

**THE GLASTONBURY TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING MINUTES OF TUESDAY, JULY 16, 2024**

The Glastonbury Town Plan and Zoning Commission, with Shelley Caltagirone, Director of Community Development, and Gary Haynes, Planner, 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

Mr. Corey Turner, Secretary

Mr. Emilio Flores

Mr. Philip Markuszka

Mr. Andy Zlotnick, Alternate, *seated*

Ms. Laura Cahill, Alternate {participated via Zoom video conferencing}, *seated*

Mr. Dennis Desmarais, Alternate

Commission Members Absent

Ms. Sharon Purtill, Vice Chair

Ms. Sharon Jagel

Chairman Zanolungo called the meeting to order at 7:18 P.M. In the absence of Commissioners Purtill and Jagel, he seated Commissioners Cahill and Zlotnick as full voting members.

PUBLIC COMMENT

Informal session for the purpose of hearing from citizens on Regular Meeting agenda or non-agenda items *None*

PUBLIC HEARING

Recommendation to the Town Council (Zoning Authority) concerning the establishment of a Village District Overlay in South Glastonbury

Ms. Caltagirone explained that the Town Council started discussion of the possibility of a South Glastonbury Village District Overlay in June and forwarded a request for a recommendation from the Town Plan and Zoning Commission (TPZ). She explained the intent and purpose of village districts and noted that the existing South Glastonbury zoning was established in 2004, which is composed of village residential and village commercial. Currently, an advisory design review is required for multi-family, commercial, and office projects in these zones. If adopted, design guidelines would be compulsory for new construction, substantial reconstruction, and rehabilitation of property within the district. She noted that since they are changing only the text

of the South Glastonbury zone and the section of the code, there was no reason to create a new map. The Town Attorney agreed with this approach.

Ms. Caltagirone explained that the proposed draft text amendment amends the existing zoning district language rather than establishing an overlay zone. The language is borrowed largely from the Town Center Village District (TCVD), with a few exceptions. She noted that the draft calls for South Glastonbury Village District (SGVD)-specific design guidelines. Because of the unique historical and visual character of the district, it is worth tailoring design guidelines to the area. She then listed some considerations for the TPZ.

Mr. Turner stated that the Reserved Land (RL) Zone is currently exempt because those properties are Town-owned. He asked why they would not include the RL zone, if they are considering making the text change. Ms. Caltagirone responded that they wish to include Reserve Land Zones across town, not just in that particular parcel that is zoned as Reserve Land. Therefore, advisory design review would be required for reserve land, which would apply to any reserve land in town. The text change is included in the draft amendment.

Mr. Markuszka asked if there has been a case where something was not visible in the public roadway but later was. Ms. Caltagirone replied she is not aware of any but there is not much of a record to look back on, because the Town has had design review for roughly only a year and a half. Plantings are excluded from visibility studies, so they would judge visibility on a cleared site. However, she noted that one could have a building demolished next door which could also change the visibility. She explained that it can be hard to regulate design review based on visibility criteria.

Mr. Desmarais asked to clarify. Ms. Caltagirone responded that there is an argument that if one cannot see a building from a public roadway, then they cannot do a design review there. Mr. Haynes added that, to not review a commercial project based on this subjectivity of public view does not feel right. By taking out the criterion, they will remove the subjectivity, and make it a part of the design review board process. Mr. Zanolungo agreed to strike it and have it be a criterion for the ASDRC. If the TPZ would like to exempt certain types of properties from the public view, then Ms. Caltagirone recommends focusing on defining a scope of work that falls below the need for design review.

Mr. Zlotnick likes the fact that everything in this zone would come before the ASDRC for review. He asked if Building Zone Regulation Section 4-19 will not be required. Ms. Caltagirone replied that it will not apply in this zone because it will have its own village district overlay. Now that Glastonbury will have two village districts, they want them to be standalone with their separate design review process. Mr. Zlotnick asked about the difference between an overlay versus an independent district. Ms. Caltagirone answered that what they currently have is an overlay in the Town Center, which allowed the overlay zone to be a difference shape than the underlying zoning district.

