



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](http://www.ellington-ct.gov)

TEL. (860) 870-3120

**TOWN PLANNER'S OFFICE**

FAX (860) 870-3122

## **ZONING BOARD OF APPEALS REGULAR MEETING AGENDA MONDAY, FEBRUARY 6, 2023, 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):** *(Notice requirements met, hearing may commence unless otherwise noted)*

1. V202301 – Michael & Lisa Howard, owner/applicant, request for a variance of the Ellington Zoning Regulations Section 2.1.10-Highway Clearance Setback: to reduce the front yard setback on Abbott Road from 55ft to 40ft for a pool and pool shed at 35 Ellridge Place, APN 025-036-0034 in a Residential (R) zone.

### **IV. ADMINISTRATIVE BUSINESS:**

1. Approval of the January 9, 2023, Regular Meeting Minutes.
2. Election of Officers.
3. Correspondence/Discussion:
4. Commissioner training pursuant to Public Act 21-29.

### **V. ADJOURNMENT:**

Next Regular Meeting Scheduled for Monday, March 6, 2023

---

Instructions to attend remotely via Zoom Meeting listed below. The agenda is posted on the Town of Ellington webpage ([www.ellington-ct.gov](http://www.ellington-ct.gov)) under Agenda & Minutes, Zoning Board of Appeals.

#### **Join Zoom Meeting via link:**

<https://us06web.zoom.us/j/88587887880>

Meeting ID: 885 8788 7880

Passcode: 756408

#### **Join Zoom Meeting by phone:**

1 646 558 8656 US (New York)

Meeting ID: 885 8788 7880

Passcode: 756408

# Town of Ellington Zoning Board of Appeals Application

Application # <u>V202301</u>
Date Received <u>1/23/2023</u>

**Type of Application:** ☒ Variance ☐ Appeal of Decision ☐ Auto Dealer / Repairer License

Notices associated with this application will be sent to the applicant unless otherwise requested.

### Owner's Information

Name: Michael & Lisa Howard  
Mailing Address: 35 Ellridge Place  
Ellington, CT 06029  
Email: mhoward1313@yahoo.com

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

Primary Contact Phone #: 860-214-1061

Secondary Contact Phone #: 860-454-7858

Owner's Signature: Michael Howard Date: 1/19/23

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 Board 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 Board or its staff.

Notices associated with this application will be sent to the applicant unless otherwise requested.

### Applicant's Information (if different than owner)

Name: same  
Mailing Address: \_\_\_\_\_  
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 #: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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 Board have been submitted.

**RECEIVED**

Street Address: 35 Ellridge Place - Ellington, CT 06029

Assessor's Parcel Number (APN): 025 - 036 - 0034 Zone: R

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

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 Conn. Gen. Stat. §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.*

Previous Variances related to this property? ☐ Yes ☒ No If yes, specify date \_\_\_\_\_

Requesting a Variance to Zoning Regulations Section: (For Variance Application only) Section 2.1.10 Highway clearance setback  
Describe Variance Request, Appeal of Decision, or Auto Dealer/Repairer License: (Attach additional sheets if needed)  
please see attached

Hardship: Describe hardship and indicate why other options are unacceptable. (For Variance Application only)

please see attached

RECEIVED

JAN 23 2023

TOWN OF ELLINGTON  
PLANNING DEPARTMENT

**Town of Ellington**  
**Zoning Board of Appeals Application for Variance**  
Submitted by: Mike & Lisa Howard  
35 Ellridge Place  
Ellington, CT 06029

**Describe Variance Request:**

Requesting a 15-foot variance to the existing Highway Clearance Setback (2.1.10) for construction of a pool and pool shed

**Hardship:** Describe hardship and indicate why other options are unacceptable:

**2.1.10 Highway Clearance Setback**

Due to the size and slope of the lot, adhering to the existing setback would significantly impact drainage and create the need for excessive retainage to level the area. In addition, this variance would allow us to preserve enough open lawn space for our young children to play.

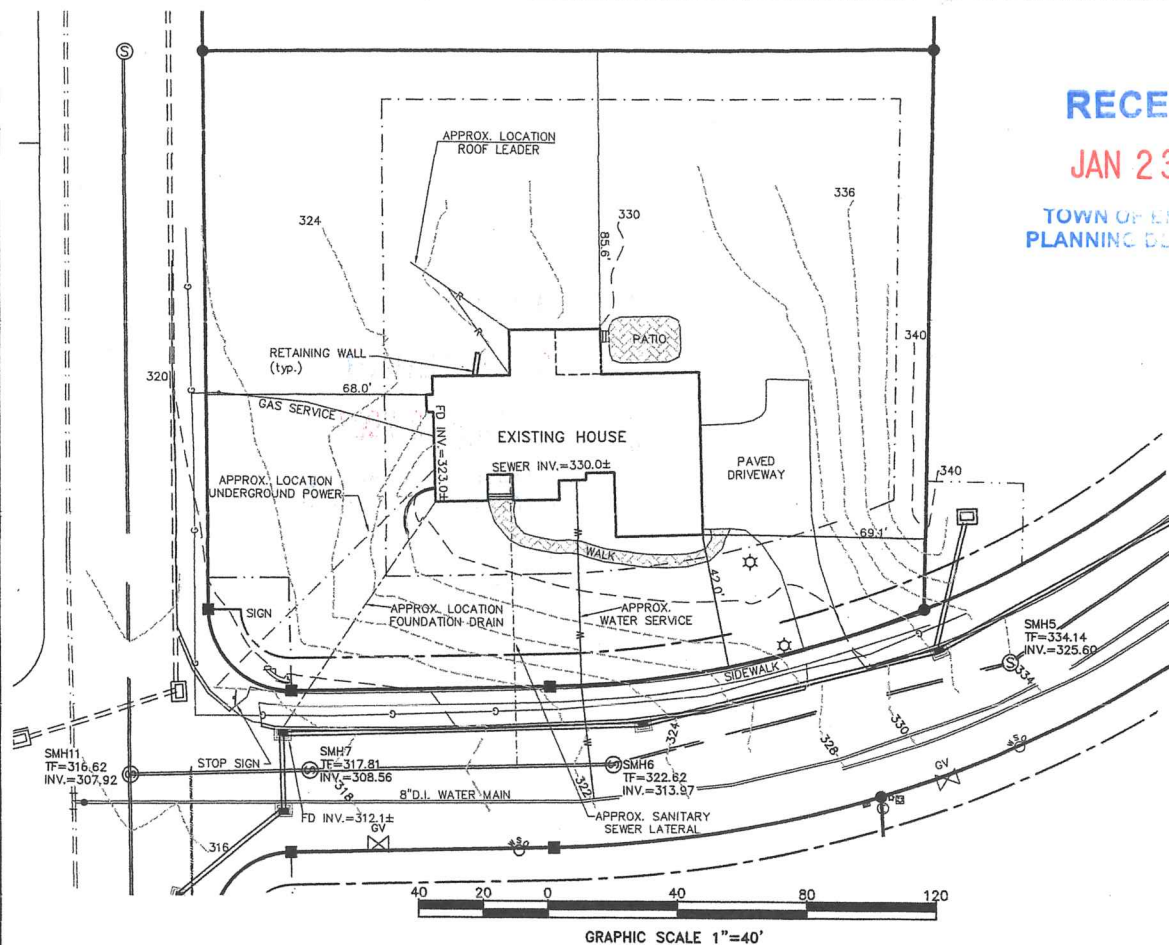
Furthermore, the existing regulation as written indicates that it has been put in place to protect homeowners front yards from possible future highway widening. However, this is not our front yard. Since we are a corner lot that does not face Abbott Road (unlike the majority of properties this street), the regulation causes restrictions to the way in which we use our backyard that do not apply to other homeowners.



RECEIVED

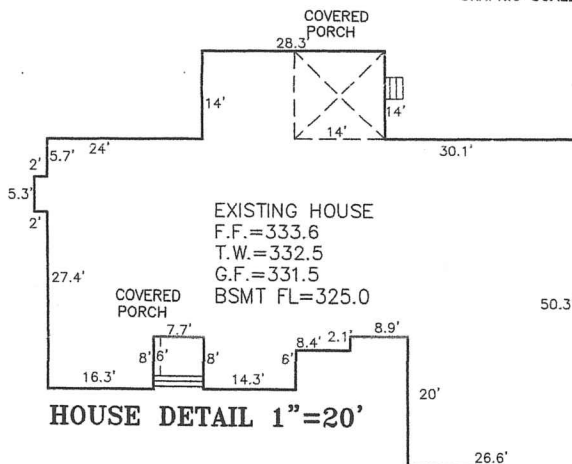
JAN 23 2023

TOWN OF ELLINGTON  
PLANNING DEPARTMENT



GRAPHIC SCALE 1"=40'

BUILDING HEIGHT SUMMARY  
(SUPPLIED BY OTHERS)  
FRONT - 32'-6"  
REAR - 35'-0"  
LEFT - 35'-0"  
RIGHT - 27'-6"  
AVERAGE BUILDING  
HEIGHT - 32'-6"



HOUSE DETAIL 1"=20'

NOTES:

- THIS MAP AND SURVEY HAVE BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-300b-1 THROUGH 20-300b-20. THIS IS AN IMPROVEMENT LOCATION SURVEY, BASED ON A DEPENDENT RESURVEY, CONFORMING TO HORIZONTAL ACCURACY CLASS A-2, AND TOPOGRAPHIC ACCURACY CLASS T-2.
- BEARING DEPICTED ON THIS PLAN ARE BASED UPON CGS DATUM (NAD 27). CONTOURS DEPICTED ON THIS PLAN ARE TAKEN FROM THE REFERENCED SUBDIVISION PLANS.
- REFERENCE IS MADE TO THE FOLLOWING MAPS:
  - SUBDIVISION PLANS "RESUBDIVISION PLAN ELLRIDGE ESTATES SECTION III ABBOTT ROAD ELLINGTON, CONNECTICUT" BY GARDNER & PETERSON ASSOC. LLC SHEETS 1-11 MAP NO. 6693-EL3 DATED: 11-20-2006 REV. THROUGH 5-6-2007
- UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING AND OTHER DATA SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES, GOVERNMENTAL AGENCIES AND / OR OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO GARDNER & PETERSON ASSOCIATES. THE EXISTENCE, SIZE AND LOCATION OF ALL SUCH FEATURES MUST BE DETERMINED AND VERIFIED IN THE FIELD BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.

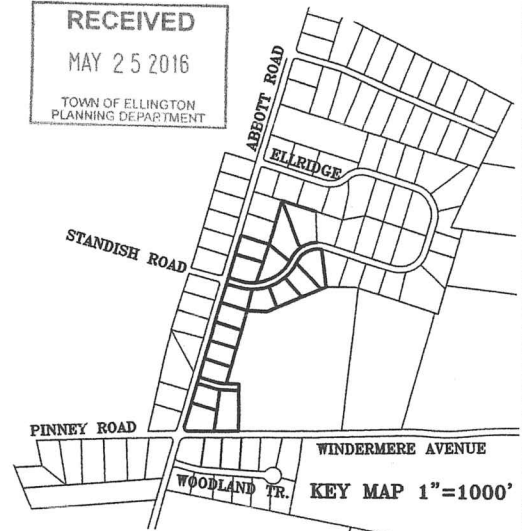
I HEREBY DECLARE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.



RECEIVED

MAY 25 2016

TOWN OF ELLINGTON  
PLANNING DEPARTMENT



IMPROVEMENT LOCATION SURVEY

RECORD DRAWING

LOT 34 - ELLRIDGE ESTATES

SECTION III

35 ELLRIDGE PLACE

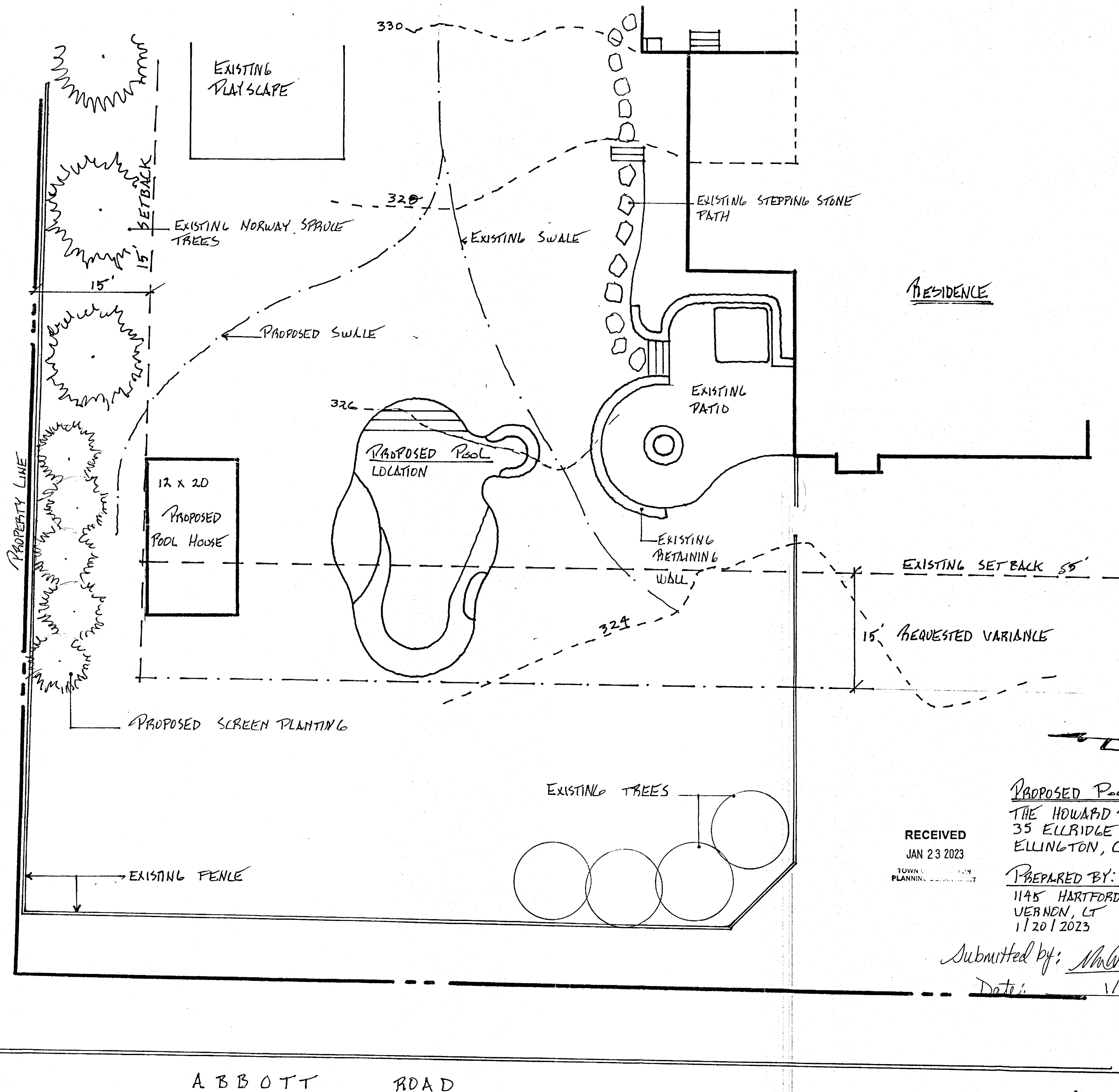
ELLINGTON, CONNECTICUT

GARDNER & PETERSON ASSOCIATES, LLC

178 HARTFORD TURNPIKE  
TOLLAND, CONNECTICUT







PROPOSED Pool LOCATION PLAN  
THE HOWARD RESIDENCE  
35 ELLRIDGE PLACE  
ELLINGTON, CT

RECEIVED  
JAN 23 2023  
TOWN PLANNING

PREPARED BY: CREATIVE EXTERIORS, LLC  
1145 HARTFORD TURNPIKE  
VERNON, CT  
1/20/2023

SCALE 1/8" = 1'

Submitted by: *Michael P. Howard*

Date: 1/19/23



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](http://www.ellington-ct.gov)

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

## ZONING BOARD OF APPEALS REGULAR MEETING MINUTES MONDAY, JANUARY 9, 2023, 7:00 PM

**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 Art Aube (remote), Vice Chairman Sulakshana Thanvanthri (remote), Regular members Ken Braga, Katherine Heminway, Subhra Roy, and Alternate Rodger Hosig

**ABSENT:** Alternates Ron Brown and Ron Stomberg

### STAFF

**PRESENT:** John Colonese, Assistant Town Planner/Zoning Enforcement Officer and Barbra Galovich, Recording Clerk

**I. CALL TO ORDER:** Chairman Aube called the Zoning Board of Appeals (ZBA) meeting to order at 7:00 pm.

**II. PUBLIC COMMENTS (ON NON-AGENDA ITEMS):** None

### III. PUBLIC HEARINGS:

1. V202214 – Autumn Chase, LLC, owner/ Carrollton Properties, LLC, applicant, request for a variance of the Ellington Zoning Regulations Section 3.6.11.6-Site Development Standards, Signage: to allow an entrance sign 8 feet in height (6ft maximum allowed) at 115 West Road, APN 028-012-0000 in a Multi-Family (MF) zone.

**Time:** 7:01 pm

**Seated:** Aube, Thanvanthri, Braga, Heminway and Roy

Attorney Carl Landolina, Fahey Landolina & Associates, LLC, 487 Spring Street, Windsor Locks, CT and Susan Locke, Carrollton Properties, LLC, 115 West Road, Ellington, CT were present to represent the application.

Attorney Landolina noted the abutters have been notified of tonight's meeting via certificate of mailing. He clarified the previous variance from 2011 provided with the application was for the hedge row spelling out "Autumn Chase" north of the main entrance. Attorney Landolina stated the applicant is seeking a variance for a new sign's height. The current regulation allows for a 6 foot high sign and 40 square feet of area, they would like a sign 8 feet in height but will stay within the 40sf area requirement. He noted the hardship is for safety reasons and reiterated the purpose of the zoning regulations pertaining to promoting health, safety, and general welfare.

Attorney Landolina said there is currently a temporary sign located at the entrance due to the permanent sign being hit by a car and destroyed. He provided the Board a few photos of detached signs that have been approved along Route 83 and noted the apartments at Autumn Chase are located quite a distance from the main road. Allowing a variance for this site would help the public see the entrance from a further distance while traveling on Route 83.

Attorney Landolina stated this variance request is in harmony with the surrounding area. He verified with Ms. Locke there are 333 units within the complex, and many visitors and delivery trucks may not know the entrance location, hence the reason for a higher sign.

Commissioner Braga confirmed the application is for 8 feet in height and stated he has no problem with the variance request. Attorney Landolina noted they are aware of the proposed sidewalk installation along Route 83. Mr. Colonese stated he confirmed with the Town Engineer that the proposed location of the sign will not encroach on the proposed sidewalk. Commissioner Heminway noted she has no issues with the request. Vice Chairman Thanvanthri asked for verification that the existing sign in the island would be removed and the new sign location would be just north of the entrance within the grass area. Attorney Landolina confirmed the new location and that the temporary sign in the island would be removed.

Chairman Aube reviewed the distance from the street to the new sign. Attorney Landolina reassured the Board that the sign would adhere to the setback requirements of the zone. Chairman Aube asked for the sign to be located no closer to the street than the sign within the entrance island for sightline visibility. No one from the public commented on the application.

**MOVE (HEMINWAY), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR V202214.**

**MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE V202214** – Autumn Chase, LLC, owner/ Carrollton Properties, LLC, applicant, request for a variance of the Ellington Zoning Regulations Section 3.6.11.6-Site Development Standards, Signage: to allow an entrance sign 8 feet in height (6ft maximum allowed) at 115 West Road, APN 028-012-0000 in a Multi-Family (MF) zone.

**Hardship:** Public safety; in harmony with surrounding area.

#### **IV. ADMINISTRATIVE BUSINESS:**

1. Approval of the November 7, 2022 Regular Meeting Minutes.

**MOVED (BRAGA), SECONDED (ROY) AND PASSED UNANIMOUSLY TO APPROVE THE NOVEMBER 7, 2022 MEETING AS WRITTEN.**

2. Correspondence/Discussion:

Chairman Aube referred to Mr. Colonese's memo dated January 9, 2023. Mr. Colonese stated Public Act 21-29 requires each member of the Zoning Board of Appeals to complete 4 hours of training by January 1, 2024, and every other year thereafter. Training must include at least one (1) hour concerning affordable and fair housing policies, and the remaining three (3) hours may consist of: process and procedural matters, including conducting effective meetings and public hearings; interpretation of site plans, surveys, maps, and architectural conventions; and the impact of zoning on the environment agriculture, and historic resources.



Mr. Colonese reviewed some training opportunities listed on the memo and said the Planning Department staff will share additional training opportunities as they become available. Upon a brief discussion, the Board prefers to complete the required training together. Mr. Colonese stated he will look for training that can be completed together at the end of meetings.

**V. ADJOURNMENT:**

**MOVED (AUBE), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO ADJOURN THE ZBA MEETING AT 7:27 PM.**

Respectfully submitted,

---

Barbra Galovich, Recording Clerk