



STATE OF CONNECTICUT – COUNTY OF TOLLAND  
INCORPORATED 1786

## TOWN OF ELLINGTON

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

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

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

### PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES

MONDAY, AUGUST 28, 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, REGULAR MEMBERS F. MICHAEL FRANCIS, WILLIAM HOGAN, MICHAEL SWANSON, AND ALTERNATE MARY CARDIN

**MEMBERS ABSENT:** VICE CHAIRMAN SEAN KELLY, SECRETARY ROBERT SANDBERG, JR., REGULAR MEMBER JON MOSER AND ALTERNATE RACHEL DEARBORN

**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):

Michele Rameka, 289 Bridge Street inquired about the proposed solar field at 360 Somers Road, referencing a letter she received about the project. Lisa Houlihan explained the CT Siting Council (CSC) is in receipt of a petition for declaratory ruling for a solar array for a portion of the airport parcel. The solar company reduced the proposal from 4 megawatts to 3 megawatts, which eliminated some panels and reduced the size for the project to 19.2 acres of the parcel. Lisa explained the CSC has sole jurisdiction over the proposal and explained how the public can access the CSC's website and get involved. Chairman Arlo Hoffman noted as a board they are concerned about the reduction of prime agricultural land. Arlo also noted the town extended the sewer line to the airport for industrial uses and suggested residents contact State Representative, Jaime Foster with their concerns. Alternate Mary Cardin noted the CSC just voted on 24 Middle Road project, and it passed to move forward unanimously.

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

1. 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.

Time: 7:11 pm

Seated: Hoffman, Hogan, Francis, Swanson and Cardin

Jose Negron, 71 Sadds Mill Road, was present to represent the application. Jose explained that he is looking to have a garage for the storage of his vehicles and personal property. Lisa Houlihan noted Jose received approval from the Zoning Board of Appeals for a front yard setback variance to keep the location of the proposed garage in line with the front line of the existing house and received approval from North Central District Health Department finding the location to meet separation distance to the well. The commission members did not have any concerns with the proposal. Chairman Arlo Hoffman explained to Jose the garage may not be used for a business

or converted into an accessory dwelling, unless otherwise permitted by regulation and additional approvals obtained. No one from the public spoke regarding the application.

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

**MOVED (HOGAN) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS 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.

**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. 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.

Time: 7:17 pm

Seated: Hoffman, Hogan, Francis, Swanson and Cardin

Reggie Kronstadt (via Zoom) and Perry Gold, ARJI Ellington, LLC, both of 100 Jericho Quad., Suite 220, Jericho, NY were present to represent the application. Reggie stated they have been working with an urgent medical facility that would like to rent 3,250 sf of the building. He noted the medical facility is Go Health, which is affiliated with Hartford Health Care. Reggie said if they are granted approval for the change in use that will leave 1,462 sf vacant for possibly another food retailer. Commissioner Michael Francis asked if the design of the exterior would be changed, Reggie confirmed there will be no changes to the building design. Tom Modzelewski, Director of Public Works, stated they met with the Water Pollution Control Authority (WPCA) and are all set to move forward with the project. No one from the public spoke regarding the application.

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

**MOVED (HOGAN) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE 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.

**IV. OLD BUSINESS: NONE**

**V. NEW BUSINESS:**

1. Letter from Ellington Water Pollution Control Authority (dated July 21, 2023) requesting projects within the sewer service district to be presented to the WPCA before reviewed by any other commissions.

Tom Modzelewski, Director of Public Works, sent the letter dated July 21, 2023, addressed the Department Heads and Board members as requested by the WPCA. The WPCA requests applicants be reviewed by them before any other board, especially for commercial projects, such as the Starbuck building. Lisa Houlihan, Town Planner, explained the standard staff review

process for applications received by the Commission. The Starbucks application may have fell through the cracks given turnover within the Public Works Director position. Chairman Hoffman expressed concern with not letting an applicant apply to one board before the other. After a short round table discussion, it was agreed that applicants could apply simultaneously, and the Planning Department will direct applicants within the sewer district to contact Tom. There's the opportunity to request applicants to present to WPCA through the staff review process too.

## **VI. ADMINISTRATIVE BUSINESS:**

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

**MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED (HOFFMAN AND CARDIN – ABSTAINED) TO APPROVE THE JULY 24, 2023, REGULAR MEETING MINUTES AS WRITTEN.**

2. Correspondence/Discussion:

- a. 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.

Lisa Houlihan, Town Planner, thanked Bill Hogan for his comments and suggestions for the possible mixed-use regulation. The commission should review the Plan of Conservation and Development recommendations. Lisa noted an overlay district regulation could be created. Reggie Kronstadt (via Zoom) ARJI Ellington, LLC, one of the new owners of the Big Y Plaza, mentioned the possibility of having residential on the property as a mixed-use. He noted they have built a few residential developments in the area and sees the need for housing in Ellington. Traditionally, you don't see many residential uses over commercial uses. Commercial tenants don't want their business to be in the back of a parcel, and residential would rather be further away from any main road for privacy. Chairman Hoffman noted there is a policy in place that residential is not allowed in the commercial and industrial zones unless the dwelling is non-conforming prior to the zoning regulations. The commission round tabled and agreed to add the discussion to next month's agenda under New Business.

- b. Robinson + Cole letter (dated August 3, 2023) Notice of Exempt Modification to install two interference mitigation filters on existing cellular tower at 101 Burbank Road, Ellington, CT.
- c. Connecticut Siting Council Petition No. 1558 Decision and Order (dated August 3, 2023) – Community Power Group, LLC, 24 Middle Road, construction of 4.0 MW Solar Photovoltaic Project on approximately 28.4 acres.
- d. Email (dated August 16, 2023) from UConn Extension regarding Upcoming Land Use Commissioner Training Opportunities.

## **VII. ADJOURNMENT:**

**MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING AND ZONING COMMISSION MEETING AT 8:05 PM.**

Respectfully submitted by,

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Barbra Galovich, Recording Clerk