

**GLASTONBURY TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING MINUTES OF TUESDAY, OCTOBER 15, 2019**

The Glastonbury Town Plan and Zoning Commission with Khara Dodds, AICP, Director of Planning and Land Use Services, and Jonathan Mullen, AICP, Planner, 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
Mr. Michael Botelho, Secretary
Mr. Christopher Griffin
Mr. Raymond Hassett
Mr. Robert Zanlungo, Jr.
Mr. Scott Miller, Alternate (Voting)
Ms. Alice Sexton, Alternate

Commission Members Absent

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

Acting Chairman Shaw called the meeting to order at 7:00 P.M. He seated Mr. Scott Miller as a voting member.

PUBLIC HEARINGS

1. Application of Glastonbury Earth Products, LLC for renewal of a Section 6.2 Excavation Special Permit – excavation of earth products from N2C Dickinson Road (10.4± acres) via 175 Dickinson Road – Rural Residence & Groundwater Protection 1 Zones – Edward D. Cavanaugh & Richard M. Cavanaugh, Jr., owners

Mr. Mark Friend, engineer with Megson, Heagle & Friend, LLC, presented the application on behalf of the applicant. He noted that certified mailings were sent out to all of the abutters. The property is comprised of two different parcels: the Cavanaugh parcel and the Chapman parcel. 175 Dickinson Road (the Chapman parcel) is a grandfathered excavation with ongoing excavation for many years. The current special permit renewal application is related to the Cavanaugh Parcel, which has never had a grandfathered status. He explained that renewals are for two years, and the last renewal expires in November 2019. The property is remotely located on Dickinson Road and the proposed area is surrounded by forest. The overall long-term final grading has not changed since 2009, except in 2017, when a parcel was sold. All the runoff will drain to the middle of the yard. No material was taken from the Cavanaugh parcel until 2018. The intent is to continue hauling at the same rate they have been for the last two years. Mr. Friend noted that they have not received any complaints, and there is a tight control on the drivers. He explained that, even though the Chapman parcel is grandfathered, it still meets all of the necessary conditions for approval.

Acting Chairman Shaw opened the floor for public comment.

Commissioner Hassett asked if there is any screening on this. Mr. Friend said yes, there is a screener, but the operation of the screener does not make much noise. The Commissioner then asked if anything needs to be done to address concerns for the timber rattlesnake, which is an endangered species. Mr. Mullen explained that they cannot touch or kill any of the snakes. If they sight one, they have to report it.

Commissioner Miller asked where the entrance and exit is to that site. Mr. Friend stated that it is through the Chapman parcel, noting that these are basically integrated operations. The Commissioner then asked if there is anything that the Chapman parcel's grandfathering status affords it that does not extend to Cavanaugh parcel. Ms. Dodds explained that the access road is grandfathered, as well as the existing excavation operations. Commissioner Griffin asked if the expectation is that the applicant will use the same access road for both parcels. Mr. Friend said yes.

Ms. Dodds stated that staff would like to add a condition of approval that this special permit shall expire on November 17, 2021.

With no further comments, Acting Chairman Shaw closed the public hearing.

Motion by: Secretary Botelho

Seconded by: Commissioner Hassett

MOVED, that the Town Plan and Zoning Commission approve the application of Glastonbury Earth Products, LLC for renewal of a Section 6.2 Excavation Special Permit – excavation and removal of earth products on a 10.4 ± acre area – Assessor's Lot N2C Dickinson Road with access through 175 Dickinson Road – Rural Residential Zone, in accordance with the following plans:

“BOUNDARY & EXISTING CONDITIONS MAP EXCAVATION PLAN DICKINSON ROAD PREPARED FOR GLASTONBURY EARTH PRODUCTS, LLC GLASTONBURY, CONN. MEGSON, HEAGLE & FRIEND 81 RANKIN ROAD GLASTONBURY, CONN. 06033 PHONE (860)-659-0587 CK. BY: JLH DRW. BY: SAM DATE: 1-8-08 SCALE: 1"=100' SHEET 1 OF 1 MAP NO. 133-07-10A REV. 10-10-11 PERMIT RENEWAL REV. 10-18-13 PERMIT RENEWAL REV. 9-8-15 PERMIT RENEWAL REV. 9-27-17 PERMIT RENEWAL REV. 12-19-17 CONDITIONS OF APPROVAL REV. 8-21-19 PERMIT RENEWAL”

“500' ARE MAP EXCAVATION PLAN DICKINSON ROAD PREPARED FOR GLASTONBURY EARTH PRODUCTS, LLC GLASTONBURY, CONN. MEGSON, HEAGLE & FRIEND 81 RANKIN ROAD GLASTONBURY, CONN. 06033 PHONE (860)-659-0587 CK. BY: JLH DRW. BY: SAM DATE: 3-31-09 SCALE: 1"= 200' SHEET 1 OF 1 MAP NO. 133-07-1RM REV. 9-23-09 500 GALLON FUEL TANK SHOWN REV. 10-20-09 FUEL TANK PAD DETAIL REV. 12-30-09 CONDITIONS OF APPROVAL REV. 10-10-11 PERMIT RENEWAL REV. 10-18-13 PERMIT RENEWAL REV. 9-27-17 REV. 12-19-17 REV. 8-21-19 PERMIT RENEWAL”

“PHASE I GRADING PLAN/STORM WATER POLLUTION CONTROL PLAN EXCAVATION PLAN DICKINSON ROAD PREPARED FOR GLASTONBURY EARTH PRODUCTS, LLC GLASTONBURY, CONN. MEGSON, HEAGLE & FRIEND 81 RANKIN ROAD GLASTONBURY, CONN. 06033 PHONE (860)-659-0587 CK. BY: JLH DRW. BY: SAM DATE: 3-31-09 SCALE: 1"= 100' SHEET 1 OF 1 MAP NO. 133-07-1GP REV. 9-23-09 500 GALLON FUEL TANK SHOWN REV. 10-20-09 FUEL TANK PAD DETAIL REV. 12-30-09 CONDITIONS OF APPROVAL REV. 10-10-11 PERMIT RENEWAL REV. 10-18-13 PERMIT RENEWAL REV. 9-27-17 REV. 12-19-17 REV. 8-21-19 PERMIT RENEWAL”

“FINAL GRADING PLAN/STORM WATER POLLUTION CONTROL PLAN EXCAVATION PLAN DICKINSON ROAD PREPARED FOR GLASTONBURY EARTH PRODUCTS, LLC GLASTONBURY, CONN. MEGSON, HEAGLE & FRIEND 81 RANKIN ROAD GLASTONBURY, CONN. 06033 PHONE (860)-659-0587 CK. BY: JLH DRW.BY: SAM DATE: 3-31-09 SCALE: 1”= 100’ SHEET 1 OF 1 MAP NO. 133-07-1FG REV. 9-23-09 500 GALLON FUEL TANK SHOWN REV. 10-20-09 FUEL TANK PAD DETAIL REV. 12-30-09 CONDITIONS OF APPROVAL REV. 10-10-11 PERMIT RENEWAL REV. 10-18-13 PERMIT RENEWAL REV. 9-27-17 REV. 12-19-17 REV. 8-21-19 PERMIT RENEWAL”

“STORM WATER POLLUTION CONTROL NOTES & DETAILS EXCAVATION PLAN DICKINSON ROAD PREPARED FOR GLASTONBURY EARTH PRODUCTS, LLC GLASTONBURY, CONN. MEGSON, HEAGLE & FRIEND 81 RANKIN ROAD GLASTONBURY, CONN. 06033 PHONE (860)-659-0587 CK. BY: JLH DRW.BY: SAM DATE: 3-31-09 SCALE: NONE SHEET 1 OF 1 MAP NO. 133-07-1N REV. 9-23-09 500 GALLON FUEL TANK SHOWN REV. 10-20-09 FUEL TANK PAD DETAIL REV. 12-30-09 CONDITIONS OF APPROVAL REV. 10-10-11 PERMIT RENEWAL REV. 10-18-13 PERMIT RENEWAL REV. 9-27-17 REV. 12-19-17 REV. 8-21-19 PERMIT RENEWAL

And in compliance with:

1. All applicable requirements of Section 6.2 of the Glastonbury Building – Zone Regulations, including:
 - a. Hours of operation shall be restricted to weekdays (Monday through Friday) between the hours of 7:00 a.m. – 4:00 p.m. Excavation operations shall not be allowed on legal State holidays except Columbus & Veterans Day. Equipment start-up and / or idling on or adjacent to the site shall not be permitted prior to the approved hours of operation.
 - b. Setback requirements as indicated in Section 6.2 regulations and as indicated on the plan, shall be met.
 - c. Grading and lateral support, revegetation and restoration shall be in accordance with Section 6.2 regulation requirements.
 - d. Performance bonding shall be posted in accordance with Section 6.2.10 of the Building-Zone Regulations prior to recording the approved Special Permit.
 - e. Monthly reports shall be submitted in accordance with Section 6.2.11b of the Building Zone Regulations.
2. In compliance with:
 - a. Conditions as recommended by the Conservation Commission during its meeting of November 12, 2009.
3. In adherence to:
 - a. The Town Engineer’s memorandum dated October 8, 2019.
 - b. The Police Chief’s memorandum dated October 8, 2019.
 - c. The Health Director’s memorandum dated October 15, 2019.
4. This special permit shall expire on November 17, 2021.

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

2. Application of Rosy Kapur for a Section 12 Special Permit with Design Review – construction of 3-story building with retail on 1st floor & residential on 2nd & 3rd floors – 311 Hebron Avenue – Town Center Zone

Mr. Steven Trinkaus, a licensed professional engineer, presented the application on behalf of the applicant, due to Mr. Dutton's absence. Acting Chairman Shaw asked about the separate landscape plan. Mr. Trinkaus explained the specific species that will comprise the site. Acting Chairman Shaw then asked if there are any building material samples to present to the Commission. Mr. Hans Hansen, the architect of 311 Hebron Avenue, approached the podium to explain the nature of the materials. He noted that standard red brick will be on the lower level and either cedar or blue impressions vinyl shake will comprise the upper levels and gray asphalt shingles will be on the roof. Mr. Hansen then passed around samples to the Commission. The signs will likely be a composite material that would be painted with whatever the appropriate sign is.

Acting Chairman Shaw inquired about the lighting plan. Mr. Hansen stated that, on the building, they will have recessed soffit lighting under the green canopy, which will illuminate both the sidewalk and the parking area, in order to reduce the site lighting throughout the rest of the property. Acting Chairman Shaw asked about the lighting in the parking lot. Mr. Hansen explained that they will have 12-foot tall, pole-mounted, LED lights along the perimeter and in the parking island.

Acting Chairman Shaw then inquired about the vehicular ingress/egress. Mr. Trinkaus explained that there is one, 24-foot wide, two-way entrance on House Street with parking adjacent to the building. Acting Chairman Shaw asked where the dumpster is located. Mr. Trinkaus replied that it is in the back corner.

Secretary Botelho noted that there are 23 parking spots. He asked what the required amount is. Ms. Dodds answered 22.4 spots, so they had to round up to 23 spots. Mr. Hansen added that the owner of the building may potentially occupy the 3rd floor, and if so, he/she would combine them into one living space, so that would reduce the parking in the future.

Commissioner Zanolungo asked if the lighting is similar to the abutting property. Mr. Trinkaus explained that 12-foot poles are much lower than normal. Mr. Hansen noted that, in general, lights range from 12 to 14 feet; in this case, they kept it lower, but he does not know what the height is like next door. Ms. Dodds explained that the surrounding site's lighting was approved at 12 to 14 feet, so it was in the same range. Commissioner Zanolungo then inquired about the canopy. Mr. Hansen explained that it wraps around the entire building. The intent is to have the canopy, the aluminum storefront, and the trim around the windows all be a similar color. The Commissioner then asked about the roundabout angle of the building. Mr. Hansen explained that it also has terraces for the upper levels to give a little bit of interest for the roundabout, without exceeding the height requirements. There is also a clock on the top.

Commissioner Miller asked whether the applicant has a perspective looking at it from the circle. Mr. Hansen said no, he has an elevation view from House Street and Hebron Avenue. Commissioner Miller then asked if the horizontal siding and vinyl shakes will be the same color. Mr. Hansen said yes. The Commissioner asked if there will be a wall between this site and the neighbor to the north. Mr. Trinkaus explained that there is a low-retaining wall, about 1.5 feet.

He noted that the side of the box will provide a little bit of shielding, so the lighting should not be visibly jarring for the neighbors. The Commissioner then inquired about the dumpster loading plan. Mr. Trinkaus explained that, though there is no loading space shown on the plan, dumpster collection will be a 3-point turn. There should not be a problem backing out, since there are always some available parking spaces.

Commissioner Zanolungo asked if parking will be designated on the lot, denoting retail versus residential spaces. Mr. Trinkaus replied no, there will be no assigned/reserved parking for residents. Acting Chairman Shaw asked where the A/C units will be. Mr. Trinkaus stated it will be outside on a parapet.

Mr. Mullen pointed out the front yard and side yard setbacks: the front yard, which is facing Hebron Avenue, would be 20 feet from the property line; the side yard, which is House Street, would be 8 feet from the property line.

Acting Chairman Shaw opened the floor for public comment.

Mr. Ron Gattinella of 277 Hebron Avenue commended the applicant for utilizing the previously unused space, but he expressed some concerns. He asked if there is a minimum amount of space that has to be grass. Mr. Mullen explained that the open space requirement for this zone is 15% of the lot, and the proposed open space will be 21.6%, so it exceeds the minimum.

Mr. Gattinella also expressed concern about unkempt trees on the property, in particular, one large tree that poses an insurance issue, since it hovers over his building which stores lots of equipment. Mr. Trinkaus noted that there are existing trees along the north property line and a few on the western line. He assured that the tree in question will be removed.

Commissioner Zanolungo asked how high Mr. Gattinella's lights are. Mr. Gattinella replied 16 feet, but he was not sure. He explained that the committee suggested they be reduced, and they complied.

Mr. Gattinella also asked if there will be a fence. Mr. Trinkaus said no, but there is an existing fence on Mr. Gattinella's property, and they will have a low retaining wall on their side. Commissioner Hassett asked if an irrigation system of any type has been proposed. Mr. Hansen stated that the owner is planning irrigation for the landscape.

Ms. Kathryn Cross of 17 Linden Street expressed excitement, stating that this building is going to an improvement to their little neighborhood.

Mr. Mullen noted that, on the floor plans, there is an entrance in the southwest corner facing Hebron Avenue, but it is not located on the site plans. He inquired whether that was a typo or will that entrance, indeed, be there. Mr. Hansen explained that they would probably eliminate this entrance. Ms. Dodds stated that the site plan is the correct one to follow, so it is fine to approve it the way it is. Mr. Mullen added that, however, they will have to revise the architectural plans because the FAR calculations will have to be amended, specifically sheet A101.

Motion by: Secretary Botelho

Seconded by: Commissioner Zanolungo

MOVED, that the Town Plan and Zoning Commission approve the application of Rosy Kapur, for a Section 12 Special Permit with Design Review– construction of a 3-story, 7,643 square foot mixed-use retail and residential building with a 23-space parking lot– 311 Hebron Ave –Town Center, in accordance with the following plans:

“1ST LEVEL FLOOR PLAN CLOCK TOWER CORNER 311 HEBRON AVENUE GLASTONBURY, CONNECTICUT HANS P. HANSEN ARCHITECTURAL DESIGN 150 SYCAMORE STREET GLASTONBURY, CONNECTICUT 06033 (860) 995-9671 PROJ. MNGR. HPH DRAWN BY HPH 04/10/19 REVIEW 06/04/19 REVIEW 08/27/19 ZONING PROJECT #00519CT A101”

“2ND LEVEL FLOOR PLAN CLOCK TOWER CORNER 311 HEBRON AVENUE GLASTONBURY, CONNECTICUT HANS P. HANSEN ARCHITECTURAL DESIGN 150 SYCAMORE STREET GLASTONBURY, CONNECTICUT 06033 (860) 995-9671 PROJ. MNGR. HPH DRAWN BY HPH 04/10/19 REVIEW 06/04/19 REVIEW 08/27/19 ZONING PROJECT #00519CT A102”

“3RD LEVEL FLOOR PLAN CLOCK TOWER CORNER 311 HEBRON AVENUE GLASTONBURY, CONNECTICUT HANS P. HANSEN ARCHITECTURAL DESIGN 150 SYCAMORE STREET GLASTONBURY, CONNECTICUT 06033 (860) 995-9671 PROJ. MNGR. HPH DRAWN BY HPH 04/10/19 REVIEW 06/04/19 REVIEW 08/27/19 ZONING PROJECT #00519CT A103”

“INDEX PLAN PROPOSED MIXED USE BUILDING 311 HEBRON AVENUE PREPARED FOR 311 HEBRON AVENUE, LLC GLASTONBURY, CONNECTICUT DUTTON ASSOCIATES, LLC 67 EASTERN BOULEVARD GLASTONBURY, CONNECTICUT 06033 TEL: 860-633-9401 FAX: 860-633-8851 EMAIL: DUTTONLLC@AOL.COM DATE: 09/04/2019 REVISIONS 10/04/2019 – TOWN COMMENTS SCALE: AS SHOWN SHEET 1 OF 17 A-19-013-I FILE: 19013.DWG”

“PROPERTY & TOPOGRAPHIC SURVEY EXISTING CONDITIONS & DEMOLITION PLAN PROPOSED MIXED USE BUILDING 311 HEBRON AVENUE PREPARED FOR 311 HEBRON AVENUE, LLC GLASTONBURY, CONNECTICUT DUTTON ASSOCIATES, LLC 67 EASTERN BOULEVARD GLASTONBURY, CONNECTICUT 06033 TEL: 860-633-9401 FAX: 860-633-8851 EMAIL: DUTTONLLC@AOL.COM DATE: 09/04/2019 REVISIONS 10/04/2019 – TOWN COMMENTS SCALE: 1’=10’ SHEET 2 OF 17 A-19-013-B/T/D FILE: 19013.DWG”

“LAYOUT PLAN PROPOSED MIXED USE BUILDING 311 HEBRON AVENUE PREPARED FOR 311 HEBRON AVENUE, LLC GLASTONBURY, CONNECTICUT DUTTON ASSOCIATES, LLC 67 EASTERN BOULEVARD GLASTONBURY, CONNECTICUT 06033 TEL: 860-633-9401 FAX: 860-633-8851 EMAIL: DUTTONLLC@AOL.COM DATE: 09/04/2019 REVISIONS 10/04/2019 – TOWN COMMENTS SCALE: 1’=10’ SHEET 3 OF 17 A-19-013-L FILE: 19013.DWG”

“UTILITY PLAN PROPOSED MIXED USE BUILDING 311 HEBRON AVENUE PREPARED FOR 311 HEBRON AVENUE, LLC GLASTONBURY, CONNECTICUT DUTTON ASSOCIATES, LLC 67 EASTERN BOULEVARD GLASTONBURY, CONNECTICUT 06033 TEL: 860-633-9401 FAX: 860-633-8851 EMAIL: DUTTONLLC@AOL.COM DATE: 09/04/2019 REVISIONS 10/04/2019 – TOWN COMMENTS SCALE: 1’=10’ SHEET 4 OF 17 A-19-013-U FILE: 19013.DWG”

“GRADING PLAN PROPOSED MIXED USE BUILDING 311 HEBRON AVENUE PREPARED FOR 311 HEBRON AVENUE, LLC GLASTONBURY, CONNECTICUT DUTTON ASSOCIATES, LLC 67 EASTERN BOULEVARD GLASTONBURY, CONNECTICUT 06033 TEL: 860-633-9401 FAX: 860-633-8851 EMAIL: DUTTONLLC@AOL.COM DATE: 09/04/2019 REVISIONS 10/04/2019 – TOWN COMMENTS SCALE: 1’=10’ SHEET 5 OF 17 A-19-013-G FILE: 19013.DWG”

"LANDSCAPE PLAN CORNER SHOPS 311 HEBRON AVENUE GLASTONBURY, CONNECTICUT HANS P. HANSEN ARCHITECTURAL DESIGN 150 SYCAMORE STREET GLASTONBURY, CONNECTICUT 06033 (860) 995-9671 PROJ. MNGR. HPH DRAWN BY HPH 06/06/19 BEAUTIFICATION 09/11/19 BEAUTIFICATION 09/17/19 CONSERVATION PROJECT #00519CT L100"

"GENERAL NOTES AND DETAILS PROPOSED MIXED USE BUILDING 311 HEBRON AVENUE PREPARED FOR 311 HEBRON AVENUE, LLC GLASTONBURY, CONNECTICUT DUTTON ASSOCIATES, LLC 67 EASTERN BOULEVARD GLASTONBURY, CONNECTICUT 06033 TEL: 860-633-9401 FAX: 860-633-8851 EMAIL: DUTTONLLC@AOL.COM DATE: 09/04/2019 REVISIONS 10/04/2019 – TOWN COMMENTS SCALE: 1'=10' SHEET 12 OF 17 A-19-013-D2 FILE: 19013.DWG"

"GENERAL NOTES AND DETAILS PROPOSED MIXED USE BUILDING 311 HEBRON AVENUE PREPARED FOR 311 HEBRON AVENUE, LLC GLASTONBURY, CONNECTICUT DUTTON ASSOCIATES, LLC 67 EASTERN BOULEVARD GLASTONBURY, CONNECTICUT 06033 TEL: 860-633-9401 FAX: 860-633-8851 EMAIL: DUTTONLLC@AOL.COM DATE: 09/04/2019 REVISIONS 10/04/2019 – TOWN COMMENTS SCALE: 1'=10' SHEET 13 OF 17 A-19-013-D3 FILE: 19013.DWG"

1. And in compliance with:
 - a. The conditions set forth by the Conservation Commission, in their recommendation for approval to the Town Plan and Zoning at their Regular Meeting of September 12, 2019
 - b. The recommendations as contained in the minutes of the June 12, 2019 & September 11, 2019 Community Beautification Committee Meetings.
 - c. The standards contained in a report from the Fire Marshal, File 19-029, plans reviewed 10-09-19.
2. In adherence to:
 - a. The Town Engineer's memorandums dated September 6, 2019 and October 8, 2019.
 - b. The Police Chief's memorandum dated October 8, 2019.
3. There shall be no items of any kind stored or hanging on the balconies.
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.
5. The floor plans shall be revised to eliminate the entrance at the southwest corner of the building facing Hebron Avenue.
6. An irrigation system shall be installed for the site to facilitate a landscaping plan.

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 September 17, 2019 Regular Meeting

Motion by: Secretary Botelho

Seconded: Commissioner Miller

Result: The minutes were accepted as presented (6-0-0).

Minutes of August 20, 2019 Regular Meeting, which were tabled last meeting, will be addressed in next meeting's agenda.

3. Application of Hans Hansen Architectural Design for a Section 12.9 Minor Change – home office replacing 2nd tandem parking space in garage – 25 Naubuc Avenue - Town Center Zone – Tommy Li, applicant

Commissioner Hassett expressed concern over this application being a minor amendment, noting that the application keeps coming back with more and more minor changes. Acting Chairman Shaw agreed. The Commission agreed to hold off on discussion of this issue until after the applicant's presentation.

Mr. Hans Hansen presented the application on behalf of the applicant. He explained the nature of this minor change: all of the units in the complex were originally designed with a tandem two-car garage but zoning regulations only allow them to utilize one, so the tandem gave them a surplus of parking spaces. So far, this space in building 25 is up for discussion tonight. Mr. Hansen explained that they want to keep the unit as it is, except instead of having a tandem parking space, it would be used for non-business purposes, and connecting that with a little narrow corridor. There are no other changes to the building, and the requested change would not even be visible from the outside.

Commissioner Zanolungo stated that he does not have an issue with the change from a tandem space to a one-car garage space, but he is concerned that once the homeowner is in there, he/she will suddenly alter the space, such as adding an additional bedroom to the site. Commissioner Hassett also expressed concern about the applicant potentially using that as more livable space, combined with the fact that they have already eliminated some of their storage space. He noted that the Commission liked the applicant's original plan, but even at the last meeting, he expressed doubt over the request being a minor change. The Commissioner does not believe that this is a minor change, and therefore, the public should have an opportunity to participate in the approval process.

Commissioner Zanolungo asked how many of the units have sold. Mr. Hansen said he does not know. Commissioner Zanolungo asked what the process is for someone to figure out if they need to have a tandem garage space or not. Mr. Hansen explained that, originally, the developer came with an option for all of the 3-bedroom units and they drew back that option because of the concerns of this Commission. Mr. Hansen noted that six of the units are 3-bedroom properties, and four are 2-bedroom properties.

Mr. Mullen commented that the applicant could conceivably do all of the units and still be in compliance with the parking regulations and with the FAR. Mr. Hansen added that when they originally did the layout with all six units changing, the FAR was still below 0.5.

Acting Chairman Shaw took a poll of all the commissioners, to see whether they believed this was a minor change that could proceed tonight or a major change that will require a public hearing. Commissioner Griffin stated that he believes it is a minor change as it is proposed, but in the aggregate, it might not be. Commissioner Zanolungo agreed. Commissioner Miller stated that he believes it is a major change, but he would like to deal with this issue on an aggregate basis. He suggested the applicant put together a plan, showing how many units they would like for this proposed change, and then the Commission could review whether or not it would constitute a major change. Commissioner Griffin stated that, in the long run, that may be better for the property. Secretary Botelho agreed. Commissioner Sexton expressed that she thinks this is a minor change.

Motion by: Secretary Botelho

Seconded by: Scott 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 add a bonus room to the back of the garage for Unit 3, reducing it from holding 2 cars to one – 25 Naubuc Avenue – Town Center Zone, in accordance with plans on file in the Office of Community Development, and

And

1. This is a Section 12.9 Minor Change to a 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 does not carry (1-5-0), with Secretary Botelho voting in favor.

4. **CONSENT CALENDAR**

- a. Scheduling of Public Hearings for Regular Meeting of November 19, 2019: **to be determined**

5. **Chairman’s Report** *None*

6. **Report from Community Development Staff**

Ms. Dodds stated that the Town Council reviewed the building height information that the Commission had discussed several months ago. She stated that the Council was concerned with some of the isolated parts of the Planned Business & Development Zone that were outside of the northern commercial area located in the eastern and southern parts of town. They would like the focus to be on the major areas. Ms. Dodds explained that there is a way to do this using overlay zones.

There being no further business to discuss, Acting Chairman Shaw adjourned the meeting at 8:42 P.M.

Respectfully Submitted,

Lilly Torosyan

Lilly Torosyan

Recording Clerk