



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES

MONDAY, MARCH 25, 2024, 7:00 PM

N-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, SECRETARY ROBERT SANDBERG, JR.,
REGULAR MEMBER MICHAEL SWANSON, ALTERNATES RACHEL
DEARBORN AND JEREMIAH WILLIAMS (ARRIVED AT 7:03 PM)

MEMBERS ABSENT: VICE CHAIRMAN SEAN KELLY, REGULAR MEMBERS WILLIAM HOGAN,
F. MICHAEL FRANCIS AND JON MOSER

STAFF PRESENT: LISA HOULIHAN, TOWN PLANNER (VIA ZOOM) AND BARBRA
GALOVICH, RECORDING CLERK

I. CALL TO ORDER: Chairman Arlo Hoffman called the meeting to order at 7:01 pm.

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

III. PUBLIC HEARING(S):

**BY CONSENSUS, THE COMMISSION WENT OUT OF THE AGENDA ORDER TO REVIEW ITEM 2
OF THE PUBLIC HEARINGS.**

2. Z202404 – Fifty (50) West Road, LLC, owner/applicant, request for Special Permit Uses pursuant to Zoning Regulations 4.1 and 4.1.1 as listed in narrative dated February 22, 2024, and Site Plan Approval to construct three buildings, fenced outside storage, parking, stormwater management system, access over a portion of 43 Lower Butcher Road, and related site improvements to the rear of 50 West Road within the Industrial (I) Zone, APN 019-005-0000, A Property Zoned Industrial (I) and C (Commercial) Zones.

TIME: 7:01

SEATED: Hoffman, Sandberg, Swanson, Dearborn, and Williams

Guy Hesketh, FA Hesketh & Associates, LLC, 6 Creamery Brook, East Granby, CT, Everett Skinner and Chris Skinner, The Barn Yard, 120 West Road, Ellington, CT were present to represent the application.

Guy Hesketh explained the property is located on West Road, just south of Country Pure Foods and to the north of Sullivan Tire. Guy showed an overall plan of the proposal. Guy noted the applicants received a zone change from the Planning and Zoning Commission (PZC) on June 26, 2023, for the back portion of the parcel from commercial to industrial zone along with a regulation change to allow vehicles no less than 10 feet from a building within the industrial zone if continuous access was provided around all sides of the buildings. The commercial zone area is not part of this application and after grading will be maintained as grass. The application was approved by the Inland Wetland Agency on March 11, 2024. There will be three buildings constructed, two will be 27,000 s.f. with fifteen units each that will have overhead door access in the rear and man-door access from the front. The larger building will be 40,500 s.f. with overhead door access and man-door access in the front with a 4-foot loading dock with overhead doors in the rear.

Guy illustrated parking areas, noting some spaces are deferred parking and will be built as needed. Parking will be provided in front of Buildings 5 and 6, and as for Building 7, parking will be in the front and behind the building. There will be an 8-foot black chain link fence around the outdoor storage area with a gravel base along with a dumpster area for the tenants to share. Guy showed where the two detention basins will be located to support full build-out of the site along with any future development that may occur on Moser's parcel at 43 Lower Butcher Road; the basin will outflow to the Hockanum River. There will be an access drive around the basins for maintenance purposes along with a restoration plan. Guy said only a couple of trees will need to be removed along the river and the applicants are working on a right to drain easement with the Town.

Guy reviewed the landscaping plan. The applicants met with the Design Review Board on March 18, 2024, and as suggested, they will mix in some white spruce with the white pine trees. There will be a larger tree planted on each side of the access drive from Lower Butcher Road.

Lisa Houlihan, Town Planner, noted easements will be needed for the drainage and access drive on Lower Butcher Road. The applicant's engineer provided documentation to the Fire Marshal and Town Engineer in reference to the turning radius within the site for fire apparatus and tractor trailer trucks. The parking that was provided is adequate for the proposed activities. The uses are consistent with past approvals and it's a nicely designed proposal.

Chris Skinner stated that they met with Dana Steele, Town Engineer, in reference to the Town sidewalk project that will be starting along West Road and does not see any issues between the two projects.

Guy showed the 25' poles and wall mounted lighting that will be installed with the proposed locations around the portion of the parcel and attached to the buildings. The lights will be LED down lit and no brighter than 4000 Kelvins. Guy provided a Photometric Plan for the file and reviewed the plan with the commission. Guy noted the erosion and sediment control measures that will be taken as noted within the project narrative and on the site plans. Guy mentioned the Water Pollution Control Authority approved flow allocation for the industrial portion of the property.

Everett Skinner showed pictures of the proposed buildings, using their site at 29 Moody Road in Enfield as an example. The buildings will be wood framed and have black metal roofs, timber framed overhangs, black matte doors and windows, gray siding, and a stone veneer bottom finish.

Guy reviewed the uses within the Industrial Zone allowed as permitted uses (Section 4.1) warehousing, storage, plumbing shops, carpenter and woodworking shops, office uses, and other similar uses, as approved by the commission (Section 4.1.1). The applicant is requesting the following similar uses: Other tradesmen shops (i.e. hvac, electrician, floor installer, roof installer, landscape contractor, etc.)

The regulations also allow for other uses, by Special Permit. The applicant is requesting special permit approval for the following uses listed in Section 4.1:

- plumbing and heating: sales, service and storage
- retail business
- wholesale, storage
- storage yard for new lumber, building materials and related items.

The applicant is requesting approval by Special Permit, of the following similar uses:

- storage yard for landscape contractors
- other trades sales, service, and storage

Lisa confirmed the proposed retail use is capped at 25% of the gross floor area and is only incidental to primary uses.

Guy noted the site is designed for fire department vehicles to easily maneuver around the site. Lisa confirmed she spoke with Dana Steele, Town Engineer, about the proposal prior to tonight's meeting. Lisa asked if any floor drains would be installed in any of the units, Everette noted there will be no installation of floor drains. Lisa stated that the Town Engineer's concerns were addressed as part of the wetland's application and directly with the applicant's engineer regarding turning radius.

Secretary Sandberg asked about any proposed curb cuts along West Road, Guy said the applicants would address the Department of Transportation about the curb cut upon phase two within the commercial zone. Secretary Sandberg encouraged the applicant to work with the neighboring business, Country Pure, about creating a shared driveway and thanked the applicants for providing a complete application and giving it the Barnyard appeal. Commissioner Swanson asked if any split rail fencing would be installed along West Road, Guy stated the split rail fencing will be installed and there will be angled split rail fencing on each side of the access drive off Lower Butcher Road. Commissioner Swanson expressed concerns about vehicle storage and possible auto repair. Chris stated there will not be any auto repair but would be ok with a machine shop use. Alternate Dearborn asked if any lifts would be installed within the units, Everette stated there will not be any auto repair on the site.

Roger Moser, 17 Hayes Avenue, stated this is a big project and the people that are doing the work will do it right.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202404 – Fifty (50) West Road, LLC, owner/applicant, request for Special Permit Uses pursuant to Zoning Regulations 4.1 and 4.1.1 as listed in narrative dated February 22, 2024, and Site Plan Approval to construct three buildings, fenced outside storage, parking, stormwater management system, access over a portion of 43 Lower Butcher Road, and related site improvements to the rear of 50 West Road within the Industrial (I) Zone, APN 019-005-0000, A Property Zoned Industrial (I) and C (Commercial) Zones.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS FOR Z202404 – Fifty (50) West Road, LLC, owner/applicant, request for Special Permit Uses pursuant to Zoning Regulations 4.1 and 4.1.1 as listed in narrative dated February 22, 2024, and Site Plan Approval to construct three buildings, fenced outside storage, parking, stormwater management system, access over a portion of 43 Lower Butcher Road, and related site improvements to the rear of 50 West Road within the Industrial (I) Zone, APN 019-005-0000, A Property Zoned Industrial (I) and C (Commercial) Zones.

CONDITIONS:

- 1. AN ACCESS EASEMENT OVER 43 LOWER BUTCHER ROAD IS REQUIRED AND IS SUBJECT TO TOWN ATTORNEY APPROVAL.**
- 2. STORAGE SHALL BE WITHIN THE DESIGNATED OUTSIDE STORAGE AREA OR WITHIN THE INTERIOR OF THE BUILDINGS/UNITS.**
- 3. A ZONING PERMIT IS REQUIRED PRIOR TO OCCUPANCY OF A UNIT OR CHANGE IN TENANT. APPLICATION FOR ZONING PERMIT SHALL INCLUDE A NARRATIVE EXPLAINING THE NATURE OF THE BUSINESS, THE UNIT NUMBER(S) TO BE OCCUPIED, AND THE ASSIGNED PARKING SPACE(S).**
- 4. ATTACHED SIGNS SHALL NOT BE INTERNALLY ILLUMINATED.**

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

1. Z202403 – West Meadow Associates, LLC, owner/applicant, request for Site Plan Approval to relocate and widen driveway access at 106 West Road, APN 028-011-0000, and create shared access with 100 West Road, APN 028-010-0000, in the Commercial (C) and Planned Commercial (PC) Zones.

Time: 7:59

Seated: Hoffman, Sandberg, Swanson, and Williams (Dearborn – recused)

Nathan Bahler, 100 West Road, was present to represent the application. Nathan explained they are looking to create an access drive to share with 100 West Road. One of the existing curb cuts at 106 West Road to the north of the proposed access drive will be discontinued. Nathan stated the trucks tend to congest using the one curb cut, and sharing a curb cut will help with the flow of vehicles in and out of the site. Lisa noted the applicant has adequately addressed Section 6.6 Access Management of the Zoning Regulations and in accordance with the Access Management Concept Plan, should 112 West Road be developed, an interior shared access shall be installed between the two parcels.

No one from the public spoke regarding the application.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202403 – West Meadow Associates, LLC, owner/applicant, request for Site Plan Approval to relocate and widen driveway access at 106 West Road, APN 028-011-0000, and create shared access with 100 West Road, APN 028-010-0000, in the Commercial (C) and Planned Commercial (PC) Zones.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS FOR Z202403 – West Meadow Associates, LLC, owner/applicant, request for Site Plan Approval to relocate and widen driveway access at 106 West Road, APN 028-011-0000, and create shared access with 100 West Road, APN 028-010-0000, in the Commercial (C) and Planned Commercial (PC) Zones.

CONDITION(S):

- 1. WORK FOR THE PROPOSED DRIVEWAY AND THE EXISTING DRIVEWAY TO BE REMOVED SHALL BE CONDUCTED SIMULTANEOUSLY.**

IV. OLD BUSINESS: None

V. NEW BUSINESS:

- 1. BY CONSENSUS, RECEIVED AND SCHEDULED A PUBLIC HEARING FOR APRIL 22, 2024, 7PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, AND ZOOM VIDEO CONFERCING FOR S202402** – Richard DeCarli, owner/applicant, request a two-lot resubdivision at 189 Sadds Mill Road, APN 100-008-0002, in a Rural Agricultural Residential (RAR) Zone.
- 2. BY CONSENSUS, RECEIVED AND SCHEDULED A PUBLIC HEARING FOR APRIL 22, 2024, 7PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, AND ZOOM VIDEO CONFERCING FOR Z202405** – Richard DeCarli, owner/applicant, request for a special permit for a rear lot (Section 7.9) and an agricultural building closer than 50' to the side yard (Section 7.14.3A) at 189 Sadds Mill Road, APN 100-008-0002 and APN 100-008-0003, in a Rural Agricultural Residential (RAR) Zone.
- 3. BY CONSENSUS, RECEIVED AND SCHEDULED A PUBLIC HEARING FOR APRIL 22, 2024, 7PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, AND ZOOM VIDEO CONFERCING FOR S202403** – David Noble, owner/applicant, request for a three-lot subdivision at 4 Tolland Turnpike, APN 132-004-0000, in a Rural Agricultural Residential (RAR) Zone.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the February 26, 2024, Regular Meeting Minutes.

MOVED (SWANSON) SECONDED (SANDBERG) (DEARBORN – ABSTAINED) PASSED TO APPROVE FEBRUARY 26, 2024, REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:

- a. Request from Gardner & Peterson for informal discussion to allow construction of rental units for special tradesmen space (currently only permitted by special permit in industrial zones) and review of conceptual site plan for 3 Jobs Hill Road, APN 072-003-0000, a property in the Planned Commercial (PC) Zone.

Mark Peterson, Gardner & Peterson Associates, LLC, 178 Hartford Turnpike, Tolland and David Wittig, owner of 3 Jobs Hill Road were present. Mark explained the building is occupied by three different businesses, a fence company, tree service company and a mechanical service company. The owner is looking to expand the structure to accommodate additional businesses. Mark spoke of different options to accommodate David Wittig's business, such as requesting a zone change or applying for a text amendment to the Zoning Regulations. Lisa noted the building has accommodated three businesses and stated the parcel is a very visible site. Lisa gave examples of the difference between planned commercial uses and industrial uses as listed within the zoning regulations. A zone change would not be an option, due to potential spot zoning.

- b. Notice of Violation, dated March 7, 2024, Gondal Corporation (The Road Runners), owner, 83 West Road, for violation of the Ellington Zoning Regulations for electronic signs displaying fuel prices on dispenser pumps.

Lisa reported John Colonese, Assistant Town Planner, was notified the owner of the property is currently out of the country by another individual that works for the property owner. The owner did call and left a message for John to try and call again. Lisa noted the Notice of Violation's fifteen days to comply had passed. The commission agreed a Cease & Dease Order should be sent to the property owner.

VIII. ADJOURNMENT:

MOVED (SWANSON) SECONDED (SANDBERG) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING AND ZONING COMMISSION MEETING AT 8:32 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk