



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

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

**PLANNING AND ZONING COMMISSION
REVISED - REGULAR MEETING AGENDA
MONDAY, FEBRUARY 22, 2021, 7:00 PM
SENIOR CENTER GREAT ROOM, 40 MAPLE 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):

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. *(Tabled from January 25, 2021 meeting.) (Notice requirements met, hearing may commence)*
2. Z202101 - Ellington Enterprises, owner/applicant, pursuant to Section 4.1 of the Ellington Zoning Regulations request for a Special Permit and Site Plan modification for the construction of a 9,600 sf building with wash bay at 77 Meadow Brook Road, APN 091-009-0000 in an I - Industrial Zone. *(Opening of hearing to be tabled to March 22, 2021)*

IV. OLD BUSINESS:

1. Discuss draft zoning regulation amendment for Access Management.

V. NEW BUSINESS:

1. Z202102 – 267 Jobs Hill Road, LLC, owner/ applicant, pursuant to Section 7.14.3 (C) of the Ellington Zoning Regulations request for a Special Permit for a horse boarding & riding arena operation and Site Plan Approval for the reconstruction and expansion of a horse riding arena and boarding stalls, building connector, storage area and associated site improvements at 267 Jobs Hill Road, APN 159-022-0000 in a RAR (Rural Agricultural Residential) Zone. *(For receipt & scheduling of public hearing only.)*

VI. ADMINISTRATIVE BUSINESS:

1. Approval of January 25, 2021 Regular Meeting Minutes.
2. Correspondence:
 - a. Discuss referral from East Windsor for a proposed zone change from single-family zoning (R-3) to Multi Family Development District (MFDD) for land in East Windsor along the town line on Broad Brook Road and text amendment to the MFDD to remove locational restrictions for land formerly approved for a 48 lot single-family development.

b. Election of Officers.

VII. ADJOURNMENT:

Next PZC Regular Meeting is scheduled for March 22, 2021

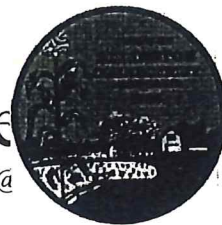
Join Meeting via ZOOM Communications: Due to COVID-19, in-person attendance is limited to maximum occupancy based on fixed seating arrangements meeting social distancing requirements. Attendance for this meeting is also available using the online video conferencing provider Zoom Meeting. Details to attend the meeting virtually are provided on the meeting agenda and posted on the Town of Ellington's webpage (www.ellington-ct.gov) 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/98958979146>
Meeting ID: 989 5897 9146
Password: 312551

Join Zoom Meeting by phone:
1-646-558-8656 US (New York)
Meeting ID: 989 5897 9146
Password: 312551

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 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.

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-Hollay, owners, for review.

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.

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

Lisa & Ray,

I spoke with Heather Holloy 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. Holloy 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. Holloy 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

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 Rd.
-Sullivan
CT 06029

January 31st, 2017.

Dear Mr. Lawrence

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

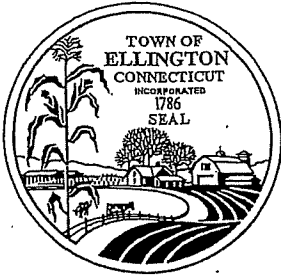
Nobody else ever lives there again now that we are aware of the existing law governing 2 dwellings in one site.

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

Respectfully Yours,

Joseph Hickey
Mary Ann Byrne-Hickey

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.



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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

Town of Ellington Planning & Zoning Commission Application

Type of Application: <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>
---	---

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 HOLLY
 Mailing Address: Attorney Bruce Fader, Jacobs, Walker Rice & Bamy LLC, 146 MAIN ST, Manchester, CT 06042, bfader@jwrbr.com
 Email: _____

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. 095-021-0001

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

RECEIVED

DEC 02 2020

TOWN OF ELLINGTON
PLANNING & ZONING DEPARTMENT

JACOBS, WALKER, RICE & BARRY, LLC

November 25, 2020
Page 2

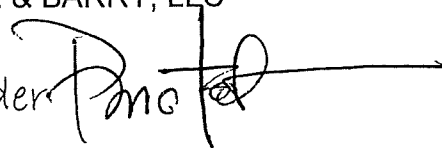
DPH with respect to the NCHD Plan Approval, (iii) the subdivision map filed in the land records as H-844, showing the footprint of the barn, and (iv) a copy of a November 19, 2008 letter from the project engineer, Mark Peterson of Gardner & Peterson, providing background information for the septic system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

Plan Approval

For

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

156 Crystal Lake Road Ellington
Street # Street Name Town

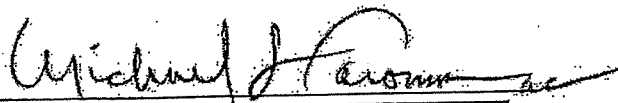
The Code Compliant Area would require 900 square feet of leach field - where the proposed Bedroom in the Barn would be considered a Multifamily addition thus requiring the addition of 225 sq. ft. of leach field to the existing System.

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

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

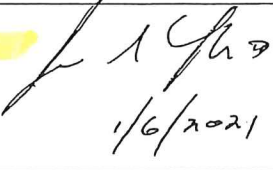
ELLINGTON PLANNING DEPARTMENT
STAFF REVIEW SHEET

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  1/6/2021	
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

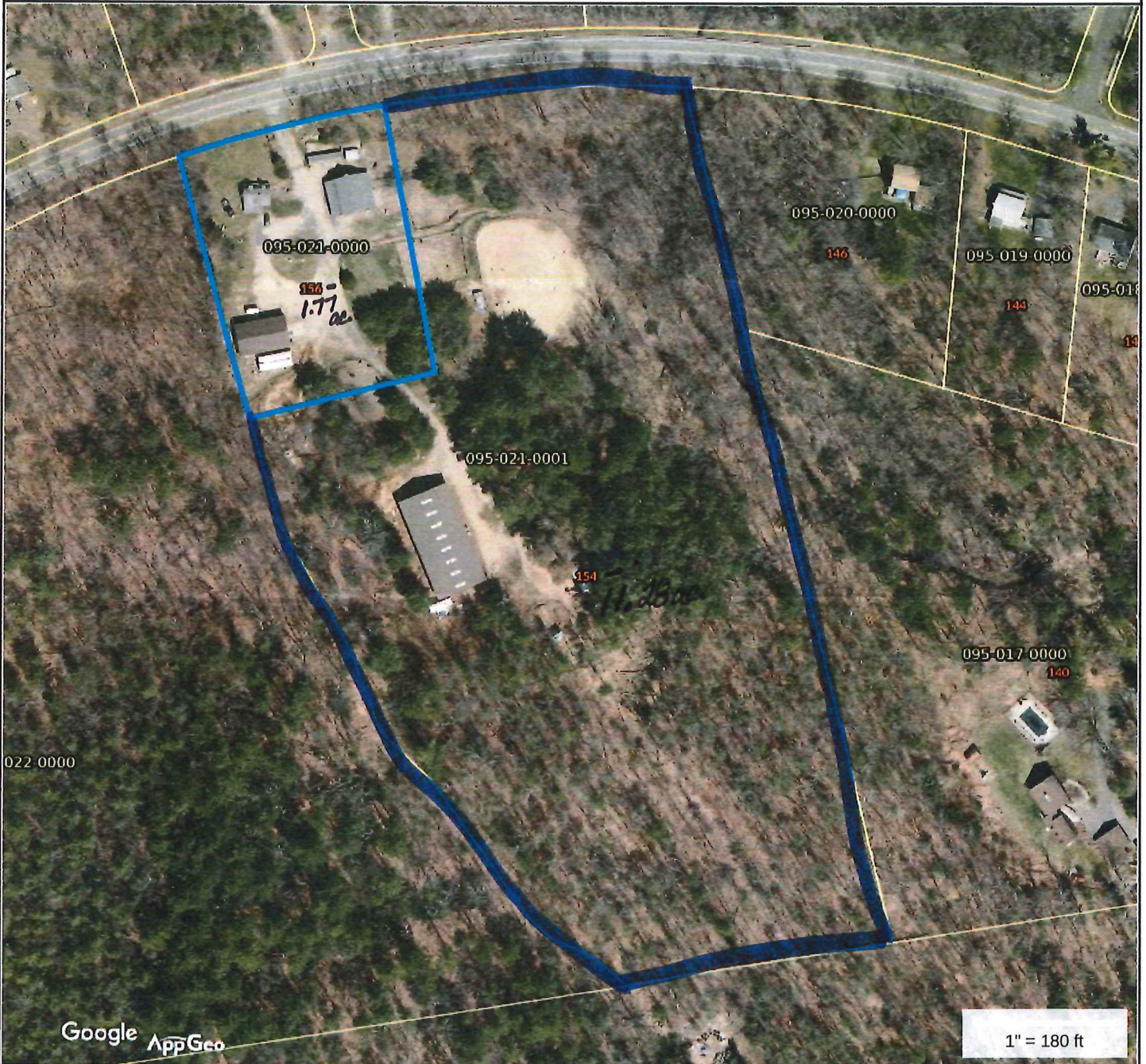
> Town of Ellington

> 55 Main Street


> Ellington, CT 06029

> (860) 870-3120

154-156 Crystal Lake Road



Property Information
 Property ID 095 021 0000
 Location 156 CRYSTAL LAKE RD
 Owner HOLLAY JOSEPH E + MARY TERESA
095-021-0001
154 Crystal Lake Rd.



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

Town of Ellington, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 7/23/2020
 Data updated 7/23/2020

1" = 180 ft

Barbra Galovich

Z202101

From: P Stavens <pstavens@barberutilities.com>
Sent: Tuesday, February 09, 2021 11:45 AM
To: Barbra Galovich
Subject: 77 Meadow Brook 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.

Good Morning,

We are requesting to table the opening of our PZC hearing to March 22nd.

Thank you

Patrick Stavens
Barber Utilities
Cell: 860 836-5451
Office: 860 872-2330

6.6 ACCESS MANAGEMENT

- A. **Purpose** Traffic flow and roadway safety can be significantly reduced from the proliferation of access points and intersections along roadways. Access management is a technique used to promote safe movement of vehicles, smooth flow of traffic, preserve the capacity of roadways, and reduce vehicular congestion and conflicts, especially along heavily trafficked roads and state highways.
- B. **Intent** This regulation is intended to control the number, size and location of access points, and the distance between access points, intersections and traffic signals, and require the use of shared access points and interconnections between abutting properties, while allowing proper and adequate access to and from premises.
- C. **Applicability** As determined by the commission or its agent, this regulation shall apply to Designed Multi-Family developments, division of a land into two or more parcels, commercial and industrial developments, and modifications thereto along arterial and collector streets listed in Section 2.1.10-Highway Clearance Setback, except for Hopkins Road, or on Lower Butcher Road, Tomoka Avenue and Meadow Brook Road.
- D. **General** No parcel of land or use shall have more than one access point unless required by the commission for emergency access or other safety purpose. As part of application approval, the commission may require an application or owner to:
1. provide a traffic impact analysis, prepared by a professional engineer licensed in Connecticut, containing sufficient details to review:
 - a. the number and location of access points;
 - b. the nature and type of traffic circulation to and from premises and adjacent properties;
 - c. the relationship of new access points to adjacent properties, roadways, intersections and traffic signals;
 - d. interconnections between properties, parking layouts and traffic circulation; and,
 - e. other information requested by the commission.
 2. close an existing access point or eliminate a proposed access point.
 3. establish or use a shared access point and/or interconnection between properties and record an easement on the land records in favor of the abutting property and/or the Town of Ellington in a form acceptable to the town attorney.
- E. The cost of making physical improvements to accomplish shared access or interconnections between properties, including any work which may be required on adjoining parcels, shall be borne by the developer and/or owner of the property for the current application, unless a separate agreement is present.
- F. The commission may be guided by the Interior Access Concept Plan for Route 83, as may be amended, when considering access management techniques for properties along Route 83.



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**PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
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**

MEMBERS PRESENT: IN MEETING ROOM: VICE CHAIRMAN SEAN KELLY, REGULAR MEMBERS F. MICHAEL FRANCIS, RICCI HIRTH, MICHAEL SWANSON AND ALTERNATE JON MOSER

MEMBERS ABSENT: CHAIRMAN ARLO HOFFMAN, SECRETARY ROBERT SANDBERG, JR. AND REGULAR MEMBER WILLIAM HOGAN

STAFF PRESENT: VIA ZOOM: LISA HOULIHAN, TOWN PLANNER; IN MEETING ROOM: BARBRA GALOVICH, RECORDING CLERK

I. CALL TO ORDER: Vice-Chairman Kelly called the meeting to order at 7:02 PM.

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

III. PUBLIC HEARING(S):

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.

TIME: 7:03 PM

SEATED: Kelly, Francis, Hirth, Swanson and Moser

Vice Chairman Kelly stated the Planning Department received an email from Attorney Bruce Fader requesting to table the opening of the public hearing to February 22, 2021.

BY CONSENSUS, TABLE THE OPENING OF THE PUBLIC HEARING TO FEBRUARY 22, 2021 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.

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.

TIME: 7:04 PM

SEATED: Kelly, Francis, Hirth, Swanson and Moser

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

Mr. Hesketh stated the applicant is requesting a Special Permit for Earthlight Technologies which will include a business office, warehouse and storage, storage yard for building materials and a ground mounted solar array. They are also seeking approval for a 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. He noted the previous approvals obtained for the project. Mr. Hesketh said Phase I of the project has been completed and 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 for the Earthlight development area. Mr. Hesketh stated the pole lights are proposed to be 25' in height from grade and the driveway will be paved. He also noted that the Erosion & Sediment Control Plan is in accordance with the Department of Energy and Environmental Protection (DEEP) guidelines.

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 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. He noted they will be adding some split rail fencing around the outside employee's break area.

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 office portion of the building will be made of timber frame, stone and reclaimed barn board. The warehouse portion of the building will be constructed with steel with four overhead doors to the rear of the building, a covered loading dock area and solar panels on the roof. They are proposing to have 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 storm drainage will be in the back of the property.

Mr. Hesketh said this application does not include a detached sign request for approval due to the design of the sign is still to be determined. Mr. Schneider stated they will apply for the freestanding sign at a later date.

Vice Chairman Kelly asked if there will be any future curb cuts along Route 83. Mr. Hesketh clarified there will only be one shared access between Earthlight and The Barn Yard from Route 83, noting the plans provide for future internal connections to the north and south adjacent parcels. The Barn Yard will also have a connection by way of the proposed covered bridge on the south side of the parcel.

Commissioner Hirth asked if the driveway will be paved after construction has been completed. Mr. Hesketh stated it will be paved asphalt and not millings. Commissioner Hirth stated the plans look great. Commissioner Francis asked for clarification about solar panels on the roof of the warehouse, Mr. Hesketh verified. Commissioner Francis said he liked the plans.

Alternate Moser asked about any future development in front of the proposed Earthlight building. Mr. Schneider noted they will be leasing out the land, which will remain a hayfield for now and are not planning on developing in front of their proposed building at this time. Commissioner Swanson supports the application.

No one from the public spoke regarding the application.

Ms. Houlihan reviewed staff comments from the Fire Marshal, North Central District Health Department, Town Engineer, Department of Public Works, and Water Pollution Control Authority; noting staff comments were previously shared with the applicant. She discussed the favorable report from the Design Review Board (DRB), and suggested staff comments and recommendations from DRB be set as conditions of approval. Mr. Hesketh noted that they will work with Town staff to satisfy any of their comments/concerns.

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE HEARING 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.

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE W/CONDITIONS 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.

CONDITIONS OF APPROVAL:

1. **Subject to compliance with the report from the Fire Marshal dated January 6, 2021.**
 2. **Subject to compliance with the report from North Central District Health Department received January 6, 2021.**
 3. **Subject to comments from the Department of Public Works / Water Pollution Control Authority dated January 4, 2021.**
 4. **Subject to compliance with the report from the Town Engineer dated January 19, 2021.**
 5. **Approval does not apply to conceptual site improvements shown as Possible Future Development.**
 6. **Light duty pavement areas shall be constructed of material suitable for passage by emergency service vehicles and resurfaced as needed and maintained in perpetuity.**
 7. **Pavement markings should be repainted as needed and maintained in perpetuity.**
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.

TIME: 7:57 pm

SEATED: Kelly, Francis, Hirth, Swanson and Moser

Stephen Shepler, 11 Woodland Trail and Rob Proulx, Proulx Building & Remodeling, LLC, 132B West Main Street, Stafford Springs, were present to represent the application.

Mr. Shepler explained he is looking to attach a two car garage to the existing house with an additional bedroom, bathroom and common area above the garage for a total of five car garages. He said he will be using the additional garages for his vehicles and no business will be conducted within the garages. Mr. Proulx briefly explained how the owners will have an enclosed catwalk from the second story of the home to the area above the proposed new garage. They will access the garage from ground level. It was stated for the record that no kitchen will be in the addition and the new space will not use as an assessor apartment. Commissioner Swanson asked if the driveway will be enlarged. Mr. Proulx confirmed that the driveway will be widened to 15 feet with asphalt to have access to the new garage.

No one from the public spoke regarding the application.

MOVED (FRANCIS) SECONDED (MOSER) AND PASSED UNANIMOUSLY TO CLOSE THE HEARING FOR 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.

MOVED (HIRTH) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE W/CONDITIONS FOR 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.

Conditions of approval:

- 1) **Garages shall not be used to conduct commercial operations.**
- 2) **Living area above garage shall not be used as an accessory apartment without prior approval from the Planning & Zoning Commission.**
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.

TIME: 8:09 pm

SEATED: Kelly, Francis, Hirth, Swanson and Moser

Mark Peterson, Gardner and Peterson Associates, LLC, 178 Hartford Turnpike, Tolland, CT and Michael Leaska, Leaska Construction Company, Inc., 22 Bittersweet Hill, Somers, CT were present to represent the application.

Mr. Peterson explained the location of the 61.56 acre parcel, which is located across from Standish Road on the west side of Tripp Road. The applicant is seeking a re-subdivision approval for eleven single family lots, and no rear lots are proposed with this application. He reviewed the drainage on the site, and stated the proposed homes will have access to public water. North Central District Health Department has provided a favorable review for the re-subdivision. He noted that there will be two fire hydrants installed, one at the beginning of the proposed road and another in front of proposed lot# 8. There will be a four way stop at the intersection of Tripp Road, Standish Road and proposed Garnet Lane, which will be 1,000 linear feet. Mr. Peterson stated that the open space requirements for the re-subdivision were previously met. He noted that they have addressed a few staff comments, such as modifying the street trees to both sides of the road a maximum of 50' on center and plantings

will meet requirements. There is a waiver submitted requesting to install HDPE pipe rather than RCP material of which is supported by staff and was approved by the commission during review of the last re-subdivision application.

Vice-Chairman Kelly asked how the drainage will work on site. Mr. Peterson explained there will be plantings within the basin and stone laying within the trench to help spread out the flow of water, along with a grassy area to help with drainage. The detent basin is 1-2' in depth. Vice-Chairman Kelly requested installing fencing around the area for safety of the public and to work with Public Works should approval be granted. Commissioner Swanson inquired about the proposed Cape Cod curbing and widening of the road. Mr. Peterson stated the applicant would prefer to use the Cape Cod curbing and will have grass between the road and sidewalks. He noted they are not asking to extend the road any further than 1,000 linear feet nor requesting to reduce the road pavement width. Alternate Moser stated that he likes the idea of the Cape Cod curbing and is safer for vehicles. Commissioners Francis and Hirth did not have any additional questions.

Alan Hastillo, 100 Tripp Road, questioned the groundwater on the site. He said past developments over many years increased the water table on adjacent land he farms in East Windsor and inquired about the flood plain. Mr. Peterson explained there is no proposed activity near the wetlands and they have addressed concerns from the Town Engineer. They were granted a positive referral from the Inland Wetlands Agency for the proposed eleven lots, indicating they are proposing to seed down grade from the proposed storm water basin and no earth activity within the upland review area. Ms. Houlihan explained the role the Inland Wetlands Agency has when reviewing a proposed subdivision and all construction activity is outside of the upland review area. Mr. Peterson noted the wetlands and flood plain designations are on the plans. The wetlands were flagged in 2019 and they used the latest available FEMA map that is available.

No other individuals from the public commented on the application.

MOVED (HIRTH) SECONDED (MOSER) AND PASSED UNANIMOUSLY TO CLOSE THE HEARING FOR 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.

MOVED (HIRTH) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO GRANT A WAIVER OF APPENDIX C 3.13(A) TO ALLOW HDPE PIPE FINDING THE CHANGE IN MATERIAL CONSISTENT WITH SOUND CONSTRUCTION PRACTICES AND SUPPORTED BY PERTINENT TOWN DEPARTMENTS INCLUDING THE DEPARTMENT OF PUBLIC WORKS AND TOWN ENGINEERING FOR 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.

MOVED (HIRTH) SECONDED (FRANCIS) AND PASSED (YEA – KELLY, FRANCIS, HIRTH, AND MOSER; NAY - SWANSON) TO APPROVE W/CONDITIONS FOR 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.

Conditions of approval:

- 1. Comply with the Fire Marshal's report dated January 6, 2021.**
- 2. Comply with North Central District Health Department's report dated January 22, 2021.**
- 3. Comply with Town Engineer's report dated January 20, 2021.**

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.

Ms. Houlihan said the Windermere Village project was originally approved in 2004, which consisted of multiple phases and the latest approval was granted in 2015. She explained changes in state law regarding bonding. The Town Engineer has recommended reconfiguring some of the bonding for the remaining outstanding activity to complete the overall project. Upon a brief discussion, it was agreed to accept the Town Engineer's recommendations for the remaining bonding.

MOVED (FRANCIS) SECONDED (MOSER) AND PASSED UNANIMOUSLY to accept the bond recommendation from the Town Engineer as detailed on the Bond Estimate Form dated January 6, 2021, for Windermere Village, Job No. 2017-902.

2. Discuss a potential zoning amendment for Access Management.

BY CONSENSUS, TABLED DISCUSSION TO THE NEXT REGULAR MEETING FOR FEBRUARY 22, 2021, 7:00 PM, TOWN HALL ANNEX, 57 MAIN ST, ELLINGTON, CT, AND ZOOM.

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.

Linda Anderson and Lauren Desrocher of the Ellington Trails Committee and Aidan Stratoudakis, 39 Newell Hill Road were present to represent the application.

Ms. Desrocher explained the Trails Committee is looking to install an amphitheater area on the parcel for educational purposes. They are looking to add a 10'x14' platform with eighteen (18) 4 ½ foot benches to create an amphitheater atmosphere to supplement the existing aspects of the public open space area.

Ms. Anderson explained the Trails Committee will maintain the structures and Public Works will maintain the mowing within the area. She mentioned they may install a gate with a lock at the entrance when the area is not being used. The theater will be used for educational purposes only, no weddings, special parties or alcohol allowed. Ms. Anderson said there is no electricity on site and the existing parking area could have up to 30 cars at one time.

Aidan Stratoudakis, 39 Newell Hill Road, is currently a Boy Scout who is looking to make the platform and 18 benches for his Eagle Project. He said that he's currently fundraising for the materials to be used for the platform and benches, and noted if there's any money leftover he would like to have donation plaques added to the benches.

Ms. Anderson said she spoke with the Building Official and he has no concerns with the project.

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE W/CONDITIONS FOR 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.

Condition of approval:

- 1.) **Trails Committee to work with Town Officials to address comments from the Fire Marshal as referenced in his memo dated January 8, 2021.**
2. Z202101 - Ellington Enterprises, owner/applicant, pursuant to Section 4.1 of the Ellington Zoning Regulations request for a Special Permit and Site Plan modification for the construction of a 9,600 sf building with wash bay at 77 Meadow Brook Road, APN 091-009-0000 in an I - Industrial Zone.

BY CONSENSUS, RECEIVED AND SCHEDULED FOR A PUBLIC HEARING FOR FEBRUARY 22, 2021, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, FOR Z202101 - Ellington Enterprises, owner/applicant, pursuant to Section 4.1 of the Ellington Zoning Regulations request for a Special Permit and Site Plan modification for the construction of a 9,600 sf building with wash bay at 77 Meadow Brook Road, APN 091-009-0000 in an I - Industrial Zone.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of December 21, 2020 Special Meeting Minutes.

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE DECEMBER 21, 2020 SPECIAL MEETING MINUTES AS WRITTEN.

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.

Ms. Houlihan briefly explained the Town of East Windsor is considering text and zone change amendment applications impacting land along the town line. The referenced parcel was approved in 2007 for a 48 lot subdivision which was not constructed. Upon roundtable discussion, the commission requested Ms. Houlihan submit a memo to the East Windsor Planning and Zoning Commission on their behalf.

BY CONSENSUS, AT CURSORY REVIEW REQUESTED A MEMO BE SENT TO EAST WINDSOR PLANNING AND ZONING COMMISSION EXPRESSING CONCERNS FOR INCREASE TO TRAFFIC ON RURAL ROADS, INCREASE IN RUNOFF AND WATER QUALITY ISSUES, CONCERNS FOR NEGATIVE IMPACT TO WETLANDS AND BROAD BROOK, AND REQUEST THE PUBLIC HEARING REMAIN OPEN TO PROVIDE THE ELLINGTON PLANNING & ZONING COMMISSION ADDITIONAL TIME TO REVIEW.

- b. Election of Officers.

BY CONSENSUS, TABLED TO THE NEXT REGULAR MEETING FOR FEBRUARY 22, 2021, 7:00 PM, TOWN HALL ANNEX, 57 MAIN ST, ELLINGTON, CT, AND ZOOM.

- c. Connecticut Land Use Law for Municipal Land Use Agencies, Boards and Commissions Seminar Saturday, March 6, 2021.

No present commissioners requested to attend the seminar.

Ms. Houlihan spoke briefly about an inquiry she received for installing additional lights at the Robert Tedford Memorial Park. The commission agreed to investigate setting lighting standards for public parks.

VII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 9:57 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk



**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1796 – February 9, 2021
ZOOM Teleconference
Meeting ID: 332 683 3563
MEETING MINUTES**

- A. **PZ-2021-03, Chez Hospitality**, Special Use Permit Application for Salee of Alcohol at 122 Prospect Hill Road. (Map 112, Block 17, Lot 001A-01. Zone B-2.
- B. **PZ-2021-04, Noble Energy Real Estate**, Text Amendment Application, Section 502 Permitted uses in Business & Industrial Districts and Section 503 Permitted Accessory Uses.

Chairman Ouellette noted both new applications will be heard in March.

PERFORMANCE BONDS – ACTIONS; PERMIT EXTENSIONS; ROAD ACCEPTANCE

No requests presented under this Item of Business this evening.

CONTINUED PUBLIC HEARINGS: A. PZ-2020-20, SJK Properties, LLC Text Amendment Application to East Windsor Zoning Regulations Section 802 Multi Family Development District (MFDD).

B. PZ-2020-21, SJK Properties, LLC Zone Change Application, zone change from R-3 to MFDD.

AND

Map 100, Block 77, Lots: 006-01, 006-02, 006-03, 006-04, 006-05, 006-06, 006-07, Map 100, Block 77, Lots: 006-01, 006-02, 006-03, 006-04, 006-05, 006-06, 006-07, 006-08, 006-09, 006-10, 006-36, 006-37, 006-38, 006-39, 006-40, 006-41, 006-42, 006-43, 006-44, 006-45, 006-46, 006-47, 009-02B, 009, 009-11, 009-12, 009-13

Map 110, Block 77, Lots, 009-14, 009-15, 009-16, 009-17, 009-18, 009-19, 009-20, 009-21, 009-22, 009-23, 009-24, 009-25, 006-26, 006-27, 006-28, 006-29, 006-30, 006-31, 006-32, 006-33, 006-34, 006-35, 006-34A

Map 090, Block 77, Lots: 006-48, 006, 006A, 006B:

Appearing to discuss these applications was Marek Kement, representing the Kement family, and SJK Properties, LLC.

Mr. Kement reported they are now out of court regarding Quarry Meadows, and can now move forward with development of the subdivision. Mr. Kement noted this development was originally approved as a 48-lot subdivision. As required by the regulations the development must have a second thoroughfare onto Sullivan Farm Road. If the family moves forward with this proposal it will have the following impacts:

*Pzc 2/22/21
Agenda
Under
Correspondence*

**TOWN OF EAST WINDSOR
PLANNING AND ZONING COMMISSION
Regular Meeting #1796 – February 9, 2021
ZOOM Teleconference
Meeting ID: 332 683 3563
MEETING MINUTES**

4

- Access can be a potential cut-through to Depot Street
- The development will include access to land in Ellington
- Possible access to Hemlock Drive

Mr. Kement noted the conceptual proposal for Quarry Meadows was for a single-family home development governed under a homeowners association. He indicated they are no longer looking for the higher density so the maximum units for their revised proposal would be 88 units. The revised proposal would eliminate the village cluster of the units. Mr. Kement indicated they need to use the existing access off of Depot Street because of the infrastructure for the approved sewer line, which is the only property approved for public sewer in this part of town. Mr. Kement reviewed the size of the parcel, and required set back limitations.

Mr. Kement suggested perhaps the proposal for 150 units was too aggressive. He assured the public they have been listening to the concerns and comments of the residents. Mr. Kement indicated they feel they need to step back, and are withdrawing both applications.

Chairman Ouellette clarified that there are no longer applications before the Commission, and therefore no need for additional discussion or action by the Commission.

NEW PUBLIC HEARINGS: None.

OLD BUSINESS/ A. PZ-2021-01, 111 South Main Street (Map 052, Block 20, Lot 061) Zone Change Application, United Ag & Turf Northeast for a zone change from R-3 to TZ5:

Appearing to discuss this application was Tim Coon, of J. R. Russo & Associates. Mr. Coon indicated he understands the Public Hearing on this application has been closed; the Commission has yet to make a decision. Chairman Ouellette concurred.

Chairman Ouellette asked if Interim Town Planner D'Amato had prepared a Staff memo; Interim Town Planner D'Amato indicated he had nothing to add.

Chairman Ouellette asked if the Commissioners if they were prepared to consider action on this application? Commissioner Gobin and Commissioner Gowdy were all set with the information provided; Commissioner Thurz and Commissioner Kowalski indicated they were ready to consider a motion; everything had been covered at the previous meeting.

MOTION TO APPROVE:

January 8, 2021

TO: EAST WINDSOR PLANNING AND ZONING COMMISSION

REPORT ON ZONING REFERRAL Z-2020-98: Proposed zoning amendment and map change to 54 parcels currently zoned R-3 to Multifamily Residential Development (MFDD) to allow for multifamily development on parcels a minimum of 20 acres for a maximum of 4 detached units per acre, but not to exceed 15.

COMMISSIONERS: Receipt is acknowledged of the above-mentioned referral. Notice of this proposal was transmitted to the Policy and Planning Division of the Capitol Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

COMMENT: The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this zoning referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns. The proposed location does not appear to conflict with the regional plan of conservation of development Conservation Focus Area map, although it is worth noting that it is adjacent to a Municipal Focus Area in Ellington for Conservation, Greenway / Open Space Connection / Sustainable Development, as such the proposed density and development should be designed so as to not negatively impact Ellington's focus area. It appears the area proposed for rezoning may already be served by existing infrastructure, which CRCOG would strongly encourage as that would align with the regional goal to Use Existing Water and Sewer Infrastructure to Guide Future Growth and specifically the policy to "discourage the joint extension of sewer and water service into unserved rural areas." Staff encourages development that provides a variety of housing choices and opportunities per our goal to Increase the Range of Choice in Housing for People of All Income and All Ages, however, it may be worth noting that, if approved, the Town might consider reviewing East Windsor's POCD to ensure that the proposed regulations for the MFDD should apply to all the areas designated "Rural" in the Residential Growth and Guide Plan map that meet the 20 acre requirement, or if a new designation should be considered for this area in the future.

The public hearing date has been scheduled for 1/12/2021.

In accordance with our procedures this letter will constitute final CRCOG action on this referral. Questions concerning this referral should be directed to Caitlin Palmer.

DISTRIBUTION: Planner: South Windsor, Ellington, Enfield, Windsor, Windsor Locks

Respectfully submitted,

Jennifer Bartiss-Earley, Chairman
Regional Planning Commission

Brendan Malone, Vice Chairman
Regional Planning Commission



Caitlin Palmer
Senior Community Development Planner

RECEIVED

FEB 3 2021

TOWN OF EAST WINDSOR
PLANNING & DEVELOPMENT DEPT.