

**GLASTONBURY TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 25, 2022**

The Glastonbury Town Council with Town Manager, Richard J. Johnson, in attendance, held a Regular Meeting at 7:00 p.m. in the Council Chambers of Town Hall at 2155 Main Street with the option for Zoom video conferencing. The video was broadcast in real time and via a live video stream.

1. Roll Call.

Council Members

Mr. Thomas P. Gullotta, Chairman
Mr. Lawrence Niland, Vice Chairman
Ms. Deborah A. Carroll
Mr. Kurt P. Cavanaugh
Mr. John Cavanna
Ms. Mary LaChance
Mr. Jacob McChesney
Mr. Whit Osgood
Ms. Jennifer Wang

a. Pledge of Allegiance. *Led by Jill Barry*

Chairman Gullotta called for a moment of silence in memory and honor of the slain Bristol police officers.

2. Public Comment.

The following comments were made in-person, at Council Chambers:

Anne Bowman of 62 Morgan Drive, supports the bike trails for Addison Bog and Woodlands.

Bruce Bowman of 62 Morgan Drive, also supports the multi-use bike rails, but is concerned about adequate concerns being given to its wetlands status.

Allen Friedrich of 47 Prospect Street Apartment D, is the President of Bike Walk Glastonbury, which supports the proposal for mountain bike trails. Safety is a major consideration for their organization, and this area of Addison Bog trail has been left unsupervised.

Jeffrey Stein of 142 Olde Stage Road, also spoke on behalf of Bike Walk Glastonbury. He explained that NEMBA has experience in this kind of trail work. He asked residents to visit the trail network they created in Rocky Hill. Bike Walk Glastonbury is willing to expend funds to help pay for the trails.

3. Special Reports.

a. Presentation on proposed multi-use bike trails – Addison Bog and Woodlands.

Mark McCall is a town resident and a member of both Bike Walk Glastonbury and NEMBA. He explained that CT NEMBA was suggested by the Town to put together a proposal for multi-use bike trails at Addison Bog and Woodlands. They have compiled an inventory of the Smith School trails and mapped it out with GPS. He reviewed the trail system “zones” of consideration. They have complied with the Town’s various safety requests, such as ensuring that the trails do not cross into hiking areas, providing adequate signage, and no encroachment upon the protected wetlands area. He then reviewed the various phases of the project.

Glenn Vernes is the Central CT Chapter President of NEMBA. He explained that NEMBA’s specialty is sustainable trail building which minimizes erosion. He provided an overview of the organization’s reputation and work, of which education is a large component. Their organization built Dividend Pond in Rocky Hill, which has been very popular. He noted that NEMBA is willing to allocate a budget for the repair and maintenance of the trails.

Ms. Wang lives within half a mile of the trail. She likes that the Ride with Gratitude Program will encourage safe trail use. She asked how NEMBA will use community outreach to proactively address potential conflicts between different trail users. Mr. Vernes explained that NEMBA has a lot of experience in mitigating conflicts with users. The best way to keep bikers off hiking trails is to have good trails for them to bike on. Ms. Wang inquired about the wetlands. Mr. McCall pointed out that Town Staff have already walked the trail and expressed which areas are unacceptable to build trails on because they contain wetlands.

Mr. Cavanna asked if any of the areas outlined for bike use would ever become unusable for walking. Mr. McCall stated absolutely not. A small area would be allocated for bike use only, but everywhere else would be multi-use. Mr. Cavanna asked if people would have to be members of a particular organization to use the trails. Mr. McCall stated no, the trails are open to all. Ms. LaChance asked about partnering with the Boy Scouts. Mr. McCall stated that they expect to engage community resources, which will also include working with the Boy Scouts on various projects. Mr. Osgood asked about next steps. Mr. Johnson stated that this topic will be on the next meeting agenda as an action item. Mr. Gullotta would like to know the insurance liability information. Mr. Johnson will present it at the Council’s next meeting.

4. Old Business. *None*

5. New Business.

a. Discussion and possible action on potential land acquisition – 50-55 Nye Road (refer to Town Plan and Zoning Commission and Board of Finance; set public hearing). *Tabled*

b. Discussion and possible action on potential land acquisition. *Tabled*

*The Council voted to add a new item to the agenda: **Action to establish a Council Subcommittee to recommend appointment to Board of Education.***

Motion by: Mr. Cavanaugh

Seconded by: Ms. Carroll

Result: Motion to add item to agenda approved unanimously {9-0-0}.

c. Action to establish a Council Subcommittee to recommend appointment to Board of Education.

Mr. Cavanaugh explained that Mr. Seretan has resigned from the Board of Education. Because he was an unaffiliated member, the vacant position must be filled by an unaffiliated person. He noted that the Council formed a subcommittee to find candidates for the newly created ASDRC. This action would be to form a similar subcommittee to find a new appointment for Mr. Seretan's position which expires in a year.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby appoints councilmembers Carroll, Cavanaugh, and Niland of the Council Subcommittee to recommend appointment to the Board of Education for the vacant U-2023 position. Interested candidates must have been registered unaffiliated voters for a minimum of 90 days.

Disc: Ms. Carroll explained that interested candidates who are registered as unaffiliated party members may send an application to Mr. Johnson expressing interest. She noted that unaffiliated voters must have been so for a minimum of 90 days. Mr. Cavanaugh would like to change the 90-day threshold to at least a year. Ms. Carroll pointed out that 90 days is the statute requirement. Mr. Johnson suggested that the Council require a minimum of 90 days but can decide how to proceed with that after tonight. Ms. Wang asked to clarify that the subcommittee would review applications and make recommendations to the Council. Mr. Gullotta stated that is correct. The Council would be the final voting authority.

Result: Motion passed unanimously {9-0-0}.

6. Consent Calendar. None

7. Town Manager's Report.

Motion by: Mr. Niland

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby recognizes the Town Manager's expense report for July 2022 to September 2022.

Result: Motion passed unanimously {9-0-0}.

Mr. Johnson stated that the Spooky Stroll was another hit this year, with many COVID and flu shots given out. The Health Department's final COVID and flu vaccination clinic will be held on November 1 at the RCC. On November 16, the RCC will host a community workshop on the Town Center Design Guidelines. The Building Zone Regulations Working Group, along with their partner FHI, seek public input as this project gets underway. Mr. McChesney thanked Town Staff for another successful Spooky Stroll. Ms. Carroll thanked the Health Department for continuing to organize vaccine clinics. They are doing a great job in follow up. Mr. Cavanaugh thanked Mr. Johnson for removing the flag signs on Hebron Avenue.

8. Committee Reports.

a. Chairman's Report.

Mr. Gullotta encouraged all to visit a local farm.

b. MDC. *None*

c. CRCOG. *None*

9. Communications.

a. Letter from CT Siting Council regarding notice of intent to modify an existing telecommunications facility located at 2108 Main Street.

b. Letter from CT Siting Council regarding notice of intent to modify an existing telecommunications facility located at 175 Dickinson Road.

10. Minutes.

a. Minutes of October 11, 2022 Special Meeting.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

Result: Minutes were approved unanimously {9-0-0}.

b. Minutes of October 11, 2022 Regular Meeting.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

Result: Minutes were approved unanimously {9-0-0}.

11. Appointments and Resignations.

a. Resignation of Mike Botelho from the Town Plan and Zoning Commission (R-2023).

b. Resignation of Evan Seretan from the Board of Education (U-2023).

c. Appointment of Philip T. Markuszka to the Town Plan and Zoning Commission (R-2023).

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

Disc: Mr. Osgood thanked Mr. Botelho and Mr. Seretan for their years of service to the Town.

Result: Appointment and resignations were approved unanimously {9-0-0}.

- 12. Executive Session. None**
- a. Potential land acquisition.**
 - b. Draft terms and conditions – sale of land – Eastern Boulevard.**

The Council recessed at 7:45 P.M. and reconvened at 8:00 P.M. for the public hearings.

PUBLIC HEARINGS:

NO 1: PUBLIC INFORMATION HEARING CONCERNING POTENTIAL LAND ACQUISITION – 50-55 NYE ROAD.

Mr. Gullotta acknowledged that notices to individuals living within 500 feet of the area were not mailed in a timely fashion. There has been a recent interest in partnering with a private developer or the GHA on this proposal. He asked that those objecting to the proposal advise the Council on alternative suggestions, rather than just voicing opposition. The Council will not take action tonight, and the hearing will be continued to the meeting of Wednesday, November 9.

Mr. Johnson explained that the proposal is to purchase an 11-acre site located off Nye Road, a cul-de-sac street. The subject property contains two office buildings that were constructed in the mid-1980s. To the east is the Town-owned Gateway parcel. The site is adjoined by nine acres of Town-owned land outside of the conservation easement. There are four landlocked acres with access only through Nye Road. Should the Town purchase this property, access would be provided to those four acres. A purchase and sale agreement has been executed, but it is subject to a public hearing and Town Council approval. Purchase price is \$3.4 million, with funding likely coming from ARPA, which designates affordable housing as an identified use. A due diligence process is underway. Council action is not required until December 9. Several referrals would need to be made, should the Council decide to proceed.

Chairman Gullotta opened the floor for public comments:

The following comments were made in-person, in Council Chambers:

DJ McBride of 263 Spring Street Extension, finds that this affordable housing project will provide many new homeowners with a ladder to generate wealth. He suggested that 73% of the units be sold above \$225,000 while the remaining 27% be rented out to those in need. He supports pursuing out-of-the-box ideas, such as renting to own. These approaches will help those in need while generating a tax base for Glastonbury and preserving the town's history.

Gary Giannelli of 522 Woodland Street, looks forward to hearing more details about this development project. He asked how many units are proposed and whether that will be enough to reach the 10% moratorium on CGS 8-30g applications. He also asked what the breakdown of the

units will be for rentals versus condominiums and whether this action is subject to a town referendum.

Anne Bowman of 62 Morgan Drive, supports this proposal. She finds that building affordable housing on this property in cooperation with the GHA or a private developer is a step forward for Glastonbury.

Bruce Bowman of 62 Morgan Drive, also supports this proposal. Glastonbury is in short supply of affordable housing and this development offers a unique opportunity to make headway in the imbalance.

Denise Weeks of 334 Hollister Way West, urged the Council to approve this proposal. Availability of ARPA funding is a unique opportunity, and purchase of the 10-acre parcel will give the Town access to four otherwise landlocked parcels. The location is ideal for affordable housing because it is close to schools, grocery stores, and is located on a bus line. The purchase will move the Town towards a moratorium. Since this is time-limited, there must be no delay.

Luther Weeks of 334 Hollister Way West, agreed that this is a unique opportunity. The Town is lucky to have found a large property in a reasonable location for affordable housing. He also likes that this will open access to those four landlocked acres. He cautioned that not supporting this project will subject the Town to 8-30g applications for a long time. If the Town does not buy it, someone else will, with no guarantee of building something acceptable to the community.

Pam Lucas of 145 Moseley Terrace, finds this acquisition to be a step in the right direction. Glastonbury needs more affordable housing and using ARPA funds can help address some of these needs. The land acquisition opportunity is not perfect, but it will disappear if the Town does not act quickly. Affordable housing needs to be located throughout the community and an inclusionary zoning ordinance must be established, as well as a housing trust fund. However, these concerns should not drive the decision on whether to proceed with this property. This acquisition will provide constructive action for affordable housing.

Kate Morgan of 36 Tanglewood Drive, finds the area beautiful and wild, and a great location for building affordable housing. She hopes that the land will remain clean and tended to. She asked that, if the Town purchases it, that they maintain the woods. Every April, rose-breasted grosbeaks flock to her husband's office on Nye Road, which she would like to continue.

Rev. Matthew Hogue-Smith of First Church of Christ Congregational, conveyed the Church's support for the purchase of Nye Road for affordable housing. This is not just a project, but a calling to work together to get things done. He asked to leave aside politics and take a step forward as a community.

Tom Miles of 108 Prospect Street, stated that this proposal checks off all the boxes. He was upset that the Town had not moved forward with setting aside more affordable housing, so this is a step in the right direction.

Jeffrey Pitler of 56 Douglas Road, finds it imperative to meet the Town's affordable housing obligation while reestablishing local zoning control. This purchase will allow the Town to own 60 contiguous acres, all with access through Nye Road. While affordable housing is best served when units are dispersed throughout town, given Glastonbury's shortage, this is a preferable option. The inherent market value of the site is greater than or equal to the proposed expense. He suggested relocating some existing parking to create an ingress/egress on site.

Charles Lodge of 678 Matson Hill Road, commented that he once spoke in favor of a moratorium. He supports this plan, finding Nye Road to be a great location for affordable housing. The Town no longer has the luxury to explore various suitable sites. Statute 8-30g was designed to help people, but it has not created a significant amount of affordable housing. He grew up in Welles Village with a single mother and is grateful to have lived in Glastonbury. He spoke of the many benefits that a community like Welles Village affords, such as increasing diversity and opportunity. Their youth outreach program provided him and his siblings with a positive influence. This proposal is an opportunity to help make dreams possible.

Cynthia Cavar of 249 Hubbard Street, supports the affordable housing development, but asked if the acquisition price is a market price relative to similar developments in town.

Daniel Schnaidt of 39 Strickland Street, is pleased to see progress on affordable housing in town. Though he supports local zoning control, he does not see a crisis with 8-30g projects, so they should not act in a precipitous way. The Town should be careful about how much they pay for the land. He asked if the additional four acres could address the BOE's need for a permanent home. He looks forward to more information as this proposal develops.

Susan Karp of 32 Rampart Drive, thanked the Council for their brave approach to an issue that was dormant for too long. This is a unique but positive situation, with the confluence of ARPA funds, the knowledge of affordable housing that the Town has gained, and a community that supports this type of initiative. She is confident that the Town will manage this proposal well. It is a step in the right direction to provide opportunities in the community that have not been present for several decades. She supports a partnership with the GHA, whose expertise will help make this a great addition to town.

Michele Parrotta of 37 Nye Road, stated that her family has developed many properties in town, and they have no objection to affordable housing. She thanked Mr. Gullotta for mentioning that neighbors did not receive timely notices. She is interested in learning more about the proposal.

Mark Demuro of 50 Nye Road, explained that his company, Cronin Group Holdings, LLC, has been based on Nye Road for over 30 years. They support embracing lower income housing, as well as diversity, equity, and inclusion. If this is the best location for affordable housing, then their company will not stand in the way of progress. They have two levels and can offer one of them for office lease. Whatever the Town decides, they will figure it out on their end.

Chip Beckett of 308 Tryon Street, first heard about this property being available over seven years ago. The Council has always considered it for a potential affordable housing location. If the Council proceeds, he asked to be entrepreneurial about it. The Town will not reach a

moratorium with this proposal alone, but they have an obligation to fulfill the housing needs of the community.

Robert Hale of 832 Hopewell Road, does not believe that the proposal has not been studied long enough. He would like to see more detail before the Council votes. This seems to be an uneconomic purchase, especially when it comes to the demolition cost. He asked how much it would cost to demolish the commercial/office buildings. He is unsure whether affordable housing should be dispersed throughout town or concentrated, but he would like to keep the site as a nature preserve and not developed into a high rise. He believes that other properties in town would be a good place for affordable housing.

Roger Emerick of 580 Hopewell Road, worries about sustainability during this unprecedented time. The local population will be in danger as climate change continues. 8-30g does not maintain a stable population, and he does not support increasing the town population.

Jacob Herwin of 239 Strickland Street, supports this acquisition, as it brings some control back to the town. A good plan today is better than a perfect plan tomorrow.

Noah England of West Hartford, is business owner of 55 Nye Road. He is here to learn about the timeline and how this will impact his business.

The following comment was made via Zoom:

Pamela Lockard of 10 Southgate Drive, supports the proposal, which can be purchased with ARPA funds. Her main objection to 8-30g is that the deed restriction for affordable housing ends after 40 years. Time is of the essence, so Glastonbury should take control on this issue, and Nye Road is a great location for affordable housing.

Ms. Carroll read the written comments received, as listed on the Town website:

Robert Dakers of 15 Trifiro Circle, noted that he spoke in front of the Council a month ago about the importance of affordable housing. He reiterated the need to implement the Town's recently adopted Affordable Housing Plan, including enacting inclusionary zoning provisions, addressing a greater range of housing options, and partnering with the GHA and others to create affordable housing units. The Nye Road purchase and proposed housing development provides an important, tangible opportunity to implement the plan and meet a critical need.

Charles Whynacht of 353 Eastbury Hill Road, favors the Town's purchase of land on Nye Road to use for affordable housing. The community should not allow the creation of affordable housing to be decided arbitrarily by private developers' motivations.

Melissa Passarello of 1786 Chalker Hill, strongly supports purchasing the 10-acre property on Nye Road for \$3.4 million to construct affordable housing. This is a prudent use of funds for an opportunity to return local control to implement and manage effective and fair housing while meeting 8-30g requirements.

David Gonci of 30 Delmar Road, finds the proposal to be a timely and attractive opportunity for the Town to minimize further harms from 8-30g while taking an important step towards improving affordable housing availability. The Town should make a best effort towards initiating this project to avoid more nonconforming private development of housing.

Beth Hillson of 283 Imperial Drive, supports the proposal, which abuts another 10 acres of town-owned land, making the parcel suitable for this sort of development. The Town Council's immediate action is imperative as another property owner is aiming to sell or develop it in the near term. She supports the Council's involvement in the process of increasing affordable housing in town. This action and future involvement may prevent future developers from using loopholes in the 8-30g state regulations to create housing in inappropriate settings.

John Nealon of 145 Moseley Terrace, supports the proposal. Glastonbury's recently adopted affordable housing plan set forth an "overarching objective" to increase housing diversity and affordability throughout town. Relying exclusively on private developers to meet these needs is unrealistic. Strategies 2.1.2 and 2.2.1 call for the Council to "help identify appropriate potential housing sites, whether already Town owned or for potential Town acquisition, to enable a development by the GHA ... [and] by a private entity," respectively. With this land available now, the Town has an opportunity to demonstrate its commitment to achieving their stated objective, in a manner consistent with their strategic plans.

David O'Connor of 1140 Main Street, supports the acquisition, which will be made with ARPA funds, not burdening local taxpayers at all. Glastonbury is obligated to provide more affordable housing opportunities, based on state statute. While he fully supports this purchase, he also favors a town ordinance to require affordable units in all new multi-unit housing developments in Glastonbury. He also favors mixed income housing projects with a percentage of units that must be affordable. The land on Nye Road presents a great opportunity to increase affordable housing opportunities for families who seek them. Everyone benefits from the increased diversity this project will bring to Glastonbury. He urged the Town Council to move ahead with the purchase.

Allie Tencza of 666 Griswold Street, opposes the proposal to build more luxury apartments off House Street. More apartments would cause even more overcrowding if people can even afford to live there. A better investment would be to build affordable townhouses for young families and single parents, so that they can send their children to school in town. This way, people can grow financially.

Janice Hoff of 42 Russet Road, supports this purchase. The Town was forced into accepting the inappropriate destruction of land at the corner of Hebron Avenue and Manchester Road because there was no other plan for affordable housing to meet the state criteria. The Town should be proactive in identifying appropriate locations for affordable housing.

Mark Sheridan of 28 Cutter Lane, would like to know the process by which affordable housing units will be awarded to candidates. In past meetings, the Council has stated that the Town's affordable housing is currently awarded on a first-come-first-served basis to a list containing more than 1000 applicants. He asked whether this would continue, or would new criteria be used to award affordable housing.

Jeffrey and Rebecca Boice of 282 Spring Street Extension, received a Public Information Hearing notice regarding the Nye Road land acquisition meeting on October 25, which is incredibly short notice. As an abutter to the proposed land purchase, they vehemently oppose the proposal. They asked whether a traffic and safety analysis have been performed. This part of town has seen an exponential increase in housing density, with the erection of apartment complexes, and this proposal will only make it worse. Taking an active office complex off the tax rolls makes no sense. They oppose spending \$3.4 million taxpayer dollars for land purchase and development when the Town already owns lots of land.

Mr. Johnson addressed the various questions that were raised:

- *Waiting List:* The Town could establish a new waiting list to work off the GHA's existing one.
- *Number of units:* 70-80 units are proposed
- *Moratorium qualification:* This project alone would not qualify the Town for a moratorium on 8-30g applications, but it will move the needle considerably. By how much depends on the mix of points. Based on the 2010 census estimates, the Town would need 144 points. Based on the 2020 census, 161 points.
- *Referendum:* In Glastonbury, a referendum is typically held when issuing bonds and there is an authorization to borrow money. In this case, there is no proposal to borrow money. Mr. Cavanaugh pointed out a provision in the Town Charter which allows for citizens to petition for a referendum on a proposal. Further, nothing prohibits the Town from holding a referendum. More public information is needed via a referendum than what was provided in two public hearings. Mr. Johnson remarked that the property seller is not willing to wait for a referendum. Mr. Osgood countered the assumption that the parcel will not be available later, as the owner has been trying to sell it for a while. There is the possibility that it would be available after a referendum.
- *BOE use:* The BOE leases commercial space for their administrative offices. They have begun to evaluate the long-term financial benefit of leasing versus buying. They are evaluating the cost of using this space instead.
- *Existing leases:* The Town would work with tenants to ensure that plenty of notice is given to relocate without harming their businesses.
- *Visual of units:* GHA Director Neil Griffin explained that there are a lot of possibilities, as this is quite early in the process. What they have shown the Council is a model based on affordable homes in Darien. Concepts tend to have 3-4 units and contain one to three bedrooms. The intent is for the concept to blend into the fabric of the community.

Ms. LaChance stated that there has been 30 years of inaction on affordable housing in town. To hold a referendum, in the hopes that the property will still be available, will again kick the can down the road. Not pursuing this proposal will make the Town 160 points short of qualifying for a moratorium on 8-30g applications. Many people cannot afford to live in the region and move south. They must act on this because the need for affordable housing is strong. Mr. McChesney is confused as to which mechanism the Council has for a referendum. Mr. Gullotta stated that the Town Attorney needs to determine the legitimacy of the idea.

Mr. Niland finds this proposal to be a big step in the right direction. However, it does not keep them from pursuing other projects to increase affordable housing in town. He noted that some people have confused the use of ARPA funds with land acquisition funds and a referendum. They are two separate things and will not mix. There is a discussion of demolishing either one or neither of the two buildings located on the proposed site. The Town needs to make the actual purchase before deciding how to proceed. He agreed with Ms. LaChance that not moving forward on this will kick the can down the road as more 8-30g applications continue to roll in.

Ms. Carroll finds this to be an incomparable opportunity to create something transformative that will serve the larger community. She cannot imagine one single development providing enough points to acquire a moratorium, so this is progress on moving the needle. The person selling the property has other options. To imagine that these would be "projects" in any sense demonstrates a poverty in imagination. She hopes to be more expansive in what they seek for the community, which can be pursued via a partnership with either the GHA or a private developer.

Mr. Cavanaugh noted that there are leases which go out to 2024 with the option to extend until 2029. He would like to know how this helps the town acquire a moratorium when lease options, without extensions, goes to 2024. Mr. Gullotta explained that two presentations were given to the Council by attorneys knowledgeable about 8-30g. Both stated that the Town can use the fact that it is making a good faith effort in furthering affordable housing, should they be subject to an appeal in court. Spending \$3.4 million reflects a good faith effort towards this objective. Mr. Johnson has spoken with the property owner about the lease situation. They hope to work with the tenants to help them relocate with minimal disturbance or inconvenience.

Mr. Niland asked, if both the buildings remain and all the design permissions are in place, will the Town have access to the property if there are still tenants there. Mr. Johnson explained that if the building is occupied, there is a certain requirement for parking, open space, and other factors which would limit that. Mr. Cavanaugh asked when the points would be awarded. Mr. Johnson replied, when the development is built and occupied. Mr. Cavanaugh noted that it will still take several years until the Town qualifies for a moratorium. He asked, if the GHA were to partner with the Town, how would they acquire their funding. Mr. Griffin stated that the DOT could provide ancillary funding, but the GHA will also provide its own funds. Mr. Cavanaugh asked if due diligence would include if a demolition were priced out. Mr. Johnson stated yes, they will look at the net cost for demolishing on a per building basis.

Mr. Osgood asked how the 70-80 units are determined. Mr. Griffin stated that they consider the rough acreage on site and the density. There are many variables to consider, such as parking, utilities, and topography issues on the northern fringe of the property, so this is very preliminary. Mr. Osgood asked about the income requirements. Mr. Griffin stated that to qualify for the low-income tax credit, the unit occupiers would have to be at or below 60% of the median income. Mr. Osgood asked about the availability of those funds. Mr. Griffin stated that they are highly competitive. Mr. Osgood asked what kind of an income mix the GHA would like to see in a project like this. Mr. Griffin stated that it depends on what is meant by "mixed income." Once that is defined, then they can define the income mix. Mr. Osgood asked when the Town could potentially acquire a moratorium. Mr. Johnson stated, probably 2026 or 2027.

Ms. Wang asked for clarification on why there is no access on Western Boulevard or Old Trail Road. Mr. Johnson stated that the town-owned property is a conservation easement, and Old Trail Road is a private non-town road. Ms. Wang has heard concern from neighboring residents about traffic. There is an existing sidewalk network on House Street. She would like to add the area to the sidewalk network to increase access for residents. Mr. Cavanna supports the idea of partnering with the GHA, as it will guarantee that the development will be used for affordable housing. The Town cannot kick the can down the road forever. They have obligations to meet, and he is glad that they are finally taking action. His preference is that those who have waited the longest on the GHA's waiting list get first priority on this development.

Mr. McChesney asked if consideration has been made to refurbish one of the buildings into affordable housing instead of demolishing the buildings. Mr. Johnson stated that they will evaluate that option. Mr. McChesney asked to get clarification on whether there is a legal basis to argue that because the Town is taking steps towards fulfilling its affordable housing mandate, that is a means to challenge or defend a denial of an application. Mr. Johnson stated yes, he will return with an opinion from the Town Attorney.

Mr. Osgood asked if ARPA monies can be for uses other than affordable housing. Mr. Johnson stated that municipal uses, such as governmental services, are supported by ARPA. Mr. Osgood asked about density. Mr. Johnson explained that the building zone regulations do not anticipate the type of density that Mr. Griffin spoke about. Thus, they need to be updated to reflect the goals of the affordable housing plan which would influence this site.

Mr. Gullotta concluded that the public hearing will continue on Wednesday, November 9.

The Council assumed a five-minute recess, returning at 9:57 P.M.

NO 2: ACTION ON PUBLIC ACT 21-29 – OPT OUT OF ACCESSORY APARTMENT AND PARKING REQUIREMENTS.

Mr. Johnson explained that PA 21-29 establishes the standards for ADU and parking requirements. It also provides a protocol whereby a community can opt out. Standards for ADUs must be in place by January 2023, while the parking requirements have no deadline, though the PA 21-29 regulations are now in place. The TPZ has voted to opt out of both provisions. By opting out, the Town can determine how the ADU use is recommended and abide by the Town's parking requirement.

The following comment was made in person, at Council Chambers:

Alice Sexton of 45 Hardin Lane, is a member of the TPZ who voted in favor of opting out of both requirements. However, she was reluctant to opt out of the ADU provision because of the definition of "families," which limits an ADU to three people. She would like to expand the definition, as well as make ADUs an as-of-right to make the process easier for applicants.

The following comment was written in advance of the meeting:

Melissa Passarello of 1786 Chalker Hill, supports upholding the TPZ's vote to opt out of the in-law apartment law and opt out of a new state law changing parking requirements. Glastonbury needs to retain as much local control as possible, especially with infringing laws like CGS 8-30g.

Ms. Wang asked about the timeline for revising the ADU regulations and/or reviewing the parking minimums. Mr. Johnson is not aware of any proposal to revise the Town's parking regulations. Mr. Gullotta added that the Building Zone Regulations Working Group has held some discussions, but they are on hold until various town positions get filled. Ms. Wang is fine with opting out to give more time to hold those discussions. She would like ADUs to become more streamlined. She agreed with Ms. Sexton that the town's definition of one family as a maximum occupancy is inappropriate; the State does not have such a definition, so it is an overreach of local government.

Ms. Wang would like to investigate the issue of detached structures versus only attached or semi-attached. She thinks that the parking minimum discussion is not just about parking but about public policy, so she would like to see it in the affordable housing plan. She asked how dedicated the Town is to moving away from car dependency and noted that paved land for parking cannot be used for any other purpose, such as stormwater, housing, or green space. She would like to take a closer look at parking minimums but will support opting out of both provisions tonight.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby affirmatively opts out of Public Act 21-29 regarding Accessory Dwelling Units for the following reasons:

- 1. Glastonbury's regulations align with many of the provisions of Public Act 21-29 regarding Accessory Dwelling Units.*
- 2. The Town Council and Town Plan and Zoning Commission shall conduct public hearings to solicit public comment to assist in determining how the regulations for Accessory Dwelling Units shall be revised as applicable.*
- 3. To enable the Town Council and Town Plan and Zoning Commission the opportunity to determine how the regulations should be modified concerning Accessory Dwelling Units.*

BE IT FURTHER RESOLVED, that the Glastonbury Town Council affirmatively opts out of Public Act 21-29 regarding the maximum number of parking spaces required for multi-family units for the following reason:

- 1. Decisions concerning regulations and amendments thereto are best considered and enacted by The Town Council with review and recommendation by the Town Plan and Zoning Commission.*

All as described in a report by the Town Manager dated October 21, 2022, and as recommended by the Town Plan and Zoning Commission.

Result: Motion passed unanimously {9-0-0}.

NO 3: ACTION ON APPROPRIATION AND TRANSFER – POLICE GRANT FUNDING AND REMOVAL OF PFAS FROM FIRE APPARATUS – \$95,000.00 – GENERAL FUND-UNASSIGNED FUND BALANCE TO POLICE AND FIRE OPERATING ACCOUNTS.

Mr. Johnson explained that the Town has received two grants that were unanticipated, totaling \$60,000. \$35,000 will be allocated to the Police Department budget, which is fully reimbursed by the grant. Fire Chief Thurz has a quote of \$25,000 for the fire apparatus to remove the remaining PFAS foam.

There were no comments from the public.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves a \$95,000 appropriation and transfer from the General Fund-Unassigned Fund Balance to Police and Fire Operating Accounts, as described in a report by the Town Manager dated October 21, 2022, and as recommended by the Board of Finance.

Result: Motion passed unanimously {9-0-0}.

Public hearings 4 and 5 were read together.

NO 4: ACTION ON AMENDMENT TO THE BUILDING ZONE REGULATIONS TO ESTABLISH A NEW SECTION 3-28 CONCERNING TECHNICAL ASSISTANCE FOR LAND USE PROPOSALS.

NO 5: ACTION TO ADD NEW TOWN CODE SECTION 15-38(15) CONCERNING TECHNICAL ASSISTANCE FOR LAND USE PROPOSALS.

Mr. Johnson explained that should the Town ever need expertise on something outside of Town Staff's abilities, then this will require the applicant to reimburse the Town for that expertise. The TPZ voted 4-1 to support this proposal and recommended that the section on timing be deleted.

The following comment was made in-person, at Council Chambers:

Alice Sexton of 45 Hardin Lane, explained that the TPZ voted to place an "and" between the first clause and the third clause. The commission excluded the second clause regarding timing because they do not want to see a situation where the Town cannot get to the work because of insufficient staffing.

Mr. Osgood asked if Mr. Johnson can imagine a time when a project needs to be reviewed but there is insufficient staff to do so. Mr. Johnson cannot think of a time when Town Staff have

been unable to review a project of a timing issue. Typically, when under a time crunch, they will work with the applicant to secure an extension.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves amendment to the Building Zone Regulations to establish a new Section 3-28, as described in a report by the Town Manager dated October 21, 2022, and as recommended by the Town Plan and Zoning Commission, with said amendment effective November 25, 2022.

AND BE IT FURTHER RESOLVED, that the Glastonbury Town Council hereby approves amendment to the Town Code to establish a new Section 15-38(15), and as recommended by the Town Plan and Zoning Commission, with said amendment effective November 25, 2022.

Result: Motion passed unanimously {9-0-0}.

Motion by: Ms. Carroll

Seconded by: Mr. McChesney

MOVED, that the Glastonbury Town Council hereby adjourns their meeting of October 25, 2022 at 10:17 P.M.

Result: Motion to adjourn passed unanimously {9-0-0}.

Respectfully submitted,

Lilly Torosyan

Lilly Torosyan

Recording Clerk

Thomas Gullotta

Chairman