



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

55 MAIN STREET – PO BOX 187
ELLINGTON, CONNECTICUT 06029-0187
www.ellington-ct.gov

TEL. (860) 870-3120 TOWN PLANNER'S OFFICE FAX (860) 870-3122

PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA MONDAY, SEPTEMBER 26, 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): (Hearing(s) may commence, unless otherwise noted.)

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. **(Request to table opening of hearing present)**
2. Z202213 - Town of Ellington, owner/Department of Public Works, applicant, request for Site Plan Modification to construct a 60'x120' dek hockey rink and associated site improvements at 45 Sadds Mill Road (Robert Tedford Memorial Park), APN 079-004-0000, in a RAR (Rural Agricultural Residential) Zone.
3. Z202214 – Antonio Sabatini and Anna Benacquista Trust, owner/ Camillo Derubertis, applicant, request for Special Permit for retail at (#188) 192 Windsorville Road, APN 009-066-0000, in a C (Commercial) Zone.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the August 22, 2022, Regular Meeting Minutes.
2. Correspondence/Discussion:
 - a. Discussion: Potential Zoning Regulation Amendments to Section 6.3.7.B – Detached Electronic Fuel Price Signs in C, PC, I and IP Zones.
 - b. Discussion: Potential Zoning Regulation Amendments regarding outdoor lighting for commercial and industrial zones and other miscellaneous sign lighting standards.

VII. ADJOURNMENT:

Next Regular Meeting is scheduled for October 24, 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/87407345893>
Meeting ID: 874 0734 5893
Passcode: 933653

Join Zoom Meeting by phone:

1-646-558-8656 US (New York)
Meeting ID: 874 0734 5893
Passcode: 933653

App deadline 8/18/22

Town of Ellington Planning & Zoning Commission Application

Type of Application: <input type="checkbox"/> Zone Change <input type="checkbox"/> Amendment to Regulation <input checked="" type="checkbox"/> Site Plan Approval <input type="checkbox"/> Special Permit <input checked="" type="checkbox"/> Modification <input type="checkbox"/> CGS 8-24	Application # Z 202213
	Date Received 8/3/2022

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

Owner's Information

Name: Town of Ellington
 Mailing Address: 55 Main St, PO Box 189
Ellington, CT 06029
 Email: see applicant info

WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU? Yes No

Primary Contact Phone #: see applicant info

Secondary Contact Phone #: see applicant info

Signature: [Signature] Date: 8-1-22

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.

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

Applicant's Information (if different than owner)

Name: Dept. of Public Works
 Mailing Address: c/o Ken Radziwon,
Director of Public Works.
 Email: kradziwon@ellington-ct.gov

WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU? Yes No

Primary Contact Phone #: 860-870-3140

Secondary Contact Phone #: _____

Signature: [Signature] Date: 8-3-2022

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

Street Address: 45 Sadds Mill - Robert Tedford Memorial Park

Assessor's Parcel Number (APN): 079 - 004 - 0000 Existing Zone: RAB Proposed Zone: N/A
(If unaware of APN, please ask staff for assistance) (If none, insert "N/A")

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

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

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

Is the project in a public water supply watershed area? Yes No *If yes, applicant shall notify Connecticut Water Company and Commissioner of Public Health about the proposed project by certified mail return receipt within 7 days of application (§8-3(b)). Copy of application, plans, and supporting documents must accompany notice. Proof of notice and copies of return receipts must be provided to the Planning Department.*

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

Installation of deck hockey rink and associated
site improvements.
Proposed deck Hockey rink to be 60' X 120'.

45 Sadds Mill Road - GIS Aerial



Property Information

Property ID 079 004 0000
 Location 45 SADDs MILL RD
 Owner ELLINGTON TOWN OF -ROBERT TEDFORD MEM PK

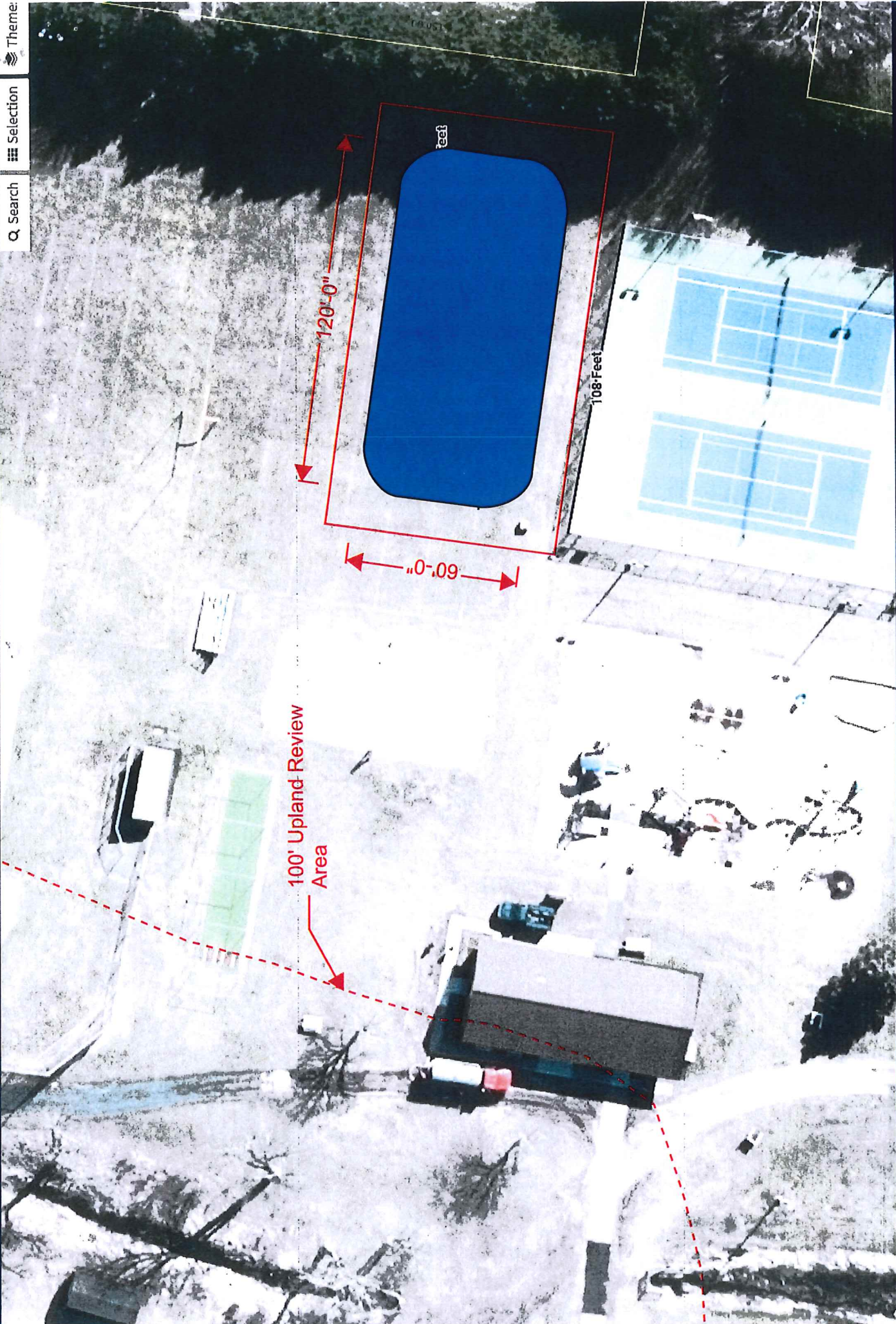


**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

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

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

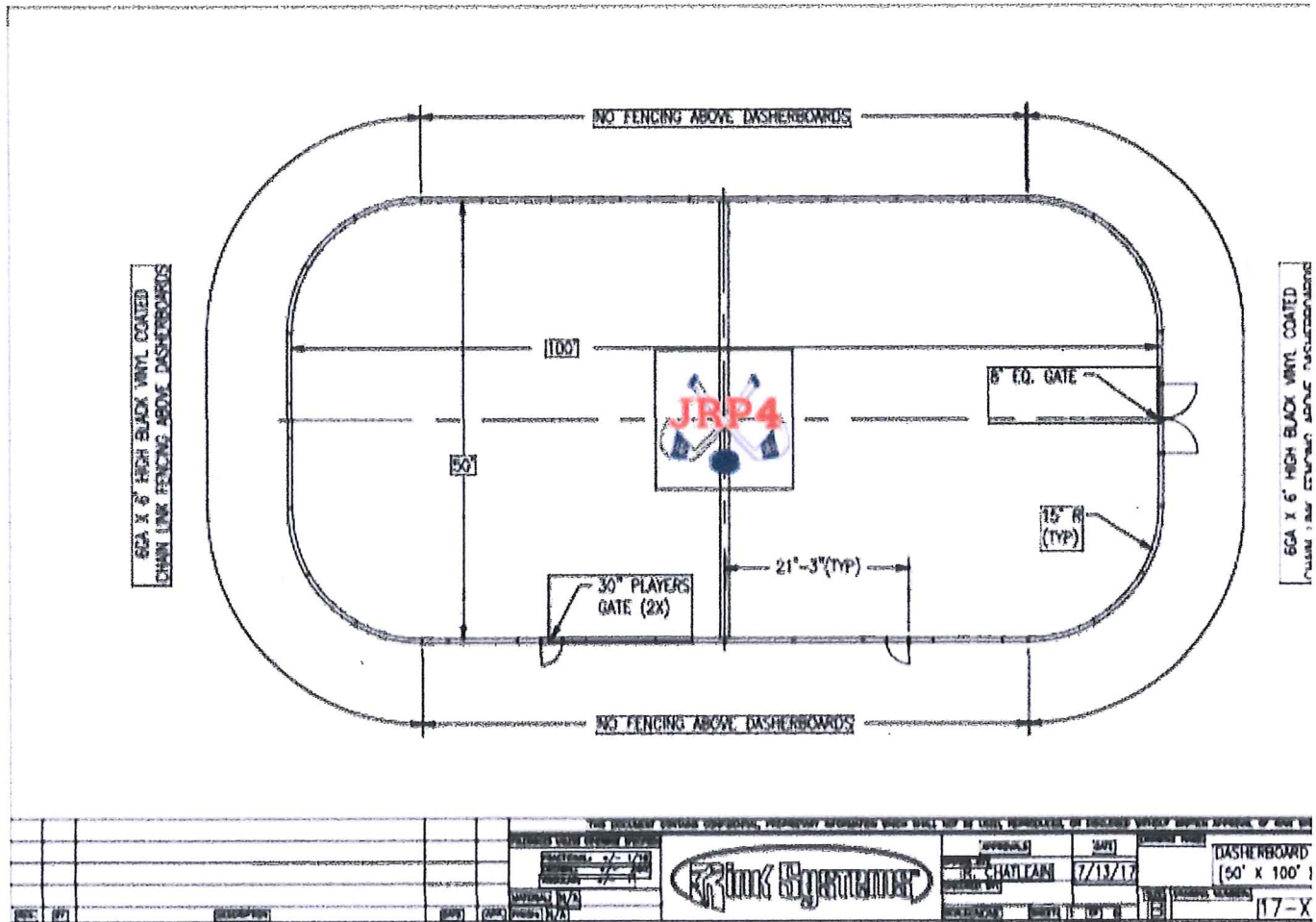


Poulin Hockey Rink Layout

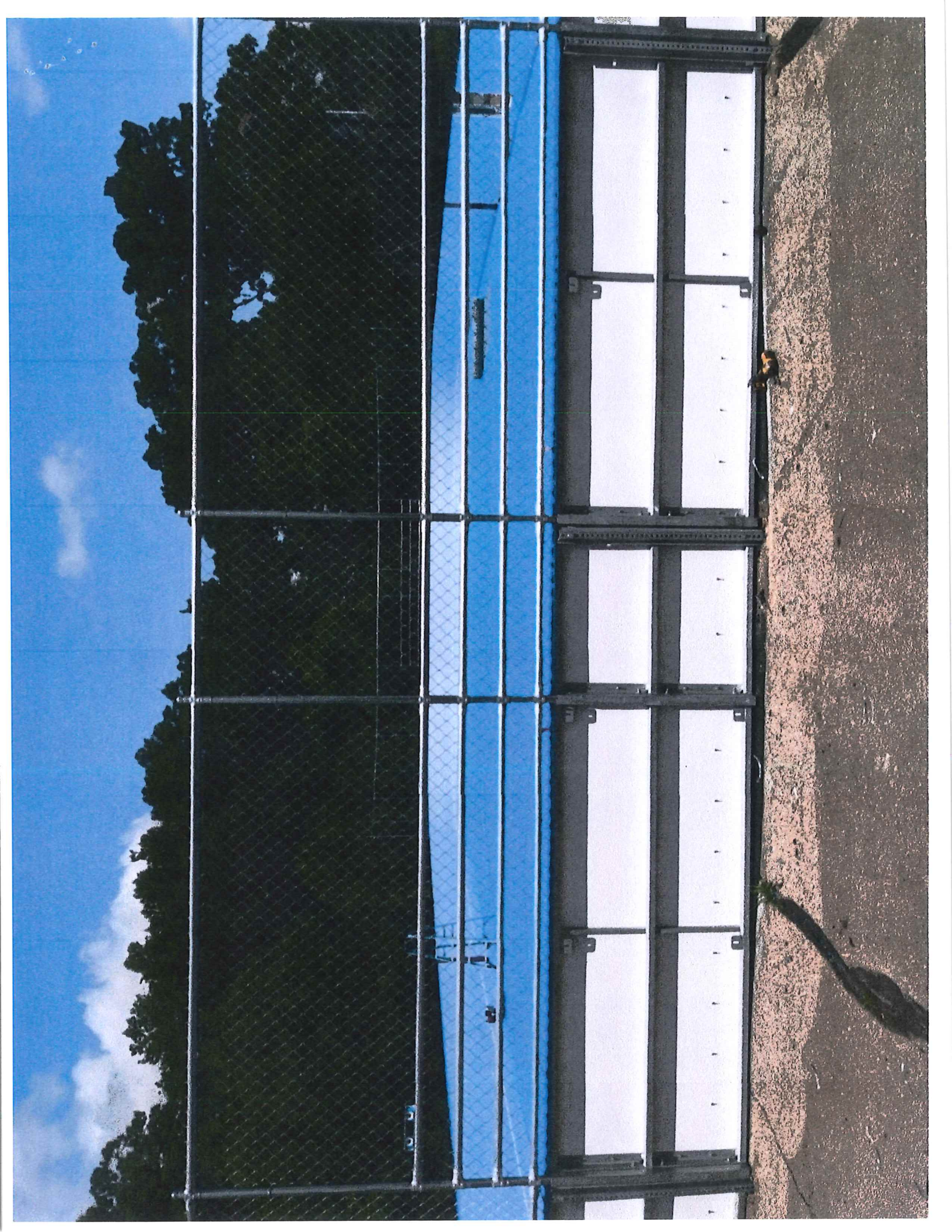
August 2022



JPOULAN.pdf









 www.empowerplayproject.com

Visit

EMPowerplay | We Speak Hockey

365

Images may be subject to copyright. Learn More

Received:
5:33 pm 9/7/2022



Stacey Overgaard

RE: Jacob's Park

From Stacey.Overgaard@rinksystems.com

To Steve Poulin

Today at 5:22 PM ✓

Steve,

5" thick reinforced concrete would be preferred.

