



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 FX (860) 870-3122

PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES MONDAY, MAY 18, 2020, 7:00 PM ZOOM MEETING

MEMBERS PRESENT: CHAIRMAN ARLO HOFFMAN, VICE CHAIRMAN BILL HOGAN, REGULAR MEMBERS SEAN KELLY, ROBERT SANDBERG, JR., RICCI HIRTH, F. MICHAEL FRANCIS AND MICHAEL SWANSON, AND ALTERNATES JON MOSER AND KEITH DURAO

MEMBERS ABSENT: NONE

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

I. CALL TO ORDER: Chairman Hoffman called the meeting to order at 7:10 PM.

Lisa Houlihan, Town Planner, explained general procedures for how the meeting will be conducted.

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

III. PUBLIC HEARING(S): (Notice requirements met, hearings may commence)

Chairman Arlo Hoffman announced Public Hearing items #1 & #2 will be heard simultaneously.

1. S202003 – Hastillo Properties, LLC, owner/ TYMAC Holdings, LLC, applicant, request for a re-subdivision for seventeen (17) lots for 61.56 acres on west side of Tripp Road, APN 023-001-0000, in a RAR (Rural Agricultural/Residential), Zone and request to waive Section 4.06(iii) to allow permanent cul-de-sac of 1,350', Section 4.07 to allow 24' street width, and Appendix C 3.13(a) to allow HDPE pipe.

TIME: 7:12 pm

SEATED: Hoffman, Hogan, Kelly, Sandberg, Hirth, Francis and Swanson

Mark Peterson, Gardner & Peterson Associates, LLC, 178 Hartford Turnpike, Tolland, CT, and Mike Leaska, Leaska Construction Company, 22 Bittersweet Hill, Comers, CT, were present to represent the application.

Mr. Peterson described the proposed subdivision located on the west side of Tripp Road owned by the Hastillo family. He explained back in 1994 four lots were subdivided and the open space requirement for the entire 80 acre parcel satisfied. Mr. Peterson reviewed the topography and lot layouts shown on pages 6 and 7 of the subdivision plans. The parcel will have public water and North Central District Health Department gave conceptual approval for the septic systems. He reviewed the Stormwater Report and explained how the drainage will flow away from Tripp Road. The developer proposes street trees and a stormwater management basin on land that will be conveyed to and maintained by the Town. Mr. Peterson stated the entrance of the subdivision will be directly across from Standish Road.

Mr. Peterson reviewed the three waivers they are proposing. Section 4.06(iii) to allow a permanent cul-de-sac to extend from 1,000' to 1,350', Section 4.07 to allow a reduced road width from 26' to 24', and of Appendix C 3.13 to replace RCP with HDPE pipe of the Ellington Subdivision Regulations. He explained he met with staff via Zoom over a week ago to review the proposed plans and revisions are in progress based on staff comment during the meeting. They have received written support from the Town Engineer and Director of Public Works (DPW) for all three waivers.

Chairman Hoffman stated the sole responsibility to grant waivers rests with the commission, noting they rely on staff to provide guidance. Mr. Peterson understands it's the commission's role and that they rely heavily on staff recommendations. He explained that staff supports two of three waivers and acknowledged the Fire Marshal's concerns for reducing the width of pavement. Chairman Hoffman asked Mr. Peterson to explain why the commission should grant the requested waivers.

Mr. Peterson explained the regulations do not consider current industry standards, noting plastic pipe is more commonly used today. HDPE pipe will last longer and the DPW supports the use of it. The regulations refer to 1,000' cul-de-sacs, noting in this case, it's appropriate to extend the length to access the northern parts of the site and there's no option to connect to abutting land. He explained a number of temporary and permanent cul-de-sacs in Ellington in excess of 1,000' and explained that staff supports the waiver. He noted many towns are reducing road widths to minimize runoff and long-term maintenance. The Town Engineer and DPW support the reduced width and length of road.

Chairman Hoffman asked if better planning was put in place in the 90's to consider the development for the entire parcel if a longer cul-de-sac would be needed. Mr. Peterson explained that he was not involved with the 1994 division, but at that time the owners only wanted four lots. He explained the location of the dedicated open space along the north side of the property prevents access to Eagle Drive.

Chairman Hoffman stated there is a number of over length cul-de-sacs in Town, but considerations are site specific, different land - different sites, and the commission looks at each one separately. He does not feel past decisions set precedent. Mr. Peterson described the proposal as appropriate development for the land explaining they are only proposing seventeen (17) lots on sixty (60) plus acres.

Vice Chairman Hogan asked if Eagle Drive was part of the original eighty (80) acre parcel. Mr. Peterson explained Eagle Drive was not part of the original parcel; the original 80 acres was comprised of the 61 acres owned today, the eight acre open space parcel to the north, the five (5) frontage lots, and the large parcel to the south owned by Trueb.

Vice Chairman Hogan explained the length of cul-de-sac is because the access point is skewed to the south and felt if the access was more central to the parcel a longer cul-de-sac wouldn't be needed. Vice Chairman Hogan asked for a listing of cul-de-sacs beyond 1,000 feet. Ms. Houlihan, Town Planner, will research and report back to the commission.

Ms. Houlihan noted an error made with a recent conveyance of land formerly owned by Hastillo that eliminated a second right-of-way on Tripp Road. She referred to regulations that would not support the new road where the extinguished right-of-way was and how the regulations support the access point where it is proposed for safety considerations.

Vice Chairman Hogan explained the commission might want to revisit the length of cul-de-sac standard if they commonly grant waivers of it. Ms. Houlihan explained when a road is proposed without a cul-de-sac there's no turnaround for vehicles and there's justification for limiting the road length, but in this case there is a full 50' radius. Research will have to be conducted to determine what the basis is for the 1,000' length cul-de-sac.

Vice Chairman Hogan would like to understand where the second right-of-way was and why it's not available. Mark Peterson explained there was a second access point a few lots north of the proposed location, but was combined with one of the current residences along Tripp Road. He explained the regulations require new roads to connect at intersections when possible and even if the second point was available staff would not support it. As proposed, we are creating a four way intersection with stop signs and stop bars. Mr. Peterson noted that regulations recommend applicants present preliminary plans to staff for review and a prior plan layout showed the proposed access point in the former location before the owner realized the northern access was no longer there. At that time, staff did not approve the access point because of safety concerns.

Chairman Hoffman asked Ms. Houlihan to read the memo from the Fire Marshal. Ms. Houlihan noted the Planning Department received additional comments from the Fire Marshal via email dated May 18, 2020, sent at 4:00 pm which states, " Hi Lisa, When I was writing the memo in support of the cul-de-sac extension I neglected to address the developer's request to reduce the street width from 26' to 24'. I do not remember this issue being discussed in the Zoom meeting. I've attached a memo addressed to the P&Z Commission regarding my position on this issue. I know this is last minute in regards to tonight's meeting, but I feel that it is important to have on the record. This memo is sent to document the fact that as the Town Fire Marshal, I do not support the applicant's request to reduce the required street width from 26 feet to 24 feet. My previous memo dated May 13, 2020 in support of allowing a 35% increase in the length of the cul-de-sac is dependent upon the street meeting the width requirements of 26 feet. Currently the Ellington Volunteer Fire Departments ladder truck has an outrigger set-up width of 16 feet. If the road were allowed to be reduced to 24 feet this would leave only 8 feet for additional emergency vehicles to navigate past the ladder truck. This width is less than the typical fire apparatus width of 10 feet. I do not believe that reducing the required street width from 26 feet to 24 feet is in the interests of public safety."

Chairman Hoffman asked the commission for comments or concerns they have with the proposed application. Commissioner Kelly stated he does not support the road width waiver and feels the length of the road would not be an issue. He explained with only one point of access it would be difficult for emergency vehicles to pass with a reduced width. He stated he's okay with the proposed length as long as width is maintained for emergency vehicles.

Commissioner Sandberg said he has no issue with the proposed pipe type and defers to DPW. He inquired about the installation of sidewalks. Ms. Houlihan stated sidewalks are proposed to be installed on the east side of the new road and Mr. Peterson confirmed. Commissioner Sandberg stated he is okay with the proposed rear lots, but agrees with Vice Chairman Hogan about the extension of the road. Similar to requirements for properties fronting on Route 83, he inquired about providing connection to the abutting land to the rear of the property. Commission Hirth did not have any comments.

Commission Francis stated in the past there was an issue with using plastic pipe due to kids setting the catch basin on fire and the pipes melting. He is okay with either type of pipe. He stated he's against the narrowing of the road and length of the cul-de-sac. He said the Town may have cul-de-sacs that are longer, but he's unaware of them and they were approved before his time.

Ms. Houlihan explained the Zoning Board of Appeals (ZBA) considers variances to zoning regulations and not subdivision regulations.

Commissioner Swanson is okay with the proposed type of pipe, but felt the applicant should abide by the subdivision regulations for the length and width of the road.

Alternate Moser departed the meeting at 7:45 p.m. and was not available for comment.

Alternate Durao inquired why the regulations set a 1,000 foot length. Chairman Hoffman believes the standard came from a past fire marshal because fire trucks could only carry 1,000' of hose. Alternate Durao will not support a waiver that creates safety issues. He expressed concerns for obstruction to safety vehicles from cars parking along road sides.

Ms. Houlihan stated that all prerequisite commission/agency approvals were present such as Inland Wetland Agency granted positive statutory referral, North Central District Health Department issued conceptual approval for 17 onsite septic systems, and open space requirements met via past land dedication. The lot dimensional standards and density yield calculations comply with applicable zoning requirements. The number of proposed rear lots is consistent with established limitations and proposed where topographical constraints are present. Some driveways in excess of 100' do not meet required driveway standards. If the commission grants a favorable decision, a condition of approval should be set requiring compliance to Section 2.1.3 Private Property Driveways, at the time of construction.

Commissioner Sandberg questioned if the development will have public water. Mr. Peterson confirmed that it will. The plans include a fire hydrant for fire suppression at the intersection with Tripp Road and midway in the development. Chairman Hoffman stated the Fire Marshal said the length of cul-de-sac was okay because hydrants will be brought in.

Chairman Hoffman asked Mr. Peterson if the pipe being proposed to be installed complies with state requirements for road construction. Mr. Peterson said he'd research state standards to determine if the proposed pipe would be allowed.

Chairman Hoffman said the applicant is working on plan revisions to address staff comments and opened up the item to public comment.

Francis DeCarli, 42 Sadds Mill Road, stated he is against developing the property because too much farmland in Ellington has been lost to development. He does not think the development is a good idea. He said Ellington is becoming too populated. Chairman Hoffman noted the difficulty in balancing property rights and population growth.

Scott Marcus, 25 Standish Road, 22 year resident, does not support the waiver to extend beyond 1,000' and feels the developer hasn't proven why the 1,350' cul-de-sac should be approved. He asked how the subdivision will impact the school system and was concerned it would create more traffic. He is concerned with losing more farmland. He anticipates large houses to be built that will generate two or more children per home and questioned what plans will be made to accommodate the children at Windermere School.

Jason Waksman, 10 Minor Hill Road, grew up in the area and his parents still reside at 24 Standish Road. He is against the subdivision because of traffic in the area explaining there's no sidewalks on Standish Road. He is concerned about the impact to schools and would rather see the property be farmland. He opposes the requested waivers.

Gordon Fish, 97 Tripp Road, will rely on technical staff to determine if the proposed pipe is suitable. He is against the waiver pertaining to the reduction in road width. He questioned the rear lots and read from the subdivision regulations which states in general, rear lots shall be avoided, except where there's topo or unusual shape, in the opinion of the commission, then they may be permitted. He felt the topo was level and the land did not have an unusual shape and the only reason for the rear lots is for financial benefits for the developer. He said the length of road can't happen because that would be ignoring the regulations. He assumes the regulations were written by a committee that had reasons for setting 1,000' and said it was wrong for the developer to disregard a group of people that drafted the regulations. He said he'd like to hear a valid reason for the length of road, noting the only excuse is to increase the length to make more money for the developer.

Mr. Fish stated in order for waivers to be given land has to be uniquely affected by the regulations. He said there's nothing unique about the project; regulations speak to physical features or location that cause exceptional difficulty or unusual hardship in meeting requirements. He said other than financial hardship, there's no difficulty in following the rules. The regulations include language that granting waivers will not have significant adverse effect upon adjacent property or public safety. He said there's at least six properties that have counted on the fact when they bought their house or bought the land and built a house that the land behind them couldn't be built on. He is totally against the length and width waivers, and to the proposed rear lots.

Earnest Lally, formerly of 26 Wells Road and currently of 154 Federal Road, Chaplin, CT, is against building on farmland.

Shannon Reed, 32 Charter Road, is against the development and wants to keep it as farmland. She doesn't agree with granting of waivers and feels the developer should adhere to the regulations.

Kerri Heffernan, 3 Hatheway, is not in favor of the road extension for the reasons stated by others.

Mark Schneider, 133 Jobs Hill Road, explained he is currently the Cub Master for Pack 96 in Ellington. He supports keeping the land as open farmland, noting it's a better resource for kids. He mentioned the Hastillos have been generous and allow the scouts to hold activities on their land. He feels open/farmland is a better use for the land than more development.

Richard Dubord, new property owner, 104 Tripp Road, stated when he purchased the property he consulted with Gardner and Peterson about his development plans and followed advice provided by Mark Peterson to stay within the boundaries. He stated he did and asked the commission to stay within the regulations. Currently, he has an open and free view to the rear of his new home. He moved to Tripp Road because of the amount of open land. He looked at the possibility for land to the rear of his home to be developed and believed if the property was developed, the owner would have to abide by the subdivision regulations. He said the length of the cul-de-sac will affect his land.

Mary Lusso, 108 Tripp Road, said she has lived there for 10 years and has concerns about the potential development and would like to protect the community. When she looked at the land she was concerned about development but we expected the regulations to be followed. She said the commission should protect the community and rural character.

Jessica Hastillo, 100 Tripp Road, is against the project. She explained she hasn't heard a good reason why a rear lot or narrower, longer street should be approved. She was concerned about the impact the waivers would have for emergency access.

Russ Grace, 90 Tripp Road, has lived there since 2010 and opposed the waivers. He agrees with Mr. Fish and hasn't heard justification for extending the road and the rear lots. He would be affected by the development because there would be more homes, more traffic, and more noise. Mr. Grace grew up in Tolland, CT. He said when friends visit Ellington they are awed by the rural view of his backyard. He feels the fields are a jewel and the town should maintain it.

Neil Malkin, 102 Tripp Road, is against the project. If approved, he will have three new neighbors in his backyard. He said if 350' can be added, why not 500' or 1,000'.

Phillip Sis, 3 Eagle Drive, said he is against the construction of the two rear lots and granting of the waivers sets a negative precedent. He felt adding 17 new homes in the area will increase traffic and will not be safe for individuals walking in the neighborhood. He spoke against allowing a large increase in population in the area.

Sal Laudaro, 26 Standish Road, stated his main concern is additional traffic and safety, noting a lot of children live in the area and play on the road.

Matt Dougless, 7 Glenwood Road, stated rules are in place for a reason and he's against the waivers. He also has concerns about the width of the proposed road and passing of emergency vehicles. He said the town should protect open space and farmland.

Carissa Dubord, 104 Tripp Road, said she just built her home 2 years ago. She questioned the impact to the school system. She explained that new children are not guaranteed to attend Windermere School and may have to go to Crystal Lake School.

Amy Grace, 90 Tripp Road, stated she is concerned about the two rear lots being so close to the power lines and the impact the lines could have on someone's health. She explained she used to live on Carolyn Circle where power lines are close to properties and women that lived within two of the five home were diagnosed with breast cancer. She said homes should not be built close to power lines without understanding health impacts.

Chairman Hoffman announced the two applications will be continued to the next meeting. He asked if the developer was present and aware of the discussed concerns. Chairman Hoffman was surprised the developer did not attend the meeting and felt he should have attended to show support. He suggested the plan be revised to show a ten lot subdivision with five or six acre lots versus pushing for seventeen (17) lots. Mr. Peterson explained that he has taken notes and will share them with his client. He will revise the plans and visit in June.

MOVED (KELLY) SECONDED (SANDBERG) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR MEETING ON JUNE 22, 2020, 7PM, VIA ZOOM OR PHYSICAL LOCATION AT 57 MAIN STREET, ELLINGTON, CT, WHICHEVER IS APPLICABLE AND IN ACCORDANCE WITH STATE EXECUTIVE ORDERS AND LOCAL RECOMMENDATIONS FOR SOCIAL DISTANCING RELATING TO COVID-19 FOR S202003 – Hastillo Properties, LLC, owner/ TYMAC Holdings, LLC, applicant, request for a re-subdivision for seventeen (17) lots for 61.56 acres on west side of Tripp Road, APN 023-001-0000, in a RAR (Rural Agricultural/Residential), Zone and request to waive Section 4.06(iii) to allow permanent cul-de-sac of 1,350', Section 4.07 to allow 24' street width, and Appendix C 3.13(a) to allow HDPE pipe.

2. Z202005 – Hastillo Properties, LLC, owner/ TYMAC Holdings, LLC, applicant, request for a Special Permit pursuant to Section 7.9 – Rear Lot Requirements for two rear lots to construct single family homes associated with a seventeen (17) lot resubdivision of 61.56 acres on west side of Tripp Road, APN 023-001-0000, in a RAR (Rural Agricultural/Residential) Zone.

TIME: 7:12 pm

SEATED: Hoffman, Hogan, Kelly, Sandberg, Hirth, Francis and Swanson

MOVED (KELLY) SECONDED (SANDBERG) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR MEETING ON JUNE 22, 2020, 7PM, VIA ZOOM OR PHYSICAL LOCATION AT 57 MAIN STREET, ELLINGTON, CT, WHICHEVER IS APPLICABLE AND IN ACCORDANCE WITH STATE EXECUTIVE ORDERS AND LOCAL RECOMMENDATIONS FOR SOCIAL DISTANCING RELATING TO COVID-19 FOR Z202005 – Hastillo Properties, LLC, owner/ TYMAC Holdings, LLC, applicant, request for a Special Permit pursuant to Section 7.9 – Rear Lot Requirements for two rear lots to construct single family homes associated with a seventeen (17) lot resubdivision of 61.56 acres on west side of Tripp Road, APN 023-001-0000, in a RAR (Rural Agricultural/Residential) Zone.

By consensus, due to technical connections with the representative of Item # 3, Chairman Hoffman requested to open Public Hearing Item # 4 and return to Item # 3.

3. Z202006 - Nutmeg Industrial Park, LLC owner/applicant, request for a Special Permit for light industrial uses and Site Plan Modification to previously approved plan for Building “C”, parking, outdoor storage and associated site improvements at 10 Nutmeg Drive, APN 017-022-0005, in an I (Industrial) Zone.

TIME: 8:38 pm

SEATED: Hoffman, Hogan, Kelly, Sandberg, Hirth, Francis and Swanson

Guy Burns, 9 Lake Lane, Ellington, CT and Denise Lord, PE of Anchor Engineering Services, Inc., 41 Sequin Drive, Glastonbury, CT were present to represent the application.

Mr. Burns stated they are ready to complete Phase 3 of the previously approved site plan for the construction of Building “C”. He explained the reason for the modification request was to reduce the square footage of the building from 31,500 sf to 18,000 sf., increase the number of units from fifteen (15) 2,100 sf units (30x70), to eighteen (18) 1,000 sf units (25X40), and increase the outside storage from 15,000 sf (40x375) to approximately 27,200 sf (+/-80X180 and 80x160). They are also proposing to increase the parking spaces from 35 to 50, switch the building from one-sided access to two-sided access and move the location of parking. Ms. Lord stated they will address all staff concerns for lights, drainage, bollards and fire access to all four sides of building. She agrees with the Town Engineer about raising the berm and existing detention basin. Mr. Burns said each tenant will have their own outside storage area.

Commissioner Kelly inquired about the request to revise the Special Permit to also allow a group of light industrial uses. Ms. Houlihan reviewed the list of uses and the proposed conditions of approval.

No one from the public spoke regarding the application.

MOVED (SANDBERG) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202006 - Nutmeg Industrial Park, LLC owner/applicant, request for a Special Permit for light industrial uses and Site Plan Modification to previously approved plan for Building "C", parking, outdoor storage and associated site improvements at 10 Nutmeg Drive, APN 017-022-0005, in an I (Industrial) Zone.

MOVED (SANDBERG) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS FOR Z202006 - Nutmeg Industrial Park, LLC owner/applicant, request for a Special Permit for light industrial uses and Site Plan Modification to previously approved plan for Building "C", parking, outdoor storage and associated site improvements at 10 Nutmeg Drive, APN 017-022-0005, in an I (Industrial) Zone.

CONDITIONS:

- 1. Plans shall be revised to comply with recommendations from the Town Engineer and as detailed in a memo dated May 13, 2020, recommendations from the Fire Marshal and as detailed in a memo dated May 5, 2020, and recommendations from the Public Works Director and Water Pollution Control Authority and in a memo dated April 29, 2020.**
- 2. Limits of outdoor storage area shall be enclosed with timber rail.**

Chairman Hoffman requested to return to Public Hear Item # 3.

4. Z202004 - Big Y Foods, Inc., owner/Graphic Impact Signs, Inc., applicant, request for a Special Permit for the installation of a detached digital LED gas price sign at 140 West Road, APN 046-001-0000, in a PC (Planned Commercial) Zone.

TIME: 8:48 pm

SEATED: Hoffman, Hogan, Kelly, Sandberg, Hirth, Francis and Swanson

John Renzi, Graphic Impact Signs, 575 Dalton Avenue, Pittsfield, MA, was present to represent the application. He stated the applicant proposes to modify the previously approved detached sign to allow LED illumination of gas price information. He explained the digital portion of the monument sign will adjust to outside lighting and will shut off at the close of business each day. He said the sign complies with Section 6.3.7 (B) and the size of the digital numbers are 8" in height.

Vice Chairman Hogan appreciates that auto dimmer lighting will be used. Commissioner Sandberg inquired about the hours of operation for the gas station. After a brief discussion with Mr. Renzi, it was agreed the hours would be 5:00 am to 10:00 pm, seven days a week.

No one from the public spoke regarding the application.

MOVED (HOGAN) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z202004 - Big Y Foods, Inc., owner/Graphic Impact Signs, Inc., applicant, request for a Special Permit for the installation of a detached digital LED gas price sign at 140 West Road, APN 046-001-0000, in a PC (Planned Commercial) Zone.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS Z202004 - Big Y Foods, Inc., owner/Graphic Impact Signs, Inc., applicant, request for a Special Permit for the installation of a detached digital LED gas price sign at 140 West Road, APN 046-001-0000, in a PC (Planned Commercial) Zone.

CONDITIONS:

1. Operation of the detached digital led gas price sign shall be maintained in compliance with Ellington Zoning Regulations Section 6.3.7(b).
2. Hours of operation are 5:00am to 10:0 pm, seven days a week.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. Z201507-2020 – Gale Construction Inc., owner/Gregory J. Gale, applicant, request for a five (5) year extension of Special Permit granted May 18, 2015 for the earth excavation, screening, crushing and reopening of phases 1,2,3, and 4 at 90 Sadds Mill Road, APN 079-002-0000 in a RAR (Rural Agricultural Residential) Zone.

The applicant is requesting a five year extension of the current Special Permit for earth excavation located at 90 Sadds Mill Road.

BY CONSENSUS GRANT FIVE YEAR EXTENSION FOR Z201507-2020, Gale Construction Inc., owner/Gregory J. Gale, applicant, request for five (5) year extension of Special Permit granted May 18, 2015 for earth excavation, screening, crushing and reopening of phases 1,2,3, and 4 at 90 Sadds Mill Road, APN 079-002-0000 in a RAR (Rural Agricultural Residential) Zone.

2. Z202007 – Request from the Board of Selectmen for minor site modification and Connecticut General Statute Section 8-24 review for gravel parking area and path leading to walking trails off of Stein Road on Assessor Parcel Number 037-005-0082, town-owned open space.

Lori Spielman, First Selectman, was present to represent the application. Ms. Spielman said when the subdivision behind Big Y was constructed the developer of the project deeded open space to the town rather than pay a fee. The Trails Committee has been working on reestablishing trails on the property. There is no safe public access at the end of Bronisz Drive where the future right-of-way was provided. Ms. Spielman stated the view is beautiful along the trail and they'd like to create a parking area along Stein Road to access the property.

MOVED (KELLY) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPROVE AS MINOR SITE MODIFICATIONS AND GRANT A POSITIVE REFERRAL FOR Z202007 – Request from the Board of Selectmen for minor site modification and Connecticut General Statute Section 8-24 review for gravel parking area and path leading to walking trails off of Stein Road on Assessor Parcel Number 037-005-0082, town-owned open space.

IN SO RECOMMENDING THE PLANNING AND ZONING COMMISSION FINDS THE PROPOSAL TO BE CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT BY PROVIDING VALUABLE RECREATIONAL OPPORTUNITIES AND MANAGING OPEN SPACE TO IMPROVE QUALITY OF LIFE IN TOWN.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of April 22, 2020 Special Meeting Minutes and April 27, 2020 Regular Meeting Minutes

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE APRIL 22, 2020 SPECIAL MEETING MINUTES AS WRITTEN.

MOVED (KELLY) SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO APPROVE APRIL 27, 2020 REGULAR MEETING MINUTES WITH CHANGES TO PAGE 3 OF 6, PARAGRAPH FIVE, CORRECT THE WORD RECOMMENDATIONS TO RECOMMENDATIONS ON LINE 2 AND CORRECT THE WORD DEVELOPMENT TO DEVELOPMENT ON LINE 3.

2. Correspondence:

- a. Executive Order No. 7MM – Protection of Public Health and Safety During COVID-19 Pandemic and Response – Expedited Approval and Permitting for Expanded Outdoor Dining.

Ms. Houlihan summarized the new requirements for temporary outdoor dining according to the Governor's Executive Order No. 7MM. The Planning Department, Building Department, Fire Marshal's Office and North Central District Health Department will work with restaurants to provide temporary outdoor seating.

BY CONSENSUS GRANT AUTHORITY TO THE PLANNING DEPARTMENT TO ISSUE TEMPORARY CERTIFICATE FOR OUTDOOR DINING FOR LOCAL RESTAURANTS PURSUANT TO REOPEN CONNECTICUT PHASE 1 EFFECTIVE MAY 20, 2020.

VII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 9:20 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk