

**THE GLASTONBURY TOWN PLAN AND ZONING COMMISSION  
REGULAR MEETING MINUTES OF TUESDAY, MAY 16, 2023**

The Glastonbury Town Plan and Zoning Commission, with Shelley Caltagirone, Director of Planning and Land Use Services, and Gary Haynes, 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., Chair  
Mr. Corey Turner, Secretary  
Mr. Raymond Hassett  
Mr. Emilio Flores  
Mr. Philip Markuszka  
Ms. Laura Cahill, Alternate

**Commission Members Absent**

Ms. Sharon Purtill, Vice Chair  
*Alternate Vacancy*  
*Alternate Vacancy*

Chairman Zanolungo called the meeting to order at 7:02 P.M. He seated Commissioner Cahill in Vice Chair Purtill's absence.

---

**PUBLIC HEARINGS**

**1. Application of Brian & Jill Fitzgerald for a Section 6.11 Accessory Apartment  
Special Permit – 78 Hubbard Street – Residence A Zone**

The applicant, Jill Fitzgerald, explained that she and her husband are constructing an accessory apartment above their garage at 78 Hubbard Street. Ms. Caltagirone stated that the application is in compliance with the regulations. Commissioner Hassett asked about the ingress/egress. Ms. Fitzgerald explained that there are three exterior doors, one of which is through the garage.

With no comments from the public, the Chairman closed the public hearing.

**Motion by:** Commissioner Turner

**Seconded by:** Commissioner Hassett

MOVED, that the Town Plan and Zoning Commission approve the application of Brian and Jill Fitzgerald for a Section 6.11 Special Permit for an Accessory Apartment –78 Hubbard Street – Residence A Zone – in accordance with plans on file with the Office of Community Development:

“ZONING LOCATION SURVEY PLOT PLAN 78 HUBBARD STREET, PREPARED BY DUTTON ASSOCIATES, DATED 07/26/2022”

“FITZGERALD RESIDENCE 80 HUBBARD STREET, PREPARED BY NATIONAL DESIGN & DRAFTING, DATED 08/26/2022”

And the following conditions:

1. In adherence to:
  - a. The Health Department Director’s memorandum dated May 5, 2023.
  - b. The Engineering Department memorandum dated May 5, 2023.
  - c. The Police Department memorandum dated May 5, 2023.
2. 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 {6-0-0}.

**2. Application of Rejean Jacques for subdivision approval – 7 lots – Crosby II Subdivision – extension of Crosby Road - Rural Residence Zone – Mary H. Davis Estate, owner**

Mark Friend, Professional Engineer at Megson, Heagle, & Friend, LLC, presented on behalf of the applicant, who seeks a conditional subdivision approval for seven lots on an extension of Crosby Road. The project is proposed on two pieces of property with the current addresses of 539 and 551 Manchester Road, for a total size of 10.3 acres. The existing temporary cul-de-sac will be extended by 200 feet. The existing house is proposed to be on Lot 1. All new lots will get their access through Crosby Road, even though some of the lots have frontage on Manchester Road. The existing house has access via a common driveway which will remain. All lots will have wells and septic systems. Lots 5 and 6 are shown with the building line setback greater than the minimum. Runoff from the road will be directed to an existing stormwater management basin. The Water Pollution Control Authority (WPCA) and Conservation Commission have both made positive recommendations. This proposal meets all the requirements of the subdivision regulations.

Chairman Zanolungo asked about comments made in the Town Engineer’s April 4 memorandum that have not been addressed. Mr. Friend reviewed the memorandum in question, explaining that all the comments tie into their intentions and will be addressed on the final plans, which he will review with Mr. Pennington. Mr. Haynes stated that the applicant has a cistern specification of a 30,000-gallon tank for three lots or more. Mr. Friend explained that that specification for a 10,000 gallon tank was made at a staff review meeting. Mr. Haynes could not find any reference to that on sheet 9. Mr. Friend remarked that it could be a condition of approval.

Commissioner Markuszka asked if there is a concern that more waste dump areas would be found. Mr. Friend stated that they have done their due diligence by conducting several test pits

and doubt that more would be found. Commissioner Cahill asked about the applicant's plans for the abandoned farm waste dump area. Mr. Friend explained that the developer would prefer to cover the debris, rather than truck it out, because it is a small area, and going back there could disrupt the habitat for animals and wildlife. Ms. Cahill asked if the applicant would object to removing the waste dump areas because they are near the wetlands, and it is not a prohibitively large cost, at \$150 per ton. Mr. Friend explained that physically getting back there is very disruptive. Because no hazardous materials have been found in the soil samples, they recommend leaving everything there.

Mr. Zanolungo opened the floor for comments from the public.

**Greg Murry of 483 Manchester Road**, stated that he believes that there are Native American graves in the back of the lots near the stream marked in stone.

Commissioner Hassett asked if there is any historical preservation group that can provide guidance is Native American sites are found. Mr. Friend stated that they just became aware of this; however, in the past, other sites have been evaluated for the potential for graves. Ms. Caltagirone can reach out to the State Historic Preservation Office. If anything were to be found during construction activity, then mitigation might be required. Mr. Hassett stated that an attorney should investigate it at some point and make a determination because there could be potential issues regarding insurances, etc. Ms. Cahill would like to be respectful of Native American history. She supports a condition whereby if something is found during the excavation, then Town Staff will be notified.

**Ted Yip of 67 Crosby Road**, asked if there is any disruption to any of the existing properties to divert stormwater to the existing basin. Mr. Friend explained that the stormwater management now is on the west side of the road; that pond does not have to be modified. It will not disrupt any of the neighboring properties. Mr. Yip asked to provide more details on the houses that will be built. Mr. Friend anticipates that they will be similar to what is currently there.

**Motion by:** Secretary Turner

**Seconded by:** Commissioner Hassett

MOVED, that the Town Plan and Zoning Commission approve the application of Rejean Jacques for conditional subdivision approval – 7 lots – Crosby II Subdivision – extension of Crosby Road - Rural Residence Zone and Groundwater Protection Zone 1, in accordance with plans submitted, dated 2-28-23, and:

1. In compliance with:
  - a. The standards contained in a report from the Fire Marshal, File # 22-027, plans reviewed 9-19-22.
  - b. The conditions set forth by the Conservation Commission in their recommendation for approval to the Town Plan and Zoning Commission from their Regular Meeting of April 13, 2023.
2. In adherence to:

- a. The Town Engineer's memorandum dated May 5, 2023.
  - b. The Health Director's memorandum dated March 27, 2023.
  - c. The Police Chief's memorandum dated May 4, 2023.
3. Per the Fire Marshal's Office, the size of the cistern shall be increased to a 30,000 gallon tank per cistern specifications on Sheet 9, plans dated 2/28/23.
  4. All overburden, if any, shall be stabilized so as to prevent its erosion by either wind or water and so that it does not become a source of dust or other windblown air pollutants.
  5. It shall be the responsibility of the applicant to repair immediately, any damage to any sidewalk, curbs, surface drains or other improvements or utilities that may be caused as a result of the excavation operations.
  6. Proper safety measures shall be utilized and strictly adhered to at all times to protect the health, welfare and safety of all individuals and property.
  7. 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 22a-430b.
  8. 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.
  9. This is a subdivision. 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.
  10. In the event that Native American artifacts are found on-site, construction shall stop until such time that Town Staff and State Archaeological and Historical Agencies may evaluate the site and make such recommendations to preserve and/or catalog such findings, as required.

Ms. Cahill asked about the waste dump area, which the applicant proposes just covering up with topsoil. Even though that is in accordance with DEEP protocol, she would like it removed because it is a residential area. She asked what other commissioners think. Commissioner Flores originally agreed with Ms. Cahill's concern, but because of the applicant's explanation that it might destroy the vegetation and local animals' habitat, he agrees with leaving it there. Mr. Markuszka agreed. Given that no hazardous material has been found there, and its proximity to the wetlands, Mr. Turner agrees that removing it would be more harmful. Mr. Hassett concurred. Given these opinions, Ms. Cahill will not propose an amendment.

**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**

*Allen Friedrich of 47 Prospect Street, Apartment D*, spoke on behalf of Bike Walk Glastonbury regarding the changes at the Shoppes at Fox Run on Welles Street. The shopping center has a wide sidewalk, which he likes. He also would like to see bike racks installed on the ends and by the entrances.

### **2. Acceptance of the Minutes of the May 2, 2023 Regular Meeting**

**Motion by:** Commissioner Hassett

**Seconded by:** Commissioner Flores

**Result:** Minutes were accepted {5-0-1}, with one abstention from Ms. Cahill since she did not want to vote as she was not present at the meeting.

### **3. Application of Brixmor Residual Shoppes at Fox Run, LLC for a 12.9 Minor Change with Design Review - Façade Improvements & Drive-Thru configuration – Shoppes at Fox Run – 55 Welles Street – Town Center Zone & Town Center Village District Overlay**

Attorney Meghan Hope of Alter & Pearson, LLC represented the applicant. She explained that the proposal is almost identical to the plan which was approved in 2020. Due to the pandemic, there were issues with construction, which delayed the project. The team is ready to start construction this season. She noted that in 2020, there was no Town Center Village District (TCVD) overlay zone. The Architectural Site & Design Review Committee (ASDRC) has reviewed this proposal and gave an “optimistic negative recommendation”. One of their main concerns was with trees that were cut in 2016.

After that ASDRC meeting, Ms. Hope looked through old approvals and aerial images to understand the history of the site development. She reviewed the history of the site approvals of the building. Sometime in 2016, the property ownership changed, and trees were cut down. The property owner admitted the mistake and tried to make it right with a revised landscaping plan, which was approved by the TPZ in 2016. This was at the root of the ASDRC’s discussion.

Ms. Hope explained that the purpose of this proposal is to provide facade enhancements to the whole building, which operates in three sections: the Whole Foods section, the retail section which also has office space, and the Petco/Mattress Firm section. The idea was to tie those spaces together in a more cohesive way, as well as to provide a better entrance to the offices.

She listed the changes from what was approved in 2020 versus what is proposed now on the westerly portion of the building:

- Upper Trim: the approved leaf detail will now be a more horizontal detail with molding

- Trim at Pediments: were approved as tan/flat, but will now be a white trim detail
- Engaged Pilaster Base: from gray granite to extending the whitewash to the existing cement block base
- Plank siding: from a khaki shade to a gray shade
- Trim (top of windows): from brown to white
- Roof Color: from gray to brown

Attorney Hope then reviewed the changes proposed to the center portion:

- Double Window: this was approved (possibly as a drawing error), but is now proposed to be single window
- Plank siding: from a khaki shade to a gray shade
- Roof Projection at Office Entrance: from peaked to flat with detail

Ms. Hope then reviewed the changes proposed to the easterly portion:

- Portico: from removal to keeping the portico as is. The ASDRC agreed with this change.
- Plank siding and trim: from a khaki shade to a gray shade
- Cornice: from a circle detail to now eliminating it
- Light Sconce: was originally not included, but now will be added

They also propose an additional shade tree, as per the ASDRC's recommendations. Mr. Hassett asked if the site has irrigation. Ms. Hope does not know but will check and report back. She explained that a lot of the landscaping changes in 2020 were focused on the plaza area. They propose removing four trees and planting six columnar trees, to be placed between tenant spaces.

Ms. Cahill stated that the ASDRC did not want those four trees removed. She asked what the new trees would look like. Ms. Hope explained that there are a couple of different columnar maple trees which will get to about 12-15 feet wide and 40-60 feet tall. The central tree is a cherry tree that Mr. Shipman of the ASDRC proposed. The trees take about 20-30 years to reach maturity. Ms. Cahill asked why the trees are being removed. Ms. Hope explained that it is to provide better tenant visibility. Also, the columnar trees could stop the cycle of trees constantly being grown, then cut down, and replanted.

Ms. Hope reviewed the landscape plan at New London Turnpike. They added the trees back in based on the ASDRC's recommendation, but the Town Engineer asked to remove them because there is not enough room for the plantings. She also explained that a new bike rack will be installed near the first floor entrance to the offices which are on the second floor. Mr. Zanolungo opts to put one of the trees on New London Turnpike in the middle of the plaza. He stated that the ASDRC Chairman was at the subcommittee meeting. The ASDRC Chairman understood the issue with the trees by the center, so he did not have any issues with their removal, especially since more trees are being planted than removed.

Ms. Cahill asked if adding EV charging stations in the parking lot would be feasible. Ms. Hope stated that there are two existing charging stations on-site. T.J. McKeever added that there are no plans at his company to add more. Ms. Cahill would like additional charging stations because they need to expand sustainability initiatives throughout town. Mr. McKeever will ask his

environmental team and report back. Ms. Cahill encourages thinking more about energy sustainability and infrastructure in town going forward. Mr. Markuszka asked if the awnings in the picnic areas will be removed. Ms. Hope stated yes, they will be replaced by wood pergolas in white. Mr. Markuszka asked if there has been discussion on having a temporary tent at the entrance if security stands outside Whole Foods again during the holidays. Ms. Hope stated that they have not gotten that far yet in discussions.

Mr. Zanolungo asked what the ASDRC was optimistic about in their negative recommendation. Attorney Hope pointed out that the ASDRC had only 35 days to act, so they had to vote that night. If she had the opportunity for another meeting, the revised changes would have been made. Mr. Turner pointed out that the ASDRC meeting was held before the Plans Review Subcommittee meeting, and some of the concerns were addressed at that subcommittee meeting.

Ms. Caltagirone commended the improvement in the presentation of the proposal and explanation of what the changes were. Town Staff and the ASDRC were confused by the different drawings made by two different architects. She also explained why the review process for this project was different from other proposals. Because the application had already been filed, the clock was running, so they had to reverse the order of Plans Review and the ASDRC review. It was also unusual that there were no architects present at the ASDRC meeting. Mr. Haynes added that the removal of trees was a big aspect of the negative recommendation, but the choice of the columnar trees is a greater starting point.

Mrs. Cahill stated that the approved plans looked more like a colonial village district style to her, whereas the proposal has more corporate windows. Mr. McKeever stated that the difference is the architectural rendering style because all the windows are staying. Ms. Hope will have the architects draw the windows as they exist. Ms. Cahill does not like the horizontal detail change from the leaf trim detail. Mr. McKeever explained that that is also due to the architectural rendering style.

**Motion by:** Secretary Turner

**Seconded by:** Commissioner Hassett

MOVED, that the Town Plan & Zoning Commission approve the application of Shops on Main, LLC for a Section 12.9 Minor Change Review to allow façade and site enhancements – 55 Welles Street – Town Center Zone – Brixmor Residential Shoppes at Fox Run, LLC, owner, in accordance with the plans on file with the Office of Community Development and the following conditions:

1. Adherence to:
  - a. The Health Department memorandum dated May 5, 2023.
  - b. The Engineering Department memorandum dated May 5, 2023.
  - c. The Police Department memorandum dated May 4, 2023.
2. 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.

3. The applicant shall include an additional bike rack on the Grove Street side of the property.
4. The applicant shall relocate the two proposed trees from the New London Turnpike area that the Town Engineer deemed too close to the sidewalks to the interior parking areas, pending staff approval of location.

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

#### 4. **CONSENT CALENDAR**

- a. Scheduling of Public Hearings for the Regular Meeting of June 6, 2023: **to be determined**
- b. Recommendation to the Town Council that Welles Street from Station 0+23 to Station 28+37 be accepted as Town Road, between Naubuc Avenue and Main Street
- c. Recommendation to the Town Council that Fairway Crossing from Station 28+00 to Station 39+16 be accepted as Town Road, within the Minnechaug Village PAD, Phase II
- d. Recommendation to the Town Council that Pembroke Terrace from Station 1+00 to Station 28+00 be accepted as Town Road, within the Tyler Open Space Subdivision, Phases II & III
- e. Recommendation to the Town Council that Penwood Crossing from Station 28+01 to Station 44+34 be accepted as Town Road, within the Tyler Open Space Subdivision, Phases II & III

**Motion by:** Commissioner Cahill

**Seconded by:** Commissioner Markuszka

**Result:** Consent calendar was accepted unanimously {6-0-0}.

#### 5. **Chairman's Report**      *None*

#### 6. **Report from Community Development Staff**

Ms. Caltagirone stated that she has prepared the quarterly report for the Town Council which summarizes all projects under review. She will forward it to the Commission next week. Mr. Hassett asked about the new requirement for continuing education and whether a plan been implemented for getting that done. Ms. Caltagirone has not seen any recent training opportunities. She will follow up on this and report back.

The Town Plan and Zoning Commission adjourned their meeting at 8:50 P.M.

Respectfully Submitted,

**Lilly Torosyan**

Lilly Torosyan

Recording Clerk