Or you can go 4" concrete with a thickened slab around the perimeter.

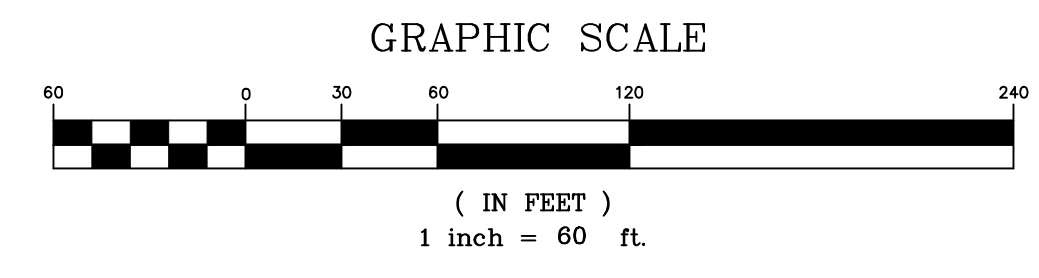
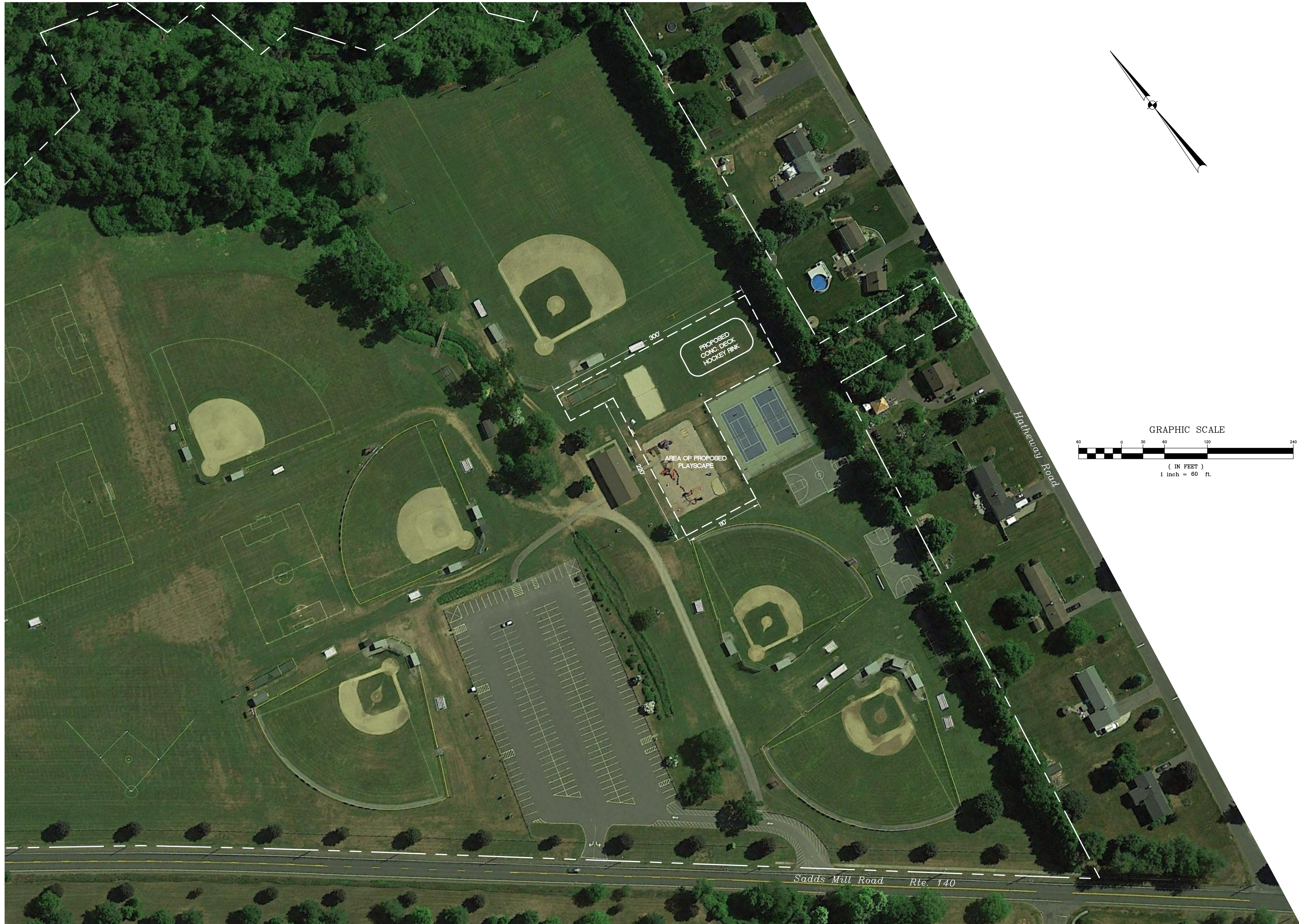
We need to drill 4" deep for our anchors. That is why at least a 5" slab is needed around the perimeter.

The size of the slab should be a minimum of 2' wide and 2' longer than the inside rink dimension for proper anchoring.

So make the slab at least 62' x 102'.

Use a standard 4000 psi concrete mix.

Thanks,



NO.	DATE	DESCRIPTION

REVISIONS

BY: LF/TAC	CHK: JEU
------------	----------

Robert Tedford Memorial Park
 Prepared For
 Town of Ellington
 Sadds Mill Road
 Ellington, Connecticut
 Map 079-004-0000 Zone: RAR

DATE	10-01-19
SCALE	1"=60'
JOB NUMBER	2018-807
SHEET	1

8-23-21 MOVE HOCKEY RINK TO THE EAST

Town of Ellington Planning & Zoning Commission Application

Type of Application: <input type="checkbox"/> Zone Change <input type="checkbox"/> Amendment to Regulation <input type="checkbox"/> Site Plan Approval <input checked="" type="checkbox"/> Special Permit <input type="checkbox"/> Modification <input type="checkbox"/> CGS 8-24		Application # <div style="border: 1px solid black; padding: 2px; display: inline-block; background-color: yellow;">Z202214</div> Date Received 8/18/2022
Notices associated with this application will be sent to the applicant, if different than the owner, unless otherwise requested. Owner's Information Name: <u>Antonio Sabatini and Anna Benacquista Trust</u> Mailing Address: <u>200 Lexington Ave</u> <u>Glastonbury, CT 06033</u> Email: <u>Lvibenacquista@gmail.com</u> <small>WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</small> Primary Contact Phone #: <u>860-716-5287</u> Secondary Contact Phone #: _____ Signature: <u><i>Anna Benacquista</i></u> Date: <u>8/17/2022</u> <small>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.</small>	Notices associated with this application will be sent to the applicant, if different than the owner, unless otherwise requested. Applicant's Information (if different than owner) Name: <u>Camillo Derubertis</u> Mailing Address: <u>325 Middle Turnpike W</u> <u>Manchester, CT 06040</u> Email: <u>info.quarantatre@gmail.com</u> <small>WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</small> Primary Contact Phone #: <u>860-964-7299</u> Secondary Contact Phone #: <u>860-964-7299</u> Signature: <u><i>Camillo De Rubertis</i></u> Date: <u>8/17/2022</u> <small>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.</small>	
Street Address: <u>192 Windsorville Road</u> Assessor's Parcel Number (APN): <u>009 - 066 - 0000</u> Existing Zone: <u>C</u> Proposed Zone: <u>N/A</u> <small>(If unaware of APN, please ask staff for assistance) (If none, insert "N/A")</small> Public Water: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Public Sewer: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>If not served by public water and sewer, applicant/owner shall make application to North Central District Health Department (Enfield Office).</i> Is parcel within 500' to any municipal boundary? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>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.</i> Is the project in a public water supply watershed area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>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 (§8-3i(b). Copy of application, plans, and supporting documents must accompany notice. Proof of notice and copies of return receipts must be provided to the Planning Department.</i>		
Description of Request (If more space is needed, please attach additional sheets) <u>Former Laundromat Space conversion to a retail Dollar store, square</u> <u>footage less the restroom is +/- 1300 S. F.</u> _____ _____ _____ _____		

RECEIVED

AUG 18 2022

TOWN OF ELLINGTON
PLANNING DEPARTMENT

Current Signage on the space:



Tenant will replace the existing sign with a new facing with the following design:



Tenant will also replace the insert on the existing monument sign with same design as on the store front:



RECEIVED

AUG 18 2022

TOWN OF ELLINGTON
PLANNING DEPARTMENT

Subject: FW: 192 Windsorville Rd, Ellington Fixture Layout
Attachments: UPDATED FIXTURE PLAN 8-22-2022.pdf

From: Tina - Liberty Opportunities, Inc. [mailto:tina@libertyoi.com]
Sent: Monday, August 22, 2022 2:43 PM
To: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>; Pasquale Salvatore <PSalvatore@Salvatorelawgroup.com>; Camillo <info.quarantatre@gmail.com>
Cc: Paul Kostecky <paul@libertyoi.com>; Longobucco, Mario <mario.longobucco@cbcprt.com>; Frank Consiglio <frank@libertyoi.com>; Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>
Subject: Re: 192 Windsorville Rd, Ellington Fixture Layout

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,

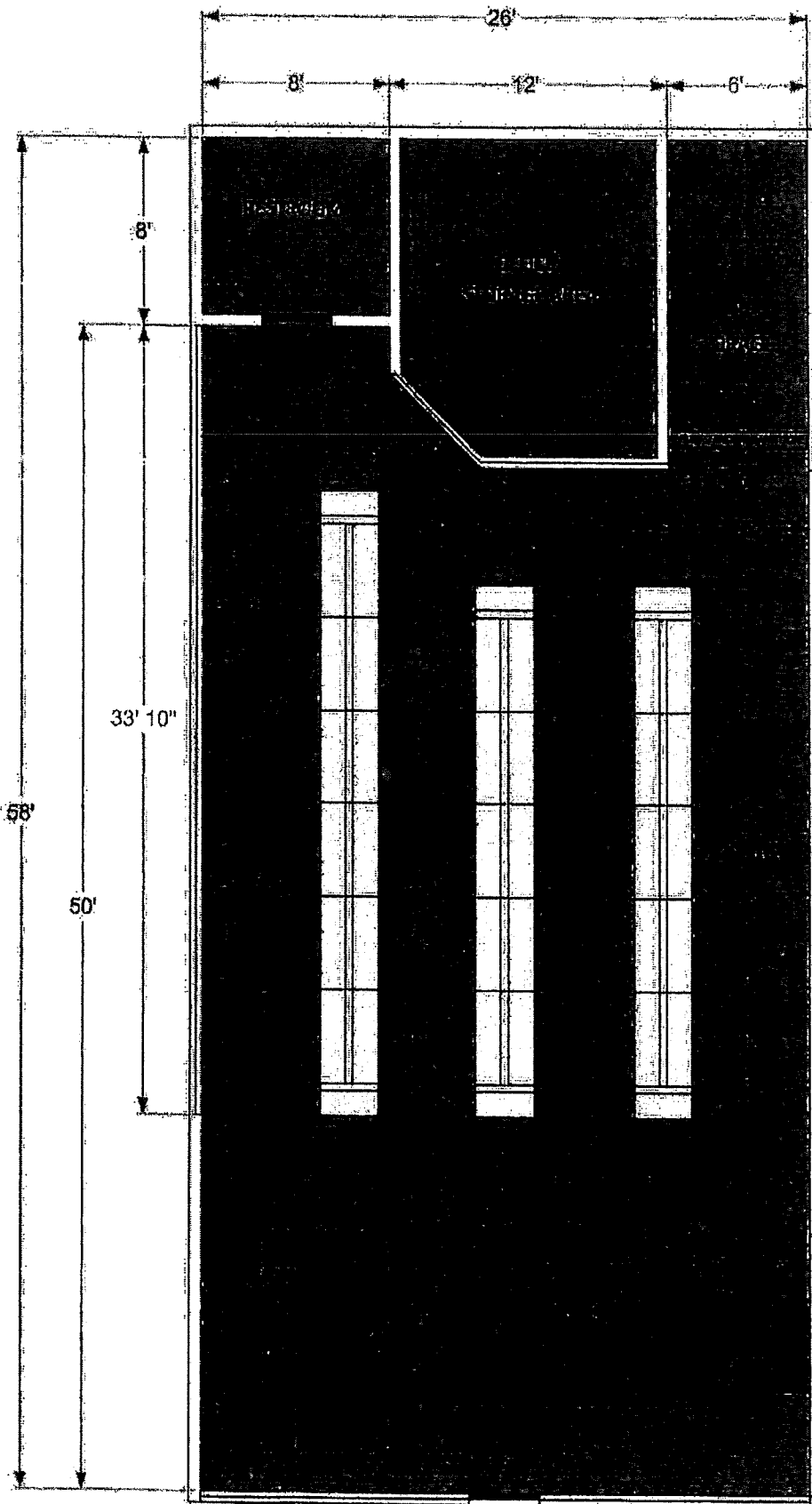
Attached is the updated fixture layout with the rooms labeled, as requested.

His hours of operation will be 8am to 8pm. He will be working the store along with one other employee to start.

The landlord is working with town hall on the parking lot site plan. He called them last week but was told the person he needed to talk to was out until this week.

What other information do you need at this time?

Tina Burkett
VP Accounts
Liberty Opportunities, Inc.
2395 Prince Street
Conway, Arkansas 72034
Direct Phone: 501-932-0012
Fax: 501-327-0593
www.libertydollarstore.com





Property Information

Property ID 009 066 0000
Location 192 WINDSORVILLE RD
Owner SABATINI ANTONIO + BENACQUISTA ANNA TR



**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

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

RECEIVED

AUG 18 2022

TOWN OF ELLINGTON
PLANNING DEPARTMENT

180 - 192 Windsorville Road (Owner, Antonio Sabatini & Anna Benacquista)

Use	Total Square Footage	Net Floor Area*	Calculation	Required Spaces	Existing Spaces
Building (180)					
Donut Shop	1300	800	800/100	8	
Hair Salon	1300	1000	1000/200	5	
Building (188)					
Retail Store (PROPOSED)	1500	1200	1200/200	6	
Nail Salon	2200	1800	1800/200	9	
Building (192)					
Pizza Restaurant	2400	1400	1400/100	14	
Liquor Store	3600	3000	3000/200	15	
Totals				57	57

*Net Floor Area is estimated from a review of past building and zoning permit floor plans or calculated at 80% of total floor area (recent Planning & Zoning Commission approvals have allowed a net floor area at 80%).

The existing 57 spaces are based on aerial views of the property. The previously approved site plan had 60 spaces, 4 of which were not constructed.

The Commission may permit a reduction of up to 25% of the required parking spaces due to shared use of parking facilities when the parking needs of the joint users occur at different hours of the day, different days of the week, or different times of the year.

Updated September 2022



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

55 MAIN STREET – PO BOX 187
ELLINGTON, CONNECTICUT 06029-0187

www.ellington-ct.gov

TEL. (860) 870-3120 TOWN PLANNER'S OFFICE FX (860) 870-3122

PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES MONDAY, AUGUST 22, 2022, 7:00 PM

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

MEMBERS PRESENT: CHAIRMAN ARLO HOFFMAN, REGULAR MEMBERS WILLIAM HOGAN, F. MICHAEL FRANCIS, MICHAEL SWANSON, AND ALTERNATE RACHEL DEARBORN

MEMBERS ABSENT: VICE CHAIRMAN SEAN KELLY, SECRETARY ROBERT SANDBERG, JR, AND REGULAR MEMBER JON MOSER

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

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

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

Zanul Masood and Hassan Chaudhry, 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 his company is looking to propose development on the parcel, such as a mix use of housing and commercial. Mr. Masood distributed a concept plan to review with the Commission, and would like to discuss possible development before proceeding with a formal application. Mr. Masood reviewed the concept plan, showing commercial uses in the front portion of the parcel with a concept of up to 80 one to two story townhouse style assist living units in the back portion of the parcel. Chairman Hoffman noted the town regulations don't allow for residential uses in a commercially zoned parcel, and lack of support to rezone commercial land for residential development. Chairman Hoffman reiterated safety concerns he mentioned last month for placing a residential development between two commercial businesses that have heavy tractor trailer truck traffic.

Ms. Houlihan explained a 24' wide travel land would need to be met throughout the parcel. She referred to the Plan of Conservation and Development recommendation for mixed use developments. She explained wetland permit requirements.

Chairman Hoffman expressed the residential portion of the proposal is not a good location within a commercial zoned parcel. Should they decide to develop the parcel commercially, the commission would be open to review a concept plan. Commissioner Hogan's concern is the location of wetlands would cut down the amount of square footage for an assistant living facility. He also noted a lot of open space within the commercial portion of the concept plan. Commissioner Francis did not like the idea if loosing commercial land and residential development abutting industrial uses. Commissioner Swanson is open to commercial ideas for the parcel and concerned with the wetlands to the rear. Alternate Dearborn reiterated the concern of tractor trailer truck traffic on both sides of the parcel.

Ms. Houlihan asked what type of commercial uses they were proposing and Mr. Masood stated they are retail and restaurants. Mr. Chaudhry inquired about the wetlands restrictions on the site. Mr. Houlihan explained any activity within 100 feet of the wetlands delineations would need Inland Wetland Agency approval and permit.

III. PUBLIC HEARING(S):

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

Time: 7:21 pm

Seated: Hoffman, Hogan, Francis, Swanson and Dearborn

Chairman Hoffman stated a request to withdraw the application has been submitted. Ms. Houlihan informed the commission that the owner of Juliano's Pools also withdrew the concurrent Inland Wetlands Agency (IWA) application at their August 8, 2022 meeting. She said their Professional Engineer, Bryan Cormier of Juliano's Pools and town staff met last week to review the list of outstanding items that are required to be complete. It was agreed with the applicant, all required application documents for Inland Wetland Agency and Planning & Zoning Commission would be submitted by September 1, 2022. The Commission is ok with putting the new application on the agenda for September 26, 2022 as a public hearing item.

Ms. Houlihan noted the IWA will likely require a fence along the wetlands for protection and permanent delineation. They will also be relocating the access drive to phase 2, due to the location of a headwall that is in need of repair.

Commissioner Hogan has concerns about the amount of activity on the site and they are achieving their goals by playing the system. He inquired about a possible Cease & Desist Order being issued. Ms. Houlihan explained the process of issuing the Cease & Desist Order and next steps that could be taken should the deadline of September 1st not be met by the applicant.

MOVED (HOGAN) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ACCEPT WITHDRAWAL 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. 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.

Time: 7:28 pm

Seated: Hoffman, Hogan, Francis, Swanson and Dearborn

Mr. James Luczak, P.E. Civil Solutions, LLC, 1150 Gottier Road, Tolland, CT was present to represent the application. Mr. Luczak stated they are looking for a one lot subdivision approval. The parcel has existed as is since the 80's and it is 13+ acres. After talking with staff, research was done and the original parcel was 25 acres in 1942 and parcels along the front have been cut off. Mr. Luczak stated they have received approval from North Central District Health Department, a Soil Scientist was on the site and no wetlands were reported and meets all zoning requirements. He reviewed the Town Engineer comments and can meet those as conditions of approval.

Chairman Hoffman confirmed the remaining existing 13 acres will remain as one lot with a single family dwelling. Ms. Houlihan explained the lot was created without the proper approvals and approval of this application will make the lot legal. Commissioner Hogan asked about the 1.2 acre difference from the GIS mapping and the survey. Mr. Luczak explained when it was actually surveyed the difference was brought to their attention.

Mr. Luczak read Dana Steele's email comments received on August 4 and August 9, 2022. He stated the driveway will be 16' wide which allows two-way traffic and will provide some type of vehicle turnaround near the house and provide a paved driveway apron. Alternate Dearborn requested the Soil Scientist letter dated August 8, 2022 be adhered to the mylar, revise the general notes to address the actual parcel and add more grading to the entrance area from the street.

No one from the public commented on the application. Ms. Houlihan stated there is a requested waiver of the open space that needs to be voted on and reviewed the possible conditions of approval.

MOVED (HOGAN) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING 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.

MOVED (HOGAN) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO GRANT WAIVER OF SUBDIVISION REGULATION SECTION 4.18 OPEN SPACE 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.

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

CONDITIONS OF APPROVAL:

1. Shall comply with the Town Engineer's comments dated August 4, 2022 and August 9, 2022;
 2. Shall comply with the Town Planner's comments dated August 10, 2022;
 3. Decision does not include approval of the detached garage shown on the proposed plan. Accessory structure requires a Special Permit pursuant to Section 3.1.3 of the Ellington Zoning Regulations;
 4. The letter from Joseph Theroux, Certified Soil Scientist, dated August 8, 2022, shall be superimposed on the mylar prior to recording;
 5. Notes on page 3 of 3 shall be updated to reflect the proposed application.
3. Z202211 - Ellington Planning & Zoning Commission, Text Amendment for Section 7.16 of the Ellington Zoning Regulations to Extend Moratorium for Cannabis Production and Dispensary Facilities (Licensed Medical and Adult-Use) through April 30, 2023.

Time: 7:43 pm

Seated: Hoffman, Hogan, Francis, Swanson and Dearborn

Ms. Houlihan stated the notice requirements have be met, they received no apparent conflict comments from Capitol Region Council of Governments (CRCOG). She noted the request is to extend the moratorium to April 30, 2023 to allow more time for the commission to discuss what regulations they would prefer.

Mr. Ronald Stomberg, 145 Jobs Hill Road, was present not only as a citizen of the town, but also as an elected official. He feels the allowance of selling cannabis would have a negative impact on the town. He believes the sales of the product could become an issue within the town. In response to Chairman Hoffman, Selectman Stomberg felt a cultivation facility could be considered under the strictest of conditions.

MOVED (HOGAN) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202211 - Ellington Planning & Zoning Commission, Text Amendment for Section 7.16 of the Ellington Zoning Regulations to Extend Moratorium for Cannabis Production and Dispensary Facilities (Licensed Medical and Adult-Use) through April 30, 2023.

MOVED (HOGAN) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE Z202211 - Ellington Planning & Zoning Commission, Text Amendment for Section 7.16 of the Ellington Zoning Regulations to Extend Moratorium for Cannabis Production and Dispensary Facilities (Licensed Medical and Adult-Use) through April 30, 2023. **EFFECTIVE DATE: AUGUST 30, 2022.**

4. Z202212 - Ellington Planning & Zoning Commission, Text Amendment For Section 6.3.7.B of The Ellington Zoning Regulations To Extend Moratorium For Detached Electronic Fuel Price Signs Through February 28, 2023.

Time: 7:49 pm

Seated: Hoffman, Hogan, Francis, Swanson and Dearborn

Ms. Houlihan stated this application is to extend the existing moratorium on the detached fuel price signs regulations through February 28, 2023 to allow more time for the commission to review and discuss this section of the regulations.

No one from the public spoke regarding the application.

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202212 - Ellington Planning & Zoning Commission, Text Amendment for Section 6.3.7.B of the Ellington Zoning Regulations to Extend Moratorium for Detached Electronic Fuel Price Signs through February 28, 2023.

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE Z202212 - Ellington Planning & Zoning Commission, Text Amendment for Section 6.3.7.B of the Ellington Zoning Regulations to Extend Moratorium for Detached Electronic Fuel Price Signs through February 28, 2023. **EFFECTIVE DATE: AUGUST 30, 2022**

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.

Mr. Corey Kupferschmid, 42 Ellsworth Lane, Ellington, CT was present to represent the application. Mr. Kupferschmid said they would like to erect a prefabricated 60'X45' storage building on the site. They are trying to clean up the property and remove a couple of trailers in the back off site. This will be a dry storage building.

MOVED (HOGAN) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE 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. Z202213 - Town of Ellington, owner/Department of Public Works, application, request for Site Plan Modification to construct a 60'x120' dek hockey rink and associated site improvements at 45 Sadds Mill Road (Robert Tedford Memorial Park), APN 079-004-0000, in a RAR (Rural Agricultural Residential) Zone.

The Commission contemplated holding a public hearing and reviewed the location for the proposed dek hockey rink. Given the rink's proximity to abutting properties, the commission felt a public hearing was required.

BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED A PUBLIC HEARING FOR SEPTEMBER 26, 2022, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202213 - Town of Ellington, owner/Department of Public Works, application, request for Site Plan Modification to construct a 60'x120' dek hockey rink and associated site improvements at 45 Sadds Mill Road (Robert Tedford Memorial Park), APN 079-004-0000, in a RAR (Rural Agricultural Residential) Zone.

BY CONSENSUS, ADD NEW BUSINESS ITEMS 3 AND 4 TO THE AGENDA.

3. Letter to Ellington Planning & Zoning Commission, dated August 16, 2022, Request for extension of approval for S200801 – Four (4) lot subdivision, 124-130 (formerly 120) Stafford Road, Ellington, CT, in a RAR (Rural Agricultural Residential) Zone.

Ms. Houlihan said a request to extend a four lot subdivision was received for 124-130 (formerly 120) Stafford Road, formally owned by the old Buddhist Association. They are eligible for an additional five years, total of nineteen years, which would extend to September 22, 2027.

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED (DEARBORN ABSTAINED) TO GRANT 5 YEAR EXTENSION FOR S200801 - Letter to Ellington Planning & Zoning Commission, dated August 16, 2022, Request for extension of approval for S200801 – Four (4) lot subdivision, 124-130 (formerly 120) Stafford Road, Ellington, CT, in a RAR (Rural Agricultural Residential) Zone. **EXTENSION EXPIRATION DATE: SEPTEMBER 22, 2027.**

4. Z202214 – Antonio Sabatini and Anna Benacquista Trust, owner/ Camillo Derubertis, applicant, request for Special Permit for retail at (#188) 192 Windsorville Road, APN 009-066-0000, in a C (Commercial) Zone.

BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED A PUBLIC HEARING FOR SEPTEMBER 26, 2022, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202214 – Antonio Sabatini and Anna Benacquista Trust, owner/ Camillo Derubertis, applicant, request for Special Permit for retail use at (#188) 192 Windsorville Road, APN 009-066-0000, in a C (Commercial) Zone.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of Planning and Zoning Commission July 25, 2022 Regular Meeting Minutes.

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED (HOGAN AND DEARBORN ABSTAINED) TO APPROVE THE JULY 25, 2022 REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:

- a. Memo (August 9, 2022) from Lori Spielman, First Selectman, concerning the Community United Methodist Church parking lot, 280 Sandy Beach Road, APN 128-019-0000.

Ken Radziwon, Director of Public Works, was present and informed the Commission he met with Ricci Hirth, Hirth Construction, on site and discussed how to address the restoration of the Community United Methodist Church parking lot. He explained they will be cutting the slope back for sight line issues, removing a couple of trees and doing some access management, such as decreasing the width of the exist access on Route 140. The Town will be responsible for reclaiming and repaving.

Chairman Hoffman gave a few examples of the relationships between churches and schools in town sharing parking or building access. For school events the parents may park at the church or in the event of a possible school evacuation, the students and faculty may use the church. He likes hearing they will maintain the relationships within the community.

- b. Letter (August 17, 2022) for Allyn Tool, 162 Maple Street, proposed landscaping.

Ms. Houlihan discussed a proposed landscaping plan provided by the applicant for the self-storage facility recently approved by the Commission. As a condition of approval, the Commission requested them to address the lack of landscaping around the main building. After roundtable discussion and review of the proposed sketch, the Commission requested the applicant add a landscaped island to the site at the corner of Maple Street and Tomoka Avenue, in addition to the proposed additional landscaping.

- c. Letter (August 18, 2022) from the Connecticut Department of Public Health for Highfield Estates Phase IV, Well Permit Exception.

Ms. Houlihan received a letter dated August 18, 2022 from the State of Connecticut, Department of Public Health responding to the developer asking to allow wells rather than extending to public water. The Commission previously waived the requirement of public hook up and have individual wells like the other phases of the subdivision. She noted the master plan, development delayed because of violations with the Army Corp of Engineers, zoning regulations changed since the start of the subdivision, and land to the west developed.

Commissioner Hogan did a little research and provided the Commission with potential amendments to the lighting and sign sections of the regulations. He briefly discussed possible changes the Commission may want to add, change or remove from the current regulations. They agreed to review and further discuss at their next meeting to be held on September 26, 2022.

VII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 8:25 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk

Town of Ellington

Planning Department

55 Main Street, PO Box 187, Ellington, CT, 06029/Phone: 860-870-3120/lhoulihan@ellington-ct.gov

DATE: September 20, 2022

TO: Planning and Zoning Commission

FROM: Lisa M. Houlihan, AICP, Town Planner

SUBJECT: Discussion: Potential zoning regulation amendments regarding outdoor lighting for commercial and industrial zones and other miscellaneous sign lighting standards.

On March 7, 2022, Commissioner Hogan presented draft regulation amendments regarding outdoor lighting within commercial and industrial zones and other miscellaneous sign standards (copied below). Given the potential new regulations will create a new enforcement process, I asked John Colonese, Assistant Planner Zoning Wetlands Enforcement Officer, to review the proposal and his response is enclosed (March 23, 2022). Discussion delayed over the past months, but in August Commission Hogan responded to John's comments (copy attached). Please review the potential regulation amendments in preparation for discussion on September 26, 2022.

POTENTIAL AMENDMENTS TO LIGHTING AND SIGN REGULATIONS

SECTION 4.3 - COMMERCIAL AND INDUSTRIAL REQUIREMENTS - Subsection 4.3.2 Lighting

(new) D. Correlated color temperature of any outdoor light source shall not exceed 3500 Kelvin.

SECTION 6.3 SIGNS - Subsection 6.3.9 - Illumination

(new) B. Any sign lighting source shall not exceed a color temperature of 3500 Kelvin.

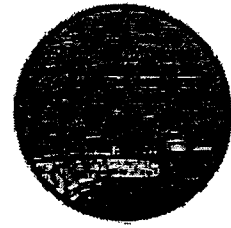
(new) C. All sign lighting shall be on timers that turn off when the business is closed (except for motion activated security lights that have a run time of up to 15 minutes).

SECTION 6.3 SIGNS - Subsection 6.3.10 - Prohibited Signs

(new) 6. Light emitting diode (LED) illumination of signs, including exteriors of windows or within 3 feet of interior of windows, unless the LED illumination source is shielded so that no direct observation of the LED light source is possible.

Town of Ellington Planning Department

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



MEMO

DATE: March 23, 2022
TO: Lisa Houlihan, AICP, Town Planner
Cc: Planning & Zoning Commission
FROM: John Colonese, Assistant Town Planner/ZEO
SUBJECT: Potential Amendments to Lighting and Sign Regulations from Commissioner Hogan dated March 7, 2022.

You asked if I have any comments regarding the potential subject regulation amendments since the suggested language would create a new process for enforcement. Please see below my comments in **bold** in response to the potential amendments to Sections 4.3.2, 6.3.9 and 6.3.10 of the Ellington Zoning Regulations.

4.3.2 Lighting

(new) D. Correlated color temperature of any outdoor light source shall not exceed 3500 Kelvin.

In reviewing lighting information it seems that 3500 Kelvin is a 'warm white' light, 4000 Kelvin is a 'natural/neutral white' light, and 5000 Kelvin is a 'cool white' light. Many businesses in town have 4000 and 5000 Kelvin lights. For example, the Commission recently approved Earthlight and Big Y Express with 4000 Kelvin lights and Bolles Motors with 5000 Kelvin. Businesses may want a 'cool white' light as opposed to a 'warm white' light. As a zoning regulation amendment, this amendment would not apply to existing lighting. Compliance to a Commission approved Kelvin amount can be confirmed by the type of light fixture installed or with a devise that measures Kelvin.

6.3.9 (new) B. Any sign lighting source shall not exceed a color temperature of 3500 Kelvin.

Businesses may want a 'cool white' light as opposed to a 'warm white' light to illuminate their signs. As a zoning regulation amendment, this amendment would not apply to existing sign lighting. Compliance to a Commission approved Kelvin amount can be confirmed by the type of light fixture installed or with a devise that measures Kelvin.

(new) C. All sign lighting shall be on timers that turn off when the business is closed (except for motion activated security lights that have a run time of up to 15 minutes).

The Commission may want to review this proposal with the Economic Development Commission and businesses in town. They may also want to check with Emergency Services to see if they use lighted signs to help locate/access sites at night. As a zoning regulation amendment, this amendment would not apply to existing signs. Therefore, if approved, new sign lights would turn off while those that pre-date the regulation could remain on. Enforcement would most likely require inspections outside of regular work hours and outside of regular business hours.

6.3.10 Prohibited Signs

(new) 4. Light emitting diode (LED) illumination of signs, including exteriors of windows or within 3 feet of interior of windows, unless the LED illumination source is shielded so that no direct observation of the LED light source is possible.

This proposed regulation appears to prohibit all internal LED illumination of signs, as well as external illumination if “direct observation of the LED light source is possible”. Most lighting these days is LED as it saves on energy. If the proposal’s intention is to prohibit all internal illumination of signs, it seems it would be clearer to prohibit all types of internal sign lighting, and Section 6.3.9.B would have to be amended. Also, what constitutes “direct observation”? Section 6.3.9.A currently states, “Exterior lighting is permitted when confined or directed to the surface of the sign so that no direct rays or glare are visible beyond the property lines or create a danger to vehicular traffic.”

Thank you for the opportunity to comment. Please let me if you have any questions.

Potential Amendments to Lighting and Sign Regulations

4.3.2 Lighting

(new) D. Correlated color temperature of any outdoor light source, with the exception of signage lighting, shall not exceed 4000 Kelvin.

Rationale: to prevent glare and harshness of security lighting. Lighting experts likely only consider the higher Kelvin lighting temperature as the best for security lighting while not considering the impact on neighboring properties and the general public. John Colonese states that Big Y Express and Earthlight were approved with 4000 K and Bolles Motors with 5000 K. The security lighting at Valero gas station is unknown at this time, but is an example of what should be prevented. If adopted, this would apply only to new lighting sources and would not required changes to existing lighting sources.

6.3.9 (new) B. All sign lighting shall be on timers that turn off when the business is closed.

If adopted, this would apply only to new lighting sources and would not required changes to existing lighting sources.

6.3.10 Prohibited Signs

(new) 4. Light emitting diode (LED) illumination of signs, including exteriors of windows or within 3 feet of interior of windows, unless the LED illumination source is shielded so that no direct observation of the LED light source is possible.

Rationale: more specific language than 6.3.10.D 2 would help prevent future LED sign proposals such as message boards, gas station pump lights and LED window lights seen in neighboring towns.

