



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
REGULAR MEETING AGENDA
MONDAY, JUNE 28, 2021, 7:00 PM
TOWN HALL ANNEX MEETING ROOM, 57 MAIN ST, ELLINGTON, CT**

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

I. CALL TO ORDER:

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

III. PUBLIC HEARING(S):

1. S202101 – Sunset Valley Farms, LLC owner/ David Moser, applicant, request for re-subdivision of 42.34 acres for two (2) lots for 55 Kreyssig Road, APN 156-004-0001, in a RAR (Rural Agricultural Residential) Zone. (Continued from 5/24/2021.)
2. Z202109 – Sunset Valley Farms, LLC owner/ David Moser, applicant, pursuant to Section 7.9 – Rear Lot Requirements, request for a Special Permit for one rear lot to construct a single family home with access along the south border of 20 Griswold Road, APN 157-002-0001, associated with S202101 for re-subdivision of 42.34 acres for two (2) lots at 55 Kreyssig Road, in a RAR (Rural Agricultural Residential) Zone. (Continued from 5/24/2021.)
3. S202102 – Mary Ellen H. Trueb, owner/applicant, request for re-subdivision of 13.93 acres for two (2) lots for 80 Tripp Road, APN 023-001-0004, in a RAR (Rural Agricultural Residential) Zone. (Notice requirements met and hearing may commence.)

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. Z202110 - Pursuant to a memo dated June 23, 2021, from the Ellington First Selectman, request for CGS §8-24 review regarding the acquisition of 59 Maple Street, APN 073-003-0000, consisting of approximately 11.46 acres, in the RAR (Rural Agricultural Residential) and R (Residential) Zones.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of Planning and Zoning Commission May 24 2021 Regular Meeting Minutes.
2. Correspondence:
 - a. Discussion: draft text amendment to Section 7.1 Accessory Apartments of the Ellington Zoning Regulations.

VII. ADJOURNMENT:

Next Planning and Zoning Commission Regular Meeting is scheduled for July 26, 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/92759996305>

Meeting ID: 927 5999 6305

Passcode: 738606

Join Zoom Meeting by phone:

1-646-558-8656 US (New York)

Meeting ID: 927 5999 6305

Passcode: 738606

Plan Approval For Subsurface Sewage Disposal System

55	Kreyssig Road	Ellington
Lot #	Street # Street Name	Town Subdivision

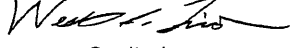
Proposed new parcel - Lot approval for a maximum of a 5 bedroom home served by a private water supply well and onsite septic system consisting of a minimum of 900 sq.ft. of effective leaching area.

As shown the lot line revisions to 55 Kreyssig Road and 20 Griswold Road should interfere with the respective septic systems, potential septic repair areas or water supply well locations.

Further investigation may be required as a result of site alteration or lot re-configuration.

Final approval of the subdivision shall be granted by the appropriate Commissions, Agencies or Departments within the Town of Ellington.

Care must be taken to protect the septic area from sedimentation , compaction or any other disturbance that could compromise the quality of the area.

Approved by: _____  _____
Director of Health Sanitarian

Town of Ellington Planning & Zoning Commission Subdivision Application

SUBDIVISION NAME: MARY ELLEN H. TRUER
LOCATION: 80 TRIPP ROAD
ASSESSOR'S PARCEL NUMBER (APN): 023-001-0004 (If unaware of APN, ask staff for assistance)

Application #
S202102
Date Received
5/3/2021

Application: Subdivision Re-subdivision Modification **Approval Requested:** Final Conditional

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

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

Owner's Information

Applicant's Information (if different than owner)

Name: MARY ELLEN H. TRUER
Mailing Address: 80 TRIPP ROAD
ELLINGTON, CT. 06029
Email: TRIPPPASTUREFARM@GMAIL.COM

Name: MARY ELLEN H. TRUER
Mailing Address: 80 TRIPP ROAD
ELLINGTON, CT. 06029
Email: SAME

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

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

Primary Contact Phone #: 860-748-7121

Primary Contact Phone #: SAME

Secondary Contact Phone #: N/A

Secondary Contact Phone #: SAME

Signature: [Signature] **Date:** 5-3-21

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 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.

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.

Total Acreage of Property: 13.93 **Zone of Property:** RAR **Required Density Factor (R/LR =.6, RAR =.5):** .5

Open Space Proposal (check one): 10% Land Set-Aside Fee in Lieu of Land Combination

Amount (square feet & acres): >25% **Slopes:** 0 **Wetlands & Watercourses:** 740521 **100-Year Floodplain:** YES

Developable Land: 12.23 **Lot Yield:** 6 **Remaining Land:** 10.74 **Area to be subdivided:** 1.49

of Proposed Development Lots: 1

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

MAY 03 2021

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

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

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

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

RECEIVED

MAY 03 2021

TOWN OF ELLINGTON
PLANNING DEPARTMENT

NARRATIVE

The parcel is located on the west side of Tripp Road approximately 200' south of Standish Road and is now known as 80 Tripp Road.

Parcel area is 13.93 acres and access to the parcel will be from Tripp Road.

The proposed lot to be Re Subdivided was originally proposed to be developed as a building lot back in the early 2000's by the original owner Edward J. Hastillo but was purchase by the Trueb's and combined to their parcel know as Lot 4 "HASTILLO ACRES" for privacy and for family use in the future.

The area of the proposed dwelling and septic is in an open field and slopes from the northeast to the southwest with all existing and future runoff being directed to an existing manmade swale/level spreader drainage basin.

The proposed development consists of one (1) residential dwelling on public water and on site sewer along with the associated infrastructure and utilities.

There is approximately 1.7 acres of wetlands on the property, 0 wetland disturbance and 0 disturbance of the uplands.

These plans where prepared in accordance with the state of Connecticut's "2002 Connecticut Guidelines for Soil Erosion and Sediment Control."

Construction will begin in summer of 2021 and substantially completed by late winter 2022. (See additional notes and details on sheet # 3 of 3.

RECEIVED

MAY 03 2021

TOWN OF ELLINGTON
PLANNING DEPARTMENT

WAVIER REQUEST

Section 4.11 – Drainage/Detention Designs:

We hereby request a waiver of the above section because of the existing slope of the land and the existing contour configuration doesn't warrant additional detention.

Section 4.14 – Sidewalks:

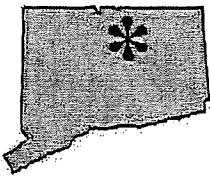
We hereby request a waiver of the above section because there are no sidewalks within the vicinity

Section 4.18 – Open Spaces:

None proposed

Sub Section 4.18.7 – Exemptions

Open space is not required if less than five (5) parcels are transfer to family – child



North Central District Health Department

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

Plan Approval For Subsurface Sewage Disposal System

80 Tripp Road Ellington
 Lot # Street # Street Name Town Subdivision

Alex Trueb 90 Tripp Road Ellington Ct
 Owner Owner Address Town State Zip

Builder Builder Address
 1227 Burnside Avenue, Suite 31 East Hartford CT 06108
 Engineer Engineer Address Town State Zip

This Approval Indicates That The Proposal Has Been Reviewed By The Health Department And Is In Compliance With Applicable Regulations As Contained In The Public Health Code For This Project.

Plan Date: April 19, 2021 Approval Date: June 8, 2021 Last Revision Date:
 Bedrooms or GPD: 3 Distribution: Water Supply Public

	106	1500	Mantis 536-8 LoPro w/6" F.L.	780	120		
Design Rate	MLSS Tank Size		Field Type	Sq Ft. Septic System	Leaching system Length	SS Bottom	Pump

This is **NOT A PERMIT TO CONSTRUCT** a Subsurface Sewage Disposal System. The permit to construct will be issued to the licensed septic system installer prior to actual construction. This plan approval is subject to specific and general conditions as shown below. Please read them carefully.

Specific Conditions:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Engineer Design | <input type="checkbox"/> Field Staking By Installer (Repair Only) | <input type="checkbox"/> Installer Must Schedule Inspections |
| <input type="checkbox"/> Percolation Test in Fill | <input type="checkbox"/> Field Staking of Well by Well Driller | <input type="checkbox"/> Final Inspection Required |
| <input type="checkbox"/> Engineer As Built Required | <input type="checkbox"/> Select Fill Required | <input type="checkbox"/> Well Permit Required |
| <input type="checkbox"/> Foundation As Built Required | <input type="checkbox"/> Curtain Drain | <input checked="" type="checkbox"/> As Below |
| <input type="checkbox"/> As Built Installer | <input type="checkbox"/> Engineer Supervision | |
| <input type="checkbox"/> Field Staking by Engineer | <input type="checkbox"/> Licensed Installer Must Obtain Permit | |

Perc Tests in Fill by Engineer: Required Not Required Variances Granted: Yes No ***If Yes, see notes!***

This plan review is for a single lot Subdivision Approval for a property potentially to be serviced by a septic system for up to a three bedroom home and a public water supply connection.

Upon review of the plan for the above referenced subdivision, the North Central District Health Department concurs with the feasibility of this parcel for future development. Approval to construct a sub surface sewage disposal system for the individual lot may be granted upon the demonstration of compliance with the Public Health Code, the technical standards and other appropriate regulations. This demonstration of compliance shall be done through an engineers plot plan showing the proposed house, well and septic system detail.

Approved by: _____
 Director of Health *Wendy L. Piro* Sanitarian

Plan Approval For Subsurface Sewage Disposal System

Lot #	Street #	Street Name	Town	Subdivision
80		Tripp Road	Ellington	

Proposed new parcel - Lot approval for a maximum of a 3 bedroom home served by a public water supply connection and onsite septic system consisting of a minimum of 750 sq.ft. of effective leaching area and a minimum of 108 linear feet of leaching system width. The leaching field is to be a maximum of 0" into grade .

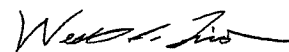
Further investigation may be required as a result of site alteration or lot re-configuration.

Final approval of the subdivision shall be granted by the appropriate commissions or Departments within the Town of Ellington.

Care must be taken to protect the septic area from sedimentation , compaction or any disturbance that could compromise the quality of the area.

Approved by: _____

Director of Health



Sanitarian

Barbra Galovich

From: Barbra Galovich
Sent: Wednesday, June 09, 2021 9:27 AM
To: Caitlin & Alex
Cc: Lisa Houlihan
Subject: FW: Staff Review - S202102 - 80 Tripp Road re-subdivision

Good Morning,

Hope you are doing well. Please see the below staff comments from Tim Webb, Public Works Director.

Thank you,
Barbra

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

From: Timothy Webb
Sent: Wednesday, June 09, 2021 9:21 AM
To: Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>
Subject: RE: Staff Review - S202102 - 80 Tripp Road re-subdivision

No impact to WPCA, property outside of the sewer district. DPW would require a ROW permit for driveway

From: Barbra Galovich
Sent: Wednesday, June 09, 2021 9:10 AM
To: Kim Bechard <KBechard@ELLINGTON-CT.GOV>; Lori Spielman <lspielman@ELLINGTON-CT.GOV>; Mike Caronna <mcaronna@ncdhd.org>; Raymond Martin <Rmartin@ELLINGTON-CT.GOV>; Sydney Kern <skern@ELLINGTON-CT.GOV>; Timothy Webb <twebb@ELLINGTON-CT.GOV>
Cc: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>
Subject: Staff Review - S202102 - 80 Tripp Road re-subdivision

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, June 28, 2021.
Please provide your comments/concerns on or before June 21, 2021.

Thank you in advance for your review.
Barbra

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

From: Lisa Houlihan
Sent: Wednesday, June 09, 2021 10:30 AM
To: 'trippasturefarm@gmail.com'
Subject: Proposed Re-Subdivision 80 Tripp Road - File S202102

Dear Mary Ellen et al,

As one of the technical support staff to the Ellington Planning and Zoning Commission (PZC), I have reviewed the proposed application and support materials for compliance to the Ellington Zoning and Subdivision Regulations (Re-subdivision plans sheets 1-3, April 19,2021, Prepared by Tarbell Heintz & Associates). Please see the following questions/comments:

1. The Assessor Parcel Number (APN) must be assigned by the Ellington Town Assessor and street number must be assigned by the Ellington Building Official. Providing an affirmative vote is rendered by the PZC, a standard condition of approval will require the plans be updated to reflect officially issued APNs and street numbers prior to plans being recorded on the Ellington Land Records.
2. Pursuant to Ellington Zoning Regulations 3.2.1(B) Density Limitation Formula, the Zoning Bulk Table, wherever it is listed, should be revised to include *density factor, lot yield, and family exemption for open space* (Ellington Subdivision Regulation 4.18.7).
3. Please update plan notes to indicate property pins will be required *prior to final zoning signoff and issuance of certificate of occupancy.*
4. Please update the Zoning Bulk Table, wherever listed, to reflect the *minimum front yard as 125' versus 150', and indicate a 25' rear yard for principal buildings and a 10' rear yard for accessory buildings.*
5. Please revise Street Tree reference, wherever listed, to read *"Street trees shall be planted in accordance with Ellington Subdivision Regulation Section 4.19.B and subject to approval by the ZEO prior to final zoning signoff and issuance of certificate of occupancy."*
6. Pursuant to Ellington Subdivision Regulations Section 4.18.7 Exemptions, in order to meet the terms of open space exemption the land must transfer for no consideration and the following note added to the plans: *"Land shall transfer to qualifying relative for no consideration and any lot subject to exemption shall be liable for its proportional share of the 10% pre-subdivision fair market appraisal at the time of subsequent sale or transfer to a person not exempt under Ellington Subdivision Regulation Section 4.18.7 if such a sale or transfer occurs within five years of the original subdivision approval."*
7. The waiver requested for Section 4.14 Sidewalks, is not required. Sidewalks cannot be required to be installed as a condition of subdivision approval within the right-of-way on existing town roads.

Please do not hesitate to contact me if you have any questions or if I can be of assistance.

Very kind regards,

Lisa

Lisa M. Houlihan, AICP
Ellington Town Planner
PO Box 187 / 55 Main Street/ Ellington, CT 06029
Phone: 860-870-3120 / Fax: 860-870-3122
Website: www.ellington-ct.gov/ Email: lhoulihan@ellington-ct.gov /

S202102

**Tarbell,
Heintz
& associates, Inc.
surveyors and engineers**

RECEIVED
MAY 03 2021
TOWN OF ELLINGTON
PLANNING DEPARTMENT

May 3, 2021

Kenneth Braga – Chairman
Town of Ellington
Inland Wetland Agency

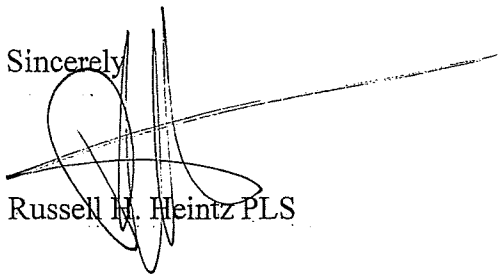
RE: APN 023-001-0004
Mary Ellen H. Trueb
80 Tripp Road
Ellington, CT 06029

We hereby request that your commission refers this Re Subdivision Plan to your wetland enforcement officer for his review.

There are no wetlands on the proposed lot and the proposed activity as shown are in excess of 500' of any wetlands.

Thank You

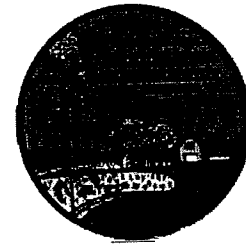
Sincerely



Russell M. Heintz PLS

860-528-1810
860-528-9495 fax
Email: mtahe1@aol.com
1227 Burnside Ave. Ste. 8A
East Hartford, Ct. 06108

Town of Ellington Planning Department



MEMO

DATE: May 17, 2021

TO: Planning & Zoning Commission
cc. PZC Files S202101

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

SUBJECTS: Proposed two lot re-subdivision
Mary Ellen H. Trueb (Owner)
Assessor Parcel No. 80 Tripp Road, APN 023-001-0004

The Inland Wetland Agency made a determination for a proposed eleven (11) lot re-subdivision of 61.56 acres at their May 10, 2021 regular meeting. The following motion was made in reference to PZC application #S202102:

MOVED (BURNS) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO GRANT A POSITIVE REFERRAL TO THE PLANNING & ZONING COMMISSION PURSUANT TO CONN. GEN. STAT. 8-26(e) – Mary Ellen H. Trueb, owner/applicant, for a two (2) lot re-subdivision application (S202102) involving land regulated as an inland wetland or watercourse at property located at 80 Tripp Road, APN 023-001-0004.

SHEET INDEX

SHEET NO.	TITLE OF SHEET
1	COVER SHEET
2	BOUNDARY PLAN - SUBDIVISION PLAN
3	TOPOGRAPHICAL, SITE PLAN/SEPTIC DESIGN PLAN, NOTES & DETAILS

100' ABUTTERS LIST

APN 023-001-0000
TYMAC HOLDINGS LLC
304 WEST MAIN ST.
AVON, CT 06001

APN 023-001-0004
MARY ELLEN H. TRUEB
80 TRIPP ROAD
ELLINGTON, CT 06029

APN 014-005-0000
CASSANDRA Y. GRYZEWSKI
273 WINDSORVILLE ROAD
ELLINGTON, CT 06029

APN 014-004-0000
CHARALAMBROS MOUITTA
275 WINDSORVILLE ROAD
ELLINGTON, CT 06029

APN 014-006-0017
MICHAEL D. & ERIN M. WHITE
78 TRIPP ROAD
ELLINGTON, CT 06029

APN 023-001-0001
AMY ROSE GRASE
90 STANDISH ROAD
ELLINGTON, CT 06279

APN 024-044-0000
IAN DACRES
36 STANDISH ROAD
ELLINGTON, CT 060279

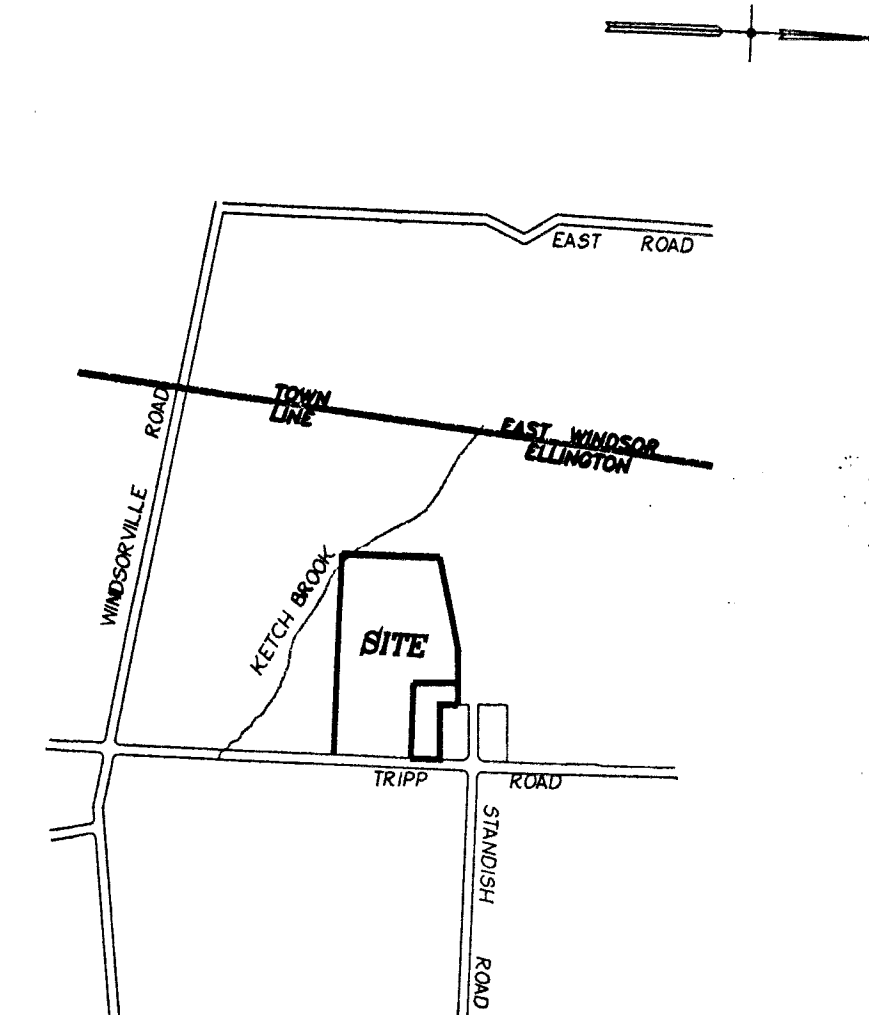
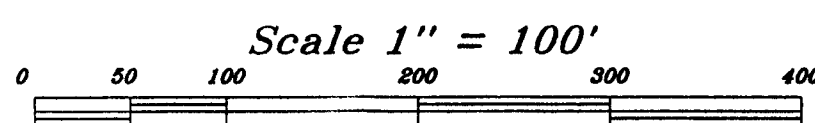
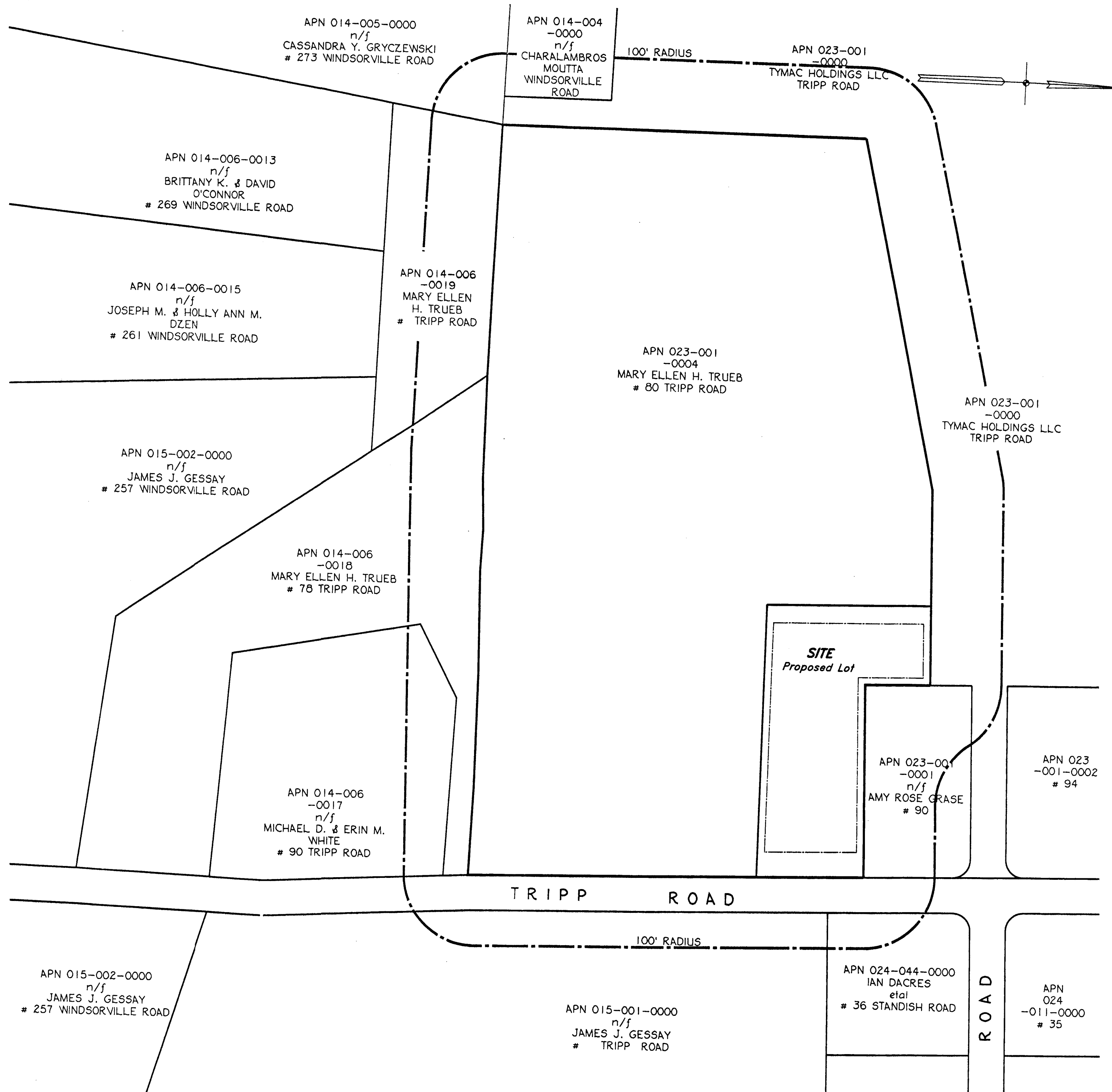
APN 015-001-0000
JAMES J. GESSAY
24 MIDDLE BUTCHER ROAD
ELLINGTON, CT 06029

MAP REFERENCE:

- "PROPERTY SURVEY PREPARED FOR STEVEN TRUEB ELLINGTON, CONNECTICUT GARDNER & PETERSON ASSOCIATES 178 HARTFORD TURNPIKE TOLLAND, CONNECTICUT 06094 MAP NO. 9522 B DATE 10-29-01 SCALE: 1"=100' BY E.R.P. SHEETS 1-1 REVISED THRU 11/02/01"
- "PROPERTY SURVEY PREPARED FOR STEVEN TRUEB ELLINGTON, CONNECTICUT GARDNER & PETERSON ASSOCIATES DATED 10-26-99."

NOTES:

- Property is located on the west side of Tripp Road 150' south of Standish Road
- Property is shown on Assessor's Map # 023-001-0004
- Property Zoned - RAR (Rural Agricultural/Residential)
- Proposal is a conventional subdivision.
- Total Acreage of APN 023-001-0004 = 13.93 Acres
Total Number of lots = 2
Open Space Provided = 0
Area of Wetlands on the Parcel = 1.7 Acres
Area of slopes in excess of 25% = 0.00 Ac.
- Owner: Mary Ellen H. Trueb
80 Tripp Road
Ellington, CT
Applicant: Alex Trueb
80 Tripp Road
Ellington, CT
- Bearings Based On Reference Maps
- Vertical control based U.S.G.S. 1983 Datum.
- Iron Pins to be set on all property corners.
- Parcel is not located in a special flood hazard area per Flood Insurance Rate Map Community-Panel Number 0901500015C, Map Effective Date: 02/05/1997.
- No Wetlands on the proposed new lot.
- All utilities to be underground
- Driveway over 10% grade must be paved.
- Street trees shall be planted in accordance with Section 4.19 as shown and or as agreed upon by the ZEO.
- Subsequent to subdivision approval, the approved building lot will require an individual site plan meeting the requirements of the North Central District Health Department, State Public Health Codes and the town of Ellington.
- Street Classification: Tripp Road - Local Street, 26' Pavement, 35' Setback.



SITE MAP
SCALE: 1" = 1000'

APN 023-001-00004
"Subdivision Plan"
Prepared For
MARY ELLEN H. TRUEB
80 TRIPP ROAD
ELLINGTON, CONNECTICUT

Owner:
Mary Ellen H. Trueb
80 Tripp Road
Ellington, CT 06029

Applicant:
Alex Trueb
80 Tripp Road
Ellington, CT 06029

Engineers & Surveyors
Tarbell Heintz & Assoc., Inc.
1227 Burnside Ave. - Suite 8A
East Hartford, Connecticut 06108

Sheet: 1 of 3
Date: 4-19-21

5202102

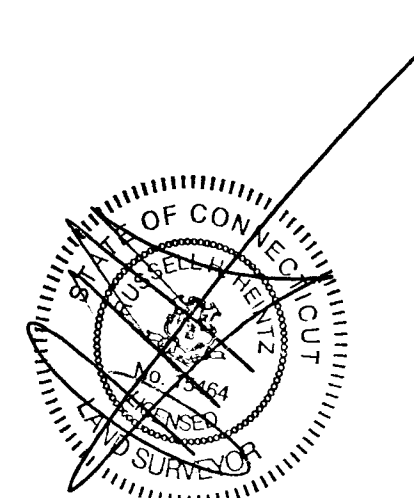
FINAL APPROVAL

Approved by the planning and zoning commission of the town of Ellington on this _____ day of _____, 20____. In accordance with sec. 8-26C of the Connecticut General Statutes, all work in connection with this subdivision must be completed by _____, 20____.

