



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 FX (860) 870-3122

**PLANNING AND ZONING COMMISSION
SPECIAL MEETING MINUTES
TUESDAY, OCTOBER 9, 2018, 7:00 PM
ELLINGTON HIGH SCHOOL AUDITORIUM, 37 MAPLE STREET, ELLINGTON, CT**

MEMBERS PRESENT: Chairman Arlo Hoffman, Vice Chairman Bill Hogan, Secretary Carol Strom, Regular Members Robert Sandberg, Jr., Ricci Hirth, Sean Kelly, and F. Michael Francis, and Alternate Jon Moser

MEMBERS ABSENT: Alternate Keith Durao

STAFF PRESENT: Lisa Houlihan, Town Planner and Barbra Galovich, Recording Clerk

I. CALL TO ORDER: Chairman Arlo Hoffman called the meeting to order at 7:01 pm.

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

III. NEW BUSINESS:

Items #1 of New Business and Item #1 of Public Hearings (Z201815) were heard together.

1. In accordance with a memo from the Board of Selectmen dated August 17, 2018, request for a Connecticut General Statutes §8-24 review to consider and act on resolution of plans for development of recreation playscapes and fields on town-owned property on Middle Road, APN 053-016-0000, as approved within the 2018-19 Capital Improvement Budget.

TIME: 7:02 PM

SEATED: Chairman Arlo Hoffman, Vice Chairman Bill Hogan, Secretary Carol Strom, Regular Members Robert Sandberg, Jr., Ricci Hirth, Sean Kelly, and F. Michael Francis

Ms. Lori Spielman, Ellington First Selectman, Mr. Tim Webb, Ellington Director of Public Works, Ms. Sarah Poulin, Vice Chairman of The Jacob Roger Poulin Foundation, 8 Angel Trace, Ellington, CT and Mr. Tim Coon, P.E., JR Russo & Associates, 1 Shoham Road, East Windsor, CT were present to represent the application.

Ms. Lisa Houlihan, Town Planner, read the names and addresses of residents that submitted letters to the commission. She explained that letters were provided to commissioner for review in advance of the meeting. She distributed correspondence from Kevin Ahern, West Hartford Planning and Zoning Commission and Inland Wetlands and Watercourses Agency.

Ms. Houlihan explained the "T Parcel" was approved for purchase in 2002. The land is not restricted by farmland preservation or open space conservation easement. Since purchase of

the property and while the land remained undedicated, a portion of it has been leased for agricultural activities. The minutes from the Board of Selectmen, Planning & Zoning Commission and Town Meeting in 2002 state "...acquisition of three parcels of land...to be used for municipal purposes including but not limited to possible use for town or board of education facilities, recreation facilities, athletic facilities, open space or other municipal purposes."

Mr. Tim Webb gave a brief history of fields in town and stated the Poulin's have been looking to construct the deck hockey area with the playscape for some time. They originally looked at Pinney Street fields, but the area is not large enough to have both the deck hockey and the playscape in one location. Mr. Webb stated that \$70,000.00 was approved for FY18/19 for site work, grading and parking. Parking would be fenced with an access gate that would be open from dawn to dusk from May through November. The site would have port-a-potties and a small pavilion for a couple of picnic tables. Mr. Webb explained that the whole parcel is around 73 acres and a farmer has been leasing a portion of it for harvesting.

Mr. Tim Coon said the parcel is partially wooded and farm fields, the applicants are proposing a ½ mile track constructed with stone dust, a 50x100 deck hockey rink, a pavilion and playscape. The access would be from Middle Road with a paved apron and 120 parking spaces. They are also proposing to install a swale directing any water runoff to the stormwater basin. There is no electric on site and lights will not be installed. The site work will be completed and maintained by the Department of Public Works.

Ms. Sarah Poulin explained that Jacob, her four year old son, was diagnosed with a rare form of brain cancer and the Jacob Roger Poulin Foundation (Foundation) was founded October 4, 2016, in his honor. She said money raised is to be used for a three season deck hockey rink and a ninja warrior inspired playscape. The Foundation has held numerous fundraisers for the equipment. She showed a video of what the rink would look like and included audio of children playing hockey. The playscape will have equipment to challenge children of all ages. Ms. Poulin stated they would like to construct a ¼ mile walking track around the rink and playscape with a community grieving garden and a wall of recognition with a solar powered video wall. She feels that the proposed project would be a recreational asset and reviewed some concerns raised through social media such as safety, traffic, park usage, noise, lights, drugs and alcohol.

Chairman Hoffman stated the Pinney Street Park is located in an industrial zone where public parks are allowed as of right, but in residential zones they require Special Permits. In response to Chairman Hoffman, Mr. Webb clarified that only the rink fits at Pinney Street Park.

Ms. Spielman stated they have been working with staff and Middle Road was the best fit as far as the availability of land. She said that it's not too often you find someone such as the Poulin's, to donate the equipment to the Town. The land to the north of Brookside Park is restricted by a farmland easement and cannot be used for recreation. Mr. Webb explained how the fields at Brookside Park are utilized.

Secretary Strom asked who would be maintaining the rink. Mr. Webb stated there is minimal maintenance and the Foundation will maintain the upkeep of the flooring, which can easily be replaced. Secretary Strom asked who will be supervising the children during play. Mr. Webb stated it would be handled just like the other parks, noting that parents are responsible for their children's safety and protection.

Vice Chairman Hogan asked if there were any other rinks in the area that are in operation today and expressed concern for the lack of supervision on site. Vice Chairman Hogan would like the plan to include landscaping berms and buffers.

Commissioner Kelly asked if the 120 parking spaces is for all three phases of potential recreation, noting Phases II & III shown on the original proposed plans. He referred to Middle Road as a collector street and asked if a traffic study was done. Mr. Coon responded that a traffic study has not been conducted and most of the traffic would occur on the weekends. Commissioner Kelly asked who would be liable for any cost of injuries on the site. Ms. Spielman stated it is covered under the town's insurance. She explained that a turf field is not covered under normal liability coverage but would increase the town's rate.

Commissioner Sandberg inquired about Phase II and III. Mr. Webb stated that they would need to re-apply to the commission for approval of Phase II and III.

Commissioner Hirth said that this application would need to meet the standard special permit requirements and that traffic may be an issue since greater amounts will be generated.

Commissioner Francis asked why Pinney Street is no longer an option for the project. Mr. Webb said it was originally proposed for three fields, but only two fields were allowed to be construct because of the wetlands.

Alternate Moser asked if the project could be constructed at Brookside Park. Mr. Webb stated that all the fields are utilized by Park & Recreation and the open field closest to the road is used by the younger children for soccer and t-ball.

Vice-Chairman Hogan suggested the size of the parking area be reduced.

Attorney Carl Landolina, Fahey & Landolina Attorneys at Law, 487 Spring Street, Windsor Locks, CT was present to represent Mr. & Mrs. Stevenson, 45 Middle Road, David Blovish, 6 Justine Drive and Victor Szwejkowski 29 Middle Road, which are abutting neighbors of the project. He stated that he reviewed the file and did not see any drainage report. He asked where the runoff would drain to. He also said there is no traffic study to review and asked if the roads are adequate to handle the increase in traffic flow. He noted that the proposed entrance/exit location may not meet sightline requirements. He asked if there was any future lighting to be installed. Chairman Hoffman said the proposal does not include the installation of lights. Attorney Landolina stated the site plan doesn't include Soil & Erosion Control plans.

Mr. Keith Marin, 21 Middle Road, was not aware of the proposed project until just recently. He felt he should've been notified of the meeting because he lives on the street even though he is not within 100' of the project. He felt that everyone should have received a postcard in reference to the public hearing. Mr. Marin's concerns were the hazard of entry to and from the park, creation of more traffic, and he suggested to move the rink further back on the property.

Mr. David Hurley, 13 Standish Road, understands the need for the park and explained his involvement as a land use commissioner when the town purchased the property. He's concerned about the construction of the stormwater basin and explained the town may need State Department of Traffic approval.

Mr. Nicholas Calsetta, 17 Middle Road, was against the project. He moved into his home a few months ago. He stated it is hard to walk on the street with children. He agrees kids need a place to play, just not in the proposed location.

Ms. Amanda Bellman, 15 Middle Road, stated the project is the right idea and supports the Foundation, just wrong location. She is concerned about the infrastructure, costs for upkeep, safety, traffic, noise, loss of privacy and tax increases. She talked about the horses kept on a property next door, which help her kids feel safe. Ms. Bellman would also like to see a traffic study completed.

Mr. Fred Delfino, 12 Ryan Drive, stated the phases have been changed since the original submission. He would like to see the project over at Brookside Park. He has concerns about the safety and health of others. Mr. Delfino said he doesn't know what the longevity of the rink is and would like to see preservation of farmland according to the Plan of Conservation & Development.

Mr. David Blovish, 6 Justin Drive, said the location of the project is the issue and not all options have been reviewed by the town. He is concerned about public safety and would like soil testing completed due to possible contamination. Mr. Blovish would like to see the project go over to Brookside Park.

Mr. Maurice Keane, 15 Ryan Drive, would love to see the Foundation succeed, but the location is a safety issue. He noted that he can hear the traffic on Middle Road. He's concerned with the blind spots along Middle Road and that it's not wide enough to handle pedestrians and bicyclists. Mr. Keane is concerned with the potential increase in noise and decrease of property value. He also noted that the neighbors hear gun shots in the neighborhood, which he has called the State Trooper's office about.

Ms. Jessica Cavallaro, 29 Middle Road, said she is the daughter of the owners of the horse rescue farm. She said the location is quiet and peaceful area. The paddocks are in close vicinity of the proposed rink. Her concerns are noise, loitering of youths and liability concerns. If the project is constructed in this location, her parent's property value will decrease and they may need to move. The horses do react to the gun shots in the area. She would like the town to find a compromise for all.

Ms. Amy Schmelter, 7 Justin Drive, is concerned with the safety of foot and bike traffic to the site, loitering, and cost of maintaining the park.

Mr. Paul Stevenson, 45 Middle Road, has lived there for over 35 years. He's concerned with traffic and speed that vehicles travel. He is also concerned with stormwater runoff.

Mr. Robert Baillargeon, previous owner of Enfield Deck Hockey Rink, stated the closest indoor rink now is located in Agawam, MA and Westfield, MA has an outdoor rink. He's concerned if there was going to be adult leagues, noting problems with loitering and damage to the rink. He stated that a full size regulation rink is 160x70.

Ms. Lindsay DiStefano, 90 Johnathan Lane, Mansfield, CT, said she is the Director of Kinesiology at UConn and teaches preventive training programs in sports, physical literacy and youth sports safety. She stated that youth sports and playscapes, such as the proposed, is a good way to challenge children and she supports this project.

Ms. Elizabeth Strede, 113 Springdale, Coventry, CT, is in support of the project, and understands the issue of speeding on Middle Road and traffic that could be created if the project is approved.

Ms. Megan Hastillo, 344 Babcock Hill Road, Coventry, CT, stated that most hockey players are dedicated athletes and don't necessarily hang around after games or practice. She would like to visit the park and shop in town.

Elizabeth Bartholomew, 5 Gabriel Drive, is currently on the board for the Foundation and explained that everyone can use the park. She explained the benefits that took place to raise the money.

Ms. Theresa Cavanaugh, 11 Gail Drive, said the proposed rink and facilities should be in town and there needs to be a compromise between all to accomplish success of the project.

Mr. Steve Blovish, 131 Tripp Road, said that a soil test should be conducted before making any decisions on the application.

Ms. Mary Cardin, 32 Middle Road, said she believes in the mission of the Foundation, but did not think Middle Road was a good location. She explained that some houses are close to the road limiting the ability to make it wider or lack space for guardrails to be installed. She is concerned with the property being wide open, about kids partying on the property and safety issues. She said that the commission should ask themselves what is the best use for the property.

Mr. Christopher Levesque, 10 Justin Drive, would like the commission to keep in mind the traffic, soils, and the impact to the backyards of neighbors on Justin Drive. He is also concerned about the property value of homes in the area of the project.

Mr. Clarence Lariviere, 82 Crane Road, asked how much the project will cost to build Phase I, Phase II and Phase III. He is concerned about the soil contamination and how much taxes will increase.

Ms. Poulin advised that the City of Groton has a similar rink that is close to residents and the cost of the project has been addressed.

Mr. Brian Lavioe, 4 Meagan Circle, is concerned with the lack of supervision, injuries and is against the project.

Mr. Mike Swanson, 27 Standish Road, said that Brookside Park would be a good location for the project and asked the commission to look at all options.

Mr. Rudy Luginbuhl, 29 Lower Butcher Road, recalled the land was purchased with the intention of building a school and noted that in the interim it was used for farming purposes.

Mr. Dave Blovish, 6 Justin Drive, is concerned that 18-20 year olds will use the rink as a half rink enabling two on two pickup games.

BY CONSENSUS, THE PLANNING AND ZONING COMMISSION OF THE TOWN OF ELLINGTON CONTINUED THE PUBLIC HEARING TO THE NEXT REGULAR MEETING ON

OCTOBER 22, 2018, 7:00 PM, ELLINGTON HIGH SCHOOL AUDITORIUM, 37 MAPLE STREET, ELLINGTON, CT FOR REFERRAL FROM THE BOARD OF SELECTMEN FOR A REQUEST FOR A CONNECTICUT GENERAL STATUTES §8-24 REVIEW TO CONSIDER AND ACT ON RESOLUTION OF PLANS FOR DEVELOPMENT OF RECREATION PLAYSCAPES AND FIELDS ON TOWN-OWNED PROPERTY ON MIDDLE ROAD, APN 053-016-0000, AS APPROVED WITHIN THE 2018-19 CAPITAL IMPROVEMENT BUDGET.

IV. PUBLIC HEARING(S):

1. Z201815 - Town of Ellington, owner/applicant, **REVISED APPLICATION REMOVING PROPOSED ATHLETIC FIELDS, DOG PARK AND WALKING TRAIL** and limit application to a request for a Special Permit and Site Plan Approval for proposed deck hockey rink, playscape, parking and associated site improvements for property on Middle Road, Frog Hollow Road and Pinney Street, APN 053-016-0000, in a RAR (Rural Agricultural/Residential) Zone.

TIME: 7:02 PM

SEATED: Chairman Arlo Hoffman, Vice Chairman Bill Hogan, Secretary Carol Strom, Regular Members Robert Sandberg, Jr., Ricci Hirth, Sean Kelly, and F. Michael Francis

PLANS REVIEWED: Cover Sheet Ellington Department of Public Works, Middle Road Athletic Fields; First Selectman – Lori Spielman; Director of Public Works – Timothy Webb; Location map 1"=1,000'+/-; Prepared by: JR Russo & Associates, LLC, 1 Shoham Road, East Windsor, CT 06088; Drawing Index; Sheet 1 of 6; Date: 8-10-18, Revised date: 9-27-2018.

Boundary Survey; prepared for Middle Road Athletic Fields prepared for Town of Ellington, Middle Road, Ellington, Connecticut; Map 053-016-0000; Zone: RAR; Prepared by: JR Russo & Associates, LLC, 1 Shoham Road, East Windsor, CT 06088; Sheet 2 of 6; Scale: 1"=200'; Date: 08-10-2018.

Overall Layout; prepared for Middle Road Athletic Fields prepared for Town of Ellington, Middle Road, Ellington, Connecticut; Map 053-016-0000; Zone: RAR; Prepared by: JR Russo & Associates, LLC, 1 Shoham Road, East Windsor, CT 06088; Sheet 3 of 6; Scale: 1"=100'; Date: 08-10-2018, Revised date: 9-27-18.

Site Plan; prepared for Middle Road Athletic Fields prepared for Town of Ellington, Middle Road, Ellington, Connecticut; Map 053-016-0000; Zone: RAR; Prepared by: JR Russo & Associates, LLC, 1 Shoham Road, East Windsor, CT 06088; Sheet 4 of 6; Scale: 1"=60'; Date: 08-10-2018, Revised date: 9-27-18.

Site Plan; prepared for Middle Road Athletic Fields prepared for Town of Ellington, Middle Road, Ellington, Connecticut; Map 053-016-0000; Zone: RAR; Prepared by: JR Russo & Associates, LLC, 1 Shoham Road, East Windsor, CT 06088; Sheet 5 of 6; Scale: 1"=60'; Date: 08-10-2018, Revised date: 9-27-18.

Detail Sheet; prepared for Middle Road Athletic Fields prepared for Town of Ellington, Middle Road, Ellington, Connecticut; Map 053-016-0000; Zone: RAR; Prepared by: JR Russo & Associates, LLC, 1 Shoham Road, East Windsor, CT 06088; Sheet 6 of 6; Scale: As Noted; Date: 08-10-2018, Revised date: 9-27-18.

BY CONSENSUS, THE PLANNING AND ZONING COMMISSION OF THE TOWN OF ELLINGTON CONTINUED THE PUBLIC HEARING TO THE NEXT REGULAR MEETING ON OCTOBER 22, 2018, 7:00 P.M., ELLINGTON HIGH SCHOOL AUDITORIUM, 37 MAPLE STREET, ELLINGTON, CT FOR Z201815 - Town of Ellington, owner/applicant, revised application removing proposed athletic fields, dog park and walking trail and limit application to a request for a Special Permit and Site Plan Approval for proposed deck hockey rink,

playscape, parking and associated site improvements for property on Middle Road, Frog Hollow Road and Pinney Street, APN 053-016-0000, in a RAR (Rural Agricultural/Residential) Zone.

Chairman Arlo Hoffman recused himself from applications S201803 and Z201816, Vice Chairman Hogan served as Acting Chairman.

Items #2 (S201803 for re-subdivision) and #3 (Z201816 Special Permit for rear lot and light manufacturing uses and Site Plan Approval for construction of building and site improvements) were heard together.

2. S201803 – John Luginbuhl, owner/S&S Wall Systems, applicant, request for re-subdivision for 1 additional lot for 44 Lower Butcher Road, APN 018-017-0000, in an I (Industrial) Zone.
3. Z201816 - John Luginbuhl, owner/S&S Wall Systems LLC, applicant, request for a Special Permit for a rear lot and light manufacturing and assembly, warehouse and storage, packaging and distribution of goods, wholesale and Site Plan Approval to construct an industrial building, access drive, parking, stormwater management facilities, and associated improvements on property at 44 Lower Butcher Road, APN 018-017-0000, in an I (Industrial) Zone.

TIME: 10:03 PM

SEATED: Vice Chairman Bill Hogan, Secretary Carol Strom, Regular Members Robert Sandberg, Jr., Ricci Hirth, Sean Kelly, F. Michael Francis and Alternate Jon Moser

PLANS REVIEWED: A.P.N. 018-017-0000 & 0001; Boundary Plan – Re Subdivision Plan prepared for S & S Wall Systems, 44 Lower Butcher Road, Ellington, Connecticut, Prepared by: Tarbell, Heintz & Assoc., Inc., Civil Engineers – Land Surveyors, 1227 Burnside Ave. Suite 8A, East Hartford, CT (860) 528-1810. Date: 6-4-18; Scale: 1"=40'; Sheet No. 1 of 4.

Site Plan – Erosion Control Plan Notes & Details prepared for S & S Wall Systems, 44 Lower Butcher Road, Ellington, Connecticut, Prepared by: Tarbell, Heintz & Assoc., Inc., Civil Engineers – Land Surveyors, 1227 Burnside Ave. Suite 8A, East Hartford, CT (860) 528-1810. Date: 8-14-18; Scale: 1"=40'; Sheet No. 2 of 4.

A.P.N. 018-017-0000 & 0001; Landscape & Lighting Plan prepared for S & S Wall Systems, 44 Lower Butcher Road, Ellington, Connecticut, Prepared by: Tarbell, Heintz & Assoc., Inc., Civil Engineers – Land Surveyors, 1227 Burnside Ave. Suite 8A, East Hartford, CT (860) 528-1810. Date: 8-21-18; Scale: 1"=40'; Sheet No. 3 of 4.

Notes & Details prepared for S & S Wall Systems, 44 Lower Butcher Road, Ellington, Connecticut, Prepared by: Tarbell, Heintz & Assoc., Inc., Civil Engineers – Land Surveyors, 1227 Burnside Ave. Suite 8A, East Hartford, CT (860) 528-1810. Date: 8-14-18; Scale: 1"=40'; Sheet No. 4 of 4.

Mr. Russell Heintz of Tarbell, Heintz and Assoc., Inc., 1227 Burnside Ave. – Suite 8A, East Hartford, CT, Steven Hamilton and Stephen Giroux of S & S Wall Systems, LLC, 10 Nutmeg Drive, Ellington, CT, John Luginbuhl, 42 Lower Butcher Road, Ellington, CT and Attorney Bruce Fader, 25 West Road, Ellington, CT were present to represent the application.

Mr. Heintz stated the applicant has clarification on access from Courtney Drive. He said there are two easements, one for each owner of the abutting land. He noted that on June 4, 1998, Volume 241, Page 911, an easement was filed on the land records in the Town Clerk's office. One of the easements is for utilities access only and no traffic access. Vice Chairman Hogan

suggested other alternatives such as using the existing driveway on Luginbuhl's property be used to access the back parcel of land. Commissioner Strom is concerned with another curb cut on Lower Butcher Road.

Attorney Bruce Fader explained there are two easements on the properties off of Courtney Drive and the legal term Right of Way (ROW) does not necessary mean it can be used as an access road. The ROW on the plan for Courtney Drive is for the Cooksey property which is a 30' ROW easement for ingress/egress, and the easement for Micaela Rentals is only for utilities. He noted that Mr. Luginbuhl does not have rights to go over the Micaela Rental easement.

Mr. Heintz explained how the parcels were previously subdivided. He noted that the property owners on Courtney Drive will not grant permission to access the rear parcel from their property. Mr. Heintz stated that the building has been reduced and 25 parking spaces should be sufficient.

Ms. Houlihan stated that staff met with the applicants to review access, lot coverage and drainage last week and are awaiting revised plans and drainage data.

Mr. Luginbuhl asked the commission why they are against the curb cut on Lower Butcher Road.

BY CONSENSUS, THE PLANNING AND ZONING COMMISSION OF THE TOWN OF ELLINGTON CONTINUED THE PUBLIC HEARING TO THE NEXT REGULAR MEETING ON OCTOBER 22, 2018, 7:00 PM, ELLINGTON HIGH SCHOOL AUDITORIUM, 37 MAPLE STREET, ELLINGTON, CT FOR S201803 – John Luginbuhl, owner/S&S Wall Systems, applicant, request for re-subdivision for 1 additional lot for 44 Lower Butcher Road, APN 018-017-0000, in an I (Industrial) Zone.

BY CONSENSUS, THE PLANNING AND ZONING COMMISSION OF THE TOWN OF ELLINGTON CONTINUED THE PUBLIC HEARING TO THE NEXT REGULAR MEETING ON OCTOBER 22, 2018, 7:00 PM, ELLINGTON HIGH SCHOOL AUDITORIUM, 37 MAPLE STREET, ELLINGTON, CT FOR Z201816 - John Luginbuhl, owner/S&S Wall Systems LLC, applicant, request for a Special Permit for a rear lot and light manufacturing and assembly, warehouse and storage, packaging and distribution of goods, wholesale and Site Plan Approval to construct an industrial building, access drive, parking, stormwater management facilities, and associated improvements on property at 44 Lower Butcher Road, APN 018-017-0000, in an I (Industrial) Zone.

VII. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (KELLY) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION SPECIAL MEETING AT 10:46 PM.

Respectfully submitted,

Barbra Galovich
Recording Clerk