



STATE OF CONNECTICUT – COUNTY OF TOLLAND  
INCORPORATED 1786

## TOWN OF ELLINGTON

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### PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES MONDAY, APRIL 25, 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., REGULAR MEMBERS WILLIAM HOGAN, F. MICHAEL FRANCIS, MICHAEL SWANSON AND JON MOSER, AND ALTERNATE RACHEL DEARBORN**

**MEMBERS ABSENT: ALTERNATE KEN RADZIOW**

**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):**

1. Z202203 - Juliano Family One, LLC, owner/Brian Juliano, applicant, request to modify Special Permit and Site Plan Approval to move retention pond approved in phase I, expand pavement for parking and outdoor storage, and associated site improvements at 100 Windermere Avenue, APN 018-021-0000, in the IP (Industrial Park) Zone.

**Time:** 7:01 pm

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

Chairman Hoffman stated the Planning Department received a request to table the opening of the public hearing for this application to May 23, 2022.

**MOVED (SWANSON) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO TABLE OPENING OF HEARING TO THE NEXT MEETING ON MONDAY, MAY 23, 2022, 7:00 PM, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202203 - Juliano Family One, LLC, owner/Brian Juliano, applicant, request to modify Special Permit and Site Plan Approval to move retention pond approved in phase I, expand pavement for parking and outdoor storage, and associated site improvements at 100 Windermere Avenue, APN 018-021-0000, in the IP (Industrial Park) Zone.**

2. Z202204 – 420 Somers Road, LLC, owner/applicant, request for Special Permit for retail sale of baked goods at 420 Somers Road, APN 121-031-0000, in an I (Industrial) Zone.

**Time:** 7:03 pm

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

Joshua Virkler, 77 West Road, was present to represent the application.

Mr. Virkler explained LuAnn's would like to utilize space within the front building on the parcel for sale of gluten free baked goods due to the increase in demand for the product. He stated they are looking to sell gluten free baked goods on Saturdays from 8 am to noon on the main floor of the front building. There's a couple other businesses occupying some of the other floor space.

Ms. Houlihan referred to comments from North Central District Health Department (NCDHD) and the Fire Marshal's Office, which were forwarded to Mr. Virkler upon receipt. She stated if sale of baked goods is approved, review by both departments will be required. Vice Chairman Kelly asked if they intend on having additional signage, Mr. Virkler said there will be a sign on the front door with hours of operation but no additional detached signage will be added to the site. Commissioner Hogan verified with Mr. Virkler that all baking will be completed in the rear production facility and brought over to the front building for retail. They have a whole section dedicated to gluten free baked goods. No one from the public spoke regarding the application.

**MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202204** – 420 Somers Road, LLC, owner/applicant, request for Special Permit for retail sale of baked goods at 420 Somers Road, APN 121-031-0000, in an I (Industrial) Zone.

**MOVED (HOGAN) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE W/CONDITIONS FOR Z202204** – 420 Somers Road, LLC, owner/applicant, request for Special Permit for retail sale of baked goods at 420 Somers Road, APN 121-031-0000, in an I (Industrial) Zone.

**CONDITIONS OF APPROVAL:**

1. Change in use from business to mercantile requires review by the Fire Marshal's office.
2. Sale of baked goods requires review by North Central District Health Department.

**IV. OLD BUSINESS: None**

**V. NEW BUSINESS:**

1. Z202205 – Apostolic Christian Church of Ellington, owner/applicant, request for Special Permit pursuant to 3.1.4 - Community/Institutional Uses and Site Plan Modification to construct a fellowship hall, patio/gathering areas, drives, parking, utilities and associated improvements at 34 Middle Butcher Road, APN 028-023-0000, in a R (Residential) Zone.

**BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED A PUBLIC HEARING FOR THE PLANNING AND ZONING COMMISSION MEETING ON MAY 23, 2022, 7:00 PM, AT THE TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT AND ZOOM VIDEO CONFERENCING FOR Z202205** – Apostolic Christian Church of Ellington, owner/applicant, request for Special Permit pursuant to 3.1.4 - Community/Institutional Uses and Site Plan Modification to construct a fellowship hall, patio/gathering areas, drives, parking, utilities and associated improvements at 34 Middle Butcher Road, APN 028-023-0000, in a R (Residential) Zone.

2. Z202206 – Jeff McKnight, owner/ Ryan Orszulak (Double M Yard Supply), applicant, request for Special Permit pursuant to 7.5 - Earth Excavation to import, stockpile and export farm soils for home farming and gardening use and Site Plan Approval for associated improvements at 103 Sadds Mill Road, APN 088-021-0000, in a RAR (Rural Agricultural Residential) Zone.

**BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED A PUBLIC HEARING FOR THE PLANNING AND ZONING COMMISSION MEETING ON MAY 23, 2022, 7:00 PM, AT THE TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT AND ZOOM VIDEO**

**CONFERENCING FOR Z202206** – Jeff McKnight, owner/ Ryan Orszulak (Double M Yard Supply), applicant, request for Special Permit pursuant to 7.5 - Earth Excavation to import, stockpile and export farm soils for home farming and gardening use and Site Plan Approval for associated improvements at 103 Sadds Mill Road, APN 088-021-0000, in a RAR (Rural Agricultural Residential) Zone.

**BY CONSENSUS, THE COMMISSION ADDED ITEMS # 3-5 TO THE AGENDA.**

3. Z202207 – Neil Casey, owner/ applicant, request for Special Permit pursuant to Section 3.1.3 for garages for more than 3 cars per family unit associated with the construction of a detached accessory structure (28'x40') at 10 Grassy Hill Road, APN 127-014-0016, in a RAR (Rural Agricultural Residential) Zone.

**BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED A PUBLIC HEARING FOR THE PLANNING AND ZONING COMMISSION MEETING ON MAY 23, 2022, 7:00 PM, AT THE TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT AND ZOOM VIDEO**

**CONFERENCING FOR Z202207** – Neil Casey, owner/ applicant, request for Special Permit pursuant to Section 3.1.3 for garages for more than 3 cars per family unit associated with the construction of a detached accessory structure (28'x40') at 10 Grassy Hill Road, APN 127-014-0016, in a RAR (Rural Agricultural Residential) Zone.

4. Z202208 – SJM Properties LLC, owner/ Seth Carson, applicant, request to modify Special Permit and Site Plan previously approved August 27, 2012 and expired August 27, 2017, to construct a self-storage facility, fencing and gates, landscaping and related improvements at 162 Maple Street, APN 072-028-0000, in a Planned Commercial (PC) Zone.

**BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED A PUBLIC HEARING FOR THE PLANNING AND ZONING COMMISSION MEETING ON MAY 23 2022, 7:00 PM, AT THE TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT AND ZOOM VIDEO**

**CONFERENCING FOR Z202208** – SJM Properties LLC, owner/ Seth Carson, applicant, request to modify Special Permit and Site Plan previously approved August 27, 2012 and expired August 27, 2017, to construct a self-storage facility, fencing and gates, landscaping and related improvements at 162 Maple Street, APN 072-028-0000, in a Planned Commercial (PC) Zone.

5. S202201 – Ellington McIntire, LLC, owner/applicant, request for a three lot subdivision (two new lots) for 153 Webster Road, APN 185-001-0000, in a RAR (Rural Agricultural Residential) Zone.

**BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED A PUBLIC HEARING FOR THE PLANNING AND ZONING COMMISSION MEETING ON JUNE 27, 2022, 7:00 PM, AT THE TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT AND ZOOM VIDEO**

**CONFERENCING FOR S202201** – Ellington McIntire, LLC, owner/applicant, request for a three lot subdivision (two new lots) for 153 Webster Road, APN 185-001-0000, in a RAR (Rural Agricultural Residential) Zone.

**VI. ADMINISTRATIVE BUSINESS:**

1. Approval of Planning and Zoning Commission March 28, 2022 Regular Meeting Minutes.

**MOVED (KELLY) SECONDED (SWANSON) AND PASSED (HOGAN – ABSTAINED) TO APPROVE THE MARCH 28, 2022 REGULAR MEETING MINUTES AS WRITTEN.**

2. Correspondence/Discussion:

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

Ms. Houlihan referred to her memo dated April 25, 2022, pertaining to electronic fuel price signs. Commissioner Francis suggested adding the word, “green” as well as red under section 6.3.7.B.8, for diesel fuel pricing. Ms. Houlihan reviewed the proposed changes to the section. The existing moratorium will expire on September 3, 2022, and should the commission decide to move forward with changing or repealing the regulation, an application would need to be heard in August.

Commission Hogan suggested all signs be 8’ or less in height. Vice Chairman Kelly inquired about the stone base rather than any other natural materials. Chairman Hoffman suggested to change the word “stone” to “landscape” base for the detached sign. Commissioner Francis asked about businesses requesting a variance from the regulation. Commissioner Hogan discussed his observation during recent travel to the west coast and other ways businesses are using LED signs, menu boards, and string lighting to call attention to their storefronts.

The commission discussed what they are looking for, such as no sign to be internally lit and lit by an outside source or allow signs to be internally lit with limitations. Ms. Houlihan referred to Section 6.3.9 granting the commission the authority for illumination of signs.

b. Discussion: Section 6.3 - Directional Signs.

Ms. Houlihan reviewed her memo dated April 20, 2022, pertaining to the proposed text amendment. Last month the commission was comfortable with allowing logos and “Exit” or “Enter” but not business names or other advertising text. The commission discussed what a logo is versus a symbol, and limiting directional signs for safety reasons only.

Commissioner Hogan asked if wording could be added limiting directional signs at the Commission’s discretion to address unique issues like a business not being visible from the street, a challenging roadway configuration, or access issue. The way the proposed regulation is written, any business can erect directional signs; it was noted existing Section 6.3.3(3) allows directional signs by right when standards are met.

Commissioner Francis is concerned with allowing logos, symbols, designs or graphics on directional signs. Vice Chairman Kelly suggested they look at other directional signs within the area. Secretary Sandberg asked Ms. Houlihan to review other town’s regulations.

c. Representative and Alternate Appointments to CRCOG Regional Planning Commission for a two year term.

By consensus, the commission appointed Michael Swanson as representative and Jon Moser as alternate to the CRCOG Regional Planning Commission. Ms. Houlihan noted they meet four times a year and the meetings are being held via Zoom until further notice.

**VII. ADJOURNMENT:**

**MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 7:47 PM.**

Respectfully submitted,

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Barbra Galovich, Recording Clerk