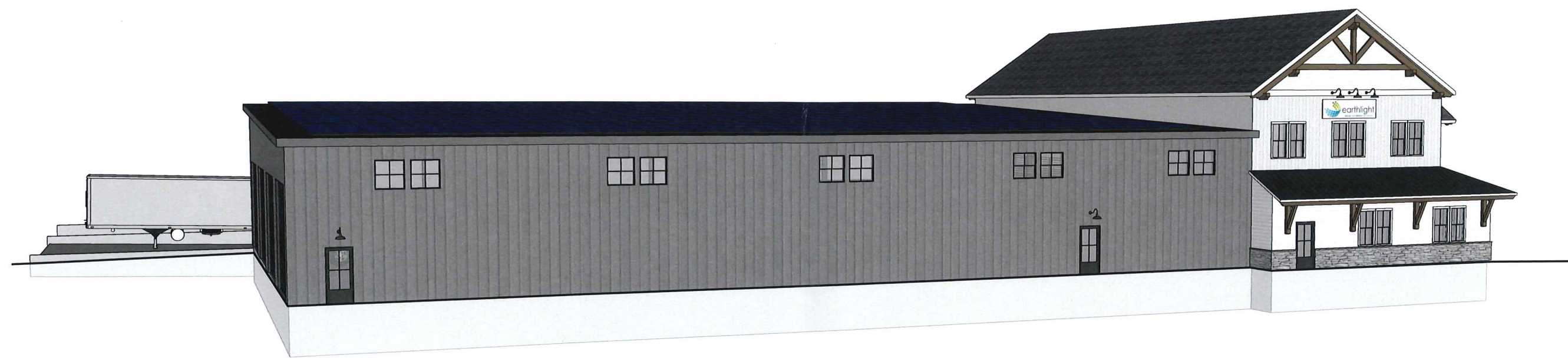


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JAN 08 2021  
TOWN OF ELLINGTON  
PLANNING DEPARTMENT

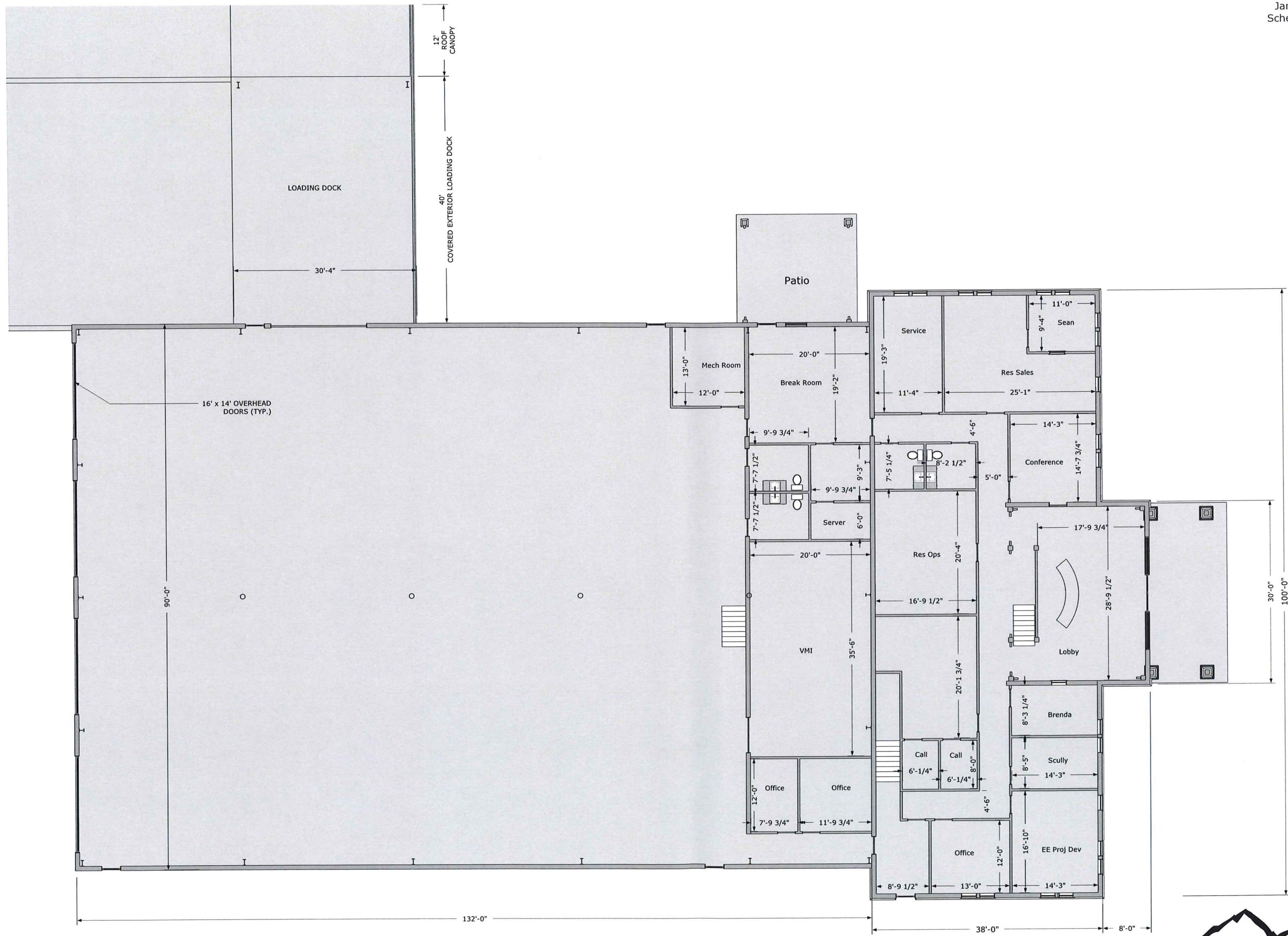




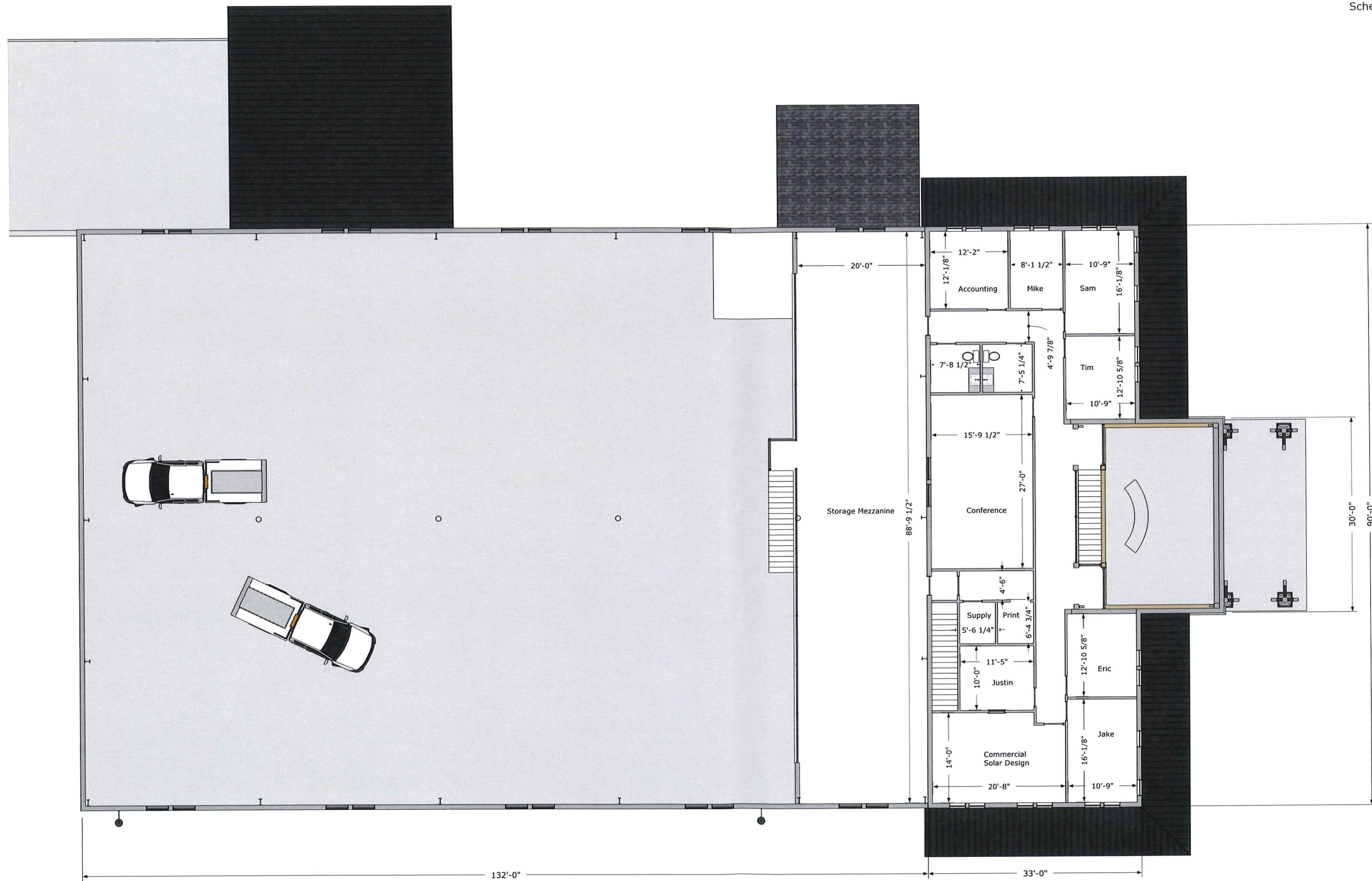








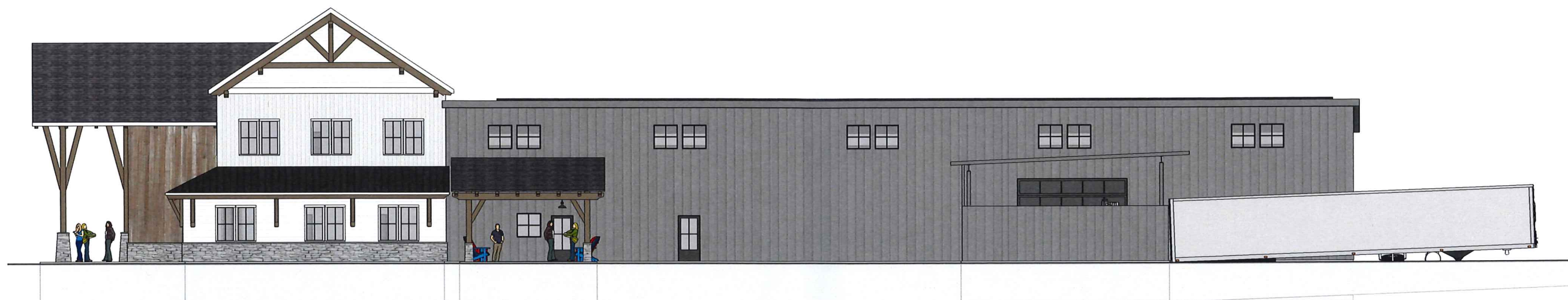






Earthlight  
Entry Elevation





Earthlight  
Side Elevation







## Barbra Galovich

---

**From:** Dana Steele <dstele@jrusso.com>  
**Sent:** Tuesday, January 19, 2021 5:01 PM  
**To:** Lisa Houlihan; John Colonese  
**Cc:** Barbra Galovich  
**Subject:** Z202024 - Scheider Brothers, LLC, Earthlight, 128 West Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lisa,

I've reviewed the plans and drainage calculations for the Earthlight site plan at 128 West Road prepared by FA Hesketh & Associates, Inc. dated 12/18/20. My comments are as follows:

1. The previously approved master plan included potential widening of West Road. Although this is a state highway under DOT jurisdiction, the conceptual widening should be shown for consistency unless the engineer believes that widening will not be required.
2. The Photometric Plan does not coordinate with the utility plan. While the utility plan references the photometric plan as the final light locations, there are significant differences. For example, the photometric plan does not show any lighting in the shared driveway. I spoke to the engineer and understand a revised photometric plan is forthcoming.
3. The Loading Space regulation quoted on sheet MA-1 is missing the 15' clearance height.
4. A stone apron is proposed along the perimeter of the outside storage area. The plans should specify the depth of stone and geotextile fabric.
5. The plans show a box around the solar field that encroaches into the perimeter drainage ditch. This line should be labeled and adjusted to avoid grading conflicts.
6. The plans do not indicate how the solar fields will be accessed by maintenance vehicles. Provide a curb cut and apron on the plans.
7. Consider adding a swale at the west end of the outside storage area to direct runoff to the perimeter ditch and protect against erosion under the solar panels.
8. The sewer trench detail on sheet SD-4 shows warning tape 12" from the surface. Tape should be within 24" of the pipe. Final specifications are subject to WPCA approval.
9. The sewer pump station detail on sheet SD-5 indicates the vent pipe will be run to a building. Based on the location, a free-standing vent pipe may be preferred. Final specifications are subject to WPCA approval.
10. The plans show a proposed shared access and sewer easements in favor of Lots 1 & 2. These easements were proposed on the approved subdivision plans. If specific instruments have not yet been approved by the Town Attorney and filed on the land records, this should be done prior to CO.

Let me know if you have any questions.

Dana P. Steele, P.E.  
Ellington Town Engineer




J.R. RUSSO & ASSOCIATES, LLC

**ELLINGTON PLANNING DEPARTMENT**  
**STAFF REVIEW SHEET**

***PLANNING & ZONING COMMISSION***

Z202024 – Schneider Brothers, LLC, owner/ Earthlight Technologies, LLC, applicant, request for Special Permit and Site Plan Approval for the construction of commercial building, 99 paved parking spaces and 38 additional service vehicle parking spaces, a loading area and associated site improvements, installation of ground mounted solar array, outdoor storage yard. Construction of common driveway, access transitions, and shared utility improvements on properties located at 124 West Road, APN 037-003-0000 and 128 West Road, APN 037-003-0002 in a PC (Planned Commercial) Zone.

**PUBLIC HEARING DATE:** January 25, 2021  
**STAFF REVIEW RETURN DATE:** January 15, 2021

DEPARTMENT	COMMENTS AND/OR REQUIREMENTS
Town Engineer	<p>In accordance with the Town of Ellington Fire Zone Ordinance, this office reserves the right to designate Fire Lanes at a later date. Future development of this site may dictate the need for continued review of this issue.</p>
Building Official	
North Central District Health Dept	
Fire Marshal  1/14/2021	
Public Works Director/WPCA	
Assessor	
Traffic Authority	

**ELLINGTON PLANNING DEPARTMENT**  
**STAFF REVIEW SHEET**

***PLANNING & ZONING COMMISSION***

Z202024 – Schneider Brothers, LLC, owner/ Earthlight Technologies, LLC, applicant, request for Special Permit and Site Plan Approval for the construction of commercial building, 99 paved parking spaces and 38 additional service vehicle parking spaces, a loading area and associated site improvements, installation of ground mounted solar array, outdoor storage yard. Construction of common driveway, access transitions, and shared utility improvements on properties located at 124 West Road, APN 037-003-0000 and 128 West Road, APN 037-003-0002 in a PC (Planned Commercial) Zone.

**PUBLIC HEARING DATE:** January 25, 2021

**STAFF REVIEW RETURN DATE:** January 15, 2021

DEPARTMENT	COMMENTS AND/OR REQUIREMENTS
Town Engineer	<p>NCDHD-</p> <p>Property to be connected to public sewer and public water.</p> <p>Future development space may require Health Department review prior to approval if regulated businesses or entities are proposed including but not limited to: food service, daycare or salon space.</p> <p align="right"> <b>RECEIVED</b>  <b>JAN -6 2021</b>  <small>TOWN OF ELLINGTON            PLANNING DEPARTMENT</small> </p>
Building Official	
<u>North Central District Health Dept</u>	
Fire Marshal	
Public Works Director/WPCA	
Assessor	
Traffic Authority	

## Barbra Galovich

---

**From:** Barbra Galovich  
**Sent:** Monday, January 04, 2021 2:14 PM  
**To:** Tim Schneider; Sam Schneider  
**Subject:** FW: Staff Review - Z202024 - Earthlight Technologies, 128 West Road

Hi,

Happy 2021! Please see the below comments from Tim Webb, Director of Public Works.

Thank you,  
Barbra

Barbra Galovich, CZET  
Land Use Assistant  
Town of Ellington  
55 Main Street  
Ellington, CT 06029  
(860) 870-3120

---

**From:** Timothy Webb  
**Sent:** Monday, January 04, 2021 11:55 AM  
**To:** Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>  
**Subject:** RE: Staff Review - Z202024 - Earthlight Technologies, 128 West Road

Construction will generate a WPCA connection fee, and Sewer assessment upon CO being given. Followed by bi annual Sewer user fees.

---

**From:** Barbra Galovich  
**Sent:** Monday, January 04, 2021 11:27 AM  
**To:** James York <JYork@ELLINGTON-CT.GOV>; Kim Bechard <KBechard@ELLINGTON-CT.GOV>; Lori Spielman <lspielman@ELLINGTON-CT.GOV>; Mike Caronna <mcaronna@ncdhd.org>; Raymond Martin <Rmartin@ELLINGTON-CT.GOV>; Sydney Kern <skern@ELLINGTON-CT.GOV>; Timothy Webb <twebb@ELLINGTON-CT.GOV>; Westford Lirot <wlirot@ncdhd.org>  
**Cc:** Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>  
**Subject:** Staff Review - Z202024 - Earthlight Technologies, 128 West Road

Hi,

Hope you are doing well. Please see the attached documentation with Staff Review Sheet. This application will be discussed at the PZC meeting on Monday, January 25, 2021.  
Please provide your comments/concerns on or before January 15, 2021.

Thank you in advance for your review.  
Barbra

Barbra Galovich, CZET  
Land Use Assistant  
Town of Ellington

**Barbra Galovich**

---

**Subject:** FW: Z202024 - Scheider Brothers, LLC, Earthlight, 128 West Road

**From:** Timothy Webb

**Sent:** Wednesday, January 20, 2021 9:35 AM

**To:** Lisa Houlihan <[LHoulihan@ELLINGTON-CT.GOV](mailto:LHoulihan@ELLINGTON-CT.GOV)>

**Cc:** Dana Steele <[dsteele@jrrusso.com](mailto:dsteele@jrrusso.com)>; John Colonese <[jcolonese@ELLINGTON-CT.GOV](mailto:jcolonese@ELLINGTON-CT.GOV)>

**Subject:** RE: Z202024 - Scheider Brothers, LLC, Earthlight, 128 West Road

We will not have an easement into their property for the sanitary sewer, they will own and operate. We will only be concerned with their connection out on Route 83

# Town of Ellington Planning Department MEMO



DATE: January 20, 2021

TO: Ellington Planning and Zoning Commission

FROM: Barbra Galovich, Land Use Assistant

SUBJECT: Recommendations from Design Review Board for design elements for Z202024 – Schneider Brothers, LLC, owner/ Earthlight Technologies, LLC, applicant, request for Special Permit for business office, warehousing and storage, and storage yard for building materials and a ground mounted solar array pursuant to Section 7.15.7 and Site Plan Modification for the construction of a commercial building, parking, loading area, outdoor storage yard, common driveway and utilities, ground mounted solar array, and associated site improvements on properties located at 124 West Road, APN 037-003-0000 and 128 West Road, APN 037-003-0002 in a PC (Planned Commercial) Zone.

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At a meeting on January 14, 2021, the Design Review Board reviewed the above application and made the following recommendations:

**BY CONSENSUS, THE BOARD GRANTED A POSITIVE REFERRAL TO THE PLANNING & ZONING COMMISSION FOR A BUSINESS OFFICE, WAREHOUSING AND STORAGE, AND STORAGE YARD FOR BUILDING MATERIALS AND A GROUND MOUNTED SOLAR ARRAY PURSUANT TO SECTION 7.15.7 AND SITE PLAN MODIFICATION FOR THE CONSTRUCTION OF A COMMERCIAL BUILDING, PARKING, LOADING AREA, OUTDOOR STORAGE YARD, COMMON DRIVEWAY AND UTILITIES, GROUND MOUNTED SOLAR ARRAY, AND ASSOCIATED SITE IMPROVEMENTS ON PROPERTIES LOCATED AT 124 WEST ROAD, APN 037-003-0000 AND 128 WEST ROAD, APN 037-003-0002 AS FOLLOWS:**

**DISCUSSION/OTHER POSSIBLE CONSIDERATIONS:**

- **Asphalt paving suggested for roadway;**
- **Addition of a cupola on main building;**
- **Design of potential future buildings should be compatible with design used for Earthlight Technologies headquarters.**

Enclosed is a copy of the Design Review Board meeting minutes for reference.





# TOWN OF ELLINGTON

55 MAIN STREET – PO BOX 187  
ELLINGTON, CONNECTICUT 06029-0187  
[www.ellington-ct.gov](http://www.ellington-ct.gov)

TEL. (860) 870-3120 TOWN PLANNER'S OFFICE FAX (860) 870-3122

## DESIGN REVIEW BOARD SPECIAL MEETING MINUTES THURSDAY, JANUARY 14, 2021, 7:00 P.M. ZOOM MEETING

**MEMBERS PRESENT:** Chairman Robert Dawson, Michele Beaulieu, Gary Chapin, Ronald Stomberg and Kevin Zahner

**STAFF PRESENT:** Lisa Houlihan, Town Planner and Barbra Galovich, Recording Clerk

### I. CALL TO ORDER:

Chairman Robert Dawson called the meeting to order at 7:09 P.M.

### I. NEW BUSINESS:

1. Review of design elements for Z202024 – Schneider Brothers, LLC, owner/ Earthlight Technologies, LLC, applicant, request for Special Permit for business office, warehousing and storage, and storage yard for building materials and a ground mounted solar array pursuant to Section 7.15.7 and Site Plan Modification for the construction of a commercial building, parking, loading area, outdoor storage yard, common driveway and utilities, ground mounted solar array, and associated site improvements on properties located at 124 West Road, APN 037-003-0000 and 128 West Road, APN 037-003-0002 in a PC (Planned Commercial) Zone.

Guy Hesketh and Ken LaForge, F.A. Hesketh and Associates, Inc., 6 Creamery Brook, East Granby, CT, Everett Skinner, The Barnyard, 120 West Road and Sam Schneider, Earthlight Technologies, LLC, 92 West Road were present to represent the application.

Mr. Hesketh stated the applicant previously received subdivision and zone change approvals from the Planning & Zoning Commission. He said the detention basin and shared access improvements with Barnyard have been constructed and the applicant has received wetlands approval for the proposed site improvements. Mr. Hesketh reviewed the proposed improvements such as the main access drive, building location, employee parking, customer parking, outside storage area and solar array. He reviewed the photometric plan, which includes the wall mounted lighting, parking area lighting and

landscaping proposal for the Earthlight development area. Mr. Hesketh stated the pole lights are proposed to be 25' in height from grade.

Mr. LaForge reviewed the proposed landscaping plan, which includes elm trees that will be 35' on center along the driveway and a variety of trees, such as elm, evergreen, and maple trees, that will be installed within the parking areas. They are planning on planting evergreens to buffer the outside employee's break area to the north side of the building and the outside storage area beyond the main building. He reviewed the landscape schedule and described the different plantings and shrubs to be used on site. Oriental plantings are proposed to be used between the building and the parking areas. Mr. LaForge explained the proposed landscape plan is designed to be consistent with other newer developments along Route 83.

Everett Skinner reviewed the building design, explaining the applicant is proposing to construct a 20,690 sf two story office with a one story warehouse, noting the front of the building will be made of timber frame and reclaimed barn board. The warehouse portion of the building will be constructed with steel and have solar panels on the roof. They are proposing to have a covered loading dock, an 80'x150' outside storage area that will be enclosed by an 8' chain-link fence, and a dumpster enclosure that will be completely screened from the public. Mr. Skinner stated the buildings will be fully fire sprinkled. Mr. Skinner stated the storm drainage will be in the back of the property.

Chairman Dawson stated the applicants did a great job on the presentation and asked if they would be installing lights along the driveway. Mr. Hesketh explained the photometric plan is just for Earthlight's portion of the property. They've completed the grading and installed the street trees in Phase 1 of the project. Chairman Dawson asked if the driveway would be paved and Mr. Hesketh confirmed it would be paved. Chairman Dawson stated he liked the farm-like look of the main building and inquired about adding a cupola to it for aesthetics.

Commissioner Chapin said it is an attractive building and appreciates the applicant for the thorough landscape plan. Mr. Schneider noted the land in front of the building will remain a hayfield for now. Commissioner Beaulieu likes the building and appreciates the use of reclaimed barn wood. She is not too sure about adding a cupola to the building. Commissioner Stomberg stated he appreciated the applicants' efforts and receiving a completed application. He questioned the idea of a cupola and requested the driveway be constructed to handle normal roadway traffic and expressed concerns about another building being erected in front of Earthlight's building that could detract from the favorable design. He suggested the applicant keep in mind that Route 83 is a highway and could possibly be widened in the future.

Mr. Hesketh explained where it is noted, "Possible Future Development" in front of the Earthlight building was for the concept plan required by the Planning & Zoning Commission that was submitted with the zone change and subdivision

proposals for the parcel. Mr. Schneider reiterated they are not planning on developing in front of their proposed building at this time.

Chairman Dawson stated he'd leave it up to the applicant whether or not to add a cupola and reviewed suggestions with the applicant and other Board members.

**BY CONSENSUS, THE BOARD GRANTED A POSITIVE REFERRAL TO THE PLANNING & ZONING COMMISSION FOR A BUSINESS OFFICE, WAREHOUSING AND STORAGE, AND STORAGE YARD FOR BUILDING MATERIALS AND A GROUND MOUNTED SOLAR ARRAY PURSUANT TO SECTION 7.15.7 AND SITE PLAN MODIFICATION FOR THE CONSTRUCTION OF A COMMERCIAL BUILDING, PARKING, LOADING AREA, OUTDOOR STORAGE YARD, COMMON DRIVEWAY AND UTILITIES, GROUND MOUNTED SOLAR ARRAY, AND ASSOCIATED SITE IMPROVEMENTS ON PROPERTIES LOCATED AT 124 WEST ROAD, APN 037-003-0000 AND 128 WEST ROAD, APN 037-003-0002.**

**DISCUSSION/OTHER POSSIBLE CONSIDERATIONS:**

- Asphalt paving suggested for roadway;
- Addition of a cupola on main building;
- Design of potential future buildings should be compatible with design used for Earthlight Technologies headquarters.

**II. ADMINISTRATIVE BUSINESS:**

1. Approval of the November 19, 2020 Special Meeting Minutes

**MOVED (CHAPIN), SECONDED (STOMBERG) AND PASSED UNANIMOUSLY TO APPROVE THE NOVEMBER 19 2020 SPECIAL MEETING MINUTES AS WRITTEN.**

2. Election of Officers

Chairman:

**MOVED (CHAPIN), SECONDED (STOMBERG) TO NOMINATE COMMISSIONER (DAWSON) FOR CHAIRMAN OF THE DESIGN REVIEW BOARD FOR 2021.**

**COMMISSIONER (DAWSON) ACCEPTED THE NOMINATION. HEARING NO FURTHER NOMINATIONS, NOMINATIONS WERE CLOSED.**

**BY CONSENSUS, COMMISSIONER (DAWSON) WAS ELECTED CHAIRMAN OF THE DESIGN REVIEW BOARD FOR 2021.**

Vice Chairman:

**MOVED (DAWSON), SECONDED (BEAULIEU) TO NOMINATE COMMISSIONER (CHAPIN) FOR VICE CHAIRMAN OF THE DESIGN REVIEW BOARD FOR 2021.**

**COMMISSIONER (CHAPIN) ACCEPTED THE NOMINATION. HEARING NO FURTHER NOMINATIONS, NOMINATIONS WERE CLOSED.**

**BY CONSENSUS, COMMISSIONER (CHAPIN) WAS ELECTED VICE CHAIRMAN OF THE DESIGN REVIEW BOARD FOR 2021.**

**III. ADJOURNMENT:**

**MOVED (BEAULIEU), SECONDED (CHAPIN) AND PASSED UNANIMOUSLY TO ADJOURN THE DESIGN REVIEW BOARD MEETING AT 7:58 P.M.**

Respectfully submitted,

---

Barbra Galovich, Recording Clerk

**Subject:** FW: Development

-----Original Message-----

From: Jason Robertson [mailto:jrobertson@graliagroup.com]  
Sent: Tuesday, January 19, 2021 1:39 PM  
To: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>  
Cc: Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>  
Subject: RE: Development

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for sharing. That's a very attractive building. The ground mounted solar display is in the rear which is what I was hoping. I don't have any issues or comments. Best of luck to them.

Thanks again,

Jason

-----Original Message-----

From: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>  
Sent: Tuesday, January 19, 2021 9:36 AM  
To: Jason Robertson <jrobertson@graliagroup.com>  
Cc: Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>  
Subject: RE: Development

Hi Jason,

Things are pretty good, hope they are for you too. Attached is a copy of the proposed application and site development plan that you received notice about and will be heard by the Planning and Zoning Commission (PZC) on 1/25/2021. The current application has been endorsed by the Design Review Board, and I anticipate the proposed site development improvements to receive affirmative vote from the Planning and Zoning Commission given consistency with a concept plan presented during a previous zone change application rezoning the rear half of the property from residential to commercial. I also anticipate the majority of proposed uses to receive favorable support, however I do not have any insight for the proposed solar array since this is the first one of its size presented in Ellington.

If you have any questions or concerns you'd like to discuss or would like to present written comment to the PZC for consideration, please let me know.

