



STATE OF CONNECTICUT – COUNTY OF
TOLLAND INCORPORATED 1786
TOWN OF ELLINGTON

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**PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
MONDAY, OCTOBER 26, 2026, 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 SEAN KELLY, VICE CHAIRMAN ROBERT SANDBERG, JR.,
SECRETARY WILLIAM HOGAN, REGULAR MEMBERS F. MICHAEL
FRANCIS, JON MOSER, MICHAEL SWANSON, SUBHRA ROY, AND
ALTERNATE RYAN ORSZULAK

MEMBERS ABSENT: ALTERNATE JEREMIAH WILLIAMS

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

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

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

III. PUBLIC HEARINGS: (Notice requirements met and hearings may commence, unless otherwise noted.)

1. S202607 - Vance & Carolyn Burba, owner/applicant, request for subdivision of 3.38 acres for three (3) lots (1 existing) at 51 Cider Mill Road, APN 074-029-0000, in a Residential (R) Zone.

Time: 7:07 pm

Seated: Kelly, Sandberg, Hogan, Francis, Moser, Swanson and Roy

Mark Reynolds, Reynolds Engineering Services, LLC, 27 Main Street, Hebron, CT, was present to represent the application.

Mark Reynolds stated the parcel is currently 3.4 acres, and the owner is looking to subdivide the parcel into three lots, and the existing house will be on one of the three lots. Mark noted the proposed regulated activity is within an area that is currently wooded, and the wetlands on the parcel have been flagged by Ian Cole, Soil Scientist in August 2024. Mark said there is no direct impact to the wetlands, but a portion of a house, the driveway, and fill are proposed within the upland review area. The two new lots are proposed to be connected to public sewer and have individual wells. The owner received Inland Wetland Agency approval, and the erosion and sediment control measures are located on the plan set. A conservation easement on the west portion of the parcel has been designated to meet the subdivision open space requirement.

Lisa Houlihan, Town Planner read the following staff comments. Director of Emergency Medical Services request "that house numbers be well identified and visible from the street in all conditions." Department of Public Works states "right-of-way permits necessary for driveways and sewer connections." Ellington Water Pollution Control Authority states "7 bedrooms of flow available for the three lots. A sewer connection detail and flow allocation shall be provided to the WPCA." The Town Engineer reviewed plans dated September 4, 2026, and issued comments dated September 26, 2026. The applicant submitted revised plans (dated 9/28/26) and the Town Engineer confirmed prior comments have been addressed. The Conservation Commission recommends a fee-in-lieu-of land set-aside to meet the open space requirements. North Central District Health Department reviewed the non-contamination radius locations and verbally granted conceptual approval.

Upon discussion, the commission preferred the open space conservation easement as noted on the plan set, rather than a fee-in-lieu-of or land set-aside. There were no public comments regarding the application.

MOVED (SANDBERG), SECONDED (HOGAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR S202607 - Vance & Carolyn Burba, owner/applicant, request for subdivision of 3.38 acres for three (3) lots (1 existing) at 51 Cider Mill Road, APN 074-029-0000, in a Residential (R) Zone.

MOVED (SANDBERG), SECONDED (HOGAN) AND PASSED UNANIMOUSLY TO APPROVE w/CONDITION(S) FOR S202607 - Vance & Carolyn Burba, owner/applicant, request for subdivision of 3.38 acres for three (3) lots (1 existing) at 51 Cider Mill Road, APN 074-029-0000, in a Residential (R) Zone.

CONDITION(S):

- 1. THE DEVELOPER IS RESPONSIBLE FOR PROVIDING ALL LEGAL DOCUMENTS REQUIRED TO EXECUTE THE PLAN, AND SAID DOCUMENTS ARE SUBJECT TO REVIEW AND ACCEPTANCE BY THE ELLINGTON TOWN ATTORNEY.**
 - 2. SUBJECT TO MEETING THE COMMENTS FROM THE DIRECTOR OF EMERGENCY MEDICAL SERVICES.**
 - 3. SUBJECT TO MEETING TO COMMENTS FROM THE DIRECTOR OF PUBLIC WORKS AND WATER POLLUTION CONTROL AUTHORITY.**
 - 4. SUBJECT TO MEETING THE COMMENTS FROM THE TOWN ENGINEER.**
 - 5. PROVIDE CONSERVATION EASEMENT AS NOTED ON SUBDIVISION LAYOUT PREPARED FOR VANCE BURBA, 51 CIDER MILL ROAD, ELLINGTON, CT PREPARED BY REYNOLDS ENGINEERING SERVICES, LCC, 27 MAIN STREET, HEBRON CT, DATED: AUGUST 31, 2026, REVISED SEPTEMBER 4, 2026, AND SEPTEMBER 28, 2026, SHEET NO: 2 OF 3.**
2. S202608 - BDC Home Improvement Service, LLC, owner/applicant, request for a ten (10) lot subdivision of 20.01 acres on Crane Road, APN 068-002-0001, in a Rural Agricultural Residential (RAR) Zone.

