



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 FAX (860) 870-3122

**ZONING BOARD OF APPEALS
REGULAR MEETING AGENDA
MONDAY, APRIL 5, 2021, 7:00 PM
TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT**

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

I. CALL TO ORDER:

II. PUBLIC COMMENTS (ON NON-AGENDA ITEMS):

III. PUBLIC HEARING(S):

1. V202102 – Susann McCarthy, owner/applicant, to appeal a Cease & Deist Order from the Zoning Enforcement Officer at 15 Green Street, APN 129-043-0000 in a Lake Residential (LR) zone. (*Request to table opening of hearing present*)
2. V202104 – Andrew, Stephanie and Cynthia McNamar, owner/applicant, request for a variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback from 35ft to 15ft (along Hotel Road) for an addition at 1 Hotel Road, APN 148-033-0000 in a Lake Residential (LR) zone. (*Notice requirements met, hearing may commence*)
3. V202105 – Ellington Realty, Inc. & 87 West, LLC, owners/ Still Group d.b.a. The Hidden Still, applicant, request for variances of the Ellington Zoning Regulations Section 2.1.14- Accessory Uses and Section 4.2.1-Lot Area, Width & Yard Requirements: to reduce the side yard setback from 10 feet to 0 feet and front yard setback from 100 feet to 42 feet for a patio expansion for outdoor restaurant dining across a property line, and Section 2.1.7- Construction in Required Yards: to allow a six foot fence within the front yard setback at 87 West Road, APN 028-017-0000 and 89 West Road, APN 028-016-0000 in a Commercial (C) zone. (*Notice requirements met, hearing may commence*)

IV. ADMINISTRATIVE BUSINESS:

1. Approval of the March 1, 2021 Regular Meeting Minutes
2. Correspondence/Discussion:

V. ADJOURNMENT:

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 this meeting agenda and posted on the Town of Ellington's webpage (www.ellington-ct.gov) under Agenda & Minutes, Zoning Board of Appeals. For questions and assistance please contact the Ellington Planning Department at 860-870-3120.

Join Zoom Meeting via link:
<https://zoom.us/j/96620082441>
Meeting ID: 966 2008 2441
Password: 614849

Join Zoom Meeting by phone:
1 646 558 8656 US (New York)
Meeting ID: 966 2008 2441
Password: 614849

Next Regular Meeting is scheduled for May 3, 2021

Town of Ellington Zoning Board of Appeals Application

Application #
V202104
Date Received
3/1/2021

Type of Application: Variance Appeal of Decision Auto Dealer / Repairer License

Notices associated with this application will be sent to the applicant unless otherwise requested.

Owner's Information

Name: Andrew, Stephanie + Cynthia McNamar
 Mailing Address: 3 Hotel Rd.
Ellington, CT 06029
 Email: Stephanieamcnamar@gmail.com
cmcnamar@gmail.com

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

Primary Contact Phone #: 425-246-6460
 Secondary Contact Phone #: 425-246-6461

Owner's Signature: Stephanie McNamar Date: 2/28/21

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 Board 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 Board or its staff.

Notices associated with this application will be sent to the applicant unless otherwise requested.

Applicant's Information (if different than owner)

Name: _____
 Mailing Address: _____
Same as owner
 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 #: _____

Applicant's Signature: _____ Date: _____

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 Board have been submitted.

Street Address: 1 Hotel Rd. Ellington, CT 06029

Assessor's Parcel Number (APN): 148 - 033 - 0000 Zone: Lake Residential

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

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 Conn. Gen. Stat. §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.

Previous Variances related to this property? Yes No If yes, specify date 5/31/06

Requesting a Variance to Zoning Regulations Section: (For Variance Application only) Section 3.2.3 - Min. Yard Setbacks

Describe Variance Request, Appeal of Decision, or Auto Dealer/Repairer License: (Attach additional sheets if needed)
Reduce front yard setback from 35' to 15' (along Hotel Rd.)
for a 10x31' addition.

Hardship: Describe hardship and indicate why other options are unacceptable. (For Variance Application only)
lot size + lot configuration with two front yard setbacks

RECEIVED
MAR - 1 2021
 TOWN OF ELLINGTON
 PLANNING DEPARTMENT

To the Zoning Board of Appeals Committee,

March 1, 2021

We are requesting a variance for a construction project at our home at 1 Hotel Road, Ellington, CT. We are requesting a variance for a 10x31 addition. This will increase our current 30x31 home to 40x31. You will find attached our application, along with our floor plan, elevation and sketches for our proposed addition. Please note, in 2006 we were granted a variance for a 10x16 addition, but chose to wait in order to complete a more extensive remodel. We would now like to increase that addition to provide more living space to our home. We appreciate your attention to this matter and look forward to hearing from you soon.

Sincerely,

The McNamar Family

Andrew, Stephanie, Cindy, Tate & Cal

Handwritten signatures of Andrew, Stephanie, Cindy, Tate, and Cal McNamar. The signatures are written in black ink and are arranged horizontally. Andrew's signature is on the far left, followed by Stephanie, Cindy, Tate, and Cal on the far right.

RECEIVED
MAR - 1 2021
TOWN OF ELLINGTON
PLANNING DEPARTMENT

RECEIVED

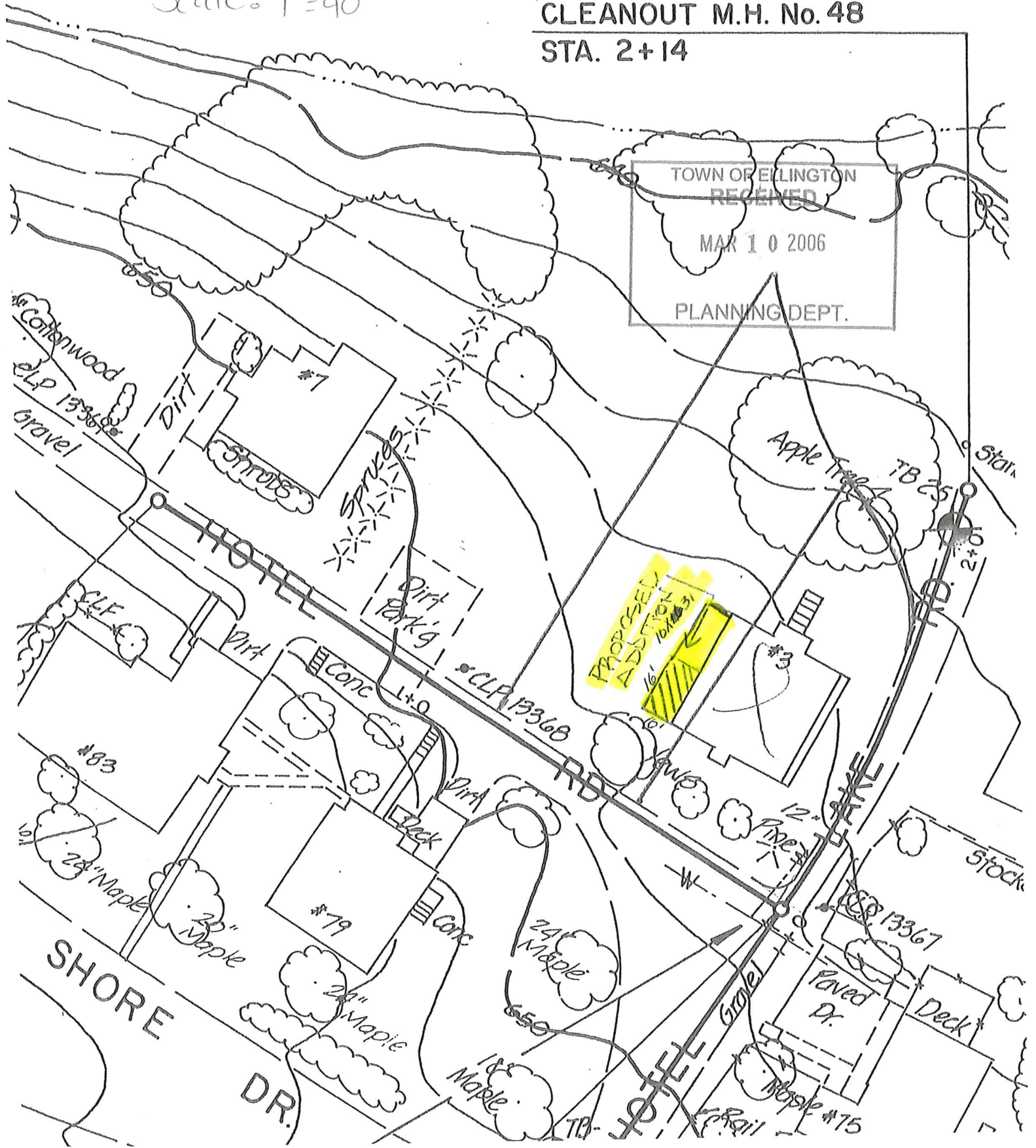
MAR - 1 2021

TOWN OF ELLINGTON
PLANNING DEPARTMENT

Scale: 1"=40'

TERMINAL CLEANOUT M.H. No. 48 STA. 2+14

TOWN OF ELLINGTON
RECEIVED
MAR 10 2006
PLANNING DEPT.



1 Hotel Road



Property Information

Property ID 148 033 0000
 Location 1 HOTEL RD
 Owner MCNAMAR CYNTHIA L + ANDREW J +



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

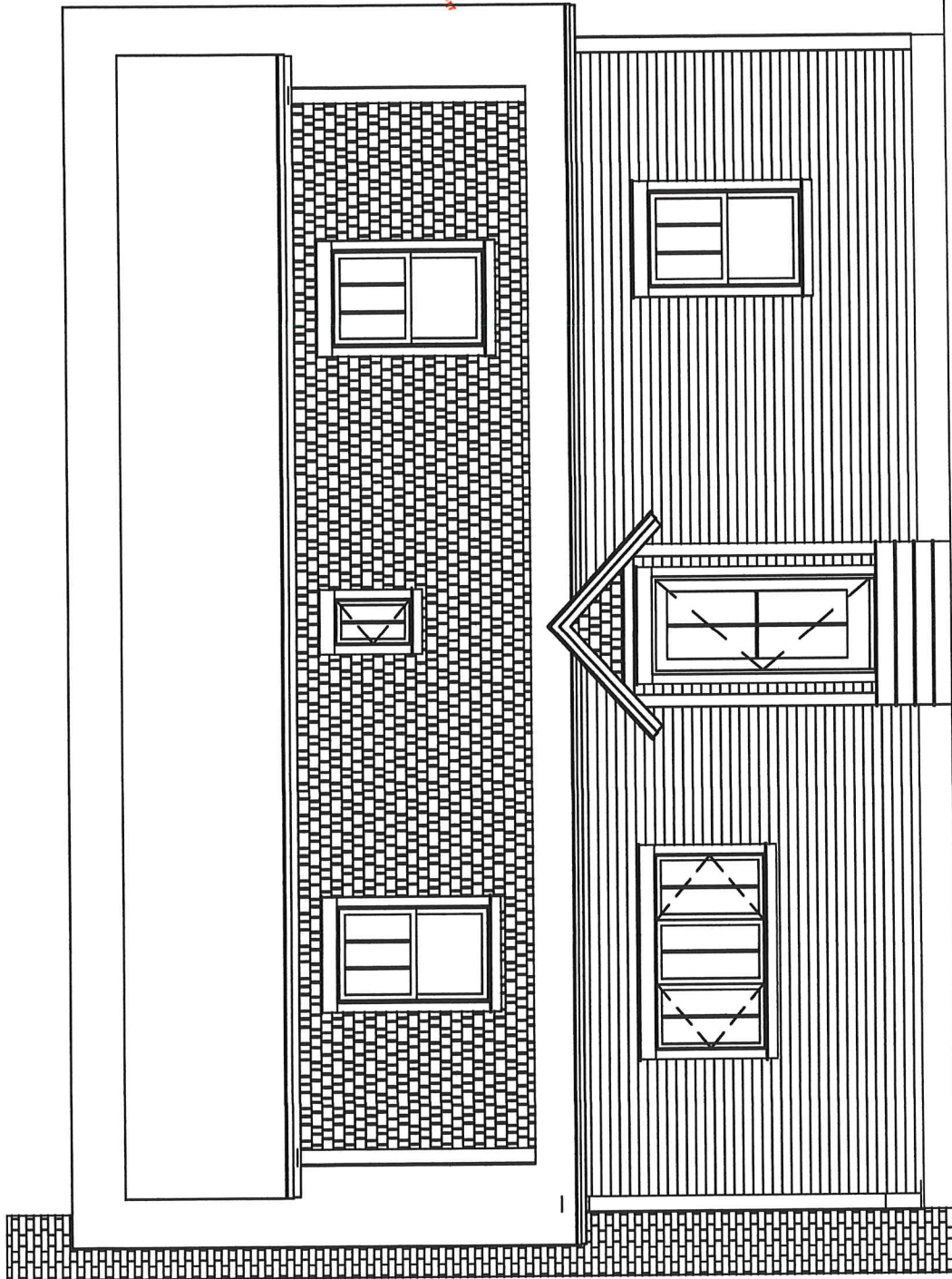
Town of Ellington, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

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

RECEIVED

MAR - 1 2021

TOWN OF ELLINGTON
PLANNING DEPARTMENT

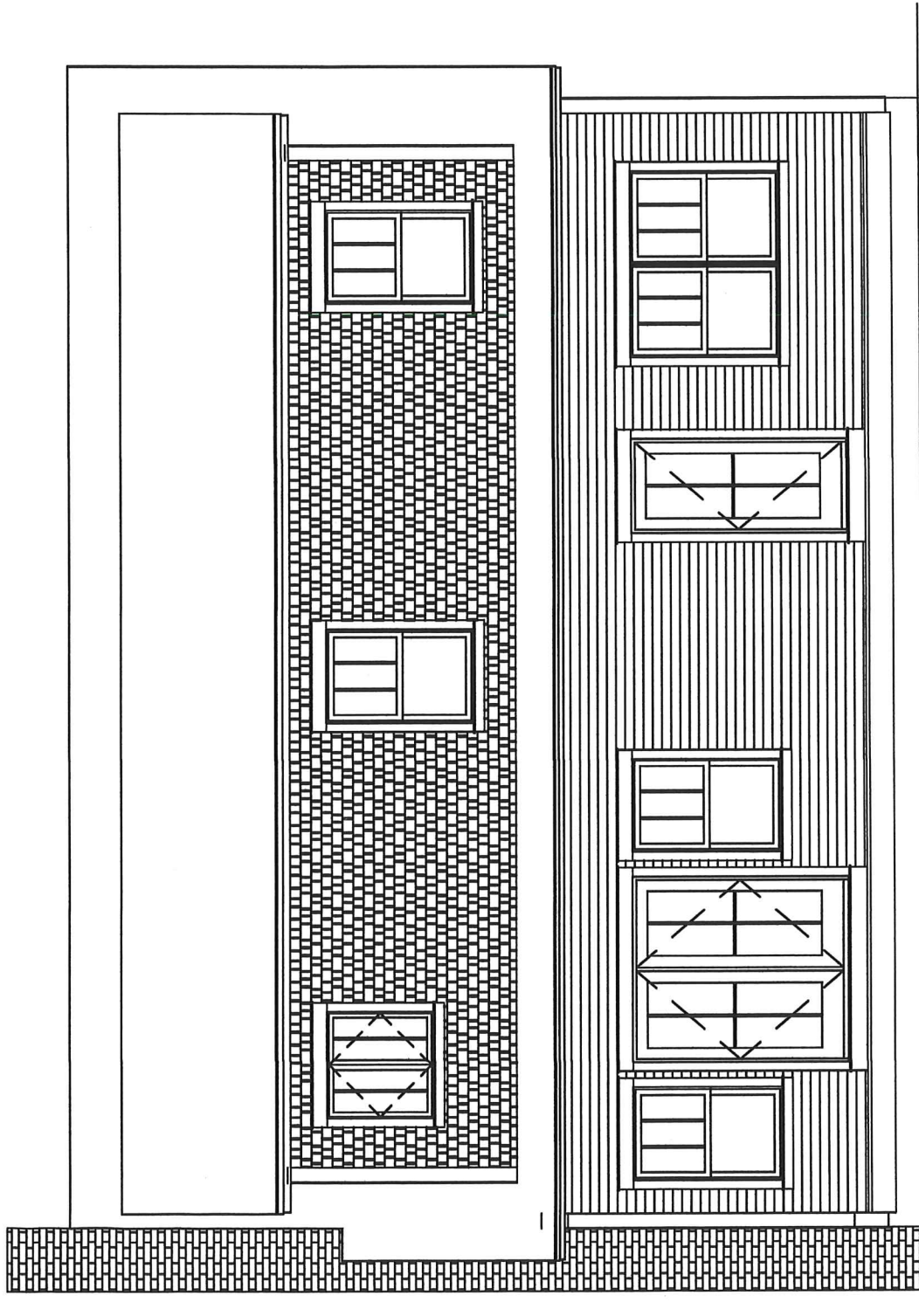


WEST ELEVATION VIEW
SCALE: 3/16" = 1'-0"

RECEIVED

MAR - 1 2021

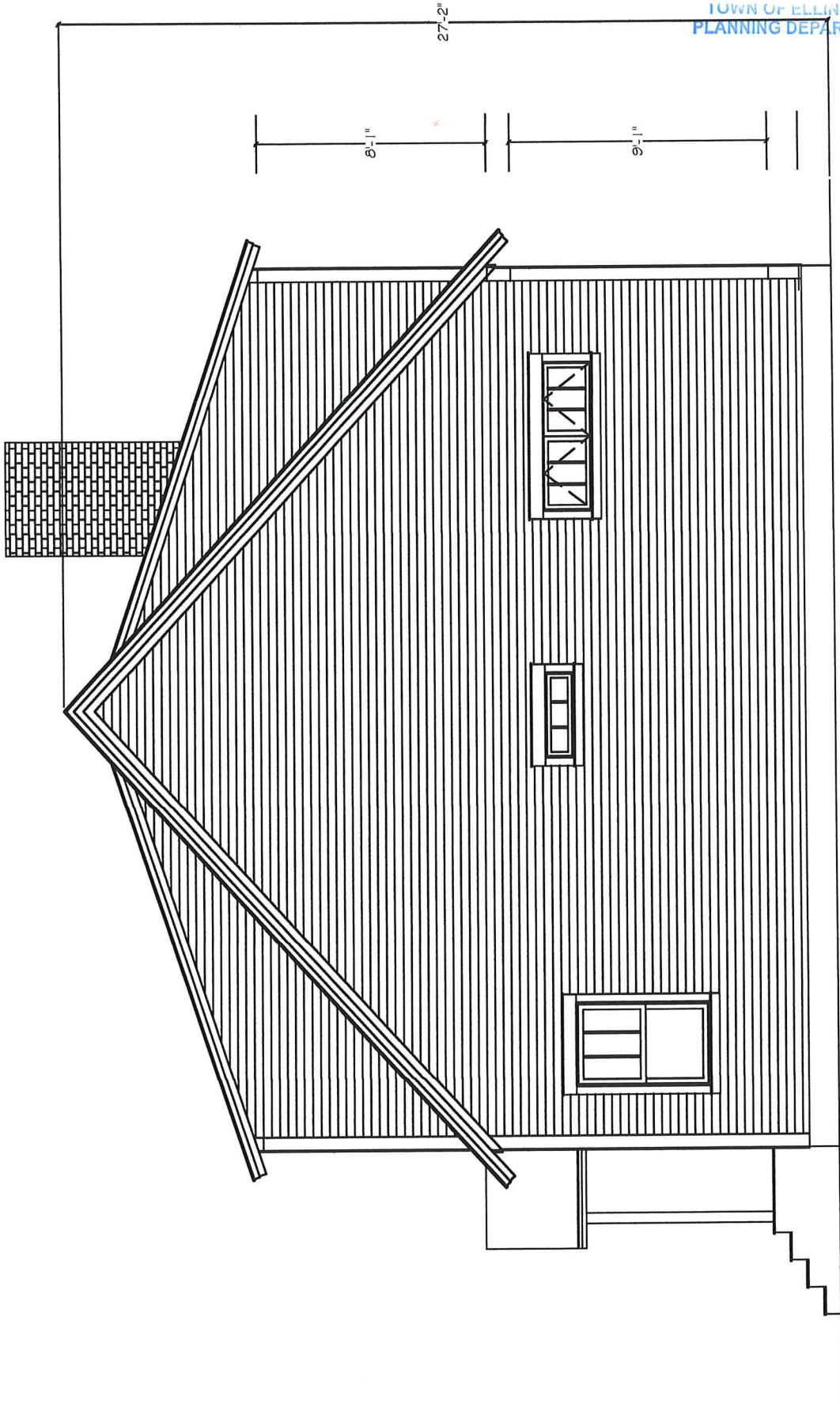
TOWN OF ELLINGTON
PLANNING DEPARTMENT



EAST ELEVATION VIEW
SCALE: 3/16" = 1'-0"

MAR - 1 2021

TOWN OF ELLINGTON
PLANNING DEPARTMENT

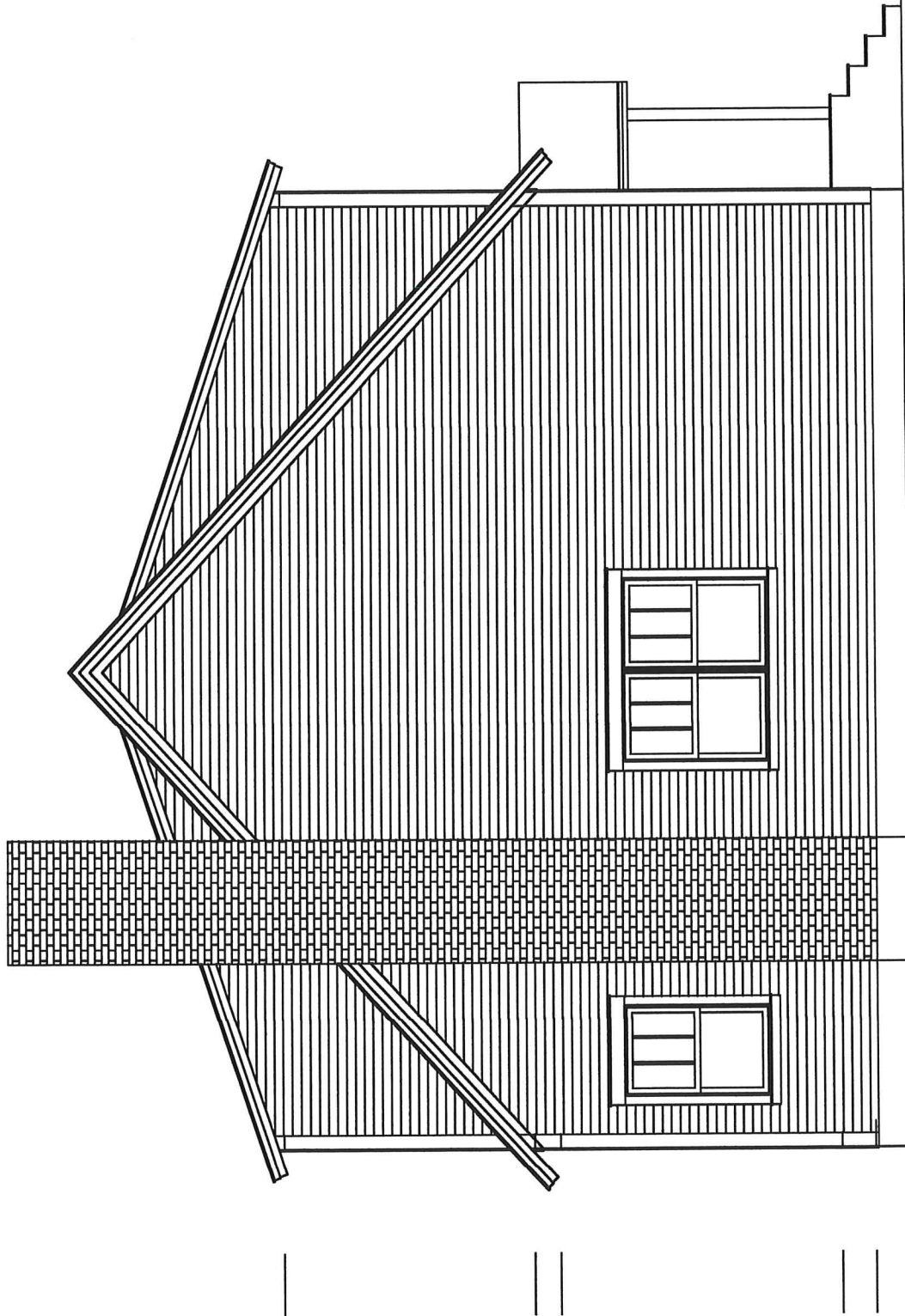


SOUTH ELEVATION VIEW
SCALE: 3/16" = 1'-0"

RECEIVED

MAR - 1 2021

TOWN OF ELLINGTON
PLANNING DEPARTMENT

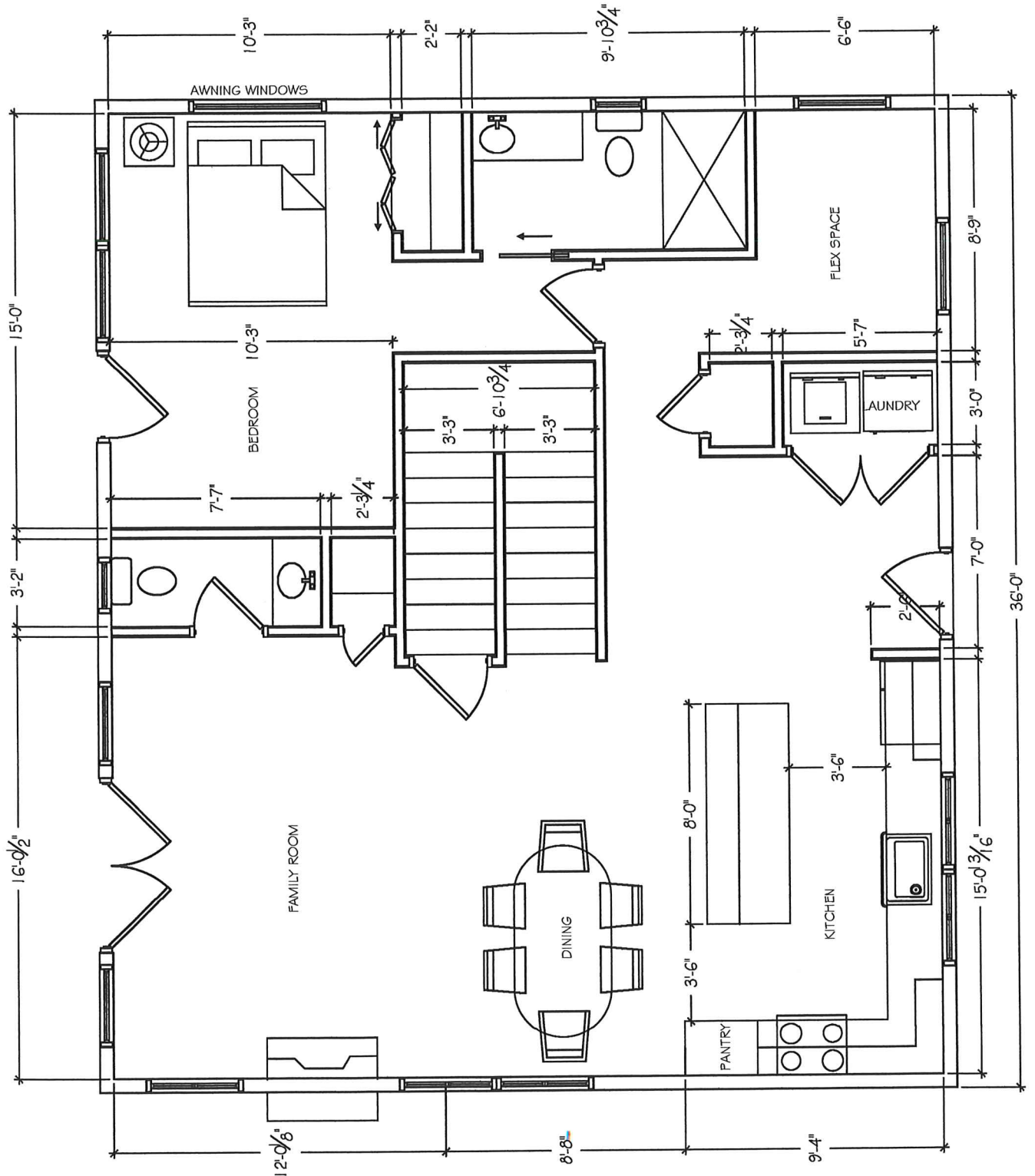


NORTH ELEVATION VIEW
SCALE: 3/16" = 1'-0"

RECEIVED

MAR - 1 2021

TOWN OF FELLINGTON
PLANNING DEPARTMENT



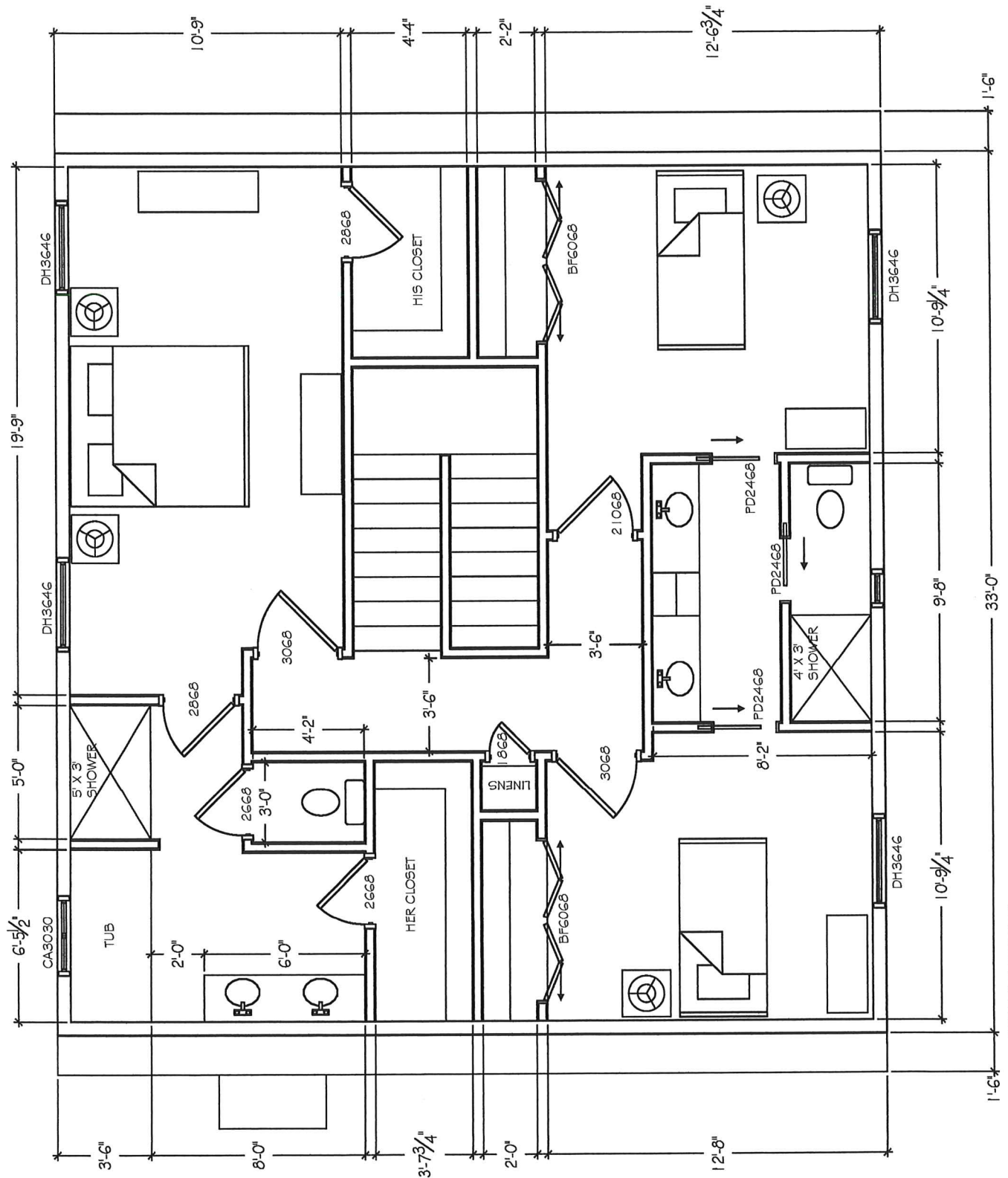
FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"

Pg 5 of 8

RECEIVED

MAR - 1 2021

TOWN OF BELLINGTON
PLANNING DEPARTMENT



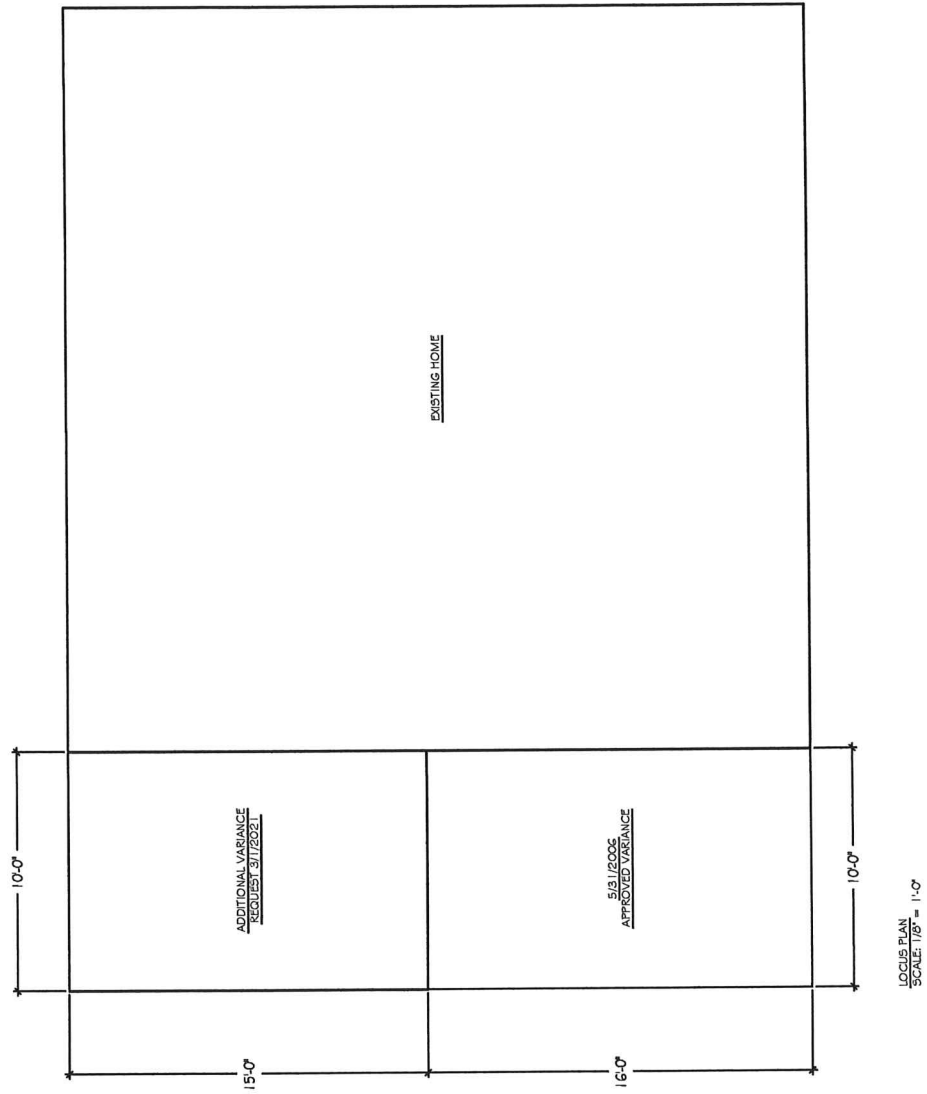
SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"

Pg 6 of 8

RECEIVED

MAR - 1 2021

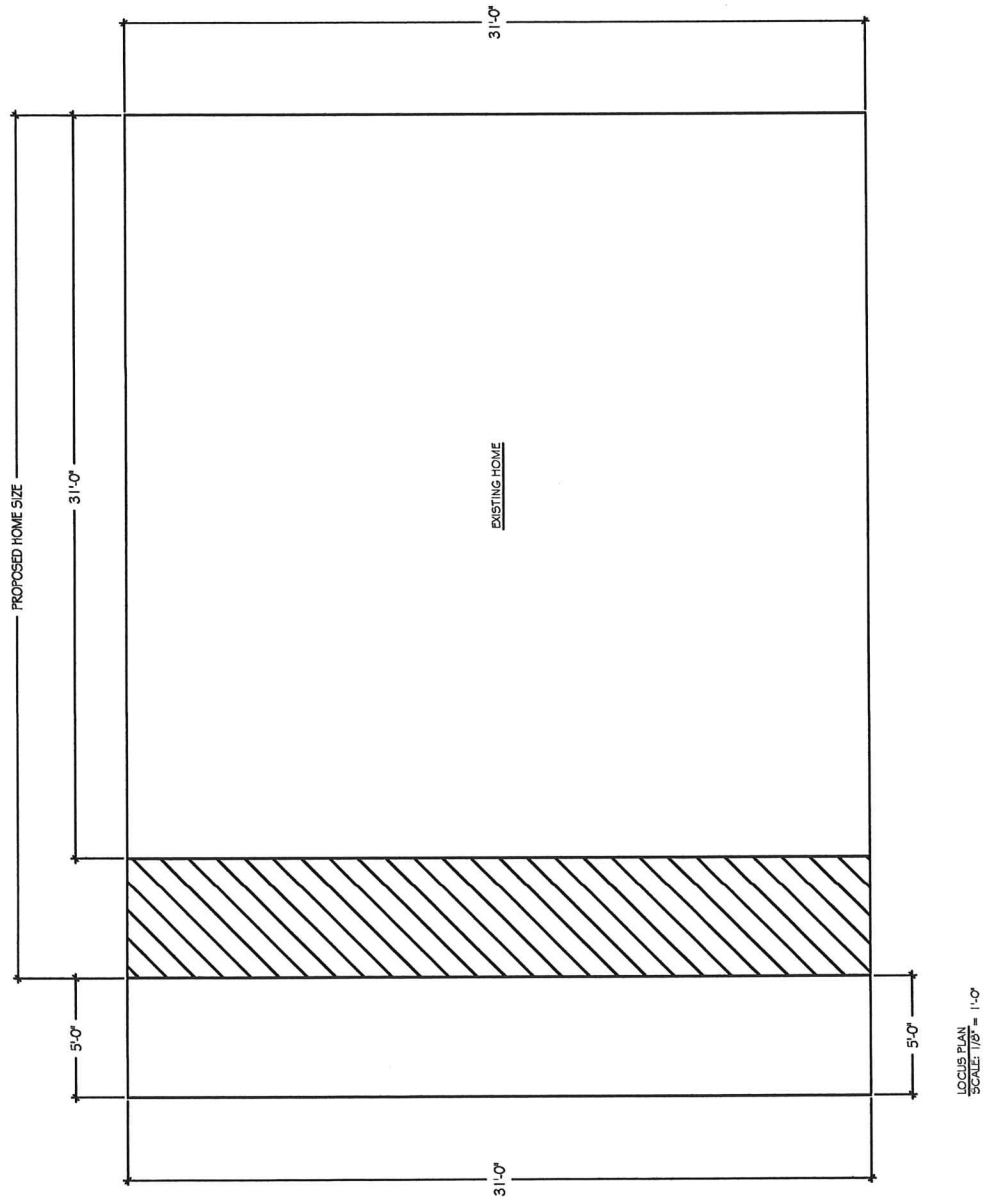
TOWN OF BURLINGTON
PLANNING DEPARTMENT



RECEIVED

MAR - 1 2021

TOWNSHIP OF LINGTON
PLANNING DEPARTMENT



Pg 8 of 8

Town of Ellington

Zoning Board of Appeals Application \$210

Application #
V202105
Date Received
3/11/2021

Type of Application: Variance Appeal of Decision Auto Dealer / Repairer License

Notices associated with this application will be sent to the applicant unless otherwise requested.

Owner's Information

Name: Ellington Realty & 87 West LLC
 Mailing Address: 89 West Road
Ellington, CT 06029
 Email: nicka330@gmail.com

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

Primary Contact Phone #: 860-716-5851

Secondary Contact Phone #: _____

Owner's Signature:  Date: 3/10/21

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 Board 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 Board or its staff.

Notices associated with this application will be sent to the applicant unless otherwise requested.


Applicant's Information (if different than owner)

Name: Still Group dba The Hidden Still
 Mailing Address: 87 West Road
Ellington, CT 06029
 Email: dcelotti@thehiddenstill.com

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

Primary Contact Phone #: 860-268-3876

Secondary Contact Phone #: _____

Applicant's Signature:  Date: 3/10/21

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 Board have been submitted.

Street Address: 87 and 89 West Road, Ellington

Assessor's Parcel Number (APN): 028 016 0000 - 028 017 0000 Zone: Commercial

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

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 Conn. Gen. Stat. §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.

Previous Variances related to this property? Yes No If yes, specify date 8/3/09

Requesting a Variance to Zoning Regulations Section: (For Variance Application only) 4.2.1 and 2.1.7

Describe Variance Request, Appeal of Decision, or Auto Dealer/Repairer License: (Attach additional sheets if needed)
Requesting a patio expansion from 87 West Rd onto 89 West Road reducing the side yard setbacks from 10 feet to 0 feet and the front yard set back from 100 feet to 42 feet. Requesting a 6 foot fence around the new patio expansion to continue around the existing patio.

Hardship: Describe hardship and indicate why other options are unacceptable. (For Variance Application only)
Due to the lot configuration, this is the best and only area where a patio expansion would be feasible. The patio expansion is critical to us at this time due to the effect of the Covid-19 pandemic on our business. People feel safer congregating outside and outdoor dining has become a life line for restaurants to remain in business.

87 West Road Aerial



Property Information

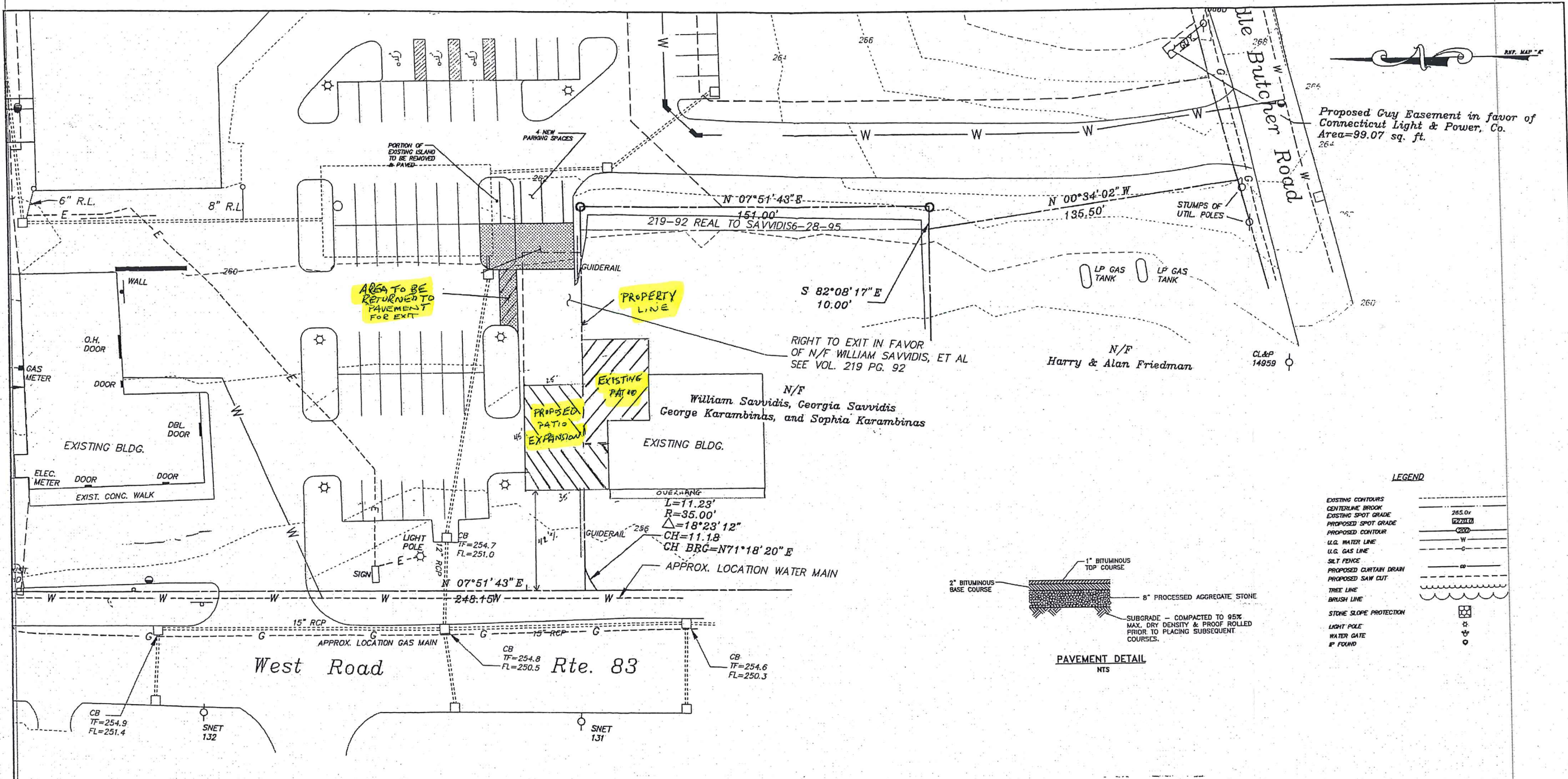
Property ID 028 017 0000
Location 87 WEST RD
Owner EIGHTY SEVEN (87) WEST LLC



**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



Proposed Easement in favor of Connecticut Light & Power, Co. Area=99.07 sq. ft.

RIGHT TO EXIT IN FAVOR OF N/F WILLIAM SAVVIDIS, ET AL SEE VOL. 219 PG. 92

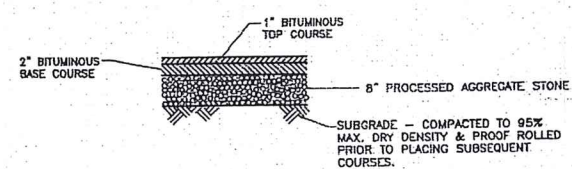
N/F William Savvidis, Georgia Savvidis, George Karambinas, and Sophia Karambinas

N/F Harry & Alan Friedman

CL&P 14959

LEGEND

- EXISTING CONTOURS
- CENTERLINE BROOK
- EXISTING SPOT GRADE
- PROPOSED SPOT GRADE
- PROPOSED CONTOUR
- U.G. WATER LINE
- U.G. GAS LINE
- SILT FENCE
- PROPOSED CURTAIN DRAIN
- PROPOSED SAW CUT
- TREE LINE
- BRUSH LINE
- STONE SLOPE PROTECTION
- LIGHT POLE
- WATER GATE
- IF FOUND



PAVEMENT DETAIL NTS

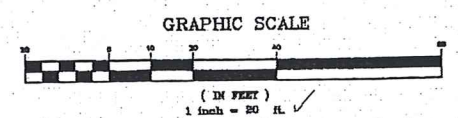
SURVEY NOTES

1. A PORTION OF THIS SURVEY AND MAP HAVE BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300a-1 THROUGH 20-300a-20 AND THE STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. ON SEPT. 26, 1998. IT IS AN IMPROVEMENT LOCATION SURVEY BASED ON A RESURVEY CONFORMING TO CLASS A2 ACCURACY. CERTIFICATION ONLY PERTAINS TO AREA WITHIN THE LIMIT OF FIELD SURVEY LINES.
2. TOPOGRAPHY BASED IN PART UPON SURVEY AND/OR PLANS BY OTHERS. CONTRACTOR TO VERIFY EXISTING CONDITIONS BEFORE BEGINNING CONSTRUCTION. EXTRAS, CHANGES, OR MODIFICATIONS NECESSARY BECAUSE OF DIFFERENCES BETWEEN ACTUAL CONDITIONS AND THOSE INDICATED ON THESE PLANS SHALL BE AT THE CONTRACTOR'S EXPENSE.
3. UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS NOTED HEREON HAVE BEEN COMPILED, IN PART FROM FIELD SURVEY AND FROM 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 WILLIAM R. PALMBERG & SON LAND SURVEYORS. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND NOTIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.
4. REFERENCE MAP:
 - A. "AS-BUILT PLAN PREPARED FOR ELLINGTON REALTY INC. 89 WEST ROAD RTE. 83" BY J.R. RUSSO & ASSOCIATES 1"=40', 9/16/03, SHEET 1 OF 1.

ZONE DATA:

| | RECALCULATED | EXISTING | PROPOSED |
|---------------|--------------|--------------|--------------|
| BUILDING LINE | 100' | 42.9' | 42.9' |
| SIDE YARD | 10' | 18.1' | 18.1' |
| REAR YARD | 10' | 305.5' | 305.5' |
| LOT AREA | 40,000 S.F. | 246,872 S.F. | 246,872 S.F. |
| COVERAGE | 80% | 45.5% | 51.0% |

* BUILT PRIOR TO PRESENT ZONING



OWNER: ELLINGTON REALTY, INC.
1 MARIA DRIVE
ELLINGTON, CT
89 WEST ROAD

IMPROVEMENT LOCATION PLAN PREPARED FOR
ELLINGTON REALTY INC.
ELLINGTON, CONNECTICUT

WILLIAM R. PALMBERG & SON LLC
LAND SURVEYORS
264 HAZARD AVENUE
ENFIELD, CONNECTICUT 06082
860-763-3300

| | | | | |
|-----|--------|----------|---------|---------|
| BY | SCALE | DATE | CHECKED | NO. |
| CAD | 1"=40' | 05-11-10 | WRF | 2006071 |

GEORGE V. HICKS, P.E.
CIVIL ENGINEER
George V. Hicks

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

W. Russo

GRANT OF EASEMENT AND AGREEMENT

THIS AGREEMENT, made this 10th day of March, 2021, by and between Ellington Realty, whose mailing address is 89 West Road, Ellington, CT 06029, hereinafter referred to as "Grantor", and Still Group LLC dba The Hidden Still, whose mailing address is 87 West Road, Ellington, CT 06029, hereinafter referred to as "Grantee".

WHEREAS, Grantee desires to acquire a certain easement ("Easement") in a portion of Grantor's property commonly known as Right to Exit adjacent to 87 West Road, (the "Land"), which easement is described in Exhibit "A" and depicted on Exhibit "B" for a patio expansion. ("Easement Area").

NOW, THEREFORE,

1. Grantor hereby grants to Grantee a nonexclusive easement *on* the Land located as described in Exhibits A and B for so long as the Easement Area is used exclusively for the purpose(s) of a patio expansion for the associated restaurant at 87 West Road, Ellington under the Lease Agreement between Grantor and Grantee.
2. Grantee shall maintain the Easement Area together with any improvements constructed or installed thereon by Grantee or associated with Grantee's use of the Easement Area. The operation and maintenance of such improvements and of the Easement Area shall be at Grantee's sole cost and expense.
3. This Easement is subject to all liens, encumbrances, covenants, conditions, restrictions, reservations, contracts, leases and licenses, easements, and rights of way pertaining to the Land, whether or not of record. The use of the word "grant" shall not imply any warranty on the part of the Grantor with respect to the Easement or the Easement Area.
4. Grantee shall comply with all applicable laws, ordinances and regulations, including but not limited to all applicable regulatory, environmental and safety requirements at Grantee's sole cost and expense.

