

THE GLASTONBURY TOWN PLAN AND ZONING COMMISSION
***Amended* REGULAR MEETING MINUTES OF TUESDAY, JUNE 1, 2021**

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

ROLL CALL

Commission Members Present

Mr. Robert Zanlungo, Jr., Chairman
Ms. Sharon Purtill, Vice Chairman
Mr. Keith Shaw
Mr. Michael Botelho, Secretary
Mr. Christopher Griffin
Ms. Alice Sexton, Alternate {assigned as voting member}

Commission Members Absent

Mr. Raymond Hassett
Mr. Scott Miller, Alternate
Vacancy

Chairman Zanlungo called the meeting to order at 7:02 P.M. He seated Commissioner Sexton in the absence of Commissioner Hassett.

PUBLIC HEARING

Application of Mark Conley, Cotton Hollow Kitchen, LLC for a Section 12 Special Permit with Design Review concerning the removal of condition #10 of the October 15, 2013 Special Permit Approval to allow permanent outdoor patio dining – 840 Main Street - Village Commercial Zone – Angelo Lazaridis, 840 Main Street, LLC, owner

Mike Bonanno, Attorney at Tavano, McCuin & Bonanno, LLC, presented on behalf of the applicant, Mark Conley, who is the owner and operator of the Cotton Hollow Kitchen. He explained that the applicant seeks approval for an outdoor patio, which is a minor change in accordance with the regulations, but to err on the conservative side, they are presenting it as a Section 12 Special Permit with Design Review.

Mr. Bonanno explained that having an outdoor patio is an important aspect for the restaurant to thrive. They intend to add 10 outdoor tables with 4 seats at each table. Parking is an issue, so they will have a fluid seating plan, with seating inside in the dining room and in the bar area. They hope to drown out some of the noise from Route 17 with mellow ambient music, likely a

solo acoustic musician playing live. He noted that the applicant has over 20 years of experience running restaurants that have patios with no complaints.

Jim Dutton of Dutton Associates, LLC explained that the proposed patio will be on the south side of the building. It will be a pervious paver patio. The square footage of the area is about 934 square feet. The parking lot lighting is already in place. There are 52 spaces on the site. As Mr. Bonanno stated, the plan is to have fluid table seating, which is self-regulating because if the parking lot is full, patrons will not really park elsewhere, thereby capping the restaurant capacity. Additionally, employees will park off-site behind the Brookside Market, which will further help regulate the parking issue. The patio is level, requiring minimal grading.

Sheldon Crosby of L'Arc Architects, LLC explained that they have pervious pavers of roughly 900 square feet adjacent to the doorway. The proposed 10 tables are relatively small, at 3 feet x 3 feet, with 4 seats each. The entire patio is bound by a fence which is 3 feet high and in sections. The entire perimeter will be landscaped, and they hope to install potted plantings in the interior. There will be umbrellas. Additional lighting will be strung between all the posts. He noted that the fence will not preclude anything from getting in, but it is there so that diners feel enclosed and somewhat protected.

Vice Chairman Purtill clarified that the reason why the patio was not approved previously is because there was insufficient parking, not because the neighbors opposed the application. At the subcommittee meeting, they talked about the 40 seats on the patio and came to the conclusion that the applicant would not use the 40 seats inside; therefore, there would be no parking issue. Regarding the music, she stated that there are residents nearby, so it could negatively affect them. She asked for more details on the nature of the music. Mr. Bonanno stated that the music would be dining-style music at low volumes, directed at just at patrons. They had discussed the potential ending hour of 11:00 P.M. They would not have live bands. Vice Chairman Purtill concluded by remarking that she likes the look of the patio.

Chairman Zanolungo asked if the bollards that the Police Chief recommended will be located where cars have access. Mr. Bonanno replied yes. Secretary Botelho clarified that they are not taking away any parking by virtue of the patio; Mr. Bonanno responded that is correct. Commissioner Sexton asked how many seats were available during outdoor dining last summer, at the height of the pandemic. Mr. Bonanno stated 48, which is more than what they are proposing now.

Commissioner Shaw asked about a covering for inclement weather. Mark Conley, the business owner and applicant, explained that they had originally proposed to have a tent with rolled-down sides that would be lit and heated, but Mr. Mullen informed them that the tent may not be approved because the location is right on Main Street. However, they may look into having a tent in the future.

Chairman Zanolungo confirmed that seating would be fluid, much like if they were short-staffed in the restaurant, they would not fill the restaurant seats. Mr. Conley replied, that is correct. Secretary Botelho asked what the benefit of this action is, if there is no net gain in seating. Mr.

Conley explained that the benefit is twofold: many people are still not comfortable with indoor dining because of the pandemic; and also, people like to dine outside, especially when the weather is nice.

Chairman Zanolungo opened the floor for public comment. He read the written comment received via email:

Anne Bowman of 62 Morgan Drive, thinks that a permanent outdoor dining patio is a wonderful addition to Cotton Hollow Kitchen. More outdoor dining last summer added to the sense of community, and she hopes to be able to continue that.

Evan Schwartz of 350 Thompson Street, fully supports the applicant, his restaurant, and his outdoor patio request. He finds Mr. Conley to be a very hospitable, genuine man, and it seems like he really needs the patio, so they should all be supportive in approving it.

Mr. Bonanno stated that Cotton Hollow Kitchen's Facebook page has received close to 600 signatures and comments, which he printed out and submitted to the Commission. There was one comment about noise, but all other comments fully support the patio request.

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

Motion by: Secretary Botelho

Seconded by: Commissioner Shaw

MOVED, that the Town Plan and Zoning Commission approve the application of Mark Conley, Cotton Hollow Kitchen, LLC for a Section 12 Special Permit with Design Review concerning the removal of condition #10 of the October 15, 2013 Special Permit Approval to allow permanent outdoor patio dining – 840 Main Street - Village Commercial Zone – Angelo Lazaridis, 840 Main Street, LLC, owner, in accordance with materials on file in the Office of Community Development and the following plans:

“OVERALL PLAN 840 MAIN STREET PREPARED FOR COTTON HOLLOW KITCHEN, LLC GLASTONBURY, CONNECTICUT DUTTON ASSOCIATES, LLC 67 EASTERN BOULEVARD GLASTONBURY, CONNECTICUT 06033 TEL: 860-633-9401 FAX: 860-633-8851 EMAIL: JMD@DUTTONASSOCIATESLLC.COM DATE: 05/10/2021 SCALE: 1”= 20’ SHEET 2 OF 3 A-13-025-S FILE: 21043.DWG 05/20/2021 – UPDATE”

“SITE DEVELOPMENT PLAN EROSION & SEDIMENTATION CONTROL PLAN 840 MAIN STREET PREPARED FOR COTTON HOLLOW KITCHEN GLASTONBURY, CONNECTICUT DUTTON ASSOCIATES, LLC 67 EASTERN BOULEVARD GLASTONBURY, CONNECTICUT 06033 TEL: 860-633-9401 FAX: 860-633-8851 EMAIL: JMD@DUTTONASSOCIATESLLC.COM DATE: 05/10/2021 SCALE: 1”= 10’ SHEET 3 OF 3 A-13-025-SD FILE: 21043.DWG 05/20/2021 – UPDATE”

“PLANTING PLAN COTTON HOLLOW KITCHEN 840 MAIN STREET SOUTH GLASTONBURY, CT OWNER/APPLICANT: 840 MAIN STREET LLC 491 FOOTE ROAD S GLASTONBURY, CT 06073 LADA, P.C. LAND PLANNERS 104 WEST STREET

And

1. In compliance with the standards contained in a report from the Fire Marshal, File# 21-022, plans reviewed 05-24-2021.
2. In adherence to:
 - a. The Police Chief's memorandum dated March 15, 2021.
 - b. The Health Director's memorandum dated May 27, 2021.
3. There shall be no logos or lettering on the patio umbrellas.
4. Any seats used on the patio shall result in the corresponding reduction of seats used within the restaurant.
5. Music on the patio shall be directed toward the patrons at low volume and shall be no later than 11:00 P.M. on weekends and 10:00 P.M. during the week.
6. 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.

Disc: Vice Chairman Purtill found the application to be more than what she expected. She wished the applicant luck and hopes that the patio draws lots of patrons. Secretary Botelho also supports the application. He commended the applicant on his perseverance and ability to fight through the pandemic to come up with a creative, positive solution. Commissioner Sexton also commended the applicant on his perseverance and wished him good luck. Commissioner Shaw reiterated his Commissioners and reaffirmed that the applicant is a great neighbor and participant in town. He also wished him the best of success.

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** *None*
2. **Acceptance of Minutes of the May 18, 2021 Regular Meeting**

Motion by: Commissioner Sexton

Seconded by: Commissioner Griffin

Result: Minutes were accepted {4-0-2} with abstentions from Commissioners Purtill and Shaw because they were not present at the meeting.

3. Tabled Application of SBU, LLC (Evan Schwartz) for a Section 12.9 Minor Change – change of use from office to spa – 136 New London Turnpike - Town Center Zone – Architect Hans Hansen - Megson, Heagle & Friend, C.E. & L.S., LLC

The application was untabled. Commissioner Shaw recused himself, since he did not listen to the recording at the last meeting. Vice Chairman Purtill stated that, though she too, was absent at the last meeting, she had read the minutes and was present at the subcommittee meeting, so she feels comfortable proceeding.

Developer and applicant, Evan Schwartz, said that, at the last meeting, the Commission requested that the Town Attorney review the permanent parking easement presented, specifically regarding relocation and termination. He submitted an updated legal document, which the Town Attorney discussed with his attorney, and they came to an agreement. The language was approved and sent to Mr. Mullen and Ms. Augur.

Vice Chairman Purtill asked, if for any reason the easement were to be terminated, the applicant would have to notify the Town and the issue of the spa use would come up because there would be insufficient parking. Mr. Schwartz stated that is correct. She then asked if 119 Hebron Avenue and 141 Hebron Avenue have the 10 parking spaces to give. Mr. Schwartz explained that, after the 10 spaces are given, they still have 2 additional spots.

Mr. Schwartz concluded by stating that the tenant’s building permit is contingent upon a final approval from the Commission, which he hopes to receive tonight, so that his applicant can begin work. Vice Chairman Purtill explained that this is a historic building which the Commission had asked to preserve as part of the development of Eric Town Square. She felt the spa use was a good way to maintain its viability as a commercial property for the owner. As long as the parking issue is covered and the employees do not mind walking, she thinks that this is a good solution.

Commissioner Griffin remarked that this seems to be an appropriate and creative solution to keep the building in good use while also mitigating the parking disaster that is already there. Commissioner Sexton noted that there is no reduction in parking as a result of this. It is actually an increase in parking in the Town Square. Mr. Mullen pointed out that the Town Attorney also recommended that the applicant integrate the word “permanent” into the easement document because regulations specify that off-site parking agreements in the Town Center Zone require a permanent easement.

Motion by: Secretary Botelho

Seconded by: Vice Chairman Purtill

MOVED, that the Town Plan and Zoning Commission approve the application of SBU, LLC for a Section 12.9 Minor Change for change of use from office to spa– 136 New London Turnpike–

Town Center Zone – in accordance with plans on file with the Office of Community Development, and in compliance with the following conditions:

1. This approval is contingent upon the continued existence of the permanent parking easement and that any termination or reduction or limitation of the easement shall not be permitted without Town Plan & Zoning Commission approval; otherwise the applicant will be in violation of the parking requirements.
2. This is a Section 12.9 Minor Change. 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 {5-0-1}, with one abstention from Commissioner Shaw.

4. Village District Regulations Discussion

Ms. Augur and Mr. Mullen explained that the Town Council has asked the Commission to provide a recommendation by June 30 regarding the adoption of a village district in Glastonbury. Ms. Augur presented a report with key information, which she hopes will provide the Commission with the framework to have an informed discussion at their next meeting, at which point, they will hopefully send a recommendation to the Council.

Ms. Augur detailed the three particular areas that the Council identified for consideration for a village district, which are the following:

- Along Main Street, from Naubuc Avenue and New London Turnpike, south to Rankin Road
- Along Hebron Avenue, from Main Street to Route 2
- Along New London Turnpike, from Salmon Brook Road, south to Rankin Road

She noted that the flagged areas are about 79 acres in the Town Center, which are mainly commercial districts. Most of the oldest structures are on Main Street, but there exists a diversity in building ages, form and lot sizes.

Ms. Augur explained the basics of the enabling legislation for village district regulations, which comes from the Connecticut General Statute 8-2j, which is intended to protect a special character area by laying out compatibility objectives embedded within the statute itself, such as site design and building layout. The process of conducting the design reviews is either through a consultant (who must be either an architect, landscape architect, or certified planner) or through the creation of an advisory committee, which must also include at least one architect, landscape architect, or certified planner.

She then reviewed the POCD and the Town Center 2020 Plan, whose language is supportive of design guidelines that can apply generally to village districts. Ms. Augur also reviewed case

studies of other Connecticut towns that have village districts. In total, there are about 20 such cases throughout the state. She explained that it is important to engage property owners in the discussion, and there needs to be an inventory of what is currently there, in order to identify the character of what the town is trying to preserve and promote.

Commissioner Shaw inquired about the genesis of this action. Ms. Augur stated that this was a Council directive from February. The Council referred to the commission to review and present back recommendations. Commissioner Shaw stated that he would like to have a discussion with the Council because it seems like this is a pretext to create some type of historic district, which is a big philosophical and existential question for the Town. Commissioner Griffin agreed. Chairman Zanolungo echoed Commissioner Shaw's request that either the Town Manager or the Council Chairman present an overview of what they are looking for to the commission.

Vice Chairman Purtill finds the overlay areas that have been chosen to be the core of their commercial district. She is becoming very concerned about the Town Center regulations and the possibility that they could lose their current commercial districts to residential ones. She prefers the three-tier system of design review, as it would give a continuity of signage. Secretary Botelho questioned whether there is any uniformity at all in these chosen spaces.

Commissioner Shaw stated that this area is primarily commercial activity, so their signs are tied into their logos/advertising. Therefore, enacting something like uniform signage is restrictive. He also stated that it would be helpful to see pictures of the case studies that Ms. Augur discussed, in order to gauge how those areas look and what would make sense for Glastonbury. Ms. Augur noted that there are pictures of the different districts on the website. Commissioner Sexton asked if they could film the considered area in town, to get a better sense of visuals. Mr. Augur stated that she and Mr. Mullen walked along the area, and they could provide the Commission with images.

Commissioner Griffin thinks that if the impetus of this action is coming from the Council and they have an idea of what they want, it might make more sense for them to take the lead, rather than the Commission. Vice Chairman Purtill noted that, typically, Mr. Mullen and Ms. Augur would write the language, which would then go to the Council, who could tweak it as they see fit. Commissioner Sexton asked how the new zoning laws intersect with this. Ms. Augur stated that the Governor has not signed them yet, but she will address that topic at the Commission's next meeting.

The Commission agreed that Ms. Augur will acquire more input from the Council, while relaying the issues brought up by Commissioners. A collaborative discussion with the Council and/or Town Manager was requested.

5. CONSENT CALENDAR *No action*

- a. Scheduling of Public Hearings for Regular Meeting of June 15, 2021: **to be determined**

6. Chairman's Report *None*

7. Report from Community Development Staff *None*

Motion by: Vice Chairman Purtill

Seconded by: Commissioner Shaw

MOVED, that the Glastonbury Town Plan and Zoning Commission adjourn their regular meeting of June 1, 2021 at 8:43 P.M.

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

Respectfully Submitted,

Lilly Torosyan
Lilly Torosyan
Recording Clerk