

**THE GLASTONBURY TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING MINUTES OF TUESDAY, DECEMBER 13, 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. Raymond Hassett
Mr. Corey Turner
Mr. Emilio Flores
Ms. Alice Sexton, Alternate

Commission Members Absent

Ms. Sharon Purtill, Vice Chairman
Mr. Philip Markuszka
Ms. Laura Cahill, Alternate
Alternate Vacancy

Chairman Zanolungo called the meeting to order at 7:34 P.M. He seated Commissioner Sexton in the absence of Commissioners Purtill and Markuszka.

PUBLIC HEARING

Application of VESSEL RE HOLDINGS, LLC for site plan approval pursuant to CGS Section 8-30g concerning the construction of an apartment building containing 48 units, with parking and other site improvements – 51 Kreiger Lane – Planned Commerce & Groundwater Protection Zone 1 *POSTPONED*

REGULAR MEETING

- 1. Informal session for the purpose of hearing from citizens on Regular Meeting agenda or non-agenda items** *None*
- 2. Acceptance of the Minutes of the November 15, 2022 Regular Meeting**

Motion by: Commissioner Sexton

Seconded by: Commissioner Flores

Result: Minutes were accepted {4-1-0}, with one abstention from Commissioner Hassett as he chose not to vote since he was not present at the meeting.

- 3. Acceptance of Municipal Aquifer Protection Registration for the Bulky Waste Facility at 1145 Tryon Street**

Mr. Mullen explained the history of the Aquifer Protection Agency, of which the Town Plan and Zoning Commission (TPZ) is the designated agency. Their role is to permit new regulated uses in the aquifer protection area, regulate existing uses, or prohibit uses that are not permitted. The bulky waste facility is an existing use, so it must be registered with the Aquifer Protection agency every five years. It was originally registered in 2012 but the registration expired. The site is a regulated activity in the municipal area. The Superintendent of Sanitation has submitted the forms, and everything is in order. This action is for the TPZ to accept the new registration for the bulky waste facility as provided. Mr. Zanolungo noted that the TPZ will need to hold a meeting every December to acknowledge that there are no new permits. Mr. Mullen stated that is correct. At least one meeting will need to be held each year, and every five years they will need to renew the registration for the bulky waste facility.

Motion by: Secretary Turner

Seconded by: Commissioner Hassett

MOVED, that the Town Plan and Zoning Commission accept the request of the Town of Glastonbury for Municipal Registration of the Bulky Waste Facility at 1145 Tryon Street.

Result: Motion passed unanimously {5-0-0}.

4. Application of Joseph Orsini for subdivision approval – two lot-Patricia A. Orsini Revocable Trust Subdivision – 359 Country Club Road – Rural Residence Zone & Groundwater Protection Zone 2

Rick Deschamps with Advanced Surveys prepared the plans for the applicants, Mr. and Mrs. Orsini. The proposal is for a new lot on the 7-acre site, of which 1+ acres will be subdivided for their son. The property is located just east of a major power line. They propose a two-family residence with an on-site septic system and well. There is a short driveway off the north side of Country Club Road. The septic system will stay where it is. Two proposed rain gardens will handle the water treatment. Regulations require at least three street trees. Instead of planting new trees, they propose to preserve some of the trees that are already on the site frontage. Mr. Deschamps noted that they had asked for a waiver for the sidewalk requirement but were informed by the Town Engineer that it was not necessary because the Town has no plan to pursue a sidewalk. The application received a favorable referral from the Conservation Commission. Mr. Mullen added that the applicant is also preserving the majority of an existing stone wall. Only a small portion of the wall will be removed to allow a driveway for the lot.

Motion by: Secretary Turner

Seconded by: Commissioner Hassett

MOVED, that the Town Plan and Zoning Commission approve the application of Joseph Orsini for subdivision approval – Two lot Patricia A. Orsini Revocable Trust Subdivision–359 Country Club Road–Rural Residence Zone and Groundwater Protection Zone 2, in accordance with the plan set entitled “Subdivision Plan Prepared for Patricia A. Orsini Revocable Trust #359 Country Club Road, Glastonbury Connecticut” Prepared by, Advanced Surveys LLC, dated 6/12/2022 and revised 12/22, and

1. In compliance with:

- a. The conditions set forth by the Conservation Commission in their recommendation for approval to the Town Plan and Zoning Commission at their regular meeting of December 8, 2022.
 - b. The standards contained in a report from the Fire Marshal, File 22-024R, plans reviewed 12-08-2022.
2. In adherence to:
- a. The Town Engineer’s memorandum dated December 1, 2022.
 - b. The Sanitarian’s memorandum dated November 29, 2022.
3. All construction shall be performed in accordance with the following:
- a. 2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control, as amended.
 - b. The Connecticut Stormwater Quality Manual, as amended.
 - c. All stormwater discharge permits required by the Connecticut Department of Energy and Environmental Protection (DEEP) pursuant to CGS 22a-430 and 22a430b.
 - d. Section 19 of the Town of Glastonbury Building-Zone Regulations, as amended, the Town of Glastonbury Subdivision and Resubdivision Regulations, as amended, and any additional mitigation measures to protect and/or improve water quality as deemed necessary by the Town.
4. The property owner shall comply with the long-term maintenance plan and schedule depicted on the approved plans to ensure the performance and pollutant removal efficiency of all privately-owned stormwater management systems.
5. This is a subdivision approval. 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 {5-0-0}.

Motion by: Secretary Turner

Seconded by: Commissioner Hassett

MOVED, that the Town Plan and Zoning Commission approve the request of Joseph Orsini for a waiver of sidewalk construction in conjunction with a 2-lot Subdivision at 359 Country Club Road.

Result: Motion passed unanimously {5-0-0}.

- 5. Referral from Zoning Board of Appeals (ZBA) – Request of Corrine Crocker-Luby for use variances from Glastonbury Building-Zone Regulations Section 14.18.2 to allow a special event venue and Section 14.18.4.i to allow a mixed-use development with 3 dwelling units at 14-18 Parker Terrace Extension – Town Center Mixed Use Zone**

Corinne Crocker-Luby, owner of the Tiffany Juliet House, explained that she purchased the property to add another venue. The rear portion of the structure will be demolished to make a new addition, with added parking. She requests use variances to permit special events in the Town Center Mixed Use Zone and to permit a mixed-use development with three residential units where a maximum of two residential units are permitted. She also owns 83 and 97 Naubuc Avenue. Ms. Crocker-Luby noted that the TPZ made favorable recommendations for the same variance request for those two properties in 2021. Mr. Hassett had asked at that meeting if there was a general definition of mixed use. Ms. Augur had explained that there is no specific definition within the regulations. Ms. Luby added that her proposal also maintains the historical significance of the building, which dates to the late 1800s.

Commissioner Flores said that the parking at the Tiffany Juliet House is all over the place. Ms. Luby agreed; she intends to combine all her properties and return to the TPZ to construct parking lots for all the venues. In the past, she tried to find parking off-site, but there was always a roadblock. Mr. Flores sees this current proposal compounding the parking issue. Mr. Zanolungo stated that what is before the TPZ tonight is simply a referral to the ZBA on a use variance. Mr. Mullen agreed. The TPZ's charge is to determine whether the use comports with the zone. The TPZ's recommendation will give the ZBA guidance. If the ZBA grants the use variance, then the applicant would return to the TPZ for a full permit review.

Mr. Hassett asked about the configuration of the residential area in this vicinity and how that would be impacted. Mr. Mullen explained that a lot of the area was in service to the mill. He also stated that there were properties in this zone that historically held private events including the St. Paul's Church property, now owned by the Hare Krishnas, formerly the Grange Hall. The immediate area is a mixture of converted residential to small office space. The TCMU zone's intent was to maintain the residential nature of the street while allowing for modest commercial type uses. Ms. Luby explained that the property across the street is a telecommunications company. Mr. Hassett stated that this proposal is demolishing a good portion of the existing building, which goes against the intent of the regulation. Ms. Luby explained that 34% of the building will be demolished. The only part they are removing is the addition, which was added after the 1800s, not original to the house.

Mr. Zanolungo read several letters into the record from neighbors and colleagues:

Steven Cowles and Nancy Cusson of 24 Parker Terrace Extension, have no complaints of Ms. Luby becoming their neighbor. They support her expansion plans.

Steve Wooten and Abby Fiocco of 83 Naubuc Avenue, believe that the proposed plans will enhance the property. They support her business expansion.

Charles Yenknor 101 Naubuc Avenue, supports Ms. Luby and has no objection to the proposed plans.

Richard Yost of 179 Old Boundline Road in Wolcott, stated that Ms. Luby is enthusiastic and has come a long way as a business owner. He supports her new expansion plans.

Secretary Turner stated that there are 19 parking spaces, which leaves none for event staff. Ms. Luby stated that they would just have to control the parking if there is a concurrent event at the Tiffany Juliet House: Parking is the reason for buying the properties. Mr. Turner asked what the expectation is for event size. Ms. Luby replied, 50-75 people. The average event size at the Tiffany Juliet House is about 35. Mr. Hassett questioned whether the use conforms with the regulations. The requirements of continuing a residential and modest commercial use and maintaining the existing building do not seem to conform because there is a proposed demolition and the site will be combined with another property, which will enlarge the use.

Commissioner Sexton also has concerns but is not familiar enough with the area or the Tiffany Juliet House. She would like to table action for tonight. Mr. Turner also expressed reservations about expanding the building. He knows the area and does not think that the events themselves are the issue, but rather, the size of the events. He has serious concerns about the parking situation, but he understands that this will return to the TPZ. Mr. Zanolungo believes that the use fits because the Tiffany Juliet House is right next door, and it is an event space. Ms. Luby lives upstairs, so it is also a residential space. The questions of parking and traffic will return to the Commission for comment and deliberation. He does not have a problem with sending a favorable recommendation to the ZBA tonight for a use variance.

Mr. Flores disagreed, stating that the scale of this proposal does not fit in the area. The size is significant for a fairly residential area with quieter, smaller-scale businesses around. Ms. Sexton believes that the parking on the side, which the regulation calls for, really seems to be on the front. Mr. Mullen does not know whether that qualifies as side parking. On balance, Ms. Sexton is leaning against this application. She asked if any neighbors have expressed opposition to this proposal. Ms. Luby explained that some were neutral, but no one was against it. Mr. Hassett explained that he would like to give the applicant due process. He stated that because there were only 5 commissioners present, Ms. Luby has the right to continue the hearing so that the full commission could vote on the application.

The applicant asked if the ZBA was required to have a referral from the TPZ. Mr. Mullen mentioned that the next ZBA meeting will be on January 9, and they have 20 days upon receipt, which begins today, to make a determination. Mr. Zanolungo explained that if there is a full commission, with six voting members, at least four affirmative votes are needed for the application to pass. The applicant understood and agreed to the tabling of tonight's action.

Motion by: Commissioner Hassett

Seconded by: Commissioner Sexton

MOVED, that the Town Plan and Zoning Commission hereby continues the hearing to the January 17, 2022 meeting.

Result: Motion passed unanimously {5-0-0}.

6. Section 8-24 Connecticut General Statutes Referral from the Town Council regarding purchase of the 23±acre Rose Berry Farm at 297 Matson Hill Road

Mr. Mullen explained that this purchase is similar to the Town's partnering with Belltown Orchards in 2018 to preserve 52 acres of their orchards. That purchase and sale included a right of first offer to the Town for the balance of the site. This 23-acre parcel has a residential component on the north and west side, Town-owned farmland to the east, and farmland to the south. He listed several reasons as to why the purchase and sale meets the criteria of the Plan of Conservation and Development.

Motion by: Secretary Turner

Seconded by: Commissioner Hassett

RESOLVED, that the Plan and Zoning Commission of the Town of Glastonbury forwards a favorable recommendation, pursuant to Section 8-24 of the General Statutes of Connecticut, regarding the following:

Purchase of 297 Matson Hill Road totaling 23± acres. This action is pursuant to Section 8-24 of the General Statutes of Connecticut as the purchase of this parcel is consistent with the policies of the Town of Glastonbury Plan of Conservation and Development.

Result: Motion passed unanimously {5-0-0}.

7. CONSENT CALENDAR

- a. Scheduling of Public Hearings for the Regular Meeting of January 17, 2023: **to be determined**

8. Chairman's Report

Mr. Zanolungo stated that this is Mr. Mullen's final meeting as he is leaving the Town. There will be a farewell tomorrow morning in Council Chambers. He thanked Mr. Mullen for his service and is sad to see him go, then read letters of farewell from former planning directors, Khara Dodds and Rebecca Augur. Ms. Sexton stated that Mr. Mullen has carried a big load over the past year. Working with him has been a pleasure and he will be missed. Mr. Hassett has always been impressed with how conscientious Mr. Mullen is about giving the right information. The Commission thanked Mr. Mullen and wished him luck in his new role.

Mr. Mullen is excited about his new venture as the Director of Planning for the Town of Waterford, but he is sad to leave Glastonbury. He has enjoyed working with all the directors and commissioners and respects their professionalism and non-partisan nature. He thanked all and wished everyone a happy holiday.

9. Report from Community Development Staff

Mr. Mullen explained that the Council asked for clarification on the condition of the 3,000 square foot minimum regarding the retention/replacement of commercial space for new mixed-use development with a residential component. The Commission clarified that the intent was to allow buildings with a minimum of 3,000 square feet of commercial space to qualify for reductions that could bring the total amount of commercial space down to 1,500 square feet. Mr. Mullen will report that back to the Town Manager.

Mr. Mullen also noted that the 18-month moratorium on cannabis legislation expires on March 1, 2023. The Town can either enact regulations for cannabis establishments, prohibit cannabis establishment outright, or prohibit cannabis establishment with the understanding that the Town will revisit the issue. There will need to be a public hearing. Mr. Hassett would like this item on the agenda as soon as possible. Mr. Mullen will make sure that it is on the agenda for next month's meeting.

Motion by: Commissioner Hassett

Seconded by: Commissioner Sexton

MOVED, that the Glastonbury Town Plan and Zoning Commission adjourns their regular meeting of December 13, 2022 at 8:59 P.M.

Result: Motion was passed unanimously {5-0-0}.

Respectfully Submitted,

Lilly Torosyan

Lilly Torosyan

Recording Clerk