

aside 20% of their units for affordable housing or the whole development must be elderly housing. Commissioner Jagel noted that Section 4.12.3(2) is listed to have been amended last year, but she wondered what was amended. She asked because she was unsure whether the Town has the legal authority to disallow someone to seek a variance. Ms. Caltagirone clarified that that language was added in 2023 when the inclusionary zoning regulations were adopted, which were reviewed by the Town Attorney, and have not yet been challenged.

Chairman Zanolungo summarized that it was an oversight that PADs were originally left out of the Town Center Zone, so the proposed amendments will rectify that. Vice Chair Purtill expressed concern about potentially doubling the Floor Area Ratio (FAR) from 0.5 to 1. Ms. Caltagirone explained that there is a height limit in the Town Center Zone, so the developer is somewhat constrained, in terms of the footprint and overall height of the building volume. However, she noted that a FAR calculation has more flexibility. Additionally, nothing is as of right with a PAD, so the Council has full discretion to consider whether a proposal is too dense, and therefore, inappropriate for Glastonbury.

Mrs. Purtill expressed concern about potentially doubling the density for units that are set aside for affordable housing. She was unsure whether that is a sufficient boost to the town and had trouble quantifying what that means. Ms. Caltagirone explained that it is an existing benefit in Residence A or AA, and there are other, higher densities allowed by PADs, so it is not completely out of line with the way that the code treats other zoning districts.

Mrs. Purtill asked, without that double bonus, does the developer still get a bonus for including the affordable units. Ms. Caltagirone explained that the bonus would be the doubling of the FAR. She explained that density is determined by the FAR in the Town Center Zone, not a set unit number per acre. Mrs. Purtill stated that the FAR has always been a confusing concept, so she would like to explore it more before granting a doubling of it. Mr. Haynes suggested cutting that back or not having it at all until further exploring the affordable housing plan. Ms. Caltagirone further suggested that the Commission support the decreased tract size but not the increasing of the density.

While Commissioner Jagel thought that doubling the FAR in a residential zone in a smaller situation makes sense, here, she did not. Therefore, she supported removing or modifying that language. Mrs. Purtill agreed to not include it at this point because it would create an expectation. Commissioner DesMarais liked having the incentive, but he also supported the suggestion to allow the possibility of exceeding the FAR. Mr. Turner agreed with Mr. DesMarais. He also agreed that doubling the FAR may be a lot and suggested changing it to a ratio of no more than between 0.5 and 1.0, at the discretion of the Council.

The Commission agreed on the following language: "...may be allowed an increased FAR over 0.5 but no greater than 1.0." Ms. Caltagirone agreed to present this as a tracked change to the Council.

Motion by: Secretary Turner

Seconded by: Commissioner DesMarais

MOVED, that the Glastonbury Town Plan & Zoning Commission hereby forwards a favorable recommendation to the Town Council in regard to the draft text amendment of the Building-Zone Regulations allowing Planned Area Developments in the Town Center zoning district, as drafted in BZR Text Amendment dated July 23, 2024, and as amended in TPZ Meeting dated 8/20/24, as it promotes and provides flexible and cohesive development for larger development projects within the Town Center Zone.

Result: Motion passed unanimously {5-0-0}.

3. Referral from Zoning Board of Appeals – Request of Monaco Realty LLC for a use variance from Section 4.15.1 of the Glastonbury Building-Zone Regulations to allow for the storage of vehicles at 267 & 273 Williams Street East

Attorney Meghan Hope of Alter & Pearson, LLC explained that Monaco Realty owns two lots to the west of Enterprise Rent-a-Car. They have filed a use variance with the ZBA on permitted uses in the Planned Commerce Zone. They seek a recommendation from the TPZ for their use variance application, which will be presented before the ZBA on September 9. She explained that the Monaco Ford dealership has been on-site since the 1940s, and since that time, the zoning in this area has changed considerably. She said that, in 1973, it was re-zoned and the car dealership use became non-conforming. In 2004, a further zoning change perpetuated that non-conformity of the use.

Ms. Hope explained that the pandemic caused a disruption in the supply chain. Therefore, the Monacos are experiencing historic inventory levels. They ask to be able to park cars that the Monacos own on these two lots, which will be left grassed. She explained that customers will not enter the site, so there is no need for lighting. She added that there is no security risk because they are storing vehicles there that have already had their catalytic converters stolen.

Ms. Hope clarified that this proposal is a temporary use, and if their inventory goes down, then these vehicles would be the first to go. She explained that her applicant is open to receiving a recommendation from the TPZ for a use variance, before going to the ZBA, and then returning to the TPZ for approval. She stated that they are allowed to ask for this use because it is permitted elsewhere in town, and do not feel that it will substantially affect the comprehensive zoning.

Mr. Hope stated that she has spoken with the Council about a text amendment because that is the other option to a variance but did not receive support for it. She also said that when the Route 17 ramp gets decommissioned, this area would potentially be redeveloped anyway. She opined that most use variances seem to be sought in the Planned Commerce Zone, which is the zone that has changed the most since 1973. She then read into the record letters of support from Mike Dondi at 263 Williams Street East and John and Debra Cofiell at 296 Williams Street East.

Ms. Jagel commented that whenever she looks at this zone, she cannot believe that this use would not be allowed. She expressed disappointment that the Council is pointing the applicant in another direction, especially since she personally does not like variances, and does not believe

that there are the grounds for a legal variance here. However, she agreed to recommend this to the ZBA, with the caveat that the TPZ reviews it afterwards, to look at the screening and site plan.

Ms. Jagel asked how the applicant arrived at 74 for the number of allowable cars to be parked on the two lots. Ms. Hope replied that they could have fit more on the site, but the applicant sought to be respectful to the neighborhood, so they are comfortable with the cap at 74 cars. Ms. Jagel pointed out that the language in condition #3 in their motion is a bit misleading because all vehicles are 'overstock' until they are sold.

Mr. Haynes explained that the intent was to find a creative way to limit the idea that the variance runs with the land. Ms. Jagel's concern was that this is expanding the use, to a certain extent. She would rather allow it by zone rather than try to pigeonhole it and call it a variance. She also believed that there should be lighting on-site because there are other security risks involved than stealing catalytic converters. She hoped that, two years from now, the applicant will not have the need for this extra storage. Mr. Zanolungo agreed that changing the zone would be great, but pointed out that that is a two-year endeavor, and the applicant needs this now.

Mrs. Purtill shared Ms. Jagel's concerns, noting that the variance is a hardship, and this application does not fit into any neat little boxes. Because this is a temporary measure, she suggested allowing a use variance for a limited period of time, which would then be subject to renewal. Ms. Hope stated that her applicant is comfortable with that. Mr. Zanolungo noted that the applicant had talked about mimicking the excavation permit, which must be renewed every two years. He pointed out that if the text of this zone changes such that this use becomes allowed, then the variance will become null and void. Ms. Hope stated that when the re-write happens, she thinks that they should be involved.

Motion by: Secretary Turner

Seconded by: Commissioner Jagel

MOVED, that the Glastonbury Town Plan & Zoning Commission hereby forwards a favorable recommendation to the Zoning Board of Appeals in regard to the proposed use variance to allow storage of a maximum of 74 overstock vehicles at 267 and 273 Williams Street [East] in a Planned Commerce Zone, with the following recommended conditions:

- 1. Following approval of use variance from the Zoning Board of Appeals, the applicant shall file for a 12.9 Minor Change for site plan approval from the Town Plan and Zoning Commission (TPZ).*
- 2. TPZ Site Plan approval be limited to a 2-year period; the applicant would need to come in for renewal.*
- 3. Use variance be limited to inventory vehicle storage of overstock vehicles and not to be interpreted as allowing for use of automotive sales.*

Discussion: Ms. Jagel stated that she will support this application, but she is disappointed at the way in which they are going about it. She reiterated that the permitted uses in the zone need to change.

Result: Motion passed unanimously {5-0-0}.

4. CONSENT CALENDAR

- a. Scheduling of Public Hearings for the Regular Meeting of September 3, 2024: to be determined**
- b. Section 8-24 Connecticut General Statutes Referral from the Town Council regarding a lease agreement with Riverview Farms LLC for the Old Cider Mill at 1287 Main Street, Parcel A**

Motion by: Secretary Turner

Seconded by: Commissioner Jagel

RESOLVED, that the Plan and Zoning Commission of the Town of Glastonbury recommends to the Town Council the leasing of Old Cider Mill Parcel A at 1287 Main Street for five years to Riverview Farms LLC, as described in memorandum by the Town Manager, dated August 2, 2024. Municipal leasing of this parcel is fully consistent with policies established in the 2018 – 2028 Plan of Conservation and Development pertaining to protection of large tracts of land, preservation of agriculture and open space, and providing of recreational amenities and improving the quality of life in the Town of Glastonbury.

Result: Consent calendar passed unanimously {5-0-0}.

5. Chairman’s Report None

6. Report from Community Development Staff

Ms. Caltagirone explained that, at their last meeting, Laura Cahill requested an update on 1199 Manchester Road. She said that the project is still moving forward. In the last few months, the applicant received permits through the DOT, and now they are seeking a re-design on their sewer system. She concluded that there is an active building permit and an active site plan approval.

Ms. Caltagirone then noted that the CT chapter of the American Planning Association is holding an all-day housing forum on September 7 in New Haven. There is no limit on how many commissioners can attend, but there is a \$20 fee, which the Town will cover. She noted that this could count towards continuing education hours for commissioners.

Chairman Zanolungo adjourned the meeting at 8:06 P.M.

Respectfully Submitted,

Lilly Torosyan

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Recording Clerk