



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

ZONING BOARD OF APPEALS REGULAR MEETING AGENDA MONDAY, JUNE 3, 2024, 7:00 PM

**IN-PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT
REMOTE ATTENDANCE: VIA ZOOM MEETING, INSTRUCTIONS PROVIDED BELOW**

I. CALL TO ORDER:

II. PUBLIC COMMENTS (ON NON-AGENDA ITEMS):

III. PUBLIC HEARING(S): *(Notice requirements met, hearing may commence unless otherwise noted)*

1. V202404 – Gondal Corporation, owner/applicant, to appeal a decision from the Zoning Enforcement Officer dated March 27, 2024, of Section 6.3.2-General, Section 6.3.9-Illumination, and Section 6.3.10-Prohibited Signs at 83 West Road, APN 028-056-0000 in a Commercial (C) zone. *(REQUEST FOR EXTENSION TO OPEN PUBLIC HEARING.)*
2. V202405 – Stephanie Dias and Douglas Miller, owner/applicant, request for variance of the Ellington Zoning Regulations Section 4.1-Permitted Uses and Uses Requiring Special Permit: to permit an existing first floor unit used for a salon to be changed to an apartment creating a two-family dwelling at 15 West Road, APN 012-011-0000 in a Commercial (C) zone.
3. V202406 – Stephen D. Williams, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback from 35ft to 9ft on Wendell Road and the rear yard setback from 25ft to 11ft to construct a single-family dwelling at 37 Wendell Road, APN 169-019-0000 in a Residential (R) zone.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the April 1, 2023, Regular Meeting Minutes.
2. Correspondence/Discussion:

V. ADJOURNMENT:

Next Regular Meeting Scheduled for Monday, July 1, 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, Zoning Board of Appeals.

Join Zoom Meeting via link:

<https://us06web.zoom.us/j/89051286421>

Meeting ID: 890 5128 6421

Passcode: 459451

Join Zoom Meeting by phone:

1 646 558 8656 US (New York)

Meeting ID: 890 5128 6421

Passcode: 459451

Town of Ellington Zoning Board of Appeals Application

Application #

V202405

Date Received

5/9/2024

Type of Application: Variance Appeal of Decision Auto Dealer / Repairer License

Notices associated with this application will be sent to the applicant unless otherwise requested.

Owner's Information

Name: Stephanie Dias + Douglas Miller

Mailing Address: 18 Private Grounds I

Ellington, CT 06029

Email: stephanied1965@yahoo.com

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

Primary Contact Phone #: 800 966-9062

Secondary Contact Phone #: _____

Owner's Signature: [Signature] Date: 4/25/24

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 Board 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 Board or its staff.

Notices associated with this application will be sent to the applicant 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 #: _____

Applicant's 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 Board have been submitted.

Street Address: 15 West Road

Assessor's Parcel Number (APN): 012 - 011 - 0000 Zone: C

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

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.

Previous Variances related to this property? Yes No If yes, specify date _____

Requesting a Variance to Zoning Regulations Section: (For Variance Application only) Section 4.1

Describe Variance Request, Appeal of Decision, or Auto Dealer/Repairer License: (Attach additional sheets if needed)

variance to allow conversion of 1st floor of a pre-existing multi dwelling unit to an apartment. second floor currently apartment

Hardship: Describe hardship and indicate why other options are unacceptable. (For Variance Application only)

property is surrounded by residential use unable to utilize property

MEMORANDUM

TO: Town of Ellington Zoning Board of Appeals

RE: Application for Variance: 15 West Road

Dear Board Members:

Stephanie Dias and Douglas Miller (the "Applicants") (Exhibit A), the current owners of 15 West Road (the "Property") (Exhibit B). Pending before you is an application seeking a variance from Sections 4.1 of the Town of Ellington Zoning Regulations ("Regulations"). In particular, the Applicants request that the Board permit them to use the first floor of a pre-existing, multi-dwelling building as an apartment due to a unique hardship and the desire to make reasonable use of this pre-existing structure.

Conn. Gen. Stat. § 8-6 defines the hardship necessary to justify a variance as follows:

[W]ith respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of such bylaws, ordinances or regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured..

For the reasons set forth below, the Applicants have a unique hardship that justifies the requested variances.

The requested variances also will not undermine the Town's Comprehensive Plan for the following reasons:

1. The Building is pre-existing. No new construction is proposed and, therefore, there will be no change in the existing appearance of the Property or the structures located thereon.
2. It is more compatible with the neighborhood in that all of the abutting properties have dwelling units in them and, as noted above, the impact on these residential uses from a commercial use located literally in their back yard, has been problematic.
3. A new apartment better serves the Town's recognized need for affordable housing options.
4. The conversion of the pre-existing first floor space to an apartment will not substantially increase or otherwise overcrowd the Property. There is ample pre-existing off street parking.

Conclusion

To be clear, the Applicants are not claiming an economic hardship. The hardship in this case arises out of the fact that the Property is pre-existing, non-conforming and the current Regulations do not allow for the reasonable use of the Building. For these reasons, the Applicants' hardship is unique, is not self-created and justifies the variances requested.



The Assessor's office is responsible for the maintenance of records on the ownership of properties. Assessments are computed at 70% of the estimated market value of real property at the time of the last revaluation which was 2020.



Government

Information on the Property Records for the Municipality of Ellington was last updated on 4/26/2024.



Parcel Information

Location:	15 WEST RD	Property Use:	Retail	Primary Use:	Retail Store
Unique ID:	00061300	Map Block Lot:	012 011 0000	Acres:	0.3100
490 Acres:	0.00	Zone:	C	Volume / Page:	0470/0893
Developers Map / Lot:		Census:	5352		

Value Information

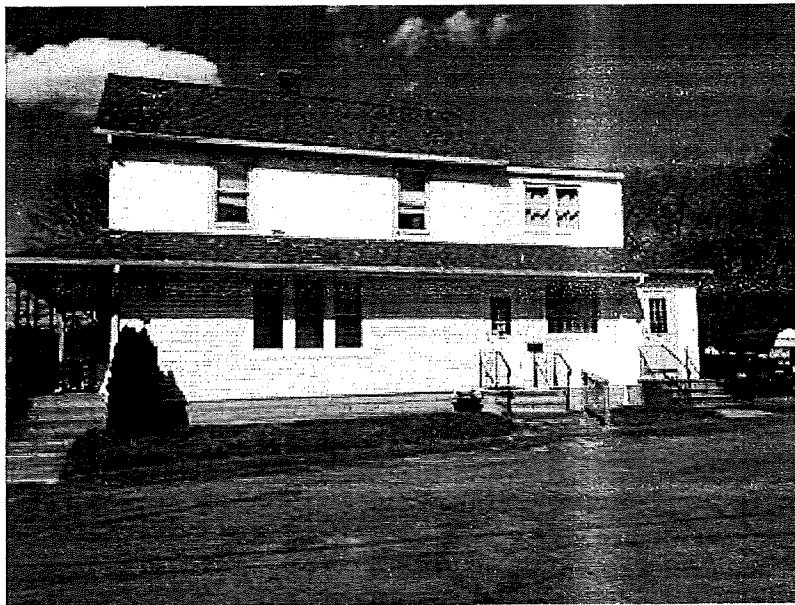
	Appraised Value	Assessed Value
Land	102,000	71,400
Buildings	64,130	44,890
Detached Outbuildings	4,000	2,800
Total	170,130	119,090

Owner's Information

Owner's Data

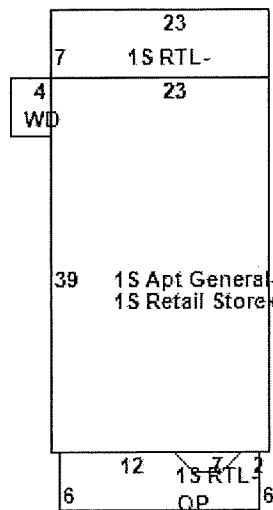
MILLER DOUGLAS H + DIAS STEPHANIE
 18 PRIVATE GROUNDS1
 ELLINGTON, CT 06029

Building 1



23' 8"

47' 5"



Category: Retail

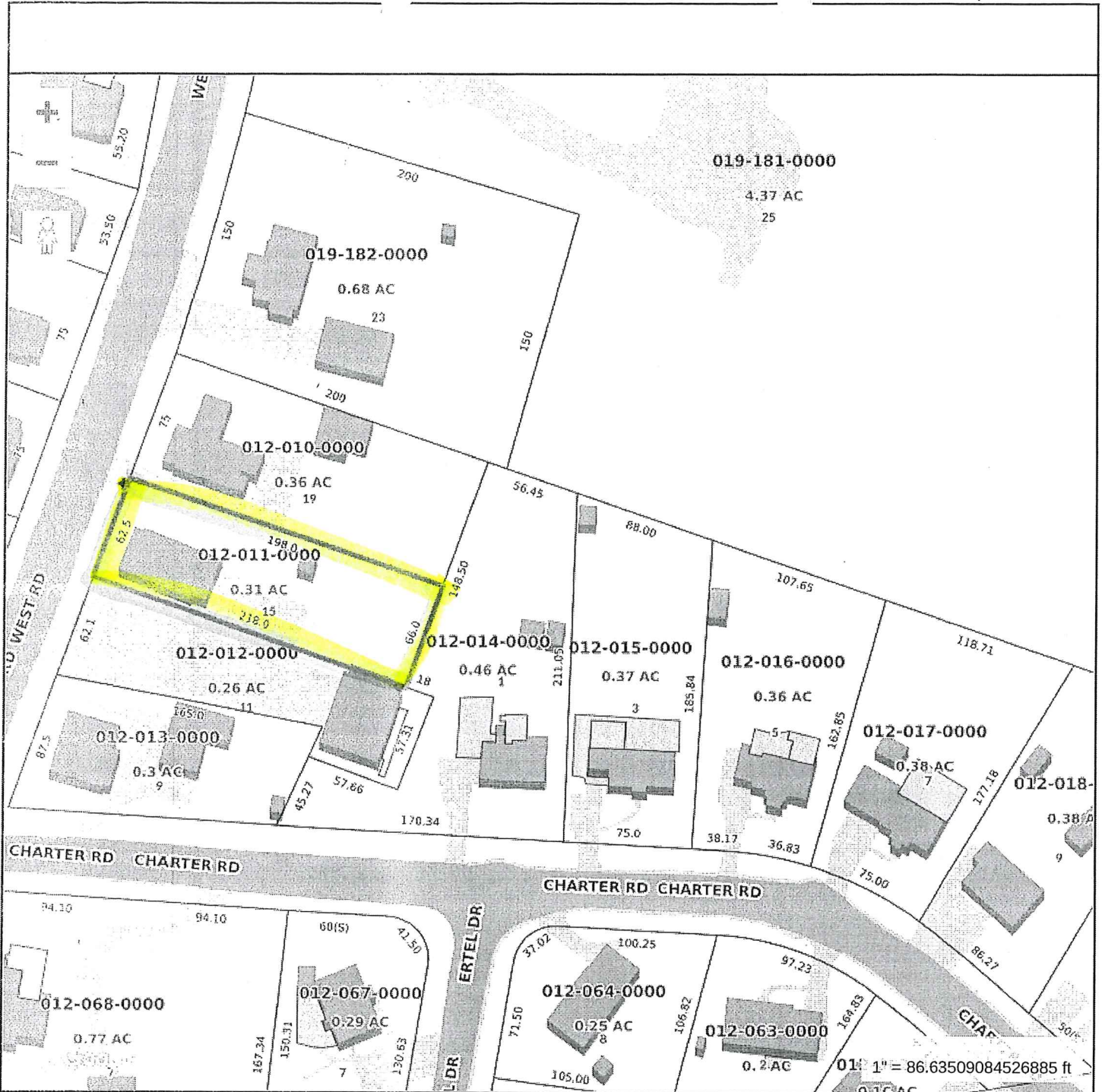
Use: Retail Store

GLA: 1,965

Stories: 2.00

Construction: Wood Frame

Year Built: 1900



Property Information
 Property ID 012 011 0000
 Location 15 WEST RD
 Owner MILLER DOUGLAS H + DIAS STEPHANIE

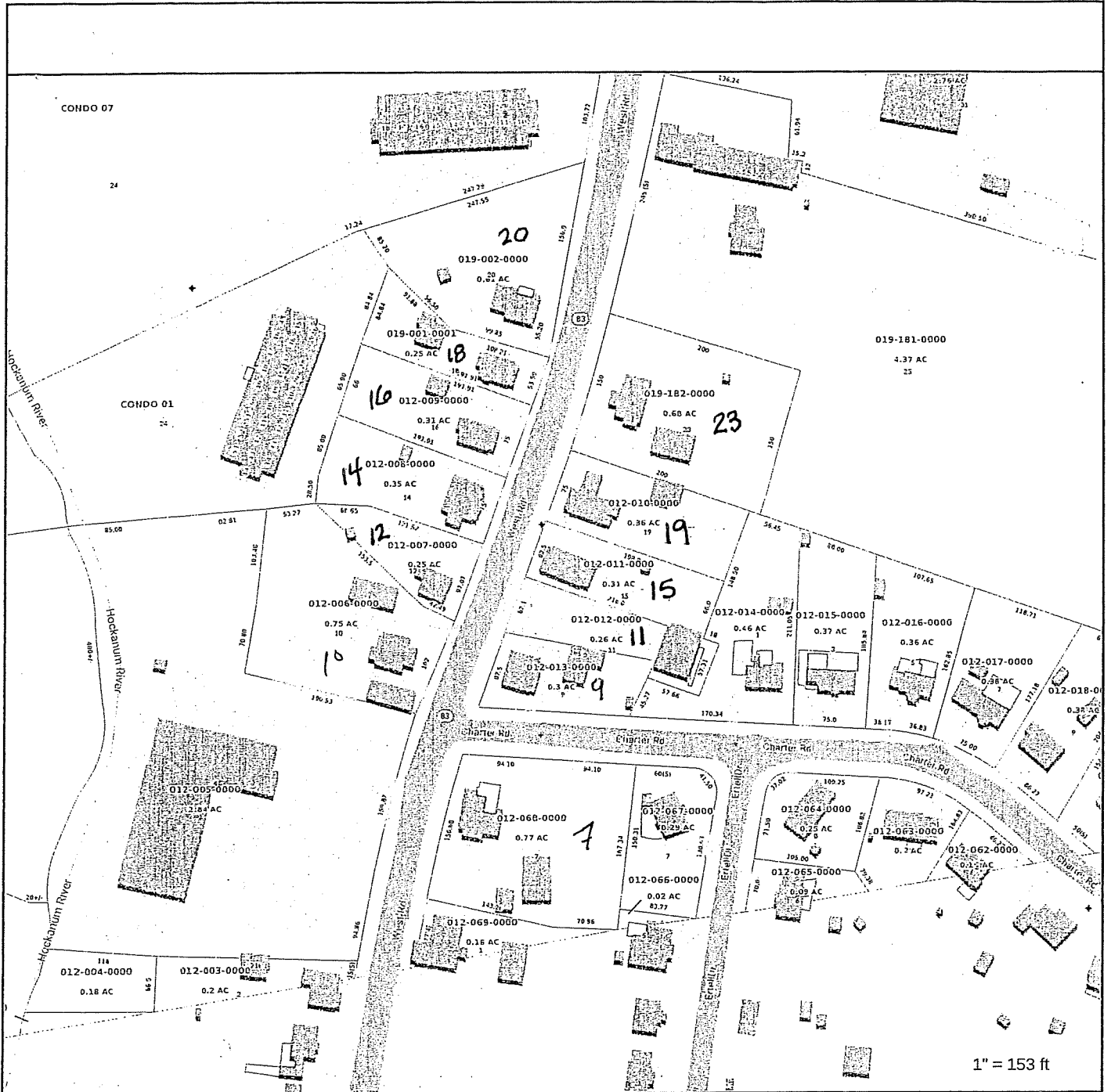


MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT

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.



Property Information

Property ID 028-013-0000
 Location 105 WEST RD
 Owner ELLINGTON PLACE ASSOCIATES LLC

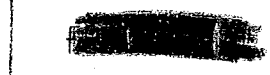


MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT

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 7/1/2018
 Data updated 11/19/2018

