

**THE GLASTONBURY TOWN PLAN AND ZONING COMMISSION
AMENDED REGULAR MEETING MINUTES OF TUESDAY, MARCH 16, 2021**

The Glastonbury Town Plan and Zoning Commission with Jonathan Mullen, AICP, Planner, in attendance held a Regular Meeting via Zoom video conferencing.

ROLL CALL

Commission Members Present

Mr. Robert Zanlungo, Jr., Chairman
Ms. Sharon Purtill, Vice Chairman
Mr. Keith Shaw
Mr. Raymond Hassett
Mr. Michael Botelho, Secretary
Mr. Christopher Griffin
Mr. Scott Miller, Alternate
Ms. Alice Sexton, Alternate

Commission Members Absent

Vacancy

Chairman Zanlungo called the meeting to order at 7:01 P.M.

PUBLIC HEARING

Application of Michael Cassetta for a Section 6.6 Special Permit regarding an accessory outdoor café and a Section 12.9 Minor Change for a Dairy Queen – 2834 Main Street – Planned Business & Development Zone and Flood Zone – RHC Associates, owner

James Cassidy, P.E. of Hallisey, Pearson & Cassidy Engineering Assoc., Inc., explained that Michael Cassetta is a franchisee for Dairy Queen who is seeking a special permit to allow for outdoor seating and a minor change for the previously approved special permit. The existing property was most recently a Boston Market. The site is located on the easterly side of Main Street. Physically, the site will not be changed significantly. The parking area would remain as it exists today. The applicant seeks to improve the facade of the existing building. There will be a new walkway and a small concrete pad to accommodate a bike path. There is a watercourse along the back portion of the property and a portion of the eastern end of the parking lot was within both the 100-year flood zone and the 100-foot upland review area. As part of the applicant's wetlands approval, they were required to submit an as-built drawing of the parking area demonstrating that there was no decrease in flood storage capacity because of the repaving of the parking lot. The big renovations to the site will be the building itself.

Mr. Miller asked if there is any window service proposed at this site. Mr. Cassidy replied no, there is no window service. Mr. Shaw asked if there should be a traffic study to see if this use will increase traffic on Main Street. Mr. Cassidy responded that this Dairy Queen location does not have the same backing up issue as the location in Manchester, so they do not anticipate the

same traffic problems. Mr. Zanolungo asked about the dumpster enclosure. Mr. Cassidy said that the Beautification Committee suggested putting a vinyl fence around it.

Mr. Hassett asked if there would be any outside music or alcohol would be served. Mr. Cassidy replied no to both. Mr. Shaw asked, if the drive-through is backed up all the way to Main Street and beyond, how will cars back out? Mr. Cassidy answered that because the parking spaces would not be perpendicular to the drive aisle, there should not be an issue with cars pulling out. Mr. Botelho suggested the applicant show that the plans will be angled. Mr. Botelho suggested the applicant show that the plans will be angled. Vice Chairman Purtill asked how many seats there are. Mr. Cassidy responded that there are a total of 76 seats: 56 inside and 20 outside.

Mr. Cassidy noted that the Beautification Committee submitted several recommendations for landscaping. Two existing trees were removed, and they propose to replant them on the two islands, as well as a series of shrubs on either side of the building. New, high-efficiency, dark sky compliant lighting fixtures will be installed. They also seek a waiver to allow for additional square footage for another sign. Vice Chairman Purtill does not see the need for more signage, so she is against a waiver. Mr. Hassett agreed.

Mr. Cassidy reviewed the new proposed elevation of the building, the new window frames, and the synthetic stone, as well as the colors, which were proposed by Dairy Queen. Signage includes one sign at about 13.5 square feet and another at about 7 square feet. They extended the concrete patio out about 7 feet to accommodate the tables. Mr. Miller asked if they needed a variance for that. Mr. Mullen said that he had not considered the proposal to be an expansion of a non-conforming building, but that he would consult with the Building Official/Zoning Enforcement Officer about the issue.

Vice Chairman Purtill suggested tabling action on this item for two weeks, for the following question to be addressed: is the patio extension an expansion of a non-conforming use in the front yard? Mr. Cassetta stated that they are already behind schedule and another delay would adversely affect their business. Mr. Mullen suggested, instead, that the applicant withdraw the Section 6.6 Special Permit application and move forward that way. Chairman Zanolungo agreed with Ms. Purtill about getting all of the answers and returning in two weeks for consideration. Mr. Cassetta suggested eliminating the patio instead. Ms. Purtill stated that the patio is already there, and if it were removed, the applicant would have to return with a new application because the site plan would be altered and the Beautification Committee would not have a chance to comment on the new configuration.

Mr. Cassidy noted that the front yard setback in the Town Center Zone, which is most of Hebron Avenue, is 20 feet. But there are several instances of restaurants there that run more than that, which is what they are looking to do. Mr. Cassetta added that they anticipate using all of the outdoor seating because, due to COVID-19, all of the interior seats will not be used.

Chairman Zanolungo opened the floor for public comment.

Hans Hansen of Hans Hansen Architectural Design at 150 Sycamore Street, cited specific provisions regarding setbacks. His interpretation is that a sidewalk, even if it were surrounded by a fenced area, would not be considered a building that has to conform to a front yard setback line.

Chairman Zanolungo then read three separate emails that were sent in by **Laura Bordeaux of 2837 Main Street**, which stated that she does not believe this Dairy Queen should be granted a building permit for various reasons, such as noise and traffic.

Mr. Griffin agrees with Mr. Hansen's interpretation of the specific provisions here. Mr. Botelho also agreed. Ms. Purtill does not feel that it is a structure affecting the front yard, but if people are complaining about it, she feels that it is best to continue the public hearing and return in two weeks. Mr. Shaw agreed, adding that he is still concerned about the traffic. He is disappointed that they do not have any input from Town staff regarding traffic.

Mr. Cassetta asked, if the Commission is comfortable, if he could place an order for some of the materials and signs so that he does not fall more behind. Ms. Purtill stated that she is okay with the colors, the design style, and the materials discussed thus far. The rest of the Commission agreed.

Motion by: Commissioner Hassett

Seconded by: Commissioner Shaw

MOVED, that the Glastonbury Town Plan and Zoning Commission continue the public hearing on this application until their next scheduled regular meeting, to be held on April 6, 2021.

Result: Motion was passed unanimously {6-0-0}.

REGULAR MEETING

1. Informal session for the purpose of hearing from citizens on Regular Meeting agenda or non-agenda

Anne Bowman of 62 Morgan Drive, wonders what thought has been given to including mixed income units in the Main Street properties being discussed in Item 4 of the agenda.

Hans Hansen of 150 Sycamore Street, spoke again regarding the next agenda item. He is a member of the Town Center Initiative, who is very concerned about the street lines and adequate sidewalks, as well as the maintenance of nice patio area. They also encourage the street level to be used for retail, with apartments above. They would like to maintain the traditional Main Street architectural look, which is being removed from town.

2. Acceptance of Amended Minutes of the January 19, 2021 Regular Meeting

Motion by: Commissioner Hassett

Seconded by: Commissioner Griffin

Result: Minutes were accepted unanimously {6-0-0}.

3. Acceptance of Amended Minutes of the March 2, 2021 Special Meeting

Motion by: Commissioner Shaw

Seconded by: Commissioner Hassett

Result: Minutes were accepted unanimously {6-0-0}.

4. Discussion regarding Request for CGS 7-159b Pre-application Review of Use of Property at 2283-2289, 2333 and 2341-2355 Main Street

Mr. Mullen explained that this is a request from the applicant's attorney, Alter & Pearson, LLC., who is searching for input from the Commission as to the architectural look and function of the building that is proposed to be developed, as well as a general feel that they are going in the right direction early on. They are focusing on the request itself and how they will hold that meeting. One option is a formal in-person meeting, which could be held using a hybrid model; another option is a virtual-only meeting, to be held over Zoom; a third option would be for it to go to the subcommittee. Mr. Mullen summarized that this is a very large project, so the more people who have input on it, the better the product will be. Chairman Zanolungo added that the hybrid option is uncharted territory, but he would like to gauge the opinions of his fellow commissioners.

Attorney Meghan Hope, of Alter & Pearson, representing the property owners of the three properties listed above, stated that their preference is for an in-person meeting because of the large scope of the project, but if safety is compromised, they would agree to a Zoom format. Ms. Purtill said that the town takes advantage of the statutory right to hold informal meetings through subcommittee. However, if they are to conduct something outside of the traditional subcommittee, she worries that might set a precedent, so she would like to make it clear that this is an unusual avenue. Her other preference is that, if they are to pursue an in-person format, that the meeting be at their regularly scheduled meeting time, so that the public expects it.

Commissioner Shaw believed they should expect a lot of members of the public to attend, which could compromise safety. Commissioner Sexton suggested they could hold a joint meeting with the Town Council, if they would like to hear from them. Attorney Hope explained that the Commission is the only body voting on this, from a zoning perspective. Commissioner Griffin supports a bifurcated meeting without the Council. Chairman Zanolungo agreed.

The Commission agreed to hold the meeting over Zoom and the Town Council would not be a part of the meeting, but they would be invited to participate in the subsequent meeting. Commissioner Sexton asked if there is something in the regulations that require them to have a public comment section as part of their agenda. Mr. Mullen agreed to look it up and get back to the Commission. Commissioner Shaw asked how long the presentation and questions might take. Attorney Hope said about 90 minutes. Chairman Zanolungo suggested they start their meeting earlier to accommodate for the length. Mr. Mullen stated that, in that case, it would have to be a special meeting. Commissioner Shaw agreed to hold it as a special meeting on a different day, but he feels that they should start the meeting at 7:00 P.M.

Attorney Hope suggested holding a special meeting of the TPZ on Tuesday, March 30, 2021 at 7:00 P.M. The Commission agreed. Attorney Hope agreed to draft a formal letter of invitation to the Council to attend the meeting.

5. CONSENT CALENDAR

a. Scheduling of Public Hearings for Regular Meeting of April 6, 2021: to be determined

6. Chairman's Report *None*

7. Report from Community Development Staff *None*

Motion by: Vice Chairman Purtill

Seconded by: Commissioner Griffin

MOVED, that the Glastonbury Town Plan and Zoning Commission adjourn their regular meeting of March 16, 2021 at 9:39 P.M.

Result: Motion was passed unanimously {6-0-0}.

Respectfully Submitted,

Lilly Torosyan

Lilly Torosyan

Recording Clerk