



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES MONDAY, JULY 25, 2022, 7:00 PM

IN PERSON ATTENDANCE: TOWN HALL MEETING ROOM, 55 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 F.
MICHAEL FRANCIS, MICHAEL SWANSON AND JON MOSER

MEMBERS ABSENT: REGULAR MEMBER WILLIAM HOGAN AND ALTERNATE RACHEL
DEARBORN

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

I. CALL TO ORDER: Chairman Hoffman called the meeting to order at 7:06 pm.

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

Zanul Masood and Ori Degani, One Manhattan Real Estate, 349 East 82nd Street, New York, NY spoke with the Commission about the parcel between Country Pure Foods and Sullivan Tire on West Road, also known as APN 019-005-0000. Mr. Masood explained their company is looking to propose development on the parcel, such as a mix use of housing and commercial. He said they do not have a concept plan to review with the Commission, but would like to discuss possible development before proceeding with a proposed project. Mr. Masood said the lot has limited road frontage making it less suitable for commercial development and asked how the Commission would feel about affordable housing or assist living facility. Chairman Hoffman said the Commission is cautious about approving a zone change from commercial to residential because the town has little commercially zoned land compared to residential land. He referred to another similarly sized parcel, also on West Road, that was recently subdivided and developed for two commercial businesses. Ms. Houlihan asked what Mr. Masood's thoughts were for a mixed use development. Mr. Masood stated they were thinking of residential housing over commercial uses or affordable housing.

Ms. Houlihan stated the town has an assistant living facility, The Ivy's, and existing elderly housing is overseen by the Ellington Housing Authority. Commissioner Moser noted there is a commercial business on each side of the parcel with tractor trailer truck traffic and expressed safety concern for developing the parcel residentially. Ms. Houlihan suggested they review the town's Access Management regulations, and summarized the mixed-use concept suggested for land along Route 83 from Middle Butcher Road to the Vernon town line in the Route 83 Corridor Study. Commissioner Sandberg referred Mr. Masood to the mixed use development in East Windsor - Pasco's. The commission agreed they are open to a concept plan for development, but intend on preserving commercially zoned parcels for commercial uses. Mr. Masood said they need to look at the town's regulations to see what development would possibly be allowed, such as a town center concept, not commercial use on one side of the parcel and residential on the other.

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 the Planning Department received a request to continue the public hearing to August 22, 2022.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CONTINUE PUBLIC HEARING TO THE NEXT MEETING ON MONDAY, AUGUST 22, 2022, 7:00 PM, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202203 - Juliano Family One, LLC, owner/Brian Juliano, applicant, request to modify Special Permit and Site Plan Approval to move retention pond approved in phase I, expand pavement for parking and outdoor storage, and associated site improvements at 100 Windermere Avenue, APN 018-021-0000, in the IP (Industrial Park) Zone.

2. 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.

Time: 7:32 pm

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

Derek Reutter, 297 Jobs Hill Road, was present to represent the application. Mr. Reutter stated he is seeking approval for a 24'x36' garage to park vehicles. Only electrical will be installed, there's no plans to connect to water. Ms. Houlihan noted there were no staff concerns pertaining to the proposed garage, but should the commission approve they may consider adding a condition of approval that the structure not be used for business purposes.

Commissioner Swanson asked how many garages are currently on the site. Mr. Reutter stated the barn, which is a 14'x48', is also dry storage and there is no garage attached to the house.

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

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

CONDITION(S) OF APPROVAL:

- Structure shall not be used for business purposes.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. Z202210 – KUP Enterprises, owner/applicant, request for Site Plan modification to construct a 60'x45' storage building at 74 West Road, APN 028-002-0000, in a C (Commercial) Zone.

BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED NEW BUSINESS FOR AUGUST 22, 2022, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202210 – KUP Enterprises, owner/applicant, request for Site Plan modification to construct a 60'x45' storage building at 74 West Road, APN 028-002-0000, in a C (Commercial) Zone.

2. S202202 – William E. Witinok, Jr., owner/ Civil Solutions, LLC, applicant, request for a 1 lot subdivision on property on Newell Hill Road, APN 127-016-0001, in a RAR (Rural Agricultural Residential) Zone.

BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED PUBLIC HEARING FOR AUGUST 22, 2022, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR S202202 – William E. Witinok, Jr., owner/ Civil Solutions, LLC, applicant, request for a 1 lot subdivision on property on Newell Hill Road, APN 127-016-0001, in a RAR (Rural Agricultural Residential) Zone.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of Planning and Zoning Commission June 27, 2022 Regular Meeting Minutes.

MOVED (SWANSON) SECONDED (KELLY) AND PASSED (FRANCIS – ABSTAINED) TO APPROVE THE JUNE 27, 2022 REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:

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

The commission discussed the existing moratorium and idea of allowing cultivation or dispensary facilities in town. They agreed to extend the moratorium to allow additional time to decide what regulations should be adopted for cannabis establishments.

BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED A PUBLIC HEARING FOR THE PLANNING AND ZONING COMMISSION MEETING ON AUGUST 22, 2022, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT AND ZOOM VIDEO CONFERENCING FOR Z202211 - Ellington Planning & Zoning Commission, Zoning Regulation Section 7.16 Cannabis establishments to extend existing moratorium for production and dispensary facilities (adult-use/licensed medical marijuana) through April 30, 2023.

- b. Discussion: Potential extension of existing moratorium for Section 6.3.7.B–Detached Signs, in Commercial & Industrial Zones for Electronic Fuel Price Signs.

The moratorium for this regulation will expire September 3, 2022. Ms. Houlihan asked the commission if they would like to extend the moratorium for another six (6) months to allow additional time to draft regulations. Upon a short discussion, the commission agreed to add to next month's agenda a vote to extend the moratorium through February 2023.

BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED A PUBLIC HEARING

FOR THE PLANNING AND ZONING COMMISSION MEETING ON AUGUST 22, 2022, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT AND ZOOM VIDEO CONFERENCING FOR Z202212 – Ellington Planning & Zoning Commission, Zoning Regulation Section 6.3.7 (B) Electronic Fuel Price Signs to extend existing moratorium through February 28, 2023.

Secretary Sandberg informed Ms. Houlihan that Flavors of Nawab Restaurant, located at 4 West Road, has put LED lights up around the window(s) and requested the Zoning Enforcement Officer investigate.

- c. Letter to Buddhist Association of Connecticut, Inc., dated July 14, 2022, expiration of approval and potential extension for S200801 – Four (4) lot subdivision, 124-130 (formerly 120) Stafford Road, Ellington, CT.

Ms. Houlihan explained the Buddhist Association of Connecticut subdivision on Stafford Road will expire soon. She noted statutory amendments enabling the owner to request another extension for five more years. If the subdivision approval is not extended, it will expire, notice placed on the land records and easements given to the Town released. If this occurs, the land will revert to a single lot.

VII. ADJOURNMENT:

MOVED (SWANSON) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 8:07 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk