PLANNING AND ZONING COMMISSION
REGULAR MEETING AGENDA
MONDAY, JUNE 27, 2022, 7:00 PM

IN-PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT
REMOTE ATTENDANCE: VIA ZOOM MEETING, INSTRUCTIONS PROVIDED BELOW

I. CALL TO ORDER:

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

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. (Opening of hearing tabled May 23, 2022.)

2. 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. (Notice requirements met, hearing may be opened.)

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. Z202209 – Derek and Darla Reutter, 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 (24'x36') at 297 Jobs Hill Road, APN 159-019-0000, in a RAR (Rural Agricultural Residential) Zone. (For receipt & scheduling of public hearing.)

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the May 23, 2022 Regular Meeting Minutes.

2. Correspondence/Discussion:
   a. Discussion: Potential discontinuation of use of the Community United Methodist Church parking lot as a town-shared parking lot at 280 Sandy Beach Road, APN 128-019-0000.
   b. Discussion: Existing moratorium for adult-use cannabis facilities and recent legislative amendments removing population thresholds as a measure for limiting adult-use cannabis retail and cultivator facilities.
c. Notice of Virtual Public Information Meeting (June 28, 2022) from the Department of Transportation for proposed improvements to the intersection of Route 140 and Burbank Road (Project No. 0047-0121).


VII. ADJOURNMENT:

Next Regular Meeting is scheduled for July 25, 2022.

Instructions to attend remotely via Zoom Meeting listed below. The agenda is posted on the Town of Ellington webpage (www.ellington-ct.gov) under Agenda & Minutes, Planning & Zoning Commission.

Join Zoom Meeting via link: https://us06web.zoom.us/j/86527040919
Meeting ID: 865 2704 0919
Passcode: 724229

Join Zoom Meeting by phone:
1-646-558-8656 US (New York)
Meeting ID: 865 2704 0919
Passcode: 724229

DATE: June 21, 2022

TO: Planning and Zoning Commission

FROM: Lisa M. Houlihan, AICP, Town Planner

RE: 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. (Hearing tabled from May 23, 2022.)

The public hearing notice requirements for Z202203 have been met and the hearing is expected to commence at the Planning and Zoning Commission (PZC) meeting on June 27, 2022, however the hearing cannot be closed nor decision rendered until the concurrent application pending before the Inland Wetlands Agency (IWA) is present. The IWA commenced review on June 13, 2022, and will continue review on July 18, 2022.

Enclosed is a copy of the latest comments from the Town Engineer to the IWA (dated June 10, 2022), the IWA meeting minutes (June 13, 2022), latest revised site development plans and narrative pages from the drainage report (May 26, 2022), photometric plan, and a copy of the Special Permit granted for phase I approvals for 100 Windermere Avenue (File Z202113).
# Town of Ellington
## Planning & Zoning Commission Application

<table>
<thead>
<tr>
<th>Type of Application:</th>
<th>□ Zone Change  □ Amendment to Regulation  ■ Site Plan Approval  □ Special Permit  □ Modification  □ CGS 3-24</th>
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<tbody>
<tr>
<td>Application #</td>
<td>Z202209</td>
</tr>
<tr>
<td>Date Received</td>
<td>3/31/2022</td>
</tr>
</tbody>
</table>

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

### Owner's Information
- **Name:** Julianno Family One LLC
- **Mailing Address:** 321 Talcottville Rd, Vernon, CT 06066
- **Email:** briana@julianno pools.com
- **Primary Contact Phone:** 860-729-6369

### Applicant's Information (if different than owner)
- **Name:**
- **Mailing Address:**
- **Email:**
- **Primary Contact Phone:**

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

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

### Signature:

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

### Street Address:
- **100 Windermere Ave**

### Assessor's Parcel Number (APN): 018-021-0000

### Existing Zone: IP
### Proposed Zone: N/A

**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

### Is 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 (§8-31b). 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)

**Phase 2 of expansion - move retaining pond from original proposed location to new proposed location - expand asphalt on upper parking for trailers - expand field area for a milling area for storage + additional trailer parking - plantings in wetland + field for screening.**
STORMWATER DRAINAGE REPORT

PROPOSED IMPROVEMENTS

#100 WINDERMERE AVENUE
ELLINGTON, CONNECTICUT
MAY 26, 2022

RECEIVED
MAY 31, 2022
TOWN OF ELLINGTON
PLANNING DEPARTMENT
STORM WATER DRAINAGE SYSTEM REPORT

HYDROLOGY & METHODOLOGY

The principal method of predicting the surface water runoff rates utilized in this report is a computer model based upon the SCS/TR-20 watershed modeling. The model forecasts the rate of surface water runoff and river flow rates based upon several factors. The input data includes information on land use, soil types, vegetation, watershed areas, time of concentrations, rainfall data, storage volumes, and hydraulic capacities of structures. The computer model predicts the amount of runoff as a function of time, including the attenuation effects due to wetlands, floodplains, bodies of water, and man made storage facilities. Runoff rates during specific rainstorms may vary due to different assumptions concerning soil moisture, water levels in ponds, snowmelt, and rainfall patterns.

The input data for rainfall with statistical recurrence frequencies of 2, 5, 10, 25, 50 and 100 years were obtained from the U.S. Weather Bureau Technical Papers. The National Weather Service developed four synthetic storms to simulate rainfall patterns around the country. For analysis within Connecticut, the type III rainfall pattern with a 24-hour distribution is valid. Years 2, 5, 10, 25, 50 and 100 year storms have been provided in the drainage report.

SITE SPECIFIC NARRATIVE

The subject site is a 250,228 Sq. Ft. (5.74 Acre) parcel located at the intersection of Windermere Avenue and Lower Butcher Road in Ellington Connecticut. The property is in the industrial park (IP) Zone. The existing site consists of commercial building with outdoor vehicle and material storage. This property was analyzed from the existing roadways to the existing wetlands. The proposed application is an extension of a previously approved site plan for the property.

The changes from the originally approved site plan include the moving of the proposed detention basin further east into the exiting wetland area. There will also be an addition of millings to the south east of the building which will be installed for outdoor storage. There will also be some minor relocation of existing wetland soils.

The proposed outdoor storage area will be constructed of approximately 17,000 sq ft of millings. This area will be graded to a small swale to the northwest and piped under the milling area. This stormwater will discharge into the proposed detention basin. The proposed detention basin will also capture all previously approved changes to the site. The excavation in the rear of the property will result in a net cut of 24,249 Cubic feet of compensatory storage volume.
The proposed rear area of the property will be graded to predominantly sheet flow into the proposed shallow detention basin. This detention basin will also receive the overflow from the front underground detention system as well as surface runoff from the proposed milling storage area. This detention basin will be predominantly grass lined except for the overflow weir. This weir will be 17.5′ wide and will be lines with 10′ of stone. The bottom of the basin will be at 222.5, have a top/berm elevation of 224.5 and a weir elevation of 222.75. The sides of the basin will be graded at a 5′H:1′V slope. During the 100 year storm the water elevation reaches 223.24′ which will leave over 1′ of freeboard on the berm. The test pit revealed soils that would drain quickly, however, a conservative infiltration rate of 1inch/hr was used.

Due to existing site conditions and ground water elevation, there is not a way to achieve 3′ of separation distance from the bottom of the detention basin to the ground water elevation. Due to site constraints, we are able to achieve 0.5′ of separation distance to groundwater in the rear detention basin. This will be a significant improvement over what is currently on the site as there is no stormwater management. Completing the Water Quality Calculation as per the 2004 DOT Drainage Manual, the required volume for the site is 796.88 Cubic Feet. WQV = (1′)(R)(A)/12 = (1′)(0.3821)(5.74)/12=0.182771 Acre – Ft = 796.88 Cubic Feet. The proposed detention basin has a volume at the weir of 16,930 Cubic Feet.

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<td>50 – Year</td>
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**Existing Property**

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**Proposed Property**
# Proposed Rear Detention Basin

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<th>Elevation (feet)</th>
<th>Storage (cubic – feet)</th>
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<td>26.26</td>
<td>19.91</td>
<td>223.30</td>
<td>13,287</td>
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In summary,

As indicated within the previous tables, the post construction flows leaving the site will be less than existing conditions flows for all storm events up to and including the 100-year design storm thereby confirming that the project's storm water handling plan meets the Town and State requirements for storm water management.

Juliano Associates, LLC
Christopher S. Juliano, PELS #19725
CERTIFICATE OF SPECIAL PERMIT
GRANTED BY THE ELLINGTON PLANNING AND ZONING COMMISSION

At their meeting on January 24, 2022 the Ellington Planning and Zoning Commission voted to approve the following Special Permit:

1. Application Number: Z202113

2. Owner of Record: Juliano Family One, LLC
321 Talcottville Road
Vernon, CT 06066

3. Applicant(s): Brian Juliano
321 Talcottville Road
Vernon, CT 06066

4. Description of Premises: 100 Windermere Avenue, APN 018-021-0000

5. Special Permit to expand storage yard, expand pavement for parking and outdoor storage, detached signage, landscaping and associated improvements.

6. Conditions of approval:


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 12/09/21.

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 6 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.

This Special Permit 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 started on: January 26, 2022.

ELLINGTON PLANNING AND ZONING COMMISSION

Sean Kelly, Vice-Chairman
INLAND WETLANDS AGENCY
REGULAR MEETING MINUTES
MONDAY, JUNE 13, 2022, 7:00 P.M.

IN PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT
REMOTE ATTENDANCE: ZOOM MEETING
(ATTENDEES BELOW WERE IN PERSON UNLESS OTHERWISE NOTED)

PRESENT: Chairman Jean Burns, Vice Chairman Katherine Heminway, Regular members Ken Braga, Ron Brown, Art Aube and Hocine Baouche

ABSENT: Regular member Steve Hoffman

STAFF
PRESENT: John Colonese, Assistant Town Planner/Wetland Enforcement Officer and Barbra Galovich, Land Use Assistant/Recording Clerk

I. CALL TO ORDER: Chairman Jean Burns called the Ellington Inland Wetlands Agency meeting to order at 7:00 pm.

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

III. PUBLIC HEARINGS:

1. IW202110 - Juliano Family One LLC, owner/ Brian Juliano, applicant, request for modification to Wetlands Permit IW202110 to construct a detention basin and outside storage area at 100 Windermere Ave., APN 018-021-0000.

   Time: 7:01 pm

   Seated: Burns, Heminway, Braga, Brown, Aube and Baouche

   Christopher Juliano (via Zoom), Juliano Associates, LLC, 405 Main Street, Wallingford, CT and Brian Juliano (arrived via Zoom at 7:07 pm), Juliano Pools, 321 Talcottville Road, Vernon, CT were present to represent the application.

   Christopher Juliano said his office has been reacting to what Brian Juliano has been doing onsite. He requested the commission continue the public hearing to the next month since George Logan, Soil Scientist, was not able to attend tonight’s meeting and it would allow them time to submit outstanding items required for the commission to make a decision. He noted he was in receipt of Dana Steele, Town Engineer, email comments dated June 10,
2022 and added that he made the previously requested changes to the plans. He noted this is a frustrating situation for him as well as the Agency as things onsite keep on changing.

Christopher Juliano said the applicant should be present at the meeting to explain his actions and George Logan is the individual that should also be in attendance to explain to the Agency how the applicant should be remediating and restoring the disturbed wetlands on the site.

Mr. Colonese asked the Agency to review the Town Engineer’s comments and recommendations received in an email dated June 10, 2022. He noted he conducted inspections of the property on June 6th & 8th and found piles of material, concrete blocks, gravel storage areas, and storage items within the area delineated as inland wetlands according to the site plan. Wetland flagging was not visible and he does not recommend approval of a permit at this time. He recommends the Agency continue the public hearing to the July 18, 2022 meeting to allow the applicant time to comply with the Town Engineer’s comments and recommendations noted in the June 10, 2022 email. Mr. Colonese also said a functional and qualitative analysis, describing the ecological communities and functions of the wetlands, watercourses and upland review areas affected by the proposed regulated activity and the effects of the proposed regulated activities on these communities and wetland functions, is outstanding along with restoration and planting recommendations as noted on the plans.

MOVED (BRAGA) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A SIGNIFICANT ACTIVITY FOR IW202110-REQUEST FOR MODIFICATION.

Commissioner Brown ask if they can ensure no additional activity on the site. Mr. Colonese said there should be activity to restore the site. Commissioner Baouche asked the engineer and applicant to have better communications about steps moving forward to meet all outstanding requirements and to reach out to the Wetlands Agent for assistance.

Brian Juliano stated he has received the Town Engineer’s June 10, 2022 comments and noted he is willing to address the comments.

Vice Chairman Heminway inquired about the horses and a cow on the property and asked if they will be there permanently. Brian Juliano said they are not permanent. Mr. Colonese reiterated that activity has extended into the wetlands based on the plans provided.

Brian Juliano stated he met with George Logan onsite and Mr. Logan explained to him step by step how to pull the materials away from the wetlands. He said after he is done, Mr. Logan will inspect the site and re-flag the wetlands.

There were no comments from the public.

MOVED (BRAGA) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO THE JULY 18, 2022 REGULAR MEETING FOR IW202110 - Juliano Family One LLC, owner/Brian Juliano, applicant, request for modification to Wetlands Permit IW202110 to construct a detention basin and outside storage area at 100 Windermere Ave., APN 018-021-0000.

TO ALLOW THE APPLICANT TIME TO COMPLY WITH THE FOLLOWING:

Ellington Inland Wetland Agency
2022_06-13 Minutes
Page 2 of 4
• Town Engineer’s comments and recommendations in the June 10, 2022 email.
• Submit a functional and qualitative analysis, describing the ecological communities and functions of the wetlands, watercourses and upland review areas affected by the proposed regulated activity and the effects of the proposed regulated activities on these communities and wetland functions.
• Submit restoration and planting recommendations as noted on the plans.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. IW202205 - Ellington McIntire, LLC, owner/applicant, request for a permit to conduct regulated activity to construct a single family home and site improvements associated with a 2-lot subdivision at 153 Webster Road, APN 185-001-0000.

Commissioner Aube recused himself from the application.

Mark Peterson, Gardner & Peterson Associates, LLC, 287 Hartford Turnpike, Tolland, CT was present to represent the application.

Mr. Peterson explained the parcel is on the east side of Webster Road, the owner is looking to cut two parcels on the northwest side of the property for two new single family lots. Mr. Peterson reviewed the plan showing the two single family lots to be subdivided from the larger parcel. Lot 1 will consist of 3.54 acres and Lot 2 will consist of 3.05 acres. The owner has received approval from the North Central District Health Department for the two lots. Mr. Peterson stated they can address the Town Engineer’s comments from June 10, 2022.

Mr. Colonesi recommended possible conditions of approval. First, approval to be granted for activity associated with Lots 1 and 2 only. Second, approval shall comply with the Town Engineer’s Wetlands Agency comments dated June 10, 2022. Third, the erosion control measures shall be installed then inspected by the wetlands agent prior to activity, and remain fully operational until the site is stabilized.

MOVED (HEMINWAY) SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A NONSIGNIFICANT ACTIVITY FOR IW202205.

MOVED (BAOUCHE) SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS IW202205 - Ellington McIntire, LLC, owner/applicant, request for a permit to conduct regulated activity to construct a single family home and site improvements associated with a three lot subdivision (two new lots) at 153 Webster Road, APN 185-001-0000.

CONDITIONS:
1) Approval granted for activity associated with Lots 1 and 2 only.
2) Approval shall comply with the Town Engineer’s Wetlands Agency comments dated June 10, 2022.
3) Erosion control measures shall be installed then inspected by the wetlands agent prior to activity, and remain fully operational until the site is stabilized.
VI. ADMINISTRATIVE BUSINESS:

1. Approval of the May 9, 2022 Regular Meeting Minutes.

MOVED (HEMINWAY) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO APPROVE THE MAY 9, 2022 REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:

   a. 18 Meadow Brook Road – Roaring Brook Farm Waste Management Project

   Mr. Colonese explained the location of Roaring Brook Farm at 18 Meadow Brook Road. He said the North Central Conservation District has been working with the Aborns, DEEP, and NRCS on a project at Roaring Brook Farm, using 319 Clean Water Act funds, federal EQIP funds, and the farm’s funds to build a barn to house and contain the cows, keeping them from accessing the brook. They will also be building a waste facility so the farm can store manure and use it when appropriate. Mr. Colonese showed the commission a site plan. The proposed project will be out of the wetlands and upland review area as the delineated by the NRCS.

VII. ADJOURNMENT:

MOVED (HEMINWAY) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO ADJOURN THE JUNE 13, 2022 REGULAR MEETING OF THE INLAND WETLANDS AGENCY AT 7:26 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk
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.

John,

I have reviewed the revised plans and drainage report by Juliano Associates dated 5/26/22 for 100 Windermere Ave. My comments related to inland wetlands are as follows:

1. The line types on the plan do not clearly delineate the limits of existing and proposed millings, swale and access driveway.
2. The 3 material stockpile areas shown on the plan appear to be temporary and schematic (not to scale). What material is being stored, why and how long? An existing concrete block enclosure for stone storage is shown within the area proposed as wetland enhancement. Will this be moved or the enhancement area modified?
3. The plan shows a dashed line encompassing the 675 s.f. shaded area of wetland disturbance. This appears to be the approximate limits of a large topsoil stockpile and screener which we observed during our site visit on Monday. This stockpile encroaches significantly beyond the proposed limits of disturbance. Plans for removal and restoration of the disturbed wetlands should be provided.
4. A newly installed 12’x16’ shed for water truck filling is now shown on the plans along with a riprap plunge pool between the shed and the stormwater pond. It is unclear how this will operate. The applicant should provide a narrative describing the purpose of this plunge pool and the nature of its discharge for the Commission to determine whether this has any impact on water quality.
5. There are sheds, trailers and equipment storage which we observed during our site visit on Monday which are not shown on the survey. All existing and proposed activities, structures and materials within the wetland regulated area should be shown on the plans.
6. During our site visit on Monday we observed that the existing headwall within the right-of-way has been damaged due to vehicles using the curb cut on Windermere Ave. It appears this curb cut needs to be relocated further to the west. Moving the curb cut will promote the protection and performance of this drainage way.
7. The existing HDPE culvert under the Windermere driveway is partially crushed and restricting flow from the town’s culvert. The applicant has not demonstrated that their driveway culverts or the 6” deep swale along the western limit of the outside storage area are adequate to convey stormwater from the town’s culvert to the Hockanum River. I recommend directing this runoff along the eastern limits of the storage area instead of the western limits. This will eliminate the need for the driveway culvert and eliminate two pipe crossing of the drainage way and allow the drainage to follow in a more natural and direct path to the stormwater pond. By extending the pond excavation closer to Windermere Ave, the hydraulic function of this drainage path will be maintained or improved.
8. The pond outlet control structure requires greater detail to construct. The concrete curbs should extend below the bottom of the riprap armoring to prevent water passing through the riprap. The top of curb elevation should be specified.
9. Stormwater Management Program on sheet 5 references Catch Basin Insert Filters which are not specified on the plan.
I recommend the Wetland Agency postpone approval of these plans until the wetland encroachments are removed, the survey is updated to demonstrate no encroachments, an acceptable restoration plan is proposed, and an acceptable conveyance system is determined for the town culvert discharge. Let me know if you have any questions.

