



STATE OF CONNECTICUT – COUNTY OF TOLLAND  
INCORPORATED 1786

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

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES  
MONDAY, SEPTEMBER 27, 2021, 7:00 PM  
IN PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT  
REMOTE ATTENDANCE: ZOOM VIDEO CONFERENCING**

**MEMBERS PRESENT:** IN PERSON: VICE CHAIRMAN SEAN KELLY, SECRETARY ROBERT SANDBERG, JR, REGULAR MEMBERS F. MICHAEL FRANCIS AND MICHAEL SWANSON, AND ALTERNATES JON MOSER AND KEN RADZIWON

**MEMBERS ABSENT:** CHAIRMAN ARLO HOFFMAN, REGULAR MEMBERS WILLIAM HOGAN AND RICCI HIRTH

**STAFF PRESENT:** IN PERSON: LISA HOULIHAN, TOWN PLANNER AND BARBRA GALOVICH, RECORDING CLERK

**I. CALL TO ORDER:** Vice Chairman Kelly called the meeting to order at 7:00 pm.

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

Lisa Luginbuhl, 70 Lower Butcher Road, discussed a possible zone change for her 10 acre parcel. The parcel is currently zoned for industrial and she would like to discuss changing the zone to Rural Agricultural Residential (RAR). She resides in a single family home on the parcel and the majority of neighboring land is also developed for residential use. She explained vacant land in the area is not conducive to industrial development. She is looking to subdivide the parcel and give her daughter a 1 acre lot for a single family dwelling. Ms. Houlihan explained the whole parcel is within the Industrial Zone and under the current Zoning Regulations single family dwellings are not permitted. The majority of land to the north of 70 Lower Butcher Road is zoned RAR. Ms. Luginbuhl stated they would like to subdivide the land into three parcels with a possible shared driveway. After a brief discussion, Ms. Luginbuhl stated she will discuss with the neighboring land owners the possible zone change and revisit the commission next month to continue discussion.

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

1. Z202116 – Proposed text amendment to add Section 7.16 to the Ellington Zoning Regulations for a six month moratorium regarding adult-use cannabis production and dispensary facilities pursuant to Public Act 21-1 An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis.

**Time:** 7:22 pm

**Seated:** Kelly, Sandberg, Francis, Swanson, Moser and Radziwon

Ms. Houlihan noted the Planning Department received Capitol Region Council of Governments (CRCOG) comments stating they reviewed the zoning referral and find no apparent conflicts with regional plans and polices or the concerns of neighboring towns. Vice Chairman Kelly said adopting the proposed text will allow for time to review and discuss in further detail regulations regarding adult-use cannabis production and dispensary facilities within the town.

**MOVED (SANDBERG) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202116** – Proposed text amendment to add Section 7.16 to the Ellington Zoning Regulations for a six month moratorium regarding adult-use cannabis production and dispensary facilities pursuant to Public Act 21-1 An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis.

**MOVED (SANDBERG) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE Z202116** – Text amendment to add Section 7.16 to the Ellington Zoning Regulations for a six month moratorium regarding adult-use cannabis production and dispensary facilities pursuant to Public Act 21-1 An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis.  
**EFFECTIVE DATE: OCTOBER 1, 2021**

2. Z202113 - Juliano Family One, LLC, owner/Brian Juliano, applicant, request for modification to Special Permit to expand storage yard and Site Plan Modification to expand pavement for parking and outdoor storage, detached signage, landscaping and associated improvements at 100 Windermere Avenue, APN 018-021-0000, in the IP-Zone.

**Time:** 7:25 pm

**Seated:** Kelly, Sandberg, Francis, Swanson, Moser and Radziwon

Brian Juliano, Juliano Pools, 100 Windermere Avenue and Jim DiMeo, P.E., Juliano Associates, 405 Main Street, Yalesville, CT were present to represent the application.

Mr. Juliano stated due to erosion on the site from extensive rainfall over the past months, he is looking to remove the current pavement and expand the parking, add lighting limited to the parking areas. Vice Chairman Kelly asked about how many trucks are on the site. Mr. Juliano stated he didn't know exactly how many since they are scattered all around due locations of current jobs. Ms. Houlihan explained Mr. Juliano would also like to expand a small area of additional parking to the south of the parcel along Windermere Avenue.

Vice Chairman Kelly noted the Town Engineer's comments referring to the proposed landscaping and possible site line issues along the roadways. Mr. Juliano said they are looking into installing split railing fence, similar to Great Country across the street, and some white pine trees. He noted the Inland Wetland Agency suggested to add wetland placards on posts along to wetlands delineation.

Ms. Houlihan noted revised plans submitted by the applicant this evening include an updated Stormwater Drainage Report revised date of September 24, 2021 and a Construction Sequence Narrative & Stormwater Maintenance Program dated September 23, 2021 need to be reviewed by staff. Ms. Houlihan read staff comments from the Town Engineer, Director of Public Works and the Fire Marshal, which will need to be addressed.

Mr. Juliano asked if he could receive a partial approval tonight in order to start doing the parking, grading and install the electrical conduit before the weather gets too cold and he would be able to clean up the site. He would like to be paving by Thanksgiving. Secretary Sandberg asked if the application was presented to the Design Review Board (DRB). Ms. Houlihan noted the application was reviewed with the DRB chairman but did not go to the DRB since there is no proposal for a new building and signage approval will be deferred to the Planning & Zoning Commission and staff. Secretary Sandberg suggested to do split fencing, down lighting and additional plantings. Mr. Juliano stated rather than having steel poles for the parking, he proposes wooden poles.

Mr. Juliano explained he bought the building from his mother three months ago and she will be looking to move her business to 17 Florence Avenue. Upon her final move out, he will be able to put most of his equipment into the building and keep the Vernon location for retail.

Commission Swanson welcomed the business to town and looks forward to seeing the site cleaned up. Alternate Moser thanked Mr. Juliano for bringing his business to town and inquired about locating the trucks and water tanks to the Lower Butcher Road side of the parcel. Alternate Radziwon noted concerns pertaining to the 100 year flood zone, which bisects the parcel. Mr. DiMeo explained he is still working on addressing staff comments and will be resubmitting new plans by the end of this week. He will also add the flood zone to the updated plans.

Mr. DiMeo stated there will be limited outdoor storage, they will be screening the two dumpster areas, the propane tank area and the detention basin will be shallower to address the Town Engineer's comments. Alternate Radziwon asked if the rainwater will sheet flow, Mr. DiMeo respond affirmatively and said he'll update the plans to address all concerns. Alternate Radziwon asked to have a proposed light pole in the detention basin area to be removed, Mr. DiMeo reiterated that he is in the process of finalizing the plans.

After a brief discussion, the commission agreed to grant a partial approval and have Mr. Juliano come back in October to address other outstanding items.

**MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO GRANT PARTIAL APPROVAL W/CONDITIONS AND CONTINUE PUBLIC HEARING TO THE NEXT PZC MEETING ON OCTOBER 25, 2021, FOR Z202113** - Juliano Family One, LLC, owner/Brian Juliano, applicant, request for modification to Special Permit to expand storage yard and Site Plan Modification to expand pavement for parking and outdoor storage, detached signage, landscaping and associated improvements at 100 Windermere Avenue, APN 018-021-0000, in the IP-Zone.

**CONDITION(S):**

**PARTIAL APPROVAL IS ONLY FOR SITE WORK DIRECTLY RELATED TO THE COMPLETION OF THE PROPOSED BITUMINOUS PARKING AREA INCLUDING GRADING AND INSTALLATION OF ELECTRICAL CONDUIT AND BITUMINOUS PARKING SURFACE.**

3. S202103 – Brooks Crossing Developers, LLC owner/applicant, request for re-subdivision for eleven (11) lots for 55.94 acres off of Jobs Hill Rd between Brook Crossing and Brook Crossing Extension, APN 119-004-0000, in a RAR (Rural Agricultural Residential) Zone (Highfield Estates Phase IV). (Opening of hearing to be tabled)

**Time:** 8:01 pm

**Seated:** Kelly, Sandberg, Francis, Swanson, Moser and Radziwon

**BY CONSENSUS, TABLED THE OPENING OF THE PUBLIC HEARING TO THE OCTOBER 25, 2021, 7:00 PM REGULAR MEETING AT THE ELLINGTON TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, FOR S202103** – Brooks Crossing Developers, LLC owner/applicant, request for re-subdivision for eleven (11) lots for 55.94 acres off of Jobs Hill Rd between Brook Crossing and Brook Crossing Extension, APN 119-004-0000, in a RAR (Rural Agricultural Residential) Zone (Highfield Estates Phase IV).

4. Z202115 - Brooks Crossing Developers, LLC owner/applicant, request for a Special Permit pursuant to Section 7.9 – Rear Lot Requirements for two rear lots associated with the re-subdivision for eleven (11) lots for 55.94 acres off of Jobs Hill Rd between Brook Crossing and Brook Crossing Extension, APN 119-004-0000, in a RAR (Rural Agricultural Residential) Zone (Highfield Estates Phase IV). (Opening of hearing to be tabled)

**Time:** 8:01 pm

**Seated:** Kelly, Sandberg, Francis, Swanson, Moser and Radziwon

**BY CONSENSUS, TABLED THE OPENING OF THE PUBLIC HEARING TO THE OCTOBER 25, 2021, 7:00 PM REGULAR MEETING AT THE ELLINGTON TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, FOR Z202115** - Brooks Crossing Developers, LLC owner/applicant, request for a Special Permit pursuant to Section 7.9 – Rear Lot Requirements for two rear lots associated with the re-subdivision for eleven (11) lots for 55.94 acres off of Jobs Hill Rd between Brook Crossing and Brook Crossing Extension, APN 119-004-0000, in a RAR (Rural Agricultural Residential) Zone (Highfield Estates Phase IV).

5. Z202114 – Tango Properties, LLC, owner/ Ready Imaging, Inc., applicant, request for a Special Permit to convert existing detached sign to digital LED fuel price sign at 194 Windsorville Road, APN 009-067-0000, in a C (Commercial) Zone. (Opening of hearing to be tabled)

**Time:** 8:01 pm

**Seated:** Kelly, Sandberg, Francis, Swanson, Moser and Radziwon

**BY CONSENSUS, TABLED THE OPENING OF THE PUBLIC HEARING TO THE OCTOBER 25, 2021, 7:00 PM REGULAR MEETING AT THE ELLINGTON TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, FOR Z202114** – Tango Properties, LLC, owner/ Ready Imaging, Inc., applicant, request for a Special Permit to convert existing detached sign to digital LED fuel price sign at 194 Windsorville Road, APN 009-067-0000, in a C (Commercial) Zone.

#### **IV. OLD BUSINESS: None**

#### **V. NEW BUSINESS:**

1. S200502 – Request to recommend to the Board of Selectmen, the acceptance of Crystal View Estates public improvements and roadway (Grassy Hill Road) and a waiver of maintenance bond pursuant to a letter dated September 8, 2021 from Quantum of Ellington, LLC.

Ms. Houlihan stated the Planning Department received a letter requesting acceptance of Crystal View Estates and the conveyance of the road from Quantum of Ellington, LLC dated September 8, 2021. She referred to a letter from the Town Engineer, Dana Steele, dated September 21, 2021, recommending acceptance.

**MOVED (SANDBERG) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO RECOMMEND ACCEPTANCE OF CRYSTAL VIEW ESTATES PUBLIC INFRASTRUCTURE AND ROADWAY (GRASSY HILL ROAD AND FUTURE RIGHT-OF-WAY) TO THE BOARD OF SELECTMEN AND WAIVE MAINTENANCE BOND REQUIREMENT AS RECOMMENDED BY THE TOWN ENGINEER IN A LETTER DATED SEPTEMBER 21, 2021 FOR S200502** – Request to recommend to the Board of Selectmen, the acceptance of Crystal View Estates public improvements and roadway (Grassy Hill Road) and a waiver of maintenance bond pursuant to a letter dated September 8, 2021 from Quantum of Ellington, LLC.

Discussion: Referral to the Board of Selectmen shall only be transmitted to the First Selectman's Office once final mowing of the detention basin has been accepted by the Department of Public Works and the developer has provided a final Certificate of Title and any other legal document recommended by the Town Attorney.

## VI. ADMINISTRATIVE BUSINESS:

1. Approval of Planning and Zoning Commission August 23, 2021 Regular Meeting Minutes.

**MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE THE AUGUST 23, 2021 REGULAR MEETING MINUTES WITH THE FOLLOWING CORRECTION: PAGE 1 OF 4, NUMBER 2 OF REGULATIONS, LINE 4 OMIT THE WORDS "NOT TO BE SUBJECT TO" AND REPLACE WITH "BE EXEMPT FROM".**

2. Correspondence:
  - a. Discussion: Recommendation for use of American Rescue Plan Funds - Connecticut Conference of Municipalities Toolkit.

Vice Chairman Kelly stated the commission spoke at the last meeting about possible uses of the American Rescue Plan Funds within the town. Ms. Houlihan read a memo for Tim Webb, Director of Public, dated September 23, 2021. Board of Selectman, David Stavens, explained where the pump station is located, where the expansion of the sewers are being proposed and how the funding works through the government.

**MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO RECOMMEND TO THE BOARD OF SELECTMEN USE OF AMERICAN RESCUE PLAN FUNDS TO ENHANCE AND/OR EXPAND UTILITIES FOR UNDERSERVED AND/OR UNSERVED AREAS FOR PROJECTS CONSISTENT WITH LONG TERM GOALS OF THE TOWN AND THE PLAN OF CONSERVATION AND DEVELOPMENT.**

Ms. Houlihan shared a few sign schematics for Integrated Rehabilitation Services at 140 West Road. After brief discussion, the commission agreed a sign could not replace the barn door accent over the front entry because it's a required design feature. They would like to see the sign within the gable just above the entry door and to the right side where the leased space is located. This configuration will allow signage for an additional tenant, which would be added to the left side within the gable in the future.

## VII. ADJOURNMENT:

**MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 8:25 PM.**

Respectfully submitted,

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Barbra Galovich, Recording Clerk