



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES

MONDAY, FEBRUARY 28, 2022, 7:00 PM

IN PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT

REMOTE ATTENDANCE: ZOOM VIDEO CONFERENCING

(ATTENDEES BELOW WERE IN PERSON UNLESS OTHERWISE NOTED)

MEMBERS PRESENT: CHAIRMAN ARLO HOFFMAN, VICE CHAIRMAN SEAN KELLY, SECRETARY ROBERT SANDBERG, JR. (REMOTE), REGULAR MEMBERS WILLIAM HOGAN, F. MICHAEL FRANCIS, JON MOSER AND MICHAEL SWANSON, ALTERNATES KEN RADZIOW AND RACHEL DEARBORN

MEMBERS ABSENT: NONE

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

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

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

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

1. Z202121 - Town of Ellington Planning & Zoning Commission, text amendment for a six (6) month moratorium for Section 6.3.7.B of the Ellington Zoning Regulations for detached electronic fuel price signs.

Time: 7:01 pm

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

Ms. Houlihan said the commission established the regulation back in March 2020 and since then they have reviewed a couple of applications, and the most recent application was withdrawn after a couple of public hearings. She noted since the commission would like to re-evaluate the regulation, it was suggested to put a six month moratorium on the section until they decided how to move forward with the language. No one from the public spoke regarding the application.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202121 - Town of Ellington Planning & Zoning Commission, text amendment for a six (6) month moratorium for Section 6.3.7.B of the Ellington Zoning Regulations for detached electronic fuel price signs.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE Z202121 - Town of Ellington Planning & Zoning Commission, text amendment for a six (6) month moratorium for Section 6.3.7.B of the Ellington Zoning Regulations for detached electronic fuel price signs. **EFFECTIVE DATE: MARCH 3, 2022.**

2. Z202201 - Town of Ellington Planning & Zoning Commission, text amendment for Section 3.1.3 Accessory Uses/Structures to allow a single storage shed as a permitted principal building/structure/use in the rural agricultural residential (RAR) and residential (R) zones.

Time: 7:03 pm

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

Ms. Houlihan briefly outlined the proposed text amendment, which would allow a single storage shed without the presence of a principle building, structure or use in the rural agricultural residential and residential zones when certain standards met. The storage shed would be allowed on parcels 3 acres or more in size, to only have a single story, and lack utility connections.

Vice Chairman Kelly is flexible with the 300 square foot (sf) limitation and noted the proposed regulation does not address solar access like discussed at last month's meeting. He liked the wording for the proposed regulation. Commissioner Hogan questioned the size of the storage shed and suggested the allowable size not exceed 250 sf. Ms. Houlihan explained the standard size for a single car garage is 12x24 (288 sf). Commissioner Swanson stated the size of the structure should be big enough to accommodate equipment needed to maintain larger properties and felt 300 sf or less was adequate. Commissioner Moser said a farmer may need solar power for a generator and a shed is a good way to protect equipment and tools. They discussed the utility connection portion of the regulation and made a determination to add the word "public" to emphasize the shed may not be connected to any public utilities.

Alternate Radziwon stated 300 sf is appropriate for storage of a tractor or a log splitter. Alternate Dearborn was agreeable with the size and suggested to disallow private wells or septic system connections too. Secretary Sandberg said he was fine with the proposed size of shed, but would support a smaller size. Commissioner Francis finished the conversation about the possibility of utilizing a storage container on the site. No one from the public spoke regarding the application.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202201 - Town of Ellington Planning & Zoning Commission, text amendment for Section 3.1.3 Accessory Uses/Structures to allow a single storage shed as a permitted principal building/structure/use in the rural agricultural residential (RAR) and residential (R) zones.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE WITH MODIFICATION Z202201 - Town of Ellington Planning & Zoning Commission, text amendment for Section 3.1.3 Accessory Uses/Structures to allow a single storage shed as a permitted principal building/structure/use in the rural agricultural residential (RAR) and residential (R) zones. **EFFECTIVE DATE: MARCH 3, 2022.**

3. Z202202 – Town of Ellington Planning & Zoning Commission, text amendment to extend existing moratorium for adult-use cannabis production and dispensary facilities, Z202116 set to expire March 31, 2022, through October 31, 2022, pursuant to Public Act 21-1 An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis.

Time: 7:22 PM

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

Vice-Chairman Kelly explained the existing moratorium is due to expire on March 31, 2022. Last month the commission decided to extend the moratorium until October 31, 2022, to allow more time to carefully consider such facilities. The Department of Consumer Protection has not released their procedures for processing applications. No one from the public spoke regarding the application.

MOVED (HOGAN) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202202 – Town of Ellington Planning & Zoning Commission, text amendment to extend existing moratorium for adult-use cannabis production and dispensary facilities, Z202116 set to expire March 31, 2022, through October 31, 2022, pursuant to Public Act 21-1 An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis.

MOVED (HOGAN) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO APPROVE Z202202 – Town of Ellington Planning & Zoning Commission, text amendment to extend existing moratorium for adult-use cannabis production and dispensary facilities, Z202116 set to expire March 31, 2022, through October 31, 2022, pursuant to Public Act 21-1 An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis. **EFFECTIVE DATE: MARCH 3, 2022.**

IV. OLD BUSINESS: None

V. NEW BUSINESS: None

VI. ADMINISTRATIVE BUSINESS:

1. Approval of Planning and Zoning Commission January 24, 2022 Regular Meeting Minutes.

MOVED (SWANSON) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE THE JANUARY 24, 2022 REGULAR MEETING MINUTES WITH ONE CORRECTION ON PAGE 3 OF 6, LAST PARAGRAPH, FIRST LINE CHANGE THE WORD AWAY TO AGWAY.

2. Election of Officers

a. Chairman Position

MOVED (SWANSON) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO NOMINATE COMMISSIONER (HOFFMAN) FOR CHAIRMAN OF THE PLANNING & ZONING COMMISSION FOR THE YEAR OF 2022.

COMMISSIONER (HOFFMAN) ACCEPTED THE NOMINATION.

HEARING NO FURTHER NOMINATIONS, MOVED (HOGAN) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ELECT COMMISSIONER (HOFFMAN) FOR CHAIRMAN OF THE PLANNING & ZONING COMMISSION FOR THE YEAR OF 2022.

b. Vice-Chairman Position

MOVED (SWANSON) SECONDED (SANDBERG) AND PASSED UNANIMOUSLY TO NOMINATE COMMISSIONER (KELLY) FOR VICE-CHAIRMAN OF THE PLANNING & ZONING COMMISSION FOR THE YEAR OF 2022.

COMMISSIONER (KELLY) ACCEPTED THE NOMINATION.

HEARING NO FURTHER NOMINATIONS, MOVED (SWANSON) SECONDED (SANDBERG) AND PASSED UNANIMOUSLY TO ELECT COMMISSIONER (KELLY) FOR VICE-CHAIRMAN OF THE PLANNING & ZONING COMMISSION FOR THE YEAR OF 2022.

c. Secretary Position

MOVED (KELLY) SECONDED (HOGAN) AND PASSED UNANIMOUSLY TO NOMINATE COMMISSIONER (SANDBERG) FOR SECRETARY OF THE PLANNING & ZONING COMMISSION FOR THE YEAR OF 2022.

COMMISSIONER (SANDBERG) ACCEPTED THE NOMINATION.

HEARING NO FURTHER NOMINATIONS, MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ELECT COMMISSIONER (SANDBERG) FOR SECRETARY OF THE PLANNING & ZONING COMMISSION FOR THE YEAR OF 2022.

3. Correspondence/Discussion:

- a. Discussion: Potential Zoning Text Amendment to Section 6.3.7.B – Detached Signs Permitted in C, PC, I, and IP zones for Electronic Fuel Price Signs.

Ms. Houlihan reviewed the draft text changes suggested by Commissioner Hogan as noted in her memo dated January 26, 2022. She said any business that currently has a detached electronic fuel price sign would be considered grandfathered, but others would need to abide by current regulations. Commissioner Hogan explained he is in favor of only allowing two rows of electronic fuel price copy, noting the more rows the brighter the sign. The commission conducted roundtable discussion about eliminating detached LED fuel price signs or to revise the regulations. Six commission members supported not allowing the LED signs. It was mentioned that some gas stations are requesting to update their signs to LED by corporate leadership. Chairman Hoffman stated the commission is trying to be business friendly, as well as being aware of safety concerns with the brightness of the LEDs. He suggested since there is a moratorium on the section, the commission resume discussion next month.

Commissioners expressed safety concerns for bright exterior lights at Valero's that directs light toward Route 83 and is not positioned downward. They also felt the lights recently installed at Juliano's Pools are not what they said they would install nor what the commission approved. The lights shine out and not downward, are not shielded, and are not consistent with lighting at Great Country Garages across the street from Juliano's.

- b. Discussion: Section 6.3.7 Detached Signs Permitted in C, PC, I and IP Zones and Section 6.3.3(3) Directional Signs.

No discussion took place pertaining to Section 6.3.7 Detached Signs Permitted in C, PC, I and IP Zones and Section 6.3.3(3) Directional Signs.

VII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 7:53 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk