



STATE OF CONNECTICUT – COUNTY OF TOLLAND  
INCORPORATED 1786

## TOWN OF ELLINGTON

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### PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES

MONDAY, JULY 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:** VICE CHAIRMAN SEAN KELLY, SECRETARY ROBERT SANDBERG, JR.,  
REGULAR MEMBERS F. MICHAEL FRANCIS, WILLIAM HOGAN,  
MICHAEL SWANSON, JON MOSER AND ALTERNATE RACHEL  
DEARBORN

**MEMBERS ABSENT:** CHAIRMAN ARLO HOFFMAN AND ALTERNATE MARY CARDIN

**STAFF PRESENT:** JOHN COLONESE, ASSISTANT TOWN PLANNER AND BARBRA  
GALOVICH, RECORDING CLERK

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

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

#### **III. PUBLIC HEARING(S):**

1. Z202316 – Kyle Jaworski, owner/applicant, pursuant to Section 3.1.3 request for Special Permit for garages for more than 3 cars per family unit associated with the construction of a detached accessory structure (30X50) at 23 Sandy Beach Road, APN 172-001-0000, in a Rural Agricultural Residential (RAR) Zone.

Time: 7:01pm

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

Kyle Jaworski, 23 Sandy Beach Road, was present to represent the application. Kyle is looking to erect a 30x50 detached accessory structure for the storage of his work truck, personal vehicle, and a boat. The structure will have electricity and an outside water hookup. Commissioner Hogan asked if there will be any type of buffer between the structure and abutting neighbors. Kyle responded that there currently are trees and vegetation within the area. Kyle explained they are trying to clean up the parcel by having the ability to store the vehicles inside the detached structure. No one from the public spoke regarding the application.

**MOVED (SANDBERG) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202316** – Kyle Jaworski, owner/applicant, pursuant to Section 3.1.3 request for Special Permit for garages for more than 3 cars per family unit associated with the construction of a detached accessory structure (30X50) at 23 Sandy Beach Road, APN 172-001-0000, in a Rural Agricultural Residential (RAR) Zone.

**MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS Z202316** – Kyle Jaworski, owner/applicant, pursuant to Section 3.1.3 request for Special Permit for garages for more than 3 cars per family unit associated with the construction of a detached accessory structure (30X50) at 23 Sandy Beach Road, APN 172-001-0000, in a Rural Agricultural Residential (RAR) Zone.

**CONDITION(S):**

**Structure shall not be used for commercial operations or as an independent dwelling unless otherwise permitted by regulation and all applicable approvals obtained.**

2. Z202318 – 74 West Road, LLC, owner/applicant, request for modification to Special Permit (Z202120) associated with façade improvements and proposed attached signage on front and south side of building for Agway of Ellington at 74 West Road, APN 028-002-0000, in a Commercial (C) Zone.

Time: 7:07 pm

Seated: Kelly, Sandberg, Francis, Hogan, Swanson, Moser and Dearborn

Cory Kupferschmid, 42 Ellsworth Lane, was present to represent the application. Cory explained they received approval for site improvements back in January of 2022. Since the approval, they decided to proceed with updating the signage on the building. The proposed dormers, greenhouse, and storage area, which were portions of the original approval will not be completed at this time. Cory noted all the signage will align on the same plane and he will provide the lighting specifications to the Planning Department soon. They will install LED lighting directed at the signs. Commissioner Hogan reviewed the linear footage of the front of the building and square footage allowed on the building with John Colonese. John reviewed the zoning regulations pertaining to the allowed size for attached signs. Commissioners Francis and Swanson stated they are in favor of the improvements. Commissioner Swanson verified that the temporary advertising signs on the north side of the building would be removed. The Commission discussed the proposed conditions of approval with Cory. Commissioner Moser noted it will be a big upgrade and supports the proposed conditions of approval. Alternate Dearborn confirmed with Cory that the existing curb cuts will remain at this time. No one from the public spoke regarding the application.

**MOVED (SANDBERG) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202318 – 74 West Road, LLC, owner/applicant, request for modification to Special Permit (Z202120) associated with façade improvements and proposed attached signage on front and south side of building for Agway of Ellington at 74 West Road, APN 028-002-0000, in a Commercial (C) Zone.**

**MOVED (SANDBERG) SECONDED (HOGAN) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS Z202318 – 74 West Road, LLC, owner/applicant, request for modification to Special Permit (Z202120) associated with façade improvements and proposed attached signage on front and south side of building for Agway of Ellington at 74 West Road, APN 028-002-0000, in a Commercial (C) Zone.**

**CONDITION(S):**

- 1) **Signs shall not be internally illuminated.**
- 2) **Lighting plan shall be submitted for review and approval by town staff.**
- 3) **Existing attached temporary signs on the north, south and east side of the building shall be removed prior of issuance of a zoning permit.**
- 4) **Landscaping shall be installed around the interchangeable temporary sign in accordance with Section 6.3.7.a.4 of the Ellington Zoning Regulations.**

**IV. OLD BUSINESS: NONE**

**V. NEW BUSINESS:**

1. **BY CONSENSUS, THE COMMISSION RECEIVED APPLICATION AND SCHEDULED A PUBLIC HEARING FOR AUGUST 28, 2023, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202319 – Jose Negron, owner/applicant, pursuant to Section 3.1.3 of the Ellington Zoning Regulations request for Special**

Permit for the construction of a 50x50 accessory detached garage at 71 Sadds Mill Road, APN 079-003-0000, in a Rural Agricultural Residential (RAR) Zone.

2. **BY CONSENSUS, THE COMMISSION RECEIVED APPLICATION AND SCHEDULED A PUBLIC HEARING FOR AUGUST 28, 2023, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, AND ZOOM VIDEO CONFERENCING FOR Z202320** – ARJI Ellington, LLC, owner/ applicant, request for a Special Permit for an urgent medical facility at 135 West Road, APN 037-005-0086, in a Planned Commercial (PC) Zone.

## **VI. ADMINISTRATIVE BUSINESS:**

**BY CONSENSUS, THE COMMISSION ADDED TO THE AGENDA AND WENT OUT OF AGENDA ORDER TO DISCUSS ITEM 2D OF CORRESPONDENCE.**

### **2. Correspondence/Discussion:**

- d. Letter and site plan from Dan Csaplar, US Solar to Lisa Houlihan, Town Planner regarding modifications to site plan based on the Planning and Zoning Commission's December 19, 2022, comments on a proposed Solar Facility at Ellington Airport, 360 Somers Road.

Dan Csaplar, Project Developer for US Solar, 100 N. 6<sup>th</sup> Street, Ste 401B, Minneapolis, MN, (attended via Zoom) was present to discuss the proposed solar facility at 360 Somers Road. Dan gave a brief overview of the project and the modifications to the site plan based on the Planning and Zoning Commission's previous comments, and noted they anticipate filing a petition with the CT Siting Council for Declaratory Ruling on August 15, 2023.

Vice-Chairman Kelly explained the Town of Ellington has limited Industrial zoned land and the sewer line was extended along Somers Road to allow for industrial development of this parcel. Sean noted the proposed electrical equipment (inverters) create noise and they may be too close to abutting neighbors and suggested moving them further away from the residential neighbors towards Somers Road. Vice-Chairman Kelly also asked if it was possible to put the inverters underground or insulate around the inverters to reduce the noise levels. Dan Csaplar said he would check with the electrical engineers. Commissioner Hogan has concerns with the noise levels to neighbors. Commissioner Francis reiterated the sewer lines were extended to this area to support industrial uses and doesn't feel this is the best location for a solar facility.

Commissioner Moser inquired about any danger to skydivers. Dan Csaplar stated US Solar provided their original proposal to the Federal Aviation Administration (FAA) and received comments back such as adding lights for safety. Dan added that they will be sending the modified site plan to the FAA for review. Alternate Dearborn stated concerns about using industrial land for a solar facility and the proximity of the facility to the property lines. Vice-Chairman Kelly stated one reason why the solar companies seek out Ellington is for the open space as where residents of the town, himself included, try hard to protect open space.

Brett Mickelson, 440<sup>th</sup> East 117 Street, New York, NY 10035 noted he is in an agreement with the owner to purchase the property. Brett is currently the president of the CT Parachuters Association and manages the site and has many concerns with the proposal. Brett said the revised plan has not been re-submitted to the FAA, many parachutes have landed in the fields over the years and even the planes have run out of runway space and into the field to stop. Brett stated on behalf of the parachuters, they do not support this proposal.

Michael Wheeler, 37 Bridge Street, is worried about the safety of parachuters and pilots landing on the property. Michael is also concerned about the noise levels the inverters will produce. Mark Krasinski, 109 Parker Road, Somers, CT (attended via Zoom) said he feels this is the wrong location for such an activity.

Commissioner Hogan inquired if the FAA acknowledges parachuters within their review. Commissioner Moser has safety concerns and feels there is a better location for the solar facility other than the airport.

Carol Barkasy, 57 Hillside Drive, would rather see more businesses come into town rather than the solar.

John Colonese stated the Planning and Zoning Commission will have the opportunity to review the petition upon notice of submittal to the CT Siting Council and provide comments to the Council for consideration.

**BY CONSENSUS, THE COMMISSION RETURNED TO THE POSTED AGENDA ORDER.**

1. Approval of the June 26, 2023, Regular Meeting Minutes.

**MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE THE JUNE 26, 2023, REGULAR MEETING MINUTES AS WRITTEN.**

2. Correspondence/Discussion:

- a. Pursuant to a memo dated July 17, 2023, request to remove excess landscaping on approved site development plan for Z202311, Hall Memorial Library, 93 & 99 Main Street.

Vice-Chairman Kelly explained according to the Town Planner's memo dated July 17, 2023, cost proposals exceeded the project funding so plantings north of the new parking lot will be removed. The Commission agreed to eliminate the plantings to the north of the new parking area which was included as a condition of approval since privacy fencing will be installed to meet the buffer requirements of Section 6.1 of the Zoning regulations. It was noted that the landscape buffer to the west of the new parking area will remain as approved.

- b. Pursuant to a memo dated July 18, 2023, review sample mixed-use regulations pursuant to discussion on March 27, 2023, for a potential mixed-use development at 105 West Road, APN 028-013-0000, Planned Commercial (PC) Zone.

The Commission agreed to table this discussion to their next regularly scheduled meeting (August 28, 2023).

- c. Notice of Petition for Declaratory Ruling for a proposed 5.0MW battery energy storage system, KCE CT 5, LLC, Village Hill Road, Willington/Stafford, CT town line.

Commissioners acknowledged receipt of the petition and have no comments.

**VII. ADJOURNMENT:**

**MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING AND ZONING COMMISSION MEETING AT 8:20 PM.**

Respectfully submitted by,

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Barbra Galovich, Recording Clerk