

**THE GLASTONBURY TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING MINUTES OF TUESDAY, FEBRUARY 20, 2024**

The Glastonbury Town Plan and Zoning Commission, with Shelley Caltagirone, Director of Community Development, held a Regular Meeting at 7:00 P.M in the Council Chambers of Town Hall at 2155 Main Street with an option for Zoom video conferencing. The video was broadcast in real time and via a live video stream.

ROLL CALL

Commission Members Present

Mr. Robert J. Zanolungo, Jr., Chairman
Ms. Sharon Purtill, Vice Chair
Mr. Corey Turner, Secretary
Mr. Philip Markuszka
Mr. Emilio Flores
Mr. Dennis DesMarais, Alternate {seated as full voting member}
Ms. Laura Cahill, Alternate {participated via Zoom video conferencing}

Commission Members Absent

Mr. Raymond Hassett
Ms. Sharon Jagel, Alternate

Chairman Zanolungo called the meeting to order at 7:04 P.M. In the absence of Commissioner Hassett, he seated Commissioner DesMarais as a full voting member.

PUBLIC COMMENT

Informal session for the purpose of hearing from citizens on Regular Meeting agenda or non-agenda items

Brian Comerford of 89 Stancliff Road, asked that the TPZ urge the Council to reject the draft ordinance on commercial vehicle parking. The types of vehicles allowed under this will effectively rezone impacted neighborhoods from residential to mixed use, and it will create an eyesore.

PUBLIC HEARING

**Application of 244 NAUBUC AVE, LLC for a Section 4.11 Flood Zone Special Permit and a Section 12.9 Minor Change for a building addition and parking lot expansion – 244 Naubuc Avenue - Town Center Mixed Use Zone & Flood Zone – Attorney Meghan Hope
TABLED TO 3-19-24**

REGULAR MEETING

1. Acceptance of the Minutes of the January 30, 2024 Regular Meeting

Motion by: Commissioner DesMarais

Seconded by: Commissioner Flores

Result: Minutes were accepted {4-0-2}, with Chairman Zanolungo and Vice Chair Purtill abstaining.

2. Application of the Town of Glastonbury for a Section 12.9 Minor Change to install a pavilion with drainage improvements, paved sidewalks to pickleball courts and parking area and parking lot improvements – 300 Welles Street – Reserved Land & Flood Zone – Daniel Pennington, Town Engineer/Manager of Physical Services

Ms. Caltagirone stated that, today, the Architectural and Site Design Review Committee (ASDRC) held a discussion on the merits of the proposed design, which matches the architectural style of the Riverfront Community Center (RCC), versus switching to a blue roof pavilion to match the other pavilions in the park. Two members were in support of the blue metal roof, while four members were in favor of keeping the asphalt shingle roof. Ultimately, the consensus was to support the proposal as is. There was also a discussion about moving the pavilion closer to the pickleball courts. The committee recommended shifting the pavilion about ten feet to the north.

Town Engineer Dan Pennington, explained that the project is a 30-foot x 40-foot open-air pavilion to be constructed behind the RCC. The proposed architecture will complement the roof on the RCC. He does not see any underground utilities that would prohibit shifting to the north slightly. However, he needs to ensure that all the grades will be level, so should the TPZ support this condition, he requested that they allow him flexibility as to how much to shift it.

Secretary Turner asked about the programming. Parks and Recreation Director Lisa Zerio responded that the intent is to primarily use this pavilion for programming for seniors, and offer it to the public for casual use at other times. Commissioner Markuszka asked if the pavilion would be named. Ms. Zerio replied that they will likely label this as the RCC Pavilion. Mr. Turner noted that the ASDRC discussed the roofing lifespan. He is curious about the maintenance aspect. In his experience, Mr. Pennington stated that the vinyl is easy to clean; with the wood beneath the vinyl, he does not see the possibility of it being easily dented, but it is not as durable as steel.

Mr. Turner asked why they consider pickleball courts part of the RCC versus part of the ice skating rink or other structures in the park. Ms. Zerio responded that the address for the pickleball courts was the same as the RCC's, so that is how they determined where it is located. Regarding the other places - such as the ice skating rink or the basketball court - when people ask for the location, their staff directs them to park at the boathouse. Commissioner Cahill commented that the proposed pavilion with the asphalt roof is well done. It is important to keep it in the character of what it is closest to, which is the RCC. She supports the ASDRC's

recommendation.

Motion by: Secretary Turner

Seconded by: Commissioner Flores

MOVED, that the Town Plan & Zoning Commission APPROVE the application of the Town of Glastonbury for a Section 12.9 Minor Change to install a pavilion with drainage improvements, paved sidewalks to pickleball courts and parking area and parking lot improvements at 300 Welles Street within Reserved Land and the Flood Zone, in accordance with plans dated 11/3/23 with the Office of Community Development, and in accordance with the following conditions of approval necessary to protect substantial public interests in health and safety:

1. Compliance with the recommendations of the Architectural and Site Design Review Committee (ASDRC) from their meetings on January 16, 2024 and on February 20, 2024, documented in the ASDRC Committee Report memorandum dated January 16, 2024 and as presented by the Director of Community Development, Shelley Caltagirone.
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.

Mr. Turner still struggles with how pickleball courts relate more to the RCC than to the ice skating rink and the sports fields and the park as a whole. This pavilion will be between the pickleball courts and the ice skating rink. Having a pavilion there has strong merits, but he still thinks that it should look like the rest of them to keep the campus feel. A metal roof is also more durable in the long run and has less maintenance costs. Mrs. Purtill stated that it has been many years since those pavilions were built, and she does not think that this slightly different design will blow up the campus feel of it. Mr. DesMarais was on the fence at the last meeting. He looked at it again and feels even stronger that it should be approved as it is proposed. Mr. Zanolungo agreed with Mr. Turner, but he will honor the ASDRC's recommendation.

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

3. Application of SHOPS ON MAIN LLC for a Section 12.9 Minor Change for modifications to approved patios & landscaping – 2941–2945 and 2951 Main Street – Planned Business & Development Zone – Attorney Meghan Hope

Attorney Meghan Hope of Alter & Pearson, LLC walked through the evolution of these plans and what they are proposing. Shops on Main consists of four buildings. The plan was approved in two different phases. They returned with Building 4 on phase 2 of the project. Building 3 was the last building to be constructed. The shell has been completed and they are currently doing the tenant fit-outs. Originally, the plan was approved in 2017. They returned in 2019 for a change to Building 3.

In 2022, the applicant returned for minor changes to the facade. The ASDRC asked to activate two of the lawn areas (the north and south patios). The thought back then was that these would

be snow storage areas, which never materialized, so they have made improvements to the patios. The building materials have remained the same. She explained that when they received the approval in 2022, the client gave estimates on how much construction would cost, but when they went to build it, it was way over budget. The proposed plan would shrink the size of the two patios from what was approved in 2022.

She explained that the ASDRC was frustrated that they got a plan approved which could not be built within budget, but they did approve the proposal with some comments. They asked to confirm that the peninsula with the transformer fits screening for landscaping, which it does. They also asked to relocate the trash can closer to the patio, which they have done. Another comment was whether there should be steppingstones over the easterly sidewalk to the patio. Some members supported this, but the majority were in favor of keeping it as is, so no changes are proposed. There was also a request to provide an estimate to the Engineering Department and post that Letter of Credit before the building department will issue any COs. The applicant has agreed to comply with this request.

Mrs. Purtill asked about the patio reductions. Ms. Hope replied that they are shortening the length, not the depth, at about a third of the extant square footage. Mr. Zanlungo asked if there is a superintendent on the property to empty the trash receptacles and monitor the patio furniture. David Taglianetti responded that the Carpionato Group has an in-house property management team at the site two to three times a week. Mr. Flores is concerned that the transformer is completely enclosed because it is a code violation. Ms. Hope stated that they have not reached out to Eversource with their landscape plan, but she will call them and ask. If Eversource will not let them plant there, then they will have to figure out what to do with the screening. Ms. Caltagirone pointed out that a minor change like that could be reviewed with the ASDRC Chair and Vice Chair and approved administratively.

Mr. Markuszka asked if there will be permanent light fixtures. Ms. Hope replied yes, and there are six bollards within each patio. Mr. Taglianetti explained that they will be tied to the site lighting and be on the same timer as the parking lighting. The tables will not be bolted to the ground; they are seasonal, and would be taken off-site in the winter. Ms. Cahill agreed with not having corporate logos or color schemes. The reason this is before them is because the cost approved in 2022 was too expensive. Ms. Hope had stated that it is \$168,000 for the revised plan. She asked what the estimate was in 2022. Mr. Taglianetti replied about \$270,000. Ms. Cahill thinks that this is a good faith effort, to return for a \$90,000 reduction.

Motion by: Secretary Turner

Seconded by: Commissioner Markuszka

MOVED, that the Town Plan & Zoning Commission APPROVE the application of SHOPS ON MAIN LLC for a Section 12.9 Minor Change for modifications to approved patios & landscaping – 2941–2945 and 2951 Main Street – Planned Business & Development Zone, in accordance with plans dated 1/30/24 with the Office of Community Development, and in accordance with the following conditions of approval necessary to protect substantial public interests in health and safety:

1. Compliance with:
 - a. The recommendations of the Architectural and Site Design Review Committee (ASDRC) from their meeting on January 16, 2024, documented in the ASDRC Committee Report memorandum dated January 16, 2024, not including the addition of steppingstones to the east of the northern hardscape.
 - b. The Health Department memorandum dated February 9, 2024.
 - c. The Engineering Department memorandum dated February 14, 2024.
 - d. The Police Department memorandum dated February 14, 2024.
 - e. The Fire Marshal's memorandum dated February 14, 2024.
2. The applicant, prior to filing an approval letter on the land records, shall submit construction estimates for approval from the Engineering Department, and post a cash bond or letter of credit for landscaping and outdoor patio areas.
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.

Ms. Cahill asked if the plantings are native to Connecticut. Ms. Hope answered yes, they are. She clarified that the ASDRC was split on the steppingstone path, so it is not included. Mr. Zanolungo's opinion is that it is not needed for such a small area; Mr. Turner agreed. Mr. Zanolungo agrees with Ms. Cahill that there has been much good faith to make the development look better.

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

4. Recommendation to the Town Council regarding proposed amendments to Sections 2 and 7 of the Building-Zone Regulations to modify requirements for parking commercial and recreational vehicles, boats, trailers and mobile homes in residential zones

Ms. Caltagirone stated that the Council recommended a subcommittee to discuss this matter. Last month, they met and reached consensus on a draft text amendment. She reviewed the existing regulations and the changes that the subcommittee proposed. The subcommittee's intent was to keep the recreational vehicle regulations as is. They recommended simplifying the proposed definition of "commercial vehicle." They agreed to allow unlimited parking in garages or barns as-of-right, and to allow parking of one commercial or recreational vehicle outdoors, if it meets certain criteria. They also agreed to exclude parking of vehicles that transport sewage, refuse, or hazardous materials. She reviewed the definitions of the draft regulations for commercial and recreational vehicles. The maximum height of a commercial vehicle parked outdoors is 9 feet and the maximum length is 23 feet. Indoors, the restriction is still one recreational vehicle in the barn or garage.

She then posed the following questions for the TPZ consider:

- Should the number of recreational vehicles parked in barns or garages be restricted?
- Should recreational vehicles be allowed in the sideyard with screening?
- Should screening now be required for parking commercial or recreational vehicles in the rear yard?

Mr. Zanolungo asked to speak to the term ‘mobile home.’ Ms. Caltagirone explained that they struck the term because the common understanding of a mobile home is of a permanent residential structure, which is regulated differently in the code. Recreational vehicles are vehicles used for recreational purposes, not permanent residence. Mr. Turner stated that many of the conversations at the subcommittee were similar to those of the TPZ. Mr. Markuszka, who also served on the subcommittee, added that allowing unlimited parking in garages or barns as of right is self-regulating; Mr. Zanolungo agreed. He is in favor of not having a number on the restriction.

Mr. Zanolungo asked why only one recreational vehicle is allowed in a barn or a garage but more than one commercial vehicle is allowed. Mr. Turner responded that the subcommittee did not discuss recreational vehicles at length. The general consensus was that recreational vehicles were a luxury. Ms. Caltagirone explained that, during the subcommittee, the purpose of the revision was to support working folks to be able to park their work vehicles at their residence, so they tabled the conversation on recreational vehicles specifically. Mr. DesMarais thinks that if they do not limit the number of commercial vehicles in garages, then the same should apply to RVs. He asked how they enforce the no-refuse transport requirement. Ms. Caltagirone answered that their enforcement is complaint-driven.

Mrs. Purtill still feels the same way as she did in the beginning, which is that the proposed vehicles are too large. They have not had many issues. To her, this will open the floodgates, pitting residential neighbors against commercial vehicle owners, and creating problems that do not currently exist. If people need to have that vehicle, then they can apply for a variance where the public can show up and discuss it. Ms. Caltagirone clarified that in the proposed draft amendment, the vehicle does not have to be owned, which is different from the current ordinance. They need to make that discrepancy consistent.

Mrs. Purtill believes that it is the responsibility of the owner of that business to provide parking for those vehicles, not to distribute them to their employees to garage them. She reviewed examples of regulations from other Connecticut towns, remarking that blue collar towns prohibit having trucks and construction equipment. She does not agree with shifting the burden to the homeowner instead of Town staff to regulate this, and also finds a six-foot screen for a nine-foot long truck to be ridiculous. Mr. Turner countered that their regulations are much more restrictive than the Town of Seymour. He also pointed out that the subcommittee discussed what the definition should be and tried hard to ensure that they encompassed a large number. Very few vehicles fall under the 9 feet x 23 feet, as most are either longer or taller. He agreed with Mrs. Purtill that it is the business owner’s responsibility to park their commercial vehicles appropriately.

At first, Ms. Cahill thought that they should be more lenient, but she has changed her mind. She

agreed with Mrs. Purtill's comments. She also worries about opening up a Pandora's box and does not favor an extension into the sideyard. People should be able to use the special permit process. Regarding screening in the rear yard, she worries about neighborhoods where backyards back up to each other. Apart from allowing an unrestricted number of vehicles to be parked in a barn or garage, she does not support the proposed regulations.

Mr. Zanolungo struggles with this because they need to pass along a recommendation to the Council. Ms. Cahill asked how many complaints and special permits they receive per year. Ms. Caltagirone replied that there is no system to track the complaints. Last year, the new Zoning Enforcement Officer started keeping a spreadsheet of complaints coming in. He has 28 complaints recorded, split equally between commercial and recreational vehicles. There was one request for a variance to park in the sideyard, which the Zoning Board of Appeals denied.

Mr. Flores thinks that the Council's request for the TPZ to review this indicates that there is a need to have this discussion. Tonight's discussion has centered around neighbors' rights to not have to look at certain vehicles, but there has not been much discussion about the rights of people who own commercial vehicles. He noted that there are codes for how loud a diesel truck or a back-up alarm can be. They need to protect people's right to purchase and use these vehicles. He is in favor of all of the subcommittee's recommendations, apart from allowing vehicles to be parked on the side with screening. Mr. DesMarais agreed that it is not his right to tell a person to not park their commercial vehicle on their property, so he will support these proposed amendments.

The TPZ held informal votes on each particular consideration:

- The definitions:
 - There was a unanimous consensus to accept the definitions as presented {6-0-0}.
- Should the number of recreational vehicles parked in barns or garages be restricted?
 - There was unanimous consensus against this {0-6-0}.
- Should recreational vehicles be allowed in the sideyard, with screening?
 - There was unanimous consensus against this {0-6-0}.
- Should commercial vehicles be allowed in the driveway?
 - Mrs. Purtill voted no {5-1-0}.
- Should commercial vehicles be allowed in the sideyard, with screening?
 - All members voted no apart from Mr. Markuszka {1-5-0}.
- Should commercial vehicles be allowed in the rear yard?
 - Mrs. Purtill and Mr. Markuszka voted no {4-2-0}.
- Should recreational vehicles be allowed in the rear yard, without screening?
 - All members voted no apart from Mr. Turner {1-5-0}.
- Should recreational vehicles be allowed in the rear yard, with screening?
 - The vote was split {3-3-0}, with Mrs. Purtill, Mr. Flores, and Mr. Markuszka voting against.
- Should commercial vehicles be allowed in the rear yard, with screening?
 - Ms. Purtill and Mr. Markuszka voted no {4-2-0}.
 -

- Is six feet of screening with fencing, evergreen plantings, a berm, retaining walls, or a combination thereof sufficient?
 - The vote was split {3-3-0}, with Mr. Markuszka, Mr. Zanlungo, and Mrs. Purtill voting against.
- Is eight feet of screening with fencing, evergreen plantings, a berm, retaining walls, or a combination thereof sufficient?
 - The vote was split {3-3-0}, with Mr. Flores, Mr. DesMarais, and Mrs. Purtill voting against. Mssrs. Flores and DesMarais believe that six feet is adequate.

Ms. Caltagirone explained that there is an issue of ownership versus use of a vehicle. It is currently described in two different ways. She thinks that 2d(1) is a little more straightforward whereas 2c is more restrictive. Ms. Caltagirone pointed out that the draft offers more flexibility, by not requiring the resident to own the commercial vehicle. There was consensus to change those definitions to “owned or leased.”

Ms. Caltagirone then noted that screening from view is often regulated to screen views from public rights-of-way. Screening views from private properties is less common but they have included that. There was unanimous agreement to screen both the public rights-of-way and the private adjacent property lines.

Motion by: Secretary Turner

Seconded by: Commissioner Markuszka

MOVED, that the Town Plan & Zoning Commission forwards to the Town Council (Zoning Authority) text amendments to the Building-Zone Regulations (Sections 2 and 7) to modify requirements for parking commercial and recreational vehicles, boats, trailers, and mobile homes in residence zones as described in the memo regarding "Commercial and Recreational Vehicle Parking in Residence Zones" from the Office of Community Development dated February 16, 2024, as amended, and with comments and feedback from the Town Plan & Zoning Commission meeting of February 20, 2024.

Result: Motion passed {5-1-0}, with Commissioner Purtill voting against.

5. CONSENT CALENDAR

- a. Scheduling of Public Hearings for the Regular Meeting of March 5, 2024
 - i. Application of Barbara Theurkauf for a Section 12 Special Permit with Design Review to allow for special events & rentals at the Welles-Shipman-Ward House property – 972 Main Street – Village Residential Zone – Historical Society of Glastonbury, owner
- b. Crosby II Subdivision: Bond Recommendation for Final Subdivision Approval

Motion by: Secretary Turner

Seconded by: Commissioner Purtill

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

6. CRCOG Regional Planning Commission appointment recommendations to Town Council

Ms. Caltagirone stated that there is a vacancy for an alternate to serve on CRCOG's regional planning commission. Mr. Turner is currently serving, which goes through November 2025. Per CRCOG's regulations, they need to appoint someone by mid-March. The appointment is made by the Council, but they would like the TPZ to make a recommendation. This vote would be to extend Mr. Turner's appointment by one month - to December 2025 - and to recommend an alternate. Ms. Cahill volunteered to serve as alternate. Mr. DesMarais is also interested. Mr. Zanolungo will reach out to Commissioners Hassett and Jagel to see if they are interested as well, and will return this matter to their next meeting on March 5.

7. Chairman's Report - None

8. Report from Community Development Staff - None

The Town Plan and Zoning Commission adjourned their meeting at 9:25 P.M.

Respectfully Submitted,

Lilly Torosyan

Lilly Torosyan

Recording Clerk