



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

**PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
MONDAY, SEPTEMBER 26, 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 F. Michael Francis

MEMBERS ABSENT: Vice Chairman Bill Hogan and Alternate Jon Moser

STAFF PRESENT: Lisa M. Houlihan, Town Planner and Troy M. Ciesco, Recording Clerk

I. CALL TO ORDER:

Chairman Arlo Hoffman called the September 26, 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 WITHDRAW APPLICATION IS PRESENT)**

MOVED (STROM) SECONDED (SANDBERG) AND PASSED UNANIMOUSLY TO ACCEPT THE WITHDRAWAL OF Z201617.

2. 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.

TIME: 7:01 PM

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

Kelly Nolin was present to represent the application. She explained that The Scoop Ice Cream Café will sell hard ice cream and healthy smoothies. She described the location of the end unit and added that the patio and lawn area is included with that unit. She further explained that she plans to install a hanging sign outside and a vinyl sign in the window.

Commissioner Sandberg asked if the hanging sign will be out of the way of the sidewalk. Ms. Nolin answered in the affirmative. She also added that the lawn area will be fenced off with an archway.

Lisa Houlihan, Town Planner, noted that the applicant will ensure compliance to the sign requirements during the Zoning Permit process. The commission, staff, and applicant briefly discussed the size requirements for signs. Ms. Houlihan added that the North Central District Health Department is still reviewing the application.

MOVED (FRANCIS) SECONDED (STROM) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z201623.

MOVED (SANDBERG) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS 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.

CONDITIONS:

1. Zoning Permit required prior to occupancy and installation of signs.
 2. Signage shall comply with Section 6.3 of the Ellington Zoning Regulations.
3. 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. **(TO BE TABLED TO THE OCTOBER 24, 2016 REGULAR MEETING)**

BY CONSENSUS, THE COMMISSION AGREED TO TABLE THE OPENING OF THE PUBLIC HEARING FOR Z201624 TO THE OCTOBER 24, 2016 REGULAR MEETING.

BY CONSENSUS, THE COMMISSION AGREED TO CONSIDER ITEMS 4 AND 5 TOGETHER.

4. S201605 – Catholic Cemeteries Association of the Archdiocese of Hartford, Inc., owner/Horseshoe Lane Associates, LLC, applicant, for a 8-lot subdivision 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.
5. 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 subdivision 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.

TIME: 7:10 PM

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

Ben Wheeler of Design Professionals was present to represent the application, along with Bob Urso of Horseshoe Lane Associates. Mr. Wheeler described the area owned by the Catholic Cemeteries Association in East Windsor and Ellington and explained that the Ellington land is about 73 acres. Mr. Wheeler stated that the applicant is proposing seven frontage lots, one rear lot, and will be donating the remaining 58.6 acres to Ellington for open space.

In regards to stormwater management, Mr. Wheeler noted that there will be no detention basin associated with this subdivision and the conversion of the open farm field to lawns will actually decrease runoff from the site. He added that the applicant will need to further review the plans with the North Central District Health Department before a decision can be rendered by the commission.

Chairman Hoffman asked about the wetlands on the site. Mr. Wheeler explained that all of the wetlands and floodplain are in the area to be donated to the town, along with an easement for power lines. He noted that the donated area is not good for development but is good for open space recreation, such as walking and fishing, and that it connects to other town-owned land.

Chairman Hoffman asked if there are any proposed sidewalks. Mr. Wheeler stated that there are not, and that there are none existing in the area. There was a brief discussion about sidewalks, open space, and the location of wetlands on the site.

Dave Olender, 143 Tripp Road, spoke in favor of the application and asked what types of homes will be constructed. Mr. Urso stated that they will be comparable to the other homes on the street.

MOVED (FRANCIS) SECONDED (HIRTH) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARINGS FOR S201605 AND Z201627 TO THE OCTOBER 24, 2016 REGULAR MEETING.

6. 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.

TIME: 7:22 PM

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

Jon Solecki of Lut Design and Jason Robertson of Elm Development Services were present to represent the application. Mr. Solecki explained that the Inland Wetlands Agency (IWA) and Design Review Board (DRB) have approved the application, and that the Town Engineer was in favor of the application with a minor revision.

Mr. Solecki briefly described the location of the parking, building, and stormwater basins, along with the proposed wetlands restoration area.

Chairman Hoffman asked about the emergency access drive. Mr. Solecki noted that it was added at the request of the Fire Marshal and will be gated near the road for all other than emergency services. Commissioner Hirth asked if there will be a gate at the top near the building. Mr. Robertson stated that they will use signage at the top for direction instead of another gate.

Chairman Hoffman asked about the third story of the building. Mr. Solecki explained that the building is designed to be softened visually and will blend into the area. He added that the rooftop mechanical units will be screened with a fence on the courtyard side and the roof on the outside.

Chairman Hoffman asked about the parking. Mr. Solecki stated that there is 48 spots and a loading area in the front and the back. He added that there is low traffic generation from the site. Chairman Hoffman asked about the largest shift. Mr. Robertson stated that the largest shift is about 15, with staggered arrivals, and that only about 5% of the residents will drive.

Commissioner Hirth asked about the lighting of the site. Mr. Solecki showed the locations and lighting details on the plan.

Chairman Hoffman asked about the sidewalk. Mr. Solecki described and presented the sidewalk along Route 83 and the interior of the site.

Commissioner Strom asked about plantings in regards to screening from other properties. Mr. Solecki explained that they use soft screening along the northern property lines with trees six to eight feet in height, and more condensed planting of arborvitaes near the building.

Commissioner Sandberg asked about the lighting on the back of the building. Mr. Solecki showed the detail of the security lights on the plan and noted that they are shielded and downcast.

Commissioner Francis asked about review by the Department of Transportation. Mr. Solecki stated that DOT will review the application after the applicant obtains local approval.

Matthew Allen, 65 Maple Street, inquired as to the distance of the building from the rear property line. Mr. Solecki stated that it is 75 feet.

Lori Thomas, 21 Wells Road, asked about the number of units. Mr. Solecki stated that there are 79 units and 84 beds.

Ms. Houlihan concurred with the representations regarding the IWA and DRB approvals and the traffic study and noted that this application meets a housing need.

MOVED (SANDBERG) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z201628.

MOVED (SANDBERG) SECONDED (HIRTH) AND PASSED UNANIMOUSLY TO FIND THE PROPOSAL CONSISTENT WITH THE PURPOSE OF THE DESIGNED MULTI-FAMILY ZONE AND APPROVE 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.

7. 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.

TIME: 7:53 PM

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

Jay Ussery of JR Russo and Associates was present to represent the application. He explained that the original lot was approved as part of the Angel Trace subdivision and that a redesign of the curtain drain and ground water monitoring was conducted to determine that the area can sustain two homes. He added that the applicant received approval for septic systems for two four-bedroom homes.

Ms. Houlihan pointed out that the plan requires street trees per the Ellington Subdivision Regulations. Mr. Ussery agreed to add them to the plan.

MOVED (STROM) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR S201606.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE WITH MODIFICATIONS 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.

MODIFICATION: PURSUANT TO 4.19(B) OF THE ELLINGTON SUBDIVISION REGULATIONS, STREET TREES SHALL BE PROVIDED.

8. 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.

TIME: 8:00 PM

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

Eben and Elisa Holmes were present to represent the application. Mr. Holmes explained the proposal to add a carport over an existing retaining wall for additional storage space. He added that he already has enough room for vehicle parking and that he does not plan to park under the carport. There was a brief discussion regarding how the roof will be constructed.

MOVED (KELLY) SECONDED (HIRTH) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z201629.

MOVED (KELLY) SECONDED (HIRTH) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS 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.

CONDITIONS:

1. **Detached building shall not be used for commercial or dwelling purposes.**
9. 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.

TIME: 8:05 PM

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

Ms. Houlihan explained that she conducted research on past approvals and the history of applications for garages and noted that nearly all of the applications can be reviewed at staff level under the new regulation. There was a brief discussion regarding how to count garages and it was generally agreed that 12' x 24' is a garage space.

Commissioner Strom expressed concern over the proliferation of large trucks. Ms. Houlihan noted that business activity without the proper permits can be enforced regardless of this regulation.

It was generally agreed to allow up to three attached and three detached garages per family unit under a Zoning Permit process. The fourth space, whether attached or detached, will require Special Permit review.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z201625.

MOVED (SANDBERG) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO APPROVE 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.

EFFECTIVE DATE: October 1, 2016

Commissioner Francis departed at 8:30 PM.

10. Z201626 – Ellington Planning and Zoning Commission, applicant for proposed amendments to the Ellington Zoning Regulations to add Section 2.1.13 – Donation Bins.

TIME: 8:22 PM

SEATED: Hoffman, Strom, Sandberg, Hirth, Kelly

Ms. Houlihan explained that the Planning Department currently enforces messy donation bins using the definition of "junk" and that this regulation will be clearer for businesses and enforcement personnel alike. She read the regulation amendment into the record.

Commissioner Kelly suggested increasing the number of bins allowed to two and allowing them to be placed in parking spaces. Chairman Hoffman noted this would pose an issue for businesses that barely meet the parking requirements. Commissioner Kelly pointed out that the minimum parking requirements could be enforced at that point.

There was a brief discussion regarding the enforcement process as it relates to the owner of the property and the owner of the bin.

The text of the amendment remained as presented at the beginning of the public hearing.

MOVED (SANDBERG) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z201626.

MOVED (SANDBERG) SECONDED (HIRTH) AND PASSED (KELLY: NAY) TO APPROVE Z201626 – Ellington Planning and Zoning Commission, applicant for proposed amendments to the Ellington Zoning Regulations to add Section 2.1.13 – Donation Bins.

EFFECTIVE DATE: October 1, 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.

Ms. Houlihan referenced a letter from the Town Engineer regarding the inspection of the site and noted that the required repairs are minor in nature and will be completed shortly. She suggested rendering a decision contingent upon completing the work.

MOVED (KELLY) SECONDED (STROM) AND PASSED UNANIMOUSLY TO RECOMMEND TO THE BOARD OF SELECTMEN ACCEPTANCE OF ELLRIDGE ESTATES III AND REDUCTION OF BONDING TO MAINTENANCE LEVEL UPON COMPLETION OF REMAINING SIDEWALK REPAIRS IN ACCORDANCE WITH THE LETTER FROM THE TOWN ENGINEER DATED SEPTEMBER 26, 2016 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. Z201506 – Pursuant to correspondence from Quantum of Ellington II, LLC dated September 12, 2016, request for a bond adjustment for active phases 1, 2, 3, 4, and 7, and to set bonding for phases 5 and 6 for the property known as Windermere Village on the west side of Windermere Avenue.

Ms. Houlihan explained that additional time is needed for the Town Engineer to generate a recommendation.

BY CONSENSUS, THE COMMISSION TABLED ACTION TO THE OCTOBER 24, 2016 REGULAR MEETING FOR Z201506.

2. Z201630 – Robert and Nancy Martel, owner/applicant, request for a Special Permit for an accessory apartment per Section 7.1 of the Ellington Zoning Regulations on property located at 11 Hillsdale Drive, APN 006-021-0000 in an R (Residential) Zone. **(RECEIPT AND SCHEDULING OF HEARING)**

BY CONSENSUS, THE COMMISSION RECEIVED Z201630 AND SCHEDULED A PUBLIC HEARING FOR THE OCTOBER 24, 2016 REGULAR MEETING.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the August 22, 2016 Meeting Minutes.

MOVED (KELLY) SECONDED (SANDBERG) AND PASSED UNANIMOUSLY TO APPROVE the August 22, 2016 Meeting Minutes as written.

2. Correspondence: NONE

VII. ADJOURNMENT:

MOVED (STROM) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 8:44 PM.

Respectfully submitted:



Troy M. Ciesco, Recording Clerk

Town of Ellington

Planning Department

57 Main St., PO BOX 187, Ellington, CT 06029 / Phone: 860-870-3120 / Fax: 860-870-3122 / email: planner@ellington-ct.gov

DATE: August 17, 2016
TO: Planning and Zoning Commission
FROM: Lisa M. Houlihan, AICP, Town Planner *LMT*
RE: Propose regulation amendment - Section 3.1.3, Accessory Uses/Structures regarding number of garages per family unit

An analysis of Planning and Zoning Commission applications from the past ten years show that you've considered 30 requests for special permit for garages for more than 3 cars per family unit. Of those applications, twenty-eight were approved, one was withdrawn, and one was denied. You'll likely recall the rejected application (Webster Road) since the hearing was held this past June. However, for the sake of this discussion, it's important to note that the reason the application was denied did not regard the number of garages but related to home occupation activities found incompatible with the surrounding neighborhood.

Based on the applications reviewed over the past decade, the average number of garages approved per family unit is five (5). The most common combinations per lot are two-car attached and two-car detached garages, two-car attached and three-car detached garages, and three-car attached and three-car detached garages. Based on evaluation, this proposal is intended to align the number of garages allowed as of right on residential property with contemporary practices.

New text bolded & underlined, ~~deleted text strikethrough~~, otherwise as adopted

ARTICLE 3 RESIDENTIAL ZONES

Section 3.1 Permitted Uses

The following table establishes those uses allowed in residential zoning districts.

P=Permitted & SP=Special Permit

3.1.3 ACCESSORY USES / STRUCTURES	Rural Agricultural / Residential	Residential	Lake Residential
1. Garages for 3 cars or less per family unit	P	P	P
2. Garages <u>(attached)</u> for more than 3 cars per family unit	SP	SP	SP
3. Garages <u>(detached)</u> for more than 3 cars per family unit	SP	SP	SP
4. <u>Garages (total) attached and detached for more than 6 cars per family unit.</u>	SP	SP	SP

Town of Ellington

Planning Department

57 Main St., PO BOX 187, Ellington, CT 06029 / Phone: 860-870-3120 / Fax: 860-870-3122 / email: planner@ellington-ct.gov

DATE: August 17, 2016
TO: Planning and Zoning Commission
FROM: Lisa M. Houlihan, AICP, Town Planner
RE: Regulation amendment, Section 2.1.13 Donation Bins

Periodically the Planning Department processes complaints regarding donation bins. Typically, complaints relate to junk discarded around the perimeter of bins -see attached photo. Existing regulations do not include standards for donation boxes, but prohibit junk/junkyards and that has been the foundation for enforcement thus far.

One approach is to prohibit collection boxes, but that argument is easily contested given the presence of one at St. Luke's and Hall Memorial Library. The box at St. Luke's is an example of a properly located and maintained bin, and one that complies with the standards listed below. (See attached photo)

This proposal is intended to establish standards for donation bins and provide staff with additional tools to prevent them from creating safety issues or becoming dumping grounds for discarded junk.

ARTICLE 2 GENERAL REGULATIONS

2.1.13 – Donation Bins ("Bins")

- A. Bins may be located in commercial or industrial zones.
- B. Bins shall not be located on lots 40,000 square feet or smaller.
- C. Bins shall not be located in any residential district unless on a lot with a permitted non-residential primary use and on a lot 40,000 square feet or larger.
- D. Bins shall not be located in a front yard setback.
- E. Bins shall not be located in parking spaces.
- F. There shall be no more than one bin per property.
- G. Bins shall be routinely emptied and at no time shall there be any item visible from the exterior of a bin.
- H. Bins shall be in good repair at all times or shall be immediately removed from premises.
- I. Bins shall be in compliance with C.G.S. §21a-430. Donation Bins.
- J. Bins found in violation of this section shall be immediately removed from premises.