



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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ZONING BOARD OF APPEALS REGULAR MEETING MINUTES MONDAY, MARCH 3, 2025, 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, Miranda Graziani, and Alternate Rodger Hosig (via Zoom)

ABSENT: Regular Member Subhra Roy and Alternates Ron Stomberg and Ron Brown

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. V202501 – 12 Green, LLC, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front and side yard setback to 5ft for a second level porch above existing garage (a portion of the nonconforming garage to be removed) and covered stairway at 12 Green Street, APN 129-047-0000 in a Lake Residential (LR) zone.

Time: 7:02 pm

Seated: Thanvanthri, Heminway, Braga, Graziani, and Hosig

Andy Kebalo, 1 Crystal Street, was present to represent the application. Andy explained the property is located on the corner of Sandy Beach Road and Green Street. The dwelling has no street parking accessibility on Green Street, due to how narrow the road is. Andy noted the cottage was updated over the years to accommodate year-round residency. The detached garage is not large enough to park a vehicle in and the front of the garage is on the property line. Andy is looking to remove approximately 5 feet from the detached garage, install inside stairs to connect outside covered stairs to the house. Andy is also looking to create a retaining wall on either side of the garage to create off-street parking. Andy stated currently his daughter parks on the street and has concern about the safety of his family exiting the vehicle with two young children. The topography of the land is steep, and it is challenging to walk up to the house. Andy noted there will be less impervious coverage on the property after the removal of the section of concrete sidewalk.

Mike Vengruskas, 14 Green Street noted no concerns about the approval of the variance and is in favor of the improvements to the property.

MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR V202501 – 12 Green, LLC, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front and side yard setback to 5ft for a second level porch above existing garage (a portion of the nonconforming garage to be removed) and covered stairway at 12 Green Street, APN 129-047-0000 in a Lake Residential (LR) zone.

MOVED (BRAGA), SECONDED (GRAZIANI) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION(S) FOR V202501 – 12 Green, LLC, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front and side yard setback to 5ft for a second level porch above existing garage (a portion of the nonconforming garage to be removed) and covered stairway at 12 Green Street, APN 129-047-0000 in a Lake Residential (LR) zone.

CONDITION(S):

1. Shall obtain Department of Public Works approval.

HARDSHIP: Safety concerns, topography and non-conforming lot.

2. V202502 – Stephen Quatrocelli, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback to the sewer easement line from 35ft to 5ft for a new house at 10 East Shore Road, APN 149-097-0000 in a Residential (R) zone.

Time: 7:18 pm

Seated: Thanvanthri, Heminway, Braga, Graziani, and Hosig

Eric Peterson, Gardner & Peterson Associates, LLC, 178 Hartford Turnpike, Tolland, CT and Stephen Quatrocelli, 24 Ellridge Place, were present to represent the application.

Eric Peterson stated the owners are in the process of demolishing the existing house on this property so that they can build a new house. East Shore Road is a private road that traverses through the middle of many of the properties for which it provides access. For previous development projects on East Shore Road, the Town of Ellington has required the front yard setback be applied to the Sanitary Sewer Easement that follows East Shore Road. The existing house at 10 East Shore Road is located 15 feet from the west side of the Sanitary Sewer Easement, and this application requests a variance to reduce the front yard setback from 35 feet to 5 feet for the construction of the new house.

Eric Peterson noted on May 4, 2015, the Zoning Board of Appeals granted a variance to the front yard setback at 10 East Shore Road for the construction of a new attached garage that reduced the front yard setback from 35 feet to 0 feet. That garage was never constructed. Furthermore, the Zoning Board of Appeals granted a variance to the front yard setback for other similar developments at 28 East Shore Road in 2024, 12 East Shore Road in 2021 & 2018, and at 2 East Shore Road in 2021. Eric stated the property's hardship is the topography and lot configuration. This is an undersized lot that has a significant slope from East Shore Road to the lake that would prevent the house to be constructed closer to Crystal Lake and further from the Sanitary Sewer Easement.

Chairman Thanvanthri asked if the Fire Marshal's comments were shared with the owner. Eric Peterson said the comments were received and Eric noted the Fire Marshal did not request any further action be completed. Commissioner Braga has concerns based on the Fire

Marshal's comments. Commissioner Braga reviewed the comments and asked Stephen Quatrocelli to release the Fire Department from liability if there is a fire at the property. Stephen stated that the dwelling is only three stories and is willing to release the Fire Department from liability. Stephen said recently a tree was taken down behind the house on the property by a hook and ladder fire truck and the truck had no issues accessing the property. Chairman Thanvanthri asked if the building permit had been issued, and Eric said typically they apply after variance approval. Chairman Thanvanthri noted the Fire Marshal's comments could be shared with the Building Official. Vice-Chairman Heminway said the road is difficult for all the properties on East Shore Road and is okay with the application. Chairman Thanvanthri said the Fire Marshal's comments seem to be concerns that apply to the whole road where there are larger homes on small lots. Alternate Rodger Hosig declared owning a home on the lake and regarding the Fire Marshal's concerns, added that other dwellings on the road have been approved by the board.

Alternate Hosig asked about the concrete pad with fencing on the north side of the dwelling. John Colonese stated the concrete pad with fencing is not considered a structure that would need a variance and historically these pads have not been considered structures. Alternate Hosig asked about the height of the proposed dwelling, John noted the height requirement is measured as the vertical distance from the average level of the ground along all walls of the building to the highest point of the roof and noted the average height is indicated on the submitted building plans. Alternate Hosig verified that the road portion of the parcel is calculated into the lot coverage. There were no public comments regarding the application.

MOVED (HEMINWAY), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR V202502 – Stephen Quatrocelli, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback to the sewer easement line from 35ft to 5ft for a new house at 10 East Shore Road, APN 149-097-0000 in a Residential (R) zone.

MOVED (HEMINWAY), SECONDED (GRAZIANI) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION(S) FOR V202502 – Stephen Quatrocelli, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback to the sewer easement line from 35ft to 5ft for a new house at 10 East Shore Road, APN 149-097-0000 in a Residential (R) zone.

CONDITION(S):

1. Shall obtain Water Pollution Control Authority approval.
2. Shall forward Fire Marshal comments to the Building Official.

HARDSHIP: Topography and non-conforming lot.

IV. NEW BUSINESS:

1. Executive Session to Discuss Pending Litigation.

MOVED (BRAGA) SECONDED (GRAZIANI) AND PASSED UNANIMOUSLY TO ENTER INTO EXECUTIVE SESSION AT 7:41 PM FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION INVITING BOARD MEMBERS, THE ASSISTANT TOWN PLANNER, AND RECORDING CLERK.

Present: Sulakshana Thanvanthri, Katherine Heminway, Ken Braga, Miranda Graziani, Rodger Hosig, John Colonese and Barbra Galovich

MOVED (HEMINWAY) SECONDED (THANVANTHRI) AND PASSED UNANIMOUSLY TO

EXIT EXECUTIVE SESSION AT 7:45 PM.

V. ADMINISTRATIVE BUSINESS:

1. Approval of January 6, 2025, Regular Meeting Minutes.

MOVED (BRAGA), SECONDED (HEMINWAY) THANVANTHRI - ABSTAINED AND PASSED TO APPROVE JANUARY 6, 2025, REGULAR MEETING MINUTES AS WRITTEN.

2. Election of Officers.
 - a. Chairman Position

MOVED (BRAGA) TO NOMINATE COMMISSIONER THANVANTHRI FOR CHAIRMAN OF THE ZONING BOARD OF APPEALS FOR THE YEAR OF 2025.

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

MOVED (HEMINWAY) SECONDED (GRAZIANI) AND PASSED UNANIMOUSLY TO ELECT COMMISSIONER THANVANTHRI FOR CHAIRMAN OF THE ZONING BOARD OF APPEALS FOR THE YEAR OF 2025.

- b. Vice Chairman Position

MOVED (BRAGA) TO NOMINATE COMMISSIONER HEMINWAY FOR VICE-CHAIRMAN OF THE ZONING BOARD OF APPEALS FOR THE YEAR OF 2025.

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

MOVED (GRAZIANI) SECONDED (THANVANTHRI) AND PASSED UNANIMOUSLY TO ELECT COMMISSIONER HEMINWAY FOR VICE-CHAIRMAN OF THE ZONING BOARD OF APPEALS FOR THE YEAR OF 2025.

3. Correspondence/Discussion:
 - a. Notice of Ellington Public Budget Presentations - Community Voice Channel on March 20, 2025, Senior Center and Virtual Zoom Meeting on May 1, 2025, and Hall Memorial Library and Virtual Zoom Meeting on May 3, 2025.

VI. ADJOURNMENT:

MOVED (HEMINWAY), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO ADJOURN THE ZONING BOARD OF APPEALS MEETING AT 7:47 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk