



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, JUNE 26, 2023, 7:00 PM

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

I. CALL TO ORDER:

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

III. PUBLIC HEARINGS: *(Hearings may commence, unless otherwise noted)*

1. Z202306 – ARJI Ellington, LLC & ARJI Ellington 2, LLC, owner/applicant, request for modification to Site Plan for construction of a retail/restaurant building at 135 West Road, APN 037-005-0086, in a Planned Commercial (PC) Zone. *(Hearing continued from May 22, 2023)*
2. Z202312 – Marc Diwinsky, owner/applicant, pursuant to Section 3.1.3 of the Ellington Zoning Regulations request for Special Permit for the construction of a 40x40 accessory building for storage at 282 Windsorville Road, APN 014-009-0000, in a Rural Agricultural Residential (RAR) Zone.
3. Z202313 – Roger Moser, owner/Brent Moser, applicant, request for modification to Site Plan and Special Permit for the construction of a 60x160 accessory building for storage of vehicles and equipment for Valley Truck & Off Road, LLC, at 43 Lower Butcher Road, APN 018-020-0000, in an Industrial Park (IP) Zone.
4. Z202314 – Chilson Realty, Co, owner/29 Moody Road, LLC, applicant, request for text amendment to Section 6.2.5 (A) of the Ellington Zoning Regulations to reduce the separation of parking from 30' to 10' to any façade of an industrial building.
5. Z202315 - Chilson Realty, Co, owner/29 Moody Road, LLC, applicant, request for zone change from Commercial (C) Zone to Industrial Park (IP) Zone 500' from the front property line from West Road for APN 019-005-0000.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. Z202317 - Request for Connecticut General Statute Section 8-24 Review for conveyance of a portion of Assessor Parcel Number (APN) 019-005-0004, Town of Ellington, owner, to be combined with the Vernon recreational facilities at 60 Windermere Avenue, APN 011-033-0000.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the April 24, 2023, and May 22, 2023, Regular Meeting Minutes.
2. Correspondence/Discussion:
 - a. Memo from John Colonese, Assistant Planner Enforcement Officer, request to review landscaping associated with condition of approval for Z202208 for Special Permit and Site Plan Approval for a self-storage facility, fencing and gates, landscaping and related improvements at 162 Maple Street, APN 072-028-0000, PC (Planned Commercial) Zone.

- b. Status of commissioner training as required by Public Act 21-29 - An Act Concerning...Training for Certain Land Use Officials.

VII. ADJOURNMENT:

Next Regular Meeting is scheduled for July 24, 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, Planning & Zoning Commission.

Join Zoom Meeting via link:
<https://us06web.zoom.us/j/86352269018>
Meeting ID: 863 5226 9018
Passcode: 138372

Join Zoom Meeting by phone:
1-646-558-8656 US (New York)
Meeting ID: 863 5226 9018
Passcode: 138372

Barbra Galovich

Z 202306

Subject: FW: 135 West Road - Starbucks
Attachments: 4096KPC Ellington CT R01, 01b_email.jpg; 4096KPC Ellington CT R01, 02b_email.jpg

From: Reggie Kronstadt <rkronstadt@krownpoint.com>

Sent: Tuesday, June 6, 2023 11:29 AM

To: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>

Cc: Perry Gold <pgold@krownpoint.com>

Subject: RE: 135 West Road - Starbucks

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.

Hi Lisa,

We're excited to share the latest renderings for our Ellington project. Key changes to our prior design include the following –

- Changes EIFS on Gables to a white board & batten based on Earthlight's new building
- Changed thinset red brick to a nicer country style stone and made the drive thru pick up to have an entirely stone face.
- Added exposed wood accent brackets below both gables to create a more historic look & feel similar to Barn Yard
- Added exposed Wood Panels on corners of the building and between the storefronts to incorporate more of the legacy Ellington style
- Changed canopy to be a black metal roof similar to what Earthlight did.
- Changed backlit lighting to goose necks following our discussion with P&Z last month
- Changed color scheme of our Hardi siding from the beige you see on McDonalds to a Dover Style light gray. We also now blended Hardi on the lower portion of the side elevations with the board & batten above to accentuate the side elevations

We're still reviewing with Starbucks, but wanted to share regardless as this look is very much where we expect to end up. Driving up to the area now so we'll give you a ring to talk through the above.

Thanks,
Reggie

Reggie Kronstadt
Krown Point Capital LLC
Cell: (516) 375 - 0064
Email: rkronstadt@krownpoint.com

Barbra Galovich

Z 202306

Subject: FW: 135 West Road - Starbucks
Attachments: 4096KPC Ellington CT R01, 01.jpg; 4096KPC Ellington CT R01, 02.jpg

From: Perry Gold <pgold@krownpoint.com>
Sent: Friday, June 9, 2023 2:50 PM
To: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>; Reggie Kronstadt <rkronstadt@krownpoint.com>
Subject: RE: 135 West Road - Starbucks

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.

Hi Lisa,

That is great to hear! We enhanced the final design even further to include sleeker overhangs, angled goosenecks above the signage, and the finalized Starbucks signage. Please see attached for the final, full resolution, renderings to be included as part of the official application and PZC hearing.

As well, we met with the folks at Kloter Farms and Chris Skinner at Barn Yard to discuss the companies supplying the cupulas, and exposed timber for the project and they are excited to be work together.

Please let me know if you need anything else.

Have a nice weekend,
Perry

Perry Gold
Krown Point Capital LLC
Cell: (516) 205 - 7567
Email: pgold@krownpoint.com





Barbra Galovich

2202306

Subject: FW: 135 West Road - Starbucks
Attachments: 4096KPC Ellington CT R01, 01.jpg; 4096KPC Ellington CT R01, 02.jpg

From: Perry Gold <pgold@krownpoint.com>
Sent: Thursday, June 15, 2023 11:29 AM
To: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>; Reggie Kronstadt <rkronstadt@krownpoint.com>
Subject: RE: 135 West Road - Starbucks

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.

Hi Lisa,

Apologies for any confusion but we did make minor updates to the rendering which include the elimination of Starbucks' signage on the drive thru side of the building along with the corresponding gooseneck light fixture.

For this meeting we will have a short Power Point presentation for the commission which will include an overview of the civil, traffic and landscaping and several slides further detailing the design revisions.

Thank You
Perry

Perry Gold
Krown Point Capital LLC
Cell: (516) 205 - 7567
Email: pgold@krownpoint.com





Town of Ellington

Planning & Zoning Commission Application

Type of Application: ☐ Zone Change ☐ Amendment to Regulation

☐ Site Plan Approval ☒ Special Permit ☐ Modification ☐ CGS 8-24

Application #

2202312

Date Received

5/1/2023

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

Owner's Information

Name: Marc Diwinsky

Mailing Address: 282 Windsorville Rd

Ellington CT 06029

Email: marc.diwinsky@gmail.com

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

Primary Contact Phone #: 860-978-5222

Secondary Contact Phone #: _____

Signature: [Signature] Date: 5/1/23

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 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: _____

Mailing Address: Same as owner

Email: _____

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

Primary Contact Phone #: _____

Secondary Contact Phone #: _____

Signature: _____ Date: _____

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: 282 Windsorville Rd Ellington CT 06029

Assessor's Parcel Number (APN): 014 - 009 - 0000 Existing Zone: RAR 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 (§8-3i(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.*

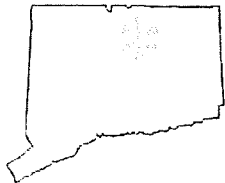
Description of Request (If more space is needed, please attach additional sheets)

Build a storage building to store a RV and trailers. "40' x 40'".

RECEIVED

MAY 01 2023

TOWN OF ELLINGTON
PLANNING DEPARTMENT



North Central District Health Department

- ☐ Enfield - 31 North Main Street - Enfield, CT 06082 - (860) 745-0383 Fax 745-3188
- ☐ Vernon - 375 Hatford Turnpike, Room 120 - Vernon-Rockville, CT 06066 - (860) 872-1501 Fax 872-1531
- ☐ Windham - Town Hall - 979 Main Street - Willimantic, CT 06226 - (860) 465-3033 Fax 465-3032
- ☐ Stafford - Town Hall 1 Main Street - Stafford Springs, CT 06076 - (860) 684-5609 Fax 684-1768

RECEIVED

MAY 01 2023

TOWN OF ELLINGTON
PLANNING DEPARTMENT

Plan Approval

For

Building Additions, Conversions, Changes of Use, or Accessory Structures

282	Windsorville Road	Ellington	
Street #	Street Name	Town	
Marc Diwinsky	282 Windsorville Road	Ellington	CT 06029
Owner Name	Owner Address	Town	ST Zip

This approval indicates that the proposal has been reviewed by the Health Department and is in compliance with applicable regulations as contained in the Public Health Code for this project. **Permission is hereby granted on 5/1/2023, to construct a 40'x40' Storage Area as shown on plan received 4/21/2023.**

Property is serviced by Septic System and Well. The proposed 40' x 40' Storage Building shall meet applicable separation distances from the Septic System and Well. The Storage Building shall be set no closer than 10' from the Septic System and Well.

All zoning requirements for any accessory structure must be met prior to the installation of the Storage Shed.

CARE MUST BE TAKEN TO PROTECT THE SEPTIC SYSTEM DURING CONSTRUCTION / INSTALLATION.

Please Note that the above approval indicates compliance with Connecticut Public Health Requirements. Any other permits required from Zoning, Inland Wetlands or Building Officials are not ensured by this approval.

Approved by:

Rachel Colonna, B.S.

Sanitarian

MAY 01 2023

TOWN OF ELLINGTON
PLANNING DEPARTMENT

319.61'

EXISTING DRIVEWAY

EXISTING GARAGE

Proposed
NEW
STORAGE
UNIT
Size
40'x40'

>60'

160'

228'±

SEPTIC TANK

FOOTING
DRAIN

NO. CENTRAL DISTRICT HEALTH DEPT.

☒ APPROVED FOR CONSTRUCTION

☐ NOT APPROVED FOR CONSTRUCTION

For 40' x 40' Storage Building

5/1/23

DATE

Reshwan

HEALTH OFFICIAL

Submitted by: *Marc Diwinsky*
Marc Diwinsky

Date: 5/1/23

36" WIDE
TRENCHES
58' LONG
12" TYP

EXISTING
HOUSE

ELLINGTON PLANNING DEPARTMENT
STAFF REVIEW SHEET

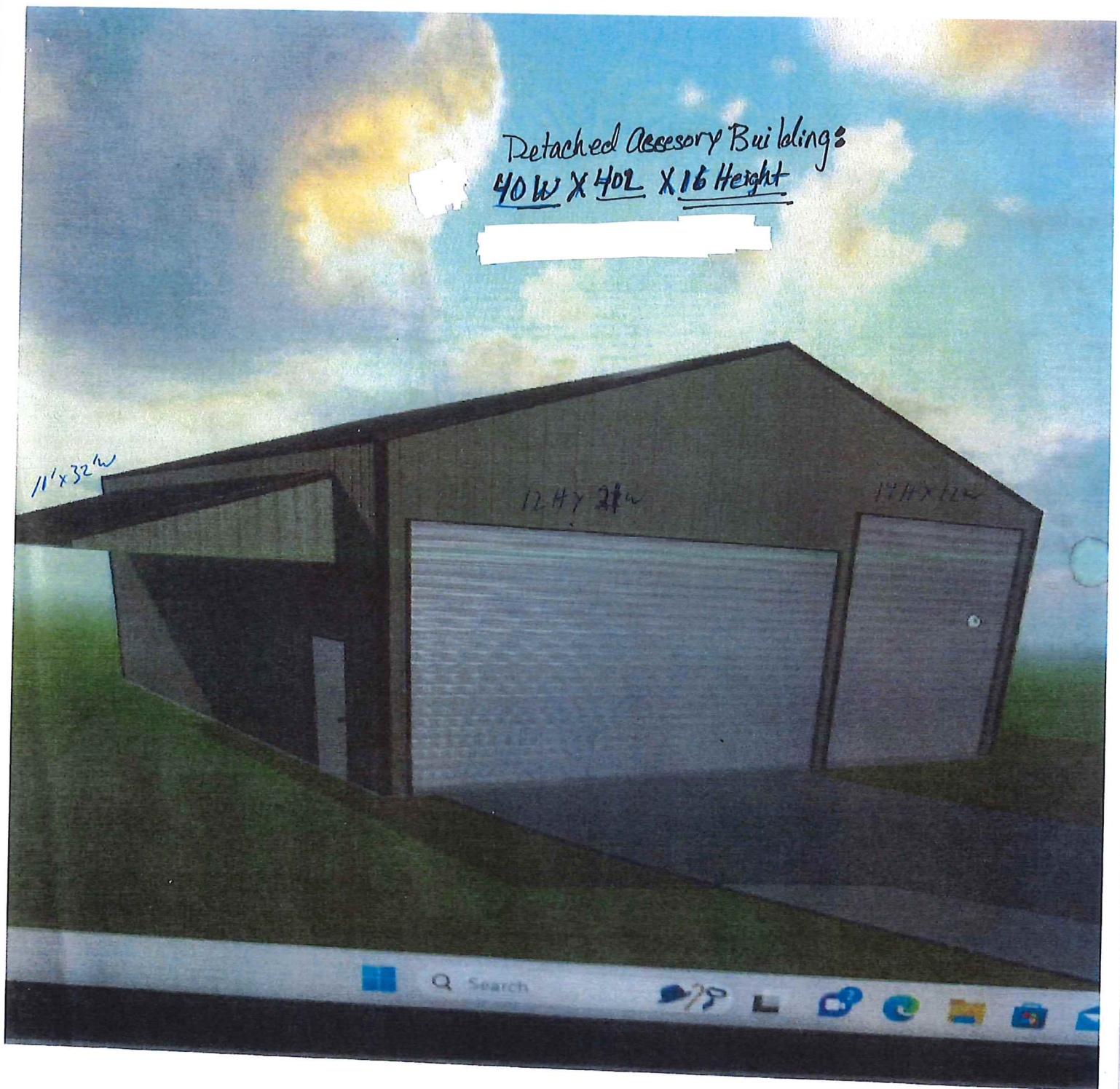
PLANNING & ZONING COMMISSION

Z202312 – Marc Diwinsky, owner/applicant, pursuant to Section 3.1.3 of the Ellington Zoning Regulations request for Special Permit for the construction of a 40x40 accessory building for storage at 282 Windsorville Road, APN 014-009-0000, in a Rural Agricultural Residential (RAR) Zone.

PUBLIC HEARING DATE: June 26, 2023

STAFF REVIEW RETURN DATE: June 16, 2023

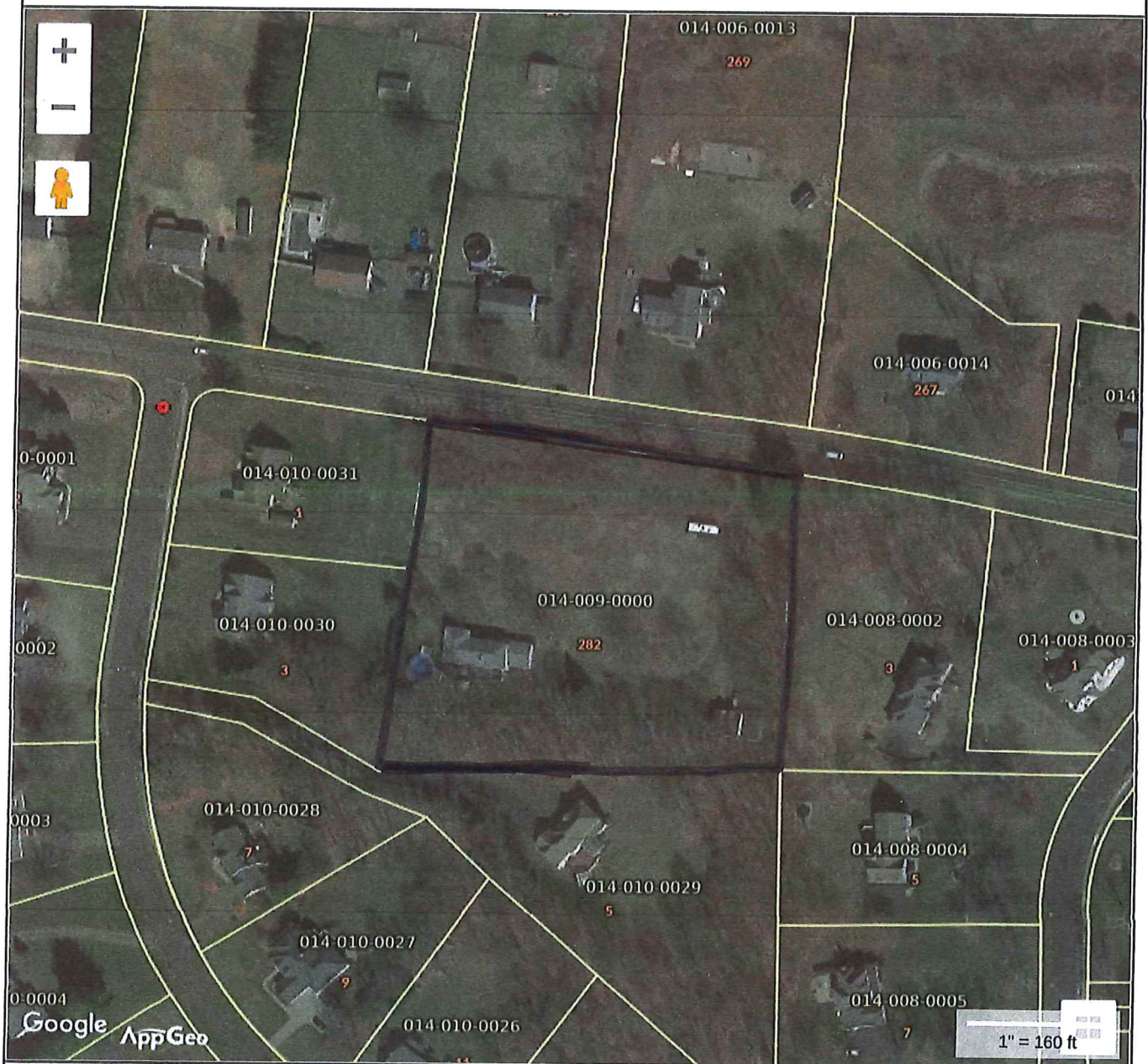
DEPARTMENT	COMMENTS AND/OR REQUIREMENTS
Town Engineer	Approved, assuming that the structure is “DRY” with no future plans of plumbing.
Building Official	
North Central District Health Dept	
Fire Marshal	
Public Works Director/WPCA	
Assessor	
Traffic Authority	



No water or septic connection
Electricity connection - proposed in future.

MD 6/5/23

282 Windsorville Road



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.

Town of Ellington Planning & Zoning Commission Application

Type of Application: ☐ Zone Change ☐ Amendment to Regulation
☒ Site Plan Approval ☒ Special Permit ☒ Modification ☐ CGS 8-24

Application #

2202313

Date Received

5-17-2023

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

Owner's Information

Name: Roger & Joan Moser

Mailing Address: in Hayes Ave.

Ellington, CT 06029

Email: rimfamily@gmail.com

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

Primary Contact Phone #: 860 539 9780

Secondary Contact Phone #: 860 875 2763

Signature: [Signature] Date: 5/17/23

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 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: Brent Moser

Mailing Address: 7 Edgewood Rd

Ellington Ct

Email: chev.brent@gmail.com

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

Primary Contact Phone #: 860 558 1479

Secondary Contact Phone #: 860 872 0004

Signature: [Signature] Date: 5-15-23

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 Commission have been submitted.

Street Address: 43 Lower Butcher Rd

Assessor's Parcel Number (APN): 018 - 020 - 0000 Existing Zone: IP Proposed Zone: NA
 (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 (§8-3i(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.*

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

See attached

RECEIVED

MAY 17 2023

I would like to propose constructing a cold storage pole barn building. The building would be 450 feet from the road. Clear panels will be on the top of the south wall to allow sunlight. No overhead doors will be facing the road, only to the east. Additional pine trees will be planted from the existing pine trees to the west border. Corn will still be planted in the current field (from the new trees to the road).

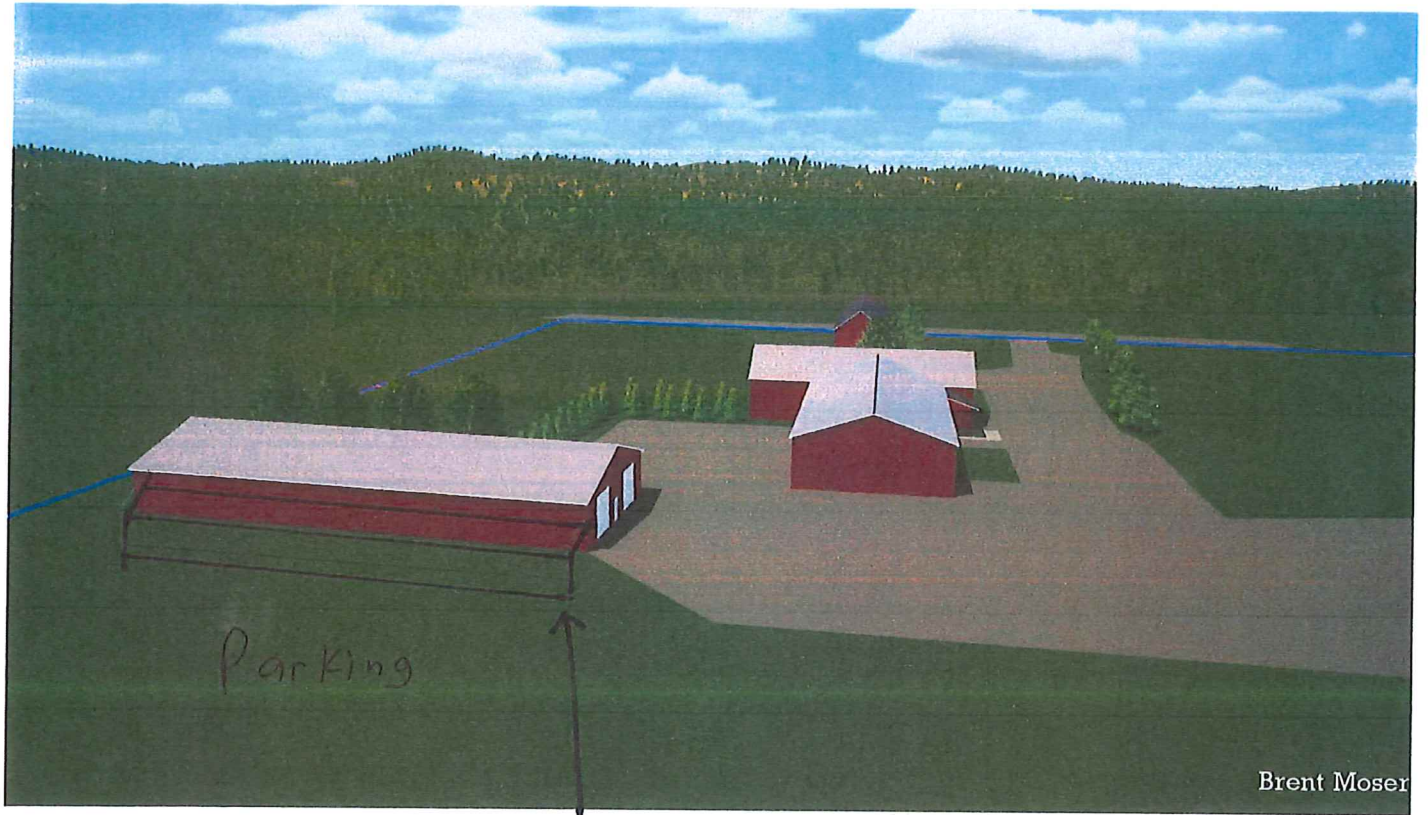
The building will have no electricity. It will be used for trucks, tires, cars, and farm equipment. There will be vapor barriers on the roof and the walls and a concrete floor. The existing storage trailers will no longer be needed therefore being removed.

The steel siding and roofing will be from the supplier as the existing building. So the coloring will match to keep it uniform.

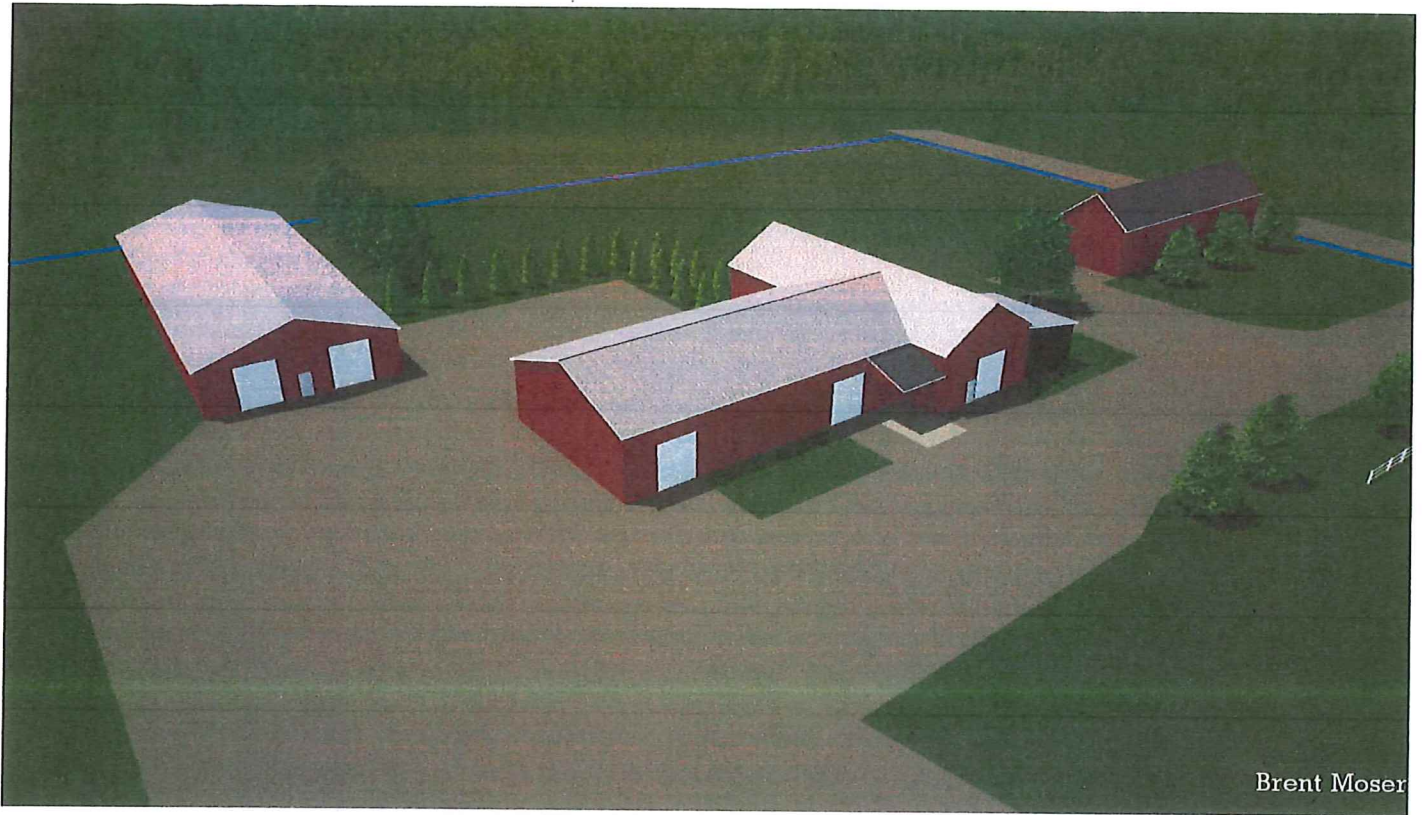
RECEIVED

MAY 17 2023

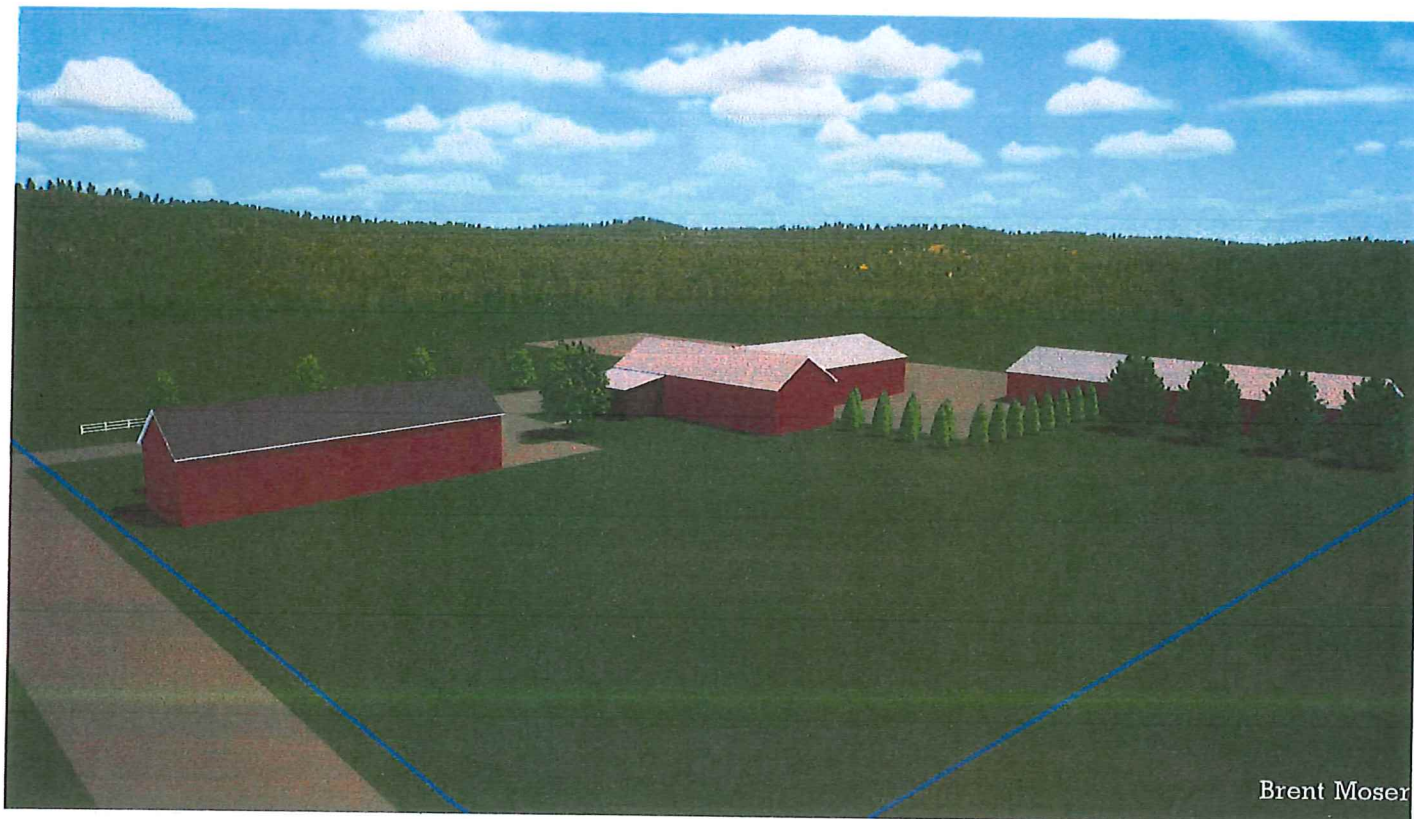
TOWN OF
PLANNING & ZONING



160' x 12' Lean to on south side

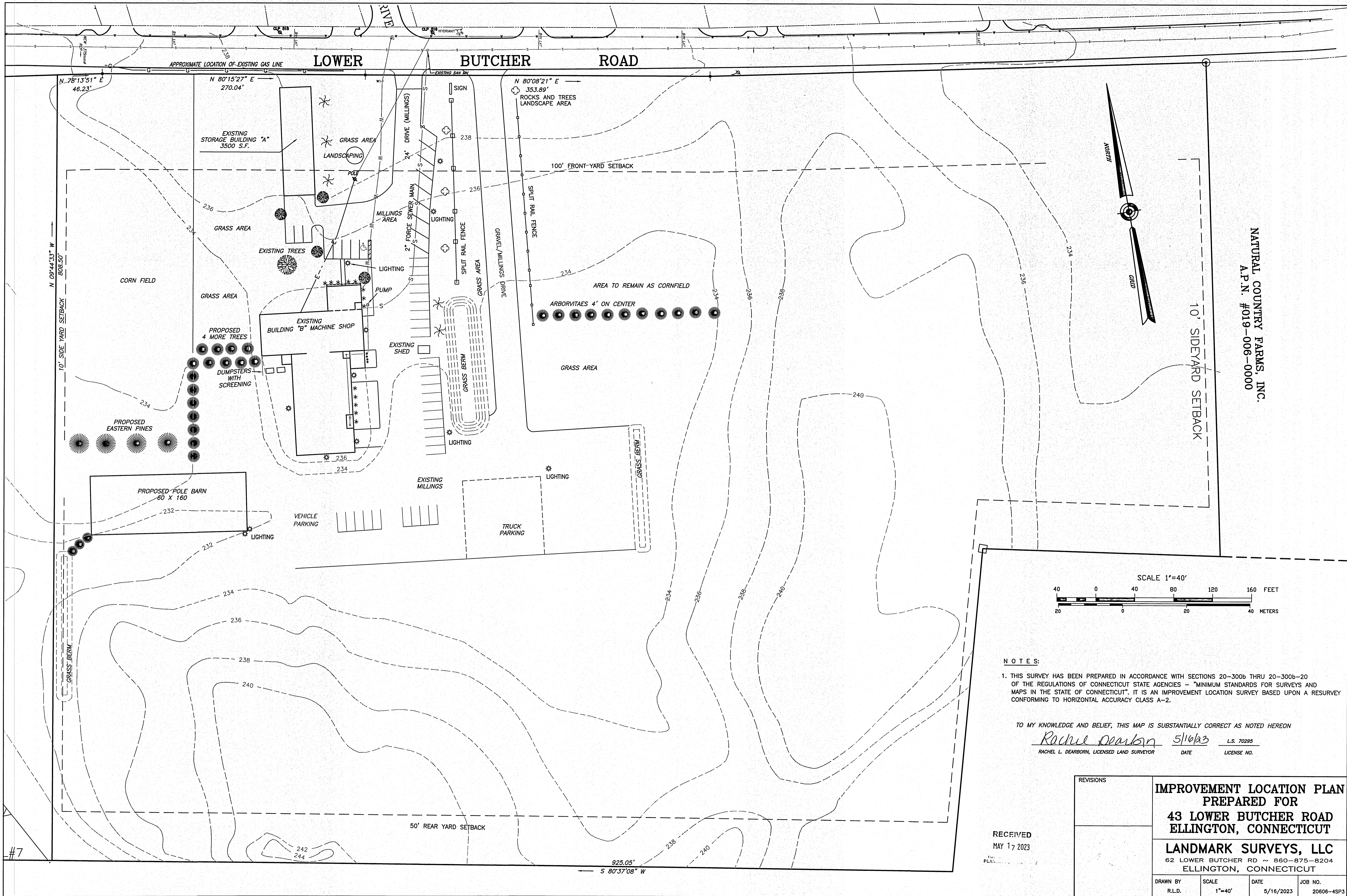


Pg 2063

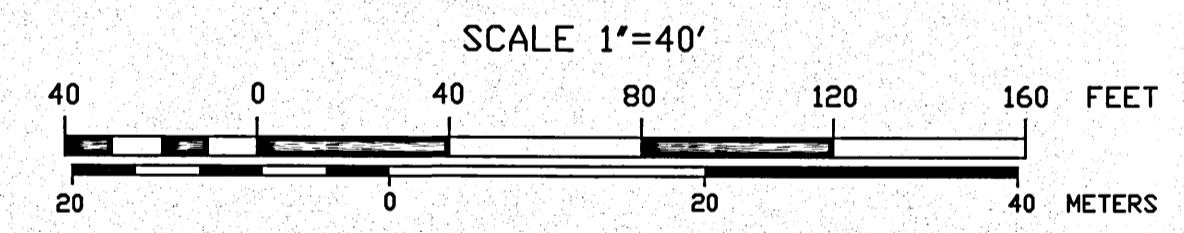


Brent Moser

Pg 3063



NATURAL COUNTRY FARMS, INC.
A.P.N. #019-006-0000



NOTES:

1. THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT". IT IS AN IMPROVEMENT LOCATION SURVEY BASED UPON A RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS A-2.

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON

Rachel Dearborn 5/16/23 L.S. 70295
RACHEL L. DEARBORN, LICENSED LAND SURVEYOR DATE LICENSE NO.

RECEIVED
MAY 17 2023

REVISIONS			
IMPROVEMENT LOCATION PLAN PREPARED FOR 43 LOWER BUTCHER ROAD ELLINGTON, CONNECTICUT			
LANDMARK SURVEYS, LLC 62 LOWER BUTCHER RD ~ 860-875-8204 ELLINGTON, CONNECTICUT			
DRAWN BY R.L.D.	SCALE 1"=40'	DATE 5/16/2023	JOB NO. 20606-4SP3

ELLINGTON PLANNING DEPARTMENT
STAFF REVIEW SHEET

PLANNING & ZONING COMMISSION

Z202313 – Roger Moser, owner/Brent Moser, applicant, request for modification to Site Plan and Special Permit for the construction of a 60x160 accessory building for storage of vehicles and equipment for Valley Truck & Off Road, LLC, at 43 Lower Butcher Road, APN 018-020-0000, in an Industrial Park (IP) Zone.

PUBLIC HEARING DATE: June 26, 2023

STAFF REVIEW RETURN DATE: June 16, 2023

DEPARTMENT	COMMENTS AND/OR REQUIREMENTS
Town Engineer	Approved, assuming that the structure is “DRY” with no future plans of plumbing.
Building Official	
North Central District Health Dept	
Fire Marshal	
Public Works Director/WPCA	
Assessor	
Traffic Authority	

Barbra Galovich

Subject: FW: Staff Review - Z202313 - 43 Lower Butcher Road

From: Dana Steele <dsteele@jrrusso.com>

Sent: Wednesday, June 21, 2023 10:58 AM

To: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>

Subject: RE: Staff Review - Z202313 - 43 Lower Butcher Road

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,

It looks like the pole barn is proposed in a swale which drains off the property to the west. But it should not be difficult to direct runoff around the pole barn. While the barn roof does add impervious coverage and increase runoff, considering the size of the parcel, I would not expect the change to have a significant impact. If the barn could be moved further from the property line, that would help to allow more time for the increased roof runoff to infiltrate before leaving the site.

Dana

Planning & Zoning Commission Application

TOWN OF ELLINGTON
PLANNING DEPARTMENT

Property Address: 0 West Rd Ellington CT 06029 Blank Addendum page 1 of 1



**ADDENDUM
REAL ESTATE PURCHASE CONTRACT
Greater Hartford Association of REALTORS®**



This Addendum is with respect to the Real Estate Purchase Contract (the "Contract") dated 1/6/2023
between 29 Moody Road LLC (Buyer(s)) and Chilson Realty Co
(Seller(s)) concerning the Property located at 0 West Rd Ellington CT 06029 :

Property owner grants permission to buyer to apply for zoning change and development approvals from the town of Ellington.

RECEIVED

MAY 18 2023

TOWN OF ELLINGTON
PLANNING DEPARTMENT

BUYER

Chris Skinner, Member

Chris Skinner, Member

Date: 05/12/2023

SELLER

Charles Perry Chilberg GP

Chilson Realty Co

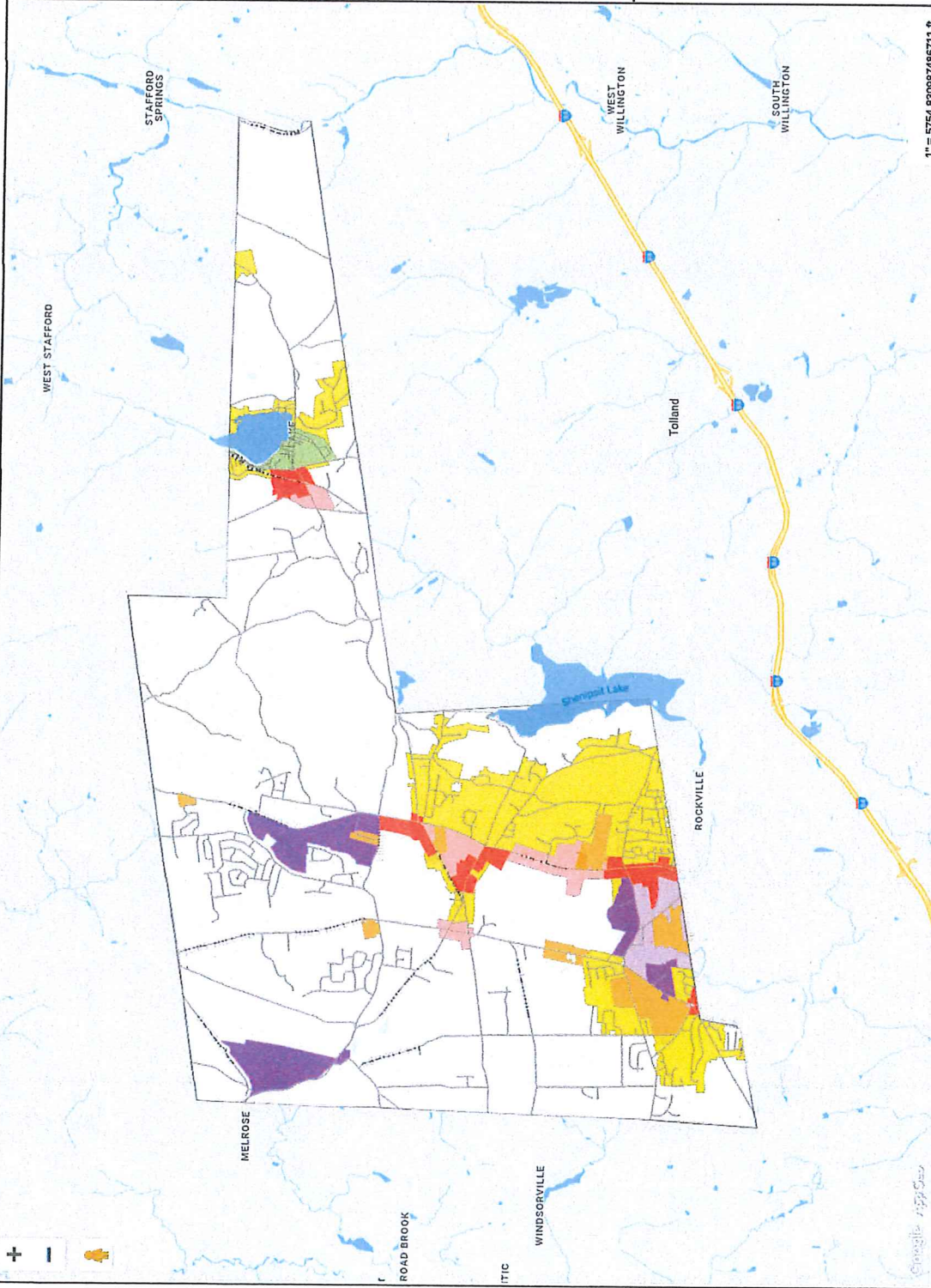
Date: 05/12/23

Additions are **bolded and underlined**, deletions are ~~striketrough~~, otherwise text is as currently adopted.

SECTION 6.2.5 - LOCATION OF PARKING FACILITIES

There shall be no parking spaces permitted within 20 feet of the front, rear, or sides of a commercial structure or multi-family dwelling (unless such multi-family dwelling includes a driveway for a private garage) or within 30 feet of any façade of an industrial building. **The Commission may reduce the parking setback from the façade of an industrial building in an Industrial Zone from 30 feet to no less than 10 feet if a continuous access drive is provided around all sides of the building and is a minimum of 24 feet wide and meets fire and building codes. Except the Commission shall not reduce the parking setback from the façade of an industrial building in an Industrial Zone less than 30 feet when a building is closer to the front, side, and rear yard as required pursuant to Section 4.2.1 Lot Area, Width & Yard Requirements.**

Zoning Map



**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.

Map Theme Legends

Zoning

- Commercial
- Planned Commercial
- Industrial Park
- Lake Residential
- Multi Family
- Designed Multi Family
- Residential
- Rural Agricultural Residential

Town of Ellington

Section 4.2 Area, Yard and Bulk Requirements

4.2.1 Lot Area, Width & Yard Requirements

Table 4.2.1 Lot Area, Width & Yard Requirements for Commercial/Industrial Zones

Zone	Lot Area ⁽¹⁾	Minimum Width ⁽¹⁾	Front Yard ⁽²⁾⁽³⁾⁽⁵⁾	Side Yard ⁽³⁾	Rear Yard ⁽³⁾
C-Commercial	40,000 sq. ft. ⁽⁴⁾	200 feet	100 feet	10 feet ⁽⁶⁾	10 feet ⁽⁶⁾
PC - Planned Commercial	3 Acres	300 feet	100 feet	10 feet ⁽⁶⁾	50 feet ⁽⁶⁾
I - Industrial	40,000 sq. ft.	200 feet	100 feet	10 feet ⁽⁶⁾	50 feet ⁽⁶⁾
IP - Industrial Park	4 Acres	200 feet	100 feet	10 feet ⁽⁶⁾	50 feet ⁽⁶⁾

⁽¹⁾ May be increased because of poor soil conditions, terrain limitations, etc.

⁽²⁾ May be reduced to 50 feet along any roadway not designed as a collector road, arterial road or state highway.

⁽³⁾ Accessory buildings shall conform to building line requirements for front, side and rear yards applicable to main building.

⁽⁴⁾ With or without public sewers.

⁽⁵⁾ Except gas pumps.

⁽⁶⁾ 50 feet side and rear yard required where abutting residential property or zone, except if home occupation only.

4.2.2 Minimum Lot Size

- A. Dwellings in Commercial and Industrial Zones shall be located on lots of the same area required in all residential zones.

4.2.3 Bulk Requirements

Table 4.2.3 Bulk Requirements

	Floor Single Level ⁽¹⁾	Building Height (See definitions)	Lot Cover
C-Commercial	2,500	38	60%
Planned Commercial	N/A	38	60%
I - Industrial	N/A	38	60%
IP - Industrial Park	N/A	38	60%

⁽¹⁾All structural designs subject to zoning board approval.

Town of Ellington

Planning & Zoning Commission Application

Type of Application: ☒ Zone Change ☐ Amendment to Regulation
☐ Site Plan Approval ☐ Special Permit ☐ Modification ☐ CGS 8-24

Application #

202315

Date Received

5-18-2023

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

Owner's Information

Name: Chilson Realty Co.

Mailing Address: PO Box 611

Rockville, CT 06066

Email: toddh@sentryrealestate.com

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

Primary Contact Phone #: 860-966-4995

Secondary Contact Phone #: _____

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 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: 29 Moody Road, LLC

Mailing Address: 2 Center Square

East Longmeadow, MA 01028

Email: everett@thebarnyardstore.com

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

Primary Contact Phone #: 860-558-3631

Secondary Contact Phone #: _____

Signature: Everett Sh Date: 5.17.23

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 Commission have been submitted.

Street Address: 0 West Road

Assessor's Parcel Number (APN): 019 - 005 - 0000 Existing Zone: C Proposed Zone: C/IP
 (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 (§8-3i(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.*

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

Rezone of rear portion of parcel (300' back from West Road) from B Zone to IP Zone.

500'

Property Address: 0 West Rd Ellington CT 06029 Blank Addendum page 1 of 1



**ADDENDUM
REAL ESTATE PURCHASE CONTRACT
Greater Hartford Association of REALTORS®**



This Addendum is with respect to the Real Estate Purchase Contract (the "Contract") dated 1/6/2023
between 29 Moody Road LLC (Buyer(s)) and Chilson Realty Co
(Seller(s)) concerning the Property located at 0 West Rd Ellington CT 06029 :

Property owner grants permission to buyer to apply for zoning change and development approvals from the town of Ellington.

BUYER

Chris Skinner, Member

Chris Skinner, Member

SELLER

Charles Perry Chilberg GP

Chilson Realty Co

Date: 05/12/2023

Date: 05/12/23

Remaining Land of
Chilson Realty CO
25.91 +/- Acres

Beginning at a monument found on the westerly highway line of West Road (RT-83).

Thence, S 04°57'02" E a distance of 271.77 feet along the westerly highway line of West Road (RT-83) to the northwesterly corner of land of CTWL Investments LLC.

Thence along a curve to the left having a central angle of 90°00'00" a radius of 35.00 feet and an arc length of 54.98 feet to a point. Said point bearing N 49°57'02" W a chord distance of 49.50 feet from said northwesterly corner of land of CTWL Investments LLC.

Thence, S 85°02'58" W a distance of 140.00 feet to a point of curvature.

Thence, along a curve to the left having a central angle of 25°50'58" a radius of 400.00 feet and an arc length of 180.46 feet to a point of reverse curvature. Said point of reverse curvature bearing S 72°07'29" W a chord distance of 178.94 feet from said point of curvature.

Thence, along a curve to the right having a central angle of 22°37'07" a radius of 450.00 feet and an arc length of 177.65 feet to a point. Said point bearing S 70°30'34" W a chord distance of 176.49 feet from said point of reverse curvature.

Thence, S 81°49'07" W a distance of 644.53 feet to a point of curvature.

Thence, along a curve to the right having a central angle of 52°31'57" a radius of 175.00 feet and an arc length of 160.45 feet to a point. Said point bearing N 73°49'59" W a chord distance of 154.89 feet from said point of curvature.

Thence, S 04°08'41" W a distance of 303.97 feet to a point on the northerly line of land of the Town of Ellington. Seven courses being along land of said CTWL Investments LLC.

Thence, S 79°26'47" W a distance of 161.51 feet to a point.

Thence, N 89°35'01" W a distance of 379.91 feet to a point.

Thence, N 64°08'18" W a distance of 159.15 feet to a point.

Thence, N 76°04'51" W a distance of 305.91 feet to a point.

Thence, N 58°59'00" W a distance of 58.98 feet to a point.

Thence, N 34°38'36" W a distance of 204 80 feet to a point on the southerly line of land now or formerly of Walter W. & Judith A. Carlson. The last six courses being along land of the Town of Ellington.

Thence, S 80°37'28" W a distance of 1334.68 feet along lands of said Carlson and Land of Roger E. Moser partly by each.

Thence, N 04°48'17" W a distance of 332.00 feet to a point.

Thence, N 81°42'43" E a distance of 243.48 feet to a point on the westerly line of land now or formerly of Natural Country Farms, Inc. The last two courses being along lands of Roger E. Moser.

Thence, S 11°46'18" E a distance of 9.93 feet to a point.

Thence, N 81°42'48" E a distance of 821.44 feet to a point.

Thence, S 86°47'32" E a distance of 75.53 feet to a point on the westerly highway line of West Road (RT-83). The last three courses being along land of said Natural Country Farms, Inc.

Thence, S 04°57'02" E a distance of 287.37 feet along the westerly highway line of West Road (RT-83) to the point and place of beginning.

t/project/2023/23104/survey/remaining land of

ELLINGTON PLANNING DEPARTMENT
STAFF REVIEW SHEET

PLANNING & ZONING COMMISSION

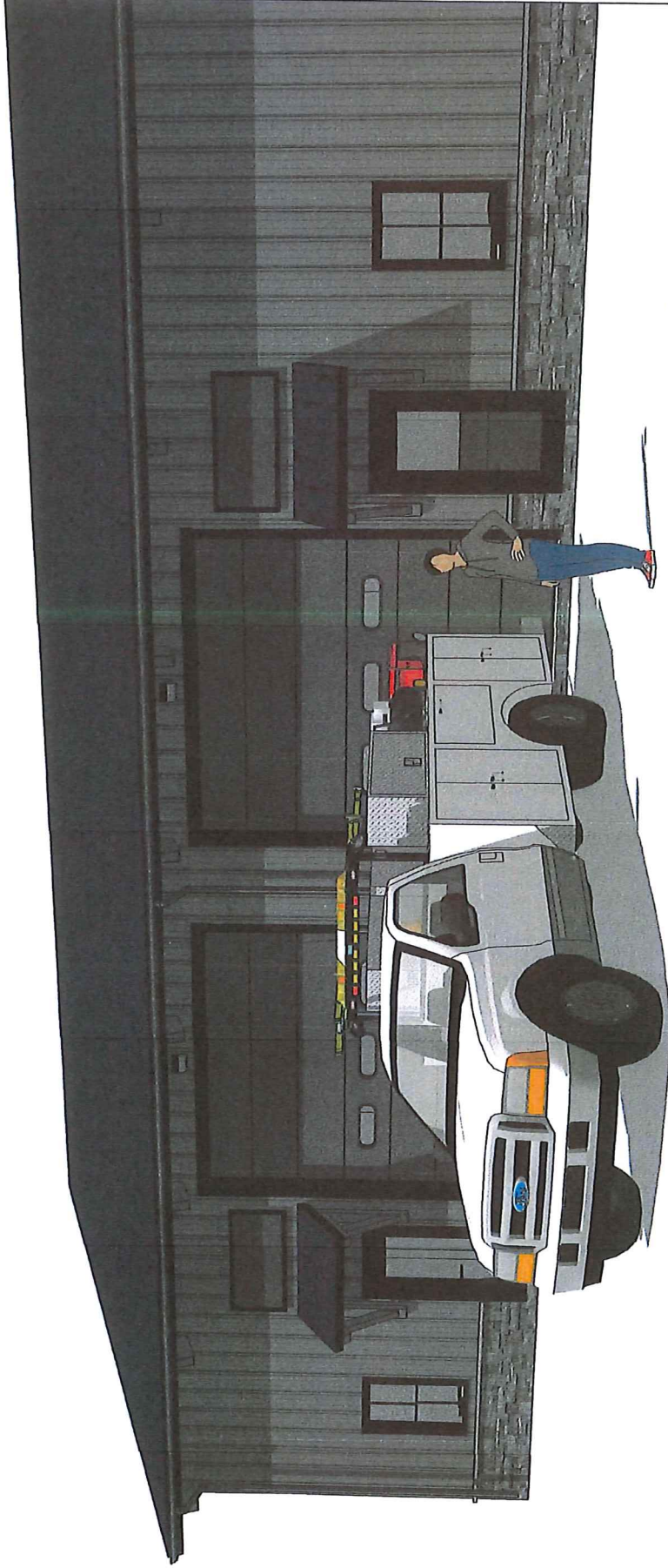
Z202315 - Chilson Realty, Co, owner/29 Moody Road, LLC, applicant, request for zone change from Commercial (C) Zone to Industrial Park (IP) Zone 500' from the front property line from West Road for APN 019-005-0000.

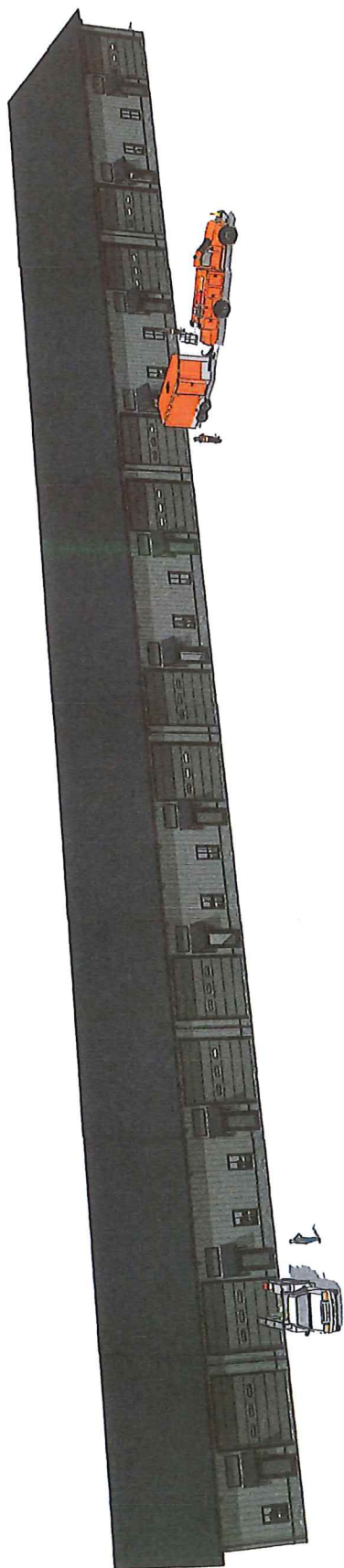
PUBLIC HEARING DATE: June 26, 2023

STAFF REVIEW RETURN DATE: June 16, 2023

DEPARTMENT	COMMENTS AND/OR REQUIREMENTS
Town Engineer	DPW- No comments on the re-zoning. WPCA- Would like to remind the developers that the proposed area is within the sanitary sewer system boundaries. As such, sanitary plan will need to be submitted and reviewed by the WPCA board.
Building Official	
North Central District Health Dept	
Fire Marshal	
Public Works Director/WPCA	
Assessor	
Traffic Authority	

December 15, 2022
Schematic Design







AREA PLAN
SCALE: 1" = 500'

- N/F**
FARM HOLDINGS LLC C/O JONATHAN MOSER
APN: 019-009-0000
71 WEST ROAD
BOOK 0443, PAGE 220
ZONE: COMMERCIAL AND RESIDENTIAL
- N/F**
FARM HOLDINGS LLC
APN: 019-009-0000
61 WEST ROAD
BOOK 0463, PAGE 178
ZONE: COMMERCIAL AND RESIDENTIAL
- N/F**
RACHAEL M. LEITE
APN: 019-010-0000
59 WEST ROAD
BOOK 0455, PAGE 161
ZONE: COMMERCIAL AND RESIDENTIAL
- N/F**
DAVID P. OHAGAN
APN: 019-011-0000
57 WEST ROAD
BOOK 0274, PAGE 631
ZONE: COMMERCIAL
- N/F**
CHRISTOPHER J. TOMM & AMANDA J. PONTE
APN: 019-012-0000
55 WEST ROAD
BOOK 0515, PAGE 874
ZONE: COMMERCIAL
- N/F**
RON POULIN LLC
APN: 019-013-0000
47 WEST ROAD
BOOK 0473, PAGE 681
ZONE: COMMERCIAL

RECEIVED
MAY 18 2023
TOWN OF ELLINGTON
PLANNING DEPARTMENT

202315

PROPOSED ZONE CHANGE
PREPARED FOR
29 MOODY ROAD, LLC
0 WEST ROAD (APN 019-005-0000)
ELLINGTON, CONNECTICUT

23104

Job no: 23104

Drawn by: KLL

Checked by: GAH

Scale: 1" = 100'

Date: 05-17-2023

23104

Sheet no: 1 OF 1

Revisions:

No.	Date	Description

F.A.H.

F. A. Hesketh & Associates, Inc.
3 Creamery Brook, East Granby, CT 06026
Phone (860) 653-8000 Fax (860) 844-8600
www.fahesket.com · m.fahesket.com
Civil & Traffic Engineers · Surveyors · Planners · Landscape Architects

Q:\2023\23104 - 50 West Road - Ellington\Zone Change\WESTZC10.dwg, ZC-1, May 16, 2023 - 2:26:33 PM



CP-1

CONCEPTUAL SITE PLAN
PREPARED FOR
29 MOODY ROAD, LLC
0 WEST ROAD (APN 019-005-0000)
ELLINGTON, CONNECTICUT

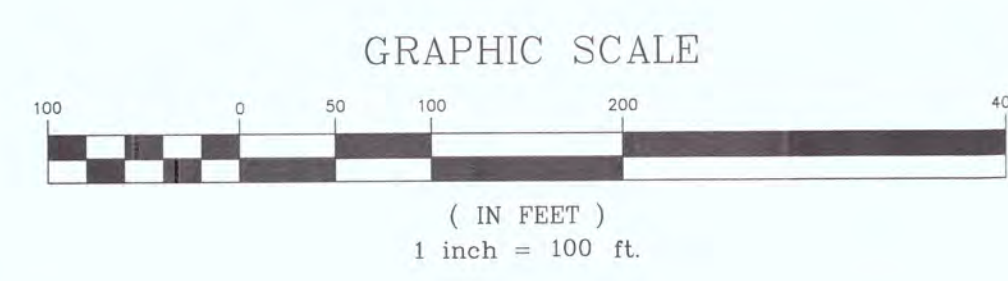
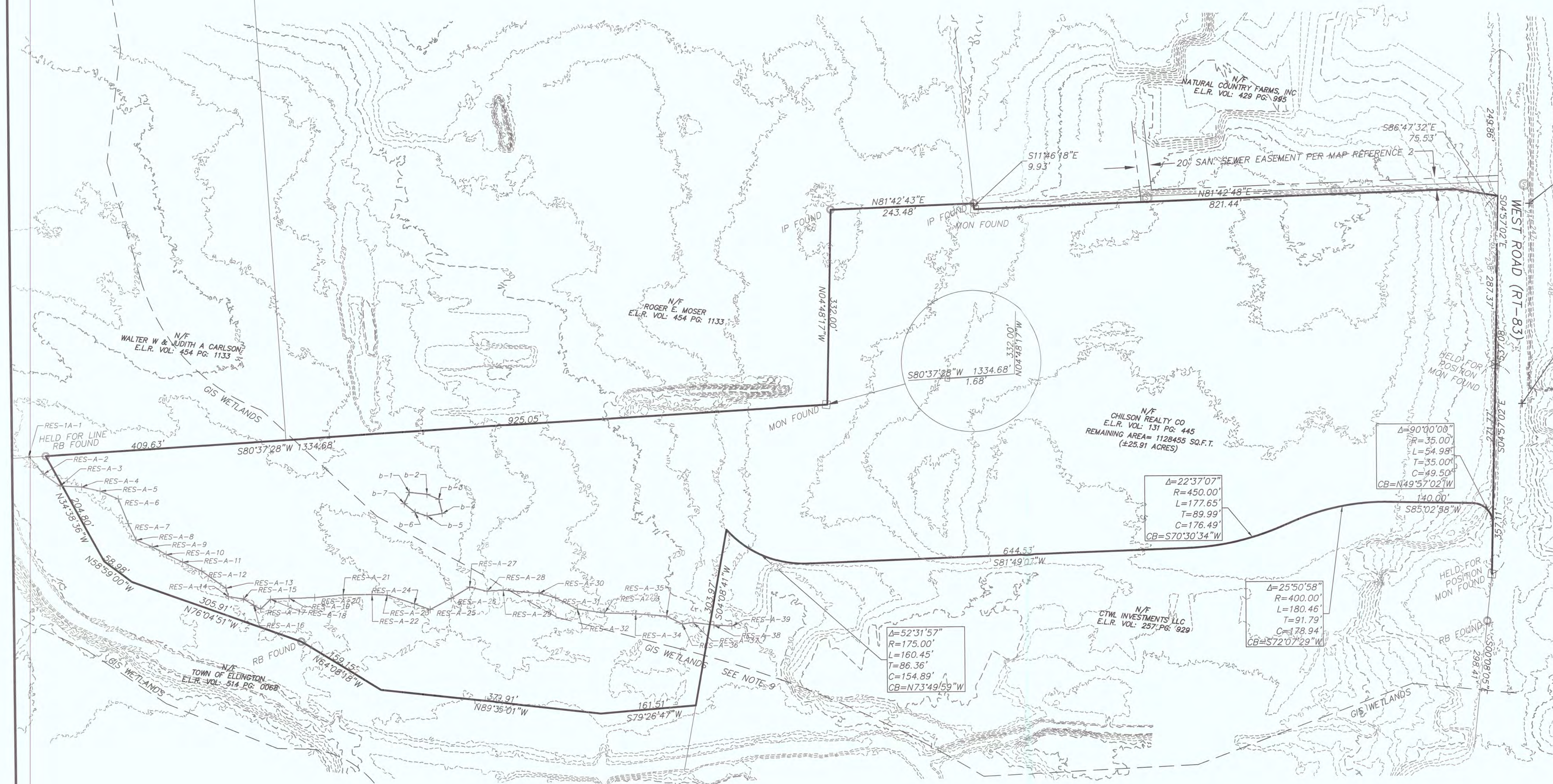
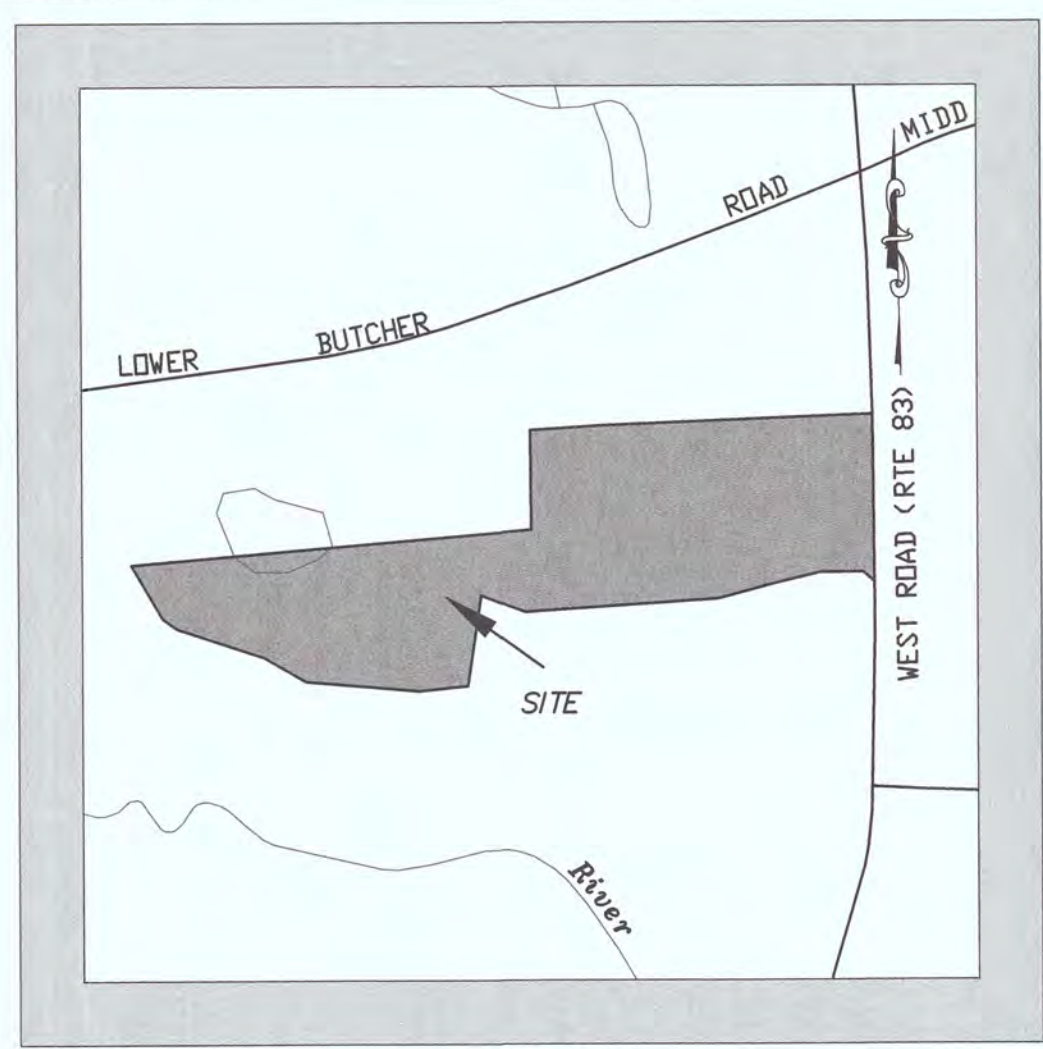
Date: 05-17-2023
Scale: 1" = 80'
Drawn by: KLL
Checked by: GAH
Job no: 23104
Sheet no: 1 OF 1

Revisions:
No. Date Description

RECEIVED
MAY 18 2023
TOWN OF ELLINGTON
PLANNING & ZONING DEPT

F.A.H.
F. A. Hesketh & Associates, Inc.
3 Creamery Brook, East Granby, CT 06026
Phone (860) 653-8000 Fax (860) 844-8600
www.fahsketh.com mail:fahsketh.com
Civil & Traffic Engineers • Planners • Surveyors • Landscape Architects

- LEGEND
(SYMBOLS NOT TO SCALE)
- CATCH BASIN
 - SANITARY MANHOLE
 - DRAINAGE MANHOLE
 - WATER MANHOLE
 - TELEPHONE MANHOLE
 - ELECTRIC MANHOLE
 - UNKNOWN MANHOLE
 - YARD DRAIN
 - CABLE MANHOLE
 - FLARED END SECTION
 - FIRE HYDRANT
 - WATER GATE VALVE
 - GAS GATE VALVE
 - MISC. GATE VALVE
 - VENT PIPE
 - FILLCAP
 - WELL
 - MAIL BOX
 - HAND HOLE
 - CONTROLLER CABINET
 - ELECTRIC TRANSFORMER
 - UTILITY POLE
 - GUY WIRE
 - CROSSWALK POLE
 - LIGHT POLE
 - POST
 - TRAFFIC LIGHT SUPPORT POLE
 - STREET SIGN
 - TREE (TYP.)
 - MONITOR WELL
 - BORING
 - ELECTRIC METER
 - GAS METER
 - WATER METER
 - TELEPHONE
 - AC UNIT
 - TREE LINE
 - STONE WALL
 - GUIDE RAIL
 - DIRECTION OF FLOW
 - I.P. PROPERTY CORNER
 - MONUMENT
 - DRILL HOLE
 - SURVEY CONTROL POINT
 - FENCE LINE
 - WATER LINE
 - GAS LINE
 - ELECTRIC LINE
 - CABLE TELEVISION LINE
 - OVERHEAD WIRES
 - POINT OF BEGINNING
 - NORTHING
 - EASTING
 - NOW OR FORMERLY
 - ELLINGTON LAND RECORDS
 - DELTA ANGLE
 - RADIUS
 - TANGENT
 - LENGTH
 - CHORD
 - CHORD BEARING
 - FRONT YARD
 - SIDE YARD
 - REAR YARD
 - CONTROL POINT



I HEREBY CERTIFY THAT THE INLAND WETLAND BOUNDARY LINES DEPICTED HEREON ARE SUBSTANTIALLY CORRECT

George T. Logan, MS, PWS, CSM
REMA Ecological Services, LLC

C.P. #601
G.P.S. #1
N=879971.44
E=1078044.06
ELEV.=243.48

C.P. #603
G.P.S. #3
N=879630.86
E=1078066.92
ELEV.=242.22

- NOTES:
- THIS SURVEY HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THROUGH 20-300b-20, AS AMENDED.
 - IT IS A WETLAND LOCATION PLAN INTENDED TO BE USED FOR PLANNING PURPOSES.
 - THIS SURVEY FALLS INTO THE RESURVEY BOUNDARY DETERMINATION CATEGORY. PROPERTY LINES DEPICTED HEREON ARE BASED UPON MAP REFERENCES NUMBER 1.
 - THIS SURVEY CONFORMS TO CLASS A-2 HORIZONTAL AND T-D VERTICAL ACCURACY STANDARDS.
 - THE SUBJECT PARCEL IS CURRENTLY OWNED BY CHILSON REALTY CO. E.L.R. VOLUME 257 PG. 929.
 - THE SUBJECT PARCEL IS LOCATED IN THE COMMERCIAL ZONE, IN THE TOWN OF ELLINGTON.
 - BEARINGS AND COORDINATES DEPICTED HEREON REFER TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83). ELEVATIONS (IF ANY) DEPICTED HEREON REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) AND ARE BASED UPON OPUS RAPID STATIC OBSERVATIONS PERFORMED ON MARCH 17TH, 2023, RESULTING IN THE FOLLOWING VALUES: CONTROL POINT #601 N=879971.4450, E=1078044.0640, ELEV.=243.48 AND CONTROL POINT #603 N=879630.8590, E=1078066.9190, ELEV.=242.22.
 - CONTOURS DEPICTED HEREON, ARE FROM THE CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, 2016 DIGITAL LIDAR DOWNLOAD. THEY WERE ADJUSTED -1 FOOT TO MATCH ELEVATIONS ESTABLISH IN THE FIELD, USING OPUS RAPID STATIC OBSERVATIONS.
 - WETLAND FLAGS DEPICTED HEREON WHERE SET IN THE FIELD BY A CERTIFIED SOIL SCIENTIST AND WHERE FIELD LOCATED UNDER THE DIRECT SUPERVISION OF THE UNDERSIGNED LAND SURVEYOR.
 - THE GIS WETLANDS LINE DEPICTED HEREON WAS DIGITIZED FROM THE TOWN OF WINDSOR ONLINE GEOGRAPHIC INFORMATION SYSTEM (GIS) WETLAND MAPPING.
 - UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS (IF ANY) DEPICTED AND NOTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING, PAROL TESTIMONY, VISIBLE FEATURES AND OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO THIS SURVEYOR. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.

- MAP REFERENCES:
- GENERAL LOCATION SURVEY, PARCEL OF LAND OF CHILSON REALTY, ELLINGTON, CONNECTICUT, BY SCHINDLER SURVEYS, ELLINGTON, CONNECTICUT, DATE: 2/21/2001, SCALE 1"=100'.
 - RECONFIGURATION PLAN, PREPARED FOR NATURAL COUNTRY FARMS, INC. AND CHILSON REALTY CO. WEST ROAD, ELLINGTON, CONNECTICUT, BY LANDMARK SURVEYS, LLC, ELLINGTON, CONNECTICUT, DATE: 7/27/2011, SCALE 1"=40'.
 - SUBDIVISION PLAN, LIMITED PROPERTY SURVEY, LAND OF CHILSON REALTY, ELLINGTON, CONNECTICUT, SCHINDLER SURVEYS, ELLINGTON, CONNECTICUT, DATE: 8-19-1999, SCALE 1"=100'.
 - CONNECTICUT STATE HIGHWAY DEPARTMENT, RIGHT OF WAY MAP, TOWN OF ELLINGTON THE ROCKVILLE-SOMERS ROAD, FROM VENON TOWN LINE TO SOMERS TOWN LINE, ROUTE NUMBER 108, SHEET 1&2 OF 5, DATE DEC. 6, 1927, SCALE 1"=40'.

TO MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

THIS MAP IS NOT VALID WITHOUT THE LIVE SIGNATURE AND SEAL OF THE LAND SURVEYOR WHOSE NAME APPEARS HEREON.

TODD S. HESKETH
LS 17945

Revisions:	
No.	Description

No.	Date

RECEIVED
MAY 18 2023
TOWN OF ELLINGTON
PLANNING DEPARTMENT

WETLAND LOCATION PLAN
PROPERTY OF
CHILSON REALTY, CO
50 WEST ROAD
ELLINGTON, CONNECTICUT

Date: 03-17-2023 Drawn by: WJD Job no: 23104
Scale: 1" = 100' Checked by: TSH Sheet no: 1 OF 1

BS-1

F. A. Hesketh & Associates, Inc.
3 Creamery Brook, East Granby, CT 06026
Phone (860) 653-8000 Fax (860) 644-8600
www.fahsketh.com
Civil & Traffic Engineers • Surveyors • Planners • Landscape Architects



Town of Ellington

Planning Department

57 Main ST., PO Box 187, Ellington, CT, 06029/Phone: 860-870-3120/Email: planner@ellington-ct.gov



MEMORANDUM

DATE: June 21, 2023

TO: Planning & Zoning Commission

FROM: Lisa M. Houlihan, AICP, Town Planner

SUBJECT: Z202317 - Request for Connecticut General Statute Section 8-24 Review for conveyance of a portion of Assessor Parcel Number (APN) 019-005-0004, Town of Ellington, owner, to be combined with the Vernon recreational facilities at 60 Windermere Avenue, APN 011-033-0000.

On July 27, 2020, the commission approved Z202008 – MJS Leasing LLC & Chilson Realty Co. owners/ Town of Vernon & Town of Ellington applicants, request for Site Plan Approval for the construction of four full-size soccer fields, parking and access roads, concession and restroom buildings, and associated site improvements on properties along the east side of Windermere Avenue near the Vernon town line, at APNs 011-033-0000, 019-005-0004 and 019-005-0005. As part of the approval, APN 019-005-0004 was conveyed to the Town of Ellington by Chilson to meet a condition from a past subdivision approval. Construction of the Vernon recreational area is well underway, and the Town of Ellington would like to convey 5.1 acres of APN 019-005-0004 along the south side of the Hockanum River to the Town of Vernon to be combined with the Vernon recreational parcel, APN 011-033-0000. Enclosed is a compilation plan showing the proposed land to be conveyed and a draft warranty deed for your review and consideration.

Record & Return to:
Town of Vernon
14 Park Place
Vernon, CT 06066

WARRANTY DEED

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

KNOW YE, THAT THE **TOWN OF ELLINGTON**, a Connecticut Municipal Corporation having its territorial limits in the County of Tolland and State of Connecticut (hereinafter the "Grantor") acting herein by Lori L. Spielman, its First Selectman, duly authorized, for no consideration grants to the **TOWN OF VERNON** a Connecticut Municipal Corporation having its territorial limits in the County of Tolland and State of Connecticut (hereinafter the "Grantee") with WARRANTY COVENANTS all such right, title, and interest in to a certain parcel of land located to the rear of land of the Grantee known as 60 Windermere Avenue, in the Towns of Ellington and Vernon, Tolland County Connecticut as shown as "LAND PROPOSED TO BE CONVEYED FROM THE TOWN OF ELLINGTON TO THE TOWN OF VERNON 5.1 ACRES±" on a map entitled "COMPILATION PLAN SHOWING PROPOSED CONVEYANCE FROM THE TOWN OF ELLINGTON TO THE TOWN OF VERNON; TOWN OF VERNON WINDERMERE FIELDS COMPLEX; 60 Windermere Avenue Ellington, Connecticut" as prepared by the Town of Vernon Engineering Department, 55 West Main Street, Vernon, CT 06066, Scale: 1"=100'; Date: May 22, 2023; Sheet: 1 of 1 which map is to be filed in the Town of Ellington Land Records.

Said Parcel is more particularly described as follows:

Beginning at a rebar in the northerly street line of Windermere Avenue marking the southeasterly corner of the realigned property of DEML Enterprises, LLC and the southwesterly corner of land of the Grantee herein;

thence N 34°04'18" E 293.77 feet along the common line of said DEML Enterprises, LLC and the Grantee herein to a rebar marking **THE TRUE POINT AND PLACE OF BEGINNING**;

thence S 58°58'48" E 82.67 feet to a T-post;

thence S 76°04'39" E 315.06 feet to T-post;

thence S 64°08'06" E 183.39 feet to a rebar at a U-post;

thence S 89°34'49" E 449.31 feet to a rebar at a T-post;

thence N 76°27'39" E 320.80 feet to a T-post;

thence S 86°26'53" E 253.45 feet to a rebar at a T-post;

thence S 15°38'45" E 498.67 feet to a rebar at a T-post;

thence N 82°27'55" E 105.61 feet to a rebar at a T-post;

thence S 04°33'59" W 327.96 feet to a rebar at a T-post in the northerly line of land now or formerly of Seven (7) Eleven, Inc.

the previous 9 courses are along the existing property line common to both the Grantor and Grantee herein;

thence S 68°58'17" E 80.56 feet along land of said Seven (7) Eleven, Inc. to monument and T-post;

thence easterly perpendicular to the thread of the Hockanum River and continuing along land of said Seven (7) Eleven, Inc. to the centerline of said Hockanum River and land now or formerly of AL NOOR ISLAMIC CENTER;

thence northerly 400 feet more or less along the centerline of the said Hockanum River to land now or formerly of the Victorian House Condominium Association, Inc.;

thence S 82°27'57" E 23 feet more or less along land of said Victorian House Condominium Association, Inc. to an IP and T-post;

thence continuing S 82°27'57" E 152.45 feet along land of said Victorian House Condominium Association, Inc. to an mon. and T-post;

thence N 15°38'45" E 583.93 feet continuing along land of said Victorian House Condominium Association, Inc. and crossing the Hockanum River to a point in the southerly line of land now or formerly of CWTL Investments, LLC;

thence S 81°32'30" W 16.7 feet more or less along land of said CWTL Investments, LLC to the centerline of the Hockanum River;

thence westerly 441 feet more or less along the centerline of the Hockanum River along land of said CWTL Investments to a point;

thence westerly 1096 feet more or less along the centerline of the Hockanum River and the remaining land of the Town of Ellington to a point;

thence S 34°04'18" W 104 feet more or less along the remaining land of the Town of Ellington to the TRUE POINT AND PLACE OF BEGINNING.

Said parcel contains 5.1 acres more or less.

Whereas, the herein described parcel shall be held for Conservation purposes only and is not intended to create a building lot now or in the future, it shall remain a standalone non-buildable parcel.

REVERSION CLAUSE: In the event that the Town of Vernon ever wishes to dispose of the herein described parcel it shall be offered to the Town of Ellington first, for no consideration. The Town of Ellington would have 90 days to respond to any said offer.

CONSERVATION RESTRICTIONS: The herein described parcel shall be held by the Town of Vernon for Conservation purposes. Further, the Town of Vernon agrees maintain the forested areas of this parcel in an undisturbed state, however, the Town of Vernon will be allowed to remove any hazardous trees within said parcel at their discretion. Further, the Town of Vernon is permitted to maintain the vegetation in the non-forested areas of the parcel. Further, the Town of Vernon may erect and maintain fences or other necessary barriers within the herein described parcel necessary for the protection of the facilities on the adjacent Town of Vernon property. Further, the Town of Ellington may enter the property to remove trees that are determine to be hazardous to the recreational facilities operated by the Town of Ellington on adjacent parcels with authorization by the Town of Vernon Town Administrator or the Mayor.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this ____ day of _____, 2023

Signed, Sealed and Delivered
in the Presence of:

THE TOWN OF ELLINGTON

By: _____
Lori L. Spielman
Its: First Selectman, Duly Authorized

THE TOWN OF VERNON

By: _____
Daniel A. Champagne
Its: Mayor, Duly Authorized

STATE OF CONNECTICUT

ss.

, 2023

COUNTY OF

Personally appeared, Lori L. Spielman, First Selectman the Town of Ellington, and that as such First Selectman, being authorized to do so, executed the foregoing instrument and acknowledge the same to be the free act and deed of the Town of Ellington, before me,

Commissioner of the Superior Court

Notary Public

My Commission Expires: _____

STATE OF CONNECTICUT

ss.

, 2023

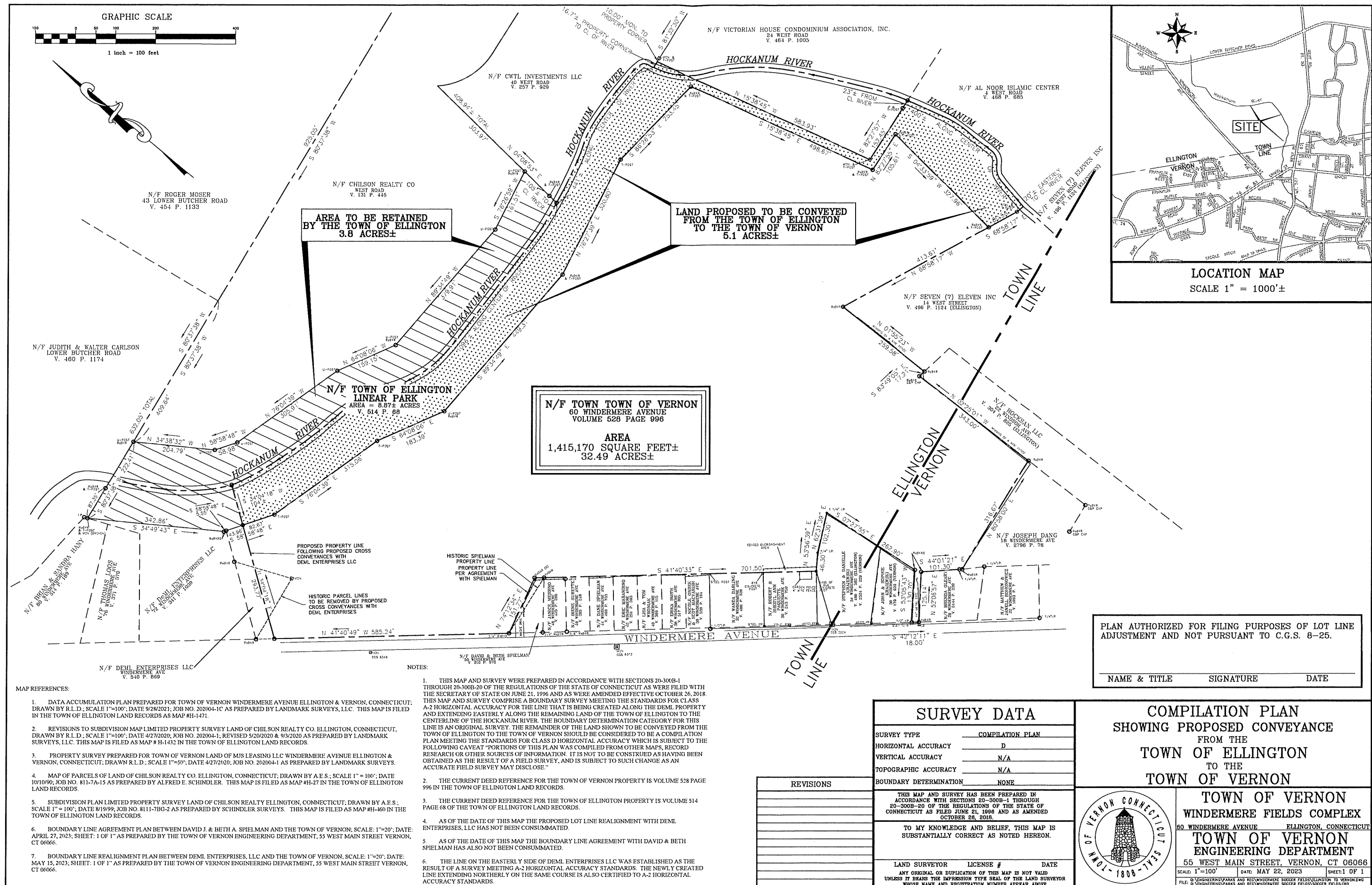
COUNTY OF

Personally appeared, Daniel A. Champagne, Mayor of the Town of Vernon, and that as such Mayor, being authorized to do so, executed the foregoing instrument and acknowledge the same to be the free act and deed of the Town of Vernon, before me,

Commissioner of the Superior Court

Notary Public

My Commission Expires: _____





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, APRIL 24, 2023, 7:00 PM

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

MEMBERS PRESENT: CHAIRMAN ARLO HOFFMAN, VICE CHAIRMAN SEAN KELLY, REGULAR MEMBERS F. MICHAEL FRANCIS, JON MOSER, MICHAEL SWANSON, ALTERNATES MARY CARDIN AND RACHEL DEARBORN

MEMBERS ABSENT: SECRETARY ROBERT SANDBERG, JR, AND REGULAR MEMBER WILLIAM HOGAN

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): See discussion on page 3 of 4, before V. New Business.

III. PUBLIC HEARING(S):

1. Z202301 – Town of Ellington, owner/ Recreation Department, applicant, request to create an 18 hole disc golf course and associated improvements at Stein Road, APN 037-005-0082, in a Residential (R) zone.

Time: 7:01 pm

Seated: HOFFMAN, KELLY, FRANCIS, MOSER, SWANSON, CARDIN, AND DEARBORN

MOVED (FRANCIS) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO TABLE OPENING THE PUBLIC HEARING TO MAY 22, 2023, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202301 – Town of Ellington, owner/ Recreation Department, applicant, request to create an 18-hole disc golf course and associated improvements at Stein Road, APN 037-005-0082, in a Residential (R) zone.

The Commission heard the following applications Z202303, Z202304 and Z202305 together.

2. Z202303 – Town of Ellington, owner/Department of Public Works, applicant, request for modification to Site Plan and Special Permit for the installation of lighting for athletic facilities at 45 Sadds Mill Road, APN 079-004-0000, in a RAR (Rural Agricultural Residential) Zone.

Time: 7:02 pm

Seated: HOFFMAN, KELLY, FRANCIS, MOSER, SWANSON, CARDIN, AND DEARBORN

James Ussery, JR Russo & Associates, LLC, One Shoham Road, East Windsor, CT and Ken Radziwon, Director of Public Works, 21 Main Street, Ellington CT were present to represent the application.

Mr. Ussery provided an aerial view photo of Robert Tedford Memorial Park showing the proposed locations to install lighting for the sports fields and parking lot. He referred to Dana Steele, Town Engineer's letter dated March 25, 2023. Mr. Ussery said this is a design to build project. He reviewed the areas within the park, which the Town is looking to install lights at the Little League M1 field, Lisa's field, Youth Football field, Youth Football practice area, and replace lights at the tennis courts and one of the basketball courts. He stated no lights are proposed for the Little League M2 field. The electrical plans also call for new perimeter lighting around the existing parking lot. Mr. Ussery said the lights may be installed on wooded poles.

Mr. Radziwon noted he is on the Ad Hoc Committee – Comprehensive Lighting Project. He said he had spoken to the chairs of each sport association that uses the park and took their concerns into consideration. Such as, the little league has specific requirements for lighting. He noted lights are needed at the parking lot for safety reasons. He noted they met with a couple of lighting firms. Mr. Radziwon said they want to limit the overflow light source and explained there are different Kelvins to choose from along with consideration of the pole heights. He noted the proposed lights are state of the art. The football field poles will remain, and they intend on replacing the lighting source elements only.

Chairman Hoffman asked if the proposed lights at the parking lot, the fields and tennis courts have set times they will be shut off. Mr. Radziwon replied they are still discussing the hours the lights would be on in the parking lot, as for the fields, they will be shut off shortly after commencement of games and the tennis courts are locked from November through May for safety reasons.

Commissioner Francis asked if the proposed lights were dark sky compliant. Mr. Radziwon stated they would be compliant. Commissioner Swanson asked about the direction of the light source. Mr. Radziwon explained the lights will face directly down. Commissioner Moser appreciated the Ad Hoc Committee reaching out to the different organizations that use the park and what their organization requirements may be. Mr. Ussery explained today's lighting technology has changed dramatically since the 1970's fixtures. The new lights will limit the glare shining the sky up. Alternate Cardin asked about the current lights along the residents who live on Hathaway Road. Mr. Ussery stated those will be new poles and lighting fixtures.

John Streiber, 4 Hathaway Road, said his family has lived there for 15 years. He noted he has a PowerPoint presentation to show, but first would like to point out a few concerns. Mr. Streiber stated the distance from his house to the announcer's booth at the M1 field is roughly 250 ft away. He would rather have adults use the PA system because youths tend to be very disruptive playing loud music and abusing the use of the microphone. He raised concern about using wooded poles. Mr. Streiber showed multiple pictures of different angles of the park from their backyard, the neighbor's yard, views from the fields and parking lot to Sadds Mill Road and Hathaway.

Kendal Streiber, 4 Hathaway Road, raised a concern about the removal of a port-a-potty within the vicinity of field M1, resulting in individuals urinating within the buffer area between the park and neighboring parcels. She did reach out to the Public Works Department and was informed the outhouse was removed due to cost to the Town. Mr. Radziwon stated this is the first time he has heard about the outhouse concerns. She reiterated that the coaches are instructing the youths to urinate in the wooded area since the restrooms are too far away from the field. She is concerned that the Town is looking to spend money on lights rather than keeping the outhouses in the park.

Mr. Ussery reviewed the specifications of the lights which meet the standards and there will be no light spill over onto the abutting properties. Chairman Hoffman asked if the lights would have an auto on and off mechanism. Mr. Radziwon stated they are looking into a program they would be able to control remotely.

Kevin Schmidt, 16 Hatheway Road, asked who will be setting the times for the lights to go off at the park. Mr. Radziwon stated they have not decided on any time frames and would like to have them go off earlier than later.

Marjorie Helme, 52 Sadds Mill Road, expressed her concern about the different leagues wanting to add games later so they can play under the lights. She also stated that after the games, some individuals will stay later and hit balls under lights right over Sadds Mill Road into her property.

David Gyure, 10 Hatheway Road, asked when the lights would be shut off. Mr. Radziwon stated they have not set any time limits for the lights to go off. Mr. Gyure also suggested possibly adding gates to the egress to the parking lot, which would stop the late-night activity in the parking lot, such as cars doing donuts, etc.

Allan Lawrence, 1 Hatheway Road, said the park activity over the past 50 years has grown and feels for the neighbors dealing with the park issues. He noted that he is hearing two sides, one being a money issue to the Town and the other being the quality of life for the neighbors dealing with the lighting. He said after a game or practice families go home where the neighbors are going to be there with the lighting. He suggested maybe the Town could look for federal or state funding to move the announcer's booth from M1 to M2. He noted the Hemlocks between the park and the neighbors are over 65 years old and 70% of them are in bad shape.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO MAY 22, 2023, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202303 – Town of Ellington, owner/Department of Public Works, applicant, request for modification to Site Plan and Special Permit for the installation of lighting for athletic facilities at 45 Sadds Mill Road, APN 079-004-0000, in a RAR (Rural Agricultural Residential) Zone.

The Commission went out of agenda order to Public Hearing item #4 – Z202305

4. Z202305 – Town of Ellington, owner/Department of Public Works, applicant, request for modifications to Site Plan and Special Permit for the installation of lighting for athletic facilities at 37 Maple Street, APN 073-009-0000, in a R (Residential), RAR (Rural Agricultural Residential) and C (Commercial) Zones.

Time: 7:02 pm

Seated: HOFFMAN, KELLY, FRANCIS, MOSER, SWANSON, CARDIN, AND DEARBORN

James Ussery, JR Russo & Associates, LLC, One Shoham Road, East Windsor, CT and Ken Radziwon, Director of Public Works, 21 Main Street, Ellington CT were present to represent the application.

Mr. Ussery provided an aerial view photo of Ellington High School showing the proposed locations to install lighting for the sports fields. He said the Town is proposing to light the football field, football practice field, baseball, softball, soccer/track, and the tennis courts. The power source located at the back portion of the parking lot will be upgraded. Mr. Ussery noted the specifications for the three locations are the same. The new lights will not shine so bright that the sky will glow. The light poles will be Steele poles and all lights will be pointing down.

Marjorie Helme, 52 Sadds Mill Road, asked who will be controlling the lights at the school. Mr. Radziwon stated they will only be utilized by the school, and they will control the lights. Commissioner Swanson inquired about the track and lighting. He was told there is a source of lighting by the track so individuals can use the track.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO MAY 22, 2023, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202305 – Town of Ellington, owner/Department of Public Works, applicant, request for modifications to Site Plan and Special Permit for the installation of lighting for athletic facilities at 37 Maple Street, APN 073-009-0000, in a R (Residential), RAR (Rural Agricultural Residential) and C (Commercial) Zones.

The Commission went back to Public Hearing #3 – Z202304.

3. Z202304 – Town of Ellington, owner/Department of Public Works, applicant, request for modification to Site Plan for the installation of lighting for athletic facilities at 59 Pinney Street, APN 017-020-0000, in an IP (Industrial Park) Zone.

Time: 7:02 pm

Seated: HOFFMAN, KELLY, FRANCIS, MOSER, SWANSON, CARDIN, AND DEARBORN

James Ussery, JR Russo & Associates, LLC, One Shoham Road, East Windsor, CT and Ken Radziwon, Director of Public Works, 21 Main Street, Ellington CT were present to represent the application.

Mr. Ussery provided an aerial view photo of Pinney Street Park showing the proposed locations to install lighting for the sports fields. He explained the Town is proposing to light the rear soccer field and the lacrosse/multi-purpose field along Pinney Street. He noted the foot-candle will be less than the high school with shorter poles. Vice Chairman Kelly asked if one of the lights be moved closer to the parking lot for safety. Mr. Radziwon responded that the lights are positioned so when the kids are playing on the field the lights will not cause shadowing on the field.

Tom Palshaw, 120 Pinney Street, noted younger kids use the field the most and don't necessarily need lights. He asked why a Special Permit or Variance would not be required for this project. Ms. Houlihan clarified that a Special Permit is not required for this site since recreational facilities in commercial or industrial zones are by right but still require a Site Plan approval.

The Commissioners discussed possibly setting a time for the lights to be turned off at all the fields, relocation lights and the announcer's booth from M1 to M2 and add more screening for the neighbors abutting Tedford Memorial Park.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO MAY 22, 2023, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202304 – Town of Ellington, owner/Department of Public Works, applicant, request for modification to Site Plan for the installation of lighting for athletic facilities at 59 Pinney Street, APN 017-020-0000, in an IP (Industrial Park) Zone.

5. Z202306 – ARJI Ellington, LLC & ARJI Ellington 2, LLC, owner/applicant, request for modification to Site Plan for construction of a retail/restaurant building at 135 West Road, APN 037-005-0086, in a Planned Commercial (PC) Zone.

Time: 8:37 pm

Seated: HOFFMAN, KELLY, FRANCIS, MOSER, SWANSON, CARDIN, AND DEARBORN

BY CONSENSUS, TABLED OPENING THE PUBLIC HEARING TO MAY 22, 2023, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202306 – ARJI Ellington, LLC & ARJI Ellington 2, LLC, owner/applicant, request for modification to Site Plan for construction of a retail/restaurant building at 135 West Road, APN 037-005-0086, in a Planned Commercial (PC) Zone.

6. Z202307 – Ellington Baptist Church, owner/Pastor William Diggins, applicant, request for zone change from Planned Commercial (PC) Zone to Rural Agricultural Residential (RAR) Zone for 270 Pinney Street, APN 062-005-0000.

Time: 8:39 pm

Seated: HOFFMAN, KELLY, FRANCIS, MOSER, SWANSON, CARDIN, AND DEARBORN

Pastor William Diggins, 260 Pinney Street, Ellington, CT, was present to represent the application. He noted the Ellington Baptist Church owns four abutting properties. He reviewed with the commission the four properties and explained what structures were currently on each. They are looking to merge the properties together and possibly add more parking to the church location.

Ms. Houlihan stated the Zoning Regulations do not permit places of worship in commercial and industrial zones but allow them by special permit in residential zones. She said approving the zone change will enable the church to seek future approvals to improve parking, drainage, and septic and they have provided a concept plan. She explained when considering a zone change, the Commission may approve, modify and approve, or deny applications, and favorable decisions must be consistent with the Town's Plan of Conservation and Development (POCD). she reviewed the POCD and found no inconsistencies. Generally, the commission disfavors rezoning commercial or industrial land to residential zoning, however in this case rezoning enables future development of a non-residential use in a residential zone.

Pastor Diggins mentioned that parking at the church has been an ongoing issue. No one from the public spoke regarding the application.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202307 – Ellington Baptist Church, owner/Pastor William Diggins, applicant, request for zone change from Planned Commercial (PC) Zone to Rural Agricultural Residential (RAR) Zone for 270 Pinney Street, APN 062-005-0000.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE Z202307 – Ellington Baptist Church, owner/Pastor William Diggins, applicant, request for zone change from Planned Commercial (PC) Zone to Rural Agricultural Residential (RAR) Zone for 270 Pinney Street, APN 062-005-0000. **EFFECTIVE DATE: MAY 1, 2023.**

Vice Chairman Kelly stated the approval of the zone change enables development of a non-residential use in a residential zone and promotes comprehensive site design for future improvements including parking, drainage, and septic for Ellington Baptist Church as shown on the Compilation Plan dated February 12, 2009, revised March 13, 2009, prepared by Gardner & Peterson, Map No. 9963 F7.

7. Z202308 – Devin Goldsnider, owner/applicant, request for Special Permit pursuant to Section 3.1.3 for garages for more than 3 cars per family unit for the construction of a detached accessory structure (60'x60') at 17 Newell Hill Road, APN 127-016-0001, in a RAR (Rural Agricultural Residential) Zone.

Time: 8:45 pm

Seated: HOFFMAN, KELLY, FRANCIS, MOSER, SWANSON, CARDIN, AND DEARBORN

Devin and Meagan Goldsnider, 10 Easton Road, Tolland, CT, were present to represent the application.

Mrs. Goldsnider said they are looking to construct a 60'x60' garage for storage of their personal property.

Ms. Houlihan stated a standard condition of approval for this type of application would be that the detached structure shall not be used for business or dwelling purposes. No one from the public spoke regarding the application.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202308 – Devin Goldsnider, owner/applicant, request for Special Permit pursuant to Section 3.1.3 for garages for more than 3 cars per family unit for the construction of a detached accessory structure (60'x60') at 17 Newell Hill Road, APN 127-016-0001, in a RAR (Rural Agricultural Residential) Zone.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE w/CONDITION(S) FOR Z202308 – Devin Goldsnider, owner/applicant, request for Special Permit pursuant to Section 3.1.3 for garages for more than 3 cars per family unit for the construction of a detached accessory structure (60'x60') at 17 Newell Hill Road, APN 127-016-0001, in a RAR (Rural Agricultural Residential) Zone.

CONDITION(S):

- **DETACHED STRUCTURE SHALL NOT BE USED FOR BUSINESS OR DWELLING PURPOSES.**

IV. OLD BUSINESS: None

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

Guy Hesketh, Hesketh & Associates, Inc., 3 Creamery Brook, East Granby, CT, Everett and Chris Skinner, 120 West Road, Ellington, CT, were present to address the commission about a proposed concept plan for a parcel located on West Road. They discussed possible dual zones to accommodate commercial and industrial uses on the site.

V. NEW BUSINESS:

1. Z202309 – Robert J. Carr, owner/ applicant, pursuant to Section 7.7 of the Ellington Zoning Regulations, request for Special Permit for Home Occupation for automotive detailing at 184 Abbott Road, APN 069-001-0002, in a RAR (Rural Agricultural Residential) Zone.

BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED PUBLIC HEARING FOR MAY 22, 2023, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202309 – Robert J. Carr, owner/ applicant, pursuant to Section 7.7 of the Ellington Zoning Regulations, request for Special Permit for Home Occupation for automotive detailing at 184 Abbott Road, APN 069-001-0002, in a RAR (Rural Agricultural Residential) Zone.

2. Z202310 – Town of Ellington, owner/ Ellington Board of Education, applicant, request for Site Plan and Special Permit modifications for complete site and building renovations including demolition, new construction, and as-new renovation for portions of existing buildings to remain and associated site improvements for Windermere Elementary School at 2 Abbott Road, APN 008-010-0000, in a R (Residential) Zone.

BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED PUBLIC HEARING FOR MAY 22, 2023, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202310 – Town of Ellington, owner/ Ellington Board of Education, applicant, request for Site Plan and Special Permit modifications for complete site and building renovations including demolition, new construction, and as-new renovations for portions of existing buildings to remain and associated site improvements for Windermere Elementary School at 2 Abbott Road, APN 008-010-0000, in a R (Residential) Zone.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the March 27, 2023, Regular Meeting Minutes.

MOVED (SWANSON) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO APPROVE THE MARCH 27, 2023, REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:

- a. Notice of Public Hearing on May 18, 2023, at 6:30 pm, for Petition 1558 for Declaratory Ruling for a Proposed 4.0MW Solar Facility for 28+/- acres, 24 Middle Road, APN 053-047-0000, in a RAR (Rural Agricultural Residential) Zone.

Ms. Houlihan noted she did provide the CT Siting Council with the Planning & Zoning Commission's concerns with the proposed project and the public hearing is set for May 18th.

VII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION MEETING AT 9:21 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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PLANNING AND ZONING COMMISSION

REGULAR MEETING MINUTES

MONDAY, MAY 22, 2023, 7:00 PM

IN-PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT

REMOTE ATTENDANCE: ZOOM VIDEO CONFERENCING

(ATTENDEES BELOW WERE IN PERSON UNLESS OTHERWISE NOTED)

MEMBERS PRESENT: CHAIRMAN ARLO HOFFMAN, VICE CHAIRMAN SEAN KELLY, SECRETARY ROBERT SANDBERG, JR, REGULAR MEMBERS F. MICHAEL FRANCIS, WILLIAM HOGAN, JON MOSER, MICHAEL SWANSON, AND ALTERNATES MARY CARDIN AND RACHEL DEARBORN

MEMBERS ABSENT: NONE

STAFF PRESENT: LISA HOULIHAN, TOWN PLANNER AND ACTING RECORDING CLERK.

I. CALL TO ORDER: Chairman Hoffman called the meeting to order at 7:02 pm.

II. PUBLIC COMMENTS (On non-agenda items): Karen Luciano, 36 Ardsley Lane, was present to express concern about a citizen walking an aggressive dog in her neighborhood.

III. PUBLIC HEARING(S):

1. Z202301 – Town of Ellington, owner/ Recreation Department, applicant, request to create an 18-hole disc golf course and associated improvements at Stein Road, APN 037-005-0082, in a Residential (R) zone.

Time: 7:03 pm

Seated: HOFFMAN, KELLY, SANDBERG, FRANCIS, HOGAN, MOSER, AND SWANSON

Chairman Hoffman noted the Commission received a letter of withdrawal for the application.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ACCEPT WITHDRAWAL OF Z202301 – Town of Ellington, owner/ Recreation Department, applicant, request for an 18-hole disc golf course and associated improvements at Stein Road, APN 037-005-0082, in a Residential (R) zone.

The Commission heard the following applications Z202303, Z202304 and Z202305 together.

2. Z202303 – Town of Ellington, owner/Department of Public Works, applicant, request for modification to Site Plan and Special Permit for the installation of lighting for athletic facilities at 45 Sadds Mill Road, APN 079-004-0000, in a RAR (Rural Agricultural Residential) Zone.

Time: 7:04 pm

Seated: HOFFMAN, KELLY, SANDBERG, FRANCIS, HOGAN, MOSER, AND SWANSON

James Ussery, JR Russo & Associates, LLC, One Shoham Road, East Windsor, CT, Ken Radziwon, Director of Public Works, 21 Main Street, Dustin Huguenin, Recreation Director, 31 Arbor Way, Ellington, CT, and Karen Dwyer, Chairman of the Ad Hoc Lighting Committee were

present to represent the application.

Lisa Houlihan noted letters from Karen L Dwyer, Chair of the Ad Hoc Lighting Committee; John & Kenlyn Streiber of 4 Hatheway Road and Allan & Carol Lawrence of 1 Hatheway Road were received in the Planning Office after the completion of the agenda packets. Ms. Houlihan said the Ad Hoc Lighting Committee is amendable to relocating the proposed lights from M1 to M2 at Robert Tedford Memorial Park, and the committee also agrees the plans should include lighting for the parking lot at Pinney Street Park. She stated the commission should also consider discussing the possibility of recommending plantings and/or reinforce the existing vegetation along the eastern property line to screen the park from the backyards of properties along the west side of Hatheway Road.

Mr. Ussery handed out new aerials of each park showing proposed lighting. He noted at Robert Tedford Memorial Park changes were made to address the public concerns. He noted the M1 little league field, which is the southeasterly corner of the park, will not have lighting. The Adhoc Lighting Committee and the Ellington Little League reviewed the concerns of the neighbors and agreed the 4 lights and announcers booth will be moved to the M2 Little League field on the opposite side of the parking lot.

Mr. Ussery stated the concern with Pinney Street lighting proposal did not show any proposed lights at the parking lot area. The Adhoc Lighting Committee agreed the lighting is necessary around the parking lot to address any safety concerns. Proposed lights around the perimeter of the parking lot were added to the project as an add-alternate.

Ms. Houlihan explained the proposed two discussion items are not conditions of approval, but recommendations from the Planning & Zoning Commission.

Commissioner Moser stated the Lighting Committee did a good job on the project and provided good compromises.

Alternate Cardin asked if Pinney Street Park has any streetlights in the area and in relation to the parking location. Mr. Ussery used Tedford Memorial Park as an example. He noted that CL&P has a large flood light facing the parking lot, where Pinney Street streetlights do not have that component on the poles along Pinney Street.

Commissioner Hogan asked how often the fields will be used, and what the time restrictions will be from each of the leagues that use the fields. James Ussery stated Ken Radziwon was communicating with the various leagues on the length of time each organization would be requesting. Commissioner Hogan expressed his concerns about the times each league would be requesting to keep the lights on at night. He noted without this information, it is difficult for the Commission to set conditions of approval pertaining to the lighting schedule. Commissioner Hogan explained there are current illumination regulations for the Town's commercial and industrial zones. Mr. Ussery stated the Connecticut Interscholastic Athletic Conference (CIAC) and Little League have lighting regulations. Commissioner Hogan asked that the lighting standards meet the Town's regulations.

Dustin Huguenin reviewed proposed shut off time for the lights. He stated the lights are to have a little extension of the daylight hours such as 9:00 pm on weekdays and on the weekends 10:00 pm to ensure individuals can safely leave the property. Karen L. Dwyer, Chair of the Ad Hoc Lighting Committee, introduced herself and noted the Lighting Committee met since the last Planning & Zoning Commission (PZC) meeting and they discussed in depth the lighting concerns at Robert Tedford Memorial Park and Pinney Street Park. They are looking to get this project implemented and agree to provide the Commission with any further information.

Mark Maciolek, 101 Main Street, said everyone wants the best for their kids and wants them to have opportunities in Ellington to make it enticing for young adults to get off their phone and on the fields.

David Gyure, 10 Hatheway, asked who is paying for the electricity, will it be the individual teams or the Town. He said other towns dim the lights to a lower level after a specific time. He suggested adding planted islands where the light poles are proposed to break-up the paved area which may deter the afterhours activity in the parking lot and suggested games start earlier if possible.

John Strieber, 4 Hatheway Road, noted he submitted a letter dated May 20, 2023, and read letter dated May 21, 2023 from Allan & Carol Lawrence into the record.

Kevin Schmidt, 16 Hatheway Road, asked about the proposed lighting at the tennis courts at Tedford Park. He noted that since the tennis courts are not utilized as much as the High School Tennis Courts, they may want to eliminate the tennis court lighting at Tedford Memorial Park and add parking lighting at Pinney Street Park. He said the tennis court lights are on sometimes all night, due to the fact they are not on a timer. Ms. Dwyer explained the lights can be monitored and noted the existing poles on site will only have fixtures upgraded.

Chairman Hoffman encouraged the commission to approve the lighting for the three locations with conditions of approval. Secretary Sandberg suggested the three applications can be re-evaluated by the PZC in a year.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202303 – Town of Ellington, owner/Department of Public Works, applicant, request for modification to Site Plan and Special Permit for the installation of lighting for athletic facilities at 45 Sadds Mill Road, APN 079-004-0000, in a RAR (Rural Agricultural Residential) Zone.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS Z202303 – Town of Ellington, owner/Department of Public Works, applicant, request for modification to Site Plan and Special Permit for the installation of lighting for athletic facilities at 45 Sadds Mill Road, APN 079-004-0000, in a RAR (Rural Agricultural Residential) Zone.

CONDITION(S):

- LIGHTS FOR FIELD M1 SHALL BE RELOCATED TO FIELD M2.
- LIGHTS SHALL BE SHUT OFF BY 9PM, SEVEN DAYS A WEEK.
- LIGHTS FOR THE TENNIS AND BASKETBALL COURTS SHALL FOLLOW EXISTING LIGHTING SCHEDULES.
- APPROVAL IS SUBJECT TO REVIEW IN ONE YEAR.

DISCUSSION: THE FOLLOWING COMMENTS ARE NOT CONDITIONS OF APPROVAL BUT RECOMMENDATIONS TO ADDRESS ISSUES FROM RESIDENTS RAISED DURING THE PUBLIC HEARING THAT ARE NOT DIRECTLY RELATED TO THE PROPOSED APPLICATION.

- RECOMMEND THE TOWN INSTALL PLANTINGS AND/OR REINFORCE THE EXISTING VEGETATION ALONG THE EASTERN PROPERTY LINE TO SCREEN THE PARK FROM THE BACKYARDS OF PROPERTIES ALONG THE WEST SIDE OF HATHEWAY ROAD.
- REFER LETTERS FROM RESIDENTS DESCRIBING VARIOUS NUISANCE ACTIVITIES AT THE PARK TO THE BOARD OF SELECTMEN, THE STATE TROOPER'S OFFICE, AND THE PARK AND RECREATION COMMISSION.

3. Z202304 – Town of Ellington, owner/Department of Public Works, applicant, request for modification to Site Plan for the installation of lighting for athletic facilities at 59 Pinney Street, APN 017-020-0000, in an IP (Industrial Park) Zone.

Time: 7:04 pm

Seated: HOFFMAN, KELLY, SANDBERG, FRANCIS, HOGAN, MOSER, AND SWANSON

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202304 – Town of Ellington, owner/Department of Public Works, applicant, request for modification to Site Plan for the installation of lighting for athletic facilities at 59 Pinney Street, APN 017-020-0000, in an IP (Industrial Park) Zone.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS Z202304 – Town of Ellington, owner/Department of Public Works, applicant, request for modification to Site Plan for the installation of lighting for athletic facilities at 59 Pinney Street, APN 017-020-0000, in an IP (Industrial Park) Zone.

CONDITION(S):

- **SUPPORT COMMENTS FROM THE AD HOC LIGHTING COMMITTEE DETAILED IN A LETTER DATED MAY 22, 2023, FROM KAREN L. DWYER, AD HOC LIGHTING COMMITTEE, CHAIR.**
 - **LIGHTS SHALL BE INSTALLED IN THE PARKING LOT BEFORE FIELD LIGHTS ARE OPERATIONAL.**
 - **LIGHTS SHALL BE SHUT OFF BY 9PM, SEVEN DAYS A WEEK.**
 - **APPROVAL IS SUBJECT TO REVIEW IN ONE YEAR.**
4. Z202305 – Town of Ellington, owner/Department of Public Works, applicant, request for modifications to Site Plan and Special Permit for the installation of lighting for athletic facilities at 37 Maple Street, APN 073-009-0000, in a R (Residential), RAR (Rural Agricultural Residential) and C (Commercial) Zones.

Time: 7:04 pm

Seated: HOFFMAN, KELLY, SANDBERG, FRANCIS, HOGAN, MOSER, AND SWANSON

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC FOR Z202305 – Town of Ellington, owner/Department of Public Works, applicant, request for modifications to Site Plan and Special Permit for the installation of lighting for athletic facilities at 37 Maple Street, APN 073-009-0000, in a R (Residential), RAR (Rural Agricultural Residential) and C (Commercial) Zones.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS Z202305 – Town of Ellington, owner/Department of Public Works, applicant, request for modifications to Site Plan and Special Permit for the installation of lighting for athletic facilities at 37 Maple Street, APN 073-009-0000, in a R (Residential), RAR (Rural Agricultural Residential) and C (Commercial) Zones.

- **LIGHTS SHALL BE SHUT OFF AT 10PM SUNDAY THROUGH THURSDAY AND ONE HALF HOUR AFTER END OF GAMES ON FRIDAY AND SATURDAY.**
- **APPROVAL IS SUBJECT TO REVIEW IN ONE YEAR.**

5. Z202306 – ARJI Ellington, LLC & ARJI Ellington 2, LLC, owner/applicant, request for modification to Site Plan for construction of a retail/restaurant building at 135 West Road, APN 037-005-0086, in a Planned Commercial (PC) Zone.

Time: 8:04 pm

Seated: HOFFMAN, KELLY, SANDBERG, FRANCIS, HOGAN, MOSER, AND SWANSON

Mark Peterson, Gardener & Peterson Assoc., LLC, 178 Hartford Turnpike, Tolland, CT; Attorney Gregory McCracken, Jacobs, Walker, Rice & Barry, LLC, 146 Main Street, Manchester, CT; Reggie Kronstadt and Perry Gold, ARJI Ellington2, LLC, both of 100 Jericho Quad., Suite 220, Jericho, NY; Charles Baker, Hibbard & Rosa Architects, LLC, 100 Great Meadow Road, Suite 200, Wethersfield, CT; and, Chris Milliard, Phase Zero Design, 8 Wilcox Street, Simsbury, CT, were present to represent to application.

Ms. Houlihan stated the Planning and Zoning Commission granted approval in 2007 for Special Permit and Site Plan Modification for a retail and restaurant building in the location of the proposed development. She noted the Special Permit was recorded in the Ellington Land Records locking in the approved uses, but the site improvements were not constructed before the Site Plan expired after ten years of approval. The present development proposal includes minor changes to the plan approved in 2007.

Attorney McCracken introduced the new owners of the property and others representing the application. Attorney McCracken noted the parcel is 30 acres and reviewed the current tenants located on the site. He noted the proposed building was previously approved to be built at the northwest corner of the site. He reviewed the previous requirements of the town that will remain. They are looking to construct a building with additional dumpster area. Eric Peterson reviewed the proposed site improvements immediately north of the existing McDonald's building. He showed a color rendering of the site, which will have a Starbuck's restaurant with an outside patio and drive through, two retail units and an additional restaurant. Mr. Peterson reviewed the parking, stormwater management, additional landscaping, fencing, lighting on the building and location of additional poles and dumpster pad within the site. There will not be an additional curb cut on Route 83, West Road. Since the 2007 approval, the Commission amended local regulations to include Section 6.6 Access Management. The plans indicate a location for possible future access to the adjacent northern and southern parcels. Mr. Peterson reviewed the original Special Permit requirements that will remain in place, and they have addressed the Town Engineer's comments from April 14, 2023, and the Fire Marshal comments from April 10, 2023. The revised plans of May 5, 2023, address staff comments and the changes are memorialized in a letter from Gardner & Peterson dated May 10, 2023.

Chris Milliard, Professional Architect, Phase Zero Design, reviewed the architectural design, the materials to be used for the building, and the outside patio area. Chairman Hoffman stated this project was reviewed by the Design Review Board on March 20, 2023. Charlie Baker reviewed the traffic study, which concludes there will be minimal traffic impacts.

Reggie Kronstadt, owner, explained they spent a long time looking at different sites and feels this location would be a great fit for Starbucks and other potential tenants.

Margaret Cavanagh, 3 Springwood Lane, asked about the empty tenant spaces already on the property. Mr. Kronstadt explained they just purchased the parcel on March 9, 2023, and Starbuck's has been interested in the location to build, and the current tenant space is not large enough to meet their needs. Chairman Hoffman asked the new owners what their vision is for the space. Mr. Kronstadt said the Big Y is the anchor, first step is to get Starbuck's approvals for the building and co-tenants such as Jersey Mike's or Chipotle.

Karen Luciano, 26 Ardsley Lane, asked what community involvement Starbucks will have. She explained that locally owned businesses are very involved in supporting the local sports and other activities and would like to know how Starbucks will give back to the community. She has concerns that the building will be constructed and in five years Starbucks will close. Mr. Kronstadt explained they need the national business to start, and co-tenants will follow, he was not aware of Starbucks philosophy for community support.

Andrew Brindisi, 14 Highland Avenue, has been an Ellington resident for 20 years and is in favor of additional retail in Town. He is concerned that Starbucks will be located across the street from LouAnn's with similar offerings. We have many successful small businesses in town and would hate to see them have to close. Mr. Brindisi's other concerns are the proposed business hours of operation and deliveries. He does not have any complaints pertaining to the decibels at the McDonald's drive through speaker and would like to have that condition carried over to this project. Mr. Brindisi also inquired about an additional buffer between the neighbors and the site with possible further access.

Dianne Trueb, 105 Pinnacle Road, asked how special permits work in town. Ms. Houlihan stated special permit uses, once filed on local land records, run with the land. Ms. Trueb suggested vacant buildings be occupied first before approving construction of new buildings. Ms. Houlihan explained general zoning concepts, special use permits, and administrative site plan approvals.

Peter Welti, 257 Crystal Lake Road, noted that he is in support of the project, the proposed building looks good, and investors will fund some of the project.

Vice-Chairman Kelly asked if two retail tenants and two restaurant tenants are locked in. Mr. Kronstadt said they are flexible and will be looking for the right tenants that will be there for a long time. Vice-Chairman Kelly inquired about the flow of traffic between the McDonald's and the proposed new site. Secretary Sandberg asked about the sidewalks along Route 83, Ms. Houlihan stated they are included in the Route 83 sidewalk project. Secretary Sandberg inquired about the proposed LED lights. Mr. Peterson reviewed the proposed lighting on the building and around the drive-through area. Secretary Sandberg does not agree with the Design Review Board's recommendations, he asked the new owners to observe other surrounding buildings, such as having a cupola, barn style elements or a silo to incorporate into the design. Vice-Chairman Sandberg asked about hours of operation, Mr. Peterson stated the operational lighting would be 11 pm to 5 am.

Commissioner Swanson stated the proposed design of the building looks more like Glastonbury or West Hartford. He suggested looking at the surrounding building styles along Route 83 and re-evaluating the dumpster area materials for screening. He noted the traffic in the morning will tend to back up entering the site. Commissioner Hogan suggested adding more plantings along the north side of the parcel. Mr. Kronstadt agreed to look at additional plantings. Commissioner Hogan asked for clarification for the drive through queuing. Mr. Milliard stated there are 17 queuing spaces within the site before the McDonalds entry. The commission discussed the proposed signage.

Commissioner Moser asked if they would be adding any vehicle charging stations. Mr. Kronstadt said they would be looking at installing 6 charging stations in future development. Alternate Dearborn requested the applicant be cautious that no lighting will overspill onto neighboring properties. Mr. Kronstadt agreed to continue the application to the next PZC meeting to address the commission's concerns.

MOVED (SANDBERG) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO MONDAY, JUNE 26, 2023, 7PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, AND ZOOM VIDEO CONFERENCING FOR Z202306 – ARJI Ellington, LLC & ARJI Ellington 2, LLC, owner/applicant, request for modification to Site Plan for construction of a retail/restaurant building at 135 West Road, APN 037-005-0086, in a Planned Commercial (PC) Zone.

6. Z202309 – Robert J. Carr, owner/ applicant, pursuant to Section 7.7 of the Ellington Zoning Regulations, request for Special Permit for Home Occupation for automotive detailing at 184 Abbott Road, APN 069-001-0002, in a RAR (Rural Agricultural Residential) Zone.

Time: 9:35 pm

Seated: HOFFMAN, KELLY, SANDBERG, FRANCIS, HOGAN, MOSER, AND SWANSON

Chairman Hoffman stated the applicant submitted a request to withdraw on May 2, 2023.

MOVED (SANDBERG) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO ACCEPT WITHDRAWAL FOR Z202309 – Robert J. Carr, owner/ applicant, pursuant to Section 7.7 of the Ellington Zoning Regulations, request for Special Permit for Home Occupation for automotive detailing at 184 Abbott Road, APN 069-001-0002, in a RAR (Rural Agricultural Residential) Zone.

7. Z202310 – Town of Ellington, owner/ Ellington Board of Education, applicant, request for Site Plan and Special Permit modifications for complete site and building renovations including demolition, new construction, and as-new renovation for portions of existing buildings to remain and associated site improvements for Windermere Elementary School at 2 Abbott Road, APN 008-010-0000, in a R (Residential) Zone.

Time: 9:37 pm

Seated: HOFFMAN, KELLY, SANDBERG, FRANCIS, HOGAN, MOSER, AND SWANSON

Gregory Smolley and Jim Barrett of Drummey Rosane Anderson, Inc., 225 Oakland Road, Ste 205, South Windsor, CT, David Dickson and Ryan McEvoy, SLR Consulting, 99 Realty Drive, Cheshire, CT were present to represent the application.

Mr. Smolley reviewed the existing conditions of Windermere Elementary School. He reviewed the proposed project which will consist of demolishing the southernmost wing of the existing school and constructing a new two-story classroom wing to the north of the existing building. The remaining portions of the existing building will be renovated to an as-new state throughout to include the exterior and roofs. He reviewed the site improvements to include age-appropriate playgrounds, fields, drainage improvements, new traffic flow patterns and additional parking. He explained the sidewalk along Abbott Road will remain as is and they will be adding sidewalks around the entire school.

Mr. Smolley reviewed the proposed parking lot and building lighting, and stated they will be dark sky compliant. Mr. Smolley noted the multipurpose playfield that can provide parking for 115 vehicles if needed. He reviewed the traffic study and proposed materials to be used on the buildings and gables.

Margaret Cavanagh, 3 Springwood Lane, asked about sidewalk access along Abbott Road. Mr. Smolley stated there will be sidewalks along all three streets of the school. Ms. Cavanagh was also concerned about screening the playground for the children's safety. Mr. Smolley explained there are safety measures that will be put into place for the safety of all individuals.

Ed Rothe, 224 Windsorville Road, stated his main concern is the erosion run off from Abbott Road into his field across the street. Mr. McEvoy explained the steps they will be taking to reduce the existing water runoff from the site with the construction of the detention basins.

Ken Radziwon, Director of Public Works, stated that the town has a plan to fix the drainage and invited Mr. Rothe to visit him at the Department of Public Works to review the plan.

Ms. Houlihan stated a memo was received from the Town Engineer, dated May 20, 2023. Upon review of the memo with Dana Steele, Town Engineer, and Greg Smolley, the applicant's representative, it was agreed to omit comment #31 from the review. The Town Engineer's comments may be addressed as conditions of approval.

MOVED (KELLY) SECONDED (HOGAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202310 – Town of Ellington, owner/ Ellington Board of Education, applicant, request for Site Plan and Special Permit modifications for complete site and building renovations including demolition, new construction, and as-new renovation for portions of existing buildings to remain and associated site improvements for Windermere Elementary School at 2 Abbott Road, APN 008-010-0000, in a R (Residential) Zone.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS FOR Z202310 – Town of Ellington, owner/ Ellington Board of Education, applicant, request for Site Plan and Special Permit modifications for complete site and building renovations including demolition, new construction, and as-new renovations for portions of existing buildings to remain and associated site improvements for Windermere Elementary School at 2 Abbott Road, APN 008-010-0000, in a R (Residential) Zone.

CONDITION(S):

- **SUBJECT TO COMMENTS FROM THE TOWN ENGINEER DETAILED IN A MEMO DATED MAY 20, 2023, OMITTING COMMENT #31.**
8. Z202311 – Town of Ellington, owner/ Ellington Public Works Department, applicant, request for Site Plan and Special Permit modifications for parking lot expansion and sidewalk improvements at 93 Main Street, APN 063-019-0000 and 99 Main Street, APN 063-016-0000 in a R (Residential) Zone.

Time: 10:27 pm

Seated: HOFFMAN, KELLY, SANDBERG, FRANCIS, HOGAN, MOSER, AND SWANSON

Tim Coon, P.E., JR Russo & Associates, LLC, One Shoham Road, East Windsor, CT was present to represent the application.

Mr. Coon reviewed the proposed site improvements, such as where additional sidewalks will be installed, additional landscaping and seating area to be installed. Mr. Coons noted that the Zoning Board of Appeals granted the impervious coverage increase for the additional site improvements. The Fire Marshal's comments have been addressed and added to the latest site plan.

Ms. Houlihan said the library is in a residential zone and community buildings require special permit approval. The zoning regulations set a limit of 25% maximum lot coverage in residential zones regardless of whether it is developed residentially or non-residentially. The Zoning Board of Appeals granted a variance to allow 58.2% lot coverage, which is consistent with lot coverage permitted in commercial/industrial zones (60%). She noted the Fire Marshal's concerns regarding fire lane designation and turning maneuvers for fire apparatus have been addressed. In accordance with Section 6.2.7(A) requires parking areas which adjoin a residence or residential zone to be properly screened by a fence, wall, or plantings. To the north of the proposed new

parking area fencing is proposed since existing mature trees create too much shade for evergreen plants to survive. To the west of the parking area a planted buffer is proposed since there is ample sun.

Mark Maciolek, 101 Main Street, raised a concern about the lighting within the parking lot and the proposed screening along his property line. The commission discussed with Mr. Maciolek his concerns about the proposed screening between his property and the library. It was reiterated that the lights would be on all night and will be down light for safety concerns.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202311 – Town of Ellington, owner/ Ellington Public Works Department, applicant, request for Site Plan and Special Permit modifications for parking lot expansion and sidewalk improvements at 93 Main Street, APN 063-019-0000 and 99 Main Street, APN 063-016-0000 in a R (Residential) Zone.

MOVED (HOGAN) SECONDED (MOSER) AND PASSED (YEA: HOGAN, MOSER, SWANSON, AND HOFFMAN; NAY: SANDBERG, KELLY, AND FRANCIS) TO APPROVE WITH CONDITIONS Z202311 – Town of Ellington, owner/ Ellington Public Works Department, applicant, request for Site Plan and Special Permit modifications for parking lot expansion and sidewalk improvements at 93 Main Street, APN 063-019-0000 and 99 Main Street, APN 063-016-0000 in a R (Residential) Zone.

CONDITION(S):

- **SIDEWALK AND BENCH IN MEDITATION GARDEN SHALL BE ELIMINATED, PLANTINGS SHALL REMAIN.**
- **REDUCE PLANTED BUFFER ALONG WESTERN PROPERTY LINE BY 26' AS SHOWN ON THE ILLUSTRATION FROM THE FIRST SELECTMAN.**

IV. OLD BUSINESS: NONE

V. NEW BUSINESS:

1. **BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED PUBLIC HEARING FOR JUNE 26, 2023, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202312** – Marc Diwinsky, owner/applicant, pursuant to Section 3.1.3 of the Ellington Zoning Regulations request for Special Permit for the construction of a 40x40 accessory building for storage at 282 Windsorville Road, APN 014-009-0000, in a Rural Agricultural Residential (RAR) Zone.
2. **BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED PUBLIC HEARING FOR JUNE 26, 2023, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202313** – Roger Moser, owner/Brent Moser, applicant, request for modification to Site Plan and Special Permit for the construction of a 60x160 accessory building for storage of vehicles and equipment for Valley Truck & Off Road, LLC, at 43 Lower Butcher Road, APN 018-020-0000, in an Industrial Park (IP) Zone.
3. **BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED PUBLIC HEARING FOR JUNE 26, 2023, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202314** – Chilson Realty, Co, owner/29 Moody Road, LLC, applicant, request for text amendment to Section 6.2.5 (A) of the Ellington Zoning Regulations to reduce the separation of parking from 30' to 10' to any façade of an industrial building.

4. **BY CONSENSUS, RECEIVED APPLICATION AND SCHEDULED PUBLIC HEARING FOR JUNE 26, 2023, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202315** - Chilson Realty, Co, owner/29 Moody Road, LLC, applicant, request for zone change from Commercial (C) Zone to Industrial Park (IP) Zone 500' from the front property line from West Road for APN 019-005-0000.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the April 24, 2023, Regular Meeting Minutes.

BY CONSENSUS, TABLED ACTION FOR THE APRIL 24, 2023, REGULAR MEETING MINUTES.

2. Correspondence/Discussion:
 - a. CT DOT Submittal of Application to CT DEEP for a General Permit for Water Resource Construction Activities – Route 140 Intersection at Burbank Road.

VII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION MEETING AT 11:17 PM.

Respectfully submitted by,

Barbra Galovich, Recording Clerk

COPY

May 22, 2023

Town of Ellington
Planning & Zoning Commission
55 Main Street
Ellington, CT 06029

Dear Planning & Zoning Commission Members

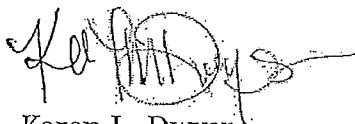
I am writing this letter as the chair of the Ad Hoc Lighting Committee, Comprehensive Athletic Lighting Project for the Town of Ellington. Our committee has been working hard over the past year to assist in the creation & implementation of a lighting plan, which will positively affect the town & its residents for decades to come. A few questions have come into play over the last few weeks that I wanted to officially reply to, in order to clear up any confusion about the committee's direction & intent.

First, the committee is in full support of moving the lighting plans for M1 at Tedford Park to M2. There will be little impact to the planning as lights for M2 were designed as part of the initial plans for the project. Little League is in support of this change as the bigger goal here is to see that all of our sports leagues walk away with enhanced field space.

Secondly, in terms of plans for Pinney Street, the committee agrees that parking lights are needed & they will be added to the project as an add-alternate. Please note, the scope of the project is to add lights to the athletic fields & if the add-alternate of the parking lights at Pinney Street put it over budget we would like to discuss with town administration other possible ways to fund this request. I hope this helps to answer some of the questions that were brought to our attention from the last Planning & Zoning meeting held on April 24.

This is an exciting project to be a part of & we look forward to our continued partnership with the town in seeing this through – please let me know if I can be of further assistance to you in addressing any further concerns, you may have.

Respectfully



Karen L. Dwyer
Ad Hoc Lighting Committee, Chair

Z 202303

Z 202304

Z 202305

RECEIVED

MAY 22 2023

TOWN OF ELLINGTON
PLANNING DEPARTMENT

COPY

From: Dana Steele <dsteale@jrrusso.com>
Sent: Saturday, May 20, 2023 8:01 PM
To: Lisa Houlihan
Cc: Barbra Galovich; John Colonese; rmcevoy@slrconsulting.com; Ken Radziwon; Tom Modzelewski
Subject: Z202310 - Windermere Elementary School, 2 Abbott Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lisa,

I have completed my review of the plans and reports for Windermere Elementary School at 2 Abbott Road. I apologize for the late arrival of these comments but this is a complex project that required a more lengthy review. My review includes the 30 page plan set dated 4/20/23, the Drainage Report dated 4/20/23 and the Traffic Study dated 5/9/23. My comments by sheet are as follows:

Civil Title Sheet

1. The post construction Operation & Maintenance (O&M) Plan should be enhanced to include inspection and maintenance procedures for the catch basins (CB), CDS water quality units, forebays and stormwater basins. I recommend following the DEEP Stormwater Manual guidelines or manufacturer's recommendations. This should include depth to sediment measurements indicating when cleaning is required, frequency of mowing, disposal of clippings and procedure for addressing clogged soils. If absorption materials are proposed for the CDS units, include criteria for replacement as well.

Site Removals (RM)

2. Revise the legend to match the plan shading.
3. The RM plan shows wooden bollards removed from the north end of the Abbott Road frontage. Confirm this is acceptable to DPW. What purpose did they serve?
4. Note sidewalk repair to nearest joint at 24" pipe connection to CB at north end of Windsorville Road.

Site Plan – Layout and Materials (LM)

5. Label the width of the maintenance gate at the NW corner of the northern stormwater basin (DET 110). Also provide a maintenance access gate at the southern stormwater basin (DET 210).
6. Label the fence and edge treatment at the first floor terrace within the courtyard.
7. Consider extending security fence along the entire retaining wall at the east end of the new 2-story addition. The highest portion of the wall appears to have no fencing.
8. It is not clear where curb starts and ends. Label the tactile warning strip along the southern drop off area.
9. Clarify where the concrete walk and bit. walk transition will occur on the east side of the southern multi-purpose field. Consider using concrete walks along Abbott Road.
10. Provide concrete ramp details. Consider eliminating or reducing "wings" where side access is not required.
11. Should a barrier be provided between the Pre-K play area and the overflow parking? Consider adding a pedestrian gate at the NW end of the overflow parking area so pedestrian don't have to access the area from the same gate that vehicles are entering and exiting.
12. Update legend item G to include engineered wood fiber mulch or remove this alternate from the details (SD-2).

Site Plan – Landscaping (LS))

13. Revise the light pole legend symbol to match the plan.

Site Plan – Grading (GR)

14. Provide spot grade or notation at northern Abbott Road driveway to establish a high point to prevent road runoff from traveling down the driveway.

15. Provide maximum 2% cross slope on the sidewalk east of the southern multi-purpose field along Abbott Road. Consider sloping the walk to prevent roadway runoff from flowing over the walk until it reaches the southern stormwater basin (DET 210).
16. How will the outdoor classroom with seat wall (east of the 2-story addition) drain? Will there be weep holes in the seat wall?
17. The walk to the outdoor amphitheater is steeper than 5%. Are railings and landings required for ADA accessibility?
18. The swale along the NW boundary appears to discharge runoff to the abutter (n/f Ondek) which does not currently drain to this property. It appears the grading could be revised to direct all site runoff to the northern stormwater basin (DET 110).
19. Confirm the contours shown provide the intended max. 5% sidewalk grade on the north side of the northern curb cut to Windsorville Road.
20. Include Test Hole permeability data on the plan. Note that deep hole test data is required to confirm depth to water table at DET 210 prior to start of construction.
21. Confirm spillway for DET 110 is at same elevation as the existing downstream grade or consider eliminating spillway entirely. The outlet control structure already provides an emergency spillway.

Site Plan – Utilities (UT)

22. DPW has reported existing drainage problems at the existing catch basin near the NW corner of Abbott & Windsorville Road and is recommending no stormwater discharge to this area. While the Drainage Report demonstrates that the proposed stormwater system will reduce peak flow rates to this area of concern, it does appear the system could be redesigned to direct all runoff to the town's stormwater system to the north in Windsorville Road.
23. Label YD4
24. DET 110 includes a 6" underdrain which is not accounted for in the stormwater calculations. How is the water quality volume (WQV) provided if DET 110 is allowed to drain entirely via the dewatering underdrain? The WQV should be "retained" as noted in the Drainage Report.
25. The inlet to DET 110 is 12" above the forebay bottom and the scour hole is shown on the side slope. Modify detail or lower outlet to bottom of basin and relocate scour hole to flat portion of forebay.
26. How will the forebay for DET 110 drain between storm events if as the Drainage Report indicates, infiltration is not feasible at this location?
27. Is an access manhole required for CDS unit at CCB28? If so depict on plan.
28. Add to Utility Notes 3 or 4 that conduit for site lighting and EV charging shall also be coordinated with the MEP and Eversource. Also note to coordinate connection of playground underdrains with Civil Engineer. Record locations during construction for inclusion in the as-built survey.
29. Consider raising Area Drain (AD12) to create a rain garden and eliminating curbing along the southern side of the northern curb cut to Abbott Road to implement a Low Impact Development (LID) technique.

Site Plan – Sediment and Erosion Control (SE-1)

30. Consider adding erosion control blankets (ECB) to the east side of DET 210 where road runoff will travel over the slope into the basin.
31. DET 210 is proposed as both an infiltration BMP and a temporary sediment trap during construction at a depth 6" below the finished grade elevation of the stormwater basin. The plans should include instructions for the engineer to replace any soils clogged by sediment prior to completion of the stormwater basin.
32. Confirm that the southern curb cut on Abbott Road will not be used for construction egress, thus no tracking pad.

Site Details (SD)

33. Clarify purpose of riprap splash pad detail (SD-2). Where is this proposed?
34. Clarify outlet control structures detail (SD-4). Label arrows and dimension between grate and top of berm are not correct. Provide a 24" sump below outlet for additional protection of town drainage system.

While these comments are extensive and some may require significant modifications to the storm drainage design, they are technical in nature and I believe they can be adequately addressed as conditions of approval. I am happy to work

with the applicant's engineer to finalize the plans if the Commission does not need to see theses revisions before making their decision. I am also available to attend the PZC meeting Monday night if that would help.

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



J.R. RUSSO & ASSOCIATES, LLC
P.O. Box 938, 1 Shoham Road
East Windsor, CT 06088
(CT) 860.623.0569 (MA) 413.785.1158
dsteale@jrrusso.com | www.jrrusso.com

Town of Ellington

Planning Department



MEMO

DATE: June 21, 2023

TO: Planning & Zoning Commission

FROM: John Colonese
Assistant Town Planner/ZEO

SUBJECT: 162 Maple Street (Z202208)

On May 23, 2022, the Planning & Zoning Commission approved the construction of a self-storage facility and related improvements at 162 Maple Street. One of the conditions of approval included submitting a landscape plan for the entire parcel for review and approval by town staff. On August 22, 2022, the commission discussed the proposed landscaping plan (plan and minutes attached). The shade trees have since been planted within the grass areas along Tomoka Avenue and Maple Street as well as the shrubs within the mulch/stone areas along the building.

The owner indicated they are close to seeking Zoning sign-off on the self-storage facility. Therefore, I would like to confirm the landscaping for the parcel meets the concerns raised by the commission prompting the condition of approval. Please feel free to visit the site when reviewing this matter.

Thank you for your time.



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

COPY

TEL. (860) 870-3120

TOWN PLANNER'S OFFICE

FAX (860) 870-3122

May 26, 2022

Certified Mail# 7019 0160 0000 1049 3357

Seth Carlson
162 Maple Street
Ellington, CT 06029

RE: 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.

Dear Mr. Carlson:

At their meeting on May 23, 2022, the Ellington Planning and Zoning Commission approved your application with the following motion:

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

CONDITION(S):

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

The enclosed Special Permit must be recorded on the Ellington Land Records in order to become effective. Please record the Special Permit after the 15-day appeal period expires. The appeal period begins on the date of publication shown on the enclosed Legal Notice. The Legal Notice was published on May 25, 2022.

Y 90
Pursuant to CGS Section 8-3(i), the Site Plan approval will expire on May 23, 2027, five years from the date of approval. Failure to complete all work within said five year period will result in an automatic expiration of the approval. Extensions may be granted by the Planning and Zoning Commission up to five years from the original expiration date.

If your property is served by a state road you may be required to obtain an Encroachment Permit and/or other approvals from the Connecticut Department of Transportation (ConnDOT). You can find a range of instructions and contact information by visiting ConnDOT's website at www.ct.gov/dot/; and, you can find application for Encroachment Permit at <http://www.ct.gov/dot/cwp/view.asp?A=1394&Q=259544>.

Please be advised that you may be required to obtain authorization from the Connecticut Department of Energy and Environmental Protection (DEEP) pursuant to General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. Please consult with your design professional. Detailed information is available at <https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Stormwater/Construction-Stormwater-GP>.

This approval does not preclude you from meeting any other applicable federal, state, or local regulation. Please ensure that you have obtained all necessary permits and approvals from all governing agencies that have authority over your project. Generally, after receiving commission approval, you are required to obtain a Zoning Permit, if applicable, and any permit required by the Ellington Building Department prior to construction. Depending on the nature of your project, you may also be required to attend a pre-construction meeting with pertinent town employees prior to commencing work.

If you have any questions, please contact the Ellington Planning Department at 860-870-3120.

Sincerely,

Arlo Hoffman, Chairman
Planning and Zoning Commission

August 17, 2022

RE: Allyn Tool

ATTN: Stan Matzack

Scope of Work: *To remove turf and disposal of. Edge beds and install mulch, stone and weed fabric.*

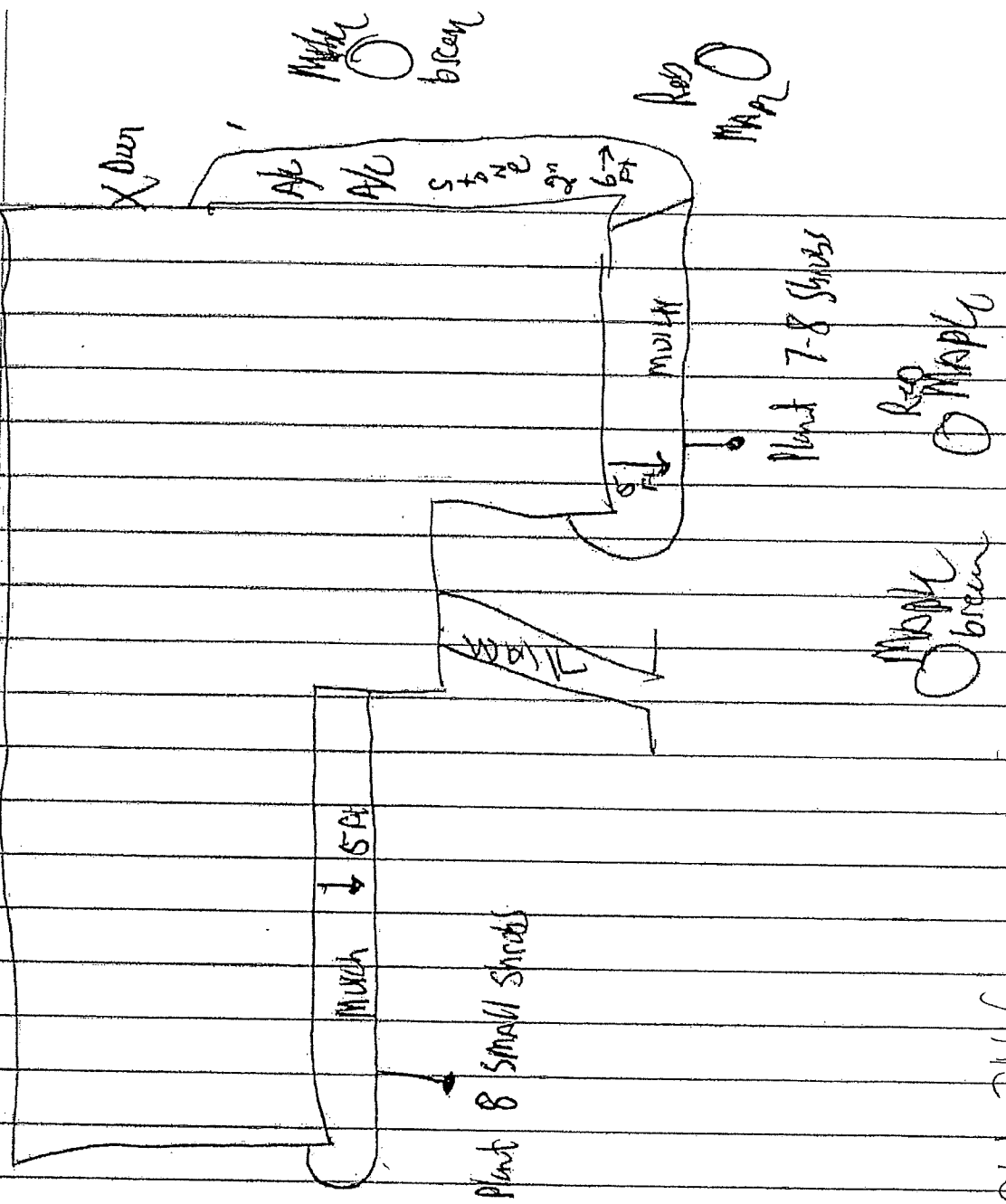
-North side of building (facing Rt. 140) – Remove existing turf away from 2 sections of building on both sides of walkway approx. 5 ft. out. Plant 2 Maple trees in center of lawn facing Rt. 140 (one Red, one Green). Mulch and plant approx. 7-8 small shrubs in each bed.

-West side of building (facing Tomoka Ave.) – Install bed along West side of building with 2" stone. Remove turf approx. 6 ft. away from building due to A/C and air handler unit. Replace with 2" decorative stone and Grasses. Plant 2 Maple trees in Center of lawn facing Tomoka Ave. (one Red, one Green).

See attached map for general idea

Total Price: \$7,830.00

North



File 40

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