5. Grantee shall not use, deposit or permit the use or deposit of any hazardous material or toxic waste or other harmful substances on the Land or on any other real property of Grantor adjacent to the Easement Area.

7. Grantee shall not materially interfere with the use by and operation and activities of Grantor on its property, and Grantee shall use such routes and follow such procedures on Grantor's property as result in the least damage and inconvenience to Grantor.

8. Grantee shall be responsible for any damage to Grantor's property or that of third parties resulting from any exercise of the rights herein granted, including but not limited to soil erosion, subsidence or damage resulting therefrom. Grantee shall promptly repair and restore to its original condition any of Grantor's property, including, but not limited to, roads, utilities, buildings and fences that may be altered, damaged or destroyed in connection with the exercise of the Easement or use of the Easement Area.

9. This Grant of Easement is made on the express condition that Grantor is to be free from all liability by reason of injury or death to persons or injury to property from whatever cause arising out of Grantee's, its contractors', agents', officers', members', employees', invitees', or licensees' exercise of rights granted pursuant to this Easement or use of the Easement Area or of the improvements or personal property of Grantee thereto or thereon, including any liability for injury or death to the person or property of Grantee, its contractors, agents, officers, members, employees, invitees, or licensees or to any property under the control or custody of Grantee. Grantee hereby covenants and agrees to defend and indemnify Grantor, its officers, employees, agents, students, invitees and guests and save them harmless from any and all liability, loss, costs, or obligations on account of, or arising out of, any such injury or losses caused or claimed to be caused by the exercise of the Easement or use of the Easement Area by Grantee, however occurring, other than those caused solely by the willful or negligent acts or omissions of Grantor.

10. Grantor may terminate this Easement and all of the rights granted herein any time after six (6) months of continuous non-use of the Easement or the Easement Area by Grantee. In the event of such termination, the Easement shall be quitclaimed from Grantee to Grantor, without expense to Grantor, and any and all interest in Grantor's Land conveyed in this

Easement shall automatically revert to Grantor or its assigns and successors, without the necessity of any further action to effect said reversion. On demand by Grantor, Grantee shall promptly remove any and all improvements it installed in, on, under or above the Easement Area. At the option of Grantor, all such improvements shall become the personal property of Grantor at no cost to Grantor.


11. Grantee alone shall pay any and all taxes, charges or use fee(s) levied by any governmental agency against Grantee's interest in the Easement Area, or against any of Grantor's real property as a result of the Easement herein granted. Grantee shall not cause liens of any kind to be placed against the Easement Area or any of Grantor's real property.

12. This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force or effect except in a subsequent modification in writing, signed by the party to be charged.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

GRANTOR:

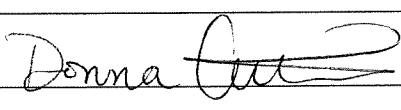
Ellington Realty

By  3/10/21

Its _____

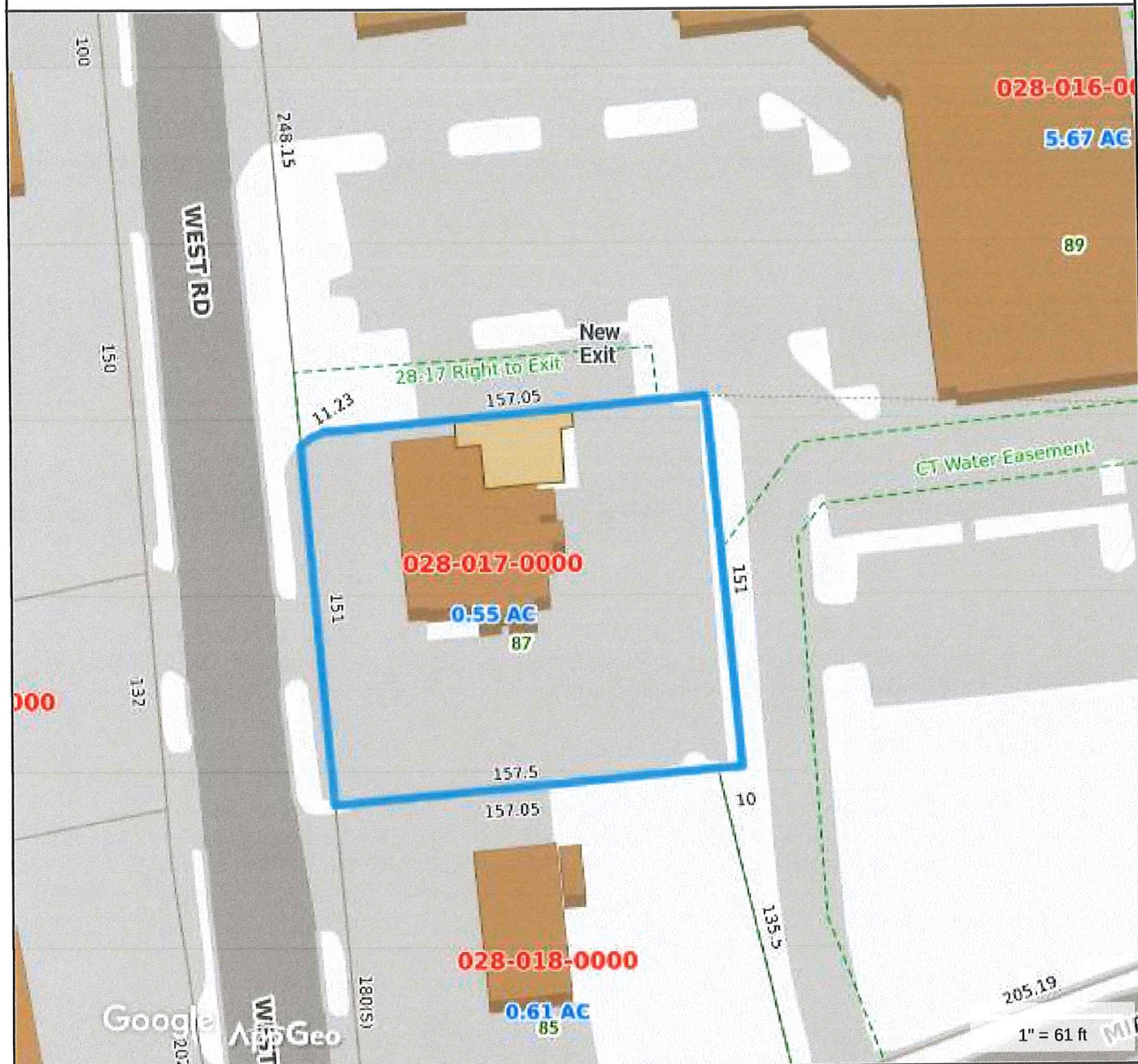
GRANTEE:

Still Group LLC dba The Hidden Still

By , Owner 3/10/21

By _____

Right to Exit - Adjacent to 87 West Road



Property Information

Property ID 028 017 0000
Location 87 WEST RD
Owner EIGHTY SEVEN (87) WEST LLC



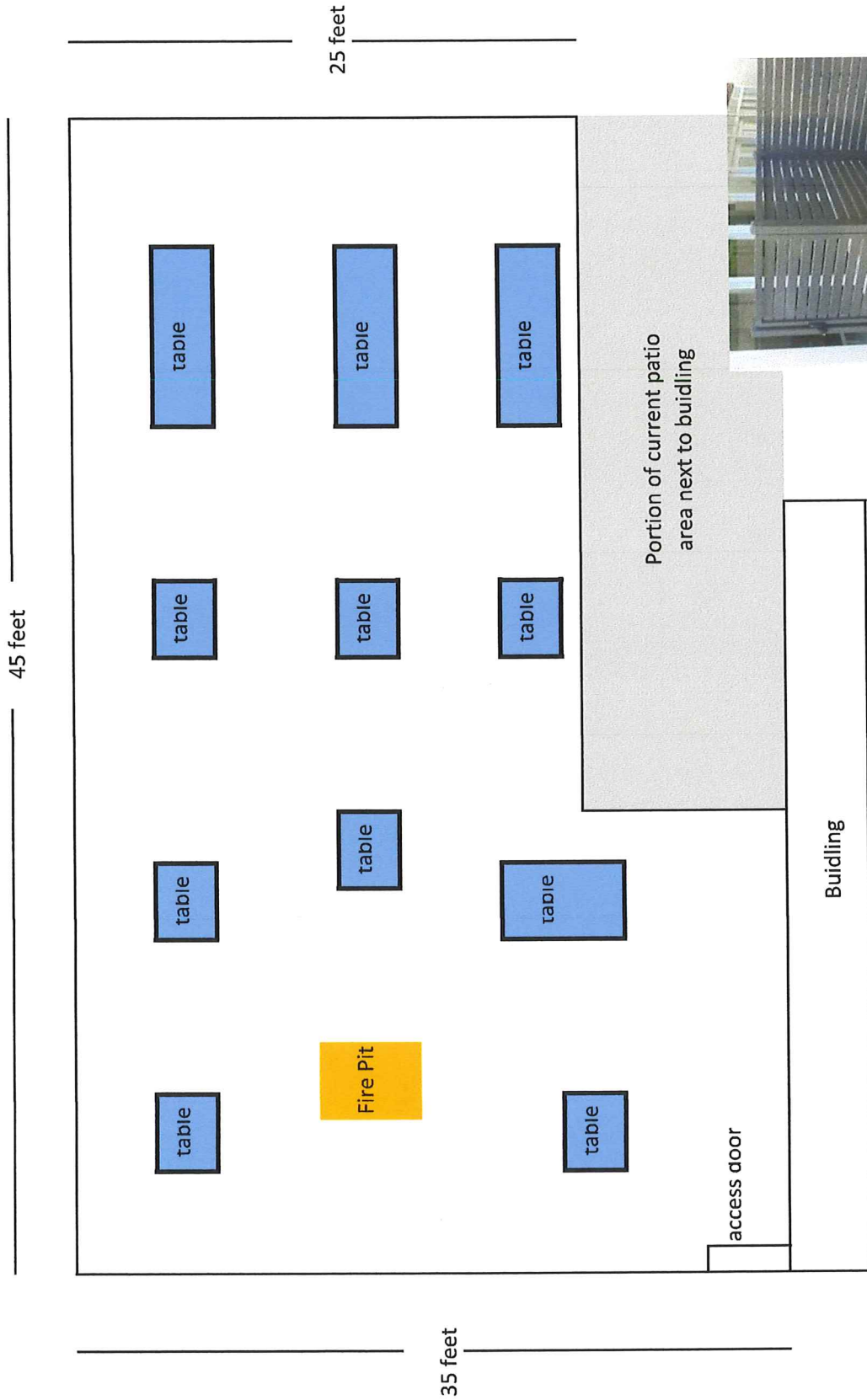
**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

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

Exhibit B

The Hidden Still Patio Extension - Table layout



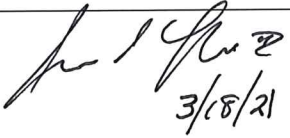
The patio extension would consist of a concrete slab and will be surrounded by a privacy fence approx 6- feet high with one access 4 foot wide door at the front corner of the building. It would also include a firepit.

ELLINGTON PLANNING DEPARTMENT
STAFF REVIEW SHEET

ZONING BOARD OF APPEAL

V202105 – Ellington Realty, Inc. & 87 West, LLC, owners/ Still Group d.b.a. The Hidden Still, applicant, request for variances of the Ellington Zoning Regulations Section 4.2.1 – Lot Area, Width & Yard Requirements: to reduce the side yard setback from 10 feet to 0 feet and front yard setback from 100 feet to 42 feet for a patio expansion; and Section 2.1.7 – Construction in Required Yards: to allow a six foot fence within the front yard setback at 87 West Road, APN 028-017-0000 and 89 West Road, APN 028-016-0000 and in a Commercial (C) zone.

PUBLIC HEARING DATE: April 5, 2021
STAFF REVIEW RETURN DATE: March 26, 2021

| DEPARTMENT | COMMENTS AND/OR REQUIREMENTS |
|-------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Town Engineer | <p>Plan will need to meet CT Fire Code Requirements, not being reviewed for these requirements at this time. Submitted plan may or may not meet fire code requirements.</p> |
| Building Official | |
| North Central District Health Dept | |
| Fire Marshal  3/18/21 | |
| Public Works Director/WPCA | |
| Assessor | |
| Traffic Authority | |

ELLINGTON PLANNING DEPARTMENT
STAFF REVIEW SHEET

ZONING BOARD OF APPEAL

V202105 – Ellington Realty, Inc. & 87 West, LLC, owners/ Still Group d.b.a. The Hidden Still, applicant, request for variances of the Ellington Zoning Regulations Section 4.2.1 – Lot Area, Width & Yard Requirements: to reduce the side yard setback from 10 feet to 0 feet and front yard setback from 100 feet to 42 feet for a patio expansion; and Section 2.1.7 – Construction in Required Yards: to allow a six foot fence within the front yard setback at 87 West Road, APN 028-017-0000 and 89 West Road, APN 028-016-0000 and in a Commercial (C) zone.

PUBLIC HEARING DATE: April 5, 2021
 STAFF REVIEW RETURN DATE: March 26, 2021

| DEPARTMENT | COMMENTS AND/OR REQUIREMENTS |
|----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Town Engineer | <p><i>See attached response from applicant to our questions.</i></p> <p><i>Continue to follow COVID-19 guidance per CT- DECD and other state agencies as may apply.</i></p> |
| Building Official | |
| North Central District Health Dept <i>by Deborah Cowana</i> | |
| Fire Marshal | |
| Public Works Director/WPCA | |
| Assessor | |
| Traffic Authority | |

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MAR 26 2021

**TOWN OF ELLINGTON
 PLANNING DEPARTMENT**

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MAR 20 2021

Debbie Caronna

From: Donna Celotti <dcelotti@thehiddenstill.com>
Sent: Thursday, March 25, 2021 12:58 PM
To: Debbie Caronna
Subject: Re: FW: Proposed Outdoor Patio- The Hidden Still, 87 West Rd, Ellington
Attachments: 3.25.21 Hidden Still Patio Expansion Layout and Existing Patio Layout.pdf

TOWN OF ELLINGTON
PLANNING DEPARTMENT

Hi Debbie,

Please see my responses below. I have attached a picture of our existing patio layout along with the expansion for reference.

Let me know if you have any additional questions.

Thanks, Donna

1. Provide the number of seats at each table. On the attached table layout each square table would have 4 seats and each rectangle would have 6 seats. Two of the tables would be used from the existing patio. There would be a total of 42 new seats.
2. Will the patio be served by waitstaff? Yes
 - a. If wait staff will be serving and clearing, what is the travel route to and from the kitchen to the patio? The new patio extension would be open to the existing patio. We would use the current travel route to and from the kitchen through the existing patio door exit.
3. Who will clear and clean the tables? Waitstaff.
 - a. Will there be a station set up on the patio to clean tables, hold trash, stack empty glassware, etc.? We would use the current server station set up on the existing patio.
4. Will there be a station to hold menus, condiments, silverware, and similar items for customer use? These items are all kept inside at the host stand or existing server station.
5. How will the concrete patio surface be cleaned? The concrete will be stained and sealed making it easy to sweep and spot clean each night. It will also be power washed annually.

Donna Curtis
The Hidden Still
87 West Road
Ellington, CT 06029
860-896-3333

On Wed, Mar 24, 2021 at 11:52 AM Debbie Caronna <dcaronna@ncdhd.org> wrote:

Dear Donna: I am reviewing your application for the outdoor patio and have some questions we need responses to in order to send a reply to P & Z:

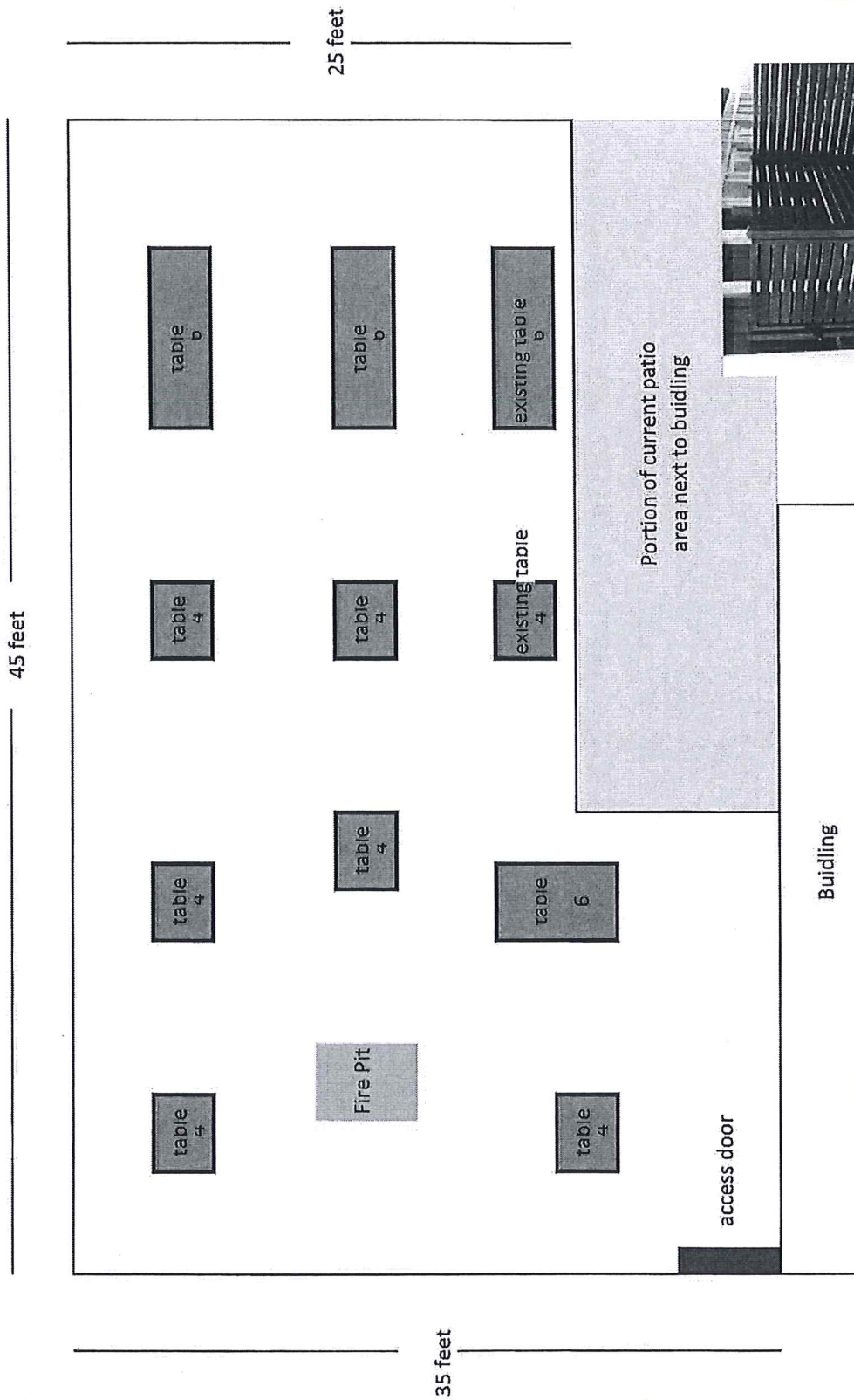
1. Provide the number of seats at each table.
2. Will the patio be served by waitstaff?
 - a. If wait staff will be serving and clearing, what is the travel route to and from the kitchen to the patio?
3. Who will clear and clean the tables?
 - a. Will there be a station set up on the patio to clean tables, hold trash, stack empty glassware, etc.?

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TOWN OF ELLINGTON
PLANNING DEPARTMENT

The Hidden Still Patio Extension - Table layout

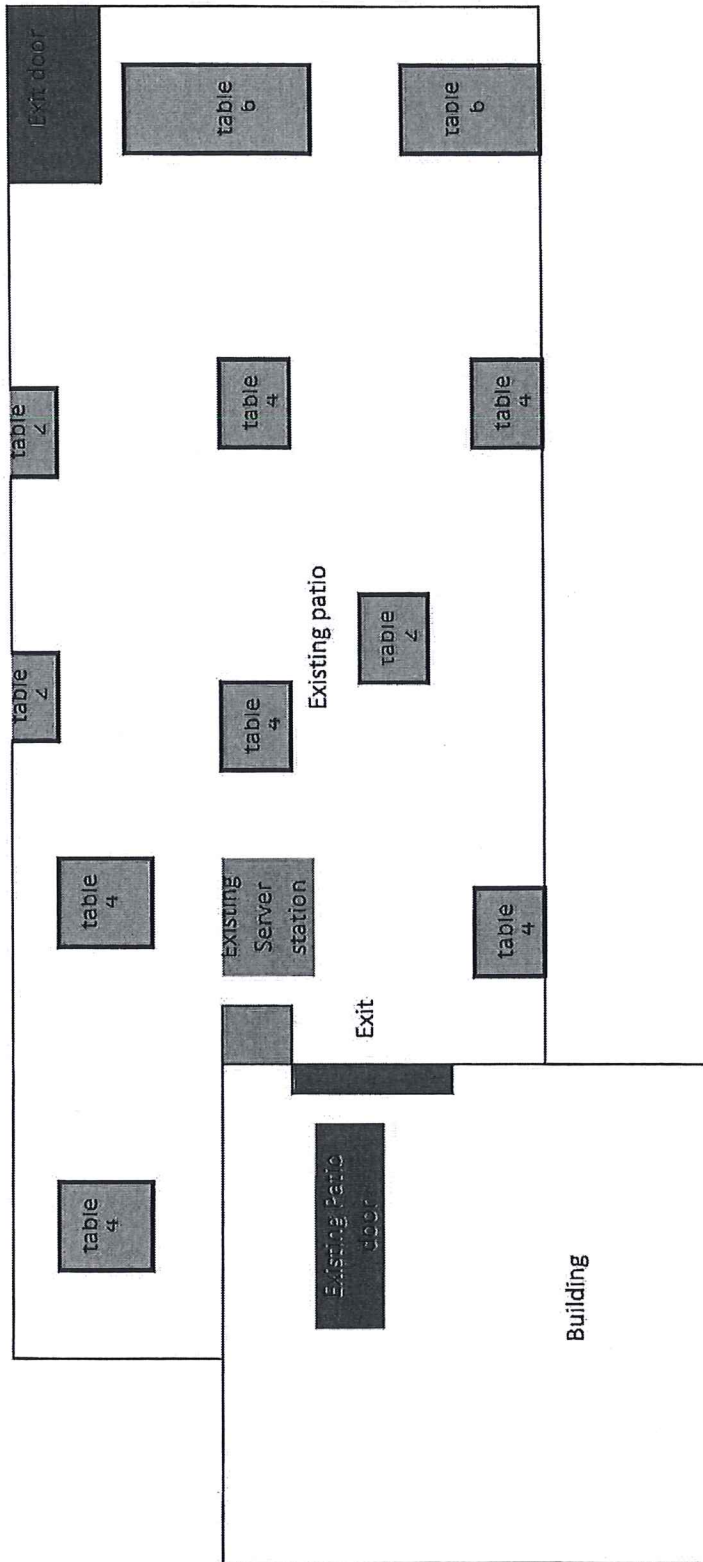


The patio extension would consist of a concrete slab and will be surrounded by a privacy fence 6 feet high with one access 4 foot wide door at the front corner of the building. It would also include a firepit.

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TOWN OF ELLINGTON
PLANNING DEPARTMENT





STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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**ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES
MONDAY, MARCH 1, 2021, 7:00 PM
TOWN HALL ANNEX MEETING ROOM, 57 MAIN ST, ELLINGTON, CT**

**IN-PERSON PUBLIC ATTENDANCE LIMITED DUE TO COVID19 RESTRICTIONS
AND ZOOM MEETING ATTENDANCE**

PRESENT: Chairman Art Aube, Regular members Ken Braga and Katherine Heminway; Present via ZOOM meeting: Vice Chairman Sulakshana Thanvanthri, Regular member Subhra Roy, Alternates Ron Brown and Rodger Hosig

ABSENT: Alternate Ron Stomberg

STAFF

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

John Colonese, Assistant Town Planner/Zoning Enforcement Officer, explained general procedures for how the meeting will be conducted.

I. CALL TO ORDER:

Chairman Aube called the Zoning Board of Appeals (ZBA) meeting to order at 7:03 pm at the Ellington Town Hall Annex, 57 Main Street, Ellington, CT.

II. PUBLIC COMMENTS (ON NON-AGENDA ITEMS): None

III. PUBLIC HEARINGS:

1. V202102 – Andrian & Cheryl Kebalo, owner/applicant, request for a variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback from 35ft to 24ft and the side yard setback from 10ft to 8ft for a two story addition with a one car garage; and Section 3.2.4-Lot Coverage: to increase lot coverage from 25% to 26% at 1 Crystal Street, APN 149-069-0000 in a Lake Residential (LR) zone.

TIME: 7:03 pm

SEATED: Aube, Braga, Heminway, Thanvanthri, and Roy

Andrian and Cheryl Kebalo, 1 Crystal Street, were present to represent the application. Mr. Kebalo explained they are proposing to construct a second garage and a two story addition. Mr. Kebalo said there are two existing variances on the property from the previous owner. He

explained that the non-conforming shed will be removed and items such as the lawnmower, snow blower, canoes and yard furniture would be stored in the new garage, should the variance be granted. He reviewed his reasons for proposing the addition in the location shown on the plan, first is to reduce the impervious coverage, second is to keep the activity farther from the lake, and third it to allow easier access to the existing house.

Mr. Kebalo reviewed the plot plan, floor plans, building elevations and photos that were provided with the application. He noted they are looking for a front yard setback from 35 feet to 24 feet, a side yard setback from 10 feet to 8 feet, as well as an increase in lot coverage from 25% to 26%.

Commissioner Braga asked what materials Mr. Kebalo was looking to use for the driveway. Mr. Kebalo stated they would like to use asphalt and did consider using pervious pavers, if necessary to meet the lot coverage. He noted that the North Central District Health Department raised concerns about installing an underdrain within 25 feet of the existing well. Commissioner Braga complimented Mr. Kebalo on his presentation, he is concerned with the lot coverage request and has no other issues with the application.

Vice Chairman Thanvanthri inquired about the Department of Public Works needing to sign off on the driveway. Mr. Colonese explained that department requirements will need to be met prior to the issuance of a zoning permit, such as the North Central District Health Department, Water Pollution Control Authority, and Department of Public Works.

Commissioner Hosig asked about the height of the finished addition and if it would impact the neighbor's view of the lake. Mr. Kebalo stated the proposed garage addition height would not exceed 38 feet as the proposed cupola would be 34 to 35 feet in height. He noted that he spoke with his neighbors about his proposal and they have been notified about tonight's meeting. Commissioner Hosig stated he would like to see the lot coverage remain at 25%.

Mr. Kebalo agreed to meet the zoning requirements for lot coverage but asked the board to approve his setback requests for the addition.

No one from the public spoke regarding the application.

MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR V202102.

MOVED (AUBE), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS V202102 – Andrian & Cheryl Kebalo, owner/applicant, request for a variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback from 35ft to 24ft and the side yard setback from 10ft to 8ft for a two story addition and a one car garage at 1 Crystal Street, APN 149-069-0000 in a Lake Residential (LR) zone.

Condition(s) of Approval:

- 1) Lot coverage shall not exceed zoning regulation requirement.**
- 2) Subject to compliance with Health Department, Water Pollution Control Authority, and Department of Public Works requirements.**

HARDSHIP: Lot is preexisting, nonconforming based on current regulations.

2. V202103 – 267 Jobs Hill Road, LLC, owner/applicant, request for a variance of the Ellington Zoning Regulations Section 7.14.3(C.3)-Horse Boarding / Riding Arena: to reduce the front yard setback from 200ft to 170ft and the side yard setback from 200ft to 145ft for an indoor riding arena and storage area at 267 Jobs Hill Road, APN 159-022-0000 in a Rural Agricultural Residential (RAR) zone.

TIME: 7:36 pm

SEATED: Aube, Braga, Heminway, Thanvanthri, and Roy

Christy Morin, 267 Jobs Hill Road, was present to represent the application. Ms. Morin stated that this past October they lost the entire stall portion of the barn to a fire which included a 34'x150' building containing 22 stalls on the first floor and storage on the second floor, and a 30'x70' building containing 12 stalls and a tack storage area. The 60'x120' indoor riding arena and 36'x36' attached storage building survived the fire with minimal damage. She explained the best way to utilize the remaining buildings is to convert the existing riding arena and storage building into a 34 stall horse barn replacing what was lost in the fire and add an attached 70'x192' building to the rear of the existing building. The 70'x192' building will be attached to the existing building by a 16'x25' connector and will contain a 70'x152' indoor riding arena and 40'x70' storage area. The front 30'x30' building will be used for dry storage.

Mr. Colonese said the Planning Department received comments dated February 16, 2021 from the Building Official stating, "A CT licensed architect will be required to perform a code analysis of the project. This code analysis will determine how the new proposed structures will affect the existing use. Some things that need to be determined are use group designation for the riding arena, scope of public use, bathrooms, accessibility, height/area of buildings and how that might bring fire sprinklers as a requirement. Any of these design issues that arise may need input from the State Building Inspector and an architect is equipped to address this." He noted that these comments were forwarded to the applicant via email.

No one from the public spoke regarding the application.

MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR V202103.

MOVED (AUBE), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS V202103 – 267 Jobs Hill Road, LLC, owner/applicant, request for a variance of the Ellington Zoning Regulations Section 7.14.3(C.3)-Horse Boarding / Riding Arena: to reduce the front yard setback from 200ft to 170ft and the side yard setback from 200ft to 145ft for an indoor riding arena and storage area at 267 Jobs Hill Road, APN 159-022-0000 in a Rural Agricultural Residential (RAR) zone.

Condition(s) of Approval:

- 1) **Subject to compliance with Building Department requirements.**

HARDSHIP: Barn destroyed by fire was preexisting, nonconforming based on current regulations; proposed riding arena and storage area are less nonconforming.

3. V202101 – Susann McCarthy, owner/applicant, to appeal a Cease & Deist Order from the Zoning Enforcement Officer at 15 Green Street, APN 129-043-0000 in a Lake Residential (LR) zone.

MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO TABLE THE OPENING OF THE PUBLIC HEARING FOR V202101 TO APRIL 5, 2021.

IV. ADMINISTRATIVE BUSINESS:

1. Approval of the January 4, 2021 Regular Meeting Minutes.

MOVED (BRAGA), SECONDED (AUBE) AND PASSED UNANIMOUSLY TO APPROVE THE JANUARY 4, 2021 MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion: **None**

V. ADJOURNMENT:

MOVED (BRAGA), SECONDED (AUBE) AND PASSED UNANIMOUSLY TO ADJOURN THE ZBA MEETING AT 7:44 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk