



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES MONDAY, APRIL 28, 2025, 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,
REGULAR MEMBERS F. MICHAEL FRANCIS, MICHAEL SWANSON,
ALTERNATES JEREMIAH WILLIAMS (ARRIVED 7:05 PM) AND RYAN
ORSZULAK

MEMBERS ABSENT: SECRETARY ROBERT SANDBERG, JR., REGULAR MEMBERS WILLIAM
HOGAN AND JON MOSER

STAFF PRESENT: LISA HOULIHAN, TOWN PLANNER AND BARBRA GALOVICH,
RECORDING CLERK

I. CALL TO ORDER: Chairman Alro Hoffman called the meeting to order at 7:00 pm.

II. PUBLIC COMMENTS (On non-agenda items): None

III. PUBLIC HEARINGS:

1. Z202505 - Gregory J. Gale, owner / Gale Construction Inc., applicant, request for Special Permit for earth excavation, screening, and crushing of concrete and asphalt materials at 90 Sadds Mill Road, APN 079-002-0000, in a RAR (Rural Agricultural Residential) Zone.

Time: 7:01 pm

Seated: Hoffman, Kelly, Francis, Swanson, and Orszulak

Jim Holden, Holden Brothers, LLC, 84 Sadds Mill Road was present to represent the application. Jim Holden is looking to extend the permit and add the crushing of concrete and asphalt to it. The excavation operation across the street is in the process of closing and he has been getting more requests to accept concrete and asphalt materials.

Chairman Hoffman asked if any different equipment will be added. Jim Holden noted when they have enough material to crush, then additional equipment will be rented to process the materials. Chairman Hoffman asked where the crushing area will be located on site, Jim showed the crushing area location on the site plan.

David Gyure, 10 Hatheway Road, asked where the gravel operation is located, Chairman Hoffman and Jim Holden explained the gravel operation has been in operation for many years next to Rolling Meadows Golf Course on the Gale Farm property off Route 140. David asked how loud the crusher would be. Jim noted all crushing would commence during regular working hours and stated it would not be any louder than the crushing that occurred across the street over the years. Chairman Hoffman noted the hours of operation are regulated.

Lisa Houlihan, Town Planner, stated the existing Special Permit was granted May of 2015, extended in May of 2020, and is due to expire the middle of this May. This application proposes continuing onsite earth work excavation, removal and grading, and requests to receive concrete and asphalt materials to recycle and export. The site plan includes 4 phases, consisting of approximately 19 acres. Most of the earth's excavation activity is in the center of the property behind some structures and barns off Sadds Mill Rd. Lisa noted the regulations state that no fixed machinery shall be within 200' of a property or street line, no stockpiling of material within 100' of any property line, street or right of way, and no excavation, removal, or grading within 100' of any property line unless a plan for removal is coordinated with the owner of an adjacent property and is approved by 2/3 majority vote of the commission.

Lisa Holihan noted the regulations require the owner of the earth excavation operation to provide documentation stating where the materials are being imported from to the Zoning Enforcement Officer to share with the Town Engineer. Lisa noted the hours of operation are weekdays from 7:00 am to 5:00 pm, Saturdays from 7:00 am to 1:00 pm, and not on legal holidays.

Kevin Schmidt, 16 Hatheway Road, inquired about any additional truck traffic on Route 140 (Sadds Mill Road). Jim Holden explained most of the truck traffic is during working hours and there may be some additional trucks entering and exiting the site if the crushing component is added to the requested earth excavation permit. They will only accept clean asphalt and concrete.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202505 - Gregory J. Gale, owner / Gale Construction Inc., applicant, request for Special Permit for earth excavation, screening, and crushing of concrete and asphalt materials at 90 Sadds Mill Road, APN 079-002-0000, in a RAR (Rural Agricultural Residential) Zone.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE w/CONDITION(S) FOR Z202505 - Gregory J. Gale, owner / Gale Construction Inc., applicant, request for Special Permit for earth excavation, screening, and crushing of concrete and asphalt materials at 90 Sadds Mill Road, APN 079-002-0000, in a RAR (Rural Agricultural Residential) Zone.

CONDITIONS:

1. Earth excavation, removal, grading, processing and associated activities shall be operated in compliance with Ellington Zoning Regulations Section 7.5 – Earth Excavation.
 2. Pursuant to the Town Engineer's recommendations, the sediment basin shall continue to be dredged on a regular basis.
2. Z202506 - Kayder Properties, LLC, owner/Syn-mar Products, Inc., applicant, request for modifications to Site Plan and Special Permit to construct a 12,012 sf addition, parking/loading area, and associated site improvements at 5 Nutmeg Drive, APN 017-022-0007, in an Industrial (I) Zone.

Time: 7:13 pm

Seated: Hoffman, Kelly, Francis, Swanson, Williams, and Orszulak

Andrew Bushnell, Bushnell Associates, 563 Woodbridge Street, Manchester and Tim Hill, Kayder Properties, LLC, 315 Jobs Hill Road were present to represent the application.

Andrew Bushnell stated the original structure was built in 2006 and included the approval of the requested 12,012 sf addition to be constructed at a later date. The site plan approval to develop has expired. The approval of the stormwater management for the site was approved in 2006 and included phase I and II buildout. Andrew said the request for this application is to construct the 12,012 sf addition, additional gravel driveway around the back of the building, and parking/loading

area to the new section of the building. Andrew showed on the site plan how the stormwater runoff would end up in the detention basin located on the site. Andrew said there will be additional outside wall mounted lighting and showed the lighting plan. Underground utilities will be installed in the new section of the building, along with eight additional parking spaces. The parcel is in an industrial zone and is serviced by public water and sewer. There are no additional outside mechanical units, dumpsters or storage areas proposed. Andrew reviewed the building elevations, wall pack lighting locations, and proposed parking. Andrew noted the owner will try to match the color of the new section to the original structure.

Lisa Houlihan mentioned the application materials depict two types of exterior lights and noted to comply with current local zoning, the exterior light shall be fully shielded and direct light downward. Lisa stated comments from the Water Pollution Control Authority Administrator, (WPCA) were received; the additional square footage will be subject to reassessment and approval may be required.

Andrew Bushnell said a wetlands permit was approved last week and was granted permission to clean and maintain the detention basins on the site.

Lisa Houlihan stated there is an existing vegetative buffer along the south of the site along Nutmeg Drive and shade trees are planted along the access drive to the site. The manufacturing building is significantly buffered.

Commissioner Swanson asked about the additional signage on the proposed new section of the existing building. After a brief discussion, Till Hill noted the new sign will have two wall pack light down lit onto the sign. There were no public comments regarding the application.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202506 - Kayder Properties, LLC, owner/Syn-mar Products, Inc., applicant, request for modifications to Site Plan and Special Permit to construct a 12,012 sf addition, parking/loading area, and associated site improvements at 5 Nutmeg Drive, APN 017-022-0007, in an Industrial (I) Zone.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE W/CONDITIONS FOR Z202506 - Kayder Properties, LLC, owner/Syn-mar Products, Inc., applicant, request for modifications to Site Plan and Special Permit to construct a 12,012 sf addition, parking/loading area, and associated site improvements at 5 Nutmeg Drive, APN 017-022-0007, in an Industrial (I) Zone.

CONDITIONS:

1. All exterior lights shall be fully shielded so the light source is not visible, and the light is directed downward.
2. Pursuant to comments from the Water Pollution Control Authority Administrator, (WPCA) approval may be required and the additional square footage will be subject to reassessment.

BY CONSENSUS, PUBLIC HEARINGS #3 AND #4 WERE HEARD SIMULTANEOUSLY.

3. S202502 - Philip Bahler, owner/applicant, request to modify 2007 resubdivision approval and re-subdivide to create one new lot at 20 Punkin Drive, APN 120-026-0004 in a Rural Agricultural Residential (RAR) Zone.

Time: 7:27 pm

Seated: Hoffman, Kelly, Francis, Swanson, Williams, and Orszulak

Rachel Dearborn, Landmark Surveys, LLC, 62 Lowr Butcher Road, was present to represent the application.

Rachel Dearborn stated Philip Bahler approached the commission a few months ago about the feasibility of creating another lot over 20 Punkin Drive without having to construct a public roadway. 20 Punkin Drive is 11.99-acres located at the north end of Punkin Drive with only 52.10 of road frontage (a rear lot) approved in 2006. As part of the 2006 approval, the commission required a future roadway and drainage easement to enable/require the public roadway to be extended when further divided. The easement was officially accepted by the Town's Board of Selectmen in 2006. The future roadway easement extends over 20 Punkin Drive to the north property line where it abuts 217 Jobs Hill Road (for approximately 1,000 linear feet). 217 Jobs Hill Road is an undeveloped parcel with access to Jobs Hill. Requiring the future right of way is a customary planning technique used during subdivision review to create public road networks overtime. Rachel noted the Bahlers are proposing to create one additional lot for their daughter using the first 125'/136' of the future right of way as road frontage wherein they seek to build a private driveway as opposed to being required to extend Punkin Drive. A note on the plan suggests the easement area should be conveyed to the Town.

Lisa Houlihan read Dana Steele's, Town Engineer, email comments dated April 24, 2025, stating, "I've reviewed the re-subdivision plan prepared for Philip Bahler by Landmark Surveys, LLC dated 3/25/25. The applicant proposes to extend the public right-of-way 125 feet into the existing lot at the end of the street to provide frontage for an additional lot (Lot B) but no public improvements within this extension are proposed. Typically, a road extension would involve extension of the public improvements and in this case relocation of the cul-de-sac to the end of the new street so that the Town can properly maintain the improvements within the public right-of-way. As proposed, the only improvements within this 125-foot extension would be a private shared driveway. A shared driveway within a public right-of-way should probably be maintained by the Town, but this is not typical. I raised my concerns about maintenance within this right-of-way extension with our Public Works Director, Tom Modzelewski (copied), and he agrees the maintenance issue is a valid concern. The current proposal is therefore not preferred by staff. One solution would be to propose a private street in accordance with section 4.17. This would require widening the shared driveway from its existing 15' width to 18' and paving the full width within the extension. However, since the Town currently has a 50' easement for future roadway extension, any approval of a private street would need to include adequate protections for the Town to take over this portion of the roadway if the public street was extended in the future. If neither extending the cul-de-sac nor establishing a private street are desired and the Commission were to approve this extension without improvements, I would at least recommend requiring an agreement which states the Town's responsibility for maintenance ends at the cul-de-sac and does not include the shared driveway. Whether an acceptable agreement can be reached with the Town I defer to legal counsel." The Commissioners briefly discussed the options and agreed to request the Town Attorney advise the best way to handle the easement portion of the subdivision requirement.

Rachel Dearborn noted the proposed new lot would need to be serviced by a well and septic system because there are no public services within the area to connect to.

Cynthia Costanzo, 00 Punkin Drive, asked for the location of the proposed house, Rachel Dearborn showed the location and driveway leading to the proposed new lot.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR S202502 - Philip Bahler, owner/applicant, request to modify 2007 resubdivision approval and re-subdivide to create one new lot at 20 Punkin Drive, APN 120-026-0004, in a Rural Agricultural Residential (RAR) Zone.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE w/CONDITIONS S202502 - Philip Bahler, owner/applicant, request to modify 2007 resubdivision approval and re-subdivide to create one new lot at 20 Punkin Drive, APN 120-026-0004, in a Rural Agricultural Residential (RAR) Zone.

CONDITIONS:

1. Approval is conditioned upon receiving conceptual approval from North Central District Health Department. If conceptual approval is not present from the health department prior to the expiration of the deadline to file the subdivision maps, the approval shall lapse.
2. Subject to comments from the Town Engineer, dated April 24, 2025, recommending an agreement be required stating the Town's responsibility for maintenance ends at the cul-de-sac and does not include the shared driveway and allow the driveway to convert to a public road if the land is further divided, subject to review and approval by the Town Attorney.

DISCUSSION: SEEK GUIDANCE FROM THE TOWN ATTORNEY REGARDING APPROVALS NEEDED TO AMEND THE EASEMENT GRANTED TO THE TOWN IN 2007.

4. Z202507 - Philip Bahler, owner/applicant, pursuant to Section 3.1.3 of the Ellington Zoning Regulations request to construct a 54'x36' detached accessory structure with a 14'x54' overhang for more than 3 garages at 20 Punkin Drive, APN 120-026-0004, in a Rural Agricultural Residential (RAR) Zone.

Time: 7:27 pm

Seated: Hoffman, Kelly, Francis, Swanson, Williams, and Orszulak

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202507 - Philip Bahler, owner/applicant, pursuant to Section 3.1.3 of the Ellington Zoning Regulations request to construct a 54'x36' detached accessory structure with a 14'x54' overhang for more than 3 garages at 20 Punkin Drive, APN 120-026-0004, in a Rural Agricultural Residential (RAR) zone.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE w/CONDITIONS FOR Z202507 - Philip Bahler, owner/applicant, pursuant to Section 3.1.3 of the Ellington Zoning Regulations request to construct a 54'x36' detached accessory structure with a 14'x54' overhang for more than 3 garages at 20 Punkin Drive, APN 120-026-0004, in a Rural Agricultural Residential (RAR) Zone.

Conditions:

1. The detached accessory storage structure shall not be used as an independent dwelling or to operate a business, without first obtaining all necessary approvals.
 2. Structure requires separation approval from North Central District Health Department prior to the issuance of a zoning permit to construct.
5. Z202504 - Town of Ellington, owner / Ellington Little League, applicant, request for modification to Special Permit to extend lighting hours for field M2 on Fridays and Saturdays from 9:00 pm to 10:00 pm, 45 Sadds Mill Road, APN 079-004-0000, in a Rural Agricultural Residential (RAR) Zone.

Time: 7:52 pm

Seated: Hoffman, Kelly, Francis, Swanson, Williams, and Orszulak

Todd Hany, VP of Ellington Little League, 8 Clydesdale Circle, and Dustin Huguenin, Ellington's Recreational Director were present to represent the application.

Todd Hany stated the Little League would like to change the time the lights are to be shut down on field M2 on Friday and Saturday nights and for any baseball tournaments that may take place. Todd noted the games are scheduled for a two-hour timeframe and would like the ability to schedule two games each night.

Lisa Houlihan stated when the lights were initially approved a condition was set requiring the project to be reevaluated after one year so the commission could review any concerns made to the Planning Department. Lisa verified with the Zoning Enforcement Officer that no complaints have been received. When the one-year anniversary approached, the lights had just become operational and not enough time had lapsed to gauge any issues, so the commission extended the review period until a completed season of activities had occurred before evaluating again.

Kevin Schmidt, 16 Hatheway Drive, noted since the hockey rink and pickle ball courts have been added the noise level has increased a lot. The lights from the basketball and tennis courts are on all the time. Kevin opposes the proposal to change the time from 9:00 pm to 10:00 pm and suggested no public announcement system for any second night games.

David Gyure, 10 Hatheway Drive, stated if the request is granted tonight for the ballfield, then it can be expected the football league will also want the lights on longer in the fall. David stated since the lights have been installed for some time now there has been more noise within the area. David noted the basketball and pickleball courts lights are on all the time. Dustin Huguenin stated that the lights that are in question are push button but should automatically shut off at 9:00 pm. David verified the lights are not going off according to schedule.

Chairman Hoffman asked Dustin Huguenin why the lights are staying on. Dustin explained the lights are on a timer, but he will investigate why they are not shutting off automatically.

Cynthia Costanzo, 00 Punkin Drive, who is on the Ad Hoc Comprehensive Lighting Committee, suggested trying to create a modified plan for the park.

Chairman Hoffman suggested to continue the application and request someone from the Public Works Department attend the May 19, 2025, meeting.

Kevin Schmidt, 16 Hatheway Road, suggested restricting the public announcement system for any second night game that is scheduled for the M2 ballfield.

Dustin Huguenin noted submitting an email dated April 24, 2025, to Lisa Houlihan asking for the application to expand the lighting for ballfield M2 also include Lisa's field for the girls' softball league.

Vice Chairman Kelly agreed with Chairman Hoffman to continue the meeting, request a Public Works representative and Dustin Huguenin attend the May meeting and provide a lighting schedule.

BY CONSENSUS, CONTINUED THE PUBLIC HEARING TO MONDAY, MAY 19, 2025, 7PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, AND ZOOM VIDEO CONFERENCING FOR Z202504 - Town of Ellington, owner / Ellington Little League, applicant, request for modification to Special Permit to extend lighting hours for field M2 on Fridays and Saturdays from 9:00 pm to 10:00 pm, 45 Sadds Mill Road, APN 079-004-0000, in a Rural Agricultural Residential (RAR) Zone.

DISCUSSION: AMEND APPLICATION TO INCLUDE LISA'S FIELD AND PARKING LOT LIGHTING, READVERTISE THE PUBLIC HEARING FOR MAY 19, 2025, AND ASK FOR A REPRESENTATIVE FROM THE PUBLIC WORKS DEPARTMENT TO ATTEND THE MAY MEETING.

IV. NEW BUSINESS:

1. S202405 - Abdulsalam Alsaleh and Zak Smith, owner/ Calito Development Group, LLC, applicant, request for two 90-day extensions for filing of subdivision plans approved January 27, 2025, west side of West Road (Route 83) across the street from 175 West Road (Meadowview Plaza), in a Planned Commercial (PC) Zone. The property subject to application is identified as Assessor Parcel Number 046-003-0002.

MOVED (KELLY) SECONDED (WILLIAMS) AND PASSED UNANIMOUSLY TO GRANT TWO NINETY (90) DAY EXTENSIONS FOR FILING OF MYLARS TO NOVEMBER 9, 2025, FOR S202405 - Abdulsalam Alsaleh and Zak Smith, owner/ Calito Development Group, LLC, applicant, request for two 90-day extensions for filing of subdivision plans approved January 27, 2025, west side of West Road (Route 83) across the street from 175 West Road (Meadowview Plaza), in a Planned Commercial (PC) Zone. The property subject to application is identified as Assessor Parcel Number 046-003-0002.

2. **BY CONSENSUS, RECEIVE AND SCHEDULE A PUBLIC HEARING FOR MAY 19, 2025, 7PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, AND ZOOM VIDEO CONFERENCING FOR Z202508** – Dawn and Wayne McBreaity, owner / applicant, pursuant to Section 3.1.3 of the Ellington Zoning Regulations request for Special Permit to construct a 30'x50' attached garage for more than three cars at 131 Pinnacle Road, APN 075-021-0000, in a Residential (R) Zone.
3. **BY CONSENSUS, RECEIVE AND SCHEDULE A PUBLIC HEARING FOR MAY 19, 2025, 7PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, AND ZOOM VIDEO CONFERENCING FOR Z202509** – Town of Ellington, owner/Ellington Trails Committee, applicant, request for modification to Special Permit to allow lighting and unamplified music and Site Plan to construct a roof over an existing amphitheater on town-owned open space at 97 Shenipsit Street (Batz Property), APN 030-005-0000, in a R (Residential) Zone.
4. **BY CONSENSUS, RECEIVE AND SCHEDULE A PUBLIC HEARING FOR MAY 19, 2025, 7PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, AND ZOOM VIDEO CONFERENCING FOR Z202510** – Kimberly Schneider, owner / applicant, pursuant to Section 3.1.3 of the Ellington Zoning Regulations request for Special Permit to construct a 28'x40' garage addition to existing barn for more than three cars at 90A Ellington Avenue, APN 029-049-0001, in a Residential (R) Zone.

V. ADMINISTRATIVE BUSINESS:

1. Approval of March 31, 2025, Regular Meeting Minutes.

MOVED (FRANCIS), SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE THE MARCH 31, 2025, REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:
 - a. Ellington Affordable Housing Plan and Discussion Regarding Ellington Zoning Regulation 3.6 Designed Multi-Family Zone and 3.6.7 Workforce Housing Provision.

Lisa Houlihan asked for a motion to confirm the review of the Ellington Affordable Housing Plan as amended and suggested to request the Board of Selectmen to establish an Affordable Housing Steering Committee to investigate funding and development opportunities for affordable housing units on town-owned property (59 Maple Street) and other areas of town.

MOVED (KELLY), SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CONFIRM REVIEW OF THE ELLINGTON AFFORDABLE HOUSING PLAN AND AMENDING IT TO INCLUDE A REQUEST TO THE BOARD OF SELECTMEN TO ESTABLISH AN AFFORDABLE HOUSING STEERING COMMITTEE TO INVESTIGATE FUNDING AND DEVELOPMENT OPPORTUNITIES FOR AFFORDABLE HOUSING UNITS ON TOWN-OWNED PROPERTY (59 MAPLE STREET) AND OTHER AREAS OF TOWN.

VI. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING AND ZONING COMMISSION MEETING AT 8:33 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk