

**THE GLASTONBURY TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING MINUTES OF TUESDAY, FEBRUARY 15, 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
Ms. Sharon Purtill, Vice Chairman
Mr. Michael Botelho, Secretary
Mr. Corey Turner
Mr. Christopher Griffin
Ms. Laura Cahill, Alternate {assigned as a voting member}
Ms. Alice Sexton, Alternate

Commission Members Absent

Mr. Raymond Hassett
Vacancy

Chairman Zanlungo called the meeting to order at 7:03 P.M. He seated Commissioner Cahill in Commissioner Hassett's absence.

PUBLIC HEARING

Recommendation to the Town Council (Zoning Authority) regarding text amendments to the Building-Zone Regulations specifically regarding: Outdoor Dining; Architectural and Site Design Review Committee; and the Cannabis Moratorium

Ms. Augur explained the first text amendment regarding outdoor dining regulations. The Governor's Executive Order in May 2020 required expedited review and approval of outdoor dining as an accessory use to a permitted food establishment. Public Act 21-3 extended the Executive Orders until March 31, 2022. Glastonbury approved 11 temporary permits under the Executive Orders. Public Act 21-3 Section 182 intended to permanently establish a streamlined process for obtaining outdoor dining permits. If local regulations are not in place by April 1, then state law prevails, and outdoor dining becomes an accessory use with presumable sign-off from the Building Official.

Ms. Augur explained that the Building-Zone Regulations Working Group has been drafting text amendments to establish new regulations enabling outdoor dining as of right. The working group has recommended that the TPZ review these applications moving forward as a site plan approval,

which requires no public hearing. The proposed language, which was approved by the Town Attorney, will permit outdoor seating of up to 20% of an establishment's permitted indoor seating, beyond which, the applicant would need to comply with parking standards. She reviewed three examples in town of establishments whose outdoor dining is located exclusively in parking lots. Ms. Sexton asked if the 20% is irrespective of the number of spaces being used. Ms. Augur explained that, regardless of where they are being located, there will be a cap of up to 20% of permitted seating to be outdoors before the establishment needs to provide additional parking.

Vice Chairman Purtill stated that the new State statute allows outdoor dining until 9:00 P.M. but this would allow it until 11:00 P.M., which she finds too late. Commissioner Cahill explained that the Working Group debated the hours at length, and they decided that no new diners would be seated after 10:00 P.M. Commissioner Turner is concerned that, for establishments that have very limited spots, they are adding 20% capacity while also taking away requisite spaces for indoor dining. Ms. Augur explained that they could achieve compliance with a swapping approach instead, but enforcement would be difficult. They are just trying to find flexibility for businesses prior to requiring additional parking spaces. Mr. Turner suggested a 20% total capacity with a maximum of 10% in parking lots. Mrs. Cahill finds 10% too low, as it unduly restricts what has already been given to establishments.

Mrs. Purtill would like final seating to be by 9:30 P.M. and customers to vacate the premises by 10:30 P.M. The Commission agreed. Ms. Augur asked, for seating located in non-parking areas, they would proceed with the combination of 20% threshold and swap language. The Commission agreed. For restaurants that only can put seats in parking spots, Secretary Botelho is not comfortable with the 20% threshold because it will exacerbate the existing parking issues downtown. Mrs. Purtill suggested starting with a 10% bonus and then allowing a swap. Commissioner Griffin is more comfortable with the 10% threshold. The Commission agreed to proceed with the 10% threshold for establishments limited to parking lot use for their outdoor dining, before needing to comply with additional parking requirements. Ms. Augur pointed out that the Council needs to hold a public hearing on this as well.

Ms. Augur explained the second text amendment regarding the recently established Architectural and Site Design Review Committee (ASDRC), which is tasked with reviewing projects within the Town Center Village District Zone. The proposed revisions will have the ASDRC provide advisory review of commercial projects in other zones, replacing and expanding on the role the Beautification Committee has played. The ASDRC will also provide a consolidated advisory review on site, architecture, and landscaping design for commercial and multi-family projects throughout the community. Chairman Zanolungo asked what will happen to the Beautification Committee. Ms. Augur explained that the Council will decide. They have not yet set up the ASDRC, but there was some thought that a few members could move over into the new committee. Commissioner Sexton is concerned about timing. She asked what would happen if the ASDRC does not review a special permit for design review within 35 days. Ms. Augur stated that if they do not provide a report within that time frame, then the TPZ can proceed without it.

Ms. Augur explained the third amendment, which addresses a potential loophole in the cannabis moratorium. The section on applicability will change from “no applications shall be received” to “no applications shall be approved” by the TPZ. Because this type of application is, by state law, a site plan application, which must be received by the Commission once filed, and approved after 65 days if no action is taken, then someone could still file, despite the TPZ saying no. Therefore, they need to regulate the approval and affirm that the Commission will not grant any approvals during the moratorium.

Chairman Zanolungo closed the public hearing.

Motion by: Secretary Botelho

Seconded by: Vice Chairman Purtill

MOVED, that the Town Plan & Zoning Commission favorably recommends to the Town Council (Zoning Authority) text amendments to the Building-Zone Regulations specifically to establish Outdoor Dining as an accessory use (new Section 7.11 and amendment to Section 6.6); to amend the Architectural and Site Design Review Committee’s purview (amendments to Sections 4.12, 4.13, 4.17, 4.19, and 12.1); and, to amend the Cannabis Moratorium (Section 3.27) as described in the report, “Proposed Building Zone Regulations Revisions,” from the Office of Community Development dated February 15, 2022, with changes discussed at the Town Plan and Zoning Commission meeting of February 15, 2022.

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 items** *None*

2. **Acceptance of Minutes of the February 1, 2022 Regular Meeting**

Motion by: Commissioner Griffin

Seconded by: Commissioner Turner

Result: Minutes were accepted {5-1-0} with one abstention from Mrs. Cahill since she was not present at the meeting.

3. **Chairman’s Report** *None*

4. **Report from Community Development Staff** *None*

Chairman Zanolungo adjourned the meeting at 8:30 P.M.

Respectfully Submitted,

Lilly Torosyan

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Recording Clerk