

THE GLASTONBURY TOWN PLAN AND ZONING COMMISSION REGULAR MEETING MINUTES OF TUESDAY, JULY 6, 2021

The Glastonbury Town Plan and Zoning Commission with Jon Mullen, AICP, Planner, and Rebecca Augur, AICP, Director of Planning and Land Use Services, in attendance held a Regular Meeting at 7:00 P.M. in the Council Chambers of Town Hall at 2155 Main Street. The video was broadcast in real time and via a live video stream.

ROLL CALL

Commission Members Present

Mr. Robert Zanlungo, Jr., Chairman
Mr. Michael Botelho, Secretary
Mr. Christopher Griffin
Ms. Alice Sexton, Alternate {assigned as voting member}
Mr. Scott Miller, Alternate {assigned as voting member}

Commission Members Absent

Ms. Sharon Purtill, Vice Chairman
Mr. Keith Shaw
Mr. Raymond Hassett
Vacancy

Chairman Zanlungo called the meeting to order at 7:00 P.M. He seated Commissioners Sexton and Miller in the absence of Commissioners Purtill, Shaw, and Hassett.

PUBLIC HEARING

1. Application of the Town of Glastonbury for renewal of a Section 6.2 Excavation Special Permit – 1145 Tryon Street – Bulky Waste Facility – Reserved Land Zone – Michael J. Bisi, Superintendent of Sanitation

Mr. Bisi presented an excavation special permit renewal application for the bulky waste facility, which has operated continuously since 1977. He explained that this is a large site. They hired a consultant to see how much it will cost to close out certain sections of the landfill. They have presented the closure in three phases: the first phase will close out in 2030, the second phase in 2080, and the third phase in 2130. The site requires a permit because excavation is occurring towards the school. They generate a lot of revenue from the sale of fill, which the permit allows them to do. The Council approved a funding mechanism that allows for all of the revenue received from the sale of the fill to be set aside for capital projects. They set up the new fee structure starting last week, whereby recycled material has a lower tip fee.

Commissioner Miller recalls that the conversation during the Commission's meeting two years prior included a fill sale phase, as well. He asked if that was expanding. Mr. Bisi replied, the sale of fill continues in that direction. Commissioner Sexton asked if there have been any complaints from neighbors. Mr. Bisi stated that there have been two: one was from a new neighbor who was concerned about the trucks using Jake brakes. There is no ban on that, and

the truck had nothing to do with the sale of fill, but they looked into it and asked that the brakes not be used; the driver obliged. The second complaint was from a neighbor who was concerned that the truck traffic was connected to the Dufford project. Mr. Bisi assured them that there is no connection. Chairman Zanolungo asked what the space will become in 2135, five years after this facility is closed down. Mr. Bisi stated that there is no plan at this time, so it is up to the Town to decide.

Chairman Zanolungo opened the floor for public comment. There were no comments. He closed the public hearing.

Motion by: Secretary Botelho

Seconded by: Commissioner Miller

MOVED, that the Town Plan and Zoning Commission approve the application of the Town of Glastonbury for renewal of a Section 6.2 Excavation Special Permit – 1145 Tryon Street – Bulky Waste Facility – Reserved Land Zone – Michael J. Bisi, Superintendent of Sanitation, in accordance with the following plans:

“MAP DEPICTING TOWN OF GLASTONBURY BULKY WASTE DISPOSAL SITE EXCAVATION AND FILL 2020 EXCAVATION PERMIT PLAN LOCATED ON 1145 TRYON STREET GLASTONBURY, CONNECTICUT TOWN OF GLASTONBURY ENGINEERING SCALE: AS SHOWN DRAWN BY: S. TROY 6-1-2021”

And

1. In compliance with:
 - a. With conditions 1-13 as set forth by the Conservation Commission in their recommendation for approval to the Town Plan and Zoning Commission at their regular meeting of November 4, 2010. Regarding condition #13, the referenced restoration plan shall be submitted approximately 6 months prior to the anticipated closure of an excavation cell.
2. The operating schedule shall be as follows:
 - a. Monday through Friday exclusive of State holidays 7:00 a.m. to 3:00 p.m.
 - b. Processing and screening of on-site material shall be limited to no more than 40 days per year.
3. In addition to Town activity, the hauling of sold/bartered material shall not exceed 75 loads per day or 250 loads per week.
4. This Section 6.2 Special Permit shall expire on July 6, 2023.
5. All construction shall be performed in accordance with the following:
 - a. 2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control, as amended.
 - b. The Connecticut Stormwater Quality Manual, as amended.
 - c. All stormwater discharge permits required by the Connecticut Department of Energy and Environmental Protection (DEEP) pursuant to CGS 22a-430 and 22a-430b.

- d. Section 19 of the Town of Glastonbury Building-Zone Regulations, as amended, the Town of Glastonbury Subdivision and Resubdivision Regulations, as amended, and any additional mitigation measures to protect and/or improve water quality as deemed necessary by the Town.
6. Each property owner shall comply with the long-term maintenance plan and schedule depicted on the approved plans to ensure the performance and pollutant removal efficiency of all privately-owned stormwater management systems.
7. The applicant is hereby notified of their potential obligation to obtain authorization under the DEEP's General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities ("construction general permit") for any project that disturbs one or more acres of land, either individually or collectively, as part of a larger common plan, and results in a point source discharge to the surface waters of the state either directly or through a stormwater conveyance system. The applicant shall provide a copy of the Storm Water Pollution Control Plan required by the construction general permit to the Town upon request.
8. This is a Section 6.2 Excavation Special Permit. 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 {5-0-0}.

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 June 15, 2021 Regular Meeting**

Commissioner Sexton noted a typo listed on page 4. The first line of the last paragraph should read "an opt **out** provision," not "an opt on provision".

Motion by: Commissioner Sexton

Seconded by: Secretary Botelho

Result: Minutes were unanimously accepted as amended {5-0-0}.

- 3. Application of the Town of Manchester for a Section 12.9 Minor Change concerning the construction of a 24-foot by 30-foot accessory building to support tactical training at the Town of Manchester Firing Range – Reserved Land – 130 Line Street - Christopher Till, Facilities Manager, Garth McDonough, Assistant Facilities Manager and Officer Brian Hagan for the Town of Manchester, applicant**

Mr. Mullen explained that the Town of Manchester had some scheduling issues tonight, so he will present the proposal for them. The application is to add an accessory shed to the Lot S3 line Street. Access is from Manchester, through a driveway down to the site, where two years ago, they approved a storage facility for a tower. This project is to add a standard shed building, which will have electricity but no plumbing. The shed will be used for debriefing and planning of activities on site. The applicant has come before the Plans Review subcommittee, and there were no issues.

Secretary Botelho asked if any materials or equipment would be stored in this building. Officer Brian Hagan from the Manchester Police Department stated that there will be nothing more than tables, chairs, and maybe mats. Commissioner Sexton asked how often this facility is used now. Mr. Hagan stated that it depends. They conduct training and classes at the site throughout the year. It dies down during the winter, but it is quite busy during the summer. Commissioner Sexton asked if the construction of this building will add to the frequency of use. Mr. Hagan stated no, it will just make the training of a higher quality. Commissioner Griffin inquired whether the building will be climate controlled. Mr. Hagan stated that as of right now, no, but eventually, it will be. Commissioner Griffin then asked about restrooms. Mr. Hagan noted that there are no restrooms. They continue to use portable facilities.

Motion by: Secretary Botelho

Seconded by: Commissioner Miller

MOVED, that the Town Plan and Zoning Commission approve the application of the Town of Manchester for a Section 12.9 Minor Change concerning the construction of a 24-foot by 30-foot accessory building to support tactical training at the Town of Manchester Firing Range – Reserved Land – 130 Line Street – in accordance with the following plans:

“SITE PLAN 130 LINE STREET GLASTONBURY, CT IMPROVEMENTS TO MANCHESTER POLICE DEPARTMENT FIRING RANGE PROJECT NUMBER 2011086 DRAWN BY: NF CHECKED BY: DG RELEASED BY: JL SCALE: 1” = 20’ TOWN OF MANCHESTER PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION 494 MAIN STREET – P.O. BOX 191 MANCHESTER, CT 06045-0191 SHEET NUMBER 2 OF 3 3/15/12 FOR PERMIT APPROVALS 11/08/18 TRAINING STRUCTURE 04/19/21 ACCESSORY BUILDING”

And:

1. In compliance with Standards contained in a report from the Fire Marshal, File #21-014R, plans reviewed 06-21-21.
2. All construction shall be performed in accordance with the following:
 - a. 2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control, as amended.
 - b. The Connecticut Stormwater Quality Manual, as amended.
 - c. All stormwater discharge permits required by the Connecticut Department of Energy and Environmental Protection (DEEP) pursuant to CGS 22a-430 and 22a-430b
 - d. Section 19 of the Town of Glastonbury Building-Zone Regulations, as amended, the Town of Glastonbury Subdivision and Resubdivision Regulations, as amended, and any

additional mitigation measures to protect and/or improve water quality as deemed necessary by the Town.

3. Each property owner shall comply with the long-term maintenance plan and schedule depicted on the approved plans to ensure the performance and pollutant removal efficiency of all privately-owned stormwater management systems.
4. The applicant is hereby notified of their potential obligation to obtain authorization under the DEEP's General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities ("construction general permit") for any project that disturbs one or more acres of land, either individually or collectively, as part of a larger common plan, and results in a point source discharge to the surface waters of the state either directly or through a stormwater conveyance system. The applicant shall provide a copy of the Storm Water Pollution Control Plan required by the construction general permit to the Town upon request.
5. 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.

Disc: Commissioner Sexton stated that there is no addition to an existing building. It is a completely new building, so she does not see how this is a minor change. Mr. Mullen explained that, when the firing range came in a couple of years ago, that was a significant change to the facility as a whole, so it is not the very beginning of this project. Even though this is a new structure, it is merely an add-on to an existing project. He compared it to a restaurant installing a patio. Secretary Botelho added that it is an accessory building, which is ancillary to the entire project. Mr. Miller does not like that precedent, noting that the regulations are inclusive, not exclusive, on the definition of minor changes. It does feel right that this is a minor change, but he is not sure that that is what the regulations say.

Commissioner Sexton asked about the existing floor areas of the buildings. Mr. Hagan noted that the square footage of the containers is about 1600 square feet. Ms. Sexton stated that this is 720 square feet, which is more than 10% of that. Ms. Augur noted that the later portion of Section 12.9 implies that the Commission has the discretion to determine a minor change and issue a permit, with or without conditions. Ms. Augur then argued that this is a use that exists on the site, which is not proposed to change. Mr. Miller believes this to be a customary accessory use, in which case, no extra permit would be needed.

Result: Motion passed {4-1-0-} with Ms. Sexton voting against.

4. Discussion of potential zoning amendments

Ms. Augur stated that a lot of work is needed, in order to comply with recently enacted legislation. There are also issues that need to be addressed sooner rather than later. She suggested the Commission and the Council set up a joint committee to tackle regulation revisions. Because of the time-sensitive nature of the items associated with public acts, she hopes that they can press forward quickly. The provisions she itemized are the following:

1. Minimum floor area requirements: All of Glastonbury's residential zones have them, but they are not permitted under the new legislation.
2. Excavation permits: The way the regulations are now, it is very difficult to delineate excavation associated with a site plan or subdivision activity versus excavation for excavation purposes.
3. Retail trade on outdoor dining: This makes permanent the executive orders so that outdoor dining becomes a right. However, those who have a current permit, which expires on March 31, 2022, would need to reapply.
4. Accessory apartments: They either need to comply with the provisions of Public Act 2129 or opt out, which is a two-step process.
5. Recreational marijuana: Ms. Augur noted that a land use attorney suggested Glastonbury enact a moratorium on it right now, so that they can develop the regulations before putting together an application.
6. Food trucks: Regulating these has increasingly been an issue in Town. There are several inconsistencies, omissions, and errors which need to be addressed.
7. Open space subdivision: In particular, an aspect that has been brought up for discussion is the quality of the land that gets devoted to this.

Motion by: Secretary Botelho

Seconded by: Commissioner Griffin

MOVED, that the Town Plan and Zoning Commission forwards a recommendation to the Town Council the establishment of a joint subcommittee, consisting of designated members of the Town Council and the Town Plan and Zoning Commission, to address necessary amendments to the Glastonbury Building-Zone regulations and the 2018-2028 Plan of Conservation & Development, in response to the recently enacted State legislation and such other amendments as deemed necessary.

Result: Motion passed unanimously {5-0-0}.

5. Discussion of Village District Regulations and Design Guidelines

Ms. Augur stated that the Town Council has broadened their initial approach. At their last meeting, they discussed going out to R2Q for a consultant to look at the Town Center area generally. However, they still seek a response from this body on the idea of village district regulations. The Council seems to believe that architectural design could be strengthened through design guidelines and/or village district regulations. Commissioner Sexton has no issue with the Council investigating these options, but she is not in favor of any of them.

Commissioner Miller does not believe that the government should be dictating the style of new construction. Commissioners Sexton and Griffin shared his skepticism, as well. The Commission came to an agreement to have the Council investigate these two topics.

6. CONSENT CALENDAR

- a. Scheduling of Public Hearings for the Regular Meeting of July 20, 2021: **to be determined**
- b. Request of 103 HOUSE STREET, LLC for a one-year extension to begin substantial construction – 103 House Street

Motion by: Commissioner Griffin

Seconded by: Commissioner Miller

Result: Consent calendar was accepted unanimously {5-0-0}.

7. Chairman’s Report *None*

8. Report from Community Development Staff

Ms. Augur stated that there will likely be a July 20 meeting. On the schedule are two applications: one from the Town and the other from Hops on the Hill to specify their food truck schedule. The latter would be a public hearing, so they hope to have a full commission. She also noted that there was a request for a joint informal PAD review, which the Council will likely schedule for July 27.

Motion by: Commissioner Griffin

Seconded by: Secretary Botelho

MOVED, that the Glastonbury Town Plan and Zoning Commission adjourn their regular meeting of July 6, 2021 at 7:57 P.M.

Result: Motion was passed unanimously {5-0-0}.

Respectfully Submitted,

Lilly Torosyan

Lilly Torosyan

Recording Clerk