The current definition of "Sign" is:

Sign. Any natural or artificial structure, device, light, material, or object which shall use any letter, word, number, banner, flag, pennant, insignia, logo, device, to attract attention to identify, advertise, announce, or represent any object, project, place, activity, person, institution, organization, firm, group, commodity, enterprise, business, or industry and which is intended to be seen from a public street.

So LED lights on gas pumps or window LED lights would be considered a sign as they are intended to attract attention to a place or activity. However, they are not now prohibited. Message boards may be already prohibited because they change, but it would be stronger to outright prohibit them.

This is not meant to prohibit the use of LED lighting in signs but the diodes must not be visible and must be shielded from direct eyesight. This is not meant to prohibit internal illumination of signs by LEDs nor to prohibit all internal illumination of signs. If this intent does not come across in the proposed language, suggestions to make it clear are welcomed.

Received 8/17/22, B. Hogan

Town of Ellington

Planning Department

55 Main Street, PO Box 187, Ellington, CT, 06029 / Phone: 860-870-3120 / Email: lhoulihan@ellington-ct.gov

DATE: September 20, 2022

TO: Planning and Zoning Commission

FROM: Lisa M. Houlihan, AICP, Town Planner

SUBJECT: Discussion: Potential Zoning Regulation Amendments to Section 6.3.7.B - Detached Electronic Fuel Price Signs in C, PC, I, and IP Zones

Section 6.3.7.B has been under moratorium since March 3, 2022, and the existing one will expire February 28, 2023. Over the past year, you've discussed potential zoning amendments for detached fuel price signs and the enclosed represents the latest working draft amendment. Please review the attached and prepare to discuss a definitive course of action at the next meeting. Options include:

- Take no action and effective March 1, 2023, be subject to special permit applications pursuant to current regulations;
- Amend existing regulations with desirable standards and effective March 1, 2023, be subject to special permit applications pursuant to amended regulations;
- Amend regulations to prohibit detached electronic fuel price signs and effective a date set by the commission prior to March 1, 2023, remove obligation to review future special permit applications for detached electronic fuel price signs.

For your reference, attached are copies of meeting minutes summarizing past discussions on this topic.

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~~ 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.

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

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

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

VI. ADMINISTRATIVE BUSINESS:

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

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

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

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

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

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

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

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

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

Ms. Houlihan reviewed correspondence from Dana Steele, Town Engineer, confirming that he and Timothy Webb, Public Work's Director, approved the removal of the hooded outlet at catch basin 8. The commission reviewed Mr. Steele's memo dated March 15, 2022, and the bond estimate dated March 14, 2022.

MOVED (SANDBERG) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CONVERT CONDITIONAL APPROVAL TO FINAL APPROVAL AND APPROVE A PERFORMANCE BOND IN THE AMOUNT OF \$198,091.00 IN ACCORDANCE WITH A MEMO FROM THE TOWN ENGINEER DATED MARCH 15, 2022, AND BOND ESTIMATE FORM DATED MARCH 14, 2022, FOR S202004 Hastillo Properties, LLC, owner/ TYMAC Holdings, LLC, applicant, for re-subdivision of 61.56 acres for eleven (11) lots on west side of Tripp Road, in a RAR (Rural Agricultural Residential) Zone.

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

BY CONSENSUS, RECEIVED AND SCHEDULED A PUBLIC HEARING FOR APRIL 25, 2022, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202203 - Juliano Family One, LLC, owner/Brian Juliano, applicant, request for modification to Special Permit and Site Plan Approval to move retention pond approved in phase I, expand pavement for parking and outdoor storage, and other associated site improvements at 100 Windermere Avenue, APN 018-021-0000, in the IP-Zone.

VI. ADMINISTRATIVE BUSINESS:

BY CONSENSUS, ADDED TO THE AGENDA THE FOLLOWING DISCUSSION ITEMS UNDER ADMINISTRATIVE BUSINESS, (c) LIGHTING AT 100 WINDERMERE AVENUE, JULIANO'S POOLS AND (d) DESIGN OF CLEARANCE BARS AND FREE STANDING MENU BOARD SIGN FOR BIG Y CAR WASH.

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

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE THE FEBRUARY 28, 2022 REGULAR MEETING MINUTES AS WRITTEN.

Correspondence/Discussion:

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

Hussnain Gondal, Gondal Corporation, 469 Rubber Ave., Naugatuck, CT was present for the Road Runner located at 83 West Road. He owns the Road Runner and recently spoke with John Colonese, Assistant Town Planner, Zoning Enforcement Officer, about applying to replace the internally illuminated sign with a new LED gas price sign. Mr. Colonese informed Mr. Gondal about the existing moratorium. Mr. Gondal explained the current sign is 13' in height and creates safety issues for employees manually changing prices. Mr. Gondal mentioned it is difficult to find replacement numbers for manual gas price signs. Mr. Gondal displayed a photo of the LED gas price sign he would propose. The new sign would only be 8' in height and would be trimmed in stone. He is hopeful the commission will lift the moratorium.

The commission round tabled Section 6.3.7.B. They discussed language to control size and brightness or not allowing them. They spoke favorably about the LED sign at Big Y Express and to change regulations using the Big Y sign as an example. It was decided to continue discussion to next month.

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

Chairman Hoffman stated this discussion item was added to the agenda last month, but not discussed. Blaine Kinney, Back Road's Barbecue, located at 292 Sandy Beach Road, approached the commission about amending the current directional sign regulation to allow directional signs to have logos and be larger than what current regulations allow. Mr. Kinney purchased enter and exit signs that have his company's logo on them and are larger than permitted. Chairman Hoffman asked the commission if they are inclined to change the regulations.

The commission round tabled and concluded they would consider language allowing direction signs to reflect business logos but not business names. They agreed logos should be smaller in size than the word "Enter" or "Exit", but declined to increase the size for directional signs.

- c. Lighting at 100 Windermere Avenue, Juliano's Pools.

Ms. Houlihan explained recent concerns raised by commissioners about excessive exterior lighting at 100 Windermere Avenue. Mr. Colonese met on site with representatives for Juliano's Pools and discovered the type, number, and height of exterior lights installed did not comply with recent phase 1 approvals. Bryan Cormier, of Juliano's Pools, explained the light fixtures differed because the ones approved, Stonco LPW32, were on backorder. Mr. Cormier confirmed in an email dated March 25, 2022, that exterior light fixtures along Lower Butcher Road and Windermere Avenue will be switched out to match the type the commission approved. Juliano's recently submitted application for phase 2 improvements which will be heard by the commission next month. Phase 2 proposals will include a new photometric plan.

- d. Design of clearance bars and free standing menu board for Big Y Car Wash.

Ms. Houlihan stated Big Y Express is looking to install a height clearance bar for each carwash isle and a free standing menu board to the west of the carwash. Neither site element was presented for approval during site plan review. The commission discussed the proposed color and height of the clearance bars. They suggested the bars be black to match the installed vacuums, but to keep the caution portion yellow. Commissioner Swanson suggested applying a stone base for the freestanding sign to match the building design.

VII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 8:12 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk

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

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

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

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

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

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

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

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

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

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

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

VI. ADMINISTRATIVE BUSINESS:

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

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

2. Correspondence/Discussion:

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

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

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

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

b. Discussion: Section 6.3 - Directional Signs.

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

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

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

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

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

VII. ADJOURNMENT:

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

Respectfully submitted,

Barbra Galovich, Recording Clerk