



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, AUGUST 5, 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. V202407 – Keila Rivera, 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 21ft to expand existing front porch along North Park Street at 46 North Park Street, APN 020-173-0000 in a Residential (R) zone.
2. V202408 – Jeanna Giansanti, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the rear yard setback from 10ft to 1ft to install a 10'x12' shed at 5 Manhattan Road West-2, APN 149-012-0000 in a Lake Residential (LR) zone.
3. 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 to withdraw application submitted.)*

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the July 1, 2024, Regular Meeting Minutes.
2. Correspondence/Discussion:

V. ADJOURNMENT:

Next Regular Meeting Scheduled for Monday, September 9, 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/83171971130>

Meeting ID: 831 7197 1130

Passcode: 118238

Join Zoom Meeting by phone:

1 646 558 8656 US (New York)

Meeting ID: 831 7197 1130

Passcode: 118238

Town of Ellington Zoning Board of Appeals Application

Application # V202407
Date Received 6/25/2024

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: Keila E. Rivera

Mailing Address: 227 Pine St
Holyoke MA 01040

Email: keilaenid77@gmail.com

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

Primary Contact Phone #: 4134273988

Secondary Contact Phone #: 8609976916

Owner's Signature: *Keila Rivera* Date: 6/25/24

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: Same as owner

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: _____ 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.

RECEIVED
JUN 25 2024
**TOWN OF ELLINGTON
PLANNING DEPARTMENT**

Street Address: 46 North St., Park St., Ellington, CT 06029

Assessor's Parcel Number (APN): 020 - 173 - 0000 Zone: R

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

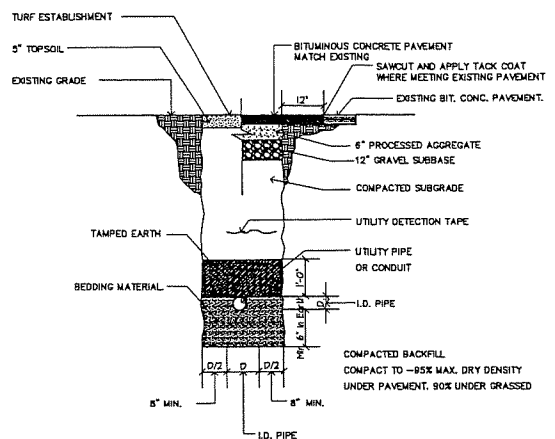
Is the project in a public water supply watershed area? Yes No
If YES, applicant shall notify Connecticut Water Company and Commissioner of Public Health about the proposed project by certified mail, return receipt within 7 days of application Conn. Gen. Stat. §8-3(b). Copy of application, plans, and 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 _____

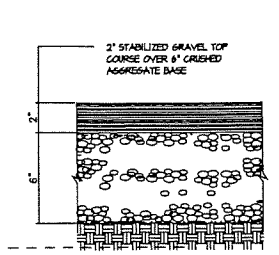
Requesting a Variance to Zoning Regulations Section: (For Variance Application only) Section 3.2.3

Describe Variance Request, Appeal of Decision, or Auto Dealer/Repairer License: (Attach additional sheets if needed)
To reduce front yard set back from 35 ft to 21 ft to expand existing front porch on North Park St.

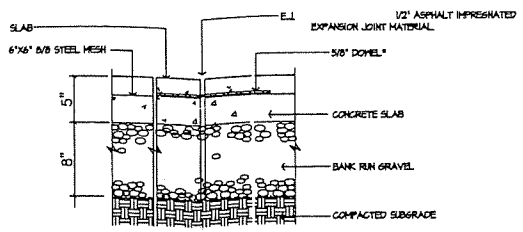
Hardship: Describe hardship and indicate why other options are unacceptable. (For Variance Application only)
The home has two front areas, one on North Park St and one on Woodline St. The existing porch on North Park St., is non-conforming with the current zoning requirement. I am looking to expand the non-conforming porch to accomodate propose building plan and improve the property.



4 Typical Trench Detail
L-1 Not to SCALE



3 Bituminous Paving
L-1 Not to SCALE



* NOTE: DOVELS FOR CONCRETE WALK SHALL BE 24" LONG, 2" O.C. 1" FROM EDGE OF WALK. DIP IN 60 - 70 DEGREE PENETRATION ASPHALT OR HMAF WITH HEAVY TACK PAPER ON ONLY ONE END.

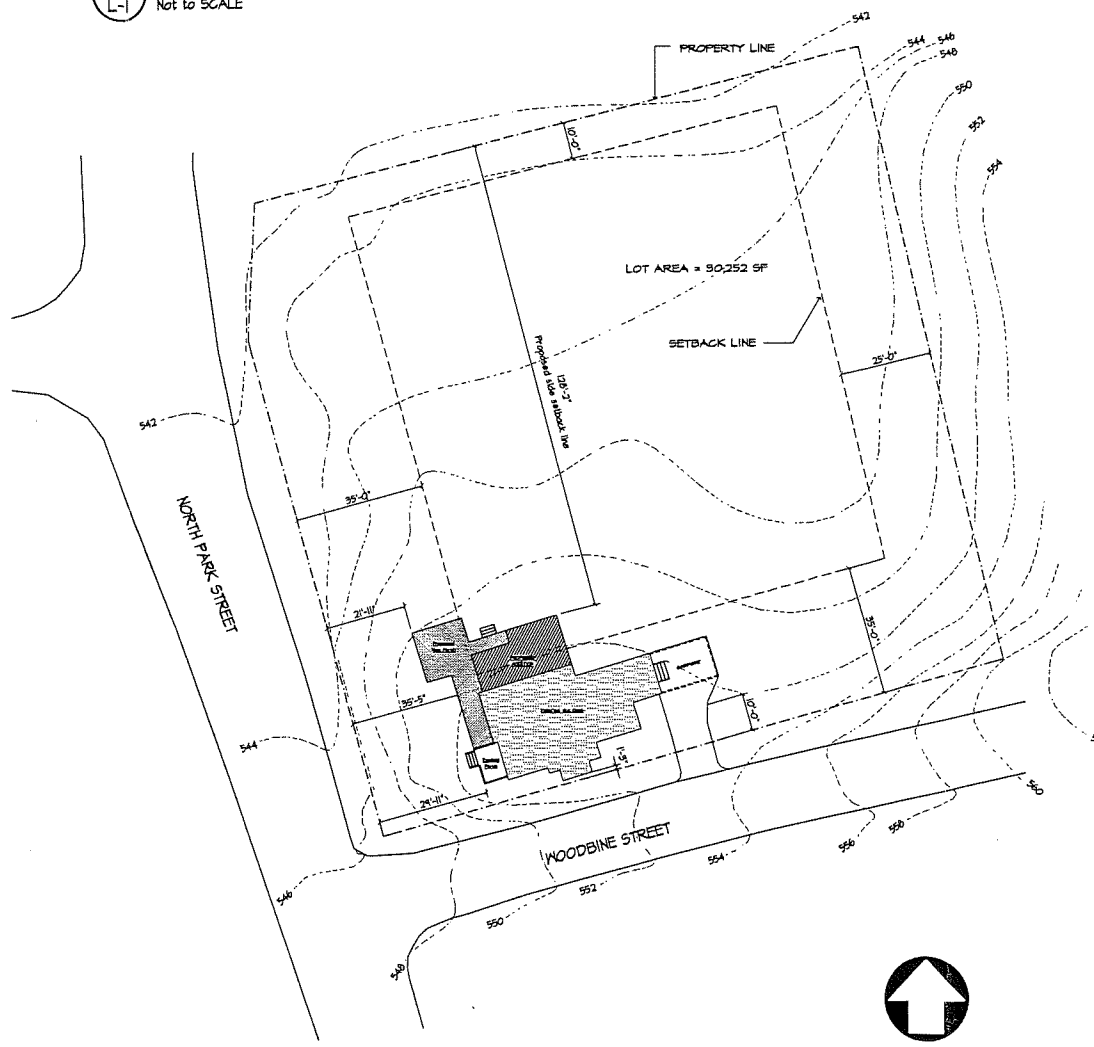
2 Concrete walk
L-1 Not to SCALE

Zoning Information		Zone - R Residential Zone	
46 North Park Street			
	REQUIRED	EXISTING	PROPOSED
Minimum Lot Size	40,000 SF Min.	30,552 SF *	30,552 SF *
Minimum Lot Width	100 FT. Min.	175.86 FT.	175.86 FT.
Front Yard	35 FT. Min.	35.43 FT.	35.43 FT.
Side Yard	10 FT. Min.	128.3 FT. (Left) 1.3 FT (Right) *	118.25 FT. (Left) 1.3 FT (Right) *
Rear Yard (Principal Building)	25 FT. Min.	100.5 FT.	100.5 FT.
Building Height	38 FT. Max.	26.75 FT.	26.75 FT.
Lot Coverage of All Structures	25 % Max.	4%	5%

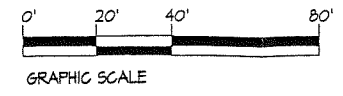
This Site Plan is referenced from A-2 Survey Prepared By: GIULIANO LAND SURVEYING INC. AND DATED : 6-11-24 * Asterix Indicates * Existing non-conforming"

General Notes:

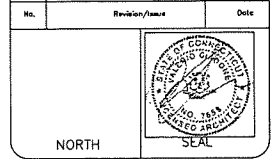
- All work shall be done in accordance with the CT Building Code, CT State Fire Safety Code, as well as any other applicable codes, ordinance and regulations of the Town of Ellington the water district regulation, the department of environmental protection, and all utilities regulations, etc. as applicable to the work being done. Obtain all site and curb cut permits as may be required.
- Any required erosion & sedimentation control devices shall be in place prior to commencing any excavation.
- Verify location of any utilities prior to excavation. use services of "call before you dig", call 1-800-922-4455 at least 48 hours prior to beginning excavation.
- The contractor shall store all materials in such a way to preserve the integrity of the adjacent properties, existing site, new and existing utilities.
- The contractor shall coordinate all excavation to incorporate and integrate underground utilities & systems. remove any obsolete components and replace with new components as needed. Install all miscellaneous drainage components.
- Excavate to proper depths to achieve the specified elevations of footings and slabs. Excavate and grade to achieve the levels for walks, porch, and perimeter grades. Remove any old existing roots in preparation for new foundation work. Provide all cut & fill, compaction, rough & finish grading, etc. for a complete job. Contractor is responsible for calculating & providing proper quantities of fill to allow a gradual grading away from building to permit proper drainage, swales, etc. for a complete job, as well as removing excess earth from site, with no additional cost to owner. Any excess cuts of soil shall be corrected with no additional cost to owner.
- Provide new concrete walks, and all base materials as indicated on site plan and as required for new construction. Restore grade with compacted fill and min. 4" topsoil to match adjacent grade.
- Remove excavated rocks & boulders (if any). Remove roots of cut trees.
- Remove excess material from site. No construction debris or trees, etc. are to be buried on site.
- No backfilling shall be done near foundations, until adequate bracing has been provided.
- Contractor shall finish grade at all areas of site work. Slope grade away from building for proper drainage. Spread minimum 4" topsoil and grass seed over graded and tamped base.
- Contractor shall be responsible for any damage caused to existing pavement, curbs, utilities, or any other site elements to remain.



1 SITE PLAN
L-1 SCALE: 1" = 20'-0"



General Notes
THESE DRAWINGS & SPECIFICATIONS ARE INSTRUMENTS OF SERVICE AND WILL REMAIN THE PROPERTY OF THE ARCHITECT. WHETHER THE PROJECT FOR WHICH THEY ARE PREPARED IS EXECUTED OR NOT, THEY SHALL NOT BE USED ON ANY OTHER PROJECT, EXCEPT BY WRITTEN AUTHORIZATION BY ARCHITECT.



Valerio Giadone Architect
100 Sochem Drive
Middletown, CT 06457
email: giadone@comcast.net Tel. (860) 372-0134

RENOVATIONS AND ADDITION to:
46 North Park St.
Ellington CT 06029
SITE PLAN

Project No:
Date: 06-11-24
Scale: L-1

General Notes

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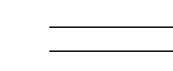
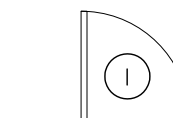
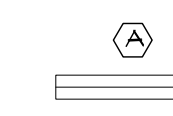

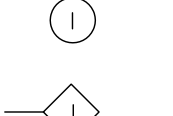
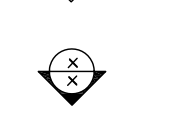
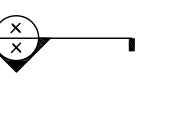
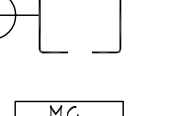


GENERAL NOTES

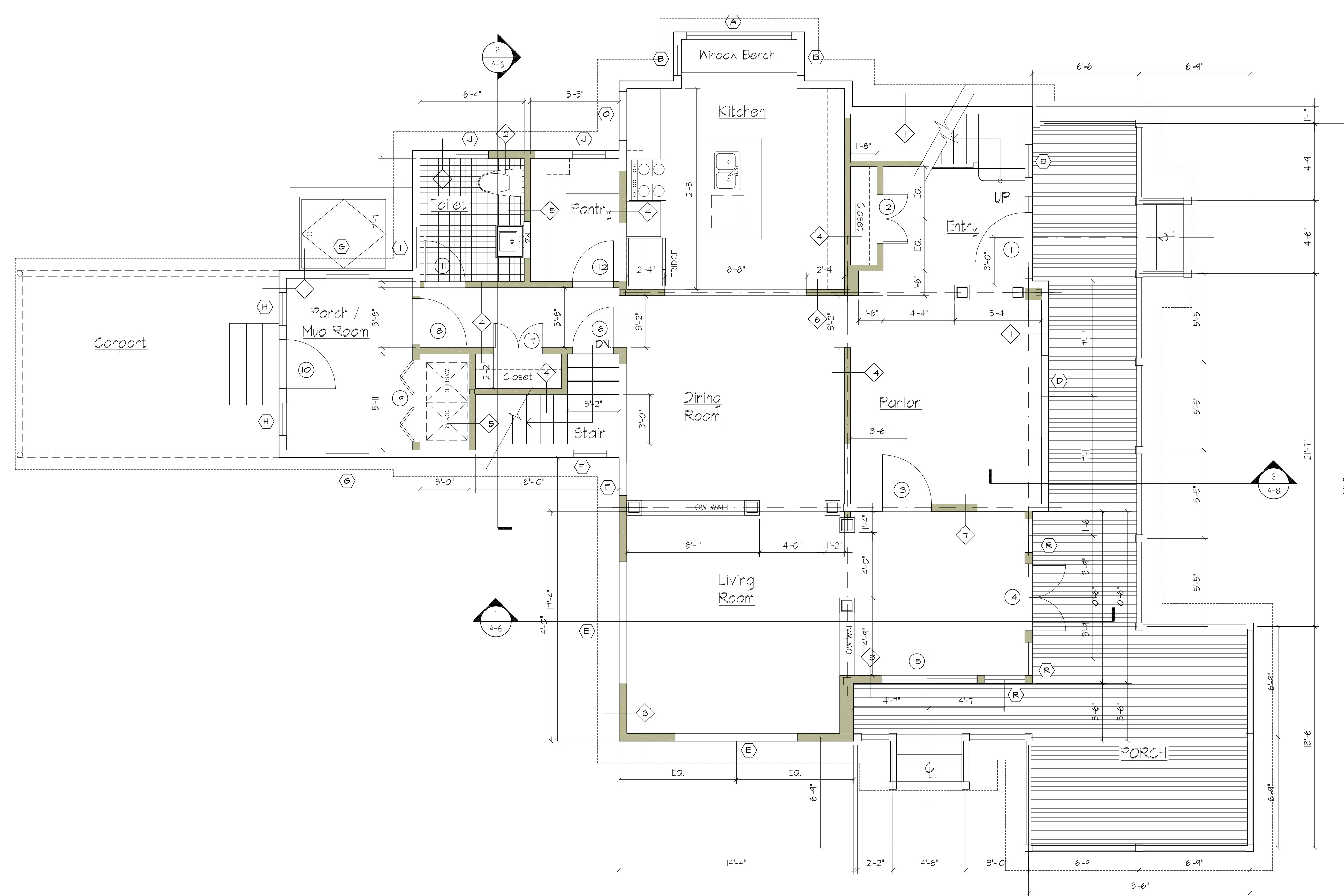
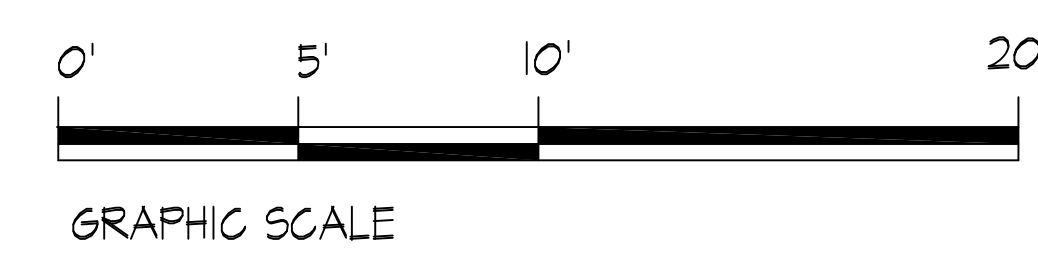
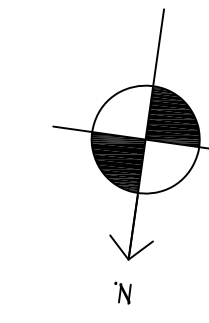
- GENERAL CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO START OF CONSTRUCTION.
- DIMENSIONS ARE TO FINISH WALL UNLESS OTHERWISE NOTED.
- S.C. TO PROVIDE ALL DEMOLITION AND DUMPING AS IS NECESSARY TO COMPLETE THE WORK.
- ALL LUMBER IN CONTACT WITH CONCRETE OR MASONRY SHALL BE PRESSURE TREATED.
- PROVIDE MOISTURE RESISTANT G.M.B. IN ALL WET AREAS.
- ALL MATERIALS ARE TO BE NEW UNLESS NOTED OTHERWISE.
- FLOOR CONSTRUCTION SHALL REMAIN CONTINUOUS ACROSS ALL MECHANICAL CHASES THROUGHOUT THE ENTIRE BUILDING. ALL FLOOR PENETRATIONS SHALL BE FIRESTOPPED AS REQUIRED.
- PROVIDE FIRESTOPPING AT ALL DUCT PIPE AND OTHER PENETRATIONS THROUGH RATED FIREWALLS AND PARTITIONS. USE UL RATED SEALANTS AND CAULKING AS MANUFACTURED BY DOW, 3M OR APPROVED EQUAL. FOLLOW MANUFACTURER'S INSTALLATION INSTRUCTIONS.
- ALL PLUMBING AND HEATING PIPING TO BE CONCEALED IN WALLS AND FLOORS, UNLESS NOTED OTHERWISE.
- PROVIDE ALL NECESSARY CHASES AND "BOX OUTS" FOR PLUMBING AND HEATING PIPING AS REQUIRED TO COMPLETE THE WORK.
- PROVIDE 30" X 30" MIN. INSULATED ACCESS PANEL TO ATTIC. COORDINATE LOCATION WITH OWNER.
- S.C. TO MINIMIZE NOTCHING OF FLOOR JOIST FOR THE INSTALLATION OF NEW PLUMBING PIPING. WHERE NOTCHING IS UNAVOIDABLE, JOIST HOLE OR NOTCH SHALL BE LESS THAN 1/4 JOIST DEPTH. PROVIDE 1/8" X 1" SHEET METAL STRIPS AT THE BOTTOM OF ALL NOTCHED FLOOR JOIST. STRIPS SHALL EXTEND 8" ALONG BOTTOM OF JOIST EACH SIDE OF PIPE.
- ANY GLAZING WITHIN 10' OF FINISH FLOORINGS SHALL BE TEMPERED GLASS.
- ALL CLOSET SHELVES TO BE 3/4" BIRCH VENEER PLYWOOD WITH 3/4" X 3/4" SOLID EDGE. CLEAR LACQUER FINISH.

KITCHEN AND BATHROOM NOTES

- PROVIDE 1/2" WATER RESISTANT G.M.B. AT BATHROOM AND KITCHEN WALLS AND CEILING.
- PROVIDE CERAMIC FLOOR AND WALL TILES AT BATHROOM AND KITCHEN AS SELECTED BY OWNER.
- PROVIDE 1/2" CEMENT FIBER BOARD BEHIND CERAMIC TILE FINISH AT WALLS AND FLOORS.
- PROVIDE AND INSTALL ALL PLUMBING FIXTURES AS INDICATED. ALL PLUMBING FIXTURES TO BE SELECTED BY OWNER.
- ALL NEW PLUMBING SHALL BE INSTALLED BEHIND FINISHED WALLS AND CEILING. WHERE REQUIRED INCREASE SIZE OF WET WALL TO ACCOMMODATE AND SECURE ALL PLUMBING.
- PROVIDE ALL BATHROOM ACCESSORIES AS REQUIRED AND SELECTED BY OWNER. PROVIDE SOLID WOOD BLOCKING BEHIND WALLS TO SECURE ALL ACCESSORIES.
- PROVIDE EXHAUST FAN AT ALL BATHROOM AND KITCHEN AND LAUNDRY LOCATIONS.
- S.C. TO PROVIDE SHOP DRAWINGS FOR OWNER'S REVIEW FOR BATHROOM AND MISCELLANEOUS MILLWORK AS REQUIRED BY OWNER.
- ALL FINISH FLOORING AND WALL BASE SHALL EXTEND UNDER ALL AREAS NOT COVERED BY BASE CABINETRY.
- PROVIDE SOUND ATTENUATION INSULATION AT ALL WALLS BETWEEN BATHROOM AND LIVING AREAS.

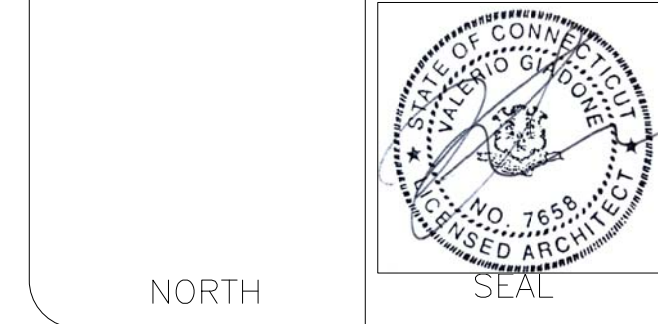
LEGEND:

-  NEW WALLS
-  EXISTING WALLS
-  NEW DOORS
-  NEW WINDOWS
-  WINDOW TYPE
-  DOOR NUMBER
-  WALL TYPE
-  ELEVATION MARK
-  SECTION MARK
-  DETAIL MARK
-  MEDICINE CABINET



1 FIRST FLOOR PLAN
A-1 SCALE: 1/4" = 1'-0"

No.	Revision/Issue	Date



Valerio Gjadone Architect
100 Sachem Drive
Middletown CT 06457
email: gjadone@comcast.net Tel. (860) 372-1034

RENOVATIONS AND ADDITION to:
46 North Park St.
Ellington CT 06029

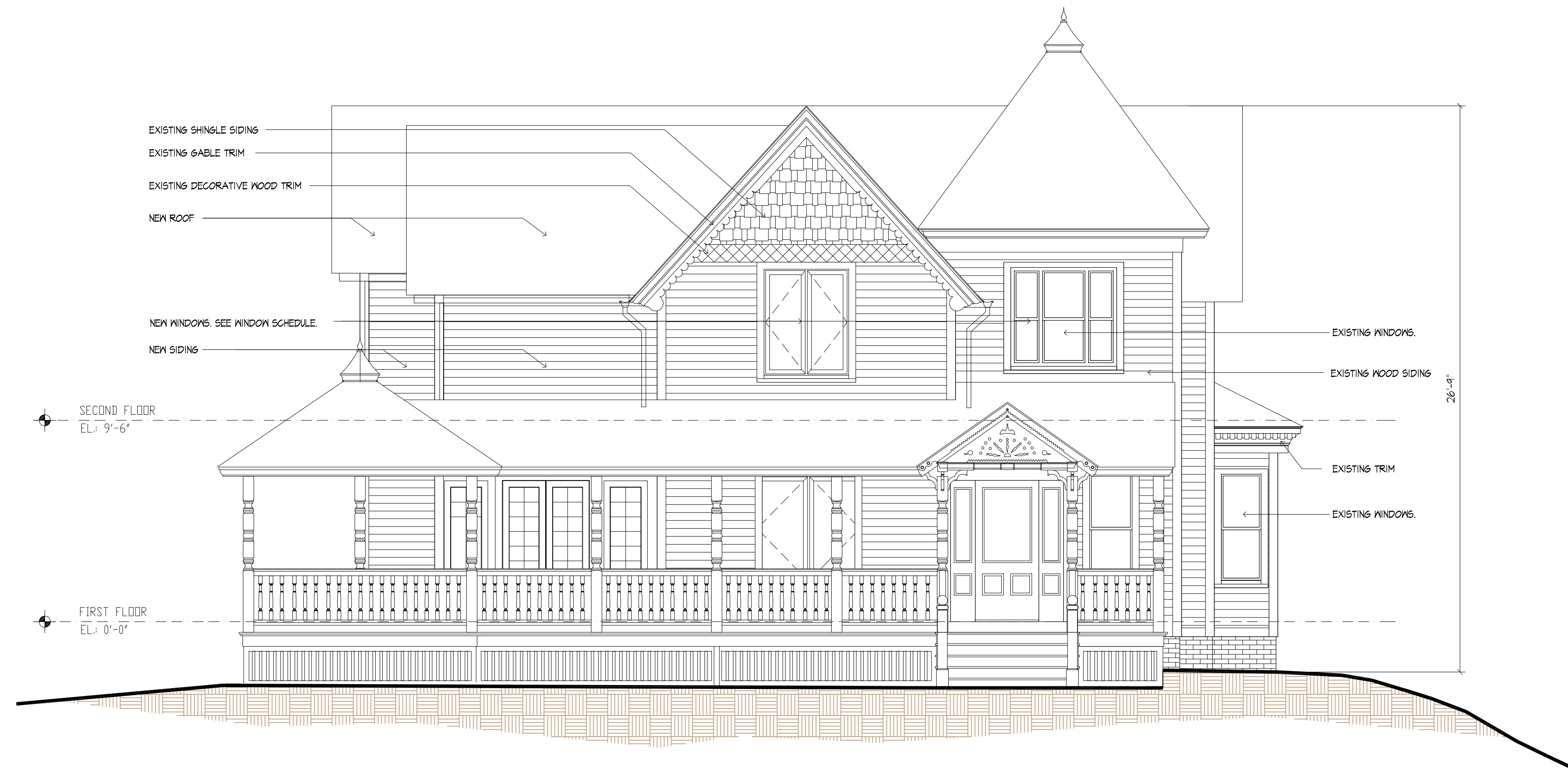
FIRST FLOOR PLAN

Project No:	A-1
Date: 06-11-24	
Scale:	

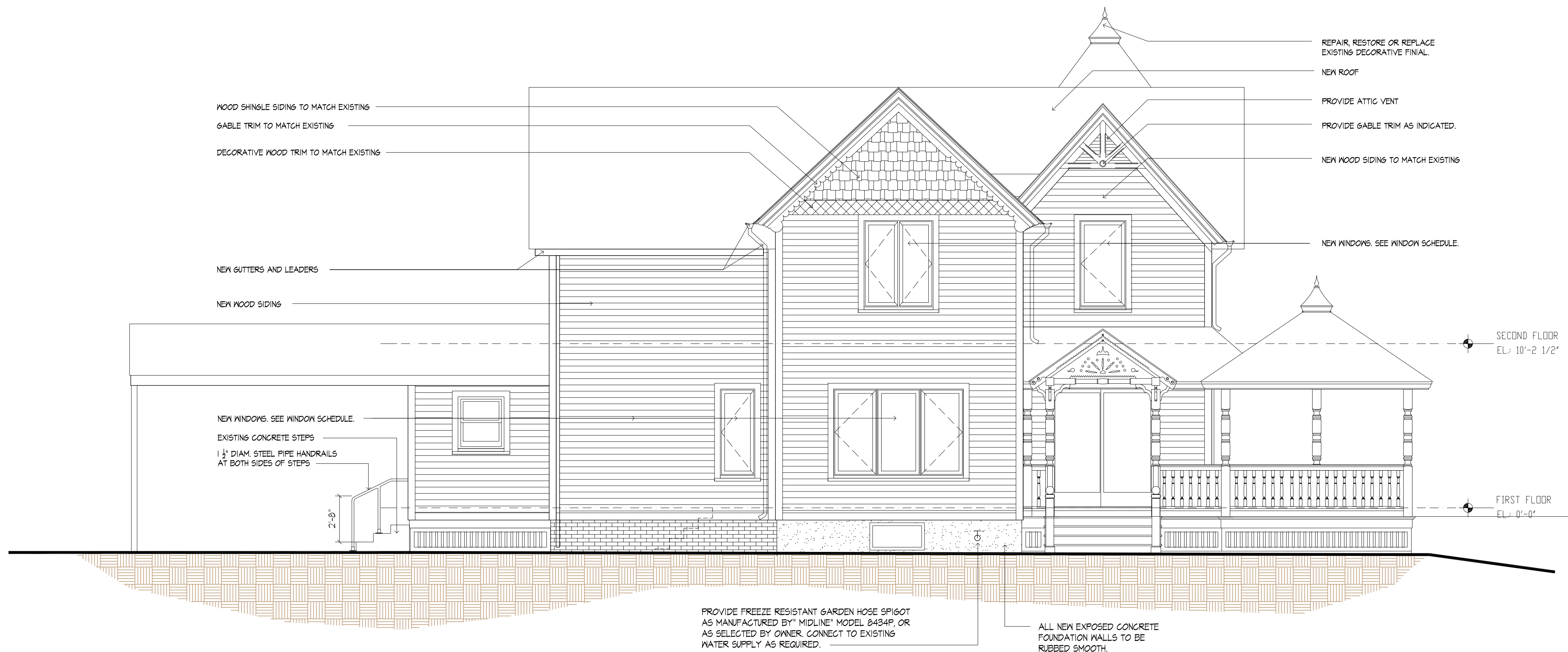
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EXTERIOR ELEVATION NOTES:

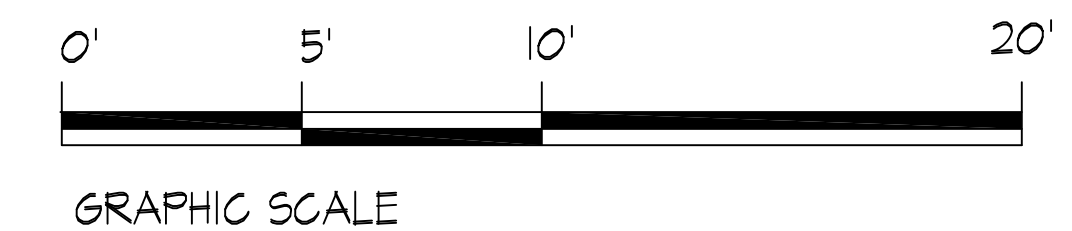
1. REPAIR AND OR REPLACE EXISTING WOOD SIDING AND SHEATHING SUBSTRATE AS MAY BE REQUIRED.
2. PROVIDE NEW AIR INFILTRATION BARRIER OVER EXISTING, REPAIRED, AND NEW SHEATHING SUBSTRATE.
3. REMOVE ALL LOOSE PAINT, SCRAPE SAND, SEAL, REPAIR AND RESTORE EXISTING EXTERIOR TRIM AS REQUIRED.
4. PROVIDE NEW WOOD TRIM WHERE MISSING OR DETERIORATED AND WHERE INDICATED TO MATCH EXISTING.
5. CAULK ALL JOINTS, PRIOR TO PAINTING.
6. PROVIDE NEW VERTICAL TRIM AT ALL CORNERS AND AT BASE OF NEW EXTERIOR SIDING AS INDICATED TO MATCH EXISTING.
7. PRIME AND PAINT ALL EXISTING AND NEW TRIM. PROVIDE ONE COAT OF PRIMER AND TWO COATS OF PAINT. COLOR TO BE SELECTED BY OWNER.
8. PROVIDE NEW WOOD SIDING AS REQUIRED TO MATCH EXISTING.
9. RESTORE PRIME AND PAINT EXISTING WINDOWS AND TRIM TO REMAIN.
10. PROVIDE NEW WINDOWS WHERE INDICATED. PROVIDE EXTERIOR WOOD TRIM TO MATCH EXISTING WINDOW TRIM.
11. PROVIDE NEW ALUMINUM GUTTERS AND LEADERS AS INDICATED.



