



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, JANUARY 29, 2024, 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: (*Notice requirements met, hearings may commence.*)

1. Z202327 – Danielle Stites, Irene Gilbert, Rick DeCarli, and Judy Norwood, owners/Rick and Daryl DeCarli, applicants, request for zone change from Industrial (I) Zone to Rural Agricultural Residential (RAR) Zone for APN 100-008-0000, 191 Sadds Mill Road APN 100-008-0001 and 189 Sadds Mill Road APN 100-008-0002.
2. S202401 - Tymac Holdings, LLC, owner/Craig Webb, applicant, request for re-subdivision to convey and combine APN 023-001-0000 with 12 Garnet Lane, APN 023-001-0015, Ridge Crossing Subdivision, Rural Agricultural Residential (RAR) Zone.
3. Z202328 – Stephen D. Williams, owner/applicant, request for Special Permit and Site Plan Approval for two rear lots off of Hawks Nest Trail, APN 004-002-0000, Rural Agricultural Residential (RAR) Zone.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. Request to accept public improvements (Garnet Lane), release of performance bond, and establishment of maintenance bond for S202004 Ridge Crossing Subdivision, pursuant to a letter from Tymac Holding, LLC, dated December 5, 2023. (*Tabled Dec. 18, 2023.*)

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the December 18, 2023, Regular Meeting Minutes.
2. Correspondence/Discussion:
 - a. Discuss status of Land Use Commissioner Training, Pursuant to Public Act No. 21-29... Training for Certain Land Use Officials.

VII. ADJOURNMENT:

Next Regular Meeting is scheduled for February 26, 2024.

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/83664259220>

Meeting ID: 836 6425 9220

Passcode: 365814

Join Zoom Meeting by phone:

1-646-558-8656 US (New York)

Meeting ID: 836 6425 9220

Passcode: 365814

Town of Ellington Planning & Zoning Commission Application

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

Application #
2202327
Date Received
11/22/2023

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

Owner's Information
Name: Danielle Stiles → Irene Gilbert
Mailing Address: 191 Sadds Mill Rd → Manchester
Ellington → Judy Warwood
1171 Dogleg Dr.
Email: dcarlidanille@gmail.com → venice FL

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: Rick + Daryl DeCarli
Mailing Address: 189 Sadds Mill Rd
Ellington
Email: dcarlifarm@gmail.com

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

Primary Contact Phone #: 860-878-9275 (Dani)
Secondary Contact Phone #: 860-309-1597 (Aine)
Signature: Richard DeCarli Date: 11/22/23

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

Primary Contact Phone #: 860-878-9274
Secondary Contact Phone #: 860-878-5401
Signature: Daryl DeCarli Date: 11/22/23

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.

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: 189 + 191 Sadds Mill Rd + DeCarli Berocable Trust

Assessor's Parcel Number (APN): 100 - 008 - 0000 Existing Zone: I Proposed Zone: RAR
(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)

Change Rick + Daryl DeCarli, Danielle DeCarli's, and DeCarli Berocable Land Trust Land that's Industrial back to RAR as it should be with the land being used for farming as it always has.

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NOV 22 2023
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PLANNING DEPARTMENT

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PLANNING DEPARTMENT



Daryl Decarli <decarlifarm@gmail.com>

Re: Zone Change

1 message

rnorwoody@aol.com <rnorwoody@aol.com>

To: Daryl Decarli <decarlifarm@gmail.com>

Wed, Nov 22, 2023 at 9:57 AM

I, Judy Norwood as co-trustee of the DeCarli Revocable Land Trust agree to the zone change from industrial to rural/agricultural. My address is 1711 Dog Leg Drive, Venice FL, 34285. Phone is 860-882-4516. Email is rnorwoody@aol.com. Please note the beginning of the email is r n, not an m. You don't need both of our signatures. Rene's will be sufficient.

Judy

On Wednesday, November 22, 2023 at 09:18:04 AM EST, Daryl Decarli <decarlifarm@gmail.com> wrote:

Rene, Judy,

I failed to get your guys signature on the zone change application form. Submitting application this morning. Can you both respond to this email with your approval for the DeCarli Revocable Land Trust Industrial land to be changed to Rural Agriculture? And please provide address, phone #, and email address with your approval reply as that info is asked for on the application as well. I wrote it in, but it's hard to read as the space provided is tiny.

Thanks,
Daryl

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NOV 22 2023
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PLANNING DEPARTMENT

RECEIVED

1168

2007 MAY 14 A 9:05

QUIT CLAIM DEED - STATUTORY FORM

RECORDED IN ELLINGTON
LAND RECORDS

VOL 381 PAGE 1142-1143

KNOW YE, That, I, Daryl A. DeCarli of the Town of Ellington, County of Tolland of the State of Connecticut,

for consideration paid,

Grant to RICHARD J. DeCARLI of the Town of Ellington, County of Tolland and State of Connecticut

with QUIT-CLAIM COVENANTS

A certain piece or parcel of land situated in the apparent northerly side of Connecticut Route 140 a/k/a Sadds Mill Road, in the Town of Ellington, County of Tolland and State of Connecticut, and being further bounded and described as follows:

BEGINNING at an iron pin set in the apparent general northerly line of Connecticut Route 140 a/k/a Sadds Mill Road which iron pin marks a southwesterly corner of the premises herein described and a southeasterly of land now or formerly of Helen DeCarli and is 95.84 feet easterly of a CHD monument; thence along four courses along said land now or formerly of Helen DeCarli as follows: N. 37° 07' 19" E. a distance of 175.78 feet to a point; thence N. 50° 14' 56" W. a distance of 66.00 feet to a point; thence N. 18° 01' 56" W. a distance of 26.09 feet to a point; thence N. 38° 36' 56" E. a distance of 43.80 feet to an iron pin; thence continuing along line of other land of the Grantors N. 38° 36' 56" E. a distance of 81.14 feet to a point; thence N. 50° 29' 11" W. a distance of 224.98 feet to a point; thence along eight courses along land now or formerly of Connecticut Resources Recovery Authority as follows: N. 12° 45' 15" W. a distance of 66.00 feet to an iron pin; thence N. 09° 59' 31" W. a distance of 112.59 feet to an iron pin; thence N. 63° 15' 22" E. a distance of 37.63 feet to a point; thence N. 60° 20' 40" E. a distance of 34.33 feet to an iron pin; thence N. 00° 51' 29" W. a distance of 52.52 feet to an iron pin; thence N. 05° 25' 53" E. a distance of 43.76 feet to an iron pin; thence N. 02° 57' 18" W. a distance of 58.75 feet to an iron pin; thence N. 04° 55' 34" E. a distance of 58.30 feet to an iron pin; thence along two courses along land now or formerly of DeCarli, Inc. N. 86° 56' 45" E. a distance of 136.19 feet to an iron pin or fence post; thence N. 69° 08' 01" E. a distance of 895.29 feet to a point; thence along three courses along other land of the Grantors as follows: S. 52° 52' 42" E a distance of 247.06 feet to a point; thence S. 37° 07' 18" W. a distance of 1406.70 feet to a point; thence N. 52° 52' 42" W. a distance of 100 feet to a point; thence S. 37° 07' 18" W. a distance of 199.03 feet to an iron pin set in the northerly line of Connecticut Route 140 a/k/a; thence continuing in a general westerly direction along the northerly line of Connecticut Route 140 along the arc of a circular curve to the left the radius of which is 656.34 feet and delta equals 17° 49' 58" a distance of 204.28 feet to the iron pin which marks the point and place of beginning.

SAID parcel is more particularly bounded and described on a map entitled "Reconfiguration Plan DeCarli Farm Property Of Helen DeCarli, et al. Richard J. & Daryl A. DeCarli & DeCarli Revocable Trust 189 Sadds Mill Road Ellington, Connecticut Asses. #100-008-0000, 0001, & 0002 Zone: 1 & RA J.R. RUSSO & ASSOCIATES Land Surveyors & Professional Engineers 1 SHOHAM ROAD EAST WINDSOR, CONNECTICUT 06088 (860) 623-0569 FAX: (860) 623-2485 BY RLS/LF SCALE 1"=100' DATE 7-25-06 SHEET 1 OF 1 NO. 2005-119"

EXCEPTING therefrom that portion of the land conveyed to Richard J. and Daryl A. DeCarli by deed recorded in Volume 211 at Page 912.

SAID newly conveyed parcel contains 14.90 acres and their combined parcel contains 18.28 acres or 796,352 sq. ft.

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PLANNING DEPARTMENT

NO CONVEYANCE TAX COLLECTED

Diane McKenna
TOWN CLERK OF ELLINGTON

BEING a portion of the land described in a Quitclaim Deed dated March 26, 1994 and recorded in the Ellington Land Records in Volume 208, Page 241, and a deed of DeCarli, Inc. to the Grantors herein dated and recorded June 13, 2006 and recorded in the Ellington Land Records in Volume 369, Page 736 (Parcel C).

SIGNED this 11th day of May, 2007.

Witnesses:

Atherton B. Ryan
Atherton B. Ryan

Daryl A. DeCarli
Daryl A. DeCarli

William C. Stokesbury
William C. Stokesbury

STATE OF CONNECTICUT)
) ss. Tolland
COUNTY OF TOLLAND)

On this the 11th day of May, 2007, before me, the undersigned officer, Personally Appeared known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained as their free act and deed.

IN WITNESS WHEREOF, I hereunto set my hand.

Atherton B. Ryan
Atherton B. Ryan,
Commissioner of the Superior Court

Grantee's latest address:
189 Sadds Mill Road
Ellington, CT 06029

RECEIVED May 14 2007
AT 9:05 am
Quoni M. McKee
TOWN CLERK

JUN 14 P 3:32

QUIT CLAIM DEED - STATUTORY FORM, RECORDED IN ELLINGTON LAND RECORDS

KNOW YE, That, DeCarli, Inc., a Connecticut Corporation with its principal place of business in the of the Town of Ellington, County of Tolland State of Connecticut acting herein by EDWARD DeCARLI, its President hereunto duly authorized.

for consideration paid,

grant to Judith D. Norwood, of the Town of Ellington, County of Tolland and Irene H. Gilbert, of the Town of Manchester, County of Hartford, both of the State of Connecticut as Co-Trustees of the DeCarli Revocable Trust

with QUIT-CLAIM COVENANTS

A certain piece or parcel of land, titled Parcel C with the buildings thereon, situated in the Town of Ellington and being further bounded and described as follows:

SEE ATTACHED SCHEDULE "A"

SAID premises are subject to any and all provisions of any ordinance, municipal regulation, or public or private law.

REFERENCE is hereby made to a Quitclaim Deed from DeCarli, Inc and dated Jan. 3rd, 2006 and recorded in the Ellington Land Records in Volume 369, Page 729.

SIGNED this day of 2006.

DeCARLI, INC.

Handwritten signatures of Douglas K. Martin and Steven M. Ford.

Handwritten signature of Edward DeCarli, its President.

STATE OF CONNECTICUT)
COUNTY OF TOLLAND) ss.

On this the 13th day of June, 2006, before me, the undersigned officer, Personally Appeared Edward DeCarli, who acknowledged himself to be the President of DeCARLI, INC., a Corporation, and that he as such officer being authorized so to do, executed the foregoing Instrument for the purposes therein contained, by signing the name of the corporation by himself as President.

IN WITNESS WHEREOF, I hereunto set my hand.

Handwritten signature of Steven M. Ford, Commissioner of the Superior Court.

NO CONVEYANCE TAX COLLECTED

Handwritten signature of Dawni McKeon, TOWN CLERK OF ELLINGTON

RECEIVED NOV 22 2023

TOWN OF ELLINGTON PLANNING DEPARTMENT

SCHEDULE A

PARCEL C:

SAID Parcel "C" is more particularly bounded and described as follows:

BEGINNING at an iron pin set in the apparent general Northerly line of Sadds Mill Road a/k/a Connecticut Route 140 which iron pin marks a Southwesterly corner of Parcel "C"; thence North 20° 41' 57" West along said highway line a distance of 14.05 feet to a CHD monument; thence along the arc of a circular curve to the left marking the highway line the radius of which is 656.34 feet, a distance of 24.39 feet to an iron pin at a Southeast corner of land now or formerly of Richard J. DeCarli and Daryl A. DeCarli; along said DeCarli 3 courses; thence North 37° 07' 18" East, a distance of 640.85 feet to an iron pin; thence North 50° 14' 57" West a distance of 267.35 feet to an iron pin; thence South 38° 36' 56" West a distance of 342.43 feet to an iron pin; thence North 50° 29' 11" West a distance of 211.17 feet to an iron pin in line of land of Connecticut Resources Recovery Authority (CRRA); thence along CRRA 9 courses North 28° 59' 10" East a distance of 82.52 feet to a point; thence North 12° 45' 15" West a distance of 66.00 feet to an iron pin; thence North 09° 59' 31" West a distance of 112.59 feet to an iron pin; thence North 63° 15' 22" East a distance of 37.63 feet to a point; thence North 60° 20' 40" East a distance of 34.33 feet to an iron pin; thence North 00° 51' 29" West a distance of 52.52 feet to an iron pin; thence North 05° 25' 53" East a distance of 43.76 feet to an iron pin; thence North 02° 57' 18" West a distance of 58.75 to an iron pin; thence North 82° 53' 37" East feet to an iron pin; thence North 04° 55' 34" East a distance of 58.30 feet to an iron pin in line of Parcel "A"; thence along Parcel A 4 courses; North 86° 56' 45" East a distance of 136.19 feet to a fencepost set by owners; thence North 69° 08' 01" East a distance of 1600.99 feet to a fencepost set by owners; thence North 53° 10' 26" East a distance of 321.90 feet to an iron pin in line of land now or formerly of Andrew J. Gale et al; thence along said Gale 5 courses; South 02° 50' 34" East a distance of 162.57 feet to an iron pin; thence North 86° 55' 06" East a distance of 117.97 feet to an iron pin; thence North 74° 09' 36" East a distance of 96.48 feet to an iron pin; thence South 02° 15' 14" East a distance of 316.01 feet to an iron pin; thence North 88° 25' 46" East a

distance of 567.64 feet to an iron pin; thence South 16° 58' 03" West a distance of 395.31 feet along Parcel "B" to an iron pin; thence North 89° 19' 56" East still along Parcel "B" a distance of 540.00 feet to an iron pin in the Westerly line of Green Road; thence along Green Road 4 courses; South 16° 58' 3" West a distance of 38.63 feet to an iron pin; thence South 21° 19' 59" West a distance of 176.58 feet to an iron pin; thence South 26° 51' 49" West a distance of 133.59 feet to an iron pin; thence South 29° 13' 11" West a distance of 408.77 feet to an iron pin; thence along land now or formerly of Sadds Mill Associates 8 courses; North 48° 17' 15" West a distance of 8.10 feet to an iron pin; thence North 79° 30' 18" West a distance of 800.58 feet to an iron pin; thence South 02° 46' 37" West a distance of 230.55 feet to an iron pin; thence South 78 18' 26" West a distance of 140.38 feet to an iron pin; thence South 06° 10' 07" West a distance of 265.13 feet to an iron pin; thence South 67° 32' 39" West a distance of 228.61 feet to an iron pin; thence South 86° 45' 00" West a distance of 885.64 feet to an iron pin; thence South 89° 31' 11" West a distance of 370.74 feet to an iron pin in the northerly line of Sadds Mill Road; thence North 55° 29' 24" West along said Sadds Mill Road a distance of 250.02 feet to the iron pin that marks the point and place of beginning.

SAID Parcel "C" is subject to an easement in favor of Connecticut Light & Power recorded in Volume 69, Page 622 of the Ellington Land Records.

SAID Parcel "C" is more particularly bounded and shown on a map or plan entitled "Agricultural Subdivision Plan prepared for DeCarli Revocable Trust & DeCarli, Inc. Southern Area Sadds Mill Road & Green Road, Ellington, Connecticut Asses. #100-008-0000 Zone: I & RA J.R. Russo & Associates, Land Surveyors & Professional Engineers 1 Shoham Road East Windsor, Connecticut 06088 Scale 1"= 100' Date 1-24-06 Sheet 2 and 3 of 3 No. 2005-119", which map is being filed coincidentally with this deed.

W:\REAL\DeCarli description.doc

RECEIVED June 14 2006
AT 3:32 pm
Quoni H. McKeehan
TOWN CLERK

RECEIVED
NOV 22 2023
TOWN OF ELLINGTON
PLANNING DEPARTMENT



After recording, return to:

QUIT-CLAIM DEED -STATUTORY FORM

KNOW YE, That I, **RICHARD J. DeCARLI**, of Ellington, Connecticut

for consideration paid, being less than \$2,000

grant to **DANIELLE STITES** of the Town of Ellington, County of Tolland and State of Connecticut

with **QUIT-CLAIM COVENANTS**

all of my right, title and interest in and to that certain piece or parcel of land known as 191-193 Sadds Mill Road more particularly bounded and described as follows:

FIRST PIECE: Commencing at an iron pin set in the Easterly line of Connecticut Route #140, at the Westernmost corner of the premises herein described and the Southernmost corner of land nor or formerly of Stanley and Mary B. Pawlowski; thence Easterly along line of land of said Pawlowski 157.80 feet to an iron pin; thence at an interior angle of $271^{\circ} 27' 00''$ with said last mentioned line 81.20 feet to an iron pin; thence at an interior angle of $246^{\circ} 29' 00''$ with said last mentioned line, 25.70 feet to an iron pin; thence at an interior angle of $63^{\circ} 07' 00''$ with said last mentioned line 81.80 feet to an iron pin; thence at an interior angle of $155^{\circ} 04' 00''$ with said last mentioned line, 18.34 feet to an iron pin (the last four courses also being along land of said Pawlowski); thence at an interior angle of $78^{\circ} 20' 25''$ with said last mentioned line 211.17 feet to an iron pin; thence at an interior angle of $90^{\circ} 53' 50''$ with the last mentioned line 43.80 feet to an iron pin; thence at an interior angle of $235^{\circ} 38' 55''$ with said last mentioned line 26.09 feet to an iron pin; thence by an interior angle of $212^{\circ} 13' 00''$ with said last mentioned line 66.00 feet to an iron pin; thence by an interior angle of $92^{\circ} 37' 45''$ with the last mentioned line 175.62 feet to an iron pin set in the Easterly line of Connecticut Route #140; thence Northwesterly along said highway line 175.00 feet to the point and place of beginning.

Reference is made to a Quit-Claim deed of Helen D. DeCarli to Judith D Norwood et al dated April 29th, 2004 and recorded in Vol. 341, Page 302.

SECOND PIECE: Beginning at an iron pin which marks a southeasterly corner of the premises herein described, a northeasterly corner of other land of the Grantees and being in line of land formerly of Richard J. and Daryl A. DeCarli; thence N. $50^{\circ} 29' 11''$ W. along other land of the Grantees a distance of 211.17 feet to an iron pin in line of land of Connecticut Resources Recovery Authority; thence N. $28^{\circ} 59' 10''$ E. a distance of 82.52 feet to a point; thence S. $50^{\circ} 29' 11''$ E. along land now or formerly of Richard J. and Daryl A. DeCarli being land formerly of the Grantors a distance of 224.98 feet ;thence S. $38^{\circ} 36' 56''$ W. along line of land of Richard J. and Daryl A. DeCarli a distance of 81.14 feet to the iron pin that marks the point and place of beginning.

NOV 22 2023

NO CONVEYANCE TAX COLLECTED

TOWN OF ELLINGTON
PLANNING & ZONING DEPARTMENT

Daniel H. McKee
ELLINGTON TOWN CLERK/ASST

Said parcel is more particularly bounded and described on a map entitled "Reconfiguration Plan DeCarli Farm Property of Helen DeCarli, et al, Richard J & Daryl A. DeCarli & DeCarli Revocable Trust 189 Sadds Mill Road Ellington, Connecticut Assess. #100-008-0000, 0001, & 0002 Zone: 1 & RA J.R. Russo & Associates Land Surveyors & Professional Engineers 1 Shoham Road East Windsor, Connecticut 06088 (860) 623-0569 FAX: (860) 623-2485 By RLS/LF Scale 1"=100' date 7-25-06 Sheet 1 of 1 No. 2005-119"

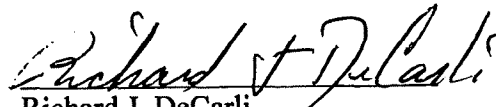
Said parcel second contains 0.41 acres of 17,693 sq. ft.

Reference is made to a Quit-Claim deed of Judith D. Norwood, Trustee et al to Richard J. DeCarli et al dated August 29, 2006 recorded in Vol 373, Page 640 and a Quit Claim deed of Richard and Daryl DeCarli to the Grantors dated May 12, 2017 and recorded in the Ellington Land Records, Vol. 484, Pg. 567.

The premises herein are conveyed subject to an easement in favor of Richard j. DeCarli, and Daryl A. DeCarli, owners of land lying easterly and northerly of the granted premises, for access and use of an existing driveway by foot, vehicle or otherwise of an area twenty (20) feet in width along the easterly line of the property herein conveyed extending from Sadds Mill Road northerly to other land of Richard J. DeCarli et ux and an additional area including a twenty (2) foot access area along the entire northerly property line extending from easterly property line westerly to a point opposite the westerly side of the "Blue Barn" so-called on land of Richard J. DeCarli et ux providing access to the "Blue Barn".

All said premises are subject to any and all provisions of any ordinance, municipal regulation or public or private law.

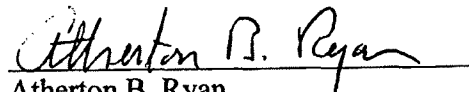
SIGNED this 20th day of December, 2020.


Richard J. DeCarli

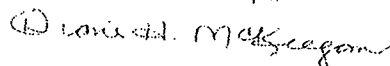
STATE OF CONNECTICUT)
)
) ss: ELLINGTON
COUNTY OF TOLLAND)

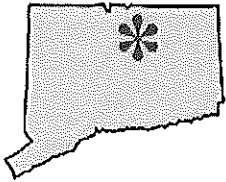
On this 20th day of December, 2020, before me, Atherton B. Ryan, the undersigned officer, personally appeared, RICHARD J. DeCARLI, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained, as his free act and deed.

In Witness Whereof, I hereunto set my hand and official seal.


Atherton B. Ryan
Commissioner of the Superior Court

Received for Record at Town of Ellington, CT
On 02/05/2021 At 12:14:00 pm





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

Plan Approval

For

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

189	Sadds Mill Rd	Ellington		
Street #	Street Name	Town		
Rick & Daryl Decarli	189 Sadds Mill Rd	Ellington	CT	
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 1/10/2024, to construct a Subdividing property as shown on plan received 12/1/2023.**

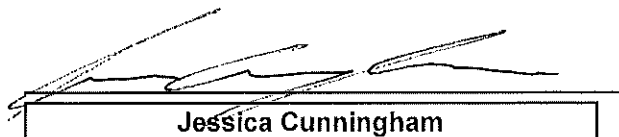
The plan submitted to the NCDHD office dated 11/15/2023 prepared by Zuvic shows existing wells and septic systems with a code compliant reserve area for the septic system on both lots.

The septic system inspection report by Skips Wastewater Services shows the two systems to be functioning properly. The well water reports show the water quality to be within range.

This department recommends the regular cleaning and inspection of your septic tank and periodic water quality testing of your well water.

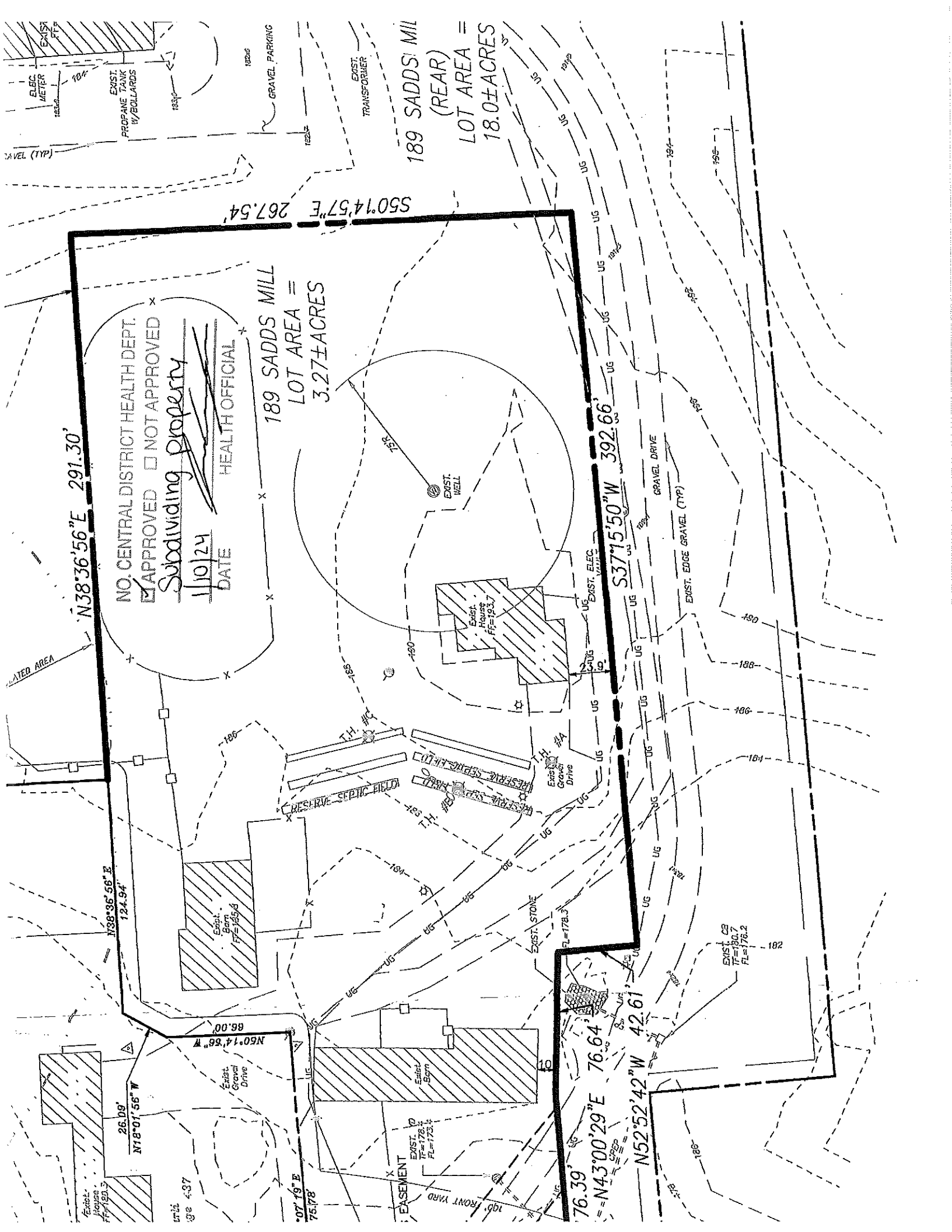
Please Note that the above approval indicates compliance with Connecticut Public Health Requirements. Any other permits required from Zoning, Inland Wetlands or Building Officials are not ensured by this approval.

Approved by:



Jessica Cunningham

Sanitarian



189 SADD'S MILL
(REAR)
LOT AREA =
18.0±ACRES

189 SADD'S MILL
LOT AREA =
3.27±ACRES

NO. CENTRAL DISTRICT HEALTH DEPT.
 APPROVED NOT APPROVED
 Subdividing Property
 11/10/24
 DATE
 HEALTH OFFICIAL

N38°36'56" E 291.30'

S50°14'57" E 267.54'

S37°5'50" W 392.66'

N43°00'29" E 76.64'

N52°52'42" W 42.61'

N38°36'56" E 124.94'

N18°01'56" W 26.09'

N60°14'56" W 66.00'

S07°19' E 75.178'

EASEMENT
EXIST. TO
TR=178.3
FL=178.3

100' FRONT YARD

RESERVE SEPTIC FIELD
RESERVE SEPTIC FIELD

EXIST. HOUSE
FF=193.7

EXIST. BARN
FF=189.4

EXIST. BARN
FF=178.3

EXIST. CB
TR=180.7
FL=176.2

ELEC. METER
EXIST. PROPRANE TANK W/BOLLARDS
183.00'

GRAVEL PARKING

EXIST. TRANSFORMER

EXIST. WELL

EXIST. ELEC. VARIATOR

EXIST. GRAVEL DRIVE

EXIST. STONE

GRAVEL DRIVE

EXIST. EDGE GRAVEL (TYP)

GRAVEL AREA

EXIST. HOUSE
FF=180.3

URB. ZONE 4-37

EASEMENT

100' FRONT YARD

100' FRONT YARD

100' FRONT YARD

100' FRONT YARD

100' FRONT YARD

100' FRONT YARD

100' FRONT YARD

100' FRONT YARD

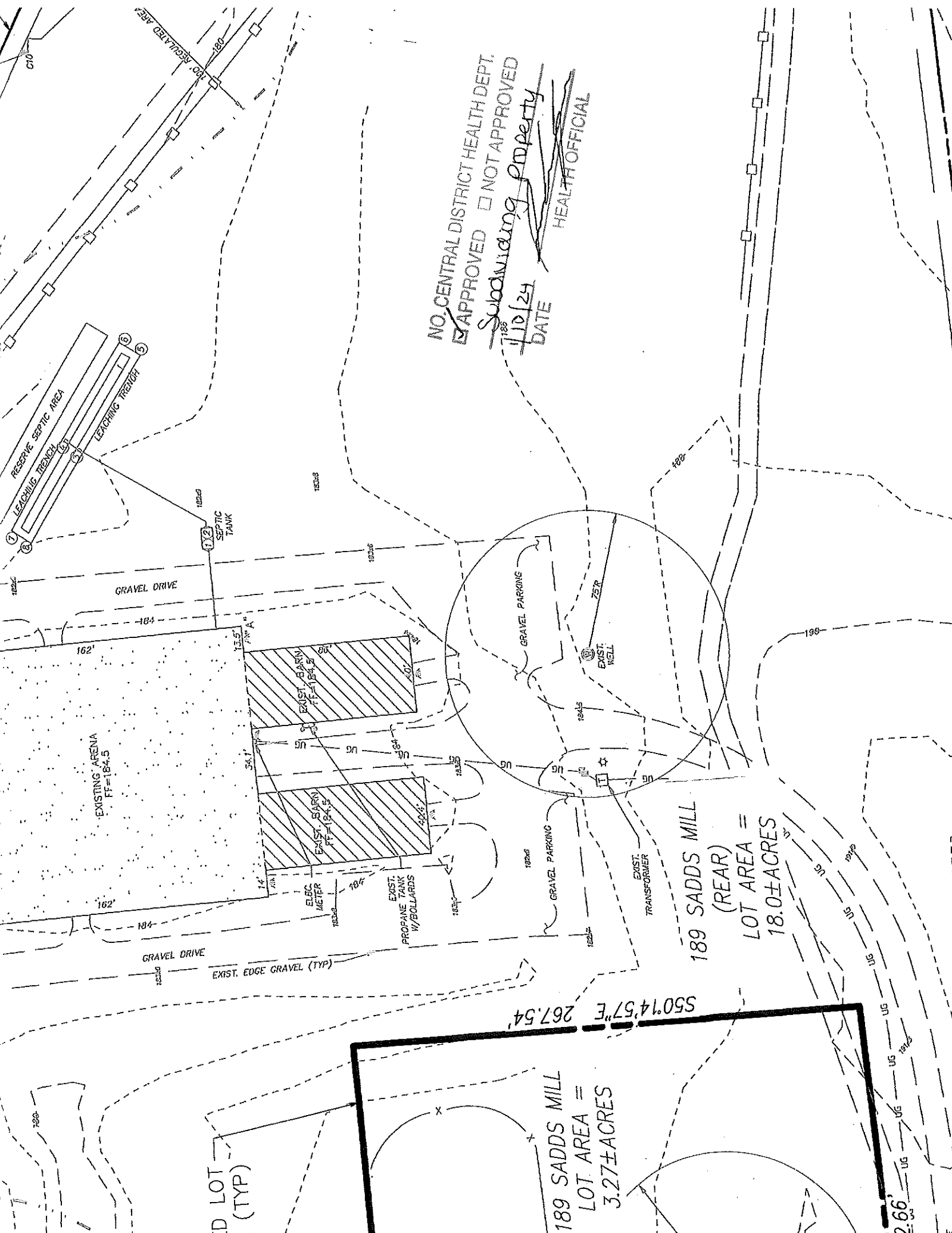
100' FRONT YARD

100' FRONT YARD

100' FRONT YARD

100' FRONT YARD

NO. CENTRAL DISTRICT HEALTH DEPT.
 APPROVED NOT APPROVED
 Submitting property
 11/10/24 DATE
 HEALTH OFFICIAL



D LOT (TYP)

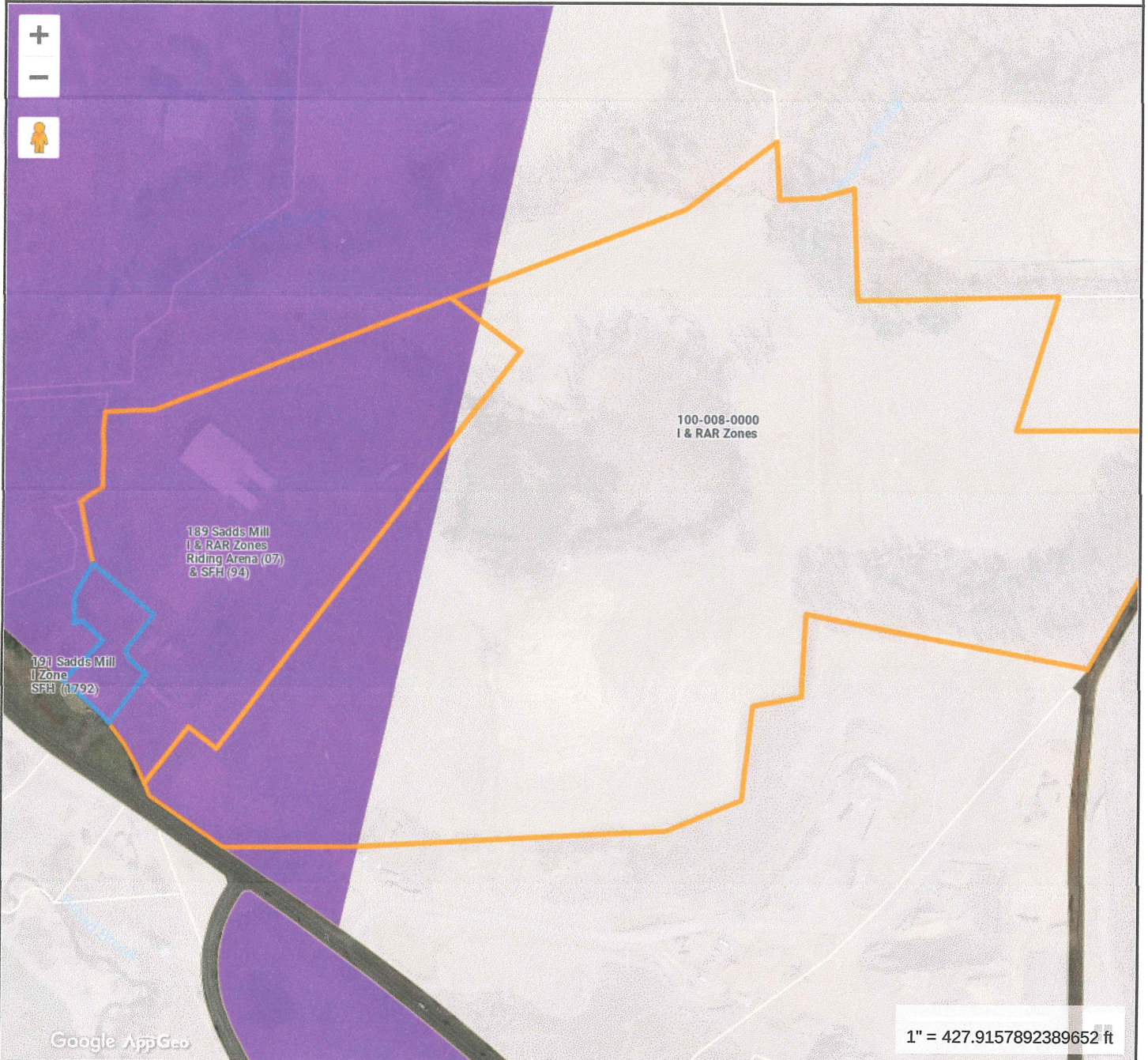
189 SADDLS MILL
 LOT AREA =
 3.27±ACRES

189 SADDLS MILL
 (REAR)
 LOT AREA =
 18.0±ACRES

550°14'57"E 267.54'

2.66'

Z202327 - Sadds Mill Properties - Zone Change App



Property Information

Property ID 100 008 0001
Location 191 SADDs MILL RD
Owner STITES DANIELLE



**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.

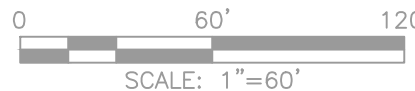
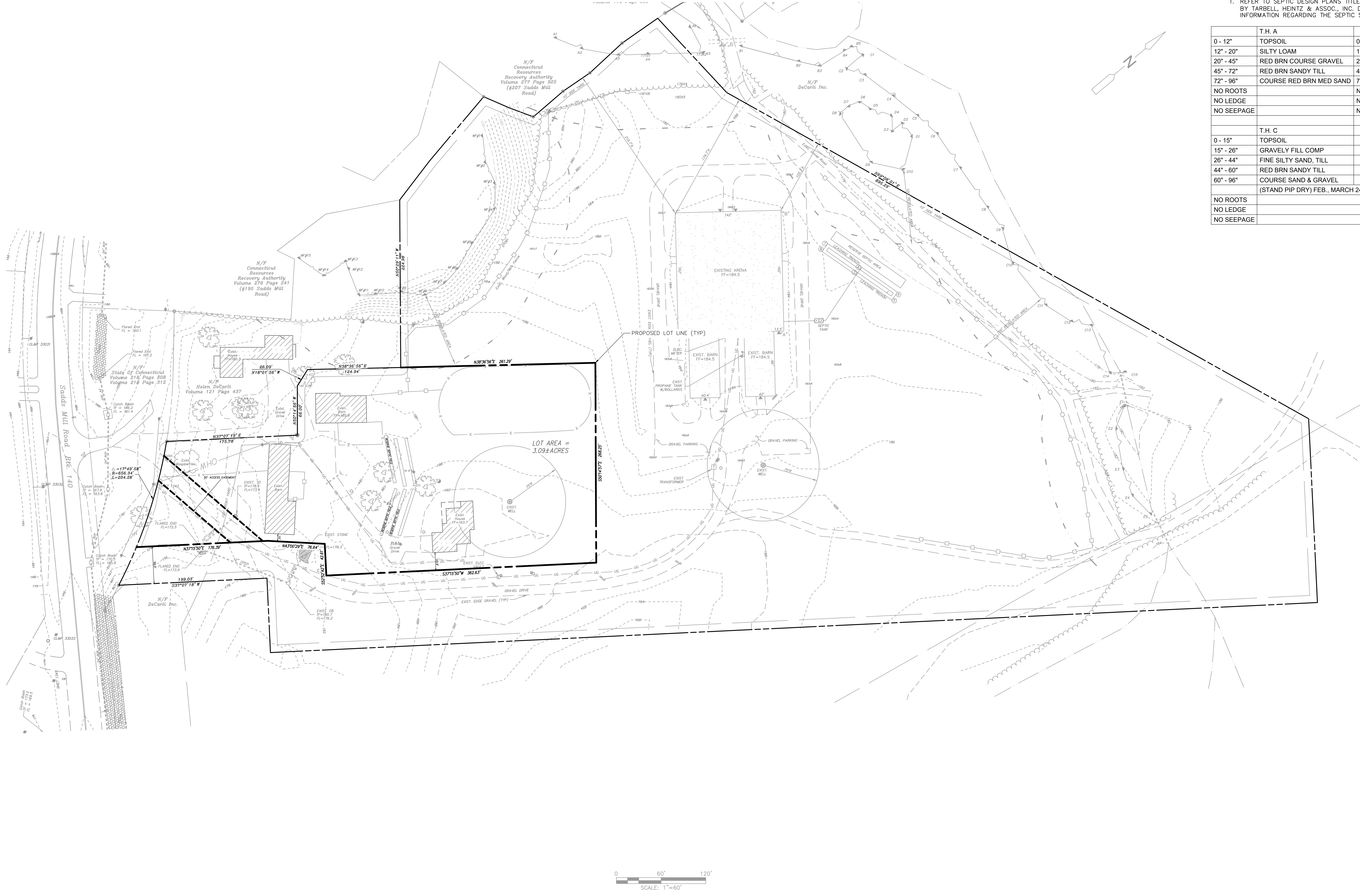
Geometry updated 11/11/2021
Data updated daily

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

GENERAL NOTES

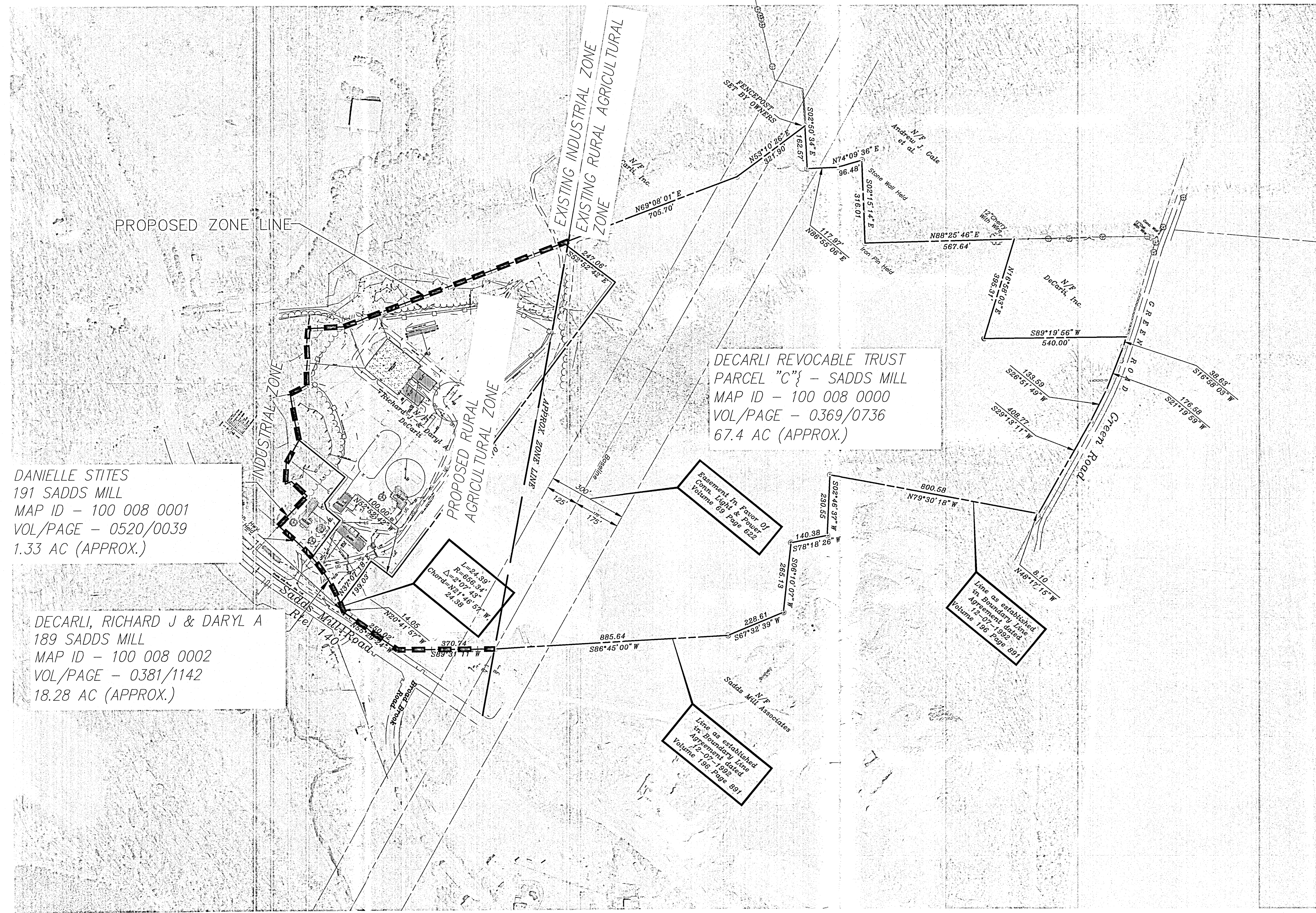
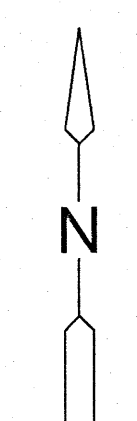
1. REFER TO SEPTIC DESIGN PLANS TITLED "SEPTIC DESIGN PERMIT PLAN" PREPARED BY TARBELL, HEINTZ & ASSOC., INC. DATED 4/20/94 FOR ADDITIONAL INFORMATION REGARDING THE SEPTIC SYSTEM.

	T.H. A		T.H. B
0 - 12"	TOPSOIL	0 - 12"	TOPSOIL
12" - 20"	SILTY LOAM	12" - 20"	SILTY LOAM
20" - 45"	RED BRN COURSE GRAVEL	20" - 45"	RED BRN COURSE GRAVEL
45" - 72"	RED BRN SANDY TILL	45" - 72"	RED BRN SANDY TILL
72" - 96"	COURSE RED BRN MED SAND	72" - 96"	COURSE RED BRN MED SAND
NO ROOTS		NO ROOTS	
NO LEDGE		NO LEDGE	
NO SEEPAGE		NO SEEPAGE	
	T.H. C		
0 - 15"	TOPSOIL		
15" - 26"	GRAVELLY FILL COMP		
26" - 44"	FINE SILTY SAND, TILL		
44" - 60"	RED BRN SANDY TILL		
60" - 96"	COURSE SAND & GRAVEL		
	(STAND PIP DRY) FEB., MARCH 24, 1994 & APR 4, 1994		
NO ROOTS			
NO LEDGE			
NO SEEPAGE			



FILE PATH: H:\Zuvc\Proposals\2023\Proposals\2023\23272 - Decarli Lot Line Amendment\AutoCAD\SV\23272 - Decarli Lot Line Amendment.dwg PLOT DATE: 11/20/2023 PLOT TIME: 2:01:39 PM

PROJECT NO.: <u>23272</u> DESIGNED BY: <u>FW</u> DRAWN BY: <u>KN</u> SHEET CHK'D BY: <u>JT</u> CROSS CHK'D BY: <u>FW</u> APPROVED BY: <u>JT</u> DATE: <u>11/15/2023</u>				PREPARED FOR: RICHARD J. DECARLI & DARYL A. DECARLI 189 SADDIS MILL ROAD ELLINGTON, CT 06029		PREPARED BY: zuvic <small>INFRASTRUCTURE SOLUTIONS</small> 40 Cold Spring Road, Suite 1, Rocky Hill, CT 06067 (860)436-4901 WWW.ZUVIC.COM		LOT LINE REVISION 189 SADDIS MILL ROAD ELLINGTON, CT 06029		SHEET NO.	
REV. NO.	DATE	DRWN	CHKD	REMARKS							



DECARLI REVOCABLE TRUST
 PARCEL "C" - SADDIS MILL
 MAP ID - 100 008 0000
 VOL/PAGE - 0369/0736
 67.4 AC (APPROX.)

DANIELLE STITES
 191 SADDIS MILL
 MAP ID - 100 008 0001
 VOL/PAGE - 0520/0039
 1.33 AC (APPROX.)

DECARLI, RICHARD J & DARYL A
 189 SADDIS MILL
 MAP ID - 100 008 0002
 VOL/PAGE - 0381/1142
 18.28 AC (APPROX.)

FILE PATH: H:\zuvic\Proposals\2023\Proposals\23272 - Decarli Lot Line Amendment\AutoCAD\23272_Decarli LTR.dwg PLOT DATE: 11/22/2023 PLOT TIME: 10:38:07 AM

REV. NO.	DATE	DRWN	CHKD	REMARKS

PROJECT NO.: 23272
 DESIGNED BY: FW
 DRAWN BY: KN
 SHEET CHK'D BY: JT
 CROSS CHK'D BY: FW
 APPROVED BY: JT
 DATE: 11/15/2023

PREPARED FOR:
RICHARD J. DECARLI & DARYL A. DECARLI
 189 SADDIS MILL ROAD
 ELLINGTON, CT 06029

PREPARED BY:

40 Cold Spring Road, Suite 1, Rocky Hill, CT 06067
 (860)434-9011 WWW.ZUVIC.COM

ZONING MAP REVISION
 189 & 191 SADDIS MILL ROAD AND
 PORTIONS OF PARCEL "C" SADDIS MILL ROAD
 ELLINGTON, CT 06029

SHEET NO.

Town of Ellington Planning & Zoning Commission Subdivision Application

RECEIVED

JAN 08 2024

TOWN OF
PLANNING

Application #

5202401

Date Received

1/8/24

SUBDIVISION NAME: RIDGE CROSSING
LOCATION: 12 Garnet Ln new Parcel 023-001-0000
ASSESSOR'S PARCEL NUMBER (APN): 023 - 001 - 0015 (If unaware of APN, ask staff for assistance)
023 - 001 - 0000

Application: Subdivision Re-subdivision Modification **Approval Requested:** Final Conditional

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

Owner's Information

Name: TYMAC, LLC
Mailing Address: 7 Azalea Ln
Ellington CT 06029
Email: _____

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

Primary Contact Phone #: 773-456-3786

Secondary Contact Phone #: 312-404-3747

Signature: Rebecca Smith **Date:** 1/3/24

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: CRAIG WEBB
Mailing Address: 12 Garnet Ln
Ellington, CT 06029
Email: WEBB577@hotmail.com

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

Primary Contact Phone #: 860-209-6836

Secondary Contact Phone #: S/A

Signature: Craig Webb **Date:** 1/1/24

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.

Total Acreage of Property: ^{Proposed:} 39.99 **Zone of Property:** RAR **Required Density Factor (R/LR =.6, RAR =.5):** 0.5

Open Space Proposal (check one): 10% Land Set-Aside Fee in Lieu of Land Combination N/A

Amount (square feet & acres): >25% **Slopes:** N/A **Wetlands & Watercourses:** N/A **100-Year Floodplain:** N/A

Developable Land: N/A **Lot Yield:** N/A **Remaining Land:** N/A **Area to be subdivided:** N/A

of Proposed Development Lots: 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). If within a public sewer area, application for division must include conceptual approval from the Ellington Water Pollution Control Authority.*

Is parcel located 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.*

Are there any wetlands/watercourses on the property proposed for development but not within 100' of construction activity or 250' of construction activity when located in the Shenipsit Lake Drainage Basin? Yes No *If yes, state law requires notice 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 w/in 7 days of application (§8-3i(b)). Copy of application, plans, and support documents must accompany notice. Proof of notice and copies of return receipts must be provided to the Planning Department.*

Town of Ellington
Planning and Zoning Commission
57 Main St
Ellington, CT 06029

Craig Webb
12 Garnet Lane
Ellington, CT

January 11, 2024

Members of the Planning and Zoning Commission,

As part of the Ridge Crossing subdivision, parcel 023-001-0000 is intended and scheduled to transfer to the town of Ellington upon completion of the subdivision and full release of the existing bond. This parcel consists of 2.15 acres of land and includes the retention basin for the street's storm system as well as a gravel access road to the cul-de-sac on Garnet Lane. It is bordered on 3 sides by my property, parcel 023-001-0015, which was originally Ridge Crossing lot 6, and is presently 12 Garnet Lane. I have submitted an application for re-subdivision of the two parcels, proposing the assimilation of parcel 023-001-0000 into parcel 023-001-0015 and the deletion of the existing boundary lines of that parcel to the west, north and east. This action would take parcel 023-001-0015 from 37.84 acres to 39.99 acres and provide numerous tangible benefits to both Garnet Lane and the town of Ellington. These details are outlined below.

- This action has the full support and endorsement of both the existing property owner, TYMAC Holdings, LLC and the developer, Leaska Construction.
- 12 Garnet Lane is a sizable parcel, but much of the land is wetlands, marsh, scrub and is otherwise unusable, particularly for agricultural purposes. The assimilation of this parcel would provide for additional flat, dry and usable land for agriculture and allow the existing parcel to be used to its full potential as much as possible in a contiguous configuration.
- To fully utilize the available land for agricultural purposes, a barn or other outbuilding would be tremendously beneficial. Assimilation of this parcel would eliminate the existing boundary lines and create the ideal space for a barn, in a usable and accessible area, without concern for setbacks, variances or encroachment into 100' upland review area or wetlands.
- Assimilation of this parcel would add direct road frontage and provide direct access to the remainder of the parcel without having to traverse a residential yard and navigate an excessively steep slope, increasing the true potential of the parcel, particularly to agricultural endeavors.
- Assimilation of the parcel would provide for the routine maintenance and landscaping of the grounds by the property owner without burdening the town, increasing curb appeal and perspective by abutting property owners and controlling if not eliminating costs for public works. The property owner has been maintaining this parcel in this capacity for the past year.
- The assimilation of the parcel would provide for the opportunity for deeded definitive access control, reducing, if not eliminating trespassing by individuals and motor vehicles (dirt bikes,

ATV's, etc) and significantly reducing exposure to liability to the property owner (this is presently a significant issue).

- The town of Ellington would maintain full rights to access, assess, evaluate and repair any and all systems associated with the drainage system and retention pond, as well as maintain the right to discharge storm water across the property, secured by deeded easement.

In consideration of the aforementioned, as well as many other subjective benefits to the town of Ellington, Garnet Lane and the property owner, I request that the re-subdivision plan be accepted as submitted. If I can provide any additional details or information, please reach out at any time. Thank you for your time and consideration.

Sincerely,

Craig Webb
860.209.6836
webb577@hotmail.com

ELLINGTON PLANNING DEPARTMENT
STAFF REVIEW SHEET

PLANNING & ZONING COMMISSION

S202401 - Tymac Holdings, LLC, owner/Craig Webb, applicant, request for re-subdivision to convey and combine APN 023-001-0000 with 12 Garnet Lane, APN 023-001-0015, Ridge Crossing Subdivision, Rural Agricultural Residential (RAR) Zone.

PUBLIC HEARING DATE: January 29, 2024

STAFF REVIEW RETURN DATE: January 24, 2024

DEPARTMENT	COMMENTS AND/OR REQUIREMENTS
Town Engineer	
Building Official	
North Central District Health Dept	
Fire Marshal	
Public Works Director/WPCA	<p>DPW- There needs to be a permanent easement in favor of the Town of Ellington with an unrestricted right to drain. This easement shall be for access to the detention basin for maintenance and/or repair via the existing gravel roadway, maintained in good, passable condition by the property owner.</p> <p>WPCA- No comment.</p>
Assessor	
Traffic Authority	
Ambulance	

From: [Famiglietti, Dory](#)
To: [John Colonese](#)
Cc: [Lisa Houlihan](#)
Subject: RE: Detention Basin - Garnet Lane
Date: Thursday, December 14, 2023 3:14:00 PM

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.

John,

I don't see any issue with this. The statute allows the town to have an easement to access and maintain a detention basin on private property. See CGS 8-25(d) as follows:

To satisfy any financial guarantee requirement in this section, the commission may accept surety bonds and shall accept cash bonds, passbook or statement savings accounts and other financial guarantees other than surety bonds including, but not limited to, letters of credit, provided such financial guarantee is in a form acceptable to the commission and the financial institution or other entity issuing any letter of credit is acceptable to the commission. Such financial guarantee may, at the discretion of the person posting such financial guarantee, be posted at any time before all approved public improvements and utilities are completed, except that the commission may require a financial guarantee for erosion and sediment controls prior to the commencement of any improvements. No lot shall be transferred to a buyer before any required financial guarantee is posted or before the approved public improvements and utilities are completed to the reasonable satisfaction of the commission or its agent. For any subdivision that is approved for development in phases, the financial guarantee provisions of this section shall apply as if each phase was approved as a separate subdivision. Notwithstanding the provisions of any special act, municipal charter or ordinance, no commission shall (A) require a financial guarantee or payment to finance the maintenance of roads, streets, retention or detention basins or other improvements approved with such subdivision for more than one year after the date on which such improvements have been completed to the reasonable satisfaction of the commission or its agent or accepted by the municipality, or (B) require the establishment of a homeowners association or the placement of a deed restriction, easement or similar burden on property for the maintenance of approved public site improvements to be owned, operated or maintained by the municipality, **except that the prohibition of this subparagraph shall not apply to the placement of a deed restriction, easement or similar burden necessary to grant a municipality access to such approved site improvements.**

Conn. Gen. Stat. Ann. § 8-25 (West)

From: John Colonese <jcolonese@ELLINGTON-CT.GOV>
Sent: Thursday, December 14, 2023 2:52 PM
To: Famiglietti, Dory <DFamiglietti@KKC-law.com>
Cc: Lisa Houlihan <LHoulihan@ELLINGTON-CT.GOV>
Subject: Detention Basin - Garnet Lane

Hi Dory,

I have a question regarding detention basin ownership. A detention basin was approved as part of the Ridge Crossing (Garnet Lane) subdivision on a parcel of land that will be deeded to the town. An abutting property owner at 12 Garnet Lane has inquired about taking ownership of the detention basin parcel, combining it with his piece, and granting the Town an easement for maintenance, etc. Please see the attached GIS map showing the detention basin parcel in blue and portion of 12 Garnet Lane in orange. 12 Garnet Lane and the basin have been constructed. We understand that based on CGS 8-18 this proposal would require PZC resubdivision approval. However, do you see a conflict with [CGS 8-25\(d\)\(1\)\(B\)](#) or anything else? The Town Engineer and Public Works Director don't have concerns if the proper easement is in place for town maintenance.

Thank you for your help.

Kind regards,

John D. Colonese, CZEO
Assistant Town Planner/Zoning & Wetlands Officer
P.O. Box 187, 57 Main Street, Ellington, CT 06029
Phone (860) 870-3120
www.ellington-ct.gov

Links contained in this email have been replaced by ZixProtect Link Protection. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

Town of Ellington Planning Department



MEMO

DATE: January 24, 2024

TO: Planning & Zoning Commission
cc. PZC File S202401

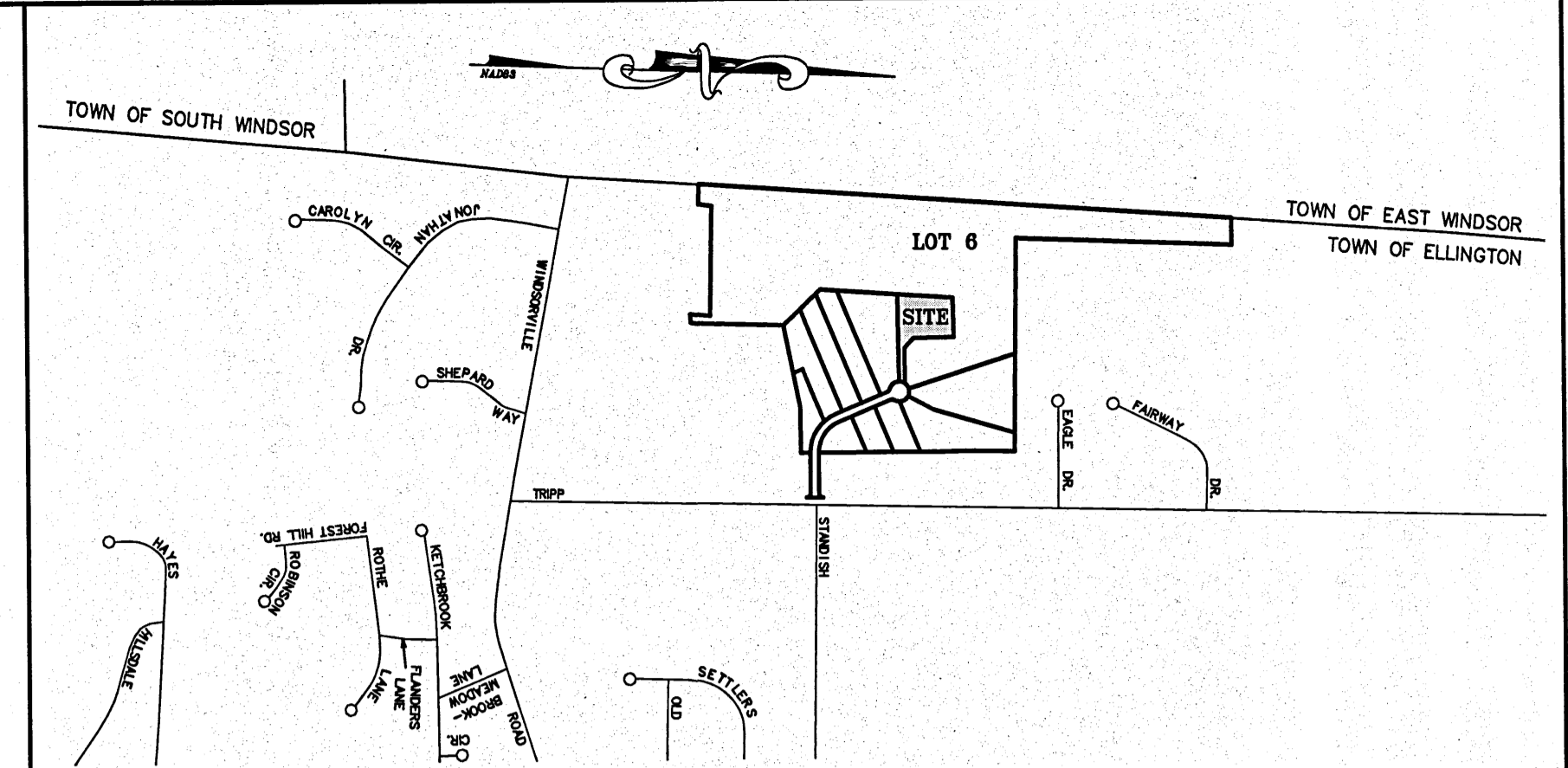
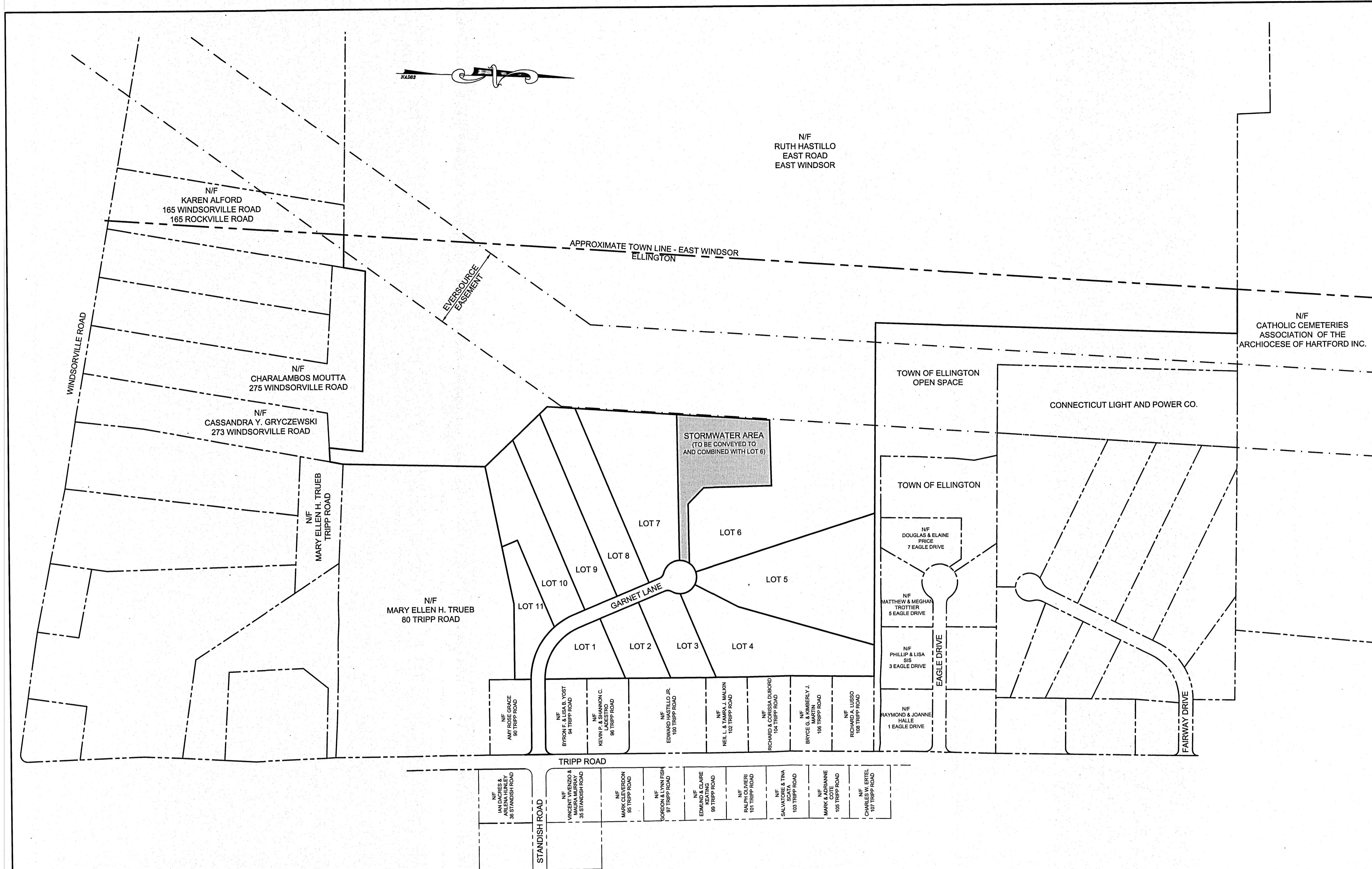
FROM: Barbra Galovich, CZET, Land Use Assistant on behalf of the Inland Wetlands Agency

SUBJECT: S202401 - Tymac Holdings LLC, owner/ Craig Webb, applicant, request for positive referral to the Planning & Zoning Commission on a re-subdivision to convey and combine property APN 023-001-0000 with 12 Garnet Lane, APN 023-001-0015, pursuant to Conn. Gen. Stat. 8-26(e).

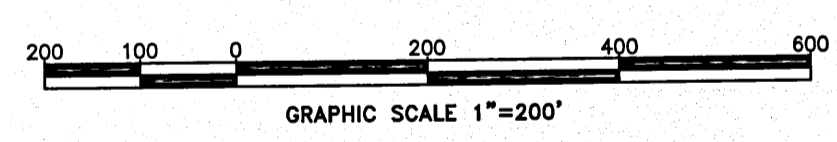
On January 22, 2024, the Inland Wetlands Agency granted a positive referral to the Planning & Zoning Commission on a re-subdivision to convey and to combine property APN 023-001-0000 with 12 Garnet Lane, APN 023-001-0015 with the following motions:

MOVED (BRAGA) SECONDED (HOFFMAN) AND PASSED UNANIMOUSLY TO GRANT A POSITIVE REFERRAL TO THE PLANNING & ZONING COMMISSION PURSUANT TO CONN. GEN. STAT. 8-26(e) FOR S202401 - Tymac Holdings LLC, owner/ Craig Webb, applicant, request for positive referral to the Planning & Zoning Commission on a re-subdivision to convey and combine property APN 023-001-0000 with 12 Garnet Lane, APN 023-001-0015.

On behalf of the Inland Wetlands Agency, thank you.



KEY MAP - SCALE: 1" = 1,000'



LEGEND

———	PROPERTY LINE
-----	ABUTTING PARCEL
- - - - -	EXISTING EASEMENT
- - - - -	APPROXIMATE TOWN LINE

OWNER-APN 023-001-0000
 TYMAC HOLDINGS, LLC
 PO BOX 439
 ELLINGTON CT , CT 06029

OWNER/APPLICANT-LOT 6
 CRAIG WEBB
 12 GARNET LANE
 ELLINGTON, CT 06029

APPROVED BY THE TOWN PLANNING AND ZONING COMMISSION OF THE TOWN OF ELLINGTON ON THIS _____ DAY OF _____ 20____ IN ACCORDANCE WITH SECTION 8-26c OF THE CONNECTICUT GENERAL STATUTES, ALL WORK IN CONNECTION WITH THE SUBDIVISION MUST BE COMPLETED BY _____ 20____.

SECRETARY _____ CHAIRMAN _____

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

[Signature]

 LICENSE NO. _____ REGISTRATION NO. 23430

- NOTES:**
- THIS SURVEY AND MAP HAVE BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THROUGH 20-300b-20 "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT". THIS IS A PROPERTY AND TOPOGRAPHIC SURVEY AND A RESURVEY OF THE PERIMETER BOUNDARY AND AN ORIGINAL SURVEY OF THE PROPOSED PROPERTY LINES CONFORMING TO HORIZONTAL ACCURACY CLASS A-2 AND TOPOGRAPHIC ACCURACY CLASS T-2.
 - THE PURPOSE OF THIS PLAN IS TO DEPICT PARCEL 023-001-0000 WHICH WILL BE CONVEYED AND COMBINED WITH APN 023-001-0015 (12 GARNET LANE).
 - BEARINGS AND ELEVATIONS DEPICTED ON THIS PLAN ARE BASED UPON THE 1983 NORTH AMERICAN DATUM (NAD 83/87) AND THE 1988 NORTH AMERICAN DATUM RESPECTIVELY AS PROVIDED BY GPS COORDINATES FROM J.R. RUSSO & ASSOCIATES.
 - TOPOGRAPHY DEPICTED ON THIS PLAN WAS FIELD VERIFIED BY GARDNER & PETERSON ASSOCIATES, LLC.
 - REFERENCE IS MADE TO THE FOLLOWING MAPS:
 - "FINAL APPROVAL COVER SHEET PREPARED FOR TYMAC HOLDINGS, LLC RIDGE CROSSING APN: 023-001-0000 TRIPP ROAD ELLINGTON CONNECTICUT GARDNER & PETERSON ASSOCIATES, LLC DATE: 12-01-2020 SHEETS 1-13 MAP NO. 10820 REVISIONS 01-21-2021 STAFF COMMENTS 03-26-2021 CWC COMMENTS 03-01-2022 FINAL APPROVAL"
 - "COMPLIATION PLAN MAP SHOWING EASEMENT AREA TO BE GRANTED TO THE CONNECTICUT LIGHT AND POWER COMPANY dba EVERSOURCE ENERGY ACROSS THE PROPERTIES OF TYMAC HOLDINGS, LLC WESLEY DRAKE SMITH & OLIVIA SMITH - #4 GARNET LANE RAYMOND & JOYCE KURKER - #7 GARNER LANE JASON & LISA LAFORTE - #9 GARNET LANE CRAIG WEBB - #12 GARNET LANE GARNET LANE ELLINGTON, CONNECTICUT FILE NO. E21013 GARDNER & PETERSON ASSOCIATES, LLC DATE 02-01-2021 SHEET NO. 1 OF 1 CL&P FILE E21013 MAP NO. 10820E REVISIONS 08-04-2022"
 - "IMPROVEMENT LOCATION SURVEY RECORD DRAWING PREPARED FOR TYMAC HOLDINGS, LLC RIDGE CROSSING STA 5+00 TO 15+00 GARNET LANE ELLINGTON, CONNECTICUT GARDNER & PETERSON ASSOCIATES, LLC SCALE: 1"=40' DATE 02-10-2022 SHEET NO. 2 OF 2 MAP NO. 10820AB REVISIONS 03-09-2022 STAFF COMMENTS 09-27-2023 MONUMENTS SET 11-13-2023"
 - THIS PARCEL IS LOCATED IN THE RURAL AGRICULTURAL RESIDENCE (RAR) ZONE.
 - WETLANDS DEPICTED ON THIS PARCEL WERE DELINEATED BY RICHARD ZULICK R.S.S.
 - UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING AND OTHER DATA SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES, GOVERNMENTAL AGENCIES AND/OR OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO GARDNER & PETERSON ASSOCIATES, LLC. THE EXISTENCE, SIZE AND LOCATION OF ALL SUCH FEATURES MUST BE DETERMINED AND VERIFIED IN THE FIELD BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.
 - THE OPEN SPACE CONTRIBUTION FOR THIS PARCEL HAS BEEN SATISFIED PER WARRANTY DEED RECORDED IN THE TOWN OF ELLINGTON VOLUME 242, PAGE 571.
 - THIS PARCEL IS MOSTLY LOCATED IN FLOOD HAZARD ZONE "X" (AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN) PER FIRM FLOOD INSURANCE RATE MAP TOWN OF ELLINGTON, CONNECTICUT, TOLLAND COUNTY, COMMUNITY-PANEL NUMBER 090158 005 C, MAP REVISED FEBRUARY 5, 1997. A PORTION OF THE PROPERTY IS LOCATED IN ZONE AE.

32024d

FINAL APPROVAL

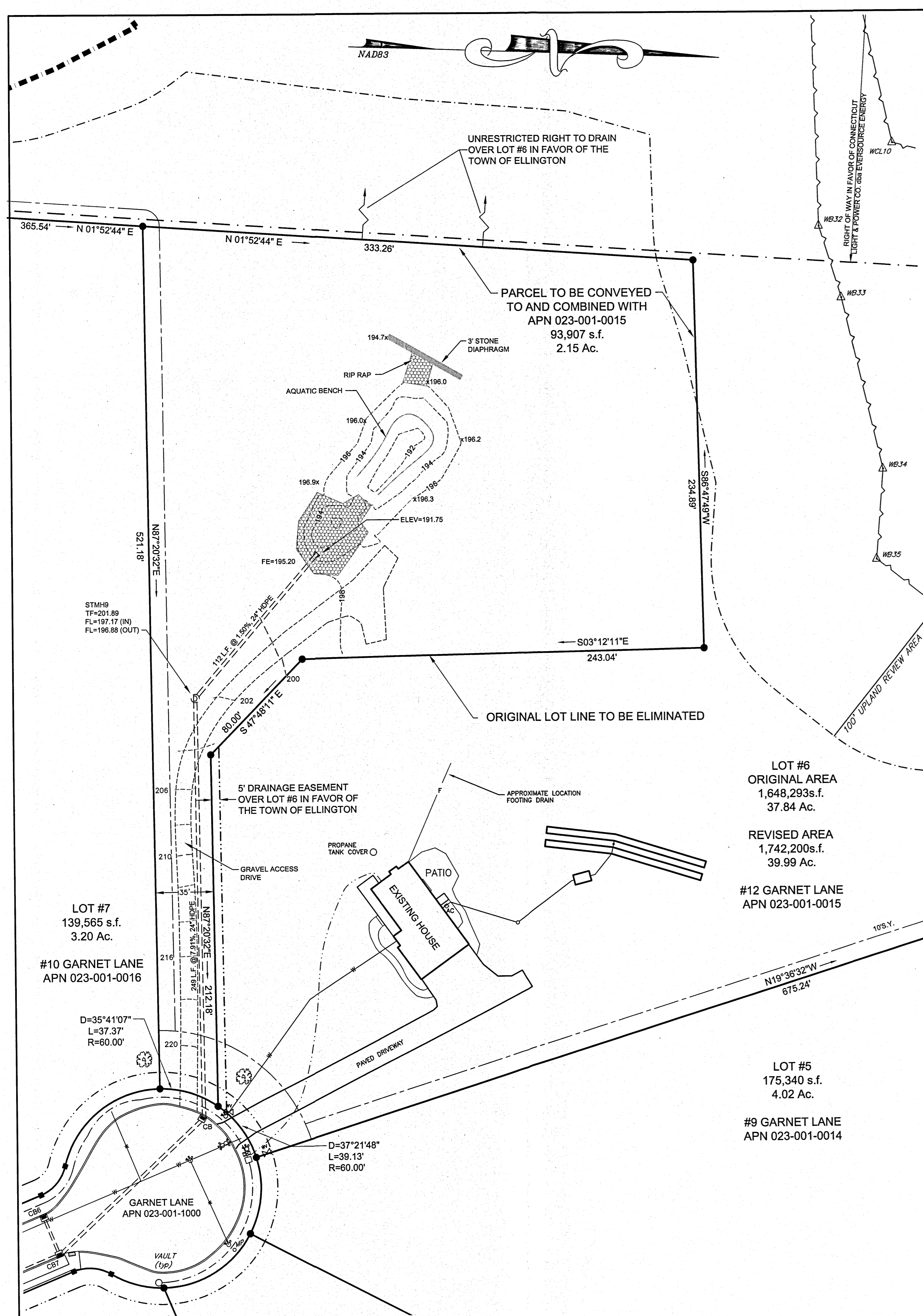
RECEIVED
 JAN 08 2024
 TOWN OF ELLINGTON
 PLANNING DEPARTMENT

**COVER SHEET
 PREPARED FOR CRAIG WEBB
 RESUBDIVISION - RIDGE CROSSING
 APN: 023-001-0000 & 023-001-0015 (LOT 6)
 GARNET LANE
 ELLINGTON, CONNECTICUT**

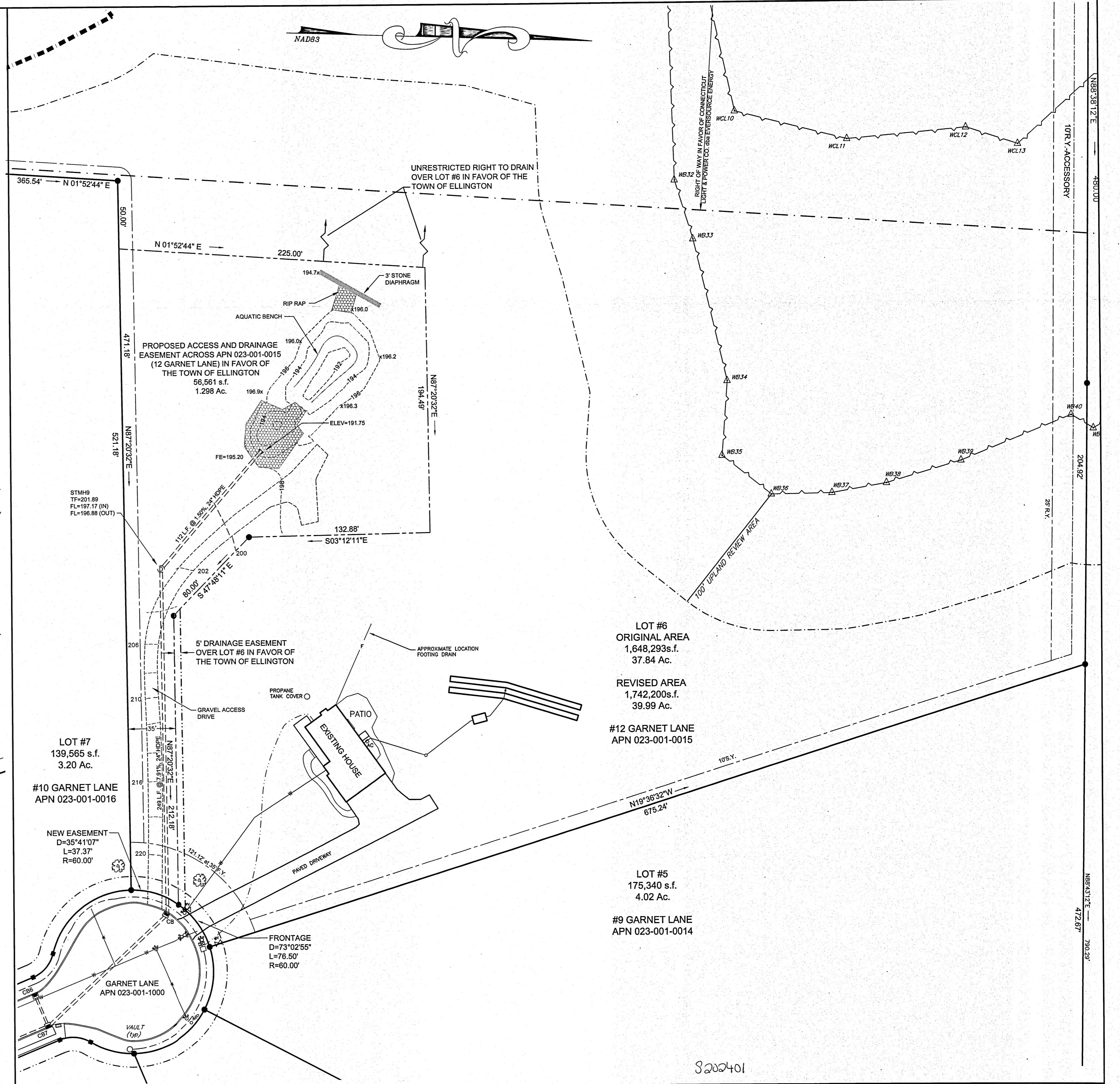
GARDNER & PETERSON ASSOCIATES, LLC
 178 HARTFORD TURNPIKE
 TOLLAND, CONNECTICUT

BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=200'	12-28-2023	1 OF 4	10820-6R

SHEET INDEX	TITLE	SCALE	DESCRIPTION
1	COVER SHEET	1"=200'	PLAN OVERVIEW
2	BOUNDARY PLAN	1"=40'	APN 023-001-0000 & LOT 6
3	BOUNDARY PLAN	1"=50'	LOT 6
4	BOUNDARY PLAN	1"=50'	LOT 6

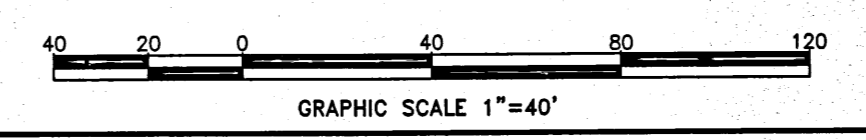


EXISTING LAYOUT



PROPOSED LAYOUT

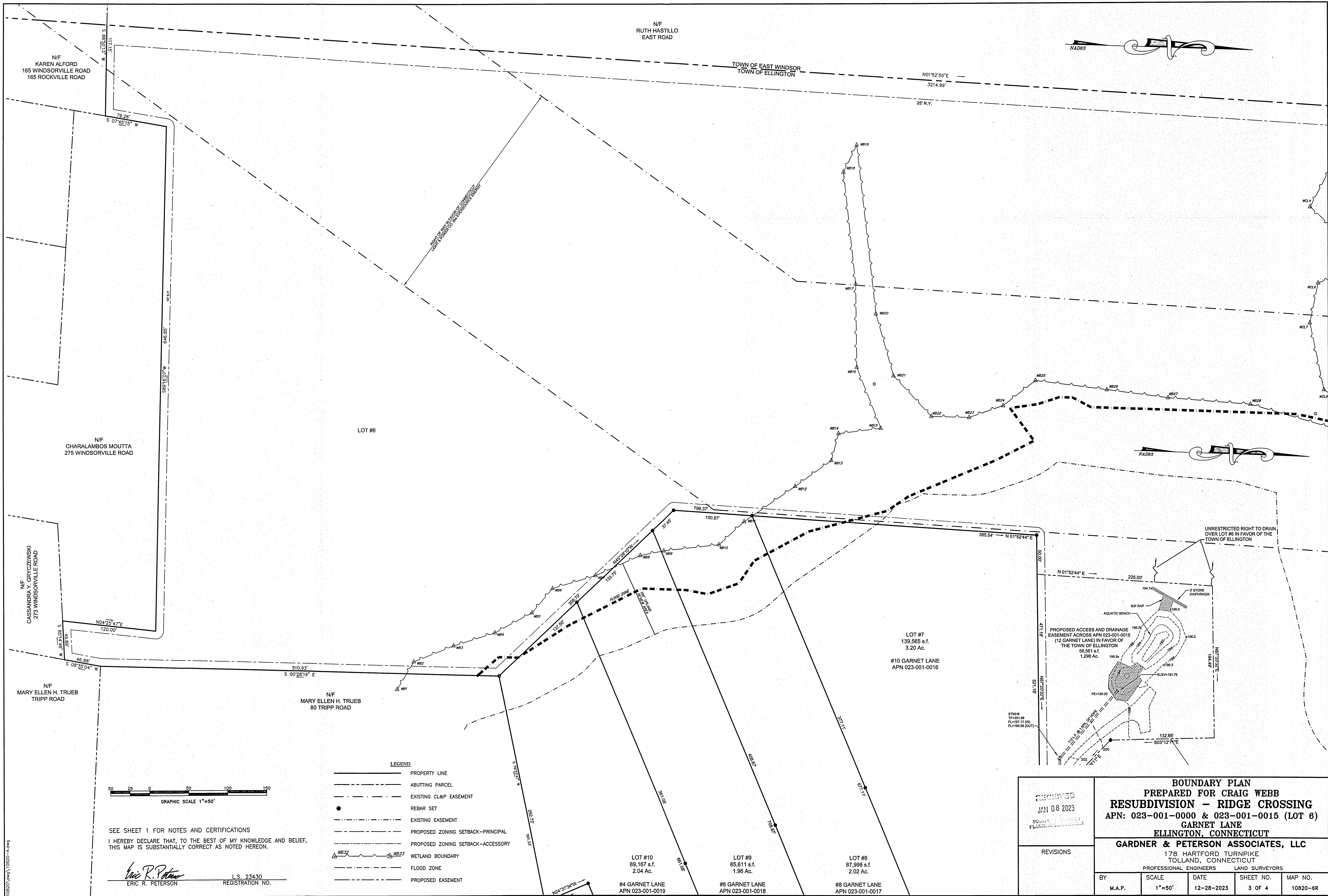
- LEGEND**
- PROPERTY LINE
 - - - EXISTING CL&P EASEMENT
 - REBAR SET
 - - - EXISTING EASEMENT
 - - - PROPOSED EASEMENT
 - STREET TREES
 - METER PIT
 - - - PROPOSED ZONING SETBACK—PRINCIPAL STRUCTURE
 - - - PROPOSED ZONING SETBACK—ACCESSORY STRUCTURE
 - △ WETLAND BOUNDARY
 - FLOOD ZONE
 - STONEWALL



SEE SHEET 1 FOR NOTES AND CERTIFICATIONS
 I HEREBY DECLARE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

Eric R. Peterson
 ERIC R. PETERSON
 L.S. 23430
 REGISTRATION NO.

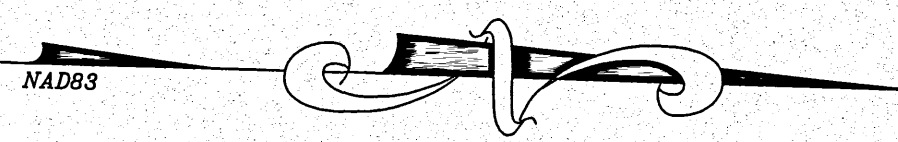
RECEIVED JAN 08 2023		BOUNDARY PLAN PREPARED FOR CRAIG WEBB RESUBDIVISION - RIDGE CROSSING APN: 023-001-0000 & 023-001-0015 (LOT 6) GARNET LANE ELLINGTON, CONNECTICUT GARDNER & PETERSON ASSOCIATES, LLC 178 HARTFORD TURNPIKE TOLLAND, CONNECTICUT PROFESSIONAL ENGINEERS LAND SURVEYORS			
REVISIONS					
BY M.A.P.	SCALE 1"=40'	DATE 12-28-2023	SHEET NO. 2 OF 4	MAP NO. 10820-6R	



N/F
KAREN ALFORD
165 WINDSORVILLE ROAD
165 ROCKVILLE ROAD

N/F
RUTH HASTILLO
EAST ROAD

TOWN OF EAST WINDSOR
TOWN OF ELLINGTON



N/F
CHARALAMBOS MOUTTA
275 WINDSORVILLE ROAD

LOT #6

N/F
CASSANDRA Y. GRYZEWSKI
273 WINDSORVILLE ROAD

N/F
MARY ELLEN H. TRUEB
TRIPP ROAD

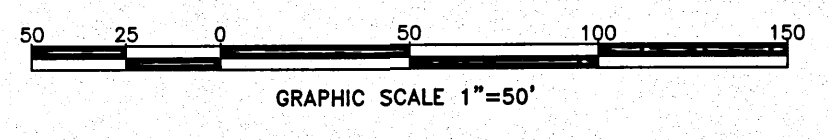
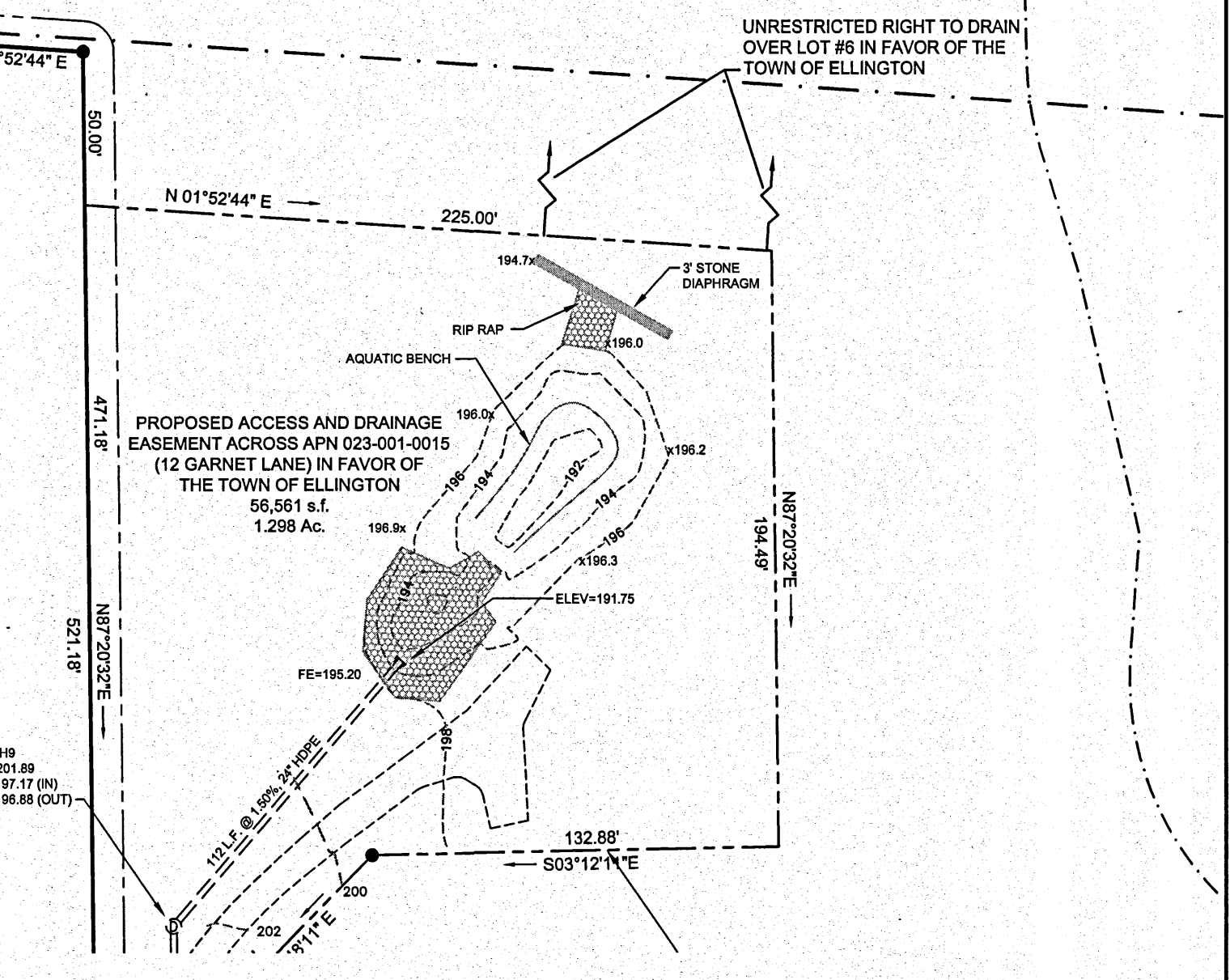
N/F
MARY ELLEN H. TRUEB
80 TRIPP ROAD

LOT #7
139,565 s.f.
3.20 Ac.
#10 GARNET LANE
APN 023-001-0016

LOT #10
89,167 s.f.
2.04 Ac.
#4 GARNET LANE
APN 023-001-0019

LOT #9
85,611 s.f.
1.96 Ac.
#6 GARNET LANE
APN 023-001-0018

LOT #8
87,998 s.f.
2.02 Ac.
#8 GARNET LANE
APN 023-001-0017

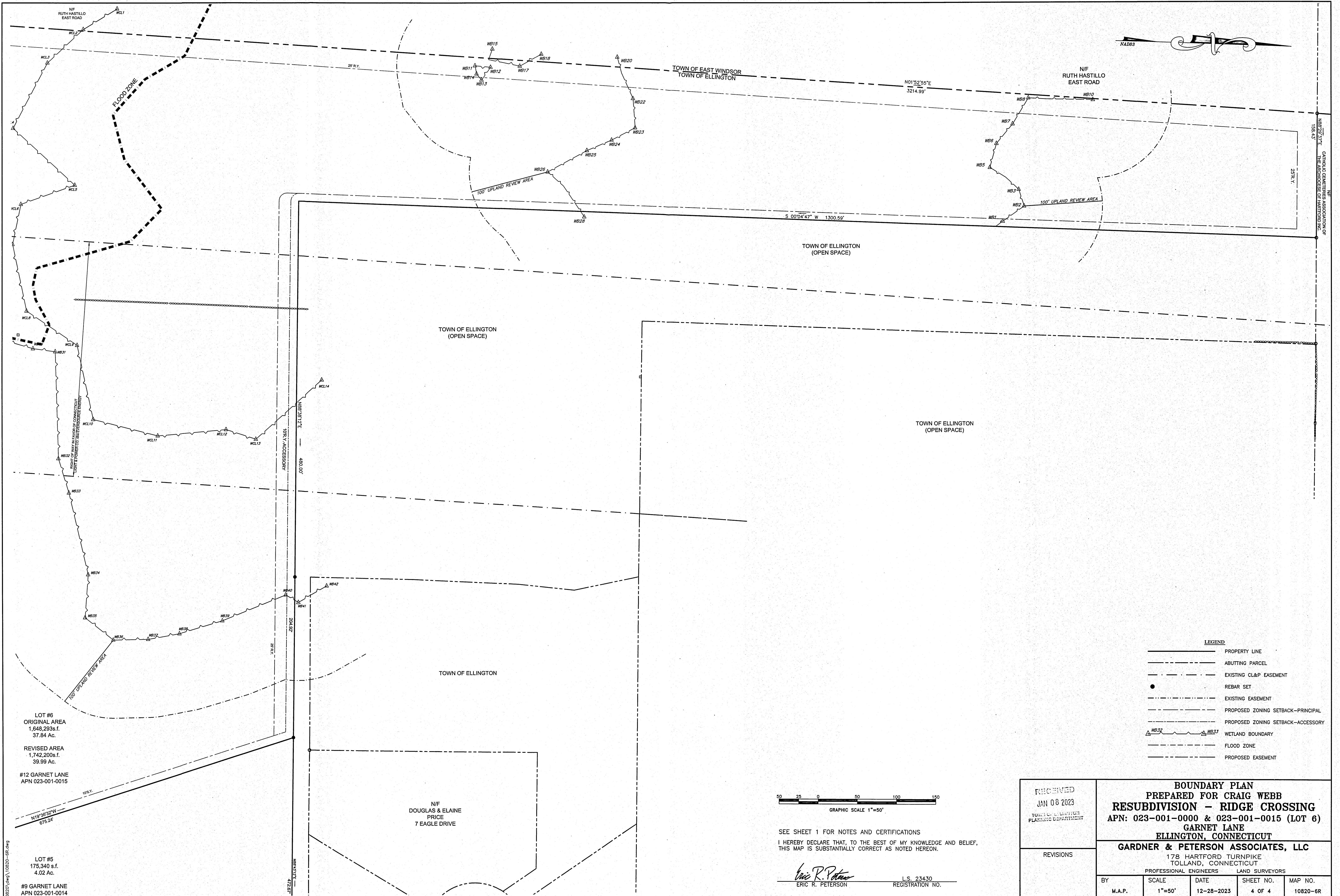


SEE SHEET 1 FOR NOTES AND CERTIFICATIONS
I HEREBY DECLARE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF,
THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

Eric R. Peterson
ERIC R. PETERSON
L.S. 23430
REGISTRATION NO.

- LEGEND**
- PROPERTY LINE
 - - - ABUTTING PARCEL
 - - - EXISTING CL&P EASEMENT
 - REBAR SET
 - - - EXISTING EASEMENT
 - - - PROPOSED ZONING SETBACK-PRINCIPAL
 - - - PROPOSED ZONING SETBACK-ACCESSORY
 - WETLAND BOUNDARY
 - - - FLOOD ZONE
 - - - PROPOSED EASEMENT

RECEIVED JAN 08 2023 TOWN OF ELLINGTON PLANNING DEPARTMENT	BOUNDARY PLAN PREPARED FOR CRAIG WEBB RESUBDIVISION - RIDGE CROSSING APN: 023-001-0000 & 023-001-0015 (LOT 6) GARNET LANE ELLINGTON, CONNECTICUT				
	GARDNER & PETERSON ASSOCIATES, LLC 178 HARTFORD TURNPIKE TOLLAND, CONNECTICUT PROFESSIONAL ENGINEERS LAND SURVEYORS				
REVISIONS	BY	SCALE	DATE	SHEET NO.	MAP NO.
	M.A.P.	1"=50'	12-28-2023	3 OF 4	10820-6R

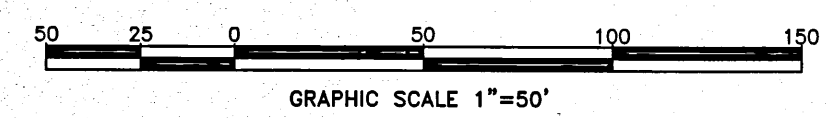


LOT #6
ORIGINAL AREA
1,648,293s.f.
37.84 Ac.
REVISED AREA
1,742,200s.f.
39.99 Ac.
#12 GARNET LANE
APN 023-001-0015

LOT #5
175,340 s.f.
4.02 Ac.
#9 GARNET LANE
APN 023-001-0014

N/F
DOUGLAS & ELAINE
PRICE
7 EAGLE DRIVE

- LEGEND**
- PROPERTY LINE
 - - - ABUTTING PARCEL
 - - - EXISTING CL&P EASEMENT
 - REBAR SET
 - - - EXISTING EASEMENT
 - - - PROPOSED ZONING SETBACK-PRINCIPAL
 - - - PROPOSED ZONING SETBACK-ACCESSORY
 - △ WB32 △ WB33 WETLAND BOUNDARY
 - - - FLOOD ZONE
 - - - PROPOSED EASEMENT



SEE SHEET 1 FOR NOTES AND CERTIFICATIONS
I HEREBY DECLARE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF,
THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

Eric R. Peterson
ERIC R. PETERSON L.S. 23430
REGISTRATION NO.

RECEIVED JAN 08 2023 TOWN OF ELLINGTON PLANNING DEPARTMENT	BOUNDARY PLAN PREPARED FOR CRAIG WEBB RESUBDIVISION - RIDGE CROSSING APN: 023-001-0000 & 023-001-0015 (LOT 6) GARNET LANE ELLINGTON, CONNECTICUT			
	GARDNER & PETERSON ASSOCIATES, LLC 178 HARTFORD TURNPIKE TOLLAND, CONNECTICUT PROFESSIONAL ENGINEERS LAND SURVEYORS			
REVISIONS	BY	SCALE	DATE	SHEET NO. / MAP NO.
	M.A.P.	1"=50'	12-28-2023	4 OF 4 / 10820-6R

Town of Ellington Planning & Zoning Commission Application

Type of Application: <input type="checkbox"/> Zone Change <input type="checkbox"/> Amendment to Regulation <input type="checkbox"/> Site Plan Approval <input checked="" type="checkbox"/> Special Permit <input type="checkbox"/> Modification <input type="checkbox"/> CGS 8-24	Application # Z202328
	Date Received 12/20/2023

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

Owner's Information

Name: Stephen D. Williams

Mailing Address: 36 Buff Cap Rd
Tolland, CT 06084

Email: sdwhomes@gmail.com

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

Primary Contact Phone #: 860-490-6767

Secondary Contact Phone #: _____

Signature: *[Signature]* Date: 12/20/23

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.

**TOWN OF ELLINGTON
PLANNING DEPARTMENT**

Street Address: Hawks Nest Trail

Assessor's Parcel Number (APN): 004 - 002 - 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)

Special Permit Two Rear Lots

Date: January 15, 2024

Lisa Houlihan, AICP
Town Planner
55 Main Street
Ellington, CT 06029

RECEIVED

JAN 16 2024

TOWN OF ELLINGTON
PLANNING DEPARTMENT

RE: **Hawks Nest Trail – Hayes Avenue Free Cut**

Dear Lisa,

Our office has been hired by Stephen D. Williams to review and design the free cut for the proposed lots APN 004-002-000 & APN 004-002-001 on Hawks Nest Trail-Hayes Avenue. Our office prepared the free cut that Mr. Williams is allowed to perform and design the lots and site amenities including but not limited to stormwater. Using stormwater water quality swales and infiltration/detention basins we can confidently state that there will be no net increase in stormwater flowrates to the properties discharge locations. The proposed design will also incorporate water quality measures to further treat the stormwater prior to discharge to the existing wetlands located on the eastern portion of the parcels. Please let me know if you require anything further with regards to the stormwater design at this time.

Sincerely,



Ryan Scrittorale, PE
Senior Project Manager





STATE OF CONNECTICUT • COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

55 MAIN STREET • P. O. BOX 187
ELLINGTON, CONNECTICUT 06029-0187

www.ellington-ct.gov

(860) 870-3120

TOWN PLANNER'S OFFICE

(860) 870-3122

CERTIFICATE OF VARIANCE

Notice is hereby given that the Ellington Zoning Board of Appeals, at its December 4, 2023, regular meeting, granted the following Certificate of Variance:

Application Number: V202311

Description of Affected Premises: Property south of Hawks Nest Trail / APN 004-002-0000

Owner(s) of Property: Stephen D. Williams
36 Buff Cap Road
Tolland, CT 06084

Applicant: Same as owner

Zoning Regulations Varied: Section 7.9(C)-Rear Lot Requirements

Nature of Variance: To allow access over an easement for two proposed rear lots.

Conditions:

- 1) Easement shall allow access for no more than two rear lots.
- 2) Two rear lots shall obtain any other permits or approvals required by law or regulation.

Hardship: Property landlocked by previous zoning decisions which cut off access to the lot.

This Variance must be **filed in the Office of the Town Clerk** to become effective per CGS Section 8-3(d) following the 15-day appeal period which started on: December 6, 2023.

Sulakshana Thanvanthri, Vice-Chairman
Ellington Zoning Board of Appeals

From: [Peter Hany](#)
To: [Barbra Galovich](#)
Cc: [Dana Steele](#); [James York](#); [John Rainaldi](#); [Matthew Reed](#); [Patrice Sulik](#); [Raymond Martin](#); [Sydney Kern](#); [Tom Modzelewski](#); [Westford Lirot](#)
Subject: Re: Staff Review - Z202328 - Hawk"s Nest Rail - proposed two rear lots
Date: Wednesday, January 17, 2024 1:05:34 PM

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.

As long as egress and exiting is wide enough for an ambulance or fire apparatus, I am fine with this.

Pete Hany

On Wed, Jan 17, 2024 at 11:41 AM Barbra Galovich <bgalovich@ellington-ct.gov> wrote:

Hi,

Hope you are doing well. Please see the attached documentation with Staff Review Sheet. This application will be discussed at the PZC meeting on Monday, January 29, 2024.

Please provide your comments/concerns on or before Wednesday, January 24, 2024.

Thank you in advance for your review.

Barbra

Barbra Galovich, CZET

Land Use Assistant

Town of Ellington

55 Main Street

Ellington, CT 06029

(860) 870-3120

RECEIVED

OCT 31 2023

TOWN OF ELLINGTON
PLANNING DEPARTMENT

Owner/Applicant: Stephen D. Williams

Property: 13.23 Acres – Tripp Road (Property Card Attached)

Background for both Appeal of Decision and Variance Application

The subject property is a pre-existing lot of record that has existed in its current configuration since 1946, having been owned by the Tomasek family until it was acquired by the applicant/owner in 2022. (See attached property card). The parcel is currently zoned R A R. The date of subdivision regulations initial adoption in Ellington is December, 1954. Since the adoption of subdivision regulations in Ellington, this property has not been divided and is therefore eligible for a division into two parcels without the necessity of subdivision approval.

The subject property is a parcel consisting of 13.23 Acres, located to the rear of a private road, Hawk's Nest Trail. (See attached GIS town mapping). The sole access to the subject property is by way of a permanent 50' wide easement the crosses from Hawk's Nest Trail, as shown on the attached copy of the GIS mapping. This permanent right of way, which does not constitute fee simple ownership, was recently confirmed as a result of State of Connecticut, Superior Court litigation. (A copy of the final litigation result is attached.)

The subject property can be divided into two parcels, each conforming to the requirements of a rear lot as provided in Section 7.9 of the Ellington Zoning Regulations, except for the absence of frontage on a public or private road. It is not possible to establish fee simple ownership of the permanent right of way and easement referenced above.

The Appeal:

The applicant/owner requested a ruling from the Ellington Zoning Enforcement Officer ("ZEO") to confirm that the owner/applicant was entitled to divide the property into two parcels without subdivision approval and that each of the parcels would be eligible for a building permit as a pre-existing lot of record with ingress, egress and utilities to be provided to the site within the existing permanent easement and right of way running from Hawk's Nest Trail to the subject property.

The ZEO issued his decision in a letter dated October 10, 2023 and the applicant/owner has timely (within 30 days) appealed that decision.

The first determination that the lots would not meet the requirements of Section 3.2.2 of the Zoning Regulations as each lot will lack the requisite width "taken at the street line", apparently concluding that since the property does not have frontage on a street it therefore does not meet the requirement of the regulation. This conclusion totally ignores the legally existing, non-conforming status of the property as a fully landlocked parcel that has existed since dates prior to the adoption of subdivision (1954) and zoning regulations (August 1, 1952.)

The ZEO's second determination regarding the treatment of the subject property as subject to the rear lot provisions of the Ellington Zoning Regulations also ignores the pre-existing, non-conforming status of the property as pre-dating zoning regulations. It is clear from the plans presented that the property, if divided into two conforming RAR lots, will meet all of the requirements of the Rear Lot ordinance, except that the lots will not have a "25-foot-wide fee simple access fronting on a ...private street". Historically, this parcel had its access by way of Tripp Road, until Tripp Road ceased to exist as a result of a subdivision approval. (See map of Knollwood Section B-3 attached.) Had Tripp Road not disappeared, this parcel would have supported not less than four (4) subdivided lots. The ZEO determination ignores the historical fact that this property's access was eliminated by the Town of Ellington Planning and Zoning Commission in approving a subdivision without regard for the abutting owner. The earlier deeds, now memorialized in a Stipulated Judgment, indicate that substituted access to this parcel was to be gained through the 50' permanent easement and right of way as shown on the subdivision plan. This method of access, permanent and now judicially confirmed, achieves the same level of access and ownership that fee simple access will provide. This property will not be eligible for any further division (or subdivision) as it will lack the requisite additional 25-foot-wide strip to service any more than two lots and it is now subject to the Stipulated Judgment limiting development to no more than two lots..

The applicant/owner submits that the ZEO's lack of recognition of the legally pre-existing, not-conforming status of this historically landlocked parcel led the ZEO to reach erroneous conclusions with regard to the proposal to divide the existing parcel into two otherwise conforming parcels. Such a division would not increase the existing non-conformity of a lack of frontage on a public or private roadway or the lack of fee simple ownership of the access way.

The applicant/owner requests that the Zoning Board of Appeals recognize the legally existing, non-conforming status of the property and further that due to its legally existing, non-conforming status that pre-dates both zoning and subdivision regulations in the Town of Ellington the property can be divided into two conforming lots without subdivision approval and can be utilized as building lots for which building permits will be available, subject to health code compliance and building code compliance.

Alternative Relief:

In the event that the ZBA sustains the ZEO's determination and does not overrule the ZEO as the applicant /owner seeks in his appeal, then the owner/applicant would have the opportunity to seek



Doc ID: 001612520010 Type: JUDG

BK 541 PG 986-995

RECEIVED

OCT 9 1 2023

TOWN OF ELLINGTON
PLANNING DEPARTMENT

DOCKET NO.: TTD-CV20-6021563-S : SUPERIOR COURT
 TODD TOMASEK, ADMINISTRATOR : J.D. OF TOLLAND
 VS. : AT ROCKVILLE
 TERRY K. KUPFERSCHMID, TRUSTEE,
 DENNIS M. KUPFERSCHMID, TRUSTEE,
 ROBERT A. GATES, JR. AND DIANE L. GATES : JANUARY 25, 2023

MOTION FOR ENTRY OF STIPULATED JUDGMENT

The defendants, Robert A. Gates, Jr. and Diane L. Gates, and the plaintiff, Stephen D. Williams ("the Parties"), have entered into a Stipulation to Judgment. The Stipulation to Judgment executed by the Parties is attached hereto.

The Parties move for the entry of an order granting this Motion and accepting the terms of the Stipulation to Judgment attached hereto.

STATE OF CONNECTICUT
SUPERIOR COURT
JUDICIAL DISTRICT OF
TOLLAND

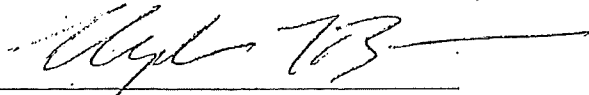
APR 4 - 2023

CERTIFIED COPY
SEAL AFFIXED
BY [Signature]
CLERK

KAVANAGH, KERRIGAN & ASSOCIATES, LLP - ATTORNEYS AT LAW
250 STATE STREET, SUITE 2000, HARTFORD, CONNECTICUT 06103-1574

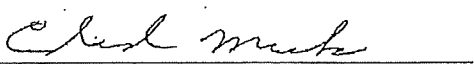
KAHAN, KERENSKY & CAPOSSOLA, LLP - ATTORNEYS AT LAW
45 HARTFORD TURNPIKE, P.O. BOX 3811, VERNON, CONNECTICUT 06066-3811 - JUDGE: MS. JOHNS - CASE: 06-174

DEFENDANTS – ROBERT A. GATES, JR. AND DIANE L. GATES

By: 

Christopher T. Bowen, Esq.
Kahan Kerensky Capossola, LLP
45 Hartford Turnpike
P.O. Box 3811
Vernon, CT 06066
860-812-1742
cbowen@kkc-law.com
Their Attorneys

PLAINTIFF – STEPHEN D. WILLIAMS

By: 

Edward Muska, Esq.
2 East Main Street
P.O. Box 22
Stafford Springs, CT 06076
860-684-4221
ed@paradisomuska.com

NO. CV20-6021563

STEPHEN WILLIAMS

SUPERIOR COURT

VS.

JUDICIAL DISTRICT OF TOLLAND

TERRY K. KUPFERSCHMID,
TRUSTEE et al

JANUARY 13, 2023

STIPULATION TO JUDGMENT

The plaintiff STEPHEN WILLIAMS and the defendants DIANE GATES AND ROBERT GATES, hereby stipulate and agree as follows:

1. The GATES defendants will execute and convey an easement deed granting to the plaintiff WILLIAMS, and his heirs, successors and assigns a right of way over the easterly portion of Hawk's Nest Trail, Ellington, Connecticut. The easement or right of way shall be known as the "Easement over Hawk's Nest Trail and the land over which the Easement over Hawk's Nest Trail travels shall be known as the "Hawk's Nest Trail Easement Area". The Hawk's Nest Trail Easement Area is more particularly defined in Exhibit A, attached hereto.
2. The Easement over Hawk's Nest Trail map may be used by the plaintiff Williams to access property owned by him which is located southerly of the easement area and southerly of land owned by the defendants Terry K. Kupferschmid, Trustee and Dennis Kupferschmid, Trustee. Said property is more particularly described in an Administrator's Deed from Todd R. Tomasek to Stephen D. Williams, which Deed is dated December 30, 2021 and recorded in Volume 531, Page 1126 of the Ellington Land Records. Hereinafter "Williams Land".
3. The "Williams Land" and the Hawk's Nest Trail Easement Area are more particularly shown on a map or plan entitled, "Subdivision Plan Knollwood Section B3 Town of Ellington, Connecticut Owner: Dennis M. Kupferschmid et ux Gardner & Peterson Associates 576 Old Post Road Tolland, Connecticut Professional Engineers Land

Surveyors Scale 1"=100' Date 4-22-80 Sheet No. 1 of 1 Map No. 4759", which map or plan is on file with the Town Clerk of Ellington and to which reference may be had for a more particular description of said easement area.

4. The plaintiff Williams may use the Easement over Hawk's Nest Trail as a private driveway to access the Williams Land and to develop up to two building lots on the Williams land and for all other purposes for which a private right of way may be used, provided that such use does not unreasonably interfere with the Gateses' use of the Hawk's Nest Trail Easement Area. Such usage shall include, subject to the foregoing limitations, the right to install public utility lines, or underground utility service, as the utility company determines, within the Hawk's Nest Trail Easement Area.
5. Said easement deed shall be held in escrow until the parties enter into an amendment or addendum to the existing Common Driveway Maintenance Agreement, which is recorded in Volume 494, Page 128 of the Ellington Land Records. The easement deed and the addendum to the Common Driveway Maintenance Agreement will be recorded simultaneously on the land records and both will permanently encumber the land, as will this Stipulation.
6. a. The plaintiff Williams shall enter into an Addendum to the Second Amended and Restated Declaration of Common Driveway Maintenance, Utility and Drainage Easement and Driveway Maintenance Agreement dated May 7, 2018 and recorded in Volume 494, Page 128 of the Town of Ellington Land Records. The Common Driveway Maintenance Agreement shall remain in full force and effect unless specifically amended by this Stipulation or the Addendum.

b. The obligation of the plaintiff Williams shall only apply to that portion of Hawk's Nest Trail, which is used jointly by the said Williams, his heirs, successors and assigns, and the remaining property owners who have access to said right of way.

c. Upon delivery and recordation of the Hawk's Nest Trail Easement deed, the plaintiff Williams will contribute TWENTY-FIVE PERCENT (25%) of the costs of maintenance of the Hawk's Nest Trail Easement Area.

d. In the event a subdivision application filed by the plaintiff Williams or his successors in title is approved for two residential lots, he or his successors shall contribute FORTY PERCENT (40%) of the costs of maintenance of the Hawk's Nest Trail Easement Area.

The Gateses are not concealing any defects with the Hawk's Nest Trail Easement Area and have no current plans to repair the Hawk's Nest Trail Easement Area. Williams will not make any requests that the Gateses repair any existing conditions or problems with the Hawk's Nest Trail Easement Area. Mr. Williams has seen photographs and videos of heavy rainfall and is aware of the existing drainage problems in the Hawk's Nest Trail Easement Area and adjacent land during severe weather events.

7. The plaintiff Williams will repair any damage done to the Hawk's Nest Trail Easement Area that occurs as a result of construction in the Kupferschmid Easement as described in the Stipulation to Judgment between the plaintiff Williams and the defendants Terry Kupferschmid and Dennis Kupferschmid, which is filed as Entry No. 129.00 on the Superior Court docket. The plaintiff Williams will indemnify, hold harmless, and defend the Gates defendants for any claims or liability arising from such damage.
8. All development work in the subdivision performed by Mr. Williams shall be done in accordance with the inland wetlands and zoning regulations of the Town of Ellington, and all the applicable laws and regulations.
9. The plaintiff Williams and/or his successors and assigns shall construct no more than two single family residences on the Williams Land.
10. Construction of Driveway Within the Right of Way.

- a. All construction work within the Kupferschmid Easement, will be performed in such a way as not to increase the drainage runoff or flow of water onto the property of the Gates defendants, which includes the Hawk's Nest Trail Easement Area.
 - b. In the event that an increase of water flow does cause damage on the property of the defendant Gates, including the Hawk's Nest Trail Easement Area, the plaintiff Williams shall be liable for any and all damage and corrective work, resulting from such damage.
 - c. The foregoing provisions to the contrary notwithstanding, the plaintiff Williams shall indemnify, hold harmless and defend the Gates defendants from any damage, liability or claim arising from any actions taken by the plaintiff Williams in constructing the Kupferschmid Easement. The plaintiff Williams shall obtain all appropriate permits for the construction work in the Kupferschmid Easement area and in the development of Williams Land.
11. Notwithstanding anything in this Stipulation to the contrary, this Stipulation shall be binding upon the heirs, successors and assigns of the plaintiff Williams and shall inure to the benefit of the heirs, successors and assigns of the Gates' defendants. This Stipulation to Judgment shall be an encumbrance upon the plaintiff Williams Land, and any conveyance by the plaintiff Williams shall include an affirmative covenant that the grantee shall be bound by the terms of this Stipulation to Judgment.
12. The Superior Court for the Judicial District of Tolland shall retain jurisdiction of this civil action for the purpose of enforcing the terms of this Stipulation to Judgment. In the event a party to this Stipulation breaches the terms of this Stipulation, the non-breaching party may either commence a new action to enforce this agreement or file a Motion to Enforce on this docket pursuant to Audubon Parking Associates Limited Partnership vs. Barclay and Stubb, Inc. et al, 225 Conn. 804 (1993). The non-prevailing

party will reimburse the prevailing party for all attorney's fees and costs incurred as a result of the breach.

THE PLAINTIFF
STEPHEN D. WILLIAMS

Stephen D. Williams
Stephen D. Williams

By *Edward Muska*
Edward Muska
His Attorney

THE DEFENDANTS

Diane L. Gates
Diane Gates

Robert Gates
Robert Gates

By *Christopher Bowen*
Christopher Bowen
Their Attorney

ATTORNEY EDWARD MUSKA
ATTORNEY AT LAW
2 EAST MAIN STREET
P.O. BOX 22
STAFFORD SPRINGS, CT
06076
JURIS NO. 045140

STATE OF CONNECTICUT
SUPERIOR COURT
JUDICIAL DISTRICT OF
TOLLAND

APR 4 - 2023

CERTIFIED COPY
SEAL AFFIXED

BY *[Signature]*
CLERK

Exhibit A

Being the north and easterly portion of a 50 foot easement or right of way located on the westerly side of Hayes Avenue in the Town of Ellington, County of Tolland and State of Connecticut as shown on a map entitled: Subdivision Plan Knollwood Section B3 Town of Ellington, Connecticut Owner: Dennis M. Kupferschmid et ux Gardner & Peterson Associates 576 Old Post Road Tolland, Connecticut Professional Engineers Land Surveyors Scale 1"=100' Date 4-22-80 Sheet No. 1 of 1 Map No. 4759", reference to which map is hereby made,

Said portion is more particularly bounded and described as follows:

Beginning at a point on the westerly line of said Hayes Avenue which point marks the northeasterly corner of land now or formerly Jennifer A. Magdefrau and southeasterly corner of the herein described parcel, the lines run;

- Thence S-79°-03'-48"-W along land of said Magdefrau and land now or formerly of Dennis and Terry Kupferschmid, partly by each, a distance of 400.00 feet to a point;
- Thence N-10°-56'-12"-W, a distance of 50.00 feet to a point and land now or formerly of Edward Sr., Jean and Edward Rothe, Jr.
- Thence N-79°-03'-48"-E, along land of said Rothe and other land of the grantor, partly by each, a distance of 413.06 feet to a point on the westerly line of said Hayes Avenue;
- Thence along a curve having a chord bearing and distance of S-03°-52'-56"-W and 51.23 feet, a delta angle and radius of 39°-56'-27" and 75.00 feet, a distance of 52.28 feet to the point and place of beginning.

DOCKET NO: TTDCV206021563S

SUPERIOR COURT

ORDER 439616

TOMASEK, TODD, ADMINISTRATOR
V.
KUPFERSCHMID, TERRY K, TRUSTEE Et
Al

JUDICIAL DISTRICT OF TOLLAND
AT ROCKVILLE

3/27/2023

ORDER

ORDER REGARDING:
03/10/2023 140.00 MOTION FOR JUDGMENT IN ACCORDANCE WITH STIPULATION

The foregoing, having been considered by the Court, is hereby:

ORDER: GRANTED

Superior Court Results Automated Mailing (SCRAM) Notice was sent on the underlying motion.

439616

Judge: DONNA M WILKERSON BRILLANT

This document may be signed or verified electronically and has the same validity and status as a document with a physical (pen-to-paper) signature. For more information, see Section I.E. of the *State of Connecticut Superior Court E-Services Procedures and Technical Standards* (<https://jud.ct.gov/external/super/E-Services/e-standards.pdf>), section 51-193c of the Connecticut General Statutes and Connecticut Practice Book Section 4-4.

STATE OF CONNECTICUT
SUPERIOR COURT
JUDICIAL DISTRICT OF
TOLLAND

APR 4 - 2023

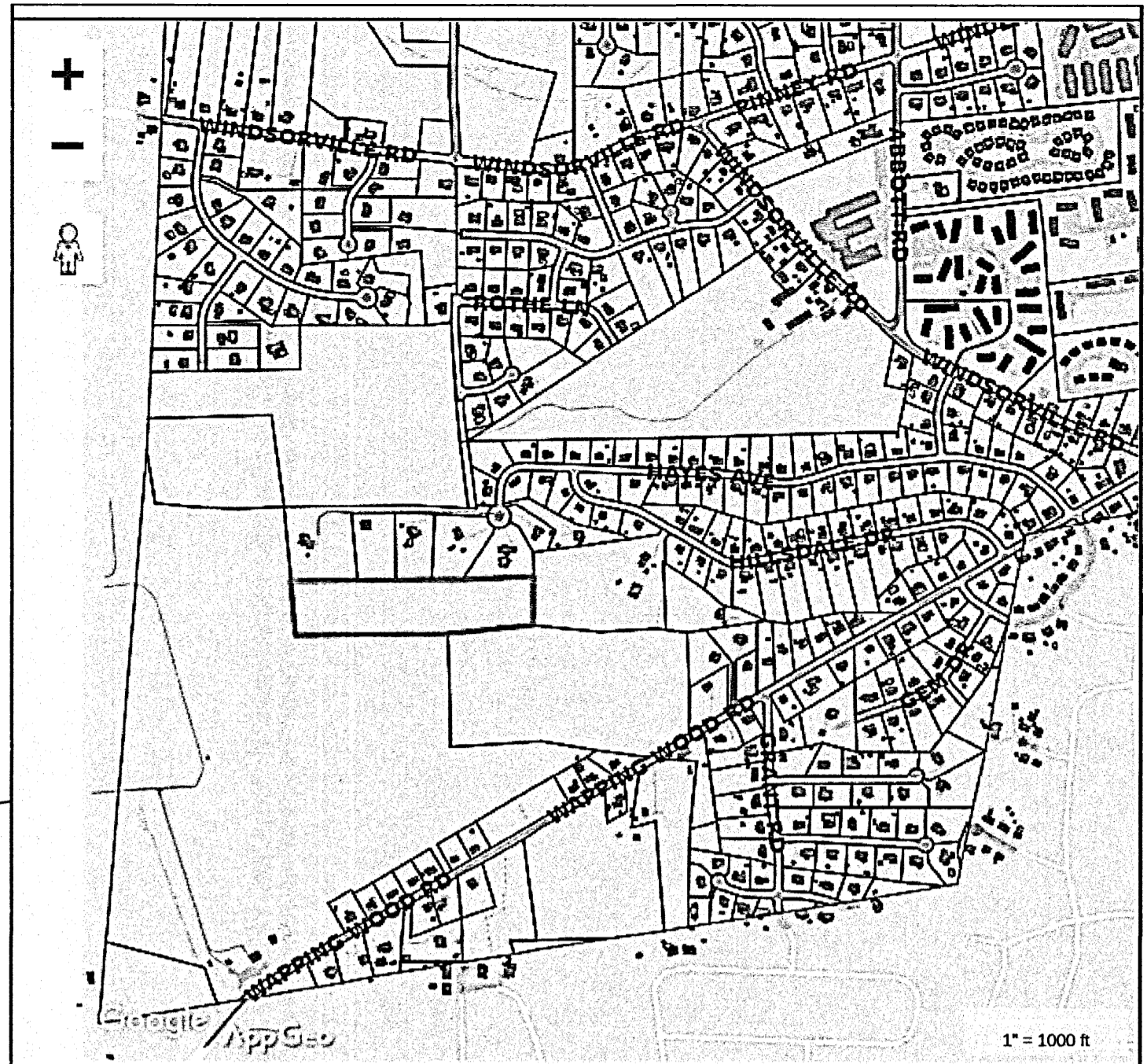
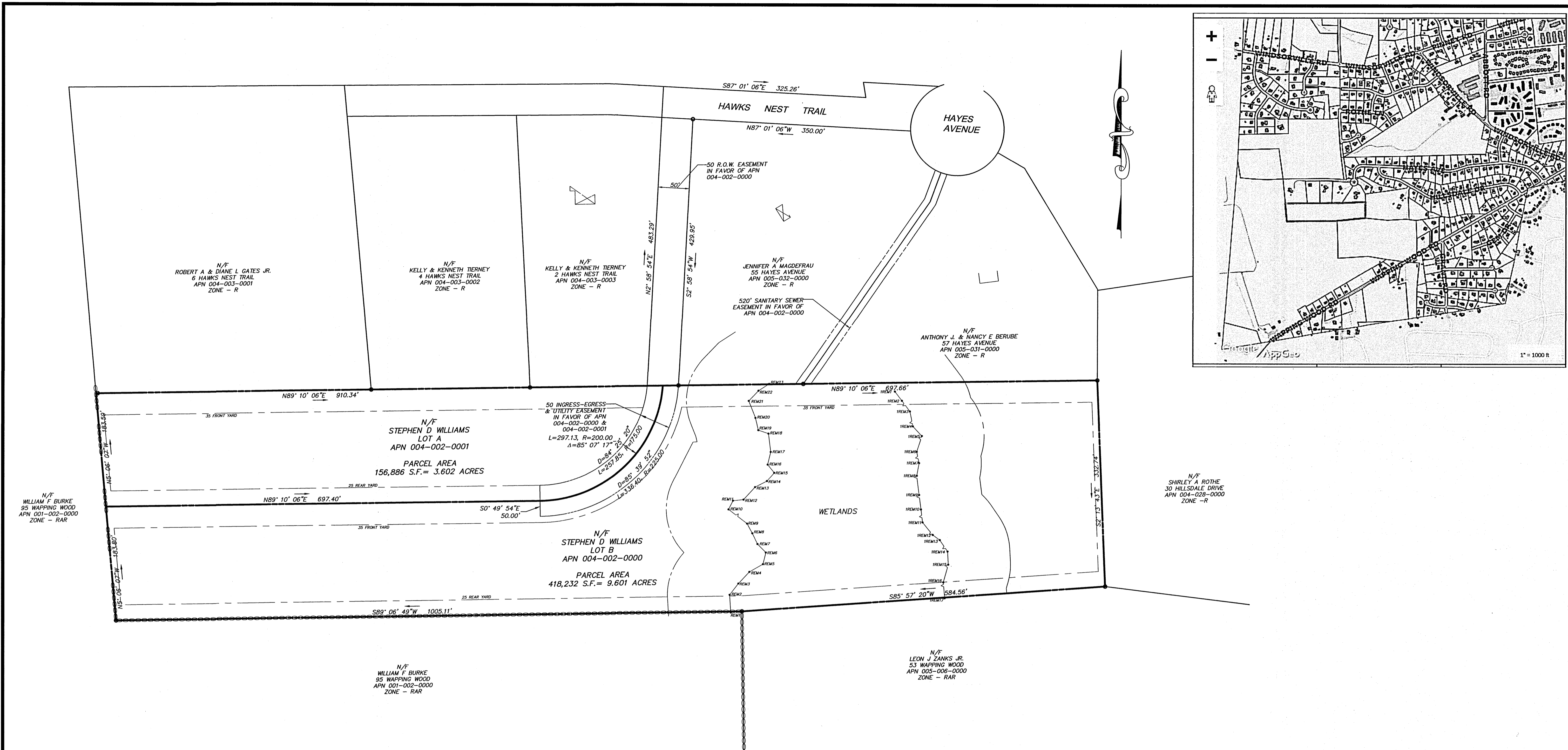
Received for Record at Town of Ellington CT
On 04/11/2023 At 2:08:00 pm

Donna M. Wilkerson

CERTIFIED COPY
SEAL AFFIXED
BY *[Signature]* CLERK

TTDCV206021563S 3/27/2023

Page 1 of 1



REVISIONS	
No.	DESCRIPTION

SCALE: HORIZ.: 1" = 80'	VERT.: 1" = 40'
SURVEY DATUM: HORIZ.: NAD 1983	
VERT.: NAVD 1988	

Prepared By:

Alfred Benesch & Company
120 Habron Avenue - 2nd Floor
Stamford, CT 06907
Phone: (860) 632-6344, Fax: (860) 632-1068
www.benesch.com

LEGEND

UTILITY SERVICES (UNDERGROUND OR OVERHEAD)	
—E—	ELECTRIC SERVICE
—G—	GAS PIPES
—SAN—	SANITARY SEWER PIPES
—SWM—	STORM WATER PIPES (LESS THAN 12")
—SWM—	STORM WATER PIPES (12" OR LARGER)
—STM—	STEAM PIPES (SUPPLY & COND.)
—T—	TELEPHONE SERVICE
—W—	WATER PIPES
—COM—	COMMUNICATION/FIBER OPTIC SERVICE
—FP—	FIRE PROTECTION PIPES
—UG—	UNKNOWN UTILITY SERVICE
—OH—	OVERHEAD WIRES

PROPERTY/BOUNDARY LINES	
—P—	PROPERTY/BOUNDARY LINES (CLASS A-2)
—D—	PROPERTY/BOUNDARY LINES (CLASS D)
—E—	EASEMENT LINES

FEATURE LINES	
—	CURBED ROADWAY
—	EDGE OF PAVED ROAD/DRIVE
—	BUILDING FOOTPRINT (AERIAL PHOTOS)
—	RETAINING WALL
—	STOCKADE FENCE
—	CHAIN LINK/WIRE FENCE
—	TRAIL/VEGETATION LINE
—	STONE WALL
—	SURFACE WATER (WATERCOURSE)
—	WETLANDS LIMIT
—	EDGE OF LANDSCAPING
—	INTERMEDIATE CONTOUR
—	INDEX CONTOUR

SYMBOL LEGEND	
○	CATCH BASIN
○	ROUND DRAIN
○	SQUARE DRAIN
○	STORM DRAIN MANHOLE
○	ELECTRIC MANHOLE
○	SANITARY MANHOLE
○	WATER MANHOLE
○	TELEPHONE MANHOLE
○	MANHOLE (OF UNKNOWN TYPE)
○	HAND HOLE (SD / REC.)
○	WATER VALVE
○	GAS VALVE
○	HYDRANT
○	COMBO STANDPIPE
○	GUT WIRE
○	SIGN (SINGLE POST)
○	SIGN (DOUBLE POST)
○	BORING (AS DRILLED)
○	BORING (AS STAKED)
○	SPOT ELEVATION
○	WETLANDS FLAG
○	PROPERTY MONUMENT
○	UTILITY MONUMENT (SET AS 2' OFFSET)
○	IRON PIPE OR REBAR FOUND
○	IRRIGATION CONTROL BOX
○	EMERGENCY PHONE
○	TRAFFIC CONTROLLER CABINET
○	UTILITY POLE W/ LIGHT
○	STREET LIGHT
○	LIGHT POST
○	BOLLARD LIGHT
○	BOULDER / ROCK
○	CONIFER SHRUB
○	DECIDUOUS SHRUB
○	DECIDUOUS TREE (SAMPLING)
○	DECIDUOUS TREE
○	CONIFER TREE

ABBREVIATIONS	
A/C	AIR CONDITIONER
AT&T	AMERICAN TELEPHONE & TELEGRAPH COMPANY
BIT.	BITUMINOUS
BLK.	BLACK
CB	CATCH BASIN
COM	COMMUNICATION
CONC.	CONCRETE
CONC.	CONNECTICUT NATURAL GAS
CL.	CENTERLINE
CLF.	CHAIN LINK FENCE
CL&P	CONNECTICUT LIGHT & POWER COMPANY
CP	CONTROL POINT
DEC.	DECIDUOUS
DWH	DRAINAGE MANHOLE
E	EAST OR ELECTRIC
ELEV	ELECTRIC ELEVATION
EMH	ELECTRIC MANHOLE
FLW	FLOW LINE
FND.	FOUND
GRAN.	GRANITE
GRN.	GRANITE STONE CURB
H&CO	HARTFORD ELECTRIC COMPANY
HDRW.	HYDRANT
H.L.	HAND HOLE
L.P.	LIGHT POLE
MH	MANHOLE
M	METER
M.W.	MONITOR WELL
N	NORTH
NAD	NORTH AMERICAN DATUM
NAV.D	NATIONAL AMERICAN VERTICAL DATUM
NE	NORTHEAST
N/F	NOW OR FORMERLY
NW	NORTHWEST
PVC	POLYVINYL CHLORIDE
P.I.V.	POST INDICATOR VALVE
RET.	RETAINING
RCP	REINFORCED CONCRETE PIPE
R.L.	RAIN LEADER
S	SOUTH OR SUPPLY
SE	SOUTHEAST
SW	SOUTHWEST
SAN.	SANITARY
SMH	SANITARY MANHOLE
SNET	SOUTHERN NEW ENGLAND TELEPHONE
SQ.	SQUARE
STM	STEAM
T.M.H.	TELEPHONE MANHOLE
TEL.	TELEPHONE
T.O.F.	TOP OF FRAME
UNK.	UNKNOWN
W	WEST
W.G.	WATER GATE

MAP REFERENCES

- PLAN OF LAND OF MR. BERMART SURVEYED JAN 23-28-31-FEB 7-8, 1908 CONTAINING BY CALCULATION 113 ACRES + 24 SQ. RODS SCALE 1/4" = 1 CHAIN C.H. BANCROFT SURVEYOR
- MAP SHOWING LAND OF ANNA ZANKS TOWN OF ELLINGTON SCALE 1"=50' CERTIFIED SUBSTANTIALLY CORRECT EVERETT O GARDNER LS 4395 JULY 20 1964 ROCKVILLE CONN.
- SUBDIVISION PLAN KNOXWOOD SECTION B-3 TOWN OF ELLINGTON, CONNECTICUT OWNER DENNIS M KUPERSCHMID ETUX GARDNER & PETERSON ASSOC 576 OLD POST ROAD TOLLAND CONNECTICUT PROFESSIONAL ENGINEER LAND SURVEYOR SCALE 1"=100' DATE 4-22-80 SHEET 1 OF 1 MAP 3 4759 REVISED 7-14-80
- PARCEL OF LAND OF HENRY R ROTHE JR ELLINGTON, CONN ALFRED E. SCHINDLER ALDN SURVEYOR ELLINGTON CONNECTICUT DRAWN BY AES SCALE 1"=100' DATE 5/19/80 JOB NO. 766-1
- RESUBDIVISION PLAN PREPARED FOR DENNIS AND TERRY KUPERSCHMID #53 HAYES AVENUE ELLINGTON, CONNECTICUT OWNER/APPLICANT: DENNIS AND TERRY KUPERSCHMID #53 HAYES AVENUE ELLINGTON, CONNECTICUT ENGINEERS AND SURVEYORS TARBELL HEINTZ & ASSOC, INC. SCALE AS SHOWN DATED 6-27-17 SHEET 1 OF 3
- TOPOGRAPHIC PLAN PERIMETER SURVEY PREPARED FOR STEPHEN D WILLIAMS HAWKS NEST TRAIL / HAYES AVENUE ELLINGTON, CONNECTICUT JOB 1768-TOM DATE 5-30-22 SCALE 1"=100' SHEET 2 OF 2 BY TARBELL, HEINTZ & ASSOC., INC.

SURVEY NOTES

- THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-300B-1 THRU 20-300B-20 AND THE "MINIMUM STANDARDS OF ACCURACY, CONTENT & CERTIFICATION FOR SURVEYS AND MAPS, AS AMENDED OCTOBER 26, 2018."
 - 1.1. THE TYPE OF SURVEY IS A PROPERTY/BOUNDARY SURVEY.
 - 1.2. THE BOUNDARY DETERMINATION CATEGORY IS DEPENDENT RESURVEY.
 - 1.3. THE ACCURACIES ARE AS FOLLOWS:

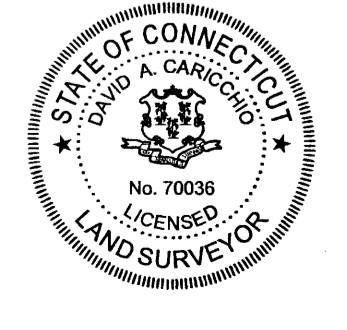
HORIZONTAL CONTROL	CLASS "A-2"
BOUNDARY	CLASS "A-2"
TOPOGRAPHY	CLASS "D"
- THE COORDINATES AND ELEVATIONS DEPICTED ON THE PLAN REPRESENT THE NAD '83 AND THE NAVD '88 DATUMS. COORDINATES WERE ESTABLISHED ON THE SITE BASED UPON GPS OBSERVATIONS TAKEN ON DEC 2023 USING TRIMBLE GNS3 RTK R10 RECEIVERS AND SOLUTIONS PROVIDED THROUGH THE KEynet NETWORK.
- UNDERGROUND UTILITIES (IF DEPICTED) HAVE BEEN COMPILED, IN PART, BASED UPON INFORMATION FURNISHED BY OTHERS. THIS INFORMATION IS TO BE CONSIDERED APPROXIMATE AND ALFRED BENESCH & COMPANY DOES NOT TAKE RESPONSIBILITY FOR SUBSEQUENT ERRORS OR OMISSIONS WHICH MAY HAVE BEEN INCORPORATED INTO THIS PLAN AS A RESULT. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCES OF WHICH ARE UNKNOWN TO ALFRED BENESCH & COMPANY. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO ANY CONSTRUCTION. CALL "CALL BEFORE YOU DIG" 1-800-922-4455.
- PARCEL APN 001-002-0000 PER VOL 50 PG 648 VOL 32 PG 518 AND VOL 21 PG 21 IS ENCUMBERED WITH A HIGHWAY LAID OVER SID PREMISES AS RECORDED
- TOPOGRAPHY TAKEN FOR THE 2016 STATE OF CONNECTICUT LIDAR.

RECEIVED
JAN 16 2024
TOWN OF ELLINGTON
PLANNING DEPARTMENT

TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS DEPICTED AND NOTED HEREON.

DATE: 1/15/2024

DAVID A. CARICCHIO, P.L.S. No. 70036
ALFRED BENESCH & COMPANY, GLASTONBURY, CONNECTICUT
(not valid without original signature and embossed seal)



I HAVE REVIEWED THIS PLAN AND FIND THAT THE WETLAND BOUNDARIES DEPICTED HEREIN SUBSTANTIALLY REFLECT THE WETLAND DELINEATIONS CONDUCTED IN THE FIELD IN ACCORDANCE WITH THE CONNECTICUT GENERAL STATUTES, IN APRIL OF 2022.

DATE: 7/19/2022

GEORGE T. LOGAN, MS, PWS, CSE
REGISTERED SOIL SCIENTIST
CERTIFIED PROFESSIONAL WETLAND SCIENTIST

APN 004-002-0000 LOT SPLIT
BOUNDARY SURVEY
PREPARED FOR
STEPHEN D. WILLIAMS
HAWKS NEST TRAIL - HAYES AVENUE
ELLINGTON
CONNECTICUT

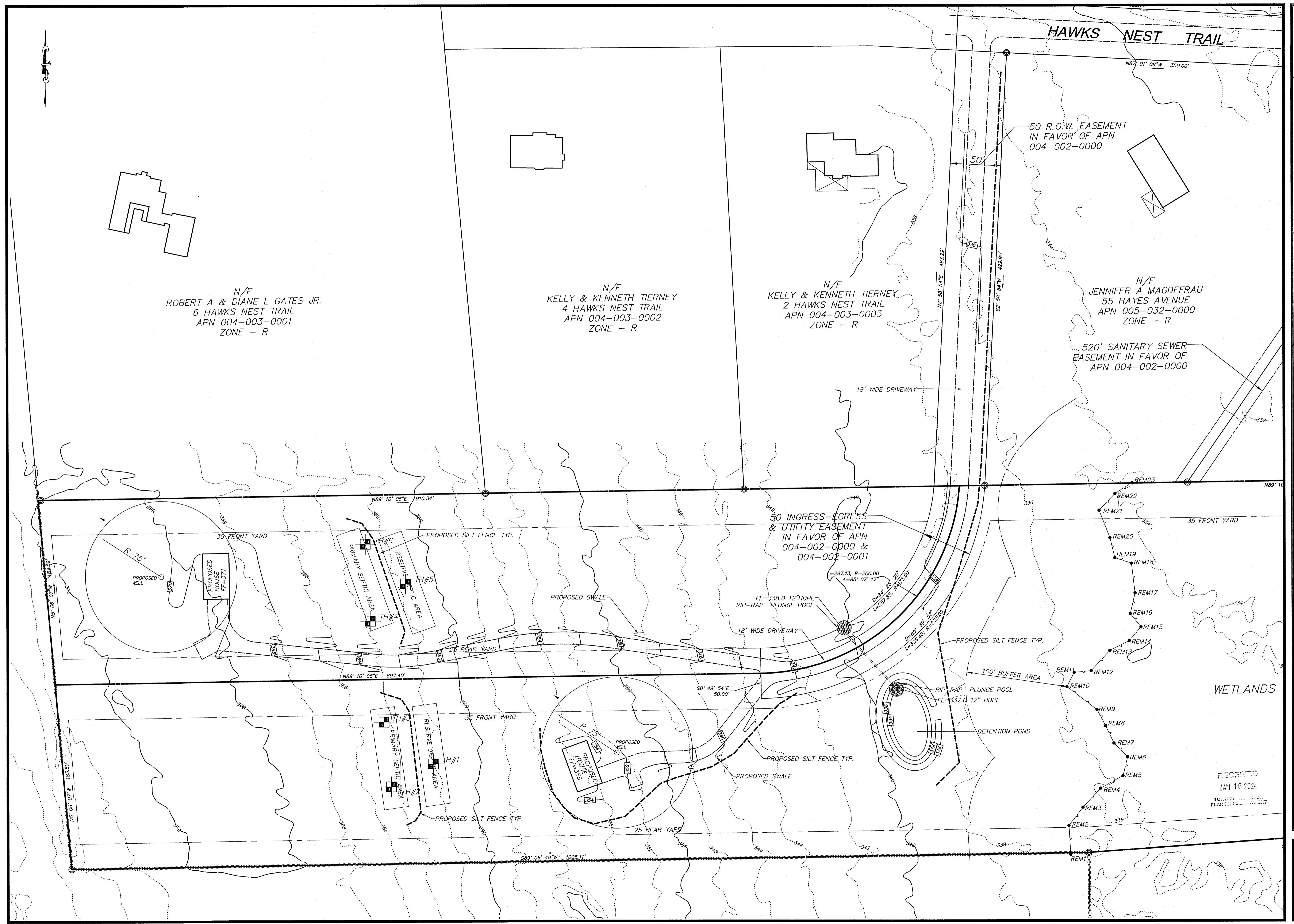
PROJ. No.: 70662.02
DATE: DEC 2023

SV.01
7.202328

PAPER SPACE LAYOUT NAME: _____
TWO VIEW: _____
VIEWNAME: _____
LAYER MANAGER NAME: _____
LAYOUT TABLE: STB

File Location \Name: V:\Gastonbury\70662.02_Williams_Hawk_Nest\Survey\ACAD\70662.02_survey.dwg Date of Plot: January 15, 2024 11:48 AM

PAPER SPACE LAYOUT NAME:
 TITLE VIEW:
 VIEW NAME:
 LAYER NAME:
 LAYER NAME:



SURVEY BOOK: 06-	
SURVEYOR: DAC	
DRAWN: RS	
CHECKED: MW	
APPROVED: MW	

REVISIONS	DESCRIPTION
No.	DATE

SCALE: HORIZ.: 1" = 40'
 VERT.:
 SURVEY DATUM: HORIZ.: NAD 1983
 VERT.: NAVD 1988

GRAPHIC SCALE: 0 20 40

Prepared By: **benesch**
 Alfred Benesch & Company
 120 Fabron Avenue - 2nd Floor
 Glastonbury, Connecticut 06033
 Phone: (860) 633-1068
 www.benesch.com

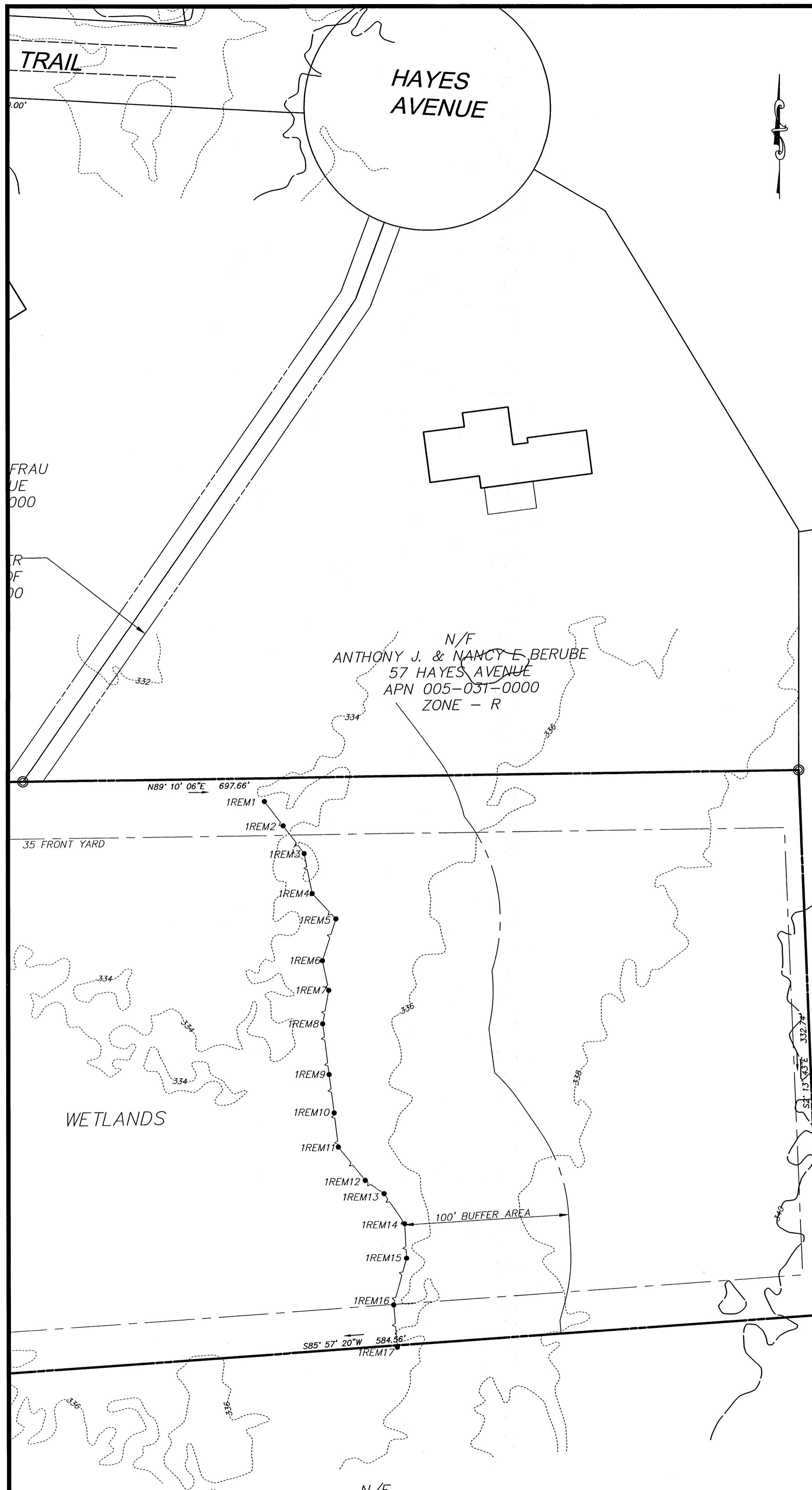
APN 004-002-0000 SITE PLAN
 TOPOGRAPHIC SURVEY
 PREPARED FOR
STEPHEN D. WILLIAMS
 HAWKS NEST TRAIL - HAYES AVENUE
 ELLINGTON CONNECTICUT

RECORDED
 JAN 16 2024
 TOWN OF ELLINGTON
 PLANNING DEPARTMENT

PROJ. No.: 70662.02
 DATE: DEC 2023

SV.02

File Location/Name: Y:\Geospatial\70662.02_Williams_Hawk_Nest_Survey\ACAD\70662.02_survey.dwg
 Date of Plot: January 15, 2024 - 11:48 AM



Plan Approval
Subsurface Sewage Disposal System

0000 Hawk's Nest Trail
Ellington
06064

Stephen D. Williams 36 Buff Cap Rd. Toland, Ct 06064
Owner
Stephen D. Williams 36 Buff Cap Rd. Toland, Ct 06064
Owner Address
Rural
Rural Address
City
Rural Address
Town
State
Zip
Engineer
Rural Address
City
Town
State
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.

Expiry Date: August 15, 2023
Renewal Date: September 10, 2023
Last Revision Date:

Approval No. NA
Date: 08/15/2023

Code compliant area only
Depth Name: M12 Task Size: 12
Pit Type: 12
Location: 12
Pump: 12

This is NOT a PERMIT to CONSTRUCT a Subsurface Sewage Disposal System. The permit to construct will be issued to the permittee under the provisions of the State Sanitary Code. This plan approval is subject to the specific conditions as shown on the plan. The permittee must comply with the following specific conditions:

Engineer Design
 Foundation: 12x12
 Footing: 12x12
 Foundation As Built Required
 Tie Back Required
 Field Stealing by Engineer

Field Stealing by Inspector (Phone Only)
 Field Stealing by Wind or Other
 Safety: 12
 Foundation As Built Required
 Foundation: 12x12
 Footing: 12x12
 Foundation As Built Required
 Tie Back Required
 Foundation: 12x12
 Footing: 12x12
 Foundation As Built Required
 Tie Back Required

Plan prepared by Russell H. Hertz, L.S., State Registered Professional Surveyor, registered for Stephen D. Williams, Hawk's Nest Trail, Hayes Avenue, Ellington, Ct. Date dated 08/15/2023. APN 004-022-000 with total parcel area shown of 13.33 acres.

As shown on plan, wetland features that are potential code compliant septic system areas will remain on each parcel for future development.

Parcel APN 004-022-000 is shown with soil pits located TH1, 2, and 3 indicated that suitable soils exist to support a subsurface sewage disposal system.

Approved by: _____
Director of Health

Subsurface Sewage Disposal Investigation Results

0000 Hawk's Nest Trail
Ellington
06064

Stephen D. Williams 36 Buff Cap Rd. Toland, Ct 06064
Owner
Stephen D. Williams 36 Buff Cap Rd. Toland, Ct 06064
Owner Address
Rural
Rural Address
City
Rural Address
Town
State
Zip
Engineer
Rural Address
City
Town
State
Zip

HOLE	HOLE 1		HOLE 2		HOLE 3		HOLE 4	
	Time	Reading	Time	Reading	Time	Reading	Time	Reading

Soil Description Observation Pits

Pit #	Pit 1	Pit 2	Pit 3	Pit 4	Pit 5
1'-3"	Topsoil	Topsoil	Topsoil	Topsoil	Topsoil
3"-6"	Loam	Loam	Loam	Loam	Loam
6"-12"	Loam	Loam	Loam	Loam	Loam
12"-18"	Loam	Loam	Loam	Loam	Loam
18"-24"	Loam	Loam	Loam	Loam	Loam
24"-30"	Loam	Loam	Loam	Loam	Loam
30"-36"	Loam	Loam	Loam	Loam	Loam
36"-42"	Loam	Loam	Loam	Loam	Loam
42"-48"	Loam	Loam	Loam	Loam	Loam
48"-54"	Loam	Loam	Loam	Loam	Loam
54"-60"	Loam	Loam	Loam	Loam	Loam
60"-66"	Loam	Loam	Loam	Loam	Loam
66"-72"	Loam	Loam	Loam	Loam	Loam
72"-78"	Loam	Loam	Loam	Loam	Loam
78"-84"	Loam	Loam	Loam	Loam	Loam
84"-90"	Loam	Loam	Loam	Loam	Loam
90"-96"	Loam	Loam	Loam	Loam	Loam
96"-102"	Loam	Loam	Loam	Loam	Loam
102"-108"	Loam	Loam	Loam	Loam	Loam
108"-114"	Loam	Loam	Loam	Loam	Loam
114"-120"	Loam	Loam	Loam	Loam	Loam

CONCLUSION
Soils for septic disposal? Yes No Pending

Additional investigation required? Yes No Pending

Permitting required? Yes No Pending

Engineering plan required? Yes No Pending

Other? Yes No Pending

Design Requirements:
See notes to conditions to be met.

0000 Hawk's Nest Trail
Ellington
06064

Stephen D. Williams 36 Buff Cap Rd. Toland, Ct 06064
Owner
Stephen D. Williams 36 Buff Cap Rd. Toland, Ct 06064
Owner Address
Rural
Rural Address
City
Rural Address
Town
State
Zip
Engineer
Rural Address
City
Town
State
Zip

SPECIAL CONDITIONS

System depth larger than 3.00 ft? Yes No

Water supply connection? Yes No

Permissible use of high ground water? Yes No

Watercourse, marsh or pond? Yes No

High ground water (over 1.5 ft)? Yes No

Permissible use of high ground water? Yes No

Other? Yes No

CONCLUSION
Soils for septic disposal? Yes No Pending

Additional investigation required? Yes No Pending

Permitting required? Yes No Pending

Engineering plan required? Yes No Pending

Other? Yes No Pending

Design Requirements:
See notes to conditions to be met.

NO.	DATE	DESCRIPTION

SCALE: HORIZ.: 1" = 40'
VERT.: 1" = 10'

SURVEY DATUM: HORZ.: NAD 1983
VERT.: NAVD 1988

GRAPHIC SCALE: 0 20 40

Prepared By: **benesch**

APN 004-002-0000 SITE PLAN
TOPOGRAPHIC SURVEY
PREPARED FOR
STEPHEN D. WILLIAMS
HAWKS NEST TRAIL - HAYES AVENUE
ELLINGTON CONNECTICUT

PROJ. No.: 70662.02
DATE: DEC 2023

RECEIVED
JAN 10 2024

SV.03

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Date of Plot: January 15, 2024 11:46 AM

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TWIST VIEW:
LAYER MANAGER NAME:
PLOT TABLE: STB

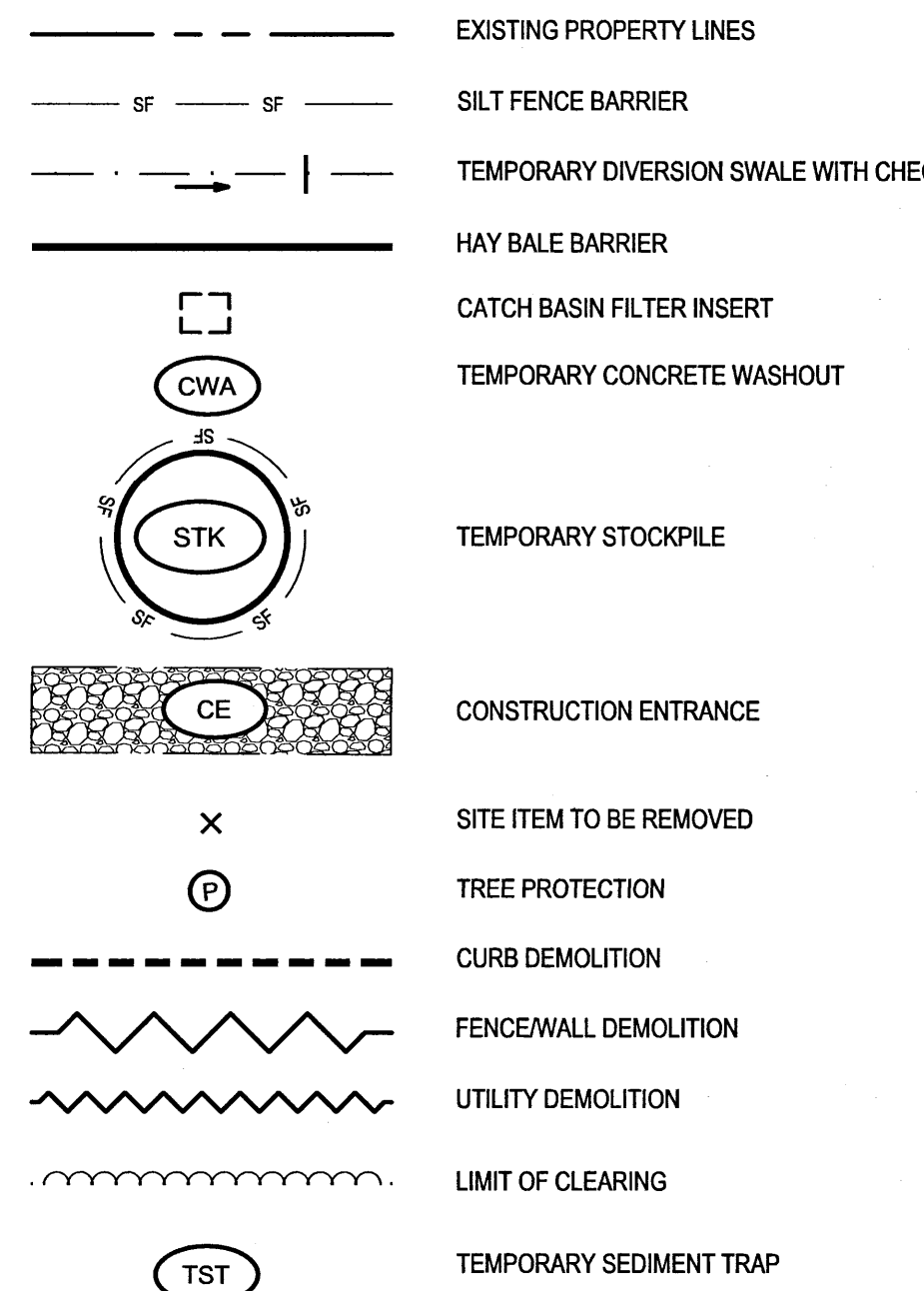
SITE PREPARATION NOTES:

- CONTRACTOR SHALL NOTIFY "CALL BEFORE YOU DIG" (1-800-922-4455) AND VERIFY UTILITY MARK-OUT WITH THE OWNER PRIOR TO THE INITIATION OF ANY SITE DISTURBANCE.
- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR VERIFICATION OF THE LOCATION AND NATURE OF ALL SUBSURFACE UTILITIES AT THE PROJECT WHICH MAY BE AFFECTED BY THE WORK. COORDINATE WITH RESPECTIVE UTILITY OWNERS AND PERFORM VERIFICATION OF TYPE, LOCATION, AND INVERTS AS REQUIRED.
- PROTECT ALL IMPROVEMENTS NOT INCLUDED WITHIN THE LIMITS OF WORK. ANY IMPROVEMENT WHICH IS DAMAGED SHALL BE REPAIRED OR REPLACED IN-KIND TO THE OWNER'S SATISFACTION.
- DURING DEMOLITION, PROTECT ALL ADJACENT CURBING, SIDEWALKS, RAMP, ABOVE-GRADE AND BELOW-GRADE UTILITIES, DRAINAGE STRUCTURES, LIGHT BASES, AND OTHER IMPROVEMENTS POTENTIALLY AFFECTED BY THE WORK. CLEARLY DELINEATE THE LIMITS OF WORK AND MARK, BARRICADE, OR OTHERWISE IDENTIFY THOSE IMPROVEMENTS THAT ARE TO BE PROTECTED AND/OR AVOIDED. ANY IMPROVEMENT WHICH IS DAMAGED SHALL BE REPAIRED OR REPLACED IN-KIND TO THE OWNER'S SATISFACTION.
- THE LOCATIONS OF EXISTING SITE FEATURES AS SHOWN HAVE BEEN OBTAINED FROM MAPS, SURVEYS, FIELD INSPECTIONS, AND OTHER AVAILABLE INFORMATION. THEY MUST BE CONSIDERED APPROXIMATE BOTH TO LOCATION, SIZE, AND AS-BUILT CONDITION AND ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR DETERMINING ACTUAL FIELD CONDITIONS.
- THE DIMENSIONS SHOWN ON THE PLANS, INCLUDING THE INTENDED DIMENSIONS OF THE WORK, MAY VARY FROM ACTUAL EXISTING CONDITIONS IN THE FIELD. THE CONTRACTOR SHALL TAKE APPROPRIATE MEASUREMENTS TO VERIFY ALL DIMENSIONS SHOWN ON THE DRAWINGS AS WELL AS OTHER DIMENSIONS HE MAY DEEM APPROPRIATE TO FACILITATE THE COMPLETION OF THE WORK. NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN EXISTING CONDITIONS AND THE CONTRACT DOCUMENTS BEFORE PROCEEDING WITH THAT PORTION OF THE WORK.
- IMPLEMENTING WORKER SAFETY AND/OR HEALTH PROTOCOLS THAT ADDRESS COMPLIANCE WITH RULES, LAWS, AND REGULATIONS PERTAINING TO CONSTRUCTION SAFETY AND/OR THE POTENTIAL AND/OR ACTUAL RISK OF EXPOSURE TO SITE-SPECIFIC PHYSICAL OR CHEMICAL HAZARDS IS SOLELY THE RESPONSIBILITY OF THE CONTRACTOR.
- UNLESS OTHERWISE INDICATED, ALL DISTURBED AREAS SHALL BE RESTORED WITH SIX (6) INCHES OF LOAM, SEED, FERTILIZED, AND MULCHED. PROVIDE ADDITIONAL EROSION CONTROLS AS REQUIRED.

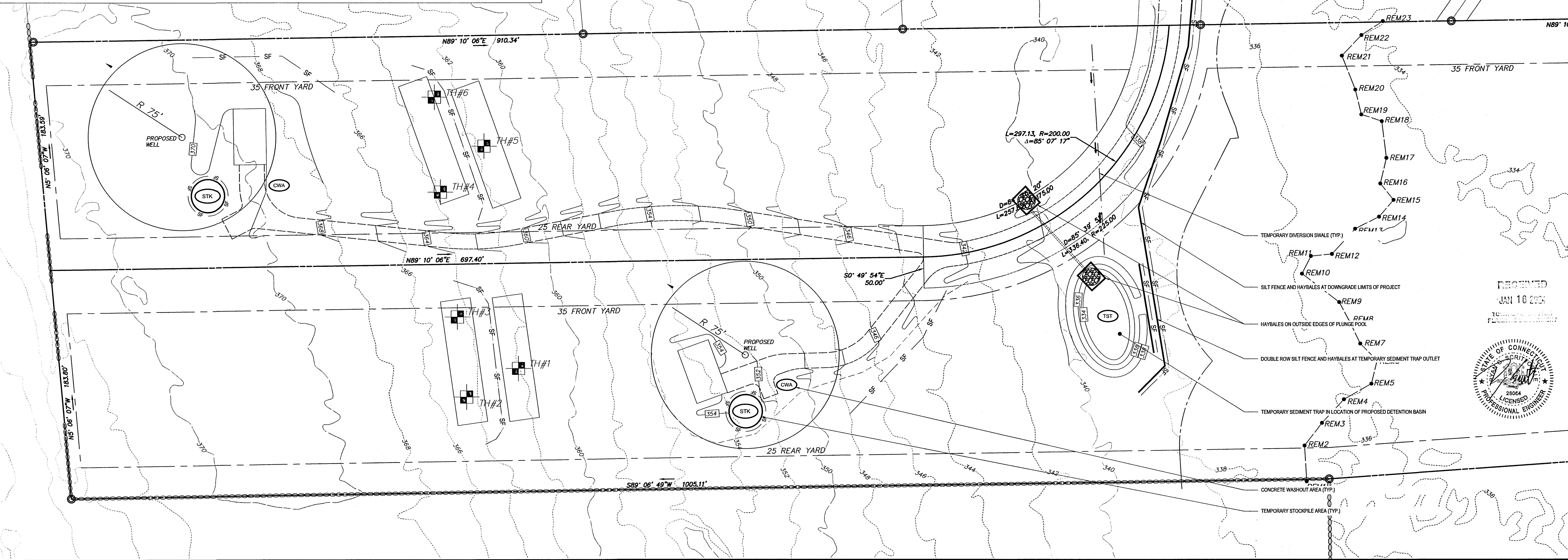
EROSION AND SEDIMENT CONTROL NOTES:

- THIS PLAN IS FOR EROSION AND SEDIMENTATION (E&S) CONTROL ONLY. SEE OTHER PLANS FOR THE SCOPE OF CONSTRUCTION WORK.
- THE MEASURES SPECIFIED HEREON ARE THE MINIMUM REQUIREMENTS FOR E&S CONTROL AND ARE SHOWN IN GENERAL SIZE AND LOCATION ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT ALL E&S CONTROL MEASURES ARE CONFIGURED AND CONSTRUCTED IN A MANNER THAT WILL MINIMIZE EROSION OF SOILS AND PREVENT THE TRANSPORT OF SEDIMENTS AND OTHER POLLUTANTS TO ANY RESOURCE AREAS. ALL EROSION CONTROLS SHALL BE INSTALLED PRIOR TO ANY SITE WORK. CONTROLS SHOULD BE INSPECTED WEEKLY AND AFTER EACH RAINFALL. EXCAVATED MATERIAL SHOULD NOT BE DISPOSED OF IN THE WETLAND AREA. PROVIDE ADDITIONAL E&S MEASURES AS REQUIRED TO CONTROL EROSION AND SILTATION THROUGHOUT THE DURATION OF THE CONSTRUCTION AS CONDITIONS DICTATE AND/OR AS DIRECTED BY THE OWNER OR THE ENGINEER.
- MONITOR AND INSPECT ALL E&S MEASURES IN AN ONGOING MANNER THROUGHOUT THE WORK AND TAKE CORRECTIVE MEASURES, AS REQUIRED, TO MINIMIZE EROSION OF SOILS AND PREVENT THE TRANSPORT OF SEDIMENTS AND OTHER POLLUTANTS TO ANY RESOURCE AREAS.
- ANY EROSION AND SEDIMENTATION MEASURE IMPLEMENTED BEYOND THAT SHOWN HEREON SHALL CONFORM TO APPLICABLE SECTIONS OF THE STATE OF CONNECTICUT'S 2002 "CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL."
- ANY STOCKPILED MATERIAL SHALL BE SUBJECT TO EROSION CONTROL MEASURES THAT INCLUDE A MINIMUM OF SILT FENCE OR HAY BALE BARRIER, COVER STOCKPILES IF SIGNIFICANT RAINFALL IS PREDICTED.
- PROVIDE TEMPORARY SEEDING WITH MULCH ON ALL EXPOSED SOIL AREAS WHERE WORK WILL BE SUSPENDED FOR LONGER THAN 30 DAYS. APPLY SEED AND MULCH WITHIN THE FIRST 7 DAYS OF SUSPENDING WORK. WHEN SEEDING IS NOT POSSIBLE DUE TO SEASONAL WEATHER CONDITIONS OR OTHER FACTORS, PROVIDE TEMPORARY STRUCTURAL SOIL PROTECTION SUCH AS MULCH, WOODCHIPS, EROSION CONTROL MATTING, OR COMPOST.
- ALL TEMPORARY SLOPES IN EXCESS OF 3 (HORIZONTAL) TO 1 (VERTICAL) SHALL BE STABILIZED WITH EROSION CONTROL MATTING OR APPROVED EQUIVALENT.
- NO RUNOFF SHALL BE ALLOWED TO EXIT THE SITE PRIOR TO TREATMENT FOR SEDIMENT REMOVAL.
- THE CONTRACTOR SHALL MAINTAIN A CLEAN CONSTRUCTION SITE AND SHALL NOT ALLOW THE ACCUMULATION OF RUBBISH OR CONSTRUCTION DEBRIS. ALL TRASH SHALL BE CLEANED ON A DAILY BASIS AND THE SITE SHALL BE LEFT IN A NEAT CONDITION AT THE END OF EACH WORK DAY.
- TAKE ALL NECESSARY PRECAUTIONS TO AVOID THE SPILLAGE OF FUEL OR OTHER POLLUTANTS AND ADHERE TO ALL APPLICABLE POLICIES AND REGULATIONS RELATED TO SPILL PREVENTION, CONTROL, AND RESPONSE.
- FOR DUST CONTROL, PERIODICALLY MOISTEN EXPOSED SOIL SURFACES WITH WATER AND MAINTAIN ADEQUATE MOISTURE LEVELS.
- SWEEP ADJACENT ROADWAYS IF MUD OR SOIL IS TRACKED ON TO THEM, OR AS DIRECTED BY THE ENGINEER.
- SILT SACKS TO BE INSTALLED IN ALL PROPOSED CATCH BASINS ONCE CONSTRUCTED.

DEMOLITION AND EROSION CONTROL LEGEND



TEMPORARY E&S MEASURES MAINTENANCE SCHEDULE		
E&S MEASURE	MAINTENANCE MEASURES	SCHEDULE
FILTER INSERTS IN DRAINAGE SYSTEM	CLEAN CATCH BASIN GRATE, REMOVE SEDIMENT/DEBRIS FROM FILTER INSERTS	WEEKLY & WITHIN 24 HOURS AFTER STORM GENERATING A DISCHARGE
HAY BALES/SILT FENCE BARRIER	REPAIR/REPLACE WHEN FAILURE OBSERVED. REMOVE SILT WHEN ACCUMULATION REACHES APPROX. HALF HEIGHT OF BARRIER	WEEKLY & WITHIN 24 HOURS AFTER A STORM GENERATING A DISCHARGE
CONSTRUCTION ENTRANCE	SWEEP PAVED ROADWAY ADJACENT TO SITE ENTRANCE AS NECESSARY, REFRESH STONE AS NECESSARY, REMOVE SILTED GRAVEL	WEEKLY
MOISTEN EXPOSED SOILS	PERIODICALLY MOISTEN EXPOSED SOIL SURFACES WITH WATER ON UNPAVED TRAVELWAYS AND KEEP TRAVELWAYS DAMP	DAILY
TEMPORARY SEDIMENT TRAP	CHECK AND REPAIR OUTLET (SNAKE IF NECESSARY), CLEAN WHEN HALF FULL OF SEDIMENT (DEWATER IF NECESSARY), RESTORE TRAP TO ORIGINAL DIMENSIONS	WEEKLY & WITHIN 24 HOURS AFTER STORM GENERATING A DISCHARGE
TEMPORARY DIVERSION SWALE	REPAIR DAMAGED AREA WITHIN 24 HOURS OF OBSERVED FAILURE	WEEKLY & WITHIN 24 HOURS AFTER STORM GENERATING A DISCHARGE. INSPECT DAILY WHEN CONSTRUCTION ACTIVITIES ARE IN CLOSE PROXIMITY



REVISIONS	
No.	DESCRIPTION

SCALE: HORIZ.: 1" = 40'	VERT.: 1" = 40'
SURVEY DATUM: HORIZ.: NAD 1983	
VERT.: NAVD 1988	
GRAPHIC SCALE	

Prepared By:

Alfred Benesch & Company
120 Helicon Avenue - 2nd Floor
Farmington, CT 06030
Phone (860) 653-3441 / Fax (860) 653-1068
www.benesch.com

APN 004-002-0000 SITE PLAN
EROSION CONTROL PLAN
PREPARED FOR
STEPHEN D. WILLIAMS
HAWKS NEST TRAIL - HAYES AVENUE
ELLINGTON CONNECTICUT

PROJ. No.: 70662.02
DATE: DEC 2023

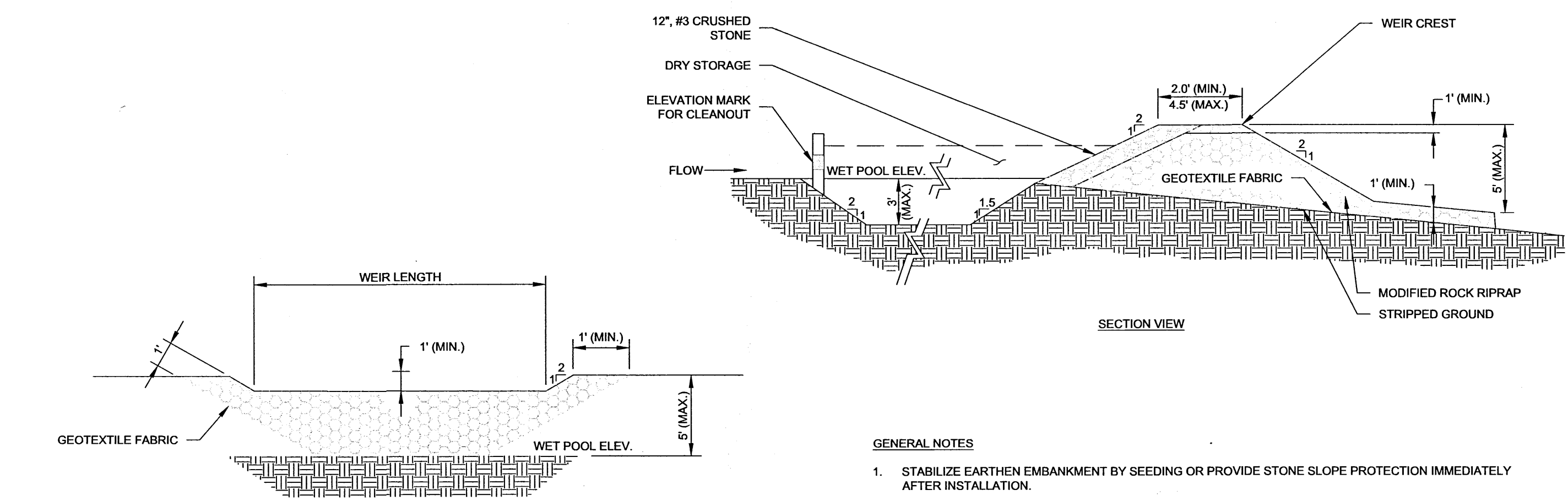
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attached refs: \x\trees.dwg
attached refs: \70662.02 survey.dwg

PAPER SPACE LAYOUT NAME:
VIEWNAME:
LAYER MANAGER NAME:
PLOT TABLE: STB

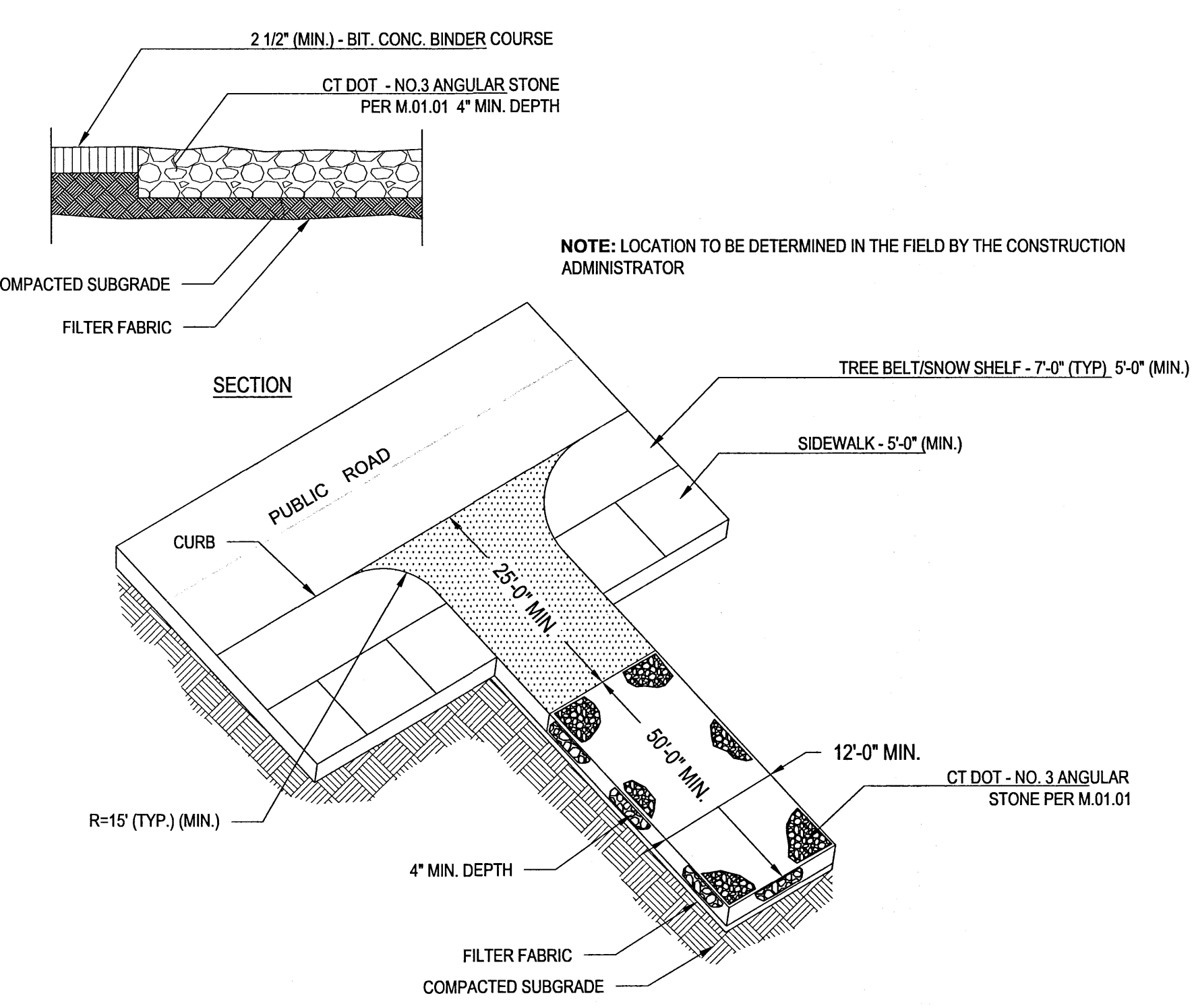
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Date of Plot: January 15, 2024 - 11:38 AM

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attached refs: 170662.02 survey.dwg
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VIEWNAME:
LAYER MANAGER NAME:
PLOT TABLE: STB

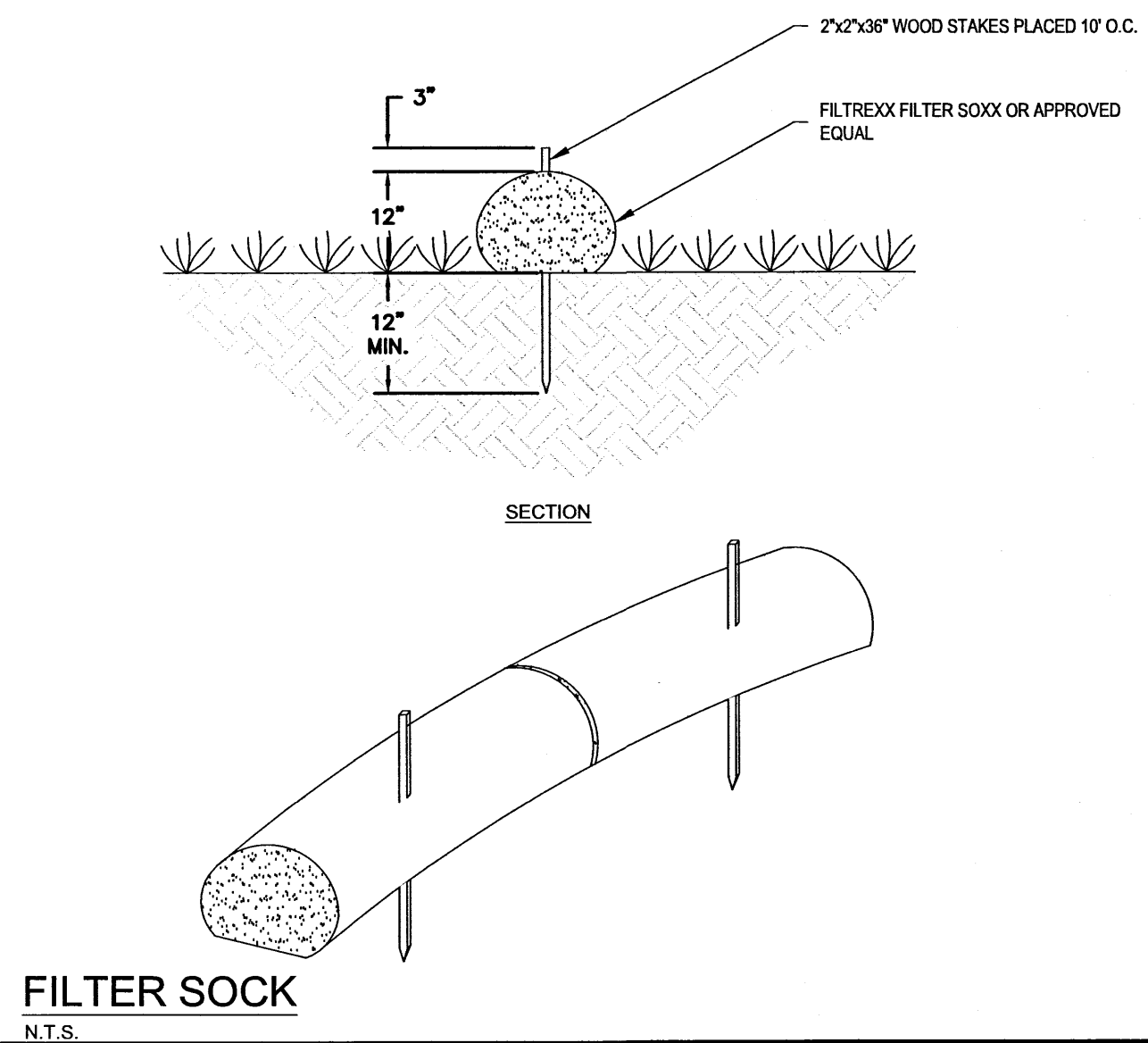


- GENERAL NOTES**
1. STABILIZE EARTHEN EMBANKMENT BY SEEDING OR PROVIDE STONE SLOPE PROTECTION IMMEDIATELY AFTER INSTALLATION.
 2. NON-OVERFLOW PORTIONS AND ABUTMENTS OF TEMPORARY SEDIMENT TRAPS MAY BE CONSTRUCTED OF COMPACTED EARTH/FILL.

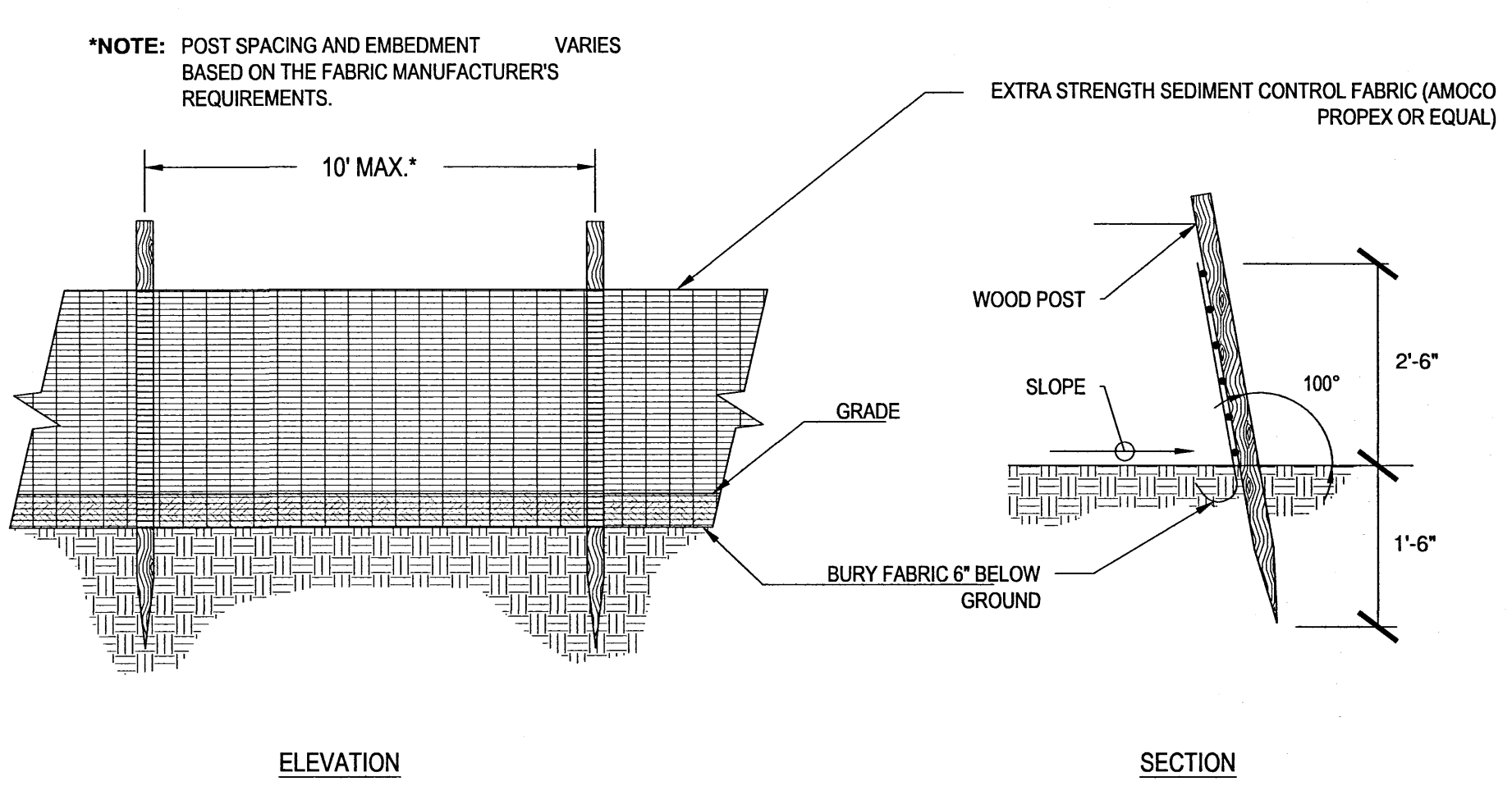
TEMPORARY SEDIMENT TRAP
SCALE: NONE



CONSTRUCTION ENTRANCE (CE)
N.T.S.

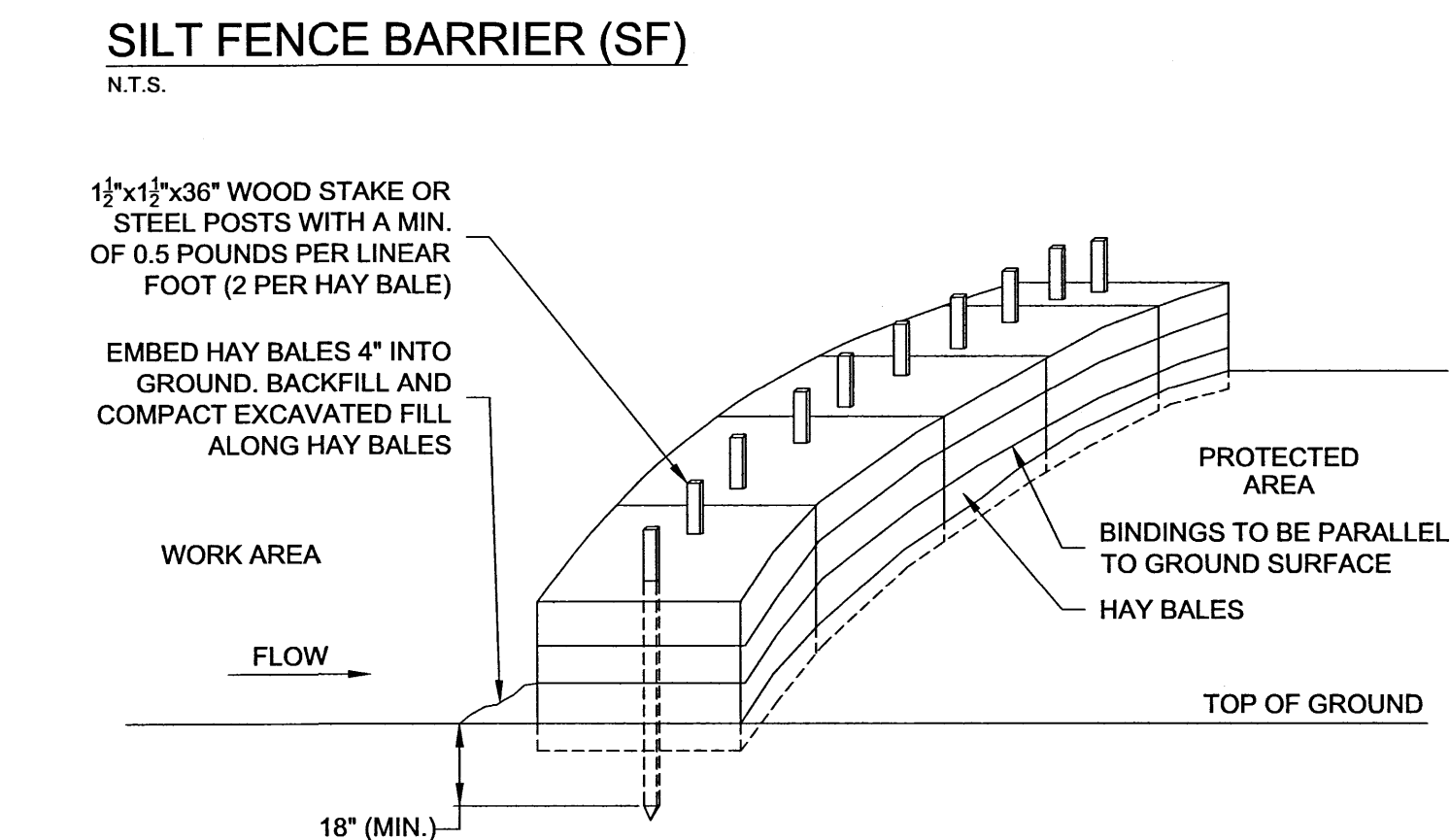


FILTER SOCK
N.T.S.



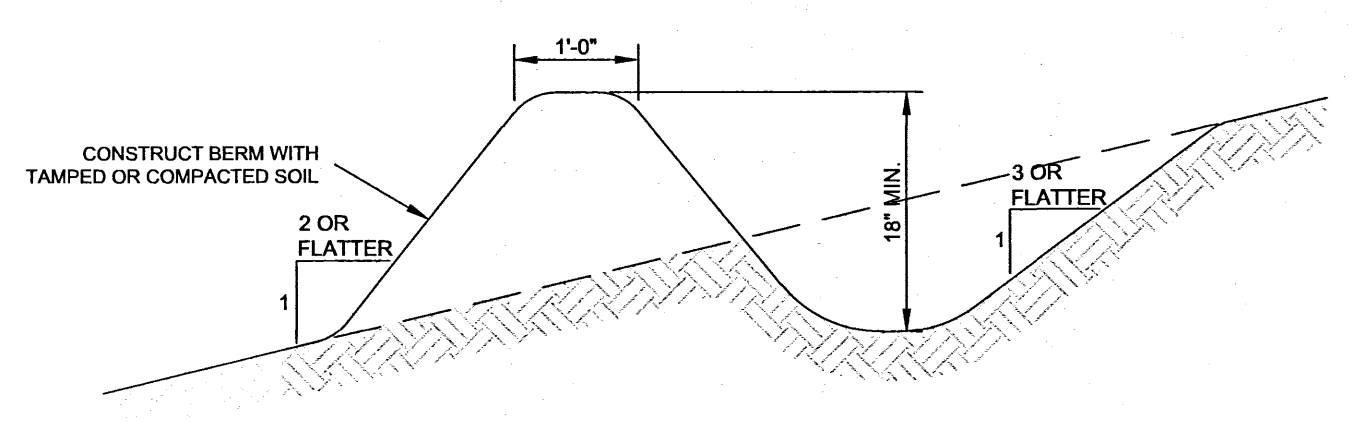
'SILTSACK' SEDIMENT CONTROL DEVICE, TERRAFIX GEOSYNTHETICS INC. TORONTO, ONTARIO, CA
WWW.TERRAFIXGEO.COM

SILT SACK DETAIL (SS)
N.T.S.



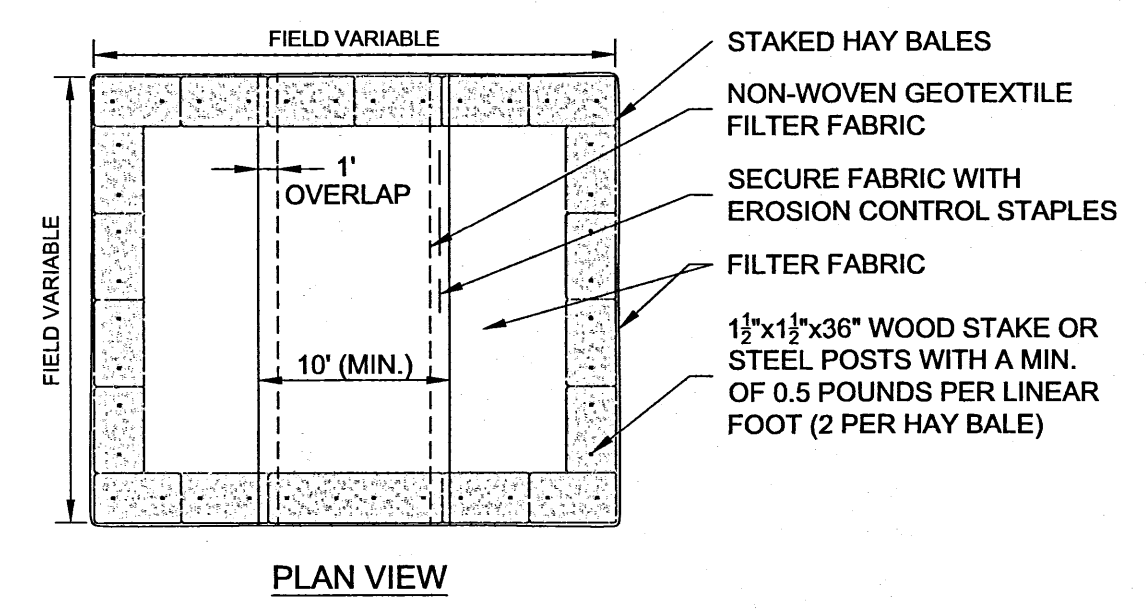
- NOTES:**
1. HAY BALES SHALL BE MADE OF HAY OR STRAW WITH 40 POUND MIN. WEIGHT AND 120 POUND MAX. WEIGHT HELD TOGETHER BY TWINE OR WIRE.
 2. PLACE HAY BALES ON CONTOUR AND WING THE LAST HAY BALES UP SLOPE SO THAT THE TOP OF THE LAST SEVERAL HAY BALES ARE HIGHER THAN THE LINE OF HAY BALES.
 3. DRIVE FIRST STAKE IN EACH BALE TOWARD THE PREVIOUSLY LAID BALE TO FORCE THEM TOGETHER.
 4. PUT ONE HAY BALE PERPENDICULAR ALONG HAY BALE BARRIER EACH 100 FEET.

HAY BALE BARRIER (HB)
N.T.S.



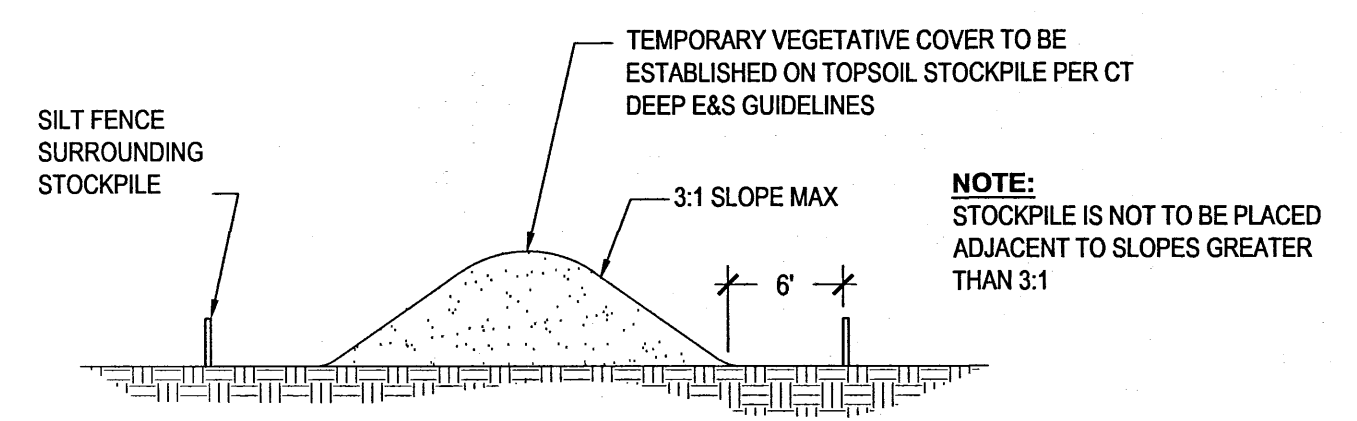
- GENERAL NOTES**
1. INSTALL TEMPORARY DIVERSION SWALES TO CHANNEL WATER FROM DISTURBED AREAS TO THE TEMPORARY SEDIMENT BASIN. ADJUST SWALE LOCATIONS AS NECESSARY PER CHANGING SITE CONDITIONS.
 2. CONTRIBUTING DRAINAGE AREA MUST NOT EXCEED ONE ACRE.

TEMPORARY DIVERSION SWALE
SCALE: NONE

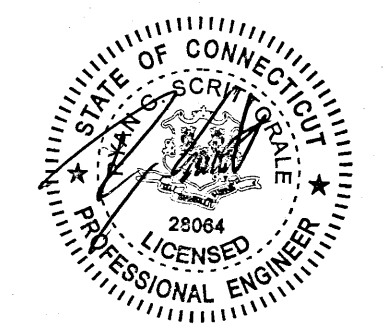
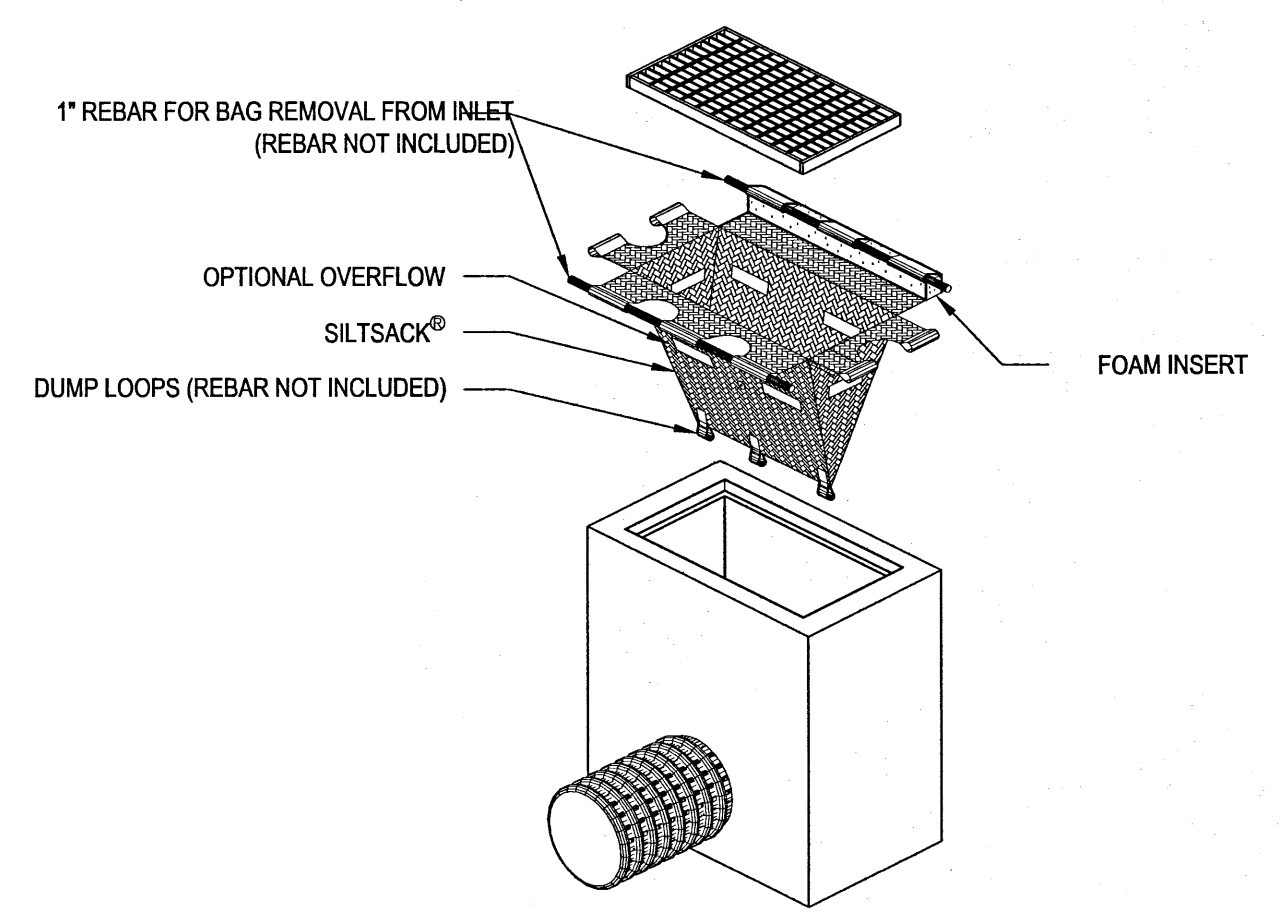


- NOTES:**
1. CONSTRUCT WASHOUT AREA LARGE ENOUGH TO ENSURE MATERIALS WILL BE CONTAINED WHERE WASTE CONCRETE CAN SOLIDIFY IN PLACE AND EXCESS WATER CAN SAFELY EVAPORATE.
 2. WASHOUT AREA SHALL BE LARGE ENOUGH TO RETAIN ALL LIQUID AND WASTE CONCRETE MATERIALS FROM WASHOUT OPERATION.
 3. WEEKLY INSPECTIONS OF WASHOUT AREAS SHALL BE CONDUCTED TO ASSESS THE HOLDING CAPACITY AND FUNCTIONALITY OF THE WASHOUT AREA.

TEMPORARY CONCRETE WASHOUT AREA (CWA)
N.T.S.



TEMPORARY STOCKPILE (STK)
N.T.S.



NO.	DATE	REVISIONS	DESCRIPTION

SCALE: HORIZ.: 1" = 40'	VERT.: 1" = 4'
SURVEY DATUM: HORIZ.: NAD 1983	
VERT.: NAVD 1988	
GRAPHIC SCALE	

Prepared By:

Alfred Benesch & Company
120 Hebron Avenue - 2nd Floor
Plainfield, NJ 07068
Phone: (908) 634-4444
Fax: (908) 633-1088
www.benesch.com

APN 004-002-0000 SITE PLAN
EROSION CONTROL DETAILS
PREPARED FOR
STEPHEN D. WILLIAMS
HAWKS NEST TRAIL - HAYES AVENUE
ELLINGTON CONNECTICUT

PROJ. No.: 70662.02
DATE: DEC 2023

C-1.1

December 5, 2023

Town of Ellington
Planning Department
57 Main Street
Ellington, CT 06029

RECEIVED

DEC 07 2023

TOWN OF ELLINGTON
PLANNING DEPARTMENT

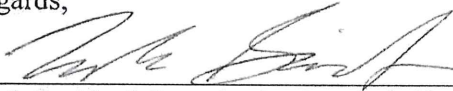
Re: Ridge Crossing Subdivision

Planning & Zoning Commission Members::

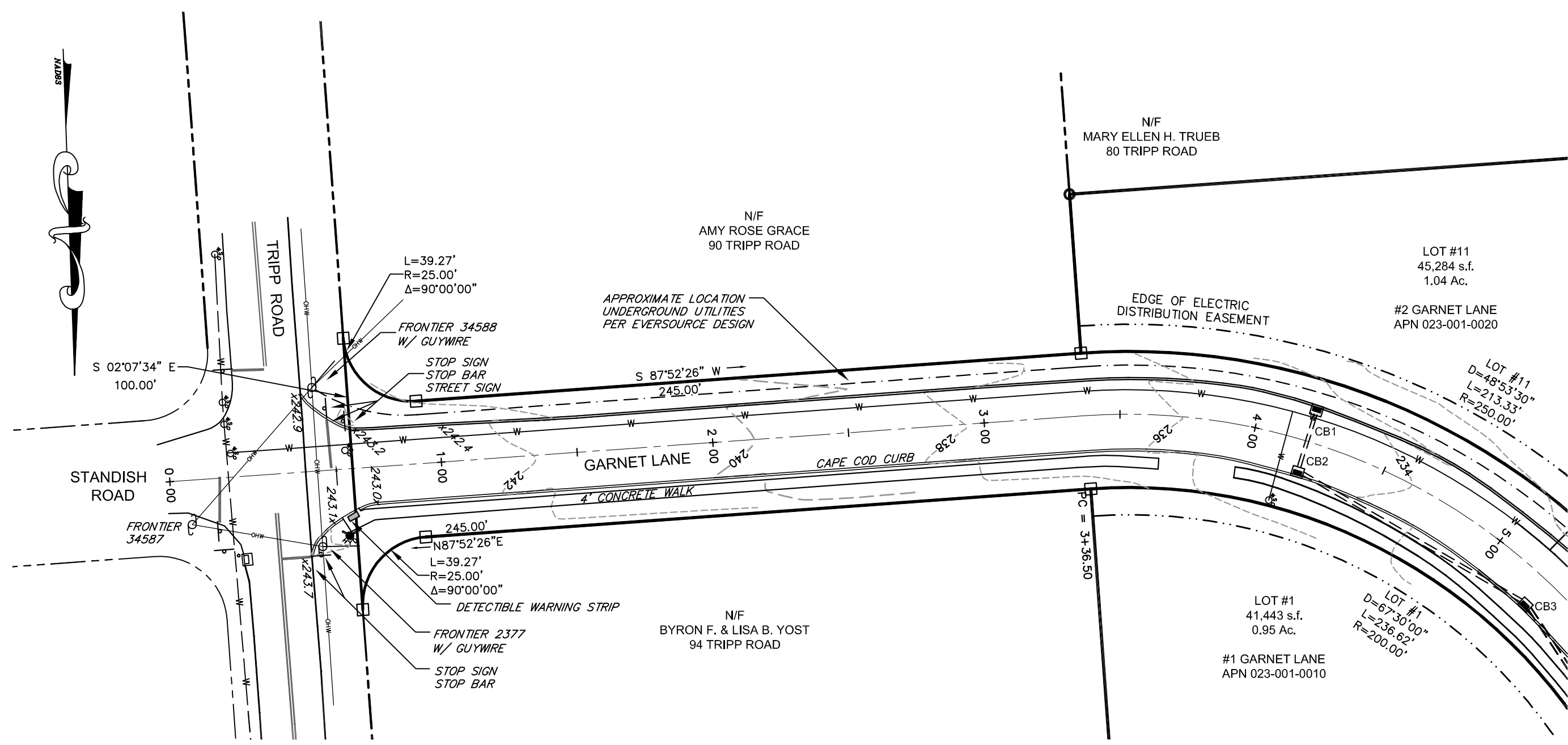
This correspondence is written on behalf of Tymac Holding LLC, the owner of the above referenced subdivision known as Ridge Crossing. On behalf of the owner of Ridge Crossing, the undersigned hereby requests that the Town of Ellington accept the subdivision roadway known as Garnet Lane and the corresponding land and infrastructure improvements all as shown on the "as-built" survey submitted in conjunction herewith. In addition, the undersigned further requests release and/or reduction (as applicable) of the performance bond furnished by the undersigned in connection with the subdivision project referenced herein.

If any further information or documentation is required in connection with this request, please let us know and we would be happy to provide.

Regards,



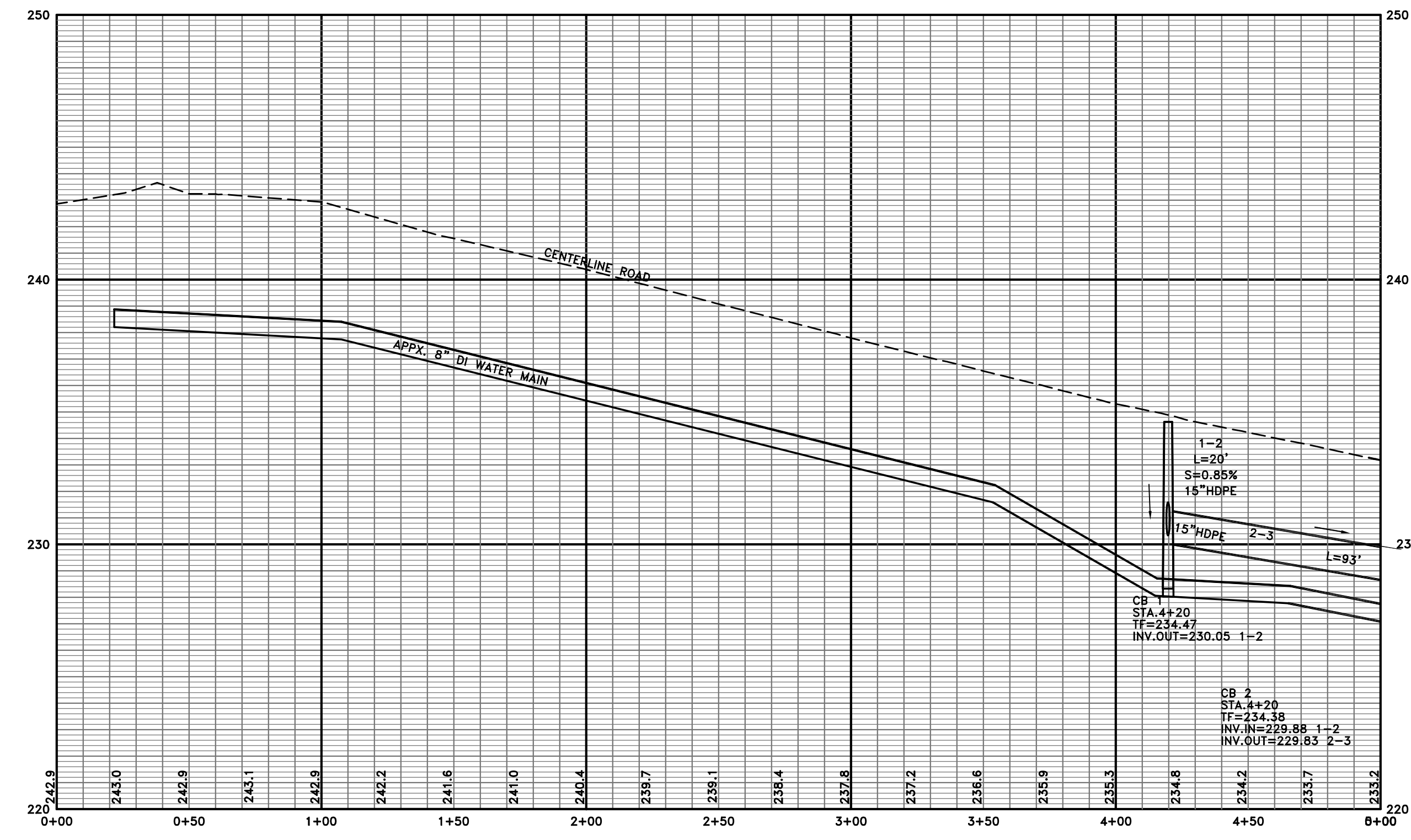
Mark Smith, duly authorized on behalf of Tymac Holding, LLC



- NOTES:
- THIS SURVEY AND MAP HAVE BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THROUGH 20-300b-20 "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT". THIS IS AN IMPROVEMENT LOCATION SURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS A-2 AND TOPOGRAPHIC ACCURACY CLASS T-2.
 - BEARINGS AND ELEVATIONS DEPICTED ON THIS PLAN ARE BASED UPON THE 1983 NORTH AMERICAN DATUM (NAD 83/87) AND THE 1988 NORTH AMERICAN DATUM RESPECTIVELY AS PROVIDED BY GPS COORDINATES FROM J.R. RUSSO & ASSOCIATES.
 - REFERENCE IS MADE TO THE FOLLOWING MAP:
 - "CONDITIONAL APPROVAL COVER SHEET RIDGE CROSSING ESTATES PREPARED FOR TYMAC HOLDINGS, LLC RIDGE CROSSING APN: 023-001-0000 TRIPP ROAD ELLINGTON, CONNECTICUT BY: GARDNER & PETERSON ASSOCIATES, LLC DATE: 12-01-2020, REVISED 1-21-21, 3-26-21, TO PAGES 1-13 MAP NO. 10820"
 - "COMPILED PLAN MAP SHOWING EASEMENT AREA TO BE GRANTED TO THE CONNECTICUT LIGHT AND POWER COMPANY (CL&P) EVERSOURCE ENERGY ACROSS THE PROPERTY OF TYMAC HOLDINGS, LLC GARNET LANE-ELLINGTON, CONNECTICUT FILE NO. E21018 BY: GARDNER & PETERSON ASSOCIATES, LLC DATE: 02-01-2021, SHEET 1 OF 1, CL&P FILE E21018, MAP NO. 10820E"
 - THIS PARCEL IS LOCATED IN THE RURAL AGRICULTURAL RESIDENCE (RAR) ZONE.
 - IRON PINS AND MONUMENTS HAVE BEEN SET AS DEPICTED ON THE SUBDIVISION PLAN.
 - UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING AND OTHER DATA SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES, GOVERNMENTAL AGENCIES AND/OR OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO GARDNER & PETERSON ASSOCIATES, LLC. THE EXISTENCE, SIZE AND LOCATION OF ALL SUCH FEATURES MUST BE DETERMINED AND VERIFIED IN THE FIELD BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.

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

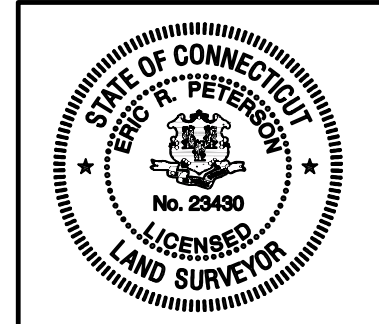
Eric R. Peterson
 ERIC R. PETERSON L.S. 23430
 REGISTRATION NO.



LEGEND

	PROPERTY LINE
	EXISTING EASEMENT
	CAPE COD CURB
	EXISTING DRAINAGE
	APPROX. WATER SERVICE
	EXISTING CONTOUR
	MONUMENT SET
	I.P. SET
	SIDEWALK
	SIGN
	METER PIT
	APPROX. UTILITIES

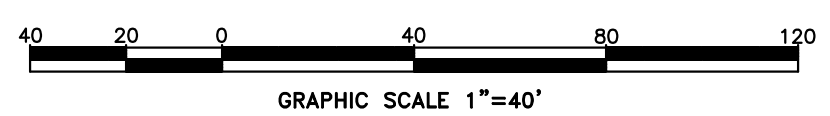
IMPROVEMENT LOCATION SURVEY
RECORD DRAWING
PREPARED FOR TYMAC HOLDINGS, LLC
RIDGE CROSSING
STA 0+00 TO 5+00
GARNET LANE
ELLINGTON, CONNECTICUT



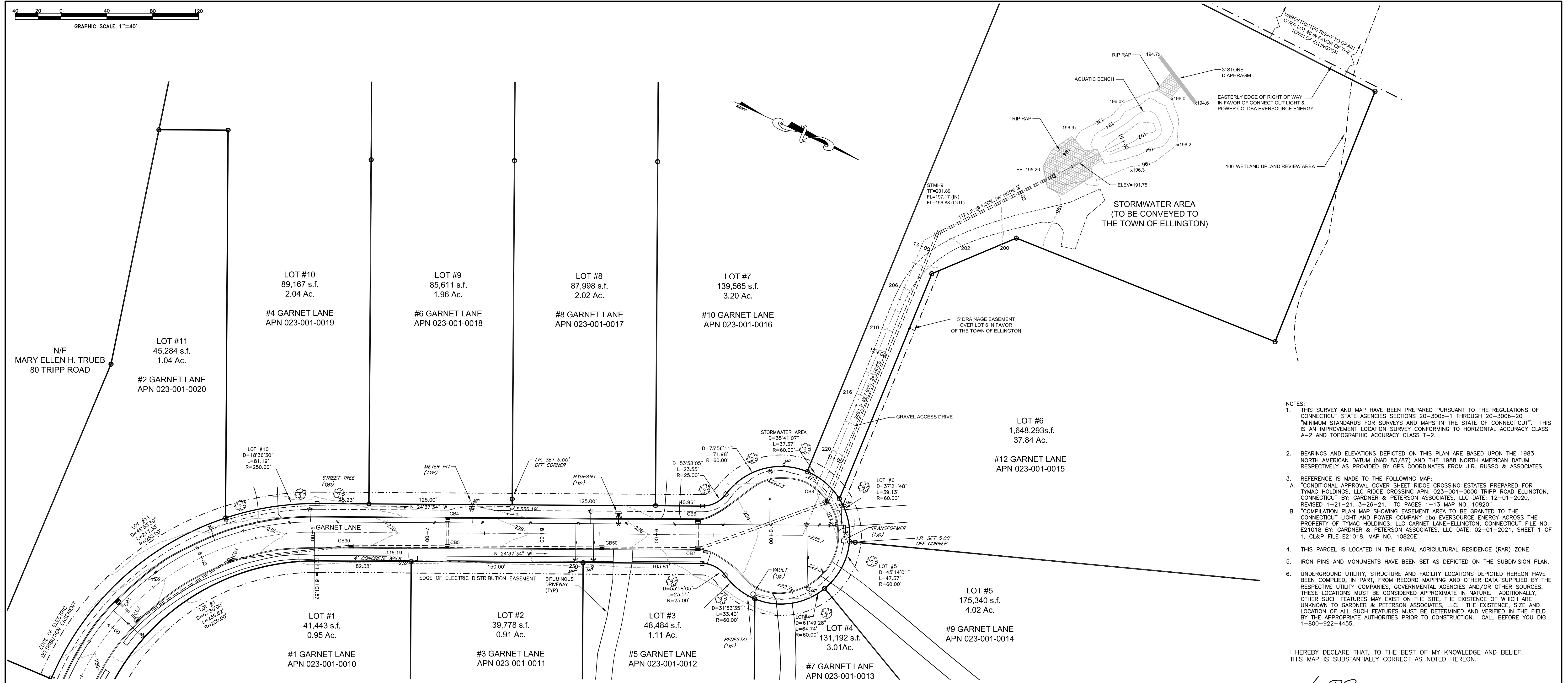
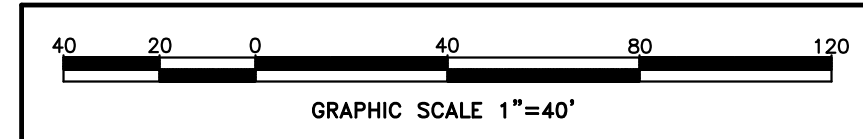
GARDNER & PETERSON ASSOCIATES, LLC
 178 HARTFORD TURNPIKE
 TOLLAND, CONNECTICUT
 PROFESSIONAL ENGINEERS LAND SURVEYORS

REVISIONS
 03-09-2022 STAFF COMMENTS
 09-27-2023 MONUMENTS SET
 11-13-2023

BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=40'	02-10-2022	1 OF 2	10820AB



G:\PLOT\10820\ASSBLTY\11-13-2023\10820AB.DWG
 10820.dwg 10820AB.dwg



- NOTES:
- THIS SURVEY AND MAP HAVE BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THROUGH 20-300b-20 "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT". THIS IS AN IMPROVEMENT LOCATION SURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS A-2 AND TOPOGRAPHIC ACCURACY CLASS T-2.
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- I HEREBY DECLARE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

Eric R. Peterson
 ERIC R. PETERSON L.S. 23430
 REGISTRATION NO.

- LEGEND
- PROPERTY LINE
 - - - EXISTING EASEMENT
 - CAPE COD CURB
 - EXISTING DRAINAGE
 - APPROX. WATER SERVICE
 - - - EXISTING CONTOUR
 - MONUMENT SET
 - I.P. SET
 - SIDEWALK
 - SIGN
 - METER PIT
 - - - APPROX. UTILITIES

IMPROVEMENT LOCATION SURVEY

RECORD DRAWING

PREPARED FOR TYMAC HOLDINGS, LLC

RIDGE CROSSING

STA 5+00 TO 15+00

GARNET LANE

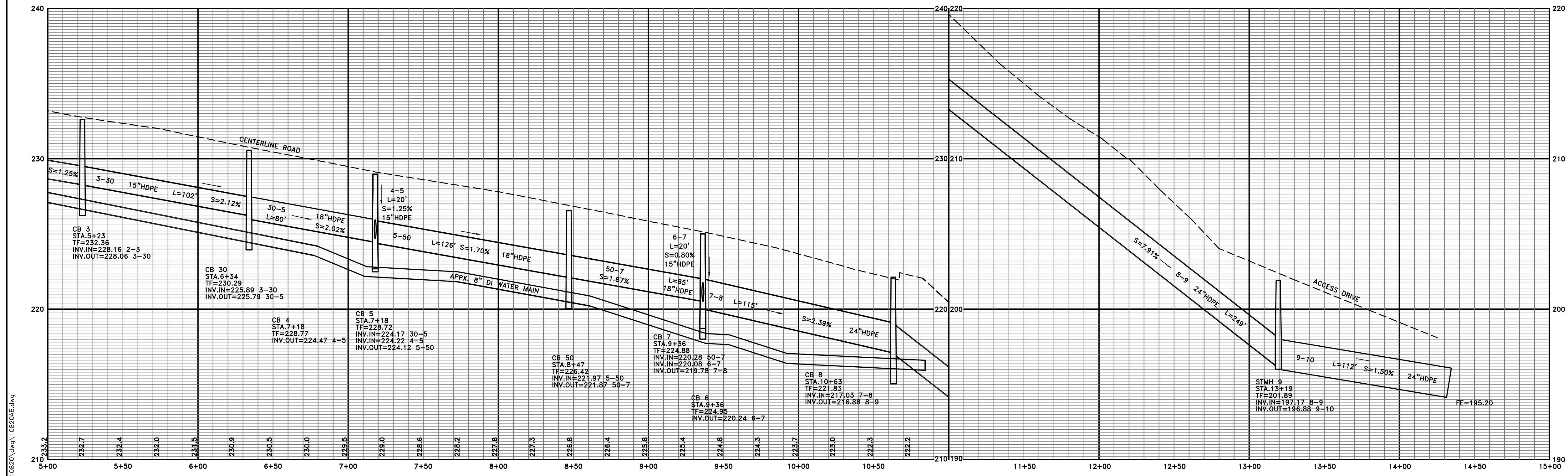
ELLINGTON, CONNECTICUT

GARDNER & PETERSON ASSOCIATES, LLC

178 HARTFORD TURNPIKE
TOLLAND, CONNECTICUT

PROFESSIONAL ENGINEERS LAND SURVEYORS

BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=40'	02-10-2022	2 OF 2	10820AB



REVISIONS
 03-09-2022 STAFF COMMENTS
 09-27-2023 MONUMENTS SET
 11-13-2023



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

February 2, 2021

Certified Mail# 7019 0160 0000 1050 0833

Gardner & Peterson Assoc., LLC
Mr. Mark Peterson
178 Hartford Turnpike
Tolland, CT 06084

RE: S202004 – Hastillo Properties, LLC, owner/ TYMAC Holdings, LLC, applicant, request for a re-subdivision of 61.56 acres for eleven (11) lots on west side of Tripp Road, APN 023-001-0000, in a RAR (Rural Agricultural Residential) Zone and request to waive Appendix C 3.13(a) to allow HDPE pipe.

Dear Mr. Peterson:

At their regular meeting on January 25, 2021, the Ellington Planning and Zoning Commission approved your application with the following motion:

MOVED (HIRTH) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO GRANT A WAIVER OF APPENDIX C 3.13(A) TO ALLOW HDPE PIPE FINDING THE CHANGE IN MATERIAL CONSISTENT WITH SOUND CONSTRUCTION PRACTICES AND SUPPORTED BY PERTINENT TOWN DEPARTMENTS INCLUDING THE DEPARTMENT OF PUBLIC WORKS AND TOWN ENGINEERING FOR S202004 – Hastillo Properties, LLC, owner/ TYMAC Holdings, LLC, applicant, request for a re-subdivision of 61.56 acres for eleven (11) lots on west side of Tripp Road, APN 023-001-0000, in a RAR (Rural Agricultural Residential) Zone and request to waive Appendix C 3.13(a) to allow HDPE pipe.

MOVED (HIRTH) SECONDED (FRANCIS) AND PASSED (YEA – KELLY, FRANCIS, HIRTH, AND MOSER; NAY - SWANSON) TO APPROVE W/CONDITIONS FOR S202004 – Hastillo Properties, LLC, owner/ TYMAC Holdings, LLC, applicant, request for a re-subdivision of 61.56 acres for eleven (11) lots on west side of Tripp Road, APN 023-001-0000, in a RAR (Rural Agricultural Residential) Zone.

Conditions of approval:

1. Comply with the Fire Marshal's report dated January 6, 2021.
2. Comply with North Central District Health Department's report dated January 22, 2021.
3. Comply with Town Engineer's report dated January 20, 2021.

The initial filing deadline for the above subdivision is April 26, 2021 (90 days from the effective date of approval – 1/26/2021). State law allows two 90-day extensions. If post approval obligations have not been met and an extension is needed, a written request must be submitted to the Ellington Planning Department for action by the PZC at a regular meeting that precedes the filing deadline.

Please submit a digital check print and a paper check print of the subdivision plans updated in compliance with any condition(s) of approval and information detailing which sheets are to be filed. The check print and information will be forwarded to the Town Engineer for review. If the plans are authorized for recording, two sets of mylar plans are required for signing by the PZC (along with a paper set of the final plan, which should include all sheets). If additional revisions are needed, instruction will be provided to you upon receipt of details from the Town Engineer.

Also upon receipt of the check prints, plans will be forwarded to the Town Attorney. If any additional legal documents are required as a result of legal review, further instruction will follow. Please be advised that in accordance with Town Ordinance, fees may apply for legal or engineering review of deeds, easements or other documents required as part of the approved plans and payment of said fees is required prior to filing.

Once all executed documents have been delivered to the Planning Department, applicable fees paid and all post approval obligations met, the endorsed subdivision mylars and required documents will be released to you for recording on the Ellington Land Records. Please contact the Ellington Town Clerk's Office (860-870-3105) to obtain applicable recording fees.

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.

Thank you in advance for your attention to this matter. If you have any questions or need assistance, please contact the Planning Department at 860-870-3120.

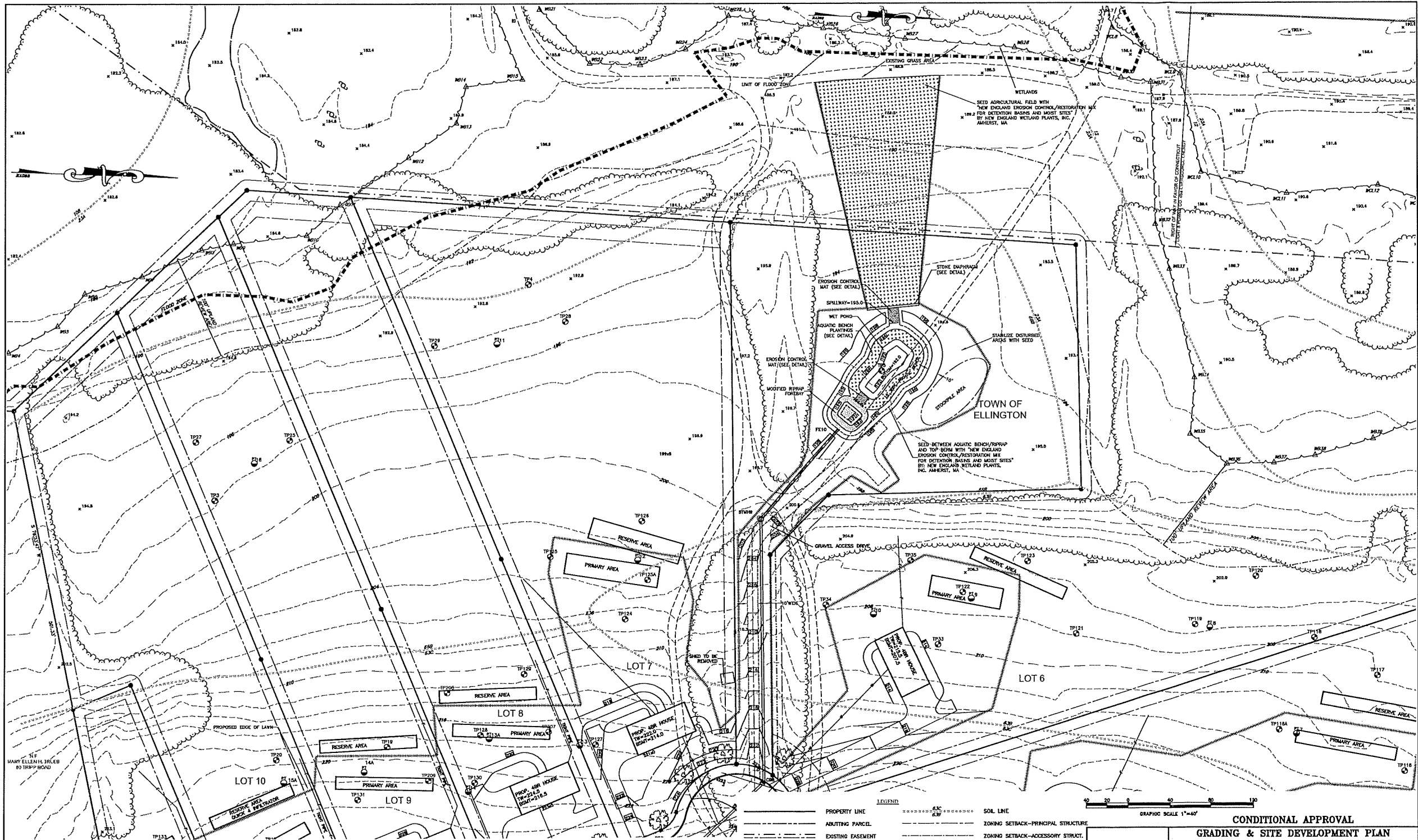
Sincerely,



Sean Kelly, Vice-Chairman
Planning and Zoning Commission

cc: Hastillo Properties, LLC, Owner
K. Bechard, Town Assessor
D. Famiglietti, Town Attorney
D. Steele, Town Engineer
T. Webb, DPW Director
TYMAC Holdings, LLC

SK/bg



SOILS LEGEND-WEB SURVEY
 12 Royal silt loam
 234 Subsandy sandy loam, 0 to 5 percent slopes
 53B Chestnut fine sandy loam, 3 to 8 percent slopes
 53C Chestnut fine sandy loam, 8 to 15 percent slopes
 58B Harrowssett silt loam, 2 to 8 percent slopes
 108 Soco silt loam

SEE SHEET 1 FOR NOTES AND CERTIFICATIONS
 I HEREBY DECLARE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF,
 THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

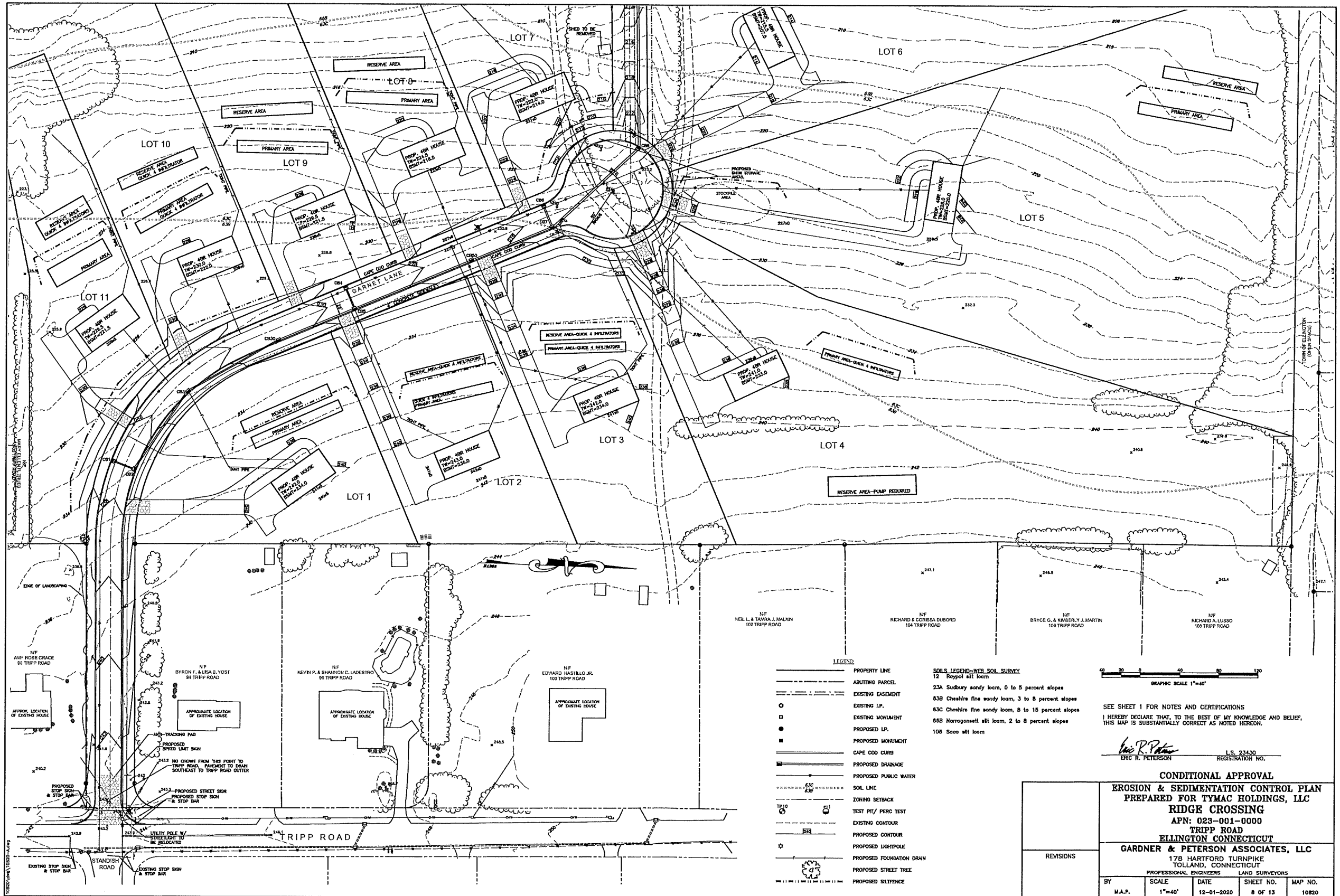
Eric R. Peterson
 ERIC R. PETERSON
 U.S. 23430
 REGISTRATION NO.

—	PROPERTY LINE	-----	SOIL LINE
- - - - -	ABUTTING PARCEL	-----	ZONING SETBACK-PRINCIPAL STRUCTURE
- - - - -	EXISTING EASEMENT	-----	ZONING SETBACK-ACCESSORY STRUCT.
○	EXISTING I.P.	○	TEST PIT / PERG TEST
□	EXISTING MONUMENT	-----	EXISTING CONTOUR
●	PROPOSED I.P.	-----	PROPOSED CONTOUR
■	PROPOSED MONUMENT	☆	PROPOSED LIGHTPOLE
—	CAPE COD CURB	-----	PROPOSED FOUNDATION DRAIN
—	PROPOSED DRAINAGE	-----	PROPOSED STREET TREE
—	PROPOSED PUBLIC WATER	-----	EXISTING TREELINE
		-----	PROPOSED EDGE OF LAWN

GRAPHIC SCALE 1"=40'

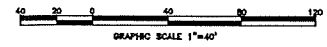
CONDITIONAL APPROVAL
GRADING & SITE DEVELOPMENT PLAN
PREPARED FOR TYMAC HOLDINGS, LLC
RIDGE CROSSING
APN: 023-001-0000
TRIPP ROAD
ELLINGTON CONNECTICUT
GARDNER & PETERSON ASSOCIATES, LLC
 178 HARTFORD TURNPIKE
 TOLLAND, CONNECTICUT

PROFESSIONAL ENGINEERS	LAND SURVEYORS			
BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=40'	12-01-2020	7 OF 13	10820



- LEGEND**
- PROPERTY LINE
 - - - ABUTTING PARCEL
 - - - EXISTING EASEMENT
 - EXISTING I.P.
 - EXISTING MONUMENT
 - PROPOSED I.P.
 - PROPOSED MONUMENT
 - CAPE COO CURB
 - - - PROPOSED DRAINAGE
 - - - PROPOSED PUBLIC WATER
 - SOIL LINE
 - ZONING SETBACK
 - TEST PIT/ PERC TEST
 - - - EXISTING CONTOUR
 - - - PROPOSED CONTOUR
 - PROPOSED LIGHTPOLE
 - PROPOSED FOUNDATION DRAIN
 - PROPOSED STREET TREE
 - PROPOSED SILTENCE

- SOILS LEGEND - WITH SOIL SURVEY**
- 12 Rhyolite silt loam
 - 23A Subsandy sandy loam, 0 to 5 percent slopes
 - 83B Cheshire fine sandy loam, 3 to 8 percent slopes
 - 83C Cheshire fine sandy loam, 8 to 15 percent slopes
 - 88B Norwegonett silt loam, 2 to 8 percent slopes
 - 108 Saco silt loam



SEE SHEET 1 FOR NOTES AND CERTIFICATIONS
 I HEREBY DECLARE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF,
 THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

Eric R. Peterson
 ERIC R. PETERSON L.S. 23430
 REGISTRATION NO.

CONDITIONAL APPROVAL			
EROSION & SEDIMENTATION CONTROL PLAN			
PREPARED FOR TYMAC HOLDINGS, LLC			
RIDGE CROSSING			
APN: 023-001-0000			
TRIPP ROAD			
ELLINGTON CONNECTICUT			
GARDNER & PETERSON ASSOCIATES, LLC			
178 HARTFORD TURNPIKE TOLLAND, CONNECTICUT			
PROFESSIONAL ENGINEERS		LAND SURVEYORS	
BY	SCALE	DATE	SHEET NO.
M.A.P.	1"=40'	12-01-2020	8 OF 13
			MAP NO.
			10820



January 24, 2024

Ellington Planning & Zoning Commission
PO Box 187 / 55 Main Street
Ellington, CT 06029

Re: Garnet Lane Bond Reduction & Road Acceptance Request
Ridge Crossing – 12 Lot Subdivision
Tripp Road

Dear Commissioners:

I have reviewed the as-built survey for Garnet Lane and have visited the site with the Public Works Director, Thomas Modzelewski and note the following deficiencies which must be addressed:

1. Significant raveling in pavement at the cul-de-sac and at Lot #1 driveway. Fog sealing of the entire roadway is recommended. Fog sealing or other repairs will also be considered so long as they adequately stabilize the pavement and maintain an acceptable aesthetic appearance.
2. The driveway apron at Lot 5 (9 Garnet Lane) is lower than the curb and as a result is not draining properly. The apron should be repaired.
3. Watergate covers throughout the roadway are lower than the pavement. Provide confirmation from Connecticut Water that the gates are accessible.
4. Remove boulders located within the town access strip to the stormwater basin.
5. Repair eroded access road to stormwater basin.
6. Remove sediment from CB#5 sump.
7. Erosion at 3 & 5 Garnet Lane is undermining the sidewalk. Replace base material and backfill with topsoil and seed to stabilize walkway.
8. A sidewalk joint is not flush creating trip hazards in two locations approximately 40 feet and 100 feet east of the driveway for Lot #1. Panels should be replaced, or Developer may be able to grind the walk to eliminate the trip hazard without replacing the walk, provided the final appears is structurally and aesthetically acceptable.
9. Driveway aprons at 1 & 3 Garnet Lane are not installed. Install aprons and walks flush with apron. If the Developer prefers not to install aprons now, the curb cuts should be closed with curbing and continuous concrete walks. Curbs and walks would then need to be removed later when a driveway curb cut is desired.
10. The stormwater basin needs to be widened about 10 feet to match the design grades. Provide spot grades at the forebay and pond spillways to confirm compliance with design plans.

Re: Garnet Lane Bond Reduction & Road Acceptance Request
Ridge Crossing – 12 Lot Subdivision
Tripp Road

11. The Post Office has indicated they will not provide curbside service to mail boxes on Garnet Lane. A centralized mailbox area will be required. Contractor shall coordinate with the Post Office to determine the location of this mailbox and submit a map to the Town for review and approval prior to installation. A homeowner's association to maintain this community mailbox is preferred. If the Developer is unable to arrange an association of homeowners, the Town may need to take ownership of the mailbox. Final wording of any documents describing responsibility for the community mailbox should be reviewed by the Town Attorney prior to road acceptance.

While some of the outstanding items could be addressed prior to release of the maintenance bond, there are too many items to recommend road acceptance at this time. Of particular concern are the stormwater pond width, pavement raveling, missing driveway aprons and mailbox issue.

Based on the work completed to date, the performance bond may be reduced to the minimum amount of \$85,341, which is 15% of the original bond amount.

If you have any questions, please contact my office at 860-623-0569 or dstele@jrusso.com.

Sincerely,

Ellington Town Engineer

A handwritten signature in black ink, appearing to read "Dana Steele". The signature is fluid and cursive, with the first name "Dana" and last name "Steele" clearly distinguishable.

Dana Steele, P.E.
J.R. Russo & Associates, LLC



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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

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

PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES MONDAY, DECEMBER 18, 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 WILLIAM HOGAN, F. MICHAEL FRANCIS, MICHAEL SWANSON, AND ALTERNATE RACHEL DEARBORN

MEMBERS ABSENT: SECRETARY ROBERT SANDBERG, JR. AND REGULAR MEMBER JON MOSER

STAFF PRESENT: LISA HOULIHAN, TOWN PLANNER AND BARBRA GALOVICH, RECORDING CLERK

I. CALL TO ORDER: Chairman Arlo Hoffman called the meeting to order at 7:00 pm.

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

III. PUBLIC HEARING(S): (Notice requirements met, hearing may commence)

1. Z202326 – Planning and Zoning Commission, Zoning Regulation Amendment to Sections 3.1 Permitted Uses – Residential Zones, 3.6.1 Permitted Accessory Uses and Structures – Designed Multi-family Zone, 4.1 Permitted Uses and Uses Requiring Special Permit – Commercial and Industrial Zones, and 10.2 Definitions pursuant to Public Act 23-142 Zoning Compliance–Certain Protections for Group and Family Childcare Homes.

Time: 7:01

Seated: Hoffman, Kelly, Hogan, Francis, Swanson, and Dearborn

Lisa Houlihan stated Public Act 23-142 requires towns to comply with certain protections for group and family childcare homes. Lisa provided the commission with the definitions of group childcare and family childcare from the statutes, the group childcare definition is shortly defined where the family childcare definition is more detailed. Lisa noted, in the past, the commission has cited the Connecticut General Statutes for complete a definition. Commissioner Hogan suggested referring to the statutes for definitions of a Group Childcare and Family Childcare, all commissioners agreed.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE FOR Z202326 – Planning and Zoning Commission, Zoning Regulation Amendment to Sections 3.1 Permitted Uses – Residential Zones, 3.6.1 Permitted Accessory Uses and Structures – Designed Multi-family Zone, 4.1 Permitted Uses and Uses Requiring Special Permit – Commercial and Industrial Zones, and 10.2 Definitions pursuant to Public Act 23-142 Zoning Compliance–Certain Protections for Group and Family Childcare Homes.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE AS AMENDED FOR Z202326 – Planning and Zoning Commission, Zoning Regulation Amendment to Sections 3.1 Permitted Uses – Residential Zones, 3.6.1 Permitted Accessory Uses and Structures – Designed Multi-family Zone, 4.1 Permitted Uses and Uses Requiring Special Permit – Commercial and Industrial Zones, and 10.2 Definitions pursuant to Public Act 23-142 Zoning Compliance–Certain Protections for Group and Family Childcare Homes. **EFFECTIVE DATE: DECEMBER 30, 2023.**

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. Request for a five (5) year extension for Z201901 – Holden Brothers, LLC, owner/applicant, for a Special Permit for earth excavation granted February 25, 2019, for 90 Green Road, APN 118-001-0000, in a RAR (Rural Agricultural Residential) Zone.

Lisa Houlihan said the commission was provided a copy of the original Special Permit and approved plan. John Colonese, Assistant Planner Wetland Zoning Enforcement Officer and Dana Steele, Town Engineer visited the site and found the earthwork to comply with the area approved for activity.

MOVED (KELLY) SECONDED (HOGAN) AND PASSED UNANIMOUSLY TO GRANT A FIVE-YEAR EXTENSION TO FEBRUARY 25, 2029, FOR Z201901 – Holden Brothers, LLC, owner/applicant, for a Special Permit for earth excavation granted February 25, 2019, for 90 Green Road, APN 118-001-0000, in a RAR (Rural Agricultural Residential) Zone.

2. Request to accept public improvements (Garnet Lane), release of performance bond, and establishment of maintenance bond for S202004 Ridge Crossing Subdivision, pursuant to a letter from Tymac Holding, LLC, dated December 5, 2023.

Lisa Houlihan noted the request to accept the improvements, reduce or release the performance bond, and possibly establish a maintenance bond was recently received. Inspections and reports need to be completed and the commission has sixty-five days to act on the request.

BY CONSENSUS, TABLED ACTION TO MONDAY, JANUARY 29, 2024, 7PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, AND ZOOM VIDEO CONFERENCING ACTION FOR A REQUEST TO ACCEPT PUBLIC IMPROVEMENTS (GARNET LANE), RELEASE OF PERFORMANCE BOND, AND ESTABLISHMENT OF MAINTENANCE BOND FOR S202004 RIDGE CROSSING SUBDIVISION, PURSUANT TO A LETTER FROM TYMAC HOLDING, LLC, DATED DECEMBER 5, 2023.

VI. ADMINISTRATIVE BUSINESS:

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

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE NOVEMBER 27, 2023, REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:
 - a. One year regulation review for Z202216 - Planning & Zoning Commission, Section 6.3.7(B) Detached Electronic Fuel Price Signs in Commercial and Industrial Zones.

Lisa Houlihan said the commission approved the regulation last year and it was noted back then to re-review in a year. There has been no zoning violation or applications received by the Planning Department. Lisa Houlihan noted the Road Runner is looking to replace their freestanding sign. They intend to reduce the height of the existing sign to comply with the regulation but will keep the variance for the location within the front yard setback.

Commissioners agreed the regulation could be reviewed at any time and that it was unnecessary to review it again next year.

- b. One year regulation review for Z202217 - Planning & Zoning Commission, Sections 4.3.2 Commercial and Industrial Lighting, 6.3.9 Sign Illumination, and 6.3.10 Prohibited Signs.

The commissioners were good with the current language of the regulations as amended last year. Commissioners agreed the regulation could be reviewed at any time and that it was unnecessary to review it again next year.

- c. Memo from Town Planner dated November 21, 2023, pursuant to CGS 8-30j Affordable Housing Plan Review and Amendment Requirement. (Distributed November 27, 2023)

Lisa Houlihan said towns are required by law to update their Affordable Housing Plan every five years. Many changes have been made to the statutes for affordable housing. Lisa will summarize the changes next month and provide the commission with affordable housing plans for towns with similar demographics to Ellington.

- d. Discuss status of Land Use Commissioner Training, Pursuant to Public Act No. 21-29... Training for Certain Land Use Officials.

Lisa Houlihan noted Commissioners Hogan and Moser have completed the required training and Vice Chairman Sandberg has completed the Affordable Housing training requirement. Commissioner Hogan encouraged commissioners to attend the on-demand webinar for affordable housing on UCONN Clear's website. Lisa stated the first report period deadline is March 1, 2024.

VII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING AND ZONING COMMISSION MEETING AT 7:17 PM.

Respectfully submitted by,

Barbra Galovich, Recording Clerk