All my best,

Lisa  
Lisa M. Houlihan, AICP  
Ellington Town Planner  
55 Main Street, PO Box 187  
Ellington, CT 06029  
Phone: 860-870-3120 / Fax: 860-870-3122

-----Original Message-----

From: Jason Robertson [mailto:jrobertson@graliagroup.com]

Sent: Friday, January 15, 2021 3:30 PM

To: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>

Subject: Development

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

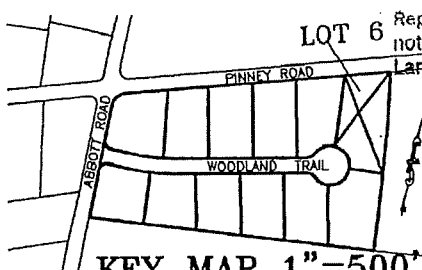
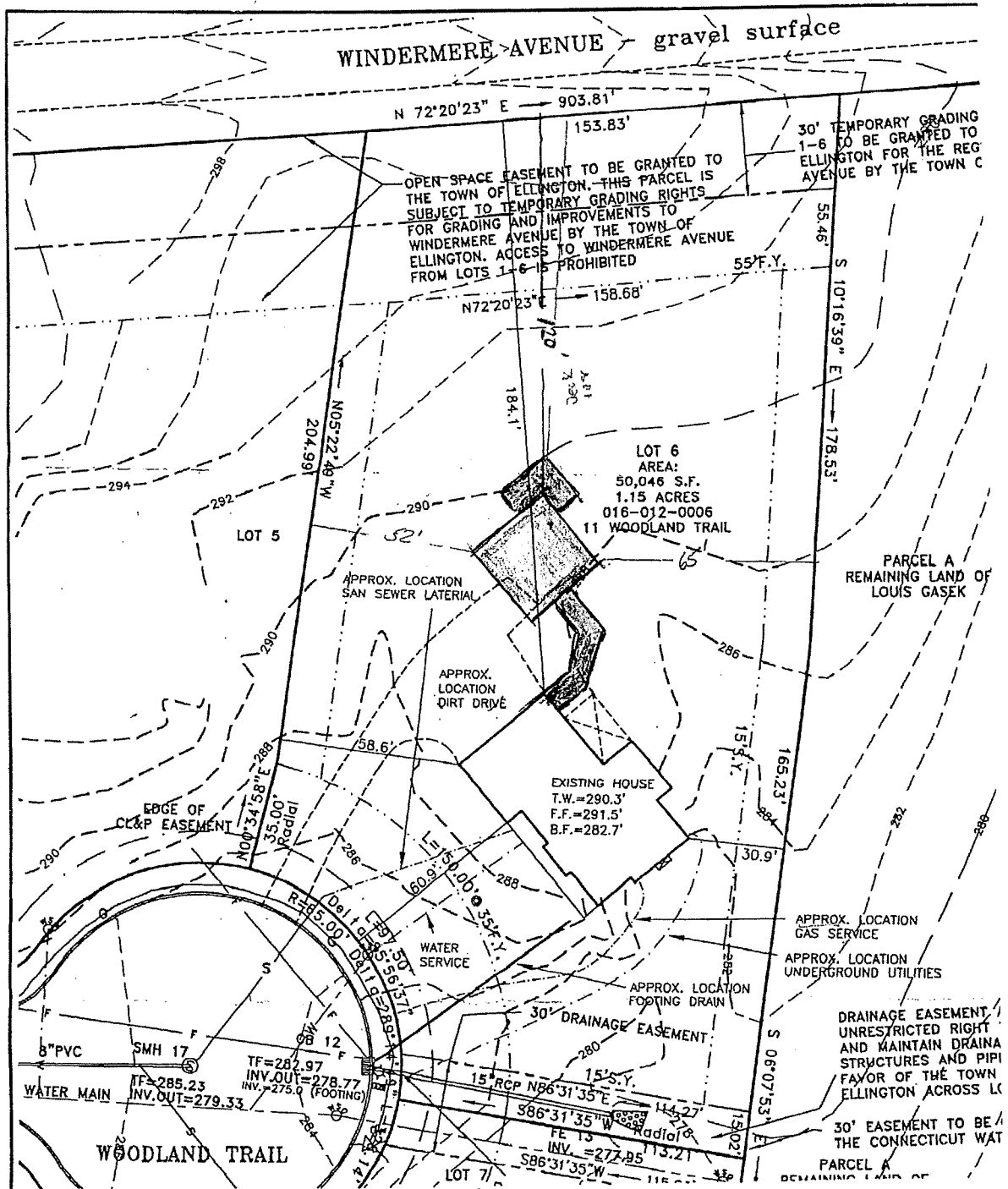
Hi Lisa,

Hope you are well, hanging in during this difficult time. We received the notice regarding the proposed development across the street. Do you have a site plan you can share with me? Any thoughts on what they are proposing?

Thanks,

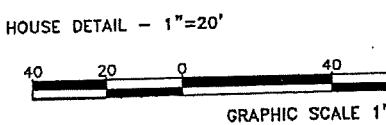
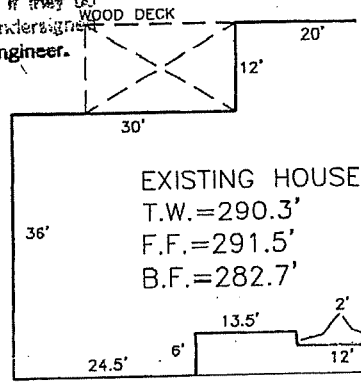
Jason Robertson  
The Ivy at Ellington

Sent from my iPhone

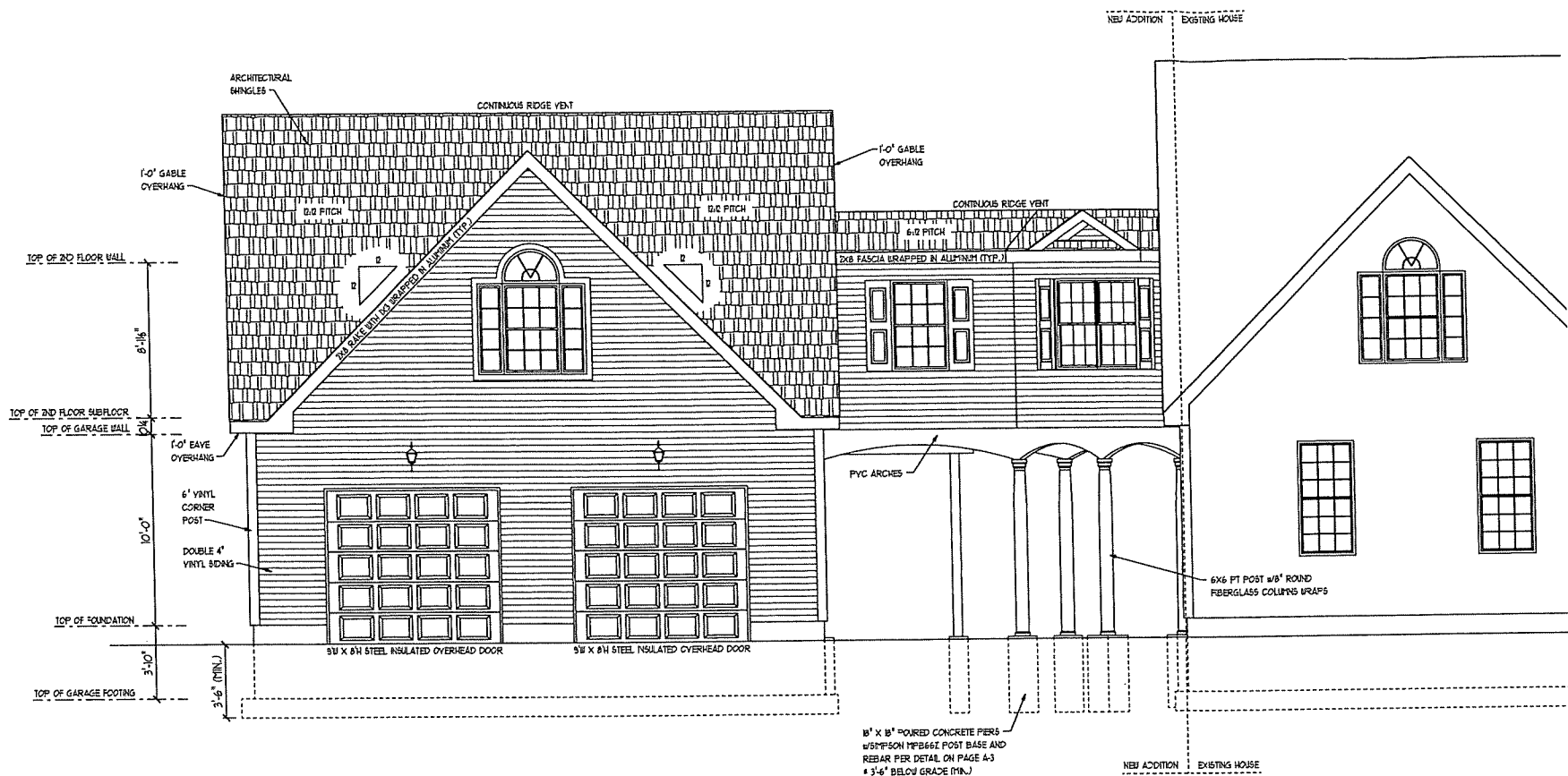


Reproductions of this plan are invalid if they do not bear the impression seal of the undersigned Land Surveyor and/or Professional Engineer.

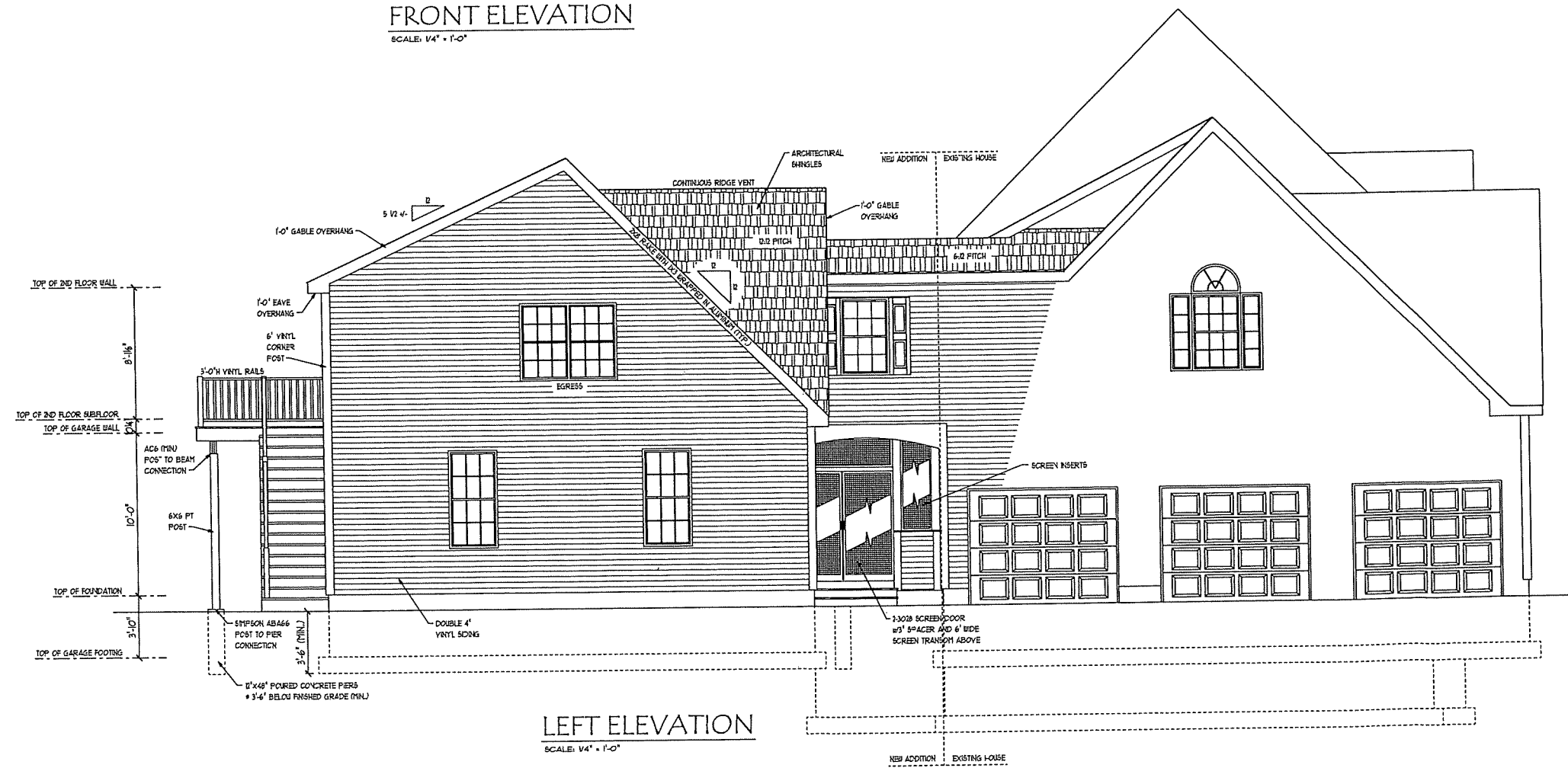
**BUILDING HEIGHT SUMMARY (SUPPLIED BY OTHERS)**  
 FRONT - 37'-0"  
 REAR - 37'-6"  
 LEFT - 37'-0"  
 RIGHT - 37'-6"  
 AVERAGE BUILDING HEIGHT - 37'-3"



- NOTES:**
- THIS MAP AND SURVEY HAVE BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-300b-1 THROUGH 20-300b-20. THIS IS AN IMPROVEMENT LOCATION SURVEY, BASED ON A DEPENDENT RESURVEY, CONFORMING TO HORIZONTAL ACCURACY CLASS A-2, AND VERTICAL ACCURACY CLASS T-2.
  - BEARING DEPICTED ON THIS PLAN ARE BASED UPON CGS DATUM (NAD 27). CONTOURS DEPICTED ON THIS PLAN ARE TAKEN FROM THE REFERENCED SUBDIVISION PLANS.
  - REFERENCE IS MADE TO THE FOLLOWING MAPS:
    - SUBDIVISION PLANS "SANTINI VILLAGE SECTION 2 - WOODLAND TRAIL ELLINGTON, CONNECTICUT" BY GARDNER & PETERSON ASSOC. SHEETS 1-B MAP NO. 8054-S2 DATED: 1-12-00 REV. THROUGH 3-3-2000



**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"



**LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"

**DRAWING LIST**

<b>ARCHITECTURAL</b>	
FRONT & LEFT ELEVATIONS	A-1
RIGHT & REAR ELEVATIONS AND BUILDING SECTION	A-2
FOUNDATION PLAN, BUILDING SECTIONS AND CONCRETE PIER DETAILS	A-3
FIRST & SECOND FLOOR PLANS	A-4
SITE DIAGRAM	A-5
<b>WALL BRACING</b>	
BRACED WALL PLAN & DETAILS	B-1

**NOTE:**  
TEXTURED AREAS REPRESENT NEW CONSTRUCTION.  
NON-TEXTURED AREAS REPRESENT EXISTING STRUCTURE.  
NEW ROOFING AND SIDING MATERIALS TO MATCH EXISTING.

**K.O. HOME DESIGN, LLC.**  
ARCHITECTURAL DESIGN &  
WALL BRACING SPECIALISTS  
CELL: 860.930.7075  
KEITH@KOHOMEDSIGN.COM  
ELLINGTON, CT 06029

**PROPOSED GARAGE & ADD. FOR STEPHEN & MELISSA SHEPLER**  
11 WOODLAND TRAIL  
ELLINGTON, CT 06029

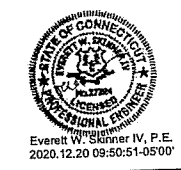
DRAWN FOR:  
PROULX BUILDING &  
REMODELING, LLC.

**BUILDING AREA (NEW)**  
SECOND FLOOR: 853 SQ. FT.  
ENC. CONNECTOR: 273 SQ. FT.  
TOTAL: 1126 SQ. FT.  
GARAGE: 873 SQ. FT.  
PORCH: 140 SQ. FT.

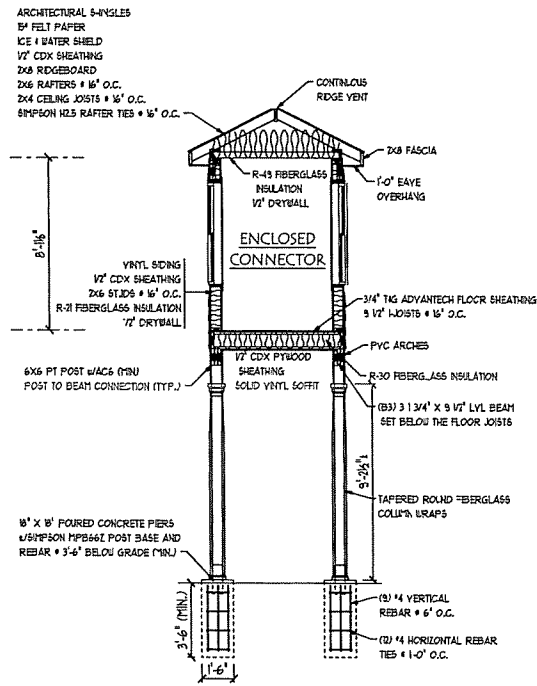
DATE  
3/16/20  
REVISIONS: 1/4/20  
12/9/20

SCALE  
As Noted

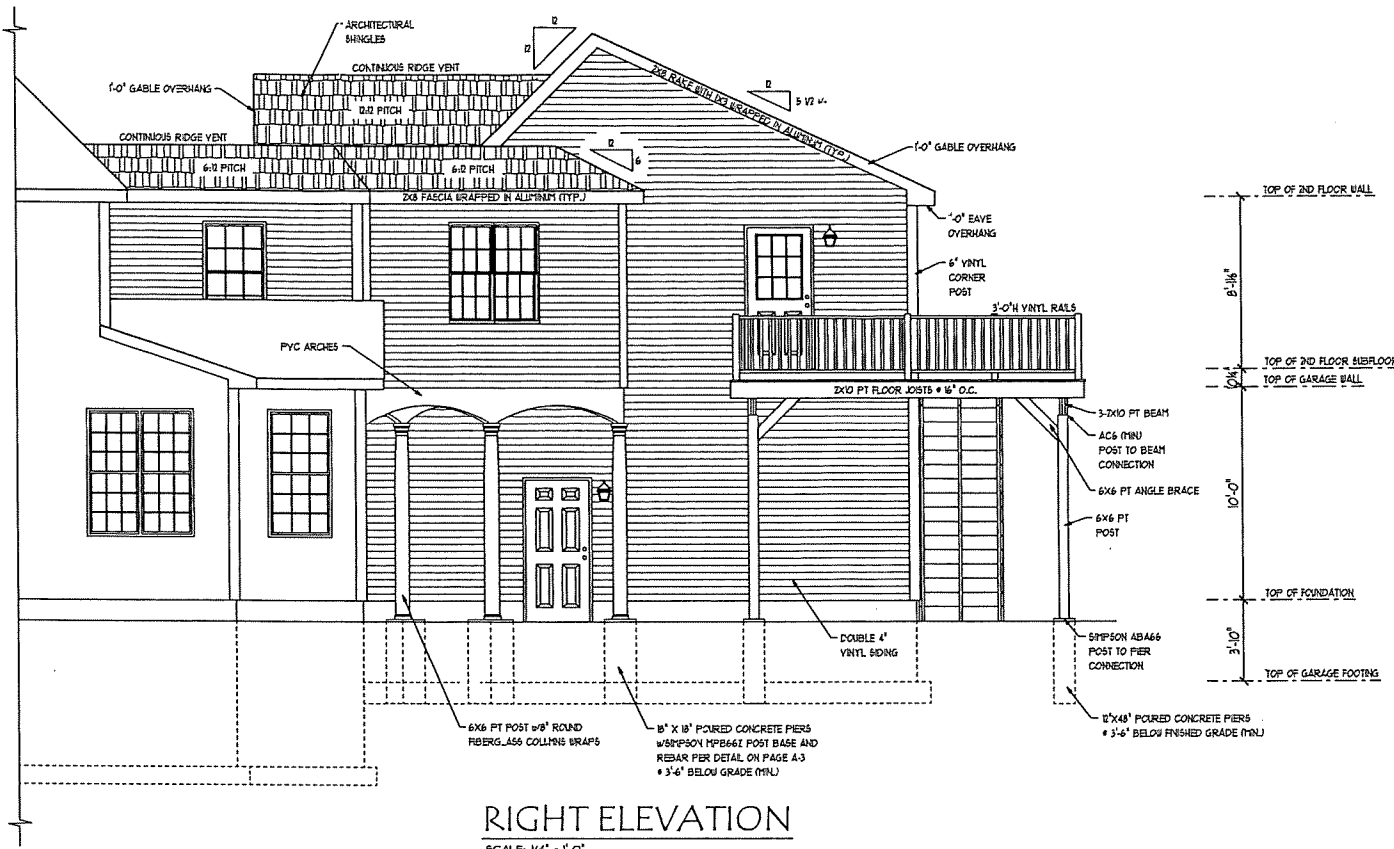
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A-1



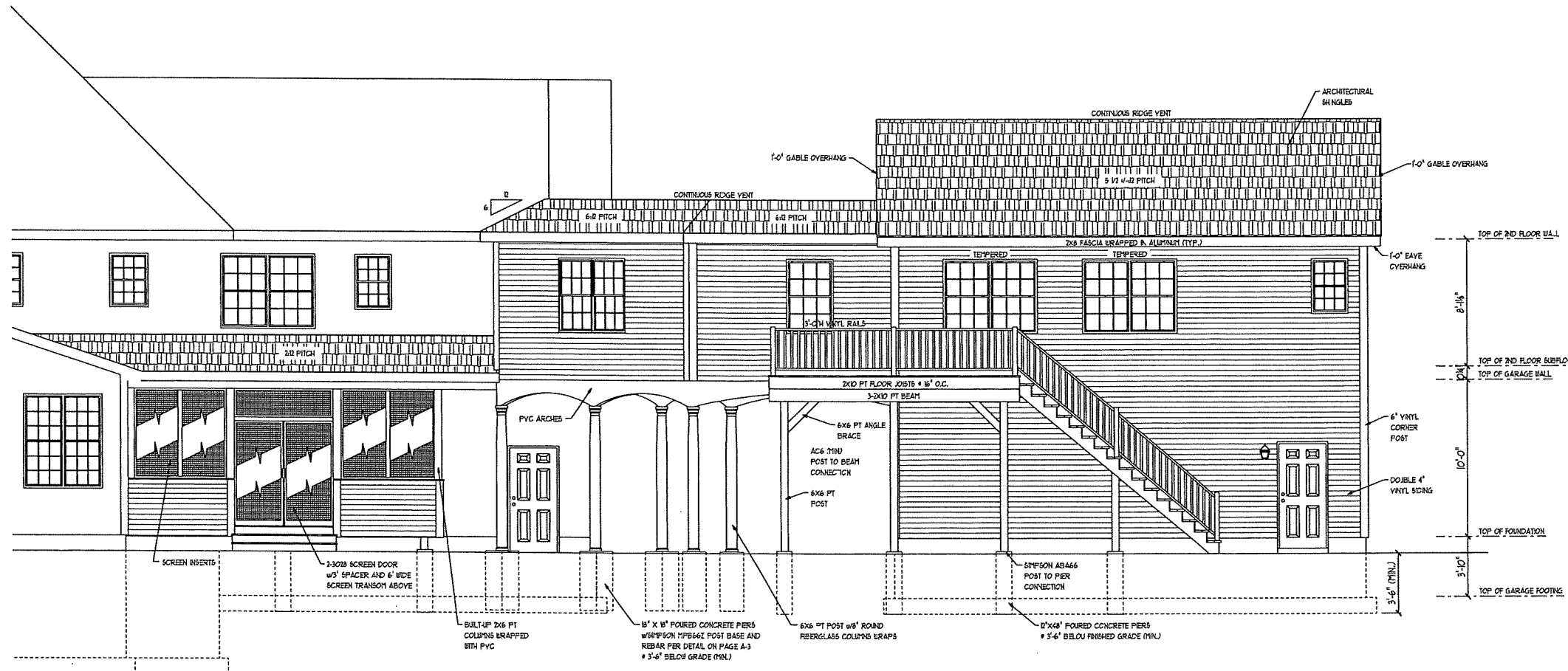




**BUILDING SECTION**  
SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"



**REAR ELEVATION**  
SCALE: 1/4" = 1'-0"

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KEITH@KOHOMEDSIGN.COM  
ELLINGTON, CT 06029

**PROPOSED GARAGE + ADD. FOR STEPHEN & MELISSA SHEPLER**  
11 WOODLAND TRAIL  
ELLINGTON, CT 06029

DRAWN FOR:  
PROULX BUILDING &  
REMODELING, LLC.

BUILDING AREA (NEW)  
SECOND FLOOR: 853 SQ. FT.  
ENC. CONNECTOR: 273 SQ. FT.  
TOTAL: 1087 SQ. FT.  
GARAGE: 823 SQ. FT.  
PORCH: 240 SQ. FT.

DATE  
3/16/20  
REVISIONS: 11/4/20  
12/9/20

SCALE  
1/4" = 1'-0"

DRAWING #  
A-2



**CODE INFORMATION**

CODE BASIS: CONNECTICUT STATE BUILDING CODE, 2018  
 INTERNATIONAL RESIDENTIAL CODE, 2015  
 INTERNATIONAL ENERGY CONSERVATION CODE, 2015  
 NATIONAL ELECTRICAL CODE, 2011 (NFPA-70)

**DESIGN LOAD SPECIFICATIONS**

DESIGN LOADS	LIVE LOAD	DEAD LOAD
SECOND FLOOR	40 PSF	30 PSF
ROOF	35 PSF	15 PSF

ULTIMATE WIND SPEED, V(U.L.T.): 125 MPH (3-SEC. GUST)

**FOUNDATION NOTES AND SPECIFICATIONS**

1. ALL CONCRETE FOR FOUNDATION WALLS AND FOOTINGS SHALL OBTAIN A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI AT THE AGE OF 28 DAYS. ALL CONCRETE FOR BASEMENT SLABS SHALL OBTAIN 3000 PSI AT THE AGE OF 28 DAYS. ALL CONCRETE FOR GARAGE SLABS SHALL OBTAIN 3500 PSI AT THE AGE OF 28 DAYS. ALL FOOTINGS SHALL BE A MINIMUM OF 3'-6" BELOW GRADE. ALL FOOTINGS TO REST ON UNDISTURBED SOIL OF A MINIMUM OF 3000 PSF BEARING CAPACITY.
2. ALL ANCHOR BOLTS TO BE 1/2" X 12" @ 6'-0" O.C., MINIMUM OF TWO BOLTS PER WALL.
3. ALL UNSUPPORTED FOUNDATION WALLS 8'-0" OR LESS SHALL HAVE 1/4" REBAR WITHIN 12" OF THE TOP OF WALL AND 1/4" REBAR NEAR MID-HEIGHT OF THE WALL.

**FRAMING NOTES AND SPECIFICATIONS**

1. ALL FRAMING LUMBER SHALL BE DOUGLAS FIR #2 OR BETTER UNLESS NOTED OTHERWISE. POST ALL LOADS DOWN TO FOUNDATION OR BEAM BELOW. ALL PRESSURE TREATED WOOD SHALL BE SOUTHERN PINE #2 OR BETTER. ALL FASTENERS IN PRESSURE TREATED WOOD SHALL BE HOT DIPPED GALVANIZED.
2. INSTALL ALL LVL BEAMS IN ACCORDANCE WITH MANUFACTURER'S DETAILS AND INSTRUCTIONS.
3. INSTALL ALL ENGINEERED TRUSSES AND/OR ENGINEERED FLOOR SYSTEMS IN ACCORDANCE WITH MANUFACTURER'S DETAILS, DRAWINGS AND INSTRUCTIONS.
4. ALL FASTENERS SHALL BE INSTALLED IN ACCORDANCE WITH 2015 IRC CODE TABLE R602.3(1), TABLE R602.3(2), TABLE R602.3(3) AND A5 NOTED.
5. PROVIDE METAL STRAPS ACROSS EDGE OF TOP PLATES IF OVER 50% NOTCHED.

**GENERAL NOTES AND REQUIREMENTS**

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE NATIONAL, STATE AND LOCAL BUILDING CODES AND REGULATIONS.
2. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF PROPOSED STRUCTURE PRIOR TO START OF CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED FOR JUSTIFICATION AND/OR CORRECTION BEFORE PROCEEDING WITH WORK. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ERRORS THAT ARE NOT REPORTED.
3. ALL DIMENSIONS SHOULD BE READ OR CALCULATED AND NEVER SCALED.
4. ALL COLUMNS AND/OR BUILT-UP SOLID FRAMING SHALL BE DESIGNED TO CARRY THE LOADS BEING APPLIED TO THEM. THE LOAD PATH SHALL BE CARRIED DOWN THROUGH THE LEVELS BELOW, AND SHALL TERMINATE AT THE FOUNDATION OR OTHER BEARING POINTS DESIGNED TO CARRY THE LOAD.

K.O. HOME DESIGN, LLC.  
 ARCHITECTURAL DESIGN &  
 WALL BRACING SPECIALISTS  
 CELL- 860.930.7075  
 KEITH@KOHOMEDSIGN.COM  
 ELLINGTON, CT 06029

PROPOSED GARAGE & ADD. FOR STEPHEN & MELISSA SHEPLER  
 11 WOODLAND TRAIL  
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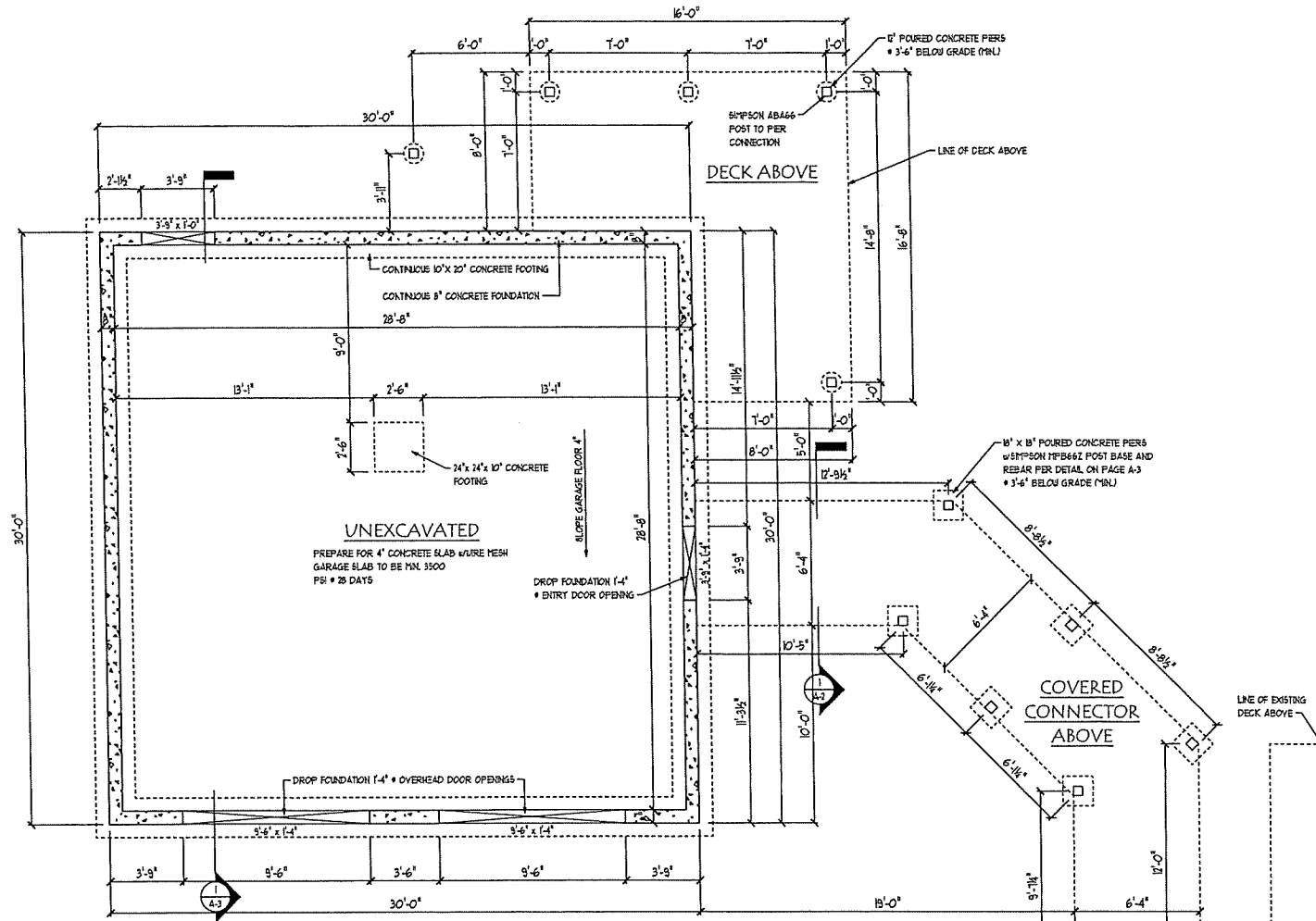
DRAWN FOR:  
 FROULX BUILDING &  
 REMODELING, LLC.

BUILDING AREA (NEW)  
 SECOND FLOOR: 853 SQ. FT.  
 ENC. CONNECTOR: 229 SQ. FT.  
 TOTAL: 1082 SQ. FT.  
 GARAGE: 823 SQ. FT.  
 PORCH: 240 SQ. FT.

DATE  
 3/16/20  
 REVISIONS: 11/4/20  
 12/3/20

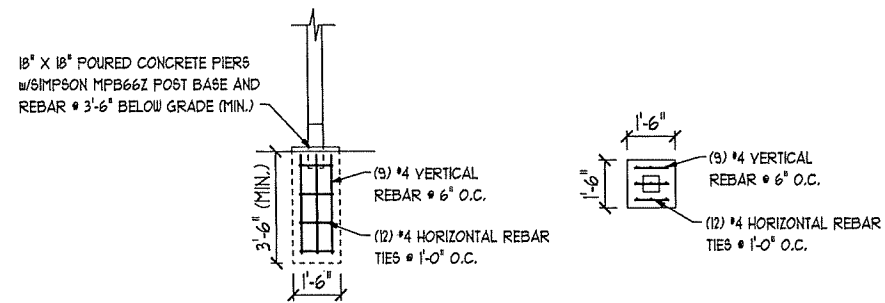
SCALE  
 As Noted

DRAWING #  
 A-3



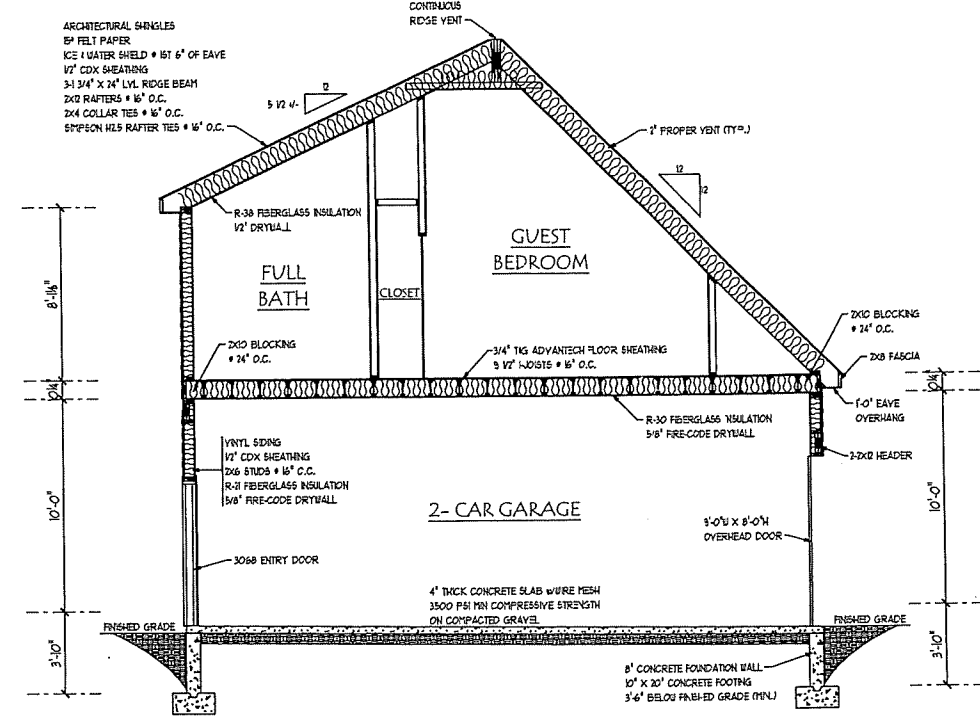
**FOUNDATION PLAN**

SCALE: 1/4" = 1'-0"



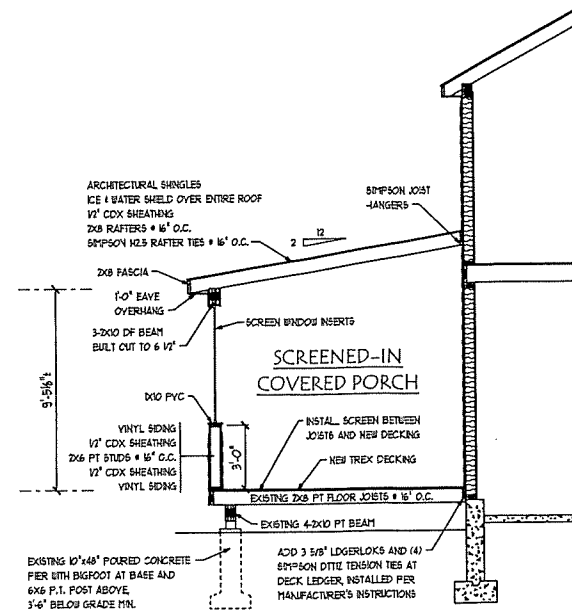
**CONCRETE PIER DETAILS**

SCALE: 3/8" = 1'-0"



**BUILDING SECTION 1**

SCALE: 1/4" = 1'-0"



**BUILDING SECTION 2**

SCALE: 1/4" = 1'-0"









## Barbra Galovich

---

**From:** Barbra Galovich  
**Sent:** Monday, January 04, 2021 2:55 PM  
**To:** sheps23@hotmail.com; info@proulxbuilt.com  
**Subject:** FW: Staff Review - 11 Woodland Trail

Hi,  
  
Happy 2021! Please see the below comments from Tim Webb, Director of Public Works.

Thank you,  
Barbra

Barbra Galovich, CZET  
Land Use Assistant  
Town of Ellington  
55 Main Street  
Ellington, CT 06029  
(860) 870-3120

---

**From:** Timothy Webb  
**Sent:** Monday, January 04, 2021 11:57 AM  
**To:** Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>  
**Subject:** RE: Staff Review - 11 Woodland Trail

Depending upon the use of the garages a sewer assessment and user fee may be generated

---

**From:** Barbra Galovich  
**Sent:** Monday, January 04, 2021 11:38 AM  
**To:** James York <JYork@ELLINGTON-CT.GOV>; Kim Bechard <KBechard@ELLINGTON-CT.GOV>; Lori Spielman <lspielman@ELLINGTON-CT.GOV>; Mike Caronna <mcaronna@ncdhd.org>; Raymond Martin <Rmartin@ELLINGTON-CT.GOV>; Sydney Kern <skern@ELLINGTON-CT.GOV>; Timothy Webb <twebb@ELLINGTON-CT.GOV>; Westford Lirot <wlirot@ncdhd.org>  
**Cc:** Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>  
**Subject:** Staff Review - 11 Woodland Trail

Hi,  
  
Hope you are doing well. Please see the attached documentation with Staff Review Sheet. This application will be discussed at the PZC meeting on Monday, January 25, 2021.  
Please provide your comments/concerns on or before January 15, 2021.

Thank you in advance for your review.  
Barbra

Barbra Galovich, CZET  
Land Use Assistant  
Town of Ellington  
55 Main Street



## Town of Ellington Planning & Zoning Commission Subdivision Application

SUBDIVISION NAME: <u>Ridge Crossing</u> LOCATION: <u>West side of Tripp Road</u> ASSESSOR'S PARCEL NUMBER (APN): <u>023-001-0000</u> (If unaware of APN, ask staff for assistance)	Application # <u>S702004</u> Date Received <u>12/16/2020</u>
--	---

Application: <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Re-subdivision <input type="checkbox"/> Modification Approval Requested: <input type="checkbox"/> Final <input checked="" type="checkbox"/> Conditional	
Notices associated with this application will be sent to the applicant, if different than the owner, unless otherwise requested. <b>Owner's Information</b> Name: <u>Hastillo Properties, LLC</u> Mailing Address: <u>425 East Road</u> <u>Broad Brook, CT 06016</u> Email: _____ WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS MAY NOTICES BE EMAILED TO YOU? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Primary Contact Phone #: <u>860-871-1481</u> Secondary Contact Phone #: _____ Signature: <u>Ruth Hastillo</u> Date: <u>12/15/20</u>	Notices associated with this application will be sent to the applicant, if different than the owner, unless otherwise requested. <b>Applicant's Information (if different than owner)</b> Name: <u>TYMAC Holdings, LLC</u> Mailing Address: <u>7 Azalea Lane</u> <u>Ellington, CT 06029</u> Email: _____ WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS MAY NOTICES BE EMAILED TO YOU? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Primary Contact Phone #: <u>313-404-3747</u> Secondary Contact Phone #: _____ Signature: <u>Mark Smith</u>

dotloop verified  
12/16/20 9:58 AM EST  
LJ5V-FVXL-XW9C-GUEB

Total Acreage of Property: 61.56 Zone of Property: RAR Required Density Factor (R/LR =.6, RAR =.5): 0.5

Open Space Proposal (check one): 10% Land Set-Aside  Fee in Lieu of Land  Combination  N/A (outside wetlands)

Amount (square feet & acres): >25% Slopes: 0.80 Wetlands & Watercourses: 24.02 100-Year Floodplain: 2.42

Developable Land: 34.32 Lot Yield: 17 Remaining Land: None Area to be subdivided: All

# of Proposed Development Lots: 11

Public Water:  Yes  No Public Sewer:  Yes  No *If not served by public water and sewer, applicant/owner shall make application to North Central District Health Department (Enfield Office). If within a public sewer area, application for division must include conceptual approval from the Ellington Water Pollution Control Authority.*

Is parcel located within 500' to any municipal boundary?  Yes  No

Are there any wetlands/watercourses within 100' of construction activity or within 250' of wetlands/watercourses when located in the Shenipsit Lake Drainage Basin?  Yes  No *If yes, pursuant to state law application must be made to the Inland Wetlands Agency prior to or simultaneously with application to the Planning and Zoning Commission.*

Are there any wetlands/watercourses on the property proposed for development but not within 100' of construction activity or 250' of construction activity when located in the Shenipsit Lake Drainage Basin? *If yes, state law requires notice be made to the Inland Wetlands Agency prior to or simultaneously with application to the Planning and Zoning Commission.*

Is the project in a public water supply watershed area?  Yes  No *If yes, applicant shall notify Connecticut Water Company and Commissioner of Public Health about the proposed project by certified mail return receipt win 7 days of application (§8-31(b). Copy of application, plans, and support documents must accompany notice. Proof of notice and copies of return receipts must be provided to the Planning Department.*

Please forward all correspondence to: Mark Peterson,  
Gardner Peterson Assoc., LLC, 178 Hartford Tpke.,  
Tolland, CT 06084 - email: mpeterson@gardnerpeterson.com

RECEIVED  
DEC 16 2020

TOWN OF ELLINGTON  
PLANNING & ZONING COMMISSION

# GARDNER & PETERSON ASSOCIATES, LLC

PROFESSIONAL ENGINEERS • LAND SURVEYORS

178 HARTFORD TURNPIKE  
TOLLAND, CONNECTICUT 06084

KENNETH R. PETERSON, L.S.  
ERIC R. PETERSON, P.E., L.S.  
MARK A. PETERSON, P.E.

TELEPHONE: (860) 871-0808  
info@GardnerPeterson.com  
www.GardnerPeterson.com

December 10, 2020

Mrs. Lisa Houlihan  
Town Planner  
Town of Ellington  
PO Box 187  
Ellington, CT 06029

DEC 16 2020  
TOWN OF ELLINGTON  
PLANNING & ZONING COMMISSION

Re: Ridge Crossing  
Waiver Request

Dear Lisa,

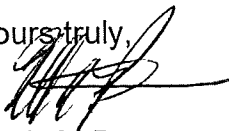
We have submitted plans and applications for a proposed 11 lot resubdivision off the west side of Tripp Road. During our pre-application meeting we discussed a proposed waiver with the Planning Staff and Director of Public Works and received their support. At this time, I would formally request the following waiver associated with the construction of the proposed Garnet Lane.

1. Subdivision Regulation, Appendix C.3, Section 3.13(a)

I hereby request a waiver to install HDPE pipe instead of RCP, as required. HDPE pipe has been used for years and is found to be a suitable replacement for RCP.

Please contact me if you have any questions and I look forward to discussing the project with the Planning & Zoning Commission.

Yours truly,



Mark A. Peterson P.E.

10820waiver2

S202004

**RIDGE CROSSING  
Tripp Road  
APN: 023-001-000  
Ellington, Connecticut**

**STORMWATER MANAGEMENT REPORT**

Date: December 8, 2020  
Revised: January 21, 2021

PREPARED FOR: TYMAC Holdings, LLC  
7 Azalea Lane  
Ellington, Connecticut

PREPARED BY: Gardner & Peterson Associates, LLC  
178 Hartford Turnpike  
Tolland, CT 06084



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## Ridge Crossing

### Summary:

This application is requesting an approval to subdivide a 61.56-acre parcel into 11 building lots. This parcel is located on the west side of Tripp Road with access to Tripp Road through a 50-foot wide strip across from the intersection of Tripp Road and Standish Road. The subdivision will also result in the creation of a new Town road, 1,000 feet in length.

### Existing Conditions:

The easterly 1,000 feet of this property is currently used as an agricultural field for harvesting of corn. The agricultural field is terraced with some crop residue. The westerly portion of this property is mostly wetlands totaling approximately 26 acres. Stormwater runoff from this site drains from Tripp Road in a westerly direction to the wetland where it crosses into East Windsor, eventually reaching Ketch Brook.

According to the NRCS Web Soil Survey, the upland soils consist of Cheshire fine sandy loam (63B, 63C), Narragansett silt loam (66B) and Sudbury sandy loam (23A). The Cheshire soils are located along the slope on the easterly portion of the property where the new road and residential lots are proposed, while the Narragansett soils are located in the two lower agricultural fields where the stormwater basin is proposed, and the Sudbury soils are located further west adjacent to the wetland areas. All these soils are classified as Hydrologic Soil Group B. Test pits have been evaluated and percolation tests have been run to determine areas suitable for septic systems. This data appears on sheet 13 of the subdivision plan set.

The upland portion of this parcel is located within Flood Hazard Zone 'X' (area determined to be outside 500-year floodplain), per "FIRM Flood Insurance Rate Map Town of Ellington, Connecticut, Tolland County, Community-Panel Number 090158 0005 C, Map Revised February 5, 1997". The remaining portion of the parcel is located within Special Flood Hazard Area Inundated by the 100-year Flood: Zone 'AE' (base flood elevations determined). This application is not proposing any construction activities within the 'AE' zone.

### Stormwater Management:

The proposed stormwater management system has been designed to comply with the Town of Ellington Subdivision Regulations and the 2004 Connecticut Stormwater Quality Manual. The objective of the stormwater management system is to prevent an increase in peak flow rates for the 2-year, 10-year & 50-year frequency, and to provide adequate stormwater treatment from the runoff discharging from the stormwater management system that will ultimately be maintained by the Town of Ellington.

Runoff will be collected in catch basins located within the new subdivision road and conveyed to a stormwater treatment basin located in one of the existing lower agricultural fields. The stormwater management system has been designed for a 26-foot wide road

with 1-foot wide bituminous curbs. The drainage piping has been designed to convey runoff from the 10-year frequency storm, and the flow to each structure was determined using the Rational Method with C values for the following cover types: Impervious C=0.9, Woods C=0.25, Grass C=0.35, Crops C=0.50. The design provides 3-feet of cover over all drainage pipes and a minimum of 1-foot of freeboard from the rim elevation to the Energy Grade Line elevation. The catch basins have been located so that the gutter spread and the inlet spread does not exceed one-half the lane width or 6½ feet with the exception of CB #2 & CB #3 which exceeds this criteria by approximately ½ inch and 2 inches respectively.

Furthermore, this report provides an analysis of the pre-development and post development conditions. The SCS method was used to determine the peaks rates of runoff for the 2-year, 10-year and 50-year frequency storms. The curve numbers for various existing and proposed land cover were derived from the TR-55 Urban Hydrology for Small Watersheds. The existing land cover includes lawn areas (CN=61), wooded areas (CN=55), impervious areas (CN=98), gravel areas (CN=85), and rows of crops for the agricultural fields (CN=70). The curve number for the row of crops is for contoured and terraced rows with crop residue cover. This is the most conservative CN value for a row of crops. It is expected during the post-development conditions that the fields will no longer be used for agricultural purposes. Portions of the fields will be incorporated into the building lots and it is expected that they will become lawn areas. Furthermore, it is expected that the remaining agricultural areas will not be maintained for crops and will eventually become brush which has a CN=48, which is a lower curve number than rows of crops. For the purpose of these calculations, these areas will still be considered agricultural fields in the proposed conditions, even though in the future the post-development runoff conditions may be even less than indicated in this report. The results of the pre-development and post-development analysis are tabulated below:

Hydrograph Description	2-Yr	10-Yr	50-Yr
#1 Proposed to Wetlands	16.47	45.24	75.23
#2 Existing to Wetlands	16.47	45.25	75.25

The runoff analysis of the pre-development and post-development conditions indicates that there will not be an increase in peak runoff for the post-development conditions. Therefore, detention is not necessary. According to the MS4 requirements, the stormwater exiting the proposed drainage system needs to be treated prior to being discharged. Based on the evaluation of test pits and percolation testing, the soil conditions on this property are not suitable to infiltrate runoff collected by the drainage system. The test pits indicate a compact till located approximate 2½ feet below grade with sandy loam and loamy sands below the topsoil.

A wet pond was designed at the terminus of the drainage system to treat the runoff collected in the proposed drainage system. The wet pond consists of two cells. The first is a sediment forebay that will provide pre-treatment by settling out coarse sediment particles, which will enhance treatment performance, reduce maintenance, and increase the longevity of the wet pond. The sediment forebay was designed to store a minimum

10% of the Water Quality Volume (WQV). The second cell is a wet pool, which is separated from the forebay by an earthen berm. The wet pool contains a 10-foot wide aquatic bench along its perimeter that is 1-foot below the normal pool water surface elevation and will be planted with wetland vegetation. The portion of the pond above the aquatic bench will be seeded with an erosion control restoration seed mix to stabilize slopes. The wet pool was designed to store at a minimum the entire WQV, have a 3:1 to 4:1 length to width ratio, and an outlet at the far end of the basin from the inlet, that was designed to convey the 50-year storm frequency storm entering the basin. The wet pool's design will enhance the removal of pollutants by increasing the residence time of the stormwater in the pond and by providing a habitat for aquatic plantings. The treated stormwater will exit the pond when it is "pushed" out by new water entering the pond. A 1-foot tall berm has been designed around the entire basin to provide freeboard and force water to exit the basin only through the designed outlet. The previously discussed volume calculations within the pond do not include the volume above the outlet.

An erosion control mat has been selected to be installed over the aquatic bench along the flow path from the sediment forebay to the wet pond and along the bottom of the outlet spillway from the wet pond. The area of maximum shear stress is within the outlet spillway where the ground slope is at its greatest. The product literature of the selected erosion control mat indicates that it can withstand the shear stress from the 50-year storm frequency flow entering and exiting the wet pond and will therefore withstand the shear stress on the flow path entering the wet pond.

#### **Erosion & Sediment Control:**

The erosion & sediment control plan for this site consists of the use of soil stockpile areas, and silt fence and/or hay bales down gradient of all disturbed areas. Catch basin filters will be installed in each catch basin frame once installed. The area draining to each catch basin does not exceed 2-acres, therefore temporary sediment traps or sediment basins are not recommended. An anti-tracking pad will be installed at the entrance to the site and at each driveway entrance during the development of each lot.

All sediment and erosion control procedures and construction of all stormwater drainage structures shall essentially be in accordance with the "2002 Connecticut Guidelines For Soil Erosion and Sediment Control" by the Connecticut Council on Soil and Water Conservation.

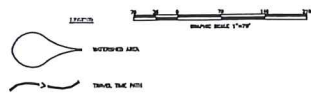


Eric R. Peterson, P.E. 23430

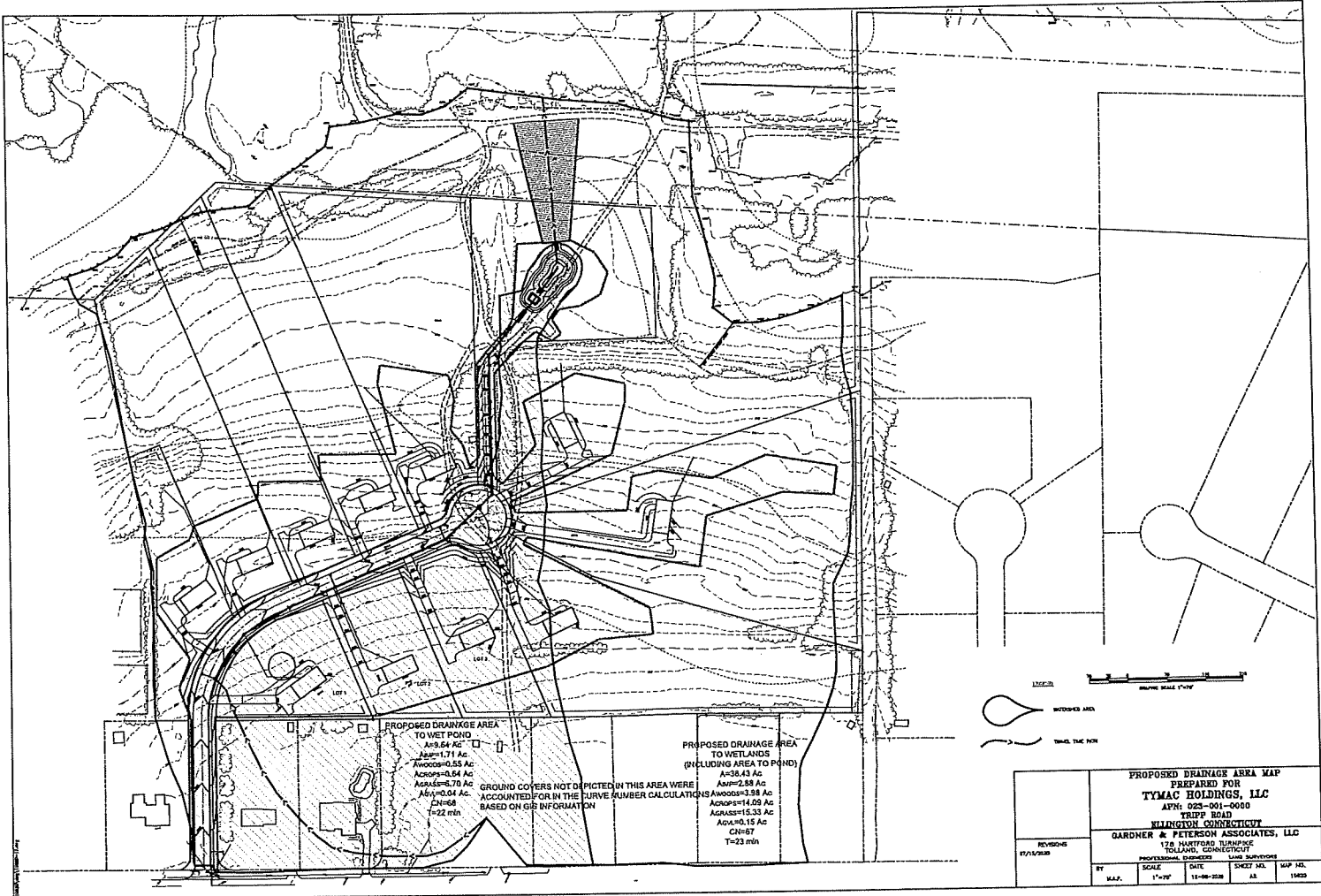


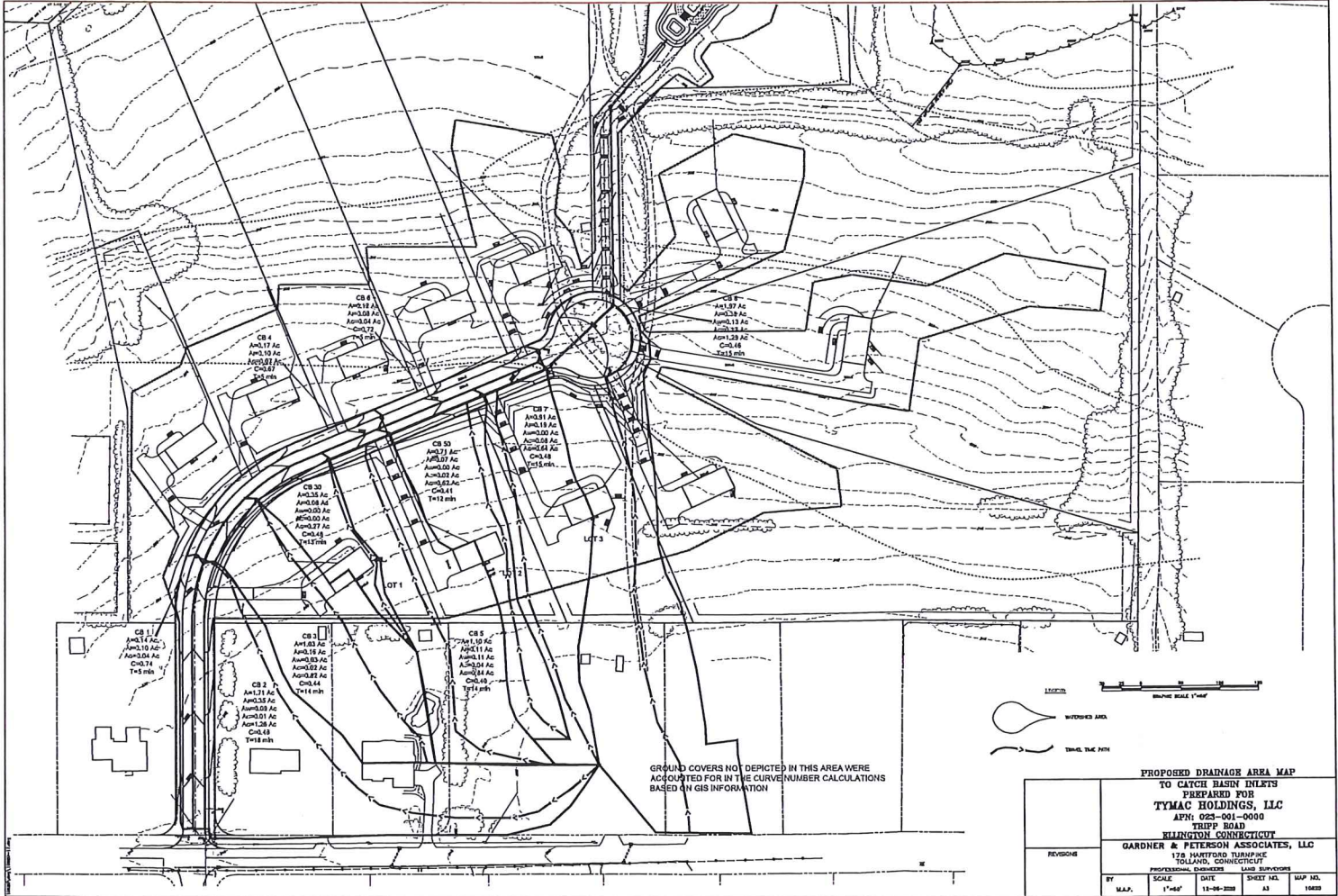
EXISTING DRAINAGE AREA  
TO WETLANDS  
 A=38.44 AC  
 Aup=0.21 AC  
 Asecess=4.73 AC  
 Aconer=23.68 AC  
 ADRAS=2.27 AC  
 C=145.67  
 T=22.81

GROUND COVERS NOT DEPICTED IN THIS AREA WERE  
ACCOUNTED FOR IN THE CLIVE NUMBER CALCULATIONS  
BASED ON GIS INFORMATION

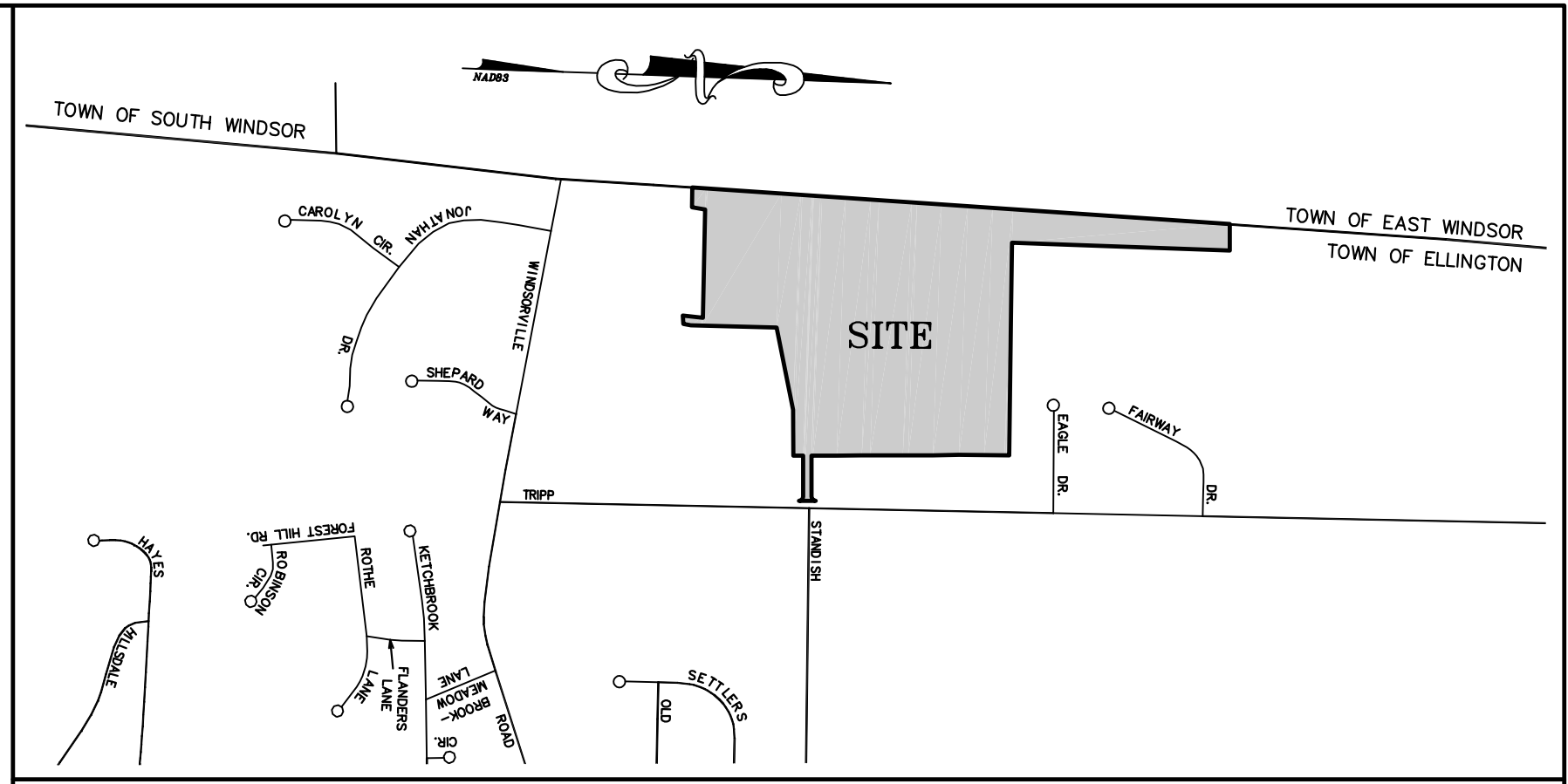


EXISTING DRAINAGE AREA MAP					
PREPARED FOR					
TYMAC HOLDINGS, LLC					
APR: 023-001-0000					
TRUP ROAD					
MILINGTON CONNECTICUT					
GARDNER & PETERSON ASSOCIATES, LLC					
172 HARTFORD TURNPIKE					
TOLLAND, CONNECTICUT					
PROFESSIONAL ENGINEER			LAND SURVEYOR		
BY	SCALE	DATE	SHEET NO.	MAP NO.	
M.A.P.	1"=75'	11-08-2010	A1	14023	

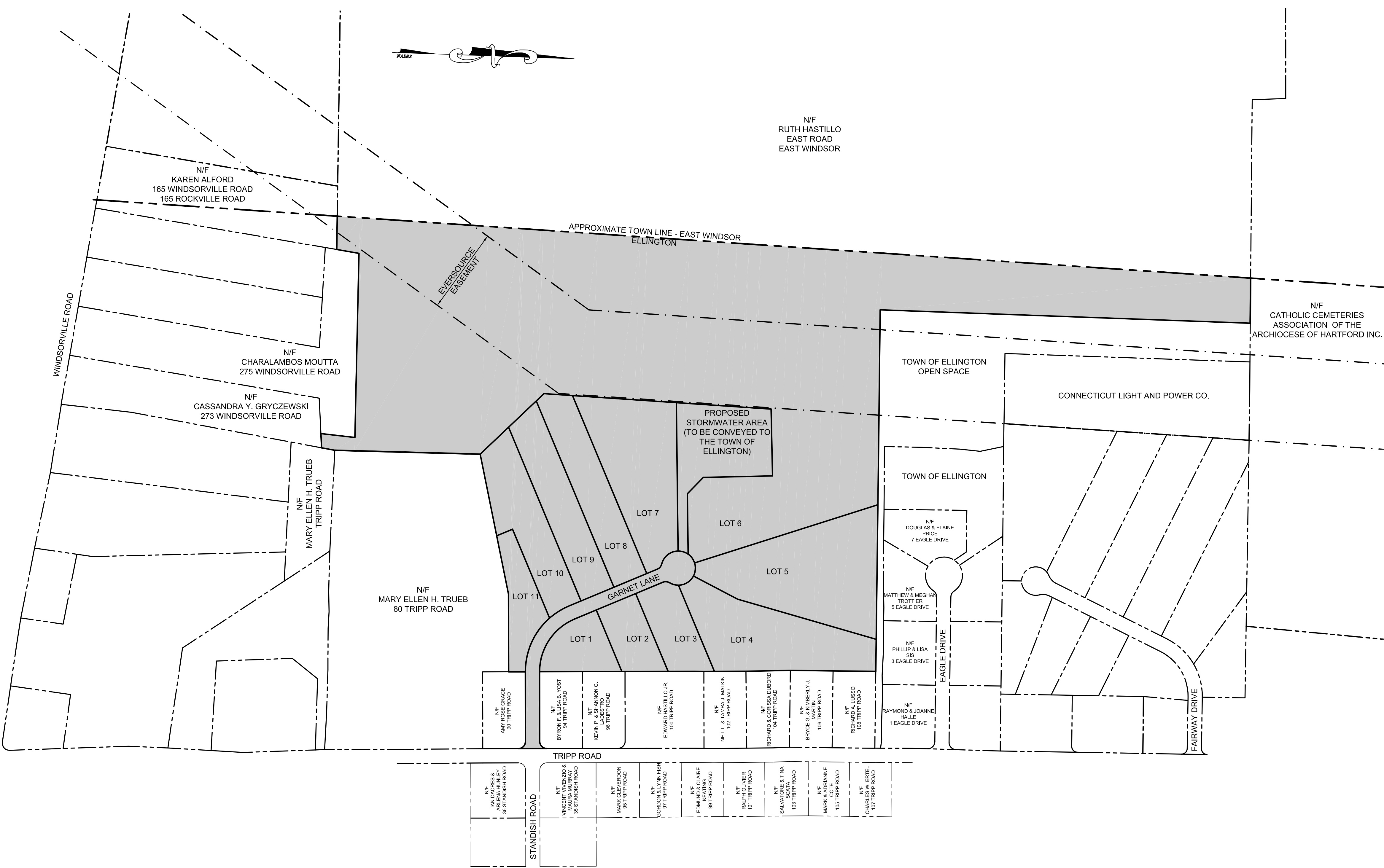




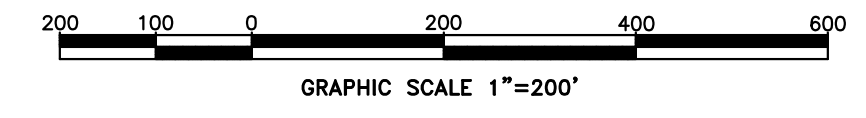




KEY MAP - SCALE: 1" = 1,000'



- NOTES:
- THIS SURVEY AND MAP HAVE BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THROUGH 20-300b-20 "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT". THIS IS A PROPERTY AND TOPOGRAPHIC SURVEY AND FIRST SURVEY OF THE PERIMETER BOUNDARY CONFORMING TO HORIZONTAL ACCURACY CLASS A-2 AND TOPOGRAPHIC ACCURACY CLASS 1-3.
  - BEARINGS AND ELEVATIONS DEPICTED ON THIS PLAN ARE BASED UPON THE 1983 NORTH AMERICAN DATUM (NAD 83/87) AND THE 1988 NORTH AMERICAN DATUM RESPECTIVELY AS PROVIDED BY GPS COORDINATES FROM J.R. RUSSO & ASSOCIATES.
  - TOPOGRAPHY DEPICTED ON THIS PLAN WAS PROVIDED BY GOLDEN AERIAL SURVEYS.
  - REFERENCE IS MADE TO THE FOLLOWING MAPS:
    - RESUBDIVISION PLAN HASTILLO ACRES II ELLINGTON, CONNECTICUT BY GARDNER & PETERSON ASSOCIATES, DATED: 1-27-99, REVISED 3-9-99, MAP NO. 9522 H.
    - SUBDIVISION PLAN PREPARED FOR EDWARD J. HASTILLO TRIPP ROAD ELLINGTON, CONNECTICUT BY JC SOMMERS ASSOCIATES, INC. DATED: MAY, 1994, REVISED: 9/30/94.
    - PLAN PREPARED FOR EDWARD J. HASTILLO TRIPP ROAD ELLINGTON, CONNECTICUT BY JC SOMMERS ASSOCIATES INC. DATED: MAY, 1998.
    - PROPERTY SURVEY PREPARED FOR STEVEN TRUEB ELLINGTON, CONNECTICUT BY GARDNER & PETERSON ASSOCIATES, DATED: 10-29-01, REVISED 11/02/01, MAP NO. 9522 S.
    - PROPERTY SURVEY/RESURVEY PREPARED FOR SHEPARD FARMS SUBDIVISION WINDSORVILLE ROAD & TRIPP ROAD ELLINGTON, CONNECTICUT BY DESIGN PROFESSIONALS, INC. DATED: 10/15/02, REVISED: 07/25/03.
    - PLAN PREPARED FOR ADRIAN GROOT III 275 WINDSORVILLE ROAD ELLINGTON, CONN" PREPARED BY MEHMAN & GOODIN, DATED: SEPT. 25, 1998.
    - SUBDIVISION PLAN PROPERTY OF HANS HACKNER JR. & ALFRED MEIER ELLINGTON, CONNECTICUT BY STANLEY SZESTOWICKI L.S. DATED: JUNE 5, 1972.
    - RESUBDIVISION PLAN OF WINDSORVILLE MEADOWS PROPERTY OF HANS HACKNER JR. & ALFRED MEIER EAST WINDSOR, CONNECTICUT BY STANLEY SZESTOWICKI L.S. REVISED: APRIL 15, 1977.
    - PLAN PREPARED FOR CATHOLIC CEMETERIES ASSOCIATION OF THE ARCHDIOCESE OF HARTFORD MIDDLE, EAST AND TRIPP ROADS EAST WINDSOR AND ELLINGTON, CONN" BY MEHMAN & GOODIN, DATED: 12-08-2009, SHEET 3 OF 3.
    - LOCATION OF RIGHT OF WAY OF THE CONNECTICUT LIGHT & POWER COMPANY ACROSS THE PROPERTY OF VICTORIA HASTILLO ET AL TOWNS OF EAST WINDSOR & ELLINGTON: COUNTIES OF HARTFORD & TOLLAND: STATE OF CONNECTICUT DATED: APRIL 1963, SHEET 1-2 OF 2.
    - SUBDIVISION PLAN EAGLE ESTATES TRIPP ROAD ELLINGTON, CONNECTICUT OWNER/APPLICANT ANTHONY, MARK & EDWARD SPAZZARINI 50 POST OFFICE ROAD ENFIELD, CONNECTICUT 06082 ASSESSOR'S #023-003-0000" BY J.R. RUSSO & ASSOCIATES, DATED: 9-19-03, REVISED: 9-2-04.
  - THIS PARCEL IS LOCATED IN THE RURAL AGRICULTURAL RESIDENCE (RAR) ZONE.
  - WETLANDS DEPICTED ON THIS PARCEL WERE DELINEATED BY RICHARD ZULICK R.S.S.
  - UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING AND OTHER DATA SUPPLIED BY THE RESPECTIVE UTILITIES COMPANIES, GOVERNMENTAL AGENCIES AND/OR OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO GARDNER & PETERSON ASSOCIATES, LLC. THE EXISTENCE, SIZE AND LOCATION OF ALL SUCH FEATURES MUST BE DETERMINED AND VERIFIED IN THE FIELD BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.
  - THE OPEN SPACE CONTRIBUTION FOR THIS PARCEL HAS BEEN SATISFIED PER WARRANTY DEED RECORDED IN THE TOWN OF ELLINGTON VOLUME 242, PAGE 571.
  - WHERE FOOTING DRAINS HAVE TO DISCHARGE TO A CATCH BASIN, A BACKFLOW PREVENTER AND A HOLD HARMLESS AGREEMENT ARE REQUIRED.
  - PASSIVE SOLAR ENERGY TECHNIQUES WERE CONSIDERED IN THE LAYOUT OF THE PROPOSED LOTS.
  - IRON PINS AND MONUMENTS ARE TO BE SET AS DEPICTED ON THE SUBDIVISION PLAN.
  - LOTS ARE TO BE SERVED BY PUBLIC WATER AND SUBSURFACE SEWAGE DISPOSAL SYSTEMS. THE LATTER TO BE DESIGNED BY A REGISTERED PROFESSIONAL ENGINEER.
  - DRIVEWAYS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH TOWN SPECIFICATIONS.
  - PROPOSED UTILITIES LINES REQUIRED FOR ELECTRICAL, COMMUNICATION, LIGHTING AND CABLE TELEVISION SHALL BE PLACED UNDERGROUND.
  - THIS PARCEL IS MAINLY LOCATED IN FLOOD HAZARD ZONE "X" (AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN) PER FIRM FLOOD INSURANCE RATE MAP TOWN OF ELLINGTON, CONNECTICUT, TOLLAND COUNTY, COMMUNITY-PANEL NUMBER 090158 005 C, MAP REVISED FEBRUARY 5, 1997. A PORTION OF THE PROPERTY IS LOCATED IN ZONE AE.
  - THE BINDER COURSE OF PAVEMENT SHALL BE REQUIRED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. IF THE TOP COAT OF PAVEMENT IS NOT INSTALLED WITHIN 5 YEARS OF THE BINDER COURSE, OR IF THE BINDER COURSE OR STRUCTURES ARE DAMAGED, THE DAMAGED BINDER COURSE AND STRUCTURES SHALL BE REPAIRED OR REPLACED AT THE DISCRETION OF THE TOWN PRIOR TO INSTALLING TOP COURSE.
  - THE STREET TREES DEPICTED WILL CONSIST OF ALTERNATING BRADFORD PEAR & SUGAR MAPLE (min. 2 1/2" CALIPER).
  - THE PROPOSED ROAD IS 1,000' FROM THE WESTERLY STREETLINE OF TRIPP ROAD TO THE END OF THE PROPOSED CUL-DE-SAC RIGHT OF WAY.
  - LOT CLOSURE IS NOT LESS THAN 1:5000 PER SECTION A.05.XIV.



**ZONING TABLE**

RAR ZONE	REQUIRED
MIN. LOT SIZE *	40,000 SQ.FT.
MIN. LOT WIDTH **	125 FEET
FRONT YARD	35 FEET
SIDE YARD	10 FEET
REAR YARD	25 FEET-PRINCIPLE 10 FEET-ACCESSORY
MAX. LOT COVERAGE	25%

\*Per Section 3.2.2 (1) of the Zoning Regulations:  
Under the density limitation formula only and provided that soil suitability is sufficient to allow a reduction in lot size for an onsite sanitary system or has access to public sewers, the following shall apply:  
a. Lot size may be reduced but not less than 32,000 square feet.  
b. Lot frontage may be reduced but not less than 75 feet measured at the front property line.

\*\*Per Section 2.1.9 (Measurement of Required Yard on Irregular Lots) of the Zoning Regulations:  
Where the front line is an arc and the sidelines converge toward the front lot line, typically considered a "pie lot", the required frontage may be measured along the front yard setback line for that particular zone and any increased setback requirement in accordance with Highway Clearance Setbacks.

**DENSITY CALCULATION:**

AREA OF SUBDIVISION: 61.56 Acres  
SLOPES > 25%: 0.80 Acres  
WETLANDS AND 100-YR FLOODPLAIN: 26.44 Acres

Developable Land = 34.32 Acres  
Lot Yield = 34.32 x 0.5(RAR) = 17.16 Lots  
The resubdivision proposes 11 lots.

**SHEET INDEX**

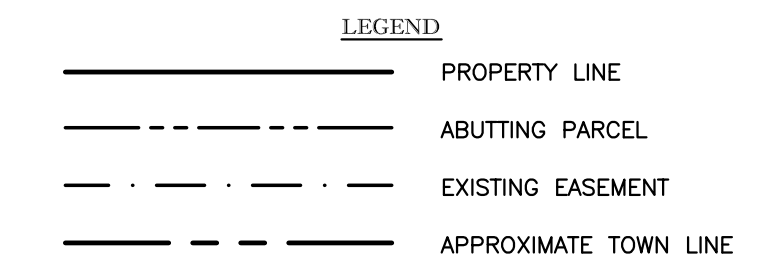
SHEET NO.	TITLE	SCALE	DESCRIPTION
1	COVER SHEET	1"=200'	PLAN OVERVIEW
2	RESUBDIVISION MAP	1"=40'	LOTS 1-5,11
3	RESUBDIVISION MAP	1"=40'	LOTS 6-10, DRAINAGE AREA
4	RESUBDIVISION MAP	1"=50'	LOT 6
5	RESUBDIVISION MAP	1"=50'	LOT 6
6	GRADING & SITE DEVELOPMENT PLAN	1"=40'	LOTS 1-5, 7-11
7	GRADING & SITE DEVELOPMENT PLAN	1"=40'	LOT 6, DRAINAGE AREA
8	EROSION CONTROL PLAN	1"=40'	LOTS 1-5, 7-11
9	EROSION CONTROL PLAN	1"=40'	LOT 6, DRAINAGE AREA
10	PLAN & PROFILE	1"=4' & 40'	STA 0+00-5+00
11	PLAN & PROFILE	1"=4' & 40'	STA 5+00-DRAINAGE OUTLET
12	CONSTRUCTION DETAILS		
13	EROSION CONTROL DETAILS, SOIL DATA & MLSS		

THE WETLAND SOILS ON THIS PROPERTY WERE IDENTIFIED IN THE FIELD USING THE CRITERIA REQUIRED BY CONNECTICUT P.A. 72-155 AS AMENDED BY P.A. 73-571 AND ARE ACCURATELY REPRESENTED ON THIS PLAN.

RICHARD ZULICK C.S.S.

APPROVED BY THE TOWN PLANNING AND ZONING COMMISSION OF THE TOWN OF ELLINGTON ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
IN ACCORDANCE WITH SECTION 8-26c OF THE CONNECTICUT GENERAL STATUTES, ALL WORK IN CONNECTION WITH THE SUBDIVISION MUST BE COMPLETED BY \_\_\_\_\_ 20\_\_\_\_.

SECRETARY \_\_\_\_\_ CHAIRMAN \_\_\_\_\_



**OWNER**  
HASTILLO PROPERTIES, LLC  
425 EAST ROAD  
BROAD BROOK, CT 06016

**APPLICANT**  
TYMAC HOLDINGS, LLC  
7 AZALEA LANE  
ELLINGTON, CT 06029

I HEREBY DECLARE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

ERIC R. PETERSON L.S. 23430  
REGISTRATION NO.

**CONDITIONAL APPROVAL**

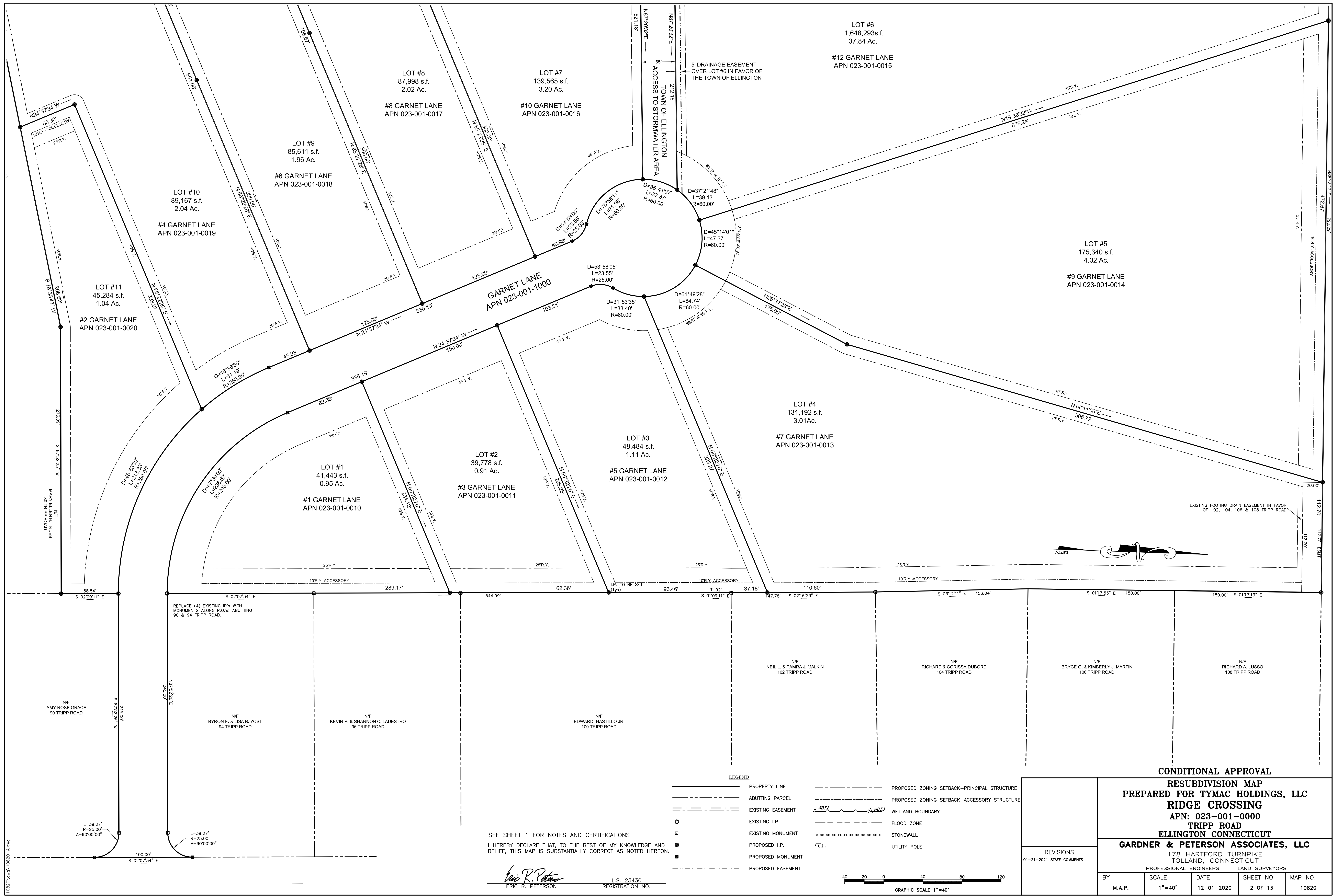
**COVER SHEET**  
PREPARED FOR TYMAC HOLDINGS, LLC  
**RIDGE CROSSING**  
APN: 023-001-0000  
TRIPP ROAD  
ELLINGTON CONNECTICUT

**GARDNER & PETERSON ASSOCIATES, LLC**  
178 HARTFORD TURNPIKE  
TOLLAND, CONNECTICUT

REVISIONS  
01-21-2021 STAFF COMMENTS

BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=200'	12-01-2020	1 OF 13	10820





LOT #6  
1,648,293 s.f.  
37.84 Ac.

#12 GARNET LANE  
APN 023-001-0015

5' DRAINAGE EASEMENT  
OVER LOT #6 IN FAVOR OF  
THE TOWN OF ELLINGTON

TOWN OF ELLINGTON  
ACCESS TO STORMWATER AREA

LOT #8  
87,998 s.f.  
2.02 Ac.

#8 GARNET LANE  
APN 023-001-0017

LOT #7  
139,565 s.f.  
3.20 Ac.

#10 GARNET LANE  
APN 023-001-0016

LOT #9  
85,611 s.f.  
1.96 Ac.

#6 GARNET LANE  
APN 023-001-0018

LOT #10  
89,167 s.f.  
2.04 Ac.

#4 GARNET LANE  
APN 023-001-0019

LOT #11  
45,284 s.f.  
1.04 Ac.

#2 GARNET LANE  
APN 023-001-0020

LOT #5  
175,340 s.f.  
4.02 Ac.

#9 GARNET LANE  
APN 023-001-0014

LOT #4  
131,192 s.f.  
3.01 Ac.

#7 GARNET LANE  
APN 023-001-0013

LOT #3  
48,484 s.f.  
1.11 Ac.

#5 GARNET LANE  
APN 023-001-0012

LOT #2  
39,778 s.f.  
0.91 Ac.

#3 GARNET LANE  
APN 023-001-0011

LOT #1  
41,443 s.f.  
0.95 Ac.

#1 GARNET LANE  
APN 023-001-0010

GARNET LANE  
APN 023-001-1000

EXISTING FOOTING DRAIN EASEMENT IN FAVOR  
OF 102, 104, 106 & 108 TRIPP ROAD

REPLACE (4) EXISTING I.P.'s WITH  
MONUMENTS ALONG R.O.W. ABUTTING  
90 & 94 TRIPP ROAD.

- LEGEND**
- PROPERTY LINE
  - - - ABUTTING PARCEL
  - - - EXISTING EASEMENT
  - EXISTING I.P.
  - EXISTING MONUMENT
  - PROPOSED I.P.
  - PROPOSED MONUMENT
  - - - PROPOSED EASEMENT
  - - - PROPOSED ZONING SETBACK—PRINCIPAL STRUCTURE
  - - - PROPOSED ZONING SETBACK—ACCESSORY STRUCTURE
  - WETLAND BOUNDARY
  - FLOOD ZONE
  - STONEMALL
  - UTILITY POLE

SEE SHEET 1 FOR NOTES AND CERTIFICATIONS  
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L.S. 23430  
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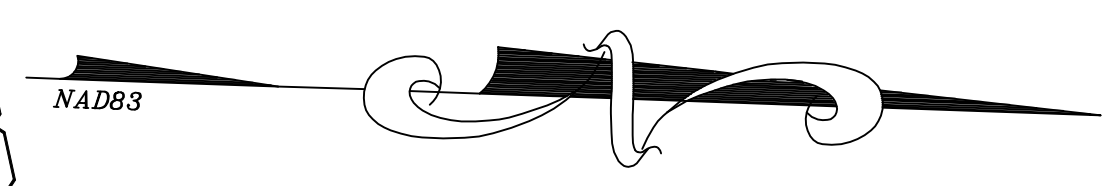
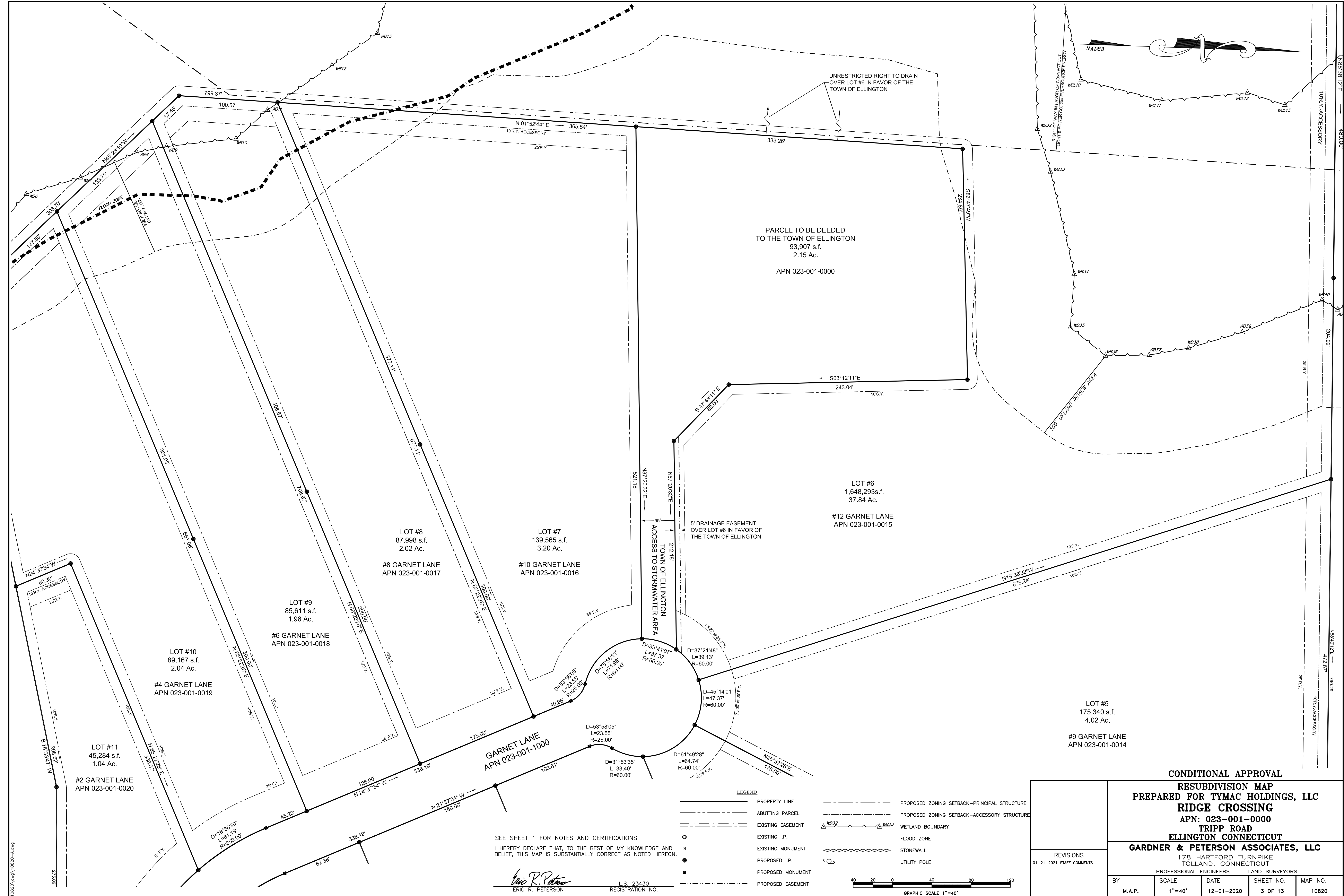


**CONDITIONAL APPROVAL**  
**RESUBDIVISION MAP**  
**PREPARED FOR TYMAC HOLDINGS, LLC**  
**RIDGE CROSSING**  
**APN: 023-001-0000**  
**TRIPP ROAD**  
**ELLINGTON CONNECTICUT**

**GARDNER & PETERSON ASSOCIATES, LLC**  
178 HARTFORD TURNPIKE  
TOLLAND, CONNECTICUT  
PROFESSIONAL ENGINEERS LAND SURVEYORS

REVISIONS  
01-21-2021 STAFF COMMENTS

BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=40'	12-01-2020	2 OF 13	10820



PARCEL TO BE DEEDED  
TO THE TOWN OF ELLINGTON  
93,907 s.f.  
2.15 Ac.  
APN 023-001-0000

LOT #6  
1,648,293s.f.  
37.84 Ac.  
#12 GARNET LANE  
APN 023-001-0015

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87,998 s.f.  
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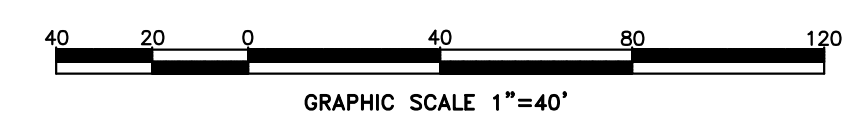
**LEGEND**

	PROPERTY LINE		PROPOSED ZONING SETBACK-PRINCIPAL STRUCTURE
	ABUTTING PARCEL		PROPOSED ZONING SETBACK-ACCESSORY STRUCTURE
	EXISTING EASEMENT		WETLAND BOUNDARY
	EXISTING I.P.		FLOOD ZONE
	EXISTING MONUMENT		STONEWALL
	PROPOSED I.P.		UTILITY POLE
	PROPOSED MONUMENT		
	PROPOSED EASEMENT		

SEE SHEET 1 FOR NOTES AND CERTIFICATIONS  
I HEREBY DECLARE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

*Eric R. Peterson*  
ERIC R. PETERSON

L.S. 23430  
REGISTRATION NO.



**CONDITIONAL APPROVAL  
RESUBDIVISION MAP  
PREPARED FOR TYMAC HOLDINGS, LLC  
RIDGE CROSSING  
APN: 023-001-0000  
TRIPP ROAD  
ELLINGTON CONNECTICUT**

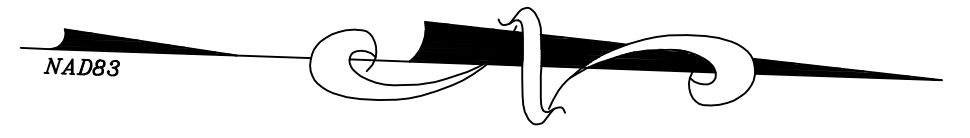
**GARDNER & PETERSON ASSOCIATES, LLC**  
178 HARTFORD TURNPIKE  
TOLLAND, CONNECTICUT

PROFESSIONAL ENGINEERS LAND SURVEYORS

REVISIONS  
01-21-2021 STAFF COMMENTS

BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=40'	12-01-2020	3 OF 13	10820

N/F  
RUTH HASTILLO  
EAST ROAD



N/F  
KAREN ALFORD  
165 WINDSORVILLE ROAD  
165 ROCKVILLE ROAD

TOWN OF EAST WINDSOR  
TOWN OF ELLINGTON

N01°52'55"E  
3214.99'

10R.Y.-ACCESSORY

25' R.Y.

79.26'

S 07°42'15" W

117.15'

S 89°16'07" W

848.85'

117.15'

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N/F  
CHARALAMBOS MOUTTA  
275 WINDSORVILLE ROAD

LOT #6

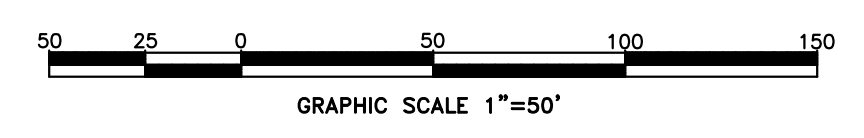
N/F  
CASSANDRA Y. GRZYCZEWSKI  
273 WINDSORVILLE ROAD

N/F  
MARY ELLEN H. TRUEB  
TRIPP ROAD

N/F  
MARY ELLEN H. TRUEB  
80 TRIPP ROAD

UNRESTRICTED RIGHT TO DRAIN  
OVER LOT #6 IN FAVOR OF THE  
TOWN OF ELLINGTON

PARCEL TO BE DEEDED  
TO THE TOWN OF ELLINGTON  
93,907 s.f.  
2.15 Ac.  
APN 023-001-0000



SEE SHEET 1 FOR NOTES AND CERTIFICATIONS  
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*Eric R. Peterson*  
ERIC R. PETERSON  
L.S. 23430  
REGISTRATION NO.

- LEGEND**
- PROPERTY LINE
  - - - ABUTTING PARCEL
  - - - EXISTING EASEMENT
  - EXISTING I.P.
  - EXISTING MONUMENT
  - PROPOSED I.P.
  - PROPOSED MONUMENT
  - - - PROPOSED EASEMENT
  - - - PROPOSED ZONING SETBACK-PRINCIPAL
  - - - PROPOSED ZONING SETBACK-ACCESSORY
  - ~ WETLAND BOUNDARY
  - FLOOD ZONE
  - STONEWALL
  - UTILITY POLE

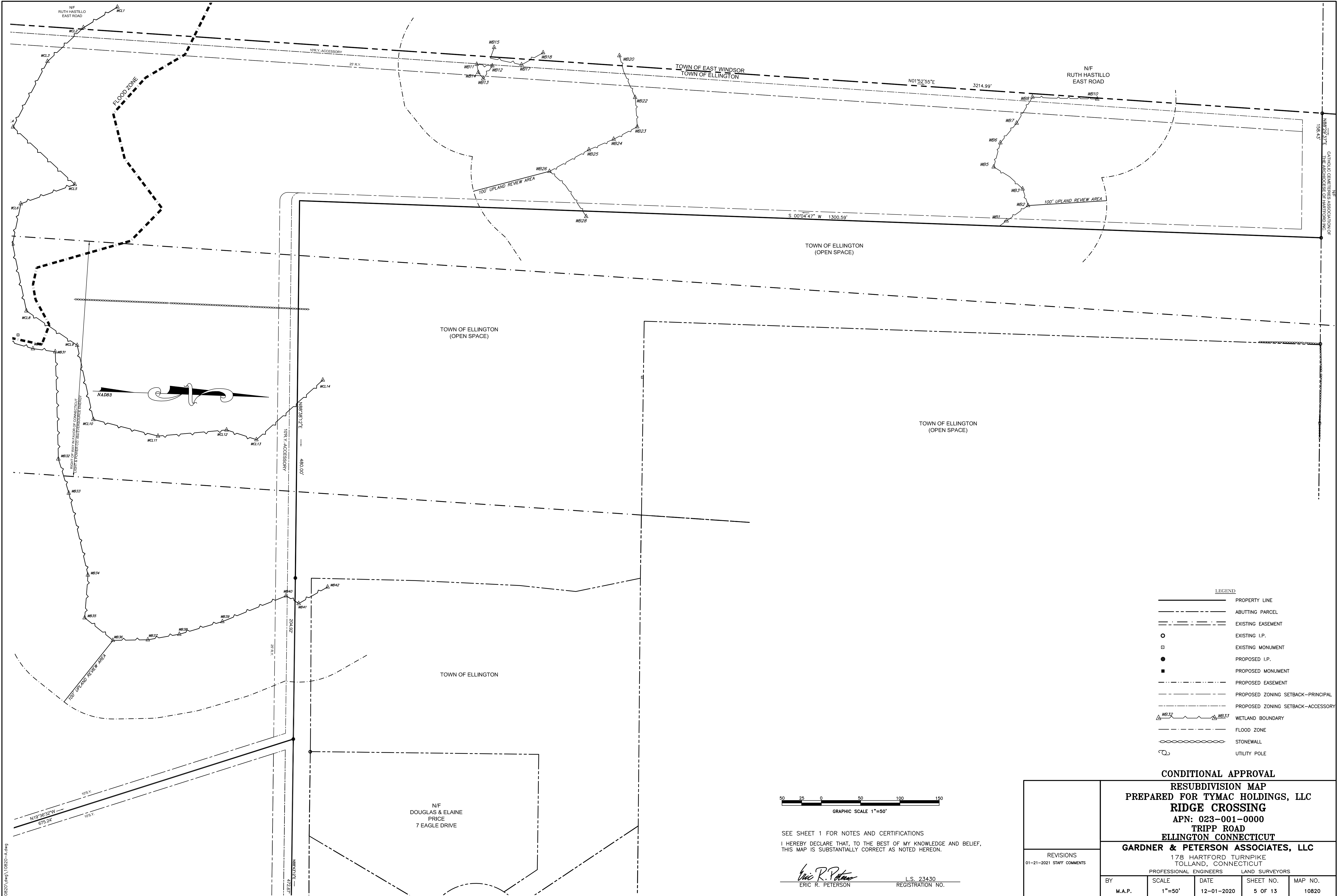
LOT #8  
87,998 s.f.  
2.02 Ac.  
#8 GARNET LANE  
APN 023-001-0017

LOT #7  
139,565 s.f.  
3.20 Ac.  
#10 GARNET LANE  
APN 023-001-0016

**CONDITIONAL APPROVAL  
RESUBDIVISION MAP  
PREPARED FOR TYMAC HOLDINGS, LLC  
RIDGE CROSSING  
APN: 023-001-0000  
TRIPP ROAD  
ELLINGTON CONNECTICUT  
GARDNER & PETERSON ASSOCIATES, LLC**

REVISIONS 01-21-2021 STAFF COMMENTS				
BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=50'	12-01-2020	4 OF 13	10820

10820.mxd 10820-4.dwg



**LEGEND**

—	PROPERTY LINE
- - -	ABUTTING PARCEL
- · - · -	EXISTING EASEMENT
- · - · -	PROPOSED EASEMENT
○	EXISTING I.P.
□	EXISTING MONUMENT
●	PROPOSED I.P.
■	PROPOSED MONUMENT
- · - · -	PROPOSED ZONING SETBACK—PRINCIPAL
- · - · -	PROPOSED ZONING SETBACK—ACCESSORY
△	WETLAND BOUNDARY
—	FLOOD ZONE
—	STONEMALL
○	UTILITY POLE

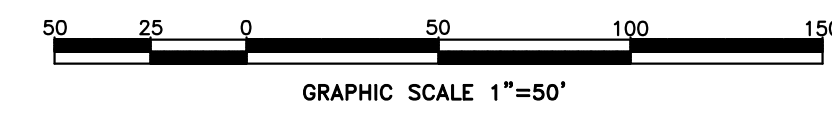
**CONDITIONAL APPROVAL  
RESUBDIVISION MAP  
PREPARED FOR TYMAC HOLDINGS, LLC  
RIDGE CROSSING  
APN: 023-001-0000  
TRIPP ROAD  
ELLINGTON CONNECTICUT**

**GARDNER & PETERSON ASSOCIATES, LLC**  
178 HARTFORD TURNPIKE  
TOLLAND, CONNECTICUT

PROFESSIONAL ENGINEERS    LAND SURVEYORS

REVISIONS				
01-21-2021 STAFF COMMENTS				

BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=50'	12-01-2020	5 OF 13	10820

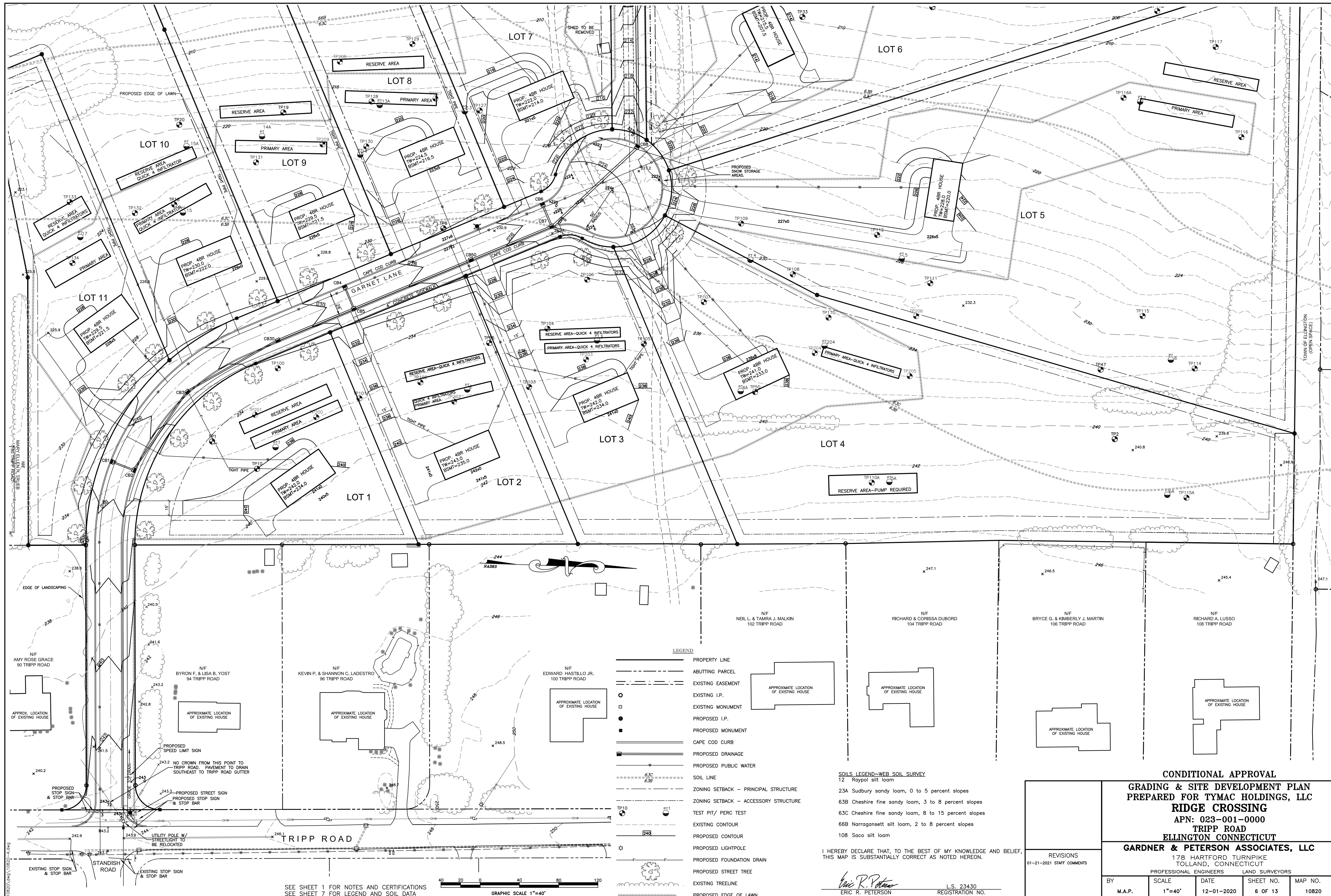


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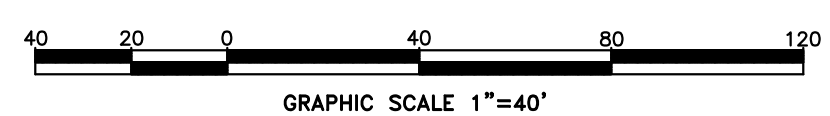
*Eric R. Peterson*  
ERIC R. PETERSON      L.S. 23430  
REGISTRATION NO.

10820.dwg 10820-1.dwg





SEE SHEET 1 FOR NOTES AND CERTIFICATIONS  
SEE SHEET 7 FOR LEGEND AND SOIL DATA



**LEGEND**

	PROPERTY LINE
	ABUTTING PARCEL
	EXISTING EASEMENT
	EXISTING I.P.
	EXISTING MONUMENT
	PROPOSED I.P.
	PROPOSED MONUMENT
	CAPE COD CURB
	PROPOSED DRAINAGE
	PROPOSED PUBLIC WATER
	SOIL LINE
	ZONING SETBACK - PRINCIPAL STRUCTURE
	ZONING SETBACK - ACCESSORY STRUCTURE
	TEST PIT/ PERC TEST
	EXISTING CONTOUR
	PROPOSED CONTOUR
	PROPOSED LIGHTPOLE
	PROPOSED FOUNDATION DRAIN
	PROPOSED STREET TREE
	EXISTING TREELINE
	PROPOSED EDGE OF LAWN

**SOILS LEGEND--WEB SOIL SURVEY**

12	Raypol silt loam
23A	Sudbury sandy loam, 0 to 5 percent slopes
63B	Cheshire fine sandy loam, 3 to 8 percent slopes
63C	Cheshire fine sandy loam, 8 to 15 percent slopes
66B	Narragansett silt loam, 2 to 8 percent slopes
108	Saco silt loam

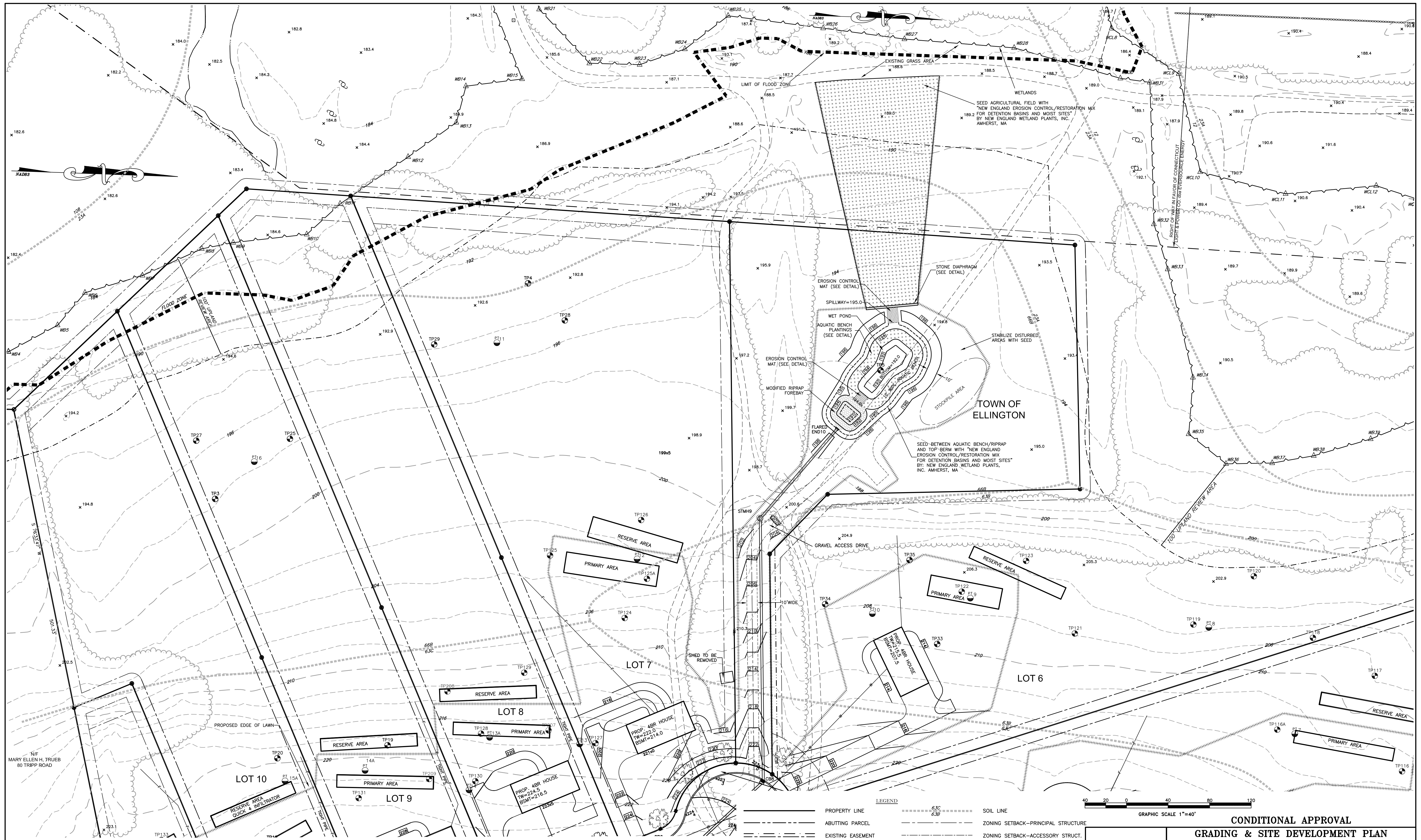
I HEREBY DECLARE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

*Eric R. Peterson*  
ERIC R. PETERSON  
L.S. 23430  
REGISTRATION NO.

**CONDITIONAL APPROVAL**  
**GRADING & SITE DEVELOPMENT PLAN**  
**PREPARED FOR TYMAC HOLDINGS, LLC**  
**RIDGE CROSSING**  
**APN: 023-001-0000**  
**TRIPP ROAD**  
**ELLINGTON CONNECTICUT**  
**GARDNER & PETERSON ASSOCIATES, LLC**  
178 HARTFORD TURNPIKE  
TOLLAND, CONNECTICUT

REVISIONS 01-21-2021 STAFF COMMENTS				
BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=40'	12-01-2020	6 OF 13	10820





**SOILS LEGEND-WEB SOIL SURVEY**

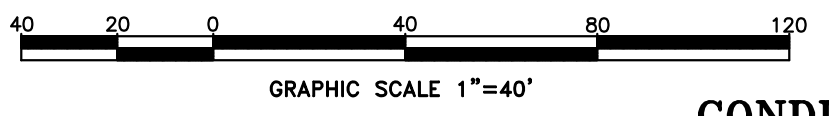
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10B	Saco silt loam

SEE SHEET 1 FOR NOTES AND CERTIFICATIONS  
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*Eric R. Peterson*  
 ERIC R. PETERSON  
 L.S. 23430  
 REGISTRATION NO.

**LEGEND**

	PROPERTY LINE		SOIL LINE
	ABUTTING PARCEL		ZONING SETBACK-PRINCIPAL STRUCTURE
	EXISTING EASEMENT		ZONING SETBACK-ACCESSORY STRUCT.
	EXISTING I.P.		TEST PIT / PERC TEST
	EXISTING MONUMENT		EXISTING CONTOUR
	PROPOSED I.P.		PROPOSED CONTOUR
	PROPOSED MONUMENT		PROPOSED LIGHTPOLE
	CAPE COD CURB		PROPOSED FOUNDATION DRAIN
	PROPOSED DRAINAGE		PROPOSED STREET TREE
	PROPOSED PUBLIC WATER		EXISTING TREELINE
			PROPOSED EDGE OF LAWN

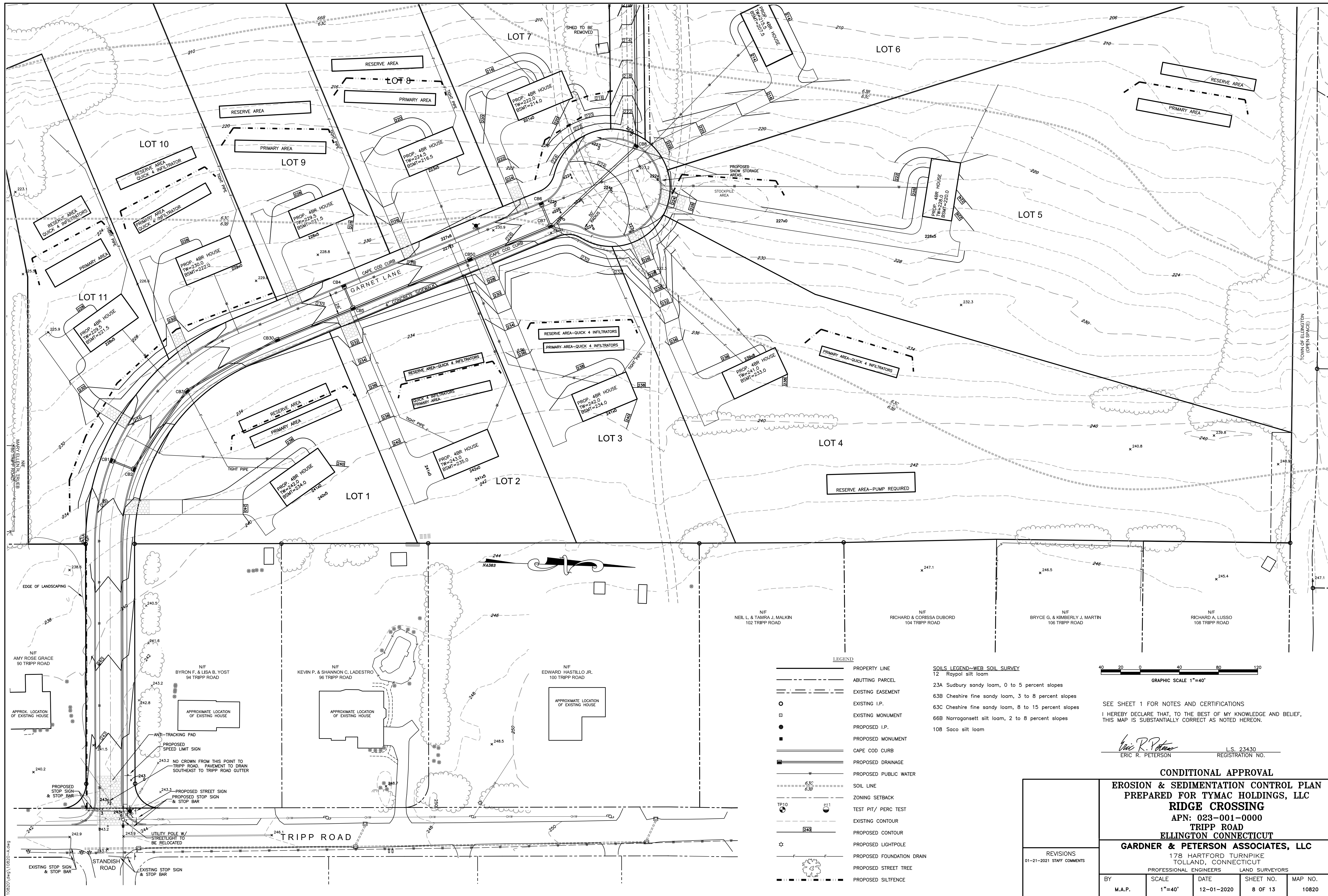


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**GRADING & SITE DEVELOPMENT PLAN**  
 PREPARED FOR TYMAC HOLDINGS, LLC  
**RIDGE CROSSING**  
 APN: 023-001-0000  
 TRIPP ROAD  
 ELLINGTON CONNECTICUT  
**GARDNER & PETERSON ASSOCIATES, LLC**  
 178 HARTFORD TURNPIKE  
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 PROFESSIONAL ENGINEERS LAND SURVEYORS

BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=40'	12-01-2020	7 OF 13	10820

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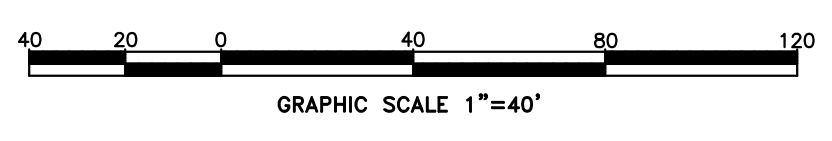


**LEGEND**

—	PROPERTY LINE
- - -	ABUTTING PARCEL
- - - -	EXISTING EASEMENT
○	EXISTING I.P.
●	EXISTING MONUMENT
■	PROPOSED I.P.
■	PROPOSED MONUMENT
—	CAPE COD CURB
—	PROPOSED DRAINAGE
—	PROPOSED PUBLIC WATER
---	SOIL LINE
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---	PROPOSED FOUNDATION DRAIN
---	PROPOSED STREET TREE
---	PROPOSED SILTFENCE

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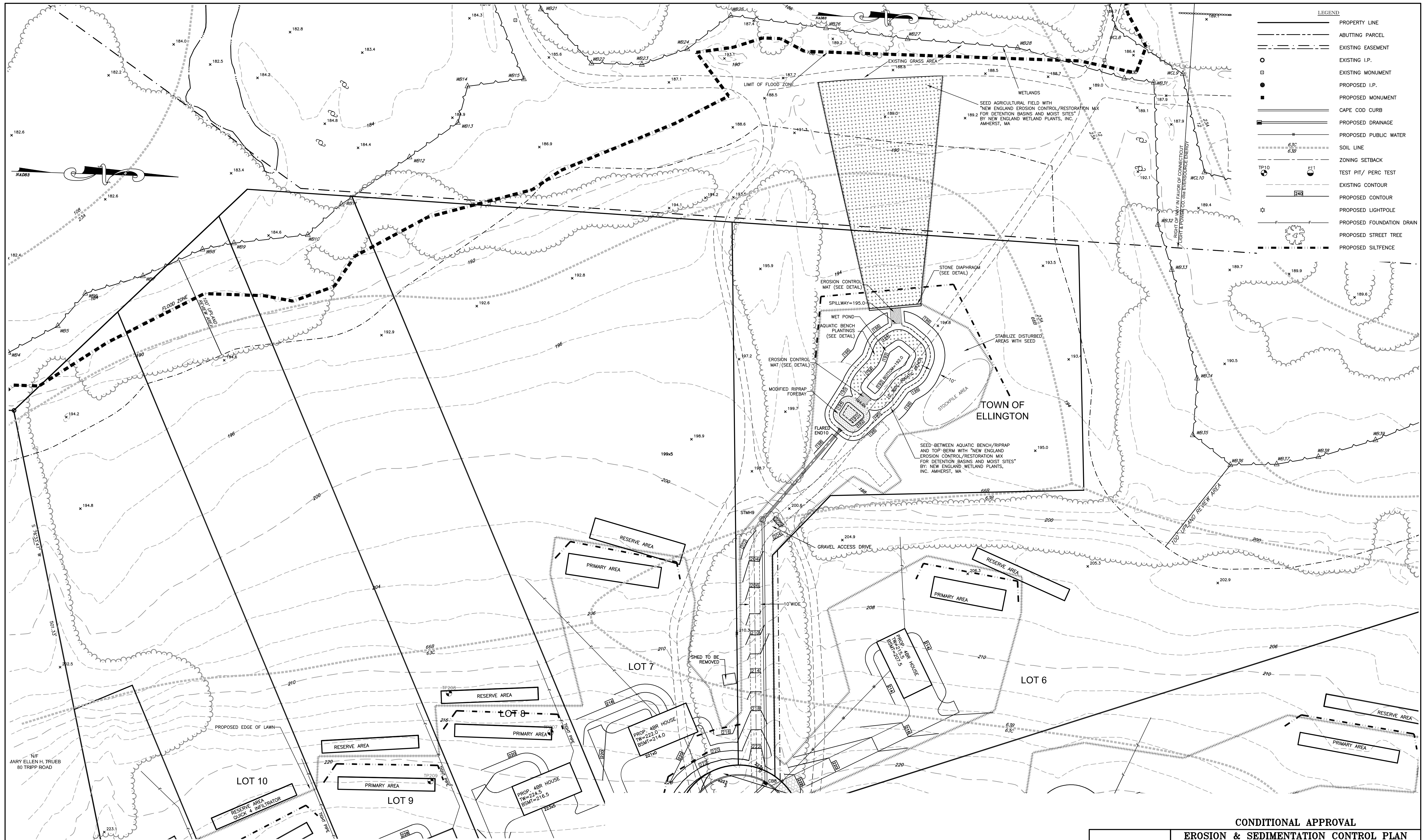
SEE SHEET 1 FOR NOTES AND CERTIFICATIONS  
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*Eric R. Peterson*  
ERIC R. PETERSON  
L.S. 23430  
REGISTRATION NO.

**CONDITIONAL APPROVAL**  
**EROSION & SEDIMENTATION CONTROL PLAN**  
**PREPARED FOR TYMAC HOLDINGS, LLC**  
**RIDGE CROSSING**  
**APN: 023-001-0000**  
**TRIPP ROAD**  
**ELLINGTON CONNECTICUT**  
**GARDNER & PETERSON ASSOCIATES, LLC**  
178 HARTFORD TURNPIKE  
TOLLAND, CONNECTICUT

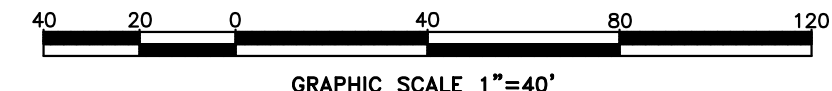
REVISIONS 01-21-2021 STAFF COMMENTS				
BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=40'	12-01-2020	8 OF 13	10820





**LEGEND**

—	PROPERTY LINE
- - -	ABUTTING PARCEL
- - - - -	EXISTING EASEMENT
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⊙	EXISTING MONUMENT
●	PROPOSED I.P.
■	PROPOSED MONUMENT
—	CAPE COD CURB
—	PROPOSED DRAINAGE
—	PROPOSED PUBLIC WATER
- - -	SOIL LINE
- - -	ZONING SETBACK
⊙	TEST PIT/ PERC TEST
- - -	EXISTING CONTOUR
- - -	PROPOSED CONTOUR
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—	PROPOSED SILTFENCE



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*Eric R. Peterson*  
 ERIC R. PETERSON L.S. 23430  
 REGISTRATION NO.

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**CONDITIONAL APPROVAL**  
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 PREPARED FOR TYMAC HOLDINGS, LLC  
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 APN: 023-001-0000  
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 ELLINGTON CONNECTICUT

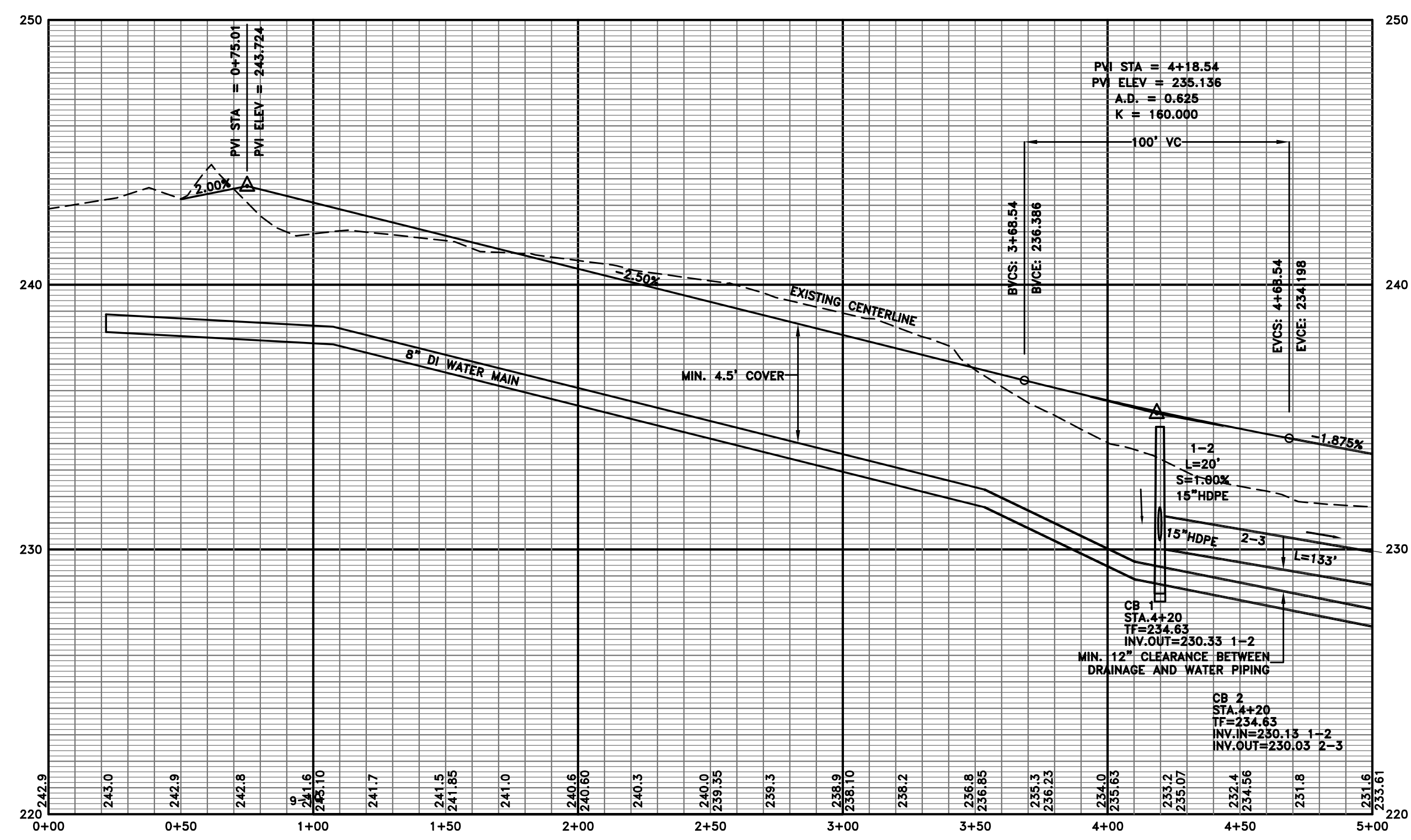
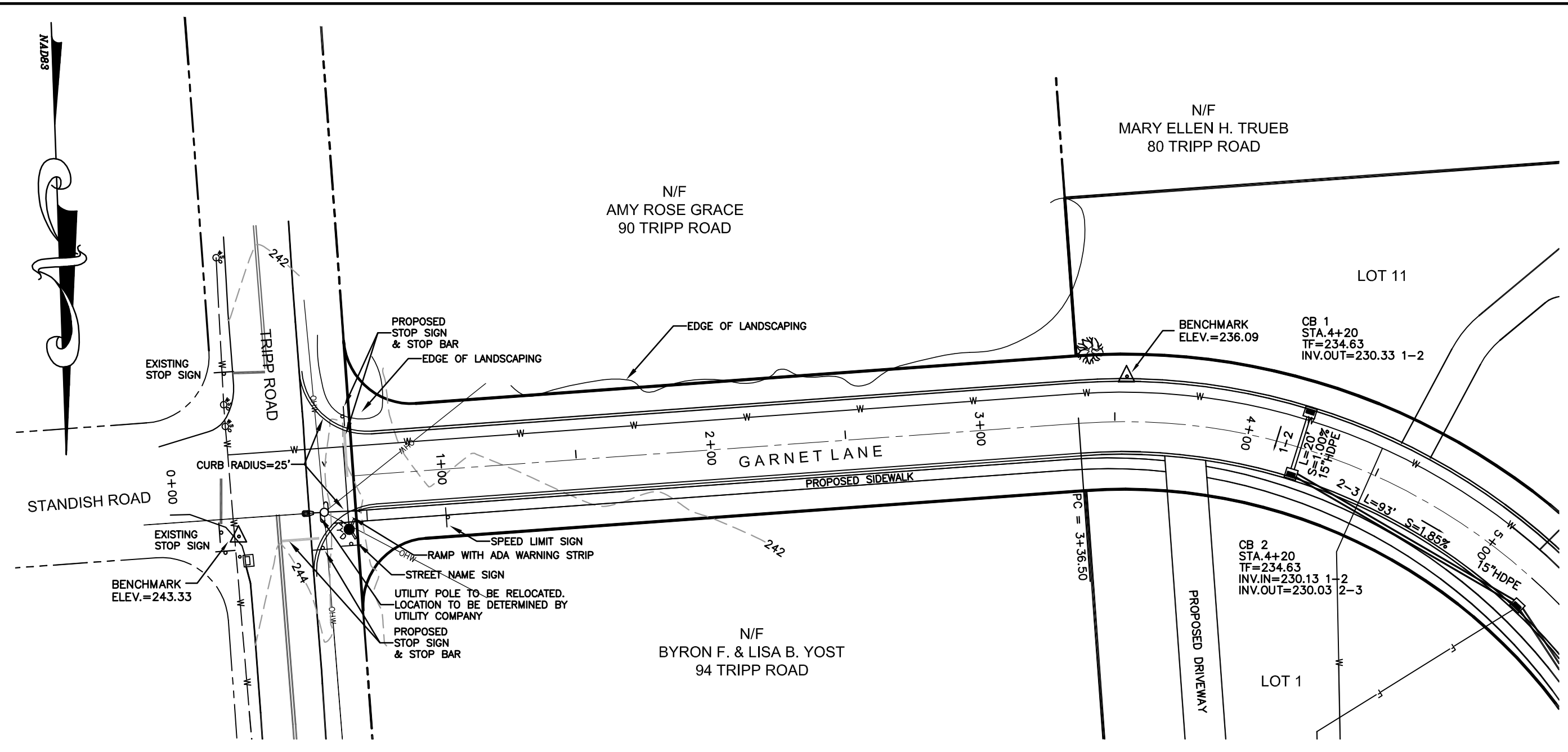
**GARDNER & PETERSON ASSOCIATES, LLC**  
 178 HARTFORD TURNPIKE  
 TOLLAND, CONNECTICUT

**REVISIONS**  
 01-21-2021 STAFF COMMENTS

BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=40'	12-01-2020	9 OF 13	10820

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LEGEND

—	PROPERTY LINE
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□	EXISTING MONUMENT
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■	PROPOSED MONUMENT
- · - · -	PROPOSED EASEMENT
△	WETLAND BOUNDARY
—	FLOOD ZONE
—	STONEWALL
—	UTILITY POLE
—	CENTERLINE ROAD
—	PROPOSED CB AND PIPE
—	PROPOSED WATERLINE
—	PROPOSED SIDEWALK
—	PROPOSED CURB
△	BENCHMARK

**CONDITIONAL APPROVAL**

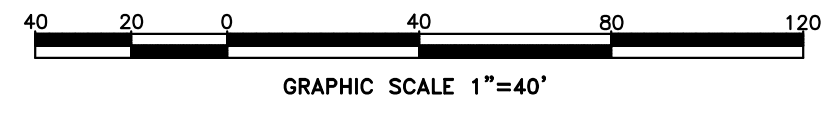
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**APN: 023-001-0000**  
**TRIPP ROAD**  
**ELLINGTON CONNECTICUT**

**GARDNER & PETERSON ASSOCIATES, LLC**  
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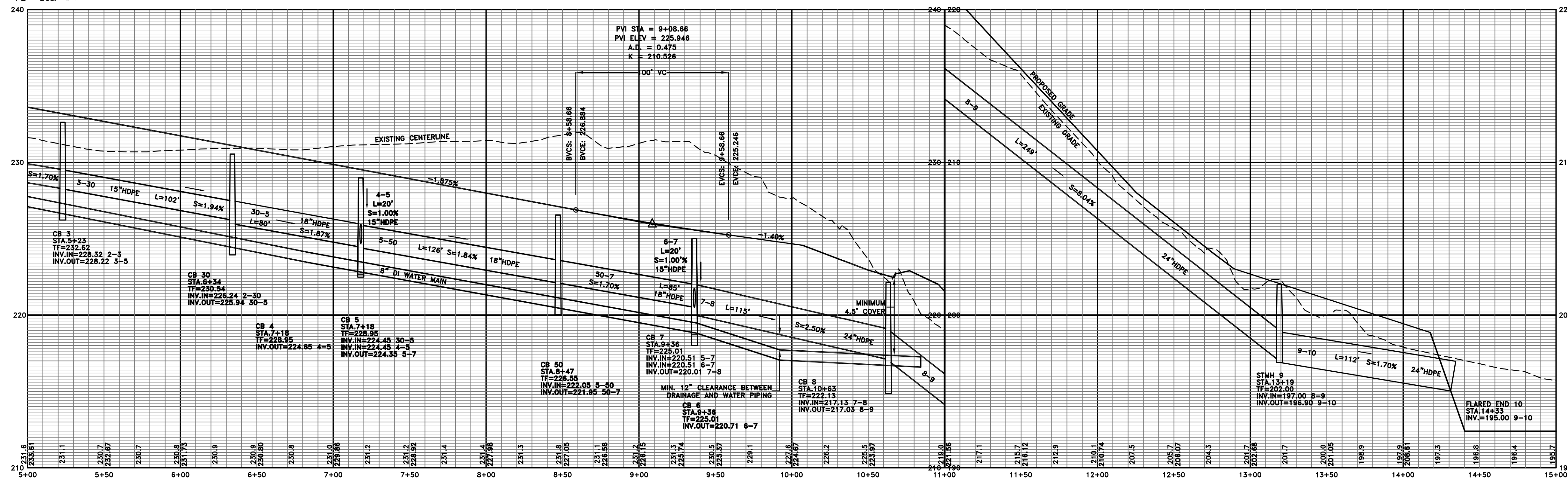
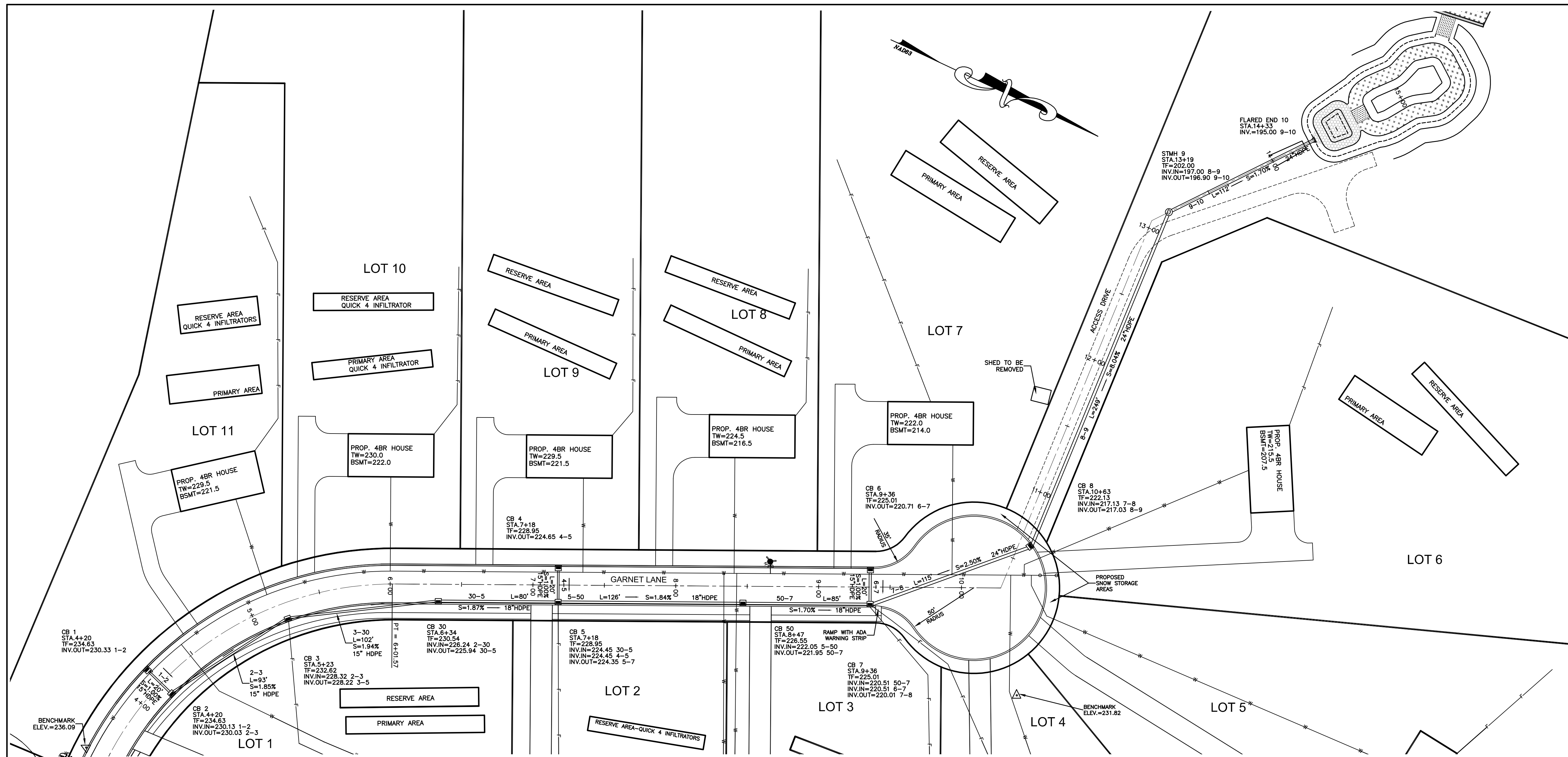
REVISIONS  
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PROFESSIONAL ENGINEERS LAND SURVEYORS

BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=40'	12-01-2020	10 OF 13	10820



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- LEGEND**
- PROPERTY LINE
  - - - ABUTTING PARCEL
  - - - EXISTING EASEMENT
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  - - - PROPOSED EASEMENT
  - △ WETLAND BOUNDARY
  - FLOOD ZONE
  - STONEWALL
  - UTILITY POLE
  - CENTERLINE ROAD
  - PROPOSED CB AND PIPE
  - PROPOSED WATERLINE
  - PROPOSED SIDEWALK
  - △ BENCHMARK
  - PROPOSED CURB

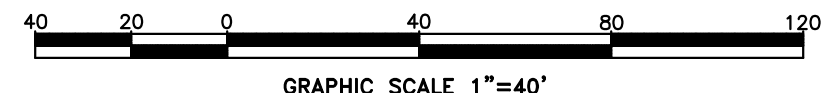
**CONDITIONAL APPROVAL**  
**PLAN & PROFILE**  
**STA: 5+00 TO DRAINAGE OUTLET**  
**RIDGE CROSSING**  
**APN: 023-001-0000**  
**TRIPP ROAD**  
**ELLINGTON CONNECTICUT**  
**GARDNER & PETERSON ASSOCIATES, LLC**  
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PROFESSIONAL ENGINEERS      LAND SURVEYORS

BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=40'	12-01-2020	11 OF 13	10820

REVISIONS  
01-21-2021 STAFF COMMENTS

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**ELLINGTON PLANNING DEPARTMENT**  
**STAFF REVIEW SHEET**

**PLANNING & ZONING COMMISSION**

S202004 – Hastillo Properties, LLC, owner/ TYMAC Holdings, LLC, applicant, request for a re-subdivision of 61.56 acres for eleven (11) lots on west side of Tripp Road, APN 023-001-0000, in a RAR (Rural Agricultural Residential) Zone and request to waive Appendix C 3.13(a) to allow HDPE pipe.

**PUBLIC HEARING DATE:** January 25, 2021  
**STAFF REVIEW RETURN DATE:** January 15, 2021

DEPARTMENT	COMMENTS AND/OR REQUIREMENTS
Town Engineer	<p>2 new fire hydrants shown at the intersection of Tripp &amp; Garnet and in the area of Lot #8 should be stipulated as a condition of approval.</p>
Building Official	
North Central District Health Dept	
Fire Marshal <i>J. 1/6/2021</i>	
Public Works Director/WPCA	
Assessor	
Traffic Authority	

**Barbra Galovich**

---

**From:** Timothy Webb  
**Sent:** Monday, January 04, 2021 11:10 AM  
**To:** Barbra Galovich  
**Subject:** RE: Staff Review - S202004 - West side Tripp Rd APN 023-001-0000

Morning, all previous comments from DPW still stand

*attached 4/29/2020 comments .*

---

**From:** Barbra Galovich  
**Sent:** Monday, January 04, 2021 11:07 AM  
**To:** James York <JYork@ELLINGTON-CT.GOV>; Kim Bechard <KBechard@ELLINGTON-CT.GOV>; Lori Spielman <lspielman@ELLINGTON-CT.GOV>; Mike Caronna <mcaronna@ncdhd.org>; Raymond Martin <Rmartin@ELLINGTON-CT.GOV>; Sydney Kern <skern@ELLINGTON-CT.GOV>; Timothy Webb <twebb@ELLINGTON-CT.GOV>; Westford Lirot <wlirot@ncdhd.org>  
**Cc:** Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>  
**Subject:** Staff Review - S202004 - West side Tripp Rd APN 023-001-0000

Hi,

Hope you are doing well. Please see the attached documentation with Staff Review Sheet. This application will be discussed at the PZC meeting on Monday, January 25, 2021.

Please provide your comments/concerns on or before January 15, 2021.

Thank you in advance for your review.  
Barbra

Barbra Galovich, CZET  
Land Use Assistant  
Town of Ellington  
55 Main Street  
Ellington, CT 06029  
(860) 870-3120



## Barbra Galovich

---

**From:** Timothy Webb  
**Sent:** Wednesday, April 29, 2020 2:12 PM  
**To:** Barbra Galovich  
**Subject:** RE: Staff Review request for S202003 & Z202005 17 Lot Subdivision - Tripp Rd APN 023-001-0000

Project is outside of the Sewer District and no comment from the Ellington WPCA. As for the road and drainage it appears they have met the Town regulations as they pertain to their project. JR Russo the Town Engineer will have to confirm the storm water management plan

---

**From:** Barbra Galovich  
**Sent:** Wednesday, April 29, 2020 1:59 PM  
**To:** James York <JYork@ELLINGTON-CT.GOV>; Kim Bechard <KBechard@ELLINGTON-CT.GOV>; Lori Spielman <lspielman@ELLINGTON-CT.GOV>; Mike Caronna <mcaronna@ncdhd.org>; Raymond Martin <Rmartin@ELLINGTON-CT.GOV>; Sydney Kern <skern@ELLINGTON-CT.GOV>; Timothy Webb <twebb@ELLINGTON-CT.GOV>; Westford Lirot <wlirot@ncdhd.org>  
**Cc:** Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>  
**Subject:** Staff Review request for S202003 & Z202005 17 Lot Subdivision - Tripp Rd APN 023-001-0000

Hi,

Please see the attached documentation with Staff Review Sheet. This application will be discussed at the PZC May 18, 2020 meeting. I have provided you with two "Staff Review" sheets. One is for the subdivision and the other is for two rear lots.

Please provide your comments/concerns on or before May 8, 2020.

Thank you in advance for your review.

Barbra

Barbra Galovich, CZET  
Land Use Assistant  
Town of Ellington  
55 Main Street  
Ellington, CT 06029  
(860) 870-3120

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## Barbra Galovich

---

**From:** Dana Steele <dstele@jrusso.com>  
**Sent:** Wednesday, January 20, 2021 2:15 PM  
**To:** Lisa Houlihan; John Colonese  
**Cc:** Barbra Galovich  
**Subject:** S202004 - Ridge Crossing, Tripp Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lisa,

I have reviewed the subdivision plans (sheets 1-13) dated 12/1/20 and the Stormwater Management Report dated 12/8/20 by Gardner & Peterson Associates, LLC. My comments are as follows:

1. The applicant is requesting a waiver of concrete pipe (RCP) in favor of plastic pipe (HDPE). I recommend granting this waiver.
2. Submit shop drawings for drainage structures to DPW for approval prior to ordering materials, including catch basin hood (CB8), storm manhole #9 (STMH9) and flared end section (FE10). Submittal shall also confirm EJ Prescott hood does not restrict capacity of the 24" outlet pipe and can fit through the CB grate opening for maintenance.
3. This is a conditional subdivision approval. Cost estimate, bonds and easements acceptable to the Town shall be executed prior to filing of final subdivision approval. An A2/T2 as-built survey of the road, sidewalk, signage, utilities, drainage system and stormwater basin shall be submitted to confirm compliance with the approved plans prior to release of bonds.

Item 2 should be incorporated as a condition of approval. Item 3 is already a requirement of the regulations but could also be included as a condition if you find it helpful. Let me know if you have any questions.

Dana P. Steele, P.E.  
Ellington Town Engineer



**J.R. RUSSO & ASSOCIATES, LLC**  
P.O. Box 938, 1 Shoham Road  
East Windsor, CT 06088  
(CT) 860.623.0569 (MA) 413.785.1158  
[dstele@jrusso.com](mailto:dstele@jrusso.com) | [www.jrusso.com](http://www.jrusso.com)

# Town of Ellington Planning Department



## MEMO

**DATE:** January 13, 2021

**TO:** Planning & Zoning Commission  
cc. PZC Files S202004

**FROM:** Barbra Galovich, CZET, Land Use Assistant on behalf of the Inland Wetlands Agency

**SUBJECTS:** Proposed eleven (11) lot subdivision  
Hastillo Properties, LLC (Owners)  
Assessor Parcel No. 023-001-0000, West side of Tripp Road

---

The Inland Wetland Agency made a determination for a proposed eleven (11) lot resubdivision of 61.56 acres at their January 11, 2021 regular meeting. The following motion was made in reference to PZC application #S202004:

**MOVED (HOFFMAN) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO GRANT A POSITIVE REFERRAL TO THE PLANNING & ZONING COMMISSION PURSUANT TO CONN. GEN. STAT. 8-26(E) - Hastillo Properties, LLC owner/ TYMAC Holdings, LLC, applicant, for an 11-lot resubdivision application (S202004) involving land regulated as an inland wetland or watercourse at property located on Tripp Road, APN 023-001-0000.**



# TOWN OF ELLINGTON

55 MAIN STREET - PO BOX 187  
ELLINGTON, CONNECTICUT 06029-0187  
[www.ellington-ct.gov](http://www.ellington-ct.gov)

TEL. (860) 870-3120 TOWN PLANNER'S OFFICE FAX (860) 870-3122

## INLAND WETLANDS AGENCY REGULAR MEETING MINUTES JANUARY 11, 2021 7:00 PM VIA ZOOM MEETING

**PRESENT:** Chairman Ken Braga, Steve Hoffman and Katherine Heminway; Present via ZOOM meeting: Vice Chairman Ron Brown, Art Aube, and Alternate Francis Hann

**ABSENT:** Hocine Baouche and Jean Burns

### STAFF

**PRESENT:** John Colonese, Assistant Town Planner/Zoning Enforcement Officer; Present via ZOOM meeting: Barbra Galovich, Land Use Assistant/Recording Clerk

**I. CALL TO ORDER:** Chairman Ken Braga called the Ellington Inland Wetlands Agency meeting to order at 7:00 pm.

**II. PUBLIC COMMENTS** (on non-agenda items): None

**III. OLD BUSINESS:** None

### IV. NEW BUSINESS:

1. Hastillo Properties, LLC owner/ TYMAC Holdings, LLC, applicant, pursuant to Conn. Gen. Stat. 8-26(e), request for positive referral to the Planning & Zoning Commission on an 11-lot subdivision application (S202004) involving land regulated as an inland wetland or watercourse at property located on Tripp Road, APN 023-001-0000.

Mark Peterson, Gardner & Peterson Associates, LLC, 178 Hartford Turnpike, Tolland, CT was present to represent the request.

Mr. Peterson stated his client is looking for a positive referral to the Planning & Zoning Commission. Mr. Peterson explained they redesigned the resubdivision, which has been reduced to eleven lots. He stated that within the 100' upland review area, they are proposing seeding down grade from the proposed stormwater basin, but no earth activity.

Chairman Braga noted that the proposed project will not have any activity within 100' of the delineated wetlands. Commissioner Hoffman asked if the project was redesigned to be any closer to the wetlands. Mr. Peterson said that overall the project is further away.

**MOVED (HOFFMAN) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO GRANT A POSITIVE REFERRAL TO THE PLANNING & ZONING COMMISSION -** Hastillo Properties, LLC owner/ TYMAC Holdings, LLC, applicant, pursuant to Conn. Gen. Stat. 8-26(e), request for positive referral to the Planning & Zoning Commission on an 11-lot subdivision application (S202004) involving land regulated as an inland wetland or watercourse at property located on Tripp Road, APN 023-001-0000.



Z201506

**From:** WILLIAM COONS  
**To:** John Colonese; Lisa Houlihan  
**Subject:** Request for Windermere Bond Reduction  
**Date:** Saturday, December 19, 2020 10:22:31 AM  
**Attachments:** Windermere Bond Form.pdf

---

John

Good morning

Please let me know a good time to talk Monday to discuss the Bond reduction request for Quantum of Ellington II LLC. I thought it was easiest to just scan you what my father felt in the field what was completed.

Too simplify we added an additional column, which is our proposed retention. John I am asking for a full reduction and I will post a Cash Bond with the town for the retention so the Bank is no longer involved. As a reminder, I already posted the cash with the Bank many years ago.

The Bond in \$111,200 I request a 78.73% reduction. If you agree I ask that \$111,200 be released and I will give the Town of Ellington \$23,648 in a Cash Bond at your direction, which represents 21.27% of the total Bond.

John I will send you a follow on email, which is the quote from Milone & Macbroom representing all the unfinished work the Town has requested for engineering. The engineering expense has been calculated into our reduction request.

Please let me know a good time to call you?

Thank you  
Bill Coons  
9179226839

## Barbra Galovich

---

**Subject:** FW: Windermere Village Bond Reduction

**From:** Dana Steele [<mailto:dsteeler@irrusso.com>]

**Sent:** Friday, January 8, 2021 5:29 PM

**To:** John Colonese <[jcolonese@ELLINGTON-CT.GOV](mailto:jcolonese@ELLINGTON-CT.GOV)>; Lisa Houlihan <[LHoulihan@ELLINGTON-CT.GOV](mailto:LHoulihan@ELLINGTON-CT.GOV)>

**Cc:** Barbra Galovich <[bgalovich@ELLINGTON-CT.GOV](mailto:bgalovich@ELLINGTON-CT.GOV)>

**Subject:** Windermere Village Bond Reduction

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

John & Lisa,

In responses to the developer's request for bond reduction, John and I visited the site on 12/31/20 to observe construction and erosion control progress. Based on my observations and in consultation with staff, I have calculated revised bond amounts for this project. These recommendations are attached. The following is a summary explanation:

1. Erosion controls remain similar to the previous bond reduction. Therefore I do not recommend further reductions to the overall E&S Bonds for any of the project phases at this time. However, I am recommending a reduction from \$10,200 to \$6,000 for the individual lot bonds. Because some of the lawns are stabilized, I reduced the unit count from 6 to 4.5. Because separate silt fence around each unit does not appear to be necessary at this point, I completed this line item.
2. I reduced the Site Improvements bond for phases 1-4 & 7 to reflect the fact that most of the pavement puddle issues have been resolved to my satisfaction. The one remaining area of concern is the catch basin in front of 80 Windermere Village Rd. There remains a substantial puddle directly in the travel lane in front of the catch basin. It does not appear this area was addressed with the others but could be resolved in similar fashion.
3. The light poles are all in. Although some are not lit, we understand the maintenance and bulb replacement is now the responsibility of the Association.
4. Walking trails are completed and acceptable. The walking trail easement needs to be executed and the trail signs require modification, but I understand these items will be completed prior to final CO's in phases 5&6. Therefore they are not included in this bond recommendation.
5. There were two portions along the boulevard entrance where water was puddling in the sidewalk. This has been temporarily addressed by shaving back the turf so that water now puddles in the lawn rather than the walk. But I think the lawn should be regraded to drain to the nearest yard drain. Therefore I left some money for this work under sidewalks. The walks themselves should be fine.
6. The detention basin in phases 1-4 still needs confirmation of conformance to the approved plans. Residents have noted the basin backing up water during a storm event. While this is to be expected, the extent of backup was surprising. Our observations noted the following:
  - a. The outlet structure does not appear to conform to the approved plans. The orifice, weir and outlet pipe do not appear to have the required elevation differential between them. This is a construction issue and may require changes or new calculations.
  - b. The lower orifice was also blocked with debris. This is a maintenance issue.
  - c. The flared ends on one pipe into the basin as well as the pipe outlet from the basin is collapsed. Each of these items could contribute to the backup. We brought these concerns to the developer's attention.
7. Once the final as-built is submitted, we can determine if there are any remaining items to address. I recommend keeping the \$20,000 allowance for these unknown issues, including the detention basin issues.
8. Light bollard bases are in but one base is broken and the bollards are not yet installed.
9. Crosswalks are not yet painted.

10. An as-built survey was submitted but it noted several irregularities and was missing key information to determine compliance with the approved plans. I've asked the engineer to revise the as-built and they have provided the developer with a fee to perform this update. It is my understanding that this price includes all phases of the project, including phases 5-6. I've added a line item for this cost. If the surveyor provides written assurance this will be provided, I would accept this in lieu of line item 15.
11. Since we do not have the final as-built for phases 5-6 either, and since the developer is asking for certificates of occupancy for the final two units in phase 5-6, I recommend requiring an additional bond for phase 5-6 to ensure the completion of these improvements in lieu of completing the improvements prior to CO. I recommend the same \$20,000 allowance for yet-to-be-identified issues that could arise once the as-built is completed. John has also reviewed the plantings in these phases and requests some to be bonded until we can confirm that they survive a full growing season.

The total recommended bond amount for all phases is \$102,000. This includes a \$34,200 reduction to the existing bonds and a \$25,000 additional bond for a net reduction of \$9,200. Let me know if you have any questions.

Dana P. Steele, P.E.  
Ellington Town Engineer



**J.R. RUSSO & ASSOCIATES, LLC**  
P.O. Box 938, 1 Shoham Road  
East Windsor, CT 06088  
(CT) 860.623.0569 (MA) 413.785.1158  
[dsteale@jrrusso.com](mailto:dsteale@jrrusso.com) | [www.jrrusso.com](http://www.jrrusso.com)

**TOWN OF ELLINGTON  
BOND ESTIMATE FORM**

Project: Windermere Village  
 Street: Windermere Road, Ellington, CT  
 Job No.: 2017-902  
 By: DPS  
 Date: 1/6/2021

E&S Bond Phase 5 & 6							
Item	Description	Unit	Quantity	Unit Price	Cost	% Comp.	Remaining Cost
1	Silt Fence	LF	2,000	\$4	\$8,000	75%	\$2,000
2	Staked Haybales	LF	1,200	\$8	\$9,600	75%	\$2,400
3	Temporary Diversion Berm/Swale	LF	300	\$10	\$3,000	100%	\$0
4	Temporary Seeding	SY	1,700	\$1.50	\$2,550	100%	\$0
5	Permanent Seeding	SY	9,700	\$2.00	\$19,400	75%	\$4,850
6	Temporary Sediment Trap	CY	850	\$20	\$17,000	100%	\$0
7	Inlet Protection	Ea.	20	\$130	\$2,600	50%	\$1,300
8	Riprap Volume	CY	50	\$70	\$3,500	100%	\$0
9	Stone Check Dam	Ea.	6	\$50	\$300	100%	\$0
10	Erosion Control Blanket	SY	2,800	\$1	\$2,800	75%	\$700
11	100'x15' Anti-Tracking Pad	Ea.	2	\$3,000	\$6,000	100%	\$0
					Subtotal	\$74,750	\$11,250
					10% Contingency	\$7,475	\$1,125
					<b>TOTAL</b>	<b>\$82,000</b>	<b>\$12,000</b>

Additional E&S Bond Per Unit (Phases 5 & 6)							
Item	Description	Unit	Quantity	Unit Price	Cost	# Units	Remaining Cost
1	Permanent Seeding	SY	600	\$2	\$1,200	4.5	\$5,400
2	Silt Fence	LF	75	\$4	\$300		\$0
					Subtotal	\$1,500	\$5,400
					10% Contingency	\$150	\$540
					<b>TOTAL</b>	<b>\$1,700</b>	<b>\$6,000</b>

E&S Bond Phases 1-4 & 7							
Item	Description	Unit	Quantity	Unit Price	Cost	% Comp.	Remaining Cost
1	Permanent Seeding	SY	3,500	\$2	\$7,000	75%	\$1,750
2	Inlet Protection	Ea.	3	\$130	\$390	100%	\$0
3	Silt Fence	LF	420	\$5	\$2,100	100%	\$0
4	Clean Catch Basins	Ea.	54	\$100	\$5,400	0%	\$5,400
					Subtotal	\$9,490	\$7,150
					10% Contingency	\$949	\$715
					<b>TOTAL</b>	<b>\$10,000</b>	<b>\$8,000</b>

**TOWN OF ELLINGTON  
BOND ESTIMATE FORM**

Project: Windermere Village  
 Street: Windermere Road, Ellington, CT  
 Job No.: 2017-902  
 By: DPS  
 Date: 1/6/2021

Site Improvements Completion Bond (Phases 1-4 & 7)							
Item	Description	Unit	Quantity	Unit Price	Cost	% Comp.	Remaining Cost
1	1.5" Bit. Top Course	SF	101,800	\$1	\$101,800	95%	\$5,090
2	Remove & Patch 1.5" Binder Course	SF	8,000	\$2	\$16,000	100%	\$0
3	Milling at Structures	Ea.	70	\$100	\$7,000	100%	\$0
4	Light Poles	Ea.	2	\$2,500	\$5,000	100%	\$0
5	Stone Dust Trail	SF	5,000	\$2	\$10,000	100%	\$0
6	Conc. Sidewalks	SF	7,860	\$15	\$117,900	99%	\$1,179
7	Detention Basin Completion	LS	1	\$5,000	\$5,000	0%	\$5,000
8	Shade Trees, 3-3.5" cal.	Ea.	0	\$1,000	\$0		\$0
9	Ornamental Trees, 4-10' high	Ea.	0	\$500	\$0		\$0
10	Large Evergreen Trees, 7-8' high	Ea.	0	\$500	\$0		\$0
11	Small Evergreen Trees, 5-6' high	Ea.	0	\$200	\$0		\$0
12	Minor modifications per as-built	LS	1	\$20,000	\$20,000	0%	\$20,000
13	Light Bollards	Ea.	3	\$1,250	\$3,750	33%	\$2,513
14	Crosswalks	Ea.	13	\$150	\$1,950	0%	\$1,950
15	As-built update by M&M	LS	1	\$10,700	\$10,700	0%	\$10,700
					Subtotal	\$262,700	\$46,432
					10% Contingency	\$26,270	\$4,643
					<b>TOTAL</b>	<b>\$289,000</b>	<b>\$51,000</b>

Certificate of Occupancy Performance Bond Phase 5 & 6							
Item	Description	Unit	Quantity	Unit Price	Cost	% Comp.	Remaining Cost
1	Minor Modifications per as-built	LS	1	\$20,000	\$20,000	0%	\$20,000
2	Ornamental Trees, 4-10' high	Ea.	1	\$500	\$500	0%	\$500
3	Small Evergreen Trees, 5-6' high	Ea.	10	\$200	\$2,000	0%	\$2,000
					Subtotal	\$22,500	\$22,500
					10% Contingency	\$2,250	\$2,250
					<b>TOTAL</b>	<b>\$25,000</b>	<b>\$25,000</b>



# Town of Ellington Planning & Zoning Commission Application

Type of Application:     Zone Change     Amendment to Regulation  
 Site Plan Approval     Special Permit     Modification     CGS 8-24

Application #  
Z 202023  
 Date Received  
12/22/2020

Notices associated with this application will be sent to the applicant, if different than the owner, unless otherwise requested.

### Owner's Information

Name: Lori Spielman  
 Mailing Address: 55 Main Street, P.O. Box 187  
Ellington, CT 06029  
 Email: lspielman@ellington-ct.gov  
 WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU?  Yes  No  
 Primary Contact Phone #: 860-870-3100

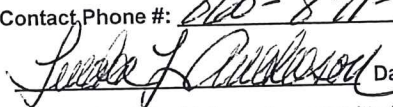
Secondary Contact Phone #: \_\_\_\_\_  
 Signature:  Date: 12/14/2020

By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Commission have been submitted. Moreover, by signing above I/we expressly provide written consent to the filing of the application and access to the site by the Commission or its staff.

Notices associated with this application will be sent to the applicant, if different than the owner, unless otherwise requested.

### Applicant's Information (if different than owner)

Name: Linda P. Anderson  
 Mailing Address: 9 Toward Turnpike  
Tolland, Ct. 06084  
 Email: Andylin490@earthlink.net  
 WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU?  Yes  No  
 Primary Contact Phone #: 860-729-1002

Secondary Contact Phone #: 860-871-9421  
 Signature:  Date: 12/21/2020

By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Commission have been submitted.

Street Address: Beate Property 97 Shenipsit St. Ellington, CT

Assessor's Parcel Number (APN): 030 - 005 - 0000 Existing Zone: R Proposed Zone: \_\_\_\_\_  
(If unaware of APN, please ask staff for assistance) (If none, insert "N/A")

Public Water:  Yes  No    Public Sewer:  Yes  No    *If not served by public water and sewer, applicant/owner shall make application to North Central District Health Department (Enfield Office).*

Is parcel within 500' to any municipal boundary?  Yes  No

Are there any wetlands/watercourses within 100' of construction activity or within 250' of wetlands/watercourses when located in the Shenipsit Lake Drainage Basin?  Yes  No    *If yes, pursuant to state law application must be made to the Inland Wetlands Agency prior to or simultaneously with application to the Planning and Zoning Commission.*

Is the project in a public water supply watershed area?  Yes  No    *If yes, applicant shall notify Connecticut Water Company and Commissioner of Public Health about the proposed project by certified mail return receipt within 7 days of application (§8-3i(b)). Copy of application, plans, and supporting documents must accompany notice. Proof of notice and copies of return receipts must be provided to the Planning Department.*

Description of Request (If more space is needed, please attach additional sheets)

See attached project narrative.

RECEIVED  
 DEC 22 2020  
 TOWN OF ELLINGTON  
 PLANNING DEPARTMENT

## Batz Amphitheater Site Plan

The Batz amphitheater will be built within the confines of the field's existing bowl shape (see Site Plan photo). There will be 3 rows of benches (18 total), 12 feet between benches in each row and 12 feet between each row to accommodate mowing. A small stage platform will be located at the bottom of the bowl (approximately 10 feet by 14 feet). The benches will be 4.5 feet long and 18-20 inches wide secured to the field by being attached to either 4x4's or 6x6's that are sunk into the soil (see photos of examples). This is the only soil that will be disturbed. The benches and stage are not permanent and can be removed (per stipulations of the property's will to the town). The same procedure will be used for the stage.

At this point we have an Eagle Scout who plans on building, installing (with Trails Committee help) and funding the materials for the benches. The Eagle Scout plans on funding the materials for the benches by asking the Ellington community to donate money for each bench with a plaque being placed on each donated bench.

With 18 benches, 2 people per bench and some blankets on the grass our maximum capacity will be between 40-60 people. Which means no more than 30 cars. Which the parking area and field can comfortably and safely accommodate.

RECEIVED

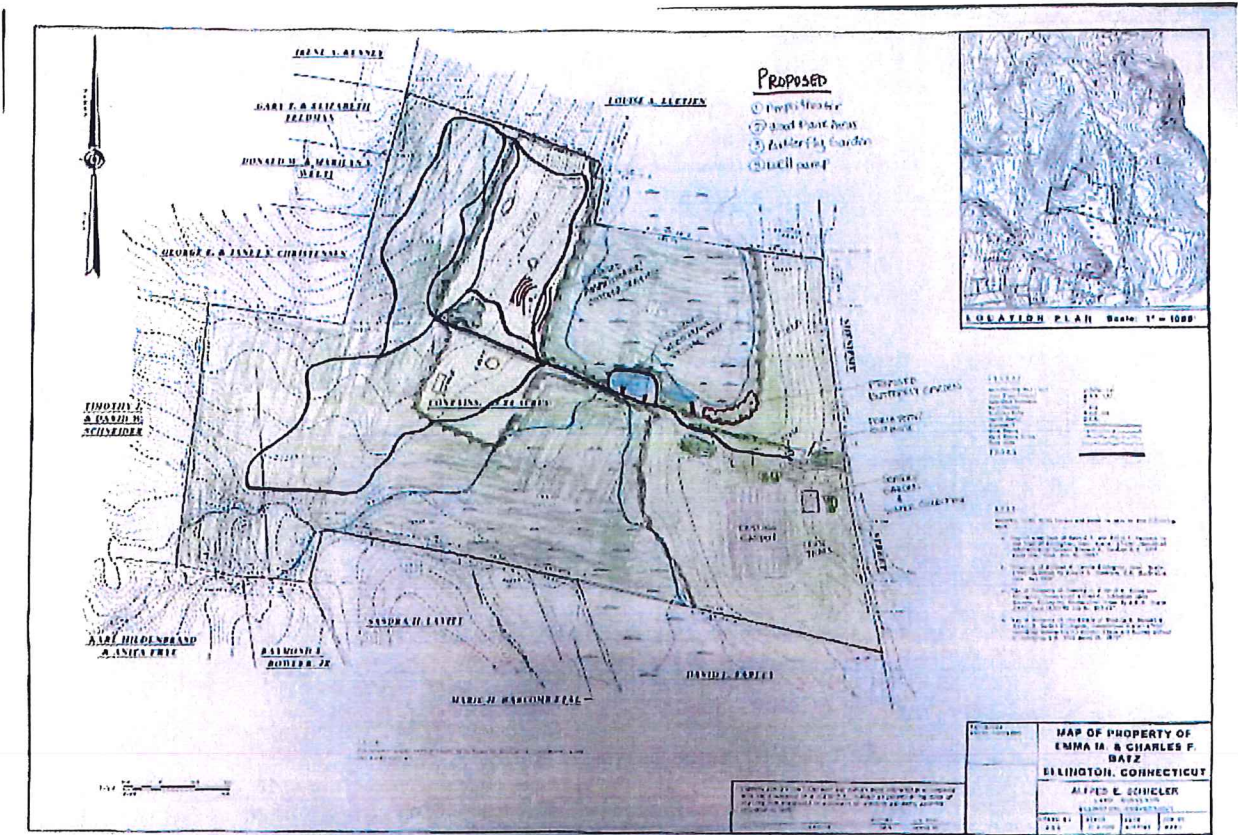
DEC 22 2020

TOWN OF ELLINGTON  
PLANNING DEPARTMENT



Proposed improvements for the Batz Property

The Batz property was given to the town as land to be preserved for conservation and education. We are looking for conceptual approval on this project. We will be looking to the town engineer and public works for their expertise and advice on how to complete this project once we have secured town approvals and funding. We are proposing an amphitheater, wood plank viewing areas, a hand pump well, and wildflower and butterfly garden areas.



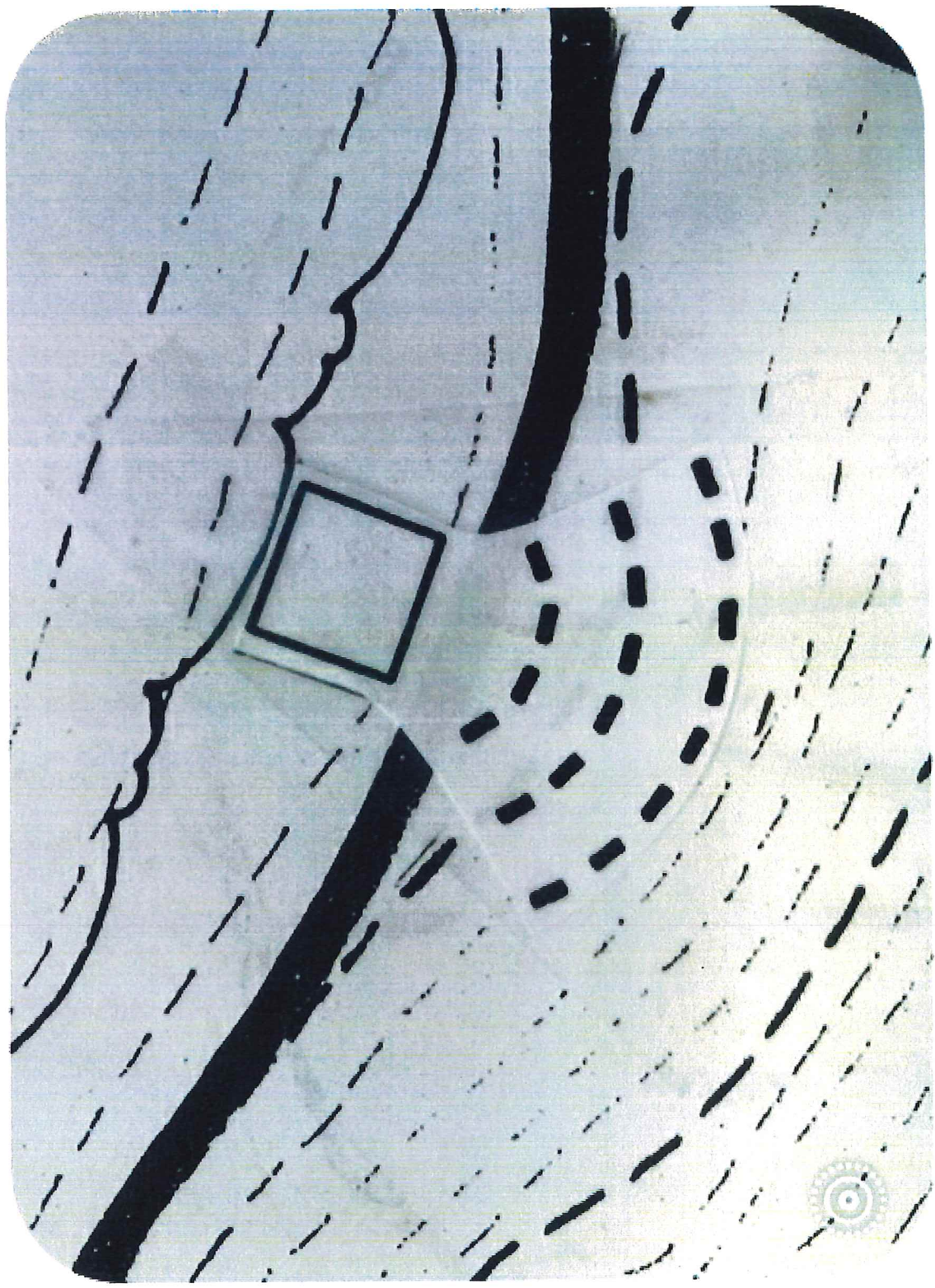
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 TOWN OF ELLINGTON  
 PLANNING DEPARTMENT



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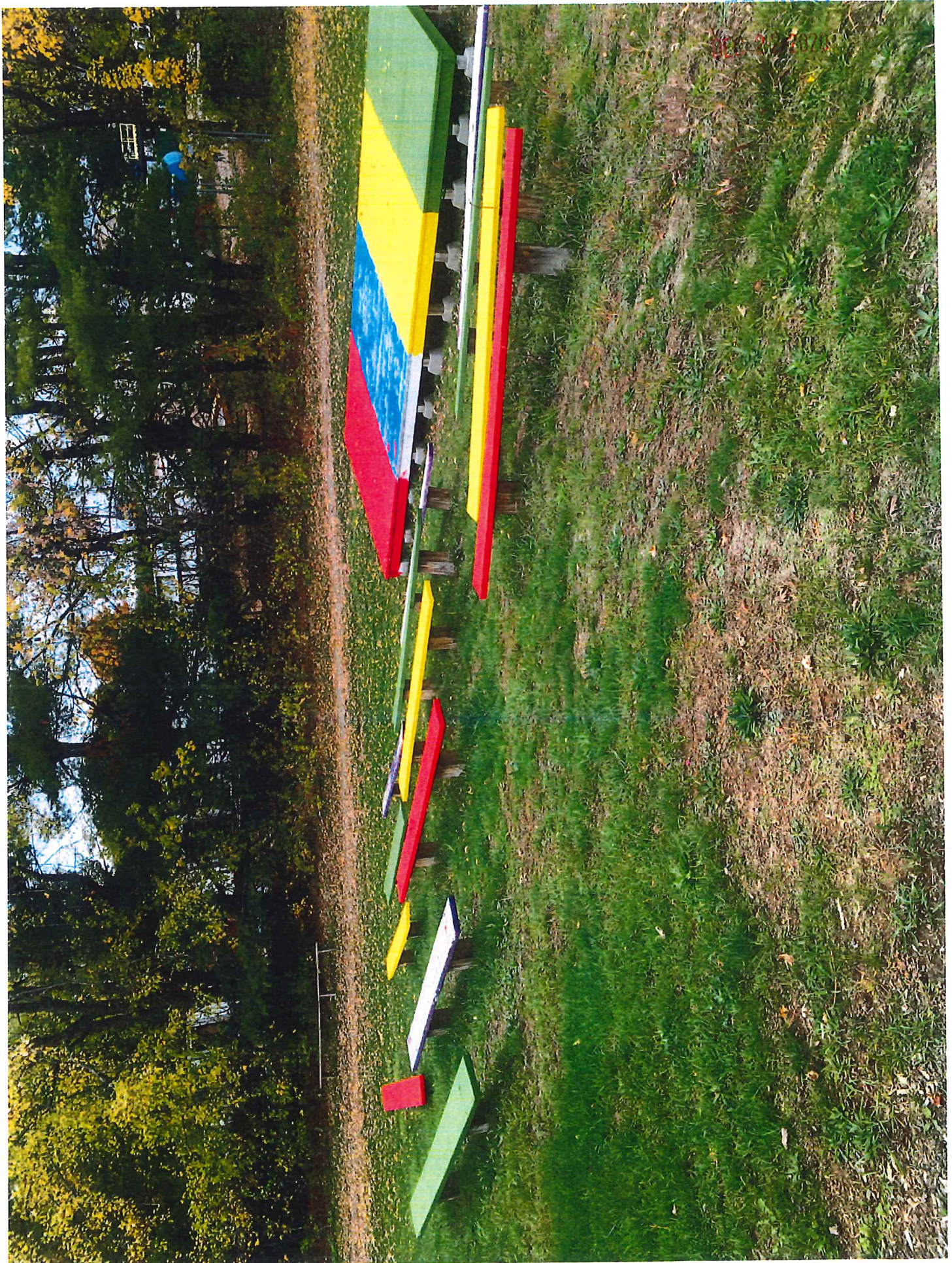
DEC 22 2020

TOWN OF ELLINGTON  
PLANNING DEPARTMENT



Pg 1084









Pg 3084





RECEIVED

DEC 22 2020

LOWLAND AUSTON  
PLANTING SERVICE



## Barbra Galovich

---

**From:** Barbra Galovich  
**Sent:** Monday, January 04, 2021 2:20 PM  
**To:** 'Linda Anderson'; Lori Spielman  
**Subject:** FW: Z202023 - TOE/Trails Committee - 97 Shenipsit Street - Proposed amphitheater

Hi,

Happy 2021! Please see the below comments from Tim Webb, Director of Public Works.

Thank you,  
Barbra

Barbra Galovich, CZET  
Land Use Assistant  
Town of Ellington  
55 Main Street  
Ellington, CT 06029  
(860) 870-3120

---

**From:** Timothy Webb  
**Sent:** Monday, January 04, 2021 11:59 AM  
**To:** Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>  
**Subject:** RE: Z202023 - TOE/Trails Committee - 97 Shenipsit Street - Proposed amphitheater

No direct impact to DPW. Only concern will be the mowing of the area. Currently PW mows the Batz back property twice a year

---

**From:** Barbra Galovich  
**Sent:** Monday, January 04, 2021 11:54 AM  
**To:** James York <JYork@ELLINGTON-CT.GOV>; Kim Bechard <KBechard@ELLINGTON-CT.GOV>; Lori Spielman <lspielman@ELLINGTON-CT.GOV>; Mike Caronna <mcaronna@ncdhd.org>; Raymond Martin <Rmartin@ELLINGTON-CT.GOV>; Sydney Kern <skern@ELLINGTON-CT.GOV>; Timothy Webb <twebb@ELLINGTON-CT.GOV>; Westford Lirot <wlirot@ncdhd.org>  
**Cc:** Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>  
**Subject:** Z202023 - TOE/Trails Committee - 97 Shenipsit Street - Proposed amphitheater

Hi,

Hope you are doing well. Please see the attached documentation with Staff Review Sheet. This application will be discussed at the PZC meeting on Monday, January 25, 2021.  
Please provide your comments/concerns on or before January 15, 2021.

Thank you in advance for your review.  
Barbra


Barbra Galovich, CZET  
Land Use Assistant  
Town of Ellington

Town of Ellington  
Department of Town Fire Marshal



# Memorandum

To: Planning & Zoning Commission

From: James S York II, Fire Marshal 

Date: January 8, 2021

Subject: Batz Property Amphitheater, Site Plan Approval Application

Copy(ies): Lori Spielman, 1<sup>st</sup> Selectman  
via email Lisa Houlihan, Town Planner  
Linda Anderson, Applicant (member of Ellington Trails Committee)

---

In the past the use of the Batz Property by groups has always been done via the Town Use Form which allows for vetting of the activity. By establishing a permanent “amphitheater” type facility this will invite more regular use of the property. This may be a good time to examine to overall use and intent of this property going forward as it seems that this is transitioning into more of a “public park” type use.

**Emergency vehicle access:** This needs to be considered as currently the “access road” to the rear of the property is restricted by a large gate. The needs of emergency vehicle access should be coordinated with the Town’s emergency services agencies, namely EVAC and the EVFD.

**Maintenance:** The benches and stage will need periodic and ongoing maintenance to ensure their safe use. As an example of a current maintenance issue, upon my inspection of the property on 1/8/21 one of the doors on the “outhouse” has been ripped off its hinges and is propped up in the doorway to the facility waiting to fall over.

**General Access:** As we continue to invite more use of the property the following should be considered; improved walking surfaces, designated emergency vehicle parking, fire lanes, and lighting.

**Code Requirements:** The installation of benches and a stage may require compliance with certain sections of the Fire Code, possibly falling under requirements of bleachers and grandstands. Compliance with Building and ADA codes should be evaluated by the Town Building Official.





# TOWN OF ELLINGTON

55 MAIN STREET – PO BOX 187  
ELLINGTON, CONNECTICUT 06029-0187  
[www.ellington-ct.gov](http://www.ellington-ct.gov)

TEL. (860) 870-3120 TOWN PLANNER'S OFFICE FX (860) 870-3122

**PLANNING AND ZONING COMMISSION  
SPECIAL MEETING MINUTES  
MONDAY, DECEMBER 21, 2020, 7:00 PM  
TOWN HALL MEETING ROOM, 55 MAIN ST, ELLINGTON, CT AND ZOOM**

**IN-PERSON PUBLIC ATTENDANCE LIMITED DUE TO COVID19 RESTRICTIONS  
ZOOM ATTENDANCE INSTRUCTIONS PROVIDED**

**MEMBERS PRESENT:** IN MEETING ROOM: CHAIRMAN ARLO HOFFMAN, VICE CHAIRMAN SEAN KELLY, SECRETARY ROBERT SANDBERG, JR., REGULAR MEMBERS F. MICHAEL FRANCIS, RICCI HIRTH AND MICHAEL SWANSON. VIA ZOOM: REGULAR MEMBER WILLIAM HOGAN AND ALTERNATE KEITH DURAO

**MEMBERS ABSENT:** ALTERNATE JON MOSER

**STAFF PRESENT:** IN MEETING ROOM: LISA HOULIHAN, TOWN PLANNER VIA ZOOM: CHRISTINE POST, RECORDING CLERK

**I. CALL TO ORDER:** Chairman Hoffman called the meeting to order at 7:00 PM.

**II. PUBLIC COMMENTS** (On non-agenda items): Mike Vengruskas, 14 Green Street, addressed the Commission concerning 15 Green Street owned by Susan McCarthy. He complained about junk being stored on the property and requested more aggressive enforcement be conducted.

**III. PUBLIC HEARING(S):**

1. Z202018 – Natalie and Richard Lapointe, owner/applicant, pursuant to Section 7.1 of the Ellington Zoning Regulations request for Special Permit for an accessory apartment at 4 Olde Farms Road, APN 063-058-0001, in the RAR (Rural Agricultural Residential) Zone.

**TIME:** 7:14 PM

**SEATED:** Hoffman, Kelly, Sandberg, Hirth, Hogan, Francis and Swanson

Natalie Lapointe, 4 Olde Farms Road, Ellington was present to represent the application.

Lisa Houlihan, Town Planner, reviewed the application documents. There are no staff comments to address. The application was opened for questions. Ms. Lapointe clarified her understanding that the property has to be owner occupied and explained the apartment is for her mother.

**MOVED (SANDBERG) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO CLOSE THE HEARING FOR Z202018** – Natalie and Richard Lapointe, owner/applicant, pursuant to Section 7.1 of the Ellington Zoning Regulations request for Special Permit for an accessory apartment at 4 Olde Farms Road, APN 063-058-0001, in the RAR (Rural Agricultural Residential) Zone.

**MOVED (SANDBERG) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO APPROVE Z202018** – Natalie and Richard Lapointe, owner/applicant, pursuant to Section 7.1 of the Ellington Zoning Regulations request for Special Permit for an accessory apartment at 4 Olde Farms Road, APN 063-058-0001, in the RAR (Rural Agricultural Residential) Zone.

Chairman Hoffman recused himself. Vice Chairman Kelly seated Alternate Durao.

2. Z202019 – Oakridge Dairy, owner/Rev LNG, LLC, applicant, request for Site Plan Approval to construct a manure digester at 11 Jobs Hill Road & 161 Maple Street as a permitted agricultural use in the RAR (Rural Agricultural Residential) and PC (Planned Commercial) Zones.

**TIME:** 7:19 PM

**SEATED:** Kelly, Sandberg, Hirth, Hogan, Francis, Swanson and Durao

Jim Burdett of Rev LNG, LLC, introduced the Oakridge Dairy team of experts which includes the following: Sean Gleeson, Karl Czymmek, Steve McGlynn along with Seth Bahler of Oakridge Dairy.

Vice Chairman Kelly opened the application for discussion. Mr. Burdett stated that Rev LNG, LLC, will own, operate and build the methane digester. The digester takes methane out of the manure, processes it and makes it into usable natural gas that will be either directly injected into Eversource's pipeline or trucked off site.

Mr. Gleeson indicated the equipment is leased for 10 years with two 5 year options for a total of up to 20 years. At the end of 20 years, the digester and all the equipment will revert back to ownership by Oakridge Dairy at no cost. Vice Chairman Kelly asked if any of the methane would go back into running Oakridge Dairy and Mr. Gleeson replied that none will be used to run the dairy operation.

Mr. McGlynn explained all the major components of the digester. Discussion ensued regarding gas flares, which would be 3 to 4 times per year during scheduled maintenance and take up to a day of work. The flare was compared to a 5 or 6 foot flame seen at sewage treatment plants. It does not cast intense light especially since it occurs mainly during daylight hours and generally all that is seen is the heat signature.

Mr. Czymmek addressed the odor issue. He stated odor is difficult to measure, however, their findings have been that communities react positively. Mr. Bahler indicated that the digester installation is intended to reduce the lagoon odors.

Commissioner Hogan stated he feels this is a very positive project and asked if there are any issues that should be raised to protect the town's citizens. Mr. McGlynn answered that the Fire Department should be provided emergency preparedness training. The community should know the digester will reduce but not eliminate odor and should be educated about the gas flares. He stated the system is designed to shut down in the case of manure spills. Mr. Czymmek indicated it is their practice to invite the Fire Department to the facility and provide training. Commissioner Francis asked about monitoring gas and Mr. McGlynn stated the programming systems are incredible and are able to be monitored onsite and remotely. Mr. Gleeson stated that the truck drivers are trained to do front line monitoring as well. Mr. Burdett indicated that Rev LNG, LLC, will monitor the gas pressure as will Eversource.

The item was opened to public comment.

Mr. Paul Gilbert introduced himself as representing a neighbor of Oakridge Dairy, St. Luke's Church, and stated he was asked to participate in tonight's meeting due to concerns with odors along with addressing what is done to prevent emitting straight methane if the ignitor for the flare goes out. Mr. McGlynn stated there is a redundancy that will not allow the methane valve to open unless there is a flame. It was also addressed that in the event of any storm transportation issues the boiler can fire off of both propane and biogas to allow the use of any excess biogas. Mr. Gleeson indicated they also have the ability to have more than 1 truck available for potential gas storage if bad weather is impending. Mr. Gilbert also asked about methane scrubbing and if there have been any discussions with Eversource regarding the quality of the gas to be injected into their system. Mr. Burdett replied

that Eversource has strict specifications and they clean up the methane to meet their specifications. Mr. Czymmek stated they are investing in specific equipment to ensure both the flare and the methane scrubbing are handled properly and safely. Mr. Gilbert also asked how they manage the fixed cover and Mr. McGlynn answered that the outer cover is replaced every 10 years which is a 7 day process.

Stanley Matczak of 162-164 Maple Street asked where the digester will be built, how high the structure will be and if anything would be done with the existing pond. Mr. McGlynn reviewed the proposed plans and advised the highest point of the dome is 30 to 32 feet and that no changes will be made to the pond.

Ms. Houlihan asked if Mr. McGlynn would email the pictures he shared with the commission via Zoom to be part of the record.

**MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE HEARING FOR Z202019** – Oakridge Dairy, owner/Rev LNG, LLC, applicant, request for Site Plan Approval to construct a manure digester at 11 Jobs Hill Road & 161 Maple Street as a permitted agricultural use in the RAR (Rural Agricultural Residential) and PC (Planned Commercial) Zones.

**MOVED (SANDBERG) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS Z202019** – Oakridge Dairy, owner/Rev LNG, LLC, applicant, request for Site Plan Approval to construct a manure digester at 11 Jobs Hill Road & 161 Maple Street as a permitted agricultural use in the RAR (Rural Agricultural Residential) and PC (Planned Commercial) Zones.

**Conditions:**

1. Shall comply with comments from the Town Engineer dated December 11, 2020.
2. Pursuant to comments from the Town Fire Marshal, compliance with CT Fire Safety Code and CT Fire Prevention Code shall be required at time of building permit application.
3. Pursuant to comments from the Public Works Director, permit is required from the Department of Public Works for construction within the town right-of-way.

Chairman Hoffman was reseated.

**IV. OLD BUSINESS:**

1. Discuss a potential zoning amendment for Access Management.

**BY CONSENSUS, TABLED DISCUSSION TO THE NEXT REGULAR MEETING FOR JANUARY 25, 2021, 7:00 PM, TOWN HALL ANNEX, 57 MAIN ST, ELLINGTON, CT, AND ZOOM.**

**V. NEW BUSINESS:**

1. Z202021 - Pursuant to a memo dated December 15, 2020, from the Ellington Board of Selectmen, request for CGS §8-24 review regarding the acquisition of 80 Maple Street, APN 072-021-0000, consisting of approximately .18 acres, in the C (Commercial) Zone.

Ms. Houlihan reviewed the proposal with the Commission. Town First Selectman, Lori Spielman, indicated this is the last abutting parcel to potentially add onto Center School.

**MOVED (KELLY), SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO RESOLVE THAT THE PLANNING AND ZONING COMMISSION RENDER A POSITIVE REFERRAL TO THE BOARD OF SELECTMEN FOR A REQUEST TO CONSIDER THE ACQUISITION OF A PARCEL OF LAND KNOWN AS 80 MAPLE STREET, ASSESSOR PARCEL NUMBER 072-021-0000, NOW OR FORMERLY OWNED BY GINA B. AND RYAN D. CORTHOUTS, CONSISTING OF APPROXIMATELY .18 ACRES, IN ACCORDANCE WITH CONNECTICUT GENERAL STATUTE SECTION 8-24. IN SO RECOMMENDING, THE COMMISSION FINDS NO CONFLICT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THAT ACQUISITION OF SAID PARCEL**

**PROVIDES OPPORTUNITY TO INCREASE AND ENHANCE COMMUNITY FACILITIES IN TOWN CENTER.**

2. Z202022 - Pursuant to a memo dated December 15, 2020, from the Ellington Board of Selectmen, request for CGS §8-24 review regarding the sale of town land known as 24 Green Street, APN 129-020-0000, 26 Green Street, APN 129-121-0000 and Reds Road Private Way, APN 129-017-0000, consisting of approximately 16,988 sf in the LR (Lake Residence) Zone.

Ms. Spielman reported this property was taken for failure to pay taxes and she wants to put it up for sale. Ms. Houlihan recommended adding a condition of transfer that the parcels be combined and sold as one lot.

**MOVED (SANDBERG) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO RESOLVE THAT THE PLANNING AND ZONING COMMISSION RENDER A POSITIVE REFERRAL TO THE BOARD OF SELECTMEN CONCERNING A REQUEST FOR THE SALE OF TOWN-OWNED LAND KNOWN AS 24 GREEN STREET, APN 129-020-0000, 26 GREEN STREET, APN 129-121-0000 AND REDS ROAD PRIVATE WAY, APN 129-017-0000, CONSISTING OF APPROXIMATELY 16,988 SF IN THE LR (LAKE RESIDENCE) ZONE. IN SO RECOMMENDING, THE COMMISSION FINDS NO CONFLICT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND RECOMMENDS THE THREE PARCELS BE COMBINED AS ONE PARCEL AS A CONDITION OF SALE.**

3. Z202020 - Joseph & Mary Hollay and Heather Hollay-Farr & Christopher Farr, owners/applicants pursuant to Section 3.1 of the Ellington Zoning Regulations request for a Special Permit for a dormitory at 154 Crystal Lake Road, APN 095-021-0001, and 156 Crystal Lake Road, APN 095-021-0000, in the RAR (Rural Agricultural Residential) Zone.

**STATUTORILY RECEIVED AND SCHEDULED FOR A PUBLIC HEARING FOR JANUARY 25, 2021, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM FOR Z202020 - Joseph & Mary Hollay and Heather Hollay-Farr & Christopher Farr, owners/applicants, pursuant to Section 3.1 of the Ellington Zoning Regulations request for a Special Permit for a dormitory at 154 Crystal Lake Road, APN 095-021-0001 and 156 Crystal Lake Road, APN 095-021-0000, in the RAR (Rural Agricultural Residential) Zone.**

4. S202004 – Hastillo Properties, LLC, owner/ TYMAC Holdings, LLC, applicant, request for a re-subdivision of 61.56 acres for eleven (11) lots on the west side of Tripp Road, APN 023-001-0000, in a RAR (Rural Agricultural Residential) Zone and request to waive Appendix C 3.13(a) to allow HDPE pipe.

**STATUTORILY RECEIVED AND SCHEDULED FOR A PUBLIC HEARING FOR JANUARY 25, 2021, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM FOR S202004 – Hastillo Properties, LLC, owner/ TYMAC Holdings, LLC, applicant, request for a re-subdivision of 61.56 acres for eleven (11) lots on the west side of Tripp Road, APN 023-001-0000, in a RAR (Rural Agricultural Residential) Zone and request to waive Appendix C 3.13(a) to allow HDPE pipe.**

**VI. ADMINISTRATIVE BUSINESS:**

1. Approval of November 23, 2020 Regular Meeting Minutes

**MOVED (SWANSON) SECONDED (HIRTH) AND PASSED UNANIMOUSLY TO APPROVE NOVEMBER 23, 2020 REGULAR MEETING MINUTES AS WRITTEN.**



2. Planner's Report

Ms. Houlihan reported a site development proposal for Earthlight for their property on West Road was received after the agenda was finalized and explained the proposal will be on next month's agenda for review and potential decision.

3. Correspondence:

- a. Notice from East Windsor Planning & Zoning Commission regarding PZ-2020-20 Text amendment application from SJK Properties, LLC to East Windsor Zoning Regulations Section 802 Multi Family Development District (MFDD).
- b. Notice from East Windsor Planning & Zoning Commission regarding PZ-2020-21 Zone change application from SJK Properties, LLC, from R-33 to MFDD.
- c. Ms. Houlihan reported receipt of notice from a local law firm that CTEC Solar, LLC, is applying to the Connecticut Siting Council (CSC) for a declaratory ruling to allow a solar project on approximately 30 acres of the Thompson Family farmland to the north of Green Cycle. The project is utility-scale and outside of the Commission's jurisdiction, however the Commission can provide comment to the CSC when the Town Selectman's office gets formal notice.

**VII. ADJOURNMENT:  
MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN  
THE PLANNING & ZONING COMMISSION MEETING AT 8:40 PM.**

Respectfully submitted,

\_\_\_\_\_  
Christine Post, Recording Clerk

TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Regular Meeting #1789 – October 27, 2020  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES

11

OLD BUSINESS/A. Warehouse Point Planning Study to include Terri Han of LADA, P.C. Land Planners:

Mrs. Hahn was unable to access the meeting at this time; Chairman Ouellette requested a motion to take Agenda item 7/A. Informal discussion regarding Quarry Meadows to include Marek Kement next.

**MOTION:** To GO OUT OF THE AGENDA ORDER and take item XII. 7/A. Informal discussion regarding Quarry Meadows to include Marek Kement next.

Kowalski moved/Gowdy seconded/DISCUSSION: None  
VOTE by show of hands: In Favor: Ouellette/Sullivan/Thurz/Kowalski/Gowdy  
(No one opposed/No Abstentions)

OTHER BUSINESS/A. Informal discussion regarding Quarry Meadows to include Marek Kement:

Marek Kement joined the Commission for an informal discussion on an alternative proposal for the Quarry Meadows subdivision. Mr. Kement indicated he's representing himself, and his family.

Mr. Kement recalled the original Quarry Meadows Subdivision Plan was approved in 2006; that approval allowed the development of 48 lots in an R-3 Zone. Following that approval the family has been in court regarding tax issues on the subdivision. In 2007 and 2008 the nation suffered the economic downturn. Mr. Kement reported the storm drainage and the gravity sewer have been installed already; the pump station on Depot Street up to Quarry Meadows remains to be done, as well as the paving of the interior roads. The parcel is served by public water.

Mr. Kement reported they've tried to market the subdivision but everyone they approached has said the subdivision as proposed isn't economically feasible today. As an alternative he's considering increasing the density of the project to allow the construction of more houses; that proposal would require a Zone Change to a Multi-Family Development District (MFDD). Mr. Kement suggested under the MFDD dwelling density would increase from 1 or 2 units per acre to 4.

Mr. Kement suggested one consideration for this proposal is to determine how it fits in the Plan of Conservation and Development. He referenced The Mansions, on North Road, was constructed in a MFDD; Scantic Glen condominiums is a multi-unit development.

Informal discussion page 1 of 2

**TOWN OF EAST WINDSOR  
PLANNING AND ZONING COMMISSION  
Regular Meeting #1789 – October 27, 2020  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

12

Mr. Kement offered the Commission a conceptual layout for The Village at Quarry Meadows, which would be developed as a condominium complex utilizing the existing street layout because of the existing infrastructure. The parcel has a water line going through the property to the Myers subdivision located on East Road. Mr. Kement referenced a sketch depicting the units, which would be single family detached units containing 1,400 to 1,600 square feet with a 2 car garage. The units would be 2 and 3 bedrooms to maintain the rural context of the area. Mr. Kement noted he's created a rotary at the Depot Street entrance to screen the development; an emergency access would be created off of Sullivan Farms Road which would be gated to prevent the access from becoming a cut-through. Amenities for the complex would include a clubhouse with a pool, tennis courts, a playscape, a dog park, 2+ miles of walking and recreational trails around the perimeter of the development, and access to the Broad Brook stream. Mr. Kement indicated he wanted to build detached units to keep the rural environment; he would agree to that as a condition of approval.

Mr. Kement reported he has met with Town staff regarding the proposal. Town Engineer Norton likes the proposal; it's a private community which not require Town responsibility for maintenance.

**Commissioner Sullivan:**

**Number of units being proposed:** Mr. Kement indicated the conceptual drawing proposes 156 units; the minimum would be 88 units. If he includes the piece in Ellington the density would increase to 204.

**Traffic impact:** Referencing the exit on Depot Street Commissioner Sullivan questioned the amount of additional traffic this proposal might cause? Mr. Kement indicated he would be doing a traffic study if he proceeds with the formal application; he felt the traffic would actually be split between Depot Street and Ellington.

**Number of bedrooms:** Mr. Kement replied the regulations allow 2 and 3 bedroom units.

**Commissioner Gowdy:**

**Access to Broad Brook stream:** Commissioner Gowdy acknowledged the access to the Broad Brook stream but noted that a private organization/fishing club leases rights to use the stream access; only club members could fish in the brook. Mr. Kement indicated he would look into that further.

Commissioner Thurz felt this was a good idea for a piece of property that's been open for 15 years. He questioned if this was the property that was excavated too deeply; Mr. Kement replied affirmatively. Commissioner Thurz suggested people will like the amenities. He didn't feel there was that much traffic cutting through that area presently.

*Informal discussion page 2 of 2*





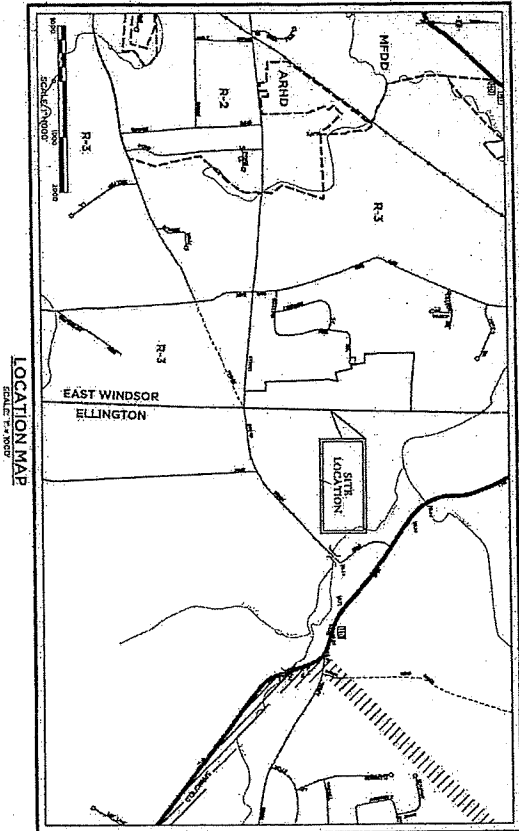
# ZONING MAP AMENDMENT APPLICATION

OF

## QUARRY MEADOWS SUBDIVISION

### EAST WINDSOR, CT

PREPARED FOR  
**SJK PROPERTIES, LLC.**  
 297 NORTH ROAD - BROAD BROOK, CT 06016  
 DATE: NOVEMBER 16, 2020



ZONING MAP AMENDMENT PLAN  
 DETAILED LAYOUT & OWNERSHIP PLAN

#### LIST OF SHEETS

1 OF 2  
 2 OF 2

PREPARED BY:

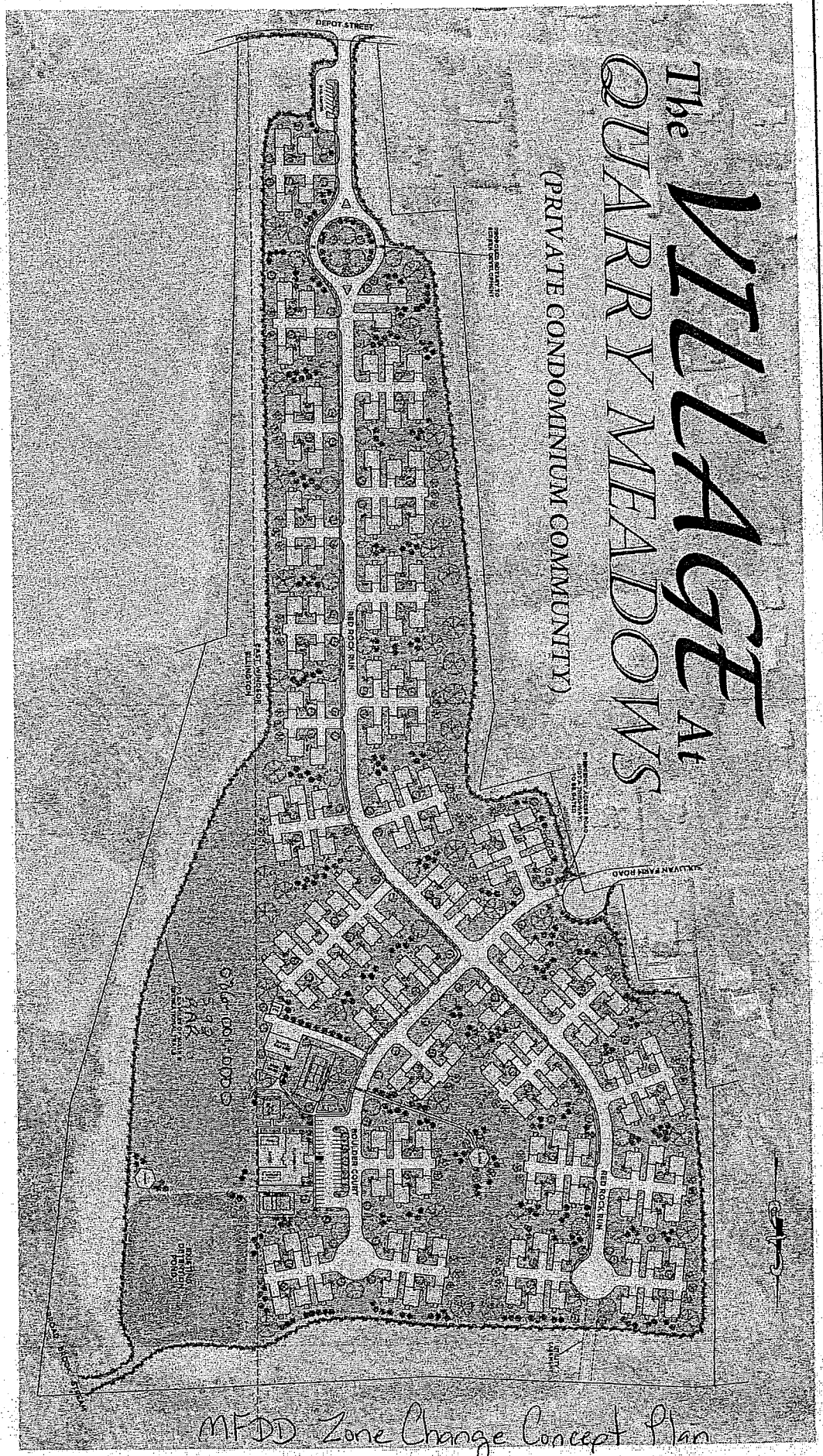
**ANCHOR**  
 CONSULTING ENGINEERS  
 1000 ROUTE 100  
 WEST WINDSOR, CT 06096  
 (860) 261-1111  
 www.anchor-engineers.com

APPROVED  
 PLANNING AND ZONING COMMISSION  
 EAST WINDSOR, CONNECTICUT  
 DATE: \_\_\_\_\_  
 SIGNED: \_\_\_\_\_

*E.W. PZC App. Zone Change Map*

# The VILLAGES AT QUARRY MEADOWS

(PRIVATE CONDOMINIUM COMMUNITY)



MFDD Zone Change Concept Plan

**ZONING COMPLIANCE TABLE**

Standard	MFDD Zone	MFDD Zone
Minimum lot area	10,000 sq ft	10,000 sq ft
Minimum lot width	30 ft	30 ft
Minimum lot depth	30 ft	30 ft
Minimum front setback	10 ft	10 ft
Minimum side setback	5 ft	5 ft
Minimum rear setback	5 ft	5 ft
Minimum front yard coverage	10%	10%
Minimum side yard coverage	5%	5%
Minimum rear yard coverage	5%	5%
Minimum front yard height	4 ft	4 ft
Minimum side yard height	4 ft	4 ft
Minimum rear yard height	4 ft	4 ft
Minimum front yard slope	2%	2%
Minimum side yard slope	2%	2%
Minimum rear yard slope	2%	2%
Minimum front yard grade	±0.00	±0.00
Minimum side yard grade	±0.00	±0.00
Minimum rear yard grade	±0.00	±0.00
Minimum front yard drainage	1/2" per 100'	1/2" per 100'
Minimum side yard drainage	1/2" per 100'	1/2" per 100'
Minimum rear yard drainage	1/2" per 100'	1/2" per 100'

**AREA & BUILDABLE LOT CALCULATIONS**

Category	Area (Acres)	Buildable Area (Acres)	Ratio
Total Area	12.5	12.5	1.00
Buildable Area	12.5	12.5	1.00
Non-Buildable Area	0.0	0.0	0.00
Total Buildable Area	12.5	12.5	1.00

**DENSITY CALCULATIONS**

Category	Units per Acre
Maximum Density	100
Minimum Density	10
Average Density	50

**ANCHOR**

CONCEPTUAL LAYOUT

THE VILLAGES AT QUARRY MEADOWS

DATE: 9/20/09

SCALE: 1" = 100'

P2 2020-20 Text Amend.

**EAST WINDSOR – DRAFT ZONE TEXT AMENDMENT TO Multi Family Development District (MFDD) REGULATIONS**

***[Existing] Section 802 “Multi Family Development District (MFDD)” ....***

***[Existing] Section 802.4 “Applicability – No area shall be rezoned to a Multi-Family Development District unless the applicant has demonstrated and the Commission has determined that: ....”***

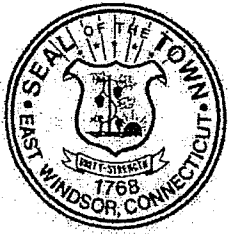
**[Proposed new - add to existing Section 802.4(c) that addresses site location requirements]:**

.... However, if the site is not located within one of the aforementioned areas, then the site shall: (a) have a minimum of twenty acres; (b) have access to public sewer and water; (c) be located in the R-3 zone district; (d) not be located in a designated non-residential area, as depicted on the “Residential Growth and Guide Plan” provided in the 2016 Plan of Conservation and Development of the Town of East Windsor, as may be amended; and (e) provide for increased residential density and promote housing opportunities for the citizens of East Windsor, and otherwise meet the objectives of the MFDD Regulations.

**[Proposed new – add to Section 802.6(b)(1) substitute new subsection (e), where existing (e) becomes new (f)]:**

- (e) 4 dwelling units per acre of developable land on the tract provided that the proposal is for detached dwelling units only. In no event will there be permitted more than 150 dwelling units on the tract to be developed.

E.W. P20 App. Text Amendment Language



# TOWN OF EAST WINDSOR

## Planning & Development Department

11 RYE STREET, BROAD BROOK, CT 06016  
Tel.: (860) 623-6030

### MEMORANDUM

TO: East Windsor Planning and Zoning Commission  
FROM: Michael D'Amato, AICP, CZEO, Interim Town Planner *Michael D'Amato*  
DATE: January 6, 2021  
SUBJECT: Application #PZ 2020-20 for Text Amendment Application, Section 802 Multi Family Development District. Applicant, SJK Properties.

Date Submitted	12/3/2020		
Date of Receipt	12/8/2020		
Deadline for Decision	35 to close hearing, 65 days from hearing close to decide.		
Extension Eligible?	Yes	Total Possible Days	65

#### Application Summary

Per the materials submitted, this application seeks modify the existing Multi Family Development District language to add an additional mechanism by which the Planning and Zoning Commission could approve a project with this zoning designation. It also seeks to increase the allowable density for "Non-Elderly Occupancy" as outlined in my comments below.

The current MFDD regulations outline specific criteria that a property must meet before a zone change to the MFDD can be permitted. If the language submitted by the applicant is approved as written, it would modify the existing regulation in two ways:

1. Create an additional category within 802.4 (c) that would allow the PZC to approve parcels that did not meet the location requirements currently within that section, provided they met the standards of the proposed text.
2. Modify the currently allowable density within 802.6(b)(1) by increasing it from 2 units per acre to 4 units per acre for single family detached developments only, with a total unit cap of 150.

Subsection 802.4(c) of this section currently requires that all projects (A, C, E, P) be;

1. Located within an area identified as a "Village Area" or;  
for (A, C, P) "Non-Rural Area" or;  
for (E) not located within a rural area based on the Residential Growth Guide Plan in the Plan of Conservation and Development.

The applicant has suggested language to be included in this subsection that would allow properties that did not meet the location criteria above which normally would not be eligible for a change to the MFDD be allowable if they meet the following criteria;

1. Be at least 20AC in size
2. Have access to public water and sewer
3. Be located within the R3
4. Not be within a non-residential area, as depicted on the Growth Plan
5. Provide for increased residential density and promote housing opportunities for East Windsor.



## General Comments:

The current MFDD regulations are complex and cumbersome, encompassing 14 pages in total. In brief summary, the text amendment application currently before the Commission seeks to expand the possible locations these developments may happen and allow for more units to be built.

While the ideal scenario would be to examine this section in its totality and work to streamline the criteria we cannot attempt to do so within the statutory timeframes for this particular application.

I am generally in agreement with the applicant's suggestion that the charge of this Commission is to increase housing diversity for East Windsor. As indicated within the application narrative, pages 32 and 33 of the Town's PoCD do promote "increased density of housing units in key locations". However, if you continue to the bottom of page 33, you will note recommendation #3, which states in part, "any other application to create a multi-family development which allows for multiple dwelling units on one parcel of land should not be approved".

Chapter 124, Section 8-2 of the CT General Statutes requires this Commission to "consider the PoCD" during the consideration of a zoning regulation for adoptions. While the proposed changes requested by this application may seem in conflict with that particular section of the PoCD it is important to consider that the plan was written and adopted in 2016. Since that time, much has changed regarding the residential housing market, particularly in Connecticut. Incomes for families has not kept pace with real estate costs and as a result over 45% of the households in East Windsor are considered to be "cost burdened" as they are spending more than 30% of their total household income on housing.

Staff would suggest the applicant and Commission consider including an additional qualifying criterion within the 802.4(c) which could read, "shall provide residents within the development community amenities and access to open space". Both of these criteria will help to further distinguish these developments from more traditional single-family residential development projects.

If Commission feels comfortable that the changes requested by the applicant will help to increase access and diversity of housing types in East Windsor and also understands that circumstances have changed since the suggestions outlined within the PoCD have been drafted, then staff would support an approval of this application.

CBA EDUCATION & TRAINING

## **Planning & Zoning**

# CONNECTICUT LAND USE LAW FOR MUNICIPAL LAND USE AGENCIES, BOARDS, AND COMMISSIONS

**Saturday, March 6, 2021  
9:00 a.m. – 4:30 p.m.**

### **Webinar**

This is a virtual meeting and will be accessible via Zoom. Zoom is a cloud-based platform for video and audio conferencing. It can be accessed through a browser on any device, or the Zoom app.

**To receive your Webinar Link, you must provide your e-mail address when you register.**

**To receive your printed course material, in a timely manner, please register by February 15th.**



Sponsored by the  
Connecticut Bar Association  
Planning and Zoning Section

# CONNECTICUT LAND USE LAW FOR MUNICIPAL LAND USE AGENCIES, BOARDS, AND COMMISSIONS

**The future of Connecticut's communities will be shaped by its land use laws and regulations. Developers, neighbors, and preservationists all intersect before municipal land use boards and commissions, advocating their particular interests and approaches. Each commission member regularly has to make critical decisions, all within the context of complicated statutory and case law.**

**This introductory level course will focus on topics of immediate concern to all municipal land use agencies, boards, commissions, and their staffs. The topics reflect both timely and practical situations, confronting participants at every level of the municipal land use process. This course will provide a broad review of the municipal land use process, including zoning, planning, zoning board of appeals, and wetlands issues. Members of municipal land use agencies, boards, and commissions, as well as municipal planners, enforcement officers, and engineers will benefit from this full day course.**



# SEMINAR PROGRAM

**9:00 a.m. – 9:10 a.m.**

## **Welcome**

*Atty. Eric Bernheim, Westport*

*Atty. Dorian Famiglietti, Vernon*

*Co-chairs, CBA Planning and Zoning Section*

**9:10 a.m. – 9:40 a.m.**

## **Planning Commissions**

*Atty. Amy E. Souchuns, Milford*

This session will cover powers of the planning commission, plan of development, statutory notice requirements, subdivisions and resubdivisions, multi-agency approvals, reasons for denial, open space, changes in regulations, bonding requirements, conditional approvals, and mandating off-site improvements.

**9:40 a.m. – 10:10 a.m.**

## **Zoning Commissions**

*Atty. David M. Royston, Old Saybrook*

This session will cover enabling legislation, powers of zoning commissions and proper purposes and goals of zoning, the comprehensive plan, proper notices of hearings, designating and amending zoning districts, spot zoning, floating zones, the uniformity requirement, dependence upon other governmental agency action, rendering decisions, and publications of notices of decisions.

**10:10 a.m. – 10:20 a.m.**

## **Break**

**10:20 a.m. – 10:50 a.m.**

## **Non-Conforming Uses**

*Atty. Christopher J. Smith, Hartford*

This session will entail a general discussion of the origin, scope, and problems of non-conforming uses.



**10:50 a.m. – 11:20 a.m.**

**Special Permit and Site Plan Review**

*Atty. Brian R. Smith, Hartford*

This session will cover statutory requirements and the distinction between special permit and site plan review, and appeals from decisions on applications for special permit and site plan approval.

**11:20 a.m. – 11:50 a.m.**

**Zoning Board of Appeals**

*Atty. Dorian R. Famiglietti, Vernon*

This session will cover functions of zoning boards of appeal, variances, legal requisites for hardship, including issues of confiscation and self-created hardships, other statutory duties of the ZBA, and hearing procedures.

**12:00 p.m. – 12:30 p.m.**

**The 2020 ZiPLeR Awards**

*Atty. Dwight H. Merriam, FAICP, CRE,  
Weatogue*

**12:30 p.m. – 1:00 p.m.**

**Wetlands Law and Procedure**

*Atty. Michael A. Zizka, Hartford*

This session will cover a review of procedures of municipal inland wetlands and watercourse agencies, and how wetlands law impacts the zoning and planning process.

**1:00 p.m. – 1:30 p.m.**

**Conflict of Interest and Predisposition**

*Atty. Richard P. Roberts, Hartford*

This session will cover statutory provisions on conflict of interest, rules governing predisposition and predetermination, court decisions on conflict of interest, drawing the line between cases where disqualification applies and does not apply, and procedural problems when a question of conflict arises.

**1:30 p.m. – 2:00 p.m.**

**Procedural Issues in the Municipal Land Use Process**

*Atty. Peter S. Olson, Bethel*

This session will cover a review of statutory provisions and case law concerning administrative process, applications; conducting a public hearing; creating the administrative record, and making appropriate findings and conclusions to support decisions.

**2:00 p.m. – 2:10 p.m.**

**Break**

**2:10 p.m. – 2:40 p.m.**

**Affordable Housing: The Municipal Perspective**

*Atty. Ira W. Bloom, Westport*

This session will cover a review of an application filed under Section 8-30g of the General Statutes from the Planning & Zoning Commission perspective, including practical advice and a review of the relevant case law.

**2:40 p.m. – 3:10 p.m.**

**Things to Watch out For:**

**Fair Housing Act, Religious Land Use and Institutionalized Persons Act (RLUIPA)**

*Atty. Marjorie F. Shansky, New Haven*

This session will cover a review of the implications of federal legislation on local zoning, particularly the Fair Housing Act and the Religious Land Use and Institutionalized Persons Act (RLUIPA) as well as state law considerations regarding religious expression and free speech issues.

**3:10 p.m. – 3:40 p.m.**

**Enforcement**

*Atty. Charles R. Andres, New Haven*

This session will cover analysis and discussion of Connecticut law concerning enforcement through the zoning, planning, and wetlands process.

**3:40 p.m. – 4:10 p.m.**

**Environmental Interventions**

*Atty. Janet P. Brooks, East Berlin*

This session will cover interventions under Conn. Gen. Stat. Section 22a-19 for the purpose of raising environmental issues: what they are, what they do, and what you have to do when you get one.

**4:10 p.m. - 4:30 p.m.**

**Questions**

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**Please Note:**

**This program is available only to members of municipal land use agencies and their support staff.**

**Refunds of seminar fees will not be granted for cancellations after the course material is mailed out.**

To receive your printed course material, in a timely manner, please register by February 15th.

To receive your webinar link, you must provide your e-mail address when you register.

This is a virtual meeting and will be accessible via Zoom. Zoom is a cloud-based platform for video and audio conferencing. It can be accessed through a browser on any device, or the Zoom app.

**Registration Form**  
**Connecticut Land Use Law Seminar**  
Saturday, March 6, 2021

**To Register**

To receive your printed course material, in a timely manner, please register by February 15th.

To receive your webinar link, you must provide your e-mail address when you register.

- Visit [ctbar.org/LandUse2021](http://ctbar.org/LandUse2021) to register online
- Mail the completed form to:  
Connecticut Bar Association, 30 Bank St, New Britain, CT 06051
- Fax the completed form to (860)223-4488
- Call (860)223-4400

*Payment must accompany registration.*

*(Please use a separate registration form for each registrant)*

- Yes, I will attend the Virtual Connecticut Land Use Law Seminar \$40.00 (includes printed copy of materials)
- No, I cannot attend the seminar, but would like to purchase \_\_\_\_\_ copies of the seminar materials \$40.00 per copy (includes shipping and handling)

**Please PRINT full name.**

Name: \_\_\_\_\_

Municipal Agency: \_\_\_\_\_

E-mail: \_\_\_\_\_

Shipping Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

**Payment Method**

Check (payable to Connecticut Bar Association)

Visa  MC  Amex  Discover Amount: \$ \_\_\_\_\_

Card #: \_\_\_\_\_

Exp. Date: \_\_\_\_\_ CVV: \_\_\_\_\_

Billing Zip Code: \_\_\_\_\_

Signature: \_\_\_\_\_

Meeting code: #SPZ210306