1 EAST ELEVATION
A-4 SCALE: 1/4" = 1'-0"



2 SOUTH ELEVATION
A-4 SCALE: 1/4" = 1'-0"



No.	Revision/Issue	Date



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RENOVATIONS AND ADDITION to:
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ELEVATIONS

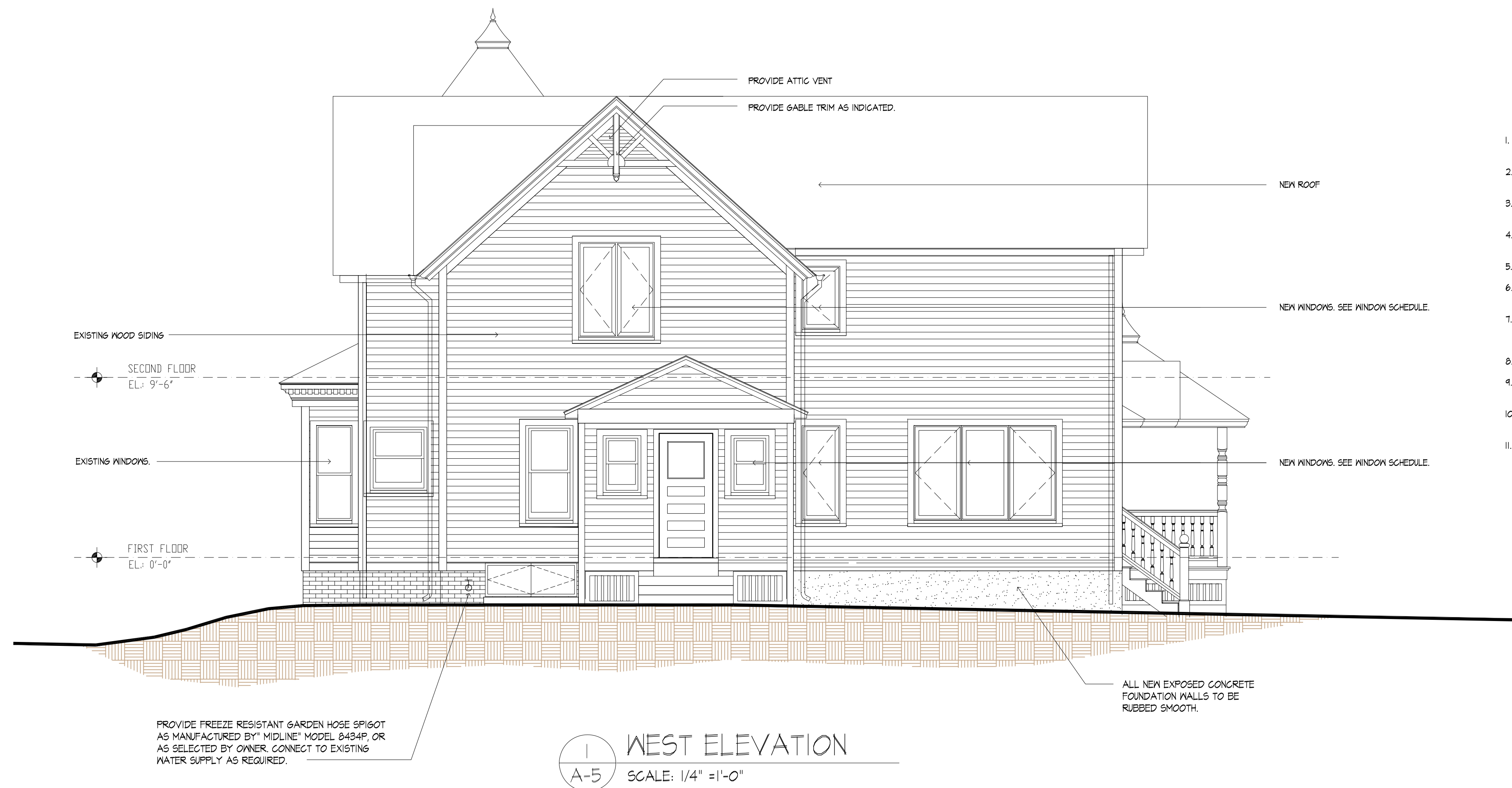
Project No:	A-4
Date: 06-11-24	
Scale:	

General Notes

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EXTERIOR ELEVATION NOTES:

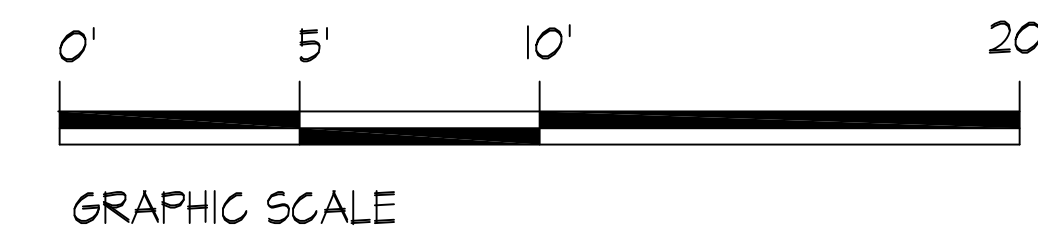
1. REPAIR OR REPLACE EXISTING WOOD SIDING AND SHEATHING SUBSTRATE AS MAY BE REQUIRED.
2. PROVIDE NEW AIR INFILTRATION BARRIER OVER EXISTING, REPAIRED, AND NEW SHEATHING SUBSTRATE.
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10. PROVIDE NEW WINDOWS WHERE INDICATED. PROVIDE EXTERIOR WOOD TRIM TO MATCH EXISTING WINDOW TRIM.
11. PROVIDE NEW ALUMINUM GUTTERS AND LEADERS AS INDICATED.



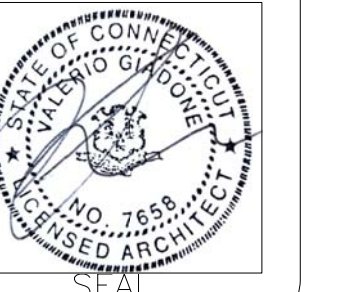
1 WEST ELEVATION
A-5 SCALE: 1/4" = 1'-0"



2 NORTH ELEVATION
A-5 SCALE: 1/4" = 1'-0"



No.	Revision/Issue	Date



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RENOVATIONS AND ADDITION to:
46 North Park St.
Ellington CT 06029
ELEVATIONS

Project No:	A-5
Date: 06-11-24	
Scale:	

Barbra Galovich

Subject: FW: Staff review ZBA V202407 - 46 North Park Street

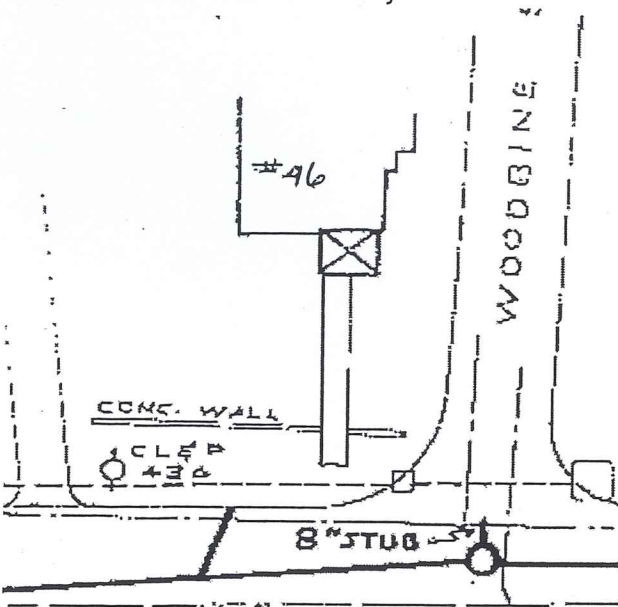
From: Tom Modzelewski <thmodzelewski@ELLINGTON-CT.GOV>
Sent: Tuesday, July 23, 2024 8:38 AM
To: Barbra Galovich <bgalovich@ELLINGTON-CT.GOV>
Subject: RE: Staff review ZBA V202407 - 46 North Park Street

Hi Barbra,

I have the following comments:

DPW- No Comment

WPCA- Please be advised that the building sewer connection appears to run under where the proposed new porch, see below. Additionally, the request application packet shows a proposed addition. If the addition includes a bedroom, (the plan does not specify what is above the new living room or is the ceiling is vaulted) additional WPCA review will be necessary.

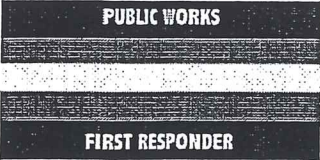


*Per Owner of Property
1 bedroom - Master
7-23-24
Bg*

*Shared email w/ owner
@ counter 7-23-24 Bg*

Be well,

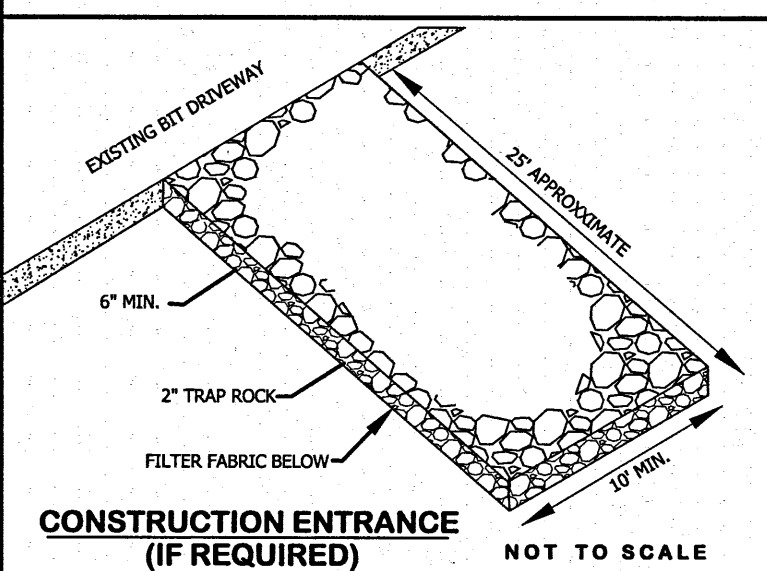
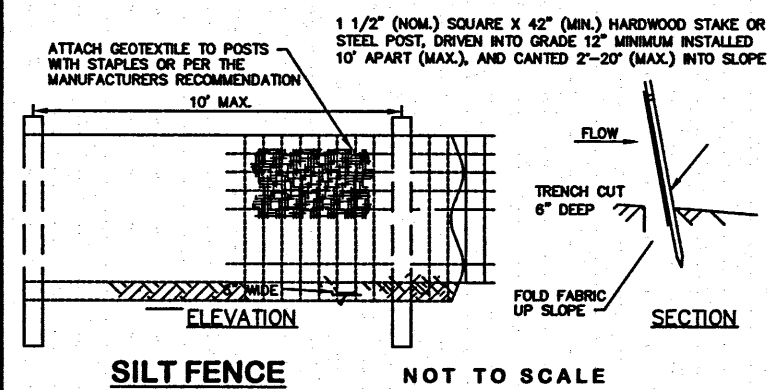
Tom Modzelewski
Director of Public Works/
WPCA Administrator/Tree Warden
Ellington Public Works
21 Main St.
Ellington, CT 06029
O- 860-870-3140 ext. 3014
C- 860-500-8208



LEGEND

- monument found
- monument not found
- iron pin found
- property corner
- stone wall
- catch basin
- utility pole
- san/drainage/gas lines
- wall
- hydrant
- tree line / shrubs
- dec tree
- SCS sedimentation control
- retaining wall
- existing spot elevation
- proposed grade

NOTES:
 1. SEDIMENT CONTROL FABRIC TO BE A GEOTEXTILE MATERIAL TREATED TO RESIST DEGRADATION FROM EXPOSURE TO SUNLIGHT.
 2. FOR EACH SPECIFIC USE ONLY GEOTEXTILES ON THE CONNECTICUT DEPARTMENT OF TRANSPORTATION APPROVED LIST ARE TO BE USED.
 3. AFTER FOLDING FABRIC EDGE, BACKFILL TRENCH WITH ORIGINAL SOIL AND BUTRESS THE SPREAD WITH HAND OR LEAF LITTER.



- UTILITY NOTES:**
- 12" WATER LINE. CONTRACTOR TO CONTACT CONNECTICUT WATER COMPANY FOR HOUSE CONNECTION LOCATION. TEL: 800-286-5700
 - SANITARY LINE. CONTRACTOR TO CONFIRM HOUSE CONNECTION LOCATION WITH NORTH CENTRAL DISTRICT HEALTH DEPARTMENT TEL: 860-745-0383
 - GAS MARKINGS. CONTRACTOR TO CONFIRM CONNECTION AVAILABILITY WITH CONNECTICUT NATURAL GAS. TEL: 860-524-8361
 - UTILITY TRENCHES TO MEET STANDARD SEPARATION DISTANCES. SEE GENERAL NOTE 11.

APPLICABLE ZONING REQUIREMENTS: "R" ZONE (RESIDENTIAL)

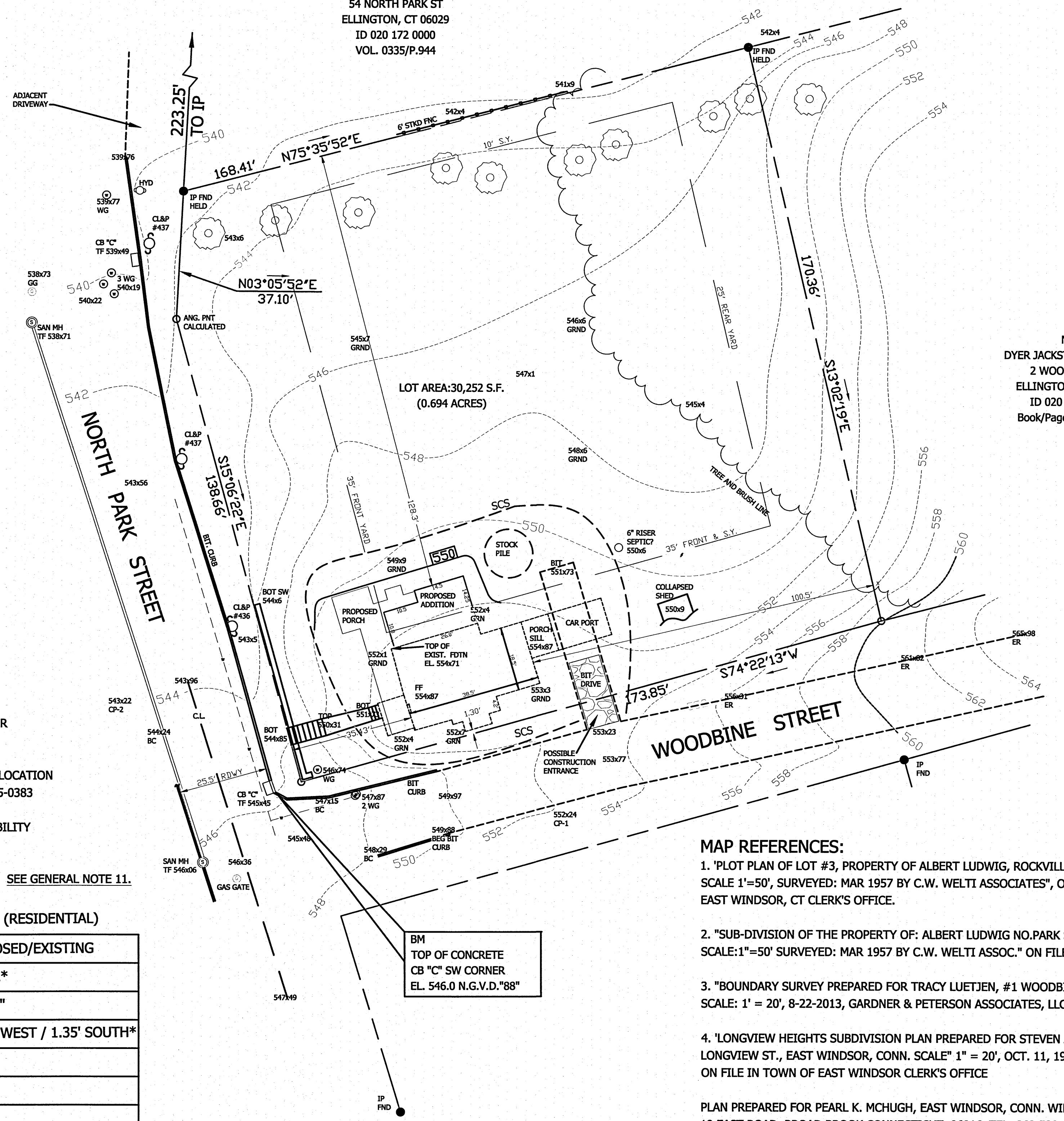
SUBJECT	REQUIRED	PROPOSED/EXISTING
MIN LOT AREA	40,000 SF	30,252*
MIN FRONTAGE	100'	175.86"
WEST & SOUTH SET BACKS	35'	35.43' WEST / 1.35' SOUTH*
REAR YARD	25'	100.5'
NORTH SIDE YARD	10'	128.3'
LOT COVERAGE	25%	5%

* EXISTING NON-CONFORMANCE

THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-300B-1 THRU 20-300B-20, THE MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. THE TYPE OF SURVEY IS A LIMITED PROPERTY/ BOUNDARY, THE BOUNDARY DETERMINATION CATEGORY IS DEPENDENT RESURVEY, THE HORIZONTAL ACCURACY CONFORMS TO A-2 AND THE VERTICAL ACCURACY CONFORMS TO T-2.

THIS MAP NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF THE SURVEYOR AND ENGINEER.

N/F
 RODRIGUEZ LEESANDRO
 +JENNA PHELPS-RODRIGUEZ
 54 NORTH PARK ST
 ELLINGTON, CT 06029
 ID 020 172 0000
 VOL. 0335/P.944



BM
 TOP OF CONCRETE
 CB "C" SW CORNER
 EL. 546.0 N.G.V.D."88"

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

CARMEN GIULIANO, L.L.S. NO. 15769 DATE

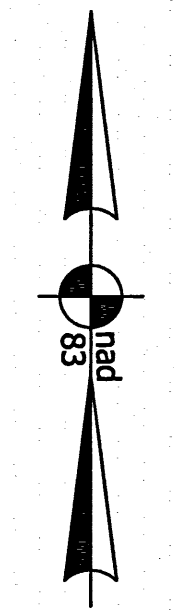
TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

KEILA E. RIVERA DATE
 227 PINE STREET
 HOLYOKE, MA 01040 MOB: 413-427-3988

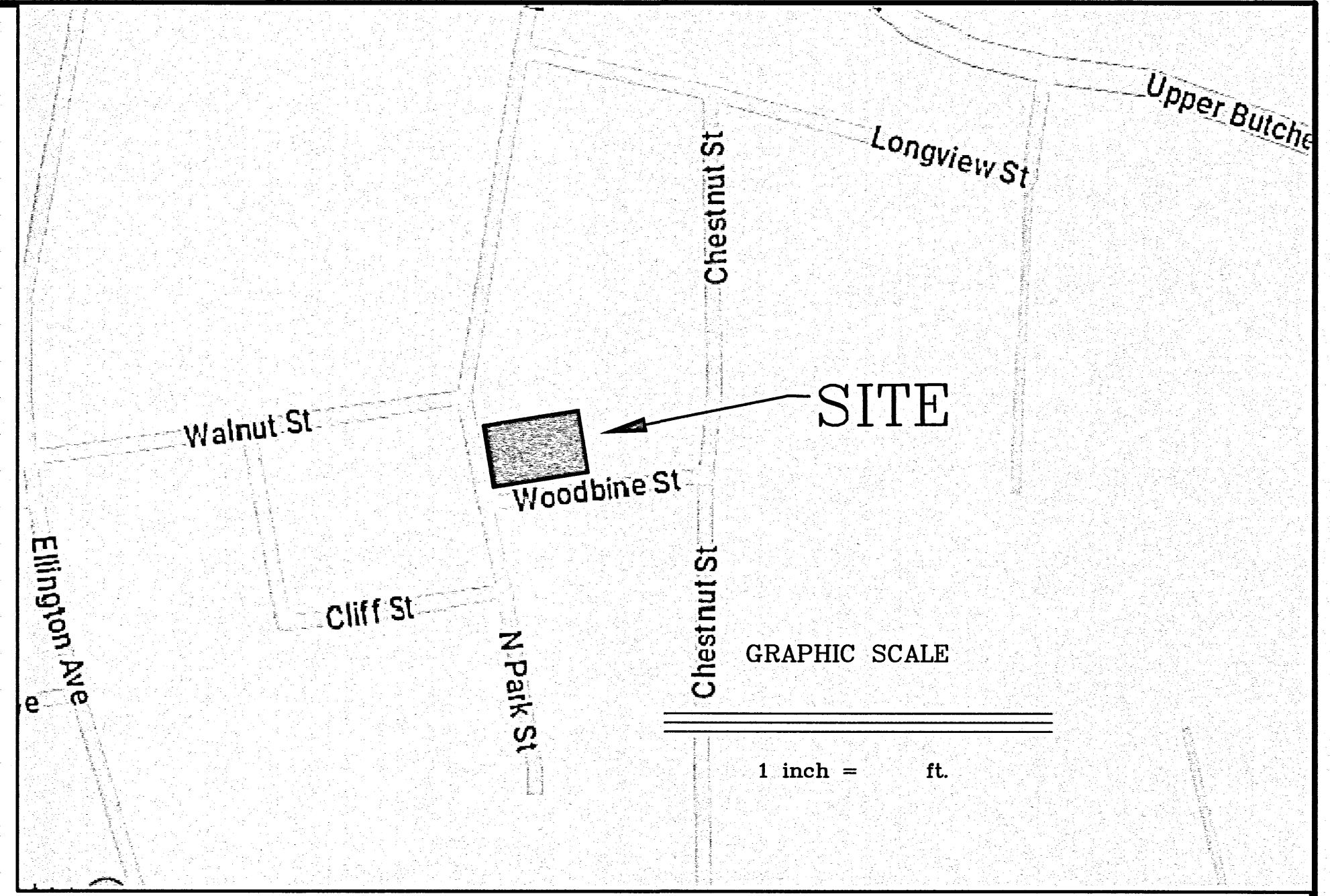
MAP REFERENCES:

- "PLOT PLAN OF LOT #3, PROPERTY OF ALBERT LUDWIG, ROCKVILLE, CONN. SCALE 1"=50', SURVEYED: MAR 1957 BY C.W. WELTI ASSOCIATES", ON FILE IN TOWN OF EAST WINDSOR, CT CLERK'S OFFICE.
- "SUB-DIVISION OF THE PROPERTY OF: ALBERT LUDWIG NO.PARK ST., ROCKVILLE, CONN., SCALE:1"=50' SURVEYED: MAR 1957 BY C.W. WELTI ASSOC." ON FILE IN TOWN OF EAST WINDSOR, CT CLERK'S OFFICE.
- "BOUNDARY SURVEY PREPARED FOR TRACY LUETJEN, #1 WOODBINE STREET, ELLINGTON, CONNECTICUT, SCALE: 1' = 20', 8-22-2013, GARDNER & PETERSON ASSOCIATES, LLC LAND SURVEYORS TOLLAND, CT"
- "LONGVIEW HEIGHTS SUBDIVISION PLAN PREPARED FOR STEVEN JARMEC, NORTH PARK-CHESTNUT-LONGVIEW ST., EAST WINDSOR, CONN. SCALE" 1" = 20', OCT. 11, 1988, AR LOMBARDI ASSOCIATES, VERNON, CT" ON FILE IN TOWN OF EAST WINDSOR CLERK'S OFFICE

PLAN PREPARED FOR PEARL K. MCHUGH, EAST WINDSOR, CONN. WILLIAM R. PALMBERG LAND SURVEYOR 19 EAST ROAD, BROAD BROOK CONNECTICUT, 06016, TEL: 860-528-8501 AND 860-623-7018, SCALE: 1' = 20' OCTOBER 31, 1994" ON FILE IN TOWN OF EAST WINDSOR, CT. CLERK'S OFFICE.



N/F
 DYER JACKSTON BRITTANY
 2 WOODBINE ST
 ELLINGTON, CT 06029
 ID 020 138 0000
 Book/Page 0520/1037



KEY MAP SCALE 1' = 200' 200 0 200 400

GENERAL NOTES:

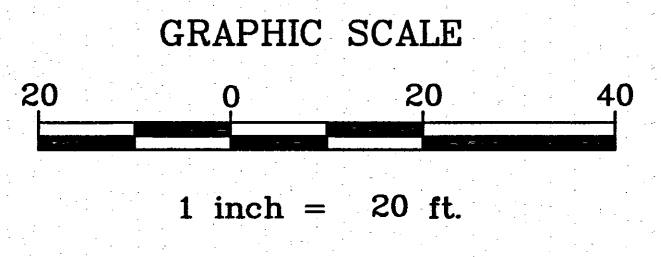
- THIS MAP WAS PREPARED FOR THE EXPRESS PURPOSE OF DEPICTING EXISTING CONDITIONS AND A PROPOSED HOUSE ADDITION AND THEIR RELATION TO PROPERTY LINES.
- PROPERTY IS LOCATED IN A RESIDENTIAL "R" ZONE.
- PROPERTY IS KNOWN AS 46 NORTH PARK STREET, ELLINGTON, CONNECTICUT PARCEL ID 120 173 0000.
- REFERENCE IS MADE TO WARRANTY DEED RECORDED IN VOLUME 547 / PAGE 125 IN THE TOWN OF ELLINGTON, CONNECTICUT LAND RECORDS
- PROPERTY IS SUBJECT TO RIGHTS, RESTRICTIONS, ENCUMBRANCES, COVENANTS, EASEMENTS, ETC. AS PER RECORDS MAY APPEAR. NO ENCROACHMENTS APPARENT.
- NORTH ARROW BASED ON N.A.D. 1983. ELEVATIONS BASED ON NAVD 1988. LOT AREA = 30,252 S.F. (0.694 ACRES)
- PROPERTY IS NOT IN A FLOOD ZONE OF PER FEMA MAP0901580015C, COMMUNITY PANEL SOUTH WINDSOR, CONNECTICUT, EFFECTIVE 2-5-1997. NO APPARENT WETLANDS WITHIN 50' OF PROPERTY.
- ALL CONSTRUCTION ACTIVITIES SHALL BE IN ACCORDANCE WITH THE CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENTATION CONTROL, MARCH 2024.
- ALL DIRT AND DEBRIS SHALL BE SWEEPED FROM ROAD SURFACE AT THE END OF EACH WORK DAY.
- EXISTING CURBING AND PAVEMENT SHALL BE REPAIRED AT NO COST TO THE TOWN SHOULD THE OWNER OR CONTRACTOR DAMAGE THESE DURING CONSTRUCTION.
- EXISTING UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SOURCES. THE LOCATIONS ARE ONLY APPROXIMATE AND THERE MAY BE ADDITIONAL UTILITIES WITHIN THE AREA. PRIOR TO COMMENCING ANY CONSTRUCTION THE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL EXISTING UTILITIES WITHIN THE WORK AREA. "CALL BEFORE YOU DIG" 1-800-922-4455"

RECEIVED
 JUN 25 2024
 TOWN OF ELLINGTON
 PLANNING DEPARTMENT

APPROVED
 NOT APPROVED
 TOWN OF ELLINGTON CT. OFFICIAL DATE

MAP ID 020 173 0000

REV.	DATE	REVISIONS DESCRIPTION



DESIGN BY: MPS
 DRAWN BY: RJG
 CHECKED BY: CG
 6-10-24

GIULIANO LAND SURVEYING, LLC
 email: giuliano.carmen@gmail.com tel: (860)310-8842
 14 FIELDSTONE DRIVE SOUTH GLASTONBURY, CT 06073 (860) 633-1151
 2 SOUTH ESPLANADE ENGLEWOOD, FLORIDA 34223 MOB. 860-794-9144

LOCATION IMPROVEMENT PLAN
 PROPOSED HOUSE ADDITION PREPARED FOR
KEILA E. RIVERA
 46 NORTH PARK STREET ELLINGTON, CONNECTICUT

FILENAME: 46 NO PARK ST
 DATE: 6-11-24
 SHEET NO.: 1 OF 1

Town of Ellington Zoning Board of Appeals Application

Application #
V202408
Date Received
7/15/2024

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: Jeanna Giansanti
Mailing Address: 5W Manhattan Rd.
Ellington, CT 06039
Email: chefjeanna@yahoo.com

WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU? Yes No
Primary Contact Phone #: 860 930 0971
Secondary Contact Phone #: _____

Owner's Signature: [Signature] Date: 7/15/24

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: _____
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: 5W Manhattan Rd / 5 Manhattan Rd. West
Assessor's Parcel Number (APN): 149 - 012 - 0000 Zone: LR
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 Section 3.2.3(4) - setback
rear yard - accessory building

Requesting a Variance to Zoning Regulations Section: (For Variance Application only) _____
Describe Variance Request, Appeal of Decision, or Auto Dealer/Repairer License: (Attach additional sheets if needed)
*See Attached

Hardship: Describe hardship and indicate why other options are unacceptable. (For Variance Application only)
*Legal Non-confirming lot at only 4,997sf.

7/15/24

IE: Variance Request at 5 Manhattan Rd West, Ellington

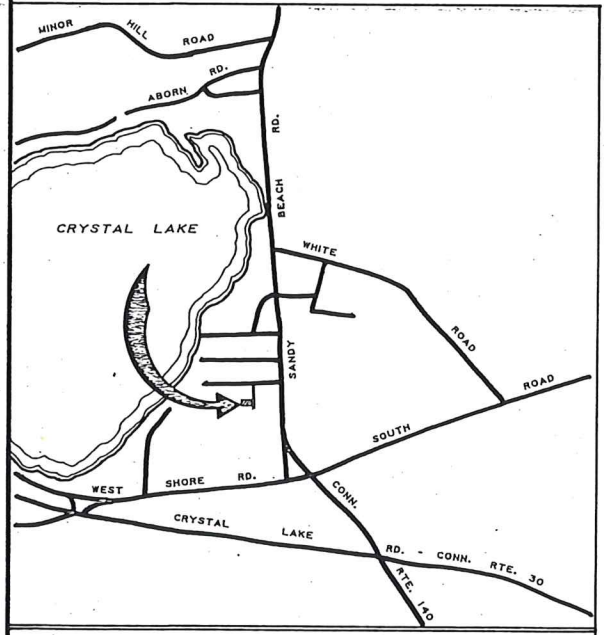
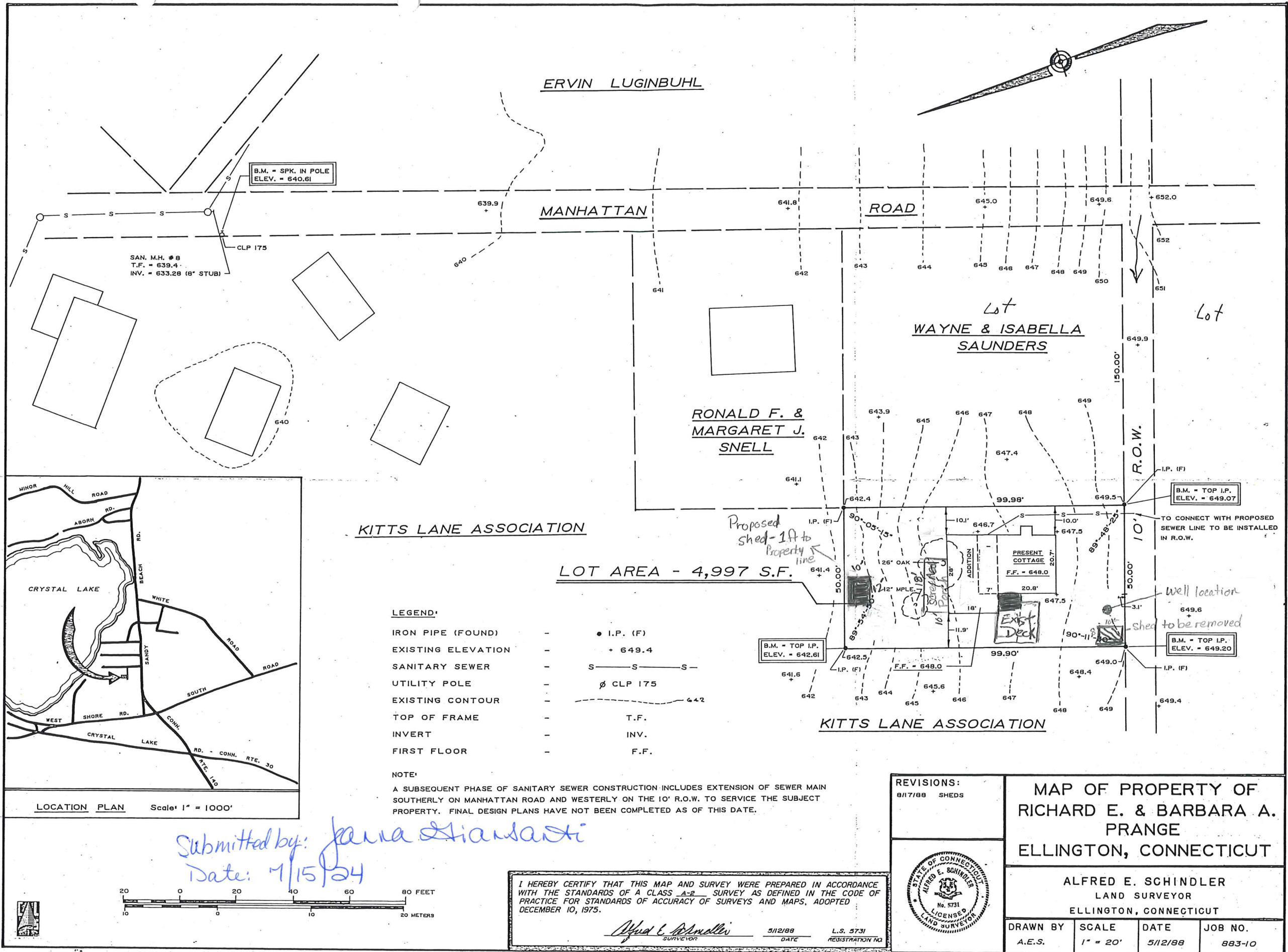
I, Jeanna Giansanti, the homeowner of the above address, am requesting a variance for a new 10'x12' shed to be placed in the back of our lot. We will be removing an existing non-conforming shed that is in the front of our lot. Our lot is legal, non-conforming at only 4,997sf. In order for the new shed to fit appropriately in our back yard, we are asking for a 9 foot variance from the rear property line to the proposed new shed.

Thank you in advance for your consideration.


Jeanna Giansanti







KITTS LANE ASSOCIATION

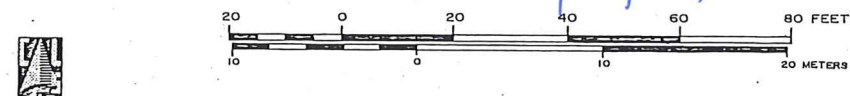
LOT AREA - 4,997 S.F.

LEGEND:

IRON PIPE (FOUND)	-	• I.P. (F)
EXISTING ELEVATION	-	+ 649.4
SANITARY SEWER	-	S—S—S—
UTILITY POLE	-	∅ CLP 175
EXISTING CONTOUR	-	- - - - 642
TOP OF FRAME	-	T.F.
INVERT	-	INV.
FIRST FLOOR	-	F.F.

NOTE:
 A SUBSEQUENT PHASE OF SANITARY SEWER CONSTRUCTION INCLUDES EXTENSION OF SEWER MAIN SOUTHERLY ON MANHATTAN ROAD AND WESTERLY ON THE 10' R.O.W. TO SERVICE THE SUBJECT PROPERTY. FINAL DESIGN PLANS HAVE NOT BEEN COMPLETED AS OF THIS DATE.

Submitted by: Jana Stiananti
Date: 7/15/24



I HEREBY CERTIFY THAT THIS MAP AND SURVEY WERE PREPARED IN ACCORDANCE WITH THE STANDARDS OF A CLASS A-2 SURVEY AS DEFINED IN THE CODE OF PRACTICE FOR STANDARDS OF ACCURACY OF SURVEYS AND MAPS, ADOPTED DECEMBER 10, 1975.

Alfred E. Schindler 5/12/88 L.S. 5731
 SURVEYOR DATE REGISTRATION NO.

REVISIONS:
 8/17/88 SHEDS



MAP OF PROPERTY OF
RICHARD E. & BARBARA A.
FRANGE
ELLINGTON, CONNECTICUT

ALFRED E. SCHINDLER
 LAND SURVEYOR
 ELLINGTON, CONNECTICUT

DRAWN BY A.E.S.	SCALE 1" = 20'	DATE 5/12/88	JOB NO. 883-10
---------------------------	--------------------------	------------------------	--------------------------

LAW OFFICES OF EDWARD M. SCHENKEL, LLC

ATTORNEY AT LAW

Tel.: (860) 997-7835

e-mail: ESchenkel@Schenkellaw.com

Connecticut Office:

**157 Church Street, 19th Floor
New Haven, CT 06510**

New York Office:

**3950 Blackstone Ave. Ste. 6E
Bronx, NY 10471**

July 31, 2024

John Colonese
Assistant Town Planner /
Zoning Enforcement Officer
55 Main Street
Ellington, CT 06029

**RE: Cease and Desist Order
Gondal Corporation
83 West Road, Ellington, Connecticut
(Assessor Parcel No. 028-056-0000)**

Dear Mr. Colonese,

I represent Gondal Corporation and am writing concerning the Cease and Desist Order (“Order”) dated March 27, 2024, issued to Gondal Corporation at 83 West Road, Ellington, Connecticut. The Order alleges zoning violations relating to internally illuminated electronic signs displaying fuel prices and fuel price information on the dispenser pumps (“Dispenser Pump Signs”). The Order further requests Gondal Corporation to remove the Dispenser Pump Signs.

I am writing to inform you that Gondal Corporation intends to remove the Dispenser Pump Signs and instead focus on filing an application for a detached LED sign. The detached sign, if approved, would provide sufficient signage for fuel prices and fuel price information and the Dispenser Pump Signs would not be necessary.

By removing the Dispenser Pump Signs, Gondal Corporation does not concede that the Dispenser Pump Signs violate any zoning ordinance and denies all allegations set forth in the Order asserting violations. Gondal Corporation expressly reserves the right to reinstall the Dispenser Pump Signs at a later date if the detached LED sign application is denied, as Gondal Corporation would then require such additional signage displaying the fuel prices and fuel price information.

To this end, Gondal Corporation agrees that it will remove the Dispenser Pump Signs within the next seven (7) days. I am therefore withdrawing the appeal of the Order. If you believe it is appropriate to continue the hearing so your office can confirm that the Dispenser Signs were removed, that course of action is also acceptable.

On behalf of Gondal Corporation, I am also requesting a meeting with you in August, 2024,

to discuss the detached LED sign application so we can prepare a submission to the ZBA that we hope will be well received. Please provide several dates and times that are acceptable for such meeting.

I look forward to hearing from you.

Regards,

/s/

Edward M. Schenkel, Esq.

cc: Zoning Board of Appeals
C/O Barbra Galovich
Ellington Planning Department
55 Main Street
Ellington, CT 06029

Town of Ellington Zoning Board of Appeals Application

Application #
V202404
Date Received
4/25/2024

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: Gondal Corporation
Mailing Address: PO Box 344
Naugatuck CT 06770
Email: HGondal@GondalCorp.com

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

Primary Contact Phone #: 860-483-2492
Secondary Contact Phone #: 860 997 7835

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

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: Gondal Corporation
Mailing Address: PO Box 344
Naugatuck CT 06770
Email: HGondal@GondalCorp.com

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

Primary Contact Phone #: 860-483-2492
Secondary Contact Phone #: 860 997 7835

Applicant's Signature: [Signature] Date: 4/24/24

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
APR 25 2024
TOWN OF ELLINGTON
PLANNING DEPARTMENT

Street Address: 83 West Road Ellington CT

Assessor's Parcel Number (APN): 028 - 056 - 000 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 Conn. Gen. Stat. §8-3(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 N/A

Requesting a Variance to Zoning Regulations Section: (For Variance Application only) N/A

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

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

Basis for Appeal of Citation

Gondal Corporation reserves the right to argue the following at the ZBA appeal hearing:

1. The subject signs are exempt from Ellington Zoning Regulations pursuant to § 6.3.3, and therefore do not require a special permit or any other permit or approval.
2. Gondal Corporation is able to provide ample documentation that such illumination is superior to protection of neighboring properties, avoids discomfort or glare on public highways, and minimizes conflict with any traffic signals.
3. The signs are not “neon” and therefore section 6.3.10(2) is not applicable.
4. If the ZBA does not issue a decision in favor of Gondal Corporation, Gondal should not be cited while it is in the process of obtaining such permits.
5. Gondal Corporation reserves the right, upon additional research, to make the argument that the signage is legally nonconforming with respect to some or all of the regulations cited.
6. Gondal Corporation reserves the right to make other arguments at the ZBA hearing.

RECEIVED

APR 25 2024

**TOWN OF ELLINGTON
PLANNING DEPARTMENT**



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

CEASE AND DESIST ORDER

March 27, 2024

Gondal Corporation
c/o Hussnain Gondal
469 Rubber Ave.
Naugatuck, CT 06770

Sent Via: Email, First Class Mail, and Certified Mail R/R 70190160000010494736

Re: 83 West Road (Assessor Parcel No. 028-056-0000), Commercial (C) Zone
Violation of the Ellington Zoning Regulations

Dear Hussnain Gondal:

On March 9, 2024, you received a Notice of Violation dated March 7, 2024, from the Ellington Planning Department asking you to remove the electronic signs displaying the fuel prices and fuel price information on the dispenser pumps recently installed at 83 West Road in Ellington, CT as they do not comply with the Ellington Zoning Regulations. To date, the electronic signs displaying the fuel prices and fuel price information on the dispenser pumps have not been removed. Fuel prices on the dispenser pumps are signs and are subject to Section 6.3 of the Ellington Zoning Regulations. More specifically, the internally illuminated electronic signs displaying the fuel prices and fuel price information on the dispenser pumps at the subject property are in violation of the following Ellington Zoning Regulations ("Regulations"):

- Pursuant to **Section 6.3.2 General (E)**: The following signs shall require a special permit: (1) Any sign which is to be used in conjunction with a use that is regulated by special permit. The internally illuminated electronic signs displaying the fuel prices and fuel price information on the dispenser pumps have not been granted a special permit by the Commission therefore they are in violation of the Regulations.
- Pursuant to **Section 6.3.2 General (D)**: At the discretion of the Commission, other signs within these zones may require site plan approval. The internally illuminated electronic signs displaying the fuel prices and fuel price information on the dispenser pumps have not been granted site plan approval by the Commission therefore they are in violation of the Regulations.
- Pursuant to **Section 6.3.2 General (A)**: No permanent sign shall be erected, relocated, or altered, except for normal maintenance, without a zoning permit issued by the Zoning Enforcement Officer. The internally illuminated electronic signs displaying the fuel prices and fuel price information on the dispenser pumps have not been granted a zoning permit by the Zoning Enforcement Officer therefore they are in violation of the Regulations.

- Pursuant to **Section 6.3.9 Illumination (B)**: In general, interior illumination of signs shall be avoided. However, where the applicant provides ample documentation that such illumination is superior to protection of neighboring properties, avoiding discomfort or glare on public highways, and minimizing conflict with any traffic signals, then the Commission may permit such illumination. The Commission has not permitted the interior illumination of the electronic signs displaying the fuel prices and fuel price information on the dispenser pumps therefore they are in violation of the Regulations.
- Pursuant to **Section 6.3.10 Prohibited Signs (2)**: Neon signs, as well as signs which revolve, rotate, flash, or move in any manner, or give the appearance of movement are prohibited. The flashing internally illuminated electronic signs displaying the fuel prices and fuel price information on the dispensers are prohibited by the Regulations.

The Commission approved a special permit (file Z-9025) on September 10, 1990, for signage at the subject property, which did not include internally illuminated electronic signs displaying the fuel prices and fuel price information on the dispenser pumps. In addition, the Commission approved a site plan modification (file Z201418) on April 28, 2014, to install a new canopy, dispenser pumps, and associated site improvements at the subject property, which did not include internally illuminated electronic signs displaying the fuel prices and fuel price information on the dispenser pumps. Any requested site plan modification or special permit modification shall be reviewed by the Commission in accordance with Sections 8.2 and 8.3 of the Regulations, respectively.

By the powers vested in me, you are hereby **ORDERED TO CEASE AND DESIST** the above violations and take proper corrective action to bring your property into compliance with the Town of Ellington Zoning Regulations within thirty (30) days of receipt of this order. To remedy this situation, please **remove the internally illuminated electronic signs displaying the fuel prices and fuel price information on the dispenser pumps, certifying agreement with the Ellington Zoning Regulations.**

Pursuant to Section 8-7 of the Connecticut General Statutes, you may appeal this Order to the Zoning Board of Appeals (hereinafter "ZBA"), specifying the grounds of your appeal, within thirty (30) days of receipt of this Order.

If compliance to this Order is not met or an appeal to the ZBA is not taken within thirty (30) days from the day of receipt of this Order, **A CITATION AND FINE CAN BE ISSUED TO YOU** in accordance with Town of Ellington Code Chapter 48: Citations for Wetland and Zoning Violations in addition to any other legal remedies as prescribed by law. Citations can include fines of one hundred and fifty dollars (\$150.00) for each day a zoning violation continues. Questions regarding this Order may be directed to the Planning Department at (860) 870-3120. Thank you in advance for your prompt attention to this matter.

Respectfully,



John D. Colonese, CZEO
Assistant Town Planner/Zoning Enforcement Officer

cc. Ellington Planning and Zoning Commission
Ellington Zoning Board of Appeals



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, JULY 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: Chairman Sulakshana Thanvanthri, Vice Chairman Katherine Heminway, Regular members Ken Braga, Subhra Roy, Miranda Graziani, and Alternate Ron Brown

ABSENT: Alternates Ron Stomberg and Rodger Hosig

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. 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: 7:01 pm

Seated: Thanvanthri, Heminway, Braga, Roy and Graziani

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

Stephen Williams explained at the last meeting that the Board is looking for comments from the Water Pollution Control Authority. Stephen received an email from Eric Peterson, Gardner & Peterson Associates, LLC dated July 1, 2024, stating that Eric spoke with Tom Modzelewski, Director of Public Works, and the Water Pollution Control Authority (WPCA) will need a note and detail that the sewer connection needs to be outside the manhole because the sewer is a pressure sewer. Stephen also referred to a letter dated June 24, 2024, from Andrew Morin of Hinckley Allen, in favor of the application providing court cases pertaining to variances and wetlands.

Chairman Thanvanthri said the parcel is a lot of record and the documentation received from Andrew Morin references different court cases where properties have been granted variances due to the wetlands on a particular parcel.

Commissioner Braga asked about the hatchway and crawl space noted on the plan. Stephen Williams responded that the WPCA wants the pump inside within the foundation and the crawl space made the most sense.

Chairman Thanvanthri explained the Zoning Board of Appeals responsibility is to look at setback requirements for this application along with the natural features of the wetlands on the site, the hardship is that the applicant will not be able to construct within the wetlands. Chairman Thanvanthri also noted the applicant will need approval from North Central District Health Department, WPCA and the Inland Wetland Agency.

David Freckleton, 33 Pine Street, stated it was his understanding that the applicant was going to the Inland Wetlands Agency first for approval of the project. John Colonese stated the applicant has decided to continue with the Zoning Board of Appeals first and has submitted an Inland Wetland Agency application to the Planning Department, which will be received next week and most likely set for a public hearing in August. The Zoning Board of Appeals is reviewing setbacks for this application. David Freckleton is concerned about where the sewer will be connected. Mr. Freckleton was advised to contact the WPCA with sewer questions.

Kevin Paradis, 82 Country View Drive, 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 lateral. Mr. Paradis was also referred to the WPCA. Kevin Paradis asked about the removal of invasive species as shown on the revised plan. John Colonese stated this information relates to the wetlands permit application, explained the process for the wetlands permit application and reviewed the authority of the Zoning Board of Appeals for granting variances to building setback regulations.

Maura Freckleton, 33 Pine Street, noted concerns regarding the wetlands, the stream that runs into a lake, and possible habitat disturbance. Maura added that the crawl space of the dwelling will get flooded. Chairman Thanvanthri explained that the hardship is the wetlands, and the owner has the right to request a variance and will still need additional approvals from other agencies.

John Colonese noted the applicant is asking for a front yard setback from 35 feet to 9 feet on Wendall Road and a rear yard setback from 25 feet to 11 feet. It was explained that the parcel has two front yard setbacks and one rear yard setback.

Chairman Thanvanthri reviewed the possible conditions for the Board to consider. John Colonese verified the applicant is proposing a one-story dwelling and if subsequent changes to the plan are proposed, the applicant may need to re-apply to the Zoning Board of Appeals.

MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING 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.

MOVED (ROY), SECONDED (HEMINWAY) AND PASSED (BRAGA – NAY) TO APPROVE W/CONDITIONS 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.

Conditions of Approval:

- 1) Shall obtain North Central District Health Department approval.
- 2) Shall obtain Water Pollution Control Authority approval.
- 3) Approval based on Improvement Location Survey Permit Plan prepared for Stephen D. Williams dated 2-23-1996 revised through 6-4-2024 by Gardner & Peterson Associates, LLC.
- 4) Shall be limited to a one-story dwelling.
- 5) Shall obtain Inland Wetland Agency approval.

Hardship: Presence of extensive wetlands on the property.

2. 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 noted an email was received from the owner requesting the Zoning Board of Appeals postpone the opening of the public hearing to next month's Zoning Board of Appeals meeting.

MOVED (BRAGA), SECONDED (ROY) AND PASSED UNANIMOUSLY TO EXTEND THE OPENING OF THE PUBLIC HEARING TO MONDAY, AUGUST 5, 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.

IV. ADMINISTRATIVE BUSINESS:

1. Approval of the June 3, 2024, Regular Meeting Minutes.

MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE JUNE 3, 2024, REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion: None

V. ADJOURNMENT:

MOVED (BRAGA), SECONDED (ROY) AND PASSED UNANIMOUSLY TO ADJOURN THE ZBA MEETING AT 7:30 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk