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

ECONOMIC DEVELOPMENT COMMISSION
REGULAR MEETING AGENDA
WEDNESDAY, JUNE 14, 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. ACTIVE BUSINESS:

1. Report: Tolland County Chamber of Commerce.
2. Agricultural Initiatives.
   a. Plan of Conservation and Development, Chapter Six - Economic Development, Agriculture as an Economic Sector and Considerations/Strategies (page 95) – Memo from May 10, 2023, and Draft Text Amendment for Section 7.14 - Agricultural Related Uses.
   b. Ellington Farm Day 2023 – Email Invite and Sample "Save the Date" Postcard.
3. Connecticut Economic Development Association Best Practices
   a. Copy of Approved Customer Service Satisfaction Survey and Rollout Discussion.
4. Report: Tax Incentive/Abatement Programs.
   a. Ellington Tax Abatement Policy, Amended April 12, 2021, and Canton Business Development Tax Incentive Program.
5. Report: Current Economic Activity.

IV. ADMINISTRATIVE BUSINESS:

1. Fiscal Year 2022-2023 Budget & Expenditures Update.
2. Approval of the May 10, 2023, Regular Meeting Minutes.
3. Correspondence/Discussion:
   a. Board of Selectmen Meeting Minutes from May 8, 2023, and establishment of Ellington Sustainability Team.

V. ADJOURNMENT:

Next regular meeting is scheduled for July 12, 2023.

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, Economic Development Commission.

Join Zoom Meeting via link:
Link: https://us06web.zoom.us/j/88578196950
Meeting ID: 885 7819 6950
Passcode: 862378

Join Zoom Meeting by phone:
1-646-558-8656 US (New York)
Meeting ID: 885 7819 6950
Passcode: 862378

COMMISSIONERS: TO ASSIST IN ESTABLISHING QUORUMS REQUIRED TO CONDUCT MEETINGS, PLEASE CONTACT THE PLANNING DEPARTMENT IF YOU ARE UNABLE TO ATTEND A SCHEDULED MEETING.

Town of Ellington
Planning Department

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

DATE: May 10, 2023

TO: Economic Development Commission

FROM: Lisa M. Houlihan, AICP, Town Planner

RE: Draft Text Amendment - Section 7.14 – Agricultural Uses, Section 3.1 Permitted Uses in Residential Zones, Section 4.1 Permitted Uses in Commercial and Industrial Zones, and Article 10 Definitions of the Ellington Zoning Regulations Pursuant to Chapter 6 of the 2019 Plan of Conservation and Development - Agriculture as an Economic Sector

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At the February Economic Development Commission meeting commissioners discussed page 95 from Chapter 6 of the Plan of Conservation and Development (POCD), existing agricultural related regulations, and sample agritourism regulations from Simsbury, South Windsor, and Stafford, CT. The POCD strategies for agriculture as an economic sector include the following statement and the underlined text represents agricultural related uses not expressly listed in current regulations.

- Amend the Zoning Regulations to allow agritourism and specific agritourism uses. This may include **banquet spaces or functions, farm-to-table dinners, tasting rooms and restaurants,** vineyards, breweries, **tours, outdoor activities, bakeries**, etc.

Attached is a working draft text amendment for agricultural related uses based on feedback from commissioners at the February meeting; discussion on this topic was tabled last month. I look forward to reviewing the draft text amendment with you for additional comment and revision.

DRAFT TEXT AMENDMENT

Additions are **bolded and underlined,** Deletions are [~~bracketed and strikenthrough~~], Otherwise text is as currently adopted.

Agricultural Uses

7.14.1 Statement of Purpose. Agriculture has played and continues to play a significant role in Ellington. It enhances the quality of life for residence and is a strong element of Ellington's diverse community character. It is the purpose of this regulation to promote the economic and operational viability of agricultural businesses, to support programs that preserve farming and farmland, and to allow more flexible farm use regulations.

7.14.2 Permitted Uses: Any reference to minimum or maximum lot size shall be construed to mean contiguous acreage under single ownership and/or leasehold in any zone. Agricultural uses shall not be permitted on common interest properties (e.g. condominium and apartment complexes), unless approved as a permitted accessory use or structure on a site plan approved by the commission.

A. Agriculture. All uses in Section 7.14 shall require a minimum of 3 acres unless a minimum acreage is specifically defined.

B. Agricultural enclosures, buildings, or structures except farm stores and seasonal farm stands, as long as the setback of the underlying zone is met for the street property line, when located at least 50 feet from any side or rear property line and subject to the issuance of a Zoning Permit.

C. Seasonal Farm Stand provided that 70% of gross sales shall be from agricultural goods produced on the owner's farm, or processed products made from raw materials that were produced on the owner's farm, for at least three of the immediately preceding five years; the farm stand shall cease operations for a minimum of six consecutive weeks on an annual basis; and adequate parking with safe ingress and egress is present and is located outside of the public right-of-way.

D. Keeping of Horses:

a. Applicability: This section shall apply to the keeping of horses, donkeys, ponies, miniature horses, and similar members of the equine family, and any reference to "horse" shall be inclusive of all these animals.

b. Minimum lot size: A property must have at least 3 contiguous acres in order to keep horses.

c. Number of horses and other equine: A property with at least 3 contiguous acres may keep 2 horses or equine. An additional horse may be kept for each additional acre of contiguous land (e.g., a property with 4 acres may keep 3 horses). For the purposes of calculation, acreage shall be rounded down to the nearest acre (e.g. a property with 5.6 acres may keep 4 horses).

d. Structures for the keeping of horses: All structures and enclosures for the keeping of horses shall comply with the requirements of Section 7.14.2.B and/or Section 7.14.3.A, as applicable.

E. Keeping of Backyard Poultry:

a. Applicability: Backyard poultry shall include chickens, ducks, turkeys, and other birds of similar mature size, but not guinea hens, peacocks, emus or ostriches. Farms shall have no limit on the number of poultry that may be kept.

b. Minimum Lot Size: A property must be greater than or equal to 20,000 square feet in order to keep backyard poultry.

c. Number of Poultry: A property which meets the minimum lot size may keep up to a maximum of 8 backyard poultry.

d. Roosters: Roosters are not permitted on property which has less than 3 acres.

e. Management: Backyard poultry shall be suitably contained on the premises at all times. Free range backyard poultry are prohibited.

f. Setbacks and Permitting Requirements:

   i. Structures less than 200 square feet and enclosures (such as fenced areas) for the keeping of backyard poultry shall be a minimum of 20 feet from the side and rear property lines and 50 feet from the front property line or meet the setbacks of the underlying zone (whichever is greater). These structures and enclosures shall not require a Zoning Permit, but all owners of backyard poultry shall submit a written statement to the Zoning Enforcement Officer certifying compliance to these regulations.

   ii. Any structure for the keeping of backyard poultry that is greater than or equal to 200 square feet shall require review in accordance with Section 7.14.2.B or Section 7.14.3.A, as applicable.

g. Waste Management: The storage and management of waste (e.g. a combination of manure and bedding) for backyard poultry shall be in accordance with the Public Health Code, as amended. In no case shall waste be located closer to property lines than the minimum setback requirements for structures and enclosures for the keeping of backyard poultry and shall not exceed 2 cubic yards at any given time.

h. Site Suitability and Impact: In order to minimize potential adverse impacts, the following shall apply:

   i. Sites with slopes greater than 15% shall be avoided or improved to avoid heavy surface water runoff, soil erosion, sedimentation or hazardous conditions for keeping backyard poultry.

   ii. Structures for the keeping of backyard poultry shall not be permitted directly over land containing an on-site sewage disposal system. Structures and enclosures (such as fenced areas) shall not be permitted directly over wells.

   iii. Proper drainage shall be provided to avoid collection of water. Water shall be diverted from poultry keeping areas; however, such water shall not pollute surface or subsurface water supplies nor shall runoff be directed to neighboring properties.

F. Keeping of Bees:

a. Minimum Lot Size: The keeping of bees shall be allowed on any property greater than or equal to 30,000 square feet.

b. Setbacks and Permitting Requirements: Beehives shall be a minimum of 10 feet from all property lines or conform to the setback requirements of the underlying zone, whichever is greater and shall be a minimum of 25 feet from any dwelling on abutting properties.

c. Management: An adequate on-site source of water for the bees shall be provided.

7.14.3 Special Permit Uses:

The Commission may approve an application for special permit for the following **agricultural related uses and shall consider proximity to existing uses, traffic volumes, anticipated commercial traffic, suitability of land, hours of operation, and impact on future farming uses.**

A. Agricultural enclosures, buildings, or structures including farm stores and seasonal farm stands when closer than 50 feet from any side or rear property line [~~as long as~~] **if** the setback of the underlying zone is met.

B. Farm Store when a minimum of 3 contiguous acres under single ownership and/or leasehold in any zone and subject to the following standards:

1. At least 20% of gross product sales shall be from farm products produced on the owner's farm or processed products made from raw materials that were produced on the owner's farm, and an additional 20% of gross product sales from Connecticut-Grown farm products or products made from raw materials produced from Connecticut-Grown farm products. Farm products produced on land owned by the owner of the farm store separate from the farm store land or processed products made from raw materials on other land owned by the owner of the farm store separate from the farm store land shall be counted towards meeting minimum gross product sales.

2. Adequate off-street parking and safe ingress and egress is provided to ensure public safety. A reasonable parking area not to exceed three square feet for every one square foot of store area (where products are displayed for sale whether inside or outside of a structure), shall be provided. Permeable parking surfaces are recommended.

3. Farm stores may be used to support farmers' market activities, promote agricultural ideals, and host agricultural related workshops.

4. Farm stores may include kitchen facilities for the preparation and sale of food for consumption on or offsite, **tasting rooms and restaurants, farm to table dinners, bakeries, and banquet spaces** and shall be subject to approval from the Health Officer and in accordance with applicable federal, state and local codes.

C. Horse Boarding / Riding Arena if it finds that the proposal will conform to the following standards:

1. A minimum of 10 contiguous acres under single ownership and/or leasehold.
2. The use is conducted only by the resident of the premises as an accessory use.
3. The primary and any accessory structures shall not be less than two hundred (200) feet from any street line, side, and rear lot lines.

In considering such special use, the Commission shall weigh the agricultural and rural aspects of the area, as well as the residential or commercial character or potential of the area and shall find that the granting of such land use shall result in an appropriate use of the land and will not have a detrimental effect on the value or enjoyment of existing residential or other uses in the area.

D. [~~Farm Brewery, Cidery, Distillery and Winery~~] **Agricultural Related Uses**

1. Permitted **agricultural related uses include banquet space, farm breweries, farm cideries, farm distilleries, farm wineries, farm-to-table dinners, tasting rooms**, tours, retail and wholesale sales of products grown or manufactured on the premises, sale of merchandise related to the products grown or manufactured on the premises or sale of merchandise unrelated to the products grown or manufactured on the premises when unrelated merchandise is no more than 40% of all merchandise for sale.

2. Minimum Lot Size: 10 contiguous acres under single ownership and/or leasehold in any zone.

3. Setbacks Requirements: Buildings and structures shall be located a minimum of 100 feet from all property lines. Areas used for outdoor activities like outdoor seating and tastings shall be located a minimum of 200 feet from all property lines. However, buildings, structures and outdoor activities may be located not less than 10' to a rear yard or a side yard when located adjacent to permanently protected farmland, open space, or forestland.

4. Parking [~~and Access~~] Requirements: A reasonable parking area a minimum of one and a half square feet per square foot of retail, tasting and area accessible to the public with the potential to increase to three square feet of parking area per square foot of area accessible to the public shall be provided as required by the commission. **No parking shall be permitted within 100 feet of an existing residence or residential zone boundary. A** [~~P~~]**permeable** parking surface is recommended. **There shall be no on-street parking.**

5. **Access Requirements: Access shall be from a public road and have adequate line of sight for in/egress based on Connecticut Department of Transportation standards.**

6. Refuse areas shall be properly screened from public view and shall be located adjacent to buildings and at least 100[~~']~~ ~~feet~~ from adjacent properties.

7. Buffer Standards: A **10 foot** vegetated buffer **shall be provided alongside and rear yards**, fencing or combination thereof may be required to reduce disturbance to adjacent residential zones or residences.

8. Lighting: Exterior lighting shall be fully shielded, downward directed, and shall not create glare or emit light beyond the property boundary it serves. Exterior lighting, other than the minimum extent required for safety, shall be extinguished beyond the permitted hours of operation.

9. Sign [~~standards~~] shall [~~be in compliance~~] **comply** with Section 6.3 Signs.

10. Hours of operation may be permitted on [~~Sunday, 11am to 8pm; Wednesday noon to 8pm; Thursday – Saturday 11am to 9pm.~~] **Sunday 10am to 8pm, Monday – Wednesday 9am to 9pm, Thursday – Saturday 9am to 10pm, except outdoor music may be permitted**].

11. Food trucks may be permitted, subject to obtaining all required health department approvals, but shall be subordinate to the [~~farm brewery, cidery, distillery or winery~~] **agricultural related use**. Establishments may allow visitors to bring prepared food.

12. Outdoor entertainment may be permitted by the commission but shall be subordinate to the **agricultural related use** [~~farm brewery, cidery, distillery or winery~~] and shall not be amplified.

13. Deliveries and pick-up shall not occur between 10pm and 6am, when adjacent to a residence or residential zone.

14. **Temporary structures may be permitted from March 28th through December 1st annually.**

ARTICLE 3 RESIDENTIAL ZONES

Section 3.1 Permitted Uses

The following table establishes those uses allowed in the residential zoning districts.

P	Permitted Use	SP	Use Allowed by Special

3.1.1 AGRICULTURAL USES (See Section 7.14)	Rural Agricultural / Residential	Residential	Lake Residential
1. [~~Related & Agricultural Uses~~] **Agricultural Related Uses**	SP	SP	SP

ARTICLE 4 COMMERCIAL & INDUSTRIAL ZONES

Section 4.1 Permitted Uses and Uses Requiring Special Permit

The following uses are permitted in Commercial and Industrial Zones:

Table 4.1 Permitted Uses and Uses Requiring Special Permit				
P = Permitted Use, Site Plan Approval SP = Special Permit Blank= Not Permitted				
Uses	C	PC	I	IP
~~[Agriculture]~~ **Agricultural** Related ~~[& Non Related]~~ Uses	SP	SP	SP	SP

ARTICLE 10 DEFINITIONS & INTERPRETATION

Section 10.2 DEFINITIONS

Agriculture. The use of land for agricultural purposes, including farming, the growing of crops, raising of livestock, and the storing, processing and sale of agricultural and horticultural products and commodities, including those defined in Connecticut General Statute Section 1-1q, as incidental to agricultural operations.

Agricultural Buildings and Structures. Buildings, structures and portions thereof, used in connection with agriculture, including shelter for livestock and storage for farm machinery, equipment and supplies; excludes farm stores and seasonal farm stands.

Agricultural~~ly~~ Related Uses. Events ~~[of limited duration]~~ on a farm that are incidental to agriculture[~~al uses~~]**e**, including **farm stores, tasting rooms, farm-to-table dinners, bakeries,** ~~events such as~~ corn mazes, pick-your-own, **farm tours,** harvest festivals, educational demonstrations, hayrides, petting zoos, **farm breweries, farm cideries, farm distilleries, farm wineries**, or other **agricultural** uses **approved by the commission**.

Farm-to-table diners serve Ellington-grown or Connecticut-grown food at restaurants, school cafeterias, and agricultural-related uses through direct sales, a community-supported agriculture arrangement, a farmer's market, or local distributor where the origin of the food is identifiable to consumers.

Barbra Galovich

From: Planner
Sent: Monday, May 8, 2023 2:57 PM
Subject: ELLINGTON FARM DAY 2023 - SEPTEMBER 23, 2023, 10AM - 3 PM - INVITATION TO PARTICIPATE

Good Afternoon!

