



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES

MONDAY, JUNE 24, 2024, 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, SECRETARY ROBERT SANDBERG, JR., REGULAR MEMBERS WILLIAM HOGAN (arrived at 7:04 pm), JON MOSER, MICHAEL SWANSON, AND ALTERNATE RACHEL DEARBORN

MEMBERS ABSENT: REGULAR MEMBER F. MICHEAL FRANCIS AND ALTERNATE JEREMIAH WILLIAMS

STAFF PRESENT: LISA HOULIHAN, TOWN PLANNER AND BARBRA GALOVICH, RECORDING CLERK (via zoom)

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 be opened.)*

1. Z202406 – S & S Realty, LLC, owner/applicant, request to modify Site Plan Approval granted November 26, 2018, to remove the requirement to screen outside storage area north of building and accept the installation of fence posts versus timber rail fence for the delineation of parking areas at 40 Lower Butcher Road, APN 018-017-0002, in an Industrial (I) Zone.

Time: 7:01 pm

Seated: Kelly, Sandberg, Hogan, Moser, Swanson and Dearborn

Steven Hamilton, 160 Porter Road, and Stephen Giroux, 84 Westview Drive, Broad Brook, CT were present to represent the application.

Chairman Arlo Hoffman recused himself from the application. Vice Chairman Sean Kelly opened the public hearing. Lisa Houlihan, Town Planner, noted the applicant received a Performance Bond in April 2021 to allow them to occupy the building before all the site improvements were complete. The Town Engineer's comments from December 22, 2018, confirm three of the bonded items have been finished, and a recent site visit verified that the accessible parking space has been stripped. The total Performance Bond is \$18,300.00, and \$12,635.00 in bonded items are now complete. The remaining bond balance includes a 10% contingency and \$4,000.00 for timber rail fencing that is supposed to be installed at the edge of the parking area. The applicant is requesting the commission amend the 2018 approval and remove the requirement to install the fenced-in outside storage to the north of the building and accept the timber fence posts rather than require timber rail fencing. The outside storage area was not bonded since the applicants intend to use the area for loading and parking of equipment.

Pictures of the site were taken on June 20, 2024, by John Colonese, Assistant Planner Wetlands Zoning Officer, and reviewed during the meeting. The photos showed an overall view of the parking area and individual parking spaces. Within the spaces are miscellaneous items like a lawn mower, a trailer and car, pallets with different types of blocks/curbing, tires, dumpsters, and equipment.

Steven Hamilton explained the dumpsters that are within the parking area are there to be emptied and go back into the units after pickup. Alternate Dearborn has seen trusses stored outside and at times stacked as high as the building. She also cited materials being stored in designated parking spaces and stated the approval requires storage to be within the screened outside storage area or within the units. Alternate Dearborn questioned the pavement along the driveway shown on the as built over the abutting property's property line. The plan indicates temporary rights, but if the pavement is permanent the easement needs to provide perpetual rights. Alternate Dearborn asked if the approvals include hours of operation sharing that she has witnessed deliveries at 2 am. The Special Permit did not include hours of operation.

Commissioner Hogan asked Alternate Dearborn about trusses stored on the north end of the parking area. Steve Hamilton explained the trusses are made inside the building and only moved outside the day they are scheduled to be picked up.

Lisa Houlihan noted at the time of approval Section 6.2.5(a) of the Zoning Regulations stated parking shall not be closer than 20' to an industrial building. The regulation has changed since then to 10' from the building. Alternate Dearborn said there are vehicles parked at liberty everywhere within the site. Stephen Giroux agreed the tenants are not supposed to keep materials outside of the building. Lisa Houlihan noted the only line stripping that was required was the accessible parking space. After a brief discussion, it was determined the requirement of line stripping the parking was not necessary since the parking area is not constructed with asphalt and the assigned parking spaces for each unit is posted on the timber posts. Steven Hamilton stated each tenant has their own designated parking; commission members are concerned with tenant parking in front of the building and Commissioner Bill Hogan suggested the applicant paint the separation distance from the building on the millings and maintain it annually.

Commissioner Bill Hogan asked if tenant lease agreements include the restriction for outside storage of materials and refuse containers and parking in assigned spaces and not in front of the building. The owners confirmed lease agreements do include the mentioned standards. Commission Hogan stated it's the owner's responsibility to uphold the site management standards. Secretary Sandberg said dumpsters should not be stored outside for more than a day.

Lisa Houlihan stated if the commission agrees to accept the timber posts instead of the timber rail fence, the commission may release the Performance Bond of \$18,300.00.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202406 – S & S Realty, LLC, owner/applicant, request to modify Site Plan Approval granted November 26, 2018, to remove the requirement to screen outside storage area north of building and accept the installation of fence posts versus timber rail fence for the delineation of parking areas at 40 Lower Butcher Road, APN 018-017-0002, in an Industrial (I) Zone.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS FOR Z202406 – S & S Realty, LLC, owner/applicant, request to modify Site Plan Approval granted November 26, 2018, to remove the requirement to screen outside storage area north of building and accept the installation of fence posts versus timber rail fence for the delineation of parking areas at 40 Lower Butcher Road, APN 018-017-0002, in an Industrial (I) Zone.

CONDITION(S):

1. Grant release of Performance Bond of \$18,300.00
2. Post no parking signs on the building at each unit.
3. No parking within 10' of the building.

IV. OLD BUSINESS: None

V. NEW BUSINESS: None

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the April 22, 2024, Regular Meeting Minutes.

MOVED (SWANSON) SECONDED (SANDBERG) (HOGAN – ABSTAINED) AND PASSED TO APPROVE APRIL 22, 2024, REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:

- a. One year review for new athletic lights at Robert Tedford Memorial Park, 45 Sadds Mill Road, (Z202303); Pinney Street Park, APN 017-020-0000, (Z202304); and, Ellington High School, 37 Maple Street, (Z202305).

Vice Chairman Kelly stated the Pinney Street Park field lights are installed, and the footings for the parking lot lights are to be completed in July. Robert Tedford Memorial Park field lights are installed and the footings for the parking lot will be completed by the end of July. As for the High School, all lights should be installed by the end of August. The Public Works Department would like to have this project completed before the beginning of the school year. The Commission agreed to review the lights again in January 2025.

- b. Pursuant to Connecticut General Statute Section 8-30j, discussion regarding review and amendment of affordable housing plan, Chapter 5 – Housing and Residential Development and the Housing Needs Assessment appendix from the 2019 Plan of Conservation and Development.

Lisa Houlihan noted Chapter 5 of the Plan of Conservation and Development is required to be reviewed and amended every five (5) years. The Commission discussed some possible ideas for promoting more attainable housing. Lisa asked the commission to think of ideas to get more workforce housing, noting a regulation amendment is needed to accomplish it. Lisa went on a site visit to Stafford's Assistant Living Facility, and learned about how the process works to get funds for an Assistant Living Facility. The Commission discussed considering changing the regulations and tiny homes without having a foundation requirement as an assessor dwelling unit. Jon Moser talked about having community areas, which would have multiple tiny homes, community well and septic on one parcel.

- c. Dark Sky International proposal to State Building Code for Light Pollution Reduction.

Vice Chairman Kelly noted the receipt of the Dark Sky documentation received by the Planning Department. Lisa Houlihan noted this proposal is being considered by the State to be incorporated into the State Building Code.

Commission Hogan noted there are teardrop flags at the five corners, and many temporary signs along Route 83 in front of J Rego's and Lee's Auto that violate zoning regulations.

Chairman Hoffman said someone at the Board of Education reached out asking if the commission would consider changing their regulations to allow a digital informational detached sign at the High School. There used to be an internally lit manual bulletin board sign at the school but it was recently damaged by an auto accident and school officials are looking to replace it. Roundtable discussion ensued but no definitive direction reached.

VIII. ADJOURNMENT:

MOVED (SWANSON) SECONDED (MOSER) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING AND ZONING COMMISSION MEETING AT 8:15 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk