

**THE GLASTONBURY TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING MINUTES OF TUESDAY, JANUARY 18, 2022**

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 at 7:00 P.M via Zoom video conferencing. 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. Raymond Hassett
Mr. Keith Shaw
Mr. Christopher Griffin
Ms. Laura Cahill, Alternate {assigned as a voting member}
Ms. Alice Sexton, Alternate

Commission Members Absent

Ms. Sharon Purtill, Vice Chairman
Vacancy

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

PUBLIC HEARING

**Application of John Cavanna for a Section 7.2.c.2 Farm Market Special Permit — 63-65
Woodland Street — Rural Residence Zone**

Jim Dutton of Dutton Associates, LLC presented a map with an overall plan for the farm, which covers about 177 acres. There is an existing shed on-site. Lighting will be temporary and only on when necessary. No fixed lights will be mounted. He showed where the food truck will be and the emergency access on-site, noting that the plan will be amended to include a sign for the emergency access. He then showed the pathway for parking and walking to the farm. The parking area is not striped, and there will be temporary sanitary facilities by the food truck.

Applicant John Cavanna explained the hours of operation. Farm market hours are extremely weather dependent, so hours vary during the season. Usually during winter, they open 7 days a week because people do not come out during weekend hours during inclement weather. During strawberry season, the farm could be open until 6 or 7 P.M. The haunted train rides in October usually run until about 11 P.M, which is the only time after dark they would be open.

Commissioner Cahill asked to verify that there will be no entertainment such as musical bands after hours; Mr. Cavanna replied that is correct. Mr. Dutton noted that there are activities on the

farm that do generate noise, but they are normal farm activities. Commissioner Turner asked if the haunted train rides run on only the weekends or during the week as well. Mr. Cavanna responded that it usually runs on Friday and Saturday nights, beginning the first weekend of October or the last weekend of September.

Chairman Zanolungo opened the floor for comments from attendees.

Kevin Burton of 275 Woodland Street, is happy to have a farm continuing its normal operation. However, he has significant concerns with the unrestricted hours of operations from 6 A.M. to 10 P.M. There is too much noise in the neighborhood already, and he does not see the necessity of a food truck. He opposes extending hours for locomotive operations with a food truck, especially during the weekend.

Mr. Cavanna pointed out that the locomotive engines they use are the same engines as in a truck. One cannot hear the engine when not on his property. The noisiest things that happen at the farm are actual farming activities.

Commissioner Hassett believes that hours of operation have been instituted in other similar agri-entertainment facilities throughout town. The Commission should consider what are reasonable regulations for the market operation as well as for the food truck. Commissioner Turner agreed that this is not about restricting farm operations but about striking a balance between considering the needs of the business as well as the needs of the area residents. Most operations are done prior to 7 P.M. He suggested designating specific hours of operation for the train in the month of October. Secretary Botelho agreed, stating that some reasonable restrictions make sense. He also agrees that the enumerated hours of operation should be established for the haunted train.

Commissioner Cahill asked for suggestions from the applicant on what would work for reasonable times and dates. Chairman Zanolungo suggested the restricted hours be implemented from the last weekend in September to the first weekend of November. Mr. Cavanna is amenable to that. Chairman Zanolungo proposed that the hours of operation be from 7 A.M. to 7 P.M., except for the last weekend of September through the first weekend in November. During that time, operations will cease at 10 P.M., and all patrons will be off the property by 10:30 P.M. Both commissioners and the applicant agreed.

Motion by: Secretary Botelho

Seconded by: Commissioner Griffin

MOVED, that the Town Plan & Zoning Commission approve the application of Paul J. Cavanna for a Section 7.2.c.2 Farm Market Special Permit – 63-65 Woodland Street – Rural Residence Zone, in accordance with the plan set entitled “Compilation Plan Cavanna Farm Market and Plans showing Proposed Food Truck 63/35 Woodland Street” prepared for Paul J. Cavanna, by Dutton Associates LLC Land Surveyors and Civil Engineers 67 Eastern Boulevard Glastonbury, CT 06033, dated 11-25-2021, revised 01-10-2022, scale 1 inch = 20 feet, and:

1. In compliance with the standards contained in the Fire Marshal report # 21-42, plans reviewed 12-31-21.

2. In accordance with:
 - a. The Town Engineer’s memorandum dated January 13, 2022.
 - b. The Sanitarian’s memorandum dated January 14, 2022.
3. Hours of operation are limited to 7 am to 7 pm except from the last weekend of September through the first weekend in November when the hours of operation for Fridays and Saturdays are limited to 7 am to 10 pm with all patrons off property by 10:30 pm.
4. This is a Section 7.2 Special Permit for a Farm Market. 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 as amended {6-0-0}.

REGULAR MEETING

1. Application of Paul & John Cavanna for a Section 12.9 Minor Change to add the accessory use of a food truck at a farm market— 63-65 Woodland Street — Rural Residence Zone

Chairman Zanolungo asked if the applicant anticipates the food truck year-round or only on fall evenings. John Cavanna stated that he would like to be able to have the food truck out when there is train activity; it is not needed for farm activity, such as when there is fruit picking. Mr. Cavanna stated that the train is mostly run on weekends. He would like to have the food truck on-site Fridays, Saturdays, and Sundays, with later hours on Friday and Saturday nights. Commissioner Turner suggested the same hours for the food truck that were just agreed upon for the farmer’s market. The applicant agreed.

Motion by: Secretary Botelho

Seconded by: Commissioner Griffin

MOVED, that the Town Plan & Zoning Commission approve the application of John Cavanna for a Section 12.9 Minor Change to add the accessory use of a food truck at a farm market - 63-65 Woodland Street – Rural Residence Zone, in accordance with the plan set entitled “Compilation Plan Cavanna Farm Market and Plans showing Proposed Food Truck 63/35 Woodland Street” prepared for Paul J. Cavanna, by Dutton Associates LLC Land Surveyors and Civil Engineers 67 Eastern Boulevard Glastonbury, CT 06033, dated 11-25-2021, revised 01-10-2022, scale 1 inch = 20 feet, and:

1. In compliance with the standards contained in the Fire Marshal’s report #21-42, plans reviewed 12-13-21.
2. In accordance with:
 - a. The Town Engineer’s memorandum dated January 13, 2022.
 - b. The Health Director’s memorandum dated January 14, 2022.

3. Hours of operation are limited to 7 am through 7 pm except from the last weekend of September through the first weekend in November when the hours of operation for Fridays and Saturdays are limited to 7 am through 10 pm.
4. This is a Section 12.9 Minor Change. If unforeseen conditions are encountered 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}.

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

Anne Bowman of 62 Morgan Drive, called for efforts to be made on expanding affordable housing opportunities in Glastonbury. She noted that the waiting list for the Glastonbury Housing Authority is 1101. The residence at 2610 Main Street is centrally located on a bus route, with great pedestrian access to major facilities throughout town. She asked that it be considered for affordable housing units.

Pam Lucas of 145 Moseley Terrace, also spoke on the inclusion of affordable housing in the 2610 Main Street proposal. Glastonbury has a large waitlist for affordable housing properties. Under new state requirements, zoning municipalities must promote sound planning principles. She asked the Commission to require the provision of affordable housing units on this proposal to promote public health and welfare and sound zoning principles.

3. Acceptance of Minutes of the January 4, 2022 Regular Meeting

Motion by: Commissioner Griffin

Seconded by: Commissioner Turner

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

4. Referral from Zoning Board of Appeals — Request of Richard E. Czarnecki for a use variance from Section 7.1.a.1 & 7.1.b.2.k of the Glastonbury Building-Zone Regulations to allow a storage container in a residential zone at Lot N-82 Hebron Avenue

Mr. Czarnecki explained that his future intention is to grow hops for personal use. He stores various tools and equipment in the storage container on his property. This also saves him money by not paying for storage off-site. Mr. Mullen explained that this application came before the Zoning Board of Appeals (ZBA) last September under a different section, but the ZBA advised the applicant to seek a use variance from Section 7.1.b.2.k to allow an accessory storage container without a primary unit. He is seeking guidance from the TPZ.

Commissioner Cahill asked for guidance on other applications of a similar nature. Ms. Augur noted that there are two issues here: the regulations limit storage containers to primarily industrial zones, and storage containers are accessory uses, but the lot does not have the principal use. She asked if the Commission would provide a positive recommendation to the ZBA on

allowing an accessory use without a principal use on the lot, and should they agree with that premise, would they provide a positive recommendation for the storage container as the accessory use?

Mr. Czarnecki listed a couple of examples near his property which also have an accessory use without a primary use on their property. Secretary Botelho asked how long the applicant plans to use the storage containers. Mr. Czarnecki explained that the use is not intended to be temporary because the land requires a lot of maintenance. Commissioner Cahill asked about the visibility of the storage containers. Mr. Czarnecki replied that three neighbors can see it, as well as people passing by on Hebron Road, a lot of whom have thanked him for cleaning up the area.

Commissioner Hassett asked if the use variance requires hardship. Ms. Augur stated yes, that is the ZBA's rule for approving variances, but this is a TPZ recommendation to the ZBA. Commissioner Cahill asked for guidance on what constitutes a hardship. Commissioner Griffin stated that they are only voting on whether the use is compatible with the zone, not the variance issue, which is under the auspices of the ZBA. Ms. Augur explained that this is a use variance on two levels: the first being an accessory use without a principal use, and on the second regarding storage containers. The second section becomes a moot point if the Commission does not give a favorable recommendation to an accessory use without a principal structure. However, a negative recommendation will still proceed to the ZBA, who is the final authority on granting variances.

Commissioner Turner does not have an issue with an accessory use building without a primary use. His concern is that this is a commercial container within a residential zone. He asked if the applicant would be willing to put up something more conducive to a residential zone, such as a shed. Mr. Czarnecki stated that he will have a hard time getting all the material out. He could put a roof on it, which could make it look like a shed. Commissioner Sexton asked if the applicant would still be allowed to keep his trailer and tractor on-site. Ms. Augur stated that the tractor would be allowed. Mr. Mullen added that one commercial trailer is permitted on the property, but it would have to be on a rear yard. Mr. Czarnecki believes that where it is now is the rear yard. Mr. Czarnecki noted that he spoke with Tom Mocko, Environmental Planner before he retired, who advised him that harvesting lumber is considered harvesting crops, which is a farming use that is allowed in Section 4 of the CC/IWWA regulations.

Chairman Zanolungo does not have an issue with the accessory use without the primary use. Commissioner Turner agrees. His concern is with the commercial container portion. Commissioner Cahill's concern is the use not being attached to a principal use and how it could open additional applications for commercial storage receptacles elsewhere in town. Ms. Augur clarified that, in a ZBA application, it is particular to the site of that application. Commissioner Hassett does not feel that the use is consistent with the zone. He also does not think that the accessory use is appropriate without a primary structure. The only areas where this has been done is in farming, and this is not farming. Ms. Augur stated that there are definitions in the zoning regulation on what constitutes a farm.

Mr. Czarnecki contended that the use is for harvesting of crops, which is considered farming or agricultural. Ms. Augur pointed out that to be considered a farm, the site must be over five acres. Mr. Czarnecki stated that while this is not a farm, the land is being used for agricultural

purposes. Secretary Botelho asked if these are principal uses for purposes of the section. Ms. Augur pointed out that agriculture is a permitted accessory use. Farms are a permitted use.

Commissioner Sexton stated that the minimum structure size regulations are thrown out the window because of changes in state law. She asked if this property has been considered in light of that. Mr. Czarnecki stated that the site is two-thirds wetlands, and there is not even space for a septic system. He had a soil scientist plot out the land, and it was deemed that it is not possible to construct a primary structure on-site. Ms. Augur stated that is correct; it has been determined that the applicant cannot build a residence on this lot. Commissioner Hassett does not think that harvesting of wood constitutes agricultural use. Mr. Mullen clarified that forestry is considered to be farming, and in recent years, they removed the special permit requirement for forestry from the TPZ regulations as a regulated permitted use.

Secretary Botelho has no problem with allowing the accessory structure. He struggles with allowing the storage container in the zone. He does not know how he feels about adding a roof onto the container to turn it into a shed. Commissioner Griffin asked if adding a roof would be permitted in this zone. Ms. Augur stated that it would only require the variance on accessory use without a primary unit, not the storage container variance. Mr. Griffin does not feel that this is generally compatible with the Rural Residence Zone. Commissioner Hassett stated that there is nothing prohibiting the continued use of this property in this way. He does not know whether that generally comports with the zone.

Ms. Augur explained that if the ZBA does not receive a recommendation from TPZ within a certain time period, then they can proceed with their decision-making. Commissioner Sexton asked if this came to ZBA as a complaint from the neighbors. Mr. Czarnecki stated yes, from someone who is a renter, not a homeowner. Commissioner Turner does not have an issue with having the accessory structure. He does not think that it goes against the regulations for the Rural Residence Zone. He asked if the application could be split into two separate motions. The Commission agreed to split up the motion into two.

Motion by: Secretary Botelho

Seconded by: Commissioner Hassett

MOVED, that the Town Plan & Zoning Commission provides a favorable referral to the Zoning Board of Appeals regarding the request of Richard E. Czarnecki for use variances from Section 7.1.a.1 Permitted Accessory Uses and Structures to allow a structure without a principal use on a lot in a residential zone at Lot N-82 Hebron Avenue.

Result: Motion failed {2-4-0}.

Motion by: Secretary Botelho

Seconded by: Commissioner Hassett

MOVED, that the Town Plan & Zoning Commission provides a favorable referral to the Zoning Board of Appeals regarding the request of Richard E. Czarnecki for use variances from Section 7.1.b.2.k Special Accessory Uses Storage Container to allow use of a storage container on a lot in a residential zone at Lot N-82 Hebron Avenue.

Result: Motion failed {1-5-0}.

5. Informal discussion on proposal for construction of two multi-family townhomes (10 units total); existing house to remain with conversion to two units plus additions adding 3 more units – 2610 Main Street - Town Center Zone – Jonathan Sczurek, P.E., Megson, Heagle & Friend, C.E. & L.S., LLC – Architect Jack Kemper, Kemper Associates – Attorney Joseph P. Jaconetta for Jays & Tee, LLC, applicant

Chairman Zanolungo declared a conflict, so he recused himself. Secretary Botelho led the discussion.

Jon Sczurek, P.E., Megson, Heagle & Friend, C.E. & L.S., LLC. represented the applicant. He explained that the site is a 0.71-acre parcel located on the easterly side of Main Street, within the Town Center Zone and part of the new Town Center Village District (TCVD). It currently has an existing house which is a multi-family residence. Adjacent to the property is an office building which the applicant also owns. The original proposal was to deconstruct the existing house that was in the front of the property and reconstruct it elsewhere, and to construct two new buildings for a total of 10 units. That proposal met resistance at the Community Beautification and Plans Review level.

The current proposal is to keep the existing house, add one unit on the north side and two units on the south side, for a total of 5 units. The Floor Area Ratio (FAR) decreased with the revised plan. The parking requirement is 20 spaces, or two spaces per unit; they are proposing 28 spaces. The site will be served by MDC water and public sanitary sewer. Light fixtures will be LEED and 8 feet in height. The driveway is on the west side, and a connection will be made to provide circulation out to New London Turnpike. Dumpsters will be relocated to make the driveway connection. The proposal is about 1,200 feet from the Hebron Avenue intersection. He then reviewed the drainage concepts and building scale, which is in keeping with the adjacent residential uses on Newberry Lane and 25-27 Naubuc Avenue. The application is also in conformance with the Glastonbury Center Shared Vision 2020 Plan.

Tom Graceffa of Graceffa Landscape Architect, LLC reviewed the landscaping plan. He noted that they did not use shade trees in the front of the building. The rest of the area in front of the house are perennials and low-retaining walls and planters. All the islands are planted, and the dumpsters are screened with evergreen trees. They are keeping the existing oak trees on site, and they have broken up the view to the adjacent apartments with small groups of arborvitae.

Jack Kemper of Kemper Associates Architects in Farmington reviewed the architectural components of the site. He noted that saving the existing house is important to this project. They were careful to make the other condominiums look like additions, so that nothing is bigger than the main house. Units range from one to three bedrooms and are about 1,200 to 1,600 square feet in size. There is a roof connecting the four-car carport which is designed to look like a barn. They have tried to match the style of the first house to make it look like a cohesive project. To stay in scale with the existing house, the units are two stories instead of three, which is why they have the garages and carport. There are patios on the west elevation of the building. They have removed three feet from the height of the back of the building. Every unit has a deck. The units

on either end have two-car garages versus one-car garages. He presented 3D images of the site from eye level.

Joe Jaconetta, the applicant, explained that there has been discontent with sprawling parking lots in Glastonbury which have not been town-center friendly, which he believes was the purpose of the Town Center regulations. He stressed that there is very little opportunity in this area for other residential development. He said that there is significant demand for housing downtown with high walkability access. He has received a lot of criticism about the initial plans that were put forth, which he finds unfair. He never had any intention of destroying the historical house. He is delighted that the plan makes the house a prominent feature and that the buildings around it will be in conformity with it. The project north of this added a two-story wing where his law offices are. That building remains, which is a testament to what he has done in the past.

Secretary Botelho asked about the status of the Architectural and Site Design Review Committee (ASDRC). Ms. Augur explained that the Council requested people submit their names for potential consideration. They seek to make appointments in February. If this were to be filed as an application in February, then it is possible that the ASDRC could get to it. However, design guidelines will take longer to implement. Secretary Botelho made note that this has come before the Plans Review Subcommittee, where the applicant was responsive to their questions and concerns.

Commissioner Hassett is pleased that the plan will incorporate the historic building. He would still like to see the mechanicals, the layouts of the parking lot, and more renderings. He believes that this is an exciting project to utilize historic buildings in town and bring them into the future. Commissioner Griffin agreed. Two things have stood out to him about this project: the incredible way that the house has been incorporated, and that the scale of the project is appropriate for the location. The driveway connection is a good idea for circulation purposes. He would like to see how some more landscaping plans. The more screening in the back, the better. He looks forward to seeing the final application.

Commissioner Sexton stated that the scale of the rendering showing the view looking south along Main Street seems off. Mr. Sczurek explained that it is a preliminary detailing, which does not show all the materials on the facade. Ideally, Ms. Sexton would like to see affordable housing units included in this project. She inquired about Ms. Lucas' comments in the public comment session, which spoke to statutory changes made this year. Ms. Augur clarified that the Town does not have any regulations in place that would enable the Commission to require affordable units in this development.

Commissioner Cahill appreciates the applicant's efforts to redevelop a property that could be transformative for Main Street and the Town in general. She inquired whether the applicant plans on asking for a density bonus. Mr. Sczurek replied no, he will not. Ms. Cahill asked if the applicant would consider designating one unit for affordable housing. Mr. Sczurek stated that they will discuss that. Secretary Botelho agreed with fellow commissioners that the applicant has done a great job with incorporating the historic building into the project.

6. CONSENT CALENDAR

- a. Scheduling of Public Hearings for the Regular Meeting of February 1, 2022: **to be determined**

7. Chairman's Report *None*

8. Report from Community Development Staff *None*

Motion by: Commissioner Cahill

Seconded by: Commissioner Hassett

MOVED, that the Glastonbury Town Plan and Zoning Commission adjourns their regular meeting of January 18, 2022 at 10:00 P.M.

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

Respectfully Submitted,

Lilly Torosyan

Lilly Torosyan

Recording Clerk