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


DURING CONSTRUCTION THERE SHALL BE A SUPPLY OF SILT FENCE AND/OR HAY BRUSH STORED ON SITE FOR EMERGENCY SEDIMENT AND EROSION CONTROL PURPOSES.

*During construction, the presence of silt fence and/or hay brush is necessary to control sediment and erosion.*

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**Section 1:**

- **Definition:** A temporary barrier installed across or at the face of a slope.
- **Purpose:** To intercept and retain small amounts of sediment from disturbed or unstable areas of a sloped surface.

**Applicability:**

- This sediment barrier is used where:
  1. Barriers can partially or completely replace adjacent wetland or wetlands.
  2. By reducing the capacity of stream discharge systems or adjacent affected areas.
  3. Contributing drainage area is less than 1 acre and the length of the channel is less than 100 feet.

**Hauling Considerations:**

- Sediment barriers may extend across a stream, stream, or wetland, adjacent wetland or wetlands. However, this barrier may be used as a temporary fill material for the purpose of providing sediment control.

**Installation:**

- The stone size shall be 30-35 mm. size to not exceed 3-5 in. or 2-1/2 in.

- Installation Requirements:
  1. The stone size shall be placed at a 45° angle of repose plus a height of at least 2 feet.
  2. The stone size shall be constructed in 2-foot sections and the stone size shall be placed in the middle of the section.
  3. The stone size shall be placed at approximately 2 feet from the slope.

- Maintenance:

- Inspection shall be made monthly and after each storm or period of rainfall to determine if the stone size is effective.

- Cleanout of unsatisfactory stone under the barriers becomes filled with stone.

- Filter Fabric:

- Synthetic Filter Fabric shall be a permeable sheet of synthetic material and shall be placed directly behind the stone size.

- Flow Rate:

- Flow Rate: 0.1 gpm/ft.

- The stone size shall be placed at a 45° angle of repose plus a height of at least 2 feet.

- The stone size shall be placed in 2-foot sections and the stone size shall be placed in the middle of the section.

- The stone size shall be placed at approximately 2 feet from the slope.

- Maintenance:

- Inspection shall be made monthly and after each storm or period of rainfall to determine if the stone size is effective.

- Cleanout of unsatisfactory stone under the barriers becomes filled with stone.

**Erosion Control Specifications and Details**

- Juliano Associates, LLC
  - Juloaon Associates, LLC
  - 100 Windmere Avenue
  - Ellington, Connecticut

---

**Erosion Control Specifications and Details**

- Land of Juliano Family One LLC
  - 100 Windmere Avenue
  - Ellington, Connecticut

---

**Reinforced Sedimentation Control System (IEO SLOPE)**

- CONSTRUCTION ENTRANCE

- TEMPORARY SOIL STOCKPILE

- NTS

- NTS

- BROAD CRESTED WSR

**Erosion Control Specifications and Details**

- Juliano Associates, LLC
  - 100 Windmere Avenue
  - Ellington, Connecticut

---

**BROAD CRESTED WSR**

---

**PLAN**

- **Erosion Control Specifications and Details**
  - Juliano Associates, LLC
    - 100 Windmere Avenue
      - Ellington, Connecticut

---

**Project No.:** 31-306

**Date:** 05/2023

**Page:** 1

---

**Addendum:**

- *This document contains the final environmental design and construction specifications for erosion control measures. It is subject to local, state, and federal approval before final implementation.*

---

**Contact:**

- Juliano Associates, LLC
  - 100 Windmere Avenue
    - Ellington, Connecticut

---

**Disclaimer:**

- This document is intended for use by those involved in the construction of erosion control systems. It is not intended for public distribution.
- Existing Discharging to South West (51,903 Sq. Ft.)
- Existing Discharging to Wetlands (195,754 Sq. Ft.)

Proposed
- Existing Discharging to South West (25,962 Sq. Ft.)
- Existing Discharging to Proposed Detention Basin (139,737 Sq. Ft.)
- Existing Area Discharging to Proposed Underground Storage (6,062 Sq. Ft.)
- Existing Area Discharging to Wetlands Not Captured (55,698 Sq. Ft.)

Drainage Area Map
Land of Juliano Family One LLC
100 Windermere Avenue
Ellington, Connecticut

Juliano Associates, LLC
40 Main Street
Windsor, Connecticut 06095
Phone: 860-688-3976  Fax: 860-688-3213
www.JulianoAssoc.com

Drainage Area Map

REVISIONS

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<thead>
<tr>
<th>DATE</th>
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Christopher E. Juliano P.E. 7/2015

This document has been prepared as part of a municipal health department district review. The information contained herein is not to be construed as final nor can it be used for any construction purposes until all necessary local, state, and federal approvals have been received.
Town of Ellington
Planning & Zoning Commission
Subdivision Application

SUBDIVISION NAME: Ellington McIntire, LLC
LOCATION: 153 Webster Road
ASSESSOR'S PARCEL NUMBER (APN): 185-001-0000

Application: ☒ Subdivision ☐ Re-subdivision ☐ Modification

Approval Requested: ☐ Final ☐ Conditional

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

Owner's Information
Name: Ellington McIntire, LLC
Mailing Address: 140 Webster Road
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 #: __________
Secondary Contact Phone #: __________
Signature: ____________________________ Date: 4/1/2021

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

Total Acreage of Property: 55.77 Zone of Property: RAR Required Density Factor (R/LR = .6, RAR = .5): 0.5

Open Space Proposal (check one): ☒ 10% Land Set-Aside ☐ Fee in Lieu of Land ☐ Combination ☐

Amount (square feet & acres): >25% Slopes: ☐ Yes ☒ No Wetlands & Watercourses: ☒ Yes ☐ No 100-Year Floodplain: ☐

Developable Land: 42.4% Lot Yield: 0% 3 lots Remaining Land: 13.05 Area to be subdivided: 9.59

# of Proposed Development Lots: 2 new lots open space contribution has been satisfied (12.05 acres conveyed to the State)

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). If within a public sewer area, application for division must include conceptual approval from the Ellington Water Pollution Control Authority.

Is parcel located 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.

Are there any wetlands/watercourses on the property proposed for development but not within 100' of construction activity or 250' of construction activity when located in the Shenipsit Lake Drainage Basin? ☐ Yes ☒ No If yes, state law requires notice 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 (FS-316). Copy of application plans, and support documents must accompany notice. Proof of notice and copies of return receipts must be provided to the Planning Department.

Mail notices to: Gardner & Peterson Associates, LLC
178 Hartford Tpke., Tolland, CT 06084
April 7, 2022

Mr. Dana Steele, Town Engineer
Town of Ellington
J.R. Russo & Associates
1 Shoham Road
East Windsor, Connecticut 06088

Re: McIntire Subdivision
153 Webster Road, Ellington

Dear Dana,

The following is a pre & post development drainage analysis of a 50-year storm frequency for the two proposed lots on the east side of Webster Road on property owned by Ellington McIntire, LLC. I have designed stormwater management basin and outlet structure to connect to the existing 15" RCP culvert under Webster Road. The attached report includes the peak flow rates for the 50-year storm which demonstrate a minor reduction in peak flows, from 4.9cfs to 4.5cfs, to the existing drainage system.

Please contact me with any questions.

Mark A. Peterson P.E.
North Central District Health Department

Conrad Mcintire
140 Webster Road
Ellington, Ct. 06029


Upon review of the plan for the above referenced subdivision, the North Central District Health Department concurs with the feasibility of this parcel for future development. Approval to construct a sub-surface sewage disposal system and well for the individual lots may be granted upon the demonstration of compliance with the Public Health Code, the technical standards and other appropriate Town and State regulations. This demonstration of compliance shall be done through a site-specific Engineers plot plan showing the proposed house, well and septic system details. Regarding the septic systems, all of the lots demonstrated areas of suitable soils for the construction of subsurface sewage systems, however some of the areas tested have shallow ledge rock.

Lot 1, 163 Webster Rd. - Lot approval for a maximum of a 4 bedroom home served by a private well and proposed onsite septic system consisting of a minimum of 582 square feet of effective leaching area and a minimum of 65 linear feet of leaching system hydraulic width.
Lot 2, 155 Webster Rd. – Lot approval for a maximum of a 4 bedroom home served by a private well and onsite septic system consisting of a minimum of 820 square feet of effective leaching area and a minimum of 75 linear feet of leaching system hydraulic width.

Further investigation may be required as a result of site alteration or lot re-configuration. Care must be taken to protect the septic area from sedimentation, compaction or any disturbance that could compromise the quality of the area. Final approval of the subdivision shall be granted by the appropriate Commissions, Boards, Agencies or Departments within the Town of Ellington Connecticut.

Respectfully,

Westford Lirot B.S. R.S
Registered Sanitarian

CC: Gardner & Peterson Assoc. LLC
Ellington P&Z

* SERVING: EAST WINDSOR * ELLINGTON * ENFIELD * STAFFORD * SUFFIELD * VERNON * WINDHAM * WINDSOR LOCKS
October 6, 2014

Landmark Surveys, LLC
c/o Rachel Dearborn
62 Lower Butcher Road
Ellington, CT 06029

Re: S201402 (2014) – Ellington McIntire, LLC, owner; 3 Lot Sub.; 153 Webster Rd, Ellington, CT
Re-Approved 9/22/14; Legal Notice Published 9/26/14; Initial Filing Deadline 12/26/14

Dear Ms. Dearborn:

The initial filing deadline for the above subdivision is December 26, 2014 (90 days from the effective date of approval - 9/27/14). State law allows two 90-day extensions. If post approval obligations have not been met and an extension is needed, a written request must be submitted to the Ellington Planning Department for action by the Planning and Zoning Commission (PZC) at a regular meeting which precedes the filing deadline.

On September 22, 2014, PZC reapproved the subdivision with the following conditions:

1. Wetland Report dated December 30, 2013, is applicable;
2. Plans shall be revised to reflect street and parcel numbers prior to being recorded;
3. Driveway apron permits shall be approved by Public Works prior to zoning permit;
4. Per Section 4.19(B) of the Subdivision Regulations, street trees shall be provided;
5. Formal drainage easements are required;
6. Per Section 4.02(l) of the Subdivision Regulations, if not already deeded to the Town the title to all land between the center of the road and the front property lines shall be conveyed;
7. Lot boundaries shall be permanently staked prior to zoning sign-off;
8. The boundary line dispute with the State associated with the land proposed for open space shall be resolved and proof of resolution provided to the Planning Department prior to dedication;
9. Approval is granted with an open space dedication of land equal to or greater than 10% of the McIntire land (APNs 185-001-0000 & 185-003-0000). Land to be dedicated shall be contiguous to State land and subject to the State taking ownership. In the event the State declines ownership, a revised open space plan shall be submitted for approval by the PZC in compliance with the Subdivision Regulations.
10. Preliminary Certificate of Title shall be submitted;

Please submit two paper check prints of the subdivision plans updated in compliance with any condition(s) of approval and a letter detailing which sheets are to be filed. The check prints and letter will be forwarded to the Town Engineer for review. If the plans are authorized for recording, two sets of mylar plans are required for signing by the PZC. If additional revisions are needed, instruction will be provided to you upon receipt of details from the Town Engineer.

Equal Opportunity Employer
WARRANTY DEED

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME,
GREETING:

KNOW YE, THAT ELLINGTON MCINTIRE, L.L.C., a Connecticut Limited Liability Company, with an office and place of business at 140 Webster Road in the Town of Ellington, County of Tolland, and State of Connecticut, hereinafter Grantor, for no consideration, received to its full satisfaction of the STATE OF CONNECTICUT, hereinafter Grantee, does give, grant, convey and confirm unto the said State of Connecticut, its successors and assigns forever, with WARRANTY COVENANTS, all of its right, title, and interest in that certain piece or parcel of land situated in the Town of Ellington, County of Tolland, and State of Connecticut (hereinafter "Premises"). Said Premises are more particularly bounded and described as set forth in Schedule A attached hereto.

SAID PREMISES are conveyed together with any buildings and improvements thereon and all the estate and rights of the Grantor in and to said property.

SAID PREMISES are conveyed free and clear of all encumbrances except the following:


TO HAVE AND TO HOLD the above granted Premises, with the appurtenances thereof, unto it, the said Grantee, its successors and assigns forever, to its and their own proper use and behoof.

[Signature]
TOWN CLERK ELLINGTON
IN WITNESS WHEREOF, Conrad G. McIntire, Jr., Managing Member of ELLINGTON MCINTIRE, L.L.C. hereunto sets his hand this 13th day of January, 2015.

Signed in the presence of:

Witness Signature:  
Printed Name: Donna G. Halsey

STATE OF CONNECTICUT
COUNTY OF

The foregoing instrument was acknowledged before me this 13th day of January, 2015 by Conrad G. McIntire, Jr., Managing Member, on behalf of Ellington McIntire, L.L.C., a member managed Connecticut limited liability company, on behalf of the company.

STATUTORY AUTHORITY
Connecticut General Statutes Section 23-75.

APPROVED AS TO FORM:
George Jepsen
Attorney General

By: Joseph Rubin
Associate Attorney General

3/10/15

SCHEDULE A

PROPERTY DESCRIPTION

That certain parcel of land located in The Town of Ellington, County of Tolland and the State of Connecticut, located westerly of Webster Road, said tract or parcel being shown as "LAND OF ELLINGTON McINTIRE LLC TO BE CONVEYED TO STATE OF CONNECTICUT SHENIPSIT STATE FOREST CONTAINS 525,108 S.F. OR 12.05 ACRES" and delineated on a plan titled "PROPERTY SURVEY LAND OF ELLINGTON McINTIRE LLC SHOWING OPEN SPACE REQUIREMENTS WEST SIDE OF WEBSTER ROAD ELLINGTON, CONNECTICUT LANDMARK SURVEYS LLC SCALE 1"-=100' DATE 7/14/2014" and is further bounded and described as follows;

Beginning at an iron pipe C.S.F. #57 in the northeast corner of the property herein being conveyed and the southwest corner of property at 150 Webster Road;

Thence S 22°03'13" E along other land of Ellington McIntire LLC a distance of 576.78' to a ReBar set in stone bound;

Thence S 09°55'46" W along land of Ellington McIntire LLC a distance of 578.50' to a Drill hole in a stone bound C.S.F.#61;

Thence N 82°32'13" W along land of John E. Wraight, Jr. & Gloria P. Wraight a distance of 497.62' to an iron pin in stone bound C.S.F.#62;

Thence N 08°59'31" E along land of State of Connecticut a distance of 603.77' to a ReBar;

Thence N 08°59'31" E along land of State of Connecticut a distance of 153.90' to a ReBar;

Thence N 82°13'44" W along land of State of Connecticut a distance of 166.63' to a ReBar;

Thence N 08°59'41" E along land of State of Connecticut a distance of 328.44' to a ReBar;

Thence S 81°30'39" E along land of State of Connecticut a distance of 376.03' to an iron pipe C.S.F. #57 which is the point and place of beginning.

Said parcel contains 525,108 S.F. or 12.05 Acres
153 Webster Road

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town of Ellington, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 11/11/2021
Data updated daily
Town of Ellington  
Planning Department

MEMO

DATE:       June 15, 2022
TO:         Planning & Zoning Commission  
    cc. PZC File S202201
FROM:      Barbra Galovich, CZET, Land Use Assistant on behalf of the Inland Wetlands Agency
SUBJECT:    153 Webster Road – proposed three lot subdivision (two new lots)  
            Inland Wetlands Agency Report on IW202205

On June 13, 2022, the Inland Wetlands Agency approved with conditions permit IW202205 at 153 Webster Road with the following motion:

MOVED (BAOUCHE) SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO 
APPROVE WITH CONDITIONS IW202205 - Ellington McInrie, LLC, owner/applicant, 
request for a permit to conduct regulated activity to construct a single family home and site 
improvements associated with a three lot subdivision (two new lots) at 153 Webster Road, APN 
185-001-0000.

CONDITIONS:
1) Approval granted for activity associated with Lots 1 and 2 only.
2) Approval shall comply with the Town Engineer’s Wetlands Agency comments dated June 10, 
   2022.
3) Erosion control measures shall be installed then inspected by the wetlands agent prior to 
   activity, and remain fully operational until the site is stabilized.

Please give the above report reflecting the final decision on permit IW202205 due consideration in 
accordance with Conn. Gen. Stat. 8-3(g).

On behalf of the Inland Wetlands Agency, thank you.
Barbra Galovich

Subject: FW: S202201 - McIntire 2-Lot Subdivision, 153 Webster Rd

From Mark Peterson:

I have updated the attached plans and stormwater calculations per Dana’s comments and have a response to each comment below.

Mark Peterson, P.E.
Gardner & Peterson Associates, LLC
178 Hartford Turnpike
Tolland, Connecticut 06084
(860) 871-0808

From: Dana Steele [mailto:dsteele@irruso.com]
Sent: Friday, June 10, 2022 4:23 PM
To: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>
Cc: John Colonese <jcolonese@ELLINGTON-CT.GOV>; Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>
Subject: S202201 - McIntire 2-Lot Subdivision, 153 Webster Rd

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,

I’ve reviewed the plans revised 4/20/22 and calculations dated 4/22/22 by Gardner & Peterson for the 2-Lot Subdivision at 153 Webster Road. I submitted the following 5 comments to the Wetland Agency:

1. I recommend re-grading the road shoulder along the east side of Webster Road from the driveway for lot 1 to the 770 contour to the north (near wetland flag W10) to prevent runoff from the driveway crossing Webster Road. Provide stone check dam or sediment barrier within the right-of-way to protect the wetlands. I have added a swale along the shoulder to collect driveway runoff from lot #1. Check dams and siltfence have are proposed in the swale. Swale and check dam details have been added to the detail sheet.
2. Provide calculations demonstrating reduction in 2-year storm peak flow rates to mitigate scour in downstream watercourses. The calculations have been updated with the 2-year storm peak flow.
3. Provide a maintenance schedule for the stormwater basin on the plans. Maintenance for the basin has been added to the detail sheet.
4. Provide a construction sequence narrative on the plans. Construction sequence has been added to the detail sheet.
5. Provide areas for topsoil stockpile on each lot with erosion controls. Stockpile areas have been added to the plan view and detail sheet.

I offer the following additional comments related to the subdivision application:

6. Note the existing width of Webster Road right-of-way on the subdivision plan. The R.O.W. width has been added as note 17 on page 1 and shown on sheet 2.
7. Lower the TF elevation of the catch basin in the stormwater pond to 775 so that it is below the road elevation. The TF elevation has been lowered as much as possible to elevation 775.2 as shown on the detail sheet.

8. The plans should note that the town will not be responsible for maintenance of the stormwater basin. The proposed drainage easement should encompass the outlet structure and culvert only so the town can access and maintain their culvert within the right-of-way. Note 18 on sheet 1 indicated maintenance responsibility. The drainage easements have been revised as shown on pages 2&3.

9. Reset or replace the culvert within the right-of-way to provide a minimum positive drainage slope of 0.5% The proposed drainage system will function properly with the existing culvert per the stormwater calculations and provide no increase in the rate of stormwater runoff. I do not believe the applicant is responsible for off-site drainage and road improvements. No improvements are proposed.

10. Lower the berm elevation along Webster Road to 775 to allow the roadway shoulder to drain back to the pond rather than across the road. The berm has been revised with spot elevations to allow the road shoulder to drain into the basin.

11. Extend the 788 contour across the driveway of lot 2. Proposed 788 contour has been added.

12. Provide proposed garage floor elevations on both conceptual house locations. Garage floor elevations have been added.

I will drop off a hard copy of the plans and calculations in the next couple days and can provide additional copies for the 6/27 PZC meeting.
Barbra Galovich

From: Barbra Galovich  
Sent: Monday, June 20, 2022 10:50 AM  
To: Mark Peterson  
Cc: Lisa Houlihan  
Subject: FW: Staff Reviews: 153 Webster Road

Mark,

Hope you had a great Father’s Day. Please see the below comments from Ken Radziwon, Director of Public Works.

Thank you,
Barbra

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

From: Ken Radziwon  
Sent: Monday, June 20, 2022 10:01 AM  
To: Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>  
Cc: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>; Timothy Webb <twebb@ELLINGTON-CT.GOV>  
Subject: Staff Reviews: 153 Webster Road

Barb – Being out of the sewer district, the WPCA has no comments. Moreover, we have no ROW concerns at this time. Should a future driveway be installed or work be conducted within the Town’s ROW, appropriate ROW permits shall be completed.

Thanks,
Ken
Ken Radziwon, PE  
Director of Public Works  
Town of Ellington  
21 Main St. Ellington, CT 06029  
Office: 860-870-3140 | x3014
PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
MONDAY, MAY 23, 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 ALTERNATES RACHEL DEARBORN AND KEN RADZIWON
.ARRIVED AT 7:48 PM.)

MEMBERS ABSENT: NONE

STAFF PRESENT: LISA HOU LIHAN, 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.

   Chairman Hoffman stated this application is not ready to be heard and asked to table it until the
next regularly scheduled meeting on June 27, 2022.

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO TABLE
OPENING OF PUBLIC HEARING TO THE NEXT MEETING ON MONDAY, JUNE 27, 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.

CHAIRMAN HOFFMAN RECUSED HIMSELF FOR APPLICATION Z202205, VICE CHAIRMAN
KELLY WAS SEATED AS ACTING CHAIRMAN.

2. 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.

   Time: 7:01 pm
Mr. Gerber explained the church and existing surrounding parking will not be under any construction. They are looking to construct a new 16,000 sf building with associated patio, gathering areas, drives, additional parking, utilities and other amenities. Mr. Gerber explained there will be down lit lighting and the hall will share parking with the church. The church and abutting middle school share parking for larger functions that occur once in a while.

Vice Chairman Kelly asked if the fellowship hall is only for church members or if anyone can use it with approval. Mr. Gerber said others can use the proposed fellowship hall with church approval.

Secretary Sandberg said great work on the plans and great project for the community. Commissioner Swanson asked if the new building will have a basement, Mr. Gerber stated there will be a half basement with a walkout due to the elevations. Commissioner Moser supports the application and described it as very well put together. Alternate Dearborn asked about the flow of traffic around the pastor carport and parking spaces to the west of it. Mr. Swale explained the traffic flow and one-way isle, and stated the width of the isle coincides with requirements. Alternate Dearborn is concerned the wider width of the carport lane will encourage two-way traffic and suggested adding directional signage. Commissioner Francis noted the comments from the Town Engineer. Mr. Swale said Will Walter, Civil Engineer, discussed comments with the Town Engineer and agreed the nature of them can be addressed as conditions of approval.

Ms. Houlihan noted the Inland Wetland Agency granted approval and Design Review Board rendered a positive referral. She noted zoning standards are met, the application materials are thorough, and is ready for decision.

No one from the public spoke regarding the application.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING 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.

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

CONDITION(S):
- SUBJECT TO PLAN REVIEW COMMENTS FROM THE TOWN ENGINEER DATED MAY 9, 2022 (SEE ATTACHED).
• SUBJECT TO PLAN REVIEW COMMENTS FROM THE TOWN FIRE MARSHAL DATED MAY 9, 2022 (SEE ATTACHED).

CHAIRMAN HOFFMAN WAS RESEATED.

3. 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.

Time: 7:16 pm  
Seated: Hoffman, Kelly, Sandberg, Hogan, Francis, Swanson and Moser

Ryan Orszulak, 34 Bridge Street, was present to represent the application. Mr. Orszulak said he spoke with the commission informally a couple months ago and is present to seek official approval. He is looking to demolish the old house and barn and utilize the barn area for stockpiling of materials along the existing retaining wall near Muddy Brook Road. Mr. Orszulak stated the Zoning Board of Appeals (ZBA) granted a variance to reduce the setback for stockpiling of materials. The front property line on Muddy Brook Road and all side property lines from 100ft to 15ft, and reduce the setback for stockpiling of materials to the front property line on Sadds Mill Road from 100ft to 35ft. He said the parking and loading area will be near where the house is currently located. He noted the existing garage will remain on the site and he will maintain the Muddy Brook Road access. He proposes to install plantings along Sadds Mill Road and Muddy Brook Road and remove the boulders located at the corner near the intersection.

Ms. Houlihan noted the plan shows two temporary 2x3 signs at least 20' from the roadway. She asked the applicant if he has plans for a permanent detached sign. Mr. Orszulak replied not now, but in the future would like to construct a sign similar to Holden Trucking down the street. Ms. Houlihan advised him that he will only be allowed 115 days for two temporary signs and noted detached signs require a Special Permit. Ms. Houlihan said if the commission grants the permit, to delegate authority for review of a permanent detached sign to staff via zoning permit application. The application states typical hours are 2 to 3 days a week between 8a.m. - 5p.m. for offsite deliveries and one other day for on-site pick-up and no Sundays. Ms. Houlihan said Section 7.5.2, requires applicants to submit an engineering report documenting current as-built condition by November 1st each year, but since this proposal does not include on-site excavation that it be exempt from the annual requirement.

Vice Chairman Kelly asked if the operation will be similar to the Route 83 site. Mr. Orszulak stated it will be the same with plantings along each roadway. Secretary Sandberg reviewed the documentation pertaining to Section 7.5.2. Commissioner Hogan asked if the Planning Department received any comments from the Town Engineer. No comments have been received. The only staff comment is from the Public Works Department noting if any work will be done within the right of way a permit would be required. Commissioner Hogan asked for erosion and sedimentation control measures to be added to the plan, and requested more specific details for landscape plantings (e.g. types, size, location) be added to the plan. Mr. Orszulak offered to add a mulch berm on the south side of the property to maintain runoff on site.

Ms. Houlihan stated in accordance with Section 6.1 (c), all new plantings shall have a minimum of 6' in height after planted and pruned. Mr. Orszulak agreed to comply with the buffer requirement and will update the plans.

Commissioner Swanson inquired about how many cubic yards will be on site at any given time. Mr. Orszulak noted the business is seasonal and the spring months are the busiest. It's hard to measure the materials in cubic yards, since the operation is import and export of materials. He estimates on average there being 700 cubic yards on site. Stockpiles will be maintained with minimal run-off. Mr. Orszulak stated there is a paved tracking area and more of a paved driveway
on the proposed site versus the existing West Road site.

Ms. Houlihan stated the site is small and will limit the size of stockpiles. Commissioner Swanson inquired about the truck traffic on Muddy Brook Road, and signage requesting trucks to find alternate routes. He expressed concern for tracking dirt onto the roads. Mr. Orszulak said he will monitor any dirt being tracked off site and will clean it up if needed.

Commissioner Moser said the applicant will want to fill trucks preferable in a dry location on site to avoid materials being wasted by tracking onto the roadway and patron vehicles getting stuck in muddy areas on site after a storm.

Mr. Orszulak agreed to address the commission’s concerns and create a mulch berm to the south side for erosion and sedimentation control measures.

Alternate Dearborn likes the idea of planting trees along the property. She stated since the applicant is in the business of selling dirt, it’s in the best interest to preserve as much dirt on site rather than tracking onto the street.

No one from the public spoke regarding the application.

MOVED (KELLY) SECONDED (SANDBERG) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING 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.

MOVED (HOGAN) SECONDED (SANDBERG) AND PASSED UNANIMOUSLY TO APPROVE W/CONDITION(S) 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.

CONDITION(S):
• APPROVED HOURS OF OPERATION ARE MONDAY-FRIDAY 7AM TO 5PM AND SATURDAY 7AM TO 1PM.
• SPECIAL PERMIT Z202206 IS EXEMPT FROM ELLINGTON ZONING REGULATION SECTION 7.5.2 - EXPIRATION OF PERMIT.
• PERMANENT DETACHED SIGN MAY BE APPROVED BY STAFF VIA REQUEST FOR ZONING PERMIT AND SHALL BE IN COMPLIANCE WITH ELLINGTON ZONING REGULATION TABLE 6.3.4 - PERMITTED SIGNS IN RESIDENTIAL ZONES.
• EROSION & SEDIMENTATION CONTROL PLAN SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE TOWN ENGINEER.
• LANDSCAPING PLAN SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY TOWN STAFF.
• APPLICANT SHALL KEEP MUDDY BROOK ROAD CLEAR OF DEBRIS.

4. 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.

Time: 7:57 pm
Seated: Hoffman, Kelly, Sandberg, Hogan, Francis, Swanson and Moser
Neil Casey, 10 Grassy Hill Road, was present via Zoom to represent the application.

Mr. Casey said he is looking to build a cold storage pole barn to store some trailer equipment and miscellaneous items. Ms. Houlihan noted the Fire Marshal has no concerns unless the accessory structure will be used for business purposes. Chairman Hoffan asked the applicant if there is any intention to run a business out of the structure. Mr. Casey replied no, it’s just for personal items. Vice Chairman Kolly asked about installation of any utilities, Mr. Casey stated no water and no electric will be connected to the structure. Commissioner Hogan is concerned about how the structure looks from adjoining properties because the property is a rear lot and the structure is proposed close to the side property line. Mr. Casey explained there are mature trees along the property lines. Alternate Dearborn clarified the barn needs to be at least 10’ from side yards including the eves.

No one from the public spoke regarding the application.

MOVED (SANDBERG) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING 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.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE W/CONDITION(S) 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.

CONDITION(S):
• DETACHED STRUCTURE SHALL NOT BE USED FOR BUSINESS PURPOSES.

5. 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.

Time: 8:04 pm
Seated: Hoffman, Kelly, Sandberg, Hogan, Francis, Swanson and Moser

Plans reviewed:
Plan prepared for SJM Properties, 162 Maple Street, Ellington, CT, prepared by: Bushnell Associates, LLC, 563 Woodbridge Street, Manchester, CT 06042; Scale: 1”=30”; Sheet: 1 of 1; Date: 1/20/2022, last revised date 5/5/2022.
Cultec Stormwater Chamber prepared for 162 Maple Street, Ellington, CT, prepared by: Cultec. Inc., 878 Federal Road, Brookfield, CT Scale: N.T.S.; Sheet: 1 of 1; Date: 2019

Seth Carlson, SJM Properties, 162 Maple Street, was present to represent the application.

Mr. Carlson stated they are revisiting the site plan that was previously approved with some modifications. They are proposing to have three storage buildings, each being 20’ x100’ to equal up to 60 units. All unit will be 10’x10’, there will be no outside storage or vehicle storage. There will be a 6’ chain link green coated fence surrounding the area with an automatic sliding gate for access to the storage facility. They will plant 8’ arborvitaes, 6 feet on center around three sides of the facility.

Ms. Houlihan noted the application materials and plans were circulated to other departments for review and comments received back from the Town Engineer and Department of Public Works. The comments were forwarded to the applicant. Department of Public Works stated a permit is
required if working within the town’s right of way. Town Engineer’s comments can be addressed as conditions of approval. Mr. Carlson acknowledged the comments received are already being incorporated into the plans. Ms. Houlihan said the applicant presented to the Design Review Board on May 12th. The Board rendered a positive referral and suggested 6’ arborvitaes (to meet Section 6.1.C), a green vinyl coated chain link fence, and suggested a traffic study be provided. The applicant agreed to the suggestions and provided a traffic report dated May 18, 2022. The proposed hours of operation will be from 7:30AM to 8:00PM, seven days a week, and the facility is for a personal (residential) storage. During the DRR meeting, the applicant stated there will be no outside storage, existing refuse bins behind the machine shop will be shared between both facilities, and the proposal includes one non-illuminated attached sign.

Chairman Hoffman stated the existing building on the site is the only building in town that has no landscaping. He referred to his recollection that during site plan application the owner represented he’d install landscaping, but landscaping was never planted. He asked Mr. Carlson to add some landscaping around the existing building on the site. Mr. Carlson agreed to work with town staff on the landscaping. Commissioner Francis said landscaping should be considered since the parcel is the gateway into the center of town. Mr. Carlson said the fencing will be inside of the arborvitaes. Secretary Sandberg is ok with the plan as long as providing additional landscaping is made a condition of approval. Vice Chairman Kelly asked for the storage buildings to be similar in color to the existing building. Commissioner Swanson, Commissioner Moser and Alternate Dearborn said they are ok with the proposed plan along with adding more landscaping to the property.

Shawn Brady, 144 Maple Street, and Hillary Brady, 12 Berr Avenue, asked about lighting and hours of operation. Mr. Carlson indicated lights will be mounted on the buildings and will be down lit. Commissioner Francis asked if any lighting will be mounted to the back of the buildings. Mr. Carlson stated no lights will be installed on the back (south) side of the buildings. He noted hours will be limited and access only allowed during the hours of operation.

Mr. Carlson agreed to work with staff on landscaping.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING 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.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE W/CONDITION(S) 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.

CONDITION(S):
- SUBJECT TO PLAN REVIEW COMMENTS FROM THE TOWN ENGINEER DATED MAY 17, 2022 (SEE ATTACHED);
- PROPOSED EVERGREEN BUFFER TO CONSIST OF 6’ ARBORVITAES AFTER PLANTED AND PRUNED AND SHALL BE PLANTED EVERY 6’ ON CENTER;
- APPROVED FENCE IS 6’ IN HEIGHT AND SHALL BE A GREEN VINYL COATED CHAIN LINK FENCE;
- THERE SHALL BE NO OUTSIDE STORAGE;
- HOURS OF OPERATION ARE 7:30AM TO 8:00PM, SEVEN DAYS A WEEK, FOR PERSONAL (RESIDENTIAL) STORAGE;
• LIGHTING SHALL BE DARK SKY COMPLIANT AND DIRECTED DOWNWARD AND AWAY FROM ADJOINING PREMISES;
• LANDSCAPE PLAN FOR THE ENTIRE PARCEL SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY TOWN STAFF.

IV. OLD BUSINESS: None

V. NEW BUSINESS: None

VI. ADMINISTRATIVE BUSINESS:

1. Approval of Planning and Zoning Commission April 25, 2022 Regular Meeting Minutes.
   
   MOVED (SWANSON) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO APPROVE THE APRIL 25, 2022 REGULAR MEETING MINUTES AS WRITTEN.

   BY CONSENSUS, DISCUSSED CORRESPONDENCE ITEM C AND FUTURE ZOOM MEETINGS BEFORE ITEMS A AND B.

2. Correspondence/Discussion:

      
      BY CONSENSUS, TABLED DISCUSSION TO THE NEXT REGULAR MEETING ON JUNE 27, 2022, 7:00 PM, TOWN HALL ANNEX, 57 MAIN ST, ELLINGTON, CT, AND ZOOM.

   b. Discussion: Section 6.3 - Directional Signs.
      
      BY CONSENSUS, ITEM WILL BE REMOVED FROM FUTURE AGENDAS.

      
      Ms. Houlihan shared the award Ellington will receive as a silver certified community from the Connecticut Economic Development Association (CEDAS). Commissioners congratulated Lisa on her efforts.

   d. Discussion: Continuation of future hybrid meetings.
      
      Ms. Houlihan said at the last meeting someone asked about the current requirements for hybrid meetings. She checked with the Town Attorney and confirmed the commissions is not compelled to hold hybrid or online meetings. The Commissioners discussed the subject matter and agreed to strongly recommend an applicant to come in person to present the application and continue to provide Zoom access to the meetings.

      BY CONSENSUS, CONTINUE HYBRID MEETINGS AND RECOMMEND APPLICANTS AND APPLICANT REPRESENTATIVES ATTEND AND PRESENT IN PERSON.

VII. ADJOURNMENT:

   MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 8:36 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk
Subject: FW: Z202205, Apostolic Christian Church, 34 Middle Butcher Rd

From: Dana Steele [mailto:dsteele@irrusso.com]
Sent: Monday, May 09, 2022 12:23 PM
To: Lisa Houlihan <lhoulihan@ELLINGTON-CT.GOV>
Cc: John Colonese <jcolonese@ELLINGTON-CT.GOV>; Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>
Subject: Z202205, Apostolic Christian Church, 34 Middle Butcher Rd

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,

I’ve reviewed the plans and Stormwater Management Report for the Apostolic Christian Church fellowship hall prepared by Alfred Benesch & Company dated 4/8/22. I offered the following comments related to the Inland Wetland application which should also be incorporated into the PZC approvals:

1. Provide a construction detail of the proposed drywells.
2. Consider maintaining the existing drywell near drywell #2 rather than replacing.
3. Provide a pre-treatment BMP for runoff from paved vehicle areas before discharging to a drywell.
4. Consider larger stone size for riprap aprons along the stream bank to resist shearing stress in Turkey Brook.

In addition to these wetland related comments I offer the following additional comments for your consideration:

5. Correct the flowline elevation of the sewer manhole on the west side of the church building.
6. Correct the top of frame elevation of the sewer manhole north of the existing parking lot.
7. Show the approximate location of the 4” ductile iron water service on the west side of the property at the proposed connection point.
8. Verify with WPCA that a 1% sewer lateral slope is acceptable.
9. Provide species designations on the Planting Plan (C6.0) to correspond with the plant list on C6.1.
10. Correct the cap cod curb detail on C7.0 to provide legible dimensions.
11. Provide cut-sheets or details of the proposed light fixtures specified on the Photometric Plan (E501)

I discussed these comments also with the design engineer and we agree they can be incorporated as conditions of approval. Let me know if you have any questions.

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

J.R. RUSSO & ASSOCIATES, LLC
P.O. Box 938, 1 Shoham Road
East Windsor, CT 06088
(CT) 860.623.0569 (MA) 413.785.1158
dsteele@irrusso.com | www.irrusso.com
ELLINGTON PLANNING DEPARTMENT
STAFF REVIEW SHEET

PLANNING & ZONING COMMISSION

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.

PUBLIC HEARING DATE: May 23, 2022
STAFF REVIEW RETURN DATE: May 17, 2022

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<thead>
<tr>
<th>DEPARTMENT</th>
<th>COMMENTS AND/OR REQUIREMENTS</th>
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<tr>
<td>Town Engineer</td>
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<td>Building Official</td>
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<td>North Central District Health Dept</td>
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<td>Fire Marshal</td>
<td>A fire hydrant will need to be installed at a location on the property acceptable to the Fire Marshal. The proposed new building will be required to have an automatic fire sprinkler system. The ability to augment the system must be provided. Currently, public fire hydrants are located at a distance too great for routine fire department response to this new building. The hydrant will have to be sized and capable of flowing water that is above the needed fire flow of the sprinkler system. The proposed 6&quot; fire protection main (as shown on C5.0) may or may not be adequate.</td>
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<td>Public Works Director/WPCA</td>
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<td>Assessor</td>
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<td>Traffic Authority</td>
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Subject: FW: Staff Review - Z202208 - 162 Maple Street

From: Dana Steele
Sent: Tuesday, May 17, 2022 5:09 PM
To: 'Lisa Houlihan' <lhoulihan@ELLINGTON-CT.GOV>
Cc: Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>
Subject: RE: Staff Review - Z202208 - 162 Maple Street

Lisa,

I’ve reviewed the plans and stormwater management report prepared by Bushnell Associates, LLC dated 5/5/22 for the self-storage facility at 162 Maple Street. My comments are as follows:

1. Note location of silt fence and anti-tracking pad on the plans (details are provided but not locations). If tracking pad is on north side of development, provide a water bar to prevent runoff from travelling down the tracking pad and bypassing the silt fencing.
2. Show location of proposed electric service to the new buildings. Confirm no other utility services are required for this use.
3. It is not clear from the soil test data provided whether the proposed Cultec recharge system will have sufficient separation from the water table. Consider raising or relocating the system or providing additional testing at time of construction to demonstrate 3’ separation where feasible.
4. The soil sample for the permeability testing was not taken from the soils at the depth of the Cultec system installation. Again, consider raising the system or providing further evaluation at the design depth to confirm consistency with sampled soil prior to installation.
5. Provide water quality pre-treatment for the infiltration system. This could include a particle separator, sediment chamber, isolator row or other structural or non-structural BMP.
6. Provide a post-construction stormwater maintenance schedule on the plans. Schedule should include frequency of inspections, sweeping and cleaning of the stormwater system.
7. Provide schematic diagram for fence gate configuration and keycard showing dimension and locations to demonstrate adequate traffic circulation when accessing the site.
8. Clarify height of chain link fence along north (gated) side of development (x symbol). The other sides designated by a square symbol are identified as 8’ height. I assume the different symbol implies a different height or configuration. Include line types in the legend or provide additional notations. The Commission may also want to request fence details, photos or cut sheets to assist staff in confirming plan compliance.
10. The 2:1 cut slope around the development will be difficult to mow. Consider stone or groundcover plantings as a lower maintenance alternative.
11. Confirm with Health Department that cut slopes on west and south side of development are sufficient distance from the abutters’ septic leaching fields.

These comments could be included as conditions of approval. Where I use the term “consider” it implies there are multiple options to address my concern. I suggest the applicant resolve these items or plan for contingencies prior to ordering materials as the design could change. Let me know if you have any questions.

Dana P. Steele, P. E.
Ellington Town Engineer
DATE: June 22, 2022

TO: Planning and Zoning Commission

FROM: Lisa M. Houlihan, AICP, Town Planner

RE: Existing moratorium for adult-use cannabis facilities and recent legislative amendments removing population thresholds as a measure for limiting adult-use cannabis retail and cultivator facilities.

During the recent legislative session, portions of adult-use cannabis statutes were amended eliminating the number of cannabis retailers and cultivators allowed per municipality based on population (e.g. one cultivator and one retailer per 25,000). The legislative changes became effective April 27, 2022, and the existing moratorium disallowing adult-use cannabis facilities in Ellington ends October 31, 2022. If a regulation amendment is not approved and effective prior to the expiration of the existing moratorium, the commission will be required to consider applications for adult-use cannabis cultivators and retail facilities in accordance with similar uses in existing regulations. Article 4 - Commercial & Industrial Zones of the Ellington Zoning Regulations, contemplates allowing licensed medical marijuana production facilities by special permit in industrial zones or licensed medical marijuana dispensaries by special permit in commercial zones. Article 4, as currently effective, will be applicable to applications for adult-use cannabis facilities in Ellington received on or after November 1, 2022, if not amended.

Enclosed is a copy of the text amendment establishing the existing moratorium for adult-use cannabis establishments in Ellington, and a copy of pertinent sections of the amended statute removing per capita limits for controlling the number of adult-use cannabis facilities.
ELLINGTON ZONING REGULATION
SECTION 7.16 - MORATORIUM THROUGH OCTOBER 31, 2022
APPROVED FEBRUARY 28, 2022
EFFECTIVE MARCH 3, 2022

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 extends the moratorium effective October 1, 2021, set to expire March 31, 2022, through October 31, 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.
AN ACT CONCERNING CANNABIS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21a-420 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

4 As used in RERACA, unless the context otherwise requires:

5 (1) "Responsible and Equitable Regulation of Adult-Use Cannabis Act" or "RERACA" means this section, sections 2-56j, 7-294kk, 7-294ll, 12-330ll to 12-330nn, inclusive, 14-227p, 21a-278b, 21a-278c, 21a-279c, 21a-279d, 21a-420a to 21a-420i, inclusive, 21a-420l to 21a-421r, inclusive, 21a-421aa to 21a-421ff, inclusive, 21a-421aaa to 21a-421ggg, inclusive, 21a-422 to 21a-422c, inclusive, 21a-422e to 21a-422g, inclusive, 21a-422j to 21a-422s, inclusive, 22-61n, 23-4b, 47a-9a, 53-247a, 53a-213a, 53a-213b, 54-33p, 54-56q, 54-56r, 54-125k and 54-142u, sections 23, 60, 63 to 65, inclusive, 124, 144 and 165 of public act 21-1 of the June special session...
the cannabis plant or any part of the cannabis plant, including, but not
limited to, the leaf of the cannabis plant;

(3) Is comprised of not more than three colors; and

(4) Is located:

(A) On the cannabis establishment's premises, regardless of whether
such cannabis establishment leases or owns such premises; or

(B) On any commercial property occupied by multiple tenants
including such cannabis establishment.

[(c)] (e) The department shall not register, and may require revision
of, any submitted or registered cannabis brand name that:

(1) Is identical to, or confusingly similar to, the name of an existing
non-cannabis product;

(2) Is identical to, or confusingly similar to, the name of an unlawful
product or substance;

(3) Is confusingly similar to the name of a previously approved
cannabis brand name;

(4) Is obscene or indecent; and

(5) Is customarily associated with persons under the age of twenty-
one.

[(d)] (f) A violation of the provisions of [subsection (a) or (b)]
subsections (a) to (c), inclusive, of this section shall be deemed to be an
unfair or deceptive trade practice under subsection (a) of section 42-
110b.

Sec. 9. Section 21a-422f of the 2022 supplement to the general statutes
is repealed and the following is substituted in lieu thereof: (Effective from

(a) As used in this section, "municipality" means any town, city or
borough, consolidated town and city or consolidated town and
borough, and a district establishing a zoning commission under section
7-326.

(b) Any municipality may, by amendment to such municipality's
zoning regulations or by local ordinance, (1) prohibit the establishment
of a cannabis establishment, (2) establish reasonable restrictions
regarding the hours and signage within the limits of such municipality,
or (3) establish restrictions on the proximity of cannabis establishments
to any of the establishments listed in subdivision (1) of subsection (a) of
section 30-46. The chief zoning official of a municipality shall report, in
writing, any zoning changes adopted by the municipality regarding
cannabis establishments pursuant to this subsection to the Secretary of
the Office of Policy and Management and to the department not later
than fourteen days after the adoption of such changes.

(c) Unless otherwise provided for by a municipality through its
zoning regulations or ordinances, a cannabis establishment shall be
zoned as if for any other similar use, other than a cannabis
establishment, would be zoned.

(d) Any restriction regarding hours, zoning and signage of a cannabis
establishment adopted by a municipality shall not apply to an existing
cannabis establishment located in such municipality if such cannabis
establishment does not convert to a different license type, for a period
of five years after the adoption of such prohibition or restriction.

[(e) Until June 30, 2024, no municipality shall grant zoning approval
for more retailers or micro-cultivators than a number that would allow
for one retailer and one micro-cultivator for every twenty-five thousand
residents of such municipality, as determined by the most recent
decennial census.

(f) On and after July 1, 2024, the Commissioner of Consumer
Protection may, in the discretion of the commissioner, post on the
Department of Consumer Protection's Internet web site a specific
(a) As used in this section, "municipality" means any town, city or
borough, consolidated town and city or consolidated town and
borough, and a district establishing a zoning commission under section
7-326.

(b) Any municipality may, by amendment to such municipality's
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[(e) Until June 30, 2024, no municipality shall grant zoning approval
for more retailers or micro-cultivators than a number that would allow
for one retailer and one micro-cultivator for every twenty-five thousand
residents of such municipality, as determined by the most recent
decennial census.]

(f) On and after July 1, 2024, the Commissioner of Consumer
Protection may, in the discretion of the commissioner, post on the
Department of Consumer Protection's Internet web site a specific
number of residents such that no municipality shall grant zoning
approval for more retailers or micro-cultivators than would result in one
retailer and one micro-cultivator for every such specific number of
residents, as determined by the commissioner. Any such determination
shall be made to ensure reasonable access to cannabis by consumers.]

[(g)] (e) For purposes of ensuring compliance with this section, a
special permit or other affirmative approval shall be required for any
retailer or micro-cultivator seeking to be located within a municipality.
[A municipality shall not grant such special permit or approval for any
retailer or micro-cultivator applying for such special permit or approval
if that would result in an amount that (1) until June 30, 2024, exceeds the
density cap of one retailer and one micro-cultivator for every twenty-
five thousand residents, and (2) on and after July 1, 2024, exceeds any
density cap determined by the commissioner under subsection (f) of this
section.] When awarding final licenses for a retailer or micro-cultivator,
the Department of Consumer Protection may assume that, if an
applicant for such final license has obtained zoning approval, the
approval of a final license for such applicant shall not result in a
violation of this section or any [other] municipal restrictions on the
number or density of cannabis establishments.

Sec. 10. (Effective from passage) (a) The chairpersons of the joint
standing committee of the General Assembly having cognizance of
matters pertaining to general law shall convene a working group to
study hemp, hemp products and hemp producers. Such study shall
include, but need not be limited to, an examination of (1) the regulation
of hemp, hemp products and hemp producers licensed in this state and
neighboring states, (2) the manner in which neighboring states have
integrated hemp, hemp products and hemp producers into their
recreational cannabis programs, statutes and regulations, and (3)
possible legislation that would integrate hemp, hemp products and
hemp producers licensed in this state into this state's recreational
cannabis statutes by, among other things, allowing (A) such licensees to
convert their licenses to licenses issued under this state's recreational
cannabis statutes, and (B) hemp products, including, but not limited to,
PUBLIC MEETING NOTICE

The Department of Transportation (Department) will conduct a Virtual Public Information Meeting concerning the proposed Route 140 Intersection Improvements at Burbank Road on Tuesday, June 28, 2022 at 7:00 p.m. The meeting will be live streamed via Microsoft Teams Live Event and YouTube Live. A Question and Answer session will immediately follow the presentation. The presentation will be recorded. Instructions on how to access the meeting and on how to provide comments or ask questions can be found at the project webpage: https://portal.ct.gov/DOTEllington47-121

The live stream of the formal presentation will begin at 7:00 p.m.

The project is identified as State Project No. 0047-0121.

The purpose of this project is to increase the sight distances on Route 140 (Crystal Lake Road) for the Burbank Road intersection. The project needs to improve the existing roadway geometry along Route 140 to improve sightlines.

The proposed improvements will modify the vertical profile of Route 140 in the vicinity of Newell Road and Burbank Road to improve the intersection sight lines. Route 140 will be widened to provide adequate shoulder width throughout the limits. The proposed improvement will also realign Newell Hill Road to create a traditional “T” type intersection.

Modifications to the existing drainage and utility relocations will be included in the project to accommodate the proposed changes. Additionally, roadside trees and brush will be cleared to remove clear zone hazards and aid in improving the sightlines.

There are right-of-way impacts associated with the proposed improvements that include a partial acquisition for the realignment of Newell Hill Road, several easements to slope for the safety and support of the highway, and a sightline easement to increase the intersection sight distance for vehicles turning onto Route 140 from Burbank Road. Property acquisition will be performed in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

Construction is anticipated to begin in spring 2024 based on the availability of funding, acquisition of rights of way and approval of permit(s). The estimated construction cost for this project is approximately Four Million Dollars ($4,000,000). This project is anticipated to be undertaken with eighty percent (80%) Federal funds and twenty percent (20%) State funds.

The public informational meeting is being held to provide the public and local community the opportunity to offer comments or ask questions regarding the proposed project. Persons with limited internet access may request that project information be mailed to them by contacting Salvatore Aresco by e-mail at salvatore.areasc@ct.gov or by phone at (860) 594-3239. (Allow one week for processing and delivery.)

Individuals with limited internet access can listen to the meeting by calling 1-(888) 566-5916 and entering the Participant Code when prompted: 9977843. Persons with hearing and/or speech disabilities may dial 711 for Telecommunications Relay Services (TRS). The MS Teams Live Event offers closed-captioning for the hearing impaired and non-English translation options. A recording of the formal presentation will be posted to YouTube following the event and closed-captioning (including non-English translation options) will be available at that time. The recording
will also be available in the list of DOT virtual public meetings here: https://portal.ct.gov/dot/general/CTDOT-VPIM-Library
Visit the project webpage for options for Apple users. During the Q&A session and the 14-day comment period that follows the meeting, individuals may leave a question or comment via e-mail (preferred) at DOTProject47-121@ct.gov. Individuals may also leave a voicemail question or comment by calling (860) 944-1111. Please reference the project in your voicemail.

Language assistance may be requested by contacting the Department’s Language Assistance Call Line (860) 594-2109. Requests should be made at least 5 business days prior to the meeting. Language assistance is provided at no cost to the public and efforts will be made to respond to timely requests for assistance.
REVISED DRAFT TEXT AMENDMENT

Initial ADDITIONS appear as black bolded underlined text, New ADDITIONS appear as red bolded
underlined text. Deletions are strikethrough. Otherwise as adopted

6.3.7 Detached Signs Permitted in C, PC, I, and IP Zones

B. In the case of a fuel filling station, one detached sign may be allowed by the commission with including changeable electronic fuel price information as follows:

1. Only the fuel price copy may be electronic and changeable.
2. The digital portion of the detached sign shall not exceed 50 35% of the total allowed sign area as defined by Section 6.3.7.A.3.
3. The measurement of the digital portion of the detached sign shall be the smallest area that encompasses all of the electronic fuel price copy.
4. The sign shall incorporate photocell/light sensors with automatic dimming technology that appropriately adjusts to ambient light conditions.
5. The sign shall not operate at brightness levels of more than 0.2 0.15 foot-candles above ambient light, as measured using a foot-candle meter at a pre-set distance. The pre-set distance to measure the foot-candles is calculated using the following formula:
   a. Measurement distance equals the square root of the smallest rectangular area that encompass only the electronic fuel price portion of the sign times 100.
6. The owner/operator of a fuel filling station with a detached electronic fuel price sign shall provide written certification in compliance with this section when requested by the commission or the Planning Department.
7. The detached electronic fuel price sign shall be shut off at any time the fuel filling station is not open for business which shall be accomplished by means of an interlock within the gas pumps.
8. The color of the electronic fuel price digits shall be red or green accompanied with a black background.
9. The numbers of the electronic fuel price sign shall be no larger than 8” high and 4” wide by 5/8” thick.
10. The electronic fuel price copy shall only have two columns and one row.
11. The detached electronic fuel price sign shall have a stone base that shall measure a minimum of a 18” in height from natural grade and extend at least 2’ beyond the overall dimensions of the sign.
12. Conversion from a non-electronic fuel price sign to changeable electronic fuel price sign shall require the replacement of the entire sign in compliance with Section 6.3 - Signs.