

**THE GLASTONBURY TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING MINUTES OF TUESDAY, AUGUST 8, 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

Ms. Sharon Purtill, Vice Chair {Acting Chair}

Mr. Corey Turner, Secretary

Mr. Raymond Hassett

Mr. Philip Markuszka

Ms. Laura Cahill, Alternate {assigned as voting member}

Mr. Dennis DesMarais, Alternate {assigned as voting member}

Ms. Sharon Jagel, Alternate {assigned as voting member for the third public hearing only}

Commission Members Absent

Mr. Robert J. Zanolungo, Jr., Chairman

Mr. Emilio Flores

Acting Chair Purtill called the meeting to order at 7:01 P.M. In the absence of Commissioners Zanolungo and Flores, she seated Commissioners DesMarais and Cahill as full voting members.

PUBLIC HEARING

1. **Tabled application of Rob Liflander for a Section 4.11 Flood Zone Special Permit & a Section 12.9 Minor Change – solar carport installation – 769 Hebron Avenue – Planned Employment & Flood Zones – Gemma Power, owner**

continued to the August 22, 2023 meeting

2. **Application of Stan & Denise deMello for a Section 6.11 Accessory Apartment Special Permit – 80 Candlelight Drive – Rural Residence Zone – Robert & Christina Burke, owner**

The applicant, Stan deMello, explained that the proposed accessory apartment will contain two entrances: one at the garage conversion and another at the new dining area, which will go out into the backyard. Mrs. Purtill asked if the connections meet the regulations. Mr. Haynes replied yes; they also meet the health codes and certified mailings have been sent to all the abutters. Commissioner Hassett asked if there has been any feedback from neighbors. Mr. deMello responded that they have not received any objections. Mr. Hassett asked about the age of the septic system and whether it would need to be pumped. Mr. Haynes explained that having it

pumped and inspected could be added as a condition of approval. Mr. Hassett asked if there are any plans to add an exterior garage. Mr. deMello replied no, not at this time. Secretary Turner asked if the bedroom windows meet the egress requirement. Mr. deMello responded yes.

With no comments from the public, Mrs. Purtill closed the public hearing.

Motion by: Secretary Turner

Seconded by: Commissioner Hassett

MOVED, that the Town Plan and Zoning Commission approve the application of Denise and Stan deMello for a Section 6.11 Special Permit for an Accessory Apartment – 80 Candlelight Drive – Rural Residence Zone – in accordance with the plans on file with the Office of Community Development, and with the following conditions:

1. Adherence to:
 - a. The Health Department memorandum dated August 1, 2023.
 - b. The Police Department memorandum
2. Prior to occupancy, the existing septic system must be pumped.
3. 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 was approved {6-0-0}.

3. Application of the Town of Glastonbury for renewal of a Section 6.2 Excavation Special Permit – 1145 Tryon Street – Bulky Waste Facility – Reserved Land – Mike Manfre, Superintendent of Sanitation

Mrs. Purtill noted a conflict of interest, so she appointed Ms. Jagel as a voting member on this item. As Acting Chairman, Mr. Turner appointed Mr. Hassett as Secretary.

Mike Manfre, Sanitation Superintendent, explained that the excavation permit has been renewed every two years since 1977. There is a three-phase closure plan, with the first phase to be implemented in 2030.

There were no comments from the public, so Acting Chairman Turner closed the public hearing.

Motion by: Acting Secretary Hassett

Seconded by: Commissioner Cahill

MOVED, that the Town Plan and Zoning Commission approve the application of the Town of Glastonbury for renewal of a Section 6.2 Excavation Special Permit – excavate approximately 35,000 cubic yards – 1145 Tryon Street – Reserved Land Zone, in accordance with the following plans:

“The map depicting the Town of Glastonbury bulky waste disposal excavation and fill 2023 excavation permit plan for 1145 Tryon Street”

And:

1. In compliance with conditions 1-13 as set forth by the Conservation Commission in their recommendation for approval to the Town Plan and Zoning Commission at their regular meeting of November 4, 2010. Regarding condition #13, the referenced restoration plan shall be submitted approximately 6 months prior to the anticipated closure of an excavation cell.
2. The operating schedule shall be as follows:
 - a. Monday through Friday exclusive of State holidays 7:00 a.m. to 3:00 p.m.
 - b. Processing and screening of on-site material shall be permitted as follows:
 - i. Limited to no more than 40 days per year
3. In addition to the Town activity, the hauling of sold/bartered material shall not exceed 75 loads per day or 250 loads per week.
4. This Section 6.2 Special Permit shall expire on August 8, 2025.
5. 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
 - 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.
6. Each 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.
7. The applicant is hereby notified of their potential obligation to obtain authorization under the DEEP’s General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities (“construction general permit”) for any project that disturbs one or more acres of land, either individually or collectively, as part of a larger common plan, and results in a point source discharge to the surface waters of the state either directly or through a stormwater conveyance system. The applicant shall provide a copy of the Storm Water Pollution Control Plan required by the construction general permit to the Town upon request.

8. This is a Section 6.2 Excavation Special Permit. 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 was approved unanimously {6-0-0}.

4. Recommendation to the Town Council (Zoning Authority) regarding an amendment to the Zoning Map and Building-Zone Regulations to create a new zone Section 4.20 Main Street Corridor Flood Zone (MSCC) & amendment to Sec 4.11

Mrs. Purtill returned as Acting Chairman.

Mr. Haynes explained that this proposal has been in discussions for awhile, to create a new flood zone corridor within the flood zone identified on Main Street. The Town's current flood zone regulations allow the 500-year floodplain elevation which is more restrictive than FEMA's allowed 100-year floodplain. Historically, this commercial corridor has not been allowed to be redeveloped because of the standards in the regulations. The proposal is to lower the 500-year standard to the 100-year floodplain, which they hope will help bridge the development gap between the commercial corridor and the Town Center Zone. The state floodplain manager at the DEEP office has reviewed and approved proposed regulation changes.

Commissioner Cahill has concerns about climate change and irregular weather events. While the residential development standards would still stay at the 500-year floodplain, she is concerned about the commercial property development standards going down to the 100-year floodplain. She seeks more information about the history of this proposal. Ms. Caltagirone explained that several proposals over the last two years were unable to move forward because their use is prohibited in this zoning district. In the past, applicants who proposed prohibited uses sought a use variance through the ZBA, which is a practice that she is uncomfortable with. This proposal intends to correct for that while allowing more flexibility for uses. She noted that two proposals are currently under review in this zone which would be unable to proceed without a zoning change.

Mrs. Purtill noted that this area has a lot of old commercial properties which should be renovated but have not been brought before the commission. This is why the revision of flood zone regulations has focused on this particular area. Commissioner DesMarais pointed out that this area was originally set to the 500-year floodplain. He asked why it is no longer applicable. Mr. Haynes assumes that Glastonbury felt it important to protect the safety of the floodplain areas, so a higher level of scrutiny was preferred. However, redevelopment of this commercial corridor has simply not been occurring. Mrs. Purtill added that, in 1984, this area flooded during Hurricane Gloria. That is the historical basis for the 500-year floodplain. Mr. Turner asked if these permitted uses mimic the Planned Travel Zone. Mr. Haynes clarified that they actually mimic the old zone, which was General Business Development.

Mrs. Purtill opened the floor for comments from the public:

Charles Beckius of 31 Spring Street, would like the line that is drawn to be hard and fast. If this moves forward, he would like to ensure that 37 and 21 Spring Street do not become re-zoned to commercial, which would then subject them to the 100-year floodplain. He respects the need to allow Main Street businesses to do maintenance, but new construction should not extend past the current boundary of 2800 Main Street and include 21 and 37 Spring Street.

Ms. Caltagirone clarified that the proposal includes those two lots, but they will not be re-zoned with this proposed zoning change. Mr. Haynes added that 2800 Main Street has the building itself, and their application to the ASDRC has denoted the use of 21 Spring and 37 Spring Street as parking areas, but they do not propose that the zone be changed for 21 and 37 Spring Street. Mrs. Purtill asked if drive-thrus would not be allowed under this proposal. Ms. Caltagirone responded that the drive-thru language was taken out of the Planned Business Development Zone description, but they will take a look at it.

Motion by: Secretary Turner

Seconded by: Commissioner Cahill

MOVED, that the Town Plan & Zoning Commissioner tables the application.

Result: Motion was approved unanimously {6-0-0}.

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 July 18, 2023 Regular Meeting**

Motion by: Secretary Turner

Seconded by: Commissioner Markuszka

Result: Minutes were accepted unanimously {6-0-0}.

- 3. Tabled Application of G & L Glastonbury LLC for a Section 12.9 Minor Change – increase in medical office space leading to reconfiguration of parking to allow increased parking – 148 Eastern Boulevard – Planned Employment Zone**

Brian Whalen represented the owners of 148 Eastern Boulevard who seek to increase the amount of medical space allowed up to 10,123 square feet. This would result in a net increase of 5,300 square feet. To bring the building's parking ratio up to standard, they will need to add 50 parking spaces, resulting in a new total of 221 spaces. Taking into account feedback from Town staff and Commissioners, they have abandoned the plan of compact spaces. Instead, they will convert the 10-foot spaces to 9 feet, which will bring them up to 181 spaces. Though it is possible to build an additional 49 spaces, it will involve decreasing the size of the island at the traffic circle and cutting into several landscaped areas. This would be quite costly and cumbersome, which is why they request that those 49 parking spaces be deferred.

Mrs. Purtill asked if any other properties in this area have deferred parking. Ms. Caltagirone replied yes, at another medical office building on Western Boulevard. Mrs. Purtill contended that the parking for that site was all lawn area, which could be easily converted. Mr. Turner asked about the mechanism for deferred parking. Ms. Caltagirone responded that the Office of Community Development would monitor it. If they receive any complaints, that would trigger the property owner to come before the commission. If they find that the site is over-parked, then the Town could require the applicant to construct deferred parking to alleviate parking issue. She noted that if the Commission denies the deferral, then the site would no longer be zoning compliant.

Mr. Whalen pointed out that there is only one area by the power lines which is within the Eversource easement area. The other areas are able to be built. Parking spaces in front of the building would require a smaller traffic circle, as well as retaining walls, which would change the entrance of the building. Ms. Cahill sees a lost opportunity to implement sustainability guidelines which could enhance the huge expanse of concrete. Mr. Haynes pointed out that no physical changes are proposed to the parking areas, apart from re-striping. If the applicant needs to implement the deferred parking plan, they would be required to return to the ASDRC to review the design. Ms. Jagel wonders how the Town would enforce deferred parking.

Mrs. Purtill asked what percentage of the site is occupied. Mr. Whalen replied about 81%, which accounts for about 35-50 cars. Of that 81%, almost 8% of it is currently medical use. Mr. Hassett is concerned that the spaces have been made smaller and other spaces are being deferred at 25%, which is a very large number. Commissioner Markuszka asked if some of these businesses have staggered hours. Mr. Whalen responded yes, there are staggered work weeks and hybrid working schedules. Ms. Jagel is also concerned that the 25% deferral is precedent-setting. However, this building has been operating for over 30 years with low parking numbers. Mr. Haynes suggested a condition that, at the request of the Office of Community Development, the deferred parking plan will need to be implemented with an approval for a Section 12.9 Minor Change and design review within a six-month period of request. Ms. Caltagirone suggested an additional requirement that parking studies be submitted annually. The Commission can decide on the particular month.

Ms. Cahill asked if parking ratios are an issue that they need to look at. Ms. Caltagirone replied that things have been changing. She can propose allocating a budget towards a town-wide parking study next year. Mrs. Purtill is willing to entertain the idea of deferrals but would like the ability to develop the parking if things change. Ms. Jagel noted that many businesses are moving away from the work-from-home model and returning to offices. She hesitates to have an expensive study done during this transitional time. Mr. Turner relies on the opinion of Town staff, and they feel comfortable with the way that the traffic counts have been done. He suggested a condition of approval which states that in the event of a complaint, or if Town staff deems a parking issue, then the parking counts would serve as a good backup resource.

Mr. Hassett takes issue with the fact that this proposal calls for a reduction in the size of the standard spots and a deferral of parking, but all the information is provided by the applicant. He

seeks information to substantiate these changes. Additionally, he finds the deferral percentage too high to support this proposal. Mr. DesMarais asked what they will do with the numbers, regardless of how the parking counts are measured. Ms. Caltagirone responded that the annual monitoring report would be helpful for Town staff to confirm that the information coming in is accurate. Mr. Haynes added that when the traffic counts consistently hit 85-90% percent, then it could trigger a need to implement deferred parking.

Motion by: Secretary Turner

Seconded by: Commissioner DesMarais

MOVED, that the Town Plan & Zoning Commission approve the application of G & L Glastonbury LLC for a Section 12.9 Minor Change – increase in medical office space leading to reconfiguration of parking to allow for increased parking – 148 Eastern Boulevard – Planned Employment Zone – G & L Glastonbury LLC owner, in accordance with the plans on file with the Office of Community Development and the following conditions:

1. Adherence to:
 - a. The Engineering Department memorandum dated June 2, 2023.
 - b. The Police Department memorandum dated May 31, 2023.
2. The applicant shall file a motion of approval on the town land records and have a licensed surveyor/engineer submit two signed and sealed paper copies of the parking restriping plan with the revised parking analysis added to the finalized drawings per Town Engineer and Community Development approval.
3. 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.
4. The applicant shall submit annual certified traffic parking studies by a traffic engineer to the Office of Community and Development.
5. In the event that the Office of Community and Development finds that greater than 85% of parking spaces are being utilized for more than two days per week on average, the applicant will be required to come before the commission with an application for a Section 12.9 Special Permit with a revised parking plan within six months of the request by staff.

Ms. Cahill thanked other commissioners for trying to reach a compromise on the traffic study. From a policy perspective, this application highlights the problem of what they require for parking. A 25.3% deferral is too far a bridge for her to cross. Mr. Turner is on the fence with this application. Nobody wants to see a sea of pavement for parking areas, if it is unnecessary, especially giving away green space, if it will not be utilized. The parking counts show that there is far more parking available on this site than what is needed right now, and the numbers show that the parking in the proposed plan will be sufficient. However, the high percentage of deferred parking spaces makes him uncomfortable. He relies on the opinion of Town staff, who are comfortable with this. Therefore, he will support the motion, but begrudgingly, because the 25.3% sets a bad precedent.

Result: Motion was approved {4-2-0}, with Commissioners Hassett and Cahill voting against.

4. Application of Chick-fil-A for a Section 12.9 Minor Change concerning drive-thru modifications & existing parking changes – 2941 Main Street – Planned Business & Development Zone

continued to the August 22, 2023 meeting

5. CONSENT CALENDAR

- a. Scheduling of Public Hearings for the Regular Meeting of August 22, 2023:
 - i. Application of John and Paul Cavanna for a Section 6.2 Excavation Special Permit for new excavation in the “Front Pit” – 63-65 Woodland Street – Rural Residence Zone
 - ii. Application of John and Paul Cavanna for a Section 6.2 Excavation Special Permit for new excavation in the “Middle Pit” – 63-65 Woodland Street – Rural Residence Zone

Motion by: Secretary Turner

Seconded by: Commissioner Cahill

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

6. Chairman’s Report *None*

7. Report from Community Development Staff *None*

The Town Plan and Zoning Commission adjourned their meeting at 8:55 P.M.

Respectfully Submitted,

Lilly Torosyan

Lilly Torosyan

Recording Clerk