Secretary _____ Chairman _____

Zoning Bulk Table
Zone - RAR

Minimum Lot Size	40,000 Sq. Ft.
Minimum Lot Front	150'
Minimum Front Yard Setback	35'
Minimum Side Yard	10'
Minimum Rear Yard	25'
Maximum Lot Coverage	25%
Maximum Building Height	38' - 2 1/2 Stories





APN 023-001-0004
Total Parcel Area
606,961 Sq.Ft.
13.934 Ac.

Site Area
65,048 Sq.Ft.
1.493 Ac.

APN 023-001-0001
n/f
AMY ROSE GRASE

- NOTES:
- Property is shown On Assessor's Map # 023-001-0004
 - Property Zoned - RAR (Rural Agricultural/Residential)
 - Owner: Mary Ellen H. Trueb
80 Tripp Road
Ellington, CT
Applicant: Alex Trueb
80 Tripp Road
Ellington, CT
 - Bearings Based On Reference Maps
 - U.S.G.S. 1983 Datum.
 - Iron Pins to be set on all property corners.
 - No Wetlands on the proposed new lot.
 - All utilities to be underground
 - Driveway over 10% grade must be paved.
 - Street trees shall be planted in accordance with Section 4.19 as shown and or as agreed upon by the ZEO.
 - Subsequent to subdivision approval, the approved building lot will require an Individual site plan meeting the requirements of the North Central District Health Department, State Public Health Codes and the town of Ellington.

Zoning Bulk Table
Zone - RAR

Minimum Lot Size	40,000 Sq. Ft.
Minimum Lot Front	150'
Minimum Front Yard Setback	35'
Minimum Side Yard	10'
Minimum Rear Yard	25'
Maximum Lot Coverage	25%
Maximum Building Height	38' - 2 1/2 Stories

Zoning Bulk Table
Existing

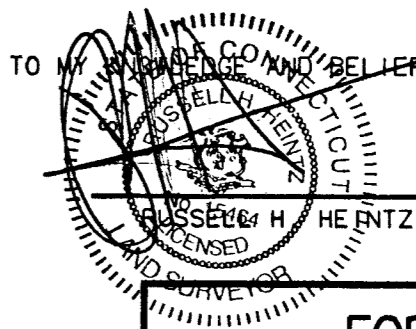
Minimum Lot Size	606,691 Sq. Ft.
Lot Front Frontage	555.41'
Front Yard Setback	255.5'
Side Yard	102.2'
Rear Yard	720'
Lot Coverage	3%
Maximum Building Height	2 1/2 Stories

Zoning Bulk Table
Proposed New Lots

Lot Size	65,048 Sq. Ft. - 541,913 Sq.Ft.
Lot Front	150.40' - 405.01'
Front Yard Setback	135' - 255.5'
Side Yard	20' - 102.2'
Rear Yard	185' - 720'
Lot Coverage	11% - 3.3%
Building Height	2 1/2 Stories

- MAP REFERENCE:
- "PROPERTY SURVEY PREPARED FOR STEVEN TRUEB ELLINGTON, CONNECTICUT GARDNER & PETERSON ASSOCIATES 178 HARTFORD TURNPIKE TOLLAND, CONNECTICUT 06084 MAP NO. 9522 B DATE 10-29-01 SCALE: 1"=100' BY E.R.P. SHEETS 1-1 REVISED THRU 11/02/01".
 - "PROPERTY SURVEY PREPARED FOR STEVEN TRUEB ELLINGTON, CONNECTICUT GARDNER & PETERSON ASSOCIATES DATED 10-26-99."

NOTE: THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. IT IS A BOUNDARY SURVEY BASED ON A DEPENDENT RESURVEY, CONFORMING TO HORIZONTAL ACCURACY CLASS "A-2", AND INTENDED FOR SUBDIVISION APPROVAL."



L.S. 15464
REGISTRATION NO.
4-19-21
DATE

FINAL APPROVAL
Approved by the planning and zoning commission of the town of Ellington on this _____ day of _____, 20____. In accordance with sec. 8-26C of the Connecticut General Statutes, all work in connection with this subdivision must be completed by _____ 20____.

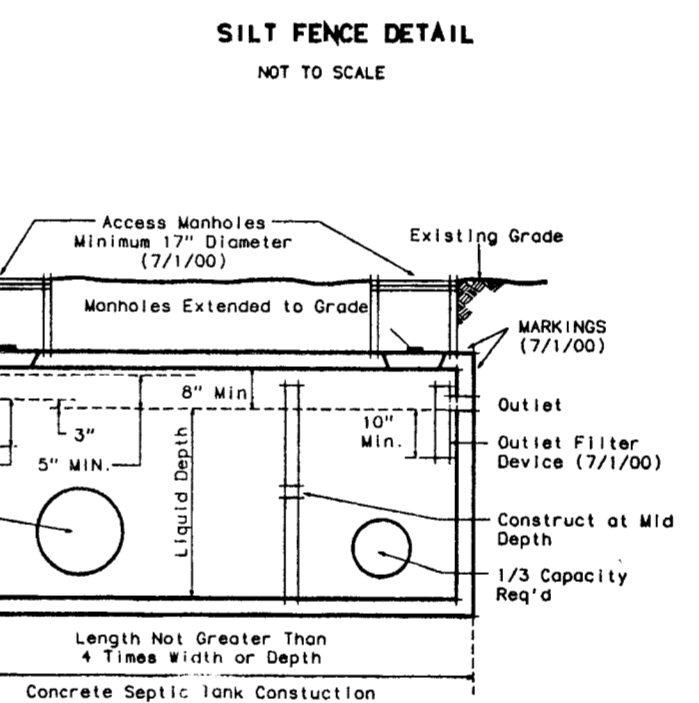
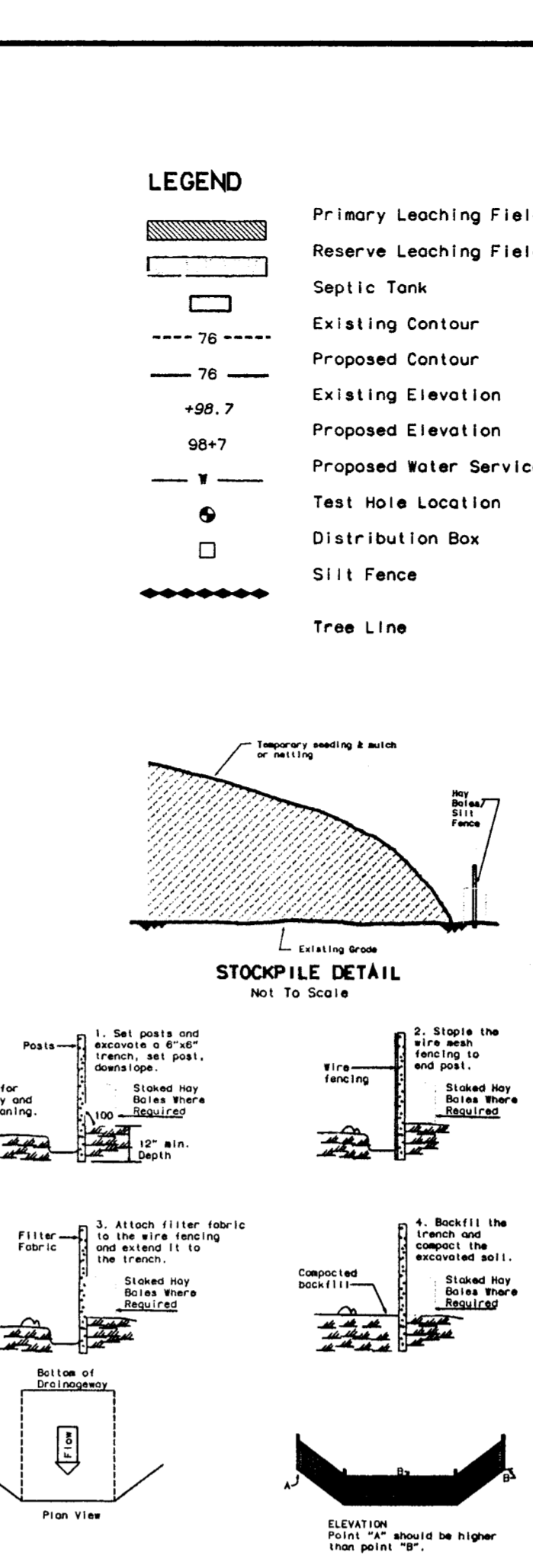
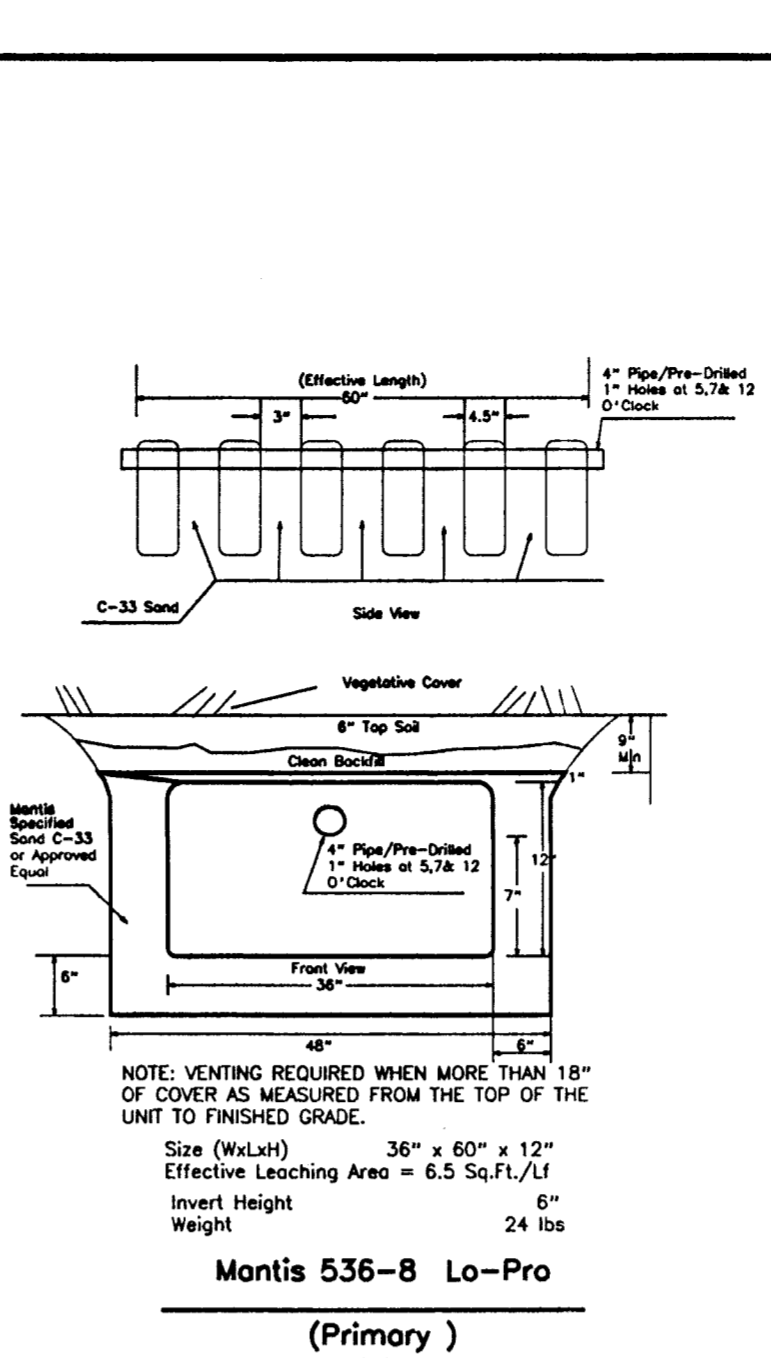
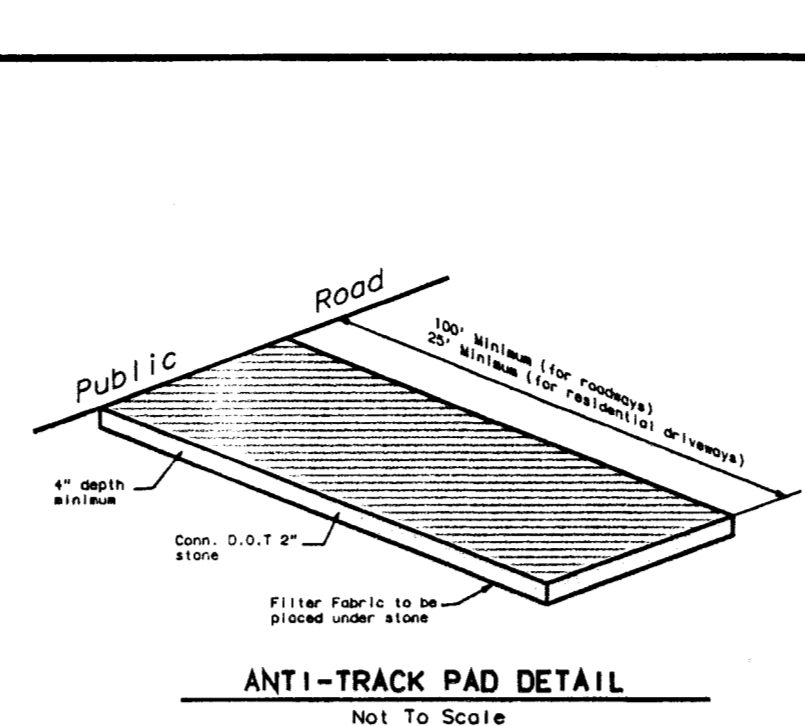
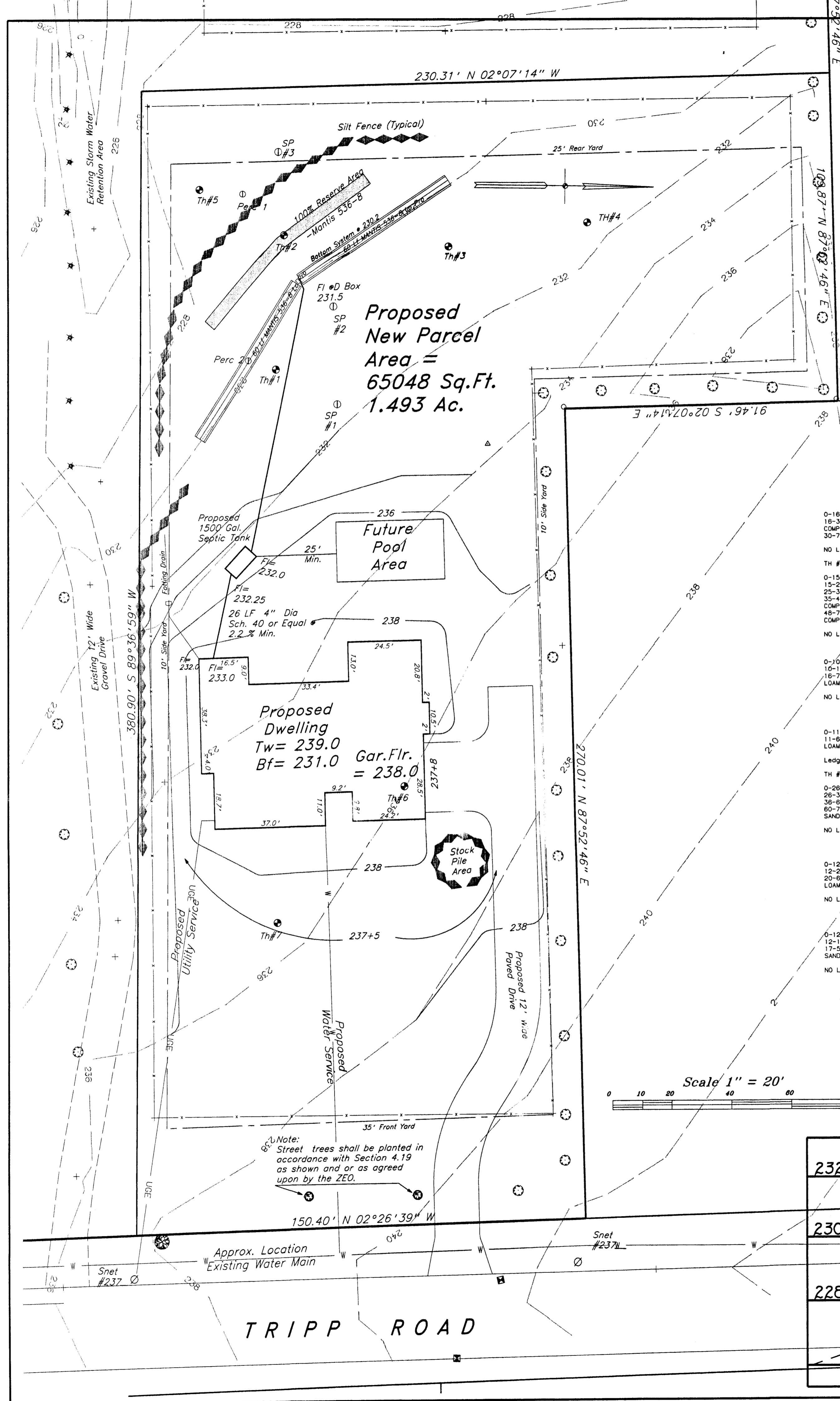
Secretary _____ Chairman _____

FOR SUBDIVISION APPROVAL

BOUNDARY PLAN
PREPARED FOR
MARY ELLEN H. TRUEB
80 TRIPP ROAD
ELLINGTON, CONNECTICUT

TARBELL, HEINTZ & ASSOC., INC.
CIVIL ENGINEERS - LAND SURVEYORS
1227 BURNSIDE AVENUE, SUITE 8A, EAST HARTFORD, CT (860) 528-1810

JOB NO.	DATE	SCALE	DRAWN BY	SHEET NO.
1894.P	4-19-21	AS SHOWN	RHH	2 OF 3



APN MAP # 023-001-0004
 11-24-2020
 NCDHD/Tarbelle Heintz

TH # 1

0-16" BRN MIXED LOAM
 18-30" REDDISH SANDY TILL, SLIGHTLY
 30-74" LIGHT RED COMPACT LOAMY SAND
 NO Ledge MOTTS 30" NO SEEPS

TH # 2

0-15" LOAM/FILL
 15-25" BRN FSL
 25-35" LIGHT BRN LOAM SAND
 35-46" REDDISH LOAMY SAND, SOMEWHAT
 46-78" COMPACT REDDISH LOAMY SANDY,
 78-87" COMPACT REDDISH LOAMY SANDY,
 NO Ledge MOTTS 48" NO SEEPS

TH # 3

0-10" BRN LOAM
 10-18" RED BRN LOAM
 18-70" REDDISH SOMEWHAT COMPACT
 LOAMY SAND TILL
 NO Ledge MOTTS INDISTINCT NO SEEPS

TH # 4

0-11" BRN LOAM
 11-20" REDDISH SOMEWHAT COMPACT
 LOAMY SAND TILL
 Ledge Rock 56" MOTTS INDISTINCT NO SEEPS

TH # 5

0-28" BRN LOAMY FILL
 28-36" BRN FSL
 36-60" RED BRN LOAM
 60-71" REDDISH COMPACT LOAMY
 SAND TILL
 NO Ledge MOTTS INDISTINCT NO SEEPS

TH # 6

0-12" BRN LOAM
 12-20" REDDISH LOAM SAND
 20-60" REDDISH LOAM SAND COMPACT
 LOAMY SAND TILL
 NO Ledge MOTTS INDISTINCT NO SEEPS

TH # 7

0-12" BRN LOAM
 12-17" RED DISH LOAM SAND
 17-58" COMPACT REDDISH LOAMY
 SAND TILL
 NO Ledge MOTTS INDISTINCT NO SEEPS

80 TRIPP ROAD
 APN MAP # 023-001-0004

2-Bedroom House
 Leaching area required = 780 S.F.
 Leaching area provided = 780 S.F. + 100% reserve
 Use 1 Row 120" long MANTIS Lo Pro 536-8
 (3' x 12" x 18") 6.5 Sq.Ft. E.A.U.
 Use a minimum 1000 gallon septic tank
 Slope = 3:1=68 (H/V)
 Bedroom Design - 1.5 (FF)
 Bath Design - 1.5 (FF)
 Here note = 20.1 = 30 Min/yr (PF) 1.5
 M.L.S.S. = HF + PF + PF = 48 + 1.5 + 1.5 = 108 LF
 System "0" into Existing Grade

HYDRAULIC FACTOR (HF)

HYDRAULIC GRADIENT (% OF SLOPE)	1	2	3	4	6	8	10	12	15
<17.9	SEE NOTE #1								
17.9	72	62	54	48	42	34	30	28	26
26.1	66	58	48	42	34	30	28	26	24
35.1	56	49	42	34	30	28	26	24	20
44.1	48	42	34	30	28	26	24	20	18
53.1	42	36	30	28	26	24	20	18	16
62.1	36	32	28	26	24	20	18	16	14
71.1	30	28	24	22	20	18	16	14	10

PERCOLATION FACTOR (PF)

Up to 10 = 1.0
 10.1 - 20 = 0.5
 20.1 - 45 = 0.3 or 0.2
 45.1 - 60 = 0.2 or 0.1
 * If leaching system is entirely in silt fill and the bottom of system is above existing grade and at least 24 inches above maximum groundwater.

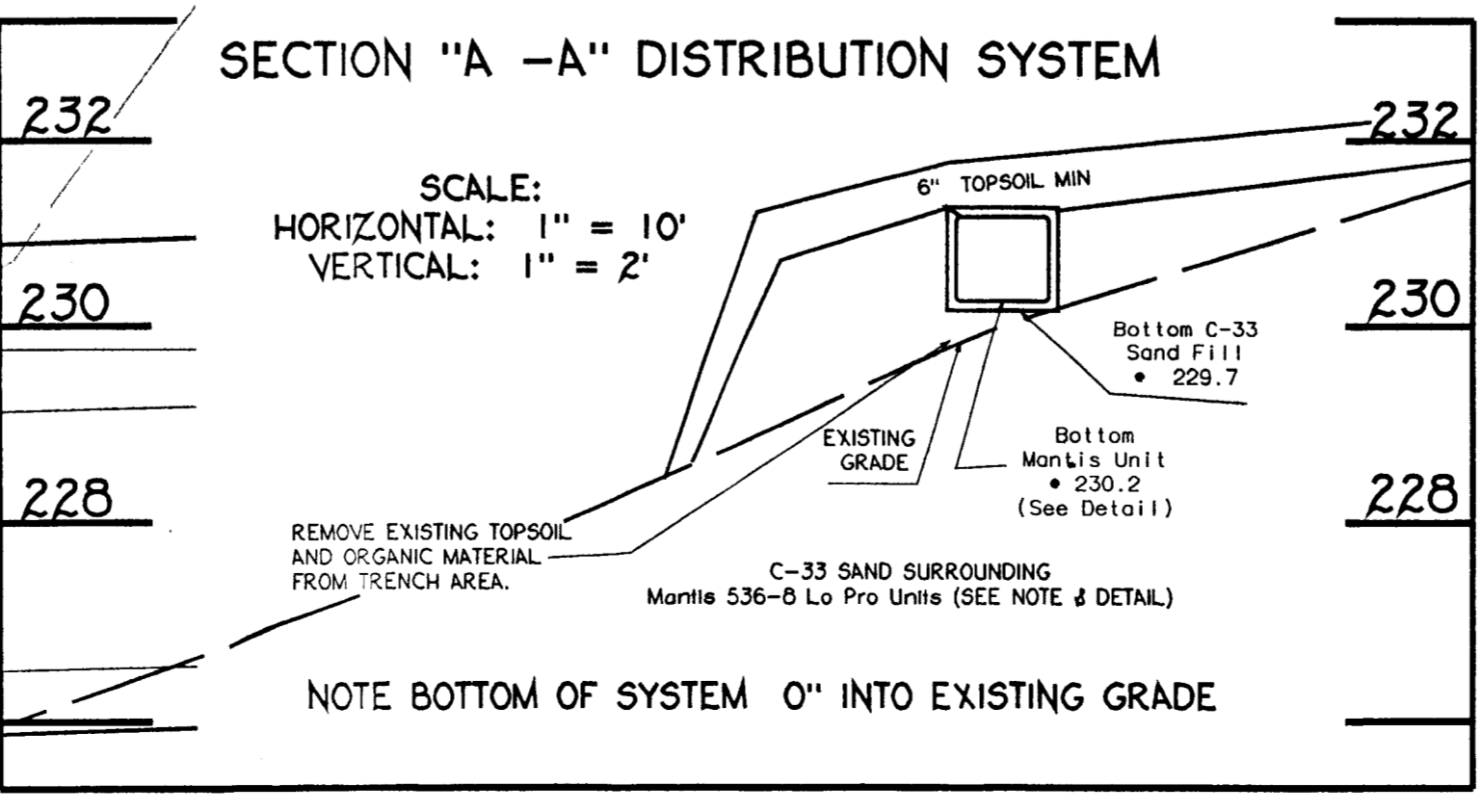
FLOW FACTOR = DESIGN FACTOR (FF)

TYPICAL USES	FLOW FACTOR (FF)
Residential One Bedroom One Bath	1.0
Residential One Bedroom Two Bath	1.5
2 Bedroom Home = 300/300	2.0
3 Bedroom Home = 450/300	3.0
4 Bedroom Home = 525/300	4.0

PERMITS

1 - Cannot Be Approved Unless Hydraulic Analysis Demonstrates Suitability

NOT - Residential Design Flow (RDF)/300 (PF)



PERMITS

DATE: 12-17-2020
 PERC: 1

TEMPERATURE: 30'S

WEATHER CONDITIONS: F CLOUD

PRESUMED TIME: 1:15 PM 12-1-20 DEPTH TO BOTTOM: 34.5'

START TIME	DEPTH	AVG. TIME	AVG. DEPTH	MIN/INCH
11:56	0	16"		
12:01	5	17 1/4"	5	11/A 3.33
12:06	10	17 1/2"	5	1/4" 20
12:11	15	17 3/4"	5	1/4" 20
12:16	20	18"	5	1/4" 20
12:21	25	18 1/2"	5	1/2" 10
12:26	30	19"	5	1/2" 10
12:31	35	19 1/4"	5	1/4" 20
12:36	40	19 1/2"	5	1/4" 20
12:41	45	20"	5	1/2" 10
12:46	50	20 1/4"	5	1/4" 20
12:51	55	20 1/2"	5	1/4" 20
12:56	60	20 3/4"	5	1/4" 20
1:01	65	21"	5	1/4" 20

PERMITS

DATE: 5-28-2021
 PERC: 2

TEMPERATURE: 45'S

WEATHER CONDITIONS: SUNNY/WINDY

PRESUMED TIME: 9:30 AM 3-29-21 DEPTH TO BOTTOM: 37'

START TIME	DEPTH	AVG. TIME	AVG. DEPTH	MIN/INCH
1:08	0	21 3/4"		
1:18	10	24"	10	2 1/4" 4.44
1:28	20	25"	10	1" 10
1:38	30	26"	10	1" 10
1:48	40	27"	10	1" 10
1:58	50	27 3/4"	10	3/4" 13.333
2:08	60	28 1/2"	10	3/4" 13.333
2:18	70	29 1/4"	10	3/4" 13.333
2:28	80	30"	10	3/4" 13.333
2:38	90	30 1/2"	10	1/2" 20
2:48	100	31/200"	10	1/2" 20

General Notes:

- Contractor and/or owner shall comply with all pertinent Town and State Health Department regulations.
- Installation order and procedures shall be as directed by the State Health Department, the Town, and the Engineer.
- Topography is based upon referenced maps.
- House sewer from foundation wall to septic tank shall be cast iron hubless A-88 pipe with cast iron silt sleeve bolted joint with rubber gasket, MG coupling or approved equal.
- Distribution pipes after septic tank to be S.D.R.-35 or approved equal.
- The septic tank shall be made of concrete with watertight walls and bottom, shall have two compartments with the inlet baffled or submerged for a depth of at least 12"-18" and the outlet baffled or submerged to a depth of at least 18" below the liquid surface but not more than half the liquid depth. Baffles shall extend 6" above the liquid level. The outlet invert shall be 3" lower than the inlet invert. The tank shall conform to the current Health Department Standards and Specifications.
- It is the responsibility of the licensed installer to construct the final approved plan without revision, unless prior approval has been granted.
- If the installer finds any mottling, ground water or other conditions worse than shown on this plan, he shall immediately stop work and contact the Health Agency and the Engineer for revisions.
- The design is based on field testing and it is possible that conditions may be found during construction that will increase the system cost to the owner.
- All disturbed areas shall be loamed and seeded as soon as possible after system construction. All areas to be protected against erosion during construction, using hay bales/silt fence as required.
- It is strongly recommended that a licensed Land Surveyor stake out the area of the system prior to house construction, as well as field stake both the elevations and locations for all parts of the leaching system prior to its construction.
- The design Engineer shall supervise the staking of the septic system, location and elevation to insure conformance to the plan and the State Health code. Construction Schedule/Erosion Control Plan & Sedimentation Control Notes

- Box out driveway and immediately install anti-tracking Pad (see detail).
- Place staked hay bales/silt fence adjacent to disturbed areas to protect against possible sedimentation (see plan).
- Strip and stockpile topsoil from area of proposed house, keep disturbance at a minimum (see temporary stockpile detail).
- Excavate for and install footings and foundation.
- Backfill foundation, loam and seed disturbed areas as soon as possible. Protect area, as necessary, with hay bales, mulch, etc., until area is stabilized.
- Strip and stockpile topsoil from area of septic system.
- Install septic system, install septic tank, install water and utility lines
- Loam and seed all remaining disturbed areas as soon as possible. Protect area, as necessary, with hay bales, mulch, etc., until area is stabilized.
- All erosion and sedimentation control devices are to be maintained until disturbed areas are stabilized. Responsible party is ALEX TRUES 1-800-748-7121.
- At line of construction stake-out, BM to be set near septic area.

Septic Notes

- If flow lines need to be field adjusted to maintain bottom of system 0" into existing grade as it exists prior to any stripping or filling, then the Northeast District Dept. of Health must be notified prior to installation.
- MANTIS units are to set level.
- System is a High Level Overflow Serial Distribution System.
- Fill for septic system will be as specified below and meeting the State Health code requirements and approved by the local Sanitation.
- The first layer of fill shall be a 12" lift with each succeeding layer in 12" lifts.
- Fill material to be compacted to 90% density.
- Truck and equipment traffic as well as material stockpiles should be kept out of the area of the system.
- Design of septic does not take into account a garbage disposal or a large capacity discharge type tub.

Septic Systems Select Backfill Specifications

- The fill should not contain any material larger than 3 inches.
- The fill should not contain more than 45 percent gravel (gravel falls between the No. 4-3 sieves). No more than 45 percent of the material can be retained on the No. 4 sieve.
- The fill less the gravel should meet the following gradation criteria:

Sieve	(Wet Sieve)	Percent Passing	(Dry Sieve)
No. 4	100	100	100
No. 10	70-100	70-100	70-100
No. 40	10-50	10-75	10-75
No. 100	0-20	0-5	0-2.5
No. 200	0-5	0-1.5	

NOTE: Percent passing the no. 40 sieve can be increased to no greater than 75% if the percent passing the no. 100 sieve does not exceed 10% and the no. 200 sieve does not exceed 5%.

Note: The responsibility for the preparation of a leaching area utilizing "select" material is that of the licensed installer. The installer shall take the necessary steps to protect the underlying naturally occurring soils from overcompaction and alligation once exposed.

- Stone Aggregate Specifications

Sieve	Percent Passing (By Weight)	(Wet Sieve)
2-inch	90-100	
1.5-inch	80-100	
1-inch	60-100	
3/4-inch	40-100	
3/8-inch	20-100	
#40	0-3	
#200	0-1.5	

Stone aggregate shall be free of silt, dirt, or debris, and shall show a loss of abrasion of not more than 50% using AASHTO METHOD T-96, and when tested for soundness using AASHTO METHOD T-104 not have a loss of more than 15% at the end of 5 cycles.

NOTE: THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. IT IS A SITE SURVEY BASED ON A DEPENDENT RESURVEY, CONFORMING TO HORIZONTAL ACCURACY CLASS "A-2", VERTICAL "1-2".

TO WHOM THESE REGULATIONS APPLY: BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREIN.

L.S. 15464
 REGISTRATION NO. 4-19-21
 DATE

FOR SUBDIVISION APPROVAL

SITE PLAN/SEPTIC DESIGN PLAN

PREPARED FOR
MARY ELLEN H. TRUES
 80 TRIPP ROAD
 ELLINGTON, CONNECTICUT

TARBELL, HEINTZ & ASSOC., INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 1227 BURNSIDE AVENUE, SUITE 8A, EAST HARTFORD, CT (860) 526-1810

JOB NO. 1894.P
DATE: 4-19-21
SCALE: 1" = 20'
DRAWN BY: RHH
SHEET NO: 3 OF 3

**TOWN OF ELLINGTON
FIRST SELECTMAN'S OFFICE**



DATE: June 23, 2021
TO: Arlo Hoffman, Chairman, Planning and Zoning Commission
FROM: Lori L. Spielman, First Selectman *LS*
Re: 59 Maple Street Acquisition

Following discussion with the Board of Selectmen, I am requesting that the potential acquisition of real estate at 59 Maple Street be referred to the Planning and Zoning Commission to submit a report to the Board of Selectmen in accordance with Connecticut State Statute Section 8-24.

I will be present at the Planning and Zoning Commission meeting on June 28, 2021 to answer any questions and to provide details on the purpose of this acquisition.

Please provide your response to the Board of Selectman at your earliest convenience. Thank you.

cc: Lisa Houlihan, Town Planner



Cider Mill

Center Village



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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
REGULAR MEETING MINUTES
MONDAY, MAY 24, 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**

MEMBERS PRESENT: **IN MEETING ROOM: CHAIRMAN ARLO HOFFMAN, VICE CHAIRMAN SEAN KELLY (ARRIVED AT 7:31 PM), SECRETARY ROBERT SANDBERG, JR, REGULAR MEMBERS F. MICHAEL FRANCIS AND MICHAEL SWANSON AND ALTERNATES JON MOSER AND KEN RADZIWON; VIA ZOOM: REGULAR MEMBER WILLIAM HOGAN**

MEMBERS ABSENT: **REGULAR MEMBER RICCI HIRTH**

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

I. CALL TO ORDER: Chairman Hoffman called the meeting to order at 7:03 pm.

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

Jeremy Cormier, 15 Liberty Hill, Wethersfield, CT, stated he would like to purchase the Wraight properties and live at 43 East Porter Road and establish a dog training facility with up to twelve kennels. He stated he would like to apply for a home occupation permit. Ms. Houlihan explained the two different types of home occupation permits. Mr. Cormier mentioned he is a retired State Trooper and the dogs he trains are for K-9 Units within Connecticut. Chairman Hoffman said Mr. Cormier is looking for an outdoor kennel within a residential zone and that type of business is different from a home occupation that is conducted within the home. Commissioner Hogan said the parcel is only 2 acres and Mr. Cormier is requesting to obtain a Special Permit for a commercial kennel activity that is allowed in the commercial and industrial zones not residential zones. He feels noise could be a problem. Mr. Cormier explained his intent to buy all the parcels owned by the Wraights on the east side of Webster Road and the land on the west side has been sold to the land trust. The closest home is over 500 feet away. Chairman Hoffman explained an application is subject to a public hearing and neighbors may raise concerns.

III. PUBLIC HEARING(S):

1. 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.

Time: 7:15 pm

Seated: Hoffman, Sandberg, Hogan, Francis, Swanson, Moser and Radziwon

David and Patrick Stavens, 77 Meadow Brook Road and Eric Peterson, Gardner & Peterson Associates, LLC, 178 Hartford Turnpike, Tolland, CT were present to represent the application.

Mr. Peterson said a Special Permit/Site Plan approval for the existing business was granted back in February 2013 for the operation of site work/roadway, contractor's office, garage and storage yard, sale and repair of construction equipment, trucks and motor vehicles and all leased or rented space. The owner is looking for a modification to the Special Permit for a new 105'x80' building for a wash bay and additional storage for vehicles. He noted the building will be metal with four overhang doors. He explained drivers will be able to enter from the back of the building and thru the wash bay portion. The site is on public water and sewer, and there will be a floor drain in the wash bay area and water will drain through a water/sand separator and out to the storm sewer system. Mr. Peterson said a lighting plan was submitted and lights will be down lit and mounted to the new building. The front parking area and the driveway areas have been re-configured to help direct traffic flow within the site. There will be a privacy fence and a license plate monitoring system gate to enter the back area. Mr. Peterson stated the wash bay will not be for the public.

Commissioner Hogan asked if Mr. Stavens was related to any of the surround neighbors, Mr. Stavens confirmed no relations. Commissioner Hogan inquired about the trailers and stockpiles on the site that encroach onto other properties. Mr. Stavens said the trailers are going to be removed and he has a good relationship with the abutters.

Chairman Hoffman asked if anyone from the public would like to speak. Erica Bahler, 48 Meadow Brook Road, said her main concern is the large stockpiles of materials and asked if the owner would be removing them. She had no concerns about the building. Mr. Stavens stated they are installing an 8' stockade vinyl fence and replacing the dead arborvitaes with new trees. He noted that they will try to increase dust controls and the stockpiles are expected to be removed over the summer.

Ms. Houlihan reviewed staff comments from the Water Pollution Control Authority (WPCA), the positive referral from the Design Review Board (dated May 24, 2021), and comments from the Town Engineer. She explained comments from the Town Engineer may be addressed as conditions of approval. The plans comply with zoning setbacks, building height, lot coverage and parking regulations and the wall mounted exterior light fixtures should project light downward and away from adjoining premises.

Alternate Radziwon asked if the proposed activity would increase the impervious coverage on the site. Mr. Peterson explained the impervious coverage will be reduced. Alternate Radziwon asked if the parking will be ADA compliant. Mr. Peterson explained there will be two handicap parking spaces in front of the main office. Alternate Radziwon mentioned no landscape plan was submitted as part of the application. Mr. Stavens noted there will be trees installed in front of the fence and more areas around the site will be landscaped. He noted that one utility pole was removed and two poles were installed on either end of the linear frontage of the property.

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

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

CONDITIONS OF APPROVAL:

- 1. SUBJECT TO THE TOWN ENGINEER'S COMMENTS DATED MAY 19, 2021.**
- 2. A LANDSCAPE PLAN PROVIDING A VISUAL BUFFER OF THE AREA TO THE REAR OF THE SITE SHALL BE SUBMITTED TO STAFF FOR REVIEW AND APPROVAL PRIOR TO LANDSCAPING BEING INSTALLED.**

Applications S202101 and Z202109 were heard simultaneously.

- S202101 – Sunset Valley Farms, LLC owner/ David Moser, applicant, request for re-subdivision of 42.34 acres for two (2) lots for 55 Kreyssig Road, APN 156-004-0001, in a RAR (Rural Agricultural Residential) Zone.

Time: 7:54 pm

Seated: Hoffman, Kelly, Sandberg, Hogan, Francis, Swanson and Radziwon

David Moser, 29 Sadds Mill Road, and Daniel Jameson, P.E., Design Professionals. 21 Jeffrey Drive, South Windsor, CT were present to represent the application.

Mr. Jameson explained the plans propose to divide 55 Kreyssig Road into two lots, one lot will be 40.494 acres and the new lot will consist of 2.92 acres. Mr. Moser will purchase .536 acres of land from the owner of 20 Griswold Road to install an access driveway. Mr. Jameson explained the land will be transferred to a family member and the reason for the waiver of open space. He noted that the new rear lot cannot be resubdivided due to the right of way being less than 50 feet in width. They received a positive referral from the Inland Wetlands Agency on May 10, 2021.

Ms. Houlihan explained the Town Engineer's comments appear to be met. The plans comply with lot requirements and yard setbacks, but must be revised to reflect assessor parcel number and street address. She explained proof of conceptual approval is not present from North Central District Health Department (NCDHD) and a decision should not be rendered until conceptual approval is present; this was explained to the applicant shortly after the application was received last month. The Department of Public Works will require a right-of-way permit for the proposed driveway off of Griswold Road.

Mr. Jameson stated NCDHD has been on site and performed perc tests and they are awaiting conceptual approval. Ms. Houlihan suggested the two applications be continued until conceptual approval from NCDHD is present.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CONTINUE THE HEARING TO THE NEXT METING ON JUNE 28, 2021 AT THE ELLINGTON SENIOR CENTER GREAT ROOM, 40 MAPLE STREET FOR S202101

– Sunset Valley Farms, LLC owner/ David Moser, applicant, request for re-subdivision of 42.34 acres for two (2) lots for 55 Kreyssig Road, APN 156-004-0001, in a RAR (Rural Agricultural Residential) Zone.

- Z202109 – Sunset Valley Farms, LLC owner/ David Moser, applicant, pursuant to Section 7.9 – Rear Lot Requirements, request for a Special Permit for one rear lot to construct a single family home with access along the south border of 20 Griswold Road, APN 157-002-0001, associated with S202101 for re-subdivision of 42.34 acres for two (2) lots at 55 Kreyssig Road, in a RAR (Rural Agricultural Residential) Zone.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CONTINUE THE HEARING TO THE NEXT METING ON JUNE 28, 2021 AT THE ELLINGTON SENIOR CENTER GREAT ROOM, 40 MAPLE STREET FOR Z202109

– Sunset Valley Farms, LLC owner/ David Moser, applicant, pursuant to Section 7.9 – Rear Lot Requirements, request for a Special Permit for one rear lot to construct a single family home with access along the south border of 20 Griswold Road, APN 157-002-0001, associated with S202101 for re-subdivision of 42.34 acres for

two (2) lots at 55 Kreyssig Road, in a RAR (Rural Agricultural Residential) Zone.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. S202102 – Mary Ellen H. Trueb, owner/applicant, request for re-subdivision of 13.93 acres for two (2) lots for 80 Tripp Road, APN 023-001-0004, in a RAR (Rural Agricultural Residential) Zone.

BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED PUBLIC HEARING FOR JUNE 28, 2021, 7:00 PM FOR S202102 – Mary Ellen H. Trueb, owner/applicant, request for re-subdivision of 13.93 acres for two (2) lots for 80 Tripp Road, APN 023-001-0004, in a RAR (Rural Agricultural Residential) Zone.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of Planning and Zoning Commission April 26, 2021 Regular Meeting Minutes.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE APRIL 26, 2021 REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence:

- a. Discussion: draft text amendment to add Low Impact Development Standards to the Ellington Zoning Regulations, revised date May 19, 2021.

Ms. Houlihan said she is working with the Town Engineer to create Low Impact Development (LID) Standards for the town. She asked the commission if they would rather have the standard included in the Zoning Regulations or a guide as an appendix to the regulations. Commissioner Hogan and Alternate Moser noted they liked the concept of creating a manual.

- b. Discussion: draft text amendment to Section 7.1 Accessory Apartments of the Ellington Zoning Regulations.

The commission discussed the draft text amendment. They reviewed the usable floor area, the number of bedrooms, owner occupancy requirements and the definition of an accessory apartment. Commissioner Hogan referred to the proposed legislation pertaining to septic systems and accessory apartments. Ms. Houlihan noted both the primary dwelling and the detached accessory dwelling can be on the same septic system. The commission agreed to revisit the draft amendment at the next meeting before formalizing the proposal.

- c. SB1026 – An Act concerning training for certain P&Z Officials.

Ms. Houlihan explained the new training requirements. Secretary Sandberg asked if the training would be for current members or for new members after October 1st, and Commissioner Francis asked if training was required each time a commissioner was re-elected or reappointed. Ms. Houlihan said she'd research the new requirement.

- d. Memo from Lori Spielman, First Selectman – Updated Guidance Regarding COVID-19, dated May 18, 2021.

VII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 9:05 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk

REVISED DRAFT TEXT AMENDMENT - MAY 24, 2021

Additions are bolded and underlined / Deletions are ~~stricken through~~ / Otherwise as currently adopted

Draft text amendment to update various sections of the Ellington Zoning Regulations pursuant to SB-1024 An Act Concerning Zoning Authority, Certain Design Guidelines, Qualifications of Zoning Enforcement Officers and Certain Sewage Disposal Systems as the bill relates to accessory apartments standards.

3.1.2 RESIDENTIAL USES	Rural Agricultural / Residential	Residential	Lake Residential
1. Accessory apartment in accordance with Section 7.1	<u>SP P</u>	<u>SP P</u>	<u>P</u>

Table 6.2.3 Off Street Parking Requirements	
Dwelling - Single Family	2 parking spaces per family unit
<u>Accessory Apartment</u>	<u>1 parking space per accessory apartment</u>

Section 7.1 Accessory Apartments

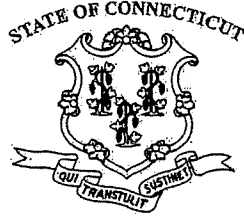
- A. Accessory Apartments are subject to the following restrictions and conditions:
1. Either the primary dwelling unit or accessory apartment shall be owner-occupied. ~~and one of the dwelling units shall be occupied by a person 60 years of age or older, or a handicapped person.~~
 2. The usable floor area of the accessory apartment shall **be less than** 50 percent of the usable floor area of the primary dwelling unit ~~have a maximum of~~ **and shall be no more than** 1,000 square feet, ~~except that the area of the accessory apartment shall not exceed.~~ These areas shall be exclusive of garages, porches, or basements.
 3. The accessory apartment shall have no more than two bedrooms.
 4. **The accessory apartment shall comply with Section 3.2.3 Minimum Yard Setbacks and Section 3.2.4 Building Height & Lot Coverage.**
 5. **When an accessory apartment is attached to a primary dwelling unit, the following shall apply:**
 - a. The architectural treatment of the total structure shall be as to portray the character of a single-family dwelling unit.
 - b. The structure shall have only one main entrance on the street side of the structure; all other entrances shall be at the side or to the rear.
 6. ~~The primary dwelling unit and the accessory apartment shall have a connecting door between the two dwelling units.~~

Any violation of the terms of the special permit shall be prosecuted in accordance with Connecticut General Statutes.

Section 10.2 DEFINITIONS

Accessory Apartment. A subordinate separate attached or detached dwelling unit that is intended for use as a complete, independent living facility ~~located in a residence constructed as, and having the character of, a single-family residence, which subordinate dwelling unit does not substantially alter the character and appearance of the residential structure or its conformity with the character of the neighborhood~~ occupied by a single housekeeping unit located on the same lot as a primary dwelling that is less square footage than the primary dwelling and in compliance with the regulations.

DRAFT - NOT APPROVED



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Public Act No. 21-29

AN ACT CONCERNING THE ZONING ENABLING ACT, ACCESSORY APARTMENTS, TRAINING FOR CERTAIN LAND USE OFFICIALS, MUNICIPAL AFFORDABLE HOUSING PLANS AND A COMMISSION ON CONNECTICUT'S DEVELOPMENT AND FUTURE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 8-1a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) "Municipality" as used in this chapter shall include a district establishing a zoning commission under section 7-326. Wherever the words "town" and "selectmen" appear in this chapter, they shall be deemed to include "district" and "officers of such district", respectively.

(b) As used in this chapter and section 6 of this act:

(1) "Accessory apartment" means a separate dwelling unit that (A) is located on the same lot as a principal dwelling unit of greater square footage, (B) has cooking facilities, and (C) complies with or is otherwise exempt from any applicable building code, fire code and health and safety regulations;

(2) "Affordable accessory apartment" means an accessory apartment that is subject to binding recorded deeds which contain covenants or

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restrictions that require such accessory apartment be sold or rented at, or below, prices that will preserve the unit as housing for which, for a period of not less than ten years, persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income;

(3) "As of right" means able to be approved in accordance with the terms of a zoning regulation or regulations and without requiring that a public hearing be held, a variance, special permit or special exception be granted or some other discretionary zoning action be taken, other than a determination that a site plan is in conformance with applicable zoning regulations;

(4) "Cottage cluster" means a grouping of at least four detached housing units, or live work units, per acre that are located around a common open area;

(5) "Middle housing" means duplexes, triplexes, quadplexes, cottage clusters and townhouses;

(6) "Mixed-use development" means a development containing both residential and nonresidential uses in any single building; and

(7) "Townhouse" means a residential building constructed in a grouping of three or more attached units, each of which shares at least one common wall with an adjacent unit and has exterior walls on at least two sides.

Sec. 2. Section 8-1c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) Any municipality may, by ordinance, establish a schedule of reasonable fees for the processing of applications by a municipal zoning commission, planning commission, combined planning and zoning commission, zoning board of appeals or inland wetlands commission.

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Such schedule shall supersede any specific fees set forth in the general statutes, or any special act or established by a planning commission under section 8-26.

(b) A municipality may, by regulation, require any person applying to a municipal zoning commission, planning commission, combined planning and zoning commission, zoning board of appeals or inland wetlands commission for approval of an application to pay the cost of reasonable fees associated with any necessary review by consultants with expertise in land use of any particular technical aspect of such application, such as regarding traffic or stormwater, for the benefit of such commission or board. Any such fees shall be accounted for separately from other funds of such commission or board and shall be used only for expenses associated with the technical review by consultants who are not salaried employees of the municipality or such commission or board. Any amount of the fee remaining after payment of all expenses for such technical review, including any interest accrued, shall be returned to the applicant not later than forty-five days after the completion of the technical review.

(c) No municipality may adopt a schedule of fees under subsection (a) of this section that results in higher fees for (1) development projects built using the provisions of section 8-30g, as amended by this act, or (2) residential buildings containing four or more dwelling units, than for other residential dwellings, including, but not limited to, higher fees per dwelling unit, per square footage or per unit of construction cost.

Sec. 3. Subsection (j) of section 8-1bb of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(j) A municipality, by vote of its legislative body or, in a municipality where the legislative body is a town meeting, by vote of the board of selectmen, may opt out of the provisions of this section and the [provision] provisions of subdivision (5) of subsection [(a)] (d) of section

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8-2, as amended by this act, regarding authorization for the installation of temporary health care structures, provided the zoning commission or combined planning and zoning commission of the municipality: (1) First holds a public hearing in accordance with the provisions of section 8-7d on such proposed opt-out, (2) affirmatively decides to opt out of the provisions of said sections within the period of time permitted under section 8-7d, (3) states upon its records the reasons for such decision, and (4) publishes notice of such decision in a newspaper having a substantial circulation in the municipality not later than fifteen days after such decision has been rendered.

Sec. 4. Section 8-2 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) (1) The zoning commission of each city, town or borough is authorized to regulate, within the limits of such municipality: ~~[-the]~~ (A) The height, number of stories and size of buildings and other structures; (B) the percentage of the area of the lot that may be occupied; (C) the size of yards, courts and other open spaces; (D) the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes, including water-dependent uses, as defined in section 22a-93; ~~[-]~~ and (E) the height, size, location, brightness and illumination of advertising signs and billboards, ~~[-Such bulk regulations may allow for cluster development, as defined in section 8-18]~~ except as provided in subsection (f) of this section.

(2) Such zoning commission may divide the municipality into districts of such number, shape and area as may be best suited to carry out the purposes of this chapter; and, within such districts, it may regulate the erection, construction, reconstruction, alteration or use of buildings or structures and the use of land. All ~~[such]~~ zoning regulations shall be uniform for each class or kind of buildings, structures or use of land throughout each district, but the regulations in one district may

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differ from those in another district. ~~[and]~~

(3) Such zoning regulations may provide that certain classes or kinds of buildings, structures or ~~[uses]~~ use of land are permitted only after obtaining a special permit or special exception from a zoning commission, planning commission, combined planning and zoning commission or zoning board of appeals, whichever commission or board the regulations may, notwithstanding any special act to the contrary, designate, subject to standards set forth in the regulations and to conditions necessary to protect the public health, safety, convenience and property values. [Such regulations shall be]

(b) Zoning regulations adopted pursuant to subsection (a) of this section shall:

(1) Be made in accordance with a comprehensive plan and in [adopting such regulations the commission shall consider] consideration of the plan of conservation and development [prepared] adopted under section 8-23; [-Such regulations shall be]

(2) Be designed to (A) lessen congestion in the streets; [to] (B) secure safety from fire, panic, flood and other dangers; [to] (C) promote health and the general welfare; [to] (D) provide adequate light and air; [to prevent the overcrowding of land; to avoid undue concentration of population and to] (E) protect the state's historic, tribal, cultural and environmental resources; (F) facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements; [-Such regulations shall be made] (G) consider the impact of permitted land uses on contiguous municipalities and on the planning region, as defined in section 4-124i, in which such municipality is located; (H) address significant disparities in housing needs and access to educational, occupational and other opportunities; (I) promote efficient review of proposals and applications; and (I) affirmatively further the purposes of the federal Fair Housing Act, 42 USC 3601 et

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seq., as amended from time to time;

(3) Be drafted with reasonable consideration as to the [~~character~~] physical site characteristics of the district and its peculiar suitability for particular uses and with a view to [~~conserving the value of buildings and~~] encouraging the most appropriate use of land throughout [~~such~~] a municipality; [~~Such regulations may, to the extent consistent with soil types, terrain, infrastructure capacity and the plan of conservation and development for the community, provide for cluster development, as defined in section 8-18, in residential zones. Such regulations shall also encourage~~]

(4) Provide for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a; [~~Such regulations shall also promote~~]

(5) Promote housing choice and economic diversity in housing, including housing for both low and moderate income households; [~~and shall encourage~~]

(6) Expressly allow the development of housing which will meet the housing needs identified in the state's consolidated plan for housing and community development prepared pursuant to section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to section 16a-26; [~~Zoning regulations shall be~~]

(7) Be made with reasonable consideration for [~~their~~] the impact of such regulations on agriculture, as defined in subsection (q) of section 1-1; [.]

(8) Provide that proper provisions be made for soil erosion and

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sediment control pursuant to section 22a-329;

(9) Be made with reasonable consideration for the protection of existing and potential public surface and ground drinking water supplies; and

(10) In any municipality that is contiguous to or on a navigable waterway draining to Long Island Sound, (A) be made with reasonable consideration for the restoration and protection of the ecosystem and habitat of Long Island Sound; (B) be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris on Long Island Sound; and (C) provide that such municipality's zoning commission consider the environmental impact on Long Island Sound coastal resources, as defined in section 22a-93, of any proposal for development.

(c) Zoning regulations adopted pursuant to subsection (a) of this section may: ~~[be]~~

(1) To the extent consistent with soil types, terrain and water, sewer and traffic infrastructure capacity for the community, provide for or require cluster development, as defined in section 8-18;

(2) Be made with reasonable consideration for the protection of historic factors; ~~[and shall be made with reasonable consideration for the protection of existing and potential public surface and ground drinking water supplies. On and after July 1, 1985, the regulations shall provide that proper provision be made for soil erosion and sediment control pursuant to section 22a-329. Such regulations may also encourage]~~

(3) Require or promote (A) energy-efficient patterns of development; ~~[~~ (B) the use of distributed generation or freestanding solar, wind and other renewable forms of energy; ~~[~~ (C) combined heat and power; and (D) energy conservation; ~~[-The regulations may also provide]~~

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(4) Provide for incentives for developers who use ~~[passive solar energy techniques, as defined in subsection (b) of section 8-25, in planning a residential subdivision development. The incentives may include, but not be]~~ (A) solar and other renewable forms of energy; (B) combined heat and power; (C) water conservation, including demand offsets; and (D) energy conservation techniques, including, but not limited to, cluster development, higher density development and performance standards for roads, sidewalks and underground facilities in the subdivision; ~~[-Such regulations may provide]~~

(5) Provide for a municipal system for the creation of development rights and the permanent transfer of such development rights, which may include a system for the variance of density limits in connection with any such transfer; ~~[-Such regulations may also provide]~~

(6) Provide for notice requirements in addition to those required by this chapter; ~~[-Such regulations may provide]~~

(7) Provide for conditions on operations to collect spring water or well water, as defined in section 21a-150, including the time, place and manner of such operations; ~~[-No such regulations shall prohibit]~~

(8) Provide for floating zones, overlay zones and planned development districts;

(9) Require estimates of vehicle miles traveled and vehicle trips generated in lieu of, or in addition to, level of service traffic calculations to assess (A) the anticipated traffic impact of proposed developments; and (B) potential mitigation strategies such as reducing the amount of required parking for a development or requiring public sidewalks, crosswalks, bicycle paths, bicycle racks or bus shelters, including off-site; and

(10) In any municipality where a traprock ridge or an amphibolite ridge is located, (A) provide for development restrictions in ridgeline

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setback areas; and (B) restrict quarrying and clear cutting, except that the following operations and uses shall be permitted in ridgeline setback areas, as of right: (i) Emergency work necessary to protect life and property; (ii) any nonconforming uses that were in existence and that were approved on or before the effective date of regulations adopted pursuant to this section; and (iii) selective timbering, grazing of domesticated animals and passive recreation.

(d) Zoning regulations adopted pursuant to subsection (a) of this section shall not:

(1) Prohibit the operation of any family child care home or group child care home in a residential zone; [~~No such regulations shall prohibit~~]

(2) (A) Prohibit the use of receptacles for the storage of items designated for recycling in accordance with section 22a-241b or require that such receptacles comply with provisions for bulk or lot area, or similar provisions, except provisions for side yards, rear yards and front yards; [~~No such regulations shall~~] or (B) unreasonably restrict access to or the size of such receptacles for businesses, given the nature of the business and the volume of items designated for recycling in accordance with section 22a-241b, that such business produces in its normal course of business, provided nothing in this section shall be construed to prohibit such regulations from requiring the screening or buffering of such receptacles for aesthetic reasons; [~~Such regulations shall not impose~~]

(3) Impose conditions and requirements on manufactured homes, including mobile manufactured homes, having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards or on lots containing such manufactured homes, [~~which~~] including mobile manufactured home parks, if those conditions and requirements are

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substantially different from conditions and requirements imposed on (A) single-family dwellings; ~~[and]~~ (B) lots containing single-family dwellings; ~~[. Such regulations shall not impose conditions and requirements on developments to be occupied by manufactured homes having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards which are substantially different from conditions and requirements imposed on]~~ or (C) multifamily dwellings, lots containing multifamily dwellings, cluster developments or planned unit developments; ~~[. Such regulations shall not prohibit]~~

(4) (A) Prohibit the continuance of any nonconforming use, building or structure existing at the time of the adoption of such regulations; ~~[or]~~ (B) require a special permit or special exception for any such continuance; ~~[. Such regulations shall not]~~ (C) provide for the termination of any nonconforming use solely as a result of nonuse for a specified period of time without regard to the intent of the property owner to maintain that use; ~~[. Such regulations shall not]~~ or (D) terminate or deem abandoned a nonconforming use, building or structure unless the property owner of such use, building or structure voluntarily discontinues such use, building or structure and such discontinuance is accompanied by an intent to not reestablish such use, building or structure. The demolition or deconstruction of a nonconforming use, building or structure shall not by itself be evidence of such property owner's intent to not reestablish such use, building or structure; ~~[. Unless such town opts out, in accordance with the provisions of subsection (j) of section 8-1bb, such regulations shall not prohibit]~~

(5) Prohibit the installation, in accordance with the provisions of section 8-1bb, as amended by this act, of temporary health care structures for use by mentally or physically impaired persons ~~[in accordance with the provisions of section 8-1bb]~~ if such structures

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comply with the provisions of said section, [] unless the municipality opts out in accordance with the provisions of subsection (j) of said section;

(6) Prohibit the operation in a residential zone of any cottage food operation, as defined in section 21a-62b;

(7) Establish for any dwelling unit a minimum floor area that is greater than the minimum floor area set forth in the applicable building, housing or other code;

(8) Place a fixed numerical or percentage cap on the number of dwelling units that constitute multifamily housing over four units, middle housing or mixed-use development that may be permitted in the municipality;

(9) Require more than one parking space for each studio or one-bedroom dwelling unit or more than two parking spaces for each dwelling unit with two or more bedrooms, unless the municipality opts out in accordance with the provisions of section 5 of this act; or

(10) Be applied to deny any land use application, including for any site plan approval, special permit, special exception or other zoning approval, on the basis of (A) a district's character, unless such character is expressly articulated in such regulations by clear and explicit physical standards for site work and structures, or (B) the immutable characteristics, source of income or income level of any applicant or end user, other than age or disability whenever age-restricted or disability-restricted housing may be permitted.

(e) Any city, town or borough which adopts the provisions of this chapter may, by vote of its legislative body, exempt municipal property from the regulations prescribed by the zoning commission of such city, town or borough, [] but unless it is so voted, municipal property shall be subject to such regulations.

§11. Zoning Regs. do not include a minimum floor area requirement for SFH or two-family dwellings, however MF Regs (3.6.6.15) set minimum floor area requirements

Zoning Reg Section 6.2.3 requires 2 spaces per dwelling unit plus 1 visitor space for every 3 units or fraction thereof. Section 3.6.6.3 states when 5 units per acre 1 car garage (12x20) shall be provided per unit.

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~~[(b) In any municipality that is contiguous to Long Island Sound the regulations adopted under this section shall be made with reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound and shall be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound. Such regulations shall provide that the commission consider the environmental impact on Long Island Sound of any proposal for development.~~

~~(c) In any municipality where a traprock ridge, as defined in section 8-1aa, or an amphibolite ridge, as defined in section 8-1aa, is located the regulations may provide for development restrictions in ridgeline setback areas, as defined in said section. The regulations may restrict quarrying and clear cutting, except that the following operations and uses shall be permitted in ridgeline setback areas, as of right (1) Emergency work necessary to protect life and property; (2) any nonconforming uses that were in existence and that were approved on or before the effective date of regulations adopted under this section; and (3) selective timbering, grazing of domesticated animals and passive recreation.]~~

~~(4)~~ (f) Any advertising sign or billboard that is not equipped with the ability to calibrate brightness or illumination shall be exempt from any municipal ordinance or regulation regulating such brightness or illumination that is adopted by a city, town or borough, pursuant to subsection (a) of this section, after the date of installation of such advertising sign or billboard. [pursuant to subsection (a) of this section.]

Sec. 5. (NEW) (Effective October 1, 2021) The zoning commission or combined planning and zoning commission, as applicable, of a municipality, by a two-thirds vote, may initiate the process by which such municipality opts out of the provision of subdivision (9) of subsection (d) of section 8-2 of the general statutes, as amended by this act, regarding limitations on parking spaces for dwelling units,

Opt-out
option
regarding
limitation for
parking
requirements

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provided such commission: (1) First holds a public hearing in accordance with the provisions of section 8-7d of the general statutes on such proposed opt-out, (2) affirmatively decides to opt out of the provision of said subsection within the period of time permitted under section 8-7d of the general statutes, (3) states upon its records the reasons for such decision, and (4) publishes notice of such decision in a newspaper having a substantial circulation in the municipality not later than fifteen days after such decision has been rendered. Thereafter, the municipality's legislative body or, in a municipality where the legislative body is a town meeting, its board of selectmen, by a two-thirds vote, may complete the process by which such municipality opts out of the provision of subsection (d) of section 8-2 of the general statutes, as amended by this act.

Sec. 6. (NEW) (Effective January 1, 2022) (a) Any zoning regulations adopted pursuant to section 8-2 of the general statutes, as amended by this act, shall:

(1) Designate locations or zoning districts within the municipality in which accessory apartments are allowed, provided at least one accessory apartment shall be allowed as of right on each lot that contains a single-family dwelling and no such accessory apartment shall be required to be an affordable accessory apartment;

(2) Allow accessory apartments to be attached to or located within the proposed or existing principal dwelling, or detached from the proposed or existing principal dwelling and located on the same lot as such dwelling;

(3) Set a maximum net floor area for an accessory apartment of not less than thirty per cent of the net floor area of the principal dwelling, or one thousand square feet, whichever is less, except that such regulations may allow a larger net floor area for such apartments;

New
mandate
for
accessory
apartments.

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(4) Require setbacks, lot size and building frontage less than or equal to that which is required for the principal dwelling, and require lot coverage greater than or equal to that which is required for the principal dwelling;

(5) Provide for height, landscaping and architectural design standards that do not exceed any such standards as they are applied to single-family dwellings in the municipality;

(6) Be prohibited from requiring (A) a passageway between any such accessory apartment and any such principal dwelling, (B) an exterior door for any such accessory apartment, except as required by the applicable building or fire code, (C) any more than one parking space for any such accessory apartment, or fees in lieu of parking otherwise allowed by section 8-2c of the general statutes, (D) a familial, marital or employment relationship between occupants of the principal dwelling and accessory apartment, (E) a minimum age for occupants of the accessory apartment, (F) separate billing of utilities otherwise connected to, or used by, the principal dwelling unit, or (G) periodic renewals for permits for such accessory apartments; and

(7) Be interpreted and enforced such that nothing in this section shall be in derogation of (A) applicable building code requirements, (B) the ability of a municipality to prohibit or limit the use of accessory apartments for short-term rentals or vacation stays, or (C) other requirements where a well or private sewerage system is being used, provided approval for any such accessory apartment shall not be unreasonably withheld.

(b) The as of right permit application and review process for approval of accessory apartments shall require that a decision on any such application be rendered not later than sixty-five days after receipt of such application by the applicable zoning commission, except that an applicant may consent to one or more extensions of not more than an

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additional sixty-five days or may withdraw such application.

(c) A municipality shall not (1) condition the approval of an accessory apartment on the correction of a nonconforming use, structure or lot, or (2) require the installation of fire sprinklers in an accessory apartment if such sprinklers are not required for the principal dwelling located on the same lot or otherwise required by the fire code.

(d) A municipality, special district, sewer or water authority shall not (1) consider an accessory apartment to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless such accessory apartment was constructed with a new single-family dwelling on the same lot, or (2) require the installation of a new or separate utility connection directly to an accessory apartment or impose a related connection fee or capacity charge.

(e) If a municipality fails to adopt new regulations or amend existing regulations by January 1, 2023, for the purpose of complying with the provisions of subsections (a) to (d), inclusive, of this section, and unless such municipality opts out of the provisions of said subsections in accordance with the provisions of subsection (f) of this section, any noncompliant existing regulation shall become null and void and such municipality shall approve or deny applications for accessory apartments in accordance with the requirements for regulations set forth in the provisions of subsections (a) to (d), inclusive, of this section until such municipality adopts or amends a regulation in compliance with said subsections. A municipality may not use or impose additional standards beyond those set forth in subsections (a) to (d), inclusive, of this section.

(f) Notwithstanding the provisions of subsections (a) to (d), inclusive, of this section, the zoning commission or combined planning and zoning commission, as applicable, of a municipality, by a two-thirds

Opt out
option
for
accessory
apartments

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vote, may initiate the process by which such municipality opts out of the provisions of said subsections regarding allowance of accessory apartments, provided such commission: (1) First holds a public hearing in accordance with the provisions of section 8-7d of the general statutes on such proposed opt-out, (2) affirmatively decides to opt out of the provisions of said subsections within the period of time permitted under section 8-7d of the general statutes, (3) states upon its records the reasons for such decision, and (4) publishes notice of such decision in a newspaper having a substantial circulation in the municipality not later than fifteen days after such decision has been rendered. Thereafter, the municipality's legislative body or, in a municipality where the legislative body is a town meeting, its board of selectmen, by a two-thirds vote, may complete the process by which such municipality opts out of the provisions of subsections (a) to (d), inclusive, of this section, except that, on and after January 1, 2023, no municipality may opt out of the provisions of said subsections.

Sec. 7. Subsection (k) of section 8-30g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(k) The affordable housing appeals procedure established under this section shall not be available if the real property which is the subject of the application is located in a municipality in which at least ten per cent of all dwelling units in the municipality are (1) assisted housing, (2) currently financed by Connecticut Housing Finance Authority mortgages, (3) subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income, (4) mobile manufactured homes located in mobile manufactured home parks or legally approved accessory apartments, which homes or

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apartments are subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which, for a period of not less than ten years, persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income, or (5) mobile manufactured homes located in resident-owned mobile manufactured home parks. For the purposes of calculating the total number of dwelling units in a municipality, accessory apartments built or permitted after January 1, 2022, but that are not described in subdivision (4) of this subsection, shall not be counted toward such total number. The municipalities meeting the criteria set forth in this subsection shall be listed in the report submitted under section 8-37qqq. As used in this subsection, "accessory apartment" ~~[means a separate living unit that (A) is attached to the main living unit of a house, which house has the external appearance of a single family residence, (B) has a full kitchen, (C) has a square footage that is not more than thirty per cent of the total square footage of the house, (D) has an internal doorway connecting to the main living unit of the house, (E) is not billed separately from such main living unit for utilities, and (F) complies with the building code and health and safety regulations]~~ has the same meaning as provided in section 8-1a, as amended by this act, and "resident-owned mobile manufactured home park" means a mobile manufactured home park consisting of mobile manufactured homes located on land that is deed restricted, and, at the time of issuance of a loan for the purchase of such land, such loan required seventy-five per cent of the units to be leased to persons with incomes equal to or less than eighty per cent of the median income, and either ~~[(i)]~~ (A) forty per cent of said seventy-five per cent to be leased to persons with incomes equal to or less than sixty per cent of the median income, or ~~[(ii)]~~ (B) twenty per cent of said seventy-five per cent to be leased to persons with incomes equal to or less than fifty per cent of the median income.

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Sec. 8. Subsection (e) of section 8-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(e) (1) The zoning commission shall provide for the manner in which the zoning regulations shall be enforced, except that any person appointed as a zoning enforcement officer on or after January 1, 2023, shall be certified in accordance with the provisions of subdivision (2) of this subsection.

(2) Beginning January 1, 2023, and annually thereafter, each person appointed as a zoning enforcement officer shall obtain certification from the Connecticut Association of Zoning Enforcement Officials and maintain such certification for the duration of employment as a zoning enforcement officer.

Sec. 9. (NEW) (*Effective from passage*) (a) On and after January 1, 2023, each member of a municipal planning commission, zoning commission, combined planning and zoning commission and zoning board of appeals shall complete at least four hours of training. Any such member serving on any such commission or board as of January 1, 2023, shall complete such initial training by January 1, 2024, and shall complete any subsequent training every other year thereafter. Any such member not serving on any such commission or board as of January 1, 2023, shall complete such initial training not later than one year after such member's election or appointment to such commission or board and shall complete any subsequent training every other year thereafter. Such training shall include at least one hour concerning affordable and fair housing policies and may also consist of (1) process and procedural matters, including the conduct of effective meetings and public hearings and the Freedom of Information Act, as defined in section 1-200 of the general statutes, (2) the interpretation of site plans, surveys, maps and architectural conventions, and (3) the impact of zoning on the environment, agriculture and historic resources.

PZC + ZBA
members -
4 hours of
training
every 2
years.

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(b) Not later than January 1, 2022, the Secretary of the Office of Policy and Management shall establish guidelines for such training in collaboration with land use training providers, including, but not limited to, the Connecticut Association of Zoning Enforcement Officials, the Connecticut Conference of Municipalities, the Connecticut Chapter of the American Planning Association, the Land Use Academy at the Center for Land Use Education and Research at The University of Connecticut, the Connecticut Bar Association, regional councils of governments and other nonprofit or educational institutions that provide land use training, except that if the secretary fails to establish such guidelines, such land use training providers may create and administer appropriate training for members of commissions and boards described in subsection (a) of this section, which may be used by such members for the purpose of complying with the provisions of said subsection.

(c) Not later than March 1, 2024, and annually thereafter, the planning commission, zoning commission, combined planning and zoning commission and zoning board of appeals, as applicable, in each municipality shall submit a statement to such municipality's legislative body or, in a municipality where the legislative body is a town meeting, its board of selectmen, affirming compliance with the training requirement established pursuant to subsection (a) of this section by each member of such commission or board required to complete such training in the calendar year ending the preceding December thirty-first.

Sec. 10. Section 7-245 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

For the purposes of this chapter: (1) "Acquire a sewerage system" means obtain title to all or any part of a sewerage system or any interest therein by purchase, condemnation, grant, gift, lease, rental or otherwise; (2) "alternative sewage treatment system" means a sewage treatment system serving one or more buildings that utilizes a method

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of treatment other than a subsurface sewage disposal system and that involves a discharge to the groundwaters of the state; (3) "community sewerage system" means any sewerage system serving two or more residences in separate structures which is not connected to a municipal sewerage system or which is connected to a municipal sewerage system as a distinct and separately managed district or segment of such system, but does not include any sewerage system serving only a principal dwelling unit and an accessory apartment, as defined in section 8-1a, as amended by this act, located on the same lot; (4) "construct a sewerage system" means to acquire land, easements, rights-of-way or any other real or personal property or any interest therein, plan, construct, reconstruct, equip, extend and enlarge all or any part of a sewerage system; (5) "decentralized system" means managed subsurface sewage disposal systems, managed alternative sewage treatment systems or community sewerage systems that discharge sewage flows of less than five thousand gallons per day, are used to collect and treat domestic sewage, and involve a discharge to the groundwaters of the state from areas of a municipality; (6) "decentralized wastewater management district" means areas of a municipality designated by the municipality through a municipal ordinance when an engineering report has determined that the existing subsurface sewage disposal systems may be detrimental to public health or the environment and that decentralized systems are required and such report is approved by the Commissioner of Energy and Environmental Protection with concurring approval by the Commissioner of Public Health, after consultation with the local director of health; (7) "municipality" means any metropolitan district, town, consolidated town and city, consolidated town and borough, city, borough, village, fire and sewer district, sewer district and each municipal organization having authority to levy and collect taxes; (8) "operate a sewerage system" means own, use, equip, reequip, repair, maintain, supervise, manage, operate and perform any act pertinent to the collection, transportation and disposal of sewage; (9) "person" means any person, partnership,

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corporation, limited liability company, association or public agency; (10) "remediation standards" means pollutant limits, performance requirements, design parameters or technical standards for application to existing sewage discharges in a decentralized wastewater management district for the improvement of wastewater treatment to protect public health and the environment; (11) "sewage" means any substance, liquid or solid, which may contaminate or pollute or affect the cleanliness or purity of any water; and (12) "sewerage system" means any device, equipment, appurtenance, facility and method for collecting, transporting, receiving, treating, disposing of or discharging sewage, including, but not limited to, decentralized systems within a decentralized wastewater management district when such district is established by municipal ordinance pursuant to section 7-247.

Sec. 11. Subsection (b) of section 7-246 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(b) Each municipal water pollution control authority designated in accordance with this section may prepare and periodically update a water pollution control plan for the municipality. Such plan shall designate and delineate the boundary of: (1) Areas served by any municipal sewerage system; (2) areas where municipal sewerage facilities are planned and the schedule of design and construction anticipated or proposed; (3) areas where sewers are to be avoided; (4) areas served by any community sewerage system not owned by a municipality; (5) areas to be served by any proposed community sewerage system not owned by a municipality; and (6) areas to be designated as decentralized wastewater management districts. Such plan may designate and delineate specific allocations of capacity to serve areas that are able to be developed for residential or mixed-use buildings containing four or more dwelling units. Such plan shall also describe the means by which municipal programs are being carried out

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to avoid community pollution problems and describe any programs wherein the local director of health manages subsurface sewage disposal systems. The authority shall file a copy of the plan and any periodic updates of such plan with the Commissioner of Energy and Environmental Protection and shall manage or ensure the effective supervision, management, control, operation and maintenance of any community sewerage system or decentralized wastewater management district not owned by a municipality.

Sec. 12. Section 8-30j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) ~~[A:]~~ Not later than June 1, 2022, and at least once every five years thereafter, each municipality shall prepare or amend and adopt an affordable housing plan for the municipality and shall submit a copy of such plan to the Secretary of the Office of Policy and Management, who shall post such plan on the Internet web site of said office. Such plan shall specify how the municipality intends to increase the number of affordable housing developments in the municipality.

(2) If, at the same time the municipality is required to submit to the Secretary of the Office of Policy and Management an affordable housing plan pursuant to subdivision (1) of this subsection, the municipality is also required to submit to the secretary a plan of conservation and development pursuant to section 8-23, such affordable housing plan may be included as part of such plan of conservation and development. The municipality may, to coincide with its submission to the secretary of a plan of conservation and development, submit to the secretary an affordable housing plan early, provided the municipality's next such submission of an affordable housing plan shall be five years thereafter.

(b) The municipality may hold public informational meetings or organize other activities to inform residents about the process of preparing the plan and shall post a copy of any draft plan or amendment

Affordable
Housing Plan
shall be
adopted by
6/1/2022 and
updated every
5 years.

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to such plan on the Internet web site of the municipality. If the municipality holds a public hearing, such posting shall occur at least thirty-five days prior to the public hearing. ~~[on the adoption, the municipality shall file in the office of the town clerk of such municipality a copy of such draft plan or any amendments to the plan, and if applicable, post such draft plan on the Internet web site of the municipality.]~~ After adoption of the plan, the municipality shall file the final plan in the office of the town clerk of such municipality and ~~[if applicable,]~~ post the plan on the Internet web site of the municipality.

(c) Following adoption, the municipality shall regularly review and maintain such plan. The municipality may adopt such geographical, functional or other amendments to the plan or parts of the plan, in accordance with the provisions of this section, as it deems necessary. If the municipality fails to amend and submit to the Secretary of the Office of Policy and Management such plan every five years, the chief elected official of the municipality shall submit a letter to the ~~[Commissioner of Housing]~~ secretary that (1) explains why such plan was not amended, and (2) designates a date by which an amended plan shall be submitted.

Sec. 13. (*Effective from passage*) (a) There is established a Commission on Connecticut's Development and Future within the Legislative Department, which shall evaluate policies related to land use, conservation, housing affordability and infrastructure.

(b) The commission shall consist of the following members:

(1) Two appointed by the speaker of the House of Representatives, one of whom is a member of the General Assembly not described in subdivision (7), (8), (9) or (10) of this subsection and one of whom is a representative of a municipal advocacy organization;

(2) Two appointed by the president pro tempore of the Senate, one of whom is a member of the General Assembly not described in

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subdivision (7), (8), (9) or (10) of this subsection and one of whom has expertise in state or local planning;

(3) Two appointed by the majority leader of the House of Representatives, one of whom has expertise in state affordable housing policy and one of whom represents a town with a population of greater than thirty thousand but less than seventy-five thousand;

(4) Two appointed by the majority leader of the Senate, one of whom has expertise in zoning policy and one of whom has expertise in community development policy;

(5) Two appointed by the minority leader of the House of Representatives, one of whom has expertise in environmental policy and one of whom is a representative of a municipal advocacy organization;

(6) Two appointed by the minority leader of the Senate, one of whom has expertise in homebuilding and one of whom is a representative of the Connecticut Association of Councils of Governments;

(7) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to planning and development;

(8) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to the environment;

(9) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to housing;

(10) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters

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relating to transportation;

(11) Two appointed by the Governor, one of whom is an attorney with expertise in planning and zoning and one of whom has expertise in fair housing;

(12) The Secretary of the Office of Policy and Management;

(13) The Commissioner of Administrative Services, or the commissioner's designee;

(14) The Commissioner of Economic and Community Development, or the commissioner's designee;

(15) The Commissioner of Energy and Environmental Protection, or the commissioner's designee;

(16) The Commissioner of Housing, or the commissioner's designee; and

(17) The Commissioner of Transportation, or the commissioner's designee.

(c) Appointing authorities, in cooperation with one another, shall make a good faith effort to ensure that, to the extent possible, the membership of the commission closely reflects the gender and racial diversity of the state. Members of the commission shall serve without compensation, except for necessary expenses incurred in the performance of their duties. Any vacancy shall be filled by the appointing authority.

(d) The speaker of the House of Representatives and the president pro tempore of the Senate shall jointly select one of the members of the General Assembly described in subdivision (1) or (2) of subsection (b) of this section to serve as one cochairperson of the commission. The Secretary of the Office of Policy and Management shall serve as the other

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cochairperson of the commission. Such cochairpersons shall schedule the first meeting of the commission.

(e) The commission may accept administrative support and technical and research assistance from outside organizations and employees of the Joint Committee on Legislative Management. The cochairpersons may establish, as needed, working groups consisting of commission members and nonmembers and may designate a chairperson of each such working group.

(f) (1) Except as provided in subdivision (2) of this subsection, not later than January 1, 2022, and not later than January 1, 2023, the commission shall submit a report to the joint standing committees of the General Assembly having cognizance of matters relating to planning and development, environment, housing and transportation and to the Secretary of the Office of Policy and Management, in accordance with the provisions of section 11-4a of the general statutes, regarding the following:

(A) Any recommendations for statutory changes concerning the process for developing, adopting and implementing the state plan of conservation and development;

(B) Any recommendations for (i) statutory changes concerning the process for developing and adopting the state's consolidated plan for housing and community development prepared pursuant to section 8-37t of the general statutes, and (ii) implementation of such plan;

(C) Any recommendations (i) for guidelines and incentives for compliance with (I) the requirements for affordable housing plans prepared pursuant to section 8-30j of the general statutes, as amended by this act, and (II) subdivisions (4) to (6), inclusive, of subsection (b) of section 8-2 of the general statutes, as amended by this act, and (ii) as to how such compliance should be determined, as well as the form and

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manner in which evidence of such compliance should be demonstrated. Nothing in this subparagraph may be construed as permitting any municipality to delay the preparation or amendment and adoption of an affordable housing plan, and the submission of a copy of such plan to the Secretary of the Office of Policy and Management, beyond the date set forth in subsection (a) of section 8-30j of the general statutes, as amended by this act;

(D) (i) Existing categories of discharge that constitute (I) alternative on-site sewage treatment systems, as described in section 19a-35a of the general statutes, (II) subsurface community sewerage systems, as described in section 22a-430 of the general statutes, and (III) decentralized systems, as defined in section 7-245 of the general statutes, as amended by this act, (ii) current administrative jurisdiction to issue or deny permits and approvals for such systems, with reference to daily capacities of such systems, and (iii) the potential impacts of increasing the daily capacities of such systems, including changes in administrative jurisdiction over such systems and the timeframe for adoption of regulations to implement any such changes in administrative jurisdiction; and

(E) (i) Development of model design guidelines for both buildings and context-appropriate streets that municipalities may adopt, in whole or in part, as part of their zoning or subdivision regulations, which guidelines shall (I) identify common architectural and site design features of building types used in urban, suburban and rural communities throughout this state, (II) create a catalogue of common building types, particularly those typically associated with housing, (III) establish reasonable and cost-effective design review standards for approval of common building types, accounting for topography, geology, climate change and infrastructure capacity, (IV) establish procedures for expediting the approval of buildings or streets that satisfy such design review standards, whether for zoning or subdivision

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regulations, and (V) create a design manual for context-appropriate streets that complement common building types, and (ii) development and implementation by the regional councils of governments of an education and training program for the delivery of such model design guidelines for both buildings and context-appropriate streets.

(2) If the commission is unable to meet the January 1, 2022, deadline set forth in subdivision (1) of this subsection for the submission of the report described in said subdivision, the cochairpersons shall request from the speaker of the House of Representatives and president pro tempore of the Senate an extension of time for such submission and shall submit an interim report.

(3) The commission shall terminate on the date it submits its final report or January 1, 2023, whichever is later.

Approved June 10, 2021