I. CALL TO ORDER:

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

III. PUBLIC HEARING(S): (Notice requirements met, hearing may commence.)

   1. Z202120 – Seventy-four (74) West Road, LLC and KUP Enterprises, LLC, owners/ Seventy-four (74) West Road, LLC, applicant, request for modification to Site Plan and Special Permit approvals for a proposed greenhouse, façade improvements, outside storage, additional parking and landscaping, and related site improvements for Agway of Ellington at 74 West Road, APN 028-002-0000 & 80 West Road, APN 028-003-0000, in a Commercial (C) zone.

IV. OLD BUSINESS:

   1. 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(Industrial Park) Zone. (Decision tabled December 20, 2021.)

V. NEW BUSINESS:

   1. S202103 – Brooks Crossing Developers, LLC owner/applicant, request for two consecutive 90-day extensions for filing of subdivision plans for approval granted October 25, 2021 for re-subdivision of 55.94 acres for ten (10) lots 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).


VI. ADMINISTRATIVE BUSINESS:

   1. Approval of Planning and Zoning Commission December 20, 2021 regular meeting minutes.

   2. Election of Officers

   3. Correspondence/Discussion:

      a. Discussion: Potential Zoning Regulation Amendment to Section 3.1.3 Accessory Uses/Structures to Allow Storage Sheds as Permitted Primary Uses/Structures in Single Family Residential Zones.

      b. Discussion: Request to Extend Existing Moratorium for Adult-use Cannabis Production and Dispensary Facilities, Pursuant to Public Act 21-1 - An Act Concerning Responsible and Equitable Regulation of Adult-use Cannabis.

VII. ADJOURNMENT:
In addition to providing in person attendance, this meeting will be conducted using the online video conferencing service provider Zoom. Meeting details provided on the agenda and posted on the Town of Ellington webpage (www.ellington-ct.gov), Agenda & Minutes, Planning & Zoning Commission.

Join Zoom Meeting via link:
https://us06web.zoom.us/j/84172379562
Meeting ID: 841 7237 9562
Passcode: 304688

Join Zoom Meeting by phone:
1-646-558-8656 US (New York)
Meeting ID: 841 7237 9562
Passcode: 304688

Next Planning and Zoning Commission Regular Meeting is scheduled for February 28, 2022.
DATE: January 18, 2022

TO: Planning and Zoning Commission

FROM: Lisa M. Houlihan, AICP, Town Planner

cc: B. Juliano & B. Cormier (via email)

RE: DRAFT POTENTIAL CONDITIONS/MODIFICATIONS OF APPROVAL 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 (Industrial Park) Zone.

The public hearing for the referenced application was closed December 20, 2021, and no further comment may commence between the commission and the public. As recommended, potential conditions of approval have been drafted based on commissioner and staff comments during review of the application. The applicant/owner is amendable to the majority of the conditions, but asks that condition #14 be revised to allow standard hours of operation to start at 6 o’clock a.m.

2. Sheets 1 of 5 and 2 of 5 shall be corrected to show the wetland boundaries and upland review line as determined by field delineation.
3. Parking of vehicles, trailers and other construction equipment is strictly limited to inside of the building and spaces shown on the approved site plan (sheet 2 of 5, dated 12/8/21).
4. Parking spaces shall be laid out on the parking surface with paint as shown on sheet 2 of 5, dated 12/8/21, to provide a permanent delineation between spaces as shown on the approved site plan (sheet 2 of 5, dated 12/08/21) and maintained in perpetuity.
5. Storage of other equipment shall be limited to inside of the building or bituminous parking area.
6. Landscaping, including the sodded area near the intersection of Windermere Avenue and Lower Butcher Road, shall be maintained in perpetuity and dead or dying vegetation replaced within the current or next growing season, generally April through October annually.
7. Landscaping shall be installed as shown on plan sheet 2 of 5, dated 12/08/21.
8. Lighting proposed on the east side of the building is limited to what is shown on the approved plans. Light fixtures shall be down lit.

9. Site improvements shown on the approved plans, with the exception of the grass lined detention basin adjacent to wetlands line WL1-WL11, shall be complete as soon as practical, but no later than May 30, 2022. In the event the May 30th deadline cannot be met, the applicant shall apply to the Planning and Zoning Commission for modification of approvals.

10. All vehicles, equipment, supplies, etc. shall be relocated from the 2.3 acres of land acquired to the east of 100 Windermere Avenue, formerly land of Carlson, to inside the buildings or the bituminous paved area no later than April 30, 2022. If phase II approvals are not secured by June 30, 2022, the land shall be restored to its previous natural condition no later than August 30, 2022.

11. If alternative drainage provisions are not approved by June 30, 2022, the grass lined swale approved for Z202113 shall be constructed by July 30, 2022.

12. An as-built drawing for detention facilities is required upon completion and shall be in compliance with approved plans.

13. Detached sign is subject to issuance of a zoning permit and shall be in compliance with Section 6.3.7 Detached Signs Permitted in C, PC, I, and IP zones.

14. Standard daily hours of operation shall be no earlier than 7 o’clock a.m. and later than 10 o’clock p.m., unless to accommodate emergency situations such as, but not limited to, vehicular/equipment breakdowns, inclement weather, or utility failures.

15. Phase II plans shall include buffer plantings south of Lower Butcher Road and along the eastern property line to adequately screen parking and storage east of the existing building. If Phase II approvals are not secured by June 30, 2022, the applicant shall apply to the Planning and Zoning Commission to modify Phase I (Z202113) approvals to include screening provisions.

16. Any work within the town right-of-way requires a permit from the Department of Public Works.
Town of Ellington
Planning & Zoning Commission Application

Type of Application: □ Zone Change □ Amendment to Regulation
☒ Site Plan Approval ☒ Special Permit ☒ Modification ☐ CGS 8-24

Application # Z202107
Date Received 12/16/2021

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

Owner's Information
Name: 74 West Road, LLC
Mailing Address: P.O. Box 200
Ellington, CT 06029
Email: cory@ellingtonagway.com

WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMailed TO YOU? ☑ Yes ☐ No
Primary Contact Phone #: 860-875-3355

Secondary Contact Phone #: ____________________________ Date: ____________________________
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 Iw express provide written consent to the filing of the application and access to the site by the Commission or its staff.

Applicant's Information (if different than owner)
Name: 74 West Road, LLC
Mailing Address: P.O. Box 200
Ellington, CT 06029
Email: same
WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMailed TO YOU? ☑ Yes ☐ No
Primary Contact Phone #: same

Secondary Contact Phone #: ____________________________ Date: ____________________________
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.

RECEIVED DEC 16 2021

Street Address: 74 West Road & 80 West Road
028-002-0000 & 028-003-0000

Assessor's Parcel Number (APN): ___________ Existing Zone: C Proposed Zone: n/a
(If unaware of APN, please ask staff for assistance)

Public Water: ☑ Yes ☐ No Public Sewer: ☑ Yes ☐ No If not served by public water and sewer, applicant/owner shall make application to North Central District Health Department (Enfield Office).

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

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

Is the project in a public water supply watershed area? ☑ Yes ☒ No If yes, applicant shall notify Connecticut Water Company and Commissioner of Public Health about the proposed project by certified mail return receipt within 7 days of application (§9-3l(b). Copy of application, plans, and supporting documents must accompany notice. Proof of notice and copies of return receipts must be provided to the Planning Department.

Description of Request (If more space is needed, please attach additional sheets)
Request for a Site Plan Approval for the construction of a new greenhouse, modifications to the facade of the existing building, the creation of a covered storage area behind the existing building and parking improvements.

Please copy all correspondence to Eric Peterson, Gardner & Peterson Associates, LLC
178 Hartford Turnpike, Tolland, CT 06084 epeterson@gardnerpeterson.com
Ellington Agway is proposing to make architectural improvements to the front façade of the existing building, construct a new greenhouse located to the north of the existing building, and construct a secure, covered storage area located behind the existing building. The façade improvements will include the installation of two gable dormers with timber accent framing, new building signage, and a decorative painted railing located along the roof of the existing covered entry. The rear storage area will include the construction of a roof overhang with asphalt shingles, pressure treated wood supports, with a 6-foot tall chain link fence located under the new roof overhang. The greenhouse will be a pre-engineered all-glass structure supported by galvanized tubular steel framing, with a traditional peak design including peak and gable and side wall venting.

A parking area is also proposed in the vicinity of the greenhouse building. The parking lot will be illuminated with two new light poles located near the northerly property line. The two fixtures will be mounted at 22 feet above grade and will include a full cut-off LED fixture that is IDA dark sky approved and Nighttime Friendly. Landscaping will be provided in two new landscape islands. The first is located to the north of the northerly most curb cut to the site and the second is located in front of the new greenhouse. Plantings within the landscape islands include red maple and dogwood trees; and hydrangea, winterberry, juniper and spirea shrubbery.
**D-Series Size 1**

**LED Area Luminaire**

**Specifications**

- **EPA:** 1.01 ft² (0.09 m²)
- **Length:** 33" (838.2 mm)
- **Width:** 13" (330 mm)
- **Height H1:** 7-1/2" (191 mm)
- **Height H2:** 3-1/2" (94 mm)
- **Weight (max):** 27 lbs (12.24 kg)

**Introduction**

The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment. The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire.

The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. It is ideal for replacing up to 750W metal halide in pedestrian and area lighting applications with typical energy savings of 65% and expected service life of over 100,000 hours.

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**EXAMPLE:** DSX1 LED P7 40K T3M MVOLT SPA NLTAIR2 PIRRHN DDBXD

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**DSX1 LED**

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**Shipped included**

- SPA: Square pole mounting
- RPA: Round pole mounting
- WRA: Wall bracket
- SPUMBDA: Square pole universal mounting adapter
- RPLUMBDA: Round pole universal mounting adapter
- Shipped separately
- XHAD DDBXD 0: Mast arm mounting bracket adapter (fender finish)

**Configuration**

- NCAM2: nLight Air generation 2 enabled
- PIRH: High/output motion/ambient sensor
- PSB: NEMA twist lock receptacle only (controls ordered separately)
- PSBS: Fixed-pin receptacle only (controls ordered separately)
- PST: Seven-pin receptacle only (controls ordered separately)
- DMS: 0-10V dimming wires pulled outside fixture (for use with an external control, ordered separately)
- DS: Dual switching

**Optional Features**

- PIR: High/output motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 14°F
- PIRH: High/output motion/ambient sensor, 15-30' mounting height, ambient sensor enabled at 14°F
- PIRFTCV: High/output motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 14°F
- PIRFTCV1: 8-15' mounting height, ambient sensor enabled at 14°F
- FAD: Field adjustable output

**Shipped included**

- DDBXD: Dark bronze
- DBXDK: Black
- DNXDK: Natural aluminum
- DNXDK: White
- DDBXD: Textured dark bronze
- DDBXD: Textured black
- DNXDK: Textured natural aluminum
- DNXDK: Textured white

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**Revisions**

- DSX1-LED

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**Publication Information**

- Lithonia Lighting
- Commercial Outdoor
- One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • www.lithonia.com
- © 2011-2021 Acuity Brands Lighting, Inc. All rights reserved.

Rev. 07/19/21
Page 1 of 6
RUNOFF ANALYSIS:

The combination of 74 & 80 West Road totals 4.32 acres. The site is currently developed with buildings, pavement, sidewalks and other impervious surfaces. The existing impervious area of the combined site totals 1.73 acres. The proposed improvements consist of constructing a new greenhouse in an already paved area, a covered storage area behind the existing building, creating landscaped islands and regrading the parking lot. The impervious area of this site based on the proposed conditions also totals 1.73 acres.

Furthermore, the on-site drainage patterns will remain similar to the existing conditions, therefore we expect that there will not be a change in peak travel time due to the proposed development of this site. Considering that there are no changes to the site area, impervious area, or peak travel time, there would also be no change in peak rate of runoff from this site.
VIEW-3D - from NORTHEAST

VIEW-3D - from SOUTHEAST

VIEW-3D - from NORTHWEST
Town of Ellington
Zoning Board of Appeals Application

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

Application #: V202113
Date Received: 11/15/2021

Owner's Information
Name: 74 West Road, LLC KUP Enterprises
Mailing Address: P.O. Box 200
Ellington, CT 06029

Email: cory@ellingtonagway.com

Secondary Contact Phone #: 860-875-3355

By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Board have been submitted. Moreover, by signing above I/we expressly provide written consent to the filing of the application and access to the site by the Board or its staff.

Applicant's Information (if different than owner)
Name: 74 West Road, LLC
Mailing Address: P.O. Box 200
Ellington, CT 06029

Email: cory@ellingtonagway.com

Secondary Contact Phone #: 860-875-3355

By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Board have been submitted.

RECEIVED
NOV 15 2021
TOWN OF ELLINGTON
PLANNING DEPARTMENT

Street Address: 74 West Road, 80 West Road
Assessor's Parcel Number (APN): 028-002-0000, 028-003-0000
Zone: C

Public Water: ☑ Yes ☐ No Public Sewer: ☑ Yes ☐ No
If not served by public water and sewer, applicant/owner shall make application to North Central District Health Department (Enfield Office).

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

Are there any wetlands/watercourses within 100' of construction activity or within 250' of wetlands/watercourses when located in the Shenipsit Lake Drainage Basin? ☑ Yes ☐ No

Is the project in a public water supply watershed area? ☑ Yes ☐ No
If YES, applicant shall notify Connecticut Water Company and Commissioner of Public Health about the proposed project by certified mail, return receipt within 7 days of application Conn. Gen. Stat. 88-31(b). Copy of application, plans, and supporting documents must accompany notice. Proof of notice and copies of return receipts must be provided to the Planning Department.

Previous Variances related to this property? ☑ Yes ☐ No If yes, specify date

Requesting a Variance to Zoning Regulations Section: (For Variance Application only) 6.2.1 Front Yard Setback

Describe Variance Request, Appeal of Decision, or Auto Dealer/Repairer License: (Attach additional sheets if needed)
See attached

Hardship: Describe hardship and indicate why other options are unacceptable. (For Variance Application only)
Accessibility between existing non-conforming building and new greenhouse and parking.

Please copy all correspondence to Eric Peterson, Gardner & Peterson Assoc, LLC
178 Hartford Turnpike, Tolland, CT 06084 epeterson@gardnerpeterson.com
Describe Variance Request, Appeal of Decision, or Auto Dealer/Repairer License:

A request for a variance to section 4.2.1 (front yard setback) for the construction of a new greenhouse and for the construction of two dormers over the front porch of the existing non-conforming building. The greenhouse will be placed such that it aligns with and is parallel to the existing front façade/covered porch of the existing building. The new dormers on the front porch of the existing building will protrude 2’8” from the existing porch. This variance request is for a 25-foot reduction in the front yard setback, resulting in a front yard setback of 75 feet, for the new greenhouse building; and a 36-foot reduction in the front yard setback, resulting in a front yard setback of 64 feet, for the dormers.

A request for a variance to section 6.2.5A (No parking spaces permitted within 20 feet of the front, rear, or sides of a commercial structure). The proposed parking in front of the proposed greenhouse building is an extension of the existing parking located in front of the existing non-conforming building. This parking is proposed to be 24 feet from the front of the new greenhouse building and the proposed parking on the north side of the greenhouse is located 10 feet from the side of the new structure. Two rows of parking are necessary in this vicinity to allow for an adequate number of parking for employees and customers. Furthermore, new parking is proposed to be located 5 feet from the existing building located to the rear, or west, of the new greenhouse building.

A request for a variance to section 6.2.5B (No parking permitted within 15 feet of side and rear property lines) for the construction of the northerly most row of parking located to the north side of the new greenhouse structure. The parking is proposed to be 3 feet from the side property line abutting land of Meadow Five Realty, LLC aka Bolles Motors. Previously, this parcel housed the Valley Fish Market which utilized parallel parking spaces immediately adjacent to this side property line.
December 9, 2021

74 West Road, LLC
Mr. Cory Kupferschmid
P.O. Box 200
Ellington, CT 06029

Re: V202113 – 74 West Road LLC & KUP Enterprises LLC, owner/applicant, request for variances of the Ellington Zoning Regulations Section 4.2.1-Lot Area, Width & Yard Requirements: to reduce the front yard setback from 100ft to 64ft for gable dormers on an existing building and from 100ft to 75ft for a proposed greenhouse; Section 6.2.5 (A & B)-Location of Parking Facilities: to reduce parking to a commercial building from 20ft to 5ft and to a side property line from 15ft to 3ft at 74 West Road, APN 028-002-0000 & 80 West Road, APN 028-003-0000 in a Commercial (C) zone.

Dear Mr. Kupferschmid,

The Zoning Board of Appeals, at their meeting on Monday, December 6, 2021, approved your application with the following motion:

**MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE V202113 – 74 West Road LLC & KUP Enterprises LLC, owner/applicant, request for variances of the Ellington Zoning Regulations Section 4.2.1-Lot Area, Width & Yard Requirements: to reduce the front yard setback from 100ft to 64ft for gable dormers on an existing building and from 100ft to 75ft for a proposed greenhouse; Section 6.2.5 (A & B)-Location of Parking Facilities: to reduce parking to a commercial building from 20ft to 5ft and to a side property line from 15ft to 3ft at 74 West Road, APN 028-002-0000 & 80 West Road, APN 028-003-0000 in a Commercial (C) zone.**

**Hardship: Existing non-conforming building and parking.**

The enclosed Variance must be recorded on the Ellington Land Records in order to become effective. Please record the Variance after the 15-day appeal period expires. The appeal period begins on the date of publication of the enclosed Legal Notice. The Legal Notice was published December 8, 2021. Please note the next step will be to apply for a Zoning Permit and a Building Permit, along with fulfilling any other local, state, or federal requirements. If you have any questions, please contact the Planning Department at (860) 870-3120.

Sincerely,

Arthur Aube, Fz
Arthur Aube, Chairman
Ellington Zoning Board of Appeals

cc: Mr. Eric Peterson, Gardner & Peterson Associates, LLC
CERTIFICATE OF VARIANCE

Notice is hereby given that the Ellington Zoning Board of Appeals, at its December 6, 2021 regular meeting, granted the following Certificate of Variance:

Application Number: V202113

Description of Affected Premises: 74 West Road, APN 028-002-0000 and 80 West Road, APN 028-003-0000

Owner(s) of Property: 74 West Road, LLC and KUP Enterprises, LLC P.O. Box 200 Ellington, CT 06029

Applicant: 74 West Road, LLC P.O. Box 200 Ellington, CT 06029

Zoning Regulations Varied: Section 4.2.1 – Lot Area, Width & Yard Requirements and Section 6.2.5 (A & B) – Location of Parking Facilities.

Nature of Variance: To reduce the front yard setback from 100ft to 64ft for gable dormers on an existing building and from 100ft to 75ft for a proposed greenhouse; and to reduce parking to a commercial building from 20ft to 5ft and to a side property line from 15ft to 3ft.

Hardship: Existing non-conforming building and parking.

This Variance must be filed in the Office of the Town Clerk to become effective per CGS Section 8-3(d) following the 15-day appeal period which starts on: December 8, 2021.

Arthur Aube, Chairman
Ellington Zoning Board of Appeals
DESIGN REVIEW BOARD
REGULAR MEETING MINUTES
THURSDAY, DECEMBER 16, 2021, 7:00 P.M.
IN PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT
REMOTE ATTENDANCE: ZOOM MEETING
(ATTENDEES WERE IN PERSON UNLESS OTHERWISE NOTED)

MEMBERS PRESENT: Chairman Robert Dawson (remote), Michele Beaulieu, Ronald Stomberg and Gary Chapin (remote)

MEMBER(S) ABSENT: Kevin Zahner

STAFF PRESENT: Lisa Houlihan, Town Planner and Barbra Galovich, Recording Clerk (remote)

I. CALL TO ORDER: Chairman Robert Dawson called the meeting to order at 7:09 P.M.

II. Public Comments (On Non-Agenda Items): None

III. NEW BUSINESS:

1. Review of design elements for Seventy-four (74) West Road, LLC & KUP Enterprises LLC, owner/applicant, for a proposed greenhouse, additional parking and related site improvements at 74 West Road, APN 028-002-0000 & 80 West Road, APN 028-003-0000 in a Commercial (C) zone.

Eric Peterson, Gardner & Peterson Associates, LLC, 178 Hartford Turnpike, Tolland, CT, and Jim Bell, Moser Pilon Nelson, Architects, LLC, 30 Jordan Lane, Wethersfield, CT, were present.

PLANS REVIEWED: Improvement Location Survey Landscaping & Lighting Plan, 74 West Road, LLC & KUP Enterprises, LLC, 74 & 80 West Road – Route 83, Ellington, Connecticut. Prepared by: Gardner & Peterson Associates, LLC, 178 Hartford Turnpike, Tolland, Connecticut; Scale: 1"=30'; Date: 12-08-2021; Sheet No. 1 of 1.

Mr. Peterson stated Ellington Agway is proposing front façade improvements, a new greenhouse next to the existing building and a covered storage area to the back of the existing building. He reviewed the proposed parking, landscaping, and exterior lighting improvements.

Mr. Bell reviewed the architectural plans and said they are proposing two dormers to the front of the existing building with timber accents. Mr. Dawson asked if the applicant will continue to sell plants from the front of the building, and Mr. Bell confirmed they will continue to use the front porch area for merchandise in addition to the new greenhouse. The greenhouse is a prefab all-glass structure supported by galvanized steel framing. In the back of the existing building they propose to construct a roof overhang with asphalt shingles, pressure treated wood supports, and a six (6) foot chain link fence to protect outside storage of equipment.
Mr. Peterson stated there will be no additional pavement, however they will repave the existing parking area. They are proposing to add more lighting and increase the size of the existing landscaping within the parking area. Mr. Peterson reviewed the existing curb cuts on West and Lower Butcher Roads, noting the applicant will keep the curb cuts for truck traffic and parking will extend from the existing building to the front of the proposed greenhouse.

Mr. Peterson said the existing split rail fence will be painted and they will add more fencing along the front parking to continue to the greenhouse. Chairman Dawson inquired about the existing flag pole landscaped area on the left side of the parcel. Mr. Peterson explained that no additional plantings will be added to this area for safety concerns and visibility of vehicles turning off of Lower Butcher Road onto West Road (Route 83).

Mr. Peterson explained two light poles will be added on the north side of the parking area. There is an existing light on the building and two existing lights adhered to the utility poles on West Road. Mr. Peterson referred to the light fixture specification sheet and said the poles will be 22 feet.

Commissioner Chapin said Ellington Agway adds value to the community and the proposed improvements will bring the whole property together. Commissioner Chapin is pleased with the plan and the additional plantings.

Chairman Dawson likes the improvements proposed to the building and the greenhouse.

Commissioner Stomberg likes the concept and thought they did a nice job with the plan. Chairman Dawson thanked Mr. Peterson and Mr. Bell for their presentation.

BY CONSENSUS, THE BOARD GRANTED A POSITIVE REFERRAL TO THE PLANNING & ZONING COMMISSION FOR A PROPOSED GREENHOUSE, ADDITIONAL PARKING AND RELATED SITE IMPROVEMENTS AT 74 WEST ROAD, APN 028-002-0000 & 80 WEST ROAD, APN 028-003-0000 IN A COMMERCIAL (C) ZONE.

IV. ADMINISTRATIVE BUSINESS:

a. Approval of the September 16, 2021 Special Meeting Minutes
MOVED (CHAPIN), SECONDED (BEAULIEU) AND PASSED UNANIMOUSLY TO APPROVE THE SEPTEMBER 16, 2021 REGULAR MEETING MINUTES AS WRITTEN.

Ms. Houlihan noted the Apostolic Christian Church is looking to construct a fellowship center in the rear of the parcel and will submit application soon so they can begin construction in the spring. She explained Big Y Express may need to revisit the commission to review architectural changes to approved restaurant needed to accommodate branding for the potential tenant.

V. ADJOURNMENT:
MOVED (BEAULIEU), SECONDED (CHAPIN) AND PASSED UNANIMOUSLY TO ADJOURN THE DESIGN REVIEW BOARD MEETING AT 7:28 P.M.

Respectfully submitted,

Barbra Galovich, Recording Clerk
Barbra Galovich

From: Barbra Galovich  
Sent: Thursday, January 06, 2022 10:28 AM  
To: Eric Peterson  
Cc: Lisa Houlihan  
Subject: FW: Staff Review - Z202120 - 74 & 80 West Road

Eric,

Please see the below comments from Tim Webb, Director of Public Works.

Thank you,
Barbra

From: Timothy Webb  
Sent: Thursday, January 06, 2022 10:04 AM  
To: Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>  
Subject: RE: Staff Review - Z202120 - 74 & 80 West Road

Upon review the DPW would have no problems, state highway, RT 83. Appears no changes to the Lower Butcher access way. As for the greenhouse a potential sewer assessment for the enclosed storage structure. The lean too off the back would not be assessed.

From: Barbra Galovich  
Sent: Thursday, January 06, 2022 9:23 AM  
To: James York <JYork@ELLINGTON-CT.GOV>; Kim Bechard <KBechard@ELLINGTON-CT.GOV>; Lori Spielman <Lspielman@ELLINGTON-CT.GOV>; Patrice Sulik <psulik@ncdhd.org>; Raymond Martin <Rmartin@ELLINGTON-CT.GOV>; Sydney Kern <skern@ELLINGTON-CT.GOV>; Timothy Webb <twebb@ELLINGTON-CT.GOV>; Westford Lirot <wlirot@ncdhd.org>  
Cc: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>  
Subject: Staff Review - Z202120 - 74 & 80 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, January 24, 2022. 
Please provide your comments/concerns on or before January 14, 2022.

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
Dear Eric,

Thank you for providing a response to Dana’s comments and the redlined plan showing the closure of the middle curb-cut and the turning template. In accordance with objectives found in the Design Review Guidelines and the Plan of Conservation and Development, I anticipate the Planning and Zoning Commission to support the closing of the curb-cut but to also seek additional green space along Route 83 – this can be discussed during Monday’s hearing.

We are in the process of finalizing the PZC agenda for 1/24/22, and will forward you a copy shortly. The meeting is hybrid, so in-person or remote attendance options are available.

Thanks again!
Very kind regards,

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

From: Eric Peterson [mailto:epeterson@gardnerpetersen.com]
Sent: Monday, January 17, 2022 3:01 PM
To: Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>
Cc: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>; 'Cory Kupferschmid' <cory@ellingtonagway.com>
Subject: RE: Staff Review - Z202120 - 74 & 80 West Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lisa / Barb:
Thank you for providing Dana’s comments. I offer the following responses to his comments:

1. Due to the nature of this business, there are many different size vehicles that enter and exit this site. Besides passenger vehicles many customers bring in equipment for service in trailers towed by either passenger vehicles or commercial trucks. The area along West Road to the north of the free standing sign has always been used for customers to unload and load tractors and other ride on equipment for repair and the applicant would like to continue to use this area for that same purpose. This will allow for these vehicle to enter the site, and load/unload their trailers in a safe manner without blocking on-site traffic or being within travel lanes. In doing so the applicant will close the middle curb cut to the width of the island immediately to the south, which would provide even more room for customers with trailers to load and unload tractors, etc. while reducing the number of curb cuts on West Road. The curb cut to the far south is used for passenger vehicles and for large delivery
trucks. I have overlaid a turning template for a WB-50 vehicle making a right turn into the site. You will see that the design vehicle uses most of the curb cut just leaving enough room for a vehicle exiting the site, therefore we propose to leave this curb-cut as is.

2. I agree with the Town Engineer’s comment regarding handicap parking and will move the handicap parking space in front of the greenhouse.

3. No response necessary.

I have red-lined a plan showing the closing of the middle curb cut and the turning movements of the WB-50 vehicle and would be happy to discuss this further with staff or the commission as needed.

Thank you,

Eric Peterson, P.E., P.L.S.
Gardner & Peterson Associates, LLC
178 Hartford Turnpike
Tolland, Connecticut 06084
(860) 871-0808
www.GardnerPeterson.com

From: Barbra Galovich
Sent: Friday, January 14, 2022 11:07 AM
To: Eric Peterson <epeterson@gardnerpeterson.com>
Cc: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>
Subject: FW: Staff Review - Z202120 - 74 & 80 West Road

Eric,

Hope you are doing well. Please see the below comments from Dana Steele, Town Engineer.

Thank you,
Barbra

From: Dana Steele [mailto:dsteele@irrusso.com]
Sent: Friday, January 14, 2022 10:57 AM
To: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>
Cc: Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>; John Colonese <jcolonese@ELLINGTON-CT.GOV>
Subject: RE: Staff Review - Z202120 - 74 & 80 West Road

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Lisa,

I’ve reviewed the plans and drainage narrative for new greenhouse, storage and parking areas at Ellington Agway, 74 & 80 West Road. My comments are as follows:

1. Regarding your question about curb cuts, it does appear the existing curb cuts are excessive in width and number.
   a. The southern curb cut could be reduced in width depending on the size of vehicle needing to access this entrance. A 30’ width would be sufficient for passenger vehicles. If trucks need to use this driveway
then a wider width may be required. You could ask the engineer to provide turning template diagrams to demonstrate the required width.

b. The middle curb cut could be eliminated.
c. The island between the road and parking lot could be widened to 14’ (matching the width at the free standing sign) while maintaining a 24’ aisle for the parking lot.

2. The accessible parking space proposed for the greenhouse does not appear to be as close to the door as possible and may not meet the maximum grade requirements. I suggest relocating the accessible space in front of the northern door entrance to the greenhouse.

3. I agree with the engineer’s runoff analysis that there will be no change in peak runoff from the site.

Dana P. Steele, P.E.
Ellington Town Engineer

From: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>
Sent: Thursday, January 6, 2022 10:09 AM
To: Dana Steele <dsteele@irrusso.com>
Subject: FW: Staff Review - Z202120 - 74 & 80 West Road

Good Morning Dana!

I anticipate the Planning and Zoning Commission to discuss the curb cuts and islands along Route 83. Their objective will be to lessen the number and width of cuts along 83 and increase the width of landscaped islands. The maximum width of island will be whatever can be accomplished while maintaining a 24’ travel way. From an engineering perspective, do you a schematic that meets the PZC’s objectives while considering safety, circulation and other good engineering practices?

Thank you in advance for your time and guidance. Let me know if you have any questions.

Very best regards,

Lisa
Lisa M. Houlihan, CZEO, AICP
Ellington Town Planner
PO Box 187 / 55 Main Street / Ellington, CT 06029
Phone: 860-870-3120 / Fax: 860-870-3122
Website: www.ellington-ct.gov Email: lhoulihan@ellington-ct.gov
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

On behalf of the applicant, Brooks Crossing Developers, LLC, we are **requesting a 180 day extension for the filing of the final mylars.**

Very truly yours,

David S. Ziaks, PE
Town of Ellington
Planning & Zoning Commission Application

Type of Application:  ☑ Amendment to Regulation
☐ Zone Change  ☐ Site Plan Approval  ☐ Special Permit  ☐ Modification  ☐ CGS 8-24

Application # Z202121
Date Received 12/29/2021

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

Owner's Information

Name:  Town of Ellington
Mailing Address:  57 Main Street
Ellington, CT 06029

Email:  

WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU?  ☑ Yes  ☐ No
Primary Contact Phone #:  860-876-3120
Secondary Contact Phone #:  

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. Additionally, 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.

Applicant's Information (if different than owner)

Name:  Planning & Zoning Commission
Mailing Address:  

Email:  

WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU?  ☑ Yes  ☐ No
Primary Contact Phone #:  
Secondary Contact Phone #:  

Signature:  
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.

Street Address:  Townwide

Assessor's Parcel Number (APN):  

Existing Zone:  ☑ C, PC, 1 & 3P Zones
Proposed Zone:  

(If none, insert "N/A"

Public Water:  ☐ Yes  ☑ No  Public Sewer:  ☐ Yes  ☐ No  If not served by public water and sewer, applicant/owner shall make application to North Central District Health Department (Enfield Office).

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

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

Is the project in a public water supply watershed area?  ☐ Yes  ☑ No  If yes, applicant shall notify Connecticut Water Company and Commissioner of Public Health about the proposed project by certified mail return receipt within 7 days of application (§8-336b). Copy of application, plans, and supporting documents must accompany notice. Proof of notice and copies of return receipts must be provided to the Planning Department.

Description of Request (If more space is needed, please attach additional sheets)

I am attached proposed text amendment to Section 6.3.7(b) Detached Electronic Fuel Price Signs in C, PC, I and 3P Zones - 12 month

Mentorium.
Section 6.3.7(B) for detached electronic fuel price signs became effective March 15, 2020, and prior to adoption electronic fuel price signs were not permitted. At the December 2021 meeting you reviewed the regulation and the most recent application seeking approval for a detached electronic fuel price sign that was withdrawn after two public hearings. After review and discussion, you concluded regulation 6.3.7(B) needs reconsideration. Concurrently, you agreed to set a temporary moratorium disallowing applications for detached electronic fuel price signs while you contemplate existing regulations. The below text amendment, once adopted, establishes a six month moratorium for detached electronic fuel price signs.

PROPOSED TEXT AMENDMENT

Additions are bolded and underlined

The Planning and Zoning Commission hereby adopts a six month moratorium for Section 6.3.7(B) detached electronic fuel price signs in C, PC, I, and IP zones of the Ellington Zoning Regulations. During this time, the commission shall not accept, review and/or decide on any application seeking to establish detached electronic fuel price signs for six (6) months following the effective date of this regulation.
January 14, 2022

TO: ELLINGTON PLANNING AND ZONING COMMISSION

REPORT ON ZONING REFERRAL Z-2021-158: Proposed zoning amendment pertaining to a 6 month moratorium on detached electronic fuel price signs.

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

COMMENT: The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this zoning referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns.

The public hearing date has been scheduled for 1/24/2022.

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

[Signature]

Christopher Henchey
Transportation Planner
IN PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT
REMOTE ATTENDANCE: ZOOM VIDEO CONFERENCING

MEMBERS PRESENT:
IN PERSON: CHAIRMAN ARLO HOFFMAN, VICE CHAIRMAN SEAN KELLY, SECRETARY ROBERT SANDBERG, JR, REGULAR MEMBERS WILLIAM HOGAN, F. MICHAEL FRANCIS AND MICHAEL SWANSON, AND ALTERNATE KEN RADZIWIN

MEMBERS ABSENT:
REGULAR MEMBER JON MOSER

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

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

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

III. PUBLIC HEARING(S):

1. 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 (Industrial Park) Zone. (Continued from November 15, 2021 PZC meeting.)

Time: 7:02 pm
Seated: Hoffman, Kelly, Sandberg, Hogan, Francis, Swanson, and Radziwon

PLANS REVIEWED: Property Survey, Land of Juliano Family One LLC, #100 Windermere Avenue, Ellington, Connecticut; Prepared by: Juliano Associates, 405 Main Street (Yalesville) Wallingford, Connecticut; Scale: 1"=40'; Sheet: 1 of 5; Date: 05/26/21, Revised date: 12/08/2021.
Property Survey, Land of Juliano Family One LLC, #100 Windermere Avenue, Ellington, Connecticut; Prepared by: Juliano Associates, 405 Main Street (Yalesville) Wallingford, Connecticut; Scale: 1"=40'; Sheet: 2 of 5; Date: 05/26/21, Revised date: 12/08/2021.
Erosion Control Specifications and Details, Land of Juliano Family One LLC, #100 Windermere Avenue, Ellington, Connecticut; Prepared by: Juliano Associates, 405 Main Street (Yalesville) Wallingford, Connecticut; Scale: 1"=40'; Sheet: 3 of 5; Date: 05/29/21.
Drainage Area Map, Land of Juliano Family One LLC, #100 Windermere Avenue, Ellington, Connecticut; Prepared by: Juliano Associates, 405 Main Street (Yalesville) Wallingford, Connecticut; Scale: 1"=40'; Sheet: 4 of 5; Date: 09/23/21.
Details, Construction Sequence & Maintenance Plan, Land of Juliano Family One LLC, #100 Windermere Avenue, Ellington, Connecticut; Prepared by: Juliano Associates, 405 Main Street (Yalesville) Wallingford, Connecticut; Scale: 1"=40'; Sheet: 5 of 5; Date: 10/08/21.
Site Lighting Photometric Calculation, 100 Windermere Avenue, Ellington; Prepared by: Apex Lighting Solutions; 860-532-8766; Scale: 1"=20'; Sheet: SL-IC; Date: 12/07/21.

Brian Juliano and Bryan Cormier, Juliano Pools, 100 Windermere Avenue were present to represent the application.
Ms. Houlihan informed the commission that the Planning Department received updated comments from the Town Engineer stating all of his previous concerns have been met, noting a copy of his memo has been provided to them tonight. Mr. Cormier handed out six photos taken of the site earlier in the day showing progress they've made with installing sod and landscaping. He said the first coat of asphalt has been laid and the top coat will need to be installed in April of 2022; landscaping is about 90% complete and will be finished this week. They have 85,000 sf of sod left to finish. The lights near the building will be turned on tomorrow. The current condition of the parcel was briefly discussed. Mr. Juliano stated he received calls from town officials and in response they installed a tracking pad and silt fence and swept the road. The remaining pile of materials will be removed from the site and he will strip the first coat parking areas and each vehicle will be assigned a specific parking spot to assist with how the overall site looks.

Chairman Hoffman inquired about the water runoff from recent heavy rainfall. Mr. Juliano stated the sheet flow was good with the exception of a couple of puddles.

Ms. Houlihan explained decision timelines and said the applicant will have to come back to the commission for phase 2. The hearing must be closed tonight, but the commission has an additional 35 days to render a decision. Secretary Sandberg asked about fencing, Mr. Cormier said materials have been ordered and if weather permits they will install the fence now or they will have to wait until the frost thaws. They will look for signage approval in phase 2. Mr. Juliano noted the arborvitaes on the south side of the parcel have been installed.

Mr. Juliano stated George Logan, Soil Scientist, was onsite and flagged the wetlands. The new wetlands delineation was added to the site plan and Mr. Logan suggests moving the detention basin as shown on phase I on a portion of phase II land. Ms. Houlihan said the plan will need additional approvals from the Inland Wetlands Agency, and stressed the need for additional buffering along Lower Butcher Road.

Commissioner Hogan recognized the positive steps taken to complete the project and organize the site. His expressed concern with the number of vehicles onsite and the work done within phase 2 without approvals. Mr. Juliano explained once the parking is stripped, it will be easier for his employees to know where to park. In response to the commission, Mr. Juliano explained the site is not advertised as a retail location. He said once in a while an individual may stop by but they'll be redirected to the Vernon location. In response to Commissioner Hogan, Mr. Juliano stated all remaining vehicles over what the site plan allots for will be stored off site. He noted that he would like to have excavators stored in phase 2. Commissioner Hogan asked about other large equipment onsite. Mr. Juliano said the scaffolding and piping will be stored inside the building. If his mother's business is moved out and to another location in town (Florence Avenue). Commissioner Hogan stated there should be a condition stating that parking of all vehicles will be on asphalt and the detention basin needs to be completed. Ms. Houlihan explained there is limitations for how Florence Avenue can be used.

Ms. Houlihan explained the Inland Wetlands Agency will need to review the proposed activity for phase 2 before doing any additional work. Chairman Hoffman said his main concern is the protection of the river and to keep the parking of vehicles neat. He suggested Mr. Juliano submit application from phase 2 soon.

Secretary Sandberg thanked Mr. Juliano for bringing his business to town and suggested he use the same lighting and fencing used at the site across the street (BarnYard). Commissioner Swanson's concern is the mud, noise and utilizing the back portion without approvals. He asked what the hours of operations would be, Mr. Juliano said big trucks start at 6:00 a.m. and all of the other trucks start at 7:00 a.m. Alternate Radziwon expressed concern for protecting the wetlands and noted phase 2 plans may require the applicant to seek review by the Army Corp of Engineers.
Mr. Juliano noted parking stripping will be complete shortly and the fencing will be installed upon arrival of materials. The light poles are backordered, but the conduit has been installed.

No one from the public spoke regarding the application.

MOVED (HOGAN) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING - 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 (Industrial Park) Zone.

BY CONSENSUS, TABLED DECISION TO MONDAY, JANUARY 24, 2022, 7:00 PM REGULAR MEETING AT THE TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT AND ZOOM VIDEO CONFERENCING 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 (Industrial Park) Zone.

1. 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. (Continued from November 15, 2021 PZC meeting)

   Time: 7:51 pm
   Seated: Hoffman, Kelly, Sandberg, Hogan, Francis, Swanson, and Radziwon

Chairman Hoffman stated there is a request for withdrawal letter in the file.

MOVED (KELLY) SECONDED (HOGAN) AND PASSED UNANIMOUSLY TO ACCEPT WITHDRAWAL 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:

1. 201506 – Request to release bond for Windermere Village, a multi-family development located on Windermere Avenue pursuant to a letter dated October 25, 2021 from Quantum of Ellington, II, LLC.

   Ms. Houlihan reviewed Dana Steele, Town Engineer’s email dated December 16, 2021.

MOVED (SANDBERG) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO APPROVE MODIFICATIONS TO BONDING AS RECOMMENDED BY THE TOWN ENGINEER DATED DECEMBER 16, 2021 FOR 201506 – Request to release bond for Windermere Village, a multi-family development located on Windermere Avenue pursuant to a letter dated October 25, 2021 from Quantum of Ellington, II, LLC.

BY CONSENSUS, COMMISSION ADDED NEW BUSINESS ITEMS 2 THROUGH 4 TO THE AGENDA.
V. NEW BUSINESS:

1. S201802 – Request to release maintenance bond for Crestwood V subdivision, extension of Ellsworth Lane and Brook Crossing Extension, accepted by the Board of Selectmen on December 14, 2020, pursuant to inquiry dated December 1, 2021, Nutmeg Construction, developer.

Ms. Houlihan referred to an updated email from Dana Steele, Town Engineer, dated December 16, 2021, confirming all previous concerns were met.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE RELEASE OF MAINTENANCE BOND AS RECOMMENDED BY THE TOWN ENGINEER AND DIRECTOR OF PUBLIC WORKS DATED DECEMBER 16, 2021 FOR S201802 – Request to release maintenance bond for Crestwood V subdivision, extension of Ellsworth Lane and Brook Crossing Extension, accepted by the Board of Selectmen on December 14, 2020, pursuant to inquiry dated December 1, 2021, Nutmeg Construction, developer.

2. Z202118 – Pursuant to a memo dated December 16, 2021, and action taken by the Board of Selectmen on December 13, 2021, request for CGS §8-24 referral for various renovations, improvements, and additions to Windermere Elementary School, 2 Abbott Road, APN 008-010-0000, in the Residential (R) Zone.

The commission round tabled and concluded the town will need to apply for any applicable land use approvals prior to construction.

MOVED (KELLY), SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO GRANT A FAVORABLE REPORT TO THE BOARD OF SELECTMEN FOR VARIOUS RENOVATIONS, IMPROVEMENTS, AND ADDITIONS TO WINDERMERE ELEMENTARY SCHOOL, 2 ABBOTT ROAD, APN 008-010-0000, IN THE RESIDENTIAL (R) ZONE, PURSUANT TO A MEMO DATED DECEMBER 16, 2021, AND ACTION BY THE BOARD OF SELECTMEN ON DECEMBER 13, 2021. IN SO RECOMMENDING, THE COMMISSION FINDS THE ACTIVITY CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT.

DISCUSSION: ANY FUTURE DEVELOPMENT PROJECT IS SUBJECT TO AND SHALL COMPLY WITH ALL APPLICABLE ZONING, SITE PLAN, SUBDIVISION, INLAND WETLAND AND OTHER APPLICABLE LAWS, REGULATIONS AND PERMIT APPROVALS.

3. Z202119 – Pursuant to a memo dated December 16, 2021, and action taken by the Board of Selectmen on December 13, 2021, request for CGS §8-24 referral for acquisition of, installation of, and improvements to lighting at various athletic facilities of the town, including Ellington High School, Teford Park and Pinney Street Fields.

The commission round tabled and concluded the town will need to apply for any applicable land use approvals prior to construction.

MOVED (KELLY), SECONDED (HOGAN) AND PASSED UNANIMOUSLY TO GRANT A FAVORABLE REPORT TO THE BOARD OF SELECTMEN FOR ACQUISITION OF, INSTALLATION OF, AND IMPROVEMENTS TO LIGHTING AT VARIOUS ATHLETIC FACILITIES OF THE TOWN, INCLUDING ELLINGTON HIGH SCHOOL, TEDFORD PARK AND PINNEY STREET_FIELDS, PURSUANT TO A MEMO DATED DECEMBER 16, 2021, AND ACTION BY THE BOARD OF SELECTMEN ON DECEMBER 13, 2021. IN SO RECOMMENDING, THE COMMISSION FINDS THE ACTIVITY CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT.
DISCUSSION: ANY FUTURE DEVELOPMENT PROJECT IS SUBJECT TO AND SHALL COMPLY WITH ALL APPLICABLE ZONING, SITE PLAN, SUBDIVISION, INLAND WETLAND AND OTHER APPLICABLE LAWS, REGULATIONS AND PERMIT APPROVALS.

4. Z202120 – Seventy-four (74) West Road, LLC and KUP Enterprises, LLC, owners/ Seventy-four (74) West Road, LLC, applicant, request for modification to Site Plan and Special Permit approvals for a proposed greenhouse, façade improvements, outside storage, additional parking and landscaping, and related site improvements for Agway of Ellington at 74 West Road, APN 028-002-0000 & 80 West Road, APN 028-003-0000, in a Commercial (C) zone.

BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED PUBLIC HEARING FOR MONDAY, JANUARY 24, 2022, 7:00 PM REGULAR MEETING AT THE TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT AND ZOOM VIDEO CONFERENCING FOR Z202120 – Seventy-four (74) West Road, LLC and KUP Enterprises, LLC, owners/ Seventy-four (74) West Road, LLC, applicant, request for modification to Site Plan and Special Permit approvals for a proposed greenhouse, façade improvements, outside storage, additional parking and landscaping, and related site improvements for Agway of Ellington at 74 West Road, APN 028-002-0000 & 80 West Road, APN 028-003-0000, in a Commercial (C) zone.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of Planning and Zoning Commission November 15, 2021 Regular Meeting Minutes.

   MOVED (HOGAN) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE THE NOVEMBER 15, 2021 REGULAR MEETING MINUTES AS WRITTEN.

2. Appointment of PZC Representative to serve on the Permanent Building Committee.

   Secretary Sandberg nominated Sean Kelly for the position, Mr. Kelly accepted the nomination. No other commission members were nominated.

   MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPOINT COMMISSIONER (KELLY) TO SERVE AS PZC REPRESENTATIVE ON THE PERMANENT BUILDING COMMITTEE FOR THE NEXT TWO YEAR TERM.

3. Correspondence/Discussion:
   a. Discussion: Potential amendment to Section 6.3.7(b) - electronic fuel price signs.

      The commission discussed removing the digital pricing section from the Zoning Regulations, adding more specific standards for lighting levels, and decreasing the size digital numbering can be. It was suggested to use Big Y Express fuel price sign as an example. Commissioner Hogan and Alternate Radziwon offered to help with verbiage for the section. It was decided to have a six (6) month moratorium and propose amendments to Section 6.3.7(b).

   b. Discussion: Potential amendment to allow storage sheds as permitted primary uses.

      The commission discussed the possibility of allowing storage sheds as a permitted primary use in residential zones. A parcel must be 3 acres or more and the shed no greater than 300 sf. Standard should not allow utilities or water connections and cannot be lived in. A building permit will be required if over 200 sf and Zoning Permit will be required for all storage sheds.
c. CT DEEP – Notice of Tentative Decision – Oakridge Dairy, LLC

Ms. Houlihan reviewed the Notice of Tentative Decision received by the Planning Department on December 15, 2021.

VII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 8:40 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk
Town of Ellington
Planning Department

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

DATE: December 29, 2021

TO: Planning and Zoning Commission

FROM: Lisa M. Houlihan, AICP, Town Planner

SUBJECT: Discussion: Potential Zoning Regulation Amendment to Section 3.1.3 Accessory Uses/Structures to Allow Storage Sheds as Permitted Primary Uses/Structures in Single Family Residential Zones.

At last month’s meeting you discussed potential amendments to the Ellington Zoning Regulations to allow storage sheds, typically considered accessory structures, as permitted principal structures in residential zones when certain standards are present. The parameters you discussed include limiting the size of permitted storage sheds, establishing a minimum lot size, and disallowing utility connections. Below is a draft text amendment for further discussion.

Additions are bolded and underlined / Otherwise text is as adopted

ARTICLE 3 - RESIDENTIAL ZONES
Section 3.1 Permitted Uses
The following table establishes those uses allowed in the residential zoning districts.

<table>
<thead>
<tr>
<th>P</th>
<th>Permitted Use</th>
<th>SP</th>
<th>Use Allowed by Special</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3.1.3 ACCESSORY USES / STRUCTURES</th>
<th>Rural Agricultural / Residential</th>
<th>Residential</th>
<th>Lake Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Storage Shed (1)</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

(1) A storage shed is a permitted accessory structure, building or use without the presence of a principal structure, building, or use, when 1) the storage shed is located on property in the rural agricultural residential, residential, or lake residential zones, 2) the storage shed is located on a parcel that is 3 acres or more in size, 3) the storage shed is 300 square feet or less in size, 4) the storage shed has only one story, and 5) the storage shed lacks utility connections.
DATE: January 4, 2022
TO: Planning and Zoning Commission
FROM: Lisa M. Houlihan, AICP, Town Planner
RE: Request to Extend Existing Moratorium for Adult-use Cannabis Production and Dispensary Facilities, Pursuant to Public Act 21-1 - An Act Concerning Responsible and Equitable Regulation of Adult-use Cannabis

Last year after the enactment of PA 21-1 - An Act Concerning Responsible and Equitable Regulation of Adult-use Cannabis, a six (6) month moratorium was adopted removing the commission’s obligation to consider applications for cannabis establishments and allowing time to investigate impacts legalization of marijuana may have to the overall health, safety, and general welfare in Ellington. The moratorium was effective October 1, 2021, and will expire March 31, 2022. The Act identifies May 2022 as the first date when marijuana businesses will be allowed to open in Connecticut and requires the Connecticut Department of Consumer Protection (DCP) to establish licensing and application procedures. To date the DCP has not released procedures and additional time is needed to review impacts Public Act 21-1 may have. Please authorize the processing of a new text amendment extending the existing moratorium for an additional six month; if authorized, a hearing will be schedule for February, 28, 2022, with a potential regulation effective date of March 1, 2022.

Below is a draft text amendment for review.

**DRAFT TEXT AMENDMENT**

*ADDITIONS are bolded and underlined, Deletions are strikethrough, Otherwise as adopted*

Section 7.16 Cannabis Establishment Moratorium - Pursuant to Public Act 21-1 An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis, the Planning and Zoning Commission hereby adopts a extends the temporary moratorium effective October 1, 2021, set to expire March 31, 2022, for an additional six (6) months extending the moratorium through September 30, 2022, for cannabis establishments and shall not permit them in any zone until the Planning and Zoning Commission has had time to carefully consider such facilities and what regulations should govern them for six (6) months following the effective date of this regulation.