Efforts are underway to plan the Second Annual Ellington Farm Day. You are receiving this email because you participated last year and/or are identified as a potential participant this year. This year's event is on Saturday, September 23, 2023, 10AM – 3 PM. Please sign-up by either replying to this email or calling 860-870-3120, extension #1.

Thank you in advance for your time and consideration. I hope to be able to include your farm/farm-related program in this year's event advertisements that will start in June.

Appreciatively yours,

Lisa
Lisa M. Houlihan, AICP, CZEO
Ellington Town Planner

2022 PARTICIPATING LOCATIONS:

- Cohen Farm, 112 West Road
- Dzen's Garden Market, 187 Windsorville Road
- Ellington Farmers' Market, Arbor Park, Main Street
- Ellington Historical Society - Nellie McKnight Museum, 70 Main Street
- Farm Fresh, 31 Frog Hollow Road
- Hall Memorial Library, 93 Main Street
- Hillside Stable, 267 Jobs Hill Road
- Johnny Appleseed's, 185 West Road
- Oakridge Dairy - The Modern Milkman, 11 Jobs Hill Road
- Rothe Farm, 224 Windsorville Road
- SJ Riding Camp, 130 Sandy Beach Road
- Sunset Valley Farms, 55 Kreyssig Road

Granby Open Farm Day 2023

Save The Date!

Sept. 16th

GRANBY, CT

Experience Granby's Variety of Agriculture!

Sept. 16 2023

Addison Farm
Angel Horse Rescue
Clark Farms at
Bushy Hill Orchard
Coward Farm - Granby
Granby 4H Holy Cows Club
Granby Grange
Granby Horse Council
Holcomb Farm CSA
Lost Acres Orchard
Lost Acres Vineyard
Lyric Hill Farm
Maple View Farm
O'Brien Nurserymen
Sepe Farm
Sweet Pea Cheese/House of Hayes
Wilhelm Farm

Visit GranbyAg.org for the day's schedule and activities!

ELLINGTON TOWN PLANNER'S OFFICE CUSTOMER SERVICE SATISFACTION SURVEY

The Ellington Town Planner's Office wants to provide the highest level of customer service. Please fill out the following survey and help us learn about the quality of service you experienced during your recent visit.

Sign in to Google to save your progress. Learn more

* Indicates required question

1. Please tell us about you. *

- [ ] I am an Ellington resident.
- [ ] I am a local business owner.
- [ ] I am a contractor, developer, appraiser, real estate agent, surveyor, engineer, or other design professional.
- [ ] Other:

2. What was your primary form of contact during your recent interaction? *

- [ ] In Person
- [ ] By Phone
- [ ] Email/Online
- [ ] Other:

3. What was the primary purpose for visiting/contacting the Town Planner's Office? *

- ○ To ask a general question about local zoning, subdivision, and/or wetlands regulations.
- ○ To discuss a potential new residential development proposal.
- ○ To discuss a potential new commercial/industrial development project or modification to an existing one.
- ○ To apply for a home occupation permit.
- ○ To inquire about the status of a pending zoning permit application.
- ○ To review a file and/or ask a question about an application pending before a land use commission.
- ○ To obtain a copy of a map, regulation, or other official town record.
- ○ To inquire about tax abatement or incentive programs.
- ○ Other:

4. Was your inquiry or application referred to one of the following? *

	Planning and Zoning Commission	Zoning Board of Appeals	Inland Wetlands and Watercourses Agency	Conservation Commission	Economic Development Commission	Interdeparti Coordina Commit
Row 1	☐	☐	☐	☐	☐	☐

5. Did staff explain the process and timeframe involved? *

- ○ Yes
- ○ No
- ○ Other:

6. Was your initial contact responded to within one business day? (Please note Town Hall hours are Monday 8:00am to 6:30pm and Tuesday through Thursday from 8:00am to 4:30pm and closed for official holidays and emergency closings.) *

- ○ Yes
- ○ No
- ○ Other:

7. How would you rate your overall satisfaction with your experience? *

	Very Satisfied	Satisfied	Unsatisfied	Very Disatisfied
Row 1	○	○	○	○

Please share suggestions you have for how the Town Planner's Office may improve service or any other feedback you would like to share. If inclined, please provide your contact information (name & phone #/email address) so staff may follow-up with you.

Your answer

TOWN OF ELLINGTON
ECONOMIC DEVELOPMENT TAX ABATEMENT POLICY

PURPOSE:
The Town of Ellington wants to attract new business opportunities while encouraging growth and investment in existing businesses that will increase long term tax revenue for the town. The Town has determined that farming is vitally important to the quality of life, environment, economy, and character of Ellington. This policy allows the Town to offer fixed real property tax assessments for qualified businesses and specific tax abatements for farms that agree to the terms offered by the Town.

OUTCOME:
The additional business growth will provide additional tax revenue, potential employment for town residents and opportunities for other town businesses to service the new companies. Expansion of existing town businesses will retain industry within the town proper.

The additional investment in farming will benefit quality of life, help protect the environment, diversify local taxes, and sustain farming operations in Town.

ELIGIBLE BUSINESSES:
As authorized pursuant to Connecticut General Statutes Section 12-65b (b), the Town will consider applying this policy to those specific businesses identified below:

Office; retail; manufacturing; warehouse, storage or distribution; information technology; recreation facilities; transportation facilities.

ELIGIBLE FARMS:
As authorized pursuant to Connecticut General Statutes Section 12-81m, the Town will consider applying this policy to those specific farms identified below:

Dairy farms; vegetable farms; nurseries; fruit orchards, including vineyards for the growing of grapes for wine.

GENERAL INFORMATION:
In the event of unusual or extraordinary circumstances, the Board of Selectmen (BOS) reserves the right to alter or waive any of the foregoing provisions. These guidelines may be changed, in whole or in part, or repealed in their entirety, at any time, without a public hearing, by action of the BOS. The abatement schedules contained herein will be used as a guideline; and the final abatement schedule applicable to any specific project must be approved by the BOS.

An applicant who is delinquent in any taxes that are otherwise due to the Town of Ellington, federal or state government or other municipality shall be ineligible for tax abatement.

Any agreement between the Town and a business regarding fixing the assessment will require an agreement by the business to remain solvent for a minimum of 10 years. The business will have three years to achieve the agreed to minimum full time employment level.

Any agreement between the Town and a farm regarding tax abatement will require an agreement by the farm to remain operational for a minimum of 10 years.

The fixed assessment or abatement will be based upon the capital expenditures to be spent at the time of the agreement; future expansion plans are not counted as part of this agreement.

The assessment or taxation of real property for the period prior to the fixed assessment period will be done in accordance with state and local laws and ordinances.

The length of time of an abatement agreement and the percentage of the abatement for any new eligible business is based on cost of improvements, excluding routine maintenance, only to real property as follows:

a. Provided the costs of improvements to be constructed is $3,000,000 or more, the increase in the assessment computed by the Assessor (in accordance with standard assessment practices) may be abated in accordance with the following for a period of no more than 7 years: 85% first and second years, 75% third year, 65% fourth year, 55% fifth year, and 45% sixth and seventh years.

b. Provided the costs of improvements to be constructed is more than $500,000 but less than $3,000,000, the increase in the assessment computed by the Assessor (in accordance with standard assessment practices) may be abated in accordance with the following for a period of no more than 3 years: 75% first year, 50% second year, and 25% third year.

c. Provided the costs of improvements to be constructed is more than $25,000 but less than $500,000, 50% of the increase in the assessment computed by the Assessor (in accordance with standard assessment practices) may be abated for a period of no more than 2 years.

The length of time of an abatement agreement for any existing eligible business shall also be based on cost of improvements, excluding routine maintenance, only to real property and shall be the same as those set forth above for new eligible businesses. However, the percentage of abatement for existing eligible businesses may be increased up to 5% more than the levels set forth above as applicable to new eligible businesses.

The length of time of an abatement agreement and the percentage of abatement for any new or existing eligible business proposing to construct over $6,000,000 in improvements shall be determined on a case by case basis and approved by the BOS.

The length of time of the abatement for an eligible farm in Ellington is based on cost of improvements, excluding routine maintenance, only to real property as follows:

a. No more than 50% of the increase in assessment computed by the Assessor (in accordance with standard assessment practices) may be abated, for a period of no more than 7 years, provided the cost of improvements is $25,000 or more.

In the event the end user is a tenant, the tax benefit must be reflected in the lease.

DEFINITIONS:

Capital Expenditures: Cash investments to improve an asset that will have a life of more than one year.

Cost of Improvements: The actual cost of constructing such improvements.

Existing Eligible Business: An eligible business that currently has and has had facilities and operations in the Town of Ellington for a period of not less than one year as of the date of its application for tax abatement.

Improvements: Building or other structures which are permanently attached to the land.

New Eligible Business: An eligible business that is new to the Town of Ellington or has not had facilities and operations in Town for a period of at least one year prior to the date of its application for tax abatement.

Real Property: The physical parcel of land and all improvements permanently attached.

Tax Assessment Analysis: An analysis of the loss in tax revenue from granting abatement or fixed assessment on eligible cost of improvements according to the parameters listed in this policy, and including an assessment of real property for the period prior to the abatement or fixed assessment.

TOWN OF ELLINGTON
ECONOMIC DEVELOPMENT TAX ABATEMENT
APPLICATION PROCESS

The tax abatement application process begins by the applicant submitting a completed tax abatement application, a document stating that federal, state and local taxes are current; an itemized list of the proposed cost of improvements; copies of site development plans and building plans; disclosure of any public or supplemental funding to be used for associated improvements and a statement explaining how the proposal will provide business growth or sustain farming operations, tax revenue and potential employment for town residents to the Planning Department. Questions regarding the abatement application should be directed to the Planning Department at 860-870-3120.

The Planning Department will forward a copy of the application to the Assessor, Tax Collector and First Selectman for review. The Assessor will review the assessor parcel number(s) and the deed(s), and will provide a tax assessment analysis. The Tax Collector will confirm that taxes are current and the First Selectman will review that the application is within the program parameters.

Once all town reports have been received, the Planning Department will forward the application form, with town staff comments, to the Economic Development Commission (EDC) for the next regularly scheduled meeting. The applicant must attend the EDC meeting in order to present the application. An agenda will be sent to the applicant containing the date, time and location of the meeting. The EDC will vote on whether or not to forward the application to the Board of Selectmen (BOS). If the EDC chooses to forward the application to the BOS, the EDC will determine the terms of the abatement or fixed assessment and will state the reason(s) they support the request for tax abatement or fixed assessment in their report to the BOS; they may also add conditions of approval.

If the EDC forwards the application to the BOS, the Planning Department will request that the application be placed on the next BOS agenda. The applicant must attend the meeting in order to present the application. An agenda will be sent to the applicant containing the date, time, and location of the meeting. The EDC Chairman or his/her designee will also be in attendance to speak in favor of the application.

If approved by the BOS, the First Selectman will request that the Town Attorney draft a contract. A copy of the draft contract will be sent to the Assessor and the Planning Department for comment. Once the terms and conditions of the contract are agreed to the BOS will schedule a Town Meeting in order for the townspeople to vote to approve or deny the abatement or fixed assessment. The EDC Chairman or his/her designee will also be in attendance to speak in favor of the application.

Once approved at Town Meeting, the First Selectman will notify the Town Attorney and the Town Attorney will forward the contract to the Planning Department, which will send it to the applicant for execution. The contract must be executed and delivered to the Planning Department prior to the issuance of the Certificate of Occupancy (C.O.).

Upon issuance of the C.O., the applicant shall submit receipts to the Assessor's Department as to the actual cost of the site and building improvements in order to certify that the terms of the

contract have been met. The Assessor's Department may forward the receipts to the EDC if the amount expended is lower than the amount in the contract. The Assessor's Department will submit a final recommendation to the BOS to implement the tax abatement or fixed assessment. Once the BOS has approved the implementation of the abatement or fixed assessment, the First Selectman will forward a written directive to authorize the Assessor to apply the abatement or fixed assessment.

The original contract will be retained in the First Selectman's Office, with copies sent to the applicant, Assessor, Tax Collector and Town Planner. A copy of all correspondence regarding the subject application shall be maintained in the Planning Department.

The reduced assessment or abatement will apply to the October 1st tax list immediately following the issuance of a C.O. for the new construction.

The EDC will perform an annual review in March to ensure all elements of the contract between the town and applicant remain in place. The EDC will notify the Assessor whether or not the applicant is in compliance with the contract.

If the applicant defaults on terms, conditions or warranties contained in the contract, and fails to cure such default within six (6) months after notification by the town, then the contract will terminate. The Town of Ellington may recapture up to 100% of all taxes that the Town would have received during the term of the contract in the event the fixed assessment had not been applied.

RECAPTURE CLAUSE FOR ELIGIBLE BUSINESSES AND FARMS:
If business operations or farming operations cease or a property that was granted abatement is sold prior to ten (10) years from the initial effective date of abatement, the applicant shall pay the Town a percentage of the original amount of taxes abated pursuant to the following schedule, unless a new applicant is recommended by the EDC to assume the remaining term of abatement and approved by the BOS. In no case shall the amount to be paid to the Town exceed the original amount of taxes abated.

Between 1 day and 365 days.....	100%
Between 1 year 1 day and 2 years	90%
Between 2 years 1 day and 3 years	80%
Between 3 years 1 day and 4 years	70%
Between 4 years 1 day and 5 years	60%
Between 5 years 1 day and 6 years	50%
Between 6 years 1 day and 7 years	40%
Between 7 years 1 day and 8 years	30%
Between 8 years 1 day and 9 years	20%
Between 9 years 1 day and 10 years	10%
More than 10 years	0%

Recapture taxes owed to the Town pursuant to this provision shall be due and payable by the applicant at the time of transfer, sale, or recording of his/her deed or other instrument of conveyance, or in the case of a cessation of operation, within sixty (60) days of the date on which said operations ceased. Such revenue received shall become part of the general revenue of the Town.

TOWN OF ELLINGTON
REAL ESTATE TAX ASSESSMENT ABATEMENT
APPLICATION FORM

APPLICANT'S INFORMATION:

BUSINESS/FARM NAME: _____

OWNER(S): _____

_____

MAILING ADDRESS: _____

PHONE: _____ FAX: _____

EMAIL: _____

PROPERTY DESCRIPTION:

PROPERTY ADDRESS: _____

ASSESSOR'S PARCEL NUMBER (APN): _____

DEED: VOL. _____ PG. _____ TOTAL AC. OF PARCEL: _____

PROPERTY IMPROVEMENT INFORMATION:

LAND ACQUISITION: YES / NO (CIRCLE ONE)

IF YES, TOTAL AC. ACQUIRED: _____

AMOUNT OF LAND IN ELLINGTON USED FOR FARMING, IN ACRES: _____

_____

AMOUNT OF LAND OUTSIDE OF ELLINGTON USED FOR FARMING, IN ACRES AND BY LOCATION: _____

_____

NEW CONSTRUCTION OR ADDITION: (CIRCLE ONE)

NEW CONSTRUCTION (SQ. FT.): _____

TOTAL BUILDING (SQ. FT.): _____

INDUSTRY TYPE, FARM TYPE & BUSINESS/FARM USAGE STATEMENT:

_____

_____

_____

_____

ANTICIPATED WASTE OUTPUT (GPD): _____

COST OF LAND: $ _____

COST OF BUILDING OR ADDITION: $ _____

COST OF SITE IMPROVEMENTS: $ _____

FAIR MARKET VALUE OF EXISTING MACHINERY: _____

FAIR MARKET VALUE OF EXISTING EQUIPMENT: _____

FAIR MARKET VALUE OF EXISTING MOTOR VEHICLES: _____

COST OF NEW MACHINERY: $ _____

COST OF NEW EQUIPMENT: $ _____

COST OF NEW MOTOR VEHICLES: $ _____

NUMBER OF EXISTING EMPLOYEES: _____

NUMBER OF ANTICIPATED ADDITIONAL EMPLOYEES: _____

EXPECTED HIRE DATES OF ADDITIONAL EMPLOYEES: _____

_____

TYPE OF JOBS AND JOB TITLES OF ANTICIPATED ADDITIONAL EMPLOYEES: _____

_____

_____

_____

VALUE OF PUBLIC AND/OR SUPPLEMENTAL FUNDING: _____

ANTICIPATED CONSTRUCTION SCHEDULE: _____

_____

_____

If additional space is needed, please provide a separate attachment(s).

ATTACH A DOCUMENT THAT STATES YOU ARE CURRENT WITH FEDERAL, STATE AND LOCAL TAXES; PROVIDE COPIES OF SITE DEVELOPMENT PLANS AND BUILDING PLANS, AND A STATEMENT EXPLAINING HOW THE PROPOSAL WILL PROVIDE BUSINESS GROWTH, SUSTAIN FARMING, TAX REVENUE AND POTENTIAL EMPLOYMENT FOR TOWN RESIDENTS. IF A BUSINESS, INCLUDE A LIST OF ALL BUSINESS NAMES WITH PRINCIPALS AND TOWNS THAT YOU HAVE DONE BUSINESS IN FOR THE PAST 5 YEARS.

PLEASE ATTACH ANY ADDITIONAL INFORMATION THAT YOU FEEL WILL BE HELPFUL DURING THE TAX ABATEMENT REVIEW.

SIGNATURE: _____ DATE: _____

APPLICATION REVIEW SHEET

ASSESSOR:

DATE REFERRED: _____

DATE REVIEWED: _____

COMMENTS:

_____

_____

_____

_____
SIGNATURE

TAX COLLECTOR:

DATE REFERRED: _____

DATE REVIEWED: _____

COMMENTS:

_____

_____

_____

_____
SIGNATURE

FIRST SELECTMAN:

DATE REFERRED: _____

DATE REVIEWED: _____

COMMENTS:

_____

_____

_____

_____
SIGNATURE

ECONOMIC DEVELOPMENT COMMISSION:

APPLICATION FORWARDED TO BOS: YES / NO (CIRCLE ONE)

DATE: _____

COMMENTS:

_____

_____

_____

_____
EDC CHAIRMAN SIGNATURE

BOARD OF SELECTMEN:

APPLICATION FORWARDED TO TOWN MEETING: YES / NO (CIRCLE ONE)

DATE: _____

COMMENTS:

_____

_____

_____

_____
FIRST SELECTMAN SIGNATURE

APPROVED AT TOWN MEETING ON: _____

BUILDING PERMIT NUMBER: _____

POLICY APPROVAL/REVISIONS:

BOS ADOPTED 5-13-2002

BOS APPROVED AS REVISED 11-13-2006 AND 3-18-2013

REVISED 5-15-2013 (ORGANIZATIONAL/GRAMMATICAL REVISIONS ONLY)

BOS APPROVED AS REVISED 9-15-2014 (CHANGE PLANNING TO ASSESSOR'S DEPARTMENT PAGE 4, 2ND PARAGRAPH)

BOS APPROVED 7-10-2017 (ADD FARM PROVISION)

BOS APPROVED 4-12-2021 (ADD ABATEMENT SCHEDULES, DEFINE NEW & EXISTING ELIGIBLE BUSINESS & ADD RECAPTURE CLAUSE FOR BUSINESSES)

Town of Canton

2020 REVISED

BUSINESS DEVELOPMENT TAX INCENTIVE PROGRAM

1. PURPOSE

The purpose of the Business Development Tax Incentive Program (the "Program") is to attract new businesses to Town, promote expansion of existing businesses and to encourage rehabilitation and reuse of vacant commercial and industrial buildings. It is the intent of the Town: (1) to create long term tax base growth through the expansion of existing business, (2) to encourage construction of new business facilities, (3) to encourage substantial investment in new machinery, equipment and other personal property subject to taxation within the Town, (4) to assist in the creation of jobs, (5) to promote the extension of utilities where appropriate to support future business development; and (6) to support the rehabilitation and preservation of historic buildings.

2. QUALIFYING BUSINESSES

All uses enumerated in subdivision (b) of CGS Sec. 12-65b that are permissible under Town ordinances, regulations, rules and codes and are consistent with the Canton Plan of Conservation and Development shall qualify for the Business Development Tax Incentive Program.

3. MAXIMUM BUSINESS TAX INCENTIVES (MBTI)

The table below indicates the **maximum business tax incentives (MBTI)** that can be granted to a business expansion or development. The total value of the MBTI, including tax abatements, utility expansion reimbursement, waiving of fees or tax increment financing shall not exceed the following percent of taxes owed as a result of the **increased taxable value of real property**:

Chart 3

MBTI	100%	100%	75%	50%	50%
Year	1	2	3	4	5

4. ELIGIBILITY REQUIREMENTS

In order for a qualified business to receive tax incentives, the business must also meet certain eligibility requirements. These requirements are divided into two groups. The first group is minimum eligibility requirements which are mandatory for an applicant to be eligible for a business tax incentive. The second type of eligibility requirements are eligibility guidelines that determine the amount of tax incentive that will be offered.

4A. Minimum Eligibility Requirements

The following requirements must be satisfied before a business can be considered for a tax incentive:

1. All real and/or personal property taxes owed to the Town of Canton shall be paid and no fee or fine can be owed the Town of Canton or an Agency of the Town of Canton;
2. Applicant must have submitted a complete, accurate and thorough application as required by this policy and as may be promulgated through additional regulations;
3. The proposed business development or expansion is consistent with the Town's Plan of Conservation and Development;
4. The proposed business development or expansion is a permitted use, or a use may be permitted by the Planning & Zoning Commission through an established process. Any business tax incentive may be conditional on Land Use regulatory approvals.
5. The proposed business development or expansion will increase the value of taxable property by a minimum of $100,000.
6. If the applicant for business tax incentives is a lessee, tax incentives must be clearly reflected in the lease as accruing to the applicant for the total time period in which the tax incentives are being offered.
7. The applicant must indicate by clear and convincing data, that the total tax revenue received by the Town from the applicant over the first 6 years of the business development or expansion will be greater than both the financial impact of the development on Canton services and the amount of tax incentives offered over the same period [taxes paid-(impact on community + tax incentive) $\geq$ $1].

4B. Eligibility Guidelines

Eligibility guidelines are reviewed to determine the amount of business tax incentives that could be granted. These guidelines are divided into five categories and reflect the stated purposes for the program: 1) Increase the grand list; 2) Utility expansion 3) The amount and value of jobs created: 4) The positive impact on existing or nearby properties, including the extension of utility services; and 5) Location of the business to be developed or expanded;. Each category is weighted as a percent of MBTI. If an applicant was able to completely satisfy the requirements of all five categories then they would receive 100% of the MBTI as indicated in Chart 3.

4B.1 Impact on Grand List – 30%

The following chart indicates the **increase** in **taxable** property (both personal and real estate) necessary to receive the percent indicated of MBTI (see Chart 3). All values of taxable properties will be determined by the Town Assessor.

Chart 4B.1

Value of Increased Taxable Property	Percent of Overall MBTI
$100,000 to $500,000	5%
$500,001 to $1,000,000	10%
$1,000,001 to $2,000,000	20%
$2,000,001 to $3,000,000	25%
$3,000,001 +	30%

4B.2 Utility Expansion – 30%

This section provides for a business tax incentive for extending utilities to areas where utilities do not already exist and closer to areas where the nonexistence of utilities has been a hindrance to appropriate business development. The purpose of this section is to promote the extension of utilities to areas where they don't currently exist, not to offset the cost of installing or paying connection fees for utilities. The term utilities shall include, but not be limited to gas, water, sewer and fiber optic data lines. Under this program, business tax incentives are provided as a means of reimbursing private developers for a portion of the agreed estimated cost of extending utilities. The total value of the business tax incentive, including tax abatements and utility expansion reimbursement, shall not exceed the percent of taxes owed for the increased taxable value of real property or greater than the total cost to extend the utility. In determining the MBTI, the Board shall take into consideration whether the proposed extension is in an identified high priority areas identified in 4B.5.

4B.3 Job Creation – 15%

One of the stated purposes of the Business Development Tax Incentive Program is the creation of jobs. In order to promote the creation of jobs the Town will give an incentive in an amount not to exceed 15% of the MBTI.

The value of a job depends on the income generated by that job. Therefore, jobs are divided into two categories, those that pay equal to or greater than the average job for Hartford County as indicated in the most recent published wage rates by the Bureau of Labor Statistics (high compensated) and those that pay less (lower compensated). A job will be defined as a permanent part-time or full-time position that has the potential to last longer than 12 months. A job will not be considered new if it currently exists with the same applicant in Canton. The amount and type of jobs created will be certified by the Director of Planning and Community Development after consultation with the Economic Development Agency.

Chart 4B.3

Positions are expressed as full time equivalents (FTEs).

Positions	Percent of Overall MBTI
4 high compensated; or 8 lower compensated; or 10 jobs of either category	10%
6 high compensated; or 12 lower compensated; or 14 jobs of either category	12%
8 high compensated; or 16 lower compensated; or 18 of jobs of either category	15%

4B.4 <u>Impact on Existing Properties – 15%</u>

One of the goals of the Business Tax Incentive Program is to promote the economic revitalization of historic and/or vacant buildings. Although there is no absolute formula for this category, the following factors may be taken into consideration when determining the percent of MBTI:

1. Façade improvements that increases the value of the property by 25%;
2. Significant revitalization of a historic structure. A structure shall be considered historic if it exists within an established historic district or has been determined to be of historic importance by the Board of Selectmen after consultation with the Town Historian. A revitalization shall be considered significant if the cost of the revitalization increases the value of taxable property by a minimum of $100,000;
3. Applicant intends to occupy property that has been vacant for a minimum of 18 months and will increase the value of taxable property by a minimum of $100,000; or

4.B5 <u>Location of Business Development or Expansion – 10%</u>

The Town of Canton has identified several areas of significance. These are areas that the Town has prioritized as the most critical areas for maintaining sustained, meaningful economic development in Canton. Business development or expansion in the priority areas will receive 10% of the MBTI. The Director of Planning and Community Development will certify whether a proposed business development or expansion is within a priority area.

The recognized priority areas are:

- Collinsville Ax Factory – As identified on the published Existing Industrial Heritage Zone Map in the 2014 Plan of Conservation and Development.
- Route 44 – All properties identified on the published Existing Business Zones Map in the 2014 Plan of Conservation and Development existing along Route 44 from the Avon town line west along Route 44 to the intersection of Route 179 and Route 44 (Hart's Corner).

4B.6 <u>Process for Determining Value of MBTI</u>

The actual percent of MBTI to be awarded to an applicant shall be determined by answering the following questions and taking the following steps:

1. Does the business expansion or development meet the qualifications as enumerated in subdivision (b) of CGS Sec. 12-65b and are permissible under town ordinances, regulations, rules and codes and are consistent with the Canton Plan of Conservation and Development?

2. Does the business expansion or development meet the minimum eligibility requirements as specified in Section 4.A?

3. Which of the Eligibility Requirements, as specified in Section 4.B apply and to what percentage?

Chart 4B.6

Eligibility Requirement	Maximum Percentage	Percentage Awarded
Increase to Grand List	30%	
Expand Utilities	30%	
Jobs Created	15%	
Positive Impact of Existing and Surrounding Properties	15%	
Location of Business Development or Expansion	10%	
Total	100%	

4. Multiply total percentage of eligibility requirements awarded (Chart 4B.6) by the MBTI (Chart 3) to determine the amount of business tax incentives awarded.

5. Determine type of business tax incentive to award (tax abatement, utility extension reimbursement, etc.).

The number of years of tax incentives may be less than but not exceed five. The total value of the tax incentives for all years combined cannot exceed the total amount specified in Chart 3.

For example, if a boutique grocery store relocates from West Hartford to Canton Village and spends 1.8 million dollars to refurbish an old grocery store with preexisting utilities and creates 2 high paying positions and 12 lower paying positions (FTEs) the analysis would be as follows:

Chart 4B.6

Eligibility Requirement	Maximum Percentage	Percentage Awarded
Increase to Grand List	30%	20%
Expand Utilities	30%	0%
Positive Impact of Existing and Surrounding Properties	15%	7.5%
Jobs Created	15%	12%
Location of Business Development or Expansion	10%	10%
Total	100%	49.5%

Pursuant to the example above, the new grocery store applicant could receive 49.5% of the MBTI, as outlined in Chart 4B.7.

Chart 4B.7

MBTI	100%	100%	75%	50%	50%
49.5% of tax credit	49.5%	49.5%	37.125%	24.75	24.75%
Year	1	2	3	4	5

The percent of taxes being abated will remain the same after a revaluation. For example, if a company with an assessed value of $1,000,000 has a $1,000,000 expansion and receives a 50% tax abatement on the improvements then that company would have their total property tax bill reduced by 25%. After revaluation, regardless of the increase or decrease of the new valuation, the total tax reduction would still only be 25%.

5. TYPES OF BUSINESS TAX INCENTIVES

Several types of business tax incentives shall be offered. The type of business tax incentive shall be determined at the sole discretion of the Board of Selectmen. The total value of the type(s) of business tax incentives awarded cannot exceed the total tax incentive as outlined in Section 4. The anticipated monetary value of any business tax incentive shall be determined by the Town Assessor. The following are the types of tax incentives permitted under this program:

1. Tax Abatement – Reduction in the percent of taxes owed.
2. Rebate of Fees – This shall include building and other Land Use regulatory permits.

3. Extension of Utilities – The Town shall reimburse the applicant, through a tax rebate, the cost of expanding utilities over a maximum of five years in an amount not to exceed the value of the total tax incentives.
4. Tax Increment Financing Master Plan (TIF) – A TIF may be created that provides for tax relief to the applicant in an amount not to exceed the total value of tax incentives. At the discretion of the Board of Selectmen, the TIF may require master planning for properties other than those under the control of the applicant. Such master planning shall be coordinated and prepared with the consultation of the Director of Planning and Community Development. Such TIF master plan may include additional tax reserves that can be used at the discretion of the Town.

6. APPLICATION, REVIEW AND APPROVAL PROCESS

6A. Application

The applicant shall submit an application and financial impact analysis. The Director of Planning and Community Development shall create an application form that includes the following information:

1. The specific business tax incentive being requested and rationale for the request. The specific business tax incentive may include:
    a) Tax assessment reduction specifics on a year to year basis, consistent with eligibility requirements and other criteria specified in this policy;
    b) Waiving or reduction of any Town permit fee, specifying the amount of requested waiver;
    c) Any utility extension reimbursements request must specify the amount of request along with all construction details; and
    d) Tax Increment Financing Master Plan (TIF) shall include the specific area to be master planned and the tax incentive requested.

2. Description of the project including an estimate of the number of jobs to be created (FTEs) and the anticipated wages.

3. Description of the applicant's business including a listing of its officers.

4. Description of the business and its products or services.

5. An estimate of the value of the proposed business expansion or development, including real property improvements and taxable personal property.

6. An anticipated project construction schedule.

7. Identification of any other public incentives, financial or otherwise, which have been requested and are included in the project financing.

8. A statement of the benefits to the Town for granting an incentive including an estimate of local taxes to be paid on a year to year basis for as long as the requested incentive lasts.

9. A financial impact analysis which specifies the financial impact of the business expansion or development on Town services. At the discretion of the Board of Selectmen, the Board may require an applicant to pay for a fiscal impact analysis to be performed by a consultant approved by the Board.

10. The copy of any lease or terms of proposed lease for any applicant who is a tenant.

11. If the applicant is relocating a business to Canton from another municipality, the applicant must provide a maximum of five year history of tax assessments and payments to the other municipality.

12. Any other information that the Director of Planning and Community Development deems necessary.

Upon receipt of the application the Director of Planning and Community Development shall review the application and supporting documentation for completeness and accuracy.

6B. Review

Once the application has been accepted by the Director of Planning and Community Development, it shall be forwarded to the Chief Administrative Officer. The Chief Administrative Officer shall apply the information/data in the application to the criteria located in this ordinance to determine initial qualification and eligibility requirements. Part of this review shall be conducted by the Town Assessor to verify the proposed value of improvements.

The original application and Chief Administrative Officer's recommendations shall be submitted to the Economic Development Agency for review and comment. Within 45 days of receiving the application the Economic Development Agency shall submit to the Chief Administrative Officer a report which incorporates the comments and suggestions of the Economic Development Agency.

The Chief Administrative Officer shall submit a final recommended tax incentive plan along with the original application, fiscal impact analysis and report from the Economic Development Agency to the Board of Selectmen for review.

The Board of Selectmen shall review the application and recommended tax incentives and if the Board wants to proceed with the possibility of granting business tax incentives the proposal and supporting materials shall be forwarded to the Board of Finance, who shall then have forty-five (45) days to comment back to the Board of Selectmen on the proposal.

After the Board of Selectmen receives comments from the Board of Finance or the comment period has expired, the Board of Selectmen may direct the Chief Administrative Officer to draft

an agreement with the applicant which will be consistent with the requests of the Board of Selectmen and will provide business tax incentives in an amount that does not exceed the maximum amount specified in this program.

6C. Approval

The final tax incentive agreement must either be approved by the Board of Selectmen or a Town Meeting depending on the total value of the business tax incentives. If over the life of the agreement the total business tax incentives are equal to or greater than $100,000 then the entire tax incentive agreement must be approved by a Town Meeting consistent with the requirements of Charter Section 3.06. If the total amount of tax incentives is less than $100,000, then the tax incentive agreement can be approved by the Board of Selectmen in the same manner in which an ordinance is approved pursuant to Charter Section 4.02.

Any tax incentive agreement approved by the Town of Canton shall not be subject to assignment, transfer or sale without the consent of the Board of Selectmen.

7. RECAPTURE OF TAX INCENTIVES

After approval of an agreement and all Town regulatory approvals have been received, construction must begin on any business development or expansion within six months and be completed within 24 months. The Board of Selectmen may approve extension requests at its sole discretion.

During the term of any business tax incentive agreement a participant shall be considered in default if any of the following occurs:

1. Participant relocates a substantial portion of the business outside of Canton;
2. Participant becomes delinquent in taxes or fees;
3. Participant closes its business for more than 30 consecutive days;
4. Participant declares bankruptcy or is the subject of an involuntary bankruptcy proceeding which is not dismissed within 90 days of filing;
5. Participant fails to meet any of the benchmarks set in the agreement (for example creation of jobs or construction date).

Any participant found in default shall immediately forfeit any benefits specified in the tax incentive agreement. All taxes that would have been received by the Town if not for the agreement and any other financial benefit received by the participant shall immediately become due and payable to the Town and constitute a lien against any real or personal property of the applicant.

8. APPLICATION OF BUSINESS TAX INCENTIVE POLICY IS AT THE SOLE DISCRETION OF THE BOARD OF SELECTMEN

Nothing in this ordinance shall require the Town of Canton to enter into a tax incentive agreement. The application of this ordinance shall be on a case by case basis and any criteria or standards, as outlined in this ordinance, shall be applied at the sole discretion of the Board of Selectmen. The final decision to enter into a tax incentive agreement is at the sole discretion of the Board of Selectmen and/or a Town Meeting.

9. BUSINESS DEVELOPMENT OR EXPANSION PROPOSALS IN EXCESS OF $35,000,000

At its sole discretion, the Board of Selectmen can waive the application of this ordinance to any business development or expansion proposal in excess of $35,000,000. Any agreement for business tax incentives with an applicant not subject to this policy shall require Town Meeting approval.

Town of Ellington

General Ledger - On Demand Report

Fiscal Year: 2022-2023 From Date:7/1/2022 To Date:6/5/2023

Account Mask: ??????00220???????

Account Type: All

☐ Print Detail ☐ Include PreEncumbrance

☑ Print accounts with zero balance ☐ Include Inactive Accounts ☐ Filter Encumbrance Detail by Date Range

Account Number / Description	Budget	Range To Date	YTD	Budget Balance	Encumbrance	% Remaining Bud
1000.02.00220.10.50103 Part Time---Econ Devet Commission--	$1,600.00	$1,170.00	$1,170.00	$430.00	$0.00	$430.00 26.88%
1000.02.00220.20.60221 Advertising Printing---Econ Devet Commission--	$1,000.00	$375.00	$375.00	$625.00	$0.00	$625.00 62.50%
1000.02.00220.20.60222 Dues & Subscriptions---Econ Devet Commission--	$750.00	$730.00	$730.00	$20.00	$0.00	$20.00 2.67%
1000.02.00220.20.60223 Travel---Econ Devet Commission--	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00 0.00%
1000.02.00220.20.60232 Postage---Econ Devet Commission--	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00 0.00%
1000.02.00220.20.60233 Education---Econ Devet Commission--	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00 0.00%
1000.02.00220.20.60234 Professional Development---Econ Devet Commission--	$100.00	$0.00	$0.00	$100.00	$0.00	$100.00 100.00%
1000.02.00220.20.60250 Contracted Services---Econ Devet Commission--	$1,500.00	($244.50)	($244.50)	$1,744.50	$0.00	$1,744.50 116.30%
1000.02.00220.30.60341 Office Supplies---Econ Devet Commission--	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00 0.00%
Fund: 1000	$4,950.00	$2,030.50	$2,030.50	$2,919.50	$0.00	$2,919.50

General Ledger - On Demand Report

Fiscal Year: 2022-2023 From Date:7/1/2022 To Date:6/5/2023

Account Mask: ??????00220???????? **Account Type:** All ☐ Print Detail ☐ Include PreEncumbrance

☑ Print accounts with zero balance ☐ Include Inactive Accounts ☐ Filter Encumbrance Detail by Date Range

Account Number / Description	Budget	Range To Date	YTD	Budget Balance	Encumbrance	% Remaining Bud
Grand Total:	$4,950.00	$2,030.50	$2,030.50	$2,919.50	$0.00	$2,919.50

End of Report

STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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

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

ECONOMIC DEVELOPMENT COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, MAY 10, 2023, 7:00 PM

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

PRESENT: In Person: Chairman Sean Kelly and Alternate Mike Swanson; Via Zoom: Vice Chairman Donna Resutek, Regular Member David Hurley, and Chris Todd (arrived at 7:17)

ABSENT: Regular Member Jim Fay, and Alternates Amos Smith and Sam Chang

STAFF PRESENT: In Person: Lisa M. Houlihan, Town Planner and Nathaniel Trask, Recording Clerk

OTHERS PRESENT: None

I. CALL TO ORDER: Chairman Sean Kelly called the Economic Development Commission meeting to order at 7:02 PM.

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

III. ACTIVE BUSINESS:

1. Report: Tolland County Chamber of Commerce.

   The Chamber of Commerce will host its 31st Annual Golf Tournament on June 14, 2023, at Blackledge Country Club in Hebron, CT. Chairman Kelly said it is $200 for the bundle package and $160 for the regular package if anyone is interested in the event.

2. Agricultural Initiatives.

   a. Plan of Conservation and Development, Chapter Six - Economic Development, Agriculture as an Economic Sector and Considerations/Strategies (page 95).

      The Planning Department drafted a regulation based on the commission's discussions regarding the town's agritourism business. The proposal incorporates recommendations from page 95 of the Plan of Conservation and Development and that of three other towns. Originally, the commissioners' comments were used to create a new section in section 7.14 of the zoning regulations, which is the agritourism regulation, however the draft new section was very repetitive with the farm breweries, cideries, distilleries, and wineries regulation that the commission created a few years ago. As a resolution to that issue, Ms. Houlihan prepared the potential regulation amendments using existing sections in section 7.14. She

distributed a copy of the draft proposal and confirmed that she will email it to commission members. This amendment includes all regulations that had previously been put in place along with other agritourism uses, such as tasing rooms, farm-to-table meals, banquet space, and special events. Chairman Kelly elaborated that the amendment simply expands on what's already included in the zoning regulations. Ms. Houlihan asked for additional guidance about setbacks from property lines for outdoor activities and buildings, and if the commission wants to add language that distinguishes between small events and large events related to this discussion.

Chairman Kelly said the commission will discuss this amendment to the zoning regulations at next month's meeting after members have had time to review it.

b. Ellington Farm Day 2023

Ms. Houlihan confirmed that Ellington Farm Day 2023 will be held on Saturday, September 23, from 10AM – 3PM. Chairman Kelly said the event was a "burgeoning success" last year and he is looking forward to a bigger event this year.

3. Connecticut Economic Development Association Best Practices

a. Customer Service Satisfaction Survey.

Chairman Kelly reviewed the questions on the Customer Service Satisfaction Survey. The survey consists of eight questions regarding contacting the Planning Department, timeliness of follow-up, and transparency. The questions range from short-answer optional feedback questions, "check all that apply" questions, and ranking questions. Ms. Houlihan said the survey has been created using Google Forms instead of SurveyMonkey to avoid any premium service fees, and the Planning Department will encourage customers to complete the survey digitally.

MOVED (SWANSON) SECONDED (HURLEY) AND PASSED UNANIMOUSLY TO APPROVE AND ADOPT THE CUSTOMER SATISFACTION SURVEY AS WRITTEN.

4. Report: Tax Incentive/Abatement Programs.

Ms. Houlihan said she anticipates the commission to see a tax abatement application for a new 45,000 square-foot tennis facility on Lower Butcher Road. The facility will consist of four tennis courts, four pickleball courts, parking, and landscaping. The facility will be called the Ellington Racquet Club.

Oakridge Dairy, LLC, wants to speak with the commission again about supporting a new program that would incorporate Connecticut General Statues 12-81(m), which allows a municipality to abate up to 50% of the property taxes for certain farms. This matter was last discussed in 2018. A representative from the Connecticut Farm Bureau recently met with town staff including First Selectman Lori Spielman about this program. Ms. Houlihan said the commission has consent to consider this new program and potentially develop an ordinance for the town to adopt. Chairman Kelly said Oakridge Dairy, LLC, would have to present it to the commission before they could consider drafting a regulation proposal. Chairman Kelly said he was unsure what the town's interest would be, but that the commission would be interested in hearing about it. Vice Chairman Resutek asked for someone to let the commission know what the financial impact to the town would be, and Ms. Houlihan said she would ask the town assessor to estimate that. Chairman Kelly said he thought the last time the commission spoke about this program, the financial impact would be less than $1 million if every farm in town applied. At the time it was first discussed, he expected the financial impact to be larger than what was

estimated. Ms. Houlihan said it would be important to write the regulation in such a way that it does not exclude any farms but also does not provide a loophole for businesses that are not true farms. Commissioner Todd also said the issue the last time it was discussed was to write it in such a way that it does not favor certain farms over others, to which Chairman Kelly mentioned past discussion about making sure farmers who were leasing land receive the abatement, not the landowner.

5. Report: Current Economic Activity.

   Chairman Kelly said DiFiore's is running a fundraiser for Center School. Half of the proceeds from purchases between Wednesday, May 10 and Friday, May 11, will be donated to activities at Center School. Chairman Kelly said to expect a development proposal to be presented for the land next to Country Pure Foods within the next year.

IV. ADMINISTRATIVE BUSINESS:

1. Fiscal Year 2022-2023 Budget & Expenditures update.

   The only expense since last month was for the services of the part-time recording clerk. Most of the money remaining in the budget will go toward the farm day event.

   Commissioner Swanson suggested asking the Board of Finance to establish a fund for new businesses coming to town. This is based on what other towns are doing, particularly in Canton, their fund is used to welcome new businesses to their town. This would be a good way to welcome new businesses to Ellington. Chairman Kelly said the commission would have to outline what the funds can be used for and that it's a good idea. The commission agreed that the topic should be added to the agenda for discussion next month.

2. Approval of the April 12, 2023, regular meeting minutes.

   MOVED (HURLEY) SECONDED (RESUTEK) AND PASSED UNANIMOUSLY TO APPROVE THE APRIL 12, 2023, MEETING MINUTES AS WRITTEN.

3. Correspondence/Discussion: Nothing new to report currently.

V. ADJOURNMENT:

MOVED (SWANSON) SECONDED (HURLEY) AND PASSED UNANIMOUSLY TO ADJOURN THE ECONOMIC DEVELOPMENT COMMISSION MEETING AT 7:31 PM.

Respectfully submitted,

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Nathaniel Trask, Recording Clerk

COMPLIANCE WITH THE TOWN'S USE OF TOWN PROPERTY POLICY, AND FOR THE EVFD TO REVIEW AND ABIDE BY ALL RULES AND REGULATIONS SET FORTH IN SAID POLICY THROUGHOUT THE ANNUAL EVFD CARNIVAL.

FURTHER, TO DIRECT THE EVFD TO CONSULT WITH THE PARKS AND RECREATION DIRECTOR REGARDING THE DETAILS OF THE SPACE REQUIREMENTS FOR THIS EVENT.

F. Sustainable CT Status

Tom Modzelewski shared that Ellington has been a spotlight Town with the Connecticut Green Snow Pro program. He stated that the Town's successes were used to pursue the Sustainable CT board to provide points to Towns that receive Green Sno Pro certification towards their Sustainable CT status.

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO RESUME ACTIVITY OF THE SUSTAINABLE CT TOWN OF ELLINGTON SUSTAINABILITY TEAM TO BE CO-CHAIRED BY LISA HOULIHAN, TOWN PLANNER AND TOM MODZELEWSKI, SUPERINTENDENT, DEPARTMENT OF PUBLIC WORKS FOR THE PURPOSES OF RECEIVING SUSTAINABLE CT CERTIFICATION. UPON THEIR DISCRETION, IDENTIFIED TOWN DEPARTMENT HEADS AND STAFF WILL PARTICIPATE AS NEEDED TO ASSIST IN THE PROCESS OF PROVIDING INFORMATION AND DEVELOPMENT OF PROGRAMS THAT WILL MEET THE REQUIREMENTS OF CERTIFICATION PROVIDING UPDATES TO THE BOARD OF SELECTMEN ON A BI-MONTHLY BASIS.

G. To consider and act on a resolution: (1) recommending an authorization for the Permanent Building Committee for the previously approved acquisition of, installation of and improvements to lighting at various athletic facilities of the Town; and (2) setting a Town Meeting to consider and act upon the resolution

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO ADOPT THE FOLLOWING RESOLUTION:

RESOLVED, that the Board of Selectmen recommends to the Town Meeting that the Town of Ellington authorize the Permanent Building Committee to determine the scope and particulars for the previously approved acquisition of, installation of and improvements to lighting at various athletic facilities of the Town, including Ellington High School, Tedford Park and Pinney Street Fields, and to take all other action which is necessary or desirable to complete the project and obtain grants to finance the appropriation.

FURTHER RESOLVED, that the Board of Selectmen hereby authorizes the First Selectman to call a special town meeting to be held in the Nicholas J. DiCorleto, Jr. Meeting Hall, 55 Main Street, Ellington, Connecticut, on June 12, 2023 at 6:30 p.m. to consider and act upon said resolution.

H. Resignation of Kenneth Radziwon, DPW Director/WPCA Administrator

Mr. Turner read the letter provided by Mr. Radziwon to First Selectman Spielman stating that he apologized for not being able to attend the meeting, as he was currently coaching his children's soccer teams. He noted that his departure is centric around being the best father and husband he can