In this case, she explained, what has been recommended thus far is that everything in South Glastonbury residential and commercial zones be subject to the design review, so they did not

need a new shape to overlay it. In fact, doing so would actually make the map more difficult to read. She noted that the TPZ would continue to have discretion regarding the ASDRC's recommendations. However, in a compulsory zone, like that which would be created here, they have the right to say that because the applicant did not meet the design guidelines, they are denying the project. Whereas if it were an advisory recommendation, then a denial based on design guidelines would not be as legally defensible. Mr. Zlotnick asked if there is a process for checking that the ASDRC members meet the requirements of the state regulations for village districts. Ms. Caltagirone replied that the subcommittee was chosen by the Council via interview, with criteria for the various seats and time limits on each of the appointments. Under Section 4.16.5, Mr. Zlotnick asked to add the word "renderings." Ms. Caltagirone will note that addition.

Ms. Cahill would like to ensure that public notice has been issued to the affected properties. Ms. Caltagirone explained that, as a text amendment, there is no code requirement to notice abutters, but they realized that everybody affected by this text amendment would be interested in it. Therefore, they notified everybody last week. On Wednesday, the mailing was sent out for the Council public hearing. She hopes that it will draw attention and trigger public comments at the Council's public hearing. Ms. Cahill likes the idea of taking the visibility criteria out because it provides clarification. She also likes that the ASDRC is included in this process of creating a holistic village district.

Mr. Turner fully supports this for the village commercial zone. However, he is on the fence about it in the village residential zone. He asked about Council opinions on this and where meeting with the ASDRC is part of the process. Ms. Caltagirone responded that there has been no consensus on whether residential properties should be excluded or not, but a couple council members floated the idea that single and two-family properties could be excluded from design review, with only multi-family properties included.

Ms. Caltagirone explained that, in a village district overlay, it is the type of work that triggers the review and not the type of application. That is why it is important to know if there are minor types of work that the commission does not feel require design review. Mr. Turner is concerned about making it overly onerous for the residential owners and suggested that some of those details be worked out when the design guidelines are triggered. Ms. Caltagirone clarified that they need to set the triggers for the design review with the code itself.

Mr. Turner asked why the Council is leading this process now, instead of a subcommittee, as was done when they developed the design guidelines. Ms. Caltagirone lifted that language from Section 4.19 of the TCVD. She clarified that the Council would lead the process but they can amend the language to make it clearer that the TPZ and subcommittee would be involved in the process. Mr. Turner believes that if residential properties are going to be included, then it is important to have a more collaborative effort. Mr. Haynes stated that the process last time still went through the Council, which spearheaded a subcommittee for that effort, so the language is reading accurately.

Mr. Flores feels strongly about not including residential properties, specifically two-family and under, because it is quite a burdensome process and not fair for families. He hopes that they can

pass on that sentiment to the Council. Mr. Zlotnick feels differently, noting that other municipalities require design review for residential properties. People live in this district for a reason, which is to preserve what is there now. While passing a regulation, it makes it easier to include it all, and distinctions can be made when passing the design guidelines. He believes that preserving the character of the zone is important.

Mr. Desmarais strongly agreed with Mr. Flores that single family and duplexes should be set aside. People live there who like the character of their community, but they are the same people who, when doing renovations, would seek to preserve that character. He does not wish to penalize them for preserving the character as they go through modifications of their homes. Mr. Markuszka asked how many properties in a residential area are above two-family units. Ms. Caltagirone replied that probably fewer than 10% are multi-family. Mr. Haynes agreed that it is likely only a handful. Mr. Markuszka asked how many residential properties there are in the area in question. Ms. Caltagirone will do that tally and report back.

The commission then responded to the considerations which Ms. Caltagirone had earlier posed:

Consideration 1. Should the village district require design review of all residential properties, as well as commercial properties?

All commissioners agreed that the village district design review should be required of all commercial properties. However, opinions on residential properties were mixed.

Mr. Markuszka agreed with Mr. Zlotnick that uniformity is easier. Ms. Cahill believes that a village district is different from a historic district, which has more uniformity. There are a substantial number of homes in this district, and she agrees with Mr. Flores and Mr. Turner to exempt single family and two-family homes. Anything else above that, she firmly favors being subject to the ASDRC review process.

Mr. Zanolungo agrees with not making it overly burdensome to residential owners but would also be open to the Council figuring that out after holding their public hearing. If they receive a lot of pushback from residents, then they would not include it. Mr. Turner has mixed feelings on this. He understands the reasoning on both sides, but because these are new regulations, he tends to err on the side of caution. He is not against including single and two-family homes, once questions are worked out. Ms. Cahill would like to hear what the public has to say. But right now, she favors the more cautious approach.

Should some types of work be excluded from design review?

Mr. Zanolungo favors the draft mirroring what the TCVD excludes. Mr. Desmarais is confused about the question because the TCVD does not have residential properties. Ms. Caltagirone clarified that the focus is on what residential scopes of works they would want to exclude.

Mr. Zlotnick believes that if it is something simple that they are replacing in kind, then he finds it fine to exclude. Ms. Caltagirone clarified that if the design guidelines were written to say that

they would promote replacement in kind, Town staff would not be able to approve that. It would still need to go through a review. Only when it is put directly into the code can Town staff be authorized from exempting a property owner from going before a committee. Otherwise, it would be on the committee to make those determinations.

From a construction standpoint, Mr. Turner noted that one does not need a permit for repair work, painting, or some landscaping work. He thinks that any item which needs a permit probably needs some kind of design review. He proposed this as a defining line for residential properties. Mr. Zanolungo likes that suggestion. Ms. Cahill thinks that is a reasonable line. Mr. Markuszka is concerned that excluding things can lead down a rabbit hole. Mr. Turner asked what the trigger would be then. Mr. Haynes answered that the current proposal addresses the way it is written now, with in-kind replacement, but excludes patios and decks, as a starting point. He asked if there is anything that the commission feels strongly that should be added or subtracted.

Mr. Desmarais asked about the ASDRC's process regarding visibility from the public view. Ms. Caltagirone replied that they have discretion to comment on everything. Mr. Desmarais stated that that is another reason why he would be against this applying to residential properties.

Consideration 2: Should design guidelines be adopted that address the area specifically?

Across the board, the Commission said yes.

Consideration 3: By creating a new village district, the current requirement in BZR Section 4.19 to provide design review for special permits in the VR and VC for commercial properties will not be required. Staff recommends deleting VR and VC and including Reserved Land (RL) based on previous input from the Council.

Mr. Zlotnick stated that it depends on how they end up with the residential component because if it does not end up being subjected to ASDRC review, then they should keep the residential part of this. Regarding the public visibility aspect, Mr. Zanolungo agrees with Town staff. It becomes too cumbersome to litigate what is and is not visible, so he favors striking it from the text. Mr. Desmarais is opposed to striking it. All other commissioners agreed to strike it from the text.

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

Motion by: Secretary Turner

Seconded by: Commissioner Markuszka

MOVED, the Town Plan & Zoning Commission hereby provides a favorable recommendation to the Town Council regarding the proposed amendment to the Building-Zone Regulations concerning the South Glastonbury Village District, subject to the discussion provided by the Town Plan and Zoning Commission at their July 16, 2024 meeting, as described in a report by the Director of Community Development.

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

REGULAR MEETING

1. Acceptance of the Minutes of the July 2, 2024 Special Meeting

Motion by: Commissioner Flores

Seconded by: Secretary Turner

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

2. CONSENT CALENDAR

- a. **Scheduling of Public Hearings for the Regular Meeting of August 20, 2024: to be determined**
- b. **CRCOG Hazard Mitigation & Climate Adaptation Plan**

Motion by: Secretary Turner

Seconded by: Commissioner Flores

Result: Consent calendar passed 5-1-0, with one abstention from Mr. Zlotnick.

3. Chairman's Report *None*

4. Report from Community Development Staff

Ms. Caltagirone explained that the CRCOG Hazard Mitigation and Climate Adaptation Plan is in its final form, so there is an opportunity for the commission to weigh in, which is why it has been placed on the Consent Calendar. It was important for the TPZ to approve it, as a formality, before forwarding it to the Council. The process has been over a year with CRCOG.

Ms. Cahill stated that there was a letter in the Glastonbury Citizen from Michael Lawlor, asking about the CT General Statutes Section 8-30G project on 1199 Manchester Road. There were issues raised about safety. She believes that his questions deserve answers. Ms. Caltagirone has answers, but asked to present it at their next meeting. She will provide an update in their staff report next month.

Chairman Zanolungo moved to adjourn the meeting at 8:57 P.M.

Respectfully Submitted,

Lilly Torosyan

Lilly Torosyan

Recording Clerk