RECEIVED



TOWN OF ELLINGTON
 PLANNING DEPARTMENT

Rec'd @ ZBA meeting

9 - 2 Family
 11 - 2 Family

~~10 - 2 Family~~
 7 - Single Family

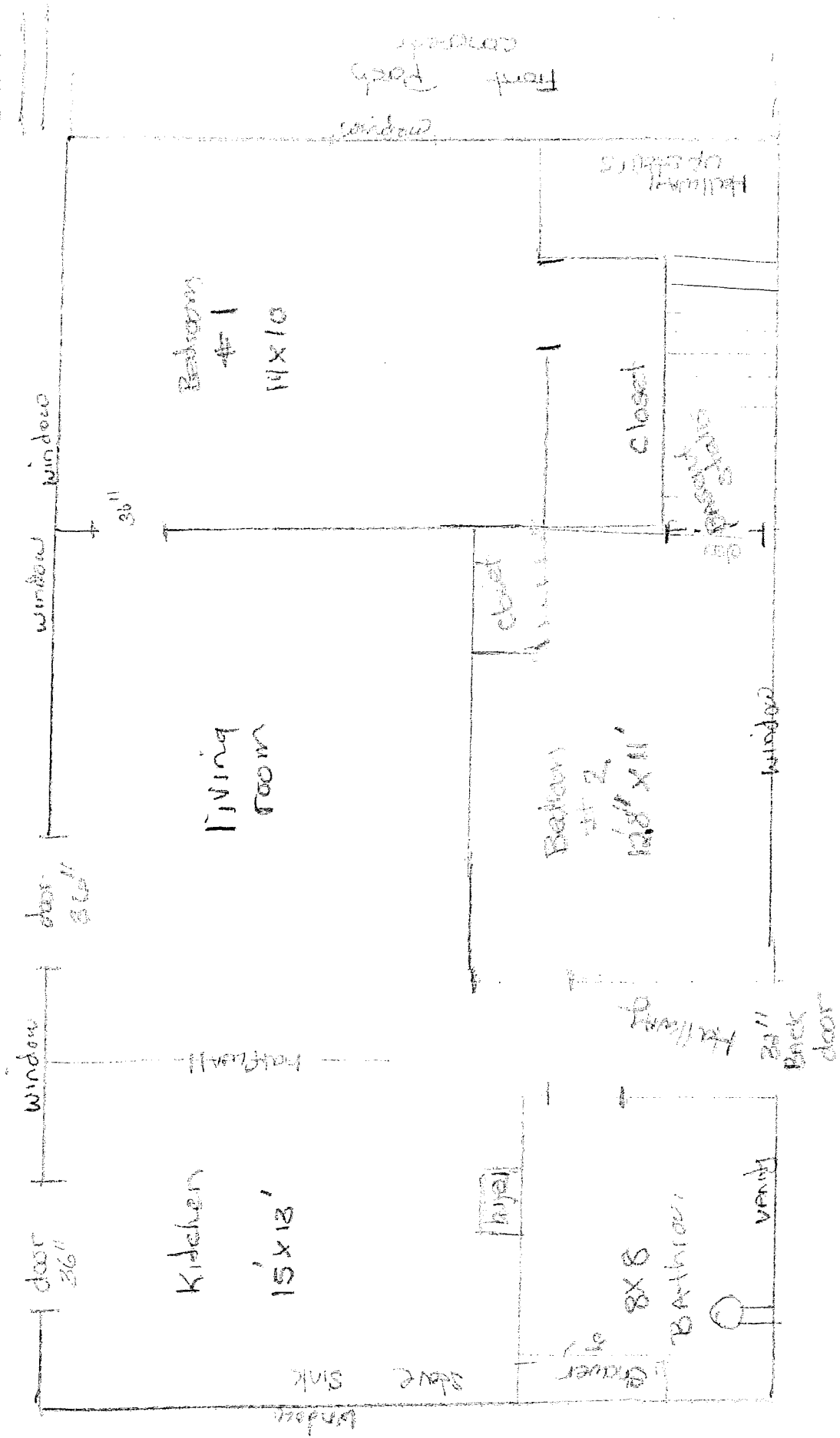
19 - 2 Family
 23 - Single Family

20 - 2 Family
 18 - Multiple Houses

16 - Single Family
 14 - Single Family

12 - 2 Family
 10 - Store + Multifamily House

Parting lot



ELLINGTON PLANNING DEPARTMENT
STAFF REVIEW SHEET
ZONING BOARD OF APPEALS

V202405 – Stephanie Dias and Douglas Miller, owner/applicant, request for variance of the Ellington Zoning Regulations Section 4.1-Permitted Uses and Uses Requiring Special Permit: to permit an existing first floor unit used for a salon to be changed to an apartment creating a two-family dwelling at 15 West Road, APN 012-011-0000 in a Commercial (C) zone.

PUBLIC HEARING DATE: June 3, 2024
STAFF REVIEW/RETURN DATE: May 24, 2024

DEPARTMENT	COMMENTS AND/OR REQUIREMENTS
Town Engineer	DPW- No Comment WPCA- This property will be reassessed based on change of use. The assessment shall be incurred upon the issuance of the C/O.
Building Official	
North Central District Health Department	
Fire Marshal	
Public Works Director/WPCA	
Assessor	
Traffic Authority	
Ambulance Services	

Town of Ellington Zoning Board of Appeals Application

Application # V202406
Date Received 5/13/2024

Type of Application: Variance Appeal of Decision Auto Dealer / Repairer License

Notices associated with this application will be sent to the applicant unless otherwise requested.

Owner's Information

Name: Stephen D. Williams
Mailing Address: 36 Buff Cap Road
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 #: _____

Owner's Signature: [Signature] Date: 5/8/24

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 Board 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 Board or its staff.

Notices associated with this application will be sent to the applicant unless otherwise requested.

Applicant's Information (if different than owner)

Name: Same
Mailing Address: _____
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 #: _____

Applicant's Signature: [Signature] Date: 5/8/24

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 Board have been submitted.

RECEIVED

Street Address: 37 Wendell Road

MAY 13 2024

Assessor's Parcel Number (APN): 169 - 019 - 0000 Zone: R

TOWN OF ELLINGTON
PLANNING DEPARTMENT

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

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 Conn. Gen. Stat. §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.

Previous Variances related to this property? Yes No If yes, specify date _____

Requesting a Variance to Zoning Regulations Section: (For Variance Application only) 3.2.3(1) & 3.2.3(3)

Describe Variance Request, Appeal of Decision, or Auto Dealer/Repairer License: (Attach additional sheets if needed)
Proposed house will be 11' to the rear property line where 25' is required and 9' to the front property line abutting Wendell Road where 35' is required.

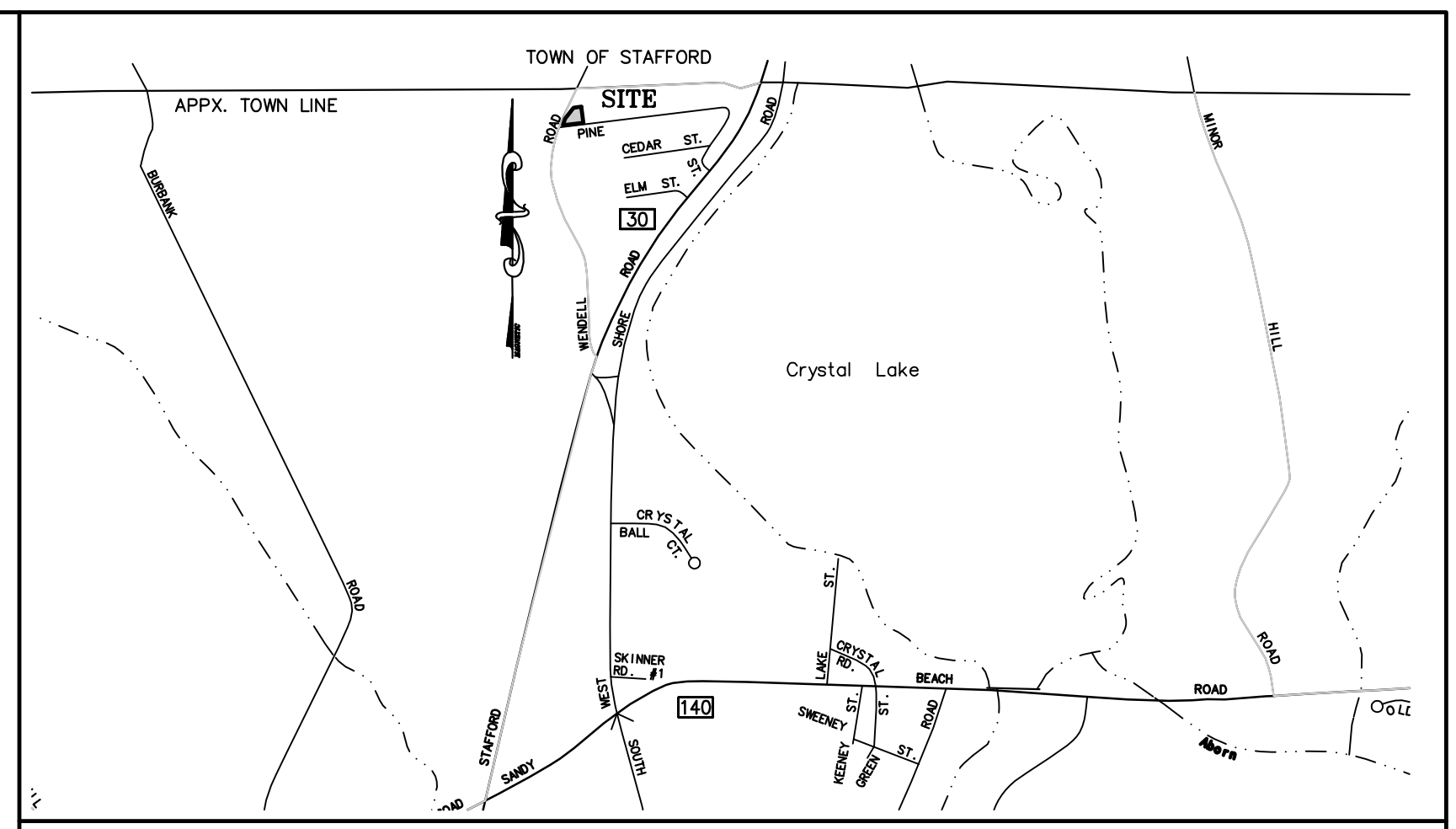
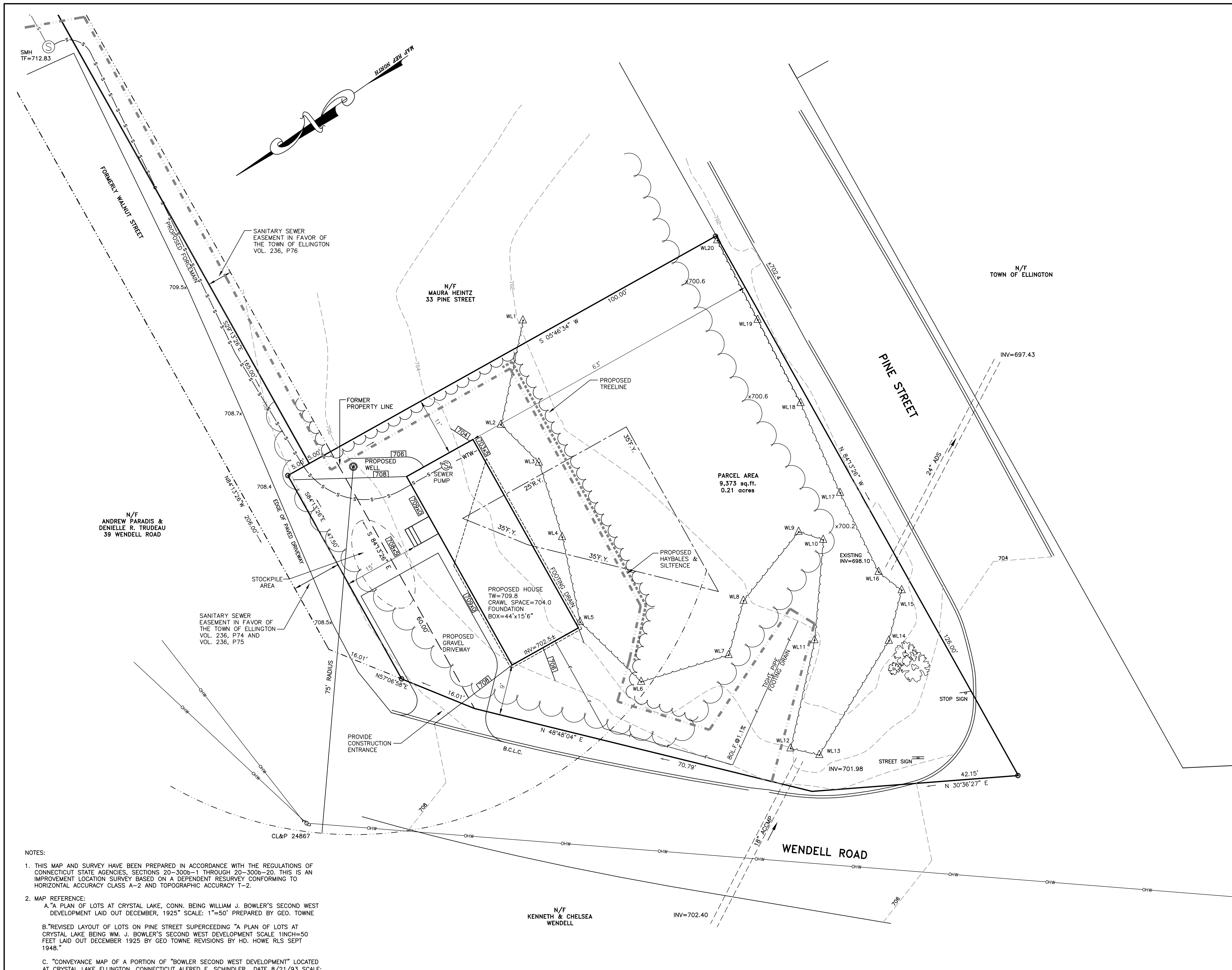
Hardship: Describe hardship and indicate why other options are unacceptable. (For Variance Application only)
Due to the parcel size and inland wetland location on this lot of record, compliance with the zoning setbacks would prohibit permitting of a house on this property.

ELLINGTON PLANNING DEPARTMENT
STAFF REVIEW SHEET
ZONING BOARD OF APPEALS

V202406 – Stephen D. Williams, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback from 35ft to 9ft on Wendell Road and the rear yard setback from 25ft to 11ft to construct a single-family dwelling at 37 Wendell Road, APN 169-019-0000 in a Residential (R) zone.

PUBLIC HEARING DATE: June 3, 2024
 STAFF REVIEW RETURN DATE: May 24, 2024

DEPARTMENT	COMMENTS AND/OR REQUIREMENTS
Town Engineer	DPW- Defers to the Town engineer for review/comments. WPCA- Please have the developer reach to the WPCA for coordination of the sanitary sewer requirements.
Building Official	
North Central District Health Department	
Fire Marshal	
Public Works Director/WPCA	
Assessor	
Traffic Authority	
Ambulance Services	



KEY MAP SCALE: 1"=1,000'

- NOTES:
1. THIS MAP AND SURVEY HAVE BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-300b-1 THROUGH 20-300b-20. THIS IS AN IMPROVEMENT LOCATION SURVEY BASED ON A DEPENDENT RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS A-2 AND TOPOGRAPHIC ACCURACY T-2.
 2. MAP REFERENCE:
 - A. "A PLAN OF LOTS AT CRYSTAL LAKE, CONN. BEING WILLIAM J. BOWLER'S SECOND WEST DEVELOPMENT LAID OUT DECEMBER, 1925" SCALE: 1"=50' PREPARED BY GEO. TOWNE
 - B. "REVISED LAYOUT OF LOTS ON PINE STREET SUPERCEDEING "A PLAN OF LOTS AT CRYSTAL LAKE BEING WM. J. BOWLER'S SECOND WEST DEVELOPMENT SCALE 1"INCH=50 FEET LAID OUT DECEMBER 1925 BY GEO TOWNE REVISIONS BY HD. HOWE RLS SEPT 1948."
 - C. "CONVEYANCE MAP OF A PORTION OF "BOWLER SECOND WEST DEVELOPMENT" LOCATED AT CRYSTAL LAKE ELLINGTON, CONNECTICUT ALFRED E. SCHINDLER "DATE 8/21/93 SCALE: 1"=50"
 3. THE WATER TREATMENT WASTEWATER SHALL DISCHARGE TO THE SANITARY SEWER, IF NEEDED.
 4. UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING, 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.
 5. PARCEL IS LOCATED IN ZONE R AND IS WITHIN THE SEWER SERVICE AREA.

ZONING TABLE

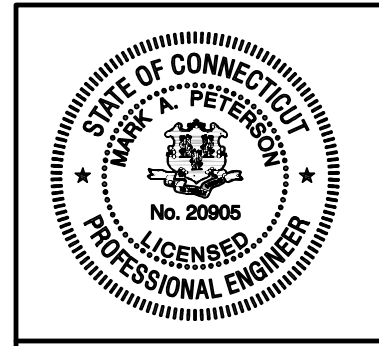
R ZONE	REQUIRED	PROVIDED
MIN. LOT SIZE	40,000 SQ.FT.	9,373 SQ.FT.
MIN. LOT WIDTH	100 FEET	100+ FEET
FRONT YARD-WENDELL	35 FEET	9 FEET
FRONT YARD-PINE	35 FEET	63 FEET
SIDE YARD	10 FEET	N/A
REAR YARD	25 FEET-PRINCIPLE 10 FEET-ACCESSORY	11 FEET-PRINCIPLE N/A-ACCESSORY
MAX. LOT COVERAGE	25%	13.5%

- LEGEND
- PROPERTY LINE
 - ABUTTING PARCEL
 - EXISTING I.P.
 - EXISTING MONUMENT
 - EXISTING DRAINAGE
 - ZONING SETBACK - PRINCIPAL STRUCTURE
 - EXISTING ELEVATION
 - EXISTING CONTOUR
 - PROPOSED CONTOUR
 - PROPOSED ELEVATION
 - UTILITY POLE WITH WIRES
 - PROPOSED FOUNDATION DRAIN
 - PROPOSED SILTFENCE
 - PROPOSED HAYBALES
 - PROPOSED WELL
 - PROPOSED SEWER FORCEMAIN

IMPROVEMENT LOCATION SURVEY

PERMIT PLAN
PREPARED FOR
STEPHEN D. WILLIAMS
APN: 169-019-0000
37 WENDELL ROAD
ELLINGTON, CONNECTICUT

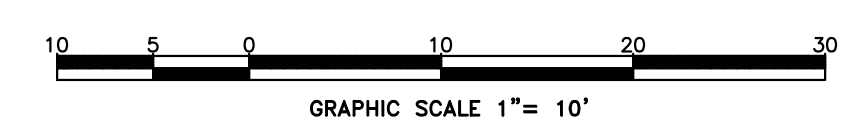
GARDNER & PETERSON ASSOCIATES, LLC
178 HARTFORD TURNPIKE
TOLLAND, CONNECTICUT
PROFESSIONAL ENGINEERS LAND SURVEYORS



REVISIONS
01-30-2024

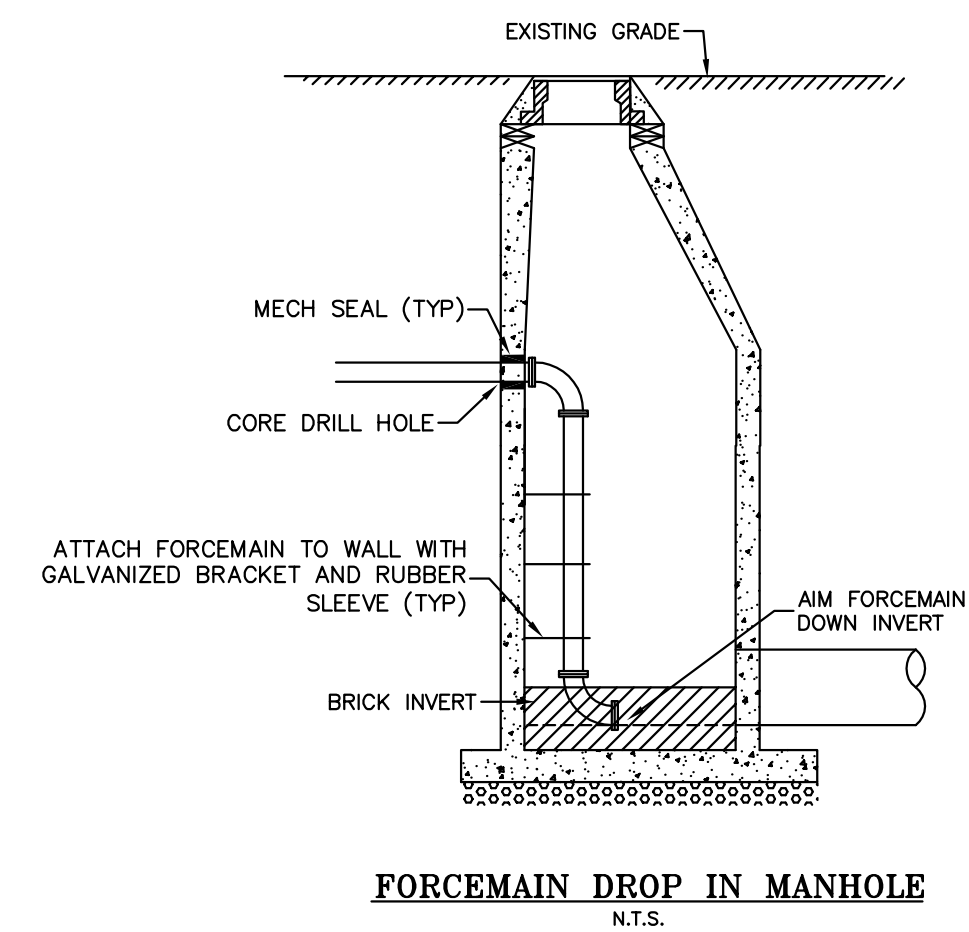
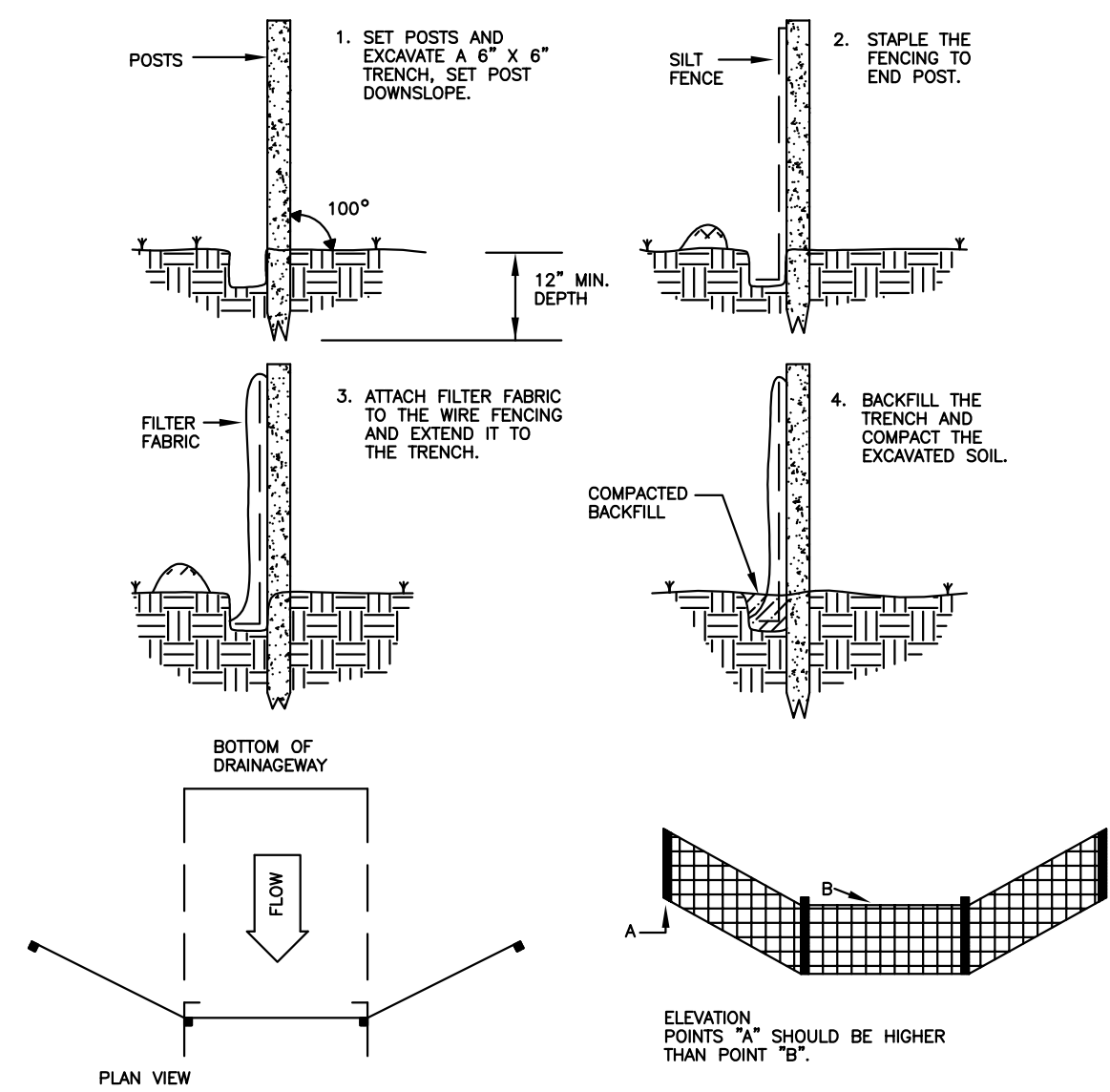
BY	SCALE	DATE	SHEET NO.	MAP NO.
S.E.J./M.A.P.	1"=10'	02-23-1996	1 OF 2	9169A

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

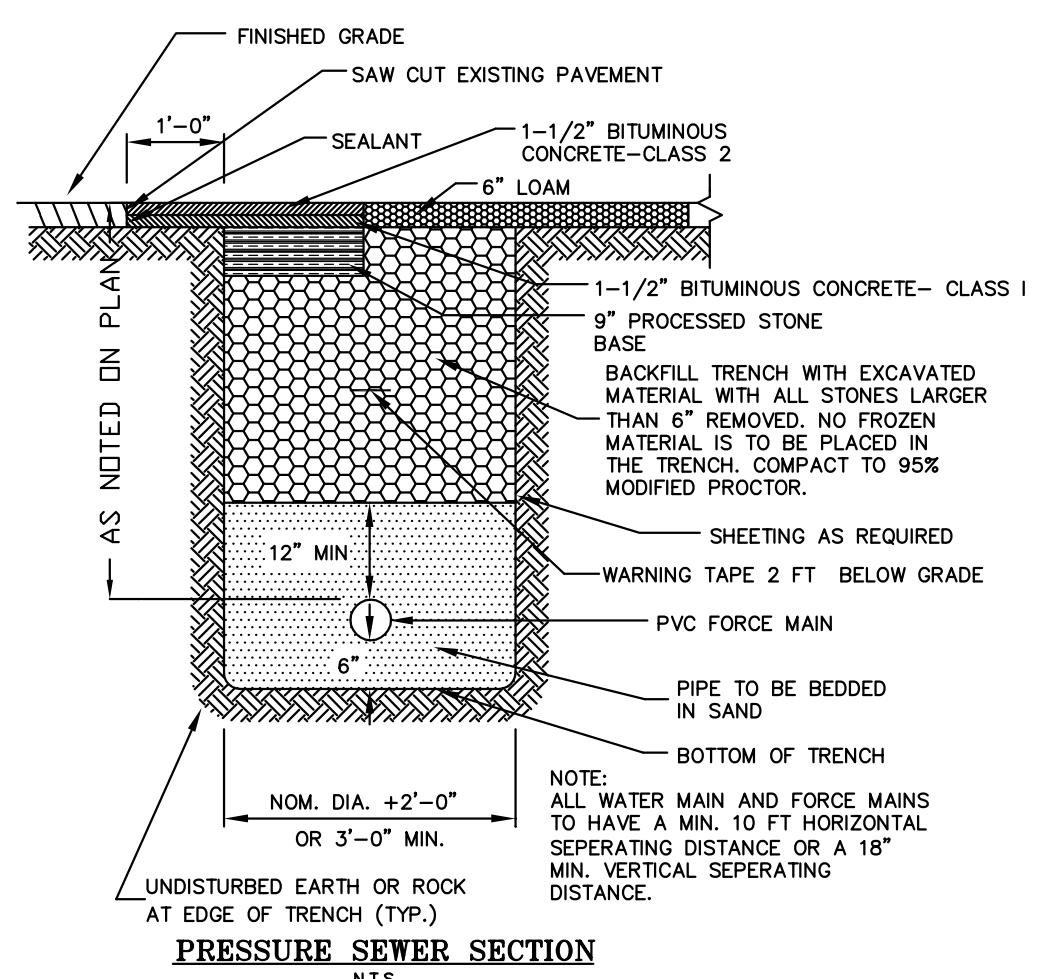


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9/18/2024 10:18:05 AM

PLACEMENT AND CONSTRUCTION OF A SYNTHETIC
FILTER BARRIER



FORCEMAIN DROP IN MANHOLE
N.T.S.



PRESSURE SEWER SECTION
N.T.S.

GENERAL EROSION AND SEDIMENT CONTROL NOTES

- ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE "GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL" BY THE CONNECTICUT COUNCIL ON SOIL AND WATER CONSERVATION.
- ALL SEDIMENT CONTROL PRACTICES AND MEASURES SHALL BE CONSTRUCTED, APPLIED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED SEDIMENT CONTROL PLAN.
- TOPSOIL REQUIRED FOR THE ESTABLISHMENT OF VEGETATION SHALL BE STOCKPILED IN THE AMOUNT NECESSARY TO COMPLETE THE FINISHED GRADING OF ALL EXPOSED AREAS.
- AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED AND STRIPPED OF TOPSOIL TO REMOVE TREES, VEGETATION, ROOTS OR OTHER OBJECTIONABLE MATERIAL.
- ALL FILLS SHALL BE COMPACTED AS REQUIRED TO MINIMIZE EROSION, SLIPPAGE, AND SETTLEMENT. FILL INTENDED TO SUPPORT STRUCTURES, DRAINAGE, ETC. SHALL BE COMPACTED IN ACCORDANCE WITH THE APPROPRIATE STATE AND/OR LOCAL SPECIFICATIONS.
- FILL MATERIAL SHALL BE FREE OF BRUSH, RUBBISH, LARGE ROCKS, LOGS, STUMPS, BUILDING MATERIAL, COMPRESSIBLE MATERIAL AND OTHER MATERIALS WHICH MAY INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY FILLS.
- FROZEN MATERIAL OR SOFT MUCKY OR HIGHLY COMPRESSIBLE MATERIALS SHALL NOT BE INCORPORATED INTO FILLS.
- FILL SHALL NOT BE PLACED ON A FROZEN FOUNDATION.
- ALL BENCHES SHALL BE KEPT FREE OF SEDIMENT DURING ALL PHASES OF DEVELOPMENT.
- SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE HANDLED IN ACCORDANCE WITH SOUND CONSTRUCTION PRACTICE.
- ALL GRADED AREAS SHALL BE PERMANENTLY STABILIZED IMMEDIATELY FOLLOWING FINISH GRADING. IF FINISH GRADING IS TO BE DELAYED FOR MORE THAN 30 DAYS AFTER DISTURBANCE IS COMPLETE, TEMPORARY SOIL STABILIZATION MEASURES SHALL BE APPLIED. AREAS LEFT OVER 30 DAYS SHALL BE CONSIDERED "LONG TERM" AND SHALL RECEIVE TEMPORARY SEEDING WITHIN THE FIRST 15 DAYS.
- SITE IS TO BE GRADED TO PERMIT THE USE OF CONVENTIONAL EQUIPMENT FOR SEEDBED PREPARATION, SEEDING, MULCHING, AND MAINTENANCE UNLESS OTHERWISE SPECIFIED IN THE PLANS.
- CUT AND FILL SLOPES SHALL NOT BE STEEPER THAN 2:1. TOPSOIL SHALL BE SPREAD TO A MINIMUM DEPTH OF 4". ADDITIONAL TOPSOIL MAY BE REQUIRED TO MEET MINIMUM DEPTHS. NO TOPSOIL SHALL BE REMOVED FROM THIS SITE.
- APPLY SEED UNIFORMLY BY HAND, CYCLONE SEEDER, DRILL CULTIPACKER TYPE SEEDER, OR HYDROSEEDER (SLURRY INCLUDING SEED AND FERTILIZER). NORMAL SEEDING DEPTH IS FROM 1/4" TO 1/2" INCH. HYDROSEEDING WHICH IS MULCHED MAY BE LEFT ON THE SOIL SURFACE.
- WHERE FEASIBLE, EXCEPT WHERE EITHER A CULTIPACKER TYPE SEEDER OR HYDROSEEDER IS USED, THE SEEDBED SHOULD BE FIRMED FOLLOWING SEEDING WITH A ROLLER OR LIGHT DRAG.
- FERTILIZER AND LIME ARE TO BE WORKED INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES WITH A DISC SPRING TOOTH HARROW OR OTHER SUITABLE EQUIPMENT. THE FINAL HARROWING OR DISC OPERATION SHOULD BE ALONG THE CONTOUR.
- REMOVE FROM THE SURFACE ALL STONES TWO INCHES OR LARGER. REMOVE ALL OTHER DEBRIS SUCH AS WIRE, TREE ROOTS, PIECES OF CONCRETE, OR OTHER UNSUITABLE MATERIALS.
- INSPECT SEEDBED BEFORE SEEDING. IF TRAFFIC HAS LEFT THE SOIL COMPACTED, THE AREA MUST BE RETILLED BEFORE SEEDING, THEN FIRMED AS DESCRIBED ABOVE.
- WHERE GRASSES PREDOMINATE, FERTILIZE ACCORDING TO SOIL ANALYSIS, OR SPREAD 300 POUNDS OF 10-10-10 OR EQUIVALENT PER ACRE (7.5 POUNDS PER 1000 S.F.).

TEMPORARY SEEDING SCHEDULE:

SPECIES	LBS/ACRE	LBS/1000SF	SEEDING DATES
ANNUAL RYEGRASS	40	0.9	3/1-6/15, 8/1-10/1
WINTER RYE	40	0.9	4/15-6/15, 8/15-10/1
SUDANGRASS	11	0.25	5/15-6/15

TEMPORARY SEEDING IS NOT LIMITED TO THE SPECIES SHOWN. OTHER SPECIES RECOMMENDED BY THE SCS OR AS LIMITED BY SITE CONDITIONS MAY BE USED.
STRAW MULCH IS TO BE APPLIED TO SEEDBED AREA AT THE RATE OF 1-1/2 TO 2 TONS PER ACRE. 70 TO 90 LBS. PER 1000 SQ. FT.

FINAL SEEDING SCHEDULE:

PROVIDE 4 INCHES OF TOPSOIL MINIMUM, FREE OF ROOTS, LARGE STONES, AND OTHER OBJECTS.

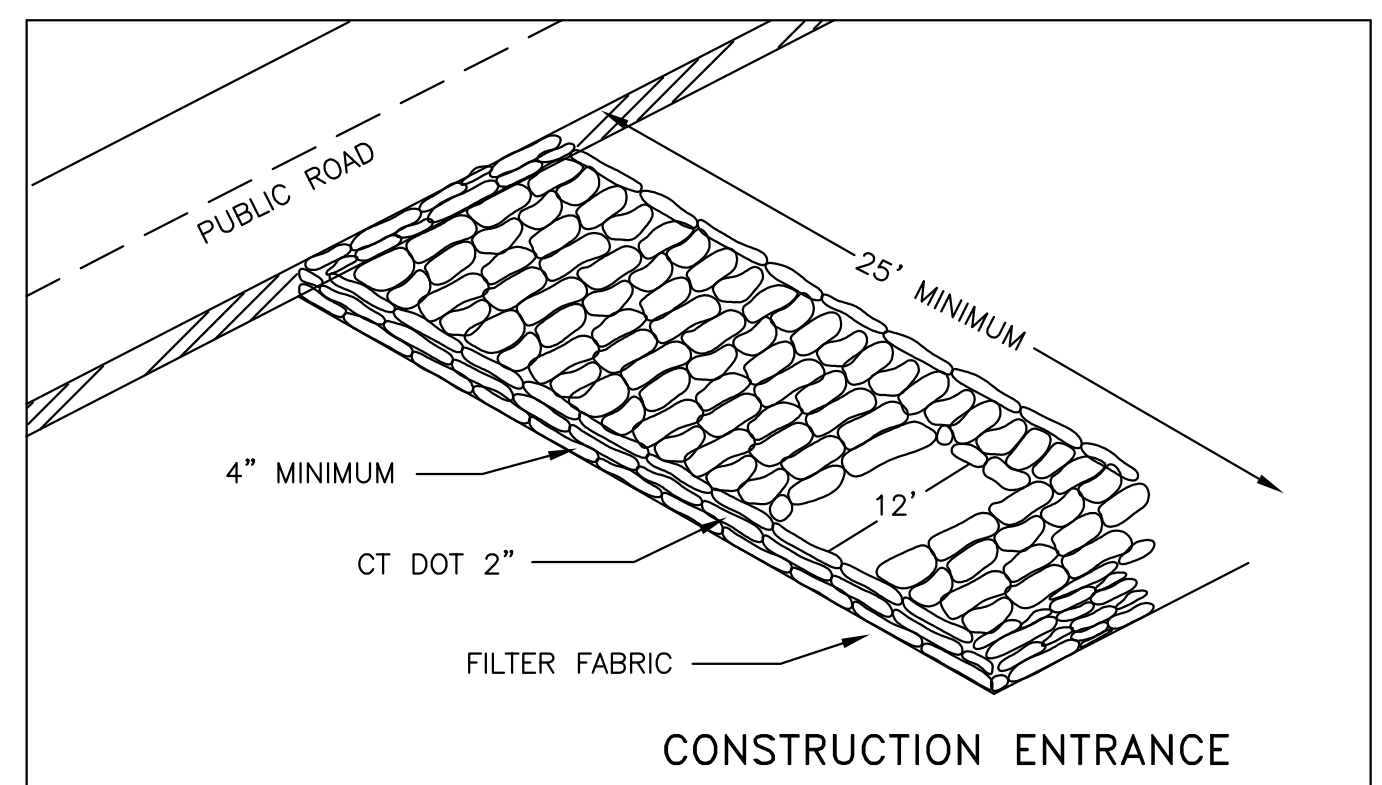
SPECIES	LBS/ACRE	LBS/1000SF	SEEDING DATES
KENTUCKY BLUEGRASS	40	0.90	4/15-6/15, 8/15-9/15
CREeping RED FESCUE	120	2.75	
PERENNIAL RYEGRASS	40	0.90	

PROJECT NAME: PERMIT PLAN
LOCATION: 37 WENDELL ROAD ELLINGTON, CT
PROJECT DESCRIPTION: SINGLE FAMILY HOUSE
PARCEL AREA: 0.21 ACRES
RESPONSIBLE PERSONNEL: STEPHEN D. WILLIAMS

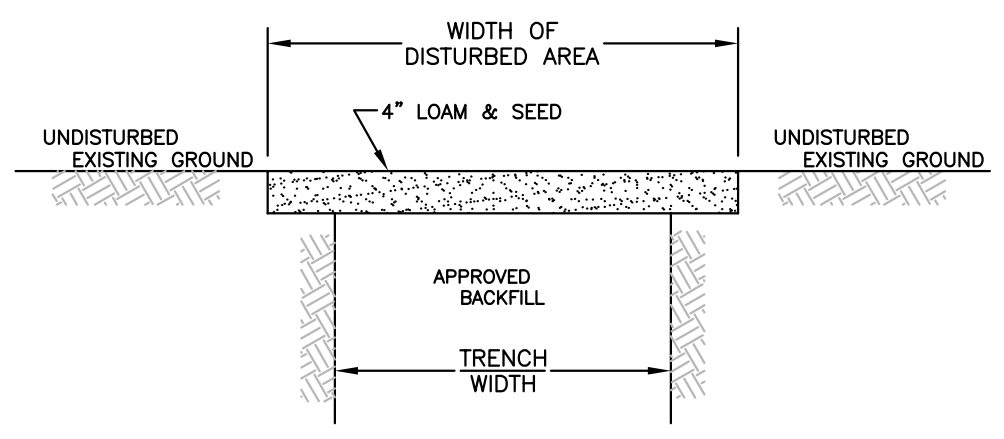
WORK DESCRIPTION	EROSION & SEDIMENT CONTROL MEASURES	DATE INSTALLED	INITIALS
CONTACT CBVD			
FLAG LIMIT OF CLEARING			
CUT TREES			
INSTALL ANTI-TRACKING PAD			
INSTALL SILTFENCE & HAYBALES			
REMOVE STUMPS			
ROUGH GRADE SITE			
CONSTRUCT HOUSE AND UTILITIES			
FINAL GRADE SITE			
LOAM AND SEED ALL DISTURBED AREAS			
REMOVE SILTFENCE & HAYBALES WHEN SITE IS STABILIZED			

PROJECT DATES:
DATE OF CONSTRUCTION START: APPROX. SUMMER 2024
DATE OF CONSTRUCTION COMPLETION: 1 YEAR AFTER START

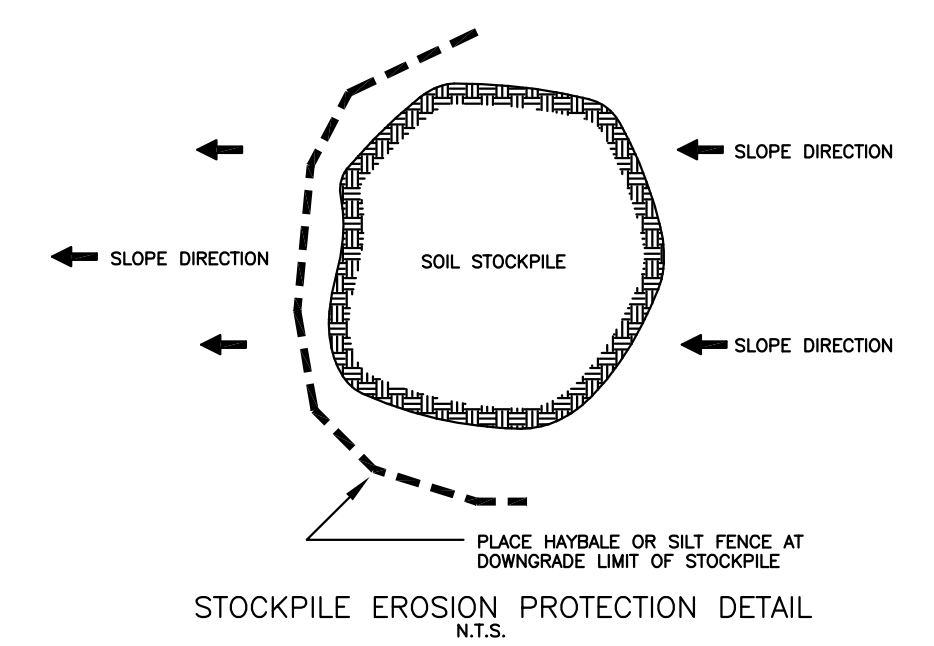
EROSION AND SEDIMENT CONTROL PROCEDURES SHALL ESSENTIALLY BE IN ACCORDANCE WITH THESE PLANS, AS REQUIRED BY TOWN REGULATIONS, AND THE MANUAL "GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL" FOR CONNECTICUT, BY THE COUNCIL ON SOIL AND WATER CONSERVATION, 1985, REVISED TO 2002.



CONSTRUCTION ENTRANCE



LOAM & SEED REPAIR
N.T.S.



STOCKPILE EROSION PROTECTION DETAIL
N.T.S.

EROSION & SEDIMENTATION CONTROL PLAN

IMPROVEMENT LOCATION SURVEY
PREPARED FOR
STEPHEN D. WILLIAMS
APN: 169-019-0000
37 WENDELL ROAD
ELLINGTON, CONNECTICUT

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

PROFESSIONAL ENGINEERS LAND SURVEYORS

REVISIONS
01-30-2024

BY	SCALE	DATE	SHEET NO.	MAP NO.
S.E.J./M.A.P.	NONE	02-23-1996	2 OF 2	9169A



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

ZONING BOARD OF APPEALS REGULAR MEETING MINUTES MONDAY, APRIL 1, 2024, 7:00 PM

IN PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT
REMOTE ATTENDANCE: ZOOM MEETING
(ATTENDEES BELOW WERE IN PERSON UNLESS OTHERWISE NOTED)

PRESENT: Acting Chairman Sulakshana Thanvanthri, Regular members Ken Braga, Katherine Heminway, Subhra Roy and Miranda Graziani and Alternate Ron Stomberg

ABSENT: Alternates Ron Brown and Rodger Hosig

STAFF

PRESENT: John Colonese, Assistant Town Planner/Zoning Enforcement Officer, and Barbra Galovich, Recording Clerk

I. CALL TO ORDER: Acting Chairman Sulakshana Thanvanthri called the Zoning Board of Appeals (ZBA) meeting to order at 7:00 pm.

Acting Chairman Thanvanthri introduced Miranda Graziani as a new member of the Zoning Board of Appeals.

Commissioner Braga stated Art Aube passed away in late December. Art was a dedicated member of the Zoning Board of Appeals. He had been a member since 2007, holding the Vice Chairman position from 2016 to 2019 and Chairman position from 2020-2023. Art was also a member of the Inland Wetlands Agency since 2015. As a member, Art was fair and took the responsibilities of his position very seriously. The Zoning Board of Appeals is deeply saddened by his passing. He will be missed.

II. PUBLIC COMMENTS (ON NON-AGENDA ITEMS): None

III. PUBLIC HEARINGS:

1. V202401 – Richard DeCarli, owner/applicant, request for variance of the Ellington Zoning Regulations Section 7.9.C-Rear Lot Requirement: to allow a driveway serving a proposed rear lot to be outside of the fee simple accessway at 189 Sadds Mill Road, APN 100-008-0002 in a Rural Agricultural Residential (RAR) zone.

Time: 7:02 pm

Seated: Thanvanthri, Braga, Heminway, Roy and Graziani

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

Attorney Ryan stated the owners of the property are planning to re-subdivide the parcel. 189 Sadds Mill Road was previously subdivided in 1994, however now they are planning to create a rear lot and will be requesting a special permit for the rear lot from the Planning & Zoning Commission on April 22nd. Attorney Ryan stated the owners are looking for a variance to allow the existing driveway serving the proposed rear lot to be outside of the fee simple accessway. The proposed rear lot will include the riding arena that was approved in 2008. Attorney Ryan noted there is a proposed access easement over the house lot that will be filed with the Town Clerk contingent upon approval from the Planning & Zoning Commission. Attorney Ryan noted the difficulty with locating a separate driveway for the rear lot due to existing slopes and the need for an additional curb cut on a state highway.

Richard DeCarli stated there is currently one driveway that leads to the existing dwellings and riding arena. Richard stated they have no intention of requesting another curb cut from the state Department of Transportation due to the location of the parcels and the Route 140 reconfiguration that took place in the past. Richard noted there currently are drainage components under the existing driveway and adding another driveway would be problematic to the drainage in the area. No one from the public spoke regarding the application.

MOVE (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR V202401.

MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE V202401 – Richard DeCarli, owner/applicant, request for variance of the Ellington Zoning Regulations Section 7.9.C-Rear Lot Requirement: to allow a driveway serving a proposed rear lot to be outside of the fee simple accessway at 189 Sadds Mill Road, APN 100-008-0002 in a Rural Agricultural Residential (RAR) zone.

HARDSHIP: Lot configuration

2. V202402 – MCC Lake Properties Trust, owner/applicant, request for variance of Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback from 35ft to 15ft to demolish and rebuild a home at 28 East Shore Road, APN 169-035-0000 in a Residential (R) zone.

Time: 7:17 pm

Seated: Thanvanthri, Braga, Heminway, Roy and Graziani

Mark Peterson, Gardner & Peterson Associates, LLC, 178 Hartford Turnpike, Tolland, CT and Matthew Couzens, MCC Lake Properties Trust, 1 Pinnacle Road, were present to represent the application.

Mark Peterson reviewed the plan to demolish the existing dwelling and construct a new dwelling with an attached two car garage. Mark stated the request is to reduce the front yard setback from 35 feet to 15 feet to rebuild the dwelling. Mark explained since East Shore Road does not have a town right of way, the Zoning Board of Appeals have in the past granted variances to the edge of the road pavement or to the edge of the sewer easement. Mark pointed out the proposed house will comply with the side yard setback requirement to the south where the current house does not.

Alternate Stomberg asked what style dwelling is proposed to be built. Matthew Couzens replied that the style will be colonial with a two-car garage. John Colonese read the Water Pollution Control Authority comments, "The plan shows a relocation of the grinder pump. The homeowner will assume all responsibilities for the grinder pump after relocation. WPCA must be contacted & scheduled for inspections, permits & disconnection of existing grinder pump." No one from the public spoke regarding the application.

MOVE (BRAGA), SECONDED (ROY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR V202402.

MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE V202402 – MCC Lake Properties Trust, owner/applicant, request for variance of Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback from 35ft to 15ft to demolish and rebuild a home at 28 East Shore Road, APN 169-035-0000 in a Residential (R) zone.

HARDSHIP: Slope of the property and location of lake; Proposed house to comply with side yard setback requirements.

3. V202403 – Lindsey Beaudry, owner/applicant, request for variance of Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback from 35ft to 1ft, side yard setback from 10ft to 1ft, and rear yard setback from 10ft to 8ft to replace existing shed at 117 West Shore Road, APN 168-121-0000 in a Lake Residential (LR) zone.

Time: 7:24 pm

Seated: Thanvanthri, Braga, Heminway, Roy and Graziani

Edward and Lindsey Beaudry, 117 West Shore Road were present to represent the application.

Edward Beaudry explained there was a 10'x8' shed on the lot when they purchased the property. The shed was dilapidated and unsafe and needed to be removed. They also removed an 8'x6' deck abutting the shed. Edward stated the plan is to replace the old shed and deck with a new 12'x8' shed with a 4'x8' covered porch area. Edward noted the request is to reduce the front yard setback from 35ft to 1ft, side yard setback from 10ft to 1ft, and the rear yard setback from 10ft to 8ft. The previous shed was 1ft from the front and side property lines and the existing decking was 6ft from the rear property line where the new covered porch will be 8ft from the rear line.

Acting Chairman Thanvanthri asked if any of the property would be paved, Edward replied that there would be no paving. No one from the public spoke regarding the application.

MOVE (HEMINWAY), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR V202403.

MOVED (HEMINWAY), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO APPROVE V202403 – Lindsey Beaudry, owner/applicant, request for variance of Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback from 35ft to 1ft, side yard setback from 10ft to 1ft, and rear yard setback from 10ft to 8ft to replace existing shed at 117 West Shore Road, APN 168-121-0000 in a Lake Residential (LR) zone.

HARDSHIP: Safety; Replacing dilapidated nonconforming shed.

IV. ADMINISTRATIVE BUSINESS:

1. Approval of the December 4, 2023, Regular Meeting Minutes.

MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE DECEMBER 4, 2023, REGULAR MEETING MINUTES AS WRITTEN.

2. Election of Officers for 2024.

- a. Chairman

MOVED (BRAGA) TO NOMINATE COMMISSIONER THANVANTHRI FOR CHAIRMAN OF THE ZONING BOARD OF APPEALS FOR 2024.

COMMISSIONER THANVANTHRI ACCEPTED THE NOMINATION. HEARING NO FURTHER NOMINATIONS, NOMINATIONS CLOSED.

MOVED (BRAGA), SECONDED (ROY) TO ELECT COMMISSIONER THANVANTHRI FOR CHAIRMAN OF THE ZONING BOARD OF APPEALS FOR 2024.

- b. Vice Chairman

MOVED (BRAGA) TO NOMINATE COMMISSIONER HEMINWAY FOR VICE CHAIRMAN OF THE ZONING BOARD OF APPEALS FOR 2024.

COMMISSIONER HEMINWAY ACCEPTED THE NOMINATION. HEARING NO FURTHER NOMINATIONS, NOMINATIONS CLOSED.

MOVED (THANVANTHRI), SECONDED (GRAZIANI) TO ELECT COMMISSIONER HEMINWAY FOR VICE CHAIRMAN OF THE ZONING BOARD OF APPEALS FOR 2024.

3. Correspondence/Discussion:

John Colonese stated the two correspondence items listed below are for informational purposes for the Board.

- a. Cease and Desist Order, dated March 14, 2024, 3 Jobs Hill Road, violation of the Ellington Zoning Regulations.
- b. Cease and Desist Order, dated March 27, 2024, 83 West Road, violation of the Ellington Zoning Regulations.

V. ADJOURNMENT:

MOVED (HEMINWAY), SECONDED (THANVANTHRI) AND PASSED UNANIMOUSLY TO ADJOURN THE ZBA MEETING AT 7:37 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk