



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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**PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
MONDAY, AUGUST 22, 2016, 7:00 PM
TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT**

MEMBERS PRESENT: Chairman Arlo Hoffman, Secretary Carol Strom, Robert Sandberg, Jr., Ricci Hirth, Sean Kelly, and Alternate F. Michael Francis

MEMBERS ABSENT: Vice Chairman Bill Hogan, Robert Hoffman and Alternate James Prichard

STAFF PRESENT: Lisa M. Houlihan, Town Planner; Jim Thompson, Town Engineer; and Troy M. Ciesco, Recording Clerk

I. CALL TO ORDER:

Chairman Arlo Hoffman called the August 22, 2016 regular meeting of the Planning and Zoning Commission to order at 7:00 PM in the Town Hall Annex, 57 Main Street, Ellington, CT.

II. PUBLIC COMMENTS (ON NON-AGENDA ITEMS): None

III. PUBLIC HEARINGS:

1. Z201617 – Sadds Mill Associates, LLC, owner/applicant, request for a Special Permit and site plan modification to an existing earth excavation permit including grading within 100' of Route 140 (Sadds Mills Road) and Green Road on property located on the north side of Sadds Mill Road, APNS 088-001-0000; 100-009-0000; 100-011-0000; 101-003-0000; and 101-001-0000 in RAR and I (Rural Agricultural/Residential and Industrial) Zones. **(REQUEST TO TABLE OPENING OF HEARING IS PRESENT)**

BY CONSENSUS, THE COMMISSION AGREED TO TABLE THE OPENING OF THE PUBLIC HEARING FOR Z201617 TO THE NEXT REGULAR MEETING.

BY CONSENSUS, THE COMMISSION AGREED TO CONSIDER ITEMS 2 AND 3 TOGETHER.

2. S201603 – Sandra Gottier, owner/Todd Gottier, applicant, for a 3-lot resubdivision on property located at 34 Minor Hill Road, APN 150-034-0000 in an RAR (Rural Agricultural/Residential) Zone. **(CONTINUED FROM THE JULY 25, 2016 REGULAR MEETING)**
3. Z201619 – Sandra Gottier, owner/Todd Gottier, applicant, request for a Special Permit for a rear lot in association with a 3-lot resubdivision on property located at 34 Minor Hill Road, APN 150-034-0000 in an RAR (Rural Agricultural/Residential) Zone. **(CONTINUED FROM THE JULY 25, 2016 REGULAR MEETING)**

TIME: 7:02 PM

SEATED: Hoffman, Strom, Sandberg, Hirth, Francis, Kelly

Russ Heintz of Tarbell Heintz and Associates was present to represent the application, along with Todd Gottier. Mr. Heintz stated that the Town Engineer and the North Central District Health Department have both issued positive referrals for the application. He explained that the plan was modified to include a sight line easement for the driveway, which will be maintained as a grassed area by the homeowners.

Lisa Houlihan, Town Planner, stated that she met with the Water Pollution Control Authority (WPCA) Administrator and confirmed that the removal from the sewer service area only applied to these three lots; the applicant will return to the WPCA if the property is subdivided further in the future.

Commissioner Strom read the letter from the Town Engineer into the record.

Commissioner Sandberg asked if the homeowners will maintain the rain gardens. Jim Thompson, Town Engineer, answered in the affirmative. Mr. Heintz added that a soil scientist will monitor the gardens for three years. The commission, staff, and the applicant briefly discussed the typical care and operation of rain gardens.

Matthew Skypek, 6 East Shore Road, noted that he visited the rain garden at Brookside Park and questioned the possibility of an outlet for the gardens associated with this subdivision. He also noted that keeping some of the trees may help with erosion.

Erin Moody, 32 East Shore Road, asked if the wooded buffer needed to stay for the rain garden to operate. Mr. Thompson noted that it helps, but the rain garden will work effectively regardless.

Phyllis Miller, 14 East Shore Road, was concerned with the impact on the rain garden from heavy winters.

Walt Moody, 32 East Shore Road, expressed concern that the development will cause a change in the flow of drainage from the site and that some properties would be impacted more than others, even while maintaining a 0% increase in runoff from the site. Mr. Heintz, Mr. Thompson, and Ms. Houlihan explained that the gardens will take all the flow, which will keep channeling from occurring.

Carrie Doherty, 20 East Shore Road, questioned the minutes from the May 18 WPCA meeting and the disposition of the existing drainage easement.

John Arquette, 38 East Shore Road, asked how the septic systems will impact shallow wells. Mr. Thompson explained that the systems are far enough away so that they will not have any impact. Mr. Arquette also suggested putting the maintenance of the rain gardens in the future deeds so future homeowners are aware of their responsibility.

Cathy Pinard, 12 East Shore Road, asked if the rain garden will work if the trees are cut down. Mr. Thompson explained that it will, and that a grassed area is actually the best way to accept stormwater runoff. In response to a question from Ms. Pinard about the sewer, Mr. Thompson stated that the sewer is just large enough for East Shore Road.

Mr. Gottier pointed out that he is not intending to cut all of the trees, but to just thin the area.

Ms. Miller asked for clarification on the fee-in-lieu-of open space, which Ms. Houlihan provided.

MOVED (STROM) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARINGS FOR S201603 AND Z201619.

MOVED (STROM) SECONDED (HIRTH) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS S201603 – Sandra Gottier, owner/Todd Gottier, applicant, for a 3-lot resubdivision on property located at 34 Minor Hill Road, APN 150-034-0000 in an RAR (Rural Agricultural/Residential) Zone.

CONDITIONS:

1. A fee-in-lieu-of open space is required pursuant to Section 4.18-Open Space.
2. Plans shall be revised to include assessor parcel numbers and street numbers.
3. Pins and monuments shall be installed prior to transfer of lot 3 and final zoning signoff for lots 1 and 2.
4. Plans shall be revised to comply with Section 4.19-Street Trees, and trees shall be shown on individual site plans submitted for construction permits.
5. Rain garden maintenance note 17 shall be reflected on individual site plans submitted for construction permits and final zoning signoff, as well as in the property deeds.
6. Bonding is required for all erosion and sedimentation controls including areas to be graded and the construction of the rain gardens.
7. Rain gardens shall be installed prior to construction of homes.
8. Subject to comments listed in the Town Engineer's letter dated August 18, 2016; said letter shall be superimposed on the plans prior to recording.
9. Compliance to 2.1.3-Private Property Driveways is required.

MOVED (KELLY) SECONDED (SANDBERG) AND PASSED UNANIMOUSLY TO APPROVE Z201619 – Sandra Gottier, owner/Todd Gottier, applicant, request for a Special Permit for a rear lot in association with a 3-lot resubdivision on

property located at 34 Minor Hill Road, APN 150-034-0000 in an RAR (Rural Agricultural/Residential) Zone.

4. Z201621 – Alan Properties, LLC, owner/Stephan Builders, Inc., applicant, request for a Special Permit for more than 3 garages in association with the construction of a single family home with 3 attached garages and a 24' x 30' detached garage with a 14' x 24' overhang on property located at 17 Angel Trace, APN 109-009-0011 in an RAR (Rural Agricultural/Residential) Zone.

TIME: 8:10 PM

SEATED: Hoffman, Strom, Sandberg, Hirth, Francis, Kelly

Monique and Damien Paquet of Alan Properties LLC were present to represent the application. Ms. Paquet described the detached garage and explained that it will be used for storage. In response to an inquiry from the commission, she stated that the garage will not be used for commercial or dwelling purposes.

Carol Lewis, 15 Angel Trace, spoke in favor of the application.

MOVED (SANDBERG) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z201621.

MOVED (SANDBERG) SECONDED (STROM) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS Z201621 – Alan Properties, LLC, owner/Stephan Builders, Inc., applicant, request for a Special Permit for more than 3 garages in association with the construction of a single family home with 3 attached garages and a 24' x 30' detached garage with a 14' x 24' overhang on property located at 17 Angel Trace, APN 109-009-0011 in an RAR (Rural Agricultural/Residential) Zone.

CONDITIONS:

1. Detached building shall not be used for commercial or dwelling purposes.
5. Z201622 – EGC LLC, owner/Elm Development Services, applicant request for a Zone Change from a Planned Commercial (PC) Zone to a Designed Multi-Family (DMF) Zone in association with the construction of an assisted living facility on property located at 123 West Road, APN 037-008-0000.

TIME: 8:16 PM

SEATED: Hoffman, Strom, Sandberg, Hirth, Francis, Kelly

Jason Robertson of Elm Development Services was present to represent the application, along with John Solecki of Lut Design. Mr. Robertson explained that the purpose of the zone change is for the proposed construction of an assisted living facility. He described the 79-unit building and the proposed site improvements to the 11.41 acre property, and pointed out that a second proposed access drive was added per a request from the Fire Marshal.

Matthew Allen, 65 Maple Street, noted that he was not against the proposed development but that he didn't want the commercial area to be removed.

Commissioner Strom questioned what would happen to the property if the assisted living facility failed. Mr. Robertson noted that it would likely go to another assisted living business. Mr. Solecki pointed out that the building would need major renovations to become market-rate apartments.

Commissioner Hirth noted that the property seemed to be a difficult fit for regular commercial uses like a shopping plaza. Jennifer Holt, listing agent for the property, noted that a number of commercial ventures had backed away to the property due to the configuration and wetlands.

Commissioner Kelly questioned how much calls to emergency responders would increase with this use. Mr. Robertson pointed out that any calls to the assisted living facility are calls that would normally go to residences, and that there is a trained nurse on staff.

Commissioner Strom asked about the increased traffic from employees. Mr. Robertson explained that the shifts are staggered for the 50-60 employees.

Roger Moser, 17 Hayes Avenue, expressed his agreement that this is a good proposal for Ellington.

Everett Skinner, 120 West Road, was in support of the application but disliked the idea of changing the zone from commercial. There was a brief discussion between staff, commission members, and the public on the zone change process. Mr. Solecki noted that the property is perfect for their use but difficult for most forms of commercial development, particularly in regards to sewer capacity.

MOVED (FRANCIS) SECONDED (STROM) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z201622.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS Z201622 – EGC LLC, owner/Elm Development Services, applicant request for a Zone Change from a Planned Commercial (PC) Zone to a Designed Multi-Family (DMF) Zone in association with the construction of an assisted living facility on property located at 123 West Road, APN 037-008-0000, finding that the proposal provides a distinct housing need and complies with the Plan of Conservation and Development.

EFFECTIVE DATE: September 15, 2016

IV. OLD BUSINESS:

1. S200615 – Request from Santini Homes, Inc. for final roadway acceptance and a bond reduction to maintenance level for the subdivision known as Ellridge Estates III on the east side of Abbott Road.

BY CONSENSUS, THE COMMISSION TABLED ACTION TO THE NEXT REGULAR MEETING FOR S200615 – Request from Santini Homes, Inc. for final

roadway acceptance and a bond reduction to maintenance level for the subdivision known as Ellridge Estates III on the east side of Abbott Road.

V. NEW BUSINESS:

1. Z201623 – Our Moms LLC, owner/Kelly Nolin, applicant request for a Special Permit for an ice cream shop, signage, and associated improvements on property located at 2 Church Street, APN 063-032-0000 in a C (Commercial) Zone. **(RECEIPT AND SCHEDULING OF HEARING)**
2. Z201624 – Sandra Cangemi, owner/applicant request for a Special Permit for a two-family home per Section 3.1.2(2) of the Ellington Zoning Regulations on property located at 10 Cedar Street, APN 168-059-0000 in an R (Residential) Zone. **(RECEIPT AND SCHEDULING OF HEARING)**
3. Z201625 – Ellington Planning and Zoning Commission, applicant for proposed amendments to the Ellington Zoning Regulations to modify Section 3.1.3 – Accessory Uses/Structures regarding the number of garages per family unit. **(RECEIPT AND SCHEDULING OF HEARING)**
4. Z201626 – Ellington Planning and Zoning Commission, applicant for proposed amendments to the Ellington Zoning Regulations to add Section 2.1.13 – Donation Bins. **(RECEIPT AND SCHEDULING OF HEARING)**
5. S201605 – Catholic Cemeteries Association of the Archdiocese of Hartford, Inc., owner/Horseshoe Lane Associates, LLC, applicant, for a 8-lot resubdivision known as Tripp Road Estates on property located at 146 Tripp Road, APNs 041-001-0000 and 032-005-0000 in an RAR (Rural Agricultural/Residential) Zone. **(RECEIPT AND SCHEDULING OF HEARING)**
6. Z201627 – Catholic Cemeteries Association of the Archdiocese of Hartford, Inc., owner/Horseshoe Lane Associates, LLC, applicant, request for a Special Permit for a rear lot in association with an 8-lot resubdivision known as Tripp Road Estates on property located at 146 Tripp Road, APNs 041-001-0000 and 032-005-0000 in an RAR (Rural Agricultural/Residential) Zone. **(RECEIPT AND SCHEDULING OF HEARING)**

BY CONSENSUS, THE COMMISSION RECEIVED Z201623, Z201624, Z201625, Z201626, S201605, and Z201627 AND SCHEDULED PUBLIC HEARINGS FOR THE NEXT REGULAR MEETING.

BY CONSENSUS, THE COMMISSION ADDED TO THE AGENDA, RECEIVED, AND SCHEDULED A PUBLIC HEARING FOR THE NEXT REGULAR MEETING FOR THE FOLLOWING APPLICATIONS:

Z201628 – Ellington EGC, LLC, owner/Elm Development Services, LLC, applicant request for a Special Permit and Site Plan Approval for an assisted living facility and associated signage and improvements on property located at 123 West Road, APN 037-008-0000 in a DMF (Designed Multi-Family) Zone.

S201606 – CM + Sons Home Construction LLC, owner/applicant, for a 2-lot resubdivision on property located at 4 Gabriel Drive, APN 109-009-0002 in an RAR (Rural Agricultural/Residential) Zone.

Z201629 – Eben Holmes, owner/applicant, request for a Special Permit for more than three garages in association with the construction of a 17' x 34' carport on property located at 240 Crystal Lake Road, APN 084-014-0000 in an R (Residential) Zone.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the July 25, 2016 Meeting Minutes.

MOVED (STROM) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO APPROVE the July 25, 2016 Meeting Minutes as written.

2. Correspondence

3. Staff Report

- a. Discussion regarding proposed construction of a dairy barn and associated improvements by Oakridge Dairy, LLC on property located at 11 and 33 Jobs Hill Road.

VII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 9:27 PM.

Respectfully submitted:



Troy M. Ciesco, Recording Clerk