

**THE GLASTONBURY TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING MINUTES OF TUESDAY, NOVEMBER 1, 2022**

The Glastonbury Town Plan and Zoning Commission with Jonathan E. Mullen, AICP, Planner, in attendance, held a Regular Meeting at 7:00 P.M in the Council Chambers of Town Hall at 2155 Main Street with an option for Zoom video conferencing. The video was broadcast in real time and via a live video stream.

ROLL CALL

Commission Members Present

Mr. Robert J. Zanolungo, Jr., Chairman
Mr. Corey Turner, Secretary
Mr. Philip Markuszka
Mr. Raymond Hassett
Mr. Emilio Flores
Ms. Alice Sexton, Alternate {assigned as voting member}

Commission Members Absent

Ms. Sharon Purtill, Vice Chairman
Ms. Laura Cahill, Alternate
Alternate Vacancy

Chairman Zanolungo called the meeting to order at 7:02 P.M. He seated Commissioner Sexton in Commissioner Purtill's absence and welcomed Mr. Markuszka to the Commission.

ELECTION OF SECRETARY

Nomination by: Mr. Hassett

Seconded by: Ms. Sexton

MOVED, that the Town Plan and Zoning Commission appoints Corey Turner as Secretary of the Commission.

Result: Motion passed {5-1-0}, with one abstention from Commissioner Turner.

PUBLIC HEARING

- 1. Continued hearing on proposed amendment to Section 4.13 of Building-Zone Regulations regarding the reduction in amount of existing commercial square footage that must be maintained on a site with existing development that is adding residential use**

Mr. Mullen addressed various ideas and suggestions that were discussed at the last hearing. He noted that former Commissioner Botelho felt that a 75% reduction in commercial space retention seemed excessive. His recommendation was for 50% or 60% instead. Commissioner Hassett asked if anyone has analyzed whether this is practical for smaller buildings in town. Mr. Mullen stated yes, they have done some site analysis. He reviewed examples of buildings in town which range from 2,500 to 3,500 square feet, as well as scenarios of reductions and retentions.

Mr. Mullen posed the following questions to the Commission:

1. Is the one-for-one replacement of commercial space appropriate?
2. If not, what is an appropriate minimum requirement for commercial space retention?
3. Should preservation of historic buildings be further incentivized? If so, how?

Example: Adjust the percentages such that a developer can get to no more than a 25% reduction without preservation of a historic structure.

Regarding question 1, the Commission felt that it is inappropriate.

Regarding question 2, Commissioner Flores believes that 50% is appropriate. Mr. Hassett is concerned that percentages alone are not the right way to look at this. A minimum amount must be utilized. Therefore, this would be impractical for smaller buildings. Commissioner Turner stated that Chase Bank is big enough, at 3,400 feet, whereas the Starbucks building is not, at 2,400 square feet. Thus, 3,000 square feet might be the magic number. Mr. Mullen noted that 3,000 square feet was the original minimum amount.

Secretary Turner asked if there is anything preventing a developer from adding the residential aspect onto a commercial building. Mr. Mullen replied no, there is not. Mr. Hassett asked if a developer could buy a commercial building and turn it into a residential building. Mr. Mullen stated that this cannot be done under the current regulations unless something new was built to replace it. However, if it were a CGS 8-30g application and not a mixed-use development, then it could go 100% residential.

Regarding question 3, the Commission agreed that preserving historic buildings should be incentivized. However, Mr. Turner pointed out that the historic structure component is already weighted heavily for reduction, so he does not think that any of their changes will make a drastic difference. Mr. Flores agreed, noting that non-historic structures can only qualify for a maximum reduction of 30% versus 50% for historic structures, so preservation of historic structures is already incentivized at 20%.

Mr. Mullen included affordable housing as a possible public benefit but increased the minimum required number of units and the number of years to be deed-restricted. If someone would like to qualify for this reduction, then they would have to double their commitment for affordable housing to receive a 10% benefit. Mr. Hassett hopes that this will encourage the Town's affordable housing stock to increase. Mr. Turner stated that the inclusionary zoning information has yet to come before the Commission, which could affect their decision here. Depending on what that percentage is, he worries that there might not be a strong enough incentive for developers to bypass the route of 8-30g.

Mr. Mullen noted that if the Commission feels strongly for affordable housing, then the percentage could be increased to 20% or 15%. Ultimately, they could note that one's benefits can add up to no more than a 50% reduction. Mr. Hassett pointed out that the State will look at which measures and steps the Town took to encourage affordable housing. This is an opportunity to show that they are encouraging it without the 8-30g component. However, he understands other

commissioners' unease and agrees to table this component until they receive the inclusionary percentages.

Mr. Zanolungo opened the floor for public comment.

Roger Emerick of 580 Hopewell Road, believes in sustainability and a low population rate. He asked that the Commission deny 8-30g applications because of the health and safety risk posed by increasing populations.

Mr. Hassett asked when the Commission needs to forward their recommendation to the Council. Mr. Mullen stated that the Commission has 35 days to close the public hearing. Mr. Hassett does not mind leaving the hearing open to receive commentary from Commissioners Cahill and Purtill, but he will vote on it tonight if other commissioners choose to move ahead. Mr. Turner would prefer to vote on this tonight, as there has not been much departure from the last meeting, which Mrs. Purtill attended.

Mr. Markuszka asked if there any unintended consequences that have not been addressed, such as cutting Whole Foods in half, leaving residents driving farther away to shop. Mr. Mullen stated that was a concern. They do not seek to reduce commercial space in lieu of residential space in the town center. Mr. Flores thinks that market forces will address that concern. Mr. Markuszka asked about ADA compliance. Mr. Mullen stated that all buildings must meet the minimum ADA requirements as part of the Building Code. Mr. Flores does not see how this pertains to preservation of commercial space. Commissioner Sexton favors adding an incentive of 2.5-5% for universal design for any kind of residential use. Mr. Mullen suggested this be on the level with LEED certification percentages.

With no further comments, Mr. Zanolungo closed the public hearing.

Motion by: Secretary Turner

Seconded by: Commissioner Hassett

MOVED, that the Glastonbury Town Plan and Zoning Commission forwards a favorable recommendation to the Town Council for adoption of the proposed amendment to section 4.13 of Building Zone Regulations regarding a reduction in the amount of existing commercial square footage that must be maintained on a site with existing development that is adding residential use, with the following recommendations:

1. A minimum of a 3000-square foot building to qualify for an up to 50% reduction benefit.
2. A note regarding the affordable housing benefit, to be revisited after inclusionary housing is decided on.
3. Universal design would be a public benefit for qualifying for a reduction of no more than 5%.

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 items

Roger Emerick asked that this agenda item be moved up to the beginning of the meeting. He also noted that he was interested in donating his 40-acre property along Roaring Brook to the Town to preserve as open space, but the zoning regulations are unacceptable. He then spoke to the demolition at 203 Cotton Hollow Road. The house and the old ruins behind it are a historic site which should have been preserved. He has sent a notice to commissioners, asking for details about why the home was demolished. The renovation project was approved with no indication that there would be a demolition. He asked to send him email replies with information on how this transpired.

Mr. Mullen noted that Town Staff received the email complaint from Mr. Emerick on Thursday, and he has spoken with the Building Official regarding this matter. The Commission approved a flood zone permit for the reconstruction of a portion of the house to be floodable storage. It was not approved as a renovation, but the applicant had presented that the house would be renovated. However, plans did not include a demolition, so no demolition permit was issued. Had a permit been issued, the building would have qualified for a 90-day demolition delay ordinance. During the construction process, however, it was revealed that the condition of the property was in poor shape, due to actions by the prior owner. A violation did occur, but it does not concern the approval that was issued by the TPZ. The Building Official and others are dealing with this, and Mr. Mullen will report back to the Commission. He noted that there is access to the ruins off Hopewell Road, but not through that house because it is private property. Mr. Mullen will work with the Building Official to draft an appropriate response to Mr. Emerick.

2. Acceptance of the Minutes of the October 18, 2022 Regular Meeting

Motion by: Commissioner Hassett

Seconded by: Commissioner Flores

Result: Minutes were accepted {4-2-0}, with two abstentions from Commissioners Sexton and Markuszka who decided not to vote because they were not present at the meeting.

3. CONSENT CALENDAR

- a. Scheduling of Public Hearings for the Regular Meeting of November 18, 2022: **to be determined**

4. Chairman's Report *None*

5. Report from Community Development Staff

Mr. Mullen noted that a letter was received from Hinckley Allen, the representative of Mr. Hayes, the developer of 1199 Manchester Road. Chief Porter had expressed a concern about a change in the striping of a state roadway which needs to be approved by the DOT. The applicant

had agreed to the condition, but did not receive the memorandum beforehand, as it was not included in their packet. Therefore, they appealed the decision. In the interim, they have been working to address Chief Porter's concern and have revised their plans. Nothing on the actual site has been changed. If the DOT does not agree with that change, then the applicant will return to the Commission to figure out next steps. At this point, they assume that it will be approved, and the applicant will file the mylars, revise the traffic striping, and withdraw their appeals.

Mr. Flores stated that the Chief of Police's comments should have been included. He asked what the standard practice is. Mr. Mullen explained that it was a staff oversight. The memo came in, but it was not transmitted to the applicant. They have worked with the Police Chief and Traffic Engineer to address the issue. Mr. Turner asked what the timeline is on a DOT request like this. Mr. Mullen replied he did not know. Mr. Turner asked how long the turning lane would be to the intersection. Mr. Mullen will find out.

Motion by: Commissioner Sexton

Seconded by: Commissioner Markuszka

MOVED, that the Glastonbury Town Plan and Zoning Commission adjourns their regular meeting of November 1, 2022 at 8:39 P.M.

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

Respectfully Submitted,

Lilly Torosyan

Lilly Torosyan

Recording Clerk