

**GLASTONBURY TOWN PLAN AND ZONING COMMISSION  
REGULAR MEETING MINUTES OF TUESDAY, MAY 21, 2019**

The Glastonbury Town Plan and Zoning Commission with Jonathan Mullen, AICP, Planner and Khara Dodds, AICP, Director of Planning and Land Use Services, in attendance held a Regular Meeting in Council Chambers of the Town Hall at 2155 Main Street, Glastonbury, Connecticut.

**ROLL CALL**

**Commission Members Present**

Mr. Keith S. Shaw, Vice Chairman (Acting Chairman)  
Mr. Michael Botelho, Secretary  
Mr. Christopher Griffin  
Mr. Robert J. Zanolungo, Jr.  
Mr. Raymond Hassett  
Mr. Scott Miller, Alternate (Assigned as Voting Member)  
Ms. Alice Sexton, Alternate

**Commission Members Absent**

Mrs. Sharon Purtill, Chairman  
Mr. Matthew Saunig, Alternate

Acting Chairman Shaw called the meeting to order at 7:02 P.M. and announced that Mr. Scott Miller, Alternate, shall be appointed a voting member. There were no objections.

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**PUBLIC HEARINGS**

**1. Application of Gregory Bonaiuto for resubdivision approval at 223 Dug Road – 3 lots – Rural Residence Zone – Megson, Heagle & Friend, C.E. & L.S., LLC**

Mr. Richard Megson from Megson, Heagle & Friend, represented Mr. Gregory Bonaiuto, the owner of 223 Dug Road, who is seeking approval for a re-subdivision of an 8.5 acre parcel of land into 3 frontage lots along the road. In accordance with section 11.2 of the subdivision regulations, the applicant is requesting a sidewalk waiver. All of the lots will be for single-family homes, served by onsite subsurface sewer disposal and wells for water. Surface water runoff will be handled by infiltration trenches; roof runoff will be directed into proposed dry wells. Mr. Megson noted that the application has already received a positive recommendation from the Conservation Commission and that they have complied with all Town staff memoranda.

Commissioner Zanolungo asked why the applicant is requesting to not do the sidewalks. Mr. Megson responded that there are no other sidewalks on Dug Road, and noted that there are subdivisions further along the road that are more densely populated and none of them have been required to have sidewalks.

Acting Chairman Shaw opened the floor for public comment. With no comments, Acting Chairman Shaw closed the public session.

**Motion by:** Acting Chairman Shaw

**Seconded by:** Commissioner Zanolungo

MOVED, that the Town Plan and Zoning Commission approve the request of Gregory Bonaiuto for a waiver of sidewalk construction in conjunction with the 3-lot re-subdivision at 223 Dug Road.

**Result:** Motion passed unanimously (6-0-0)

**Motion by:** Commissioner Hassett

**Seconded by:** Commissioner Miller

MOVED, that the Town Plan and Zoning Commission approve the application for Gregory Bonaiuto for final re-subdivision approval – 3 lots – 223 Dug Road – Rural Residence Zone and Groundwater Protection Zone 1, in accordance with the following plans:

“RESUBDIVISION PLAN #223 DUG ROAD RESUBDIVISION PREPARED FOR GREGORY BONAIUTO GLASTONBURY, CONN. MEGSON, HEAGLE & FRIEND 81 RANKIN ROAD GLASTONBURY, CONN. 06033 PHONE (860)-659-0587 CK. BY: JLH DRW. BY: ZTA DATE: 11-14-18 SCALE: 1”= 40’ SHEET 2 OF 6 MAP NO. 50-18-1SUB REV. 1-21-19 REVIEW COMMENTS 2-22-19 WATER QUALITY BASIN DESIGN REV. 4-9-19 CONSERVATION COMMENTS”

“TOPOGRAPHIC PLAN #223 DUG ROAD RESUBDIVISION PREPARED FOR GREGORY BONAIUTO GLASTONBURY, CONN. MEGSON, HEAGLE & FRIEND 81 RANKIN ROAD GLASTONBURY, CONN. 06033 PHONE (860)-659-0587 CK. BY: JLH DRW. BY: ZTA DATE: 11-14-18 SCALE: 1”= 40’ SHEET 2 OF 6 MAP NO. 50-18-1SUB REV. 1-21-19 REVIEW COMMENTS 2-22-19 WATER QUALITY BASIN DESIGN REV. 4-9-19 CONSERVATION COMMENTS”

And

1. In compliance with:
  - a. The standards contained in a report from the Fire Marshal, plans reviewed 04-29-19.
  - b. The recommendations of the Conservation Commission contained in the memorandum dated April 25, 2019.
2. In adherence to:
  - a. The Town Engineer’s memorandum dated **May 1, 2019**.
  - b. The Health Department Director’s memorandum dated May 3, 2019.
  - c. The Police Chief’s memorandum dated April 30, 2019.

**Disc:** Commissioner Miller noted that there is a typo in the Town Engineer’s memorandum; it should read May 1, 2019.

**Result:** Motion passed unanimously (6-0-0), as amended.

**2. Application of Fritz Property Management LLC for a Special Permit with Design Review for construction of a 7,500± square foot office and warehouse building with associated site improvements – 108 Sequin Drive – Planned Commerce Zone and Groundwater Protection Zone 1 – Attorneys Peter Alter & Meghan Hope – Kristin B. Muschett & Erica M. Backmann, owners**

Attorney Meghan Hope represented the applicant Mr. Fritz, who is looking to move his computer networking business to Glastonbury. The site is approximately 1.6 acres and is the last lot on the cul de sac of Sequin Drive. Attorney Hope noted that though only 13 parking spaces are required by zoning regulations, the applicant feels that 16 spaces are necessary. Ms. Hope explained that almost the entire site is being regraded. A dumpster will be enclosed with a chain-link fence and water will be collected in a basin that will be 12-15 inches above groundwater. She noted that there will be limited lighting on the site because the business is not open after hours. In terms of the landscape plan, the applicant is trying to appease the various commissions and committees by focusing on the streetscape in the front, as well as satisfying the wetlands requirements. Ms. Hope noted that the applicant has received positive recommendations from both the Beautification Committee and the Conservation Commission.

Commissioner Miller asked if any material is being brought on site for the grading or if it is all being moved around. Attorney Hope stated the latter.

Acting Chairman Shaw opened the floor for public comment. Mr. Shaw welcomed the applicant into Town and wished him good luck. With no further comments, Acting Chairman Shaw closed the hearing.

**Motion by:** Commissioner Hassett

**Seconded by:** Commissioner Miller

MOVED, that the Town Plan & Zoning Commission approve the application of Fritz Property Management LLC for a Section 12 Special Permit with Design Review construction of a 7,500 square foot industrial/warehouse building with associated grading, utilities & drainage – 108 Sequin Drive – Planned Commerce Zone – Kristin B. Muschett & Erica Backman, owners, in accordance with the following plans:

“ TOPOGRAPHIC & IMPROVEMENT LOCATION SURVEY PREPARED FOR JKS SYSTEMS, LLC 108 SEQUIN DRIVE LOT 3 OAKWOOD ACRES GLASTONBURY CONNECTICUT ROB HELLSTROM LAND SURVEYING LLC P.O. BOX 497 COLUMBIA, CT. 06237-0497 (860) 228-9853 (860) 228-1360 (FAX) 32 MAIN STREET HEBRON, CT 06248 [ROBIS44@AOL.COM](mailto:ROBIS44@AOL.COM) [WWW.HELLSTROMLANDSURVEYING.COM](http://WWW.HELLSTROMLANDSURVEYING.COM) DATE: JANUARY 31, 2019 BY: AGS SCALE: 1”=20’ FILE NO.FRI181126BNDY SHEET 2 OF 7 JOB NO.: 2018-126 REVISIONS 4-9-19 TOWN COMMENTS”

“SITE DEVELOPMENT PLAN 108 SEQUIN DRIVE PREPARED FOR JKS SYSTEMS LLC GLASTONBURY, CONNECTICUT WENTWORTH CIVIL ENGINEERS LLC 177 WEST TOWN ST. LEBANON, CT 06249 TEL. (860) 642-7255 FAX (860) 642-4794 WEB:

WENTWORTHCIVIL.COM DATE: 1/31/19 SCALE 1"=20' SHEET 3 OF 7 MAP NO. 18-043-1ES REV. 4-09-19 TOWN COMMENTS"

"SITE PLANTING PLAN JKS SYSTEMS, LLC 3 SEQUIN DRIVE GLASTONBURY, CT THOMAS GRACEFFA LANDSCAPE ARCHITECT, LLC 108 ANDREIS TRAIL SOUTH WINDSOR, CT 06074 P: (815) 742-1930 DRAWN BY NC REVIEWED BY TOWN OF GLASTONBURY DATE 4/11/2019 SCALE 1"=20' PROJ. NUMBER NA DRAWING NUMBER L100"

"GENERAL NOTES & DETAILS LOT 3 SEQUIN DRIVE PREPARED FOR JKS SYSTEMS LLC GLASTONBURY, CONNECTICUT WENTWORTH CIVIL ENGINEERS LLC 177 WEST TOWN ST. LEBANON, CT 06249 TEL. (860) 642-7255 FAX (860) 642-4794 WEB: WENTWORTHCIVIL.COM DATE: 1/31/19 SCALE 1"=20' SHEET 6 OF 7 MAP NO. 18-043-1N REV. 4-09-19 TOWN COMMENTS"

And

1. In compliance with:
  - a. The standards contained in a report from the Fire Marshal, File 19-015, plans reviewed 05-13-19.
  - b. The conditions set forth by the Conservation Commission / Inland Wetlands and Watercourses Agency, in their recommendation for approval to the Town Plan and Zoning Commission and the Wetlands Permit issued at their Regular Meeting of May 16, 2019.
2. In adherence to:
  - a. The Town Engineer's memorandum dated May 15, 2019.
  - b. The Health Director's memorandum dated May 16, 2019.
  - c. The Police Chief's memorandum dated May 17, 2019.
3. The applicant includes the concrete pad and dumpster enclosure locations as well as the materials used for the enclosure on the site plan prior to filing mylars in the Town Clerk's Office.
4. This is a Section 12 Special Permit with Design Review. If unforeseen conditions are encountered during construction that would cause deviation from the approved plans, the applicant shall consult with the Office of Community Development to determine what further approvals, if any, are required.

**Result:** Motion passed unanimously (6-0-0)

5. **Application of Educational Playcare, Ltd for a Section 12 Special Permit with Design Review for a change of use from place of worship to daycare – 1199 Hebron Avenue – Rural Residence Zone**

Ms. Stephanie Fuss, Landscape Architect, presented the application on behalf of Mr. James Dutton, explaining that she is not working on this project but was called to present because Mr. Dutton is in the hospital. Ms. Fuss explained that the parcel area is 1.1 acres and it contains a church and no wetlands. The impervious area is currently 46.8% of the site but the applicant is proposing to reduce it to less than 40%. Presently, flood lights are on the building, but the proposed plan is to install LED dark-sky compliant lights. The existing well will be abandoned and the site will be serviced by MDC water. Ms. Fuss noted that this parcel is going to remain separate but will maintain a connection between the two sites, in case of emergency. She explained that though only 17 parking spaces are required by zoning, the applicant is proposing 39 spaces. The reason for this is when they established the original Educational Playcare at 1193 Hebron Avenue, they did not know who would sign up and what the ages of the children would be, noting that younger children require more staff, hence more cars, and the need for more parking spaces.

Acting Chairman Shaw asked about a previous application from a few years ago that detailed the ages of the students and the class sizes. Ms. Dodds explained that he may be referring to their neighboring lot. She stated that it was not required of them to do so but they did provide that information for the Commission. She also noted that the parking count is based off of square footage. Secretary Botelho asked about the use of the parking by the adjacent property. Mr. Harry Freeman, Director of Development for Educational Playcare, explained that the area will be reserved for dropping off/picking up children, and the intention is to push staff parking as far away from the property as possible, for safety. Secretary Botelho asked if that parking will be shared with the other site. Mr. Freeman replied that they will function as two separate lots but both sites comprise a campus.

Acting Chairman Shaw asked about the hours of operation. Mr. Freeman said that the standard licensed operating hours are Monday to Friday from 7:00 AM to 6:00 PM. Commissioner Miller asked why the applicant is deciding to keep the sites as two separate parcels. Mr. Freeman explained that that decision was made before he joined the project.

Acting Chairman Shaw opened the floor for a public hearing.

***Catherine Geib of 71 Rosewood Drive*** explained that her home is directly behind the lot where Educational Playcare currently exists and behind the lot where the church building exists, as well. Based on her current experience with the applicant, she has the following concerns with this additional expansion:

- Garbage: An ongoing issue with garbage continuously leaking out of the dumpster and coming into her yard has not been addressed, despite several attempts at communication by her husband. The applicant's intention to use that dumpster for the additional site is just unacceptable.
- Noise: The additional noise increase in a residential, rural zone neighborhood is concerning. Expanding the site will make it even more disruptive.

**Jennianne Gibilisco Clegg of 63 Rosewood Drive** reiterated the issue of the garbage and the noise, explaining that she works from home and the noise is very disruptive. She also cited further concerns:

- **Beautification:** She noted that the site was a gorgeous field before, and that none of her neighbors received any forewarning that the trees would be removed. Though the applicant planted some trees, they did not close the gap that will now be exposed to more traffic.
- **Safety:** One of her neighbors is unstable and has sent death threats so if more children are to come on to the property, the police should conduct an investigation.

**Andrea Viray of 69 Rosewood Drive** stated that her biggest issue is that her property value is negatively affected by turning this daycare into a “campus.” She reiterated all of the previous grievances, and added that the increased traffic into the neighborhood has also increased the incidence of crime. She also stated that the lights are constantly turned on.

**Paul Kupernik of 69 Rosewood Drive** reiterated the issue of the garbage stench, the increased noise, and the obtrusive lights, which he stated come into his bedroom at night.

**Jennianne Gibilisco Clegg of 63 Rosewood Drive** stated that she worries whether the hours of operation will be expanded in the near future to include teenage centers and weekend hours. Acting Chairman Shaw stated that the applicant will address that concern.

**Greg Folta of 62 Rosewood Drive** reiterated the issue of the lights, and noted that when he moved to the neighborhood 13 years ago, he expected to live in a residential area, not a mall.

Mr. Freeman stated that there is no excuse for the maintenance issues and the trash not being picked up. He explained that it might be a capacity issue and agreed to have the dumpster picked up more frequently. He also explained that the lighting is supposed to be on timers and should be turned off at 7:00 PM. Commissioner Hassett asked why they are using 14 foot poles. Ms. Dodds replied that 12 to 14 feet is the standard and if the neighbors are complaining, they could lower it to 12 feet. Commission Miller noted that it may not be a height problem but a shielding problem.

Mr. Freeman also noted that he has no issue with adding additional planting because they are trying to be good neighbors. Commissioner Hassett asked if he could address the septic issue. John Magnoli explained that when the property was under church ownership, there was a sinkhole in the front, which they identified as a septic issue. Last spring, they worked with Town Engineering to connect the sanitary system to the existing sanitary apparatus, rather than replace the tank. Commissioner Miller asked if that system has a smell. Mr. Magnoli said he does not know. Secretary Botelho asked if this is on the existing property, not the addition. Mr. Freeman said yes. Acting Chairman Shaw stated that for discussion, the Commission is limited to the property presented before them today.

He then asked the applicant to address the concern about the hours of operation. Mr. Freeman stated that they are limited by state licensure to the listed hours, so if there were ever a change, they would have to come back to the Commission for approval. Commissioner Zanolungo asked if all the residents within Rosewood Drive are given notices. Ms. Dodds said that there is no

requirement to send them out to abutters, but they do run a notice in the Glastonbury Citizen and a sign is posted on the property.

Commissioner Hassett asked whether the lights on the existing property are shielded. Mr. Freeman stated that they should be dark sky compliant. Commissioner Sexton inquired about the driveway at the rear of the parking lot and the adjacent field to the north. She specifically asked what the applicant was doing to protect children that may be playing there from traffic using that driveway. Mr. Freeman stated that the driveway was previously approved and they were widening it at the request of the Town. He then stated that a playground will be installed in the field area at some point. Commissioner Griffin asked if the children will stay entirely at the new daycare or move between the two facilities. Mr. Freeman stated that the site will function as a campus.

**Jennianne Gibilisco Clegg of 63 Rosewood Drive** returned to voice her opposition to the new proposed playground, arguing that it is not isolated but actually closer to her home than her neighbors across the street are. She expressed concern about the noise this will generate and proposed a fence to help with the noise.

Mr. Freeman stated that his reference was that this parcel is surrounded on all sides by the other parcel. He noted that they will be fenced playgrounds but the fences will not be sound-deadening.

**Paul Kupernik of 69 Rosewood Drive** returned to state his support for a minimum of a 12-foot high fence to obstruct some of the noise and lighting.

**Andrea Viray of 69 Rosewood Drive** returned to voice concern about the mall-like atmosphere this expansion will be creating. She stated that 80 more children and parents coming off Hebron Avenue into a new playground in the area is not her definition of safety.

**Karen Midura of 52 Rosewood Drive** reiterated the issue of safety, remarking that people can just come through, with easy access to their homes and driveways. She noted that Ms. Gibilisco Clegg was robbed.

Mr. Freeman clarified that the connections between these parcels have existed for many years. He stated that they will address the issues of the lighting, dumpster, and screening. He also offered to meet with the neighbors to go above and beyond what is required by the Commission. Acting Chairman Shaw asked if the trees will provide sufficient protection. Mr. Freeman replied that the gap will not be a gap anymore. Commissioner Miller suggested that they continue the public hearing.

Commissioner Hassett stated that, in addition to the lighting, he would like feedback from the Town on the smell reported by the neighbors, as well as what noises are being generated and the decibel level. Commissioner Hassett supported Mr. Miller's call to continue this hearing. Commissioner Griffin stated that they need an application for the entire property because both parcels are integrated. Acting Chairman Shaw agreed that there are significant concerns.

Commissioner Hassett thanked the applicant for being very receptive to the feedback from the neighbors. Secretary Botelho thanked the public for voicing their concerns and the applicant for their willingness to address some of these issues. Acting Chairman Shaw thanked Ms. Stephanie Fuss for stepping in on such short notice and wished Mr. Dutton a speedy recovery.

Acting Chairman Shaw then called for a motion to continue the public hearing.

**Motion by:** Commissioner Hassett                      **Seconded by:** Commissioner Zanolungo

**Result:** Motion passed unanimously (6-0-0)

## **REGULAR MEETING**

1. **Informal session for the purpose of hearing from citizens on Regular Meeting agenda or non-agenda items**                      **None**

2. **Acceptance of Minutes of the April 16, 2019 Regular Meeting**

**Motion by:** Secretary Botelho                                      **Seconded:** Commissioner Zanolungo

**Result:** Motion passed unanimously (6-0-0).

3. **Application of Hans Hansen Architectural Design for a Section 12.9 Minor Change to reduce the middle unit from 3 to 2 bedroom and add bonus room at back of the garage reducing it from 2-car to 1-car; also window modifications – 27 Naubuc Avenue – Town Center Zone – Tommy Li, applicant**

Hans Hansen presented the application on behalf of his client, Tommy Li. Acting Chairman Shaw noted that this application was already approved late last year. Mr. Hansen stated that is correct. He explained that what was approved at that time was the 10-unit complex of two separate buildings: 25 Naubuc Avenue in the front, and 27 Naubuc Avenue in the back of the property. Mr. Hansen explained that the applicant is proposing the following change: the loss of a tandem parking space that was not counted toward the minimum parking requirements for the project. He noted that the garage was long enough for 2 cars so it gave them a 50% buffer for additional parking. The applicant proposes to instead create an additional room on the lowest level and limit parking to only one space. Mr. Hansen explained that adding a bonus room for an office space is as a minor change because it does not affect the calculated parking on the site, though he acknowledged that it does affect the floor area calculation.

Secretary Botelho asked how many units would be impacted by this. Mr. Hans stated that this only one unit. He explained that they went to the Plans Review Subcommittee to see if they could do this with 6 out of the 10 units. Commissioner Zanolungo asked if the space on the bottom floor will function like a bedroom. Mr. Hans replied that it could, but it does not have a closet. Acting Chairman Shaw asked if their changes are consistent with zoning regulations. Ms. Dodds said yes.



Secretary Botelho clarified that what was presented to the subcommittee was the ability to convert six of the units to a bonus room, which is different from today's hearing, which only concerns one unit. Secretary Botelho stated that though he is not concerned with today's proposal, he is concerned about setting a precedent, noting that if all six units get converted, it will decrease storage. Commissioner Zanolungo agreed. Commissioner Sexton asked if this means that four units are sold and this is the fifth, with five units remaining. Mr. Tommy Li, the builder of the project, explained that only one of the three units is requesting the lower finish. Acting Chairman Shaw asked about the concerns raised about setting a precedent for the other five units to come before the Commission. Mr. Li explained that of the five units, two units are too small to make such a change. He stated that he does not know what the future is going to look like, but of the three, only one is asking for the amendment.

**Motion by:** Commissioner Hassett

**Seconded:** Commissioner Miller

MOVED, that the Town Plan & Zoning Commission approve the application of Li and Tran Property, LLC for a Section 12.9 Minor Change – to reduce the middle unit from a 3 to a 2 bedroom and add a bonus room to the back of the garage reducing it from holding 2 cars to one car and replacing the double egress window on the third floor with a triple egress window – 27 Naubuc Avenue – Town Center Zone, in accordance with plans on file in the Office of Community Development;

And

1. This is a Section 12.9 Minor Change to a Special Permit with Design Review. If unforeseen conditions are encountered during the construction that would cause deviation from the approved plans, the applicant shall consult with the Office of Community Development to determine what further approvals, if any, are required.

**Disc:** Commissioner Hassett noted that he intends to vote for the application as a minor amendment but if a second application comes to the Commission of a similar nature, he likely will not accept it as a minor change. Acting Chairman Shaw echoed Commissioner Hassett's statements, stating that they do not want the system to be abused.

**Result:** Motion passed unanimously (6-0-0).

#### **4. Recommendation to the Town Council regarding Building Heights**

Acting Chairman Shaw inquired whether any consensus was reached at the last Building Heights Subcommittee meeting that was different from what the present commission had proposed. Ms. Dodds explained that the joint subcommittees agreed to move Items 1, 2, and 3. Commissioner Zanolungo asked about Item 4, which concerns the increase of building heights in the Town Center. Ms. Dodds stated that the group wants to take a closer look at it before voting. Commissioner Miller asked why these specific zones were singled out for additional floors and stories. Ms. Dodds explained that they looked at where most of the development activity was going on, which is in the northwest corner of town. Secretary Botelho added that the subcommittee felt it was a little more user-friendly than what they currently have.

Ms. Dodds noted that the Town Council will still have to decide if they want to move forward with these recommendations. Commissioner Zanolungo asked if they need to wait for Item 4. Commissioner Miller stated that he is going to abstain from making a recommendation because he did not have enough information or time to review this request. Commissioner Hassett added that it would make sense to have input from Chairman Purtill and Commissioner Saunig, who were both on the Building Zone Regulations Subcommittee.

**Motion by:** Commissioner Hassett

**Seconded:** Commissioner Zanolungo

Motion to forward recommendation to the Town Council to draft amendments to the Building-Zone Regulations to increase building heights as follows:

- Draft amendments to provide consistency in per floor height limits in all zones so that each floor can achieve a maximum of 14.25 feet in height.
- Increase the number of permitted floors in the Planned Business and Development and Planned Travel Zone from 2.5 floors to 3 floors.
- Increase the number of permitted floors in the Planned Employment and Planned Commerce Zone from 2.5 to 4 stories.

**Result:** Motion passed with one abstention (5-0-1).

5. **CONSENT CALENDAR**

- a. Scheduling of Public Hearings for Regular Meeting of June 4, 2019: **to be determined**

6. **Chairman's Report - None**

7. **Report from Community Development Staff**

Ms. Dodds explained that there are a couple development applications coming through, including one for a restaurant and one at 75 Glastonbury Boulevard for a 131-unit Marriott hotel.

There being no further business to discuss, Acting Chairman Shaw adjourned the meeting at 9:00 P.M.

Respectfully Submitted,

**Lilly Torosyan**  
Lilly Torosyan  
Recording Clerk