

### STATE OF CONNECTICUT – COUNTY OF TOLLAND INCORPORATED 1786

### TOWN OF ELLINGTON

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TOWN PLANNER'S OFFICE

FX (860) 870-3122

### PLANNING AND ZONING COMMISSION SPECIAL MEETING AGENDA MONDAY, AUGUST 2, 2021, 6:00 PM

# IN-PERSON AT TOWN HALL ANNEX MEETING ROOM, 57 MAIN ST, ELLINGTON, CT VIRTUAL ATTENDANCE VIA ZOOM MEETING, INSTRUCTIONS PROVIDED BELOW

- I. CALL TO ORDER:
- **II. PUBLIC COMMENTS** (On non-agenda items):
- **III. PUBLIC HEARING(S):** (Hearing notices met, hearings may commence)
  - Z202111 Big Y Foods, owner/ applicant, request for a Special Permit and Site Plan Modification for the construction of a 5,000 sf building for a restaurant and a 5,152 sf building for a four bay car wash on West Road, APN 046-001-0000 and APN 037-004-000 in a PC -Planning Commercial Zone.
  - 2. Z202112 Text amendment to Section 3.1.2 Residential Uses, Section 7.1 Accessory Apartments and Section 10.2 Definitions of the Ellington Zoning Regulations.

IV. OLD BUSINESS: None

V. NEW BUSINESS: None

#### VI. ADMINISTRATIVE BUSINESS:

- 1. Approval of Planning and Zoning Commission June 28, 2021 Regular Meeting Minutes.
- 2. Correspondence:
  - a. Town Planner memo dated July 26, 2021, regarding Public Act 21-1 An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis.
  - b. Assistant Planner Enforcement Officer email dated July 26, 2021, regarding standards for temporary political signs.

### VII. ADJOURNMENT:

Attendance for this meeting is available in-person or via online video conferencing provider Zoom Meeting. Instructions to attend virtually listed below and the agenda is posted on the Town of Ellington's webpage (<a href="www.ellington-ct.gov">www.ellington-ct.gov</a>) 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://us06web.zoom.us/j/82422588539

Meeting ID: 824 2258 8539

Passcode: 725288

Join Zoom Meeting by phone:

1-646-558-8656 US (New York) Meeting ID: 824 2258 8539

Passcode: 725288

Next Planning and Zoning Commission Regular Meeting is scheduled for August 23, 2021

# Town of Ellington Planning & Zoning Commission Application

1 16.111119 01 = 0111119		Application #
Type of Application: ☐ Zone Change ☐ Amend	lment to Regulation	Z2021/1
☑ Site Plan Approval ☑ Special Permit	☐ Modification ☐ CGS 8-24	Date Received
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 if different than the owner, unless otherwise rec	sent to the applicant, juested.
Owner's Information	Applicant's Information (if differen	
	<sub>Name:</sub> Same	***
Name: Big Y Foods, Inc.	Mailing	9
Address: 2145 Roosevelt Ave	Address:	
Springfield, MA 01104		
Email: elliot@bigy.com	Email:	
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 MAY NOTICES BE EMAILED TO YOU?	Ces No
Primary Contact Phone #: 413-504-4737	Primary Contact Phone #:	
	Secondary Contact Phone #:	1
Secondary Contact Phone #: 413-427-1150  Signature:	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 submis true and accurate to the best of my knowledge understand the application requirements acknowledge that the application is to be considuall information and documents required by the submitted.	e, that I am aware of and and and regulations, and ered complete only when
Street Address: West Road		
046 - 001 -	0000 Existing Zone: PC/RAR Propo	sed Zone: N/A insert "N/A")
Public Water: ✓ Yes ☐ No Public Sewer: ✓ Yes ☐ make application to North Central District Health Department (Enfield Office	No <u>If not served by public water and sewer, and sewer,</u>	pplicant/owner shall
Is parcel within 500' to any municipal boundary? Tes		
Are there any wetlands/watercourses within 100' of corwhen located in the Shenipsit Lake Drainage Basin? Inland Wetlands Agency prior to or simultaneously with application to the F	Yes   INO If yes, pursuant to state law applications	lands/watercourses ation must be made to the
Is the project in a public water supply watershed area? and Commissioner of Public Health about the proposed project by certified plans, and supporting documents must accompany notice. Proof of notice	i maii retiim receint Within / days oi abbiicaucii (90-9	M(D). Copy of application,
Description of Request (If more space is needed, please a	attach additional sheets)	
Construction of car wash building and support ap	purtenances, restaurant with outdo	or seating area
and associated paved parking and access drives	, utility services and storm water m	anagement
systems. Site Plan and Special Permit for retail I		
		RECEIVED
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Planning & Zoning Applications - Narrative Big Y Foods, Inc. – West Road

### Narrative:

### 1. Description:

Application before the Ellington Planning & Zoning Commission include:

### a. Site Plan & Special Permit

The proposal includes development of two parcels (APN 037-004-000) and (APN 046-001-000). Phase 1 was completed in 2020. Development of Phase 1 included improvements on parcel 046-001-000, and included a two retail buildings and a gas dispensary canopy and associated site improvements. Phase 2 of the development of the parcels includes the construction of a car wash building, a restaurant with outdoor seating, and associated paved access drives, parking areas, and other site improvements.

The parcels are located in the PC Zone and Rural Agricultural / Residential Zone. The proposed commercial uses, however, are proposed entirely within the PC Zone, which allows by Special Permit, the following, for which the Applicant is requesting approval:

- Retail Uses
- Restaurants
- Car Wash (by determination of the Commission)

### Stormwater Management

The parcels will be served by conventional storm drain systems comprised of catch basins, manholes and culverts. Runoff will be collected by these systems and discharged into a stormwater quality basin. The basin was constructed as part of the Phase 1 development. The basin will be enlarged to handle the additional development and was sized to both mitigate peak rates of runoff and treat the minimum CT DEEP-recommended water quality volume for the Phase 1 and Phase 2 development. The outflow from the basin will be discharged into the adjacent areas to the west where it will flow into adjacent wetlands located to the west of the subject parcel.

A comprehensive stormwater management report (SMR) is included in the application to demonstrate that the basin and associated controls are designed to handle the proposed Phase 2 developed condition. The SMR also includes a pipe-to-pipe hydraulic analysis to demonstrate the storm drain systems proposed complies with the town's requirements.

### 3. Erosion Control Measures

Proposed sediment and erosion control measures will follow the guidelines established in the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control (Guidelines). The measures include, but are not limited to the use of silt fence erosion control in areas downgradient of earthen activities, rip rap protection on all stormwater system outlets, construction exits, erosion control blankets on steep slopes, stabilizing vegetation, etc. The proposed measures are depicted on the Soil Erosion and Sediment Control Plan and related details are shown on the Detail Sheets.

### 4. Construction Methods/Sequence:

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

It is anticipated that construction would begin in the summer of 2021 and be completed in the summer of 2022.

During construction stormwater would be controlled by directing runoff into the water quality basin where additional temporary measures would be employed to settle/filter sediments. As the site becomes stabilized, accumulated sediments would be removed from the basin forebay and restoration of water quality basin would be completed, as required. Once all disturbed areas are adequately vegetated, the temporary erosion control devices would be removed.

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

### Standards for Granting Special Permit:

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

The location and size of the proposed buildings are in harmony with buildings in the area in total size and in relative size to the lot area. The operation/use is in harmony

Big Y Foods, Inc. - West Road

with area buildings which include a mix of commercial, retail and similar uses.

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

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

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

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

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

The proposed parking facilities comply with town standards and provide for a total number of spaces that meet the minimum required parking for the use. Both access to the parking areas from the shared drive and access of the shared drive to West Road are laid out to achieve maximum safety. Adequate width is provided to handle traffic conditions for both the Phase 1 and Phase 2 development.

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

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

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

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

Big Y Foods, Inc. - West Road

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

The proposed building incorporates handsome architectural features above and beyond most buildings in the area. The site will incorporate landscape features that are attractive, provide screening and provide shade in parking areas and along the site drives. The landscaping is in harmony with similar area developments and is consistent with the Phase 1 development. Site lighting design will incorporate downlighting to minimize off-site trespass while providing adequate lighting to safely illuminate parking areas, the access drive, and walkways and will be a continuation of the site lighting design implemented in Phase 1 to provide for continuity of the site as a whole.

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

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

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

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

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

The facility will be served by sanitary sewer. The Ellington WPCA has granted an allocation to the parcels sufficient to meet the facility needs. Sewage will be discharged to the sanitary sewer system installed on the site during Phase 1 construction and ultimately to the sanitary sewer system in West Road. Connecticut Water Company has a water main on West Road and this main has capacity to meet the needs of the development. Eversource has adequate gas and electric service in West Road to serve the facility. There is adequate telephone/cable/communications service along West Road.

# Town of Ellington Planning Department **MEMO**



DATE:

June 23, 2021

TO:

Ellington Planning and Zoning Commission

FROM:

Barbra Galovich, Land Use Assistant

SUBJECT:

Recommendations from Design Review Board for design elements for Z202111 – Big Y Foods, owner/ applicant, request for a Special Permit and Site Plan Modification for the construction of a 5,000 sf building for a restaurant and a 5,152 sf building for a four bay car wash on West Road, APN 046-001-0000 and APN 037-

004-000 in a PC - Planning Commercial Zone.

At a meeting on June 17, 2021, the Design Review Board reviewed the above application and made the following recommendations:

BY CONSENSUS, THE BOARD GRANTED A POSITIVE REFERRAL TO THE PLANNING & ZONING COMMISSION FOR THE CONSTRUCTION OF A 5,000 SF BUILDING FOR A RESTAURANT AND A 5,152 SF BUILDING FOR A FOUR BAY CAR WASH AT 140 WEST ROAD, APN 046-001-0000 AND APN 037-004-000 IN A PC - PLANNING COMMERCIAL ZONE.

### **Barbra Galovich**

From:

Timothy Webb

Sent:

Tuesday, July 06, 2021 10:43 AM

To:

Barbra Galovich; James York; Kim Bechard; Lori Spielman; Mike Caronna; Raymond

Martin; Sydney Kern; Westford Lirot

Cc:

Lisa Houlihan

Subject:

RE: Staff Review - Z202111 - Big Y Express Phase 2 - West Road

Good morning, no impact tot DPW, WPCA has determined flow is available and will have a review of the project at their July meeting.

From: Barbra Galovich

Sent: Tuesday, July 06, 2021 9:18 AM

To: James York <JYork@ELLINGTON-CT.GOV>; Kim Bechard <KBechard@ELLINGTON-CT.GOV>; Lori Spielman <lspielman@ELLINGTON-CT.GOV>; Mike Caronna <mcaronna@ncdhd.org>; Raymond Martin <Rmartin@ELLINGTON-CT.GOV>; Sydney Kern <skern@ELLINGTON-CT.GOV>; Timothy Webb <twebb@ELLINGTON-CT.GOV>; Westford Lirot <wli>wlirot@ncdhd.org>

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

Subject: Staff Review - Z202111 - Big Y Express Phase 2 - West Road

Hi,

Hope you are doing well. Please see the attached documentation with Staff Review Sheet. This application will be discussed at the PZC meeting on Monday, July 26, 2021.

Please provide your comments/concerns on or before July 16, 2021.

Thank you in advance for your review.

Barbra

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

### STORM WATER MANAGEMENT REPORT

# Proposed Big Y Fueling Facility/Retail Center Ellington, CT

Phase 2 Development Car Wash and Restaurant

Prepared For:

Big Y Foods, Inc.

Prepared By:

F. A. Hesketh & Associates, Inc. 3 Creamery Brook East Granby, CT 06026

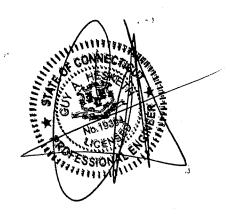


April 6, 2018 Revised June 25, 2021 RECEIVED

JUN 2 4 2021

TOWN OF ELLINGTON PLANNING DEPARTMENT





### 1. Introduction

This storm water management report has been prepared to demonstrate that the storm water management practices for the proposed Phase 1 (Retail and Fueling Facility development) and Phase 2 (Car Wash and Restaurant development) meet the requirements of Town of Ellington Zoning Regulations, follow sound engineering practices, and protect adjacent land owners from adverse storm water impacts.

This report presents hydrologic analysis of both pre- and post-developed conditions to demonstrate that the development of the parcel will not result in a net increase in peak rate of discharge of runoff from the development.

This report also presents a detailed pipe-to-pipe design analysis to demonstrate that the proposed storm drain systems have adequate capacity to convey runoff for a 10-year return-period storm event.

### 2. Project Description

The proposed development site is comprised of an 13.06-acre located on the west side of West Road (Route 83) across from the entrance to the retail center where the Big Y World Class Market is located. Prior to Phase 1 development, the site was currently vacant, a portion of which was in agricultural use. Retail uses are located to the east and agricultural uses to the north and west. The parcel to the south was until recently in agricultural use, but currently under development for commercial uses.

Phase 1 of the development was completed in 2020 and included development of the north portion of the parcel into a retail center with a fueling facility. Access was provided from West Road (Route 83), across from the entrance to the retail center where the Big Y World Class Market is located (signalized intersection), and from a right-in-only drive north of the signalized intersection. This drive is accessed by southbound traffic. A drive-thru window was proposed as part of one of the retail buildings (Building 1) and is operated by a tenant that sells coffee and baked goods.

Phase 2 will include development of the southern portion of the project and will include a car wash facility and a restaurant, as well as associated paved access drives and paved parking areas.

Storm drain collection systems were constructed to serve Phase 1 and to handle runoff from all paved portions of the Phase 1 development. The storm drain systems consist of catch basins, manholes, culverts and a flared-end outlet. The systems discharge into a water quality basin that was constructed on the west end of the parcel. The Phase 2 development will include additional storm drain systems that will be connected the storm drain system that was constructed during the Phase 1 development for discharge into the same water quality basin. The size

of the water quality basin will be increased to handle the additional runoff from the Phase 2 development.

All runoff from the development parcel flows westward, onto adjacent, undeveloped agricultural land to the west. Available mapping indicates that this land is part of a large, contiguous wetland and floodplain associated with Marsh Brook. Prior to the subdivision of the subject development lots, rights to drain were granted to the original un-divided parcel to allow discharge of surface water along the northern boundary of the BJJM Family parcel to the west. These rights are currently in effect. The site and its environs, including a depiction of the extensive contiguous wetlands to the west is depicted on Figure 1.

### 3. Hydrologic Analysis

The design of the stormwater management systems for the proposed development is aimed at mitigating total peak rate of runoff and in promoting stormwater cleansing through use of large stormwater quality basin.

Hydrologic analysis was conducted for both the existing condition (pre Phase 1 development) and the proposed developed (Phase 2) condition of the site to determine peak flow of runoff and total volume of runoff, under both conditions. Hydraflow Hydrographs 2007 computer software was utilized in the analysis. The TR-55 Method was used to determine peak flows and total volume of runoff for both the pre- and post-redeveloped conditions. For longer flow paths, times of concentration were calculated using the TR55 methods provided in the Hydraflow software. For shorter flow paths and for watersheds that are primarily landscaped, a time of concentration of 10 minutes was assumed. A time of concentration of 5 minutes was assumed for watersheds primarily characterized by impervious surfaces.

Surficial Soil mapping indicate that upland soils are Cheshire fine sandy loam, and Ellington silt loam. Wetland soils are Raypole silt loam. The Cheshire and Ellington Series fall under Hydrologic Group B soils, and the Raypole soils under Hydrologic Group C/D. (See <u>Attachment 1</u>).

SCS Curve Numbers for the various land-use types were based on the following values (per Table 2-2a, b and c of USDA Urban Hydrology for Small Watersheds TR-55):

- CN=56 Brush/weed/grass mix, fair condition, Group B;
- CN=58 Meadow, Group B;
- CN=61 Open Space Lawns (manicured), good condition, Group B;
- CN=75 Row Crops, Contoured, good condition, Group B; and
- CN=98 for impervious areas (i.e. rooftops and paved areas)

A Type III Storm Distribution (24 hour storm) with a shape factor of 484 and a one minute time interval was modeled. Analysis was performed for the 2-, 5-, 10-, 25-

and 50-year return period storm events, using the PDS-based point precipitation frequency estimates for the 6-hour and 24-hour duration storm event for the site, following the NOAA Atlas 14 published rates.

All runoff from the site flows westward toward the large contiguous wetlands/floodplain. For purposes of the comparative hydrologic model, under both existing and proposed conditions, it is assumed that all site runoff flows to this large contiguous wetland.

### **Existing Conditions Analysis**

For purposes of the hydrologic analysis, a single watershed was analyzed. The watershed analyzed was the watershed that existed prior to the Phase 1 development. The existing conditions watershed area delineations are depicted on Map DA-1.

Travel times for the existing conditions watershed were calculated using the TR-55 methodologies provided in the Hydraflow program. A time of concentration of 22 minutes was calculated by the program for the existing conditions watershed.

Weighted curve numbers were calculated for the watershed by utilizing areas determined by AutoCAD polyline delineations and the CN values presented above for the various land-use types. Historic aerial photographs show that, just prior to the Phase 1 development, row crops (corn) were planted on about one third of the parcel, and that about two-thirds were covered in meadow. CN values of 75 and 58 were used for the row crops and meadow, respectively. A CN value of 98 was used for the paved roadway portions that drain onto and through the parcel.

The existing-conditions drainage area map, <u>Map DA-1</u>, shows the existing condition watershed, flow paths and parameters used for the time of concentration determination and areas of various land-use types. The hydraflow model calculates the total volume and peak rate of discharge for the existing development conditions for the existing conditions watershed. Results are summarized on Table 1.

### **Proposed Conditions Analysis**

The post-developed contribution areas are the same as those of the existing site conditions. All runoff from the site will continue to flow to the west to the large contiguous wetland. Developed portions of the watershed, however, will be captured and routed to the water quality basin. Un-detained areas will continue to flow toward the large contiguous wetland, bypassing the basin. The outflow from the basin will continue be directed, overland to the northwest corner of the parcel, to the area where the rights to drain (for the entire development parcel) have been granted.

For the un-detained areas, the same time of concentration calculated for the existing conditions analysis was used. For the paved areas directed to the water quality basin, the time of concentration calculated by the pipe-to-pipe analysis was used as the time to peak.

Weighted curve numbers were calculated for each watershed by utilizing areas determined by AutoCAD polyline delineations and the CN values presented above for the various land-use types. For impervious areas a CN value of 98 was used. For landscaped areas proposed to be well manicured, a CN value of 61 was used. For the balance of the landscaped areas, a CN value of 56, as it is assumed that all these un-manicured landscaped areas will go fallow and no longer be plowed as cropland, and return to brush/weed/grasses. These values correspond with values presented in Tables 2-2 a,b,c of USDA Urban Hydrology for Small Watersheds TR-55. The weighted CN values calculation is presented in the hydrograph summary in Attachment 2. Areas of each land-use are depicted on Map DA-2.

The stage-storage relationships for the basin were calculated by the model using the conical method by inputting the elevation and area of contours within the basins. Contour areas were determined by polyline delineations in the AutoCAD drawings. To facilitate the Phase 2 development. It will be necessary to increase the capacity of the water quality basin. The proposed increased size of the basin was used to establish the stage-storage relationship used in the model.

The stage-discharge relationship for the basin outlet was modeled by the program, following input of the outlet geometry. The water quality basin outlet structure that was installed in Phase 1 was used in the model. It consists of a CT DOT Type 'C-L', Type II, double grate basin, with a cast-in 10-inch diameter orifice opening (F.L. EL.=227.58) in the wall of the structure and the standard outlet grate (T.F. EL.=231.08). The program models the geometry of the outlet structure using the appropriate coefficients for the orifice and riser (CB grate) and inlet control of the 18-inch outlet pipe, as appropriate.

Stage-Storage and Stage-Discharge relationships for the water quality basins are presented in the model input/output, which is included as <u>Attachment 2</u>.

The Hydraflow model calculates the peak rate of discharge for the proposed development conditions by combining the outflow hydrographs from both the undetained watershed, and the outflow from the basin. Both un-detained watersheds and the peak rates of inflow and outflow for each basin were modeled for the 2-, 5-, 10-, 25-, and 50- year storm events by the program.

The data shows that there is no increase in the peak rate of runoff to the receiving wetland to the west as a result of the proposed development. Results of analysis are presented in <a href="Attachment 2">Attachment 2</a> and total peak flows of on-site runoff generated are summarized in <a href="Table 1">Table 1</a>.



Civil & Traffic Engineers • Surveyors • Planners • Landscape Architects

F. A. Hesketh & Associates, Inc.

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

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

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TOWN OF BLESMGTON PLANNING LIBERTMENT

### **MEMORANDUM**

Page 1063

To:

Lisa Houlihan, AICP

Date: July 23, 2021

From:

Guy Hesketh, P.E.

Subject:

Big Y 140 West Road Phase 2 - Responses to Town Comments

Our File:

18108

Lisa, please find Site Plans revised (revision date 07/22/2021) to address town staff comments and written responses to comments. Town staff comments in normal font, responses in **bold font**.

### Fire Marshall Comments:

1. Initial review of the parking lot layout for the new restaurant does not appear to allow for proper fire department access based on known turning radius requirements for the EVFD.

The Plan has been revised to allow circulation of the required fire apparatus (town's ladder truck) by increasing the width of the "dog bone" island north of the restaurant's main entrance (by 5 feet) to allow circulation of the apparatus around the island and through the parking area. In addition, the drive east of the east end of the restaurant has been widened to 26 feet adjacent to the restaurant to accommodate fire apparatus. These changes were acceptable to Mr. York.

The Plan has been revised to reflect these changes. (See Sheet LA-1).

2. Also, fire lanes will be required for this occupancy and may impact the proposed layout of parking spaces.

The Plan was revised to include fire lane markings east of the restaurant and at the ends of the "dog bone" island north of the restaurant's main entrance.

### **MEMORANDUM**

These were added at the request of Mr. York. The changes are depicted on Sheet LA-1. A detail of the fire line striping was provided by the EVFD and added to Sheet SD-1.

### Town Engineer Comments:

1. Specify the diameter of the Nyloplast yard drain risers behind the restaurant on Grading Plan (GR-1).

The Plan has been revised to address. More detailed design information has been added to Sheet GR-1. Additional details for the Nyloplast drains have been added to Sheet SD-5.

2. Lower the flowline of yard drain #20A or clarify how the outlet pipe will pass under the bottom of the retaining wall (GR-1).

The Plan has been revised to address. More detailed design information has been added to Sheet GR-1. Additional details for the Nyloplast drains have been added to Sheet SD-5.

3. Add a note to the plans (LS-1 & GR-1) to remove the tree in conflict with the outlet pipe from YD#20A. If the Applicant or Commission wants the tree to be relocated or replaced, they can modify this condition accordingly.

The Plan has been revised to address by adding notes to Sheet GR-1 and LS-1 to relocate the tree.

4. The Erosion Control Plan (EC-1) notes a riprap plunge pool at the outlet from YD#20A onto a side slope. Plunge pools need to be located on a level surface. Provide riprap armoring down the slope and level spreader or plunge pool in the bottom of the basin.

The Plan has been revised to address. A flared-end section was added to the pipe outlet and the rip rap plunge pool depicted on Sheet EC-1 was replaced with rip rap armoring and a note detailing the size and quantity of the armoring was added to Sheet EC-1. Sheet GR-1 was revised to show the flared-end section.

5. On the Utility Sheet (UT-1) label the sewer manhole and outlet pipe size, type and slope from the car wash to the existing sewer lateral connection.

The Plan has been revised to address. Additional top of frame, pipe size and invert elevation data were added to the labeling on Sheet UT-1.

6. There are two Oil Water Separator details on sheet SD-5. Remove the non-MDC detail in the lower left corner to avoid confusion.

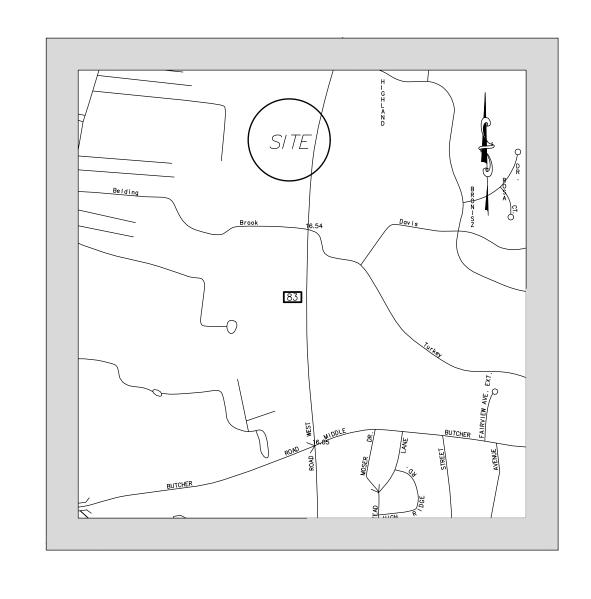
Lisa Houlihan July 23, 2021 Page 3 ob 3

### **MEMORANDUM**

The Plan has been revised to address. The redundant detail has been removed from Sheet SD-5.

7. The Site Lighting/Photometric Plan (PH-1) shows no building mounted lighting and no lighting of the outdoor seating area. If the details of this design are not yet available, the Commission could ask the applicant to return with a separate application for the final lighting plan or delegate the review of the final lighting plan to staff.

We recognize that the Site Lighting/Photometric Plan does not include building or patio lighting. Building wall-pack lighting, under canopy lighting, and lighting in the patio area (most likely bollards) will be designed as part of development of the more detailed building construction plans, and to meet tenant requirements. The Applicant respectfully requests that the Commission approve the Plan as presented with a condition that final approval of modifications of the Site Lighting/Photometric Plan be delegated to staff review/approval. A note has been added to Sheet PH-1 indicating that building lighting and patio lighting are not shown on the Plan and that final design of building and patio lighting to be approved by town staff.



AREA MAP

# Big Y Foods, Inc.

West Road - Phase 2 Ellington, Connecticut

Planning & Zoning Commission Application

June 25, 2021

Revised Through July 22, 2021

# DEVELOPMENT TEAM

Owner Big Y Foods, Inc. Big Y Foods, Inc. Applicant F. A. Hesketh & Associates, Inc. Civil Engineer & Traffic Engineer Landscape Architect F. A. Hesketh & Associates, Inc. Surveyor of Record Alfred Benesch & Company Photometric Design Erdman Anthony Architect Pepin Associates Architects, LLC

# LIST OF DRAWINGS

1 of 22		Title Sheet
2 of 22	MA-1	Master Plan
3 of 22	LA-1	Layout Plan
4-5 of 22	LS-1 & LS-2	Landscape Plan, Details, & Notes
6 of 22	PC-1	Pavement and Curb Type Plan
7 of 22	GR-1	Grading and Drainage Plan
8 of 22	EC-1	Soil Erosion and Sediment Control Plan
9 of 22	UT-1	Utility Plan
10-14 of 22	SD-1 thru SD-5	Site Details
15 of 22	NT-1	Notes & Details
16 of 22	PH-1	Site Lighting/Photometric Plan
17 of 22	PH-2	Site Lighting Details
18 of 22	A1	Proposed Restaurant Plan
19 of 22	A2	Proposed Restaurant Elevations
20 of 22	A3	Proposed Car Wash Plan & Elevations
21 of 22	SV.01	Boundary Survey
22 of 22	SV.02	Topographic Survey

# **ZONING DATA TABLE**

Zone: Planned Commercial and Rural Agricultural Residential

Zoning Data Analysis based upon Planned Commercial Zone

Regulation	<u>Section</u>	Required	Proposed
Minimum Lot Area	Section 4.2.1	3 Acres	13.059 Acres
Minimum Width	Section 4.2.1	300 Feet	915.22 Feet
Minimum Front Yard	Section 4.2.1	100 Feet	102± Feet
Minimum Side Yard	Section 4.2.1	10 Feet (1)	57 ± Feet (Bldg. 1) 226 ± Feet (Bldg. 2)
Minimum Rear Yard	Section 4.2.1	50 Feet (1)	214 ± Feet (Bldg. 3)
Maximum Building Height	Section 4.2.3	38 Feet	35 ± Feet
Maximum Lot Coverage	Section 4.2.3	60 Percent	29.5 ± Percent
Minimum Parking	Section 6.2.3.A	136 Spaces	137 Spaces plus 10 Vacuum Spac

<sup>(1) 50</sup> feet side and rear yard required where abutting residential property or zone, except if home occupation only

# **DEVELOPMENT DATA**

Building	Square Feet	<u>Use</u>	<u>Phase</u>
Building 1	12,822 Sq.Ft.	Retail	Existing
Pump Island	6 Fuel Islands	Gas Station	Existing
Building 2	2,128 Sq. Ft.	Retail	Existing
Building 3	5,147 Sq. Ft.	Restaurant	Proposed
	2,553 Sq. Ft.	Outdoor Patio	Proposed
Building 4	5,291 Sq. Ft.	Car Wash	Proposed

## PARKING TABULATION

### Required Parking per Section 6.2.3

a) Retail Trade Uses: 1 Parking Space for each 200 square feet of net floor area
 b) Restaurant Uses: 1 Parking Space for each 100 square feet of net floor area

c) Car Wash: 1 Parking Space for each washing stall

d) Motor Vehicle Gasoline: 5 Spaces

**Net Floor Area**: shall mean the floor area used, designed or intended to be used for service to the public as customers, patrons, clients, patients or members, including those areas occupied by fixtures and equipment used for the display and/or sale of merchandise. "Net Floor Area" shall not include areas used principally for non-public purposes such as storage and incidental repair, for rest rooms, for utilities, or for required stairways or elevators.

### **Required Parking Calculation**

Assume 80% Net Floor Area of all Retail Trade Use and Restaurant buildings

a) Retail Trade Uses: 14,950 Sq.Ft. (Buildings #1 and #2) x 80% = 11,960 Sq.Ft. Net Floor Area

11,960 Sq. Ft. / 1 Parking Space for each 200 Sq.Ft. Net Floor Area = 60 Spaces

b) Restaurant: 5,147 Sq. Ft (Building 3) and 2,553 Sq. Ft. (Outdoor Patio)

Total Required Spaces =

5,147 Sq. Ft. x 80% = 4,117.6 Sq.Ft. Net Floor Area

6,671 Sq. Ft. / 1 Parking Space for each 100 Sq. Ft. Net Floor Area = 67 Spaces

c) Car Wash

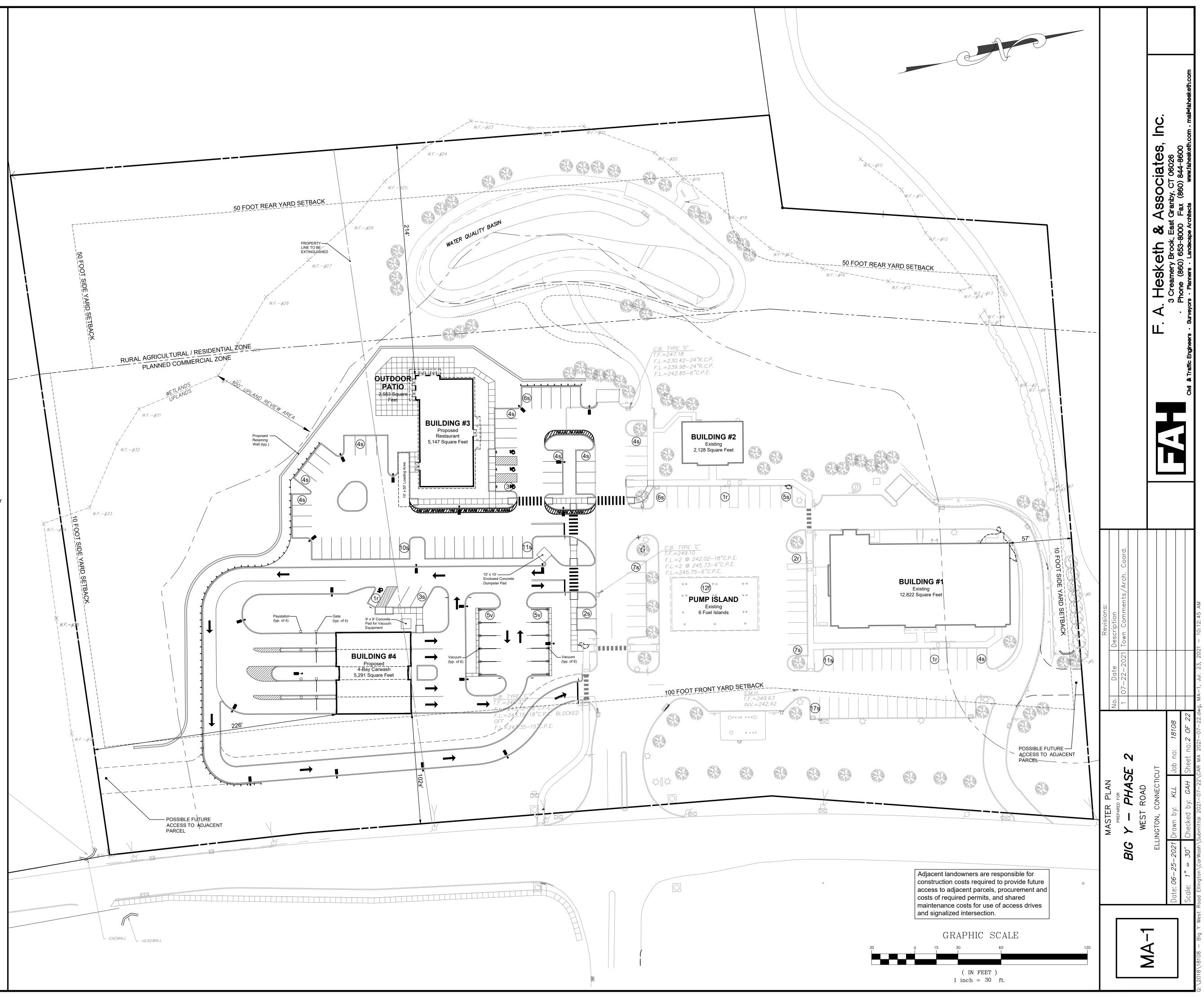
4 Washing Stalls x 1 Parking Space per Washing Stall = 4 Spaces

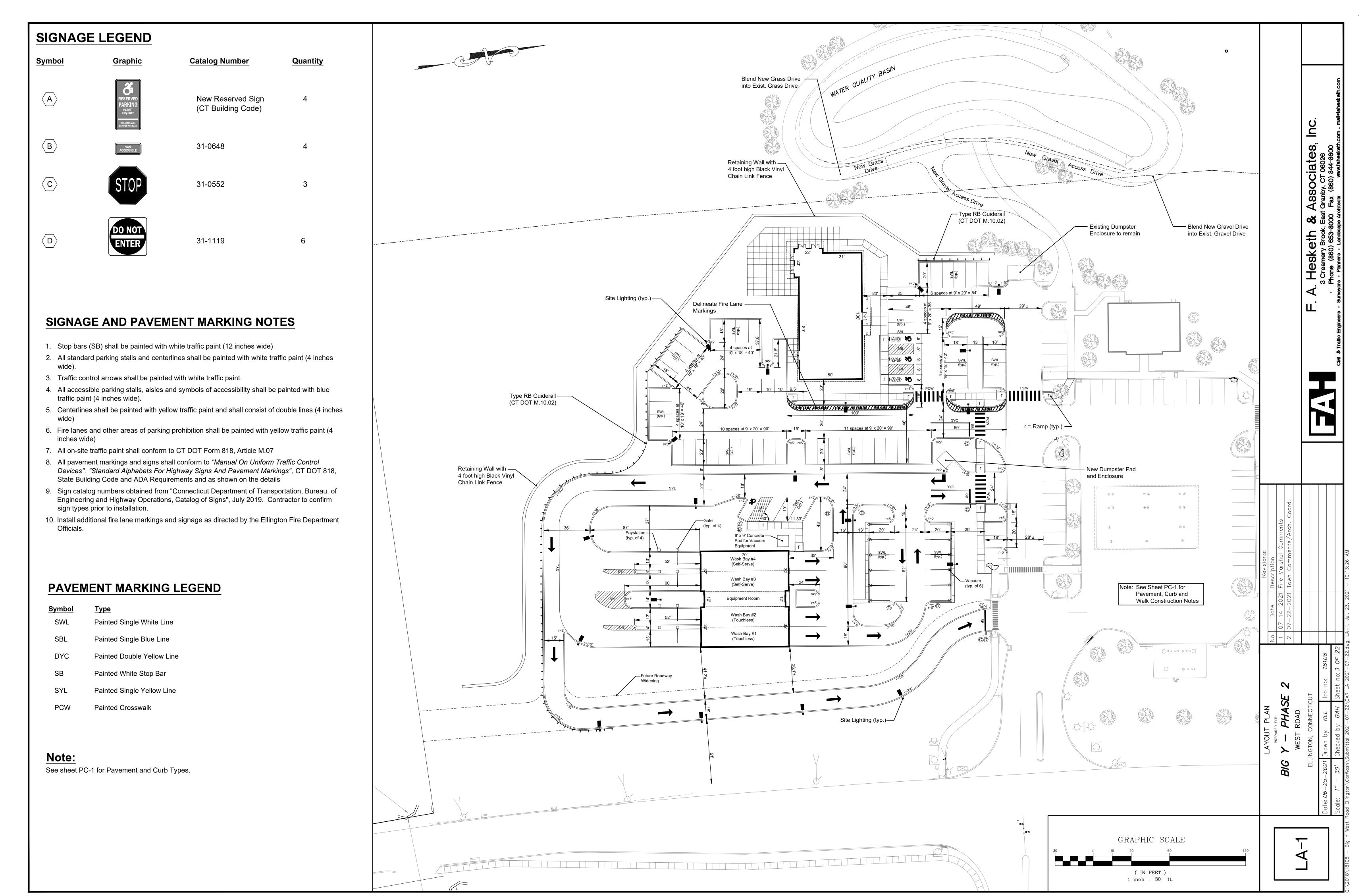
d) Motor Vehicle Gasoline

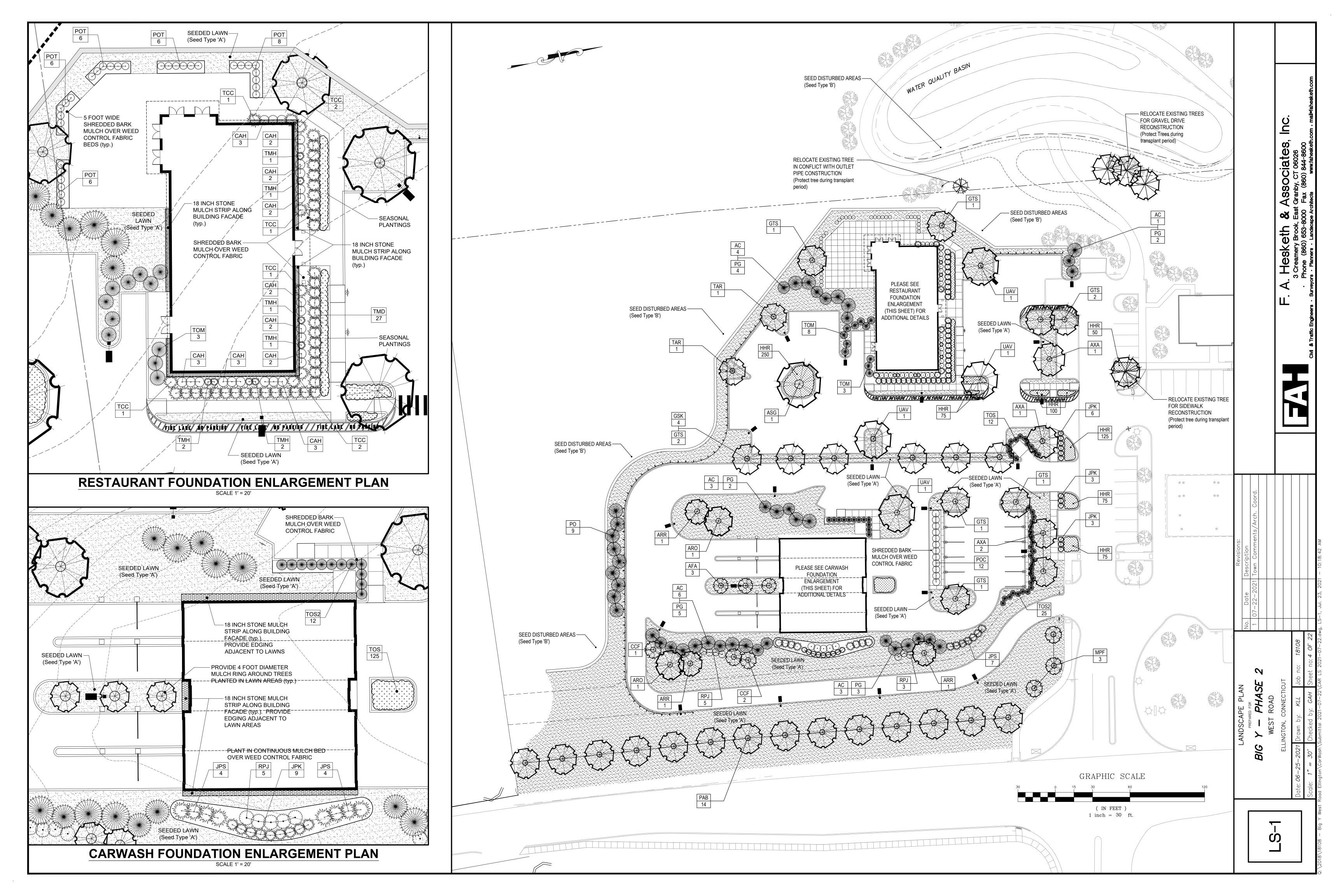
5 Spaces <u>5 Spaces</u>

136 Spaces

<u>Propos</u>	ed Parking	
r	Reserved Parking Spaces =	8 Spaces
s	Standard Parking Spaces	
	9 foot x 20 foot spaces	66 Spaces
	10 foot x 18 foot spaces	51 Spaces
f	Fuel Island Spaces	12 Spaces
٧	Vacuum Spaces	10 Spaces
	Total Proposed Spaces =	147 Spaces







# LANDSCAPE NOTES

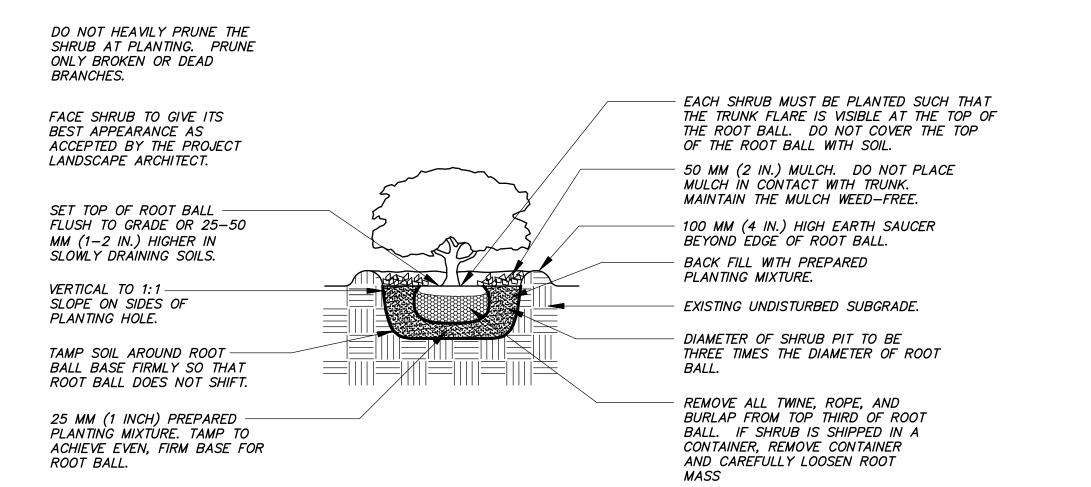
- 1. All plants shall meet or exceed the specifications of Federal, State and County laws requiring inspection for plant disease and insect control.
- 2. Plant material shall conform with the "American Standard for Nursery Stock" by the American Association of Nurserymen, Inc. (ANSI Z60.1-2004).
- 3. All plants shall be certified true to name by the nursery source. Plant names shall be in accordance with "Hortis Third" (1976) by the staff of the Liberty Hyde Bailey Hortorium, Cornell University. One plant from each species shall be tagged with name and size of the plant in accordance with the standards of practice of the American Association of Nurserymen. Botanical names shall take precedence over common names.
- 4. Plant material shall be typical of their species and/or variety, with a normal habit of growth, sound, healthy and vigorous. They shall be well branched and densely foliated when in leaf, free of disease, insect pest, eggs or larvae. They shall have healthy well-developed root systems. All trees shall have straight single trunks with their main leader intact unless otherwise noted or approved.
- 5. All landscaped areas to have 2" shredded bark mulch (color: black) over weed control fabric. No weed control fabric in areas of groundcover or perennial plantings.
- 6. Provide protective covering of plant material during delivery and storage. Root balls shall not be cracked or broken. Do not prune plants prior to delivery. Remove unacceptable plant material immediately from the job site.
- 7. Plant locations on the Drawings are approximate and are to be used only as a guide. Contractor shall provide all field engineering services to accurately stake out locations for all plants prior to installation. Do not begin excavation until Project Landscape Architect has approved specific layout.
- 8. If requested by Project Landscape Architect, stake and guy each tree as shown on the applicable Drawings immediately after planting. Keep trees plumb and taut.
- 9. If requested by Project Landscape Architect, wrap the trunks of all trees spirally from the ground line to above the lowest main branch.
- 10. Perform all cultural care necessary to properly maintain plant viability and keep planted areas in a neat and orderly condition, including but not limited to:
- a. Watering
- b. Weed removal
- c. Apply lime or sulphur to adjust soil pH to specific plant requirements
- d. Restore or reshape earth saucers
- f. Adjust and tighten tree supports to maintain plants at their proper grades and vertical position
- g. Replace mulch to maintain proper depth
- 11. All planted and lawn areas within development area (building and parking areas) to receive an automatic, mechanical irrigation system.
- 12. A minimum of 4 inches of topsoil shall be placed on all areas of disturbance to be reseeded.
- 13. Provide Lawn Edging between all mulch beds and lawn areas.

### FACE TREE TO GIVE ITS BEST APPEARANCE AS ACCEPTED BY THE PROJECT LANDSCAPE ARCHITECT. STAKE TREES ONLY UPON THE APPROVAL OF THE PROJECT LANDSCAPE ARCHITECT. SEE STAKING DETAIL(S) IF REQUIRED. WRAP TREE TRUNKS ONLY UPON THE APPROVAL OF THE PROJECT LANDSCAPE ARCHITECT. **MULCH RING:** 1800 MM (6 FT.) DIAM. MIN. 2400 MM (8 FT.) DIAM. PREFERRED SET TOP OF ROOT BALL FLUSH TO GRADE OR 25-50 MM (1-2 IN.) HIGHER IN SLOWLY DRAINING SOILS. VERTICAL TO 1:1 SLOPE ON SIDES OF PLANTING HOLE. TAMP SOIL AROUND ROOT BALL BASE FIRMLY SO THAT ROOT BALL DOES NOT SHIFT. 25 MM (1 INCH) PREPARED -PLANTING MIXTURE. TAMP TO ACHIEVE EVEN, FIRM BASE FOR

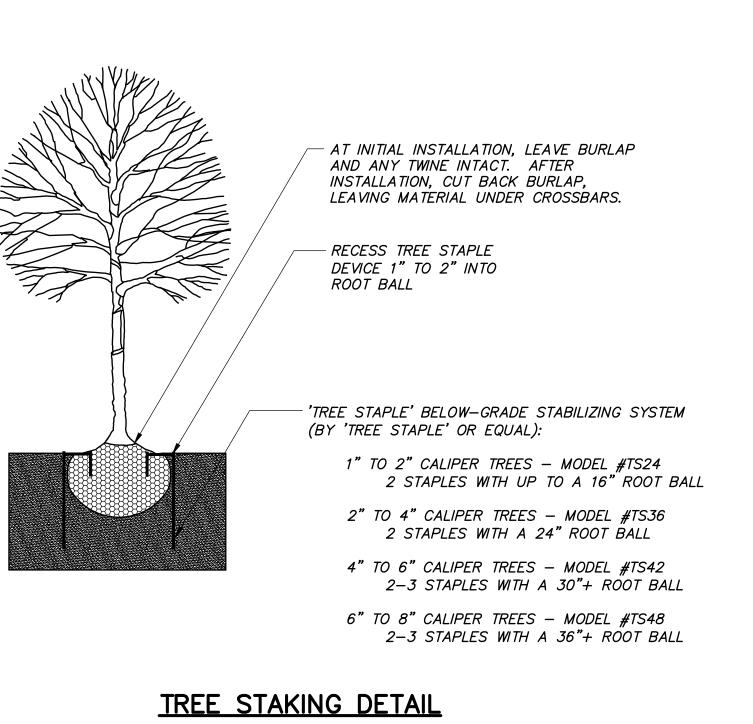
ROOT BALL.

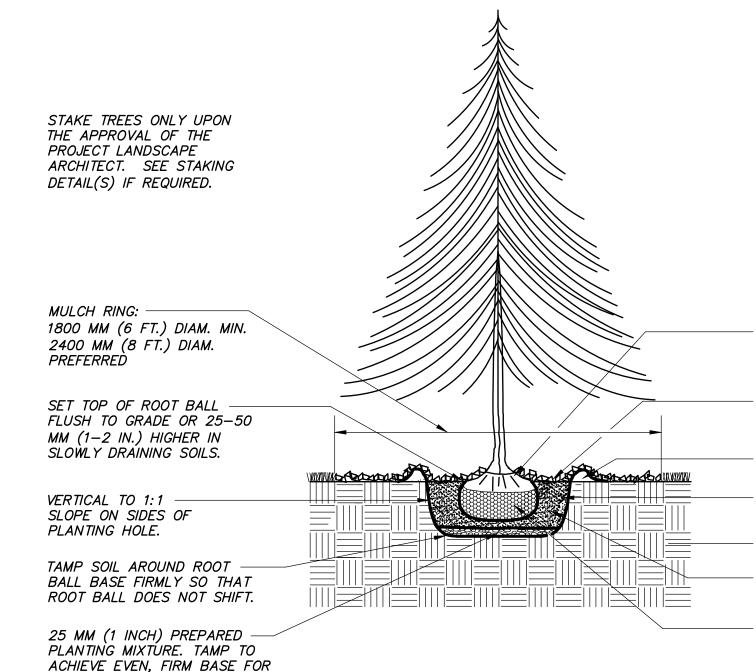
ROOT BALL.

**B&B TREE PLANTING DETAIL** 



## SHRUB PLANTING DETAIL





DO NOT HEAVILY PRUNE THE TREE AT PLANTING. PRUNE ONLY BROKEN OR DEAD BRANCHES.

DO NOT HEAVILY PRUNE THE

CO-DOMINANT LEADERS, AND

BROKEN OR DEAD BRANCHES. SOME INTERIOR TWIGS AND

LATERAL BRANCHES MAY BE

PRUNED; HOWEVER, DO NOT

REMOVE THE TERMINAL BUDS

OF BRANCHES THAT EXTEND

TO THE EDGE OF THE CROWN.

OF THE ROOT BALL WITH SOIL.

BEYOND EDGE OF ROOT BALL.

BACK FILL WITH PREPARED

PLANTING MIXTURE.

ROOT BALL ..

EACH TREE MUST BE PLANTED SUCH THAT

THE ROOT BALL. DO NOT COVER THE TOP

50 MM (2 IN.) MULCH. DO NOT PLACE

MULCH IN CONTACT WITH TREE TRUNK.

MAINTAIN THE MULCH WEED-FREE.

EXISTING UNDISTURBED SUBGRADE.

DIAMETER OF TREE PIT TO BE THREE

TIMES THE DIAMETER OF ROOT BALL

BURLAP FROM TOP THIRD OF ROOT

BALL. IF PLANT IS SHIPPED WITH

A WIRE BASKET AROUND THE ROOT

BALL, CARFULLY REMOVE ENTIRE

WIRE BASKET WITHOUT DISTURBING

REMOVE ALL TWINE. ROPE. AND

100 MM (4 IN.) HIGH EARTH SAUCER

THE TRUNK FLARE IS VISIBLE AT THE TOP OF

TREE AT PLANTING. PRUNE

ONLY CROSSOVER LIMBS,

FACE TREE TO GIVE ITS BEST APPEARANCE AS ACCEPTED BY THE PROJECT LANDSCAPE ARCHITECT.

EACH TREE MUST BE PLANTED SUCH THAT THE TRUNK FLARE IS VISIBLE AT THE TOP OF THE ROOT BALL. DO NOT COVER THE TOP OF THE ROOT BALL WITH SOIL.

50 MM (2 IN.) MULCH. DO NOT PLACE MULCH IN CONTACT WITH TREE TRUNK. MAINTAIN THE MULCH WEED-FREE. 100 MM (4 IN.) HIGH EARTH SAUCER BEYOND EDGE OF ROOT BALL.

PLANTING MIXTURE. EXISTING UNDISTURBED SUBGRADE.

BACK FILL WITH PREPARED

DIAMETER OF TREE PIT TO BE THREE TIMES THE DIAMETER OF ROOT BALL.

REMOVE ALL TWINE, ROPE, AND BURLAP FROM TOP THIRD OF ROOT BALL. IF PLANT IS SHIPPED WITH A WIRE BASKET AROUND THE ROOT BALL, CARFULLY REMOVE ENTIRE WIRE BASKET WITHOUT DISTURBING ROOT BALL..

EVERGREEN B&B TREE PLANTING DETAIL

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hade Tre	Botanical Name	Common Name	Quantity	Size	Root
AFA	Acer x freemanii 'Armstrong'	Armstrong Maple	3	3 to 3½ inch caliper	Balled and Burlapped
ARO	Acer rubrum 'October Glory'	October Glory Red Maple	2	3 to 3½ inch caliper	Balled and Burlapped
ARR	Acer rubrum 'Red Sunset'	Red Sunset Red Maple	3	3 to 3 ½ inch caliper	Balled and Burlapped
ASG	Acer saccharum ' Green Mountain	Green Mountain Sugar Maple	1	3 to $3\frac{1}{2}$ inch caliper	Balled and Burlapped
AXA	Acer x freemanii 'Autumn Blaze'	Autumn Blaze Maple	4	3 to $3\frac{1}{2}$ inch caliper	Balled and Burlapped
GSK	Gleditsia triacanthos inermis 'Skyline'	Skyline Thornless Honeylocust	4	3 to $3\frac{1}{2}$ inch caliper	Balled and Burlapped
GTS	Gleditsia triacan. inermis 'Shademaster'	Shademaster Honeylocust	9	3 to $3\frac{1}{2}$ inch caliper	Balled and Burlapped
PAB	Plantanus x acerifolia 'Bloodgood'	Bloodgood Planetree	14	3 to $3\frac{1}{2}$ inch caliper	Balled and Burlapped
TAR	Tilia americana 'Redmond'	Redmond American Linden	2	3 to $3\frac{1}{2}$ inch caliper	Balled and Burlapped
UAV	Ulmus americana 'Valley Forge'	Valley Forge American Elm	8	3 to $3\frac{1}{2}$ inch caliper	Balled and Burlapped
lowering					
<u>ymbol</u>	Botanical Name	Common Name	<u>Quantity</u>	<u>Size</u>	Root
CCF	Cercis canadensis 'Forest Pansy'	Forest Pansy Redbud	3	$2\frac{1}{2}$ to 3 inch caliper	Balled and Burlapped
MPF	Malus x 'Prairiefire'	Prairiefire Flowering Crabapple	3	$2\frac{1}{2}$ to 3 inch caliper	Balled and Burlapped
vergreen	Trees				
ymbol	Botanical Name	Common Name	Quantity	<u>Size</u>	Root
AC	Abies concolor	White Fir	17	6 to 7 foot height	Balled and Burlapped
PG	Picea glauca	White Spruce	16	6 to 7 foot height	Balled and Burlapped
РО	Picea omorika	Serbian Spruce	9	6 to 7 foot height	Balled and Burlapped
TOM	Thuja occidentalis 'Mission'	Mission Arborvitae	13	6 to 7 foot height	Balled and Burlapped
TOS	Thuja occidentalis 'Smaragd'	Emerald Green Arborvitae	12	6 to 7 foot height	Balled and Burlapped
TOS2	Thuja occidentalis 'Smaragd'	Emerald Green Arborvitae	37	8 to 10 foot height	Balled and Burlapped
eciduous	s Shrubs				
ymbol	Botanical Name	Common Name	Quantity	<u>Size</u>	Root
CAH	Clethra alnifolia 'Hummingbird'	Hummingbird Summersweet	24	24 to 30 inch height	#3 Container
POC	Physocarpus opulifolius 'Coppertina'	Coppertina Eastern Ninebark	12	24 to 30 inch height	#3 Container
POT	Physocarpus opulifolius 'Tiny Wine'	Tiny Wine Ninebark	32	24 to 30 inch height	#3 Container
vergreen 			<b>.</b>		_ ,
ymbol IDK	Botanical Name	Common Name  Kallay's Compact Juniper	Quantity 15	Size	Root #3 Container
JPK JPS	Juniperus x pfitzeriana 'Kallay's Compact'  Juniperus x pfitzeriana 'Sea Green'	Kallay's Compact Juniper Sea Green Juniper	15 21	24 to 30 inch spread 24 to 30 inch spread	#3 Container #3 Container
TCC	Taxus cuspidata 'Capitata'	Upright Yew	8	4 to 5 foot height	#3 Container  Balled and Burlapped
TMD	Taxus x media 'Densiformis'	Dense Spreading Yew	37	24 to 30 inch height	#5 Container
TMH	Taxus x media 'Hicksi'	Hick's Upright Yew	8	3 to 3.5 foot height	#7 Container
roadleaf	Evergreen Shrubs				
<u>ymbol</u>	Botanical Name	Common Name	<u>Quantity</u>	Size	Root
RPJ	Rhododendron 'P.J.M.'	P.J.M. Rhododendron	13	24 to 30 inch height	#3 Container
erennials	s and Groundcovers				
ymbol	Botanical Name	Common Name	Quantity	Size	Root
HHR	Hemerocallis 'Happy Returns	Happy Returns Daylily	750	10 to 12 inch height	#1 Container

# **SEED TYPES**

# Seed Type A

Sun & Shade Mixture

By: Jonathan Green or approved equal

Seed rate: 25 pounds per 9,375 square feet

20% Darkstar II Perennial Ryegrass 20% Carmen Chewings Fescue

15% Deepblue Kentucky Bluegrass 15% Eugene Creeping Red Fescue 15% Yorkshire Dales Perennial Ryegrass 15% Salisbury Chewings Fescue

# Seed Type B

New England Erosion Control / Restoration Mix

By: New England Wetland Plants, Inc. or approved equal

Seed rate: 35 pounds per Acre

Switchgrass (*Panicum virgatum*), Virginia Wild Rye (Elymus virginicus), Creeping Red Fescue (Festuca rubra), Fox Sedge (Carex vulpinoidea), Creeping Bentgrass (Agrostis stolonifera), Silky Wild Rye (Elymus villosus), Partridge Pea (Chamaecrista fasciculata), Soft Rush (Juncus effusus). Flat-top Aster (Aster umbellatus). Nodding Bur-marigold (*Bidens cernua*), Joe-pye Weed (Eupatorium maculatum), Boneset (Eupatorium perfoliatum), Grass-leaved Goldenrod (Solidago graminifolia), Grey Goldenrod (Solidago nemoralis)

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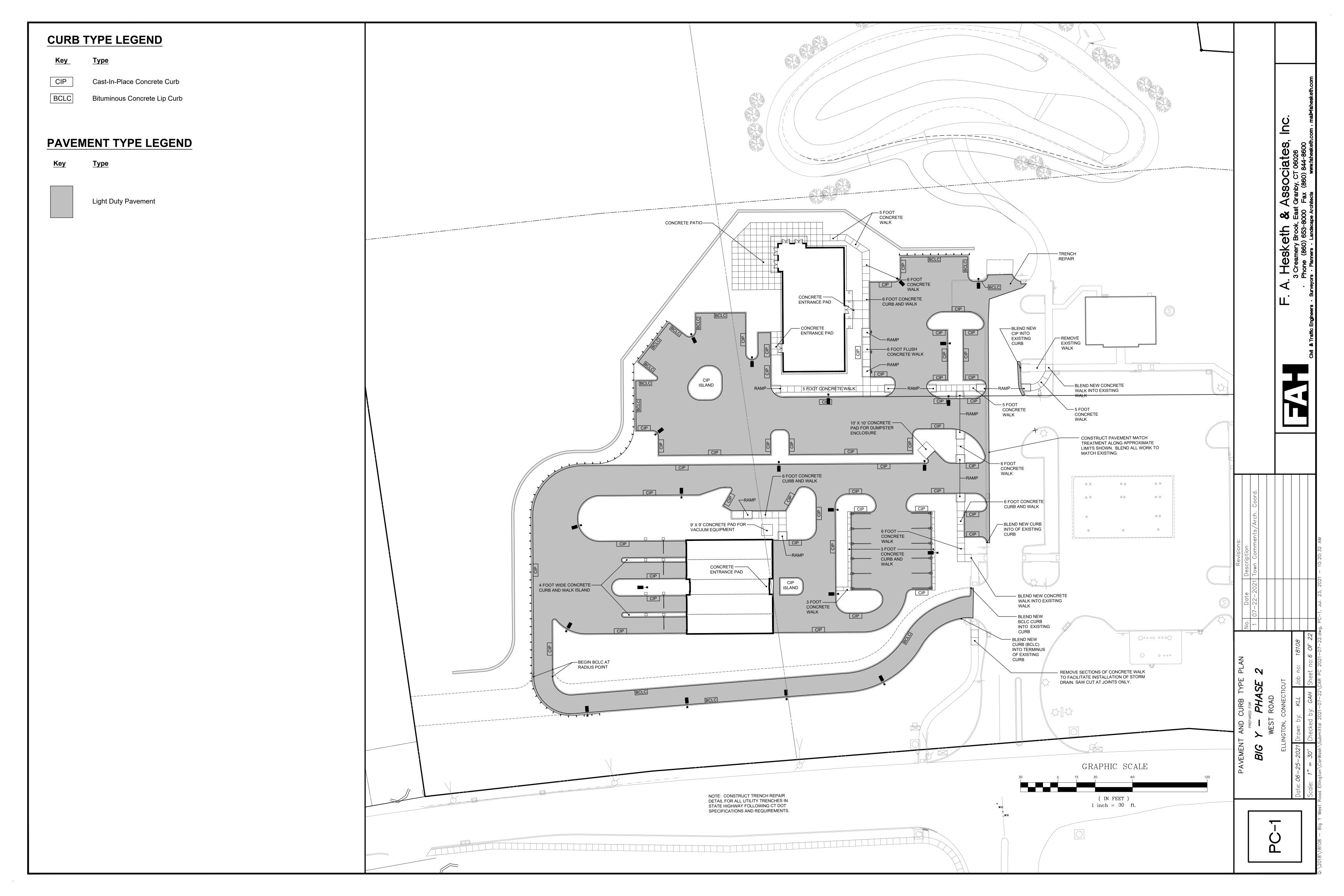
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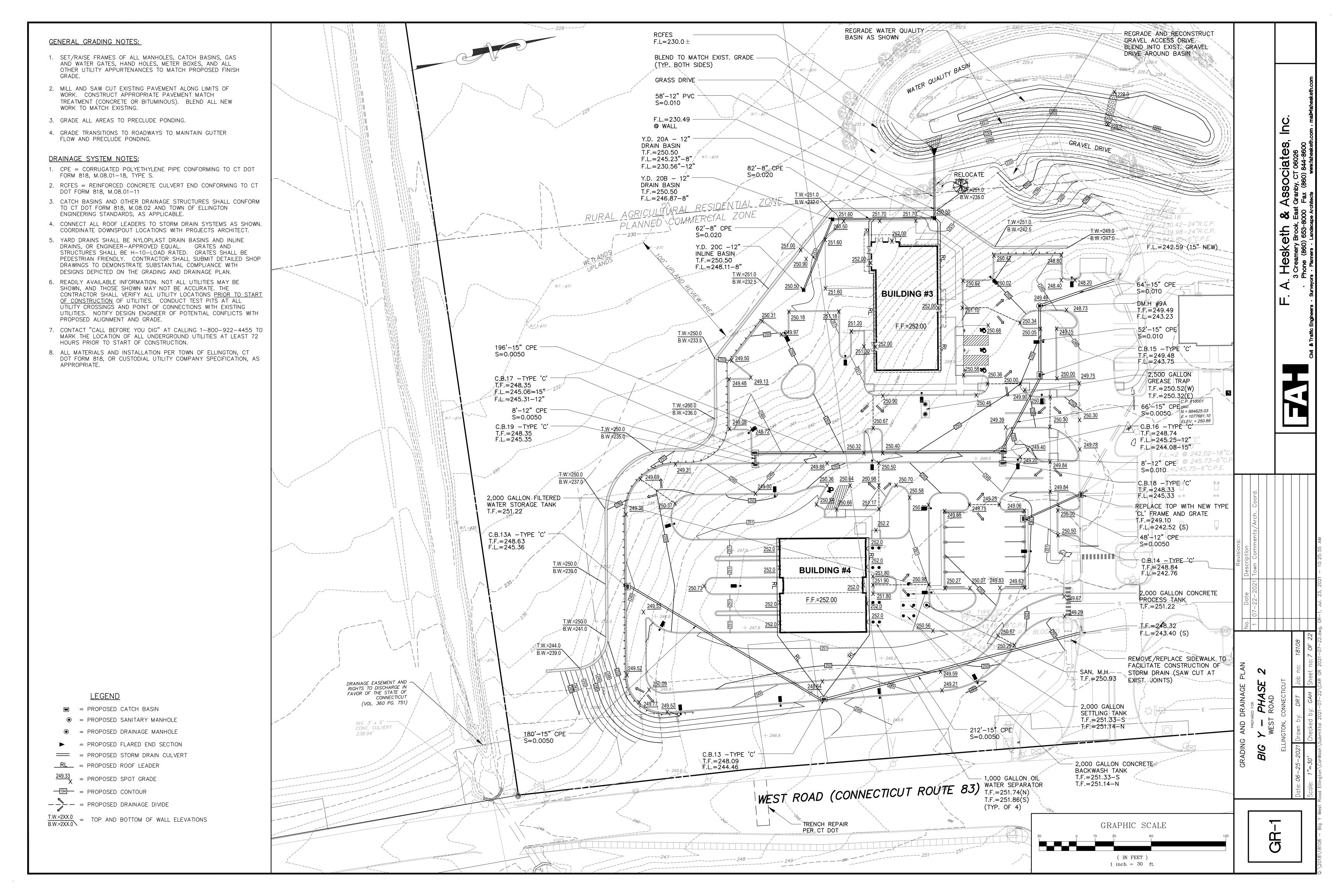
Associates
t Granby, CT 06026
Fax (860) 844-8600

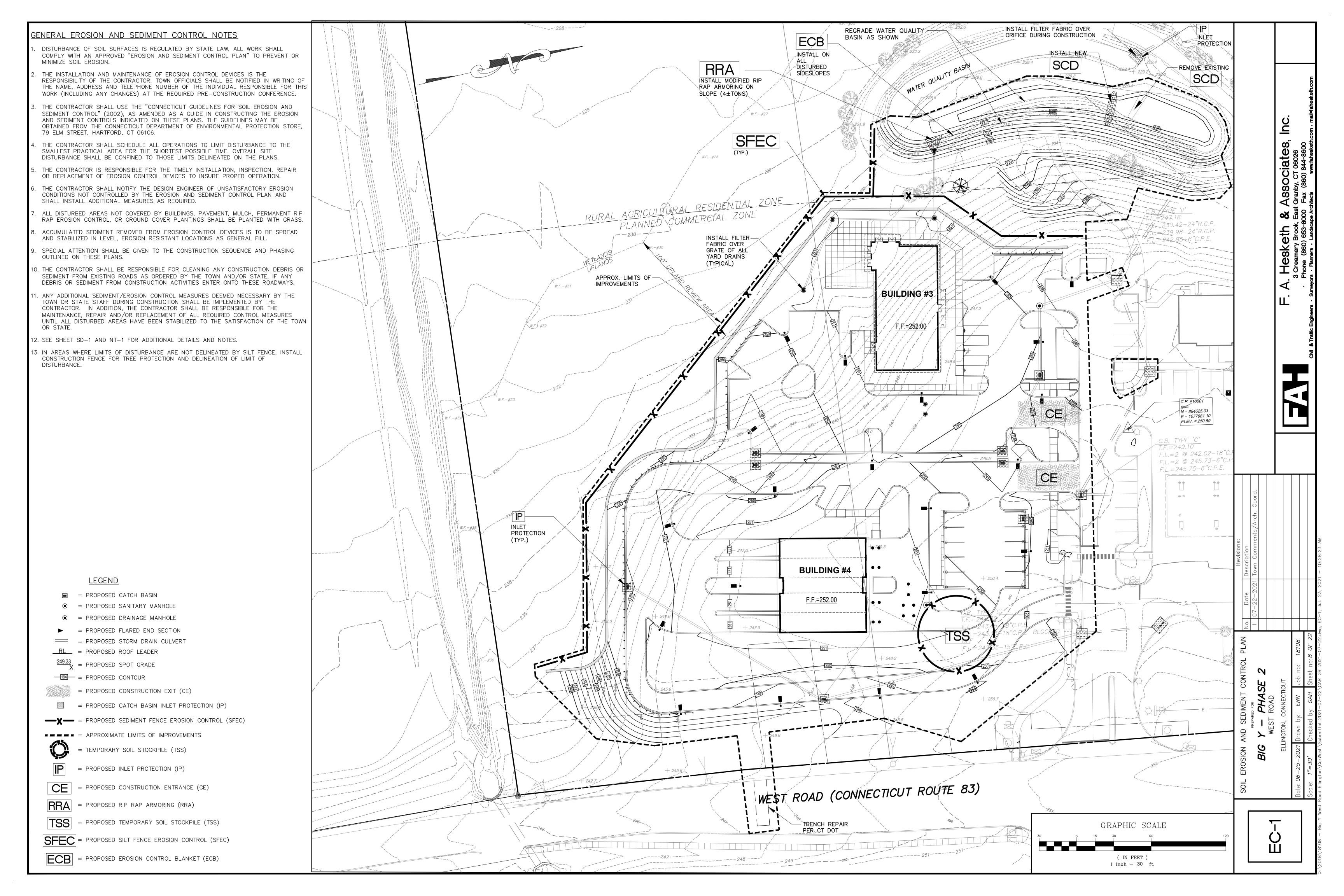
**∞** East ∞

Hesketh
3 Creamery Brook,

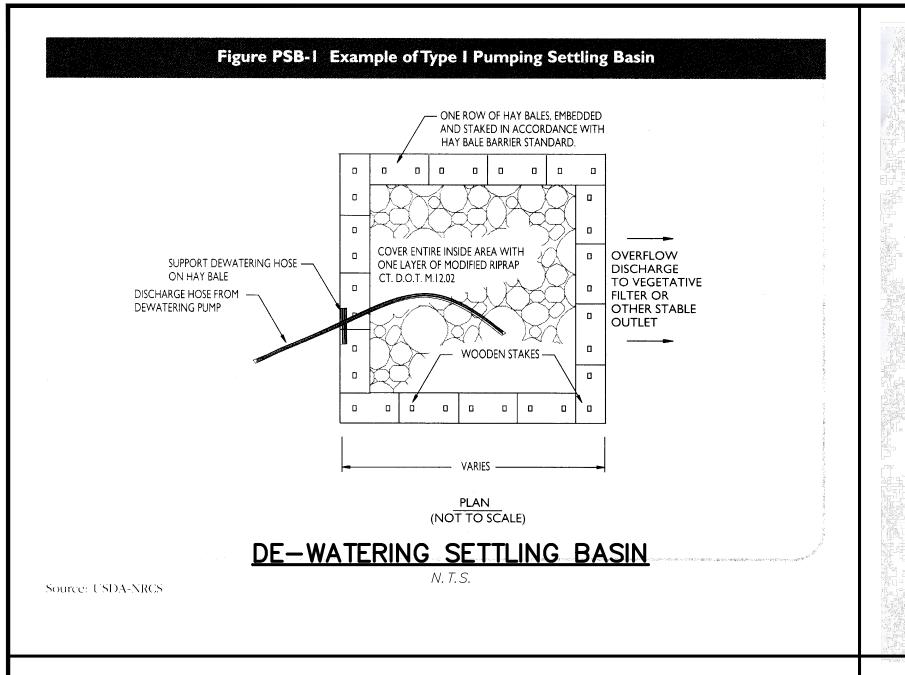
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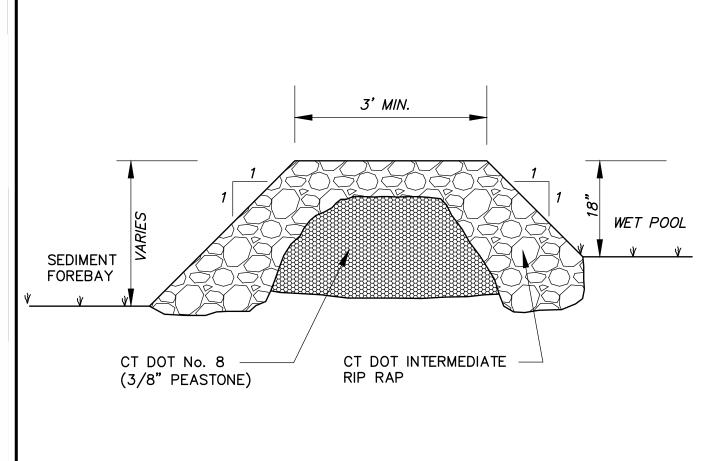




#### <u>UTILITY NOTES:</u> THE LOCATIONS OF ALL EXISTING UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE AND ARE BASED ON AVAILABLE AS-BUILT INFORMATION FROM UTILITY COMPANY RECORDS, THE PROPERTY OWNER, AND LIMITED SURVEY DATA. ALL EXISTING UTILITIES MAY NOT BE SHOWN AND THOSE SHOWN MAY NOT BE ACCURATE. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL UTILITIES ON THE SITE PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITY AND NOTIFYING THE DESIGN SITE ENGINEER OF POTENTIAL CONFLICTS WITH PROPOSED ALIGNMENT AND GRADE AND/OR ANY ADJUSTMENTS TO THE PLANS WHICH ARE NECESSARY. <u>TEST PITS WILL BE REQUIRED AT ALL PROPOSED UTILITY</u> CROSSINGS IN ORDER TO DETERMINE UNDERGROUND UTILITY LOCATIONS AND TO IDENTIFY POTENTIAL CONFLICTS WITH VERTICAL AND HORIZONTAL ALIGNMENTS SHOWN ON THE PLANS. TEST PITS SHALL BE COMPLETED BY THE CONTRACTOR AT HIS EXPENSE. CONTACT "CALL BEFORE YOU DIG" AT 1-800-922-4455 TO MARK THE LOCATION OF ALL UNDERGROUND UTILITIES AT LEAST 72 HOURS PRIOR TO THE START OF CONSTRUCTION. A PRE-CONSTRUCTION MEETING WITH TOWN STAFF SHALL BE HELD PRIOR TO START OF CONSTRUCTION. REMOVE/ABANDON ALL EXISTING UTILITIES REQUIRED FOR CONSTRUCTION OF SITE IMPROVEMENTS WHETHER OR NOT SHOWN ON THESE PLANS. ALL WORK SHALL BE IN ACCORDANCE WITH CUSTODIAL UTILITY Associates t Granby, CT 06026 COMPANY REQUIREMENTS. CONSULT WITH CUSTODIAL UTILITY COMPANY AND ENGINEER PRIOR TO ABANDONING UTILITIES. ALL MATERIALS AND INSTALLATION ARE TO BE IN ACCORDANCE WITH THE TOWN OF ELLINGTON, CONN. D.O.T. FORM 818, OR CUSTODIAL UTILITY COMPANY SPECIFICATION, AS APPROPRIATE. ALL NEW SITE UTILITIES ARE TO BE INSTALLED UNDERGROUND, UNLESS INDICATED OTHERWISE. ALL UTILITIES TO BE INSTALLED IN ACCORDANCE WITH UTILITY COMPANY APPLICABLE REQUIREMENTS. FINAL LOCATION OF UTILITY CONNECTIONS IS SUBJECT TO REVISION BY INDIVIDUAL UTILITY COMPANIES PRIOR TO THE INSTALLATION. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING THE WORK WITH THE 1 🕉 🖞 . INV.=248.27-6' APPLICABLE UTILITY COMPANIES. SAN. SEWER F/V. = 230.42 - 24"R.C.P. eth FLOW LINE AND INVERT ELEVATIONS OF ALL STORM AND SANITARY SEWERS MUST BE COORDINATED WITH /f.L.=239.98-24"R.C.P. 49'-6" PVC SAN. FINAL ARCHITECTURAL DRAWINGS. NOTIFY DESIGN ENGINEER OF CONFLICTS PRIOR TO START OF F.L.=242.85-6"C.P.E. CONSTRUCTION. S=0.020 (MIN.) INV.=248.27-6" sk FOG SEWER CONNECT ALL ROOF LEADERS AND FOOTING DRAINS INTO NEW STORM DRAINAGE SYSTEMS DRAINING TO WATER QUALITY BASIN, AS SHOWN. Ф 2,500 GALLON 10. WATER SERVICE AND FIRE SERVICE INSTALLATION IS TO BE COORDINATED WITH THE CONNECTICUT WATER GREASE TRAP COMPANY (CWC) OFFICIALS PRIOR TO THE START OF WORK BY THE CONTRACTOR. T.F.=250.52 (W) T.F. = 250.32 (E)BEFORE THE WATER MAIN OR WATER SERVICE LINES ARE IS PLACED INTO SERVICE, THEY SHALL BE HNV.=24<del>7.79</del>-IN INSPECTED, FLUSHED, SANITIZED, AND TESTED AND FOUND TO BE IN COMPLIANCE WITH CWC STANDARDS **BUILDING #3** INV = 247.54 - OUTAND SPECIFICATIONS. 12. ALL WORK ON THE SANITARY SEWER SHALL BE IN ACCORDANCE WITH THE TOWN OF ELLINGTON WATER 24'-6" PVC SAN. POLLUTION CONTROL AUTHORITY (WPCA). INV.=249.30-6" S=0.020 - GAS SERVICE (TYP. OF 4) 13. BEFORE THE SANITARY SEWER SYSTEM IS PLACED INTO SERVICE, IT IS TO BE INSPECTED, TESTED AND F.F.=252.00 W.F.-#32 FOUND TO BE IN COMPLIANCE WITH THE TOWN OF ELLINGTON WPCA STANDARDS AND SPECIFICATIONS. 14. ALL WORK RELATED TO GAS, ELECTRIC, TELEPHONE AND COMMUNICATION SERVICE SHALL BE IN NEW GAS GATE ELECTRICAL ACCORDANCE WITH THE CUSTODIAL UTILITY COMPANY STANDARDS AND SPECIFICATIONS. (NEW TAP BY TRANSFORMER PAD EVERSOURCE GAS) 15. WHEN TRENCHING IS REQUIRED IN THE STATE R.O.W., BACKFILL AND COMPACT FILL AND CONSTRUCT PAVEMENT REPAIR IN ACCORDANCE WITH CT DOT STANDARDS AND SPECIFICATIONS. INV.=247.25-6" 16. COORDINATE PLACEMENT OF TRANSFORMER AND ROUTING OF UTILITY SERVICE WITH EVERSOURCE (SAN. SEWER LATERAL) 17. RELOCATE OR RESET, AS APPROPRIATE, ALL ELECTRIC, TELEPHONE, COMMUNICATION SERVICE HANDHOLES, MANHOLES, PULL BOXES, ETC., AS REQUIRED, FOR COMPLETION OF WORK. COORDINATE RELOCATIONS OR C.P. #10001 PRIMARY ELECTRICAL RESETTING WITH CUSTODIAL UTILITY COMPANY REPRESENTATIVES. SERVICE N = 884625.03F = 107768191018. RCP = REINFORCED CONCRETE PIPE (CLASS IV OR V AS SHOWN ON THE PLANS) CONFORMING TO CT DOT ELEV. = 250.89 FORM 818, M.08.01. TELEPHONE/ 19. PVC: DRAIN PIPE = SCH. 40 PVC PIPE CONFORMING TO CT DOT FORM 818, M.08.01. COMMUNICATION 1/50"-6"./PVC SAN 20. CPE = CORRUGATED POLYETHYLENE PIPE CONFORMING TO CT DOT 818, M.08.01, TYPE S. SERVICE -UNDERGROUND VACUUM 2 @ 245.73-6"C 21. CATCH BASINS, MANHOLES, AND OTHER DRAINAGE STRUCTURES SHALL CONFORM TO CONN. D.O.T. FORM 818 SECTION M.08.02. HOSE SYSTEM 9'x9' CONCRETE 22. WATER MAIN, WATER SERVICE PIPING, FITTINGS, VALVES, HYDRANTS, CORPORATIONS, ETC. SHALL CONFORM VACUUM PAD TO THE CWC STANDARDS AND SPECIFICATIONS. 6" PVC SAN. GRAVITY TO SETTLING TANK 23. ALL WATER AND FIRE MAIN AND SERVICE PIPING SHALL BE ANSI/AWWA C151/A21.51 C.L.D.I.P. CLASS 52, (S=0.020 MIN.)UNLESS OTHERWISE SPECIFIED. ALL WATER SERVICE SHALL HAVE A MINIMUM COVER OF 4 1/2 FEET. TEST PIT REQUIRED 24. ALL WATER AND FIRE SERVICE FITTINGS AND VALVES SHALL BE MECHANICAL JOINT AND SHALL BE RESTRAINED USING JOINT RETAINER GLANDS AND RODS, UNLESS OTHERWISE SPECIFIED. ALL VALVES (TYP. OF 3)SHALL OPEN LEFT. 48'-6" PVC SAN. S=0.020 25. PVC SAN. SEWER PIPE = SDR 35 PVC PIPE W/ PUSH-ON GASKETED JOINTS. 26. C.L.D.I.P = CLASS 52 CEMENT-LINED DUCTILE IRON PIPE. RECYCLE SYSTEM 27. ALL SANITARY SEWER PIPES, FITTINGS, MANHOLES AND ACCESSORIES SHALL CONFORM TO THE TOWN OF PROCESS FLOW PIPING ELLINGTON WPCA STANDARDS AND SPECIFICATIONS. **BUILDING #4** 28. CONTRACTOR IS REQUIRED TO CONDUCT TEST PIT AT LOCATION OF TERMINUS OF EXISTING 6-INCH 2,000 GALLON/FILTERED DIAMETER SANITARY SEWER SERVICE AND DETERMINE EXISTING INVERT ELEVATION PRIOR TO WATER STORAGE TANK • 🛶 CONSTRUCTION OF ANY SANITARY SEWER-RELATED SITE IMPROVEMENTS. CONTRACTOR SHALL T.F. = 251.22NOTIFY PROJECT ENGINEER IF EXISTING INVERT ELEVATION IS OTHER THAN INDICATED ON THE INV.=247.7<u>5-6"</u>IN PLAN. DESIGN MODIFICATIONS TO SANITARY-SEWER RELATED APPURTENANCES MAY BE REQUIRED. F.F.=252.00 S=I,B.D. (0.010 MIN.) 29. WORK WITHIN THE STATE HIGHWAY RIGHT OF WAY WILL REQUIRE AN ENCROACHMENT PERMIT FROM TERMINUS OF EXISTING 6" PVC SAN. THE CT DOT DISTRICT 1 OFFICE. THE CONTRACTOR SHALL OBTAIN SAID PERMIT PRIOR TO INITIATING ANY CONSTRUCTION ACTIVITIES. ALL WORK WITHIN THE STATE HIGHWAY RIGHT OF WAY SHALL CONFORM TO THE CONDITIONS OF THE CT DOT ENCROACHMENT PERMIT. -TEST PIT REQUIRED (TYP. OF 3)//<u>LEGEND</u> 2,000 GALLON CONCRETE PROCESS TANK = PROPOSED CATCH BASIN T.F.=251.22 = PROPOSED SANITARY MANHOLE INV.=247.75-6" IN NV.=247.50-6" OUT DRAINAGE EASEMENT AND -= PROPOSED DRAINAGE MANHOLE RIGHTS TO DISCHARGE IN FAVOR OF THE STATE OF GAS GATE CONNECTICUT = PROPOSED FLARED END SECTION (VOL. 360 PG. 751) = PROPOSED STORM DRAIN CULVERT SAN. M.H. T.F.=250.93 --- w --- = PROPOSED WATER LINE INV. 3' x 5' -CONC. CULVERT - 2,000 GALLON CONCRETE INV.=246.04 - 6"(W)BACKWASH TANK 238.94' — E — = PROPOSED ELECTRIC LINE T.F.=251.33 (S) INV.=245.82 - 6"(N)— T — = PROPOSED TEL., COMM. LINE INV.=247.75-6" IN SITE LIGHTING FIXTURE $\omega$ 8'-6" PVC SAN. (SEE SHEET PH-1) INV.=247.50-6" OUT S=0.020-1,000 GALLON OIL WATER 2.000 GALLON = PROPOSED LIGHT STANDARD SEPARATOR (TYP. OF 4) SETTLING TANK - 2" WATER SERVICE WEST ROAD (CONNECTICUT ROUTE 83) T.F.=251.74 (N) = PROPOSED SEPARATOR STRUCTURE T.F.=251.33 (S) T.F.=251.86 (S) T.F.=251.14 (N) 4" FIRE SERVICE -INV.=249.22−6" IN<sup>W</sup> = PROPOSED WATER LINE BEND 9NV.=247.75-6" IN INV.=248.97-6" OUT INV.=247.50-6" OUT 1-1/2" WATER SERVICE -= PROPOSED WATER GATE VALVE - GAS SERVICE TRENCH REPAIR GRAPHIC SCALE = PROPOSED STORM DRAINAGE METER PIT PER CT DOT (TYP.) = PROPOSED SANITARY SEWER GATE VALVE — G — = PROPOSED GAS LINE (TYP.) ( IN FEET ) O = PROPOSED WATER GATE VALVE 1 inch = 30 ft.

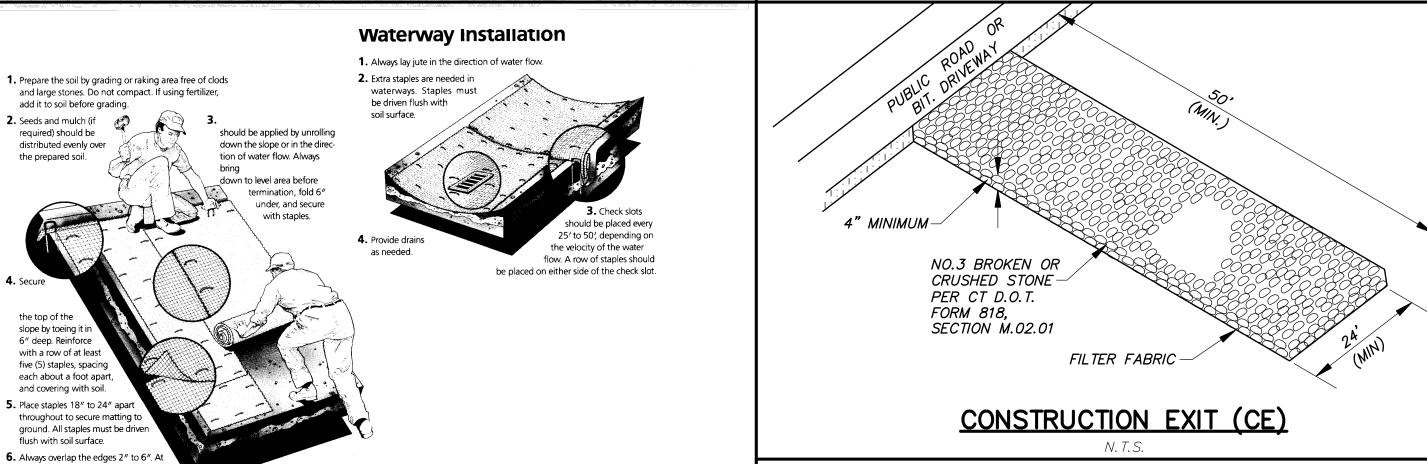






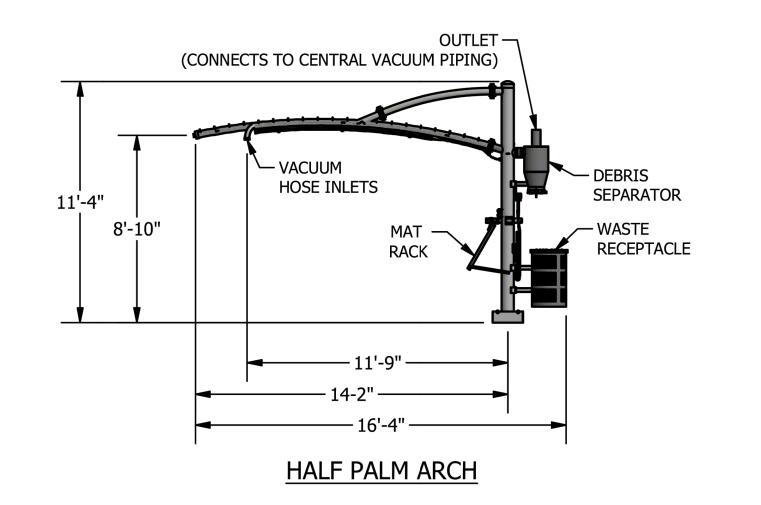
# (2 EACH) EXPANSION RESTRAINT (兆" NYLON ROPE, 2" FLAT WASHERS) INSTALLATION DETAIL BAG DETAIL DUMP STRAP 1" REBAR FOR BAG REMOVAL FROM INLET

STONE CHECK DAM (SCD)

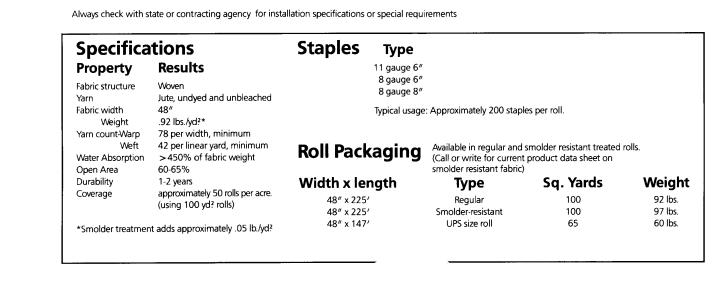




1. INSTALL AND MAINTAIN IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS



VACUUM DETAIL



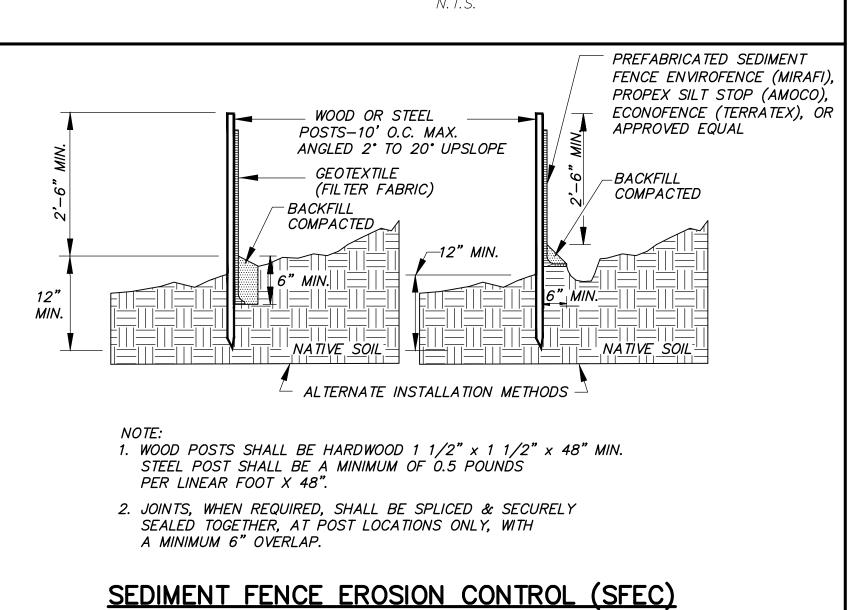
1. USE ANTI-WASH/GEOJUTE PRODUCT OR APPROVED EQUAL

the top of the

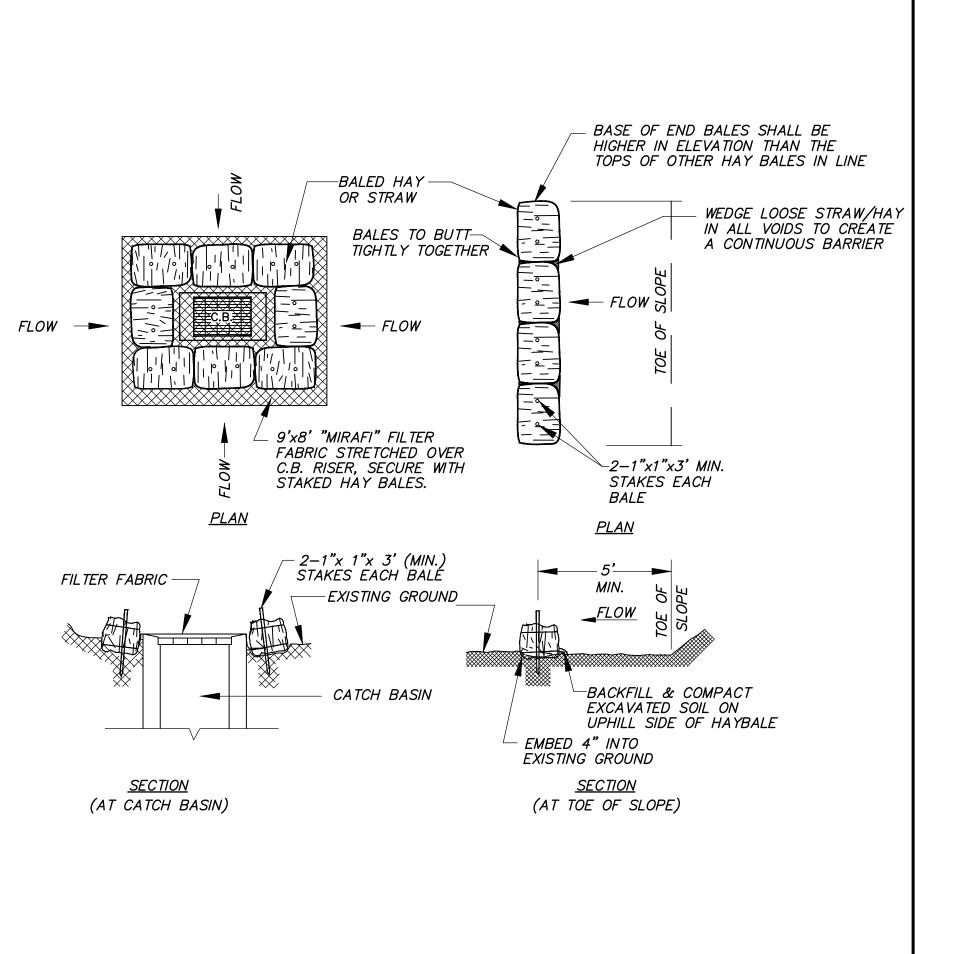
6" deep. Reinfo

the end of each roll, fold back 4'' to 8''of the matting. Overlap this 4" to 8" over

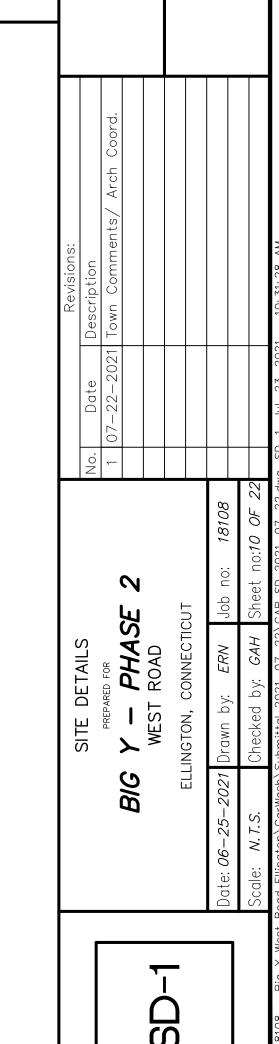
# EROSION CONTROL BLANKET (ECB)



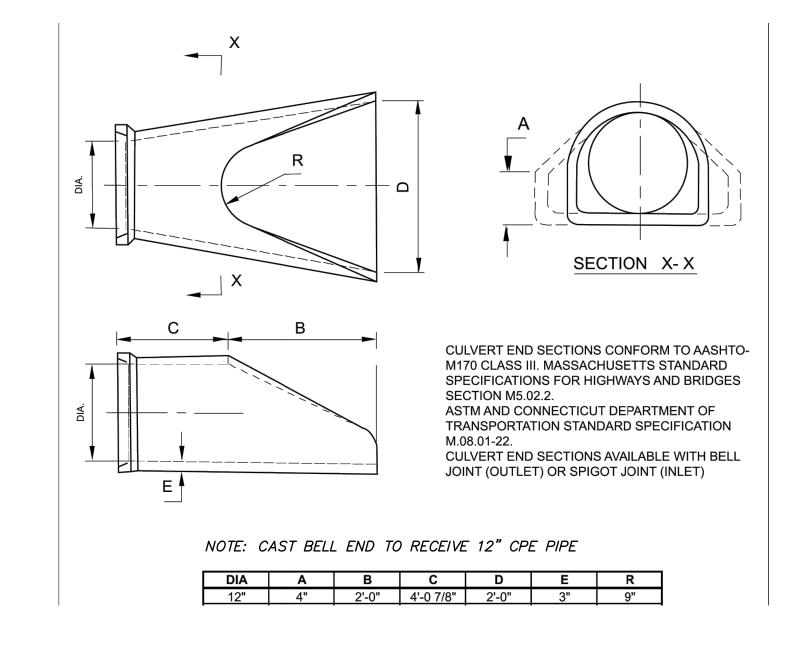
N. T. S.



HAYBALE EROSION CONTROL (HBEC)

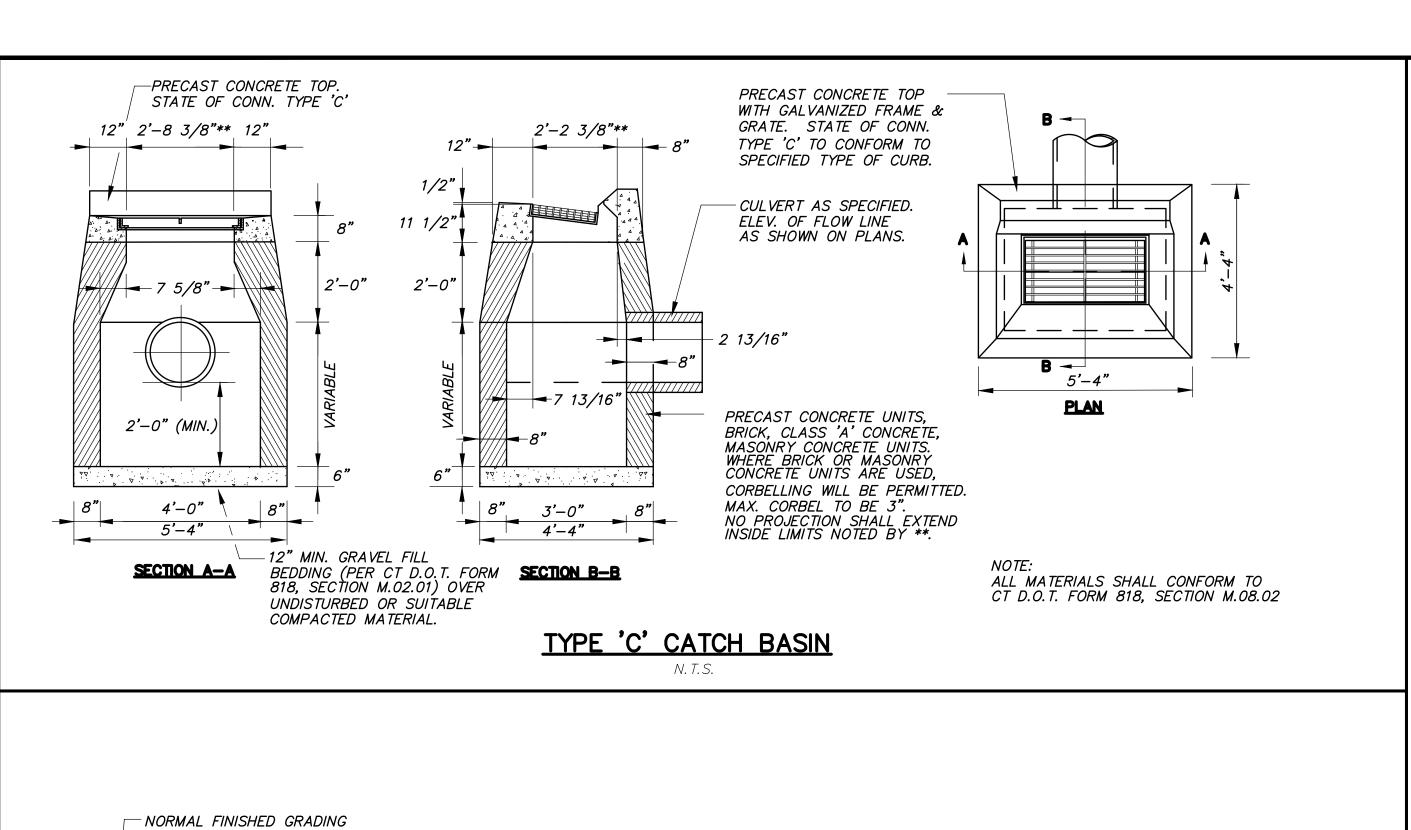


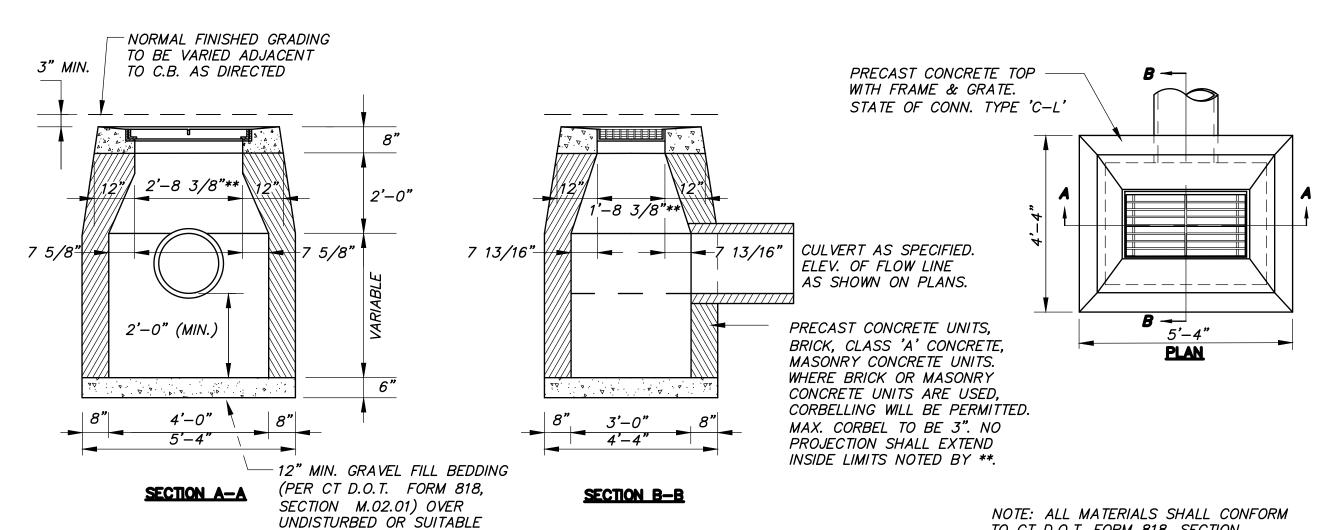
sociates,



REINFORCED CONCRETE FLARED END SECTION

N. T. S.



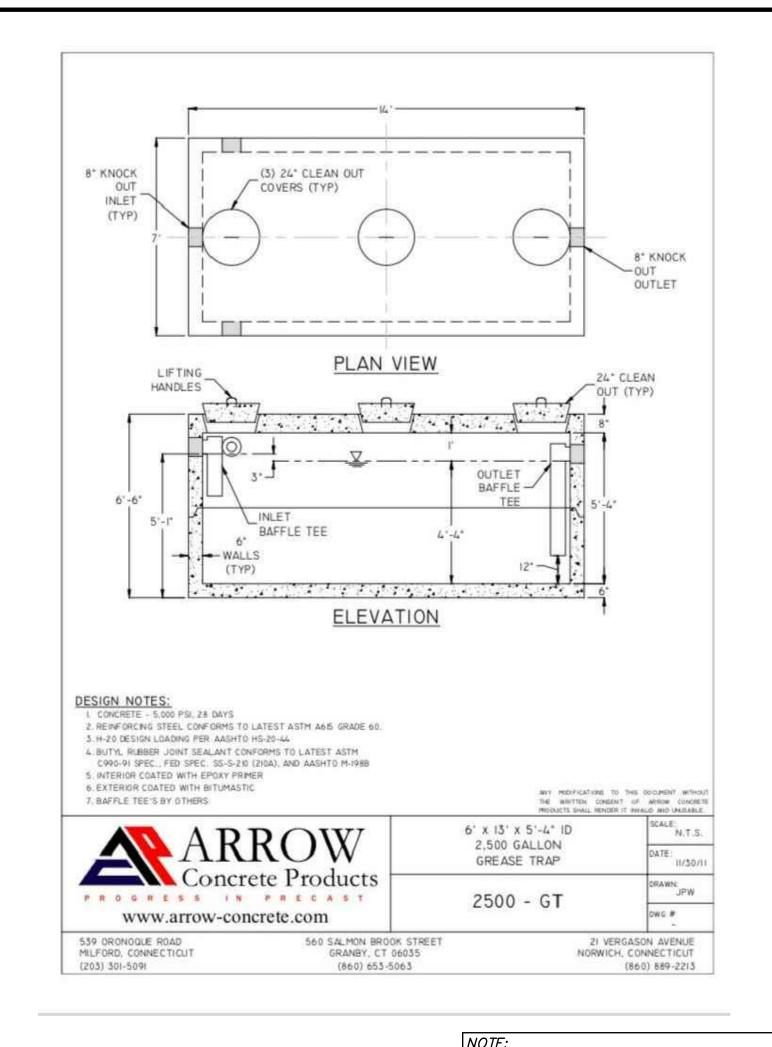


TYPE 'C-L' CATCH BASIN

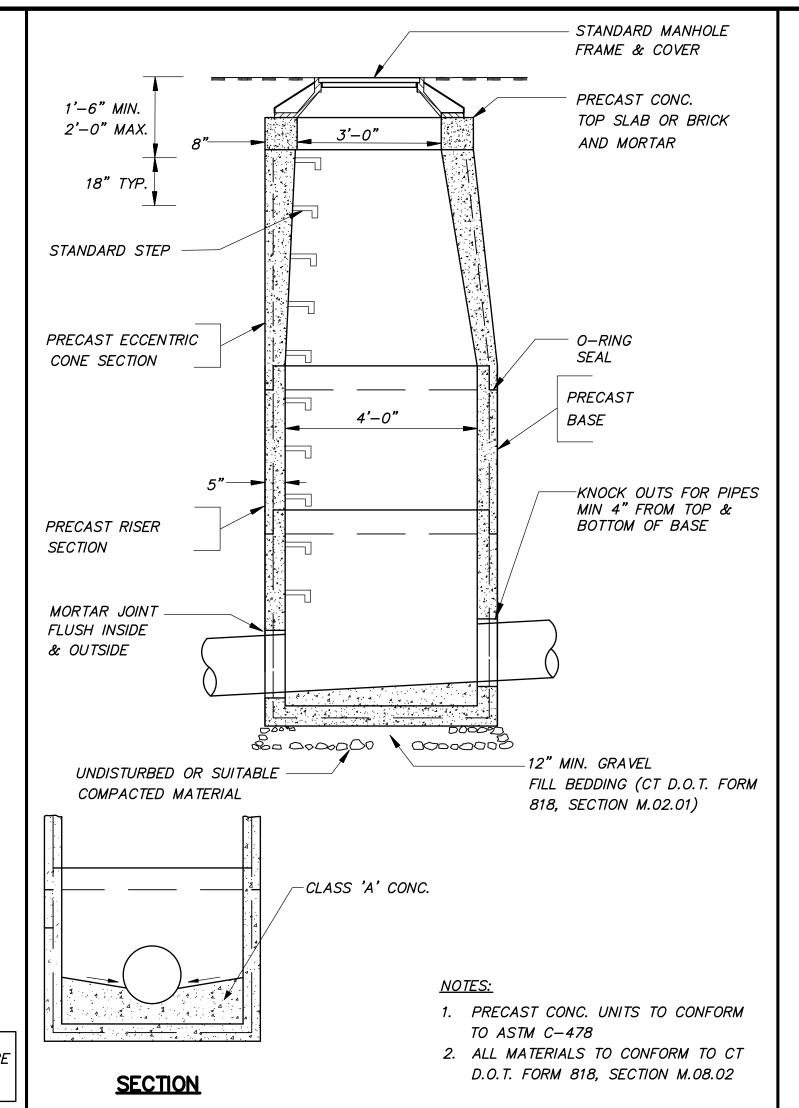
N. T. S.

COMPACTED MATERIAL.

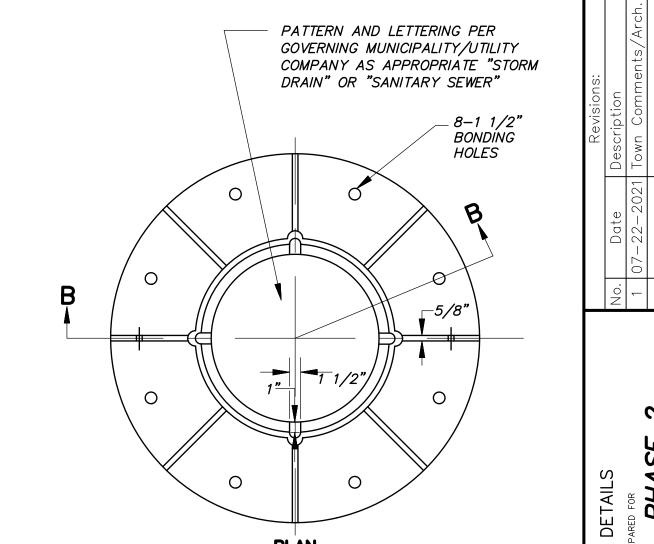
TO CT D.O.T. FORM 818, SECTION

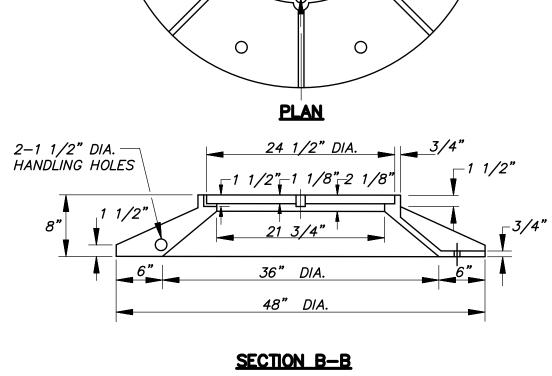






STORM SEWER MANHOLE





STANDARD FRAME & COVER N.T.S.

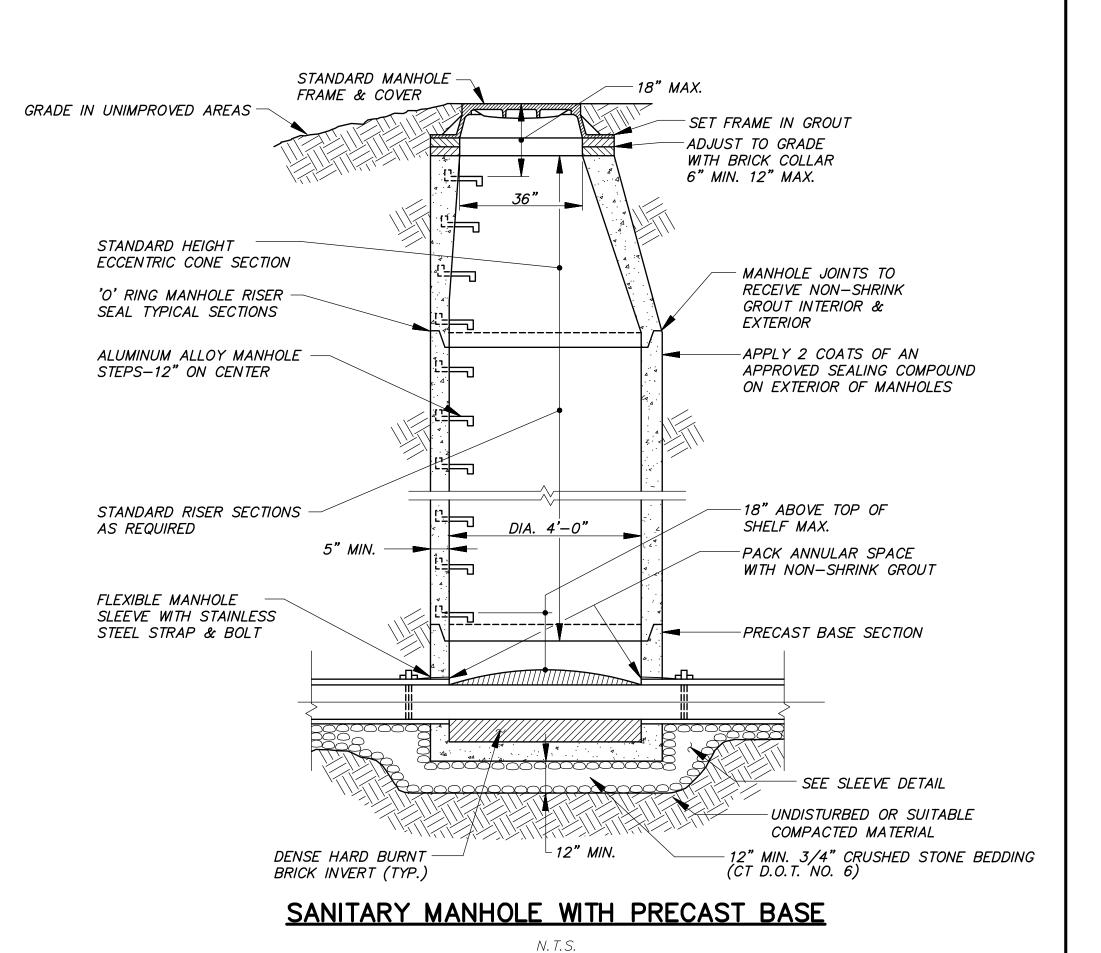
BIG

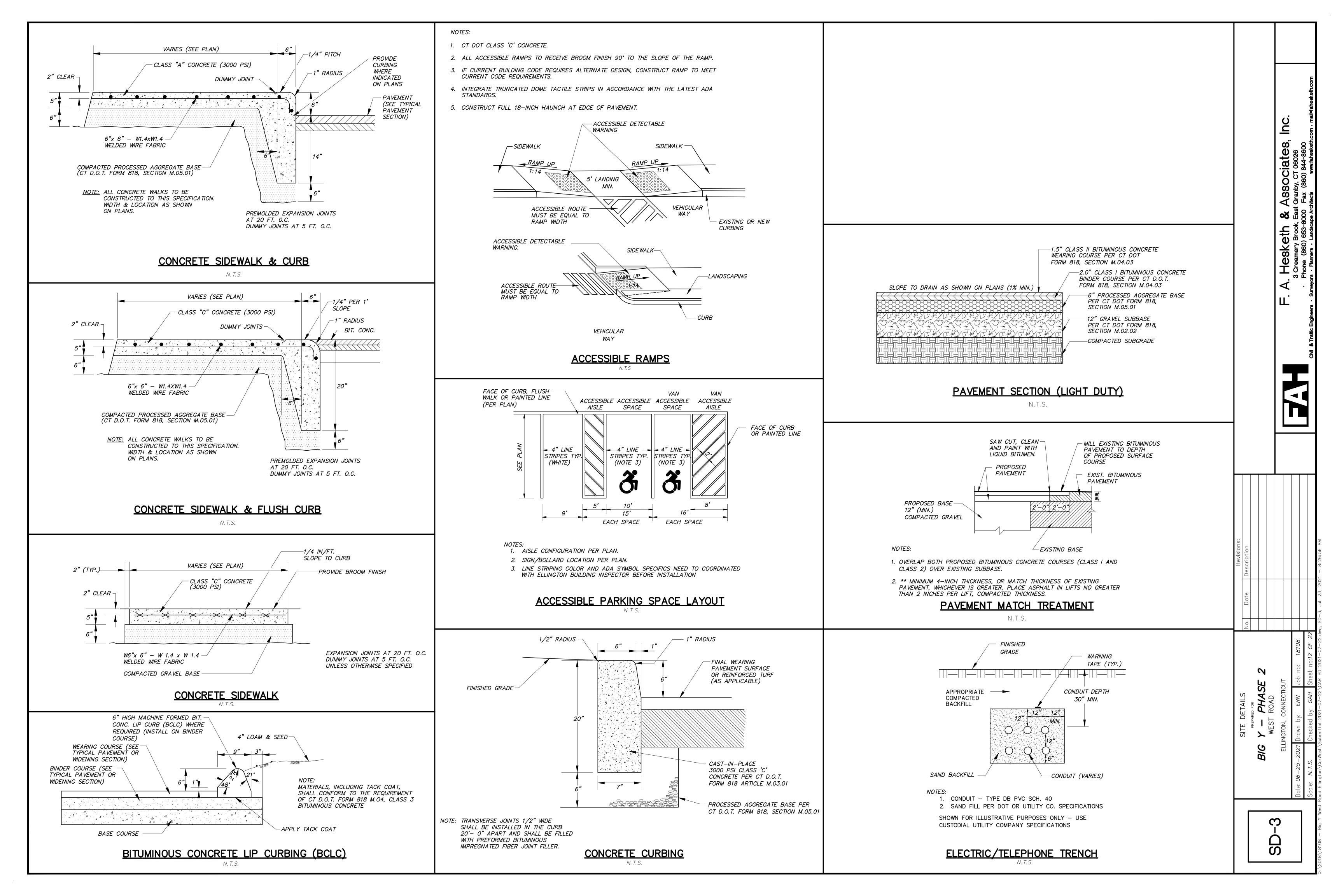
Associates, at Granby, CT 06026 Fax (860) 844-8600

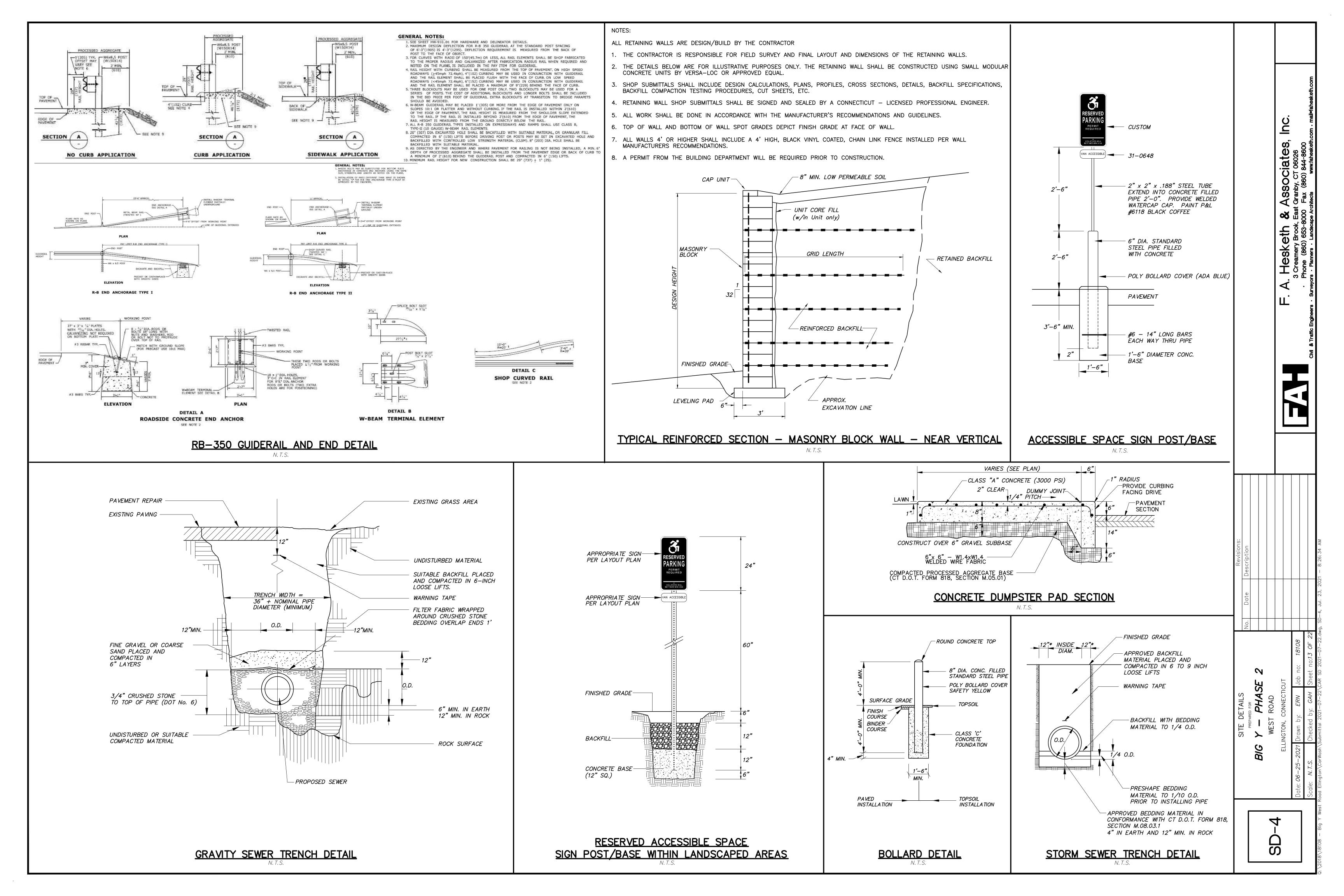
**X** 8 5

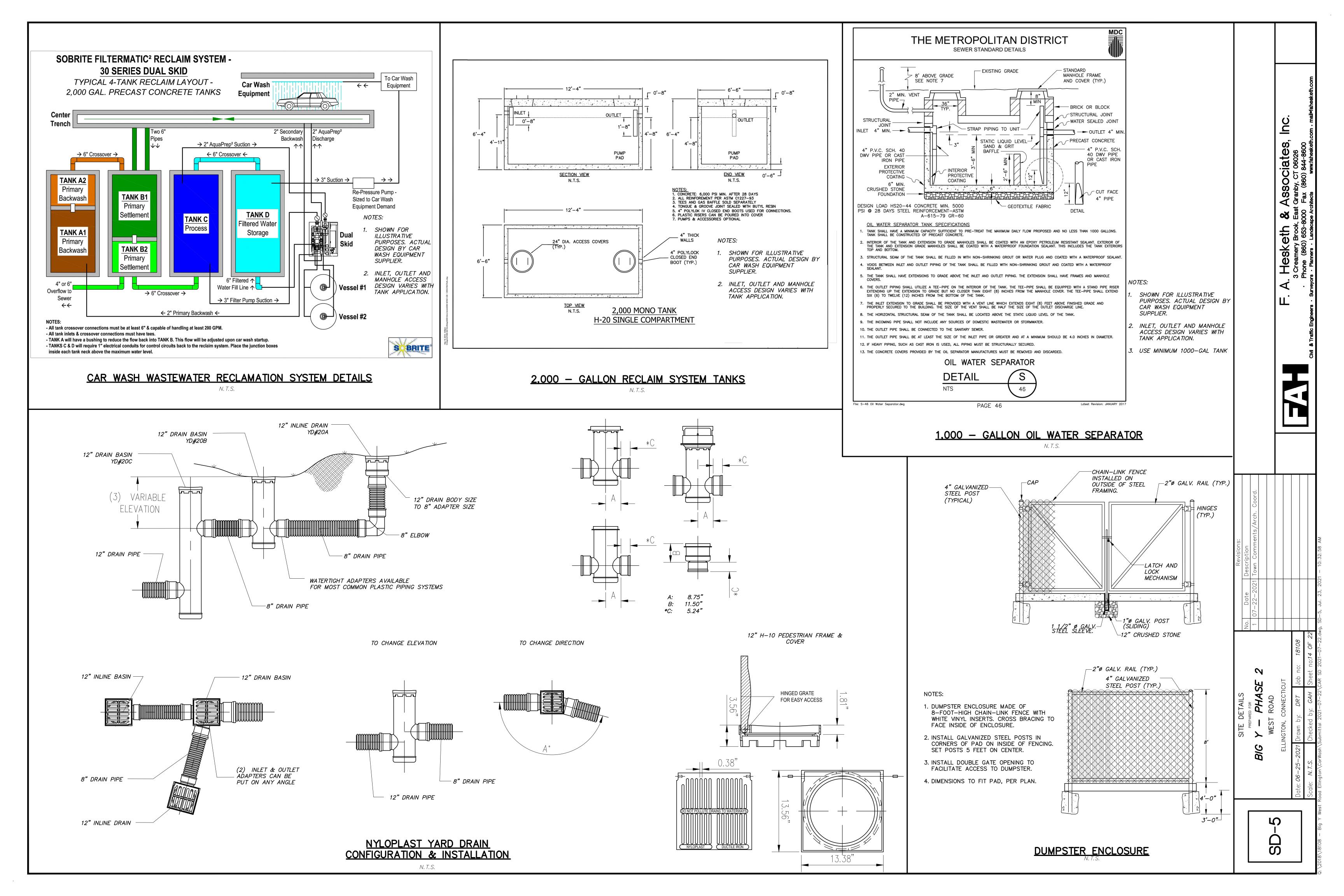
Hesketh 3 Creamery Brook,

S









## PROJECT DESCRIPTION:

The Big Y Foods Inc. project site consists of an 13.06-acre parcel of land in Ellington, Connecticut. Phase 1 development was completed in 2020, and consisted of the construction of Building 1 (12,822 s.f. retail building with a drive-up window) and Building 2 (a 1-story 2,128 s.f. building), a fuel system canopy and associated site improvements. Phase 1 included development of the northern portion of the development parcel. Phase 2 will include development of the southern portion of the development parcel and will include the construction of a Car Wash facility (5,152 s.f.), a restaurant (5,147 s.f.), and associated site improvements. The project will provide a total of 148 paved, on-site parking spaces.

The project will be serviced by potable water (Connecticut Water Company [CWC]) and sanitary sewer (Ellington Water Pollution Control Authority [WPCA]. Electric power and communications will be from existing services on West Road. Natural gas service will be from a gas lateral located on the development parcel. sewer systems. Fire hydrants will be provided at the locations specified by the Ellington Fire Department.

Stormwater runoff from developed portions of the site will be conveyed to a water quality basin, which will be enlarged from the basin constructed during Phase 1 development. The basin will capture and treat the minimum DEEP—recommended water quality volume, as well as mitigate increases in peak rates of runoff due to increases in impervious area.

The existing on-site stormwater drainage system will be augmented to handle runoff from the Phase 2 development and will interconnect with the existing on-site system. The storm drainage collection system capacity is based on a 10-year design storm. The storm drainage collection system incorporates Best Management Practices (BMP's) including; pre-cast catch basins with 2-foot sumps, flared-end section discharges into rip rap plunge pools, and level spreaders, and treatment via a water quality basin.

## **CONSTRUCTION SEQUENCE:**

In general, the overall project will follow the sequence below:

- 1. Contact "call before you dig" at 1-800-922-4455 at least 48 hours prior to the start of construction to have existing utilities marked. Attend a preconstruction meeting with the Town of Ellington staff (including the Wetlands Agent) and Utility Company representatives.
- 2. Place sediment fence as shown on the Soil Erosion and Sediment Control Plan prior to the start of any excavation.
- 3. Install construction exit as shown on the plans.
- 4. Stake clearing limits and flag trees to remain. Complete clearing and grubbing.
- 5. Install temporary soil erosion and sedimentation control measures.
- 6. Construct temporary stormwater diversion devices. Increase size of the water quality basin, as shown. Install temporary outlet controls on the existing basin outlet structure. Topsoil, seed and stabilize sideslopes with ECB.

NOTE: The Mirafi filter on the orifice and inlet protection on the outlet structure grate will require regular maintenance during construction. The fabric/filter should be inspected following each measurable rain event and cleaned or replaced, as appropriate.

- 7. Construct retaining walls, working from up-gradient side of the wall. Install roof-leader/yard drain outfall pipe under wall.
- 6. Rough grade site to subgrade.
- 7. Prepare building pad site and install concrete foundations.
- 8. Install new storm drainage structures and culverts. Install inlet protection around drainage inlets as they are completed.
- 9. Install underground utilities and site lighting.
- 10. Compact subgrade and install parking lot gravel subbase (where required) and processed aggregate base course.
- Install concrete sidewalk, curbing and ramps along drives and parking areas. Install bollards for accessible signs.
- 12. Install pavement binder course
- 16. Complete construction of building units, sidewalks, patios, etc.
- 17. Install pavement wearing course.
- 18. Place topsoil and landscape materials.
- 19. Install pavement markings and signs.
- 20. Remove erosion controls after disturbed areas are landscaped and mulched or new lawn areas are stabilized.
- 21. Remove accumulated sediments in the water quality basin and complete its construction.
- 22. Remove sediment from storm drainage system and riprap aprons as required.
- 23. The approximate date for start of construction is summer 2021. The estimated completion date is summer 2022.

# EROSION AND SEDIMENT CONTROL NOTES

- 1. Disturbance of soil surfaces is regulated by State Law. All work shall comply with an approved "Erosion and Sediment Control Plan" to prevent or minimize soil erosion.
- 2. The installation and maintenance of erosion control devices is the responsibility of the land owner, developer, and the excavation contractor. Town officials shall be notified in writing of the name, address and telephone number of the individual responsible for this work (including any changes) at the required pre-construction conference.
- 3. The contractor shall use the "Connecticut Guidelines for Soil Erosion and Sediment Control" (2002), as amended as a guide in constructing the erosion and sediment controls indicated on these plans. The guidelines may be obtained from the Connecticut Department of Environmental Protection store, 79 Elm Street, Hartford, CT 06106-5127.
- 4. The contractor shall schedule operations to limit disturbance to the smallest practical area for the shortest possible time. Overall site disturbance shall be confined to those limits delineated on the plans.
- 5. The contractor is responsible for the timely installation, inspection, repair or replacement of erosion control devices to insure proper operation.
- The contractor shall notify the design engineer of unsatisfactory erosion conditions not controlled by the erosion and sediment control plan and shall install additional measures as required.
- 7. All disturbed areas not covered by buildings, pavement, mulch or ground cover plantings shall be planted with grass per the landscape plan.
- 8. Accumulated sediment removed from erosion control devices is to be spread and stabilized in level, erosion resistant locations as general fill.
- 9. The contractor shall be responsible for cleaning any construction debris or sediment from existing roads as ordered by the Town and/or State, if any debris or sediment from construction activities enter onto these roadways.
- 10. Limit work within wetland regulated areas to the least disturbance necessary for construction. Restore disturbed areas as closely as possible to their original natural state.
- 11. Additional dust control measures as specified in D.O.T. 818 Section 9.39, Section 9.42 and Section 9.43 shall be furnished by the contractor as site conditions warrant or as directed by Town or State officials.
- 12. The contractor is responsible for cleaning and removal of sediment and/or debris from the storm drainage system throughout the duration of the project (i.e. sumps, plunge pools, level spreaders, etc.)
- 13. The erosion and sedimentation control measures shown on the plans are the minimum requirements for the work. Specific erosion control plans shall be developed by the Contractor for each phase of the work and shall be modified as construction conditions warrant. These phased plans shall be submitted to the Engineer and to Town staff for review and approval.

# **EROSION CONTROL DEVICES:**

Refer to the "Connecticut Guidelines For Soil Erosion And Sediment Control – 2002" (see Erosion and Sediment Control Note 3) when constructing erosion control devices shown on this plan.

CE - CONSTRUCTION EXIT: a broken stone pad providing a hard surface points where vehicles will leave the site. The construction exits reduce tracking of sediment into adjacent pavement. Excess sediment should be periodically removed from the stone surface.

ECB - EROSION CONTROL BLANKET: A manufactured blanket composed of biodegradable/photodegradable natural or polymer fibers and/or filaments that have been mechanically, structurally or chemically bound together to form a continuous matrix.

FES - FLARED END SECTION: a precast concrete culvert or formed polyethylene end structure designed to spread runoff to greater width of flow.

HBCD — HAY BALE CHECK DAMS: shall be staked in a single row perpendicular to the flow along the bottom and sides of drainage ditches and channels or in other locations where runoff is concentrated. Check dams shall be installed at 100' intervals unless indicated otherwise. Silt must be removed and haybales replaced periodically.

HBEC - HAYBALE EROSION CHECKS shall be staked a minimum of five (5) feet from the base of disturbed slopes exceeding eight (8) feet in height, or at locations shown on the plans. Place haybales before starting a fill slope and after digging a cut slope. Heel haybales 4" into the soil. Stake haybales around the perimeter of all catch basins. Remove all sediment when deposits reach 1/2 bale height. Haybales must be replaced periodically.

IP - INLET PROTECTION: a sediment control device used during construction that mounts under the grate of a catch basin, residing inside the structure. It is made of permeable geotextile that allows water to pass, but traps silt and sediment. (Silt Sack or approved equal.) The silt sack must be removed when silt/sediment reaches one half the height of the device. Remove sediments and deposit on stable area of site and rinse devise for reuse. Replace when damaged.

RRPP - RIP RAP PLUNGE POOL: a riprap lined apron installed at a zero percent grade to absorb the initial impact of stormwater discharge from the storm drainage system and further reduce flow velocities to prevent erosion downstream. RROP is designed per the "Connecticut Department of Transportation, Drainage Manual - 2000"

RRSW — RIP RAP SWALE: a swale with rip rap lining installed to to absorb the energy of flowing stormwater and reduce flow velocities to prevent erosion of the channel.

SB - SEDIMENT BASIN: traps sediment from eroding areas before it can reach downstream waterways, drainage systems, developed areas or any other land to be protected. Sediment basins can be created with dams and barriers or excavation along waterways or any runoff path. They must be designed to provide adequate detention time and sediment accumulation. Accumulated sediment must be removed periodically.

SFEC - SEDIMENT FENCE EROSION CHECK: a synthetic textile barrier designed to filter sediment from surface water runoff. Placement shall be similar to HBEC and installation requires anchoring the fence bottom to prevent bypass. All sediment shall be removed if deposits reach one (1) foot in depth. Additional support (such as snow fence or wire fence) on the downhill face may be required to strengthen sediment fence in high flow locations.

# **GENERAL NOTES:**

- 1. See project survey for horizontal and vertical control
- 2. All work on this project shall be completed in conformance with the requirements of the various federal, State, and local permits issued for this project.
- 3. A pre-construction meeting and authorization to proceed will be required prior to start of any construction, including demolition, removal of trees or stripping of land. Procedures for such pre-construction meeting and authorization to proceed shall be in accordance with Town and State requirements. The contractor is responsible for arranging this meeting with Town and State officials, as applicable.
- 4. Prior to any excavation the contractor shall verify all underground utilities by calling 1-800-922-4455 at least 48 hours in advance.
- 5. All work and materials to conform to Town of Ellington standard specifications, D.O.T. Form 818, or the details shown on these plans as applicable.
- 6. All work within the DOT R.O.W. will require an Encroachment Permit from CT DOT. The Contractor is responsible for obtaining said Encroachment Permit, and to follow all requirements of the Encroachment Permit. All work within the highway R.O.W. shall follow CT DOT specifications.
- 7. Erosion and sedimentation control measures shall be installed and maintained in accordance with the plan, specifications, and the erosion and sedimentation control notes.
- 8. Drainage shall be maintained throughout the project so as not to cause flooding of roadways or damage to private property.
- 9. Connect new roof leaders into new water quality basin as shown.
- 10. Trees shall be flagged and approved, prior to removal.
- 11. Trees and vegetation identified to be saved shall be protected from construction equipment by suitable means approved by Town staff.
- 12. Removal of trees or other vegetation, or re-grading substantially different from that shown on the approved site plan, will not be permitted without prior authorization by the Town or State, as applicable.
- 13. No stumps are to be buried on site.
- 14. All debris shall be removed from the site by the contractor.
- 15. All exterior lighting shall not be directed onto abutting properties or roadways.

# SCHEDULE AND DESCRIPTION OF RESPONSIBILITY FOR MAINTENANCE OF THE ON-SITE STORM WATER SYSTEM:

- 1. Maintenance of the on-site storm water system is the responsibility of the property owner. This includes all catch basins, system piping, manholes, roof leaders, water quality basin and basin outlet structure.
- 2. The following schedule of maintenance shall be followed:
- a. In general, good housekeeping practices shall be incorporated into the routine site and facility maintenance plan to minimize deposition of sediment, litter and contaminants into the storm drainage system.
- b. Paved parking and loading areas and walks shall be swept of debris, sand, and litter at least twice annually, in particular, late spring after winter sanding operations, and in late fall after leaf litter cleanup.
- c. Catch basins and manholes shall be inspected annually, following spring site cleanup. Accumulated sediment and debris shall be removed and disposed of to approved off-site locations.
- d. Rip rap and crushed stone erosion control shall be inspected annually. Excess sediments shall be removed and repairs made when erosion is noted.
- 3. Maintenance records documenting system inspection and cleaning operations shall be maintained by the property owner and shall be made available for inspection by the Town as requested.
- 4. Water quality basin shall be inspected and maintained:
- Remove excess sediment from sediment forebay as required.
- Remove woody vegetation
- Inspect and repair rip-rap structures and plunge pools
- Inspect/clean outlet structure and weir
- Follow DEEP-recommendations of removal of sediment (by dredging) every 5-10 years, as needed

F. A. Hesketh & Associates,

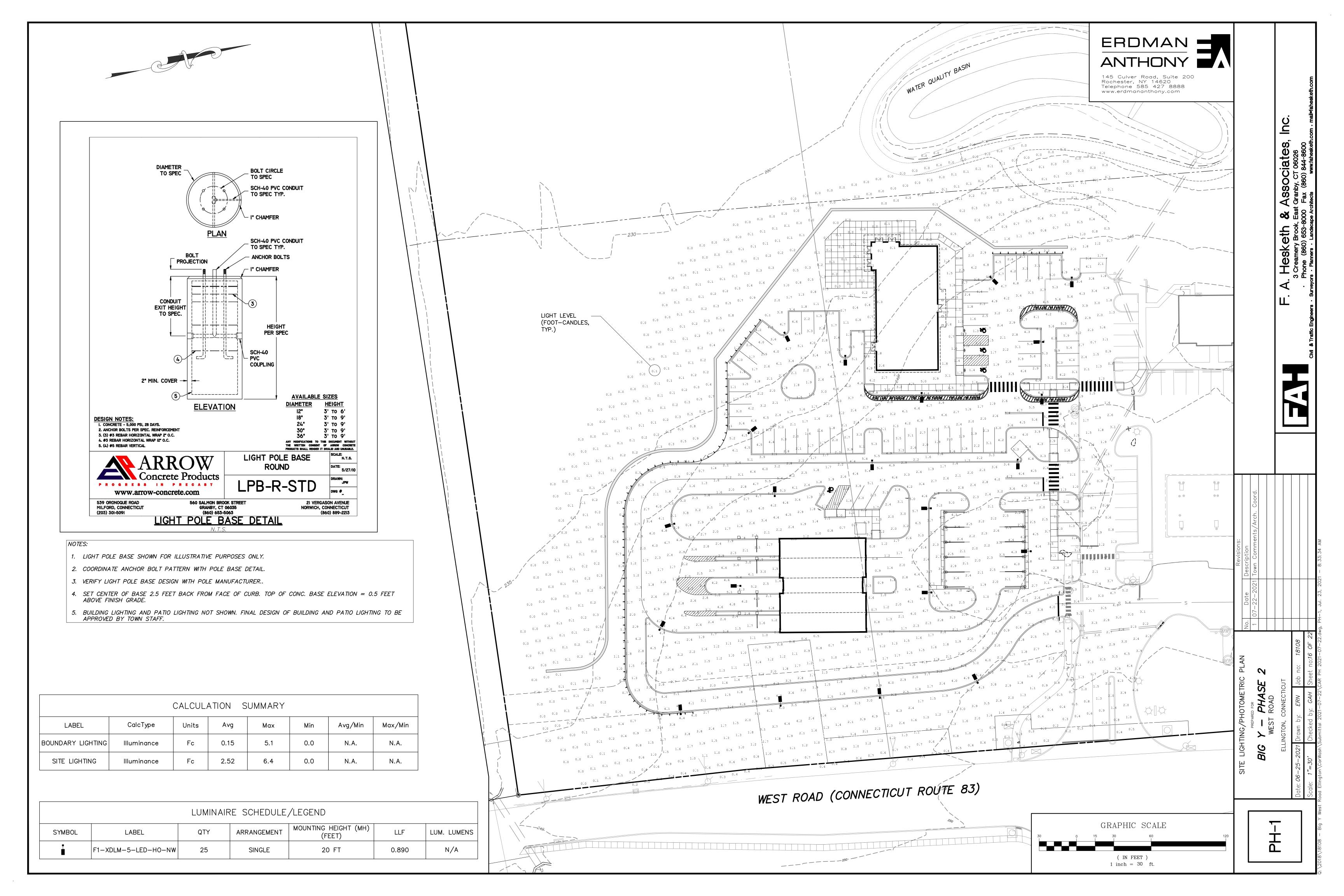
3 Creamery Brook, East Granby, CT 06026

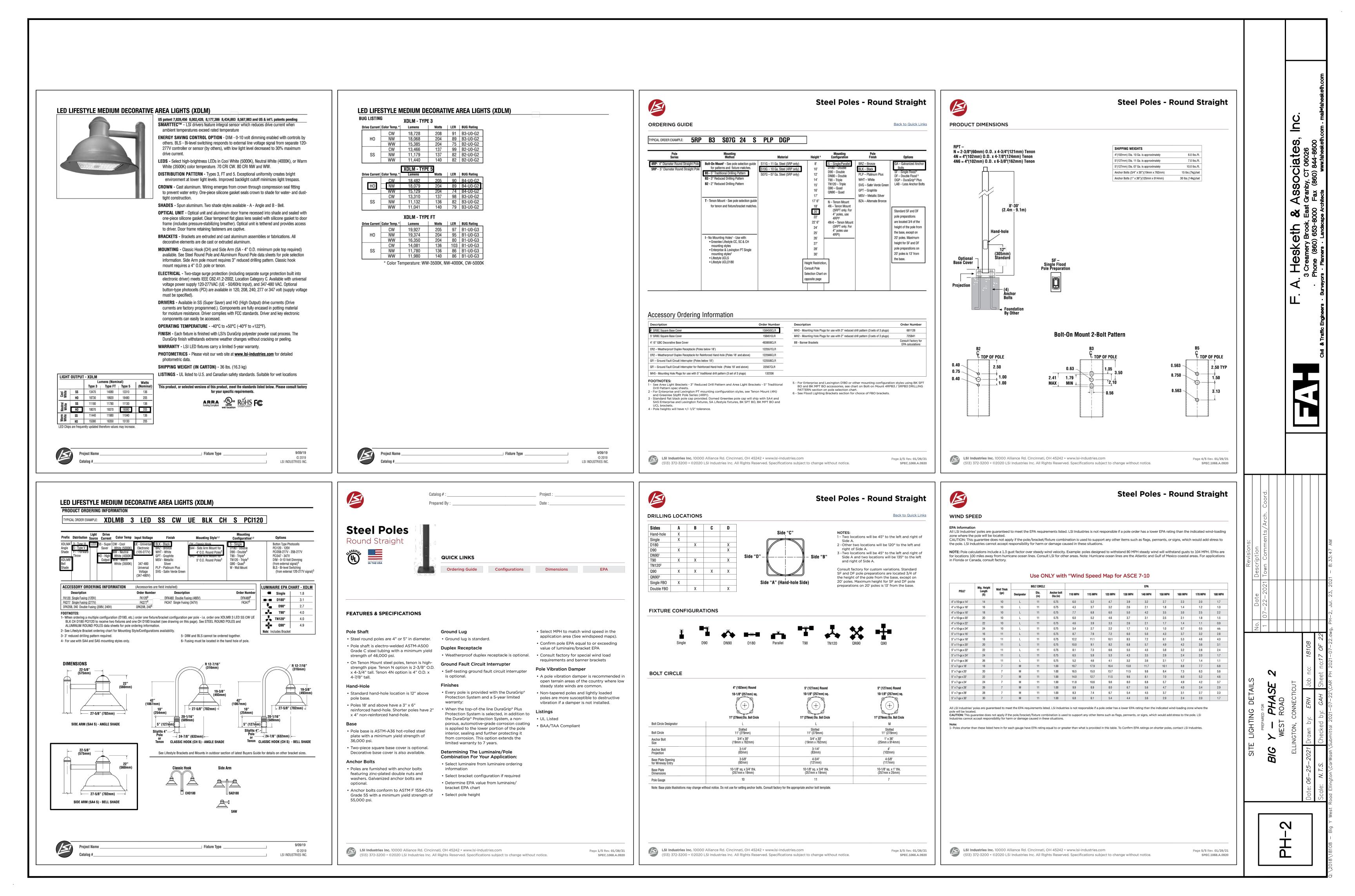
1 07–22–2021 Town Comments/A

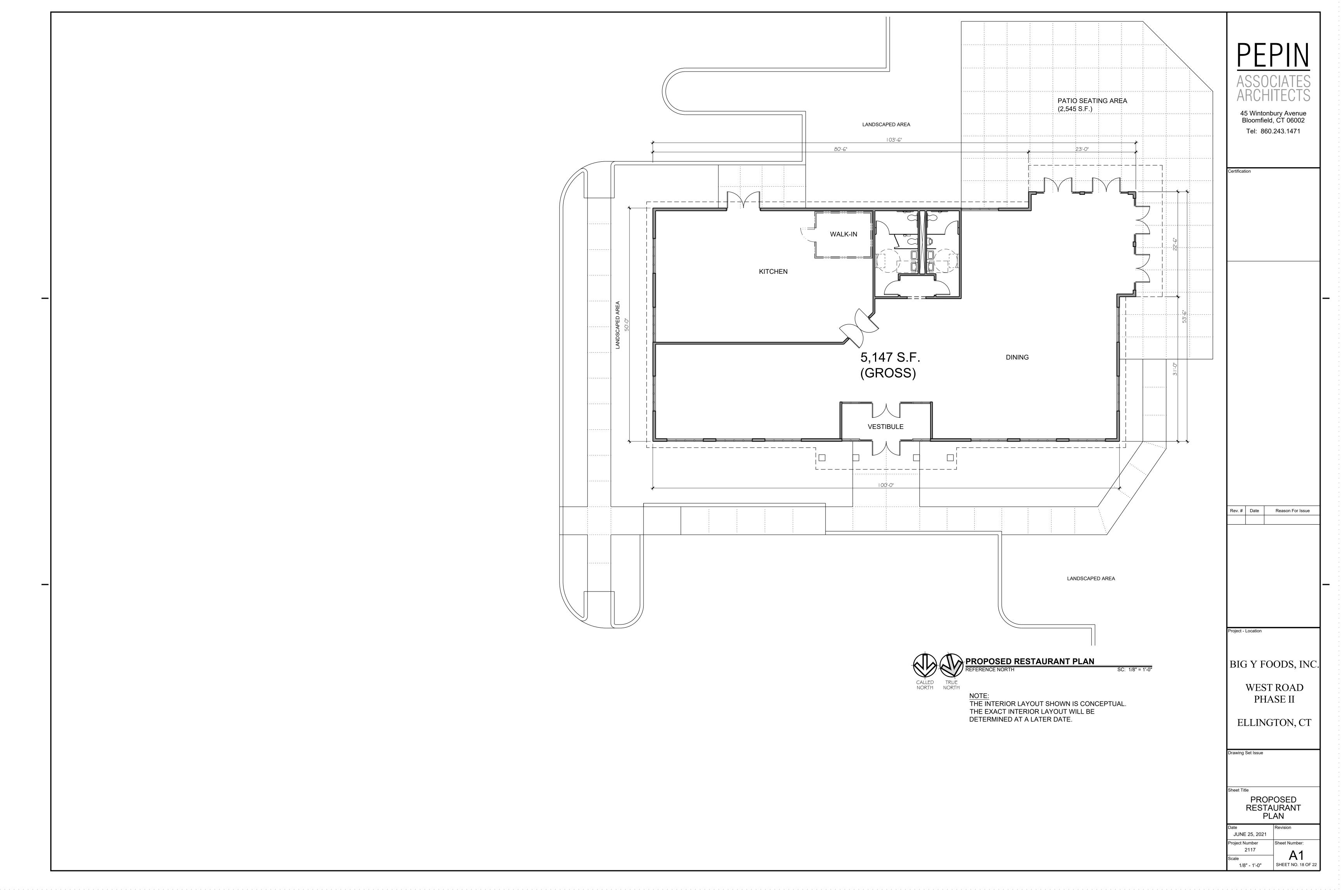
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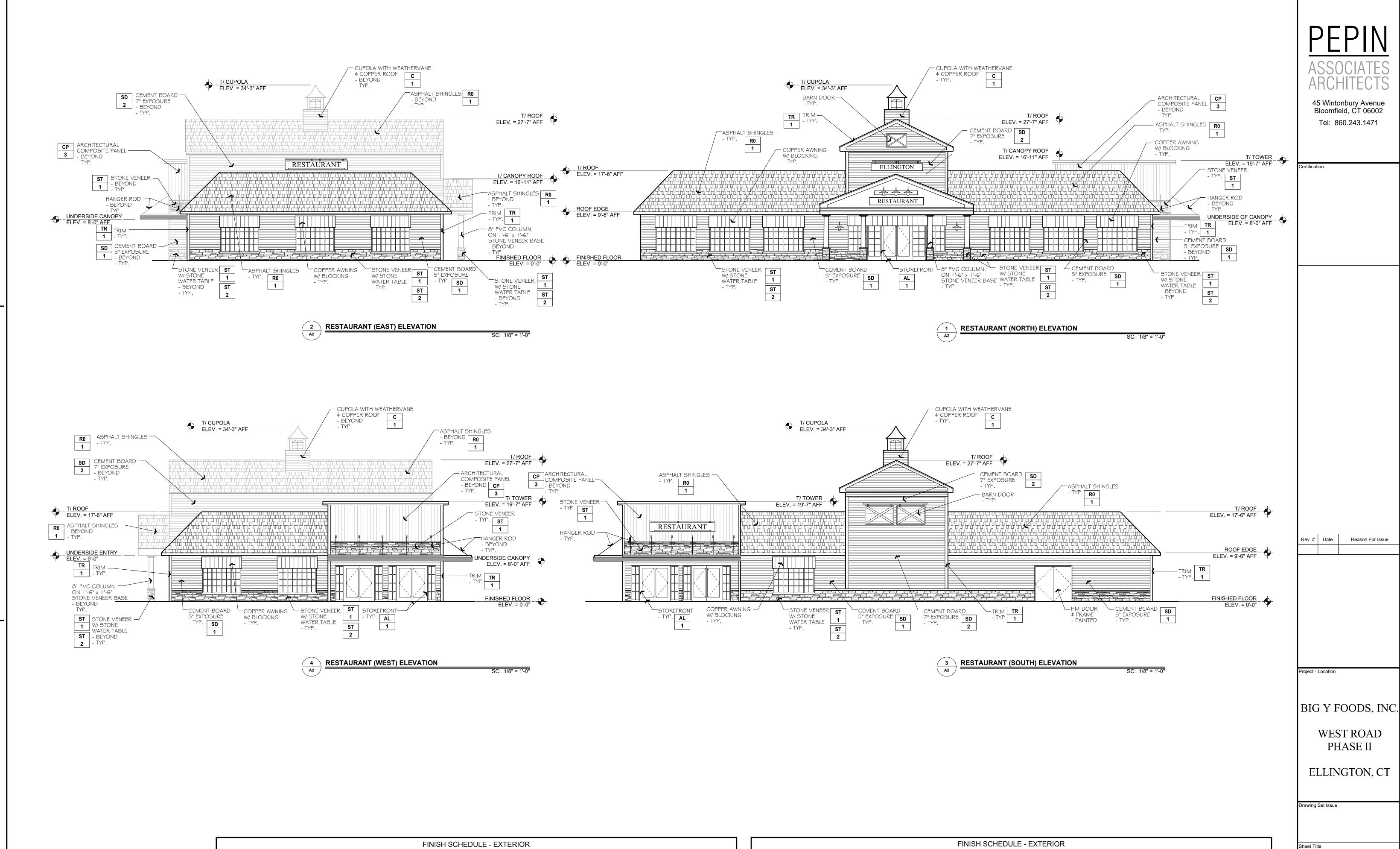
WEST ROAD

LLINGTON, CONNECTICUT









FINISH SCHEDULE - EXTERIOR					
KEY	DESCRIPTION	COLOR	SIZE	MANUFACTURER	PRODUCT
ST-1	NATURAL STONE VENEER	COPPER	SEE PLANS & ELEVATIONS	O&G INDUSTRIES	OLD WORLD THINSTONE
ST-2	NATURAL STONE VENEER	SAHARA LIGHT BRUSH HAMMER FINISH	SEE PLANS & ELEVATIONS	O&G INDUSTRIES	GRANITE
AL-1	ALUMINUM STOREFRONT	DARK BRONZE	SEE PLANS & ELEVATIONS	KAWNEER	TRIFAB VERSAGLAZE 451T
SD-1	SIDING	HARDIE PLANK CHESTNUT BROWN	5" & 7" EXPOSURE SEE ELEVATIONS	HARDIE PLANK	LAP SIDING
SD-2	SIDING	HARDIE PLANK AUTUMN TAN	5" & 7" EXPOSURE SEE ELEVATIONS	HARDIE PLANK	LAP SIDING

	FINISH SCHEDULE - EXTERIOR					
KEY	DESCRIPTION	COLOR	SIZE	MANUFACTURER	PRODUCT	
R-1	TRIM BOARD	ARCTIC WHITE	5.5"	HARDIE PLANK	RUSTIC	
RO-1	ASPHALT SHINGLES	BLACK SABLE	ARCHITECTURAL	OWENS CORNING	DURATION	
:-1	CUPOLA	COPPER	ROOF	LEXINGTON		
P-3	ARCH. COMPOSITE PANELS	REDWOOD		NICHIHA VINTAGE WOOD	ARCHITECTURAL PANELS	

PROPOSED RESTAURANT ELEVATIONS

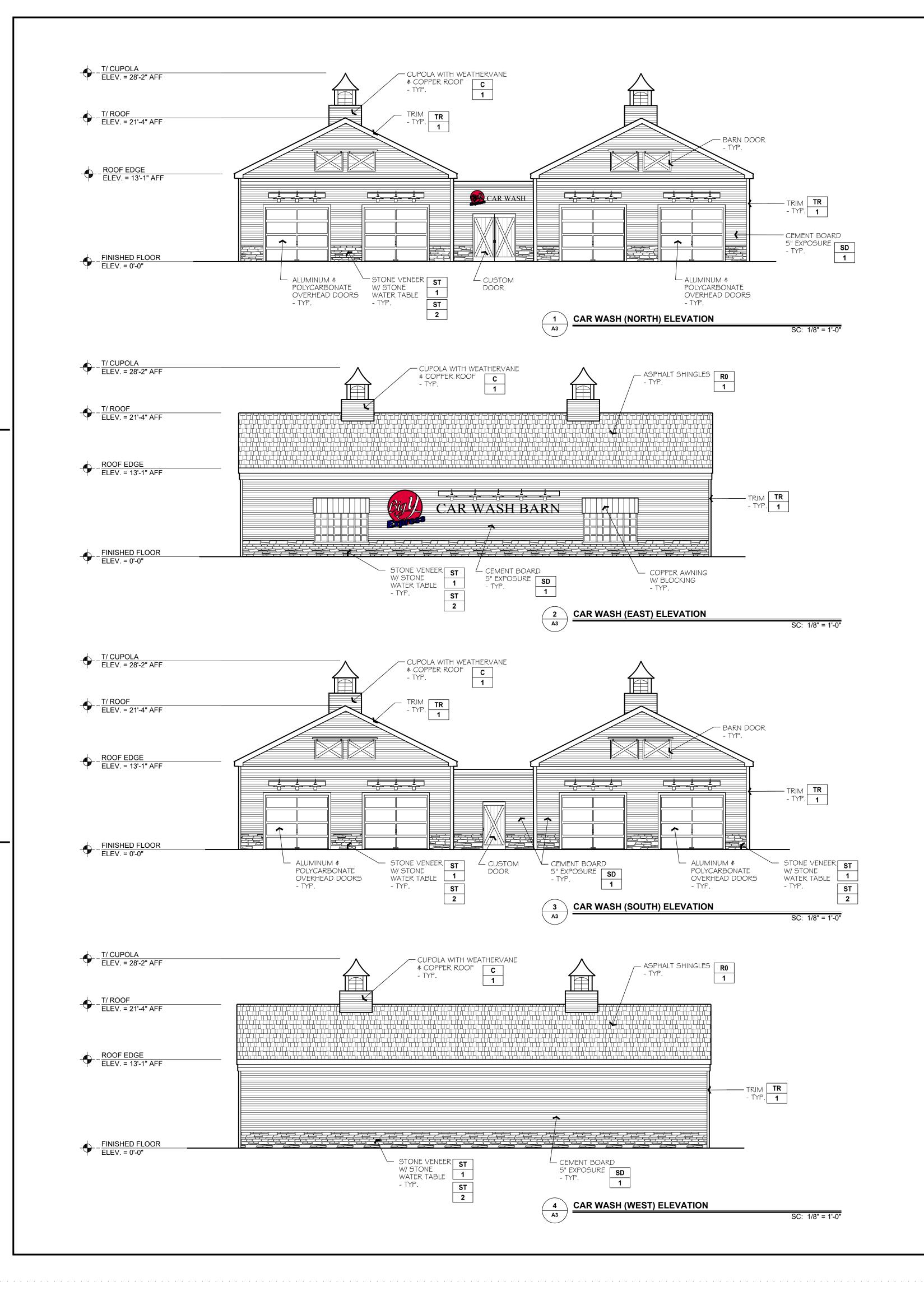
JUNE 25, 2021

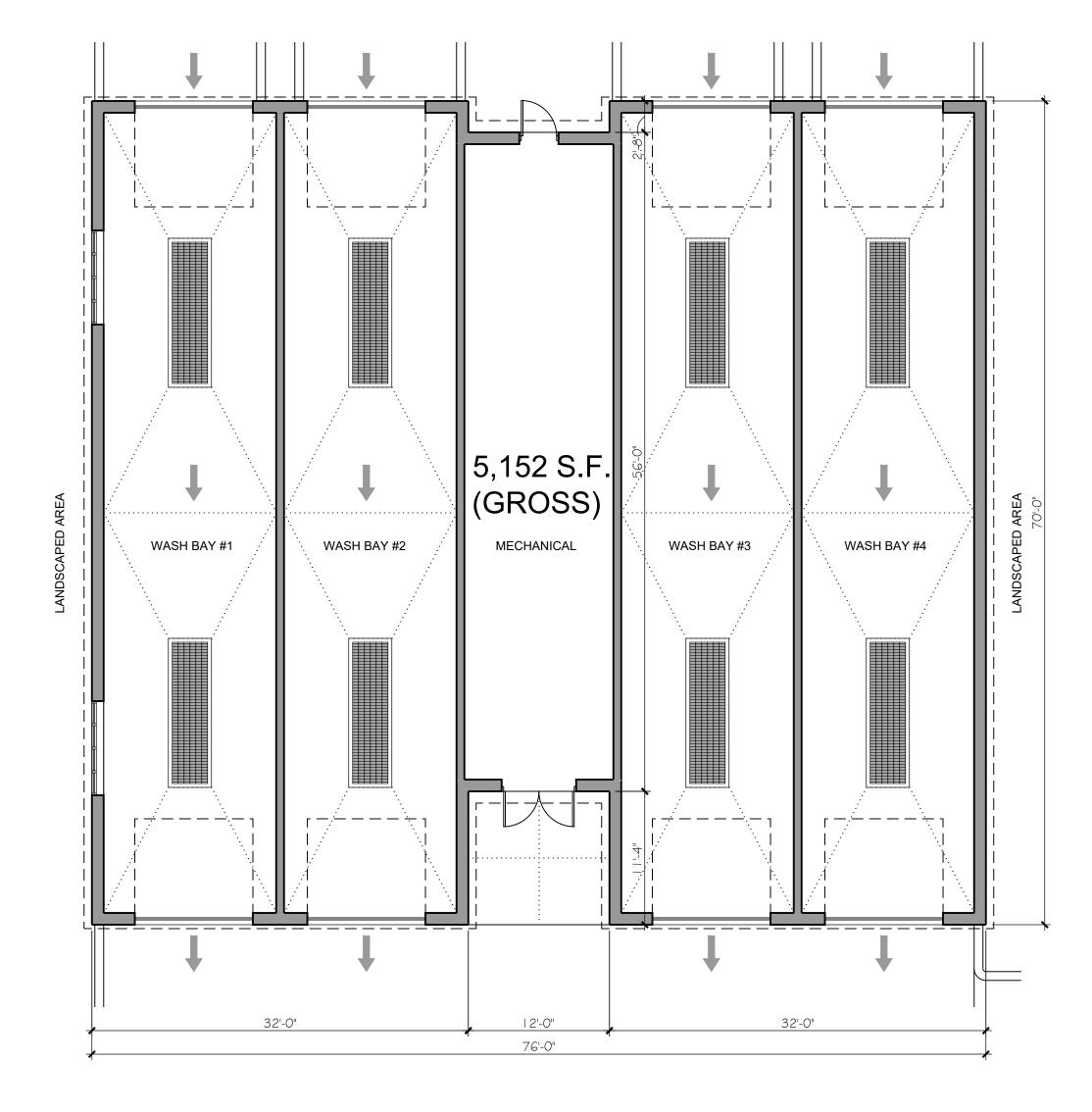
Project Number
2117

Scale
1/8" - 1'-0"

Sheet Number:

A2
SHEET NO. 19 OF 22







PROPOSED CAR WASH PLAN

SC: 1/8" = 1'-0"

CALLED TRUE NORTH NORTH

THE INTERIOR LAYOUT SHOWN IS CONCEPTUAL.
THE EXACT INTERIOR LAYOUT WILL BE
DETERMINED AT A LATER DATE.

PEPIN ASSOCIATES

45 Wintonbury Avenue Bloomfield, CT 06002 Tel: 860.243.1471

rtification

Rev. # Date Reason For Issue

Project - Location

BIG Y FOODS, INC

WEST ROAD PHASE II

ELLINGTON, CT

Drawing Set Issue

PROPOSED
CAR WASH
PLAN & ELEVATIONS

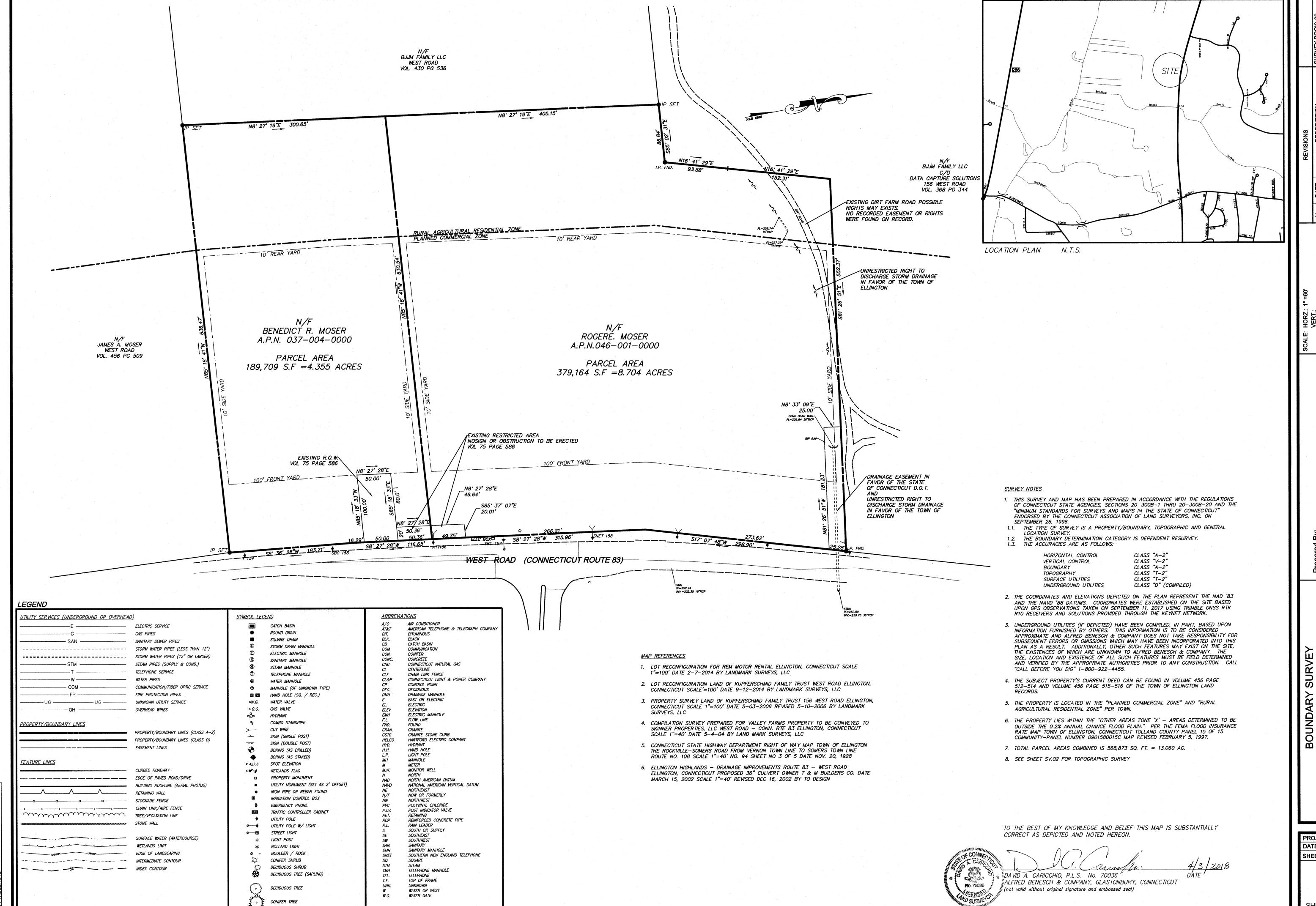
JUNE 25, 2021

Project Number
2117

Scale
1/8" - 1'-0"

Sheet Number:

A3
SHEET NO. 20 OF 22



 No.
 DATE
 DESCRIPTION
 SURVEY BOOK: 06 

 No.
 DATE
 SURVEY BOOK: 06 

 SURVEY BOOK: 06 SURVEYOR: DAC

 CHECKED: DAC
 CHECKED: DAC

 CHECKED: DAC
 APPROVED: DAC

VERT.:
' DATUM: HORZ.: NAD 1983
' VERT.: NAVD 1988

Alfred Benesch & Company 120 Hebron Avenue, Floor 2 Glastonbury, Connecticut 06033

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PROJ. No.: 70421.00

DATE: OCTOBER 2017

SHEET NO.: 16 of 23

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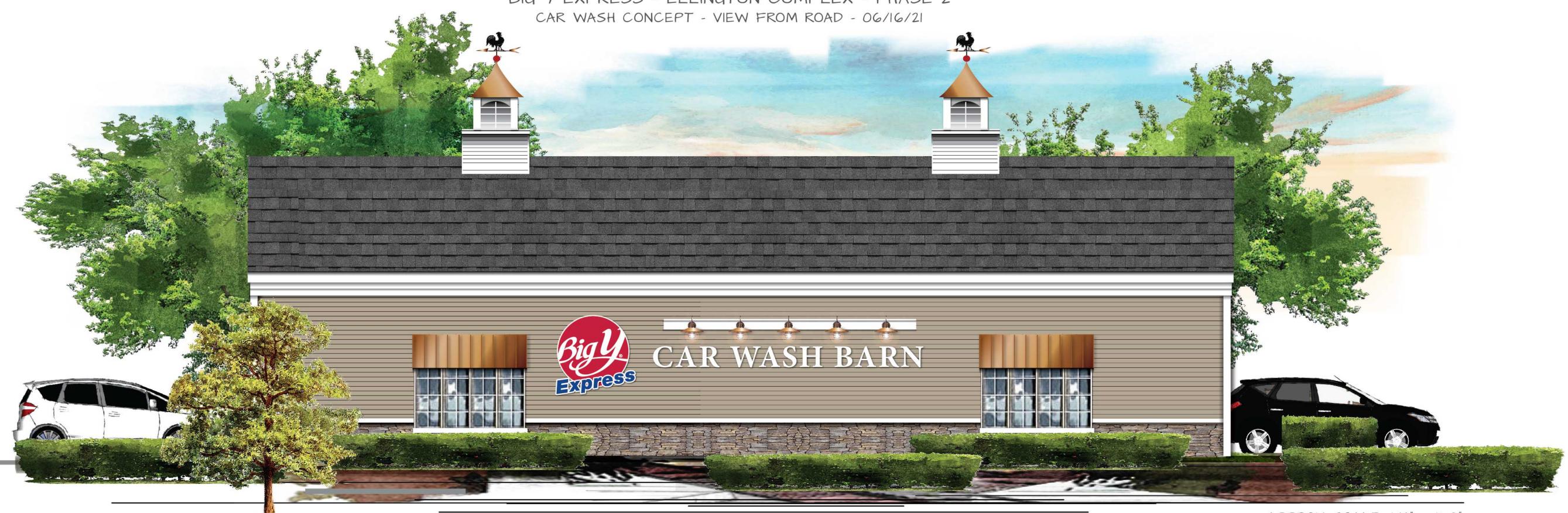
HEET NO.: 21 OF 2



PROJ. No.: 70421.00 DATE: OCTOBER 2017

SHEET NO.: 22 of 22

# BIG Y EXPRESS - ELLINGTON COMPLEX - PHASE 2



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





























# Town of Ellington Planning Department



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

# **MEMO**

DATE:

July 26, 2021

TO:

Planning and Zoning Commission

FROM:

Lisa M. Houlihan, AICP, Town Planner

SUBJECT:

Text Amendment to Section 3.1.2 Residential Uses, Table 6.2.3 Off Street Parking Requirements, and Section 7.1 Accessory Apartments and Public Act 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.

Over the past couple months, we've discussed potential amendments to accessory apartment regulations in lieu of newly passed laws. Enclosed you'll find a draft text amendment reflecting feedback from discussions and a copy of relevant sections of Public Act 21-29.

The proposal was sent to the Capitol Region Council of Governments (CRCOG), and CRCOG finds no apparent conflict with regional plans and policies or the concerns of neighboring towns, and staff commends efforts to encourage and support zoning regulations that permit a greater diversity of housing types and costs.

I've discussed the proposal with John Colonese, Assistant Town Planner Zoning/Wetlands Officer, and discussion resulted in two additional staff-recommended changes. The changes clarify that an accessory apartment associated with a farm is exempt from being a certain percentage of the usable floor area of the primary dwelling unit and include language that an accessory apartment shall have only one main entrance on the street side. The changes are minor in nature and can be considered without providing additional notice.

## TEXT AMENDMENT

July 1, 2021 Additions are bolded & underlined / Deletions are strikenthrough / Otherwise as currently adopted

July 26, 2021 [Additions are italicized and bracketed]/ Deletions are italicized and strikenthrough

Amendment to update various sections of the Ellington Zoning Regulations regarding accessory apartments, pursuant to PA-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.

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

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

# **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 have a maximum of be less than 50 percent of the usable floor area of the primary dwelling unit and shall be no more than 1,000 square feet, except when an accessory apartment is associated with a farm it shall be no more than 1,250 square feet [and shall be exempt from being less than 50 percent of the usable floor area of the primary dwelling unit] except that the area of the accessory apartment shall not exceed. These areas shall be exclusive of garages, porches,
  - 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 [accessory dwelling unit] 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 singlefamily 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 located on the same lot as a primary dwelling and in compliance with the regulations.



# 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

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.

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;

- (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

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

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 twothirds 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. 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

**19** of 28

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,

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.

### Barbra Galovich

From:

Timothy Webb

Sent:

Tuesday, July 06, 2021 10:42 AM

To:

Barbra Galovich; James York; Kim Bechard; Lori Spielman; Mike Caronna; Raymond

Martin; Sydney Kern; Westford Lirot

Cc:

Lisa Houlihan

Subject:

RE: Staff Review - Z202112 - Proposed text amendment to Section 7.1 - Accessory

**Apartments** 

Good morning there is no impact to DPW. WPCA would have concerns if the allotted flow for the property is increased and would need to be reviewed by the WPCA

From: Barbra Galovich

Sent: Tuesday, July 06, 2021 9:32 AM

To: James York <JYork@ELLINGTON-CT.GOV>; Kim Bechard <KBechard@ELLINGTON-CT.GOV>; Lori Spielman <lspielman@ELLINGTON-CT.GOV>; Mike Caronna <mcaronna@ncdhd.org>; Raymond Martin <Rmartin@ELLINGTON-</p> CT.GOV>; Sydney Kern <skern@ELLINGTON-CT.GOV>; Timothy Webb <twebb@ELLINGTON-CT.GOV>; Westford Lirot <wli>rot@ncdhd.org>

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

Subject: Staff Review - Z202112 - Proposed text amendment to Section 7.1 - Accessory Apartments

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, July 26, 2021.

Please provide your comments/concerns on or before July 16, 2021.

Thank you in advance for your review. Barbra

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



July 23, 2021

TO: ELLINGTON PLANNING AND ZONING COMMISSION

REPORT ON ZONING REFERRAL Z-2021-61: Proposed zoning amendment pertaining to accessory apartments as a permitted use in the Rural Agricultural/Residential and Residential zones.

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

**COMMENT:** The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this zoning referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns. Staff commends the efforts around accessory apartments which furthers CRCOG policy to encourage and support changes to zoning regulations to permit a greater diversity of housing types and costs.

The public hearing date has been scheduled for 7/26/2021.

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

**DISTRIBUTION:** Planner: Somers, Enfield, East Windsor, South Windsor, Vernon, Tolland, Stafford, Willington

Respectfully submitted,

Jennifer Bartiss-Earley, Chairman Regional Planning Commission

Brendan Malone, Vice Chairman Regional Planning Commission

Christopher Henchey Transportation Planner



# STATE OF CONNECTICUT – COUNTY OF TOLLAND INCORPORATED 1786

### TOWN OF ELLINGTON

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

www.ellington-ct.gov

TEL. (860) 870-3120

TOWN PLANNER'S OFFICE

FAX (860) 870-3122

### PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES MONDAY, JUNE 28, 2021, 7:00 PM

IN PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT REMOTE ATTENDANCE: ZOOM VIDEO CONFERENCING, INSTRUCTIONS PROVIDED

MEMBERS PRESENT:

IN PERSON: CHAIRMAN ARLO HOFFMAN, VICE CHAIRMAN SEAN

KELLY, REGULAR MEMBERS RICCI HIRTH, WILLIAM HOGAN, F. MICHAEL FRANCIS AND MICHAEL SWANSON, AND ALTERNATE

KEN RADZIWON. ZOOM ATTENDANCE: NONE.

**MEMBERS ABSENT:** 

SECRETARY ROBERT SANDBERG, JR. AND ALTERNATE JON

MOSER

**STAFF PRESENT:** 

IN PERSON: LISA HOULIHAN, TOWN PLANNER AND BARBRA

GALOVICH, RECORDING CLERK. ZOOM ATTENDANCE: NONE.

I. CALL TO ORDER: Chairman Hoffman called the meeting to order at 7:01 pm.

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

Nicholas Healy, 92 Frog Hollow Road, is currently growing hemp on his property and has been helping other in Massachusetts with their cultivation. He wanted to start a dialog with the commission pertaining to the new Connecticut state laws for the growth of marijuana. He is interested in the cultivation process and not interested in the dispensary portion. Chairman Hoffman stated the activity is a cash crop for farmers. The commission will look at their regulations and the town has a choice to opt out with the state. Mr. Healy noted he has 17+ acres and has been doing his research pertaining to the growth of the product. He is hoping to have a glass hoop house constructed with raised beds and has been helping friends with their production. He said the Department of Consumer Protection will regulate how many dispensaries and cultivation sites will be allowed within any particular town. For example they would allow one dispensary for every 25,000 people within a town or city. Mr. Healy thanked the commission for the open dialog and looks forward to seeing how they move forward.

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

BY CONSENSUS, THE COMMISSION WENT OUT OF AGENDA ORDER TO ADDRESS ITEM #1 OF NEW BUSINESS.

### 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.

Lori Spielman, Ellington First Selectwoman, was present to represent the CGS §8-24 request. Ms. Spielman explained funds for the purchase of the parcel was in the budget last year. She noted

the land is a total of 11.46 acres, currently used to grow corn and the terrain is flat. The parcel is located next to the high school and is zoned residential. The purchase would be for future development for a possible elderly housing development for ages over 62, similar to Snipsic Village on Main Street. The Town may seek a grant for the development and will need a future sewer expansion. The possible purchase would need to go to Town Meeting for vote.

Chairman Hoffman stated the purchase would fit within the Plan of Conservation & Development (POCD) by providing housing for the elderly. Vice Chairman Kelly asked if any of the parcel would be dedicated to fields for the high school. Ms. Spielman said none of the parcel would be for high school recreation. Commissioner Hirth suggested the Town plant trees along the street first before any other development starts.

MOVED (HOGAN), SECONDED (KELLY) AND PASSED UNANIMOUSLY TO RESOLVE THAT THE PLANNING AND ZONING COMMISSION RENDER A (POSITIVE REFERRAL) TO THE BOARD OF SELECTMEN FOR A REQUEST TO CONSIDER THE ACQUISITION OF A PARCEL OF LAND KNOWN AS 59 MAPLE STREET, ASSESSOR PARCEL NUMBER APN 073-003-0000, NOW OR FORMERLY OWNED BY ROBERT W. AND CHRISTINE A. SCHLUDE, CONSISTING OF APPROXIMATELY 11.46 ACRES, IN ACCORDANCE WITH CONNECTICUT GENERAL STATUTE SECTION 8-24. IN SO RECOMMENDING, THE COMMISSION FINDS NO CONFLICT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THAT ACQUISITION OF SAID PARCEL PROVIDES POTENTIAL TO EXPAND ELDERLY HOUSING AND/OR INCREASE AND ENHANCE COMMUNITY FACILITIES IN TOWN CENTER.

BY CONSENSUS, THE COMMISSION WENT BACK TO THE ORIGINAL AGENDA ORDER.

### 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:** 7:24 pm

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

David Moser, 29 Sadds Mill Road and James Holden, 20 Griswold Street were present to represent the application. Mr. Moser stated since the last meeting they received septic system approval from North Central District Health Department (NCDHD). Ms. Houlihan reviewed possible conditions of approval. Mr. Moser clarified that the owner of 55 Kreyssig Road would not have access to Griswold Street. Jack Turner, 911 Coordinator for the Town of Ellington, asked if the driveway to the new house would exit from Kreyssig Road, Mr. Moser said they would access the property from Griswold Street. Mr. Turner said they may need to be assigned a half number off of Griswold Street and will need to discuss this with the Building Official.

MOVED (KELLY) SECONDED (HOGAN) AND PASSED UNANIMOUSLY TO CLOSE THE HEARING FOR \$202101 – 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.

**MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE W/CONDITION 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.

### **CONDITIONS OF APPROVAL:**

- THE PLANS SHALL BE REVISED WITH STREET NUMBERS AND ASSESSOR PARCEL NUMBERS PRIOR TO BEING RECORDED ON THE LAND RECORDS;
- A RIGHT OF WAY PERMIT FOR THE NEW DRIVEWAY SHALL BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS PRIOR TO CONSTRUCTION;
- AREA SHOWN AS "PORTION OF LAND OF JAMES W. HOLDEN TO BE CONVEYED AND COMBINED WITH LAND OF SUNSET VALLEY FARMS, LLC, AREA 15,248 SF" SHALL BE MERGED WITH LOT 2 AND REQUIRED LEGAL DOCUMENT FILED ON THE LAND RECORDS.
- 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.

Time: 7:24 pm

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

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

**MOVED (KELLY) SECONDED (HOGAN) AND PASSED UNANIMOUSLY TO APPROVE W/CONDITIONS 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.

#### CONDITION OF APPROVAL:

AREA SHOWN AS "PORTION OF LAND OF JAMES W. HOLDEN TO BE CONVEYED AND COMBINED WITH LAND OF SUNSET VALLEY FARMS, LLC, AREA 15,248 SF" SHALL BE MERGED WITH LOT 2 AND REQUIRED LEGAL DOCUMENT FILED ON THE LAND RECORDS.

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.)

Time: 7:32 pm

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

Russ Heintz, Tarbell, Heintz & Associates, 1227 Burnside Avenue #31, East Hartford, CT was present to represent the application.

Mr. Heintz explained the location of the parcel on Tripp Road. He stated the original house on the parcel was built in 1999. The owners are looking to subdivide the parcel for one of their children

to build a home. He noted soil testing has been completed and NCDHD gave a pre-approval for a three bedroom septic system and the home will be connected to public water.

Ms. Houlihan referred to the Town Engineer comments dated June 24, 2021, and explained given their nature they can be addressed as conditions of approval. She provided other comments as noted in an email dated June 9, 2021. Mr. Heintz explained the owner of the property will create a drainage swale on site for any potential runoff. Ms. Houlihan said the owners will need to provide a drainage easement between the two lots. The subdivision is exempt from open space requirements because the land is being split for a qualifying relative. If the property is sold within five years, other than a transfer to a family member for no consideration, then open space regulations will have to be met. Ms. Houlihan explained since Tripp Road is an existing town road, sidewalks cannot be required.

No one from the public spoke regarding the application.

MOVED (HOGAN) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE HEARING FOR \$202102 - 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.

MOVED (HOGAN) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO GRANT A WAIVER OF SUBDIVISION REGULATION SECTION 4.11 DRAINAGE/DETENTION DESIGN SUBJECT TO APPROVAL FROM THE TOWN ENGINEER 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.

MOVED (HOGAN) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE W/CONDITIONS FOR \$202102 – 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.

### CONDITIONS OF APPROVAL:

- A RIGHT OF WAY PERMIT FOR THE NEW DRIVEWAY SHALL BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS PRIOR TO CONSTRUCTION;
- APPROVAL IS SUBJECT TO MEETING THE TOWN ENGINEER'S COMMENTS DATED JUNE 24, 2021;
- APPROVAL IS SUBJECT TO MEETING THE TOWN PLANNER'S COMMENTS DATED JUNE 9, 2021.

### IV. OLD BUSINESS: None

#### V. NEW BUSINESS:

2. Z202111 – Big Y Foods, owner/ applicant, request for a Special Permit and Site Plan Modification for the construction of a 5,000 sf building for a restaurant and a 5,152 sf building for a four bay car wash on West Road, APN 046-001-0000 and APN 037-004-000 in a PC - Planning Commercial Zone.

BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED PUBLIC HEARING FOR JULY 26, 2021, 7:00 PM AT THE ELLINGTON TOWN HALL ANNEX, 57 MAIN STREET FOR Z202111 – Big Y Foods, owner/ applicant, request for a Special Permit and Site Plan

Modification for the construction of a 5,000 sf building for a restaurant and a 5,152 sf building for a four bay car wash on West Road, APN 046-001-0000 and APN 037-004-000 in a PC - Planning Commercial Zone.

### **VI. ADMINISTRATIVE BUSINESS:**

1. Approval of Planning and Zoning Commission May 24, 2021 Regular Meeting Minutes.

MOVED (SWANSON) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE MAY 24, 2021 REGULAR MEETING MINUTES WITH THE CORRECTION TO PAGE 2 OF 5, PARAGRAPH 3 AS FOLLOWS: COMMISSIONER HOGAN ASKED IF MR. STAVENS HAS AN AGREEMENT WITH THE SURROUNDING NEIGHBORS FOR USE OF THEIR PROPERTY AND 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.

### 2. Correspondence:

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

The commission reviewed the draft text amendment to the accessory apartment section of the regulations. Ms. Houlihan reviewed the State of Connecticut's Public Act No. 21-29 requirements for accessory apartments. The commission conducted roundtable discussion.

Attorney Bruce Fader of Jacobs, Walker, Rice & Barry, LLC, 146 Main Street, Manchester, CT, Heather Hollay-Farr, 154 Crystal Lake Road, and Mary Hollay, 156 Crystal Lake Road, were present. Attorney Fader explained the proposed text changes would not benefit his clients. He noted the accessory apartment over the barn is 1,240 sf and if the regulation is to be changed to allow an accessory apartment up to 50% of the primary dwelling, then they could only have 620 sf of livable space. He asked if the commission could add one line to the regulations that would allow up to 1,250 sf accessory apartment if the property has farming activities.

After discussion, the commission agreed to add a provision for larger accessory apartments when associated with a farm and to make a formal application and submit to Capitol Region Council of Governments (CRCOG).

BY CONSENSUS, REVISED DRAFT TEXT AND SCHEDULED PUBLIC HEARING FOR JULY 26, 2021, 7:00 PM AT THE ELLINGTON TOWN HALL ANNEX, 57 MAIN STREET FOR AMENDMENT TO SECTION 7.1 ACCESSORY APARTMENTS OF THE ELLINGTON ZONING REGULATIONS.

### VII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 8:17 PM.

Respectfully submitted,

# Town of Ellington Planning Department



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

# **MEMO**

DATE:

July 26, 2021

TO:

Planning and Zoning Commission

FROM:

Lisa M. Houlihan, AICP, Town Planner

SUBJECT:

Public Act 21-1 - An Act Concerning Responsible and Equitable Regulation of Adult-

Use Cannabis

Recently, a new law passed enabling adult-use cannabis. I've conducted some research on PA 21-1, and enclose the following for your reference:

Naugatuck Valley Council of Governments Summary of PA 21-1;

• Connecticut Chapter of American Planning Association Summary of PA 21-1;

As detailed in the attached, there's two main mechanisms to regulate adult-use cannabis: zoning regulation and ordinance. Zoning may regulate certain aspects (e.g. growing, manufacturing, packaging, processing, delivery, sales, etc), while ordinance can address other parts (e.g. consumption on public property, etc). Recently, I shared a similar memo with Lori Spielman, First Selectman, and provided her with the same reference material for distribution to the Board of Selectmen and potentially the Town Ordinance Committee.

You may recall at the last Planning and Zoning Commission (PZC) meeting, a resident spoke during public forum about his interest to cultivate cannabis. An informal poll of commissioners present at the meeting disclosed consensus support to allow cultivation of cannabis, but no definitive statement was rendered for dispensing it. Notably, the new law limits one license for cultivation and one license for dispensary per population between 0 to 25,000, and one more of each for every additional 25,000 in population or fraction thereof. According to 2019 estimates from the Connecticut Department of Public Health, Ellington's population is 16,467.

Currently, the Ellington Zoning Regulations include provisions to permit a licensed medical marijuana production facility in industrial zones by special permit and a licensed medical marijuana dispensary in commercial zones by special permit. Additionally, regulations limit one of each town-wide at any one time and do not allow them within 500' of any public or private school, municipal park, public or private recreation facility, daycare, place of worship, hospital, veteran's home or camp or military establishment.

Please review this material over the next month in preparation for discussion at the regularly scheduled meeting on August 23, 2021.

/enclosures

July 6, 2021

**MEMORANDUM:** 

07062021 Public Act No. 21-1 Cannabis Act Summary

To:

**NVCOG Chief Elected Officials** 

From:

Keith Rosenfeld, Regional / Municipal Planner

Subject:

Public Act No. 21-1 Cannabis Act Summary

The purpose of this memo is to provide the Naugatuck Valley Council of Governments (NVCOG) communities with an update and summary of the Responsible and Equitable Regulation of Adult-Use Cannabis Act (Cannabis Act) and its potential impacts to NVCOG towns and cities. This summary is intended for informational purposes only. The NVCOG suggests contacting your town attorney regarding all CGS Sections and Public Acts referenced in this memo.

Our aim is to help our member communities understand and respond to the impacts of the Cannabis Act and inform future municipal legislative actions concerning cannabis sale and consumption. Research concerning the Cannabis Act has been guided by documents produced by the State of Connecticut Office of Legislative Research (OLR) and OFA, and discussions with the Governor's Office and the Office of Policy and Management. The memo is organized by key dates when certain aspects of the legislation become effective. Legislative updates and clarification can be found online at www.ct.gov/cannabis.

### Key points about the Cannabis Act

Production and retail sale of cannabis can be controlled by municipal zoning and ordinance

The newly signed Cannabis Act makes numerous changes related to criminal justice, licensing, employment, tax, traffic enforcement, and other laws to establish legal adult recreational use of cannabis (marijuana). However, it is important to understand that municipalities retain the ability to control cannabis production, retail sale and consumption in certain areas via a combination of zoning regulations and specific municipal ordinances. For example, local officials can control the number and locations of cannabis retailers through zoning. Municipalities can also determine where smoked or vaped cannabis can or cannot be consumed (e.g., by prohibiting consumption in city parks or beaches, or on sidewalks or streets). Personal consumption of cannabis by adults on private property remains within the purview of State regulation and has been decriminalized by the terms of the act.

Two main tools for control: zoning regulation and ordinance

The NVCOG communities have two main tools to regulate cannabis establishments and cannabis consumption in their communities: 1) zoning and 2) local ordinance.

Zoning regulation can restrict or regulate the growing of cannabis, its manufacturing processes, its packaging, processing, delivery, and retail sale.

Local ordinance changes can be used to regulate the recreational consumption of cannabis on public property.

If you have any further questions, please contact me at 203-294-9040.

# **CANNABIS ACT - GENERAL PROVISIONS**

### **STARTING JULY 1, 2021**

- Beginning July 1, 2021, individuals aged 21 or older (consumers) may possess, use, or otherwise consume cannabis, up to a specified possession limit. Specifically, the amount of cannabis must not exceed (1) 1.5 ounces of cannabis plant material and five ounces of such material in a locked container in the person's residence or locked glove box or trunk in the person's motor vehicle, (2) an equivalent amount of cannabis products, or (3) an equivalent combined amount of cannabis and cannabis products. (§§ 2-3, 115, 153 & 159-160)
- Smoking marijuana will generally not be allowed in places where cigarette smoking is already prohibited; will be banned on state lands or waters managed by the CT DEEP (§ 14), DOC facilities (§ 92); and will still be illegal in motor vehicles by both drivers and passengers (§ 112 and 113).
- The bill allows consumers (i.e., people aged 21 or older) to give cannabis to other consumers for free (i.e., without compensation or consideration). § 14

### **STARTING JULY 1, 2023**

Beginning July 1, 2023, the bill allows any individual age 21 or older to cultivate up to three mature and three
immature cannabis plants in his or her primary residence, if the plants are kept secure from anyone else. § 162

### **ROLE OF THE CITIZEN**

### **STARTING JULY 1, 2021**

 Under the bill, a municipality must hold a referendum on whether to allow specific cannabis establishment license type sales if at least 10% of its electors petition for such a vote at least 60 days before a regular election.

### **TAXATION**

### **STARTING JULY 1, 2021 AND BEYOND**

- The state's general sales tax of 6.35 percent would apply to recreational cannabis sales, and an additional excise
  tax based on THC content would be imposed. The bill also authorizes a 3 percent municipal tax which must be
  used for community reinvestment. This tax may be imposed before May 2022.
- The Cannabis Act imposes a 3 percent municipal sales tax on the gross receipts from the sale of cannabis by a cannabis or hybrid retailer or micro-cultivator that must be administered in accordance with the state sales and use tax law. The amounts remitted become a part of the municipality's general revenue and must be used for the following purposes:
  - 1. **Streetscape improvements** and other neighborhood developments in communities where cannabis or hybrid retailers or micro-cultivators are located.
  - 2. Education programs or youth employment and training programs in the municipality.
  - 3. Services for individuals living in the municipality who were released from DOC custody, probation, or parole.
  - 4. Mental health or addiction services.
  - 5. Youth service bureaus and municipal juvenile review boards; and
  - 6. Community civic engagement efforts.
- The law also allows municipalities, for the first 30 days after cannabis retailers or hybrid retailers open, to charge
  up to \$50,000 for any necessary and reasonable costs for public safety services related to the opening.

### MUNICIPAL ORDINANCES

### **STARTING JULY 1, 2021**

- For municipalities with a population of more than 50,000 people, if they regulate the public use of cannabis, the community must designate a location in the municipality where public consumption is allowed.
- If a municipality is considering prohibiting the public consumption of cannabis on public spaces, this is regulated through the enactment (or amendments to) a municipal ordinance prohibiting such activity in public spaces. NVCOG urges our member communities to review their current code of ordinances to determine if they are sufficient to regulate the consumption of cannabis.

### **EFFECTIVE October 1, 2021**,

- The Cannabis Act extends the existing law's prohibition on smoking and e-cigarette use in certain establishments and all municipally-controlled properties to include cannabis, hemp, and electronic cannabis delivery systems (ECDS). § 86&87
- The Cannabis Act allows municipalities to ban cannabis smoking (including e cigarette use) at outdoor sections of restaurants. Through regulations, municipalities may set fines for violations, up to (1) \$50 for individuals or (2) \$1,000 for businesses.

### **ZONING REGULATIONS**

### **STARTING JULY 1, 2021**

- **Regulation Review** 
  - Although May 2022 has been identified as the first date when retail marijuana businesses would be allowed to open, it is imperative that NVCOG communities review their current zoning regulations beforehand to determine what regulations are currently in place regarding cannabis and potential amendments that may be needed to regulate the location of cannabis production and retail sale. § 148
- Under the law, a "cannabis establishment" is a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer (i.e., licensed to sell both recreational cannabis and medical marijuana), food and beverage manufacturer, product manufacturer, product packager, delivery service, or transporter. § 1

### STARTING SEPTEMBER 1, 2021

- In September 2021, with the approval of the Connecticut Department of Consumer Protection and approval from the local zoning commission, existing medical marijuana dispensaries may become "hybrid retailers" to also serve adult-use consumers.
- The chief zoning official of a municipality shall report, in writing, any zoning changes adopted by the municipality regarding cannabis establishments pursuant to this subsection to the Secretary of the Office of Policy and Management and to the department not later than fourteen days after the adoption of such changes.

### WHAT COMMUNITIES CANNOT DO

Cannabis Act bars municipalities or local officials from:

- Prohibiting the delivery of cannabis to (1) consumers or (2) qualifying medical marijuana patients or their caregivers, if the delivery is made by someone authorized to do so under the bill (e.g., retailers, dispensary facilities, or delivery services).
- Prohibiting the transport of cannabis to, from, or through the municipality by anyone licensed or registered to do so.
- Prohibiting the delivery of cannabis when the delivery is made by a retailer, hybrid retailer, dispensary facility, delivery service, micro-cultivator or other person authorized to make such delivery pursuant to Cannabis Act.
- Conditioning any official action on, or accepting any donations from, any cannabis establishment or applicants for cannabis establishment licenses in the municipality.
- Negotiating or entering into a local host agreement with a cannabis establishment or license applicant.

# NVCOG Memo 07062021 Public Act No. 21-1 Cannabis Act Summary

# Zoning to Prohibit Cannabis Establishment Uses

- For communities that wish to prohibit either all or some types of cannabis establishments, the Cannabis Act allows for Connecticut towns and cities to prohibit cannabis establishments through local zoning regulations.
- For example, local governments can prohibit cannabis establishments within their jurisdictions by identifying
  it as a "Prohibited Use" in their respective local zoning regulations. Thus, the use would be "banned" as it
  would then not be allowed within any part of a community. For example:

### SAMPLE ZONING REGULATION.

PROHIBITED USES - The following buildings, structures and uses are prohibited in all zoning districts:

Cannabis Establishment - A producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer (i.e., licensed to sell both recreational cannabis and medical marijuana), cannabis food and beverage manufacturer, cannabis product manufacturer, cannabis product packager.

# **Zoning to Allow Cannabis Establishment Uses**

- For communities that desire allow any type of cannabis facility, the Cannabis Act permits municipalities to amend their zoning regulations to permit specific categories of cannabis establishments as conditionally permitted activities.
- It is important to know that a "cannabis establishment" is a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer (i.e., licensed to sell both recreational cannabis and medical marijuana), food and beverage manufacturer, product manufacturer, product packager, delivery service, or transporter. Communities can decide if any of these "specific cannabis establishment types" fit into their community and regulate their location as a conditional use by special permit. It is up to each community to determine what activity is acceptable (manufacturing, wholesaling or retail), how they are to be regulated and what kind of conditional approval or prohibition is warranted.
- NVCOG urges our member communities who are contemplating permitting some sort of cannabis
  establishment in their town or city to review their current zoning regulations as they relate to special permits,
  special exceptions and site development plans to determine if they are sufficient to regulate those chosen
  cannabis establishment uses.
- As part of the zoning regulatory process, it would be necessary for the Planning and/or Zoning Commission to
  add and define those specific cannabis establishment types to their Zoning Regulations, as Permitted Uses
  allowed under a special permit or other conditional approval (as is typically the case for liquor production,
  distribution and retail sales establishments).
- Special Permit conditions may include:
  - Restrictions on the proximity of cannabis establishments to churches, schools, religious and charitable institutions, hospitals, and other sensitive adjacent uses.
  - o Restrictions regarding the hours of operation and signage.
- Please note that unless otherwise provided for by a municipality through its zoning regulations or ordinances, a cannabis establishment shall be zoned as if for any other similar use. It will the responsibility for each municipality's ZEO to accept that application and make an "appealable" decision onto whether the town/city has a "similar use" in its zoning regulations. §148

# NVCOG Memo 07062021 Public Act No. 21-1 Cannabis Act Summary

# SUGGESTED DEFINITIONS RELATED TO CANNABIS ESTABLISHMENT USES:

Cannabis Establishment - A producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer (i.e., licensed to sell both recreational cannabis and medical marijuana) of products containing cannabis; or a manufacturer, packager, delivery service, or transporter of products containing cannabis, including cannabis-infused food and beverage products.

Cannabis Producer - An individual or business that possesses a state or municipal license to grow, harvest, dry, trim, cure, and package cannabis.

**Cannabis Cultivator** – An individual or business producing cannabis flowers.

**Cannabis Micro-Cultivator** - An individual or business that produces cannabis flowers in a limited-sized grow space.

Cannabis Food and Beverage Manufacturer - An individual or business that produces cannabis-infused foods and beverages.

### SAMPLE ZONING REGULATION

Defined uses may be placed in a table of permitted uses with their approval based on one of the following levels.

- Allowed after Site Plan approval by the Zoning Commission, subject to the conditional permit requirements of your local zoning regulations.
- Allowed by Special Permit or Exception approved by the Zoning Commission subject to any specific standards applicable requirements in these regulations.
- Allowed by Special Permit or Exception granted by the Zoning Board of Appeals.

Cannabis Product Manufacturer - An individual or business that participates in any aspect of the cannabis extraction and infusion processes, including processing, preparing, holding, storing, packaging, or labeling of cannabis products. Cannabis manufacturing also includes any processing, preparing, holding, or storing of components and ingredients.

**Cannabis Product Packager** - An individual or business that focuses on assisting the proper and accurate packaging of cannabis products into pre-weighed containers and pre-rolled joints.

Cannabis Dispensary Facility - Regulated locations in which a person can purchase cannabis and cannabis related items for medical or recreational use.

**Cannabis** Retailer - An individual or business that sells, supplies, or offers recreational cannabis products for sale directly to consumers.

Cannabis Hybrid Retailer - An individual or business that sells, supplies, or offers cannabis recreational and medical products for sale directly to consumers

Cannabis Delivery Service or Transporter - Any number of companies or individuals that are involved in the distribution of cannabis by way of delivery. This could be either mail-order delivery, or hand delivery.

Welcome to the Connecticut Chapter of the American Planning Association (CCAPA)

# 2021 Legislative Activity

SB1201 AN ACT CONCERNING RESPONSIBLE AND EQUITABLE REGULATION OF ADULT-USE CANNABIS.

Passed the House and Senate.

Provisions include

§ 35 — FINAL LICENSE

Among other requirements, requires that applicants for final cannabis establishment licenses certify that they have any necessary local zoning approval for the cannabis establishment operation.

- § 37 Cultivation of cannabis does not qualify as agriculture or farming.
- § 83 Municipal electors may petition for referendum on whether to allow local sale of recreation marijuana. Existing establishment would not be affected.
- § 84 Municipalities may regulate the burning of cannabis products on municipal property, and in the outdoor sections of restaurants. Municipalities with more than 50,000 residents must designate a place where public consumption of cannabis is permitted.
- § 148 MUNICIPAL ZONING AUTHORITY AND APPROVAL REQUIREMENTS Authorizes municipalities to enact certain zoning regulations or ordinances for cannabis establishments; temporarily prohibits municipalities from granting zoning approval for more retailers or micro-cultivators than a number that would allow for one of each for every 25,000 residents; allows the DCP commissioner to set a cap in the future. If municipalities take no action through zoning regulations or ordinances, these establishments must be zoned as similar uses would be.

The bill allows municipalities to amend their zoning regulations or local ordinances to take the following actions regarding cannabis establishments:

1. prohibit them from opening; 2. reasonably restrict their hours and signage; or 3. restrict their proximity

1. promon mem from opening, 2. reasonably restrict their nours and signage, of 3. restrict their proximity to religious institutions, schools, charitable institutions, hospitals, veterans' homes, or certain military establishments.

The bill requires municipal chief zoning officials to report these zoning changes to the OPM secretary and DCP. They must report in writing within 14 days after adopting the change. The bill generally prohibits any restrictions on cannabis establishment hours, zoning, or signage from applying to existing businesses until five years after the restriction is adopted. This delay does not apply if the business converts to a different license type.

A "cannabis establishment" is a producer, dispensary, manufacturer, retailer, packager, or delivery service/transporter. A cultivator is a large grower with an establishment not less than 15,000 square feet of grow space. A delivery service delivers cannabis products, a hybrid retailer is licensed to sell cannabis and medical marijuana, a food and beverage manufacture acquires cannabis to produce food and beverages, a micro-cultivator has a grow space of 2,000 to 10,000 square feet, a retailer sells cannabis to consumers and research programs.

#### Lisa Houlihan

From:

John Colonese

Sent: To:

Monday, July 26, 2021 4:31 PM Douglas Harding; kdurao@icloud.com

Cc:

Subject:

Lisa Houlihan

Attachments:

Temporary Signs - Ellington Zoning Regulations TEMP SIGN GUIDE EFFECTIVE 2019\_07-01.pdf

Dear Doug & Keith,

With the upcoming election the intention of this email is to forward the zoning regulations for temporary political signs. Of note, the zoning regulations allow for a maximum of 12 square feet for temporary signs, and allow for an exemption for political signs from the number of signs permitted on a property at any one time.

As your committees meet please review the attached guide. If you have any questions, feel free to contact the Planning Department.

Also, if you are not the appropriate contact for this information please let me know and I will forward it to the correct person or persons. Thank you.

Kind regards,

John D. Colonese, CZEO Assistant Town Planner/Zoning & Wetlands Enforcement Officer P.O. Box 187 57 Main Street Ellington, CT 06029 Phone (860) 870-3120 jcolonese@ellington-ct.gov