Time: 7:23 pm

Seated: Kelly, Sandberg, Hogan, Francis, Moser, Swanson and Roy

David Ziaks, FA Hesketh & Associates, Inc, 6 Creamery Brook, East Granby, CT, was present to represent the application.

David Ziaks stated the owner of the property is looking to develop a 10-lot subdivision on a 20-acre parcel at APN 068-002-0001, located on Crane Road. David explained the only direct impact to wetlands will be a portion of the road and culvert pipe under the roadway at the entrance along Crane Road. The plan incorporates low-impact design principles by using

vegetated water quality swales along the new road instead of conventional curbs and catch basins, following existing drainage patterns and conforming to Connecticut's 2024 Stormwater Quality Manual. The proposed lot sizes range from one to 6.8 acres, served by individual septic systems and public water from Connecticut Water Company. David noted the development will include basements with foundation drains connected to the drainage system and added that the Homeowners Association (HOA) will be responsible for maintaining the shared drainage infrastructure.

Steve Cohen, 17 Ryan Drive, was present on behalf of his parents that reside at 30 Crane Road, an abutting property to the south of the land to be developed. His parents are concerned with the existing drainage ditch that runs along Crane Road then turns at a 90-degree angle once it reaches his parents' property and west for a distance then over the back of their land. Their main concern is addressing the existing drainage ditch. Mr. Cohen raised concerns regarding an existing underground drainage pipe and asked if the new development was going to use the existing pipe and increase existing flow over his parents' property. He also expressed concerns with additional drainage if the new homes are graded towards his father's property. Steve noted most of the water comes from the far side of Crane Road.

David Ziaks explained they will install a brand-new storm drainage system. They will use catch basins and yard drains, which will capture water from the swale and direct it through a new underground pipe and outlet where the water flows now. Drainage is expected to be improved with the new drainage provisions. David confirmed that the new system will be properly designed and maintained by the HOA to prevent water from flowing onto 30 Crane Road. The system aims to reduce runoff by approximately 10% compared to current levels.

David noted that only lot# 6 will require some tree clearing for the proposed driveway and dwelling. David asked for a waiver of the scale the plans and recommends a fee-in-lieu-of verses providing a land set-aside to meet open space requirements.

Lisa Houlihan, Town Planner, reviewed the staff comments received, which may be conditionals of approval. The hearing shall remain open until approval is presented by the North Central District Health Department. Secretary Hogan asked if lot# 6 will be re-subdivided in the future. Lisa explained that the maximum lot yield for the entire parcel is 10 lots and therefore lot #6 cannot be divided again.

Kevin Hart, 25 Crane Road, asked who would be responsible for the maintenance of the drainage, David Ziaks noted the HOA. Derek Michaud, 33 Crane Road, asked where the water runoff will drain to. David Ziaks explained that the water will flow through the new on-site drainage pipe, through the wetlands southwest of the parcel and free flow to the East Windsor watershed eventually to Chestnut Brook.

MOVE (HOGAN), SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO MONDAY, NOVEMBER 23, 2026, AT THE TOWN HALL ANNEX, 57 MAIN STREET FOR S202608 - BDC Home Improvement Service, LLC, owner/applicant, request for a ten (10) lot subdivision of 20.01 acres on Crane Road, APN 068-002-0001, in a Rural Agricultural Residential (RAR) Zone.

3. S202609 - Estate of Honora Willis, owner/applicant, request for a three (3) lot subdivision of 21.90-acres on Crystal Lake Road, APNs 109-001-0000, 109-002-0000 and 109-004-0000, in a Rural Agricultural Residential (RAR) Zone.

Time: 7:56 pm

Seated: Kelly, Sandberg, Hogan, Francis, Moser, Swanson and Roy

David Smith, P.E., Archer Surveying, LLC, 18 Providence Road, Brooklyn, CT, was present for the application.

David Smith noted the lots have existed for 60-70 years and are being developed as a set to satisfy probate requirements, with no specific open space considerations needed. David reviewed the concept of each parcel including the house, septic system, driveway, well, and erosion control designs, as well as stormwater management plans consistent with the 2024 stormwater program.

Lisa Houlihan, Town Planner, noted that additional time is needed to address the Town Engineer's comments (dated October 22, 2026) and conceptual approval is not present from North Central District Health Department.

MOVED (SANDBERG), SECONDED (ROY) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO MONDAY, NOVEMBER 23, 2026, AT THE TOWN HALL ANNEX, 57 MAIN STREET FOR S202609 - Estate of Honora Willis, owner/applicant, request for a three (3) lot subdivision of 21.90-acres on Crystal Lake Road, APNs 109-001-0000, 109-002-0000 and 109-004-0000, in a Rural Agricultural Residential (RAR) Zone.

4. S202610 - Estate of Honora Willis, owner/applicant, request for a two (2) lot subdivision of 11.92-acres at 24 Newell Hill Road - APN 127-024-0000 and Crystal Lake Road - APN 127-025-0000, in a Rural Agricultural Residential (RAR) Zone.

Time: 8:08 pm

Seated: Kelly, Sandberg, Hogan, Francis, Moser, Swanson and Roy

David Smith, P.E., Archer Surveying, LLC, 18 Providence Road, Brooklyn, CT, was present to present the application.

David Smith explained that these parcels were created some years ago but lacked proper Planning & Zoning Commission approval, requiring them to be made legal now through the subdivision process.

Lisa Houlihan, Town Planner, noted that additional time is needed to address the Town Engineer's comments (dated October 23, 2026) and conceptual approval is not present from North Central District Health Department.

MOVED (SANDBERG), SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO MONDAY, NOVEMBER 23, 2026, AT THE TOWN HALL ANNEX, 57 MAIN STREET FOR S2026010 - Estate of Honora Willis, owner/applicant, request for a two (2) lot subdivision of 11.92-acres at 24 Newell Hill Road - APN 127-024-0000 and Crystal Lake Road - APN 127-025-0000, in a Rural Agricultural Residential (RAR) Zone.

5. Z202615 – Town of Ellington, Regulation amendment for Battery Energy Storage System and Data Centers; 12-month Moratorium. *(Opening of hearing to be tabled to allow review of regulations to eliminate conflicts with normal battery installs that are accessory to permitted residential and commercial uses.)*

Time: 8:16 pm

Seated: Kelly, Sandberg, Hogan, Francis, Moser, Swanson and Roy

BY CONSENSUS, TABLED OPENING OF THE PUBLIC HEARING TO MONDAY, NOVEMBER 23, 2026, AT THE TOWN HALL ANNEX, 57 MAIN STREET FOR Z202615 – Town of Ellington, Regulation amendment for Battery Energy Storage System and Data Centers; 12-month Moratorium.

IV. NEW BUSINESS:

1. Informal discussion for potential residential development at 35 Windermere Avenue, APN 011-013-0000, in the IP (Industrial Park) Zone. (*Continued from September 28, 2026.*)

Rashid Hamid and Ester Naek, Naek Construction, 27 Naek Road, Vernon, CT, were present. The commission discussed a potential residential development at 35 Windermere Avenue, where the owner sought to convert an industrial zoned property to multifamily use. The commission expressed concerns about the density and lot size, ultimately suggesting the applicant consider a single structure apartment-style development instead of the proposed 8-10 units. They explored the possibility of rezoning from industrial to multifamily use and considered creating new regulations specifically for small-scale multifamily housing, though this would require a zone change.

No formal action was taken as this was an informal discussion to gather feedback.

V. OLD BUSINESS: None

VI. ADMINISTRATIVE BUSINESS:

1. Approval of September 28, 2026, Regular Meeting Minutes.

MOVED (FRANCIS), SECONDED (SWANSON) (HOGAN – ABSTAINED) AND PASSED TO APPROVE SEPTEMBER 28, 2026, REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:

- a. Report from PZC Rep for the Capitol Region Council of Governments Regional Planning Commission meeting on September 3, 2026. (Next Meeting: November 5, 2026)

Commissioner Roy noted CRCOG is looking to have the state's housing plan completed in December 2026.

- b. Memo to Agency Chairpersons & Department Heads, dated October 7, 2026, regarding the 2027-2028 Capital Improvements Budget Requests.

Chairman Kelly noted the receipt of the Town's Capital Improvements Budget requests. No motions or decisions were made.

- c. Notice of petition to the CT Siting Council for a Declaratory Ruling for the Construction of a 4.975-MW fuel cell facility at 784 Talcottville Road, Vernon.

VII. ADJOURNMENT:

MOVED (FRANCIS), SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING AND ZONING COMMISSION REGULAR MEETING AT 8:45 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk