

**GLASTONBURY TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, NOVEMBER 9, 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 {participated via Zoom video conferencing}

Mr. Jacob McChesney

Mr. Whit Osgood

Ms. Jennifer Wang

a. Pledge of Allegiance. *Led by Harry James*

2. Public Comment.

Harry James of 265 Belltown Road, is proud of this Council and the Town Manager. He has been an avid supporter of open space, having donated land to the town before. He worries that the new winery which will operate on Rose's Berry Farms will increase noise and traffic. He asked that the Council handle the matter with restrictions when it comes before them.

DJ McBride of 263 Spring Street Extension, reviewed the results of the Glastonbury Voter Project, which has received a total of 3320 unique viewer visits to the site. The project seeks to educate voters in town, regardless of political affiliation. He hopes to interview all council members for the project in the coming year.

Mark McCall of 63 Wadsworth Street, reviewed the various tenants of NEMBA, such as their Ride with Gratitude plan, and thanked the Council and the Town for their support.

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

Richard Kubica of 50 Brookview Drive, supports the installation and maintenance of multi-use trails in the Addison Bog and Woodlands area. The project will provide a great resource to residents in line with other projects that the Town has pursued, while also furthering Glastonbury's commitment to the goals of the 2021 Updated Bicycle Master Plan.

3. **Special Reports.** *None*

4. **Old Business.** *None*

5. **New Business.**

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

Mr. Cavanna asked if this would allow for electric-assist mountain bikes. Mr. McCall stated that, typically, throttle bikes pose a speed issue, but because electric-assist bikes are meant to assist handicapped individuals, then it should not be a problem. They will work with the Parks and Recreation department to see what the Town's existing rules are.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby authorizes the Town Manager to develop a working agreement between the Town, CT NEMBA and Glastonbury Bike Walk for installation and maintenance of mountain biking/multi-use trails at the Addison Bog and Woodlands with the responsibility for such installation and maintenance resting with CT NEMBA and in accordance with insurance requirements of the Town of Glastonbury, as described in a report by the Town Manager dated November 3, 2022.

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

6. **Consent Calendar.**

a. **American Rescue Plan Act (ARPA) – Small Business Assistance Program.**

The action was removed from the Consent Calendar and moved to the floor.

Motion by: Ms. Carroll

Seconded by: Mr. McChesney

BE IT RESOLVED, that the Town Council hereby schedules a public hearing for 8:00 p.m. on Tuesday, November 22, 2022, in the Council Chambers of Town Hall, 2155 Main Street, Glastonbury and/or through Zoom Video Conferencing to consider an appropriation of \$155,000 in ARPA monies in support of the Small Business Assistance Program established by the Town Council, as described in a report by the Town Manager dated November 3, 2022.

Disc: Mr. Johnson stated that they have gone through 50 applications, of which 31 qualified. The grants are for \$5000 per applicant. Mr. Cavanna asked how long it would take to finalize the process. Mr. Johnson stated that it depends on when the applicants respond back with everything. Mr. McChesney thanked Town Staff for processing these grants and going through them.

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

b. **Amendment to Town Center Regulation (set public hearing).**

The action was removed from the Consent Calendar and moved to the floor.

Motion by: Ms. Carroll

Seconded by: Mr. McChesney

BE IT RESOLVED, that the Glastonbury Town Council hereby schedules a public hearing for 8:00 p.m. on Tuesday, November 22, 2022 in the Council Chambers of Town Hall, 2155 Main Street, Glastonbury and/or through Zoom Video Conferencing to consider proposed amendment to Section 4.13 of the Building Zone Regulations regarding commercial space retention/replacement for mixed use projects in the Town Center Zone, as described in a report by the Town Manager dated November 3, 2022.” and as recommended by the Town Plan and Zoning Commission.

Disc: Mr. Osgood asked if this has come before the Council previously. Mr. Johnson stated yes, a concept draft was provided and forwarded to the TPZ.

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

7. Town Manager’s Report.

Mr. Johnson stated that the Holiday Fair date has changed to December 10. The Town has received a \$5000 grant from AARP to build two bocce courts. Additionally, Glastonbury is one of five towns in the state to be awarded the new Climate Leader Designation (CLD), and the GFOA has recognized Glastonbury with an award for financial reporting. The DOT has confirmed that any option to create a retaining wall along Main Street/Route 17 would not be supported, but they await another formal correspondence. Glastonbury has received a \$730,000 municipal revenue sharing grant which was not budgeted or anticipated. It was unclear when this money would be received, but it has been deposited to the General Fund. Shelley Caltagirone will be Glastonbury’s new Director of Planning and Land Use Services. She has been invited to next week’s design guidelines meeting.

Ms. Wang congratulated Town Staff for the CLD and asked if that designation has a term length. Mr. Johnson thinks that the designations are for three years, but he will confirm. Mr. Cavanaugh stated that the Design Guidelines subcommittee has been working with a consultant since mid-summer. They will conduct a presentation at the RCC on November 16 at 6:00 P.M. He asked the public to attend. Mr. Osgood commended the Registrar of Voters for a flawless election process yesterday.

8. Committee Reports.

a. Chairman’s Report.

Mr. Gullotta asked all to attend the Design Guidelines subcommittee meeting next week. He noted that Santa will be at South Church on November 26 from 9:00 A.M. to 12:00 P.M. for free photos. He recommended reading Ray Bradbury’s “The Martian Chronicles” and applauded the Town Manager for receiving the Joel Cogen Lifetime Achievement Award.

b. MDC. None

c. CRCOG. *None*

9. Communications. *None*

10. Minutes.

a. Minutes of October 25, 2022 Special Meeting.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

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

b. Minutes of October 25, 2022 Regular Meeting.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

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

11. Appointments and Resignations. *None*

12. Executive Session.

a. Potential land acquisition.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby enters into executive session to discuss a potential land acquisition at 7:43 P.M.

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

Present for the Executive Session item were council members, Mr. Tom Gullotta, Chairman, Mr. Lawrence Niland, Vice Chairman, Mr. Kurt Cavanaugh, Ms. Deborah Carroll, Mr. John Cavanna, Ms. Mary LaChance, Mr. Jake McChesney, Mr. Whit Osgood, and Ms. Jennifer Wang, with Town Manager, Richard J. Johnson.

No votes were taken following the Executive Session, which ended at 7:55 P.M.

The Council returned for the public hearing at 8:00 P.M.

PUBLIC HEARING:

NO 1: PUBLIC INFORMATION HEARING CONCERNING POTENTIAL LAND ACQUISITION – 50-55 NYE ROAD (CONTINUED FROM OCTOBER 25, 2022 COUNCIL MEETING).

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

Bruce Bowman of 62 Morgan Drive, would like to proceed with this development because Glastonbury desperately needs affordable housing.

Anne Bowman of 62 Morgan Drive, supports this proposal for affordable housing development with either the GHA and/or a public private partnership. She favors affordable housing without age restrictions and of different sized units, including units for families with children and baby boomers. Glastonbury is a high opportunity area. This would help as a pathway out of poverty.

Audrey Beatty of 139 Williams Street West, supports this proposal and hopes that the Council will vote for it. The property is in a great location with easy access to shopping, schools, and public transportation. It is better to act now rather than push things down the road. She supports affordable housing in general and hopes that this is the beginning of pursuing such opportunities.

Denise Weeks of 334 Hollister Way West, echoed Ms. Bowman. She agrees that the use of ARPA funds for this proposal is a good idea. She also likes that it will open Town access to the four acres. The property is conveniently located near schools, shopping, daycare, and on a bus line. Supporting this proposal is a show of good will, on the Town's intention to fulfill their obligations to provide affordable housing. She also supports an inclusionary zoning ordinance. She encouraged the Council to move forward in a timely fashion.

Pam Lucas of 145 Moseley Terrace, stated that over 1000 people are on the GHA waiting list, so the need to provide more affordable housing is dire. Now is the time to acquire the property on Nye Road.

David O'Connor of 1140 Main Street, supports the purchase of Nye Road for affordable housing development with ARPA funding. He likes that this project will help the Town move towards its obligation to provide more affordable housing. In the future, he prefers dispersing affordable housing, not concentrating it in one area in town. Everyone will benefit from the increased diversity that this development will bring. He urged its support from the Council.

Julie Thompson of 252 Bluff Point Road, commends the Council for bringing forward this proposal to expand affordable housing in town. She appreciates that it is not an instant remedy, but she is hopeful to develop a living community that will be welcoming to all.

Michele Parrotta of 71 Scarborough Street in Hartford, stated that she lived on Nye Road for many years and has family members who still live there as the only residences. They appreciate affordable housing and would like to work cooperatively with the Council. She read into the record a letter from her brother who has eight duplexes on Nye Road. In it, he states that the proposed acquisition conflicts with assurances they were given from the Town, such as the promise that developments would not be multi-family units. He would like to know how the Council will justify the cost to taxpayers, and whether the BOE will use the space for its new location. He also asked for more information on the open space, how it will be used, and how the Town will pay for the demolition and retrofitting of the existing buildings.

Robert Dakers of 15 Trifiro Circle, supports this proposal which is responsive to the ongoing needs of affordable housing in town. He encouraged the Council to move forward now to purchase the property.

DJ McBride of 263 Spring Street Extension, stated that the devil is in the details. The 70-80 affordable units proposed by this property might help the Town to achieve a moratorium, but he does not think that will be supported by the public. He recommends a phased approach instead.

Ms. Carroll read the written comments into the record:

Candice Maningas of 202 Indian Hill Trail, supports the Nye Road affordable housing project. Providing space for middle- and low-income families, as well as individuals, to live in Glastonbury is not only the right thing to do, but also required to comply with state law. Most importantly, it will enrich the Glastonbury community, which benefits everyone.

Lisa Mendum of 45 Candlewood Road, stated that this area of North Glastonbury is already densely populated with congestion, pollution, and speeding cars around the clock every day. The Town has a fiduciary duty to protect its grand list value. She asked why residents in the immediate vicinity of Nye Road are not being protected. The 11 acres of Nye Road property are a hidden gem bordering beautiful green space already owned by the Town. The Town should move to buy the Nye property and preserve it like it has done for Cotton Hollow. While Glastonbury needs to reach its goal for affordable housing, the residents of North Glastonbury should not be bulldozed because people who do not live there are voting for this development, perhaps because they do not want affordable housing in their own backyards. She asked if the Town conducts regular air quality surveys at schools, and if not, why.

Cynthia Tucker of 249 Strickland Street, has concerns about the Nye Street site which is encumbered by existing leases whose terms may not allow construction to begin until 2025-2027. She asked if the Council had identified shovel-ready sites that would enable an earlier delivery of units, and whether other sites were considered that would accommodate more than the 70 units proposed for Nye Road. She asked if concentrating the affordable housing in North Glastonbury, and specifically in the Naubuc School district, was intentional. There is already a concentration of lower income housing in that area. The acquisition has been promoted as an urgent time of the essence decision. She asked if buyers are really lining up to pay \$79 per square foot for dated suburban office buildings in a market of soft office demand and rising interest rates. The ARPA money is an opportunity for the Town to address the need for affordable housing in the best way possible, with a thoughtful consideration of alternative sites.

David Liscinsky of 100 Bellridge Road, spoke as a member of First Church. He supports the potential purchase of the Nye Road property to help develop affordable housing. The proposed housing development provides an important opportunity to implement the Town's recently adopted affordable housing plan. He is confident that the Town and its Housing Authority will do an excellent job in creating a quality development for Glastonbury and nearby property owners. He encouraged the Council to move forward now with this purchase.

Barbara Clannin of 308 Spring Street Extension, was born and raised in Glastonbury and appreciates Connecticut even more now, after having lived in California, where over-building has caused extreme traffic gridlock. She is hopeful that Glastonbury will not use the land acquisition proposed on Nye Road for housing. Instead, she would like to see a school, a private office building, or a community garden where families who do not have access to open land could work with local farmers to grow their own food. A segment of the area could be to grow Christmas trees. More condominiums and apartments would be detrimental to the area. A community garden designation would also allow for young people to experience a town that does not over-build, causing more congestion on the streets surrounding the Town Center. She volunteered to serve on any committee which seeks to preserve open space and offered to work with the Council to find other areas more appropriate for construction of affordable housing.

Mr. Cavanaugh asked Ms. Parrotta to identify the Town officials noted in her brother's letter. Ms. Parrotta does not know. Mr. Cavanaugh asked if the Council is considering a public-private partnership. Mr. Johnson stated that, because time is of the essence, the Council could request an RFQ (request for qualifications) instead of an RFP (request for proposal), which takes longer, to see who might want to partner with the Town, perhaps in conjunction with the GHA. The Council's deadline to act is December 9. Mr. Cavanaugh stated that the Council requested the Town Attorney's opinion on whether progress shown towards increasing affordable housing would be viewed favorably by a judge when reviewing an 8-30g denial. His opinion is that it would not be. Mr. Cavanaugh also noted that he brought up whether the Town could go to a referendum for an item that does not include a bonding referendum.

Mr. McChesney stated that if they do not move forward on this now, then they are kicking the can down the road for when they could potentially seek a moratorium. Mr. Gullotta pointed out that the motion tonight is simply to move this forward to the TPZ and BOF. Mr. Johnson added that for the Council to honor the December 9 deadline, another public hearing will be scheduled on either November 22 or December 6 to take final action. Ms. Carroll asked when the deadline is to allocate the ARPA funds. Mr. Johnson stated that monies must be allocated by December 2024 and expended by December 2026.

There were no comments via Zoom. With no further comments, Chairman Gullotta closed the public hearing.

The Council returned to Agenda Item 5B.

- b. 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). [discussed/acted after the public hearing]**

Motion by: Ms. Carroll

Seconded by: Mr. Niland

BE IT RESOLVED, that the Glastonbury Town Council hereby approves the following concerning proposed Town purchase of the 10.86± acre Nye Road parcel:

1. *Referral to the Town Plan and Zoning Commission for a report and recommendation under CGS Section 8-24;*
2. *Referral of a \$3.4M appropriation and transfer in ARPA funds to the Board of Finance for a funding report and recommendation;*
3. *Schedules a public hearing for 8:00 p.m. on Tuesday, November 22, 2022, to consider proposed Town acquisition of the 10.86± acre Nye Road parcel;*

all as described in a report by the Town Manager dated November 3, 2022.

Disc: Mr. Gullotta noted that this action will return to the Council. Mr. Cavanaugh asked if the Council should ask the Town Manager to extend the formal purchase and sale agreement. Mr. Gullotta asked if the Council would like to ask Mr. Johnson to put out an RFQ to seek out potential partner(s) in the private sector.

Mr. Osgood takes issue with the proposed acquisition because it fails to deliver on the three points that were promised: to help the Town achieve a moratorium on 8-30g; to show a good faith effort which could be used as a legal basis in court; and to provide affordable housing. The type and cost of affordable housing units proposed for this development have yet to be determined. The Town should not buy this property until those issues have been decided. He also finds that the purchase would increase the tax burden because ARPA funds could be used for other purposes. The selling price is extremely high, and they do not know how much a possible public-private partnership will cost the Town. Affordable housing should be scattered throughout town, and this is a concentrated development in the north end where most affordable housing is already located. No alternate sites were evaluated. He also takes issue with the possibility that this project would not have a market rate component.

Mr. McChesney countered that the only way that ARPA funds can reduce the Town's mill rate is if the Capital Improvement fund is reduced, for which the Council has expressed prior discomfort. While he supports funding affordable housing with ARPA monies, he is concerned about this particular purchase. Two factors weigh on his mind: there is a buyer in place, which is why they are on a quick timetable. It is in the interest of the Town to control that development rather than a private developer. Mr. Osgood countered that there may not even be an alternative buyer because the best way for a seller to motivate is to say that there is another buyer ready.

Mr. McChesney noted that he had asked for a legal opinion from the Town Attorney, who deemed it unlikely that the Town could use the purchase of this property to their benefit when denying an 8-30g application in court. However, not acting will kick the can down the road of when the Town could potentially seek a moratorium, which he feels is not the right thing to do. He encouraged all to attend the upcoming BOF meeting, TPZ meeting, and the next Council meeting where this will be voted on.

Mr. Gullotta remarked that the public needs to recognize that if this were only about the Nye Road parcel, then there would be an argument. However, to access town-owned property, which is currently landlocked by this parcel, they need to buy this parcel. Once they access that property, they pick up 4 acres. They have also discovered that there are another 3 acres, so a

potential 7 acres of land for future use. Mr. Osgood asked to confirm that. Mr. Johnson clarified that 9 acres will become available to the Town outside of the utility easement.

Ms. Carroll is not willing to sacrifice good in the name of perfect. Pursuing this project does not preclude the Town from creating more affordable opportunities throughout town. She challenged all to turn “I support affordable housing *but*” into “I support affordable housing *and*.” Nye Road is a great location for affordable housing. The logistics need to be worked out, but time is of the essence. Mr. Osgood supports affordable housing but without office buildings currently onsite. The Town needs to do their due diligence. They should know more information before buying a property with two office buildings for \$3.4 million.

Mr. Niland cautioned that not supporting this proposal will result in more 8-30g applications down the road, which will destroy local zoning. He agreed with Ms. Carroll that this development does not impede the Town from acting on other projects to develop affordable housing. He is willing to hear from anyone who has other areas in mind because this will not be the Town’s only project. He responded to Mr. Osgood’s comment about the loss of tax revenue, replying that the Town will likely receive that money back in lease revenue. Mr. Osgood countered that, as the leases roll off, the Town will have to cover the cost of maintaining the buildings. Once the commercial properties are lost, they do not get replaced.

Ms. Wang has heard concerns from neighbors on the north side of town. One issue which has been brought up repeatedly is the inclusionary zoning ordinance, which the state enacted in 2012, but Glastonbury has yet to adopt it. She asked when the Town will start the process of exploring that. Mr. Johnson noted that there is a draft inclusionary zoning ordinance in the system right now, which should come before the Council in the next few months. Ms. Wang pointed out that the Town’s adopted affordable housing plan called to explore an affordable housing trust fund. She asked when the projected timeline is to start that process. Mr. Johnson stated that the queue is tight right now, but whenever the Council wants to discuss next steps, it can be arranged.

Ms. Wang remarked that, to her knowledge, there has been no discussion of an affordable housing development outside of North Glastonbury. Glastonbury is a high opportunity town. Affordable housing benefits all, so it should not be siloed. It is important to do their due diligence on this property and in discussing expanding affordable housing to other parts of town. Mr. Cavanna would like to keep South Glastonbury as a farming community with rolling hills. While this proposal is not perfect, and he fears that it will cost far more than anticipated, he believes that the Council must do something.

Result: Motion passed {7-2-0}, with Mr. Cavanaugh and Mr. Osgood voting against.

c. Discussion and possible action on potential land acquisition. *No action*

d. Action on referral to Policy & Ordinance Review Subcommittee – Reserve for Land Acquisition and Preservation.

Mr. Johnson explained that this ordinance was originally enacted in 1988. It was last reviewed in May 2020 when the Council approved a couple of adjustments, and it has been suggested for

review again to adjust for open space and acquisition goals. Mr. Gullotta stated that they might want to tighten language on how the funds are used and reduce the possible municipal uses. That is why this will go to the Policy and Ordinance Review Subcommittee for clarification. Mr. McChesney noted that the primary goal of these funds is to purchase and preserve land in town. His concern with changing/deleting the municipal land language is the unintended consequences which may result from that. He asked for the subcommittee to consider that possibility.

Ms. Carroll, Mr. Gullotta, and Mr. Cavanaugh comprise the subcommittee. Ms. Carroll agreed that the goal is to provide further clarity, not to reinvent the wheel. Mr. Cavanaugh takes issue with the municipal use portion. The Town's affordable housing plan notes that the land acquisition fund will not be used for affordable housing. He would like to tighten the language so that land acquisition is not used for any type of housing, but only for open space preservation. The subcommittee is open to suggestions. Mr. Gullotta noted that after the subcommittee meets, this matter will return to the full council for voting.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, the Glastonbury Town Council hereby refers to the Policy & Ordinance Review Committee, a review of the Reserve for Land Acquisition and Preservation for a report and recommendation on possible amendments to the Ordinance, as described in a report by the Town Manager dated November 3, 2022.

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

Motion by: Mr. Cavanaugh

Seconded by: Ms. Carroll

MOVED, to add to the agenda Item 5E: Action to request extension and P&S agreement – Nye Road.

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

e. Action to request extension and P&S agreement – Nye Road.

Motion: Mr. Cavanaugh

Seconded by: Ms. Carroll

BE IT RESOLVED, that the Glastonbury Town Council hereby authorizes the Town Manager to conduct an RFQ/RFP for a public private partnership related to the purchase of ±10.86 acres off Nye Road.

Disc: Mr. Osgood asked what the RFQ will entail. Mr. Johnson explained that he is differentiating between an RFP, which takes longer because it requires a more specific, detailed proposal from potential partners. Mr. Osgood suggested asking the seller for a three-month extension to pursue an RFP because the more detail, the better.

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

Motion by: Mr. Cavanaugh

Seconded by: Ms. Carroll

MOVED, to add to the agenda Item 5F: Action on RFQ/RFP process – Nye Road.

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

f. Action on RFQ/RFP process – Nye Road.

Motion: Mr. Cavanaugh

Seconded by: Mr. Niland

BE IT RESOLVED, that the Glastonbury Town Council hereby authorizes the Town Manager's request for a purchase and sale agreement extension as applicable to the RFQ/RFP process for the Nye Road purchase.

Disc: Mr. Osgood does not support an RFQ because he would like more information. He would like to pursue an RFP instead and does not find a three-month extension to be unreasonable.

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

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby adjourns the meeting of November 9, 2022 at 9:20 P.M.

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

Respectfully submitted,

Lilly Torosyan

Lilly Torosyan

Recording Clerk

Thomas Gullotta

Chairman