

**GLASTONBURY TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JULY 11, 2023**

The Glastonbury Town Council with Town Manager, Jonathan Luiz, 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 (excused)
Ms. Deborah A. Carroll (via Zoom)
Mr. Kurt P. Cavanaugh
Mr. John Cavanna
Ms. Mary LaChance
Mr. Jacob McChesney
Mr. Whit Osgood
Ms. Jennifer Wang

(a) Pledge of Allegiance. Led by Mr. Cavanna

2. Public Comment

Ms. Jill Durall of 73 Shagbark Road voiced her displeasure that the recent nomination of Heather Simon to the Library Board was voted down. She believes that Ms. Simon was slandered as a “book banner” and that a book that was actually removed from the high school was not the same book that Ms. Simon recently spoke out against. She noted it is impossible for a citizen to ban a book, explained the process, and that Ms. Simon only wrote a social media entry approving the removal of the book from the high school library. Ms. Durall spoke of the letter in *The Citizen* written by the Chairman and called for Council member resignations.

Mr. DJ McBride of 262 Spring Street Ext began to speak on the inclusionary zoning plan. He agreed with the Chairman’s suggestion to speak on the issue at the 8:00 p.m. during the public hearing portion of the meeting.

Ms. Anne Bowman of 62 Morgan Drive noted that there was a past Zoom event hosted by TALK-Truth in Action with Love & Kindness on affordable housing in Glastonbury. She noted that residents of Welles Village shared their ideas and experiences and discussed the need to update the Welles Village playground. Ms. Bowman explained that, in March 2021, the Town Council agreed to use ARPA money to update the Welles Village playground. She noted that Addison Park and the Riverfront Community Park are beautiful and updated and explained that the Welles Village park is in need of updating. Ms. Bowman remarked that she does not understand why it is taking over two years to update Welles Village playground. She thanked the Council for listening to her concerns.

Zoom Comment:

Ms. Pam Lockard of Southgate Drive thanked the Council for their service. She noted that she has watched some of the meetings and remarked that she found Mr. Cavanna’s comments about farms and police to be extremely helpful and valuable to the Town. Ms. Lockard noted that she does not think it was appropriate for Mr. Cavanna to read from a book someone objected to and added that the book itself is not inappropriate. She explained that it was not the right place or time and added that it was read for shock value. Ms. Lockard thanked the Council members for voting down a potential candidate who may have shown a propensity to banning books. She asked the Council members to look into appropriating money for technology, a smart board screen that is similar to what teachers use. Ms. Lockard explained that this enables a better display for public meetings. She thanked the Council members.

3. Special Reports. None

4. Old Business. None

5. New Business

(a) Action on residential lease renewal of Town-owned property at 2157 Main Street.

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves a one (1) year extension of the residential lease for town-owned property at 2157 Main Street, effective August 2, 2023 through August 1, 2024, and an increase of up to 3.5% in the monthly rental amount, as described in a report by the Town Manager dated July 7, 2023.

Discussion:

Mr. Luiz noted that the current lessee has lived at 2157 Main Street for the past year and the lease term ends on August 1, 2023. He explained that the proposal is to continue the lease for one year with an increase of up to 3.5% in the monthly rental amount as allowable under the Housing Choice Voucher (Section 8).

Result: Motion passed unanimously (8-0).

(b) Action on Agreement Regarding Lease with the Housing Authority of the Town of Glastonbury and Solinsky Eye Care, LLC – 55 Nye Road.

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby authorizes the Town Manager to execute the Agreement Regarding Lease between the Town of Glastonbury, The Housing Authority of the Town of Glastonbury, and Solinsky Eyecare, LLC, as described in a report by the Town Manager dated July 7, 2023.

Discussion:

Mr. Luiz explained that, as previously discussed in Executive Sessions, the Town's pursuit of the 50-55 Nye Road property has been somewhat complicated by the fact that Solinsky Eyecare, LLC has the right to lease office space at 55 Nye Road through December 2028. The attached agreement (in the Council packet) will effectuate Solinsky's departure from the site no later than June 30, 2024. Mr. Luiz noted that, in exchange, the Town will not charge the company any rent and must compensate the company. A summary of the compensation is as follows:

- \$53,000 payable by the Town to Solinsky at the closing (targeted for August 8, 2023);
- \$25,000 payable by the Town to Solinsky no later than 12/31/23; and
- \$25,000 payable by the Town to Solinsky no later than 9/1/24.

Mr. Luiz noted that it is his hope that the payments outlined above can be paid solely from the proceeds of rents collected by the Town from tenants at both 50 and 55 Nye Road locations. He explained that the likelihood of the Town being able to accomplish that is unknown for two reasons. First, the revenue stream is difficult to predict, as agreements have to be negotiated with several tenants. Second, rent payments received by the Town must be used to cover costs associated with maintaining the two buildings. Mr. Luiz explained that despite the uncertainty of the rents and expenses, the signing of the aforementioned agreement is necessary if the Town is committed to both purchasing the Nye Road property and ensuring that all tenants at 55 Nye Road exit that building prior to July 1, 2024. He added that the date is key for the Housing Authority and its plans for development.

Mr. Osgood asked if the payment of \$103,000 includes the reimbursement from the rent from January 1 to August. Ms. Luiz replied yes and explained that it is the \$53,000 amount. Mr. Osgood noted that the motion is to expend \$103,000 up front and to grant approximately eleven months of free rent – which equates to about \$80,000. He added that this requires Board of Finance recommendation because it is over \$100,000 that has not been budgeted for. Mr. Luiz noted that the 2nd payment would be made in the next fiscal year and not this year. Mr. Osgood noted that it is still unbudgeted and would require Board of Finance approval.

Chairman Gullotta noted that the dilemma they are facing is that the contract expires on Wednesday. He explained that, if the Council does not take action, it may result in an increase in the amount the Town would have to pay. Mr. Osgood reiterated his point that unallocated appropriations require Board of Finance approval. Chairman Gullotta noted that they have had many discussions in Executive Session and noted that it was the position of the retired Town Manager that the payments can be made up from the revenue generated from rents. The Chairman added that they heard from Mr. Luiz that it is a possibility and not a guarantee. Mr. Osgood reiterated his point that unallocated finances require Board of Finance review and approval and explained that they have to spend funds without receiving funds. He noted that there is a high probability that the cost of operating the buildings will exceed the revenue from the rent. Mr. Cavanaugh asked Mr. Osgood what dollar amount he was referring to. Mr. Osgood explained that \$53,000 and \$25,000 equals \$78,000, and added that the totals costs, including the waiving of rent, is about \$150,000. Chairman Gullotta asked Mr. Luiz when the first payment is due. Mr. Luiz noted that \$53,000 is due on August 8, 2023; \$25,000 is due on 12/31/23; and \$25,000 is due on 9/1/24. Mr. Luiz noted that Mr. Osgood mentioned that the requirement of the Board of Finance is listed in the Town Charter and began looking through it. Ms. Wang noted that the information is in section 313. Ms. Carroll suggested putting the agenda item on hold and speaking with Mr. Johnson about the Board of Finance approval. Mr. Luiz noted that the current agreement is set to expire

tomorrow. Chairman Gullotta noted that they can take action on the other agenda items and suggested temporarily tabling this agenda item until they can speak with Mr. Johnson. Mr. Osgood noted that they were recently informed about the cost and the former Town Manager could not have suggested going to the Board of Finance.

Motion by: Ms. LaChance

Seconded by: Mr. Osgood

Temporarily table agenda item 5b.

Result: Motion passed unanimously (8-0).

(c) Action on Agreement Regarding Lease with the Housing Authority of the Town of Glastonbury and Central Connecticut Orofacial Sleep Medicine, Inc. – 55 Nye Road.

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby authorizes the Town Manager to execute the Agreement Regarding Lease between the Town of Glastonbury, The Housing Authority of the Town of Glastonbury, and Central Connecticut Orofacial Sleep Medicine, Inc., as described in a report by the Town Manager dated July 7, 2023.

Discussion:

Mr. Luiz explained that, as previously discussed in Executive Sessions, the Town’s pursuit of the 50-55 Nye Road property has been somewhat complicated by the fact that Central Connecticut Orofacial Sleep Medicine, Inc. has the right to lease office space at 55 Nye Road through April 30, 2029. The attached agreement (in the Council packet) would effectuate that company’s departure from the site no later than June 30, 2024.

Mr. Osgood asked if this agreement gives the tenant the right to vacate the space and stop paying rent at any point. Mr. Luiz replied yes. Mr. Osgood made the observation that, if anyone is counting on the rental income covering the expense of the building, this agreement would reduce rental income.

Result: Motion passed (7-1; Mr. Cavanaugh voting No).

(d) Action on Ground Lease Agreement with the Housing Authority of the Town of Glastonbury – 55 Nye Road.

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby authorizes the Town Manager to execute the Ground Lease Agreement between the Town of Glastonbury and The Housing Authority of the Town of Glastonbury, as described in a report by the Town Manager dated July 7, 2023.

Discussion:

Mr. Luiz explained that, following the closing of the real estate deal for Nye Road, tentatively scheduled for August 8, the Glastonbury Housing Authority will legally own the parcel with building and improvements at 55 Nye Road and the Town will own the parcel with building and improvements at 50 Nye Road. The ground lease agreement, which was provided to the Council, will allow the Town to lease the Housing Authority's parcel through June 30, 2024. While the lease is in effect, the Town will collect the rents from the tenants and manage the property.

Mr. Osgood pointed out that item 5(e), Memorandum of Understanding with the Housing Authority, has to be taken prior to item 5(d), the ground lease. Mr. Luiz explained that there is no rush and added that the Memorandum of Understanding hinges on the sale of land from the Corporate Gateway Park to the Housing Authority to bring the land into zoning compliance. Mr. Osgood explained that a concern is that the Town is giving the Housing Authority land that is priced far below the market price. He noted that, if the Housing Authority is not able to proceed with the development, the Town must be able to get the land back at the price the Housing Authority paid. Mr. Osgood explained that these potential downsides are not in the Memorandum of Understanding. He noted that he is not willing to vote on this unless a full understanding is provided. Chairman Gullotta asked Mr. Luiz if he is still of the opinion that the Council can move forward with 5(d). Mr. Luiz noted that the Council can move forward or wait, and explained that the motion for 5(e) is setting up a public hearing. Chairman Gullotta noted that they have some time to address the concerns brought up by Mr. Osgood.

Motion by: Mr. Osgood

Seconded by: Mr. Cavanaugh

Table item 5(d) until more information is provided.

Result: Motion passed unanimously (8-0).

(e) Action on Memorandum of Understanding with the Housing Authority of the Town of Glastonbury – 55 Nye Road.

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby schedules a public hearing for 8:00 p.m. on Tuesday, July 25, 2023 in the Council Chambers of Town Hall, 2155 Main Street, Glastonbury and/or through Zoom Video Conferencing, to consider the proposed sale of the Town-owned land at 277 Western Boulevard, a portion of Assessor's Parcel W0003, totaling 4.16± acres, as described in a report by the Town Manager dated July 11, 2023.

Discussion:

Mr. Osgood wanted to confirm that the agreement provided to the Council lists the total acreage of parcels below 10 acres and measuring in the 8-acre range. Mr. Luiz noted that he spoke with Ms. Caltagirone and Mr. Pennington, and they are confident that 8 acres is sufficient. Mr. Osgood asked how that would be possible if the requirement is 10 acres. Ms. Caltagirone explained that the PAD regulations allow a reduction in cases of affordable housing and added that 3.5 acres is the minimum size. She noted that density is controlled by the amount of buildable area and, with the proposed

amendments, they can get 10 units per buildable acre. Chairman Gullotta noted that 10 acres was the understanding and asked Mr. Pennington if the Town will get 10 acres. Mr. Pennington explained that they can increase the land area and modify the maps. He noted that there is plenty of Town owned land to the east, and it can be used if necessary. Mr. Pennington noted that they looked at the regulations and can add the land and noted that it is not a deal breaker.

Chairman Gullotta noted that it is an encouraging statement and explained that his position was 10 acres. The Chairman explained that the Town bought a parcel that contains more than 10 acres and added that a decision was made to divide it into two parcels. Chairman Gullotta explained that, for this affordable project to move forward, it would need 10 acres. He opened up the floor for other Council members to weigh in.

Mr. Osgood remarked that the Town can give away as little land as possible. He asked Ms. Caltagirone to go into greater details on the PAD regulations. Ms. Caltagirone explained that 10 units per buildable acre, with the proposed 8.62-acre lot, is sufficient for about 60-70 units for affordable housing. She noted that in Residential A Zone it is 6 units per buildable acre. Ms. Caltagirone explained that, if the Council wanted to move forward to include additional land from the east to increase the size, it will be closer to 10 buildable units per acre. Mr. Osgood asked whether inclusionary zoning would change the PAD regulations. Ms. Caltagirone explained that there would be changes to the PAD regulations and other zoning sections.

Mr. Cavanaugh remarked that he was never thrilled with this project and noted that the Council was assured 10 acres. Mr. Cavanaugh commended the Chairman for sticking to 10 acres and noted that the proposed change has to include 10 acres. Chairman Gullotta agreed with Mr. Cavanaugh and noted that the language can be changed to reflect this going into the public hearing. Mr. Cavanaugh asked why give away more land if the regulations allow less. Chairman Gullotta noted that this is a discussion for later and added that all they are trying to do is to schedule a public hearing. Mr. Osgood noted that the PAD regulations allow for 3.5 acres for affordable housing developments and added that the hang-up on 10 acres is irrelevant. Mr. Cavanaugh directed the Council to item F on the Memorandum, last sentence, regarding the proposed parking. He asked about the expense and the location of the proposed parking. Mr. Luiz noted that he will need to look back at that section. Mr. Cavanaugh noted that the information can be provided at the public hearing. Mr. Cavanaugh noted that he has insisted that an appraisal on the land is done to ensure that the community knows what the real value of the land is. Mr. Cavanaugh explained that the Town has never conveyed property without an appraisal. Mr. Luiz noted that he has spoken to the assessor and they will reach out to the appraiser.

Mr. McChesney noted that he wants to make sure that the Town has control over the scope and design of the development and asked if this information was left out. Mr. Luiz noted that the extent this is covered would be on page 2, number 5, and added that there are no specifics on the size, scope, or characteristics of the development. He noted that this could be added. Mr. McChesney asked if there was an agreement with the Housing Authority that would ensure that the Town is involved in the process. Mr. Luiz noted that he has spoken with the Housing Authority Director and added that they can work on adding language.

Result: Motion passed unanimously (8-0).

6. Consent Calendar

(a) Action on Bell Street sidewalks (refer to Town Plan and Zoning; set public hearing).

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby refers a proposal for construction of new sidewalks on Bell Street between Bellridge Road and Clove Hill Road to the Town Plan and Zoning Commission per Connecticut General Statutes Section 8-24 and schedules a public hearing for 8:00 p.m. on Tuesday, July 25, 2023 in the Council Chambers of Town Hall, 2155 Main Street, Glastonbury and/or through Zoom Video Conferencing, as described in a report by the Town Manager dated July 7, 2023.

Result: Motion passed unanimously (8-0).

7. Town Manager's Report.

Mr. Luiz gave an overview of his Town Manager's Report.

Mr. Luiz provided an update on the grant awards for electric vehicle charging infrastructure. The grant awards, totaling \$381,387.50, are for purchase and installation as follows:

- \$36,741.25- 2 Single-port Level 2 chargers at J.B. Williams Park
- \$11,235.25- 1 Dual-port Level 2 charger at Glastonbury Love Garden
- \$33,072.65- 2 Dual-port Level 2 chargers at the Riverfront Community Center North
- \$141,506.95- 2 Single-port DC Fast chargers at the Academy Building
- \$41,878.85- 3 Dual-port Level 2 chargers at the Library
- \$116,952.55- 2 Single-port DC Fast chargers at the Riverfront Community Center

Mr. Luiz noted that the Connecticut River is expected to crest to 21 feet and added that Town staff are monitoring the situation. He explained that the capacity is well beyond the 21 feet.

Discussion:

Ms. LaChance noted that there were 155 likes and 23 positive comments for the pickleball court on one of the community pages.

Mr. Cavanaugh remarked that he has some questions regarding item number 5, Police Boat. He explained that Chief Porter came in for a budget review in February and stated that improvements have been made to the vessel and said that there are staffing issues. Mr. Cavanaugh noted that the memo dated June 9 states that the police boat was stationed. Mr. Cavanaugh asked the following questions: Why was the police boat inspected after it was serviced? The Council was told it was serviced and ready to be deployed. Has the boat been examined before? If not, why this year? Has the police boat been on the river anytime this year?

Mr. Luiz noted that he will get back to him.

Chairman Gullotta remarked that he is not a pickleball enthusiast and noted that the cost of the court grew financially over the years. The Chairman explained that the pickleball court came up at the same

time as the Welles Village playground and he added that the courts will get lighting and they are still looking into the playground equipment. Chairman Gullotta remarked that he finds this terribly inappropriate.

Mr. McChesney asked Mr. Luiz to pass along his appreciation to the Police Chief for the report. He noted that the number of stolen vehicles has increased from last year and added that the Police Chief recognizes this and has a task force to address this.

PUBLIC HEARING NO. 1 – Building Zone Regulations – Inclusionary Zoning

Chairman Gullotta noted that there are 3 motions before the Council and explained that options 1 and 3 are the ones in consideration because he was told that option 2 contains some flaws. The Chairman asked Mr. Luiz to provide an overview of the motions. The Town Manager went over the 3 motions:

1) BE IT RESOLVED, that the Glastonbury Town Council hereby approves proposed amendments to Sections 2, 3, 4, and 6 of the Building Zone Regulations for Inclusionary Zoning, as described in a report by the Town Manager dated July 7, 2023 and as recommended by the Town Plan and Zoning Commission, with said amendments effective August 1, 2023.

OR

2) BE IT RESOLVED, that the Glastonbury Town Council hereby approves proposed amendments to Sections 2, 3, 4, and 6 of the Building Zone Regulations for Inclusionary Zoning, as described in a report by the Town Manager dated July 7, 2023 and as recommended by the Town Plan and Zoning Commission, with said amendments effective August 1, 2023 and with the following modified text:

- New Section 6.12.3 Density Bonus shall be added to read:

At the discretion of the Town Plan and Zoning Commission, Multifamily Developments in zoning districts Town Center and Town Center Mixed Use subject to 6.12.2 may be eligible for a 20% density bonus provided that all additional units allowed by the bonus are designated in perpetuity as Affordable Dwelling Units. The Town Plan and Zoning Commission must find that the density bonus fulfills a need for Affordable Dwelling Units and that such a density bonus does not adversely affect public health, safety and welfare. In so doing, the Commission may waive any or all of the following standards, in accordance with the parameters established below, to encourage the development of Affordable Dwelling Units.

A. Town Center Zone: The 20% density bonus may enable a maximum Floor Area Ratio of 0.6 with the following potential waivers:

i. Open Space

The total required open space may be reduced to no less than 10% of the lot.

ii. Building Height

Maximum permitted height may be increased by one additional story.

B. Town Center Mixed Use Zone: The 20% density bonus may enable up to 7.2 units/ acre with the following potential waivers:

i. Building Coverage

May be increased to no more than 25% of the lot area permitted to be covered by principal and accessory buildings.

ii. Floor Area Maximum

The maximum floor area of any new building may be increased to not exceed 5,000 square feet.

OR

3) BE IT RESOLVED, that the Glastonbury Town Council hereby approves proposed amendments to Sections 2, 3, 4, and 6 of the Building Zone Regulations for Inclusionary Zoning, as described in a report by the Town Manager dated July 7, 2023 and as recommended by the Town Plan and Zoning Commission, with said amendments effective August 1, 2023 and with the following modified text:

- New Section 6.12.3 Density Bonus shall be added to read:

“At the discretion of the Town Plan and Zoning Commission, Multifamily Developments in zoning districts Town Center and Town Center Mixed Use subject to 6.12.2 may be eligible for a 20% density bonus provided that all additional units allowed by the bonus are designated in perpetuity as Affordable Dwelling Units. The Town Plan and Zoning Commission must find that the density bonus fulfills a need for Affordable Dwelling Units and that such a density bonus does not adversely affect public health, safety and welfare. In so doing, the Commission may waive any or all of the following standards, in accordance with the parameters established below, to encourage the development of Affordable Dwelling Units.

A. Town Center Zone: The 20% density bonus may enable a maximum Floor Area Ratio of 0.6 with the following potential waivers:

i. Open Space

The total required open space may be reduced to no less than 10% of the lot.

ii. Building Height

Maximum permitted height may be increased by one additional story.

B. Town Center Mixed Use Zone: The 20% density bonus may enable up to 7.2 units/ acre with the following potential waivers:

i. Building Coverage

May be increased to no more than 25% of the lot area permitted to be covered by principal and accessory buildings.

ii. Floor Area Maximum

The maximum floor area of any new building may be increased to not exceed 5,000 square feet.”

- Proposed Section 2.12 defining “Dwelling, Affordable Unit” shall be changed to strike “...for at least forty (40) years after the initial occupation of the proposed development” and replaced with “in perpetuity”.

Mr. Luiz asked Ms. Caltagirone to explain the first motion. Ms. Caltagirone noted that the highlights of the motion include establishing inclusionary zoning where multi-family dwelling are already permitted. She noted that the threshold would be 10 units or more and the set aside rate would be 10 percent. Ms. Caltagirone explained that the PAD regulations would be modified to add an additional density bonus and would establish a new universal definition of affordable dwelling units, replacing the existing definition in the PAD regulations. Ms. Caltagirone offered to explain motions 2 and 3.

Chairman Gullotta asked if option 1 includes the term in perpetuity. Ms. Caltagirone replied that it does not and explained that it is for 40 years or more. She explained that option 1 does not prevent approving it in perpetuity and added that the minimum is 40 years. Mr. Luiz noted that the 2nd motion contains

additional text and a new Section 6.12.3 concerning Density Bonus. Ms. Caltagirone explained that this density bonus would apply to the Town Center and Town Center Mixed Use Zone and contains a 20% density bonus, provided that all additional units allowed by the bonus are designated in perpetuity as affordable dwelling units. She noted that the text amendment explains the restrictions and ways it can be achieved, such as waiving open space, building height restriction, floor area ratio and other ways. Mr. Luiz explained that option 3 contains the language of options 1 and 2 and includes the following language: proposed Section 2.12 defining “Dwelling, Affordable Unit” shall be changed to strike “...for at least forty (40) years after the initial occupation of the proposed development” and replaced with “in perpetuity”. Mr. Luiz noted that option 3 ensures affordable housing remains affordable in perpetuity.

Mr. Osgood noted that a statement was made that the Council could not use option 2 and asked for an explanation. Mr. Luiz explained that both options 2 and 3 contain the same language with option 3 containing “in perpetuity”. Chairman Gullotta noted that his understanding was to create affordable housing in perpetuity and not for a limited time. He remarked that it will come down to how the Council members vote. The Chairman moved on to public comment.

Ms. Anne Bowman of 62 Morgan Drive noted that an inclusionary amendment is difficult to put together and thanked the Council for their efforts. She explained that inclusionary zoning would reduce the workforce housing shortage, reduce racial segregation, and increase the amount of affordable housing. Ms. Bowman explained that requiring 20 percent set aside would help Glastonbury reach its goal better than 10 percent. She suggested allowing developments in planned areas of development to benefit from the zoning density and added that households earning less than 60 percent of the Area Median Income should be eligible. Ms. Bowman noted that affordable housing should include studios, 1, 2, and 3 bedrooms affordable in perpetuity. She remarked that, if the inclusionary regulations were already in place, the Tannery, One Glastonbury Place, and the Soap Factory would already have affordable units set aside. Ms. Bowman provided the calculations based on a 20 percent set aside rate. She asked the Council to add condos and single-family homes as part of the affordable housing plan and noted that it should be a priority for 2024.

Mr. DJ McBride of 262 Spring Street Ext noted that he ran the numbers of option 2 and liked that the 20 percent PAD provides developers with an incentive due to the density bonus. He noted that page 7 of the Council packet states 10 dwelling units per acre of buildable property and questioned how that can be profitable. Mr. McBride noted Ms. Caltagirone’s presentation made sense and addressed that. He noted that page 8 of the Council packet states that fractions are rounded down and explained that developers will propose 64 and 74 units. Mr. McBride suggested removing the rounding and staying with a 10 percent requirement. He provided an example of a developments containing 71 units with the required set aside to be 8 affordable units. Mr. McBride suggested expanding this policy slowly and explained that it must be managed well.

Ms. Laura Cahill of 17 Montauk Way introduced herself and explained that in her work on the TPZ commission she worked alongside a republican, Mark Branse, on inclusionary zoning. Ms. Cahill noted that 2 years ago the Town attorney explained that developers are not required to add affordable housing as a condition of approval. She remarked that the inclusionary zoning ordinance before the Council is a step in the right direction. Ms. Cahill explained that the Town will need to meet the state mandated 10 percent of affordable housing. She outlined that all future development in zones TC, TCMU, and PADS and ARZ should include 10 percent of the units as affordable housing. Ms. Cahill explained that she opposes the fee-in-lieu option. She noted that she supports a 20 percent density bonus and explained

that in a 10-housing development, 2 is better than one. Ms. Cahill stated that the ordinance should be drafted in a manner that ensures that it will remain affordable in perpetuity. She noted that affordable housing is an issue that resonates with her and explained that her family was lifted into homeownership with a low interest rate mortgage program. Ms. Cahill suggested the Town implement a similar program to provide others with the same opportunity. She noted that inclusionary zoning began on a bipartisan basis and added that the Council has a golden opportunity to move forward on inclusionary zoning.

Ms. Pam Lucas of 145 Mosely Terrace expressed her support for the inclusionary zoning requirements as a condition of approval for building projects in Town. She noted that the Town should include condos and single-family homes in the plan to add affordable housing and applauded the Council for taking the step that applies to rentals. Ms. Lucas noted that a 20 percent requirement is a more effective way to ensure that sufficient affordable housing is built. She noted that, if the Town cannot go higher than 10 percent, she is in support of a 20 percent density bonus. She thanked the Council.

Mr. Robert Dakers of 15 Trifiro Circle thanked the Council members for their service and thanked them for moving on inclusionary zoning. He noted that the ongoing housing crisis is undermining the economy and harming people and added that the housing availability does not match the needs of most people. Mr. Dakers noted that inclusionary zoning polices are needed and are reflective of the good will of the community. He thanked the Council for their thoughtful work.

Mr. David O'Connor of 1140 Main Street noted that he is in support of the proposed inclusionary zoning amendment and added that he is delighted the Council is moving forward with the zoning changes. He asked the Council to consider increasing the minimum from 10 percent to 20 percent. Mr. O'Connor also suggested 15 percent as an option. He explained that the Town is behind in meeting the State requirement. Mr. O'Connor noted that there is significant demand for affordable housing. Mr. O'Connor suggested the Council consider a date to bring attention to other affordable housing options that include single-family homes and condos. He expressed support for option 3 and explained that, as discussed earlier, affordable in perpetuity is the way to go and not just 40 years.

Ms. Denise Weeks of 334 Hollister Way W noted that she spoke on this topic before and added that she is in favor of the inclusionary zoning amendment. She remarked that other speakers brought up great points and added that she glad to see progress on affordable housing. Ms. Weeks explained that she supports affordable housing in perpetuity, option 3. She noted that the density bonus also gives big boost which will help meet the 10 percent goal. Ms. Weeks reiterated her support for option 3.

Mr. Luther Weeks of 334 Hollister Way W noted that he agrees with the comments made by some of the other speakers. He noted that 20 percent will help the Town catch up to the goal of 10 percent affordable housing. Mr. Weeks noted that he is in support of affordable housing in perpetuity. He explained that the Council should include condos in the plans for affordable housing. Mr. Weeks noted that he lives in a condo and added that they come in all sizes, 1 bedroom to 3 bedrooms. He remarked that everyone gets along and noted that it is not just workers that need affordable housing. Mr. Weeks explained that retired people who want to stay in Town need affordable housing. He noted that it might be more challenging with single family homes and suggested duplexes with a lower cost to some units.

Ms. Carroll read the written public comments.

Mr. William Marut of 264 Carriage Drive submitted the following: This is in regards to the Public Hearing on a building zone regulation amendment to add Inclusionary Zoning provisions. Please know that I appreciate that the Town Council is tackling this complex issue, and that I support the proposed regulation changes. After all, we have to start tackling the need for affordable housing now, not later, and if the way to do so is to start small, so be it. Also, please consider these "asks": (1) Address the issue of affordable housing in condo and single-family home ownership projects in the very near future; (2) Increase the proposed 10% affordable housing unit requirement to 20% (or at least 15% for now). The 10% is not enough!; and (3) Include a specific requirement for families whose annual income is 60% or less of median income. Thank you.

Ms. Elizabeth Eldridge of 108 South Mill Drive submitted the following: I am in favor of requiring future building development projects to include affordable housing units and also for increasing the current proposal of 10% affordable housing unit requirement to 15-20%. Also, please include a specific requirement for families whose annual income is 60% or less of median income.

Mr. David Liscinsky of 100 Bellridge Road submitted the following: My name is David Liscinsky. I live at 100 Bellridge Road. Thank you for the opportunity to comment. I appreciate that Council is addressing the complicated issue of making housing affordable and available to everyone. I am in favor of the proposed regulation changes since those changes will help people have the choice to live and work in Glastonbury. We all know what a great community we live in. We also know how difficult it is for people to find housing that fits their budget. The proposed changes will enable people to come here and contribute to the growth and development of our community. This will help our town continue to thrive in the future. Please support the proposed regulation changes.

Zoom comment

Ms. Pam Lockard of 10 Southgate Drive noted that she is pleased the Council is moving forward with inclusionary zoning and added that she has followed the issue since 2019. Ms. Lockard stated that she supports affordable housing in perpetuity focusing on rental housing. She suggested a percentage increase requiring more than 10 percent and suggested that developers contribute to a fund for affordable housing. Ms. Lockard thanked the democrat and republican speakers for their thoughtful comments.

Chairman Gullotta asked Council members to refer to one of the 3 motions when asking a question. The Chairman asked Ms. Caltagirone to explain, under option 3, what the affordable unit set aside would be with a 20 percent density bonus using 10 units as an example. Ms. Caltagirone put up a slide with a test case of 100 units. With 10%, 90 units are market rate and 10 are affordable. Ms. Caltagirone explained that with a 20 percent density bonus, the units increase to 120. 108 are market rate and 12 are affordable. Ms. Caltagirone explained that there is another way to interpret this and it would amount to 90 market rate units and 30 affordable units. She noted that it is a question to the Council, how the density bonus gets interpreted. She asked if the Council wants every unit allowed by the density bonus to be affordable or will the 10 percent set aside apply. Chairman Gullotta noted that he came up with density bonus and the 20 percent and asked how likely would it be for a builder to build the extra units. The Chairman asked other Council members to weigh in. Ms. Wang thanked Ms. Caltagirone for the calculations and explained that her suggestion is that 25 percent of the units are deed restricted, which is less than the 30 percent requirement under 8-30g. She noted that she supports the way the density bonus is written. Ms. Wang noted that she is looking at option 3, the addition of in perpetuity, and noted that

the density bonus fulfills a need for affordable dwelling units. She asked Ms. Caltagirone to clarify the intention. Ms. Caltagirone noted that it is existing language in the PAD regulations. Ms. Wang asked about the logic behind the waivers in the different zones (Town Center, Town Center Mixed Use). Ms. Caltagirone explained that the previous planning director prepared that and added that she thinks it is very logical and explained that density bonus increases a building footprint or height and it is appropriate for those zones. Mr. Osgood asked Ms. Caltagirone about the density bonus in different zones. He asked about the floor area ratio for the Town Center Zone. Ms. Caltagirone noted that it is currently .5 and it will go up to .6 with the 20 percent density bonus. Mr. Osgood asked about the required open space in the Town Center. Ms. Caltagirone noted that it is currently 15 percent of the lot area. Ms. Caltagirone read off more numbers of the current building code and applied the 20 percent.

Ms. Carroll referred to option 3 and the test case of 100 units. She noted that, with a 20 percent density bonus, the total units would be 120, with 24 affordable units and 96 market units- not 90- 30. Ms. Carroll asked if this was correct. Ms. Caltagirone noted the numbers are not correct and remarked that the formula is a little difficult. She explained that a 20 percent bonus is a 20 percent increase in the density of the building and added that the set aside rate would still be 10 percent. Ms. Caltagirone explained that the way option 2 and 3 are written, it would require any additional unit to be affordable. The slide detailing the test case was put up on the screen. The interpretations for the 20 percent density bonus are 108 market units and 12 affordable, or 90 market rate and 30 affordable. Mr. McChesney asked if in perpetuity can be applied to the first motion. Ms. Caltagirone explained that the Council could make a motion changing the definition of affordable units so it is in perpetuity and not 40 years. Mr. McChesney stated that he is in favor of the idea of in perpetuity and added that otherwise there would be a problem in 40 years. He asked if there are other inclusionary statutes in the state that have the in perpetuity language and asked if there were any legal issues. Ms. Caltagirone noted that she is not aware of any legal problems with requiring units to be affordable and added that this was looked at by the Town attorney who is available via Zoom. She noted that she cannot answer the question regarding the point of comparison and added that the only comparable is 8-30g which is a minimum of 40 years. Mr. McChesney wanted to confirm that options 2 and 3 in the Town Center Zone would increase to 4 stories. Ms. Caltagirone replied correct. Chairman Gullotta asked if the Council could remove the statement in option 3 that includes the additional story. Ms. Caltagirone replied yes.

Chairman Gullotta asked about rounding up units. Ms. Caltagirone explained that the text amendment spells out the rounding percentage, anything above .5 is rounded to one and .4 is rounded down. Chairman Gullotta asked if she has seen any examples of developers using 12 or 13 units. Ms. Caltagirone explained that she thinks it is fairly common for developers to play with the numbers. Chairman Gullotta asked Ms. Caltagirone if she has seen examples of numbers lower than .5. Ms. Caltagirone explained that the first draft actually proposed 2 different ways to deal with the percentage rounding. One scenario would be to round up to any percentage of unit, the next highest number proposed. Mr. Cavanaugh noted that he thought the maximum permitted stories in the Town Center zone is 2.5. Ms. Caltagirone read off the regulations and stated that no building shall exceed 3 stories or 42 $\frac{3}{4}$ feet. Mr. Cavanaugh explained that people in the Town Center area complain about the density and traffic and noted that he is leery about adding more density or traffic. He explained that he is concerned with the 20 percent density bonus because it gives up on open space and keeping buildings at an attractive height, which they worked very hard to preserve. Mr. Cavanaugh asked if the memo on page 3 is consistent with Nye Road. Ms. Caltagirone replied yes. Mr. Cavanaugh asked if the sentence “no variance of these regulations regarding affordable dwelling units be granted by the Zoning Board of Appeals” is backed up by State statute. Ms. Caltagirone explained that it is her understanding that this is

a belt and suspenders approach to underscore this in the regulations. Mr. Cavanaugh stated that he is in favor of motion number one with the addition of in perpetuity.

Chairman Gullotta asked how many Council members are in favor of option 1. Three Council members were in favor of the 1st option. Chairman Gullotta asked about option 2. No hands were raised. Chairman Gullotta asked about option 3. Five Council members were in favor of the 3rd option. The Chairman suggested continuing the discussion. Chairman Gullotta noted that his suggestion is to change the building height from 4 to 3. He also suggested for more options on the density bonus. Chairman Gullotta explained that the proposed density bonus allows the Town to stay current with the expectation for affordable housing. He noted that it is not a bad beginning, and the math shows that one more unit would be picked up. Chairman Gullotta asked the Council members if they had any suggestions. Ms. LaChance asked for more options and explained that there are issues with the 90-30 example. Ms. Carroll asked for more charts and ratio examples.

Ms. Wang noted that the information on the waivers came from the previous planning director and said that she understands the concerns and hesitation with increasing the building height. She remarked that keeping a building at 3 stories might be impossible to take advantage of the density bonus. Ms. Wang stated that she supports the current density bonus as written for option 3 as a failsafe against 8-30g. She noted that she supports rounding up and, in the case of 11 units, 2 should be required affordable units. Ms. Wang explained that rounding up ensures that the Town is not falling behind. She noted that many commenters expressed support for a 15-20 percent minimum and explained that she was of that mindset until she read more on the policy that increasing the minimums tax the development and the non-deed restricted units. Ms. Wang noted that she is in support of a cautious approach, a 10 percent minimum, and added that she fully supports option 3. Mr. Osgood noted that the requirement for affordable means someone else pays, as it was just pointed out. He explained that the market rate of units increases. Mr. Osgood noted that he does not want to discourage apartments and added that they are affordable for people who cannot own. Chairman Gullotta remarked that an apartment that is \$3,600 a month precludes people from living in it and noted that the Council discussed workforce housing which would be \$1,800.

Mr. McChesney noted that apartments in Glastonbury are very expensive with people stuck renting, which is part of the crisis. He echoed Ms. Carroll's suggestion of more density bonus ratios and added that the explanation seems bizarre. Mr. McChesney noted that he is uneasy about height increase and explained that there were extensive reviews on the building height and Mr. Osgood was part of a subcommittee which determined that there was no interest in increasing the building height in the Town Center. Mr. McChesney noted that he agrees with Mr. Cavanaugh's comments and added that a 4-story building on Main Street is alarming. Mr. McChesney remarked that looking to increase the minimum percent is more palatable than adding an extra story. Mr. Osgood noted that the change to the open space is concerning, it would decrease it from 15 percent to 10 percent.

The public hearing remains open.

PUBLIC HEARING NO. 2 – Building Zone Regulations – Forestry Operations

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves the proposed text amendments to the Building Zone Regulations regarding Forestry Operations, as described in a report by the Town Manager dated July 7, 2023 and as recommended by the Town Plan and Zoning Commission, with said amendments effective August 1, 2023.

Discussion:

Mr. Luiz explained that the Town’s forestry regulations are not in line with the State requirements. He noted that Town staff is available on Zoom to answer questions.

Chairman Gullotta asked if anyone in the public wanted to address forestry operations. There were no comments.

Mr. Cavanaugh remarked that the Town might have been behind on this for a few years now and asked Ms. Caltagirone how she had found out about it. Ms. Caltagirone noted that the State informed them. Mr. Cavanna explained that he had to deal with this a few years ago when someone from the Town came out to his property about logging. Mr. Cavanna noted that he had to explain that Connecticut is a right to log state. He stated that he is glad that it is being taken care of.

Result: Motion passed unanimously (8-0).

8. Committee Reports.

(a) Chairman’s Report None

(b) MDC None

(c) CRCOG. None

(d) Policy & Ordinance Review Committee – report and recommendation – Right-to-Farm.

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby schedules a public hearing for 8:00 p.m. on Tuesday, July 25, 2023, in the Council Chambers of Town Hall at 2155 Main Street, Glastonbury and/or through Zoom Video Conferencing to consider a proposed new ordinance entitled “Right-to-Farm.”

Result: Motion passed unanimously (8-0).

9. Communications None

10. Minutes

(a) Minutes of June 27, 2023 Regular Meeting.

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

Result: Minutes were accepted unanimously (8-0).

11. Appointments and Resignations.

Chairman Gullotta asked if anyone wanted to discuss any of the appointments. There was no discussion.

(a) Resignation of Alex Demircan from the Welles Turner Library Board (R-2025).

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

Result: Motion passed unanimously (8-0).

(b) Appointment of Chris Haaf to the Welles Turner Library Board (R-2025).

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

Result: Motion passed unanimously (8-0).

(c) Appointment of Thomas Burr to the Youth & Family Services Commission (R-2023).

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

Result: Motion passed unanimously (8-0).

(d) Appointment of Sarah Dzialo to the Youth & Family Services Commission (R-2025).

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

Result: Motion passed unanimously (8-0).

Discussion:

Mr. Luiz noted that he spoke with Mr. Johnson and explained that the Town has special revenue funds which are not restricted by section 313 of the budget. He provided examples of Town departments, such as the Water Pollution Control Authority and the Parks and Recreation Department, where funds are not considered non-budgeted appropriation. Mr. Luiz explained that it was confirmed that the intent is that the rents are put in the revenue fund which was already created with the Director of Finance. He noted that he cannot say with certainty that the rents would cover the costs and explained that an option is to ask the Housing Authority to make up the difference if the rent is insufficient. Mr. Luiz stated that he has spoken to the Housing Authority Director who is open to this suggestion and will try to facilitate a meeting with the Housing Authority Board. Chairman Gullotta asked for a motion to resume discussions on 5(b) because the item was temporarily tabled.

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

Resume discussions on agenda item 5(b).

Result: Motion passed. (7-1; Mr. Osgood voting No).

Discussion:

Mr. Cavanaugh noted that the Council did not approve the special revenue fund for this project. Mr. Luiz explained that the expenditures are reported in financial audits and brought up an example of the Water Pollution Control Authority, whose budget is administrated by Town staff. He noted that the Council will get the financial reports. Mr. Cavanaugh asked if there was a special revenue fund for Nye Road. Mr. Luiz noted that one was created in advance.

Chairman Gullotta noted that the contract agreement expires tomorrow and explained that, if the Council does not take action, the Town will be burdened with a larger amount. The Chairman noted that there is a way to move forward. Mr. Osgood noted that there is no money in the special revenue fund and remarked that he does not agree.

Result: Motion passed. (5-3; Mr. Osgood, Mr. Cavanaugh, Mr. Cavanna Voting No).

12. Executive Session

(a)

Discussion of the selection of a site or the lease, sale or purchase of real estate.

Motion by: Ms. LaChance

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby enters into executive session to discuss the selection of a site or the lease, sale or purchase of real estate. In attendance will be the Town Manager and members of the Town Council.

Result: Motion passed unanimously (8-0).

Went into Executive Session at 9:29 p.m. Came out of Executive Session at 9:35 p.m. No votes taken following Executive Session.

Meeting adjourned at 9:36 p.m.

Respectfully submitted,

Nadya Yuskaev

Nadya Yuskaev
Recording Secretary

Thomas Gullotta
Chairman