



# Town of Glastonbury

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ITEM #7  
03-14-2023 Meeting

Richard J. Johnson  
Town Manager

March 10, 2023

The Glastonbury Town Council  
2155 Main Street  
Glastonbury, CT 06033

**Re: Town Manager's Report**

Dear Council Members:

The following will keep you up to date on various topics.

**1. Matson Hill Road – Rose's Berry Farm**

A closing on Town purchase of the 23± acre parcel at 297 Matson Hill Road – Rose's Berry Farm is scheduled for the next 2± weeks. Next steps including a public information hearing and possible request for proposal process can proceed thereafter as applicable. Over the short term, the farm needs to be maintained/operated. I have met with Don Preli and Michael Draghi to develop a plan for farm operations over the 2023 season. Details are being fine-tuned but I wanted to advise this process is under way.

**2. Verizon Wireless Proposal**

Counsel for Celco Partnership d/b/a Verizon Wireless is seeking to install antennas and associated equipment at an existing utility pole adjacent to 16 Tall Timbers Road. The proposed installation is similar to that shown on the attached pole located near 1037 Main Street in South Glastonbury. Celco notified owners of property adjacent to the proposed new installation per the attached list. One or more of the property owners objected to the installation. Attorney Ken Baldwin represents the applicant and is prepared to attend the March 28<sup>th</sup> meeting to discuss the application if Council desires.

**3. Cannabis**

At the February 28<sup>th</sup> meeting, Council Member Osgood referenced regulations for cannabis as related to sale of alcoholic liquors. A copy of the current regulation is attached.

**4. TP&Z Pending Matters**

The Commission schedule has review of the Building Zone Regulations for cannabis and inclusionary zoning scheduled for April to early May. Both will then be forwarded for Council action.

**5. Senate Bill 776**

This is the proposed state legislation to establish a state-wide property tax at 1 mill on residential real property with an assessed value of more than \$1.5 M and 2 mills on assessments of \$2M or more. Such revenue would be dedicated to equalization grants per applicable General Statutes. Council Member Osgood suggested a letter to state legislators representing Glastonbury opposing this proposal.

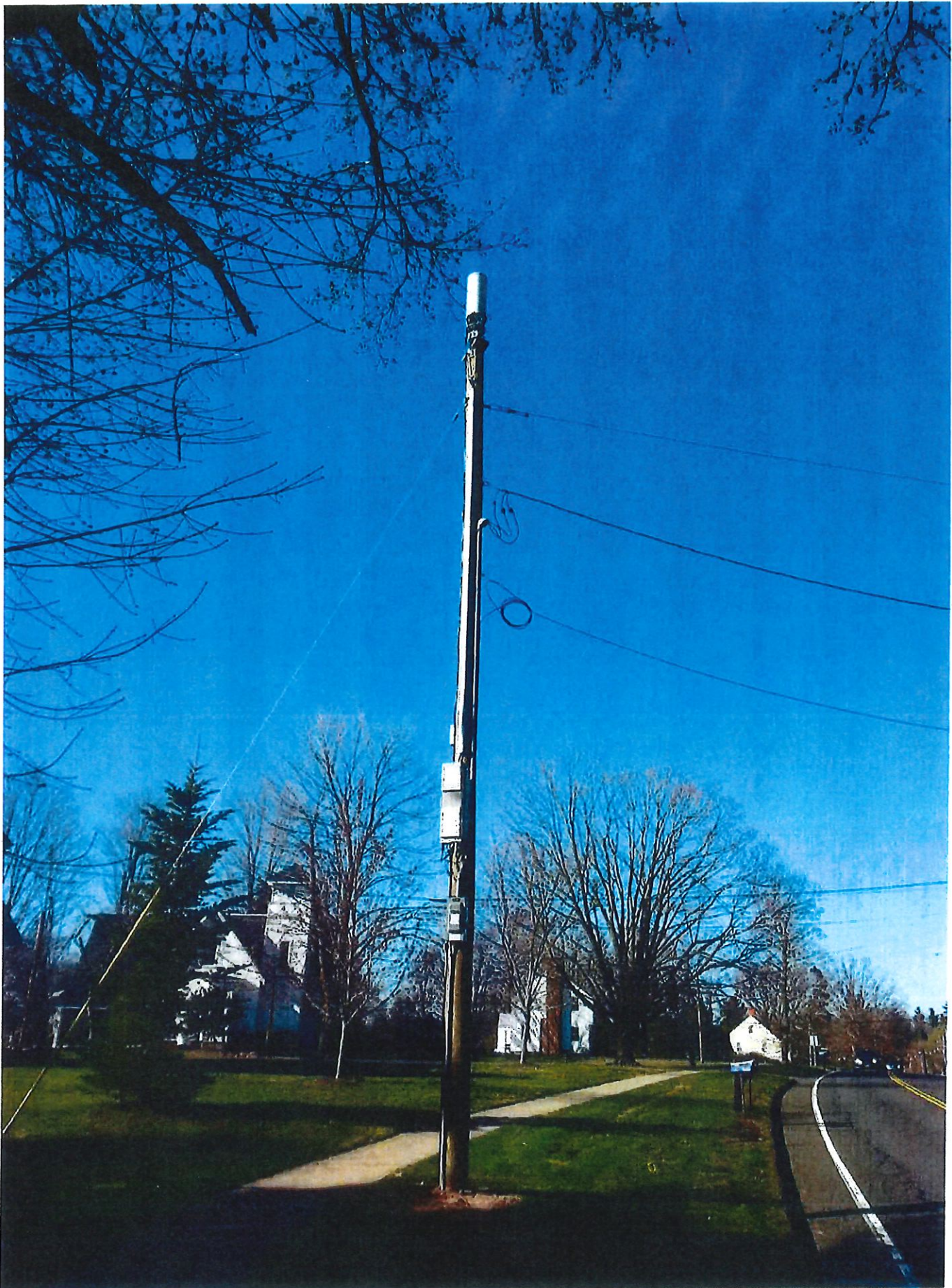
Sincerely,

Richard J. Johnson  
Town Manager

RJJ/sal  
Attachments

**Cellco Partnership d/b/a Verizon Wireless  
Connecticut Small Cell Wireless Installation**

**Attachment C  
Top Mount Antenna**



**Re: Cellco Partnership - Utility Pole Attachment Project (Glastonbury SC 12 CT)  
 Pole Location: Public Right-of-Way, Founders Road adjacent to 16 Tall Timbers Road, Glastonbury, CT  
 Municipal Notification and Consultation  
 List of Immediate Adjoining Property Owners<sup>1,2</sup>**

Location of Property in Glastonbury, CT (Address)	Property Owner(s)	Property Owner Mailing Address			
		Street	City	State	Zip
16 Tall Timbers Road	Diane T. Gerity	16 Tall Timbers Road	Glastonbury	CT	06033
81 Founders Road	Kristen M. Davis and Robert J. Davis	81 Founders Road	Glastonbury	CT	06033
80 Founders Road	Erin Grzysiewicz Keena and Kristopher James Keena	80 Founders Road	Glastonbury	CT	06033
73 Founders Road	Joon Ha and Yun Ha	73 Founders Road	Glastonbury	CT	06033

<sup>1</sup> The Public Utilities Regulatory Authority has defined "immediate adjoining property owners" as "property owners whose property is actually physically contiguous to the affected section of the PROW" and also requires that notice be provided to "those property owners that are across the street from the contiguous properties to the utility pole to which the small cell antenna will be attached." See Docket No. 17-02-49, *PURA Formalization of Small Cell Antenna Applicant Processes and Procedures to Construct Facilities in Connecticut's Public Rights-of-Way*, Decision at 4 (Jun. 2, 2017) ("Small Cell Processes Decision"). A copy of the Small Cell Processes Decision is available at the following link: [http://www.dpuc.state.ct.us/dockcurr.nsf/8e6fc37a54110e3e852576190052b64d/042d1fd385e5872a85258133005ce100/\\$FILE/170249-060217.docx](http://www.dpuc.state.ct.us/dockcurr.nsf/8e6fc37a54110e3e852576190052b64d/042d1fd385e5872a85258133005ce100/$FILE/170249-060217.docx).

<sup>2</sup> If the property is owned by the municipality, the property owner notification is mailed to the municipality's chief elected official.

## SECTION 6 SPECIAL REGULATIONS FOR PERMITTED USES

The sale of alcoholic liquors is a permitted use in the Central District CD Zone and shall not be controlled by the provisions of this Section within said zone. The sale of alcoholic liquors is also a permitted special permit use in the Planned Business and Development PBD Zone and the Planned Travel PT Zone, and a permitted accessory use to a club in the Country Residence CR Zone and Rural Residence RR Zone, and a permitted accessory use to a full-sized golf course of nine (9) holes or larger in the Country Residence CR, Rural Residence RR, Residence AAA, AA, A, Reserved Land RL, and Flood F Zones, subject to the requirements of those zones, the requirements of Section 12 of these Regulations, and any other review and approval which the particular uses may require by these Regulations, and in addition, the following conditions:

### 6.1 Alcoholic Liquors, Sale Of

- a. In the Planned Business and Development PBD Zone and the Planned Travel PT Zone, no building or premises shall be used and no building shall be erected or altered which is used or is arranged, intended or designed to be used as a place where alcoholic liquors are or are to be sold for consumption on the premises if that portion of said building or premises actually used or arranged, intended or designed to be used for the sale and/or consumption of alcoholic liquor is located.
1. Within one thousand (1,000) feet, measured by a straight line as established by the Town Plan and Zoning Commission, Zoning Board of Appeals or Building Official, whichever the case may be, from that portion of any other building or premises constituting a use of the same use category wherein the sale and/or consumption of alcoholic liquor on the premises is carried on;
  2. Within five hundred (500) feet, measured by a straight line as established by the Town Plan and Zoning Commission, zoning Board of Appeals or Building or Building Official, whichever the case may be, from any part of any building or premises used for a college, place of worship, hospital, library, park or playground;
  3. Within five hundred (500) feet, measured along the street line or lines, from any zone boundary line of any residential zone (CR, RR, AAA, AA, A).

The foregoing distance limitations set forth in this subsection 6.1a may be decreased by the Town Plan and Zoning Commission in the case of a permitted hotel, motel or full-service restaurant where alcoholic liquors are sold for consumption on the premises under a hotel permit or a restaurant permit (as defined in the State Liquor Control Act) in the Planned Business and Development PBD Zone and in the Planned Travel PT Zone, provided that said Commission, after a public hearing and having taken into consideration the provisions of Section 12 of these Regulations and the proximity of said hotel, motel or restaurant to other buildings or premises used for the sale of alcoholic liquors for consumption on the premises or as a college, school, place of worship, hospital, library, park or playground, and to the zone boundary line of any residential zone, shall find that such sale of alcoholic liquors.

- a.) Shall be subordinate and incidental to the principal use of the premises as a restaurant where the patrons are primarily persons seated at tables where hot meals are served or as a hotel or as a motel;
- b.) Shall not conflict with the general purpose of these Regulations as it relates to the area;

- c.) Shall not adversely affect the health, safety or morals of persons attending any nearby college, school, place of worship, hospital, library, park or playground or residing in any nearby residential zone; and
  - d.) Shall not hinder the appropriate development and use of adjacent land and buildings or cause traffic hazards.
- b. In the Planned Business and Development PBD zone and the Planned Travel PT Zone, no building or premises shall be used and no building shall be erected or altered which is used or is arranged, intended or designated to be used as a place where alcoholic liquors are or are to be sold for consumption off the premises if that portion of said building or premises actually used or arranged, intended, designed to be used for the sale of alcoholic liquors is located.
1. Within one thousand (1,000) feet, measured by a straight line as established by the Town Plan and Zoning Commission, Zoning Board of Appeals or Building Official, whichever the case may be, from that portion of any other such building or premises used for the sale of alcoholic liquors for consumption off the premises;
  2. Within five hundred (500) feet, measured by a straight line as established by the Town Plan and Zoning Board of Appeals or Building Official, whichever the case may be, from any part of any building or premises used for a college, school, place of worship, hospital, library, park or playground.
  3. Within five hundred (500) feet, measured along street lines, from any zone boundary line of any residential zone (CR, RR, AA, AA or A).

The sale of ale, beer and lager when a part of and incidental to a bona fide grocery store for consumption off the premises under a grocery store beer permit (as defined in the State Liquor Control Act) is a permitted accessory use in the Planned Business and Development PBD Zone and Planned Travel PT Zone and shall not be subject to the foregoing distance limitations set forth in this subsection 6.1.b.

- c. The foregoing distance limitations set forth in this Section 6.1 shall not be deemed to be retroactive, except that any location actually being used for the sale of alcoholic liquors on (the effective date of these Regulations), whether or not conforming to the provisions of these Regulations, and at which location the selling of alcoholic liquors is discontinued for a period of six (6) consecutive months, shall not be permitted to be used again for the sale of alcoholic liquors except in conformity with the provisions of this Section 6.1.

## **6.2 Excavation And Filling Or Removal of Earth Products**

6.2.0 The excavation and filling or removal of earth products is a permitted special permit use in all zones, subject to the requirements of the specific zone or zones in which the excavation operations are located, the provisions of Section 12 of these Regulations, and any other review and approval which may be required by these Regulations, including the conditions, standards and requirements set forth in this Section 6.2.

### **6.2.1 Authorization For Special Permit For Excavation And Filling Or Removal Of Earth Products**

Pursuant to Section 7-148 of the Connecticut General Statutes, the Town Plan and Zoning Commission is authorized to grant a special permit for the excavation and filling or removal of earth products in the Town of Glastonbury, and