



TOWN OF ELLINGTON

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ZONING BOARD OF APPEALS REGULAR MEETING MINUTES MONDAY, JUNE 3, 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: Chairman Sulakshana Thanvanthri, Vice Chairman Katherine Heminway, Regular members Ken Braga, Subhra Roy and Miranda Graziani and Alternates Ron Stomberg, Ron Brown and Rodger Hosig

ABSENT: None

STAFF

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

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

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

III. PUBLIC HEARINGS:

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.

Chairman Thanvanthri stated the Planning Department received a letter from Attorney Edward Schenkel dated May 13, 2024, requesting to continue the opening of the public hearing to July 1, 2024.

MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO RECEIVE AND EXTEND THE OPENING OF THE PUBLIC HEARING TO MONDAY, JULY 1, 2024 IN THE ELLINGTON TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT FOR 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.

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.

Time: 7:03 pm

Seated: Thanvanthri, Heminway, Braga, Roy and Graziani

Stephanie Dias and Douglas Miller, 18 Private Grounds 1, were present to represent the application.

Stephanie Dias explained the first floor of the dwelling has been vacant due to the salon owner's retirement and has been unable to fill the space with another commercial tenant. Stephanie stated the property is surrounded by other residentially used parcels. Stephanie noted a previous variance was received for 11 West Road to allow for a residential apartment and they are now requesting to change to residential in this building.

Alternate Ron Brown inquired about the parking for the proposed apartment unit. Doug Miller noted the space was previously a salon and the proposed dwelling unit would only need two or three spaces and said there is sufficient parking behind the building for the proposed two-family dwelling.

Alternate Ron Stomberg asked what the square footage will be for the apartment. John Colonese noted the owner provided a proposed interior layout for review. John added that Stephanie has spoken with the Building Official about building code requirements, should a variance be granted.

Commissioner Roy asked if the current tenants are aware of the possible change in use, Stephanie acknowledged they are aware of the proposal.

No one from the public spoke regarding the application.

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

MOVED (ROY), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION(S) FOR 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.

Condition(s):

1) Remove detached sign prior to issuance of final zoning sign-off for a two-family home.

HARDSHIP: Residential uses surrounding property; existing residential unit on second floor of building.

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.

Time: 7:08 pm

Seated: Thanvanthri, Heminway, Braga, Roy and Graziani

Stephen Williams, 36 Buff Capp Road, Tolland, CT was present to represent the application.

Stephen Williams explained that the property was inherited from his mother, and at the time of purchase in 1963 it was three lots. The lot has wetlands, and they are proposing to place a 16ft x 40ft home with a foundation in an area that does not comply with the building setback requirements.

Alternate Brown asked the applicant what the reasoning is for requesting the variance from 35ft to 9ft for a front yard setback. Stephen explained the lot has two front yards, being a corner lot, and there are wetlands on the parcel that have been flagged.

Stephen Williams explained there was previously a paper street, referred to as Walnut Street off Pine Street, and the Town installed a sewer pressure main along the paper street. Stephen noted the proposed dwelling would be connected to the sewer in that location.

Kevin Paradis, 82 Country View, South Windsor, CT, is speaking on behalf of his son who lives at 39 Wendell Road. Kevin's concern is the disruption from the installation of the sewer and well and potential impacts to the stream that runs through the property. Kevin asked about the sewer lateral, and Stephen noted there is an easement to connect. John Colonese referred to the plan which shows a sewer manhole and the proposed sewer connection.

Maura Heintz, 33 Pine Street, noted there is ledge on the site and expressed concerns with the digging and drilling activity when the sewer and well are installed. Maura also has concerns regarding the wetlands.

Ken Wendell, 13 Wendell Road, questioned how a structure will be allowed to be located so close to the wetlands. John Colonese noted the applicant will need to present an application to the Wetlands Agency.

Dennis Parsons, 26 Pine Street, is opposed to the application due to the lot being so small, the wetlands, and the stream that flows into Crystal Lake.

David Heintz, 33 Pine Street, is concerned about how close the activity will be to their well. David asked the applicant if other methods of installation could take place rather than blasting. Stephen Williams noted there may be other drilling options to complete the project.

John Colonese noted the Town Engineer was not asked for comment as its a variance application but will be consulted on the wetland's application. John noted the Water Pollution Control Authority (WPCA) requested the developer to coordinate with WPCA for the sanitary sewer requirements. Steven Williams indicated he had not reached out to the WPCA. Chairman Thanvanthri asked for more information from the Town Engineer and Water Pollution Control Authority.

MOVED (HEMINWAY), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO MONDAY, JULY 1, 2024, IN THE ELLINGTON TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT FOR 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.

IV. ADMINISTRATIVE BUSINESS:

1. Approval of the April 1, 2024, Regular Meeting Minutes.

MOVED (HEMINWAY), SECONDED (ROY) AND PASSED UNANIMOUSLY TO APPROVE APRIL 1, 2024, REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:

V. ADJOURNMENT:

MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO ADJOURN THE ZBA MEETING AT 7:39 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk