



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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

www.ellington-ct.gov

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

PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES

MONDAY, APRIL 22, 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, VICE CHAIRMAN SEAN KELLY, SECRETARY ROBERT SANDBERG, JR., REGULAR MEMBERS F. MICHAEL FRANCIS, JON MOSER, MICHAEL SWANSON (ARRIVED AT 7:06 PM), AND ALTERNATES RACHEL DEARBORN AND JEREMIAH WILLIAMS

MEMBERS ABSENT: REGULAR MEMBER WILLIAM HOGAN

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, all hearings may be opened)

BY CONSENSUS, PUBLIC HEARINGS #1 AND #2 WERE HEARD SIMULTANEOUSLY.

1. S202402 – Richard DeCarli, owner/applicant, request for a two-lot resubdivision at 189 Sadds Mill Road, APN 100-008-0002, in a Rural Agricultural Residential (RAR) Zone.

Time: 7:01 pm

Seated: Hoffman, Kelly, Sandberg, Francis, Moser, Dearborn, and Williams

Attorney Atherton Ryan, 16 Virginia Drive, and Richard and Daryl DeCarli, 189 Sadds Mill Drive were present to represent the application.

Attorney Ryan stated Richard DeCarli is the current owner of the property and is looking to re-subdivide the parcel, which was previously subdivided in 1964. The present property is roughly 18 acres. Attorney Ryan showed the current lot lines and what is being proposed. Attorney Ryan stated there is currently one driveway that leads to the existing dwellings and riding arena. There will be no physical changes to the site, the proposal is strictly a re-subdivision to change the titles. Attorney Ryan said the Zoning Board of Appeals granted a variance to allow a driveway serving a proposed rear lot outside of the fee simple accessway.

Lisa Houlihan, Town Planner, noted North Central District Health Department (NCDHD) reviewed the application and the owners are following applicable regulations and granted approval on January 10, 2024. The re-subdivision map will need to be updated with the assessor parcel numbers and street numbers and remove the Industrial Zone line prior to being recorded on the land records.

Commissioner Dearborn asked how the arena fits within the zoning regulation and Lisa noted the proposed rear lot includes the riding arena which was approved and granted a Special Permit in

2008. No one from the public spoke regarding the application.

MOVED (SANDBERG) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE S202402 – Richard DeCarli, owner/applicant, request for a two-lot resubdivision at 189 Sadds Mill Road, APN 100-008-0002, in a Rural Agricultural Residential (RAR) Zone.

MOVED (SANDBERG) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS FOR S202402 – Richard DeCarli, owner/applicant, request for a two-lot resubdivision at 189 Sadds Mill Road, APN 100-008-0002, in a Rural Agricultural Residential (RAR) Zone.

CONDITIONS:

- The declaration and grant of driveway easement shall be filed on the land records.
- The Industrial (I) Zone line near Sadds Mill Road shall be removed from the plans prior to being filed on the land records.
- The assessor's parcel numbers and street numbers shall be indicated on the plans prior to being recorded on the land records.

2. 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.

Time: 7:01 pm

Seated: Hoffman, Kelly, Sandberg, Francis, Moser, Dearborn, and Williams

Attorney Joe Ryan stated the rear lot will remain under agricultural use but since the property was originally purchased in 1913, the structures have been in existence for many years and are closer than 50' to the side yard. He explained the regulation allowing a special permit to be granted as long as the separate met the underlying zoning regulations. No one from the public spoke regarding the application.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE 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.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE 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. 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.

Time: 7:14 pm

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

Mark Peterson, Gardner & Peterson Associates, LLC, 178 Hartford Turnpike, Tolland, CT, and David Noble, 910 Strong Road, South Windsor, CT, were present to represent the application.

Mark Peterson said the property is located at 4 Tolland Turnpike, which is in the easterly part of town on the Tolland town line. The parcel is just under 18 acres. The owner is proposing to cut Lot 2 and 3 just over an acre in size for their children and then Lot 1 will be roughly 15 acres. The proposed subdivision will be among family, so it's exempt from meeting the open space

requirement. Mark noted David received approval from the NCDHD for the proposed septic systems and wells for all three lots. Mark reviewed the topography and explained the water sheet flows in a northerly direction. The plans show the wetlands have been delineated on the site by Soil Scientist, Rick Zulick.

Mark received comments from Dana Steele, Town Engineer, dated April 19, 2024, and noted he spoke with Dana and will be able to meet the following conditions:

1. Note that the existing well on Lot 2 will be abandoned.
2. Note the garage floor elevation on each lot to confirm positive drainage away from the garage doors.
3. Provide a detail for the proposed berm on Lot 3 and note the top and bottom of berm elevations at both ends of the berm.
4. Note that soil stabilization will be provided at the end of the berm on Lot 3 as needed. The erosion bond for Lot 3 construction should not be released until the developer has demonstrated to the satisfaction of the Town Engineer that the outlet is adequately protected from erosion.

No one from the public spoke regarding the application.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE 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.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS 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.

CONDITIONS:

- North Central District Health Department recommends, where feasible, maximizing the separation distance from the water supply well no closer than 50' to the public roadway.
- Shall comply with the Town Engineer's comments dated April 19, 2024.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. S202401 - Tymac Holdings, LLC, owner/Craig Webb, applicant, request for one 90-day extension for filing of subdivision plans for approval granted January 29, 2024, 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.

MOVED (SWANSON) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO GRANT ONE NINETY (90) DAY EXTENSION FOR FILING OF MYLARS TO JULY 27, 2024 FOR S202401 - Tymac Holdings, LLC, owner/Craig Webb, applicant, request for one 90-day extension for filing of subdivision plans for approval granted January 29, 2024, 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.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the March 25, 2024, Regular Meeting Minutes.
MOVED (SWANSON) SECONDED (SANDBERG) (FRANCIS – ABSTAINED) TO APPROVE MARCH 25, 2024, REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:

- a. Cease and Desist Order dated March 27, 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 noted the owner of the Road Runner has until April 27, 2024, to appeal the Zoning Enforcement Officer's Cease and Desist Order, and should no action be taken by the owner, a citation could be issued for a fine up to \$150.00 per day until the violation has been resolved.

VIII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING AND ZONING COMMISSION MEETING AT 7:33 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk